CITY OF SYDNEY

8 May 2025

At 5.00 pm

Central Sydney Planning Committee

Agenda

1. Disclosures of Interest
2. Confirmation of Minutes
3. Matters Arising from the Minutes
4. Modification Application: 905 South Dowling Street, Zetland - D/2023/724/B
5. Development Application: 905 South Dowling Street, Zetland - D/2024/1029
6. Development Application: 905 South Dowling Street, Zetland - D/2024/1055
7. Development Application: 372-382A Pitt Street, Sydney - D/2024/36
8. State Significant Development Application: 372-382A Pitt Street, Sydney - D/2024/446
9. Development Application: 7-19 Coulson Street, 5 Goddard Street and 23 Eve Street, Erskineville - D/2024/652
10. Public Exhibition - Planning Proposal - Powerhouse Museum Heritage Item Amendment - Sydney Local Environmental Plan 2012 Amendment

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1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.
2. Check the recommendation in the committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

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Item 1.

Disclosures of Interest

Pursuant to the provisions of the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Members of the Central Sydney Planning Committee are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 2.

Confirmation of Minutes

Minutes of the following meeting of the Central Sydney Planning Committee are submitted for confirmation:

Meeting of 3 April 2025

Item 3.

Matters arising from the Minutes

Matters arising from the minutes of the Central Sydney Planning Committee of 3 April 2025.

Item 4.

Modification Application: 905 South Dowling Street, Zetland - D/2023/724/B

File Number: D/2023/724/B

Summary

Date of Submission:	2 April 2025 Amended drawings were received on 15 April 2025.
Applicant/ Owner:	Karimbla Properties (No 60) Pty Ltd
Architect:	Mako Architecture
Developer:	Meriton
Cost of Works:	$506,521,727.80
Zoning:	The site is zoned MU1 - Mixed Use under the Sydney Local Environmental Plan 2012.
Proposal Summary:	This is a Section 4.55(1A) modification seeking to amend the concept consent as it relates to the Stage 2 North-Western site and Stage 3 Southern site, as follows: • Modify Condition 2 - Approved Development to reflect the amended concept drawings; • Insert a new Condition 2A requiring amended drawings to be submitted; • Modify Condition 6 - Floor Space Ratio to redistribute residential and non-residential floor space (within the maximum permitted); • Modify Condition 13 - Security Gates to allow for an exception within Building S2; and • Modify Condition 20 - Deep Soil to redistribute deep soil across the site.

This application is referred to the Central Sydney Planning Committee concurrently with the detailed design development applications for the Stage 2 North-Western site (D/2024/1029) and the Stage 3 Southern site (D/2024/1055). The proposed modifications are sought to ensure the detailed designs are consistent with the concept consent.

The proposed modifications to the concept consent are of minimal environmental impact and the modified development remains substantially the same as the development to which consent was originally granted.

In accordance with the City's Community Participation Plan 2019 the application, being a section 4.55(1A) application involving minimal environmental impact, was not required to be notified.

Summary Recommendation: The modification application is recommended for approval, subject to conditions.

Development Controls:

(i) Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021

(ii) State Environmental Planning Policy (Transport and Infrastructure 2021)

(iii) State Environmental Planning Policy (Resilience and Hazards) 2021

(iv) State Environmental Planning Policy (Housing) 2021

(v) State Environmental Planning Policy (Sustainable Buildings) 2022

(vi) Sydney Local Environmental Plan 2012

(vii) Sydney Development Control Plan 2012

Attachments:

A. Recommended Modified Conditions of Consent

B. Modified Concept Drawings

Recommendation

It is resolved that consent be granted to Section 4.55(1A) Application Number D/2023/724/B subject to the amendment of the following conditions (with modifications shown in ***bold italics*** (additions) and ~~**bold strikethrough**~~ (deletions):

(2) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2023/724 dated 17 August 2023 and the following drawings prepared by MAKO Architecture Pty Ltd:

Drawing Number	Drawing Name	Date
01100 Rev E	Setout - Blocks	23 April 2024
01110 Rev G	Setout – Public Domain	23 April 2024
03100 Rev G	Structure Plan - Staging	23 April 2024
03101 Rev ~~**E**~~ ***H***	Structure Plan – Floor Space Allocation	~~**23 April 2024**~~ ***15 April 2025***
03200 Rev E	Structure Plan – Openspace	23 April 2024
03201 Rev ~~**E**~~ ***F***	Structure Plan – Deep Soil	~~**23 April 2024**~~ ***26 March 2025***
04100 Rev E H	Setbacks – Gnd Floor	23 April 2024 24 February 2025
04200 Rev E H	Setbacks – Typical Floor	23 April 2024 13 February 2025
04700 Rev G ~~**J**~~ ***K***	Height of Building - Storeys	26 April 2024 ~~**13 February 2025**~~ ***15 April 2025***

and as amended by the conditions of this consent.

(b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(2A) AMENDED DRAWINGS

The following amended drawings are to be submitted to and approved by Council's Area Planning Manager prior to the issue of any Construction Certificate for the Detailed Design development applications:

(a) The 'Structure Plan – floor space allocation' is to ensure consistency with staging relating to Peters Street.

(b) The 'Setbacks - gnd floor' plan is be amended to provide a 0.0 setback to Building S2 along Epsom Road.

(c) The 'Height of Building – Storeys' plan is to be amended to reinstate the 3m western setback for the northern portion Building H as per Rev J dated 13 February 2025.

(d) The 'Height of Building Storeys' plan is to be amended to ensure all dimensions annotated are accurate.

Reason

To ensure consistency between the concept drawings and the detailed design development applications.

(6) FLOOR SPACE RATIO

The following applies to Floor Space Ratio (FSR):

(a) The Floor Space Ratio (FSR) of development contained within the site must not exceed the maximum permitted FSR calculated in accordance with the Sydney Local Environmental Plan 2012.

(b) A maximum GFA of 81,700sqm is approved, which is to be apportioned to the approved development stages in accordance with the following table:

Development Stage	Total GFA	Residential GFA	Non-Residential GFA
Northeast	34,250sqm	31,928sqm	2,322sqm
Northwest	25,550sqm	~~**24,693sqm**~~ ***24,748sqm***	~~**857sqm**~~ ***802sqm***
South	21,900sqm	~~**20,527sqm**~~ ***21,009sqm***	~~**1,373sqm**~~ ***891sqm***

(c) Notwithstanding the above, the development stages in a competitive process phase may be eligible up to 10% additional floor space pursuant to the provisions of Clause 6.21D(3) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that subsequent development application(s) for the detailed design of the buildings exhibit design excellence and is the result of a competitive design process.

(d) Each competitive process phase will be only eligible for a maximum of an additional 10% of the floorspace apportioned to it. Additional floor space is not transferrable between Competitive Process Site. If a Competitive Process Site is not able to accommodate the full amount of additional floor space apportioned to it, the remaining balance of additional floor space cannot be transferred to another development lot set out in (a) (b).

Reason

To specify the relevant floor space ratio controls applicable to the development.

(13) SECURITY GATES

If any detailed building design submitted as part of any subsequent DA incorporates a car park accessed by a security gate, then that gate must be located at least 6 metres within the site from the property boundary with the street***, except for Building S2 where the security gate must be located at least 3 metres within the site from the property boundary.***

Reason

To ensure any subsequent detailed building design provides adequate space between security gates and the street.

(20) DEEP SOIL

Deep soil must be provided within each development stage as per the approved stamped plan titled Structure Plan – Deep Soil, drawing number 03201 Revision E (dated 23 April 2024) as follows:

(a) Northeast Stage: 527sqm

(b) Southern Stage: ~~**3,541sqm**~~ ***3,429sqm***

(c) Northwestern Stage: ~~**1,018sqm**~~ ***1,200sqm***

All deep soil areas should be designed to incorporate only permeable surfaces, maximise canopy trees and other planting, and be designed in accordance with the Sydney Development Control Plan 2012 and the Sydney Landscape Code Volume 2.

Reason

To ensure adequate deep soil is allowed for in the development.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

(A) The proposed modified development is substantially the same as the development to which development consent D/2023/724 was granted (and as modified by D/2023/724/A) and is consistent with section 4.55(1A) of the Environmental Planning and Assessment Act 1979.

(B) The assessment has considered the reasons for approval given by the Central Sydney Planning Committee for the grant of the development consent that is proposed to be modified in accordance with section 4.55(3) of the Environmental Planning and Assessment Act 1979.

(C) The proposed modifications to the approved building envelope and applicable conditions of consent ensures that the detailed development applications for Stage 2 NW (D/2024/1029) and Stage 3 S (D/2024/1055) are consistent with the concept approval as required by section 4.24 of the Environmental Planning and Assessment Act 1979.

(D) The proposed modifications to the approved building envelope in select and minor locations would not have an unreasonable impact on the amenity of the surrounding development or public domain area and would remain in keeping with the desired future character of the Epsom Park locality.

(E) The proposed modified building envelope remains capable of accommodating a future building design which is capable of exhibiting design excellence in accordance with Clause 6.21C of Sydney Local Environmental Plan 2012, as demonstrated by the concurrent applications for Stage 2 NW and Stage 3 S.

Background

The Site and Surrounding Development

1. The site has a legal description of Lot 72 in Deposited Plan 1310004 and is known as 905 South Dowling Street, Zetland. It is irregular in shape with an area of approximately 40,866sqm.

2. The site is bound by Zetland Avenue (future road) to the north, Link Road to the east, Epsom Road to the south and Letitia Street, Peters Street and George Julius Avenue to the west.

3. The site previously contained a car sales and service centre (Suttons), which was demolished in early 2024 under development consent D/2023/720. Remediation of the land and construction of internal roads commenced in late 2024 under development consent D/2023/753.

4. The site is located directly east of the Green Square Town Centre and sits within the Epsom Park portion of the Green Square urban renewal area. The Epsom Park locality is identified as a new neighbourhood characterised by a mixture of land uses, including residential with a variety of commercial, retail, and recreation uses. The site is identified as being subject to flooding.

5. A site visit was carried out on 6 March 2025. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from Link Road looking north



Figure 3: Site viewed from Link Road looking south



Figure 4: Site viewed from Epsom Road looking east



Figure 5: Site viewed from Peters Street looking east



Figure 6: Site viewed from George Julius Avenue looking north-east



Figure 7: Site viewed from Defries Avenue looking south

History Relevant to the Development Application

Planning proposal

6. A site-specific planning proposal was prepared by the City following a request by Meriton Group Pty Ltd to change the site's planning controls. The planning proposal allowed for a redistribution of height, with additional height in some locations balanced with areas of height reduction. The planning proposal allowed for alternative building heights up to 90m, subject to a site-specific provision which secures:

   (a) exceedance of BASIX targets

   (b) minimum 4% non-residential gross floor area

   (c) no additional height awarded for design excellence and

   (d) a 1,200sqm supermarket to be provided on the site.

7. The amendments to the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 commenced on 3 May 2024.

Development Applications

8. The following applications are relevant to the current proposal:

Broader redevelopment site

- **D/2023/720** – Development consent was granted on 3 November 2023 for demolition of all existing structures to accommodate the future redevelopment of the site.

- **D/2023/724** - Deferred commencement development consent was granted on 28 June 2024 for a Concept development application for building envelopes for a mixed use development comprising 9 individual development blocks ranging in height between one and 25 storeys; concept design for public domain works including new streets, public open spaces and trunk drainage; and indicative land uses including basement car parking, storage and services, ground floor retail, commercial uses and a centre-based childcare facility, and residential uses. The application was made operational on 5 July 2024.

  The application was accompanied by Voluntary Planning Agreement (VPA/2023/10) for community infrastructure identified in the Sydney Development Control Plan 2012 for Epsom Park precinct including roads, Mulgu Park, 2 pocket parks, footpath widening along Epsom Road and an extension of the Green Square trunk drain.

  Modification A was approved on 13 March 2025 to modify the concept envelope in accordance with the detailed design DA for Stage 1 NE (D/2024/816).

- **D/2023/753** - Development consent was granted on 5 August 2024 for construction of roads (kerb to kerb), sewer, stormwater and water supply infrastructure, remediation and subdivision.

Stage 1 North-East

- **D/2024/844** - Development consent was granted on 16 December 2024 for early works including shoring and bulk excavation for 2-3 levels of basement to facilitate Stage 1 (North-East) of the future mixed use development.

- **D/2024/816** - Development consent was granted by the Central Sydney Planning Committee on 13 March 2025 for a Stage 2 application for construction of a mixed use development comprising a mixed use 27-storey tower with 230 apartments and a 125 place childcare centre and supermarket on the lower levels, an 8-storey residential flat building with 72 apartments, and 28 townhouses, over basement parking for 444 cars, and associated landscaping.

- ***Stage 2 North-West***

  - **D/2024/1073** - Development consent was granted on 7 March 2025 for early works including shoring and bulk excavation for a part 2, part 3 level basement within the North-West stage of the future development.

  - **D/2024/1029** - A Development Application was lodged on 18 November 2024 for construction of a mixed use development on the Stage 2 North-Western portion of the site, comprising eight new buildings and a part 2, part 3 level basement.

- ***Stage 3 South***

  - **D/2024/1074** - Development consent was granted on 18 March 2025 for early works including shoring and bulk excavation for 3 and 4 levels of basements to facilitate the South stage of the future development.

  - **D/2024/1055** - A Development Application was lodged on 21 November 2024 for site preparation and construction of a mixed use development on the Southern blocks, comprising 4 new buildings with 3 and 4 basement levels. The buildings include 2 mixed use buildings and 2 residential buildings.

Amendments

9. On 3 April 2025, Council Officers wrote to the applicant to identify a number of discrepancies between the CAD model submitted with the subject modification and the detailed design of the buildings for Stage 2 NW (D/2024/1029). It was requested that these discrepancies be rectified to ensure the entire Stage 2 NW proposal sits wholly within the amended envelope.

10. The applicant responded to the request on 11 April 2025 and submitted an amended CAD Model. However, discrepancies between the detailed design DA, the concept drawings and the CAD model remained. Further amendments were requested on 14 April 2025.

11. The applicant submitted revised concept drawings and CAD model on 15 April 2025 to address the outstanding discrepancies.

Proposed Development

12. The application seeks approval for the following changes to the concept consent:

(a) Modify the approved concept plans as follows:

Stage 2 North West site

(i) Building A - Minor change to the tower envelope to reflect the height permitted by the 'hatched tower zone' as per the detailed design DA. The maximum height remains unchanged.

(ii) Building B - Minor adjustments to the building depth as per the detailed design DA. The maximum height remains unchanged.

(iii) Building C - Increase building depth as per the detailed design DA and increase height to 35.4 AHD.

(iv) Building D - Increased building depth as per the detailed design DA and increase height to 35.4 AHD, with a localised area of 37.1 AHD for the lift overrun.

(v) Building E - Localised increase in height on the eastern edge. The maximum height of the building remains unchanged.

(vi) Building F - Localised increase in height to 54.32 AHD to allow for the lift overrun.

(vii) Building G - Increase building depth as per the detailed design DA and increase height to 38 AHD.

(viii) Building H - Increase building depth.

Stage 2 South site

(ix) Building S1 - Localised increase in height to 55.1 AHD to allow for the lift overrun.

(x) Building S2 - Localised increased in height to 49.38 AHD and 50.19 AHD to allow for the lift and stair overrun on the podium and 75.65 AHD to allow for the lift overrun on the tower.

(xi) Building S3 - Localised increase in height to 49.13 AHD to allow for the lift overrun.

(xii) Building S4 - Localised increase in height to 51.64 AHD to allow for the lift overrun.

(xiii) Building S4 - Change of shape to the 'Solar zone'

Staging Plan

(xiv) To incorporate western end of Peters Street within the North West stage.

(b) Modify Condition 6 - Floor Space Ratio to redistribute residential and non-residential floor space (within the maximum permitted);

(c) Modify Condition 13 - Security Gates to allow an exception to the 6m requirement for Building D2; and

(d) Modify Condition 20 - Deep Soil to redistribute deep soil across the site.

13. The proposed amended concept plans are provided at Attachment B.

Assessment

14. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

15. The development as proposed to be modified has satisfied Section 4.55(1A) of the EP&A Act as follows:

(a) Section 4.55(1A)(a) - the development as proposed to be modified is of a minimal environmental impact.

(b) Section 4.55(1A)(b) - the development as proposed to be modified is substantially the same as the concept plan approved by D/2023/724.

(c) Section 4.55(1A)(c) - the modification application does not require notification pursuant to the City of Sydney Community Participation Plan 2024.

(d) Section 4.55(1A)(d) - accordingly, no submissions were received.

16. The assessment has considered the reasons for approval given by the Central Sydney Planning Committee, and adopted by the CEO, for the grant of the development consent, under delegation, that is proposed to be modified in accordance with section 4.55(3) of the EP&A Act.

17. In accordance with section 4.55(3) of the Act, an assessment against the relevant provisions of section 4.15(1) of the Act are provided under headings below.

State Environmental Planning Policies

State Environmental Planning Policy (Housing) 2021

Chapter 4 - Design of Residential Apartment Development

18. The aim of SEPP (Housing) 2021 is to provide a consistent planning regime for the provision and maintenance of affordable rental housing and to facilitate the delivery of new affordable rental housing.

19. A modification application made under section 4.55(1A) of the Act does not require a design verification statement by a qualified designer pursuant to section 102 of the Environmental Planning and Assessment Regulation 2021.

20. Accordingly, under section 146 of the Housing SEPP the application is not required to be referred to the relevant design review panel (DAP).

21. Where relevant to the proposed modifications, the design quality principles in Schedule 9 to the SEPP have been considered. The proposed modifications would not inhibit the attainment of the principles.

22. Where relevant to the proposed modifications, the associated Apartment Design Guide (ADG) has been considered. An assessment against the relevant provisions of the ADG have been provided below where the provisions relate to the proposed modifications.

2F Building Separation	**Compliance**	**Comment**
Up to 4 storeys (approximately 12 metres): • 12m between habitable rooms / balconies • 9m between habitable and non-habitable rooms • 6m between non-habitable rooms	Able to comply	A detailed assessment of building separation is provided under the detailed design DAs for Stage 2 NW and Stage 3 South.
5 to 8 storeys (approximately 25 metres): • 18m between habitable rooms / balconies • 12m between habitable and non-habitable rooms • 9m between non-habitable rooms		
9 storeys and above (over 25m): • 24m between habitable rooms / balconies • 18m between habitable and non-habitable rooms • 12m between non-habitable rooms		

3E Deep Soil Zones	Compliance	Comment
Deep soil zones are to have a minimum area equivalent to 7% of the site and have a minimum dimension of 6m	Yes	The minimum required amount of deep soil is maintained.

3F Visual Privacy	Compliance	Comment
Up to 4 storeys (12 metres): • 6m between habitable rooms / balconies • 3m between non-habitable rooms	Able to comply	A detailed assessment of building separation is provided under the detailed design DAs for Stage 2 NW and Stage 3 South.
5 to 8 storeys (25 metres): • 9m between habitable rooms / balconies • 4.5m between non-habitable rooms		
9 storeys and above (over 25m): • 12m between habitable rooms / balconies • 6m between non-habitable rooms		

Local Environmental Plans

Sydney Local Environmental Plan 2012

23. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is zoned MU1 mixed use. There are no changes proposed to the approved uses. The development remains consistent with the objectives of the zone.

Part 4 Principal development standards

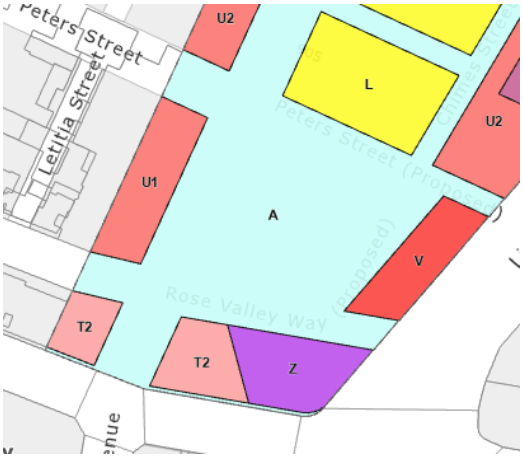
Provision	Compliance	Comment
4.3 Height of buildings	Yes	The site is subject to the site-specific provisions in clause 6.60J Mulgu Precinct in SLEP which includes an Alternative Height of Buildings map. The proposed changes to building heights do not exceed the maximum heights permitted.
4.4 Floor space ratio	Yes	The proposed reallocation of gross floor area does not result in any changes to the net floor space ratio permitted across the site.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.21 Flood planning	Yes	The proposed modifications are minor in nature and would not affect flood behaviour.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 Design excellence	Yes	The proposal remains capable of exhibiting design excellence in accordance with the objective and matters for consideration in clause 6.21C of SLEP as demonstrated by the detailed development applications considered concurrently.
Division 5 Site specific provisions		
6.60J Mulgu Precinct	Yes	The site is subject to the Alternative Height of Buildings map in Section 6.60J(4) Mulgu Precinct in SLEP. Relevant to where the proposed modifications are located, the following height limits apply: ***Stage 2 NW*** • Z - 55m • U1 - 30m • U2 - 33m • P - 18m  ***Stage 3 South*** • Z - 55m

Provision	Compliance	Comment
		• V - 35m • U1 - 30m • T2 - 27m  The proposed modifications are within the maximum permitted building heights.

Part 7 Local provisions – general

Provision	Compliance	Comment
7.20 Development requiring or authorising preparation of a development control plan	Yes	The approved concept plan satisfies this provision by virtue of section 4.32 of the Act. The proposed modifications to the concept plan adequately address the matters for consideration specified in this clause with respect to height, bulk, massing, streetscape and environmental impacts.

Development Control Plans

Sydney Development Control Plan 2012

24. The proposed development has been considered against the relevant provisions within the Sydney Development Control Plan 2012. The proposal remains consistent with the desired future character for the Epsom Park locality. Implications of the proposed modification with regard to Section 3 General Provisions, Section 4 Development Types and Section 5 Specific Areas are discussed below.

Discussion

Changes to Stage 2 NW concept envelope - Height and building depth

25. The following changes are proposed to the concept plans as they relate to the Stage 2 NW site:

    (a) Building A - Minor change to the tower envelope to reflect the height permitted by the 'hatched tower zone' as per the detailed design DA. The maximum height remains unchanged.

    (b) Building B - Minor adjustments to the building depth as per the detailed design DA. The maximum height remains unchanged.

    (c) Building C - Increase building depth as per the detailed design DA and increase height to 35.4 AHD.

    (d) Building D - Increased building depth as per the detailed design DA and increase height to 35.4 AHD, with a localised area of 37.1 AHD for the lift overrun.

    (e) Building E - Localised increase in height on the eastern edge. The maximum height of the building remains unchanged.

    (f) Building F - Localised increase in height to 54.32 AHD to allow for the lift overrun.

    (g) Building G - Increase building depth as per the detailed design DA and increase height to 38 AHD.

    (h) Building H - Increase building depth.

26. These changes are proposed to accommodate the detailed development lodged for Stage 2 NW under D/2024/1029, considered concurrently with this application.

27. The localised increases in height to accommodate the lift overruns comply with the permitted LEP heights and do not cause adverse amenity impacts to the proposed development or surrounding sites.

28. The changes to building depth and implications on building separation distances have been considered in detail under D/2024/1029. Where non-compliances with ADG recommended building separation distances occur, these are considered acceptable subject to conditions.

29. As per point (h) above in relation to Building H, the concept plan includes an increase in building depth, resulting in a reduction in the 3m western setback, as shown in Figure 8 below.

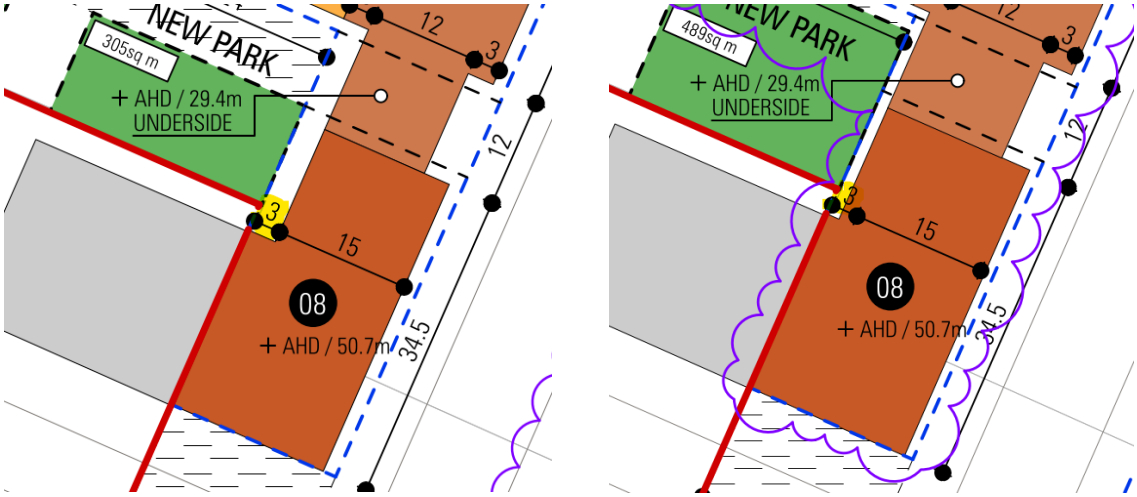


Figure 8: Approved Building H envelope (left) compared to the proposed Building H envelope (right), with a reduction of the 3m western setback proposed

30. The reduction to the 3m western setback is not supported, nor is it required by the detailed design DA which achieves the 3m setback. A condition of consent is recommended that requires the concept plan to be updated to reinstate the 3m setback.

Changes to Stage 3 South concept envelope - Height

31. The following changes are proposed to the concept plans as they relate to the Stage 3 South site:

    (a) Building S1 - Localised increase in height to 55.1 AHD to allow for the lift overrun

    (b) Building S2 - Localised increased in height to 49.38 AHD and 50.19 AHD to allow for the lift and stair overrun on the podium and 75.65 AHD to allow for the lift overrun on the tower

    (c) Building S3 - Localised increase in height to 49.13 AHD to allow for the lift overrun

    (d) Building S4 - Localised increase in height to 51.64 AHD to allow for the lift overrun

32. These minor changes are proposed to accommodate the detailed development lodged for Stage 3 South under D/2024/1055, considered concurrently with this application.

33. The localised increases in height to accommodate the lift and stair overruns comply with the permitted LEP heights and do not cause adverse amenity impacts to the proposed development or surrounding sites.

Changes to Stage 3 South concept envelope - Solar Zone

34. The application proposes to amend the design of the 'Solar Zone' on Building S4.

35. The concept drawings state that the 'Solar Zone' is an area that may be occupied only subject to:

    (a) achieving ADG solar access compliance for Block S-4, and

    (b) achieving 75% 4 hours' solar access to Mulgu Park (June 21).

36. It is noted that part of the built form of Building S4 occupied the original solar zone and no built form is proposed within the amended solar zone. The proposed amendment ensures that the detailed design DA is consistent with the concept DA.

37. The amended solar zone is acceptable as the overall Stage 3 South development achieves 69% solar access which is a marginal non-compliance with the 70% design criteria of the ADG. The proposal also achieves 4 hours of solar access to 75% of Mulgu Park at midwinter.

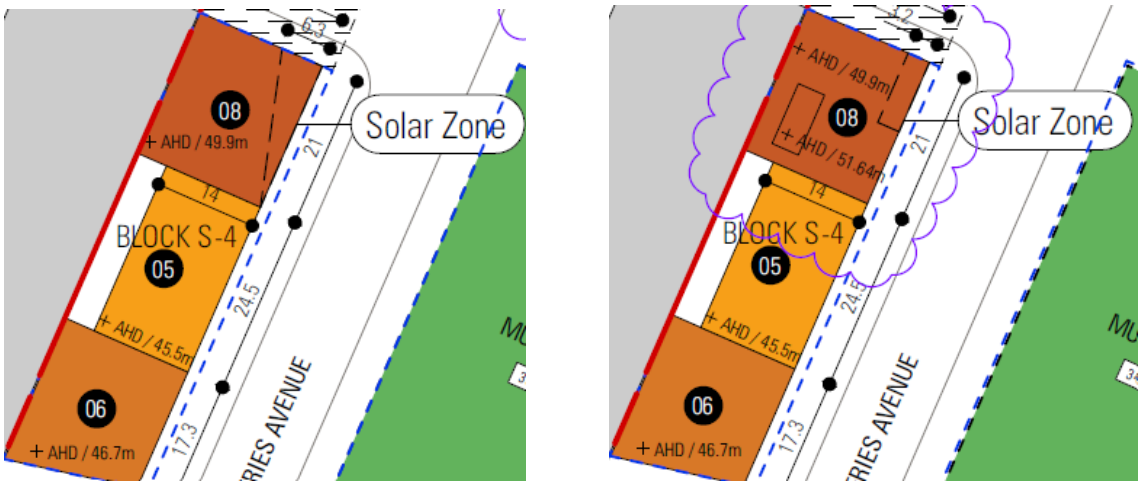


Figure 9: Approved solar zone (left) compared to the amended solar zone (right)

Distribution of gross floor area

38. The application seeks to modify Condition 6 - Floor Space Ratio to redistribute residential and non-residential floor space in both the Stage 2 NW and Stage 3 S sites, as follows.

Stage 2 NW

39. Condition 6 allocates a maximum GFA of 25,550sqm (excluding any design excellence bonus) to the Stage 2 NW site. The condition currently apportions this maximum GFA as follows:

    - Residential GFA - 24,693sqm
    - Non-residential GFA - 857sqm
    - Total GFA - 25,550sqm

40. This application seeks to redistribute the GFA to increase the residential GFA and reduce the non-residential GFA as follows:

    - Residential GFA - ~~24,693sqm~~ ***24,748sqm***

- Non-residential GFA - ~~857sqm~~ ***802sqm***
- Total GFA - 25,550sqm

41. The total quantum of GFA for the Stage 2 NW site remains unchanged.

Stage 3 South

42. Condition 6 allocates a maximum GFA of 21,900sqm (excluding any design excellence bonus) to the Stage 3 South site, apportioned as follows:

- Residential GFA - 20,527sqm
- Non-residential GFA - 1,373sqm
- Total GFA - 21,900sqm

43. The modification seeks to redistribute the GFA to increase the residential GFA and reduce the non-residential GFA as follows:

- Residential GFA - ~~20,527sqm~~ ***21,009sqm***
- Non-residential GFA - ~~1,373sqm~~ ***891sqm***
- Total GFA - 21,900sqm

44. The total quantum of GFA for the Stage 3 South site remains unchanged.

45. No objections are raised to the proposed redistribution of floor space for both stages. Importantly, the maximum permitted GFA is not exceeded and therefore there will be no material adverse impacts from this change. Sufficient non-residential floor space is provided on the ground floor along George Julius Avenue and Zetland Avenue in Stage 2 NW and along Link Road, Chimes Street, Epsom Road and Rose Valley Way for Stage 3 South. The objectives of the DCP in relation to active frontage and land uses are achieved notwithstanding this minor change.

46. It is also noted that the proposed redistribution does not inhibit the proposal's ability to comply with the obligations of the VPA requiring a minimum of 4% of the total GFA across the site to be non-residential.

Deep soil

47. The application seeks to redistribute the provision of deep soil across the site. This requires changes to the wording of Condition 20 - Deep Soil and a revised 'Structure Plan - Deep Soil' in the concept drawings.

48. The changes involve decreasing the amount of deep soil provided to Stage 3 South from 3,511sqm to 3,429sqm, and increasing deep soil on the Stage 2 NW site from 1,018sqm to 1,200sqm. No net reduction in deep soil is proposed.

49. The reallocation of deep soil is sought as the detailed design for Mulgu Park, in accordance with the City of Sydney Epsom Park Public Domain Concept Plan, does not allow for the approved quantum of deep soil to be delivered. Mulgu Park was previously shown on the Concept Plan as being entirely deep soil, whereas the detailed design involves areas of paving and hardstand spaces.

50. The proposed reallocation of deep soil to the north-western side is supported.

Staging

51. Changes are sought to the approved Staging Plan to allow the easternmost end of Peters Street to be constructed as part of the north-western stage (Stage 2), instead of the north-eastern stage (Stage 1).

52. To justify this change, the SEE states that this is "to enable to coordinated construction of the permissible basement underneath the roadway between the North-West and South stages."

53. No further details have been submitted to allow an assessment of how this change may impact vehicle circulation and movement throughout the precinct.

54. Insufficient information has been submitted to justify this change. The implications of separating this portion of Peters Street from the rest of the north-eastern block are unclear, and further assessment would be required to understand the traffic impacts, particularly to the north-eastern stage.

55. It is therefore recommended that the amended staging plan not be approved as part of this modification.

Building S2 - Epsom Road ground floor setback

56. The approved ground floor setback plan of the Concept DA requires a 2.5 metre setback along Epsom Road.

57. The applicant has not requested that this condition be amended, however the design of Building S2 provides a substation, water meter, gas meter and fire brigade booster with a nil setback to Epsom Road. Adjacent to the proposed services are retail tenancies, and Council's Urban Designer has recommended that the street setback of the retail building line be reduced to ensure that the services are not prominent within the streetscape, and this is addressed via a design modification condition of the detailed design DA.

58. Therefore, a condition is recommended that the 'setbacks - gnd floor' plan be amended to allow a 0m setback to Building S2 along Epsom Road.

Condition 13 - Security Gates

59. Condition 13 (Security Gates) requires car park security gates to be located at least 6 metres within the site from the property boundary.

60. The applicant has not requested that this condition be amended, however the design of Building S2 vehicle entry locates the security gate 3 metres within the site. Due to the location of the basement ramp it is not possible to set the security gate by 6m from the property boundary. The security gate design will result vehicles waiting to enter the site having their backend overhang the public way. On balance, this is acceptable given that this section of Rose Valley Way will only be providing vehicle access to Building S2 and the shared zone design is wide enough to allow pedestrians and cyclists to comfortably pass any waiting cars.

61. Therefore, it is recommended that Condition 13 be amended to allow the security gate to Building S2 to be located at least 3 metres within the site.

Advertising and Notification

62. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development is not required to be notified or advertised.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

63. The City of Sydney Development Contributions Plan 2015 applies to the site. The development is subject to a section 7.11 local infrastructure contribution under this Plan.

64. Contributions are applicable for all subsequent detailed design development applications.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

65. The site is located within the Green Square affordable housing contribution area. Contributions will be applicable for all subsequent detailed design development applications.

Housing and Productivity Contribution

66. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

67. The site is located with the Greater Sydney region, the development is a type of residential and commercial development to which the Housing and Productivity Contribution applies, and the development is not of a type that is exempt from paying a contribution.

68. Contributions are applicable for all subsequent detailed design development applications.

Relevant Legislation

69. Environmental Planning and Assessment Act 1979.

Conclusion

70. The proposed modification application is recommended for approval. The modifications are required to accommodate detailed design proposals for Stage 2 NW and Stage 3 South. The required changes have arisen through the competitive design process and preparation and assessment of the detailed design development applications.

71. The proposed modifications are of minimal environmental impact and the proposed modified development remains substantially the same as the development to which consent was originally granted.

72. The proposed modifications would not result in any significant impacts to the amenity of the development, surrounding development, or the existing or future public domain.

73. The modified building envelopes will facilitate a development that is consistent with the desired future character of the Epsom Park neighbourhood as demonstrated through the assessment of the accompanying detailed design development applications.

GRAHAM JAHN, AM

Chief Planner / Executive Director City Planning, Development and Transport

Samantha Kruize, Senior Planner

Matthew Girvan, Area Coordinator

Attachment A

Recommended Modified Conditions of Consent

SCHEDULE 1

PART A – DEFERRED COMMENCEMENT CONDITIONS

The following deferred commencement conditions must be satisfied prior to the consent becoming operative:

(A) PART A – DEFERRED COMMENCEMENT CONDITIONS

(CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

The consent is not to operate until the following condition is satisfied, within **24 months** of the date of this determination:

(1) VOLUNTARY PLANNING AGREEMENT

(a) The infrastructure Voluntary Planning Agreement between the COUNCIL OF THE CITY OF SYDNEY and Karimbla Properties (No.60) Pty Ltd shall be exhibited, executed and submitted to Council; and

(b) The Voluntary Planning Agreement, as executed, must be registered on the title of the land.

(2) Evidence that will sufficiently enable Council to be satisfied as to those matters identified in deferred commencement conditions, as indicated above, must be submitted to Council within **24 months** of the date of determination of this deferred commencement consent failing which, this deferred development consent will lapse pursuant to section 4.53(6) of the Environmental Planning and Assessment Act 1979.

(3) The consent will not operate until such time that the Council notifies the Applicant in writing that deferred commencement consent conditions, as indicated above, have been satisfied.

(4) Upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the conditions of consent, as detailed in Part B Conditions of Consent (Once the Consent is Operational).

PART A1 – CONDITIONS OF CONSENT

(1) CONCEPT DEVELOPMENT APPLICATION

Pursuant to Division 4.22 of the Environmental Planning and Assessment Act, 1979, this Notice of Determination relates to a concept development application. A subsequent development application (DA) is required for any works to be carried out on the site.

Reason

To specify the status of this approval as a concept development consent and that it does not authorise the carrying out of works on any part of the site.

(2) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2023/724 dated 17 August 2023 and the following drawings prepared by MAKO Architecture Pty Ltd:

Drawing Number	Drawing Name	Date
01100 Rev E	Setout - Blocks	23 April 2024
01110 Rev G	Setout – Public Domain	23 April 2024
03100 Rev G	Structure Plan - Staging	23 April 2024
03101 Rev ~~***E***~~ ***H***	Structure Plan – Floor Space Allocation	~~***23 April 2024***~~ ***15 April 2025***
03200 Rev E	Structure Plan – Openspace	23 April 2024
03201 Rev ~~***E***~~ ***F***	Structure Plan – Deep Soil	~~***23 April 2024***~~ ***26 March 2025***
04100 Rev ~~E~~ H	Setbacks – Gnd Floor	~~23 April 2024~~ 24 February 2025
04200 Rev ~~E~~ H	Setbacks – Typical Floor	~~23 April 2024~~ 13 February 2025
04700 Rev ~~G~~ ~~***J***~~ ***K***	Height of Building - Storeys	~~26 April 2024~~ ~~***13 February 2025***~~ ***15 April 2025***

and as amended by the conditions of this consent.

(b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(2A) ***AMENDED DRAWINGS***

The following amended drawings are to be submitted to and approved by Council's Executive Director City Planning Development & Transport prior to the issue of any Construction Certificate for the Detailed Design development applications:

(a) ***The 'Structure Plan – floor space allocation' is to ensure consistency with staging relating to Peters Street.***

(b) ***The 'Setbacks - gnd floor' plan is be amended to provide a 0.0 setback to Building S2 along Epsom Road.***

(c) ***The 'Height of Building – Storeys' plan is to be amended to reinstate the 3m western setback for the northern portion Building H as per Rev J dated 13 February 2025.***

(d) ***The 'Height of Building Storeys' plan is to be amended to ensure all dimensions annotated are accurate.***

Reason

To ensure consistency between the concept drawings and the detailed design development applications.

(3) MATTERS NOT APPROVED

The following items are not approved and do not form part of this concept development consent:

(a) any demolition, tree removal, excavation, remediation and/or construction;

(b) the height in storeys or street frontage height in storeys of the development;

(c) the layout and number of residential apartments or non-residential tenancies;

(d) the depth, extent, number, layout and design of basement levels and/or configuration of car parking;

(e) the number of car parking spaces, bicycle spaces, car share or loading spaces/zones;

(f) the precise quantum of floor space; and

(g) up to 10% design excellence uplift in floor space.

(4) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT

The terms of the planning agreement entered into in accordance with Deferred Commencement Condition 1 are to be complied with.

Reason

To ensure the development complies with all terms of the planning agreement.

(5) BUILDING HEIGHT

(a) Building height proposed as part of any subsequent DA for the detailed design of the building must not exceed the heights expressed as RLs (AHD) shown on drawings listed in the APPROVED DEVELOPMENT condition above.

(b) To be clear, this condition does not restrict development comprising building height:

(i) proposed or erected by or on behalf of a public authority on land identified in the Voluntary Planning Agreement for transfer (and/or dedication) for the purpose of public amenities such as street furniture, street lighting, landscape structures or the like;

(ii) located in the ground level common open space areas for the purpose of landscape structures and communal facilities that do not comprise floor space (or GFA) and do not compromise deep soil provision.

Reason

To ensure the constructed development complies with the approved height.

(6) FLOOR SPACE RATIO

The following applies to Floor Space Ratio (FSR):

(a) The Floor Space Ratio (FSR) of development contained within the site must not exceed the maximum permitted FSR calculated in accordance with the Sydney Local Environmental Plan 2012.

(b) A maximum GFA of 81,700sqm is approved, which is to be apportioned to the approved development stages in accordance with the following table:

Development Stage	Total GFA	Residential GFA	Non-Residential GFA
Northeast	34,250sqm	31,928sqm	2,322sqm
Northwest	25,550sqm	~~***24,693sqm***~~ ***24,748sqm***	~~***857sqm***~~ ***802sqm***
South	21,900sqm	~~***20,527sqm***~~ ***21,009sqm***	~~***1,373sqm***~~ ***891sqm***

(c) Notwithstanding the above, the development stages in a competitive process phase may be eligible up to 10% additional floor space pursuant to the provisions of Clause 6.21D(3) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that subsequent development application(s) for the detailed design of the buildings exhibit design excellence and is the result of a competitive design process.

(d) Each competitive process phase will be only eligible for a maximum of an additional 10% of the floorspace apportioned to it. Additional floor space is not transferrable between Competitive Process Site. If a Competitive Process Site is not able to accommodate the full amount of additional floor space apportioned to it, the remaining balance of additional floor space cannot be transferred to another development lot set out in ~~(a)~~ (b).

Reason

To specify the relevant floor space ratio controls applicable to the development.

(7) DISTRIBUTION OF FLOOR SPACE WITHIN ENVELOPES

The approved concept proposal envelopes establish the maximum parameters for the competitive design process and the future built form on the site. The detailed design of buildings must not occupy the entirety of the envelopes. The maximum permissible floor space of any subsequent detailed design development application must be consistent with the relevant provisions of the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012 and the conditions of this development consent.

Reason

To specify the relevant parameters for the detailed building design.

(8) DEVELOPMENT TO BE CONTAINED WITHIN ENVELOPES

The detailed design of the buildings must be contained within the approved envelopes except for footpath awnings and/or projections beyond private property boundaries over or into the public road/footpath in accordance with the requirements of Schedule 4 of the Sydney Development Control Plan 2012.

Reason

To ensure that the detailed building design is not inconsistent with the approved concept envelope.

(9) COMPETITIVE DESIGN PROCESS

A competitive design process shall be conducted in accordance with the provisions of the Sydney Local Environmental Plan 2012 and:

(a) In accordance with the 'Design Excellence Strategy' prepared by Meriton Property Services Pty Ltd and Karimbla Constructions Services (NSW) Pty Ltd dated 8 April 2024; and

(b) Prior to the lodgement of any subsequent development application(s) for the detailed design of the buildings.

The detailed design of the buildings must exhibit design excellence in accordance with Clause 6.21C of the Sydney Local Environmental Plan 2012.

Reason

To specify the approved Design Excellence Strategy for the development.

(10) DETAILED DESIGN OF BUILDINGS

The building design submitted as part of any subsequent DA for the detailed design of the building, must address the following design requirements:

(a) Building forms are to be appropriately modulated and articulated to maximise the available winter solar access to adjoining residential developments and residential development within the site. Tower forms should seek to optimise the number of apartments receiving winter sunlight to habitable rooms, primary windows and private open spaces with external shading from summer sunlight.

(b) Any design for a tall building (>35m in height) is to be vertically proportioned in height, form and articulation.

(c) The design of Block S4 is to incorporate a non-habitable interface to its western interface above four storeys to maintain privacy for residents at 10-12 Letitia Street.

(d) The design of the south-eastern extent of Block NW-2 is to incorporate visual privacy measures to maintain privacy for residents at 8-12 Peters Street.

(e) The floorplates of the towers are not to exceed:

(i) Tower A – 850sqm

(ii) Tower B – 750sqm

(iii) Tower C – 550sqm

Note, the definition of floorplate includes external walls, all space bounded by external walls, balconies and external gallery access (measured to the outside face of balustrades) and excludes sun-shading elements and vertical fin projections.

Reason

To identify particular planning requirements for the attention of the architects commissioned to undertake the detailed design of the buildings.

(11) RESIDENTIAL LAND USE

(a) The residential component of the development must be designed to ~~comply~~ be consistent with the principles of Chapter 4 of State Environmental Planning Policy (Housing) 2021, the guidelines of the Apartment Design Guide (the ADG), and the provisions of the Sydney Development Control Plan 2012, with particular attention to the following matters:

(i) ADG objectives 2F Building separation and 3F-1 Visual privacy;

(ii) ADG objective 4B-1 Natural ventilation;

(iii) ADG objective 4B-3 Natural cross ventilation;

(iv) ADG objective 4J Noise and pollution – with noise and natural ventilation addressed through siting and layout, facade treatment and design and lastly through attenuated passive ventilation devices;

(v) DCP provision 3.2.3 Active frontages – with active frontages to be provided to Epsom Road, Link Road and part of Zetland Avenue and George Julius Avenue.

(vi) DCP provision 3.2.4 Footpath awnings – with a continuous awning to be provided to Epsom Road, Link Road and part of Zetland Avenue and George Julius Avenue.

(b) A BASIX certificate in accordance with the requirements of State Environmental Planning Policy (Sustainable Buildings) 2022 must be submitted with any subsequent detailed design development application.

Reason

To identify particular planning requirements pertaining to residential land use for the attention of the architects commissioned to undertake the detailed design of the buildings.

(12) PRELIMINARY LOADING AND SERVICING MANAGEMENT PLAN

A preliminary Loading and Servicing Management Plan (LSMP) must be submitted with any subsequent detailed design DA. The Plan must include (but is not limited to) how the following matters are addressed:

(a) Service vehicle (including a 10.6m Council waste vehicle) access the loading areas;

(b) Demonstrate that the largest service vehicle can enter and exit the site in a forward direction;

(c) Demonstrate that servicing demands on site can be satisfied at each stage of the development;

(d) Details of anticipated service vehicle movements during the day for all tenants of the site;

(e) Management of conflicts between cars accessing the residential and non-residential car parking areas and vehicle movements to and from the loading dock;

(f) Management of conflicts between heavy vehicles accessing the site and pedestrian movements; and

(g) Management of deliveries to ensure vehicles are not waiting on public streets to enter the site.

Reason

To ensure loading and servicing is managed appropriately.

(13) SECURITY GATES

If any detailed building design submitted as part of any subsequent DA incorporates a car park accessed by a security gate, then that gate must be located at least 6 metres within the site from the property boundary with the street***, except for Building S2 where the security gate must be located at least 3 metres within the site from the property boundary***.

Reason

To ensure any subsequent detailed building design provides adequate space between security gates and the street.

(14) PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of *Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities*.

Reason

To ensure parking facilities are designed in accordance with the Australian Standards.

(15) BICYCLE AND END OF TRIP FACILITIES

(a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development should be in accordance with the rates specified at Section 3.11.3 of the Sydney Development Control Plan 2012.

(b) All bicycle parking spaces and end of trip facility must be provided on private land. The public domain cannot be used to satisfy this condition.

Notes:

(i) If a basement storage area on title that is large enough to store a bike and is no smaller than a class 1 bike locker this can be counted as a space.

(c) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities.

Reason

To ensure a compliant quantum of bicycle and end of trip facilities are provided.

(16) VEHICLE ACCESS

The detailed building design must allow for all vehicles to enter and depart the site in a forward direction.

Reason

To optimise traffic and pedestrian safety on and around the site.

(17) ON SITE LOADING AREAS AND OPERATION

The detailed building design must provide for all loading, unloading and servicing operations to be carried out within the confines of the site and so there is no obstruction of other properties/units or the public way.

Reason

To ensure any subsequent detailed design for the building is able to accommodate all loading activities within the site.

(18) WASTE INFRASTRUCTURE AND SERVICING

(a) Each stage of the development should be designed to allow for independent residential waste servicing.

(b) Any subsequent detailed design DA must incorporate waste management facilities, vehicle access and loading in accordance with the relevant requirements of the Sydney Development Control Plan 2012 and the City's Guidelines for Waste Management in New Developments. The architectural drawings and Waste Management Plan must address the following requirements including but not limited to:

(i) Waste management and collection must be accommodated wholly within the buildings on the site with the exception of block S3;

(ii) Access for a 10.6m Council waste collection vehicle and vertical clearance of 4 metres clear of all ducts, pipes and other services;

(iii) Waste collection vehicles to be able to enter and exit the premises in a forward direction; and

(iv) Waste management infrastructure and storage areas designed in accordance with the provisions specified in the City's Guidelines for Waste Management in New Developments.

Reason

To permit safe and efficient scheduled residential waste collection activities.

(19) ACOUSTIC REPORT

An Acoustic Impact Assessment must be undertaken by a suitably qualified acoustic consultant and submitted with any subsequent detailed design DA in accordance with the provisions of the Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012, the NSW Government's Development near Rail Corridors and Busy Roads - Interim Guideline and the State Environmental Planning Policy (Transport and Infrastructure) 2021.

Reason

To specify that an acoustic report must be submitted as part of any subsequent detailed design development application.

(20) DEEP SOIL

Deep soil must be provided within each development stage as per the approved stamped plan titled Structure Plan – Deep Soil, drawing number 03201 Revision E (dated 23 April 2024) as follows:

(a) Northeast Stage: 527sqm

(b) Southern Stage: ***~~3,541sqm~~ 3,429sqm***

(c) Northwestern Stage: ***~~1,018sqm~~ 1,200sqm***

All deep soil areas should be designed to incorporate only permeable surfaces, maximise canopy trees and other planting, and be designed in accordance with the Sydney Development Control Plan 2012 and the Sydney Landscape Code Volume 2.

Reason

To ensure adequate deep soil is allowed for in the development.

(21) LANDSCAPE DESIGN

Any future detailed design DA must:

(a) ~~Incorporate a 2m landscape setback to all ground floor residential apartments. This should be provided as deep soil wherever possible.~~

(b) Demonstrate a coordinated approach to mitigating adverse wind conditions that ensures landscape is only used for this purpose where it is practical, feasible, and results in a high-quality design outcome, and that architectural or site planning solutions are used in all other situations.

(c) Demonstrate that 1.5m of clean fill/VENM is available to any landscaped spaces above capped areas of contamination.

Reason

To ensure the provision of a high-quality landscape design and outdoor amenity.

(22) LAND CONTAMINATION

(a) Any subsequent DA for the detailed design of the building must include reports and documentation to address the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.

(b) The relevant reports and documentation may include but are not limited to the following:

(i) *Epsom and Link Rd, Zetland Site – Framework Remedial Action Plan* prepared by Ramboll dated 15 March 2022.

(ii) *Endorsement of Data Gap Investigation, 118-130 Epsom Road & 905 Link Road, Zetland NSW* prepared by Geosyntec Consultants dated 25 March 2022.

(iii) *Data Gap Investigation – 118-130 Epsom Road & 905 Link Road, Zetland NSW 2017* (Version 2) prepared by Trinitas dated 3 April 2024.

(iv) *Interim Advice IA05: Endorsement of Data Gap Investigation, 118-130 Epsom Road & 905 Link Road, Zetland NSW* prepared by Geosyntec Consultants dated 4 April 2024.

Reason

To advise as to the documentation to be provided as part of any subsequent DA for the detailed design of the building to demonstrate site suitability.

(23) LAND DEDICATION – NO LONG-TERM ENVIRONMENTAL MANAGEMENT PLAN

Any land that is to be dedicated to the City under the planning agreement entered into in accordance with the VOLUNTARY PLANNING AGREEMENT condition contained in the Deferred Commencement Conditions at Part A of this consent, must not be encumbered by an Environmental Management Plan or Long-Term Environmental Management Plan.

Reason

To ensure future public land is not encumbered by onerous ongoing land contamination management requirements.

(24) WIND ASSESSMENT

(a) Prior to the lodgement of any subsequent detailed DA, the design must be subject to wind tunnel testing to ascertain the impacts of the development on the wind environment and conditions within the publicly accessible pedestrian space, the surrounding streets, neighbouring buildings, and communal external areas and private open space areas within the subject development.

(b) Any recommendations of this wind tunnel testing and wind assessment report required by (a) above must be incorporated into and submitted with any detailed design DA.

Reason

To specify the matters that have been identified through the concept development application assessment as requiring further resolution through the detailed design development stages.

(25) COMMUNAL OPEN SPACE

Any subsequent detailed design DA involving the development of a residential flat building or mixed-use building is required to provide an area equal to 25% of the development block site area as communal open space.

Reason

To ensure an adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.

(26) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Details are to be provided with any subsequent detailed design DA to confirm that the building/s has adopted the following ecologically sustainable development (ESD) targets:

(a) Energy

(i) Low Rise (3 Storey Multi-Units): 67

(ii) High Rise (6-20 Storey Multi Units): 60

(iii) High Rise (20 Storey Multi Units): 63

(b) Water

(i) 40

(c) Thermal Loads:

(i) Low Rise (3 Storey Multi Units)

Maximum Allowable Thermal Loads (MJ/m^2/year)	**Individual Dwellings**	**Average of all Dwellings**
Heating	32.9	29.7
Cooling	20.4	21.2

(ii) High Rise (6-20 Storey Multi Units) & High Rise (20 Storey Multi Units and Higher)

Maximum Allowable Thermal Loads (MJ/m^2/year)	**Individual Dwellings**	**Average of all Dwellings**
Total	38	30
Heating	34.4	28.1
Cooling	21.4	20

In the case of an inconsistency between the above Environmental Performance targets and the new State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP), the Sustainable Buildings SEPP prevails.

The ESD targets are to be included in the competitive design process brief and carried through the competition phase, design development, construction, and through to completion of the project.

Reason

To specify the ESD target benchmarks for the development.

(27) PUBLIC ART

(a) The Public Art Strategy prepared by Aileen Sage dated 19 December 2023 (Council reference TRIM 2023/731918) must be included as an appendix to any competitive design process brief as per Section 3.3.7 of Sydney Development Control Plan 2012.

(b) A Detailed Public Art Plan, based upon the preliminary plan referred to in (a) above, must be prepared and submitted with any subsequent detailed design DA.

(c) All public artworks must be in accordance with the relevant objectives and provisions of the Sydney Development Control Plan 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at

http://www.cityofsydney.nsw.gov.au/explore/arts-and-culture/public-art.

Please contact the Public Art Team for further information at:

publicartreferrals@cityofsydney.nsw.gov.au

Reason

To ensure public art is installed to the City's satisfaction.

(28) TREES IDENTIFIED FOR REMOVAL

(a) For the purposes of the competitive design processes and any subsequent detailed design DA, the trees detailed in the table below are identified for removal.

(b) No consent is granted or implied for any tree removal works under this consent. Consent for tree removal must be sought under a subsequent development application.

Tree Number	Species	Location
15,16, 16A, 17A, 17, 26, 28, 29 36, 36A, 36B, 37 - 80 80A, 80B, 81 & 82 – 95	Various species	Within the site

Reason

To identify trees that may be removed subject to any subsequent detailed design development application.

(29) TREES THAT MUST BE RETAINED

(a) For the purposes of the competitive design processes and any subsequent detailed design DA, the trees detailed in the table below are identified for retention.

Tree Number	Species	Location
1A, 1, 2, 2A, 3, 4, 5, 6, 6A, 7, 8, 9, 9A, 9B, 9C, 10, 11, ~~17A, 17,~~ 18A, 18, 19, 20, 21, 22, 23, 24 & 25.	Various species	Within the site

Reason

To identify trees that must be retained.

(30) STREET TREES AND DETAILED DESIGN DEVELOPMENT APPLICATIONS

(a) All street trees surrounding the site must be included for retention in any subsequent detailed design DA.

(b) Any design elements (awnings, street furniture, footpath upgrades etc) within the public domain must ensure appropriate setbacks are provided from the street tree to allow maturity of the tree to be achieved.

(c) The location of any new driveways must not require the removal of any existing street trees. The driveway must be appropriately set back so it does not have adverse impacts both below and above ground upon any existing street trees.

Reason

To specify that retention of street trees is to be considered during design development.

(31) TREE INFORMATION REQUIRED FOR ANY FUTURE DETAILED DESIGN DEVELOPMENT APPLICATION

(a) An Arboricultural Impact Assessment Report (AIAR) must be submitted with any subsequent detailed design DA. The report must be prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 in Arboriculture, and written in accordance with the Australian Standard AS 4970-2009 Protection of Trees on Development Sites (AS4970).

(b) The report must provide the following details:

(i) Provide an assessment detailed in a tree schedule / table for each tree surveyed that includes:

a. the common and full botanical name

b. the age class

c. the (estimated) height

d. the trunk diameter measured at 1.4 metres height

e. the canopy spread to the four cardinal points

f. a summary of the trees' health, vigour and structural condition

g. an estimation of the trees useful life expectancy using appropriate industry methods

h. list / appendix of plans and documents used to inform report

(ii) An assessment and discussion of the likely impacts the development will have on the trees to be retained. This should include above and below ground constraints on trees that should be retained.

(iii) Any excavation beyond the existing footing, exploratory root investigation is required to determine the exact location of existing roots. This shall consist of an 'air knife' / soil vacuum / hand-digging, gently removing the soil to expose the existing tree roots where construction is likely to impact on the tree/s or require root pruning to achieve the proposed development design. An assessment of tree root size, number and condition must be provided (including photos). No roots over 40mm will be permitted for removal.

(iv) Recommendations of any design modifications to the wall, construction techniques and/or other protection methods required to minimise adverse impact on trees that should be retained during the demolition, excavation and construction works, and into the long term. Note: particular attention must be paid to the existing soil levels, required development levels to integrate to the existing building, and the required tree protection measures.

(v) If any design modifications are recommended for the demolition, excavation or construction of the wall (including its footings), updated plans, elevations and/or sections are to be provided reflecting the Arborist's advice.

(vi) Any excavation within the TPZ must be undertaken using non-destructive methods (such as by hand). All new footings within the TPZ of trees to be retained shall be relocated / realigned if any tree root greater than 40mm in diameter. A minimum of 150mm clearance shall be provided between the tree root and footing.

(vii) Details of the tree protection measures in accordance with AS4970-2009 Protection of trees on development site.

(viii) Provide a scaled Tree Protection Plan of 1:100 / 1:200, showing the tree protection zones, structural root zones, canopy and incursion within these zones of existing trees.

(ix) Details of pruning must be provided (including marked up photos/tree roots). Only minor pruning with a maximum of 5% canopy removal and maximum of 50mm diameter branches / 40mm diameter roots will be permitted by Council. All proposed pruning works must be specified in accordance with Australian Standard 4373–2007, Pruning of Amenity Trees.

Note: reports which include photos with a single vertical line as the area recommended for pruning will not be accepted.

(x) Information on the Arborist's involvement during the works is also required.

(xi) Any other works that must be prohibited throughout construction and development on site.

(xii) Refer to Council's (weblink below) 'Tree Guidelines for Pruning, Reporting and Using an Arborist' for guidance on information that must be provided in an Arboricultural Impact Assessment Report, including tree pruning specification and exploratory root investigation; https://www.cityofsydney.nsw.gov.au/property-tree-maintenance/apply-prune-remove-tree

Reason

To ensure any future detailed design DA is accompanied by adequate information relating to trees.

(32) FLOOD PLANNING LEVELS

Details must be submitted with any subsequent detailed design DA to demonstrate compliance with the recommended flood planning levels indicated in the report titled "*Concept and Planning Proposal Flood Assessment and Storm Water Management Report*" prepared by TTW Consulting dated 22 June 2023.

Reason

To ensure the detailed design of the building addresses flood risk.

(33) ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES

Any future detailed design DA must demonstrate access and facilities are provided for people with a disability in accordance with the Building Code of Australia.

Reason

To ensure the detailed design of the building provides access for people of all abilities.

(34) ADAPTABLE HOUSING

Any subsequent detailed design DA is to provide the required number of residential units that are able to be adapted for people with a disability in accordance with provision 3.12.2 of the Sydney Development Control Plan 2012, the Building Code of Australia and Australian Standard AS4299.

Reason

To ensure the detailed design of the building provides apartments that can be easily adapted for people with a disability.

(35) SIGNAGE STRATEGY

A detailed signage strategy must be submitted with any subsequent detailed design DA or a condition of consent requiring the submission of a detailed signage strategy is to be imposed on any consent for a subsequent detailed design development application which involves non-residential development. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

Reason

To require signage to be considered as part of any subsequent detailed building design.

(36) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO COMPETITIVE DESIGN PROCESS

(a) Prior to the commencement of any competitive design process, an accurate 1:1 electronic CAD model of the envelope approved by this consent must be submitted to and approved by Council's City Model Unit.

(b) The data required to be submitted within the surveyed location must include and identify:

(i) envelope design above in accordance with the development consent;

(ii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

(c) The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

(d) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements

(e) Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all the conditions of the Development Consent.

(37) NEW ROAD DESIGN

Preparation of the detailed design and construction documentation for the proposed public road system must include all necessary liaison with, and requirements of, all relevant public utility authorities, Transport for NSW, the City of Sydney, the Local Pedestrian Cycling and Traffic Calming Committee and its nominated consultants in order to achieve design approvals and construction compliance.

A design package must be prepared based on the requirements outlined in Council's Public Domain Manual. A design report for the road works must be prepared by an appropriately qualified civil engineer certifying that the design complies with the City of Sydney's policies, Austroads and specifications and those of all other relevant authorities as applicable. All engineering plans and calculations must be checked, signed and certified by a suitably qualified practicing professional engineer and included in the report. The design package and report must be submitted with any subsequent detailed design DA for building construction.

Reason

To ensure the new road design complies with Council's policies, standards and specifications and those of all other relevant authorities.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

There are no conditions relevant to Part B.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

There are no conditions relevant to Part C.

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

There are no conditions relevant to Part D.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

There are no conditions relevant to Part E.

PART F – OCCUPATION AND ONGOING USE

There are no conditions relevant to Part F.

SCHEDULE 2

PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2021* apply:

Clause 69 Compliance with *National Construction Code (previously known as Building Code of Australia)* and insurance requirements under the *Home Building Act 1989*

Clause 70 Erection of signs

Clause 71 Notification of *Home Building Act 1989* requirements

Clause 72 Conditions relating to entertainment venues

Clause 73 Conditions relating to maximum capacity signage

Clause 74 Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 2 conditions of development consent of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: http://www.legislation.nsw.gov.au

IMPORTANT ADDITIONAL INFORMATION

Advisory notes:

1. It is advised that the City of Sydney Neighbourhood Parking Policy may apply to this development. Eligibility for parking permits for residents or users of the development will be determined by the terms of this policy or subsequent future policies.

The Environmental Planning and Assessment Act 1979 requires you to:

1. Obtain a ***Construction Certificate*** prior to the commencement of any works. An application may be lodged with Council, or you may apply to a private accredited certifier for a Construction Certificate. An accredited certifier **must obtain Council's approval** to certain conditions of this development consent, where indicated before issuing the Construction Certificate.

2. ***It is compulsory to lodge digital copies of applications, including plans and documentation if lodging an application with Council. Please refer to Council's website for any further information about digital requirements and electronic files.***

   Note: ***All applications must be lodged via the NSW Planning Portal.***

3. Nominate a ***Principal Certifier*** which may be either Council or a registered certifier and notify Council of that appointment. You **cannot lawfully** commence works without complying with this requirement. Appointment must be made through the Planning Portal https://www.planningportal.nsw.gov.au/.

4. Give Council at least two days notice of your intention to commence the erection of a building **before** commencing construction works. You cannot lawfully commence works without complying with this requirement.

5. Obtain an ***Occupation Certificate*** before commencing occupation or commencing to use the building or on the completion of other works including the erection of a sign. You cannot lawfully commence occupation or the use of a building without complying with this requirement.

You may also need to:

6. Obtain approval through the lodgement of an application under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993* for an activity which is proposed to be undertaken in, on or above a road reservation (including footways). Such activities include:

   (a) building elements/façade features;
   (b) installation of hoardings/scaffolding;
   (c) installation and/or alterations to advertising/business signs and street awnings;
   (d) crane operation and other hoisting activities;
   (e) temporary works (e.g.: barricading, road openings, mobile hoisting devices);
   (f) works zone (for loading and unloading from the roadway); and
   (g) temporary ground anchoring and shoring to support a roadway when excavating.

   Application forms are available on the City's website.

7. Lodge an ***Application for Subdivision*** to obtain a ***Subdivision Certificate*** if a land (including stratum) subdivision is proposed and an Application for Subdivision to obtain ***Strata Title Subdivision*** under the relevant Strata Titles Act if strata title of the development is proposed.

8. Comply with the Food Act 2003, the Australia New Zealand Food Standards Code, Australian Standard 4674 – 2004, and register the business with Council if the premises is used for the manufacture, preparation, packing, storing, conveying or delivering of food or beverage for sale.

9. Contact Sydney Water regarding the water and sewerage services to this development. For further information go to www.sydneywater.com.au.

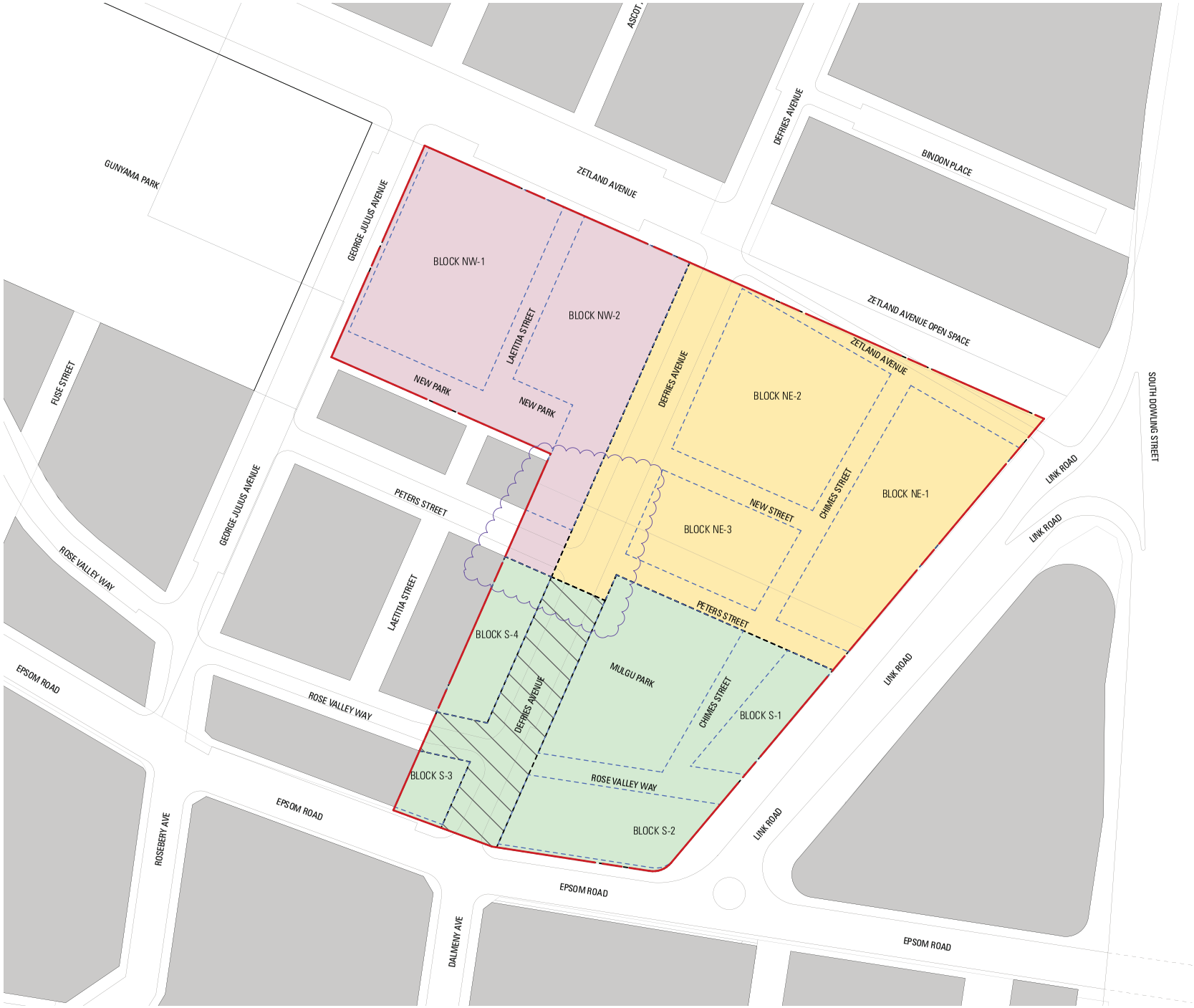
Carry out critical stage inspections in accordance with Section 6.5 of the EP&A Act 1979 and clauses 61, 63 and 65 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation.

Attachment B

Modified Concept Drawings

LEGEND

- North East Stage
- South Stage
- North West Stage
- Delivered as part of North East Stage if it precedes South Stage



MAKO ARCHITECTURE

MAKO ARCHITECTURE PTY LTD
SUITE 108, 59 MARLBOROUGH STREET
SURRY HILLS NSW 2010
WWW.MAKOARCHITECTURE.COM.AU
NOM. ARCH. REG. NO. 8886

PROJECT DETAILS
SUTTON SITE
ZETLAND
for
MERITON

REVISION
J
1:1500 at A3
26/3/2025
2129_A1 SETOUT.wxx

DRAWING TITLE
STRUCTURE PLAN - STAGING
03100

LEGEND

- North East Stage
- South Stage
- North West Stage
- Delivered as part of North East Stage if it precedes South Stage



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NOM. ARCH. REG. NO. 8886

PROJECT DETAILS
SUTTON SITE
ZETLAND
for
MERITON

REVISION
H
1:1500 at A3
15/4/2025
2129_A1 SETOUT.wxx

DRAWING TITLE
STRUCTURE PLAN - FLOOR SPACE ALLOCATION
03101

LEGEND

DEEP SOIL PLANTING AREAS

STAGE	SITE AREA	DEEP SOIL AREA	PERCENTAGE
NORTH EAST	17,170 sqm	527 sqm	3% sqm
SOUTH	12,916 sqm	3,429 sqm	27% sqm
NORTH WEST	10,761 sqm	1,200 sqm	11% sqm
TOTAL	**40,847 sqm**	**5,156 sqm**	**13%**



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PROJECT DETAILS
SUTTON SITE
ZETLAND
for
MERITON

REVISION
F
1:1500 at A3
26/3/2025
2129_A1 SETOUT.vwx

DRAWING TITLE
STRUCTURE PLAN - DEEP SOIL
03201

LEGEND

- 01 - Storeys
- 02 - Storeys
- 03 - Storeys
- 04 - Storeys
- 05 - Storeys
- 06 - Storeys
- 07 - Storeys
- 08 - Storeys
- 09 - Storeys
- 10 - Storeys
- 12 - Storeys
- 14 - Storeys
- 15 - Storeys
- 20 - 25- Storeys

Hatched Tower Zone

Zoens A, B, C - Tower may be located anywhere within this zone up to the maximum floor plate defined in 5.3.6.4(3)

Solar Zone

Area that may be occupied only subject to:
- Achieving ADG solar access compliance for Block S-4
- Achieving 75% 4 hours solar access to Mulgu Park (June 21)

Basement Connection

zones for under street connections between basements

0.0 Top Floor Setback - Figured Dimension as Shown

XX Number of Storeys

1R (0) Maximum number of storeys that may be used for retail. Otherwise no storeys permitted (0)

Vehicle Entry - AND - Exit Locations

Vehicle One Way Entry - AND - Exit Locations

Deep Soil Areas



MAKO ARCHITECTURE PTY LTD
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NOM. ARCH. REG. NO. 8886

PROJECT DETAILS
SUTTON SITE
ZETLAND
for
MERITON

REVISION
K
1:1500 at A3
16/4/2025
2129_A1 SETOUT.wxx

DRAWING TITLE
HEIGHT OF BUILDING - STOREYS
04700

Item 5.

Development Application: 905 South Dowling Street, Zetland - D/2024/1029

File Number: D/2024/1029

Summary

Date of Submission:	18 November 2024. Amended drawings and additional information were submitted on 19 March 2025.
Applicant/ Owner:	Karimbla Properties (No. 60) Pty Ltd
Architect:	Crone Architects
Developer:	Meriton
Design Advisory Panel:	13 February 2025
Cost of Works:	$179,041,410
Zoning:	The site is zoned MU1 - Mixed-Use under the Sydney Local Environmental Plan 2012. The proposal comprises a mixed-use development including residential and commercial uses which are permissible with consent in the zone.

Proposal Summary:	Approval is sought for a mixed-use development on the Stage 2 North-Western (NW) portion of the broader Suttons redevelopment site comprising:
	• Construction of 8 buildings containing a total of 280 apartments including:
	  • Four mixed-use buildings (Buildings A, B, E and F); and
	  • Four residential flat buildings (Buildings C, D, G and H).
	• Construction of a part 2, part 3 level basement containing 317 car parking spaces, 321 bicycle parking spaces and 26 motorcycle parking spaces; and
	• Site landscaping.

The application is Integrated Development requiring the approval of Water NSW under the Water Management Act 2000. General Terms of Approval have been received and form part of the recommended conditions in Attachment A.

The application is referred to the Central Sydney Planning Committee (CSPC) for determination as the cost of works exceeds $50 million.

The approved concept plan for the site is proposed to be modified concurrently with this application (D/2023/724/B) to address inconsistencies between the concept plan and this detailed development application.

Voluntary Planning Agreement

The site is subject to 2 planning agreements:

- VPA/2022/18 secures environmental performance initiatives and provision of 3,696sqm of non-residential gross floor area.

- VPA/2023/10 secures construction and dedication of public infrastructure including new streets, footpath widenings, Mulgu Park, and extension of the Green Square trunk drain.

The public domain works associated with the development are to be constructed under a separate development consent (D/2023/753).

Competitive design process

A competitive design process was held for the site in accordance with clause 6.21D of the SLEP 2012.

Crone with Youssofzay + Hart were selected as the winning scheme. The proposed development is generally consistent with the design intent of the winning scheme and the recommendations of the selection panel have been addressed in this report.

Notification

The application was notified between 26 November 2024 and 14 January 2025. No submissions were received.

Clause 4.6 request

A written request has been submitted in relation to the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide, as this is deemed a development standard under Section 148 of the State Environmental Planning Policy (Housing) 2021.

The recommended 3.3m ceiling height is not achieved on Level 1. The applicant's request to vary the ceiling height development standard is supported in this instance.

Assessment

The Design Advisory Panel (DAP) reviewed the proposal on 13 February 2025. Amended plans were submitted on 19 March 2025 to resolve concerns raised by Council and the DAP, particularly in relation to design integrity, site servicing, active uses and landscape setbacks.

The since updated proposal addresses these concerns, as outlined in this report, subject to the recommended conditions of consent.

The proposed development, as amended, comprises a built form that is generally consistent with the desired future character of the Green Square Epsom Park locality, reflected by the general and site-specific planning controls that apply to the site. Where variations to the built form controls are proposed, these are considered to result in improved public domain and amenity outcomes.

The development achieves a standard of architectural design that demonstrates design excellence in accordance with clause 6.21C of the SLEP 2012 and will contribute significant public benefits outlined in the Planning Agreements.

Summary Recommendation: The development application is recommended for approval, subject to conditions.

Development Controls:

(i) Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021

(ii) Sydney Airport Referral Act 1996

(iii) Water Management Act 2000

(iv) Sydney Water Act 1994 and Sydney Water Regulation 2017

(v) State Environmental Planning Policy (Transport and Infrastructure 2021)

(vi) State Environmental Planning Policy (Resilience and Hazards) 2021

(vii) State Environmental Planning Policy (Housing) 2021

(viii) State Environmental Planning Policy (Sustainable Buildings) 2022

(ix) Sydney Local Environmental Plan 2012

(x) Sydney Development Control Plan 2012

(xi) City of Sydney Development Contributions Plan 2015

(xii) City of Sydney Affordable Housing Program

Attachments:

A. Recommended Conditions of Consent

B. Selected Drawings

C. Clause 4.6 Variation Request - Ceiling Heights

D. Competitive Design Alternatives Report

Recommendation

It is resolved that:

(A) the request to vary the ceiling height development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and

(B) consent be granted to Development Application Number D/2024/1029 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

(A) The proposal satisfies the objectives of the Environmental Planning and Assessment Act 1979 in that, subject to the recommended conditions of consent, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Central Sydney Planning Committee.

(B) Based upon the material available to the Committee at the time of determining this application, the Committee is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the ceiling heights development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening the development standard.

(C) The development is permissible with consent in the MU1 - Mixed-Use zone and is consistent with the objectives of the zone.

(D) The proposal has been assessed against the aims and objectives of the relevant planning controls including the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012, and State Environmental Planning Policy (Housing) 2021. Where non-compliances exist, they have been demonstrated in this report to be acceptable in the circumstances or are to be resolved by the recommended conditions of consent.

(E) The proposed development demonstrates design excellence in accordance with the relevant provisions and matters for consideration in clause 6.21C of the Sydney Local Environmental Plan 2012.

(F) The proposed development is consistent with the design intent of the winning scheme of the competitive design alternatives process for the site, held in accordance with the City of Sydney Competitive Design Policy.

(G) The proposed development has a form, bulk and massing that is suitable for the site and its context and is appropriate in the setting of the Green Square Epsom Park locality.

Background

The Site and Surrounding Development

1. The broader site has a legal description of Lot 72 in Deposited Plan 1310004 and is known as 905 South Dowling Street, Zetland. It is irregular in shape with an area of approximately 40,866sqm.

2. This application relates to the second stage of the former Suttons redevelopment, located in the north-western corner of the site as outlined in the Concept DA (D/2023/724). This stage is known as 'Stage 2 NW'.

3. The Stage 2 NW site is bound by Zetland Avenue (future road) to the north, Defries Avenue (future road) to the east, Peters Street to the south and George Julius Avenue (future road) to the west. It is irregular in shape with an area of approximately 10,761sqm.

4. The site previously contained a car sales and service centre (Suttons), which was demolished in early 2024 under development consent D/2023/720. Remediation of the land and construction of internal roads commenced in late 2024 under development consent D/2023/753. The Stage 2 NW site is currently undergoing early works approved separately in March 2024 under D/2024/1073.

5. The site is located directly east of the Green Square Town Centre and sits within the Epsom Park portion of the Green Square urban renewal area. The Epsom Park locality is identified as a new neighbourhood characterised by a mixture of land uses, including residential with a variety of commercial, retail, and recreation uses. The site is identified as being subject to flooding.

6. A site visit was carried out on 6 March 2025. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from Link Road looking north-east



Figure 3: Site viewed from Link Road looking south-west



Figure 4: Site viewed from Epsom Road looking east



Figure 5: Site viewed from Peters Street looking east



Figure 6: Site viewed from George Julius Avenue looking north-east



Figure 7: Site viewed from Defries Avenue looking south

History Relevant to the Development Application

Planning proposal

7. A site-specific planning proposal was prepared by the City following a request by Meriton Group Pty Ltd to change the site's planning controls. The planning proposal allowed for a redistribution of height, with additional height in some locations balanced with areas of height reduction. The planning proposal allowed for alternative building heights up to 90m, subject to a site-specific provision which secures:

   (a) exceedance of BASIX targets

   (b) minimum 4% non-residential gross floor area

   (c) no additional height awarded for design excellence

   (d) a 1,200sqm supermarket to be provided on the site

8. The amendments to the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 commenced on 3 May 2024.

Development Applications

9. The following applications are relevant to the current proposal.

Broader redevelopment site

- **D/2023/720** - Development consent was granted on 3 November 2023 for demolition of all existing structures to accommodate the future redevelopment of the site.

- **D/2023/724** - Deferred commencement development consent was granted on 28 June 2024 for a Concept development application for building envelopes for a mixed-use development comprising nine individual development blocks ranging in height between one and 25 storeys; concept design for public domain works including new streets, public open spaces and trunk drainage; and indicative land uses including basement car parking, storage and services, ground floor retail, commercial uses and a centre-based childcare facility, and residential uses. The application was made operational on 5 July 2024.

  The application was accompanied by Voluntary Planning Agreement (VPA/2023/10) for community infrastructure identified in the Sydney Development Control Plan 2012 for Epsom Park precinct including roads, Mulgu Park, 2 pocket parks, footpath widening along Epsom Road and an extension of the Green Square trunk drain.

  Modification A was approved on 13 March 2025 to modify the concept envelope in accordance with the detailed design DA for Stage 1 NE (D/2024/816).

  Modification B was lodged on 2 April 2025 to facilitate further changes to the concept envelope concurrently with this subject application for the detailed design of Stage 2 NW and the detailed design for Stage 3 South (D/2024/1055).

- **D/2023/753** - Development consent was granted on 5 August 2024 for construction of streets (kerb to kerb), sewer, stormwater and water supply infrastructure, remediation and subdivision.

Stage 1 North-East

- **D/2024/844** - Development consent was granted on 16 December 2024 for early works including shoring and bulk excavation for two-three levels of basement to facilitate Stage 1 (North-East) of the future mixed-use development.

- ***D/2024/816*** - Development consent was granted by the Central Sydney Planning Committee on 13 March 2025 for a Stage 2 application for construction of a mixed-use development comprising a mixed-use 27-storey tower with 230 apartments and a 125 place childcare centre and supermarket on the lower levels, an 8-storey residential flat building with 72 apartments, and 28 townhouses, over basement parking for 444 cars, and associated landscaping.

Stage 2 North-West (subject site)

- **D/2024/1073** - Development consent was granted on 7 March 2025 for early works including shoring and bulk excavation for a part 2, part 3 level basement within the North-West stage of the future development.

Stage 3 South

- **D/2024/1074** - Development consent was granted on 18 March 2025 for early works including shoring and bulk excavation for three and four levels of basements to facilitate the South stage of the future development.

- **D/2024/1055** - A Development Application was lodged on 21 November 2024 for site preparation and construction of a mixed-use development on the southern blocks, comprising four new buildings with three and four basement levels. The buildings include 2 mixed-use buildings and 2 residential buildings.

Voluntary Planning Agreement

10. The site is subject to two Planning Agreements as follows:

VPA/2022/18

11. The first Planning Agreement was entered into as part of the Planning Proposal and included several sustainability related provisions including:

    (a) BASIX stretch targets

    (b) dual-reticulation recycled water system

    (c) electric vehicle charging capabilities

12. The BASIX stretch targets were superseded by the Sustainable Buildings SEPP 2022. The proposed development complies with the requirements of the SEPP and therefore is deemed to meet this requirement of the Planning Agreement.

13. The electric vehicle charging requirements are also required by Section J of the National Construction Code (NCC).

14. The dual-reticulation recycled water system is to ensure the buildings can utilise recycled water once a connection to the broader system is available. A condition has been recommended requiring detailed design documentation to be prepared as part of the Construction Certification process.

VPA/2023/18

15. The second Planning Agreement was entered into as part of the Concept DA and includes:

    (a) construction of internal streets and footpath widening (to be dedicated to Council)

    (b) construction of Mulgu Park (subject to a separate application)

    (c) extension of the Green Square trunk drain

16. The required public domain works are subject to separate development applications including D/2023/753 for the internal streets, footpaths and trunk drain and D/2025/179 for the construction of Mulgu Park.

Competitive design process

17. A competitive design process was held for the Stage 2 NW site between April and June 2024.

18. Of the three schemes presented, the scheme prepared by Crone Architects (lead architect) and Youssofzay + Hart (emerging architect) was selected as the most capable of demonstrating design excellence and was declared the winner.

19. In November 2024, the City was advised by Youssofzay + Hart that they would no longer be proceeding with the project beyond the competition. The City's Chief Planner considers that the requirements of the site's Design Excellence Strategy, Competitive Design Alternatives Process brief, and the City of Sydney Competitive Design Policy have been fulfilled in this instance, notwithstanding this decision.

20. The Competitive Design Alternatives Report is provided at Attachment D to this report. The key principles and qualities of the competition scheme to be maintained and areas for further resolution identified by the Selection Panel are addressed in the 'Discussion' section of this report.

Amendments

21. A preliminary request for information and amendments was sent to the applicant on 23 January 2025, containing technical issues primarily relating to waste management, transport and access and landscaping.

22. Following consultation with the DAP on 13 February 2025, a further request for information and amendments was sent to the applicant on 24 February 2025.

23. The following key issues were identified:

    (a) Consistency with the Concept DA - The proposal must demonstrate compliance with the Concept DA conditions and envelope. Where changes are required, these must be sought under a separate Section 4.55 modification.

(b) Gross floor area - The proposed residential GFA exceeded the maximum permitted under the Concept DA by 286.7sqm.

(c) Apartment Design Guide inconsistencies:

(i) Solar access - Calculated as being 59.6%, which was inconsistent with the objectives of the ADG, with a request to improve.

(ii) Natural cross ventilation - Calculated as being 55%, which was inconsistent with the objectives of the ADG, with a request to improve.

(iii) Acoustic attenuation - The Acoustic Report was to be amended to demonstrate that the DCP noise criteria and ADG natural ventilation criteria can be achieved simultaneously.

(iv) Building separation and visual privacy - Various inconsistencies with ADG separation distances were to be addressed.

(d) Materiality - A revised materials and finishes schedule was requested in accordance with the DAP advice.

(e) Facade design - Changes were requested to address the Selection Panel's comments in relation to the Gunyama Park (western) facade and the Zetland Avenue (northern) facade.

(f) Zetland Avenue active edge - Active uses were requested along Zetland Avenue in accordance with the DCP.

(g) Ground floor landscape setbacks - Non-compliances with the ground floor landscape setbacks were to be addressed.

(h) Building breaks - Pedestrian links between Buildings A/B and D/E were to be a clear minimum of 2 storeys high.

(i) Servicing strategy - Issues were identified relating to loading dock size, waste storage areas and the co-location of vehicles and service vehicles.

(j) Landscaping - Technical issues were identified, as well as recommendations to improve the useability of the ground floor communal open space.

(k) Waste management - Various issues were raised relating to the loading dock, waste storage areas, bulky waste, and infrastructure needed to support the transfer of waste from the basement to the loading dock.

(l) Wind - The Pedestrian Wind Assessment used different wind testing criteria to the Stage 1 NE site.

24. The applicant responded to the request on 19 March 2025 and submitted the following information:

(a) Amended architectural plans and landscape plans

(b) Acoustic Report

(c) Wind Report

(d) Traffic Report and Loading Dock Management Plan

Proposed Development

25. The application (as amended) seeks consent for a mixed-use development comprising:

    (a) construction of eight buildings containing a total of 280 apartments

    (b) construction of a part two, part three level basement containing 317 car parking spaces

    (c) site landscaping.

26. The proposal includes a total gross floor area (GFA) of 28,104sqm, comprising 27,222sqm of residential gross floor area and 882sqm of retail gross floor area.

27. Vehicle access to the site is provided to Building F via Defries Avenue, with a ground floor loading dock and a ramp down to the basement.

28. A summary of each proposed building is outlined below.

    (a) **Building A** - 14 storey mixed-use building on the corner of George Julius Avenue and Zetland Avenue with ground floor retail and 64 residential apartments above.



Figure 8: Photomontage of Building A viewed from future Zetland Avenue/ Gunyama Park

(b) **Building B** - 8 storey mixed-use building facing Zetland Avenue with ground floor retail and 36 residential apartments.



Figure 9: Photomontage of Building B viewed from future Zetland Avenue

(c) **Building C** - 3 storey residential flat building facing Letitia Street with 9 apartments.



Figure 10: Photomontage of Building C viewed from future Letitia Street

(d) **Building D** - 3 storey residential flat building on the corner of Letitia Street and the new public park with 9 apartments.

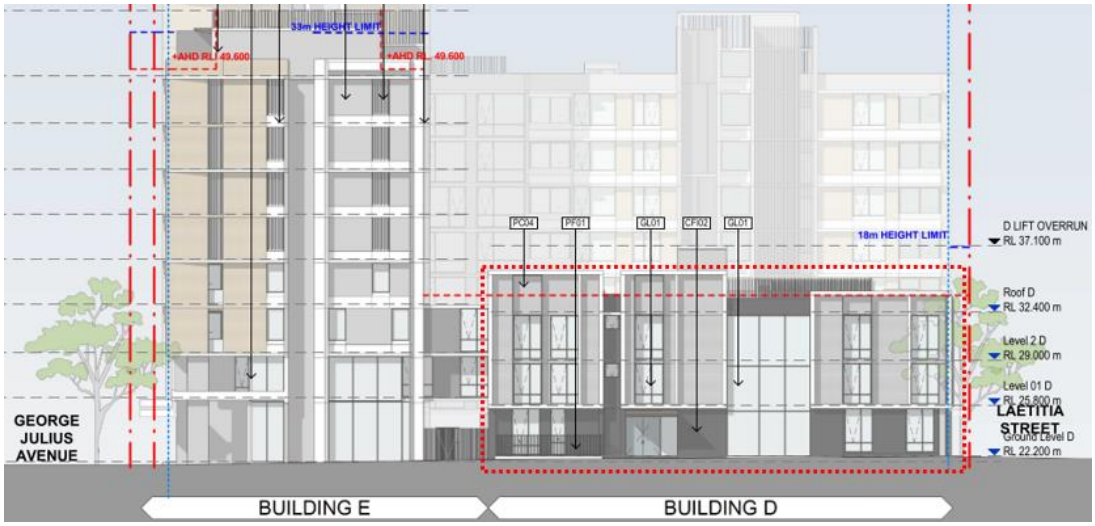

Figure 11: Southern elevation of Building D viewed from the new east-west public park

(e) **Building E** - 9 storey mixed-use building facing George Julius Avenue with ground floor retail and 33 residential apartments above.



Figure 12: Building E viewed from future Gunyama Park

(f) **Building F** - Part 8, part 7 storey mixed-use building on the corner of Zetland Avenue and Defries Avenue with ground floor retail and 61 residential apartments. Building F also contains the loading dock and basement access via Defries Avenue.



Figure 13: Building F viewed from the corner of future Zetland Avenue and Defries Avenue

(g) **Building G** - Part 4, part 7 storey residential flat building facing Defries Avenue with 37 apartments.



Figure 14: Building G viewed from future Defries Avenue

(h) **Building H** - 8 storey residential flat building on the corner of Defries Avenue and Peters Street with 31 apartments.



Figure 15: Building H viewed from future Defries Avenue

29. Demolition of the existing structures has been undertaken under a separate consent (D/2023/720). Early works on the Stage 2 NW site, including excavation, have also been separately approved (D/2024/1073).

30. Typical floor plans of the proposed development are provided below. Additional drawings are provided in Attachment B.

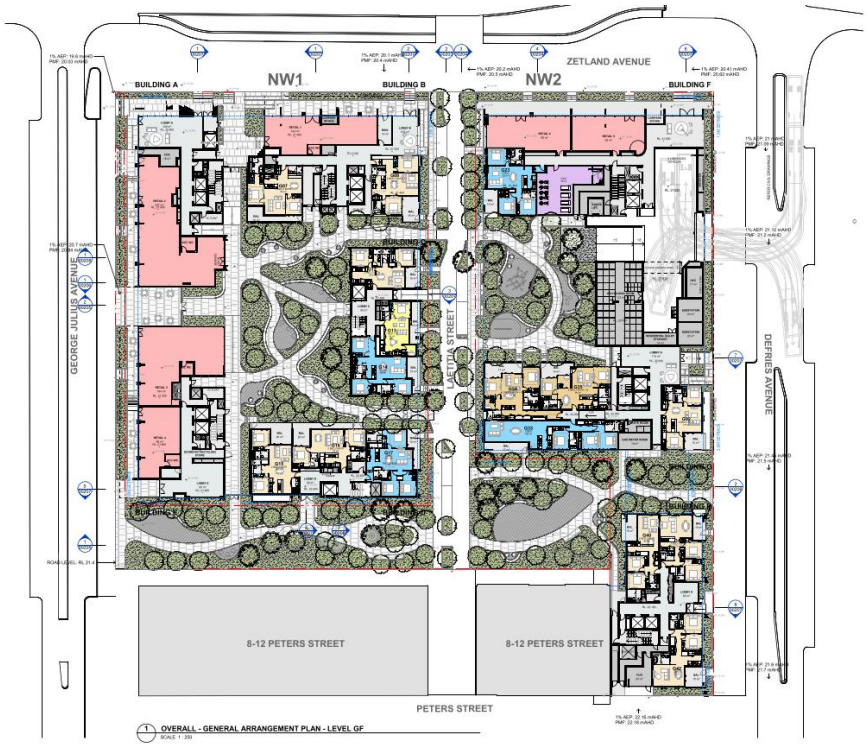

Figure 16: Proposed ground floor plan



Figure 17: Typical floor plan (Level 2 shown)

Assessment

31. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Airports Act 1996

32. Section 182 of the Commonwealth Airports Act 1996 specifies that, amongst other things, constructing a building or other structure that intrudes into a prescribed airspace is a controlled activity.

33. Airports (Protection of Airspace) Regulations 1996 identifies the area above the OLS to be 'prescribed airspace.'

34. Under that Regulation 6(1), 'prescribed airspace' includes 'the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations surface (PANS - OPS).

35. The site is subject to an Obstacle Limitation Surface of 51m. The proposed development has a maximum height of approximately 52.3m and will therefore penetrate the OLS.

36. Controlled Activity Approvals for the building envelopes were issued for the Concept DA (D/2023/724) on 31 May 2024. The proposed detailed DA is consistent with the maximum height specified in these approvals and therefore the approvals may continue to be relied upon.

Water Management Act 2000

37. The application is considered integrated development pursuant to section 4.46 of the EP&A Act because an approval is required under sections 89 and 90(2) of the Water Management Act 2000.

38. General Terms of Approval were issued by WaterNSW on 5 December 2024 and have been included in the recommended conditions of consent.

Sydney Water Act 1994

39. The application is subject to the requirements of Section 78 of the Sydney Water Act 1994 and was referred to Sydney Water for comment.

40. Sydney Water responded on 18 December 2024 and provided conditions which have been included in the recommended conditions of consent.

State Environmental Planning Policies

State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land

32. The aim of SEPP (Resilience and Hazards) 2021 - Chapter 4 Remediation of Land is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.

33. Consent was granted for the remediation of the site under D/2023/753 and commenced in late 2024. Consent was also granted for early works for Stage NW under D/2024/1073. The early works consent required a Section A Site Audit Statement (SAS) to be obtained prior to the commencement of the physical construction works.

34. The same requirement is recommended to be imposed on this consent to ensure that the SAS is obtained prior to commencement of the physical construction works the subject of this application.

35. On this basis, the consent authority can be satisfied that the site will be made suitable for the proposed uses, as required by section 4.6 of the SEPP.

State Environmental Planning Policy (Housing) 2021

Chapter 2 - Affordable housing

36. A condition of consent is recommended requiring payment of an affordable housing contribution prior to the issue of any Construction Certificate.

37. Section 7.32 of the EP&A Act applies to the development application because:

    (a) the SEPP (Housing) 2021 identifies a need for affordable housing within each area of the State;

    (b) the consent authority is satisfied either that the proposed development will or is likely to reduce the availability of affordable housing within the area; and

(c) Section 222B of the Environmental Planning and Assessment Regulation 2021 states that section 7.32 of the EP&A Act applies to a development application to carry out development in the City of Sydney local government area.

38. The recommended affordable housing contribution is authorised to be imposed on the development by Clause 7.13 (Contribution for purpose of affordable housing) of the Sydney Local Environmental Plan 2012 for development of land in Green Square involving the erection of a new building the gross floor area of which is more than 200 square metres.

39. This matter is discussed in further detail under the heading 'Financial Contributions' below.

Chapter 4 - Design of Residential Apartment Development

40. The aim of Chapter 4 is to maintain the design quality of residential apartment development in New South Wales.

41. When determining an application for a residential flat development of three or more floors and containing four or more apartments, the SEPP requires the consent authority take into consideration a number of matters relating to design quality, including the design quality principles as set out in Schedule 9.

42. The applicant has submitted a design verification statement and design report prepared by Greg Crone (NSW Architects Reg. No. 3929) with the application, addressing the design quality principles and the objectives of parts 3 and 4 of the Apartment Design Guide. The statement is deemed to satisfy Clause 29 of the Environmental Planning and Assessment Regulation 2021.

43. An assessment of the proposal against the design quality is provided as follows:

(a) Principle 1: Context and Neighbourhood Character

The site is highly accessible, being situated 4km south of Sydney CBD and well serviced by public transport networks.

The site is surrounded by different building typologies, comprising predominantly residential and retail uses. New muti-residential buildings have been delivered at the property boundaries.

The main focus of this site is contributing a central pedestrian spine, cross site connectivity and street amenity within the Epsom Park locality.

(b) Principle 2: Built Form and Scale

The mass of the proposed scheme is well articulated along its base, which helps to reduce the visual bulk of the forms.

The ground plane interfaces well with the streetscape, offering landscaped setback zones as a buffer to the street. The podium has an articulated design with rounded columns that extend up the building to create an architectural play in the facade across the building.

The built form and scale is generally in accordance with the Concept DA.

(c) Principle 3: Density

The proposal includes a total of 280 apartments and provides good residential mix. The proposed density is consistent with the planning controls and is therefore considered to be appropriate to the site and its context.

(d) Principle 4: Sustainability

The proposal delivers an environmentally sustainable design that responds to regulatory requirements and Sustainable Buildings SEPP 2022 targets. This is achieved through passive thermal design principles, external shading devices, placement of glazing, cross ventilation, PVs and landscaping.

(e) Principle 5: Landscape

The development provides extensive landscaping on both the ground floor and rooftops. The proposed landscaping considers water and soil management, solar access, micro-climate, tree canopy coverage, habitat values and the preservation of green networks.

(f) Principle 6: Amenity

The proposed buildings provide diverse apartment typologies and meets the objectives of the ADG in relation to apartment amenity.

The proposal provides unobstructed views for Buildings A and E on the upper levels and all residential lobbies contain glazing for daylight. Adequate solar access and natural ventilation is achieved.

(g) Principle 7: Safety

The development has been designed to minimize the opportunity for crime through principles of passive surveillance and active frontages.

Private open space, living areas and retail frontages are generally located at ground level. These apartments provide surveillance to the internalised landscape zones and the public domain.

Residential and retail entry points are clearly identified along facade frontages and all apartments have secure lift access.

(h) Principle 8: Housing Diversity and Social Interaction

The proposed apartments have been designed to meet the objectives of the ADG in terms of solar access, cross ventilation and apartment sizes. The proposed apartment mix is in accordance with the SDCP 2012 and caters to an appropriate demographic range and diversity of occupants.

Social interaction amongst residents is promoted throughout the development by generous corridors, connective landscaping throughout the buildings and communal rooms.

(i) Principle 9: Aesthetics

The applicant submits that the proposed buildings are united by a consistent material palette, including coloured concrete, white, light-colour and grey brick, glass and lightweight cladding panels.

Landscaping enhances the ground level and highlights the communal areas on the rooftop.

The structural blades at the ground floor visually represent the vertical grid, contrasting with the horizontal elements that break up the facade.

44. The development is acceptable when assessed against the SEPP including the above stated principles and the associated Apartment Design Guide (ADG). These controls are generally replicated within the apartment design controls under the Sydney Development Control Plan 2012. Consequently, compliance with the SEPP generally implies compliance with Council's own controls. A detailed assessment of the proposal against the ADG is provided below.

2F Building Separation	**Consistency**	**Comment**
Up to 4 storeys (approximately 12m): • 12m between habitable rooms / balconies • 9m between habitable and non-habitable rooms • 6m between non-habitable rooms	Partial	There are some locations where the recommended building separation distances are not achieved. Conditions of consent are recommended to ensure the objectives of the controls are met. Refer to the 'Discussion' section for further details.
Five to eight storeys (approximately 25 metres): • 18m between habitable rooms / balconies • 12m between habitable and non-habitable rooms • 9m between non-habitable rooms		
Nine storeys and above (over 25m): • 24m between habitable rooms / balconies		

2F Building Separation	Consistency	Comment
• 18m between habitable and non-habitable rooms • 12m between non-habitable rooms		

3D Communal and Public Open Space	Consistency	Comment
Communal open space has a minimum area equal to 25% of the site.	Yes	Approximately 1,949.4sqm of communal open space is provided on the ground floor and approximately 1,732.5sqm is provided on the rooftops of Buildings A, B, F and G. This equates to 34% of the site area.
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two (2) hours between 9am and 3pm on 21 June (midwinter).	Yes	The required amount of solar access is achieved for communal open space areas.

3E Deep Soil Zones	Consistency	Comment
Deep soil zones are to have a minimum area equivalent to 7% of the site and have a minimum dimension of 6m	Yes	11% deep soil is provided.

3F Visual Privacy	Consistency	Comment
Up to 4 storeys (12 metres): • 6m between habitable rooms / balconies	Partial	There are some instances where separation between buildings does not comply with the ADG. Conditions are

3F Visual Privacy	Consistency	Comment
• 3m between non-habitable rooms		recommended to ensure visual privacy is achieved. Refer to the 'Discussion' section for further details.
Five to eight storeys (25 metres): • 9m between habitable rooms / balconies • 4.5m between non-habitable rooms		
Nine storeys and above (over 25m): • 12m between habitable rooms / balconies • 6m between non-habitable rooms		
Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas.	Yes	Adequate separation is provided between habitable rooms and circulation spaces.

4A Solar and Daylight Access	Consistency	Comment
70% of units to receive a minimum of 2 hours of direct sunlight in midwinter to living rooms and private open spaces.	No but acceptable	The amended plans state that 68% of apartments (191 out of 280) receive 2 hours of direct sunlight in midwinter. Council's review of the solar analysis found that 66.4% of apartments (186 out of 280) achieve the required solar access. This non-compliance is considered acceptable on balance.

4A Solar and Daylight Access	Consistency	Comment
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	Yes	12% of apartments (34 out of 280) receive no direct sunlight.

4B Natural Ventilation	Consistency	Comment
All habitable rooms are naturally ventilated.	Yes	The proposal complies.
Minimum 60% of apartments in the first nine (9) storeys of the building are naturally cross ventilated.	No but acceptable	The amended plans state that 61.2% of the apartments within the first 9 storeys are naturally cross ventilated. Council's review of natural cross ventilation indicates that 57.7% of apartments achieve genuine natural cross ventilation. This is considered to be acceptable.
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Yes	The cross-through apartments do not exceed 18m in depth.

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m	Yes	2.7m ceiling heights are provided to habitable rooms. 3.3m is not achieved on the first floor across the development. A Clause 4.6 variation request was submitted with the application as this control is identified as a development standard. See
Non-habitable rooms: 2.4m	Yes	
If located in mixed-use areas – 3.3m for ground and first floor to promote future flexibility of use.	No, but Clause 4.6 request supported	

4C Ceiling Heights	Consistency	Comment
		further details in the 'Discussion' section below.

4D Apartment Size and Layout	Consistency	Comment
Minimum unit sizes: • Studio: 35sqm • 1 bed: 50sqm • 2 bed: 70sqm • 3 bed: 90sqm	Yes	The minimum apartment sizes are achieved.
Every habitable room is to have a window in an external wall with a minimum glass area of 10% of the floor area of the room.	Yes	The proposal complies.
Habitable room depths are to be no more than 2.5 x the ceiling height.	Yes	The proposal complies.
8m maximum depth for open plan layouts.	Partial	The proposal generally complies. Where exceedances are proposed, these are minor (generally less than 1m) and adequate amenity is maintained.
Minimum area for bedrooms (excluding wardrobes): • master bedroom: 10sqm • all other bedrooms: 9sqm Minimum dimension of any bedroom is 3m (excluding wardrobes).	Yes	The proposal complies.

4D Apartment Size and Layout	**Consistency**	**Comment**
Living and living/dining rooms minimum widths: • Studio and one-bedroom: 3.6m • Two-bedroom or more: 4m	Yes	The proposal complies.
4m minimum width for cross over and cross through apartments.	Yes	The proposal complies.

4E Private Open Space and Balconies	**Consistency**	**Comment**
Studio apartments are to have a minimum balcony area of 4sqm with a minimum depth of 1m. One bed apartments are to have a minimum balcony area of 8sqm with a minimum depth of 2m. Two bed apartments are to have a minimum balcony area of 10sqm with a minimum depth of 2m. Three bed apartments are to have a minimum balcony area of 12sqm with a minimum depth of 2.4m.	Yes	The minimum size requirements for balconies are generally achieved. The plans indicate that a small number of 2 bedroom apartments do not comply, however this may be a drafting error. A condition of consent is recommended to address this.
Private open space for apartments on ground level, on a podium, or similar, must have a minimum area of 15sqm and a minimum depth of 3m.	Yes	A minimum area of 15sqm is provided to ground floor apartments.

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is eight (8).	Partial	Block F has 9 apartments off the circulation core on each level. This is considered to be a minor non-compliance and will not cause adverse amenity impacts.
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	Yes	The proposal complies.
Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed.	Yes	The proposal generally complies. Apartment 804 in Building A has a window that opens onto the communal open space. A condition of consent is recommended that requires the window to be moved north as far as possible (away from the usable communal space area).
Daylight and natural ventilation are provided to all common circulation spaces.	Yes	Windows are provided to all common circulation spaces.

4G Storage	Consistency	Comment
Minimum storage provision facilities: • Studio: $4m^3$ • 1 bed: $6m^3$ • 2 bed: $8m^3$ • 3 bed: $10m^3$	Yes	Storage is provided to all apartments. A condition is recommended requiring a storage schedule and plans to be submitted prior to the issue of a Construction Certificate to ensure storage areas remain compliant through construction level design documentation.

4G Storage	Consistency	Comment
(Minimum 50% storage area located within unit)		

4J Noise and Pollution	Consistency	Comment
Have noise and pollution been adequately considered and addressed through careful siting and layout of buildings?	Yes	All apartments are capable of natural ventilation and provide acceptable acoustic amenity.

Clause 148 - Non-discretionary development standards for residential apartment development

If the following non-discretionary development standards are complied with the consent authority cannot require more onerous standards for the matters.

Provision	Compliance	Comment
Car parking Must be equal to or greater than the recommended minimum amount of car parking specified in Part 3J of the ADG	Yes	The minimum car parking requirements for residents and visitors is the car parking requirement prescribed by the relevant Council. As the LEP car parking controls are maximums, there is no minimum, and the proposal complies.
Internal area for each apartment Must be equal to or greater than the recommended minimum internal area for the apartment type in Part 4D of the ADG	Yes	Each apartment complies with the recommended internal area for the apartment type.
Ceiling heights Must be equal to or greater than the recommended minimum ceiling heights specified in Part 4C of the ADG	No, but Clause 4.6 request supported	The proposal complies with the 2.7m ceiling height development standard for habitable rooms and 2.4m ceiling height development standard for non-habitable rooms. In mixed-use areas, the 3.3m ground and first floor development standard is to promote future flexibility of use.

Provision	Compliance	Comment
		The applicant has submitted a Clause 4.6 request relating to the ceiling heights on the first floor for all buildings. This is discussed further under the 'Discussion' heading below.

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 Standards for residential development - BASIX

45. A BASIX Report has been submitted with the development application. The BASIX certificate lists measures to satisfy BASIX requirements which have been incorporated in to the proposal. A condition of consent is recommended ensuring the measures detailed in the BASIX certificate are implemented.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Clause 2.48 Determination of development applications – other development

46. The application was referred to Ausgrid for comment in accordance with clause 2.48 of the SEPP. Ausgrid did not object to the proposed development and recommended conditions of consent which have been included in Attachment A.

Clause 2.122 Traffic generating development

47. The application was referred to Transport for NSW (TfNSW) in accordance with Clause 2.122 - Traffic generating development. Recommended conditions of consent have been provided by TfNSW which are included in Attachment A.

Local Environmental Plans

Sydney Local Environmental Plan 2012

48. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the MU1 - Mixed-Use zone. The proposal contains residential flat buildings and mixed-use buildings with ground floor commercial uses and residential apartments above, which are permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	The site is subject to the site-specific provisions in clause 6.60J - Mulgu Precinct of SLEP 2012, which includes an Alternative Height of Buildings map. The Concept DA established the maximum permitted building heights, which comply with the LEP. The proposed development complies with the concept envelopes, as amended by D/2023/724/B.
4.4 Floor space ratio	Yes	A maximum floor space ratio of 2:1 or 81,542sqm is permitted across the entire site, being the sum of the floor space ratio in this clause (1.5:1) and clause 6.14 Community Infrastructure floor space in Green Square (0.5:1). In addition, a design excellence bonus of up to 10% may be permitted under clause 6.21D(3)(b) of SLEP. The concept approval apportioned maximum gross floor area to each development stage (Condition 6 of D/2023/724/A). The Stage 2 NW site was allocated a total GFA of 25,550sqm (excluding any design excellence bonus). The proposed development was the subject of competitive design process. A maximum GFA of 28,105sqm is therefore permitted, should the consent authority resolve to award the design excellence bonus. The proposed development has a GFA of 28,104sqm, which complies.
4.6 Exceptions to development standards	Yes	The proposed development seeks to vary the ceiling height development standard under the ADG. A Clause 4.6 variation request has been submitted with the application. See further details in the 'Discussion' section below.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is not identified as a heritage item and is not within a heritage conservation area. There are no heritage items in the vicinity of the site.
5.21 Flood planning	Yes	The subject site is identified as being subject to flooding. The application was accompanied by a site-specific flood risk assessment which identified the relevant flood planning levels and demonstrated compliance with those levels based on the City's Interim Flood Management Policy.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
6.14 Community infrastructure floor space at Green Square	Yes	The proposed development is eligible for additional floor up to 0.5:1 for the provision of community infrastructure. The additional floor space was accounted for in the concept application and the maximum permitted floor space was apportioned to each stage of the site as specified in condition (6) of the concept approval, and as outlined above.
6.21C Design excellence	Yes	The proposed buildings are of a high standard of architectural design and use materials and detailing that are compatible with the existing development in the Green Square Epsom Park locality. The development will contribute positively to the character of the Epsom Park area and will improve the quality and amenity of the public domain. The development adequately addresses streetscape constraints and provides bulk and massing that is compatible with neighbouring buildings and the planning controls.

Provision	Compliance	Comment
		The development achieves the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development is considered to exhibit design excellence in accordance with the requirements of this clause, subject to the recommended conditions of consent.
6.21D Competitive design process	Yes	A competitive design process was held for the Stage 2 NW site. Crone with Youssofzay + Hart were selected as the winning scheme. The proposed development is generally consistent with the design intent of the winning scheme. The recommendations of the selection panel have been addressed in the 'Discussion' section below. The building is therefore eligible for up to 10% additional floor space ratio. See 'Floor Space Ratio' assessment above under clause 4.4.
Division 5 Site specific provisions		
Clause 6.60J	Yes	The proposal is subject to the site-specific provisions in clause 6.60J of the LEP. As per clause 6.60J(3), development consent must not be granted to development on land to which this clause applies unless a development control plan has been prepared. The approved concept plan relied on the site-specific development control plan, as amended by the planning proposal gazetted in May 2024. This satisfies the requirement for a site-specific DCP in accordance with section 4.23 of the Act. Clause 6.60J(4) includes an Alternative Height of Buildings Map, which the concept plan relied upon.

Provision	Compliance	Comment
		Where the Alternative Height of Buildings map applies, the consent authority is to be satisfied that at least 4% of the GFA of all buildings on the land is used for non-residential purposes. Condition 6 of the concept approval apportioned the maximum non-residential GFA to each development stage. A maximum of 882sqm (when including the design excellence bonus) is apportioned to Stage 2 NW (as amended under Modification B). The application includes 882sqm of non-residential GFA and therefore complies with condition 6 of the concept approval. The 4% requirement for non-residential GFA is achieved across the site.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.5 Residential flat buildings, dual occupancies and multi dwelling housing 7.7 Retail premises	Yes	***Residential parking*** A total of 296 residential spaces are permitted, comprising 271 residential and 25 visitor spaces. The proposal includes 271 residential spaces and 25 visitor spaces totalling 296 residential spaces, which complies. ***Retail parking*** 17 retail parking spaces are provided, which complies.
Division 3 Affordable housing		
7.13 Affordable housing	Yes	The site is located within Green Square and involves the erection of a new building. The affordable housing levy contribution of 3% for residential Total Floor Area (TFA) and 1% for non-residential TFA applies.

Provision	Compliance	Comment
		Total floor area plans were submitted calculating 38,821sqm of residential TFA and 955sqm of non-residential TFA. Accordingly, a contribution of $13,675,439.62 is required. Subclause 7.13(2) satisfies Section 7.32 of the Act.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	An Acid Sulfate Soils management plan was approved under D/2023/753 and D/2024/1073 and is required to be complied for these works.
7.15 Flood planning	Yes	The site is identified as being subject to flooding. A flood report accompanies the application demonstrating that the development is able to comply with the City's Interim Floodplain Management Policy and satisfies the provisions of the standard.
7.16 Airspace operations	Yes	The concurrence of Sydney Airport Corporation, as a proxy for the Civil Aviation Safety Authority, has been received as part of the Concept DA.
7.20 Development requiring or authorising preparation of a development control plan	Yes	A site-specific development control plan was prepared in conjunction with the planning proposal and was considered in the assessment of the concept approval.

Development Control Plans

Sydney Development Control Plan 2012

49. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

Section 2 – Locality Statements

50. The site is located within the Green Square - Epsom Park locality (2.5.5). The proposed development is in keeping with the unique character and the design principles of the Epsom Park locality as it:

(a) contributes new buildings in a location where residents can enjoy proximity to the City, access to the Green Square Town Centre, good transport links, public parks and recreational facilities

(b) contributes to the strong urban character through the delivery of new streets, high quality architecture and a mix of uses

(c) provides permeability through the site to maximise pedestrian movement

(d) provides suitable retail and residential uses

(e) appropriately addresses Zetland Avenue

(f) provides smaller buildings where appropriate to the urban character

Section 3 – General Provisions

Provision	Compliance	Comment
3.1 Public Domain Elements	Yes	Public domain works including the new streets and public parks have been sought under separate applications.
3.1.5 Public Art	Yes	A Preliminary Public Art Strategy prepared by Aileen Sage was approved as part of the Concept DA. A site-wide Developed Public Art Strategy was submitted with this application, as well as the Stage 2 detailed design DAs for the North-Eastern and Southern sites (D/2024/816 and D/2024/1055). The site-wide approach to the development and delivery of public art across the precinct is supported by Council's Public Art team. The plan includes opportunities for public art within the future Mulgu Park and the east-west linear link through the Stage 2 NW site (subject site) and Stage 1 NE site. The site-wide Public Art Plan was considered in detail under the Stage 1 NE application (D/2024/816). The assessment concluded that:

Provision	Compliance	Comment
		• the provision of public art in Mulgu Park was supported, subject to further details clearly defining the public art elements; • the provision of public art in the linear park link requires further work; and • the budget was to be increased from 0.25% to 0.35%. Given the public art is to be delivered in a site-wide approach, including the Stage 2 NW site (subject site), it is appropriate to include the same condition of consent for public art that was imposed on the detailed design DA for Stage 1 NE (D/2024/816). This condition requires the Public Art Strategy to be further developed and the budget to be increased.
3.2.1 Improving the public domain	Yes	Overshadowing effects of new buildings on publicly accessible open space are to be minimised between the hours of 9am to 3pm on 21 June. The new east-west public open space located to the south of the Stage 2 NW site will be largely shadowed by the proposed buildings in midwinter. This was anticipated in the concept DA due to the location of tall buildings on the northern side of the park. The development will not adversely impact solar access to Gunyama Park in midwinter. Minor additional shadows will be cast on Mulgu Park between 2-3pm in midwinter. However, adequate solar access is maintained to Mulgu Park in accordance with the controls.
3.2.4 Footpath awnings	Yes	Continuous awnings are required along Zetland Avenue. The proposal includes awnings for part of this frontage. A condition of consent is

Provision	Compliance	Comment
		recommended to ensure the awning is extended along the entire retail frontage.
3.2.6 Wind effects	Yes	Conditions of consent are recommended to ensure the design changes identified in the Wind Report are incorporated into the plans. Refer to the 'Discussion' section for further details.
3.2.7 Reflectivity	Yes	Light reflectivity from building materials on facades must not exceed 20%. A condition of consent is recommended to ensure this is complied with. This condition also requires the recommendations of the submitted Reflectivity Assessment to be implemented in the design.
3.3 Design Excellence and Competitive Design Processes	Yes	The proposed development was the subject of a competitive design process and is eligible for up to 10% additional floor space pursuant to clause 6.21D(3)(d) of the SLEP 2012. The additional floor space has been accommodated within the approved concept development (as proposed to be modified), which considered the potential impacts of that additional floor space.
3.4 Hierarchy of Centres, City South	Yes	The site is located within the Green Square Town Centre Primary Trade Area. The development provides an appropriate amount of retail uses to activate the Zetland Avenue frontage.
3.5 Urban Ecology	Yes	Two trees are proposed for removal, being a Lemon Scented Gum and a Chinese Hackberry Tree (exempt species). The removal of these trees is supported by Council's Tree Management unit. The proposal includes 15% canopy coverage across the site, which complies.
3.6 Ecologically Sustainable Development	Yes	The proposal satisfies BASIX and environmental requirements.

Provision	Compliance	Comment
3.7 Water and Flood Management	Yes	The site is identified as being on flood prone land. See discussion under section 7.15 above.
3.11 Transport and Parking	Yes	The development includes a total of 317 car parking spaces. This includes 271 residential spaces, 25 residential visitor spaces, 17 retail spaces and 4 car share spaces. The parking spaces comply with the maximum permitted in the SLEP 2012. 26 motorcycle spaces and 7 service vehicle spaces are also provided, which complies. 321 bicycle parking spaces are provided, which complies with the minimum requirements. There are some outstanding issues relating to transport and access that are recommended to be addressed by condition of consent. These include: • The swept paths demonstrate that a 6m driveway width on Defries Avenue is adequate. This is to be incorporated into the design. • The swept paths for Council's 10.6m waste vehicle are to include 600mm clearance and demonstrate no conflicts with the bin holding room. • Scraping appears to occur on the vertical clearance swept paths for the short ramps. • Other minor changes are required to the motorbike parking location, median dividers, bicycle parking design and the end of trip facilities.
3.12 Accessible Design	Yes	42 adaptable apartments have been provided, which equates to 15%.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.

Provision	Compliance	Comment
3.14 Waste	Yes	Waste storage areas are provided within the basement levels, with waste loading and collection to be undertaken from the ground floor loading dock. A condition of consent is recommended requiring a revised Loading and Servicing Management Plan to ensure potential conflicts between service vehicles, including waste collection, and general vehicles will be mitigated. Other conditions of consent have been recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.

Section 4 – Development Types

4.2 Residential Flat, Commercial and Mixed-Use Developments

Provision	Compliance	Comment
4.2.1.1 Height in storeys and street frontage height in storeys	Yes	The concept plan approved building envelopes which specified height in storeys for each block. The proposal complies with the height in storeys in the concept plan. Refer to Section 5.3.6 of the SDCP 2012 for site specific height requirements.
4.2.2 Building setbacks	Yes	The proposal is generally consistent with the ground and upper level setbacks required by the concept approval. There are some minor instances where ground floor balconies/ terraces encroach the setbacks. These non-compliances are localised and will not have adverse impacts on the public domain.
4.2.3.1 Solar access	Partial compliance	***Solar access to proposed apartments*** The amended plans state that 68% of apartments (191 out of 280) receive 2 hours of direct sunlight in midwinter.

Provision	Compliance	Comment
		Council's review of the solar analysis found that 66.4% of apartments (186 out of 280) achieve the required solar access. This inconsistency with the ADG recommendation is considered acceptable as the objectives of this provision are achieved. ***Overshadowing to neighbouring dwellings*** The proposed buildings will cause some additional overshadowing to 8-12 Peters Street, which is located south of the site. Solar analysis submitted with the subject DA and the Concept DA demonstrate that the required 2 hours of solar access to living rooms and private open spaces is maintained to approximately 72% of apartments at 8-12 Peters Street, which is consistent with the ADG.
4.2.3.3 Internal common areas	Yes	Internal common areas are provided with access to daylight.
4.2.3.5 Landscaping	Yes	The overall quantum and location of landscaping and communal open space across the development is supported. However, there are a number of issues relating to the detailing of landscape areas that remain unresolved. Conditions are recommended to require detailed landscape drawings to be submitted prior to the Construction Certificate for above ground works.
4.2.3.6 Deep Soil	Yes	11% deep soil is provided.
4.2.3.7 Private open space and balconies	Yes	Private open space in the form of balconies/ courtyards are provided to all apartments.
4.2.3.8 Common open space	Yes	Approximately 1,949.4sqm of communal open space is provided on the ground floor and approximately 1,732.5sqm is

Provision	Compliance	Comment
		provided on the rooftops of Buildings A, B, F and G. This equates to 34% of the site area, which complies with the 25% requirement.
4.2.3.9 Ventilation	Yes	All habitable rooms are naturally ventilated.
4.2.3.10 Outlook	Yes	An acceptable outlook is provided to all apartments.
4.2.3.11 Acoustic privacy	Yes	An Acoustic Report was submitted with the application which demonstrates that compliance with the noise criteria can be achieved.
4.2.3.12 Flexible housing and dwelling mix	Yes	The DCP specifies the following dwelling mix: • 1 bed: 10-30% • 2 bed: 40-75% • 3+ bed: 10-100% The proposed dwelling mix is: • 1 bed: 15% • 2 bed: 62% • 3 bed: 23%
4.2.4 Fine grain, architectural diversity and articulation	Yes	The development provides an appropriate scale, modulation and facade articulation to ensure the buildings respond to their context.
4.2.6 Waste and recycling Management	Yes	Conditions have been recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.

Provision	Compliance	Comment
4.2.9 Non-residential development in the B4 Mixed-Uses Zone	Yes	Amenity impacts from the proposed development including acoustic impacts, visual privacy, traffic and overshadowing have been considered throughout this report. The specific use and fit out of retail tenancies will be subject to separate development consent.

Section 5 – Specific Areas

Provision	Compliance	Comment
5.2 Green Square	Yes	The proposed development is generally consistent with the objectives for the Green Square area.
5.3 Epsom Park	Yes	The proposed development is generally consistent with the objectives for the Epsom Park locality, as outlined in the subheadings below.
5.3.1 Epsom Park Urban Strategy	Yes	The proposed development is consistent with the Epsom Park Urban Strategy. Specifically, the proposal provides low buildings along Letitia Street, an active edge along Zetland Avenue, accommodates the required new streets and open spaces, provides high quality buildings sympathetic to the local character and provides appropriate height transitions to surrounding areas, with taller buildings fronting Zetland Avenue.
5.3.2 Urban design principles	Yes	The proposed development is consistent with the urban design principles for Epsom Park, noting that in part these are affected by additional site-specific provisions below.
5.3.3 Local infrastructure and public domain	Yes	Local infrastructure and public domain elements are to be provided in accordance with the DCP under a separate development consent (D/2023/753).
5.3.3.3 Movement and connectivity	Yes	Vehicle access is provided via Defries Avenue into the ground floor loading dock and basement access within

Provision	Compliance	Comment
		Building F. This is consistent with the approved concept plan.
5.3.4 Building form and design	Yes	The proposal generally complies with the built form and height outlined in the DCP, with some minor exceptions. Building height in storeys is considered further in the 'Discussion' section below.
5.3.4.1 Building setbacks	Yes	The proposal is generally consistent with the building setbacks specified in the Concept DA.
5.3.4.3 Fences	Yes	A condition of consent is recommended that requires details of the ground level street interfaces, demonstrating high quality resolution of landscaping and planter design, fencing, paths, stairs and public domain levels.
5.3.4.4 Other development	Yes	Active uses are provided on the ground floor facing Zetland Avenue as required.
5.3.5 Staging and implementation	Yes	The development of this site can occur independently and does not rely on infrastructure from adjacent sites.
5.3.6 118-130 Epsom Road and 905 South Dowling Street, Zetland		
5.3.6.2 Local infrastructure and public domain	Yes	Public open space is provided as per the locations identified in the DCP. Consent for these spaces has been sought separately under D/2025/178.
5.3.6.3 Movement and connectivity	Yes	Vehicle access is provided via Defries Ave in accordance with the DCP.
5.3.6.4 Building layout, form and design	Partial compliance	Slight variations are proposed to the height in storeys diagram in the DCP. Refer to the 'Discussion' section for further details.
5.3.6.5 Land use	Yes	Active frontages are provided along Zetland Avenue as required.
5.3.6.6 Noise and ventilation	Yes	The Acoustic Report demonstrates that the noise criteria and natural ventilation can be achieved simultaneously.

Provision	Compliance	Comment
5.3.6.7 Contamination	Yes	Remediation of the land is being undertaken under D/2023/753. A Site Audit Statement confirming the land is suitable for the proposed uses is required to be obtained prior to commencement of building works.
5.3.6.8 Ecologically Sustainable Development	Yes	A condition is recommended requiring compliance with the planning agreement (VPA/2022/18), which includes additional environmental measures including the installation of electric vehicle chargers.

Discussion

Consistency with concept approval

51. Pursuant to section 4.24(2) of the EP&A Act, where a concept development application for a site remains in force the determination of any future development application in respect to that site cannot be inconsistent with the concept consent.

52. The subject application relates to the detailed design of the north-western stage of the Concept DA (D/2023/724/A) in force for the site.

53. The approved concept plan is proposed to be modified (D/2023/724/B) concurrently under section 4.55(1A) of the Act to address inconsistencies with the concept plan arising through the design competition and this detailed development application. The proposed modification application is recommended for approval and is to be determined by CSPC prior to the determination of this application to ensure that the proposed development is consistent with the concept plan.

54. The subject application for Stage 2 NW is consistent with the conditions of the Concept DA (as proposed to be amended), as follows:

Table 1: Review of the proposal against the conditions of the Concept DA

Condition	Comment
Condition (2) Approved Development	The proposed development is consistent with the amended concept plans, as proposed to be modified under D/2024/724/B.
Condition (4) Compliance with VPA	The proposal is consistent with the VPAs that apply to the site.

Condition	Comment
Condition (5) Building Height	The proposed development complies with the heights specified on the concept plans, as amended by D/2024/724/B.
Condition (6) Floor Space Ratio	The proposed GFA complies with the maximum GFA permitted by this condition, as amended by D/2024/724/B.
Condition (9) Competitive Design Process	A competitive design process has been conducted. The proposal is considered to exhibit design excellence in accordance with the SLEP 2012.
Condition (10) Detailed Design of Building	The proposal complies with the relevant clauses of this condition as follows: • (a) - The building forms are appropriately modulated and articulated. • (b) - The tall building (Building A) is vertically proportioned. • (c) - Conditions are recommended to ensure the design of the south-eastern extent of Block NW-2 incorporates visual privacy measures to maintain privacy for 8-12 Peters Street. • The tower floorplate (Building A) does not exceed 550sqm.
Condition (11) Residential Land Use	The proposal is consistent with the objectives of the ADG and DCP provisions specified in this condition.
Condition (12) Preliminary loading and servicing management plan	A Preliminary Loading and Servicing Management Plan was submitted with the DA.
Condition (13) Security Gates	A security gate is proposed at the basement ramp, which complies with the 6m setback requirement.
Condition (18) Waste Infrastructure	The proposed waste management arrangements are generally acceptable, subject to conditions.

Condition	Comment
Condition (19) Acoustic Assessment	An Acoustic Impact Assessment was submitted with the application and is satisfactory.
Condition (20)(a) Deep Soil	NW Stage is to provide 1,200sqm (as proposed to be amended under D/2023/724/B). The detailed DA complies with this requirement.
Condition (21) Landscape	The proposal complies with the landscape requirements.
Condition (22) Land Contamination	The proposal satisfies the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.
Condition (24) Wind Assessment	A Wind Assessment was submitted with the application. A condition of consent is recommended to ensure the design amendments in the report are incorporated into the design.
Condition (25) Communal Open Space	Communal open space equal to 34% of the site area has been provided.
Condition (26) Environmentally Sustainable Development	The required ESD targets have been addressed.
Condition (27) Public Art	A condition of consent is recommended requiring further development of the site-wide public art proposal.
Condition (29) Trees that must be retained	The required trees are retained.
Condition (32) Flood Planning Levels	The proposal complies with the required Flood Planning Levels.
Condition (35) Signage Strategy	A condition is recommended requiring submission of a signage strategy.

55. As demonstrated above, the proposed development is consistent with the concept consent in force for the site, as proposed to be amended under D/2023/724/B being considered concurrently with this application.

Clause 4.6 variation request - Ceiling heights

56. Section 148 of the Housing SEPP contains development standards for particular matters relating to residential development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. This includes the recommended ceiling heights specified in Part 4C of the Apartment Design Guide (ADG), which is described as a 'non-discretionary development standard'.

57. If non-discretionary development standards are not complied with, Section 4.15(3) of the EP&A Act 1979 allows the consent authority to apply Clause 4.6 when determining the development.

58. Part 4C of the ADG requires development in mixed-use areas to provide floor to ceiling heights of 3.3m for ground and first floor to promote future flexibility of use.

59. The proposed development achieves (and exceeds) the 3.3m floor to ceiling height on the ground floor. However, there are localised non-compliances on Level 1 in each building (A-H). In these locations, a floor to ceiling height of 2.9m is proposed, which results in a variation of 13%.

60. A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the floor to ceiling height development standard by demonstrating:

    (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and

    (b) That there are sufficient environmental planning grounds to justify contravening the standard.

Applicant's Written Request - Clause 4.6(3)(a) and (b)

61. The applicant seeks to justify the contravention of the ceiling heights development standard on the following basis:

    (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:

        (i) The applicant refers to the first method of the five-part test established in Wehbe v Pittwater Council [2007] NSW LEC 827 to demonstrate that compliance with the standard is unreasonable or unnecessary. This method seeks to demonstrate that the objectives of the development standard are achieved notwithstanding the non-compliance with the standard.

        (ii) A summary of the applicant's assessment against the objectives of the ceiling heights development standard is provided below:

            Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access

            The proposed variation is minor and will not impact the development achieving sufficient natural ventilation and daylight access. Apartments which do not meet the required ceiling height achieve good solar access and natural light.

Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well proportioned rooms

The proposed units comply with the relevant requirements for unit size and depth under the ADG creating high quality and livable spaces optimising a sense of space and outlook.

The heights are still well above the minimums required under the NCC and ADG for all other residential levels, with no low bulkheads in habitable rooms.

Objective 4C-3 Ceiling heights contribute to the flexibility of building use over the life of the building

The non-compliance is minor in nature (13%) and still provides adequate opportunity for varying uses above ground without compromising amenity and spatial requirements.

Given the detailed masterplanning that has been undertaken for this site, it is unlikely that the residential units located on Level 1 will be converted to non-residential uses in the future.

(iii) In summary, the applicant submits that the development is consistent with the objectives of the height of buildings development standard. Therefore, compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

(b) That there are sufficient environmental planning grounds to justify contravening the standard:

(i) Ground level floor to ceiling heights exceed the minimum 3.3m requirement, providing increased flexibility for ground floor uses and high visibility to pedestrians and vehicles.

(ii) The development was the subject of a detailed Planning Proposal, Concept Plan, Competitive Design Process, and design excellence process which consistently proposed residential uses at Level 1 and residential uses on ground floor where active frontages are not required.

(iii) The overall development achieves the minimum non-residential floor space requirement established under the site-specific LEP. There is limited demand for additional non-residential floor space in this location.

Consideration of Applicant's Written Request - Clause 4.6(3)

62. Development consent must not be granted unless the consent authority is satisfied that that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.

Does the written request adequately address those issues at Clause 4.6(3)(a)?

63. The applicant has relied upon the first test established in Wehbe v Pittwater Council [2007] NSW LEC 827 to demonstrate that compliance with the standard is unreasonable or unnecessary in the circumstances of the case.

64. The applicant has satisfactorily demonstrated that the proposal meets the objectives of the ceiling heights development standard, notwithstanding the non-compliance.

Does the written request adequately address those issues at clause 4.6(3)(b)?

65. The applicant has sufficiently demonstrated that there are sufficient environmental planning grounds to justify contravening the standard. The proposed floor to ceiling heights will provide acceptable amenity for future occupants and the minimum non-residential floor space requirements are met elsewhere within the site.

Conclusion

66. For the reasons provided above the requested variation to the ceiling heights development standard is supported as the applicant's written request has adequately addressed the matters required to be addressed by clause 4.6 of the Sydney Local Environmental Plan 2012.

Distribution of gross floor area

67. The Stage 2 NW site is permitted a maximum GFA of 25,550sqm (excluding any design excellence bonus), pursuant to clause 4.4 of the SLEP 2012 and captured in Condition 6 the concept consent (D/2023/724/A).

68. Condition 6 of the concept consent (as currently worded prior to Modification B) apportions the maximum GFA for Stage 2 NW as follows:

- Total GFA - 25,550sqm
    - Residential GFA - 24,693sqm
    - Non-residential GFA - 857sqm

69. When considering the available up to 10% additional floor space, the maximum GFA permitted is as follows:

- Total GFA - 28,105sqm
    - Residential GFA - 27,162sqm
    - Non-residential GFA - 943sqm

70. This application proposes the following distribution of GFA:

- Total GFA - 28,104sqm
    - Residential GFA - 27,222sqm
    - Non-residential - 882sqm

71. The total GFA of 28,104sqm complies with the maximum permitted for the site. However, the distribution does not strictly comply, with a higher proportion of residential GFA and lower proportion of retail GFA than specified in concept consent.

72. The concurrent modification to the concept consent (D/2023/724/B) therefore seeks to amend Condition 6 to reflect the proposed redistribution.

73. No objections are raised to the proposed redistribution of floor space. Importantly, the maximum permitted GFA is not exceeded and there will be no material adverse impacts from this change. Sufficient non-residential floor space is provided on the ground floor along George Julius Avenue and Zetland Avenue. The objectives of the DCP in relation to active frontage and land uses are achieved notwithstanding this minor change.

74. It is also noted that the proposed redistribution does not inhibit the proposal's ability to comply with the obligations of the VPA requiring a minimum of 4% of the total GFA across the site to be non-residential.

Competitive design process - design excellence

75. A competitive design process was held for Stage 2 NW between May and July 2024. Of the three competing teams, Crone with Youssofzay + Hart were selected as having the scheme most capable of achieving design excellence and were declared the winner.

76. The key principles of the design to be maintained and developed identified by the Selection Panel are outlined in Table 2 below. The development application adequately retains the design integrity and key aspects of the winning scheme, subject to conditions of consent.

Table 2: Assessment of compliance with the recommendations of the Selection Panel

Key principles of the design to be maintained and developed	
Recommendation	**Comment**
General landscape approach across the site	The overarching elements of the landscape approach including permeability and openness, biodiversity, canopy provision and open space locations have been maintained.
Continued consideration of the health and wellbeing of Country through landscape and public art	The proposal provides opportunities for native gardens, inclusive spaces and health of country through landscape, as well as public art opportunities.
Approach to materiality is to be maintained	Changes have been made to the proposed materials post-competition. In particular, the brick selection of 'Lohas Brick Tenere Smooth' has been replaced with brick pattern precast in light brown. Refer to the 'Discussion' section for further details.

Key principles of the design to be maintained and developed	
Omission of the low rise building in Block NW-2	This has been maintained. Refer to the 'Discussion' section for further details on the proposed building layout.
Opening of the courtyard in Block NW-2 fronting Letitia Street	This has been maintained.
Awnings over the retail areas in line with the DCP	Awnings have been provided, except for the retail tenancies in Building F. A condition to address this is recommended.
Visual permeability throughout the site, achieved largely due to the gaps between building blocks	Permeability has been maintained on the ground plane. However, the gaps between building blocks have been filled in. This is discussed further under the 'Design Advisory Panel advice' heading below.
Simplicity of internal layout planning	The internal layout planning has generally been maintained.
Acknowledgement and integration of public art	The proposed site-wide public art approach is supported, subject to further design development.
Quantum of deep soil provided	The competition scheme provided 17% deep soil. The proposed development includes 11% deep soil, which complies with the ADG and DCP.
Open space (east-west link) to the north of 8-12 Peters Street	This has been maintained and is being considered separately under D/2025/178.
Clearly defined building entries and lobby planning within tall buildings	Building entries have generally been maintained.
Composition of Zetland Avenue facade	Changes have been made during the assessment to ensure the composition of the Zetland Avenue facade in the competition is maintained.

77. The Selection Panel also identified areas for further resolution and refinement through design development, outlined in Table 3 below.

Table 3: Assessment of compliance with the areas for further resolution and refinement identified by the Selection Panel

Areas for further resolution and refinement	
Recommendation	**Comment**
External gallery access to all low-rise buildings should be removed	External gallery access has been removed.
Dual lifts should be utilised across the development	Dual lifts have been incorporated across the development, except for the smaller buildings (C and D). As these buildings are only 3 storeys, a single lift is acceptable.
Relationship of central low-rise building to landscape east and west must improve – no solely ground floor bedrooms and living room must be on ground floor	The central low-rise building (Building C) now has single storey apartments on 3 levels.
Central low rise building of 4 storeys is acceptable only if bulk is minimised	The height of the central low rise building has been reduced from 4 storeys to 3 storeys.
Physical connection of the low rise building to the mid/high rise to the north is not successful and not necessary	The physical connection between Buildings B and C has been removed. Building C is now self-contained and has its own lift.
Pedestrian link to Defries Avenue adjacent to the carpark entry needs to improve by avoiding a dog leg and providing greater visual connection. Levels need to be resolved	This pedestrian link between Buildings F and G, adjacent to the carpark entry, has been removed. The applicant submits that this link has been removed due to urban design and CPTED concerns. An east-west link is provided further south between Buildings G and H.
Blank wall on corner of Defries and Zetland needs to be improved/opened up with greater activation of the public realm/ retail to corner is a possibility	The blank wall in this location has been replaced with glazing servicing the new Building F residential lobby.

Areas for further resolution and refinement	
Further development of the conceptual weave approach is needed, especially on Gunyama Park façade and its connection to the Zetland Avenue tower façade.	The shading elements on this facade were simplified post-competition. The amended plans submitted during the assessment sought to reinstate some of the elements of the Gunyama Park facade from the competition scheme. Further design changes are required to this facade to improve thermal performance. Refer to the 'Gunyama Park facade' section below for further details.
Basement efficiency and loading dock configuration	The loading dock has been amended to be located on the ground floor rather than in the basement. This location is acceptable, subject to conditions of consent to ensure the orderly use of the loading dock and basement access. Refer to the 'Servicing Strategy' discussion below.
Include a pool and other communal facilities in line with the brief	A pool and communal facilities have been provided on Level 4 of Building G.
Simplified access to low-rise building east of Letitia Street via foyer of the building fronting Defries Avenue	The low-rise building east of Leticia Street (Building G) has been amended to provide simplified access.
Current ground plane along Zetland Avenue to the east does not comply with active frontage – consider flexible home office arrangement	The plans were amended during the assessment to provide active uses on this frontage, instead of residential apartments.
Further development of Defries elevation is needed	The Defries Avenue elevation has been further developed and is considered to be acceptable.
Ensure design development of Letitia Street and east-west link progresses in full consultation with the CoS to ensure delineation between public and private land and compliance with City of Sydney standards	The design of the east-west link is being assessed separately under D/2025/178.

Design Advisory Panel advice

78. The application was referred to the Design Advisory Panel (DAP) on 13 February 2025.

79. The DAP advice was incorporated into Council's Request for Information letter dated 24 February 2025. A summary of the DAP advice and the applicant's response is provided below.

Table 4: Assessment of the proposal against Design Advisory Panel advice

DAP advice	Response
The Panel notes that the scheme has removed building breaks and articulation in order to reduce building heights, as agreed with the City's design subcommittee.	The DAP's support of the removal of building breaks in order to lower building heights is noted.
Pedestrian links should be a minimum of 2-storeys high and open (not glazed) at their entries.	The pedestrian links between Buildings A/B and D/E remain on the ground floor only and have not been amended to be a minimum of 2 storeys high. The applicant submits that 2 storey links cannot be provided as they inhibit the ability to achieve the required commercial objectives. Indents have been provided to the facade to give the visual representation of a building break.
Further resolution of apartments overlooking each other at the corners.	This has not been adequately addressed. A condition of consent is recommended that requires visual privacy screening to be incorporated to certain bedrooms where overlooking is an issue.
High quality materials are important to compliment the building's architectural simplicity. The Panel does not support a reduction in material quality from the design competition scheme.	The brick pattern precast in lieu of the high quality brick proposed in the design competition (Lohas Brick Tenere Smooth) has been maintained by the applicant. Refer to the 'Materials and Finishes' section below for further details.

DAP advice	Response
The change in the façade to Zetland Avenue is too dominant in its horizontal expression. The Panel supports the proportions and expression of the design competition scheme.	Amendments have been made to this elevation to reintroduce the expression of the competition scheme.
Further resolution of the Zetland Avenue façade to improve thermal performance.	Solid to void ratio has been increased to improve thermal performance.
The Panel supports the long-term vision of active uses along Zetland Avenue and recommends that spaces should be provided at the ground floor available for retail, commercial or workshop uses in the long term.	The ground floor along Zetland Avenue has been amended to include retail premises.
The Panel does not support any departures from DCP setbacks at the ground floor interface.	Changes have been made to comply with the ground floor setbacks in the Concept DA.
The Panel recommends further resolution of the waste management area. Considerations may include moving the vehicle crossing further north in order to get a workable north-south ramp, or a turntable for garbage trucks.	Changes have been made to improve the functionality of the loading dock. Refer to the 'Servicing Strategy' discussion below.
Further consideration of landscaping is required to ensure that adequate soil volumes are provided for the number of trees proposed, and that spaces are useable and furnished with appropriate amenities.	Changes have been made to soil volumes. A condition of consent is recommended to further resolve the proposed landscaping.

Building height and layout

80. The site is subject to varying building height in storeys controls, in accordance with the Concept DA, as shown in Figure 18 below.

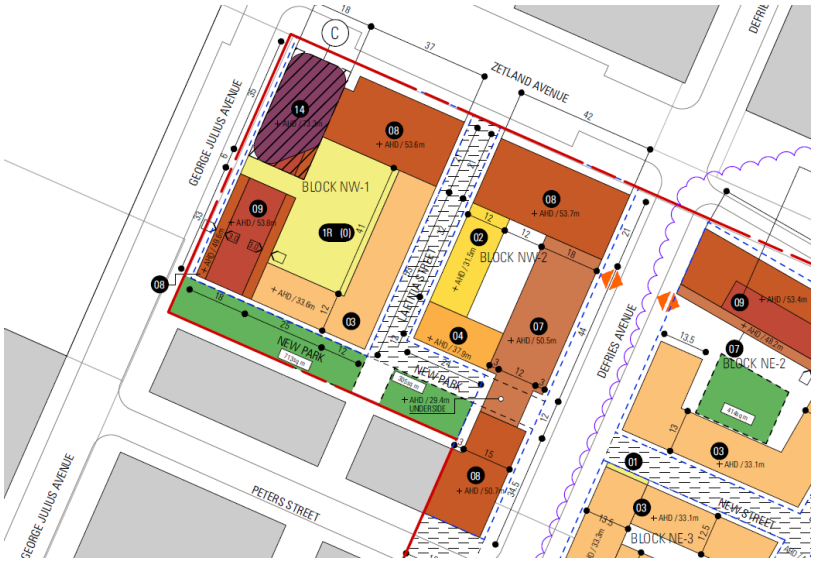

Figure 18: Approved Concept Plan showing building height in storeys

81. Through the competitive design process, the architects opted to depart from the building layout established in the Concept DA, which comprises a predominantly enclosed perimeter courtyard massing with few opportunities for air flow and connection of open space.

82. Instead, the competition scheme broke up the building form to create opportunities for permeability and connected open space, as shown in Figure 19 below.



Figure 19: Concept DA building layout (left) vs proposed competition scheme building layout (right)

83. The key changes to the built form in the proposed development include:

    (a) building breaks between Buildings B/C and C/D, resulting in Building C being a stand alone building;

    (b) deletion of the 2 storey building on the eastern side of Letitia Street; and

    (c) additional building breaks on the ground plane to increase permeability.

84. The proposed changes to the building massing were supported by both the Selection Panel during the competitive design process and the DAP during the DA assessment.

85. Overall, the changes result in improved outcomes for this site including increased permeability, improved opportunities for natural cross ventilation, greater connection between open space areas and improved residential amenity for apartments.

86. These changes are proposed to be captured in the concurrent Section 4.55 modification to the Concept DA to ensure consistency.

Building separation and visual privacy

87. Section 2F of the ADG contains recommended building separation distances between apartments within a site.

88. There are several locations where the recommended building separation distances are not achieved between the proposed buildings. Council's Request for Information therefore requested further information to demonstrate how visual privacy is achieved where the non-compliances occur.

89. The amended plans contain several locations where visual privacy has not been adequately addressed. Recommendations to improve visual privacy in selected locations are summarised below:

    (a) Between Buildings A and E

    6.7m separation is provided between habitable rooms, whereas the ADG recommends 12m up to 4 storeys and 18m up to 8 storeys.

    A condition is recommended requiring the south facing living room windows on Building A to be treated with obscure glazing.

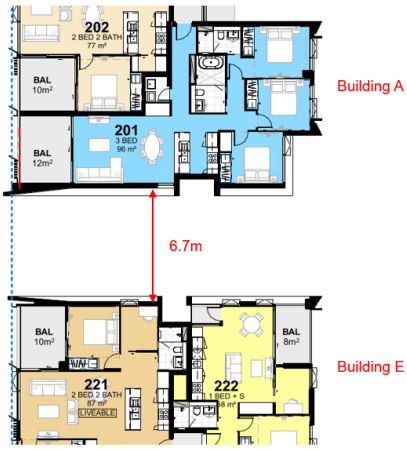

Figure 20: Building separation between Buildings A and E

(b) Between Buildings G and H

12m separation is provided between habitable rooms, whereas the ADG recommends a minimum of 18m above 4 storeys.

A condition is recommended requiring the south facing windows of Building G to include fixed vertical privacy louvres angled to the south-east.

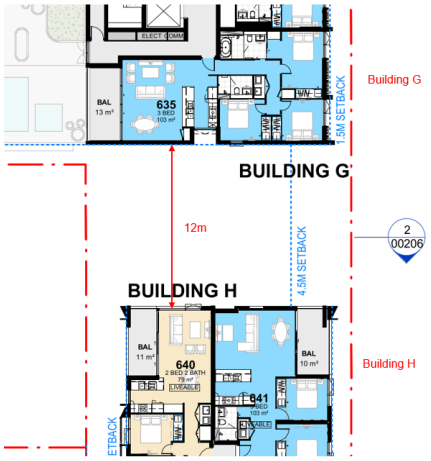

Figure 21: Building separation between Buildings G and H

(c) Internal corner apartments

Due to the building layout established in the Concept DA, there are various instances of apartments overlooking each other at the internal corners.

Conditions are recommended to address overlooking between the internal corners shown in Figure 22 below.

This also applies to the internal corner between Building H and the adjoining building at 8-12 Peters Street.



Figure 22: Locations of internal corners where visual privacy conditions are recommended

(d) Between Building E and 8-12 Peters Street

Condition 10(d) of the concept consent requires visual privacy measures to the southern elevation of Buildings D and E to maintain privacy for residents at 8-12 Peters Street.

A building separation of 16m is proposed. The ADG recommends 18m building separation above Level 4 between habitable rooms / balconies.

A condition is recommended that requires the south facing balconies and bedroom windows on Building E from Level 4 and above to include fixed external privacy louvres.

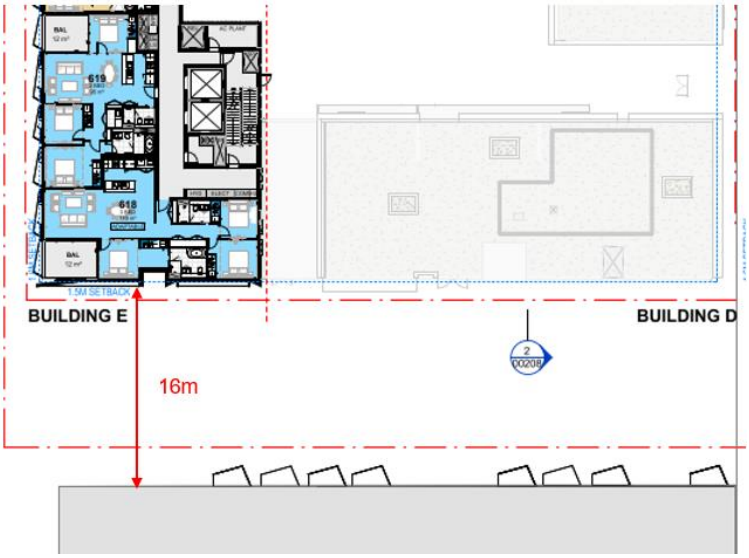

Figure 23: Building separation between Building E and 8-12 Peters Street

Gunyama Park facade

90. The competitive design process scheme incorporated a conceptual weave approach for the Gunyama Park (western) facade of Buildings A and E. This concept was an important element of the winning scheme and the Selection Panel recommended that it be further developed, with particular attention to the performance and orientation of the hoods to maximise solar protection.

91. Council's Request for Information letter, following consultation with the DAP, advised that further work was required to this facade to address the Selection Panel's recommendation, and specifically requested that:

(a) any hoods relate to the orientation of the building and provide genuine shading to vision glazing;

(b) thermal performance of the facade be improved; and

(c) the increased glazing and loss of solidity overall compared to the competition scheme was not supported and should be improved.

92. Design amendments have been made to the facade to reinstate some of the design elements of the competition scheme, including hoods over the windows.

93. However, there remains a loss of solidity overall compared to the competition scheme and lack of solar shading. There are also visual privacy issues, particularly on the lower levels closer to the park.

94. A condition of consent is therefore recommended that requires:

    (a) Extending the facade treatment to Level 1 (which currently has no solar / visual privacy treatment);

    (b) Translucent or perforated balustrades on Levels 1 and 2 for visual privacy; and

    (c) Additional operable screens where no screens are currently proposed.

Materials and finishes

95. The scheme submitted as part of the competitive design process featured high quality materials and finishes, including the use of brick across all buildings in 'Lohas Brick Tenere Smooth'.

96. The approach to materiality was identified by the Selection Panel as a strong element of the scheme to be retained during design development.

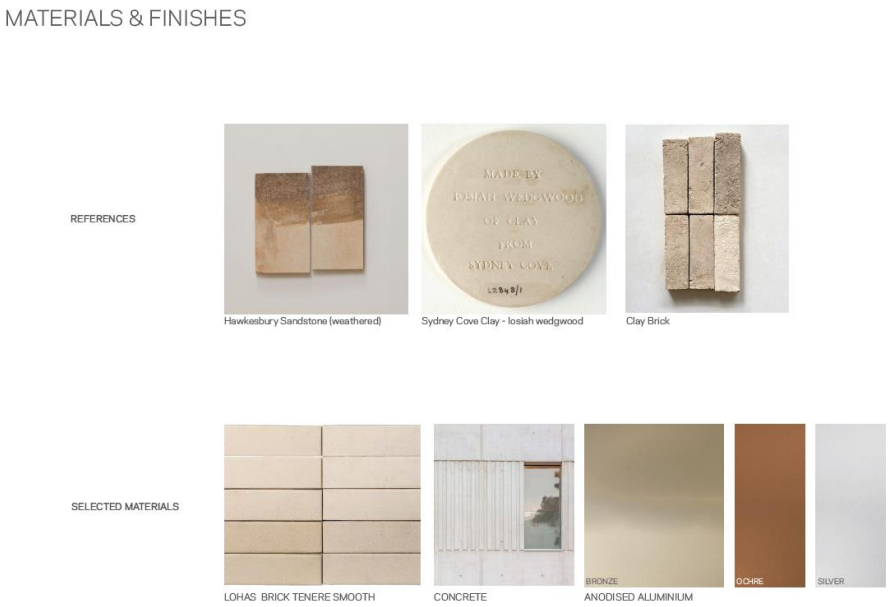

Figure 24: Materials and finishes schedule proposed in the competitive design process

97. The materials and finishes schedule submitted with the DA was more generic in comparison, proposing painted precast concrete, no brick specification and grey tinted glazing.

98. The Design Advisory Panel considered the high quality materials to be important to the building's architectural simplicity and did not support a reduction in material quality from the design competition scheme.

99. Council's Request for Information therefore requested a revised materials and finishes schedule that included a high quality face brick specification (not precast with a brick pattern or brick snaps in precast) and clear non-tinted glazing to windows and balustrades.

100. On 10 March 2025, the applicant wrote to Council advising that the proposal would include a brick formliner product, which is precast with a brick pattern.

101. Council officers requested further information on this product, demonstrating that the product is durable long term and how the treatment to corners will present the same as traditional bricks. This information has not been provided by the applicant.

102. A condition is recommended that requires further details of the brick patterned precast to be submitted to ensure the material provides a high quality finish as close as possible to the 'Lohas brick tenere smooth' face brick proposed in the competitive design process.

Wind mitigation

103. A revised Pedestrian Wind Assessment prepared by CPP Wind Engineering Consultants was submitted in response to Council's Request for Information.

104. The wind assessment identifies areas of non-compliance with the safety criteria and provides recommendations to improve these areas. The recommendations of the wind report have not been incorporated into the amended plans.

105. Conditions of consent are recommended to ensure the plans adequately capture the wind mitigation measures recommended in the report, as follows:

    (a) Location 2 (north-western corner of Building A on the ground floor) fails the safety criteria. Figure 14 of the report shows that an awning on this frontage provides some protection for pedestrians. However, the awning shown in Figure 14 stops at the lobby entrance, where the most protection is needed. A condition is recommended that requires the awning to continue over the lobby entrance.



Figure 25: Extract from the Pedestrian Wind Assessment showing the required awning to Building A. It is recommended that the awning continue over the lobby entrance.

    (b) Location 4 (south-western corner of Building E on the ground floor) fails the safety criteria. The wind report recommends a screen in this location, south of the lobby entrance. This has been included in the recommended condition.

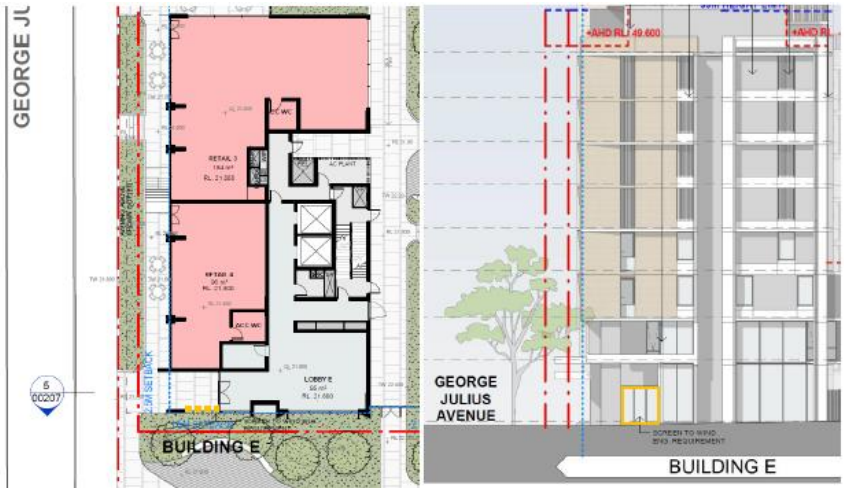

Figure 26: Extract from the Pedestrian Wind Assessment showing the recommended screen at the Building E lobby entrance

(c) The rooftop of Building A is rated as 'Pedestrian Standing' and 'Pedestrian Walking'. This is not appropriate for the various seating areas proposed. To achieve the 'Pedestrian Sitting' comfort levels, the wind report recommends the addition of an enclosed pergola on the rooftop. A condition of consent is recommended that requires localised areas of pergola over the proposed seating areas.

(d) The recommended condition also requires an amended Wind Report to be submitted to confirm that the above changes achieve the required wind mitigation outcomes.

106. The proposal will adequately ameliorate adverse wind conditions, subject to satisfaction of the recommended condition of consent for wind mitigation.

Site servicing

107. The scheme submitted as part of the competitive design process proposed all servicing to be undertaken within the basement. Vehicle and servicing access was provided from Defries Avenue in Building F, with a single ramp down to the basement as shown in Figure 27 below.

108. The Selection Panel supported this arrangement and recommended the retention of basement efficiency and the loading dock configuration throughout design development.

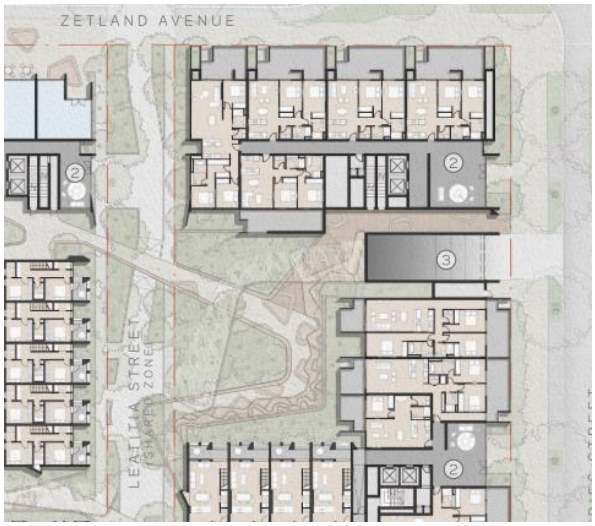

Figure 27: Ground floor plan showing the servicing strategy proposed in the competitive design process, with all servicing to be undertaken within the basement.

109. The application now proposes a ground floor loading dock co-located with a ramp down to the basement, as shown in Figure 28 below.

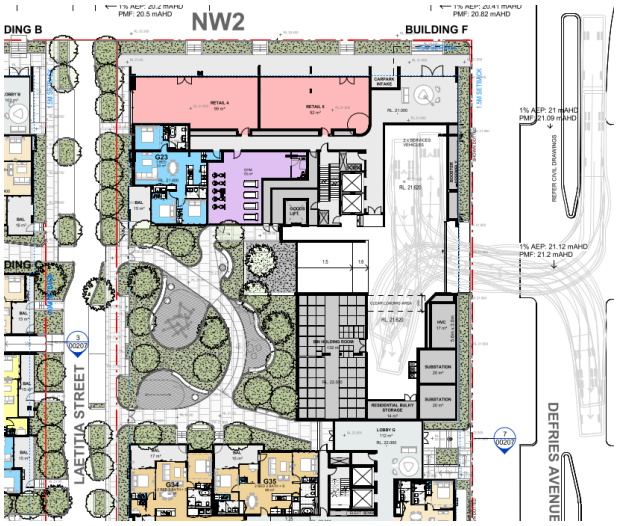

Figure 28: Proposed ground floor loading dock

110. Changes have been made to the proposed ground floor loading dock throughout the assessment to address issues relating to the size and location of the bin storage rooms and the co-location of car access and service vehicle access.

111. The amended loading dock design is generally supported. The applicant has submitted swept paths to demonstrate that Council's 10.6m waste vehicle can enter forward into the northern dock and reverse back into the southern dock for waste collection, followed by reversing out of the site in a forward motion.

112. However, conditions of consent are recommended to ensure potential conflicts between service vehicles using the loading dock, vehicles entering/ exiting the basement and pedestrians are avoided to ensure safety.

113. It is recommended that a revised Preliminary Loading and Servicing Management Plan be submitted prior to the issue of a Construction Certificate to address the following:

    (a) demonstrate how waste bins, removalist deliveries and retail deliveries can be transferred to and from the loading area with minimal impact to the public domain

    (b) include signal system to prevent vehicles from entering the site from Defries Avenue when a heavy vehicle is exiting the site

    (c) demonstrate how unimpeded access will be provided for residential collection vehicles to access the loading dock between 6am and 6pm on collection days or until all scheduled residential waste collections

    (d) demonstrate how the three loading dock areas (2 on the north side and one on the southern side of the driveway) will remain clear during Council waste collection

    (e) outline how loading and servicing activities will be managed to occur outside of peak traffic hours

    (f) demonstrate strategies improve pedestrian and traffic safety by managing conflicts between cars using the ramp and trucks accessing/ reversing in the loading dock, particularly during large Council truck movements in the dock areas

114. The overall servicing strategy is therefore supported subject to the Preliminary Loading and Servicing Management Plan addressing the above issues.

Consultation

Internal Referrals

115. The application was discussed with Council's:

    (a) Environmental Health

    (b) Environmental Projects

    (c) Landscaping

    (d) Urban Design

    (e) Public Domain

    (f) Surveyors

    (g) Transport and Access

    (h) Tree Management

    (i) Public Art

    (j) Waste Management

116. The above have provided recommended conditions of consent, which have been included in Attachment A.

External Referrals

Sydney Water

117. The application is subject to the requirements of Section 78 of the Sydney Water Act 1994 and was referred to Sydney Water for comment.

118. Sydney Water responded on 18 December 2024 and provided conditions which have been included in the recommended conditions of consent.

Ausgrid

119. Pursuant to clause 2.48 of the SEPP (Transport and Infrastructure) 2021, the application was referred to Ausgrid for comment.

120. A response was received raising no objections to the proposed development.

Sydney Airport

121. Section 182 of the Commonwealth Airports Act 1996 specifies that, amongst other things, constructing a building or other structure that intrudes into a prescribed airspace is a controlled activity.

122. The Airports (Protection of Airspace) Regulations 1996 relevantly identifies the area above the OLS to be prescribed airspace. Under regulation 6(1), 'prescribed airspace' includes ‘the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations surface (PANS - OPS).

123. The OLS above this site is at a height of 51m AHD above existing ground level. The proposed development has a maximum height of approximately 52.3m and will therefore penetrate the OLS.

124. Controlled Activity Approvals for the building envelopes were issued for the Concept DA (D/2023/724) on 31 May 2024. The proposed detailed development is consistent with the maximum height specified in these approvals and therefore the approvals may continue to be relied upon.

Transport for NSW

125. The application was referred to Transport for NSW (TfNSW) in accordance with Clause 2.122 - Traffic generating development of the State Environmental Planning Policy (Transport and Infrastructure) 2021. Recommended conditions of consent have been provided by TfNSW which are included in Attachment A.

Water NSW

126. The application is considered integrated development pursuant to section 4.46 of the EP&A Act because an approval is required under sections 89 and 90(2) of the Water Management Act 2000.

127. General Terms of Approval were issued by WaterNSW on 5 December 2024 and have been included in the recommended conditions of consent.

Advertising and Notification

128. In accordance with the City of Sydney Community Participation Plan 2024, the proposed development was notified and advertised between 26 November 2024 and 14 January 2025. A total of 1,904 properties were notified and no submissions were received.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

129. The City of Sydney Development Contributions Plan 2015 applies to the site. The development is subject to a section 7.11 local infrastructure contribution under this Plan.

130. Credits have been applied for the most recent past use of the site.

131. A contribution of $5,557,633.72 is payable. A condition relating to this local infrastructure contribution has been included in the recommended conditions of consent in the Notice of Determination. The condition requires the contributions to be paid prior to the issue of a construction certificate.

132. In this instance, contribution may be offset by the requirements and obligations identified in the relevant Voluntary Planning Agreement (VPA/2023/10). The recommended condition has been amended accordingly to reflect this.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

133. As discussed in the section above titled 'State Environmental Planning Policy (Housing) 2021', the application meets the requirements of section 7.32(1) and (3) of the EP&A Act 1979 allowing the imposition of a condition requiring the delivery of affordable housing by way of land dedication or monetary contribution.

134. The site is located within the Green Square affordable housing contribution area. The proposed development involves the erection of new buildings with a gross floor area greater than 200sqm. Therefore, the development is subject to the requirements of section 7.13 relating to a contribution for the purpose of affordable housing.

135. The contribution amount payable is calculated based on the total floor area (TFA) of the proposed development. TFA calculation plans have been submitted, which identify 955sqm of non-residential TFA and 38,821sqm of residential TFA.

136. The contribution amount is calculated at a rate of $11,646.80 per square metre, for 3% of the residential TFA and 1% of the non-residential TFA. This results in a contribution of $13,675,439.62.

137. Having regard to the provisions of Section 7.32 of the Act, the imposition of an affordable housing contribution is appropriate and required. A condition of consent is recommended requiring payment prior to the issue of any Construction Certificate.

Housing and Productivity Contribution

138. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

139. The site is located with the Greater Sydney region, the development is a type of residential and commercial development to which the Housing and Productivity Contribution applies, and the development is not of a type that is exempt from paying a contribution.

140. A condition relating to the Housing and Productivity Contribution has been included in the recommended conditions of consent.

141. The proponent may be entitled to a full or partial discount because the subject application is a subsequent development application to a concept application granted consent before the commencement of the Housing and Productivity Contribution Order 2023. However, the proponent is to obtain the discount from the Department of Planning, Housing and Infrastructure rather than the discount being applied by the consent authority.

Relevant Legislation

142. Environmental Planning and Assessment Act 1979.

143. Sydney Airport Referral Act 1996

144. Water Management Act 2000

145. Sydney Water Act 1994

Conclusion

146. The application has been assessed in accordance with section 4.15(1) of the Act and is considered satisfactory subject to the recommended conditions of consent at Attachment A.

147. The application seeks consent for a detailed development application for the Stage 2 NW portion of the approved concept plan for the site. The proposed development is consistent with the approved concept plan, as proposed to be modified (D/2023/724/B). The application has been assessed against and meets the relevant provisions of the Sydney Local Environmental Plan 2012 and the objectives of the Sydney Development Control Plan 2012.

148. The requirements of Chapter 4 of the Housing SEPP have been met. The proposed development is consistent with the design quality principles and the objectives of the NSW Apartment Design Guide.

149. The proposed development demonstrates design excellence in accordance with the relevant provisions and matters for consideration in clause 6.21C of the Sydney Local Environmental Plan 2012.

150. The proposed development is consistent with the design intent of the winning scheme of the competitive design alternatives process for the site, held in accordance with the City of Sydney Competitive Design Policy.

151. Matters raised by internal and external referrals have been adequately addressed as discussed within this report.

152. The application was notified in accordance the requirements of the EP&A Regulations 2021 and the City's Public Participation Plan. No submissions were received.

153. Subject to the recommended conditions of consent, the proposed development is considered to be in the public interest and is recommended for approval.

GRAHAM JAHN, AM

Chief Planner / Executive Director City Planning, Development and Transport

Samantha Kruize, Senior Planner

Attachment A

Recommended Conditions of Consent

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below in Schedules 1 and 2.

SCHEDULE 1

GENERAL CONDITIONS

(1) STAGED CONSTRUCTION CERTIFICATES

This consent allows construction works to be undertaken in the following stages:

(a) **Construction Certificate 1 (CC1)** – Construction of the retaining wall along the western edge of the basement car park (described as SW1 on the drawings prepared by Tonkin Consulting, dated 28 March 2025, Council ref. 2025/225800).

(b) **Construction Certificate 2 (CC2)** – All other works.

Reason

To ensure the orderly development of the site.

(2) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2024/1029 dated 18 November 2024 and the following drawings prepared by Crone Architects:

Drawing Number	Drawing Name	Date
DA-A-00003, Rev B	Development Summary	18/03/2025
DA-00097, Rev B	General Arrangement Plan – Level B3	18/03/2025
DA-00098, Rev B	General Arrangement Plan – Level B2	18/03/2025
DA-00099, Rev B	General Arrangement Plan – Level B1	18/03/2025
DA-A-00100, Rev C	General Arrangement Plan – Level GF	18/03/2025

Drawing Number	Drawing Name	Date
DA-00101, Rev C	General Arrangement Plan – Level 01	18/03/2025
DA-00102, Rev B	General Arrangement Plan – Level 02	18/03/2025
DA-00103, Rev B	General Arrangement Plan – Level 03	18/03/2025
DA-00104, Rev B	General Arrangement Plan – Level 04	18/03/2025
DA-00105, Rev B	General Arrangement Plan – Level 05	18/03/2025
DA-00106, Rev B	General Arrangement Plan – Level 06	18/03/2025
DA-00107, Rev B	General Arrangement Plan – Level 07	18/03/2025
DA-00108, Rev B	General Arrangement Plan – Level 08	18/03/2025
DA-00109, Rev B	General Arrangement Plan – Level 09	18/03/2025
DA-00110, Rev B	General Arrangement Plan – Level 10	18/03/2025
DA-00111, Rev B	General Arrangement Plan – Level 11	18/03/2025
DA-00112, Rev B	General Arrangement Plan – Level 12	18/03/2025
DA-00113, Rev B	General Arrangement Plan – Level 13	18/03/2025
DA-00114, Rev B	General Arrangement Plan – Roof	18/03/2025
DA-00201, Rev B	North & West Elevations	18/03/2025
DA-00202, Rev C	East & South Elevations	18/03/2025
DA-00203, Rev C	Section 1 & Section 2	18/03/2025
DA-00204, Rev B	Section 3 & Section 4	18/03/2025
DA-00205, Rev C	Section 5 & Section 6	18/03/2025
DA-00206, Rev C	Section 7 & Section 8	18/03/2025

Drawing Number	Drawing Name	Date
DA-00208, Rev C	Elevation Building B & Section 10	18/03/2025
DA-00209, Rev B	Elevation Building C & Building G	18/03/2025
DA-00418, Rev A	Facade Details – Typical Facade Detail	18/03/2025
DA-00605, Rev B	Adaptable Apartment – Sheet 1	18/03/2025
DA-00606, Rev B	Adaptable Apartment – Sheet 2	18/03/2025
DA-00610, Rev B	Silver Liveable Apartments	18/03/2025

and as amended by the conditions of this consent.

(b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(3) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT

The terms of the planning agreement between the Council of the City of Sydney and Karimbla Properties (No 60) Pty Ltd dated 18 March 2024 (VPA/2022/18) are to be complied with.

Reason

To ensure the development complies with all terms of the planning agreement.

(4) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT

The terms of the planning agreement between the Council of the City of Sydney and Karimbla Properties (No 60) Pty Ltd dated 24 June 2024 (VPA/2023/10) are to be complied with.

Reason

To ensure the development complies with all terms of the planning agreement.

(5) MATTERS NOT APPROVED

The following items do not form part of this consent:

(a) Fit-out and specific use of retail and commercial tenancies;

(b) Outdoor dining areas; and

(c) Installation of individual air conditioning units for the facade or balconies of the buildings.

Reason

To clarify the scope of this consent.

(6) HOURS OF OPERATION – COMMERCIAL AND RETAIL PREMISES

(a) The hours of operation for commercial and retail premises are restricted to between 7.00am and 10.00pm, Monday to Sunday.

(b) Any hours of operation beyond those permitted by part (a) above are subject to separate approval.

Reason

To ensure base hours of operation are established for commercial and retail premises.

(7) HOUSING AND PRODUCTIVITY CONTRIBUTION

Before the issue of any Construction Certificate the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	**Amount**
Housing and productivity contribution (base component)	$3,027,323.88
Transport project component	
Total housing and productivity contribution	$3,027,323.88

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering *the Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

Reason

To require contributions towards the provision of regional infrastructure.

(8) SECTION 7.11 CONTRIBUTIONS PAYABLE - CONTRIBUTION TOWARDS PUBLIC AMENITIES – CITY OF SYDNEY DEVELOPMENT CONTRIBUTIONS PLAN 2015 – SOUTH PRECINCT

Council has identified the development will increase demand for public amenities and facilities. Pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 (as amended), and the City of Sydney Development Contributions Plan 2015 the following monetary contributions are required towards the cost of public amenities.

Contribution Category	Amount
Open Space	$3,587,466.91
Community Facilities	$714,665.95
Traffic and Transport	$899,665.35
Stormwater Drainage	$355,835.50
Total	$5,557,633.72

The City of Sydney will index the above contribution for inflation at the time of payment using the following formula.

Cpayment = Cconsent x (CPIpayment ÷ CPIconsent)

Where:

Cpayment = Is the contribution at time of payment;

Cconsent = Is the contribution at the time of consent, as shown above;

CPIpayment = Is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment; and

CPI1consent = Is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being – 139.7 for the December 2024 quarter.

The contribution must be paid prior to the issue of any Construction Certificate in relation to this development.

Please contact Council's Planning Administration staff at planningsystemsadmin@cityofsydney.nsw.gov.au to request a letter confirming the indexed contribution amount payable.

Once the letter confirming the indexed contribution is obtained, payment may be made at any of the City's Neighbourhood Service Centres or the One Stop Shop at Town Hall House. Acceptable payment methods are EFTPOS (debit card only), cash (up to 10K only), Credit Card (up to 50K only) or a bank cheque made payable to the City of Sydney. Personal or company cheques will not be accepted.

The section 7.11 contributions payable may be offset in accordance with the requirements and obligations identified in the Voluntary Planning Agreement between The Council of the City of Sydney and Karimbla Properties (No 60) Pty Ltd dated 24 June 2024.

Reason

To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

(9) AFFORDABLE HOUSING CONTRIBUTION - GREEN SQUARE - PAYMENT IN LIEU OF FLOOR SPACE CONTRIBUTION - PRIOR TO CONSTRUCTION CERTIFICATE

(a) In accordance with the City of Sydney Affordable Housing Program and prior to the issue of a Construction Certificate, the applicant must provide evidence that a monetary contribution towards the provision of affordable housing has been paid to the City of Sydney Council in accordance with this condition.

(b) The contribution is **$13,675,439.62** (indexed at 9 April 2025). This is calculated by establishing the sum of the equivalent monetary contribution $11,646.80 multiplied by 1% of the total floor area for non-residential development (955sqm) and the equivalent monetary contribution $11,646.80 multiplied by 3% of the total floor area for residential development (38,821sqm).

(c) If the contribution is paid after the indexation period in which the consent is granted, being 1 March 2025 to 28 February 2026, the above contribution will be adjusted according to the Sydney LGA median strata dwelling price ('MDP') using the following formula.

(d) Contribution payable at Time of Payment = C x MDP2 / MDP1, where:

(i) C is the original total contribution amount payable to the City of Sydney as shown above;

(ii) MDP2 is the Median Strata Dwelling Price in Sydney LGA applicable at the time of indexation of the equivalent monetary contribution rate, established by averaging the four most recently published NSW Government Rent and Sales Reports for the current period; and

(iii) MDP1 is the Median Strata Dwelling Price in Sydney LGA taken from the NSW Government Rent and Sales Reports used to establish the currently applicable equivalent monetary contribution rate, being 1 March 2025 to 28 February 2026.

Contact Council's Planning Assessment Unit at planningsystemsadmin@cityofsydney.nsw.gov.au for written confirmation of the amount payable, with indexation as necessary, prior to payment.

Reason

To ensure development contributions are paid to contribute to the provision of essential affordable rental housing infrastructure.

(10) DESIGN QUALITY EXCELLENCE

(a) As the proposal has been awarded bonus floor space for achieving design excellence and in order to ensure the design quality excellence of the development is retained to completion:

(i) The design architects comprising Crone Architects are to have direct involvement in the design documentation, contract documentation and construction stages of the project including signing off any required certifications at DA, S4.55 applications, Construction Certificate and Occupation Certificate stages;

(ii) The design architects are to have full access to the site and are to be authorised by the applicant to respond directly to Council where information or clarification is required in resolving design issues throughout the life of the project;

(iii) Evidence of the design architect's commission must be provided to the Council prior to release of the Construction Certificate.

(b) The design architect of the project is not to be changed without prior notice and written approval of the Council's Executive Director Planning, Development & Transport.

The Registered Certifier and Principal Certifier must be satisfied that the above matters are complied with prior to the issue of a relevant Construction and Occupation Certificates, in accordance with written confirmation from Council.

Reason

To ensure the development maintains design quality excellence throughout all phases of the development.

(11) GROSS FLOOR AREA

(a) The gross floor area of the development is not to exceed 28,104sqm calculated in accordance with the definition of gross floor area under the Sydney Local Environmental Plan 2012.

(b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification of the total gross floor area in the development, utilising the definition under the Sydney Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved floor space ratio.

(12) ROOFTOP PLANT

All roof-top plant and associated equipment must be located within the approved building envelope.

Reason

To ensure the constructed development complies with the approved height.

(13) SHOP FRONTS

(a) All shop front glazing must be clear and untinted and must not be obscured by blinds, curtains or the like.

(b) The approved shopfront configuration must not be altered, without the prior approval of Council, where it would result in the shopfront being obscured in any way.

Reason

To ensure shopfronts are not obscured and contribute to the activation of the public domain.

(14) ALLOCATION OF CAR WASH BAYS

If car wash bays are provided, spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by all tenants.

Reason

To ensure designated areas within the development are maintained as common property.

(15) PARKING ON COMMON PROPERTY AREAS

No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, and service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or boats.

The future strata subdivisions of the buildings are to include an appropriate restriction on the use of land pursuant to Section 88B of the Conveyancing Act 1919, so burdening common property, with the Council being the authority to release, vary or modify the restriction. The terms of the restriction must be to the satisfaction of Council.

Reason

To ensure designated areas within the development are maintained as common property.

(16) ALLOCATION FOR VISITOR PARKING

Visitor parking spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by building visitors.

All spaces must be clearly marked ‘visitor’ prior to the issue of any occupation certificate or the use commencing, whichever is earlier. All signs must be maintained in good order at all times.

Reason

To ensure designated areas within the development are maintained as common property.

(17) INTERCOM FOR VISITORS

Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry and at least 4m clear of the property boundary, wired to all units. The intercom must comply with *Australian Standard AS 1428.21992: Design for access and mobility Enhance and additional requirements Building and facilities Sections 22 and 23.*

Reason

To maintain the orderly operation of vehicle parking areas.

(18) ALLOCATION OF ACCESSIBLE CAR PARKING SPACES

For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the unit(s) and car spaces must be assigned to the unit in any future strata subdivision of the building.

Reason

To ensure accessible vehicle parking spaces are allocated to adaptable units.

(19) SIGNS AT EGRESS

The following signs must be provided and maintained within the site at the points of vehicle egress:

(a) Compelling drivers to stop before proceeding onto the public way.

(b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

Reason

To ensure the safety of surrounding pedestrians and cyclists.

(20) SECURITY GATES

Where a car park is accessed by a security gate, that gate must be located at least 6 metres within the site from the street front property boundary.

Reason

To ensure the public domain is kept free from physical obstructions.

(21) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be to a maximum length of 10.6m.

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(22) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".

Reason

To ensure all roadway works are designed and constructed in accordance with Council requirements.

(23) COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

Reason

To ensure all associated roadway works costs are borne by the developer.

(24) CHANGES TO KERB SIDE PARKING RESTRICTIONS

A separate submission must be made to the Local Pedestrian, Cycling and Traffic Calming Committee via the City Infrastructure and Traffic Operations Unit seeking the City's approval for any changes to kerb side parking arrangements. There is no guarantee kerb side parking will be changed, or that any change will remain in place for the duration of the development use.

The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include chainages to all signs and stems from the kerb line of the nearest intersection.

All costs associated with the parking proposal will be borne by the developer.

Note: As parking in the LGA is at a premium, it is recommended that the applicant should approach the Area Traffic Engineer to discuss the proposal before making a submission.

Reason

To require separate consent to be obtained for changes to kerb side parking arrangements.

(25) VEHICLE ACCESS

All vehicles are to enter and depart the site travelling in a forward direction.

Reason

To increase pedestrian safety at the site access.

(26) VEHICLE FOOTWAY CROSSING

A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway, kerb, gutter and road restoration reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of any Occupation Certificate.

Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

Reason

To ensure all relevant approvals for traffic and parking works are obtained and designed in accordance with Council requirements.

(27) LOADING DOCK SCHEDULE / REGISTER

The on-site loading dock is also to be made available for all residents for use by removal vehicles, bulky good deliveries and similar. This shall be managed either by a schedule showing residents when they can use the dock, or by a register managed on site to allow residents to reserve a time period for their deliveries. This information is to be made available to all residents/tenants of the building.

Reason

To ensure the availability and orderly operation of the on-site loading dock.

(28) TREES APPROVED FOR REMOVAL

All trees detailed in Table 1 below are approved for removal. Tree removal must not occur until the Construction Certificate has been issued.

Table 1 – Tree Removal:

Tree number	Species	Location
15	Corymbia citriodora (Lemon Scented gum)	905 South Dowling Street
B	Celtis sinensis (Chinese Hackberry Tree)	

All tree removal works must be carried out by an arborist with a minimum AWF Level 3 qualification in arboriculture in accordance with SafeWork's Code of Practice Amenity Tree Industry.

Reason

To identify the trees that can be removed.

(29) TREES THAT MUST BE RETAINED

The existing trees detailed in Table 2 below be retained and protected in accordance with the conditions throughout construction and development.

Table 2 – Tree Retention:

Approval is NOT granted for the removal of the following trees, which Council has determined to be prominent landscape elements.

Tree Number	Species	Location
A	Grevillea robusta (Silky Oak)	130 Joynton Avenue

Reason

To identify the trees that cannot be removed, must be retained and protected.

(30) TREE PLANTING CONSIDERATIONS

The design should include the use of continuous trenches for tree pits and the installation of all services to be underground.

Special consideration must be given to soil depth and quality for tree planting. The following soil volume requirements must be included in the design for successful long term tree establishment:

(a) Large Trees (canopy diameter of up to 16 metres at maturity) require a minimum soil volume of 150 cubic metres, minimum soil depth of 1.5 metres and minimum soil area 10 metres x 10 metres.

(b) Medium Trees (canopy diameter of up to 8 metres at maturity) require a minimum soil volume of 35 cubic metres, minimum soil depth of 1.2 metre and minimum soil area 6 metres x 6 metres.

(c) Small Trees (canopy diameter of up to 4 metres at maturity) require a minimum soil volume of 9 cubic metres, minimum soil depth of 1.2 metre and minimum soil area 4 metres x 4 metres.

Reason

To ensure the development is appropriately designed to accommodate adequate tree planting.

(31) SWINGING DOORS OVER PUBLIC WAY

Any access doors to enclosures housing building services and facilities, such as hydrant and sprinkler booster assemblies or the like, must not open over the footway/roadway (including land to be dedicated/transferred to the City in the future).

Reason

To ensure no element of the development obstructs the use of the public way.

(32) TACTILE GROUND SURFACE INDICATORS AND HANDRAILS

All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.

Reason

To ensure ground surface indicators, handrails and other elements required to provide access into the building/property are appropriately located.

(33) PAVING MATERIALS

The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

Reason

To ensure appropriate and safe paving materials are used.

(34) NO OBSTRUCTIONS

All public footways and paths of travel must be free from obstructions. If services are required to be relocated to clear paths of travel, then this must be undertaken at the developer's expense. All obstructions are to be removed prior to the issue of any type of Occupation Certificate.

Reason

To ensure there are no obstructions on public footways and paths of travel.

(35) AIR CONDITIONERS GENERALLY

No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring must:

(a) Not be located on awnings or attached to the face of the building

(b) Not be located on roofs in such a way that it is visible from any street, footpath or park

(c) Be visually screened if located 1.8 metres above ground level in other locations

(d) Wiring must be fully concealed.

Reason

To ensure the visual impact of air conditioners is minimised.

(36) STRATA SUBDIVISION – APPROVAL OF STRATA PLAN REQUIRED

A separate application must be made to Council or a Registered Strata Certifier to obtain approval of the Strata Plan and issue of a Strata Certificate under the *Strata Schemes Development Act 2015*.

Reason

To ensure separate approval is obtained for approval of the Strata Plan.'

(37) WASTE AND RECYCLING MANAGEMENT - GENERAL

The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's *Guidelines for Waste Management in New Developments 2018*, which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

Reason

To ensure that waste and recycling is appropriately managed throughout all phases of the development.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(38) DESIGN MODIFICATIONS

Prior to the issue of any CC2 Construction Certificate, amended architectural drawings and design details of the following elements are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport.

The details must demonstrate high quality design, integration with both the facade and public domain interface and materiality and finishes.

(a) **Skylights**

(i) Skylights to Apartment B-711 are to be shown on the drawings, consistent with the location shown on the landscape plans for Building B rooftop.

(ii) Operable skylights are to be provided to Apartment E-819 over the living room and dining room. The skylights, which will be in close proximity to plant area, are to be separated from the plant area with screening to mitigate noise.

(b) **Awnings** – A high-quality continuous impermeable awning is to be provided along the Zetland Avenue active frontage of Building F.

(c) **Balconies**

(i) Apartment F-225 is to achieve a 10sqm balcony size.

(ii) Apartments B-308, B-309, B-408, B-409, B-508, B-509 and B-609 are to achieve a 10sqm balcony size.

(d) **Privacy treatments** – External privacy treatments that demonstrate high quality design, detailing, materiality and integration with the facade are required to the following apartments:

Building A

(i) The south facing living room window to Apartments A-101 – A801 vertical stack is to be obscure glazing.

(ii) The east facing bedroom windows to Apartments A-101 – A801 vertical stack are to include external fixed vertical privacy louvres.

Building C

(iii) The west facing bedroom windows to Apartments C-114 and C-214 are to include external fixed vertical privacy louvres.

Building E

(iv) The south facing balcony and bedroom windows from Level 4 and above are to include fixed external privacy louvres.

Building F

(v) The west facing balcony and living room windows to Apartment F-130 vertical stack and the south facing balcony and living room windows to Apartments F-123 – F-623 vertical stack are to include full width operable sliding or bi-folding screens demonstrating adequate controllable privacy for residents.

Building G

(vi) The south facing windows to the Level 4 common facilities and the south facing windows to the kitchen of Apartments G-535 and G-635 are to be obscure glazing.

(vii) The south facing bedroom windows to Apartments G-134, G-235, G-335, G-435, G-535 and G-635 are to be increased in size for improved amenity and treated with external fixed vertical privacy louvres angled to the south-east.

(viii) The west facing bedroom windows to Apartments G-132 – G-432 vertical stack are to include external fixed vertical privacy louvres.

Building H

(ix) The west facing bedroom windows are to include fixed external privacy louvres.

(x) The west facing balcony to Apartment H-G40 vertical stack is to be provided with full width operable sliding or bi-folding screens demonstrating adequate controllable privacy for residents.

The required information must include detailed material, finishing, spacing, and elemental sizing details, and should show a level of detail equivalent to For Construction detailing.

(e) **Apartment windows**

(i) Apartment A-804 vertical stack – the east facing window to the south-eastern bedroom is to be moved north to improve visual privacy from the communal open space. The opening is to be swapped to the northern-most frame.

(f) **Gunyama Park facade (Building A/ E western facade)**

(i) All apartments on Level 1 are to include the same facade treatment as the apartments above, including sunshade hoods and fixed vertical blades as per Level 3 (including additional operable screens required below). These are to be designed and detailed by CRONE Architects.

(ii) All apartments on Levels 1 and 2 are to have translucent or perforated balustrades for visual privacy. These are to be designed and detailed by CRONE Architects.

(iii) Operable screens (matching the fixed vertical external screens proposed) are to be provided where no screen is currently proposed, comprising one screen for each room and one per balcony. These are to be designed and detailed by CRONE Architects.

Note: Refer to the 'Details to be Submitted' condition of this consent for additional detailing requirements for this facade.

(g) **Landscape** – The sloping basement slabs on the architectural sections are to be amended to be set down where possible to maximise soil depth for landscaping on the ground floor courtyards.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(39) DETAILS TO BE SUBMITTED

Prior to the issue of any CC2 Construction Certificate, amended architectural drawings and 1:20 scale minimum plans, elevation and section details are to be submitted to and approved by Council's Executive Director City Planning Development & Transport, demonstrating high quality design, integration with the facade and public domain, and materials and finishes for the following elements:

(a) **Planter walls** – A high quality finish that is complementary to the building materials palette must be specified for all ground floor street facing planter walls.

(b) **Awnings** – Detailed plans, elevations and sections and details of all awnings are required, demonstrating high quality design and addressing:

(i) interface with retail, services and Level 1 facades;

(ii) structure;

(iii) waterproofing, drainage and integrated down pipes; and

(iv) materials and finishes.

(c) **Public domain interface/ ground level facades** – Detailed drawings must demonstrate high quality design, integration with the facade and public domain, and materiality and finishes of the following elements:

(i) Buildings A, B, C, E, F, G and H – Retail and lobby glazing (including brick portal and blade elements and integrated plant elements), retail and lobby access including stairs, ramps and entries, and landscape planters facing George Julius Avenue, Letitia Street, Zetland Avenue and Defries Avenue.

(ii) Building F – The loading entrance door is to remove all corporate branding and include high quality treatments to all faces including reveals which extend to facade treatments and a high quality soffit. The garage door is to be a high quality panel lift or sliding door.

(iii) Building F – Fire Hydrant Booster valve cabinet, heating and cooling plant area, and substation.

(iv) Building E – Wind barrier screen at ground floor.

(v) Apartment G-G32 – Landscaping is to replace the blank area to the east of the apartment.

(vi) Apartment D-G15 – Landscaping is to replace the second terrace area south of the apartment.

(vii) All buildings – Ground level street interfaces and communal open space interfaces. Each variation of ground floor apartment interface condition is required, demonstrating high quality resolution of landscaping and planter design, fencing, paths, stairs, and public domain levels. The design are to demonstrate adequate passive surveillance and privacy is achieved simultaneously.

(viii) Building A / E western facade – Facade detailing including each variation proposed.

The required information must include detailed material, finishing, spacing, and elemental sizing details. The information submitted should show a level of detail equivalent to For Construction detailing.

Reason

To ensure high quality design and detailing throughout the development.

(40) DESIGN MODIFICATIONS – WASTE MANAGEMENT

Waste storage areas must comply with Council's requirements for waste management facilities in accordance with Sections 3.11, 3.14 and 4.2.6 of the SDCP 2012 and the City's Guidelines for Waste Management in New Developments (2018).

Prior to the issue of any CC2 Construction Certificate, amended architectural drawings are to be submitted to and approved by Council's Area Planning Manager addressing the following:

Basement waste storage areas

(a) All waste storage areas are to be amended to incorporate double doors to enable the transfer of bulk bins and bulky waste.

(b) The door location of the bin trailer storage is to be reviewed to optimise access and use of the space. Adequate clearance and doorway widths for the use of the trailer are to be demonstrated.

(c) Chute discharge rooms in Buildings A, B, D, E, F and G are to be amended to demonstrate dual chute system discharge infrastructure, including adequate operational clearances, in line with the Operational Waste Management Plan prepared by Elephants Foot, Revision F, dated 19/03/2025. Linear track systems are to be clearly marked on the plans.

(d) FO room or cupboard is to be marked up on core G, Basement 1.

Loading dock waste storage rooms

(e) The residential waste collection room at the loading dock is to provide both a roller door and inward swinging double doors at either end of the site.

(f) The 'Residential bulky storage' room is to be marked up as 'Retail waste room'.

(g) Residential bulky waste presentation area of 8sqm is to be designated in the residential waste collection room adjacent to the southern doorway. Line markings and labelling of the bulky waste collection presentation area are required.

Reason

To ensure arrangements are in place to provide a residential service in accordance with s496 of the Local Government Act NSW 1993 for residential dwellings as defined within the Sydney Local Environment Plan.

(41) FACADE MATERIALITY

Prior to the issue of any CC2 Construction Certificate, the following details are to be submitted to Council's Executive Director City Planning, Development & Transport for approval:

(a) Details of the brick patterned precast are required, demonstrating:

(i) High quality finish, including colour rendition, colour variation and stain translucency, with reference to the Lohas brick tenere smooth face brick proposed in the competition scheme.

(ii) Finished in an integral finish such as oxide or mineral silicate stain.

(iii) How the treatment to corners will present the same as traditional bricks.

(iv) How the pattern of panel joins and caulking detail will be resolved to present the same as traditional bricks.

(v) Demonstrate long term durability.

Reason

To ensure design integrity is achieved.

(42) GLAZING

Prior to the issue of any CC2 Construction Certificate, the following details are to be submitted to Council's Executive Director City Planning, Development & Transport for approval:

(a) All transparent glass (including any balcony glazing) is to be clear to achieve a high level of transparency to provide visual depth and have a neutrality of colour. A consistency in appearance and colour characteristics between all facades is to be achieved.

(b) The submitted details are to include physical samples of the glass types, details of the manner of assembly, and the glazing characteristics including the proposed Shading Coefficient, colour, Visible Light Transmission and the Reflectivity (less than 20%).

Reason

To ensure clear and consistent glazing is used throughout the development.

(43) MATERIALS AND SAMPLES BOARD

A comprehensive physical materials sample board and schedule detailing all proposed finishes must be submitted approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate.

Actual manufacturer's products and finishes are to be specified, and no generic colours or finishes will be accepted.

The materials sample board must be cross-referenced with the Architectural drawings and keyed to the elevations. It must also incorporate all changes required by the 'Facade Materiality' and 'Glazing' conditions of this consent.

Reason

To require amendments to the materials and finishes that apply to the development.

(44) WIND MITIGATION

(a) The 'Pedestrian Wind Assessment' prepared by CPP Wind Engineering Consultants, dated 28 March 2025 (Council ref. 2025/203702) identifies locations that fail the wind safety criteria and makes recommendations to modify the building and landscape design to address wind impacts.

Amended architectural and landscape plans are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate:

(i) Building A awning – The continuous awning on Building A is to be extended eastward to cover the building entry and retail lift entry on Zetland Avenue. Refer to the 'Details to be Submitted' condition of this consent for additional design details required for this awning.

(ii) Building E screen – A high quality porous screen is to be provided to the south of Building E lobby entrance as referred to in Figure 15 of the Pedestrian Wind Assessment. Refer to the 'Details to be Submitted' condition for additional design details required for this screen.

(iii) Building A rooftop communal open space – Localised areas of enclosed pergola are to be provided to selected seating areas to achieve pedestrian sitting criteria. These are to be located clear of proposed canopy trees to allow for proposed tree canopy growth to maturity.

(b) A revised Wind Report including quantitative wind testing results is to be provided with the amended architectural and landscape plans which demonstrate that the detailed design of the above referenced wind mitigation measures achieves the required wind mitigation outcomes.

Reason

To provide well designed and integrated wind mitigation requirements which are co-ordinated across documentation.

(45) STORAGE SCHEDULE

A storage schedule and supporting plans demonstrating compliance with the objectives, design criteria and design guidance in the Apartment Design Guide, must be submitted and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate. The details diagram must show at a minimum:

(a) The volume of each cupboard within apartments

(b) The volume of any storage cages in the basement

(c) The allocation of basement storage spaces to individual apartments

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be satisfied that the works have been constructed in accordance with the approved Storage Details Diagram approved by Council.

Reason

To ensure adequate storage is provided to each apartment.

(46) REFLECTIVITY

(a) Prior to issue of any CC2 Construction Certificate information is to be submitted to the satisfaction of Council's Area Planning Manager to demonstrate that the visible light reflectivity from building materials used on the façade of the building does not exceed 20%.

(b) In addition, the 'Reflectivity Assessment' prepared by SLR Consulting, dated 8 November 2024 (Council ref 2024/654928) identifies glare mitigation recommendations which are to be met and may include a more stringent reflectivity percentage than that described under part (a) above.

Reason

To ensure the development does not result in adverse reflectivity impacts and to protect the amenity of the public domain.

(47) SIGNAGE STRATEGY

A signage strategy for all buildings is to be submitted to and approved by Council's Area Planning Manager prior to the issue of any Construction Certificate for above ground works.

The signage strategy development application must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for each building.

Reason

To require approval of a signage strategy.

(48) PUBLIC ART

(a) Public art must be installed to the City's satisfaction prior to the issue of any Occupation Certificate.

(b) The site-wide Preliminary Public Art Plan submitted with this development application has not been approved. The site-wide Preliminary Public Art Plan is to be revised to include:

(i) a public art budget of 0.35% of the estimated cost of development for each development stage (calculated to be $626,645 to meet the Stage 2 NW contribution); and

(ii) nominate public art opportunities noted to be in the property boundary for stages NE and NW.

and resubmitted for approval by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate.

(c) The public artwork must be in accordance with the approved Preliminary Public Art Plan, the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments.

(d) A Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to issue of any CC2 Construction Certificate.

(e) Public artwork must be installed to the City's satisfaction, inspected and approved and the Final Public Art Report submitted and approved by Council's Area Planning Manager to the issue of any Occupation Certificate.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval.

Further information is available online at http://www.cityofsydney.nsw.gov.au/explore/arts-and-culture/public-art. Please contact the Public Art Team at publicartreferrals@cityofsydney.nsw.gov.au for further information.

Reason

To ensure public art is installed to the City's satisfaction.

(49) EXTERNAL WALLS AND CLADDING FLAMMABILITY

The external walls of the building including attachments must comply with the relevant requirements of the *Building Code of Australia*. Prior to the issue of any CC2 Construction Certificate and Occupation Certificate the Registered Certifier and the Principal Certifier must:

(a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the BCA; and

(b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the BCA as proposed and as built.

Reason

To ensure the external walls and cladding comply with relevant requirements.

(50) LOADING DOCK, CAR PARK AND BICYCLE PARKING DESIGN

Amended architectural plans for the ground and basement levels must be submitted to and approved by Council's Area Planning Manager prior to any CC2 Construction Certificate being granted. These plans must address the following concerns:

(a) The swept paths demonstrate that a 6m driveway width will be adequate for service vehicle access to the site. The plans are to incorporate a 6m wide driveway (or as close to 6m as possible, demonstrated by swept paths) with adequate visual splays. The analysis must consider the largest anticipated service vehicle and include movements from both the northbound and southbound approaches on Defries Avenue.

(b) Swept paths for Council's 10.6m waste vehicle are to include 600mm clearance from the body and demonstrate no conflicts with the bin holding room.

(c) The vertical clearance swept paths for the short ramps on Level B1 where the 1:5 section is only 2.5m long indicate scraping as it exits the ramp.

(d) Tandem spaces close to the ramps and medians are to be converted to standard spaces.

(e) Motorcycle parking spaces on basement levels are to be relocated away from the vehicle circulation area, as shown in the swept path analysis.

(f) The median divider on Level B2 is to be amended to prevent conflict with vehicles travelling from Level B2 to B1, as shown in the swept path analysis.

(g) Bicycle parking design is to be designed in accordance with AS 2890.3, including the provision of 1.5m clear aisle widths.

(h) End of trip facilities for the development to be provided in accordance with the DCP requirements.

Reason

To ensure issues relating to the loading dock, car park and bicycle parking are resolved.

(51) PRELIMINARY LOADING AND SERVICING MANAGEMENT PLAN

A revised Preliminary Loading and Servicing Management Plan must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

The Preliminary Loading and Servicing Management Plan must include the strategy for the management of all servicing of the site including delivery vehicles, garbage collection, service vehicles and should include information such as arrivals to the site, the anticipated numbers of arrivals per week, time of day of the arrivals, length of stay, vehicle type etc. along with how these will be managed to prevent disruption to public streets.

The Plan should be generally in accordance with the *Preliminary Loading and Servicing Management Plan* prepared March 2025 submitted as part of the application. The Plan should also include the following additional information:

(a) Demonstrate how waste bins, removalist deliveries and retail deliveries can be transferred to/from the loading area with minimal impact to the public domain.

(b) Include signal system to prevent vehicles from entering the site from Defries Avenue when a heavy vehicle is exiting the site.

(c) Demonstrate how unimpeded access will be provided for residential collection vehicles to set down within 10m of waste storage areas between 6am and 6pm on collection day(s) or until all scheduled residential waste collections.

(d) Demonstrate how the three loading dock areas (two on the north side and one on the southern side of the driveway) will remain clear during Council waste collection.

(e) Outline how loading and servicing activities will be managed to occur outside of peak traffic hours.

(f) Demonstrate strategies improve pedestrian and traffic safety by managing conflicts between cars using the ramp and trucks accessing/ reversing in the loading dock, particularly during large Council truck movements in the dock areas.

Reason

To ensure the loading dock and servicing is managed safely.

(52) PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the Registered Certifier prior to any CC2 Construction Certificate being issued.

Reason

To ensure parking facilities are designed in accordance with the Australian Standards.

(53) ALLOCATION OF PARKING

The maximum number of car parking spaces to be provided for the development must not exceed the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of any CC2 Construction Certificate.

Car Parking Type	Number
Residential spaces	229
Accessible residential spaces	42
Residential visitor spaces	23
Accessible residential visitor spaces	2
Retail parking	16
Accessible retail parking	1
Car share parking	4
Motorcycle parking	26
Car wash bay	1
Service vehicle spaces	7
10.6m waste vehicle loading dock	1
Medium Rigid Vehicle loading dock	1

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(54) BICYCLE PARKING AND END OF TRIP FACILITIES

(a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Residential	280	Spaces must be class 2 bicycle facilities
Residential visitor	28	Spaces must be Class 2/3 bicycle facilities
Non-residential	3	Spaces must be Class 2 bicycle facilities
Non-residential visitor	10	Spaces must be Class 3 bicycle rails
End of Trip Facility Type	Number	
Showers with change area	2	
Personal lockers	3	

All bicycle parking spaces and end of trip facility must be provided on private land. The public domain cannot be used to satisfy this condition.

(b) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Registered Certifier confirming prior to and form part of any CC2 Construction Certificate being issued.

Reason

To ensure the allocation of bicycle parking onsite that is in accordance with Australian Standards and the Council's DCP.

(55) CAR SHARE SPACES

(a) A minimum of 4 car parking spaces for the exclusive use of a car share scheme vehicles are to be provided. A revised plan showing these spaces must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

(b) The spaces must be retained as common property of the Owners Corporation of the site and not sold or leased to an individual owner/occupier at any time.

(c) The spaces must be made available to car share operators without a fee or charge and be accessible to members of the car share scheme at all times.

(d) The spaces must be sign posted for use only by car share vehicles and well lit.

(e) The car share spaces are to be completed and available at the same time that the car park commences operation.

Reason

To ensure car share spaces are provided within the development are maintained as common property.

(56) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

(a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to any Construction Certificate being issued.

(b) The approved plan must be complied with during any demolition and/or construction work.

Reason

To ensure that the impacts of construction traffic is appropriately managed.

(57) LANDSCAPE OF THE SITE

(a) A landscaped design package and technical specification suitable for construction, prepared by a registered landscape architect, must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of any CC2 Construction Certificate. These documents must include:

(i) Location of existing and proposed planting on the site including existing and proposed trees, planting in natural ground, and planting on structure.

(ii) Location and details of existing and proposed structures on the site including, but not limited to, paving, walls, services, furniture, shade structures, lighting and other features.

(iii) Details of earthworks and soil depths including finished levels and any mounding. The minimum soil depths for planting on structure must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers.

(iv) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity.

(v) Details of drainage, waterproofing and watering systems.

(vi) Landscape maintenance plan. This plan is to be complied with during occupation of the property.

(b) Relevant drawings cross referenced in the landscape package, such as architectural details, stormwater and hydraulic plans, are to be submitted with the landscape package.

(c) All landscaping in the approved plan is to be complete prior to any Occupation Certificate being issued.

Reason

To ensure the development is supported by a good quality, buildable landscape scheme that meets the City's controls.

(58) INACCESSIBLE GREEN ROOFS

(a) A detailed green roof design including plans and details drawn to scale, and technical specification, prepared by a registered landscape architect, must be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate. These documents must include:

(i) Location and details of existing and proposed services, walls, fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components.

(ii) Details of soil types and depth including any mounding.

(iii) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.

(iv) Planting details, and location, numbers, type and supply size of plant species. A high diversity of plant species diversity that are drought resistant should be provided.

(v) Long term green roof maintenance plan. This plan is to be complied with during occupation of the property and must include any relevant maintenance methodology for safe working at height such as access requirements, location of any safety anchor points, gates and transport of materials and green waste.

(vi) A statement outlining the intended strategy for decommissioning if planting works fail. This is to ensure green roof maintained is throughout its life.

(b) Prior to the issue of any CC2 Construction Certificate, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Principal Certifying Authority.

(c) Inaccessible green roofs must be completed prior to the issue of an Occupation Certificate.

Reason

To ensure that the inaccessible green roof is designed to accommodate suitable landscaping and to ensure that adequate maintenance procedures are put in place.

(59) LANDSCAPING OF THE SITE (TREES)

(a) The Landscape Plan prepared by Urbis dated 7 November 2024 is not approved. A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate. The plan must include:

(i) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features.

(ii) Details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable). The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers.

(iii) The Plans must specify the location, quantity, type, and supply of plant species, along with their container size and mature dimensions (height and width), in accordance with the relevant Australian Standard.

(iv) The design must provide a minimum 15% canopy cover across the site. This must be provided by 30% of the species having a mature height of 6-8 metres, 30% mature heights of 10-15 metres and 40% mature heights of 20-30 metres.

(v) The planting schedule must include a diverse range of trees selected from the City of Sydney Tree Species List, ensuring suitability, mature dimensions, and compatibility with the Sydney area. Species such as Melaleuca linariifolia, identified as 'limit use' due to the risk of Myrtle Rust, must be avoided and replaced with alternative species from the Tree Species List.

(vi) The landscape plan must include the projected canopy cover for the site within 10 years of construction completion, demonstrating adequate space for unrestricted growth.

(vii) New trees must be appropriately located away from existing buildings and structures to allow maturity to be achieved without restriction.

(viii) Details of planting procedure and maintenance.

(ix) Details of drainage, waterproofing and watering systems.

(x) Prior to the issue of a Construction Certificate, a maintenance plan is to be submitted to and approved by the Principal Certifying Authority. The maintenance plan is to be complied with during occupation of the property.

(xiii) All landscaping in the approved plan is to be completed prior to an Occupation Certificate being issued.

Reason

To ensure sufficient canopy cover is provided and healthy trees are established and maintained on the site.

(60) ELECTRICITY SUBSTATION AND TURRETS

(a) Prior to the issue of a Construction Certificate for the buildings, provision must be made by the project architects to locate any electricity turrets and substations required as a consequence of the development within the site boundaries or proposed lot boundaries, rather than within existing or proposed footway areas.

(b) Prior to the issue of any type of Occupation Certificate, all electricity turrets and substations required for the development must be located wholly within the final lot boundaries

Reason

To ensure that the provision of a substation and turrets to service the development is appropriately incorporated into the design of the building in a manner that minimises streetscape impacts.

(61) SURVEY INFRASTRUCTURE – IDENTIFICATION AND RECOVERY

Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.

Prior to the issue of any Construction Certificate, documentary evidence must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include either:

(a) A copy of any Surveyor-General's Approval for Survey Mark Removal granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the survey mark audit schedule, strategy plan and strategy report); or

(b) A letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all investigations required under Surveyor-General's Direction No.11 have been made for the subject site and that no survey infrastructure will be affected by the proposal.

Council's Principal Surveyor may request further information and/or add conditions to any Surveyor-General's Approval at their discretion.

Reason

To ensure the preservation of existing survey infrastructure.

(62) PUBLIC DOMAIN LEVELS AND GRADIENTS

Prior to the issue of any CC2 Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages must be submitted for review to the City's Public Domain Unit prior to approval from Council's Area Planning Manager. The submission must be prepared in accordance with the City's *Public Domain Manual* and submitted with a completed Application for *Public Domain Levels and Gradients*. Information on how to complete the submission can be downloaded from the City's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

Any requirements to comply with Disability Discrimination Act at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

Note: Public Domain Levels and Gradient plans are to be included with the Public Domain Plan – Detailed Documentation for Construction condition submission.

Reason

To ensure public domain levels and gradients comply with Council's requirements.

(63) STORMWATER DRAINAGE DESIGN

Prior to issue of any CC2 Construction Certificate a detailed stormwater management plan prepared by suitable qualified and experienced professionals must be submitted to and approved by the City's Public Domain Unit and must include:

A certified stormwater drainage design complying with:

(a) Council's Sydney Streets Technical Specifications, Part A4 Drainage Design;

(b) Council's Sydney Streets Technical Specifications, Standard Drawings;

(c) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage Construction;

(d) Council's Stormwater Drainage Manual; and

(e) All relevant Australian Standards.

This information is available for download from the City's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

Note: A Deed of Agreement (Stormwater Deed) for all proposed connections to the City's drainage system, and a Positive Covenant for all OSD systems may be required prior to issue of any Occupation Certificate.

Reason

To ensure stormwater drainage design complies with Council's requirements.

(64) STORMWATER ON-SITE DETENTION

The requirements of Sydney Water with regard to the on-site detention (OSD) of stormwater must be ascertained and complied with. Evidence of the approval must be submitted to Council prior to issue of any CC2 Construction Certificate.

Where an OSD is not required by Sydney Water one may still be required by the City.

Reason

To ensure the requirements of Sydney Water are complied with.

(65) STORMWATER QUALITY ASSESSMENT

Prior to issue of any CC2 Construction Certificate a design certification report prepared by a suitably qualified practitioner engineer (NPER) demonstrating compliance with approved music link targets and parameters must be submitted to and approved by the City's Public Domain Unit.

The report must include a response to all stormwater quality improvement devices structural integrity, treatment train and their treatment properties demonstrating compliance with the approved MUSIC link reports.

Reason

To ensure appropriate stormwater quality on the site.

(66) FLOOD PLANNING LEVELS

The development must be constructed to comply with the recommended flood planning levels indicated in Figure 5 of the report titled 'Flood Impact Assessment Report' prepared by EGIS dated 5 November 2024 (Council ref. 2024/654890).

Details must be submitted to the Registered Certifier prior to the issue of any CC2 Construction Certificate demonstrating that the development will comply with the recommended flood planning levels.

Reason

To ensure the development complies with the recommended flood planning levels.

(67) PUBLIC DOMAIN LIGHTING UPGRADE

Prior to the issue of any CC2 Construction Certificate for excavation, civil construction, drainage or building work (whichever is earlier), a concept Public Domain Lighting Upgrade Plan for pedestrian and street lighting in the public domain must be submitted for review to the City's Public Domain Unit prior to approval by Council's Area Planning Manager. The Lighting Plan must be prepared in accordance with the *Sydney Streets Technical Specifications* A5 and B8, *Sydney Lights Design Code* and *Public Domain Manual*. This information is available for download from the City's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

The lighting upgrade plan must cover all adjacent street frontages being Defries Avenue and Letitia Street.

Advice on site specific lighting requirements must be obtained from City's Public Domain Unit before proceeding with the preparation of any final lighting design proposals.

Reason

To ensure pedestrian and street lighting in the public domain complies with Council's requirements.

(68) NEW ROAD DESIGN

Preparation of the detailed design and construction documentation for the proposed public road system must include all necessary liaison with, and requirements of, all relevant public utility authorities, Roads and Maritime Services, the City of Sydney, the Local Pedestrian Cycling and Traffic Calming Committee and its nominated consultants in order to achieve design approvals and construction compliance. Written evidence of approval from relevant authorities must be submitted to the City with the road design submission.

A design package must be prepared based on the requirements outlined in Council's *Public Domain Manual.* A design report for the road works must be prepared by an appropriately qualified civil engineer certifying that the design complies with the City of Sydney's policies, standards and specifications and those of all other relevant authorities as applicable. All engineering plans and calculations must be checked, signed and certified by a suitably qualified practicing professional engineer and included in the report. The design package and report must be submitted to and approved by Council's Public Domain Manager prior to the construction of the road.

Reason

To ensure the new road design complies with Council's policies, standards and specifications and those of all other relevant authorities.

(69) TEMPORARY DEWATERING DURING CONSTRUCTION

Prior to discharging any water collected during excavation and construction into the City's stormwater drainage system, approval must be sought from the City's Public Domain Unit. A dewatering management plan must be submitted with an *Application for Temporary Dewatering* available to download on the City's website.

Other options for dewatering include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason

To ensure dewatering is managed appropriately.

(70) BASEMENT LINKS BELOW FUTURE ROADS

Any basement positioned below a road, future road or park must:

(a) Have a minimum depth cover of 2m above the basement waterproofing and roof drainage cell to the final level of invert to the gutter to accommodate public utility services, tree planting and street lighting design.

(b) The basement roof slab shall be designed to structural loading specified in AS5100.

(c) The basement roof slab, including the waterproofing layer, must be no higher than the following RLs:

(i) Letitia Street - 18.25m AHD.

Reason

To ensure the new road design complies with Council's policies, standards and specifications and those of all other relevant authorities.

(71) FOOTPATH AWNINGS

Footpath awnings which are proposed to be constructed above the public domain (including public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to any Construction Certificate for above ground works.

Documentation must be submitted to the City's Construction and Building Certification Services Unit with the application demonstrating that the awning height complies with Development Control Plan 2012. Plans are to include dimensions confirming the awning width and setback from the kerb. Awning gutters are to be concealed from the public domain and plans are to confirm downpipes are located within or recessed into the ground floor frontage of the building.

Reason

To ensure compliance with City regulations.

(72) FUTURE FOOD USE – MECHANICAL VENTILATION PROVISION

Prior to the issue of any CC2 Construction Certificate, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with the potential to become a food premises in future.

Systems must be designed in accordance with AS1668.2 – The Use of Ventilation and Airconditioning in Buildings – Mechanical Ventilation in Buildings, and AS1668.1 – The Use of Ventilation and Airconditioning in Buildings – Fire and Smoke Control in Buildings.

Reason

To ensure the mechanical ventilation complies with relevant standards.

(73) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

The Operational Waste Management Plan accompanying this Development Application has not been approved by this consent. An Operational Waste Management Plan is to be submitted to and reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

The plan must comply with Council's Development Control Plan and *Guidelines for Waste Management in New Developments.* The plan must address:

(a) Bin management and transfer from S4 Stage 3, including waste management arrangements for 240L recycling bins to be decanted into 1,100L bins for collection at the loading dock.

(b) Confirm the developer is responsible for purchasing a bin tug, trailer and bin lifters as required.

(c) Detail transfer pathway from all residential and commercial waste rooms to the goods lift for bins and bulky waste, demonstrating the pathway is free of obstructions including parked cars and structural pillars. Transfer of bins must not rely upon the public domain. Where this is not achievable, management arrangements minimise impacts to the public way are to be detailed.

(d) For buildings with a single chute, clarify how many 240L bins will be required and if they will be presented at the loading dock or tipped into 1,100L bins. Where a bin tipper is used its location to be confirmed.

(e) Bulky waste management arrangements, including how residents and building management will manage bulky waste from each core.

Reason

To document agreed waste management facilities and arrangements and ensure good waste management outcomes.

(74) WASTE INFRASTRUCTURE – RESIDENTIAL

Prior to the issue of any CC2 Construction Certificate, detailed plans, and specifications for the construction of waste management facilities must be submitted for review by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager. The waste management facilities to be provided responsive to Council's controls, policies, and guidelines, including but not limited to:

(a) Waste and recycling stream(s) storage area(s) to be designed and constructed in accordance with Reference D of *Council's Guidelines for Waste Management in New Developments.* Floors to be waterproofed across all intersections that extend a minimum 1,200mm high on the walls.

(b) Waste chute system to be designed in accordance with Section B and Reference E of the City of Sydney Guidelines for Waste Management in New Developments.

(c) Linear track system configuration to be drawn up on plans in all chute discharge rooms (including supporting elevations).

(d) The path of transfer to provide minimum spatial requirements (minimum room sizes, minimum door sizes, manoeuvring space, size of bin holding areas etc.) for waste management systems and specified bin sizes.

(e) Bin moving equipment storage room (B1) to incorporate three phase power.

Reason

To allow for the safe and hygienic storage of waste and recycling and support provision of a safe and efficient waste collection service.

(75) WASTE CHUTE – ACOUSTIC CONSTRUCTION PERFORMANCE VERIFICATION

Prior to the issue of any CC2 Construction Certificate, all chute rooms and chutes construction are to be verified by an appropriately qualified acoustic consultant to the satisfaction of the principle certifying authority to achieve:

(a) an RW + Ctr of not less than 55 if the adjacent rooms are habitable rooms (includes a kitchen, laundry and hallway) and walls are to achieve a DnT, w + Ctr of not less than 50 in verification prior to occupation, and

(b) an LnT,W + Cl of not more than 55 if the adjacent rooms are habitable rooms (includes a kitchen, laundry and hallway) and achieve a LnT,w + Cl of not more than 55 in verification of the construction methodology prior to occupation.

Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

Reason

To protect the amenity of residential apartments.

(76) SIGNAL SYSTEM

A system of traffic lights must be installed between the loading dock, the Level B1 ramp and the site access from Defries Avenue to advise drivers not to proceed towards the loading dock whilst a heavy vehicle is reversing into the loading bays or exiting the site.

Details of the system must be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any CC2 Construction Certificate.

Any system using traffic light signals must maintain a green signal to entering vehicles at the point of entry and must maintain a red signal when a heavy vehicle is entering or exiting the loading bay.

Reason

To maintain the orderly operation of vehicle parking areas.

(77) FLOOD EMERGENCY RESPONSE PLAN

(a) Prior to the issue of any CC2 Construction Certificate, a Flood Emergency Response Plan is to be prepared by a suitably qualified flood engineer and approved by Council's Area Planning Manager.

(b) The Flood Emergency Response Plan must include all measures required to be implemented to ensure the ongoing management of flooding risk in relation to the building, including (but not limited to) the following:

(i) Describe the flood conditions in the vicinity of the site.

(ii) If appropriate, direct persons on the site to seek refuge above the Probable Maximum Flood level for all levels of the building that are flood affected. Shelters in place for flood affected parts of the building is not permissible.

(iii) Include a map directing residents and visitors to a refuge via a flood free pathway within the building.

(vii) Provide details of access to flood free areas for disabled persons.

(c) No toxic or other hazardous materials are to be stored below the Flood Planning Level or in the basement levels.

Reason

To ensure flood risk management measures are complied with.

(78) SITE AUDIT STATEMENT

Prior to the issue of any CC2 Construction Certificate associated with the built form of the development (excluding building work directly related to remediation), a Section A Site Audit Statement must be obtained from a NSW Environment Protection Authority accredited Site Auditor for the Stage NW land and submitted to the Council's Area Planning Manager at email address:

hbapplications@cityofsydney.nsw.gov.au

(a) The Site Audit Statement must confirm that the site has been remediated in accordance with the approved Remedial Action Plan submitted and approved for the development site under D/2023/753 on 5 August 2024 and clearly state that site is suitable for the proposed use.

(b) In circumstances where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council, these must be reviewed and must be approved by the Council's Health and Building Unit in writing through the Area Planning Manager before the Site Audit Statement is issued.

(c) In circumstances where the Site Audit Statement conditions (if applicable) are not consistent with the consent, the development must not proceed until the inconsistency has been resolved to the satisfaction of Council (such as via a s4.55 modification of the consent pursuant to the provisions of the Environmental Planning and Assessment Act 1979).

(d) No Occupation Certificate is to be issued by the Principal Certifier unless a Site Audit Statement has been submitted to and approved by Council in accordance with this condition.

Reason

To ensure that the site is appropriately remediated.

(79) ADAPTABLE HOUSING

Prior to a CC2 Construction Certificate being issued, information from an appropriately qualified access consultant is to be submitted to the Registered Certifier:

(a) Confirming that the required number of residential units are able to be adapted for people with a disability in accordance with the *Building Code of Australia.*

(b) Demonstrating (in a checklist) compliance with Australian Standard AS4299.

Reason

To ensure the provision of adaptable housing.

(80) BASIX CERTIFICATE – DETAILS TO BE LODGED WITH A CC

A copy of the required completed BASIX certificate accepted as part of this Development Consent with respect to the proposed residential building works, must be lodged with an application for any CC2 Construction Certificate and the items nominated as part of the subject BASIX certificate must be specified on the plans submitted with the construction certificate application. – See Note.

IMPORTANT NOTE:

Any requirement detailed in the accompanying BASIX Certificate, MUST be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Part 3 of Schedule 1 of the EP&A Regulation, 2021.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 EP&A Regulation, 2021).

(81) FLOOR TO CEILING HEIGHT

Prior to any CC2 Construction Certificate being issued, the Registered Certifier must ensure that all living rooms and bedrooms in sole occupancy units must have a minimum finished floor to ceiling height of not less than 2.7 metres.

Reason

To ensure an adequate minimum floor to ceiling height to provide an acceptable level of amenity.

(82) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION AND OR OCCUPATION CERTIFICATES

(a) All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the DA Acoustic Report prepared by Acoustic Logic, Revision 1, dated 19 March 2025 (Council ref. 2025/186247) must be implemented in the development prior to the commencement of its use.

(b) Prior to the issue of any CC2 Construction Certificate, the final construction drawings and final construction methodology must be assessed and reported to be in accordance with the requirements of the DA Acoustic Report in (a) above, with reference to relevant documentation. This must be done by a Suitably Qualified Acoustic Consultant* (see definition below). This work will be to the satisfaction of the Registered Certifier.

(c) Prior to the issue of any Occupation Certificate, a Suitably Qualified Acoustic Consultant* is to provide a written Acoustic Verification Report to the satisfaction of the Principal Certifier that the development complies with the requirements set out in the Report and in (a) and (b) above.

Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

(d) All physical aspects of the building's structure installed in order to meet performance parameters in accordance with this condition must be maintained at all times.

Reason

To ensure all parties are aware of the supporting documentation that applies to the development.

(83) CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

A site-specific noise management plan must be submitted to the Council for comment and approval prior to issue of any Construction Certificate. The Plan must be prepared by a suitably qualified acoustic consultant who is a person who possesses the qualifications to join the Australian Acoustic Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustic Consultants (grade of member firm).The plan must include but not be limited to the following:

(a) identification of noise sensitive receivers near to the site.

(b) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. A statement should also be submitted outlining whether or not predicted noise levels will comply with the noise criteria stated within the *City of Sydney Construction Hours /Noise Code of Practice 1992* for the typical construction hours of 07.00am to 7.00pm. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.

(c) A representative background noise measurement ($L_{A90,\ 15\ minute}$) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.

(d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.

(e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.

(f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.

(g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.

(h) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

Reason

To ensure an adequate construction noise and vibration management plan is prepared.

(84) TELECOMMUNICATIONS PROVISIONS

(a) Appropriate space and access for ducting and cabling is to be provided within the plant area and to each apartment within the building within for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery. The details must be submitted for the approval of the Registered Certifier prior to any CC2 Construction Certificate being issued.

(b) A separate DA must be submitted prior to the installation of any external telecommunication apparatus, or the like.

Reason

To ensure the development adequately provides for telecommunications.

(85) TELECOMMUNICATIONS IN NEW DEVELOPMENTS

Prior to the issue of any CC2 Construction Certificate in connection with a development, the developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Registered Certifier that arrangements have been made for:

(a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and

(b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

Note: real estate development project has the meanings given in section 372Q of the Telecommunications Act.

Reason

To ensure the development adequately provides for telecommunications.

(86) UTILITY SERVICES

To ensure that utility authorities are advised of the development:

(a) Prior to the issue of a Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation, if necessary, to determine the position and level of services.

(b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

Reason

To ensure that utility authorities are advised of the development and their approval is obtained in connection with the relocation and/or adjustment of services affected by the development.

(87) LETTERBOXES

(a) Details of the location and design of all letterboxes are to be submitted to the satisfaction of the Principal Certifier prior to the issue of any CC2 Construction Certificate.

(b) Letterboxes are to be discreetly located, must not obstruct and/or dominate the public way and must be of a type and specification that minimises opportunities for mail theft.

(c) Where possible, consideration should be given to locating letterboxes within secure building lobbies.

Note: The applicant is strongly advised to contact Australia Post to discuss how the letterboxes within the lobby will be accessed.

Reason

To ensure letterboxes are located in an appropriate location on the site to prevent mail theft.

(88) DESIGN FOR ENVIRONMENTAL PERFORMANCE

Prior to the issue of any CC2 Construction Certificate, the Principal Certifier must be satisfied that those matters listed in the following sections of the Design for Environmental Performance Report prepared by Sonali Padarath, dated 21/11/2024 (Council ref. 2024/682651) are incorporated into the relevant construction plans and accompanying documentation:

(a) Section 3 – BASIX

A copy of the required completed BASIX certificate(s) accepted as part of this consent/as amended above must be lodged with an application for a construction certificate and the items nominated as part of the subject BASIX certificate(s) must be specified on the plans submitted with the Construction Certificate application.

Note: Any requirement detailed in the accompanying BASIX Certificate must be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Division 1 of Part 6 of the EP&A Regulation, 2021.

(b) Section 4 – Energy Efficiency and Greenhouse Gas Emissions Abatement

(c) Section 5 – Passive Design for Thermal Performance – Building Envelope Design

(d) Section 6 – On site Renewable Energy Generation and Storage

(e) Section 7 – Design for Resilience to Climate Change

(f) Section 8 – Designing for mains potable water savings and water efficiency

(g) Section 9 – Storm water quality

(h) Section 10 – City Greening

(i) Section 11 – Promoting Active Transport and Reducing Transport Emissions

(j) Section 12 – Materials, Embodied Carbon and Circularity

(k) Section 13 – Waste Management and Resource Recovery

(l) Section 14 – Third Party Certification and Design, Construction or Technology Innovations

(c) Changes to any commitments as listed in the approved Design for Environmental Performance report must be submitted to and approved by Council's Area Planning Manager prior to the issue of any relevant Construction Certificate.

Reason

To ensure the environmental performance of the development.

(89) EMBODIED EMISSIONS REPORTING

Prior to the issue of a Construction Certificate, as per requirements under the Sustainable Buildings SEPP, embodied emissions reporting is to be updated to reflect finalised material specifications and increased design detail. If the NABERS Embodied Emissions Tool is active prior to submission of construction certificate documentation, then reporting is to be provided through the tool.

Reason

To ensure quantification of embodied emissions from the development.

(90) ELECTRIC VEHICLE CHARGING

Prior to the issue of a Construction Certificate, it is to be demonstrated that:

(a) 10% of worker car spaces are fitted with a Level 2 charger or higher

(b) 25% of retail customer car spaces are fitted a three phase Level 2 EV charger at 22 kilowatts or higher

(c) EV charges will be supplied by renewable energy through a GreenPower plan, for at least 5 years

Evidence of EV chargers is to be shown on for construction electrical plans. Written agreement or confirmation is sufficient for renewable energy procurement requirement.

Additionally, in accordance with the relevant Planning Agreement (VPA/2023/18) to enable all residential parking spaces within the Development to be capable of being fitted with an Electric Vehicle Charger, electric vehicle charging infrastructure shall be provided as follows:

(d) Power supply and distribution boards for electric vehicle charging in accordance with Section J9D4 'Facilities for electric vehicle charging equipment' in NCC 2022 Volume One – Building Code of Australia, and

(e) All residential parking spaces are to be located within 10 metres of a cable tray sized to accommodate cabling for 100% of spaces it serves and terminates at the closet electronic vehicle distribution board.

Reason

To ensure sustainability requirements are implemented.

(91) NON-POTABLE RECYCLED WATER DUAL RETICULATION

Prior to the issue of a Construction Certificate details are to be provided to the Principal Certifier demonstrating compliance with the Non-potable Recycled Water Dual Reticulation requirements of the relevant Planning Agreement (VPA/2022/18).

Reason

To ensure sustainability requirements are implemented.

(92) GREASE AND LIQUID WASTE TRAPS – FUTURE FOOD PREMISES

(a) A grease trap, if required by Sydney Water, must be installed in accordance with the relevant Sydney Water requirements.

(b) If a grease trap is required, prior to the issue of the relevant Construction Certificate, plans and details are to be submitted to and approved by the Registered Certifier showing the following:

(i) The grease trap is not located in any kitchen, food preparation or food storage areas;

(ii) The grease trap is constructed and installed in a location which allows it to be easily and effectively cleaned and emptied; and

(iii) The grease trap is constructed and located as not to encourage the harbourage of pests and be effectively pest proofed.

Note: In-sink and in-floor waste bucket traps must be installed in all sinks and floor wastes in all commercial kitchens and food preparation areas. The installation of any grease traps and treatment equipment must be carried out by a suitably qualified and licensed plumber in accordance with the Plumbing Code of Australia.

Reason

To ensure grease and liquid waste traps are installed in accordance with relevant requirements.

(93) HOT WATER SERVICE – FUTURE FOOD PREMISES

The capacity of the hot water service must ensure that a constant supply of hot water is provided to any future food premises at all times for all sinks and basins including hand wash basin/s. The temperature of the hot water provided to the sinks must be in accordance with AS4674 – Design, Construction and Fit-out of Food Premises and the Australia New Zealand Food Standards Code 3.2.2 - Food Safety Practices and general requirements.

Reason

To ensure any future food premises has a constant supply of hot water in accordance with relevant standards.

(94) SANITARY FACILITIES – FOOD PREMISES

The sanitary facilities for any future food premises must be separated from all food handling areas via an airlock, self-closing door or mechanical ventilation in accordance with the provisions of the *National Construction Code (previously known as Building Code of Australia)*, Part F 3.1, 4.8 and 4.9.

Reason

To ensure sanitary facilities comply with relevant standards to protect food handling areas.

BEFORE BUILDING WORK COMMENCES

(95) OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD

If it is proposed to install a building maintenance unit or operate a hoisting device above a road (footpath) including swinging, hoisting material/equipment and slewing any part of the device, a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 199*3 must be submitted to and approved by Council prior to the installation of such devices.

Note: Building maintenance unit means a power operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2017*).

Reason

To ensure appropriate approvals are sought for operating hoisting devices.

(96) OTHER REQUIRED APPROVALS

Any structure, attachment or activity which is proposed to be undertaken in, on or above a road reserve or the public domain (including a public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to the commencement of work/activities within the road reserve/public domain. Such activities include but not limited to:

(a) installation of construction-related temporary structures including hoardings/scaffolding;

(b) installation and/or alterations to advertising/business signs;

(c) installation and/or alterations to street awnings;

(d) crane operation and other hoisting activities;

(e) temporary works (e.g. barricading, road openings, mobile hoisting devices);

(f) works zones (for loading and unloading from the roadway); and

(g) temporary ground anchoring and shoring to support a roadway when excavating; and

(h) any other structure or encroachment including facade elements/architectural features.

Reason

To ensure use of a public place is managed appropriately.

(97) EROSION AND SEDIMENT CONTROL - MORE THAN 2,500SQM

Prior to the commencement of any works on site, including, but not limited to demolition, excavation or construction work, a Soil and Water Management Plan (SWMP) must be submitted to and be approved by the Principal Certifier.

(a) The SWMP must identify and respond to all items for Erosion and Sediment Control Plans listed in the condition above, as well as:

(i) existing site contours;

(ii) location and diagrammatic representation of all necessary erosion and sediment control systems or structures used to mitigate or prevent pollution to stormwater;

(iii) location and engineering details with supporting design calculations for all necessary sediment basins, constructed wetlands, gross pollutant traps, trash racks or biofiltration swales (as relevant).

Reason

To ensure that appropriate erosion and sediment control measures are put in place during construction to protect the environment.

(98) CLASSIFICATION OF WASTE

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the *Environment Operations Act 1997* and the *NSW EPA Waste Classification Guidelines, Part1: Classifying Waste (November 2014)*. The classification of the material is essential to determine where the waste may be legally taken. The *Protection of the Environment Operations Act 1997* provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for a particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

Reason

To ensure that waste from site is classified and disposed of appropriately.

(99) TREE PROTECTION BEFORE AND DURING CONSTRUCTION

All trees that will be affected by the development within the property and on any adjoining land, must be protected in accordance with the Australian Standard 4970 Protection of Trees on Development Sites and as follows:

(a) Stockpiling, storage or mixing of materials, washing of equipment, vehicle parking, disposal of liquids, machinery repairs and refuelling, disposal of building materials such as cement slurry, siting of offices or sheds and the lighting of fires, must not occur within 6 metres of the trunk of any tree to be retained (including trees within adjoining properties).

(b) Excavation must not occur within 6 metres of the trunk of any retained tree (including trees within adjoining properties). If excavation is proposed within this zone, Council's Tree Management Officer must be contacted immediately, and the excavation must be carried out in accordance with Council's direction.

(c) Excavations where they are within 8 metres of any tree (including trees in adjoining properties) must be undertaken using non-destructive methods (such as by hand) to ensure no tree roots greater than 40mm diameter are damaged, pruned or removed.

(d) Footings must be relocated / realigned if any tree root greater than 40mm in diameter is encountered during excavations. A minimum of 150mm clearance must be provided between the tree root and footing.

(e) Tree trunk and major branch protection must be undertaken prior to the commencement of any works. The protection must be by a qualified Arborist with a minimum AQF Level 3 qualification in arboriculture and must include:

(i) Tree trunk/s and/or major branches must be protected by wrapped thick carpet underlay or similar padding material to limit damage;

(ii) Timber planks (50mm x 100mm must be placed around tree trunk/s. The timber planks must be spaced at 100mm intervals and must be fixed against the trunk with tie wire, or strapping. The hessian and timber planks must not be fixed to the tree in any instance, or in any fashion;

(iii) Tree trunk and major branch protection is to remain in place for the duration of construction and development works and must be removed at the completion of the project.

(f) The protection must be certified by an arborist with a minimum AQF Level 5 qualification in arboriculture.

(g) The consent from Council's Tree Management Officer must be obtained prior to the undertaking of any tree pruning works, including tree roots greater than 40mm in diameter. Only minor pruning works will be approved by Council.

Reason

To ensure the protection and ongoing health of trees.

(100) PUBLIC DOMAIN WORK – CONSTRUCTION APPROVAL UNDER SECTION 138 ROADS ACT 1993

Prior to the construction of any public domain works, approval under Section 138 / 139 of the Roads Act 1993 must be issued by the City's Public Domain Unit.

Reason

To ensure relevant approvals for public domain work are obtained.

(101) TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any works commencing on site.

Reason

To ensure all relevant approvals for traffic and parking works are obtained and designed in accordance with relevant requirements.

DURING BUILDING WORK

(102) HOURS OF WORK AND NOISE – OUTSIDE CBD

The hours of construction and work on the development must be as follows:

(a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.

(b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

(c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Team, prior to works proceeding.

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Reason

To protect the amenity of the surrounding area.

(103) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

(a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;

(b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;

(c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;

(d) The approved hours of work, the Principal Certifier including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, and the estimated date of completion of the project are to be displayed on the site notice;

(e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.

(f) All notices and signs must be displayed in locations as specified in the City's Guidelines for Hoardings and Scaffolding.

Reason

Prescribed condition EP&A Regulation 2021, Section 70.

(104) COMPLIANCE WITH CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

(a) All works conducted on site which form part of this development must be carried out in accordance with the approved Construction Management Plan.

(b) Where all such control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels. (Use where respite periods not specified under the approved DEC NMP)

Such periods must be set and agreed to by Council's Health and Building Unit.

Reason

To ensure all parties are aware of the supporting documentation that applies to the development.

(105) STREET TREE PROTECTION

All street trees located directly outside the site must be retained and protected in accordance with the Australian Standard 4970 Protection of Trees on Development Sites. All street trees must be protected during the construction works as follows:

(a) Tree trunk and major branch protection must be undertaken prior to the commencement of any works (including demolition). The protection must be installed and certified by an arborist with a minimum AQF Level 5 qualification in arboriculture and must include:

(i) An adequate clearance, minimum 250mm, must be provided between the structure and tree branches, and trucks at all times.

(ii) Tree trunk/s and/or major branches to a height of two metres must be protected by wrapped thick underlay carpet or similar padding material to limit damage, and

(iii) Timber planks (50mm x 100mm or similar) must be placed around tree trunk/s. The timber planks must be spaced at 100mm intervals and must be fixed against the trunk with tie wire, or strapping. The thick underlay carpet or similar padding material and timber planks must not be fixed to the tree in any instance, or in any fashion.

(iv) Tree trunk and major branch protection is to remain in place for the duration of construction and development works and must be removed at the completion of the project.

(b) Temporary signs, or any other items, shall not be fixed or attached to any street tree.

(c) All hoarding support columns are to be placed a minimum of 300mm from the edge of the existing tree pits/setts, so that no sinking or damage occurs to the existing tree pits. Supporting columns must not be placed on any tree roots that are exposed.

(d) Young street trees must be protected by installing three (3) wooden stakes around the edge of the tree pits or a minimum of 1 metre from the base of the trunk. Hessian must be wrapped around the stakes. If existing stakes or a metal tree guard are already in place, these suffice as tree protection.

(e) Materials or goods, including site sheds, must not be stored or placed:

(i) around or under the tree canopy; or

(ii) within two (2) metres of tree trunks or branches of any street trees.

(f) Any excavation within any area known to or suspected of having tree roots greater than 30mm diameter must be undertaken by hand.

(g) Any trenching works for services, hydraulics, drainage etc. must not be undertaken within 5 metres of the trunk of any street tree. Alternate installation methods for services such as directional boring/drilling or redirection of services must be employed where roots greater than 30mm diameter are encountered during installation of any services.

(h) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the Council's Tree Management Officer.

(i) Any damage sustained to street tree/s as a result of the erection of any construction activities (including demolition) must be immediately reported to the Council's Tree Management Officer on 9265 9333. Any damage to street trees as a result of any construction activities may result in prosecution under the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.

Reason

To ensure the protection and ongoing health of the street trees.

(106) PROTECTION OF NATIVE WILDLIFE

(a) In the event that wildlife is found during the course of tree removal works, work must stop until a trained wildlife handler attends the site or the animal relocates itself. Tree pruning works may only proceed if the animals will not come into direct harm.

(b) In the event that the tree has nesting birds or native animals, works must be delayed until after the nesting period has been completed, unless in the event of an emergency.

Reason

To ensure that wildlife is adequately protected during tree removal/pruning works.

(107) PUBLIC DOMAIN WORKS SECURITY BOND

A Public Domain Works Security Bond will be required for the public domain works and for repairing damage that may be caused to the public domain in the vicinity of the site, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual.

The City's Public Domain Unit must be contacted to determine the bond amount prior to lodgement. The bond must be lodged with the City prior to an approval being issued for the approval of the Public Domain Plan.

The bond will be retained in full until all public domain works, including rectification of damage to the public domain, are completed to City's standards and approval and the required works-as-executed documentation are approved. On satisfying the above requirements, and the issue of the Public Domain Works Letter of Completion Operational Acceptance by the City, 90% of the bond will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

Reason

To ensure public domain works are completed and any damage to the public domain is rectified.

(108) DRAINAGE AND SERVICE PIT LIDS

All existing or proposed drainage and service pit lids throughout the public domain must be to City of Sydney specifications and heel/bicycle safe, slip resistant, infill with material to match surrounding surface, finished flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Infill pit lids are to be detailed where specified by Council's Public Domain Officer. Private pits are not permitted within the public domain. All details of pit lids must be shown on the public domain plan and must be approved by the City's Public Domain Unit prior to the issue of an approval for public domain works.

Reason

To ensure drainage and service pit lids within the public domain are appropriately designed and installed.

(109) PUBLIC DOMAIN PLAN DETAILED DOCUMENTATION FOR CONSTRUCTION

A detailed public domain plan and future public domain plan and all relevant documentation must be submitted for review to City's Public Domain Unit prior to approval by the Executive Director City Planning Development & Transport and before construction of any public domain works. This Plan must document all works required to ensure that the public domain upgrade work complies with the City's specifications and requirements, as outlined in documents such as City of Sydney's *Public Domain Manual*, *Sydney Streets Code, Sydney Street Tree Masterplan, Sydney Lights: Public Domain Design Code and Sydney Streets Technical Specification*. The documentation must be *checked, accurate, and comply with specified requirement*s. Plans must be based on an accurate survey prepared, signed and dated by a registered surveyor, to scale and fully coordinated across all disciplines and submissions. The supplied documentation must be for Construction issue and will be approved under Section 138 of the Roads Act.

The Public Domain Manual and all other relevant documents are available for download from Council's website at

https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

The Public Domain Plan documentation must be submitted with an Application for Public Domain Plan Assessment and include the approved Public Domain Levels and Gradients documentation. If the proposed detailed design of the public domain requires changes to any previously approved levels, details must be submitted for approval with the public domain plan and additional fees may apply.

Note: All areas between the approved buildings and approved kerbs, excluding parks, are to be included in the Public Domain Plan documentation.

Reason

To ensure the public domain complies with Council's requirements.

(110) HOLD POINTS

Prior to an approval being issued for the construction of public domain and / or planning agreement works, including civil, drainage and subsurface works, a set of hold points will be provided by the City's Public Domain Unit in accordance with the City's Public Domain Manual and Sydney Streets Technical Specification. The list of hold point inspections will be included in the Public Domain works approval letter.

These hold point inspections must be adhered to during construction works. Prior to the issue of any Occupation Certificate, confirmation from the City's Public Domain Unit, that hold point inspections have been completed, and works have been accepted by the City must be provided to the Principal Certifier.

Reason

To ensure hold points are adhered to during construction works.

(111) STORMWATER DRAINAGE CONNECTION

For approval of a connection into the City of Sydney's drainage system an "*Application for Approval of Stormwater Drainage Connections*" must be submitted to the City, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges. This must be approved prior to approval being issued for the construction of public domain work.

Reason

To ensure approval of connection into the Council's drainage system is sought.

(112) PUBLIC DOMAIN LIGHTING RETICULATION

Prior to the issue of any relevant approval for the construction of public domain works, a detailed Public Domain Lighting Reticulation Plan for pedestrian and street lighting in the public domain must be submitted to and approved by the City's Public Domain Unit in accordance with the City's *Sydney Lights Design Code, Sydney Streets Code, Sydney Streets Technical Specification* and *Public Domain Manual*.

The Public Domain Manual and all other relevant documents are available for download from Council's website at

https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

If applicable, this public domain lighting documentation must include pole footing locations and structural details, location and details of underground electrical reticulation including connections and conduits, pit cabling and certifications as described in the City's *Public Domain Manual.* The public domain lighting is to be superimposed on the public domain plan to show any conflicts between lighting and the proposed landscape design.

Reason

To ensure the public domain lighting documentation complies with Council requirements.

(113) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

(a) All loading and unloading associated with construction activity must be accommodated on site, where possible.

(b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.

(c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

(d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

Reason

To protect the amenity of the public domain.

(114) NO OBSTRUCTION OF PUBLIC WAY

Unless otherwise approved by Council, the public way must not be obstructed by any materials, vehicles, waste receptacles, skip-bins or the like. Non-compliance with this requirement may result in the issue of a notice by Council to stop all work on the site.

Reason

To protect the amenity of the public domain.

(115) ACCESS DRIVEWAYS TO BE CONSTRUCTED

Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's “Driveway Specifications” to the satisfaction of Council.

Reason

To allow adequate vehicular access to the site.

(116) USE OF MOBILE CRANES

The following requirements apply:

(a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.

(b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of onsite tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.

(c) The use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of onsite tower cranes which warrant the on-street use of mobile cranes outside of approved hours of construction can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Reason

To ensure mobile cranes are used appropriately.

(117) USE OF HIGH NOISE EMISSION APPLIANCES / PLANT

(a) The operation of high noise emission appliances, plant and/or machinery such as pile – drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 199*2 and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* is restricted to the hours of (EHO to specify hours)

(b) All reasonable and feasible steps must be undertaken to ensure that the work, including demolition, excavation and building complies with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436- 2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

Reason

To protect the amenity of the surrounding area.

(118) NOTIFICATION OF EXCAVATION WORKS OR USE OF HIGH NOISE EMISSION APPLIANCES/PLANT

The immediately adjoining neighbours must be given a minimum of 48 hours notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.

Reason

To protect the amenity of the surrounding area.

(119) TEMPORARY GROUND ANCHORS, TEMPORARY SHORING AND PERMANENT BASEMENT/RETAINING WALLS AFFECTING THE ROAD RESERVE

For temporary shoring including ground anchors affecting the road reserve, a separate application under Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council.

Reason

To ensure that approval under the *Roads Act 1993* is obtained.

(120) SURVEY SETOUT

Prior to the commencement of construction all footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor.

The building shall be sufficiently set back to ensure that no component of the building (such as the roof, guttering, or downpipes) encroach upon or overhang the boundaries of the site.

The registered surveyor shall provide a survey and report to the Principal Certifier indicating the position of the footings, walls and floor slabs in relation to the boundaries of the allotment.

Reason

To ensure the development does not encroach onto neighbouring properties.

(121) CHECK SURVEYS DURING CONSTRUCTION

Prior to the concrete pour of the main slab at each level, a survey shall be made by a surveyor registered under the Surveying and Spatial Information Act, 2002, confirming that the formwork adjacent to existing or proposed boundaries is clear of those existing or proposed boundaries and is in accordance with approved setbacks. This survey shall be provided to the Principal Certifier prior to the concrete pour. The concrete pour must not take place until the Principal Certifier receives a survey proving that the formwork has been constructed within the existing and proposed boundaries of the site and is compliant with the setbacks approved under this consent.

Reason

To ensure the development does not encroach onto neighbouring properties.

(122) HAZARDOUS AND INDUSTRIAL WASTE

Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority pursuant to the provisions of the following:

(a) *Protection of the Environment Operations Act 1997*

(b) *Protection of the Environment Operations (Waste) Regulation 2005*

(c) *Waste Avoidance and Resource Recovery Act 2001*

(d) *Work Health and Safety Act 2011*

(e) *Work Health and Safety Regulation 2017.*

Reason

To ensure hazardous/ industrial waste is managed appropriately.

(123) COMPLIANCE WITH ACID SULFATE SOILS MANAGEMENT PLAN

All recommendations contained in the Acid Sulfate Soils Management Plan (Council ref: 2024/377083) prepared by *Trinitas Group*, reference *V1F* dated 25 June 2024 must be implemented.

Reason

To ensure that Acid Sulphate Soils are appropriately managed.

(124) IMPORTED FILL MATERIALS

All fill imported onto the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

The City may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

(a) Imported fill must be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or

(b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (2022) Sampling Design Guidelines.

Reason

To ensure that imported fill is not contaminated.

(125) NOTIFICATION – NEW CONTAMINATION EVIDENCE

Council's Area Planning Manager and the Principal Certifier must be notified of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

Reason

To ensure that the site is appropriately remediated.

(126) STOCKPILES

(a) No stockpiles of soil or other materials must be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Team.

(b) All stockpiles of soil or other materials must be placed away from drainage lines, gutters or stormwater pits or inlets.

(c) All stockpiles of soil or other materials likely to generate dust or odours must be covered.

(d) All stockpiles of contaminated soil must be stored in a secure area and be covered if remaining more than 24 hours.

Reason

To ensure that stockpiles of soil or other materials are appropriately managed.

(127) SYDNEY WATER CERTIFICATE

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to any Occupation Certificate or subdivision/strata certificate being issued.

Reason

To ensure the requirements of Sydney Water are met.

(128) COVERING OF LOADS

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

Reason

To ensure loads are managed appropriately and do not impact local amenity.

(129) VEHICLE CLEANSING

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

Reason

To ensure sediment is not tracked onto the roadway.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(130) WASTE AND RECYCLING COLLECTION CONTRACT - COMMERCIAL

Prior to the issue of an Occupation Certificate or commencement of the use, whichever is earlier, the building owner/tenant is to enter into a contract with a licensed waste service provider for the removal of all waste and recycling stream(s). A copy of the commercial waste and recycling contract and invoices are to be made available upon request by an authorised Council officer at any time.

Reason

To ensure arrangements are in place to manage commercial waste without reliance on public place or residential waste bins.

(131) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

(a) Prior to the issue of an Occupation Certificate, Council's review and written approval of the as-built waste infrastructure, facilities, and vehicle access is required. The City Cleansing & Resource Recovery Unit of Council must be satisfied that:

(i) All waste management facilities, storage, and collection infrastructure comply with the stamped plans, approved Operational Waste Management Plan and Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.

(ii) All waste rooms, corridors, doors, and gates to be accessed by Councils collection contractor(s) are to be fitted and accessible via Council's master key system. Specifications of locks, barrels, and supporting infrastructure are to be submitted to Council's City Cleansing & Resource Recovery Unit.

(b) Site inspections are to be conducted by Council's City Cleansing & Resource Recovery Unit to review the site on-site waste collection, storage and loading bay infrastructure prior to the issue of an **Occupation Certificate**. The inspections are to be conducted a minimum 6-months prior to projects anticipated construction completion. Prior to the inspection an electronic copy of the latest architectural plans are to be submitted.

(c) An updated Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery Unit that aligns with the latest version of architectural plans and waste related updates identified during the site inspections. The plan is to be reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of an **Occupation Certificate**.

(d) The developer is to enter into a formal agreement with the City of Sydney Council for the utilisation of Councils Waste Collection Service. A signed agreement is to be submitted to Council's City Cleansing & Resource Recovery unit prior to the issue of an **Occupation Certificate**.

(e) The assigned strata manager for the development and direct contact details are to be provided to Council's City Cleansing & Resource Recovery Unit prior to the issue of an **Occupation Certificate**.

Reason

To ensure that facilities and arrangements are in place to enable the provision of a safe and efficient waste collection service responsive to Council's policies and contractual service provisions.

(132) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an **Occupation Certificate**, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved at the Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

(133) PUBLIC DOMAIN WORKS COMPLETION

The Public Domain works are to be constructed in accordance with the Public Domain Works Approval letter, stamped plans for Public Domain Levels and Gradients, Stormwater, Public Domain Lighting, the City's *Public Domain Manual,* Stormwater *Drainage Manual, Sydney Lights Design Code* and *Sydney Streets Technical Specification.*

The public domain work must be inspected and a Public Domain Work Letter of Completion Operational Acceptance must be issued by Council's Public Domain Officer prior to the issue of any Occupation Certificate or before the commencement of use, whichever is earlier.

Reason

To ensure the public domain works are completed in accordance with the approved documents and Council's requirements.

(134) PUBLIC DOMAIN COMPLETION – WORK AS EXECUTED DOCUMENTATION

Prior to a Public Domain Works Letter of Completion Operational Acceptance being issued for public domain works, works-as-executed (As-Built) plans and documentation, must be submitted to and accepted by the City of Sydney for all public domain works, including where required Stormwater, Public Domain Lighting and road construction. These works must be certified by a suitably qualified, independent professional. Details of the documentation required for approval will be advised by the City's Public Domain Unit.

Reason

To ensure Council receives works-as-executed documentation for public domain works.

(135) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT

Prior to the issue of any Occupation Certificate:

(a) The Owner is required to enter into a Deed of Agreement (Stormwater Deed) with the City of Sydney and obtain registration of Title of a Positive Covenant for all proposed connections to the City's underground drainage system. The deed and positive covenant will contain terms reasonably required by the City and will be drafted by the City's Legal Services Unit at the cost of the applicant, in accordance with the City's Fees and Charges.

(b) A Positive Covenant must be registered on the property title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection. The positive covenant will contain terms reasonably required by the City and will be drafted by the City's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges.

Reason

To protect underground drainage system.

(136) CONSTRUCTED FLOOR LEVELS

A certification report prepared by a suitably qualified practitioner engineer (NPER) must be submitted to the Principal Certifier prior to issue of any Occupation certificate stating that the development has been constructed and the required levels achieved in accordance with the recommendations of the 'Flood Impact Assessment Report' prepared by EGIS dated 5 November 2024 (Council ref. 2024/654890).

Reason

To ensure the development achieves the required floor levels.

(137) PUBLIC DOMAIN SAFE ACCESS

Prior to the issue of any Occupation Certificate, pedestrian and vehicle access must be provided between all pedestrian and vehicle entrances to the relevant building to the surrounding road network by way of safe, accessible, well-lit roads and footpaths.

Reason

To ensure the residents and members of the public can access the development safely.

(138) SURVEY CERTIFICATE PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

Prior to the issue of any type of Occupation Certificate for the building, a Final Identification Survey prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act 2002 must be submitted at the completion of the building work certifying the location of the building and showing offsets in relation to the boundaries of the allotment.

Any encroachments of the building including gutters and downpipes over the side boundaries or rear lane that are not approved in the DA must be removed, or where approved, appropriate easements under Section 88B of the Conveyancing Act 1919, with terms to the satisfaction of Council, must be lodged with the office of NSW Land Registry Services, and evidence of lodgement provided to the Principal Certifier prior to the issue of any type of Occupation Certificate. Encroachments upon public roads must, if supported, be approved by Council's Area Planning Manager prior to the issue of any type of Occupation Certificate.

Reason

To ensure that either the building does not encroach, or that any encroachments are formalised on title.

(139) COMPLIANCE WITH SUBMITTED MATERIALS AND SAMPLES BOARD

The design details of the proposed building facades including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications approved under the 'Materials and Samples Board' condition of this consent.

Reason

To ensure the approved materials and samples board is complied with.

(140) RESTRICTION ON RESIDENTIAL DEVELOPMENT

The following restriction applies to buildings approved for residential use:

(a) The accommodation portion of the building must be used as permanent residential accommodation only and not for the purpose of a boarding house or hostel, hotel or motel accommodation, serviced apartments, tourist and visitor accommodation or any other use.

(b) A Restriction on the Use of Land is to be registered on the title of the development site in the above terms and restricting any change of use of from residential accommodation as defined in *Sydney Local Environmental Plan* 2012. The restriction is to be registered on title prior to any type of Occupation Certificate being issued or the use commencing, whichever is earlier. The covenant restriction must contain terms reasonably required by Council and will be drafted by Council's solicitor, at the cost of the applicant, in accordance with the City's Fees and Charges, or included with a Section 88B Instrument for the future strata plan and burdening all residential strata lots where no subdivision will occur.

(c) If a lot contains tenants, it must be subject to a residential tenancy agreement for a term of at least three months.

(d) No person can advertise or organise the use of residential apartments approved under this consent for short term accommodation.

Reason

To ensure the residential accommodation portion of the site is used for permanent residential purposes.

(141) RESTRICTION ON USE OF CAR SPACES AND STORAGE SPACES

The following conditions apply to car parking:

(a) The on-site car parking spaces and/or storage spaces, exclusive of service and visitor car spaces, are not to be used other than by an occupant, tenant or resident of the subject building.

(b) Prior to any Occupation Certificate being issued or the use commencing, whichever is earlier, a documentary Restriction on the Use of Land, is to be registered on the Title of the development site pursuant to Section 88E of the *Conveyancing Act 1919*, to the effect of (a) above. The Restriction is to be created to the benefit of Council, at no cost to and to the satisfaction of Council.

(c) If the building is to be strata subdivided, all car parking spaces and/or storage spaces, exclusive of service and visitor car spaces, must be allocated to a residential or commercial lot (as the case may be), consistent with planning controls, within the Strata Scheme.

(d) If the building is to be strata subdivided, a Restriction on the Use of Land must be created burdening all lots containing car parking spaces in the Strata Scheme, pursuant to section 88B of the *Conveyancing Act 1919,* to the effect of (a) above. The Restriction is to be created to the benefit of Council, at no cost to and to the satisfaction of Council.

Reason

To ensure the on-site car parking spaces and/or storage spaces, exclusive of service and visitor car spaces, are not to be used other than by an occupant, tenant or resident of the building.

(142) BASIX

All commitments listed in each relevant BASIX Certificate for the development must be fulfilled prior to any Occupation Certificate being issued.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 EP&A Regulation 2021).

(143) PHYSICAL MODELS

(a) Prior to the issue of the first Occupation Certificate for the final building, an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Planning Manager for the City Model in Town Hall House.

Note:

(i) The models must be constructed in accordance with the Model Specifications available online at http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements Council's modellers must be consulted prior to construction of the model.

(ii) The models are to comply with all of the conditions of the Development Consent.

(iii) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the *Environmental Planning and Assessment Act*) that affect the external appearance of the building.

Reason

To ensure the provision of an appropriate physical model of the development.

(144) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

(a) Prior to the issue if the first Occupation Certificate for the final building, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.

(b) The data required to be submitted within the surveyed location must include and identify:

(i) building design above and below ground in accordance with the development consent;

(ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;

(iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

(c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

Reason

To ensure the provision of an appropriate electronic model of the development.

(145) STREET ADDRESSES OF LOTS – PRIOR TO STRATA CERTIFICATE

In accordance with Clause 61 of the *Surveying and Spatial Information Regulation 2024*, the street address for the lot must be shown on the Administration Sheet for any furure strata plan. An application must be made to Council's Spatial Services Unit prior to the lodgement of any strata certificate application, to obtain the correct street address for the lot. The street address allocated by Council must be provided to the registered surveyor for inclusion in a schedule on the Administration Sheet.

Reason

To ensure compliance with the provisions of the *Surveying & Spatial Information Regulation 2024*.

(146) STORAGE

Prior to the issue of any Occupation Certificate for the relevant building the Principal Certifying Authority must be satisfied that the minimum storage requirements of the Apartment Design Guide have been met. No more than 50% of the minimum storage requirements for each apartment is to be provided within the basement.

Reason

To ensure the minimum storage requirements are achieved.

(147) TRANSPORT ACCESS GUIDE

A Transport Access Guide must be implemented and maintained by the operators of the premises and be made available to staff, clients, customers and visitors at all times.

The following information shall be submitted to and approved by Council's Area Planning Manager prior to the issue of an Occupation Certificate for the site/use:

(a) A Transport Access Guide detailing sustainable transport options to access the site including public transport, cycling and walking or a combination of these modes.

(b) Communication methods by which the Transport Access Guide will be made available to staff, clients, customers and visitors.

Reason

To ensure that sustainable transport options are considered and communicated effectively.

(148) LOADING AND SERVICING MANAGEMENT PLAN

A final Loading and Servicing Management Plan is to be prepared for distribution to relevant tenants outlining how the loading dock will be managed and used by all relevant tenants.

The Plan must include, but is not limited to, management of deliveries to ensure vehicles are not waiting on public streets to enter the site.

The plan is to be prepared and submitted to and approved by Council's Area Planning Manager prior to issue of an Occupation Certificate.

Once approved, this management plan is to be provided to all relevant tenants and external users of the loading area.

Reason

To ensure that the loading dock is appropriately managed.

(149) WAY FINDING PLAN

A way finding plan must be submitted to and approved by Council's Area Planning Manager prior to any Occupation Certificate being issued.

The Plan must show all way finding signage to/from the residential and retail lobby entries, bicycle facilities, loading dock, service bay, residential and commercial waste storage areas, and any visitor parking provided. The plan must also show directions to footpaths and lifts where appropriate. This might include illuminated signage and linemarking where appropriate.

Reason

To ensure way finding is appropriately implemented across the site.

(150) BUILDING/STRATA MANAGEMENT STATEMENT

The Building/Strata Management Statement must adequately address the ongoing maintenance, upgrading, redevelopment and structural adequacy of each stratum lot to Council's satisfaction, and be submitted with the subdivision application.

(a) Shared driveways and loading docks must be covered by suitable easements defined on the subdivision plan to the satisfaction of Council and not be dealt with only by means of an SMS or BMS.

(b) Garbage rooms must be covered by suitably dimensioned easements shown on the plan to Council's satisfaction, unless fully enclosed by walls, and garbage room doors kept closed at all times unless personnel are present

(c) The Building / Strata Management Statement must not prevail over any easement, restriction on the use of land, or positive covenant that benefits Council.

Reason

For the orderly operation of the buildings, and clarity for owners and purchasers of future lots.

(151) ADDITIONAL EASEMENTS

Any other documentary easements or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision must be created over appropriate lots in the subdivision, pursuant to Section 88B of the *Conveyancing Act 1919* and to Council's satisfaction.

Reason

For the orderly operation of the buildings.

(152) EASEMENTS UNDER SEC 196 CONVEYANCING ACT

Documentary reciprocal easements for services, drainage, support and shelter, and emergency egress, affecting the whole/part of each lot if so desired, must be created over the lots in any subdivision, pursuant to Section 88B of the *Conveyancing Act 1919* and to Council's satisfaction.

Reason

To ensure the orderly operation of the building.

(153) RIGHTS OF CARRIAGEWAY OVER SHARED DRIVEWAY AREAS

All shared driveway areas must be covered by dimensioned rights of carriageway on the subdivision plan, in stratum if appropriate, pursuant to Section 88B of the *Conveyancing Act, 1919*. Global rights of carriageway must not be used for the shared driveway areas

Reason

To ensure clarity in relation to the driveway areas and the orderly operation of the buildings.

(154) STRATUM SUBDIVISION – PRIOR TO OCCUPATION CERTIFICATE

Prior to the issue of any Occupation or Strata Certificate, a Stratum Subdivision plan over the site, including all lots containing corridors or traffic passageways beneath proposed roads used as access between buildings, shall be completed and registered with the Office of NSW Land Registry Services, showing the relevant components of the building in stratum and creating any easements as necessary. Evidence of registration of the stratum subdivision plan shall be supplied to the Registered Certifier prior to the issue of an Occupation or Strata Certificate.

Reason

To ensure the orderly development of land.

(155) EASEMENTS FOR ACCESS

Appropriate Easements for Access (or similar) are to be created over any required corridors, passages, traffic aisles, stairs and lifts, within the development that are needed to provide access from (or across) one lot to another, pursuant to Section 88B of the Conveyancing Act 1919. The Easements are to be reciprocal in nature (where applicable), granting rights of access to persons and/or vehicles, and are to be created in appropriate terms acceptable to Council, with the Council being the authority to release, vary or modify the easement.

Reason

To ensure the orderly development of the property.

OCCUPATION AND ONGOING USE

(156) OCCUPATION CERTIFICATE TO BE SUBMITTED

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

Reason

To ensure the site is authorised for occupation.

(157) ON SITE LOADING AREAS AND OPERATION

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.

Reason

To maintain the orderly operation of vehicle parking areas and to ensure the public domain is kept free from physical obstructions.

(158) STACKED PARKING EMPLOYEES OR TENANTS ONLY

Any stacked parking spaces (maximum 2 spaces, nose to tail) must be attached to the same strata title comprising a single dwelling unit or commercial/retail tenancy, subject to the maximum parking limit applying. The stacked parking spaces must be designated (with appropriate signage) for employee or tenant parking only (not visitor parking), prior to any Occupation Certificate being issued. The moving of stacked vehicles must occur wholly within the property.

Reason

To maintain the orderly operation of vehicle parking areas.

(159) SCHEDULED COLLECTIONS – COMMERCIAL

(a) Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for *Managing Waste in Public Places.*

(b) In accordance with the approved waste management plan, waste and recycling stream(s) bins must not be placed on the street for collection. Waste collection will occur within the site at all times. Unimpeded access must be provided to the waste and recycling stream(s) storage area(s) at all times.

(c) Unobstructed access is to be provided for waste collection vehicles to set down within 10m of the waste storage and collection area(s) during zone collection times on collection days.

(d) The collection of waste and recycling stream(s) is to only occur during designated zone collection times outlined within the Local Approvals Policy for *Managing Waste in Public Places* to minimise impacts to residential amenity.

Reason

To minimise the impacts on amenity and safety caused by the presentation and collection of commercial waste.

(160) SCHEDULED COLLECTIONS - RESIDENTIAL

(a) Scheduled collections and waste management arrangements of Council's residential waste stream(s) is to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan, the developments Conditions of Consent and the City's Local Approvals Policy Managing Waste in Public Spaces.

(b) Council's Domestic Waste Charge is applied to all residential rate accommodation properties in accordance with section 496 of the *Local Government Act 1993.* Residential accommodation is defined in accordance with the *Sydney Local Environmental Plan 2012* dictionary.

(c) Unobstructed access to be provided for Councils standard waste collection vehicles to access the waste and recycling storage area(s), loadings bays and supporting infrastructure between the hours 6am and 6pm on collection day(s) to support the provision of a safe and efficient waste collection service to the site.

Reason

To support the safe and efficient scheduled residential waste collection service and minimise the impacts on public amenity and safety.

(161) ONGOING WASTE MANAGEMENT – RESIDENTIAL

(a) The ongoing use of development must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.

(b) All general waste and recycling stream(s) materials emanating from the premises must be stored in the designated waste storage area(s) integrated within the built form and must not be stored outside the premises (including any public place) at any time.

(c) The property manager is responsible for lodging requests for damaged/broken bins, managing the rotation of bins, ensuring the full allocation of relevant bins are available for scheduled collections, management of odour and the routine cleaning and maintenance of all waste storage areas.

(d) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

(e) The property manager is responsible for the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney Council responsive to the approved Operational Waste Management plan.

(f) Commercial waste and recycling stream(s) and supporting infrastructure to be stored in a separate lockable, enclosed, and walled area free from the residential waste and recycling stream(s) rooms. The residential rooms to have relevant locks to inhibit commercial tenants access to Councils residential waste streams.

Reason

To support the safe and efficient scheduled Council waste collection service and ensure the impacts of waste management on the public domain and public health are minimised.

(162) ONGOING WASTE MANAGEMENT – COMMERCIAL

(a) The ongoing use of development/tenancy must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.

(b) All general waste and recycling materials emanating from the premises must be stored in the designated waste storage area(s), must not be stored outside the premises (including the public domain) at any time.

(c) All waste and recycling stream(s) storage area(s) are to only be used for the purposes of storing waste and recycling from the premises in accordance with the original consent and approved Operational Waste Management Plan and not be converted to a different use.

(d) Scheduled collections and waste management arrangements of the development/tenancy is the responsibility of the business owner or property manager and are to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan and this consent. These arrangements include:

(i) arranging an adequate number of bins and the servicing regime matched to the needs of the premises.

(ii) actively managing waste streams and supporting infrastructure to ensure bins are not overflowing, damaged or leaking and lids are fully closed at all times.

(iii) routine cleaning and maintenance of waste storage area(s) to inhibit the permeation of odour and prevent litter and pests.

(iv) the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney.

(e) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

Reason

To promote good waste management arrangements and minimise the impacts on amenity and safety caused by the presentation and collection of commercial waste.

(163) ONGOING MANGEMENT AND ACCESS TO WASTE FACILITES

The waste collection facilities and loading dock in Building F is to be accessible to all buildings and uses approved as part of this development including residential and commercial components of the building identified as S4 located in Stage S, regardless of future ownership of individual buildings.

Reason

To support the safe and efficient management and collection of residential and commercial waste for all buildings relying on the facilities located in Building F.

(164) DEFECTS LIABILITY PERIOD – PUBLIC DOMAIN WORKS

All works to the City's public domain, including rectification of identified defects, are subject to a 6 month defects liability period from the date of Completion. The date of Completion will be nominated by Council on the Public Domain Works – Letter of Completion Operational Acceptance.

Reason

To ensure all works to the City's public domain are protected under a liability period.

(165) ENCROACHMENTS – PUBLIC WAY

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

Reason

To protect the public way.

(166) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of the proposed structure shall encroach onto the adjoining properties.

Reason

To protect neighbouring properties.

(167) USE OF COMMON AREAS AND FACILITIES

(a) The roof top communal open spaces (including internal communal facilities) must be available for the use all residents of the respective buildings and must be designated as common property on any strata subdivision of the site, with no exclusive use rights.

(b) Any basement bicycle parking under future roads or parks must be designated as common property on any future strata subdivision of the site, with no exclusive use rights.

Reason

To ensure common areas within the residential development are maintained and that all works under future road and park are common property.

(168) FLOOD EMERGENCY RESPONSE PLAN

The approved Flood Emergency Response is to be implemented and operated by the building owner and/or Owners Corporation at all times.

Reason

To ensure flood risk management measures are complied with.

(169) CAR PARK VENTILATION

The car park must be ventilated in accordance with the *National Construction Code (previously known as Building Code of Australia)* and, where necessary, Australian Standard AS1668, Parts 1 and 2. Ventilation must be controlled by carbon monoxide monitoring sensors to ensure compliance with occupant health requirements.

Reason

To ensure car park ventilation complies with relevant standards.

(170) CAR WASH BAYS

(a) All car wash bays must have connections to water and sewer.

(b) All car washing must be conducted in a wash bay which is roofed and bunded to exclude rainwater, and which is graded to an internal drainage point connected to sewer in accordance with the trade waste agreement obtained from Sydney Water. Car wash run off must not enter the stormwater drainage system or give rise to water pollution.

Reason

To ensure the premises has access to water and sewer and to that run off is discharged appropriately.

(171) NOISE – COMMERCIAL PLANT / INDUSTRIAL DEVELOPMENT

(a) Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA *Noise Policy for Industry* 2017 (NPfI) unless agreed to by the City's Area Planning Manager. Further:

(i) Background noise monitoring must be carried out in accordance with the long-term methodology in *Fact Sheet B* of the NPfI unless otherwise agreed by the City's Area Planning Manager.

(ii) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.

(b) An $L_{Aeq,15\ minute}$ (noise level) emitted from the development must not exceed the $L_{A90,\ 15\ minute}$ (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:

(i) The noise level and the background noise level must both be measured with all external doors and windows of the affected residence closed.

(ii) Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premises.

(c) Corrections in *Fact Sheet C* of the NPfI are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

Reason

To protect the acoustic amenity of surrounding properties.

(172) NOISE – STRUCTURE BORNE IMPACT ON SEPARATE RESIDENTIAL PREMISE

(a) Structure borne noise emanating from the premises is not to exceed the following criterion when measured within any separate residential accommodation:

(i) LA1, Slow 15 minute ≤ LA90, 15 minute dB(A).

Reason

To protect the acoustic amenity of surrounding properties.

(173) VIBRATION

Operation of the use is not to result in the transmission of any perceptible vibration to an occupiable area within a separate premises.

Reason

To protect the amenity of surrounding properties.

(174) UNDER AWNING LIGHTING

Under awning lighting must be fitted with LED lighting technology (or other technology with an improved lighting power density – watts per square metre). Batten type fluorescent lighting is not approved. Illumination from the under awning lighting, when measured from any place in the public domain, must be designed and certified to comply with the following:

(a) the maximum horizontal luminance level must not exceed 200 lux including light spill from shop windows. Lux level may be increased to 220 lux in some areas in Central Sydney CBD;

(b) the horizontal illuminance uniformity ratio (Eavg/Emin) must not exceed 4:1 to ensure safe movement of pedestrians;

(c) the intensity, colour, period of intermittency and hours of illumination must be varied if adverse impact or Obtrusive Light in accordance with the definition in Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting is being caused to the amenity of the area;

(d) where nearby residents are located above the level of the under awning lighting, details are to be provided to show that light is not directed upwards toward such residences.

Reason

To ensure the provision of an appropriate level of illumination and to protect the amenity of the public domain.

(175) LANDSCAPE MAINTENANCE PLAN

The Landscape Maintenance Plan approved by Council under the 'Landscaping of the Site' condition of this consent must be complied with during occupation of the site.

Reason

To ensure the maintenance methodology approved under the Landscape Maintenance Plan is complied with.

(176) MAIL ROOMS

All mail rooms must be secured with access restricted to Australia Post and residents only.

Reason

To ensure mail rooms are secured.

(177) AWNING MAINTENANCE

All awnings must be regularly inspected and maintained to ensure the structural integrity and aesthetic and functional quality.

Reason

To ensure the awnings are adequately maintained.

SCHEDULE 2

PRESCRIBED CONDITIONS

The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: http://www.legislation.nsw.gov.au

SCHEDULE 3 – TERMS OF APPROVAL

The General Terms of Approval provided by Water NSW (Ref no. IDAS1158540) are as follows:

WATER NSW GENERAL TERMS OF APPROVAL

The GTA issued by WaterNSW do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to WaterNSW for the relevant approval after development consent has been issued by Council and before the commencement of any work or activity.

Dewatering

GT0115-00001	Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.
GT0116-00001	Before any construction certificate is issued for any excavation under the development consent, the applicant must: 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and 2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity Advisory Note: 3. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. 4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.
GT0117-00001	A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence. 2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement - see paragraph17A, Schedule 4 of the Water Management (General) Regulation 2018.
GT0118-00001	If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email to Customer.Helpdesk@waternsw.com.au or post completed forms to - PO Box 398 Parramatta NSW 2124 (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs

the person in writing to give the record to WaterNSW on an earlier date, by that date.

GT0119-00001 All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.

GT0120-00001 The design and construction of the building must prevent: (a)any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation; (b)obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and (c)any elevated water table from rising to within 1.0 m below the natural ground surface.

GT0121-00001 Construction phase monitoring bore requirements GTA: a) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. b) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW with the water supply work application. c) The monitoring bores must be installed and maintained as required by the water supply work approval. d) The monitoring bores must be protected from construction damage.

GT0122-00001 Construction Phase Monitoring programme and content: a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories. b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme)

GT0123-00001 (a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring

	Programme; and 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waternsw.com.au/customer-service/water-licensing/dewatering
GT0150-00001	The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual
GT0151-00001	Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.
GT0152-00001	This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.
GT0155-00001	The following construction phase monitoring requirements apply (Works Approval): a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c. The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report

SCHEDULE 4 – CONDITIONS OF CONSENT – EXTERNAL AGENCIES

The following conditions have been recommended by NSW State Agencies:

AUSGRID

Proximity to Existing Network Assets

Underground Cables

There are existing underground electricity network assets in Margaret St, Clarence St and Kent St. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

Substation

There are existing electricity substation assets Within the Building.

The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and airconditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment, or 120/120/120 where there is no oil filled equipment and be constructed of non-combustible material.

The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHZ) (ICNIRP 2010).

For further details on fire segregation requirements refer to Ausgrid's Network Standard 113.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.

For further details refer to Ausgrid's Network Standard 143.

SYDNEY WATER

Water Servicing

- Our preliminary assessment indicates that water servicing should be available for the proposed development.
- Amplifications, adjustments, deviations and/or minor extensions may be required.
- Detailed requirements will be provided at the S73 application stage.

Wastewater Servicing

- Our preliminary assessment indicates that wastewater servicing should be available for the proposed development. However, to connect into our system, the proponent needs to carry out additional modelling as relating to the following:
    - There is a category 1 overflow asset 1254100 downstream of the development on the Southern Division Submain. **The proposed 282 dwellings exceed the 200 dwellings threshold and so requires a hydraulic assessment.**
    - The developer needs to request their WSC to engage an approved hydraulic consultant to carry out wastewater modelling and confirm there is no increase in frequency / volume in the category 1 overflows due to the development.
    - If there is increase in these overflows, the hydraulic consultant needs to carry out an options assessment to identify works to ensure no deterioration condition is maintained at these overflows.
- **We recommend that the proponent engages directly with their WSC and Sydney Water as soon as possible regarding this as hydraulic modelling/options can take many months to complete. The earlier this is progressed, the better, to prevent development delay or their Section 73 from progressing.**

Growth information

Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require the proponent to provide **anticipated ultimate and annual growth data** for this development as outlined in the enclosed Growth Data Form.

Next steps

- Should the Department decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development consent.
    - Section 73 Compliance Certificate
    - Building Plan Approval

Further details of the conditions can be found in **Attachment 1.**

- **The proponent is strongly advised to continue engaging with their WSC, Account and Case Manager(s) under existing CN 214137 regarding their proposed staging work and hydraulic modelling progression.**
- The proponent should complete and return the enclosed Growth Data Form as part of the above case intel. The Growth Data Form should be updated promptly with Sydney Water in case of changes.

- Council is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and provides more information on Infrastructure Contributions.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the Land Development Manual.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the *Conditions of development consent: advisory notes*. https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf The consent should be read together with the *Conditions of development consent advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.
A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means the City of Sydney.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means the City of Sydney Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Attachment B1

Selected Drawings

118-130 EPSOM ROAD & 905 SOUTH DOWLING STREET, ZETLAND

19/03/2025

EPSOM RD ZETLAND APARTMENTS, MERITON
DEVELOPMENT APPLICATION

162

CRONE ARCHITECTS

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ABN: 80 095 989 272
Nominated Architect: Greg Crone
- NSW Reg. No. 3929

CLIENT

MERITON
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Sydney NSW

COLLABORATORS

DISCLAIMER:
All dimensions and setouts to be verified by site to comm encement, omissio ns or discrepan cies to be notified to the architect. Do no t scale from drawings. The Architect shall not be liable for a nyloss or claims for or in respect any error or outing or resulting from data tra nsferred from the com puter system of the Architect to syste ms of th e Client or o ther Consultants. Reliance of the data shall be resp onsib le for checking accuracy and completeness w ith data receive d. Any use of the electronic data in part o r wh ole shall b e at the users risk. The CAD files and the r ir ntents are represente tive on ly and cannot be relied upon beyond th e in formation provided in the PDF drawing.

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NOTES:

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

Certificate No. 0009827810
Scan QR code or follow website link for rating details.
Assessor name: Martin Pinson
Accreditation No.: DMN/19/1001
Property Address: 118 Epsom Road,Zetland NSW 2017
https://com.au/QR/Generate?prn=eP5HDNs

0 1 2 3 4 5 m
SCALE @A1

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
000 CONTEXT DRAWINGS ARCHITECTURAL - COVER SHEET

SHEET STATUS:

CHECKED BY: **Checker**

DRAWING NUMBER: **DA-00001**

REV: **B**

A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
19/03/2025 2:32:34 PM

DRAWING SCHEDULE

SHEET NUMBER	SHEET NAME	SCALE	ISSUE NO.	Current Revision Date
000 CONTEXT DRAWINGS				
00001	ARCHITECTURAL - COVER SHEET	N/A	B	18.03.25
00002	PROJECT SUMMARY AND DRAWING INDEX	N/A	B	18.03.25
00003	DEVELOPMENT SUMMARY	N/A	B	18.03.25
100 GA DRAWINGS				
00097	GENERAL ARRANGEMENT PLAN - LEVEL B3	1:250	B	18.03.25
00098	GENERAL ARRANGEMENT PLAN - LEVEL B2	1:250	B	18.03.25
00099	GENERAL ARRANGEMENT PLAN - LEVEL B1	1:250	B	18.03.25
00100	GENERAL ARRANGEMENT PLAN - LEVEL GF	1:250	C	18.03.25
00101	GENERAL ARRANGEMENT PLAN - LEVEL 01	1:250	C	18.03.25
00102	GENERAL ARRANGEMENT PLAN - LEVEL 02	1:250	B	18.03.25
00103	GENERAL ARRANGEMENT PLAN - LEVEL 03	1:250	B	18.03.25
00104	GENERAL ARRANGEMENT PLAN - LEVEL 04	1:250	B	18.03.25
00105	GENERAL ARRANGEMENT PLAN - LEVEL 05	1:250	B	18.03.25
00106	GENERAL ARRANGEMENT PLAN - LEVEL 06	1:250	B	18.03.25
00107	GENERAL ARRANGEMENT PLAN - LEVEL 07	1:250	B	18.03.25
00108	GENERAL ARRANGEMENT PLAN - LEVEL 08	1:250	B	18.03.25
00109	GENERAL ARRANGEMENT PLAN - LEVEL 09	1:250	B	18.03.25
00110	GENERAL ARRANGEMENT PLAN - LEVEL 10	1:250	B	18.03.25
00111	GENERAL ARRANGEMENT PLAN - LEVEL 11	1:250	B	18.03.25
00112	GENERAL ARRANGEMENT PLAN - LEVEL 12	1:250	B	18.03.25
00113	GENERAL ARRANGEMENT PLAN - LEVEL 13	1:250	B	18.03.25
00114	GENERAL ARRANGEMENT PLAN - ROOF	1:250	B	18.03.25
200 ELEVATIONS & SECTIONS				
00201	NORTH & WEST ELEVATIONS	1:250	B	18.03.25
00202	EAST & SOUTH ELEVATIONS	1:250	C	18.03.25
00203	SECTION 1 & SECTION 2	1:250	C	18.03.25
00204	SECTION 3 &ELEVATION 4	1:250	B	18.03.25
00205	SECTIONS 5 & 6	1:250	C	18.03.25
00206	SECTIONS 7 & 8	1:250	C	18.03.25
00208	ELEVATION BUILDING B & SECTION 10	1:250	C	18.03.25
350 MATERIALS & VISUALISATIONS				
00351	3D VIEWS - RENDER 01	N/A	B	18.03.25
400 FACADE DETAILS				
00417	FACADE DETAILS - SUNSHADING DIAGRAM	N/A	A	18.03.25
00418	FACADE DETAILS - TYPICAL FACADE DETAIL	N/A	A	18.03.25
500 SOLAR STUDIES				
00510	SUN EYE DIAGRAMS -1	N/A	B	18.03.25
00511	SUN EYE DIAGRAMS -2	N/A	B	18.03.25
600 ADG COMPLIANCE				
00601	SOLAR ACCESS & CROSS VENTILATION	1:800	B	18.03.25
00605	ADAPTABLE APARTMENT - SHEET 1	N/A	B	18.03.25
00606	ADAPTABLE APARTMENT - SHEET 2	N/A	B	18.03.25
00610	SILVER LIVEABLE APARTMENTS	N/A	B	18.03.25
700 AREA CALCULATIONS				
00704	TOTAL FLOOR AREA DIAGRAMS & SCHEDULE	1:800	B	18.03.25
700 GFA CALCULATIONS				
00701	GFA DIAGRAMS	1:800	B	18.03.25
00702	GFA AREAS	N/A	B	18.03.25
Grand total: 40				



Project Summary

This proposal has been prepared by CRONE Architects on behalf of Meriton and forms part of a Development Application to be submitted to the City of Sydney. It describes the architectural design for 118-130 Epsom Road & 905 South Dowling Street, Zetland .
The proposal was the winning scheme in a City of Sydney Competitive Design Alternatives Process and comprises:

- A mixed-use development comprising a family of buildings ranging from 3 to 14 storeys;
- Retail uses across ground floor;
- Landscape areas with a green through-site link;
- 3 rooftop communal terraces;
- 282 apartments offering a diverse range of living configurations across;
- 3 low-rise buildings;
- The construction of 3 basement levels providing storage, loading, waste management, building services and parking.

The Stage 1 Concept DA was granted deferred commencement on 2nd July 2024, and granted active consent on 5th July 2024.

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ABN: 80 095 989 272
Nominated Architect: Greg Crone
- NSW Reg. No. 3929

CLIENT

MERITON
Meriton Tower
Level 11, 528 Kent Street
Sydney NSW

COLLABORATORS

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WASTE CONSULTANT
ELEPHANTS FOOT GROUP
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INTEGRECO CONSULTING
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CIVIL ENGINEER
SKY ENGINEERING
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TOWN PLANNER
URBIS SYDNEY
LEVEL 8/123 PITT ST, SYDNEY, NSW 2000
02 8233 9900

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NOTES:
Minor changes to for m and configura tion may be requ ired when the design e s subsequently prepa red for com pl ucti o n by others after the grant of de velopment consent.

LEGEND:

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

Certificate No. 0009827810
Scan QR code or follow website link for rating details.
Assessor name: Martin Pinson
Accreditation No.: DMN/19/1021
Property Address: 118 Epsom Road,Zetland NSW 2017
https://www.nsw.gov.au/QRCertificate?pmsPID=Dw

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
000 CONTEXT DRAWINGS PROJECT SUMMARY AND DRAWING INDEX

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00002
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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OVERALL UNIT MIX COMBINED

UNIT	A	B	C	D	E	F	G	H		TOTAL	%
1 Bed	0	0	0	0	0	0	0	0		0	0.0%
1 Bed +	12	6	1	0	10	6	8	0		43	15.4%
2 Bed	32	29	5	4	3	46	15	25		159	56.8%
2 Bed +	0	0	0	0	7	0	8	0		15	5.4%
3 Bed	20	1	3	5	13	9	6	6		63	22.5%
4 Bed	0	0	0	0	0	0	0	0		0	0.0%
Total	64	36	9	9	33	61	37	31		280	100%

BUILDING SUMMARY

NW1

BUILDING A		
UNIT	#	%
1 Bed	0	0.0%
1 Bed +	12	18.8%
2 Bed	32	50.0%
2 Bed +	0	0.0%
3 Bed	20	31.3%
4 Bed	0	0.0%
Total	64	100.0%

NW1

BUILDING B		
UNIT	#	%
1 Bed	0	0.0%
1 Bed +	6	16.7%
2 Bed	29	80.6%
2 Bed +	0	0.0%
3 Bed	1	2.8%
4 Bed	0	0.0%
Total	36	100.0%

NW1

BUILDING C		
UNIT	#	%
1 Bed	0	0.0%
1 Bed +	1	11.1%
2 Bed	5	55.6%
2 Bed +	0	0.0%
3 Bed	3	33.3%
4 Bed	0	0.0%
Total	9	100.0%

NW1

BUILDING D		
UNIT	#	%
1 Bed	0	0.0%
1 Bed +	0	0.0%
2 Bed	4	44.4%
2 Bed +	0	0.0%
3 Bed	5	55.6%
4 Bed	0	0.0%
Total	9	100.0%

NW1

BUILDING E		
UNIT	#	%
1 Bed	0	0.0%
1 Bed +	10	30.3%
2 Bed	3	9.1%
2 Bed +	7	21.2%
3 Bed	13	39.4%
4 Bed	0	0.0%
Total	33	100.0%

NW2

BUILDING F		
UNIT	#	%
1 Bed	0	0.0%
1 Bed +	6	9.8%
2 Bed	46	75.4%
2 Bed +	0	0.0%
3 Bed	9	14.8%
4 Bed	0	0.0%
Total	61	100.0%

NW2

BUILDING G		
UNIT	#	%
1 Bed	0	0.0%
1 Bed +	8	21.6%
2 Bed	15	40.5%
2 Bed +	8	21.6%
3 Bed	6	16.2%
4 Bed	0	0.0%
Total	37	100.0%

NW2

BUILDING H		
UNIT	#	%
1 Bed	0	0.0%
1 Bed +	0	0.0%
2 Bed	25	80.6%
2 Bed +	0	0.0%
3 Bed	6	19.4%
4 Bed	0	0.0%
Total	31	100.0%

GFA (m2)

	NW1					NW2					
BUILDING LEVEL	A	B	C	D	E	F	G	H	RESIDENTIAL	RETAIL	
13	398								398		
12	398								398		
11	398								398		
10	398								398		
9	398								398		
8	398				326				724		
7	519	435			413	647		403	2,417		
6	515	437			413	809	402	403	2,979		
5	515	437			413	809	402	403	2,979		
4	515	437			413	809	402	403	2,979		
3	515	437			413	809	559	403	3,136		
2	515	437	281	321	465	809	717	403	3,948		
1	415	402	292	335	391	753	665	379	3,632		
Ground	125	302	273	322	114	310	669	323	2,438		
	6,022	3,324	846	978	3,361	5,755	3,816	3,120	27,222	882	28,104

GFA (m2)

	A	B	C	D	E	F	G	H	I	TOTAL
RESIDENTIAL	6,022	3,324	846	978	3,361	5,755	3,816	3,120	0	27,222
RETAIL	249	122	0	0	297	214	0	0	0	882
TOTAL GFA	6,271	3,446	846	978	3,658	5,969	3,816	3,120	0	28,104

ADG / AUTHORITY COMPLIANCE

COMPLIANCE

	A	B	C	D	E	F	G	H		TOTAL	%
SOLAR>2H	64	22	2	3	27	37	19	17		191	68%
NON SOLAR	0	8	7	1	0	6	5	7		34	12.1%
CROSS VENT	30	15	7	7	26	28	22	24		159	61.2%

NUMBER OF UNITS WITHIN 1st 9 STOREYS: 260

PARKING

Residential	Resi Standard and Tandem Parking	Resi Accessible	TOTAL RESI
TOTAL	229	42	271

Resi Visitor Parking (2 Adaptable)	Retail Parking (1 adaptable)	Car Share	Service (basement), other 2 in loading dock	TOTAL OVERALL
25	17	4	7	324

Motorbike	Bicycles
26	320

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 break added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 break added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs+R0.2 break added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insulation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard +optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below +12.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R2.2 break) and/or R4.8+foil +breaks for 212, 213, 214, 237, 630, 631, 632, 633, 634, 635, 707, 711, 721 724, 729, 741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium for plants/tiles)
Skylights for units	Double glaze/tint, U ≤ 2.7, SHGC +0.2 ±5% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic hole assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic hole assumed, as per protocol
Ceilings fans (adding >0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms etc (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	0.32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 631, + 134 to 434, 142 to 642, 235 to 435 and 113, 135, 212, 534, 623, 635, 710, 724, 729, 743, 818, 820, 1301, 1302, 1303, g07, g9, g32, g40
Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g33, g42

BASIX Energy Item	Proposed for Development
Building management system (BMS)	Yes
Active power factor correction (PFC)	Optional
Photovoltaic Solar Power	60 kW total PV
Hot Water	Heat Pump COP >3.0 (R1 for ringmain +supply risers)
Lift type	Gearless, VVVF lift motors + regenerative drives
Lifts served	Lifts serve all levels as shown
Sauna	Electric infrared + stand-by timer
Swimming Pools	Approx 108 kL + pump timer + heat pump heating (1.5m deep)
Spas	Approx 6 kL + pump timer + heat pump heating
Kitchen Exhaust	Fan to façade/roof - manual switch
Bathroom Exhaust	Fan to façade/roof - manual switch
Laundry Exhaust	Fan to façade/roof - manual switch
Lighting for Unit Rooms	LEDs ≥80% fittings (all dedicated)
Heating for Dwellings (beds + living)	1 phase system, 4.0 or more for EER
Cooling for Dwellings (beds + living)	1 phase system, 3.5 or more for EER
HVAC zoning for units	Not used (hence, bedrooms and living can be cooled at same time)
Clothes lines	Not supplied for units
Cooking	Induction cooktop & electric oven
Clothes washers common	Not supplied
Clothes washers	Not supplied
Clothes dryers	3 star energy
Dishwashers	4-star energy

BASIX Water Item	Proposed for Development
Showers	≤ 6.0 L/min (low-flow in BASIX)
Toilets	4 star, or better
Kitchen Taps	5 star, or better
Bathroom Taps	5 star, or better
Clothes washers private	None provided
Clothes washers common	None provided
Dishwashers	4 star WELS or better
Rainwater Tank	15 kL minimum – collects >500 m2
Rainwater Tank Use	Irrigation for lawns + planting (pool and car wash optional)
Sprinkler test water	All "test water" re-used in a closed loop
Landscaping Area	3,640 m2 total (includes 620 m2 of lawn or less)
Landscaping Types	Locally indigenous and/or low water "-dirtp" >50% (total planting)
Swimming Pools	Approx 108 kL + pump timer + heat pump heating (1.5m deep)
Spas	Approx 6 kL + pump timer + heat pump heating

CRONE ARCHITECTS

Crone Partners Pty Ltd
Level 18, 680 George Street,
Sydney, NSW 2000, Australia
Ph: +61 2 8295 5300
Fax:+61 2 8295 5301
ABN: 80 095 989 272
Nominated Architect: Greg Crone
- NSW Reg. No. 3929

CLIENT

MERITON
Meriton Tower
Level 11, 528 Kent Street
Sydney NSW

COLLABORATORS

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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

Certificate No. 0009827810
Assessor name: Martin Pinson
Accreditation No.: DMN/19/1927
Property Address: 118 Epsom Road,Zetland NSW 2017

0 1 2 3 4 5 m
SCALE @A1

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
000 CONTEXT DRAWINGS DEVELOPMENT SUMMARY

SHEET STATUS:
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-A-00003**
REV: **B**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage-2-Epsom Rd Zetland_NW1_R24.rvt
27/03/2025 2:30:14 PM

ROAD	
VISITOR	8
ROAD: 8	

NW2	
ACCESSIBLE	9
STANDARD	52
TANDEM	5
NW2: 66	

BASEMENT TOTALS

ACCESSIBLE	42
CAR SHARE	4
RETAIL	17
SERVICE	7
STANDARD	207
TANDEM	22
VISITOR	25

TOTAL CAR SPACES: 324

CAR SPACES SCHEDULE

LEVEL	COUNT
Basement Level 03	74
Basement Level 02	154
Basement Level 01	94
Ground Level	2

TOTAL CAR SPACES: 324

MOTORBIKES SCHEDULE

LEVEL	COUNT
Basement Level 02	23
Basement Level 01	3

TOTAL MOTORBIKE SPACES: 26

BICYCLES SCHEDULE

LEVEL	COUNT
Basement Level 01	159
Basement Level 03	161

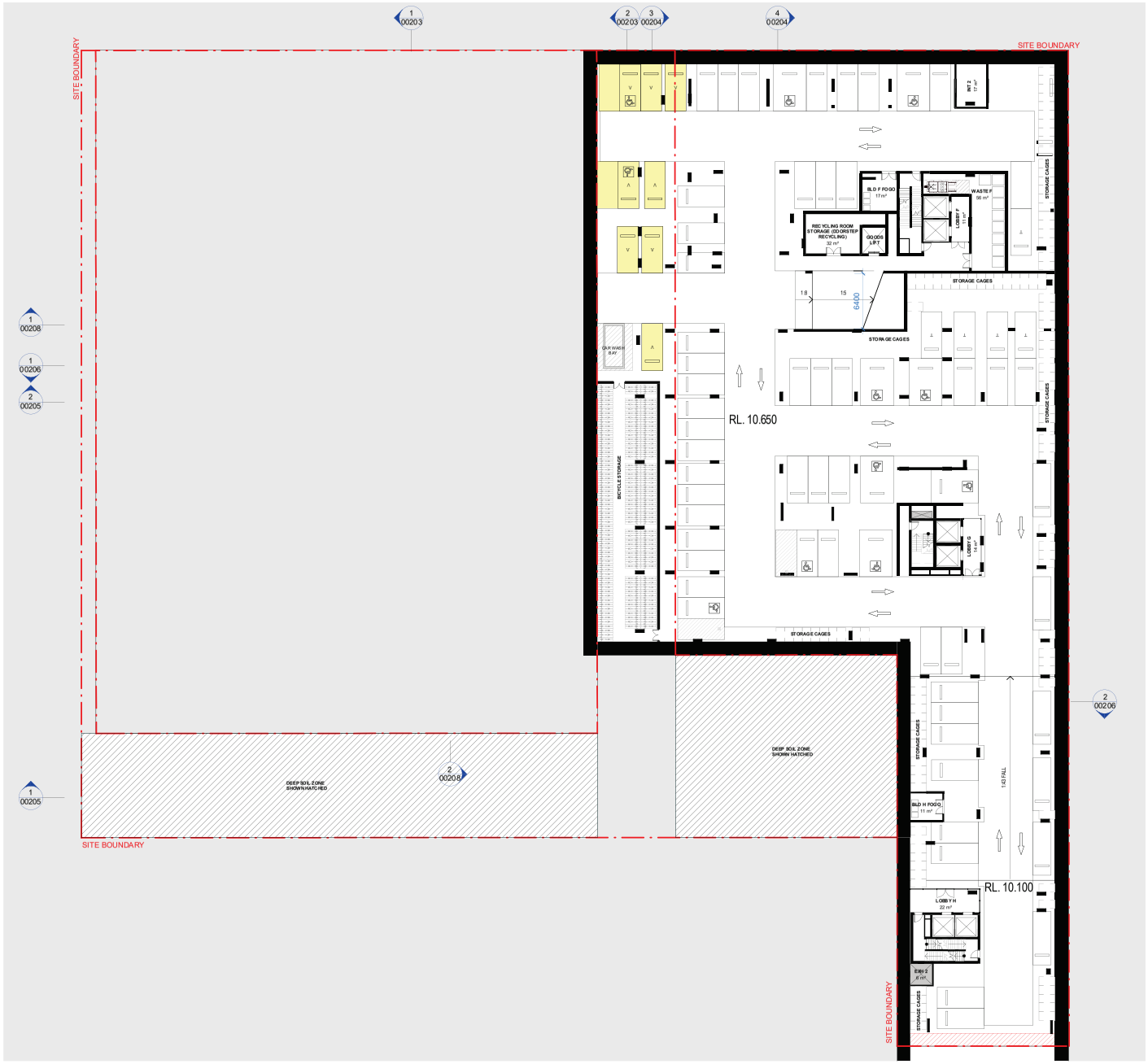
TOTAL BICYCLE SPACES: 320

STORAGE COUNT

Level	Count
Basement Level 03	105
Basement Level 02	147
Basement Level 01	38

TOTAL CAGES: 290

165



Hamilton - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 break added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 break added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 break added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insuation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard ining inside unit
Internal Walls	Plasterboard on Studs and some concretes as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 break) except R4.0+R1 +break for 212, 213, 214, 237, 630, 631, 632, 633, 634, 635, 707, 711, 721, 724, 729,741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium fo plants/tiles)
Skylights for units	Double glaze/tint, U ≤ 2.7, SHGC <0.241(5% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms/etc (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metalframes + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	≤ 32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metalframes + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	1.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 115, 135, 212, 594, 623, 695, 718, 724, 729, 743, 818, 820, 1301, 1302, 1303, g01, g06, g16, g40 Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g33, g42

Certificate No. 0009827810
Scan QR code or follow website link for rating details.
Assessor name Martin Pinson
Accreditation No. DMN/19/1021
Property Address 118 Epsom Road,Zetland NSW 2017
https://www.nathers.gov.au/certificate/qrcode/PE4D5e

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NOTES:
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LEGEND: Parking Type

- Retail
- Visitor
- Residential
- Service
- Additional (Supplied to south lot)

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RW	=REFUSE GENERAL WASTE
RC	=REFUSE RECYCLING
G	=GARBAGE EXHAUST

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA



0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL B3

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00097
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/2/2025 10:01:54 AM

NW1	
ACCESSIBLE	6
RETAIL	17
SERVICE	2
STANDARD	42
TANDEM	10
NW1: 77	

CAR SHARE	4
VISITOR	16
ROAD: 20	

NW2	
ACCESSIBLE	8
STANDARD	47
TANDEM	2
NW2: 57	
ROAD	

BASEMENT TOTALS

ACCESSIBLE	42
CAR SHARE	4
RETAIL	17
SERVICE	7
STANDARD	207
TANDEM	22
VISITOR	25

TOTAL CAR SPACES: 324

CAR SPACES SCHEDULE

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LEVEL	COUNT
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Basement Level 01	3

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Basement Level 03	161

TOTAL BICYCLE SPACES: 320

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Level	Count
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TOTAL CAGES: 290

166



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Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 units rooms over basement/air (R3.5 for GD7)
Roofs 1 - penthouse + larger terraces	Concrete +R2.5 (+R0.2 breek) except R4.0+rf +trreek for 212, 213, 214, 257, 630, 631, 632, 633, 634, 635, 707, 711, 723, 724, 729741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 breek added)
Roof Colour	Light colour main roofs (some medium & plants/tiles)
Skylights for units	Double-glass/tint, U ≤ 2.7, SHGC +0.24/5% (VELUX, ets)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
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Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	1.39 ± 5%

Glass 1 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 113, 135, 212, 536, 623, 635, 716, 724, 729, 743, 818, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 whole unit 106, 213, 236, 237, 630, 634, 721, 723, 742, g35, g42

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Assessor name Martin Pickers
Accreditation No. DMN/19/1021
Property Address 118 Epsom Road,Zetland NSW,2017
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ABN: 80 095 989 272
Nominated Architect: Greg Crone
- NSW Reg. No. 3929

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Sydney NSW

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TRAFFIX
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NOTES:
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LEGEND: Parking Type

- Retail
- Visitor
- Residential
- Service
- Additional (Supplied to south lot)

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RW	=REFUSE GENERAL WASTE
RC	=REFUSE RECYCLING
G	=GARBAGE EXHAUST

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA



0 2.5 5 7.5 10 12.5m

SCALE 1 : 250 @A1 NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL B2

SHEET STATUS:

CHECKED BY: **Checker**

DRAWING NUMBER: **DA-00098**

REV: **B**

A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/08/2025 10:02:17 AM

BASEMENT TOTALS

ACCESSIBLE	42
CAR SHARE	4
RETAIL	17
SERVICE	7
STANDARD	207
TANDEM	22
VISITOR	25

TOTAL CAR SPACES: 324

CAR SPACES SCHEDULE

LEVEL	COUNT
Basement Level 03	74
Basement Level 02	154
Basement Level 01	94
Ground Level	2

TOTAL CAR SPACES: 324

MOTORBIKES SCHEDULE

LEVEL	COUNT
Basement Level 02	23
Basement Level 01	3

TOTAL MOTORBIKE SPACES: 26

BICYCLES SCHEDULE

LEVEL	COUNT
Basement Level 01	159
Basement Level 03	161

TOTAL BICYCLE SPACES: 320

STORAGE COUNT

Level	Count
Basement Level 03	105
Basement Level 02	147
Basement Level 01	38

TOTAL CAGES: 290

167

NW1	
ACCESSIBLE	11
STANDARD	49
TANDEM	3
NW1: 63	

NW2	
ACCESSIBLE	8
SERVICE	3
STANDARD	17
TANDEM	2
VISITOR	1
NW2: 31	



NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 break added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 break added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 break added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insuation
Unit Walls next to halls/lobbies 2	Concrete columns rolasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concretes shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 unde rooms over basement/air (R3.5 for GD7)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R2.2 break) except R4.8+R1 +break for 212, 213, 214, 237, 630, 631, 633, 633, 634, 635, 707, 711, 721, 724, 729,741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium fo plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC +0.24±5% (VELUX, ete)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding >0.5 star per unit)	Fans simulated in each living, bed and study – ø1mm 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathroomstec (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metalframes + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	≤ 32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metalframes + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	1.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to -84, 142 to 642, 235 to 439 and: 113, 135, 212, 334, 623, 635, 718, 724, 729, 743, 818, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g35, g42

Certificate No. 0009827810
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- Service
- Additional (Supplied to south lot)

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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA



0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1 NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL B1

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00099
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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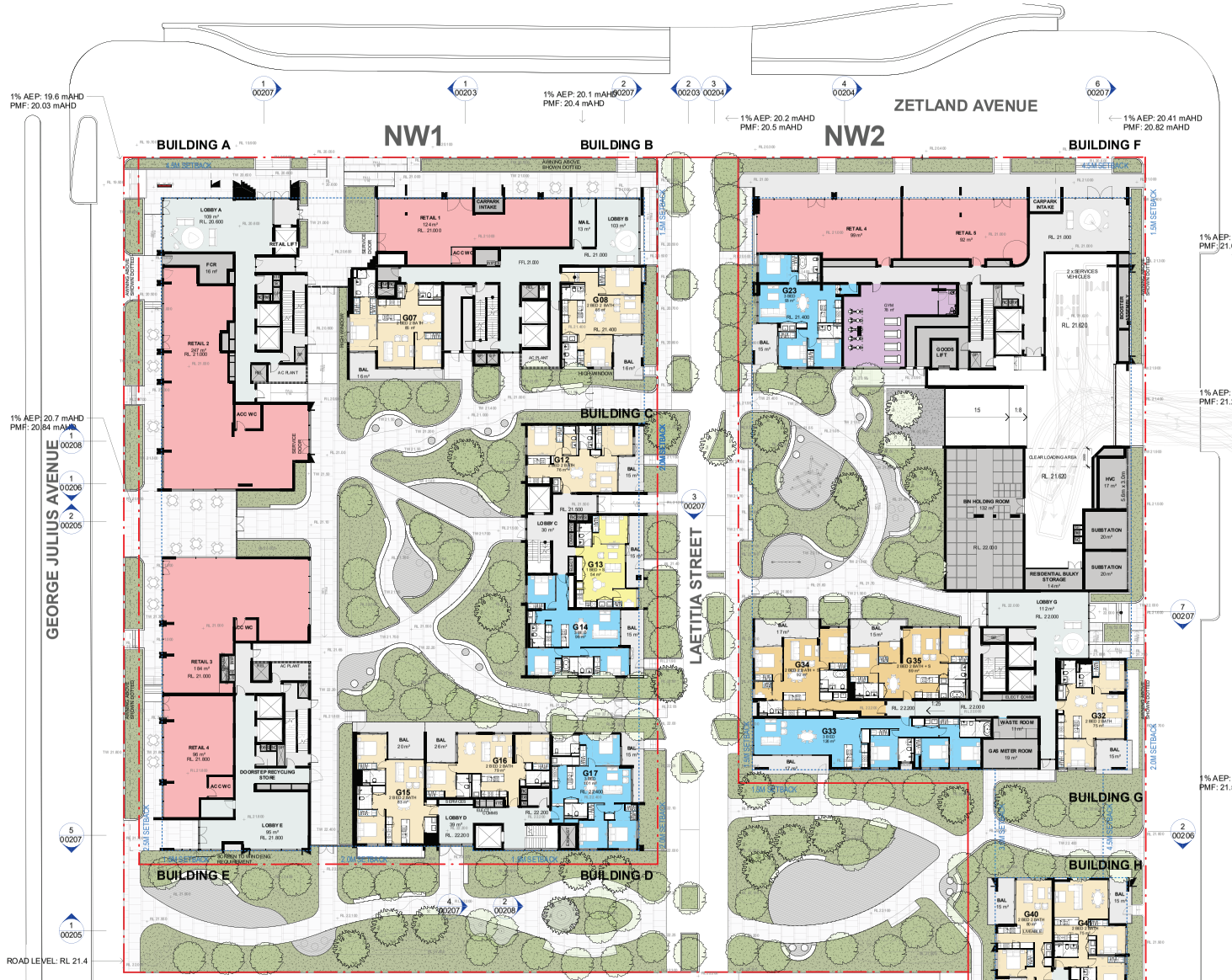

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 break added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 break added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 break added)
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Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard inlng inside unit
Internal Walls	Plasterboard on Studs and some concretes as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for GB7)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 break), except R4.0+R1 +break for 212, 213, 214, 217, 616, 632, 652, 653, 654, 655, 707, 711, 721, 724, 726,741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium fo ptions/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC =0.24±5% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather stripping	ex external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assume, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assume, as per protocol
Ceilings fans (adding >0.5 star per unit)	Fans simulated in each living, bed and study – ø1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	≤ 32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	1.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 439 and 316, 335, 212, 534, 624, 635, 718, 724, 726, 743, 818, 820, 1301, 1302, 1303, g57, g58, g32, g40
Glass 2 whole unit 156, 213, 236, 237, 630, 634, 721, 723, 742, g33, g62

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL GF
SCALE 1 : 250

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LEGEND:
- 1 BED + S -------- DCP SETBACK
- 2 BED
- 2 BED + S
- 3 BED
- GYM
- LOBBY
- PLANT
- RETAIL TENANCY

RW	=REFUSE GENERAL WASTE	
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Rev	Date	By	Revision Notes
C	18.03.25		RESPOND TO COUNCILS RFI
B	28.01.25		ISSUE FOR INFORMATION
A	07.11.24		ISSUE FOR DA

SCALE 1 : 250 @A1 — NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL GF

SHEET STATUS: **PRELIMINARY**
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-A-00100**
REV: **C**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 01
SCALE 1 : 250

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Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	3.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 500 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 119, 135, 212, 514, 625, 635, 716, 724, 729, 743, 818, 820, 1301, 1302, 1303, g01, g04, g11, g61
Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g33, g42

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- 2 BED
- 2 BED + S
- 3 BED
- LOBBY
- DCP SETBACK

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RW	=REFUSE GENERAL WASTE
RC	=REFUSE RECYCLING
G	=GARBAGE EXHAUST

Rev	Date	By	Revision Notes
C	18.03.25		RESPOND TO COUNCILS RFI
B	17.01.25		ISSUE FOR INFORMATION
A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 01

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00101
REV: C
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/2/2025 10:51:10 AM



NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 break added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 break added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 break added)
Unit Walls next to halls/lobbies 1	Masterboard and studs + R2 acoustic insulation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard ring inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R2.5 (+R2.2 brass) except R4.0+R +Unrwk for 212, 215, 234, 257, 650, 651, 652, 654, 655, 707, 711, 721, 724, 729,741, 743, 745, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium fir plants/tiles)
Skylights for units	Double glaze/tint, U ≤ 2.7, SHGC +0.24(55% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms(as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	3.32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	3.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 652, + 134 to -04, 142 to 642, 235 to 435 and 115, 135, 212, 154, 625, 635, 716, 724, 729, 749, 818, 820, 1301, 1302, 1303, g01, g04, g11, g40
Glass 2 whole unit 136, 213, 236, 237, 650, 654, 721, 723, 742, g33, g42

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 02
SCALE 1 : 250

Certificate No. 0009827810
Assessor name Martin Pinson
Accreditation No. DMN/19/1021
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Nominated Architect: Greg Crone
- NSW Reg. No. 3929

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02 8233 9900

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NOTES:
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LEGEND:
- 1 BED + S
- 2 BED
- 2 BED + S
- 3 BED
- DCP SETBACK

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R/W =REFUSE GENERAL WASTE
RC =REFUSE RECYCLING
G =GARBAGE EXHAUST

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

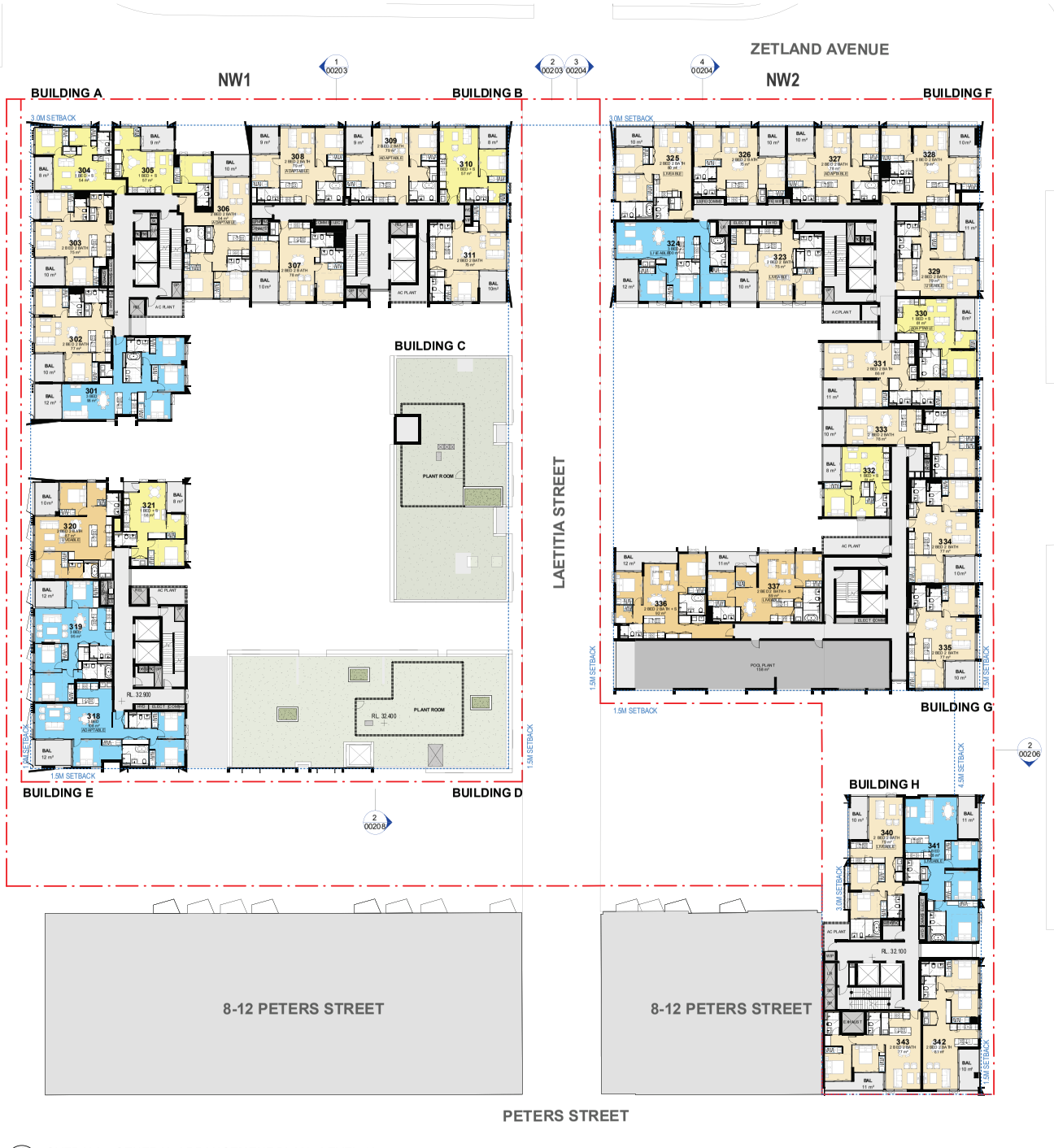
0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 02

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00102
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/28/2025 10:02:20 AM



ISSUERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 bwok added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 bwok added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 bwok added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insulation
Unit Walls next to lifts/stairs/etc	Concrete columns +plasterboard +R3.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including to hg/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 bwok) except R4 &+H +break for 232, 233, 234, 237, 630, 631, 632, 633, 634, 635, 707, 711, 715, 724,741, 742, 743, 816, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium fc plants/tiles)
Skylights for units	Double glass/trim, U ≤ 2.7, SHGC +0.24±5% (VELUX etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms/ens (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	≤ 0.2 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 115, 135, 212, 534, 623, 635, 710, 716, 726, 729, 743, 816, 820, 1301, 1302, 1303, g01, g04, g12, g40
Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g33, g42

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 03
SCALE 1 : 250

Certificate No. 0009827810
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- 2 BED
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- 3 BED
- PLANT
- DCP SETBACK

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RW	=REFUSE GENERAL WASTE	
RC	=REFUSE RECYCLING	
G	=GARBAGE EXHAUST	

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 03

SHEET STATUS: HOT SET
CHECKED BY: Checker
DRAWING NUMBER: DA-00103
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/28/2025 10:03:52 AM



NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 breb added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 breb added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 breb added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insulation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 breb) except R4.0+R1 +breb for 212, 213, 214, 217, 630, 631, 632, 633, 634, 635, 707, 711, 723, 724, 729,741, 742, 743, 816, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 breb added)
Roof Colour	Light colour main roofs (some medium to plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC +0.24/5% (VEU/L45/45)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms etc (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 5.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	≤ 32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 113 to 615 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 119, 195, 232, 594, 625, 695, 718, 724, 729, 749, 816, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g33, g42

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 04
SCALE 1 : 250

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- 2 BED
- 2 BED + S
- 3 BED
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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 04

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00104
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/28/2025 10:04:11 AM



173

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 brek added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 brek added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 brek added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insuation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concretejas shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 brek) except R4.0+W +breek for 212, 215, 214, 207, 649, 691, 692, 693, 694, 695, 707, 721, 723, 724, 729,741, 742, 743, 816, 820, 1301, 1302, 1303
Roofs 1 – below smaller balconies	Concrete + R2.5 added (+R0.2 brek added)
Roof Colour	Light colour main roofs (some medium for plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC +0.2455% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – diameter 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	≤ 0.2 ± 5%
Window - Fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%

Glass 2 sliders 107 to 707 + 103 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 84, 142 to 642, 235 to 435 and 113, 135, 212, 534, 623, 635, 710, 724, 729, 745, 816, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g35, g62

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 05
SCALE 1 : 250

Certificate No. 0009827810
Scan QR code or follow website link for rating details.
Assessor name Martin Pinson
Accreditation No. DMN/19/1921
Property Address 118 Epsom Road,Zetland NSW,2017

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- NSW Reg. No. 3929

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- 2 BED
- 2 BED + S
- 3 BED
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R/W =REFUSE GENERAL WASTE
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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 05

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00105
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/28/2025 10:04:35 AM



1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 06
SCALE 1 : 250

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 brek added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 brek added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 brek added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insulation
Unit Walls next to lifts/stairs/etc 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concrete in shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including bath/shining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 break) except R4.0+R1 +breek for 212, 213, 214, 237, 630, 631, 632, 633, 634, 635, 707, 715, 725, 726, 735,741, 743, 745, 816, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium fo plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC ≤0.24±5% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms/ens (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 5.7	≤ 3.2
Windows - SHGC	0.35 ± 5%	1.32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.9	≤ 3.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.9	≤ 3.2
Windows - SHGC	0.42 ± 5%	1.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 125 to 530 + 150 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 115, 135, 212, 534, 625, 635, 715, 724, 726, 735, 743, 816, 818, 820, 1301, 1302, 1303, g01, g08, g12, g40
Glass 2 whole unit 136, 215, 236, 237, 630, 634, 721, 723, 742, g33, g42

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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

SCALE 1 : 250 @A1 NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 06

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00106
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/28/2025 10:05:56 AM



1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 07
SCALE 1 : 250

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 break added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 break added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 break added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insulation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard ining inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.0 for GD7)
Roofs 1 - penthouse + larger terraces	Concrete + R3.5 (+R2.5 min except R4.0+R6 +liners for 212, 213, 214, 237, 630, 631, 632, 643, 644, 645, 703, 710, 711, 724, 726,741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium for plants/tiles)
Skylights for units	Double glass/trim, U ≤ 2.7, SHGC <0.24(3% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
weather stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms/ens (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	3.32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.0	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 113, 135, 212, 534, 625, 635, 716, 724, 729, 745, 818, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 hinde unit 136, 213, 236, 237, 630, 634, 721, 731, 742, g31, g42

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- NSW Reg. No. 3929

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A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 07

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00107
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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Attachment B2

Selected Drawings



1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 08
SCALE 1 : 250

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 brek added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 brek added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 brek added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insulation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
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Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard ning inside unit
Internal Walls	Plasterboard on Studs and some concretes as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including byng/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 unde rooms over basement/air (R3.5 for 007)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 breal) except R4.0+R (+breek for 212, 213, 214, 237, 600, 631, 632, 633, 634, 635, 707, 711, 721, 724, 726,741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 breal added)
Roof Colour	Light colour main roofs (some medium for plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC +0.24±5% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding ≤5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel Insulation on edge	Insulation + colour-back glass to some bathroomsetc (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metalframes + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	≤ 32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metalframes + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	detal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	1.39 ± 5%
Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 115, 135, 212, 334, 623, 635, 718, 724, 729, 743, 818, 820, 1301, 1303, g01, g06, g12, g40 Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g33, g42		

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NOTES:
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- 2 BED
- 3 BED
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R/W	=REFUSE GENERAL WASTE
RC	=REFUSE RECYCLING
G	=GARBAGE EXHAUST

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 08

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00108
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/28/2025 10:05:30 AM

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NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 break added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 break added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 break added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insuation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for GIDT)
Roofs 1 - penthouse + larger terraces	Concrete +R1.5 (+R1.2 break) except R4.0+R1 +break for 212, 215, 214, 207, 650, 691, 692, 693, 694, 695, 707, 711, 723, 724, 729,741, 742, 743, 816, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium for plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC =0.245(N (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather stripping	on external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding >0.5 star per unit)	Fans simulated in each living, bed and study – ø56mm 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms, etc (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	3.32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 15%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	3.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 132 to 622 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 04, 142 to 642, 235 to 435 and 119, 195, 212, 594, 623, 695, 716, 724, 729, 749, 749, 816, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 whole unit 156, 213, 236, 237, 650, 694, 721, 723, 742, g03, g42

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 09
SCALE 1 : 250

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R/W =REFUSE GENERAL WASTE
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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 09

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: **DA-00109**
REV: **B**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/2/2025 10:02:26 AM



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1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 10
SCALE 1 : 250

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 bwok added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 bwok added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 bwok added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insuation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard integ inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including b/rg/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for GIDT)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 break) except R4.8+R +breaks for 212, 213, 214, 257, 630, 631, 632, 633, 634, 635, 707, 713, 723, 724, 725,741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium for plants/tiles)
Skylights for units	Double glaze/tint, U ≤ 2.7, SHGC ±0.24±5% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms/etc (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	U 3.7	U 3.2
Windows - SHGC	0.35 ± 5%	0.32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	U 2.9	U 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	U 2.9	U 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 125 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 115, 135, 212, 534, 625, 635, 716, 724, 726, 743, 816, 818, 820, 1301, 1302, 1303, g01, g08, g11, g40
Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g35, g42

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- NSW Reg. No. 3929

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RC =REFUSE RECYCLING
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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 10

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00110
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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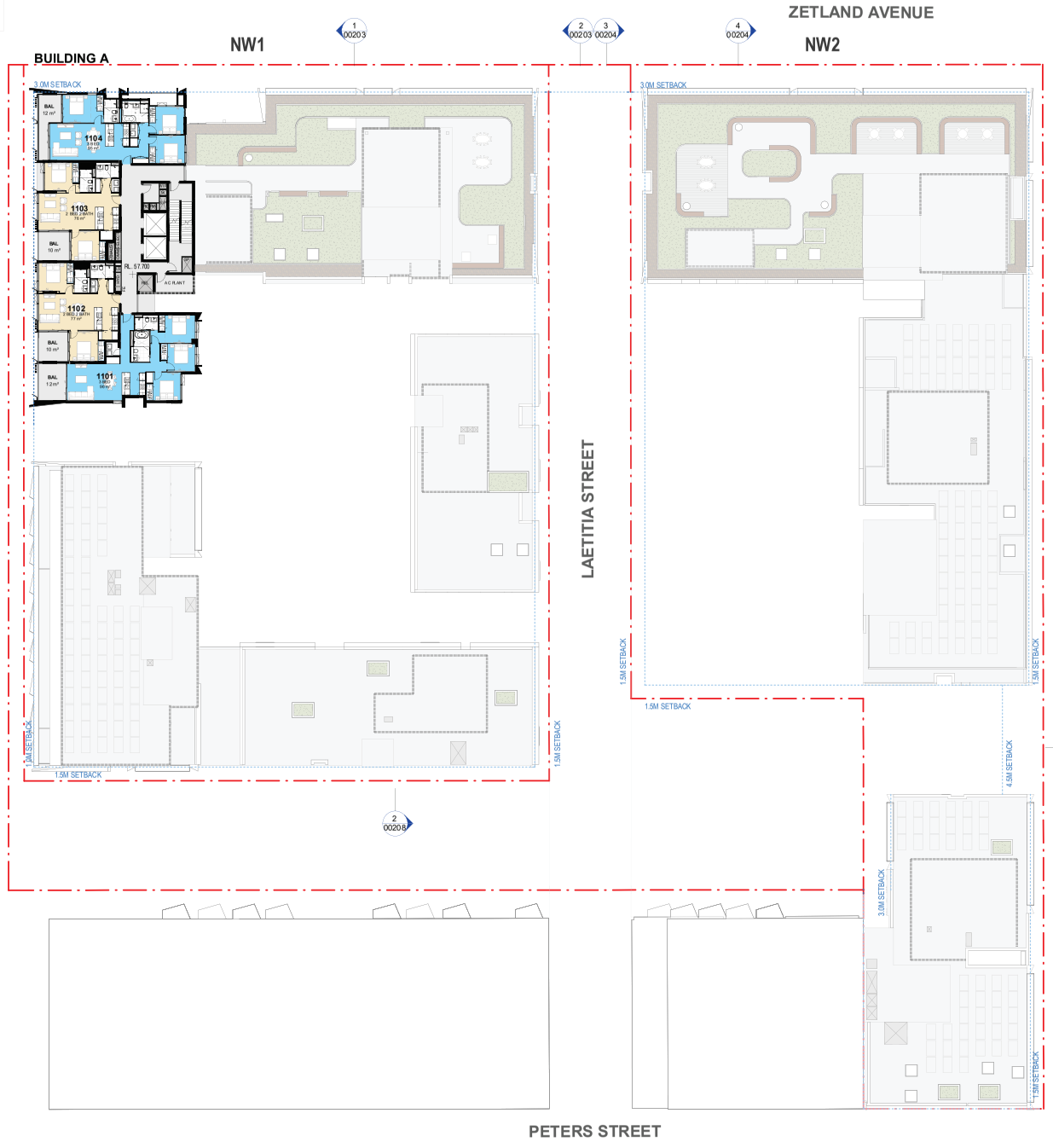

180

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 batt added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 batt added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 batt added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insulation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including tiling/skirting
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for GGT)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R2.2 batt) except R4.0+R1 +break for 212, 213, 214, 237, 650, 651, 653, 654, 655, 707, 711, 715, 724, 729,741, 742, 743, 816, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium fr plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC +0.24(5% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Inverter strapping	As external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – ø1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathroom as shown

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	0.32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	detail frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 115, 135, 212, 564, 623, 635, 716, 724, 729, 744, 818, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 whole unit 136, 213, 236, 237, 630, 654, 721, 723, 742, g33, g42

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 11
SCALE 1 : 250

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Accreditation No. DMN/19/1921
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NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 brek added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 brek added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 brek added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insuation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard inlng inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for GD?)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R2.3 insul) except 64,6+R1 +3insul for 212, 213, 214, 237, 630, 631, 632, 633, 634, 635, 707, 711, 723, 724, 729,741, 742, 743, 816, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R2.3 brek added)
Roof Colour	Light colour main roofs (some medium-fc plants/tiles)
Skylights for units	Double glaze/tint, U ≤ 2.7, SHGC +0.24±5% (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding +0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms(as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	↓2.2
Windows - SHGC	0.35 ± 5%	↓32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	↓2.2
Windows - SHGC	0.42 ± 5%	↓39 ± 5%
Glass 1 sliders 107 to 707 + 110 to 711 + 121 to 621 + 123 to 530 + 130 to 631 + 132 to 632, + 134 to 64, 142 to 642, 235 to 435 and 115, 135, 212, 534, 625, 635, 716, 724, 729, 740, 814, 820, 1301, 1302, 1303, g07, g08, g12, g40 Glass 2 whole unit 136, 213, 236, 237, 630, 634, 721, 723, 742, g33, g42		

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 12
SCALE 1 : 250

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- NSW Reg. No. 3929

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- 2 BED
- 3 BED
- DCP SETBACK

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RW =REFUSE GENERAL WASTE
RC =REFUSE RECYCLING
G =GARBAGE EXHAUST

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 12

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00112
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
4/2/2025 10:07:32 AM



182

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 break added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 break added)
External Walls 3	Brick Veneer +R2.5 added (Metal studs +R0.2 break added)
Unit Walls next to halls/lobbies 1	Plasterboard and studs + R2 acoustic insulation
Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (plastbd by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block-and-plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including bunk/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R1.5 +R0.2 break) except R4.0+R1 +break for 212, 213, 214, 237, 630, 631, 632, 633, 634, 635, 707, 711, 723, 724, 729, 741, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium by plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC <0.24(SS) (VELUX, etc)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	RCP not finalised, so generic holes assumed, as per protocol
Ceiling Penetrations Fans	RCP not finalised, so generic holes assumed, as per protocol
Ceilings fans (adding >0.5 star per unit)	Fans simulated in each living, bed and study – generic 1400 size
Spandrel insulation on edge	Insulation + colour-back glass to some bathrooms/ensuites (as shown)

Glazing for UNITS	Glass 1 – Most Units Except List Below	Glass 2 – Few Problem Units (see list below)
Windows - awning/hinged	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 3.7	≤ 2.2
Windows - SHGC	0.35 ± 5%	3.92 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	3.39 ± 5%

Glass 2 sliders 107 to 707 + 110 to 711 + 122 to 622 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to 04, 142 to 642, 235 to 435 and 118, 195, 212, 584, 623, 635, 718, 724, 729, 743, 818, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 whole unit 130, 213, 236, 237, 630, 634, 721, 723, 742, g10, g42

1 OVERALL - GENERAL ARRANGEMENT PLAN - LEVEL 13
SCALE 1 : 250

Certificate No. 0009827810
Assessor name Martin Pinson
Accreditation No. DMN/19/1501
Property Address 118 Epsom Road,Zetland NSW,2017

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LEGEND:
- 2 BED
- 3 BED
- DCP SETBACK

RW =REFUSE GENERAL WASTE
RC =REFUSE RECYCLING
G =GARBAGE EXHAUST

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

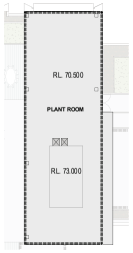
0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

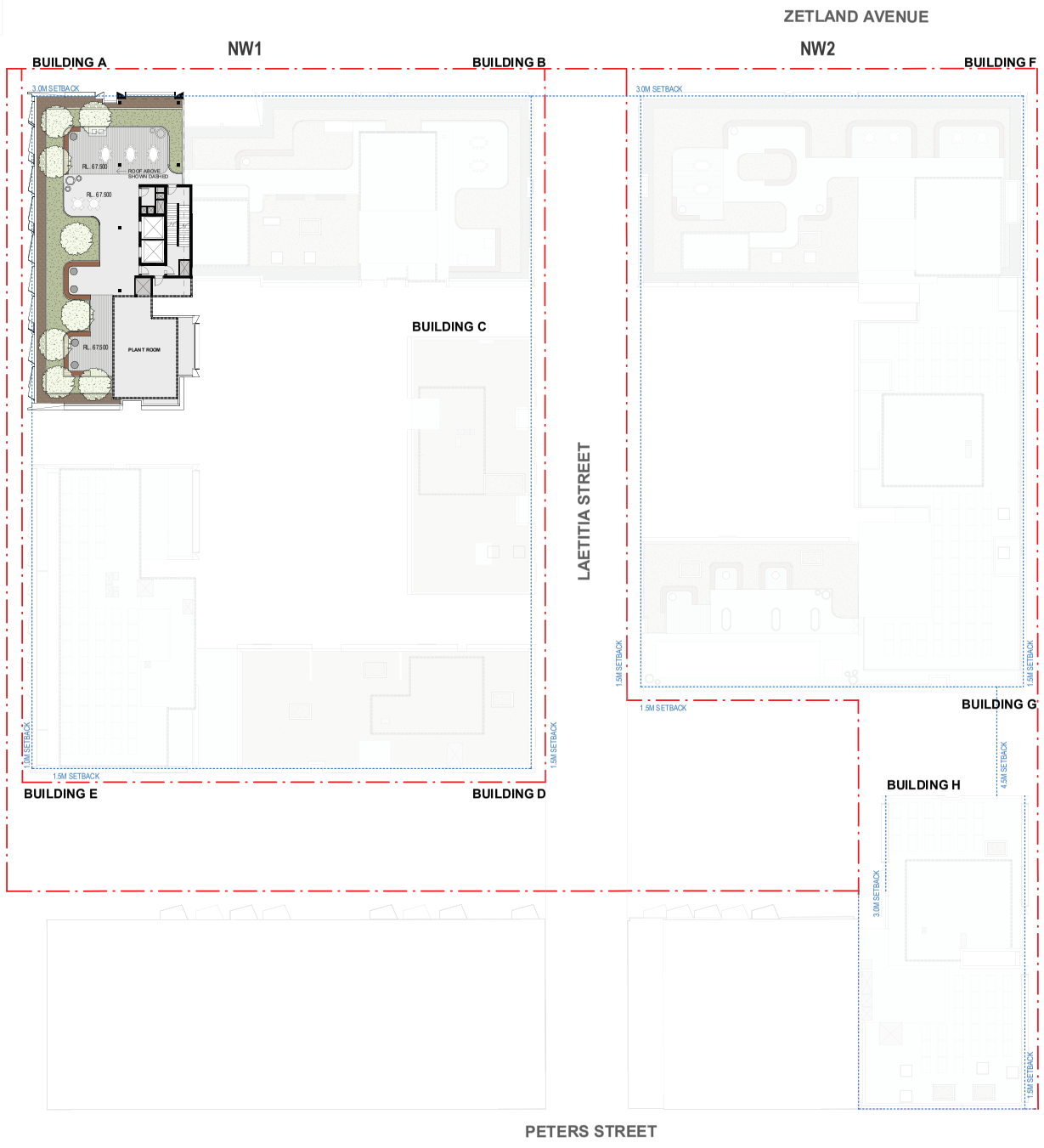
DRAWING TITLE:
100 GA DRAWINGS GENERAL ARRANGEMENT PLAN - LEVEL 13

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00113
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage-2-Epsom Rd Zetland_NW1_R24.rvt
4/28/2025 10:00:22 AM



2 **ROOF BUILDING A**
SCALE 1 : 250



1 **OVERALL - GENERAL ARRANGEMENT PLAN - ROOF**
SCALE 1 : 250

183

NatHERS - Thermal Comfort UNITS	Proposed Specifications for units
External Walls 1	Concrete wall + R2 added (Metal studs +R0.2 batt added)
External Walls 2	Metal or Glass +R2.5 added (Metal studs +R0.2 batt added)
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Unit Walls next to halls/lobbies 2	Concrete columns +plasterboard +R1.5 insulation
Party walls 1	Plasterboard and studs + optional insulation (dictated by acoustic)
Party walls 2	Concrete columns, lined plasterboard + optional insulation
Walls next to lifts/stairs/etc	Concrete or filled block and plasterboard lining inside unit
Internal Walls	Plasterboard on Studs and some concrete as shown
Floor Finishes (as shown)	Carpet - bedrooms, tiles – elsewhere including living/dining
Internal Floors	Concrete floors, with plasterboard below
External Floors (air or basement below)	Concrete slab & basement or air below + R2.5 under rooms over basement/air (R3.5 for G07)
Roofs 1 - penthouse + larger terraces	Concrete +R3.5 (+R0.2 break) except R4.0+R1 +break for 210, 215, 214, 237, 630, 631, 632, 633, 634, 635, 707, 711, 723, 724, 729,743, 742, 743, 818, 820, 1301, 1302, 1303
Roofs 1 - below smaller balconies	Concrete + R2.5 added (+R0.2 break added)
Roof Colour	Light colour main roofs (some medium to plants/tiles)
Skylights for units	Double glass/tint, U ≤ 2.7, SHGC =0.24±5% (VELUX, etc)
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Windows - SHGC	0.35 ± 5%	3.32 ± 5%
Window - fixed glazing	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	0.39 ±5%
Window - sliders/hung	Metal frames + tinted double-glazing	Metal frames + tinted double-glazing
Windows - U-value	≤ 2.9	≤ 2.2
Windows - SHGC	0.42 ± 5%	3.39 ± 5%

Glass 2 sliders: 107 to 707 + 110 to 711 + 122 to 621 + 129 to 530 + 130 to 631 + 132 to 632, + 134 to -34, 142 to 642, 235 to 435 and 113, 135, 212, 534, 623, 635, 716, 724, 729, 743, 818, 820, 1301, 1302, 1303, g07, g08, g12, g40
Glass 2 whole unit: 130, 213, 236, 237, 630, 634, 721, 723, 742, g01, g42

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LEGEND:
DCP SETBACK

Certificate No. 0009827810
Assessor name Martin Pinson
Accreditation No. SNSW/19/1821
Property Address 118 Epsom Road,Zetland NSW 2017

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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA



0 2.5 5 7.5 10 12.5m
SCALE 1 : 250 @A1 NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
100 GA DRAWINGS
GENERAL ARRANGEMENT PLAN - ROOF

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00114
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage-2-Epsom Rd Zetland_NW1_R24.rvt
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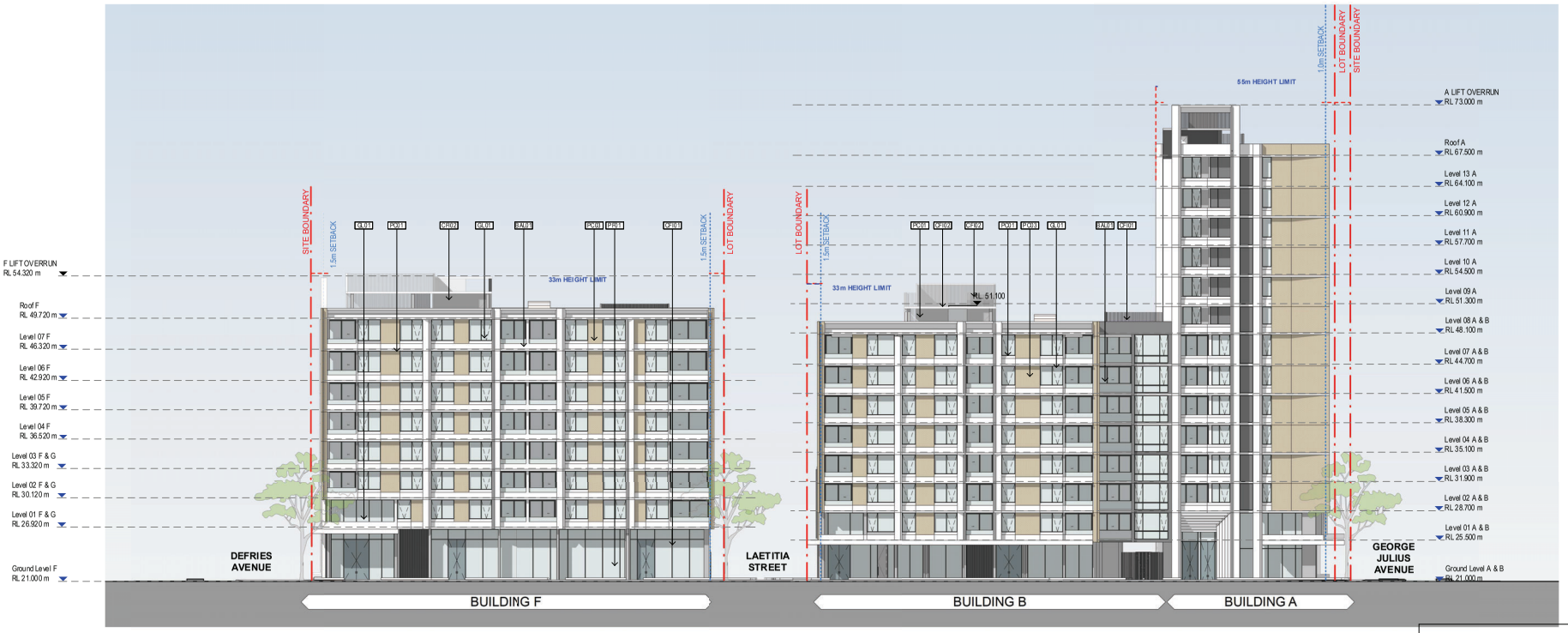

1 **NORTH ELEVATION**
SCALE 1 : 250



2 **WEST ELEVATION**
SCALE 1 : 250

MATERIALS PALETTE

AL01	Aluminium - Silver
AL02	Aluminium - Bronze
BAL01	Glazed Balustrade
CFI01	Grey Concrete
CFI02	Monument Concrete
GL01	Glass Tinted Grey
LV01	Metal Louvres - Dark Grey
LV02	Privacy Screen
PC01	Paint White - Precast
PC02	Paint Grey - Precast
PC03	Face Brick Pattern Precast - Brown
PC04	Face Brick Pattern Precast - Grey
PF01	Pallside Fencing - Grey
SH01	Metal Shading - Yellow

NOTE: Paint colours indicative only



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Nominated Architect: Greg Crone
- NSW Reg. No. 3929

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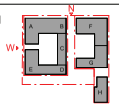
LEGEND:

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

KEY PLAN



SCALE 1 : 250 @A1

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
200 ELEVATIONS & SECTIONS NORTH & WEST ELEVATIONS

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: **DA-00201**
REV: **B**
A1

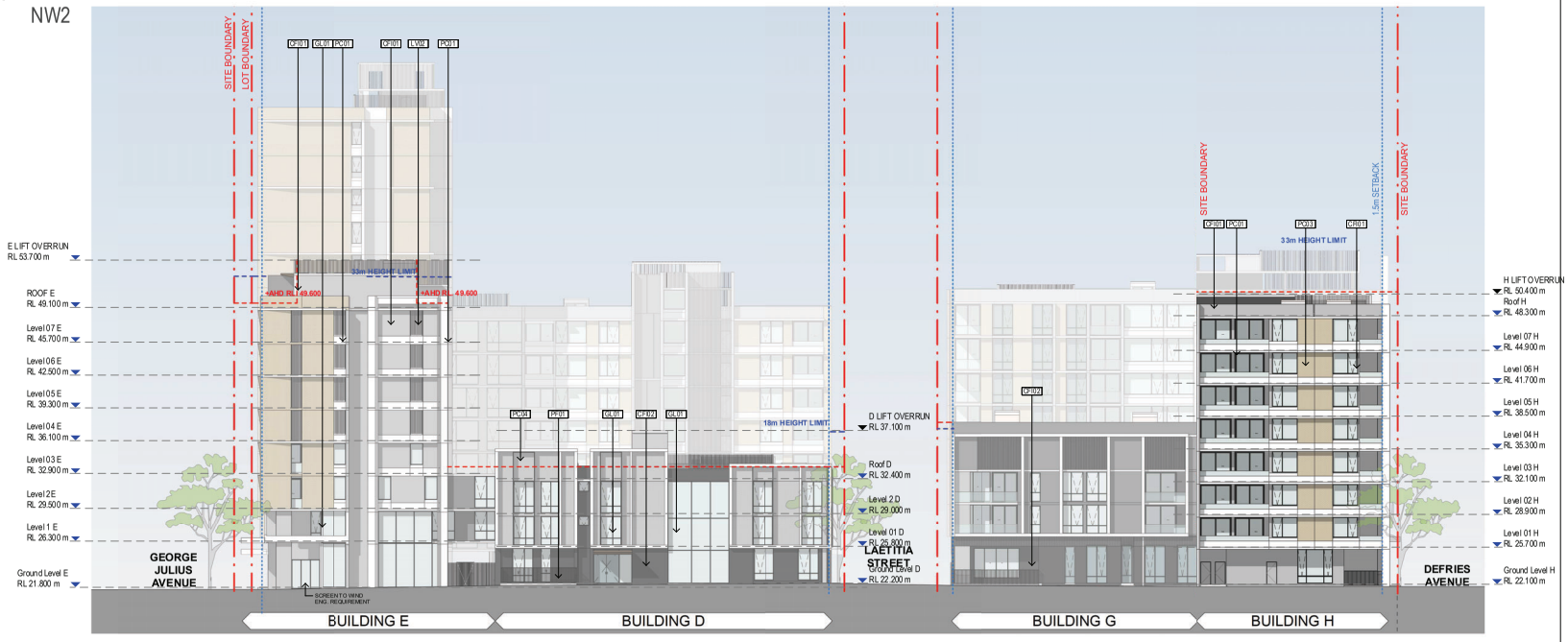
FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage-2-Epsom Rd Zetland_NW1_R24.rvt
21/03/2025 2:35:28 PM



1 **EAST ELEVATION**
SCALE 1 : 250

185

NW2



2 **SOUTH ELEVATION**
SCALE 1 : 250

MATERIALS PALETTE

AL01	Aluminium - Silver
AL02	Aluminium - Bronze
BAL01	Glazed Balustrade
CFI01	Grey Concrete
CFI02	Monument Concrete
GL01	Glass Tinted Grey
LV01	Metal Louvres - Dark Grey
LV02	Privacy Screen
PC01	Paint White - Precast
PC02	Paint Grey - Precast
PC03	Face Brick Pattern Precast - Brown
PC04	Face Brick Pattern Precast - Grey
PF01	Palliside Fencing - Grey
SH01	Metal Shading - Yellow

NOTE: Paint colours indicative only



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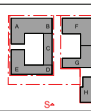
LEGEND:

Rev	Date	By	Revision Notes
C	18.03.25		RESPOND TO COUNCIL'S RFI
B	17.01.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

KEY PLAN



SCALE 1 : 250 @A1

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
200 ELEVATIONS & SECTIONS
EAST & SOUTH ELEVATIONS

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: **DA-00202**
REV: **C**
A1

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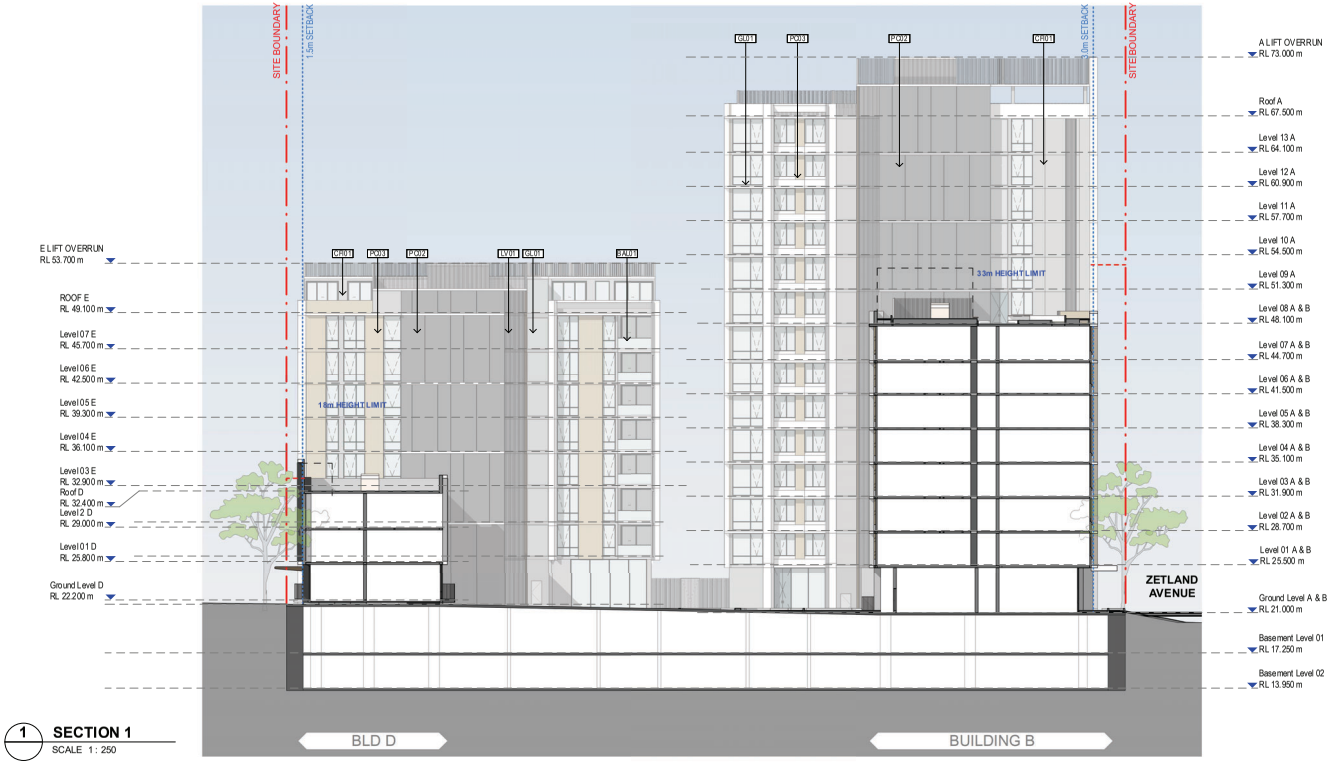

1 **SECTION 1**
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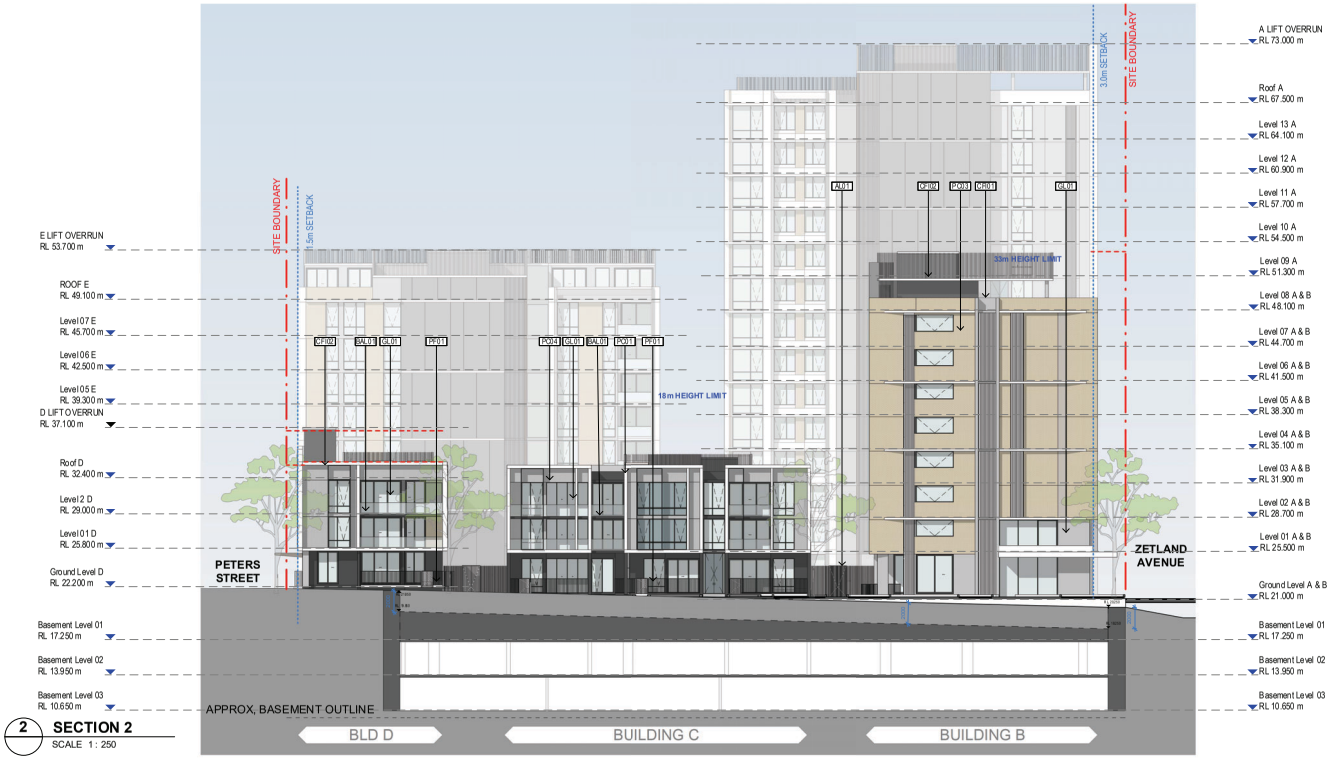

2 **SECTION 2**
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MATERIALS PALETTE

AL01	Aluminium - Silver
AL02	Aluminium - Bronze
BAL01	Glazed Balustrade
CFI01	Grey Concrete
CFI02	Monument Concrete
GL01	Glass Tinted Grey
LV01	Metal Louvres - Dark Grey
LV02	Privacy Screen
PC01	Paint White - Precast
PC02	Paint Grey - Precast
PC03	Face Brick Pattern Precast - Brown
PC04	Face Brick Pattern Precast - Grey
PF01	Palliside Fencing - Grey
SH01	Metal Shading - Yellow

NOTE: Paint colours indicative only



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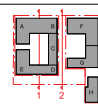
B	17.01.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

KEY PLAN



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PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
200 ELEVATIONS & SECTIONS
SECTION 1 & SECTION 2

SHEET STATUS:
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-00203**
REV: **C**
A1

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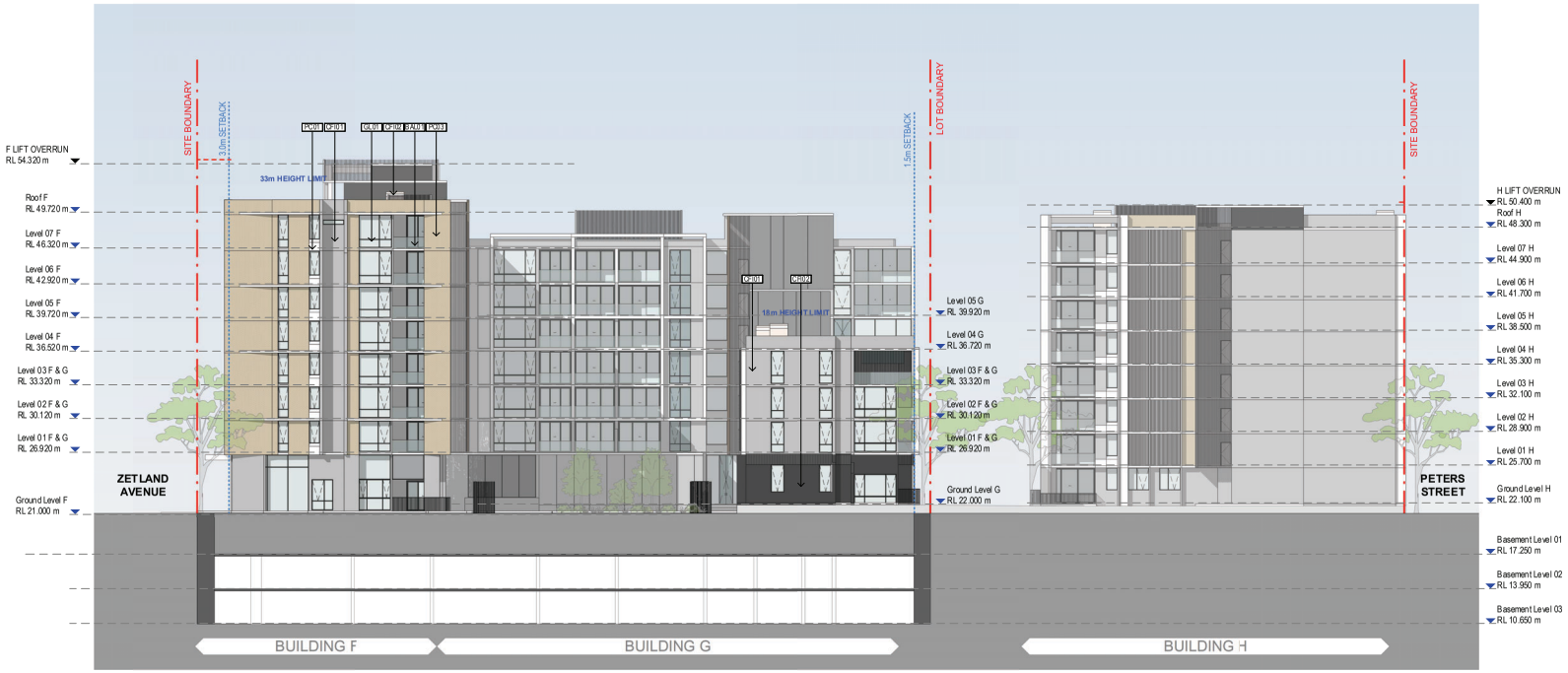

3 **SECTION 3**
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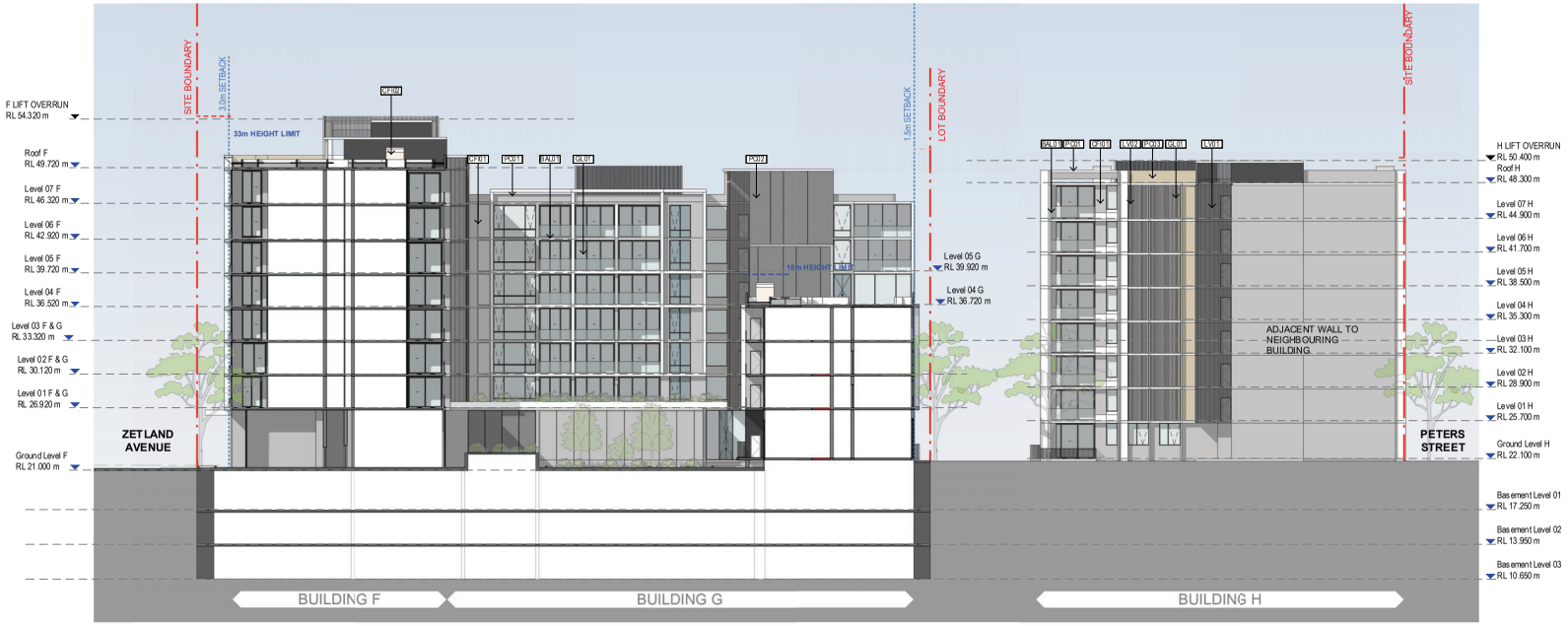

4 **SECTION 4**
SCALE 1 : 250

MATERIALS PALETTE

AL01	Aluminium - Silver
AL02	Aluminium - Bronze
BAL01	Glazed Balustrade
CFI01	Grey Concrete
CFI02	Monument Concrete
GL01	Glass Tinted Grey
LV01	Metal Louvres - Dark Grey
LV02	Privacy Screen
PC01	Paint White - Precast
PC02	Paint Grey - Precast
PC03	Face Brick Pattern Precast - Brown
PC04	Face Brick Pattern Precast - Grey
PF01	Palliside Fencing - Grey
SH01	Metal Shading - Yellow

NOTE: Paint colours indicative only



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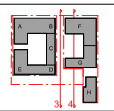
Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

KEY PLAN



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PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
200 ELEVATIONS & SECTIONS
SECTION 3 &ELEVATION 4

SHEET STATUS:
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-00204**
REV: **B**
A1

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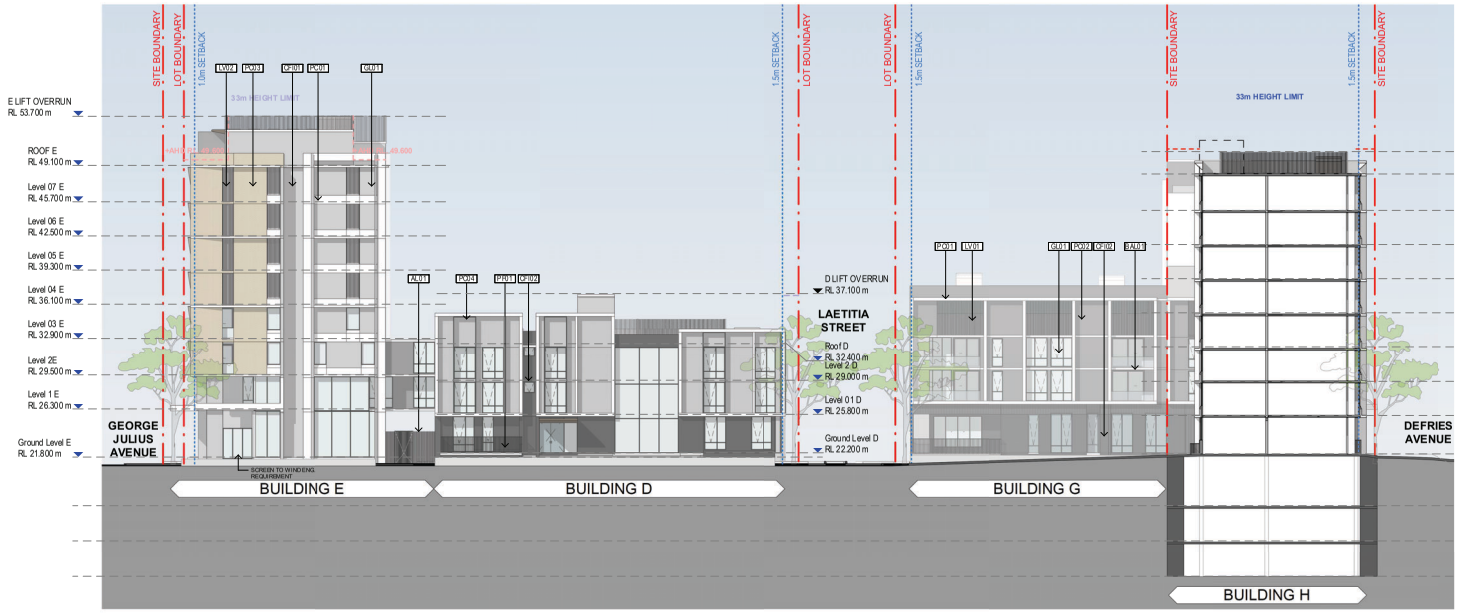

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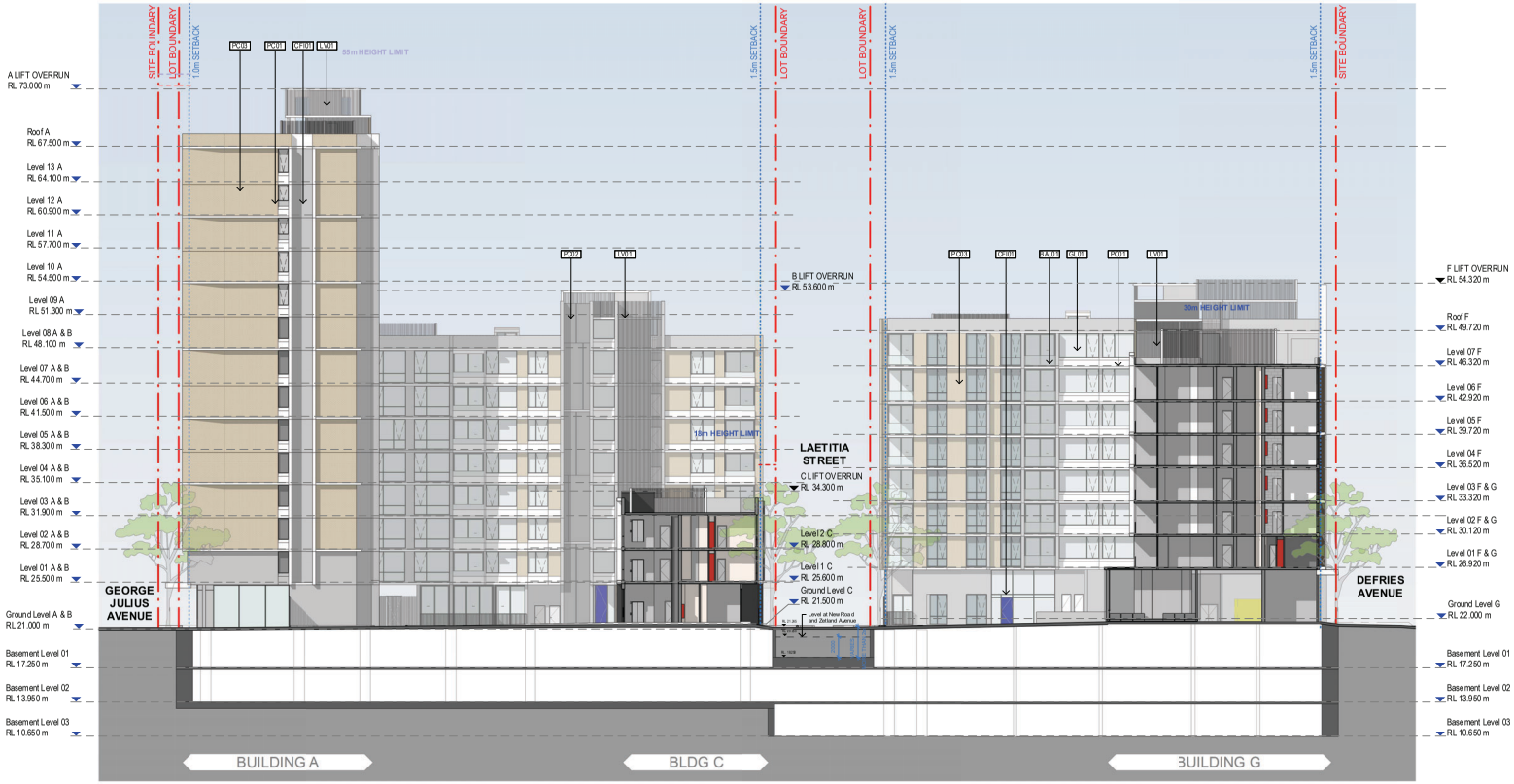

2 **SECTION 6**
SCALE 1 : 250

MATERIALS PALETTE

AL01	Aluminium - Silver
AL02	Aluminium - Bronze
BAL01	Glazed Balustrade
CFI01	Grey Concrete
CFI02	Monument Concrete
GL01	Glass Tinted Grey
LV01	Metal Louvres - Dark Grey
LV02	Privacy Screen
PC01	Paint White - Precast
PC02	Paint Grey - Precast
PC03	Face Brick Pattern Precast - Brown
PC04	Face Brick Pattern Precast - Grey
PF01	Pallside Fencing - Grey
SH01	Metal Shading - Yellow

NOTE: Paint colours indicative only



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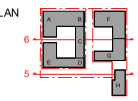
KEY PLAN



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PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
200 ELEVATIONS & SECTIONS
SECTIONS 5 & 6

SHEET STATUS:

CHECKED BY: **Checker**

DRAWING NUMBER: **DA-00205**

REV: **C**

A1

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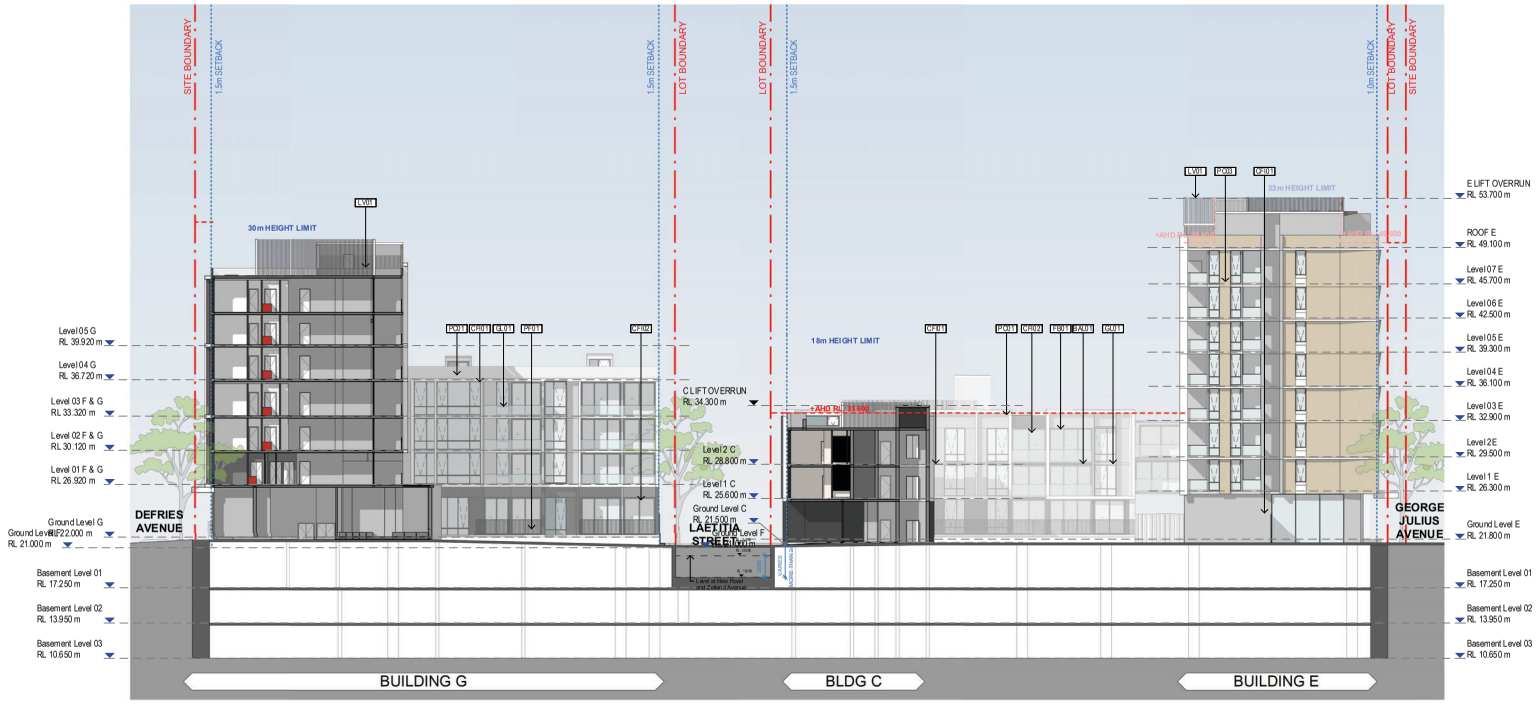
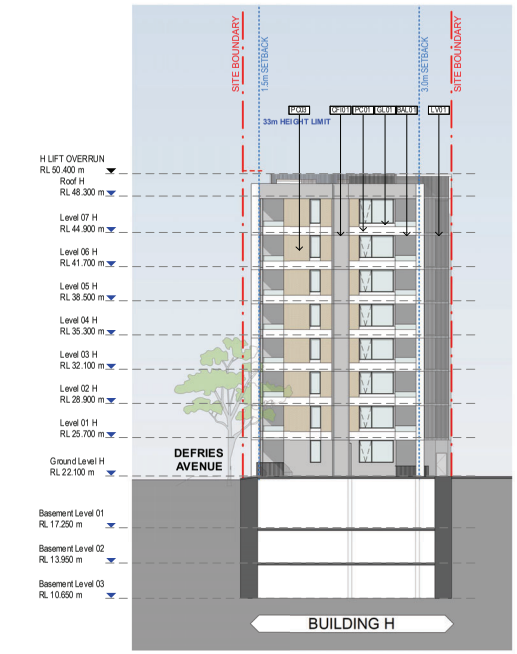


1 **SECTION 7**
SCALE 1 : 250



2 **SECTION 8**
SCALE 1 : 250

189

MATERIALS PALETTE

AL01	Aluminium - Silver
AL02	Aluminium - Bronze
BAL01	Glazed Balustrade
CFI01	Grey Concrete
CFI02	Monument Concrete
GL01	Glass Tinted Grey
LV01	Metal Louvres - Dark Grey
LV02	Privacy Screen
PC01	Paint White - Precast
PC02	Paint Grey - Precast
PC03	Face Brick Pattern Precast - Brown
PC04	Face Brick Pattern Precast - Grey
PF01	Palliside Fencing - Grey
SH01	Metal Shading - Yellow

NOTE: Paint colours indicative only



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Nominated Architect: Greg Crone
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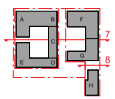
A	07.11.24		ISSUE FOR DA

KEY PLAN



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PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
200 ELEVATIONS & SECTIONS
SECTIONS 7 & 8

SHEET STATUS:

CHECKED BY: **Checker**

DRAWING NUMBER: **DA-00206**

REV: **C**

A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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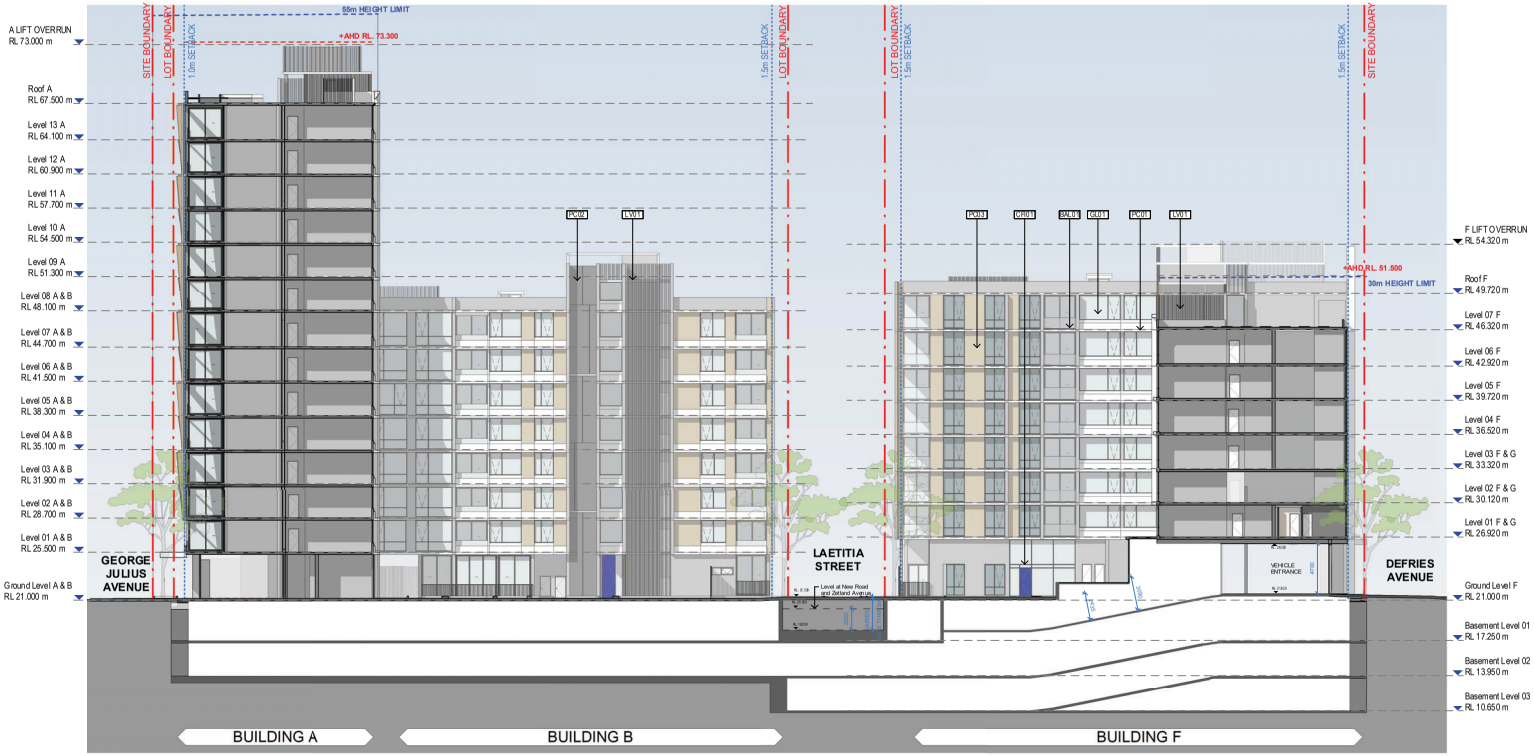
Attachment B3

Selected Drawings



1 **LOADING DOCK SECTION (9)**
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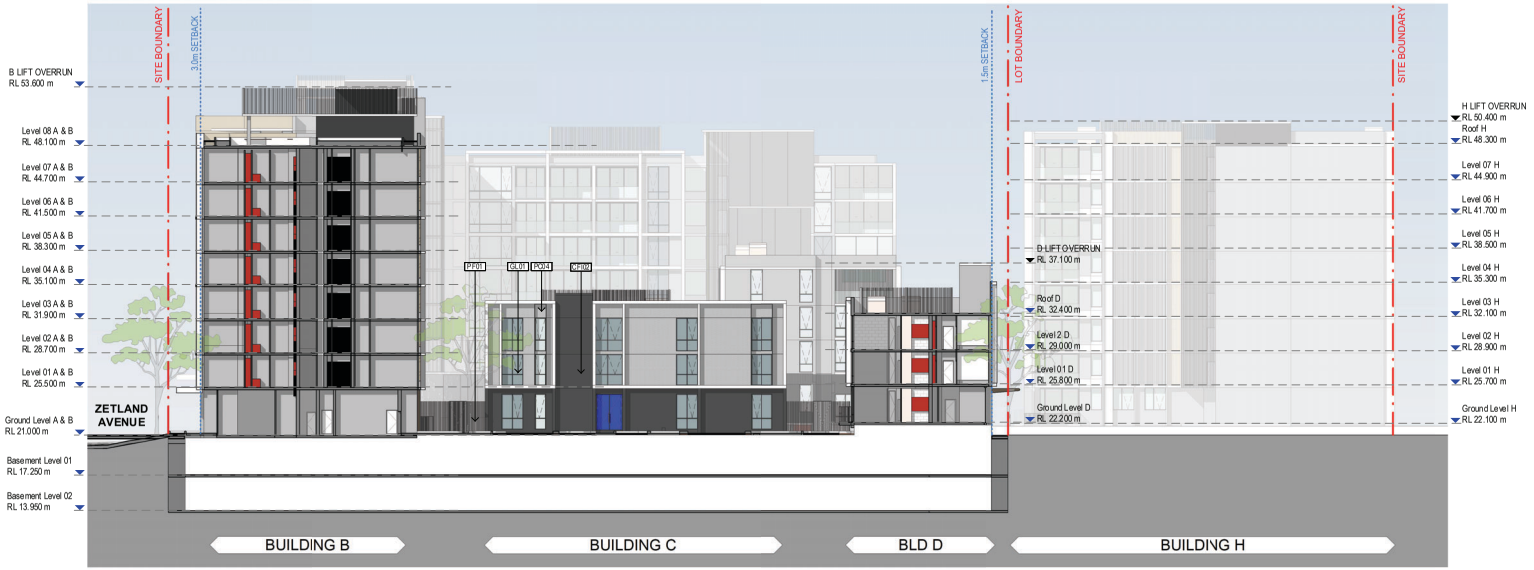

2 **SECTION 10**
SCALE 1 : 250

MATERIALS PALETTE

AL01	Aluminium - Silver
AL02	Aluminium - Bronze
BAL01	Glazed Balustrade
CFI01	Grey Concrete
CFI02	Monument Concrete
GL01	Glass Tinted Grey
LV01	Metal Louvres - Dark Grey
LV02	Privacy Screen
PC01	Paint White - Precast
PC02	Paint Grey - Precast
PC03	Face Brick Pattern Precast - Brown
PC04	Face Brick Pattern Precast - Grey
PF01	Palliside Fencing - Grey
SH01	Metal Shading - Yellow

NOTE: Paint colours indicative only



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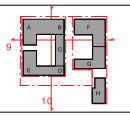
LEGEND:



Rev	Date	By	Revision Notes
C	18.03.25		RESPOND TO COUNCIL'S RFI
B	17.01.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

KEY PLAN



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PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
200 ELEVATIONS & SECTIONS
ELEVATION BUILDING B & SECTION 10

SHEET STATUS:
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-00208**
REV: **C**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NWY_R24.rvt
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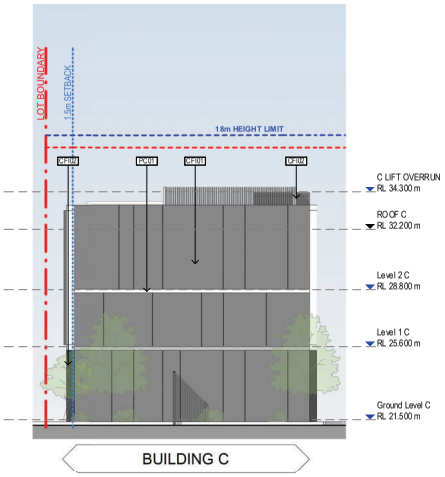
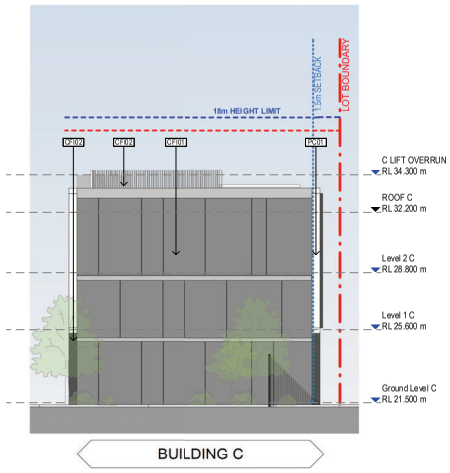


1 **BUILDING C ELEVATION - NORTH**
SCALE 1 : 150



2 **BUILDING C ELEVATION - SOUTH**
SCALE 1 : 150



3 **BUILDING G ELEVATION - SOUTH**
SCALE 1 : 150

MATERIALS PALETTE

AL01	Aluminium - Silver
AL02	Aluminium - Bronze
BAL01	Glazed Balustrade
CFI01	Grey Concrete
CFI02	Monument Concrete
GL01	Glass Tinted Grey
LV01	Metal Louvres - Dark Grey
LV02	Privacy Screen
PC01	Paint White - Precast
PC02	Paint Grey - Precast
PC03	Face Brick Pattern Precast - Brown
PC04	Face Brick Pattern Precast - Grey
PF01	Pallside Fencing - Grey
SH01	Metal Shading - Yellow

NOTE: Paint colours indicative only


AL01


PC03


BAL01


PC04


PC01


SH01


PF01


GL01


CFI01


CFI02

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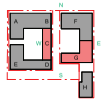
Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	17.01.25		RESPOND TO COUNCIL'S RFI

KEY PLAN



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PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
200 ELEVATIONS & SECTIONS
ELEVATION BUILDING C & BUILDING G

SHEET STATUS:
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-00209**
REV: **B**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage-2-Epsom Rd Zetland_NW1_R24.rvt
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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

0 1 2 3 4 5 m
SCALE @A1 NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
350 MATERIALS & VISUALISATIONS
3D VIEWS - RENDER 01

SHEET STATUS:

CHECKED BY: Checker

DRAWING NUMBER: DA-00351

REV: B

A1

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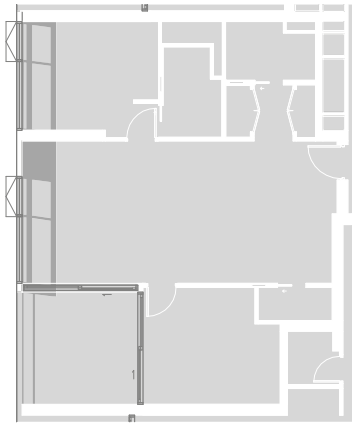

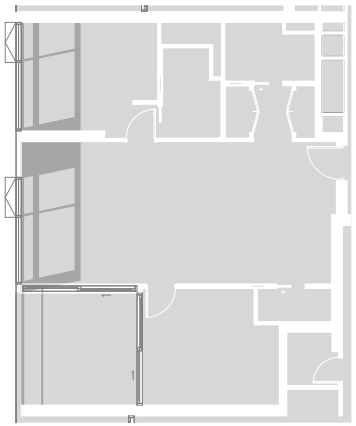

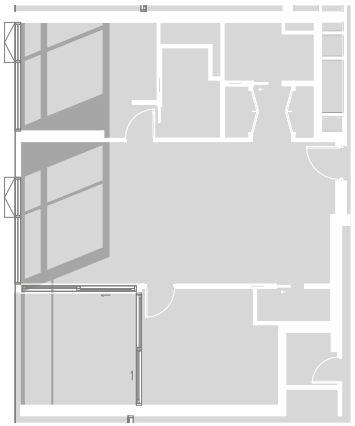

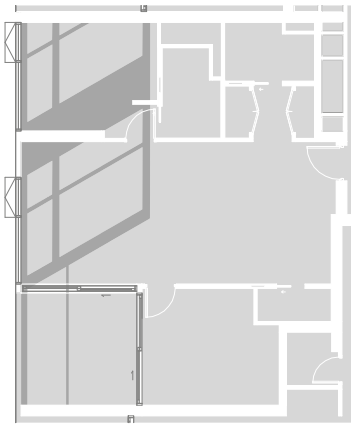

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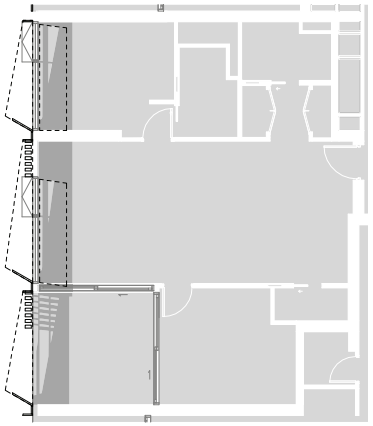

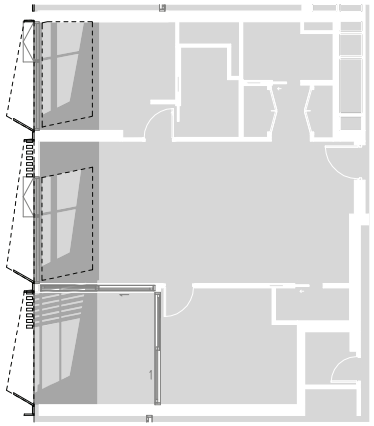

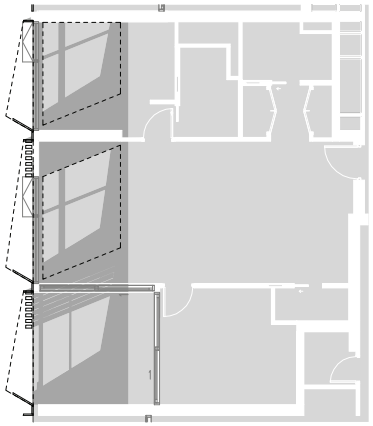

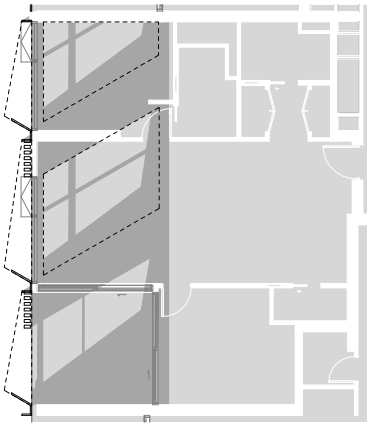

DEC 21 1PM

Solar Access Without Louvers: 4.31 m²
Blade Shade: 9.33 m²

46.2% Shade Provided

DEC 21 2PM

Solar Access Without Louvers: 6.06 m²
Blade Shade: 14.22 m²

42.6% Shade Provided

DEC 21 3PM

Solar Access Without Louvers: 8.28 m²
Blade Shade: 19.63 m²

42.2% Shade Provided

DEC 21 4PM

Solar Access Without Louvers: 11.15 m²
Blade Shade: 28.71 m²

38.8% Shade Provided

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Fax:+61 2 8295 5301
ABN: 80 095 989 272
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Rev	Date	By	Revision Notes
A	18.03.25		RESPOND TO COUNCIL'S RFI



BUILDING A LEVEL 2
UNIT 202

NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
400 FACADE DETAILS
FACADE DETAILS - SUNSHADING DIAGRAM

SHEET STATUS:

CHECKED BY: **Checker**

DRAWING NUMBER: **DA-00417**

REV: **A**

A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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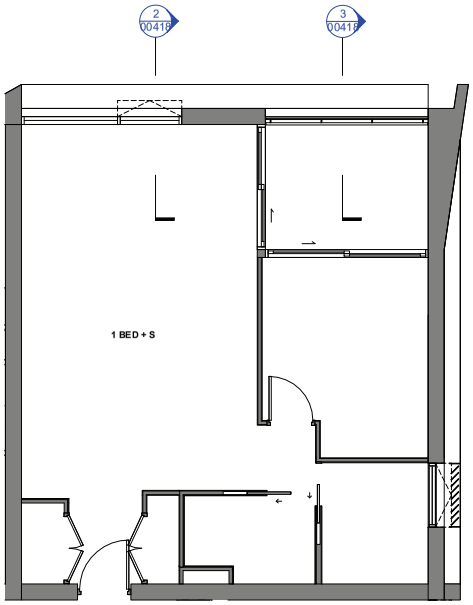
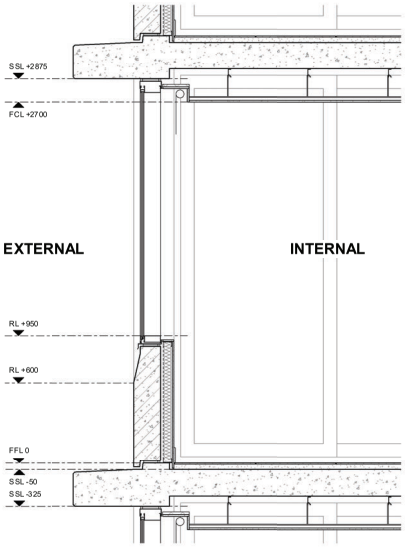
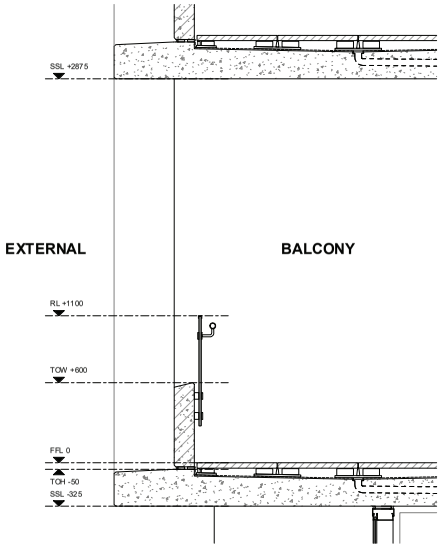


1 FACADE DETAIL BUILDING B
SCALE 1 : 50

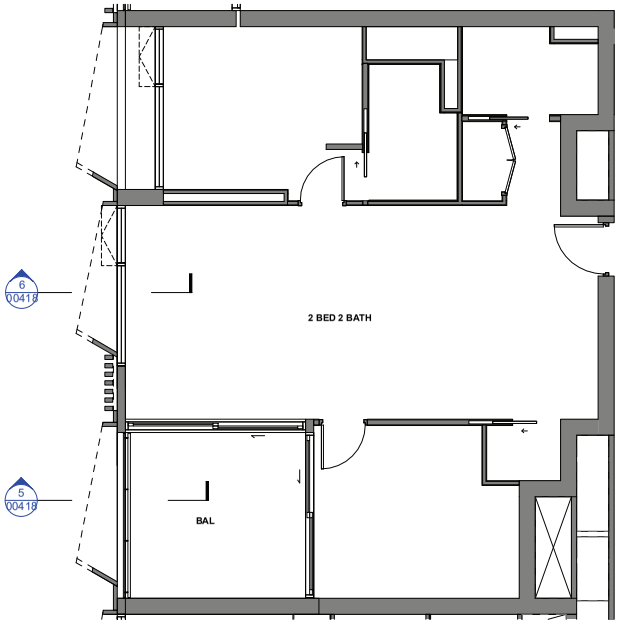


2 FACADE DETAIL_BLD B_SECTION 1
SCALE 1 : 20



3 FACADE DETAIL_BLD B_SECTION2
SCALE 1 : 20

195



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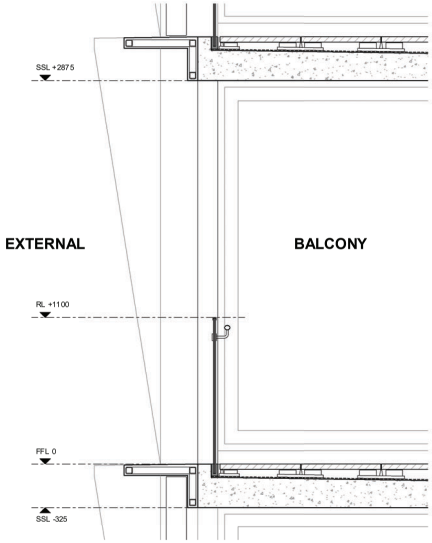

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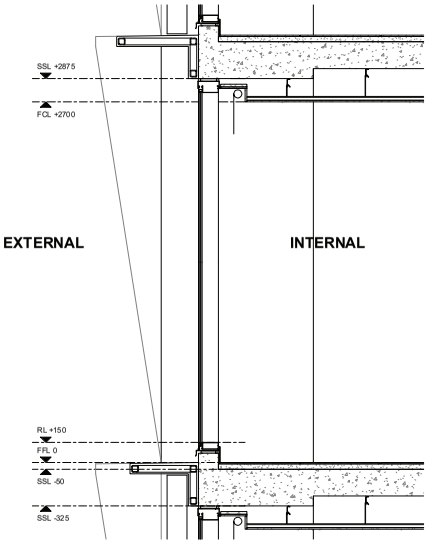

6 FACADE DETAIL_BLD A_SECTION 2
SCALE 1 : 20

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- NSW Reg. No. 3929

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Rev	Date	By	Revision Notes
A	18.03.25		RESPOND TO COUNCIL'S RFI

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SCALE As indicated@A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
400 FACADE DETAILS
FACADE DETAILS - TYPICAL
FACADE DETAIL

SHEET STATUS:
CHECKED BY:
DRAWING NUMBER: **DA-00418**
REV: **A**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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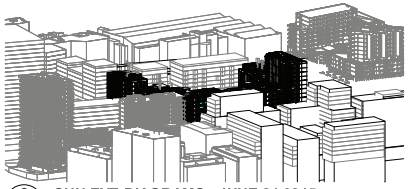

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3 SUN EYE DIAGRAMS - JUNE 21 0830
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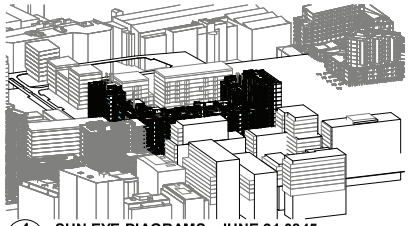

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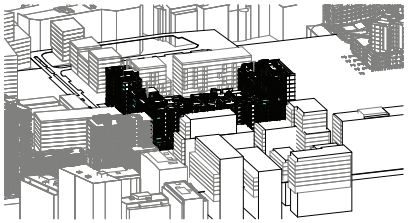

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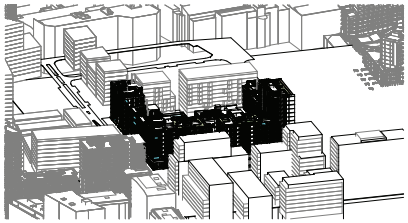

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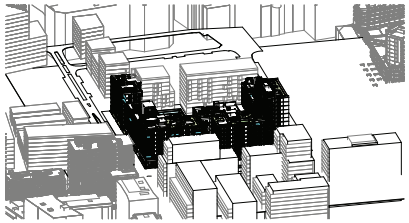

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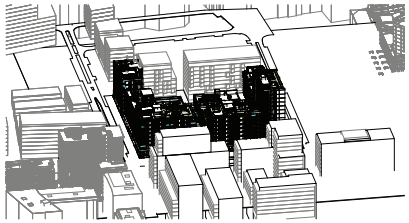

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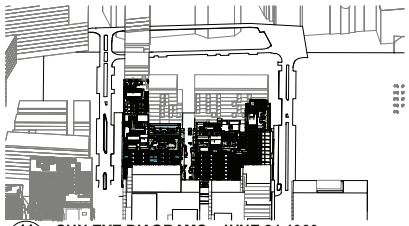

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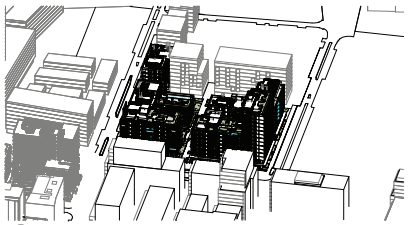

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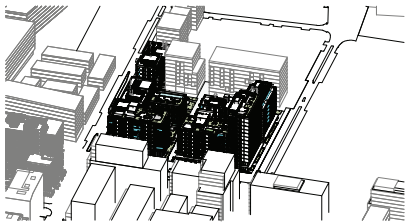

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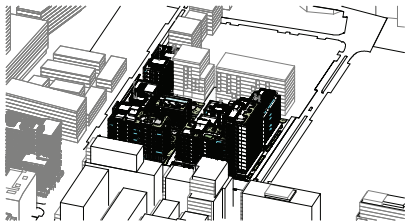

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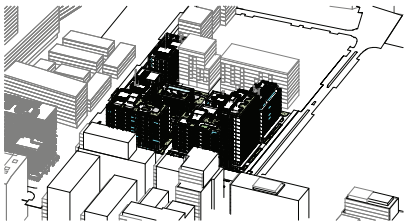

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18 SUN EYE DIAGRAMS - JUNE 21 1215
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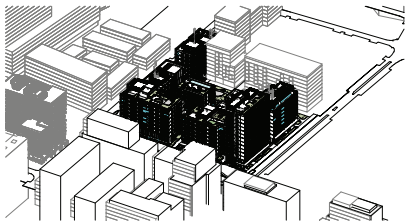

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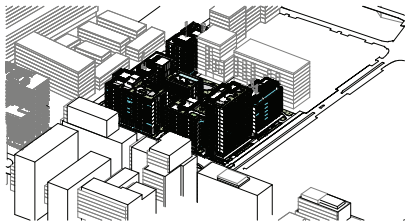

20 SUN EYE DIAGRAMS - JUNE 21 1245
SCALE

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LEGEND:



Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

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PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
500 SOLAR STUDIES
SUN EYE DIAGRAMS -1

SHEET STATUS:
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-A-00510**
REV: **B**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Zetland_NW1_R24.rvt
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Attachment B4

Selected Drawings



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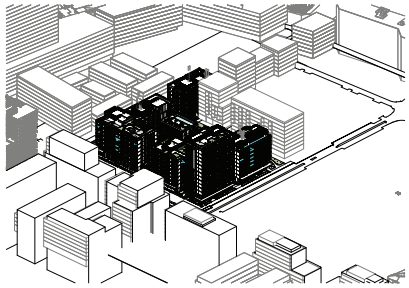

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3 SUN EYE DIAGRAMS - JUNE 21 1330
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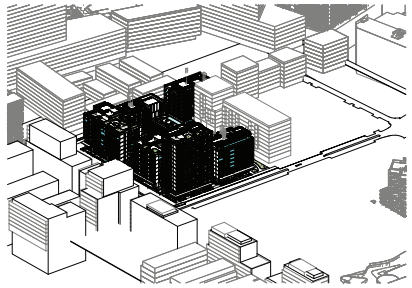

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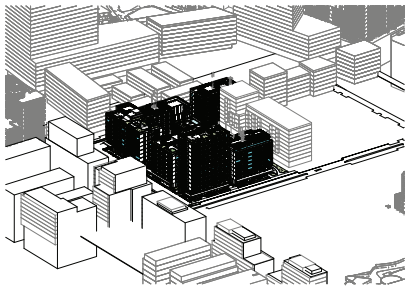

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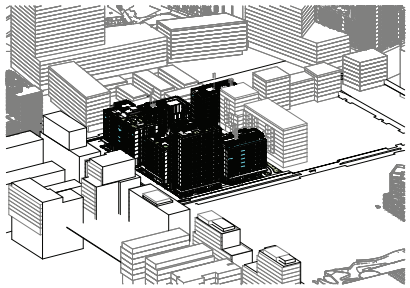

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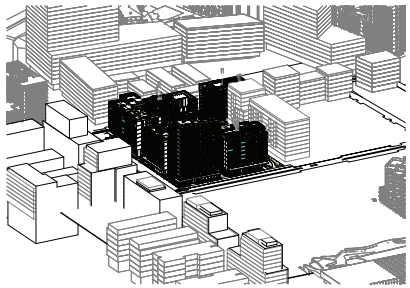

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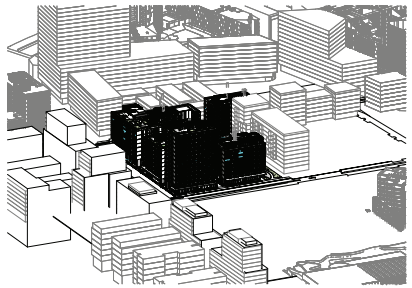

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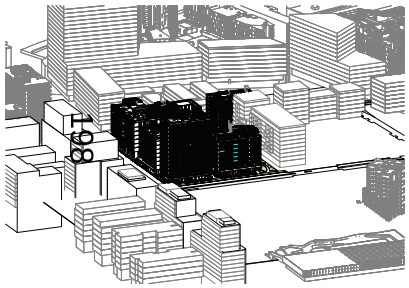

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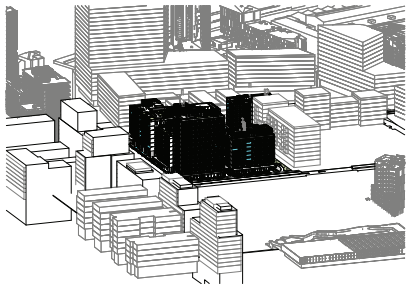

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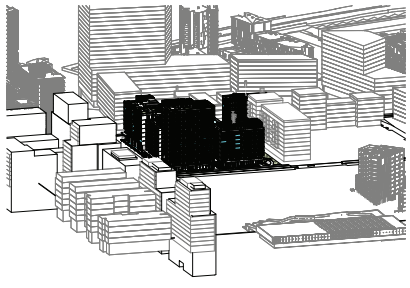

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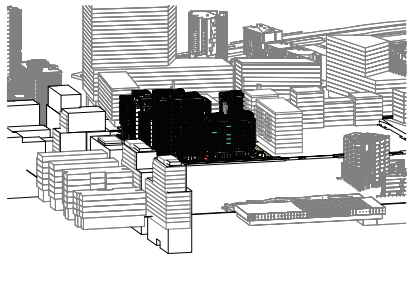

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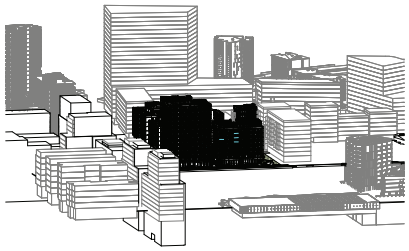

13 SUN EYE DIAGRAMS - JUNE 21 1600
SCALE

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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

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PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
500 SOLAR STUDIES
SUN EYE DIAGRAMS -2

SHEET STATUS:
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-A-00511**
REV: **B**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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1 **LEVEL GF**
SCALE 1 : 800



2 **LEVEL 01**
SCALE 1 : 800



3 **LEVEL 02**
SCALE 1 : 800



4 **LEVEL 03**
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5 **LEVEL 04**
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6 **LEVEL 05**
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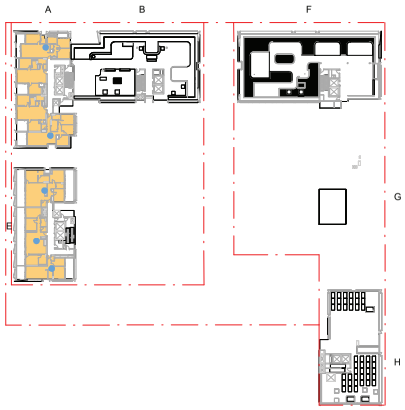
7 **LEVEL 06**
SCALE 1 : 800



8 **LEVEL 07**
SCALE 1 : 800



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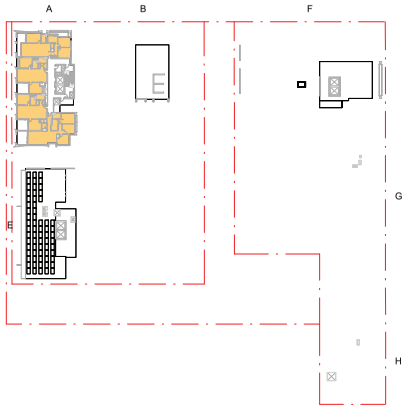

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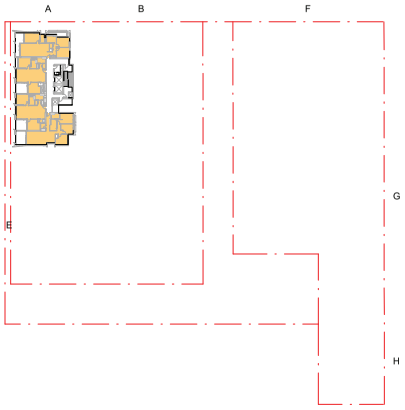

12 **LEVEL 13**
SCALE 1 : 800

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Fax: +61 2 8295 5301
ABN: 80 095 989 272
Nominated Architect: Greg Crone
- NSW Reg. No. 3929

CLIENT

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Sydney NSW

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02 8324 8700

TOWN PLANNER
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02 8233 9900

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LEGEND:

- > 2HRS SOLAR ACCESS
- < 2HRS SOLAR ACCESS
- NO SOLAR ACCESS
- NATURAL CROSS VENTILATION

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Certificate No. 0009627810
Scan QR code or follow website link for rating details.
Assessor name Martin Pinson
Accreditation No. DMN/19/1321
Property Address 118 Epsom Road,Zetland NSW,2017
Date of Issue 20/03/2025

ADG / AUTHORITY COMPLIANCE

COMPLIANCE	A	B	C	D	E	F	G	H		TOTAL	%
SOLAR>2H	64	22	2	3	27	37	19	17		191	68%
NON SOLAR	0	8	7	1	0	6	5	7		34	12.1%
CROSS VENT	30	15	7	7	26	28	22	24		159	61.2%

NUMBER OF UNITS WITHIN 1st 9 STOREYS: 260

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
600 ADG COMPLIANCE SOLAR ACCESS & CROSS VENTILATION

SHEET STATUS: **PRELIMINARY**
CHECKED BY: **Checker**
DRAWING NUMBER: **DA-A-00601**
REV: **B**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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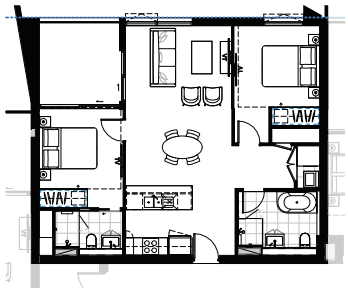

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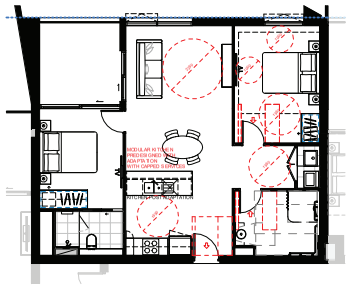

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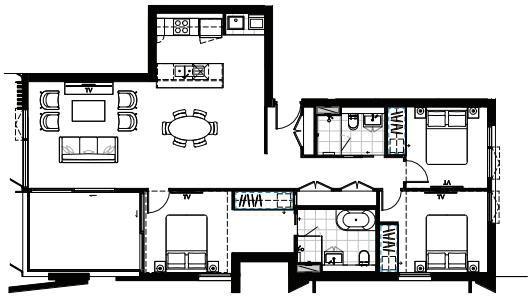

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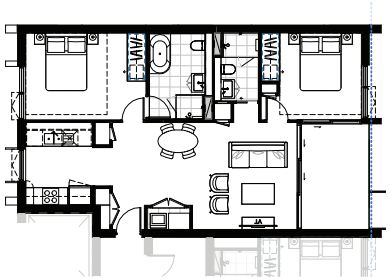

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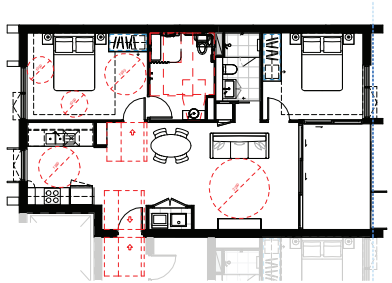

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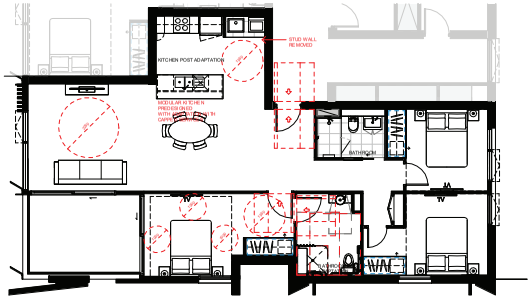

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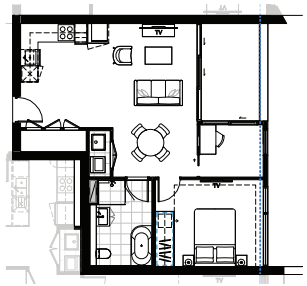

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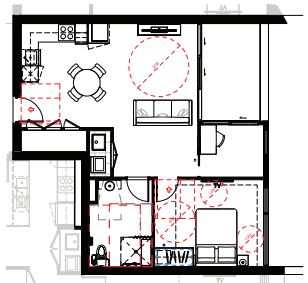

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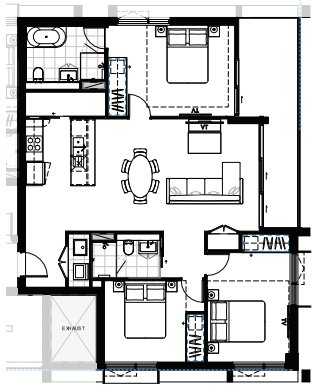

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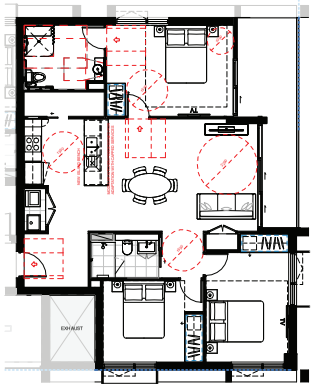

10 TYPE 5 - 2 BED APARTMENT - AFTER ADAPTATION
SCALE 1 : 100

LIST OF ADAPTABLE UNITS (42 REQUIRED)

	TYPE 1 (2B) BUILDING B	TYPE 1 (2B) BUILDING F	TYPE 2 (3B) BUILDING E	TYPE 3 (1B) BUILDING F	TYPE 4 (2B) BUILDING C	TYPE 5 (3B) BUILDING D	TYPE 6 (2B/3B) BUILDING A	TYPE 7 (3B) BUILDING A
	108 209	227	318	129	112	117	104 (3B)	109
	208 309	327	418	230	212	217	206 (2B)	
	308 409	427	518	330			306 (2B)	
	408 509	527	618	430			406 (2B)	
	508 609	627	718	530			506 (2B)	
	608 709	727		630			606 (2B)	
	708						706 (2B)	
TOTAL	13 UNITS	6 UNITS	5 UNITS	6 UNITS	3 UNITS	2 UNITS	7 UNITS	1 UNIT

42 UNITS

ACCESSIBLE SPACES SCHEDULE	
LEVEL	COUNT
Basement Level 03	9
Basement Level 02	14
Basement Level 01	19

TOTAL ACCESSIBLE SPACES: 42

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Fax:+61 2 8295 5301
ABN: 80 095 989 272
Nominated Architect: Greg Crone
- NSW Reg. No. 3929

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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
600 ADG COMPLIANCE ADAPTABLE APARTMENT - SHEET 1

SHEET STATUS:

CHECKED BY: Checker

DRAWING NUMBER: **DA-00605**

REV: **B**

A1

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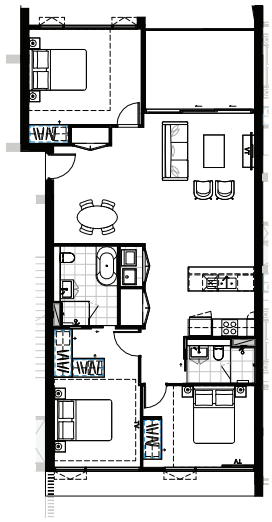

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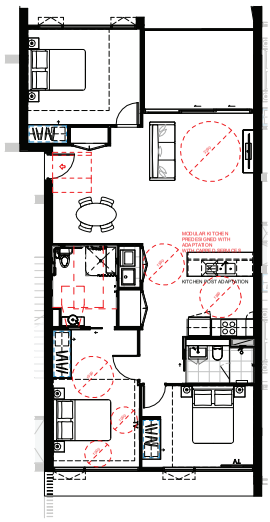

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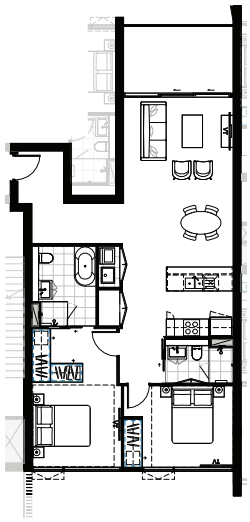

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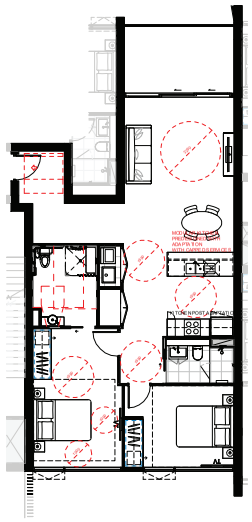

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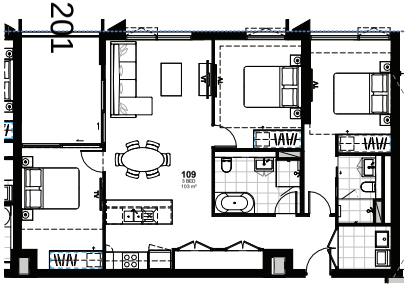

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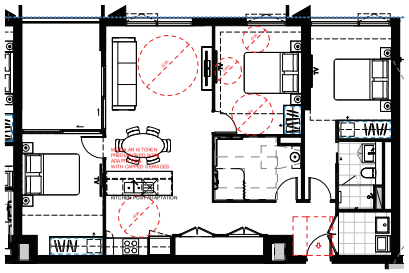

6 TYPE 7 - 3 BED APARTMENT - BEFORE ADAPTATION
SCALE 1 : 100

LIST OF ADAPTABLE UNITS (42 REQUIRED)

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	108 209	227	318	129	112	117	104 (3B)	109	
	208 309	327	418	230	212	217	206 (2B)		
	308 409	427	518	330			306 (2B)		
	408 509	527	618	430			406 (2B)		
	508 609	627	718	530			506 (2B)		
	608 709	727		630			606 (2B)		
	708						706 (2B)		
TOTAL	13 UNITS	6 UNITS	5 UNITS	6 UNITS	3 UNITS	2 UNITS	7 UNITS	1 UNIT	42 UNITS

ACCESSIBLE SPACES SCHEDULE	
LEVEL	COUNT
Basement Level 03	9
Basement Level 02	14
Basement Level 01	19

TOTAL ACCESSIBLE SPACES: 42

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LEGEND:

Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
600 ADG COMPLIANCE ADAPTABLE APARTMENT - SHEET 2

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: DA-00606
REV: B
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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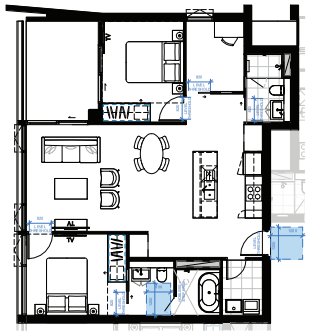
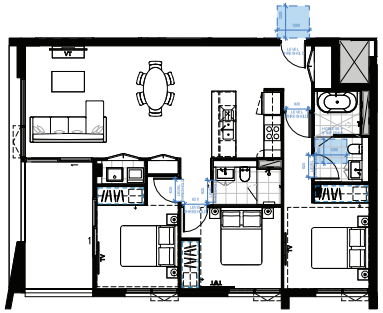


1 LIVEABLE TYPE 1 - 2 BED APARTMENT
SCALE 1 : 100



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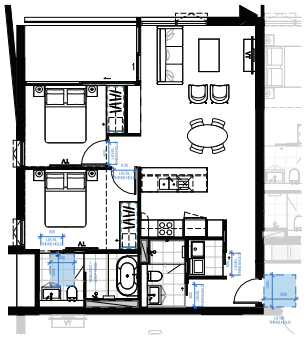

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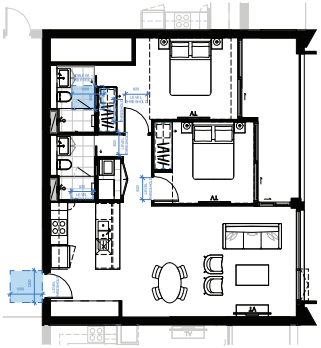

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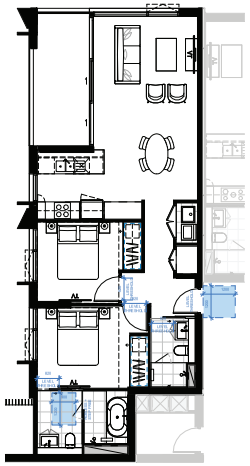

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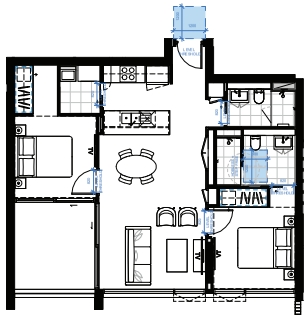
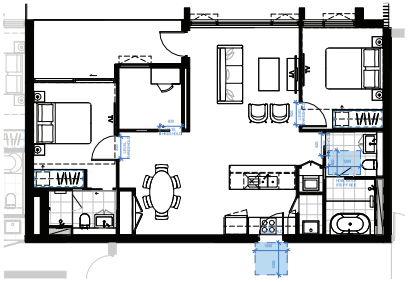


6 LIVEABLE TYPE 6 - 2 BED APARTMENT
SCALE 1 : 100



7 LIVEABLE TYPE 7 - 2 BED APARTMENT
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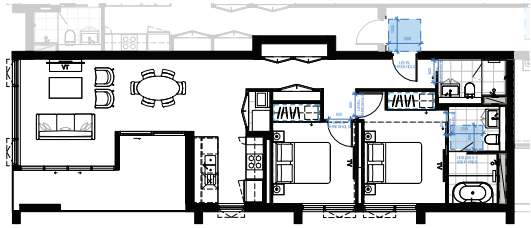

8 LIVEABLE TYPE 8 - 2 BED APARTMENT
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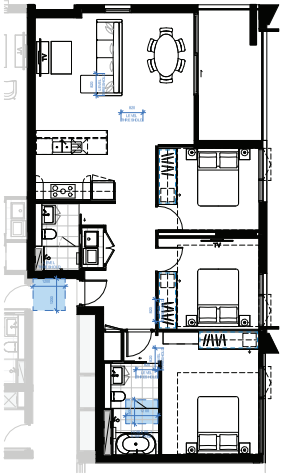

9 LIVEABLE TYPE 9 - 3 BED APARTMENT
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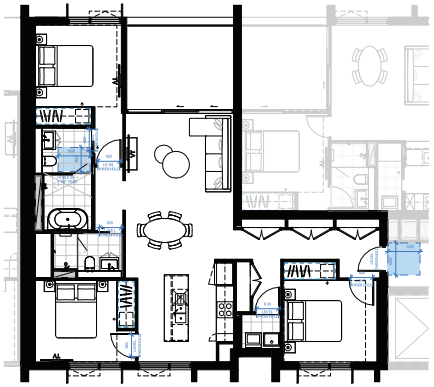

10 LIVEABLE TYPE 10 - 3 BED APARTMENT
SCALE 1 : 100

202

LIST OF LIVABLE UNITS (56 REQUIRED)

	TYPE 1 (2B) BUILDING E	TYPE 2 (3B) BUILDING F	TYPE 3 (3B) BUILDING F	TYPE 4 (2B) BUILDING F	TYPE 5 (2B) BUILDING H	TYPE 6 (2B) BUILDING F	TYPE 7 (2B+S) BUILDING G	TYPE 8 (2B) BUILDING G	TYPE 9 (3B) BUILDING H	TYPE 10 (2B) BUILDING F	
	121	124	125	128	G40	223		136	141	115	
	221	224	225	229	140	323	138	237	241	215	
	320	324	325	329	240	423	239	337	341		
	420	424	425	429	340	523	339		441		
	520	524	525	529	440	623			541		
	620	624	625	629	540	723			641		
	720	724	725	729	640						
					740						
TOTAL	7 UNITS	7 UNITS	7 UNITS	7 UNITS	8 UNITS	6 UNITS	4 UNITS	3 UNITS	6 UNITS	2 UNITS	**56 UNITS**

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- NSW Reg. No. 3929

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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
600 ADG COMPLIANCE SILVER LIVEABLE APARTMENTS

SHEET STATUS:
CHECKED BY: Checker
DRAWING NUMBER: **DA-00610**
REV: **B**
A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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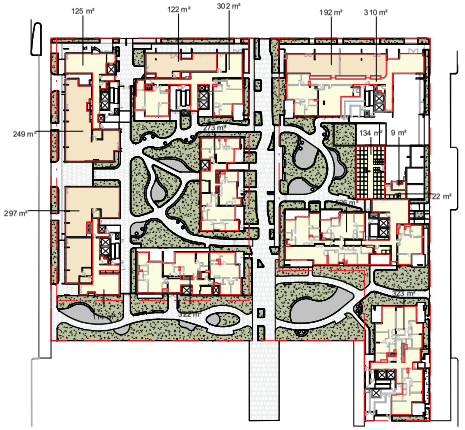

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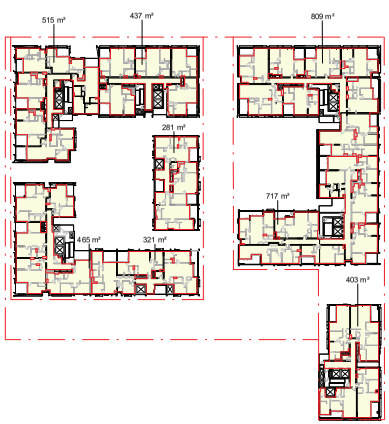

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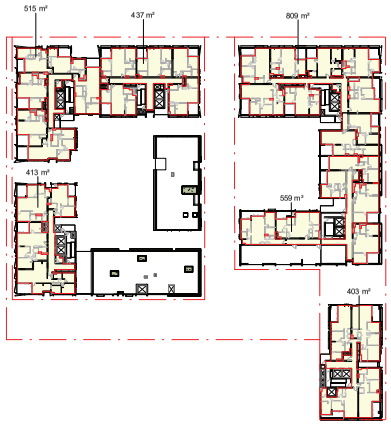

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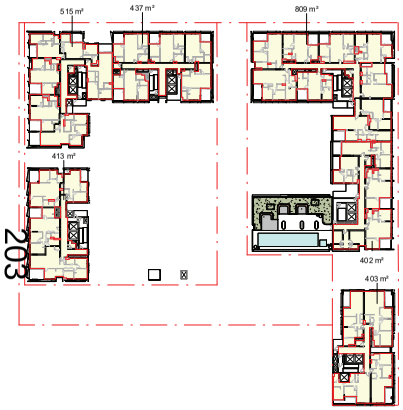

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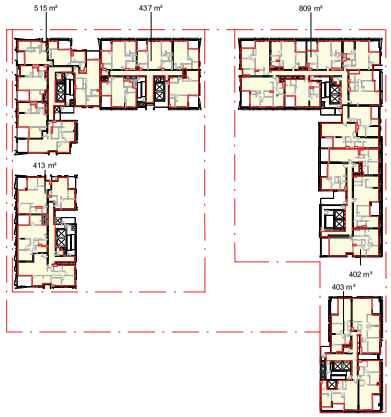

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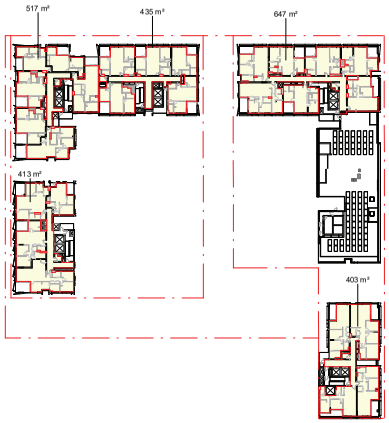

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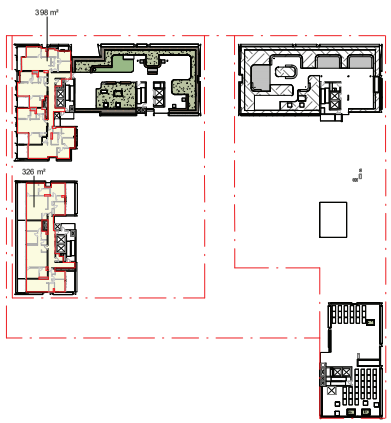

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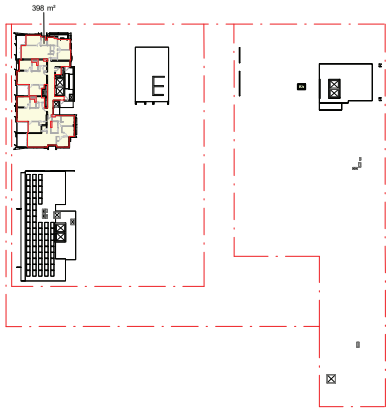

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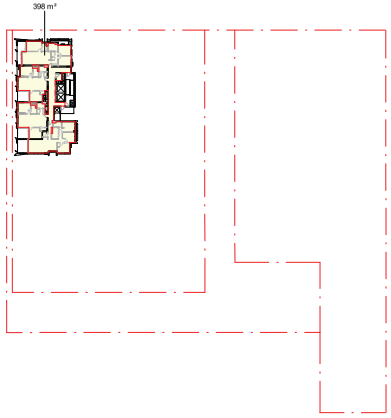

9 GFA - LEVEL 13
SCALE 1 : 800

GFA (m2)

	NW1					NW2				
BUILDING LEVEL	A	B	C	D	E	F	G	H	RESIDENTIAL	RETAIL
13	398								398	
12	398								398	
11	398								398	
10	398								398	
9	398								398	
8	398				326				724	
7	519	435			413	647		403	2,417	
6	515	437			413	809	402	403	2,979	
5	515	437			413	809	402	403	2,979	
4	515	437			413	809	402	403	2,979	
3	515	437			413	809	559	403	3,136	
2	515	437	281	321	465	809	717	403	3,948	
1	415	402	292	335	391	753	665	379	3,632	
Ground	125	302	273	322	114	310	669	323	2,438	
	6,022	3,324	846	978	3,361	5,755	3,816	3,120	27,222	882

28,104

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LEGEND:

Certificate No. 0009827810
Assessor name Martin Preem
Accreditation No. DMN/19/1021
Property Address 118 Epsom Road,Zetland NSW 2017

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Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

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NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
700 GFA CALCULATIONS GFA DIAGRAMS

SHEET STATUS:
PRELIMINARY

CHECKED BY:
Checker

DRAWING NUMBER:
DA-A-00701

REV:
B

A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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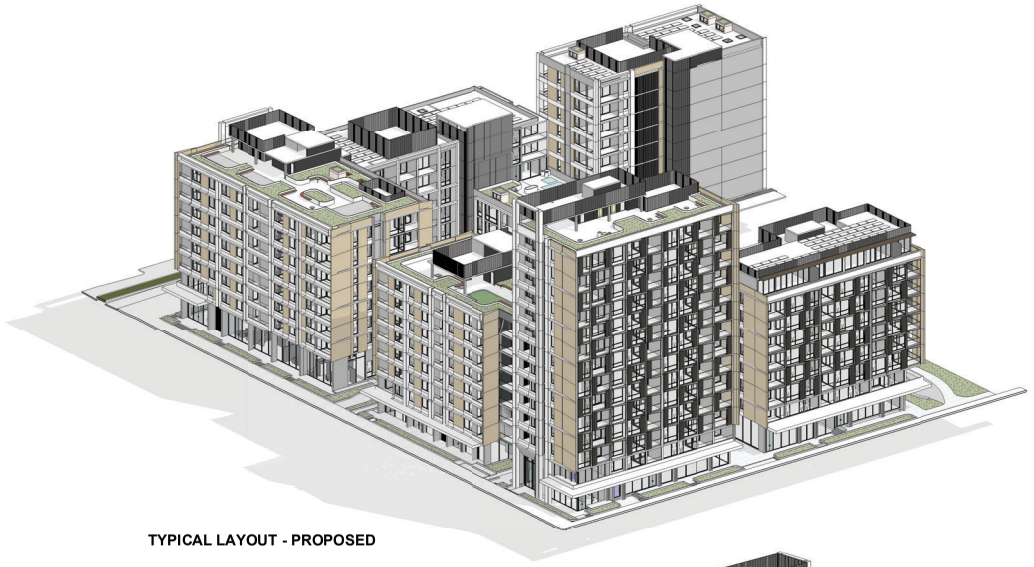
GFA (m2)										
	A	B	C	D	E	F	G	H	I	TOTAL
RESIDENTIAL	6,022	3,324	846	978	3,361	5,755	3,816	3,120	0	27,222
RETAIL	249	122	0	0	297	214	0	0	0	882
TOTAL GFA	6,271	3,446	846	978	3,658	5,969	3,816	3,120	0	28,104

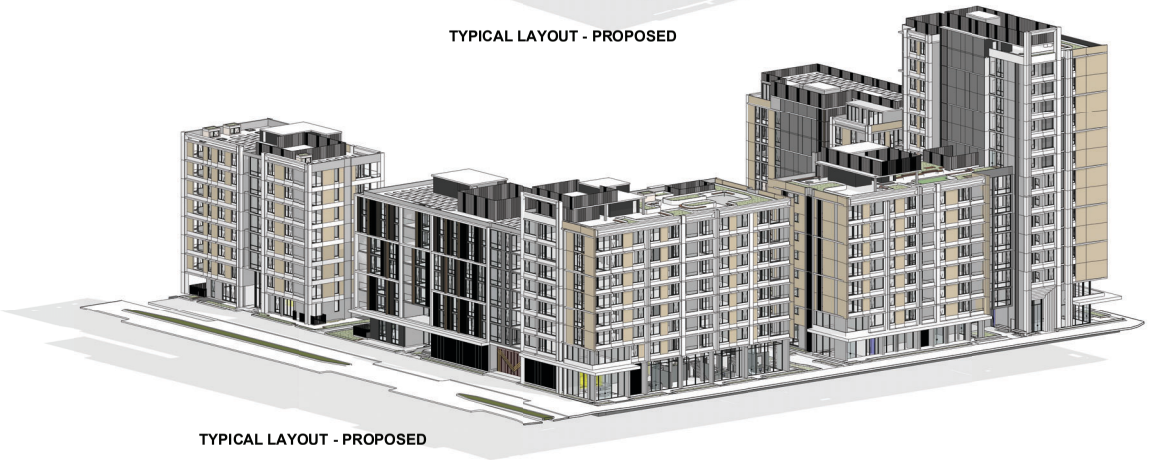
GFA (m2)											
		NW1				NW2					
BUILDING LEVEL	A	B	C	D	E	F	G	H	RESIDENTIAL	RETAIL	
13	398								398		
12	398								398		
11	398								398		
10	398								398		
9	398								398		
8	398				326				724		
7	519	435			413	647		403	2,417		
6	515	437			413	809	402	403	2,979		
5	515	437			413	809	402	403	2,979		
4	515	437			413	809	402	403	2,979		
3	515	437			413	809	559	403	3,136		
2	515	437	281	321	465	809	717	403	3,948		
1	415	402	292	335	391	753	665	379	3,632		
Ground	125	302	273	322	114	310	669	323	2,438		
	6,022	3,324	846	978	3,361	5,755	3,816	3,120	27,222	882	28,104



TYPICAL LAYOUT - PROPOSED



TYPICAL LAYOUT - PROPOSED



TYPICAL LAYOUT - PROPOSED

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B	18.03.25		RESPOND TO COUNCIL'S RFI
A	07.11.24		ISSUE FOR DA

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
700 GFA CALCULATIONS GFA AREAS

SHEET STATUS:

CHECKED BY: **Checker**

DRAWING NUMBER: **DA-00702**

REV: **B**

A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage 2 Epsom Rd Zetland_NW1_R24.rvt
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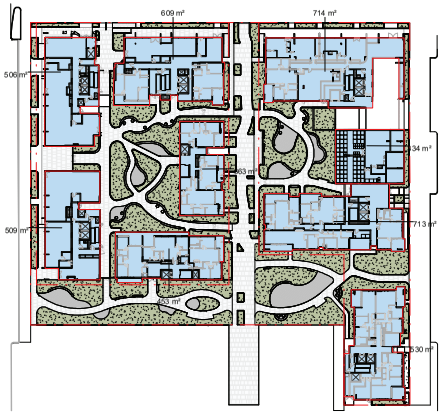

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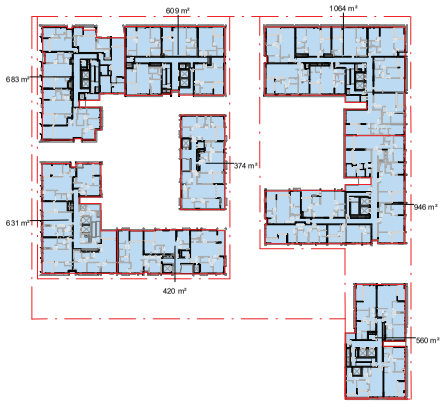
1 Level 01
SCALE 1 : 800



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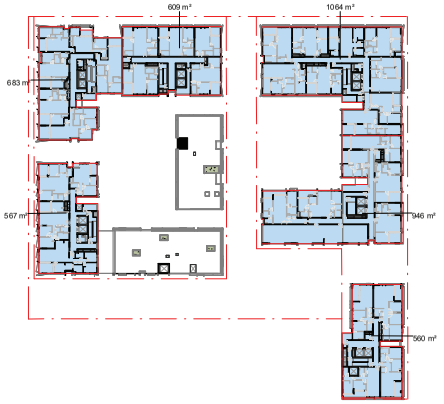

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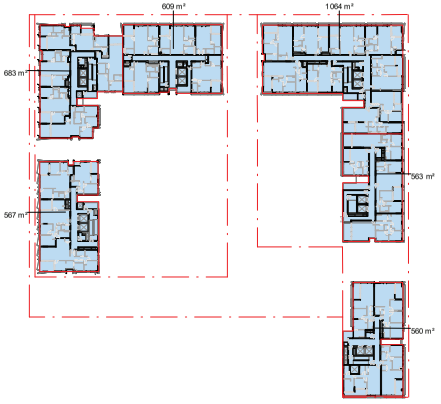
4 Level 04
SCALE 1 : 800



5 Level 05 - 06
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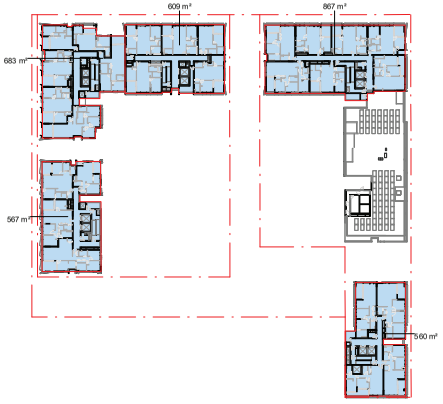

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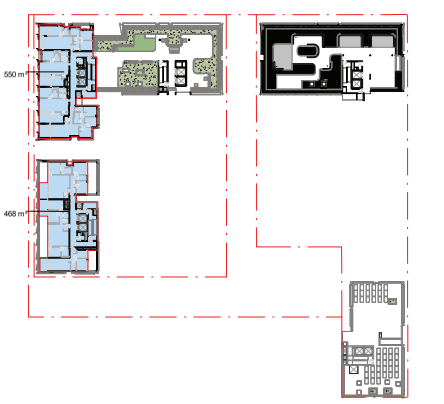

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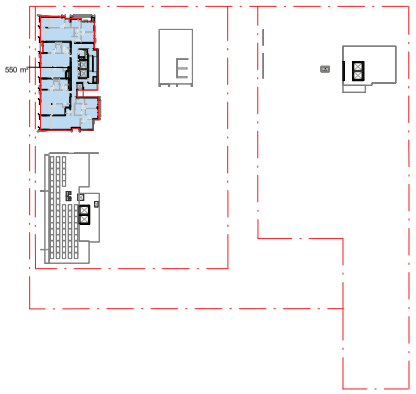
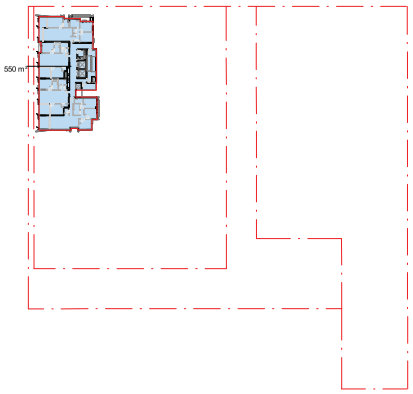


9 Level 09 - 12
SCALE 1 : 800



13 Level 13
SCALE 1 : 800

TOTAL FLOOR AREA	
Level	**Area**
Ground Level	4,730 m²
Level 01	5,181 m²
Level 02	5,287 m²
Level 03	4,429 m²
Level 04	4,046 m²
Level 05	4,046 m²
Level 06	4,048 m²
Level 07	3,286 m²
Level 08	1,019 m²
Level 09	550 m²
Level 10	550 m²
Level 11	550 m²
Level 12	550 m²
Level 13	550 m²
	38,821 m²

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NOTES:
Minor changes to for m and configura tion may be requ ired when the design e s subsequently prepa red for con st ructio n process after the grant of de velopment consent.

LEGEND:



Rev	Date	By	Revision Notes
B	18.03.25		RESPOND TO COUNCIL'S RFI
A	19.12.24		ISSUE FOR INFORMATION

0 8 16 24 32 40m
SCALE 1 : 800 @A1
NORTH

PROJECT INFORMATION:
CM.4113
Stage 2 - Epsom Rd Zetland
118-130 Epsom Road & 905 South Dowling Street, Zetland

DRAWING TITLE:
700 AREA CALCULATIONS TOTAL FLOOR AREA DIAGRAMS & SCHEDULE

SHEET STATUS:
PRELIMINARY

CHECKED BY:
Checker

DRAWING NUMBER:
DA-A-00704

REV:
B

A1

FILE LOCATION: Autodesk Docs://CM4113 Stage 2 - Zetland_DA - R24/CM4113_Stage-2-Epsom Rd Zetland_NW1_R24.rvt
21/03/2025 2:00:38 PM

Attachment C

Clause 4.6 Variation Request – Ceiling Heights

Clause 4.6 Variation Request

Section 148(2)(c) of the Statement Environmental Planning Policy (Housing) 2021

905 South Dowling Street, Zetland

Clause 4.6 –Minimum Ceiling Heights Under the Apartment Design Guide

8 April 2025

PREPARED BY

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1 Introduction

This Clause 4.6 variation request has been prepared by Karimbla Construction Services (NSW) Pty Ltd in accordance with Clause 4.6 of the *Sydney Local Environmental Plan 2012* (SLEP). It accompanies a development application (DA) to the City of Sydney Council (Council) for the construction of a mixed-use development in the North-West Stage, comprising eight new buildings and three basement levels. The buildings include three mixed use buildings (A, B and E) and five residential buildings (C, D, F, G and H). at 905 South Dowling Street, Zetland

Section 148 of the State Environmental Planning Policy (Housing) 2021 (HSEPP) sets out a number of non-discretionary development standards for residential apartment development. Specifically, Section 148(2)(c) requires compliance with Part 4C of the Apartment Design Guide (ADG) in relation to floor to ceiling heights for ground level and first floor in mixed use areas.

Clause 4.6 of the LEP enables the consent authority to grant consent for development even though the development contravenes a development standard. The clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

The following assessment of the proposal against Clause 4.6 of the LEP provides the relevant justification to the modification of the minimum floor to ceiling heights under Section 148 of the HSEPP. It should be read in conjunction with the Statement of Environmental Effects (SEE) and the accompanying plans.

1.1 Requirements of Clause 4.6

Clause 4.6 requires that a consent authority be satisfied of three matters before granting consent to a development that contravenes a development standard:

1. That the applicant has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case [clause 4.6(3)(a)]
2. That the applicant has adequately demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard [clause 4.6(3)(b)]

Clause 4.6 was amended in November 2023 to delete subclause 4.6(5) which (inter alia) included a requirement that the consent authority be satisfied that 'the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out'.

The Department of Planning Housing and Infrastructure's (DPHI) announcement material states that '*the existing test that applicants must meet in order to seek to vary development standards will not change'*. DPHI stated that the removal of specific references to the public interest in Clause 4.6, simplify the drafting, noting that consent authorities are already obliged to consider the public interest.

The NSW Land and Environment Court and the NSW Court of Appeal have established principles under which an assessment authority can consider a variation to a development standard against the provisions of Clause 4.6. The key principles were established in the following Court cases:

- *Wehbe v Pittwater Council* [2007] NSW LEC 827 (Wehbe)
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSW LEC 1009 (Four2Five)
- *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 (Initial Action)
- *Baron Corporation Pty Limited v Council of the City of Sydney* [2019] NSWLEC 61 (Baron Corporation)
- *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130 (RebelMH)

- *Doumit v Canterbury – Bankstown Council* [2018] NSWLEC 1028 (Doumit)
- *Al Maha Pty Ltd v Huajun Investments Pty Ltd* (2018) 233 LGERA 170 [2018] NSWCA 24 (Al Maha)

The principles established in the above cases have been applied in justifying a departure from the minimum floor to ceiling height requirement under Section 148 of the HSEPP.

2 Proposed Variation

2.1 Is the Planning Control a Development Standard

Development Standard is defined under Section 4(1) of the EP&A Act as follows:

"'development standards means provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development, including, but without limiting the generality of the foregoing, requirements or standards in respect of: …

(c) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work…"

Whilst there are differing interpretations as to whether the minimum ceiling height design criteria under Section 148 of the HSEPP is in fact a development standard. Council has indicated that their interpretation is that Section 148 is a development standard. Section 148 of the HSEPP states as follows:

*"**148 Non-discretionary development standards for residential apartment development—the Act, s 4.15***

(1) The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.

Note—

See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.

(2) The following are non-discretionary development standards—

(a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,

(b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,

(c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide."

2.2 Development standard to be varied

Section 148 of the HSEPP refers to Part 4C of the ADG which requires a minimum floor to ceiling height of 3.3m for ground and first floors of developments in mixed use areas. The site is located on land zoned MU1 – Mixed Use and therefore considered a mixed-use area.

This Clause 4.6 variation request seeks to justify a contravention of the minimum ceiling height development standard set out in the ADG. Objective 4C-1 of the ADG states:

*"**Objective 4C-1***

Ceiling height achieves sufficient natural ventilation and daylight access"

Design Criteria

1. Measure from finished floor level to finished ceiling level, minimum ceiling heights are:

Minimum ceiling height *For apartment and mixed use buildings*	
Habitable rooms	*2.7m*
Non-habitable	*2.4m*
For 2 storey apartments	*2.7m for main living area floor* *2.4m for second floor, where its area does not exceed 50% of the apartment area.*
Attic spaces	*1.8m at edge of the room with a 30 degree minimum ceiling slope.*
If located in mixed use areas	*3.3m for ground and first floor to promote future flexibility of use*

2.2.1 Extent of variation

The proposed development will result in a variation to the development standard of 13% in localised areas across the site. A detailed table of the variations and the particular buildings is provided below. It is important to note that variations are not across the board, and are localised to certain levels in certain buildings.

Building	Level	Required	Proposed	Difference
Building A	Ground	3.3m	4.2m	+27.2%
	Level 1	3.3m	2.9m	-13%
Building B	Ground	3.3m	4.2m	+27.2%
	Level 1	3.3m	2.9m	-13%
Building C	Ground	3.3m	3.8m	+15%
	Level 1	3.3m	2.9m	-13%
Building D	Ground	3.3m	3.3m	N/A
	Level 1	3.3m	2.9m	-13%
Building E	Ground	3.3m	4.2m	+27.2%

	Level 1	3.3m	2.9m	-13%
Building F	Ground	3.3m	5.62m	+70%
	Level 1	3.3m	2.9m	-13%
Building G	Ground	3.3m	4.42m	34%
	Level 1	3.3m	2.9m	-13%
Building H	Ground	3.3m	3.3m	N/A
	Level 1	3.3m	2.9m	-13%

The ADG recommends that developments located in a mixed-use area provide a minimum ceiling height of 3.3m for ground and first floor levels to promote future flexibility of use. The proposed development achieves (and exceeds) the recommended floor to ceiling heights on ground floor for all mixed-use development and proposed only a minor departure for Level 1 of the development. Floor to ceiling heights on Level 1 of the development are below 3.3m.

3 Clause 4.6(3)

Clause 4.6(3) of the LEP states as follows:

> *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
>
> *(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
>
> *(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

The judgements in Baron, Rebel and Al Maha recognise the need for the consent authority to form its own view on whether the requirements of Clause 4.6(3) have been achieved, in order to discharge its responsibility to determine whether it is satisfied that the written variation request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). Accordingly, the written Clause 4.6 variation request must 'demonstrate' that the requirements of Clause 4.6(3) have been 'adequately addressed'.

This section demonstrates that the relevant requirements of Clause 4.6(3) are adequately addressed.

3.1 Clause 4.6(3)(a) – Unreasonable or unnecessary

In accordance with the requirements of Clause 4.6(3)(a) of the LEP, this section demonstrates why compliance with the development standard is unreasonable or unnecessary in the circumstances of this case.

In Wehbe, Preston CJ of the Land Environment Court provided relevant assistance by identifying six methods under which a variation to a development standard can be deemed suitable, and compliance with the standard is seen to be unreasonable or unnecessary. The six methods are as follows:

1. **the objectives of the standard are achieved notwithstanding non-compliance with the standard;**
2. the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
3. the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
4. the development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;
5. the compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone; and
6. Compliance is demonstrably unreasonable or unnecessary in some other way.

The proposed departure from the development standard is assessed using method one to establish that the strict application of the development standard under Section 148 of the HSEPP, is unreasonable and unnecessary in this instance.

3.1.1 First method - The objectives of the standard are achieved notwithstanding noncompliance with the standard

In accordance with the principle established in Wehbe, one of the ways in to determine whether a Clause 4.6 variation request has demonstrated the achievement of the matters in Clause 4.6(3)(a) is to show that it is unreasonable or unnecessary to strictly apply the development standard as the development achieves the objectives of the development standard, notwithstanding the contravention of the development standard.

In Baron, Preston CJ noted that demonstrating that the development achieves the objectives of the development standard involves:

1. identification of what the objectives of the development standard are; and
2. establishing that those objectives are, in fact, achieved.

Preston CJ noted that **both** of these the above requirements need to be addressed in a written Clause 4.6 variation request, and that the consent authority must forms its own view on whether both of these matters have been **adequately** addressed.

There are no objectives explicitly associated with minimum floor to ceiling heights under Section 148 of the HSEPP. In lieu, the proposal has been assessed against the relevant objectives of Part 4C of the ADG to demonstrate how the objective has been met notwithstanding non-compliance with the minimum floor to ceiling height standard. Objective 4C-1 of the ADG states as follows:

*"**Objective 4C-1***

Ceiling height achieves sufficient natural ventilation and daylight access

Objective 4C-2

Ceiling height increases the sense of space in apartments and provides for well proportioned rooms

Objectives 4C-3

Ceiling heights contribute to the flexibility of building use over the life of the building"

TABLE 1: RELEVANT OBJECTIVES OF PART 4C-1 OF THE ADG

OBJECTIVE	CONSISTENCY
Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access	The proposed development is design to provide a high-quality, contemporary development which is reflective of the bulk, scale and character as desired within the Epsom Park Precinct. The proposal underwent a comprehensive competitive design alternatives process with the City of Sydney, and has been deemed to achieve design excellence. The proposed variation to the minimum ceiling height development standard, which is overall minor, will not impact the development achieving sufficient natural ventilation and daylight access. The proposed development is relevantly compliant with the solar access and natural ventilation requirements under the ADG (see architectural plans). Apartments which do not meet the required ceiling height achieve good solar access and natural light where possible. Any apartments not achieving solar access or natural ventilation would not be benefited by increasing the ceiling height, and would continue to fall short of the control. It is highly unlikely that the residential units located on Level 1 of the development will be converted to non-residential uses in the future. This outlook is echoed by the consent authority. In the event that Level 1 residential is converted to non-residential, the best land use for above ground tenancies (i.e. no ground floor street presence) is commercial office space which can readily be accommodated within a 2.7m floor to ceiling. The apartments will be compliant with the relevant provisions in the Apartment Design Guide (ADG) and demonstrate design excellence in accordance with the principles set

OBJECTIVE	CONSISTENCY
	out in Chapter 4 of *State Environmental Planning Policy (Housing) 2021* (the Housing SEPP.
Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well proportioned rooms	The ADG also seeks to ensure that the proposed ceiling heights increase the sense of space in apartments and provides for well-proportioned rooms under Objective 4C-2. The proposed units comply with the relevant requirements for unit size and depth under the ADG creating high quality and livable spaces optimising a sense of space and outlook. The heights are still well above the minimums required under the NCC and ADG for all other residential levels, with no low bulkheads in habitable rooms.
Objective 4C-3 Ceiling heights contribute to the flexibility of building use over the life of the building	Objective 4C-3 of the ADG seeks to provide flexibility in uses over the life of the building within mixed-use areas. The non-compliance is minor in nature (13%) and still provides adequate opportunity for varying uses above ground without compromising amenity and spatial requirements.

3.2 Clause 4.6(3)(b) - Sufficient Environmental Planning Grounds

This section of the report demonstrates that there are sufficient environmental planning grounds to justify contravening the minimum floor to ceiling height development standard as required by Section 148 of the HSEPP.

In Initial Action, Preston CJ observed that in order for there to be 'sufficient' environmental planning grounds to justify a written request under Clause 4.6 to contravene a development standard, the focus must be on the aspect or element of the development that contravenes the development standard, not on the development as a whole. In Four2Five Pty Ltd, Pain J observed that it is within the discretion of the consent authority to consider whether the environmental planning grounds relied on are particular to the circumstances of the proposed development on the particular site.

There are sufficient environmental planning grounds to justify a flexible approach to the application of the minimum floor to ceiling height control as it applies to the site, demonstrated as follows:

- Ground level floor to ceiling heights far exceed the minimum 3.3m requirement, providing increased flexibility with ground floor presence and high visibility to pedestrians and vehicles.
- The development was the subject of a detailed Planning Proposal, Concept Plan, Competitive Design Process, and design excellence process which consistently proposed residential uses at Level 1 and residential uses on ground floor where active frontage not required.
- The overall development achieves the minimum non-residential floor space requirement established under the site-specific LEP. There is limited demand for additional non-residential floor space in this location.

3.2.1 Consistency with the zone objectives

Despite the minor non-compliance, the proposal will remain consistent with the objectives of the MU1 zone as detailed below:

TABLE 2: RELEVANT OBJECTIVES OF THE MU1 ZONE

OBJECTIVE	CONSISTENCY
To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.	The development will continue to provide ground level non-residential uses throughout the development, none of which are compromised by this variation. Level 1 residential units are capable of being converted to non-residential in the future and will continue to provide at least 2.7m floor to ceiling heights.
To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.	Ground floor non-residential uses are proposed to have floor to ceiling heights exceeding the minimum of 3.3m under Section 148 of the HSEPP. These tenancies have direct street access and visibility creating active street frontage with possibilities for diverse offering to the community.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The development is entirely compatible with surrounding development and land uses. The proposal mirrors the same floor to ceiling minimums as the development across Zetland Avenue, creating continuity of appearance and non-residential offerings.
To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	The proposal seeks to provide a variety of non-residential uses on ground floor to increase activation and visibility.

OBJECTIVE	CONSISTENCY
To ensure land uses support the viability of nearby centres.	The development site is not identified as a centre. As such, the non-residential uses on ground floor only seek to compliment the established centre, and meet the day-today needs of residents in the immediate area.
To integrate suitable business, office, residential, retail and other land uses in accessible locations that maximise public transport patronage and encourage walking and cycling.	The site is located near Green Square Railway Station and Green Square Bus Interchange, providing excellent connectivity to the greater Sydney metropolitan area. The multiple uses will increase employment and housing opportunities in a highly accessible location,

3.2.2 Orderly and economic use of land & public interest

In accordance with the objects of the EP&A Act, the proposal provides for the orderly and economic use of the land when considering the site constraints, relationship to surrounding properties and accessible location. These characteristics support the proposed variation, and it would be entirely contrary to the public interest to request strict compliance as the variation is minor and the proposal is compatible with the character of the locality. A fully compliant development will result in the provision of subpar tenancies and in an inferior building arrangement and design, ultimately resulting in unleasable tenancies whilst impacting the amenity of future residents.

The proposal will deliver additional housing supply in accordance with Federal and State government policy. It will replace unnecessary office space with critically needed housing supply.

There are no unreasonable impacts that will result from the proposed variation to the minimum non-residential floor space development standard. As such there is no public benefit in maintaining strict compliance with the development standard.

4 Conclusion

Having regard to all of the above, it is our opinion that compliance with the minimum floor to ceiling height development standard is unreasonable and unnecessary in the circumstances of this case as the development meets the objectives of the zone objectives. The proposal has also demonstrated sufficient environmental planning grounds to support the breach. Therefore, insistence upon strict compliance with that standard would be unreasonable. On this basis, the requirements of Clause 4.6(3) are satisfied, and the variation is worthy of support.

Attachment D

Competitive Design Alternatives Report

COMPETITIVE DESIGN ALTERNATIVES PROCESS REPORT

COMPETITIVE PROCESS SITE 2

118-130 Epsom Road & 905 South Dowling Street, Zetland

30 July 2024

PREPARED BY

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Selection Panel Endorsement

Name	Signature	Date
Peter Spira		**30/7/2024**
Tai Ropiha		30/7/2024
Jane Johnson		06/08/24
Richard Johnson		31/07/2024

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1 Introduction

1.1 Overview

The purpose of this Competitive Design Alternatives Process Report ("the report") has been prepared to inform the City of Sydney Council (City of Sydney) of the process and outcomes of the Competitive Design Alternatives Process for the redevelopment of Competitive Process Site 2 at 118-130 Epsom Road & 905 South Dowling Street, Zetland, and the selection of the winning architectural design.

Karimbla Properties (No. 60) Pty Ltd (the Proponent), part of the Meriton Group, selected three architectural consortiums to participate in the Competitive Design Alternatives Process and prepare design proposals for Competitive Process Site 2.

	Consortium 1	**Consortium 2**	**Consortium 3**
Lead Architect	WMK Architecture	Sissons	Crone Architects
Emerging Architect	Welsh + Major	Alexander Symes Architect	Youssofzay + Hart

All three architectural consortiums participated wholly in the Competitive Design Alternatives Process and produced a final submission for consideration and assessment by the Selection Panel.

The Competitive Design Alternatives Process was undertaken in accordance with the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012, and the City of Sydney Competitive Design Policy 2020.

Section 4.3 of the City of Sydney Competitive Design Policy 2020 sets out the requirements for a Competitive Design Alternatives Report, as follows:

1. *When competitive design alternatives have been prepared and considered, the consent authority requires the applicant to submit a Competitive Design Alternatives Report prior to the submission of the relevant Stage 2 Development Application.*
2. *The Competitive Design Alternatives Report shall:*
    a. *Include each of the design alternatives considered;*
    b. *Include an assessment of the design merits of each alternative;*
    c. *Set out the rationale for the choice of the preferred design and clearly demonstrate how this best exhibits design excellence in accordance with the provisions of Clause 6.12C(2) of the Sydney Local Environmental Plan 2012 and the approved Design Excellence Strategy.; and*
    d. *Include a copy of the brief issued to the architectural firms.*
3. *The consent authority will advise the applicant whether it endorses the process and outcome and whether it fulfils the requirements of the competitive design alternatives process in the form of pre-development applicant advice.*
4. *The consent authority may need to determine whether the resulting development application or subsequent Section 96 modification is equivalent to, or through design development, an improvement upon the design qualities of the endorsed outcome. If necessary, further competitive processes may be required to satisfy the design excellence provisions.*

This report has been prepared in accordance with Section 4.3 and outlines the Competitive Design Alternatives Process, the Selection Panel's assessment of each scheme, and demonstrates the

Selection Panel's rationale for selection of the winning scheme. Each Selection Panel member has reviewed and endorsed the content contained within this report.

The Competitive Design Alternatives Process was undertaken in accordance with the approved Design Excellence Strategy for the Subject Site, and in accordance with the Competitive Design Alternatives Brief prepared by Meriton Property Services Pty Ltd and endorsed by the City of Sydney on 23 April 2024.

1.2 Site Description

The Competitive Design Alternatives Process relates Competitive Process Site 2 within the Subject Site known as 118-130 Epsom Road and 905 South Dowling Street, Zetland. The Subject Site is legally described as Lot 7 in Deposited Plan 24134 and Lot 2 in Deposited Plan 830870

1.3 The Proponent

The Proponent for this Competitive Design Alternatives Process is Karimbla Properties (No. 60) Pty Ltd, part of the Meriton Group.

1.4 The Consent Authority

The subject site is located within the City of Sydney Local Government Area (LGA. The Consent Authority for the approval of the Competitive Process Site 2 will be the Central Sydney Planning Committee (CSPC) since the estimated value of the project will exceed $50 million.

The Competition Manager liaised with Council Officers throughout the Competition. Council Officers observed the Competitive Process and the competitor's final presentation to ensure the integrity of the Competitive Design Alternatives Process and the outcome.

1.5 Regulatory Framework

The key Environmental Planning Instrument that applies to the site is the Sydney Local Environmental Plan 2012 (SLEP).

Clause 6.21D(3)(b) of the SLEP allows the Consent Authority to grant a Floor Space Ratio bonus of up to 10% if it is satisfied that the development is the result of a Competitive Design Process and that the building exhibits design excellence.

The Proponent is seeking to be granted up to 10% additional floor space in accordance with Clause 6.21D of the SLEP.

1.6 Assessment of the Scheme and Winning Design

An analysis and assessment of the designs was undertaken in accordance with the assessment criteria contained within the Competitive Design Alternatives Brief. This included the design, planning and commercial objectives of the Brief, compliance with the relevant planning controls and the approved Stage 1 Concept DA.

The Selection Panel, by majority vote, recommended the **Crone Architects and Youssofzay + Hart** submission as the winning scheme for the competition. Details of the competitor's schemes and the Selection Panel's deliberation are discussed in the following sections.

2 Competitive Design Alternatives Process

2.1 Overview

The Proponent selected three consortiums made up of two architecture firms to prepare submissions in response to a Design Brief as part of the Competitive Design Alternatives Process. The Brief was prepared by Meriton Property Services Pty Ltd and endorsed by the City of Sydney Council on 23 April 2024. The process undertaken is described in more detail as follows:

- Three architectural consortiums were selected, each consortium was comprised of a lead architect and an emerging architect, all architects are recipients of an award or commendation from the Australian Institute of Architects (AIA).
- The Competitive Design Alternatives process commenced on 29 April 2024, ran for 8 weeks, and concluded on 24 June 2024 with final submissions lodged to the competition manager.
- A site visit and briefing session was held on 1 May 2024 to provide an overview of the site, allow competitors to see the site in its context, outline the planning controls and parameters of the Competition Brief, and outline key elements of the brief procedures to be adhered to during the process.
- The Selection Panel members were provided a copy of the Design Brief on 10 May 2024.
- An optional Progress Session was made available to each competitor during the Competition for competitors to ask questions of Technical Advisors. Only one consortium elected to participate in a Progress Session.
- A Register of Questions and Clarifications was kept during the process to document all questions received, responses given, clarifications to competitors and amendments to the Brief, without revealing the source of the questions.
- All competitors submitted an electronic Design Report (Final Submission), articulating their architectural proposal for the site.
- Each competitor presented their proposed architectural scheme to the Selection Panel during the Final Presentation date held on 8 July 2024. The Selection Panel deliberations were held immediately following the presentations on 8 July 2024. The discussions and deliberations of the presentations form the basis of this report.

The Competitive Design Alternatives Process was undertaken in an open and transparent manner with full consultation, consideration and disclosure with the City of Sydney in attendance as observers. In accordance with the City of Sydney's Competitive Design Policy, the Council was involved in the process as follows:

- Reviewed, provided comment and endorsed the Brief.
- Provided clarification on procedures where necessary and relevant advice.
- Approved brief amendments.
- Copied in to all correspondence between competitors and the Competition Manager regarding questions, amendments and clarifications.
- Attended the briefing session, the site visit, progress sessions, QS meetings, final presentations and were present during Selection Panel deliberations.

2.2 Participating Architectural Consortiums

The three architectural consortiums which participated in the Competitive Design Alternatives Process were:

1. WMK and Welsh + Major
2. Sissons and Alexander Symes Architect
3. Crone Architects and Youssofzay + Hart

All architectural consortiums listed above participated wholly in the Competitive Design Alternatives Process.

2.3 Technical Advisors

Technical Advice was made available to the competitors throughout the process and an assessment of the final submission schemes was undertaken. The technical advisors involved in the Competitive Design Alternatives Process are outlined in the table below.

Name	Company	Advising for
William Brindle	Meriton Group	Competition Manager/ Planning
Eirian Crabbe	Taylor Thompson Whitting (TTW)	Flooding
Ben Liddell	TRAFFIX	Traffic
Joanna Zhou	Meriton Property Services Pty Ltd	Structural Engineering
Steven Wehbe	Meriton Property Services Pty Ltd	Quantity Surveyor

2.4 Observers

The following observers from the City of Sydney were present at various stages of the process.

Name	Organisation	Position
Anita Morandini	City of Sydney Council	Design Excellence Manager
Silvia Correia	City of Sydney Council	Design Excellence Coordinator
Michael Stephens	City of Sydney Council	Senior Planner, Planning Assessment
Andrew Rees	City of Sydney Council	Area Planning Manager - South
Matthew Girvan	City of Sydney Council	Area Coordinator

The following observers from Meriton Group were present at various stages of the process.

Name	Company	Position
Walter Gordon	Meriton Group	Head of Planning and Development
Frank Ru	Meriton Group	Head of Architecture
Ian Lim	Meriton Group	Head of Design
Ching Oung	Meriton Group	Senior Design Manager

2.5 Selection Panel

The Selection Panel was comprised of two members selected by the Proponent, and two selected by the City of Sydney. The Selection Panel comprised the following members.

Name	Company	
Peter Spira	Spira Consulting	Proponent Nominee
Tai Ropiha	Director, CHROFI Architects	Proponent Nominee
Jane Johnson	Managing Director, Smart Design Studio	CoS Nominee
Richard Johnson AO MBE	Hon. Professor UNSW BE	CoS Nominee

All members of the Selection Panel have extensive experience in architectural design.

2.6 Key Dates

DATE	TASK/EVENT
	Commencement Date
29 April 2024	Design Competition began.
	Brief issued to Competitors
1 May 2024	**Competitors briefing session and Site Visit**
	A site visit was held on site at 10:00am.
	A briefing session for all competitors was held online following the site visit.
28 May 2024	**Progress Session**
	An informal progress session to seek clarifications limited to planning and technical compliance only was held. The session did not involve members of the Selection Panel.
	Presentations to be held online.
12 June 2024	**Selection Panel briefing session**
	A briefing session for the Selection Panel was held online.
12 June 2024	**Quantity surveyor meeting**
	Each competitor met with the quantity surveyor (QS) prior to the lodgement of final submissions.
	Final Submission Lodgement Date
24 June 2024	Competitors lodged their final submissions to the Competition Manager by 5:00pm (AEST).
1 July 2024	**Lodgement of presentation date material and summary pack**
	Competitors submitted a PDF presentation to the Competition Manager by 5:00 pm (AEST)
	Presentation Date
8 July 2024	Competitors presented final submissions to the Selection Panel.
	Presentations to be held at Meriton head office:
	Level 11, 528 Kent Street, Sydney NSW 2000]
8 July 2024	**Decision Date**

3 Assessment of Final Submissions

3.1 Consortium 1 – WMK and Welsh + Major

3.1.1 Overview of the Design Scheme

The design proposed by **WMK and Welsh + Major** is shown in **Figures 1** and **2.** A summary of the schemes credentials is detailed below:



Figure 1: View of proposal look west from future pedestrian link



Figure 2: View from North East, corner of Zetland and Defries Avenue

Element	Proposal		
Unit Mix	1 Bed/1 Bed + MPR 2 Bed 3 Bed 4 Bed **Total**	43 156 70 7 **276**	(15%) (57%) (25%) (3%)
Residential **Commercial / Retail**	27,392 m^2 719 m^2		
Gross Floor Area (Max 28,105 m^2)	**28,111.49 m^2** 6.49m^2 exceedance		
Car Parking	Residential Visitor Retail **Total**	N/A N/A N/A **328 (Unit & Use mix allows 309)**	
Amenities	1 x communal pool 1 x gym		

3.1.2 Assessment of Submission

The Selection Panel provided the following evaluation of the **WMK and Welsh + Major** scheme and presentation and its ability to meet the objectives of the brief and the potential to achieve design excellence.

WMK and Welsh + Major provided a well-considered public realm and urban design of the site, in particular the visual permeability from Zetland Avenue through to the internal square with a series of vistas.

The architectural grain and rhythm of building elements along Zetland Avenue was commendable. The arched form of the retail along Gunyama Park creates a distinctive expression and activation to the public realm. The additional retail location on the east-west pedestrian link creates an event and activation opportunities.

The panel commends the schemes flexibility in planning through a modular approach. The architecture of standardised material and precast elements has potential and is integrated and expressed on the façade creating a fine grain urban character with a diversity and playful expression.

Independent access with direct lift access to the pool is a strong element of the scheme, which removes the need to enter residential lobbies of other buildings.

The scheme displayed a sound ratio of solid to void across the façade and has integrated good ESD principles and objectives.

The location of the loading dock on ground floor compromises the ground floor plane and needs further development.

General unit and layout planning would benefit from further development. The scheme would also benefit from further block layout development to create greater separation between ground plane and mid-rise blocks.

The Proponent and Selection Panel thanks **WMK and Welsh + Major** for their submission and recognises the quality and extent of the work involved. Despite the strengths of this scheme, it was decided not to proceed further with this proposal.

3.2 Consortium 2 – Sissons and Alexander Symes Architects

3.2.1 Overview of the Design Scheme

The design proposed by **Sissons and Alexander Symes** is shown in **Figures 3** and **4.** A summary of the schemes credentials is detailed below:



Figure 3: View of proposal from East-West Pedestrian Link looking



Figure 4: View from North East, corner of Zetland and Defries Avenue

Element	Proposal		
Unit Mix	1 Bed + MPR 2 Bed /2 Bed + MPR 3 Bed 4 Bed (TH) **Total**	42 169 51 10 **272**	(15%) (62%) (19%) (4%)
Residential **Commercial / Retail**	27,227 m^2 843 m^2		
Gross Floor Area (Max 28,105 m^2)	**28,070 m^2**		
Car Parking	Residential Visitor Retail Total	264 (unit mix allows 271) 25 18 307	
Amenities	1 x communal pool at mid-rise roof level 1 x gym		

3.2.2 Assessment of Submission

The Selection Panel provided the following evaluation of the **Sissons and Alexander Symes** scheme and presentation and its ability to meet the objectives of the brief and potential to achieve design excellence.

Sissons and Alexander Symes are to be commended for the quality and comprehension of its submission and presentation material. The Panel were impressed with the urban analysis and design principles which informed the scheme and the concept of connectivity at both a local level and beyond the site.

The treatment of the retail frontage and opening up of the corner to Defries was a fresh take on retail requirements. The opening up of Defries Avenue with links and ground floor apartment access creates sound activation along Defries Avenue and good permeability throughout the site. Differentiation between retail and ground floor residential requires further development.

The ESD objectives incorporated into the scheme were commended. The scheme showcased consideration of public art opportunities and water feature opportunities. The scheme's consideration and analysis of 8-12 Peters Street was a distinguishing factor.

The inclusion of townhouses created a 'soft centre' to the site, and the panel commends their connection to the basement. The idea and exploration of the arches is commended however they may compromise public open space and would benefit from further refinement.

The façade system of aluminium louvres, whilst being a strong unifying element of the scheme, would benefit from a greater diversity of detail and expression of balcony and windows to create a finer grain, rhythm and residential character.

The Proponent and Selection Panel thanks **Sissons and Alexander Symes** for their submission and recognises the quality and extent of the work involved. Despite the strengths of this scheme, it was decided not to proceed further with this proposal.

3.3 Consortium 3 – Crone and Youssofzay + Hart

3.3.1 Overview of the Design Scheme

The design proposed by **Crone and Youssofzay + Hart** is shown in **Figures 5** to **8.** A summary of the schemes credentials is detailed below:



Figure 8: View of proposal from Zetland Avenue looking South



Figure 8: View from North East, corner of Zetland and Defries Avenue



Figure 8: View of Low-Rise Building from Block NW-2 across Letitia Street



Figure 8: View of Proposal from Gunyama Park

Element	Proposal		
Unit Mix	1 Bed + MPR 2 Bed /2 Bed + MPR 3 Bed 4 Bed **Total**	41 167 56 5 **269**	(15%) (62%) (21%) (2%)
Residential **Commercial / Retail**	27,084.18m^2 728.48m^2		
Gross Floor Area	**27,812.66 m^2**		
Car Parking	Residential Visitor Retail Childcare Total	312 (unit mix allows 315) 27 24 12 375	
Amenities	1 x gym		

3.3.2 Assessment of Submission

The Selection Panel provided the following evaluation of the **Crone and Youssofzay + Hart** scheme and presentation and its ability to meet the objectives of the brief and its potential to achieve design excellence.

The Selection Panel by unanimous vote, recommended the **Crone and Youssofzay + Hart** submission as the winning scheme for the competition. **Crone and Youssofzay + Hart** presented the most compelling scheme which was well received by the Panel with consideration of the health and wellbeing of Country and a strong understanding and response to the surrounding precinct and urban design.

It is considered that the scheme best fulfils the design, commercial and planning objectives of the brief and demonstrates the potential to achieve design excellence as required by Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012 and the City of Sydney Competitive design Policy 2020. It proposes buildings that will create a distinctive skyline, a good level of urban integration and deliver high levels of amenity to future residents, all of which will benefit the immediate precinct.

The ESD objectives incorporated into the scheme were commended.

The scheme provided great visual permeability and sense of openness created by the omission of the low-rise building east of Letitia Street, complemented by sound choice of materiality and building form.

The scheme had effective deep soil distribution across the site. The landscape design is comprehensive and well thought out, further consultation with the Council would be beneficial.

Further design development of pedestrian permeability adjacent to the carpark ramp and design development of the Gunyama Park and Defries Avenue facade would benefit the scheme greatly.

The Proponent and Selection Panel thanks **Crone and Youssofzay + Hart** for their submission and recognises the quality and extent of the work involved. The Selection Panel recommends this scheme as the winner of the Competitive Alternatives Process.

3.3.3 Recommendations

The Selection Panel recommended retention of the following strong elements of the scheme during design development:

- The general landscape approach across the site.
- Encourage the continued consideration of the health and wellbeing of Country through landscape and public art.
- The approach to materiality is to be maintained.
- Omission of the low-rise building in Block NW-2
- The opening of the courtyard in Block NW-2 fronting Letitia Street
- The awnings over the retail areas in line with the DCP
- Visual permeability throughout the site, achieved largely due to the gaps between building blocks.
- The simplicity of internal layout planning
- Acknowledgement and integration of public art
- The quantum of deep soil provided
- The open space (east-west link) to the north of 8-12 Peters Street
- Clearly defined building entries and lobby planning within tall buildings
- Composition of Zetland Avenue Façade.

The Selection Panel recommended the following improvements to the scheme:

- External gallery access to all low-rise buildings should be removed
- Dual lifts should be utilised across the development
- Relationship of central low-rise building to landscape east & west must improve – no solely ground floor bedrooms and living room must be on ground floor
- Central low rise building of 4 storeys is acceptable only if bulk is minimised.
- Physical connection of the low rise building to the mid/high rise to the north is not successful and not necessary.
- Pedestrian link to Defries Avenue adjacent to the carpark entry needs to improve by avoiding a dog leg and providing greater visual connection. Levels need to be resolved.
- Blank wall on Corner of Defries and Zetland needs to be improved/opened up with greater activation of the public realm/ retail to corner is a possibility.
- Further development of the conceptual weave approach is needed, especially on Gunyama Park façade and its connection to the Zetland Avenue tower façade.
- Basement efficiency and loading dock configuration
- Include a pool and other communal facilities in line with the brief.
- Simplified access to low-rise building east of Letitia Street via foyer of the building fronting Defries Avenue
- Current ground plane along Zetland Avenue to the east does not comply with active frontage – consider flexible home office arrangement.
- Further development of Defries elevation is needed.
- Ensure design development of Letitia Street and east-west link progresses in full consultation with the CoS to ensure delineation between public and private land and compliance with City of Sydney standards.

5 Conclusion

This report summarises the outcomes of the Architectural Design Alternatives Process for the redevelopment of Competitive Process Site 2 at 118-130 Epsom Road & 905 South Dowling Street, Zetland.

The design competition process has been carried out in a professional and thorough manner in accordance with the Competitive Design Alternative Brief, prepared by Meriton Group.

The winning entry, designed by **Crone and Youssofzay + Hart**, best fulfils the design, commercial and planning objectives of the Brief and demonstrates the potential to achieve design excellence.

The significant efforts made by all Competitors are recognised and the Selection Panel and Meriton Gorup wishes to thank all teams for their participation.

This report is endorsed by the Selection Panel.

Item 6.

Development Application: 905 South Dowling Street, Zetland - D/2024/1055

File Number: D/2024/1055

Summary

Date of Submission:	21 November 2024 Amended drawings and additional information were submitted on 21 March 2025 and between 25 March and 10 April 2025.
Applicant/Owner:	Karimbla Properties (No. 60) Pty Ltd
Architect	MHND Union and Allford Hall Monaghan Morris
Developer:	Meriton
Planning Consultant:	Meriton
Design Advisory Panel:	13 February 2025
Cost of Works:	$158,890,894
Zoning:	The site is zoned MU1 mixed-use under the Sydney Local Environmental Plan 2012. The proposal comprises a mixed-use development including residential and retail uses which are permissible with consent in the zone.

Proposal Summary:	Approval is sought for a mixed-use development on the Southern (S) stage of the broader Suttons redevelopment site comprising:
	
	• Construction of four buildings containing a total of 241 apartments including:
	
	  • Two mixed-use buildings (Buildings S1 and S2); and
	
	  • Two residential flat buildings (Buildings S3 and S4).
	
	• Construction of 3 and 4 basement levels containing 233 car parking spaces, 324 bicycle parking spaces and 22 motorcycle parking spaces.

- Mulgu Park is to be subject of a separate development application.

The application is Integrated Development requiring the approval of Water NSW under the Water Management Act 2000. General Terms of Approval have been received and form part of the recommended conditions in Attachment A.

The application is referred to the Central Sydney Planning Committee (CSPC) for determination as the cost of works exceeds $50 million.

The approved concept plan for the site is proposed to be modified concurrently with this application (D/2023/724/B) to address inconsistencies between the concept plan and this detailed development application.

Voluntary Planning Agreements

Two planning agreements apply to the site:

- VPA/2022/18 securing environmental performance initiatives and provision of 3,696sqm of non-residential gross floor area; and

- VPA/2023/10 securing construction and dedication of public infrastructure including new roads, footpath widening, Mulga Park, and extension of the Green Square trunk drain.

The public domain works associated with the development are to be constructed under a separate development consent (D/2023/753).

Competitive Design Process

A competitive design process was held for the site in accordance with clause 6.21D of the SLEP 2012.

MHND Union and Allford Hall Monaghan Morris were selected as the winning scheme. The proposed development is generally consistent with the winning scheme and the recommendations of the selection panel have been addressed in this report.

Notification

The application was notified for a period of 28 days between and 16 December 2024 and 3 February 2025. Two submissions were received with one in support and one objecting to the proposal. The objection raised issues related to the provision of shopping centres, retail outlets, open space and public transport.

Clause 4.6 request

A written request has been submitted in relation to the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide, as this is deemed a development standard under Section 148 of the State Environmental Planning Policy (Housing) 2021. The recommended 3.3m ceiling height is not achieved on the ground floor of Buildings S3 and S4, and on Level 1 of all buildings. The applicant's request to vary the ceiling height development standard is supported in this instance.

Assessment

The Design Advisory Panel (DAP) reviewed the proposal on 13 February 2025.

Amended plans were submitted on 21 March 2025 to address issues raised by Council and the DAP. The amended proposal adequately addresses the issues raised, as detailed in this report, subject to the recommended conditions of consent.

The proposed development responds appropriately to the surrounding development and provides a built form that is generally consistent with the desired future character of the Green Square Epsom Park locality, reflected by the general and site-specific development controls that apply to the site. The development achieves a standard of architectural design that demonstrates design excellence in accordance with clause 6.21C of the SLEP 2012 and will contribute significant public benefits captured by the Planning Agreements.

Summary Recommendation: The development application is recommended for approval, subject to conditions.

Development Controls:

(i) Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021

(ii) City of Sydney Act 1988 and City of Sydney Regulation 2016

(iii) Water Management Act 2000

(iv) Sydney Water Act 1994 and Sydney Water Regulation 2017

(v) Sydney Airport Referral Act 1996

(vi) Airports Act 1996 (Cth) and Civil Aviation (Building Control) Regulation 1988

(vii) State Environmental Planning Policy (Transport and Infrastructure 2021)

(viii) State Environmental Planning Policy (Resilience and Hazards) 2021

(ix) State Environmental Planning Policy (Housing) 2021

(x) State Environmental Planning Policy (Biodiversity and Conservation) 2021

(xi) State Environmental Planning Policy (Sustainable Buildings) 2022

(xii) Sydney Local Environmental Plan 2012

(xiii) Sydney Development Control Plan 2012

(xiv) City of Sydney Interim Floodplain Management Policy 2012

(xv) City of Sydney Guidelines for Waste Management in New Developments.

(xvi) Sydney Landscape Code Volume 2: All development except single dwellings

(xvii) City of Sydney Public Art Policy 2011

(xviii) City of Sydney Public Art Strategy 2011

(xix) City of Sydney Interim Guidelines for Public Art in Private Development 2006

(xx) City of Sydney Community Engagement Strategy and Community Participation Plan 2022

(xxi) City of Sydney Development Contributions Plan 2015

(xxii) City of Sydney Affordable Housing Program 2023

Attachments:

A. Recommended Conditions of Consent

B. Selected Drawings

C. Clause 4.6 Variation Request - Ceiling Heights

D. Competitive Design Alternatives Report

E. Submissions

Recommendation

It is resolved that:

(A) the request to vary the ceiling height development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and

(B) consent be granted to Development Application Number D/2024/1055 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

(A) The proposal satisfies the objectives of the Environmental Planning and Assessment Act 1979 in that, subject to the recommended conditions of consent, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Central Sydney Planning Committee.

(B) Based upon the material available to the Committee at the time of determining this application, the Committee is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the ceiling heights development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening the development standard.

(C) The development is permissible with consent in the MU1 mixed-use zone and is consistent with the objectives of the zone.

(D) The proposal has been assessed against the aims and objectives of the relevant planning controls including the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012, and State Environmental Planning Policy (Housing) 2021. Where non-compliances exist, they have been demonstrated in this report to be acceptable in the circumstances or are to be resolved by the recommended conditions of consent.

(E) The proposed development demonstrates design excellence in accordance with the relevant provisions and matters for consideration in clause 6.21C of the Sydney Local Environmental Plan 2012.

(F) The proposed development is consistent with the design intent of the winning schemes of the competitive design alternatives processes for the site, held in accordance with the City of Sydney Competitive Design Policy.

(G) The proposed development has a form, bulk and massing that is suitable for the site and its context and is appropriate in the setting of the Green Square Epsom Park locality.

Background

The Site and Surrounding Development

1. The broader site has a legal description of Lot 72 in Deposited Plan 1310004 and is known as 905 South Dowling Street, Zetland. The site was previously known as 118-130 Epsom Road and 905 South Dowling Street, Zetland prior to the consolidation of the land, registered on 27 September 2024. It is irregular in shape with an area of approximately 40,866sqm.

2. The application relates to the third stage (South) of the former Suttons redevelopment, as defined in the concept approval (D/2023/724), which is located within the southern area of the site bound by Peters Street (future road) to the north, Link Road to the east, Epsom Road to the south and neighbouring buildings to the west. This stage is known as 'Stage 3 South'. Stage 3 South is an irregular shape with an area of approximately 12,916sqm.

3. The site is currently subject to active site preparation. Demolition of the former car sales and service centre was undertaken in early 2024 under development consent D/2023/720 and remediation of the land and the construction of the internal roads and infrastructure commenced in late 2024 under development consent D/2023/753. Early works are underway to construct the basement for this stage of the development under development consent D/2024/1074 granted in March 2025.

4. The site is located within the Epsom Park locality of the Green Square, a new neighbourhood characterised by a mixture of land uses, predominantly residential with a variety of commercial or retail, and recreation areas including Gunyama Park Aquatic and Recreation Centre. The site is approximately 0.8-1km from Green Square Town Centre. The site is subject to flooding.

5. The surrounding area comprises a range of residential, commercial and mixed-use developments within the broader Green Square urban renewal area, including:

   (a) North: Stage 1 NE which was approved under D/2024/816 in March 2025

   (b) East: Mixed-use development on the opposite side of Link Road.

   (c) South: Mixed-use development on the opposite side of Epsom Road.

   (d) West: A recently completed mixed-use development directly adjoining the site

6. A site visit was carried out on 10 March 2025.

7. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from the Epsom Road frontage



Figure 3: Site viewed from the Link Road frontage



Figure 4: Site viewed from the Rose Valley Way frontage



Figure 5: The neighbouring building to adjoin Building S3 to the west as viewed from Epsom Road, with the site viewed in the background

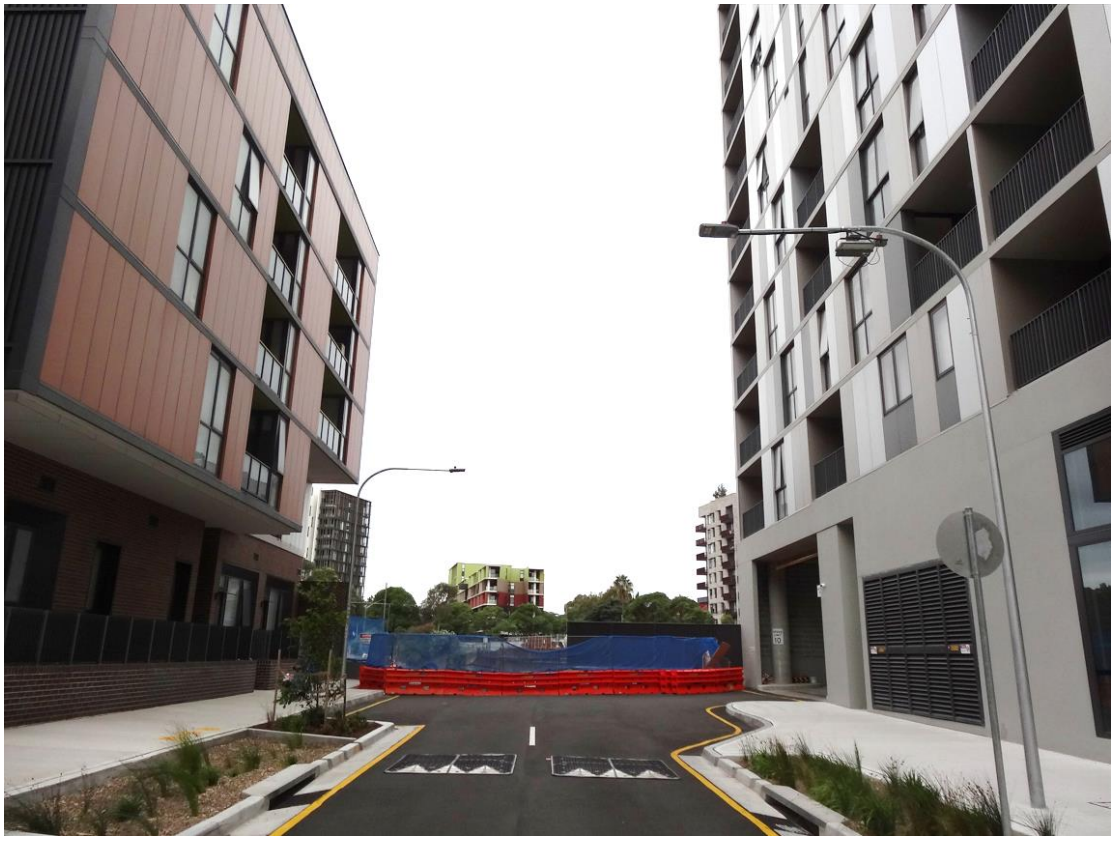

Figure 6: The adjoining part of Rose Valley Way with the site viewed in the background



Figure 7: The adjoining part of Peters Street with the site viewed in the background

History Relevant to the Development Application

Planning Proposal

8. A site-specific planning proposal was prepared by the City following a request by Meriton Group Pty Ltd to change the site's planning controls. The planning proposal allowed for a redistribution of height, with additional height in some locations balanced with areas of height reduction. The planning proposal allowed for alternative building heights up to 90m, subject to a site-specific provision which secures:

   (a) exceedance of BASIX targets

   (b) minimum 4% non-residential gross floor area

   (c) no additional height awarded for design excellence and

   (d) a 1,200sqm supermarket to be provided on the site

9. The amendments to the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 commenced on 3 May 2024.

Development Applications

10. The following applications are relevant to the current proposal:

Broader redevelopment site

- **D/2023/720** – Development consent was granted on 3 November 2023 for demolition of all existing structures to accommodate the future redevelopment of the site.

- **D/2023/724** - Deferred commencement development consent was granted on 28 June 2024 for a Concept development application for building envelopes for a mixed-use development comprising 9 individual development blocks ranging in height between one and 25 storeys; concept design for public domain works including new streets, public open spaces and trunk drainage; and indicative land uses including basement car parking, storage and services, ground floor retail, commercial uses and a centre-based childcare facility, and residential uses. The application was made operational on 5 July 2024.

  The consent was modified (D/2023/724/A) on 13 March 2025 to modify Condition 2 (Approved Development), Condition 6 (Floor Space Ratio), Condition 11 (Residential Land Use), Condition 21 (Landscape Design), Condition 28 (Trees Identified For Removal), Condition 29 (Trees That Must Be Retained), Condition 35 (Signage Strategy).

  A Modification application (Mod B) was lodged on 2 April 2025 to facilitate further changes to the concept envelope concurrently with the detailed design of Stage 2 NW (D/2024/1029) and this subject application for the detailed design application for Stage 3 South (D/2024/1055).

- **D/2023/753** - Development consent was granted on 5 August 2024 for construction of streets (kerb to kerb), sewer, stormwater and water supply infrastructure, remediation and subdivision.

Stage 1 North-East

- **D/2024/844** - Development consent was granted on 16 December 2024 for early works including shoring and bulk excavation for two-three levels of basement to facilitate Stage 1 (North-East) of the future mixed-use development.

- **D/2024/816** - Development consent was granted on 13 March 2025 for a detailed development application for construction of a mixed-use development comprising a mixed-use 26-storey tower with 228 apartments and a childcare centre and supermarket on the lower levels, an 8-storey residential flat building with 72 apartments, and 28 townhouses, over basement parking for 418 cars, and associated landscaping.

Stage 2 North-West

- **D/2024/1073** - Development consent was granted on 7 March 2025 for early works including shoring and bulk excavation for a part 2, part 3 level basement within the North-West stage of the future development.

- **D/2024/1029** - A Development Application was lodged on 18 November 2024 for site preparation and construction of a mixed-use development on the North Western blocks, comprising 8 new buildings and 3 basement levels. The buildings include 3 mixed-use buildings (A, B and E) and 5 residential buildings (C, D, F, G and H). The application is also being considered by the Central Sydney Planning Committee on 8 May 2025.

Stage 3 South (subject site)

- **D/2024/1074** - Development consent was granted on 18 March 2025 for early works including shoring and bulk excavation for three and four levels of basements to facilitate the South stage of the future development.

Voluntary Planning Agreement

11. The site is subject to two Planning Agreements as follows:

VPA/2022/18

12. The first Planning Agreement was entered into as part of the Planning Proposal and included several sustainability related provisions including:

    (a) BASIX stretch targets

    (b) dual-reticulation recycled water system

    (c) electric vehicle charging capabilities

13. The BASIX stretch targets were superseded by the Sustainable Buildings SEPP 2022. The proposed development complies with the requirements of the SEPP and therefore is deemed to meet this requirement of the Planning Agreement.

14. The electric vehicle charging requirements are also required by Section J of the National Construction Code (NCC).

15. The dual-reticulation recycled water system is to ensure the buildings can utilise recycled water once a connection to the broader system is available. A condition is recommended requiring detailed design documentation to be prepared as part of the Construction Certification process.

VPA/2023/18

16. The second Planning Agreement was entered into as part of the Concept DA and includes:

    (a) construction of internal streets and footpath widening (to be dedicated to Council)

    (b) construction of Mulgu Park (subject to a separate application)

    (c) extension of the Green Square trunk drain

17. The required public domain works are subject to separate development applications including D/2023/753 for the internal streets, footpaths and trunk drain and D/2025/179 for the construction of Mulgu Park.

Competitive design process

18. A competitive design process was held for each stage of the site, with the process for Stage South concluding on 23 October 2024.

19. Of the 3 schemes presented, the scheme by MHND Union and Allford Hall Monaghan Morris was selected as the most capable of demonstrating design excellence and was declared the winner.

20. The Competitive Design Alternatives Report, dated 18 September 2024 is provided at Attachment D. The key principles and qualities of the designs to be maintained and areas for further resolution identified by the Panel are addressed in the 'Discussion' section of this report.

Amendments

21. Following a preliminary assessment of the proposed development by Council Officers, a request for amended plans and additional information was sent to the applicant on 21 February and 7 March 2025. The request related to:

    (a) inconsistencies with the concept approval (D/2023/753)

    (b) calculation of gross floor area

    (c) natural cross ventilation

    (d) acoustics attenuation to mitigate road noise

    (e) solar shading

    (f) retail and pedestrian interface

    (g) unit size and layout

    (h) overshadowing to neighbouring apartments

(i) materials

(j) public domain including relationship with basements

(k) wind environment

(l) landscaping

(m) loading dock design and capacity

(n) waste management

(o) physical and 3D model

(p) easement documentation

22. The applicant responded to the request on 21 March 2025 and between 25 March to 10 April and submitted the following information:

(a) amended architectural plans

(b) solar tally tables

(c) amended landscape plans

(d) amended traffic advice

(e) Operational Waste Management Plan

(f) loading dock management plan

(g) easements documentation

(h) amended acoustic report

(i) amended wind report

(j) amended reflectivity report

(k) total floor area plans (affordable housing contribution calculation)

Proposed Development

23. The application (as amended) seeks consent for a mixed-use development comprising:

(a) construction of 4 buildings containing a total of 241 apartments

(b) construction of basements of three, and four levels containing 233 car parking spaces, 8 car share spaces 22 motorcycle spaces and 324 bicycle spaces

(c) site landscaping

24. The proposal includes a total gross floor area (GFA) of 23,749sqm, comprising 22,769sqm of residential gross floor area and 980sqm of retail gross floor area.

25. Vehicle access to the site is provided to Building S2 via Rose Valley Way, with a ground floor loading dock and a ramp down to the basement. Vehicle access to Building S1 is provided via the North-East stage of development and vehicle access to Building S4 is provided via the North-West stage of development. Building S3 has no basement level, however parking and storage has been provided for these apartments in the Building S2 and S4 basements.

26. A summary of each proposed building is outlined below.

    (a) Building S1

    - 8 storey mixed-use building
    - 60 apartments
    - 404sqm of ground floor retail
    - 590.3sqm of communal roof terrace
    - Vehicle access to basement parking via Block NE1 to the north



Figure 8: Photomontage of Building S1 and S2 viewed from future Mulgu Park

(b) Building S2

- mixed-use building with 14 storey tower and 6 to 7 storey podium
- 114 apartments
- 551sqm of ground floor retail
- 1047sqm of communal terrace on Levels 6 and 7
- pool, spa and gym located on Level 1
- vehicle access to loading dock and basement parking from Rose Valley Way



Figure 9: Photomontage of Building S1 and S2 viewed from future Mulgu Park

(c) Building S3

- 7 storey residential building
- 23 apartments
- 79.4sqm of communal roof terrace on Level 6
- no basement parking



Figure 10: Photomontage of Building S3 and S4 viewed from future Defries Avenue

(d) Building S4

- residential building with heights ranging from 5, 6 and 8 storeys
- 44 apartments
- 340sqm of communal roof terrace on Level 5
- vehicle access to basement parking via Block NW-2 to the north



Figure 11: Photomontage of Building S4 viewed from future Defries Avenue

27. Demolition of the existing structures has been undertaken under a separate consent (D/2023/720). Early works on the Stage 3 South site, including excavation, have also been separately approved (D/2024/1074).

28. Typical floor plans of the proposed development are provided below. The full set of drawings are provided in Attachment B.

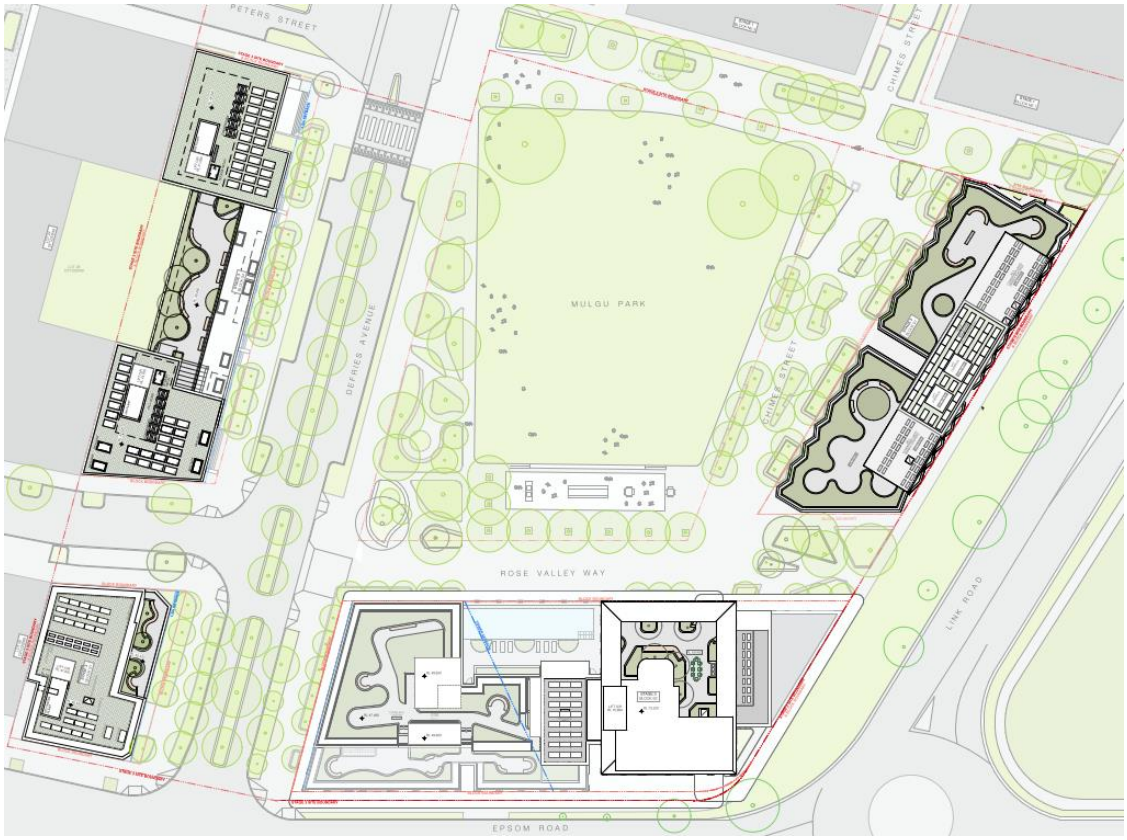

Figure 12: Proposed site plan

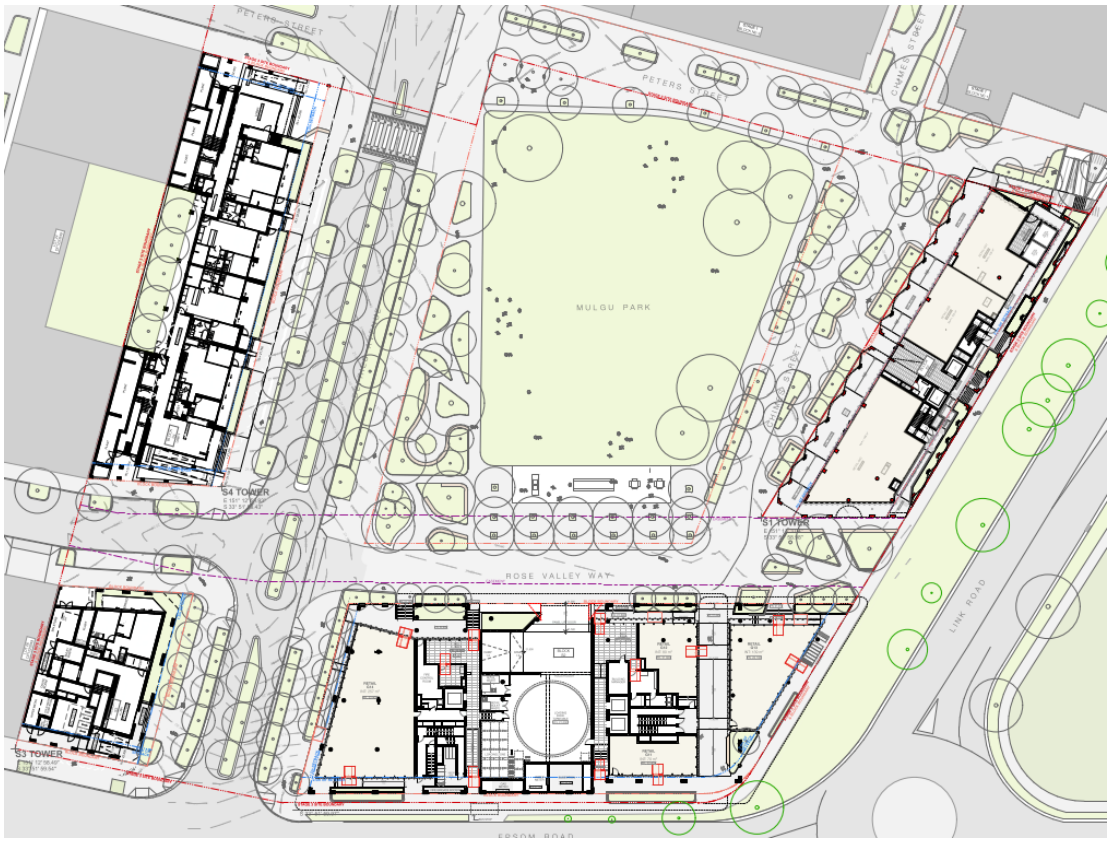

Figure 13: Proposed ground floor plan



Figure 14: Proposed basement typical floor plan

Assessment

29. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Airports Act 1996

30. Section 182 of the Commonwealth Airports Act 1996 specifies that, amongst other things, constructing a building or other structure that intrudes into a prescribed airspace is a controlled activity.

31. The Airports (Protection of Airspace) Regulations 1996 relevantly identifies the area above the OLS to be prescribed airspace.

32. Under regulation 6(1), 'prescribed airspace' includes 'the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations surface (PANS - OPS)..

33. The site is subject to an Obstacle Limitation Surface of 51m. The proposed development has a maximum height of 75.65m AHD and will penetrate the OLS by 24.65m.

34. Controlled Activity Approvals for the building envelopes of buildings S1, S2, and S4 were issued for the consent approval (D/2023/724) on 31 May 2024. The proposed detailed development is consistent with the maximum height specified in these approvals and therefore the approvals may continue to be relied upon.

Water Management Act 2000

35. The application is considered integrated development pursuant to section 4.46 of the EP&A Act because an approval is required under sections 89 and 90(2) of the Water Management Act 2000.

36. The proposed basement would intersect the ground water table and therefore a licence is required for dewatering. Whilst the bulk excavation associated with the basement construction was approved under D/2024/1074 'early works', also integrated development, the application involves the construction of the basement slab and may require dewatering to continue until the basement is tanked.

37. Water NSW issued General Terms of Approval on 20 February 2025 which are included in the schedules within the recommended conditions of consent at Attachment A.

38. The requirements of the Water Management Act and EP&A Act are therefore satisfied.

Sydney Water Act 1994

39. The application is subject to Section 78 of the Sydney Water Act 1994 and was referred to Sydney Water for comment.

40. Sydney Water responded on 22 January 2025 and 10 April 2025 and provided advice and conditions which have been included in the recommended conditions of consent at Attachment A.

State Environmental Planning Policies

State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land

32. The aim of SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.

33. Consent was granted for the remediation of the site under D/2023/753 and commenced in late 2024. Consent was also granted for early works for Stage South under D/2024/1074. The early works consent required a Section A Site Audit Statement to be obtained prior to the commencement of the physical construction works.

34. The same requirement is recommended to be imposed on this consent to ensure that the SAS is obtained prior to commencement of the physical construction works the subject of this application.

35. On this basis, the consent authority can be satisfied, as required by section 4.6 of the Policy, that the site will be made suitable for the proposed uses.

State Environmental Planning Policy (Housing) 2021

36. The aim of SEPP (Housing) 2021 is to provide a consistent planning regime for the provision and maintenance of affordable rental housing and to facilitate the delivery of new affordable rental housing.

Chapter 2 - Affordable housing

37. A condition of consent is recommended requiring payment of an affordable housing contribution prior to the issue of any Construction Certificate.

38. Section 7.32 of the EP&A Act applies to the development application because:

    (a) the SEPP (Housing) 2021 identifies a need for affordable housing within each area of the State;

    (b) the consent authority is satisfied either that the proposed development will or is likely to reduce the availability of affordable housing within the area; and

    (c) Section 222B of the Environmental Planning and Assessment Regulation 2021 states that section 7.32 of the EP&A Act applies to a development application to carry out development in the City of Sydney local government area.

39. The recommended affordable housing contribution is authorised to be imposed on the development by Clause 7.13 (Contribution for purpose of affordable housing) of the Sydney Local Environmental Plan 2012 for development of land in Green Square involving the erection of a new building the gross floor area of which is more than 200 square metres.

Chapter 4 - Design of Residential Apartment Development

40. The aim of Chapter 4 is to maintain the design quality of residential apartment development in New South Wales.

41. When determining an application for a residential flat development of 3 or more floors and containing 4 or more apartments, the SEPP requires the consent authority take into consideration a number of matters relating to design quality, including the design quality principles as set out in Schedule 9.

42. The applicant has submitted a design verification statement and design report, addressing the design quality principles and the objectives of parts 3 and 4 of the Apartment Design Guide. The statement satisfies Section 29 of the Environmental Planning and Assessment Regulation 2021.

43. An assessment of the proposal against the design principles is provided as follows:

    (a) Principle 1: Context and Neighbourhood Character

    The proposed development responds to the desired future character of the Epsom Park neighbourhood. The development provides a range of dwelling types and retail development to provide for the housing and day to day needs of the community.

    (b) Principle 2: Built Form and Scale

    The proposed built form is consistent with the concept approval envelope, subject to the modifications proposed under the concurrent modification application (D/2023/724/A). The design of the buildings has been articulated and within the building envelopes and do not occupy the whole of the envelopes as required by Conditions (7) and (8) of the concept approval. The proposed development includes differing building typologies which respond to the street layout and new public open spaces.

(c) Principle 3: Density

The proposed development density is consistent with the concept approval which established an apportionment of the permitted floor space within each stage of the development. The overall density of the development is moderated by the variety in dwelling typologies and dwelling mix.

(d) Principle 4: Sustainability

The proposed development incorporates ecologically sensitive design principles aimed to reduce the embodied carbon emissions through construction and energy and water use during the long-term operation of the building.

The proposed development also includes the sustainability measures required to be provided in accordance with the applicable planning agreement (VPA/2022/10).

(e) Principle 5: Landscape

The development provides extensive landscaping on both the ground floor and rooftops. The proposed landscaping considers water and soil management, solar access, micro-climate, tree canopy coverage, habitat values and the preservation of green networks.

(f) Principle 6: Amenity

The proposed development provides a satisfactory level of amenity for the future residents. The development achieves the relevant amenity objectives in part 4 of the ADG, in particular with respect to solar access, natural cross ventilation, apartment size and layout, and private and communal open space.

(g) Principle 7: Safety

The proposed development promotes safety and security for the residents. Clear distinction is provided between the public and private domain. The building designs ensure that areas with poor passive surveillance are minimised and concealed entrapment areas are avoided.

Internal lobbies and hallways are provided with natural light and are well proportioned. The number of dwellings accessed from a single corridor is limited promoting familiarity between residents. Apartments located at ground level have separate direct access from the street which promotes good passive surveillance of the streets and shared zones.

(h) Principle 8: Housing Diversity and Social Interaction

The proposed development provides a variety of dwelling types, and the dwelling mix generally consistent with the DCP provisions, supporting housing diversity and choice within the Epsom Park neighbourhood.

All buildings provide rooftop communal open spaces which provide opportunities for social interaction between residents. The communal open spaces provide a high level of amenity with a landscaped setting and facilities to support the use and enjoyment of the spaces by the residents and their visitors.

The buildings provide large foyer spaces and areas within hallways and lobbies where incidental social interaction can also occur.

(i) Principle 9: Aesthetics

The proposed development provides a variety of building typologies and aesthetics, being designed by different architects in collaboration. The podium and tower of building S2 are expressed with complementary facade expressions, with the tower utilising vertical proportioning.

The development is also softened by roof top landscaping visible from the upper levels of the proposed development and surrounding development.

The use of materials is of high quality and supported, subject to conditions.

44. The development is acceptable when assessed against the SEPP including the above stated principles and the associated Apartment Design Guide (ADG). These controls are generally replicated within the apartment design controls under the Sydney Development Control Plan 2012. Consequently, compliance with the SEPP generally implies compliance with Council's own controls. A detailed assessment of the proposal against the ADG is provided below.

2E Building Depth	**Consistency**	**Comment**
12-18m (glass to glass)	Partial compliance	Building S1 has a depth of 18.5m and Buildings S3 and S4 have a depth of 18m which are acceptable. Building S2 has a building depth of 17.3m at the midpoint and extends up to 28.7m at the deepest point of the podium and 27m for the tower. The building depths were established as part of the concept DA and given that individual apartment comply with the apartment depth provisions in objective 4D the proposal is acceptable.

2F Building Separation	**Consistency**	**Comment**
Up to 4 storeys (approximately 12 metres): • 12m between habitable rooms / balconies • 9m between habitable and non-habitable rooms • 6m between non-habitable rooms	Yes	The proposal complies.

2F Building Separation	Consistency	Comment
5 to 8 storeys (approximately 25 metres): • 18m between habitable rooms / balconies • 12m between habitable and non-habitable rooms • 9m between non-habitable rooms	Partial compliance	The fifth level of Building S4 is 6m from the western boundary to achieve a 12m building separation shared across both sites. The proposal is acceptable given that the neighbouring building provides a greater level of separation and as a condition is recommended requiring obscure glazing to the habitable rooms (studies) on this elevation.
Nine storeys and above (over 25m): • 24m between habitable rooms / balconies • 18m between habitable and non-habitable rooms • 12m between non-habitable rooms	Yes	The proposal complies.

3D Communal and Public Open Space	Consistency	Comment
Communal open space has a minimum area equal to 25% of the site.	Yes	42.3% communal open space is provided.
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two (2) hours between 9am and 3pm on 21 June (midwinter).	Yes	The proposal complies.

3E Deep Soil Zones	Consistency	Comment
Deep soil zones are to have a minimum area equivalent to	Consistent with the Concept DA	The Concept DA located the Stage 3 South deep soil zone as Mulgu Park.

3E Deep Soil Zones	Consistency	Comment
7% of the site and have a minimum dimension of 6m		

3F Visual Privacy	Consistency	Comment
Up to 4 storeys (12 metres): • 6m between habitable rooms / balconies • 3m between non-habitable rooms	Yes	The proposal complies subject to conditions.
5 to 8 storeys (25 metres): • 9m between habitable rooms / balconies • 4.5m between non-habitable rooms	Yes	The proposal complies subject to conditions.
Nine storeys and above (over 25m): • 12m between habitable rooms / balconies • 6m between non-habitable rooms	Yes	The proposal complies subject to conditions.
Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas.	Partial compliance	The proposal is compliant except for some studies in Building S4. A condition is recommended that these study windows have obscure glazing.

4A Solar and Daylight Access	Consistency	Comment
70% of units to receive a minimum of 2 hours of direct sunlight in midwinter to living	No, but acceptable	The applicant states that 69.3% (167/241) of apartments receive 2 hours of direct sunlight at midwinter.

4A Solar and Daylight Access	Consistency	Comment
rooms and private open spaces.		Council's assessment has concluded that 68% (163/241) of apartments receive a minimum of 2 hours of direct sunlight at midwinter. This is a minor non-compliance with the numerical design criteria of 70% and is acceptable.
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	No, but acceptable	18% of apartments receive no sun at midwinter. On balance, this is acceptable given that the overall amenity of the apartments is good.

4B Natural Ventilation	Consistency	Comment
All habitable rooms are naturally ventilated.	No, conditioned to comply	All living rooms and bedrooms are naturally ventilated. However, a number of studies have been proposed that are not adjacent to an external wall and have no window. Studies are habitable rooms. Design modification conditions are recommended to ensure that these apartments are redesigned to ensure that all habitable rooms are naturally ventilated. Refer to discussion section below.
Minimum 60% of apartments in the first nine (9) storeys of the building are naturally cross ventilated.	Yes	60% (116/193) of apartments within the first 9 storeys are naturally cross ventilated. This excludes apartments that are reliant on alternative natural ventilation.
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Yes	The proposal complies.

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m	Yes	Floor-to-floor heights of 3.3m have been provided and are capable of accommodating 2.7m ceiling heights for habitable rooms and 2.4m ceiling heights for non-habitable rooms.
Non-habitable rooms: 2.4m	Yes	
If located in mixed-use areas – 3.3m for ground and first floor to promote future flexibility of use.	Partial compliance	3.3m is not achieved at ground floor level of Buildings S3 and S4, and at the first floor ceiling heights of all buildings. A Clause 4.6 variation request was submitted as the SEPP identifies this control as a development standard. This is discussed further under the Discussion heading below.

4D Apartment Size and Layout	Consistency	Comment
Minimum unit sizes: • Studio: 35sqm • 1 bed: 50sqm • 2 bed: 70sqm • 3 bed: 90sqm The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12sqm each.	Yes	The proposal complies.
Every habitable room is to have a window in an external wall with a minimum glass area of 10% of the floor area of the room.	No, conditioned to comply	All living rooms and bedrooms have compliant window sizes. However, a number of studies have been proposed that are not adjacent to an external wall and have no window. Design modification conditions are recommended to ensure that these apartments are redesigned to ensure

4D Apartment Size and Layout	Consistency	Comment
		that all habitable rooms are naturally ventilated. Refer to discussion section below.
Habitable room depths are to be no more than 2.5 x the ceiling height.	Yes	The proposal complies.
8m maximum depth for open plan layouts.	Partial compliance	The proposal generally complies. Some exceedances are proposed, ranging from 1-2m, however, on balance it is considered that adequate amenity is maintained.
Minimum area for bedrooms (excluding wardrobes): • master bedroom: 10sqm • all other bedrooms: 9sqm Minimum dimension of any bedroom is 3m (excluding wardrobes).	Partial compliance	The minimum bedroom sizes comply. The minimum bedroom dimensions generally comply, and where exceedances are proposed these are 2.9m which is a minor numerical non-compliance and acceptable. The proposal was amended to replace a number of undersized bedrooms with studies. Where studies are approved a condition is recommended that they have fixed desks and are to only be used as studies. This is discussed further under the Discussion heading below.
Living and living/dining rooms minimum widths: • One-bedroom: 3.6m • Two-bedroom or more: 4m	Partial compliance	One bedrooms comply, whilst other apartments generally comply and where exceedances are proposed these are limited to 3.85m and minor numerical non-compliances.
4m minimum width for cross over and cross through apartments.	Yes	The proposal complies.

4E Private Open Space and Balconies	Consistency	Comment
One bed apartments are to have a minimum balcony area of 8sqm with a minimum depth of 2m. Two bed apartments are to have a minimum balcony area of 10sqm with a minimum depth of 2m. Three bed apartments are to have a minimum balcony area of 12sqm with a minimum depth of 2.4m.	Yes	The proposed apartments achieve the minimum balcony area and depth requirements.
Private open space for apartments on ground level, on a podium, or similar, must have a minimum area of 15sqm and a minimum depth of 3m.	Yes	The 1 ground floor apartment in Building S3 and 3 ground floor apartments in Building S4 comply.

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is 8.	Partial compliance	Building S1 has 4 levels which have 9 apartments off a circulation core. This is considered to be a minor non-compliance and will not cause adverse amenity impacts.
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	Yes	Building S2 is over 10 storeys and has 76 apartments sharing 2 lifts, which complies.
Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled.	Yes	The proposal complies. A condition is recommended that the study windows onto common circulation spaces in Building S4 are to have obscure glazing to ensure privacy is maintained.

4F Common Circulation and Spaces	Consistency	Comment
Daylight and natural ventilation are provided to all common circulation spaces.	Yes	The proposal complies.

4G Storage	Consistency	Comment
Minimum storage provision facilities: • 1 bed: $6m^3$ • 2 bed: $8m^3$ • 3 bed: $10m^3$ (Minimum 50% storage area located within unit)	Yes	Storage is provided to all apartments. A condition is recommended requiring a storage schedule and plans to be submitted prior to the issue of a Construction Certificate to ensure storage areas remain compliant through construction level design documentation. Storage (and parking) for apartments in Building S3 are proposed within the basements of Buildings S2 and S4 as Building S3 does not have any basement levels. This outcome is acceptable and conditions are recommended to ensure that they remain in the same lot as the S3 apartment via a Stratum Subdivision, with easements for access.

4J Noise and Pollution	Consistency	Comment
Have noise and pollution been adequately considered and addressed through careful siting and layout of buildings?	Yes	The layout and design of the building along Link Road minimises the number of apartments fronting the busy road. The design of the road facing facade incorporates measures to provide acoustic attenuation to achieve the relevant noise criteria for habitable rooms. Conditions are recommended to ensure these measures are detailed and implemented.

Clause 148 - Non-discretionary development standards for residential apartment development

45. If the following non-discretionary development standards are complied with the consent authority cannot require more onerous standards for the matters.

Provision	Consistency	Comment
Car parking Must be equal to or greater than the recommended minimum amount of car parking specified in Part 3J of the ADG	Yes	The minimum car parking requirements for residents and visitors is the car parking requirement prescribed by the relevant Council. As the LEP car parking controls are maximum's, there is no minimum, and the proposal complies.
Internal area for each apartment Must be equal to or greater than the recommended minimum internal area for the apartment type in Part 4D of the ADG	Yes	Each apartment complies with the recommended internal area for the apartment type.
Ceiling heights Must be equal to or greater than the recommended minimum ceiling heights specified in Part 4C of the ADG	No, but Clause 4.6 supported	The proposal complies with the 2.7m ceiling height development standard for habitable rooms and 2.4m ceiling height development standard for non-habitable rooms. In mixed-use areas, the 3.3m ground and first floor development standard is to promote future flexibility of use. The applicant has submitted a Clause 4.6 request relating to the ceiling heights at ground floor level of Buildings S3 and S4, and the first floor ceiling heights of all buildings. This is discussed further under the Discussion heading below.

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 Standards for residential development - BASIX

46. A BASIX Report been submitted with the development application. The BASIX certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A condition of consent is recommended ensuring the measures detailed in the BASIX certificate are implemented.

State Environmental Planning Policy (Transport and Infrastructure) 2021

47. The provisions of SEPP (Transport and Infrastructure) 2021 have been considered in the assessment of the development application.

Division 5, Subdivision 2: Development likely to affect an electricity transmission or distribution network

Clause 2.48 Determination of development applications – other development

48. The application is subject to Clause 2.48 of the SEPP as the development will be carried out immediately adjacent to an electricity substation.

49. As such, the application was referred to Ausgrid for a period of 21 days and no objection was raised. The condition recommended by Ausgrid have been included in the recommended conditions of consent at Attachment A.

Division 17, Subdivision 2: Development in or adjacent to road corridors and road reservations

Clause 2.120 Impact of road noise or vibration on non-road development

50. The application is subject to Clause 2.120 of the SEPP as the site is adjacent to Epsom Road and Link Road which has an annual average daily traffic volume of more than 20,000 vehicles and the development is likely to be adversely affected by road noise or vibration.

51. The consent authority must not grant development consent to development for the purposes of residential accommodation unless it is satisfied that appropriate measures will be taken to ensure the following LAeq noise levels are not exceeded:

    (a) bedroom - 35dB(A) at any time between 10pm and 7am; and

    (b) other habitable rooms (excluding a kitchen, hallway or bathroom) - 40dB(A) at any time.

52. The design of the eastern elevation of Buildings S1 and S2 includes the following measures detailed in the submitted acoustic report to mitigate road noise:

    (a) attenuated plenums

    (b) acoustically treated soffit

    (c) low level windows located behind the balustrading

53. The application satisfies Clause 2.120 subject to conditions of consent.

Clause 2.122 Traffic generating development

54. The application was referred to Transport for NSW (TfNSW) in accordance with Clause 2.122 - Traffic generating development. Recommended conditions of consent have been provided by TfNSW which are included in Attachment A.

Local Environmental Plans

Sydney Local Environmental Plan 2012

55. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is zoned MU1 mixed-use. The proposed development is defined as residential flat buildings and retail premises. Both of these uses are permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	The site is subject to the site-specific provisions in clause 6.60J *Mulgu Precinct* in SLEP which includes an Alternative Height of Buildings map with heights of: S1 - 35m S2 - 27m (podium), 55m (tower) S3 - 27m S4 - 30m The concept approval established the maximum permitted building envelope. The proposed development complies with the development standards and the approved building envelopes, as proposed to be modified concurrently.
4.4 Floor space ratio	Yes	A maximum floor space ratio of 2:1 or 81,542sqm is permitted across the site, being the sum of the floor space ratio in this clause (1.5:1) and clause 6.14 *Community Infrastructure floor space in Green Square* (0.5:1). In addition, a design excellence bonus of 10% may be permitted under clause 6.21D(3)(b) of SLEP. The maximum permitted gross floor area was apportioned to each development stage by the concept approval with a maximum GFA of 21,900sqm (excluding

Provision	Compliance	Comment
		any design excellence bonus) apportioned to Stage South. The proposed development was the subject of competitive design process. A maximum GFA of 24,090sqm is therefore permitted should the consent authority resolve to award the design excellence bonus. The proposed development has a GFA of 23,749sqm and complies.
4.6 Exceptions to development standards	Yes	The proposed development seeks to vary the development standard prescribed under Clause 148 of the State Environmental Planning Policy (Housing) 2021. A Clause 4.6 variation request has been submitted with the application. See further details in the 'Discussion' section below.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site does not contain and is not adjacent to heritage items and is not located in a heritage conservation area.
5.21 Flood Planning	Yes	The subject site is identified as being subject to flooding. The application was accompanied by a site-specific flood risk assessment which identified the relevant flood planning levels and demonstrated compliance with those levels based on the City's Interim Flood Management Policy.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 2 Additional floor space outside Central Sydney		
6.14 Community infrastructure floor space at Green Square	Yes	The proposed development is eligible for additional floor up to 0.5:1 for the provision of community infrastructure.

Provision	Compliance	Comment
		The additional floor space was accounted for in the concept application and the maximum permitted floor space was apportioned to each stage of the site as specified in condition (6) of the concept approval, and as outlined above.
Division 4 Design excellence		
6.21C Design excellence	Yes	The proposed development is of a high standard and uses materials and detailing which are compatible with the existing development within the Epsom Precinct and will contribute positively to the character of the area. The development achieves the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.
Clause 6.21D(3)(b) Competitive Design Process	Yes	A building demonstrating design excellence is eligible for an amount of additional floor space, to be determine by the consent authority, up to 10%. The proposed development is the subject of a competitive design competition.
Division 5 Site specific provisions		
Clause 6.60J Mulgu Precinct	Yes	The proposal is subject to the site-specific provisions in clause 6.60J of the LEP. Development consent must not be granted to development on land to which this clause applies unless a development control plan has been prepared. The approved concept plan relied on the site-specific development control plan, as amended by the planning proposal gazetted in May 2024, and in itself satisfies the requirement for

Provision	Compliance	Comment
		a site-specific DCP in accordance with section 4.23 of the Act. The clause includes an *Alternative Height of Buildings* map to which the concept plan relied upon. Where the *Alternative Height of Buildings* map applies, the consent authority is to be satisfied that at least 4% of the GFA of all buildings on the land is used for non-residential purposes. Condition (6) of the concept approval apportioned the maximum non-residential GFA to each development stage with a maximum of 1,510.3sqm (including the design excellence bonus) apportioned to the south stage. The concurrent modification application proposes to reduce this to 980.1sqm (including the design excellence bonus). The application includes 980sqm of non-residential GFA and therefore complies with condition (6) of the concept approval as proposed to be modified. The combined non-residential GFA of the 3 stages equates to approximately 5% and complies.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.5 Residential flat buildings, dual occupancies and multi dwelling housing	Yes	The site is located within Category C. A maximum of 217 residential car parking spaces are permitted based on the proposed number of dwellings and the apartment mix. The proposed development includes 217 residential car parking spaces and complies with the relevant development standards. It is noted that during the assessment the proposal was modified to remove 2

Provision	Compliance	Comment
		parking spaces by removing the label relating to the parking space number. A condition is recommended that 2 additional retail parking spaces are provided, given that the physical space for parking of a car remains, and as the maximum number of residential spaces have been exhausted.
7.7 Retail premises	Yes	The site is located within Category F. A maximum of 20 retail car parking spaces are permitted based on the proposed gross floor area for the purpose of retail premises. The proposed development includes 12 retail car parking spaces and complies with the relevant development standards.
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	The site is located within Green Square and involves the erection of a new building. The affordable housing levy contribution of 3% for residential Total Floor Area (TFA) and 1% for non-residential TFA applies. Total floor area plans were submitted calculating 31,865sqm of residential TFA and 1,203sqm of non-residential TFA. Accordingly, a contribution of $11,273,869.46 is required to be imposed. Subclause 7.13(2) satisfies Section 7.32 of the Act.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	An Acid Sulfate Soils management plan was approved under D/2023/753 and D/2024/1074 and a condition is recommended requiring it to be complied with for these works
7.16 Airspace operations	Yes	Buildings S1, S2 and S4 of the proposed development will penetrate the Obstacle Limitation Surface as shown on the

Provision	Compliance	Comment
		Obstacle Limitation Surface Map for Sydney Airport. The concurrence of Sydney Airport Corporation, as a proxy for the Civil Aviation Safety Authority, was received under the concept approval and a controlled activity approval was issued by Flysafe under the Airports (Protection of Airspace) Regulation 1996 for each building.
7.17 Development in areas subject to airport noise	N/A	The subject site is not located within ANEF Contour 20 or higher and as such, is not subject to the requirements of this clause.
7.19 Demolition must not result in long term adverse visual impact	Yes	Development consent for demolition was granted under D/2023/720.
7.20 Development requiring or authorising preparation of a development control plan	Yes	A development control plan was prepared in conjunction with the planning proposal and was considered in the assessment of the concept approval.

Development Control Plans

Sydney Development Control Plan 2012

56. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

Section 2 – Locality Statements

57. The site is located within the Epsom Park locality of Green Square. The proposed development is in keeping with the unique character and the design principles of the Epsom Park locality. These include encouraging retail in suitable locations.

Section 3 – General Provisions

Provision	Compliance	Comment
3.1 Public Domain Elements	N/A	Public domain elements were approved under D/2023/753. There are no through site links required noting the site includes future public roads.

Provision	Compliance	Comment
3.2. Defining the Public Domain	Yes	A solar isolation study has been provided demonstrating that the proposed development complies with the site-specific requirements for sunlight to Mulgu Park. Reports relating to wind effects and reflectivity have been submitted, and are acceptable subject to conditions that incorporate the recommendations of these reports.
3.3 Design Excellence and Competitive Design Processes	Yes	The proposed development was the subject of a competitive design process and is eligible for an additional 10% floor space pursuant to clause 6.21D(3)(d) of the LEP. The bonus floor space has been accommodated within the approved concept development, as proposed to be modified, and appropriately addresses considerations as to the potential impacts of that additional floor space.
3.4 Hierarchy of Centres, City South	Yes	The application proposes minor retail development and will not have a negative impact upon the viability and economic role of planned centres.
3.5 Urban Ecology	Yes	The proposed development does not involve the removal of any trees and will not have an adverse impact on the local urban ecology. Conditions are recommended to ensure the protection of surrounding street trees.
3.6 Ecologically Sustainable Development	Yes	The proposal satisfies BASIX and environmental requirements. Refer to SEPP (Sustainable Buildings) and discussion section.
3.7 Water and Flood Management	Yes	The site is identified as being on flood prone land. See discussion under section 5.21 above. The proposed development includes 2 on site detention systems located in buildings S2 and S4 to manage stormwater flows.

Provision	Compliance	Comment
3.8 Subdivision, Strata Subdivision and Consolidation	N/A	Subdivision of the site to create new lots for each development block and new roads was approved under development consent D/2023/753.
3.11 Transport and Parking	No, but acceptable	The proposed vehicle and loading dock access driveway is located on Rose Valley Way and has a maximum width of 7.1m which does not comply with the DCP control of 3.6m. This is acceptable to accommodate larger trucks turning into the site, and given that no other vehicle entries have been provided throughout the site due to consolidated basements. Car share spaces are provided within the basement at the required rates. Bicycle and motorcycle parking has been provided within the basement for residents at the required rates. Underground car parks are proposed under public domain areas to be dedicated to Council. This is generally not permitted under the DCP except for tunnels connecting 2 parking areas to reduce the number of vehicle entries on the street. The DCP also outlines that where site constraints result in parking being located under a public street that only common areas, such as circulation space or unallocated visitor parking spaces, are to be allocated below the street. The application proposes visitor parking, car share spaces, motorcycle visitor parking and bicycle parking/storage under the future public domain. This is acceptable subject to conditions that the bicycle parking/storage remain in common property and are not included as part of residential lots during Strata Subdivision. There is also some large unallocated basement spaces located under the future public road and a condition is recommended to ensure that they remain as common property. The waste collection and loading area has been designed to accommodate

Provision	Compliance	Comment
		Council's waste vehicle of 10.6m in length with a clearance of 4.5m in height, which is acceptable. A turntable is provided to allow the vehicle to enter and exit in a forward direction.
3.12 Accessible Design	Yes	A total of 36 out of 241 dwellings (15%) are designed to be adaptable.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	The proposed development is able to comply with the City of Sydney Guidelines for Waste Management in New Development, subject to a number of conditions recommended by Council's Cleansing and Waste unit.
3.16 Signage and Advertising	Able to comply	A condition is recommended requiring the provision of a signage strategy.

Section 4 – Development Types

4.2 Residential Flat, Commercial and Mixed-Use Developments

Provision	Compliance	Comment
4.2.1 Building height		
4.2.1.1 Height in storeys and street frontage height in storeys	Yes	The proposed development is consistent with the concept plan, as proposed to be modified in terms of storeys.
4.2.2 Building setbacks	Partial compliance	The proposed building setbacks comply with the concept plan, as proposed to be modified in terms of setbacks, except for the ground floor level of Building S2 along the Epsom Road frontage. This is discussed in detail below.
4.2.3 Amenity		
4.2.3.1 Solar access	Partial compliance	***Solar access to proposed apartments***

Provision	Compliance	Comment
		Refer to ADG assessment above. ***Overshadowing to neighbouring dwellings*** The proposed buildings will cause some additional overshadowing to 67 Epsom Road, which is located to the south of the site on the opposite side of Epsom Road. Solar analysis submitted with the subject DA shows that 10/12 of the Level 1 apartments of 67 Epsom Road will no longer receive 2 hours of solar access at midwinter, but the remaining 79 north facing apartments will maintain at least 2 hours of solar access at midwinter. The applicant has not submitted sufficient information to enable an accurate assessment of the percentage of apartments over the entire 67 Epsom Road development that receive 2 hours of solar access. However, there is sufficient information available to conclude that the overshadowing impacts to Level 1 are acceptable and anticipated from any comprehensive redevelopment of the subject site.
4.2.3.2 Lightwells	No, conditioned to comply	Apartments 126-526 of Building S4 contains a lightwell which is utilised as the only source of light and ventilation to a bedroom. A condition is recommended to ensure the bedroom and adjacent study is re-designed to allow suitable light and ventilation to the bedroom.
4.2.3.3 Internal common areas	Yes	Internal common areas and corridors are provided with some degree of daylight and outlook.
4.2.3.4 Design features to manage solar access	Yes	The proposal was amended to provide solar shading to the west facing elevation of Building S1, which is predominantly a glazed facade. A condition is recommended requiring further details of the solar shading design.

Provision	Compliance	Comment
4.2.3.5 Landscaping	Yes	Landscape plans were provided with the application and have been assessed by Council's Landscape team, which are acceptable subject to conditions.
4.2.3.6 Deep Soil	Yes	Deep soil planting is provided as part of the broader development in accordance with the concept plan and is not warranted for individual buildings.
4.2.3.7 Private open space and balconies	Yes	Private open space is provided in generally in accordance with the ADG.
4.2.3.8 Common open space	Yes	Communal open space is provided in accordance with the ADG including at roof level.
4.2.3.9 Ventilation	No, conditioned to comply	Apartments 126-526 of Building S4 contains a lightwell which is utilised as the only source of light and ventilation to a bedroom. A condition is recommended to ensure the bedroom and adjacent study is re-designed to allow suitable light and ventilation to the bedroom.
4.2.3.10 Outlook	Yes	All apartments are provided with a reasonable outlook from the primary living area.
4.2.3.11 Acoustic privacy	Yes	The number of apartments facing Link Road, being a noisy road, has been minimised and acoustic attenuation measures integrated into the facade design to ensure the relevant noise criteria are met whilst maintaining natural ventilation.
4.2.3.12 Flexible housing and dwelling mix	No, but acceptable	The DCP specifies the following dwelling mix: • 1 bedroom: 10-30% • 2 bedrooms: 40-75% • 3+ bedrooms: 10-100% The proposed dwelling mix is:

Provision	Compliance	Comment
		• 1 bedroom: 44% • 2 bedrooms: 41% • 3+ bedrooms: 15% The maximum number of 1 bedroom dwellings may be increased above 30% provided that the numbers of studio dwellings and 1 bedroom dwellings does not exceed 40% of the total dwellings proposed. No studio dwellings are proposed, and the number of 1 bedroom units exceeds the 40% DCP control, however, this is acceptable given the minor numerical non-compliance, that the number of 2 and 3 bedroom units are compliant, and that Stage 1 North East and Stage 2 North West comply with the maximum number of 1 bedroom dwellings for those stages, and noting that Stage 2 has 15% 1 bedroom units.
4.2.3.13 Wind affected balconies	N/A	The proposal does not seek to utilise the wind affected balconies provisions in Clause 4.5A of the LEP.
4.2.3.14 Apartments with setback bedrooms	Yes	The proposed development does not contain any setback bedrooms.
4.2.4 Fine grain, architectural diversity and articulation	Yes	The proposed development provides fine grain architectural detailing which has been considered in collaboration across each building typology, creating diversity in design which complement one another.
4.2.6 Waste and recycling Management	Able to comply	Waste Management Plans were provided with the application and have been assessed by Council's Cleansing and Waste Unit. Conditions have been recommended to ensure that the waste and recycling is able to be managed in accordance with Council's relevant waste policies.

Provision	Compliance	Comment
4.2.8 Letterboxes	Yes	Mailrooms are provided within or adjacent to each building lobby in a secure but visible space.
4.2.9 Non-residential development in the B4 Mixed-Uses Zone	Yes	The proposed development includes retail tenancies. Operation of each retail tenancy is proposed to be subject to separate application for development consent. Conditions are recommended to be applied to ensure that the proposed non-residential uses do not adversely impact the amenity of the residential component of the development or the surrounding area.

Section 5 – Specific Areas

Provision	Compliance	Comment
5.2 Green Square	Yes	The proposed development is generally consistent with the objectives for the Green Square.
5.2.8 Highly visible sites	Yes	The corner of Epsom Road and Link Road is identified as a highly visible site, in the location of building S2. The application provides a landmark building with tower in this location that exhibits design excellence and reinforces the significant view corridor. A condition is recommended requiring high quality public art to be provided within private land adjacent to the corner of Epsom Road and Link Road.
5.2.11 Carparks under the public domain	Yes	The application proposes tunnels under the public domain that connect to other car park areas as this reduces the number of vehicle entry and exits at street level which is acceptable under the DCP. Building S2 and S4 provide visitor parking spaces, car share spaces, and

Provision	Compliance	Comment
		bicycle parking room under the public domain. A condition is recommended to ensure that the bicycle parking remains part of common property and to re-design part of the Building S2 basement to ensure that private storage spaces do not encroach under the future public domain.
5.3 Epsom Park	Yes	The proposed development is generally consistent with the objectives for Epsom Park.
5.3.2 Urban Design Principles	Yes	The proposed development is generally consistent with the urban design principles for Epsom Park, noting that in part these are affected by additional site-specific provisions.
5.3.4.3 Fences	Yes	Conditions are recommended relating to fences of Building S3 and S4
5.3.4.4 Other development	Yes	Actives uses are provided along Epsom Road and Link Road, and also provided on the 'potential retail' streets of Rose Valley Way and Chimes Street.
5.3.5 Staging and implementation	Yes	The subject application relates to the new buildings as part of Stage 3 (South) of the redevelopment of the overall site, with the adjoining roads and parks forming part of Stage 3. A condition is recommended requiring pedestrian and vehicle access to be provided by way of safe, accessible, well-lit roads and footpaths prior to the issue of any occupation certificate. The Voluntary Planning Agreement provides for the park and roads to be constructed and dedicated prior to the first Occupation Certificate for the final building in the stage.
5.3.6.2 Local infrastructure	Yes	Local infrastructure and public domain elements are to be provided in accordance with the DCP under a

Provision	Compliance	Comment
		separate development consent (D/2023/753) for roads, and a development application (D/2015/179) for parks that is under assessment.
5.3.6.3 Movement and connectivity	Yes	Driveway and access points are consistent with the approved concept plan which provides vehicle access to building S2 from Rose Valley Way. Vehicle access for buildings S1 and S4 are provided through the shared basement as opposed to the DCP recommended access from Defries Avenue to building S4 and optional vehicle access from Link Road to building S1. The consolidated entries and shared basements are the preferred outcome.
5.3.6.4 Building layout, form and design	Partial compliance	The proposed tower floor plate of 750sqm complies with subsection (3)(a)(ii) which limits the tower floor plate for Tower B to 750sqm. A solar isolation study has been provided demonstrating that 75% of the area of Mulgu Park receives a minimum of 4 hours' solar access during the prescribed period. The modification application to the Concept DA seeks to modify the solar zone design that applied to Building S4. It is noted that part of the building is located within the solar zone, that is only to be occupied by residential development subject to achieving the required levels of solar access outlined in the ADG. Stage 3 South achieves midwinter solar access to 68% of apartments which is acceptable.
5.3.6.5 Land uses	Yes	Active frontages are provided along Epsom Road and Link Road for buildings S1 and S2 and also provided along the 'potential retail' frontages facing Chimes Street and Rose Valley Way towards the park. An active frontage is not provided to Epsom Road from building S3 given the small footprint

Provision	Compliance	Comment
		of the site which has no retail proposed at ground level.
5.3.6.6 Noise and ventilation	Yes	Refer to SEPP (Transport and Infrastructure) 2021 and ADG assessment under the relevant headings above.
5.3.6.7 Contamination	Yes	Remediation of the land is being undertaken under D/2023/753. A Site Audit Statement confirming the land is suitable for the proposed uses is required to be obtained prior to commencement of building works.
5.3.6.8 Ecologically Sustainable Development	Yes	A condition is recommended requiring compliance with the planning agreement (VPA/2022/18), which includes environmental measures including the installation of electric vehicle chargers.

Discussion

Status of concept development applications and consents (D/2023/724)

58. Pursuant to section 4.24(2) of the EP&A Act, where a concept development application for a site remains in force the determination of any future development application in respect to that site cannot be inconsistent with the concept consent.

59. The proposed development application is a detailed development application relating to the southern stage of the concept consent D/2023/724 in force for the site.

60. The approved concept plan is proposed to be modified (D/2023/724/B) concurrently under section 4.55(1A) of the Act to address inconsistencies with the concept plan arising through the design competition and preparation of this detailed development application. The proposed modification application is recommended for approval and is to be determined by CSPC prior to the determination of this application to ensure that the proposed development is consistent with the concept plan.

61. The subject application for Stage 3 South is consistent with the conditions of the Concept DA (as proposed to be amended), as follows:

Table 1: Review of the proposal against the conditions of the Concept DA.

Condition	Comment
Condition 2 - Approved Development	The proposed development is consistent with the amended concept plans, as proposed to be modified under D/2024/724/B.
Condition 4 - Compliance with VPA	The proposal is consistent with the VPAs that apply to the site.
Condition 5 - Building Height	The proposed development complies with the heights specified on the concept plans, as amended by D/2024/724/B.
Condition 6 - Floor Space Ratio	The proposed Gross Floor Area (GFA) complies with the maximum GFA permitted by this condition, as amended by D/2024/724/B.
Condition 9 - Competitive Design Process	A competitive design process has been conducted. The proposal is considered to exhibit design excellence in accordance with the SLEP 2012.
Condition 10 - Detailed Design of Building	The proposal complies with the relevant clauses of this condition as follows: (a) - The building forms are appropriately modulated and articulated. (b) - The tall building (Building S2) is vertically proportioned. (c) - Block S4 incorporates a non-habitable western interface above 4 storeys. This part of the building is 5 storeys and the condition applies to the fifth level. To ensure compliance a condition is recommended that the study windows to apartment 431 and 439 have obscure glazing. (e) - The tower floorplate (Building S2) does not exceed 750sqm.

Condition	Comment
Condition 11 - Residential Land Use	The proposal is consistent with the objectives of the ADG and DCP provisions specified in this condition.
Condition 12 - Preliminary loading and servicing management plan	A Preliminary Loading and Servicing Management Plan was submitted with the DA.
Condition 13 - Security Gates	A security gate is proposed at the basement ramp, which is setback 3m rather than 6m as required by the condition. Due to the location of the basement ramp it is not possible to locate the gate 6m within the site. The 3m setback is acceptable given that this is the only building with vehicle access from this part of Rose Valley Way and as there is sufficient width to the shared zone for pedestrians or cyclists should the back of a car waiting to enter the site be across the public way. The condition is recommended to be modified in the concurrent Modification application to the Concept DA to ensure consistency across both applications.
Condition 18 - Waste Infrastructure	The proposed waste management arrangements are generally acceptable, subject to conditions.
Condition 19 - Acoustic Assessment	An Acoustic Impact Assessment was submitted with the application and is satisfactory.
Condition 20(b) - Deep Soil	South Stage is to provide 3,429sqm (as proposed to be amended under D/2023/724/B). The deep soil zone is provided within Mulgu Park which is not park of the detailed building DA.
Condition 21 - Landscape	The proposal complies with the landscape requirements.
Condition 22 - Land Contamination	The proposal satisfies the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.
Condition 24 - Wind Assessment	A Wind Assessment was submitted with the application. A condition of consent is

Condition	Comment
	recommended to ensure the design amendments in the report are incorporated into the design.
Condition 25 - Communal Open Space	Communal open space equal to 42.3% of the site area has been provided.
Condition 26 - Environmentally Sustainable Development	The required ESD targets have been addressed.
Condition 27 - Public Art	A condition of consent is recommended requiring further development of the site-wide public art proposal.
Condition 29 - Trees that must be retained	The required trees are retained.
Condition 32 - Flood Planning Levels	The proposal complies with the required Flood Planning Levels.
Condition 35 - Signage Strategy	A condition is recommended requiring submission of a signage strategy.

62. As demonstrated above, the proposed development is consistent with the concept consent in force for the site, as proposed to be amended under D/2023/724/B being considered concurrently with this application.

Clause 4.6 variation request - Ceiling heights

63. Section 148 of the Housing SEPP contains development standards for particular matters relating to residential development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. This includes the recommended ceiling heights specified in Part 4C of the Apartment Design Guide (ADG), which is described as a 'non-discretionary development standard'.

64. If non-discretionary development standards are not complied with, Section 4.15(3) of the EP&A Act 1979 allows the consent authority to apply Clause 4.6 when determining the development.

65. Part 4C of the ADG requires development in mixed-use areas to provide floor to ceiling heights of 3.3m for ground and first floor to promote future flexibility of use.

66. The proposed development achieves the 3.3m floor to ceiling height on the ground floor of Buildings S1 and S2. However, there are non-compliances relating to the ground floor of S3 (3.2m) and S4 (3.26m) and on Level 1 in each building (S1-S4). At first floor level, a floor to ceiling height of 2.7m is proposed, which results in a variation of 18%.

67. A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the floor to ceiling height development standard by demonstrating:

    (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and

    (b) That there are sufficient environmental planning grounds to justify contravening the standard.

Applicant's Written Request - Clause 4.6(3)(a) and (b)

68. The applicant seeks to justify the contravention of the ceiling heights development standard on the following basis:

    (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:

        (i) The applicant refers to the first method of the 5-part test established in Wehbe v Pittwater Council [2007] NSW LEC 827 to demonstrate that compliance with the standard is unreasonable or unnecessary. This method seeks to demonstrate that the objectives of the development standard are achieved notwithstanding the non-compliance with the standard.

        (ii) A summary of the applicant's assessment against the objectives of the ceiling heights development standard is provided below:

        Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access

        The proposed variation is minor and will not impact the development achieving sufficient natural ventilation and daylight access. Apartments which do not meet the required ceiling height achieve good solar access and natural light.

        Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms

        The proposed units comply with the relevant requirements for unit size and depth under the ADG creating high quality and liveable spaces optimising a sense of space and outlook.

        The heights are still well above the minimums required under the NCC and ADG for all other residential levels, with no low bulkheads in habitable rooms.

        Objective 4C-3 Ceiling heights contribute to the flexibility of building use over the life of the building

        The non-compliance is minor in nature (18%) and still provides adequate opportunity for varying uses above ground without compromising amenity and spatial requirements.

Given the detailed master planning that has been undertaken for this site, it is unlikely that the residential units located on Level 1 will be converted to non-residential uses in the future.

(iii) In summary, the applicant submits that the development is consistent with the objectives of the height of buildings development standard. Therefore, compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

(b) That there are sufficient environmental planning grounds to justify contravening the standard:

(i) Ground level floor to ceiling heights exceed the minimum 3.3m requirement, providing increased flexibility for ground floor uses and high visibility to pedestrians and vehicles.

(ii) The development was the subject of a detailed Planning Proposal, Concept Plan, Competitive Design Process, and design excellence process which consistently proposed residential uses at Level 1 and residential uses on ground floor where active frontages are not required.

(iii) The overall development achieves the minimum non-residential floor space requirement established under the site-specific LEP. There is limited demand for additional non-residential floor space in this location.

Consideration of Applicant's Written Request - Clause 4.6(3)

69. Development consent must not be granted unless the consent authority is satisfied that that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.

Does the written request adequately address those issues at Clause 4.6(3)(a)?

70. The applicant has relied upon the first test established in Wehbe v Pittwater Council [2007] NSW LEC 827 to demonstrate that compliance with the standard is unreasonable or unnecessary in the circumstances of the case.

71. The applicant has satisfactorily demonstrated that the proposal meets the objectives of the ceiling heights development standard, notwithstanding the non-compliance.

Does the written request adequately address those issues at clause 4.6(3)(b)?

72. The applicant has sufficiently demonstrated that there are sufficient environmental planning grounds to justify contravening the standard. The proposed floor to ceiling heights will provide acceptable amenity for future occupants and the minimum non-residential floor space requirements are met elsewhere within the site.

Conclusion

73. For the reasons provided above the requested variation to the ceiling heights development standard is supported as the applicant's written request has adequately addressed the matters required to be addressed by clause 4.6 of the Sydney Local Environmental Plan 2012.

Competitive design process - design excellence

74. The design competition jury selected the MHND Union and Allford Hall Monaghan Morris scheme as the winning scheme. In the opinion of the jury, MHND Union and Allford Hall Monaghan Morris scheme was most capable of achieving design excellence, subject to a number of recommendations.

75. The key principles of the design to be maintained and developed identified by the Selection Panel are outlined in Table 2 below. The development application adequately retains the design integrity and key aspects of the winning scheme, subject to conditions of consent.

Table 2: Assessment of compliance with the recommendations of the jury for the competitive design process

Key principles of the design to be maintained and developed	
Recommendation	**Comment**
Compliance with Solar and Natural Cross Ventilation controls	The proposal achieves 68% solar access and 60% natural cross ventilation.
ESD initiatives and solid to void (window to wall) ratio	The proposal maintains this element.
Four individual building concepts – develop whilst maintaining architectural cohesion	The proposal maintains this element.
The approach to site and planning constraints such as Block S-3 setbacks	A Design Modification condition is recommended relating to the Building S3 Epsom Road ground level setback, which is discussed in detail below.
Retail spaces in Block S-1 and their relationship with the future public domain and supermarket on the North-East Stage	The proposal maintains this element.
Clearly defined lobby locations and visibility from Mulgu Park	A condition is recommended to amend the design of the Building S3 residential lobby, which is discussed in detail below. The lobby locations and design for Buildings S1, S2 and S4 are acceptable.
Clarity of the tower form, transition to ground and being a clearly identifiable element	The proposal maintains this element.

Key principles of the design to be maintained and developed	
Calm and cohesive whilst achieving diversity with a sophisticated understanding of materiality, facade, and memory of place	The proposal maintains this element.
The through-site link in Block S-2 (east)	The proposal maintains this element.
Concept of bay windows	The proposal maintains this element.
Orientation of apartments away from Link Rd and Epsom Road towards Mulgu Park	The lodged DA changed the apartment layout of Building S1 resulting in 3 apartments per level facing the noise source of Link Road. During the assessment, the proposal has been amended to provide one additional cross through apartment and reducing the number of single sided apartments facing Link Road to 2 per level. Additional information has been provided to demonstrate how noise affected apartments will be able to achieve simultaneous natural ventilation, and an appropriate condition is recommended.
Clear, direct and high amenity entry sequence accessing apartments	The proposal maintains this element.
Services and core placement towards Link Road in Block S-1	The proposal maintains this element.
Generosity of publicly accessible areas and private domain at block edge – S-1 Colonnade, S-2 through-site link	The proposal maintains this element.
Well-proportioned lobbies with views to Mulgu Park, the streets or open space	The proposal maintains this element.
Location and control of fire egress away from Mulgu Park	The proposal maintains this element.
The interface of Block S-3 to the adjoining development to the west, including articulation and junction between buildings	Building S3 responds appropriately to the neighbouring building, subject to a condition relating to the Epsom Road setback at ground level which is discussed in detail below.

Key principles of the design to be maintained and developed	
Access to landscaped roof terrace in each block	The proposal maintains this element.

76. The Selection Panel also identified areas for further resolution and refinement through design development, outlined in Table 3 below.

Table 3: Assessment of compliance with the recommendations of the jury for the competitive design process

Areas for further resolution and refinement through design development	
Recommendation	**Comment**
Development of the landscape and its consideration of the health and wellbeing of Country	The landscape plan submitted with the application has been reviewed by Council's Landscape Assessment Officer and is supported, subject to conditions.
Privacy issues between apartments within Block S-2 and configuration of apartments within floor plate creating long corridors	A condition is recommended to ensure that any privacy issues between apartments are minimised through fixed privacy treatments. The proposal was amended to minimise long corridors.
Loading dock arrangement and location to minimise impact on public realm and achieve functionality. Blank facade to a park is less desirable than to Link Road.	Building S2 provides a loading dock access from Rose Valley Way in the location identified in the Concept DA. A condition is recommended requiring high quality treatments to the vehicle and loading entrance to Building S2.
Consider CPTED issues in the resolution of the ground floor fronting Epsom Road – Architectural treatment should be employed to blank walls if unavoidable	The application proposes building services positioned forward of the retail setback. To improve the street presentation and address CPTED issues a condition is recommended requiring that the retail building line is moved forward to align with the positioning of the services. This is discussed in detail below.
Resolution of levels and accessibility across the site to ensure generosity of public access	A condition is recommended to ensure improved accessibility around the Building S2 ground plane. This is discussed in detail below.

Areas for further resolution and refinement through design development	
Balance between importance of Mulgu Park and Epsom Road	The proposal, subject to conditions, will result in suitable presentations to both Mulgu Park and Epsom Road.
Create a clear hierarchy of residential and non-residential uses along Epsom Road	The proposal prioritises retail uses at ground level along Epsom Road.
Develop Block S-1 facade to improve visual connection from balconies to Mulgu Park whilst protecting privacy and managing western solar access	The proposal has been amended to provide solar shading to the western facade of Building S1.
Resolution of Block S-2 deep corner apartments long entry corridors within common areas and units	The design of Building S2 was amended to minimise long corridors.
Internal unit planning – bedroom locations and kitchen locations should be revised to achieve best outcome	There are a number of internal unit planning issues remaining, that relate to 'studies' with no windows. This is discussed in detail below.

Design Advisory Panel advice

77. The application was referred to the Design Advisory Panel (DAP) on 13 February 2025.

78. The DAP advice was incorporated into Council's Request for Information letter dated 6 March 2025. A summary of the DAP advice and the applicant's response is provided below.

Table 4: Assessment of the proposal against Design Advisory Panel advice

DAP advice	**Response**
The Panel does not support the change to yield due to noise and cross ventilation impacts.	The change in yield refers to the increase in the number of apartments from 218 to 241 since the design competition. Amendments to Building S1 were the main contributor to the increase in yield, resulting in 3 apartments per level facing the noise source of Link Road. These amendments also reduced cross ventilation in Building S1. To respond to DAP's comment, the proposal has been amended to provide one additional cross through apartment

DAP advice	Response
	and reducing the number of single sided apartments to 2 per level. Additional information has been provided to demonstrate how noise affected apartments will be able to achieve simultaneous natural ventilation, and an appropriate condition is recommended. Natural cross ventilation across the four Stage 3 South buildings is 60% and complies with the ADG. Therefore, the amended proposal is considered to be satisfactory.
The Panel does not support any bedrooms that do not have windows, or that have windows which open onto the common corridor. Any spaces that can fit a bed and do not have access to light and air are not supported.	The applicant has re-labelled these rooms as studies, however, a number of these rooms do not have a window and are non-compliant. Conditions are recommended to resolve this, which is discussed in detail below.
The Panel believes that a greater analysis of sun shading is required, noting lack of shading (eg west face of Building S1).	The proposal was amended to provide sun shading to the western facade of Building S1. A condition is recommended to ensure that the design of the sun shading is high quality.
The Panel does not support any departures from controls.	When assessed against the objectives of the controls, the amended proposal is considered to be acceptable, subject to a number of conditions as discussed throughout this report.
On S4, the north facing apartments are overshadowed and further refinements are needed to improve access to light.	Building S4 has been designed to maximise midwinter solar access.
On S2, the screening to northern vehicle entry needs improvement and should be recessed as far as possible.	The proposal was amended to provide a security gate and a condition is recommended to ensure that the design is high quality.
On S2, the Panel recommends continuous pedestrian access along the north facade.	Some minor amendments were made to the pedestrian circulation areas for Building S2, which is discussed in detail below.
The Panel does not support painting of facade materials. Use of brick, terracotta, or concrete	The proposed materials were amended to replace the painted concrete finish

DAP advice	Response
where colour is integral to the material is recommended.	with a stained finish (ecotone). This is acceptable.
On S1, the Panel notes that the awning window will not satisfy ADG cross ventilation requirements.	Window operability has been amended to ensure compliance with the ADG.
On S1, further testing is recommended to ensure that the windows angled in plan perform thermally.	The proposal has been reviewed by Council's Environmental Sustainability Advisor who advised that the amended proposal is acceptable.
The Panel recommends further clarification of the landscape proposition, addressing pedestrian and vehicle circulation and driveway access.	The landscape plan submitted with the application has been reviewed by Council's Landscape Assessment Officer and is supported, subject to conditions.

Ground floor plane - Building S2

79. The ground floor of Building S2 contains a number of retail tenancies as well as residential lobbies, vehicle entry, loading dock and buildings services including substation, water meter, gas meter and fire brigade booster. There is also a through site link that connects Rose Valley Way with Epsom Road.

80. The Design Competition Selection Panel recommended the further resolution of levels and accessibility across the site to ensure generosity of public access. The Design Advisory Panel recommended continuous pedestrian access along the north facade.

81. The applicant made some minor amendments to the Building S2 ground floor plane, however, issues remain, including the lack of coordination between the building columns, external pathways and the shopfronts. There are level changes across the site and a number of stairs are proposed. A design modification condition is recommended that required improved design resolution which will address access and ensure high quality interface with the public domain.

82. The site is subject to a 2.5m ground floor setback in accordance with the concept approval. Services along the Epsom Road frontage have been proposed with a nil setback. To ensure that the services are not prominent within the Epsom Road streetscape a design modification condition is recommended that extends the retail tenancies towards Epsom Road. A modification to the ground floor setbacks in the concurrent modification application to the Concept DA will ensure consistency between the detailed design DA and the Concept DA.

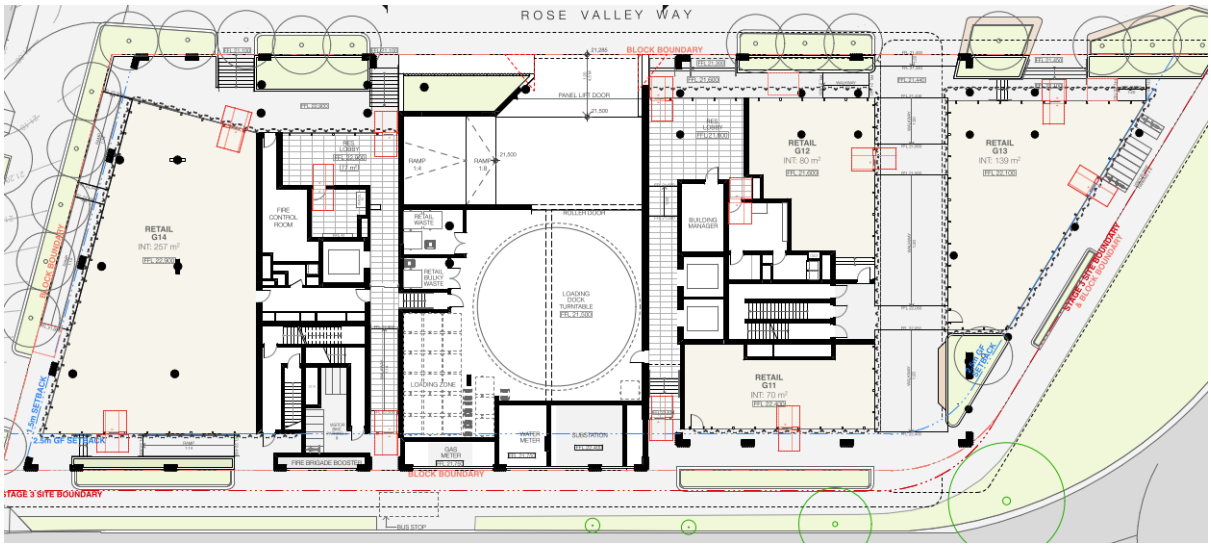

Figure 15: Building S2 ground floor plan

Ground floor plane - Building S3

83. The Epsom Road frontage of Building S3 is subject to a 2.5m ground floor setback under the Concept DA, and this matches the adjoining building to the west. The proposed ground level setback is compliant with the 2.5m control, however, an access ramp is proposed within the front setback. Additionally, the glass line of the lobby is set behind the building line, which does not activate the street.

84. A design modification condition is recommended that requires the lobby to be re-designed so that the glass line is consistent with the front setback and that the level change, including ramp and stairs, is dealt with inside the lobby. This will result in an improved streetscape outcome.

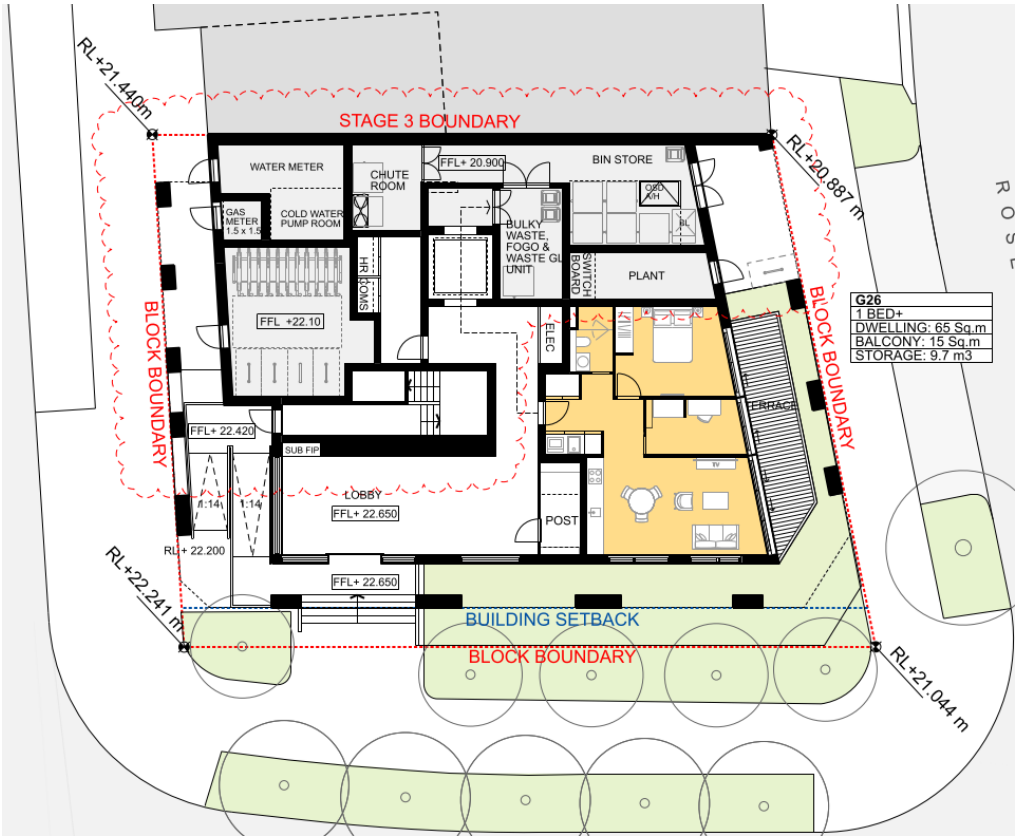

Figure 16: Building S3 ground floor plan

Internal unit planning - Studies without a window

85. The application originally proposed a number of small rooms that were identified as bedrooms, with a number of these rooms not having a window. The applicant made amendments to identify these rooms as studies.

86. Studies that have a window are acceptable. A condition is recommended that these studies have fixed desks and must not be used as bedrooms.

87. The proposed studies without windows result in the following issues:

    (a) They contravene the National Construction Code which require habitable rooms to be naturally ventilated. Studies are defined as habitable rooms.

    (b) They contravene Part 4B of the Apartment Design Guide relating to natural ventilation, which states that all habitable rooms are to be naturally ventilated.

    (c) They contravene Part 4D of the Apartment Design Guide relating to apartment size and layout, which states that every habitable room is to have a window in an external wall with a minimum glass area of 10% of the floor area of the room.

    (d) They do not reflect the Design Advisory Panel's advice that "Any spaces that can fit a bed and do not have access to light and air are not supported."

88. Design modification conditions are recommended to ensure that the internal planning of apartments with studies without a window are re-designed to remove the studies. Examples of the design solutions include relocating bathrooms into these spaces and increasing the internal living area, or by increasing the bedroom size or re-designing the study as a walk-in-robe. Selected examples are shown below.



Figure 17 and 18: Sketch of re-design relocating bathrooms to studies and increasing living area



Figure 19 and 20: Sketch of re-design replacing studies with walk-in robes

Consultation

Internal Referrals

89. The application was discussed with Council's;

(a) Building Services

(b) Environmental Health

(c) Environmental Projects

(d) Landscaping

(e) Urban Design

(f) Public Domain

(g) Public Art

(h) Surveyors;

(i) Transport and Access

(j) Tree Management Unit

(k) Waste Management

90. The above have provided recommended conditions of consent, which have been included in Attachment A.

External Referrals

Sydney Water

91. The application is subject to the requirements of Section 78 of the Sydney Water Act 1994 and was referred to Sydney Water for comment.

92. Sydney Water responded on 22 January and 10 April 2025 and provided conditions which have been included in the recommended conditions of consent.

Ausgrid

93. Pursuant to Section 2.48 of the SEPP (Transport and Infrastructure) 2021, the application was referred to Ausgrid for comment.

94. A response was received raising no objections to the proposed development.

Sydney Airport

95. Section 182 of the Commonwealth Airports Act 1996 specifies that, amongst other things, constructing a building or other structure that intrudes into a prescribed airspace is a controlled activity.

96. The Airports (Protection of Airspace) Regulations 1996 relevantly identifies the area above the OLS to be prescribed airspace. Under regulation 6(1), 'prescribed airspace' includes 'the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services - Aircraft Operations surface (PANS - OPS).

97. The OLS above this site is at a height of 51m AHD above existing ground level. The proposed development has a maximum height of approximately 75.65m and will therefore penetrate the OLS.

98. Controlled Activity Approvals for the building envelopes were issued for the Concept DA (D/2023/724) on 31 May 2024. The proposed detailed development is consistent with the maximum height specified in these approvals and therefore the approvals may continue to be relied upon.

Transport for NSW

99. Pursuant to Section 2.122 of the SEPP (Transport and infrastructure) 2021, the application was referred to Transport for NSW (TfNSW) for comment.

100. Comments were received on 3 February 2025. Conditions of consent were recommended which are included in Attachment A.

Water NSW

101. The application is considered integrated development pursuant to section 4.46 of the EP&A Act because an approval is required under sections 89 and 90(2) of the Water Management Act 2000.

102. General Terms of Approval were issued by Water NSW on 20 February 2025 and have been included in the recommended conditions of consent.

Advertising and Notification

103. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified and advertised for a period of 28 days between 16 December 2024 and 3 February 2025. A total of 1998 owners and occupiers were notified and 2 submissions were received, with 1 in support and 1 objection.

104. The submission in support raised the following issues:

    (a) **Issue:** The development should get underway as soon as possible as it will increase housing density, provide public art and a new park area, and increase housing affordability.

        Response: These comments are noted.

105. The submission in objection raised the following issues:

    (a) **Issue:** Prioritising commercial spaces such as shopping centres and retail outlets would better serve the local community.

Response: The Stage 3 South site is part of the broader redevelopment of the site which includes a proposed supermarket as part of the Stage 1 North East site, as well as a number of retail tenancies as part of Stage 3 South as well as for Stage 1 and 2.

(b) **Issue:** Open space should be available for residents

Response: Development applications D/2025/178 (Stage 2 North West) and D/2025/179 (Stage 1 North East and Stage 3 South) have recently been lodged for the delivery of new public open spaces (parks) within the site.

(c) **Issue:** Additional public transport infrastructure should be put in place before any further residential development

Response: Public transport options include bus and train services in proximity to the site.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

106. The City of Sydney Development Contributions Plan 2015 applies to the site. The development is subject to a section 7.11 local infrastructure contribution under this Plan.

107. Credits have been applied for the most recent past use of the site.

108. A condition relating to this local infrastructure contribution has been included in Attachment A. The condition requires the contributions to be paid prior to the issue of a construction certificate.

109. In this instance, contribution may be offset by the requirements and obligations identified in the relevant Voluntary Planning Agreement (VPA/2023/10). The recommended condition has been written accordingly to reflect this.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

110. As discussed in the section above titled 'State Environmental Planning Policy (Housing) 2021', the application meets the requirements of section 7.32(1) and (3) of the EP&A Act 1979 allowing the imposition of a condition requiring the delivery of affordable housing by way of land dedication or monetary contribution.

111. The site is located within the Green Square affordable housing contribution area. The proposed development involves the erection of new buildings with a gross floor area greater than 200sqm. Therefore, the development is subject to the requirements of section 7.13 relating to a contribution for the purpose of affordable housing.

112. The contribution amount payable is calculated based on the total floor area (TFA) of the proposed development. TFA calculation plans have been submitted, which identify 1,203sqm of non-residential TFA and 31,865sqm of residential TFA.

113. The contribution amount is calculated at a rate of $11,646.80 per square metre, for 3% of the residential TFA and 1% of the non-residential TFA. This results in a contribution of $11,273,869.46.

114. Having regard to the provisions of Section 7.32 of the Act, the imposition of an affordable housing contribution is appropriate and required. A condition of consent is recommended requiring payment prior to the issue of any Construction Certificate.

Housing and Productivity Contribution

115. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

116. The site is located with the Greater Sydney region, the development is a type of residential and commercial development to which the Housing and Productivity Contribution applies, and the development is not of a type that is exempt from paying a contribution.

117. A condition relating to the Housing and Productivity Contribution is included in the recommended conditions of consent.

118. The proponent may be entitled to a full or partial discount because the subject application is a subsequent development application to a concept application granted consent before the commencement of the Housing and Productivity Contribution Order 2023. However, the proponent is to obtain the discount from the Department of Planning, Housing and Infrastructure rather than the discount being applied by the consent authority.

Relevant Legislation

119. Environmental Planning and Assessment Act 1979

120. Sydney Airport Referral Act 1996

121. Water Management Act 2000

122. Sydney Water Act 1994

Conclusion

123. The application has been assessed in accordance with section 4.15(1) of the Act and is considered satisfactory subject to the recommended conditions of consent at Attachment A.

124. The application seeks consent for a detailed development application for the Stage 3 South portion of the approved concept plan for the site. The proposed development is consistent with the approved concept plan, as proposed to be modified (D/2023/724/B). The application has been assessed against and meets the relevant provisions of the Sydney Local Environmental Plan 2012 and the objectives of the Sydney Development Control Plan 2012.

125. The requirements of Chapter 4 of the Housing SEPP have been met. The proposed development is consistent with the design quality principles and the objectives of the NSW Apartment Design Guide.

126. The proposed development demonstrates design excellence in accordance with the relevant provisions and matters for consideration in clause 6.21C of the Sydney Local Environmental Plan 2012.

127. The proposed development is consistent with the design intent of the winning schemes of the competitive design alternatives processes for the site, held in accordance with the City of Sydney Competitive Design Policy.

128. Matters raised by internal and external referrals have been adequately addressed as discussed within this report.

129. The application was notified in accordance the requirements of the EP&A Regulations 2021 and the City's Public Participation Plan. Two submissions were received.

130. Subject to the recommended conditions of consent, the proposed development is considered to be in the public interest and is recommended for approval.

GRAHAM JAHN, AM

Chief Planner / Executive Director City Planning, Development and Transport

Matthew Girvan, Area Coordinator

Attachment A

Recommended Conditions of Consent

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below in Schedules 1 and 2.

SCHEDULE 1

GENERAL CONDITIONS

(1) STAGED CONSTRUCTION CERTIFICATES

This consent allows construction works to be undertaken in the following stages:

(a) **Construction Certificate 1 (CC1)** – Construction of the shoring wall along the north western edge of the basement car park below Building S1 (as shown in the letter prepared by Karimbla Properties, dated 7 April 2025, Council ref. 2025/237492).

(b) **Construction Certificate 2 (CC2)** – All other works.

Reason

To ensure the orderly development of the site.

(2) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2024/1055 dated 21/11/2024 and the following drawings prepared by MHND Union and Allford Hall Monaghan Morris:

Drawing Number	Drawing Name	Date
DA.SUT-S.00.00 Rev C.1	Drawing List	17/04/2025
DA.SUT-S.11.00 Rev C	Site Plan – Roof	28/03/2025
DA.SUT-S.11.01 Rev C	Site Plan – Ground	28/03/2025
DA.SUT-S.11.02 Rev C	Site Plan – Basement 1	28/03/2025
DA.SUT-S.11.03 Rev C	Site Plan – Basement 2	28/03/2025

Drawing Number	Drawing Name	Date
DA.SUT-S.11.04 Rev C	Site Plan – Basement 3	28/03/2025
DA.SUT-S.11.05 Rev C	Site Plan – Basement 4	28/03/2025
DA.SUT-S1.21.00 Rev C	Basement 3	28/03/2025
DA.SUT-S1.21.01 Rev C	Basement 2	28/03/2025
DA.SUT-S1.21.02 Rev C	Basement 1	28/03/2025
DA.SUT-S1.21.03 Rev C	Basement 1 Mezzanine	28/03/2025
DA.SUT-S1.21.04 Rev C	Ground Floor	28/03/2025
DA.SUT-S1.21.05 Rev C	Levels 1-4	28/03/2025
DA.SUT-S1.21.06 Rev C	Levels 5-7	28/03/2025
DA.SUT-S1.21.07 Rev C	Level 8	28/03/2025
DA.SUT-S1.21.08 Rev C	Roof	28/03/2025
DA.SUT-S2.22.00 Rev C	Basement 4	28/03/2025
DA.SUT-S2.22.01 Rev C	Basement 3	28/03/2025
DA.SUT-S2.22.02 Rev C	Basement 2	28/03/2025
DA.SUT-S2.22.03 Rev C	Basement 1	28/03/2025
DA.SUT-S2.22.04 Rev C	Ground Floor	28/03/2025
DA.SUT-S2.22.05 Rev C	Level 1	28/03/2025
DA.SUT-S2.22.06 Rev C	Level 2-5	28/03/2025

Drawing Number	Drawing Name	Date
DA.SUT-S2.22.07 Rev C	Level 6	28/03/2025
DA.SUT-S2.22.08 Rev B	Level 7	21/03/2025
DA.SUT-S2.22.09 Rev B	Level 8-12	21/03/2025
DA.SUT-S2.22.10 Rev B	Level 13	21/03/2025
DA.SUT-S2.22.11 Rev B	Roof	21/03/2025
DA.SUT-S2.22.12 Rev B	Roof Plant	21/03/2025
DA.SUT-S3.23.00 Rev B	Ground Floor	21/03/2025
DA.SUT-S3.23.01 Rev B	Level 1-5	21/03/2025
DA.SUT-S3.23.02 Rev B	Level 6	21/03/2025
DA.SUT-S3.23.03 Rev B	Roof Plan	21/03/2025
DA.SUT-S4.24.00 Rev B	Basement 3	21/03/2025
DA.SUT-S4.24.01 Rev B	Basement 2	21/03/2025
DA.SUT-S4.24.02 Rev B	Basement 1	21/03/2025
DA.SUT-S4.24.03 Rev B	Ground Floor	21/03/2025
DA.SUT-S4.24.04 Rev B	Level 1-4	21/03/2025
DA.SUT-S4.24.05 Rev B	Level 5	21/03/2025
DA.SUT-S4.24.06 Rev B	Level 6-7	21/03/2025
DA.SUT-S4.24.07 Rev B	Roof	21/03/2025

Drawing Number	Drawing Name	Date
DA.SUT.S1.31.00 Rev B	Elevation North	21/03/2025
DA.SUT.S1.31.01 Rev B	Elevation East	21/03/2025
DA.SUT.S1.31.02 Rev B	Elevation South	21/03/2025
DA.SUT.S1.31.03 Rev B	Elevation West	21/03/2025
DA.SUT.S2.32.00 Rev B	Elevation North	21/03/2025
DA.SUT.S2.32.001 Rev B	Elevation East	21/03/2025
DA.SUT.S2.32.02 Rev B	Elevation South	21/03/2025
DA.SUT.S2.32.03 Rev B	Elevation West	21/03/2025
DA.SUT.S3.33.00 Rev B	North and East Elevation	21/03/2025
DA.SUT.S3.33.01 Rev B	South and West Elevation	21/03/2025
DA.SUT.S4.34.00 Rev B	North and South Elevation	21/03/2025
DA.SUT.S4.34.01 Rev B	East Elevation	21/03/2025
DA.SUT.S4.34.02 Rev B	West Elevation	21/03/2025
DA.SUT.S1.41.00 Rev C	Section AA	28/03/2025
1325	Section – Fire Stairs to Link Road	11/03/2025
1413 Rev A	Section BB – Stages 1 and 3	15/11/2024
DA.SUT.S2.42.00 Rev B	Section AA	21/03/2025
DA.SUT.S2.42.01 Rev B	Section BB	21/03/2025

Drawing Number	Drawing Name	Date
2225	S2 GF to B1 Ramp Profiles	21/03/2025
2224	Loading Dock Section	21/03/2025
DA.SUT.S3.43.00 Rev B	Section AA	21/03/2025
DA.SUT.S4.44.00 Rev B	Section AA	21/03/2025
DA.SUT.S4.44.01 Rev B	Section BB and CC	21/03/2025
DA.SUT.S1.51.00 Rev C	S1 Facade Details	28/03/2025
DA.SUT.S2.52.00 Rev C	S2 Facade Details	28/03/2025
DA.SUT.S3.53.00 Rev A	Facade Details	15/11/2024
DA.SUT.S4.54.00 Rev B	Facade Details	21/03/2025
DA.SUT.S1.91.00 Rev C	Adaptable Unit – Aprtmt 108-408, 507-707	28/03/2025
DA.SUT.S1.92.01 Rev C	Adaptable Unit – Apartment 505	28/03/2025
DA.SUT.S2.92.00 Rev C	Adaptable Unit – Apartment 117	28/03/2025
DA.SUT.S2.92.01 Rev C	Adaptable Unit – Apartment 118-519	28/03/2025
DA.SUT.S2.92.02 Rev C	Silver Liveable – Apartment 119-520	28/03/2025
DA.SUT.S2.92.03 Rev C	Silver Liveable – Apartment 217-517	28/03/2025
DA.SUT.S2.92.04 Rev C	Adaptable Unit – Apartment 212-612	28/03/2025
DA.SUT.S2.92.05 Rev C	Adaptable Unit – Apartment 714-1214	28/03/2025
DA.SUT.S2.92.06 Rev C	Adaptable Unit – Apartment 1311	28/03/2025

Drawing Number	Drawing Name	Date
DA.SUT.S4.94.00 Rev A	Adaptable & Silver Liveable Units	15/11/2024

and as amended by the conditions of this consent.

(b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(3) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT

The terms of the planning agreement between the Council of the City of Sydney and Karimbla Properties (No 60) Pty Ltd dated 18 March 2024 (VPA/2022/18) are to be complied with.

Reason

To ensure the development complies with all terms of the planning agreement.

(4) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT

The terms of the planning agreement between the Council of the City of Sydney and Karimbla Properties (No 60) Pty Ltd dated 24 June 2024 (VPA/2023/10) are to be complied with.

Reason

To ensure the development complies with all terms of the planning agreement.

(5) MATTERS NOT APPROVED

The following items do not form part of this consent:

(a) Fit-out and specific use of retail and commercial tenancies;

(b) Outdoor dining areas; and

(c) Installation of individual air conditioning units for the facade or balconies of the buildings.

Reason

To clarify the scope of this consent.

(6) HOURS OF OPERATION – COMMERCIAL AND RETAIL PREMISES

(a) The hours of operation for commercial and retail premises are restricted to between 7.00am and 10.00pm, Monday to Sunday.

(b) Any hours of operation beyond those permitted by part (a) above are subject to separate approval.

Reason

To ensure base hours of operation are established for commercial and retail premises.

(7) HOUSING AND PRODUCTIVITY CONTRIBUTION

Before the issue of any Construction Certificate the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	**Amount**
Housing and productivity contribution (base component)	$2,612,757.40
Transport project component	
Total housing and productivity contribution	**$2,612,757.40**

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering *the Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

Reason

To require contributions towards the provision of regional infrastructure.

(8) SECTION 7.11 CONTRIBUTIONS PAYABLE - CONTRIBUTION TOWARDS PUBLIC AMENITIES – CITY OF SYDNEY DEVELOPMENT CONTRIBUTIONS PLAN 2015 – SOUTH PRECINCT

Council has identified the development will increase demand for public amenities and facilities. Pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 (as amended), and the City of Sydney Development Contributions Plan 2015 the following monetary contributions are required towards the cost of public amenities.

Contribution Category	Amount
Open Space	$3,021,471.93
Community Facilities	$604,409.79
Traffic and Transport	$700,922.53
Stormwater Drainage	$277,212.14
Total	$4,604,016.39

The City of Sydney will index the above contribution for inflation at the time of payment using the following formula.

Cpayment = Cconsent x (CPIpayment ÷ CPIconsent)

Where:

Cpayment = Is the contribution at time of payment;

Cconsent = Is the contribution at the time of consent, as shown above;

CPIpayment = Is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment; and

CPI1consent = Is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being – 139.7 for the December 2024 quarter.

The contribution must be paid prior to the issue of any Construction Certificate in relation to this development.

Please contact Council's Planning Administration staff at planningsystemsadmin@cityofsydney.nsw.gov.au to request a letter confirming the indexed contribution amount payable.

Once the letter confirming the indexed contribution is obtained, payment may be made at any of the City's Neighbourhood Service Centres or the One Stop Shop at Town Hall House. Acceptable payment methods are EFTPOS (debit card only), cash (up to 10K only), Credit Card (up to 50K only) or a bank cheque made payable to the City of Sydney. Personal or company cheques will not be accepted.

The section 7.11 contributions payable may be offset in accordance with the requirements and obligations identified in the Voluntary Planning Agreement between The Council of the City of Sydney and Karimbla Properties (No 60) Pty Ltd dated 24 June 2024.

Reason

To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

(9) AFFORDABLE HOUSING CONTRIBUTION - GREEN SQUARE - PAYMENT IN LIEU OF FLOOR SPACE CONTRIBUTION - PRIOR TO CONSTRUCTION CERTIFICATE

(a) In accordance with the City of Sydney Affordable Housing Program and prior to the issue of a Construction Certificate, the applicant must provide evidence that a monetary contribution towards the provision of affordable housing has been paid to the City of Sydney Council in accordance with this condition.

(b) The contribution is **$11,273,869.46** (indexed at 8 May 2025). This is calculated by establishing the sum of the equivalent monetary contribution $11,646.80 multiplied by 1% of the total floor area for non-residential development (1,203sqm) and the equivalent monetary contribution $11,646.80 multiplied by 3% of the total floor area for residential development (31,865sqm).

(c) If the contribution is paid after the indexation period in which the consent is granted, being 1 March 2025 to 28 February 2026, the above contribution will be adjusted according to the Sydney LGA median strata dwelling price ('MDP') using the following formula.

(d) Contribution payable at Time of Payment = C x MDP2 / MDP1, where:

(i) C is the original total contribution amount payable to the City of Sydney as shown above;

(ii) MDP2 is the Median Strata Dwelling Price in Sydney LGA applicable at the time of indexation of the equivalent monetary contribution rate, established by averaging the four most recently published NSW Government Rent and Sales Reports for the current period; and

(iii) MDP1 is the Median Strata Dwelling Price in Sydney LGA taken from the NSW Government Rent and Sales Reports used to establish the currently applicable equivalent monetary contribution rate, being 1 March 2026 to 28 February 2026.

Contact Council's Planning Assessment Unit at planningsystemsadmin@cityofsydney.nsw.gov.au for written confirmation of the amount payable, with indexation as necessary, prior to payment.

Reason

To ensure development contributions are paid to contribute to the provision of essential affordable rental housing infrastructure.

(10) DESIGN QUALITY EXCELLENCE

(a) As the proposal has been awarded bonus floor space or height for achieving design excellence and in order to ensure the design quality excellence of the development is retained to completion:

(i) The design architects comprising MHND Union and Allford Hall Monaghan Morris are to have direct involvement in the design documentation, contract documentation and construction stages of the project including signing off any required certifications at DA, S4.55 applications, Construction Certificate and Occupation Certificate stages;

(ii) The design architects are to have full access to the site and are to be authorised by the applicant to respond directly to Council where information or clarification is required in resolving design issues throughout the life of the project;

(iii) Evidence of the design architect's commission must be provided to the Council prior to release of the Construction Certificate.

(b) The design architect of the project is not to be changed without prior notice and approval of the Council's Executive Director Planning, Development and Transport.

The Registered Certifier and Principal Certifier must be satisfied that the above matters are complied with prior to the issue of a relevant Construction and Occupation Certificates, in accordance with written confirmation from Council.

Reason

To ensure the development maintains design quality excellence throughout all phases of the development.

(11) GROSS FLOOR AREA

(a) The gross floor area of the development is not to exceed 23,749sqm calculated in accordance with the definition of gross floor area under the Sydney Local Environmental Plan 2012.

(b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification of the total gross floor area in the development, utilising the definition under the Sydney Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved floor space ratio.

(12) ROOFTOP PLANT

All roof-top plant and associated equipment must be located within the approved building envelope.

Reason

To ensure the constructed development complies with the approved height.

(13) EXTERNAL LIGHTING

A separate development application is required to be lodged and approved prior to any external floodlighting or illumination of the building or site landscaping.

Reason

To clarify that consent has not been granted for the external floodlighting or illumination of the development.

(14) SHOP FRONTS

(a) All shop front glazing must be clear and untinted and must not be obscured by blinds, curtains or the like.

(b) The approved shopfront configuration must not be altered, without the prior approval of Council, where it would result in the shopfront being obscured in any way.

Reason

To ensure shopfronts are not obscured and contribute to the activation of the public domain.

(15) ALLOCATION OF CAR WASH BAYS

If car wash bays are provided, spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by all tenants.

Reason

To ensure designated areas within the development are maintained as common property.

(16) PARKING ON COMMON PROPERTY AREAS

No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, and service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or boats, or for other private storage.

The future strata subdivisions of the buildings are to include an appropriate restriction on the use of land pursuant to Section 88B of the Conveyancing Act 1919, so burdening common property, with the Council being the authority to release, vary or modify the restriction. The terms of the restriction must be to the satisfaction of Council.

Reason

To ensure designated areas within the development are maintained as common property.

(17) ALLOCATION FOR VISITOR PARKING

Visitor parking spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by building visitors.

All spaces must be clearly marked ‘visitor’ prior to the issue of any occupation certificate or the use commencing, whichever is earlier. All signs must be maintained in good order at all times.

Reason

To ensure designated areas within the development are maintained as common property.

(18) INTERCOM FOR VISITORS

Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry and at least 4m clear of the property boundary, wired to all units. The intercom must comply with *Australian Standard AS 1428.21992: Design for access and mobility Enhance and additional requirements Building and facilities Sections 22 and 23.*

Reason

To maintain the orderly operation of vehicle parking areas.

(19) ALLOCATION OF ACCESSIBLE CAR PARKING SPACES

For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the accessible car spaces must be assigned to the unit in any future strata subdivision of the building.

Reason

To ensure accessible vehicle parking spaces are allocated to adaptable units.

(20) SIGNS AT EGRESS

The following signs must be provided and maintained within the site at the points of vehicle egress:

(a) Compelling drivers to stop before proceeding onto the public way

(b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

Reason

To ensure the safety of surrounding pedestrians and cyclists.

(21) SECURITY GATES

Where a car park is accessed by a security gate, that gate must be located at least 3 metres within the site from the street front property boundary.

Reason

To ensure the public domain is kept free from physical obstructions.

(22) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 10.6m.

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(23) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".

Reason

To ensure all roadway works are designed and constructed in accordance with Council requirements.

(24) COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

Reason

To ensure all associated roadway works costs are borne by the developer.

(25) CHANGES TO KERB SIDE PARKING RESTRICTIONS

A separate submission must be made to the Local Pedestrian, Cycling and Traffic Calming Committee via the City Infrastructure and Traffic Operations Unit seeking the City's approval for any changes to kerb side parking arrangements. There is no guarantee kerb side parking will be changed, or that any change will remain in place for the duration of the development use.

The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include chainages to all signs and stems from the kerb line of the nearest intersection.

All costs associated with the parking proposal will be borne by the developer.

Note: As parking in the LGA is at a premium, it is recommended that the applicant should approach the Area Traffic Engineer to discuss the proposal before making a submission.

Reason

To require separate consent to be obtained for changes to kerb side parking arrangements.

(26) VEHICLE ACCESS

All vehicles are to enter and depart the site travelling in a forward direction.

Reason

To increase pedestrian safety at the site access.

(27) VEHICLE FOOTWAY CROSSING

A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway, kerb, gutter and road restoration reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of any Occupation Certificate.

Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

Reason

To ensure all relevant approvals for traffic and parking works are obtained and designed in accordance with Council requirements.

(28) LOADING DOCK SCHEDULE/ REGISTER

The on-site loading dock is also to be made available for all residents for use by removal vehicles, bulky good deliveries and similar. This shall be managed either by a schedule showing residents when they can use the dock, or by a register managed on site to allow residents to reserve a time period for their deliveries. This information is to be made available to all residents/tenants of the building.

Reason

To ensure the availability and orderly operation of the on-site loading dock.

(29) TREES THAT MUST BE RETAINED

(a) The existing trees detailed in Table 1 below must be retained and protected in accordance with the conditions throughout development works.

(b) Approval is NOT granted for the removal of the tree(s) detailed in the table below, which Council has determined to be prominent landscape elements

Table 1 – Tree Retention:

Tree No	Species:	Location
1A, 1, 2, 2A, 4, 5, 6A	*Corymbia maculata* (Spotted Gum)	Link Road (street trees from Epsom Road to proposed Peters Street)
6, 7, 8	*Lophostemon confertus* (Brush Box)	
9, 9A, 9B, 9C		Epsom Road (street trees)
x12	*Corymbia maculata* (Spotted Gum)	Link Road (street trees from proposed Peters Street to Zetland Avenue)

Reason

To identify the trees that cannot be removed, must be retained and protected.

(30) TREE PLANTING CONSIDERATIONS

The design should include the use of continuous trenches for tree pits and the installation of all services to be underground.

Special consideration must be given to soil depth and quality for tree planting. The following soil volume requirements must be included in the design for successful long term tree establishment:

(a) Large Trees (canopy diameter of up to 16 metres at maturity) require a minimum soil volume of 150 cubic metres, minimum soil depth of 1.5 metres and minimum soil area 10 metres x 10 metres.

(b) Medium Trees (canopy diameter of up to 8 metres at maturity) require a minimum soil volume of 35 cubic metres, minimum soil depth of 1.2 metre and minimum soil area 6 metres x 6 metres.

(c) Small Trees (canopy diameter of up to 4 metres at maturity) require a minimum soil volume of 9 cubic metres, minimum soil depth of 1.2 metre and minimum soil area 4 metres x 4 metres.

Reason

To ensure the development is appropriately designed to accommodate adequate tree planting.

(31) SWINGING DOORS OVER PUBLIC WAY

Any access doors to enclosures housing building services and facilities, such as hydrant and sprinkler booster assemblies or the like, must not open over the footway/roadway (including land to be dedicated/transferred to the City in the future).

Reason

To ensure no element of the development obstructs the use of the public way.

(32) TACTILE GROUND SURFACE INDICATORS AND HANDRAILS

All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.

Reason

To ensure ground surface indicators, handrails and other elements required to provide access into the building/property are appropriately located.

(33) PAVING MATERIALS

The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

Reason

To ensure appropriate and safe paving materials are used.

(34) NO OBSTRUCTIONS

All public footways and paths of travel must be free from obstructions. If services are required to be relocated to clear paths of travel, then this must be undertaken at the developer's expense. All obstructions are to be removed prior to the issue of any type of Occupation Certificate.

Reason

To ensure there are no obstructions on public footways and paths of travel.

(35) AIR CONDITIONERS GENERALLY

No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring must:

(a) Not be located on awnings or attached to the face of the building

(b) Not be located on roofs in such a way that it is visible from any street, footpath or park

(c) Be visually screened if located 1.8 metres above ground level in other locations

(d) Wiring must be fully concealed.

Reason

To ensure the visual impact of air conditioners is minimised.

(36) STRATA SUBDIVISION – APPROVAL OF STRATA PLAN REQUIRED

A separate application must be made to Council or a Registered Strata Certifier to obtain approval of the Strata Plan and issue of a Strata Certificate under the *Strata Schemes Development Act 2015*.

Reason

To ensure separate approval is obtained for approval of the Strata Plan.

(37) WASTE AND RECYCLING MANAGEMENT - GENERAL

The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's *Guidelines for Waste Management in New Developments 2018*, which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

Reason

To ensure that waste and recycling is appropriately managed throughout all phases of the development.

(38) SIGNS - SEPARATE DA REQUIRED

A separate development application for any proposed signs additional to those approved as part of this consent (other than exempt or complying signs) must be submitted to and approved by Council prior to the erection or display of any such signs.

Reason

To require separate consent to be obtained for any additional signs.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(39) DESIGN MODIFICATIONS – BUILDING S2 GROUND LEVEL

The design of Building S2 must be modified as follows:

(a) All works proposed outside of the site (block boundary) including in the 1.4m site dedication for road/footpath widening on Epsom Road are not approved. The planters shown in this dedication must be removed.

(b) G14: Retail glazing line must extend southward to sit behind the columns on Epsom Road.

(c) G14: A level access with the footpath to Epsom Road is required. DDA access / design for flood planning level must be resolved internally for this entry.

(d) G11: Retail glazing line must extend southward to sit behind the columns on Epsom Road. A level access with the footpath to Epsom Road is required.

(e) G13: A level access with the footpath to Link Road is required.

(f) The open niche behind the fire booster on Epsom Road must be removed for improved safety – this may necessitate the relocation / reconfiguration of visitor bike parking and amendments to the fire exit.

(g) Improved design resolution and coordination of the columns / glazing lines / wall lines / stairs / ramps / entrances and services throughout the ground level must be provided to enable improved: address and access / high quality interface between the public domain, setbacks within the site and the external facade.

The modifications are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(40) DESIGN MODIFICATIONS – BUILDING S3 GROUND LEVEL

The design of the Building S3 must be modified as follows:

(a) Improved design resolution and coordination of the columns / glazing lines / wall lines / stairs / ramps / entrances and services throughout the ground level must be provided to enable; seamless ground level public domain interface in the setback to Epsom Road consistent with the western neighbour, improved address and access, and, high quality interface between the building and the public domain.

(b) All ramping works proposed in the ground floor setback zone on Epsom Road are not approved and must be removed. A seamless continuation of the footpath level and the western neighbours seamless setback is to extend to the facade line.

(c) The lobby glazing line and fire exit must relocate southward and align with the solid wall facing Epsom Road. This glazing line is to return to Defries Avenue to align with the eastern lobby glazing line.

(d) DDA access / design for flood planning level must be resolved internally in the lobby. A level access with the footpath to either Epsom Road or Defries Avenue must be provided.

The modifications are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(41) DESIGN MODIFICATIONS – INTERNAL LAYOUT PLANNING

The design of the buildings must be modified as follows:

Building S1:

(a) The internalised studies to S1-A103 to S1-A703, S1-A106 to S1-A706, S1-A107 to S1-A407 vertical stack of apartments are to be removed. The relocation of the bathroom behind the bedroom and an increased room depth and area of open plan kitchen (incorporating laundry)/ dining / living is to be provided.

Building S2:

(b) The internalised studies to S2-116 and S2-716 to S2-1216 vertical stack of apartments are to be removed. An increased room depth and area of open plan kitchen/ dining/ living (which can include a study nook as part of the main living area) is to be provided.

(c) The internalised studies to S2-120, S2-221 to S2-521 vertical stack of apartments are to be removed. The relocation of the bathroom behind the bedroom and an increased room depth and area of open plan kitchen/ dining/ living (which can include a study nook as part of the main living area) is to be provided.

(d) The internalised studies to S2-112, S2-119, S2-1312, and, S2-220 to S2-520 vertical stack of apartments are to be removed. An increased area of bedroom which can include a study nook as part of the bedroom or as part of the main living area is to be provided.

(e) The internalised studies to S2-113 and S2-613 vertical stack of apartments are to be removed. The relocation of the bathroom to the study and an increased room depth and area of open plan kitchen /dining / living (which can include a study nook as part of the open plan area) is to be provided.

(f) The internalised studies to S2-714 and S2-1214 vertical stack of apartments are to be removed. The relocation of the laundry and storage into this study (which can include a study nook as part of the open plan area) is to be provided.

(g) The internal rooms to S2-1312 and S2-1313 are to be noted as laundries.

(h) S2-618 is to be amended from a 3 bed apartment to a 2 bed apartment The internalised room is to be noted as laundry and the kitchen size can increase.

(i) S2-619 is to be amended from a 1 bed apartment to a 2 bed apartment to reflect its layout.

Building S3:

(j) The separate studies to S3-126 to S3-526 vertical stack of apartments are to be removed. An increased area of bedroom (which can include a study as part of the bedroom area) is to be provided.

(k) The projecting blade wall to the southern elevation abutting the western neighbour is to be removed (Level 1 to roof). The roof outline (& setback plant enclosure line) are to be amended to follow the outside wall line of the level below.

Building S4:

(l) The separate studies to S4-134 to S4-434 and S4-136 to S4-436 vertical stack of apartments are to be removed. An increased area of bedroom (which can include a desk as part of the bedroom area) is to be provided.

All buildings:

(m) All rooms designed as a study are to have fixed desks. The drawings are to show the desks and include annotations that state the desks are fixed.

The modifications are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(42) BUILDING S1 MULGU PARK FACADE

High quality design, detailing, materiality and integration with the facade, external sunshade treatments are to be provided to the following facade.

Details are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate:

(a) External sunshade treatments are to be provided to Building S1 Western façade from level 1 to level 7 (to areas shown indicatively as red squares on elevation DA.SUT.S1.31.03).

(b) These are to be designed and detailed by MHNDU/Alfred Hall Managhan Morris architects.

Reason

To improve building and facade quality and interfaces with the public domain.

(43) DESIGN MODIFICATIONS – WASTE MANAGEMENT

The design of the building must be modified as follows:

Basement

(a) Retail waste room to be provided in the basement (to achieve this residential food and bulky waste area may be combined)

(b) An enclosed and designated space incorporating three phase power to be provided to store the ride on bin tug and trailer for the transfer 1,100L bins and bulky waste. Adequate clearance for the use of this trailer to be demonstrated.

Ground floor loading dock

(c) 'Retail Bulky Waste' room loading dock to be marked up as a 'Residential bulky waste collection room'.

(d) Access doors from loading dock to residential lobby to be widened as far as possible. Preference for double doors and minimum of 1200mm to be be provided for Building S2 Tower B to facilitate residential onboarding.

The modifications are to be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(44) ACOUSTIC ATTENUATION AND NATURAL VENTILATION

The following details are to be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate for above ground works.

(a) *118-130 Epsom Rd & 905 South Darling St, Zetland - Stage 3 South DA Noise Impact Assessment* (TRIM record 2025/214699) makes in principle design recommendations in Appendix B to modify the building designs to:

(i) address simultaneous natural ventilation and acoustic attenuation to achieve windows open noise criteria *via passive noise mitigation* to certain apartments.

(ii) address simultaneous natural ventilation and acoustic attenuation with *attenuated devices (vertical plenums)* to certain apartments.

(b) Additional information is required, and the building design is to be amended, to address the *passive noise mitigation to certain apartments* approach in detail including:

(i) Updated comprehensive acoustic report detailing the specific requirements to each level and each balcony / glazing configuration variation to achieve required noise reduction via passive noise mitigation.

(ii) Demonstrated minimums of ADG 4B-1 area of unobstructed openings achieved, noting louvre windows are preferred over awnings for their increased air flow.

(iii) Updated Architectural general arrangement drawings, including 1:20 scale balustrade, soffit detailing and 1:50 scale window and door opening configurations, fully co-ordinating with and capturing this report's detailed recommendations.

(c) Additional information is required, and the building design is to be amended, to address the *attenuated devices (vertical plenums) to certain apartments* approach in detail including:

(i) A Natural Ventilation Report is required to be provided by a suitably qualified consultant which reflects the below plenum inclusions, their exact component specification, and demonstrates the minimum required airflow all as required by the *City of Sydney's Draft Alternative Natural Ventilation Of Apartments In Noisy Environments: Performance Pathway Guideline*

a. Means of controlling the airflow within the plenum. This is typically addressed via a damper which is manually controllable from inside the room served by the plenum.

b. Flyscreens which are accessible and removable for cleaning from inside the room served by the plenum.

c. Hinged grille to the room served by the plenum for access to the required flyscreen

(ii) Updated Architectural general arrangement drawings and 1:20 scale minimum plans, and section details of the natural ventilation plenums which fully co-ordinate with and capture this report's detailed recommendations, including all plenum inclusions.

(iii) The information submitted should show a level of detail equivalent to For Construction detailing.

(d) Both Acoustic consultant and Natural Ventilation consultant review and confirmation that the architectural documentation achieves both the required ADG natural ventilation requirements and windows open noise criteria requirements simultaneously

Reason

To ensure natural ventilation and noise attenuation is achieved simultaneously.

(45) AWNING DESIGN

1:50 scale minimum plans, elevations, sections and details of all awnings which demonstrates high quality; design, integration with the façade, materiality and finishes are to be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate for above ground works:

(a) Demonstrated compliance with required kerb setbacks and height clearances as per DCP 3.2.4

(b) Relationship to existing bus stop shelter on Epsom Road

(c) Interface with retail, services and level 1 façades

(d) Structure

(e) Waterproofing, drainage and integrated downpipes

(f) Materials & finishes

The information submitted should show a level of detail equivalent to 'For Construction' detailing.

Reason

To ensure high quality awnings and interface with the public domain.

(46) PRIVACY TREATMENTS

External privacy treatments are to be provided which are high quality design, detailing, materiality and integration with the façade, to the following apartments.

1:20 scale minimum plans, elevation and section details of each privacy treatment variations are to be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of any CC2 Construction Certificate for above ground works:

Building S1:

(a) The north facing study windows of S1-104 to S1-704 vertical stack of apartments and the south facing study windows of S1-105 to S1-405 vertical stack of apartments are to be obscure glazing.

(b) The south facing bedroom window of S1-505 to S1-705 vertical stack of apartments are to be obscure glazing and the bedroom robe replanned to be clear of the window

Building S2:

(c) The east facing bedroom windows of S2-122 are to be amended to be high level windows (this can include solid aluminium panel below the window to retain the window suite proportions) and is to include external fixed vertical privacy louvres.

(d) The east facing bedroom windows of S2-223 to S2-523, S2-620 vertical stack of apartments and the west facing bedroom windows of S2-212 to S2-612, S2-713 to S2-1213, S2-1312 vertical stack of apartments are to include external fixed vertical privacy louvres.

Building S3:

(e) The east facing living and dining room windows of S3-G26 are to include external fixed vertical privacy louvres.

(f) The west facing corridor windows on all levels are to be obscure glazing.

Building S4:

(g) The west facing study windows which look on to common breezeway corridors on all levels are to be obscure glazing.

(h) The western external edge of the common breezeway corridor on levels 1-4 are to include external fixed vertical privacy louvres.

(i) The north facing bedroom window of S4-134 to S4-434, and, S4-532 vertical stack of apartments are to include external fixed vertical privacy louvres.

(j) The south facing bedroom window of S4-136 to S4-736 vertical stack of apartments are to include external fixed vertical privacy louvres.

The required information must include detailed material, finishing, spacing, elemental sizing details. The information submitted should show a level of detail equivalent to 'For Construction' detailing.

Reason

To ensure adequate privacy for residents.

(47) PUBLIC DOMAIN INTERFACE

Updated overall plans, elevations and sections, and, 1:20 scale minimum plans, elevation and section details which demonstrates high quality; design, integration with both the facade and public domain interface, and materiality and finishes of the following are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate for above ground works:

(a) Building S1/S2/S3/S4: Retail and lobby glazing (including columns), retail and lobby access including stairs, ramps and entries, and, landscape planters facing Link Road, Epsom Road, Peters Street, Chimes Street, Rose Valley Way including Shareway, and, Defries Avenue.

(b) Building S1: Service elements / Fire exits / Blank walls to Lifts

(c) Building S1: The design of Peters Street does not form part of this consent. As the ramps and steps are not approved in the design as shown on the plans, access to Building S1 retail lobby must not be reliant on the Peters Street frontage.

(d) Building S2: Loading entrance area which is to be amended to include high quality treatments to all faces including reveals which extend the façade treatments, including a high quality soffit. The garage door is to be a high quality panel lift door.

(e) Building S2: Fire Hydrant Booster Valve Cabinet / Water & Gas Meter / Substation

(f) Building S3: Water & Gas Meter / Bike Store / Plant / Bin Store

(g) Building S4: Fire Exits / Plant / Planters

(h) Building S3/S4: Ground level street interfaces: Each variation of ground floor apartment interface condition demonstrating; high quality resolution of; landscaping including planter designs, fencing, gates, paths and stairs, and, public domain levels. Ground level landscaped areas are to be common property rather than allocated to the ground floor units. The designs are to demonstrate adequate passive surveillance and privacy is achieved simultaneously.

The required information must include detailed material, finishing, spacing, elemental sizing details. The information submitted should show a level of detail equivalent to 'For Construction' detailing.

Reason

To ensure high quality design and detailing, and interfaces with the public domain.

(48) MATERIALS AND SAMPLES BOARD

A physical material sample board which specifies all proposed materials, finishes and colours, (including visible rainwater goods and services) keyed to each building elevation must be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to any CC2 Construction Certificate being issued.

The materials and samples board must not include generic material or colour descriptions or use terminology such as 'or similar'.

No tinted window glazing is approved.

Reason

To require the submission of a materials and samples board following assessment of the development.

(49) GLAZING

Prior to the issue of any CC2 Construction Certificate for above ground works, the following details are to be submitted to Council's Area Planning Manager for approval as follows:

(a) All transparent glass (including any balcony glazing) is to be clear to achieve a high level of transparency to provide visual depth and have a neutrality of colour. A consistency in appearance and colour characteristics between all facades is to be achieved.

(b) The submitted details are to include physical samples of the glass types, details of the manner of assembly, and the glazing characteristics including the proposed Shading Coefficient, the Visible Light Transmission and the Reflectivity.

Reason

To ensure clear and consistent glazing is used throughout.

(50) WIND MITIGATION

(a) The 'Pedestrian Wind Assessment' prepared by CPP Wind Engineering Consultants, dated 28 March 2025 (Council ref. 2025/203702) identifies locations that fail the wind safety criteria and makes recommendations to modify the building and landscape design to address wind impacts.

Amended architectural and landscape plans are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate:

(i) **Building S2 Level 7 rooftop communal open space** – Localised areas of enclosed pergola are to be provided to selected seating areas to achieve pedestrian sitting criteria for part of the rooftop communal open space. These are to be located clear of proposed canopy trees to allow for proposed tree canopy growth to maturity.

(b) A revised Wind Report including quantitative wind testing results is to be provided with the amended architectural and landscape plans which demonstrate that the detailed design of the above referenced wind mitigation measures achieves the required wind mitigation outcomes.

Reason

To provide well designed and integrated wind mitigation requirements which are co-ordinated across documentation.

(51) STORAGE DETAILS

(a) An updated storage details diagram for all buildings, demonstrating consistency with the objectives, design criteria and design guidance in the Apartment Design Guide, must be submitted and approved by Council's Area Planning Manager prior to any CC2 Construction Certificate being issued.

(b) The details diagram must show at a minimum:

(i) The volume of each cupboard within apartments

(ii) The volume of any storage cages in the basement

(iii) The allocation of basement storage spaces to individual apartments

(c) Storage for Building S3 located within the basements of Buildings S2 and S4 must be clearly identified.

(d) Secured bike parking rooms, located under the future public domain, are to Common Property, and must not be counted towards the storage totals for each apartment.

(e) Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be satisfied that the works have been constructed in accordance with the approved Storage Details Diagram approved by Council.

Reason

To ensure compliant storage is provided to every unit.

(52) REFLECTIVITY

(a) Prior to issue of any CC2 Construction Certificate the Registered Certifier must ensure that the visible light reflectivity from building materials used on the facade of the building does not exceed 20%.

(b) In addition, the Registered Certifier must ensure that all glare mitigation recommendations of the Reflectivity Report titled 'Stage 3, Epsom Road, Zetland Reflectivity Assessment' dated 21 March 2025 prepared by SLR (TRIM record 2025/186894) must be met. These glare mitigation recommendations may include a more stringent reflectivity percentage than that described under (a), as well as other recommendations.

Reason

To ensure the development does not result in adverse reflectivity impacts and to protect the amenity of the public domain.

(53) SIGNAGE STRATEGY

A signage strategy for all buildings is to be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate for above ground works.

The signage strategy development application must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for each building.

Reason

To require approval of a signage strategy.

(54) PUBLIC ART

(a) Public art must be installed to the City's satisfaction prior to the issue of any Occupation Certificate.

(b) The site-wide Preliminary Public Art Plan submitted with this development application has not been approved. The site-wide Preliminary Public Art Plan is to be revised to include:

(i) a public art budget of 0.35% of the estimated cost of development for each development stage (calculated to be $556,118.13 to meet the Stage 3 South contribution); and

(ii) nominate public art opportunities noted to be in the property boundary for stages NE, NW, and South, including on the corner of Link Road and Epsom Road.

and resubmitted for approval prior to the issue of any CC2 Construction Certificate.

(c) The public artwork must be in accordance with the approved Preliminary Public Art Plan, the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments.

(d) A Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to issue of any CC2 Construction Certificate.

(e) Public artwork must be installed to the City's satisfaction, inspected and approved and the Final Public Art Report submitted and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any Occupation Certificate.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at http://www.cityofsydney.nsw.gov.au/explore/arts-and-culture/public-art. Please contact the Public Art Team at publicartreferrals@cityofsydney.nsw.gov.au for further information.

Reason

To ensure public art is installed to the City's satisfaction.

(55) EXTERNAL WALLS AND CLADDING FLAMMABILITY

The external walls of the building including attachments must comply with the relevant requirements of the *Building Code of Australia*. Prior to the issue of any CC2 Construction Certificate and Occupation Certificate the Registered Certifier and the Principal Certifier must:

(a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the BCA; and

(b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the BCA as proposed and as built.

Reason

To ensure the external walls and cladding comply with relevant requirements.

(56) CAR PARK AND BICYCLE PARKING DESIGN

Amended architectural plans for the ground and basement levels must be submitted to and approved by Council's Area Planning Manager prior to any CC2 Construction Certificate being granted. These plans must address the following concerns:

(a) Provide a consolidated parking schedule for car, motorcycle and bicycle parking for the entire development. This schedule should include the bicycle parking spaces on the ground level as well as service vehicle spaces in the basement.

(b) The following parking spaces are to be included within the parking schedule, whilst ensuring that the LEP maximum parking numbers are not exceeded:

(i) The unlabelled parking space adjacent to space S4 RA.6 on Basement 2 of Building S4.

(ii) The 'hashed' parking space between space V.9 and V.10 on Basement 3 of Building S4, noting that V.9 and V.10 have not been allocated as accessible spaces.

(c) Clearly indicate the service vehicle spaces on the plans.

(d) Amend the ramp grades on S2 basement plans to match the ramp profiles provided.

(e) Specify the number of bicycle parking spaces provided on the ground level plans.

(f) Bicycle parking design is to be designed in accordance with AS 2890.3, including the provision of 1.5m clear aisle widths.

(g) End of trip facilities for the development to be provided in accordance with the DCP requirements.

Reason

To ensure issues relating to the car park and bicycle parking are resolved.

(57) PRELIMINARY LOADING AND SERVICING MANAGEMENT PLAN

A revised Preliminary Loading and Servicing Management Plan must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

The Preliminary Loading and Servicing Management Plan must include the strategy for the management of all servicing of the site including delivery vehicles, garbage collection, service vehicles and should include information such as arrivals to the site, the anticipated numbers of arrivals per week, time of day of the arrivals, length of stay, vehicle type etc. along with how these will be managed to prevent disruption to public streets.

The Plan should be generally in accordance with the *Preliminary Loading and Servicing Management Plan* prepared March 2025 submitted as part of the application. The Plan should also include the following additional information:

(a) Demonstrate how waste bins, removalist deliveries and retail deliveries can be transferred to/from the loading area with minimal impact to the public domain. This should include the Council waste collection for Building S3.

(b) Demonstrate how unimpeded access will be provided for residential collection vehicles to set down within 10m of waste storage areas between 6am and 6pm on collection day(s) or until all scheduled residential waste collections have been completed for the day.

Reason

To ensure the loading dock and servicing is managed safely.

(58) MODIFICATION OF DEVELOPMENT CONSENT D/2023/753

(a) Development consent D/2023/753, dated 5 August 2024, must be modified pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act 1979.

(b) Drawing No. C-2 291 is to be modified to provide an on-street loading zone on Rose Valley Way to replace the 2P parking signs, adjacent to Building S4 and opposite Building S3 (10m from the bin room).

(c) Notice of such modifications shall be given to Council in accordance with Section 67 of the Environmental Planning and Assessment Regulation 2021 prior to any CC2 Construction Certificate for Building S3.

Reason

To ensure D/2023/753 is modified to allow an on-street loading space is provided adjacent to Building S3.

(59) ON-STREET LOADING ZONE ON ROSE VALLEY WAY

An on-street loading zone is to be provided on Rose Valley Way, adjacent to Building S4 and opposite Building S3 (10m from the bin room)

A separate submission must be made to the Local Pedestrian, Cycling and Traffic Calming Committee via the City Infrastructure and Traffic Operations Unit seeking the City's approval for any changes to kerb side parking arrangements. There is no guarantee kerb side parking will be changed, or that any change will remain in place for the duration of the development use.

The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include chainages to all signs and stems from the kerb line of the nearest intersection.

All costs associated with the parking proposal will be borne by the developer.

Reason

(60) To ensure on-street loading space is provided adjacent to Building S3.
PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the Registered Certifier prior to any CC2 Construction Certificate being issued.

Reason

To ensure parking facilities are designed in accordance with the Australian Standards.

(61) ALLOCATION OF PARKING

The number of car parking spaces to be provided for the development must comply with the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of any CC2 Construction Certificate.

Car Parking Type	Number
Residential spaces	159
Accessible residential spaces	36
Residential visitor spaces	27
Accessible residential visitor spaces	2
Retail parking	8
Accessible retail parking	1
Car share parking	3
Motorcycle parking	22
Medium rigid/ Council waste vehicle loading dock	1

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(62) BICYCLE PARKING AND END OF TRIP FACILITIES

(a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Residential	265	Spaces must be class 2 bicycle facilities
Residential visitor	44	Spaces must be Class 2/3 bicycle facilities
Non-residential	4	Spaces must be Class 2 bicycle facilities
Non-residential visitor	11	Spaces must be Class 3 bicycle rails
End of Trip Facility Type	Number	
Showers with change area	2	
Personal lockers	4	

All bicycle parking spaces and end of trip facility must be provided on private land. The public domain cannot be used to satisfy this condition.

(b) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Registered Certifier confirming prior to and form part of any CC2 Construction Certificate being issued.

Reason

To ensure the allocation of bicycle parking onsite that is in accordance with Australian Standards and the Council's DCP.

(63) CAR SHARE SPACES

(a) A minimum of 3 car parking spaces for the exclusive use of car share scheme vehicles are to be provided. A revised plan showing these spaces must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

(b) The spaces must be retained as common property of the Owners Corporation of the site, and not sold or leased to an individual owner/occupier at any time.

(c) The spaces must be made available to car share operators without a fee or charge and be accessible to members of the car share scheme at all times.

(d) The spaces must be sign posted for use only by car share vehicles and well lit.

(e) The car share spaces are to be available at the same time that the car park commences operation.

Reason

To ensure car share spaces are provided within the development are maintained as common property.

(64) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

(a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to any Construction Certificate being issued.

(b) The approved plan must be complied with during any demolition and/or construction work.

Reason

To ensure that the impacts of construction traffic is appropriately managed.

(65) DESIGN MODIFICATIONS - LANDSCAPE

(a) The 'PUBLIC DOMAIN CIVIL WORKS SOUTH STAGE 3 PACKAGE' dated 13 NOVEMBER 2024 (Council ref. 2024/666356) identifies stormwater OSD tanks, inlet pits and pipes that fall within planters at ground level. The design of stormwater devices in each building and landscaping is to be coordinated to ensure ground level landscaping and presentation to each building is unencumbered by these items.

(b) An overlay must be submitted that confirms the location of OSD / WSUD tank and pits for each block to ensure the proposed ground level landscaping is feasible.

(c) Revised landscape drawings and details fully describing the above must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

Reason

To ensure the proposed ground level landscaping is feasible.

(66) STORMWATER PITS IN GARDEN BEDS

(a) Granite paving (P1) to building S1 and S2 that interfaces with Mulgu park pavements are not approved. The pavements must be Ecotrihex permeable pavement system.

(b) Revised landscape drawings and details fully describing the above must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

Reason

To ensure an appropriate interface with the Mulgu Park pavements.

(67) LANDSCAPE OF THE SITE

(a) A landscaped design package and technical specification suitable for construction, prepared by a registered landscape architect, must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate. These documents must include:

(i) Location of existing and proposed planting on the site including existing and proposed trees, planting in natural ground, and planting on structure.

(ii) Location and details of existing and proposed structures on the site including, but not limited to, paving, walls, services, furniture, shade structures, lighting and other features.

(iii) Details of earthworks and soil depths including finished levels and any mounding. The minimum soil depths for planting on structure must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers.

(iv) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity.

(v) Details of drainage, waterproofing and watering systems.

(vi) Landscape maintenance plan. This plan is to be complied with during occupation of the property.

(b) Relevant drawings cross referenced in the landscape package, such as architectural details, stormwater and hydraulic plans, are to be submitted with the landscape package.

(c) All landscaping in the approved plan is to be complete prior to any Occupation Certificate being issued.

Reason

To ensure the development is supported by a good quality, buildable landscape scheme that meets the City's controls.

(68) ACCESSIBLE GREEN ROOFS

(a) A detailed green roof design including plans and details drawn to scale, and technical specification, by a registered landscape architect, must be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate. These documents must include:

(i) A statement that includes details of proposed use of the green roof, accessibility, and any noise and privacy treatments.

(ii) Location and details of existing and proposed services, walls, balustrades, hard surfaces, furniture, screens and shade structures, fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components.

(iii) Engineers report confirming structural capacity of building for proposed roof terrace loads.

(iv) Wind study (if applicable) confirming suitability of the roof for intended use.

(v) Details of soil types and depth including any mounding. The minimum soil depths for planting on structure must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers.

(vi) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity.

(vii) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.

(viii) Green roof maintenance plan. This plan is to be complied with during occupation of the property and must include any relevant maintenance methodology for safe working at height such as access requirements, location of any anchor points, gates, and transport of materials and green waste.

(b) Prior to the issue of an Occupation Certificate, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Principal Certifying Authority.

(c) All landscaping in the approved plan must be complete prior to the issue of an Occupation Certificate.

Reason

To ensure that the accessible green roof is designed to accommodate suitable landscaping and to ensure that adequate maintenance procedures are put in place.

(69) INACCESSIBLE GREEN ROOFS

(a) A detailed green roof design including plans and details drawn to scale, and technical specification, prepared by a registered landscape architect, must be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any CC2 Construction Certificate. These documents must include:

(i) Location and details of existing and proposed services, walls, fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components.

(ii) Details of soil types and depth including any mounding.

(iii) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.

(iv) Planting details, and location, numbers, type and supply size of plant species. A high diversity of plant species diversity that are drought resistant should be provided.

(v) Long term green roof maintenance plan. This plan is to be complied with during occupation of the property, and must include any relevant maintenance methodology for safe working at height such as access requirements, location of any safety anchor points, gates and transport of materials and green waste.

(vi) A statement outlining the intended strategy for decommissioning if planting works fail. This is to ensure green roof maintained is throughout its life.

(b) Prior to the issue of any CC2 Construction Certificate, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Principal Certifying Authority.

(c) Inaccessible green roofs must be completed prior to the issue of an Occupation Certificate.

Reason

To ensure that the inaccessible green roof is designed to accommodate suitable landscaping and to ensure that adequate maintenance procedures are put in place.

(70) LANDSCAPING OF THE SITE (TREES)

(a) The Landscape Plan prepared by Urbis dated 15 November 2024 is not approved. A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate. The plan must include:

(i) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features.

(ii) Details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable). The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers.

(iii) The Plans must specify the location, quantity, type, and supply of plant species, along with their container size and mature dimensions (height and width), in accordance with the relevant Australian Standard.

(iv) The design must provide a minimum 15% canopy cover across the site. This must be provided by 30% of the species having a mature height of 6-8 metres, 30% mature heights of 10-15 metres and 40% mature heights of 20-30 metres.

(v) The planting schedule must include a diverse range of trees selected from the City of Sydney Tree Species List, ensuring suitability, mature dimensions, and compatibility with the Sydney area. Species such as *Melaleuca linariifolia,* identified as 'limit use' due to the risk of Myrtle Rust, must be avoided and replaced with alternative species from the Tree Species List.

(vi) The landscape plan must include the projected canopy cover for the site within 10 years of construction completion, demonstrating adequate space for unrestricted growth.

(vii) New trees must be appropriately located away from existing buildings and structures to allow maturity to be achieved without restriction.

(viii) Details of planting procedure and maintenance.

(ix) Details of drainage, waterproofing and watering systems.

(x) Prior to the issue of a CC2 Construction Certificate, a maintenance plan is to be submitted to and approved by the Principal Certifying Authority. The maintenance plan is to be complied with during occupation of the property.

(xiii) All landscaping in the approved plan is to be completed prior to an Occupation Certificate being issued.

Reason

To ensure sufficient canopy cover is provided and healthy trees are established and maintained on the site.

(71) ELECTRICITY SUBSTATION AND TURRETS

(a) Prior to the issue of any CC2 Construction Certificate for the buildings, provision must be made by the project architects to locate any electricity turrets and substations required as a consequence of the development within the site boundaries or proposed lot boundaries, rather than within existing or proposed footway areas.

(b) Prior to the issue of any type of Occupation Certificate, all electricity turrets and substations required for the development must be located wholly within the final lot boundaries

Reason

To ensure that the provision of a substation and turrets to service the development is appropriately incorporated into the design of the building in a manner that minimises streetscape impacts.

(72) SURVEY INFRASTRUCTURE – IDENTIFICATION AND RECOVERY

Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.

Prior to the issue of any Construction Certificate, documentary evidence must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include either:

(a) A copy of any Surveyor-General's Approval for Survey Mark Removal granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the survey mark audit schedule, strategy plan and strategy report); or

(b) A letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all investigations required under Surveyor-General's Direction No.11 have been made for the subject site and that no survey infrastructure will be affected by the proposal.

Council's Principal Surveyor may request further information and/or add conditions to any Surveyor-General's Approval at their discretion.

Reason

To ensure the preservation of existing survey infrastructure.

(73) PUBLIC DOMAIN LEVELS AND GRADIENTS

Prior to the issue of any CC2 Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages must be submitted for review to the City's Public Domain Unit prior to approval from Council's Area Planning Manager. The submission must be prepared in accordance with the City's *Public Domain Manual* and submitted with a completed Application for *Public Domain Levels and Gradients*. Information on how to complete the submission can be downloaded from the City's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

Any requirements to comply with Disability Discrimination Act at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

Note: Public Domain Levels and Gradient plans are to be included with the Public Domain Plan – Detailed Documentation for Construction condition submission.

Reason

To ensure public domain levels and gradients comply with Council's requirements.

(74) STORMWATER DRAINAGE DESIGN

Prior to issue of any CC2 Construction Certificate a detailed stormwater management plan prepared by suitable qualified and experienced professionals must be submitted to and approved by the City's Public Domain Unit and must include:

A certified stormwater drainage design complying with:

(a) Council's Sydney Streets Technical Specifications, Part A4 Drainage Design;

(b) Council's Sydney Streets Technical Specifications, Standard Drawings;

(c) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage Construction;

(d) Council's Stormwater Drainage Manual; and

(e) All relevant Australian Standards.

This information is available for download from the City's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

Note: A Deed of Agreement (Stormwater Deed) for all proposed connections to the City's drainage system, and a Positive Covenant for all OSD systems may be required prior to issue of any Occupation Certificate.

Reason

To ensure stormwater drainage design complies with Council's requirements.

(75) STORMWATER ON-SITE DETENTION

The requirements of Sydney Water with regard to the on-site detention (OSD) of stormwater must be ascertained and complied with. Evidence of the approval must be submitted to Council prior to issue of any CC2 Construction Certificate.

Where an OSD is not required by Sydney Water one may still be required by the City.

Reason

To ensure the requirements of Sydney Water are complied with.

(76) STORMWATER QUALITY ASSESSMENT

Prior to issue of any CC2 Construction Certificate a design certification report prepared by a suitably qualified practitioner engineer (NPER) demonstrating compliance with approved music link targets and parameters must be submitted to and approved by the City's Public Domain Unit.

The report must include a response to all stormwater quality improvement devices structural integrity, treatment train and their treatment properties demonstrating compliance with the approved MUSIC link reports.

Reason

To ensure appropriate stormwater quality on the site.

(77) FLOOD PLANNING LEVELS

The development must be constructed to comply with the recommended flood planning levels indicated in Figure 5 of the report titled 'Flood Impact Assessment Report' prepared by EGIS dated 13 November 2024 (Council ref. 2024/666309).

Details must be submitted to the Registered Certifier prior to the issue of any CC2 Construction Certificate demonstrating that the development will comply with the recommended flood planning levels.

Reason

To ensure the development complies with the recommended flood planning levels.

(78) PUBLIC DOMAIN LIGHTING UPGRADE

Prior to issue of any CC2 Construction Certificate for excavation, civil construction, drainage or building work (whichever is earlier), a concept Public Domain Lighting Upgrade Plan for pedestrian and street lighting in the public domain must be submitted for review to the City's Public Domain Unit prior to approval by Council's Area Planning Manager. The Lighting Plan must be prepared in accordance with the *Sydney Streets Technical Specifications* A5 and B8, *Sydney Lights Design Code* and *Public Domain Manual*. This information is available for download from the City's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

The lighting upgrade plan must cover all adjacent street frontages, being Link Road, Rose Valley Way, Chimes Street, Peters Street, Defries Avenue and Epsom Road.

Advice on site specific lighting requirements must be obtained from City's Public Domain Unit before proceeding with the preparation of any final lighting design proposals.

Reason

To ensure pedestrian and street lighting in the public domain complies with Council's requirements.

(79) NEW ROAD DESIGN

Preparation of the detailed design and construction documentation for the proposed public road system must include all necessary liaison with, and requirements of, all relevant public utility authorities, Roads and Maritime Services, the City of Sydney, the Local Pedestrian Cycling and Traffic Calming Committee and its nominated consultants in order to achieve design approvals and construction compliance. Written evidence of approval from relevant authorities must be submitted to the City with the road design submission.

A design package must be prepared based on the requirements outlined in Council's *Public Domain Manual.* A design report for the road works must be prepared by an appropriately qualified civil engineer certifying that the design complies with the City of Sydney's policies, standards and specifications and those of all other relevant authorities as applicable. All engineering plans and calculations must be checked, signed and certified by a suitably qualified practicing professional engineer and included in the report. The design package and report must be submitted to and approved by Council's Public Domain Manager prior to the construction of the road.

Reason

To ensure the new road design complies with Council's policies, standards and specifications and those of all other relevant authorities.

(80) TEMPORARY DEWATERING DURING CONSTRUCTION

Prior to discharging any water collected during excavation and construction into the City's stormwater drainage system, approval must be sought from the City's Public Domain Unit. A dewatering management plan must be submitted with an *Application for Temporary Dewatering* available to download on the City's website.

Other options for dewatering include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason

To ensure dewatering is managed appropriately.

(81) BASEMENT AND LINKS BELOW FUTURE ROADS

Any basement positioned below a road, future road or park must:

(a) Have a minimum depth cover of 2m above the basement waterproofing and roof drainage cell to the final level of invert to the gutter to accommodate public utility services, tree planting and street lighting design.

(b) The basement roof slab shall be designed to structural loading specified in AS5100.

Reason

To ensure the new road design complies with Council's policies, standards and specifications and those of all other relevant authorities.

(82) FOOTPATH AWNINGS

Footpath awnings which are proposed to be constructed above the public domain (including public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to any Construction Certificate for above ground works.

Documentation must be submitted to the City's Construction and Building Certification Services Unit with the application demonstrating that the awning height complies with Development Control Plan 2012. Plans are to include dimensions confirming the awning width and setback from the kerb. Awning gutters are to be concealed from the public domain and plans are to confirm downpipes are located within or recessed into the ground floor frontage of the building.

Reason

To ensure compliance with City regulations.

(83) FUTURE FOOD USE – MECHANICAL VENTILATION PROVISION

Prior to the issue of any CC2 Construction Certificate, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with the potential to become a food premises in future.

Systems must be designed in accordance with AS1668.2 – The Use of Ventilation and Airconditioning in Buildings – Mechanical Ventilation in Buildings, and AS1668.1 – The Use of Ventilation and Airconditioning in Buildings – Fire and Smoke Control in Buildings.

Reason

To ensure the mechanical ventilation complies with relevant standards.

(84) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

The Operational Waste Management Plan accompanying this Development Application has not been approved by this consent. An Operational Waste Management Plan is to be submitted to and reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

The plan must comply with Council's Development Control Plan and *Guidelines for Waste Management in New Developments.* The plan must address:

(a) Update architectural drawings for all waste facilities and infrastructure.

(b) Path of travel from all retail tenancies in S2 and access arrangements to loading dock and waste storage area to be marked up, demonstrating pathway and procedures to minimise impacts to the public domain.

(c) Residential bins to be relocated to basement storage areas immediately following collection.

(d) That retail tenants will be given access to the residential lobby to access the retail waste storage room in the basement. Specify that no separate bulky waste management for retail tenancies has been provided for. The path of travel should be drawn up and provided for.

(e) Confirm the developer is responsible for purchasing a bin tug, trailer and bin lifters as required.

(f) Unimpeded access will be provided for residential collection vehicles to set down within 10 meters of waste storage area(s) between 6am and 6pm on collection day(s) or until all scheduled residential waste collections have been completed for the day.

(g) Building management or cleaners will decant 240L recycling bins into 1,100L bins for collection prior to transferring to respective loading areas.

Reason

To document agreed waste management facilities and arrangements and ensure good waste management outcomes.

(85) WASTE INFRASTRUCTURE – RESIDENTIAL

Prior to the issue of any CC2 Construction Certificate, detailed plans, and specifications for the construction of waste management facilities must be submitted for review by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager. The waste management facilities to be provided responsive to Council's controls, policies, and guidelines, including but not limited to:

(a) Waste and recycling stream(s) storage area(s) to be designed and constructed in accordance with Reference D of *Council's Guidelines for Waste Management in New Developments.* Floors to be waterproofed across all intersections that extend a minimum 1,200mm high on the walls.

(b) Waste chute system to be designed in accordance with Section B and Reference E of the City of Sydney Guidelines for Waste Management in New Developments.

(c) Linear track system configuration to be drawn up on plans in all chute discharge rooms (including supporting elevations).

(d) The path of transfer to provide minimum spatial requirements (minimum room sizes, minimum door sizes, manoeuvring space, size of bin holding areas etc.) for waste management systems and specified bin sizes.

(e) Bin moving equipment storage room (B1) to incorporate three phase power.

Reason

To allow for the safe and hygienic storage of waste and recycling and support provision of a safe and efficient waste collection service.

(86) WASTE CHUTE – ACOUSTIC CONSTRUCTION PERFORMANCE VERIFICATION

Prior to the issue of any CC2 Construction Certificate, all chute rooms and chutes construction are to be verified by an appropriately qualified acoustic consultant to the satisfaction of the principle certifying authority to achieve:

(a) an RW + Ctr of not less than 55 if the adjacent rooms are habitable rooms (includes a kitchen, laundry and hallway) and walls are to achieve a DnT, w + Ctr of not less than 50 in verification prior to occupation, and

(b) an LnT,W + Cl of not more than 55 if the adjacent rooms are habitable rooms (includes a kitchen, laundry and hallway) and achieve a LnT,w + Cl of not more than 55 in verification of the construction methodology prior to occupation.

Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

Reason

To protect the amenity of residential apartments.

(87) SIGNAL SYSTEM

A system of traffic lights and/or mirrors must be installed at the ends of any one-way ramps (with limited visibility), to indicate traffic movement on the ramp(s).=

Any system using traffic light signals must maintain a green signal to entering vehicles at the point of entry and must maintain a red signal when an exiting vehicle is detected upon the ramp or driveway.

Reason

To maintain the orderly operation of vehicle parking areas.

(88) FLOOD EMERGENCY RESPONSE PLAN

(a) Prior to the issue of any CC2 Construction Certificate, a Flood Emergency Response Plan is to be prepared by a suitably qualified flood engineer and approved by Council's Area Planning Manager.

(b) The Flood Emergency Response Plan must include all measures required to be implemented to ensure the ongoing management of flooding risk in relation to the building, including (but not limited to) the following:

(i) Describe the flood conditions in the vicinity of the site.

(ii) If appropriate, direct persons on the site to seek refuge above the Probable Maximum Flood level for all levels of the building that are flood affected. Shelters in place for flood affected parts of the building is not permissible.

(iii) Include a map directing residents and visitors to a refuge via a flood free pathway within the building.

(vii) Provide details of access to flood free areas for disabled persons.

(c) No toxic or other hazardous materials are to be stored below the Flood Planning Level or in the basement levels.

Reason

To ensure flood risk management measures are complied with.

(89) SITE AUDIT STATEMENT

Prior to the issue of the CC2 Construction Certificate associated with the built form of the development (excluding building work directly related to remediation), a Section A Site Audit Statement must be obtained from a NSW Environment Protection Authority accredited Site Auditor for the Stage South land and submitted to the Council's Area Planning Manager at email address:-

hbapplications@cityofsydney.nsw.gov.au

The Site Audit Statement must confirm that the site has been remediated in accordance with the approved Remedial Action Plan submitted and approved for the development site under D/2023/753 on 5 August 2024 and clearly state that site is suitable for the proposed use.

(a) In circumstances where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council, these must be reviewed and must be approved by the Council's Health and Building Unit in writing through the Area Planning Manager before the Site Audit Statement is issued.

(b) In circumstances where the Site Audit Statement conditions (if applicable) are not consistent with the consent, the development must not proceed until the inconsistency has been resolved to the satisfaction of Council (such as via a s4.55 modification of the consent pursuant to the provisions of the Environmental Planning and Assessment Act 1979).

(c) No Occupation Certificate is to be issued by the Principal Certifier unless a Site Audit Statement has been submitted to and approved by Council in accordance with this condition.

Reason

To ensure that the site is appropriately remediated.

(90) ADAPTABLE HOUSING

Prior to any CC2 Construction Certificate being issued, information from an appropriately qualified access consultant is to be submitted to the Registered Certifier:

(a) Confirming that the required number of residential units are able to be adapted for people with a disability in accordance with the *Building Code of Australia.*

(b) Demonstrating (in a checklist) compliance with Australian Standard AS4299.

Reason

To ensure the provision of adaptable housing.

(91) BASIX CERTIFICATE – DETAILS TO BE LODGED WITH A CC

A copy of the required completed BASIX certificate accepted as part of this Development Consent with respect to the proposed residential building works, must be lodged with an application for any CC2 construction certificate and the items nominated as part of the subject BASIX certificate must be specified on the plans submitted with the construction certificate application. – See Note.

IMPORTANT NOTE:

Any requirement detailed in the accompanying BASIX Certificate, MUST be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Part 3 of Schedule 1 of the EP&A Regulation, 2021.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 EP&A Regulation, 2021).

(92) FLOOR TO CEILING HEIGHT

Prior to any CC2 Construction Certificate being issued, the Registered Certifier must ensure that all living rooms and bedrooms in sole occupancy units must have a minimum finished floor to ceiling height of not less than 2.7 metres.

Reason

To ensure an adequate minimum floor to ceiling height to provide an acceptable level of amenity.

(93) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION AND OR OCCUPATION CERTIFICATES

(a) All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the DA Acoustic Report prepared by Acoustic Logic, dated 20/03/2025, ref 20240990.1/2003A/R1/SW, titled DA Noise Impact Assessment, Council Ref 2025/214699 must be implemented in the development prior to the commencement of its use.

(b) Prior to the issue of any CC2 Construction Certificate, the final construction drawings and final construction methodology must be assessed and reported to be in accordance with the requirements of the DA Acoustic Report in (a) above, with reference to relevant documentation. This must be done by a Suitably Qualified Acoustic Consultant* (see definition below). This work will be to the satisfaction of the Registered Certifier.

(c) Prior to the issue of any Occupation Certificate, a Suitably Qualified Acoustic Consultant* is to provide a written Acoustic Verification Report to the satisfaction of the Principal Certifier that the development complies with the requirements set out in the Report and in (a) and (b) above.

Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

(d) All physical aspects of the building's structure installed in order to meet performance parameters in accordance with this condition must be maintained at all times.

Reason

To ensure all parties are aware of the supporting documentation that applies to the development.

(94) CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

A site-specific noise management plan must be submitted to the Council for comment and approval prior to issue of any Construction Certificate.The Plan must be prepared by a suitably qualified acoustic consultant who is a person who possesses the qualifications to join the Australian Acoustic Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustic Consultants (grade of member firm).The plan must include but not be limited to the following:-

(a) Identification of noise sensitive receivers near to the site.

(b) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. A statement should also be submitted outlining whether or not predicted noise levels will comply with the noise criteria stated within the *City of Sydney Construction Hours /Noise Code of Practice 1992* for the typical construction hours of 07.00am to 7.00pm. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.(c) A representative background noise measurement ($L_{A90,\ 15\ minute}$) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.(d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery.(e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.(f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.(g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.(h) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

Reason

To ensure an adequate construction noise and vibration management plan is prepared.

(95) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Prior to the issue of any Construction Certificate a Construction Environmental Management Plan (CEMP) must be prepared by appropriately qualified person for the site and submitted to Council's Area Planning Coordinator | Area Planning Manager for written approval. The CEMP must consider all potential environmental impacts from the approved works including but not limited to sedimentation control, contamination containment, stockpiles, noise and vibration, odours and dust emissions.

All works must be undertaken onsite in accordance with the approved Construction Environmental Management Plan.

Reason

To ensure that construction is appropriately managed.

(96) DILAPIDATION REPORT – MAJOR EXCAVATION/DEMOLITION

(a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of adjoining buildings (and any other properties identified by the qualified structural engineer engaged to undertake the report) are to be prepared by an appropriately qualified structural engineer prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Registered Certifier and the Council prior to the issue of any Construction Certificate.

UPON COMPLETION OF EXCAVATION/DEMOLITION

(b) A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifier and the Council prior to the issue of any Occupation Certificate.

Any damage to buildings, structures, lawns, trees, sheds, gardens and the like must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner must advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information must be submitted to Council.

Reason

To ensure that dilapidation reports are prepared and to identify damage to adjoining/nearby properties resulting from building work on the development site.

(97) TELECOMMUNICATIONS PROVISIONS

(a) Appropriate space and access for ducting and cabling is to be provided within the plant area and to each apartment within the building within for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery. The details must be submitted for the approval of the Registered Certifier prior to any CC2 Construction Certificate being issued.

(b) A separate DA must be submitted prior to the installation of any external telecommunication apparatus, or the like.

Reason

To ensure the development adequately provides for telecommunications.

(98) TELECOMMUNICATIONS IN NEW DEVELOPMENTS

Prior to the issue of any CC2 Construction Certificate in connection with a development, the developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Registered Certifier that arrangements have been made for:

(a) the installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and

(b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

Note: real estate development project has the meanings given in section 372Q of the Telecommunications Act.

Reason

To ensure the development adequately provides for telecommunications.

(99) UTILITY SERVICES

To ensure that utility authorities are advised of the development:

(a) Prior to the issue of any Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.

(b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

Reason

To ensure that utility authorities are advised of the development and their approval is obtained in connection with the relocation and/or adjustment of services affected by the development.

(100) LETTERBOXES

(a) Details of the location and design of all letterboxes are to be submitted to the satisfaction of the Principal Certifier prior to the issue of any CC2 Construction Certificate.

(b) Letterboxes are to be discreetly located, must not obstruct and/or dominate the public way and must be of a type and specification that minimises opportunities for mail theft.

(c) Where possible, consideration should be given to locating letterboxes within secure building lobbies.

Note: The applicant is strongly advised to contact Australia Post to discuss how the letterboxes within the lobby will be accessed.

Reason

To ensure letterboxes are located in an appropriate location on the site to prevent mail theft.

(101) DESIGN FOR ENVIRONMENTAL PERFORMANCE

Prior to the issue of any CC2 Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the Design for Environmental Performance report prepared by Sonali Padarath, dated 15 November 2024 (Council ref. 2024/675347) are incorporated into the relevant construction plans and accompanying documentation:

(a) Section 3 – BASIX

A copy of the required completed BASIX certificate(s) accepted as part of this consent/as amended above must be lodged with an application for a construction certificate and the items nominated as part of the subject BASIX certificate(s) must be specified on the plans submitted with the Construction Certificate application.

Note: Any requirement detailed in the accompanying BASIX Certificate must be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Division 1 of Part 6 of the EP&A Regulation, 2021.

(b) Section 4 – Energy Efficiency and Greenhouse Gas Emissions Abatement

(c) Section 5 – Passive Design for Thermal Performance – Building Envelope Design

(d) Section 6 – On site Renewable Energy Generation and Storage

(e) Section 7 – Design for Resilience to Climate Change

(f) Section 8 – Designing for mains potable water savings and water efficiency

(g) Section 9 – Storm water quality

(h) Section 10 – City Greening

(i) Section 11 – Promoting Active Transport and Reducing Transport Emissions

(j) Section 12 – Materials, Embodied Carbon and Circularity

(k) Section 13 – Waste Management and Resource Recovery

(l) Section 14 – Third Party Certification and Design, Construction or Technology Innovations

Changes to any commitments as listed in the approved Design for Environmental Performance report must be submitted to and approved by Council's Area Planning Manager prior to the issue of any CC2 Construction Certificate.

Reason

To ensure the environmental performance of the development.

(102) EMBODIED EMISSIONS REPORTING

Prior to the issue of any CC2 Construction Certificate, as per requirements under the Sustainable Buildings SEPP, embodied emissions reporting is to be updated to reflect finalised material specifications and increased design detail. If the NABERS Embodied Emissions Tool is active prior to submission of construction certificate documentation, then reporting is to be provided through the tool.

Reason

To ensure quantification of embodied emissions from the development.

(103) ELECTRIC VEHICLE CHARGING

Prior to the issue of any CC2 Construction Certificate, it is to be demonstrated that:

(a) 10% of worker car spaces are fitted with a Level 2 charger or higher

(b) 25% of retail customer car spaces are fitted a three phase Level 2 EV charger at 22 kilowatts or higher

(c) EV charges will be supplied by renewable energy through a GreenPower plan, for at least 5 years

Evidence of EV chargers is to be shown on for construction electrical plans. Written agreement or confirmation is sufficient for renewable energy procurement requirement.

Additionally, in accordance with the relevant Planning Agreement (VPA/2023/18) to enable all residential parking spaces within the Development to be capable of being fitted with an Electric Vehicle Charger, electric vehicle charging infrastructure shall be provided as follows:

(d) Power supply and distribution boards for electric vehicle charging in accordance with Section J9D4 'Facilities for electric vehicle charging equipment' in NCC 2022 Volume One – Building Code of Australia, and

(e) All residential parking spaces are to be located within 10 metres of a cable tray sized to accommodate cabling for 100% of spaces it serves and terminates at the closet electronic vehicle distribution board.

Reason

To ensure sustainability requirements are implemented.

(104) NON-POTABLE RECYCLED WATER DUAL RETICULATION

Prior to the issue of any CC2 Construction Certificate details are to be provided to the Principal Certifier demonstrating compliance with the Non-potable Recycled Water Dual Reticulation requirements of the relevant Planning Agreement (VPA/2022/18).

Reason

To ensure sustainability requirements are implemented.

(105) GREASE AND LIQUID WASTE TRAPS – FUTURE FOOD PREMISES

(a) A grease trap, if required by Sydney Water, must be installed in accordance with the relevant Sydney Water requirements.

(b) If a grease trap is required, prior to the issue of the relevant Construction Certificate, plans and details are to be submitted to and approved by the Registered Certifier showing the following:

(i) The grease trap is not located in any kitchen, food preparation or food storage areas;

(ii) The grease trap is constructed and installed in a location which allows it to be easily and effectively cleaned and emptied; and

(iii) The grease trap is constructed and located as not to encourage the harbourage of pests and be effectively pest proofed.

Note: In-sink and in-floor waste bucket traps must be installed in all sinks and floor wastes in all commercial kitchens and food preparation areas. The installation of any grease traps and treatment equipment must be carried out by a suitably qualified and licensed plumber in accordance with the Plumbing Code of Australia.

Reason

To ensure grease and liquid waste traps are installed in accordance with relevant requirements.

(106) HOT WATER SERVICE – FUTURE FOOD PREMISES

The capacity of the hot water service must ensure that a constant supply of hot water is provided to any future food premises at all times for all sinks and basins including hand wash basin/s. The temperature of the hot water provided to the sinks must be in accordance with AS4674 – Design, Construction and Fit-out of Food Premises and the Australia New Zealand Food Standards Code 3.2.2 - Food Safety Practices and general requirements.

Reason

To ensure any future food premises has a constant supply of hot water in accordance with relevant standards.

(107) SANITARY FACILITIES – FOOD PREMISES

The sanitary facilities for any future food premises must be separated from all food handling areas via an airlock, self-closing door or mechanical ventilation in accordance with the provisions of the *National Construction Code (previously known as Building Code of Australia)*, Part F 3.1, 4.8 and 4.9.

Reason

To ensure sanitary facilities comply with relevant standards to protect food handling areas.

BEFORE BUILDING WORK COMMENCES

(108) EROSION AND SEDIMENT CONTROL - MORE THAN 2,500SQM

Prior to the commencement of any works on site, including, but not limited to construction work, a Soil and Water Management Plan (SWMP) must be submitted to and be approved by the Principal Certifier.

(a) The SWMP must identify and respond to all items for Erosion and Sediment Control Plans listed in the condition above, as well as:

(i) existing site contours;

(ii) location and diagrammatic representation of all necessary erosion and sediment control systems or structures used to mitigate or prevent pollution to stormwater;

(iii) location and engineering details with supporting design calculations for all necessary sediment basins, constructed wetlands, gross pollutant traps, trash racks or biofiltration swales (as relevant).

Reason

To ensure that appropriate erosion and sediment control measures are put in place during construction to protect the environment.

(109) APPLICATION FOR HOARDINGS AND SCAFFOLDING INSTALLED ON OR ABOVE A PUBLIC ROAD AND OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD

(a) Where a hoarding and/or scaffolding (temporary structures) are proposed to be installed on or above a road reservation (footway and/or roadway), a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council for such structures.

(b) Where an approval (Permit) is granted allowing the placement of temporary structures on or above a public road the structures must comply fully with Council's *Hoarding and Scaffolding Policy; Guidelines for Hoardings and Scaffolding;* and the conditions of approval (Permit) granted including:

(i) maintaining a current and valid approval for the full duration that the temporary structure/s is in place;

(ii) maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);

(iii) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);

(iv) maintaining temporary structures and the public place adjoining the work site in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.11.1, 2.11.4, 2.14.1 and 3.9.3);

(v) maintaining a watertight deck (Type B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.9.1 and 3.9.4);

(vi) approved site sheds on the decks of a Type B hoarding being fully screened from the public place (Clause 3.9.5);

(vii) material and equipment not being placed or stored on the deck of Type B hoardings, unless specifically approved by Council (Clause 3.9.4);

(viii) providing and maintaining operational artificial lighting systems under Type B hoardings including at high-bay truck entry points (Clause 3.9.9); and

(ix) ensuring all required signage, artwork or historic images are provided and fully maintained to the City's requirements (Clauses 3.4, 3.9.3, 3.9.6, 3.9.8, 3.10.1 and 4.2).

If it is proposed to operate a hoisting device including a building maintenance unit above a public road which swings, hoists material/equipment and/or slews/wind vanes any part of the device over the public road, a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be made to Council to obtain approval.

Note: 'Building maintenance unit' means a power-operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2017*).

Reason

To ensure the necessary approval is obtained for temporary structures over a public road.

(110) OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD

If it is proposed to install a building maintenance unit or operate a hoisting device above a road (footpath) including swinging, hoisting material/equipment and slewing any part of the device, a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 199*3 must be submitted to and approved by Council prior to the installation of such devices.

Note: Building maintenance unit means a power operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2017*).

Reason

To ensure appropriate approvals are sought for operating hoisting devices.

(111) OTHER REQUIRED APPROVALS

Any structure, attachment or activity which is proposed to be undertaken in, on or above a road reserve or the public domain (including a public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to the commencement of work/activities within the road reserve/public domain. Such activities include but not limited to:

(a) installation of construction-related temporary structures including hoardings/scaffolding;

(b) installation and/or alterations to advertising/business signs;

(c) installation and/or alterations to street awnings;

(d) crane operation and other hoisting activities;

(e) temporary works (e.g. barricading, road openings, mobile hoisting devices);

(f) works zones (for loading and unloading from the roadway); and

(g) temporary ground anchoring and shoring to support a roadway when excavating; and

(h) any other structure or encroachment including facade elements/architectural features.

Reason

To ensure use of a public place is managed appropriately.

(112) CLASSIFICATION OF WASTE

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the *Environment Operations Act 1997* and the *NSW EPA Waste Classification Guidelines, Part1: Classifying Waste (November 2014)*. The classification of the material is essential to determine where the waste may be legally taken. The *Protection of the Environment Operations Act 1997* provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for a particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

Reason

To ensure that waste from site is classified and disposed of appropriately.

(113) DISCHARGE OF CONTAMINATED GROUNDWATER

Contaminated groundwater must not be discharged into the City's stormwater drainage system.

Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason

To ensure that the discharge of ground water is appropriately managed.

(114) TREE PROTECTION BEFORE AND DURING CONSTRUCTION

All trees that will be affected by the development within the property and on any adjoining land, must be protected in accordance with the Australian Standard 4970 Protection of Trees on Development Sites and as follows:

(a) Stockpiling, storage or mixing of materials, washing of equipment, vehicle parking, disposal of liquids, machinery repairs and refuelling, disposal of building materials such as cement slurry, siting of offices or sheds and the lighting of fires, must not occur within 6 metres of the trunk of any tree to be retained (including trees within adjoining properties).

(b) Excavation must not occur within 6 metres of the trunk of any retained tree (including trees within adjoining properties). If excavation is proposed within this zone, Council's Tree Management Officer must be contacted immediately, and the excavation must be carried out in accordance with Council's direction.

(c) Excavations where they are within 8 metres of any tree (including trees in adjoining properties) must be undertaken using non-destructive methods (such as by hand) to ensure no tree roots greater than 40mm diameter are damaged, pruned or removed.

(d) Footings must be relocated / realigned if any tree root greater than 40mm in diameter is encountered during excavations. A minimum of 150mm clearance must be provided between the tree root and footing.

(e) Tree trunk and major branch protection must be undertaken prior to the commencement of any works. The protection must be by a qualified Arborist with a minimum AQF Level 3 qualification in arboriculture and must include:

    (i) Tree trunk/s and/or major branches must be protected by wrapped thick carpet underlay or similar padding material to limit damage;

    (ii) Timber planks (50mm x 100mm) must be placed around tree trunk/s. The timber planks must be spaced at 100mm intervals, and must be fixed against the trunk with tie wire, or strapping. The hessian and timber planks must not be fixed to the tree in any instance, or in any fashion;

    (iii) Tree trunk and major branch protection is to remain in place for the duration of construction and development works, and must be removed at the completion of the project.

(f) The protection must be certified by an arborist with a minimum AQF Level 5 qualification in arboriculture.

(g) The consent from Council's Tree Management Officer must be obtained prior to the undertaking of any tree pruning works, including tree roots greater than 40mm in diameter. Only minor pruning works will be approved by Council.

Reason

To ensure the protection and ongoing health of trees.

(115) PUBLIC DOMAIN WORK – CONSTRUCTION APPROVAL UNDER SECTION 138 ROADS ACT 1993

Prior to the construction of any public domain works, approval under Section 138 / 139 of the Roads Act 1993 must be issued by the City's Public Domain Unit.

Reason

To ensure relevant approvals for public domain work are obtained.

(116) TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any works commencing on site.

Reason

To ensure all relevant approvals for traffic and parking works are obtained and designed in accordance with relevant requirements.

DURING BUILDING WORK

(117) COMPLIANCE WITH NATIONAL CONSTRUCTION CODE

All proposed work must comply with the *National Construction Code (previously known as Building Code of Australia*).

Reason

(Prescribed condition - EP&A Regulation 2021 clause 69(1)).

(118) FLASHINGS TO BOUNDARY WALLS

A flashing must be provided to prevent water entering between the proposed and existing external boundary walls of the adjoining properties.

Note: Attachments or connections to party walls may require the consent of the adjoining property owner/s.

Reason

To prevent water entering between the walls of adjoining properties.

(119) HOURS OF WORK AND NOISE – OUTSIDE CBD

The hours of construction and work on the development must be as follows:

(a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.

(b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

(c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Team, prior to works proceeding.

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Reason

To protect the amenity of the surrounding area.

(120) USE OF HIGH NOISE EMISSION APPLIANCES / PLANT

(a) The operation of high noise emission appliances, plant and/or machinery such as pile – drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* is restricted to the hours of 9am to 12pm and 2pm to 5pm.

(b) All reasonable and feasible steps must be undertaken to ensure that the work, including demolition, excavation and building complies with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436- 2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

Reason

To protect the amenity of the surrounding area.

(121) NOTIFICATION OF EXCAVATION WORKS OR USE OF HIGH NOISE EMISSION APPLIANCES/PLANT

The immediately adjoining neighbours must be given a minimum of 48 hours notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.

Reason

To protect the amenity of the surrounding area.

(122) COMPLIANCE WITH CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

(a) All works conducted on site which form part of this development must be carried out in accordance with the approved Construction Noise and Vibration Management Plan.

(b) Where all such control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels.

Such periods must be set and agreed to by Council's Health and Building Unit.

Reason

To ensure all parties are aware of the supporting documentation that applies to the development.

(123) TEMPORARY GROUND ANCHORS, TEMPORARY SHORING AND PERMANENT BASEMENT/RETAINING WALLS AFFECTING THE ROAD RESERVE

For temporary shoring including ground anchors affecting the road reserve, a separate application under Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council.

Note: Information and downloadable forms may be found on the City's website in the 'Construction permits and approvals' section.

Reason

To ensure that approval under the Roads Act is obtained.

(124) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

(a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;

(b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;

(c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;

(d) The approved hours of work, the Principal Certifier including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, and the estimated date of completion of the project are to be displayed on the site notice;

(e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.

(f) All notices and signs must be displayed in locations as specified in the City's Guidelines for Hoardings and Scaffolding.

Reason

Prescribed condition EP&A Regulation 2021, Section 70.

(125) SYDNEY WATER CERTIFICATE

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to any Occupation Certificate or subdivision/strata certificate being issued.

Reason

To ensure the requirements of Sydney Water are met.

(126) ACCESS DRIVEWAYS TO BE CONSTRUCTED

Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.

Reason

To allow adequate vehicular access to the site.

(127) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

(a) All loading and unloading associated with construction activity must be accommodated on site, where possible.

(b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.

(c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

(d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

Reason

To protect the amenity of the public domain.

(128) NO OBSTRUCTION OF PUBLIC WAY

Unless otherwise approved by Council, the public way must not be obstructed by any materials, vehicles, waste receptacles, skip-bins or the like. Non-compliance with this requirement may result in the issue of a notice by Council to stop all work on the site.

Reason

To protect the amenity of the public domain.

(129) USE OF MOBILE CRANES

The following requirements apply:

(a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.

(b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.

(c) The use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of approved hours of construction can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Reason

To ensure mobile cranes are used appropriately.

(130) STREET TREE PROTECTION

All street trees located directly outside the site must be retained and protected in accordance with the Australian Standard 4970 Protection of Trees on Development Sites. All street trees must be protected during the construction works as follows:

(a) Tree trunk and major branch protection must be undertaken prior to the commencement of any works (including demolition). The protection must be installed and certified by an arborist with a minimum AQF Level 5 qualification in arboriculture and must include:

(i) An adequate clearance, minimum 250mm, must be provided between the structure and tree branches, and trucks at all times.

(ii) Tree trunk/s and/or major branches to a height of two metres must be protected by wrapped thick underlay carpet or similar padding material to limit damage, and

(iii) Timber planks (50mm x 100mm or similar) must be placed around tree trunk/s. The timber planks must be spaced at 100mm intervals and must be fixed against the trunk with tie wire, or strapping. The thick underlay carpet or similar padding material and timber planks must not be fixed to the tree in any instance, or in any fashion.

(iv) Tree trunk and major branch protection is to remain in place for the duration of construction and development works and must be removed at the completion of the project.

(b) Temporary signs, or any other items, shall not be fixed or attached to any street tree.

(c) All hoarding support columns are to be placed a minimum of 300mm from the edge of the existing tree pits/setts, so that no sinking or damage occurs to the existing tree pits. Supporting columns must not be placed on any tree roots that are exposed.

(d) Young street trees must be protected by installing three (3) wooden stakes around the edge of the tree pits or a minimum of 1 metre from the base of the trunk. Hessian must be wrapped around the stakes. If existing stakes or a metal tree guard are already in place, these suffice as tree protection.

(e) Materials or goods, including site sheds, must not be stored or placed:

(i) around or under the tree canopy; or

(ii) within two (2) metres of tree trunks or branches of any street trees.

(f) Any excavation within any area known to or suspected of having tree roots greater than 30mm diameter must be undertaken by hand.

(g) Any trenching works for services, hydraulics, drainage etc. must not be undertaken within 5 metres of the trunk of any street tree. Alternate installation methods for services such as directional boring/drilling or redirection of services must be employed where roots greater than 30mm diameter are encountered during installation of any services.

(h) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the Council's Tree Management Officer.

(i) Any damage sustained to street tree/s as a result of the erection of any construction activities (including demolition) must be immediately reported to the Council's Tree Management Officer on 9265 9333. Any damage to street trees as a result of any construction activities may result in prosecution under the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.

Reason

To ensure the protection and ongoing health of the street trees.

(131) PROTECTION OF NATIVE WILDLIFE

(a) In the event that wildlife is found during the course of tree removal works, work must stop until a trained wildlife handler attends the site or the animal relocates itself. In regards to tree pruning, works may only proceed if the animals will not come into direct harm.

(b) In the event that the tree has nesting birds or native animals, works must be delayed until after the nesting period has been completed, unless in the event of an emergency.

Reason

To ensure that wildlife is adequately protected during tree removal/pruning works.

(132) PUBLIC DOMAIN WORKS SECURITY BOND

A Public Domain Works Security Bond will be required for the public domain works and for repairing damage that may be caused to the public domain in the vicinity of the site, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual.

The City's Public Domain Unit must be contacted to determine the bond amount prior to lodgement. The bond must be lodged with the City prior to an approval being issued for the approval of the Public Domain Plan.

The bond will be retained in full until all public domain works, including rectification of damage to the public domain, are completed to City's standards and approval and the required works-as-executed documentation are approved. On satisfying the above requirements, and the issue of the Public Domain Works Letter of Completion Operational Acceptance by the City, 90% of the bond will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

Reason

To ensure public domain works are completed and any damage to the public domain is rectified.

(133) DRAINAGE AND SERVICE PIT LIDS

All existing or proposed drainage and service pit lids throughout the public domain must be to City of Sydney specifications and heel/bicycle safe, slip resistant, infill with material to match surrounding surface, finished flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Infill pit lids are to be detailed where specified by Council's Public Domain Officer. Private pits are not permitted within the public domain. All details of pit lids must be shown on the public domain plan and must be approved by the City's Public Domain Unit prior to the issue of an approval for public domain works.

Reason

To ensure drainage and service pit lids within the public domain are appropriately designed and installed.

(134) PUBLIC DOMAIN PLAN DETAILED DOCUMENTATION FOR CONSTRUCTION

A detailed public domain plan and future public domain plan and all relevant documentation must be submitted to City's Public Domain Unit prior to approval by the Executive Director City Planning Development & Transport and before construction of any public domain works. This Plan must document all works required to ensure that the public domain upgrade work complies with the City's specifications and requirements, as outlined in documents such as City of Sydney's *Public Domain Manual*, *Sydney Streets Code, Sydney Street Tree Masterplan, Sydney Lights: Public Domain Design Code and Sydney Streets Technical Specification*. The documentation must be *checked, accurate, and comply with specified requirement*s. Plans must be based on an accurate survey prepared, signed and dated by a registered surveyor, to scale and fully coordinated across all disciplines and submissions. The supplied documentation must be for Construction issue and will be approved under Section 138 of the Roads Act.

The Public Domain Manual and all other relevant documents are available for download from Council's website at

https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

The Public Domain Plan documentation must be submitted with an Application for Public Domain Plan Assessment and include the approved Public Domain Levels and Gradients documentation. If the proposed detailed design of the public domain requires changes to any previously approved levels, details must be submitted for approval with the public domain plan and additional fees may apply.

Note: All areas between the approved buildings and approved kerbs, excluding parks, are to be included in the Public Domain Plan documentation.

Reason

To ensure the public domain complies with Council's requirements.

(135) HOLD POINTS

Prior to an approval being issued for the construction of public domain and / or planning agreement works, including civil, drainage and subsurface works, a set of hold points will be provided by the City's Public Domain Unit in accordance with the City's Public Domain Manual and Sydney Streets Technical Specification. The list of hold point inspections will be included in the Public Domain works approval letter.

These hold point inspections must be adhered to during construction works. Prior to the issue of any Occupation Certificate, confirmation from the City's Public Domain Unit, that hold point inspections have been completed and works have been accepted by the City must be provided to the Principal Certifier.

Reason

To ensure hold points are adhered to during construction works.

(136) STORMWATER DRAINAGE CONNECTION

For approval of a connection into the City of Sydney's drainage system an "*Application for Approval of Stormwater Drainage Connections*" must be submitted to the City, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges. This must be approved prior to approval being issued for the construction of public domain work.

Reason

To ensure approval of connection into the Council's drainage system is sought.

(137) PUBLIC DOMAIN LIGHTING RETICULATION

Prior to the issue of any relevant approval for the construction of public domain works, a detailed Public Domain Lighting Reticulation Plan for pedestrian and street lighting in the public domain must be submitted to and approved by the City's Public Domain Unit in accordance with the City's *Sydney Lights Design Code, Sydney Streets Code, Sydney Streets Technical Specification* and *Public Domain Manual*.

The Public Domain Manual and all other relevant documents are available for download from Council's website at

https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

If applicable, this public domain lighting documentation must include pole footing locations and structural details, location and details of underground electrical reticulation including connections and conduits, pit cabling and certifications as described in the City's *Public Domain Manual.* The public domain lighting is to be superimposed on the public domain plan to show any conflicts between lighting and the proposed landscape design.

Reason

To ensure the public domain lighting documentation complies with Council requirements.

(138) SURVEY SETOUT

Prior to the commencement of construction all footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor.

The building shall be sufficiently set back to ensure that no component of the building (such as the roof, guttering, or downpipes) encroach upon or overhang the boundaries of the site.

The registered surveyor shall provide a survey and report to the Principal Certifier indicating the position of the footings, walls and floor slabs in relation to the boundaries of the allotment.

Reason

To ensure the development does not encroach onto neighbouring properties.

(139) CHECK SURVEYS DURING CONSTRUCTION

Prior to the concrete pour of the main slab at each level, a survey shall be made by a surveyor registered under the Surveying and Spatial Information Act, 2002, confirming that the formwork adjacent to existing or proposed boundaries is clear of those existing or proposed boundaries and is in accordance with approved setbacks. This survey shall be provided to the Principal Certifier prior to the concrete pour. The concrete pour must not take place until the Principal Certifier receives a survey proving that the formwork has been constructed within the existing and proposed boundaries of the site, and is compliant with the setbacks approved under this consent.

Reason

To ensure the development does not encroach onto neighbouring properties.

(140) HAZARDOUS AND INDUSTRIAL WASTE

Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority pursuant to the provisions of the following:

(a) *Protection of the Environment Operations Act 1997*

(b) *Protection of the Environment Operations (Waste) Regulation 2005*

(c) *Waste Avoidance and Resource Recovery Act 2001*

(d) *Work Health and Safety Act 2011*

(e) *Work Health and Safety Regulation 2017.*

Reason

To ensure hazardous/ industrial waste is managed appropriately.

(141) COMPLIANCE WITH ACID SULFATE SOILS MANAGEMENT PLAN

All recommendations contained in the Acid Sulfate Soils Management Plan (Council ref: 2024/377083) prepared by *Trinitas Group*, reference *V1F* dated 25 June 2024 must be implemented.

Reason

To ensure that Acid Sulphate Soils are appropriately managed.

(142) IMPORTED FILL MATERIALS

All fill imported onto the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

The City may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

(a) Imported fill must be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or

(b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (2022) Sampling Design Guidelines.

Reason

To ensure that imported fill is not contaminated.

(143) NOTIFICATION – NEW CONTAMINATION EVIDENCE

Council's Area Planning Manager and the Principal Certifier must be notified of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

Reason

To ensure that the site is appropriately remediated.

(144) STOCKPILES

(a) No stockpiles of soil or other materials must be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Team.

(b) All stockpiles of soil or other materials must be placed away from drainage lines, gutters or stormwater pits or inlets.

(c) All stockpiles of soil or other materials likely to generate dust or odours must be covered.

(d) All stockpiles of contaminated soil must be stored in a secure area and be covered if remaining more than 24 hours.

Reason

To ensure that stockpiles of soil or other materials are appropriately managed.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(145) WASTE AND RECYCLING COLLECTION CONTRACT - COMMERCIAL

Prior to the issue of an Occupation Certificate or commencement of the use, whichever is earlier, the building owner/tenant is to enter into a contract with a licensed waste service provider for the removal of all waste and recycling stream(s). A copy of the commercial waste and recycling contract and invoices are to be made available upon request by an authorised Council officer at any time.

Reason

To ensure arrangements are in place to manage commercial waste without reliance on public place or residential waste bins.

(146) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

(a) Prior to the issue of an Occupation Certificate, Council's review and written approval of the as-built waste infrastructure, facilities, and vehicle access is required. The City Cleansing & Resource Recovery Unit of Council must be satisfied that:

(i) All waste management facilities, storage, and collection infrastructure comply with the stamped plans, approved Operational Waste Management Plan and Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.

(ii) All waste rooms, corridors, doors, and gates to be accessed by Councils collection contractor(s) are to be fitted and accessible via Council's master key system. Specifications of locks, barrels, and supporting infrastructure are to be submitted to Council's City Cleansing & Resource Recovery Unit.

(b) Site inspections are to be conducted by Council's City Cleansing & Resource Recovery Unit to review the site on-site waste collection, storage and loading bay infrastructure prior to the issue of an **Occupation Certificate**. The inspections are to be conducted a minimum 6-months prior to projects anticipated construction completion. Prior to the inspection an electronic copy of the latest architectural plans are to be submitted.

(c) An updated Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery Unit that aligns with the latest version of architectural plans and waste related updates identified during the site inspections. The plan is to be reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of an **Occupation Certificate**.

(d) The developer is to enter into a formal agreement with the City of Sydney Council for the utilisation of Councils Waste Collection Service. A signed agreement is to be submitted to Council's City Cleansing & Resource Recovery unit prior to the issue of an **Occupation Certificate**.

(e) The assigned strata manager for the development and direct contact details are to be provided to Council's City Cleansing & Resource Recovery Unit prior to the issue of an **Occupation Certificate**.

Reason

To ensure that facilities and arrangements are in place to enable the provision of a safe and efficient waste collection service responsive to Council's policies and contractual service provisions.

(147) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an **Occupation Certificate**, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved at the Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

(148) PUBLIC DOMAIN WORKS COMPLETION

The Public Domain works are to be constructed in accordance with the Public Domain Works Approval letter, stamped plans for Public Domain Levels and Gradients, Stormwater, Public Domain Lighting, the City's *Public Domain Manual,* Stormwater *Drainage Manual, Sydney Lights Design Code* and *Sydney Streets Technical Specification.*

The public domain work must be inspected and a Public Domain Work Letter of Completion Operational Acceptance must be issued by Council's Public Domain Officer prior to the issue of any Occupation Certificate or before the commencement of use, whichever is earlier.

Reason

To ensure the public domain works are completed in accordance with the approved documents and Council's requirements.

(149) PUBLIC DOMAIN COMPLETION – WORK AS EXECUTED DOCUMENTATION

Prior to a Public Domain Works Letter of Completion Operational Acceptance being issued for public domain works, works-as-executed (As-Built) plans and documentation, must be submitted to and accepted by the City of Sydney for all public domain works, including where required Stormwater, Public Domain Lighting and road construction. These works must be certified by a suitably qualified, independent professional. Details of the documentation required for approval will be advised by the City's Public Domain Unit.

Reason

To ensure Council receives works-as-executed documentation for public domain works.

(150) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT

Prior to the issue of any Occupation Certificate:

(a) The Owner is required to enter into a Deed of Agreement (Stormwater Deed) with the City of Sydney and obtain registration of Title of a Positive Covenant for all proposed connections to the City's underground drainage system. The deed and positive covenant will contain terms reasonably required by the City and will be drafted by the City's Legal Services Unit at the cost of the applicant, in accordance with the City's Fees and Charges.

(b) A Positive Covenant must be registered on the property title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection. The positive covenant will contain terms reasonably required by the City and will be drafted by the City's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges.

Reason

To protect underground drainage system.

(151) CONSTRUCTED FLOOR LEVELS

A certification report prepared by a suitably qualified practitioner engineer (NPER) must be submitted to the Principal Certifier prior to issue of any Occupation certificate stating that the development has been constructed and the required levels achieved in accordance with the recommendations of the 'Flood Impact Assessment Report' prepared by EGIS dated 13 November 2024 (Council ref. 2024/666309).

Reason

To ensure the development achieves the required floor levels.

(152) PUBLIC DOMAIN SAFE ACCESS

Prior to the issue of any Occupation Certificate, pedestrian and vehicle access must be provided between all pedestrian and vehicle entrances to the relevant building to the surrounding road network by way of safe, accessible, well-lit roads and footpaths.

Reason

To ensure the residents and members of the public can access the development safely.

(153) SURVEY CERTIFICATE PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

Prior to the issue of any type of Occupation Certificate for each building, a Final Identification Survey prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act 2002 must be submitted at the completion of the building work certifying the location of the building and showing offsets in relation to the boundaries of the allotment.

Any encroachments of the building including gutters and downpipes over the side boundaries or rear lane that are not approved in the DA must be removed, or where approved, appropriate easements under Section 88B of the Conveyancing Act 1919, with terms to the satisfaction of Council, must be lodged with the office of NSW Land Registry Services, and evidence of lodgement provided to the Principal Certifier prior to the issue of any type of Occupation Certificate. Encroachments upon public roads must, if supported, be approved by Council's Area Planning Manager prior to the issue of any type of Occupation Certificate.

Reason

To ensure that either the building does not encroach, or that any encroachments are formalised on title.

(154) COMPLIANCE WITH SUBMITTED MATERIALS AND SAMPLES BOARD

The design details of the proposed building facades including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications approved under the 'Materials and Samples Board' condition of this consent.

Reason

To ensure the approved materials and samples board is complied with.

(155) RESTRICTION ON RESIDENTIAL DEVELOPMENT

The following restriction applies to buildings approved for residential use:

(a) The accommodation portion of the building must be used as permanent residential accommodation only and not for the purpose of a boarding house or hostel, hotel or motel accommodation, serviced apartments, tourist and visitor accommodation or any other use.

(b) A Restriction on the Use of Land is to be registered on the title of the development site in the above terms and restricting any change of use of from residential accommodation as defined in *Sydney Local Environmental Plan* 2012. The restriction is to be registered on title prior to any type of Occupation Certificate being issued or the use commencing, whichever is earlier. The covenant restriction must contain terms reasonably required by Council and will be drafted by Council's solicitor, at the cost of the applicant, in accordance with the City's Fees and Charges, or included with a Section 88B Instrument for the future strata plan and burdening all residential strata lots where no subdivision will occur.

(c) If a lot contains tenants, it must be subject to a residential tenancy agreement for a term of at least three months.

(d) No person can advertise or organise the use of residential apartments approved under this consent for short term accommodation.

Reason

To ensure the residential accommodation portion of the site is used for permanent residential purposes.

(156) RESTRICTION ON USE OF CAR SPACES AND STORAGE SPACES

The following conditions apply to car parking:

(a) The on-site car parking spaces and/or storage spaces, exclusive of service and visitor car spaces, are not to be used other than by an occupant, tenant or resident of the subject building.

(b) Prior to any Occupation Certificate being issued or the use commencing, whichever is earlier, a documentary Restriction on the Use of Land, is to be registered on the Title of the development site pursuant to Section 88E of the *Conveyancing Act 1919*, to the effect of (a) above. The Restriction is to be created to the benefit of Council, at no cost to and to the satisfaction of Council.

(c) If the building is to be strata subdivided, all car parking spaces and/or storage spaces, exclusive of service and visitor car spaces, must be allocated to a residential or commercial lot (as the case may be), consistent with planning controls, within the Strata Scheme.

(d) If the building is to be strata subdivided, a Restriction on the Use of Land must be created burdening all lots containing car parking spaces in the Strata Scheme, pursuant to section 88B of the *Conveyancing Act 1919,* to the effect of (a) above. The Restriction is to be created to the benefit of Council, at no cost to and to the satisfaction of Council.

Reason

To ensure the on-site car parking spaces and/or storage spaces, exclusive of service and visitor car spaces, are not to be used other than by an occupant, tenant or resident of the building.

(157) BASIX

All commitments listed in each relevant BASIX Certificate for the development must be fulfilled prior to any Occupation Certificate being issued.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 EP&A Regulation 2021).

(158) PHYSICAL MODELS

(a) Prior to the issue of any Occupation Certificate an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the City Model in Town Hall House.

Note:

(i) The models must be constructed in accordance with the Model Specifications available online at http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements Council's modellers must be consulted prior to construction of the model.

(ii) The models are to comply with all of the conditions of the Development Consent.

(iii) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the *Environmental Planning and Assessment Act*) that affect the external appearance of the building.

Reason

To ensure the provision of an appropriate physical model of the development.

(159) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

(a) Prior to any Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.

(b) The data required to be submitted within the surveyed location must include and identify:

(i) building design above and below ground in accordance with the development consent;

(ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;

(iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

(c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

Reason

To ensure the provision of an appropriate electronic model of the development.

(160) STREET ADDRESSES OF LOTS – PRIOR TO STRATA CERTIFICATE

In accordance with Clause 61 of the *Surveying and Spatial Information Regulation 2024*, the street address for the lot must be shown on the Administration Sheet for any future strata plan. An application must be made to Council's Spatial Services Unit prior to the lodgement of any strata certificate application, to obtain the correct street address for the lot. The street address allocated by Council must be provided to the registered surveyor for inclusion in a schedule on the Administration Sheet.

Reason

To ensure compliance with the provisions of the *Surveying & Spatial Information Regulation 2024*.

(161) STORAGE

Prior to the issue of any Occupation Certificate for the relevant building the Principal Certifying Authority must be satisfied that the minimum storage requirements of the Apartment Design Guide have been met. No more than 50% of the minimum storage requirements for each apartment is to be provided within the basement.

Reason

To ensure the minimum storage requirements are achieved.

(162) TRANSPORT ACCESS GUIDE

A Transport Access Guide must be implemented and maintained by the operators of the premises and be made available to staff, clients, customers and visitors at all times.

The following information shall be submitted to and approved by Council's Area Planning Manager prior to the issue of an Occupation Certificate for the site/use:

(a) A Transport Access Guide detailing sustainable transport options to access the site including public transport, cycling and walking or a combination of these modes.

(b) Communication methods by which the Transport Access Guide will be made available to staff, clients, customers and visitors.

Reason

To ensure that sustainable transport options are considered and communicated effectively.

(163) LOADING AND SERVICING MANAGEMENT PLAN

A final Loading and Servicing Management Plan is to be prepared for distribution to relevant tenants outlining how the loading dock will be managed and used by all relevant tenants.

The Plan must include, but is not limited to, management of deliveries to ensure vehicles are not waiting on public streets to enter the site.

The plan is to be prepared and submitted to and approved by Council's Area Planning Manager prior to issue of an Occupation Certificate.

Once approved, this management plan is to be provided to all relevant tenants and external users of the loading area.

Reason

To ensure that the loading dock is appropriately managed.

(164) WAY FINDING PLAN

A way finding plan must be submitted to and approved by Council's Area Planning Manager prior to any Occupation Certificate being issued.

The Plan must show all way finding signage to/from the residential and retail lobby entries, bicycle facilities, loading dock, service bay, residential and commercial waste storage areas, and any visitor parking provided. The plan must also show directions to footpaths and lifts where appropriate. This might include illuminated signage and linemarking where appropriate.

Reason

To ensure way finding is appropriately implemented across the site.

(165) BUILDING/STRATA MANAGEMENT STATEMENT

The Building/Strata Management Statement must adequately address the ongoing maintenance, upgrading, redevelopment and structural adequacy of each stratum lot to Council's satisfaction, and be submitted with the subdivision application.

(a) Shared driveways and loading docks must be covered by suitable easements defined on the subdivision plan to the satisfaction of Council, and not be dealt with only by means of an SMS or BMS.

(b) Garbage rooms must be covered by suitably dimensioned easements shown on the plan to Council's satisfaction, unless fully enclosed by walls, and garbage room doors kept closed at all times unless personnel are present

(c) The Building / Strata Management Statement must not prevail over any easement, restriction on the use of land, or positive covenant that benefits Council.

Reason

For the orderly operation of the buildings, and clarity for owners and purchasers of future lots.

(166) ADDITIONAL EASEMENTS

Any other documentary easements or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision must be created over appropriate lots in the subdivision, pursuant to Section 88B of the *Conveyancing Act 1919* and to Council's satisfaction.

Reason

For the orderly operation of the buildings.

(167) EASEMENTS UNDER SEC 196 CONVEYANCING ACT

Documentary reciprocal easements for services, drainage, support and shelter, and emergency egress, affecting the whole/part of each lot if so desired, must be created over the lots in any subdivision, pursuant to Section 88B of the *Conveyancing Act 1919* and to Council's satisfaction.

Reason

To ensure the orderly operation of the building.

(168) RIGHTS OF CARRIAGEWAY OVER SHARED DRIVEWAY AREAS

All shared driveway areas must be covered by dimensioned rights of carriageway on the subdivision plan, in stratum if appropriate, pursuant to Section 88B of the *Conveyancing Act, 1919*. Global rights of carriageway must not be used for the shared driveway areas

Reason

To ensure clarity in relation to the driveway areas and the orderly operation of the buildings.

(169) STRATA TITLE PARKING SPACES AND STORAGE AREAS

All parking spaces and storage areas other than visitor parking or service spaces must form part of a residential strata unit in any strata subdivision. No parking spaces or storage spaces are to have their own individual strata title.

Reason

To prevent the sale of individual car parking spaces.

(170) STRATUM SUBDIVISION – PRIOR TO OCCUPATION CERTIFICATE

Prior to the issue of any Occupation or Strata Certificate, a Stratum Subdivision plan over the site, including all lots containing corridors or traffic passageways beneath proposed roads used as access between buildings, shall be completed and registered with the Office of NSW Land Registry Services, showing the relevant components of the building in stratum and creating any easements as necessary. Evidence of registration of the stratum subdivision plan shall be supplied to the Registered Certifier prior to the issue of an Occupation or Strata Certificate.

Reason

To ensure the orderly development of land.

(171) EASEMENTS FOR ACCESS

Appropriate Easements for Access (or similar) are to be created over any required corridors, passages, traffic aisles, stairs and lifts, within the development that are needed to provide access from (or across) one lot to another, pursuant to Section 88B of the Conveyancing Act 1919. The Easements are to be reciprocal in nature (where applicable), granting rights of access to persons and/or vehicles, and are to be created in appropriate terms acceptable to Council, with the Council being the authority to release, vary or modify the easement.

Reason

To ensure the orderly development of the property.

OCCUPATION AND ONGOING USE

(172) OCCUPATION CERTIFICATE TO BE SUBMITTED

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

Reason

To ensure the site is authorised for occupation.

(173) ON SITE LOADING AREAS AND OPERATION

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.

Reason

To maintain the orderly operation of vehicle parking areas and to ensure the public domain is kept free from physical obstructions.

(174) STACKED PARKING EMPLOYEES OR TENANTS ONLY

Any stacked parking spaces (maximum 2 spaces, nose to tail) must be attached to the same strata title comprising a single dwelling unit or commercial/retail tenancy, subject to the maximum parking limit applying. The stacked parking spaces must be designated (with appropriate signage) for employee or tenant parking only (not visitor parking), prior to any Occupation Certificate being issued. The moving of stacked vehicles must occur wholly within the property.

Reason

To maintain the orderly operation of vehicle parking areas.

(175) SCHEDULED COLLECTIONS – COMMERCIAL

(a) Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for *Managing Waste in Public Places.*

(b) In accordance with the approved waste management plan, waste and recycling stream(s) bins must not be placed on the street for collection. Waste collection will occur within the site at all times. Unimpeded access must be provided to the waste and recycling stream(s) storage area(s) at all times.

(c) Unobstructed access is to be provided for waste collection vehicles to set down within 10m of the waste storage and collection area(s) during zone collection times on collection days.

(d) The collection of waste and recycling stream(s) is to only occur during designated zone collection times outlined within the Local Approvals Policy for *Managing Waste in Public Places* to minimise impacts to residential amenity.

Reason

To minimise the impacts on amenity and safety caused by the presentation and collection of commercial waste.

(176) SCHEDULED COLLECTIONS - RESIDENTIAL

(a) Scheduled collections and waste management arrangements of Council's residential waste stream(s) is to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan, the developments Conditions of Consent and the City's Local Approvals Policy Managing Waste in Public Spaces.

(b) Council's Domestic Waste Charge is applied to all residential rate accommodation properties in accordance with section 496 of the *Local Government Act 1993.* Residential accommodation is defined in accordance with the *Sydney Local Environmental Plan 2012* dictionary.

(c) Unobstructed access to be provided for Councils standard waste collection vehicles to access the waste and recycling storage area(s), loadings bays and supporting infrastructure between the hours 6am and 6pm on collection day(s) to support the provision of a safe and efficient waste collection service to the site.

Reason

To support the safe and efficient scheduled residential waste collection service and minimise the impacts on public amenity and safety.

(177) ONGOING WASTE MANAGEMENT – RESIDENTIAL

(a) The ongoing use of development must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.

(b) All general waste and recycling stream(s) materials emanating from the premises must be stored in the designated waste storage area(s) integrated within the built form and must not be stored outside the premises (including any public place) at any time.

(c) The property manager is responsible for lodging requests for damaged/broken bins, managing the rotation of bins, ensuring the full allocation of relevant bins are available for scheduled collections, management of odour and the routine cleaning and maintenance of all waste storage areas.

(d) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

(e) The property manager is responsible for the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney Council responsive to the approved Operational Waste Management plan.

(f) Commercial waste and recycling stream(s) and supporting infrastructure to be stored in a separate lockable, enclosed, and walled area free from the residential waste and recycling stream(s) rooms. The residential rooms to have relevant locks to inhibit commercial tenants access to Councils residential waste streams.

Reason

To support the safe and efficient scheduled Council waste collection service and ensure the impacts of waste management on the public domain and public health are minimised.

(178) ONGOING WASTE MANAGEMENT – COMMERCIAL

(a) The ongoing use of development/tenancy must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.

(b) All general waste and recycling materials emanating from the premises must be stored in the designated waste storage area(s), must not be stored outside the premises (including the public domain) at any time.

(c) All waste and recycling stream(s) storage area(s) are to only be used for the purposes of storing waste and recycling from the premises in accordance with the original consent and approved Operational Waste Management Plan and not be converted to a different use.

(d) Scheduled collections and waste management arrangements of the development/tenancy is the responsibility of the business owner or property manager and are to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan and this consent. These arrangements include:

(i) arranging an adequate number of bins and the servicing regime matched to the needs of the premises.

(ii) actively managing waste streams and supporting infrastructure to ensure bins are not overflowing, damaged or leaking and lids are fully closed at all times.

(iii) routine cleaning and maintenance of waste storage area(s) to inhibit the permeation of odour and prevent litter and pests.

(iv) the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney.

(e) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

Reason

To promote good waste management arrangements and minimise the impacts on amenity and safety caused by the presentation and collection of commercial waste.

(179) ONGOING MANGEMENT AND ACCESS TO WASTE FACILITES

The waste collection facilities and loading dock in the north-east and north-west stages are to be accessible for waste and loading relating to Building S1 and S2 and uses approved as part of this development including residential and commercial components of the buildings, regardless of future ownership of individual buildings.

Reason

To support the safe and efficient management and collection of residential and commercial waste for all buildings relying on the facilities located in adjacent stages.

(180) DEFECTS LIABILITY PERIOD – PUBLIC DOMAIN WORKS

All works to the City's public domain, including rectification of identified defects, are subject to a 12 month defects liability period from the date of Completion. The date of Completion will be nominated by Council on the Public Domain Works – Letter of Completion Operational Acceptance.

Reason

To ensure all works to the City's public domain are protected under a liability period.

(181) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of the proposed structure shall encroach onto the adjoining properties.

Reason

To protect neighbouring properties.

(182) ENCROACHMENTS – PUBLIC WAY

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

Reason

To protect the public way.

(183) USE OF COMMON AREAS AND FACILITIES

(a) The roof top communal open spaces (including internal communal facilities) must be available for the use all residents of the respective buildings and must be designated as common property on any strata subdivision of the site, with no exclusive use rights.

(b) Basement bicycle parking under future roads or parks associated with Buildings S1 and S4 must be designated as common property on any future strata subdivision of the site, with no exclusive use rights.

Reason

To ensure common areas within the residential development are maintained and that all works under future road and park are common property.

(184) FLOOD EMERGENCY RESPONSE PLAN

The approved Flood Emergency Response is to be implemented and operated by the building owner and/or Owners Corporation at all times.

Reason

To ensure flood risk management measures are complied with.

(185) CAR PARK VENTILATION

The car park must be ventilated in accordance with the *National Construction Code (previously known as Building Code of Australia)* and, where necessary, Australian Standard AS1668, Parts 1 and 2. Ventilation must be controlled by carbon monoxide monitoring sensors to ensure compliance with occupant health requirements.

Reason

To ensure car park ventilation complies with relevant standards.

(186) CAR WASH BAYS

(a) All car wash bays must have connections to water and sewer.

(b) All car washing must be conducted in a wash bay which is roofed and bunded to exclude rainwater, and which is graded to an internal drainage point connected to sewer in accordance with the trade waste agreement obtained from Sydney Water. Car wash run off must not enter the stormwater drainage system or give rise to water pollution.

Reason

To ensure the premises has access to water and sewer and to that run off is discharged appropriately.

(187) NOISE – COMMERCIAL PLANT / INDUSTRIAL DEVELOPMENT

(a) Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA *Noise Policy for Industry* 2017 (NPfI) unless agreed to by the City's Area Planning Manager. Further:

(i) Background noise monitoring must be carried out in accordance with the long-term methodology in *Fact Sheet B* of the NPfI unless otherwise agreed by the City's Area Planning Manager.

(ii) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.

(b) An $L_{Aeq,15\ minute}$ (noise level) emitted from the development must not exceed the $L_{A90,\ 15\ minute}$ (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:

(i) The noise level and the background noise level must both be measured with all external doors and windows of the affected residence closed.

(ii) Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premises.

(c) Corrections in *Fact Sheet C* of the NPfI are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

Reason

To protect the acoustic amenity of surrounding properties.

(188) NOISE – STRUCTURE BORNE IMPACT ON SEPARATE RESIDENTIAL PREMISE

(a) Structure borne noise emanating from the premises is not to exceed the following criterion when measured within any separate residential accommodation:

(i) $L_{A1,\ Slow\ 15\ minute} \leq L_{A90,\ 15\ minute}$ dB(A).

Reason

To protect the acoustic amenity of surrounding properties.

(189) VIBRATION

Operation of the use is not to result in the transmission of any perceptible vibration to an occupiable area within a separate premises.

Reason

To protect the amenity of surrounding properties.

(190) UNDER AWNING LIGHTING

Under awning lighting must be fitted with LED lighting technology (or other technology with an improved lighting power density – watts per square metre). Batten type fluorescent lighting is not approved. Illumination from the under awning lighting, when measured from any place in the public domain, must be designed and certified to comply with the following:

(a) the maximum horizontal luminance level must not exceed 200 lux including light spill from shop windows. Lux level may be increased to 220 lux in some areas in Central Sydney CBD;

(b) the horizontal illuminance uniformity ratio (Eavg/Emin) must not exceed 4:1 to ensure safe movement of pedestrians;

(c) the intensity, colour, period of intermittency and hours of illumination must be varied if adverse impact or Obtrusive Light in accordance with the definition in Australian Standard AS4282-1997 *Control of the obtrusive effects of outdoor lighting* is being caused to the amenity of the area;

(d) where nearby residents are located above the level of the under awning lighting, details are to be provided to show that light is not directed upwards toward such residences.

Reason

To ensure the provision of an appropriate level of illumination and to protect the amenity of the public domain.

(191) ALCOVE LIGHTING

Any approved alcoves must be fitted with a sensor-activated security light. The light must be maintained in good working order. The intensity, colour, and illumination must be varied if adverse impact or Obtrusive Light in accordance with the definition in Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting, is being caused to the amenity of the area. LED lighting technology (or other technology with an improved lighting power density – watts per square metre) must be implemented.

Reason

To ensure the provision of an appropriate level of illumination and to protect the amenity of the public domain.

(192) LANDSCAPE MAINTENANCE PLAN

The Landscape Maintenance Plan approved by Council under the 'Landscaping of the Site' condition of this consent must be complied with during occupation of the site.

Reason

To ensure the maintenance methodology approved under the Landscape Maintenance Plan is complied with.

(193) MAIL ROOMS

All mail rooms must be secured with access restricted to Australia Post and residents only.

Reason

To ensure mail rooms are secured.

(194) AWNING MAINTENANCE

All awnings must be regularly inspected and maintained to ensure the structural integrity and aesthetic and functional quality.

Reason

To ensure the awnings are adequately maintained.

(195) NUMBER OF ADULTS PER ROOM

(a) No more than two adult people shall permanently occupy any bedroom and no bedroom shall contain more than two beds. This excludes children and children's beds, cots or bassinets.

(b) The total number of adults residing in one unit must not exceed twice the number of approved bedrooms.

(c) Studies must not be used as bedrooms.

Reason

To prevent overcrowding.

(196) SHOP FRONTS

All shop front glazing must be clear and untinted and must not be obscured by blinds, curtains or the like.

Reason

To ensure an appropriate presentation to the public domain.

SCHEDULE 2

PRESCRIBED CONDITIONS

The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: http://www.legislation.nsw.gov.au

SCHEDULE 3 – TERMS OF APPROVAL

The General Terms of Approval provided by Water NSW (Ref no. IDAS1158540) are as follows:

WATER NSW GENERAL TERMS OF APPROVAL

The GTA issued by WaterNSW do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to WaterNSW for the relevant approval after development consent has been issued by Council and before the commencement of any work or activity.

Dewatering

GT0115-00001	Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.
GT0117-00001	A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence. 2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement - see paragraph17A, Schedule 4 of the Water Management (General) Regulation 2018.
GT0118-00001	If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email to Customer.Helpdesk@waternsw.com.au or post completed forms to - PO Box 398 Parramatta NSW 2124 (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date.
GT0119-00001	All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.
GT0120-00001	The design and construction of the building must prevent: (a)any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation; (b)obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the

	watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and (c)any elevated water table from rising to within 1.0 m below the natural ground surface.
GT0122-00001	Construction Phase Monitoring programme and content: a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories. b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme)
GT0123-00001	(a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring Programme; and 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waternsw.com.au/customer-service/water-licensing/dewatering
GT0150-00001	The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual
GT0151-00001	Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an

extension of this approval may be applied for within 6 months of the expiry of Term.

GT0152-00001 This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.

GT0155-00001 The following construction phase monitoring requirements apply (Works Approval): a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c. The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report

GT0174-00001 Construction phase monitoring bore requirements GTA: a) Monitoring bores are required to be installed and collecting data prior for at least 3 months prior to submitting a water supply work approval b) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. c) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW and should be submitted prior to the application for a water supply work approval. d) The monitoring bores should be used to develop a water table map for the site and its near environs. e) The monitoring bores must be protected from construction damage. Advisory note: no approval under the Water Management Act 2000 is required for these monitoring bores provided that they extract less than 3ML/water year.

GT0241-00001 A construction certificate can be issued for excavation work in accordance with a valid development consent, however dewatering cannot take place without an Approval being granted by Water NSW for any water supply works required by the development. If the excavation work will or is likely to require dewatering, the applicant must apply and obtain, an approval under the Water Management Act 2000 prior to any dewatering taking place and notify WaterNSW of the programme for the dewatering activity including the commencement and proposed completion dates of the dewatering activity. Advisory Note: An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.

SCHEDULE 4 – CONDITIONS OF CONSENT – EXTERNAL AGENCIES

The following conditions have been recommended by NSW State Agencies:

AUSGRID

Proximity to Existing Network Assets

Underground Cables

There are existing underground electricity network assets in Link Rd and Epsom Rd. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

Substation

There are existing electricity substation assets Within the Building.

The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment, or 120/120/120 where there is no oil filled equipment and be constructed of non-combustible material.

The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHZ) (ICNIRP 2010).

For further details on fire segregation requirements refer to Ausgrid's Network Standard 113.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.

For further details refer to Ausgrid's Network Standard 143.

SYDNEY WATER

Water Servicing

- Our preliminary assessment indicates that water servicing should be available for the proposed development.
- Amplifications, adjustments, deviations and/or minor extensions may be required.
- Detailed requirements will be provided at the S73 application stage.

Wastewater Servicing

- Our preliminary assessment indicates that wastewater servicing should be available for the proposed development. However, to connect into our system, the proponent needs to carry out additional modelling as relating to the following:
    - There is a category 1 overflow asset 1254100 downstream of the development on the Southern Division Submain. **The proposed 241 dwellings exceed the 200 dwellings threshold and so requires a hydraulic assessment.**
    - The developer needs to request their WSC to engage an approved hydraulic consultant to carry out wastewater modelling and confirm there is no increase in frequency / volume in the category 1 overflows due to the development.
    - If there is increase in these overflows, the hydraulic consultant needs to carry out an options assessment to identify works to ensure no deterioration condition is maintained at these overflows.
- **We recommend that the proponent engages directly with their WSC and Sydney Water as soon as possible regarding this as hydraulic modelling/options can take many months to complete. The earlier this is progressed, the better, to prevent development delay or their Section 73 from progressing.**

Stormwater

- Our system notes that a 2743X1219 Brick Wall/Concrete Base stormwater channel (Shea Creek).
- Prior to obtaining the occupation certificate for this development, the proponent is required to complete the construction of a portion of the Green Square Trunk Drainage (GSTD) system under Rose Valley Way and associated utility diversion as per the approved concept application.
- Further discussion relating to required adjustment and deviation works and updates are to be carried out between the applicant, and their Water Servicing Coordinator (WSC), Account Manager and Case Manager(s) under CN 212787 and other associated cases.

Growth information

Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require the proponent to provide **anticipated ultimate and annual growth data** for this development as outlined in the enclosed Growth Data Form.

Next steps

- Should the Department decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development consent.

- Section 73 Compliance Certificate
- Building Plan Approval

Further details of the conditions can be found in **Attachment 1.**

- **The proponent is strongly advised to continue engaging with their WSC, Account and Case Manager(s) under their active existing cases regarding their proposed staging work and hydraulic modelling progression.**
- The proponent should complete and return the enclosed Growth Data Form as part of the above case intel. The Growth Data Form should be updated promptly with Sydney Water in case of changes.
- Council is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and provides more information on Infrastructure Contributions.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the Land Development Manual.

Prior to the issue of an Occupation/Subdivision Certificate:

(A) Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

(B) Building Plan Approval (including Tree Planting Guidelines)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

(C) Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.

Attachment B1

Selected Drawings

PROJECT

SUTTONS SOUTH STAGE 3 BUILDINGS S1-S4

118-130 Epsom Road and 905 South Dowling Street Zetland, NSW 2017

DA.SUT-S.00 - PREAMBLES

	DA.SUT-S.00.00	DRAWING LIST		REV C

DA.SUT-S.10 - SITE DRAWINGS

	DA.SUT-S.10.00	SITE ANALYSIS PLAN	1:2000	REV C
	DA.SUT-S.11.00	SITE PLAN - ROOF	1:500	REV C
	DA.SUT-S.11.01	SITE PLAN - GROUND	1:500	REV C
	DA.SUT-S.11.02	SITE PLAN - BASEMENT 1	1:500	REV C
	DA.SUT-S.11.03	SITE PLAN - BASEMENT 2	1:500	REV C
	DA.SUT-S.11.04	SITE PLAN - BASEMENT 3	1:500	REV C
	DA.SUT-S.11.05	SITE PLAN - BASEMENT 4	1:500	REV C

DA.SUT-S.20 - GENERAL ARRANGEMENT PLANS

BLOCK S1	DA.SUT-S1.21.00	BASEMENT 3	1:250	REV C
	DA.SUT.S1.21.01	BASEMENT 2	1:250	REV C
	DA.SUT.S1.21.02	BASEMENT 1	1:250	REV C
	DA.SUT.S1.21.03	BASEMENT 1 MEZZANINE	1:250	REV C
	DA.SUT.S1.21.04	GROUND FLOOR	1:250	REV C
	DA.SUT.S1.21.05	LEVELS 1-4	1:250	REV C
	DA.SUT.S1.21.06	LEVELS 5-7	1:250	REV C
	DA.SUT.S1.21.07	LEVEL 8	1:250	REV C
	DA.SUT.S1.21.08	ROOF	1:250	REV C
BLOCK S2	DA.SUT.S2.22.00	BASEMENT 4	1:250	REV C
	DA.SUT.S2.22.01	BASEMENT 3	1:250	REV C
	DA.SUT.S2.22.02	BASEMENT 2	1:250	REV C
	DA.SUT.S2.22.03	BASEMENT 1	1:250	REV C
	DA.SUT.S2.22.04	GROUND FLOOR	1:250	REV C
	DA.SUT.S2.22.05	LEVEL 1	1:250	REV C
	DA.SUT.S2.22.06	LEVEL 2-5	1:250	REV C
	DA.SUT.S2.22.07	LEVEL 6	1:250	REV C
	DA.SUT.S2.22.08	LEVEL 7	1:250	REV C
	DA.SUT.S2.22.09	LEVEL 8-12	1:250	REV C
	DA.SUT.S2.22.10	LEVEL 13	1:250	REV C
	DA.SUT.S2.22.11	ROOF	1:250	REV C
	DA.SUT.S2.22.12	ROOF PLANT	1:250	REV C
BLOCK S3	DA.SUT.S3.23.00	GROUND FLOOR	1:250	REV C
	DA.SUT.S3.23.01	LEVEL 1 - 5	1:250	REV C
	DA.SUT.S3.23.02	LEVEL 6	1:250	REV C
	DA.SUT.S3.23.03	ROOF PLAN	1:250	REV C
BLOCK S4	DA.SUT.S4.24.00	BASEMENT 3	1:250	REV C
	DA.SUT.S4.24.01	BASEMENT 2	1:250	REV C
	DA.SUT.S4.24.02	BASEMENT 1	1:250	REV C
	DA.SUT.S4.24.03	GROUND FLOOR	1:250	REV C
	DA.SUT.S4.24.04	LEVEL 1-4	1:250	REV C
	DA.SUT.S4.24.05	LEVEL 5	1:250	REV C
	DA.SUT.S4.24.06	LEVEL 6-7	1:250	REV C
	DA.SUT.S4.24.07	ROOF	1:250	REV C

DA.SUT-S.30 - ELEVATIONS - SITE

BLOCK S1	DA.SUT.S1.31.00	ELEVATION NORTH	1:250	REV C
	DA.SUT.S1.31.01	ELEVATION EAST	1:250	REV C
	DA.SUT.S1.31.02	ELEVATION SOUTH	1:250	REV C
	DA.SUT.S1.31.03	ELEVATION WEST	1:250	REV C
BLOCK S2	DA.SUT.S2.32.00	ELEVATION NORTH	1:250	REV C
	DA.SUT.S2.32.01	ELEVATION EAST	1:250	REV C
	DA.SUT.S2.32.02	ELEVATION SOUTH	1:250	REV C
	DA.SUT.S2.32.03	ELEVATION WEST	1:250	REV C
BLOCK S3	DA.SUT.S3.33.00	NORTH AND EAST ELEVATION	1:250	REV C
	DA.SUT.S3.33.01	SOUTH AND WEST ELEVATION	1:250	REV C
BLOCK S4	DA.SUT.S4.34.00	NORTH AND SOUTH ELEVATION	1:250	REV C
	DA.SUT.S4.34.01	EAST ELEVATION	1:250	REV C
	DA.SUT.S4.34.02	WEST ELEVATION	1:250	REV C

DA.SUT-S.40 - SECTIONS - SITE

BLOCK S1	DA.SUT.S1.41.00	SECTION AA	1:250	REV C
BLOCK S2	DA.SUT.S2.42.00	SECTION AA	1:250	REV C
BLOCK S2	DA.SUT.S2.42.01	SECTION BB	1:250	REV C
BLOCK S3	DA.SUT.S3.43.00	SECTION AA	1:250	REV C
BLOCK S4	DA.SUT.S4.44.00	SECTION AA	1:250	REV C

DA.SUT-S.50 - FACADE DETAILS

	DA.SUT.S1.51.00	S1 FACADE DETAILS	1:25	REV C
	DA.SUT.S1.52.00	S2 FACADE DETAILS	1:25	REV C
	DA.SUT.S3.53.00	S3 FACADE DETAILS	1:25	REV C
	DA.SUT.S4.54.00	S4 FACADE DETAILS	1:25	REV C

DA.SUT-S.70 - COMPLIANCE DIAGRAMS

	DA.SUT.S.70.00	DEVELOPMENT SCHEDULE / MATRIX	REV C
	DA.SUT.S.71.00	S1-S4 SEPP 65 SUMMARY - SOLAR AMENITY	REV C
	DA.SUT.S.71.10	S1-S4 SEPP 65 SUMMARY - CROSS VENTILATION	REV C
	DA.SUT.S.71.20	S1-S4 SEPP 65 SUMMARY - DEEP SOIL	REV C
	DA.SUT.S.71.30	S1-S4 SEPP 65 SUMMARY - COMM. OPEN SPACE	REV C
	DA.SUT.S.71.40	S1 SEPP 65 SUMMARY - STORAGE	REV C
	DA.SUT.S.71.50	S2 SEPP 65 SUMMARY - STORAGE	REV C
	DA.SUT.S.71.60	S3 SEPP 65 SUMMARY - STORAGE	REV C
	DA.SUT.S.71.70	S4 SEPP 65 SUMMARY - STORAGE	REV C
	DA.SUT.S.72.00	S1 AREA CALCULATIONS - GFA	REV C
	DA.SUT.S.73.00	S2 AREA CALCULATIONS - GFA	REV C
	DA.SUT.S.74.00	S3 AREA CALCULATIONS - GFA	REV C
	DA.SUT.S.75.00	S4 AREA CALCULATIONS - GFA	REV C

DA.SUT-S.80 - SOLAR ANALYSIS

FOR VIEWS FROM THE SUN AND SHADOW DIAGRAMS PLEASE REFER TO SOLAR ANALYSIS REPORT IN DA SUBMISSION APPENDIX

DA.SUT-S.90 - SUPPORTING DOCUMENTATION

	DA.SUT.S1.90.00	PERSPECTIVE - S1 VIEW 1		REV A
	DA.SUT.S2.90.10	PERSPECTIVE - S2 VIEW 1		REV A
	DA.SUT.S3.90.20	PERSPECTIVE - S3 VIEW 1		REV A
	DA.SUT.S4.90.30	PERSPECTIVE - S4 VIEW 1		REV A
BLOCK S1	DA.SUT.S1.91.00	ADAPTABLE UNIT - APRTMT 108-408, 507-707	1:100	REV C
	DA.SUT.S1.91.01	ADAPTABLE UNIT - APARTMENT 505	1:100	REV C
BLOCK S2	DA.SUT.S2.92.00	ADAPTABLE UNIT - APARTMENT 117	1:100	REV C
	DA.SUT.S2.92.01	ADAPTABLE UNIT - APARTMENT 118-519	1:100	REV C
	DA.SUT.S2.92.02	SILVER LIVEABLE - APARTMENT 119-520	1:100	REV C
	DA.SUT.S2.92.03	SIILVER LIVEABLE - APARTMENT 217-517	1:100	REV C
	DA.SUT.S2.92.04	ADAPTABLE UNIT - APARTMENT 212-612	1:100	REV C
	DA.SUT.S2.92.05	ADAPTABLE UNIT - APARTMENT 714-1214	1:100	REV C
	DA.SUT.S2.92.06	ADAPTABLE UNIT - APARTMENT 1311	1:100	REV C
BLOCK S4	DA.SUT.S4.94.00	ADAPTABLE & SILVER LIVEABLE UNITS	1:100	REV A

BASIX Building Fabric Requirements: 118-130 Epsom Road

Element	Material Type	Details
External Walls	Precast concrete Panel + R1.5 Insulation + PB	Refer to drawings
Internal Walls	Within dwellings: PB on studs + No Insulation	
	Between dwellings: Hebel PoweerPanel + PB + No Insulation	
Windows	**Standard:**	NFRC Glazing System values:
	FIB-001-03W (awning windows)	U ≤ 4.3 and SHGC = 0.42 (±5%)
	ALM-006-04A (Sliding windows)	U ≤ 4.8 and SHGC = 0.34 (±5%)
	Treatment 1:	
	ATB-005-04A (awning windows)	U ≤ 3.0 and SHGC = 0.27 (±5%)
	ATB-006-04A (sliding windows)	U ≤ 3.0 and SHGC = 0.26 (±5%)
	S1:	
	101, 109, 201, 209, 301, 309, 401, 409, 501, 508, 601, 608, 701, 708	
	S2:	
	116, 118, 219, 218, 219, 318, 319, 418, 419, 518, 519, 618, 711, 712, 716, 811, 816, 911,	
	916, 1011, 1016, 1111, 1116, 1211, 1216, 1311, 1314	
	S3:	
	129, 229, 329, 429, 529, 627	
	S4:	
	G32, G37, 439, 737	
	Special Treatment:	
	Reduce the following sliding door width to 2200mm for 508, 608, 708 in S4 to meet MINIMUM thermal requirement.	
		
Floor	Concrete slabs	Carpet to bedrooms.
	1. Apply R1.5 Insulation to all suspended slabs with carpark / outdoor air below	Tile to the rest
	2. Apply R1.5 to:	
	S1	
	109, 209, 309, 409, 508, 608, 708	
	S2	
	911, 1011, 1111, 1211	
Downlight	Default, sealed	
Ceiling	Plasterboard + R2.5 to outdoor air above	
Roof	Waterproofing Membrane	
Skylight	DG Clear	



DEVELOPMENT APPLICATION

ABSA Australian Building Sustainability Assessments completed within the accreditation period are part of the ABSA quality audit process
Accreditation Period 24/05/2024-24/05/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrpCart=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25
C.1	BASIX REQ ADDED TO COVER	17/04/2025

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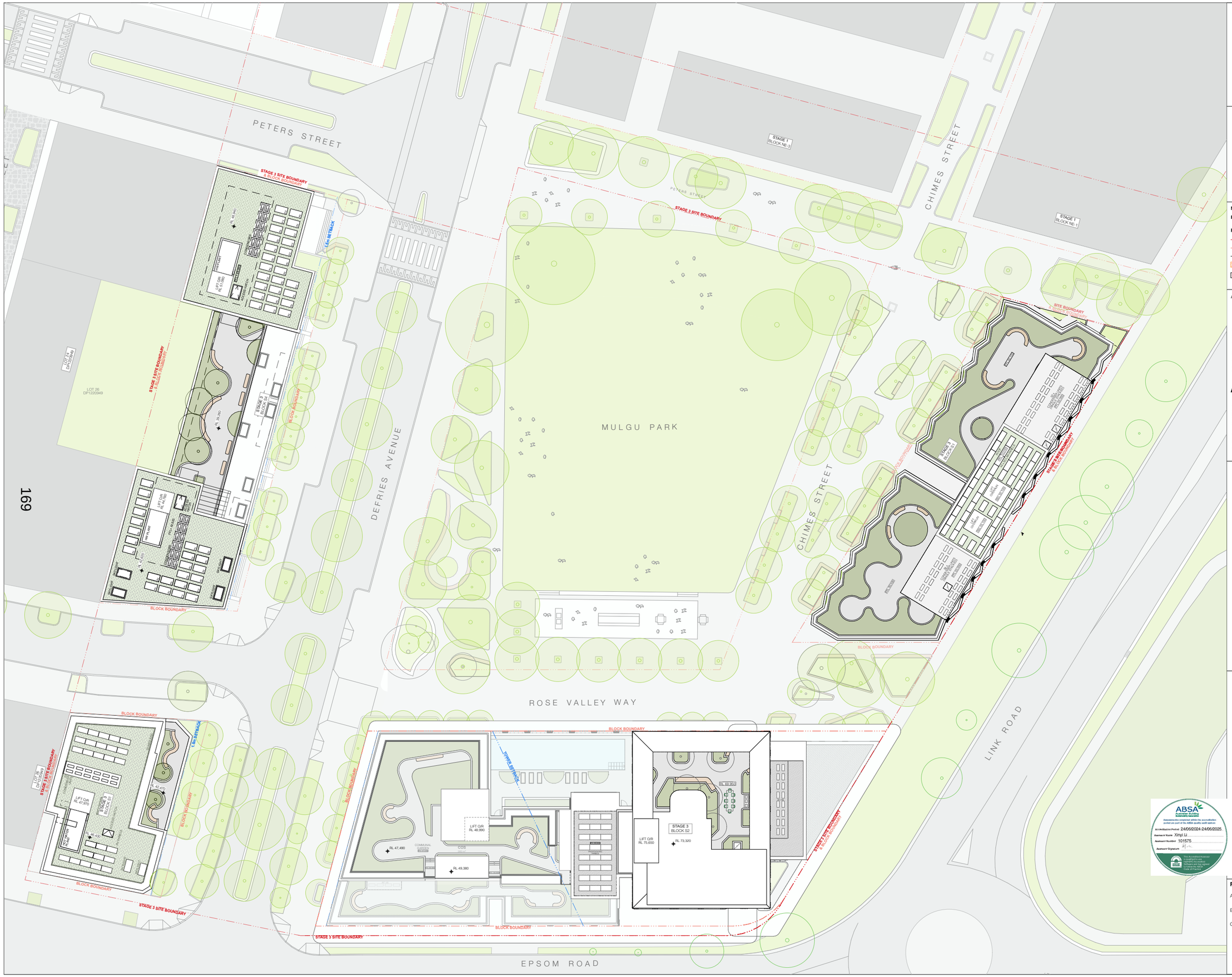
DRAWING TITLE:
DRAWING LIST

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
NTS	MHNDU	MHNDU, AHMM
ISSUE DATE:		PROJECT NO:
17/04/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT-S.00.00		**C.1**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery


PETERS STREET
STAGE 3 SITE BOUNDARY
& BLOCK BOUNDARY
15m SETBACK
LOT 26
DP1220949
LOT 24
DP1220949
STAGE 3
BLOCK S4
BLOCK BOUNDARY
DEFRIES AVENUE
MULGU PARK
STAGE 1
BLOCK NE-3
CHIMES STREET
STAGE 1
BLOCK NE-1
SITE BOUNDARY
& BLOCK BOUNDARY
STAGE 3
BLOCK S3.01
STAGE 3
BLOCK S3.02
STAGE 3
BLOCK S3.03
STAGE 3
BLOCK S3.04
STAGE 3
BLOCK S3.05
STAGE 3
BLOCK S3.06
STAGE 3
BLOCK S3.07
STAGE 3
BLOCK S3.08
STAGE 3
BLOCK S3.09
STAGE 3
BLOCK S3.10
STAGE 3
BLOCK

PETERS STREET

CHIMES STREET

MULGU PARK

PETERS AVENUE

ROSE VALLEY WAY

LINK ROAD

EPSOM ROAD

170

STAGE 1 BLOCK NE-S

STAGE 1 BLOCK NE-T

STAGE 3 SITE BOUNDARY

BLOCK BOUNDARY

EASEMENT

LOT 4 DP 270349

LOT 5 DP 270349

S4 TOWER
E 151° 12' 58.93"
S 33° 51' 88.43"

S1 TOWER
E 151° 12' 3.07"
S 33° 51' 58.98"

S3 TOWER
E 151° 12' 58.49"
S 33° 51' 59.54"

S 33° 51' 59.97"

BLOCK S4

BLOCK S2

BLOCK S1

BLOCK S3

RETAIL G14 INT: 257 m² FFL 22.900

RETAIL G12 INT: 80 m² FFL 21.800

RETAIL G13 INT: 139 m² FFL 22.100

RETAIL G11 INT: 70 m² FFL 20.400

FIRE CONTROL ROOM

LOADING DOCK TURNTABLE FFL 21.500

BUILDING MANAGER

RETAIL WASTE

FIRE BRIGADE BOOSTER

GAS METER ROOM

WATER METER

BUS STATION

BUS STOP

RAMP 1:8

RAMP 1:4

PANEL LIFT DOOR

SUBSTATION

PLANT

LIFT OVERRUN

SERVICE RISER

STAIR

LIFT

SCALE: 1:500@A3
DRAWN BY: MHNDU
CHECKED: MHNDU, AHMM
ISSUE DATE: 28/03/25
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S.11.01**
REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery

DRAWING TITLE:
SITE PLAN - GROUND

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

NOTES:

FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
SITE BOUNDARY
BLOCK BOUNDARY
DCP SETBACK
PILING ZONE
AREA UNDER PUBLIC DOMAIN
EXISTING TREE
REVISION UPDATES CLOUDED
EASEMENT

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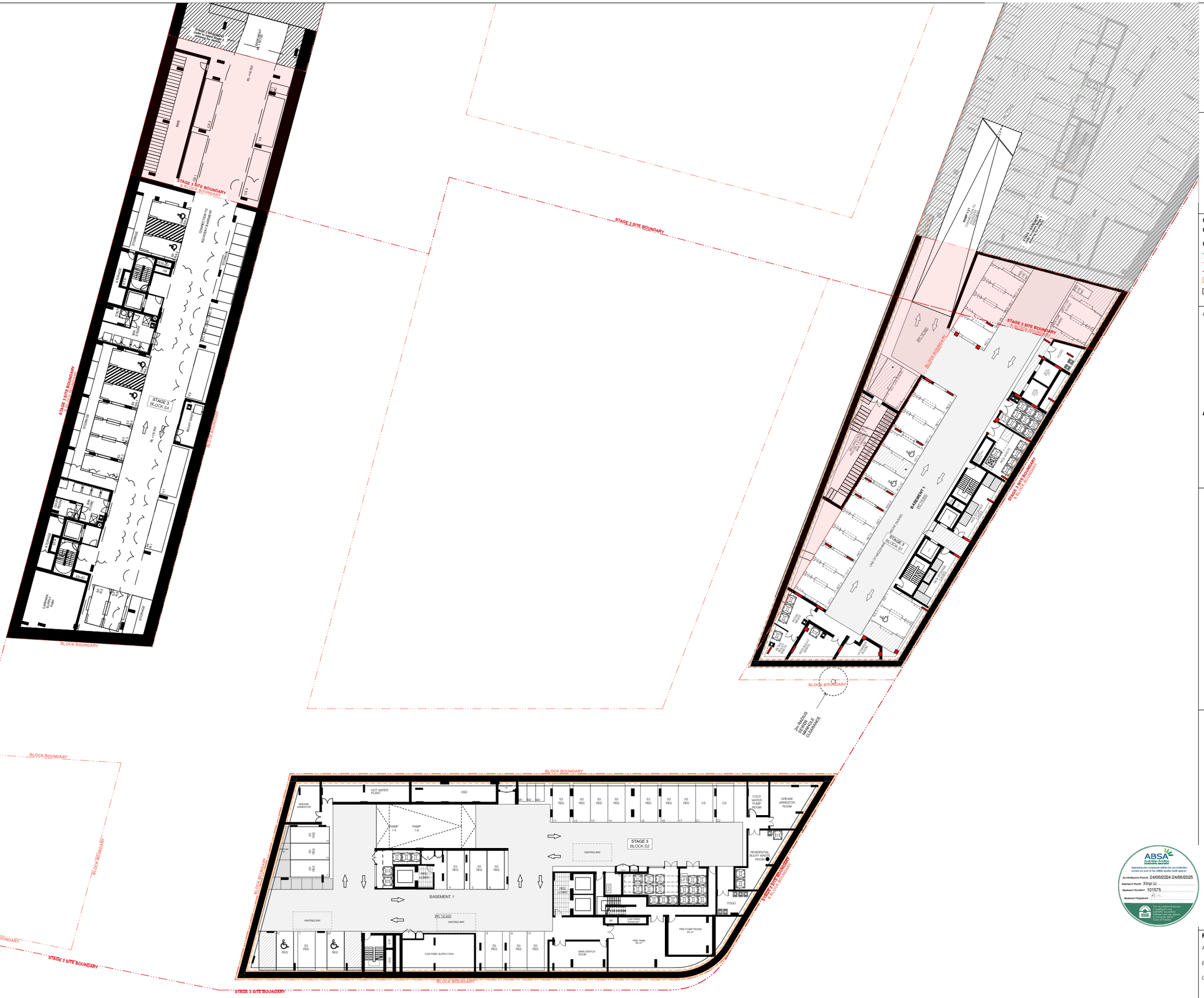
STAGE 3 SITE BOUNDARY
BLOCK BOUNDARY
STAGE 3 BLOCK S4
STAGE 3 BLOCK S1
STAGE 3 BLOCK S2
BASEMENT 1
RAMP 1:4
RAMP 1:8
WAITING BAY
HOT WATER PLANT
OSD
GREASE ARRESTOR
COLD WATER PUMP ROOM
RESIDENTIAL BLDG' ENTRY ROOM
FOGD
CAR PARK SUPPLY FAN
FIRE PUMP ROOM 33 m²
FIRE TANK 65 m³
MAIN SWITCH ROOM
STORAGE
CARWASH BAY
ACCESSIBLE CARWASH BAY
ENGINEERS ROOM
BIKE
STORAGE
CONNECTION TO ADJACENT BASEMENT
BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
BLOCK BOUNDARY
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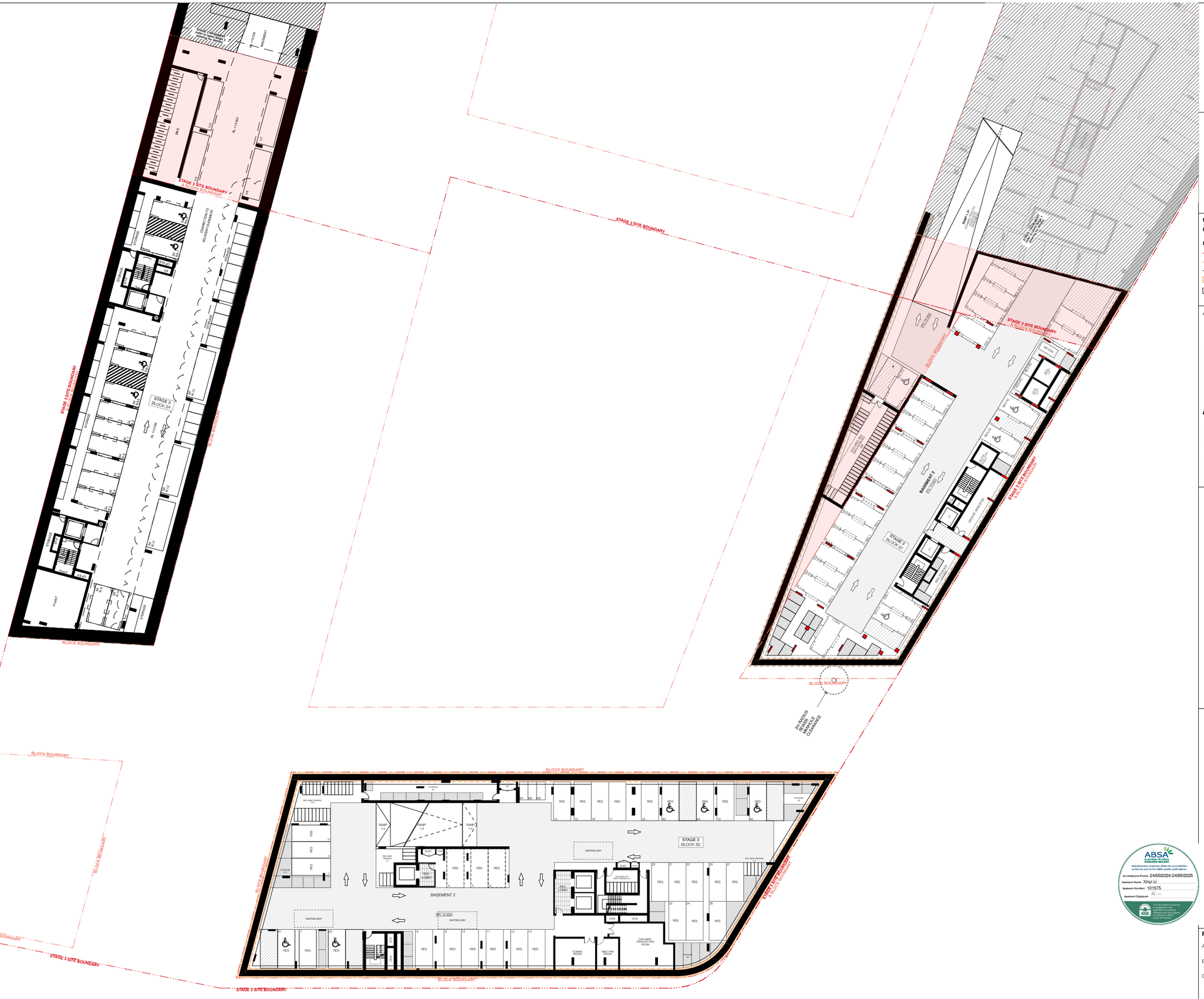
BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
BLOCK



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ISSUE DATE: 28/03/25		PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S.11.03**		REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery

DRAWING TITLE:

SITE PLAN - BASEMENT 2

PROJECT ADDRESS:

118-130 Epsom Road Zetland NSW 2017

NOTES:

- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- AREA UNDER PUBLIC DOMAIN
- EXISTING TREE
- REVISION UPDATES CLOUDED
- EASEMENT

ARCHITECT:

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ABSA Australian Building Sustainability Standard
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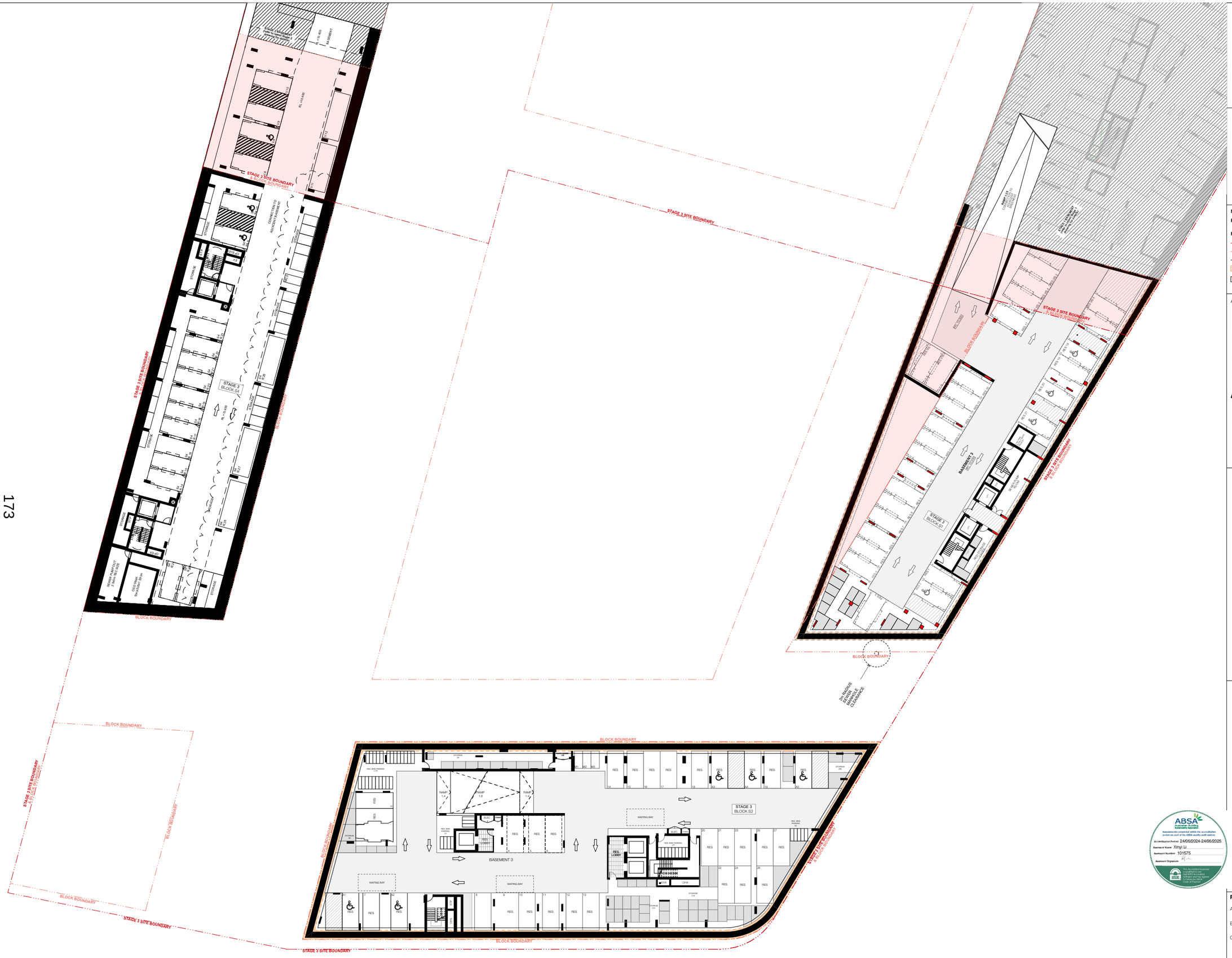

STAGE 3 SITE BOUNDARY
BLOCK BOUNDARY
STAGE 3 BLOCK S1
STAGE 3 BLOCK S2
BASEMENT 3
RAMP 1:8
RAMP 1:4
RES
RES. VISITOR
RES. LOBBY
STORAGE
WAITING BAY
LIFT
CORE
RL +10.400
RL +10.600
RL +10.800
RL +11.000
RL +11.200
RL +11.400
RL +11.600
RL +11.800
RL +12.000
RL +12.200
RL +12.400
RL +12.600
RL +12.800
RL +13.000
RL +13.200
RL +13.400
RL +13.600
RL +13.800
RL +14.000
RL +14.200
RL


STAGE 3 SITE BOUNDARY
B BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
STAGE 3 SITE BOUNDARY
B BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
B BLOCK BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
B BLOCK BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
STAGE 3 SITE BOUNDARY
BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
B BLOCK BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
STAGE 3 SITE BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
B BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
STAGE 3 SITE BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
BLOCK BOUNDARY
STAGE 3 SITE BOUNDARY
STAGE 3 SITE BOUNDARY
BLOCK BOUNDARY
BLOCK

Building S1

CAR PARKING

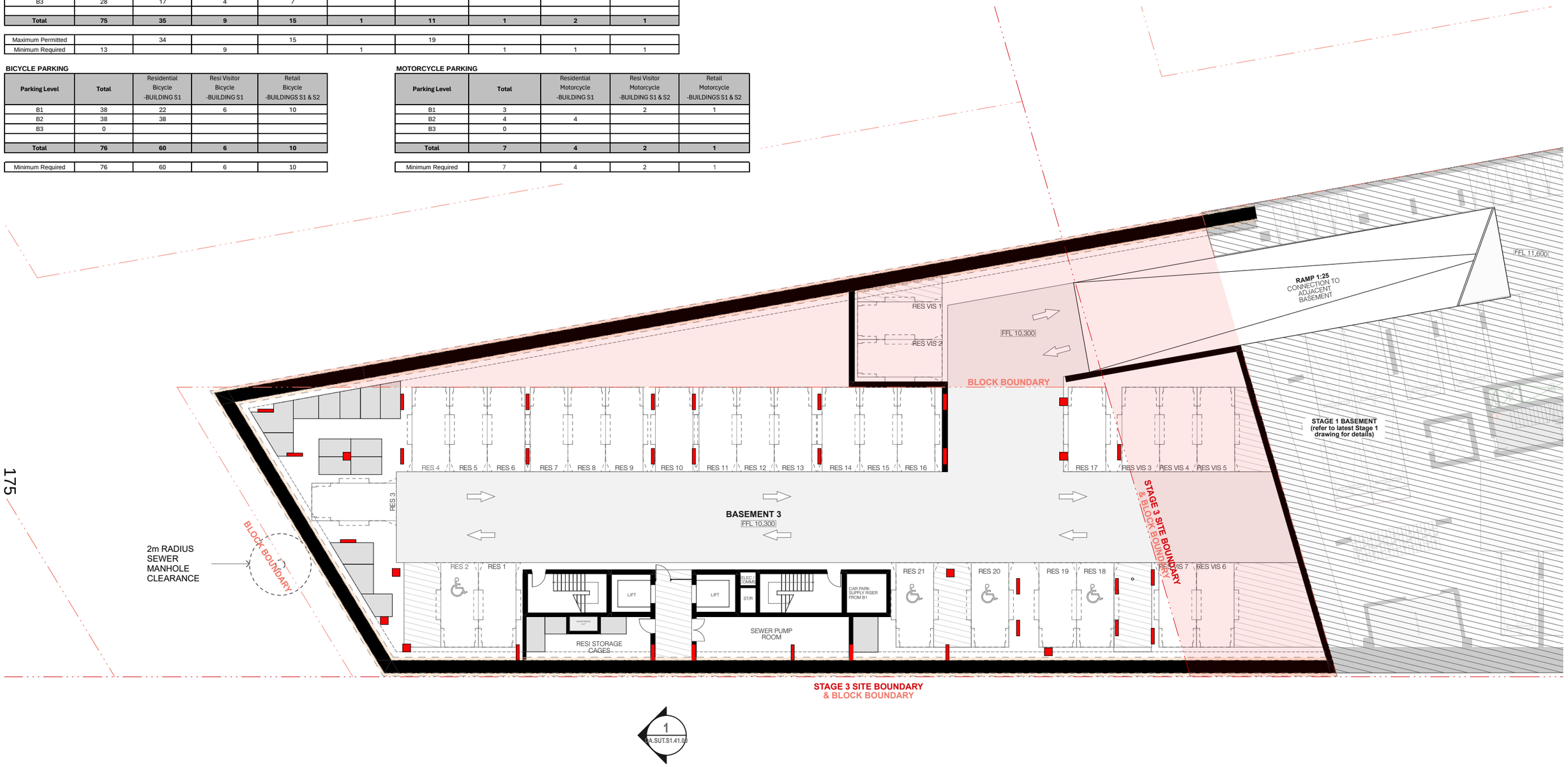
Parking Level	Total	Residential -BUILDING S1	Residential Accessible -BUILDING S1	Residential Visitor -BUILDINGS S1 & S2	Residential Visitor Accessible -BUILDINGS S1 & S2	Retail -BUILDINGS S1 & S2	Retail Accessible -BUILDINGS S1 & S2	Residential Car Share -BUILDINGS S1	Retail Car Share -BUILDINGS S1 & S2
B1	22	2	2	3		11	1	2	1
B2	25	16	3	5	1				
B3	28	17	4	7					
Total	**75**	**35**	**9**	**15**	**1**	**11**	**1**	**2**	**1**
Maximum Permitted		34		15		19			
Minimum Required	13		9		1		1	1	1

BICYCLE PARKING

Parking Level	Total	Residential Bicycle -BUILDING S1	Resi Visitor Bicycle -BUILDING S1	Retail Bicycle -BUILDINGS S1 & S2
B1	38	22	6	10
B2	38	38		
B3	0			
Total	**76**	**60**	**6**	**10**
Minimum Required	76	60	6	10

MOTORCYCLE PARKING

Parking Level	Total	Residential Motorcycle -BUILDING S1	Resi Visitor Motorcycle -BUILDING S1 & S2	Retail Motorcycle -BUILDINGS S1 & S2
B1	3		2	1
B2	4	4		
B3	0			
Total	**7**	**4**	**2**	**1**
Minimum Required	7	4	2	1



ABSA Australian Building Sustainability Awards
Assessor(s) completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrCert=t

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
35 Richards Lane
Surry Hills NSW 2010
Sydney Australia
Brian Meyerson - NSW ARB 4907
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mhndu@mhndu.com

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ALLFORD HALL MONAGHAN MORRIS

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aodonnell@ahmm.com

UNIT MIX

- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STAR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:

FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED
PILING (BASEMENT)
AREA UNDER PUBLIC DOMAIN

0 1 2 5m

DRAWING TITLE:
BASEMENT 3

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.00		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1 - DA

Building S1

CAR PARKING

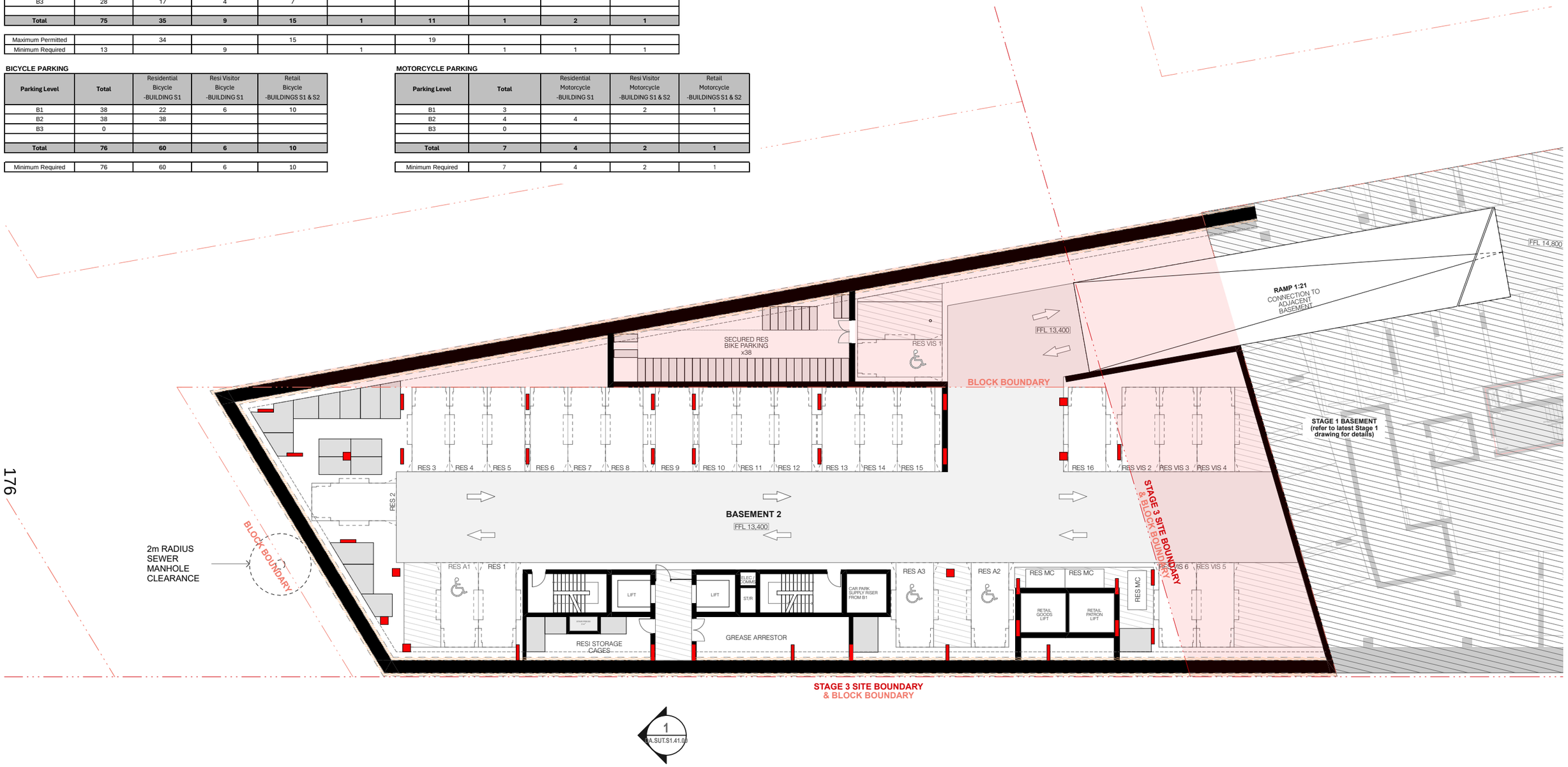
Parking Level	Total	Residential -BUILDING S1	Residential Accessible -BUILDING S1	Residential Visitor -BUILDINGS S1 & S2	Residential Visitor Accessible -BUILDINGS S1 & S2	Retail -BUILDINGS S1 & S2	Retail Accessible -BUILDINGS S1 & S2	Residential Car Share -BUILDINGS S1	Retail Car Share -BUILDINGS S1 & S2
B1	22	2	2	3		11	1	2	1
B2	25	16	3	5	1				
B3	28	17	4	7					
Total	**75**	**35**	**9**	**15**	**1**	**11**	**1**	**2**	**1**
Maximum Permitted		34		15		19			
Minimum Required	13		9		1		1	1	1

BICYCLE PARKING

Parking Level	Total	Residential Bicycle -BUILDING S1	Resi Visitor Bicycle -BUILDING S1	Retail Bicycle -BUILDINGS S1 & S2
B1	38	22	6	10
B2	38	38		
B3	0			
Total	**76**	**60**	**6**	**10**
Minimum Required	76	60	6	10

MOTORCYCLE PARKING

Parking Level	Total	Residential Motorcycle -BUILDING S1	Resi Visitor Motorcycle -BUILDING S1 & S2	Retail Motorcycle -BUILDINGS S1 & S2
B1	3		2	1
B2	4	4		
B3	0			
Total	**7**	**4**	**2**	**1**
Minimum Required	7	4	2	1



ABSA Australian Building Sustainability Assessors
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrCert=t

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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Surry Hills NSW 2010
Sydney Australia
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mhndu@mhndu.com

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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STAR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:

FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED
PILING (BASEMENT)
AREA UNDER PUBLIC DOMAIN

0 1 2 5m

DRAWING TITLE:
BASEMENT 2

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.01		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1 - DA

Building S1

CAR PARKING

Parking Level	Total	Residential -BUILDING S1	Residential Accessible -BUILDING S1	Residential Visitor -BUILDINGS S1 & S2	Residential Visitor Accessible -BUILDINGS S1 & S2	Retail -BUILDINGS S1 & S2	Retail Accessible -BUILDINGS S1 & S2	Residential Car Share -BUILDINGS S1	Retail Car Share -BUILDINGS S1 & S2
B1	22	2	2	3		11	1	2	1
B2	25	16	3	5	1				
B3	28	17	4	7					
Total	**75**	**35**	**9**	**15**	**1**	**11**	**1**	**2**	**1**

Maximum Permitted		34		15		19			
Minimum Required	13		9		1		1	1	1

BICYCLE PARKING

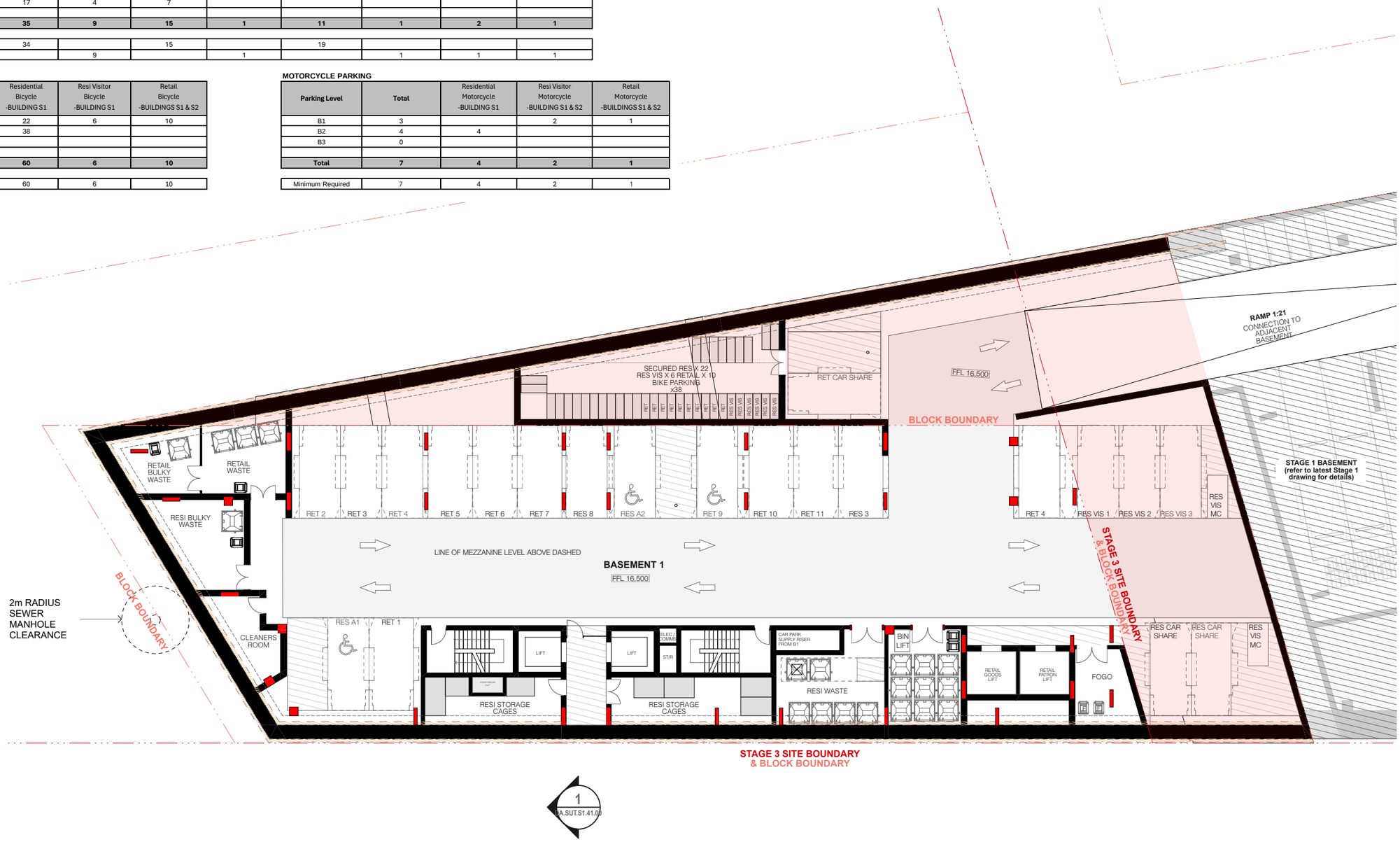
Parking Level	Total	Residential Bicycle -BUILDING S1	Resi Visitor Bicycle -BUILDING S1	Retail Bicycle -BUILDINGS S1 & S2
B1	38	22	6	10
B2	38	38		
B3	0			
Total	**76**	**60**	**6**	**10**

Minimum Required	76	60	6	10

MOTORCYCLE PARKING

Parking Level	Total	Residential Motorcycle -BUILDING S1	Resi Visitor Motorcycle -BUILDING S1 & S2	Retail Motorcycle -BUILDINGS S1 & S2
B1	3		2	1
B2	4	4		
B3	0			
Total	**7**	**4**	**2**	**1**

Minimum Required	7	4	2	1



1
DA.SUT.S1.41.00

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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UNIT MIX

- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
G/EX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
R/EX	RETAIL EXHAUST
ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	COUNCIL CONTROLS
	REVISION UPDATES CLOUDED
	PILING (BASEMENT)
	AREA UNDER PUBLIC DOMAIN

0 1 2 5m

DRAWING TITLE:
BASEMENT 1

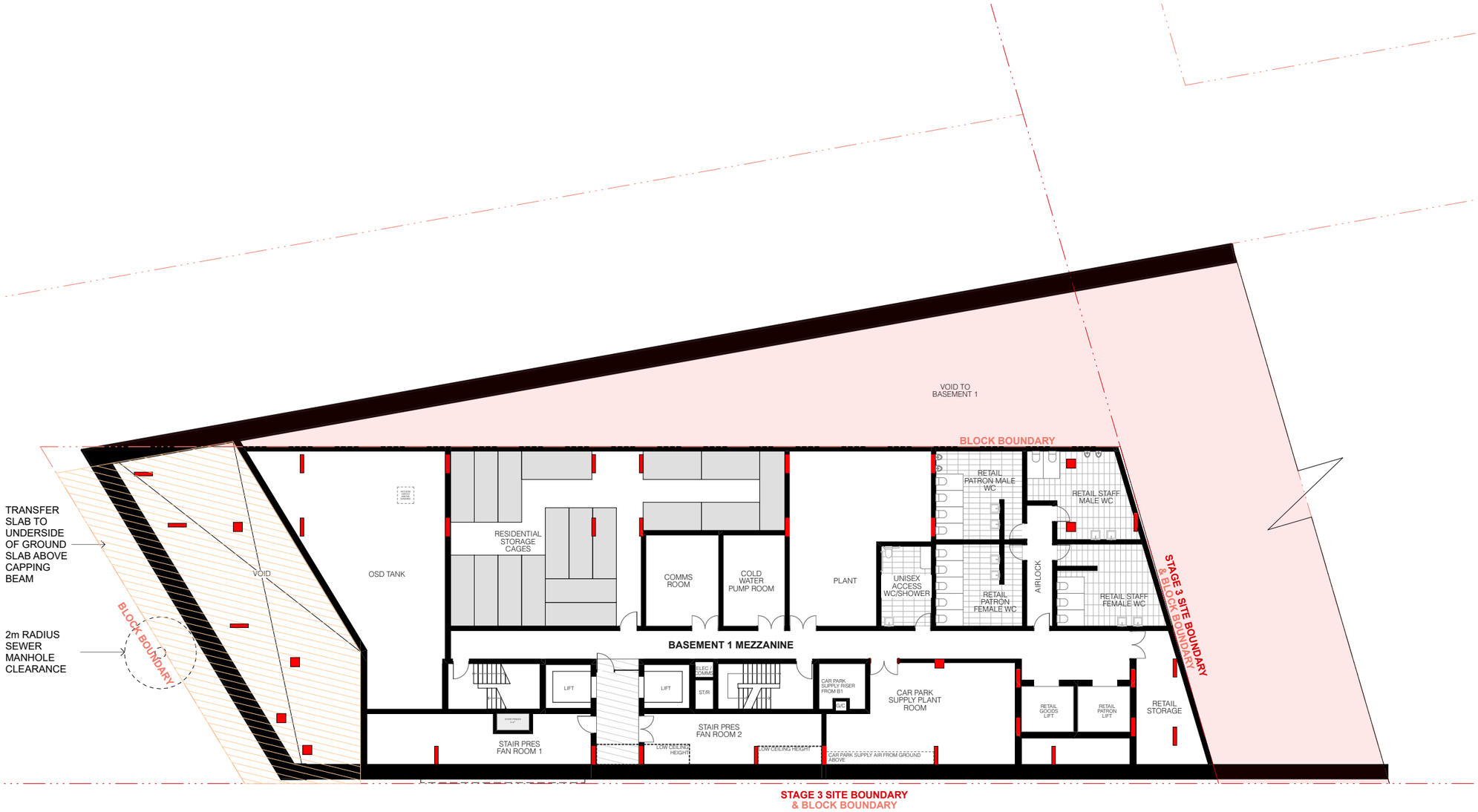
PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.02		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA

ABSA Assessor Accredited
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrCert=1



ABSA Australian Building Sustainability Assessor
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
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GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STAR	STAIR PRESS.
WIP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

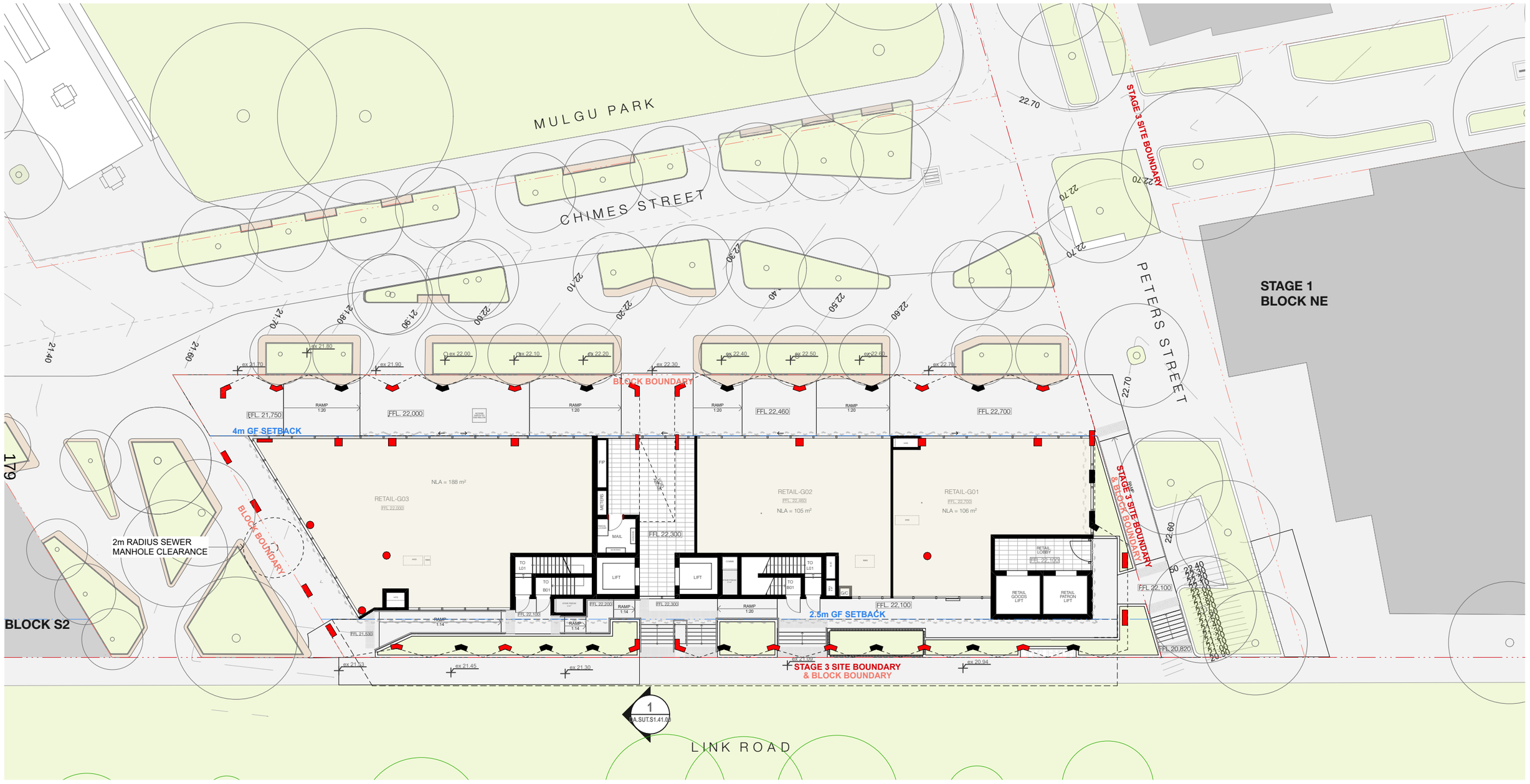
0 1 2 5m

DRAWING TITLE:
BASEMENT 1 MEZZANINE

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.03		**C**

REF: BIMcloud_bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_B1_DA



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:

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UNIT MIX

- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GVEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STJR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE

NOTES:

- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

0 1 2 5m

DRAWING TITLE:
GROUND FLOOR

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.04		**C**

REF: BIMcloud_bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA

ABSA Australian Building Sustainability Assessment
Assessment completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrCert=1

180

Apt 102
Apt 202
Apt 302
Apt 402

Apt 103
Apt 203
Apt 303
Apt 403

Apt 104
Apt 204
Apt 304
Apt 404

Apt 105
Apt 205
Apt 305
Apt 405

Apt 106
Apt 206
Apt 306
Apt 406

Apt 107
Apt 207
Apt 307
Apt 407

BLOCK BOUNDARY

10 m²
8 m²
8 m²
8 m²
8 m²
8 m²
11 m²
93 m²
60 m²
60 m²
55 m²
55 m²
56 m²
99 m²

NOTE: MPR GLAZING AT HIGH LEVEL

BLOCK BOUNDARY

STAGE 3 SITE BOUNDARY & BLOCK BOUNDARY

LIFT
LIFT
84 m²
10 m²
71 m²
8 m²
2 m²

Apt 101
Apt 201
Apt 301
Apt 401

ATTENUATED PLENUM

Apt 109
Apt 209
Apt 309
Apt 409

STAGE 3 SITE BOUNDARY & BLOCK BOUNDARY

Apt 108
Apt 208
Apt 308
Apt 408

1
DA.SUT.S1.41.00

BALCONY WITH SOFFIT ABSORPTION TREATMENT AND OPERABLE WINDOW FOR VENTILATION PURPOSE AT LOW LEVEL

BALCONY WITH SOFFIT ABSORPTION TREATMENT AND OPERABLE WINDOW FOR VENTILATION PURPOSE AT LOW LEVEL

BALCONY WITH SOFFIT ABSORPTION TREATMENT AND OPERABLE WINDOW FOR VENTILATION PURPOSE AT LOW LEVEL

ABSA Australian Building Sustainability Association
Assessments completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
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mhndu@mhndu.com

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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LB	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
STJN	STAIR PRESS
WIP	WARDEN INTERCOM PHONE

S4 S1 S3 S2

NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

0 1 2 5m

DRAWING TITLE:
LEVELS 1-4

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.05		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA



181

ABSA Australian Building Sustainability Awards
Assessors accredited within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrpCert=t

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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Sydney Australia
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mhndu@mhndu.com

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Level 3 11-17 Buckingham Street
Surry Hills NSW 2010
Sydney | Gadigal Country
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M +61 (0)413 783 350
aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GVEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
ST.R	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

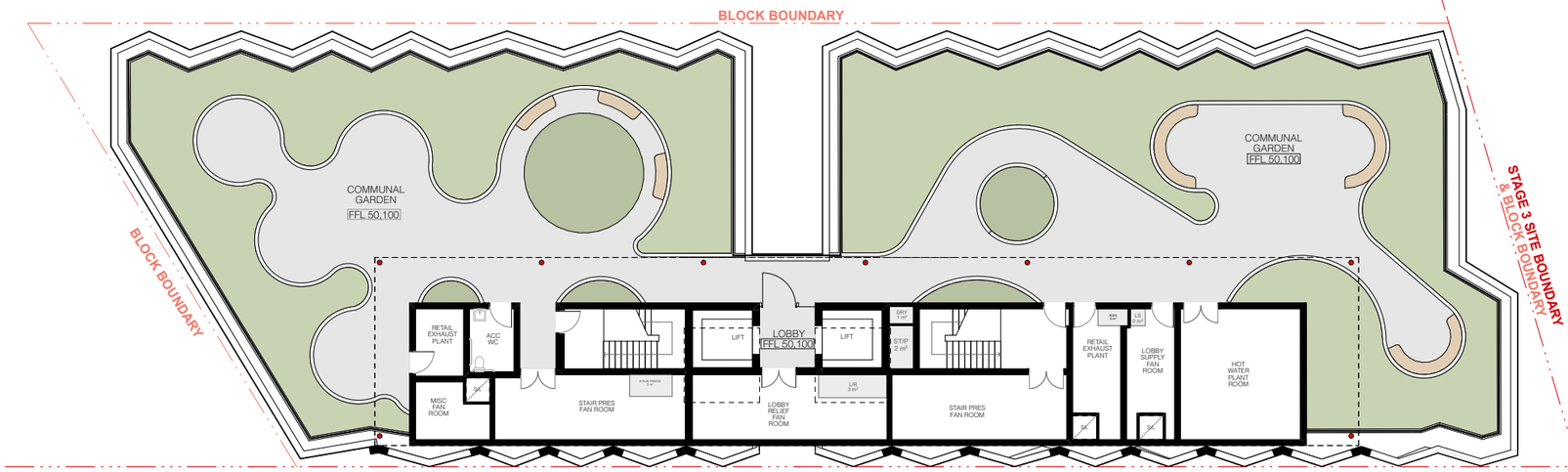
0 1 2 5m

DRAWING TITLE:
LEVELS 5-7

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.06		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_81_DA



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DA.SUT.S1.41.00

ABSA Australian Building Sustainability Assessors
Assessments completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

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https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrpCert=t

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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STJR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:
- FFL — RL OF FINISHED FLOOR LEVEL
- RL — REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

0 1 2 5m

DRAWING TITLE:
LEVEL 8

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.07		**C**

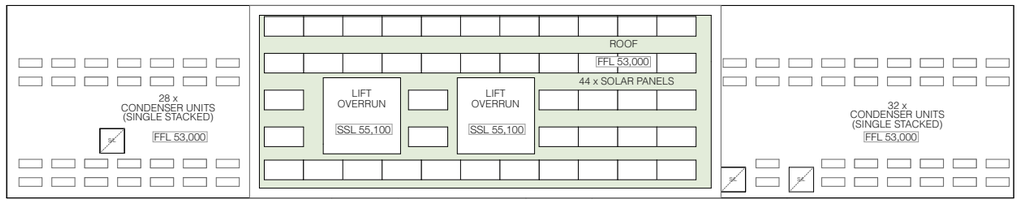
REF: BIMcloud_bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA

183

BLOCK BOUNDARY

BLOCK BOUNDARY

STAGE 3 SITE BOUNDARY
& BLOCK BOUNDARY



STAGE 3 SITE BOUNDARY
& BLOCK BOUNDARY

1
DA.SUT.S1.41.00

ABSA
Australian Building
Sustainability Assessor
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Accreditation Period 24/06/2024-24/06/2025
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Assessor Number 101575
Assessor Signature

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ARCHITECT:
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UNIT MIX

- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
G/EX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
R/EX	RETAIL EXHAUST
ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

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- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

0 1 2 5m

DRAWING TITLE:
ROOF

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.21.08		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA

Building S2

CAR PARKING

Parking Level	Total	Residential -BUILDING S2	Residential -BUILDING S3	Residential Accessible -BUILDING S2	Residential Car Share -BUILDINGS S2
B1	21	0	17	2	2
B2	32	27	0	5	0
B3	32	27	0	5	0
B4	31	26	0	5	
Total	**116**	**80**	**17**	**17**	**2**

Maximum Permitted		80	19		
Minimum Required	19			17	2

BICYCLE PARKING

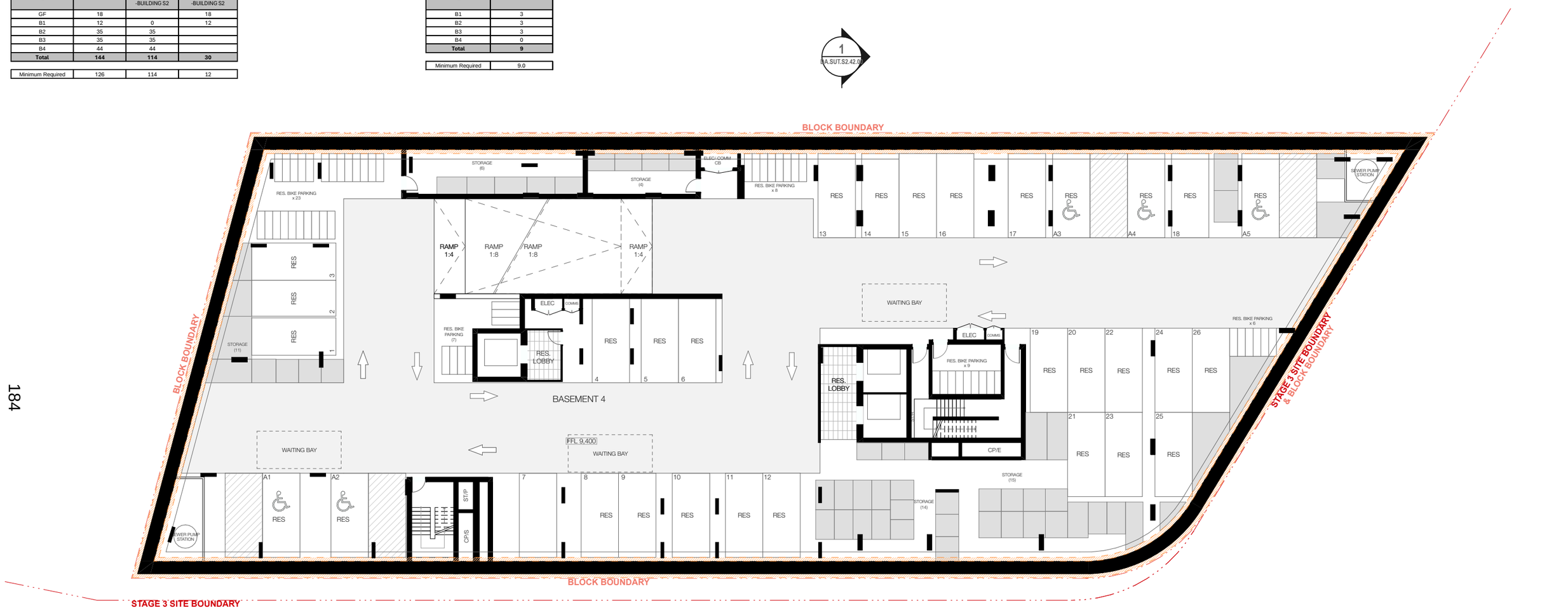
Parking Level	Total	Residential Bicycle -BUILDING S2	Resi Visitor Bicycle -BUILDING S2
GF	18		18
B1	12	0	12
B2	35	35	
B3	35	35	
B4	44	44	
Total	**144**	**114**	**30**

Minimum Required	126	114	12

MOTORCYCLE PARK

Parking Level	Total
B1	3
B2	3
B3	3
B4	0
Total	**9**

Minimum Required	9.0



ABSA Australian Building Sustainability Assessor
Certificate No. # TVVEQA86X3
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Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
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ARCHITECT:
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UNIT MIX

- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
STAR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:

- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
BASEMENT 4

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.22.00		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA

Building S2

CAR PARKING

Parking Level	Total	Residential -BUILDING S2	Residential -BUILDING S3	Residential Accessible -BUILDING S2	Residential Car Share -BUILDINGS S2
B1	21	0	17	2	2
B2	32	27	0	5	0
B3	32	27	0	5	0
B4	31	26	0	5	
Total	**116**	**80**	**17**	**17**	**2**

Maximum Permitted		80	19		
Minimum Required	19			17	2

BICYCLE PARKING

Parking Level	Total	Residential Bicycle -BUILDING S2	Resi Visitor Bicycle -BUILDING S2
GF	18		18
B1	12	0	12
B2	35	35	
B3	35	35	
B4	44	44	
Total	**144**	**114**	**30**

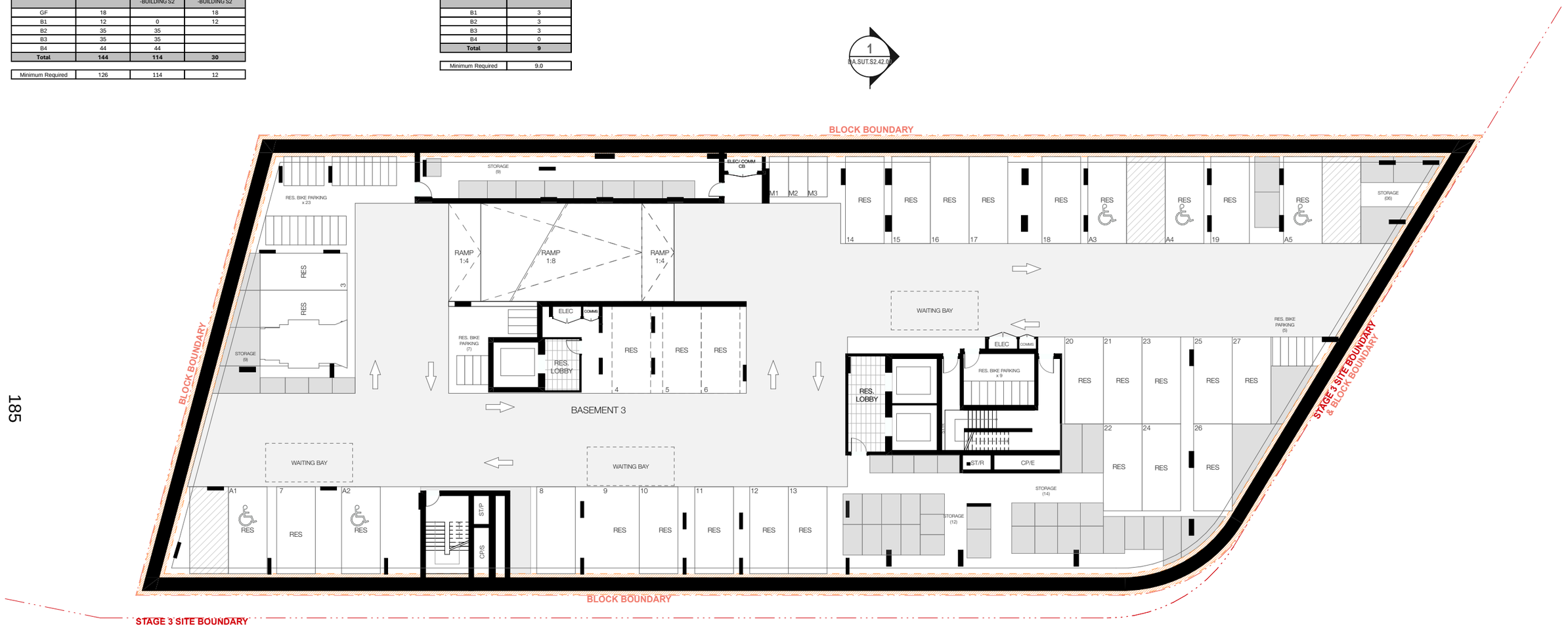
Minimum Required	126	114	12

MOTORCYCLE PARK

Parking Level	Total
B1	3
B2	3
B3	3
B4	0
Total	**9**

Minimum Required	9.0

1
DA.SUT.S2.42.00



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
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UNIT MIX

- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
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FEX	FIRE EXTINGUISHER
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GVEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
BASEMENT 3

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.22.01		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA

ABSA Australian Building Sustainability Assessors
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
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Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

Building S2

CAR PARKING

Parking Level	Total	Residential -BUILDING S2	Residential -BUILDING S3	Residential Accessible -BUILDING S2	Residential Car Share -BUILDINGS S2
B1	21	0	17	2	2
B2	32	27	0	5	0
B3	32	27	0	5	0
B4	31	26	0	5	
Total	**116**	**80**	**17**	**17**	**2**

Maximum Permitted		80	19		
Minimum Required	19			17	2

BICYCLE PARKING

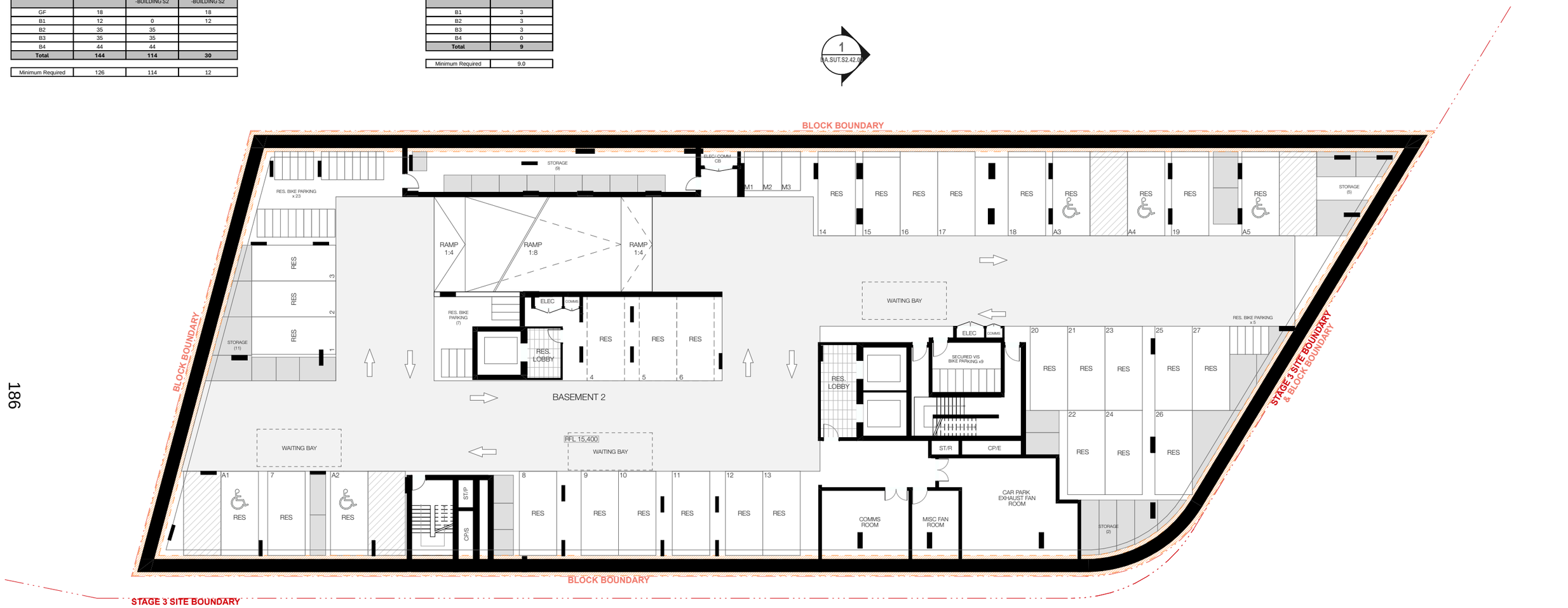
Parking Level	Total	Residential Bicycle -BUILDING S2	Resi Visitor Bicycle -BUILDING S2
GF	18		18
B1	12	0	12
B2	35	35	
B3	35	35	
B4	44	44	
Total	**144**	**114**	**30**

Minimum Required	126	114	12

MOTORCYCLE PARK

Parking Level	Total
B1	3
B2	3
B3	3
B4	0
Total	**9**

Minimum Required	9.0



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UNIT MIX

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- 2 BED + MPR
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- 4 BED
- RETAIL

ABBREVIATIONS

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ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
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- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
BASEMENT 2

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.22.02		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA

ABSA Australian Building Sustainability Assessor
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Building S2

CAR PARKING

Parking Level	Total	Residential -BUILDING S2	Residential -BUILDING S3	Residential Accessible -BUILDING S2	Residential Car Share -BUILDINGS S2
B1	21	0	17	2	2
B2	32	27	0	5	0
B3	32	27	0	5	0
B4	31	26	0	5	
Total	**116**	**80**	**17**	**17**	**2**

Maximum Permitted		80	19		
Minimum Required	19			17	2

BICYCLE PARKING

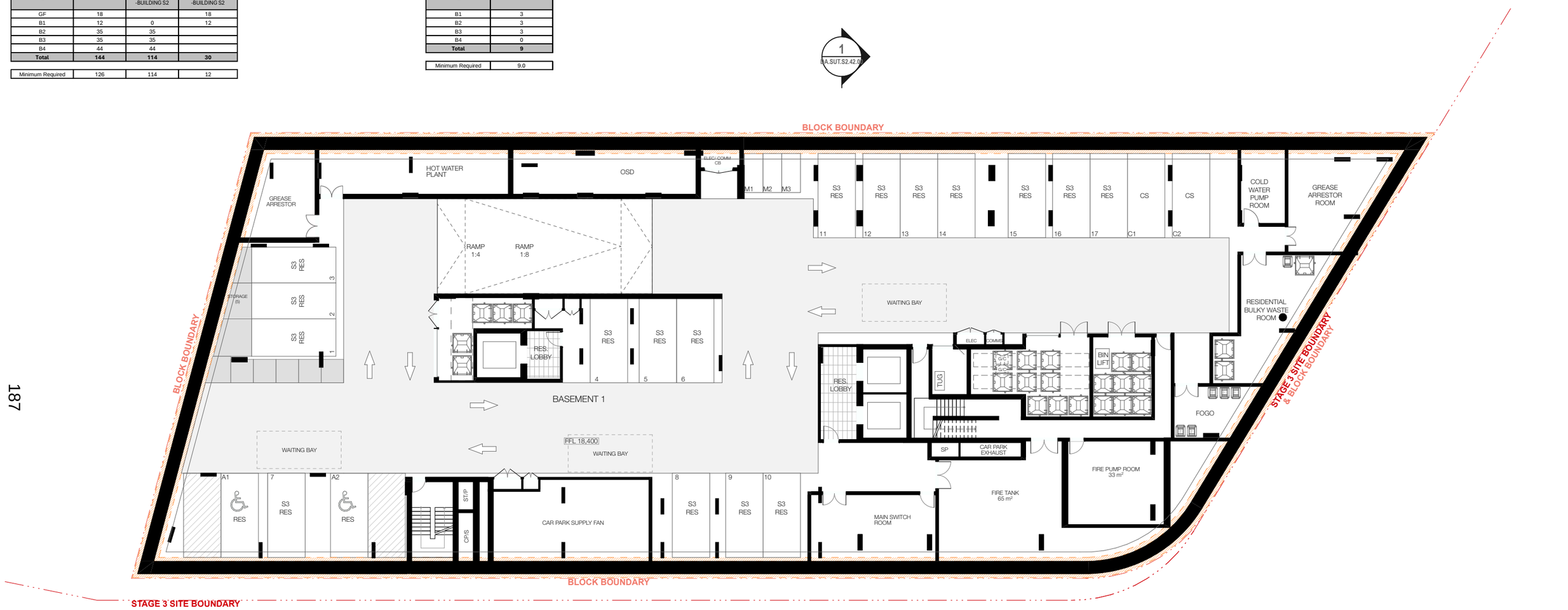
Parking Level	Total	Residential Bicycle -BUILDING S2	Resi Visitor Bicycle -BUILDING S2
GF	18		18
B1	12	0	12
B2	35	35	
B3	35	35	
B4	44	44	
Total	**144**	**114**	**30**

Minimum Required	126	114	12

MOTORCYCLE PARK

Parking Level	Total
B1	3
B2	3
B3	3
B4	0
Total	**9**

Minimum Required	9.0



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UNIT MIX

- 1 BED + MPR
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NOTES:

- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

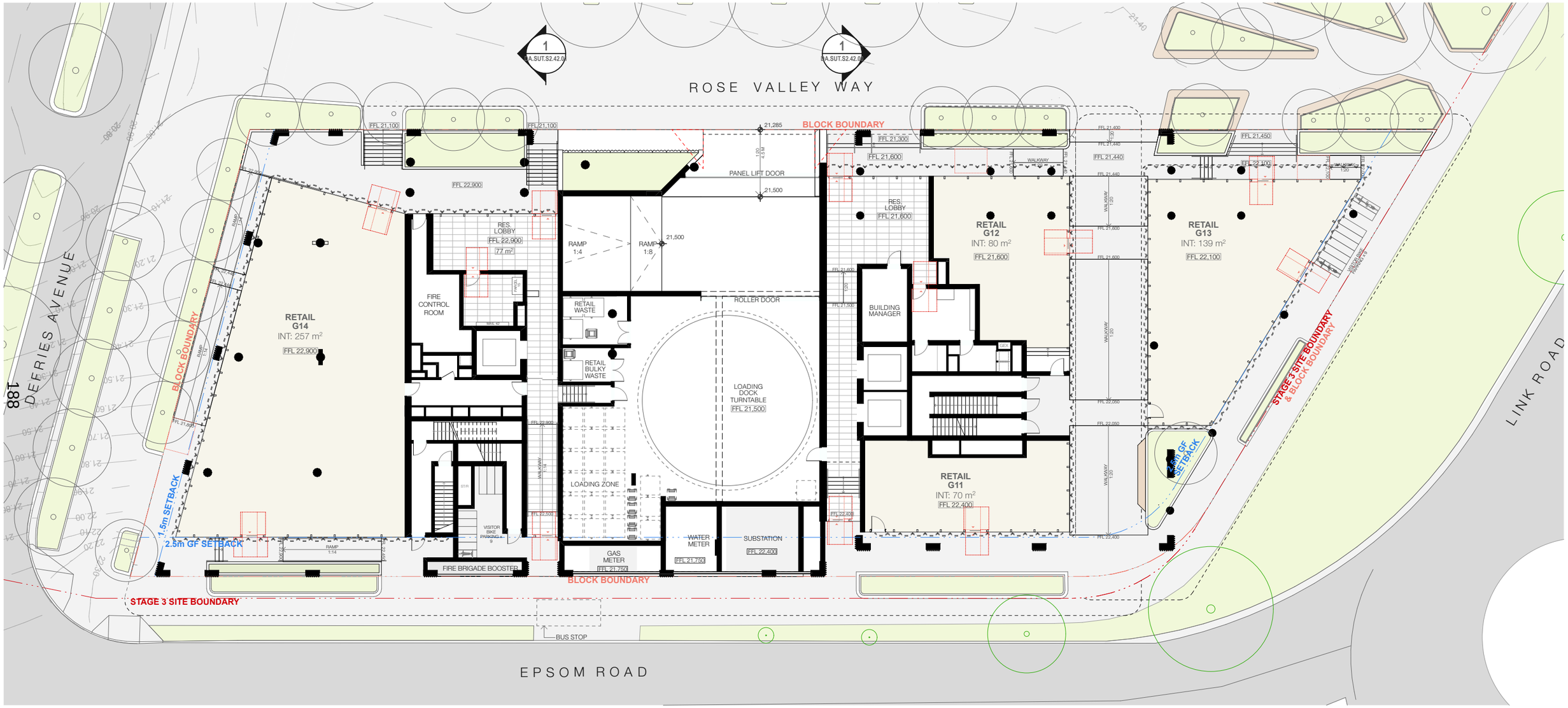
0 1 2 5m

DRAWING TITLE:
BASEMENT 1

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.22.03		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA







REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
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MHN Design Union Pty Ltd
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Sydney Australia
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
G/EX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
R/EX	RETAIL EXHAUST
ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
GROUND FLOOR

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.22.04		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



189

ABSA Australian Building Sustainability Association
Assessor is compliant within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrpCert=t

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STAIR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
LEVEL 1

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:250@A3	DRAWN BY: MHNDU	CHECKED: MHNDU
ISSUE DATE: 28/03/2025		PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.22.05**		REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



ABSA Australian Building Sustainability Association
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accredited Assessor is supported in use by the Accredited Company and has agreed to the ABSA Code of Practice

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
MHNDUNION

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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
G/EX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
R/EX	RETAIL EXHAUST
ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
LEVEL 2-5

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.22.06		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



ABSA Australian Building Sustainability Assessors
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accredited Assessor is a registered trade mark of the Australian Building Sustainability Assessors Code of Practice

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
G/EX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
R/EX	RETAIL EXHAUST
ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

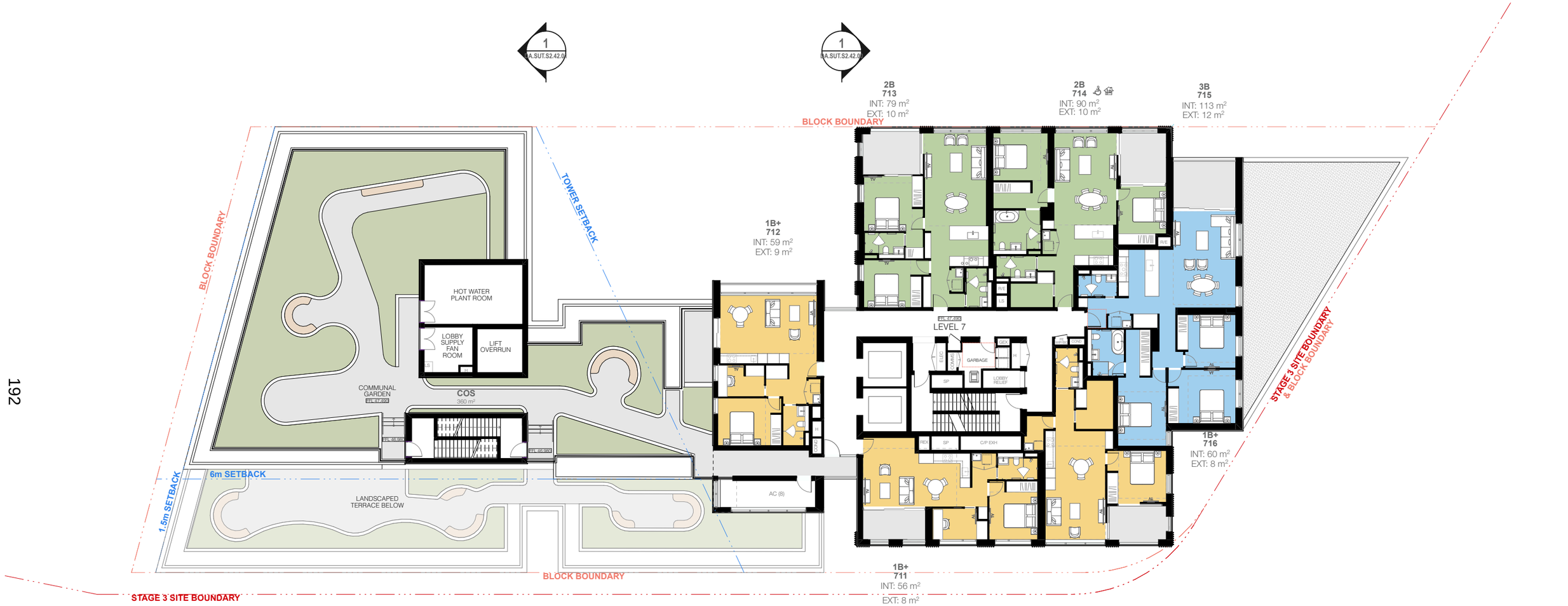
0 1 2 5m

DRAWING TITLE:
LEVEL 6

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.22.07		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



ABSA Authorised Specialist
Assessments completed within the accreditation period are part of the ABSA quality audit service
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
ST.R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
LEVEL 7

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
21/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.22.08		**B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



ABSA Australian Building Sustainability Association
Assessor(s) completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrCert=t

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
STAR	STAIR PRESS.
WIP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

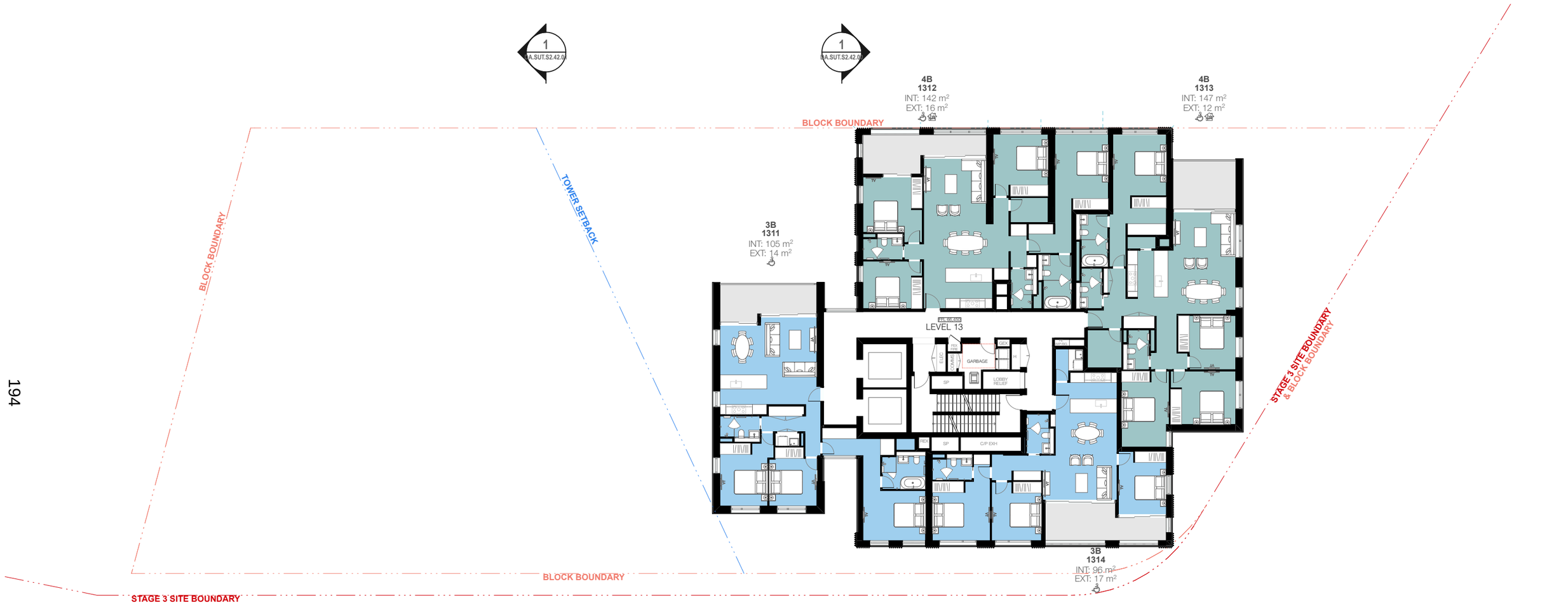
0 1 2 5m

DRAWING TITLE:
LEVEL 8-12

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:250@A3	DRAWN BY: MHNDU	CHECKED: MHNDU
ISSUE DATE: 21/03/2025		PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.22.09**		REVISION: **B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



ABSA Australian Building Sustainability Association
Assessor(s) completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=f

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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Andrew O'Donnell - NSW ARB 12196
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS CUPBOARD	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
ST.R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

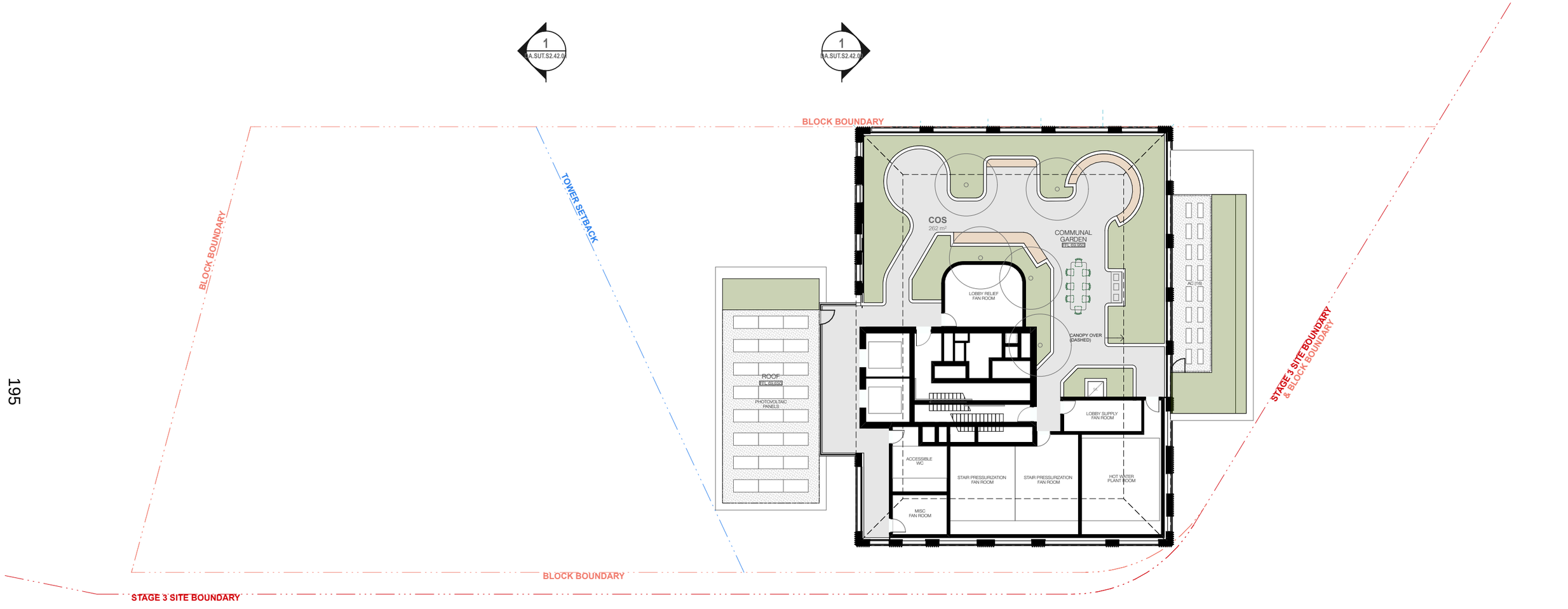
0 1 2 5m

DRAWING TITLE:
LEVEL 13

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW 2017

SCALE: 1:250@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 21/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.22.10**
REVISION: **B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



ABSA
Australian Building Sustainability Association
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accreditation Number is granted to a sole practitioner and has been issued in compliance with the ABSA Code of Practice
Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
35 Richards Lane
Surry Hills NSW 2010
Sydney Australia
Brian Meyerson - NSW ARB 4907
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mhndu@mhndu.com
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Andrew O'Donnell - NSW ARB 12196
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
G/EX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
R/EX	RETAIL EXHAUST
ST.R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

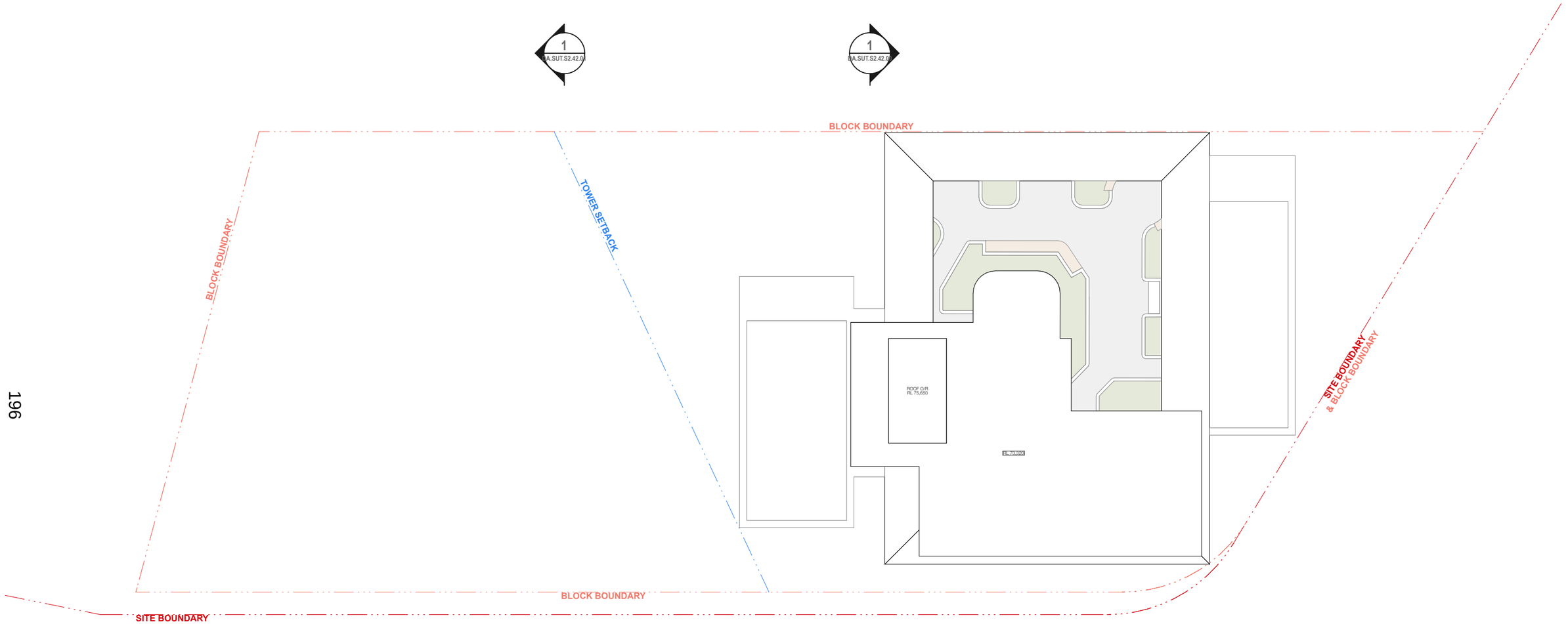
0 1 2 5m

DRAWING TITLE:
ROOF

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:250@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 21/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.22.11**
REVISION: **B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



ABSA
Australian Building Sustainability Association
Assessment completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accredited Assessor is registered and has been duly accredited by ABSA in accordance with the Code of Practice

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STJR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
ROOF PLANT

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW 2017

SCALE: 1:250@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 21/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.22.12**
REVISION: **B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA

197

EPSOM ROAD

106-116 EPSOM RD
ZETLAND

STAGE 3 BOUNDARY

RL+21.440m

RL+20.887 m

RL+20.883 m

RL+21.153 m

RL+22.241 m

RL+21.044 m

BLOCK BOUNDARY

BUILDING SETBACK

SETBACK

WATER METER
GAS METER 1.5 x 1.5
COLD WATER PUMP ROOM
CHUTE ROOM
FFL+ 20.900
BIN STORE
OSD A/H
BL
BULKY WASTE FOGO & WASTE GL UNIT
SWITCH BOARD
PLANT
HR
ROOMS
FFL +22.10
ELEC
TERRACE
FFL+ 22.420
SUB FIP
LOBBY
FFL+ 22.650
1:14
1:14
POST
TV
RL+ 22.200
FFL+ 22.650

G26
1 BED+
DWELLING: 65 Sq.m
BALCONY: 15 Sq.m
STORAGE: 9.7 m3

ROSE VALLEY WAY

DEFRIES AVE

REVISION B - BUILDING S3

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS
- LAYBY ADDED TO ROSE VALLEY WAY.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

ABSA Australian Building Sustainability Standard
Assessor(s) completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrpCert=t

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
MHNDUNION
ALLFORD HALL MONAGHAN MORRIS

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aodonnell@ahmm.com

KEY
- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED

BL BIN LIFT

S4 S1 S3 S2

NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT) AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
GROUND FLOOR

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S3.23.00		**B**



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KEY
- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:
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- RL REDUCED LEVEL
- BOUNDARY
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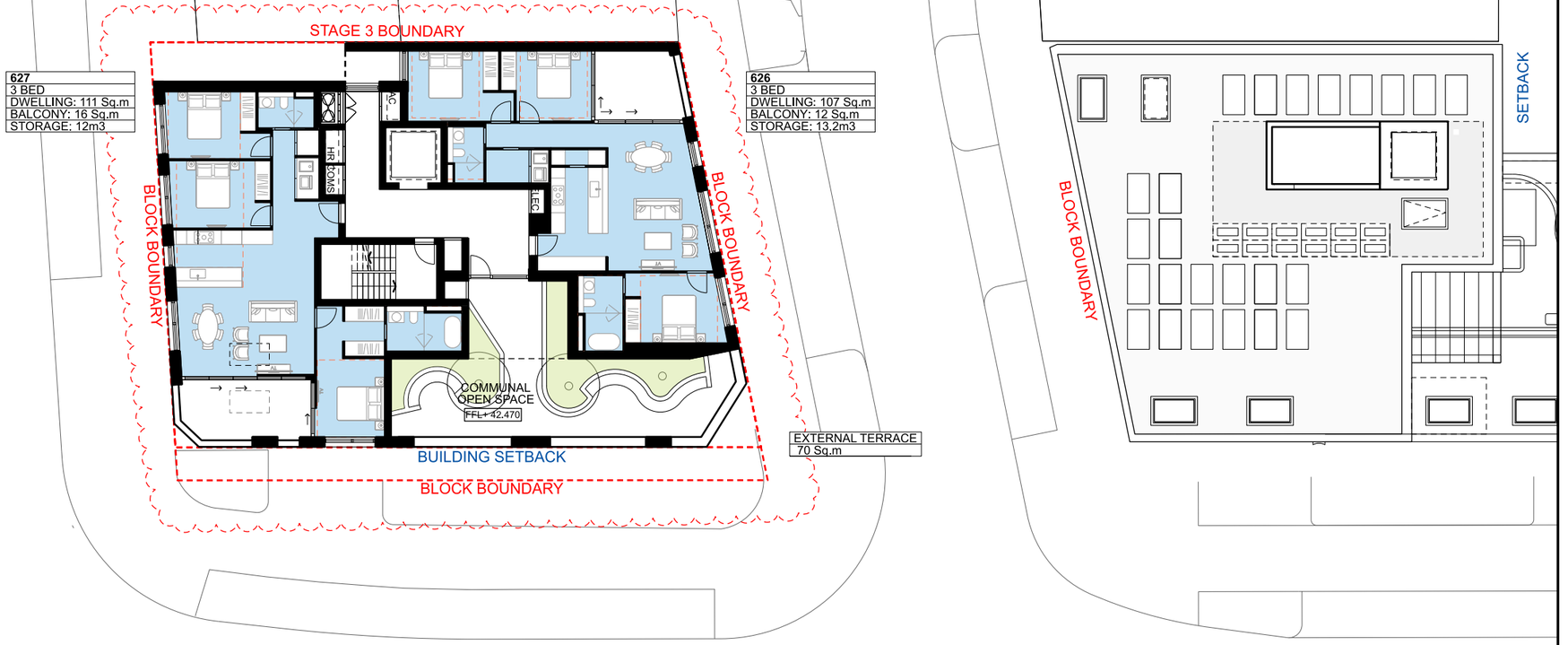
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
LEVEL 1-5

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S3.23.01		**B**



199

REVISION B - BUILDING S3

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Assessor Signature

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KEY
- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:
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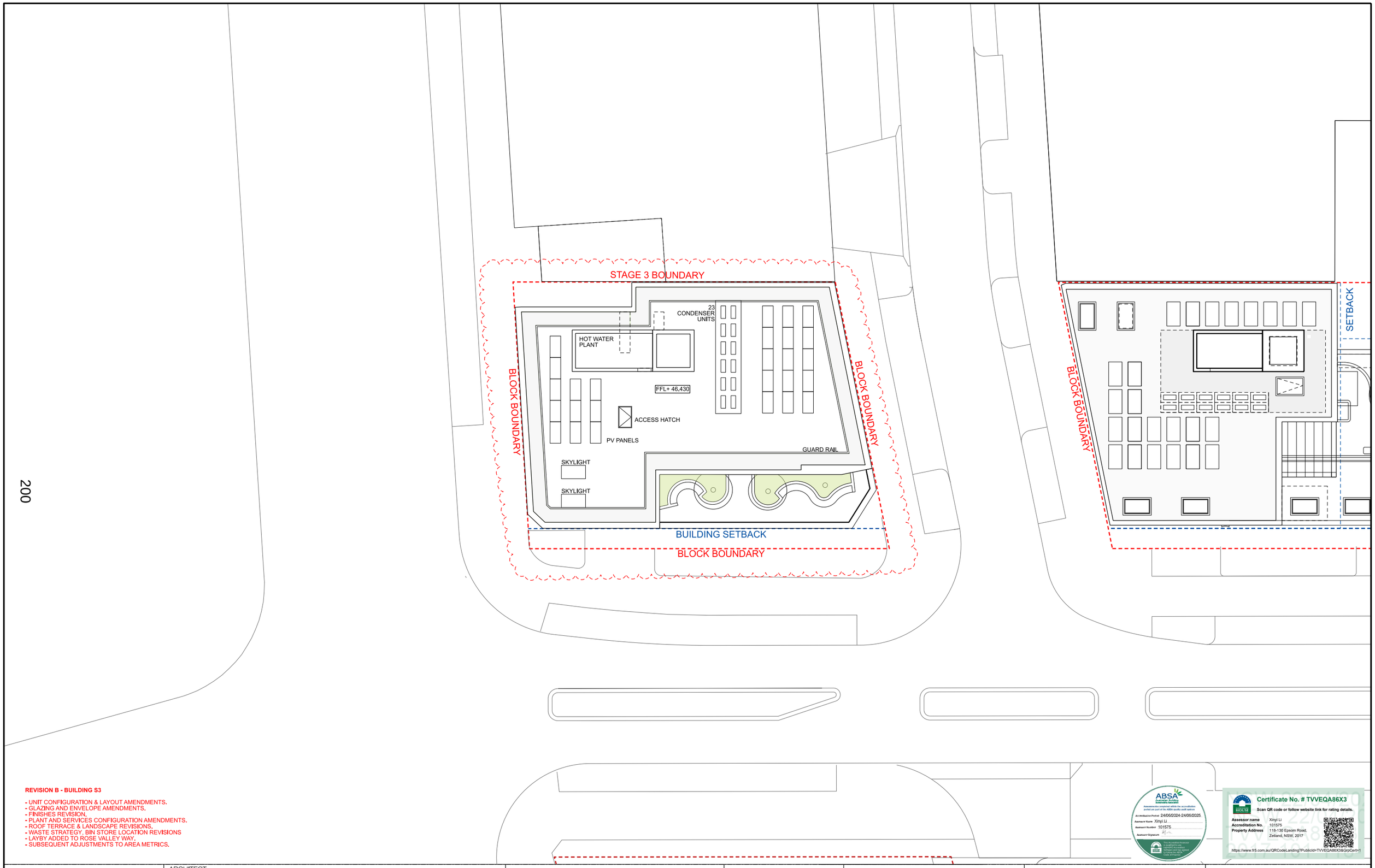
- RL — REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
LEVEL 6

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S3.23.02		**B**



200

REVISION B - BUILDING S3

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- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
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ARCHITECT:

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KEY

- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:

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- RL — REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:

ROOF PLAN

PROJECT ADDRESS:

118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S3.23.03		**B**

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Assessor Signature

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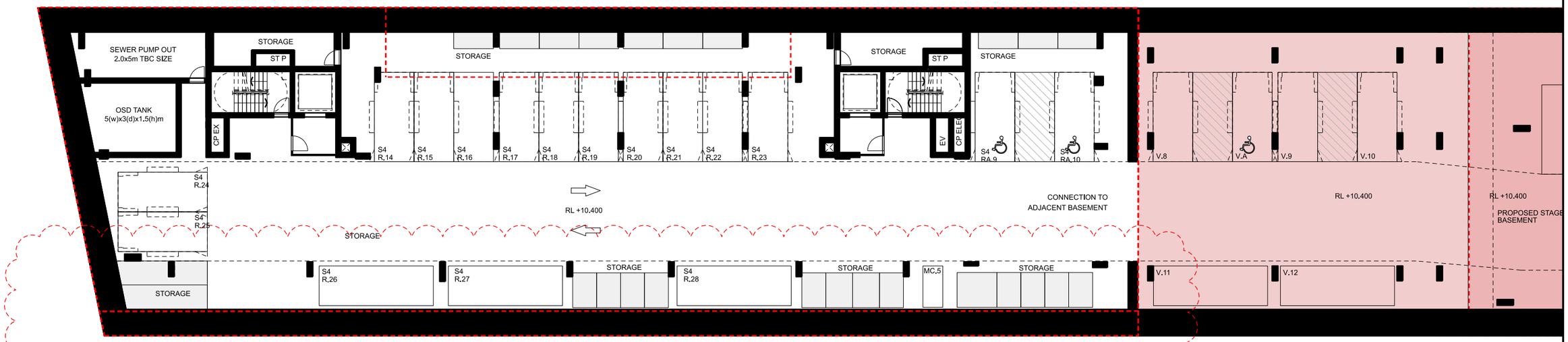

Building S4

CAR PARKING

Parking Level	Total	Residential -BUILDING S4	Residential Accessible -BUILDING S4	Residential -BUILDING S3	Residential Visitor -BUILDINGS S3& S4	Residential Visitor Accessible -BUILDINGS S3& S4	Residential Car Share -BUILDINGS S3& S4
B1	17	1	4	6	3		3
B2	21	12	4		5		
B3	22	15	2		4	1	
Total	60	28	10	6	12	1	3
Maximum Permitted		28		17	12		
Minimum Required	12		10			1	1

BICYCLE PARKING

Parking Level	Total	Residential Bicycle -BUILDING S3& S4	Resi Visitor Bicycle -BUILDING S3& S4
B1	67	67	
B2	18	9	9
B3	0		
Total	85	76	9
Minimum Required	74	67	7

MOTORCYCLE PARKING

Parking Level	Total	Residential Motorcycle -BUILDING S3& S4	Resi Visitor Motorcycle -BUILDING S3& S4
B1	5	4	1
B2	0		
B3	1	1	
Total	6	5	1
Minimum Required	6	4	2

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Assessor Signature

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REVISION B - BUILDING S4

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- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

201

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
MHNDUNION
ALLFORD HALL MONAGHAN MORRIS

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Sydney Australia

Brian Meyerson - NSW ARB 4907

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mhndu@mhndu.com
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Surry Hills NSW 2010
Sydney | Gadigal Country

Andrew O'Donnell - NSW ARB 12196

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aodonnell@ahmm.com

KEY

R# RESIDENT CAR SPACE
RA# RESIDENT ACCESSBILE
MC# RESIDENT MOTORBIKE

V# VISITOR CAR SPACE
VA# VISITOR ACCESSIBLE
VMC#VISITOR MOTORBIKE



NOTES:

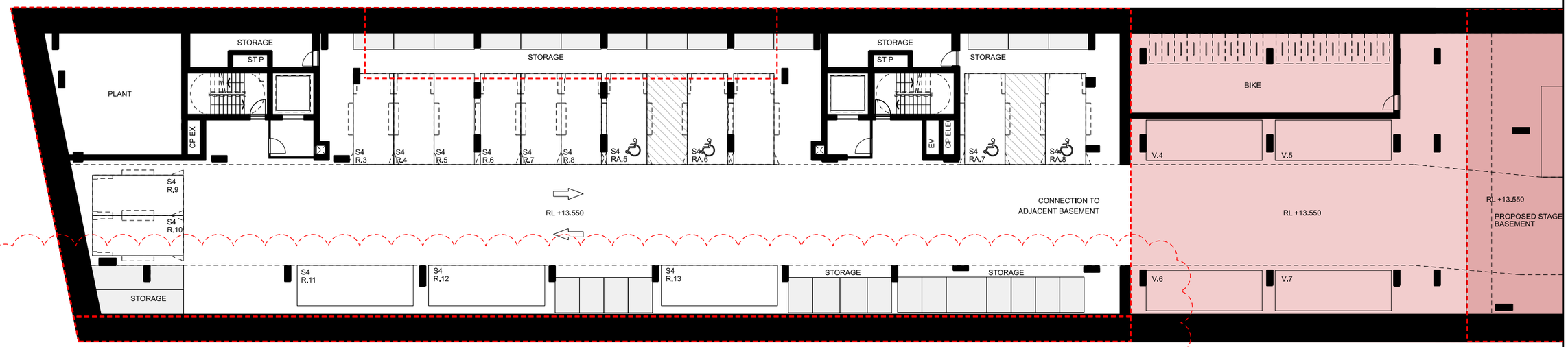
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED
PILING (BASEMENT)
AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
BASEMENT 3

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.24.00		**B**



Building S4

CAR PARKING

Parking Level	Total	Residential -BUILDING S4	Residential Accessible -BUILDING S4	Residential -BUILDING S3	Residential Visitor -BUILDINGS S3& S4	Residential Visitor Accessible -BUILDINGS S3& S4	Residential Car Share -BUILDINGS S3& S4
B1	17	1	4	6	3		3
B2	21	12	4		5		
B3	22	15	2		4	1	
Total	60	28	10	6	12	1	3
Maximum Permitted		28		17	12		
Minimum Required	12		10			1	1

BICYCLE PARKING

Parking Level	Total	Residential Bicycle -BUILDING S3& S4	Resi Visitor Bicycle -BUILDING S3& S4
B1	67	67	
B2	18	9	9
B3	0		
Total	85	76	9
Minimum Required	74	67	7

MOTORCYCLE PARKING

Parking Level	Total	Residential Motorcycle -BUILDING S3& S4	Resi Visitor Motorcycle -BUILDING S3& S4
B1	5	4	1
B2	0		
B3	1	1	
Total	6	5	1
Minimum Required	6	4	2

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REVISION B - BUILDING S4

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- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
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ARCHITECT:
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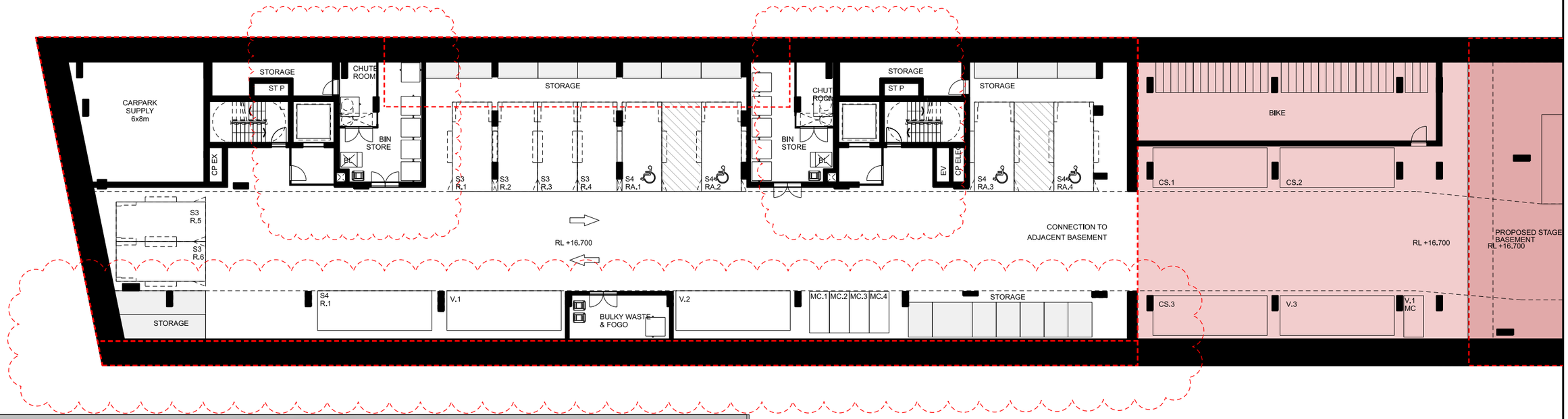
NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED
PILING (BASEMENT)
AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
BASEMENT 2

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.24.01		**B**



Building S4

CAR PARKING

Parking Level	Total	Residential -BUILDING S4	Residential Accessible -BUILDING S4	Residential -BUILDING S3	Residential Visitor -BUILDINGS S3& S4	Residential Visitor Accessible -BUILDINGS S3& S4	Residential Car Share -BUILDINGS S3& S4
B1	17	1	4	6	3		3
B2	21	12	4		5		
B3	22	15	2		4	1	
Total	60	28	10	6	12	1	3
Maximum Permitted		28		17	12		
Minimum Required	12		10			1	1

BICYCLE PARKING

Parking Level	Total	Residential Bicycle -BUILDING S3& S4	Resi Visitor Bicycle -BUILDING S3& S4
B1	67	67	
B2	18	9	9
B3	0		
Total	85	76	9
Minimum Required	74	67	7

MOTORCYCLE PARKING

Parking Level	Total	Residential Motorcycle -BUILDING S3& S4	Resi Visitor Motorcycle -BUILDING S3& S4
B1	5	4	1
B2	0		
B3	1	1	
Total	6	5	1
Minimum Required	6	4	2

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REVISION B - BUILDING S4

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ARCHITECT:
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KEY

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RA# RESIDENT ACCESSBILE
MC# RESIDENT MOTORBIKE

V# VISITOR CAR SPACE
VA# VISITOR ACCESSIBLE
VMC# VISITOR MOTORBIKE

BL BIN LIFT



NOTES:

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RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES
CLOUDED
PILING (BASEMENT)
AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
BASEMENT 1

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		24701
DWG NUMBER:		REVISION:
DA.SUT.S4.24.02		B

10-12 LETITIA ST
ZETLAND

STAGE 3 BOUNDARY

RL+20.883 m

RL+22.448 m

ROSE VALLEY WAY

204

PETERS ST

PLANT

PLANT

PLANT

PLANT

PLANT

SETBACK

BUILDING SETBACK

SETBACK

RL+ 21.100

+ 22.400

BLOCK BOUNDARY

BLOCK BOUNDARY

FFL+ 21.750

1:14

FFL+ 22.200

LOBBY

FFL+ 22.200

POST

FFL+ 22.700

FFL+ 22.700

LOBBY

FFL+ 22.700

POST

FFL+ 22.700

SOLAR ZONE SETBACK*

1:14

RL+ 22.200

RL+ 22.200

1:14

RL+21.153 m

RL+21.15

+ 21.200

BUILDING SETBACK

BLOCK BOUNDARY

RL+ 21.150

RL+ 21.750

RL+ 22.200

RL+22.201 m

*NOTE: SOLAR ZONE SETBACK SUBJECT TO SEPARATE S4.55 TO CONCEPT PLAN

G32
1 BED +
DWELLING: 73 Sq.m
BALCONY: 18 Sq.m
STORAGE: 10.3m3

G31
2 BED +
DWELLING: 85 Sq.m
BALCONY: 22 Sq.m
STORAGE: 9.8m3

G37
2 BED +
DWELLING: 86 Sq.m
BALCONY: 23 Sq.m
STORAGE: 9.8m3

G36
1 BED +
DWELLING: 65 Sq.m
BALCONY: 15 Sq.m
STORAGE: 10.5m3

DEFRIES AVE

REVISION B - BUILDING S4

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https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GripCert=1

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
MHNDUNION
ALLFORD HALL MONAGHAN MORRIS

MHN Design Union Pty Ltd
35 Richards Lane
Surry Hills NSW 2010
Sydney Australia

Brian Meyerson - NSW ARB 4907

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mhndu@mhndu.com

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aodonnell@ahmm.com

KEY
- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



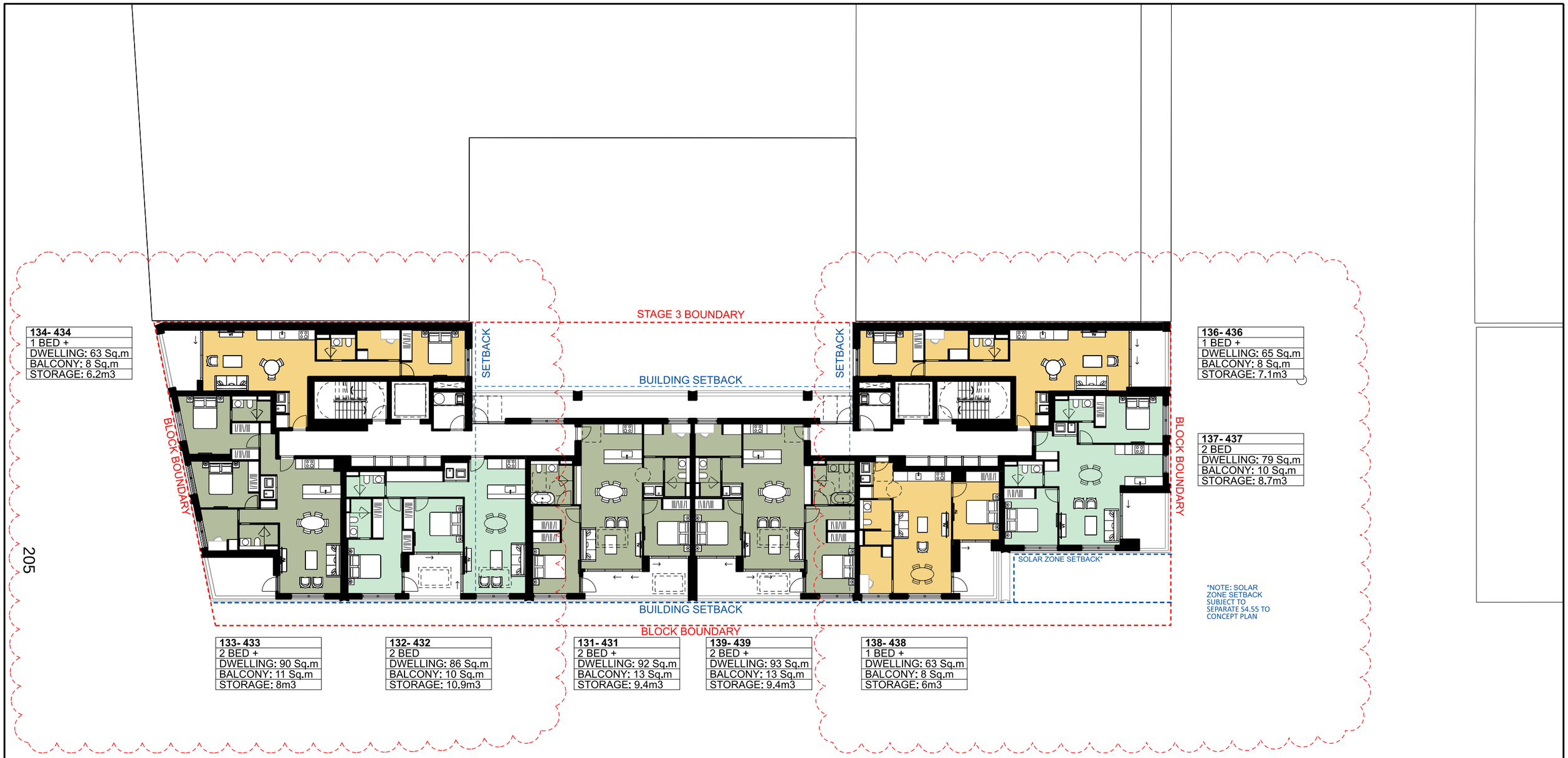
NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT) AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
GROUND FLOOR

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.24.03		**B**



*NOTE: SOLAR ZONE SETBACK SUBJECT TO SEPARATE S4.55 TO CONCEPT PLAN

REVISION B - BUILDING S4

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

ABSA Accreditation No. 101575 Accreditation Period 24/05/2024-24/05/2025 Assessor Name Xinyi Li

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
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KEY
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NOTES:
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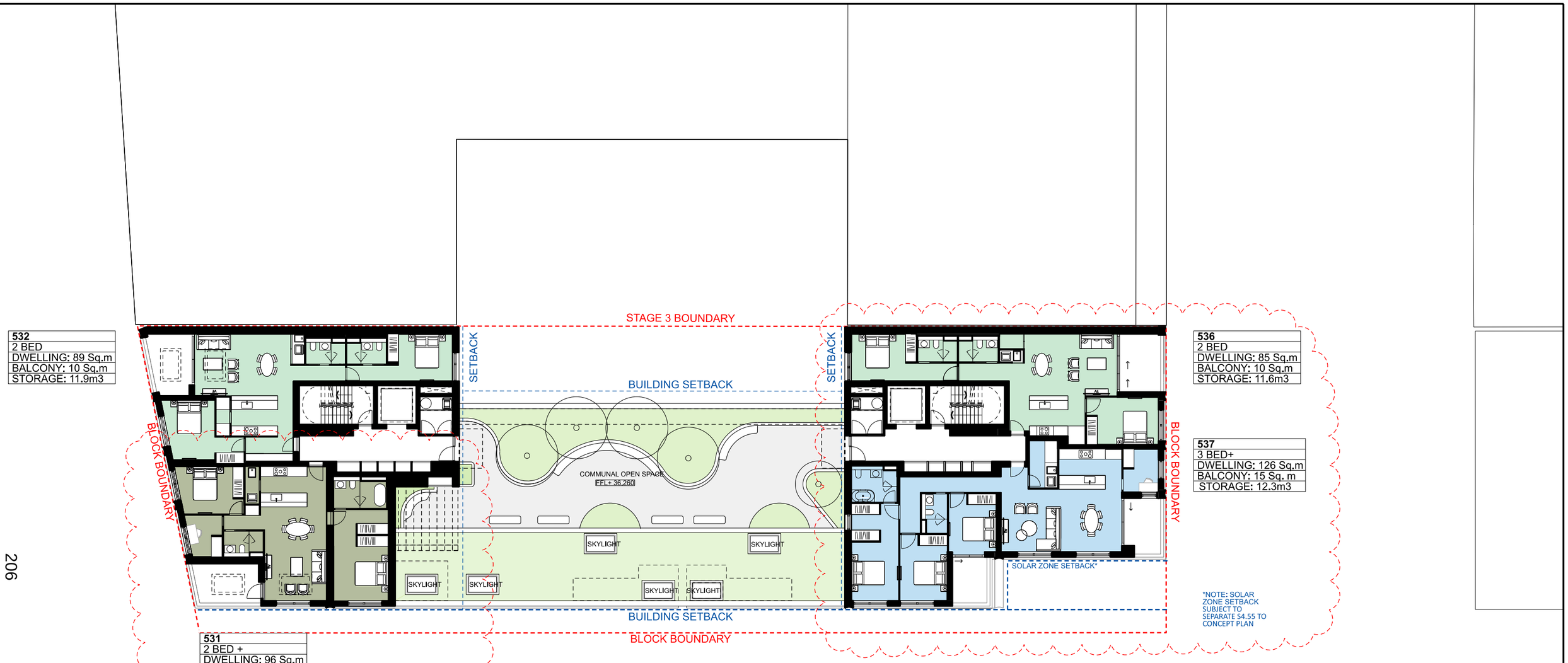
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT) AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
LEVEL 01 - 04

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.24.04		**B**



206

REVISION B - BUILDING S4

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

ABSA Assessor Accredited — Accreditation Period 24/05/2024-24/05/2025 — Assessor Name Xinyi Li — Assessor Number 101575

Certificate No. # TVVEQA86X3
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Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
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KEY
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- 2 BED
- 2 BED+
- 3 BED



NOTES:
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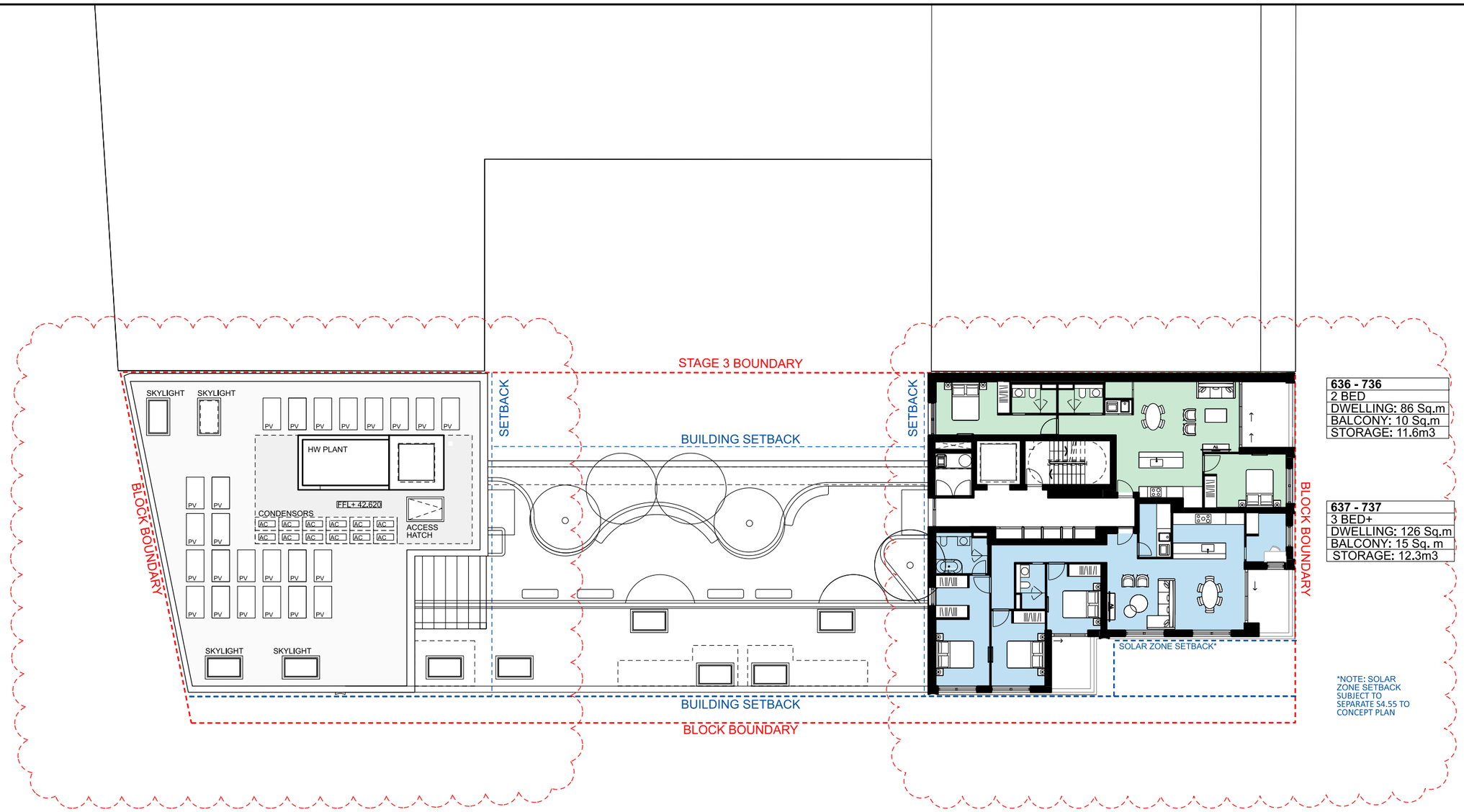
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
LEVEL 05

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.24.05		**B**



207

REVISION B - BUILDING S4

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

ABSA Australian Building Sustainability Awards
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period: 24/06/2024-24/06/2025
Assessor Name: Xinyi Li
Assessor Number: 101575
Assessor Signature:

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name: Xinyi Li
Accreditation No.: 101575
Property Address: 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

A	DEVELOPMENT APPLICATION	14/11/25
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KEY
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- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:
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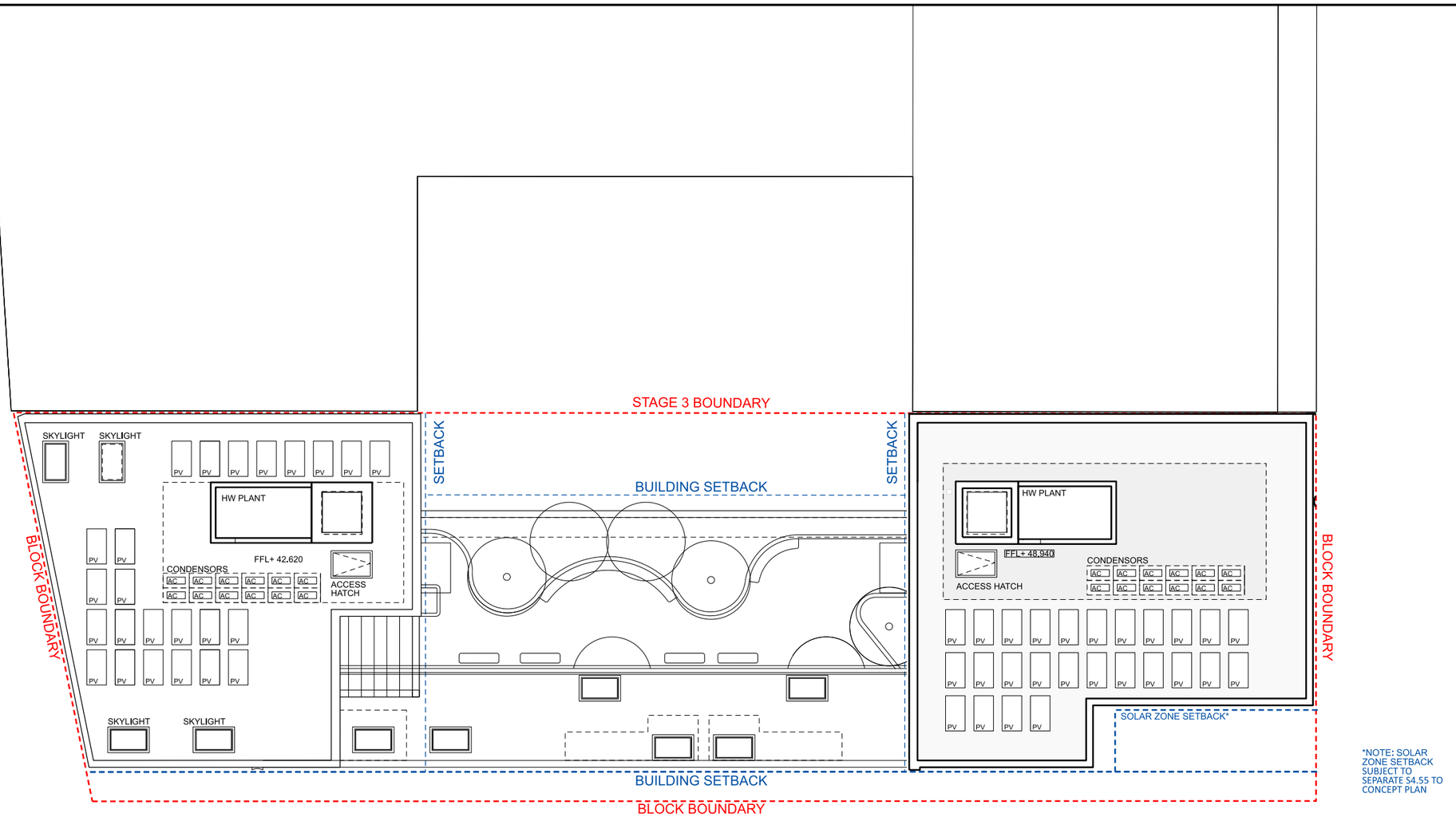
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
LEVEL 06-07

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.24.06		**B**



*NOTE: SOLAR ZONE SETBACK SUBJECT TO SEPARATE S4.55 TO CONCEPT PLAN

208

ABSA Australian Building Sustainability Assessments Limited is/are accredited as/part of the ABSA quality audit system
Accreditation Period 24/05/2024-24/05/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
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Assessor name Xinyi Li
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Property Address 118-130 Epsom Road, Zetland, NSW, 2017
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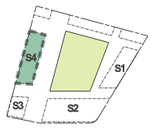


NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT) AREA UNDER
- PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
ROOF PLAN

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

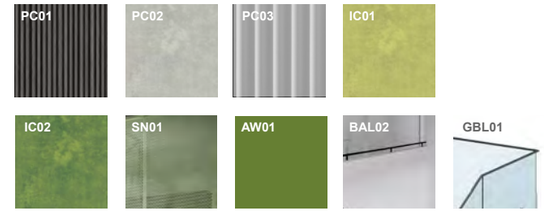
SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
21/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.24.07		**B**

Attachment B2

Selected Drawings



PC01 - Ecotone Finished Precast concrete panel, Type 1: Dark grey, vertical textured serration
PC02 - Ecotone Finished Precast concrete panel, Type 2: Light grey, smooth face
PC03 - Ecotone Finished Precast concrete panel, Type 3: Light grey, vertical textured serration
IC01 - Insitu concrete, Type 1: Ecotone, Banksia yellow
IC02 - Insitu concrete, Type 2: Ecotone, Banksia green
GL01 - Aluminium framed door & window system
SN01 - Powdercoat perforated aluminium screen, Banksia deep green
AW01 - Prefabricated glass reinforced concrete awning, Finish: Ecotone, pigmented Banksia green
BAL02 - Balustrade, Type 2: Railing, dark charcoal
GBL01 - Balustrade, Type 2: Railing, dark charcoal



ABSA Australian Building Sustainability Assessors
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
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Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
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ARCHITECT:
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Sydney Australia
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NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED

0 1 2 5m

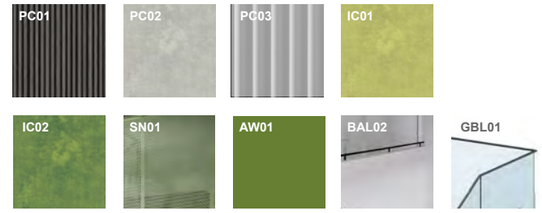
DRAWING TITLE:
ELEVATION NORTH

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.31.00		**B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA

PC01 - Ecotone Finished Precast concrete panel, Type 1: Dark grey, vertical textured serration
PC02 - Ecotone Finished Precast concrete panel, Type 2: Light grey, smooth face
PC03 - Ecotone Finished Precast concrete panel, Type 3: Light grey, vertical textured serration
IC01 - Insitu concrete, Type 1: Ecotone, Banksia yellow
IC02 - Insitu concrete, Type 2: Ecotone, Banksia green
GL01 - Aluminium framed door & window system
SN01 - Powdercoat perforated aluminium screen, Banksia deep green
AW01 - Prefabricated glass reinforced concrete awning, Finish: Ecotone, pigmented Banksia green
BAL02 - Balustrade, Type 2: Railing, dark charcoal
GBL01 - Balustrade, Type 2: Railing, dark charcoal





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https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
01	DEVELOPMENT APPLICATION	15/11/24
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ARCHITECT:
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NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
ELEVATION EAST

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:250@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 15/11/24
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S1.31.01**
REVISION: **B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA

PC01 - Ecotone Finished Precast concrete panel, Type 1: Dark grey, vertical textured serration
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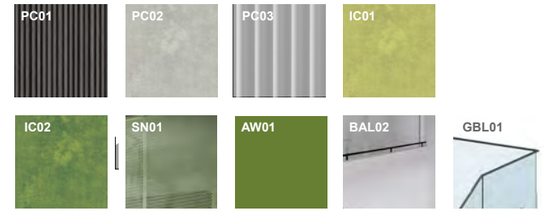



ABSA Australian Building Sustainability Assessors
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NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
ELEVATION SOUTH

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.31.02		**B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA

PC01 - Ecotone Finished Precast concrete panel, Type 1: Dark grey, vertical textured serration
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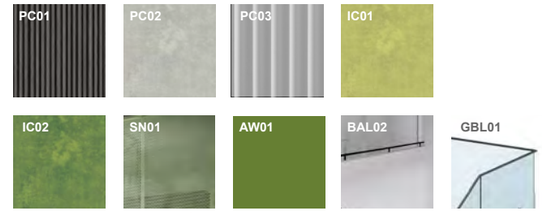



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NOTES:
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RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED

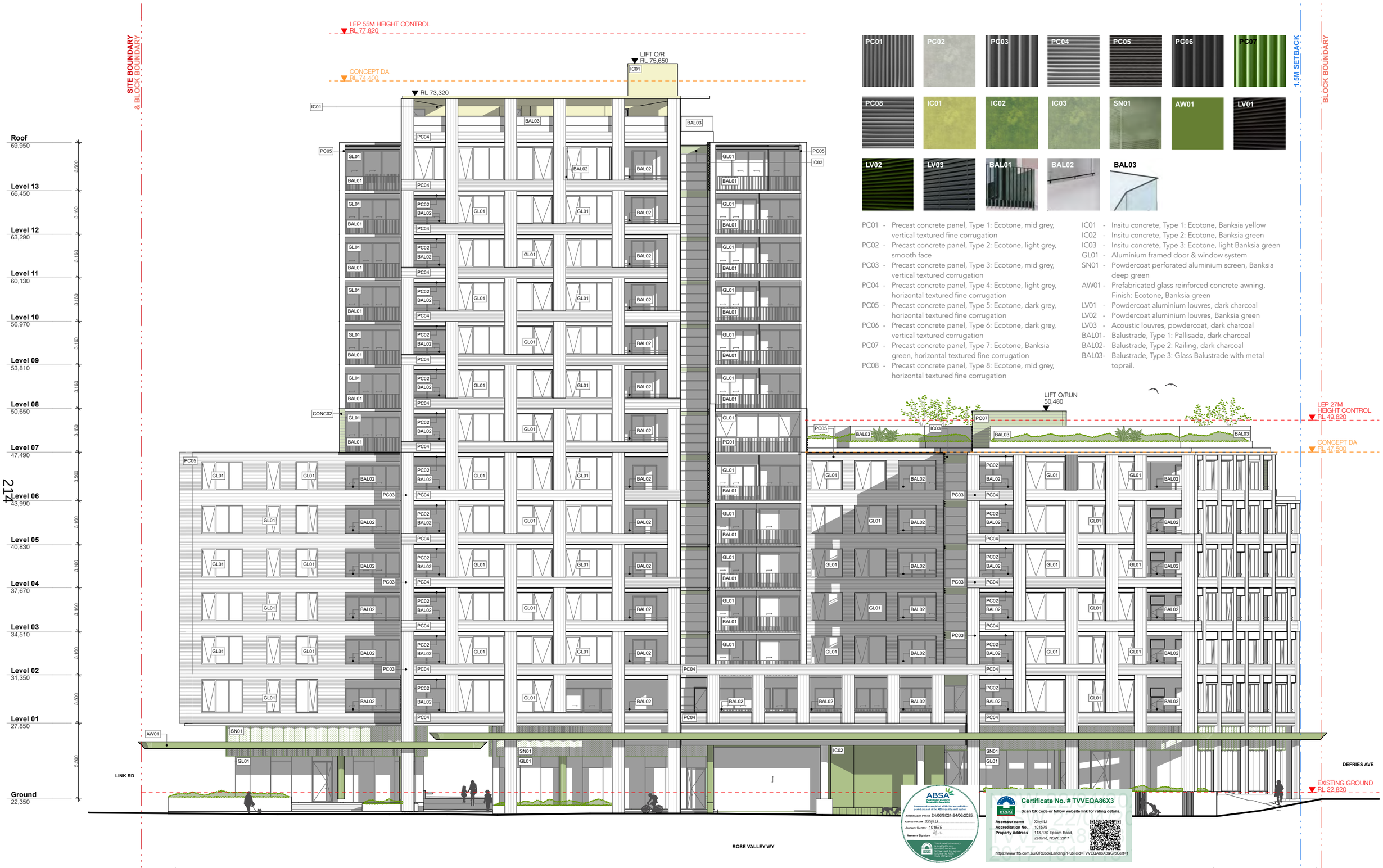
0 1 2 5m

DRAWING TITLE:
ELEVATION WEST

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.31.03		**B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA



PC01 - Precast concrete panel, Type 1: Ecotone, mid grey, vertical textured fine corrugation
PC02 - Precast concrete panel, Type 2: Ecotone, light grey, smooth face
PC03 - Precast concrete panel, Type 3: Ecotone, mid grey, vertical textured corrugation
PC04 - Precast concrete panel, Type 4: Ecotone, light grey, horizontal textured fine corrugation
PC05 - Precast concrete panel, Type 5: Ecotone, dark grey, horizontal textured fine corrugation
PC06 - Precast concrete panel, Type 6: Ecotone, dark grey, vertical textured corrugation
PC07 - Precast concrete panel, Type 7: Ecotone, Banksia green, horizontal textured fine corrugation
PC08 - Precast concrete panel, Type 8: Ecotone, mid grey, horizontal textured fine corrugation

IC01 - Insitu concrete, Type 1: Ecotone, Banksia yellow
IC02 - Insitu concrete, Type 2: Ecotone, Banksia green
IC03 - Insitu concrete, Type 3: Ecotone, light Banksia green
GL01 - Aluminium framed door & window system
SN01 - Powdercoat perforated aluminium screen, Banksia deep green
AW01 - Prefabricated glass reinforced concrete awning, Finish: Ecotone, Banksia green
LV01 - Powdercoat aluminium louvres, dark charcoal
LV02 - Powdercoat aluminium louvres, Banksia green
LV03 - Acoustic louvres, powdercoat, dark charcoal
BAL01 - Balustrade, Type 1: Pallisade, dark charcoal
BAL02 - Balustrade, Type 2: Railing, dark charcoal
BAL03 - Balustrade, Type 3: Glass Balustrade with metal toprail.

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
CD1	NORTH ELEVATION FACADE CHANGES	09/01/2025
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
MHNDUNION
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Sydney | Gadigal Country
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LB	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
STAR	STAIR PRESS.
WIP	WARDEN INTERCOM PHONE



NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
SITE BOUNDARY
BLOCK BOUNDARY
DCP SETBACK
PILING ZONE
EXISTING TREE
REVISION UPDATES CLOUDED
0 1 2 5m

DRAWING TITLE:
ELEVATION NORTH

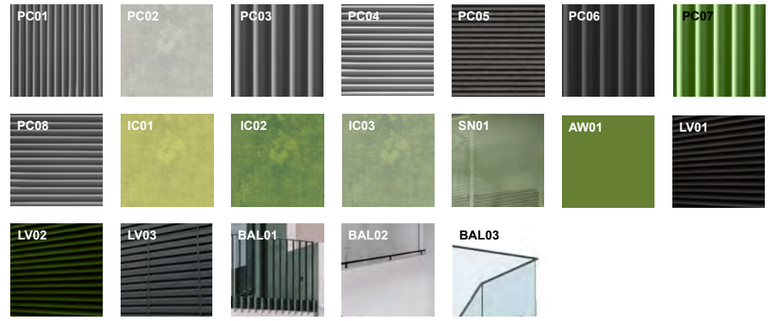
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:250@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 21/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.32.00**
REVISION: **B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



STAGE 2 SITE BOUNDARY



PC01 - Precast concrete panel, Type 1: Ecotone, mid grey, vertical textured fine corrugation
PC02 - Precast concrete panel, Type 2: Ecotone, light grey, smooth face
PC03 - Precast concrete panel, Type 3: Ecotone, mid grey, vertical textured corrugation
PC04 - Precast concrete panel, Type 4: Ecotone, light grey, horizontal textured fine corrugation
PC05 - Precast concrete panel, Type 5: Ecotone, dark grey, horizontal textured fine corrugation
PC06 - Precast concrete panel, Type 6: Ecotone, dark grey, vertical textured corrugation
PC07 - Precast concrete panel, Type 7: Ecotone, Banksia green, horizontal textured fine corrugation
PC08 - Precast concrete panel, Type 8: Ecotone, mid grey, horizontal textured fine corrugation

IC01 - Insitu concrete, Type 1: Ecotone, Banksia yellow
IC02 - Insitu concrete, Type 2: Ecotone, Banksia green
IC03 - Insitu concrete, Type 3: Ecotone, light Banksia green
GL01 - Aluminium framed door & window system
SN01 - Powdercoat perforated aluminium screen, Banksia deep green
AW01 - Prefabricated glass reinforced concrete awning, Finish: Ecotone, Banksia green
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LV03 - Acoustic louvres, powdercoat, dark charcoal
BAL01- Balustrade, Type 1: Pallisade, dark charcoal
BAL02- Balustrade, Type 2: Railing, dark charcoal
BAL03- Balustrade, Type 3: Glass Balustrade with metal toprail.

ABSA
Australian Building Sustainability Association
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
MHNDUNION

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Sydney Australia

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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
G/EX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
R/EX	RETAIL EXHAUST
ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
SITE BOUNDARY
BLOCK BOUNDARY
DCP SETBACK
PILING ZONE
EXISTING TREE
REVISION UPDATES CLOUDED

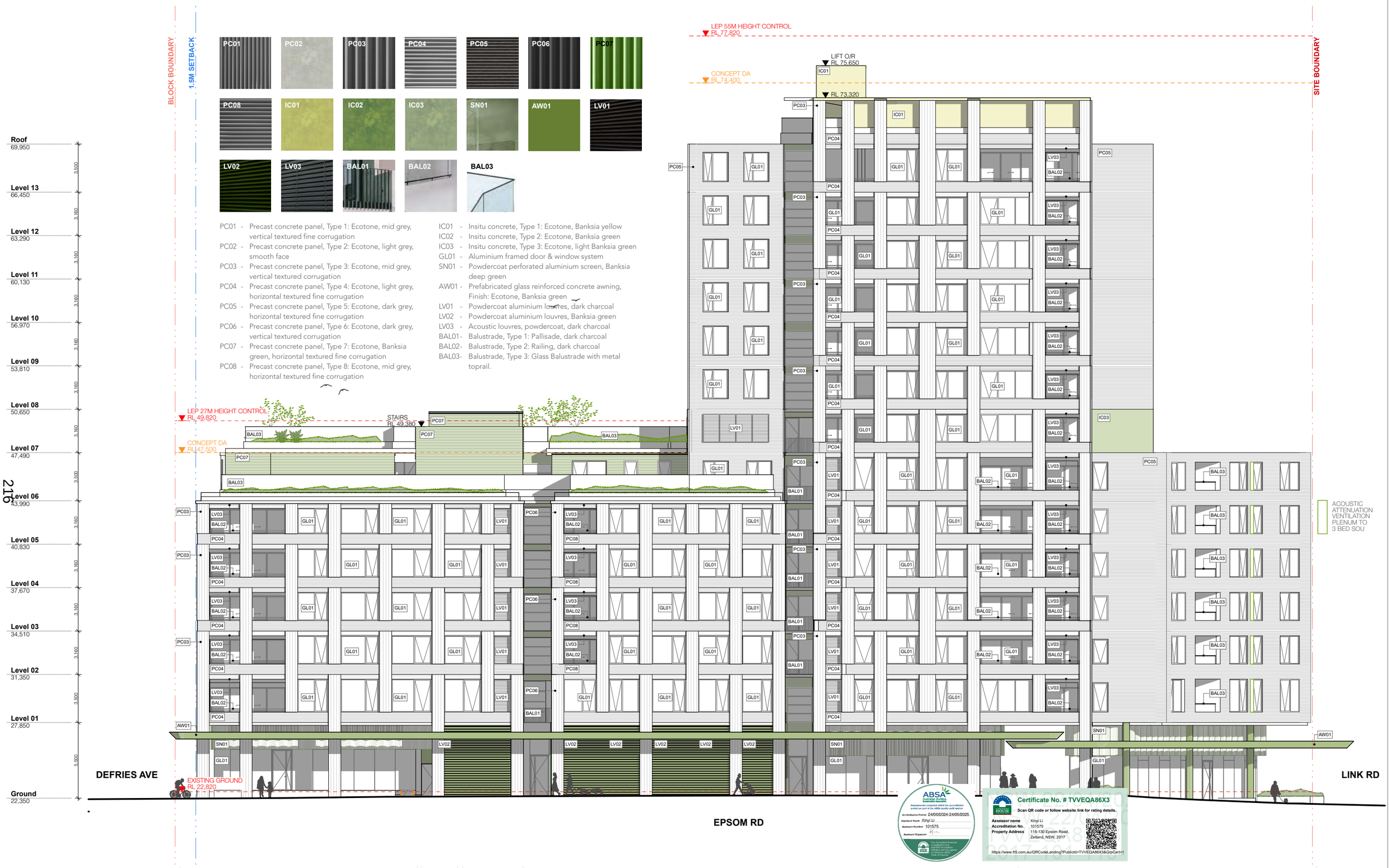
0 1 2 5m

DRAWING TITLE:
ELEVATION EAST

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
21/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.32.01		**B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
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- 1 BED + MPR
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- 2 BED + MPR
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ABBREVIATIONS

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COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
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G/EX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
R/EX	RETAIL EXHAUST
ST/R	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

0 1 2 5m

DRAWING TITLE:
ELEVATION SOUTH

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

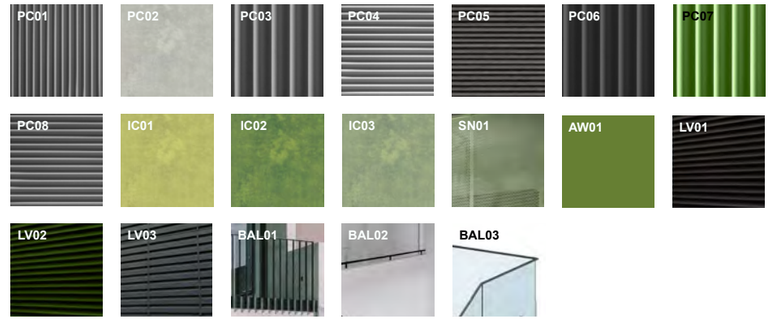
SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
21/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.32.02		**B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA

ABSA Certified Assessor
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

HOUSE
Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1





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PC03 - Precast concrete panel, Type 3: Ecotone, mid grey, vertical textured corrugation
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PC05 - Precast concrete panel, Type 5: Ecotone, dark grey, horizontal textured fine corrugation
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ABSA Australian Building Sustainability Awards
Accreditation Period: 24/05/2024-24/05/2025
Assessor Name: Xinyi Li
Assessor Number: 101575
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HOUSE
Certificate No. # TVVEQA86X3
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Accreditation No.: 101575
Property Address: 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
MHNDUNION
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UNIT MIX
1 BED + MPR
2 BED
2 BED + MPR
3 BED
4 BED
RETAIL

ABBREVIATIONS
BG BREAK GLASS ALARM
COMMS COMMS CUPBOARD
DRY DRY FIRE RISER
ELEC ELECTRICAL CUPBOARD
FEX FIRE EXTINGUISHER
GC GARBAGE CHUTE
GEX GARBAGE EXHAUST
HYD HYDRAULIC CUPBOARD
LS LOBBY SUPPLY AIR
REX RETAIL EXHAUST
STR STAIR PRESS
WP WARDEN INTERCOM PHONE



NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
SITE BOUNDARY
BLOCK BOUNDARY
DCP SETBACK
PILING ZONE
EXISTING TREE
REVISION UPDATES CLOUDED
0 1 2 5m

DRAWING TITLE:
ELEVATION WEST

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
21/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.32.03		**B**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA

LEGEND

S3 CLADDING

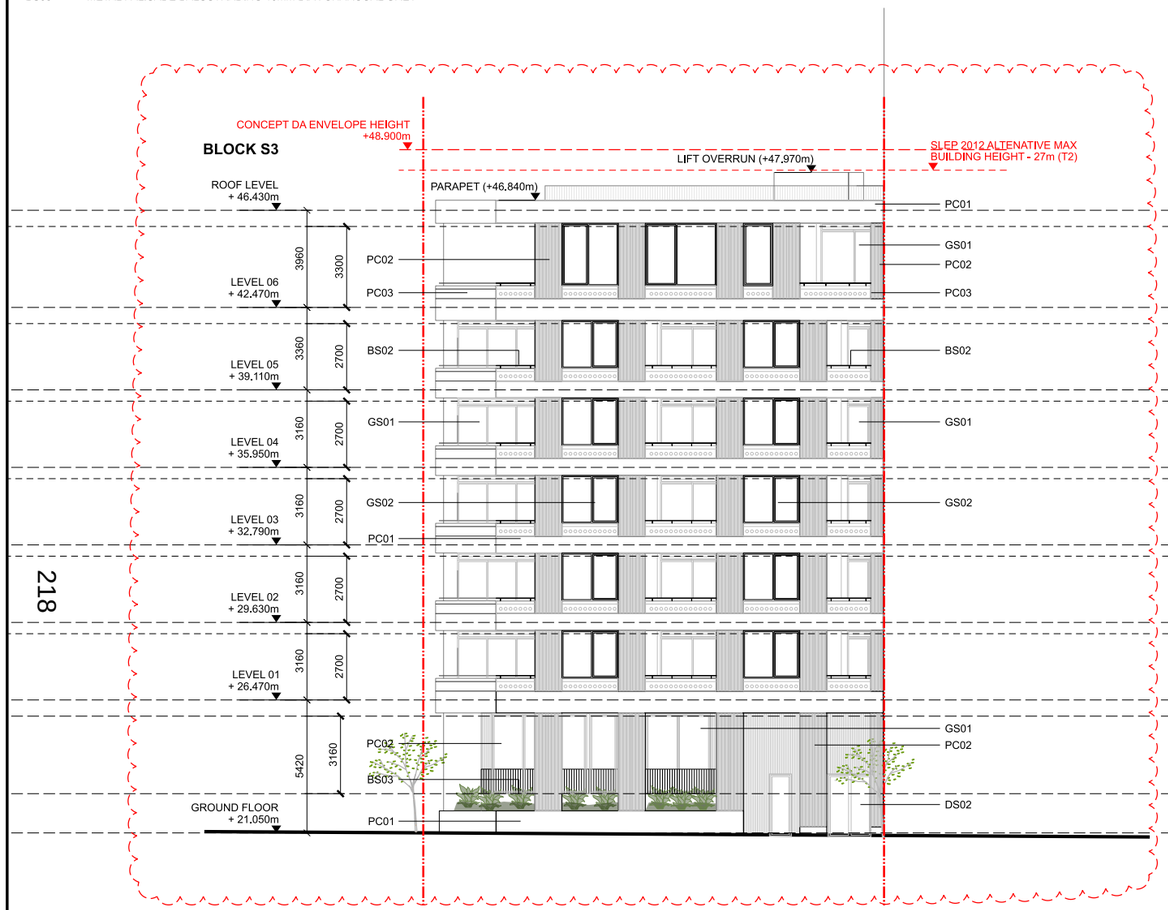
PC01	ECOTONE FINISHED PRECAST CONCRETE PANEL : OFF-WHITE TONE TEXTURED
PC02	ECOTONE FINISHED PRECAST CONCRETE PANEL : MID-TONE WITH VERTICAL RIBBED PROFILE
PC03	ECOTONE FINISHED PRECAST CONCRETE PANEL : OFF-WHITE TONE WITH INSET PATTERN

DOORS & GLAZING

GS01	ALUMININIUM FRAMED SLIDING DOOR : CHARCOAL GREY FRAME WITH GREY GLASS
GS02	ALUMININIUM FRAMED WINDOW WITH TOP HUNG OPENING LIGHT : CHARCOAL GREY FRAME WITH GREY GLASS
GS03	ALUMININIUM FRAMED CURTAIN WALLING WITH EXPRESS COVER CAPS : CHARCOAL GREY FRAME WITH CLEAR GLASS
DS01	FRAMELESS GLAZED AUTOMATIC SLIDING DOOR : CLEAR GLASS
DS02	METAL FACED SOLID DOOR : CHARCOAL GREY
AL01	ACOUSTICALLY ATTENUATED VENTILATION LOUVRE : CHARCOAL GREY

BALUSTRADING

BS01	CANTILEVERED GLASS BALUSTRADE WITH ALUMINIUM CAPPING : CHARCOAL GREY FRAME WITH CLEAR GLASS
BS02	METAL HANDRAIL : CHARCOAL GREY
BS03	METAL PALISADE BALUSTRADING 10mm DIA : CHARCOAL GREY



01 NORTH ELEVATION



02 EAST ELEVATION

PRECAST CONCRETE & RENDER

OFF-WHITE
PC01 / PC03



MID TONE
PC03 / RD01

BALUSTRADING



METAL PALISADE BALUSTRADING
BS03

METALWORK



CHARCOAL GREY
GS01 / GS02 / GS03 / GS04 / DS02 / BS01 / BS02 / BS03

GLASS



GREY GLASS
GS01 / GS02



GREY TRANSLUCENT GLASS
GS02 / GS04



CLEAR GLASS
GS03 / DS01 / BS01





REVISION B - BUILDING S3

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS
- LAYBY ADDED TO ROSE VALLEY WAY.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
MHNDUNION
ALLFORD HALL MONAGHAN MORRIS

MHN Design Union Pty Ltd
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KEY

- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:

- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
NORTH AND EAST ELEVATION

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
31/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S3.33.00		**B**

LEGEND

S3 CLADDING

PC01	ECOTONE FINISHED PRECAST CONCRETE PANEL : OFF-WHITE TONE TEXTURED
PC02	ECOTONE FINISHED PRECAST CONCRETE PANEL : MID-TONE WITH VERTICAL RIBBED PROFILE
PC03	ECOTONE FINISHED PRECAST CONCRETE PANEL : OFF-WHITE TONE WITH INSET PATTERN

DOORS & GLAZING

GS01	ALUMININIUM FRAMED SLIDING DOOR : CHARCOAL GREY FRAME WITH GREY GLASS
GS02	ALUMININIUM FRAMED WINDOW WITH TOP HUNG OPENING LIGHT : CHARCOAL GREY FRAME WITH GREY GLASS
GS03	ALUMININIUM FRAMED CURTAIN WALLING WITH EXPRESS COVER CAPS : CHARCOAL GREY FRAME WITH CLEAR GLASS
DS01	FRAMELESS GLAZED AUTOMATIC SLIDING DOOR : CLEAR GLASS
DS02	METAL FACED SOLID DOOR : CHARCOAL GREY
AL01	ACOUSTICALLY ATTENUATED VENTILATION LOUVRE : CHARCOAL GREY

BALUSTRADING

BS01	CANTILEVERED GLASS BALUSTRADE WITH ALUMINIUM CAPPING : CHARCOAL GREY FRAME WITH CLEAR GLASS
BS02	METAL HANDRAIL : CHARCOAL GREY
BS03	METAL PALISADE BALUSTRADING 10mm DIA : CHARCOAL GREY



01 SOUTH ELEVATION



02 WEST ELEVATION

PRECAST CONCRETE & RENDER

OFF-WHITE
PC01 / PC03



MID TONE
PC03 / RD01

BALUSTRADING



METAL PALISADE BALUSTRADING
BS03

METALWORK



CHARCOAL GREY
GS01 / GS02 / GS03 / GS04 / DS02 / BS01 / BS02 / BS03

GLASS



GREY GLASS
GS01 / GS02



GREY TRANSLUCENT GLASS
GS02 / GS04



CLEAR GLASS
GS03 / DS01 / BS01





REVISION B - BUILDING S3

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS
- LAYBY ADDED TO ROSE VALLEY WAY.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
MHNDUNION
ALLFORD HALL MONAGHAN MORRIS

MHN Design Union Pty Ltd
35 Richards Lane
Surry Hills NSW 2010
Sydney Australia

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Sydney | Gadigal Country

Andrew O'Donnell - NSW ARB 12196

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KEY

- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	COUNCIL CONTROLS
	REVISION UPDATES CLOUDED
	PILING (BASEMENT)
	AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
SOUTH AND WEST ELEVATION

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
31/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S3.33.01		**B**

LEGEND

S4 CLADDING

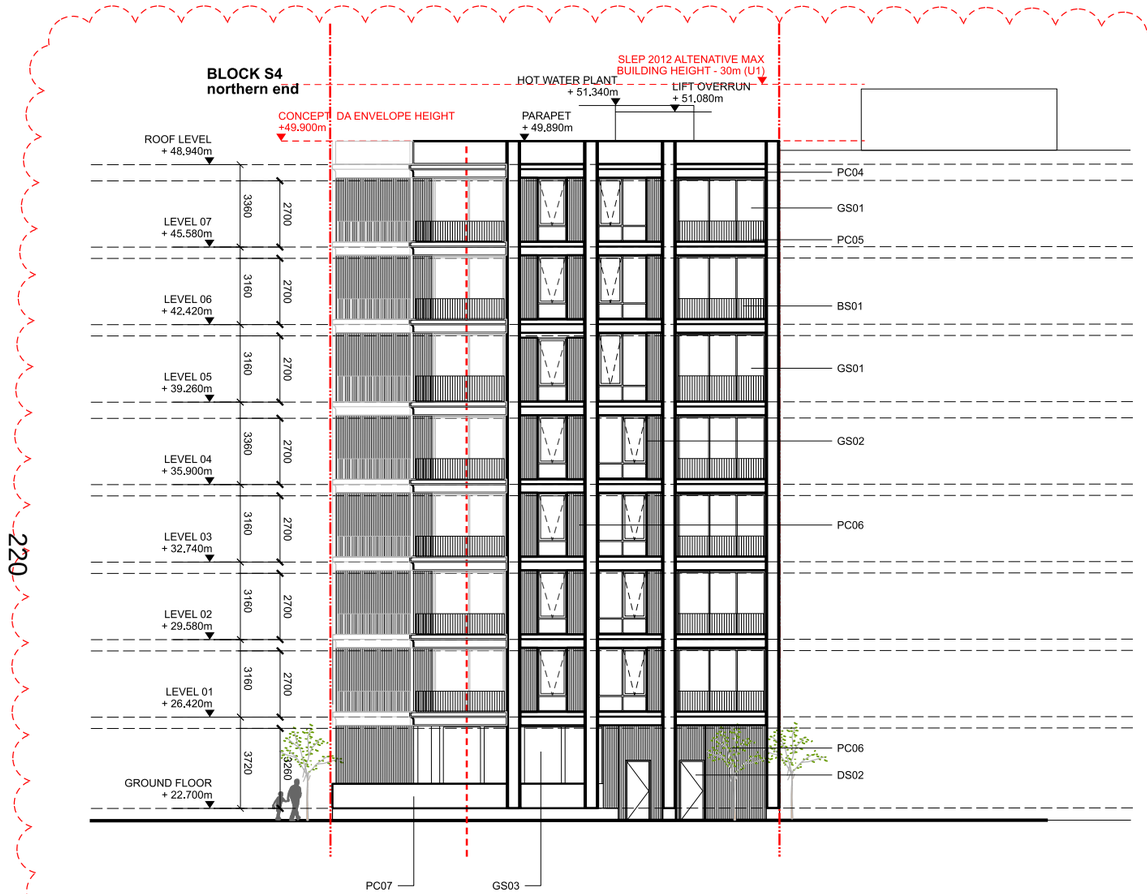
PC04	ECOTONE FINISHED PRECAST CONCRETE VERTICAL PANEL: OFF-WHITE TONE WITH CONCAVE PROFILE
PC05	ECOTONE FINISHED PRECAST CONCRETE HORIZONTAL PANEL : OFF-WHITE TONE WITH EXPRESS PROFILE
PC06	ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH VERTICAL RIBBED FACING PROFILE
PC07	ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH SMOOTH FINISH

DOORS & GLAZING

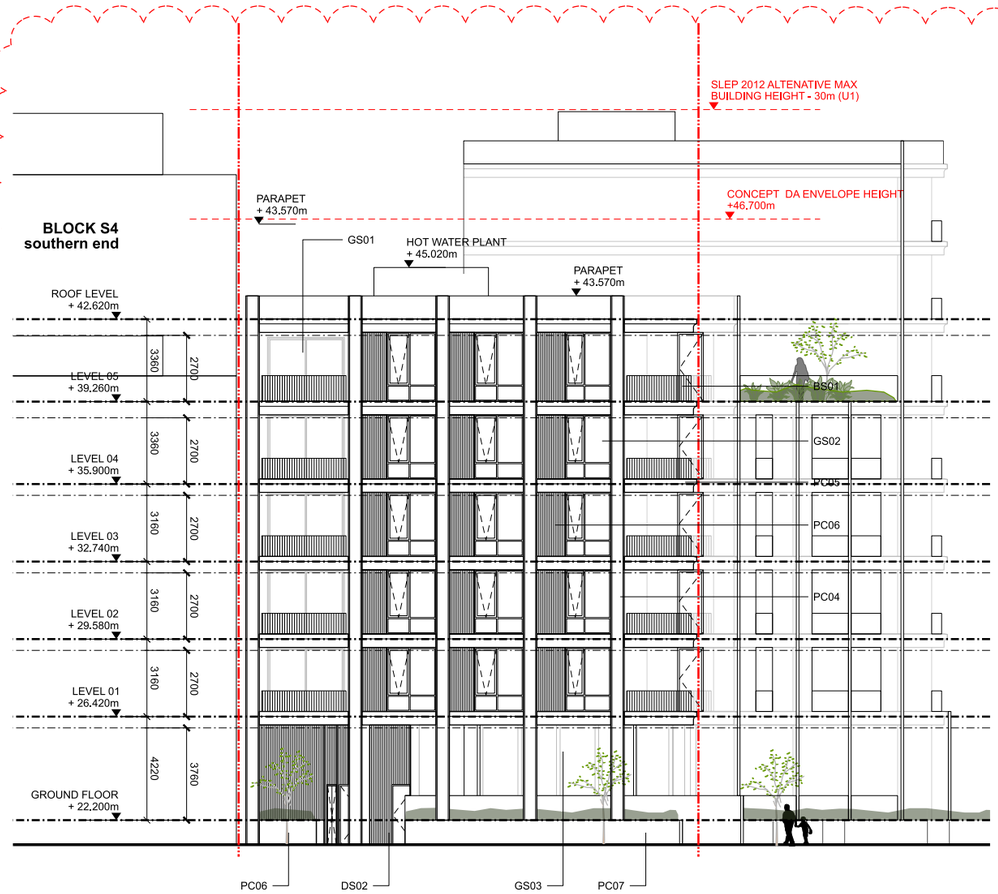
GS01	ALUMININIUM FRAMED SLIDING DOOR : CHARCOAL GREY FRAME WITH GREY GLASS
GS02	ALUMININIUM FRAMED WINDOW WITH TOP HUNG OPENING LIGHT : CHARCOAL GREY FRAME WITH GREY GLASS / GREY TRANSLUCENT TO SPANDRAL
GS03	ALUMININIUM FRAMED CURTAIN WALLING WITH EXPRESS COVER CAPS : CHARCOAL GREY FRAME WITH CLEAR GLASS
GS04	ALUMININIUM FRAMED SWING DOOR : CHARCOAL GREY FRAME WITH GREY TRANSLUCENT GLASS
DS01	FRAMELESS GLAZED AUTOMATIC SLIDING DOOR : CLEAR GLASS
DS02	METAL FACED SOLID DOOR : CHARCOAL GREY

BALUSTRADING & PERGOLA

BS01	METAL PALISADE BALUSTRADING 10mm DIA : CHARCOAL GREY
BS02	METAL HANDRAIL : CHARCOAL GREY
PG01	METAL FRAMED PERGOLA : CHARCOAL GREY



01 NORTH ELEVATION



02 SOUTH ELEVATION

PRECAST CONCRETE & RENDER

OFF-WHITE
PC04 / PC05

WARM MID TONE
PC06 / PC07 / RD01

METALWORK

CHARCOAL GREY
GS01 / GS02 / GS03 / GS04 / DS02 / BS01 / BS02 / BS03

GLASS

GREY GLASS
GS01 / GS02

GREY TRANSLUCENT GLASS
GS02 / GS04

CLEAR GLASS
GS03 / DS01 / BS01

BALUSTRADING



METAL PALISADE BALUSTRADING
BS01

ABSA Australian Building Sustainability Assessments
Accreditation Period 24/05/2024-24/05/2025
Assessor Name Xinyi Li
Assessor Number 101575
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Property Address 118-130 Epsom Road, Zetland, NSW, 2017
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REVISION B - BUILDING S4

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
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aodonnell@ahmm.com

KEY

- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	COUNCIL CONTROLS
	REVISION UPDATES CLOUDED
	PILING (BASEMENT)
	AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
NORTH AND SOUTH ELEVATION

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
31/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.34.00		**B**

LEGEND

S4 CLADDING

PC04	ECOTONE FINISHED PRECAST CONCRETE VERTICAL PANEL: OFF-WHITE TONE WITH CONCAVE PROFILE
PC05	ECOTONE FINISHED PRECAST CONCRETE HORIZONTAL PANEL : OFF-WHITE TONE WITH EXPRESS PROFILE
PC06	ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH VERTICAL RIBBED FACING PROFILE
PC07	ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH SMOOTH FINISH

DOORS & GLAZING

GS01	ALUMININIUM FRAMED SLIDING DOOR : CHARCOAL GREY FRAME WITH GREY GLASS
GS02	ALUMININIUM FRAMED WINDOW WITH TOP HUNG OPENING LIGHT : CHARCOAL GREY FRAME WITH GREY GLASS / GREY TRANSLUCENT TO SPANDRAL
GS03	ALUMININIUM FRAMED CURTAIN WALLING WITH EXPRESS COVER CAPS : CHARCOAL GREY FRAME WITH CLEAR GLASS
GS04	ALUMININIUM FRAMED SWING DOOR : CHARCOAL GREY FRAME WITH GREY TRANSLUCENT GLASS
DS01	FRAMELESS GLAZED AUTOMATIC SLIDING DOOR : CLEAR GLASS
DS02	METAL FACED SOLID DOOR : CHARCOAL GREY

BALUSTRADING & PERGOLA

BS01	METAL PALISADE BALUSTRADING 10mm DIA : CHARCOAL GREY
BS02	METAL HANDRAIL : CHARCOAL GREY
PG01	METAL FRAMED PERGOLA : CHARCOAL GREY



01 EAST ELEVATION

PRECAST CONCRETE & RENDER

OFF-WHITE
PC04 / PC05



WARM MID TONE
PC06 / PC07 / RD01

METALWORK



CHARCOAL GREY
GS01 / GS02 / GS03 / GS04 / DS02 / BS01 / BS02 / BS03

GLASS



GREY GLASS
GS01 / GS02



GREY TRANSLUCENT GLASS
GS02 / GS04



CLEAR GLASS
GS03 / DS01 / BS01

BALUSTRADING



METAL PALISADE BALUSTRADING
BS01





REVISION B - BUILDING S4

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
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KEY

- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	COUNCIL CONTROLS
	REVISION UPDATES CLOUDED
	PILING (BASEMENT)
	AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
EAST ELEVATION

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
31/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.34.01		**B**

LEGEND

S4 CLADDING

PC04	ECOTONE FINISHED PRECAST CONCRETE VERTICAL PANEL: OFF-WHITE TONE WITH CONCAVE PROFILE
PC05	ECOTONE FINISHED PRECAST CONCRETE HORIZONTAL PANEL : OFF-WHITE TONE WITH EXPRESS PROFILE
PC06	ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH VERTICAL RIBBED FACING PROFILE
PC07	ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH SMOOTH FINISH

DOORS & GLAZING

GS01	ALUMININIUM FRAMED SLIDING DOOR : CHARCOAL GREY FRAME WITH GREY GLASS
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DS01	FRAMELESS GLAZED AUTOMATIC SLIDING DOOR : CLEAR GLASS
DS02	METAL FACED SOLID DOOR : CHARCOAL GREY

BALUSTRADING & PERGOLA

BS01	METAL PALISADE BALUSTRADING 10mm DIA : CHARCOAL GREY
BS02	METAL HANDRAIL : CHARCOAL GREY
PG01	METAL FRAMED PERGOLA : CHARCOAL GREY

PRECAST CONCRETE & RENDER

OFF-WHITE
PC04 / PC05



WARM MID TONE
PC06 / PC07

METALWORK



CHARCOAL GREY
GS01 / GS02 / GS03 / GS04 / DS02 / BS01 / BS02 / BS03

GLASS



GREY GLASS
GS01 / GS02



GREY TRANSLUCENT GLASS
GS02 / GS04

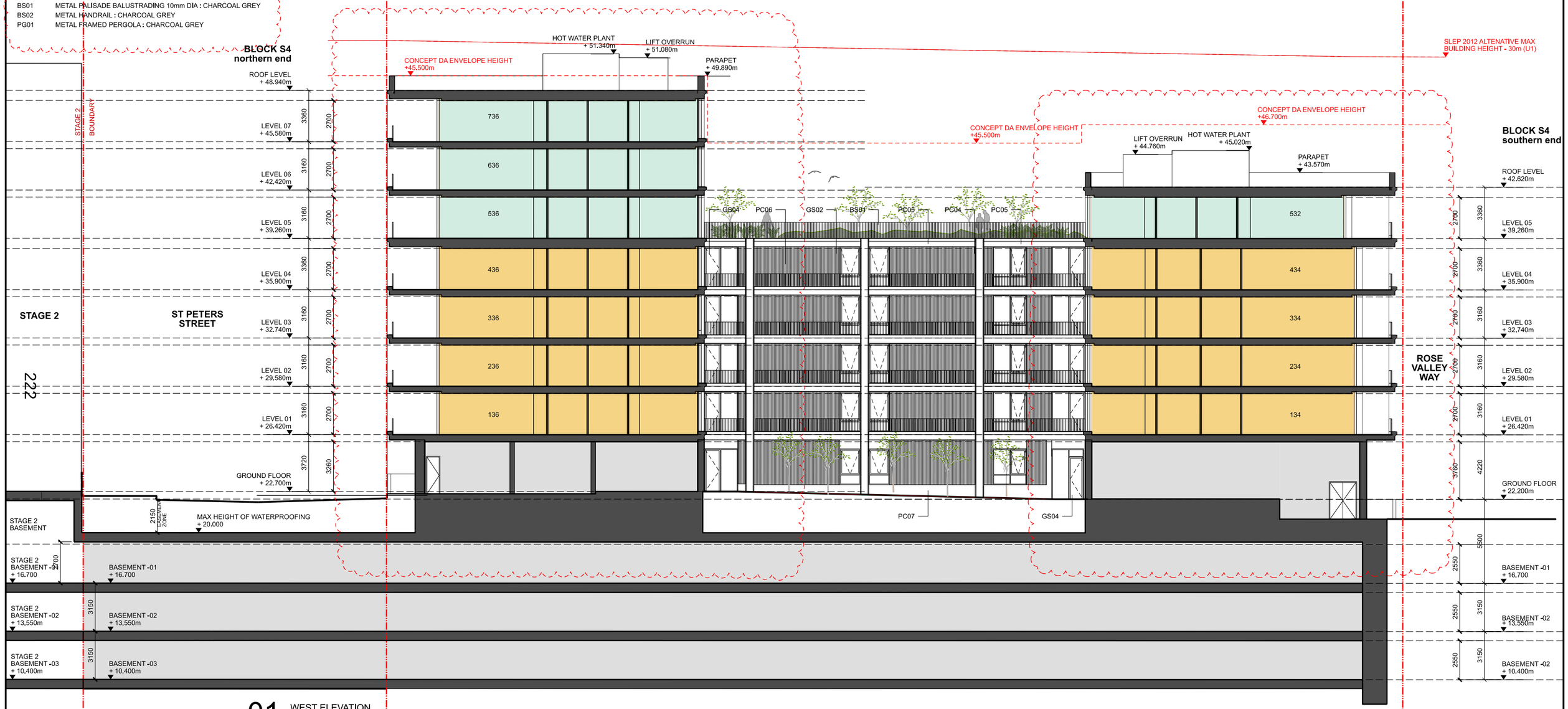


CLEAR GLASS
GS03 / DS01 / BS01

BALUSTRADING



METAL PALISADE BALUSTRADING
BS01



01 WEST ELEVATION

REVISION B - BUILDING S4

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

ABSA Australian Building Sustainability Assessment completed within the accreditation period as part of the ABSA quality audit system. Accreditation Period 24/05/2024-24/05/2025. Assessor Name Ximyi Li. Assessor Number 101575. Assessor Signature.

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Ximyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrCert=1

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
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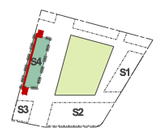
aodonnell@ahmm.com

KEY
- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



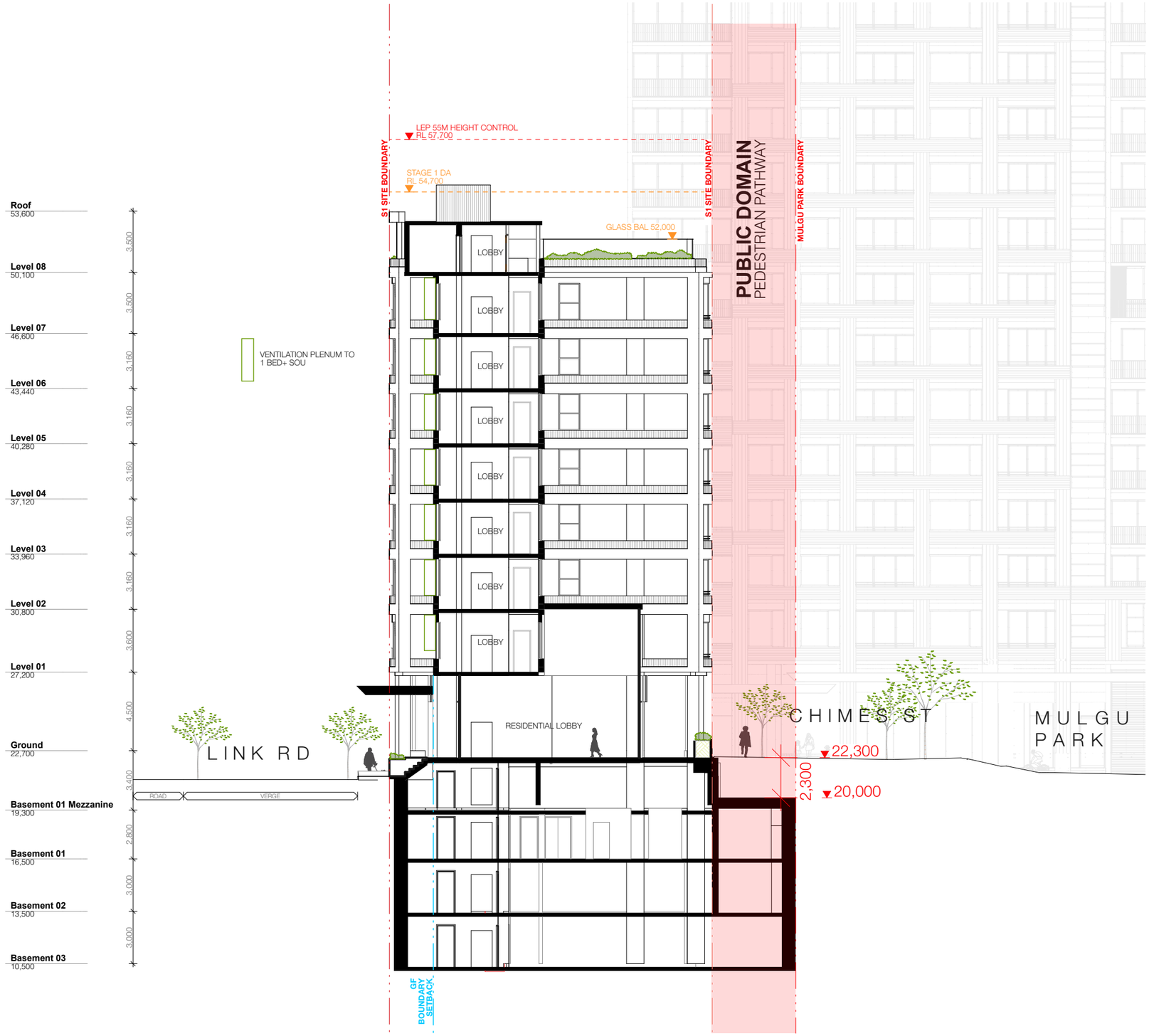
NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
WEST ELEVATION

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
31/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S4.34.02		**B**



ABSA Australian Building Sustainability Association
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accredited Assessor is qualified to use Australian Building Sustainability Association Accredited Assessor Scheme Mark Grade of Practice

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
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NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED

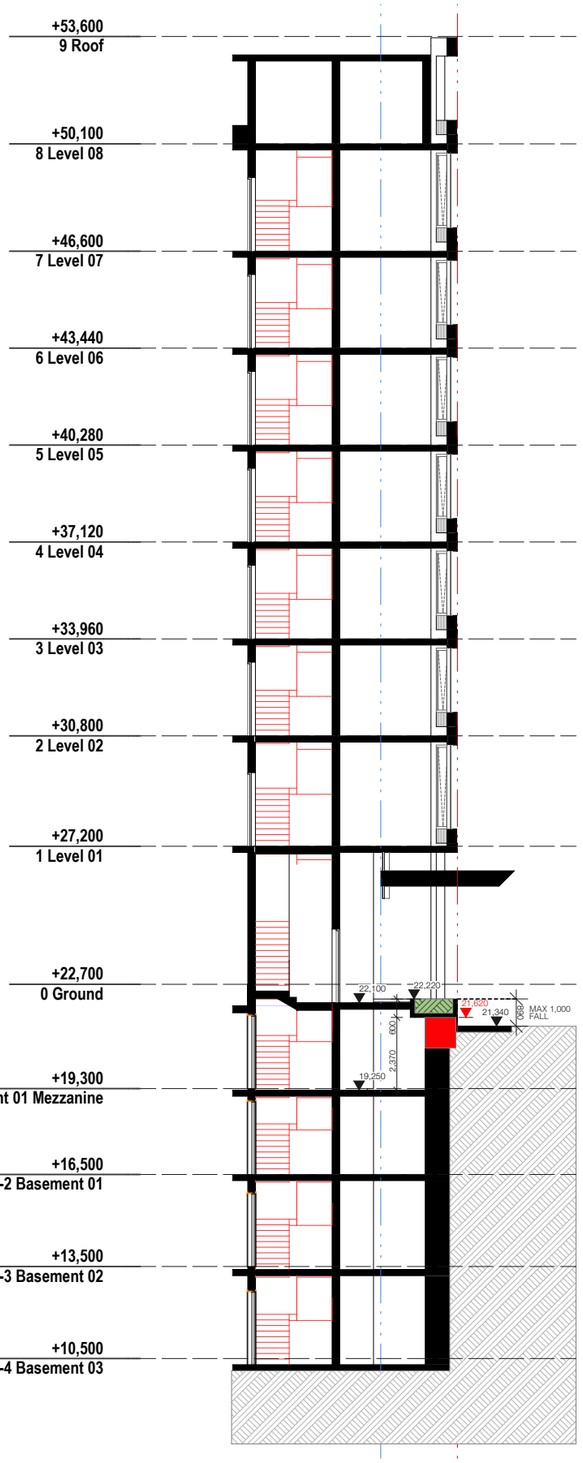
0 1 2 5m

DRAWING TITLE:
SECTION AA

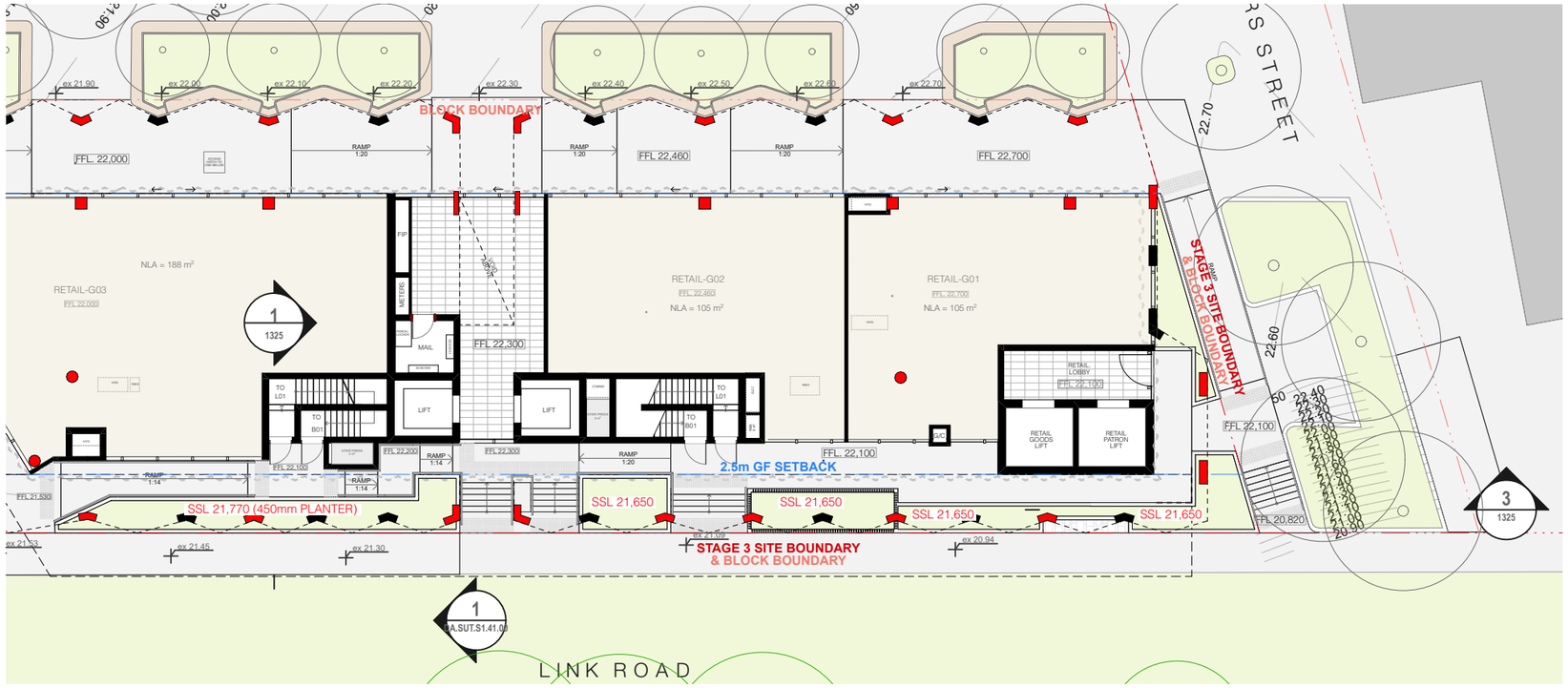
PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.41.00		**C**

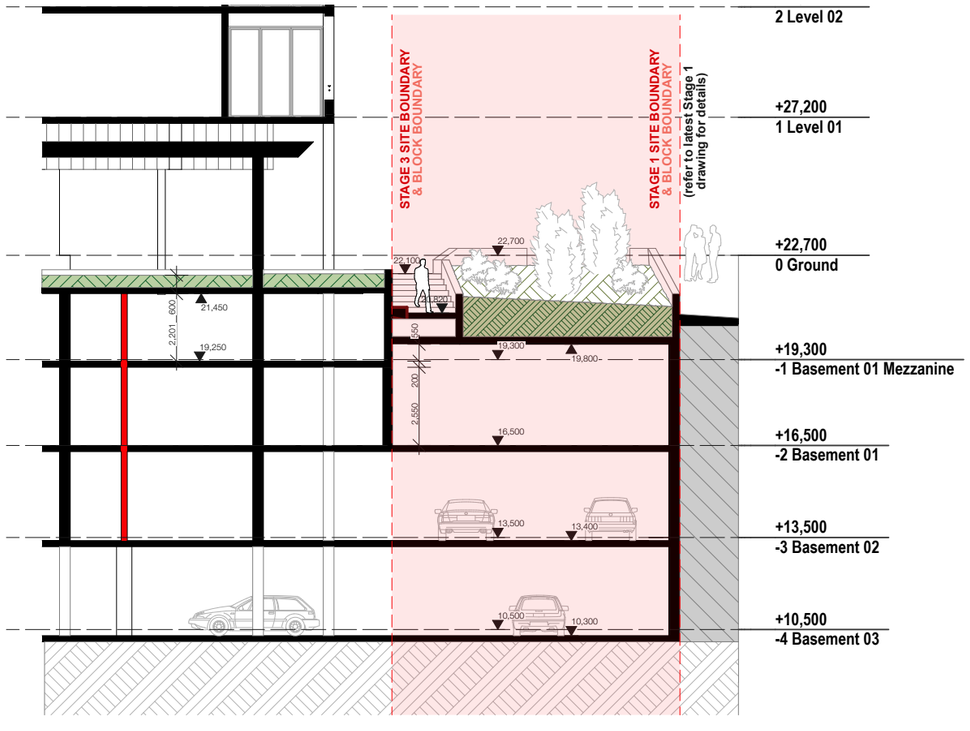
REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA



1 SECTION - FIRE STAIR TO LINK RD 1:200



2 LINK ROAD PLANTER SSLs 1:250



3 SECTION - NE BOUNDARY PUBLIC DOMAIN 1:200



Building	**BLOCK S1**
Drawing name	**SECTION - FIRE STAIRS TO LINK ROAD**
Project	118-130 Epsom Road and 905 South Dowling Street, Zetland

Client MERITON

Architects MHNDUNION ALLFORD HALL MONAGHAN MORRIS

Drawing No. **1325**

Scale 1:200, 1:250 in A3

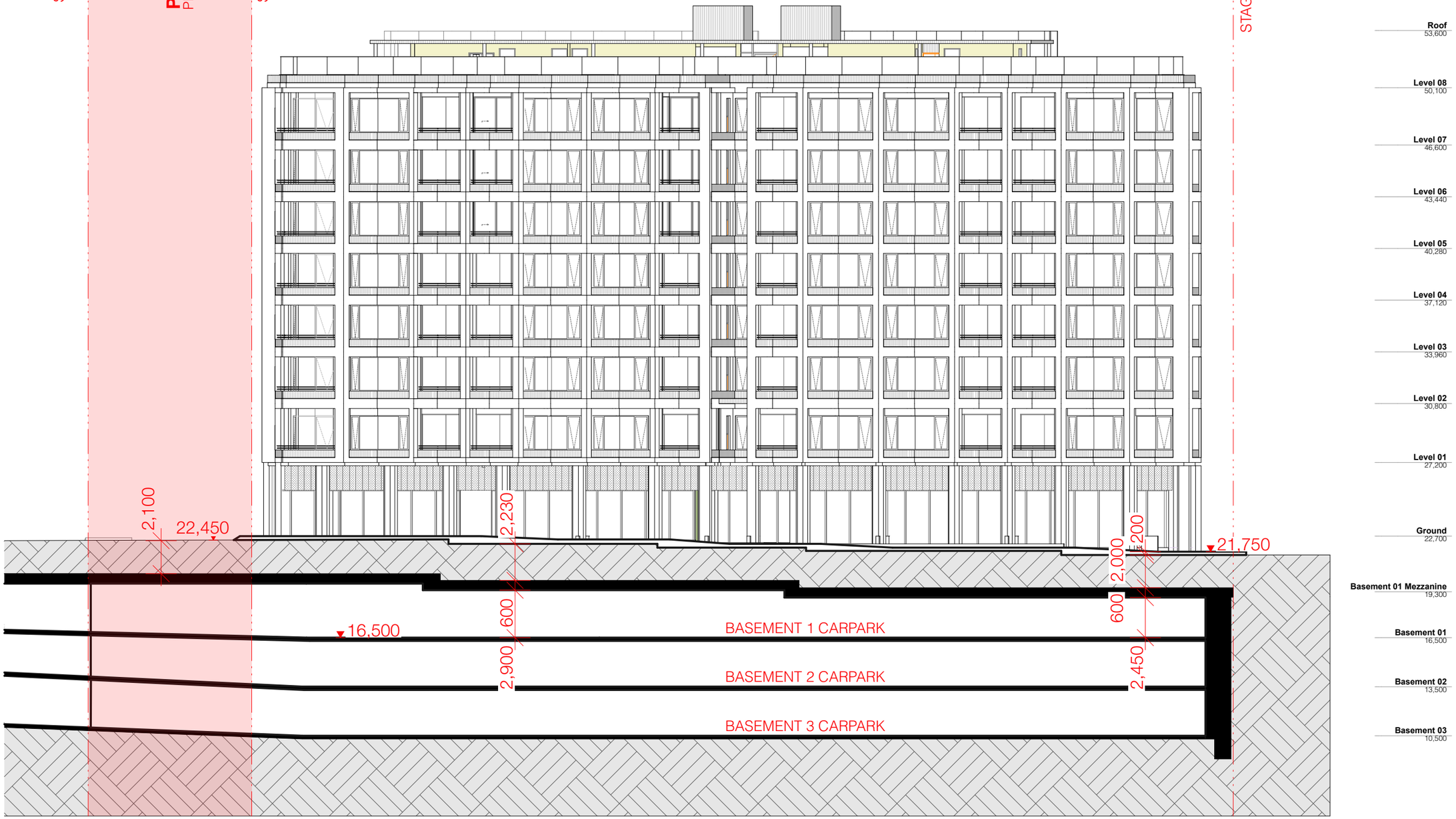
Date Issued 11/3/2025

STAGE 1 BOUNDARY

PUBLIC DOMAIN
PEDESTRIAN PATHWAY

STAGE 3 BOUNDARY

STAGE 3 - S1 BOUNDARY



1 SECTION BB - STAGES 1 AND 3 1:250

REV	DESCRIPTION	DATE
A	COUNCIL RFI RESPONSES	20/12/24

ARCHITECT:
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MHN Design Union Pty Ltd
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Sydney Australia

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NOTES:

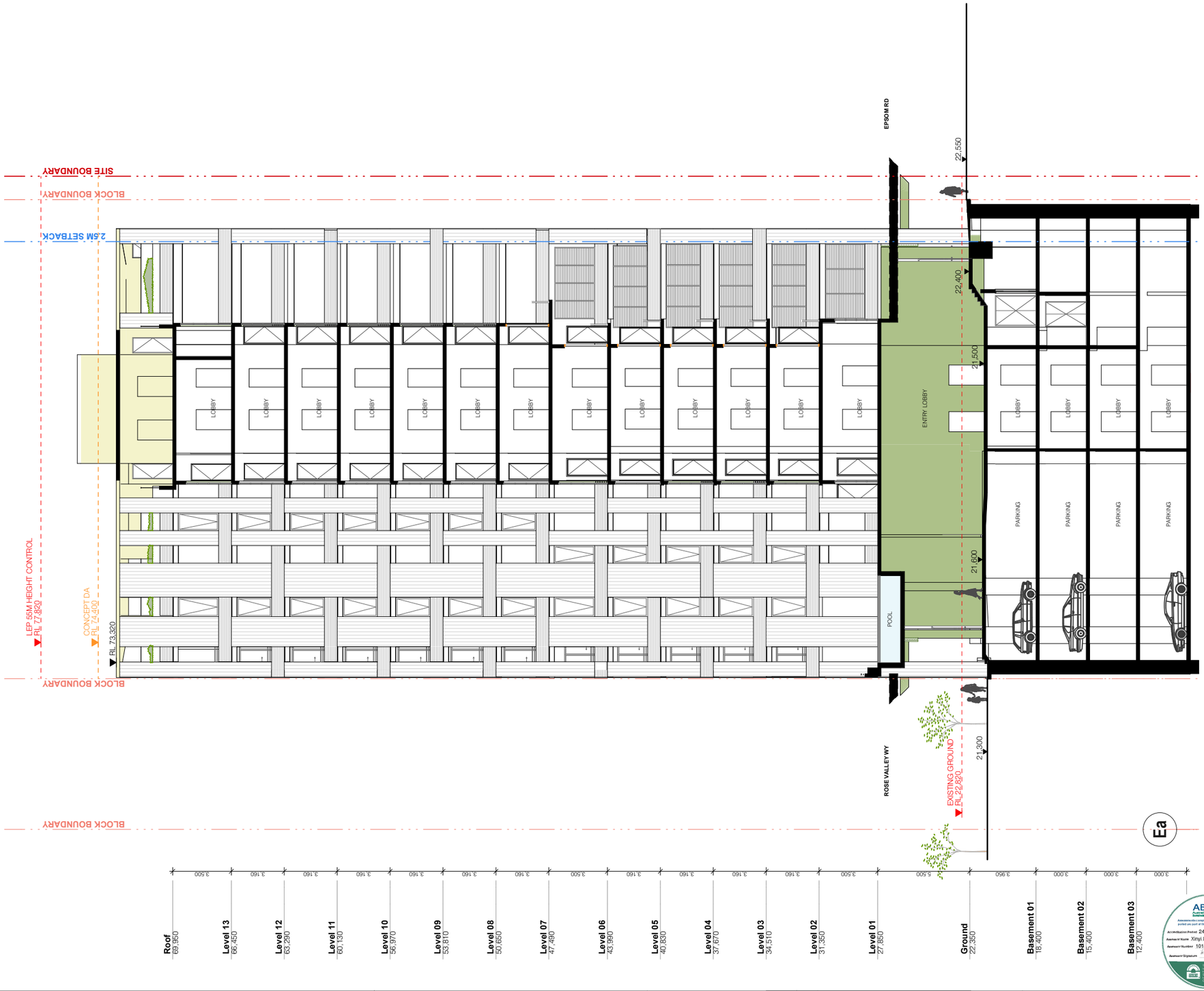
FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	COUNCIL CONTROLS
	REVISION UPDATES CLOUDED

DRAWING TITLE:
SECTION BB - STAGES 1 AND 3

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE: 1:250@A3
DRAWN BY:
CHECKED:
ISSUE DATE: 15/11/24
PROJECT NO: **24-017**
DWG NUMBER: **1413**
REVISION:

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA



ABSA Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/05/2024-24/05/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accredited Assessor is a BASIX® Level 2 Assessor and has been licensed to complete the ABSA Class 2 Thermal Certificate

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
STAR	STAIR PRESS.
WIP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

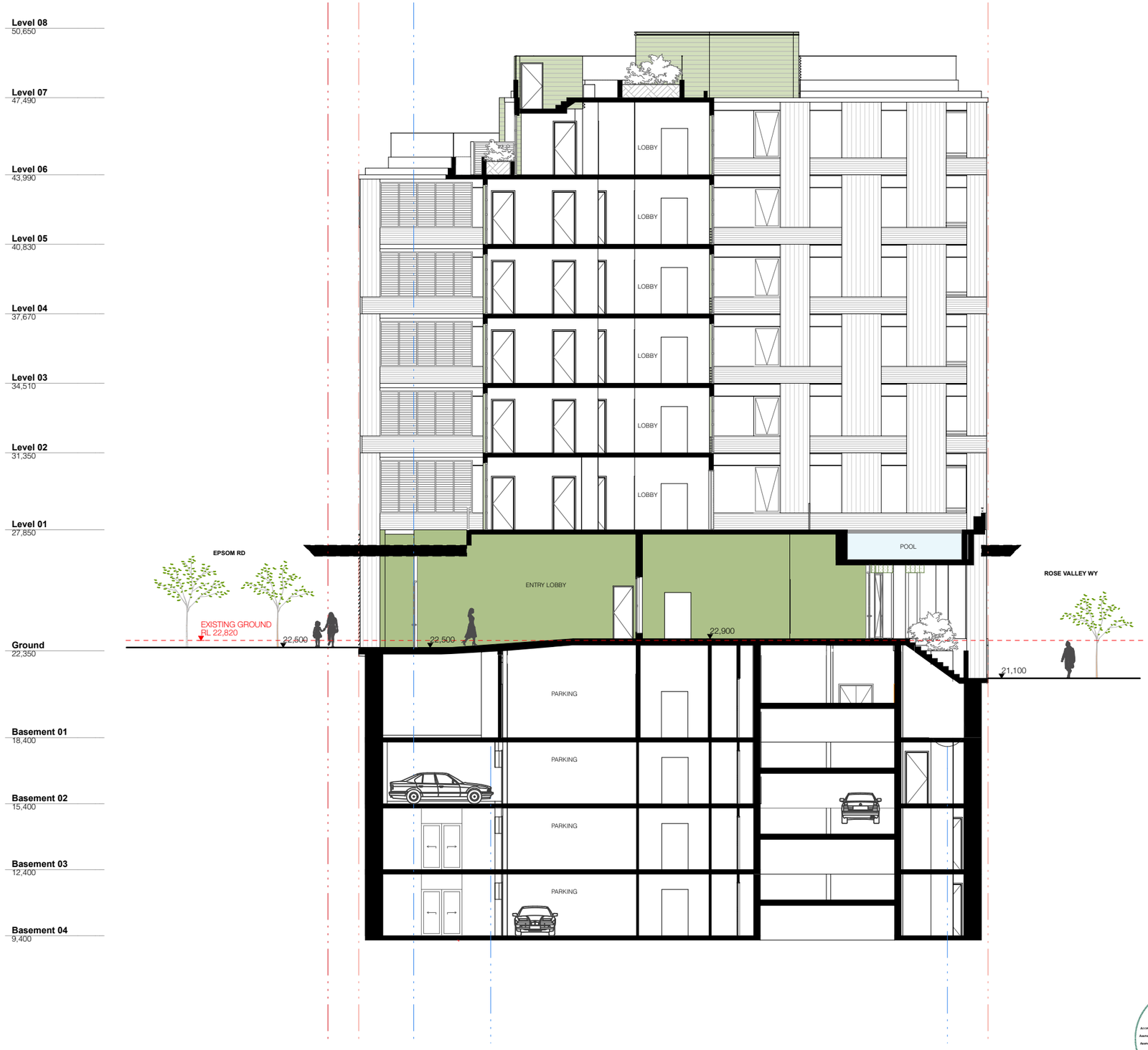
0 1 2 5m

DRAWING TITLE:
SECTION AA

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
21/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.42.00		**B**

REF: BIMcloud_bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



ABSA
Australian Building Sustainability Awarded
Assessments completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/05/2024-24/05/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accredited Assessor is qualified to use a NatHERS accredited software tool to assess and has passed a computer based exam to demonstrate competency.

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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Sydney Australia
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UNIT MIX
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ABBREVIATIONS

BG	BREAK GLASS ALARM
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ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
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HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
STAR	STAIR PRESS.
WIP	WARDEN INTERCOM PHONE



NOTES:

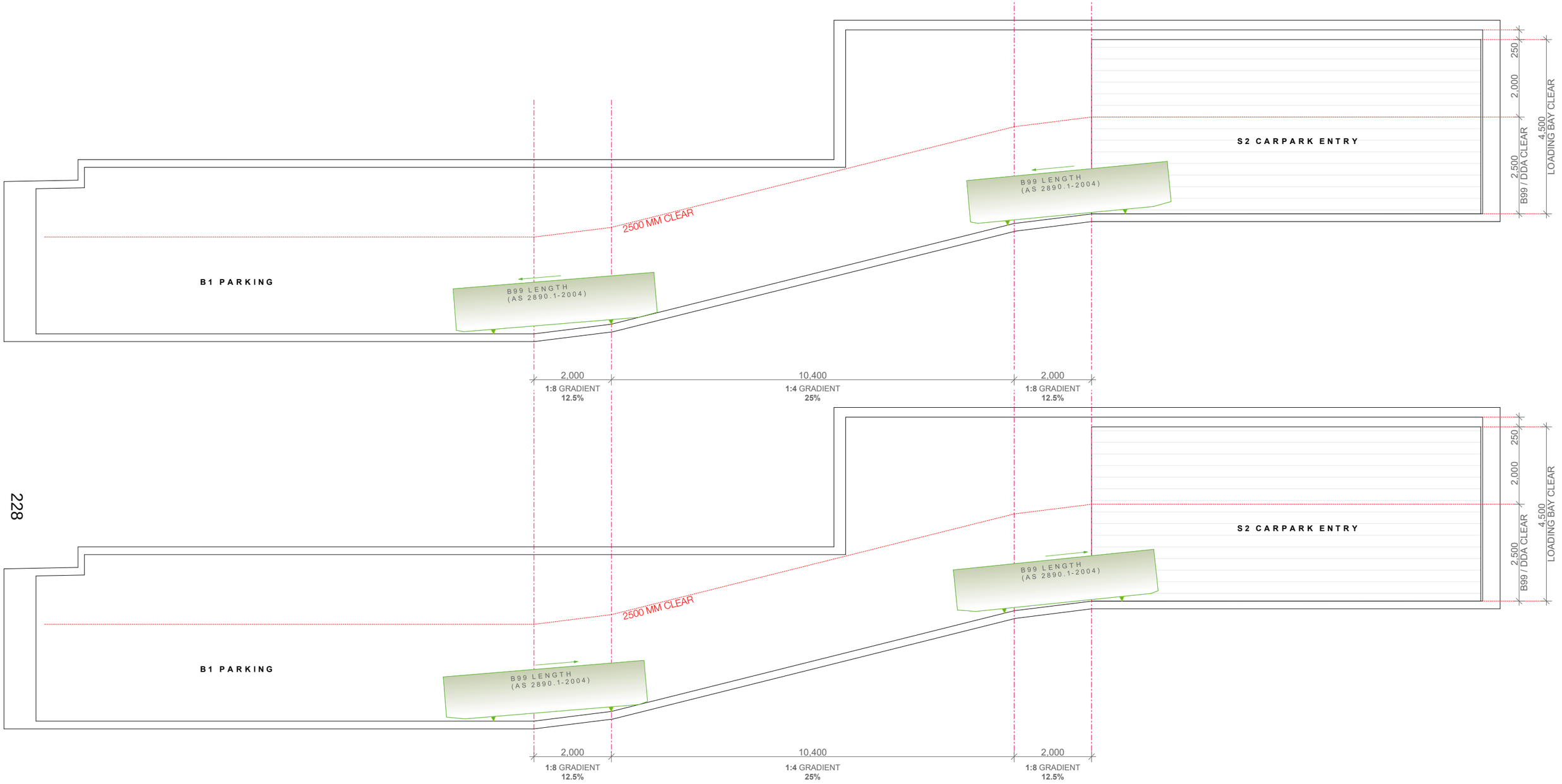
FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

DRAWING TITLE:
SECTION BB

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:200@A3
DRAWN BY:
CHECKED:
ISSUE DATE: 21/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.42.01**
REVISION: **B**

REF: BIMcloud_bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



1
-

S2 RAMP GRADIENTS
1:100



Building **BLOCK S2**
Drawing name **S2 GF to B1 RAMP PROFILES**
Project 118-130 Epsom Road and 905 South Dowling Street, Zetland

Client MERITON

Architects MHNDUNION
ALLFORD HALL MONAGHAN MORRIS

Drawing No. **2225**
Scale 1:100 in A3
Date Issued 21/3/2025



1 LOADING DOCK SECTION 1:150



Building **BLOCK S2**
Drawing name **LOADING DOCK SECTION**
Project 118-130 Epsom Road and 905 South Dowling Street, Zetland

Client MERITON

Architects MHNDUNION ALLFORD HALL MONAGHAN MORRIS

Drawing No. **2224**
Scale 1:150 in A3
Date Issued 21/3/2025



01 SECTION AA

ABSA Sustainability Assessor
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details..
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GbCert=1

REVISION B - BUILDING S3

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS
- LAYBY ADDED TO ROSE VALLEY WAY.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
MHNDUNION
ALLFORD HALL MONAGHAN MORRIS

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- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
SECTION AA

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:250@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
31/03/25		**24701**
DWG NUMBER:		REVISION:
DA.SUT.S3.43.00		**B**

LEGEND

S4 CLADDING

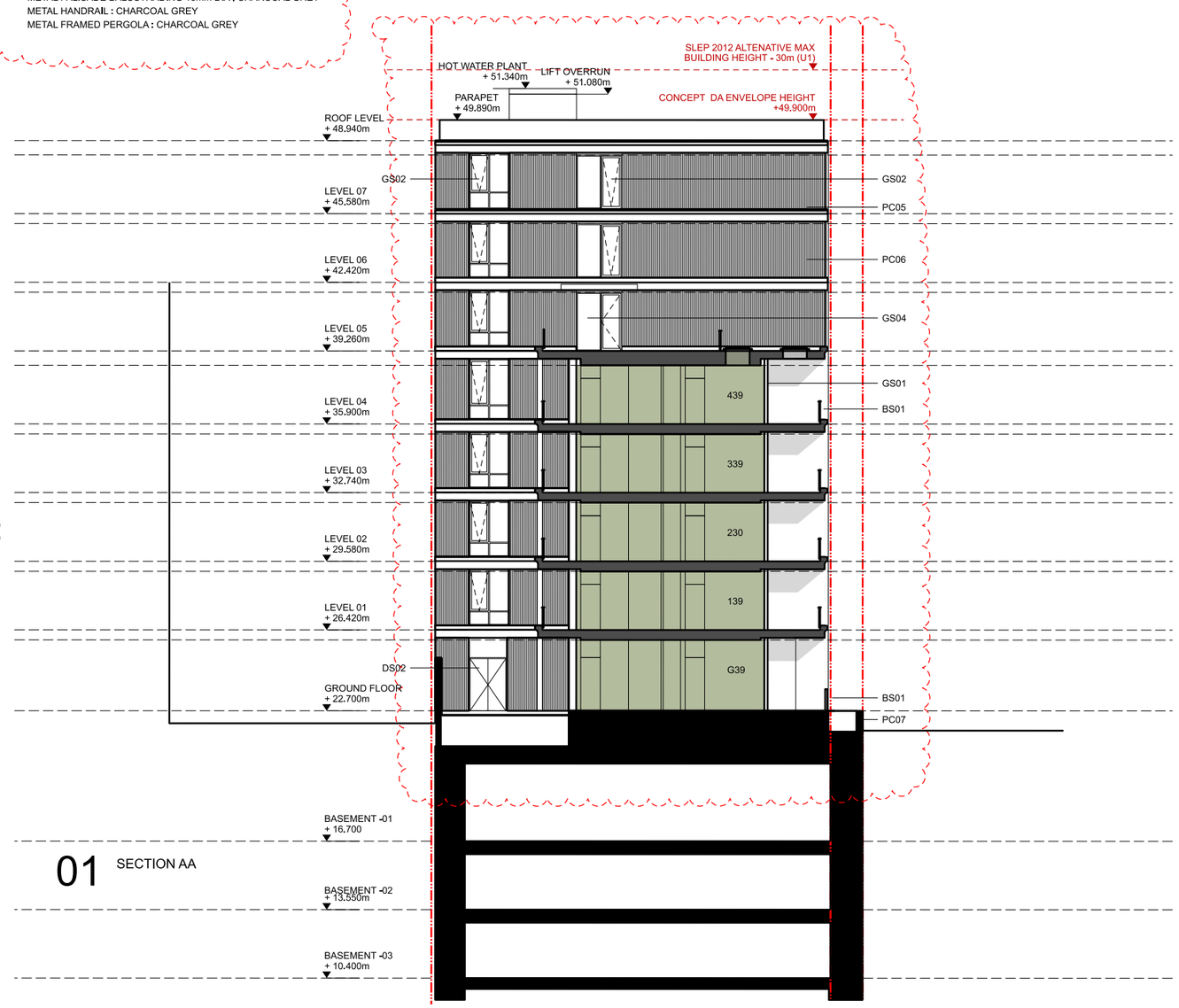
PC04	ECOTONE FINISHED PRECAST CONCRETE VERTICAL PANEL: OFF-WHITE TONE WITH CONCAVE PROFILE
PC05	ECOTONE FINISHED PRECAST CONCRETE HORIZONTAL PANEL : OFF-WHITE TONE WITH EXPRESS PROFILE
PC06	ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH VERTICAL RIBBED FACING PROFILE
PC07	ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH SMOOTH FINISH

DOORS & GLAZING

GS01	ALUMININIUM FRAMED SLIDING DOOR : CHARCOAL GREY FRAME WITH GREY GLASS
GS02	ALUMININIUM FRAMED WINDOW WITH TOP HUNG OPENING LIGHT : CHARCOAL GREY FRAME WITH GREY GLASS / GREY TRANSLUCENT TO SPANDRAL
GS03	ALUMININIUM FRAMED CURTAIN WALLING WITH EXPRESS COVER CAPS : CHARCOAL GREY FRAME WITH CLEAR GLASS
GS04	ALUMININIUM FRAMED SWING DOOR : CHARCOAL GREY FRAME WITH GREY TRANSLUCENT GLASS
DS01	FRAMELESS GLAZED AUTOMATIC SLIDING DOOR : CLEAR GLASS
DS02	METAL FACED SOLID DOOR : CHARCOAL GREY

BALUSTRADING & PERGOLA

BS01	METAL PALISADE BALUSTRADING 10mm DIA : CHARCOAL GREY
BS02	METAL HANDRAIL : CHARCOAL GREY
PG01	METAL FRAMED PERGOLA : CHARCOAL GREY



01 SECTION AA

REVISION B - BUILDING S4

- UNIT CONFIGURATION & LAYOUT AMENDMENTS.
- GLAZING AND ENVELOPE AMENDMENTS.
- FINISHES REVISION.
- PLANT AND SERVICES CONFIGURATION AMENDMENTS.
- ROOF TERRACE & LANDSCAPE REVISIONS.
- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

ABSA Assessor Accredited. Accreditation Period 24/06/2024-24/06/2025. Assessor Name Xinyi Li. Assessor Number 101575. Assessor Signature.

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details..
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GpCert=1

A	DEVELOPMENT APPLICATION	14/11/25
B	UPDATED DA TO ADDRESS COUNCIL RFI	21/03/25

ARCHITECT:
MHNDUNION
ALLFORD HALL MONAGHAN MORRIS

MHN Design Union Pty Ltd
35 Richards Lane
Surry Hills NSW 2010
Sydney Australia

Brian Meyerson - NSW ARB 4907

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mhndu@mhndu.com

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Sydney | Gadigal Country

Andrew O'Donnell - NSW ARB 12196

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KEY
- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:
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- BOUNDARY
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- REVISION UPDATES CLOUDED
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- AREA UNDER PUBLIC DOMAIN

1:250 0 1 2 5m

DRAWING TITLE:
SECTION AA

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:250@A3	DRAWN BY: WM	CHECKED: AOD
ISSUE DATE: 31/03/25		PROJECT NO: **24701**
DWG NUMBER: **DA.SUT.S4.44.00**		REVISION: **B**

LEGEND

S4 CLADDING

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PC05 ECOTONE FINISHED PRECAST CONCRETE HORIZONTAL PANEL : OFF-WHITE TONE WITH EXPRESS PROFILE
PC06 ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH VERTICAL RIBBED FACING PROFILE
PC07 ECOTONE FINISHED PRECAST CONCRETE PANEL : LIGHT GREY TONE WITH SMOOTH FINISH

DOORS & GLAZING

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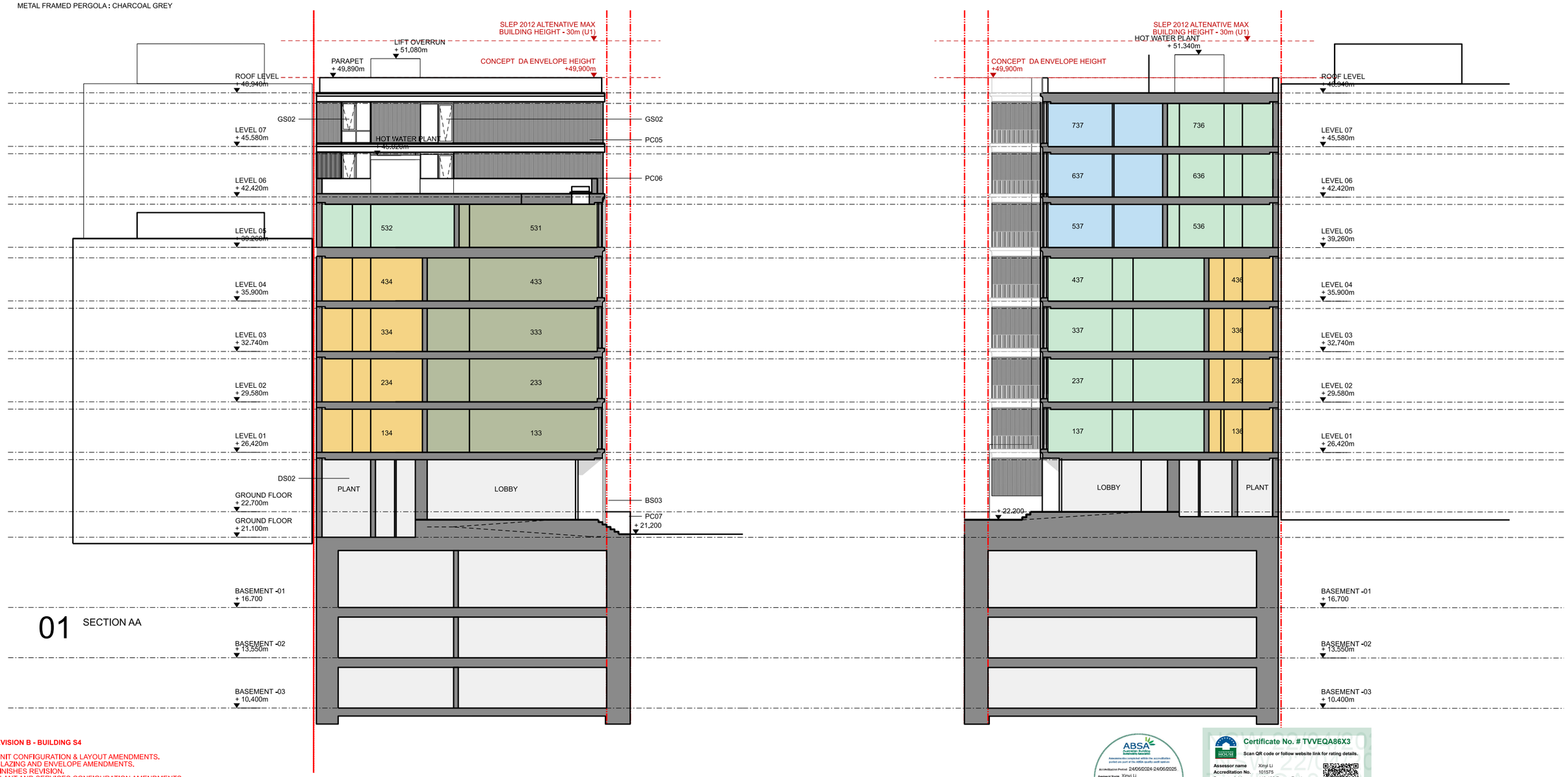
BS01 METAL PALISADE BALUSTRADING 10mm DIA : CHARCOAL GREY
BS02 METAL HANDRAIL : CHARCOAL GREY
PG01 METAL FRAMED PERGOLA : CHARCOAL GREY



01 SECTION AA

REVISION B - BUILDING S4

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- WASTE STRATEGY, BIN STORE LOCATION REVISIONS.
- SUBSEQUENT ADJUSTMENTS TO AREA METRICS.

ABSA Assessor Building Sustainability Specialist
Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GpCert=1

A	DEVELOPMENT APPLICATION	14/11/25
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ARCHITECT:
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KEY
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1 BED+
2 BED
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3 BED



NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED
PILING (BASEMENT)
AREA UNDER PUBLIC DOMAIN
1:250 0 1 2 5m

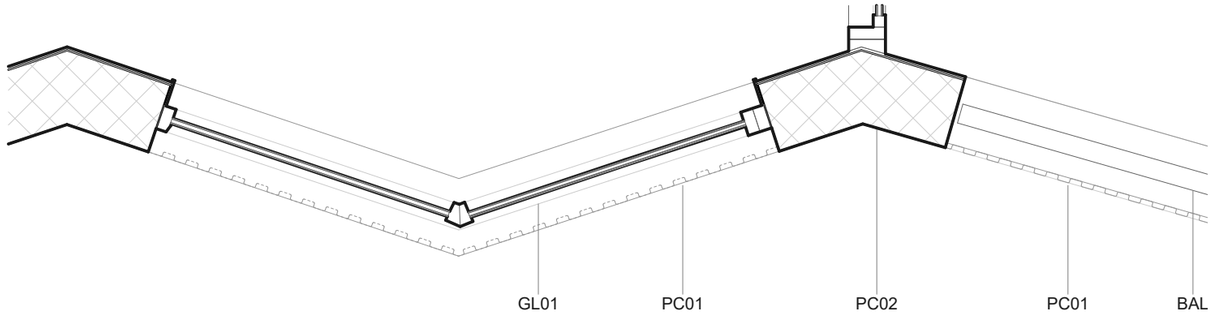
DRAWING TITLE:
SECTION BB and CC

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

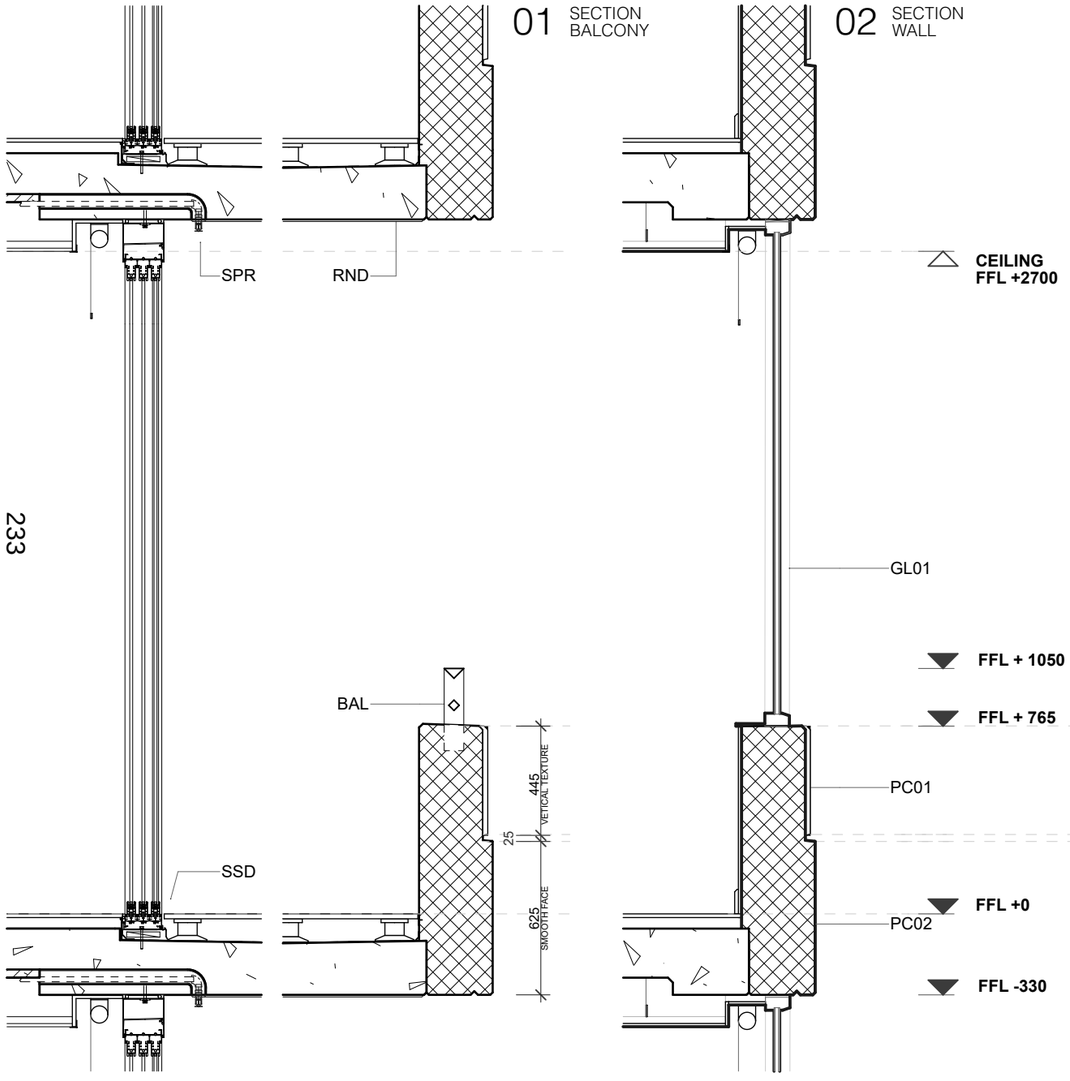
SCALE: 1:250@A3
DRAWN BY: WM
CHECKED: AOD
ISSUE DATE: 31/03/25
PROJECT NO: **24701**
DWG NUMBER: **DA.SUT.S4.44.01**
REVISION: **B**

LEGEND

PC01 - Precast concrete panel, Type 1: Dark grey, vertical textured serration
PC02 - Precast concrete panel, Type 2: Light grey, smooth face
IC01 - Insitu concrete, Type 1: Pigmented, Banksia yellow
IC02 - Insitu concrete, Type 2: Pigmented, Banksia green
GL01 - Aluminium framed door & window system
SN01 - Powdercoat perforated aluminium screen, Banksia deep green
AW01 - Prefabricated glass reinforced concrete awning, pigmented Banksia green
LV01 - Powdercoat aluminium louvres, dark charcoal
BAL - Powdercoat aluminium balustrade
RND - Acrylic render texture coat to underside of concrete balcony
SPR - Balcony sprinkler system PVC pipe cast into slab
SSD - Structural setdown to balcony WPM to drainage paving on polypads sliding door subsil on waterproofing angle

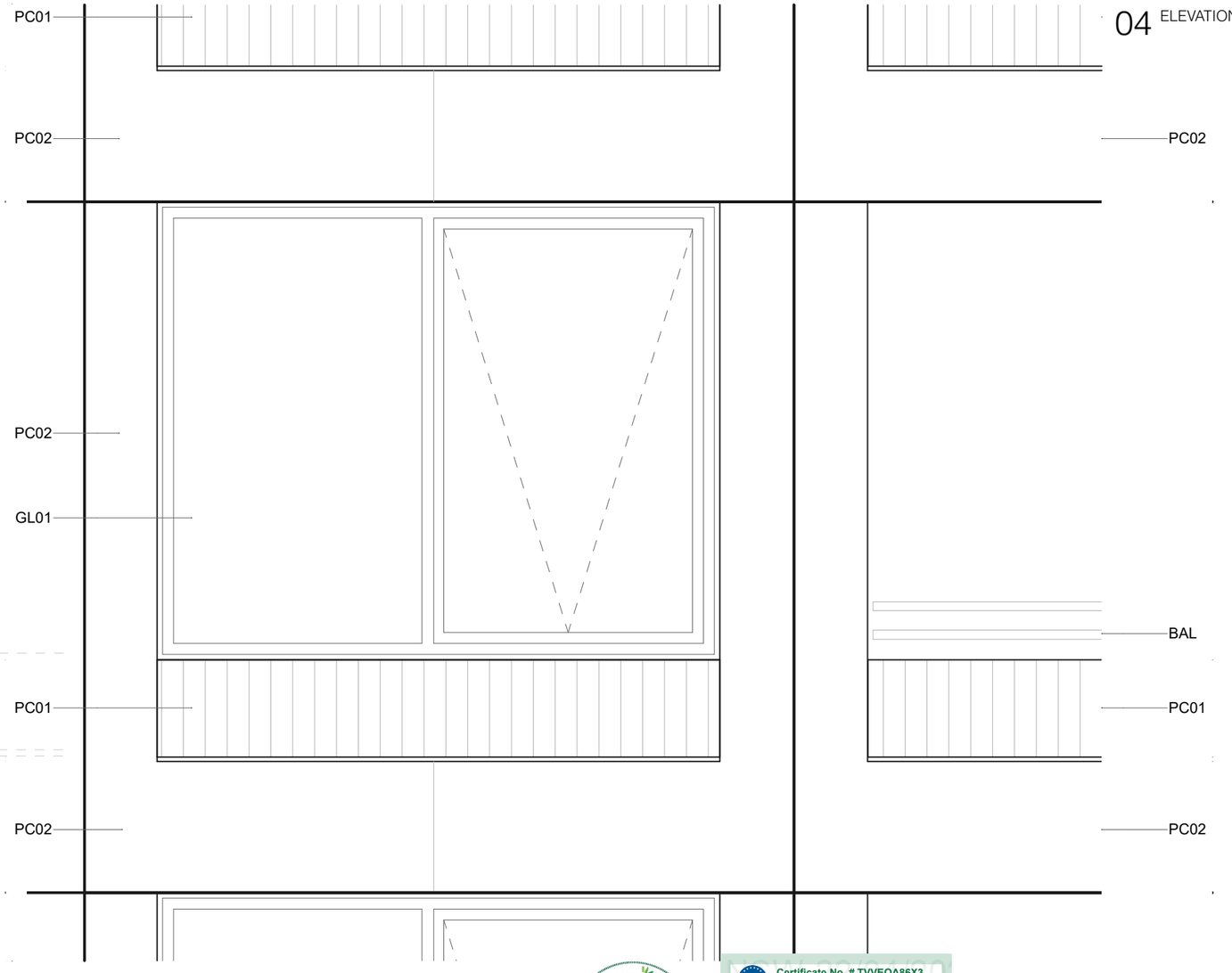


03 PLAN



01 SECTION BALCONY

02 SECTION WALL



04 ELEVATION

ABSA Australian Building Sustainability Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessors' Signature
This Accreditation Assessor has been trained in the use of ABSA's Accredited software and key rating tools and abides by the Code of Practice

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/25
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
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Sydney Australia
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mhndu@mhndu.com
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NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED

0 0.125 0.25 0.5m

DRAWING TITLE:
S1 FACADE DETAILS

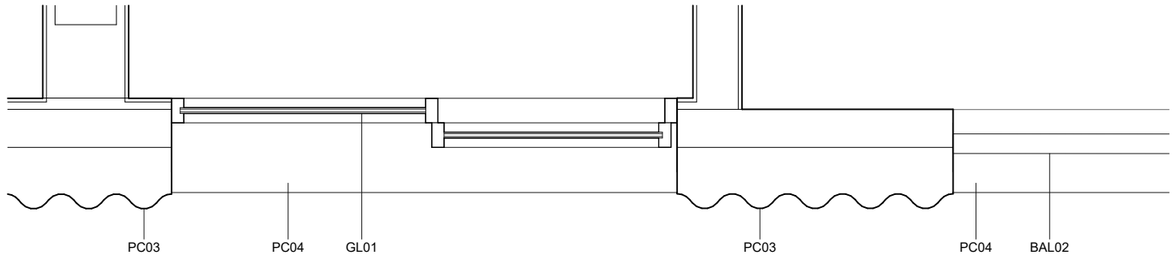
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW **2017**

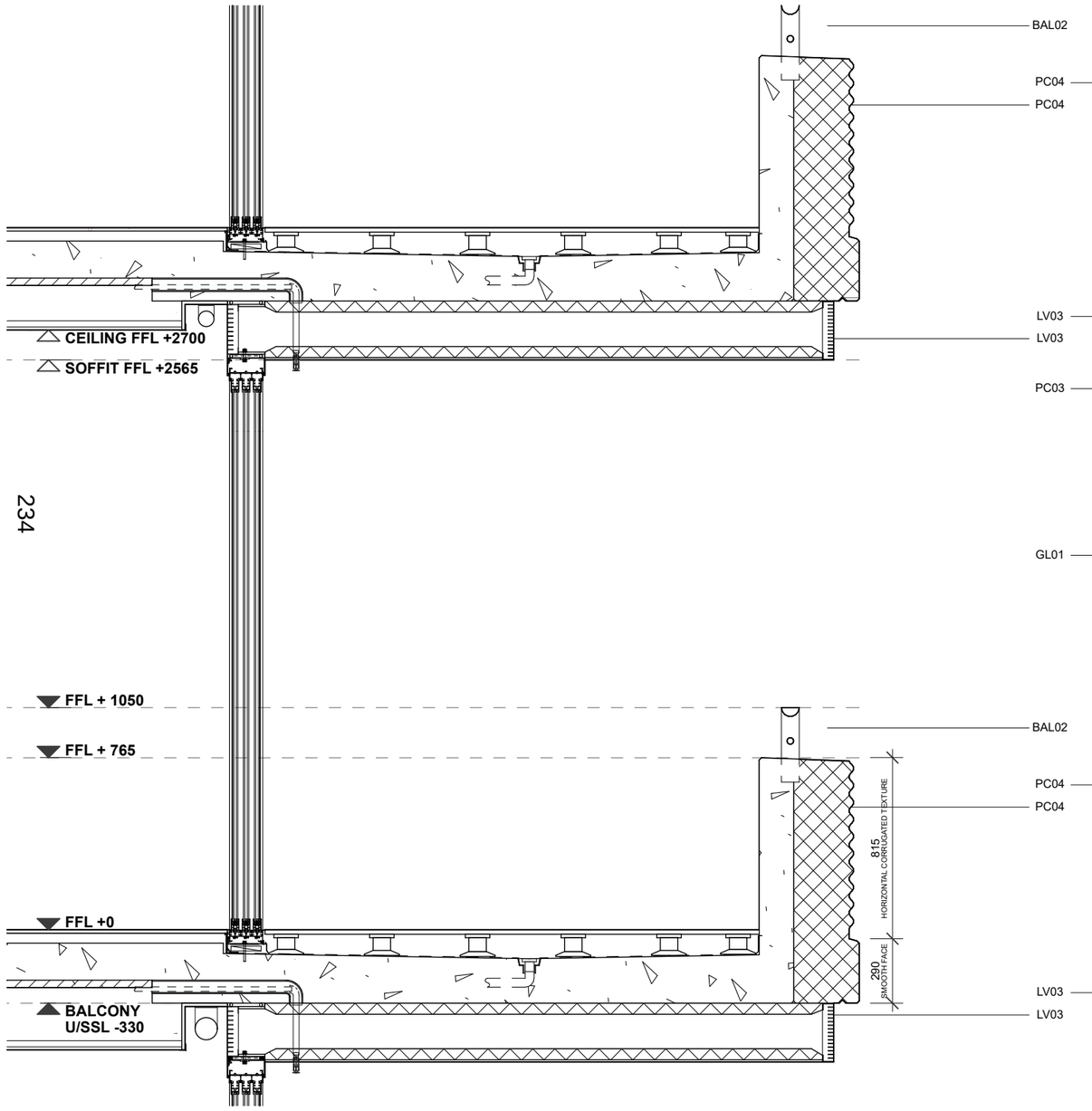
SCALE: 1:25@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 15/11/24
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S1.51.00**
REVISION: **C**

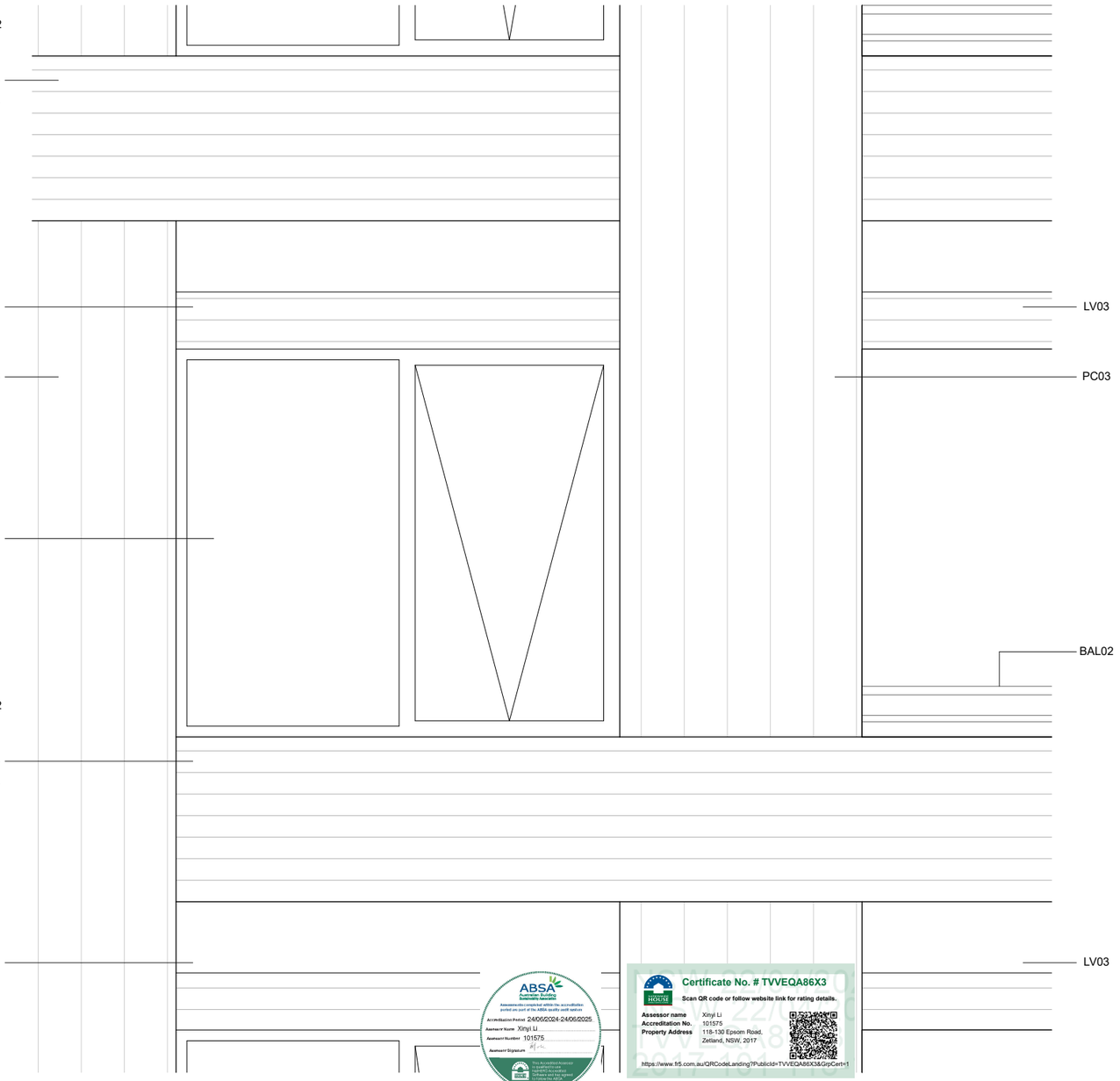
REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA

LEGEND

PC03	PRECAST PANEL, TYPE 3: MID GREY, VERTICAL TEXTURED CORRUGATION
PC04	PRECAST PANEL, TYPE 4: LIGHT GREY HORIZONTAL TEXTURED FINE CORRUGATION
GL01	ALUMINIUM FRAMED DOOR & WINDOW SYSTEM
LV03	ACOUSTIC LOUVRES, POWDERCOAT, DARK CHARCOAL
BAL02	BALUSTRADE, TYPE 2: RAILING, DARK CHARCOAL







ABSA
Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GripCert=1

234

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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aodonnell@ahmm.com

UNIT MIX

- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GVEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
ST/R	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

0 0.125 0.25 0.5m

DRAWING TITLE:
S2 FACADE DETAILS

PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:25@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.52.00		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA

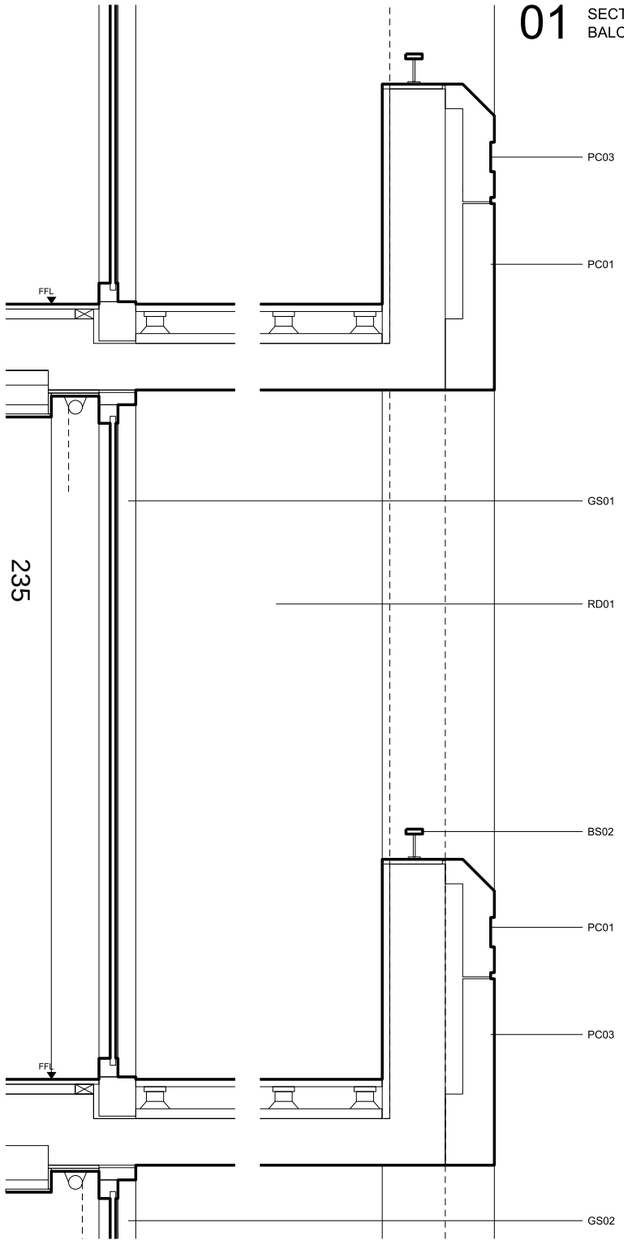
LEGEND

S3 CLADDING
PC01 PRECAST CONCRETE PANEL : OFF-WHITE TONE TEXTURED
PC02 PRECAST CONCRETE PANEL : MID-TONE WITH VERTICAL RIBBED PROFILE
PC03 PRECAST CONCRETE PANEL : OFF-WHITE TONE WITH INSET PATTERN
RD01 FINE TEXTURED RENDER TO MATCH PRECAST

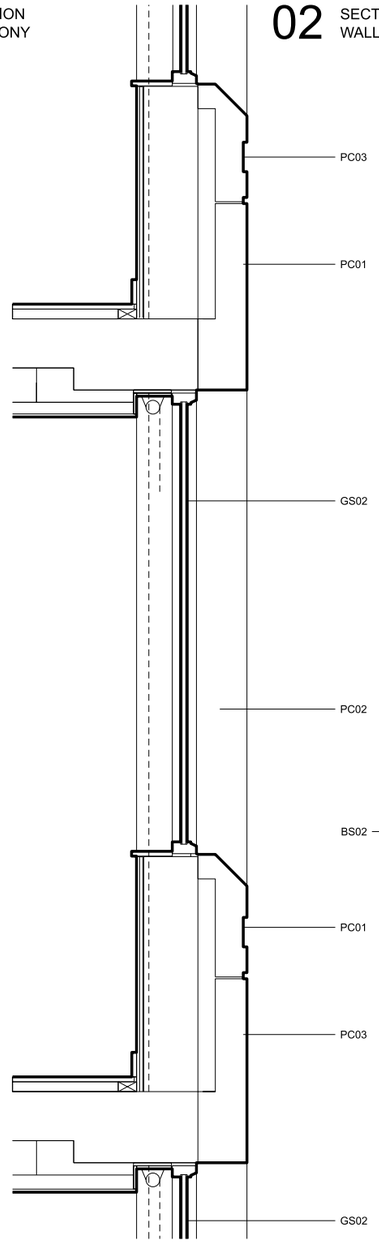
DOORS & GLAZING
GS01 ALUMININNIUM FRAMED SLIDING DOOR : CHARCOAL GREY FRAME WITH GREY GLASS
GS02 ALUMININNIUM FRAMED WINDOW WITH TOP HUNG OPENING LIGHT : CHARCOAL GREY FRAME WITH GREY GLASS
GS03 ALUMININNIUM FRAMED CURTAIN WALLING WITH EXPRESS COVER CAPS : CHARCOAL GREY FRAME WITH CLEAR GLASS
DS01 FRAMELESS GLAZED AUTOMATIC SLIDING DOOR : CLEAR GLASS
DS02 METAL FACED SOLID DOOR : CHARCOAL GREY
AL01 ACOUSTICALLY ATTENUATED VENTILATION LOUVRE : CHARCOAL GREY

BALUSTRADING
BS01 CANTILEVERED GLASS BALUSTRADE WITH ALUMINIM CAPPING : CHARCOAL GREY FRAME WITH CLEAR GLASS
BS02 METAL HANDRAIL : CHARCOAL GREY
BS03 METAL PALISTRADE BLAUSTRADING 10mm DIA : CHARCOAL GREY

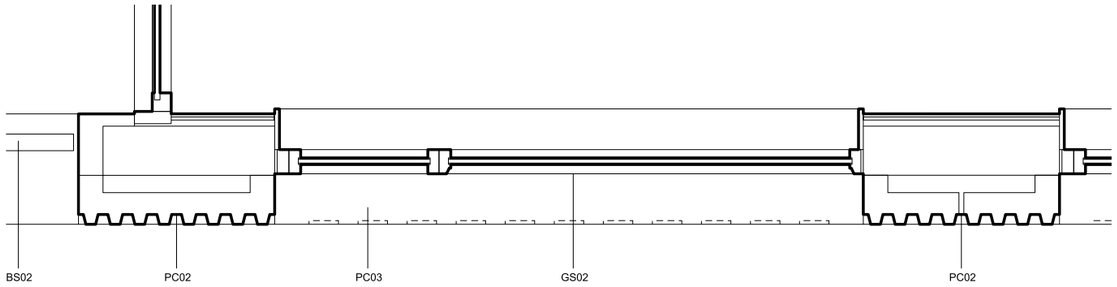
01 SECTION BALCONY



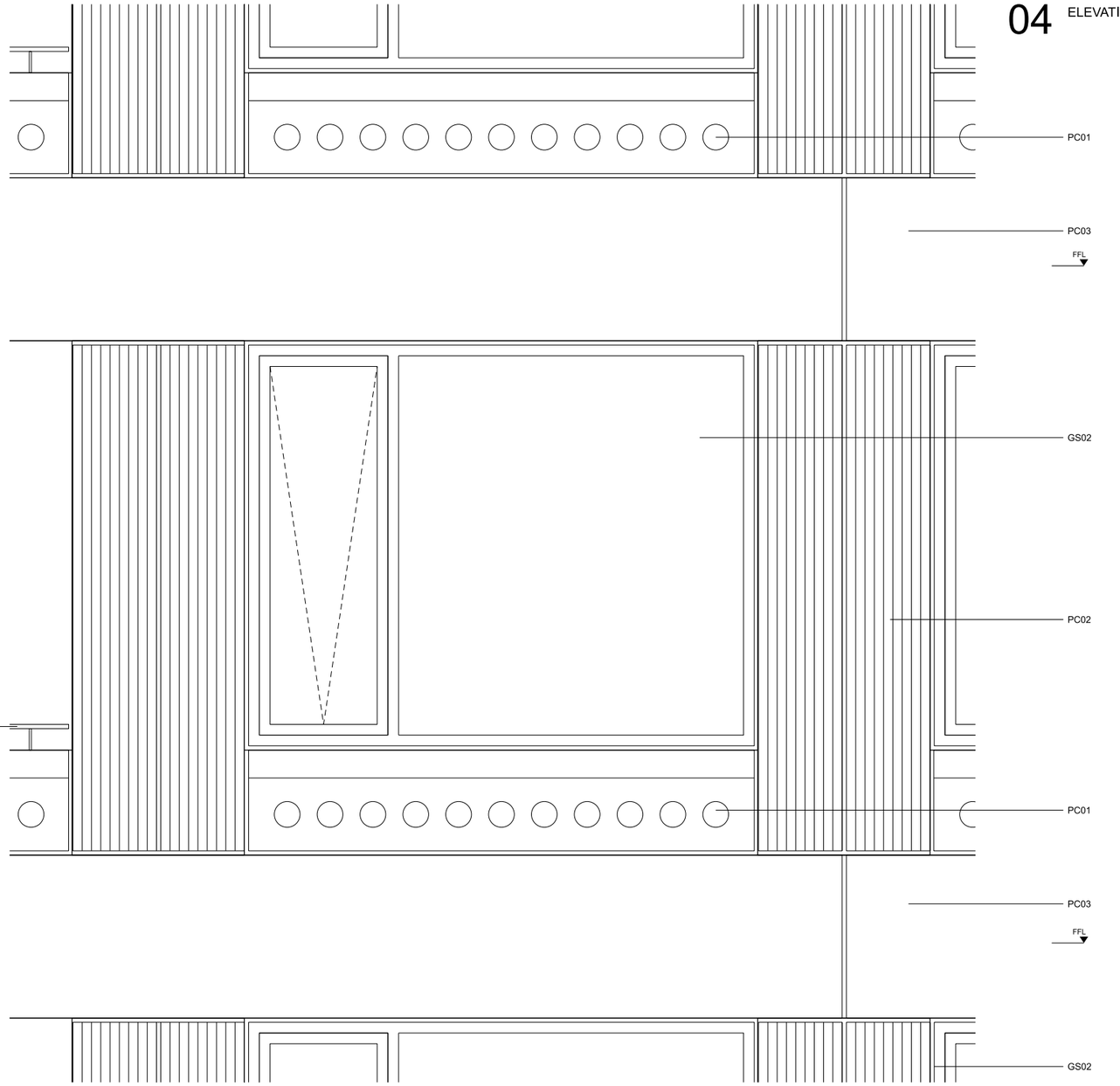
02 SECTION WALL



03 PLAN



04 ELEVATION



235

A	DEVELOPMENT APPLICATION	15/11/24

ARCHITECT:
MHNDUNION
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Sydney Australia

Brian Meyerson - NSW ARB 4907

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REVISION UPDATES CLOUDED
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AREA UNDER PUBLIC DOMAIN

1:25 0 0,1 0,2 0,5m

DRAWING TITLE:
FACADE DETAILS

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE: 1:25@A3	DRAWN BY: WM	CHECKED: AOD
ISSUE DATE: 15/11/24		PROJECT NO: **24701**
DWG NUMBER: **DA.SUT.S3.53.00**		REVISION: **A**

LEGEND

S4 CLADDING

PC04 ECOTONE FINISHED PRECAST CONCRETE VERTICAL PANEL: OFF-WHITE TONE WITH CONCAVE PROFILE
PC05 ECOTONE FINISHED PRECAST CONCRETE HORIZONTAL PANEL : OFF-WHITE TONE WITH EXPRESS PROFILE
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BALUSTRADING & PERGOLA

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REVISION B - BUILDING S4

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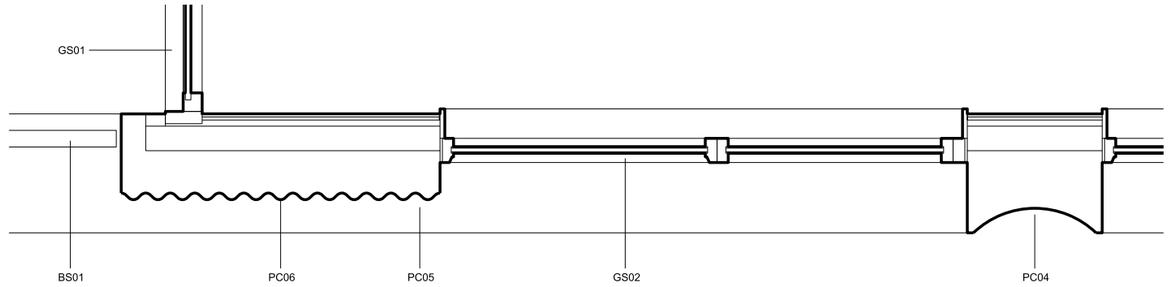
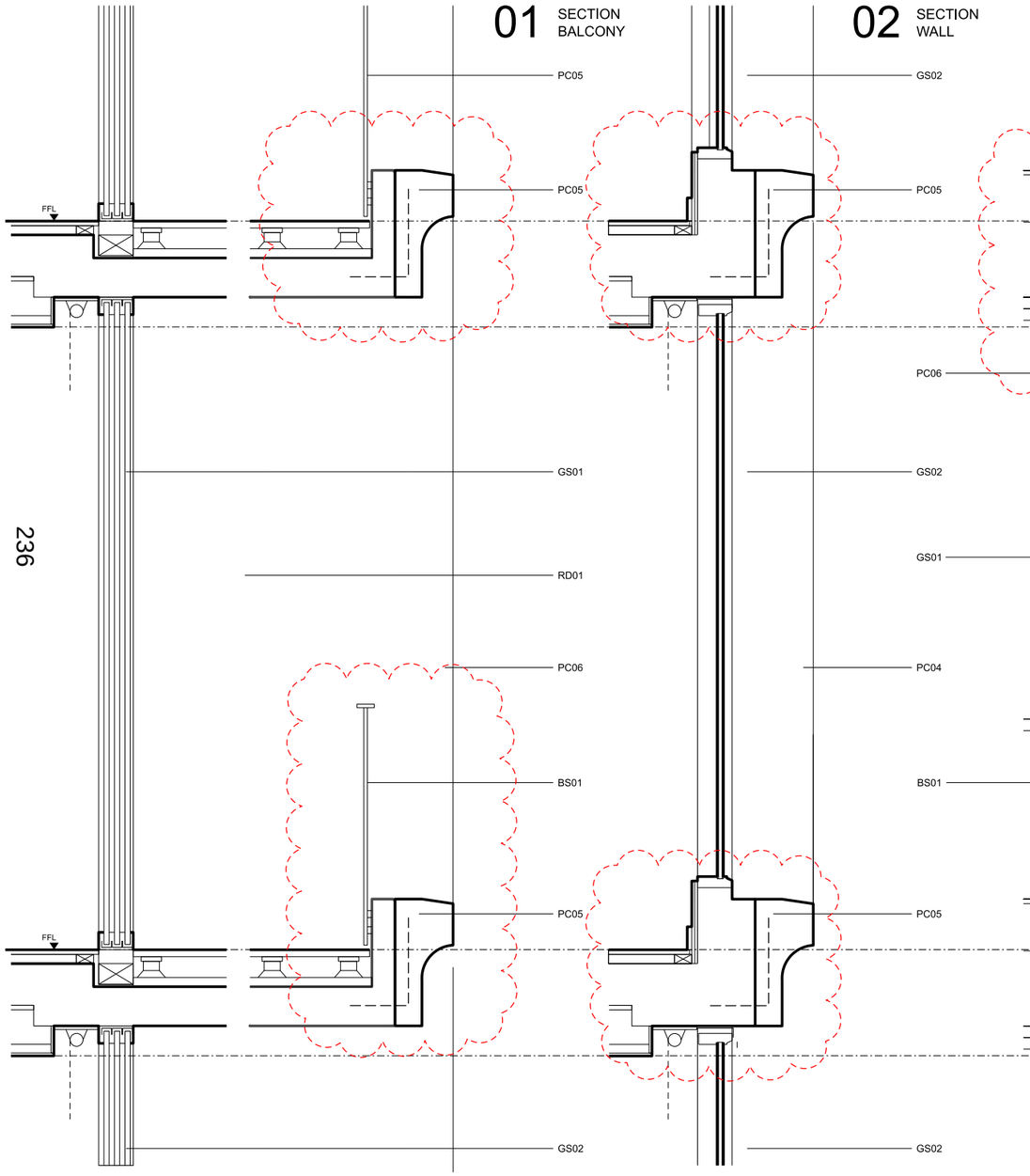
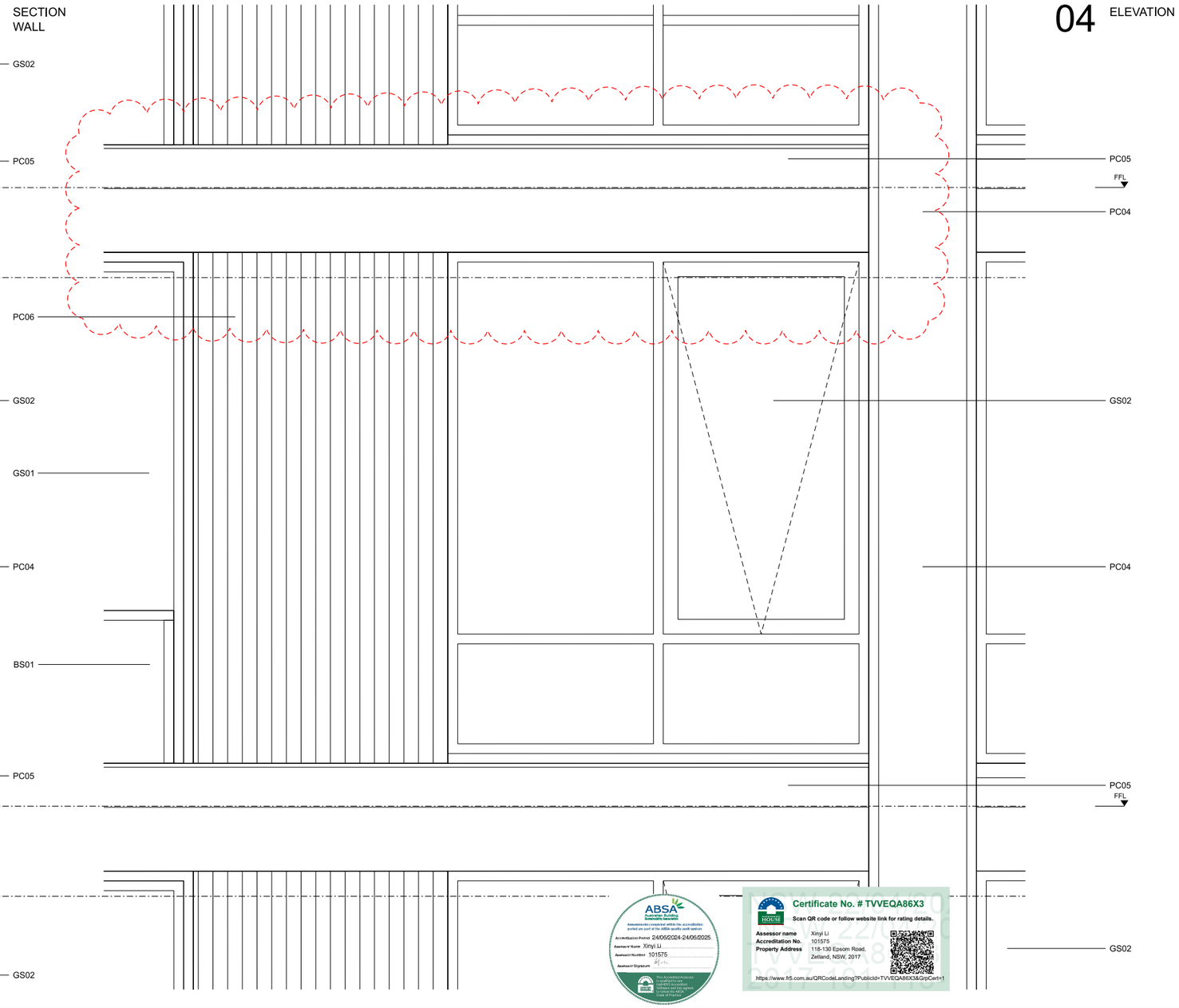


03 PLAN



01 SECTION BALCONY

02 SECTION WALL



04 ELEVATION

ABSA
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https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GripCert=1

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A	DEVELOPMENT APPLICATION	14/11/25
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ARCHITECT:
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ALLFORD HALL MONAGHAN MORRIS

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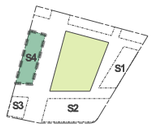


NOTES:

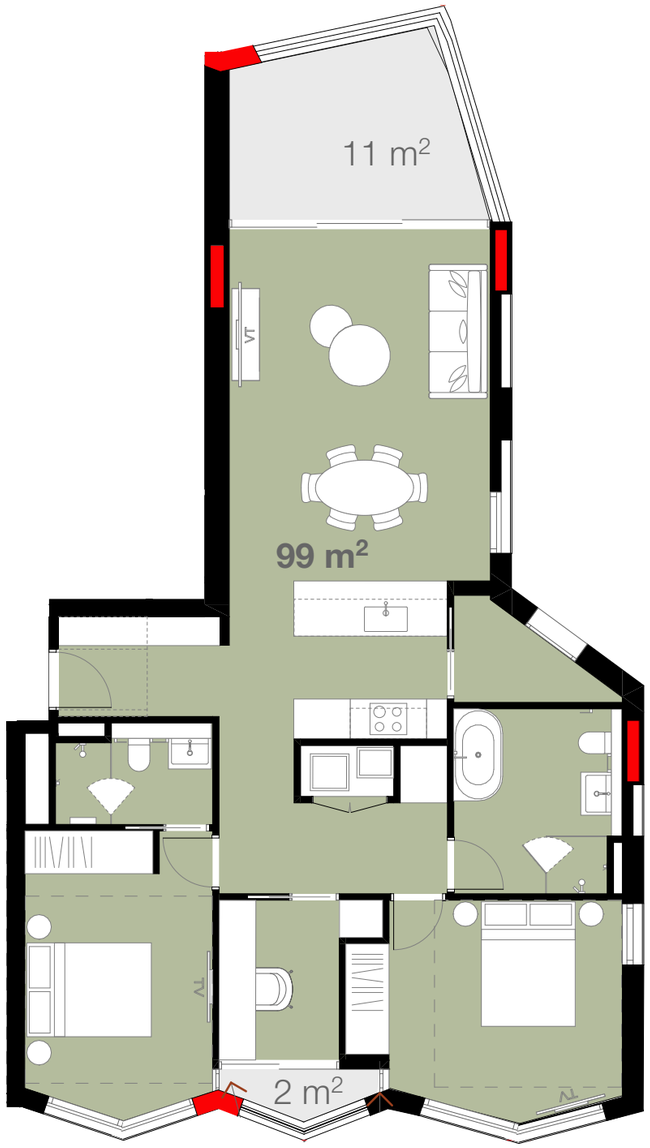
FFL FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED
PILING (BASEMENT)
AREA UNDER PUBLIC DOMAIN

1:250 0 0.1 0.2 0.5m

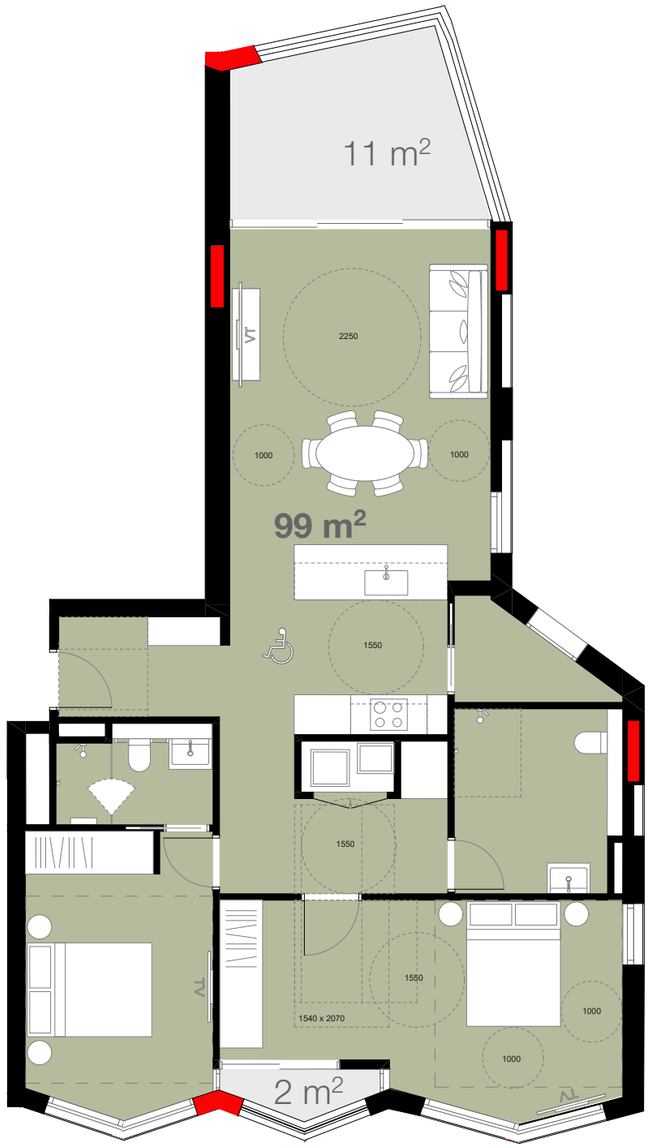
DRAWING TITLE:
FACADE DETAILS

PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE: 1:25@A3	DRAWN BY: WM	CHECKED: AOD
ISSUE DATE: 31/03/25		PROJECT NO: **24701**
DWG NUMBER: **DA.SUT.S4.54.00**		REVISION: **B**



1 UNITS 108-408, 507-707 (PRE ADAPT) 1:100



1 UNITS 108-408, 507-707 (POST ADAPT) 1:100

ABSA Australian Building Sustainability Association
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
35 Richards Lane
Surry Hills NSW 2010
Sydney Australia
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mhndu@mhndu.com
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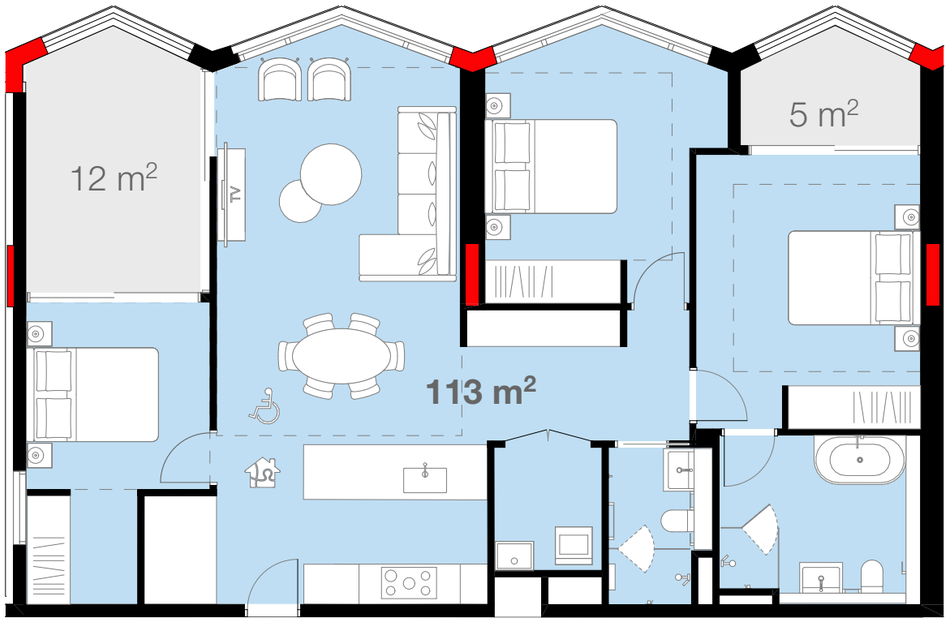
NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED

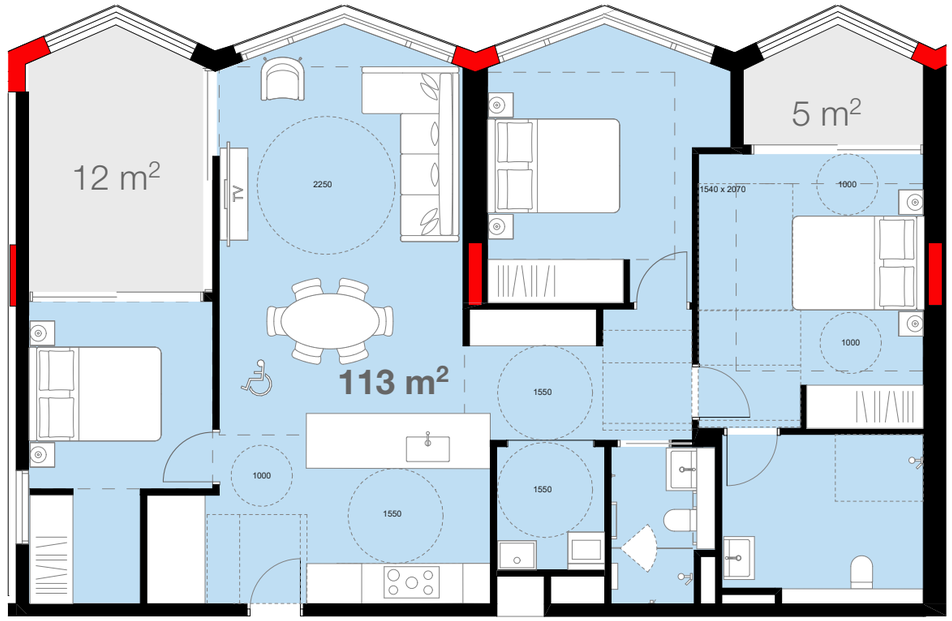
DRAWING TITLE:
ADAPTABLE UNIT - APARTMENT 108-408, 507-707
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW **2017**

SCALE: 1:100@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 15/11/24
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S1.91.00**
REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA



1 UNIT 505 (PRE ADAPT) 1:100



2 UNITS 505 (POST ADAPT) 1:100

ABSA Australian Building Sustainability Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/05/2024-24/05/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.frl5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/24
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/25

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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aodonnell@ahmm.com



NOTES:
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
COUNCIL CONTROLS
REVISION UPDATES CLOUDED

DRAWING TITLE:
ADAPTABLE UNIT - APARTMENT 505
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW **2017**

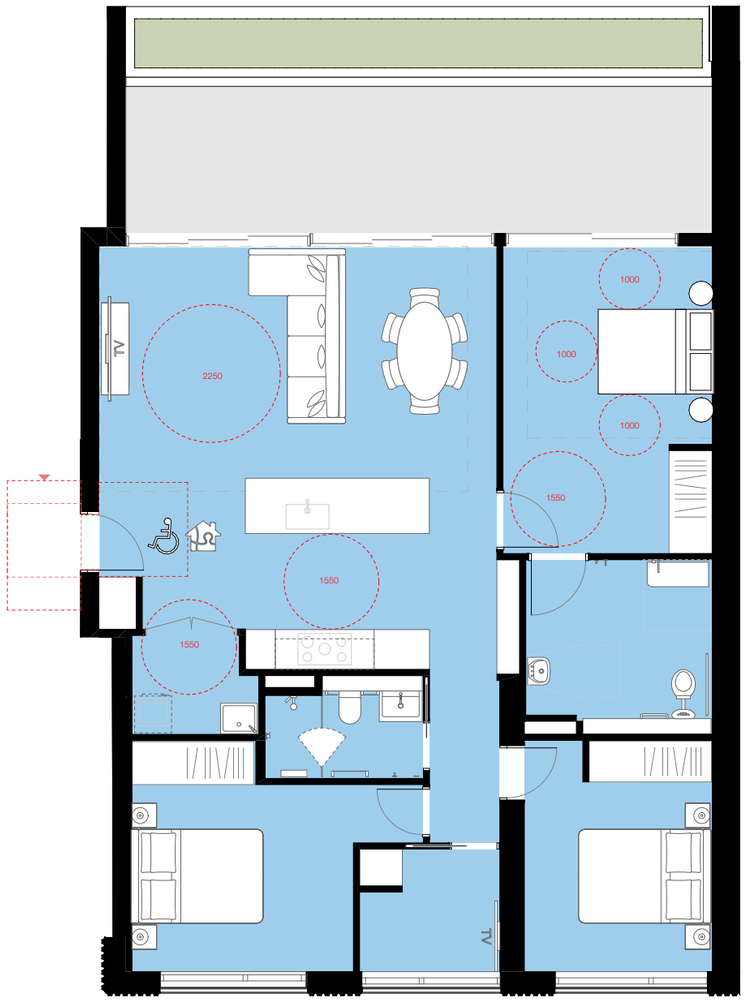
SCALE:	DRAWN BY:	CHECKED:
1:100@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
15/11/24		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S1.91.01		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Comp_Suttons South Rosebery_S1_DA



1 PRE ADAPTION SILVER LEVEL LIVABLE 1:100

UNITS: 117



2 POST ADAPTION LAYOUT 1:100

UNITS: 117

ABSA Australian Building Sustainability Association
Assessments completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accredited Assessor is compliant with the requirements of ABSA Standard 1 Software and has signed a Licence No. ABSA-0008 with ABSA

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
MHNDUNION
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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
ST/R	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:

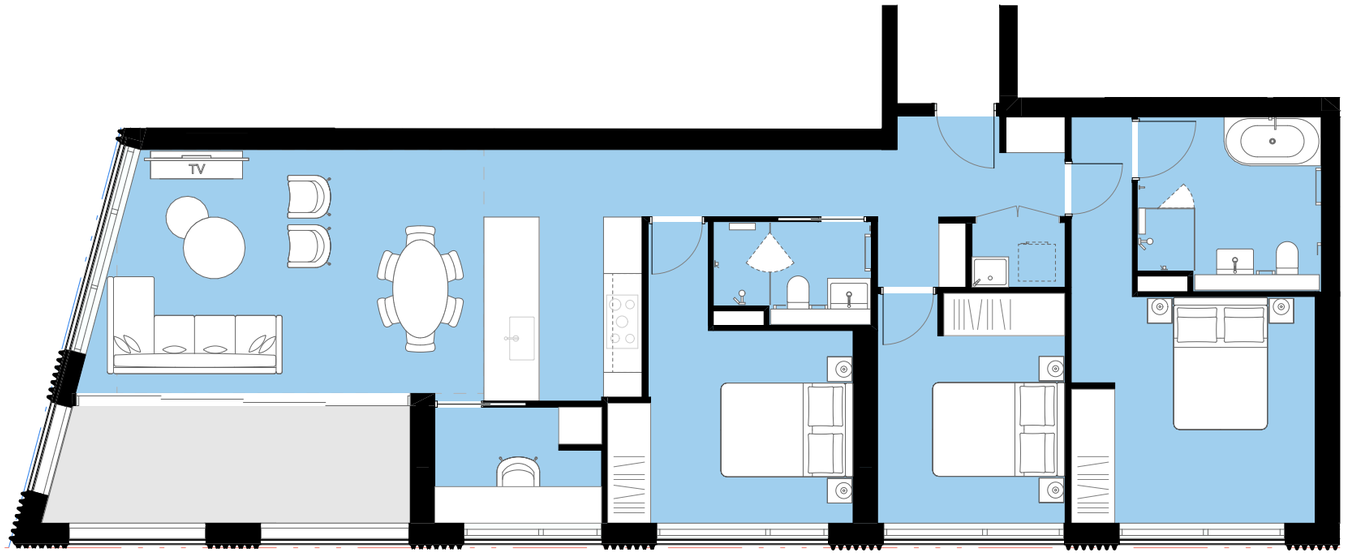
FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

0 0.25 0.5 1 2M

DRAWING TITLE:
ADAPTABLE UNIT - APARTMENT 117
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

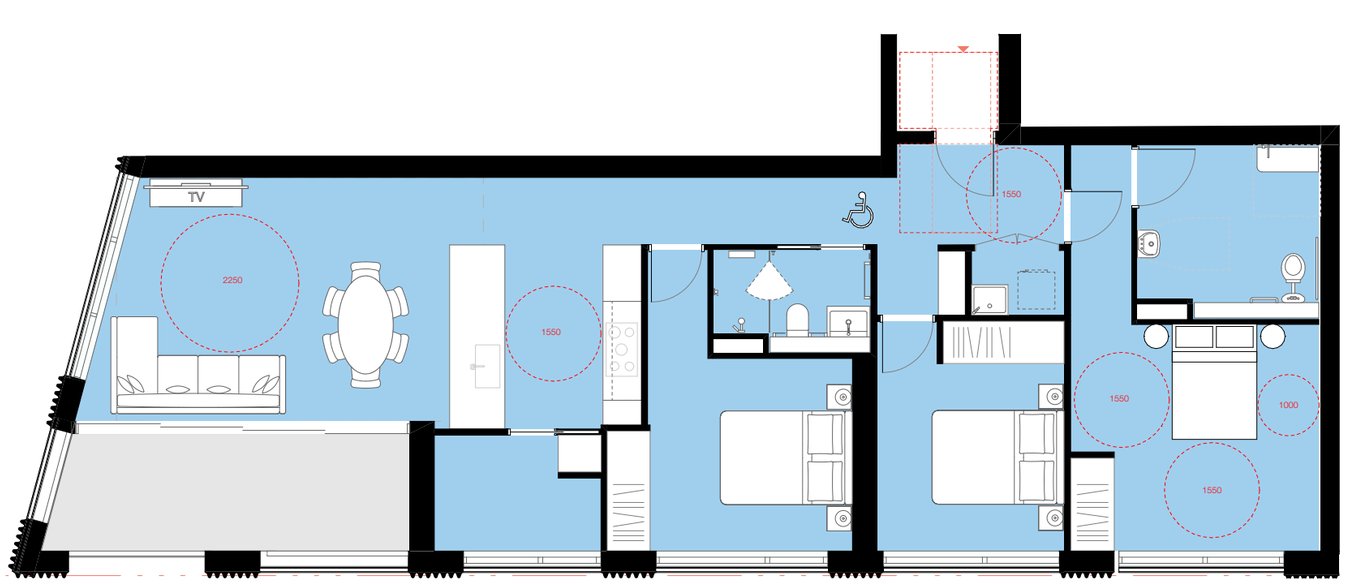
SCALE:	DRAWN BY:	CHECKED:
1:100@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.92.00		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



1 PRE ADAPTION SILVER LEVEL LIVABLE 1:100

UNITS: 118, 219, 319, 419, 519



2 POST ADAPTION LAYOUT 1:100

UNITS: 118, 219, 319, 419, 519

ABSA
Australian Building Sustainability Association
Assessment is completed within the accreditation period as part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
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Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
STAR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

DRAWING TITLE:
ADAPTABLE UNIT - APARTMENT 118, 219--519
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:100@A3
DRAWN BY:
CHECKED:
ISSUE DATE: 28/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.92.01**
REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



1 PRE ADAPTION SILVER LEVEL LIVABLE 1:100

UNITS: 119, 220, 320, 420, 520





REV	DESCRIPTION	DATE
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GVEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
ST/R	STAIR PRESS.
WP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

DRAWING TITLE:
SILVER LIVABLE - APARTMENT 119, 220-520
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:100@A3
DRAWN BY:
CHECKED:
ISSUE DATE: 28/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.92.02**
REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



1 PRE ADAPTION SILVER LEVEL LIVABLE 1:100

UNITS: 212, 312, 412, 512, 612



2 POST ADAPTION LAYOUT 1:100

UNITS: 212, 312, 412, 512, 612

ABSA Accredited Assessor
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/05/2024-24/05/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
MHNDUNION
MHN Design Union Pty Ltd
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mhndu@mhndu.com
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Suite Six Studios
Level 3 11-17 Buckingham Street
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Andrew O'Donnell - NSW ARB 12196
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
REX	RETAIL EXHAUST
STJR	STAIR PRESS
WP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

0 0.25 0.5 1 2M

DRAWING TITLE:
ADAPTABLE UNIT - APARTMENT 212-612
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE:	DRAWN BY:	CHECKED:
1:100@A3	MHNDU	MHNDU
ISSUE DATE:		PROJECT NO:
28/03/2025		**24-017**
DWG NUMBER:		REVISION:
DA.SUT.S2.92.03		**C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



1 PRE ADAPTION SILVER LEVEL LIVABLE 1:100

UNITS: 217, 317, 417, 517

ABSA Assessor Building Sustainability Association
Assessments completed within the accreditation period are part of the ABSA quality audit regime
Accreditation Period: 24/05/2024-24/05/2025
Assessor Name: Xinyi Li
Assessor Number: 101575
Assessor Signature:

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name: Xinyi Li
Accreditation No.: 101575
Property Address: 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrCount=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
MHNDUNION
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mhndu@mhndu.com
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Sydney | Gadigal Country
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STAR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- SITE BOUNDARY
- BLOCK BOUNDARY
- DCP SETBACK
- PILING ZONE
- EXISTING TREE
- REVISION UPDATES CLOUDED

0 0.25 0.5 1 2M

DRAWING TITLE:
SILVER LIVABLE - APARTMENT 217-517
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

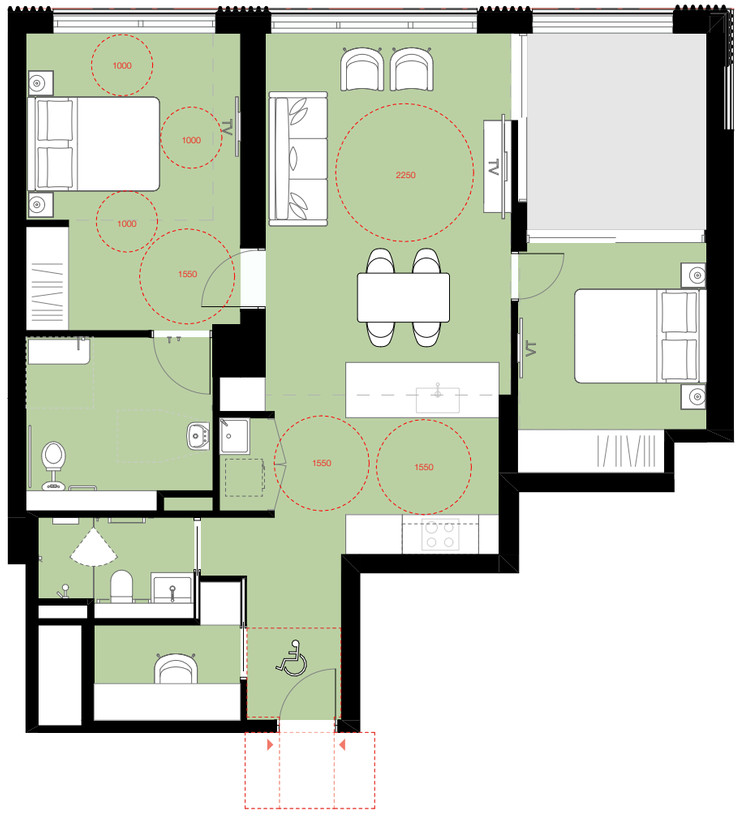
SCALE: 1:100@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 28/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.92.04**
REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



1 PRE ADAPTION SILVER LEVEL LIVABLE 1:100

UNITS: 714, 814, 914, 1014, 1114, 1214



2 POST ADAPTION LAYOUT 1:100

UNITS: 714, 814, 914, 1014, 1114, 1214

ABSA Australian Building Sustainability Association
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 2/4/06/2024-2/4/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&QrCert=1

REV	DESCRIPTION	DATE
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

ARCHITECT:
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mhndu@mhndu.com
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Sydney | Gadigal Country
Andrew O'Donnell - NSW ARB 12196
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aodonnell@ahmm.com

UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STAIR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:

FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

DRAWING TITLE:
ADAPTABLE UNIT - APARTMENT 714 -1214
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

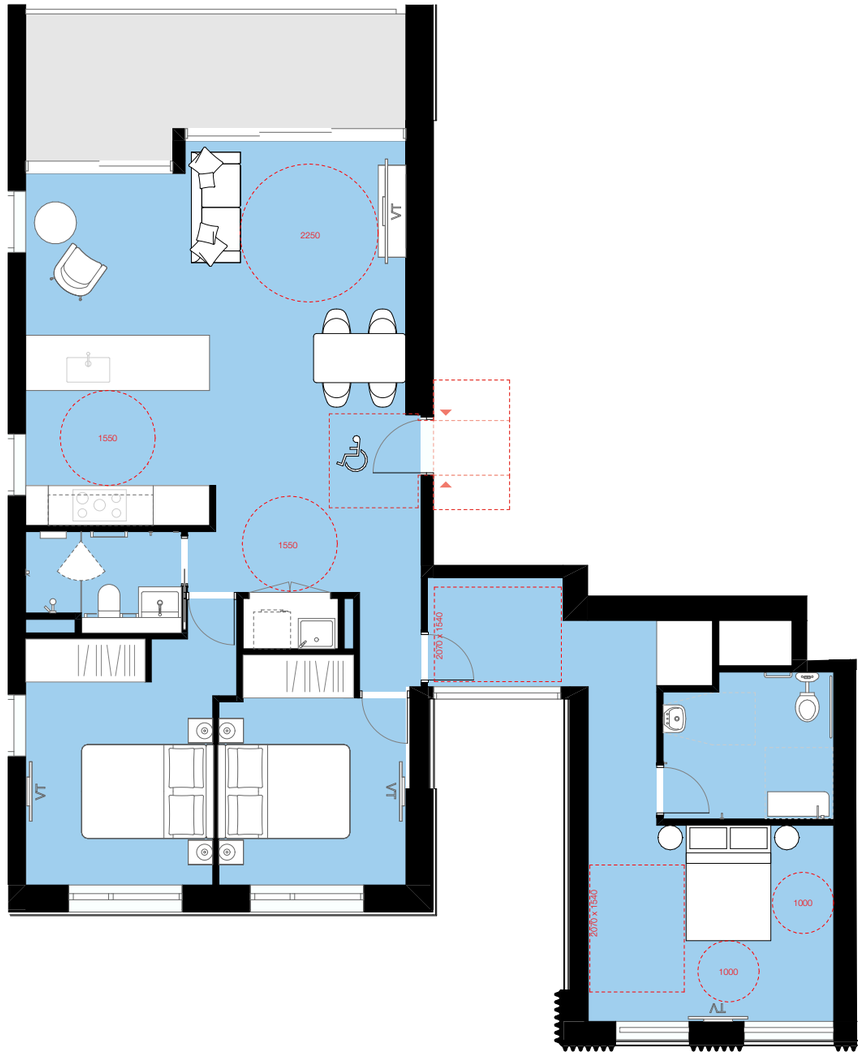
SCALE: 1:100@A3
DRAWN BY:
CHECKED:
ISSUE DATE: 28/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.92.05**
REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



1 PRE ADAPTION SILVER LEVEL LIVABLE 1:100

UNITS: 1311



2 POST ADAPTION 1:100

UNITS: 1311

ABSA Australian Building Sustainability Association
Assessments completed within the accreditation period are part of the ABSA quality audit system
Accreditation Period 24/06/2024-24/06/2025
Assessor Name Xinyi Li
Assessor Number 101575
Assessor Signature
This Accreditation Assessor is a registered trade mark of the Australian Building Sustainability Association Limited and has a licence to use the Assessor Code of Practice.

Certificate No. # TVVEQA86X3
Scan QR code or follow website link for rating details.
Assessor name Xinyi Li
Accreditation No. 101575
Property Address 118-130 Epsom Road, Zetland, NSW, 2017
https://www.fr5.com.au/QRCodeLanding?PublicId=TVVEQA86X3&GrpCert=1

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	15/11/2024
B	UPDATED DA TO ADRS COUNCIL RFI	21/03/2025
C	UPDATED DA TO ADRS COUNCIL RFI	28/03/2025

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UNIT MIX
- 1 BED + MPR
- 2 BED
- 2 BED + MPR
- 3 BED
- 4 BED
- RETAIL

ABBREVIATIONS

BG	BREAK GLASS ALARM
COMMS	COMMS CUPBOARD
DRY	DRY FIRE RISER
ELEC	ELECTRICAL CUPBOARD
FEX	FIRE EXTINGUISHER
GC	GARBAGE CHUTE
GEX	GARBAGE EXHAUST
HYD	HYDRAULIC CUPBOARD
LS	LOBBY SUPPLY AIR
RVEX	RETAIL EXHAUST
STAR	STAIR PRESS
WIP	WARDEN INTERCOM PHONE



NOTES:

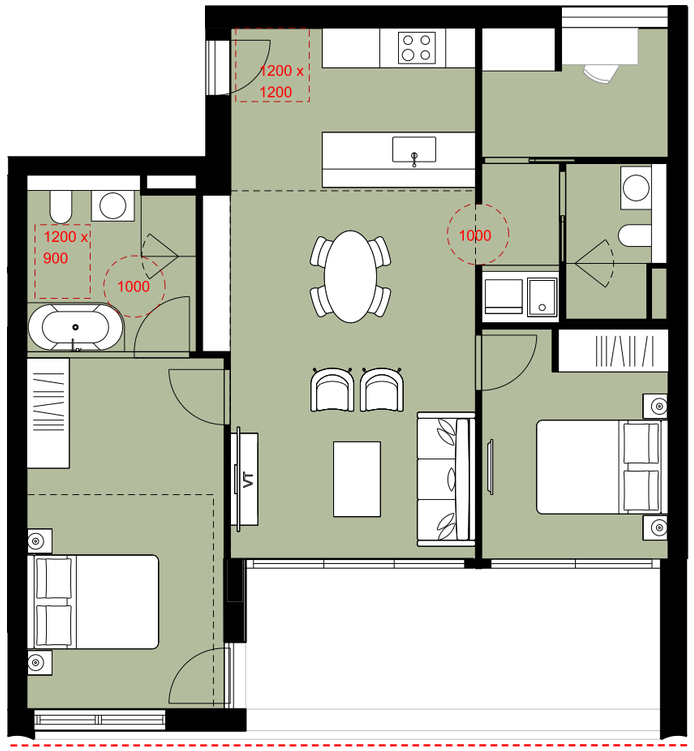
FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	SITE BOUNDARY
	BLOCK BOUNDARY
	DCP SETBACK
	PILING ZONE
	EXISTING TREE
	REVISION UPDATES CLOUDED

0 0.25 0.5 1 2M

DRAWING TITLE:
ADAPTABLE UNIT - APARTMENT 1311
PROJECT ADDRESS:
118-130 Epsom Road Zetland NSW 2017

SCALE: 1:100@A3
DRAWN BY: MHNDU
CHECKED: MHNDU
ISSUE DATE: 28/03/2025
PROJECT NO: **24-017**
DWG NUMBER: **DA.SUT.S2.92.06**
REVISION: **C**

REF: BIMcloud: bcb-26 - BIMcloud Basic for Archicad 26/24-017_Suttons South Rosebery_S2_DA



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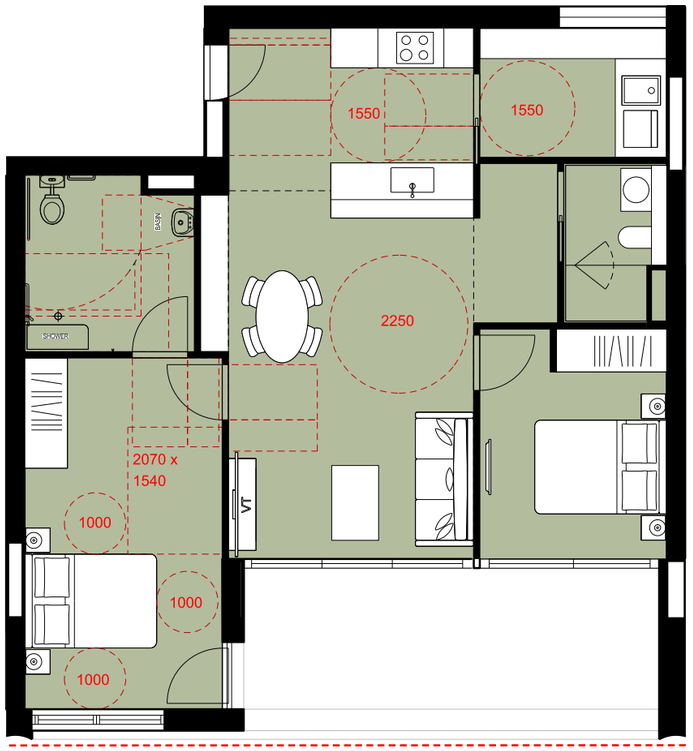

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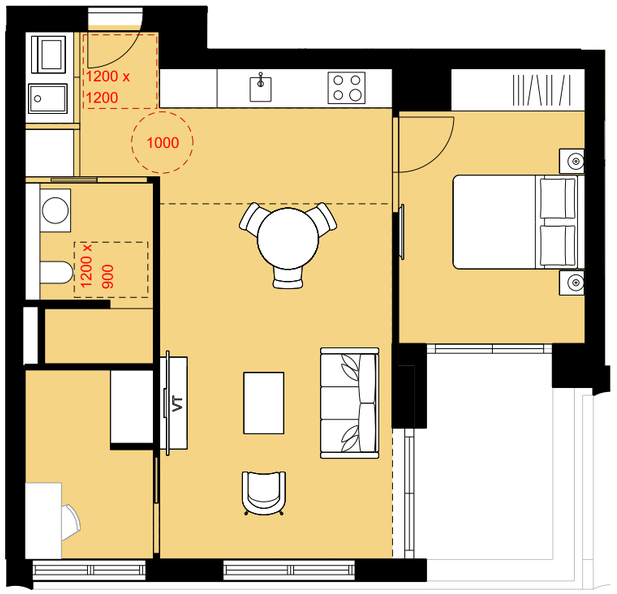
10 x UNITS: L00-04



03 S4 - 1 BED+ SILVER LEVEL LIVEABLE
4 x UNITS: L01-04



UNIT NUMBERS:

G31	G37
131	139
231	239
331	339
431	439



UNIT NUMBERS:
138
238
338
438

A	DEVELOPMENT APPLICATION	15/11/24

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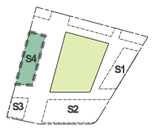
KEY
- 1 BED
- 1 BED+
- 2 BED
- 2 BED+
- 3 BED



NOTES:
- FFL RL OF FINISHED FLOOR LEVEL
- RL REDUCED LEVEL
- BOUNDARY
- COUNCIL CONTROLS
- REVISION UPDATES CLOUDED
- PILING (BASEMENT)
- AREA UNDER PUBLIC DOMAIN

1:250 0 012 024 5m

DRAWING TITLE:
ADAPTABLE & SILVER LIVEABLE UNITS
PROJECT ADDRESS:
118-130 Epsom Road
Zetland NSW **2017**

SCALE:	DRAWN BY:	CHECKED:
1:50@A3	WM	AOD
ISSUE DATE:		PROJECT NO:
15/11/24		**24701**
DWG NUMBER:		REVISION:
SA.SUT.S4.94.00		**A**

Attachment C

Clause 4.6 Variation Request – Ceiling Heights

Clause 4.6 Variation Request

Section 148(2)(c) of the Statement Environmental Planning Policy (Housing) 2021

905 South Dowling Street, Zetland D/2024/1055

Clause 4.6 –Minimum Ceiling Heights Under the Apartment Design Guide

8 April 2025

PREPARED BY

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1 Introduction

This Clause 4.6 variation request has been prepared by Karimbla Construction Services (NSW) Pty Ltd in accordance with Clause 4.6 of the *Sydney Local Environmental Plan 2012* (SLEP). It accompanies a development application (DA) to the City of Sydney Council (Council) for the construction of a mixed-use development in the South Stage of the Suttons development site and basement car parking. The buildings include two mixed use buildings (S1 and S2) and two residential buildings (S3 and S4) at 905 South Dowling Street, Zetland

Section 148 of *the State Environmental Planning Policy (Housing) 2021* (HSEPP) sets out a number of non-discretionary development standards for residential apartment development. Specifically, Section 148(2)(c) requires compliance with Part 4C of the Apartment Design Guide (ADG) in relation to floor to ceiling heights for ground level and first floor in mixed use areas.

Clause 4.6 of the LEP enables the consent authority to grant consent for development even though the development contravenes a development standard. The clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

The following assessment of the proposal against Clause 4.6 of the LEP provides the relevant justification to the modification of the minimum floor to ceiling heights under Section 148 of the HSEPP. It should be read in conjunction with the Statement of Environmental Effects (SEE) and the accompanying plans.

1.1 Requirements of Clause 4.6

Clause 4.6 requires that a consent authority be satisfied of three matters before granting consent to a development that contravenes a development standard:

1. That the applicant has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case [clause 4.6(3)(a)]
2. That the applicant has adequately demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard [clause 4.6(3)(b)]

Clause 4.6 was amended in November 2023 to delete subclause 4.6(5) which (inter alia) included a requirement that the consent authority be satisfied that 'the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out'.

The Department of Planning Housing and Infrastructure's (DPHI) announcement material states that '*the existing test that applicants must meet in order to seek to vary development standards will not change'*. DPHI stated that the removal of specific references to the public interest in Clause 4.6, simplify the drafting, noting that consent authorities are already obliged to consider the public interest.

The NSW Land and Environment Court and the NSW Court of Appeal have established principles under which an assessment authority can consider a variation to a development standard against the provisions of Clause 4.6. The key principles were established in the following Court cases:

- *Wehbe v Pittwater Council* [2007] NSW LEC 827 (Wehbe)
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSW LEC 1009 (Four2Five)
- *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 (Initial Action)
- *Baron Corporation Pty Limited v Council of the City of Sydney* [2019] NSWLEC 61 (Baron Corporation)
- *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130 (RebelMH)

- *Doumit v Canterbury – Bankstown Council* [2018] NSWLEC 1028 (Doumit)
- *Al Maha Pty Ltd v Huajun Investments Pty Ltd* (2018) 233 LGERA 170 [2018] NSWCA 24 (Al Maha)

The principles established in the above cases have been applied in justifying a departure from the minimum floor to ceiling height requirement under Section 148 of the HSEPP.

2 Proposed Variation

2.1 Is the Planning Control a Development Standard

Development Standard is defined under Section 4(1) of the EP&A Act as follows:

"'development standards means provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development, including, but without limiting the generality of the foregoing, requirements or standards in respect of: …

(c) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work…"

Whilst there are differing interpretations as to whether the minimum ceiling height design criteria under Section 148 of the HSEPP is in fact a development standard. Council has indicated that their interpretation is that Section 148 is a development standard. Section 148 of the HSEPP states as follows:

"148 Non-discretionary development standards for residential apartment development—the Act, s 4.15

(1) The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.

(2) The following are non-discretionary development standards—

(a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,

(b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,

(c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide."

2.2 Development standard to be varied

Section 148 of the HSEPP refers to Part 4C of the ADG which requires a minimum floor to ceiling height of 3.3m for ground and first floors of developments in mixed use areas. The site is located on land zoned MU1 – Mixed Use and therefore considered a mixed-use area.

This Clause 4.6 variation request seeks to justify a contravention of the minimum 3.3m floor to ceiling height development standard set out in the ADG for the first floor across all buildings, as well as at the ground floor of the residential buildings S3 and S4.

For all buildings, the floor-to-floor height from Level 1 to Level 2 is 3160mm, with a ceiling height of 2700mm.

- For S1 and S2, there are no ground-level units.

- For S3, the floor-to-ceiling height for the single ground-level apartment is 3200mm.
- For S4, the ground-level floor-to-ceiling height is 3260mm.

only.

2.2.1 Extent of variation

The proposed development will result in a variation to the development standard of between 1% and #% in localised areas across the site. A detailed table of the variations and the particular buildings is provided below. It is important to note that variations are not across the board, and are localised to certain levels in certain buildings.

Building	Level	Required	Proposed	Difference
Building S1 (Mixed Use)	Ground	3.3m	Complies	N/A
	Level 1	3.3m	**2.7m**	**18%**
Building S2 (Mixed Use)	Ground	3.3m	Complies	N/A
	Level 1	3.3m	**2.7**	**18%**
Building S3 (Mixed Use)	Ground	3.3m	**3.2m**	**3%**
	Level 1	3.3m	**2.7m**	**18%**
Building S4 (Mixed Use)	Ground	3.3m	**3.26m**	**1%**
	Level 1	3.3m	**2.7m**	**18%**

The ADG recommends that developments located in a mixed-use area provide a minimum ceiling height of 3.3m for ground and first floor levels to promote future flexibility of use. The proposed development achieves (and exceeds) the recommended floor to ceiling heights on ground floor for all mixed use development and proposes only a minor departure from the ground floor in residential buildings. However, floor to ceiling heights on Level 1 are below 3.3m.

3 Clause 4.6(3)

Clause 4.6(3) of the LEP states as follows:

> *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
>
> *(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
>
> *(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

The judgements in Baron, Rebel and Al Maha recognise the need for the consent authority to form its own view on whether the requirements of Clause 4.6(3) have been achieved, in order to discharge its responsibility to determine whether it is satisfied that the written variation request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). Accordingly, the written Clause 4.6 variation request must 'demonstrate' that the requirements of Clause 4.6(3) have been 'adequately addressed'.

This section demonstrates that the relevant requirements of Clause 4.6(3) are adequately addressed.

3.1 Clause 4.6(3)(a) – Unreasonable or unnecessary

In accordance with the requirements of Clause 4.6(3)(a) of the LEP, this section demonstrates why compliance with the development standard is unreasonable or unnecessary in the circumstances of this case.

In Wehbe, Preston CJ of the Land Environment Court provided relevant assistance by identifying six methods under which a variation to a development standard can be deemed suitable, and compliance with the standard is seen to be unreasonable or unnecessary. The six methods are as follows:

1. **the objectives of the standard are achieved notwithstanding non-compliance with the standard;**
2. the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
3. the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
4. the development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;
5. the compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone; and
6. Compliance is demonstrably unreasonable or unnecessary in some other way.

The proposed departure from the development standard is assessed using method one to establish that the strict application of the development standard under Section 148 of the HSEPP, is unreasonable and unnecessary in this instance.

3.1.1 First method - The objectives of the standard are achieved notwithstanding noncompliance with the standard

In accordance with the principle established in Wehbe, one of the ways in to determine whether a Clause 4.6 variation request has demonstrated the achievement of the matters in Clause 4.6(3)(a) is to show that it is unreasonable or unnecessary to strictly apply the development standard as the development achieves the objectives of the development standard, notwithstanding the contravention of the development standard.

In Baron, Preston CJ noted that demonstrating that the development achieves the objectives of the development standard involves:

1. identification of what the objectives of the development standard are; and
2. establishing that those objectives are, in fact, achieved.

Preston CJ noted that **both** of these the above requirements need to be addressed in a written Clause 4.6 variation request, and that the consent authority must forms its own view on whether both of these matters have been **adequately** addressed.

There are no objectives explicitly associated with minimum floor to ceiling heights under Section 148 of the HSEPP. In lieu, the proposal has been assessed against the relevant objectives of Part 4C of the ADG to demonstrate how the objective has been met notwithstanding non-compliance with the minimum floor to ceiling height standard. Objective 4C-1 of the ADG states as follows:

*"**Objective 4C-1***

Ceiling height achieves sufficient natural ventilation and daylight access"

TABLE 1: RELEVANT OBJECTIVES OF PART 4C-1 OF THE ADG

OBJECTIVE	CONSISTENCY
Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access	The proposed development is design to provide a high-quality, contemporary development which is reflective of the bulk, scale and character as desired within the Epsom Park Precinct. The proposal underwent a comprehensive competitive design alternatives process with the City of Sydney, and has been deemed to achieve design excellence. The proposed variation to the minimum ceiling height development standard, which is overall minor, will not impact the development achieving sufficient natural ventilation and daylight access. The proposed development is compliant with the solar access and natural ventilation requirements under the ADG (see architectural plans). Apartments which do not meet the required ceiling height achieve good solar access and natural light where possible. Any apartments not achieving solar access or natural ventilation would not benefit from increasing the ceiling height. It is highly unlikely that the residential units located on Level 1 of the development will be converted to non-residential uses in the future. This outlook is echoed by the consent authority. In the event that Level 1 residential is converted to non-residential, the best land use for above ground tenancies (i.e. no ground floor street presence) is commercial office space which can readily be accommodated within a 2.7m floor to ceiling. The apartments will be compliant with the relevant provisions in the ADG and demonstrate design excellence in accordance with the principles set out in Chapter 4 of *State Environmental Planning Policy (Housing) 2021* (the Housing SEPP.
Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well proportioned rooms	The ADG also seeks to ensure that the proposed ceiling heights increase the sense of space in apartments and provides for well-proportioned rooms under Objective 4C-2. The proposed units comply with the relevant requirements for unit size and depth under the ADG creating high quality and livable spaces optimising a sense of space and outlook. The heights still meet and exceed the minimums required under the NCC and ADG for all other residential levels, with no low bulkheads in habitable rooms.

OBJECTIVE	CONSISTENCY
Objective 4C-3 Ceiling heights contribute to the flexibility of building use over the life of the building	Objective 4C-3 of the ADG seeks to provide flexibility in uses over the life of the building within mixed-use areas. The non-compliance is minor in nature (13%) and still provides adequate opportunity for varying uses above ground without compromising amenity and spatial requirements.

The ADG also states that the purpose of providing a 3.3m for ground and first floor to promote future flexibility of use. The departure from the minimum floor-to-ceiling heights for ground floor in the residential buildings S3 and S4 is very minor and would not preclude the flexible use of these ground floor areas for alternative uses.

3.2 Clause 4.6(3)(b) - Sufficient Environmental Planning Grounds

This section of the report demonstrates that there are sufficient environmental planning grounds to justify contravening the minimum floor to ceiling height development standard as required by Section 148 of the HSEPP.

In Initial Action, Preston CJ observed that in order for there to be 'sufficient' environmental planning grounds to justify a written request under Clause 4.6 to contravene a development standard, the focus must be on the aspect or element of the development that contravenes the development standard, not on the development as a whole. In Four2Five Pty Ltd, Pain J observed that it is within the discretion of the consent authority to consider whether the environmental planning grounds relied on are particular to the circumstances of the proposed development on the particular site.

There are sufficient environmental planning grounds to justify a flexible approach to the application of the minimum floor to ceiling height control as it applies to the site, demonstrated as follows:

- Ground level floor to ceiling heights exceed the minimum 3.3m requirement in the mixed use buildings, and propose only a minor departure in the residential buildings, providing increased flexibility with ground floor presence and high visibility to pedestrians and vehicles.
- The development was the subject of a detailed Planning Proposal, Concept Plan and design excellence process which consistently proposed residential uses at level 1 and residential uses at the ground floor of Buildings S3 and S4.
- The overall development achieves the minimum non-residential floor space requirement established under the site-specific LEP. There is limited demand for additional non-residential floor space in this location.

3.2.1 Consistency with the zone objectives

Despite the minor non-compliance, the proposal will remain consistent with the objectives of the MU1 zone as detailed below:

TABLE 2: RELEVANT OBJECTIVES OF THE MU1 ZONE

OBJECTIVE	CONSISTENCY
To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.	The development will continue to provide ground level non-residential uses throughout the development, none of which are compromised by this variation. Level 1 residential units are capable of being converted to non-residential in the future and will continue to provide at least 2.7m floor to ceiling heights.
To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.	In mixed use buildings, ground floor non-residential uses are proposed to have floor to ceiling heights exceeding the minimum of 3.3m under Section 148 of the HSEPP. These tenancies have direct street access and visibility creating active street frontage with possibilities for diverse offering to the community. Only minor departures from the 3.3m control is proposed at the ground floor for residential buildings.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The development is entirely compatible with surrounding development and land uses. The proposal mirrors the same floor to ceiling minimums as the development across Zetland Avenue, creating continuity of appearance and non-residential offerings.
To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	The proposal seeks to provide a variety of non-residential uses on ground floor to increase activation and visibility.

OBJECTIVE	CONSISTENCY
To ensure land uses support the viability of nearby centres.	The development site is not identified as a centre. As such, the non-residential uses on ground floor only seek to compliment the established centre, and meet the day-today needs of residents in the immediate area.
To integrate suitable business, office, residential, retail and other land uses in accessible locations that maximise public transport patronage and encourage walking and cycling.	The site is located near Green Square Railway Station and Green Square Bus Interchange, providing excellent connectivity to the greater Sydney metropolitan area. The multiple uses will increase employment and housing opportunities in a highly accessible location,

3.2.2 Orderly and economic use of land & public interest

In accordance with the objects of the EP&A Act, the proposal provides for the orderly and economic use of the land when considering the site constraints, relationship to surrounding properties and accessible location. These characteristics support the proposed variation, and it would be entirely contrary to the public interest to request strict compliance as the variation is minor and the proposal is compatible with the character of the locality. A fully compliant development will result in the provision of subpar tenancies and in an inferior building arrangement and design, ultimately resulting in unleasable tenancies whilst impacting the amenity of future residents.

The proposal will deliver additional housing supply in accordance with Federal and State government policy. It will replace unnecessary office space with critically needed housing supply.

There are no unreasonable impacts that will result from the proposed variation to the minimum non-residential floor space development standard. As such there is no public benefit in maintaining strict compliance with the development standard.

4 Conclusion

Having regard to all of the above, it is our opinion that compliance with the minimum floor to ceiling height development standard is unreasonable and unnecessary in the circumstances of this case as the development meets the objectives of the zone objectives. The proposal has also demonstrated sufficient environmental planning grounds to support the breach. Therefore, insistence upon strict compliance with that standard would be unreasonable. On this basis, the requirements of Clause 4.6(3) are satisfied, and the variation is worthy of support.

Attachment D1

Competitive Design Alternatives Report

COMPETITIVE DESIGN ALTERNATIVES PROCESS REPORT

COMPETITIVE PROCESS SITE 3

118-130 Epsom Road & 905 South Dowling Street, Zetland

18 September 2024

PREPARED BY

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MERITON

Selection Panel Endorsement

Name	Signature	Date
Peter Spira		
Tai Ropiha		
Elizabeth Carpenter		
Richard Johnson		

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Annexure

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1 Introduction

1.1 Overview

The purpose of this Competitive Design Alternatives Process Report ("the report") has been prepared to inform the City of Sydney Council (City of Sydney) of the process and outcomes of the Competitive Design Alternatives Process for the redevelopment of Competitive Process Site 3 at 118-130 Epsom Road & 905 South Dowling Street, Zetland, and the selection of the winning architectural design.

Karimbla Properties (No. 60) Pty Ltd (the Proponent), part of the Meriton Group, selected three architectural consortiums to participate in the Competitive Design Alternatives Process and prepare design proposals for Competitive Process Site 3.

	Consortium 1	**Consortium 2**	**Consortium 3**
Lead Architect	PTW	Hames Sharley	MHNDU
Emerging Architect	Collins + Turner	Sibling Architecture	AHMM

All three architectural consortiums participated wholly in the Competitive Design Alternatives Process and produced a final submission for consideration and assessment by the Selection Panel.

The Competitive Design Alternatives Process was undertaken in accordance with the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012, and the City of Sydney Competitive Design Policy 2020.

Section 4.3 of the City of Sydney Competitive Design Policy 2020 sets out the requirements for a Competitive Design Alternatives Report, as follows:

1. *When competitive design alternatives have been prepared and considered, the consent authority requires the applicant to submit a Competitive Design Alternatives Report prior to the submission of the relevant Stage 2 Development Application.*
2. *The Competitive Design Alternatives Report shall:*
    a. *Include each of the design alternatives considered;*
    b. *Include an assessment of the design merits of each alternative;*
    c. *Set out the rationale for the choice of the preferred design and clearly demonstrate how this best exhibits design excellence in accordance with the provisions of Clause 6.12C(2) of the Sydney Local Environmental Plan 2012 and the approved Design Excellence Strategy.; and*
    d. *Include a copy of the brief issued to the architectural firms.*
3. *The consent authority will advise the applicant whether it endorses the process and outcome and whether it fulfils the requirements of the competitive design alternatives process in the form of pre-development applicant advice.*
4. *The consent authority may need to determine whether the resulting development application or subsequent Section 96 modification is equivalent to, or through design development, an improvement upon the design qualities of the endorsed outcome. If necessary, further competitive processes may be required to satisfy the design excellence provisions.*

This report has been prepared in accordance with Section 4.3 and outlines the Competitive Design Alternatives Process, the Selection Panel's assessment of each scheme, and demonstrates the

Selection Panel's rationale for selection of the winning scheme. Each Selection Panel member has reviewed and endorsed the content contained within this report.

The Competitive Design Alternatives Process was undertaken in accordance with the approved Design Excellence Strategy for the Subject Site, and in accordance with the Competitive Design Alternatives Brief prepared by Meriton Property Services Pty Ltd and endorsed by the City of Sydney on 5 June 2024.

1.2 Site Description

The Competitive Design Alternatives Process relates Competitive Process Site 3 within the Subject Site known as 118-130 Epsom Road and 905 South Dowling Street, Zetland. The Subject Site is legally described as Lot 7 in Deposited Plan 24134 and Lot 2 in Deposited Plan 830870.



Legend

Competitive Process Sites

Competitive Process Subject Site Boundary

Figure 1: Location of Competitive Process Site 3

1.3 The Proponent

The Proponent for this Competitive Design Alternatives Process is Karimbla Properties (No. 60) Pty Ltd, part of the Meriton Group.

1.4 The Consent Authority

The subject site is located within the City of Sydney Local Government Area (LGA). The Consent Authority for the approval of the Competitive Process Site 3 will be the Central Sydney Planning Committee (CSPC) since the estimated value of the project will exceed $50 million.

The Competition Manager liaised with Council Officers throughout the Competition. Council Officers observed the Competitive Process and the competitor's final presentation to ensure the integrity of the Competitive Design Alternatives Process and the outcome.

1.5 Regulatory Framework

The key Environmental Planning Instrument that applies to the site is the Sydney Local Environmental Plan 2012 (SLEP).

Clause 6.21D(3)(b) of the SLEP allows the Consent Authority to grant a Floor Space Ratio bonus of up to 10% if it is satisfied that the development is the result of a Competitive Design Process and that the building exhibits design excellence.

The Proponent is seeking to be granted up to 10% additional floor space in accordance with Clause 6.21D of the SLEP.

1.6 Assessment of the Scheme and Winning Design

An analysis and assessment of the designs was undertaken in accordance with the assessment criteria contained within the Competitive Design Alternatives Brief. This included the design, planning and commercial objectives of the Brief, compliance with the relevant planning controls and the approved Stage 1 Concept DA.

The Selection Panel, by majority vote, recommended the **MHNDU and AHMM** submission as the winning scheme for the competition. Details of the competitor's schemes and the Selection Panel's deliberation are discussed in the following sections.

2 Competitive Design Alternatives Process

2.1 Overview

The Proponent selected three consortiums made up of two architecture firms to prepare submissions in response to a Design Brief as part of the Competitive Design Alternatives Process. The Brief was prepared by Meriton Property Services Pty Ltd and endorsed by the City of Sydney Council on 5 June 2024. The process undertaken is described in more detail as follows:

- Three architectural consortiums were selected, each consortium was comprised of a lead architect and an emerging architect, all architects are recipients of an award or commendation from the Australian Institute of Architects (AIA), or the equivalent international association.
- The Competitive Design Alternatives process commenced on 6 June 2024, ran for 8 weeks, and concluded on 2 August 2024 with final submissions lodged to the competition manager.
- A site visit and briefing session was held on 11 June 2024 to provide an overview of the site, allow competitors to see the site in its context, outline the planning controls and parameters of the Competition Brief, and outline key elements of the brief procedures to be adhered to during the process.
- The Selection Panel members were provided a copy of the Design Brief on 9 July 2024.
- An optional Progress Session was made available to each competitor during the Competition for competitors to ask questions of Technical Advisors. All three consortiums elected to participate in a Progress Session.
- A Register of Questions and Clarifications was kept during the process to document all questions received, responses given, clarifications to competitors and amendments to the Brief, without revealing the source of the questions.
- All competitors submitted an electronic Design Report (Final Submission), articulating their architectural proposal for the site.
- Each competitor presented their proposed architectural scheme to the Selection Panel during the Final Presentation date held on 14 August 2024. The Selection Panel deliberations were held immediately following the presentations on 14 August 2024. The discussions and deliberations of the presentations form the basis of this report.

The Competitive Design Alternatives Process was undertaken in an open and transparent manner with full consultation, consideration and disclosure with the City of Sydney in attendance as observers. In accordance with the City of Sydney's Competitive Design Policy, the Council was involved in the process as follows:

- Reviewed, provided comment and endorsed the Brief.
- Provided clarification on procedures where necessary and relevant advice.
- Approved brief amendments.
- Copied in to all correspondence between competitors and the Competition Manager regarding questions, amendments and clarifications.
- Attended the briefing session, the site visit, progress sessions, QS meetings, final presentations and were present during Selection Panel deliberations.

2.2 Participating Architectural Consortiums

The three architectural consortiums which participated in the Competitive Design Alternatives Process were:

1. PTW Architects and Collins + Turner
2. Hames Sharley and Sibling Architecture
3. MHND Union and Allford Hall Monaghan Morris

All architectural consortiums listed above participated wholly in the Competitive Design Alternatives Process.

2.3 Technical Advisors

Technical Advice was made available to the competitors throughout the process and an assessment of the final submission schemes was undertaken. The technical advisors involved in the Competitive Design Alternatives Process are outlined in the table below.

Name	Company	Advising for
William Brindle	Meriton Property Services Pty Ltd	Competition Manager/ Planning
Eirian Crabbe	Taylor Thompson Whitting (TTW)	Flooding
Ben Liddell	TRAFFIX	Traffic
Joanna Zhou	Meriton Property Services Pty Ltd	Structural Engineering
Steven Wehbe	Meriton Property Services Pty Ltd	Quantity Surveyor

2.4 Observers

The following observers from the City of Sydney were present at various stages of the process.

Name	Organisation	Position
Anita Morandini	City of Sydney Council	Design Excellence Manager
Silvia Correia	City of Sydney Council	Design Excellence Coordinator
Marie Quattromani	City of Sydney Council	Design Excellence Planner
Michael Stephens	City of Sydney Council	Senior Planner, Planning Assessment
Andrew Rees	City of Sydney Council	Area Planning Manager - South

The following observers from Meriton Group were present at various stages of the process.

Name	Company	Position
Kim Samuel	Meriton Group	Director Planning and Development
Walter Gordon	Meriton Group	Head of Planning and Development
Frank Ru	Meriton Group	Head of Architecture
Ian Lim	Meriton Group	Head of Design
Ching Oung	Meriton Group	Senior Design Manager

2.5 Selection Panel

The Selection Panel was comprised of two members selected by the Proponent, and two selected by the City of Sydney. The Selection Panel comprised the following members.

Name	Company	
Peter Spira	Spira Consulting	Proponent Nominee
Tai Ropiha	Director, CHROFI Architects	Proponent Nominee
Elizabeth Carpenter	Managing Principal, FJC Studio	CoS Nominee
Richard Johnson AO MBE	Hon. Professor UNSW BE	CoS Nominee

All members of the Selection Panel have extensive experience in architectural design.

2.6 Key Dates

DATE	TASK/EVENT
	Commencement Date
6 June 2024	Design Competition began.
	Brief issued to Competitors
11 June 2024	**Competitors briefing session and Site Visit**
	A briefing session for all competitors was held online at 10:00am.
	A site visit followed at 2:30pm.
3 July 2024	**Progress Session**
	An informal progress session to seek clarifications limited to planning and technical compliance only was held. The session did not involve members of the Selection Panel.
	Presentations to be held online.
23 July 2024	**Selection Panel briefing session**
	A briefing session for the Selection Panel was held online.
24 July 2024	**Quantity surveyor meeting**
	Each competitor met with the quantity surveyor (QS) prior to the lodgement of final submissions.
	Final Submission Lodgement Date
2 August 2024	Competitors lodged their final submissions to the Competition Manager by 5:00pm (AEST).
9 August 2024	**Lodgement of presentation date material and summary pack**
	Competitors submitted a PDF presentation to the Competition Manager by 5:00 pm (AEST)
	Presentation Date
14 August 2024	Competitors presented final submissions to the Selection Panel.
	Presentations to be held at Meriton head office:
	Level 11, 528 Kent Street, Sydney NSW 2000]
14 August 2024	**Decision Date**

3 Assessment of Final Submissions

3.1 Consortium 1 – PTW and Collins + Turner

3.1.1 Overview of the Design Scheme

The design proposed by **PTW and Collins + Turner** is shown in **Figures 2** and **3.** A summary of the schemes credentials is detailed below:



Figure 2: View from Epsom Road towards Block S-3



Figure 3: View from North West, corner of Defries Avenue and Peters Street

Element	Proposal		
Unit Mix	1 Bed/1 Bed + MPR 2 Bed 3 Bed 4 Bed **Total**	54 106 56 4 **220**	(24.5%) (48%) (25.5%) (2%)
Residential **Commercial / Retail**	22,717 m^2 1,373.5 m^2		
Gross Floor Area (Max 24,090 m^2)	**24,090.5 m^2** 0.5m^2 exceedance		
Car Parking	Residential Visitor Retail **Total**	N/A N/A N/A **246**	
Amenities	1 x communal pool 1 x gym		

3.1.2 Assessment of Submission

The Selection Panel provided the following evaluation of the **PTW and Collins + Turner** scheme and presentation and its ability to meet the objectives of the brief and the potential to achieve design excellence.

PTW and Collins + Turner provided a well-considered collaborative approach between the architectural practices providing a clear proportioning between buildings with strong elements and materiality. Buildings were broken down in scale utilising 20m façade elements sitting upon a unifying colonnade.

The urbanist ambition for the project with the buildings designed as a restrained backbone to the public space was commended.

The scheme displayed a sound ratio of solid to void (window to wall) across the façade and has integrated good ESD principles and objectives.

Ground floor connections to open space was a sound strategy.

The use of colonnades provided grounding for all buildings and was a strong and unified element both architecturally and planning wise, including creating continuity along Link Road.

The facades were robust and would withstand design development and the lifetime of the buildings, whilst the materiality palette had a sound use of materials such as brick and subtle use of colours, creating differentiation across the scheme, and provided a good variety in elevational make up. The acoustic attenuation measures employed along Link Road was a good passive way to treat noise.

The loading dock location and configuration was a good solution however further architectural screening and development was required, whilst the width of the crossover should be minimised.

Further resolution of key architectural elements such as the loading dock façade to Link Rd and Epsom Rd, internal apartment planning and façade translation, integration between the strong podium and tower elements above, façade articulation cohesion and hierarchy, and translation of colonnade elements was needed to achieve design excellence.

The Proponent and Selection Panel thanks **PTW and Collins + Turner** for their submission and recognises the quality and extent of the work involved. Despite the strengths of this scheme, it was decided not to proceed further with this proposal.

3.2 Consortium 2 – Hames Sharley and Sibling Architecture

3.2.1 Overview of the Design Scheme

The design proposed by **Hames Sharley and Sibling Architecture** is shown in **Figures 4** and **5.** A summary of the schemes credentials is detailed below:



Figure 4: View from Epsom Road towards Block S-3



Figure 5: View from North West, corner of Defries Avenue and Peters Street

Element	Proposal		
Unit Mix	1 Bed	30	(14%)
	1 Bed + MPR	13	(6%)
	2 Bed	112	(51%)
	3 Bed	57	(26%)
	4 Bed	7	(3%)
	Total	**219**	
Residential **Commercial / Retail**	21,968.1 m^2 1,410.23 m^2		
Gross Floor Area (Max 24,090 m^2)	**23,379.33 m^2**		
Car Parking	Residential	N/A	
	Visitor	N/A	
	Retail	N/A	
	Total	208	
Amenities	1 x communal pool 1 x gym		

3.2.2 Assessment of Submission

The Selection Panel provided the following evaluation of the **Hames Sharley and Sibling Architecture** scheme and presentation and its ability to meet the objectives of the brief and potential to achieve design excellence.

Hames Sharley and Sibling Architecture are to be commended for the quality and comprehension of its submission and presentation material. The Panel were impressed with the urban analysis and design principles which informed the scheme and the concept of connectivity at both a local level and beyond the site.

The scheme displayed a sound ratio of solid to void (window to wall) across the façade and has integrated good ESD principles and objectives. The Selection Panel acknowledges the scheme's consideration of the health and wellbeing of Country.

Building location and articulation was thoughtful and allowed good access to natural light within the buildings and through to the public domain, but would benefit from further detailed refinement. The Panel commended the scheme on its appropriate provisioning of lifts throughout the buildings, and solid internal unit planning throughout.

The communal village feel/composition is positive and is achieved through the breaking down of built form with different scales. The through site link in Block S-2 (next to potential gallery space connecting to the future signalised crossing and east-west pedestrian link through Block S-1 connecting Link Road and Mulgu Park is a positive outcome.

The design principles were strong but would have benefited from further design development to ensure strong architectural expression and materiality. The glass façade to Blocks S-1 and S-3 lift lobby facing Epsom Road was a good outcome which allowed light and views to the lobby experience whilst mitigating noise impacts to apartments from the Epsom Road.

The loading dock configuration with a through-site shared zone was an innovative and potentially a workable solution but needed further refinement and consideration of façade treatment and activation. The positioning of maisonettes at the head of Mulgu Park also diminished the potential to activate this shared zone and Rose Valley Way.

The Proponent and Selection Panel thanks Hames Sharley and Sibling Architecture for their submission and recognises the quality and extent of the work involved. Despite the strengths of this scheme, it was decided not to proceed further with this proposal.

3.3 Consortium 3 – MHNDU and AHMM

3.3.1 Overview of the Design Scheme

The design proposed by **MHNDU and AHMM** is shown in **Figures 6** to **9.** A summary of the schemes credentials is detailed below:



Figure 8: View from Defries Avenue towards Block S-3



Figure 8: View from North West, corner of Defries Avenue and Peters Street



Figure 8: View of Block S-2 from future Mulgu Park



Figure 8: View of Block S-1 from Defries Avenue

Element	Proposal		
Unit Mix	1 Bed	14	(6.4%)
	1 Bed + MPR	32	(14.7%)
	2 Bed	112	(51.4%)
	3 Bed	56	(25.7%)
	4 Bed	4	(1.8%)
	Total	**218**	
Residential **Commercial / Retail**	22,830.45 m^2 1,277.30 m^2		
Gross Floor Area (Max 24,090 m^2)	**24,107.75 m^2** 17.75 m^2 exceedance		
Car Parking	Residential	196	
	Visitor	29	
	Retail	23	
	Total	244	
Amenities	1 x communal pool 1 x gym		

3.3.2 Assessment of Submission

The Selection Panel provided the following evaluation of the **MHNDU and AHMM** scheme and presentation and its ability to meet the objectives of the brief and its potential to achieve design excellence.

The Selection Panel by unanimous vote, recommended the **MHNDU and AHMM** submission as the winning scheme for the competition. **MHNDU and AHMM** presented the most compelling scheme demonstrating consideration of the health and wellbeing of Country and a strong understanding and response to the surrounding precinct and urban design.

It is considered that the scheme best fulfilled the design, commercial and planning objectives of the brief and demonstrated the potential to achieve design excellence as required by Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012 and the City of Sydney Competitive design Policy 2020. It proposed buildings that created a distinctive skyline, a good level of urban integration and delivered high levels of amenity to future residents, all of which will benefit the immediate precinct.

The scheme displayed a sound ratio of solid to void (window to wall) ratio across the façade and has integrated good ESD principles and objectives. The Selection Panel acknowledged the scheme's consideration of the health and wellbeing of Country.

The Selection Panel were impressed by the scheme's calm, cohesive and simple approach to design with a sophisticated understanding and use of materiality, façade composition, site context, and memory of place. The schemes four individual and unique architectural façade concepts reflecting the history of the site and surrounding land uses was strong and clear, and will accommodate future design development well. Locations of lobbies were clearly visible from the public domain, had clarity from Mulgu Park and provided a distinctive amenity of arrival for residents and visitors.

Location and orientation of retail was commendable and prioritised visibility from public domain whilst integrating well into adjoining sites. Through-lobbies combined with a generous through-site

link from Mulgu Park to surrounding streets created strong permeability opportunities throughout the site.

The loading dock location and configuration was a sound attempt but would benefit from further development and consideration of façade appearance and activation.

The Proponent and Selection Panel thanks **MHNDU and AHMM** for their submission and recognises the quality and extent of the work involved. The Selection Panel recommended this scheme as the winner of the Competitive Alternatives Process.

3.3.3 Recommendations

The Selection Panel recommended retention of the following strong elements of the scheme during design development:

- Maintain the scheme's compliance with Solar and Natural Cross Ventilation controls under the ADG.
- Approach to ESD initiatives and the solid to void (window to wall) ratio.
- The four individual building concepts – maintain and develop the building concepts whilst maintaining architectural cohesion. The expression of a complete project is to be maintained.
- Maintain the approach to site and planning constraints such as Block S-3 setbacks.
- The location and configuration of retail spaces in Block S-1 and their relationship with the future public domain and supermarket on the North-East Stage.
- Clearly defined lobby locations and visibility from Mulgu Park.
- Clarity of the tower form, transition to ground and being a clearly identifiable element.
- Calm and cohesive whilst achieving diversity with a sophisticated understanding of materiality, façade, and memory of place.
- The through-site link in Block S-2 (east).
- Concept of bay windows.
- Orientation of apartments away from Link Rd and Epsom Road towards Mulgu Park.
- Clear, direct and high amenity entry sequence accessing apartments.
- Services and core placement towards Link Road in Block S-1
- Generosity of publicly accessible areas and private domain at block edge – S-1 Colonnade, S-2 through-site link.
- Well-proportioned lobbies with views to Mulgu Park, the streets or open space.
- Location and control of fire egress away from Mulgu Park
- The interface of Block S-3 to the adjoining development to the west, including articulation and junction between buildings.
- Access to landscaped roof terrace in each block.

The Selection Panel recommended the following improvements to the scheme:

- Further development of the landscape and its consideration of the health and wellbeing of Country.
- Privacy issues between apartments within Block S-2 and configuration of apartments within floor plate creating long corridors.
- Loading dock arrangement and location to minimise impact on public realm and achieve functionality. Blank façade to a park is less desirable than to Link Road.
- Consider CPTED issues in the resolution of the ground floor fronting Epsom Road – Architectural treatment should be employed to blank walls if unavoidable
- Further resolution of levels and accessibility across the site to ensure generosity of public access.
- Balance between importance of Mulgu Park and Epsom Road
- Create a clear hierarchy of residential and non-residential uses along Epsom Road

- Develop Block S-1 façade to improve visual connection from balconies to Mulgu Park whilst protecting privacy and managing western solar access.
- Further resolution of Block S-2 deep corner apartments long entry corridors within common areas and units.
- General internal unit planning – bedroom locations and kitchen locations should be revised to achieve best outcome.

5 Conclusion

This report summarises the outcomes of the Architectural Design Alternatives Process for the redevelopment of Competitive Process Site 3 at 118-130 Epsom Road & 905 South Dowling Street, Zetland.

The design competition process has been carried out in a professional and thorough manner in accordance with the Competitive Design Alternative Brief, prepared by Meriton Group.

The winning entry, designed by **MHNDU and AHMM**, best fulfils the design, commercial and planning objectives of the Brief and demonstrates the potential to achieve design excellence.

The significant efforts made by all Competitors are recognised and the Selection Panel and Meriton Gorup wishes to thank all teams for their participation.

This report is endorsed by the Selection Panel.

Annexure 1: Design Competition Brief

Competitive Design Alternatives Brief

118-130 Epsom Road and 905 South Dowling Street, Zetland (Competitive Process Site 3)

5 June 2024

PREPARED BY

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MERITON

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Annexures

Annexure	File Name	Prepared by	Description	Status
Annexure 1	Final Design Excellence Strategy v3	Meriton	Design excellence framework for each competitive process stage within the overall site.	Referred to in condition 5 of the recommended Stage 1 Concept DA conditions.
Annexure 2	Stage 1 Concept DA Conditions	City of Sydney	Recommended Stage 1 Concept DA conditions to be considered for all future DAs on the subject site.	Pending approval by City following finalisation of VPA.
Annexure 3	Stage 1 Concept DA Drawings	MAKO Architecture	Stage 1 Concept DA Drawings	Referred to in condition 2 of the recommended Stage 1 Concept DA conditions.
Annexure 4	In force SLEP 2012 and SDCP 2012 – Site Specific	City of Sydney	Site – Specific SLEP and SDCP controls made as a result of the site-specific Planning Proposal.	Final
Annexure 5.1	Site Survey.dwg. (Existing and Proposed Overlay)	MAKO Architecture	Site Survey showing all existing and proposed site conditions including future levels, flood planning levels, future lot boundary, tree protection zones etc.	Based on Concept DA information
Annexure 5.2	Site Survey – Easements	Real Serve	Survey Plan showing locations of existing easements	Prepared 20/05/2020
Annexure 6	Plans of winning scheme for Competitive Process Site 1	MAKO Architecture	Plans of the winning scheme for Competitive Process Site 1 (NE blocks) immediately to the north of Competitive Process Site 3.	Indicative, provided for contextual information only.
Annexure 7	Concept DA Proposed Landscape Masterplan	Urbis	Concept DA Proposed Landscape Masterplan	Submitted with the Concept DA.
Annexure 8	Mulgu Park Concept Design	Gallagher Studio (for the City of Sydney)	Landscape design for the future Mulgu Park.	To be refined to reflect DCP and Stage 1 DA Concept Drawings alignments and public domain boundaries.

Annexure 9	Flood Impact Assessment	TTW	Preliminary flood assessment with indicative flood planning levels for the competitive process site to address the flood risk	Submitted with the Concept DA, referred to in condition 32 of the recommended Stage 1 Concept DA conditions.
Annexure 10	Proposed Civil Drawings	Sky Engineering	Preliminary Civil Engineering drawings showing location of roadways and other civil infrastructure.	Submitted with the Concept DA.
Annexure 11	Environmental Wind Assessment	SLR Consulting	Preliminary Environmental Wind Assessment outlining areas of heightened wind impacts.	Submitted with the Concept DA.
Annexure 12	Noise and Vibration Assessment	E-Lab Consulting	Noise and Vibration Assessment outlining areas of increased acoustic impacts.	Submitted with the Concept DA.
Annexure 13	Arborist Report	Jacksons Nature Works	Arborist Report outlining trees to be removed and retained.	Submitted with the Concept DA, referred to in condition 28 and 29 of the recommended Stage 1 Concept DA conditions
Annexure 14	Epsom Park Precinct Public Domain Plan	City of Sydney	Public domain plans for the precinct.	Provided for contextual information only.
Annexure 15	ADG, LEP, DCP Control Summary v4	Meriton	A summary of the applicable planning controls including site-specific	Prepared for the competitive process.
Annexure 16	Meriton Design Standards	Meriton	Meriton Design Standards	
Annexure 17	ESD Report	Efficient Living	Ecological Sustainable Development Report	Submitted with the Concept DA.
Annexure 18	Public Art Strategy	Aileen Sage	Public Art Strategy which demonstrates the commitment to commission, implementation and management of high-quality public art.	Submitted with the Concept DA, referred to in condition 27 of the recommended Stage 1 Concept DA conditions.
Annexure 19	Building Services Checklist	Meriton	Building services requirements for Meriton Projects	Prepared for the competitive process.
Annexure 20	GFA Schedule	Meriton	Area Schedule & Yield Analysis	Prepared for the competitive process.

Annexure 21	Perspective Image & Location Map	Meriton	Perspective Image & Location Map	Prepared for the competitive process.
Annexure 22	Electronic Model.dwg	MAKO Architecture	A 3D electronic model which includes site terrain, survey information, future public domain set out and the proposed concept envelope (as amended and lodged with the City of Sydney on December 2023	Indicative only. Updated model that reflects the approved Stage 1 Concept DA yet to be submitted for review and approval by City (as required by condition 36).
Annexure 23	Extracts from Urban Design Report	MAKO Architecture	Extracts from Urban Design Report	Extracted for the competitive process.
Annexure 24	Assessment Criteria	City of Sydney	Criteria and weighting used by the Selection Panel to assess submissions.	Final.

Where there is an inconsistency between the Brief and documents contained within annexures, the Brief prevails. Most of the information in annexures is preliminary and provided for background information only. Where information and assumptions change, any required modifications to the winning scheme will be addressed as part of the detailed DA.

1 Introduction

1.1 Overview & Purpose of the Competitive Design Alternatives Process

The purpose of this Competitive Design Alternatives Process (competitive process) is to select the highest quality architectural, urban design and landscape solution for the development of Competitive Process Site3 located at 118-130 Epsom Road and 905 South Dowling Street, Zetland.

This competitive process is to be undertaken in accordance with the City of Sydney's Competitive Design Policy (Policy) and Clause 6.21C and 6.21D of the Sydney Local Environment Plan 2012 (SLEP 2012).

Competitors are to prepare a design scheme for the development of the site in accordance with the SLEP 2012, the Sydney Development Control Plan 2012 (SDCP 2012), and the Stage 1 Concept DA (D/2023/724).

The overall redevelopment of the Subject Site will deliver:

- A large mixed-use development, comprising a mixture of residential and non-residential uses with basement parking, landscaping, public domain, open spaces and roadways.
- The provision of nine separate blocks spread across three precincts.
- Development blocks will range from 2 to 25 storeys in height.
- A total GFA of 90,275sqm
  - ➔ Residential GFA: 85,722sqm
  - ➔ Non-Residential GFA: 4,552.76sqm
- Specialty retail, cafes, restaurants, childcare and a supermarket will be provided on site.

The proposed development that is the subject of this Competitive Process Site 3 is to comprise:

- Four distinct development blocks;
- Mixed use residential tower with ground floor retail;
- Low to Mid-rise mixed use residential flat building; and
- Associated communal open space.

1.2 Land to Which the Competitive Design Alternatives Process Applies

The subject site is known as 118-130 Epsom Road and 905 South Dowling Street, (see **Figures 1** and **2**). The subject site is legally described as Lot 7 in Deposited Plan 24134 and Lot 2 in Deposited Plan respectively. This Design Competition applies to part of the subject area known as Competitive Process Site 3 as identified in **Figure 3** below.

The Subject Site is located within the wider Green Square Precinct. The Subject Site is positioned toward the south-eastern extent of the precinct along South Dowling Street/Southern Cross Drive as illustrated in **Figure 1** and **2**. Below and represents the largest single remaining development site in the area.

1.3 Proponent

Karimbla Properties (No. 60) Pty Ltd is the Proponent of this competitive process and has invited three (3) consortiums comprised of two (2) persons, corporations or firms registered as an Architect in accordance with the Architects Act 2003 NSW to participate in this competitive process.

Karimbla Properties (No. 60) Pty Ltd is a member of the Meriton Group which is Australia's largest residential developer having designed, developed and built more than 77,000 apartments and some of the tallest towers across the east coast of Australia.

1.4 Voluntary Planning Agreements

A Voluntary Planning Agreement (VPA) between Karimbla Properties (No. 60) Pty Ltd (Proponent) and the City of Sydney Council has been executed and registered in association with the Planning Proposal (PP-2022-2530) to amend the Height of Building (HOB) standards under the SLEP 2012 as it applies to 118-130 Epsom Road and 905 South Dowling Street, Zetland. Further details of the Planning Proposal VPA are provided in Section 4.1.4.

An offer to enter into a VPA between Karimbla Properties (No. 60) Pty Ltd and the City of Sydney Council was submitted with the Stage 1 Concept DA in accordance with Clause 6.14 Community infrastructure floor space at Green Square under the SLEP 2012 to enable a floor space bonus of up to 0.5:1. Further details of the Community Infrastructure VPA are provided in Section 4.1.4.

1.5 Design Excellence Strategy

The Proponent developed a draft Design Excellence Strategy for the site which is provided in **Annexure 1**.

1.6 The Competitive Process Brief

This Brief sets out the:

- objectives of the proposal;
- basis for participation;
- responsibilities and obligations of the competitors, Proponent, selection panel and the technical advisors;
- responsibilities of the Competition Selection Panel and details assessment processes to provide the option of selecting the best design for each stage;
- role of the Competition Manager and the City of Sydney; and
- competitive process procedures

As required by the City of Sydney Competitive Design Policy, the City of Sydney has reviewed and endorsed this brief on 5 June 2024.

This competitive process was notified to the Australian Institute of Architects (AIA) for its information on 6 June 2024.

The outcome of the Design Competition will not fetter the decision of the Consent Authority in the determination of any subsequent DA submissions for this project. The Consent Authority will not directly form part of the selection panel; however, representatives from the City of Sydney may act as an impartial observer(s) to the Design Competition.

1.7 Consent Authority

The subject site is located within the City of Sydney Local Government Area (LGA). As the proposal is estimated to have a development cost of over $50million, the Consent Authority for the detailed Development Application will be the Central Sydney Planning Committee (CSPC).

1.8 Competition Manager

Meriton Property Services has prepared this Brief and will act as the Competition Manager of this Competition. The Competition Manager from Meriton Property Services is:

Primary Contact	Secondary Contact
William Brindle Senior Town Planner, Meriton Property Services Level 11, 528 Kent Street Sydney NSW 2000 Email: williamb@meriton.com.au	**Luke Marquet** Senior Town Planner, Meriton Property Services Level 11, 528 Kent Street Sydney NSW 2000 Email: Lmarquet@meriton.com.au

1.9 Status of planning controls and Stage 1 Concept DA (D/2023/724)

The key planning controls applicable to the subject site are contained in SLEP 2012 and SDCP 2012. A Planning Proposal to amend the SLEP 2012 and SDCP 2012, which includes the significant redistribution of height across the site, was approved by the Central Sydney Planning Committee and Council in June 2023, and was finalised and gazetted by the NSW Government on 3 May 2024. These controls are now in force.

At the time of commencement of this competitive process, the Stage 1 Concept DA associated with this competitive process has not yet been determined. At its meeting on 9 May 2024, the Central Sydney Planning Committee provided delegated authority to the Chief Executive Officer to determine the DA. The brief is written on the basis that the Stage 1 Concept DA will be determined with the recommended conditions set out in **Annexure 2** and, for the purpose of the competitive process, competitors are to assume the same.

Nothing in this Brief (or annexures) approves a departure from the relevant planning controls, including any relevant State Environmental Planning Policies (SEPPs), the SLEP 2012 and SDCP 2012 controls and the VPAs. Where there is any inconsistency between this Brief and the relevant planning controls, the relevant planning controls and the VPAs prevail.

1.10 Key dates for the Design Competition

The Design Competition will run over an approximate eight (8) week period from Commencement Date to the Final Submissions Lodgement Date.

DATE	TASK/EVENT
6 June 2024	**Commencement Date** Design Competition begins. Brief issued to Competitors
11 June 2024	**Competitors briefing session and Site Visit** A briefing session for all competitors will be held online at 10.00am. A site visit will follow.
1 July 2024	**Progress Session lodgement date** Competitors are invited at their discretion to submit preliminary concepts in progress for technical review. Competitors may submit progress documents to the Competition Manager by 5 pm (AEST).
3 July 2024	**Progress Session** Competitors at their discretion may attend an informal progress session to seek clarifications limited to planning and technical compliance only. The session does not involve members of the selection panel. All advice will be summarised and issued in writing by the Competition Manager within 1 working day following the progress session date. City observer/s may be in attendance. Sessions to be held online.
Week 6 or 7 (TBC) **Week 6 Begins 15 July 2024**	**Selection panel briefing session** A briefing session for the selection panel will be held online.
Week 7 (TBC) **Week 7 Begins 22 July 2024**	**Quantity surveyor meeting** Each competitor is to meet with the quantity surveyor (QS) prior to the lodgement of final submissions. Competitors are to secure a meeting date via the Competition Manager The Competition Manager will be present and City of Sydney observer invited to attend. The Competition Manager will provide a written summary of the meeting to the City of Sydney within 1 working day following the QS meeting. Meetings to be held online
2 August 2024	**Final Submission Lodgement Date** Competitors to lodge final submissions to the Competition Manager by 5:00pm (AEST). Submissions will be audited by the Competition Manager – See Section 5.13 Final submissions - Restrictions. Within 24 hours of the lodgement deadline, the Competition Manager shall notify competitors of any exceedance and confirm the pages for deletion. The Competition Manager to issue an electronic copy of Final Submissions to the City of Sydney and a hard and electronic copy of Final Submissions to all Selection Panel members within 24 hours of the lodgment deadline.
5 August – 12 August 2024	**Review of final submissions and technical reporting** A high-level review will be undertaken by the proponent's technical advisors and reports submitted to the Competition Manager for distribution to the selection panel and the City of Sydney a minimum of 3 days prior to the presentation date. **Cost estimate by proponent's quantity surveyor:** Quantity surveyors reports to be issued to respective competitors, selection panel and City of Sydney a minimum of 2 days prior to the presentation date. Note: final submissions will be reviewed by the selection panel independently prior to the final presentations.

DATE	TASK/EVENT
9 August 2024	**Lodgement of presentation date material** Competitors are to submit a PDF presentation to the Competition Manager by 5:00 pm (AEST) for audit prior to the presentation date. No later than 48 hours prior to the presentation date, the Competition Manager will request competitors to delete any additional or new content. **Summary Pack Lodgement Date** Competitors are to submit a zip file to the Competition Manager by 5:00pm pm (AEST). The Competition Manager will audit and request removal of any additional or new content.
14 August 2024	**Presentation Date** Competitors present final submissions to the Selection Panel. Presentations to be held at Meriton head office: Level 11, 528 Kent Street, Sydney NSW 2000 The schedule of presentations will be provided directly to Competitors.
Within 14 days of the Presentation Date	**Decision Date** Date by which submissions are evaluated by the Selection Panel with a recommendation made for formal appointment of the successful Competitor.
Within 14 days of the Decision Date	**Notification to Competitors** Date by which all Competitors are notified in writing of the decision.
Within 21 days of the Decision Date	**Competitive Design Alternatives Report** Date by which Competitive Design Alternatives Report prepared by the proponent is submitted to the City of Sydney.

1.11 Glossary

The following provides a summary - in alphabetical order - of the terms used in this document:

- **Brief** means Competitive Design Alternatives Brief
- **CBD** Central Business District
- **Community Infrastructure VPA** means the VPA associated with the Stage 1 Concept DA
- **Competitive Process** means the competitive design process required by Clause 6.21D of Sydney LEP 2012 and the competitive design alternatives process under the Policy
- **Competitive Process Site 3** means the site that is the subject of this competitive process and this Brief
- **Competitors** means the invited architectural firms participating in the Competitive Process
- **Consent Authority** means the Central Sydney Planning Committee
- **DA** means Development Application
- **DCP** means Sydney Development Control Plan 2012
- **ESD** Ecologically Sustainable Development
- **Policy** means the City of Sydney's Competitive Design Policy
- **SDCP 2012** means the Sydney Development Control Plan 2012
- **SLEP 2012** means Sydney Local Environmental Plan 2012
- **Observer** means impartial Observer/s of the Competitive Process
- **Planning Proposal VPA** means the VPA associated with the Planning Proposal
- **Proponent** means Karimbla Properties (No. 60) Pty Ltd
- **SEPP** means State Environmental Planning Policy
- **Stage 1 Concept DA** means the Stage 1 Concept DA (D/2023/724)
- **VPA** Voluntary Planning Agreement

2 Site Description

2.1 Site Location

The subject site is located at 118-130 Epsom Road and 905 South Dowling Street, Zetland and is situated on the eastern edge of Green Square within 800 walking distance of Green Square station and town centre. The site is bounded by Epsom Road (south), Defries and Zetland Avenue (north) and Link Road (east) and residential housing (under construction) to the western boundary. **Figure 1** shows the general location of the site and **Figure 2** shows an aerial view of the site and its boundaries.

FIGURE 1: LOCATION AERIAL SUBJECT SITE OUTLINED BLUE (SOURCE: NEARMAPS MARCH 2024)



2.2 Site Description

The Subject Site comprises two (2) lots as described below:

Lot/DP	Address	Title Area
Lot 7 DP 24134	118-130 Epsom Road, ZETLAND	16,180m²
Lot 2 DP 830870	905 South Dowling Street, ZETLAND	24,686m²
	Total area by title	**40,866m²**

The collective allotments are referred to as the Subject Site within this document. The site is irregular in shape. The site has a combined frontage to Link Road of 227.275m and a combined frontage length to Epsom Road of 103.72m. It has a curved frontage of 9.37m to the intersection of Link Road and Epsom

Road. The site has dimensions of 265.3m to the northern boundary and 152.635m to the western boundary, and 93.855m to the southern side boundary adjoining 106-116 Epsom Road. A site survey plan is included at **Annexure 5**.

FIGURE 2: AERIAL VIEW OF THE SUBJECT SITE (SOURCE: NEARMAP MARCH 2024)



2.3 Competitive Process Site

The Competitive Process Site is identified below as 'Site 3' and will be herein referred to as Competitive Process Site 3.

FIGURE 3: COMPETITIVE PROCESS SITES



Legend

Competitive Process Sites

Competitive Process Subject Site Boundary

2.3.1 Competitive Process Site 1 and Competitive Process Site 2

A competitive design process has recently been completed for Competitive Process Site 1 located adjacent (to the north east). Plans of the competition winning scheme are provided for information at **Annexure 6** and are indicative only (prepared by MAKO Architecture, Aileen Sage, and Djinjama). A competitive design process for Competitive Process Site 2, located adjacent (to the north west) of Competitive Process Site 3 (refer **Figure 3**), is being undertaken concurrently.

2.4 Surroundings

Zetland is an inner-city suburb of Sydney, located approximately 4km to the south of the Sydney Central Business District in the City of Sydney Local Government Area.

The site is within the wider Green Square Precinct which is currently undergoing extensive urban renewal. The Green Square Urban Renewal Area is Australia's largest urban renewal area and features the Green Square Town Centre at its heart. The Urban Renewal Area is forecast to grow to around 32,000 dwellings, housing around 63,000 people by 2036. Much of the locality has undergone significant redevelopment with a number of sites within the immediate locality containing approved or recently constructed high density residential developments.

A number of sites within the immediate locality contain approved or recently constructed residential flat buildings and mixed-use developments. **Figure 4** below and **Table 1** below identify and describe the surrounding development.

FIGURE 4: LOCATION OF ADJOINING DEVELOPMENT/PLACES OF NOTE

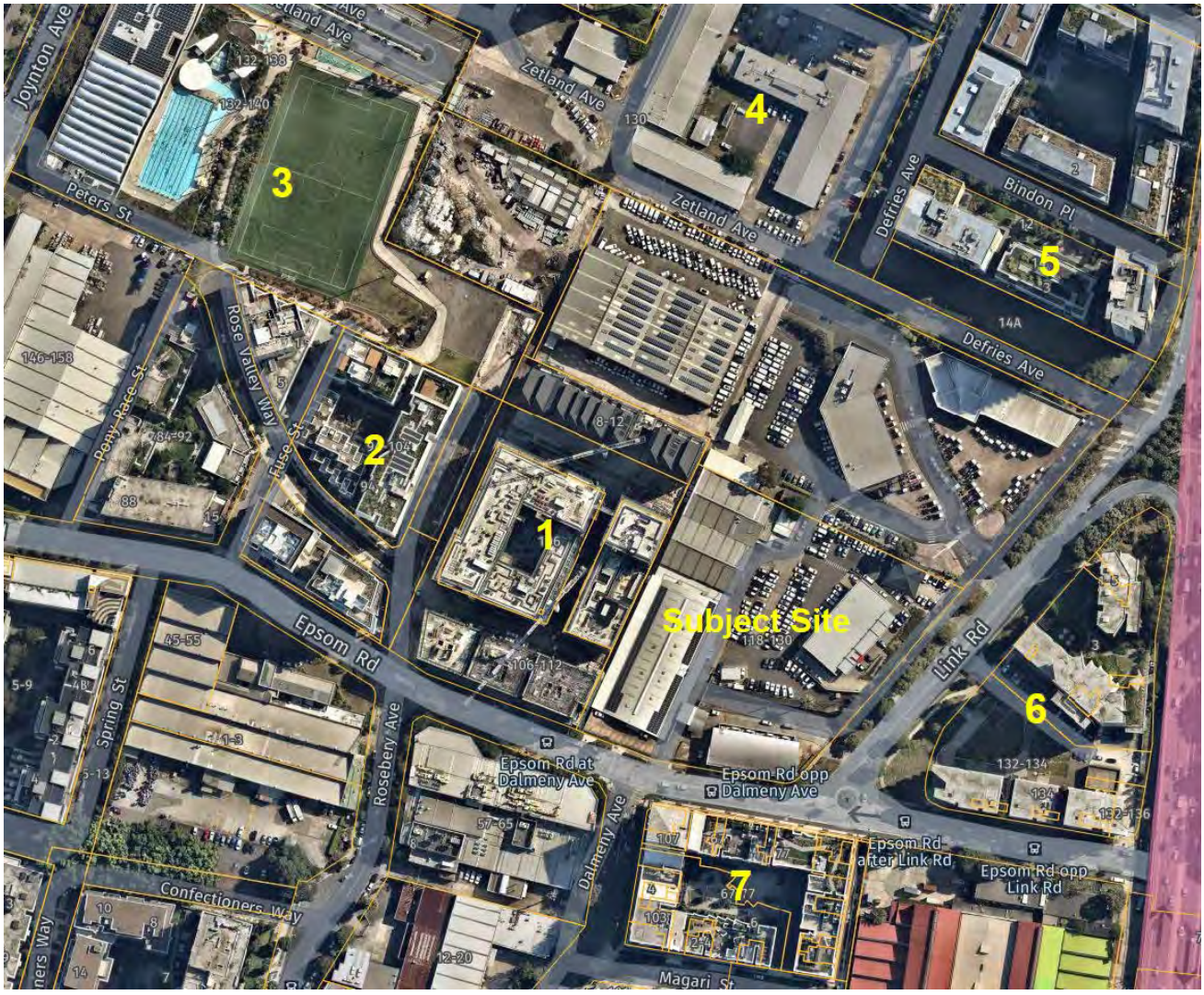


TABLE 1: ADJOINING DEVELOPMENT/PLACES OF NOTE

Site #	Address	Description
1	106-116 Epsom Road & 8-12 Peters Street	Immediately adjoining the subject site, a mixed-use development comprising five buildings ranging between five and 14 storeys,

		accommodating 555 residential apartments and 840sqm of retail. Approved under D/2015/913.
2	94-104 Epsom Road	Further west of the subject site, a mixed-use development comprising three buildings up to 14 storeys. Approved under D/2019/976.
3	Gunyama Park	Adjoining the subject site to the north-west is Gunyama Park and Gunyama Park Aquatic Centre and Recreation Centre. Approved under D/2016/824.
4	130 Joynton Avenue	The former Ausgrid Zetland Depot at 130 Joynton Avenue, which has recently undergone a design competition. It is noted that this site occupies Zetland Avenue (future roadway) and adjoins the (entire) northern boundary of the subject site.
5	12 & 14 Defries Avenue	Residential flat building developments to the north and north-east fronting Eastern Distributor, Zetland Avenue, Bindon Place, Defries Avenue and Naulty Place.
6	1 Link Road & 132-136 Epsom Road	To the south-east and on the opposite site of Link Road is a mixed-use development with heights between 5 and 15 storeys.,
7	67 Epsom Road	This site, immediately to the south across Epsom Road, was approved for the construction of a part nine, part fourteen storey mixed use development.

2.5 Future Site Context

There are two sites of note within the vicinity of the subject site which are yet to undergo redevelopment.

The undeveloped balance of Site 3 (identified in **Figure 4** above) will be incorporated into the Gunyama Park Recreation Centre under D/2016/824 (as modified). The final stage of Gunyama Park is known as 'Gunyama Park Stage 2'. See **Figure 5** below.

Site 4, being the former Ausgrid Depot, has recently been sold. There is no current development information available for this site however a design competition has recently been completed.

FIGURE 5: GUNYAMA PARK REDEVELOPMENT



2.6 Special Site Characteristics

2.6.1 Public Domain

The scope of this competitive process is limited to buildings and associated communal spaces. The competitive process does not include the design of any areas of the public domain.

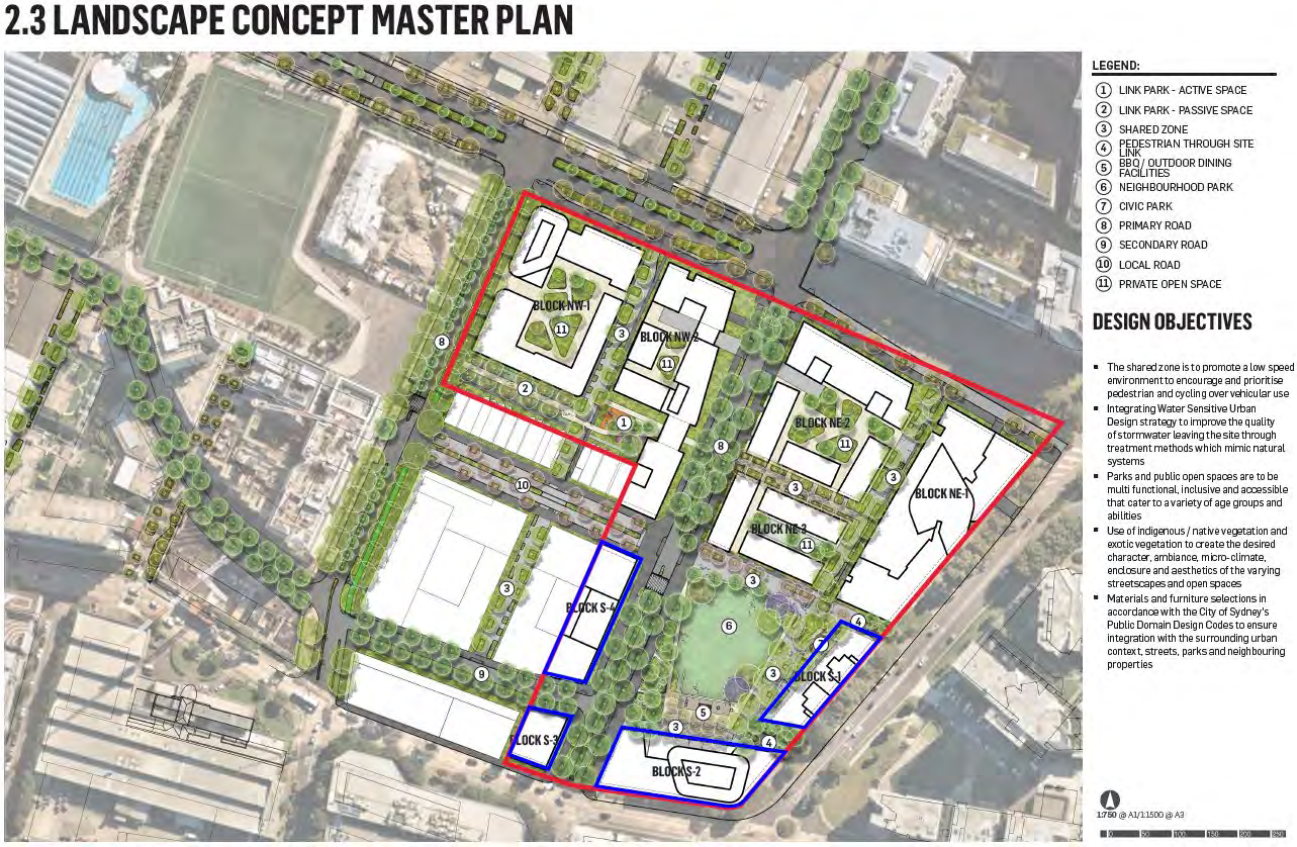
The existing development on the subject site has a very high site coverage resulting in very little quality public domain or open space. Future development on the site has opportunities to greatly improve the public domain interface.

Internal road networks within the subject site are set by the draft Sydney Development Control Plan and the Stage 1 Concept DA. It should be assumed that the internal road network is as per the DCP.

Concept designs for future public parks and spaces are discussed in the following sections. A site-wide Concept DA Landscape Masterplan Report prepared on behalf of the Proponent and submitted with the Stage 1 Concept DA is shown below in **Figure 6** and included at **Annexure 7**. The roadways (kerb-to-kerb only) are subject to a separate DA (D/2023/753).

Section 4.2.2 of this brief sets out the design objectives for the public domain elements that schemes are to respond to.

FIGURE 6: PROPOSED STAGE 1 CONCEPT DA LANDSCAPE MASTERPLAN (EXCERPT FROM ANNEXURE 7)



2.6.2 Mulgu Park

The Subject Site contains the future Mulgu Park, located within but outside the scope of Competitive Process Site 3. The Mulgu Park Concept Design prepared by Gallager Studio for the City of Sydney is provided at **Annexure 8.** The City's Mulgu Park Concept Design (**Annexure 8**) should be relied on where there are inconsistencies with site-wide Concept DA Landscape Masterplan Report prepared on behalf of the Proponent at **Annexure 7**. Design refinements will be required to reflect the final alignment of development blocks, additional plaza areas and the like and will be reflected in a future DA for the park to be prepared by the Proponent.

Mulgu Park will be delivered by the Proponent in accordance with the VPA, as detailed in Section 4.1.4.

Competitive Process Site 3 adjoins three sides of the future Mulgu Park.

The future Mulgu park is proposed to contain the following key elements:

- Native Garden;
- Bio-Filtration Garden;
- Central Lawn/Informal Plan;
- BBQ and Dining Area;
- Shared Zone; and
- Fruit Tree Garden.

An excerpt of the future conditions of Mulgu Park is provided below at Figure 7.

FIGURE 7: PROPOSED MULGU PARK LANDSCAPE MASTERPLAN (EXCERPT FROM ANNEXURE 7)



2.6.3 Chimes Street Public Plaza (Civic Park)

The Stage 1 Concept DA Landscape Masterplan Report (see **Annexure 7**) includes a new public plaza located on Chimes Street between Block S-1 and future Mulgu Park. The extent of the Chimes Street Plaza also extends to the north and south of Block S-1. The design of Chimes Street Plaza is outside of the scope of Competitive Process Site 3, however schemes are to respond to the design objectives for the plaza (see Section 4.2.2).

The City's Mulgu Park Concept Design (**Annexure 8**) did not contemplate a civic plaza fronting Block S-1 and Mulgu Park, however it does include concept designs for the areas north and south of Block S-1, included as community garden and native garden respectively.

FIGURE 8: PROPOSED CHIMES STREET PLAZA LANDSCAPE MASTERPLAN EXCERPT



2.6.4 Easements and Restrictions

There are a number of easements and covenants within the site boundaries (see **Annexure 5.2**). Each easement or covenant is outlined below:

- (C) Easement for drainage burdening part of the subject land (Vide dealing No. G167065)
- (E) Easement for drainage 3.05 wide burdening part of the subject land (Vide dealing No. F722199)
- (M) Easement for drainage burdening part of the subject land (Vide dealing No. F722199)

It is to be assumed that Easement (C) described above and shown in **Annexure 5.2** will be extended south to adjoin the future lot boundaries of Block S-2 and Block S-3 to accommodate the future Green

Square Trunk Drainage. Additionally, it is to be assumed that Easements (E) and (M) will be extinguished or altered prior to the commencement of any construction.

2.6.5 Flooding

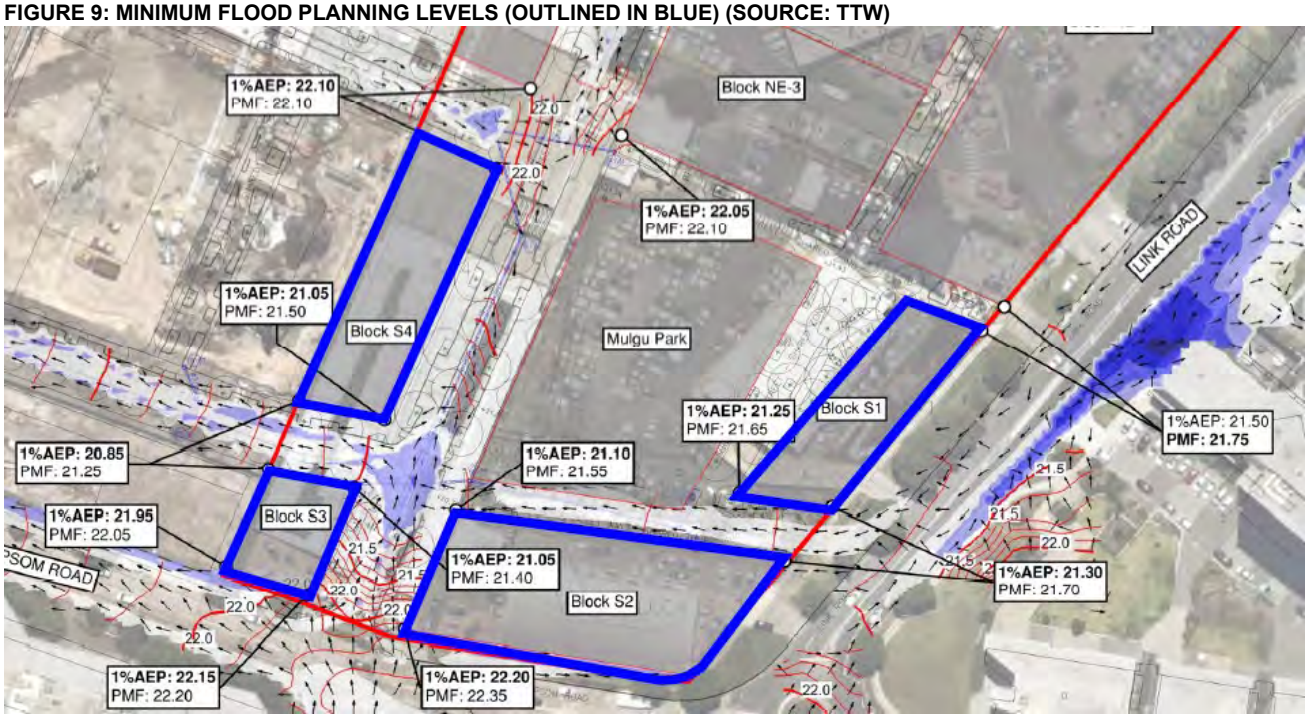
The subject site is identified as flood prone land and is affected by:

- The findings of the City's Alexandra Canal Flood Risk Management Study
- The NSW State Governments Flood Prone Lands Policy as detailed in the NSW Government's Floodplain Development Manual, and
- The City's Alexandra Canal Floodplain Risk Management Plan.

Due to the flood affected nature of the subject site, development is required to meet designated Minimum Flood Planning Levels at ground floor and all basement entry points.

The Flood Impact Assessment prepared by TTW that accompanies the Stage 1 Concept DA nominates Minimum Flood Planning Levels above the 1% AEP depths and are outlined below and in **Annexure 9**.

FIGURE 9: MINIMUM FLOOD PLANNING LEVELS (OUTLINED IN BLUE) (SOURCE: TTW)



Refer to Section 4.2.3 for Minimum Flood Planning Level requirements and objectives.

2.6.6 Existing Transport and Site Access

The Subject Site is currently accessed via four separate vehicular entry points from Epsom Road and Link Road. In the long term, vehicular site access will be via Defries Avenue (from Epsom Road) and Rose Valley Way (from adjoining site). The proposed site access arrangements in the Stage 1 Concept DA are discussed at Section 4.2.8.

The Subject Site is located within 750m of Green Square Train Station which provides direct heavy rail links to the Sydney CBD, Sydney Airport and southern suburbs of Sydney.

Bus stops are located immediately adjoining the Subject Site on Epsom Road and are serviced by the 370 bus route between Coogee and Green Square/Glebe Point. To the west of the Subject Site on

Joynton Avenue Bus Stops are serviced by 304, 320, and 343 bus routes between Circular Quay/ Gore Hill and Kingsford. To the south of the Subject Site is a Bus stop serviced by the 306 bus route between Redfern Station and Mascot.

2.6.7 Site Levels

The future levels and alignment of the finished roads will be considerably higher than existing levels. The proposed layout, including levels are included at **Annexure 5** and **10.**

2.6.8 Views Corridors

There are significant views available from the site:

- North partial view towards Sydney CBD
- North-East uninterrupted view towards Centennial Parklands
- East view towards Randwick Racecourse
- South district views towards Sydney Airport
- West district views

Neighbouring buildings, generally to the south/south-east of the Competitive Process Site 3, enjoy views from upper-level residential dwellings. Views include:

- Views west from 3 Link Road towards Sydney CBD;
- View north-west from 142 Epsom Road over Zetland; and
- Views north from 67 – 77 Epsom Road towards Sydney CBD.

These view vectors are over the subject site, in particular Competitive Process Site 3.

2.6.9 Wind

The preliminary Pedestrian Wind Environment Study submitted with the Concept DA (**Annexure 11**) includes results of a detailed investigation into the wind environment impact of the proposed development at the site. Refer to Section 4.2.18.

2.6.10 Acoustic

A Noise and Vibration Impact Assessment (**Annexure 12**) was submitted with the Stage 1 Concept DA which outlines noise intrusion from internal and external noise sources to the site.

Annexure 12 identifies development facing Epsom and Link Road are impacted by noise with development in the north-western corner not exceeding relevant noise targets. Noise mitigation is to be addressed in conjunction with natural ventilation in building design. See Section 4.2.15 for requirements and objectives relating to acoustics.

2.6.11 Trees

The Subject Site is generally void of any meaningful landscaping with much of the site covered by hardstand parking and commercial buildings. Similarly, there are few notable trees on site. The aerial image in **Figure 10** below shows existing trees on site. A copy of the Arboricultural Report is provided in **Annexure 13**.

The Stage 1 Concept DA identifies trees that may be removed and trees that are to be retained. As per the Arboricultural Report in **Annexure 13**, and Condition 29 of the Stage 1 Concept DA Conditions in **Annexure 2**, identifies trees which must be retained.

Established Council street trees are located primarily along the eastern boundary to Link Road. Trees within the road reserve are proposed to be maintained under the Stage 1 Concept DA.

FIGURE 10: AERIAL IMAGE SHOWING EXISTING TREES (MARCH 2024)



2.6.12 Contamination

A Framework Remediation Action Plan has been prepared to accompany the DA for internal roads, subdivision and remediation. Due to the current site conditions, a Detailed Site Investigation is yet to be undertaken. The key findings from previous investigations, as outlined in the Framework Remediation Action Plan are as follows:

- Metals, specifically, copper, nickel, zinc and lead concentrations in soil samples were recorded above adopted ecological criteria for residential uses.
- Hydrocarbon concentrations were recorded in shallow subsurface soil samples.
- Asbestos was identified within cement fragments in the ground surface.
- Elevated concentrations of zinc and copper were identified in groundwater samples.

Site remediation will be undertaken in accordance with D/2023/753. Competitors are to assume that the site can be made suitable for the proposed development.

2.6.13 Geotechnical

A Desktop Geotechnical Assessment has been undertaken for the subject site, limited by the existing uses on site still being intact. Subsurface conditions on the site can be summarised as follows:

- Sandy soils predominate to substantial depths but clay bands are present although vary in length and thickness.
- Generally, there is a transition to clay soils at depths of 17m to 23m.
- Sandstone bedrock is present at depths of between 18m and 26m in the subject site to the west and 25m in the subject site to the east.
- Varying thickness of fill was found within the subject site between 0.4m and 2.7m.
- Groundwater within the subject site was recorded at depths of 3.5m to 4.5m (RLs unknown).

2.6.14 Heritage

The Subject Site is not identified as a heritage item, nor is it located within a heritage conservation area. Notwithstanding, the Competitive Process Site 3 is within proximity to a number of items of heritage significance and a heritage conservation area (see **Table 2** and **Figure 11**).

TABLE 2: HERITAGE ITEMS IN PROXIMITY TO SUBJECT SITE

Description	Address	Significance	Item No.
Former “Maffat Virtue” warehouse and office building including interiors	1-3 Roseberry Avenue, Roseberry	Local	I1379
Former Joseph Lucas office, stairs and showroom including interiors and building setback	146-158 Joynton Avenue, Zetland	Local	I2280
“Hastings”, Federation Dwelling	55 Milroy Avenue, Kensington	Local	I135
West Kensington Heritage Conservation Area	N/A	Local	C4

FIGURE 11: EXCERPT FROM SLEP HERITAGE MAP (SUBJECT SITE SHOWN IN RED OUTLINED)



3 Relevant Planning Applications Relating to the Site

3.1 Planning Proposal

A Planning Proposal (PP-2022-2530) was submitted on 2 September 2022, to allow increases to the maximum height of buildings as demonstrated in **Figure 12** below. This Planning Proposal included alternative maximum building heights with additional energy and water sustainability measures and non-residential floor area. The Planning Proposal has been approved by the Central Sydney Planning Committee (CSPC) and was finalised and Gazetted by the NSW Department of Planning, Housing and Infrastructure on 3 May 2024.

The primary intent of the Planning Proposal was to provide alternative maximum building heights in the SLEP 2012 as follows:

- North-Western Precinct: Increase building height to 3m-55m.
- North-Eastern Precinct: Increase maximum building height to 11m-90m.
- Southern Precinct: Increase maximum building height to 3m-55m.

FIGURE 12: SLEP 2012 ALTERNATIVE MAXIMUM BUILDING HEIGHT MAP



3.2 Stage 1 Concept DA

On 9 May 2024, the Central Sydney Planning Committee provided delegated authority to the Chief Executive Officer to determine the Stage 1 Concept DA (D/2023/724) for:

- building envelopes for nine (9) development blocks
- a mixed-use development comprising indicative commercial, retail, childcare centre and residential uses

- public benefits comprising land dedication, the delivery of trunk drainage, roads and parks and embellishment works for footpath widening and a through-site link between pocket parks and Defries Avenue

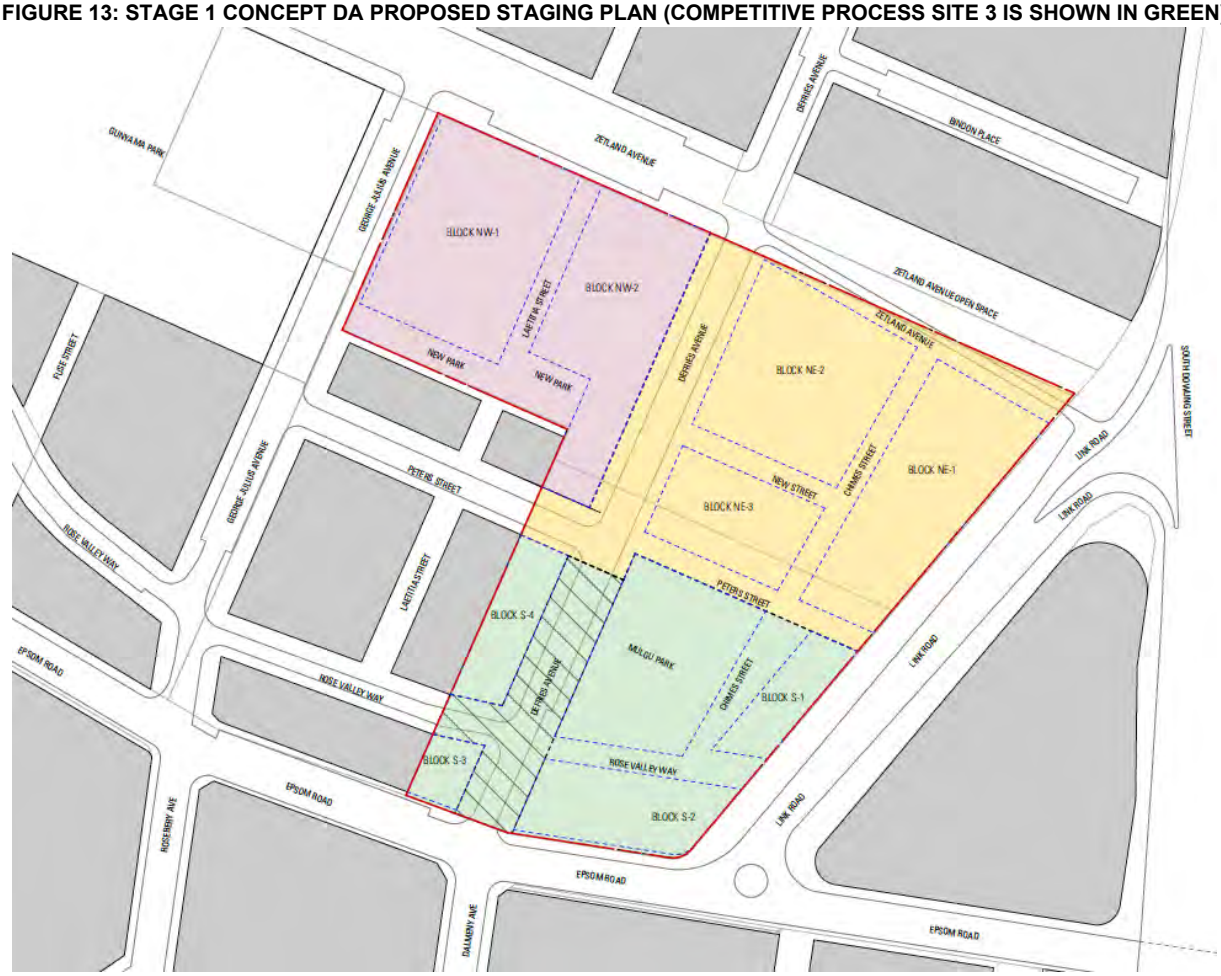
Consent has not yet been granted and is pending finalisation and registration of the Community Infrastructure VPA (see Section 4.1.4) as well the grant of required airspace approvals.

The Stage 1 Concept DA provides the high-level planning, design, layout and form outcomes for the site as a whole. The site will be separated into three distinct stages as shown below.

A copy of the draft Stage 1 Concept DA documentation is provided in **Annexure 3**.

The brief is written on the basis that the Stage 1 Concept DA will be determined during the competitive process and subject to the recommended conditions as set out in **Annexure 2**. For the purpose of the competitive process, competitors are to assume the same.

FIGURE 13: STAGE 1 CONCEPT DA PROPOSED STAGING PLAN (COMPETITIVE PROCESS SITE 3 IS SHOWN IN GREEN)



For the purposes of this competitive process, South Stage of the Stage 1 Concept DA (excluding roads and associated public domain) is the Competitive Process Site 3.

Compliance with the Stage 1 Concept DA, as to be approved, will be required for the subsequent Stage 2 Development Application.

Where there is an inconsistency between the proposed Stage 1 Concept DA, and the SLEP 2012 and SDCP 2012, until the determination of the application, the planning controls prevail over the Stage 1 Concept DA.

3.3 Epsom Park Precinct Public Domain Concept (City of Sydney)

The Epsom Park Precinct Public Domain Concept Plan prepared by the City of Sydney for the Epsom Park Precinct includes the Competitive Process Site 3 and is provided for information at **Annexure 14**. This Plan sets out the future public domain concept for the wider precinct. The more detailed public domain concepts relevant to Competitive Process Site 3 are discussed at Sections 2.61-2.63 of this brief.

4 Objectives for the Proposal

4.1 Planning Objectives and Requirements

4.1.1 Key Statutory Instruments & Planning Controls

The key planning objective for this competitive process is to develop an appropriate design response to the proposed Stage 1 Concept DA (D/2023/724) and the relevant planning control framework, including (but not limited to) the following Environmental Planning Instruments.

- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Housing 2021)
- Sydney Local Environmental Plan 2012
- Sydney Development Control Plan 2012

The above-mentioned documents can be viewed on the NSW Legislation website at https://legislation.nsw.gov.au/ and the City of Sydney's website at https://www.cityofsydney.nsw.gov.au/. The site-specific controls are included at **Annexure 4.**

A summary of the key statutory planning controls that apply to the site is provided in **Annexure 15**. However, Competitors are responsible for ensuring that the relevant planning controls are addressed in their design submissions and any variations.

Non-compliances are discouraged by the Proponent and the Consent Authority. Any instance of non-compliance is to be clearly identified and is to be justified against the objectives of the applicable planning controls. Justification for non-compliance is to be included in the Statement of Compliance as part of the Competitor's final submission. Refer to Section 6.2 – Documentation for more information.

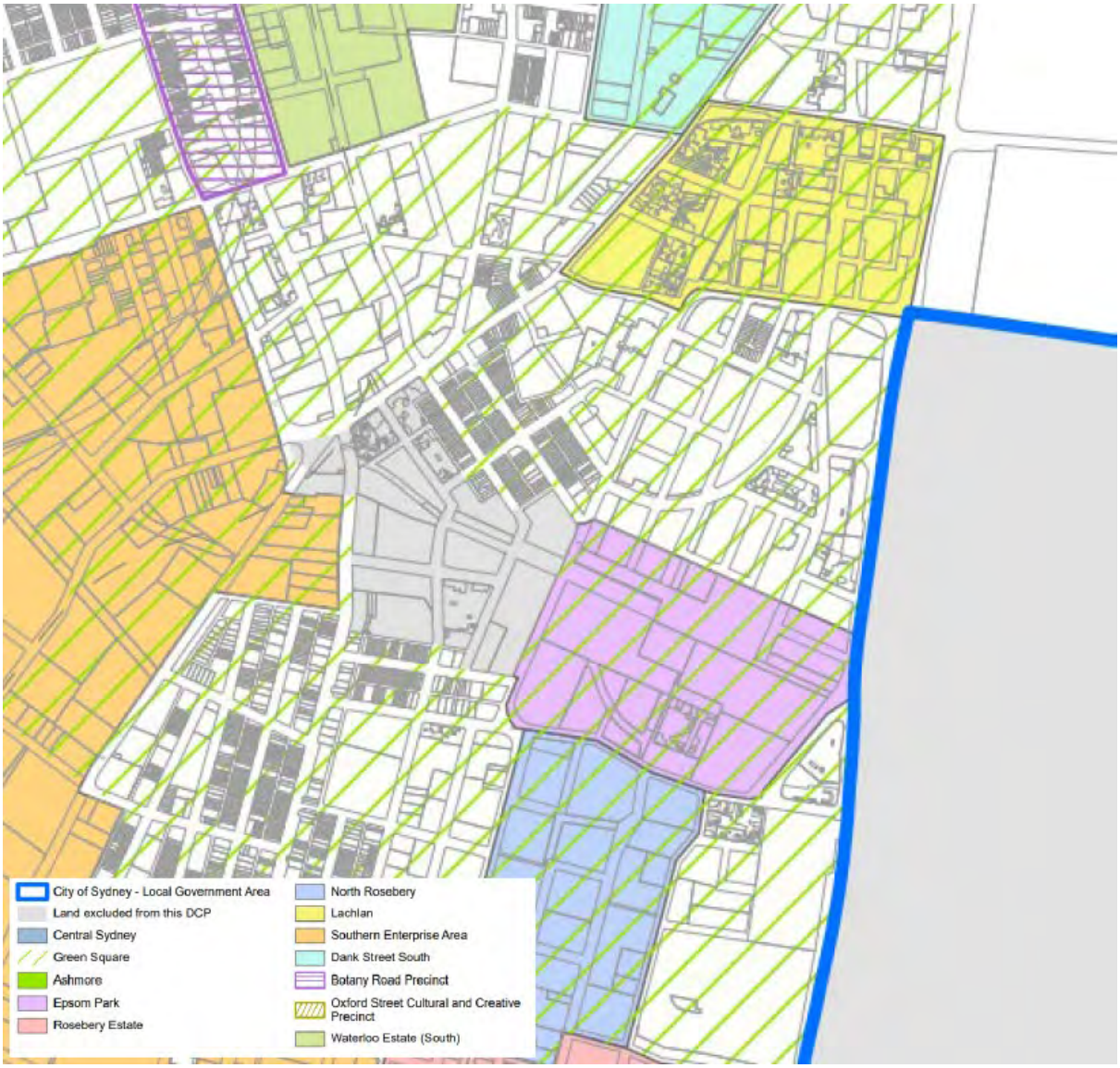
The Sydney Local Environmental Plan 2012 allows the Consent Authority to grant up to an additional 10% of floor space or height if it is satisfied that the building demonstrates design excellence i.e. the development is subject to a competitive design process and exhibits design excellence. The Proponent is seeking up to an additional 10% additional floor space in accordance with Clause 6.21(7) of the Sydney LEP 2012. See Section 4.3 for the allocation of floor space for Competitive Process Site 3.

Any additional floor space pursued under Clause 6.21 of the Sydney LEP 2012 must not cause an exceedance of the relevant maximum height control.

4.1.2 Planning Context

The site is situated within the Green Square – Epsom Park Precinct, part of the wider Green Square Urban Renewal Area. The Epsom Park Precinct is undergoing significant transformation from light industrial uses to high density residential and mixed-use developments.

FIGURE 14: LOCATION OF EPSOM PARK PRECINCT – SYDNEY DCP 2012



Section 2.5.5 Epsom Park of the SDCP 2012 includes a locality statement for Epsom Park as well as principles and key elements of the vision for the site as part of the Epsom Park Precinct, including:

Principles

"(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

….

(c) Encourage a transport interchange with commercial and retail uses at the intersection of Zetland Avenue and Defries Avenue.

(d) Encourage commercial offices and retail activity in suitable locations, for example car showrooms along Epsom and Link Roads.

(e) Link Road is to continue its role as an important connector to South Dowling Street.

(f) Zetland Avenue is to be of a grand scale and provide ample space for generous footpaths to accommodate outdoor dining areas, dedicated bicycle paths, future light rail (or interim bus service), local vehicular access and car parking.

(g) Buildings along the Zetland Avenue are to address the street frontage, defining and contributing to ground level activity associated with retail, café/ outdoor seating, and commercial uses.

(h) The alignment of, and development along Zetland Avenue is to ensure that views to the Sacred Heart College in Kensington are retained.

….

(j) Street trees located along the length of the Zetland Avenue are to integrate with the character of Gunyama Park to provide a unified link into the park and reinforce the landscaped character of the neighbourhood.

….

(l) North-south streets should be quiet streets that are predominantly low in scale, typically with buildings three to four storeys of maisonette and townhouse typologies. Building entries, small front gardens, overlooking windows, and balconies are encouraged. Pedestrian and bike access will characterise the street.

(m) Innovation in design, drawing on the neighbourhood's attributes and industrial history, most notably the British Motor Company Leyland, is encouraged.

(n) Public art and the public domain are to interpret the neighbourhood's connection with the Sheas Creek catchment."

4.1.3 Site-Specific Planning Controls

In addition to the SLEP 2012 and SDCP 2012, the key planning controls for this competitive process are the site-specific SLEP 2012 and SDCP 2012 controls. See **Annexure 4**.

Key controls include:

- **Building Height** - Building heights are to comply with the heights shown on the LEP Alternative Height of Buildings Map (see Section 3.1 of this brief) and the built form heights in SDCP 2012.

- **FSR** – The FSR must not exceed the maximum permissible under the SLEP 2012. The overall FSR for the site is 2.2:1 which equates to an indicative GFA of 89,870sqm across the overall development site, made up of the following permissible FSR components:
    - Base FSR - 1.5:1
    - Community infrastructure, Area 6 - 0.5:1
    - Additional floorspace for a building demonstrating design excellence - 0.2:1 (10%)

  The indicative total permissible GFA for Competitive Process Site 3 is 24,090sqm, inclusive of all eligible additional floor space.

  Note: GFA allocation will be as set out in the Stage 1 Concept DA.

  The assumed site area for Competitive Process Site 3 is 12,916sqm.

- **Tower form** – the tower may be located anywhere within the hatched area shown in 5.3.6.4 of the SDCP 2012 provided that the resulting tower form:

- has a maximum floor plate at any level of 750sqm
- allows for a consolidated area equal to at least 75% of the area of Mulgu Park to achieve 4 hours of solar access between 9am and 3pm on 21 June
- allows neighbouring dwellings to achieve required levels of solar access, as defined in Section 4.2.3.1 of the SDCP 2012 and the NSW Government's Apartment Design Guide. This includes 67 Epsom Road.
- Note: Floor plate size includes external walls, all space bounded by external walls, balconies and external gallery access (measured to the outside face of balustrades) and excludes sun shading elements and vertical fin projections.

FIGURE 15: EXCERPT FROM SDCP 2012 SHOWING ALTERNATIVE BUILT FORM AND HATCHHED TOWER LOCATION ZONE. COMPETITIVE PROCESS SITE 3 IS SHOWN IN BLUE OUTLINE.

Figure 5.3.6-2

Alternative Built Form - 118-130 Epsom Road and 905 South Dowling Street, Zetland



X Number – maximum number of above ground storeys (including attics and mezzanines)

1R(0) Maximum number of storeys that may be used for the purposes of retail uses otherwise no storeys permitted (0)

Hatched tower zones A, B and C – tower may be located anywhere within this zone up to the maximum floor plate in 5.3.6.4(3)

Solar Zone – area that may be occupied only subject to achieving ADG solar access requirements

Minimum setback of higher levels

4.1.4 Voluntary Planning Agreement

There are two Voluntary Planning Agreements associated with the site:

Planning Proposal VPA

The Planning Proposal VPA is associated with the Planning Proposal to amend the height controls under the SLEP 2012 has been executed and provides for:

- Design and construct all future buildings to be capable of providing dual reticulation water system for water consumption
- Provide a minimum of 3,696sqm of non-residential GFA (circa 4% of permitted GFA) to ensure the genuine provision of retail, childcare and other non-residential services.
- Achieve an energy and water BASIX score of at least 5 points above the target for all future residential buildings or residential components of mixed-use buildings. Should the new Sustainable Building SEPP proceed to commencement, the provisions of the new SEPP will prevail.
- Install infrastructure to enable all future private residential parking spaces to be capable of being fitted with an Electric Vehicle Charger (EVC)

Community Infrastructure VPA

The Community Infrastructure VPA is associated with the Stage 1 Concept DA in accordance with Clause 6.14 Community infrastructure floor space at Green Square. It commits to:

- The embellishment and dedication/transfer of public open space including any associated utility deviation works;
- The embellishment and dedication/transfer of public roads including any associated utility diversion works;
- Construction of a portion of the Green Square Trunk Drainage (GSTD) system under Rose Valley Way and associated utility diversion; and
- The embellishment and dedication/transfer of 1.4m of road widening to Epsom Road.

4.2 Design Objectives and Requirements

4.2.1 Overall Design Objectives

The overall design objectives for this Design Competition are to:

- Stimulate imaginative architectural, urban and landscape design proposals that:
    - Demonstrate the potential to achieve design excellence as defined in Clause 6.21C of the SLEP 2012; and
    - Respond to the site's context having due regard to the constraints and opportunities, designing within the parameters contained in the ADG, SLEP 2012, SDCP 2012, and the proposed Stage 1 Concept DA.
- Protect sunlight access to public open space including Mulgu Park (as per DCP) (see Section 4.1.3 for site-specific controls).
- Positively interface with and active the public open space including Mulgu Park and plaza located on Chimes Street.
- Create a building commensurate to its location in Zetland.
- Create diversity and a fine grain ensemble of buildings across the site by breaking the built form into distinct buildings, each with a distinguished architectural character.

- Provide architectural depth and articulation of podium and tower to animate and positively enhance streetscapes.
- Maximise landscape and deep soil opportunities to support planting fully integrated throughout the development.
- Achieve a high-quality amenity for occupants of the subject site while also maintaining and protecting amenity to surrounding sites and the public domain.
- Facilitate a vibrant retail precinct and safe environment with regards to surveillance, resulting in a high quality and integrated retail precinct within the mixed-use development.
- Appropriately plan the various apartment types, with consideration to structural grid continuity, apartment amenity including views, outlook, and solar access.
- Competitor's design proposals must consider how the development will relate to and provide an appropriate interface with the surrounding future and existing residential developments.
- Design to mitigate and reduce noise impacts on apartments, including consideration for appropriate noise barriers and planting to reduce external noise intrusion from the exhibition/sport activities and other major activities.

4.2.2 Chimes Street Public Plaza

The scope of this competitive process is limited to buildings and communal spaces. The competitive process does not include the design of any areas of the public domain. See Sections 2.6.1-2.6.3 of this brief.

The Chimes Street Public Plaza, identified as 'Plaza' on Drawing 03200 – Structure Plan – Open space of the Stage 1 Concept DA Drawings (**Annexure 3**) must consider the public dining interface (See Section 2.6.3). The Chimes Street Public Plaza extent is shown below (**Figure 16**). The design objectives for the Chimes Street Plaza are as follows:

- Design proposals should contribute to a high-quality interface with the public domain, integrating green spaces into the built form and strengthening the green street setting.
- Integrate outdoor dining opportunities within Block S-1 adjacent to the Chimes Street Plaza.
- Create a connection between Block S-1, Chimes Street Plaza, and future Mulgu Park.
- Minimise conflicts between outdoor seating/ public plaza use and residential dwellings

FIGURE 16: CHIMES STREET PUBLIC PLAZA (IDENTIFIED AS 'A' IN THE DCP



4.2.3 Flood Planning

Flood mitigation is to be addressed in accordance with the City's Interim Floodplain Management Policy.

Meet the minimum Flood Planning Level (FPL) at ground floor and all access points (including stairs and lift shafts) to basement or below ground development (including stairs and lift shafts). Flood Modelling has been undertaken by TTW to assess the impact of flooding on the proposed development (**Annexure** 9). Refer to Section 2.6.5 of this brief and **Annexure 9** for 1% AEP Levels to determine FPL.

No flood gates are permitted.

A flood planning technical advisor will be available to competitors during the competitive process to clarify the assumed flood planning levels.

FIGURE 17: MINIMUM FLOOD PLANNING LEVELS (CITY OF SYDNEY)

Development		Type of flooding	Flood Planning Level
Residential	Habitable rooms	Mainstream flooding	1% AEP flood level + 0.5 m
		Local drainage flooding (Refer to Note 2)	1% AEP flood level + 0.5 m or Two times the depth of flow with a minimum of 0.3 m above the surrounding surface if the depth of flow in the 1% AEP flood is less than 0.25 m
		Outside floodplain	0.3 m above surrounding ground
	Non-habitable rooms such as a laundry or garage (excluding below-ground car parks)	Mainstream or local drainage flooding	1% AEP flood level
Industrial or Commercial	Business	Mainstream or local drainage flooding	Merits approach presented by the applicant with a minimum of the 1% AEP flood level
	Schools and child care facilities	Mainstream or local drainage flooding	Merits approach presented by the applicant with a minimum of the 1% AEP flood level + 0.5m
	Residential floors within tourist establishments	Mainstream or local drainage flooding	1% AEP flood level + 0.5 m
	Housing for older people or people with disabilities	Mainstream or local drainage flooding	1% AEP flood level + 0.5 m or a the PMF, whichever is the higher
	On-site sewer management (sewer mining)	Mainstream or local drainage flooding	1% AEP flood level
	Retail Floor Levels	Mainstream or local drainage flooding	Merits approach presented by the applicant with a minimum of the 1% AEP flood. The proposal must demonstrate a reasonable balance between flood protection and urban design outcomes for street level activation.
Below-ground garage/ car park	Single property owner with not more than 2 car spaces.	Mainstream or local drainage flooding	1% AEP flood level + 0.5 m
	All other below-ground car parks	Mainstream or local drainage flooding	1% AEP flood level + 0.5 m or the PMF (whichever is the higher) See Note 1

4.2.4 Built Form

The design objectives for built form are as follows:

- Provide a built form compliant with site-specific requirements of the SLEP 2012, SDCP 2012 and the ADG.
- Built form should have a positive relationship between the subject site and adjoining, public domain and development sites (approved, under construction, or completed).
- Protect and enhance the amenity of open spaces and key views into and from the subject site to ensure the built form will have acceptable impact on adjacent development and open space.

- Minimise overshadowing on adjoining development and open spaces, including future developments, ensuring ADG requirements are met.
- Create an ensemble of articulated fine grain buildings of varied architectural expression and character responsive to context.
- Block S-4 is to incorporate a non-habitable interface to its western interface above four storeys to maintain privacy for residents at 10-12 Letitia Street.

4.2.5 Ground Plane

The design objectives for the ground level are as follows:

- Design a building with active frontages along Epsom Road and Link Road in accordance with the SDCP 2012 to create a vibrant public domain. Refer to DCP 3.2.3 Active Frontages.
- Address and activate the Block S-1 frontage to Chimes Street Plaza (see **Figures 7, 8, 16**).
- Avoid blank walls and building services to public domain to maximise street activity.
- Maximise entries and display windows and activities which provide pedestrian interest.
- Activate retail street fronts and maximise visual connectivity, exposure and integration with the public domain.
- Maximise ground floor landscaping and deep soil to provide visual interest enhancing site amenity and the interface with the public domain (see Section 4.2.14 Landscape)
- Enhance activation and natural surveillance along street frontages maximising opportunities provided by multiple building entries to residential, commercial, and retail uses from the public domain.
- Provide continuous awnings where required under 3.2.4 of the SDCP 2012.

4.2.6 Residential

The design objectives for residential are as follows:

- Allocate floor space appropriately within the site addressing building separation and privacy to ensure high levels of residential amenity.
- Provide a high standard of residential amenity across a variety of apartment types with respect to solar access, natural cross ventilation, views and outlook, and visual and acoustic privacy.
- Create visually prominent entry points, readily recognisable from the street.
- Any private open space located at ground level which adjoins communal open space/courtyard areas should be of a sufficient dimension to protect residential privacy. Ideally, private open space provides for a minimum 4 metre separation between habitable rooms to the boundary of a communal open space or courtyard.
- The external architectural expression should not compromise internal apartment layout and residential amenity.
- No air conditioning units are to be located on balconies.
- No polyethylene cladding.
- Refer to DCP provision 4.2.3.14 (7) relating to apartments with setback bedrooms which states that ‘the design excellence bonus will not be awarded where a building includes apartments with setback bedrooms.

Attention is drawn to Meriton Design Standards contained in **Annexure 16**, to be read in conjunction with residential design objectives.

4.2.7 Non-Residential / Retail / Commercial

The design objectives for Non-Residential / Retail / Commercial for the Competitive Process Site 3 are as follows:

- Recognise the importance of Epsom Road and Link Road as an active street frontage with Non-Residential / Retail / Commercial entrances that are interesting and enticing.

- Block S-1 fronting Chimes Street Plaza is to provide opportunities for outdoor dining associated with ground floor non-residential areas, ensuring a holistic approach to the design and experience including connections to Mulgu Park. Outdoor dining is to be accommodated wholly within the Block S-1 competitive design process site boundary and not within the Chimes Street Public Plaza.

- Maximise Non-Residential / Retail / Commercial area on ground floor, facilitate easy servicing, and maximise exposure to passing pedestrian traffic.
- Efficient proposal for the delivery of goods to retail tenancies.

Non-Residential / Retail / Commercial spaces within the Competitive Process Site 3 is to adhere to the GFA outlined under Section 4.3 Commercial Objectives.

Note: Non-Residential / Retail / Commercial tenancies will be delivered by the proponent as 'cold shell' tenancies to be separately fitted out by individual tenants.

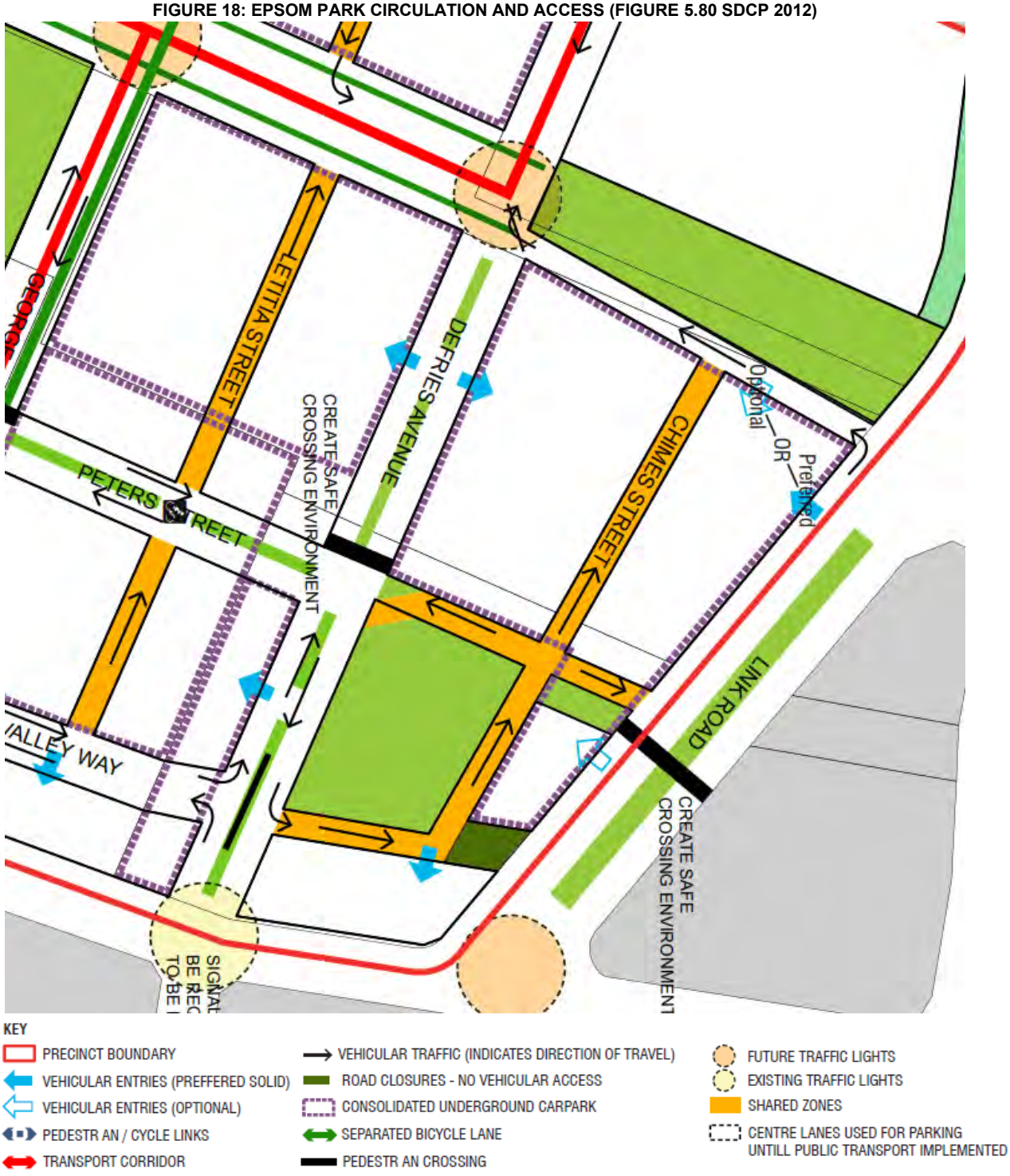
4.2.8 Site Access

- As per 5.3.6.3 of the SDCP 2012, *driveway and vehicle access points are to be consistent with Figure 5.80 Epsom Park Circulation and Access* (refer figure 16 below).

- Integrate access ways/ ramps to car-parking within the building envelope
- Carpark entries are to be treated in material quality equal in standard to the building façade to achieve a high-quality interface with the public domain.
- Vehicular access driveways should comply with the relevant provisions in AS 2890.1 - 2004
- Ramp gradient and lengths are to comply with relevant standards (AS2890.1 – 2004 Parking facilities Part 1: Off-street car parking).
- Minimise driveway widths to maintain pedestrian amenity and continuous footpath treatment and pedestrian amenity to Sydney Street Design Code.
- Clearance under all services and structure to be a minimum of 2.2 metres to meet Australian Standards for car parks, with the exception of service and disabled spaces.
- Waste management and collection must be accommodated within the basement, wholly within the buildings on the site;
- Access for a 10.6 metre City of Sydney waste collection vehicle with a 10.5m kerb to kerb turning circle radius and vertical clearance of 4 metres clear of all ducts, pipes and other services;
- Any outlet from the basement car park's mechanical ventilation plant should be concealed and/or situated in a discrete location.
- Basement access for Block S-1 may be gained via the basement for Block NE-1 (not part of Competitive Process Site 3) underneath the future Peters Street shared zone.
- Basement access for Block S-4 may be gained via the basement for Block NW-2 (underneath the future Peters Street).

Where there are any inconsistencies between the proposed Stage 1 Concept DA and the SDCP 2012, the SDCP 2012 applies.

FIGURE 18: EPSOM PARK CIRCULATION AND ACCESS (FIGURE 5.80 SDCP 2012)



4.2.9 Basements, Parking and Bicycle Parking

- Basement access must be provided in accordance with the SDCP 2012.
- No above ground parking is permitted under the SDCP 2012 and must not be included
- Treatment of vehicle/car park entries and access ramps and any loading, service or waste management holding areas located at street level are to be fully integrated within the building envelope. To achieve a high-quality interface with the public domain, all surfaces visible from the public domain are to be treated in material quality equal to the standard of the principle building facade. All vehicles are to enter and exit the building/s in a forward direction.

- Basements for Block S-1 should connect to basements for Block NE-1 (outside the scope of this competition).
- Basement access for Block S-4 may be gained via the basement for Block NW-2 (underneath the future Peters Street).
- Block S-3 is limited in footprint due to Defries Avenue and Green Square Trunk Drainage, therefore no basement parking is to be within this block. No parking is to be allocated to Block S-3 on another block.
- Basements must not extend beneath the public domain except to allow for linkages between basements and to permit visitor parking in basement linkage
- Basements must not extend beneath the future Rose Valley Way and Green Square Trunk Drainage.
- Provide a 2m minimum clearance from finished ground to top of waterproofing over basement areas located under the public domain. This includes linkages and visitor parking.
- Parking underneath public roadways must be common or unallocated spaces and cannot be held privately.
- Ensure maximise efficiency with respect to car park layout having due consideration of building design including placement of lift cores / wastes chutes and services and the specific sites constraints.
- Loading areas are required to service residential, retail and commercial Service vehicle parking to be provided in accordance with SDCP 2012, Schedule 7, Section 7.8
- Service vehicle access should be designed to minimise conflict with residential car parking and bicycle parking access. Design of service vehicle access and loading area must comply with the requirements of AS 2890.2 (2018) Parking facilities Part 2: Off-Street commercial vehicles facilities and Section 3.11.13 of the DCP.
- Provide bicycle parking in accordance with Section 3.11.3 of the SDCP 2012.
- The layout and design of bicycle parking facilities must comply with the requirements of AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities.

The relevant parking requirements for the proposal are as follows:

Residential

Type	**LEP Maximum Parking Rate**
One Bedroom	0.5 per dwelling
Two Bedroom	1 per dwelling
Three Bedroom	1.2 per dwelling
Four Bedroom	1.2 per dwelling

Retail

- 1 space per 50sqm of GFA

4.2.10 Waste infrastructure

Waste management facilities including waste storage areas, truck access and loading facilities must comply with Council's requirements for waste management facilities in accordance with relevant provisions of the Sydney DCP including, but not limited to, Sections 3.11, 3.14 and 4.2.6 of the SDCP 2012 and the City's Guidelines for Waste Management in New Developments (2018) (the guidelines).

The scheme should address requirements including but not limited to:

- Waste management, storage and collection is to be accommodated wholly within the site, in the building's basement;
- In the case of Block S-3, waste servicing may occur via on street collection from a dedicated waste holding area located within 10m of the street (Rose Valley Way). The waste holding area is to be well integrated within the building form. Separate facilities are to be provided for the management of commercial waste associated with the retail premises.
- Waste management systems and facilities that promote safe and convenient access for all users including residents, building management and waste collection staff;
- Resident access to waste and recycling disposal points at each residential level in accordance with the guidelines;
- Adequately sized waste storage areas, sized to accommodate waste generation as per the rates within Reference A of the guidelines;
- Provision of separate waste storage areas and collection requirements for non-residential component of the development as per the guidelines.

Each stage of the development should be designed to allow for independent, standard residential waste servicing.

4.2.11 Communal Open Space and Facilities

The design objectives for the communal facilities are as follows:

- An area equal to 25% of the development block site area is to be provided as communal open space in accordance with ADG criteria.
- Communal open space is to:
    - Comprise high quality, useable open space which is directly and easily accessible for each block.
    - Promote resident interaction and enjoyment.
    - Receive solar access in accordance with the ADG and SDCP.
    - Maximise deep soil for tree planting.
    - Where rooftop communal open space is provided, it is not acceptable for residents from one block to access the open space through another block.
    - Ensure that any rooftop communal open space, including lift access, is provided within the proposed height control.
    - Be located in appropriate areas to minimise noise intrusion and nuisance to residents.
    - Include a pool/spa, sauna, gym and associated change facilities incorporated into the design of Block S-2

The distribution, location, size, sun/shade, access and intended use of the communal open spaces should be provided. These spaces should meet the recreation needs of future residents and be diverse in scale, aspect and use. Access to all communal open spaces must be direct and equitable for all residents.

4.2.12 Overshadowing and Solar Access

Careful consideration is to be given to the impact of any future development on the site on existing and proposed development both within and external to the site.

Of particular note are the requirements of 5.3.6.4(3) of the SDCP 2012. The development, including the tower placement, must:

- ensure that a consolidated area equal to at least 75% of the area of Mulgu Park to achieve 4 hours of solar access between 9am and 3pm on 21 June, as demonstrated by a solar insolation analysis; and

- allow neighbouring dwellings to achieve required levels of solar access, as defined in 4.2.3.1 of the SDCP 2012 and the NSW Government's Apartment Design Guide. This includes the development at 67 Epsom Road and 132-136 Epsom Road.

Reference should also be made to City of Sydney's *Draft Minimising Overshadowing of Neighbouring Apartments Documentation Guide*, found at the link below.

https://www.cityofsydney.nsw.gov.au/development-guidelines-policies/minimising-overshadowing-of-neighbouring-apartments-documentation-guidelines-draft

4.2.13 Privacy

Address privacy and overlooking with 67 Epsom Road and 132-136 Epsom Road, and maintain visual privacy of existing apartments, noting:

- Block S-2 located on the northern side of Epsom Road is directly across from 67 Epsom Road. See **Figure 4**.
- Block S-1 located on the western side is Link Road is directly opposite 132-136 Epsom Road. See **Figure 4**.

4.2.14 Landscape

Provide a high-level consideration of landscaped design to the private domain including setback areas, communal areas, and private open space to include:

- A 2m landscape setback to all ground floor residential apartments, provided as deep soil wherever possible.
- A series of diverse spaces to support a range of uses and respond to climatic and spatial conditions whilst contributing to the cohesion of the overall context.
- A strong and consistent landscape character that enhances the public domain by setting back buildings from the public domain in accordance with SDCP 2012 and SDCP 2012 Section 5.3.4.1
- At least 15% canopy coverage of a site within 10 years from the completion of development as per SDCP 2012 Section 3.5.2 Urban vegetation.
- Deep soil provided in accordance with:
    - the ADG criteria
    - SDCP 2012 Section 5.3.4.5 and,
    - relevant provisions within SDCP 2012 Section 4.2.3.6 Deep soil planting:

    (1) The minimum amount of deep soil is to be 12% of the consolidated site area.
    (2) For lots greater than 1,000sqm, the deep soil area is to be consolidated with a minimum dimension of 10m.
    (3) All remaining deep soil areas are to have a minimum dimension of 3m.
    (4) Where site conditions allow, the deep soil is to be consolidated as one area to assist with the ease of drainage and allow for effective deep soil planting.
- **NOTE:** Deep soil is not equally distributed within each stage. The deep soil diagram provided in the Stage 1 Concept DA details the breakup across the stages noting that each stage is not required to provide 10% of its relative site area.
  The quantum of deep soil for Competitive Process Site 3 is 27% (including Mulgu Park) (See **Annexure 3** Drawing 03201 – Structure Plan – Deep Soil**)**
- Deep soil is to be unencumbered and free from structures, services and building overhangs.
- Constructed soil zones over basement car park slabs and podiums areas to support healthy plant growth, consistent with City of Sydney Landscape Code Volume 2 for small, medium and large sized trees.
- 2m minimum soil depth to top of waterproofing over basement areas located under the public domain

- Landscaping should emphasise and elevate views to and from the site.
- Address long term sustainability of landscaping including hard landscaping and native/low water planting species.
- Landscape should not be relied upon to mitigate wind impacts

Existing trees onsite are proposed for removal in accordance with the recommendations of the Arboricultural Report **Annexure 13**. As per Condition 29 and 30 listed street trees surrounding the sitemust be retained.

Competitors are to address and incorporate a response to the:

> Sydney Landscape Code: Volume 2 at: https://www.cityofsydney.nsw.gov.au/__data/assets/pdf_file/0009/277848/Landscape-Code-Volume-2_Web.pdf

These objectives should be read in conjunction with the objectives for Public Domain in Section 4.2.2 of this brief to create a wholistic approach to landscaping interfacing with the public domain.

A copy of the Concept Landscape Plan submitted with the Stage 1 Concept DA is provided in **Annexure 7**.

4.2.15 Acoustics and natural ventilation

Noise mitigation measures are to be addressed for development with Competitive Process Site 3 and should be addressed in conjunction with natural ventilation in building design.

Design submissions should satisfy the objectives of SDCP 2012 Section 5.3.6.6 Noise and Ventilation and objectives 4B, 4H and 4J of the ADG to provide acoustic privacy and natural ventilation to all habitable rooms, to achieve the noise criteria stated.

See Noise and Vibration Impact Assessment (**Annexure 12**) which includes predicted noise levels across the buildings. It also provides guidance on possible design measures to mitigate noise to acoustically affected rooms as well as provide natural ventilation, note **Annexure 12** does not address the SDCP 2012 Section 5.3.6.6 which must be addressed. Acoustic impacts (and any associated modifications which may be required to the built form to ameliorate impacts) will be assessed as part of the detailed DA.

In instances where the noise impacts are not able to be mitigated through design and layout, the design treatments will ultimately need to be developed in accordance with Council's Alternative Natural Ventilation of Apartments in Noisy Environments Performance Pathway Guideline and must be capable of achieving natural ventilation without resulting in any unacceptable acoustic impacts.

As per SDCP 2012 Section 5.3.6.6 (3) Acoustic attenuated natural ventilation devices may be used where siting and layout cannot mitigate noise.

Where plenums are deemed necessary, schemes must demonstrate that they do not compromise building appearance or buildability.

4.2.16 Environmentally Sustainable Design (ESD)

The proposal is to optimise opportunities for ecologically sustainable design and best practice environmental performance including low running costs in relation to water and energy. An ESD Report (see **Annexure 17**) was submitted with the Stage 1 Concept DA (D/2023/724).

The development is to achieve high standards in environmental performance, reducing operational and embodied energy demands and providing comfortable spaces that benefit from natural and passive provision of fresh air, sun and shade, daylight, views, and vegetation.

The application of passive design approaches to provide shade, shelter, heating, cooling, and natural and cross ventilation will contribute to reducing the burden on, or need for, mechanical and active systems, lower energy and water costs and make development more resilient and healthier.

Best practice passive design solutions will underpin all design responses, supplemented by highly efficient active systems where necessary.

Environmental performance targets to be achieved, include:

- Energy

  - Low Rise (3 Storey Multi-Units): 67
  - Mid-rise (4-5 Storey Multi Units): 61
  - High Rise (6-20 Storey Multi Units): 60
  - High Rise (20 Storey Multi Units): 63

- Water 40

- Thermal Loads:

Low Rise (3 Storey Multi Units) & Mid Rise (4-5 Storey Units)

Maximum Allowable Thermal Loads (MJ/m^2/year)	**Individual Dwellings**	**Average of all Dwellings**
Heating	32.9	29.7
Cooling	20.4	21.2

High Rise (6-20 Storey Multi Units) & High Rise (20 Storey Multi Units and Higher)

Maximum Allowable Thermal Loads (MJ/m^2/year)	**Individual Dwellings**	**Average of all Dwellings**
Total	38	30
Heating	34.4	28.1
Cooling	21.4	20

- All private residential parking spaces must be capable of being fitted (by future owner/occupant) with an Electric Vehicle Charger (EVC). This means that adequate electrical and other provisioning will be provided with an electrical outlet for each space for connection of an EVC by the future owner/occupant. Provision of the charger and associated equipment does not need to be provided.
- Provide onsite renewable energy generation, including opportunities for Solar PV. All buildings must be capable for providing a dual reticulation water system for water consumption in accordance with the Council's requirements for the Green Square Town Centre. This does not include the design or delivery of any Non-potable Recycled Water Network.

4.2.17 Facade treatment to manage solar gain and reflectivity

Competitors should provide a high-performance building facade solution that effectively balances building heating and cooling loads, natural light, thermal, visual, and acoustic comfort and indoor air quality requirements. The following additional objectives are to be addressed:

- Designs should seek to achieve a very high proportion of shading in summer and minimise the proportion of shading in winter for each facade orientation.
- Fixed shading strategies and devices should be integral to the architecture.
- Extensive glazing that is unprotected from mid-summer sunlight is to be avoided and reliance upon high performance tinting or glazing as a midsummer sun control is not appropriate.

Reflective materials used on the exterior of buildings can result in undesirable glare for pedestrians and on occupants of other building and potentially hazardous glare for motorists. In relation to reflectivity (as set out in the SDCP 2012 Section 3.2.7), reflective materials are to be avoided. The following objectives should be addressed in relation to reflectivity:

- Facade treatments should minimise the reflection of sunlight from the building to surrounding areas and buildings.
- Ensure that building materials do not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.
- Generally, light reflectivity from building materials used on facades must not exceed 20%.

4.2.18 Wind

Testing was conducted to assess the existing and future wind conditions within the site and surrounding areas. The results indicate that wind conditions at 'Ground-level publicly accessible' spaces have the potential to worsen without mitigation.

Recommendations for mitigation are provided in the Pedestrian Wind Environment Study (**Annexure 11**).

It is noted that **Annexure 11** includes landscaping to mitigate wind impacts. This is not supported by the City of Sydney. Soft landscaping should not be relied upon for wind mitigation. Wind impacts (and any associated modifications which may be required to the built form to ameliorate impacts) will be considered as part of wind tunnel testing that will be carried out as part of the detailed DA.

The following objectives should be addressed relating to wind:

- Mitigate wind impacts through employment of recommendations and mitigations contained in **Annexure 11** except for reliance on soft landscaping as noted above.
- Respond to the site's context and prevailing wind conditions through architectural design, expression and articulation.
- Create a pedestrian friendly environment at ground level.
- Ensure private open space, including balconies, are not impacted negatively by wind.

4.2.19 Public Art

The public art objectives of the competition are to create opportunities for innovative artistic responses that:

- Respond the site's contextual location including proposed use and the constraints and opportunities of the site.
- Align with the *City of Sydney Guidelines for Public Art and the Public Art Policy*.

It is expected that competitors' responses will include a preliminary public art strategy for the location, character and conceptual approach to the proposed development. However, a separately appointed

public art curator will be engaged to prepare the Preliminary Public Art Plan which will accompany the future DA, and the detailed planning and procurement of public art will occur following DA approval.

A Public Art Strategy endorsed with the Stage 1 Concept DA outlines concept locations and styles for the site (see **Annexure 18**).

4.2.20 Building Services and Plant

The Building Services checklist at **Annexure 19** of the Brief provides preliminary spatial assumptions for the purposes of the design competition only and does not preclude alternative design strategies.

Competitors are not required to provide detailed building services design.

All plant rooms and equipment are to be screened and fully concealed, enclosed with facade treatment equal to that of the primary facade. Any plant at roof level is to be located behind parapets and fully concealed from sight and overlooking to ensure no impact on the outlook of neighbouring developments and public domain. Plant equipment and lift overruns are to be contained within the prescribed height limits.

Where services require direct street frontage for maintenance or emergency access, such services should be discretely located, architecturally treated, and must not compromise presentation to the public domain.

4.2.21 Electrical Substation

Substations are to be integrated into the fabric of the building or landscape structures and are not to be a free-standing kiosk.

The location and design of substations:

- Should ensure chambers and enclosures are recessive and positively contribute to the architecture, landscape and public domain design quality
- Enclosures and screening are to be of high material quality equal in standard to the facade treatment applied to principal buildings
- Should not compromise activation of street frontages nor the public domain

Refer to **Annexure 19** for Substation requirements and dimensions. Substation should be located in Block S-2 with access to public road, preferably along Defries Avenue or Epsom Road, to allow servicing by authorities.

4.3 Commercial Objectives

The overarching commercial objectives for this competition area:

- Maximise the allowable GFA on the site. Maximisation of GFA must not compromise the planning and design objectives of the SLEP 2012, SDCP 2012, the Draft Design Excellence Strategy and this brief.
- Maximise floor space efficiency.
- Provide a unit mix and layout to maximise amenity and to meet market demand.

Competitors are to submit an indicative unit mix and Area Schedule (See **Annexure 20**).

The key commercial objectives are outlined in the following table:

GFA - Competitive Process Site 3	
Component	**Metric**

Maximum GFA	Excluding 10% for a building demonstrating design excellence	21,900 sqm
	Including 10% for a building demonstrating design excellence	24,090 sqm
Proposed indicative GFA Allocation (including 10% for a building demonstrating design excellence)	Residential:	22,717 sqm
	Non Residential / Retail / Commercial:	1,373 sqm
Maximum Building Height	27m – 55m	

4.3.1 Buildability

The objectives for buildability are as follows:

- Carefully consider the cost implications of building materials of the project submission.
- Have regard to construction methodology and staging, including site access and buildability, while taking into account the proximity to adjoining buildings.
- Select materials that are durable and fit for purpose. If innovative materials are proposed for use, evidence is to be provided regarding warranties, durability and examples of prior successful use in the Australian context. Regard for maintenance, servicing and replacement of all selected materials should also be considered.

4.3.2 Unit Mix

The following target mix is based on material submitted as part of the Stage 1 Concept DA and is indicative only. Whether the target number of dwellings can be achieved on the site is unconfirmed. The reference scheme submitted with the Stage 1 Concept DA is untested has not demonstrated compliance with key ADG controls to substantiate targets on apartment numbers or mix as set out below. The approximate target number of new dwellings (219) is also based on a higher residential GFA than that set by this brief and consent conditions.

Indicative Target unit mix - Competitive Process Site 3		
Residential uses are to be provided Approximately **219** new dwellings		
Each building is to achieve the following unit mix (unit only):		
Typology	**Approximate Area**	**% Percentage**
1 bed units	50-60sqm	6-8%
1 bed plus multi-purpose rooms	55-65sqm	11-13%
2 bed units	75-85sqm	48-52%
3 bed units	95-115sqm	25-30%
4 bed units	125+sqm	2-3%

4.3.3 Construction Costs

The estimated total construction budget for Competitive Process Site 3 is $140,500,000 (including GST) including all works, fixtures and fittings associated with residential, retail, commercial, basement, landscaping, and achievement of ESD targets. The submissions are to confirm the construction budget.

The proponent acknowledges the construction budget is an estimation for the purpose of this competition and is unconfirmed by third party QS assessment.

5 Design Competition Procedures

5.1 Design Competition Entry

This Design Competition is by invitation only and is limited to three (3) competing Consortiums.

Each Competitor in this Design Competition is to be a person, corporation or firm registered as an architect in accordance with the *Architects Act 2003* (NSW) or, in the case of interstate or overseas competitors, eligible for registration.

Each competitor shall prepare and submit a design proposal in accordance with the requirements this brief.

5.2 Competition Manager

The proponent has appointed William Brindle, Meriton, as the Competition Manager. It is the Competition Manager's role to manage the organisational and administrative functions of the competitive process on behalf of the proponent.

The role of the Competition Manager includes:

- ensuring the competitive process is undertaken in accordance with the City of Sydney's Competitive Design Policy and this brief
- acting as the first point of contact for the proponent, the competitors, the City of Sydney and the selection panel during the competitive process
- facilitating briefings, presentations and meetings
- receiving competitors' questions during the competitive process and coordinating responses
- verifying the competitive process submissions meet submission requirements
- coordinating the drafting of the Competitive Design Alternatives Report.

All communications with the Competition Manager are to comply with the communications protocols set out in Section 5.13.

5.3 Impartial Observers

The Design Competition may be overseen by an impartial Observer(s) (Observer) appointed by the City of Sydney. The role of an observer is to verify that the competitive process has been followed appropriately and fairly.

The Observer(s) must be provided with at least one (1) weeks' notice and will be present at:

- The Briefing and site visit held for all Competitors and Selection Panel.
- Any further information briefings, site visits or progress sessions.
- Presentations.
- Selection Panel discussions and deliberations.

All communications and information issued to and received Competitors and Selection Panel are also to be copied to the observer(s).

The observer may be present when submissions are opened.

5.4 Selection Panel

The selection panel is to comprise a total of (4) four members in the following composition:

- Two (2) members nominated by the proponent;
- Two (2) members nominated by the City of Sydney and who have no pecuniary interests in the development proposal or involvement in approval processes.

If any panel member has to withdraw prior to the completion of the competitive design alternatives process, another panel member of equivalent professional credentials will be appointed by whoever originally appointed that panel member.

Selection Panel members must:

- represent the public interest
- be appropriate to the type of development proposed

The selection panel will:

- include people who have expertise and experience in the design and construction professions and related industries
- include a majority of registered architects with urban design expertise.

5.5 Selection Panel Obligations

In accepting a position on the selection panel, panel members agree to:

- prior to accepting the appointment disclose any conflicts of interest for the record
- have no contact with any of the Competitors in relation to the site and the competitive process from their time of appointment until the completion of the process, other than those occasions as specified in the City endorsed competitive process brief;
- evaluate submissions promptly in accordance with the competitive process timetable. Refer to **Section 1.10 – Key Dates**.
- maintain competitors copyright and withhold from recommending the use of an unsuccessful competitors' scheme in part or wholly
- abide by the requirements of the Brief;
- consider planning or other technical advice provided by the City of Sydney;
- refrain from introducing irrelevant considerations in addition to, or contrary to those described in the Brief, or contrary to the statutory framework relevant to the site
- make every effort to arrive at a consensus in the selection of a winner;
- prepare and endorse a Competitive Design Alternatives Process Report explaining their decisions
- sign a statement confirming they have read and understood the selection panel member's obligations and agree to respect those obligations for the duration of the Design Competitive process.

5.6 Selection Panel Chair

The selection panel is to agree on the selection of the Chair. The primary function of the Chair is to ensure that the selection panel deliberations proceed in a fair and orderly manner.

In co-ordination with the Competition Manager, the Chair shall, at the conclusion of the Competition Selection Panel's deliberations, supervise:

- Letters of notification to the winning and unsuccessful Competitors,
- The writing of the selection panel comments to be included in the Competitive Design Alternatives Report, and
- Review and endorsement of the final report as prepared by the proponent.

5.7 Proponent's Obligations

In relation to the site or the competitive process, and unless otherwise specified by this brief, the proponent and nominated observers agrees to have no contact with selection panel members, competitors from their time of appointment, nor Central Sydney Planning Committee members, Local Planning Panel members and elected City of Sydney councillors until the completion of the process.

If the City of Sydney is informed by the above persons that they have been contacted by the proponent in relation to the site or the competitive process, then the process may be terminated.

5.8 Technical Assistance to Competition Selection Panel

The Proponent shall engage Technical Advisors (listed in Section 5.9 – Technical Assistance to Competitors below) to provide high-level review as assistance to the selection panel in assessment of final submissions.

The Technical Advisors' advice will be strictly limited to technical and compliance matters pertaining to their professional discipline only and refrain from commenting on matters outside of their remit.

Technical advisors may attend competitor's presentations, however, are not to attend selection panel deliberations unless requested by the selection panel or specified otherwise in this brief.

The Competition Selection Panel may seek independent technical assistance, if required.

5.9 Technical Assistance to Competitors

Competitors are encouraged to seek advice to achieve the best possible architectural outcome for the proposed scheme.

All communications between competitors and technical advisors must be submitted in writing to the Competition Manager and copied to the City of Sydney in accordance with communications protocols detailed in **Section 5.13 – Communications and Questions**.

Note: The role of the proponent-appointed technical advisors is to review and provide clarification on each Competitor's scheme in confidence, not to design certain elements of the development. Technical advisors will not present or prescribe design solutions.

Competitors may elect to appoint their technical consultants as needed. All technical advisors will keep the content and intellectual property of each Competitor's scheme confidential.

The Proponent will make available the following technical advisors to each Competitor and pay these services directly over and above the competition process fee.

1. Town Planning – Refer Proponent's Design Competition Manager
2. Flood Consultant – Taylor Thompson Whitting (TTW)
3. Traffic Consultant – TRAFFIX
4. Structural Engineer – Meriton's in house engineer

5.10 Quantity Surveyor

The proponent's appointed quantity surveyor (QS) must provide an indicative cost estimate of the competitor's proposal based on submissions and completed area schedule/yield analysis set out in Section 6.1 Presentation material submission requirements. The QS report may also include a discussion on how the design is an economically feasible development option.

Prior to the lodgement of the final submissions, in order to facilitate timely assessment and advice, one virtual meeting will be held with the QS and each competitor, arranged by appointment only through the Competition Manager. The Competition Manager is to be present as observer and provide a summary record of the meeting to the City of Sydney in accordance with the dates set out at Section 1.10 Key Dates. City of Sydney observer(s) will be invited to attend all meetings between the QS and competitors.

The competition manager will issue QS estimates to the respective Competitors two (2) working days prior to the final presentation date. While no additional work will be requested or required of competitors prior to the presentation date, competitors are encouraged to review the QS statement and consider if the construction budget has been met, and whether there are any barriers to achieving this budget during detailed design.

The QS respond to specific questions throughout the competitive process but will not undertake reviews of partially completed submissions. Following the lodgement of the final submissions, the QS will provide an assessment and indicative cost estimate for each scheme.

All other communications with the QS must be conducted strictly in accordance with communication protocols set out in **Section 5.13 – Communication and Questions** of this brief.

5.11 Technical Advisor Obligations

All technical advisors as engaged by the proponent shall undertake a high-level review of each competitor's submission and provide assistance to the selection panel and Competitors.

Technical advisors are to strictly limit advice to technical and compliance matters pertaining to their professional discipline only and refrain from commenting on matters outside their remit.

All Technical Advisors are bound by the confidentiality requirements set out at **Section 5.26 – Confidentiality** and will be required to sign a confidentiality agreement with the proponent to keep the content and intellectual property of each scheme confidential.

5.12 Progress Session

Each competitor is invited at their discretion to attend an online progress session and encouraged to submit preliminary concepts as specified in Section 1.10 Key Dates.

The progress session offers competitors the opportunity to have design works in progress reviewed and receive feedback from the technical advisors in relation to high level technical and planning compliance matters only. It does not involve the selection panel and is conducted as an informal consultation. No formal presentation is required, and material may be presented at the discretion of the competitor. Face-to-face meetings between competitors and technical advisors are strictly limited to the Progress Session on the date set out in Section 1.10 Key Dates unless otherwise specified in this brief.

The Competitive Process Manager will provide a written summary of the meeting to individual competitors following the progress session as specified in Section 1.10 Key Dates.

City observer(s) may be in attendance and must be copied into all submissions and feedback.

5.13 Communications and Questions

Competitors should submit to the Competition Manager in writing (mail or email), all communications and enquiries relation to this competitive process, brief or the project generally. A response shall be provided by the Competition Manager within 48 hours of receipt.

Proponent's Design Competition Manager:

William Brindle

Email: Williamb@meriton.com.au

Except where specified otherwise in this brief, competitors should not communicate regarding clarification of the competition process, with:

- The Proponent;
- Selection panel members;
- Technical advisor(s);
- City of Sydney;
- Consent Authority;
- councillors or
- Other Competitors.

Each Competitor's privacy is protected. Competitor's questions will be vetted by the Competition Manager and addressed publicly or privately according to their nature.

All questions and responses will be compiled and issued in writing to Competitors without revealing the source of the question or specifics of the Competitor's scheme.

All communications, including questions and responses, public or private, must be copied to the City of Sydney observers.

5.14 Final Submissions – Restrictions

Competitors final submissions must strictly adhere to page limits where specified by this brief.

The Competition Manager shall audit the final submissions and delete those pages which exceed the maximum prescribed page limit. Within 24 hours of the final submissions lodgement deadline, the Competition Manager shall notify competitors of any exceedance and confirm the pages to be deleted. Such material will not be viewed by, nor form part of the selection panel's considerations.

5.15 Lodgement of Final Submissions

Competitors shall lodge their Final Submissions electronically via file transfer at the following address:

William Brindle – Design Competition Manager
Meriton
Email: williamb@meriton.com.au

Files must be labelled with the:

Competitive process name and Competitor's Name.

"STAGE 3 – 118-130 EPSOM ROAD AND 905 SOUTH DOWLING STREET, ZETLAND – DESIGN COMPETITION"

A City of Sydney observer may be present when the submissions are opened.

Competitors should ensure:

- submissions comply with the file format, labelling convention, page limitation and any other requirements specified in this brief
- all file transmissions are completed before the lodgement deadline (including where a submission consists of multiple uploads) as set out in Section 1.10 Key dates.

5.16 Presentation Date – Presentation Material

On the Presentation Date (refer to Section 1.10 Key Dates), Competitors present their Final Submissions to the selection panel.

Competitors are to provide an electronic version (PDF file) of their presentation material to the competition manager no later than 72 hours prior to the Presentation Date, in accordance with the Key dates Section 1.10, and the maximum page limit prescribed in Section 6.2 Documentation.

No new material is to be presented over that lodged as final submissions. Presentation material may be a reformatted version of the final submission content but must not contain any new content and notably must not include revisions to, or enhancements of architectural plans and renderings.

The Competition Manager will audit the presentations for any new material and exceedance of the maximum prescribed page limit. The Competition Manager shall notify competitors of any non-conformance as set out in Section 1.10 Key Dates. Competitors will then be given the opportunity to resubmit a conforming presentation within 24 hours.

5.17 Amendments to the Brief

Once endorsed, no amendment to the brief is permitted without the written approval of the City of Sydney.

A change to the competitive process program is considered an amendment to the brief.

If the proponent or competitor seek a change in program, the Competition Manager must in writing, notify all competitors, seek and confirm their written agreement prior to the City of Sydney granting approval. If approved, the Competition Manager will provide written notification to all Competitors of the agreed change.

5.18 Disqualification

Submissions that fail to meet the competition process requirements may be disqualified, in particular where:

- The submission is received after the final submission lodgement time and date;
- The submission is contrary to the objectives of the City of Sydney planning controls and this Brief;
- The submission is not submitted in accordance with the submission requirements, as stated in the brief; and
- Where a competitor attempts to influence the deliberations of any member outside of the presentation date.

The selection panel will determine any disqualifications.

5.19 Selection Panel Assessment and Decision

A minimum of three (3) submissions are to be considered as part of this competitive process.

The Competition Manager is to provide an electronic copy of the final submissions to each selection panel member and the City of Sydney at least one (1) week prior to the final presentation date.

The competitors are to present their final submission to the selection panel in person on the specified presentation date. The presentation is to be no longer than thirty (30) minutes followed by twenty (20) minutes questions from the selection panel.

Each Competitor's submission will be graded by the selection panel in accordance with the Assessment criteria in **Annexure 24** to this brief.

If in the opinion of the selection panel, key design issues require further resolution before a decision can be made, the selection panel may recommend that design amendments be made to up to two of the submissions.

For these submissions, the selection panel will list the specific design issues for the first and second scheme that should be addressed and request the competitors amend their submission within a defined period of time (having regard to the extent of the requested amendments). Any request for design amendments shall be in writing.

The selection panel is expected to reach a decision on whether to request amendments to submissions within 14 days of Final Presentations.

Competitors are to re-present the entry within twenty-one (21) days of the initial presentation. Upon completion of the second presentation to the selection panel, the selection panel will rank the competitive process submissions (first and second).

The selection panel's decision will be via a majority vote.

The selection panel's decision will not fetter the discretion of the consent authority in the determination of any subsequent development application associated with the development site that is the subject of this competitive process.

The selection panel may grade the designs in order of merit.

The selection panel may decline to declare a winner of the competition process if none of the submissions exhibit the potential to achieve design excellence. If the selection panel decline to declare a winner, the selection panel may recommend that none of the submissions in its opinion exhibit the potential to achieve design excellence and thus end the competitive process.

5.20 Appointment of the Architect(s) of the Winning Submission(s)

The proponent shall appoint the architect (winning architect) of the winning scheme as selected by the selection panel. Full design and documentation of the winning scheme should then occur.

To ensure that design continuity and design excellence of the winning scheme is maintained throughout the development process, the architectural commission is expected to include as a minimum the following:

- preparation of a detailed development application
- preparation of the design drawings for a construction certificate
- preparation of the design drawings for the contract documentation
- continuity during the construction phases through to the completion of the project
- documentation required by the consent authority verifying the design intent has been achieved at completion
- attending all meetings that pertain to design issues with the community, authorities and other stakeholders, as required.

The winning architect is expected to be appointed within 21 days of the decision date. Refer to Section 1.10 Key dates.

The winning architect may work in association with other architectural practices but must retain the leadership role over design decisions throughout the life of the project.

In the event that the proponent decides not to proceed with the winning architect, or the proponent limits the architectural commission outlined above, the proponent will:

- provide the consent authority with written reasons for this decision; and
- restart the competitive process.

5.21 Announcement

The Design Competition Manager will in writing advise all competitors of the selection panel's decision within the timeframe in **Section 1.10 – Key Dates**.

The competitive design process results will be made public within twenty-one (21) days of the Decision Date.

5.22 Competitive Design Alternatives Process Report

When the competitive process submissions have been assessed, the Competition Manager is to prepare and submit to the City of Sydney a Competitive Design Alternatives Process Report prior to the submission of the detailed DA for the building.

This report shall detail:

- the competitive process and include a copy of the endorsed Brief
- the selection panel's assessment of the design and merits of each submission
- the rationale of the choice of the preferred design which must clearly demonstrate how this best exhibits the potential to achieve design excellence in accordance with the provisions of Clause 6.21(C) of the SLEP 2012 and the approved Design Excellence Strategy
- any further recommended design amendments relevant to the achievement of design excellence.
- any critical principles or qualities of the design which must be retained in design development

The report is to be endorsed and signed by all selection panel members and submitted to the City of Sydney for acknowledgement within the specified number of days of the decision, in accordance with Section 1.10 Key dates.

Following the selection panel's decision, the City of Sydney may require the proponent, or choose to themselves, hold an online display of the competitive process entries.

5.23 Achieving Design Excellence

The proponent and selection panel acknowledge competitive process design proposals are concepts only and any technical resolution is preliminary. It is understood, while maintaining design integrity, the winning scheme must undergo design development, address technical items and selection panel recommendations in concert with other outstanding matters to demonstrate the achievement of design excellence in any subsequent Detailed Development Application.

5.24 Competitive Process Fee

A competitive process fee of $100,000 (inclusive of GST) shall be paid to each Competitor for participating in this invited competitive process.

Prior to the commencement of the competitive process the competitive design process fee and guarantee of fee payment must be negotiated and agreed between the competitors and the proponent.

Following the final presentations, each competitor may submit their invoice.

Upon receipt of evidence that a comprehensive Design Competition submission has been lodged, the Proponent must pay the agreed participation fee to the Competitor within 14 days.

5.25 Copyright

Copyright for each submission shall remain in the ownership of the original author(s) unless separately negotiated between the Proponent and the Competitor.

The Proponent and the City of Sydney shall have the right to display, photograph, publish and distribute this brief, submissions, presentations, and reports produced as part of this competitive process for publication, publicity or other such purposes. Any such reproductions shall acknowledge the copyright owner(s).

A competitor’s lodgement of the final submission in this competitive process shall be deemed as legal permission for the Proponent to publish competitor’s submissions. No compensations shall be made for such reproduction or publication.

5.26 Confidentiality

Competitors shall observe complete confidentiality at all times in relation to their submission, including plans, information whether verbal or written, documentation or any advice until the decision date. The same strict rules of confidentiality are to apply to any consultants or other persons or entities from which the competitors may seek advice.

The brief and the documents comprising the competitor’s submission are confidential until the decision is announced and made public. Competitors must not use them for any other purpose without the prior consent of the proponent.

The proponent, competitors, technical advisors and selection panel shall observe complete confidentiality in relation to all submissions received, prior to a decision in relation to the Competitive process that is made public.

6 Presentation Material Submission Requirements

6.1 Presentation Material for Competitor's Submissions

The submissions must be clear and concise, include only essential information sufficient to explain the proposed design with a preference for design information over graphic presentation.

The submission documents shall be submitted to the Competition Manager in electronic format only.

All submission documents including presentation material are to clearly identify the competitor and be of a suitable quality for public display.

Each competitor's final submission shall include the items detailed in the following sections.

Note:

- When referencing another person's work all sources should be appropriately cited.
- For the purposes of planning coordination, the winning architect may be required to submit to the consent authority a DWG/DGN file of ground floor plan geospatially referenced with MGA (Mapping Grid of Australia) coordinates.

6.2 Documentation

	6.2.1 **SUBMISSION REQUIREMENTS**	**6.2.2 DETAILS** ***Items B. – D.1 constitute the report body to be strictly limited to a maximum of 40 x A3 pages.*** ***All pages must be numbered.***	**Indicative No. of A3 pages/slides** ***(unless a stated maximum)***
A.	***COVER PAGE & CONTENTS***	Limited to cover page with competitor's identity and contents list only.	**Not counted**
B.	***STATEMENT OF INTENT/DESIGN STATEMENT***	Design statement addressing the proposal's approach, the response to the brief's objectives and the manner in which design excellence is achieved. The Design Statement is to incorporate: ESD: A summary of sustainability initiatives to achieve required ESD targets together with a description of any broader sustainability initiatives associated with the design proposal. Inclusive of: • Window to wall-ratio • Facade performance • Solar shading strategy	**6-10**
C.	***DRAWINGS AND GRAPHICS***		
C.1	***Location context sketch plan (1:1000)***		**1**
C.2	***Site Analysis (1:500)***		**1**
C.3	***Concept (Site) plan (1:500)***	Include existing and new streets, public domain improvements, building form and massing of site and adjacent area.	**1**
C.4	***Ground floor plan (1:200)***	Include landscape and the relationship to the public domain.	**1**

C.5	***Typical plans, elevations and sections including basement level (1:200)***	All plans, elevations, sections and 3-D massing studies must: • Include adjacent properties to clearly represent the proposed design in relation to neighbouring context • Illustrate the proposed design relative to Concept DA envelopes and Site Specific DCP controls, shown as an overlay on each drawing • Include a scale bar (where a scaled drawing) • Include a north point (all plans). • Critical relative levels on relevant sections & elevations	**6-10**
C.6	***Roof plan (1:200)***		**1**
C.7	***Landscape concept plan (1:200)***	Include deep soil calculations.	**1**
C.8	***Typical apartment layouts (1:50)***	Include typical layouts for studio, one, two, three bedrooms, etc.	**2-3**
C.9	***3-D computer generated perspectives or photomontages***	1 rendered perspective of the proposal utilising the identified viewpoints as set out in **Annexure 21**.	**1**
C.10	***3D supporting graphics***	The number and type of 3D perspectives or photomontages, in addition to the prescribed views in C.9 3-D computer generated perspectives or photomontages, is at the competitors' discretion, whilst observing the maximum page limit.	
C.11	***Digital materials/image board***	Provide indicative finishes. Samples are not required.	**1**
C.12	***Concept DA envelope / regulatory controls overlay***	Overlays illustrating compliance with envelope must be included on relevant plans, sections, elevations and 3D massing model.	**-**
C.13	***Indicative facade system detail (1:50 or 1:20)***	Typical principal facade system detail and description.	**1-2**
C.14	***Shadow impact diagrams***	Diagrams are to clearly present shadow impacts of the proposed relative to Concept DA / site-specific DCP building envelope shadow impacts.	**2-4**
C.15	***Amenity diagrams*** ***a) Solar access diagrams*** ***b) Natural cross ventilation*** ***c) Visual privacy (building separation distances)***	Demonstrate satisfaction of ADG requirements. • Items a, b and c are to be addressed. • Item c, may be demonstrated by providing dimensions on plans and sections.	**1**
C.16	***GFA plans (Scale – 1:500)***	Illustrate the accounting of GFA In coordination with the area schedule included in **Annexure 20**.	**1**
D.	***SCHEDULES***		
D.1	***AREA SCHEDULE/YIELD ANALYSIS***	Competitors must complete and submit the standard schedule provided in **Annexure 20**. The schedule must include: • Gross Floor Area (GFA), as per SLEP 2012 definition All accounting definitions are included in the standard schedule provided. A PDF format of the completed schedule is to be included in the report body.	**1**

	(An Excel file format is also to be provided as an appendix and is excluded from the page count).	
		TOTAL <u>Maximum</u> 40 pages

	6.2.3 SUBMISSION REQUIREMENTS	***6.2.4* DETAILS** ***Item E. is excluded from the maximum 40 x A3 page/slide limit noted above.***	**No. of A3 Pages/Slides**
E.	***STATEMENT OF PLANNING COMPLIANCE***	**Annexure 15** provides a summary of planning controls as a template for competitors to complete. The statement is to be completed by a suitably qualified person indicating the proposal's compliance with the relevant planning objectives controls. Each submission must also identify and justify any non-compliance with the applicable controls for the competitive design process site. Competitors must use the standard template provided.	**No. as per the appendix attached**
	SUBMISSION REQUIREMENTS	***6.2.5* DETAILS** ***Item F. is either a copy or a reformatted version of the submission content A to D.1 (See Section 5.14 Presentation Date – Presentation Material)***	**No. of A3 Pages/Slides**
F.	***PRESENTATION DATE MATERIAL***	At time and date specified in Section 1.10 Key dates - Lodgement of presentation date material, competitors are to provide a single PDF document of their presentation material. The maximum 40 x A3 slide limit is to be strictly adhered to. No new material is to be presented over that lodged as final submissions. Refer to Section 5.16 Presentation Date – Presentation Material.	**<u>Maximum</u> 40 x A3 slides**

6.3 Estimate of Construction Costs

The proponent's QS must prepare and provide an indicative cost estimate which forms part of competitor's submissions, as per Section 5.10 Quantity Surveyor. The Competition Manager will issue estimates to the respective competitors two days prior to the final presentation date.

Estimates will be based on the competitor's submissions and completed area schedule/yield analysis described above at D.1 (**Annexure 20**).

6.4 Digital Animations

Augmented reality, virtual reality, digital animations or fly-throughs should not be submitted and will strictly not be accepted, nor form part of the selection panel's assessment.

6.5 Summary Pack

The following submission requirement is for the purpose of potential media. Refer to Section 5.25 Copyright.

The Summary Pack shall be submitted to the Competition Manager in electronic format only at the time and date specified in Section 1.10. Key Dates.

This summary pack:

- will not be issued to or considered by the selection panel
- does not form part of 6.2 Documentation
- must be a copy only of material submitted under Section 6.2 Documentation
- must not contain any additional information, drawings or graphics as submitted under Section 6.2. Documentation

The City of Sydney does not accept responsibility for incorrect spelling or missing, names or attributions submitted by competitors.

SUBMISSION REQUIREMENTS	**SUMMARY PACK DETAILS**
COMPETITION SITE ADDRESS	**118-130 EPSOM ROAD AND 905 SOUTH DOWLING STREET, ZETLAND**
SUBMISSION DATE	Date on which this submission is lodged 9 August 2024.
DEVELOPMENT DETAILS	Mixed Use development comprising residential accommodation, retail, and associated parking facilities.
COMPETITORS NAME	The competitors name in full, including joint authors, partners
LIST OF ATTRIBUTIONS	Practice, consultants, photographers, other
STATEMENT OF INTENT/DESIGN STATEMENT	A summary of the statement of intent/design statement, which best describes the competition proposal. Word limit: Strict maximum 300 words
DRAWINGS AND GRAPHICS	All submitted drawings and graphics must be in the following format: o A4 landscape or portrait o JPG o 300dpi The pack is to include: o ground and typical floor plans and sections (strict maximum 10 JPGs) plus o up to three (3) renders or hand sketches (strict maximum up to 3 JPGs)
SUBMISSION METHOD	All Summary Pack submissions, including details, summary statement, drawings and graphics should be complied into a zip file and are to be submitted in accordance with Section 5.15 Lodgement of final submissions

Attachment D2

Competitive Design Alternatives Report

Annexure 2: Assessment Criteria Checklist

Assessment Criteria Checklist

	Weighting	PTW	MHNDU	Hames Sharley
1.Compliance with Planning Brief ☐ LEP 2012 ☐ DCP 2012 ☐ SEPP 65 - ADG ☐ other applicable planning policies	15%	**13**	**13**	**13**
2.Compliance with Commercial Brief ☐ development budget ☐ marketability ☐ FSA ☐ Floor plate area ☐ FSR ☐ Use ☐ Parking ☐ etc	15%	**13**	**13**	**11**
3.Compliance with Design Brief ☐ urban design strategy/context /public domain ☐ site planning ☐ built form strategy ☐ architectural concept & character ☐ internal planning and amenity ☐ materials & detail ☐ ESD ☐ landscape/open space within the project ☐ heritage ☐ Public art strategy ☐ etc	55%	**40**	**46**	**37**
4.Buildability ☐ construction methodology ☐ structural design ☐ services ☐ etc	15%	**12**	**13**	**9**
	100%			
		78	**85**	**70**

Annexure 3: Summary Pack

Competition Team

MHNDU

Michael Waterman
Amanda Stollery
David Hristoforidis
Stefanie Li
Yammie Ho
Lucy Pailas
Shira Hayim
Alvin Hui
Alice Zhou
Luxsina Thunyaprateep
Daniel Seligsohn

AHMM

Andrew O’Donnell
Will Marshall
James O’Neill
Ramon Acha Valls

List of Attributions

Jiwah Landscape Architect
Artefact Heritage and Environment Country consultant
Secchi Smith CGIs

Statement of Intent

MHNDU and AHMM have developed a comprehensive urban design and architectural proposal for Site 3, located at 118-130 Epsom Road and 905 South Dowling Street, Zetland. The development features four strategically positioned buildings: the Link Building (S1), Park Tower (S2), Corner Building (S3), and Park Terraces (S4). These structures are oriented around the newly established Mulgu Park and collectively offer 218 residential units and over 1,200 sqm of retail space, enhancing street-level activity.

Each building within Site 3 adheres to the design principles outlined in the urban plan. The Link Building forms the eastern edge of the park, activating the ground level at Chimes Place and serving as a buffer from Link Way. Park Tower, marking Mulgu Park within the larger townscape, strengthens connections from Epsom Road to Chimes Street Plaza through a new through-site link. The Corner Building defines the end of Defries Avenue and frames the urban block along Epsom Road and Rose Valley Way. Park Terraces enhance the western edge of the park, completing the urban block between Rose Valley Way and Peters Street.

The design integrates Green Square’s industrial heritage, utilising precast panels with detailed reliefs and textures to provide each building with a distinct architectural identity. This historical reference cultivates a connection to the site’s past within the contemporary urban fabric.

The project focuses on creating pedestrian-friendly environments and communal spaces that encourage social interaction and cultural events. Roof gardens, designed with the local Indigenous landscape firm Jiwah, reflect a unified yet diverse landscape vision, incorporating endemic plant species and circular forms that nod to the site’s historical connection to water and cultural significance.

The design for Site 3 aims to deliver a cohesive urban area that respects its historical context and meets contemporary needs, fostering a sense of community and enhancing the quality of life for residents and visitors.

Development Calculations



Category					
Residential	4,640	11,952	1806	4,428	**22,830**
Retail	333	789	155	0	**1,277**
	4,973 m²	**12,741 m²**	**1,961 m²**	**4,428 m²**	**24,107**
Level					
Basement 04	26	25	226	90	
Basement 03	26	25	305	600	
Basement 02	26	60	305	761	
Basement 01	409	51	305	740	
Ground	619	830	305	699	
Level 01	635	1,351	305	649	
Level 02	635	1,307	216	453	
Level 03	643	1,307		218	
Level 04	643	1,307		218	
Level 05	645	1,307			
Level 06	646	1,100			
Level 07	20	589			
Level 08		578			
Level 09		578			
Level 10		578			
Level 11		578			
Level 12		578			
Level 13		579			
Roof		13			
TOTAL	**4,973 m²**	**12,741 m²**	**1,967 m²**	**4,428 m²**	**24,107**

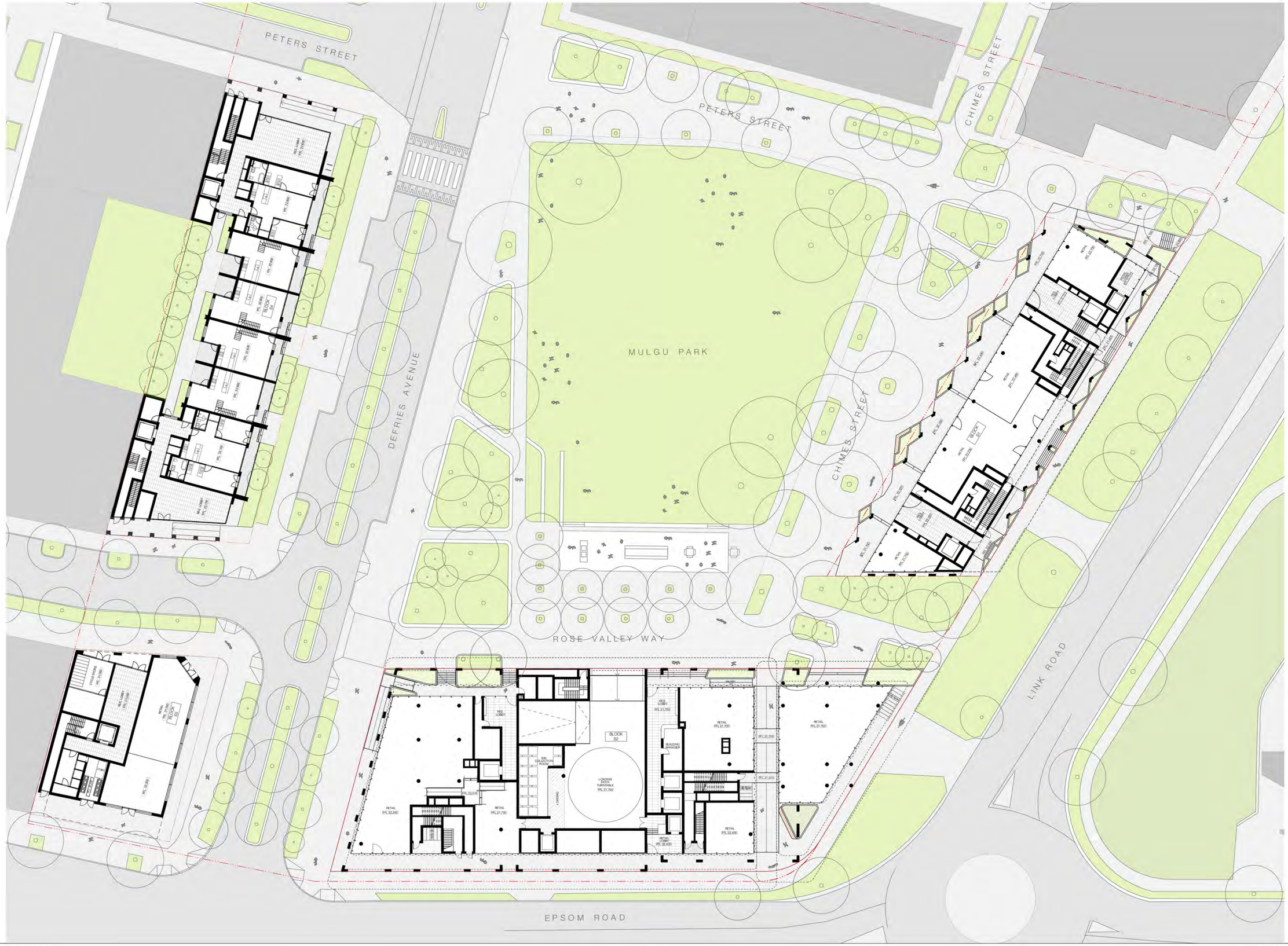
Unit Mix & Amenity



	S1		S2		S3		S4		TOTAL	
Solar Access										
✓ (2+ hrs)	43	93%	87	74%	12	71%	21	55%	**163**	**75%**
Cross Ventilation										
✓	34	74%	73	62%	12	71%	27	71%	**146**	**67%**
Unit Type										
1B	12						2		14	6.4%
1B+			32						32	14.7%
2B	25		58		11		18		112	51.4%
3B	7		25		6		18		56	25.7%
4B	2		2						4	1.8%
TOTAL	**46**		**117**		**17**		**38**		**218**	**100%**
Parking										
Car	**58**		**139**		**7**		**48**		**252**	
Residential	42		106		7		41		196	
Retail	7		16		0				23	
Visitor	8		14		0		7		29	
Service / Car share	1		3		0				4	
Motorcycle	**5**		**11**		**8**		**4**		**28**	
Residential	3		9		6		3		21	
Retail	1		1		1				3	
Visitor	1		1		1		1		4	
Bicycle	**54**		**156**		**39**		**42**		**291**	
Residential	46		130		29		38		243	
Retail	3		16		5				22	
Visitor	5		14		5		4		26	

Note: S3 parking spaces are located in S2





Building	**BLOCK S2**	Client		Architects		Drawing No. **A002**
Drawing name	**Site Plan 1:500 - GROUND**		MERITON	MHNDUNION	ALLFORD HALL MONAGHAN MORRIS	Scale 1:500 in A3
Project	118-130 Epsom Road and 905 South Dowling Street, Zetland					Date Issued 2/8/2024



Building	**BLOCK S2**	Client	Architects		Drawing No. **A004**
Drawing name	**Site Plan 1:500 - LEVEL 3**	MERITON	MHNDUNION	ALLFORD HALL MONAGHAN MORRIS	Scale 1:500 in A3
Project	118-130 Epsom Road and 905 South Dowling Street, Zetland				Date Issued 5/8/2024



Building	**BLOCK S2**
Drawing name	**Site Plan 1:500 - LEVEL 7**
Project	118-130 Epsom Road and 905 South Dowling Street, Zetland

Client: MERITON

Architects: MHNDUNION; ALLFORD HALL MONAGHAN MORRIS

Drawing No. **A005**

Scale 1:500 in A3

Date Issued 5/8/2024





Elevations



Elevation A1
Block S1



Elevation A2
Block S2



Elevation B1
Block S2



Elevation B2
Block S1





Elevation C1
Block S3

Elevation C2
Block S4

Block S1

1. Precast concrete panel, Type 1: Dark grey, vertical textured serration
2. Insitu concrete, Type 1: Pigmented, Banksia yellow
3. Precast concrete panel, Type 2: Light grey, smooth face
4. Aluminium framed door & window system
5. Powdercoat perforated aluminium screen, Banksia deep green
6. Prefabricated glass reinforced concrete awning, pigmented Banksia green
7. Powdercoat aluminium louvres, dark charcoal

Block S2

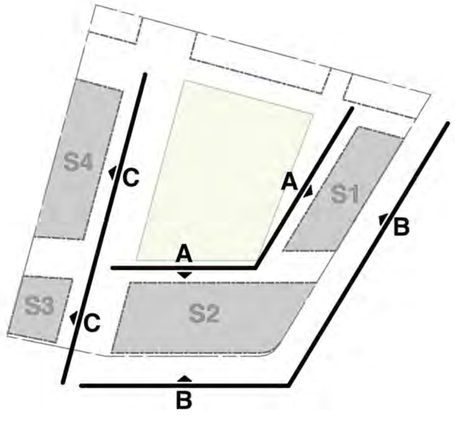
1. Insitu concrete, Type 1: Pigmented, Banksia yellow
2. Insitu concrete, Type 2: Pigmented, Banksia green
3. Precast concrete panel, Type 1: Light grey, horizontally finely corrugated
4. Precast concrete panel, Type 2: Mid grey, vertically corrugated
5. Precast concrete panel, Type 3: Dark grey, horizontally finely corrugated
6. Precast concrete panel, Type 4: Banksia green, vertically corrugated
7. Prefabricated glass reinforced concrete awning, pigmented Banksia green
8. Powdercoat aluminium screen, Banksia green
9. Powdercoat aluminium balustrade, dark charcoal
10. Powdercoat perforated garage door, Banksia deep green
11. Aluminium louvres, Type 1: Powdercoat dark charcoal
12. Aluminium louvres, Type 2: Powdercoat Banksia deep green
13. Aluminium framed door & window system
14. Powdercoat aluminium balustrade, dark charcoal

Block S3

1. Powdercoat aluminium framed window system
2. Precast concrete panel, Type 1: Mid grey, vertical corrugations
3. Precast concrete panel, Type 2: Light grey, smooth finish
4. Precast spandrel panel: Light grey
5. Powdercoat aluminium balcony rail

Block S4

1. Powdercoat aluminium framed door & window
2. system
3. Precast concrete panel, Type 1: Mid grey, vertical corrugations
4. Precast concrete panel, Type 2: Light grey, rounded profile
5. Powdercoat aluminium balustrade



Legend

1. Mulgu Park
2. Landscaped communal open space on roof
3. Undercover pool
4. Indoor gym
5. Solar panels





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PROJECT INFORMATION:

COMPETITION SITE ADDRESS_	118-130 EPSOM ROAD AND 905 SOUTH DOWLING STREET, ZETLAND
SUBMISSION DATE_	9 AUGUST 2024
DEVELOPMENT DETAILS_	MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL ACCOMMODATION,RETAIL AND ASSOCIATED PARKING FACILITIES
COMPETITORS NAME_	PTW+COLLINS AND TURNER

DESIGN STATEMENT

Our Mulgu Park development proposal envisions a lively, interconnected community where urban life harmonizes with green spaces, all centred around the future park. The project features four residential buildings that elegantly frame the new park, defining three of its edges, with 3-storey terraces completing the outdoor room.

The eastern and southern buildings (S-1 and S-2), with their dual frontages, serve as protective barriers for the park, shielding it from the bustling traffic on Link Road and Epsom Road. Meanwhile, the eastern buildings (S-3 and S-4) seamlessly connect with an existing development to the west, ensuring a cohesive urban fabric.

Building heights range from 5 to 14 stories. The large building footprints in this development are thoughtfully divided into clusters of smaller, neighborhood-scale buildings, avoiding the feel of a monolithic complex. Each building has a distinct character, offering residents identifiable addresses that enhance the sense of place and belonging within the community. This approach not only creates a more human scale but also fosters a diverse architectural landscape, where every building contributes its unique personality to the overall development.

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One of the standout features of this development is the elegant colonnade, which visually unites the individual buildings. This architectural element offers a sheltered pedestrian pathway that connects the buildings, creating a sequence of formal entrances. The colonnade also serves as a communal space, fostering interaction, relaxation, and recreation, thereby nurturing a strong sense of community among residents and visitors alike. It is expressed as an independent form, which at times playfully turns into a simpler façade order. Throughout the development, the colonnade remains a defining feature, thoughtfully integrated with the residential blocks to enhance both functionality and aesthetic appeal.


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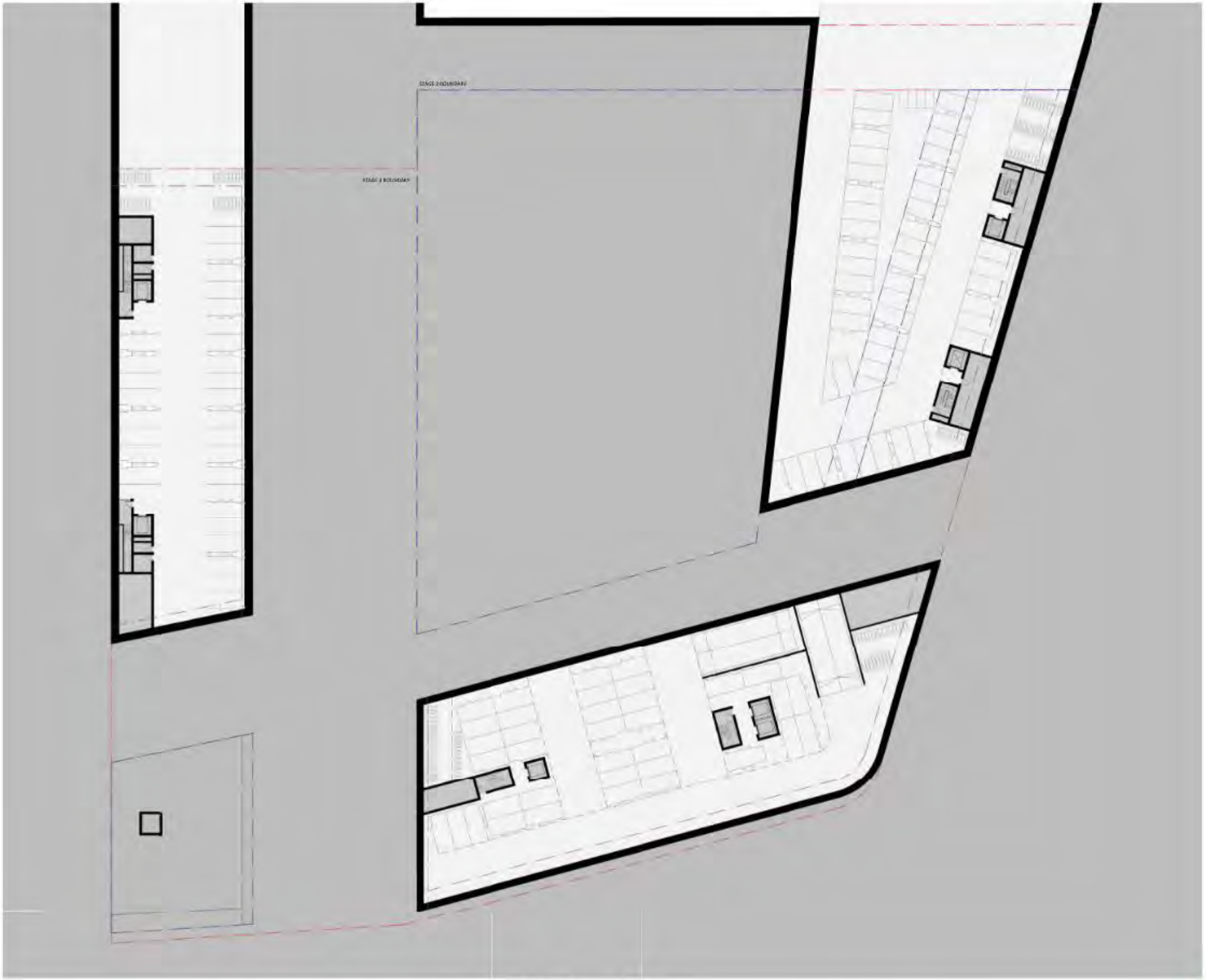
PTW + COLLINS AND TURNER


MULGU PARK
CHIMES STREET
ROSE VALLEY WAY
COMMUNAL OPEN SPACE
COMMUNAL OPEN SPACE





B-GENERAL ARRANGEMENT PLANS

BASEMENT 01 PLAN



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STAGE 3 – 118-130 EPSOM ROAD AND 905 SOUTH DOWLING STREET, ZETLAND DESIGN COMPETITION

SUMMARY PACK



PTW + COLLINS AND TURNER

9th August 2024

stage 3 - 118-130 Epsom Road and 905 South Dowling Street, Zetland

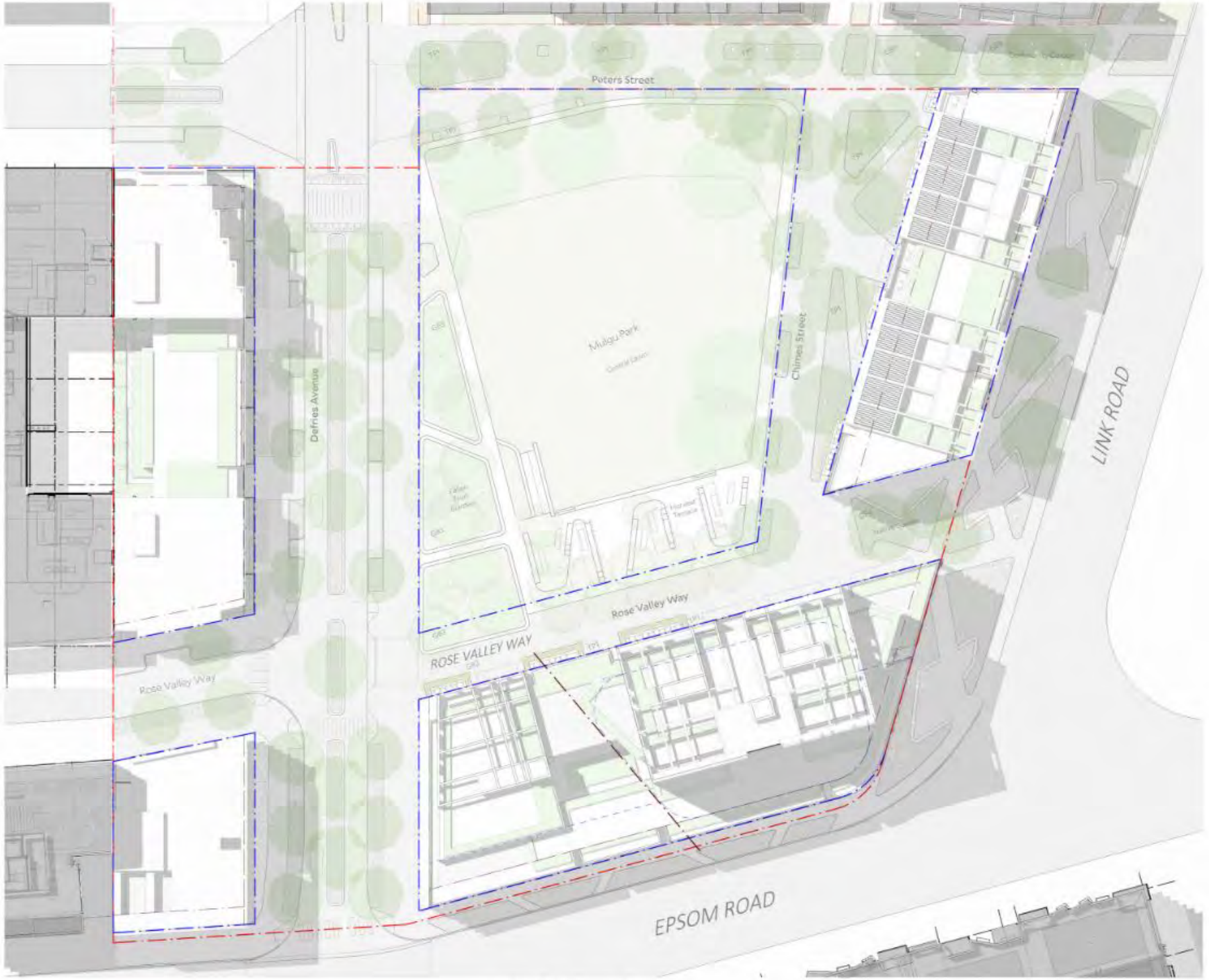
B-GENERAL ARRANGEMENT PLANS

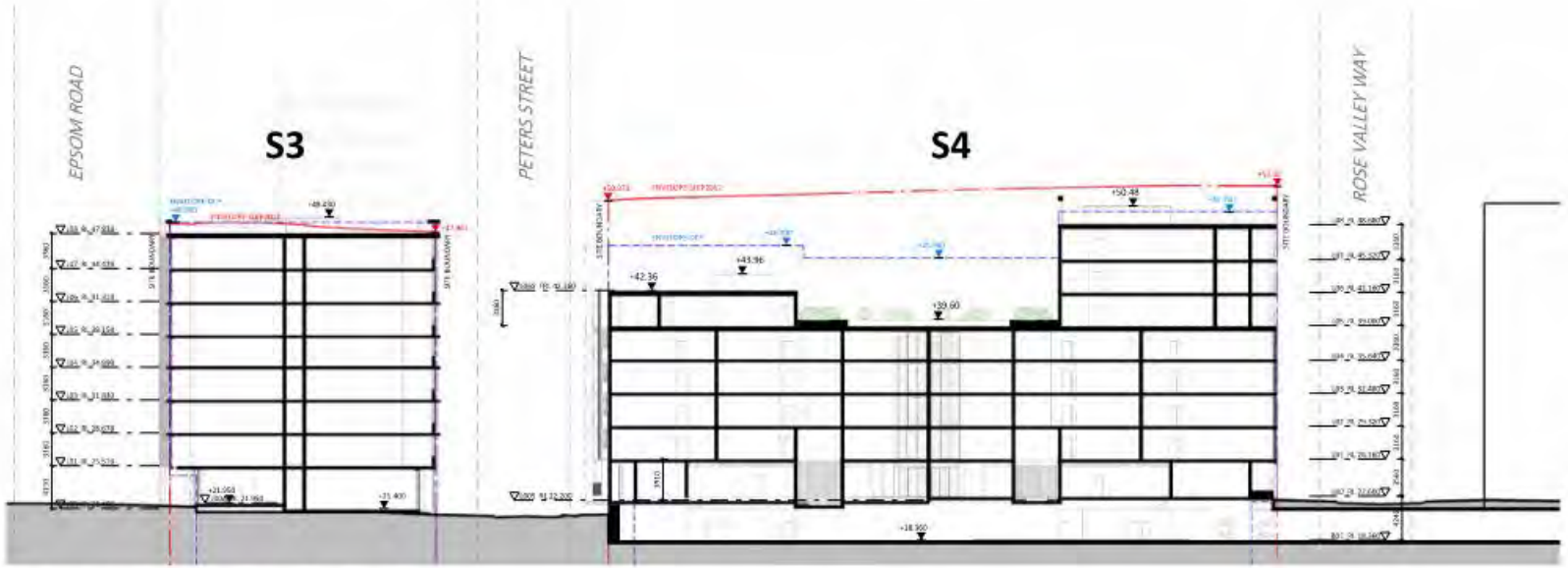
GROUND FLOOR PLAN


PETERS STREET
MULGU PARK
CHIMES STREET
LINK ROAD
DEFRIES AVENUE
ROSE VALLEY WAY
EPSOM ROAD

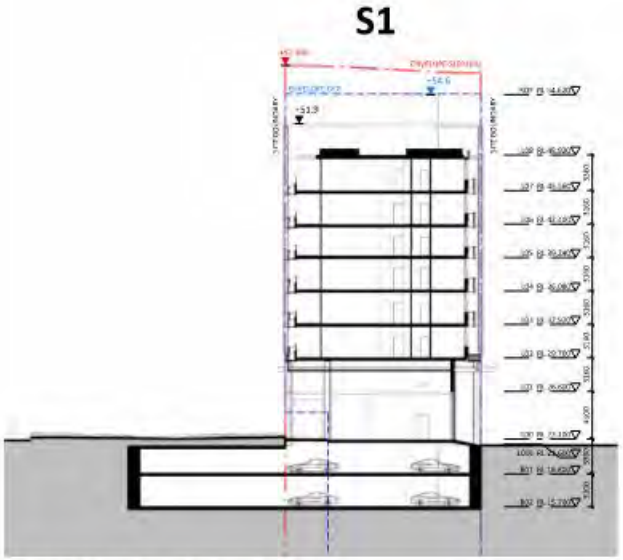

MULGU PARK
CHIMES STREET
ROSE VALLEY WAY


MULGU PARK
CHIMES STREET
ROSE VALLEY WAY

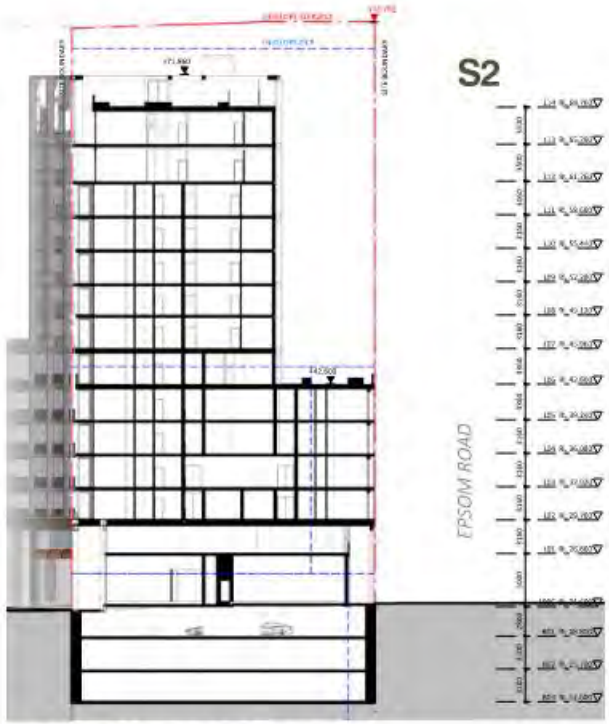

Peters Street
Mulgu Park
Chimes Street
LINK ROAD
Defries Avenue
Rose Valley Way
ROSE VALLEY WAY
Rose Valley Way
EPSOM ROAD



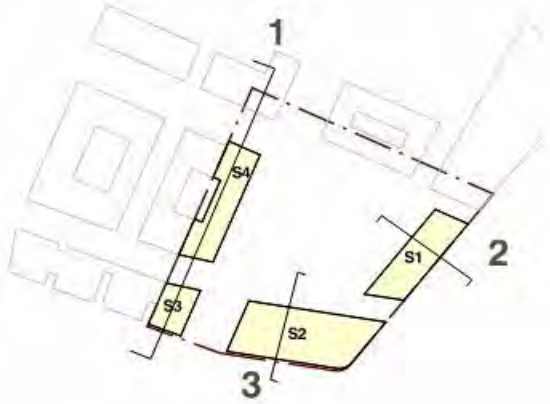
SECTION 1 - BUILDING S3 -S4



SECTION 2 - BUILDING S1



SECTION 3 - BUILDING S2





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PTW + COLLINS AND TURNER
9th August 2024
stage 3 - 118-130 Epsom Road and 905 South Dowling Street, Zetland
B-GENERAL ARRANGEMENT PLANS
LEVEL 02 PLAN
4



B-GENERAL ARRANGEMENT PLANS

LEVEL 04 PLAN

118-130 Epsom Rd & 905 South Dowling St, Zetland

Competitive Process Site 3

Hames Sharley | Sibling | WSP



Design Statement

Our design concept has been inspired by the social and cultural history of the wider site: the comradeship, sense of pride and ownership, of the working communities that were sited here; and before that of the gathering of Gadigal communities to harvest their sustenance at this natural 'marketplace'. In response we suggest a programme of social activity, instilled with those same enduring values, to surround Mulgu Park and activate this new public space productively.

To translate this idea into a vibrant and sustainable place we developed 5 key principles:

- Reclaiming abundance: encouraging opportunities for flora and fauna to flourish.
- Multiplicity of place: diverse community spaces throughout
- A soft core: extending Mulgu Park through and up the buildings
- Sensory delight: texture, light and form used to create a human scale as well as coherent whole.
- Enduring and robust: modular, adaptable and flexible materials and spaces.

Our approach to built-form places Mulgu Park and its ancillary public spaces at its core, and then activates the ground plane on every edge, and continues activation on all the levels above. Views from circulation, lift lobbies, apartments, balconies, and communal open space and amenity all open to the park and city-skyline beyond, ensuring that Mulgu Park and its environs are safe, and brought to life with neighbourhood activity.

Form, materials and detailing break down each building massing to a townscape human scale. The resulting forms are articulated vertically (informed by inner Sydney urban typologies) with depth, texture, and colour, combining weight and sturdiness with lightness and delight.

Our proposal achieves the yield and mix ambitions of the brief within the Stage 1 DA massing and building envelope whilst minimising impacts to neighbouring developments, view corridors, overshadowing and achieving a high level of solar access for the residential community.

Development Summary

The proposal consists of a vibrant mixed-use residential development in the heart of Zetland.

By meeting the intent of the site specific DCP and following the stage 1 DA envelope, the proposal achieves design excellence through refinements in the detail of planning and in the articulation of the built form.

In summary, the key features of the proposal will consists of:

- Four mixed-use residential buildings
- A development for 219 dwellings
- The provision of 1,410 sqm retail space
- Maximum four levels of basement vehicle parking across the site.
  (2 levels for S1 & S2 each, 4 levels for S2)
- A total GFA of 23,379 sqm

Design Principles

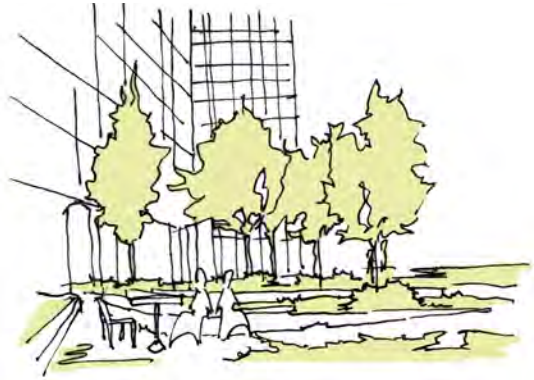
i. Reclaiming abundance



ii. Multiplicity of place



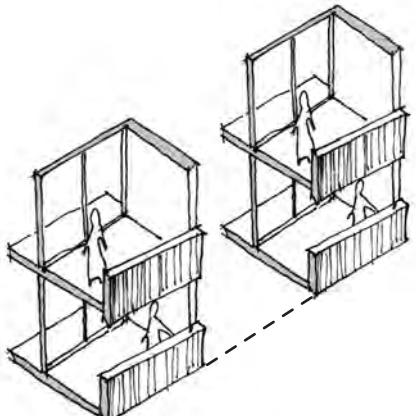
iii. A soft core



iv. Sensory delight

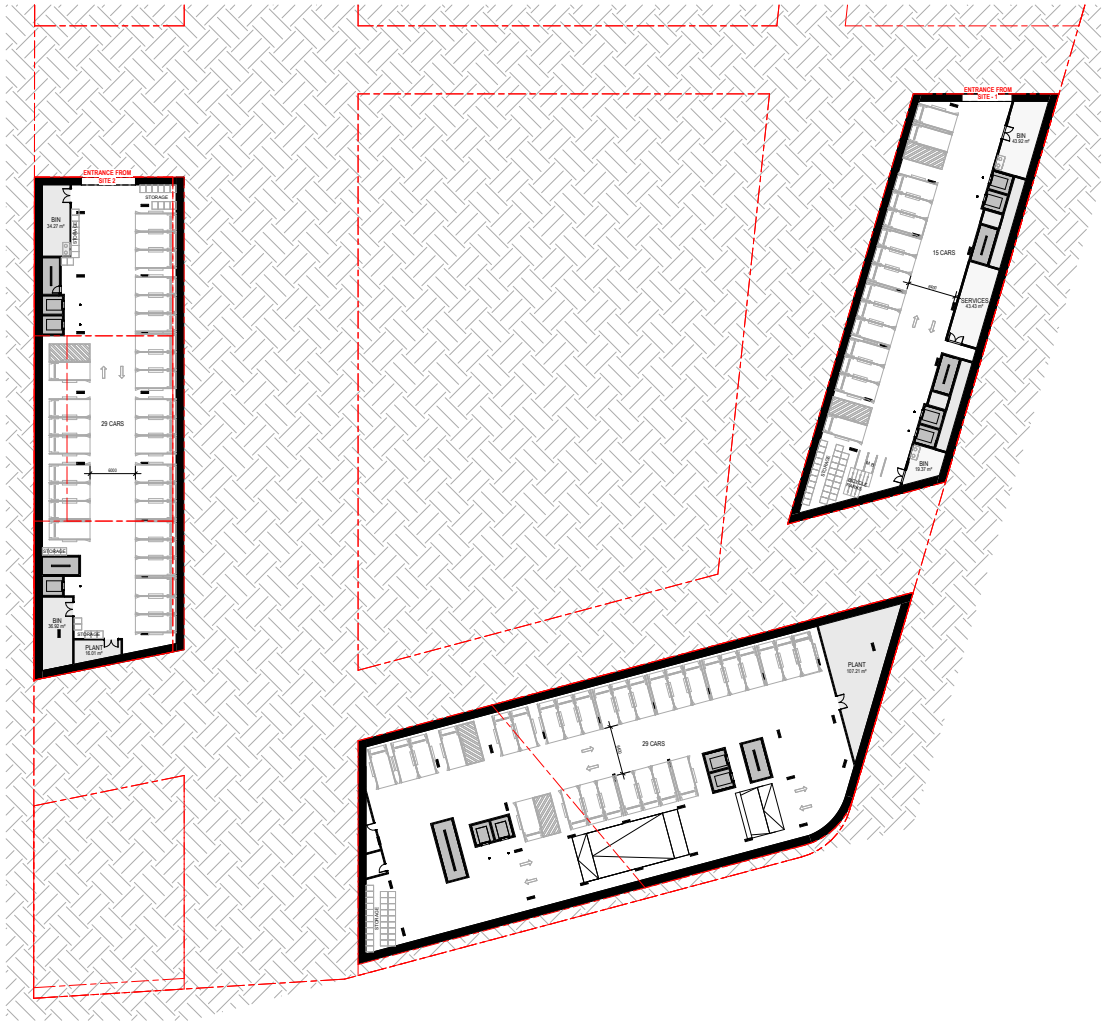


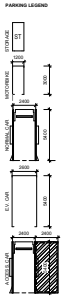
v. Enduring & Robust




ICK UP AFE

Drawings & Graphics





PARKING SCHEDULE

No.	TYPE
198	CAR
10	ACCESSIBLE CAR
12	MOTORBIKE
50	BICYCLE

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Basemnet 1 Plan

0 32

Drawings & Graphics



Ground Floor Plan

0 32

Drawings & Graphics

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Level 1-3 Floor Plan

0 32

Drawings & Graphics

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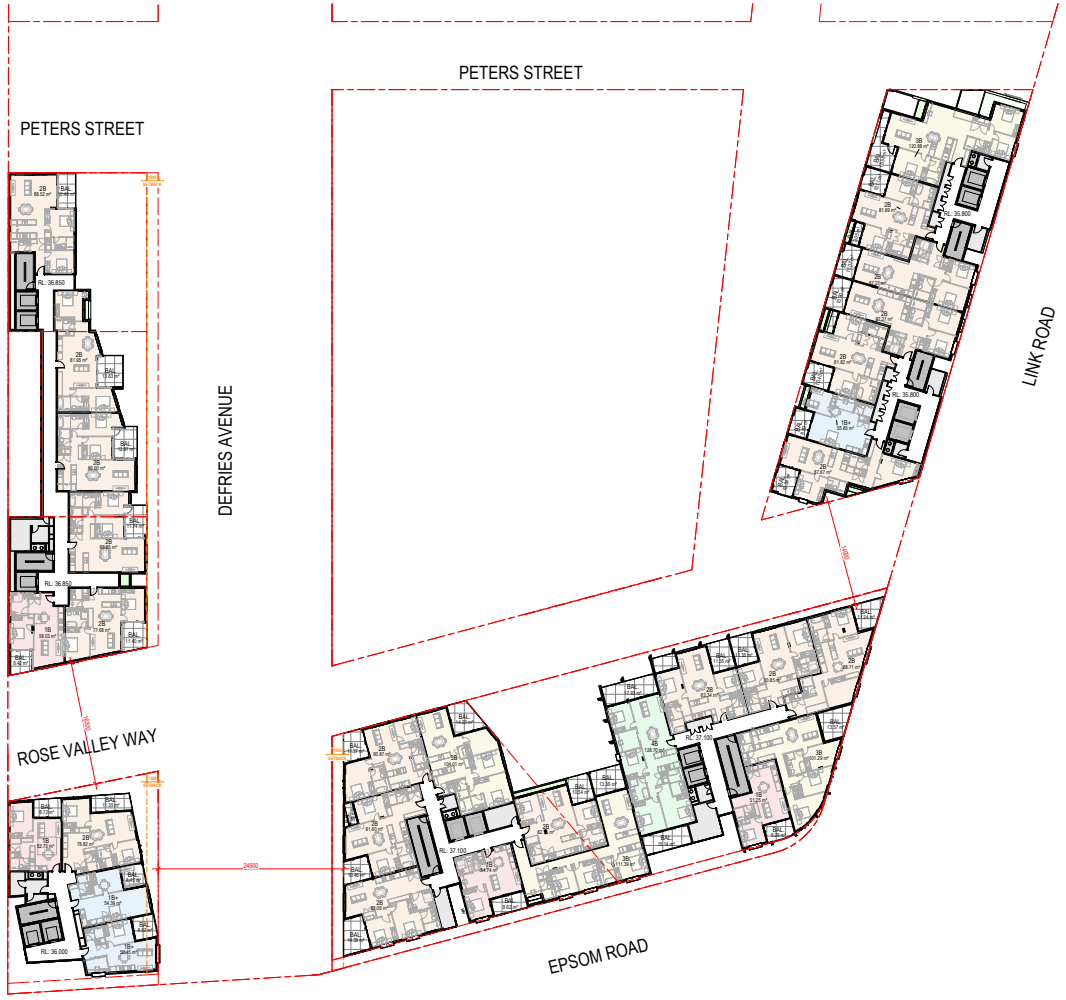
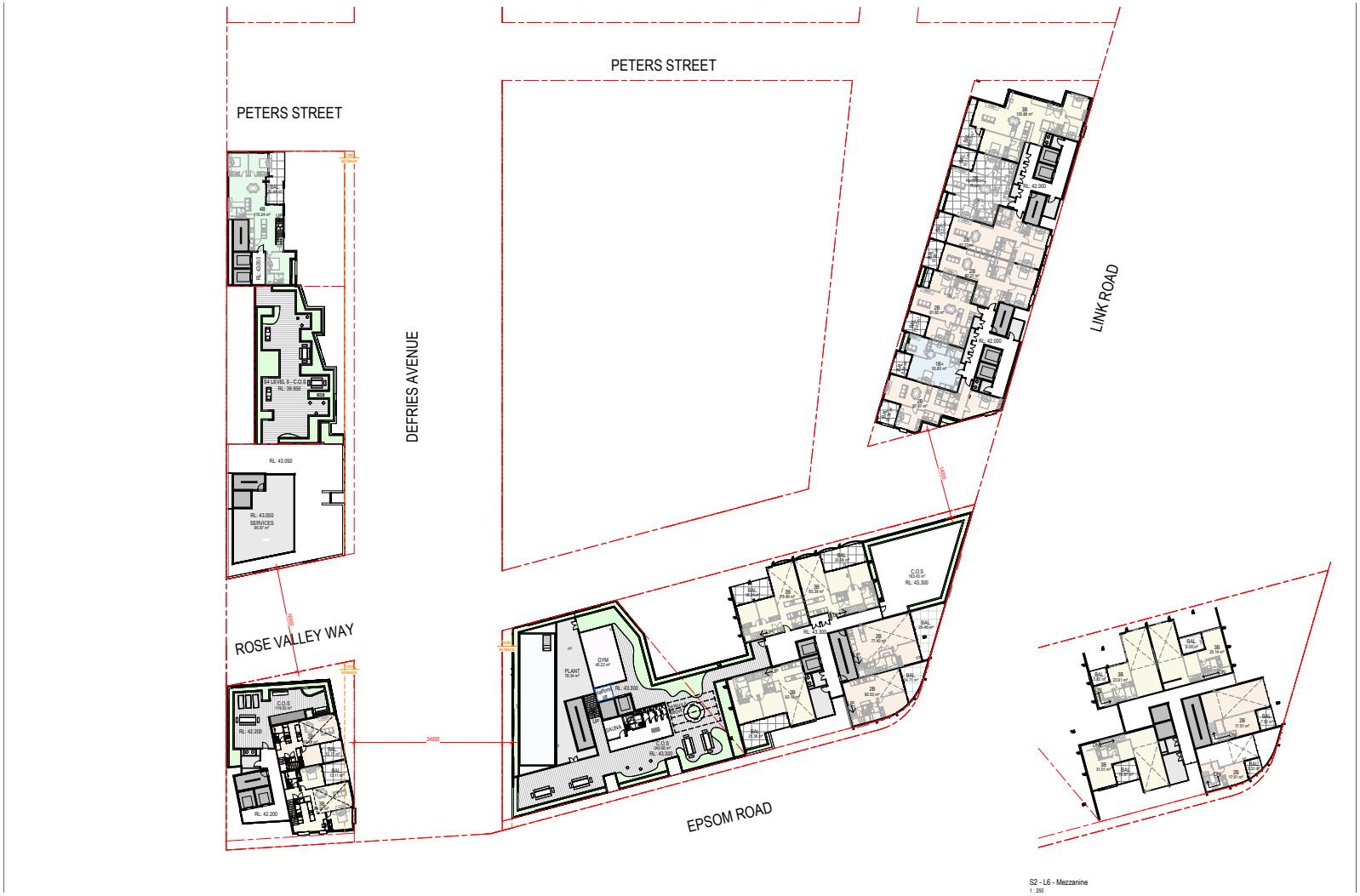


Level 4 Floor Plan

0 32

Drawings & Graphics



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Level 6 Floor Plan

0 32

Drawings & Graphics

393



Level 8-12 Floor Plan

0 32

Drawings & Graphics



394

Drawings & Graphics



S1 - East Elevation



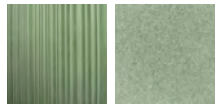
S1 - North Elevation



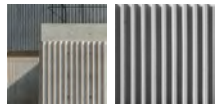
S1 - West Elevation



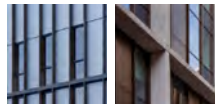
S1 - South Elevation



Colour through textured precast concrete, green

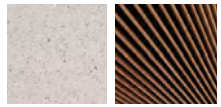


Colour through textured precast concrete, grey



Aluminum fins, spandrel and express window frame

Expressed concrete columns & slab edge



Colour-through precast concete, white

Powdercoated timber looking aluminium battens with acoustic underlay



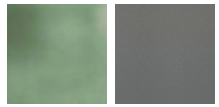
Green subway tiles

Powdercoated aluminium aerofoil louvres



Dulux Highland Green A283-S26B9

Dulux Honeydew A233-S19E3



Powder-coated aluminium window frames



S2 - North Elevation



S2 - East Elevation



S2 - South Elevation



S2 - West Elevation

Drawings & Graphics



S3 - South Elevation



S3 - East Elevation



S3 - North Elevation



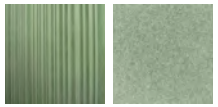
S4 - South Elevation



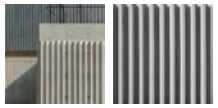
S4 - East Elevation



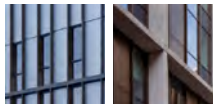
S4 - Norht Elevation



Colour through textured precast concrete, green

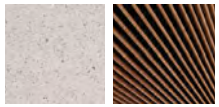


Colour through textured precast concrete, grey



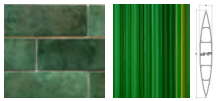
Aluminum fins, spandrel and express window frame

Expressed concrete columns & slab edge



Colour-through precast concete, white

Powdercoated timber looking aluminium battens with acoustic underlay



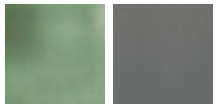
Green subway tiles

Powdercoated aluminium aerofoil louvres



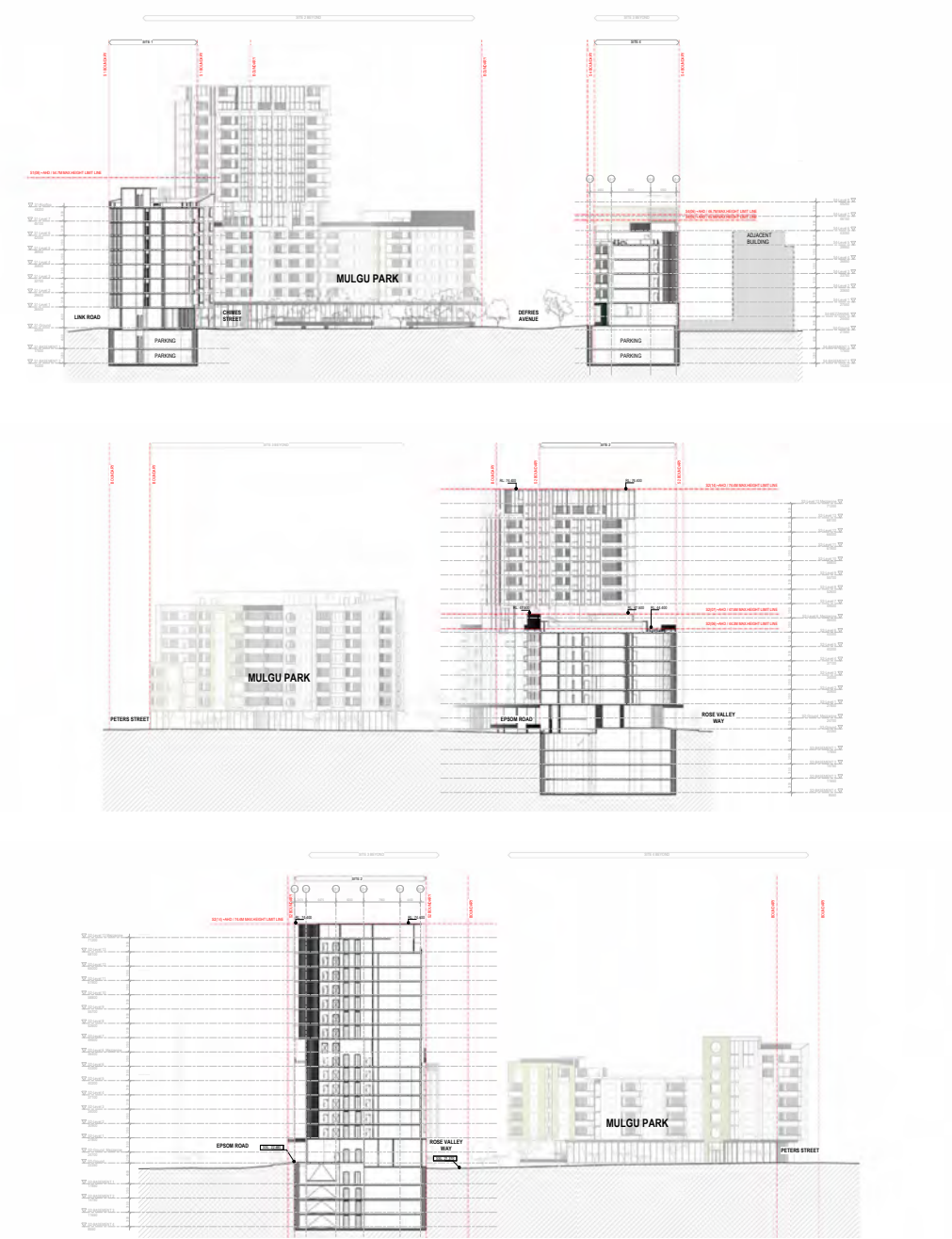
Dulux Highland Green A283-S2689

Dulux Honeydew A233-S19E3



Powder-coated aluminium window frames

Drawings & Graphics



Site Sections



Attachment E

Submissions

From: Isaac Ash <isaacash@icloud.com> on behalf of Isaac Ash <isaacash@icloud.com> <Isaac Ash <isaacash@icloud.com>>

Sent on: Wednesday, January 29, 2025 9:03:06 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/1055 - 905 South Dowling Street ZETLAND NSW 2017 - Attention Matthew Girvan

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney Council,

I sincerely hope that this development can get underway as soon as possible for the reasons outlined below:

This development has a higher level of housing density than many areas in this city, leading potential housing for many residents who would like to live in the City but can't due to our lack of density (Sydney may be dense, but not dense enough to be affordable).

Furthermore, the provision of public art and new park area, alongside the mixed use nature of the zoning are a clear example of why this development will not only provide amenity to the future residents, but also to those of us who like areas that have more things to do and more amenities than when compared with before.

Given that the development has already lived up to or explained alternatives to the development control plans, it does not seem to be worth delaying further stages in a development that will provide more housing to an area that is already extremely expensive.

You may well receive submissions to the effect that this is building housing that is too expensive to the neighborhood (despite the draft planning agreement including a provision for affordable housing). However it is important to note that housing of any form is useful for reducing the cost of housing overall for people who want to live in the City of Sydney.

Sincerely,

Isaac

From: Jyoti Dubey <dubey.jyoti528@gmail.com> on behalf of Jyoti Dubey <dubey.jyoti528@gmail.com> <Jyoti Dubey <dubey.jyoti528@gmail.com>>

Sent on: Tuesday, December 17, 2024 11:15:22 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/1074 - 905 South Dowling Street ZETLAND NSW 2017 - Attention Matthew Girvan

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hello Samantha,

This is Jyoti D residing at 25 George Julius Ave, Zetland 2017.

I hope this message finds you well. I am writing to express my concerns regarding the upcoming development in the Zetland area. With the significant growth in this region, there is a noticeable strain on the available space for residents, particularly for children and recreational activities. The increasing population density, if not managed appropriately, will undoubtedly put pressure on existing amenities, making them less accessible.

While I understand that development is necessary for growth, I strongly feel that prioritizing commercial spaces, such as shopping centres and retail outlets, would better serve the local community. This would provide greater convenience and resources for residents. In contrast, further residential developments could exacerbate challenges related to transportation, road congestion, and overall traffic management in the area.

I kindly request that the City of Sydney consider these concerns from the perspective of current residents. It is important to ensure that any development plan supports the wellbeing of the surrounding communities and does not lead to overcrowding or a decline in quality of life.

Additionally, I believe that the amount of open space available is crucial. To maintain the spacious feel of Zetland, more public areas should be incorporated into the development plan, rather than increasing the number of buildings. Furthermore, as the only public transport option currently available is a bus service, I strongly urge that additional public transport infrastructure be put in place before any further residential buildings are constructed. This would alleviate the strain on the existing transport system and support the increased population.

Thank you for your time and consideration. I trust that you will take these concerns into account when planning for the future of Zetland.

Kind regards,
Jyoti

Item 7.

Development Application: 372-382A Pitt Street, Sydney - D/2024/36

File Number: D/2024/36

Summary

Date of Submission:	17 January 2024 Amended plans submitted on 6 March 2024
Applicant:	WELL SMART INVESTMENT HOLDING (BRIS) PTY LTD
Architect/Designer:	Kerry Hill Architects (KHA)
Owner:	WELL SMART INVESTMENT HOLDING (BRIS) PTY LTD
Planning Consultant:	URBIS
Heritage Consultant:	URBIS
DAP:	12 September 2024
Cost of Works:	$4,840,000 (Amending Concept DA) $162,916,000 (Concept DA approval)
Zoning:	The site is zoned SP5 - Metropolitan Centre under the Sydney Local Environmental Plan (SLEP) 2012. The proposed indicative land uses for hotel and retail are permissible with consent in this zone.
Proposal Summary:	This 'amending' concept Development Application seeks to modify the concept development consent D/2021/1504, approved for in-principle partial demolition of existing buildings, excavation of 3 basement levels to enable a new building envelope with a maximum height of RL 206 for hotel and residential land uses and retail premises at ground floor and vehicular access and loading access from Carruthers Place.

Specifically, this Development Application seeks to amend the consent, proposing the removal of the in-principle residential land use, retain the provision of hotel and retail land uses only, with changes to the building envelope to allow for a "landscape vessel" structure at level 4 and other consequential modifications. These modifications align with the winning design competition scheme and the delegated detailed State Significant Development Application D/2024/446 that is being presented to the Central Sydney Planning Committee (CSPC) concurrently for approval.

The proposal is otherwise consistent with the approved building envelope of D/2021/1506 in terms of height and setbacks and complies with the maximum height determined by the Belmore Park Sun Access Plane pursuant to Clause 6.17 of the SLEP 2012.

Both the concept Development Application and detailed design State Significant Development Application are referred to the CSPC as D/2024/446 has a cost of works of more than $50 million.

The application was notified for a period of 28 days between 30 January 2024 and 28 February 2024. The amended plans that were received on 6 March were not re-notified as the proposed changes were minor in nature and resulted in no additional impact compared to the original application. Twenty-one (21) submissions were received for the concept development application. The submissions raised concerns about construction impacts, the use of Carruthers Place (as a public laneway, for vehicular access and fire egress), pedestrian safety, bulk and scale (including podium height), loss of light to the adjacent building and the public domain and amenity impacts to neighbouring development. These concerns are addressed within this report.

This concept Development Application is seeking to modify concept consent D/2021/1506 to delete the residential use, extend the hotel use and incorporate the landscape vessel structure. Approval is recommended, subject to conditions, including that the concept consent to be modified to be consistent with this Development Application.

Summary Recommendation: The development application is recommended for approval, subject to conditions.

Development Controls:

(i) SEPP (Resilience and Hazards) 2021

(ii) SEPP (Transport and Infrastructure 2021

(iii) SEPP (Biodiversity and Conservation) 2021

(iv) SEPP (Sustainable Buildings) 2022

(v) Sydney Local Environmental Plan 2012

(vi) Sydney Development Control Plan 2012

Attachments:

A. Recommended Conditions of Consent

B. Selected Drawings

C. Submissions

Recommendation

It is resolved that consent be granted to Development Application Number D/2024/36 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

This 'amending' application is recommended for approval for the following reasons:

(A) The modified proposal satisfies the objectives of the Environmental Planning and Assessment Act 1979 in that, subject to the imposition of conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Central Sydney Planning Committee.

(B) The proposed modifications ensure that the detailed design State Significant Development Application is consistent with the concept approvals to satisfy Section 4.24 of the Environmental Planning and Assessment Act, 1979.

(C) The proposal generally satisfies the objectives and provisions of Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

(D) The proposal is consistent with the objectives of the SP5 - Metropolitan Centre zone in accordance with the Sydney Local Environmental Plan 2012.

(E) The building envelope complies with the maximum height of buildings development standard in Clause 4.3 and 6.17 of the Sydney Local Environmental Plan 2012. The building envelope complies with the Belmore Park sun access plane.

(F) The indicative reference design accompanying the application demonstrates that the envelope can accommodate a building which complies with the maximum floor space ratio development standard in Clause 4.4, including additional floor space pursuant to Clause 6.4 of the Sydney Local Environmental Plan 2012. The building envelope provides capacity for an additional 10% of floor space available under Clause 6.21D of the Sydney Local Environmental Plan 2012 for any subsequent detailed building design resulting from a design competition process and demonstrating design excellence.

(G) The proposed modified development has a height and form suitable for the site and its context, and subject to conditions, satisfactorily addresses the height, separation, and setbacks of neighbouring developments, is appropriate in the streetscape context and broader locality.

(H) The proposed modified development will provide a building envelope capable of accommodating a future building which can achieve acceptable amenity for future hotel occupants.

(I) The proposed modified building envelope can accommodate the proposed uses and does not result in any significant adverse environmental or amenity impacts on surrounding properties, the public domain and the broader Sydney Central Business District, as also demonstrated by the detailed design State Significant Development Application D/2024/446.

(J) The proposed modified building envelopes are capable of accommodating a future building design which is capable of exhibiting design excellence in accordance with Clause 6.21C of the Sydney Local Environmental Plan 2012.

Background

The Site and Surrounding Development

1. The subject site comprises seven separate lots known as 372-382A Pitt Street, Sydney. It has a legal description of Lot 3702 of DP 1124741 known as 372B Pitt Street (or Carruthers Place); Lot A and Lot B of DP 439550, known as 372-374 Pitt Street; Lot K of DP 107021 known as 376 Pitt Street; Lot J of DP 107021 known as 378 Pitt Street; Lot G of DP 107010 known as 380 Pitt Street; Lot E of DP 44348 known as 382 Pitt Street; and Lot 1 of DP 341987 known as 382A Pitt Street, Sydney.

2. The site is located in the Sydney Central Business District, directly to the east of World Square and west of the Sydney Masonic Centre. It is located on the eastern side of Pitt Street, near the intersection of Pitt Street and Goulburn Street. It is within a street block bounded by Castlereagh Street located to the east, Goulburn Street to the south and Liverpool Street to the north.

3. The site is irregular in shape with an area of 1,139.9sqm, a primary street frontage of 38.2m to Pitt Street and a depth ranging approximately 30-33m. There is a fall of approximately 2.1m from the rear to the front of the site.

4. The site is currently occupied by five, 3-storey commercial terraces. The existing buildings are a rare surviving Federation era (Edwardian Free Classical) commercial terrace group within the Sydney CBD. The terraces at 372-374 Pitt Street were constructed in 1910 by architects Eaton and Bates (George Thomas Eaton and Albert Edmund Bates) and the remaining buildings at 376-382A Pitt Steet were constructed c. 1910-1912. The existing buildings provide a consistent street frontage height of approximately 13.4m across six of the seven lots fronting Pitt Street.

5. Carruthers Place (372B Pitt Street) is a privately owned laneway which has a width of 2.425m to Pitt Street. Carruthers Place runs partially to the rear (at the north of the site) behind 372-374 Pitt Street. There are no rights of access easements burdening Carruthers Place.

6. There are a number of easements and rights of access affecting and benefitting the subject site. These include a right of footway and carriageway easement for support of bridge (now gone) and rights in respect to sewer pipes at 372-374 Pitt Street, and a shared vehicular right of way limited in height to 3.2m which provides restricted access from Goulburn Street.

7. In addition, the site is also subject to numerous easements and constraints below ground including existing easements for railway transit, and a Sydney Metro tunnel corridor. A Sydney Water wastewater trunk main pipe measuring 914mm x 1,371mm also dissects the site, running diagonally from the eastern side (378-380 Pitt Street) to the north-west corner of the site (372B Pitt Street).

8. The site is located within the Central Sydney locality but not within a Special Character Area. Part of the site is located within a Tower Cluster area as defined by the Sydney LEP 2012 (372B, 372- 382 Pitt Street).

9. The existing buildings on site are not identified as heritage items, nor located within a heritage conservation area. The site is however adjacent to heritage items of local significance including, the 'Sydney Masonic Centre building podium' at 279-283 Castlereagh Street (I2283) immediately to the east, 'Former "American Tobacco Co" warehouse facade' at 267-277 Castlereagh Street (I1706) to the east, and the 'Civic Hotel including interior' at 386-388 Pitt Street (I1945) to the south.

10. The western side of Pitt Street is identified as being subject to flooding, however the subject site is not directly affected.

11. Photos of the site are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Locality map showing subject site and immediately surrounding developments



Figure 3: Site viewed from Pitt Street facing north towards Liverpool Street



Figure 4: Site viewed from Pitt Street facing south-east showing existing vehicular entry to Carruthers Place



Figure 5: Site viewed from Pitt Street footpath facing south towards Goulburn Street



Figure 6: Carruthers Place showing interface between The Chambers building at 362-370 Pitt Street - looking east (left) and west (right)



Figure 7: Carruthers Place rear facing east



Figure 8: Carruthers Place behind 372-374 Pitt Street, including part of 362-370 Pitt Street



Figure 9: Site rear interface behind 382-382A Pitt Street, view to Masonic Centre and Civic tower (left) and Ibis Hotel (right)



Figure 10: Rear site interface, viewed from behind 382-382A Pitt Street looking to restricted vehicular right of way to Goulburn Street

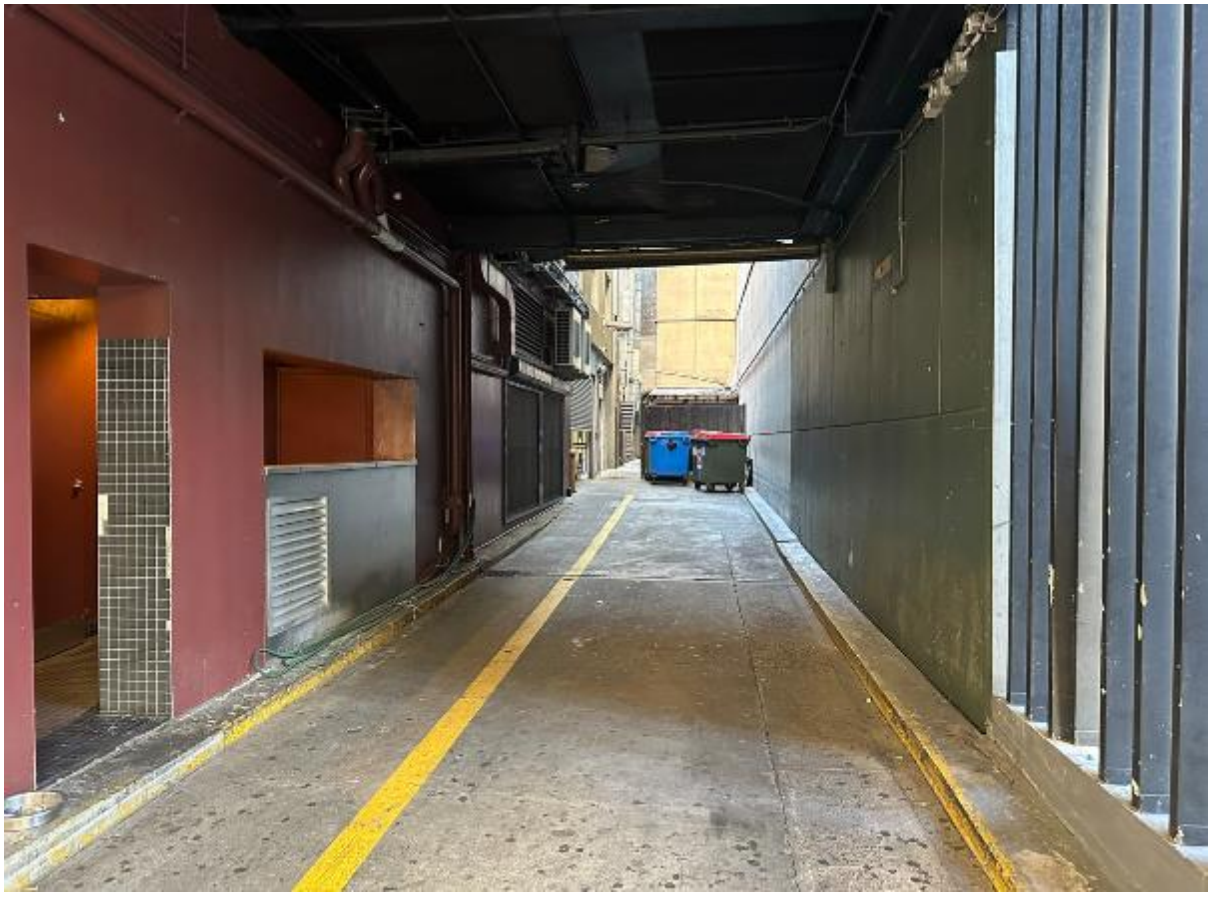


Figure 11: View of restricted vehicular right of way from Goulburn Street, through Civic hotel facing north (looking back towards the rear of subject site)

The Locality

12. The surrounding area is characterised by a mixture of commercial, residential, retail, food and drink premises and tourist and visitor accommodation uses.

13. Immediately north of the site is a 17 storey commercial building known as 'The Chambers' at 362-370 Pitt Street. It contains individual strata commercial office suites across 15 levels and two levels of strata retail spaces at the ground and upper ground levels. The Chambers site also includes an area of unbuilt on land between the rear of the subject site and 267-277 Castlereagh Street, which is used for casual car parking. There are no window boundary covenants or right of way easements burdening the subject site benefitting 362-370 Pitt Street.

14. Further to north are local heritage items known as the 'Former "Snow's Emporium" including interiors' at 127-131 Liverpool Street (I1853) and 350-360 Pitt Street (I1943).

15. Immediately south of the site is the 18 storey Ibis Sydney World Square hotel at 386 Pitt Street. The northern elevation of the Ibis hotel presents a blank wall at nil setback to the site, north facing hotel room windows are setback 3m from the boundary. There are no window boundary covenants burdening the subject site benefitting 386 Pitt Street. Further south is the local heritage listed 3-storey Civic Hotel at 388 Pitt Street, Sydney.

16. Immediately east of the site is a 35-storey mixed use building known as the 'Museum Towers' at 267-277 Castlereagh Street, Sydney. The Museum Towers predominately comprises residential uses. The Museum Towers is identified as a local heritage item (I1706) known as the 'Former “American Tobacco Co” warehouse facade'.

17. South-east of the site is the local heritage listed Sydney Masonic Centre (I2283) which comprises a 6-storey podium at 66 Goulburn Street and 24-storey Civic tower addition at 279-283 Castlereagh. Further east of the site, across Castlereagh Street is the Downing Centre Courts and John Maddison tower.

18. To the west of the site is the World Square complex, which is bound by George, Pitt and Goulburn and Liverpool Streets. There is a vehicular basement entry located on Pitt Street for the World Square complex in front of the site. To the south of World Square, across Goulburn Street is the local heritage listed 'CB Hotel including ground level shops, 1930 addition on Goulburn Street and interior' known as the Maloney's Hotel (I857).

19. Detailed design approval was granted for a 55-storey mixed use tower to a height of RL 230 AHD / 235m on 17 August 2023 (D/2022/495) with 168 apartments. The site is currently under construction.

20. Other residential developments within close proximity to the site include the 38-storey Miramar Apartments at 398 Pitt Street, 42-storey Aspect Tower at 2-4 Cunningham Street, and the 55-storey Hordern Towers at 393 Pitt Street.



Figure 12: Subject site viewed from Pitt Street facing east. Museum tower and Civic tower located to the rear of the site (east), Ibis hotel to the right (south) and The Chambers to the left (north)



Figure 13: The Chambers building (362-370 Pitt Street)

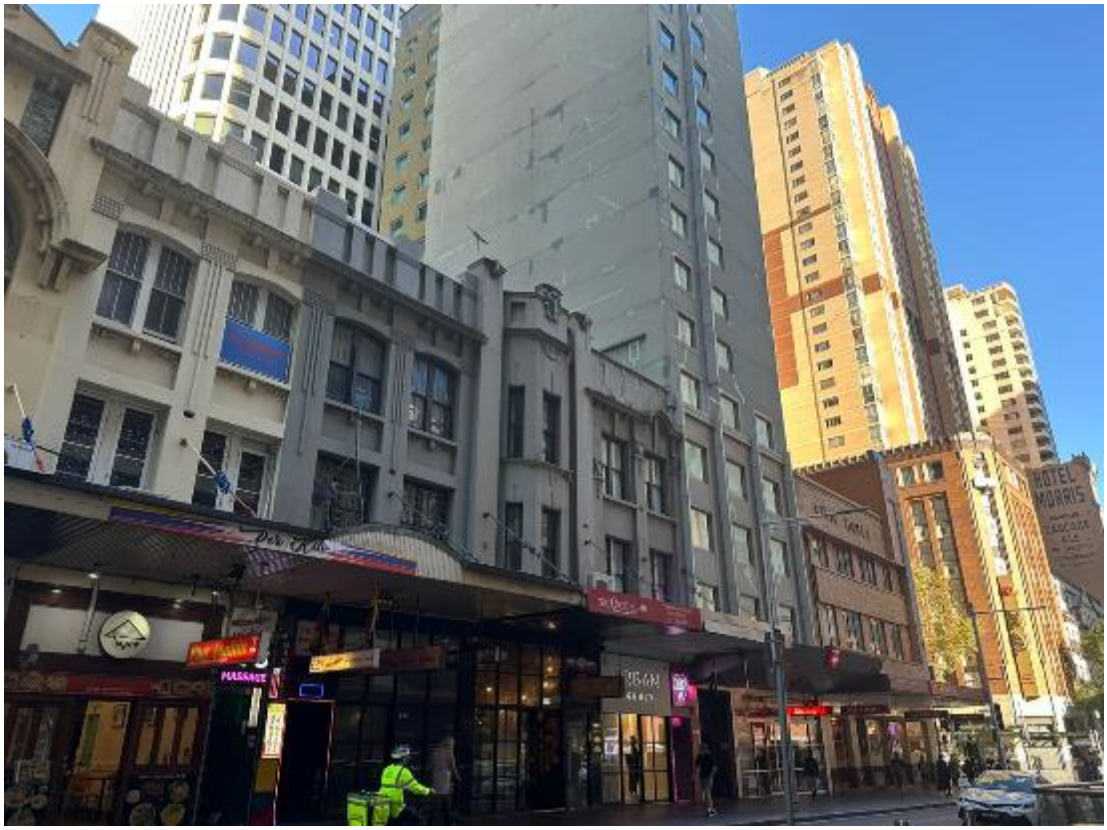


Figure 14: Subject site, Ibis hotel, Civic hotel and view to Goulburn Street, looking south-east



Figure 15: View to World Square complex and Hordern Towers (393 Pitt Street), opposite the site, facing north



Figure 16: View to the Miramar apartments at 398 Pitt Street (left) and Aspect Tower apartments at 2-4 Cunningham Street (right), facing south on Goulburn Street



Figure 17: Civic Hotel and Goulburn Street restricted vehicular right of way marked by white arrow



Figure 18: View of intersection of Goulburn and Castlereagh Streets, showing surrounding heritage items that are located to the rear of the subject site, Sydney Masonic Centre (I2283) and Museum Towers (I1706)



Figure 19: Goulburn Street south-east streetscape

History Relevant to the Development Application

Concept Approval - D/2021/1504

21. On 15 September 2022, a deferred commencement approval was granted for a concept building envelope with a maximum height of RL206.1 (approximately 59 storeys), with in-principle partial demolition of existing buildings, excavation of 3 basement levels, hotel and residential land uses and retail premises at ground floor with vehicular and loading access from Carruthers Place.

22. The deferred commencement approval required the submission of a detailed survey (based upon a boundary survey showing redefined boundaries). The survey was submitted to Council and the consent became operational on 13 October 2022.

23. Plans of the approved concept development are provided below.



Figure 20: Approved envelope plans D/2021/1504 - basement 01 (left) and basements 02-03 (right)



Figure 21: Approved envelope plans D/2021/1504 - podium



Figure 22: Approved envelope plans D/2021/1504 - tower



Figure 23: Approved envelope plans D/2021/1504 - roof

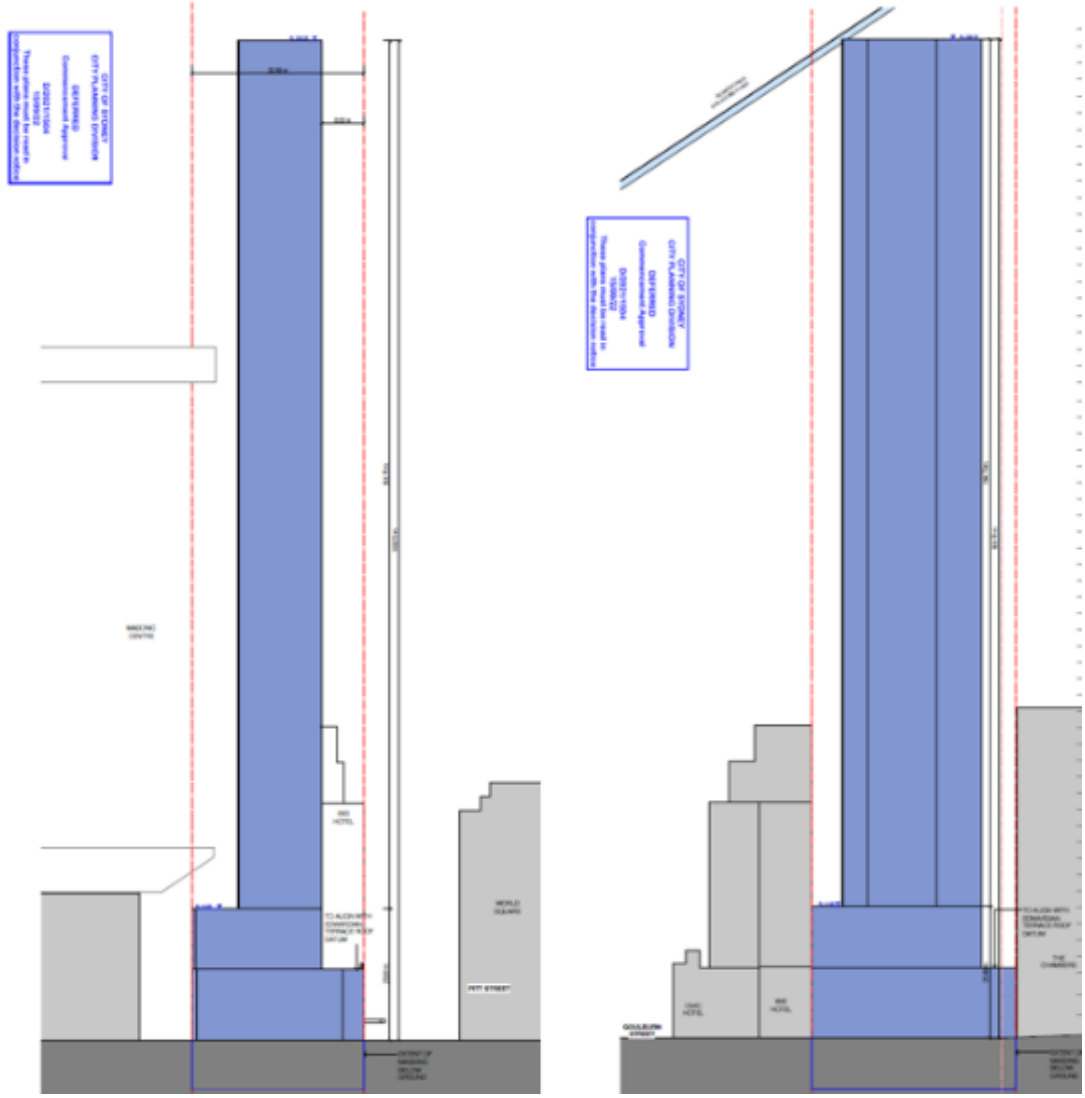


Figure 24: Approved envelope plans D/2021/1504 - north (left) and east (right) elevations

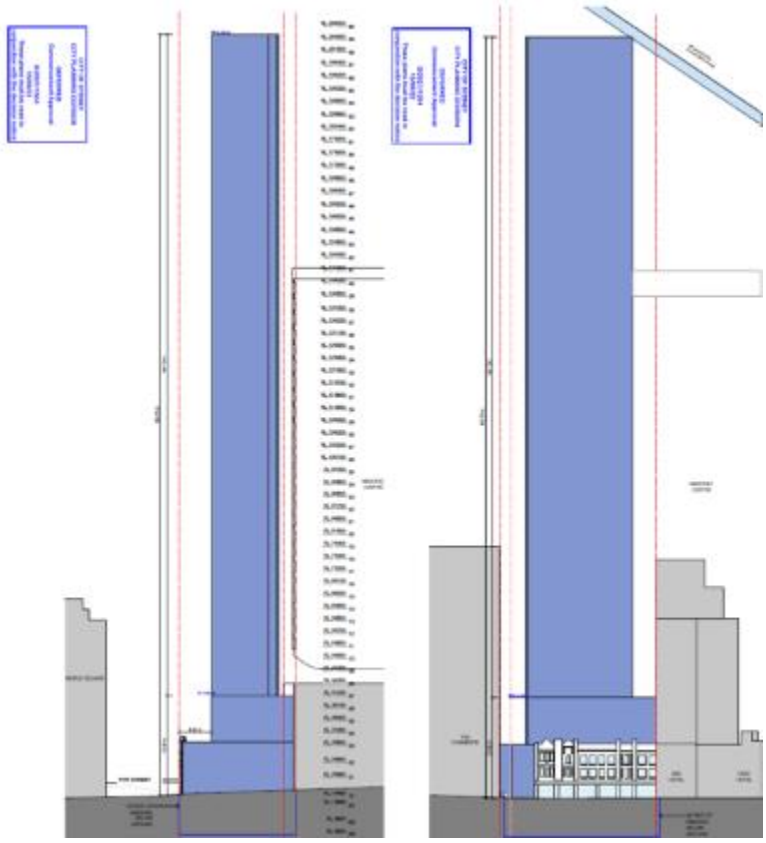


Figure 25: Approved concept envelope plans D/2021/1504 - south (left) and west (right) elevations

Competitive Design Process

24. A competitive design process, based on the in-principle approved hotel, retail and residential uses, was undertaken over November 2022 - February 2023 in accordance with the provisions of Clause 6.21D of the SLEP 2012 and the City of Sydney Competitive Design Policy.

25. The developer sought additional floor space ratio (FSR) as part of the competitive design process.

26. Kerry Hill Architects + Crone was selected as the winning entrant by the six-member selection panel, proposing a landscape 'vessel' design above the retail podium, outside of the approved building envelope. The panel considered the winner to demonstrate the potential for design excellence and recommended a number of fundamental aspects of the proposal to be retained within the detailed design application. This is discussed further as part of the detailed design State Significant Development Application assessment D/2024/446.

27. Following the sale of the site, the new landowner undertook a design review process in October 2023. The design review process sought the jury's support for a change of use to hotel as well as minor design changes. A summary of the process was provided by the Applicant as part of the detailed design State Significant Development Application.



Figure 26: Photomontage of design competition winning scheme facing east (left) and north east (right)

Detailed Design State Significant Development Application - D/2024/446

28. The State Significant Development Application D/2024/446 has been lodged and is being assessed concurrently with this concept Development Application.

29. D/2024/446 seeks approval for the construction of a 60 storey hotel and ancillary retail development with 1x basement level, vehicular and loading access from Carruthers Place.

30. The Capital Investment Value of the hotel exceeds $100 million and, in accordance with Section 13 of Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021 at the time, is State Significant Development. This CIV requirement no longer applies to the City of Sydney.

31. On 2 May 2024, the Secretary of the Department of Planning, Housing and Infrastructure delegated responsibility for the assessment (and related functions) to the City of Sydney. On 5 May 2024, the Minister for Planning and Public Spaces delegated consent authority functions to the City of Sydney.

32. The application is being reported to the CSPC and is recommended for approval. Refer to the detailed design State Significant Development Application D/2024/446 CSPC report.



Figure 27: Proposed photomontage of State Significant Development Application D/2024/446

Amendments

33. Following a preliminary assessment of the proposed development by Council officers, a request for additional information and amendments was sent to the applicant on 13 February 2024. The request sought a set of building envelope drawings reflecting the changes proposed as part of the subject application, including:

    (a) the removal of two basement levels and associated removal of car parking spaces (and the provision of one basement level comprising a reduced basement footprint, and a setback of 6m from the western boundary) and

    (b) allowing for the lower-level podium to exceed the maximum height of the approved podium envelope to accommodate the proposed landscape 'vessel', balustrade and awning.

34. The applicant responded to the request on 6 March 2024, providing building envelope plans.

Proposed Development

35. The proposal seeks to amend the approved concept consent D/2021/1504 (base consent). The subject Development Application has been lodged as an 'amending' Development Application to the base consent. The proposed amendments are listed below.

    - removal of the approved residential land use, and provision of a mixed-use development comprising hotel and retail land uses only
    - removal of two basement levels, and provision of one basement level with a reduced footprint
    - changes to the height of the podium to allow for a 'landscaped vessel' (RL 32.68), balustrade above the landscaped vessel (RL 33.88) and an awning above the landscaped vessel (RL 36.48)
    - change to the ground floor RL, with RL 16.191 proposed (compared to RL 16.400 in D/2021/1504)
    - allow for partial retention and removal of some existing wall footings, joinery, whole masonry walls and party walls (including any whole engaged piers of each party wall) of the existing buildings to align with the proposed 'urban room' within the podium of the detailed design State Significant Development Application D/2024/446
    - relocation of indicative lift core
    - reduction in floor-to-floor heights from 3.10m to 3.05m to allow for a 60 storey development within the approved envelope
    - removal of references to residential uses or requirements in the conditions of consent for D/2021/1504

36. With the exception of the landscape vessel above the retail podium and reduction in basement levels, there are no other changes to the approved building envelope, side and rear setbacks, or the overall height of the tower form, which has a height of 189.7m (RL 206.1).

37. Plans and elevations of the proposed development are provided below.



Figure 28: Proposed basement (left) and historic podium (right) envelope plans

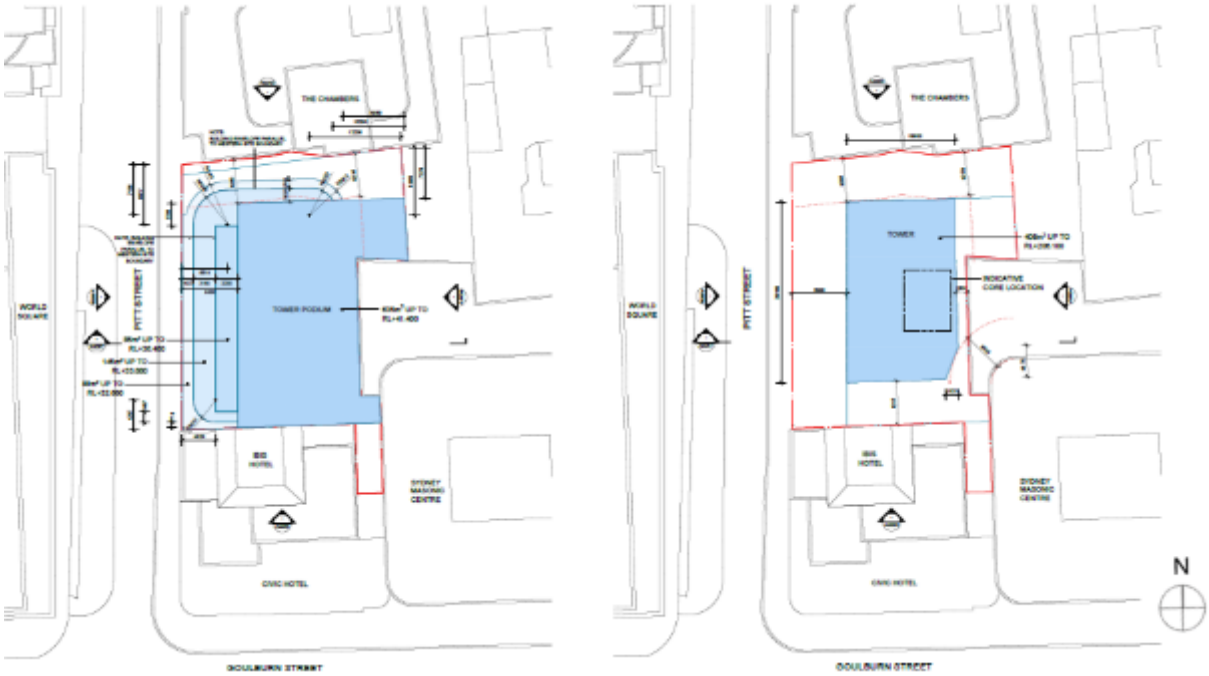


Figure 29: Proposed tower podium (left) and tower (right) envelope plans

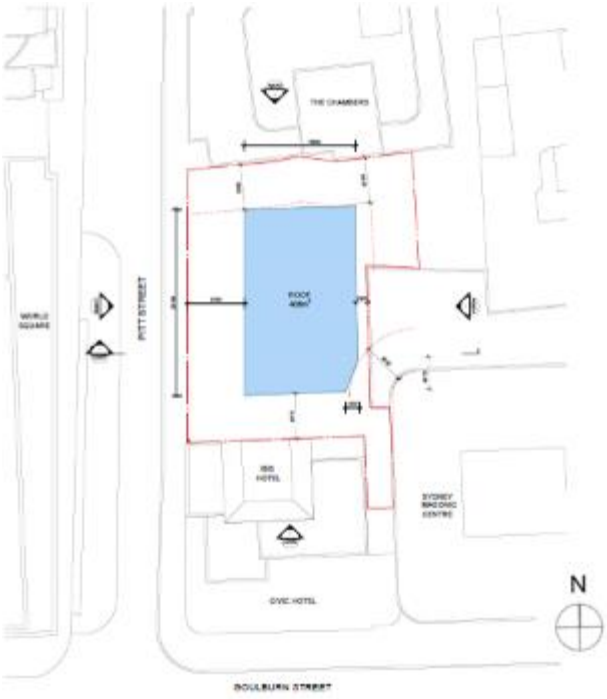


Figure 30: Proposed roof envelope plan

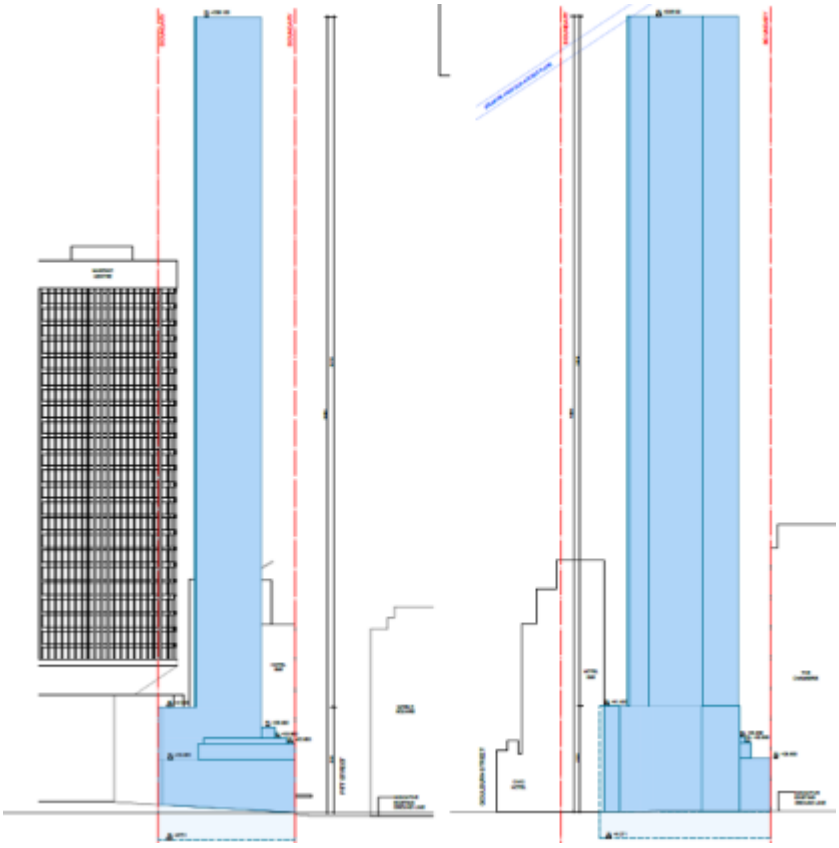


Figure 31: Proposed envelope plans - north (left) and east (right) elevations

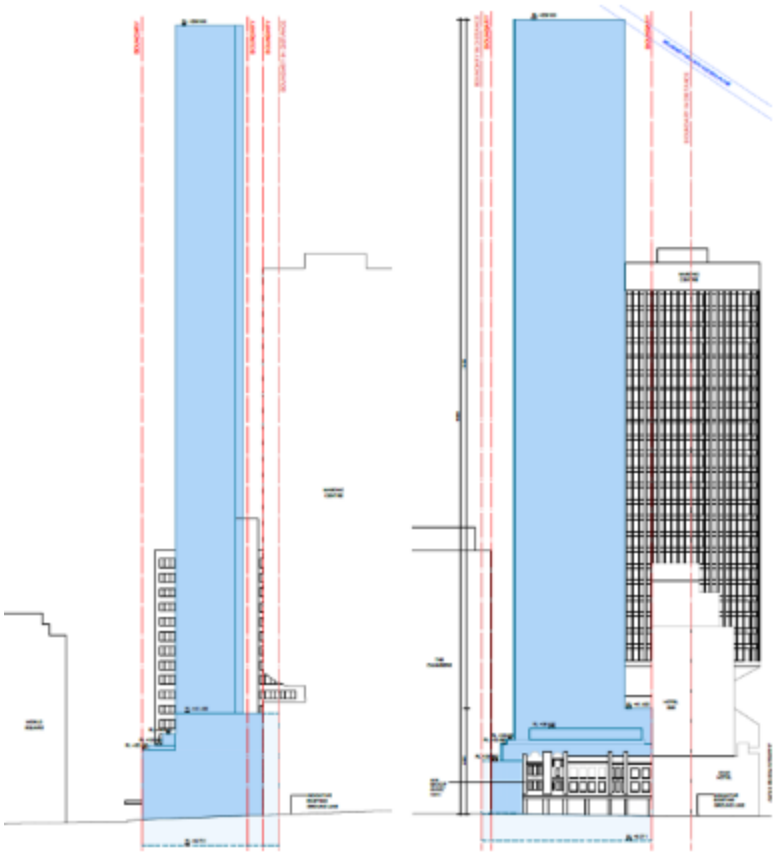


Figure 32: Proposed envelope plans - south (left) and west (right) elevations

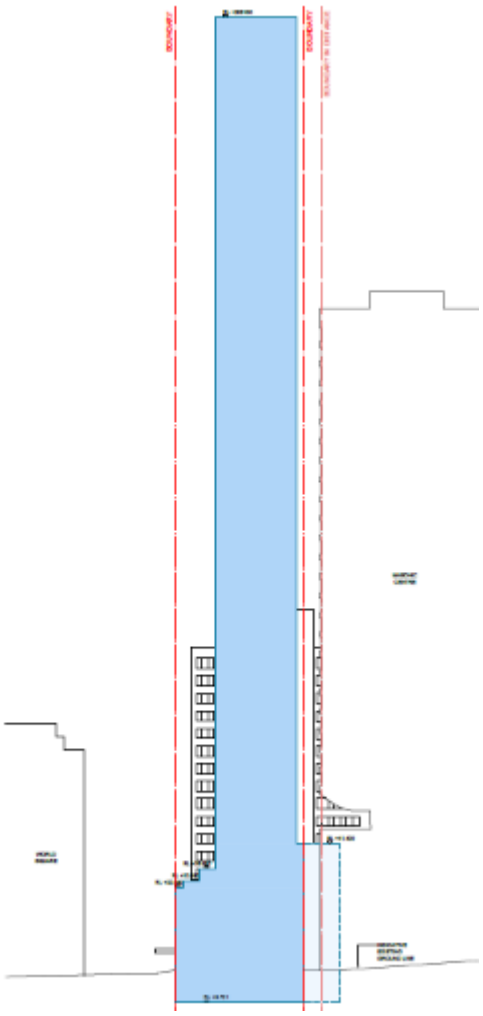


Figure 33: Proposed envelope plans - east-west section

Assessment

38. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Amending Development Application

39. The proposed application seeks to amend the approved concept building envelope under the development consent D/2021/1504 (base consent).

40. The recommendation includes a condition to make it clear that it relies on the base consent D/2021/1504 and is subject to compliance with the conditions under D/2021/1504 unless the conditions are being replaced or deleted by the subject application. The conditions of the base consent are provided in Attachment A.

41. As the base consent is being amended by the proposed application, the recommendation includes conditions to delete and replace conditions of the base consent pursuant to Section 4.17(b) and (c) of the Environmental Planning and Assessment Act 1979.

42. The subject application deletes and amends conditions on the base consent that no longer apply as those conditions relate to the residential use that is being changed to hotel accommodation. The base consent conditions that are to be replaced with conditions under this application include the approved drawing set, references to residential floor space, location, configuration, design detail and amenity of residential apartments, and compliance with residential apartment planning controls.

State Environmental Planning Policies

State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land

43. The aim of SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.

44. A Preliminary Site Investigation (PSI) for contamination was submitted with the concept Development Application D/2021/1504. The PSI identified there was potential for contaminates to be present as historical dry cleaners, motor garages and service stations were in place for a long period in the vicinity of the site.

45. The PSI recommended a Detailed Environmental Site Investigation be carried out due to the history of past uses at the site and surrounds, to confirm that the site is suitable (or will be suitable after remediation) for the proposed uses.

46. Due to the concept development applications D/2021/1504 and now D/2024/36 not being for physical works, it is considered that the above requirements can be addressed as part of the detailed design (Stage 2) proposal. This is discussed in further detail and assessed as acceptable as part of the State Significant Development Application D/2024/446. The detailed design proposal is accompanied by a PSI, Detailed Environmental Site Investigation, Remediation Action Plan and Interim Advice.

47. The City's Health and Building Unit is satisfied that, subject to conditions, the site can be made suitable for the proposed use on the basis that the proposed development is for concept approval only.

48. The proposal is consistent with the requirements of the Chapter 4 of SEPP (Resilience and Hazards) 2021.

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 3 Standards for non-residential development

49. Chapter 3 of the SEPP applies to development, other than development for the purposes of residential accommodation, that involves:

    (a) The erection of a new building with a capital investment value of $10million, or

    (b) Alterations, enlargement or extension of an existing building, if the development has a capital investment value of $10million or more.

50. The proposal is for a concept building envelope only and is not subject to the provisions of the SEPP. A detailed assessment is provided as part of D/2024/446.

State Environmental Planning Policy (Transport and Infrastructure) 2021

51. The provisions of SEPP (Transport and Infrastructure) 2021 have been considered in the assessment of the development application.

Division 5, Subdivision 2: Development likely to affect an electricity transmission or distribution network

Clause 2.48 Determination of development applications – other development

52. The application is subject to Clause 2.48 of the SEPP as the development involves the penetration of ground within 2m of an underground electricity power line.

53. As such, the application was referred to Ausgrid for a period of 21 days and no objection was raised.

Division 15, Subdivision 2: Development in or adjacent to rail corridors and interim rail corridors

Clause 2.99 – Excavation in, above, below or adjacent to rail corridors

54. The application is adjacent to both the Sydney Train and Sydney Metro tunnels and is subject to Clause 2.99 of the SEPP.

55. In accordance with the requirements of the clause, the application was referred to Sydney Metro and Transport for NSW (TfNSW) for comment. The referral was rejected by Sydney Metro as it was not applicable, and TfNSW have recommended conditions which are included in Attachment A. It is noted, however, that contitions recommended by TfNSW and other external authorities as part of D/2021/1504 still apply and will not be modified by this amending Concept Development Application.

Clause 2.101 – Development within or adjacent to interim rail corridor

56. The application is adjacent to the future CBD Metro rail corridor as well as the CBD Rail Link corridor and was subsequently referred to Transport for NSW (TfNSW) for comment. TfNSW have recommended conditions which are included in Attachment A.

Division 17, Subdivision 2: Development in or adjacent to road corridors and road reservations

Clause 2.122 – Traffic-generating development

57. Although the proposed development seeks in-principle approval for a new building envelope (no physical works), the application is subject to Clause 2.122 of the SEPP as the proposal is a traffic generating development.

58. TfNSW have recommended conditions which are included in Attachment A.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 - Chapter 6 Water catchments

59. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of Chapter 6 of the above SEPP. In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the controls set out in Division 2.

60. The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the control of improved water quality and quantity, the controls set out in Division 2 of the SEPP are not applicable to the proposed development.

Local Environmental Plans

Sydney Local Environmental Plan 2012

61. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the SP5 - Metropolitan Centre zone. The proposed development is defined as hotel accommodation with ancillary retail uses to the hotel and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	The site is in 'Area 3' pursuant to the Sydney LEP 2012, therefore no maximum height is shown for this land and instead, the maximum height is determined by the sun access planes that are taken to extend over the land by Clause 6.17. A maximum height of 192.9m / RL 206.1 is proposed, which is within the sun access plane. This is consistent with concept approval D/2021/1504, which also has a height of RL 206.1. The proposed development complies with the maximum height of buildings development standard.
4.4 Floor space ratio Division 1 Additional floor space in Central Sydney	Able to comply	A base maximum FSR of 8:1 is permitted for the site pursuant to Clause 4.4 of the Sydney LEP 2012. The site is located within 'Area 2' and is permitted to utilise the provisions of Clause 6.4.

Provision	Compliance	Comment
6.4 Accommodation floor space		Based on the indicative land uses sought at this concept stage for hotel and ancillary retail uses, Clause 6.4 provides an opportunity for additional accommodation floor space of up to 6:1 on a pro-rata basis for hotel accommodation, and up to 4.5:1 for retail uses. Based on the proportion of indicative uses, this equates to a floor space ratio (FSR) of 13.86:1. A further 10% of FSR (1.38:1) is available if the future detailed design (Stage 2) proposal demonstrates design excellence as a result of a design competition process. A total FSR of 15.24:1 is permissible on the site based on the indicative scheme, subject to a competitive design process. The proposed building envelope is capable of accommodating a building which achieves compliance with the maximum FSR. A condition has been placed on D/2021/1504 to ensure any subsequent Stage 2 detailed design Development Application complies and requires the provision of precise calculations and details of the distribution of GFA and FSR with any such future application. This condition will not be modified by the subject concept Development Application and will remain on the base consent.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is not a heritage item, nor is it located within a heritage conservation area. The site contains five, 3-storey commercial terraces, constructed c.1910-1912. The existing buildings are a rare surviving Federation era commercial terrace group, of which the

Provision	Compliance	Comment
		most historically significant terraces are 372-374 Pitt Street. Concept approval has been granted under D/2021/1504 for the retention of the retail facades, and in-principle removal of the northern-most terrace at 372 Pitt Street to facilitate vehicular access. Condition 11 (a) and (c) of D/2021/1507 requires the existing front facades (including wall footings and joinery and whole masonry walls) to be retained; and for at least one bay deep of party walls (including a whole engaged pier of each party wall) to be retained in the subsequent detailed design development application. The subject application seeks to modify Condition 11(a) and (c), removing "must be retained" with "be retained where possible". The proposal also introduces an additional area in the concept envelope above the retail terraces to accommodate a landscape vessel. Both aspects of the proposal are addressed in the Discussion section.
5.21 Flood planning	Yes	The site is not identified as flood prone land however, the western side of Pitt Street is identified as being subject to flooding (low hazard). A Preliminary Flood Impact Assessment, Services and Utilities Report was submitted with D/2021/1504 and determined to be acceptable by the City's Public Domain Unit with respect to flooding and stormwater considerations. Appropriate conditions were imposed as part of D/2021/1504, which still apply and will not be modified by this amending Development Application.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 1 Additional floor space in Central Sydney		
Subdivision 2 Types of additional floor space 6.4 Accommodation floor space	Able to comply	The site is located in 'Area 2' and is eligible for accommodation floor space based on the proposed indicative land uses on a pro-rata basis. Based on the proportion of hotel and retail uses proposed, the proposal is eligible for an additional accommodation floor space ratio of up to: 4.5:1 for retail uses; and 6:1 for hotel accommodation. The reference scheme provides an indicative area of: Approximately 1,492sqm of retail (0.41:1); and Approximately 14.688sqm of hotel accommodation (5.44:1). Both figures are inclusive of the 10% design excellence bonus. As outlined above, no FSR is recommended to be approved as part of this application.
Subdivision 3 Heritage floor space 6.11 Utilisation of certain additional floor space requires allocation of heritage floor space	Able to comply	A condition has been imposed on concept development consent D/2021/1504 to ensure that any FSR proposed in excess of 8:1 in any future Stage 2 detailed design development application, will be subject to a requirement to purchase HFS, in accordance with Clause 6.11 of Sydney LEP 2012. This condition continues to apply to the base consent and will not be modified by the amending Development Application.

Provision	Compliance	Comment
Division 3 Height of buildings and overshadowing		
6.16 Erection of tall buildings in Central Sydney	Yes	The proposed building envelope exceeds 55m in height and has an FSR greater than the maximum base FSR under Clause 4.4 of the Sydney LEP 2012. The site also has a site area of more than 1,000sqm. The proposal does not result in any additional overshadowing impacts to public places and is consistent with the proposed wind conditions at ground level of concept approval D/2021/1504 which was considered acceptable. The tower form will not adversely impact on key views from public places and is located as such so that it will retain and complement the curtilage, setting and character of nearby heritage items.
6.17 Sun access planes	Yes	The maximum building height of the site is restricted by the Belmore Park (1A) Sun Access Plane (SAP). The proposed development seeks maximum height of RL 206.1m and does not exceed the Belmore Park SAP.
6.18 Overshadowing of certain public spaces	Yes	The proposal does not result in any additional overshadowing to places shown on the Sun Access Protection Map.
Division 4 Design excellence		
6.21 Design excellence	Yes	The amended building envelope satisfactorily sets expectations for the form, massing, scale, environmental impacts, ESD outcomes, access outcomes, interface with ground level and landscaping outcomes of the development. A competitive design process has been undertaken as per Clause 6.21D of the Sydney LEP 2012, and the proposal is seeking up to an additional 10% of floor space as part of the detailed design

Provision	Compliance	Comment
		State Significant Development Application. Demonstration of design excellence is required as part of the State Significant Development Application before any award of additional floor space.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.1 Objectives and application of Division 7.3 Car parking spaces not to exceed maximum set out in this Division.	Yes	The maximum number of car parking spaces permissible will be dependent on the number of hotel rooms and quantum of ancillary retail proposed in any future Stage 2 detailed design Development Application.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The site is located on land with Class 5 Acid Sulfate Soils (ASS) and is not within 500mm of adjacent Class 1, 2, 3 or 4 ASS land. Notwithstanding, the ASS provisions of the Sydney LEP 2012 have been assessed as part of the Stage 2 detailed design State Significant Development Application as this proposal relates to the concept building envelope only.
7.16 Airspace operations	Yes	The proposed development will penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for Sydney Airport. The concurrence of Sydney Airport Corporation, as a proxy for the Civil Aviation Safety Authority, has been received as part of D/2021/1504. As part of this concept Development Application, Sydney Airport Corporation advised that approval to operate construction

Provision	Compliance	Comment
		equipment (i.e. cranes) is to be obtained prior to any commitment to construct.
7.19 Demolition must not result in long term adverse visual impact	Yes	No demolition is approved as part of this concept Development Application.
7.20 Development requiring or authorising preparation of a development control plan	Yes	The proposed modifications to the approved building envelope will result in the construction of buildings greater than 55 metres above the existing ground level. This triggers the requirement for the preparation of a site-specific DCP under Clause 7.20(2)(a). Section 4.23 of the Environmental Planning and Assessment Act, 1979 allows a concept development application to be lodged in lieu of preparing a DCP. The matters under Clause 7.20(4) of the Sydney LEP 2012 are satisfied by the documentation submitted with the application, the conditions in Attachment A, and the base concept consent that is still in force, being D/2021/1504.
7.33 Sustainability requirements for certain large commercial development	Able to comply	The development is for a concept building envelope only and is capable of satisfying the sustainability requirements for large commercial development as part of the detailed design.

Development Control Plans

Sydney Development Control Plan 2012

62. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

Section 3 – General Provisions

Provision	Compliance	Comment
3.1 Public Domain Elements 3.1.5 Public Art	Yes	A preliminary Public Art Strategy has been approved as part of D/2021/1504 and has been incorporated into the

Provision	Compliance	Comment
		detailed design State Significant Development Application.
3.2. Defining the Public Domain	Yes	The proposal continues to make a positive contribution to Pitt Street and the public domain as per D/2021/1504. The proposed tower form is generally consistent with the approved concept envelope. It maintains adequate sun access to publicly accessible open space and does not impede on significant views from the public domain to any public places, parks, heritage building or monuments. The introduction of the landscape vessel will not result in adverse wind impacts within the public domain along Pitt Street in comparison to the approval.
3.2.6 Wind effects	Yes	The detailed design State Significant Development Application is accompanied by a Pedestrian Wind Assessment based on the introduction of the landscape vessel above the retail podium. The Wind Assessment confirms that there is no significant change in wind conditions compared to the concept approval D/2021/1504, given that the landscape vessel is setback 1m from the boundary. Wind conditions at ground floor entrances are predicted to be comfortable for their intended uses throughout the year, and wind speeds on and around the development are predicted to be within the acceptable threshold for pedestrian safety for the proposed configuration. The proposal satisfies the requirements of this provision.
3.3 Design Excellence and Competitive Design Processes	Yes	As noted under the History Relevant to the Development Application heading, an architectural design competition has been undertaken. The winning scheme by Kerry Hill Architects contains a landscape vessel above the retail podium which is outside

Provision	Compliance	Comment
		of the approved concept envelope of D/2021/1504. The subject application seeks to include the footprint of the landscape vessel as part of this "amending" concept proposal, and a change of use to hotel in order to align with the detailed design State Significant Development application (D/2024/446). An assessment of the consistency between the detailed design proposal and the design competition is covered in the assessment report for D/2024/446 being reported to CSPC concurrently with this application.
3.5 Urban Ecology	Yes	There are no existing trees or street trees located within site vicinity. The proposal will not have an adverse impact on the local urban ecology as it does not involve the removal of any trees.
3.6 Ecologically Sustainable Development	Yes	Conditions are contained in D/2021/1504, ensuring that the approved ESD commitments in the Design Excellence Strategy are carried through to the detailed design proposal. This is discussed in further detail as part of the State Significant Development Application D/2024/446 being assessed concurrently.
3.8 Subdivision, Strata Subdivision and Consolidation	Yes	As outlined under the heading 'The Site and Surrounding Developments', there are a number of easements and rights of access affecting and benefiting the subject site. Appropriate conditions are to remain on D/2021/1504 relating to the need for a consolidation plan, accurate documentation of the location of the sewer main, and the provision of an easement for fire egress for The Chambers building (362-370 Pitt Street) along the northern boundary. These conditions are addressed as part of the assessment of the detailed design

Provision	Compliance	Comment
		State Significant Development Application.
3.9 Heritage	Yes	The existing terraces on the site are not identified as local heritage items nor within a heritage conservation area. The site is adjacent to numerous local heritage items including, Museum Towers at 267-277 Castlereagh Street to the east (I1706), Sydney Masonic Centre at 66 Goulburn Street (I2283) to the south-east, Civic Hotel at 388 Pitt Street (I1945) to the south. The proposed tower form is consistent with the concept approval D/2021/1504, providing acceptable separation to adjoining sites. The proposed landscape vessel above the retail podium, and retention of heritage fabric are addressed in the 'Discussion' section of this report.
3.11 Transport and Parking	Yes	The proposal seeks to retain vehicular access to the site via Carruthers Place along the Pitt Street frontage, and a reduced basement footprint has been provided. The reference plans depict the removal of all parking at basement, and provision of loading at ground floor. The scheme confirms that an SRV and a B99 service vehicle can be accommodated within the building footprint, as well as the loading bay/holding area. The proposed envelope is capable of providing adequate vehicular access, loading and servicing arrangements to service a development of the proposed scale.
3.12 Accessible Design	Yes	Conditions are to remain on D/2021/1507 to ensure that the future building on site achieves a satisfactory accessible design. This is discussed in

Provision	Compliance	Comment
		further detail as part of the State Significant Development Application.
3.13 Social and Environmental Responsibilities	Yes	The proposed concept envelope facilitates adequate passive surveillance with the location of retail uses at ground floor and is generally designed in accordance with the CPTED principles. CPTED principles are addressed in further detail as part of the State Significant Development Application D/2024/446.
3.14 Waste	Yes	The indicative scheme demonstrates that waste collection is able to occur on-site within the proposed building envelope.

Section 4 – Development Types

4.2 Residential Flat, Commercial and Mixed Use Developments

Provision	Compliance	Comment
4.2.1 Building height		
4.2.1.2 Floor to ceiling heights and floor to floor heights	Able to comply	The indicative scheme demonstrates that the proposed envelope can accommodate the following floor to floor heights: 3.27m at basement; 4.76m at ground floor; 3.69m at first floor; 4.2m at second floor; and 3.05m at upper levels. The reduced basement floor to floor height has been designed in response to the close proximity of the Sydney Metro tunnel beneath the site. This is considered acceptable, noting that the reference design does not depict vehicular access to the basement.

Provision	Compliance	Comment
4.2.3.1 Solar access	Yes	The proposal will not result in any increased overshadowing impacts to surrounding development, compared to the approved concept envelope D/2021/1504.
4.2.3.5 Landscaping	Yes	The amending concept building envelope provides for a landscape vessel structure at level 4, above the retail podium.
4.2.4 Fine grain, architectural diversity and articulation	Yes	The existing facade of the retail terraces will be retained and incorporated into the detailed design. This ensures the building will present a diverse architectural character with an individual building identity in accordance with the control.
4.2.7 Heating and cooling infrastructure	Yes	The indicative reference scheme provides areas within the building envelope to accommodate plant and services, including consolidated heating and cooling infrastructure.

4.4.8 Visitor accommodation

Provision	Compliance	Comment
4.4.8.1 General 4.4.8.3 Additional provisions for hotels, private hotels and motels	Yes	The reference scheme submitted with the proposal demonstrates that it is capable of accommodating approximately 517 hotel rooms. Compliance with these provisions is addressed as part of the State Significant Development Application D/2024/446.

Section 5 – Specific Areas - Central Sydney

Provision	Compliance	Comment
5.1.1 Built form controls 5.1.1.1 Street frontage height and street setbacks	Consistent with concept approval	Section 5.1.1.1(1) of the DCP requires street frontage height to comply with Table 5.1, which, in this instance stipulates a minimum height of 20-25m

Provision	Compliance	Comment
		for non-heritage items outside Special Character Areas. The proposal retains the existing 3 storey commercial terraces which are 13.4m in height. This is to be known as the "lower (historic) podium". A height of 20.2m is proposed for the level 4 landscape vessel. A height of 25m is maintained for the upper podium that aligns to the western face of the tower (setback 8m). A compliant street setback of 8m from the Pitt Street boundary is provided above the podium. The proposed street frontage heights, including the retention of the commercial terrace facades, reinforces the character of Central Sydney, and are compatible with surrounding heritage items and the desired streetscape character. See discussion section regarding Landscape 'vessel'.
5.1.1.3 Side and rear tower setbacks and building form separations	Consistent with concept approval	Section 5.1.1.3 of the DCP requires the following minimum side and rear setbacks: • 4m up to 120m; • 3.33% of the total height of the building (between 120m up to 240m). Additionally, facades containing windows must be setback from side and rear boundaries by a minimum of 2m to allow maintenance of the façade fully within the site boundary. The proposal maintains the approved setbacks of Concept Development Consent D/2021/1504 as follows: • 6.29m to the north (3.32%) of the building height of 192.9m • 6.31m to the south (3.32%) of the building height of 192.9m

Provision	Compliance	Comment
		• 1.5m to the rear (east). The proposal seeks minor variations of 0.13m, 0.11m to the 3.33% control and 0.5m to the rear setback. The variations are mainly due to the change in ground floor level. Noting the setbacks have been approved under Concept Development Consent D/2021/1504, the minor numerical non-compliances with setbacks are acceptable as: • The proposed envelope avoids the appearance of a contiguous 'wall of towers' and achieves sufficient separation between surrounding buildings. • The building envelope demonstrates acceptable wind safety and wind comfort and daylight levels with regard to the amenity of the public domain, can be achieved through the submission of a wind assessment report and detailed shadow analysis diagrams. These impacts are consistent with that approved under D/2021/1504. • The proposed envelope has been subject to detailed urban design options analysis which demonstrates that the proposed massing is compatible with the context. • A high-quality urban design outcome can be achieved within the proposed building envelope which incorporates the existing terraces, presenting reasonable architectural integrity and intactness. • The variations of 0.13m, 0.11m and 0.5m with regard to the side and rear setbacks will not be perceivable given the small tower floor plate (26m x 15.6m).

Provision	Compliance	Comment
5.1.1.4 Built form massing, tapering and maximum dimensions	Consistent with concept approval	The maximum horizontal dimension of the building measured in any direction is not to exceed 100m for non-residential developments, with a floor plate area of 1,000sqm. Additionally, the controls state that the envelope of the tower may taper to occupy 90% of the floor plate above 120m up to 240m. The floor plate of the upper podium is a maximum of 635sqm. Above the upper podium, the proposal provides a compliant maximum tower floor plate of 406sqm. Section 5.1.1.4 of Sydney DCP 2012 requires the proposed tower to be tapered to 90% of the total tower floor plate above 120m above ground. This equates to a maximum floor plate of 365.4sqm above 120m. The proposed envelope does not comply with the tapering controls, as a 406sqm floor plate is proposed, requiring an overall reduction of approximately 893.2sqm across 22 floors. Noting that the proposed tower envelope is consistent with that approved under D/2021/1504 and was determined to be appropriate, the non-compliance with the controls is acceptable in the specific circumstances of the proposal and site as: The proposal presents a slender tower form and will not appear as inelegant or massive in any direction; The tower does not appear as having an overwhelming scale in relation to surrounding developments; The proposed development is compatible with the context of the locality in terms of its height, massing, street wall height, street and side setbacks and form; and

Provision	Compliance	Comment
		The impacts on the amenity of the public domain associated with the proposed building envelope (which is largely consistent with the approved building envelope) demonstrates acceptable resulting wind and shadow impacts. The proposal is compliant with height and FSR controls.
5.1.2 Development outlook and demonstrating amenity compliance	Consistent with concept approval	Developments are to provide adequate setbacks within the site so as to guarantee their own minimum outlook, and not unreasonably borrow amenity from neighbouring sites including access to views and sunlight. The proposal seeks variation for indicative hotel windows over a height of 45m, which are required to have a minimum outlook depth of 9m (to all windows and balconies for other forms of accommodation) as per Section 5.1.2(1). An outlook depth of 6.29m for hotel windows is provided to The Chambers building to the north; and 6.31m for hotel windows to the Ibis Hotel to the south. The proposed building envelope is consistent with the concept approval D/2021/1504, which determined that The Chambers Building at 362-370 Pitt Street was the only surrounding site that had the potential to be redeveloped to a greater height. The 3m non-compliance for hotel accommodation was assessed as satisfactory, and these reasons still apply as part of the Amending DA, namely: Adequate development outlook amenity is achieved to the west and east with sufficient setbacks of 35.05m to the Museum towers and 8m to Pitt Street; and The site benefits from the fact that the development directly to the east and south-east are heritage items of a lower scale (being Museum Towers and

Provision	Compliance	Comment
		Sydney Masonic Centre including Civic Tower with a maximum height RL 144.97. As a result of land use and heritage listing of these buildings, there is limited redevelopment potential for these sites. Consequently, privacy and overlooking are not considered to be determinative factors as the proposal will be separated by over 30m from the residential apartments (Museum Towers) and is capable of being designed to provide 6m between non-habitable rooms and the Civic Tower. The State Significant DA proposes hotel room windows to the northern and southern side elevations, with three windows at each level over 45m (one of which being a window to the hotel corridor). These windows are secondary and therefore unlikely to have any significant privacy impact to developments to the north and south.
5.1.3 Heritage items, warehouses and special character areas 5.1.3.2 Development adjacent to heritage items	Yes	The site is adjacent to locally listed heritage items: the Sydney Masonic Centre (I2283) to the south-east and Museum Towers (I1706) to the east. The Civic Hotel is also located within proximity to the site. The proposal is consistent with Concept Approval D/2021/1504, in that it retains the existing commercial terraces which contribute towards the setting and local character of the neighbouring heritage items. The tower provides a separation of 6m to the Civic Tower, maintaining the ability to view and appreciate the heritage item from surrounding Public Places and allows it to be appreciated 'in the round'. The proposal generally achieves the objectives of 5.1.1.3 and Section 5.1.1 of the Sydney DCP 2012 providing sufficient separation to ensure the development does not result in a contiguous 'wall of towers' where groups of tall buildings appear as one unbroken mass.

Provision	Compliance	Comment
		In light of the above, the proposed development will not have detrimental impact on the heritage significance of surrounding heritage items.
5.1.4 Building exteriors	Yes	The proposal is for a concept building envelope only. The architecture and materiality of the development forms part of the assessment of the detailed design State Significant Development Application D/2024/446 that is being reported concurrently.
5.1.6 Heritage floor space	Yes	Accommodation floor space will be subject to the allocation of heritage floor space as part of the detailed design State Significant Development Application.
5.1.7 Sun protection of public parks and places	Yes	The height of the proposed building envelope complies with the maximum height of the Belmore Park SAP. The proposed envelope does not result in any additional overshadowing of certain public places. Refer to assessment under Clauses 6.17 and 6.18 of Sydney LEP 2012 above.
5.1.8 Views from public places	Yes	The proposed development does not encroach within any of the views nominated on the Public Views Protection maps contained in the DCP, or any significant views (not mapped) identified in the Special Character Area locality statement.
5.1.9 Managing wind impacts	Consistent with concept approval	The application is accompanied by a Pedestrian Wind Assessment. The report confirms that the proposed envelope is able to accommodate a future building which achieves comfortable wind conditions, with no additional impact compared to concept approval D/2021/1504.

Discussion

Changes to building envelope

63. The application proposes changes to the approved building envelope of D/2021/1504 (the base consent) as result of the winning design competition scheme and further detailed design refinement.

64. The winning design competition scheme proposed a landscape vessel at level 4 that was outside of the approved concept envelope, and an 'urban room' within the podium that required the removal of some existing wall footings, as well as further demolition of some masonry and party walls that are to be retained under D/2021/1504. As part of the further detailed design refinement, residential accommodation is no longer part of the proposal.

65. The proposed amendments are listed below.

    (a) Removal of the approved residential land use, and provision of a mixed-use development comprising hotel and retail land uses only;

    (b) Removal of two basement levels, and provision of one basement level with a reduced footprint;

    (c) Changes to the height of the podium to allow for a 'landscaped vessel' (RL 32.68), balustrade above the landscaped vessel (RL 33.88) and an awning above the landscaped vessel (RL 36.48);

    (d) Change to the ground floor RL, with RL 16.191 proposed (compared to RL 16.400 in D/2021/1504);

    (e) Allow for partial retention and removal of some existing wall footings, joinery, whole masonry walls and party walls (including any whole engaged piers of each party wall) of the existing buildings to align with the proposed 'urban room' within the podium of the detailed design State Significant Development Application D/2024/446; and

    (f) Relocation of indicative lift core.

66. The change of use to hotel accommodation and retail premises is considered acceptable, as the proposed reference scheme demonstrates that both uses can be provided comfortably within the development with minimal amenity impacts to future occupants of the site and surrounding development.

67. The design changes will not alter the approved height and scale of the buildings with the footprint, setbacks and overall external design (with the exception of the landscape vessel and basement) being maintained as approved under the base consent D/2021/1504. The resulting changes arising from the hotel accommodation and retail use are discussed in greater detail in the assessment of D/2024/446, or covered elsewhere in this report.

68. As such, the key issues relate to the extent of historic fabric to be retained and associated heritage condition to be modified, excavation, and the landscape vessel above the retail terrace parapet.

Extent of historic fabric to be retained within podium

69. The site is not a heritage item, nor is it located within a heritage conservation area. The site contains five, 3-storey commercial terraces, constructed c.1910-1912. The existing buildings are a rare surviving Federation era commercial terrace group.

70. The terraces have been altered at street level and retain no original significant fabric at ground level. The existing awnings have been significantly modified with re-cladded soffits and fascias, and the terraces have also been substantially altered internally. The façade above the awning of the terrace group is substantially intact and presents reasonable architectural integrity. The terrace group also retains their original built form, including their rear wings. However, the rear of 380-382A Pitt St has been modified with later additions over the rear wings. Balconies have been added to the wings of 376-378 Pitt Street.

71. It was determined during the assessment of D/2021/1504 that 372 Pitt Street could be removed to facilitate adequate on-site loading and servicing for the indicative uses within the approved concept envelope. The existing facades of Nos. 374-382A Pitt Street and a minimum depth of 6m (approximately one bay) of the internal party walls were to be retained. Removal of the awnings associated with the terraces was also supported.

72. To facilitate the detailed design of the competition-winning scheme by KHA + Crone, some additional demolition of the existing historic terraces (and part of the structure behind) is required beyond what was previously contemplated at the Concept DA approval. Specifically, the proposal seeks to allow for the partial retention (and partial removal) of some existing wall footings, joinery, whole masonry walls and party walls (including any whole engaged piers of each party wall) to accommodate the proposed ‘urban room’ within the podium.

73. Excerpts of the proposed "urban room" of the design competition winning scheme, a section of State Significant DA D/2024/446 and demolition plans within the retail terrace podium are provided below for context:



Figure 34: Proposed "urban room" depicted in design competition winning scheme

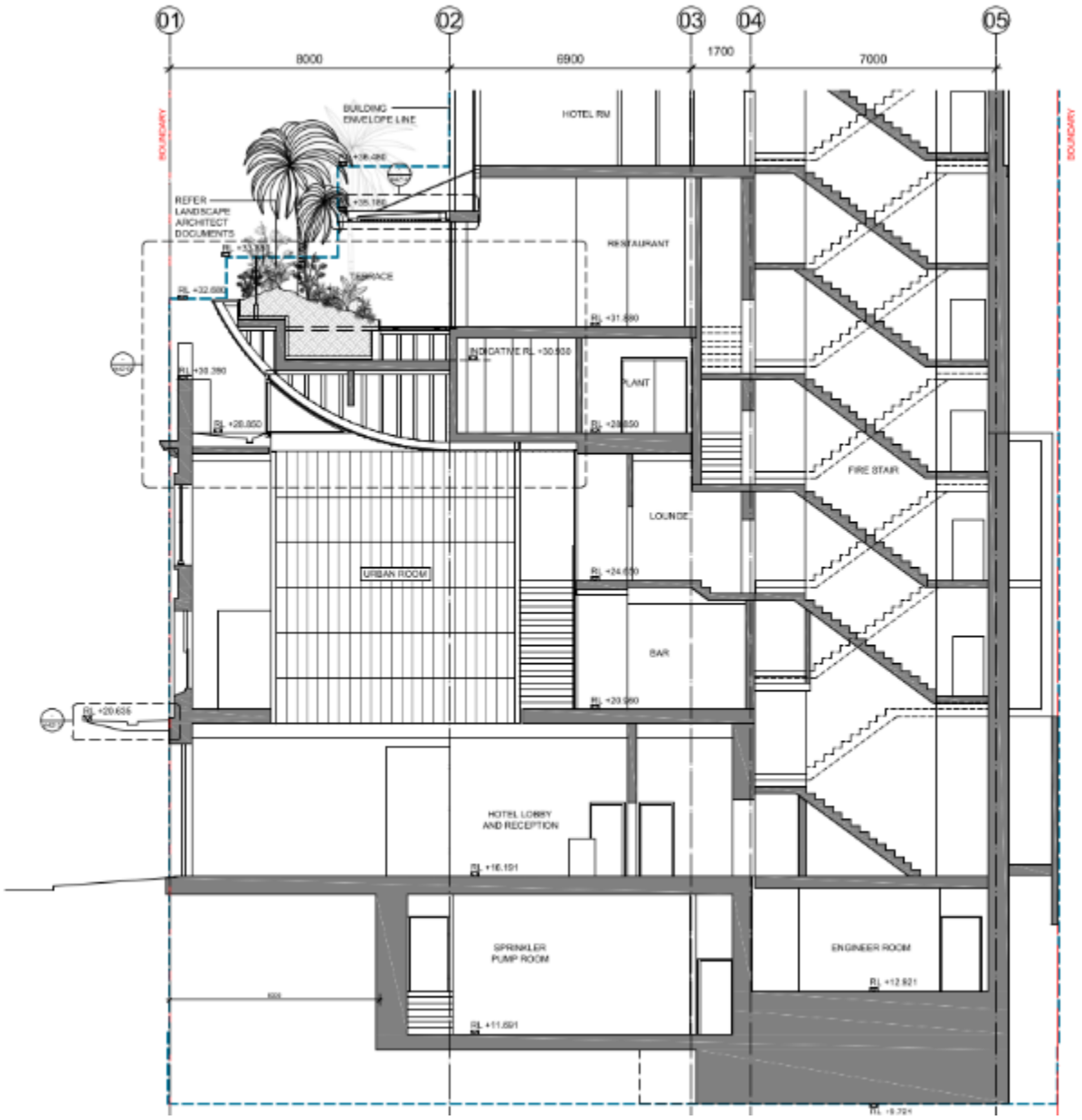


Figure 35: Proposed "urban room" depicted in section for D/2024/446



Figure 36: Indicative demolition plans at ground (left) and level 1 (right)

74. To accommodate the competition-winning scheme design changes, Condition 11(a) and (c) - Detailed design of building are proposed to be modified as follows:

> *(a) The existing front facades of Nos. 374-382A Pitt Street, including wall footings and joinery and whole masonry walls,* ~~must~~ ***should*** *be retained* ***where reasonably possible****.*
>
> *…*
>
> *(c) At least one bay deep of party walls (including a whole engaged pier of each party wall)* ***should*** ~~*are to*~~ *be retained****, where reasonably possible****.*

75. The proposed changes to Condition 11(a) and (c) are not appropriate, as the wording is open to interpretation, and may result in more heritage fabric being removed than necessary.

76. The Design Competition winning scheme, and the detailed design address the condition as approved by retaining all significant façade walls and most party walls at least one bay deep. The extent of demolition proposed has been reviewed by the City's Heritage Specialist and is considered acceptable.

77. Given that the design competition winning scheme, indicative design and detailed design do not contradict Condition (a) and (c) as currently worded, the amendments are not required.

Basement excavation

78. The proposed concept plans depict one basement level, instead of three, with a nil setback to all site boundaries. The nil setback was approved as part of the concept consent D/2021/1504.

79. Conditions were imposed as part of D/2021/1504 to require as part of any detailed design development application:

    (a) a structural strategy to be prepared

    (b) a detailed Geotechnical Report based on field investigations and borehole sampling be prepared

    (c) an Archaeological Assessment be prepared

    (d) confirmation that excavation of the basement level does not undermine the footings of the retained façade/walls, with an offset from existing wall footings to reduce risk of structural damage

80. The State Significant Development Application D/2024/446 is accompanied by the above documentation, and a setback of 6m is provided from the Pitt Street boundary. The extent of excavation, and the structural strategy in particular, are assessed as part of D/2024/446 as being appropriate. The reduction in excavation and provision of one basement level rather than three are considered to be of less impact compared to the original approval. The changes are supported.

Landscape 'vessel'

81. The application is accompanied by concept plans depicting a change in the envelope to accommodate a landscape 'vessel' with associated awning and other structures above the historic podium facade.

82. The competition winning scheme proposed an elevated landscape vessel at level 4 above the podium, which has been carried through to the detailed design that is currently under assessment. The vessel is sited so that it appears to hover over the historic terrace façade and parapet to be retained and is a key element of the design competition winning scheme.



Figure 37: Proposed photomontage of D/2024/446 depicting landscape vessel above the historic podium

83. The original concept approval D/2021/1504 allowed for a two-part podium as follows:

    (a) a lower podium to align with the height of the existing terraces (approximately 13.4m, RL 28.25) including the infill at 372 Pitt Street) and

    (b) upper podium up to a maximum height of 25m (RL41.4), setback 8m from the street frontage aligned with the street setback of the tower.

84. Both podiums are to be retained, however, the landscape vessel has been introduced above the lower podium and below the upper podium, with a height of RL 32.68 for the landscape vessel itself, RL 33.88 for the balustrade above the landscape vessel and RL 36.84 for the awning and associated supporting structures above the proposed landscape vessel. The vessel is to be located at level 4.

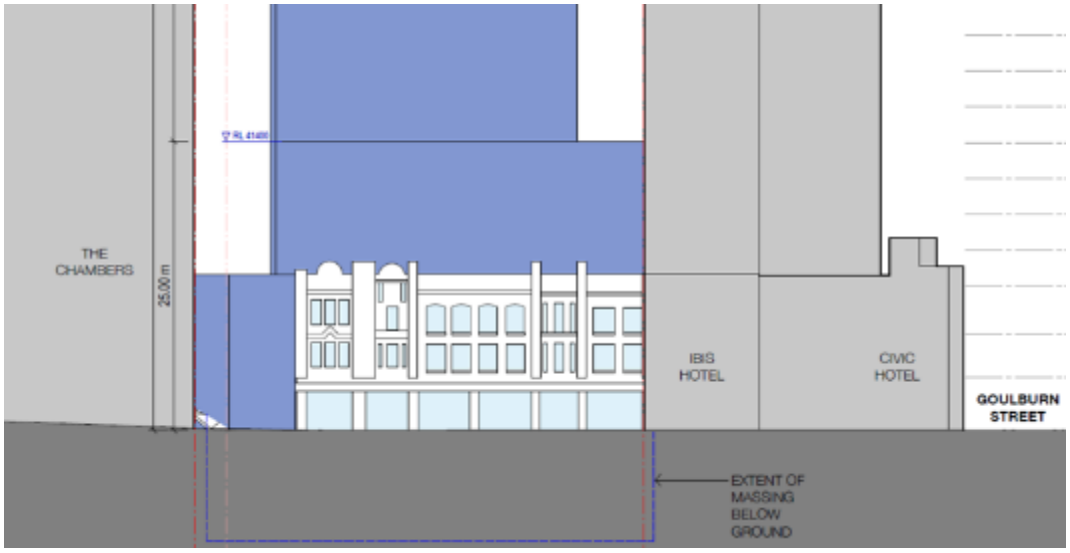


Figure 38: Approved concept envelope (north elevation) depicting lower and upper podium to Pitt Street

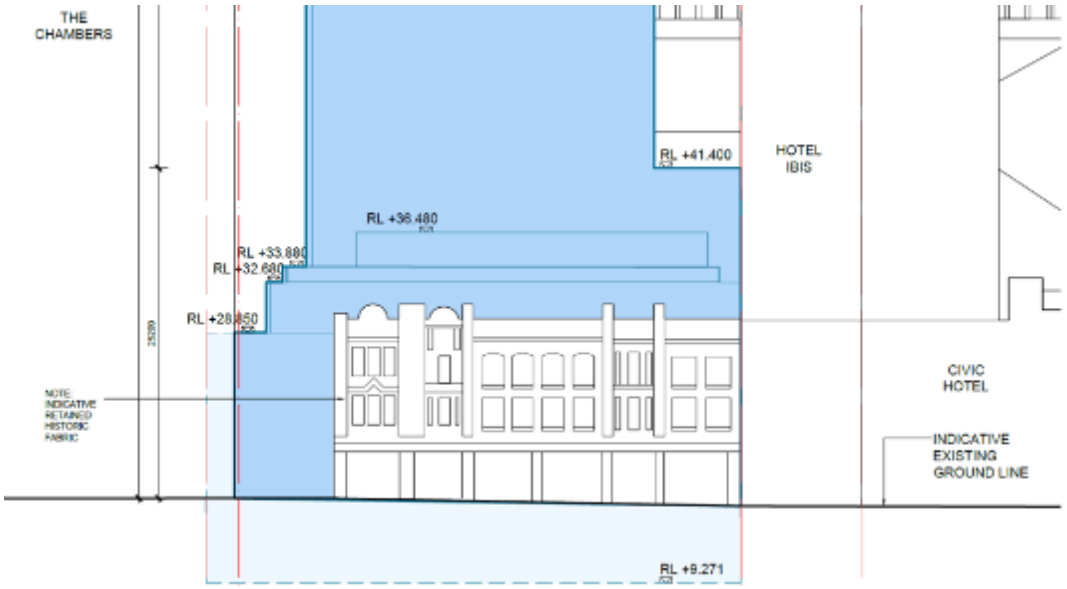


Figure 39: Proposed concept envelope (north elevation) introducing the landscape vessel between the approved lower and upper podium to Pitt Street

85. Section 5.1.1.1 'Street frontage height and street setbacks' of the Sydney DCP 2012 permits a street frontage height at a minimum 20-25m for non-heritage items outside Special Character Areas (as per Table 5.1 'Permissible range of Street Frontage Heights').

86. The proposal does not comply with the permitted street frontage heights in Table 5.1 as the façade (and bays) of the existing 3-storey commercial terraces are being retained, providing a street frontage height of approximately 13.4m for the lower podium. However, this was approved as part of the original concept development consent D/2021/1504.

87. The introduction of the landscape vessel, which is setback 1-6m behind the historic façade, will encroach into the 8m setback approved above the historic podium. This encroachment is considered acceptable in this instance as it achieves the relevant objectives of Section 5.1.1 of the Sydney DCP 2012, in that it:

    (a) Continues to achieve comfortable street environments for pedestrians, maintains views to the sky and creates a sense of openness to Pitt Street;

    (b) Encourages flexibility in building design, allowing for the provision of a landscape vessel that will create visual interest, whilst reinforcing the character of Central Sydney through retaining the existing terraces. This ensures the built form is compatible with surrounding heritage items and the desired streetscape character;

    (c) Recognises the variety and patterns of street all heights throughout Central Sydney;

    (d) Maintains wind performance that is consistent with the concept approval D/2021/1504, and maintains daylight access to the public domain and Public Places; and

    (e) Provides a compliant street setback of 8m above the podium height, which is consistent with the minimum street setback required under Table 5.2 'Minimum Street Setbacks' of the Sydney DCP 2012 (Section 5.1.1.1).

Amending development application

88. The application has been lodged as an 'amending' application to D/2021/1504, which approved the concept building envelope with a maximum height of RL 206.1, for hotel and residential land uses and retail premises at ground floor, and vehicular and loading access from Carruthers Place. The current Development Application seeks to replace the residential uses with hotel accommodation, as well as minor design changes to align with the detailed design State Significant Development Application that is currently under assessment and is being reported to CSPC.

89. The changes, as discussed in this report, are acceptable.

90. The proposal relies on the concept building envelope approved under D/2021/1504, which is currently active. The subject application has the effect of modifying development consent D/2021/1504.

91. The subject Development Application has been made in order to facilitate the removal of the residential land use and replacement with a wholly hotel accommodation scheme with ancillary retail at ground floor, given that such an application could not be made under section 4.55 of the Environmental Planning and Assessment Act, 1979 as it would not meet the requisite criterion that the development would be substantially the same as that approved.

92. For the avoidance of doubt, it is recommended that a condition be imposed on the subject application to make it clear that the Development Application relates to the base consent D/2021/1504 and should be read in conjunction with the base consent.

93. Under Section 4.17(1) (b) of the Environmental Planning and Assessment Act, 1979, it is lawful to impose a condition of development consent on an application which requires the modification of a consent previously granted. In this instance, the base consent will require modification to remove all relevant residential references from the approved plans and conditions. This would consist of the following conditions:

Condition	**Proposed changes**
Development description	Modify "3 basement levels" to "1 basement level" and remove reference to "and residential land uses".
(1) Approved Development	Update the plans, sections and elevations to match (1) Approved Development of D/2024/36, removing residential land uses.
(3) Matters not approved in Concept Proposal Development Consent	Remove reference to (c) "and residential", (e) "residential apartments".
(11)(g) Detailed Design of Building	Remove reference to "Any residential accommodation must be limited to the upper third portion of the tower, with the first residential floor being no lower than RL 140.85 (being the top window head height of the Civic tower)."
(13) Stage 2 Development Application to Comply with Relevant Planning Controls	Remove reference to (a) ""State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development" (as amended), the Apartment Design Guide (ADG), and", (i) "The building separation distances specified within the ADG relating to visual privacy." (ii) "ADG", (iii) "Apartment sizes and room dimensions, and private open space sizes and

Condition	Proposed changes
	dimensions within the ADG and Sydney DCP 2012.", (iv) "The apartment and room depths specified within the ADG to ensure adequate natural ventilation, natural cross ventilation, solar and daylight access.", (v) "The ADG specification for at least 70% of apartments within a development to receive a minimum of 2 hours of direct solar access between 9am and 3pm on 21 June.", (vi) "The ADG specification for at least 60% of apartments within a development to be naturally cross ventilated.", (vii) "The requirements of the ADG and Sydney DCP 2012 regarding the on-site provision of an area/s of communal open space.", (viii) "The ADG specifications relating to residential storage size volumes and characteristics.", (x) "The dwelling mix requirements of Section 4.2.3.12 of Sydney DCP 2012."
(16) Residential Acoustic Amenity	Entire condition to be removed.
(19) Ecologically Sustainable Development	(a) Add "with the exception of the requirement to exceed BASIX requirements for Residential components of the development (including BASIX Energy target of 30%)" after the reference to the ESD report to be used to inform the subsequent detailed design development application. (b)(i) remove reference to "Exceeds BASIX Requirements for Residential components of the development (including a BASIX Energy target of 30%)".

Condition	Proposed changes
(25) Parking Design	Remove reference to "AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking" "and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities" as on-site parking is no longer being accommodated within the development.
(30) Service Vehicle Parking and Access	Remove reference to "1 MRV" and "9.25m Council", and replace with "6.4m Garbage Collection vehicle" with a minimum vertical clearance of 3.5m.
(33) Traffic Impact Assessment	Remove reference to "resident tenant move in move out".

94. To ensure D/2021/1504 is modified and to prevent conflicting approvals from being active concurrently, it is recommended that a notice of modification be submitted and determined by Council prior to any works commencing as part of D/2024/446.

Consultation

Internal Referrals

95. The application was discussed with the following teams:

    (a) Environmental Health

    (b) Heritage and Urban Design

    (c) Public Domain

    (d) Surveyors

    (e) Transport and Access

    (f) Tree Management

    (g) Waste Management

96. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

External Referrals

97. External referrals have been carried out, with responses received as discussed elsewhere in this report.

Advertising and Notification

98. In accordance with the City of Sydney Community Engagement Strategy and Community Participation Plan 2024, the proposed development was notified and advertised for a period of 28 days between 30 January 2024 and 28 February 2024. A total of 2,772 properties were notified and 21 submissions were received. The majority of submissions received

99. The submissions raised the following issues:

(a) **Issue:** Carruthers Place

- The SEE accompanying the application is misleading as it does not recognise part of the site being used for vehicular and pedestrian access via Carruthers Place.
- Carruthers Place should be retained so it can be viewed and used as a laneway and maintain the fine urban grain and appearance of Pitt Street.
- Carruthers Place is meant to be a public laneway and constructing within this laneway is a breach of previous approvals granted by Council for the construction of 370 Pitt Street.
- This space is earmarked as a private loading dock instead of remaining a public laneway.
- Carruthers Place provides access, air, light and ventilation to the adjacent building and there will be a substantial loss of amenity as a result of this proposal.
- Council has not advised neighbours of changes to ownership of Carruthers Lane or proposals which would impact on its use for safety purposes.
- Council has sold the laneway, despite services requiring access from Carruthers Place.
- The proposal has the capacity to impede egress from fire doors, fire control room and boosters of the neighbouring property to the north at 370 Pitt Street – during construction and occupation of the building. The car park located behind the subject site currently uses Carruthers Place for vehicular access and will be landlocked as a result of the development. Easements/DA approvals for 370 Pitt Street have not been taken into account.

- **Response:** Carruthers Place is a privately owned laneway with no easements registered on title benefitting 370 Pitt Street for vehicular access or fire egress. It has never been in Council ownership. A search of Council's records also shows there are no consents for vehicular parking at this location, behind the subject site.

D/2021/1507 contains a condition that requires an easement for access to the fire escape (and other necessary building services) of the neighbouring property at 362-370 Pitt Street, within Carruthers Place, exiting onto Pitt Street. This amending Concept DA does not seek to modify this requirement. The State Significant DA D/2024/446 provides access in accordance with the concept approval and this is discussed in further detail in the accompanying assessment report.

(b) **Issue:** Pedestrian safety

- Carruthers Place is used by pedestrians (for the existing the fire stair of 370 Pitt Street or walking along Pitt Street), which will be in conflict with service vehicles.

Response: The development has been designed so that it does not restrict pedestrian access to Carruthers Place. Vehicular access within Carruthers Place / Pitt Street was identified as acceptable in concept approval D/2021/1504 and this amending Concept DA does not change this arrangement.

(c) **Issue:** Construction Impacts

- Demolition and construction period (noise, vibration and dust) will have an impact on the operation of surrounding businesses

- Risk of ground displacement / undermining of support to foundations of surrounding buildings.

Response: The expected impacts on the operation on nearby businesses are noted. The anticipated impacts of the proposed demolition, excavation and construction of the development are to be addressed as part of the detailed design (Stage 2) State Significant Development Application.

(d) **Issue:** Bulk and scale

- The proposed development is of a significant scale, with minimal setbacks and encroachment onto what is a public laneway.

- The proposal will cast a significant and unreasonable shadow over buildings to the north. It will block all natural light to the south side of 370 Pitt Street, with minimal to no privacy for occupants.

- The increase to the podium height will adversely affect the amenity of adjoining buildings, the quality of space between the buildings, and visual and acoustic privacy. Will result in adverse impacts to the public domain and should be reduced in size.

Response: The podium and tower envelope was approved under D/2021/1504, which assessed the proposed massing, particularly in relation to the interface of Carruthers Place and 370 Pitt Street as acceptable. A setback of 6.29m was provided above the podium to the northern side boundary of the subject site under D/2021/1504, and this setback is maintained as part of the current proposal.

With the exception of the landscape vessel at level 4, the proposed development is consistent with the approved building envelope of D/2021/1504, following established height, bulk, scale and setbacks.

The changes to the approved building envelope to vary the podium height and accommodate the proposed landscape vessel have been assessed as acceptable in this report. The proposed changes do not result in any significantly adverse amenity impacts to the public domain, nor the streetscape and character of the area.

The subject site is to the south of 370 Pitt Street and as such, will not overshadow The Chambers building.

Financial Contributions

Levy under Section 7.12 of the Environmental Planning and Assessment Regulation 2000

100. The application is not subject to any levies under Section 7.12 of the EP&A Act 1979, as it is for a concept building envelope and includes a theoretical concept development cost.

101. Appropriate contributions have been levied as part of the detailed design State Significant Development Application D/2024/446.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

102. The site is located within the Central Sydney affordable housing contribution area. As the proposal relates to a concept building envelope only, the development is not subject to an affordable housing contribution under Section 7.13 of the SLEP 2012. Appropriate contributions have been levied as part of the detailed design State Significant Development Application D/2024/446.

Housing and Productivity Contribution

103. The development relates to a concept building envelope only and is not subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

104. Appropriate contributions have been levied as part of the detailed design State Significant Development Application D/2024/446.

Relevant Legislation

105. Environmental Planning and Assessment Act 1979.

Conclusion

106. The application proposes to amend the approved concept building envelope under the development consent D/2021/1504, in order to change the use of the development to hotel accommodation and ancillary retail premises; and modify the building envelope to include a landscape vessel at level 4 to align with the detailed design State Significant Development Application D/2024/446. Both applications are being presented to the CSPC concurrently for approval.

107. The proposed modifications to the approved building envelope will deliver consistency between staged development applications for the site, as required under Section 4.24 of the Environmental Planning and Assessment Act, 1979.

108. The modifications to the envelope are supported as they do not result in unacceptable amenity impacts and deliver envelopes that are capable of achieving an acceptable level of amenity for future occupants and adjoining properties.

109. The proposed building envelope is capable of accommodating a future building that exhibits design excellence in accordance with Clause 6.21C of the Sydney LEP 2012. The detailed design State Significant Development Application D/2024/446 being considered concurrently by the CSPC demonstrates that a generally compliant scheme can be provided within the amended envelope that delivers design excellence in accordance with Clause 6.21C of the Sydney LEP 2012.

110. The proposed modifications are therefore in the public interest and recommended for approval, subject to conditions.

GRAHAM JAHN, AM

Chief Planner / Executive Director City Planning, Development and Transport

Jessica Symons, Senior Planner

Attachment A

Recommended Conditions of Consent

SCHEDULE 1

GENERAL CONDITIONS

(1) CONCEPT DEVELOPMENT APPLICATION

Pursuant to Division 4.4 of the Environmental Planning and Assessment Act, 1979, and Clause 87 of the *Environmental Planning and Assessment Regulation 2021*, this Notice of Determination relates to a concept development application. A subsequent detailed design development application (DA) is required for any works to be carried out on the site.

Reason

To specify the status of this approval as a concept development consent and that it does not authorise the carrying out of works on any part of the site.

(2) MODIFICATION OF DEVELOPMENT CONSENT D/2021/1504

Pursuant to Section 4.17(1)(b) and 4.17(5) of the EP&A Act, development consent D/2021/1504 must be amended in the following manner:

Condition in D/2021/1504 to be modified	**Changes to be made**
Development description	Modify "3 basement levels" to "1 basement level" and remove reference to "and residential land uses".
(1) Approved Development	Delete approved plans and update the plans, sections and elevations to match (3) Approved Development of D/2024/36, removing residential land uses.
(3) Matters not approved in Concept Proposal Development Consent	Remove reference to (c) "and residential", (e) "residential apartments".
(11)(g) Detailed Design of Building	Remove reference to "Any residential accommodation must be limited to the upper third portion of the tower, with the first residential floor being no lower than RL 140.85 (being the top window head height of the Civic tower)."
(13) Stage 2 Development Application to Comply with Relevant Planning Controls	Remove reference to (a) ""State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development" (as amended), the

	Apartment Design Guide (ADG), and", (i) "The building separation distances specified within the ADG relating to visual privacy." (ii) "ADG", (iii) "Apartment sizes and room dimensions, and private open space sizes and dimensions within the ADG and Sydney DCP 2012.", (iv) "The apartment and room depths specified within the ADG to ensure adequate natural ventilation, natural cross ventilation, solar and daylight access.", (v) "The ADG specification for at least 70% of apartments within a development to receive a minimum of 2 hours of direct solar access between 9am and 3pm on 21 June.", (vi) "The ADG specification for at least 60% of apartments within a development to be naturally cross ventilated.", (vii) "The requirements of the ADG and Sydney DCP 2012 regarding the on-site provision of an area/s of communal open space.", (viii) "The ADG specifications relating to residential storage size volumes and characteristics.", (x) "The dwelling mix requirements of Section 4.2.3.12 of Sydney DCP 2012."
(16) Residential Acoustic Amenity	Entire condition to be removed.
(19) Ecologically Sustainable Development	(a) Add "with the exception of the requirement to exceed BASIX requirements for Residential components of the development (including BASIX Energy target of 30%)" after the reference to the ESD report to be used to inform the

	subsequent detailed design development application. (b)(i) remove reference to "Exceeds BASIX Requirements for Residential components of the development (including a BASIX Energy target of 30%)".
(25) Parking Design	Remove reference to "AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking" "and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities" as on-site parking is no longer being accommodated within the development.
(30) Service Vehicle Parking and Access	Remove reference to "1 MRV" and "9.25m Council" and replace with "6.4m Garbage Collection vehicle" with a minimum vertical clearance of 3.5m.
(33) Traffic Impact Assessment	Remove reference to "resident tenant move in move out".

The conditions contained in Schedule 1 and 3 of this development consent (D/2024/36) must be inserted into development consent D/2021/1504.

Notice of such amendments must be given to, and determined by Council in accordance with Section 67 of the EP&A Regulation pursuant to this consent, prior to any Construction Certificate being issued, or any works commencing for D/2024/446.

Reason

To ensure that any further development applications in respect of the site are consistent with the concept proposal for the development of the site, in accordance with Section 4.24(2) of the EP&A Act.

(3) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2024/36 dated 17 January 2024 and the following drawings prepared by KHA:

Drawing Number	Drawing Name	Date
A0050 Issue A	Proposed Envelope Plans Basement & Historic Podium	20 February 2024
A0051 Issue A	Proposed Envelope Plans Tower Podium & Tower	20 February 2024
A0052 Issue A	Proposed Envelope Plans Roof	20 February 2024
A0053 Issue A	Proposed Envelope Elevation North	20 February 2024
A0054 Issue A	Proposed Envelope Elevation East	20 February 2024
A0055 Issue A	Proposed Envelope Elevation South	20 February 2024
A0056 Issue A	Proposed Envelope Elevation West	20 February 2024
A0057 Issue A	Proposed Envelope Section	20 February 2024

and as amended by the conditions of this consent.

(b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(4) RELIANCE ON PREVIOUS DEVELOPMENT CONSENT D/2021/1504

This development consent relies on, and must be read in conjunction with, the base development consent D/2021/1504.

This consent is subject to compliance with conditions of consent contained in D/2021/1504.

Reason

To ensure that any further development applications in respect of the site are consistent with the concept proposal for the development of the site, in accordance with Section 4.24(2) of the EP&A Act.

SCHEDULE 2

PRESCRIBED CONDITIONS

The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: http://www.legislation.nsw.gov.au

SCHEDULE 3

CONDITIONS OF CONSENT –

TRANSPORT FOR NSW

The conditions of consent as advised by Transport for NSW are as follows:

(5) TRANSPORT FOR NSW REQUIREMENTS

The Applicant should consult with Transport for NSW (TfNSW) prior to the preparation of any Stage 2 development application and if required by TfNSW, undertake assessments to demonstrate that the proposed development will not have an adverse impact on the future rail corridors, pursuant to Clause 2.101 of the State Environmental Planning Policy (Transport and Infrastructure) 2021.

The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018.

The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on the surrounding state classified road network during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf.

Reason

To ensure that the necessary Sydney Airport approvals are obtained prior to construction of the detailed design development (Stage 2).

SYDNEY AIRPORT CORPORATION

The conditions of consent as advised by Sydney Airport are as follows:

(6) SYDNEY AIRPORT REQUIREMENTS

Construction cranes may be required to operate at a height significantly higher than that of the proposed development and consequently, may not be approved under the Airports (Protection of Airspace) Regulations.

Sydney Airport advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct.

Reason

To ensure that the necessary Sydney Airport approvals are obtained prior to construction of the detailed design development (Stage 2).

AUSGRID

The conditions of consent as advised by Ausgrid are as follows:

(7) AUSGRID REQUIREMENTS

The design submission must comply with relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice for construction works near existing electrical assets. The “as constructed” minimum clearances to Ausgrid’s infrastructure must not be encroached by the building development. It also remains the responsibility of the developer and relevant contractors to verify and maintain these clearances onsite. Ausgrid’s Network Standards can be sourced from Ausgrid’s website, www.ausgrid.com.au

Reason

To ensure that the necessary Ausgrid approvals are obtained prior to construction of the detailed design development (Stage 2).

SYDNEY WATER

The conditions of consent as advised by Sydney Water are as follows:

(8) SECTION 73 COMPLIANCE CERTIFICATE

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extension, adjustment or connection to our mains. Make early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an occupation or subdivision certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Reason

To ensure that the necessary Sydney Water approvals are obtained as part of the design development (Stage 2).

(9) BUILDING PLAN APPROVAL

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.

Sydney Water recommends developers apply for Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Reason

To ensure that the necessary Sydney Water approvals are obtained as part of the design development (Stage 2).

(10) TREE PLANTING

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.

Reason

To ensure that the necessary Sydney Water approvals are obtained as part of the design development (Stage 2).

(11) TRADE WASTEWATER REQUIREMENTS

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application can be made on Sydney Water's web page via Sydney Water's Tap in™.

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Reason

To ensure that the necessary Sydney Water approvals are obtained as part of the design development (Stage 2).

(12) BACKFLOW PREVENTION REQUIREMENTS

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

- Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.

- Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website: https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html

Reason

To ensure that the necessary Sydney Water approvals are obtained as part of the design development (Stage 2).

(13) WATER EFFICIENCY RECOMMENDATIONS

Water is our most precious resource, and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, http://www.waterrating.gov.au/

- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to https://www.sydneywater.com.au/your-business/managing-your-water-use/water-efficiency-tips.html

- Install water-monitoring devices on your meter to identify water usage patterns and leaks.

- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

Reason

To ensure that the necessary Sydney Water approvals are obtained as part of the design development (Stage 2).

(14) CONTINGENCY PLAN RECOMMENDATIONS

Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

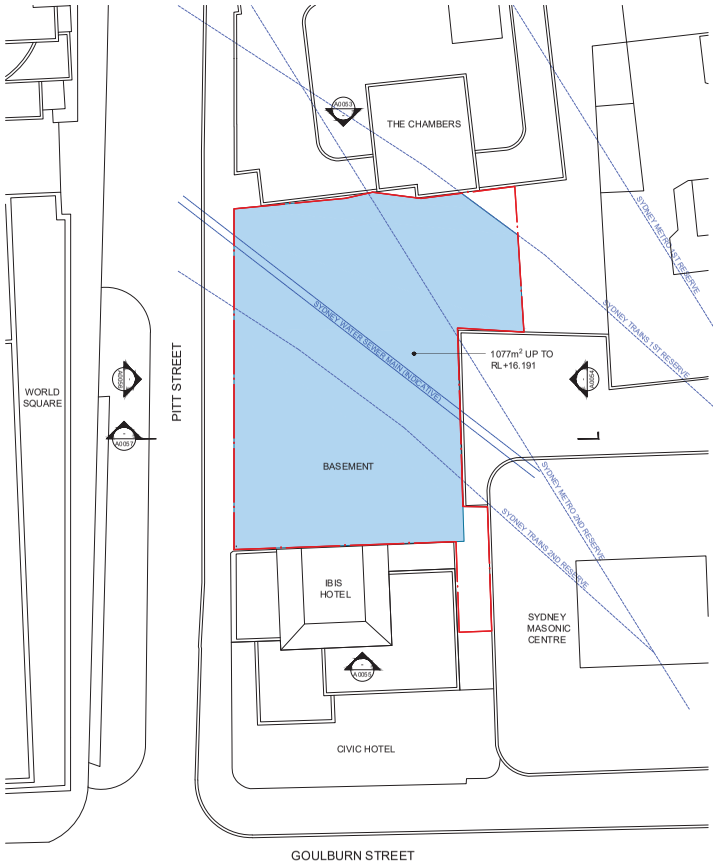
For further information please visit the Sydney Water website at: https://www.sydneywater.com.au/your-business/managing-trade-wastewater/commercial-trade-wastewater.html or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au.

Reason

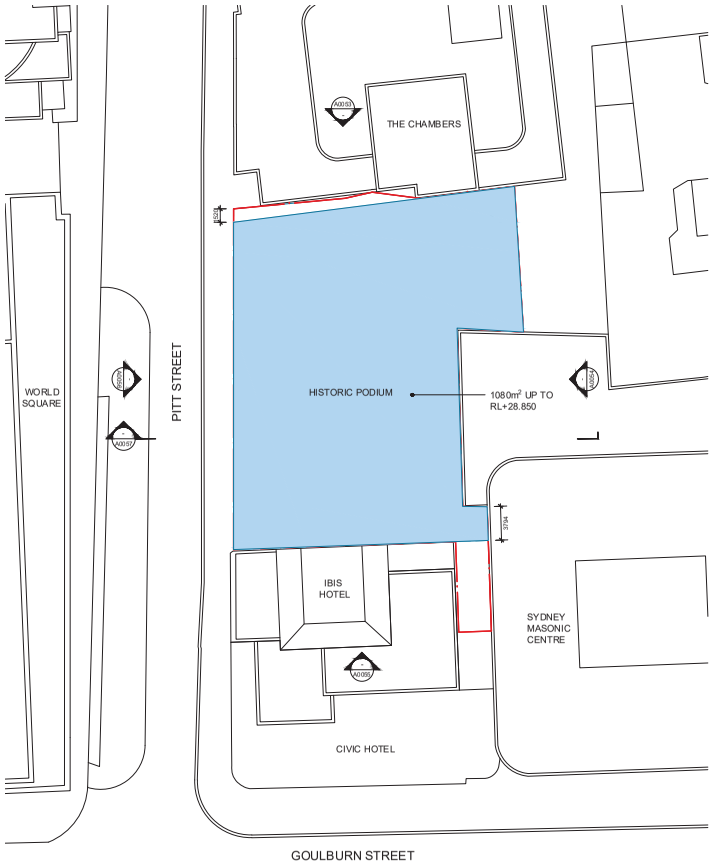
To ensure that the necessary Sydney Water approvals are obtained as part of the design development (Stage 2).

Attachment B

Selected Drawings



01 PROPOSED ENVELOPE - BASEMENT
PLAN 1:300@A1



02 PROPOSED ENVELOPE - HISTORIC PODIUM
PLAN 1:300@A1

NOTES / LEGEND / MATERIAL

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NOTE:
CONTEXT OUTSIDE OF THE SITE BOUNDARY SHOWN INDICATIVELY ONLY

ISSUE	DATE	AMENDMENT	CHECKED
A	20.02.24	DEVELOPMENT APPLICATION	KHA

78

STATUS

DEVELOPMENT APPLICATION

CLIENT

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PROJECT	REF
372-382A PITT STREET	633

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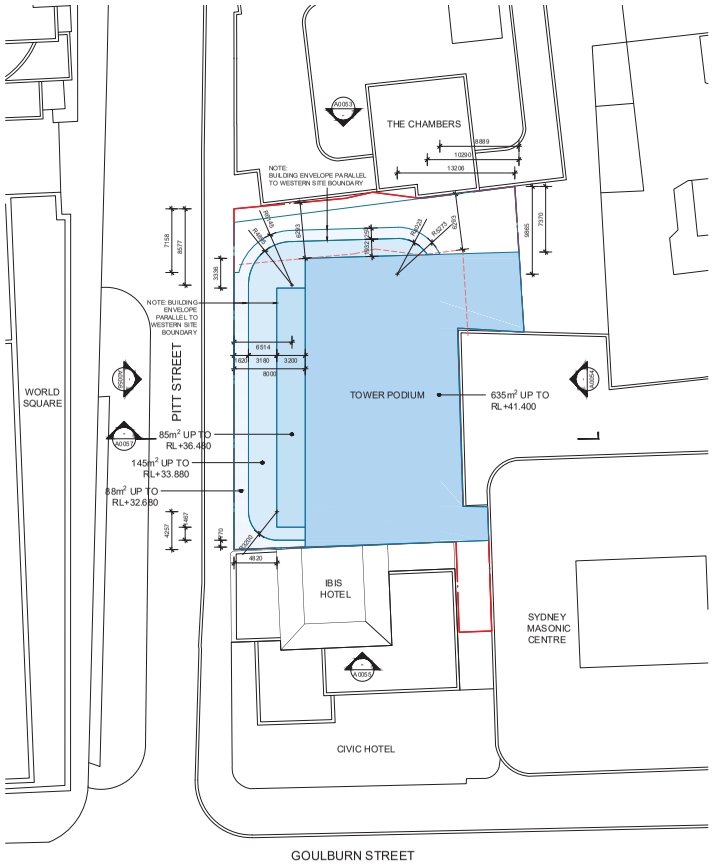
372-382A PITT STREET, SYDNEY, NSW 2000

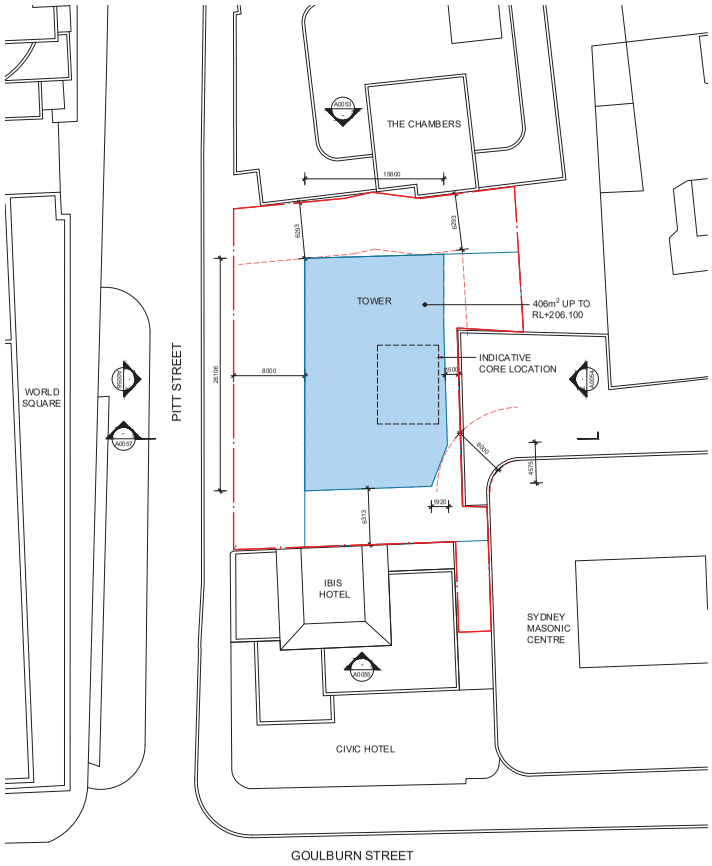
DRAWN	KHA	NORTH
SCALE (@ A1)	1:300	
DATE	20.02.2024	

DRAWING TITLE
PROPOSED ENVELOPE PLANS
BASEMENT & HISTORIC PODIUM

DRAWING NUMBER	ISSUE
A0050	A



03 - PROPOSED ENVELOPE - TOWER PODIUM
PLAN
1:200@A1



04 - PROPOSED ENVELOPE - TOWER
PLAN
1:200@A1

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NOTE:
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ISSUE	DATE	AMENDMENT	CHECKED
A	20.02.24	DEVELOPMENT APPLICATION	KHA

STATUS

DEVELOPMENT APPLICATION

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:300	
DATE	20.02.2024	

DRAWING TITLE
PROPOSED ENVELOPE PLANS
TOWER PODIUM & TOWER

DRAWING NUMBER	ISSUE
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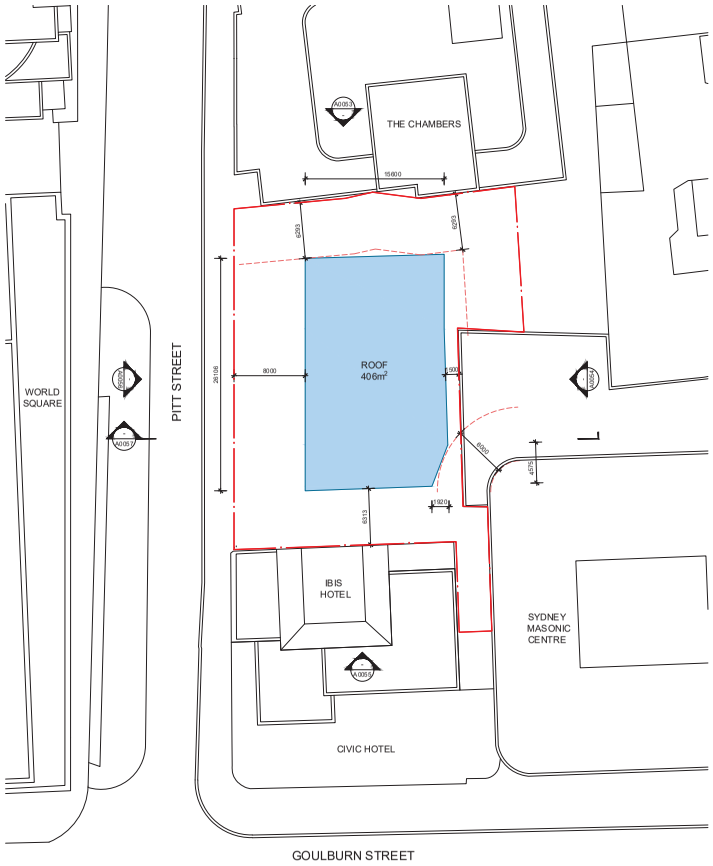

05 - PROPOSED ENVELOPE - ROOF PLAN 1:300@A1

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ISSUE	DATE	AMENDMENT	CHECKED
A	20.02.24	DEVELOPMENT APPLICATION	KHA

80

STATUS

DEVELOPMENT APPLICATION

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PROJECT	REF
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DRAWN	KHA	NORTH
SCALE (@ A1)	1:300	
DATE	20.02.2024	

DRAWING TITLE
PROPOSED ENVELOPE PLANS
ROOF

DRAWING NUMBER	ISSUE
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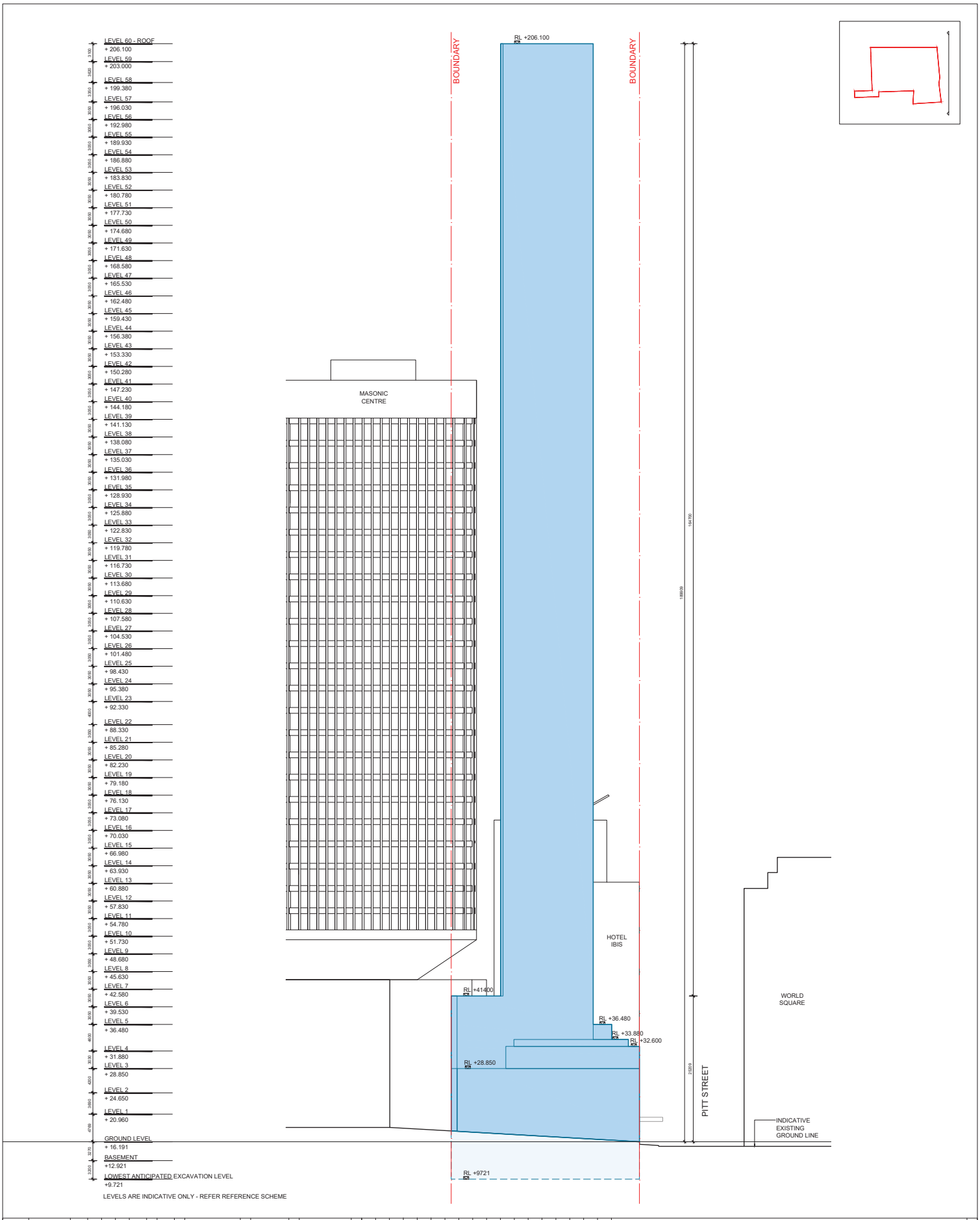

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ISSUE	DATE	AMENDMENT	CHECKED
A	20.02.24	DEVELOPMENT APPLICATION	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:300	
DATE	20.02.2024	

DRAWING TITLE

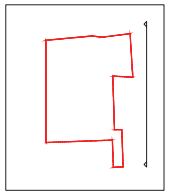
PROPOSED ENVELOPE ELEVATION NORTH

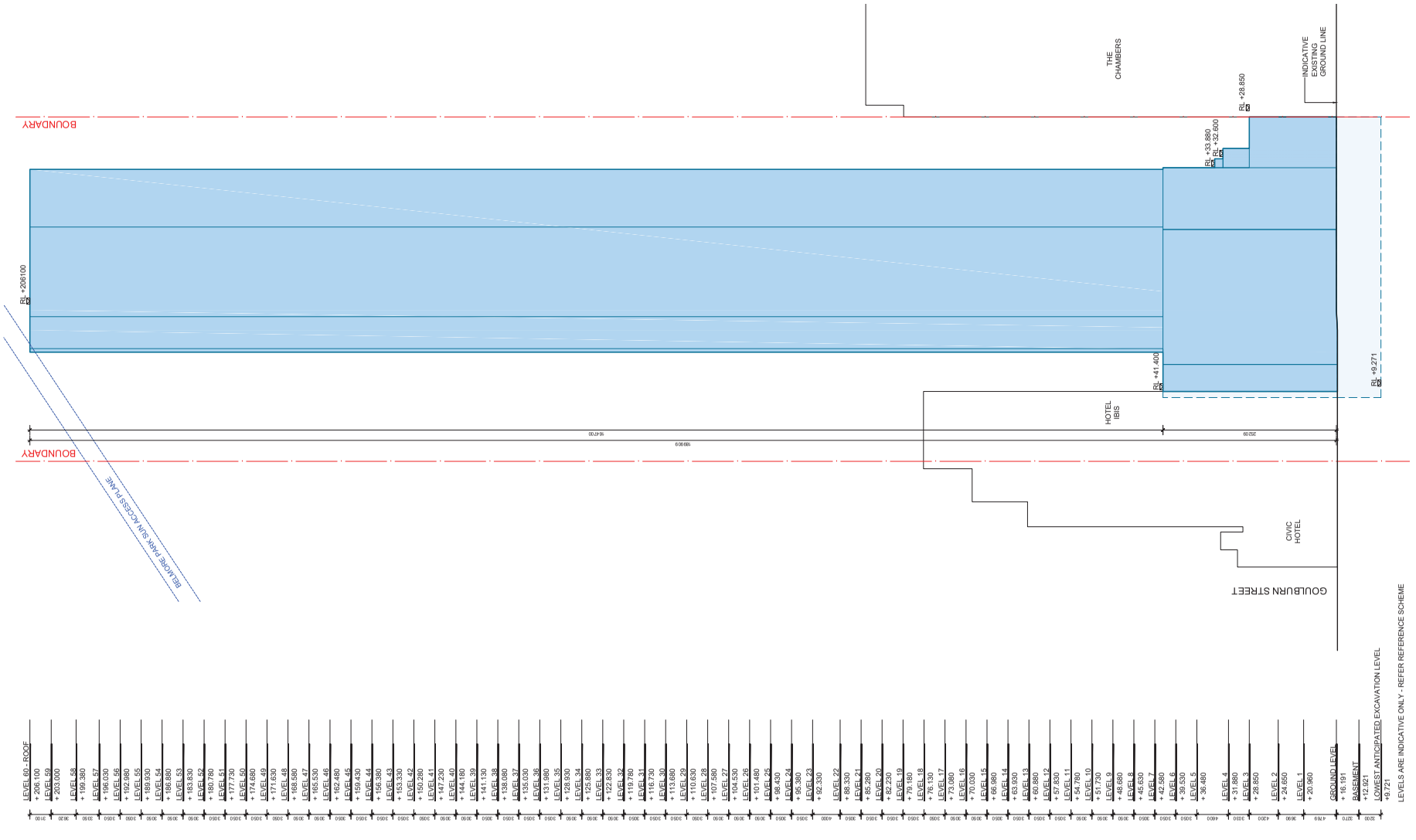
DRAWING NUMBER

A0053

ISSUE

A





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NOTE:
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ISSUE	DATE	AMENDMENT	CHECKED
A	20.02.24	DEVELOPMENT APPLICATION	KHA

82

STATUS

DEVELOPMENT APPLICATION

CLIENT

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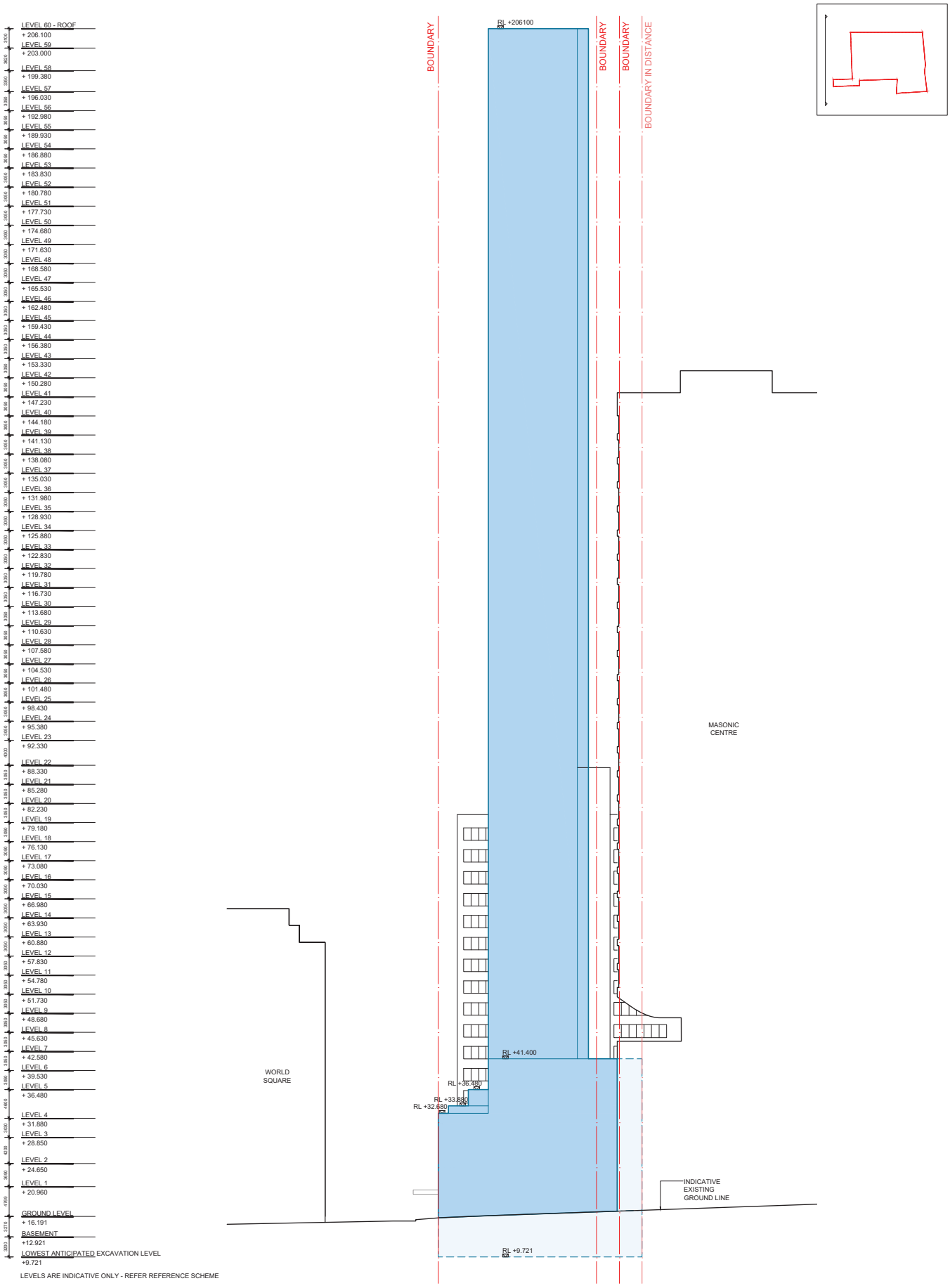
DRAWN	KHA	NORTH
SCALE (@ A1)	1:300	
DATE	20.02.2024	

DRAWING TITLE
PROPOSED ENVELOPE ELEVATION EAST

DRAWING NUMBER	ISSUE
A0054	A



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ISSUE	DATE	AMENDMENT	CHECKED
A	20.02.24	DEVELOPMENT APPLICATION	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:300	
DATE	20.02.2024	

DRAWING TITLE

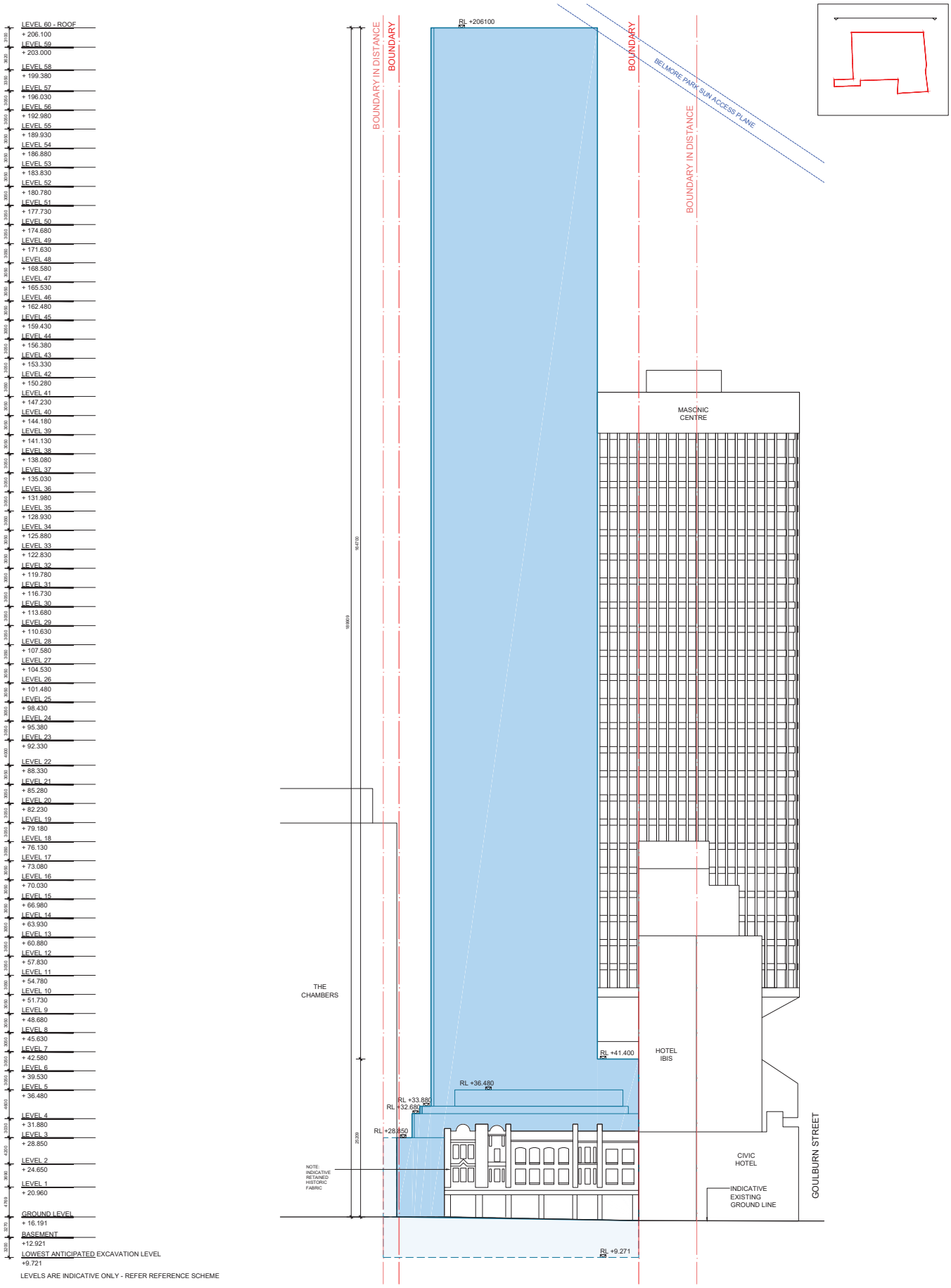
PROPOSED ENVELOPE ELEVATION SOUTH

DRAWING NUMBER

A0055

ISSUE

A



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ISSUE	DATE	AMENDMENT	CHECKED
A	20.02.24	DEVELOPMENT APPLICATION	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:500	
DATE	20.02.2024	

DRAWING TITLE

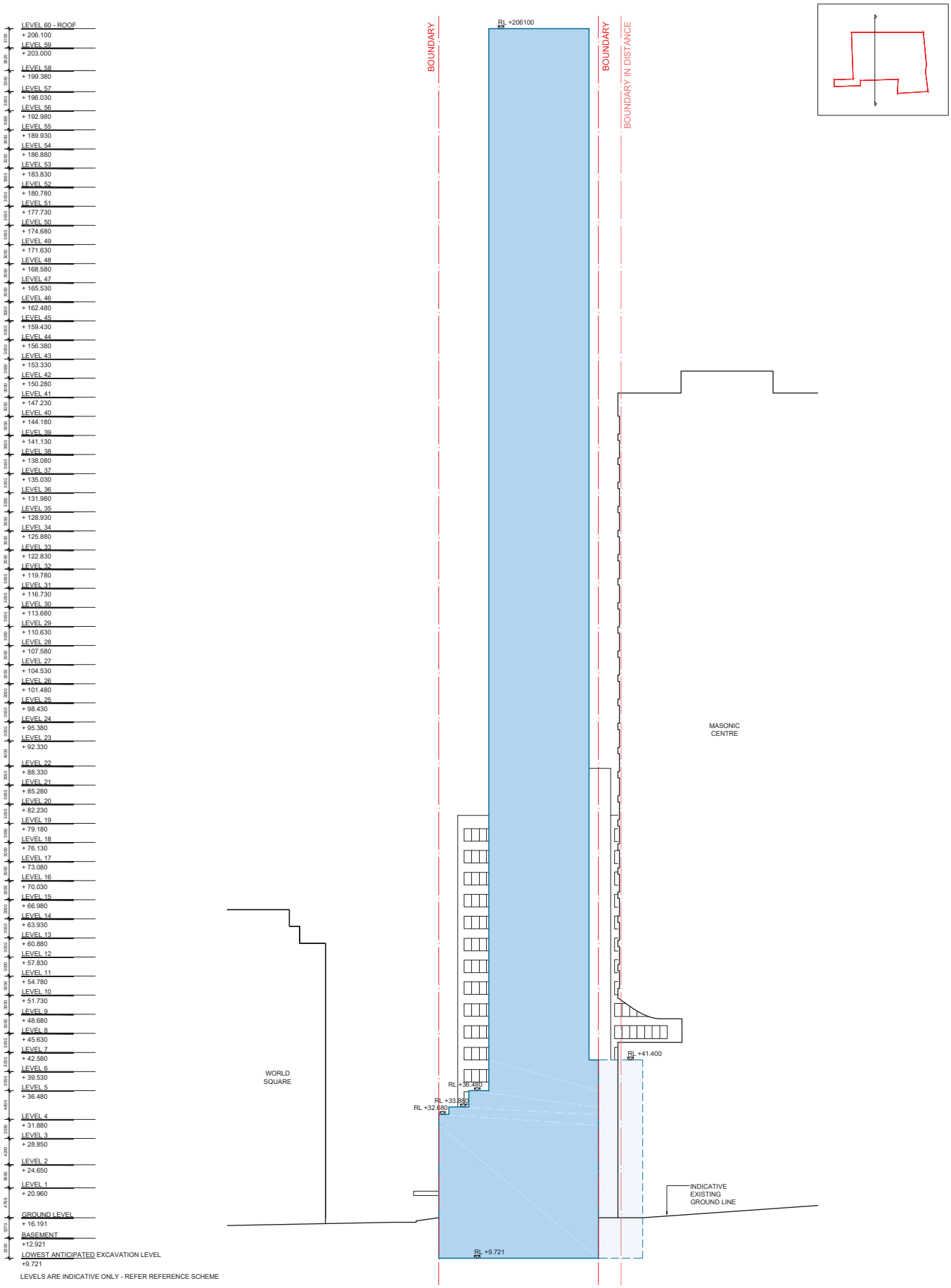
PROPOSED ENVELOPE ELEVATION WEST

DRAWING NUMBER

A0056

ISSUE

A



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ISSUE	DATE	AMENDMENT	CHECKED
A	20.02.24	DEVELOPMENT APPLICATION	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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ADDRESS

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:300	
DATE	20.02.2024	

DRAWING TITLE

PROPOSED ENVELOPE SECTION

DRAWING NUMBER

A0057

ISSUE

A

Attachment C

Submissions

From: DM [redacted]

Sent on: Wednesday, February 7, 2024 11:15:43 AM

To: council@cityofsydney.nsw.gov.au

CC: gerard@gmp.net.au

Subject: D/2024/36 Address 372-374 Pitt Street SYDNEY NSW 2000 376 Pitt Street SYDNEY NSW 2000 378 Pitt Street SYDNEY NSW 2000 380 Pitt Street SYDNEY NSW 2000 382 Pitt Street SYDNEY NSW 2000 382A Pitt Street SYDNEY NSW 2000 372B Pitt Street SYDNEY NSW 2000 Applica

Attachments: Side window for light 2.JPG (87.29 KB), Side building window 1.JPG (84.87 KB), Side window light 4.JPG (84.12 KB), Window closest to Pitt St.JPG (77.86 KB), Bl.png (1.64 MB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/Madam

I write in relation to DA/2024/36

Address

372-374 Pitt Street SYDNEY NSW 2000
376 Pitt Street SYDNEY NSW 2000
378 Pitt Street SYDNEY NSW 2000
380 Pitt Street SYDNEY NSW 2000
382 Pitt Street SYDNEY NSW 2000
382A Pitt Street SYDNEY NSW 2000
372B Pitt Street SYDNEY NSW 2000

Applicant

WELL SMART INVESTMENT HOLDING (SYD) PTY LIMITED

I was having difficulty writing on the City of Sydney portal so am emailing instead.

The development looks lovely but I have concerns about the development's proximity to the building I occupy, namely Suite 101 at 370 Pitt St, Sydney, as the light into my office on level 1 will be obscured greatly with the proximity of the new building. I enclose photos of the current view, although not pretty, provides natural light into the office suite. If the developer builds the atrium & the closed off sections of their development as closely as pictured and the upper levels, it will darken the entire office, all 4 rooms of my suite and other offices along that wall to the side of that development.

Kind regards

G Malouf S/A Trust
Owner Suite 101/370 Pitt St, Sydney NSW 2000










92

From: Neil Robinson [redacted]

Sent on: Tuesday, February 20, 2024 3:50:38 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Development Proposal D/2024/36 _ Concerns with Development Proposed

Attachments: 20240220_070931.pdf (455.44 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi City of Sydney

Attached is a letter from the owners of Lot 54, 55 and 56 in Strata Plan 52106 (370 Pitt Street) in which concerns are raised with the proposed development and its impact on property owned.

The letter is signed by the Chairman of the entities owning the three Lots. The Chairman would like his name to not be shown on documents in the public domain and also requests his details are removed wherever possible- thank you for this.

Thank you also for considering our concerns with the proposed development. We look forward to hearing the resolution of these matters.

Regards

Neil Robinson
Chief Executive Officer
[redacted]

[redacted] 702, 370 Pitt Street, Sydney NSW 2000
P [redacted]
ABN 21 871 881 074
www.astartinlife.org.au

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City of Sydney

Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

We are the owners of Lot 54, 55 and 56 in Strata Plan 52106 at 370 Pitt Street.
We have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal. Those concerns relate to safety (further details below), loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

We are also very concerned that Carruthers Place, a public laneway seems to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for us in the purchase of the three pieces of property in 370 Pitt Street. The existence of the laneway provided substantial light and other amenity to each of the properties. Should there have been any change in use of the laneway, as is now proposed and also occurred when City of Sydney (we are now informed) sold the laneway, we should have received advance notification from City of Sydney, allowing us to raise concerns. Unfortunately this did not occur.

It would appear that the plans submitted by 372- 380 Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located where services crucial to the safe operation of 370 Pitt Street are located and have been located for over 30 years. These services have always been located via/in Carruthers Place, a public laneway and were approved as such by City of Sydney. Those services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters, as required by Fire Rescue NSW are from this laneway.

The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees. We are very concerned that safety is being compromised particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel complex.

We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on keeping Carruthers Place available as a public laneway.

We are also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits, fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway.

Please note these objections to the development proposal **D/2024/36.**

Yours sincerely

[redacted]

NSW Masonic Youth Property Trust- (Chair)
NSW Masonic Welfare Property Trust-(Chair)

From: Paul Davison [redacted]

Sent on: Wednesday, February 21, 2024 3:06:53 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Attachments: Ref D 2024 36 Sydney Masonic Centre response to City of Sydney Council regarding noise and vibration.pdf (231.57 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Jessica

Please accept our comments in regards to DA/2024/36 (attached). We acknowledge this is an amendment DA changing the project from Hotel/ Residential to Hotel only, and reducing the below ground area to one level.

However, our concerns centre around the threat to our business during the demolition and heavy construction periods. We are seeking certain conditions of consent that will provide us a fair and reasonable outcome. We understand this may need to be negotiated with the developer and we have raised our concerns throughout the community consultation process with URBIS.

We now request that our concerns are formerly recorded with appropriate steps put in place to address our concerns. We are able to make ourselves available at any time that is suitable to Council or the developer in order to progress the discussions.

Yours sincerely

Paul Davison | General Manager | SMC
Sydney Masonic Centre

66 Goulburn Street, Sydney NSW 2000
PO Box A259 Sydney South NSW 1235

P: [redacted]

Sent from Mail for Windows

Sydney Masonic Centre response to Council –
Amending Concept Development 372 – 382 Pitt Street Sydney

Reference
D/2024/36

Sydney Masonic Centre (SMC) located at 66 Goulburn Street Haymarket is an Events and Conference Centre which rents out commercial event space on a per event basis, generally between one to four events per day period. SMC operates 17h x 7 days per week between 0700 and 2400 most days. Government, corporate and association meetings generally take place from early morning onwards throughout the day, with dining, meetings, cultural or live music events in the evenings/nights.

The SMC building backs directly onto the proposed building site, separated only by a 3m driveway. SMC has two subterranean garage levels, and five above ground levels making up the podium building. The Civic Tower is positioned on top of the podium. SMC is a solid concrete building, with our foundation piers embedded into the common rock body underneath both sites.

Whilst we support the principle of the project, we are very concerned about the demolition and heavy construction period in relation to the viability of our business.

Noise, Vibration and Dust
SMC would be adversely affected by any noise or vibration sounds caused by drilling, hammering, banging or any type of intrusive construction, with the noise transferring throughout the entire building. Consequently, when heavy works are performed on the building, or nearby, such as installation of FFE, drilling, lift maintenance etc, the works are scheduled to take place outside of contracted booking times. Events cannot be held whilst noisy works take place due to the sound and vibration transfer throughout the entire building, rendering the spaces not fit for use during the demolition and excavation periods.

During the online shareholder consultation briefing with Urbis on 23/1/2024, the shareholders were advised that "to inform the assessment, background noise levels were established. Predictions indicate typical site activities will exceed limits''. It was advised that especially during the heavy construction period, noise and vibration levels are predicted to exceed limits. Shareholders were further informed that it is the responsibility of the selected contractor to manage:

Nosie and vibration through:
– Preparation of construction noise and vibration management plan
– Managing site activities within agreed times and respite periods
– Briefing all workers on managing disruption

– Developing work practices and use equipment that reduces noise and vibration to adjacencies
– Promptly responding to and rectifying issues

Further, the minutes reflect that:

Community consultation is key to minimising, not removing all, noise impacts. – There will likely be consultation required to prepare construction management plans.
– Ongoing coordination of construction activities with community to reduce disruption.

Monitoring and reporting
– Contractor to install noise and vibration monitors
– Maintain records of all monitor data for verification conformance of site activities with agreed times.
– Provide vibration monitors incorporating an alert system to notify where there may be potential building damage (refer to structural engineer).

Our concern is that, if a contracted event is taking place and the noise or vibration from construction works is such that it causes the event to stop, which is highly likely, then this would be a totally unacceptable situation. SMC have contracts in place with our clients to supply the event spaces in a presentable condition, including within acceptable noise limits. It will be unacceptable to 'manage' the noise and vibration disruptions through 'monitoring' and 'scheduling' because as stated – once and event starts it cannot be stopped, and the business is booked 17h x 7 days per week. This could expose SMC to litigation for breach of contract.

The stakeholder consultation indicated that the noise and vibration levels are predicted to exceed limits, therefore potentially creating a situation where we as a business are unable to trade for a certain period of time during the heavy construction period, potentially weeks or months.

We are open to the prospect of compensation for the inability to trade for a certain period, however this would need to be negotiated and implemented at the earliest possible opportunity as event bookings are taken well in advance, ie months and years ahead. We believe this needs to be a firm non-negotiable condition of consent.

Dust – The Sydney Masonic Centre (SMC) has an air-cooled HVAC system installed on the roof top of level 5. The roof top is directly adjacent to the construction site, with no walls, corners, screens or filters of any type in between the SMC HVAC units and the proposed building.

It is expected that the demolition of existing buildings and excavation of the ground, and then to a lesser extent the skyward construction will generate substantially more dust pollution than is normally experienced. We have concerns that the additional dust caught up in our air-cooled HVAC system will cause damage to the units, clog the filters and thereby greatly reduce the efficiency of the system.

We are seeking a solution and conditions that the contractor will implement to alleviate any damage to the HVAC units during the heavy and general construction periods.

Paul Davison | General Manager | SMC
Sydney Masonic Centre

66 Goulburn Street, Sydney NSW 2000
PO Box A259 Sydney South NSW 1235

P: [redacted]6
E: [redacted] | W: www.smcfc.com.au

From: Solvej Malouf [redacted]

Sent on: Thursday, February 22, 2024 12:01:50 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

City of Sydney
Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

We have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal. Those concerns generally relate to:
1. safety (further details below); and
2. loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

In addition, we are very concerned that Carruthers Place, a public laneway seems, to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for us in the purchase of and continued ownership of our property in 370 Pitt Street. The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

Safety
It would appear that the plans submitted by 372- 382A Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located in the Carruthers Place laneway. This laneway contains services that are crucial to the safe operation of 370 Pitt Street and has done so for over 30 years. The services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters as required by Fire Rescue NSW are from this laneway. It is a public laneway, and the location of crucial services in that laneway was approved by City of Sydney.
We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years(1988) ago and that at the time approval was given, Council knew these safety measures relied onCarruthers Place being available as a public laneway.
It is of serious concern that this space is now earmarked as a private loading dock instead of remaining a public laneway.The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees.
We are very concerned that safety is being compromised, particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very largehotel/apartment complex.

We are also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits,fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway.
Loss of light, privacy and amenityThe proposed development is of a significant scale, with minimal setbacks, and encroachment on to what is a public laneway. It is clear from the application that in its current form, the proposed building will cast a significant and unreasonable shadow over 370 Pitt Street. It will block all natural light on the South side of the building and will result in minimal to no privacy for occupants of either 370 Pitt Street or 372- 382A Pitt Street.
Having regard to the above, we submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion
On the basis of the above, as affected neighbours, we object to development proposal D/2024/36.

Yours sincerely,

Solvej Malouf (owner 1304,1305) 370 Pitt St , Sydney

From: S Fong [redacted]

Sent on: Thursday, February 22, 2024 8:46:09 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Attachments: Request of Submissions (DA) Copy.pdf (241.35 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney,

As one of the owners in this building at 370 Pitt Street, Sydney 2000, we would like to submit our comments as the per attached for your consideration please.

Regards
Spenser Fong
S & A Prosperity 138 Pty Ltd

**** CONFIDENTIAL ****

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WHELAN PROPERTY GROUP
STRATA MANAGEMENT SERVICES

PO Box 75, STRAWBERRY HILLS NSW 2012
T: 02 9219 4111
E: strata@whelanproperty.com.au
www.whelanproperty.com.au

The Owners
370 Pitt Street
SYDNEY NSW 2000

21 February 2024

Subject: URGENT ATTENTION REQUIRED – SUBMISSION TO CITY OF SYDNEY

Dear Owners,

I write on behalf of the Strata Committee to bring to your attention to a significant matter requiring your urgent attention and prompt action.

As you may be aware, an application has been submitted by Well Smart Investment Holding (SYD) Pty Limited to develop the site address 372-382A Pitt Street, Sydney NSW 2000.

The proposed development application will have significant implications on our fire and safety, as well as loss of amenity to the southern side of the building.

The development application reference number is D/2024/36 and is currently open for submissions until 28 February 2024.

The Strata Committee strongly encourages all owners to review the details of this application and submit your concerns directly to the council. Your individual submissions will contribute to a collective voice that has a more substantial influence on the decision-making process.

We also provide a sample letter below from the committee which you may utilise when making your submission before the deadline.

If you require any additional information on the development application, you may contact Mia Music on 02 9265 9333 from City of Sydney Council.

To make a submission, please following the below steps:
1. Link: https://eplanning.cityofsydney.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=2290644
2. Once you have opened the link, select “comment on this application” and agree to the terms.
3. Once you have agreed, an email will open for you to complete for submission to Council.

We thank you for your immediate attention to this matter.

Yours faithfully,
The Strata Committee – SP 46628

City of Sydney

Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

We have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal. Those concerns generally relate to:

1. safety (further details below); and

2. loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

In addition, we are very concerned that Carruthers Place, a public laneway seems, to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for us in the purchase of and continued ownership of our property in 370 Pitt Street. The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

Safety
It would appear that the plans submitted by 372- 382A Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located in the Carruthers Place laneway. This laneway contains services that are crucial to the safe operation of 370 Pitt Street and has done so for over 30 years. The services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters as required by Fire Rescue NSW are from this laneway. It is a public laneway, and the location of crucial services in that laneway was approved by City of Sydney.

We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on Carruthers Place being available as a public laneway.

It is of serious concern that this space is now earmarked as a private loading dock instead of remaining a public laneway.

The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees. We are very concerned that safety is being compromised, particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel/apartment complex.

We are also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits, fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway.

Loss of light, privacy and amenity

The proposed development is of a significant scale, with minimal setbacks, and encroachment on to what is a public laneway. It is clear from the application that in its current form, the proposed building will cast a significant and unreasonable shadow over 370 Pitt Street. It will block all natural light on the South side of the building and will result in minimal to no privacy for occupants of either 370 Pitt Street or 372- 382A Pitt Street.

Having regard to the above, we submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion
On the basis of the above, as affected neighbours, we object to development proposal **D/2024/36.**

Yours sincerely

From: Alana Heffernan [redacted]

Sent on: Wednesday, February 21, 2024 4:10:28 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Attachments: 240221 development.pdf (301.17 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Ms Symons,

Please find enclosed correspondence in respect of the above matter.

If you have any queries, please do not hesitate to contact me.

Yours faithfully

Alana

Alana Heffernan
Head of Legal and Operations
Electrical Trades Union of Australia, NSW Branch
CEPU, Electrical Trades Union Division, NSW Branch



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City of Sydney

Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

We have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal. Those concerns generally relate to:

a. safety (further details below); and

b. loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

In addition, we are very concerned that Carruthers Place, a public laneway, seems to be incorporated in this development proposal. The existence of this laneway was a key factor for us in the purchase and continued ownership of our property in 370 Pitt Street. The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

Safety
It would appear that the plans submitted by 372- 382A Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located in the Carruthers Place laneway. This laneway contains services that are crucial to the safe operation of 370 Pitt Street and has done so for over 30 years. The services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters as required by Fire Rescue NSW are from this laneway. It is a public laneway, and the location of crucial services in that laneway was approved by City of Sydney.

We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on Carruthers Place being available as a public laneway.

It is of serious concern that this space is now earmarked as a private loading dock instead of remaining a public laneway.

The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees. We are very concerned that safety is being compromised, particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel/apartment complex.

We are also aware that Council records over the years show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street (ie fire exits, fire sprinklers, fire valves and exhaust systems) being totally reliant on Carruthers Place, a public laneway.

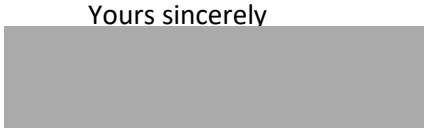
Loss of light, privacy and amenity

The proposed development is of a significant scale, with minimal setbacks, and encroachment on to what is a public laneway. It is clear from the application that in its current form, the proposed building will cast a significant and unreasonable shadow over 370 Pitt Street. It will block all natural light on the South side of the building and will result in minimal to no privacy for occupants of either 370 Pitt Street or 372- 382A Pitt Street.

Having regard to the above, we submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion
On the basis of the above, as affected neighbours, we object to development proposal **D/2024/36.**

Yours sincerely



Allen Hicks
Secretary
Electrical Trades Union of Australia, NSW/ACT Branch

SYDNEY
Level 5, 370 Pitt St
Sydney NSW 2000
Ph 02 9267 4844 **Fax** 02 9267 4877

NEWCASTLE
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CANBERRA
Ph 02 9267 4844 **Fax** 02 6163 6667

etunsw@etunsw.asn.au www.etunsw.com.au ETUnsw @NSW_ETU etunswact

From: Kim Paul [redacted]

Sent on: Thursday, February 22, 2024 12:16:52 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

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City of Sydney

Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

We have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal.

Those concerns generally relate to:

1. safety (further details below); and
2. loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

In addition, we are very concerned that Carruthers Place, a public laneway seems, to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for us in the purchase of and continued ownership of our property in 370 Pitt Street. The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

Safety

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We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on Carruthers Place being available as a public laneway.

It is of serious concern that this space is now earmarked as a private loading dock instead of remaining a public laneway.

The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees. We are very concerned that safety is being compromised, particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel/apartment complex.

We are also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits, fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway.

Loss of light, privacy and amenity

The proposed development is of a significant scale, with minimal setbacks, and encroachment on to what is a public laneway. It is clear from the application that in its current form, the proposed building will cast a significant and unreasonable shadow over 370 Pitt Street. It will block all natural light on the South side of the building and will result in minimal to no privacy for occupants of either 370 Pitt Street or 372- 382A Pitt Street.

Especially, our property (Suite 206) will loose natural light and privacy as we are at the 2nd level of 370 Pitt street.

Having regard to the above, we submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion
On the basis of the above, as affected neighbours, we object to development proposal D/2024/36.

Yours sincerely,

Gi Yoan Kim
Owner of Suite 206, 370 Pitt Street, Sydney
22/02/2024

From: Ming Ling [redacted]

Sent on: Wednesday, February 21, 2024 6:34:21 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/Madam

Objections to Development Proposal D/2024/36 – 372-382A Pitt Street
We have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal. Those concerns generally relate to:

1. safety ;

It would appear that the plans submitted by 372- 382A Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located in the Carruthers Place laneway. This laneway contains services that are crucial to the safe operation of 370 Pitt Street and has done so for over 30 years. The services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters as required by Fire Rescue NSW are from this laneway. It is a public laneway, and the location of crucial services in that laneway was approved by City of Sydney.
We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on Carruthers Place being available as a public laneway.
It is of serious concern that this space is now earmarked as a private loading dock instead of remaining a public laneway.
The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees.
We are very concerned that safety is being compromised, particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel/apartment complex.
We are also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits, fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway. and

2. Loss of light ;

loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development. The proposed development is of a significant scale, with minimal setbacks, and encroachment on to what is a public laneway. It is clear from the application that in its current form, the proposed building will cast a significant and unreasonable shadow over 370 Pitt Street. It will block all natural light on the South side of the building and will result in minimal to no privacy for occupants of either 370 Pitt Street or 372- 382A Pitt Street.
Having regard to the above, we submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion

On the basis of the above, as affected neighbours, we object to development proposal D/2024/36.
Please consider the above reasons of our rejection.
Thank you
Regards

Ming Ling
Topline Enterprise Pty Ltd
13/370 Pitt street Sydney

From: Stephen P Firth of Firths [redacted]

Sent on: Thursday, February 22, 2024 1:18:32 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Attachments: 2219_001.pdf (124.95 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Please find **attached** herewith correspondence from Stephen Firth.

Any responses to this communication should be sent **only** to [redacted]

Kind Regards,

FIRTHS
THE COMPENSATION LAWYERS
Level 6, 370 Pitt Street, SYDNEY NSW 2000
P: (02) 8268 5300 F: (02) 8268 5399
W: www.firths.com.au E: [redacted]

This electronic mail may contain legally privileged or confidential information which is intended for the use of the addressee only. If you receive this mail in error, please delete it from your system immediately and notify us at either the above email address or on +61 2 8268 5300.

FIRTHS
THE COMPENSATION LAWYERS
ABN 56 056 553 407

The Chief Planning and Development Officer
City of Sydney

22 February 2024

Our Ref: SPF:SMB
E-mail: spf@firths.com.au
www.firths.com.au

Dear Sir/Madam

RE: OBJECTIONS TO DEVELOPMENT PROPOSAL D/2024/36 – 372-382A PITT STREET SYDNEY

I am the owner of the whole of level 6, and also suite 707, 370 Pitt Street, Sydney. I have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal. Those concerns generally relate to:

1. safety (further details below); and

2. loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

In addition, I am very concerned that Carruthers Place, a public laneway seems, to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for me in the purchase of and continued ownership of my properties in 370 Pitt Street. The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

Safety

It would appear that the plans submitted by 372- 382A Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located in the Carruthers Place laneway. This laneway contains services that are crucial to the safe operation of 370 Pitt Street and has done so for over 30 years. The services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters as required by Fire Rescue NSW are from this laneway. It is a public laneway, and the location of crucial services in that laneway was approved by City of Sydney.

Liability limited by a scheme approved under Professional Standards Legislation
The Chambers, Level 6, 370 Pitt Street, SYDNEY NSW 2000.
Phone: (02) 8268 5300 Fax: (02) 8268 5399
Liverpool Melbourne Brisbane Perth Adelaide Hobart

I am aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on Carruthers Place being available as a public laneway.

It is of serious concern that this space is now earmarked as a private loading dock instead of remaining a public laneway.

The above issues present serious safety issues for 370 Pitt Street, its occupants and my employees. I am very concerned that safety is being compromised, particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel/apartment complex.

I am also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits, fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway.

Loss of light, privacy and amenity

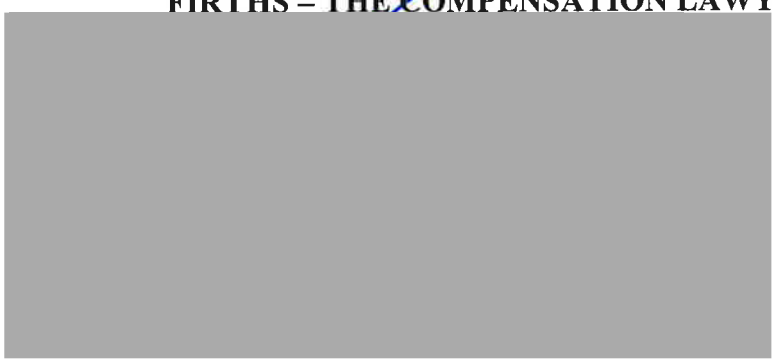
The proposed development is of a significant scale, with minimal setbacks, and encroachment on to what is a public laneway. It is clear from the application that in its current form, the proposed building will cast a significant and unreasonable shadow over 370 Pitt Street. It will block all natural light on the South side of the building and will result in minimal to no privacy for occupants of either 370 Pitt Street or 372- 382A Pitt Street.

Having regard to the above, I submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion

On the basis of the above, as affected neighbours, I object to development proposal D/2024/36.

Yours faithfully
FIRTHS – THE COMPENSATION LAWYERS



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From: David Lui [redacted]

Sent on: Wednesday, February 21, 2024 6:44:58 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Attention: Jessica Symons

Dear Mdm,

I am the owner of a unit at 370 Pitt Street. After reviewing the application lodged for 372-374 Pitt Street, I would like to put in my feedback to this development.

The loading bay design in the proposed development would prevent effective use of the public laneway (Carruthers Place) as a safety measure of 370 and surrounding buildings. This would affect the safety in the short term and asset value in the long term. If the developer has no solution to mitigate both of these risks, **I have no choice but object to this development.**

Thank you for your attention.

Regards,,

David Lui
Kanto Holdings P/L
1308/370 Pitt Street.

Docu... No. 005
23 FEB 2024
City of Sydney

City of Sydney

Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

We have received information about a development proposal for 372-382A Pitt Street and have substantial concerns regarding the proposal. These concerns include safety issues (details provided below), the potential loss of amenity, and a significant reduction in natural light due to the proposed development's overwhelming and disproportionate scale.

Additionally, we are troubled by the apparent inclusion of Carruthers Place, a public laneway, in this development proposal. The existence and continued presence of this laneway played a crucial role in our decision to acquire the five properties at 370 Pitt Street. The laneway provided considerable light and amenity to each property. If there were any changes to the laneway's use, as proposed now and as happened when the City of Sydney (as we recently learned) sold the laneway, we should have received prior notification from the City of Sydney to express our concerns. Unfortunately, this notification did not occur.

It seems that the plans submitted for 372-380 Pitt Street include a loading bay in a location where essential services vital for the safe operation of 370 Pitt Street have been situated for over 30 years. These services, approved by the City of Sydney, involve two fire stairs discharging to Carruthers Place, a public laneway. Additionally, ventilation systems (supply, exhaust, and stair pressurization intake), access to a critical fire control room, and fire boosters, as required by Fire Rescue NSW, all rely on this laneway.

These issues pose significant safety risks for 370 Pitt Street, its occupants, and our employees. We are deeply concerned that safety is being compromised, especially as pedestrians using fire exits would be exiting onto a loading bay used by trucks, heavy vehicles, and cars servicing a large hotel complex.

We understand that the City of Sydney approved the Building Application for 370 Pitt Street over 30 years ago (1988), and at that time, the Council was aware that these safety measures depended on maintaining Carruthers Place as a public laneway.

Council records over the years, including more recent times, also indicate the City of Sydney's significant awareness of the existence of services from 370 Pitt Street, such as fire exits, fire sprinklers, fire valves, and exhaust systems, all heavily reliant on Carruthers Place as a public laneway.

Please consider these objections to the development proposal D/2024/36.

Sincerely yours,

[redacted]

occupier level 1, 2, 4, 9 & 10
362-370 Pitt St
SYDNEY NSW 2000
21/02/2024

SOUTHERN INTERNATIONAL

Southern International Constructions Pty Ltd

original 1872/87

The Town Clerk
The Council Of The City Of Sydney
G.P.O. Box 1591
SYDNEY NSW 2001

6th August, 1990.

Attention: Director Of Planning and Building

Dear Sir,

RE: PROPERTY NO'S - 362-372A PITT STREET, SYDNEY.

BUILDING APPROVAL NUMBER 1092/88

We refer to the approval granted in respect of the Mechanical Services Drawings dated 18th May, 1990 and Condition No. 6 attaching to the Plan Assessment Report of the Health and Community Services Department date 26th April, 1990. We also refer to our Meeting with Mr. Peter Conroy of Council on Wednesday, 30th May, 1990 at which we agreed with Mr. Conroy that we write to Council and ask that compliance with Condition No.6 be dispensed with.

As you are aware, the position of the Car Park Exhaust Grilles shown in the Mechanical Services Drawings for the revised Building Application (1092/88) is precisely the same as that contained in the Mechanical Services Drawings approved in respect of the Building Approval granted in March, 1988 (1872/2/87). The Mechanical Services Drawings in respect of the earlier Building Application were approved on 1st June, 1988, without mention or objection to the location of the Car Park Exhaust Vents and there was no Condition attaching to such Approval, in terms of Condition No.6, which Council has now sought to impose. A summary of the events relating to these approvals is attached.

As Council is aware, Carruthers Place has existed since a subdivision of the area in 1840. Searches and enquiries made on our behalf have failed to uncover any evidence that would suggest that Carruthers Place has been used for any purpose other than a roadway and public thoroughfare. With respect, it is inconceivable, given that Carruthers Place has been used in this fashion for in excess of 150 years , that anyone will now attempt to establish title to the land. Even if that remote possibility should eventuate, such an attempt would be unsuccessful, given the public use of the thoroughfare for such a long period of time.

.../2

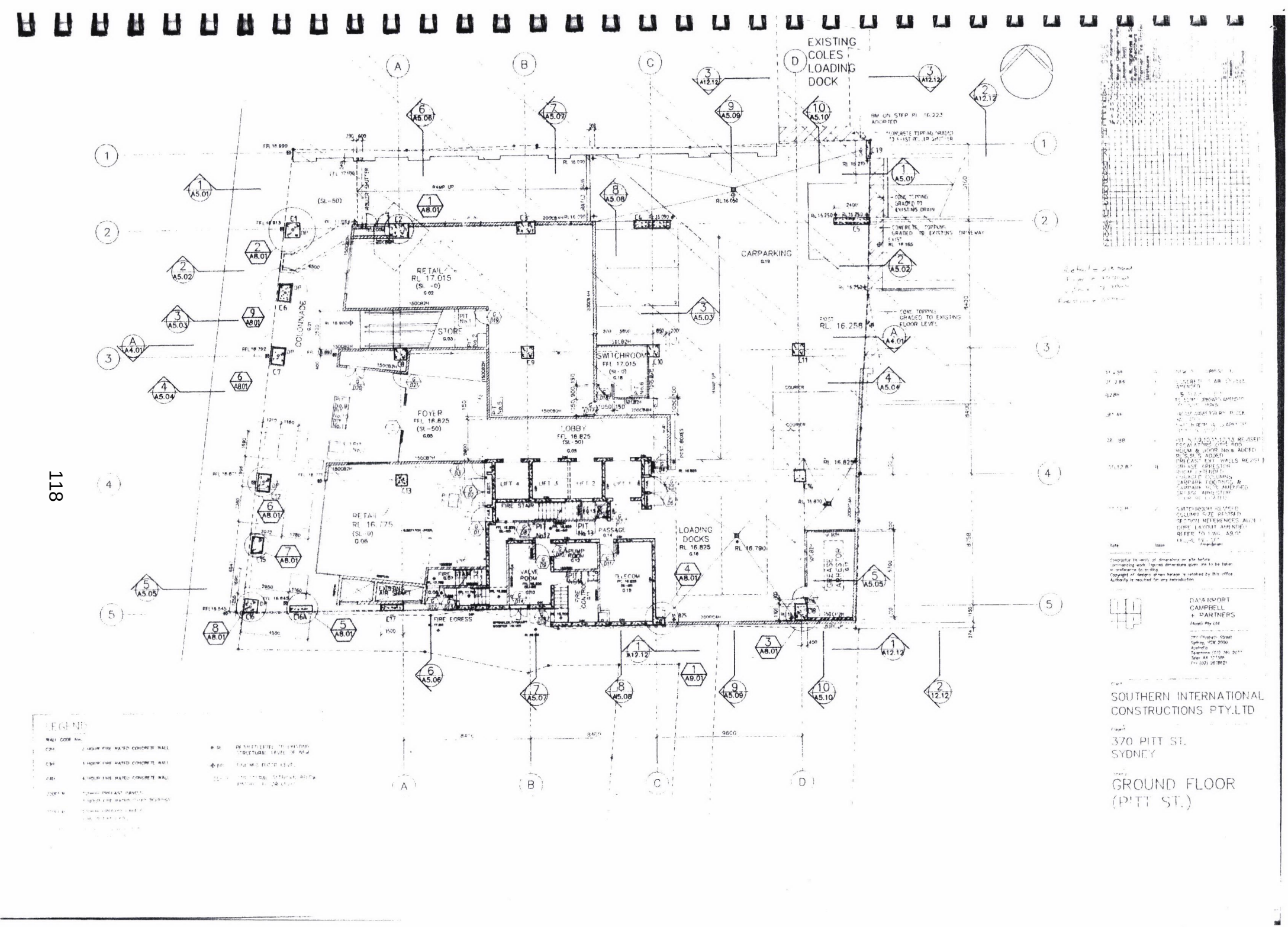
In fact it has been brought to our attention that Council at its Meeting of 23rd July, 1990 has given notice of its intention to take over Carruthers Place in accordance with the provisions of Sections 224 (3) and 628 of the Local Government Act 1919.

In conclusion, we consider that Council's Condition No 6 with respect, is unreasonable having regard to the past, present and future use of Carruthers place and to the previous approvals granted by Council and accordingly our Company, respectfully requests that Council delete the Condition No 6 it has imposed. Conditional upon the land being resumed.

Yours faithfully,
SOUTHERN INTERNATIONAL CONSTRUCTIONS PTY LTD

[redacted]

D.Kenny
DIRECTOR


EXISTING COLES LOADING DOCK
RETAIL RL 17.015 (SL -0)
STORE
FOYER FFL 16.825 (SL-50)
SWITCHROOM FFL 17.015 (SL-0)
LOBBY FFL 16.825 (SL-50)
CARPARKING
RETAIL RL 16.775 (SL-0)
LOADING DOCKS RL 16.825
FIRE STAIR
PASSAGE
VALVE ROOM
TELECOM
FIRE EGRESS
COLONNADE
LIFT 4
LIFT 3
LIFT 2
LIFT 1
GREASE ARRESTOR
RL 16.258
RL 16.790
RL 16.825
RL 16.050
RAMP UP
LEGEND
DAVENPORT CAMPBELL + PARTNERS
SOUTHERN INTERNATIONAL CONSTRUCTIONS PTY.LTD
370 PITT ST. SYDNEY
GROUND FLOOR (PITT ST.)

Hi Matthew

As agreed here are the items that we wanted Warwick to consider and include as grounds for Objection to the Wellsmart proposal. Could you please pass these on to Warwick.

Could you please advise Warwick that the grounds for our objection should include the following

General

- Council erred in not registering an easement, recognising fire exits, access required to fire hydrants etc when the building was approved Building Approval 1092/88 (refer doc attached) . See also plans submitted to City of Sydney showing the fire exits and hydrant booster valve.

- Council should now rectify these issues and do so in a manner that satisfies all and any current council regulations. As a minimum we would expect a detailed Management Plan to be prepared

- Council knew of existing fire egress, hydrant and exhaust requirements of 370 Pitt Street and should have taken them into account before providing consent to Bellingbak and should now do this before approval might be given to Wellsmart

- Non rectification of these issues will cause safety issues for this building and its occupants

- Council did not advise owners of 370 Pitt Street of its intention to sell what was considered to be a public laneway, the existence of which provided substantial value to property located in 370 Pitt Street

- 370- Pitt Street is very concerned with safety issues as per below

- It would appear that the plans submitted by 372- 380 Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located where services crucial to the safe operation of 370 Pitt Street are located and have been located for over 30 years. These services have always been located via/in Carruthers Place, a public laneway and were approved as such by City of Sydney.

Those services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters, as required by Fire Rescue NSW are from this laneway.

- The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees. We are very concerned that safety is being compromised particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel complex.

Legal Issues Identified in Warwick's Advice

- Easement by Prescription – we believe this applies to the fire exits, access to fire hydrants, exhaust

- Developer has not satisfied the condition provided in the development consent dated 15 September 2022.

- As part of the conditions of consent the Council required the applicant to ensure that an appropriate easement for fire safety matters was put in place along the northern boundary of Carruthers Place for the specific use of SP46628

- That the following conditions included in the conditional approval given to Bellingbak D/2021/1504 have not been met/ not complied with

- 22- development not to encroach onto neighbouring properties (It does- as it encroaches on fire exits, fire boosters exhaust)

- 27 - all loading must be carried out within the confines of the site and must not obstruct other properties or the public way.

it does obstruct- particularly the loading bay which obstructs access to fire exits, fire boosters exhaust systems)

It will significantly obstruct pedestrians coming to and from 370 Pitt Street and is a major safety hazard.

The loading bay will require cars to cross a footpath which carries significant pedestrian traffic going to and from 370 Pitt Street and other buildings in this area

- 41- The latest DA does not provide any detail on how it will deal with easements, rights of access we have to the Carruthers Place. It does not show how they will be maintained, varied or extinguished

Other

Please also advise Warwick that we would also welcome his thoughts and inclusion of any grounds that could strengthen the objection we are lodging. << File: Letter Objecting to WellSmarts DA - General Concerns Strata Committee.docx >>

Also attached is a letter which an owner is planning to send. This may give Warwick some more information which he may wish to include?

Thanks

Neil Robinson
Chief Executive Officer

CITY OF SYDNEY

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

+61 2 9265 9333
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au

30 January 2024

U02

The Occupier
362-370 Pitt Street
SYDNEY NSW 2000

Applicant name:
WELL SMART INVESTMENT HOLDING (SYD) PTY LIMITED

Reference number:
D/2024/36

Site address:
372-374 Pitt Street , SYDNEY NSW 2000, 382A Pitt Street , SYDNEY NSW 2000, 376 Pitt Street , SYDNEY NSW 2000, 378 Pitt Street , SYDNEY NSW 2000, 380 Pitt Street , SYDNEY NSW 2000, 382 Pitt Street , SYDNEY NSW 2000, 372B Pitt Street , SYDNEY NSW 2000

Proposed development:
Amending Concept Development Application to modify the Concept Approval (D/2021/1504) to allow for the removal of the approved residential land use, and the provision of hotel and retail land uses only, and associated changes.

The City of Sydney has received the above application. As part of our assessment, we are notifying surrounding neighbours and property owners to seek their views on the proposal.

We are accepting comments on the proposal until **28 February 2024**. If this date is on a weekend or public holiday, the period is extended to the next working day.

We encourage you to review all documents to understand the details of the proposal.

View the full application and send us your comments by typing city.sydney/find-da in the address bar on your browser.

Guidance to prepare your comments is on the website and on the back of this page.

For more information, contact Mia Music on 02 9265 9333.

Bill MacKay
Manager Planning Assessments

CITY OF SYDNEY

cityofsydney.nsw.gov.au

4085692-300120241330-001412-ASA002-000055

Providing feedback on development proposals

1. If you would like to comment on the proposal, you can email your feedback before the closing date at ePlanning search - city.sydney/find-da (preferable) or by posting to City of Sydney, GPO Box 1591, Sydney NSW 2001, including the relevant application number and address. If your feedback is an objection, your reasons should be clearly given. We would like to know about the issues that are important to you.

2. City of Sydney employees assess applications against planning criteria in local planning controls and state legislation. You can view the planning controls on our website at cityofsydney.nsw.gov.au/development-control-plans.

3. We will send you a letter or email confirming we have received your feedback and will carefully consider it as part of the assessment.

4. Any feedback about this development will **not** be kept confidential and will be made completely available on the City of Sydney's website as explained in the terms and conditions of making a submission in ePlanning search.

5. If you want some or all identifying information about you to be private, instead of using ePlanning search send your feedback to council@cityofsydney.nsw.gov.au. You must include the relevant application number, and the site address in your email. Tell us what identifying information you want kept private in the first paragraph of your feedback. We will still publish your feedback but with information which may identify you withheld.

6. Feedback is routinely placed on the NSW Planning Portal. Even when your privacy is requested, personal information within these copies will be available in the portal to applicants and external agencies.

7. If amendments are made to the application before determination and City of Sydney employees consider these to be minor or to reduce impacts, you will not be notified again. However, we will contact you if significant changes are made to the current proposal.

8. The Local Planning Panel or the Central Sydney Planning Committee will directly determine more significant or contentious applications. The committee deals with applications valued over $50 million. Applications that involve minor development or less complex issues will ordinarily be determined under delegation of Council, by the Director of City Planning, Development & Transport.

9. If the application is to be determined by the Local Planning Panel, City of Sydney employees will contact people who provided feedback, wherever possible. Due to the short timeframe from when an agenda is published to the meeting taking place, it is not always practical to post a letter to people who commented. We ask you to include a daytime phone number or email address, so we can contact you quickly.

10. The Local Planning Panel generally meets every second Wednesday. The Central Sydney Planning Committee generally meets every 3 weeks on Thursday evenings. The public is welcome to attend these meetings, which are held in the Council Chambers at Sydney Town Hall, 483 George Street. Contact Secretarial on 02 9265 9333 to find out the dates and times of the next meetings. You can ask to speak at committee meetings, and if this is possible, you will have three minutes to present your issues.

11. Agendas and reports for committee are generally available one week before the meeting on the City of Sydney's website, meetings.cityofsydney.nsw.gov.au. Copies are also available free of charge from our customer service centre at Town Hall House and our neighbourhood service centres in Glebe, Green Square and Kings Cross.

12. When a final decision is made about an application, we will inform everyone who gave feedback about the outcome. For development proposals determined by the Local Planning Panel or Central Sydney Planning Committee,the minutes of meetings will be available on the City of Sydney's website.

13. Should you provide feedback, if you have given a gift or made a donation to a councillor, employee or approved contractor of the City of Sydney in the past 2 years, you must include a disclosure statement with your feedback (city.sydney/disclose-donation-gift). Failure to disclose relevant information is an offence under the *Environmental Planning and Assessment Act1979*. It is also an offence to make a false disclosure statement.

14. City of Sydney employees are available to assist you. You can talk with City of Sydney planner dealing with the application about its progress, planning controls, the possible timing of considerationby committee (if applicable) and further information on anything that is not clear from the application documents.

From: Stephen P Firth of Firths [redacted]

Sent on: Friday, February 23, 2024 11:16:26 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Attachments: 2219_001.pdf (124.95 KB)

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Any responses to this communication should be sent **only** to [redacted]

Kind Regards,

FIRTHS
THE COMPENSATION LAWYERS
Level 6, 370 Pitt Street, SYDNEY NSW 2000
P: (02) 8268 5300 F: (02) 8268 5399
W: www.firths.com.au E: spf@firths.com.au

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FIRTHS
THE COMPENSATION LAWYERS
ABN 56 056 553 407

The Chief Planning and Development Officer
City of Sydney

22 February 2024

Our Ref: SPF:SMB
E-mail: spf@firths.com.au
www.firths.com.au

Dear Sir/Madam

RE: OBJECTIONS TO DEVELOPMENT PROPOSAL D/2024/36 – 372-382A PITT STREET SYDNEY

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1. safety (further details below); and

2. loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

In addition, I am very concerned that Carruthers Place, a public laneway seems, to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for me in the purchase of and continued ownership of my properties in 370 Pitt Street. The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

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The Chambers, Level 6, 370 Pitt Street, SYDNEY NSW 2000.
Phone: (02) 8268 5300 Fax: (02) 8268 5399
Liverpool Melbourne Brisbane Perth Adelaide Hobart

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I am also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits, fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway.

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Having regard to the above, I submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion

On the basis of the above, as affected neighbours, I object to development proposal D/2024/36.

Yours faithfully
FIRTHS – THE COMPENSATION LAWYERS



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From: [redacted]
Sent on: Saturday, February 24, 2024 9:10:16 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Development Proposal D/2024/36 - 372-382A Pitt Street_Objection
Attachments: Letter_Object to Development Application.pdf (162.53 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir,

Enclosed please find our letter of objection in regard to **Development Proposal D/2024/36 – 372-382A Pitt Street**

Regards,

James Liu
Fergusson & Wright
Chartered Accountants
Suite 1002 Level 10
370 Pitt Street
SYDNEY NSW 2000
Ph: [redacted]
Liability limited by the Accountants Scheme, approved under the Professional Standards Legislation

PIANCO HOLDINGS PTY LTD

ABN 31 003 051 509
Suite 1002 Level 10, 370 Pitt Street
SYDNEY NSW 2000
Telephone: (02) 9264 7288

City of Sydney
Town Hall House
Gadigal Country
Level 2, 456 Kent Street
Sydney 2000

23 February 2024

To City of Sydney,

RE: Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

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1. safety (further details below); and

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In addition, we are very concerned that Carruthers Place, a public laneway seems, to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for us in the purchase of and continued ownership of our property in 370 Pitt Street. The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

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We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on Carruthers Place being available as a public laneway.

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Having regard to the above, we submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion
On the basis of the above, as affected neighbours, we object to development proposal **D/2024/36.**

Yours sincerely

Yours faithfully,
PIANCO HOLDINGS PTY LTD



James Liu
Director

From: Simon Greig [redacted]

Sent on: Tuesday, February 27, 2024 4:32:10 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Attachments: City of Sydney, DA objection, 372 Pitt St, 27 Feb 24.pdf (1.58 MB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Jessica

Please see attached letter containing my formal objection in relation to the above DA submission.

Regards

Simon Greig

City of Sydney

Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

I have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal.

Those concerns generally relate to:

1. safety (further details below); and

2. loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

In addition, we are very concerned that Carruthers Place, a public laneway seems, to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for us in the purchase of and continued ownership of our property in 370 Pitt Street.

The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

The plans submitted by 372- 382A Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located in the Carruthers Place laneway. This laneway contains services that are crucial to the safe operation of 370 Pitt Street and has done so for over 30 years.

The services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters as required by Fire Rescue NSW are from this laneway. It is a public laneway, and the location of crucial services in that laneway was approved by City of Sydney.

I am aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on Carruthers Place being available as a public laneway.

It is of serious concern that this space is now earmarked as a private loading dock instead of remaining a public laneway. The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees.

I am very concerned that safety is being compromised, particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel/apartment complex.

I am also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street including fire exits, fire sprinklers, fire valves and exhaust systems totally reliant access from and egress via Carruthers Place, a public laneway.

In terms of specific details on Carruthers Place Laneway in the context of the original approval for 370 Pitt Street, I submit the following:

1) City of Sydney granted approval for 370 Pitt street [Development Approval (DA) & Building Approval (BA)]and being built in accordance with the approval and relying on existing laneway without any obstruction. In other words, City of Sydney has approved building (DA and BA) at 370 Pitt St with two fire stairs discharging to the laneway (minimum of two

metres of exit to Pitt St required for safe egress from two fire stairs and safe access by FRNSW to Fire control room and fire hydrant and sprinkler booster)). In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to fire control room and booster by FRNSW are from subject laneway. All approved by City of Sydney.

2) Please refer to the attached document from Building Approval file by City Of Sydney in relation to the subject lane way. It appears that it has been recommended in July 1990 and approved by Council to change laneway to a public road. This would have been part of DA and BA approval of 370 Pitt St.

3) I understand the laneway was sold recently by Council to someone and Council has ignored the above matters, which is not right. This appears to be breach of Council base building approval and Council recommendation to change laneway to public laneway!

4) The construction of the proposed loading dock in the lane way or any modification to the lane way will be in breach of Council approvals and recommendations by them to change laneway to public laneway.

5) Council will add to their previous mistakes by approving the proposed loading dock as shown in the submitted drawing for the proposal.

6) Council must not approve the loading dock as shown on the submitted plan or any structure or building elements or any obstruction over any part of laneway and must place a condition for easement/covenant to prevent any future obstruction over full width of laneway otherwise Council will be in breach of their previous approvals for construction of 370 Pitt St. Also, if approval granted for the proposed loading dock or any building works within laneway it will make 370 Pitt St as unsafe for its occupants and impact on health and amenity of occupant of 370 Pitt St.

The following documentation from the time of the original approval for 370 Pitt Street supports the above 6 points.

Lincolne Scott Australia Pty Ltd
Consulting Engineers (inc Vic)

83 Alexander Street, Crows Nest
PO Box 737
New South Wales 2065
Telephone: (02) 906 3166
Telex: Linsco AA 33940
Fax: (02) 906 3680

90 JUN 7 A9:18

MK/DOC
2/GEN10/021
2980/0/5

4th June 1990

The Town Clerk
Council of the City of Sydney
PO Box 1591
SYDNEY NSW 2000

Attention: Mr. P. Conroy
(Health & Community Services Dept.)

Dear Sir,

Re: COMMERCIAL DEVELOPMENT - 370 PITT STREET, SYDNEY
MECHANICAL SERVICES
BA REFERENCE 1092/88

We refer to the Health and Community Services Department Plan Assessment Report dated 26th April 1990, Ref. No. DN 998/90.

This report contains conditions No. 1 and 27 which indicate new requirements of air filters on fan assisted VAV boxes and the Carpark supply system.

We respectfully request the Council reconsider implementation of these conditions for this particular project for the following reasons:-

The Mechanical Services drawings for the above project were initially submitted for Council approval in May 1988. These drawings were documented for the thirteen (13) storey office building. Prior to submission of drawings, details of the Carpark ventilation system were reviewed with the Council in September 1987 and approval obtained for the mechanical supply ventilation system without filters. This was in consideration of the mechanical ventilation being supplemented by the unfiltered make-up air entering the Carpark via the entrances at Pitt and Castlereagh Streets.

The conditions of building approval BA Ref. No. 1872/87 were received in June 1988. These conditions raised no requirement for the filtration of air recirculated through the fan assisted VAV boxes.

.../2

Subsequently, the project was expanded to the fifteen (15) storey office building. This expansion however, had only minor effect on the Mechanical Services and did not affect design of the typical office floor or the Carpark.

The drawings were resubmitted for Council approval in March/April 1989. The new conditions of building approval were received in our office on 22nd May 1990. During the period of fourteen (14) months from the resubmission of drawings to the receipt of approval conditions, the project has reached the stage of practical completion.

By reasons of the above, we seek the Council's dispensation from the Conditions No. 1 and 27 of the Plan Assessment Report.

Yours faithfully,
LINCOLNE SCOTT AUSTRALIA PTY. LTD.

[redacted]

M. KRAWCZYK

Yes, due to the circumstances described in this letter, it is unreasonable to enforce the condition.

SOUTHERN INTERNATIONAL
Southern International Constructions Pty Ltd
Level 10, 257 Elizabeth Street, Sydney 2000
P.O. Box A102 Sydney South 2000
Telephone 264 9999 Fax 264 8818

orig appl 1872/87

The Town Clerk
The Council Of The City Of Sydney
G.P.O. Box 1591
SYDNEY NSW 2001

6th August, 1990.

Attention: Director Of Planning and Building

Dear Sir,

RE: PROPERTY NO'S - 362-372A PITT STREET, SYDNEY.

BUILDING APPROVAL NUMBER 1092/88

We refer to the approval granted in respect of the Mechanical Services Drawings dated 18th May, 1990 and Condition No. 6 attaching to the Plan Assessment Report of the Health and Community Services Department date 26th April, 1990. We also refer to our Meeting with Mr. Peter Conroy of Council on Wednesday, 30th May, 1990 at which we agreed with Mr. Conroy that we write to Council and ask that compliance with Condition No.6 be dispensed with.

As you are aware, the position of the Car Park Exhaust Grilles shown in the Mechanical Services Drawings for the revised Building Application (1092/88) is precisely the same as that contained in the Mechanical Services Drawings approved in respect of the Building Approval granted in March, 1988 (1872/2/87). The Mechanical Services Drawings in respect of the earlier Building Application were approved on 1st June, 1988, without mention or objection to the location of the Car Park Exhaust Vents and there was no Condition attaching to such Approval, in terms of Condition No.6, which Council has now sought to impose. A summary of the events relating to these approvals is attached.

As Council is aware, Carruthers Place has existed since a subdivision of the area in 1840. Searches and enquiries made on our behalf have failed to uncover any evidence that would suggest that Carruthers Place has been used for any purpose other than a roadway and public thoroughfare. With respect, it is inconceivable, given that Carruthers Place has been used in this fashion for in excess of 150 years , that anyone will now attempt to establish title to the land. Even if that remote possibility should eventuate, such an attempt would be unsuccessful, given the public use of the thoroughfare for such a long period of time.

.../2

In fact it has been brought to our attention that Council at its Meeting of 23rd July, 1990 has given notice of its intention to take over Carruthers Place in accordance with the provisions of Sections 224 (3) and 628 of the Local Government Act 1919.

In conclusion, we consider that Council's Condition No 6 with respect, is unreasonable having regard to the past, present and future use of Carruthers place and to the previous approvals granted by Council and accordingly our Company, respectfully requests that Council delete the Condition No 6 it has imposed. Conditional upon the land being resumed.

Yours faithfully,
SOUTHERN INTERNATIONAL CONSTRUCTIONS PTY LTD

[redacted]

D.Kenny
DIRECTOR

SOUTHERN INTERNATIONAL
Southern International Constructions Pty Ltd
Level 10, 257 Elizabeth Street, Sydney 2000
P.O. Box A102 Sydney South 2000
Telephone 264 9999 Fax 264 8818

25th June, 1990.

SUMMARY.

(1) On the 21st October, 1987, the Council Of The City Of Sydney approved a Building Application for the Construction of an Underground Substation (Ref.B.A. 1218: 8:87) which shows the Exhaust Grills discharging on the Boundary Line into Carruthers Place.

(2) The original Building Application (1872/2/87) for this project was submitted on the 11th September, 1987 and was approved by the Council on the 15th March, 1988.

(3) Following Submission of that Original BA on the 11th September, 1987, a Meeting was convened with Council on the 28th September, 1987. This Meeting was Minuted and officially confirmed back to Council in a Letter dated 30th September, 1987. Minute 1.4 specifically refers to the current problem.

(4) Following on from (3) above Lincolne Scott Australia Pty Ltd submitted Mechanical Services Drawings on the 9th May, 1988 in compliance with Council's stated request. Drawing No. M4 shows the Carpark Exhaust in position as constructed. These Mechanical Service Drawings were approved on the 1st June, 1988 without mention or objection to the location of the Car Park Exhaust.

(5) Whilst work was progressing in accordance with the original B.A., a revised Building Application (1092/88) for a building of increased height, was submitted in April, 1988. This revised B.A. was approved on the 12th September, 1988. Approved B.A. Drawings No's A2.03K, and A3.03F show the Carpark Exhaust Grille in its now constructed position immediately on the Boundary of Carruthers Place. The location of the Carpark Exhaust Grills are in exactly the same location as shown in the original Mechanical Service Drawings approved on the 1st June, 1988.

(6) The Mechanical Service Drawings for the revised Building Application were submitted on the 3rd April, 1989. Whilst receipt of these drawings is acknowledged by Council the Drawings were lost in Council's system and it was not until February, 1990 after continual pressure for approval of these Drawings by Southern International Constructions Pty. Ltd., that Council admitted that they could not locate the Drawings.

Council requested further copies of these Mechanical Service Drawings and these were submitted on the 8th February, 1990. Approval of these Drawings was received on the 22nd May, 1990. This approval contains the Condition No 6 which is now causing concern.

PARCELS OF LAND, LANES, PASSAGES, BEING RESIDUALS OF SUBDIVISION, RATED OR UNRATED, THE OWNERS OF WHICH ARE UNKNOWN OR UNTRACEABLE - COUNCIL POLICY. (A03-00082)

16.

That arising from consideration of a report by the Acting City Engineer dated 9th July, 1990, approval be given to:-

(1) the service on the owners of the lands referred to in Items 1, 5, 6, 8, 9, 10, 11 and 15 of the schedule accompanying the report of the Acting City Engineer, Notice of Council's intention to take over the road in accordance with the provisions of Sections 224(3) and 628 of the Local Government Act, 1919, subject to the City Solicitor being satisfied that each Item complies with the requirements of Section 224(3);

(2) the Items 4, 7, 12, 13, 14 and 16 or the schedule accompanying the report of the Acting City Engineer be referred to the City Solicitor for investigation and subsequent recommendation;

- and further, any relevant documents and plans be executed, if required, under the Common Seal of the Council or by Council's Attorney.

Carried.

CE (K. Davis)

ScM.

Noted and recorded Miscellaneous Bk No 24.

3/8/90.

F.C.16

ITEM No. 16. COMMITTEE FINANCE COMMITTEE

City Engineer's Department

MINUTE PAPER C34AAG

KD/AJ

File No. A03-00082

Subject: PARCELS OF LAND, LANES, PASSAGES, BEING RESIDUALS OF SUBDIVISION, RATED OR UNRATED, THE OWNERS OF WHICH ARE UNKNOWN OR UNTRACEABLE. COUNCIL POLICY.

Date 9th July, 1990

THE TOWN CLERK

I refer to the City Solicitor's minutes dated 10th and 31st January, 1990, which make further recommendation in respect of 17 parcels of land, of doubtful status, which have untraceable or unknown owners, referred to in the Acting City Engineer's minute dated 27th September, 1989.

Six properties, namely Items 4, 10, 12, 13, 14 and 16, shown on the revised Schedule attached hereto, were previously recommended by the Acting City Engineer in the aformentioned minute for action by way of sale for overdue rate persuant to Section 602 of the Local Government Act, 1919. The City Solicitor, in his first mentioned minute, however, advised, in part, as follows:

> "There are six properties which the City Engineer recommended for action by way of sale for overdue rates. In general I think that this procedure is not recommended as it requires Council to form a positive opinion that the land is privately owned. In the case of any laneways or passages which were created before the 1879 Act I would be reluctant to form that opinion. The one thing that has been clearly established by the recent examples of cases disputing the status of laneways and passages is that if the laneway was created before 1880 then the determination of its status will almost always be difficult and require exhaustive searching of 19th century records and conveyancing documents. Whether lands are laneways or passages, resumption or action under Section 224(3) will almost always be more appropriate".

After further discussion with the City Solicitor it is now considered that five of these properties, Items 4,12,13,14 and 16, should be further investigated by the City Solicitor prior to final decision as to resumption or action under Section 224(3) of the Local Government Act would be more appropriate.

In the light of the City Solicitor's aforementioned comments and further discussion, it is now recommended that action under Section 224(3) Local Government Act, 1919, be taken in regards to Item 9, Carruthers Place, a lane between Nos. 370 and 372 and the rear of Nos. 372-374 Pitt Street, and Item 10, a lane between No. 29 and No. 31 and at the rear of Nos. 31-33 Oxford Street.

Items 1, 5, 6, 7, 8, 11, 15 of the attached Schedule were all previously recommended for action under Section 224(3) of the Local Government Act, 1919, by the Acting City Engineer in his aforementioned minute dated 27th September, 1989.

The City Solicitor in his first mentioned minute dated 10th January, 1990, advised, in part, as follows:-

"The remaining items are recommended for action pursuant to Section 224(3). The information in the Engineer's report, to my mind, establishes a doubt as to the status of the lands in the case of all but Item 7 where survey states that the lane is subject to various rights of way. Specifically created rights of way on the whole are consistent with an intention that laneways remain in private ownership."

It is therefore considered that Item 7, a lane between Nos. 389 and 391 and at the rear of Nos. 389-395 George Street, Sydney, now should also be further investigated by the City Solicitor with regard to possible resumption action under the provisions of the Public Roads Act, 1902.

Items 2, 3, 17 of the attached Schedule are the subjects of separate actions.

The City Solicitor in his second mentioned minute, dated 31st January, 1990, set out the appropriate steps that should be followed by Council if it intends to take action pursuant to Section 224(3). The City Solicitor states, in part, as follows:-

"The subsection (245(3)) clearly sets out the procedure to be followed by Council. Council should not serve notice of its intenion to take over the road until it is satisfied of two factors, namely:

1. that the road has been left in subdivision of private lands before the commencement of the Local Government Act, 1906; and

2. there exists a doubt as to whether or not it is a public road.

While my minute of 10 January, 1990 deals with the second point, Council must also be satisfied as to the first. If Council is in any doubt as to whether any of the items recommended for action pursuant to Section 224(3) were left in subdivision of private lands before the commencement of the 1906 Act, this matter should be clarified before any notice of intention to take over the road is served. It is not possible for me to advise in relation to this issue from the material contained in Council's file."

and further:

"Once Council is satisfied that the items which are recommended for action pursuant to secion 224(3) are roads left in subdivision in private lands before the commencement of the Local Government Act, 1906, it would be appropriate for Council to pass the following resolution:

That arising from consideration of the Acting City Engineer's minute of 27th September, 1989 and the City Solicitor's minute of 10 January 1990, Council resolves to serve on the owners of the lands referred to in items ( ) of the Schedule to the Acting City Engineer's minute notice of intention to take over the road in accordance with the provisions of Sections 224(3) and 628 of the Local Government Act, 1919".

Recommendation

That arising from consideration of a report by the Acting City Engineer dated 9th July, 1990, approval be given to :

1. Service on the owners of the lands referred to in Items 1, 5, 6, 8, 9, 10, 11, and 15 of the Schedule attached to the Acting City Engineer's minute, notice of intention to take over the road in accordance with the provisions of Sections 224(3) and 628 of the Local Government Act, 1919, subject to the City Solicitor being satisfied that each Item complies with the requirements of Section 224(3).

2. That Items 4, 7, 12, 13, 14, and 16 of the Schedule attached to the Acting City Engineer's minute, be referred to the City Solicitor for investigation and recommendations; and

3. All relevant documents and plans being executed under the Common Seal of Council or by Council's Attorney.

FINANCE COMMITTEE 16 JUL 1990

RECOMMENDATION APPROVED

COUNCIL 23 JUL 1990

JOHN EVERNDEN
A / CITY ENGINEER (9406)

9th July, 1990

See decision attached

S41ABH
KD/MD

SCHEDULE (JULY, 1990)

A03-00082

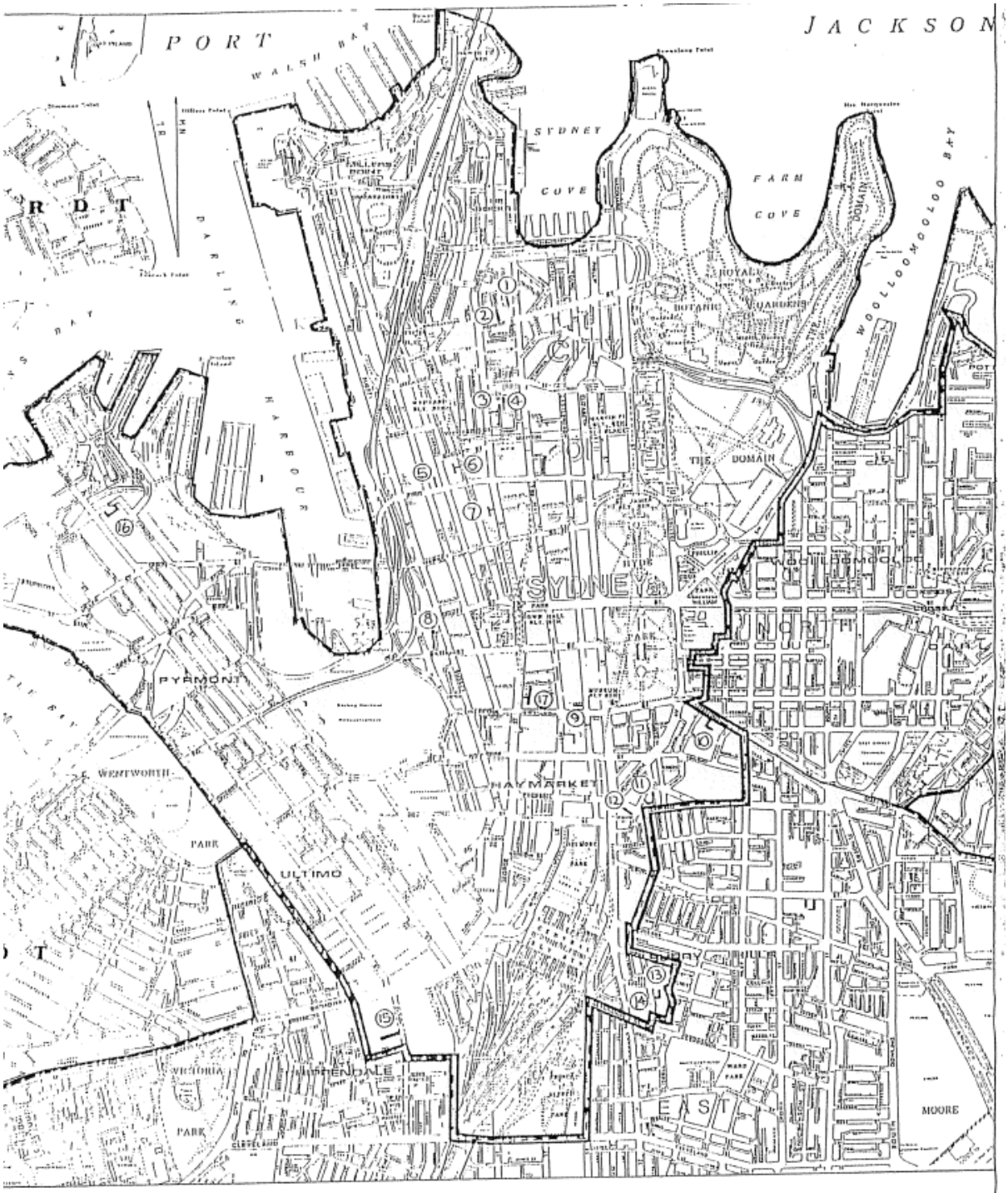
RESIDUAL LAND WITHIN THE CITY OF SYDNEY THE OWNERS OF WHICH ARE UNTRACEABLE

ITEM	SUBJECT	FILE NO.	PLAN NO.	VALUATION NO.	FIRST RATED	O/S RATES $	TYPE	SHOWN ON MAP	RECOMMENDATION ACTION
1	Queens Court adjoining No.8 Dalley Street rear 49A-57 Pitt Street	S06 01608	S5-543/179	208.4973	1967	27,755	Dead End	1865	Sec. 224(3)
2	Passage between 14&16 Bridge Street.	S06 00140	S5-574/170	208.4972	1960	Non rateable 1-1-84	Through	1850	Subject to separate action
3	Palings Lane between 338 and 340 George Street.	S06 01610	S5-543/26	-	Not rated	-	Through	1865	Subject of an agreement AMP Soc.& Council
4	Rear of 115 Pitt Street.Part of Tank Stream.	S06 01626	S5-543/181A	208.12449	1969	6,436	Land-locked	-	Refer to City Solicitor for further comment
5	Lane adjoining 40 King St. at rear of 163 to 177 Clarence St. and 304-306 Kent Street.	S06 01611	S5-543/182A	-	Not rated	-	Dead End	1850	Sec. 224(3)
6	Lane between 69 & 71 & at rear of 69 York Street	S06 01127	S5-543/170A	208.77180	Not rated	-	Dead End	1850	Sec. 224(3)
7	Lane between 389 & 391 & at rear of 389-395 George Street	S06 01628	S7C-183/77	208.6845	1959	177,178	Dead End	1865	Refer to City Solicitor for further comment
8	Extension of Sands Street rear 263-265 Sussex Street.	S06 01607	S5-543/180A	-	Not rated	-	Dead End	1865	Sec. 224(3)
9	Carruthers Place lane between 370 & 372 & at rear of 372-374 Pitt Street.	S06 01301	S5-543/194	208.12548.001	1984	7,864	Dead End	1880	Sec. 224(3)
10	Lane between 29 & 31 and at rear of 31-33 Oxford Street	S06 01629	S5-543/113	208.11789.1	1979	17,000	Dead End	1865	Sec. 224(3)
11	Lane rear of 82-102 Campbell St. between Foster St. and Beauchamp Lane.	S06 01270	S5-543/175	-	Not rated	-	Through	1865	Sec. 224(3)
12	Passage adjoining 33 Foster St. rear of 71-79 Campbell St	S06 01609	S5-543/174	-	Not rated	-	Dead End	About 1890	Refer to City Solicitor for further comment
13	Passage between 45&47 Cooper St. at rear 32-44 Holt St.	S06 01630	S5-543/183	208.4294	1954	4,314	Dead End Land-locked	1911	Refer to City Solicitor for further comment
14.	Passage adjacent 32 Holt St. at rear 33-43 Cooper Street	S06 01631	S5-543/184	208.8252	1954	4,282	Dead End	1911	Refer to City Solicitor for further comment

SCHEDULE (JULY 1990)

RESIDUAL LAND WITHIN THE CITY OF SYDNEY THE OWNERS OF WHICH ARE UNTRACEABLE

ITEM	SUBJECT	FILE NO.	PLAN NO.	VALUATION NO.	FIRST RATED	O/S RATES $	TYPE	SHOWN ON MAP	RECOMMENDATION ACTION
15	Irving Lane between Carlton St. and Balfour Street	S06 01612	S5-543/176	208.2975.1	1968	5,258	Through	1865	Sec. 224.(3)
16	Passage adjacent 79 & 93 and at rear 79-93 John St.Pyrmont	S06 01627	S5-543/187	208.8591	1961	4,268	Through	1865	Refer to City Solicitor for further comment
17	Passage between 628 & 630 and at rear 614-634 George Street beside Central Police Station.	S06 01667	S5-543/142	208.63184	-	Not rated	Through (Part Dead End	1865	Subject to separate action



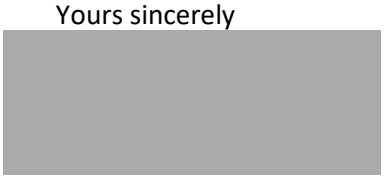
LOCALITY SKETCH

RESIDUAL LANDS WITHIN THE
CITY OF SYDNEY
THE OWNERS OF WHICH ARE
UNKNOWN OR UNTRACEABLE

Apart from the above issues in relation the original DA approval for 370 Pitt Street, the extreme safety issues highlighted above, the loss of light, privacy and amenity is also a major concern. The proposed development is of a significant scale, with minimal setbacks, and encroachment on to what is a public laneway. It is clear from the application that in its current form, the proposed building will cast a significant and unreasonable shadow over 370 Pitt Street. It will block all natural light on the South side of the building and will result in minimal to no privacy for occupants of either 370 Pitt Street or 372- 382A Pitt Street. Having regard to the above, we submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Based the above, as an affected neighbour who takes safety issues and Council's role in allowing conditions of original development approvals to be met very seriously, I hereby formally object to development proposal D/2024/36.

Yours sincerely



Simon Greig

Owner of Suite 1407/370 Pitt Street, Sydney

Telephone:

Cc: Matthew Hua – Whelan Property Group by email.

From: [redacted]
Sent on: Tuesday, February 27, 2024 2:25:26 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons
Attachments: WellSmart development 2024.doc (31.5 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Objections to development at 372-374 Pitt St Sydney attached.

Regards,
Margaret Betty
Basel Enterprises Pty Ltd

BASEL Enterprises Pty Limited

ABN: 38 105 280 037

PO Box 1060
Rozelle NSW 2039
Telephone: 0450907064
Email: admin@basent.com.au

D/2024/36 372-382A Pitt St Sydney NSW 2000

We write to object to the abovementioned development on the basis of

- Council's previous decisions

Proposed use of Carruthers Lane is inconsistent with council's previous decisions with respect to 370 Pitt St and Carruthers Lane generally. 370 Pitt St was approved and built on the basis of an unobstructed laneway which council subsequently proposed and approved for change to a public road prior to selling the laneway to a private entity.

- Safety

There are two fire stairs onto Carruthers Lane and Carruthers Lane is required for access by Fire Rescue NSW to the fire control room, hydrant and sprinkler boosters as approved by council.

- Ventilation and light

Unobstructed access to Carruthers Lane is required for building ventilation, supply, exhaust and pressurisation intake. Further the scale of the proposed development has a significant impact on light to 370 Pitt St.

Council has not advised owners at 370 Pitt St of changes to ownership of Carruthers Lane or proposals which would impact on its use for safety purposes. In these circumstances we strongly urge council to refuse this application and rectify the situation with regard to unencumbered public access to Carruthers Lane being a condition to any development.

Regards,
Margaret Betty
Basel Enterprises Pty Ltd.

From: Louis Cox [redacted]

Sent on: Tuesday, February 27, 2024 5:10:29 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Attachments: 370 Pitt St, Sydney NSW. Objection to Development propa[osal D 2024 36 372 to 382A Pitt St.pdf (404.5 KB)

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Sent from my iPhone

City of Sydney

Objections to Development Proposal D/2024/36 – 372-382A Pitt Street

We have been advised that a development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal. Those concerns generally relate to:

1. safety (further details below); and

2. loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development.

In addition, we are very concerned that Carruthers Place, a public laneway seems, to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for us in the purchase of and continued ownership of our property in 370 Pitt Street. The existence of the laneway provides substantial light and other amenity to 370 Pitt Street. Any privatisation or change of use of the laneway ought to have been advised to the owners of 370 Pitt Street, so that we could raise our concerns. This has not occurred.

Safety

It would appear that the plans submitted by 372- 382A Pitt Street provide for a loading bay, which will have heavy and large vehicle traffic volumes, being located in the Carruthers Place laneway. This laneway contains services that are crucial to the safe operation of 370 Pitt Street and has done so for over 30 years. The services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters as required by Fire Rescue NSW are from this laneway. It is a public laneway, and the location of crucial services in that laneway was approved by City of Sydney.

We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on Carruthers Place being available as a public laneway.

It is of serious concern that this space is now earmarked as a private loading dock instead of remaining a public laneway.

The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees. We are very concerned that safety is being compromised, particularly as pedestrians using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel/apartment complex.

We are also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits, fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway.

Loss of light, privacy and amenity

The proposed development is of a significant scale, with minimal setbacks, and encroachment on to what is a public laneway. It is clear from the application that in its current form, the proposed building will cast a significant and unreasonable shadow over 370 Pitt Street. It will block all natural light on the South side of the building and will result in minimal to no privacy for occupants of either 370 Pitt Street or 372- 382A Pitt Street.

Having regard to the above, we submit that the proposal is inconsistent with the intention of Sydney LEP 2012, particularly in respect of tall buildings.

Conclusion

On the basis of the above, as affected neighbours, we object to development proposal **D/2024/36.**

This will cause major disruption to Shop 14 business.

Yours sincerely

[redacted] Louisa Merry-Henriksen.

LGMH PTY LTD

Shop 14, 370 Pitt st,
Sydney, 2000 NSW

Directly adjacent to Carruther Place.

From: Warwick Van Ede [redacted]

Sent on: Wednesday, February 28, 2024 11:12:31 AM

To: council@cityofsydney.nsw.gov.au

Subject: Attention: Bill MacKay - D/2024/36 - 372-382 Pitt Street, Sydney (JSM 43992)

Attachments: Letter - Bill MacKay.pdf (181.93 KB), Approved Plans showing exists and fire boosters.pdf (1.37 MB)

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Dear Mr Mackay

I act for The Owners – Strata Plan No. 46628 located at 370 Pitt Street, Sydney and now**attach** a submission on behalf of my client in response to your letter dated 30 January 2024.

Yours faithfully

Warwick van Ede
Lawyer I BEc LLM
Accredited Specialist - Property Law
JS Mueller & Co Lawyers

JS MUELLER & CO LAWYERS
Level 1, 240 Princes Highway
Arncliffe NSW 2205
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27 February 2024

JS MUELLER & CO
LAWYERS

Mr Bill MacKay
Manager, Planning and Assessments
City of Sydney
Town Hall House 456 Kent Street
SYDNEY NSW 2000

Our Ref: WVE:AK:43992
Your Ref: D/2024/36

By Email: council@cityofsydney.nsw.gov.au

Dear Mr MacKay

RE: SITE ADDRESS – 372-374, 382A, 376, 378, 380, 382, 372B PITT STREET, SYDNEY NSW 2000

We act for The Owners – Strata Plan No. 46628, located at 370 Pitt Street, Sydney and refer to letter from Council dated 30 January 2024, being a notification of a proposed development D/2024/36 to modify Concept Approval (D/2021/504).

Your letter provided an opportunity to make a submission and this letter serves as the owners corporation's submission which is addressed to various aspects relating to that proposed development, each of which we will deal with separately.

Use of former Carruthers Place

The building comprising our strata scheme (SP46628) was designed incorporating features which assumed the existence of Carruthers Place as a public laneway, and the proposal will significantly impede those amenity and safety features which were incorporated into 370 Pitt Street based upon that assumption.

Firstly, and critically, there are fire escape exits the egress for which is to the property formed by Carruthers Place. I am **attaching** a diagram which indicates the proximity of the relevant fire egress points in question.

It is incomprehensible to this strata scheme that approval could be given to a development incorporating the Carruthers Place land which impacts on both primary and secondary fire safety indicators. The primary issue is that the proposed development has the capacity to actually impede egress from the relevant fire egress door in a physical sense.

Indeed, implied threats have been made to the owners corporation in relation to the need for this access point to be restricted (see correspondence **attached**).

The secondary point arises in relation to the safety of persons exiting from that fire egress door and in particular their safety in circumstances where there is likely to be a flow of vehicles and other traffic which may cause a danger to persons exiting 370 Pitt Street from that point. It is incongruous that Council

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would enable and facilitate a safety issue to be brought into existence as part of its planning process for the benefit of the Applicant.

In addition, fire safety infrastructure for 370 Pitt Street is accessed via Carruthers Place including the owners corporation's sprinkler and hydrant systems room. In the owners corporation's submission, it is incumbent upon the Applicant to demonstrate appropriate safety measures not only in relation to persons potentially exiting from the owners corporation's fire egress, but also appropriate and lawful means by which the owners corporation's fire safety systems can be accessed as required.

The current form of the application fails to address these critical issues.

The plans submitted by the applicant provide for a loading bay to be accessed from Carruthers Place, and servicing the development site and ultimately the development. This will mean heavy traffic volumes, consisting of large and bulky vehicles in and through a space which is crucial to the safe operation of 370 Pitt Street, and adjacent to deliveries and services crucial to its operation – services and facilities which have been located in those places for over 30 years.

Indeed, part of the approval originally given for the current building located at 370 Pitt Street by the Council explicitly required the discharge of the two fire ingresses in question into Carruthers Place. I have already dealt with the question of accessing the necessary services.

The application appears to gloss over the critical need for appropriate easements and rights to be registered recognising fire exits, access required for fire hydrants inclusive of the hydrant booster valves and other services. The need for these matters to be explicitly addressed should be detailed in an appropriate Management Plan on which Council should insist being in a satisfactory state before consideration can be given for approval of the proposal.

To do otherwise would potentially place the Council in a most difficult position in the event of any incident arising from the need to utilise the fire exits or other fire services.

Air Light and Ventilation Matters Arising in Relation to Carruthers Place

Since construction of the building located at 370 Pitt Street, Sydney, The Owners – Strata Plan No. 46628 have enjoyed access to light and air as a result of the location of Carruthers Place.

Indeed, the rear aspect of the building at 370 Pitt Street is significantly reliant upon the air and ventilation provided by the open space in Carruthers Place and immediately adjoining it.

The proposed development will result in a substantial loss of amenity for the owners and occupants at 370 Pitt Street, Sydney. The openness currently enjoyed will be cut off, and this will be particularly significant at the rear of the building.

Whilst it is one matter for the Council to sell the land comprising Carruthers Place, it is entirely another matter to enable that land to facilitate a development which will overshadow, crowd and effectively "suffocate" other buildings, including the building located at 370 Pitt Street, Sydney.

Nowhere in the proposal is there any acknowledgement of the fact that ventilation to the building (supply, exhaust and stair pressurisation intake) access to critical fire control room and boosters, as required by Fire Rescue NSW, are accessed from this laneway.

Matters Arising from Physical Aspects of the Proposed Development

The issues arising from the proposed development are due to the proposal's:

- location;

- size and bulk; and
- its proposed utilisation of all aspects of the street frontage of Pitt Street, including Carruthers Place.

As such, the proposal is out of scale and context for this site.

It is almost impossible to comprehend how significantly the actual development works will impact on the occupants of 370 Pitt Street, Sydney. Given the nature of the site over which the proposed development is to take place, it is inevitable that the applicant will seek to utilise Carruthers Place as an access point for all aspects of the proposed development, including ingress and egress of demolition-related vehicles and equipment, and ingress and egress of construction related equipment. In part this arises from the proposal to include the street frontage of the balance of buildings fronting Pitt Street and to incorporate them within the development. This will, as a matter of course, restrict the ability of the applicant to access the site other than via Carruthers Place.

As was pointed out earlier in this submission, the frequent accessing of Carruthers Place provides a substantial and significant hazard to owners and occupants of the strata scheme, putting aside the amenity issues which arise from that use.

The impact on amenity of occupants of 370 Pitt Street will be impacted during the construction process even prior to the completion of the proposed development. Such construction will involve the creation of significant pollutants to the air and ventilation systems available to the occupants of 370 Pitt Street, and will involve substantial noise impact as part of both the demolition and construction processes, not only in terms of major percussive equipment and machinery, but also significantly increased heavy vehicle movement, the operation of diesel and other motorised machinery on a daily basis, and the likely interruption to the normal ingress and egress of occupants of 370 Pitt Street, Sydney.

Significant traffic management issues arise from the nature of the proposal, none of which are addressed. The proposal says nothing about the significant issue which will arise in relation to the management of pedestrians, their need to cross Carruthers Place, and at the same time, the use of Carruthers Place as a loading bay and also effectively a service road for a large hotel complex.

Practical Matters Arising from the Proposal

The proximity of the proposed development site to 370 Pitt Street raises a number of concerns to the owners corporation:

- Soil and groundwork management – there is a very real risk of land slippage and ground displacement occurring during the course of construction and excavation, and/or the potential for the undermining of support to the land on which 370 Pitt Street is located. At the very least, the owners corporation would have expected to be presented with appropriate engineering reports addressing these concerns, and establishing appropriate protocols for their avoidance;

  Recent construction events in the wider Sydney area have highlighted the catastrophic consequences to adjoining landowners of poorly planned construction and excavation work, and the owners corporation located at 370 Pitt Street does not wish to be joining other strata schemes as the victims of inappropriately planned development.

- Management and Interruption to Services – the nature of the proposed development will necessarily impact services of various kinds currently available to SP46628. These issues need to be addressed explicitly and prior to the granting of any development approval as the operation of a major commercial building such as this located at 370 Pitt Street cannot be interrupted due to ad-hoc plans to deal with matters of this kind.

The owners corporation has the benefit of various easements relating to such services and the proposed utilisation of Carruthers Place will impact upon these services explicitly. However, the proposal does not seek to deal with these issues in any meaningful way, and the Council needs to address these specifically and carefully.

Conclusion

Broadly, the proposal sets out development which is out of proportion, fails to appropriately deal with very real safety and amenity issues, and completely avoids grappling with potential but very real building and engineering issues.

It is appropriate that the Council require the Applicant to reconsider all of these issues and properly document proposed solutions to them.

The very real risk is that the Council allows a "concept" to go forward in circumstances where that concept cannot reasonably be brought to fruition in a way which properly addresses the real and appropriate concerns of nearby and adjoining landowners and occupants.

Yours faithfully

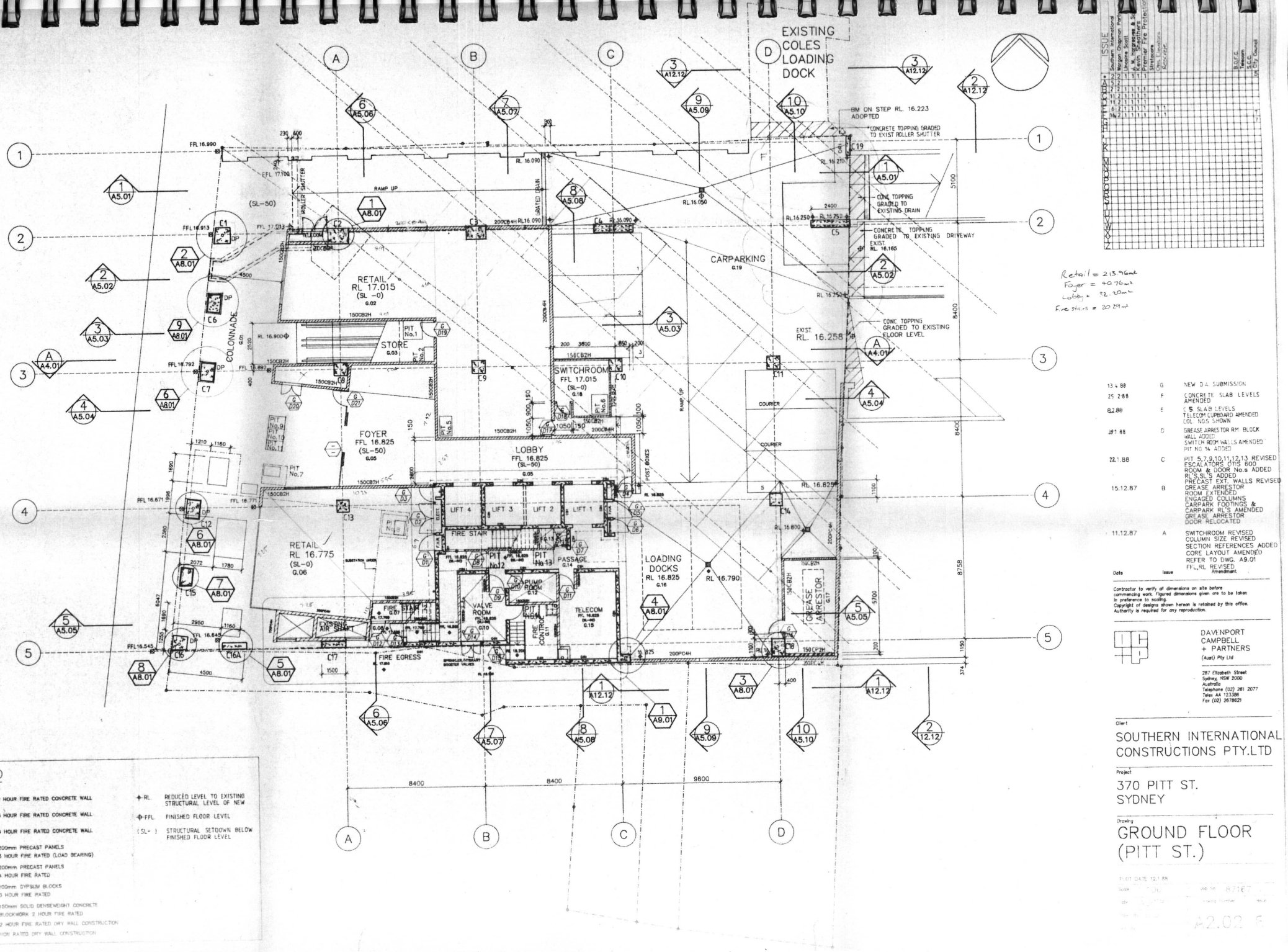


ACCREDITED SPECIALIST
PROPERTY LAW

JS MUELLER & CO

Warwick Van Ede | Lawyer

E: [redacted]



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Foyer = 40.76m²
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SYDNEY

Drawing
GROUND FLOOR (PITT ST.)

PLOT DATE 12.1.88

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LEGEND

WALL CODE No.

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(SL-)	STRUCTURAL SETDOWN BELOW FINISHED FLOOR LEVEL

From: Warwick Van Ede [redacted]

Sent on: Wednesday, February 28, 2024 11:17:14 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons (JSM 43992)

Attachments: Letter - Bill MacKay.pdf (181.93 KB), Approved Plans showing exists and fire boosters.pdf (1.37 MB)

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Attached is a submission prepared on their behalf in relation to this application.

Warwick van Ede
Lawyer I BEc LLM
Accredited Specialist - Property Law
JS Mueller & Co Lawyers

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27 February 2024

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LAWYERS

Mr Bill MacKay
Manager, Planning and Assessments
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Our Ref: WVE:AK:43992
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Yours faithfully



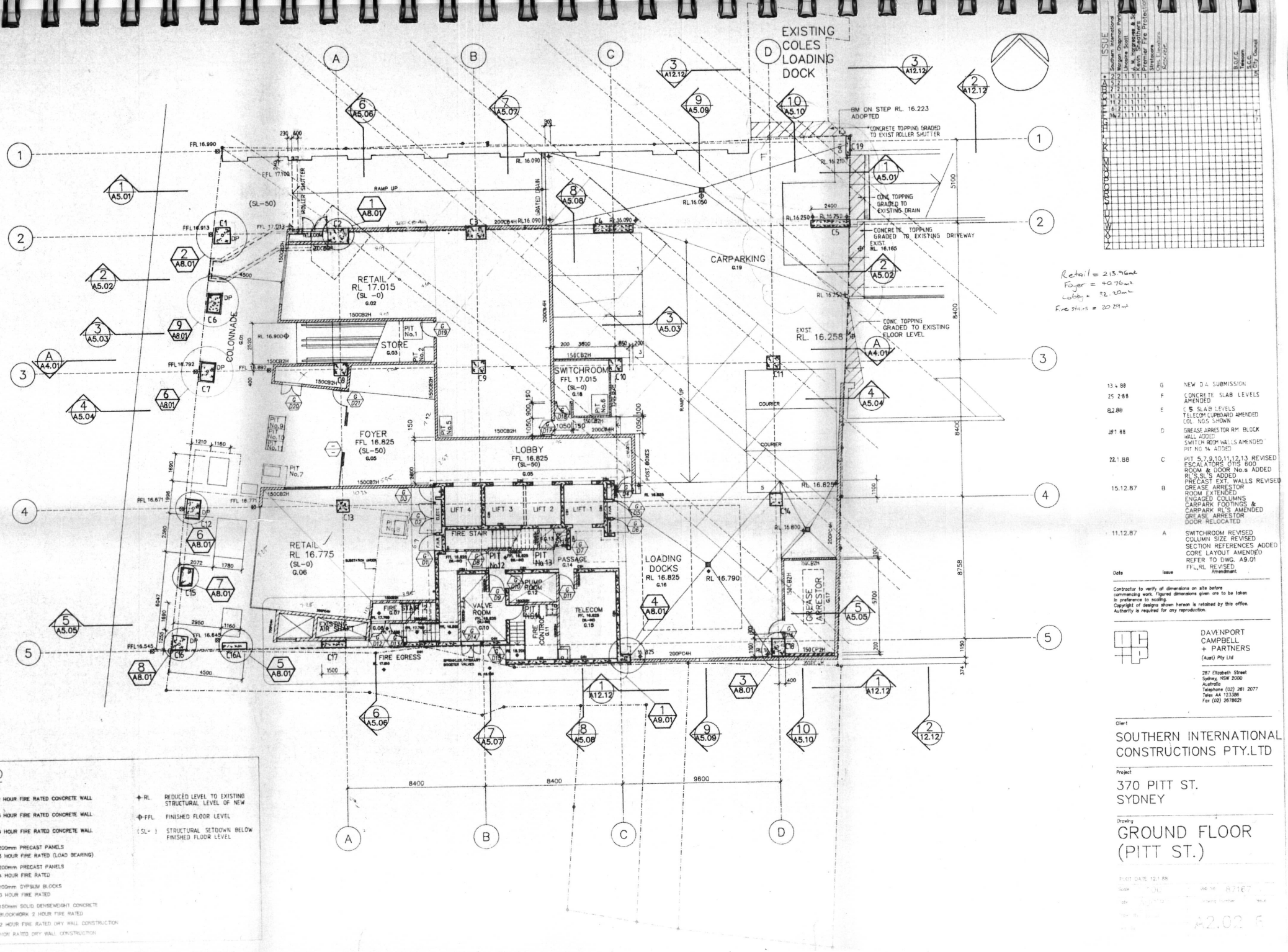


ACCREDITED SPECIALIST
PROPERTY LAW

JS MUELLER & CO

Warwick Van Ede | Lawyer

E: [redacted]



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Project
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SYDNEY

Drawing
GROUND FLOOR (PITT ST.)

PLOT DATE 12.1.88

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LEGEND

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FFL	FINISHED FLOOR LEVEL
(SL-)	STRUCTURAL SETDOWN BELOW FINISHED FLOOR LEVEL

From: Jessica Connellan [redacted]

Sent on: Friday, February 23, 2024 12:23:11 PM

To: dasubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons [STL-MATTER.FID374197]

Attachments: Letter of Objection - OBJECTION TO AMENDMENT OF CONCEPT DEVELOPMENT APPLICATION TO MODIFY THE CONCEPT APPROVAL D_2021_1504 - 23.02.24.pdf (160.68 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/Madam,

Please see **attached** correspondence sent on behalf of Matthew Shannon.

Kind regards,

Jessica Connellan
Legal Assistant
SHAND TAYLOR LAWYERS
D [redacted] | **E** jc[redacted]

Level 2 Mosaic Offices 826 Ann St Fortitude Valley | GPO Box 2486 Brisbane Q 4001
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Incorporating MUNRO THOMPSON Lawyers

23 February 2024

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Via email: council@cityofsydney.nsw.gov.au & dasubmissions@cityofsydney.nsw.gov.au

OBJECTION TO AMENDMENT OF CONCEPT DEVELOPMENT APPLICATION TO MODIFY THE CONCEPT APPROVAL D/2021/1504

This correspondence is a submission made by:

Name of Submission-maker	Sky's The Limit Enterprises Pty Ltd
Address of Submission-maker	C/- Shand Taylor Lawyers Level 2, 826 Ann Street Fortitude Valley QLD 4006
Electronic Address for Service	mshannon@shandtaylor.com.au mailto:michael@ferraros.com.au
Site address of development application	372-374 PITT STRET, SYDNEY NSW 2000 382A PITT STREET, SYDNEY NSW 2000 376 PITT STREET, SYDNEY NSW 2000 378 PITT STREET, SYDNEY NSW 2000 380 PITT STREET, SYDNEY NSW 2000 382 PITT STREET, SYDNEY NSW 2000 372B PITT STREET, SYDNEY NSW 2000

This submission is made to the Council of the City of Sydney (**Council**), being the relevant assessment manager for the Amendment of Concept Development Application D/2024/36.

Preamble

Our office has been engaged by Sky's The Limit Enterprises Pty Ltd (the **Submitter**) to prepare this submission regarding the abovementioned development application.

The Sumbitter is the registered owner of 35/362-370 Pitt Street Sydney (described as Lot 35 on Strata Plan 46628) (**Lot 35**).

At the outset, the Submitter notes that they support well planned development that respects and makes a positive contribution to the planned neighbourhood character of our communities.

Privilege is not waived by mistaken delivery of this confidential communication. If there is a problem with this communication please contact us.

Directors
Rod O'Sullivan
John Sneddon
Matthew Shannon
Brad Clark
Richard Waring
Alex Tuhtan
Kimberley Forman
Patrick Sherlock
Annie Kelly

Consultants
John Saunders
Terry Bethke

Special Counsel
Kaylie Bourke

Senior Associates
Ruby Nielsen
Charlie Hodgetts
Vicky Stott
Dean Aitchison

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Sunshine Coast Office
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Mooloolaba Qld

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However, the Submitter strongly objects to the proposed development in its current form. The grounds for the objection are as follows:

1. Removal of access via Carruthers Place

The documents submitted with the Development Application clearly show that access to Lot 35 will not be maintained as part of this proposal.

The applicant is proposing to develop the Site (and particularly Carruthers Place) without ensuring proper access is maintained to Lot 35 (which is bounded on its remaining three sides by existing buildings). Lot 35 is currently used for car parking and has always had access through Carruthers Place.

If approved in its current form, the proposed development will deny access to Lot 35, which would render Lot 35 landlocked with no practical access and ensure Lot 35 is sterilised from future development.

Further, adjacent sites, including the Sydney Masonic Centre Civic Tower, require fire and vehicular access via Carruthers Place[1].

The proposed development in its current form ought not to be approved as the proposed development will:

(a) Constitute a safety hazard as it will block a laneway (Carruthers Place) that is required for fire access from two adjoining buildings, namely the Masonic Centre and 370 Pitt Street;

(b) Block vehicular and pedestrian access from Lot 35; and

(c) Alter the appearance of Pitt Street as Carruthers Place (which is recognised as an existing laneway in the DCP[2]) will not be viewed as or be capable of being used as a laneway.

2. Environmental effects

The Statement of Environmental Effects accompanying the development application is misleading as it does not recognise part of the site is being used for vehicular and pedestrian access to Lot 35 via Carruthers Place.

The Statement of Environmental Effects notes that '*Restricted access is also provided to the rear of the site for loading and services via a shared vehicular right-of-way to the south from Goulburn Street'*, however, does not consider access to Lot 35 or fire access to adjoining buildings.

3. Conflict with Central Sydney DCP 1996

The Central Sydney DCP 1996 states that

1. '*Lanes are an integral part of the public space network in Central Sydney'*; and

2. '*Lanes separate buildings, maintain Central Sydney's characteristic urban grain and permeability, provide vistas and views through city blocks, and add visual interest to the built environment'* and '*Lanes contribute significantly to the variety of pedestrian experience in Central Sydney. They can enrich the urban quality of the city as well as being interesting places for a variety of uses, such as restaurants, cafes and other activities that attract people and provide opportunities for social interaction'*.

The proposed development conflicts with the Central Sydney DCP 1996, particularly clause 3.1 as:

1. the capacity for Carruthers Place (as a laneway) to be used for pedestrian and vehicular access will be denied by the proposed development and the appearance of Carruthers Place as a lane will be lost.

[1] The City of Sydney Policy for the Management of Laneways in Central Sydney, page 2 '*Lanes contribute to the pedestrian convenience and amenity of the city, the servicing of city buildings and the appreciation of the heritage of a city by Providing access to buildings for vehicles and pedestrians, particularly for service reasons such as fire egress or access to carparks and loading docks'*.
[2] Please see figure 3.1 'Lanes and Midblock Connections' of Central Sydney DCP 1996.

2. he removal of Carruthers Place will conflict with the objective of the Central Sydney DCP 1996 to retain and develop lanes as useful and interesting pedestrian connections as well as for service access and to maintain Central Sydney's fine urban grain.[3]

4. Inconsistency with the objectives for development within the City Centre Zone

The proposed development is inconsistent with the objectives within the City Centre Zone, particularly as it does not 'protect the fine-grained urban fabric of Central Sydney especially the existing network of streets and lanes, and to provide for high quality development that contributes to the existing urban form'.

5. Impact on easements

The common property in Strata Plan 46628 is benefitted by Easements G319989 and G319990 (the **Easements**).

The Easements burden Lots A and B in Deposited Plan 439950, both of which form part of the Site. The Development Application fails to take into account the rights granted under the Easements, which include rights to access the burdened areas and rights to maintain and reconstruct the sewer pipes contained within the burdened areas.

6. Lower-Level Podium to exceed maximum height of the approved podium envelope

The lower-level podium is proposed to exceed the maximum height of the approved podium envelope as follows:

- Up to RL 32.68 to accommodate the proposed 'landscaped vessel.'
- Up to RL 33.88 to accommodate the balustrade above the 'landscaped vessel'.
- Up to RL 36.48 to accommodate the awning and associated supporting structures above the proposed landscaped vessel (at Level 4).

Although the Statement of Environmental Effects asserts that there will be no additional adverse impacts on environmental amenity as a result of the 'minor increase in street frontage height', the Submitter considers that if Council were to allow the lower-level podium to exceed the maximum height of the approved envelope that the podium will overshadow pedestrians and conflict with City Centre Zone given the proposed development will not enhance the amenity of community places by protecting sun access.

The Submitter also submits that the proximity of the lower-level podium to adjoining buildings will adversely affect the amenity of the spaces inside the neighbouring buildings, the quality of space between the buildings, and visual and acoustic privacy, especially in circumstances where the intended use of the proposed development is a hotel.

The overall effect will result in a crowded feeling for residents of the adjoining buildings and the users of Pitt Street.

7. Conclusion

We consider the Development Application ought not to be approved in its current form as the proposed development must (at a minimum) be modified:

1. to retain Carruthers Place as an existing laneway (to reflect the requirements of the DCP[4]) so that it can be viewed as and be capable of being used as a laneway (including as a useful and interesting pedestrian connection as well as for service access) and to maintain Central

[3] Further, the Submitter notes that Council's policy for the Management of Laneways in Central Sydney states:

(a) '*Laneways have traditionally served a variety of functions in the city from the provision of off-street vehicular and service access to city buildings to quality secondary pedestrian routes through city blocks*';

(b) '*Submissions to the Central Sydney Planning Inquiry in August 1992 noted that laneways in the city were being lost and that therefore something of Sydney's unique scale and character had vanished. This observation was linked to a criticism of the practice of site amalgamation which it was said had led to projects of a much larger scale and the construction of "gargantuan" buildings which overwhelmed their neighbours*';

[4] Please see figure 3.1 'Lanes and Midblock Connections' of Central Sydney DCP 1996.

Sydney's fine urban grain (including the existing network of streets and lanes) and the appearance of Pitt Street;

2. to provide an easement for full, free and unimpeded vehicular and pedestrian access to Lot 35 at any time;

3. to ensure fire access remains to two adjoining buildings, namely the Masonic Centre and 370 Pitt Street;

4. to take into account the rights granted under the Easements over the Site; and

5. to reduce the size of the proposed podium to maintain reasonable amenity.

Thank you for your consideration. Please do not hesitate to contact us to discuss this matter.

Yours faithfully



Matthew Shannon
Director

T

From: Matthew Shannon <mshannon@shandtaylor.com.au> on behalf of Matthew Shannon <mshannon@shandtaylor.com.au> <Matthew Shannon <mshannon@shandtaylor.com.au>>

Sent on: Monday, April 22, 2024 1:16:26 PM

To: council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

CC: Christian de Blonk Smith <cdeblonksmith@shandtaylor.com.au>

Subject: Submission - D/2024/36 - 372-374 Pitt Street SYDNEY NSW 2000 [STL-MATTER.FID374197]

Attachments: Letter to City of Sydney, Town Hall House - 22.04.2024(100443268.1).pdf (114.67 KB), ASIC Organisation Extract Comprehensive - WELL SMART INVESTMENT HOLDING (SYD) PTY LTD ACN 602 491 985 - 22.04.2024(100443289.1).pdf (330.93 KB), Letter of Objection - OBJECTION TO AMENDMENT OF CONCEPT DEVELOPMENT APPLICATION TO MODIFY THE CONCEPT APPROVAL D_2021_1504 - 23.02.24.pdf (160.68 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi,

Further to our submission – **attached**, we provide the **attached** further correspondence in relation to the deregistration of the applicant.

We look forward to receiving your response.

Regards,

Matthew Shannon
Director | Property & Commercial
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SHAND TAYLOR LAWYERS
Incorporating MUNRO THOMPSON Lawyers

22 April 2024

City of Sydney
Town Hall House
456 Kent Street
SYDNEY NSW 2000

By Email: council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

Dear Sir/Madam

OBJECTION TO AMENDMENT OF CONCEPT DEVELOPMENT APPLICATION TO MODIFY THE CONCEPT APPROVAL D/2021/1504 (D/2024/36)

We confirm we act on behalf of Sky's The Limit Enterprises Pty Ltd (**Submitter**).

On 23 February 2024 we lodged a submission on behalf of the Submitter (**enclosed**) in relation to the proposed amendment of concept development application to modify the concept approval D/2021/1504 (**application**).

It has now been brought to our attention that the Applicant, Well Smart Investment Holding (Syd) Pty Limited is deregistered – see **enclosed** ASIC extract.

On this basis, the application must be immediately rejected as the purported Applicant has no ability to submit the application.

Yours faithfully
SHAND TAYLOR LAWYERS

Matthew Shannon
Director

T 07 3307 4506
E mshannon@shandtaylor.com.au

Privilege is not waived by mistaken delivery of this confidential communication. If there is a problem with this communication please contact us.

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ASIC EXTRACT SNAPSHOT

Date Extracted	22/04/2024
ACN	602 491 985
ABN	87 602 491 985
Current Name	WELL SMART INVESTMENT HOLDING (SYD) PTY LTD
Registered In	Victoria
Registration Date	23/10/2014
Review Date	23/10/2023
Company Type	ACN (Australian Company Number)
Current Directors	0
Current Secretaries	0

CURRENT ORGANISATION DETAILS

Start Date	14/12/2022
Name	WELL SMART INVESTMENT HOLDING (SYD) PTY LTD
Name Start Date	23/10/2014
Status	Deregistered
Type	Australian Proprietary Company
Class	Limited By Shares
Sub Class	Proprietary Company
Disclosing Entity	No

Share Structure (Displaying Top 4 Only)

Go to Full ASIC Results

Class	Class Type	Shares Issued	Amount Paid

(creditor)watch - Credit Score (0)

Go to Full Credit Report



Risk Data Summary

Court Judgments	0	Payment Defaults	0	Insolvency Notices	1	Mercantile Enquiries	0	Credit Enquiries	13

REVEAL - Company Visualisation

Go to full workspace



ASIC
Current Organisation Extract

ASIC Data Extracted 22/04/2024 at 11:19

This extract contains information derived from the AustralianSecurities and Investment Commission's (ASIC) database undersection 1274A of the Corporations Act 2001.Please advise ASIC of any error or omission which you may identify.

- 602 491 985 WELL SMART INVESTMENT HOLDING (SYD) PTY LTD -

ACN (Australian Company Number):	602 491 985	**Document No.**
ABN:	87 602 491 985	
Current Name:	WELL SMART INVESTMENT HOLDING (SYD) PTY LTD	
Registered in:	Victoria	
Registration Date:	23/10/2014	
Review Date:	23/10/2023	
Company Bounded By:		

- Current Organisation Details -

Name:	WELL SMART INVESTMENT HOLDING (SYD) PTY LTD
Name Start Date:	23/10/2014
Status:	Deregistered
Date Deregistered:	14/12/2022
Reason Deregistered:	SECTION 601AA
Type:	Australian Proprietary Company
Class:	Limited By Shares
Sub Class:	Proprietary Company

- Company Addresses -

- Company Officers -

Note:
A date or address shown as UNKNOWN has not been updated since ASIC took over the records in 1991. For details, order the appropriate historical state or territory documents, available in microfiche or paper format.
* Check documents listed under ASIC Documents Received for recent changes.

- Share Structure -

***Note:**
Share details are not provided if:
(a) The company is not limited by shares; or
(b) The company has been registered less than 18 months and the first Annual Return has not been lodged. Check ASIC Documents section for recent changes. Documents pertaining to Shares may be ordered via DOCIMAGE.

- Share/Interest Holding -

- External Administration Documents -

There are no external administration documents held for this organisation.

- Charges -

There are no charges held for this organisation.

Notes:
On 30 January 2012, the Personal Property Securities Register (PPS Register) commenced.
At that time ASIC transferred all details of current charges to the PPS Registrar.
ASIC can only provide details of satisfied charges prior to that date.
Details of current charges, or charge satisfied since 30 January 2012 can be found on the PPS Register, www.ppsr.gov.au.
InfoTrack may cap documents for on-file searches to 250.

- Document List -

Notes:
* Documents already listed under Registered Charges are not repeated here.
* Data from Documents with no Date Processed are not included in this Extract.
* Documents with '0' pages have not yet been imaged and are not available via DOCIMAGE. Imaging takes approximately 2 weeks from date of lodgement.
* The document list for a current/historical extract will be limited unless you requested ALL documents for this extract.
* In certain circumstances documents may be capped at 250.

Form Type	Date Received	Date Processed	No. Pages	Effective Date	Document No.
6010	07/10/2022	07/10/2022	2	07/10/2022	7EBX15186
6010	Application For Voluntary Deregistration of a Company				
484	24/08/2021	24/08/2021	2	24/08/2021	7EBK70910
484	Change to Company Details				
484O	Changes to Share Structure				
484I	Notification of Share Cancellation - Capital Reduction				
484N	Changes to (Members) Share Holdings				
484	14/07/2021	14/07/2021	2	14/07/2021	7EBJ44917
484A2	Change to Company Details Change Member Name or Address				
484	07/11/2020	07/11/2020	2	07/11/2020	7EBC04895
484N	Change to Company Details Changes to (Members) Share Holdings				
484	29/01/2019	29/01/2019	2	29/01/2019	7EAI09376
484E	Change to Company Details Appointment or Cessation of A Company Officeholder				
484	13/02/2018	13/02/2018	2	13/02/2018	7E9899292
484	Change to Company Details				
484O	Changes to Share Structure				

484G	Notification of Share Issue				
484N	Changes to (Members) Share Holdings				
484	08/12/2017	08/12/2017	2	08/12/2017	7E9726969
484	Change to Company Details				
484O	Changes to Share Structure				
484G	Notification of Share Issue				
484N	Changes to (Members) Share Holdings				
384	27/09/2017	03/10/2017	1	27/09/2017	030127996
384	Notification of Resol. By Directors of a Small Pty Company Controlled By a Foreign Coy Which Is Not Part of Large Group				
484	04/04/2017	04/04/2017	2	04/04/2017	7E8939410
484	Change to Company Details				
484A1	Change Officeholder Name or Address				
484A2	Change Member Name or Address				
484	03/04/2017	03/04/2017	2	03/04/2017	7E8936065
484A1	Change to Company Details Change Officeholder Name Or Address				
384	15/09/2016	16/09/2016	1	15/09/2016	029737294
384	Notification of Resol. By Directors of a Small Pty Company Controlled By a Foreign Coy Which Is Not Part of Large Group				
484	01/02/2016	01/02/2016	2	01/02/2016	7E7657489
484E	Change to Company Details Appointment or Cessation of A Company Officeholder				
384	14/09/2015	30/09/2015	2	14/09/2015	029397519
384	Notification of Resol. By Directors of a Small Pty Company Controlled By a Foreign Coy Which Is Not Part of Large Group				
484	03/03/2015	03/03/2015	2	03/03/2015	7E6765220
484N	Change to Company Details Changes to (Members) Share Holdings				
484	04/12/2014	04/12/2014	2	04/12/2014	7E6573324
484	Change to Company Details				
484B	Change of Registered Address				
484C	Change of Principal Place of Business (Address)				
201	23/10/2014	23/10/2014	3	23/10/2014	2E1129910
201C	Application For Registration as a Proprietary Company				

- Company Contact Addresses -

*** End of Document ***

(creditor)watch

Credit Report

Name	WELL SMART INVESTMENT HOLDING (SYD) PTY LTD
ABN	87602491985
ACN	602491985
Document Type	Credit Report
Report Generated	22-04-2024 at 11:19
ASIC Extract	Not Included
ASIC Extract Status	Not Included

Credit Report	✔ Included
RiskScore	✔ Included
Payment Rating	✘ Not Included
CW Bankruptcy Check (PIRS)	✘ Not Included
ASIC Data (On File)	✘ Not Included
ASIC Current Extract	✘ Not Included
ASIC Current & Historical	✘ Not Included
PPSR ACN	✘ Not Included
PPSR ABN	✘ Not Included
PPSR Business Name	✘ Not Included
Append Docs Lodged	✔ Included
Append Business Names	✔ Included
Append Credit Enquiries	✔ Included

Summary

F / 0 Default Risk	13 Credit Enquiries	Deregistered
No Registered Defaults	No Court Actions	No Mercantile Enquiries
1 ASIC Published Notices	No Critical ASIC Documents	Important Cross Directorships Not Available

Adverse

Risk Data Detected - Review Required

Risk Category	Risk Level	Risk Overview
ASIC Published Notice	High	There are asic published notices connected to this company
Australian Business Registry	High	Business entity is cancelled. An ABR status of cancelled means the business may have ceased trading.
ASIC Status	High	The company is deregistered

ABR Data

Main Name	WELL SMART INVESTMENT HOLDING (SYD) PTY LTD
ABN	87 602 491 985
Registered Date	23-10-2014
Entity Status	Cancelled (from 07-10-2022)
Entity Type	Australian Private Company
GST Status	Not currently registered for GST
Main Physical Address	VIC 3101 (from 01-02-2016)
ABN Last Updated	07-10-2022

ASIC Data

Name	WELL SMART INVESTMENT HOLDING (SYD) PTY LTD
ACN	602 491 985
Registered Date	23-10-2014
Deregistered Date	14-12-2022
Next Review Date	23-10-2023
Status	Deregistered
Company Type	Australian Proprietary Company
Class	Limited By Shares
Subclass	Proprietary Company
Locality	Not Available
Regulator	Australian Securities & Investments Commission

Industry

ANZSIC Classification	Financial and Insurance Services Finance Financial Asset Investing Financial Asset Investing
NACE Classification	Activities of holding companies Trusts, funds and similar financial entities Other financial service activities, except insurance and pension funding n.e.c.

RiskScore



RiskScore Information

- **F** credit rating
- **0** out of 850 points
- Risk level **Default**

0

Average for similar entities

Higher risk

Lower risk

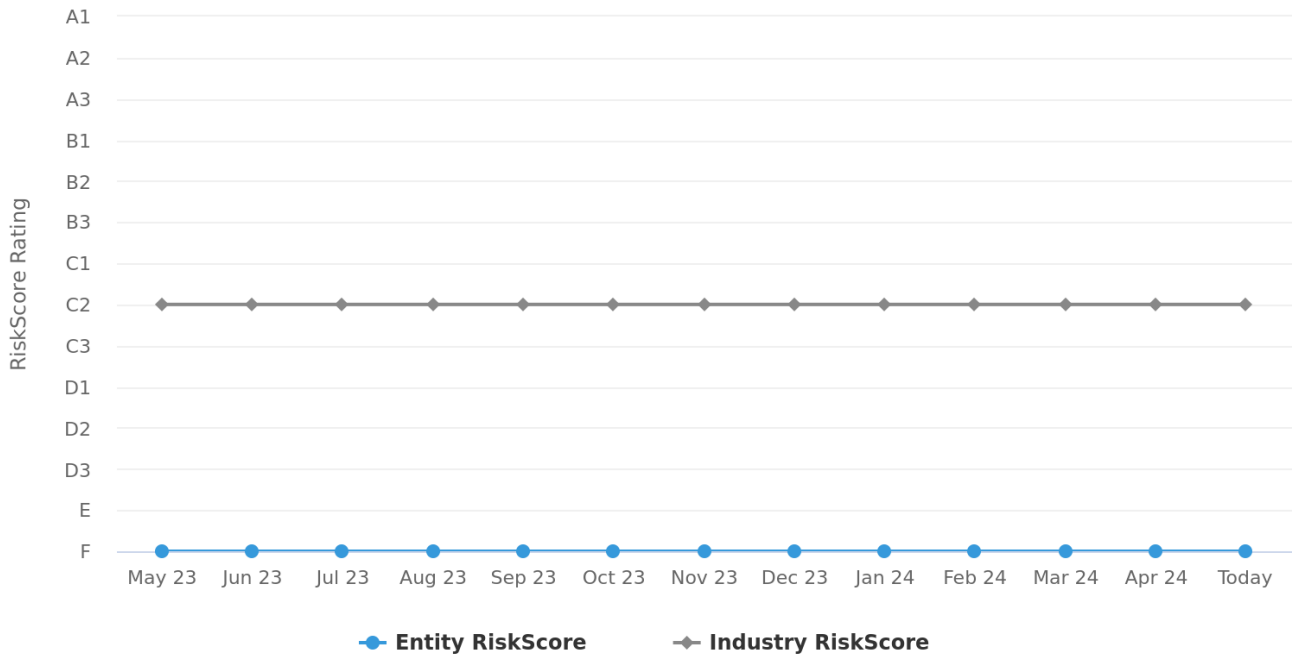
F
Rating

RiskScore advice for the F Range

Entity has become insolvent or does not have the ability to trade

Entity has a **100% chance of default** within the next 12 months.

RiskScore Historical Information
Within the last 12 Months



The CreditorWatch RiskScore is the most advanced algorithm in the market and is designed to ensure you make the right decision. The RiskScore has been developed using the latest machine learning techniques in combination with CreditorWatch's extensive data. The CreditorWatch RiskScore should be used in partnership with your internal credit procedures and policies.

What is "probability of default"?
This is the likelihood that an entity will NOT be able to meet their financial commitments in the next 12 months eg: pay an invoice.

Score Recommendations

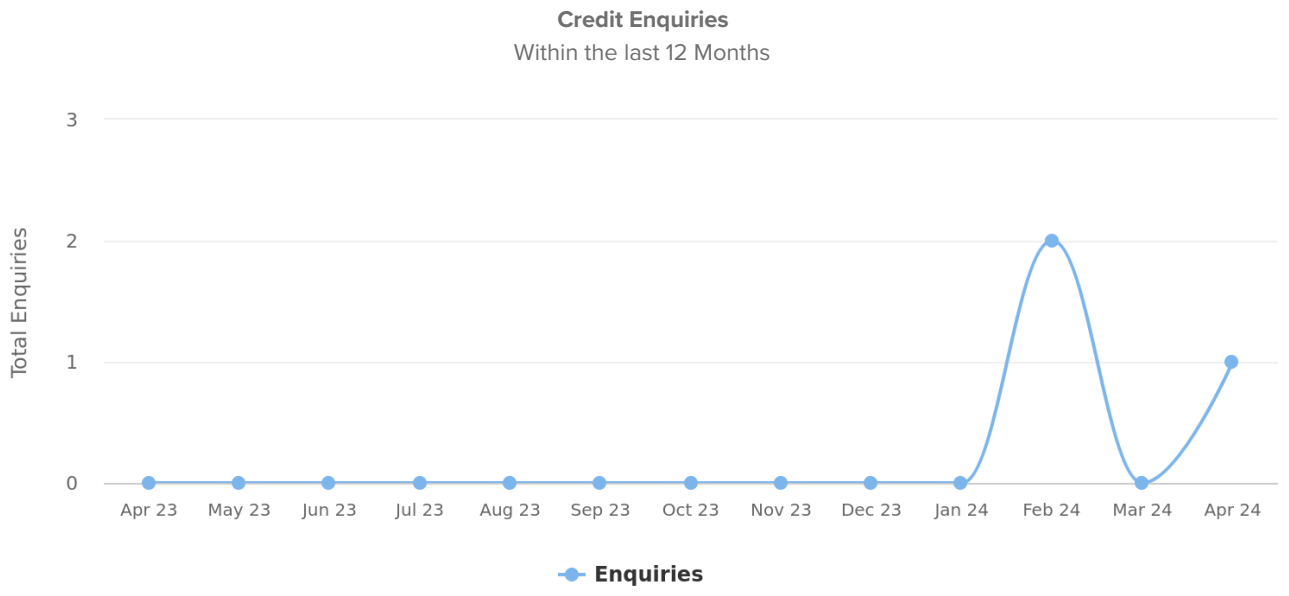
RiskScore Rating	Risk Level	Recommendation
A1, A2, A3	Very Low	Very strong credit quality based on behavioural and business demographics. Likelihood of default or insolvency is considered very low. Extend terms within consideration.
B1, B2	Low	Strong credit quality based on behavioural and business demographics. Likelihood of default or insolvency is considered very low. Extend terms within consideration.
B3, C1	Neutral	Lower than average default risk for an Australian business. Business demographics and behaviours indicative of low likelihood of default or insolvency in the short to medium term. Extend terms and monitor ongoing payment behaviour.
C2	Acceptable	Average default risk for an Australian business. Standard underwriting criteria and due diligence recommended prior to extending credit. Extend terms, closely monitor ongoing payment behaviour.
C3	Potential Risk	Behaviours and business demographics may indicate increased risk for some businesses in this group. Assessment of the entity's financial position and cashflow is recommended prior to extending material unsecured credit.
D1, D2, D3	High	Risk of default or insolvency is significantly higher than the average for Australian businesses. COD trading highly recommended.
E	Impaired	Entity is highly vulnerable to default or insolvency in the short term.
F	Defaulted	One or more creditors has initiated legal proceedings or other significant actions in response to unpaid debt obligations, or the entity is entering or has entered insolvency.

Please note that the rating and recommendation should be used in partnership with your company's internal credit procedures and policies. The rating should not be used as the sole reason in making decision about the entity.

Credit Enquiries

13
Last 5 Years

3
Last 12 Months



Enquiries Ordered by Industry

Industry (ANZSIC Division)	No of Enquiries
Information Media and Telecommunications (J)	2
Professional, Scientific and Technical Services (M)	1
Total Enquiries (within the last 12 months)	**3**

Enquiries Ordered by Date

Industry (ANZSIC Division)	Date
Information Media and Telecommunications (J)	22-04-2024
Information Media and Telecommunications (J)	29-02-2024
Professional, Scientific and Technical Services (M)	20-02-2024

Credit enquiries provide an indication of the number of times an entity's credit file has been accessed. For credit enquiries performed in the last 12 months, the date of the enquiry and the industry of the business, sole trader or individual performing the credit enquiry is detailed in the graph and table.

Risk Data

Court Actions

Court Details	Plaintiff	Action	Nature of the Claim	Amount

No Court Actions

CreditorWatch aggregate data from courts around Australia to provide a summary of court actions against an entity. When available, details of the action include location, case number, state, plaintiff, nature of the claim, action type and dollar amount.

Payment Defaults

Added	Invoice Due	Submitted By	Amount	Status

No Payment Defaults Lodged

A default indicates that the debtor has failed to make a payment for goods or services. Payment Defaults are unique to CreditorWatch and can have one of three statuses: outstanding, partial payment or settled.

Tax Defaults

Date Added	Date Updated	Submitted By	Status	Amount

No Tax Defaults Lodged

A tax default indicates that a business has overdue tax payments and has failed to respond to a notice of disclosure by The Australian Taxation Office (ATO). Tax defaults are only lodged on debts that are over 90 days overdue and are over a value of $100,000.

Mercantile Enquiries

Enquiry Date	Mercantile Agent

No Mercantile Enquiries Lodged

A Mercantile enquiry is an indication that a mercantile agency (or debt collection agency) has conducted an enquiry on this entity for the purpose of debt collection.

Status Changes

ASIC Entity Status Changes

Change Date	ASIC Status
14-12-2022	Deregistered (Current status)
07-10-2022	Strike-Off Action In Progress
23-10-2014	Registered

The most common ASIC entity statuses are: registered, deregistered, external administration and strike-off action in progress. This section identifies if there have any been changes to the status of the entity's ACN, and the date the changes have occurred.

ABR Entity Status Changes

Change Date	ABR Status
23-10-2014	Active (Current status)
07-10-2022	Cancelled

An ABN can either have an ABR entity status of active or cancelled. This section identifies if there have been any changes to the status of the entity's ABN, and the date the changes have occurred.

GST Status Changes

Change Date	GST Status
30-09-2022	Not Registered for GST (Current status)
23-10-2014	Registered for GST

An ABN can either be registered for GST, or not currently registered for GST. This section identifies if there have been any changes to the entity's GST registration, and the date the changes have occurred.

Business Names

Registered Business Index

Business Name	Status	Registered Number	Address
There are no business name extracts registered to this company			

Registered Business Names

Name	Business Name Type	Source
WELL SMART INVESTMENT HOLDING (SYD) PTY LTD	Main Name	ABR

Business names are derived from two data sources, one of which is basic information provided by ABR. The other comes from the business names extract index which, when available, includes the owner of the business name and registered business address.

Appendix

Disclaimer

CreditorWatch is committed to ensuring that the information provided is accurate and comprehensive however due to data being received from sources not controlled by CreditorWatch we cannot guarantee that it is complete, verified or free of errors. To the extent permitted by law, CreditorWatch will not be held responsible for any errors or omissions therein concerning the information sourced and published in its publications, websites, API or emails.



Well Smart Investment Holding (syd) Pty Ltd

InfoTrack shall not be liable to the User in negligence or otherwise in respect of anything done, omitted, modified or done by the User in reliance in whole or in part on the Service including any assistance or demonstration provided to the User by InfoTrack and InfoTrack's liability to the User shall in any event be limited to the amount of the fees charged for the particular service to which such liability relates.

SHAND TAYLOR LAWYERS
Incorporating MUNRO THOMPSON Lawyers

23 February 2024

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Via email: council@cityofsydney.nsw.gov.au & dasubmissions@cityofsydney.nsw.gov.au

OBJECTION TO AMENDMENT OF CONCEPT DEVELOPMENT APPLICATION TO MODIFY THE CONCEPT APPROVAL D/2021/1504

This correspondence is a submission made by:

Name of Submission-maker	Sky's The Limit Enterprises Pty Ltd
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Electronic Address for Service	mshannon@shandtaylor.com.au mailto:michael@ferraros.com.au
Site address of development application	372-374 PITT STRET, SYDNEY NSW 2000 382A PITT STREET, SYDNEY NSW 2000 376 PITT STREET, SYDNEY NSW 2000 378 PITT STREET, SYDNEY NSW 2000 380 PITT STREET, SYDNEY NSW 2000 382 PITT STREET, SYDNEY NSW 2000 372B PITT STREET, SYDNEY NSW 2000

This submission is made to the Council of the City of Sydney (**Council**), being the relevant assessment manager for the Amendment of Concept Development Application D/2024/36.

Preamble

Our office has been engaged by Sky's The Limit Enterprises Pty Ltd (the **Submitter**) to prepare this submission regarding the abovementioned development application.

The Sumbitter is the registered owner of 35/362-370 Pitt Street Sydney (described as Lot 35 on Strata Plan 46628) (**Lot 35**).

At the outset, the Submitter notes that they support well planned development that respects and makes a positive contribution to the planned neighbourhood character of our communities.

Privilege is not waived by mistaken delivery of this confidential communication. If there is a problem with this communication please contact us.

Directors
Rod O'Sullivan
John Sneddon
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However, the Submitter strongly objects to the proposed development in its current form. The grounds for the objection are as follows:

1. Removal of access via Carruthers Place

The documents submitted with the Development Application clearly show that access to Lot 35 will not be maintained as part of this proposal.

The applicant is proposing to develop the Site (and particularly Carruthers Place) without ensuring proper access is maintained to Lot 35 (which is bounded on its remaining three sides by existing buildings). Lot 35 is currently used for car parking and has always had access through Carruthers Place.

If approved in its current form, the proposed development will deny access to Lot 35, which would render Lot 35 landlocked with no practical access and ensure Lot 35 is sterilised from future development.

Further, adjacent sites, including the Sydney Masonic Centre Civic Tower, require fire and vehicular access via Carruthers Place[1].

The proposed development in its current form ought not to be approved as the proposed development will:

(a) Constitute a safety hazard as it will block a laneway (Carruthers Place) that is required for fire access from two adjoining buildings, namely the Masonic Centre and 370 Pitt Street;

(b) Block vehicular and pedestrian access from Lot 35; and

(c) Alter the appearance of Pitt Street as Carruthers Place (which is recognised as an existing laneway in the DCP[2]) will not be viewed as or be capable of being used as a laneway.

2. Environmental effects

The Statement of Environmental Effects accompanying the development application is misleading as it does not recognise part of the site is being used for vehicular and pedestrian access to Lot 35 via Carruthers Place.

The Statement of Environmental Effects notes that '*Restricted access is also provided to the rear of the site for loading and services via a shared vehicular right-of-way to the south from Goulburn Street'*, however, does not consider access to Lot 35 or fire access to adjoining buildings.

3. Conflict with Central Sydney DCP 1996

The Central Sydney DCP 1996 states that

1. '*Lanes are an integral part of the public space network in Central Sydney'*; and

2. '*Lanes separate buildings, maintain Central Sydney's characteristic urban grain and permeability, provide vistas and views through city blocks, and add visual interest to the built environment'* and '*Lanes contribute significantly to the variety of pedestrian experience in Central Sydney. They can enrich the urban quality of the city as well as being interesting places for a variety of uses, such as restaurants, cafes and other activities that attract people and provide opportunities for social interaction'*.

The proposed development conflicts with the Central Sydney DCP 1996, particularly clause 3.1 as:

1. the capacity for Carruthers Place (as a laneway) to be used for pedestrian and vehicular access will be denied by the proposed development and the appearance of Carruthers Place as a lane will be lost.

[1] The City of Sydney Policy for the Management of Laneways in Central Sydney, page 2 '*Lanes contribute to the pedestrian convenience and amenity of the city, the servicing of city buildings and the appreciation of the heritage of a city by Providing access to buildings for vehicles and pedestrians, particularly for service reasons such as fire egress or access to carparks and loading docks'*.
[2] Please see figure 3.1 'Lanes and Midblock Connections' of Central Sydney DCP 1996.

2. he removal of Carruthers Place will conflict with the objective of the Central Sydney DCP 1996 to retain and develop lanes as useful and interesting pedestrian connections as well as for service access and to maintain Central Sydney's fine urban grain.[3]

4. Inconsistency with the objectives for development within the City Centre Zone

The proposed development is inconsistent with the objectives within the City Centre Zone, particularly as it does not 'protect the fine-grained urban fabric of Central Sydney especially the existing network of streets and lanes, and to provide for high quality development that contributes to the existing urban form'.

5. Impact on easements

The common property in Strata Plan 46628 is benefitted by Easements G319989 and G319990 (the **Easements**).

The Easements burden Lots A and B in Deposited Plan 439950, both of which form part of the Site. The Development Application fails to take into account the rights granted under the Easements, which include rights to access the burdened areas and rights to maintain and reconstruct the sewer pipes contained within the burdened areas.

6. Lower-Level Podium to exceed maximum height of the approved podium envelope

The lower-level podium is proposed to exceed the maximum height of the approved podium envelope as follows:

- Up to RL 32.68 to accommodate the proposed 'landscaped vessel.'
- Up to RL 33.88 to accommodate the balustrade above the 'landscaped vessel'.
- Up to RL 36.48 to accommodate the awning and associated supporting structures above the proposed landscaped vessel (at Level 4).

Although the Statement of Environmental Effects asserts that there will be no additional adverse impacts on environmental amenity as a result of the 'minor increase in street frontage height', the Submitter considers that if Council were to allow the lower-level podium to exceed the maximum height of the approved envelope that the podium will overshadow pedestrians and conflict with City Centre Zone given the proposed development will not enhance the amenity of community places by protecting sun access.

The Submitter also submits that the proximity of the lower-level podium to adjoining buildings will adversely affect the amenity of the spaces inside the neighbouring buildings, the quality of space between the buildings, and visual and acoustic privacy, especially in circumstances where the intended use of the proposed development is a hotel.

The overall effect will result in a crowded feeling for residents of the adjoining buildings and the users of Pitt Street.

7. Conclusion

We consider the Development Application ought not to be approved in its current form as the proposed development must (at a minimum) be modified:

1. to retain Carruthers Place as an existing laneway (to reflect the requirements of the DCP[4]) so that it can be viewed as and be capable of being used as a laneway (including as a useful and interesting pedestrian connection as well as for service access) and to maintain Central

[3] Further, the Submitter notes that Council's policy for the Management of Laneways in Central Sydney states:

(a) '*Laneways have traditionally served a variety of functions in the city from the provision of off-street vehicular and service access to city buildings to quality secondary pedestrian routes through city blocks*';

(b) '*Submissions to the Central Sydney Planning Inquiry in August 1992 noted that laneways in the city were being lost and that therefore something of Sydney's unique scale and character had vanished. This observation was linked to a criticism of the practice of site amalgamation which it was said had led to projects of a much larger scale and the construction of "gargantuan" buildings which overwhelmed their neighbours*';

[4] Please see figure 3.1 'Lanes and Midblock Connections' of Central Sydney DCP 1996.

Sydney's fine urban grain (including the existing network of streets and lanes) and the appearance of Pitt Street;

2. to provide an easement for full, free and unimpeded vehicular and pedestrian access to Lot 35 at any time;

3. to ensure fire access remains to two adjoining buildings, namely the Masonic Centre and 370 Pitt Street;

4. to take into account the rights granted under the Easements over the Site; and

5. to reduce the size of the proposed podium to maintain reasonable amenity.

Thank you for your consideration. Please do not hesitate to contact us to discuss this matter.

Yours faithfully
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Item 8.

State Significant Development Application: 372-382A Pitt Street, Sydney - D/2024/446

File Number: D/2024/446 (SSD-65204458)

Summary

Date of Submission:	11 June 2024 Amended plans and information submitted on 22 November 2024 and 31 January 2025
Applicant:	WELL SMART INVESTMENT HOLDING (BRIS) PTY LTD
Architect/Designer:	Kerry Hill Architects (KHA)
Owner:	WELL SMART INVESTMENT HOLDING (BRIS) PTY LTD
Planning Consultant:	URBIS
Heritage Consultant:	URBIS
DAP:	12 September 2024
Cost of Works:	$186,906,094
Zoning:	The site is zoned SP5 - Metropolitan Centre under the Sydney Local Environmental Plan (SLEP) 2012. The proposed hotel accommodation and ancillary retail premises are permissible with consent in this zone.
Proposal Summary:	The application seeks consent for the construction of a 60-storey mixed-use 509-room hotel and ancillary retail at ground floor with one level of basement accessed from Carruthers Lane and business identification signage zones. This application is referred to the Central Sydney Planning Committee (CSPC) as the cost of works exceeds $50 million and constitutes a "major development" for the purposes of the City of Sydney Act 1988.

The Capital Investment Value of the hotel is more than $100 million and, in accordance with Section 13 of Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021 at the time and is therefore State Significant Development.

On 2 May 2024, Secretary of the Department of Planning, Housing and Infrastructure delegated responsibility for the assessment of the application (and related functions) to the City of Sydney. On 5 May 2024, the Minister for Planning and Public Spaces delegated consent authority functions to the City of Sydney in respect of the application.

It is noted that the subject application was lodged prior to 13 December 2024, when subsection 13(3) of the Planning Systems SEPP was changed enabling hotel accommodation of any value to be determined by the City.

The assessment, notification and report processes are in accordance with the requirements of the Environmental Planning & Assessment Act 1979 and as recommended by the Department of Planning, Housing and Infrastructure.

The Environmental Impact Statement and Response to Submissions adequately address the Secretary's Environmental Assessment Requirements. The proposed development generally complies with the planning controls that apply to the site. In particular, the development complies with the maximum height, floor space ratio and car parking development standards of the Sydney Local Environmental Plan 2012 (SLEP).

The applicant has undertaken a competitive design process in accordance with the City's requirements. The scheme prepared by Kerry Hill Architects (KHA) + Crone was identified as the preferred scheme and most likely to achieve design excellence. The detailed design State Significant Development Application is substantially the same as the winning scheme and adequately addresses the recommendations of the competition jury.

The development achieves a high standard of architectural design with appropriate materials and detailing for the CBD environment. Sufficient building separation is provided to neighbouring heritage and mixed-use sites.

The tower results in acceptable environmental impacts as discussed within the report and achieves a sufficient standard of sustainable design. The development provides sufficient landscaping on podium which will contribute to local biodiversity and visual amenity. The development therefore achieves design excellence in accordance with Clause 6.21(4) of the SLEP.

The proposal was notified and advertised between 24 June and 22 July 2024 by the City and the Department. In total 6 submissions were received. Five of the submissions were lodged with the City, and 1 submission was received by the Department. The submissions raised concerns about construction impacts, the use of Carruthers Place, loss of light to the public domain (relating to the proposed landscape vessel being introduced), pedestrian safety and overshadowing to neighbouring apartment buildings.

In response to the issues raised in submissions, the applicant submitted a Response to Submissions (RtS) report on 22 November 2024 which provided additional information, revised architectural plans and justification for the proposal. Additional information relating to contamination was submitted on 31 January 2025. The amended plans and information received in November 2024 and January 2025 were not re-notified as the proposed changes resulted in less impact compared to the original application.

The site is located over existing and future Sydney Metro tunnels and as such, was referred to Sydney Metro and Sydney Trains for comment and recommended conditions. Concurrence was received by Sydney Trains on 2 April 2025. Sydney Metro advised on 29 April 2025 that concurrence is forthcoming, however, has not been received at the conclusion of this assessment.

It is therefore recommended that, if the Committee of a mind to support the application, the Committee delegate determination to the Chief Executive Officer pending the receipt of concurrence from Sydney Metro.

An amending Development Application (D/2024/36) to the approved concept building envelope D/2021/1504 is being assessed concurrently, proposing the removal of the in-principle residential land use, and retention of the hotel and retail land uses only, with changes to the building envelope to allow for a landscape vessel structure at level 4. The modifications align with the winning design competition scheme, and this detailed design State Significant Development Application. Both applications are being presented to the Central Sydney Planning Committee (CSPC) for approval.

Summary Recommendation: That the Central Sydney Planning Committee delegate determination to the Chief Executive Officer pursuant to Section 40 of the City of Sydney Act 1988 pending concurrence from Sydney Metro and demonstrating that the decision will not have a significant adverse financial impact on Council.

Development Controls:

(i) Environmental Planning and Assessment Act, 1979 and Environmental Planning and Assessment Regulation 2021

(ii) City of Sydney Act 1988 and City of Sydney Regulation 2016

(iii) Sydney Water Act 1994 and Sydney Water Regulation 2017

(iv) Airports Act 1996 (Commonwealth) and Civil Aviation (Building Control) Regulation) 1988

(v) SEPP (Resilience and Hazards) 2021

(vi) SEPP (Transport and Infrastructure 2021

(vii) SEPP (Biodiversity and Conservation) 2021

(viii) SEPP (Planning Systems) 2021

(ix) SEPP (Sustainable Buildings) 2022

(x) Sydney Local Environmental Plan 2012

(xi) Sydney Development Control Plan 2012

Attachments:

A. Assessment Report

B. Recommended Conditions of Consent

C. Selected Drawings

D. Competition Design Report

E. Submissions

Recommendation

It is resolved that pursuant to Section 40 of the City of Sydney Act 1988, authority be delegated to the Chief Executive Officer to determine State Significant Development Application D/2024/446 (SSD 65204458) pending concurrence of Sydney Metro and subject to the Chief Executive Officer determining that the decision will not have a significant adverse financial impact on the Council.

Reasons for Recommendation

The application is recommended for delegation to the Chief Executive Officer for determination for the following reasons:

(A) The proposal is consistent with the strategic planning framework by providing a high-quality mixed-use development in the City including new hotel accommodation and commercial floor space.

(B) The applicant has undertaken a competitive design process in accordance with the City's policy, to which the proposed development is generally consistent. The applicant has adequately responded to the recommendations of the competition jury.

(C) The development complies with the maximum height, floor space ratio and car parking controls contained in the Sydney Local Environmental Plan 2012.

(D) The application demonstrates design excellence in accordance with the provisions of Clause 6.21C of the Sydney Local Environmental Plan 2012. The slim tower design, materiality and siting contribute to the skyline and relate positively to the surrounding context. Sufficient separation is provided to maintain a good standard of amenity for adjoining properties and the public domain. The tower results in acceptable environmental impacts and achieves a good standard of environmental performance. The development provides landscaping on podiums which will contribute to local biodiversity and visual amenity. The development provides adequate bike parking for employees to the site and is suitably located close to good public transport.

(E) The proposed construction methodology and design responds appropriately to the surrounding heritage context and does not adversely affect adjoining heritage items.

(F) The development is anticipated to create 570 construction and 400 ongoing operational jobs.

(G) The development has provided sufficient information to address the Secretary's Environmental Assessment Requirements.

(H) All other issues have been appropriately addressed by recommended conditions of consent.

GRAHAM JAHN, AM

Chief Planner / Executive Director City Planning, Development and Transport

Jessica Symons, Senior Planner

Attachment A

Assessment Report

Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

Mixed-use Hotel and Retail Development

State Significant Development Assessment Report (SSD-65204458)

Council reference: D/2024/446

May 2025



City of Sydney Council



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Mixed-use Hotel and Retail Development (SSD-65204458) Assessment Report

Cover image: Perspective looking north-east across Pitt Street towards the development (Source: Applicant's RtS – architectural plans)

Published: May 2025

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Preface

This assessment report provides a record of the City of Sydney Council's (the City) assessment and evaluation of the State Significant Development (SSD) Application for the new mixed-use Hotel and Retail Development located at 372-382A Pitt Street, Sydney, lodged by Well Smart Investment Holding. The report includes:

- an explanation of why the project is declared SSD and who the consent authority is
- an assessment of the project against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by the community and other stakeholders have been considered
- an explanation of any changes made to the project during the assessment process
- an assessment of the likely environmental, social and economic impacts of the project
- an evaluation which weighs up the likely impacts and benefits of the project, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether development consent for the project should be granted and any conditions that should be imposed.

Executive Summary

Project

This report details the City's assessment of the State Significant Development Application SSD-65204458 for the new mixed-use Hotel and Retail Development. Well Smart Investment Holding (the applicant) proposes to construct the development on land located at 372-382A Pitt Street, Sydney, within the City of Sydney Local Government Area (LGA).

The proposal seeks consent for the retention of the retail facades at 374-382A Pitt Street, demolition of the northern most terrace at 372 Pitt Street, and construction of a 60-storey mixed-use 509-room hotel and ancillary retail at ground floor with one level of basement accessed from Carruthers Place and business identification signage.

An architectural design competition (competitive design process) was held for the proposal. The scheme prepared by Kerry Hill Architects (KHA) + Crone was identified by the Selection Panel as the preferred scheme, and most likely to achieve design excellence. This application follows, and is generally consistent with, the design competition winning scheme as determined by the Selection Panel on 30 January 2023.

A separate concept development consent (D/2021/1504), relating to the in-principle partial demolition of existing buildings, excavation of 3 basement levels to enable a new building envelope with a maximum height of RL 206.1 for hotel and residential land uses and retail premises at ground floor and vehicular access and loading access from Carruthers Place was granted deferred commencement approval on 15 September 2022. The consent became operational on 13 October 2022.

An amending Development Application (D/2024/36) to the approved concept building envelope D/2021/1504 is being assessed concurrently, proposing the removal of the in-principle residential land use, and retention of the hotel and retail land uses only, with changes to the building envelope to allow for a landscape 'vessel' structure at level 4. The modifications align with the winning design competition scheme and this SSD Application.

The project has a capital investment value of $186,906,094 and is expected to generate 570 construction jobs and 400 operational jobs.

Strategic context

The proposal is consistent with the strategic planning framework established for the site. In particular, the proposal is consistent with the objectives of the Greater Sydney Region Plan and the Eastern City District Plan as it would provide an increase in tourist assets within the Central Business District while supporting a late-night economy and supporting the ongoing commercial uses in Central Sydney.

Statutory context

The project is classified as State significant Development (SSD) in accordance with Section 13 of Schedule 1 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) as it comprises a hotel development with a capital investment value of more than $100 million.

It is noted that the subject application was lodged prior to 13 December 2024, when clause 13(3) of the SEPP was introduced, allowing hotel accommodation with an estimated development cost of more than $100 million to be assessed by the City.

On 2 May 2024, Secretary of the Department of Planning, Housing and Infrastructure delegated responsibility for the assessment of the application (and related functions) to the City. On 5 May 2024, the Minister for Planning and Public Spaces delegated consent authority functions to the City in respect of the application.

The project is located within the SP5 – Metropolitan Centre zone under the Sydney Local Environmental Plan 2012 (Sydney LEP 2012). The proposed hotel accommodation and ancillary retail premises are permissible with consent in this zone.

Engagement

The City and the Department of Planning, Housing and Infrastructure (the Department) publicly exhibited the application for 28 days between 24 June 22 July 2024. In response, the City received 8 submissions from government agencies and 5 public submissions. The Department received 1 public submission. All 6 public submissions received objected to the application.

Key issues raised in public submissions relate to construction impacts, the use of the privately owned Carruthers Place, loss of light to the public domain (relating to the proposed landscape ‘vessel’ being introduced), pedestrian safety and overshadowing to neighbouring apartment buildings.

The applicant submitted a response to submissions report on 22 November 2024.

The key concerns are outlined in **Section 5** and addressed in **Appendix C**.

Assessment

The City has identified key issues to be consistent with the Concept Approval and Amending DA, design excellence, heritage, tower setbacks and the use of Carruthers Place. These issues are addressed in **Section 6**.

A competitive design process has been undertaken in accordance with the City’s provisions, with the proposed development being consistent with the winning scheme and recommendations of the Selection Panel. As discussed within this report, it is considered that the development achieves the principles of design excellence in accordance with clause 6.21C of the Sydney LEP 2012.

The built form of the proposed development is generally in accordance with the built form controls applicable to the site, contained in the Sydney LEP 2012 and Sydney DCP 2012. The City’s assessment concludes that the proposed built form is acceptable given the scale is generally consistent with the controls implemented for Central Sydney, and the Concept approval D/2021/1504; and is acceptable in terms of urban design, bulk, scale and massing. The proposal is in keeping with the intent of the design subject to an Architectural Design Competition and demonstrates high quality form.

The built form is acceptable as it:

- maintains appropriate daylight and sunlight in streets, lanes and public spaces

- manages wind impacts on surrounding public domain areas so that they are safe and comfortable for people, with no additional, significant impacts when compared to the original concept approval D/2021/1504.
- Ensures the podium responds to the existing streetscape with the retention of the retail terrace facades along Pitt Street, and nearby heritage items.
- Provides appropriate setbacks above the street frontage height.
- Provides separation of the tower form to adjoining and nearby developments, providing appropriate outlook for surrounding building occupants.
- Plans the ground floor so as to minimise pedestrian and vehicle conflicts and disruptions to traffic on public roads.

The site is located above the Sydney Metro tunnels and as such was referred to Sydney Metro for support and recommended conditions of consent to ensure their structural integrity during construction and occupation. Assurance has been provided by Sydney Metro on 29 April and 1st May 2025 that concurrence is forthcoming and conditions can be provided. It is therefore recommended that determination of the application be delegated to the Chief Executive Officer of the City of Sydney, pending the receipt of conditions.

Conclusion

Overall, the City's assessment concludes the impacts of the project are acceptable and they can be appropriately managed or mitigated through the implementation of recommended conditions of consent.

The detailed design application is generally consistent with the relevant planning controls for the site and adequately justifies any areas of non-compliance, as detailed throughout this assessment report. The development follows a competitive design process and will achieve design excellence.

The development complies with the maximum height, floor space and car parking provisions of the Sydney LEP 2012. Subject to conditions, the development will not result in any adverse environmental impacts and will provide a good standard of amenity to occupants within the building and surrounding developments.

The proposal will create employment opportunities, both during construction and throughout ongoing operation.

Based on this assessment, the City considers that the project is justified and in the public interest, and that the site is suitable for the proposed development.

The proposal is considered to be in the public interest and is recommended for approval to be delegated to the Chief Executive Officer of the City of Sydney, pending the receipt of support and conditions from Sydney Metro.

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1 Introduction

1.1 The proposal

Well Smart Investment Holding (the applicant) seeks approval for the construction of a new 60-storey, 509-room hotel tower at 372-382A Pitt Street, Sydney, with the retention of the retail facades at 372-382A Pitt Street to create a podium, ancillary retail premises at ground floor and one level of basement, with vehicular access from Pitt Street and Carruthers Place.

The scope of the proposed works comprises the following:

- Demolition of all existing buildings, with the façade, associated footings and one bay across each of the retail terraces at 374-382A Pitt Street to be retained to create a historic podium (RL28.25 / 13.4m). The northern terrace at 372 Pitt Street is to be demolished and replaced with an infill 2-storey building.
- Site preparation and remediation work.
- Bulk excavation to create 1x basement level with plant, back of house and bicycle parking.
- Construction of a 60-storey tower, containing the following:
    - 509 hotel rooms.
    - Bars, all dining areas, meeting/function rooms, conservatory, gym and amenities associate with the hotel accommodation.
    - Ancillary retail and food and drink premises within the 3 storey lower podium.
    - Creation of an upper podium to a height of 25m, setback 8m from the street frontage and aligned with the street setback of the tower.
    - Landscape ‘vessel’ at level 4 setback 1m from the Pitt Street frontage with terrace area and dining area.
    - 2x plant levels (at levels 22 and 58).
- Landscaping to level 4 (as part of the ‘vessel’ structure).
- Construction of a vehicular entrance to Pitt Street, occupying part of Carruthers Place (a private lane).
- Easement for access to fire escape of neighbouring property at 362-370 Pitt Street, within Carruthers Place, exiting onto Pitt Street.
- Provision of flood protection infrastructure and extension and augmentation of services and utilities to the development.
- Building identification signage zones.
- The development is designed to achieve a 4.5-star Star NABERS Energy Hotel design standard, a 4-star Star NABERS Water Building rating (hotel) and a 4-star green Star rating.

The project description and mitigation measures provided in **Section 3** and **Appendix D** of the environmental impact statement (EIS) are the subject of this report and will form part of the development consent.

1.2 Project location

The subject site is located at 372-382A Pitt Street, Sydney in the City of Sydney local government area (LGA). The site comprises seven separate lots, as described in **Table 1**.

Table 1 | Legal Description of the site

Legal Description	Address
Lot 3702 of DP 1124741	372B Pitt Street (or Carruthers Place)
Lot A and Lot B of DP 439550	372-374 Pitt Street
Lot K of DP 107021	376 Pitt Street
Lot J of DP 107021	378 Pitt Street
Lot G of DP 107010	380 Pitt Street
Lot E of DP 44348	382 Pitt Street
Lot 1 of DP 341987	382A Pitt Street

The site is irregular in shape with an area of 1,139.9sqm. The site has a primary frontage to Pitt Street, with a private lane known as Carruthers Place forming part of the site, to the north and east frontages.

The site is located in the Sydney Central Business District, directly to the east of World Square and west of the Sydney Masonic Centre. It is located on the eastern side of Pitt Street, near the intersection of Pitt Street and Goulburn Street. It is within a street block bounded by Castlereagh Street located to the east, Goulburn Street to the south and Liverpool Street to the north.



Figure 1 | Aerial image of subject site and surrounding development (Source: Urbis EIS)

The site is currently occupied by five, 3-storey commercial terraces. The existing buildings are now a rare surviving Federation era (Edwardian Free Classical) commercial terrace group within the Sydney CBD. The terraces at 372-374 Pitt Street were constructed in 1910 by architects Eaton and Bates (George Thomas Eaton and Albert Edmund Bates) and the remaining buildings at 376-382A Pitt Steet were constructed c.1910-1912. The existing buildings provide a consistent street frontage height of approximately 13.4m across six of the seven lots fronting Pitt Street.

Carruthers Place (372B Pitt Street) is a privately owned land which has a width of 2.425m to Pitt Street. Carruthers Place runs partially to the rear (at the north of the site) behind 372-374 Pitt Street. There are no rights of access easements burdening Carruthers Place.

There are a number of easements and rights of access affecting and benefitting the subject site. These include a right of footway and carriageway easement for support of bridge (now gone) and rights in respect to sewer pipes at 372-374 Pitt Street, and a shared vehicular right of way limited in height to 3.2m which provides restricted access from Goulburn Street.

In addition, the site is also subject to numerous easements and constraints below ground including existing easements for railway transit, and a Sydney Metro tunnel corridor. A Sydney Water wastewater trunk main pipe measuring 914mm x 1,371mm also dissects the site, running diagonally from the eastern side (378-380 Pitt Street) to the north-west corner of the site (372B Pitt Street).

The site is located within the Central Sydney locality but not within a Special Character Area. Part of the site is located within a Central Sydney Tower Cluster area (372B, 372- 382 Pitt Street). The existing buildings are not identified as heritage items, nor located within a heritage conservation area. The site is adjacent to heritage items of local significance including, the 'Sydney Masonic Centre building podium' at

279-283 Castlereagh Street (I2283) immediately to the east, 'Former "American Tobacco Co" warehouse facade' at 267-277 Castlereagh Street (I1706) to the east, and the 'Civic Hotel including interior' at 386-388 Pitt Street (I1945) to the south.

The western side of Pitt Street is identified as being subject to flooding, however the subject site is not directly affected.

Photos of the site are provided below.



Figure 2 | Site viewed from Pitt Street facing north towards Liverpool Street



Figure 3 | Site viewed from Pitt Street facing south-east showing existing vehicular entry to Carruthers Place



Figure 4 | Site viewed from Pitt Street footpath facing south towards Goulburn Street



Figure 5 | Carruthers Place showing interface between The Chambers building at 362-370 Pitt Street - looking east (left) and west (right)



Figure 6 | Carruthers Place rear facing east



Figure 7 | Carruthers Place behind 372-374 Pitt Street, including part of 362-370 Pitt Street



Figure 8 | Site rear interface behind 382-382A Pitt Street, view to Masonic Centre and Civic tower (left) and Ibis Hotel (right)



Figure 9 | Rear site interface, viewed from behind 382-382A Pitt Street looking to restricted vehicular right of way to Goulburn Street

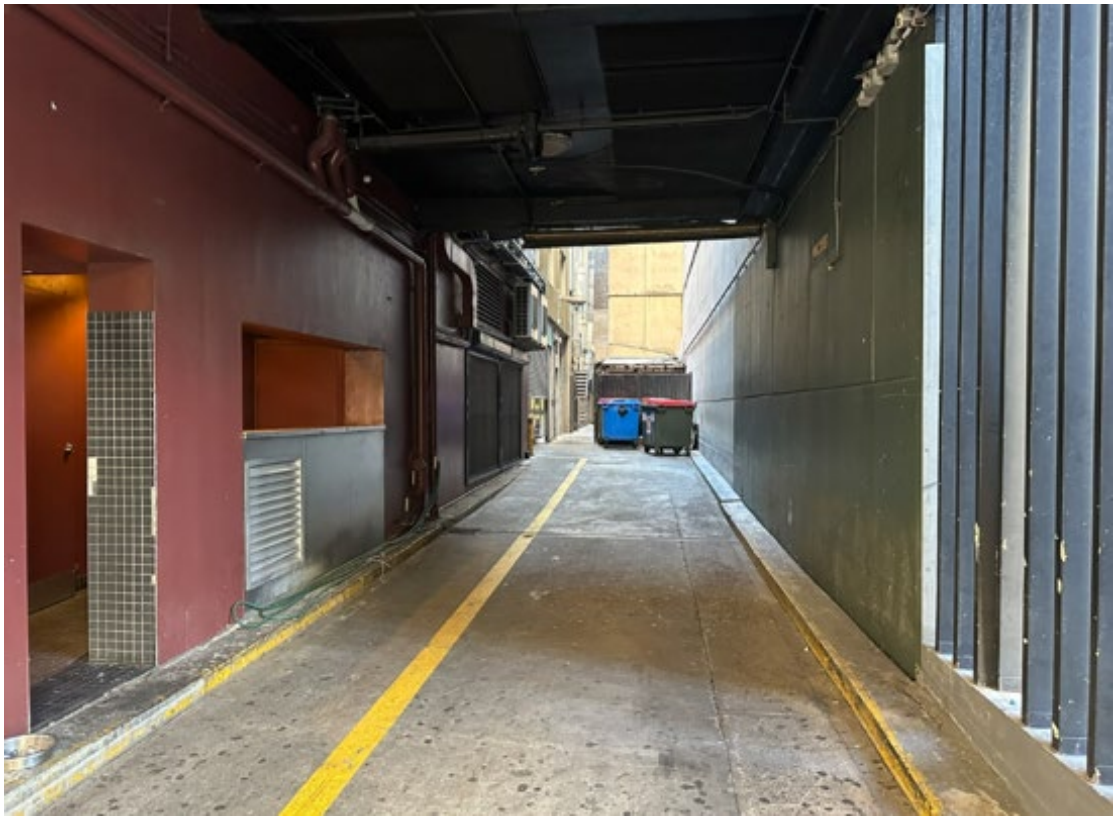


Figure 10 | View of restricted vehicular right of way from Goulburn Street, through Civic hotel facing north (looking back towards the rear of subject site)

1.3 Surrounding site context

The surrounding area is characterised by a mixture of commercial, residential, retail, food and drink premises and visitor accommodation uses.

Immediately north of the site is a 17 storey commercial building known as 'The Chambers' at 362-370 Pitt Street. It contains individual strata commercial office suites across 15 levels and two levels of strata retail spaces at the ground and upper ground levels. The site includes unbuilt on area of land between the rear of the subject site and 267-277 Castlereagh Street, which is used for casual car parking. There are no window boundary covenants or right of way easements burdening the subject site benefitting 362-370 Pitt Street.

Further to north are local heritage items known as the 'Former "Snow's Emporium" including interiors' at 127-131 Liverpool Street (I1853) and 350-360 Pitt Street (I1943).

Immediately south of the site is the 18 storey Ibis Sydney World Square hotel at 386 Pitt Street. The northern elevation of the Ibis hotel presents a blank wall at nil setback to the site, north facing hotel room windows are setback 3m from the boundary. There are no window boundary covenants burdening the subject site benefitting 386 Pitt Street. Further south is the local heritage listed 3-storey Civic hotel at 388 Pitt Street, Sydney.

Immediately east of the site is a 35-storey mixed use building known as the 'Museum Towers' at 267-277 Castlereagh Street, Sydney. The Museum Towers predominately comprises residential uses. The Museum Towers is identified as a local heritage item (I1706) known as the 'Former “American Tobacco Co” warehouse facade'.

South-east of the site is the local heritage listed Sydney Masonic Centre (I2283) which comprises a 6-storey podium at 66 Goulburn Street and 24-storey Civic tower addition at 279-283 Castlereagh. Further east of the site, across Castlereagh Street is the Downing Centre Courts and John Maddison tower.

To the west of the site is the World Square complex, which is bound by George, Pitt and Goulburn and Liverpool Streets. There is a vehicular basement entry located on Pitt Street for the World Square complex in front of the site. To the south of World Square, across Goulburn Street is the local heritage listed 'CB Hotel including ground level shops, 1930 addition on Goulburn Street and interior' known as the Maloney's Hotel (I857).

Detailed design approval was granted for a 55-storey mixed use tower to a height of RL 230 AHD / 235m on 17 August 2023 (D/2022/495) with 168 apartments. The site is currently under construction.

Other residential developments within close proximity to the site include the 38-storey Miramar Apartments at 398 Pitt Street, 42-storey Aspect Tower at 2-4 Cunningham Street, and the 55-storey Hordern Towers at 393 Pitt Street.

A site context map and photos of surrounding developments are provided below.

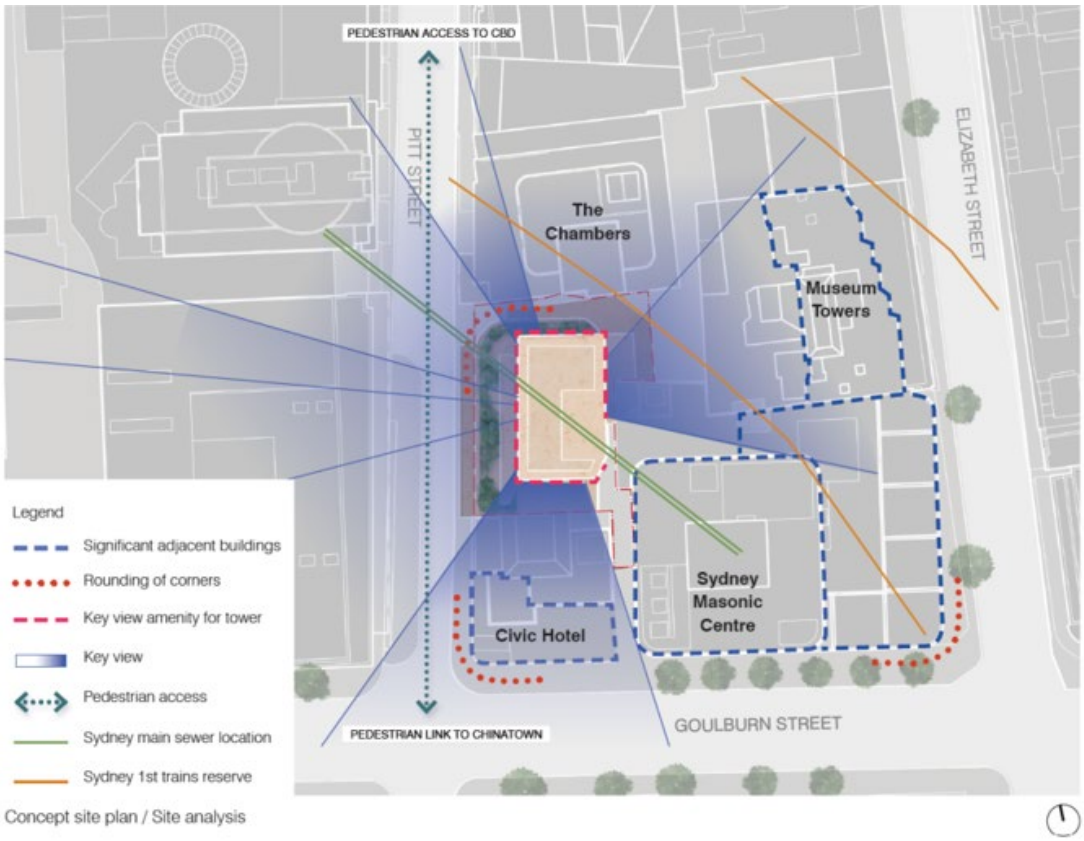


Figure 11 | Site context map (Source: Urbis EIS design report)



Figure 12 | Subject site viewed from Pitt Street facing east. Museum tower and Civic tower located to the rear of the site (east), Ibis hotel to the right (south) and The Chambers to the left (north)



Figure 13 | The Chambers building (362-370 Pitt Street)



Figure 14 | Subject site, Ibis hotel, Civic hotel and view to Goulburn Street, looking south-east



Figure 15 | View to World Square complex and Hordern Towers (393 Pitt Street), opposite the site, facing north



Figure 16 | View to the Miramar apartments at 398 Pitt Street (left) and Aspect Tower apartments at 2-4 Cunningham Street (right), facing south on Goulburn Street



Figure 17 | Civic Hotel and Goulburn Street restricted vehicular right of way marked by white arrow



Figure 18 | View of intersection of Goulburn and Castlereagh Streets, showing surrounding heritage items that are located to the rear of the subject site, Sydney Masonic Centre (I2283) and Museum Towers (I1706)



Figure 19 | Goulburn Street south-east streetscape

1.4 Project background and justification

The applicant has identified the benefits of the proposed development in line with existing and proposed strategic planning documents. As outlined as a 'do nothing' approach, the applicant notes the following consequences of maintaining the existing building:

- The quantum of additional retail and hotel GFA would not be delivered on the site. This would result in the loss of potential economic contribution to the NSW economy of approximately $186 million in investment and 570 jobs during construction and 400 jobs during operation.
- A failure to align with the existing planning controls for the site. The existing built form does not adequately utilise the available development capacity on the site and building envelope as established by the Concept DA approval.
- The loss of a building that exhibits design excellence and provides an active ground floor plane to Pitt Street.

There is an identifiable strategic need for the proposed development which provides an opportunity to deliver the following:

- The development will deliver a suitable density, capitalising upon the sustainable and economic efficiencies associated with providing gross floor area within proximity to major transport infrastructure nodes (including the new Sydney Metro West and City stations).
- The delivery of 16,144sqm of gross floor area will maximise public investment and the potential of the transport infrastructure network.
- The potential delivery of 509 hotel rooms is a highly accessible location will attract international and domestic visitors and accommodate visitors to Central Sydney. This will provide the necessary investment and revitalisation of the visitor accommodation industry following a period of stagnation and support the role of Central Sydney as a cultural hub.
- The provision of food and beverage tenancies will service the general public, employees and hotel guests and support late night activation past the typical workday.
- The ground plane has been carefully designed to promote pedestrian movement, provide a useable and vibrant hotel/ retail experience and provide an accessible space for the useability and enjoyment of the general public. These benefits are achieved whilst accommodating the required services and functions for the hotel operator and vehicular access points.

1.5 Related projects and works

Concept Approval - D/2021/1504

As discussed above, a separate deferred commencement approval (D/2021/1504) was granted on 15 September 2022 for a concept building envelope with a maximum height of RL206.1 (approximately 59 storeys), with in-principle partial demolition of existing buildings, excavation of 3 basement levels, hotel and residential land uses and retail premises at ground floor with vehicular and loading access from Carruthers Place.

The deferred commencement approval required the submission of a detailed survey (based upon a boundary survey showing redefined boundaries). The survey was submitted to Council and the consent became operational on 13 October 2022.

Competitive Design Process

An architectural design competition, based on the in-principle approved hotel, retail and residential uses, was undertaken over November 2022 - February 2023 in accordance with the provisions of Clause 6.21D of the SLEP 2012 and the City of Sydney Competitive Design Policy.

The developer sought additional floor space ratio (FSR) as part of the competitive design process.

Kerry Hill Architects + Crone was selected as the winning entrant by the six-member selection panel, proposing a landscape 'vessel' above the retail podium, outside of the approved building envelope. The panel considered the winner to demonstrate the potential for design excellence and recommended a number of fundamental aspects of the proposal to be retained within the detailed design application. This is discussed further as part of the detailed design State Significant Development Application assessment.



Figure 20 | Photomontage of design competition winning scheme facing east (left) and north east (right)

Following the sale of the site, the new landowner undertook design review process in October 2023, outside the requirements or oversight of the City. The design review process sought the jury's support for a change of use to hotel as well as minor design changes. A summary of the process was provided by the Applicant as part of the EIS for this SSD Application.

Amending Concept DA – D/2024/36

An amending Development Application (D/2024/36) to the approved concept building envelope D/2021/1504 is being assessed concurrently, proposing the removal of the in-principle residential land use, and retention of the hotel and retail land uses only, with changes to the building envelope to allow for a landscape 'vessel' structure at level 4. The modifications align with the winning design competition scheme and this SSD Application.

2 Project

2.1 Project overview

The key aspects of the project are provided in detail in the Project Description chapter of the EIS and are outlined in **Table 2**.

Table 2 | Key aspects of the project

Aspect	Description
Project summary	Partial demolition of existing terraces and structures, retention of retail facades of 374-382A Pitt Street, site preparation, remediation works and bulk excavation for one level of basement. Construction and operation of a mixed-use hotel development with ancillary retail premises and loading dock at ground floor, and business identification signage zones.
Site area	1,139.9sqm
Gross floor area (GFA)	A total GFA of 16,144sqm comprising: • Hotel: 14,295sqm • Retail: 1,849sqm
Floor space ratio (FSR)	14.16:1
Maximum building height	RL 206.1 / 192.9m
Uses	Hotel accommodation with ancillary retail premises
Estimated development cost	$186,906,094
Access and parking	Vehicular access is provided via Pitt Street and Carruthers Place at the north-western frontage of the site. Vehicular access is restricted to ground floor only, for loading purposes, with a loading bay/holding area, SRV (6.4m) service bay and B99 service bay. Access to the basement is via lift/stair. The basement level comprises back of house, plant areas and 49 bicycle parking spaces.
Jobs	Approximately 570 construction jobs and 400 operational jobs.

Aspect	Description
Signage strategy	Seven signage zones are proposed: 1. 2x under awning business identification signs to the west elevation (Pitt Street) – 0.4m (h) x 1m (w) 2. 4x top hamper building identification signs to the west elevation – 0.32m (h) x 1.9m (w) (above main arrival door); and 0.32m (h) x 1.2m (w) 3. 1x top of building sign to the north elevation – 3.05m (h) x 3.05m (w)
Sustainability	The development is designed to achieve a 4.5-star Star NABERS Energy Hotel design standard, a 4-star Star NABERS Water Building rating (hotel) and a 4-star green Star rating.

2.2 Physical layout and design

The proposal comprises a tower development with podium fronting Pitt Street. The podium comprises a lower and upper podium, ranging between 3 storeys (the historic retail terrace façade) to 5 storeys (containing hotel rooms). The upper podium is setback 8m from the street, in line with the tower setback. A landscape 'vessel' said to be "floating" above the retained terraces parapet is proposed at level 4. The landscape 'vessel' is setback 1.3m from the Pitt Street boundary, housing landscaping and a terrace area associated with the hotel's all day dining area.

At the ground floor, the development is built to the western site boundary along Pitt Street, with the exception of the north-western end. The terrace currently occupying 372 Pitt Street is proposed to be demolished, with the development providing an infill 3 storey building in its place, containing a driveway and vehicular entrance that will also occupy the majority of Carruthers Place (a private laneway at the northern boundary of the site), and hotel conservatory, lounge/amenity areas above. The vehicular entrance is setback approximately 8.4m from Pitt Street. A portion of Carruthers Place, approximately 1.484-1.52m in width (and adjoining the vehicular entrance point), is to be retained for access to the fire escape, fire safety services and ventilation openings of the neighbouring building at 362-370 Pitt Street, Sydney. An easement for access to these services via the subject site is to be placed on title benefitting 362-370 Pitt Street.

At the rear (eastern) boundary of the site, a setback of approximately 1.5m is provided, allowing for access to the shared vehicular right of way (limited in height to 3.2m) to Goulburn Street.



Figure 21 | Site plan (Source: RtS architectural plans)



Figure 22 | Photomontage of Pitt Street frontage (Source: RtS architectural plans)



Figure 23 | Photomontage of Pitt Street tower (Source: RtS design report)

2.2.1 Functional Planning

The consolidated function of the proposed development is outlined in **Table 3**.

Table 3 | Detailed Description

Floor	Proposed Development
Basement level 1	The basement level comprises back of house, plant areas, substation and 49 bicycle parking spaces. Access to the basement is via a stair.
Ground floor	The ground floor comprises retail, lobby and loading areas. The loading bay/holding area accessed via the north-western portion of Pitt Street. This area contains an SRV service bay and B99 service bay, and a waste collection room. The retail and food and drink/bar offerings have a frontage to Pitt Street, with an arrival area and lobby for the hotel. The development provides a lift core in the rear, eastern portion of the footprint.

Floor	Proposed Development
Level 1	Level 1 contains hotel amenity areas, lounge areas, conservatory and bar.
Level 2	Comprises meeting rooms, lounge areas, bar, storage and amenity areas associated with the hotel.
Level 3	Level 3 is occupied by back of house and plant area.
Level 4	This level contains the landscape 'vessel' with terrace area and awning above, all day dining and kitchen, as well as function/meeting rooms associated with the hotel.
Level 5	Level 5 contains 9x hotel rooms and plant area
Levels 6-21	Each level contains 10x hotel rooms and plant area
Level 22	Plant area occupies the entire floor
Levels 23-56	Each level contains 10x hotel rooms and plant area
Level 57	A gym is provided along the western portion of the floor, with plant and lobby areas to the eastern portion. A planter zone is also located along the western boundary of the tower.
Level 58	This level is occupied by plant area, open to the sky.
Level 59	Grating is provided to the plant level below.
Level 60 – roof	The majority of the roof is open to the plant area below, with a BMU track running along the western boundary of the tower.

Relevant elevations and a ground floor plan of the proposed development are provided below.

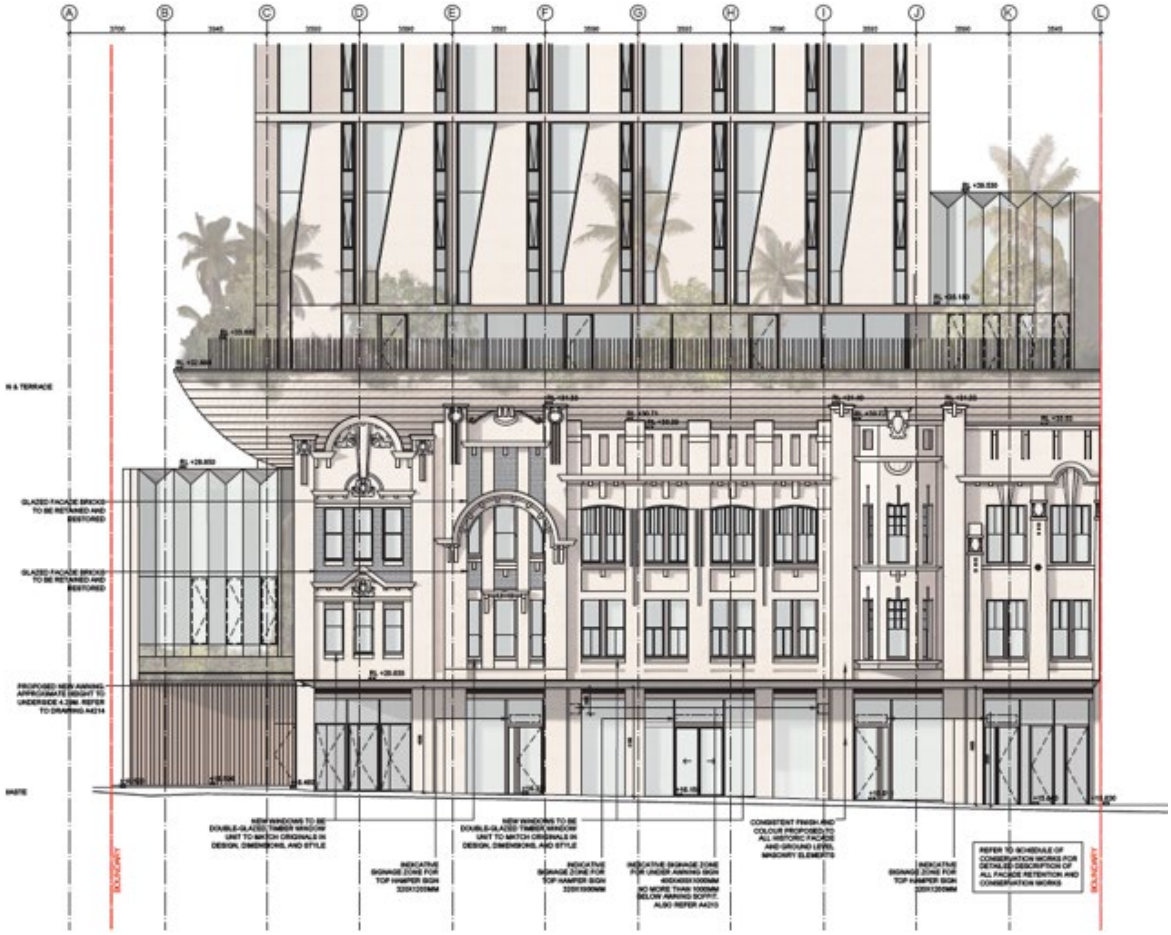


Figure 24 | Detailed Pitt Street elevation of podium (Source: RtS architectural plans)

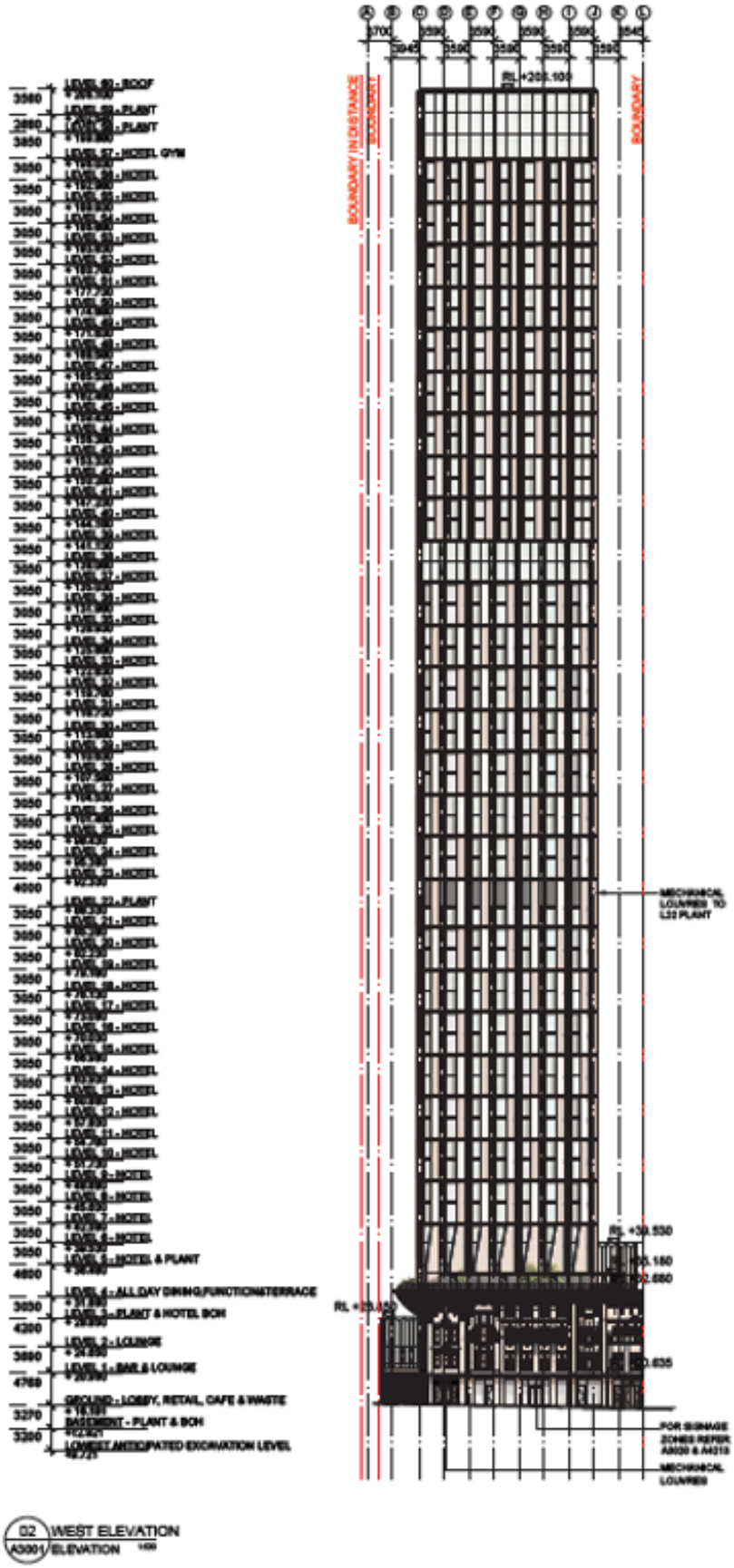


Figure 25 | West (Pitt Street) elevation of tower (Source: RtS architectural plans)

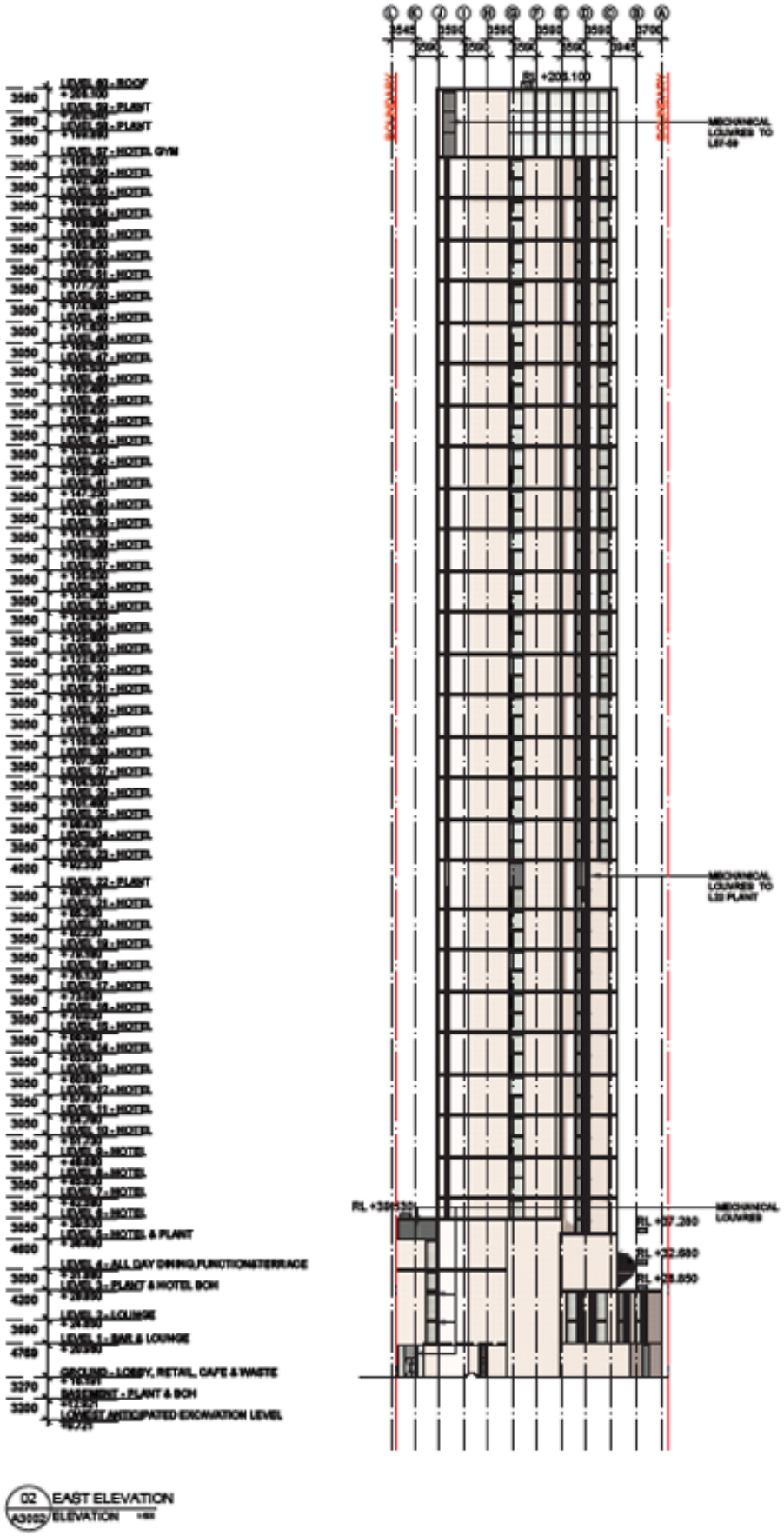


Figure 26 | East (rear) elevation of tower (Source: RtS architectural plans)

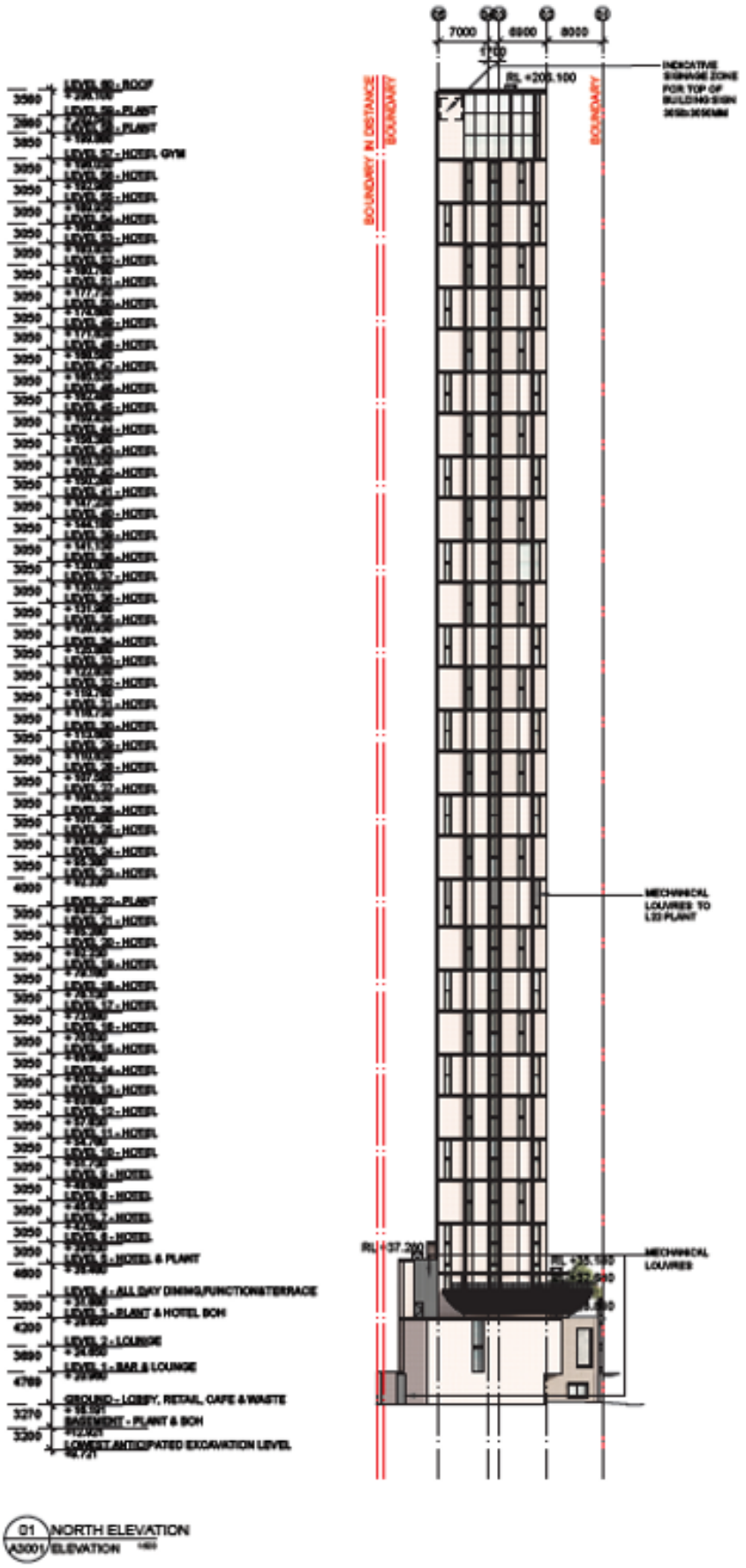


Figure 27 | North elevation of tower (Source: RtS architectural plans)

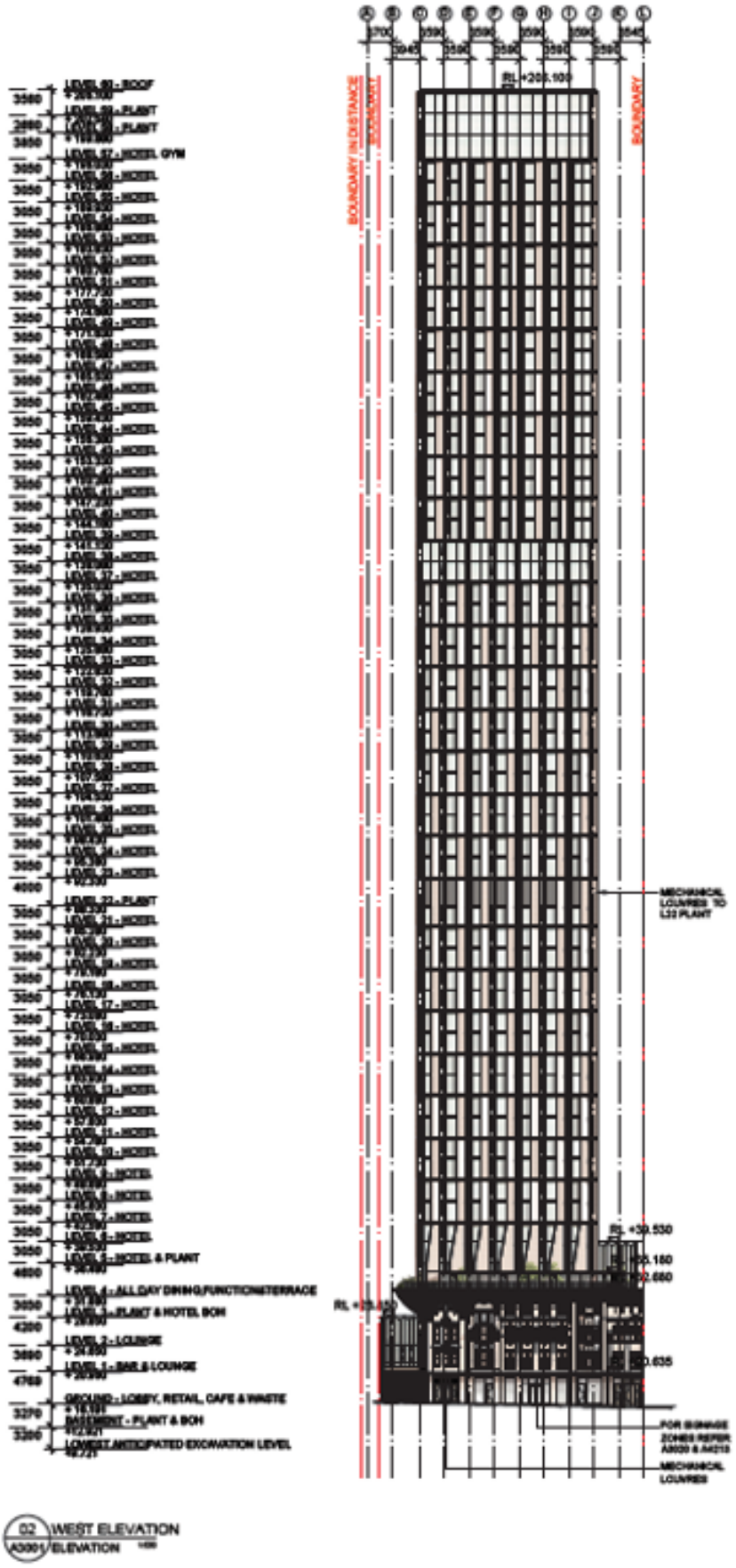


Figure 28 | South elevation of tower (Source: RtS architectural plans)

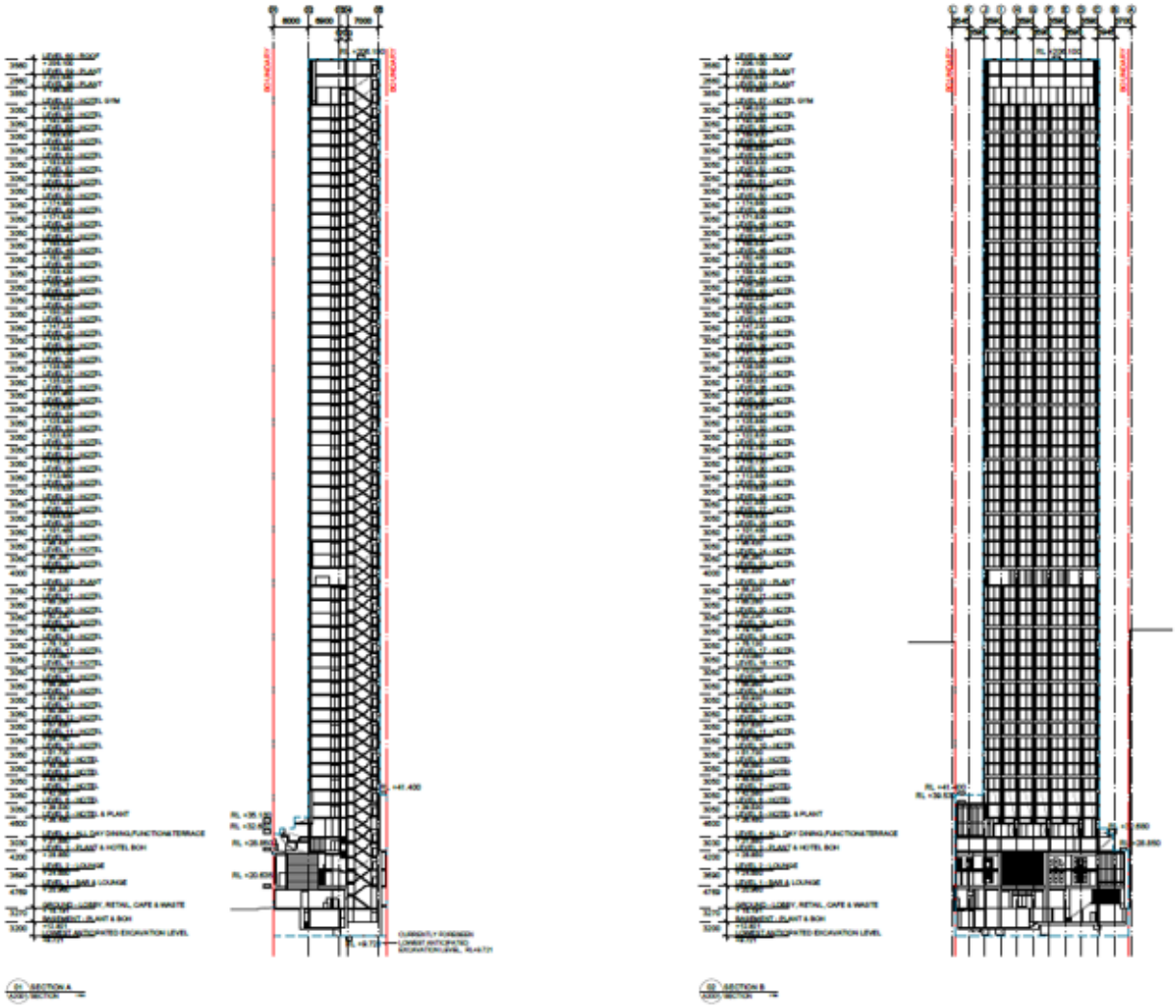


Figure 29 | Sections (A+B) through tower (Source: RtS architectural plans)

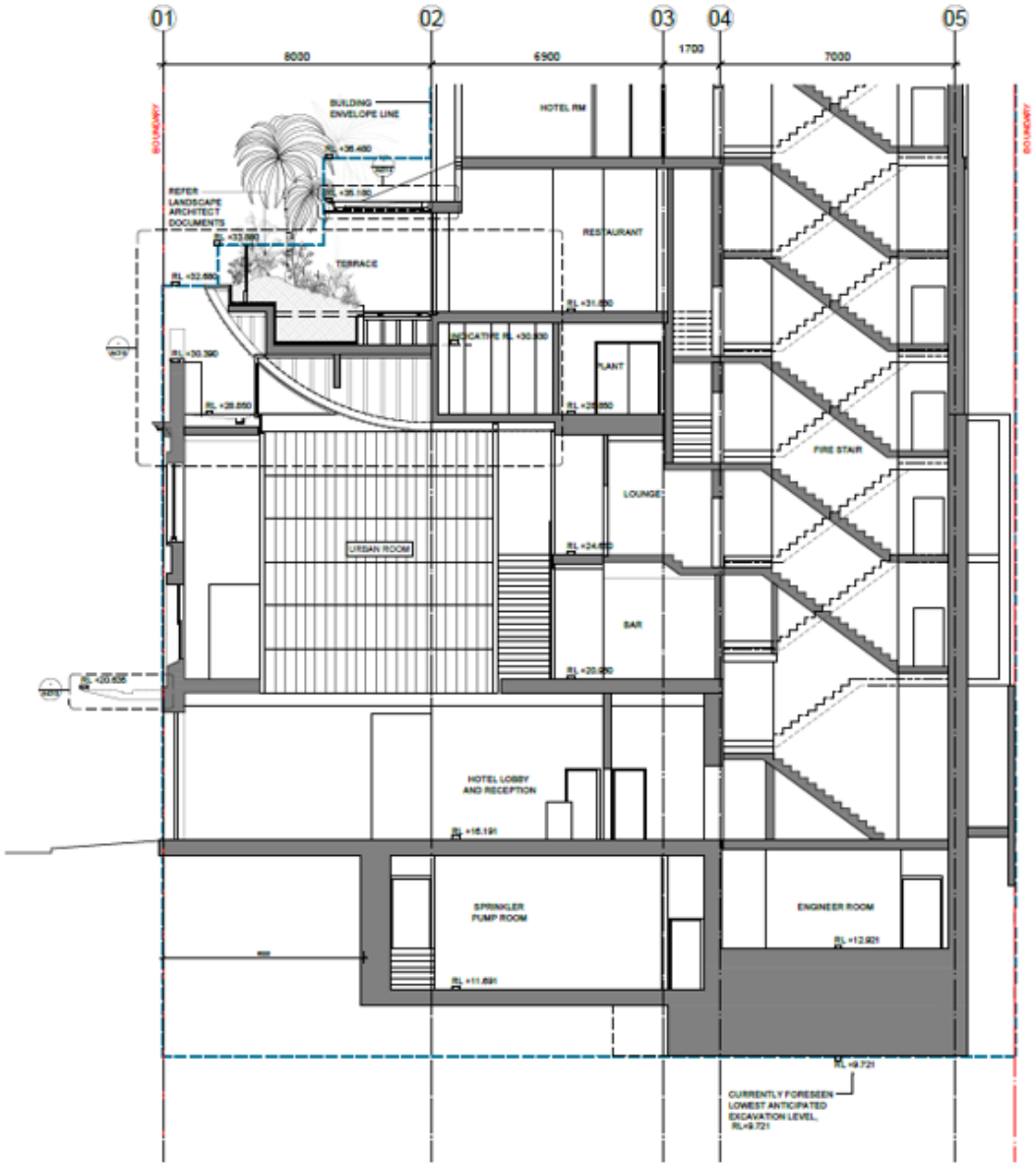


Figure 30 | Section through the podium (Source: RtS architectural plans)

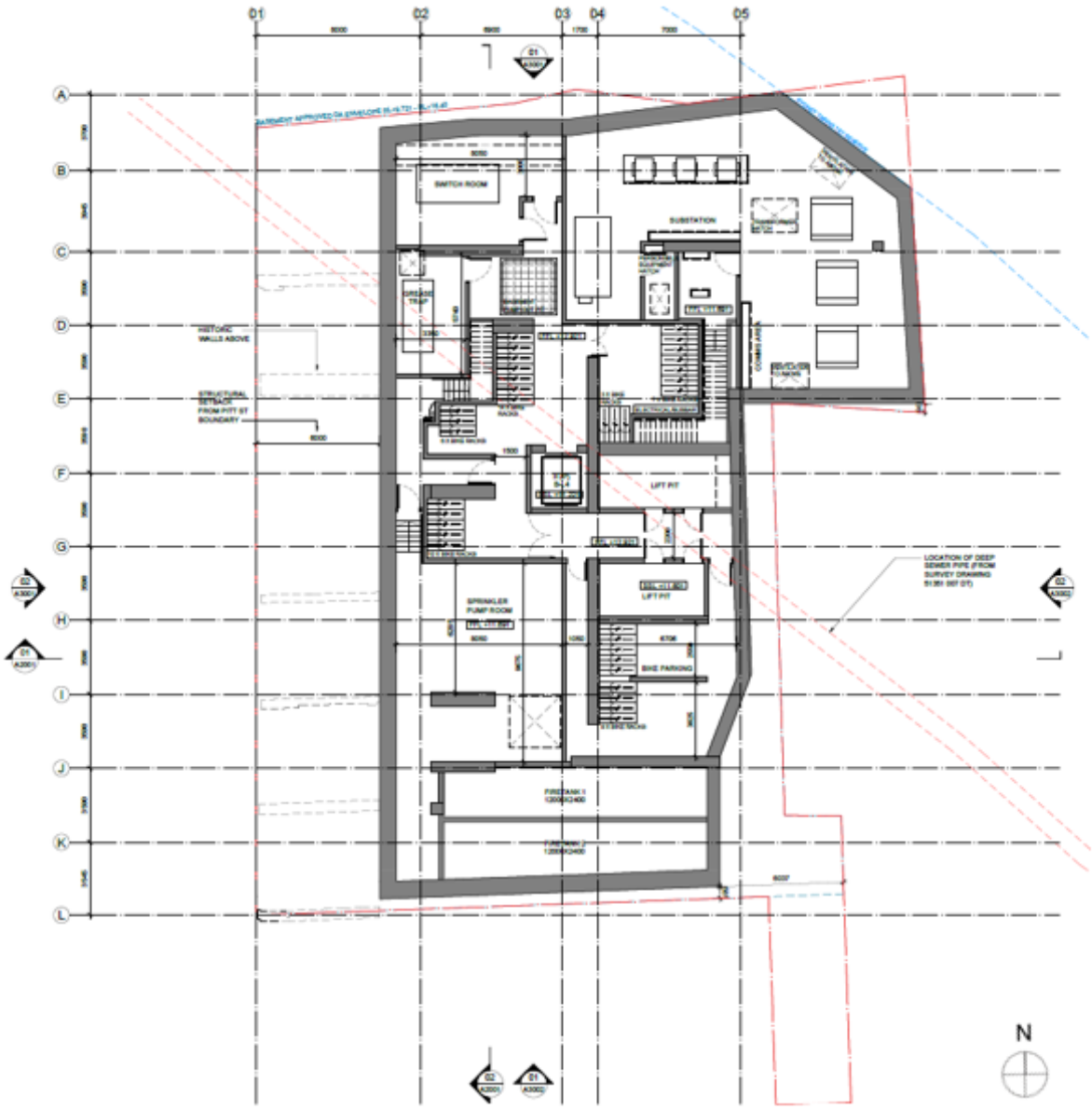


Figure 31 | Proposed basement floor plan (Source: RtS architectural plans)

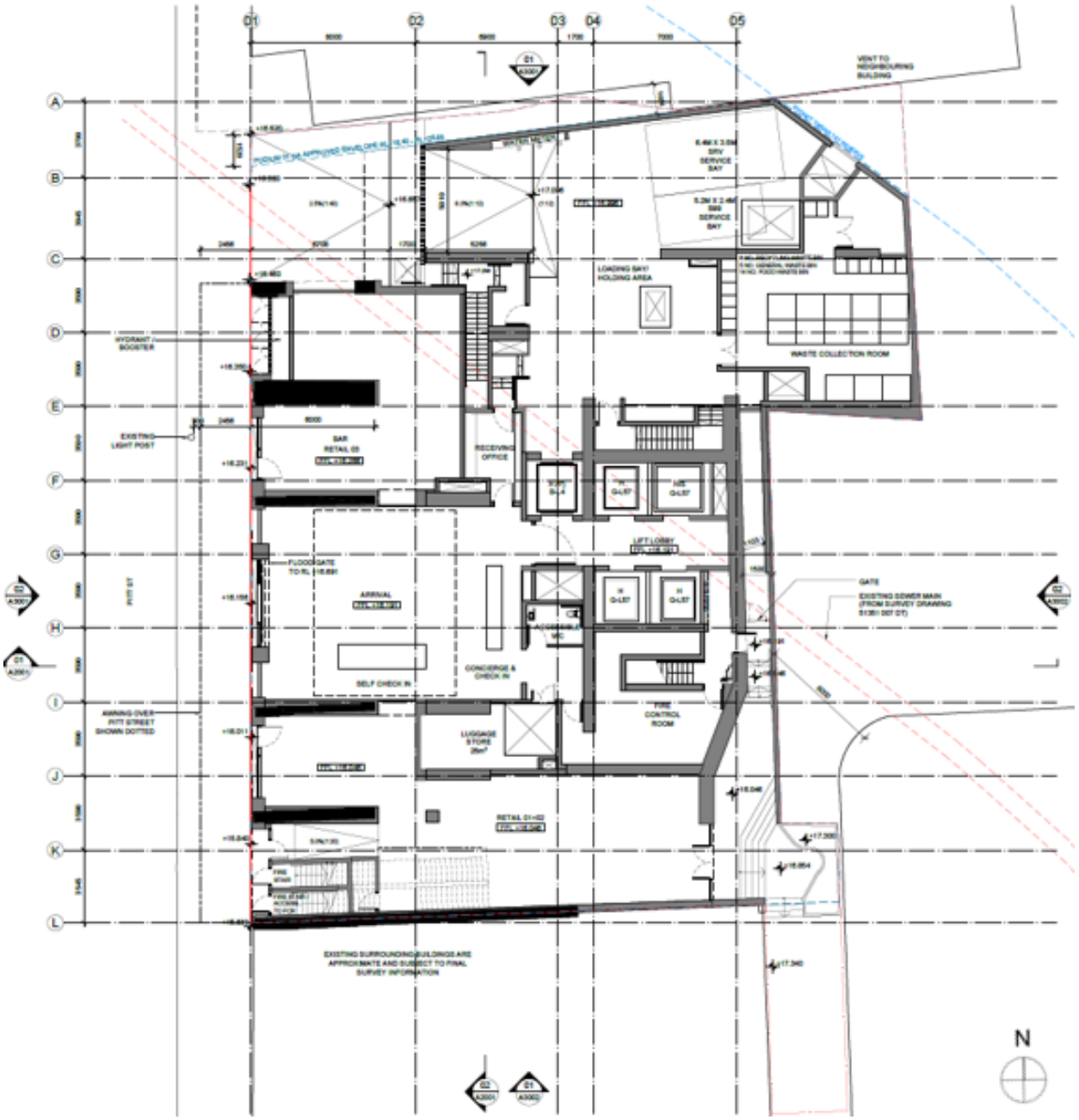


Figure 32 | Proposed ground floor plan (Source: RtS architectural plans)

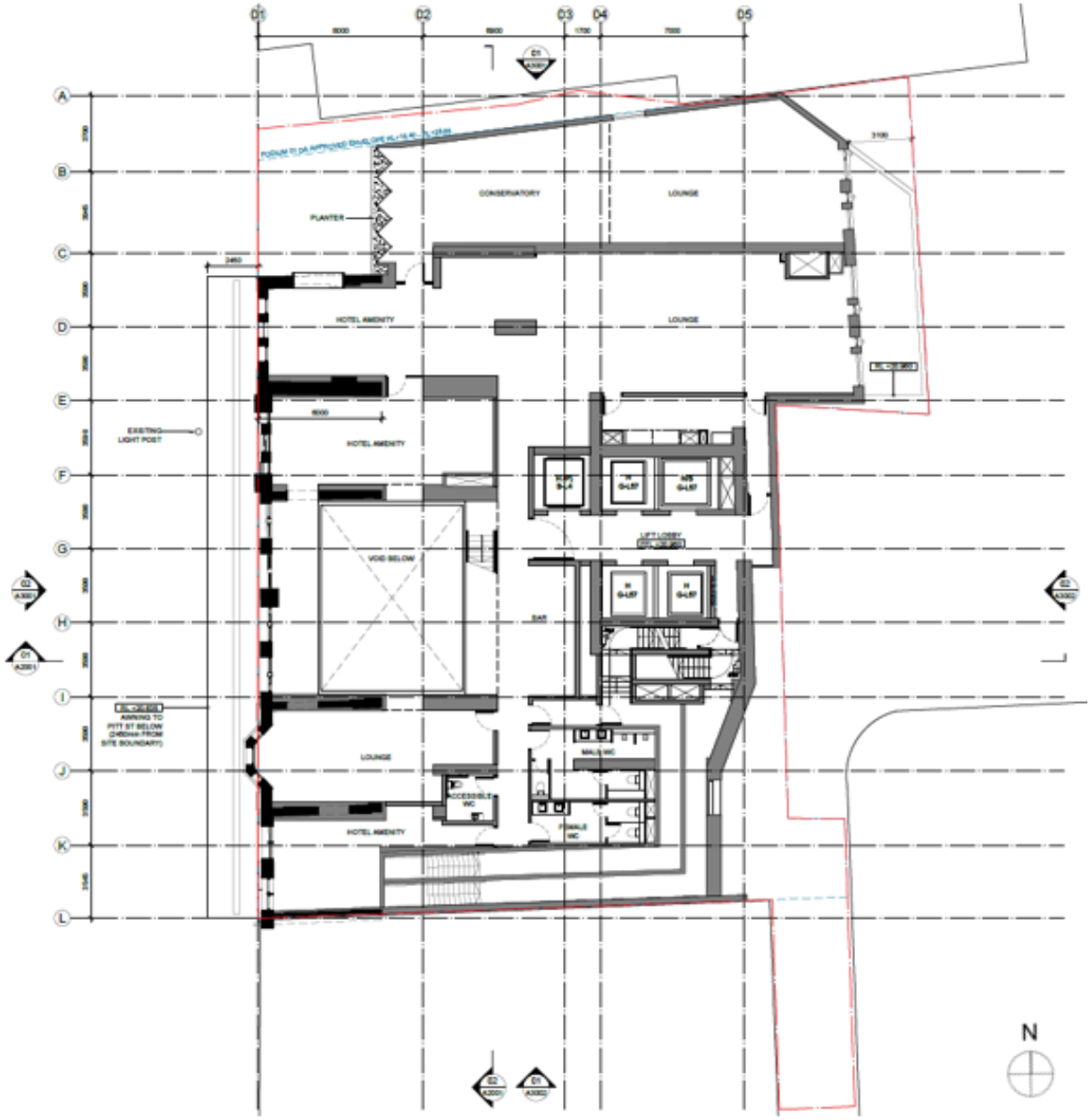


Figure 33 | Proposed first floor plan (Source: RtS architectural plans)

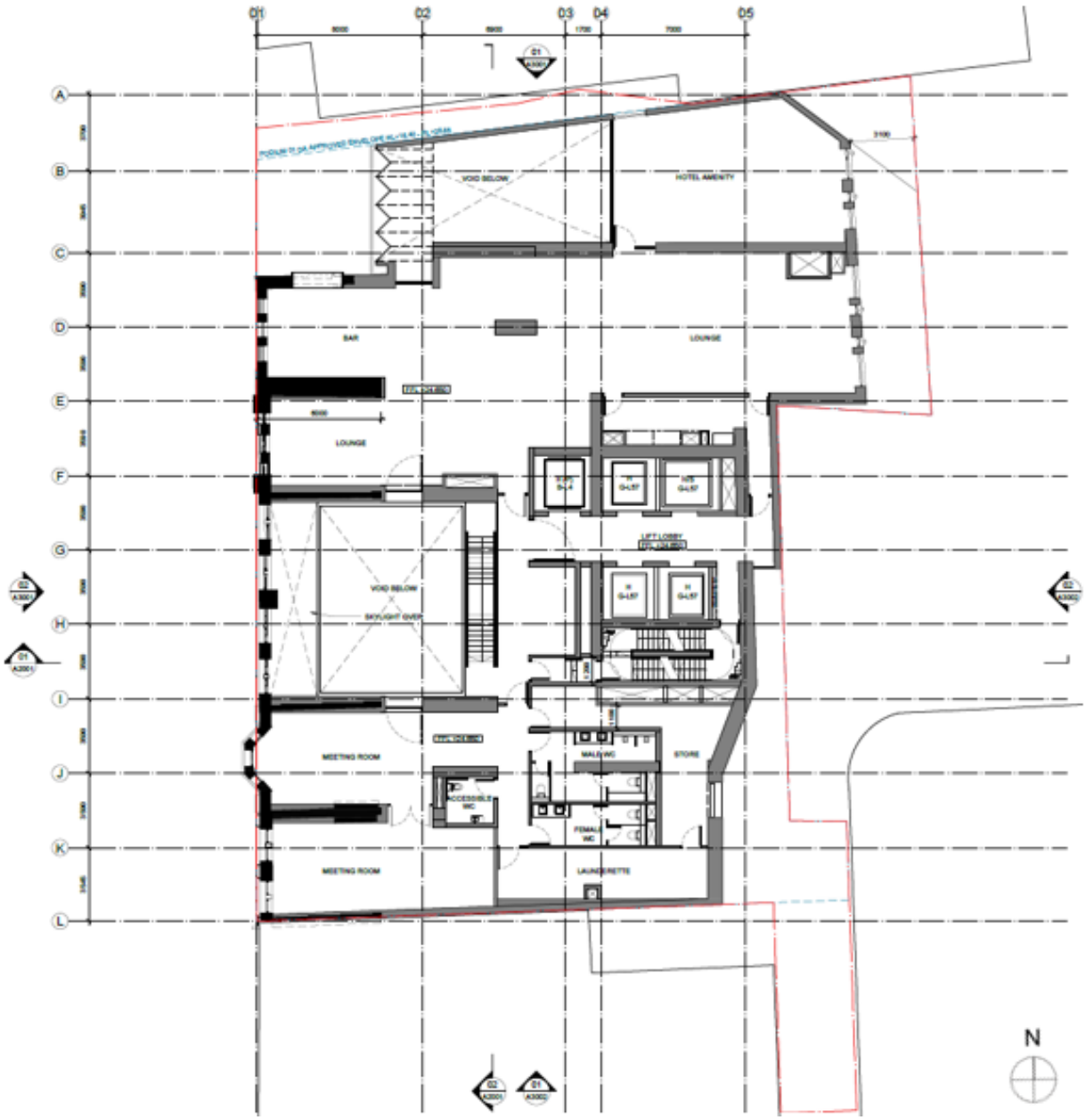


Figure 34 | Proposed second floor plan (Source: RtS architectural plans)

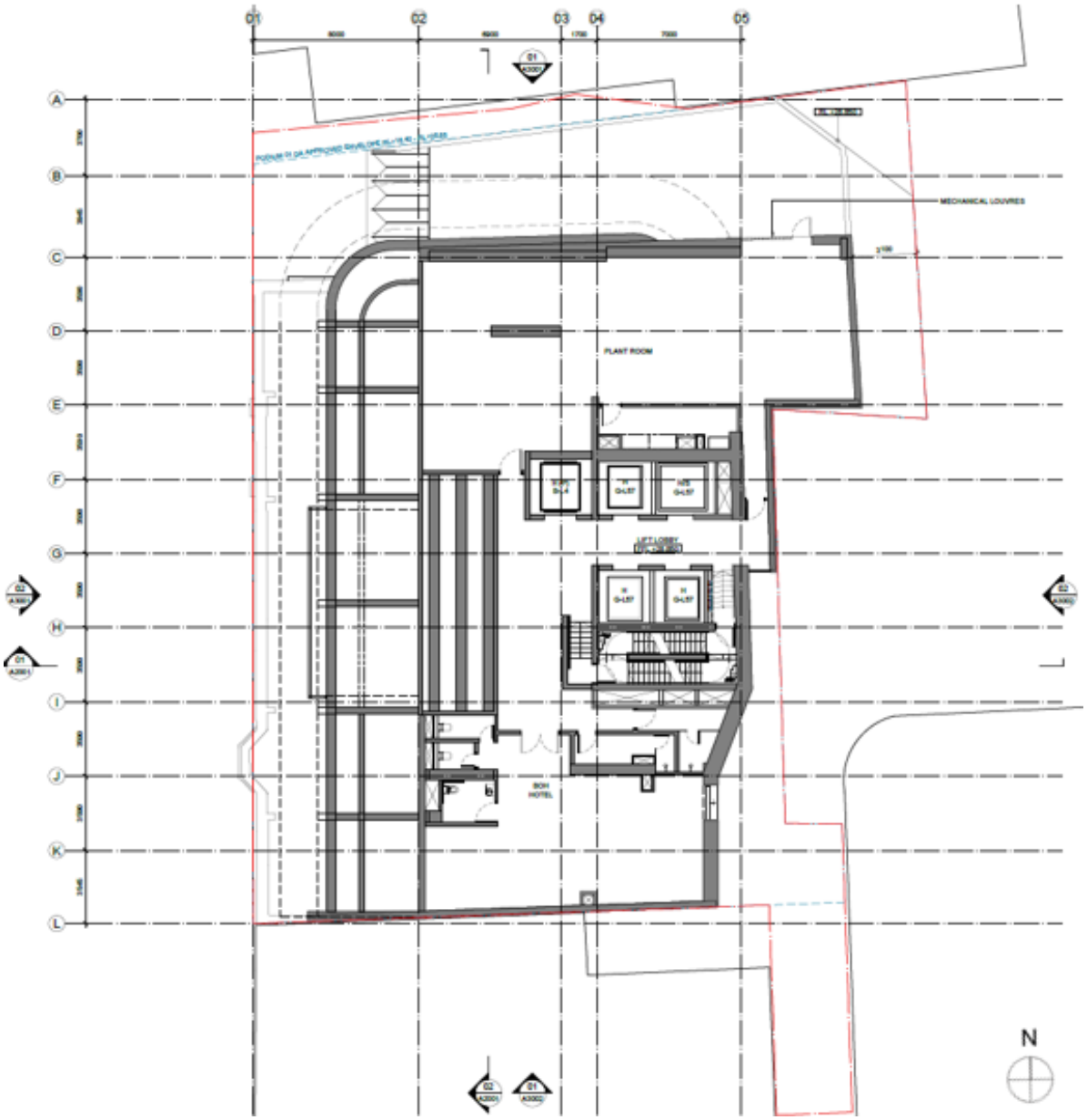


Figure 35 | Proposed third floor plan – top of lower podium (Source: RtS architectural plans)

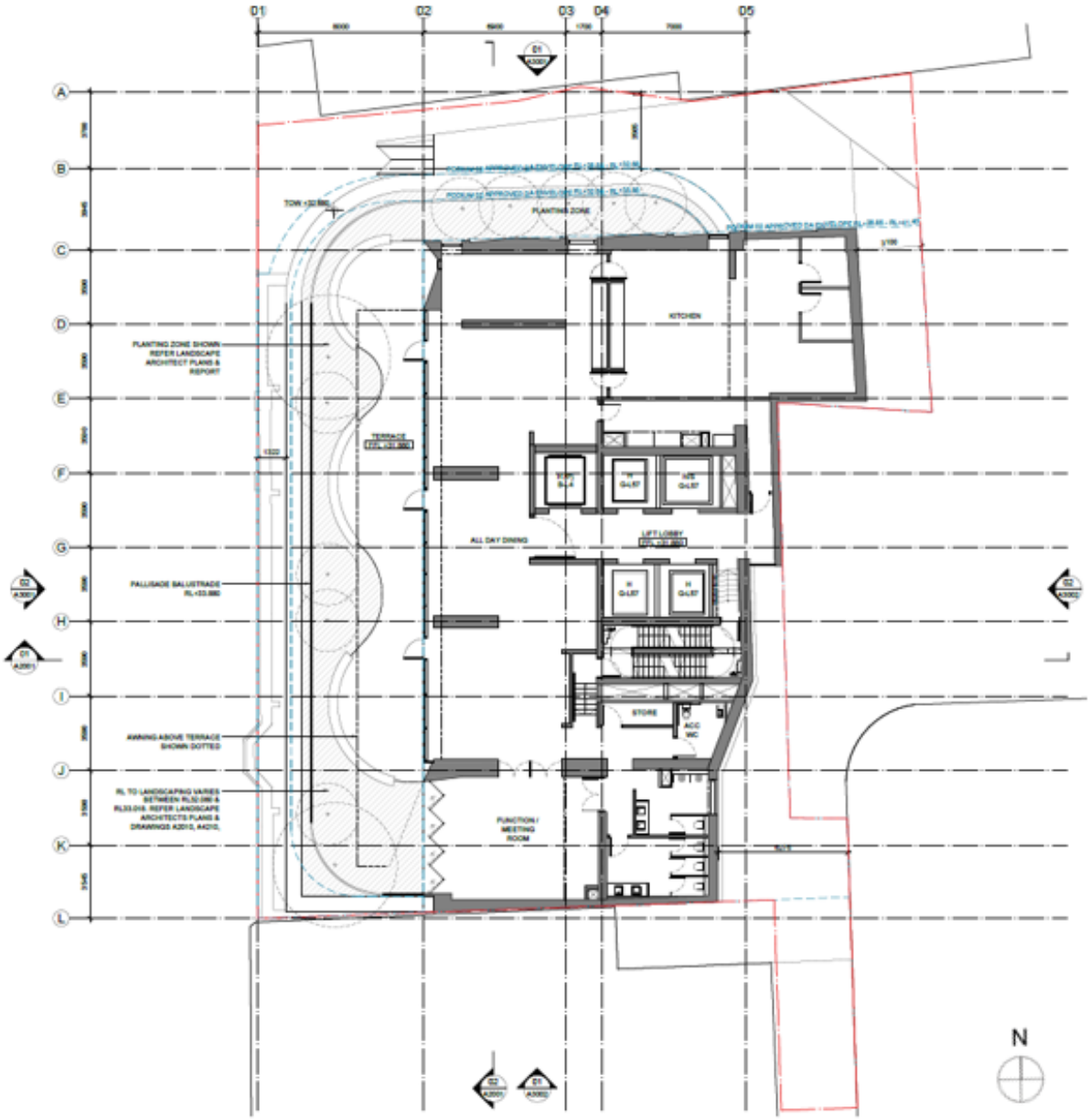


Figure 36 | Proposed level 4 (landscape ‘vessel’) floor plan (Source: RtS architectural plans)

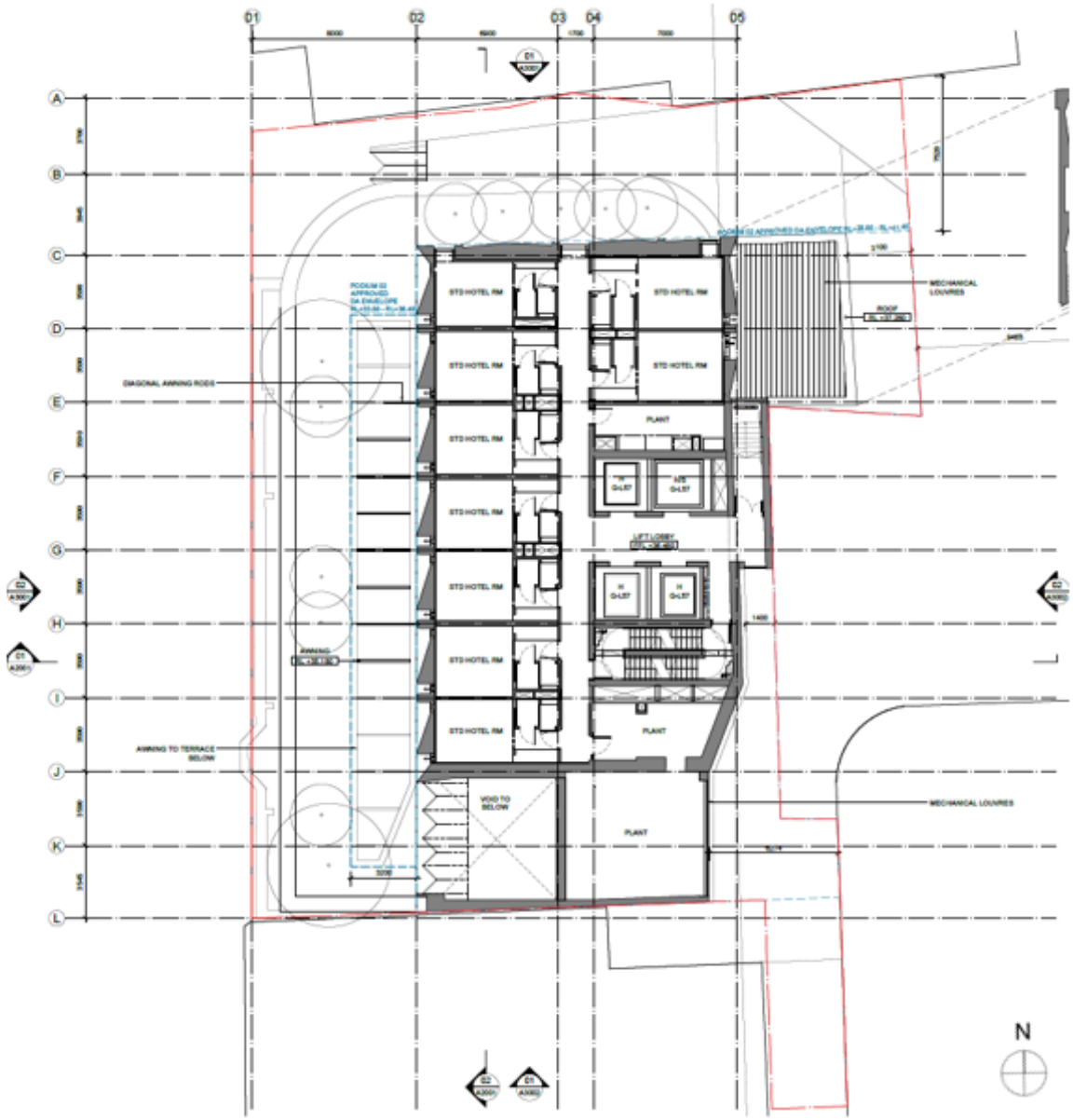


Figure 37 | Proposed level 5 floor plan – upper podium (Source: RtS architectural plans)

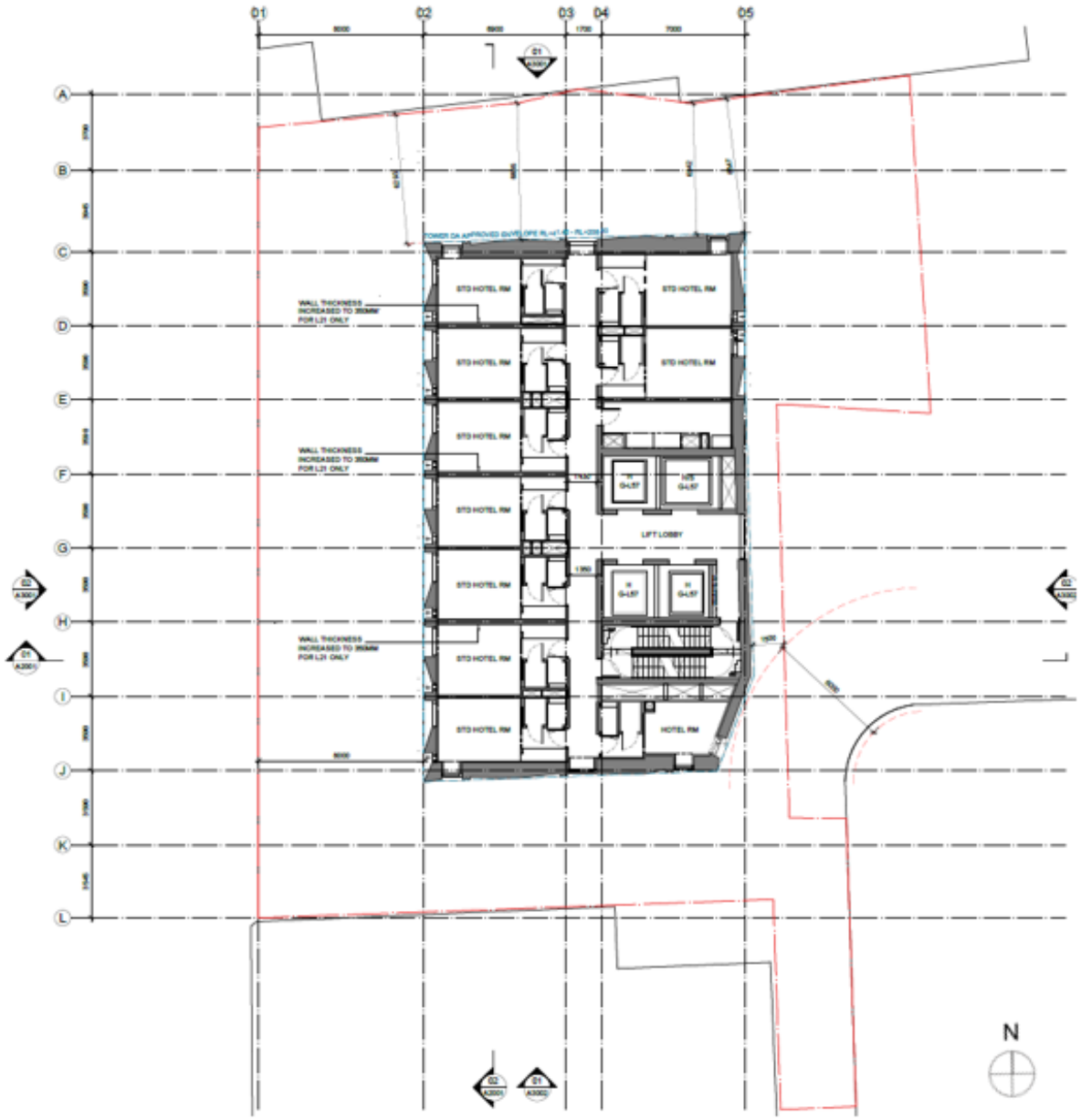


Figure 38 | Typical hotel floor plan (Source: RtS architectural plans)

2.3 Uses and activities

The application seeks consent for the redevelopment of the site primarily for the purpose of 'hotel accommodation', with ancillary retail premises at ground floor. The development will provide:

- 509 hotel rooms, hotel bars, lounge and amenity areas, meeting and function rooms and all day dining; and
- Retail and food and drink/bar tenancies at ground floor.

The hotel and associated hotel facilities will be operational 24 hours, 7 days per week. The proposed operational hours for the publicly accessible food and beverage facilities are:

- Ground floor café: 7:00am to 9:00pm, 7 days per week.
- Ground floor retail: 7:00am to 10:00pm, 7 days per week.

- Level 1 bar: 4:00pm to 11:00pm, 7 days per week.
- Level 2 hotel lounge: 24 hours for in house guests.
- Level 4 all day dining restaurant: 7:00am to 10:00pm, 7 days per week.

The maximum capacity for visitors and guests on the site at any one time is 1,100 people. This includes capacity for 1,029 hotel guests and 71 staff.

2.4 Timing

The development will be delivered in one stage; however, construction will be carried out within four discrete stages of commencement that will be the subject of separate Construction Certificates (CCs). The indicative staging of construction certificates is outlined in **Table 4** below.

Table 4 | Construction staging strategy

Aspect	Description
CC1	Earthworks / Earth Retaining and Stabilising Structures (ERSS) / Excavation and Demolition / Piling
CC2a	Substructure / Superstructure / Architectural Walls / Facade / MEP (Electrical / Mech / Fire / Plumbing / Plant and equipment)
CC2b	Interior Fit-out: Bathpod, Commercial Areas FFE / Lighting
CC3	Facade Services Fit-out

3 Strategic context

The project is consistent with the strategies, plans and policies outlined in **Table 5** below, and therefore considered appropriate for the site.

Table 5 | Summary of government strategies, plans and policies

Strategy, plan or policy	Consistency	Comments
Greater Sydney Region Plan – A Metropolis of Three Cities	Consistent	The Greater Sydney Region Plan (GSRP) supports a 40-year vision for a metropolis of three cities that will rebalance growth and deliver its benefits to residents across Greater Sydney. The site is located within the Harbour CBD. The proposed redevelopment of the site and provision of visitor accommodation and retail premises is entirely aligned with the Government's vision expressed within the Regional Plan. The project is consistent with the following objectives: • The proposal has undergone an Architectural Design Competition to ensure a high-quality design is delivered for the development and its location. The development achieves a high-quality tower, that will contribute to the built environment for a more attractive, safe, clean central CBD location (Objective 12). • The design has sympathetically considered and responded to the heritage façade and surrounding heritage items, including the Masonic Centre (Objective 13). The proposed design expertly integrates the retained façade with the podium and slender tower form through the choice of materials and finishes. • The proposal will deliver additional economic activity and food and beverage facilities within a highly accessible location, contributing to the achievement of a '30 Minute City'. Further leveraging the significant investment made by the NSW government in additional public transport infrastructure within the Sydney Metro (City and Southwest, and West). The proposal will optimise the site's positioning which is at a well-connected transport node within the central CBD district, presenting a unique opportunity to align development and city-shaping infrastructure, emphasising high levels of services and accessible employment opportunities for surrounding residents of the region (Objective 14).
NSW Visitor Economy Strategy 2030	Consistent	The proposal will directly respond to the NSW Visitor Economy Strategy 2030's objectives through private sector investment in visitor infrastructure within a highly connected and accessible location, supporting industries involved in the visitor economy. The

Strategy, plan or policy	Consistency	Comments
		proposal represents a $186,906,094 direct investment in the visitor economy through the capital investment value of the hotel component of the development. The proposal will result in employment generation in the visitor and hospitality sector, attracting domestic and international investment within the Central Sydney and improving visitor experience for future visitors to the development site. The provision of the food and beverage offerings within the development proposal will activate the precinct throughout the day and into the night-time, contributing to the 24-hour economy and the broader visitor economy.
Eastern City District Plan	Consistent	The proposed development will assist the City of Sydney in achieving the overarching priorities of the recently released Eastern City District Plan, including driving the growth of the Eastern City as a global leader; increasing total jobs and providing hotel accommodation close to public transport and services.
NSW State Infrastructure Strategy (SIS) 2022 – 2043	Consistent	The application delivers on the strategic directions set out in the SIS as it will increase density in an urban location with convenient access to public transport. It will leverage from the existing significant infrastructure and amenity in the locality to provide a mixed-use development that will further contribute to the growth and amenity of the Metropolitan CBD and competitiveness of the Harbour CBD, as well as improving Sydney's economy as the cultural capital of NSW enhancing ability to attract global investment and talent.
NSW Future Transport Strategy (Future Transport)	Consistent	The proposal is well aligned with the NSW Future Transport Strategy. It will deliver key hotel floor space in a highly accessible location close to many forms of public transport. The development will improve the public domain and accessibility. The allocation of bicycle spaces for both employees and patrons of the hotel is key in reducing transport environmental impacts. The proposal will provide bicycle and end of trip facilities which will promote the use of sustainable transport. The proposal will not provide car parking which will reduce the use of personal vehicles for travel and increase public and active transport usage. The proposal is aligned to the 'Successful Places' and 'Strong Economy' outcomes, locating employment generating floor space in a strategic location close to a number of public transport options. The application adopts world-leading sustainability initiatives in accordance with Future Transport's identified long term sustainability actions.

Strategy, plan or policy	Consistency	Comments
Central Sydney Planning Strategy (CSPS)	Consistent	The proposed hotel aligns with the key moves of the Central Sydney Planning Strategy (CSPS). The proposal will generate jobs through construction and operation of the hotel. The hotel responds to the heritage context with surrounding heritage items whilst respecting the retained historic façade. The site is also located within a high density zone identified within the CSPS Structure Plan. The proposal will provide additional employment within this high density 'tower cluster' area of the Sydney CBD which is a key move under the CSPS.
City Plan 2036	Consistent	The site is located within the Chinatown and CBD South Village. As identified in the City Plan 2036, the village includes major tourism destinations, bustling retail and entertainment uses and a cluster of hotels and backpacker hostels, making this a diverse and vibrant village. The proposal for a mixed-use development (predominantly comprising a hotel) aligns with the character of the area. The proposal will deliver 16,144sqm of gross floor area in a well-connected locality within Central Sydney. This includes 14,295sqm of hotel and 1,849sqm of retail floor space that will consist of a publicly accessible restaurant and bar. This will support the growing area that is already well established, to better facilitate tourism and visitor economy and an enhanced visitor experience. The site will contribute to the Central Sydney and Greater Sydney region through provision of employment generating floorspace, high quality visitor accommodation, food and beverage premise and addition of a high-quality tower form within the Central Sydney.
Sustainable Sydney 2030-2050	Consistent	Sustainable Sydney 2030-2050 Continuing the Vision is the City of Sydney's vision for a sustainable future. The proposal is consistent with the following principles: • The proposal is designed to achieve a 4.5-star Star NABERS Energy Hotel design standard, 4-star Star NABERS Water Building rating (hotel) and a 4-star green Star rating. • The development will make a notable contribution to Sydney as a global city by providing world class hotel accommodation that will encourage an international gateway to tourism and encourage business activity and employment in the city centre. • The proposal will deliver improvements to the ground floor plane and improved pedestrian access, connectivity and amenity into and around the site. The proposal will also encourage the use of active transport options, particularly

Strategy, plan or policy	Consistency	Comments
		given its location within the CBD which benefits from immediate access to multiple public transport options.

4 Statutory context

4.1 Permissibility and assessment pathway

Details of the legal pathway under which consent is sought, and the permissibility of the project are provided in **Table 6** below.

Table 6 | Permissibility and assessment pathway

Consideration	Description
Assessment pathway	The proposal is a State Significant Development Application in accordance with Schedule 1 of State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) as it comprises a new hotel accommodation development with an estimated development cost greater than $100 million in accordance with clause 13(2)(a) Cultural, recreation and tourist facilities. It is noted that the subject application was lodged prior to 13 December 2024, when clause 13(3) of the SEPP was introduced, allowing hotel accommodation of any value to be assessed and determined by the City.
Consent authority	On 2 May 2024, Secretary of the Department of Planning, Housing and Infrastructure delegated responsibility for the assessment of the application (and related functions) to the City. On 5 May 2024, the Minister for Planning and Public Spaces delegated consent authority functions to the City in respect of the application.
Permissibility	The project is located within the SP5 – Metropolitan Centre zone under the Sydney Local Environmental Plan 2012 (Sydney LEP 2012). The proposed hotel accommodation and ancillary retail premises are permissible with consent in this zone.

4.2 Other approvals and authorisations

The project will not require an environment protection licence issued by the NSW Environment Protection Authority under section 42 of the *Protection of the Environment Operations Act 1997*.

Under section 4.41 of the EP&A Act, a number of other authorisations required under other Acts are not required for SSD and SSI. This is because all relevant issues are considered during the assessment of the SSD application.

Under section 4.42 of the EP&A Act, certain approvals cannot be refused if they are necessary to carry out the SSD. These authorisations must be substantially consistent with any SSD development consent for the project. The City has consulted with and considered the advice of the relevant government agencies responsible for these other authorisations in its assessment of the project (see **Section 5** and **Section 6**). Suitable conditions have been included in the recommended conditions of consent (see **Appendix D**).

4.3 Planning Secretary's environmental assessment requirements

The City's review determined that the EIS addresses each matter set out in the Planning Secretary's environmental assessment requirements (SEARs) issued on 19 December 2023 and is sufficient to enable an adequate consideration and assessment of the project for determination purposes.

4.4 Mandatory matters for consideration

4.4.1 Matters of consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The City's consideration of these matters is shown in **Table 7** below.

Table 7 | Matters for consideration

Matter for consideration	City's assessment
Environmental planning instruments, proposed instruments, development control plans & planning agreements	**Appendix B – Statutory considerations**
EP&A Regulation	**Appendix B – Statutory considerations**
Likely impacts	**Section 6** - Assessment
Suitability of the site	**Section 1.4** - Project background, **Section 3** - Strategic Context and **Section 6** - Assessment
Public submissions	**Section 5** – Engagement, **Section 6** – Assessment & **Appendix C** – Response to community submissions
Public interest	**Section 5** - Engagement, **Section 6** - Assessment & **Section 7** - Evaluation

4.4.2 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the project is consistent with the relevant objects of the EP&A Act (s 1.3) including the principles of ecologically sustainable development. Consideration of those factors is described in **Appendix B**.

As a result of the analyses in **Appendix B**, the City is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ecologically sustainable development (ESD).

4.4.3 Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency

Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department on 17 January 2024. The Director, Greater Sydney Branch Biodiversity, Conservation and Science Group and the A/Team Leader, Key Sites Assessments of the Department of Planning, Housing and Infrastructure as delegate of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 20 February 2024.

5 Engagement

5.1 Preparation of SEARs

During the preparation of the Planning Secretary's environmental assessment requirements, the Department consulted with relevant state government agencies and the City of Sydney.

5.2 Exhibition of the EIS

5.2.1 Public exhibition of the EIS

In accordance with Schedule 1 of the EP&A Act and the City's Community Participation Plan, the City of Sydney publicly exhibited D/2024/446 (SSD-65204458) for 28 days from 24 June 2024 to 22 July 2024. The application was made publicly available on the City's and Department of Planning, Housing and Infrastructure's (the Department's) websites.

The City notified adjoining and surrounding landowners, the Department and relevant Government agencies in writing. All notification and public participation statutory obligations have been satisfied.

The City has considered the comments raised by Government agencies and in public submissions during the assessment of the application (see **Section 6**).

5.2.2 Summary of advice received from government agencies

The City received advice from seven government agencies on the EIS.

A summary of the agency advice is provided in Table 8. A link to the full copy of the advice is provided in **Appendix A**.

Table 8 | Summary of agency advice

Agency	Advice summary
Ausgrid	Standard advice was provided regarding underground services during excavation, proximity to an Ausgrid chamber substation, existing poles as well as new connections.
Department of Climate Change, Energy, the Environment and Water (Heritage Council of NSW/Heritage NSW)	Heritage NSW advised that copies of the unredacted Aboriginal Cultural Heritage Assessment and the Archaeological Research Design and Field Methodology (as recommended in the Archaeological Assessment) be submitted for review and comment. An appropriate condition is recommended.
Sydney Water	The site is traversed by a critical wastewater trunk. Sydney Water advised on 12 July 2024 that the proposal does not comply with Sydney Water's Technical Guidelines – Building over and adjacent to pipe assets. Building over the trunk is not permitted without Sydney Water's approval and a Letter of Conditions (with approval) is required to be sought as part of the Out of Scope Building

Agency	Advice summary
	Plan Approval (OOSBPA) before the referral can be completed and approval for the development is granted. The applicant has since lodged an OOSBPA but approval has not been granted at the time of assessment. The applicant also has a Section 73 Compliance Certificate case (to determine what services are needed for the development) with Sydney Water. Noting that Sydney Water's comments are not required formally by the Sydney Water Act 1994 before the application can be determined, it is recommended that a condition be imposed requiring approval of the OOSBPA and compliance with any conditions Sydney Water recommend as part of that approval, prior to the commencement of any works on site. Additionally, Sydney Water standard requirements (such as Sydney Water tap-in) which have been imposed as part of the amending Concept DA are to be incorporated into this consent.
Sydney Airport	Sydney Airport advised that the development will penetrate 50.1m into the prescribed airspace. Approval was granted on 27 September 2024 for the controlled activity, with conditions to be imposed.
Sydney Metro	The application was referred to Sydney Metro as the site is above the City and South West tunnel 2nd reserve. Sydney Metro initially requested additional information with regard to a detailed survey plan, a copy of the current land title including all easements, as well as geotechnical and structural reports, construction methodology, risk assessment and an electrolysis report. The applicant provided a response to the above issues on 31 January 2025. Sydney Metro provided assurance on 29 April and 1st May 2025 that concurrence is forthcoming. It is therefore recommended that determination of the application be delegated to the Chief Executive Officer of the City of Sydney, pending the receipt of conditions.
Sydney Trains	Sydney Trains initially requested additional information in relation to the potential effects of the development on the safety and structural integrity of the rail infrastructure, as well as the safe and effective operation of the rail infrastructure. The applicant provided a response to the above issues on 31 January 2025. Sydney Trains provided concurrence on 2 April 2025.
Transgrid	Advice was received that the development did not affect any Transgrid assets, and no comment would be provided.
Transport for NSW (TfNSW)	TfNSW advised that they had no objection to the application, subject to standard conditions including the preparation and approval of a Construction Pedestrian and Traffic Management Plan and Road Occupancy Licence.

5.2.3 Key issues raised by City staff

The application was referred to internal specialist units who reviewed and commented on the proposal. The following comments and recommendations were made to be addressed as part of any RtS report:

Urban Design

- Setback of the landscape 'vessel' by at least 1m, to allow more light into the lower podium levels and reduce the visual impact on the historic façade below.
- The building articulation of the lower floor of the tower is to revert back to a design similar to that of the competition proposal, with greater depth to the facade.
- The lantern form at the top of the building is a key feature of the scheme, and the competition proposal with illumination in all directions is to be retained.
- Natural light to the lift lobbies is inadequate at the upper levels and requires further consideration.
- The car park entry and laneway to the north of site is very utilitarian and further refinement to the interface on the northern boundary and paving is recommended.
- The modified building envelope is to be overlayed on the Level 4 and Level 5 plans and sections of the detailed design to compare the change relative to the proposed detailed design.
- A signage strategy is to be submitted.

Contamination

- Provide additional information to confirm the contamination status of the property, including a Detailed Site Investigation and Remediation Action Plan with Site Audit Statement.

Public Domain

- Provide further justification for the use of flood gates.
- Submit an updated MUSIC-Link Stormwater Report.
- Provide revised levels and gradients with longitudinal and cross sections.

Landscape

- The building design is to account for any required shade and wind mitigation methods to ensure rooftops and podium communal open space are useable and can achieve wind safety and comfort standards.
- A detailed set of landscape plans are to be submitted to ensure a coordinated and complete design, with structural information supporting the landscape 'vessel'.
- An updated roof plan is to be submitted with inaccessible green roofs to 30% of the roof area and green roof detail.

Public Art

- The Preliminary Public Art Plan is to be amended to address the public art opportunities and budget.

Noise

- A detailed Acoustic Assessment assessing all operational noise sources from the development is to be submitted.

Waste Management

- Architectural drawings are to be coordinated with the Waste Management Plan submitted with the proposal, including provision of bulky waste storage areas, bin handling equipment, layout and number of bins required for the development.

The above matters have been addressed through subsequent amendments as part of the RtS report and via recommended conditions of consent. See **Section 5.3**, which provides a summary of the changes made to the proposal.

5.2.4 Summary of public submissions

During the exhibition period, the City received 5 submissions[1] and the Department received 1 submission during the public exhibition period of the EIS. Of the submissions received, all were objecting to the proposal raising various areas of concern.

All submissions were made by or on behalf of owners or tenants within buildings located in the immediate vicinity of the subject site.

Table 9 below and a link to all submissions in full is provided in **Appendix A**. A detailed response to public submissions is provided in **Appendix C**.

Table 9 | Submissions on the EIS

Submitter	Number of submissions	Position
Submissions from community members < 5 km	6	Object
	0	Support
	0	Comment
TOTAL	**6**	

The key issues raised by the public relate to construction impacts, the use of Carruthers Place as part of the redevelopment of the site, loss of light to public domain and overshadowing of neighbouring apartment buildings, inconsistency of the proposal with the approved concept building envelope and the scale of the development.

Table 10 | Key issues raised in submissions on the EIS

[1] Each petition or submission that contains the same or substantially the same text is counted as one submission in accordance with section 2.7(6) of the Planning System SEPP.

Issue	% of Submissions
Construction impacts – demolition and construction period (noise, vibration and dust) will have an impact on the operation of surrounding businesses and their plant equipment. Risk of ground displacement / undermining of support to foundations of surrounding buildings.	2 (20%)
Carruthers Place – proposal has the capacity to impede egress from fire doors, fire control room and boosters of neighbouring property to the north – during construction and occupation of the building. Car park located behind the subject site currently uses Carruthers Place for vehicular access and will be landlocked as a result of the development. Easements/approvals have not been taken into account. Carruthers Place is meant to be a public laneway and constructing within this laneway is a breach of previous approvals granted by Council for the construction of 370 Pitt Street. Carruthers Place provides access, air, light and ventilation to the building and there will be a substantial loss of amenity as a result of this proposal.	4 (40%)
Loss of light to public domain – relating to the proposed landscape 'vessel' exceeding the approved podium height and disproportionate scale of the development.	2 (20%)
Pedestrian safety - in relation to the use of Carruthers Lane by pedestrians (existing the fire stair of 370 Pitt Street or walking along Pitt Street) in conflict with service vehicles.	1 (10%)
Overshadowing to neighbouring apartment buildings – particularly 91 Goulburn Street to the south-east of the subject site.	1 (10%)

5.3 Response to submissions

Following the public exhibition period, the applicant was asked to respond to the issues raised in public submissions and the advice received from government agencies and specialist internal units. The applicant provided a Response to Submissions (RtS) report to the City on 22 November 2024 and further additional information on 31January 2025 (see **Appendix A** for link).

The City published the submissions report on the NSW Planning Portal and forwarded the submissions report to relevant government agencies for comment.

The report and its attachments were not advertised as it did not provide for any significant changes to the proposal that would warrant re-exhibition. Only minor amendments which would result in reduced impacts were proposed including:

- The setback of the landscape 'vessel' by 1m to the Pitt Street boundary of the site.
- Removal of illuminated signage from the northern elevation.
- Increased window openings by 400mm for the hotel corridors on the north and south (side) elevations).

- Change in finished floor level (FFL) for ground floor and basement levels, including the provision of a flood barrier in response to flooding requirements.
- Removal of one top of building signage zone at the south elevation.
- Marginal decrease in GFA from 16,180sqm to 16,144sqm.
- Internal reconfiguration of basement and Levels 1 & 2. The basement layout has also been amended to include additional bicycle parking (now 49 bicycle spaces).
- Decrease of number of hotel rooms from 517 to 509 as a result of internal configurations.
- Additional plant space on Levels 57, 58 and 59.
- An increase of approximately 162sqm of glazing on the top level for the north, east and south elevations to maximise glazing following a rationalisation of plant space.
- Additional documentation as requested to address landscape, waste, public domain, contamination, noise, public art concerns and issues raised by government agencies.

6 Assessment

6.1 Key issues

The City has considered the proposal, the issues raised in submissions and the Applicant's RtS. The City considers the key issues with the proposal are:

- Consistency with Concept Approval D/2021/1504 and Amending DA D/2024/36
- Design excellence
- Heritage and
- Carruthers Place

Each of these key issues are discussed in the following sections of the report. The City's consideration of other issues relating to this application are addressed in **Section 6.5**.

6.2 Consistency with Concept Approval D/2021/1504 and Amending DA D/2024/36

Pursuant to Section 4.24(2) of the Environmental Planning and Assessment Act 1979, where a concept development application for a site remains in force, a determination of any further development application in respect to that site cannot be inconsistent with the concept development consent.

The concept approval relating to this proposal is D/2021/1504. This consent is for the concept building envelope with a maximum height of RL 206.1, for hotel and residential land uses and retail premises at ground floor, and vehicular and loading access from Carruthers Place.

An Amending DA, D/2024/36, seeks to replace the residential uses with hotel accommodation, as well as minor design changes to align with this SSD. The DA relies on the concept building envelope approved under D/2021/1504 and has the effect of modifying the concept development consent. The modifications have been assessed as acceptable, as outlined in the assessment report for D/2024/36 submitted concurrently with this application. The subject SSD is assessed on the basis that the Amending DA has been approved.

As outlined below, the detailed design proposal is consistent with the key (relevant) conditions imposed on the concept development consent.

Table 11 | Key conditions of consent – D/2021/1504

Condition	Response
(4) Building Height	The proposal does not exceed the sun access plane.
(5) Floor Space Ratio	The proposal complies with the maximum permitted FSR for the site, including accommodation floor space bonuses and the 10% additional floor space pursuant to Clause 6.21D of the Sydney LEP 2012.

Condition	Response
	A condition relating to the purchase of heritage floor space is recommended.
(6) Compliance with concept envelope heights and setbacks	The proposal is consistent with building heights and setbacks established by D/2021/1504.
(7) Detailed design to be contained within approved envelope	The proposal is consistent with the approved plans in the amending concept approval D/2024/36. The changes to the envelope at level 4 above the historic lower podium have been assessed in this report and as part of D/2024/36 and are acceptable.
(8) Competitive Design Process.	The proposal has been the subject of a competitive design process, conducted in accordance with the condition. The proposal is closely based on the winning scheme by KHA Architects, with the exception of the residential use, which is now no longer being pursued. The development is considered to achieve design excellence, satisfying Clause 6.21C of the Sydney LEP 2012 as discussed in **Section 6.3** of this report.
(10) Geotechnical Report	A geotechnical report has been submitted, satisfying the requirements of the condition.
(11) Detailed design of building	The brief for the competitive design process was prepared in accordance with the requirements of this condition. The proposed development is also consistent with the requirements of the condition (with the exception of references to residential) as follows: • The proposed basement is offset 6m from the boundary. This zone contains the existing wall footings of the retained terrace facades and one bay deep of party walls. Geotechnical and structural advice has been submitted confirming that the footings will not be undermined by the proposed excavation. • New floor levels behind the retained façade meaningfully relate with existing floor levels and the façade itself. • The ground level space of the retained terraces is to be used as individual food and drink premises. A condition is recommended for all shopfronts at ground level to be reconstructed to interpret their original configuration and form,

Condition	Response
	as per the figures provided in the submitted Heritage Impact Statement. • The tower development is considered to achieve design excellence as detailed elsewhere in this report (see **Section 6.3**). The development provides an appropriate response to adjacent buildings; provides a safe environment in accordance with CPTED principles; and positively contributes to the Pitt Street streetscape. • The proposal provides landscaping at level 4 as part of a landscape 'vessel', which acts as a vessel for deep soil. The 'vessel' provides an accessible and inaccessible green roof, contributing towards the City's 'greening' targets. • The development has a driveway width of approximately 5.6m, in accordance with Section 3.11.11 of the Sydney DCP 2012. • An easement is proposed along the northern boundary of Carruthers Place for fire egress from The Chambers building at 362-370 Pitt Street, Sydney, with a minimum width of 1.484m. The easement is to encompass all fire doors along the southern elevation of The Chambers building and an appropriate condition is recommended to ensure this easement is registered on title. • The applicant has liaised with Sydney Water during the assessment of the application. As noted elsewhere, conditions are recommended to address Sydney Water requirements prior to the commencement of any work on-site. • Plant and lift overruns have been incorporated into the roof form of the building, with parapet screening so that they are not visible from the public domain.
(12) Awning	The proposed awning at ground floor is provided but is simplified and unified in form. A condition is recommended for the awning to be designed so that it refers to, and interprets the original form and detail, as per the Heritage Impact Statement.

Condition	Response
(13) Stage 2 Development Application to comply with relevant planning controls	The proposal complies with the relevant planning controls, as detailed within this assessment report.
(14) Detailed Environmental Site Investigation Required	A detailed site investigation report has been submitted with the subject application as required by this condition. Relevant conditions relating to contamination, as recommended by the City's Environmental Health Unit, are included in Attachment D.
(15) Structural integrity of retained building elements	A detailed structural report has been submitted as required by this condition. The report details that the existing timber flooring and associated steel framing are to be demolished and replaced with reinforced and post-tensioned concrete slabs. New reinforced concrete columns are to be constructed adjacent the retained masonry piers and immediately adjacent the existing façade, ensuring that these elements attract no new loading due to the proposed tower.
(17) Archaeological Assessment	An archaeological assessment has been undertaken and submitted with the SSDA in accordance with this condition. The archaeological assessment report finds the site has archaeological potentials and suggests that a s140 permit application from HNSW is required. The assessment has been referred to HNSW, with appropriate conditions recommended.
(18) Schedule of Conservation/ Reconstruction Works	A schedule of conservation works has been submitted with the SSDA in accordance with this condition. The schedule of conservation works has been reviewed by the City’s Heritage Specialist and is acceptable. A condition is to be imposed to ensure the works are carried out.
(19) Ecologically Sustainable Development	An ESD strategy has been submitted with the subject application in accordance with the requirements of the condition and is assessed as acceptable.
(20) Public Art	A Preliminary Public Art Plan has been submitted with the subject application. The Preliminary Public Art Plan

Condition	Response
	has been reviewed, and is considered acceptable, by the City's Public Art Unit. A condition is recommended to require a Detailed Public Art Plan to be developed prior to the commencement of above ground works, and to require the installation of public art prior to the occupation of the development.
(21) Wind Assessment	The proposal is accompanied by an amended wind statement in accordance with this condition. The development is not considered to result in any adverse impacts compared to the concept approval, given that the detailed design largely follows the approved envelope.
(24) Access and Facilities for Persons with Disabilities	An accessibility report has been submitted with the subject application as required by this condition. Conditions are recommended to ensure its recommendations are carried through to the certification, construction, and operational phases of the development.
(25) Parking Design	No car parking is proposed as part of this Detailed Design DA. However, service bays are to be designed in accordance with the relevant Australian Standard and an appropriate condition is recommended.
(26) Security Gates	No security gates are proposed as part of this SSDA.
(27) On Site Loading Areas and Operation	The subject application has demonstrated that all loading and unloading associated with the hotel use will be accommodated within the site.
(28) Vehicles Access	All vehicles are to enter and depart the site in a forward direction, via the driveway located on Pitt Street / Carruthers Place, in accordance with the condition.
(29) Swept Path Analysis	A swept path analysis has been provided in accordance with this condition. The analysis confirms that a courier and SRV are able to access the loading dock.
(30) Service Vehicle Parking and Access	The proposal demonstrates that an SRV can be accommodated within the site. As the development is no longer proposing residential, access for a 9.25m Council garbage truck is not required.

Condition	Response
(31) Bicycle Parking and End Of Trip Facilities	Adequate bicycle parking and end of journey facilities have been proposed to satisfy the requirement of Section 3.11.3 of the Sydney DCP 2012. A condition is recommended to require the quantum and quality of these facilities to be carried through to the certification, construction, and operational phases of the development.
(32) Traffic Management Plan on Driveway / Single Lane Ramp	The traffic impact assessment submitted with the SSDA provides control measures, including markings, signage, bollards, convex mirrors and lights within the site to indicate traffic movement.
(33) Traffic Impact Assessment	A traffic impact assessment has been submitted in accordance with this condition. A condition is recommended in **Appendix D** to require a final loading dock management plan to be approved by the City prior to the occupation of the development, and the approved management plan to be implemented.
(34) Public Domain Survey (35) Levels and Gradients (36) Public Domain Concept Plan	A public domain concept plan has been submitted with the subject application as required by this condition. Appropriate conditions are recommended in **Appendix D** to require public domain levels and gradients, as well as detailed public domain plans to be approved by the City's Public Domain Unit prior to the issue of any construction certificate.
(37) On-Site Detention (38) Stormwater and Drainage (39) Stormwater Quality Assessment	A stormwater management report and stormwater quality assessment have been submitted with the SSDA. The stormwater report shows site stormwater draining to a water quality pit within the property then discharging via gravity to a stormwater line within the Pitt Street carriageway. This has been reviewed by Sydney Water as part of their referral process and has been accepted as part of their Notice of Requirements to the applicant. The City's Public Domain Unit has reviewed the submitted information and appropriate conditions are recommended, as contained in **Appendix D**.
(40) Flood Planning Levels	A flood assessment report has been submitted, demonstrating that entry and floor levels from Pitt Street are compliant with the City's Interim Flood Policy. A set of stairs, north of the lift lobby, are

Condition	Response
	approximately 0.9m below the floor planning level. The proposal has addressed the non-compliance by providing protection of the lift lobby via flood gates. The City's Public Domain Unit has reviewed the report and accepts the justification for flood gates in this instance.
(41) Existing and Proposed Easements (43) Consolidation Plan (44) Creation of a New Easement - Carruthers Place	Details of existing easements, rights of access and whether they will be maintained or extinguished are submitted with the application in accordance with the consent conditions. Appropriate conditions are recommended in **Appendix D** to address the need for a consolidation plan and creation of a new easement for Carruthers Place.
(46) Signage Strategy	A signage strategy has been submitted with the subject application as required by this condition. The proposed signage zones and indicative design and content are generally acceptable, subject to a condition regarding the width of the under awning signs, as contained in **Appendix D**. This is also assessed in **Appendix B**. Other conditions are also recommended to ensure future signage are in accordance with the signage strategy, and that separate consent is sought prior to the installation of the signage.
(47) Waste Management Plan and Waste Facilities	A waste management plan has been submitted with the subject application as required by this condition. The detailed design also demonstrates the provision of adequate waste storage and collection facilities. A range of waste management conditions are recommended to ensure waste is managed on site in accordance with the City's Guidelines for Waste Management in New Development 2018.
Concurrence Conditions (48) Ausgrid - Underground Cables (49) Sydney Metro (50) Sydney Water – Consultation (51) Sydney Water - Water Servicing (52) Sydney Water – Building Plan Approval	The required documentation has been submitted with the subject application as required by these conditions. The subject application has been referred to Ausgrid, TfNSW, Sydney Trains, Sydney Metro and Sydney Airport who have raised no objections to the proposed development, subject to conditions. Sydney Metro has indicated that concurrence is forthcoming, and these conditions will be required to be

Condition	Response
(53) Sydney Water – Out of Scope Building Plan Approval (54) Sydney Water – Tree Planting (55) Sydney Water – Trade Wastewater Requirements (56) Sydney Water – Backflow Prevention Requirements (57) Sydney Water – Water Efficiency Recommendations (58) Sydney Water – Contingency Plan Recommendations (59) Transport For New South Wales / Roads Maritime Services (60) Sydney Airport Corporation	complied with when received. An appropriate condition is recommended to address this. With regard to Sydney Water requirements, conditions are recommended to ensure the necessary approvals are obtained prior to any work commencing on-site.

6.3 Design excellence

The applicant has undertaken a competitive design process in November 2022 – February 2023, with the winning architects being KHA + Crone. In the opinion of the panel, this scheme was most capable of achieving design excellence, subject to the retention of, and improvement on, a number of key design aspects.

In October 2023, the new landowner undertook a design review process, outside of the requirements or oversight of the City. The design review process sought the jury's support for a change of use to hotel as well as minor design changes. A summary of the process was provided by the Applicant as part of the EIS for the SSDA, with considerations as follows:

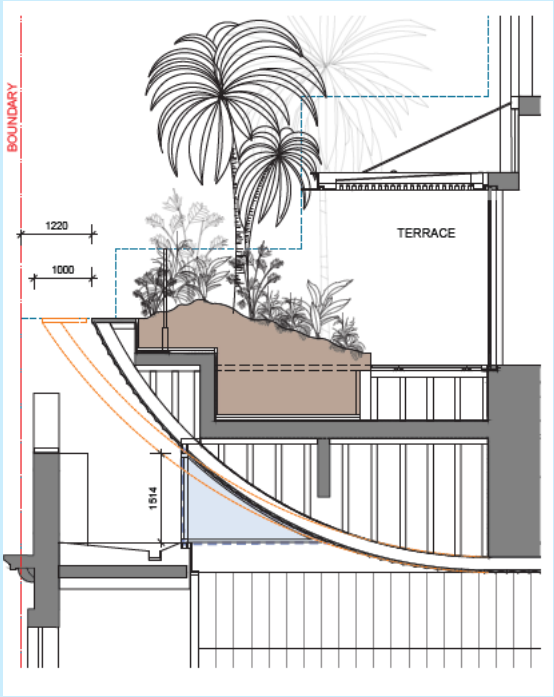
- Further consideration of the façade, and plant room arrangement.
- Support for the proposed 300mm reduction in the landscaped 'vessel's' height (provided that the vessel is not substantially recessed). The landscape 'vessel' should remain visible to people passing by at the street level.
- The public nature of the urban room and the idea of a 'room within the City' be reinstated where possible.
- Support for the proposed façade articulation. It was suggested that further consideration be given to maintaining the extent of variation to the façade.
- The provision of hotel rooms on Levels 1 and 2 within the podium creates a tension between the public nature of the urban room and privacy expected by hotel guests. Suggestion to reinstate the internal stairs within the podium to improve activation to the urban room.
- Queried how sandstone tiles would work for the landscape 'vessel'.
- Further consideration be given to the extent of light that can be brought into the podium (and its relationship to the height/location of the landscape 'vessel').

- Improving opportunities for allowing light into the hotel corridors was encouraged (particularly along the northern and southern facades).
- Further consideration be given to collaboration with an appropriate consultant to explore Connecting with Country opportunities within the scheme (and particularly the landscape 'vessel').

Further resolution and design development of the scheme has been undertaken following the competition and the applicant's design review process.

The proposed development has been reviewed by the City's Design Advisory Panel and is considered to have retained key aspects of the winning scheme where appropriate and responded positively to the key recommendations made by the competition jury as detailed in the table below.

Table 12 | Panel key principles to be retained and SSDA response

Panel Recommendation **Key Principles to be retained**	**SSDA Response**
The contribution of the scheme to creating a publicly accessible 'urban room' is considered an important public gesture. The 'urban room' as the arrival hall to the building from Pitt Street, and the public nature of the room (in being a public space for all).	The 'urban room' has been retained as part of the proposal.
The retention of natural light at the ground floor is important, including the view of the landscape 'vessel' above from the ground floor.	The landscape 'vessel' has been setback 1m from the Pitt Street boundary, allowing for the retention of natural light to the floors below via a void area, whilst also providing a view of the 'vessel' from ground floor. 

Panel Recommendation Key Principles to be retained	SSDA Response
	Figure 39 | Excerpt of proposed section depicting landscape 'vessel' with 1m setback (Source: RtS design report) Noting the comments made in the design review process, the 'vessel', whilst recessed, can still be viewed from the public domain by pedestrians passing at street level.
The general approach to the high quality of materials, the depth of the tower façade, and glass to solid ratio within the tower.	The proposal retains the use of concrete, masonry and GRC, with a glass to solid ratio of 29% to 71%, which is generally consistent with the competition winning scheme.
The solidity of the hotel façade for the lower portion of the tower, relative to a lighter and less solid residential façade for the upper portion of the building, as well as the breaks in between.	The proposal was reviewed by the City's Design Advisory Panel (DAP), who advised that the original submission was to revert back to the competition scheme in terms of the solidity of the lower portion of the tower as it meets the podium below. The amended design has addressed DAP's advice, by increasing façade depth from 400mm to 690mm at levels 5-6. Although the solidity has been adjusted to be more comparable to that of the winning competition scheme, the base of the tower is missing the visual expression of the masonry load to the landscape 'vessel'. This element was reviewed and advised that the inclusion of vertical masonry elements would assist in the masonry façade not appearing to float above the landscape 'vessel'. An appropriate condition is recommended in **Appendix D**.
The overall environmental strategy is considered fundamental to the design.	The proposal has retained the overall environmental strategy forming part of the competition scheme.
The natural light to lift lobbies is to be maintained.	This recommended was reiterated by DAP. The proposal has been amended to provide natural light to the lift lobbies at the eastern elevation on each level.

Panel Recommendation Key Principles to be retained	SSDA Response
The lightness and the architectural expression of the ‘lantern-like’ tower crown.	DAP advised as part of their review of the proposal, that the lantern tower crown was to be retained. KHA has since modified the top three levels to increase the amount of glazed area, with a specialist lighting zone to achieve illumination in all directions.  **Figure 40** | Photomontage of proposed glazing and illumination at top three levels (Source: RtS design report)
The concept of creating a deep-soil ‘vessel’ at the upper podium level and the extent of planting provided to this terrace. The tower sitting within a green landscaped podium and the idea of being surrounded by a green edge.	The landscape ‘vessel’ has been retained as part of the proposal, maintaining the idea of the tower being surrounded by a green edge.
The minimisation of the impacts of vehicular movements into the site.	The proposal does not provide any car parking on-site, however, retains a loading dock for an SRV and courier vehicle.
The optimisation of the activation of the street façade.	The proposal provides retail spaces at ground floor for activation. As discussed elsewhere, a condition is recommended to ensure the ground floor emulates the original shopfronts for the site, based on historical photographs and evidence presented in the Heritage Impact Statement.

Table 13 | Panel areas for further resolution and SSDA response

Panel Recommendation Areas for further resolution	SSDA Response
Access from the residential lobby to the Goulburn Street laneway to achieve greater permeability and through-site connectivity.	Residential apartments are no longer proposed, and as such, there is no longer a need for a residential lobby. Rather, the retail tenancy at the southern end of the ground floor has access to the Goulburn Street laneway to provide some level of through-site connectivity.
Further consideration should be given to the landscaped 'vessel' and its materials as the scheme develops to allow more light into the lower podium levels, and to consider its relationship to and the visual impact on the historic buildings below, noting it is shown outside the approved Concept DA envelope.	The landscape 'vessel' comprises GRC with a scalloped sandstone finish. The proposed landscape 'vessel' has been amended so that it is setback 1m from the Pitt Street boundary of the site. This will allow more light into the lower podium levels and greatly improves the visual relationship with the retained façade below, as it maintains its visual prominence in the streetscape. The materiality and 1m setback of the landscape 'vessel' are supported by the City's Heritage and Urban Design specialists.
In collaboration with an appropriate consultant, further consideration should be given to Connecting to Country opportunities within the scheme and particularly the landscape 'vessel'.	Yarrawalk has been engaged as part of the Connecting with Country process, who facilitated meetings with Metropolitan Local Aboriginal Land Council and other relevant parties. The landscape 'vessel' materiality has been further refined so that the GRC sandstone finish reinforces the concept of a "*pre-settlement landscape bowl lifted from the earth*".
The visibility, wayfinding and customer experience to the Level 1 lobby for hotel guests and public visitors should be developed to ensure it is legible and intuitive.	This comment was made in the context of both residential and hotel lobbies being proposed at ground floor. Given that residential accommodation is no longer proposed, the hotel has an "arrival" space at ground floor to Pitt Street, located midway along the shopfront.

6.4 Heritage

The site is not listed as a local or State heritage item, nor is the site located within a heritage conservation area. The site, however, is considered to contain historically significant terraces, comprising a rare surviving Federation era (Edwardian Free Classical) group. To the west, the several three-storey masonry terraces present decorative facades and parapets above the awning to Pitt Street. To the east, the terraces back onto a rear portion of Carruthers Place which connects to a right of access way to Goulburn Street.

The ground floor facade of the buildings, soffit and fascia of the existing awning, and internal fabric retain little historic fabric and have been significantly modified. Above the awning, the first and second floor facades remain substantially intact, presenting original fenestration, mouldings, arches and brackets which allow the upper portion of the terraces to be read in its original form. The existing buildings have some integrity as a homogenous group, which have historic links to and are aesthetically distinctive within the context.

Historical photographs of the terraces demonstrate that the existing footpath awnings are original in part, as they retain original suspension beams but have modified soffits and fascias that have been reclad and/ or concealed.

The present view of the subject site is provided below.



Figure 41 | Site viewed from Pitt Street facing north-east towards Liverpool Street

The site is also surrounded by a number of local heritage items to the east and south, including the Museum Towers at 267-277 Castlereagh Street (I1706), Sydney Masonic Centre at 66 Goulburn Street (I12283) and the Civic Hotel at 388 Pitt Street (I1945).

The concept approval D/2021/1504 assessed the in-principle demolition of 372 Pitt Street (the northern-most terrace), the retention of the façade and some internal fabric and infill envelope of 372 Pitt Street, and tower setbacks as acceptable. These elements, along with street wall height and design of the tower form have been assessed as acceptable as part of the Amending DA D/2024/36.

The City considers the key heritage issues relate to excavation, retention of the façade, the proposed landscape ‘vessel’ above the retail terrace parapet, the ground floor shopfronts and awnings, and the infill at 372 Pitt Street.

6.4.1 Excavation

The proposed development provides a one level basement that is setback 6m from the Pitt Street boundary. This is to ensure that the existing historical façade will not be impacted upon.

The demolition, excavation and construction sequence has been informed by the submission of a geotechnical report, structural strategy and archaeological assessment, and submitted with the SSDA.

The structural strategy in particular, details that soldier piles (or temporary batter and concrete walls) will be installed around the basement perimeter, with temporary bracing also installed in the retained portions of the terraces as excavation commences. Existing timber flooring and associated steel framing of the terraces to remain on-site will be demolished and replaced with reinforced and post-tensioned concrete slabs. New reinforced concrete columns are to be constructed adjacent the retained masonry piers and immediately adjacent the existing façade, ensuring that these elements attract no new loading due to the proposed tower.

Conditions are recommended to ensure that a suitably qualified structural engineer is commissioned to work with the consultant team throughout design development, and excavation to ensure the structural stability of the retained facades and surrounding buildings.

6.4.2 Retention of the façade and internal fabric

The proposal, as amended, seeks to retain the existing facades of Nos. 374-382A Pitt Street and a minimum depth of 6m (approximately one bay) of the internal party walls. This is largely consistent with the concept approval; however, additional demolition is proposed to create an “urban room” within the podium, which includes intervention to the party walls. As noted above, all timber floors are to be demolished to ensure uniform floor levels within the podium. The timber floors comprise only timber joists and floorboards, presenting no major beams or columns.

The proposed amount of retention of fabric is generally supported and is acceptable as it:

(a) Removes existing intrusive and unsympathetic fabric within the existing terraces;

(b) Retains and allows interpretation of the existing group in the design of the new podium, ensuring a meaningful incorporation of part of the existing buildings into the development; and

(c) Still enables adaptive reuse and refurbishment of the buildings.

The changes have been reviewed by the City’s Heritage team who advised that they were acceptable. The Heritage Impact Statement (HIS) recommends a heritage interpretation strategy and a 3D cloud point survey of the existing retail terraces be prepared. Appropriate conditions reflecting these recommendations are proposed.

6.4.3 Landscape ‘vessel’

The design proposes an elevated landscape ‘vessel’, which is sited so that it appears to hover over the historic terrace façade and parapet to be retained. The ‘vessel’, which was a key element of the design competition winning scheme, comprises heavily textured masonry, with scalloped sandstone cladding, that provides visual separation and transition between the tower and the historic podium below.

It contains a deep planting zone allowing for the creation of a landscape garden visible from the public domain and is rounded so that it responds to the curved geometries of the Civic Hotel and Masonic Centre podium. See **Figures 42-44** below.



Figure 42 | Photomontage depicting landscape ‘vessel’ 1m setback from Pitt Street, and view to urban room below (Source: RtS architectural plans)

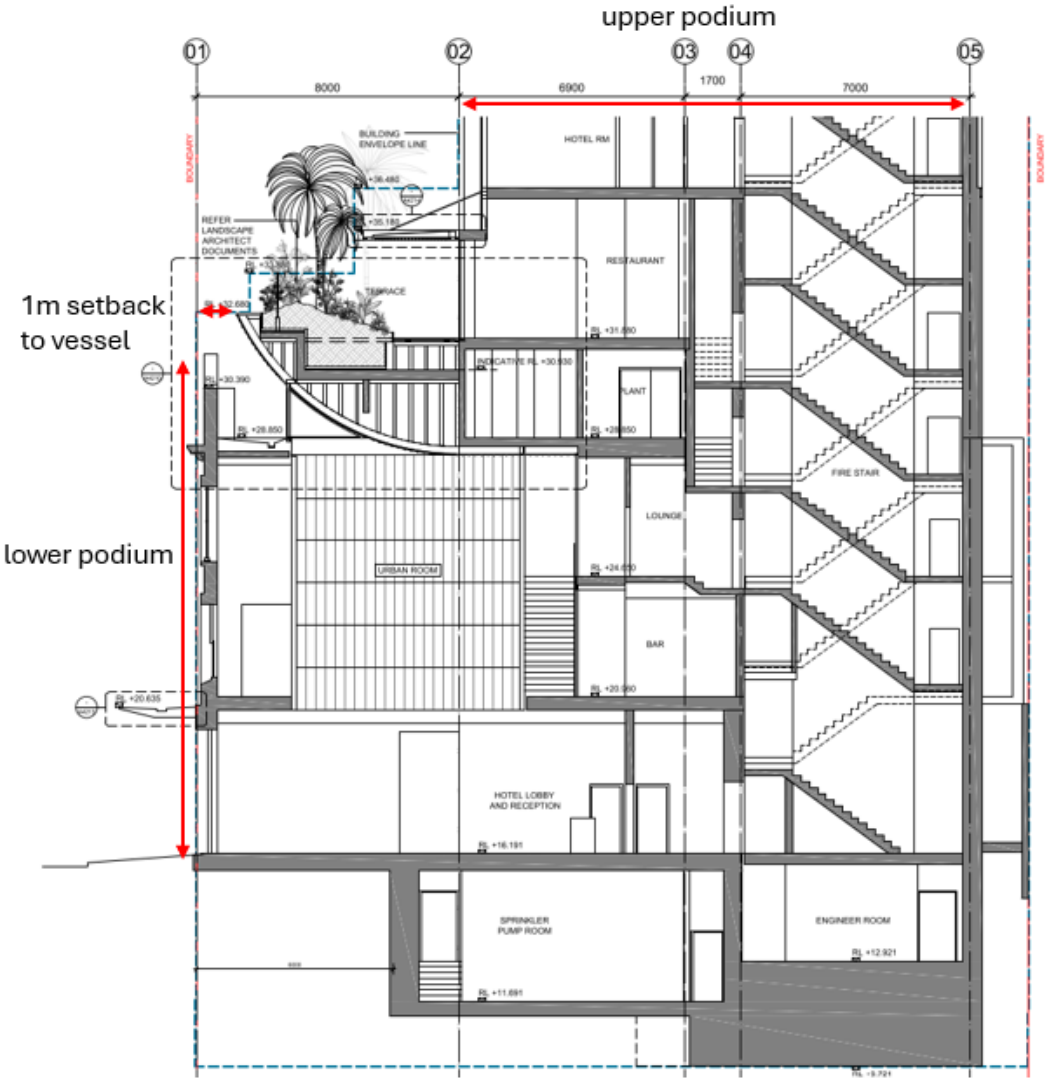


Figure 43 | Section through the lower podium (Source: RtS architectural plans)

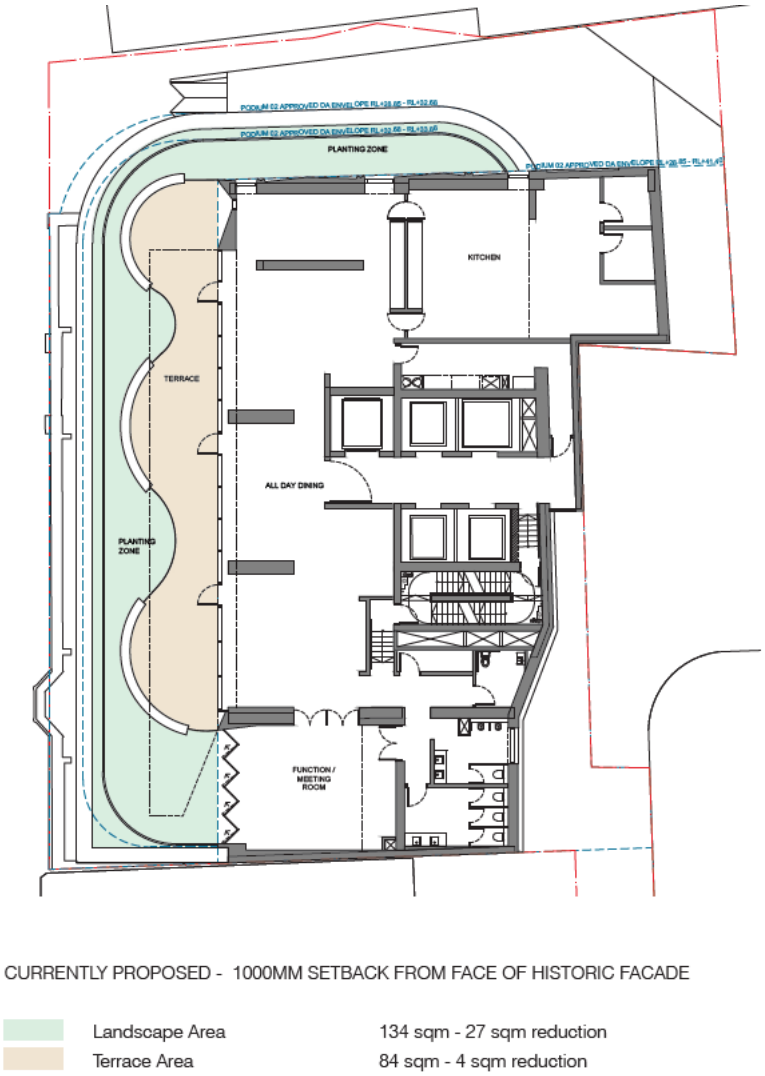


Figure 44 | Proposed level 4 plan depicting terrace area and landscaping (Source: RtS design report).

While the City notes DCPs are not applicable to State Significant Development, Section 5.1.1.1 of the Sydney DCP 2012 provides street frontage height and setback controls that would otherwise apply to the site. The proposal departs from the Sydney DCP 2012 in that it provides a lower podium height of 13.4m (when 20-25m is required) as the façade (and bays) of the existing 3-storey commercial terraces are being retained. The upper podium, setback 8m from the street frontage (and above the historic façade), is 25m in height, which complies.

The introduction of the landscape ‘vessel’ behind the historic façade, will encroach into the 8m setback approved above the historic podium under D/2021/1504. This encroachment has been assessed as acceptable as part of the Amending Concept Development Application D/2024/36.

The landscape ‘vessel’ has been amended during the assessment in response to DAP and heritage advice to provide a 1m setback from the Pitt Street boundary. The increased setback reduces the visual impact on the retained historical façade (when it originally dominated the retail podium) and will bring more natural light into the proposed ‘urban room’, which was a recommendation of the design competition selection panel. The siting of the ‘vessel’ and its setback from the historic facade will have minimal impact on wind conditions in the public domain, particularly in relation to the approved concept building envelope under D/2021/1504. The proposed awning to level 4 will ensure adequate levels of wind comfort within the garden area, and dense planting which is integral to the design will maintain wind comfort levels at ground.

As amended, the City is satisfied that an appropriate street frontage height and appropriate setbacks are provided as a result of the introduction of the landscape ‘vessel’.

6.4.4 Ground floor shopfronts and awnings

The existing ground floor shopfronts have been significantly modified, with broad shopfronts and glass windows.

The proposal provides new matching windows replacing the existing timber double hung windows at ground floor and will locate a hydrant/booster in the northern most terrace bay (374 Pitt Street). Additionally, the proposed awnings are to be a simplified, unified form across the shopfronts similar to that currently in place at the Ibis Hotel adjoining the site to the south at 384 Pitt Street, Sydney.

The HIS and the Schedule of Conservation Works recommend that timber windows in reasonable condition be retained, and that awning ties and fixing discs can be retained and reused. Figure 49 of the HIS includes an excerpt of the original shopfront form:

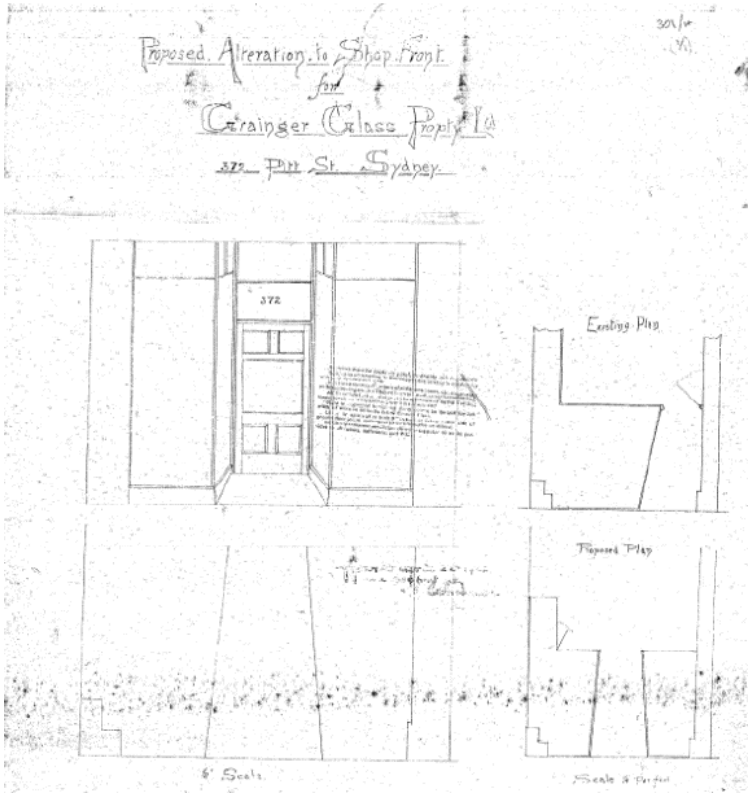


Figure 45 | Figure 49 – 1914 proposed alterations to the shopfront at 372 Pitt Street (*City of Sydney Archives, 0301/14*) (Source: Urbis EIS Heritage Impact Statement)

See detailed Pitt Street elevation, photomontages of the proposed ground floor shopfront and awning below.

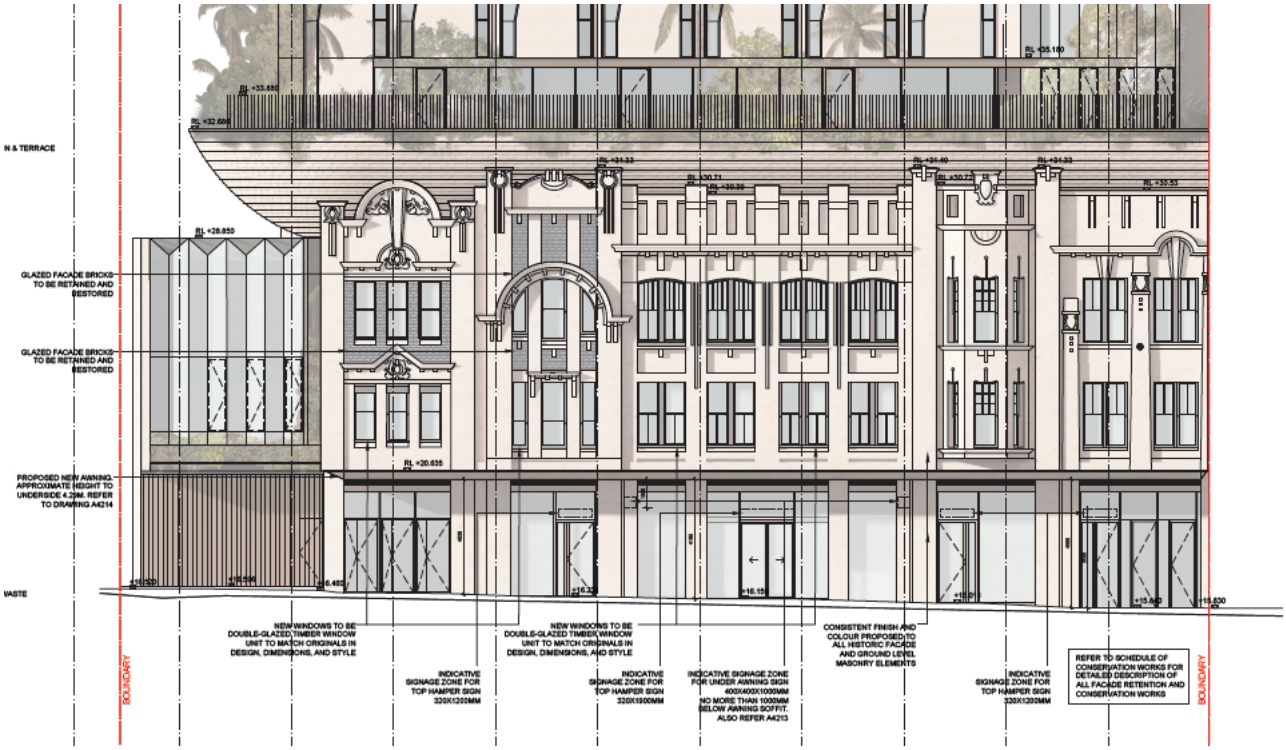


Figure 46 | Detailed Pitt Street elevation of podium (Source: RtS architectural plans)



Figure 47 | West elevation (photomontage) depicting shopfronts and awnings at ground floor (Source: RtS design report)



Figure 48 | Photomontage depicting shopfronts and awnings at ground floor, looking north-west (Source: RtS design report)

In the assessment of the concept building envelope (D/2021/1504), it was recommended that documentary evidence and/or historic photographs of the original street presentation be utilised to inform the design and interpretation of the shopfronts and awnings.

Noting the HIS and Schedule of Conservation Works recommend retention and reuse of elements of the existing shopfronts and awnings, it is recommended that the design refer to and interpret the original form and details.

The proposed hydraulic booster takes one whole shopfront at 374 Pitt Street. This location prevents a proper reconstruction of the historical shopfront. It is noted that the infill development at 372 Pitt Street provides a setback, allowing for the side elevation of 374 Pitt Street to incorporate the booster instead. It is recommended that the booster be relocated to the northern elevation/side wall of 374 Pitt Street and the shopfront be reconstructed.

Appropriate conditions are recommended in **Appendix D**.

6.4.5 Infill at 372 Pitt Street

The proposal includes the replacement of 372 Pitt (the northern-most terrace) with a three-storey contemporary infill building.

In the assessment of D/2021/1504 (the Concept Approval), it was accepted that the removal of 372 Pitt Street would be required to facilitate on-site adequate loading and servicing. A further 1m easement along the northern boundary would also be required to maintain existing fire egress paths for 370 Pitt Street (The Chambers building).

The proposed infill building has been designed so that it is setback 8.4m from the Pitt Street boundary and is offset approximately 1.4-1.5m from the northern side boundary of 370 Pitt Street to allow for an easement for fire egress. The setback to Pitt Street provides an interpretation of Carruthers Place while also visually separating the infill building from the retained facades at 374-382A Pitt Street.

The infill will be contemporary in design and materiality to highlight and complement the architectural features of the retained facades. The loading dock access is screened by aluminium battens in 'mid-bronze'. The first and second levels are designed as "*a crystalline wintergarden*", being a transparent and faceted glazed façade that will house the conservatory behind. Whilst the service entry was noted by DAP as being utilitarian in appearance, the battens are considered acceptable as the entry has a utilitarian purpose. See photomontage below.



Figure 49 | Photomontage depicting the infill development at 372 Pitt Street (Source: Urbis EIS design report)

The proposed infill development at 372 Pitt Street is acceptable as:

(a) The infill development contributes to the architectural interest, unique character and identity of the overall development. The structure provides an appropriate response to the adjacent retail terrace façade (and bays) to be retained, matching the height and proportion of the historical terraces when viewed from Pitt Street, in accordance with Clause 5.10 of the Sydney LEP 2012.

(b) The proposed infill has been designed to ‘come to ground’, positively contributing to the Pitt Street streetscape by presenting a richness of detail and appropriate design response to the retained group of terraces and nearby heritage items, as envisioned by the Concept Approval D/2021/1504.

(c) The infill development facilitates the provision of on-site servicing, which is particularly important in the City centre where on-street parking and loading arrangements are limited.

6.5 Tower setbacks

As noted above in Section 6.4.3 of this report, the Sydney DCP 2012 provides setback controls that would be applicable to the site if not for being a State Significant Development. Section 5.1.1.3 of the Sydney DCP 2012 recommends minimum side and rear setbacks from boundaries above the street frontage height to shape the tower form, including:

- 4m up to 120m;
- 3.33% of the total height of the building (between 120m up to 240m); and
- Facades containing windows must be setback from side and rear boundaries by a minimum of 2m to allow maintenance of the façade fully within the boundary.

The proposal maintains the approved setbacks of Concept Development consent D/2021/1504 above the podium as follows:

- Minimum 6.29m to the north (3.32%) of the building height of 192.9m
- Minimum 6.31m to the south (3.32%) of the building height of 192.9m
- 1.5m to the rear (east).

The minor variations to the 3.33% control and 2m rear setback have been assessed as acceptable in both D/2021/1504 and D/2024/36 for the Concept building envelopes. The City is satisfied that appropriate setbacks are provided to surrounding buildings as:

- The proposed envelope avoids the appearance of a contiguous 'wall of towers' and achieves sufficient separation between surrounding buildings.
- The building envelope demonstrates acceptable wind safety and wind comfort and daylight levels with regard to the amenity of the public domain, can be achieved through the submission of a wind assessment report and detailed shadow analysis diagrams. These impacts are consistent with that approved under D/2021/1504.
- The proposed envelope has been subject to detailed urban design options analysis which demonstrates that the proposed massing is compatible with the context.
- A high-quality urban design outcome can be achieved within the proposed building envelope which incorporates the existing terraces, presenting reasonable architectural integrity and intactness.
- The variations of 0.13m, 0.11m and 0.5m with regard to the side and rear setbacks will not be perceivable given the small tower floor plate (26m x 15.6m).

Noting the above, appropriate outlook and daylight access can still be achieved to adjacent development. Section 5.1.2 ‘Development outlook and demonstrating amenity compliance’ of the Sydney DCP 2012 requires hotel windows over a height of 45m to have a minimum outlook depth of 9m (to all windows and balconies of other forms of accommodation).

An outlook depth of 6.29m for hotel windows is provided to The Chambers building to the north; and 6.31m for hotel windows to the Ibis Hotel to the south. See separation distances below for surrounding development at level 7 of the tower floor plan (typical tower floor plan). All surrounding developments have windows facing the site.

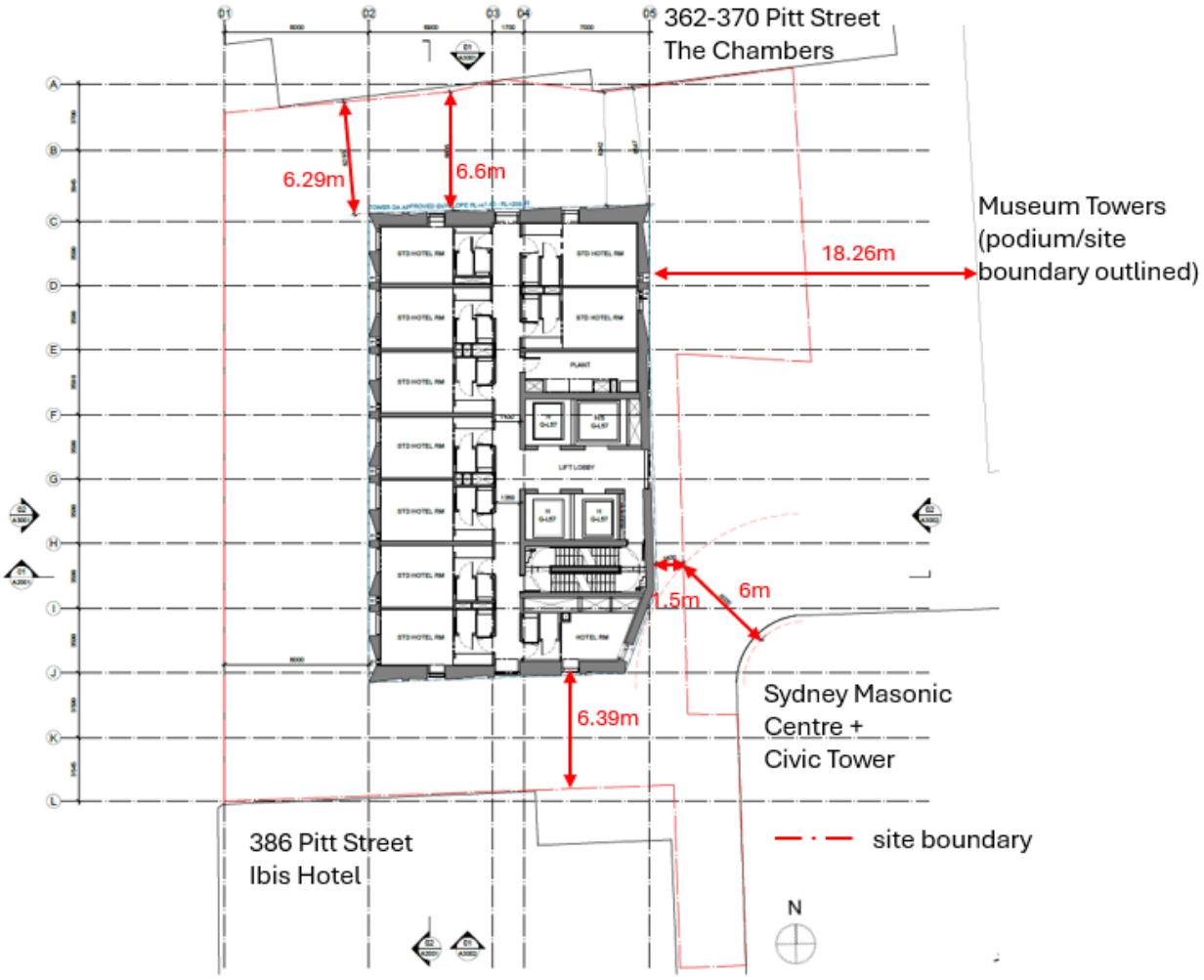


Figure 50 | Proposed level 7 floor plan (typical tower floor plan) depicting separation distances to surrounding sites.

The proposed development is consistent with the Concept Approval D/2021/1504, which determined that The Chambers Building at 362-370 Pitt Street was the only surrounding site that had the potential to be redeveloped to a greater height. The 3m non-compliance for hotel accommodation was assessed as satisfactory, and these reasons still apply to the detailed design, namely:

- Adequate development outlook amenity is achieved to the west and east with sufficient setbacks of 35.05m to the Museum towers and 8m to Pitt Street; and

- The site benefits from the fact that the development directly to the east and south-east are heritage items of a lower scale (being Museum Towers and Sydney Masonic Centre including Civic Tower with a maximum height RL 144.97. As a result of land use and heritage listing of these buildings, there is limited redevelopment potential for these sites. Consequently, privacy and overlooking are not considered to be determinative factors as the proposal will be separated by over 30m from the residential apartments (Museum Towers) and is capable of being designed to provide 6m between non-habitable rooms and the Civic Tower.

Hotel room windows are proposed to the northern and southern side elevations, with three windows at each level over 45m (one of which being a window to the hotel corridor). These windows are secondary and therefore unlikely to have any significant privacy impact to developments to the north and south.

6.6 Carruthers Place

Carruthers Place is known as 372B Pitt Street, Sydney and is privately owned land. It has a width of 2.425m to Pitt Street and runs partially to the side (at the north of the site) and rear of 372-374 Pitt Street. There are no rights of access easements burdening Carruthers Place.

The Chambers building at 362-370 Pitt Street is located immediately north of the site. It contains individual strata commercial office suites and strata retail spaces. The site includes an area of land between the rear of the subject site and 267-277 Castlereagh Street, which is used for casual car parking. The Chambers building utilises Carruthers Place for fire egress and access to other building services, with 3x fire escape doors, fire safety services (hydrant and boosters) and 2x ventilation openings at ground level opening onto the laneway. There are other ventilation openings along The Chamber's south elevation that face into the subject site. The car park at the rear, behind the subject site, also uses Carruthers Place for vehicular access.

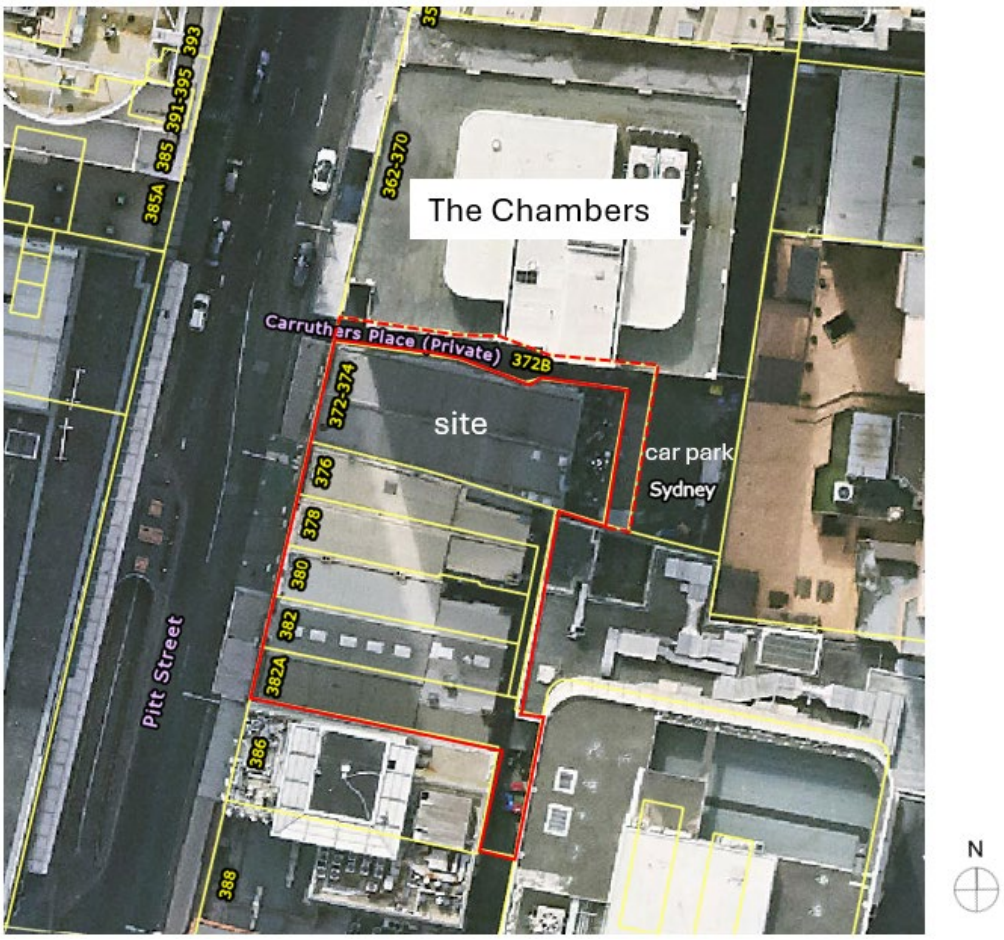


Figure 51 | Aerial map showing subject site and surrounding development. Carruthers Place is known as 372B Pitt Street

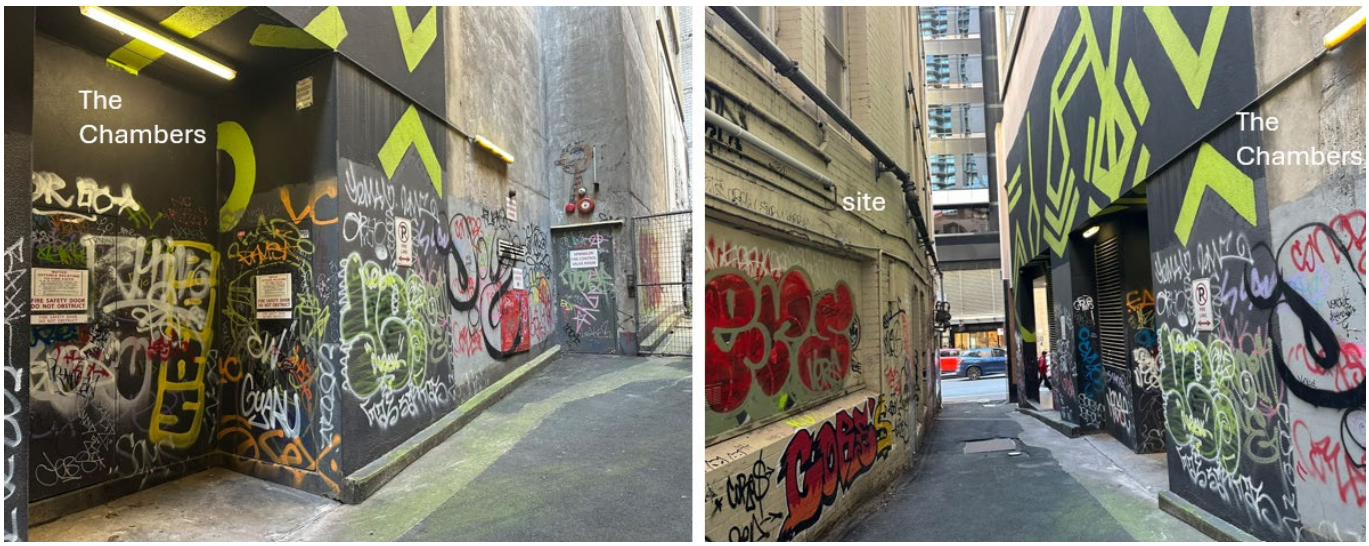


Figure 52 | Views of Carruthers Place looking east (left) and west)

Concerns have been raised during the exhibition period with regard to maintaining safe access to the fire egress and ventilation openings/building services along Carruthers Place, vehicular access as well as the public nature of the laneway and the need for it to remain as currently operating.

The use of Carruthers Place by The Chambers building was a matter of consideration during the assessment of Concept Approval D/2021/1504, with Conditions 11(j) and 44 imposed requiring the creation of a new easement for Carruthers Place for fire egress along the northern boundary of the site for 362-370 Pitt Street. The easement must have a minimum width of one metre clear and extend from Pitt Street to encompass all fire doors along the southern elevation of the adjoining development to the north. Vehicular access is not to be included in the easement given that no consent has been granted for the use of the rear parcel of land for car parking. A condition is to be imposed to ensure that this easement is registered on title.

The Applicant has provided a response to the submissions (with a link provided in **Appendix A**), and, as noted in the plan below, has provided a path and proposed easement of at least 1.4m along Carruthers Place for fire egress. Ventilation openings, services and the like are able to be maintained with no obstruction.

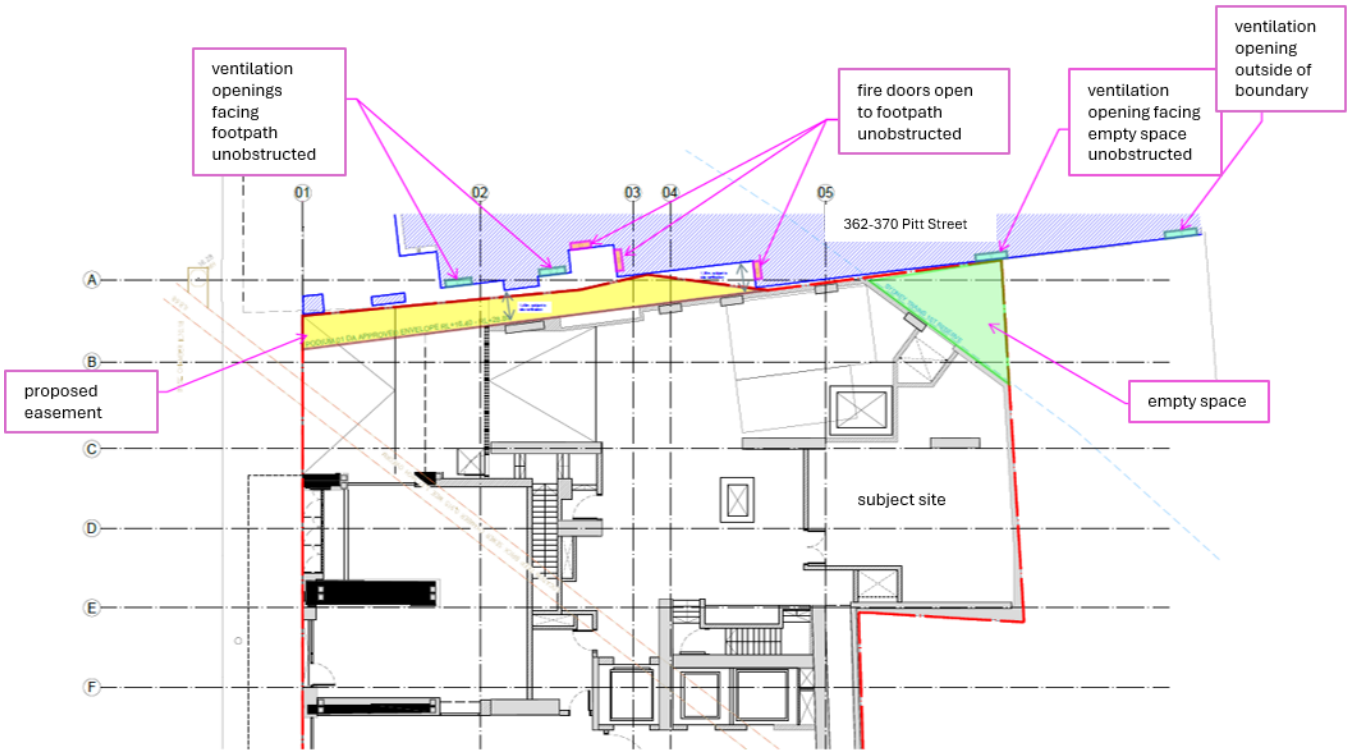


Figure 53 | Fire egress and ventilation openings diagram for 370 Pitt Street (Source: RtS report, with labels modified for clarity)

6.7 Other issues

The City's consideration of other issues is summarised in **Table 14** below.

Table 14 | Assessment of other issues

Issue	Findings	Recommendations
Traffic, access and servicing	• The development proposes vehicular access to the site via Pitt Street and Carruthers Place, with a driveway of 7.2m.	The City recommends the following conditions:

Issue	Findings	Recommendations
	Service vehicles are to use the loading dock at ground floor, entering and exiting the site in a forward direction. The driveway can only accommodate one vehicle at a time. The loading dock will accommodate 1x SRV (6.4m in length) and 1x B99. • The proposal does not provide any exclusive pick-up and drop-off car spaces for hotel guests on site. No coach parking is proposed. • By design, the development will discourage the use of private vehicles and encourage public transport and active transport use. The traffic report suggests that 20 percent of guests will use coach and shuttle services, with existing coach parking in close proximity used for guest drop-off and pick-up activities. • The proposed traffic impacts have been reviewed by the City's Access and Transport Unit, and advice has been sought from TfNSW, both of which do not object to the proposal on traffic grounds. There are taxi ranks and zones where short term pick-up and drop-off can occur within a 400m catchment of the site. • It is noted that the proposal will be heavily dependent on detailed management plans for conducting loading, servicing and waste collection.	• Appropriate signs at egress points compelling drivers to "Give Way to Pedestrians" before crossing the footway. • Include a signal system (e.g. lights and/or mirrors to assist with traffic movements on-site. • Restricting the service vehicle size limit and that all loading and unloading operations are to occur on-site. • Requiring all parking to be designed in accordance with the relevant Australian Standards (AS/NZS 2890.1 and AS/NZS 2890.2). • Requiring the preparation of a guest pick-up and drop-off management plan and coach parking management plan. • Requiring the preparation of a Transport Access Guide for visitors and guests and a Green Travel Plan. • Requiring the preparation of a loading dock and servicing management plan.
Bicycle storage and end of trip facilities	• The proposal provides storage areas and bicycle parking on Basement 1 and Level 3 for 49 bicycles and end of trip facilities. • The City supports the provision of this number of bicycle parking spaces and end of journey facilities in their proposed locations and encourages the use of a Transport Access Guide to support bicycle users accessing the site.	The City recommends the following conditions: • Requiring all bicycle storage facilities to be designed in accordance with AS 2890.3. • Requiring the preparation of a bicycle parking

Issue	Findings	Recommendations
		signage and wayfinding plan. • Requiring the preparation of a Transport Access Guide and Green Travel Plan for visitors and guests, to promote sustainable modes of transport.

Hours of operation	• The application seeks approval for the following hours of operation:
	  ○ Hotel and associated hotel facilities to be operational 24 hours, 7 days per week.
	  ○ Ground floor café: 7:00am to 9:00pm, 7 days per week.
	  ○ Ground floor retail: 7:00am to 10:00pm, 7 days per week, or 24 hours for convenience stores.
	  ○ Level 1 bar: 4:00pm to 11:00pm, 7 days per week.
	  ○ Level 2 hotel lounge: 24 hours for in house guests.
	  ○ Level 4 all day dining restaurant: 7:00am to 10:00pm, 7 days per week (indoor and outdoor areas).
	• The maximum capacity for visitors and guests on the site at any one time is 1,100 people. This includes capacity for 1,029 hotel guests and 71 staff.
	• The accompanying acoustic assessment indicates the level 4 dining area will have a capacity of 200 patrons, and the terrace area 80 patrons. The assessment recommends that the other ground floor tenancies be subject to separate planning approval, particularly as the operational requirements are unknown at this stage.
	• The accompanying operational management plan does not specify the use of spaces within the hotel for functions and no hours of operation have been indicated.
		The City recommends the following conditions:
		• Restricting hours of operation for different operational aspects of the proposal.
		• Requiring compliance with various conditions regarding premises and patron management and security.
		• Requiring the plan of management to be updated to address functions and capacity of each space.

Issue	Findings	Recommendations
	• While the City notes DCPs are not applicable to State Significant Development, under the Sydney DCP 2012, the building is located within a late-night management area and classified as a Category A premises. If applied, the proposed hours of operation for the food and drink premises within the development fall within the base hours of operation, which are 6am to 12 midnight. The 24 hour convenience store would be subject to a 2 year trial period if supported. • The City has reviewed the proposal and whilst no concerns are raised regarding acoustic impacts of the operational aspect of the proposal, it is not clear how the retail tenancies / convenience store are to operate as no details have been provided. Therefore, 7:00am to 10:00pm, 7 days per week for the ground floor retail component is recommended. • Additionally, functions have not been outlined in either the EIS or plan of management, and as such additional information is required. • Overall, the City concludes the proposal will not have an unacceptable impact on surrounding amenity due to the operation of the food and drink premises or retail premises, subject to conditions.	
Construction impacts	• The submitted Construction Noise and Vibration Management Plan envisages construction will take approximately 35 months and will be undertaken during standard Council CBD hours of noise and construction. • The proposed construction hours are between 7am and 7pm Monday to Friday and 7am to 5pm on Saturday. Work may occur outside of these hours in certain circumstances, for the delivery of oversized plant or structures; emergency work; and maintenance and repair of public infrastructure.	The City recommends the following conditions: • Preparation of a final Construction Environmental Management Plan (CEMP) prior to the commencement of works • Preparation of a final Construction Traffic Management Plan • Preparation of a final Construction Noise and

Issue	Findings	Recommendations
	• The City considers construction noise impacts would be acceptable, subject to conditions. • The City considers construction traffic will have an acceptable impact on traffic movements in the locality. • The City recommends standard conditions to ensure all other construction impacts, such as waste, air and water quality are effectively managed. • The City concludes construction impacts would not be adverse, subject to recommendations.	Vibration Management Plan • Preparation of a Construction Waste Management plan • Preparation of dilapidation reports for neighbouring buildings. • Engagement of a structural engineer to oversee demolition, excavation and construction in close proximity to retained historic façade. • Compliance with standard hours of work and noise.

7 Evaluation

The City has assessed the merits of the proposal and has carefully considered all issues raised in government agency and public submissions. The City has also considered all relevant matters under Section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ESD.

The City is satisfied that the proposal should be approved for the following reasons:

- The proposal is consistent with the strategic planning framework by providing a high-quality mixed-use development in the City including new hotel accommodation and retail floor space.
- The applicant has undertaken a competitive design process in accordance with the City's policy, to which the proposed development is generally consistent. The applicant has adequately responded to the recommendations of the competition jury.
- The development complies with the maximum height, floor space and car parking controls contained under the Sydney LEP 2012.
- The application demonstrates design excellence in accordance with the provisions of Clause 6.21C of the Sydney LEP 2012. The slim tower design, materiality and siting contribute to the skyline and relate positively to the surrounding context. Sufficient separation is provided to maintain a good standard of amenity for adjoining properties and the public domain. The tower results in acceptable environmental impacts and achieve a good standard of environmental performance. The development provides landscaping on podiums which will contribute to local biodiversity and visual amenity. The development provides adequate and well-designed bike parking for employees to the site and is suitably located close to good public transport.
- The proposed construction methodology and completed design responds appropriately to the surrounding heritage context and does not adversely nearby adjoining heritage items.
- The assessment of the proposal has demonstrated that the development will not result in any environmental impacts that cannot be appropriately managed and consistent with the relevant planning controls for the site. All other issues have been appropriately addressed by recommended conditions of consent.
- The development is anticipated to create 570 construction and 400 ongoing operational jobs.
- The development has provided sufficient information to address the SEARs.
- All other issues have been appropriately addressed by recommended conditions of consent.

The City's assessment therefore concludes that the proposed development is in the public interest and recommends that the application be approved, subject to recommended conditions.

8 Recommendation

It is recommended that the Central Sydney Planning Committee (CSPC), as a Committee of Council with the delegation of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **delegates determination to the City's CEO** for the application, subject to the conditions in the attached recommended conditions of consent and pending any recommended conditions from Sydney Metro.

Prepared by:



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Glossary

Abbreviation	Definition
AHD	Australian height datum
BCS of NSW DCCEEW	Biodiversity Conservation and Science group of the NSW Department of Climate Change, Energy, the Environment and Water
The City	City of Sydney Council
CIV	Capital investment value
Council	City of Sydney Council
CSPC	Central Sydney Planning Committee
Department	Department of Planning, Housing and Infrastructure
DPI	Department of Primary Industries within the Department of Regional NSW
EIS	Environmental impact statement
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EPI	Environmental planning instrument
ESD	Ecologically sustainable development
FRNSW	Fire and Rescue NSW
Heritage	Heritage NSW, within the NSW Department of Climate Change, Energy, the Environment and Water
IPC	Independent Planning Commission
LEP	Local environmental plan
Minister	Minister for Planning and Public Spaces

Abbreviation	Definition
NCC	National Construction Code
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
SEARs	Planning Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Housing and Infrastructure
SEPP	State environmental planning policy
SSD	State significant development
TfNSW	Transport for NSW

Appendices

Appendix A – List of referenced documents

- Environmental Impact Statement

https://www.planningportal.nsw.gov.au/major-projects/projects/hotel-372-382a-pitt-street-sydney-0

- Submissions and agency advice

https://www.planningportal.nsw.gov.au/major-projects/projects/hotel-372-382a-pitt-street-sydney-0

- Response to submissions

https://www.planningportal.nsw.gov.au/major-projects/projects/hotel-372-382a-pitt-street-sydney-0

- Additional information

https://www.planningportal.nsw.gov.au/major-projects/projects/hotel-372-382a-pitt-street-sydney-0

Appendix B – Statutory considerations

Objects of the EP&A Act

A summary of the City's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 15** below.

Table 15 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The development will more efficiently use the land in a way that creates no material adverse impacts for neighbours or the wider community. The more efficient use of the land for visitor accommodation purposes will contribute to achieving TfNSW and Council's strategic priorities for the Central Sydney to increase employment generation and provide hotel accommodation close to public transport and services in order to strengthen the diversity, capacity and resilience of the Metropolitan Centre.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The development seeks to achieve a high level of sustainable outcomes through the implementation of a sustainability framework to ensure the effective implementation of sustainability initiates and management of natural resources. The proposal is designed to achieve a 4.5-star Star NABERS Energy Hotel design standard, 4-star Star NABERS Water Building rating (hotel) and a 4-star green Star rating.
(c) to promote the orderly and economic use and development of land,	The proposal promotes the orderly and economic use of the land and is permitted with consent within the SP5 Metropolitan Centre zone. It promotes use of the land for mixed use purposes, within a highly accessible Central Sydney location. The proposed design is well coordinated to best deliver its intended uses and addresses the state and local planning controls.
(d) to promote the delivery and maintenance of affordable housing,	Not directly applicable as it has a hotel accommodation and retail focus. However, a contribution of over $1.7m is required by condition of consent in accordance with the City's Affordable Housing Program.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The site is within an urban context and will not impact native animals, plants, ecological communities and their habitats. A BDAR Waiver was granted on 20 February 2024.

Object	Consideration
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal takes into consideration the sustainable management of surrounding built and cultural heritage with heritage items adjoining the site and in close proximity along the side and rear. The proposal has considered a response in terms of setbacks, podium form, articulation of the facade, vertical emphasis of openings and contemporary use of traditional materials to respond to the strong masonry character of the locality. The proposed development will carefully manage any unexpected finds of Aboriginal relics and non-Aboriginal relics through proper construction management techniques, as required by conditions of consent.
(g) to promote good design and amenity of the built environment,	The proposed development has been subject to an Architectural Design Competition Process in accordance with cl. 6.21D of the Sydney LEP 2012. The revised proposal addressed the design concerns of the City and is considered to exhibit design excellence.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	Recommended conditions would ensure the proposed development would be constructed in compliance with all relevant building codes and health and safety requirements.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The proposal is SSD and has been delegated to the City of Sydney for assessment and determination by the Central Sydney Planning Committee. The City has consulted with relevant Government agencies.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The City publicly exhibited the proposal, notifying adjoining and surrounding landowners. The EIS was made available on the both the City and the Department of Planning's website.

EP&A Regulation

The EP&A Regulation requires the applicant to have regard to the *State Significant* Development *Guidelines* when preparing their application. In addition, the SEARs require the applicant to have regard to the following:

- *Social Impact Assessment Guideline for State Significant Projects*
- *Undertaking Engagement Guidelines for State Significant Projects*
- *Cumulative Impact Assessment Guidelines for State Significant Projects*.

The City is satisfied the applicant has demonstrated the application has been prepared having had regard to the guidelines outlined above.

Environmental Planning Instruments (EPIs)

To satisfy the requirements of section. 4.15(a)(i) of the Environmental Planning and Assessment Act 1979 (EP&A Act), this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the City's assessment.

Controls considered as part of the assessment of the proposal are:

- Biodiversity and Conservation Act 2016.
- State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP).
- State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP).
- State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP).
- State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP).
- State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP).
- State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP).
- Sydney Local Environmental Plan 2012 (Sydney LEP 2012).

Biodiversity and Conservation Act 2016

Table 16 | Biodiversity and Conservation Act 2016 Compliance Assessment

Control	Comment
Section 7.9 – Biodiversity assessment for State Significant Development	
(1) This section applies to— (a) an application for development consent under Part 4 of the *Environmental Planning and Assessment Act 1979* for State significant development, and (b) an application for approval under Division 5.2 of the *Environmental Planning and Assessment Act 1979* to carry out State significant infrastructure. (2) Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. (3) The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the *Environmental Planning and Assessment Act 1979*.	A Biodiversity Development Assessment Report (BDAR) Waiver Request and accompanying report was submitted on 17 January 2024, requesting to waive the requirements of a BDAR on the grounds the development is unlikely to impact biodiversity values in accordance with Clause 1.5 of the *Biodiversity Conservation Act 2016* and Clause 1.4 of the *Biodiversity Conservation Regulation 2017*. The Director, Greater Sydney Branch Biodiversity, Conservation and Science Group and the A/Team Leader, Key Sites Assessments of the Department of Planning, Housing and Infrastructure as delegate of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 20 February 2024.

State Environmental Planning Policy (Planning Systems) 2021

Table 17 | Planning Systems SEPP Compliance Assessment

Control	Comment
(1) Development is declared to be State significant development for the purposes of the Act if— (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposed development for hotel accommodation with an estimated development cost greater than $100 million is declared State Significant Development in accordance with Schedule 1, Section 13(2) of the Planning System SEPP. As noted elsewhere in this report, the subject application was lodged prior to 13 December 2024, when clause 13(3) of the SEPP was introduced, allowing hotel accommodation with an estimated development cost of more than $100 million to be assessed by the City.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of Chapter 6 of the Biodiversity and Conservation SEPP. The SEPP requires the Sydney Harbour Catchment Planning Principles to be considered in the carrying out of development within the catchment.

The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SEPP are not applicable to the proposed development. The development is consistent with the controls contained in the SEPP.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services. This also includes identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development and provide for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

The relevant provisions of the SEPP have been considered in the assessment of this application, as provided in the table below.

Table 18 | Transport and Infrastructure SEPP Compliance Assessment

Matter	Consideration
Division 5, Subdivision 2: Development likely to affect an electricity transmission or distribution network	
Clause 2.48 Determination of development applications – other development	The application is subject to Clause 2.48 of the SEPP as the development involves the penetration of ground within 2m of an underground electricity power line The application was referred to Ausgrid who did not raise an objection, subject to conditions.
Division 15, Subdivision 2: Development in or adjacent to rail corridors and interim rail corridors	
Clause 2.99 – Excavation in, above, below or adjacent to rail corridors Clause 2.101 – Development within or adjacent to interim rail corridor Clause 2.102 Major development within Interim Metro Corridor	The site is located above both the Sydney Train City Circle tunnels (first reserve) and Sydney Metro City and Southwest tunnels (second reserve) and is subject to Clauses 2.99, 2.101 and 2.102 of the SEPP. In accordance with the requirements of the clause, the application was referred to Sydney Trains and Sydney Metro for comment and concurrence. *Sydney Trains* Sydney Trains initially requested additional information in relation to the potential effects of the development on

Matter	Consideration
	the safety and structural integrity of the rail infrastructure, as well as the safe and effective operation of the rail infrastructure. The applicant provided a response to the above issues on 31 January 2025. Sydney Trains provided concurrence on 2 April 2025. *Sydney Metro* Sydney Metro requested additional information during the assessment of the application, including a detailed survey plan that accurately defined the boundaries between the site and the rail corridor; a copy of the current land title, geotechnical, structural, electrolysis and engineering reports, as well as cross sectional drawings. The applicant provided a response to the above issues on 31 January 2025. Sydney Metro provided assurance on 29 April 2025 that concurrence is forthcoming. It is therefore recommended that determination of the application be delegated to the Chief Executive Officer of the City of Sydney, pending the receipt of conditions.
Division 17, Subdivision 2: Development within or adjacent to road corridors and road reservations	
Clause 2.122 – Traffic-generating development	TfNSW advised that they had no objection to the proposal, subject to conditions relating to the servicing area, and the preparation of a Construction Pedestrian and Traffic Management Plan.

State Environmental Planning Policy (Resilience and Hazards) 2021

The aim of the Resilience and Hazards SEPP – Chapter 4 Remediation of Land is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.

The application is accompanied by a Detailed Site Investigation (DSI) and Remediation Action Plan (RAP) identifying the presence of Polycyclic aromatic hydrocarbons (PAHs) exceeding the health-based site assessment criteria, as well as sewage from a sewer underneath No. 372 Pitt Street. The identified contamination was likely the result of the presence of historical uncontrolled filling of the site.

The RAP recommends either excavation of soils and off-site disposal where the basement is to be located, or in-situ capping and containment where the existing concrete slab is to remain. The RAP provides flexibility as to whether one or both methods will apply.

The DSI and RAP have been reviewed by an accredited Site Auditor as part of the Interim Letter of Advice submitted with the application. The Site Auditor has confirmed that:

- Condition 14 of D/2021/1504 (the Concept Consent) is met in terms of contamination.
- A condition of consent is recommended regarding the implementation of the RAP and the provision of a Site Audit Statement by the Site Auditor prior to obtaining the Occupation Certificate.
- It is also recommended that a condition be imposed regarding the implementation of a Long-term Environmental Management Plan (LTEMP).
- The final decision with regard to remediation (either remove and dispose contaminated soils or in-situ capping or both) is to be communicated with the Site Auditor.

The City's Health and Building Unit are satisfied that the site can be made suitable for the proposed uses subject to the implementation of the RAP and conditions recommended by the Site Auditor.

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of the Industry and Employment SEPP applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve. The proposal includes the provision of signage visible from the public domain. The details, materials and content of the signage zones will be subject to a future development application. The signage zones include:

- 2x under awning signs to the west elevation – 400mm (h) x 1000 (w);
- 4x top hamper signs to the west elevation – 320mm (h) x 1900mm (w) above main arrival door, all others to be 320mm (h) x 1200mm (w);
- 1x top of building sign to the north elevation – 3050mm (h) x 3050mm (w).

Under Section 3.6 of the Industry and Employment SEPP 2021, consent must not be granted for any advertising sign application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 5.

An assessment of the signs against the assessment criteria in Schedule 5 of the SEPP is provided in **Table 19** below. The assessment criteria are designed to ensure the objectives of the SEPP are met, including ensuring that signage is compatible with the desired amenity and character of an area, provides effective communication in suitable locations and is of a high-quality design and finish.

Table 19 | Industry and Employment SEPP Compliance Assessment

Control	Comment
Character of the area	The existing and future character of the area is mixed use, with towers and heritage items in close proximity, as well as buildings of varied scale. The proposed signage zones are generally compatible with the existing and expected character of the Central Sydney area. It is noted, however, that the under awning signs are 400mm wide in profile, when such signs typical in the streetscape are approximately 150mm. A condition is

Control	Comment
	recommended to reduce the width as per existing awnings in close proximity
Special areas	The site is not located within an environmentally sensitive area, but is located in close proximity to heritage listed buildings. The proposed signage zones will not detract from the amenity or visual quality of the surrounding area.
Views and vistas	The proposed signage zones will not obscure sightlines or impacts on important views. The proposed top of building signage is commensurate to the scale of the proposed buildings and would not dominate the skyline or result in unacceptable impacts to the quality of vistas.
Streetscape, setting or landscape	The scale of the signage zones is considered appropriate for the setting and modest in the context of the overall scale of the buildings and size of the site. As discussed above, the under awning signs are to be conditioned so that they are reduced in width. It is envisioned that the future signage will provide a visual interest within the area and will not require ongoing vegetation management. The proposed signage zones and future signage does not screen unsightliness and is not located above the building structure or the tree canopies.
Site and building	The proposed signage zones are compatible with the scale of the site. As discussed above, the under awning signs are to be conditioned so that they are reduced in width to match other signs in close proximity. Details on how the future signage will have no negative impact on the surrounding built form will be provided in any future application. It is envisioned that the future signage will be of high-quality finish and is consistent with modern signage found within the area.
Associated devices and logos with advertisements and advertising structures	The proposed development seeks zones for future signage and not advertising or advertising structures. As such the controls are not relevant for the proposed development.

Control	Comment
	Nevertheless, details of safety devices, platforms, lighting devices and logos will be included in the future DA if relevant.
Illumination	Details of illumination will be provided in the future signage applications.
Safety	The proposal will not reduce safety for any public road as it is clearly distinct from road signs and signals and will not include moving or animated imagery. The proposed signage will not reduce safety for pedestrians or cyclists. The proposed signage does not obscure sightlines of public area, and as such will not reduce safety for pedestrians or children.

State Environmental Planning Policy (Sustainable Buildings) 2022

The Sustainable Buildings SEPP aims to encourage the design and delivery of sustainable buildings, including minimise energy consumption, minimise use of potable water, optimise thermal performance and reduce greenhouse gas emissions. It also aims to ensure assessment is undertaken consistently, sustainability of buildings data is recorded and embodied emissions is monitored.

A consent authority must consider whether the development is designed to: minimise waste; reduce peak demand for electricity; reduce reliance on artificial lighting and mechanical heating and cooling through passive design; generate and store renewable energy; monitor energy consumption; and minimise the consumption of potable water.

The consent authority must also be satisfied the embodied emissions attributable to the development have been quantified and whether the development will minimise the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in NSW by 2050.

The proposal is for hotel accommodation, a type of ‘large commercial development’ as defined by the Sustainable Buildings SEPP with an estimated development cost of more than $5 million.

The City has assessed the project against the relevant requirements in the Sustainable Buildings SEPP and considers the project has provided the appropriate data regarding embodied emissions, will be fossil fuel-free and has been designed to meet the design considerations stipulated in the Sustainable Buildings SEPP as it will target a 4 Star NABERS Water rating for hotels and a 4 Star Green Star Buildings rating.

It is noted that Clause 3.3(2) of the Sustainable Buildings SEPP does not apply to the development in relation to energy use. This is addressed as part of Clause 7.33 of the Sydney LEP 2012.

Sydney Local Environmental Plan 2012

Table 20 | Sydney LEP 2012 Compliance Assessment

Part 2 | Permitted or prohibited development

Provision	Comment	Compliance
2.3 - Zone objectives and Land Use Table	The site is located within the SP5 Metropolitan Centre zone. The proposed development is defined as a 'mixed use development', comprising 'hotel accommodation' and 'food and drink premises' and 'retail premises', which are permissible with consent within the zone. The proposal is generally consistent with the zone objectives.	Yes

Part 4 | Principal development standards

Provision	Comment	Compliance
4.3 – Height of buildings	The site is in 'Area 3' pursuant to the Sydney LEP 2012; therefore no maximum height is shown for this land. Instead, the maximum height is determined by the sun access planes that are taken to extend over the land by Clause 6.17. A maximum height of 192.9m (RL206.1) is proposed, which is within the sun access plane applying to the site. This is consistent with concept approval D/2021/1504, and amending concept DA D/2024/36, both of which have building envelopes with a height of RL206.1. The proposed development complies with the maximum height of buildings development standard.	Yes
4.4 – Floor space ratio	A base maximum FSR of 8:1 is permitted for the site pursuant to Clause 4.4 of the Sydney LEP 2012. The site is located within 'Area 2' and is permitted to utilise the provisions of Clause 6.4. Based on the proposed 'hotel accommodation' and 'retail premises' uses, Clause 6.4 provides an opportunity for additional accommodation floor space of up to 6:1 on a pro-rata basis for hotel accommodation, and up to 4.5:1 for retail uses. Based on this proportion of uses, this equates to a floor space ratio (FSR) of 13.82:1.	Yes

Provision	Comment	Compliance
	A further 10% of FSR (1.38:1) is permissible, which may be awarded for design excellence, increasing the permitted FSR to 15.21:1. The application proposes an FSR of 14.16:1 (16,144sqm), which complies.	

Part 5 | Miscellaneous provisions

Provision	Comment	Compliance
5.10 - Heritage conservation	The site is not a heritage item, nor is it located within a heritage conservation area. The site contains five, 3-storey commercial terraces, constructed c.1910-1912. The existing buildings are a rare surviving Federation era commercial terrace group, of which the most historically significant terraces are 372-374 Pitt Street, designed by architects Eaton and Bates. Concept approval has been granted under D/2021/1504 for the retention of the retail facades, and removal of the northern-most terrace at 372 Pitt Street to facilitate vehicular access. The application proposes the retention of the existing facades of Nos. 374-382A Pitt Street, and a minimum depth of 6m (approximately one bay) of the internal party walls to form part of the podium of the development, which is consistent with the concept approval. The design of the tower addition also responds to, yet is appropriately distinctive from, the terrace facades that are being retained. The landscape ‘vessel’ above the parapet is also to be setback 1m at the western (Pitt Street) elevation. Such a setback will maintain the visual prominence of the retained buildings and creates a sympathetic visual relationship between the terraces and the hotel tower. Overall, the proposed development will allow the original brick and steel construction, and the rectilinear form and scale of the terraces to be retained and perceived. The proposed development is supported by the City's heritage specialist, and appropriate conditions are recommended, including a refined design of the shopfront reconstruction.	Yes

Provision	Comment	Compliance
5.21 – Flood planning	The site is not identified as flood prone land however, the western side of Pitt Street is identified as being subject to flooding (low hazard). The flood assessment report and accompanying plan depicting flood levels at ingress points provided with the application confirms that entry and floor levels are compliant. An internal flood barrier is also proposed at the front entry. The flood consultant has advised that introducing strategies at the front entry to achieve 470mm height gain (for compliant flood planning levels) would have a significant impact on functionality. A 1:20 ramp at 9.5m in length would be required, with a combination of stairs and ramp (or DDA lift). The flood report, flood barrier details and justification have been reviewed by the City's Public Domain and Water Assets Units. The flood barrier is accepted in this instance and the proposal is capable of complying with the City's Interim Floodplain Management Policy.	Yes

Part 6 | Local provisions – height and floor space

Provision	Comment	Compliance
Division 1 Floor space in Central Sydney		
6.4 – Accommodation floor space	The site is located in 'Area 2' and is eligible for accommodation floor space based on the proposed indicative land uses on a pro-rata basis. Based on the proportion of hotel and retail uses proposed, the proposal is eligible for an additional accommodation floor space ratio of up to: • 4.5:1 for retail uses; and • 6:1 for hotel accommodation. The proposal provides 0.5:1 of retail FSR and 5.31:1 of hotel accommodation FSR, which complies.	Yes
6.11 Utilisation of certain additional floor space requires allocation of heritage floor space (HFS)	Subclause (1)(a) requires HFS be allocated to the site equal to 50% of the accommodation floor space utilised, and subclause (2)(a) allows this amount to be reduced by up to 50%, or 1,000m², whichever is the lesser, when the proposed development is the winner of a competitive design process carried out in accordance with the City's Competitive Design Policy.	Yes

Provision	Comment	Compliance
	The proposed development utilises 7,024.8sqm of accommodation floor space, which is the GFA above the base FSR of 8:1, and was the winner of a competitive design process. As such, 2,512.4sqm of HFS is required. A condition is recommended for HFS to be purchased and allocated.	
Division 3 Height of buildings and overshadowing		
6.16 Erection of tall buildings in Central Sydney	The proposal has demonstrated that it achieves the relevant wind comfort and safety standards to the surrounding public domain in accordance with concept approval D/2021/1504 and allows acceptable movement of air to provide ventilation around the tower form. The proposal will not have an adverse impact on significant views from the public domain and achieves acceptable level of outlook for the proposed development and neighbouring properties. The height of the building preserves sun access to public places and will maintain acceptable daylight access to the surrounding public domain. Neighbouring heritage items have been highly considered within the design providing an acceptable response to the heritage significance of local and State heritage items. The retention of the retail terrace facades and parapets create a podium response that aligns with the neighbouring heritage significant buildings for a consistent transition.	Yes
6.17 Sun access planes	The maximum building height of the site is restricted by the Belmore Park (1A) Sun Access Plane (SAP). The proposed development seeks maximum height of RL 206.1m and does not exceed the Belmore Park SAP.	Yes
6.18 Overshadowing of certain public places	The proposal does not result in any additional overshadowing to places shown on the Sun Access Protection Map.	Yes
Division 4 Design excellence		
6.21C Design excellence	See discussion under **Section 6.2**. The proposal responds appropriately to the concept approval conditions and planning controls where required, and the built form is compatible with the heritage character of the area, providing a suitable transition in scale in terms of the podium and tower form.	Yes

Provision	Comment	Compliance
	The proposal achieves the principles of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The proposal presents a high standard of architectural design, and the overall materiality, articulation and architectural expression of the development is in keeping with the relevant planning controls and reflecting the desired future character of the area.	
6.21D Competitive design process	The proposal utilises the additional 10% floor space bonus. An architectural design competition, based on the in-principle approved hotel, retail and residential uses, was undertaken over November 2022 - February 2023 in accordance with the provisions of Clause 6.21D of the SLEP 2012 and the City of Sydney Competitive Design Policy. As noted elsewhere in this report, there has since been a change of use from residential and hotel accommodation with ancillary retail premises to hotel accommodation and ancillary retail premises. Notwithstanding, the proposed design, being the winner of a competitive design process, has retained the key elements of the winning proposal while addressing recommendations made by the selection panel for improvements. Section 5.2 of the City's Competitive Design Policy states that *where a competitive design process winning scheme is subsequently development or modified, a Design Integrity Assessment (DIA) will be required to be submitted*. The application has been considered by the City's Design Advisory Panel (DAP), and this process is considered to satisfy the requirements of the Policy. The applicant has also undertaken their own design review (outside of the City's requirements) with the design competition Selection Panel.	Yes

Part 7 | Local provisions – general

Provision	Comment	Compliance
Division 1 Car parking ancillary to other development		
7.3 Car parking spaces not to exceed maximum set out in this Division	The maximum number of car spaces permitted is 84. The application does not propose any on-site parking other than 2x service spaces.	Yes
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	The site is subject to affordable housing contributions under Clause 7.13. A condition of consent has been recommended that requires the payment of affordable housing contributions prior to any construction certificate.	Yes
Division 4 Miscellaneous		
7.14 Acid sulfate soils	The site is located on land with Class 5 Acid Sulfate Soils (ASS) and is not within 500mm of adjacent Class 1, 2, 3 or 4 ASS land. Acid Sulfate Soils are not expected to be encountered.	Yes
7.16 Airspace operations	The development has a total height of RL206.1 (192.9m). The building penetrates the Obstacle Limitation Surface by 50.1m, constituting a “controlled activity” under Section 182 of the *Airports Act 1996*. As discussed in Section 5 of this report, the application was referred to Sydney Airport and approval was granted for the proposed controlled activity, subject to conditions.	Yes
7.20 Development requiring or authorising preparation of a development control plan	A development with a height greater than 55m and a site area more than 1,500sqm within Central Sydney would require the preparation of a development control plan. However, Section 2.10 of the State Environmental Planning Policy (Planning Systems) 2021 prevents the requirement of a development control plan for State Significant Development. Notwithstanding, the site is subject to concept consent D/2021/1504. An amending concept DA D/2024/36 to incorporate modifications to the building envelope and approved uses is also being assessed and is to be reported to CSPC concurrently with this SSD.	Yes
7.25A Sustainable development in Central Sydney tower cluster areas	This clause applies to sites within Central Sydney tower cluster areas that are seeking additional floor space under	N/A

Provision	Comment	Compliance
	clause 6.21E(2) or a building height that exceeds the permitted maximum under clause 6.21E(5) (or both). Whilst partially located in the Central Sydney tower cluster area, the proposal does not seek additional floor space under clause 6.21E, nor does it exceed the permitted maximum height.	
7.33 Sustainability requirements for certain large commercial development	The development satisfies the requirements of the sustainability requirements for large commercial development. In relation to energy standards, the ESD report states that the development will achieve a 4 Star NABERS Energy rating, as detailed in Section 3.6.1 of the Sydney DCP 2012, along with a net zero statement to outline a strategy to for the development to operate as fossil fuel-free by 2035, satisfying both the Sustainable Buildings SEPP and the Sydney LEP 2012.	Yes

Other matters

Sydney Development Control Plan 2012

In accordance with clause 2.10 of the Planning Systems SEPP, Development Control Plans do not apply to SSD. Notwithstanding, objectives of relevant controls under the Sydney Development Control Plan 2012 have been considered throughout Section 6.

Appendix C – Response to community submissions

Table 21 | Response to community submissions

Issue	Consideration
Construction Impacts – demolition and construction period (noise, vibration and dust) will have an impact on the operation of surrounding businesses and their plant equipment. Risk of ground displacement / undermining of support to foundations of surrounding buildings.	The expected impacts on the operation on nearby businesses are noted. The anticipated impacts of the proposed demolition, excavation and construction of the development are considered acceptable, and conditions of consent are recommended to mitigate these impacts. Conditions include: • Preparation of a construction traffic management plan • Preparation construction environmental management plan – this includes control and management of dust pollution • Compliance with the City's hours of construction requirements • Preparation of a construction noise and vibration management plan – which will recommend respite periods and other noise control measures • Compliance with standard noise and traffic management conditions Discussions between the owner/developer and neighbouring occupants in relation to private events/general business operations being disrupted by construction noise and the like are separate to the SSDA process.
Carruthers Place – proposal has the capacity to impede egress from fire doors, fire control room and boosters of neighbouring property to the north at 370 Pitt Street – during construction and occupation of the building. The car park located behind the subject site currently uses Carruthers Place for vehicular access and will be landlocked as a result of the development. Easements/approvals have not been taken into account. Carruthers Place is meant to be a public laneway and constructing within this laneway is a breach of previous approvals granted by Council for the construction of 370 Pitt Street.	Carruthers Place is a privately owned laneway with no easements registered on title benefitting 370 Pitt Street for vehicular access or fire egress. Notwithstanding, the proposal includes an easement for access to the fire escape (and other necessary building services) of neighbouring property at 362-370 Pitt Street, within Carruthers Place, exiting onto Pitt Street. Access is provided for on the proposed ground floor plan with a width of between 1.4m-1.5m, with no obstruction to egress or services. In addition, a search of Council's records shows there are no consents for vehicular parking at this location, behind the subject site.

Issue	Consideration
Carruthers Place provides access, air, light, outlook and ventilation to the building and there will be a substantial loss of amenity as a result of this proposal.	Concerns regarding access to 370 Pitt Street fire safety services being restricted during construction and operation are noted, however this is to be covered by the new easement. Obstruction of such services is not permitted at any time, as per regulation 109 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*. The podium and tower envelope was approved under D/2021/1504, which assessed the proposed massing, particularly in relation to the interface of Carruthers Place and 370 Pitt Street as acceptable. The tower is setback of 6.29m – 6.6m at the northern boundary to address separation to the adjoining building, to maintain daylight access to existing outlook for 370 Pitt Street. The proposed tower setbacks have been assessed as acceptable as part of D/2021/1504, and the Amending Concept DA D/2024/36 has not altered these upper-level side and rear setbacks. It is not anticipated that any unacceptable overlooking or privacy impacts will be created, as windows within the tower portion of the development facing north and south in particular, are secondary windows to the hotel rooms. The City considers this matter to be sufficiently addressed, and no specific conditions of consent are recommended.
Pedestrian safety - in relation to the use of Carruthers Lane by pedestrians (existing the fire stair of 370 Pitt Street or walking along Pitt Street) in conflict with service vehicles.	The development has been designed so that it does not restrict pedestrian access to Carruthers Place, as discussed above and elsewhere in this report. Vehicular access within Carruthers Place / Pitt Street was identified as acceptable in concept approval D/2021/1504. This SSDA has demonstrated that vehicular access in this location is appropriate, and standard conditions are recommended to ensure the safe use and operation of the loading dock / entry point with minimal impact to the public domain.
Loss of light to public domain - relating to the proposed landscape ‘vessel’ exceeding the approved podium height and disproportionate scale of the development.	The changes to the approved building envelope to vary the podium height and accommodate the proposed landscape ‘vessel’ have been assessed as acceptable under D/2024/36. The proposed changes do not result in any significantly adverse amenity impacts to the public domain, nor the streetscape and character of the area.

Issue	Consideration
	With the exception of the landscape ‘vessel’ at level 4, the proposed development is consistent with the approved building envelope of D/2021/1504, following established height, bulk, scale and setbacks. Additionally, the proposal complies with the maximum permitted height and FSR for the site.
Overshadowing to neighbouring apartment buildings – particularly 91 Goulburn Street to the south-east of the subject site.	The concept DA approved was supported by a shadow study that confirmed there would be no overshadowing impacts to 91 Goulburn Street. This study is still applicable given that no changes are proposed to the extent of the tower.

Appendix D – Recommended instrument of consent

Attachment B

Recommended Conditions of Consent

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.

Terms of Consent

A2. The development may only be carried out:

(a) in compliance with the conditions of this consent;

(b) generally in accordance with the EIS and Response to Submissions unless otherwise specified in a condition of consent;

(c) in accordance with the approved plans in the table below:

Architectural Drawings prepared by KHA			
Dwg No.	**Rev**	**Name of Plan**	**Date**
A0510	C	Demolition Plan Ground Floor	22.11.24
A0511	C	Demolition Plan Level 1	22.11.24
A0512	C	Demolition Plan Level 2	22.11.24
A0520	C	Demolition Elevation	22.11.24
A0530	C	Demolition Section 01	22.11.24
A0531	C	Demolition Section 02	22.11.24
A0532	C	Demolition Section 03 Historic Facade	22.11.24
A0990	C	Plan Basement 1	22.11.24
A1000	C	Plan Ground Floor	22.11.24
A1010	C	Plan Level 1	22.11.24
A1020	C	Plan Level 2	22.11.24
A1030	C	Plan Level 3	22.11.24
A1040	C	Plan Level 4	22.11.24
A1050	C	Plan Level 5	22.11.24
A1060	C	Plan Level 6	22.11.24
A1070	C	Plan Level 7-8,11-12,15-16,19-20	22.11.24
A1090	C	Plan Level 9-10,13-14,17-18,21	22.11.24
A1220	C	Plan Level 22	22.11.24
A1230	C	Plan Level 23-24, 27-28	22.11.24
A1250	C	Plan Level 25-26, 29-30	22.11.24
A1310	C	Plan Level 31-32, 35-36	22.11.24
A1330	C	Plan Level 33-34	22.11.24
A1370	C	Plan Level 37-38	22.11.24
A1390	C	Plan Level 39-40,43-44	22.11.24
A1410	C	Plan Level 41-42, 45	22.11.24
A1460	C	Plan Level 46,49-50	22.11.24
A1470	C	Plan Level 47-48	22.11.24
A1510	C	Plan Level 51-52,55-56	22.11.24

Architectural Drawings prepared by KHA			
A1530	C	Plan Level 53-54	22.11.24
A1570	C	Plan Level 57	22.11.24
A1580	C	Plan Level 58	22.11.24
A1590	C	Plan Level 59	22.11.24
A1600	C	Plan Level 60 – Roof	22.11.24
A1800	C	Historic Building Part Plans	22.11.24
A2001	C	Section A (East-West) & Section B (North-South)	22.11.24
A2010	C	Detailed Section Urban Room	22.11.24
A2012	C	Detailed Section Historic Facade – Proposed	22.11.24
A3001	C	North Elevation & West Elevation	22.11.24
A3002	C	South Elevation & East Elevation	22.11.24
A3020	C	Detailed Street Elevation Pitt Street	22.11.24
A4000	C	Facade Type Overview	22.11.24
A4200	C	Facade Type 1: Tower Typical Low Level	22.11.24
A4201	C	Facade Type 2: Tower Mid-Level Expression	22.11.24
A4202	C	Facade Type 3: Tower Typical High Level	22.11.24
A4203	C	Facade Type 4: Tower Top-Level Expression	22.11.24
A4204	C	Facade Type 5 Typical North and South Blade Walls	22.11.24
A4210	C	Facade Type 6: Podium Landscape Vessel	22.11.24
A4211	C	Facade Type 7: Podium Faceted Glazed Facade and Roof	22.11.24
A4212	C	Facade Type 8: Podium/Tower Typical East Tower and Low Level Podium	22.11.24
A4213	C	Facade Type 9: Podium Typical Ground Level Façade and Awning	22.11.24
A4214	C	Facade Type 10: Podium Typical Level 4 Facade and Awning	22.11.24

A3. The conditions of this consent prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(b). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(b), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

A4. This consent lapses five years after the date of consent unless work is physically commenced.

Prescribed Conditions

A5. The Applicant must comply with all relevant conditions of development consent under Part 4, Division 2, Subdivision 1 of the EP&A Regulation.

Evidence of Consultation

A6. Where conditions of this consent require consultation with an identified party, the Applicant must:

(a) consult with the relevant party prior to submitting the subject document for information or approval; and

(b) provide details of the consultation undertaken including:

(i) the outcome of that consultation, matters resolved and unresolved; and

(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Staging

A7. The project may be constructed and operated in stages, with relevant conditions being satisfied prior to the issue of a relevant Construction Certificate, where specified in the conditions of consent and the details set out in the EIS as follows:

Stage	Description
CC1	Earthworks / Earth Retaining and Stabilising Structures (ERSS) / Excavation and Demolition / Piling
CC2a	Substructure / Superstructure / Architectural Walls / Facade / MEP (Electrical / Mech / Fire / Plumbing / Plant and equipment)
CC2b	Interior Fit-out: Bathpod, Commercial Areas FFE / Lighting
CC3	Facade Services Fit-out

Structural Adequacy

A8. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Notes:

- *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*
- *Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.*

External Walls and Cladding

A9. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

Applicability of Guidelines

A10. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

A11. Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

Monitoring and Environmental Audits

A12. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act.

This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.

Note: *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

Compliance

A13. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

Incident Notification, Reporting and Response

A14. The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.

A15. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 1**.

Non-Compliance Notification

A16. The City must be notified in writing to council@cityofsydney.nsw.gov.au seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the City must be notified in writing to council@cityofsydney.nsw.gov.au seven days after they identify any non-compliance.

A17. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

A18. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Design Modifications

A19. The design of the building must be modified as follows:

(a) All ground floor shopfronts including awnings are to be reconstructed to interpret their original configuration and form, retaining and reusing elements of the existing shopfronts and awnings, as outlined in the Heritage Impact Statement prepared by Urbis (Issue 3, dated 12 February 2024) (Figure 49 in particular) and the accompanying Schedule of Conservation Works prepared by Urbis (Issue 3 and dated 12 February 2024).

(b) The hydraulic booster is to be relocated from the Pitt Street elevation to the northern elevation/side wall of 374 Pitt Street at ground floor, and the historical shopfront be reconstructed.

(c) Additional vertical masonry elements are to be included at the base of the tower, comparable to that of the design competition scheme, providing solidity to the façade as it meets the landscape vessel.

(d) The 2x under awning signage zones to the Pitt Street elevation are to be amended to reduce the width of the awning profiles from 400mm to 150mm.

A20. The modifications are to be submitted to and approved by Council's Executive Director City Planning, Development and Transport prior to the issue of a Construction Certificate for above ground works.

Staged approval – D/2024/36 and D/2024/446

A21. This development consent is the detailed design State Significant development consent D/2024/446.

A22. The following shall be provided to Council's Area Planning Manager/Area Coordinator Planning Assessments prior to any construction certificate being issued for this development consent D/2024/446 or any work commencing on-site, whichever is earlier.

(a) Confirmation that a notice of modification has been lodged and determined by Council for D/2021/1504, as per Section 67 of the *Environmental Planning & Assessment Regulation 2021*.

Sydney Water

A23. A Letter of Conditions (with approval) is required to be issued by Sydney Water as part of the Out of Scope Building Plan Approval prior to the issue of any Construction Certificate or commencement of any works on-site, whichever is earlier. A copy of the approval is to be provided to Council's Area Planning Manager / Area Coordinator Planning Assessments and the Registered Certifier.

A24. Any conditions imposed by Sydney Water as part of the Out of Scope Building Plan Approval are to be complied with during the construction of the development.

Design Quality Excellence

A25. As the proposal has been awarded bonus floor space for achieving design excellence and in order to ensure the design quality excellence of the development is retained to completion:

(a) The design architect comprising KHA is to have direct involvement in the design documentation, contract documentation and construction stages of the project including signing off any required certifications at DA, S4.55 applications, Construction Certificate and Occupation Certificate stages;

(b) The design architect is to have full access to the site and is/are to be authorised by the applicant to respond directly to Council where information or clarification is required in resolving design issues throughout the life of the project;

(c) Evidence of the design architect's commission must be provided to the Council prior to release of any Construction Certificate.

(d) The design architect of the project is not to be changed without prior notice and approval of the Council's Executive Director Planning, Development and Transport.

A26. The Registered Certifier and Principal Certifier must be satisfied that the above matters are complied with prior to the issue of a relevant Construction and Occupation Certificates, in accordance with written confirmation from Council.

Section 7.12 Contributions Payable – Submitted and Verified Prior to Issue of Construction Certificate

A27. A monetary contribution is payable to the City of Sydney pursuant to Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Central Sydney Development Contributions Plan 2020.

A28. The Section 7.12 levy is determined by the development cost, as per the following table:

Development cost * * Refer to Section 2.3 of the *Central Sydney Development Contributions Plan 2020* for information on determining the development cost.	Levy
Up to and including $250,000	NIL
More than $250,000, up to and including $500,000	1%

More than $500,000, up to and including $1,000,000	2%
More than $1,000,000	3%

A29. The Section 7.12 levy is payable to the City of Sydney in accordance with the following:

(a) Prior to any Construction Certificate being issued or commencement of works, whichever is earlier, evidence must be provided of Council's written verification of the amount of the contribution as required in (b) below, and that the levy has been paid to the Council in accordance with this condition. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Sydney. Direct debit, personal or company cheques will not be accepted.

(b) The contribution must not be paid to the City of Sydney until it is accompanied by separate written verification by the City of Sydney of the specific amount payable. In order to obtain such verification, one of the following must be submitted:

(i) For development between $250,000 and $3,000,000 – the City of Sydney Cost Summary Report must be completed by a suitably qualified person such as the Project Architect or Project Manager and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the Cost Summary Report is available from the City's website at www.cityofsydney.nsw.gov.au; or

(ii) For development more than $3,000,000 – The City of Sydney Registered Quantity Surveyor's Detailed Cost Report must be completed by a Quantity Surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate an equivalent qualification and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the Registered Quantity Surveyor's Detailed Cost Report is available from the City's website at www.cityofsydney.nsw.gov.au.

(c) The Council will consider the documentation submitted under subclause (b) and determine the cost of the proposed development having regard to the information submitted and to such other matters as it considers appropriate and will notify the Registered Certifier accordingly.

(d) The development cost is to be determined in accordance with Section 2.3 of the Central Sydney Development Contributions Plan 2020, located in the version in force at the date of the grant of this consent.

(e) Please contact Council's Planning Administration staff at Planningsystemsadmin@cityofsydney.nsw.gov.au to request a written Statement of Contributions Owing, prior to payment.

Affordable Housing Contribution – Residual Land or Central Sydney – Payment in Lieu of Floor Space Contribution – Prior to Construction Certificate

A30. In accordance with the City of Sydney Affordable Housing Program and prior to the issue of any Construction Certificate, the applicant must provide evidence that a monetary contribution towards the provision of affordable housing has been paid to the City of Sydney Council.

A31. The contribution is $2,998,352.19 (indexed at 1 March 2025). This is calculated by establishing the sum of the equivalent monetary contribution $11,646.80 multiplied by 1% of the total floor area for non-residential development (25,744sqm).

A32. If the contribution is paid after the indexation period in which the consent is granted, being March 2025 to February 2026, the above contribution will be adjusted according to the Sydney LGA median strata dwelling price ('MDP') using the following formula.

A33. Contribution payable at Time of Payment = C x MDP2 / MDP1, where:

(a) C is the original total contribution amount payable to the City of Sydney as shown above;

(b) MDP2 is the Median Strata Dwelling Price in Sydney LGA taken from the most recent NSW Government Rent and Sales Report at the time of indexation of the equivalent monetary contribution rate; and

(c) MDP1 is the Median Strata Dwelling Price in Sydney LGA taken from the NSW Government Rent and Sales Report used to establish the current equivalent monetary contribution rate, being March 2025 to February 2026.

(d) Contact Council's Planning Assessment Unit at planningsystemsadmin@cityofsydney.nsw.gov.au for written confirmation of the amount payable, with indexation as necessary, prior to payment.

Materials And Samples Board – Major Development

A34. A final physical material sample board which specifies all proposed materials, finishes and colours, keyed to each building elevation must be submitted to and approved by Council's Executive Director City Planning, Development and Transport, prior to a Construction Certificate for above ground structure being issued. The materials and samples board must not include generic material or colour descriptions or use terminology such as 'or similar'.

Compliance With Submitted Materials and Samples Board

A35. The design details of the proposed building facade including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications as approved in Condition A30 above.

Floor Space Ratio – Central Sydney

A36. The following applies to Floor Space Ratio:

(a) The Floor Space Ratio of the proposal must not exceed 14.16:1 calculated in accordance with the Sydney Local Environmental Plan 2012. For the purpose of the calculation of FSR, the Gross Floor Area of the approved development is 16,144sqm.

(b) Prior to the issue of any Construction Certificate or commencement of works, whichever is earlier, Council's written verification must be obtained, confirming that 2,512sqm of heritage floor space was allocated (purchased, transferred and registered by Council as an allocation) to the development, being that gross floor area in excess of 8:1 as specified in the Sydney Local Environmental Plan 2012.

(c) Prior to any Occupation Certificate being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under Sydney Local Environmental Plan 2012 applicable at the time of development consent, to the satisfaction of the Principal Certifier.

Building Height

A37. The height of the building must not exceed RL 206.1 (AHD) to the top of the building.

A38. Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

Approved Design Roof – Top Plant

A39. All roof-top plant and associated equipment must be located within the approved building envelope.

Reflectivity

A40. Prior to issue of the above ground Construction Certificate, the Registered Certifier must ensure that the visible light reflectivity from building materials used on the facade of the building does not exceed 20%.

Use - Separate Consent Required

A41. No consent is granted or implied for the fit-out of each individual food and drink or function space tenancy.

A42. A development consent or Complying Development Certificate (as appropriate) is required to be obtained for the fitout of each individual tenancy prior to that fit-out or use commencing.

Signs At Egress

A43. The following signs must be provided and maintained within the site at the point(s) of vehicle egress:

(a) Compelling drivers to stop before proceeding onto the public way

(b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

Signal System

A44. A system of traffic lights and/or mirrors must be installed at the ends of any single lane ramp(s), to indicate traffic movement on the ramp(s). This system must be detailed in the application for a construction certificate. Any system using traffic light signals must maintain a green signal to entering vehicles at the point of entry and must maintain a red signal when an exiting vehicle is detected upon the ramp or driveway.

Service Vehicle Size Limit

A45. The size of vehicles servicing the property must be a maximum length of 6.4m

Associated Roadway Costs

A46. All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".

Cost Of Signposting

A47. All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

Vehicle Access

A48. The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

Swinging Doors Over Public Way

A49. Any access doors to enclosures housing building services and facilities, such as hydrant and sprinkler booster assemblies or the like, must not open over the footway/roadway.

No Obstructions

A50. All public footways and paths of travel must be free from obstructions. If services are required to be relocated to clear paths of travel then this must be undertaken at the developer's expense. All obstructions are to be removed prior to the issue of any Occupation Certificate.

Tactile Ground Surface Indicators and Handrails

A51. All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.

Flood Risk Management

A52. Details of proposed flood barriers and their operation to demonstrate:

(a) Flood control devices or systems can withstand flood-related forces including hydro static load and dynamic load and impacts in a probable maximum flood event.

(b) Flood control devices or systems have been certified by an appropriately experienced engineer registered on the National Engineers Register (NER).

(c) Flood control devices or systems are integrated into the driveway of a building to descend from above or ascend from below to exclude floodwater.

(d) Automatic closure of flood control devices or systems, together with an anti-opening mechanism to prevent them from being opened in a flood event.

(e) Appropriate peripheral safety measures will be provided to support the operation of the flood control devices or systems, including, but not limited to:

(i) an independent back-up power supply, to be used in the event of a power failure; and

(ii) audible and visual alarm systems to warn of the operation of the flood doors and barriers. The alarm system must be linked to the building management system which indicates the status of the failsafe operation and back-up supply power;

(iii) flood sensors linked to the alarm system to provide information on the status of the operation of the flood doors and barriers; and

(iv) passenger lift programming is to ensure that the lift is deactivated when flood doors and barriers are activated.

(f) All building structures are to be designed to ensure structural integrity for immersion and the impact of hydraulic forces of floodwaters and debris up to the 100 year flood level plus 0.5m or Probable Maximum Flood level, whichever is the greater. For example, where glass is used, it must be toughened glass to resist the impact of hydraulic forces of floodwaters and impact loading of debris. Details of these works shall be submitted to and shall be approved by the Principal Certifying Authority prior to the issue of any Construction Certificate for above ground works.

(g) Flood protection is required for all flood events up to and including the minimum flood planning levels applicable to the basement level.

(h) Flood proofing is to be maintained for the life of the development. The design of the flood proofing is to be certified by a suitably qualified practitioner engineer with experience in flood proofing and is to be compatible with the design of the development set out in this development consent. The certification must ensure compliance with the relevant Australian Standards and codes for structural engineering. The certification must be supplied by the Applicant to the Certifying Authority.

(i) All flood protection features requiring power to operate must have alternative backup power source.

(j) All electrical features including power points and other mechanical equipment must be set above the Flood Planning Level. This must be shown on the detailed plans prior to the issue of the Construction Certificate for the basement.

(k) A design certification report prepared by a suitably qualified practitioner engineer demonstrating compliance has been achieved of these requirements above shall be submitted to and shall be approved by the Principal Certifying Authority prior to the issue of any Occupational Certificate.

Flood Emergency Response Plan

A53. A Flood Emergency Response Plan is to be prepared by a suitably qualified flood engineer. The Flood Emergency Response Plan is to be implemented and operated by the building owner and/or Owners Corporation at all times.

A54. The Flood Emergency Response Plan must include all measures required to be implemented to ensure the ongoing management of flooding risk in relation to the building, including (but not limited to) the following:

(a) Describe the flood conditions in the vicinity of the site.

(b) If appropriate, direct persons on the site to seek refuge above the Probable Maximum Flood level for all levels of the building that are flood affected. Shelters in place for flood affected parts of the building is not permissible.

(c) Include a map directing residents and visitors to a refuge via a flood free pathway within the building.

(d) Describe the audible and visual alarm system for the basement area, including the linkage of this system to the building management system, details of failsafe operations and alternate power arrangements.

(e) Provide details (as an appendix) of all proposed flood sensors, their purpose, operation and maintenance (including the frequency of maintenance).

(f) Provide details of lift design and operation in the event of a flood and specify how the lift will be deactivated in the event of a flood.

(g) Provide details of access to flood free areas for disabled persons.

(h) Provide details of all flood protection design features of the building (flood doors and the like) and describe their operation, maintenance, repair and replacement arrangements. Repairs are to be completed to ensure that the flood doors/gates/barriers remain operational and effective at all times.

(i) A pumping option needs to be shown, along with the location of pumps (in case mechanical failures of flood barriers occur). The pumps must be designed to pump out the full range of flood volumes within 6 hours after floodwaters have receded.

(j) Details of the operations and maintenance of the pumps are to be included. Any pumping equipment used to disperse flood waters should have the same maintenance schedule as the flood doors; and

(k) Make provision for three monthly testing by the building owner and/or Owners Corporation.

A55. The building owner and/or Owners' Corporation must enter into a service arrangement by which all identified faults or defects to all flood designed features of the building must be repaired within 24 hours.

A56. No toxic or other hazardous materials are to be stored below the Flood Planning Level or in the basement levels.

A57. Prior to the issue of any Construction Certificate for the basement, the Flood Emergency Response Plan (FERP) is to be submitted to and approved by Principal Certifying Authority (PCA).

General Heritage

A58. The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the retained part of the existing buildings.

A59. The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction.

A60. All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.

A61. Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of conservation and reconstruction works.

A62. The new windows and doors on the existing building must match the original material, which is timber joinery.

Materials for Making Good

A63. New materials for making good and repairs, are to match the existing in terms of colours, finishes, sizes, profile and properties.

Public Art

A64. Public art must be installed to the City's satisfaction prior to the issue of any Occupation Certificate.

(a) The public artwork must be in accordance with '372-382A Pitt Street Preliminary Public Art Plan', Ref. P2938, dated January 2025, the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments.

(b) A Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Council's Director City Planning, Development and Transport prior to issue of any Construction Certificate for above ground works.

(c) Public artwork must be installed to the City's satisfaction, inspected and approved and the Final Public Art Report submitted and approved by Council's Area Planning Manager prior to the issue of any Occupation Certificate.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at http://www.cityofsydney.nsw.gov.au/explore/arts-and-culture/public-art Please contact the Public Art Team at publicartreferrals@cityofsydney.nsw.gov.au for further information.

Waste and Recycling Management - General

A65. The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's Guidelines for Waste Management in New Developments 2018 which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

External Lighting

A66. A separate development application is required to be lodged and approved prior to any external floodlighting or illumination of the building or site landscaping.

Signs - Separate DA Required

A67. A separate development application for any proposed signs forming part of the approved signage strategy (other than exempt or complying signs) must be submitted to and approved by Council prior to the erection or display of any such signs.

Restriction on Strata Subdivision – Hotel

A68. Any strata subdivision of the hotel site to create individual lots for hotel rooms is not permitted.

New and Existing Easements

A69. An Easement for Access and Fire Egress of 1 metre minimum width, unlimited in height, and limited in stratum where covered, must be created pursuant to Section 88B of the Conveyancing Act, 1919 prior to the issue of any Occupation Certificate. The easement must extend from Pitt Street along Carruthers Place, to encompass all fire doors along the southern elevation of the adjoining development to the north (SP 46628) at 362-370 Pitt Street and to Council's satisfaction.

A70. The terms of the Easement for Access and Fire Egress must be to the satisfaction of Council.

A71. Any existing easements, covenants or restrictions affected by the new development are to be released or varied to Council's satisfaction prior to the issue of any Occupation Certificate.

PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

External Walls and Cladding

B1. Prior to the issue of any construction certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

Lot Consolidation & Redefinition / Delimitation Plan (Prior to Construction Certificate)

B2. All land titles within the site must be consolidated into one lot. A plan of consolidation must be registered with NSW Land Registry Services, prior to any Construction Certificate being issued.

B3. Prior to the issue of a Construction Certificate a Redefinition/Delimitation Plan, removing the limitation from Lot 3702 in DP1124741 must be registered with the office of NSW Land Registry Services. A copy of the new title must be provided to the Principal Certifier prior to the issue of a Construction Certificate.

Construction Environmental Management Plan

B4. Prior to the issue of any Construction Certificate or commencement of work, whichever is earlier, a Construction Environmental Management Plan (CEMP) must be prepared by appropriately qualified person for the site and submitted to Council's Area Planning Coordinator | Area Planning Manager for written approval. The CEMP must consider all potential environmental impacts from the approved works including but not limited to sedimentation control, contamination containment, stockpiles, noise and vibration, odours and dust emissions.

B5. All works must be undertaken onsite in accordance with the approved Construction Environmental Management Plan.

Construction Traffic Management Plan

B6. The Construction Traffic Management Plan accompanying this Development Application has not been approved by this consent.

B7. A Construction Traffic Management Plan must be submitted to and approved by Council prior to any Construction Certificate being issued, or works commencing, whichever is earlier.

B8. The approved plan must be complied with during any demolition and/or construction work.

Dilapidation Report – Major Excavation / Demolition

B9. Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of 362-370 Pitt Street, 386 Pitt Street and 388 Pitt Street; 66 Goulburn Street, 267-277 Castlereagh Street and 279-283 Castlereagh Street (and any other properties identified by the qualified structural engineer engaged to undertake the report) are to be prepared by an appropriately qualified structural engineer prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Registered Certifier and the Council prior to the issue of a Construction Certificate.

UPON COMPLETION OF EXCAVATION/DEMOLITION

B10. A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifier and the Council prior to the issue of any Occupation Certificate.

B11. Any damage to buildings, structures, lawns, trees, sheds, gardens and the like must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner must advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information must be submitted to Council.

Compliance With the Acoustic Report Prior To Construction and Or Occupation Certificates

B12. All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the DA Acoustic Report prepared by Inhabit Australasia Pty Ltd, dated 24 May 2024, rev 03 titled '372-382 Pitt Street Well Smart Group DA Acoustic Report', Council Ref 2024/349570; and DA Acoustic Report Addendum prepared by Acoustic Logic, dated 9 October 2024, ref 20240976.2/0711A/R1/HD, titled '372-382A Pitt Street, Sydney - Addendum Operational Noise Assessment', Council Ref 2024/680027, must be implemented in the development prior to the commencement of its use.

B13. Prior to the issue of any relevant Construction Certificate, the final construction drawings and final construction methodology must be assessed and reported to be in accordance with the requirements of the DA Acoustic Report in (a) above, with reference to relevant documentation. This must be done by a Suitably Qualified Acoustic Consultant* (see definition below). This work will be to the satisfaction of the Registered Certifier.

B14. Prior to the issue of any Occupation Certificate, a Suitably Qualified Acoustic Consultant* is to provide a written Acoustic Verification Report to the satisfaction of the Principal Certifier that the development complies with the requirements set out in the Report and in (a) and (b) above.

Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

B15. All physical aspects of the building's structure installed in order to meet performance parameters in accordance with this condition must be maintained at all times.

Demolition, Excavation and Construction Noise And Vibration Management Plan

B16. A site-specific noise management plan must be submitted to the Council for comment and approval prior to issue of any Construction Certificate or commencement of work, whichever is earlier. The Plan must be prepared by a suitably qualified acoustic consultant who is a person who possesses the qualifications to join the Australian Acoustic Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustic Consultants (grade of member firm).

B17. The plan must include but not be limited to the following with

(a) identification of noise sensitive receivers near to the site.

(b) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.

(c) A representative background noise measurement (LA90, 15 minute) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.

(d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.

(e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.

(f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.

(g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.

(h) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

Parking Design

B18. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the Registered Certifier prior to a Construction Certificate being issued.

Allocation of Parking

B19. The number of car parking spaces to be provided for the development must comply with the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.

Car Parking Type	Number
Small rigid vehicle loading dock(s)	1
Courier/ Service vehicle spaces (Australian Standard B99 size maximum)	1
Total	2

Bicycle Parking and End of Trip Facilities

B20. The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Staff/employee	19	Spaces must be Class 2 bicycle facilities
Visitor	30	Spaces must be Class 3 bicycle rails
End of Trip Facility Type	Number	
Showers with change area	2	
Personal lockers	25	

B21. All bicycle parking spaces and end of trip facility must be provided on private land. The public domain cannot be used to satisfy this condition.

Notes: If a basement storage area on title that is large enough to store a bike and is no smaller than a class 1 bike locker this can be counted as a space.

B22. The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Registered Certifier confirming prior to and form part of the Construction Certificate being issued.

Heritage Interpretation Plan

B23. An interpretation plan for the site must be submitted to and approved by Council's Urban Design and Heritage Manager / Area Planning Manager prior to a Construction Certificate being issued for above ground works. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian.

B24. The interpretation plan must detail how information on the history and significance of the site and existing buildings will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used.

B25. The plan must specify the location, type, making materials and contents of the interpretation device being proposed.

B26. Prior to an occupation certificate being issued the approved interpretation plan must be implemented to the satisfaction of Council's Urban Design and Heritage Manager / Area Planning Manager.

Photographic Archival Documentation (Major Works)

B27. Prior to any Construction Certificate being issued, an archival photographic recording of the existing buildings is to be prepared to Council's satisfaction. The recording is to be in digital form, prepared in accordance with the NSW Heritage Division of the Department of Environment and Heritage guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture". One copy of the record is to be submitted to Council to be lodged with Council's Archives.

B28. For buildings or structures with heritage significance, the archival documentation, and the number and type of selected enlarged photographs required will be determined by the significance and quality of the building or structure. For a scope of work, refer to Council's Heritage Specialist to determine the particular architectural/design features of the building/site that may need to be recorded.

B29. For buildings or structures with no heritage significance the archival documentation requirements are less comprehensive and may just be limited to contextual and exterior photographs only. However, this will depend upon the type, complexity and significance of the building, and should be confirmed with Council's Area Coordinator Planning Assessments / Area Planning Manager, and if necessary, Council's Urban Design and Heritage Manager.

B30. Because significant fabric may remain concealed and only be exposed during construction works, the archival recording is to be undertaken in stages, prior to the removal of any significant building fabric or furnishings from the site, during the removal of fabric on site that exposes significant building fabric or furnishings, and after work has been completed on site, as considered appropriate by the conservation architect commissioned for the project, and submitted as two parts as follows:

(a) The first submission of the archival recording of significant building fabric or furnishings is to be prior to the removal of any significant building fabric or furnishings from the site, and must be submitted to and approved by Council prior to the commencement of any work on site and prior to a Construction Certificate being issued.

(b) The second submission of the archival recording is of significant building fabric or furnishings that is exposed during demolition or construction and after work has been completed on site and must be submitted to Council prior to any Occupation Certificate being issued.

(c) The form of recording is to be a photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s) photographed, where appropriate, using a camera/lens capable of 'perspective correction'.

(d) For each of the two submissions listed above in (a) and (b), the digital form of the recording is to be as follows:

(i) The Development Application number and the Condition of Consent number must be noted.

(ii) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.

(iii) The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 46MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process and avoid duplicate images.

(iv) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual nonexclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

(v) The report can be submitted on a USB, or digital file transfer in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each location, image subject/description and date.

Sites in the vicinity of a heritage item

B31. The approved works must ensure that the retained buildings and adjacent heritage buildings are properly protected during the construction process. The contractor or developer must conduct consultations with the stakeholders of the neighbouring heritage site, record and monitor the conditions of the heritage building and take suitable measures to control and minimize any risks to the heritage fabric during construction. The protection measures must be incorporated into the construction management plan. Details of the protection plan must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of any Construction Certificate.

Heritage Conservation Works - Other Buildings

B32. The Schedule of Conservation Works is to be incorporated into detailed design of the development and conservation works must be carried out in accordance with the schedule.

B33. All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013. Appropriately qualified contractors and tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.

B34. INSPECTION AND APPROVAL: The conservation works are to be inspected by Council's Heritage Specialists and be implemented to the satisfaction of Council's Urban Design and Heritage Manager prior to the issue of any Occupation Certificate or commencement of the use, whichever is the earlier.

Site Audit Statement

B35. Prior to the issue of a construction certificate associated with the built form of the development (excluding building work directly related to remediation), a Section A Site Audit Statement must be obtained from a NSW Environment Protection Authority accredited Site Auditor and submitted to the Council's Area Planning Manager at email address: hbapplications@cityofsydney.nsw.gov.au

B36. The Site Audit Statement must confirm that the site has been remediated in accordance with the approved Remedial Action Plan and clearly state that site is suitable for the proposed use.

(a) In circumstances where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council, these must be reviewed and must be approved by the Council's Health and Building Unit in writing through the Area Planning Manager before the Site Audit Statement is issued.

(b) In circumstances where the Site Audit Statement conditions (if applicable) are not consistent with the consent, the development must not proceed until the inconsistency has been resolved to the satisfaction of Council (such as via a S4.55 modification of the consent pursuant to the provisions of the Environmental Planning & Assessment Act 1979).

(c) No Occupation Certificate is to be issued by the Principal Certifier unless a Site Audit Statement has been submitted to and approved by Council in accordance with this condition.

Dewatering – Approval NSW Office of Water

B37. If any dewatering of the site is to be undertaken, a bore licence may be required from the NSW Office of Water under the provisions of Part V of the Water Act 1912. The NSW Office of Water licences dewatering to allow excavation for construction for a temporary period, usually 12 months.

Note: The Department's instructions to Council are that they will not endorse the extraction of groundwater in perpetuity i.e. permanent dewatering around a development site, because it considers such development to be unsuitable. For this reason any proposed basement or other area that requires dewatering on an ongoing basis may need to be fully tanked.

Accessible Green Roofs

B38. A detailed green roof plan including plans and details drawn to scale, and technical specification, by a registered landscape architect must be submitted to and approved by Council's Area Planning Manager/Coordinator prior to the issue of a Construction Certificate for above ground works. These documents must include:

(a) A statement that includes details of proposed use of the green roof, accessibility, and any noise and privacy treatments.

(b) Location and details of existing and proposed services, walls, planters, balustrades, hard surfaces, furniture, screens and shade structures, fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components.

(c) Engineers report confirming structural capacity of building for proposed roof terrace loads.

(d) Details of soil types and depth including any mounding. The minimum soil depths for planting on structure must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers.

(e) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity.

(f) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.

(g) Green roof maintenance plan for Level 1 and Level 4 landscaping including planting beyond the balustrade. This plan is to be complied with during occupation of the property and must include any relevant maintenance methodology for safe working at height such as access requirements, location of any anchor points, gates, and transport of materials and green waste.

B39. Prior to the issue of an Occupation Certificate, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Principal Certifying Authority.

B40. All landscaping in the approved plan must be complete prior to the issue of an Occupation Certificate.

Design for Environmental Performance

B41. Prior to the issue of any Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the approved Design for Environmental Performance report are incorporated into the relevant construction plans and accompanying documentation:

(a) Section 4 – Energy Efficiency and Greenhouse Gas Abatement

(b) Section 5 – Passive Design for Thermal Performance – Building Envelope Design

(c) Section 6 – On site Renewable Energy Generation and Storage

(d) Section 7 – Design for Resilience to Climate Change

(e) Section 8 – Designing for mains potable water savings and water efficiency

(f) Section 9 – Storm water quality

B42. Changes to any commitments as listed in the approved Design for Environmental Performance report must be submitted to and approved by Council's Area Planning Manager/Coordinator prior to the issue of any relevant Construction Certificate.

Energy Performance – NABERS

B43. The design of the building and its services must achieve a National Australian Built Environment Rating System (NABERS) Energy rating of 4.5 Star in operation for the whole building. This is to be demonstrated by:

(a) Entering into a Commitment Agreement with the NABERS National Administrator, to deliver this star rating for the whole building. A copy of the signed Commitment Agreement contract is required; and

(b) Providing a copy of the Estimator's report and Independent Design Review report to the NABERS National Administration and submitting the same reporting with the Construction Certificate application. The reporting must demonstrate the developments capacity to meet the NABERS star rating and the overperformance requirement mandated by the City.

B44. The required documents specified above are to be submitted to and approved by Council's Area Planning manager prior to the issue of a Stage 2a Construction Certificate.

Note: Definitions referred to above are as follows:

(i) Commitment Agreement means an agreement that is set out in accordance with the NABERS National Administrator. The NABERS Commitment Agreement, which is signed between a NABERS authorised signatory and the applicant/building owner/building manager, is a commitment to design, build and commission the premises to achieve an agreed star rating.

(ii) Star rating refers to the benchmarking system applied by the NABERS National Administrator for measuring the energy efficiency of a building.

(iii) Whole building refers to the base building and tenant occupied spaces, as defined under NABERS.

(iv) Estimate report refers to the report created by the Estimator which sets out a realistic estimate of the operational performance of the project determined.

- In accordance with the NABERS Handbook; and
- Without reference, calculation or consideration to GreenPower or other offsite renewable energy.

(v) Independent Design Review report is a report prepared in respect to the Independent Design Review by the Reviewer.

Energy Performance – Green Star

B45. The design of the building must achieve 4 Star Green Star Buildings certification, with all Minimum Expectations met plus a minimum of 18 points. This is to be demonstrated by:

(a) Registering the project with the Green Building Council of Australia (GBCA) for a rating under the Green Star Buildings v1 tool. Formal confirmation of registration with the GBCA is required.

(b) Completing a Green Star Buildings v1 Submissions Planner, which clearly identifies how the proposed star rating will be achieved and what credits will be targeted; and

(c) Providing a copy of an energy modelling report prepared by a suitably qualified person. Reports prepared under the reference building pathway must demonstrate compliance with all Green Star requirements. The report must demonstrate compliance with minimum expectation and credit achievement requirements.

Installation of Dual-Flush Toilets

B46. All toilets installed within the development must be of water efficient dual-flush or other water-saving capacity with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the approval of the Registered Certifier, prior to a Stage 2a Construction Certificate being issued.

Installation of Water Efficient Urinals

B47. New urinal suites, urinals and urinal flushing control mechanisms must use waterless technology. Where it is submitted that this is not feasible, it must be demonstrated that products have been selected with at least a 6-star rating under the Water Efficiency and Labelling Scheme (WELS). Systems must include "smart controls" to reduce unnecessary flushing. Continuous flushing systems are not approved. Details are to be submitted to and approved by the Registered Certifier, prior to a Stage 2a Construction Certificate being issued.

Installation of Water Efficient Shower Heads

B48. All shower heads installed must be water efficient with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details are to be submitted for the approval of the Registered Certifier, prior to any Occupation Certificate being issued.

Installation of Water Efficient Taps

B49. All taps installed must be water efficient with at least a 5-star rating under the Water Efficiency and Labelling Scheme (WELS). The details are to be submitted for the approval of the Registered Certifier, prior to any Occupation Certificate being issued.

Public Domain Damage Bond

B50. A Public Domain Damage Deposit calculated on the basis of 135 square metres of granite site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The bond must be provided as security for repairing any damage to the public domain in the vicinity of the site.

B51. The City's Public Domain Unit must be contacted to determine the bond amount prior to lodgement. The Bond must be lodged with the City prior to an approval for demolition being granted or any Construction Certificate being issued, whichever is earlier.

B52. The bond in this condition will be released in full when the Public Domain Works Security Bond is lodged with the City.

Protection of Stone Kerbs

B53. The existing stone kerbs on the Pitt Street frontage of the site are to be retained and properly protected during demolition, excavation and construction works.

B54. To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be reinstalled in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled.

B55. Note the following:

(a) All costs associated with the works are to be borne by the developer.

(b) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.

(c) Where new vehicle crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.

(d) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers.

(e) Council approval is required before kerbs are removed.

(f) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.

(g) Stone kerbs and gutters may be bonded in accordance with the City of Sydney's adopted Schedule of Fees and Charges. If so, this will be included with the Public Domain Damage Bond.

Survey Infrastructure - Identification and Recovery

B56. Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.

B57. Prior to the issue of any Construction Certificate, documentary evidence must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include either:

(a) A copy of any Surveyor-General's Approval for Survey Mark Removal granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the survey mark audit schedule, strategy plan and strategy report); or

(b) A letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all investigations required under Surveyor-General's Direction No.11 have been made for the subject site and that no survey infrastructure will be affected by the proposal.

B58. Council's Principal Surveyor may request further information and/or add conditions to any Surveyor-General's Approval at their discretion.

Public Domain Levels and Gradients – Major

B59. Prior to the issue of any Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages must be submitted to and approved by the City's Public Domain Unit. The submission must be prepared in accordance with the City's Public Domain Manual and submitted with a completed Application for Public Domain Levels and Gradients. Information on how to complete the submission can be downloaded from the City's website at https://www.cityofsydney.nsw.gov.au/development/publicdomainworks/daassociatedworks.

B60. Any requirements to comply with Disability Discrimination Act at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

Note: Public Domain Levels and Gradient plans are to be included with the Public Domain Plan – Detailed Documentation for Construction condition submission.

Stormwater Drainage Design

B61. Prior to issue of any Construction Certificate a detailed stormwater management plan prepared by suitable qualified and experienced professionals must be submitted to and approved by the City's Public Domain Unit and must include:

(a) A certified stormwater drainage design complying with:

(i) Council's Sydney Streets Technical Specifications, Part A4 Drainage Design;

(ii) Council's Sydney Streets Technical Specifications, Standard Drawings;

(iii) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage Construction;

(iv) Council's Stormwater Drainage Manual; and

(v) All relevant Australian Standards.

B62. This information is available for download from the City's website at https://www.cityofsydney.nsw.gov.au/development/publicdomainworks/daassociatedworks.

Note: A Deed of Agreement (Stormwater Deed) for all proposed connections to the City's drainage system, and a Positive Covenant for all OSD systems may be required prior to issue of any Occupation Certificate.

Stormwater Quality Assessment

B63. The development must comply with the MUSIC-link Report 372 Pitt Street report dated 18 October 2024 approved with this development application.

B64. Prior to issue of any Construction Certificate a design certification report prepared by a suitably qualified practitioner engineer (NER) demonstrating compliance with approved music link targets and parameters must be submitted to and approved by the City's Public Domain Unit. The report must include a response to all stormwater quality improvement devices structural integrity, treatment train and their treatment properties demonstrating compliance with the approved MUSIC link reports.

Flood Planning Levels

B65. The development must be constructed to comply with the recommended flood planning levels indicated in Plan Showing 1% AEP & PMF Levels Sketch SKCV 02 of the Civil Design Advice Rev E prepared by WSP, undated.

B66. Details must be submitted to the Registered Certifier prior to the issue of any Construction Certificate demonstrating that the development will comply with the recommended flood planning levels.

Dilapidation Report – Public Domain

B67. Prior to an approval for demolition and preparatory works being granted or the issue of any Construction Certificate, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared as described in the Public Domain Manual and submitted for approval by Council's Public Domain Unit. The City's Public Domain Manual is available for download from the City's website at https://www.cityofsydney.nsw.gov.au/

B68. The submission is to include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual nonexclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

Temporary Dewatering During Construction

B69. Prior to discharging any water collected during excavation and construction into the City's stormwater drainage system, approval must be sought from the City's Public Domain Unit. A dewatering management plan must be submitted with an Application for Temporary Dewatering available to download on the City's website.

B70. Other options for dewatering include disposal to sewer with prior approval from Sydney Water, or offsite disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Waste and Recycling Management – Commercial

B71. The Operational Waste Management Plan prepared by Elephants Foot (Council reference 2024/680019) accompanying the Development Application has been approved by this consent responsive to architectural plans dated November 2024. Should the architectural plans be updated, an updated Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Mechanical Ventilation

B72. The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings.

B73. Details of any mechanical ventilation and/or air conditioning system complying with AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings, the Building Code of Australia and relevant Australian Standards must be prepared and certified in accordance with Clause A5.2(1)(e) of the Building Code of Australia, to the satisfaction of the Registered Certifier prior to the issue of a relevant Construction Certificate.

B74. Prior to issue of any Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, must be submitted to the Principal Certifier.

Microbial Control In Water Systems

B75. The installation, operation and maintenance of water-cooling or warm water systems installed on the premises must comply with the following:

(a) AS/NZS 3666:1:2011 - Air-handling and water systems of buildings-Microbial Control Part 1: Design, installation and commissioning.

(b) AS/NZS 3666:2:2011 - Air-handling and water systems of building-Microbial Control Part 2: Operation and maintenance.

(c) AS/NZS 3666:3:2011 - Air-handling and water systems of buildings-Microbial Control Part 3: Performance based maintenance of cooling water systems.

(d) AS/NZS 3666:4:2011 – Air-handling and water stems of buildings-Microbial Control Part 4: Performance – based maintenance of air – handling systems (ducts and components).

(e) Prior to the issue of an Occupation Certificate associated with the Cooling Water System the occupier of the premise at which the system is installed, must notify the Council in writing on the prescribed form, of the installation of all water-cooling tower systems within the premises under the Public Health Act 2010. Warm water systems other than hospitals (hospitals (which also includes nursing homes, declared mental health facilities, private health facilities) are exempt from notifying Council.

B76. Notification forms are available on Council's website www.cityofsydney.nsw.gov.au

Future Food Use - Mechanical Ventilation Provision

B77. Prior to the issue of a relevant Construction Certificate, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with the potential to become a food premises in future. Systems must be designed in accordance with *AS1668.2 – The Use of Ventilation and Air-conditioning in Buildings – Mechanical Ventilation in Buildings,* and *AS1668.1 – The Use of Ventilation and Air-conditioning in Buildings – Fire and Smoke Control in Buildings.*

Demolition / Site Rectification

B78. The following conditions apply to the development:

(a) Demolition or excavation must not commence until a Construction Certificate has been issued for construction of the substantive building.

(b) Prior to the Construction Certificate being issued, documentary evidence must be provided to Council that the owner of the site has entered into a Deed with Council, the cost of preparation and execution of such Deed (including stamp duty and registration fees) to be borne by the applicant, which contains such conditions as the Council reasonably requires to ensure the matters set out in this condition are adequately provided for.

(c) Without limiting the generality of paragraph (b), the Deed must provide for:

(i) A bank guarantee to be provided in the sum of $284,975 dollars as security for the costs of such works provided that:

- the maximum liability under the Deed must not exceed $284,975 dollars; and
- the Council may accept a lesser amount as security if substantiated by detailed design and Quantity Surveyor costing for works which meet the objectives of the condition.

(ii) Council to be given sufficient contractual rights to be able to ensure that in any of the following events namely:

- demolition of the existing building has commenced but not been completed;
- the existing building has been demolished; or
- the site has been excavated; or
- the erection of the structure has commenced.

(iii) that it, or any person authorised by it, may enter the site and carry out such works at the cost of the applicant (or such other person as the Consent Authority may approve) as may be then appropriate in the circumstances in each of the abovementioned events, to:

- make the building safe and of an appearance acceptable to Council at ground level;
- allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; or
- for the hole to be covered to allow it to be landscaped and of an appearance acceptable to Council from any public vantage point; or

- in the event that the new building is constructed beyond the ground floor, to allow any hoardings to be removed and the ground floor development to be completed to a tenantable stage.

  AND to call on such bank guarantee to cover the cost thereof.

(iv) If the site is commenced to be developed and there is suspension in activity for 6 months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to:

- require certain works including but not limited to those works necessary to achieve the results referred to in sub-clause (c) (iii) to take place on the site; and
- in the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the cost of the works.

(v) The Deed may, if the Director City Planning is satisfied, provide for an adjustment of the guarantee amount during the course of construction to reflect that, as the development progresses, the likelihood and nature of the appropriate site rectification works may change. The stages of reduction will be:

- Stage 1 – Completion of the site excavation and all construction works necessary to complete all parts of the Development to street level, including sealing of the slab at that level.
- Stage 2 – Completion of all construction works necessary to complete the structure of the Development to the roof level.
- Stage 3 – Issue of the Occupation Certificate.

(vi) If a claim for an adjustment is made, the Deed must also provide that any such claim is to be supported by the following:

- Certification (from the principal certifier) that the relevant stage is complete;
- Detailed schedule of completed works carried out in the relevant stage;
- Quantity Surveyors costing of the likely site rectification works required at each remaining stage.

PART C PRIOR TO COMMENCEMENT OF WORKS

Notification of Commencement

C1. The Applicant must notify the City of Sydney in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.

C2. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Certified Drawings

C3. Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

Structural Integrity of Retained Building Elements

C4. Prior to a commencement of demolition, excavation or construction work, a report or certification from a practicing structural engineer experienced in dealing with heritage buildings must be submitted to and approved by Council's Area Planning Manager. The report must explain how the retained building elements, such as building facades and party walls are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

Use of a Structural Engineer

C5. A suitably qualified practising structural engineer is to be commissioned to work with the consultant team throughout the design development, contract documentation and excavation stages of the project. The engineer is to be involved in the resolution of all matters relating to the excavation of the basement. The structural engineer is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of excavation issues throughout the project.

Use of Geotechnical Engineer

C6. A suitably qualified geotechnical engineer is to be commissioned to work with the consultant team throughout the design development, contract documentation and excavation stages of the project. The engineer is to be involved in the resolution of all matters relating to the excavation to extend the existing basement. The geotechnical engineer is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of excavation issues throughout the project.

C7. The recommendations of the geotechnical engineer engaged must be implemented, and where relevant be included in the Excavation Work Method Statement required by a separate condition below.

Demolition, Excavation and Construction Management

C8. Prior to the commencement of demolition and/or excavation work the following details must be submitted to and be approved by the Principal Certifier:

(a) Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of facade retention.

(b) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)

(c) An Excavation Work Method Statement prepared by an appropriately qualified person.

(d) A Waste and Recycling Management Plan – Demolition and Construction for the demolition and or excavation of the proposed development. The plan is to include details of materials that will be excavated and their proposed destination or reuse.

(e) Plans and elevations showing the location, construction and installation of temporary site fencing and any temporary structures used in connection with the construction of the development.

Note: Temporary structures, including hoardings and scaffolding, proposed for erection on City-owned and controlled land (footways and roadways), must comply with Council's Guidelines for Hoardings and Scaffolding and be approved by Council under the provisions of the Local Government Act 1993 and the Roads Act 1993 prior to installation.

C9. Such statements must, where applicable, be in compliance with AS2601-2001 Demolition of Structures, the Work, Health and Safety Act 2011 and Regulation; City's Guidelines for Waste Management in New Developments 2018, the Waste Avoidance and Resource Recovery Act 2001, and all other relevant acts and regulations and must include provisions for:

(a) A Materials Handling Statement for the removal of refuse from the site in accordance with the Waste Avoidance and Resource Recovery Act 2001.

(b) The name and address of the company/contractor undertaking demolition/excavation works.

(c) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.

(d) The name and address of the transport contractor.

(e) The type and quantity of material to be removed from site.

(f) Location and method of waste disposal and recycling.

(g) Proposed truck routes, in accordance with this development consent.

(h) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).

(i) Measures to control noise emissions from the site.

(j) Measures to suppress odours.

(k) Enclosing and making the site safe.

(l) Induction training for on-site personnel.

(m) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to SafeWork NSW.

(n) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the SafeWork NSW.

(o) Disconnection of utilities.

(p) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).

(q) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).

(r) Waterproofing of any exposed surfaces of adjoining buildings.

(s) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the Protection of the Environmental Operations Act 1997).

(t) Working hours, in accordance with this development consent.

(u) Any SafeWork NSW requirements.

C10. The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

C11. All waste records from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site.

C12. These records must be available for sighting on request by an authorised Council officer.

Erosion and Sediment Control

C13. Prior to the commencement of demolition/excavation/construction work, an Erosion and Sediment Control Plan (ESCP) must be submitted to and be approved by the Principal Certifier. The ESCP must:

(a) Conform to the specifications and standards contained in Managing Urban Stormwater: Soils and Construction (Landcom, 2004); the Guidelines for Erosion and Sediment Control on Building Sites (City of Sydney, 2004); and the NSW Protection of the Environment Operations Act 1997.

(b) Include a drawing(s) that clearly shows:

(i) location of site boundaries and adjoining roads

(ii) approximate grades and indications of direction(s) of fall

(iii) approximate location of trees and other vegetation, showing items for removal or retention

(iv) location of site access, proposed roads and other impervious areas

(v) existing and proposed drainage patterns with stormwater discharge points

(vi) north point and scale

(c) Specify how soil conservation measures will be conducted on site including:

(i) timing of works

(ii) locations of lands where a protective ground cover will, as far as is practicable, be maintained

(iii) access protection measures

(iv) nature and extent of earthworks, including the amount of any cut and fill

(v) where applicable, the diversion of runoff from upslope lands around the disturbed areas

(vi) location of all soil and other material stockpiles including topsoil storage, protection and reuse methodology

(vii) procedures by which stormwater is to be collected and treated prior to discharge including details of any proposed pollution control device(s)

(viii) frequency and nature of any maintenance program

(ix) other site-specific soil or water conservation structures.

Utility Services

C14. To ensure that utility authorities are advised of the development:

(a) Prior to the issue of any Construction Certificate, a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.

(b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

Application For Hoardings and Scaffolding Installed on or Above a Public Road and Operating Hoisting Devices Including Building Maintenance Units Over a Public Road

C15. Where a hoarding and/or scaffolding (temporary structures) are proposed to be installed on or above a road reservation (footway and/or roadway), a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council for such structures.

C16. Where an approval (Permit) is granted allowing the placement of temporary structures on or above a public road the structures must comply fully with Council's *Hoarding and Scaffolding Policy; Guidelines for Hoardings and Scaffolding;* and the conditions of approval (Permit) granted including:

(a) maintaining a current and valid approval for the full duration that the temporary structure/s is in place;

(b) maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);

(c) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);

(d) maintaining temporary structures and the public place adjoining the work site in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.11.1, 2.11.4, 2.14.1 and 3.9.3);

(e) maintaining a watertight deck (Type B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.9.1 and 3.9.4);

(f) approved site sheds on the decks of a Type B hoarding being fully screened from the public place (Clause 3.9.5);

(g) material and equipment not being placed or stored on the deck of Type B hoardings, unless specifically approved by Council (Clause 3.9.4);

(h) providing and maintaining operational artificial lighting systems under Type B hoardings including at high-bay truck entry points (Clause 3.9.9); and

(i) ensuring all required signage, artwork or historic images are provided and fully maintained to the City's requirements (Clauses 3.4, 3.9.3, 3.9.6, 3.9.8, 3.10.1 and 4.2).

C17. If it is proposed to operate a hoisting device including a building maintenance unit above a public road which swings, hoists material/equipment and/or slews/wind vanes any part of the device over the public road, a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be made to Council to obtain approval.

Note: 'Building maintenance unit' means a power-operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (Work Health and Safety Regulation 2017).

Other Approvals

C18. Any activity which is proposed to be undertaken in, on or above a road reserve or the public domain (including a public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to the commencement of work/activities within the road reserve/public domain. Such activities include but not limited to:

(a) installation of construction-related temporary structures including hoardings/scaffolding;

(b) installation and/or alterations to advertising/business signs;

(c) installation and/or alterations to street awnings;

(d) crane operation and other hoisting activities;

(e) temporary works (e.g. barricading, road openings, mobile hoisting devices);

(f) works zones (for loading and unloading from the roadway); and

(g) temporary ground anchoring and shoring to support a roadway when excavating; and

(h) any other structure or encroachment including facade elements/architectural features.

Public Domain Works Construction Approval Under Section 138 Roads Act 1993

C19. Prior to the construction of any public domain works, approval under Section 138 / 139 of the Roads Act 1993 must be issued by the City's Public Domain Unit.

Footpath Awnings

C20. Footpath Awnings which are proposed to be constructed above the public domain (including a public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to any Construction Certificate for the building.

C21. Documentation must be submitted to the City's Construction and Building Certification Services Unit with the application demonstrating that the awning height complies with Development Control Plan 2012. Plans are to include dimensions confirming the awning width and setback from the kerb. Awning gutters are to be concealed from the public domain and plans are to confirm downpipes are located within or recessed into the ground floor frontage of the building.

PART D DURING CONSTRUCTION

Operation of Plant and Equipment

D1. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Air Quality

D2. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

D3. During construction, the Applicant must ensure that:

(a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;

(b) all trucks entering or leaving the site with loads have their loads covered;

(c) trucks associated with the development do not track dirt onto the public road network;

(d) public roads used by these trucks are kept clean; and

(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Emergency Management

D4. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

Survey

D5. All footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report, prepared by a Registered Surveyor, must be submitted to the Principal Certifier indicating the position of external walls in relation to the boundaries of the allotment. Any encroachments by the subject building over adjoining boundaries or roads must be removed prior to continuation of building construction work.

Check Surveys During Construction

D6. Prior to the concrete pour of the main slab at each level, a survey shall be made by a surveyor registered under the Surveying and Spatial Information Act, 2002, confirming that the formwork adjacent to existing or proposed boundaries is clear of those existing or proposed boundaries and is in accordance with approved setbacks. This survey shall be provided to the Principal Certifier prior to the concrete pour. The concrete pour must not take place until the Principal Certifier receives a survey proving that the formwork has been constructed within the existing and proposed boundaries of the site, and is compliant with the setbacks approved under this consent.

Compliance With Demolition, Excavation & Construction Noise and Vibration Management Plan

D7. All works conducted on site which form part of this development must be carried out in accordance with the approved Demolition, Excavation and Construction Management Plan prepared in accordance with Condition B14-B15 above.

D8. Where all such control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels. (Use where respite periods not specified under the approved DEC NMP) Such periods must be set and agreed to by Council's Health and Building Unit.

Use of Intrusive Appliances – Not Approved

D9. This development consent does not extend to the use of appliances which emit noise of a highly intrusive nature (such as pile drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992".

D10. A separate Section 4.55 application must be submitted to the Council for the use of any equipment of a highly intrusive nature (such as pile drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992.

Use of Heritage Consultant - Minor Development

D11. A heritage consultant experienced in heritage restoration and renovation works is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project. Evidence and details of the above commission on the above terms are to be provided to Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the commencement of work on site.

D12. The heritage consultant must sign off the completed project and submit a final report to Council's Area Coordinator Planning Assessments / Area Planning Manager specifying how the heritage conditions are satisfied prior to the issue of any Occupation Certificate or the commencement of the use, whichever is earlier.

Salvage, Reuse and Recycling of Traditional Building Materials

D13. Traditional building materials surplus to the project (including stone, bricks, timber joinery, doors, windows, stairs, chimney pieces etc) must not be scrapped and are to be carefully salvaged and transferred to an established dealer in second hand heritage building materials for recycling.

Archaeological Discovery During Excavation

D14. Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.

D15. Should any Aboriginal objects be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and NSW Government Office of Environment and Heritage is to be informed in accordance with Section 89A of the National Parks and Wildlife Act 1974.

D16. Should any archaeological remains or Aboriginal objects be discovered, a copy of recording of the finds and the final archaeological summary report is to be submitted to Council prior to the issue of any Occupational Certificate.

D17. If the discovery is on Council's land, Council must be informed.

Land Remediation (Where Site Auditor Engaged)

D18. The site is to be remediated and validated in accordance with the Remedial Action Plan REV B prepared by WellSmart Investment Holding (Bris) PTY LTD and dated January 2025 and the Letter of Interim Advice #5 dated 29/01/2025, referenced SA003 and prepared by NSW Environment Protection Authority accredited Site Auditor Loek Munnichs. All remediation work carried out shall be conducted in accordance with the guidelines in force from time to time under the Contaminated Land Management Act 1997.

D19. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council's Area Planning Manager, the Site Auditor and the Principal Certifier.

D20. Any variations to the approved Remediation Action Plan must be approved in writing by the Site Auditor and Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the commencement of such work.

Notification – New Contamination Evidence

D21. Council's Area Planning Manager and the Principal Certifier must be notified of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

Imported Fill Materials

D22. All fill imported onto the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

D23. The City may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

(a) Imported fill must be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or

(b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (2022) Sampling Design Guidelines.

Classification of Waste

D24. Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines, Part1: Classifying Waste (November 2014). The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for a particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

Discharge of Contaminated Groundwater

D25. Contaminated groundwater must not be discharged into the City's stormwater drainage system.

D26. Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or offsite disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Stockpiles

D27. No stockpiles of soil or other materials must be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Team.

D28. All stockpiles of soil or other materials must be placed away from drainage lines, gutters or stormwater pits or inlets.

D29. All stockpiles of soil or other materials likely to generate dust or odours must be covered.

D30. All stockpiles of contaminated soil must be stored in a secure area and be covered if remaining more than 24 hours

Land Contamination

D31. Any conditions mentioned in the Site Auditor Statement are to be implemented by the owners of the Site.

Drainage And Service Pit Lids

D32. All existing or proposed drainage and service pit lids throughout the public domain must be to City of Sydney specifications and heel/bicycle safe, slip resistant, infill with material to match surrounding surface, finished flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Infill pit lids are to be detailed where specified by Council's Public Domain Officer. Private pits are not permitted within the public domain. All details of pit lids must be shown on the public domain plan and must be approved by the City's Public Domain Unit prior to the issue of an approval for public domain works.

Public Domain Plan Detailed Documentation for Construction

D33. A detailed public domain plan and all relevant documentation must be submitted to and approved by City's Public Domain Unit prior to the construction of any public domain works. This Plan must document all works required to ensure that the public domain upgrade work complies with the City's specifications and requirements, as outlined in documents such as City of Sydney's Public Domain Manual, Sydney Streets Code, Sydney Street Tree Masterplan, Sydney Lights: Public Domain Design Code and Sydney Streets Technical Specification. The documentation must be checked, accurate, and comply with specified requirements. Plans must be based on an accurate survey, to scale and fully coordinated across all disciplines and submissions. The supplied documentation must be for Construction issue and will be approved under Section 138 of the Roads Act.

D34. The Public Domain Manual and all other relevant documents are available for download from Council's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

D35. The Public Domain Plan documentation must be submitted with an Application for Public Domain Plan Assessment and include the approved Public Domain Levels and Gradients documentation. If the proposed detailed design of the public domain requires changes to any previously approved levels, details must be submitted for approval with the public domain plan and additional fees may apply.

Hold Points

D36. A set of hold point inspections will be included in the Public Domain works approval letter for the construction of public domain and / or planning agreement works, including civil, drainage and subsurface works.

D37. These hold point inspections must be adhered to during construction works. Prior to the issue of any Occupation Certificate, confirmation from the City's Public Domain Unit, that hold point inspections have been completed and works have been accepted by the City must be provided to the Principal Certifier.

Stormwater Drainage Connection

D38. For approval of a connection into the City of Sydney's drainage system an "*Application for Approval of Stormwater Drainage Connections*" must be submitted to the City, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges. This must be approved prior to approval being issued for the construction of public domain work.

Hours Of Work and Noise – CBD

D39. The hours of construction and work on the development must be as follows:

(a) All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 7.00pm on Mondays to Fridays, inclusive, and 7.00am and 5.00pm on Saturdays, and no work must be carried out on Sundays or public holidays.

(b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436-2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.

(c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Team, prior to works proceeding.

The City of Sydney Code of Practice for Construction Hours/Noise 1992 allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the Environmental Planning and Assessment Act 1979.

Notification of Excavation Works or Use of High Noise Emission Appliances / Plant

D40. The immediately adjoining neighbours must be given a minimum of 48 hours notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.

Site Notice of Projects Details and Approvals

D41. A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

(a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;

(b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;

(c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;

(d) The approved hours of work, the Principal Certifier including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, and the estimated date of completion of the project are to be displayed on the site notice;

(e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.

(f) All notices and signs must be displayed in locations as specified in the City's Guidelines for Hoardings and Scaffolding.

Erosion and Sediment Control

D42. The Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been approved by the Principal Certifier must be implemented in full during the construction period.

D43. During the construction period: -

(a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;

(b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and

(c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

Hazardous and Industrial Waste

D44. Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority pursuant to the provisions of the following:

(a) Protection of the Environment Operations Act 1997

(b) Protection of the Environment Operations (Waste) Regulation 2005

(c) Waste Avoidance and Resource Recovery Act 2001

(d) Work Health and Safety Act 2011

(e) Work Health and Safety Regulation 2017.

Vehicle Cleansing

D45. Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

Loading And Unloading During Construction

D46. The following requirements apply:

(a) All loading and unloading associated with construction activity must be accommodated on site, where possible.

(b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.

(c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

(d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

No Obstruction of Public Way

D47. Unless otherwise approved by Council, the public way must not be obstructed by any materials, vehicles, waste receptacles, skip-bins or the like. Non-compliance with this requirement may result in the issue of a notice by Council to stop all work on the site.

Access Driveways to Be Constructed

D48. Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's “Driveway Specifications” to the satisfaction of Council.

Use of Mobile Cranes

D49. The following requirements apply:

(a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.

(b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.

(c) The use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of approved hours of construction can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Covering of Loads

D50. All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

Sydney Water Certificate

D51. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

D52. Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

D53. Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

D54. The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to any Occupation Certificate or subdivision/strata certificate being issued.

PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

PHYSICAL MODELS

E1. Prior to the issue of any Occupation Certificate an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the City Model in Town Hall House.

Note:

(i) The models must be constructed in accordance with the Model Specifications available online at http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements Council's modellers must be consulted prior to construction of the model.

(ii) The models are to comply with all of the conditions of the Development Consent.

(iii) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the Environmental Planning and Assessment Act) that affect the external appearance of the building.

SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

E2. Prior to any Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.

E3. The data required to be submitted within the surveyed location must include and identify:

(a) building design above and below ground in accordance with the development consent;

(b) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;

(c) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

E4. The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

E5. The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

Plan of Management

E6. A revised Plan of Management must be prepared and submitted to Council's Area Planning Manager prior to the issue of an Occupation Certificate. The revised Plan of Management must be prepared in accordance with Schedule 3.2 of the Sydney Development Control Plan 2012 and is to be updated to address functions held within the hotel, including type, capacity and operation within the approved hours of operation of this consent.

E7. The use must always be operated / managed in accordance with the Plan of Management, approved by Council. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

External Walls and Cladding

E8. Prior to commencement of operation, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.

Waste and Recycling Collection Contract – Commercial

E9. Prior to the issue of an Occupation Certificate or commencement of the use, whichever is earlier, the building owner/tenant is to enter into a contract with a licensed waste service provider for the removal of all waste and recycling stream(s). A copy of the commercial waste and recycling contract and invoices are to be made available upon request by an authorised Council officer at any time.

Waste and Recycling Management Commercial

E10. Prior to the issue of an Occupation Certificate, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved at the Construction Certificate.

Public Domain Works Completion

E11. The Public Domain works are to be constructed in accordance with the Public Domain Works Approval letter, stamped plans for Public Domain Levels and Gradients, Stormwater, Public Domain Lighting, the City's Public Domain Manual, Stormwater Drainage Manual, Sydney Lights Design Code and Sydney Streets Technical Specification.

E12. The public domain work must be inspected and a Public Domain Work Letter of Completion Operational Acceptance must be issued by Council's Public Domain Officer prior to the issue of any Occupation Certificate or before the commencement of use, whichever is earlier.

Public Domain Completion – Work as Executed Documentation

E13. Prior to a Public Domain Works Letter of Completion Operational Acceptance being issued for public domain works, works-as-executed (As-Built) plans and documentation, must be submitted to and accepted by the City of Sydney for all public domain works, including where required Stormwater, Public Domain Lighting and road construction. These works must be certified by a suitably qualified, independent professional. Details of the documentation required for approval will be advised by the City's Public Domain Unit.

Survey infrastructure – restoration

E14. Prior to any Occupation Certificate being issued for the development, documentary evidence of restoration must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include:

(a) Certification that all requirements requested under the Surveyor-General's Approval for Survey Mark Removal or by the City's Principal Surveyor under condition "Survey Infrastructure – Identification and Recovery" have been complied with

(b) Certification that all requirements requested under any Surveyor-General's Approval for Deferment of Survey Marks from condition "Survey Infrastructure – Pre Subdivision Certificate works" have been complied with and

(c) Timestamped photographic records of all new survey infrastructure relating to the site clearly showing the mark itself and sufficient context to aid in identifying the mark on site.

Constructed Floor Levels

E15. A certification report prepared by a suitably qualified practitioner engineer (NER) must be submitted to the Principal Certifier prior to issue of any Occupation Certificate stating that the development has been constructed and the required levels achieved in accordance with the recommendations of the Plan Showing 1% AEP & PMF Levels Sketch SKCV 02 of the Civil Design Advice Rev E prepared by WSP, undated.

Flood Risk Management

E16. Prior to the issue of any Occupation Certificate, a certification report prepared by a suitably qualified practitioner engineer (NER), for flood risk management measures including flood planning level/s demonstrating compliance with the approved construction plans must be submitted to and be approved by the Principal Certifier. A copy of the report must be provided to Council for record keeping purposes.

Flood Protection Features

E17. Prior to the issue of any Occupation Certificate, the proposed Flood Protection System including all its features are to be tested by an independent floodplain management consultant, and a report confirming the full operation of the system is to be submitted to and approved by Principal Certifying Authority.

Survey Certificate at Completion

E18. A Survey Certificate prepared by a Registered Surveyor must be submitted to the Principal Certifier at the completion of the building work certifying the location of the building in relation to the boundaries of the allotment.

PART F OCCUPATION AND ONGOING USE

Operation of Plant and Equipment

F1. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

Warm Water Systems and Cooling Systems

F2. The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

Energy Performance Certification – NABERS

F3. Within 24 months from the day on which an occupation certificate is issued (if the development requires an occupation certificate), or the day on which the building may be occupied or used (if the development does not require an occupation certificate), an assessment of the NABERS rating for energy use achieved by the development that is prepared by an assessor accredited under NABERS is to be submitted to Council.

F4. The assessment must specify the following:

(a) The rated annual electricity use,

(b) If the development will not achieve the energy use standards – the difference between the rated annual electricity use and the energy use standards, calculated for the first 5 years of operation,

(c) The rated use of on-site fossil fuels and the associated amount of carbon dioxide measured as carbon dioxide equivalent or CO2e, calculated for the first 10 years of operation.

Unobstructed Driveways and Parking Areas

F5. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

Use of Hotel Amenities

F6. The use of hotel amenities on Level 57 must only be used by hotel guests and their guests.

Hours of Operation

F7. The hours of operation are regulated as follows:

(a) The hours of operation for the function and food and drink premises are restricted as follows:

(i) Ground Floor Lobby bar/café – 7:00am to 9:00pm Monday to Sunday, inclusive.

(ii) Ground Floor retail – 7:00am to 10:00pm Monday to Sunday, inclusive.

(iii) Level 1 bar – 4:00pm to 11:00pm Monday to Sunday, inclusive.

(iv) Level 4 all day dining restaurant – 7:00am to 10:00pm Monday to Sunday, inclusive (indoor and outdoor areas).

Maximum Capacity of Persons

F8. The maximum number of persons permitted in the level 4 all day dining restaurant area at any one time is as follows:

(a) Terrace area – 80 persons

(b) Indoor area – 200 persons

F9. The capacity for each area must not exceed the maximum numbers at any given time.

F10. The manager/licensee is responsible for ensuring the number of persons in the premises does not exceed that specified above.

F11. A sign in letters not less than 25mm in height must be fixed at the main entry point to the premises alongside the Licensee's name stating the maximum number of persons, as specified in the development consent, that are permitted in the building. Details are to be provided to the satisfaction of the Accredited Certifier prior to issue of a Construction Certificate and the Principal Certifier is to confirm compliance prior to the issue of an Occupation Certificate.

Note: Clause 73 of the Environmental Planning and Assessment Regulation 2021 requires a sign specifying maximum number of persons permitted in the building to be displayed in a prominent position for the following types of premises:

(i) entertainment venue,

(ii) function centre,

(iii) pub,

(iv) registered club,

(v) restaurant.

No Spruiking Noise

F12. No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking generated within privately owned land must not be audible on any adjacent property with a shared boundary.

No Speakers or Music Outside

F13. Speakers and/or noise amplification equipment must not be installed and music must not be played in any of the outdoor areas associated with the premises including the public domain, unless otherwise permitted in the approved acoustic report. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

Plan of Management

F14. The use must always be operated / managed in accordance with the Plan of Management, once approved by this consent. In the event of any inconsistency, the conditions of this consent will prevail over the Operational Management Plan.

Copies Of Consents And Management Plans

F15. A full and current copy of all current development consents for the operation of the licensed premises, and the Plan of Management (once approved) must be kept on-site and made available to Police or Council Officers, or Special Investigator upon request.

Surveillance Cameras

F16. CCTV surveillance cameras must be strategically installed, operated and maintained throughout the premises with particular coverage to:

(a) principal entrance/s and exits;

(b) all areas within the premise occupied by the public (excluding toilets);

F17. All CCTV recording equipment and cameras shall be of high grade digital quality capable of establishing the identification of patrons, offenders and incidents within the depth of field view of the cameras.

F18. CCTV recordings shall have time and date auto recorded and be retained for 28 days before being re-used, destroyed or deleted. A digital copy must be handed to the Council or Police Officer on request.

F19. All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. All reasonable steps must be taken to ensure repairs to the system are completed as soon as practicable within 24 hours.

F20. The CCTV recording device must be kept in a secured location.

Removal Of Glass

F21. Patrons must be prevented from removing glasses, opened cans, bottles or alcohol from the premises (except from any approved bottle shop area) or approved outdoor dining area included in the boundaries of the licensed premises.

Noise From Glass Removal

F22. Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred inside of the building on the premises and removed in containers.

Neighbourhood Amenity

F23. Signs must be placed in clearly visible positions within the hotel requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. The signage must be in bold letters not less than 25mm in height on a contrasting background.

F24. The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.

Queuing

F25. No persons are to be permitted to drink or queue outside the premises at any time. Security officers are to ensure that there is no queue for the premises and take all reasonable steps to ensure compliance with this condition.

Incidents – Recording and Notification

F26. The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.

Noise – Structure Borne Impact on Separate Residential Premise

F27. Structure borne noise emanating from the premises is not to exceed the following criterion when measured within any separate residential accommodation:

(a) LA1, Slow 15 minute $\leq$ LA90, 15 minute dB(A).

Noise Structure Borne Impact on Separate Commercial Premise

F28. Structure borne noise emanating from the premises is not to exceed the following criterion when measured within any separate commercial premise:

(a) LA1, Slow 15 minute $\leq$ LA90, 15 minute +3 dB(A)

Vibration

F29. Operation of the use is not to result in the transmission of any perceptible vibration to an occupiable area within a separate premises.

Noise – Entertainment

F30. The LAeq, 15 minute noise level from the use must not exceed the background noise level (LA90, 15minute) in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive) by more than 5dB between 7.00am and 12.00 midnight when assessed at the boundary of any residential accommodation or tourist and visitor accommodation.

F31. The LAeq, 15 minute noise level from the use must not exceed the background noise level (LA90, 15 minute) in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive) between 12.00 midnight and 7.00am when assessed at the boundary of any residential accommodation or tourist and visitor accommodation.

F32. Notwithstanding (F30) above, the LAeq, 15 minute noise level from the use must not exceed the greater of the following levels between 7am and 12 midnight inside any habitable room of a residential accommodation or tourist and visitor accommodation, or at any time in an affected commercial premises:

(a) The existing internal LA90, 15 minute (from external sources excluding the use) in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive). Or,

(b) If the LZ90, 15 minute background level is below the hearing threshold curve (Tf Table 1 of ISO 226 : 2003) in an above octave band, the lowest audible sound level (Lp) of the Tf curve in that octave band shall become that octave's LZeq 15 minute noise criteria level.

F33. Notwithstanding (F31) above, the LA1 15 minute noise level from the use must not exceed the greater of the following sound pressure levels inside any habitable room between 12 midnight and 7am inside any habitable room of an affected residential accommodation or tourist and visitor accommodation:

(a) The existing internal LA90, 15 minute (from external sources excluding the use) minus 10 dB in any octave band (reference frequency 31.5 Hz to 8 kHz inclusive) inside a habitable room of an affected residential accommodation or tourist and visitor accommodation. Or,

(b) If the LZ90, 15 minute minus 10 dB level is below the hearing threshold curve (Tf Table 1 of ISO 226 : 2003) in an above octave band, the lowest audible sound level (Lp) of the Tf curve in that octave band shall become that octave's LZ1 15 minute noise criteria level.

Note: Leq, L01, and L90, metrics and 'A' (weightings) are as per the definitions in the standard AS105520148. 'Z' means unweighted noise. An internal LA90 level must be determined in the absence of noise emitted by the use and be sufficiently representative of the receiver in a low noise level quiet state. External LA90 levels for planning must be established as per the long-term methodology in Fact Sheet B of the NPfI unless otherwise agreed by the City's Area Planning Manager.

Noise Commercial Plant/Industrial Development

F34. Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA Noise Policy for Industry 2017 (NPfI) unless agreed to by the City's Area Planning Manager. Further:

(a) Background noise monitoring must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfI unless otherwise agreed by the City's Area Planning Manager.

(b) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.

F35. An LAeq,15 minute (noise level) emitted from the development must not exceed the LA90, 15 minute (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:

(a) The noise level and the background noise level must both be measured with all external doors and windows of the affected residence closed.

(b) Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premises.

F36. Corrections in Fact Sheet C of the NPfI are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

On-site Loading Areas and Operation

F37. All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

F38. At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.

Coach and Guest Pick-Up / Drop-off Management Plan

F39. A Coach Parking Management Plan, must be submitted to and approved by Council prior to the issue of the first Occupation Certificate for the site/use being granted,

F40. The plan must include, but is not limited to the following:

(a) An outline of the quantity and frequency of visits per day, including time of day, of vehicles likely to be received for guest drop-off and pick-up and bus/coach arrivals, tour groups/services.

(b) Location coach/bus parking spaces available in proximity to the site and how arrivals will be managed.

(c) Details of nearby coach parking and passenger pickup and drop off locations.

(d) Details of coach/vehicle sizes likely to be used to accommodate guest arrivals, departures and tours.

(e) Details of how guest arrivals and departures would be managed with the existing street parking restrictions who need point to point transport.

(f) Management of guests, luggage and/or trollies to ensure the public footpath remains unobstructed for use of pedestrians.

F41. Once approved, this management plan must be provided to all tenants and external users.

Bicycle Parking Signage and Wayfinding Plan

F42. Signage directing users to the bicycle parking facilities are to be installed from the street level, between the bicycle riders entry point/s at the site boundary and the entry point to the bike parking and End of Trip facilities. Signage is to be generally in accordance with signage shown in Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities.

F43. Signage is to be installed before the issue of any Occupation Certificate.

Loading Dock and Servicing Management Plan

F44. A Loading Dock Management Plan is to be prepared for distribution to relevant tenants outlining how the loading dock will be managed and used by all relevant tenants and not only the hotel. The Plan must include, but is not limited to, management of deliveries to ensure vehicles are not waiting on public streets to enter the site. The plan also details about the traffic management of one way vehicle access on Pitt St to and from the loading dock.

F45. The Loading and Servicing Management Plan must include the strategy for the management of all servicing of the site including delivery vehicles, garbage collection, service vehicles and should include information such as arrivals to the site, the anticipated numbers of arrivals per week, time of day of the arrivals, length of stay, vehicle type etc. along with how these will be managed to prevent disruption to public streets.

F46. The plan is to be prepared and submitted to and approved by Council's Area Planning Manager, prior to issue of an Occupation Certificate.

F47. Once approved, this management plan is to be provided to all relevant tenants and external users of the loading area.

Transport Access Guide

F48. A Transport Access Guide must be implemented and maintained by the operators of the premises and be made available to staff, clients, customers and visitors at all times. The following information shall be submitted to and approved by Council's Area Planning Manager, prior to the issue of an Occupation Certificate for the site/use:

(a) A Transport Access Guide detailing sustainable transport options to access the site including public transport, cycling and walking or a combination of these modes.

(b) Nearby suitable drop off/pick up locations, taxi rank, public car parking to assist who need point to point transport.

(c) Communication methods by which the Transport Access Guide will be made available to staff, clients, customers and visitors.

Scheduled Collections Commercial

F49. Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's Guidelines for Waste Management in New Developments, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for Managing Waste in Public Places.

F50. In accordance with the approved waste management plan, waste and recycling stream(s) bins must not be placed on the street for collection. Waste collection will occur within the site at all times.

F51. Unimpeded access must be provided to the waste and recycling stream(s) storage area(s) at all times.

F52. Unobstructed access is to be provided for waste collection vehicles to set down within 10m of the waste storage and collection area(s) during zone collection times on collection days.

Ongoing Waste Management – Commercial

F53. The ongoing use of development/tenancy must be in accordance with the approved Operational Waste Management Plan, Council's Guidelines for Waste Management in New Developments, the City of Sydney's DCP, and the Conditions of Consent.

F54. All general waste and recycling materials emanating from the premises must be stored in the designated waste storage area(s), must not be stored outside the premises (including the public domain) at any time.

F55. All waste and recycling stream(s) storage area(s) are to only be used for the purposes of storing waste and recycling from the premises in accordance with the original consent and approved Operational Waste Management Plan and not be converted to a different use.

F56. Scheduled collections and waste management arrangements of the development/tenancy is the responsibility of the business owner or property manager and are to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan and this consent. These arrangements include:

(a) arranging an adequate number of bins and the servicing regime matched to the needs of the premises.

(b) actively managing waste streams and supporting infrastructure to ensure bins are not overflowing, damaged or leaking and lids are fully closed at all times.

(c) routine cleaning and maintenance of waste storage area(s) to inhibit the permeation of odour and prevent litter and pests.

(d) the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney.

F57. Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

Defects Liability Period Public Domain Works

F58. All works to the City's public domain, including rectification of identified defects, are subject to a 6 month defects liability period from the date of Completion. The date of completion will be nominated by Council on the Public Domain Works Letter of Completion Operational Acceptance.

Encroachments – Public Way

F59. No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

Encroachments – Neighbouring Properties

F60. No portion of the proposed structure shall encroach onto the adjoining properties.

Energy Performance Certification – NABERS

F61. The building and its services must achieve a National Australian Built Environment Rating System (NABERS) Energy rating of 4.5 star in operation for the whole building. Within 24 months from the day on which an occupation certificate is issued, a NABERS Energy rating application for the development is to be prepared by a NABERS Accredited Assessor and lodged with the NABERS National Administrator. Once certified, a copy of the NABERS certificate and report are to be submitted to Council.

F62. The NABERS report must demonstrate the following:

(a) The rated annual energy use and associated emissions achieve the NABERS star band requirement; and

(b) If the development will not achieve the energy use standards – the difference between the rated annual electricity use and the energy use standards, calculated for the first 5 years of operation.

Energy Performance Certification – Green Star

F63. Within 24 months from the day on which an occupation certificate is issued, a Green Star certificate, along with reporting confirming that the required level of achievement in 4 star Green Star rating under the Green Star Buildings v1 tool has been met, is to be submitted to Council.

Occupation Certificate To Be Submitted

F64. An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

PART G GOVERNMENT AGENCY CONDITIONS

TfNSW (as Rail Authority Sydney Trains)

Concurrence conditions as advised by TfNSW (Sydney Trains) are as follows:

G1. Prior to the issue of a Construction Certificate, the Applicant shall provide a detailed survey locating the development with respect to rail land, tunnel reserves and easements. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains.

G2. Prior to the issue of a Construction Certificate, a geotechnical report is needed to evaluate the impact of the development on the rail tunnel below the subject site. The Applicant shall submit a Geotechnical Report for review and written endorsement by Sydney Trains to ensure that the proposed development is structurally sound and will not jeopardise the structural integrity of the existing rail tunnel.

G3. Prior to the issue of a Construction Certificate, the following final version rail specific items are to be submitted to Sydney Trains for review, comment, and written endorsement:

(a) Machinery to be used during excavation/construction.

(b) Excavation/construction methodology and staging.

G4. The Certifier is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

G5. Prior to the issue of a Construction Certificate, the Applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site, the Applicant must discuss with Sydney Trains as to whether these services are to be relocated or incorporated within the development site.

G6. Prior to the issuing of a Construction Certificate, the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Certifier is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

G7. The Applicant/Developer may need power outages (shutting of power to Sydney Trains/TAM's facilities) to be able to undertake the proposed development. If required, prior to the issue of a Construction Certificate, the Applicant/Developer shall enter into an Agreement with Sydney Trains, enabling this work to be planned and to proceed in a safe and controlled manner. The Certifier shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains that this condition has been satisfied.

G8. The developer is required to enter into an agreement with Sydney Trains defining the controls to be implemented in managing the potential impacts of the development on rail, and the involvement of rail staff in ensuring appropriate the appropriate safety and technical standards are complied with throughout the development.

G9. The Applicant shall provide Sydney Trains documentation detailing how the proposed works are to be undertaken and confirmation from an appropriately qualified engineer(s) that there will be no negative impact on rail infrastructure (including below ground tunnels) or rail operations. This documentation shall also include details of any loading impacts on below ground tunnels that may arise due to the use of scaffolding for the facade works and/or machinery used during and post construction for maintenance which may remain in a stationary position for any given time. All work is to comply with the standard "T HR CL 12051 ST Development Near Rail Tunnels"

G10. If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

G11. If required by Sydney Trains, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.

G12. If required by Sydney Trains, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Certifier is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

G13. Prior to the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), a report must be prepared and submitted to the Certifying Authority and Council certifying that the completed development meets the requirements of State Environmental Planning Policy (Transport and Infrastructure) 2021 and with the Department of Planning and Infrastructure's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines" as set down in the subject condition of this consent. Such a report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development, and that internal noise levels meet the required dB(A) levels. Where it is found that internal noise levels are greater than the required dB(A) level, necessary corrective measures must be carried out to ensure that internal noise levels are compliant with the requirements of this consent.

G14. Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into TAM (Transport Asset Manager of NSW, formerly TAHE) property or easements, unless agreed to by TAM (Transport Asset Manager of NSW, formerly TAHE). The Certifier is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

G15. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:

(a) oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;

(b) acts as the authorised representative of the Applicant; and

(c) is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.

G16. Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.

G17. Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is Central Interface, and they can be contacted via email on Central_Interface@transport.nsw.gov.au.

G18. Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAM (Transport Asset Manager of NSW) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

Sydney Metro

Concurrence conditions as advised by Sydney Metro are as follows:

G19. All concurrence conditions as advised by Sydney Metro for this development are to be complied with.

TfNSW

Conditions as advised by TfNSW are as follows:

G20. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2022 and AS 2890.2-2018.

G21. Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the proponent shall prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW.

G22. The CPTMP shall include (but not be limited to) the following:

(a) A description of the development;

(b) Location of any proposed work zone(s)

(c) Details of crane arrangements including location of any crane(s);

(d) Haulage routes;

(e) Construction vehicle access arrangements;

(f) Proposed construction hours;

(g) Predicted number of construction vehicle movements and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods;

(h) Construction program and construction methodology;

(i) Any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;

(j) Cumulative construction impacts of projects and Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.

(k) Submit a copy of the final plan to TfNSW for endorsement; and

(l) Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre within TfNSW to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

G23. Please send information to development.CTMP.CJP@transport.nsw.gov.au for endorsement, prior to the issue of any Construction Certificate.

G24. The proponent shall prepare a Green Travel Plan (GTP) and Travel Access Guide (TAG) in consultation with TfNSW. The NSW Government provides a range of resources to help in the development of a GTP at www.mysydney.nsw.gov.au/travelchoices/tdm#support

G25. Please send information of the final GTP and TAG to TfNSW at development.CTMP.CJP@transport.nsw.gov.au for endorsement, prior to the issue of any Occupation Certificate.

G26. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on the classified road network during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf.

Ausgrid

Conditions as advised by Ausgrid are as follows:

G27. **Ausgrid Underground Cables are in the vicinity of the development**: Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.

G28. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Dial Before You Dig (DBYD).

G29. In addition to DBYD the proponent should refer to the following documents to support safety in design and construction:

(a) SafeWork Australia – Excavation Code of Practice.

(b) Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.

G30. The following points should also be taken into consideration.

(a) Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

(b) Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing.

(c) Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

G31. **Ausgrid Chamber Substation in the vicinity of the development**: The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

G32. In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

G33. Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment, or 120/120/120 where there is no oil filled equipment and be constructed of non-combustible material.

G34. The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHZ) (ICNIRP 2010).

G35. For further details on fire segregation requirements refer to Ausgrid's Network Standard 113.

G36. Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24-hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid's Network Standard 143.

G37. **New Driveways - Proximity to Existing Poles**: Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

G38. **New or modified connection**: To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected

G39. Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

Sydney Airport

Conditions as advised by Sydney Airport are as follows:

G40. The building must not exceed a maximum height of 206.1 metres AHD, including all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.

G41. Separate approval must be sought under the Regulations for any equipment (e.g. cranes, concrete pumps) required to construct the building. Construction cranes or concrete pumps may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (e.g. cranes, concrete pumps) be obtained prior to any commitment to construct.

G42. The Proponent must advise Airservices Australia at least three business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting YSSY-CA-933.

G43. On completion of construction of the building, the Proponent must provide SACL with a written report from a certified surveyor on the finished height of the building.

G44. A separate assessment and approval under the Regulations will be required for any further addition to the height of the building (including the installation of antennas) as it will increase the penetration of the OLS.

Heritage NSW (Department of Climate, Energy, the Environment and Water

G45. We recommend a copy of the unredacted report is provided to Heritage NSW to enable consideration of comments received from Registered Aboriginal Parties and adherence to the 'Aboriginal cultural heritage consultation requirements for proponents'.

G46. It is recommended that a copy of the Archaeological Research Design and field methodology is provided to Heritage NSW for review and comment.

Sydney Water

Conditions as advised by Sydney Water are as follows:

Section 73 Compliance Certificate

G47. A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extension, adjustment or connection to our mains. Make early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an occupation or subdivision certificate will be issued.

G48. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

G49. Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Building Plan Approval

G50. The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.

G51. Sydney Water recommends developers apply for Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Tree Planting

G52. Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

G53. For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

G54. For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.

Trade Wastewater Requirements

G55. If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

G56. The permit application can be made on Sydney Water's web page via Sydney Water's Tap in™.

G57. A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

G58. If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Backflow Prevention Requirements

G59. Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

G60. All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

G61. Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

G62. Before you install a backflow prevention device:

G63. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.

G64. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

G65. For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website: https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html

Water Efficiency Recommendations

G66. Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

G67. Some water efficiency measures that can be easily implemented in your business are:

(a) Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, http://www.waterrating.gov.au/

(b) Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to https://www.sydneywater.com.au/your-business/managing-your-water-use/water-efficiency-tips.htm l

(c) Install water-monitoring devices on your meter to identify water usage patterns and leaks.

(d) Develop a water efficiency plan for your business.

G68. It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

Contingency Plan Recommendations

G69. Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

G70. Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

G71. Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

G72. Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

G73. For further information please visit the Sydney Water website at: https://www.sydneywater.com.au/your-business/managing-trade-wastewater/commercial-trade-wastewater.html or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au.

APPENDIX 1 ADVISORY NOTES

General

AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

Long Service Levy

AN2. For work costing $250,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Corporation on 131 441.

Access for People with Disabilities

AN3. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Utilities and Services

AN4. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN5. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

Road Occupancy Licence

AN6. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

SafeWork Requirements

AN7. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

Hoarding Requirements

AN8. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN9. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Fire Safety Certificate

AN10. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

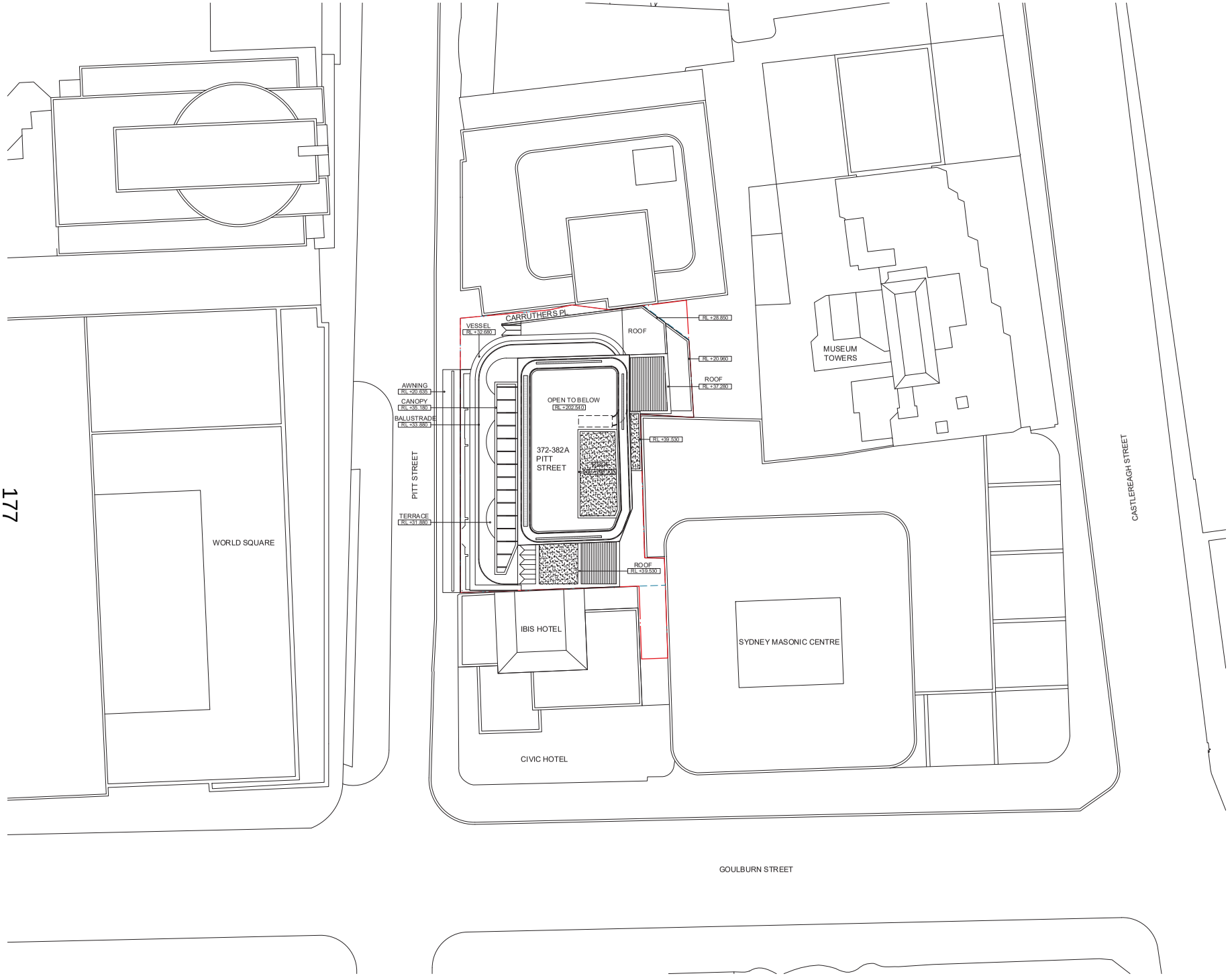
APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary through the major projects portal within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A14 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
   a. identify the development and application number;
   b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
   c. identify how the incident was detected;
   d. identify when the applicant became aware of the incident;
   e. identify any actual or potential non-compliance with conditions of consent;
   f. describe what immediate steps were taken in relation to the incident;
   g. identify further action(s) that will be taken in relation to the incident; and
   h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
   a. a summary of the incident;
   b. outcomes of an incident investigation, including identification of the cause of the incident;
   c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
   d. details of any communication with other stakeholders regarding the incident.

Attachment C1

Selected Drawings



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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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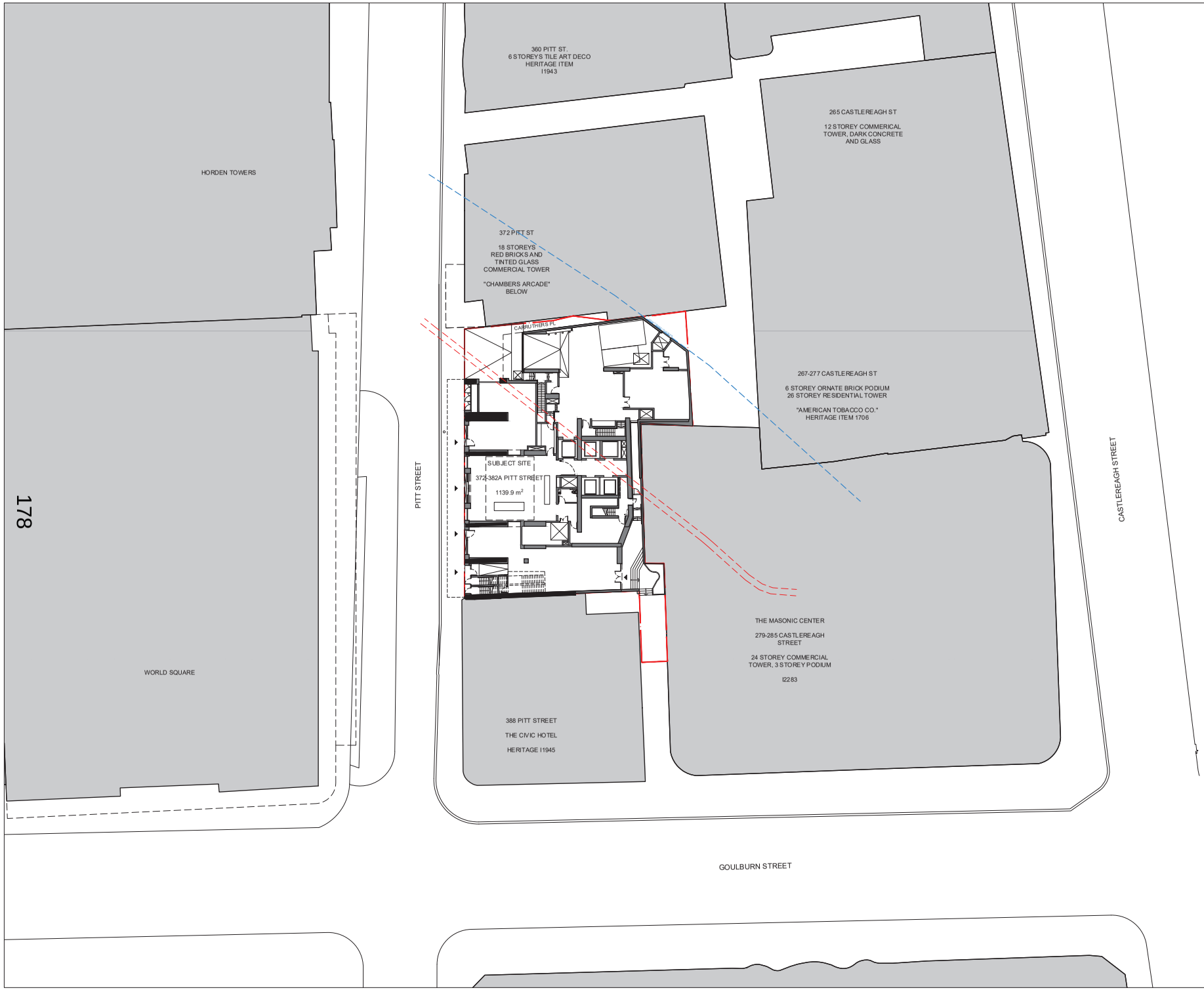
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)	1:250	
DATE	22.11.2024	

DRAWING TITLE
ROOF SITE PLAN

DRAWING NUMBER	ISSUE
A0010	C



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LEGEND:

- SYDNEY TRAIN IST RESERVE
- APPROXIMATE LOCATION OF DEEP SEWER PIPE (FROM SURVEY DRAWING 91351 003 DT)

ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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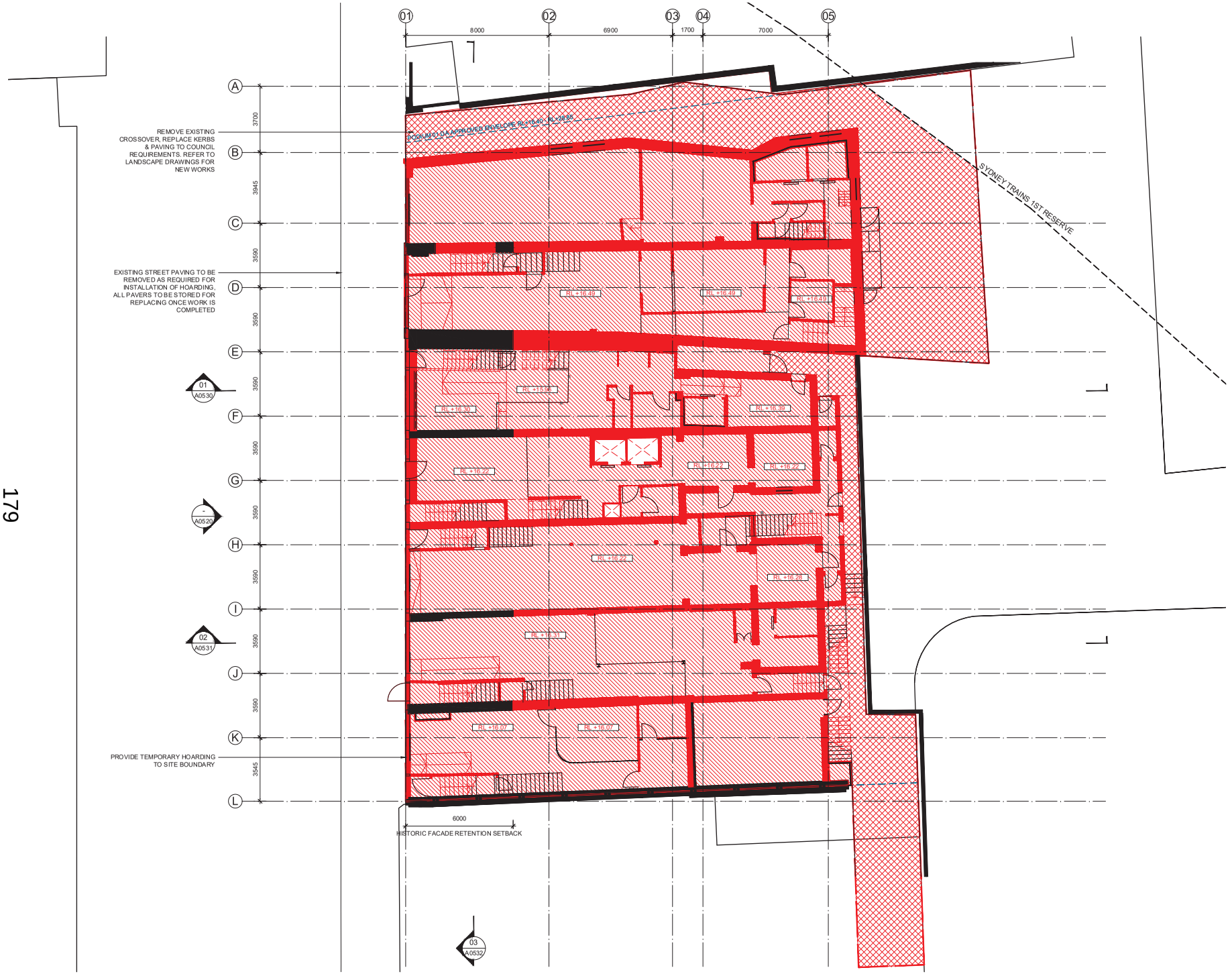
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)	1:250	
DATE	22.11.2024	

DRAWING TITLE
GROUND SITE PLAN

DRAWING NUMBER	ISSUE
A0020	C



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1. DEMOLITION DRAWINGS ARE BASED ON SURVEY '61351 02TOT BY L TC SURVEYORS.
2. FURTHER DETAILED INVESTIGATIONS MAY BE REQUIRED TO ESTABLISH THE FOLLOWING:
   - CONDITION AND TREATMENT OF EXISTING HISTORIC WALLS AND FLOORS THAT ARE CURRENTLY OBSTRUCTED BY EXISTING LININGS
   - LOCATION AND CONDITION OF EXISTING ROOF DRAINS AND DRAINAGE POINTS FOR POSSIBLE REUSE TO SUIT THE PROPOSED DEVELOPMENT
   - EXISTING CONDITION AND TREATMENT OF AWNING ANCHOR POINTS.
3. LATER METAL GRILLE TO EXISTING WINDOW TO BE REMOVED. HOLES TO BRENDER AND MASONRY TO BE PATCH REPAIRED TO MATCH EXISTING ORIGINAL.
4. REMOVE ALL FREE STANDING STRUCTURAL COLUMNS
5. REMOVE ALL EXISTING LIFT SHAFTS AND EQUIPMENT, STAIR, STEPS, RAMPS, HANDRAILS AND BALUSTRADES
6. EXISTING DAMAGED WINDOWS TO BE FURTHER INVESTIGATED. ORIGINAL DESIGN, DIMENSION AND STYLE SHALL BE MAINTAINED
7. MASONRY TO BE CAREFULLY CUT AND REMOVED TO CREATE NEW OPENING. EDGES TO BE MADE GOOD TO MATCH EXISTING
8. REMOVE EXISTING AWNINGS, GUTTERS, DOWNPIPES, TRIMS, LIGHT FITTINGS, SURFACE MOUNTED CONDUITS
9. ALL SUBTRACTIONS TO EXISTING MASONRY TO BE CAREFULLY CUT & REMOVED TO CREATE NEW OPENING. EDGES TO BE MADE GOOD TO MATCH EXISTING
10. EXISTING PITT STREET GROUND FLOOR INFILL FACADE TO BE REMOVED. STRUCTURAL PIERS TO BE RETAINED

DEMOLITION LEGEND:

- EXISTING WALLS TO BE REMOVED
- WALLS BEYOND, FLOOR & CEILING FINISHES, STAIRS, DOORS, JOINERY, FIXTURES & FITTINGS AND SANITARYWARE TO BE REMOVED
- EXISTING GROUND LEVELS REGRADED/LED, SOIL TO BE REMOVED TO PROJECT RL. REFER STRUCTURAL DOCUMENTS FOR RETENTION REQUIREMENTS
- LATER PAINT OVER GLAZED BRICKS TO BE REMOVED

RL +XX.XX EXISTING RL FROM SURVEY (03/11/23)

ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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PROJECT	REF
372-382A PITT STREET	633

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
DEMOLITION PLAN GROUND FLOOR

DRAWING NUMBER	ISSUE
A0510	C



NOTES / LEGEND / MATERIAL

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RL +XX.XX EXISTING RL FROM SURVEY (03/11/23)

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
DEMOLITION PLAN LEVEL 1

DRAWING NUMBER	ISSUE
A0511	C



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RL +XX.XX EXISTING RL FROM SURVEY (03/11/23)

ISSUE	DATE	AMENDMENT	CHECKED
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STATUS

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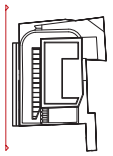
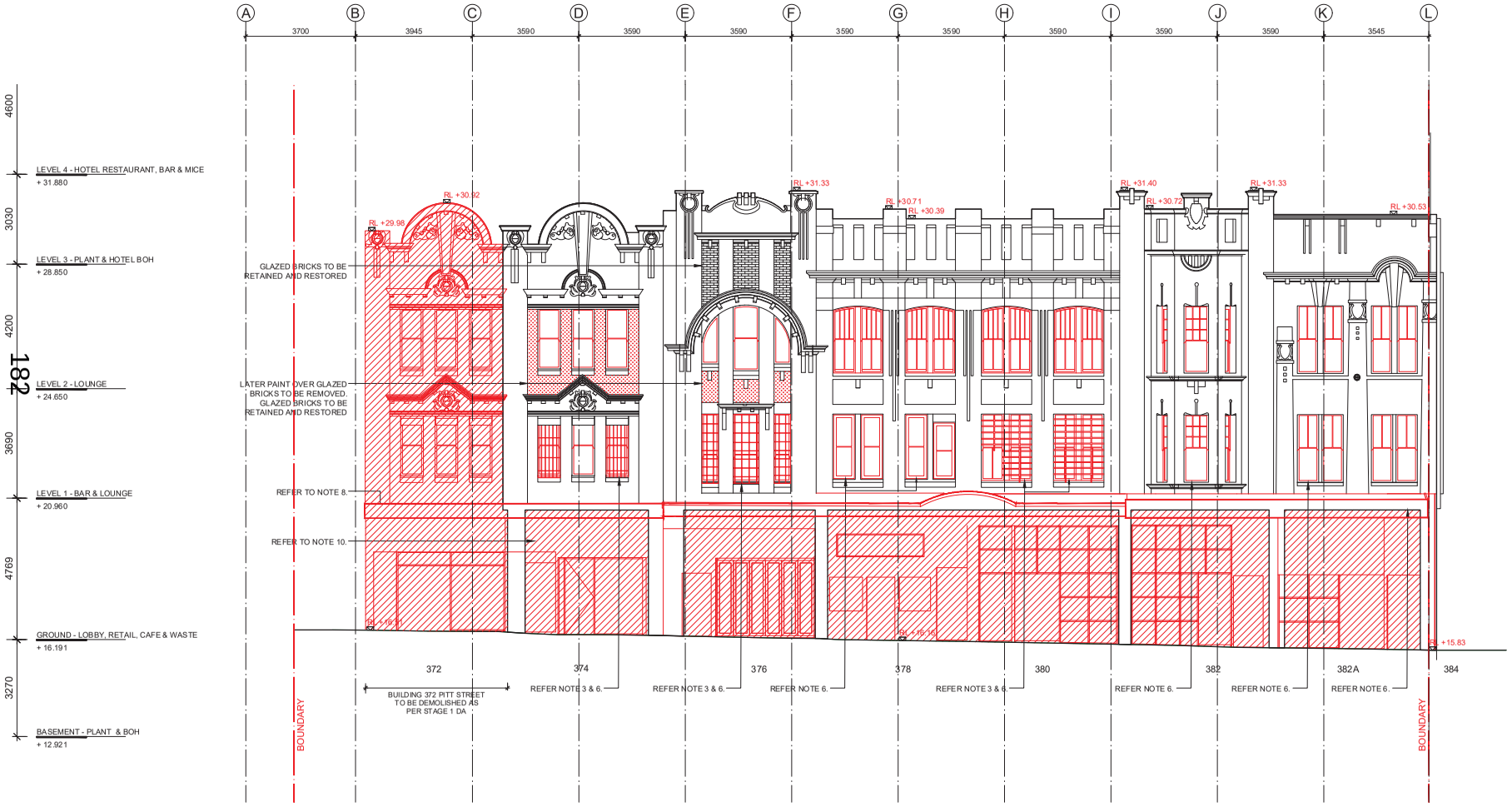
DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
DEMOLITION PLAN LEVEL 2

DRAWING NUMBER	ISSUE
A0512	C





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RL +XX.XX EXISTING RL FROM SURVEY (03/11/23)

ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

Well Smart Investment Holding (Bris) Pty Ltd
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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
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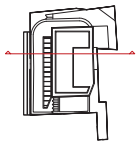
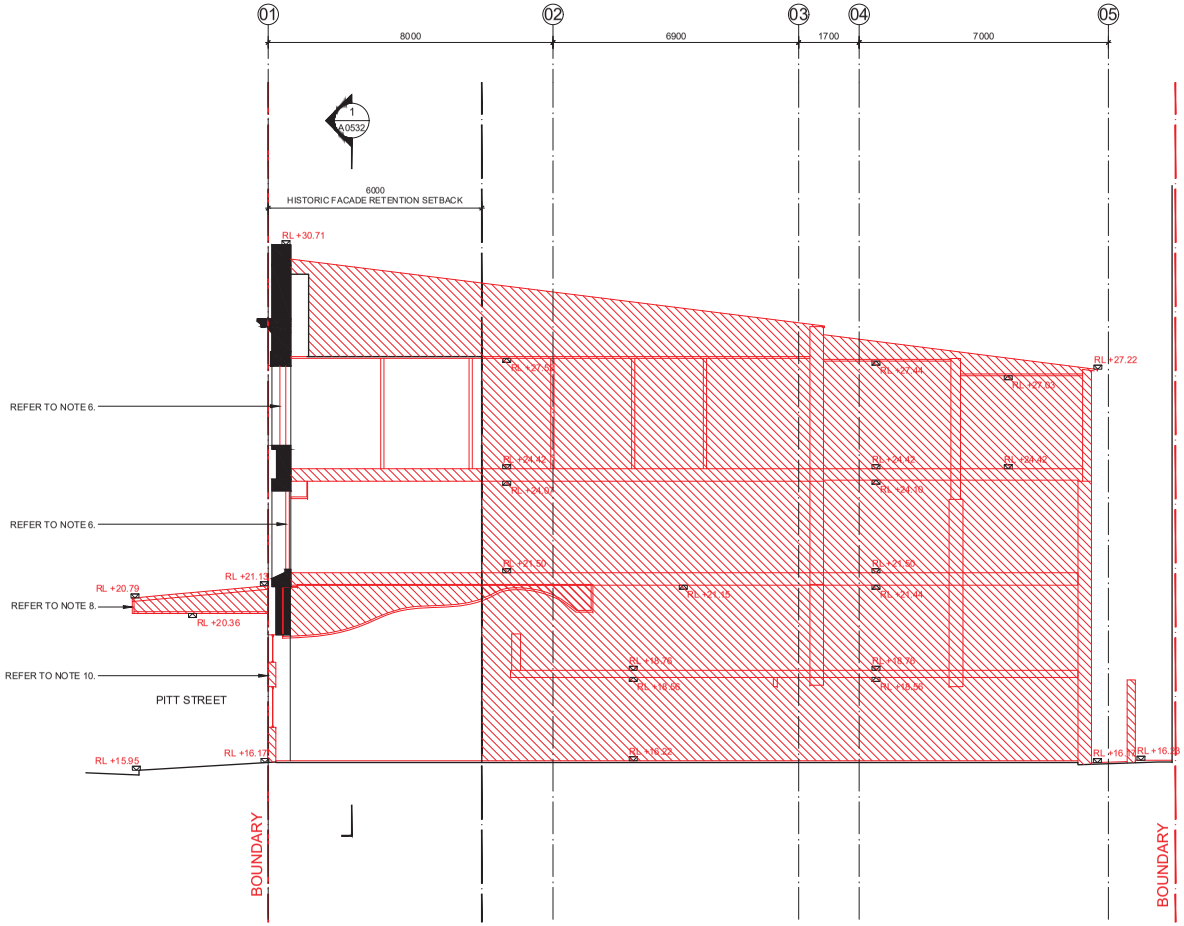
DRAWN	KHA	NORTH
SCALE (@ A1)	1:75	
DATE	22.11.2024	

DRAWING TITLE
DEMOLITION ELEVATION

DRAWING NUMBER	ISSUE
A0520	C





183

NOTES / LEGEND / MATERIAL

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RL +XX.XX EXISTING RL FROM SURVEY (03/11/23)

ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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ADDRESS
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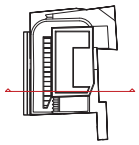
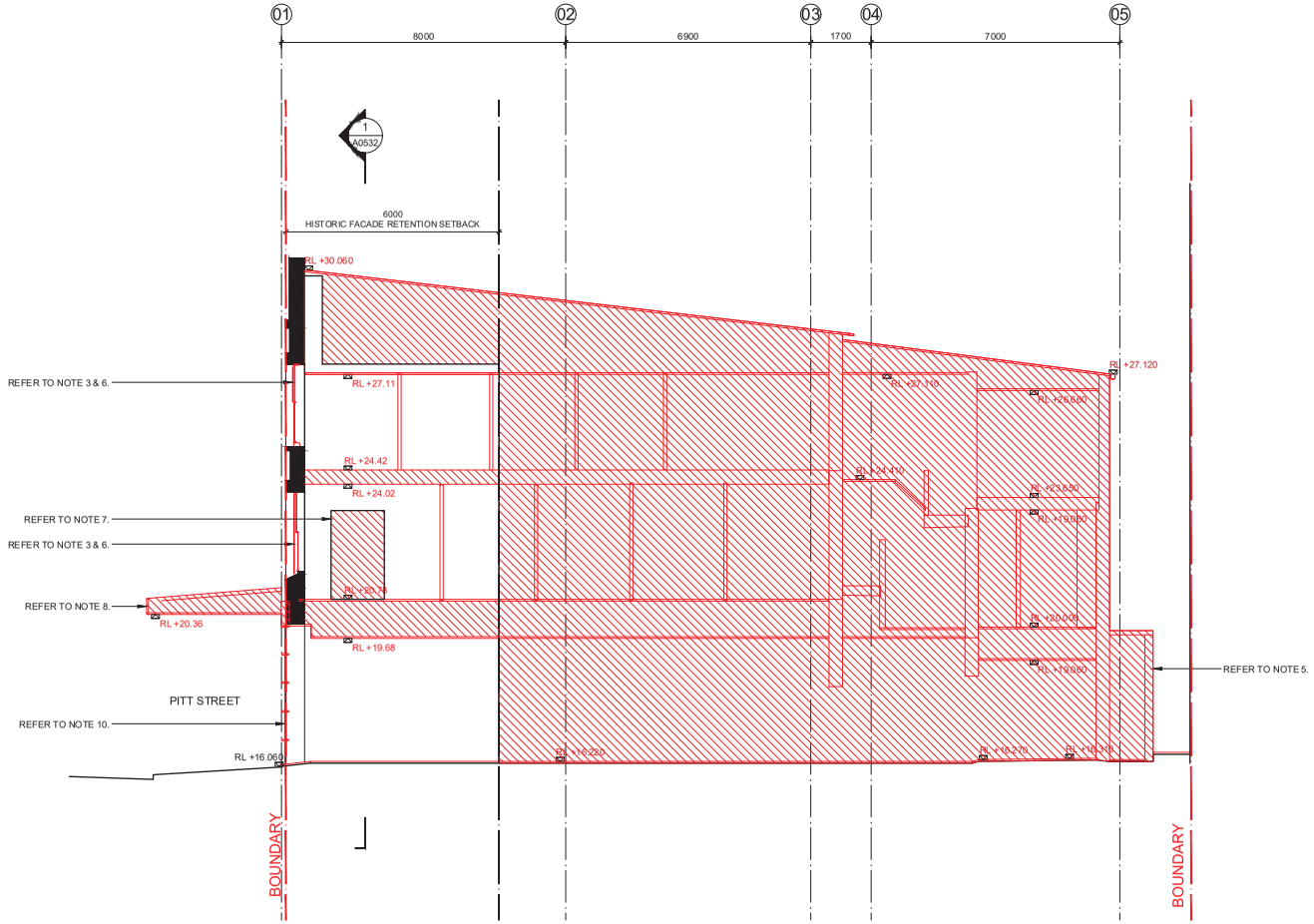
DRAWN	KHA	NORTH
SCALE (@ A1)	1:75	
DATE	22.11.2024	

DRAWING TITLE
DEMOLITION SECTION 01

DRAWING NUMBER	ISSUE
A0530	C





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RL +XX.XX EXISTING RL FROM SURVEY (03/11/23)

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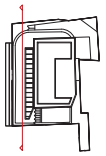
DRAWN	KHA	NORTH
SCALE (@ A1)	1:75	
DATE	22.11.2024	

DRAWING TITLE
DEMOLITION SECTION 02

DRAWING NUMBER	ISSUE
A0531	C





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NOTES / LEGEND / MATERIAL

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1. DEMOLITION DRAWINGS ARE BASED ON SURVEY '61351 02TOT BY L TC SURVEYORS.
2. FURTHER DETAILED INVESTIGATIONS MAY BE REQUIRED TO ESTABLISH THE FOLLOWING:
   - CONDITION AND TREATMENT OF EXISTING HISTORIC WALLS AND FLOORS THAT ARE CURRENTLY OBSTRUCTED BY EXISTING LININGS
   - LOCATION AND CONDITION OF EXISTING ROOF DRAINS AND DRAINAGE POINTS FOR POSSIBLE REUSE TO SUIT THE PROPOSED DEVELOPMENT
   - EXISTING CONDITION AND TREATMENT OF ANYWING ANCHOR POINTS.
3. LATER METAL GRILL E TO EXISTING WINDOW TO BE REMOVED.
   HOLES TO RENDER AND MASONRY TO BE PATCH REPAIRED TO MATCH EXISTING ORIGINAL.
4. REMOVE ALL FREE STANDING STRUCTURAL COLUMNS
5. REMOVE ALL EXISTING LIFT SHAFTS AND EQUIPMENT, STAIR, STEPS, RAMPS, HANDRAILS AND BALUSTRADES
6. EXISTING DAMAGED WINDOWS TO BE FURTHER INVESTIGATED. ORIGINAL DESIGN, DIMENSION AND STYLE SHALL BE MAINTAINED
7. MASONRY TO BE CAREFULLY CUT AND REMOVED TO CREATE NEW OPENING. EDGES TO BE MADE GOOD TO MATCH EXISTING
8. REMOVE EXISTING AWNINGS, GUTTERS, DOWNPIPES, TRIMS, LIGHT FITTINGS, SURFACE MOUNTED CONDUITS
9. ALL SUBTRACTIONS TO EXISTING MASONRY TO BE CAREFULLY CUT & REMOVED TO CREATE NEW OPENING. EDGES TO BE MADE GOOD TO MATCH EXISTING
10. EXISTING PITT STREET GROUND FLOOR INFILL FACADE TO BE REMOVED. STRUCTURAL PIERS TO BE RETAINED

DEMOLITION LEGEND:

- EXISTING WALLS TO BE REMOVED
- WALLS BEYOND, FLOOR & CEILING FINISHES, STAIRS, DOORS, JOINERY, FIXTURES & FITTINGS AND SANITARYWARE TO BE REMOVED
- EXISTING GROUND LEVELS REMODELLED, SOIL TO BE REMOVED TO PROJECT RL. REFER STRUCTURAL DOCUMENTS FOR RETENTION REQUIREMENTS
- LATER PAINT OVER GLAZED BRICKS TO BE REMOVED

RL +XX.XX EXISTING RL FROM SURVEY (03/11/23)

ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
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C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

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PROJECT	REF
372-382A PITT STREET	633

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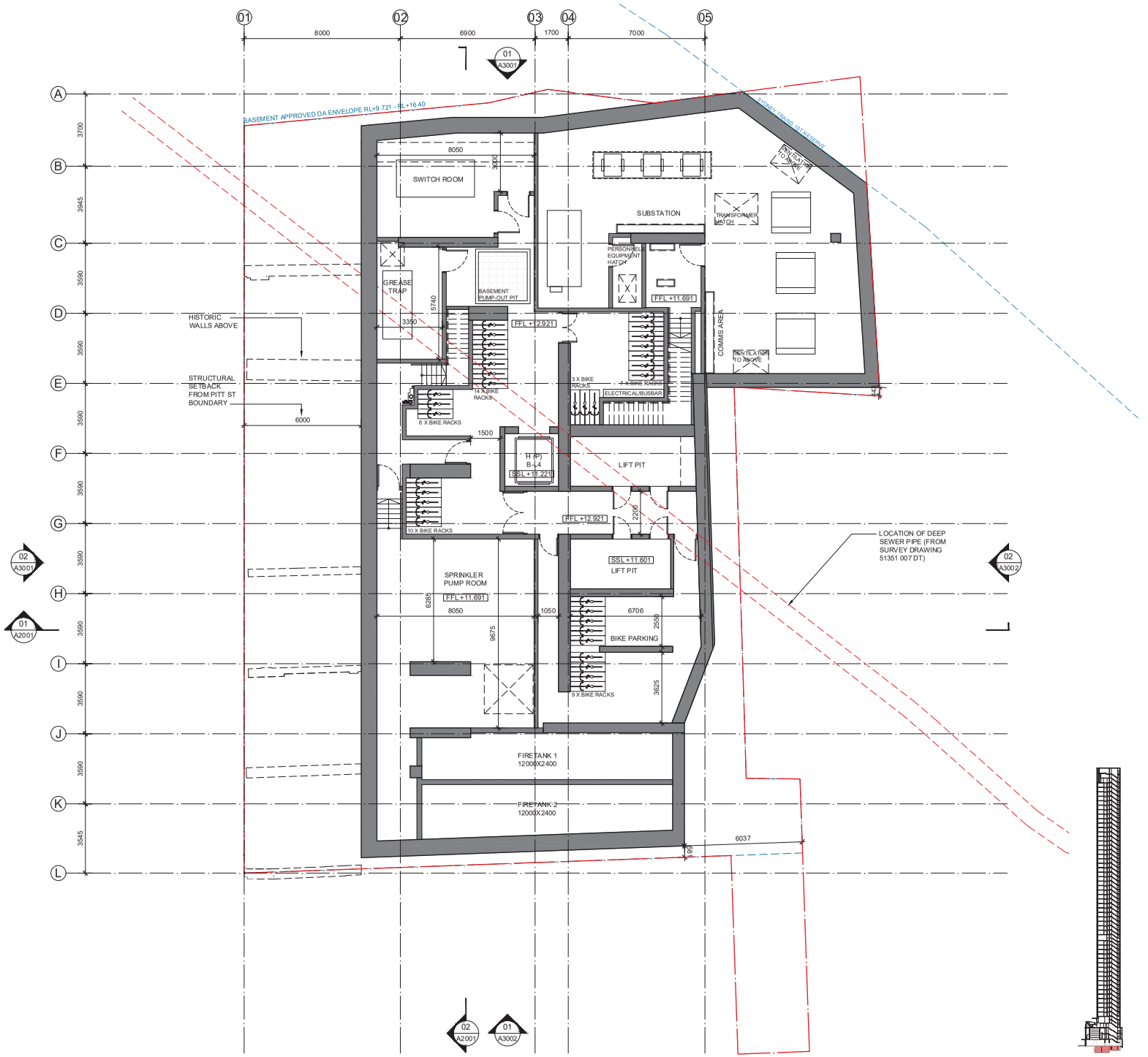
DRAWN	KHA	NORTH
SCALE (@ A1)	1:75	
DATE	22.11.2024	

DRAWING TITLE
DEMOLITION SECTION 03
HISTORIC FACADE

DRAWING NUMBER	ISSUE
A0532	C



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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN BASEMENT 1

DRAWING NUMBER	ISSUE
A0990	C



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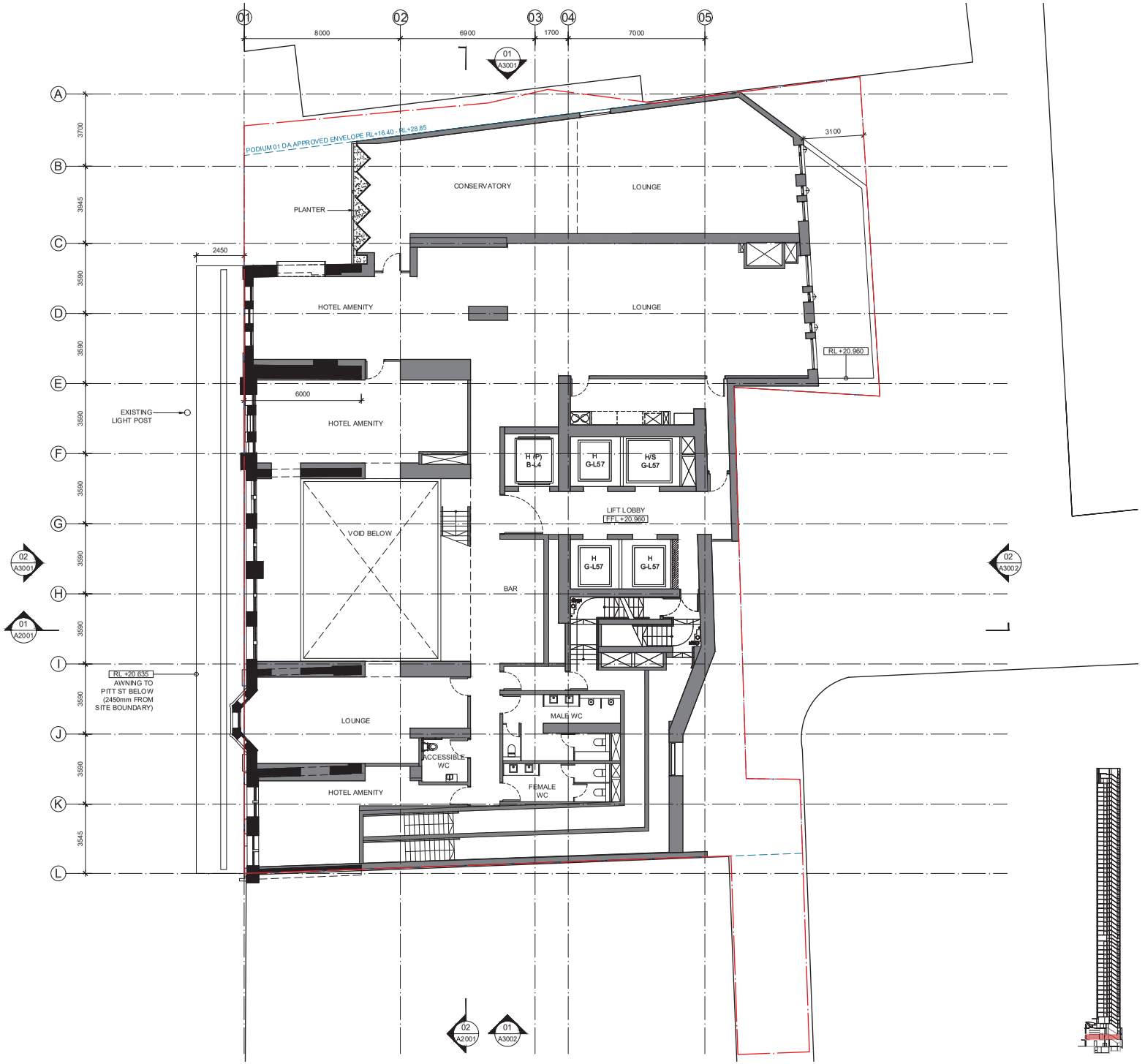
DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN GROUND FLOOR

DRAWING NUMBER	ISSUE
A1000	C



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DRAWN	KHA	NORTH
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DRAWING TITLE
PLAN LEVEL 1

DRAWING NUMBER	ISSUE
A1010	C



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DRAWN	KHA	NORTH
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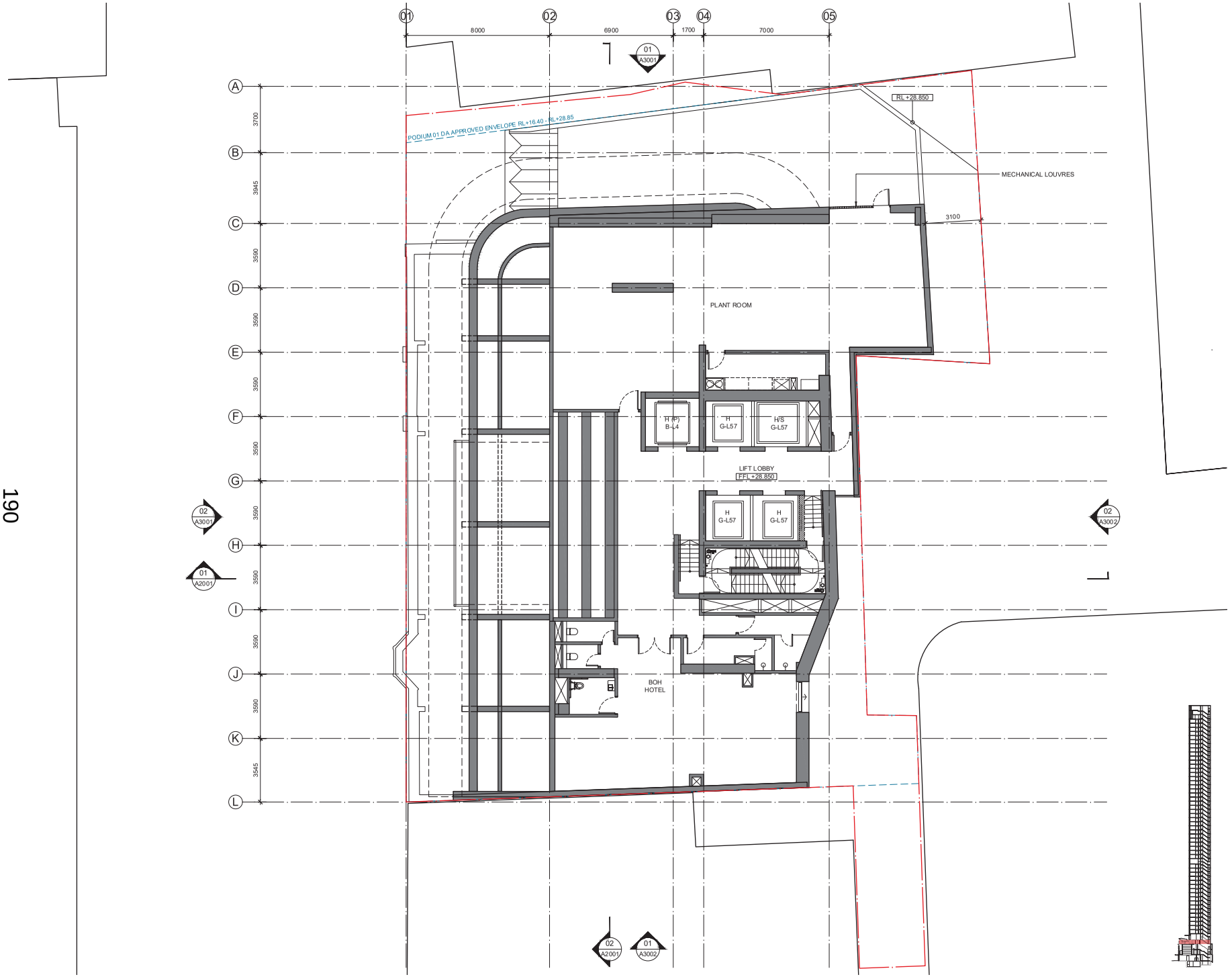
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 2

DRAWING NUMBER	ISSUE
A1020	C



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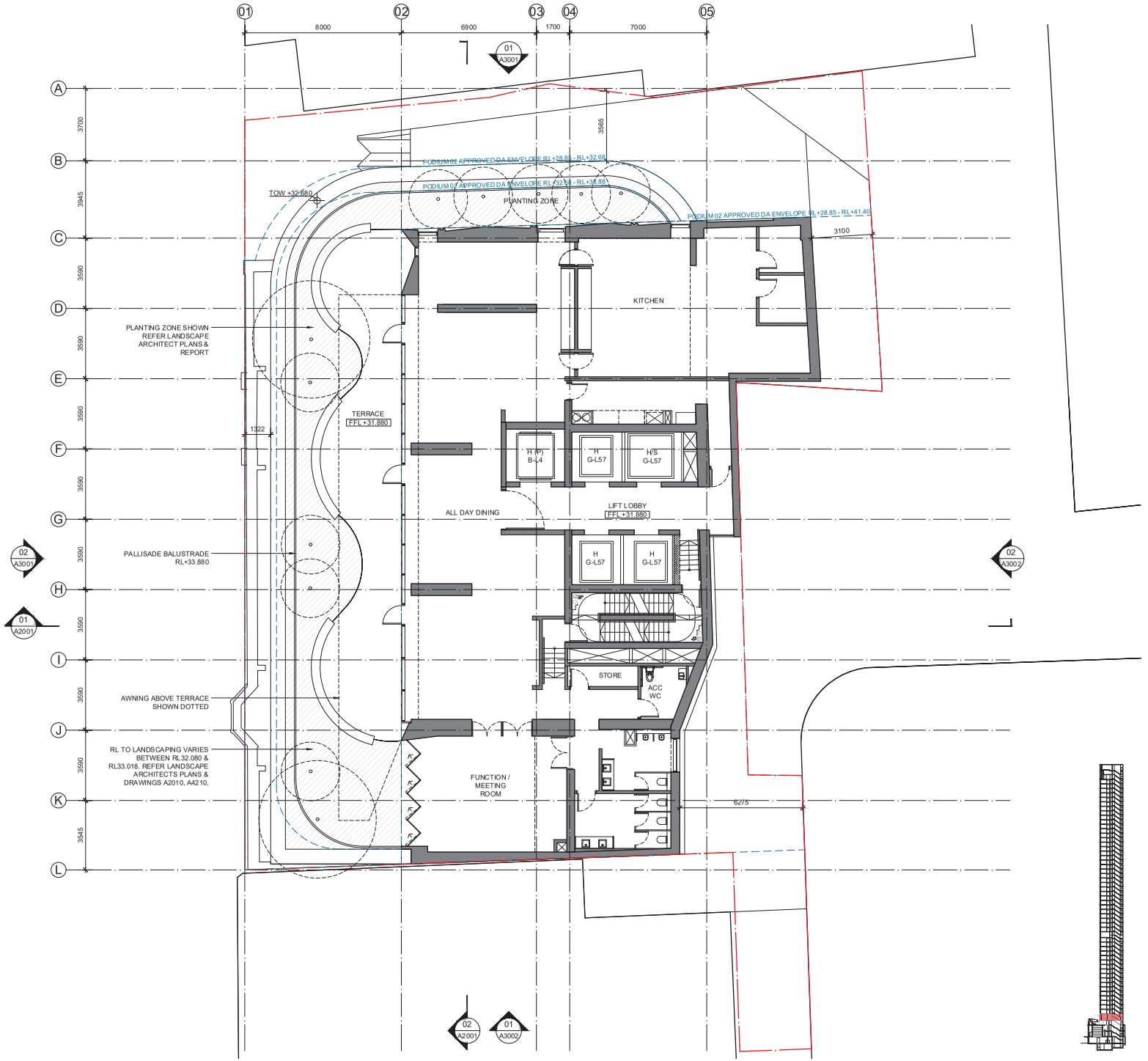
DRAWING TITLE
PLAN LEVEL 3

DRAWING NUMBER	ISSUE
A1030	C



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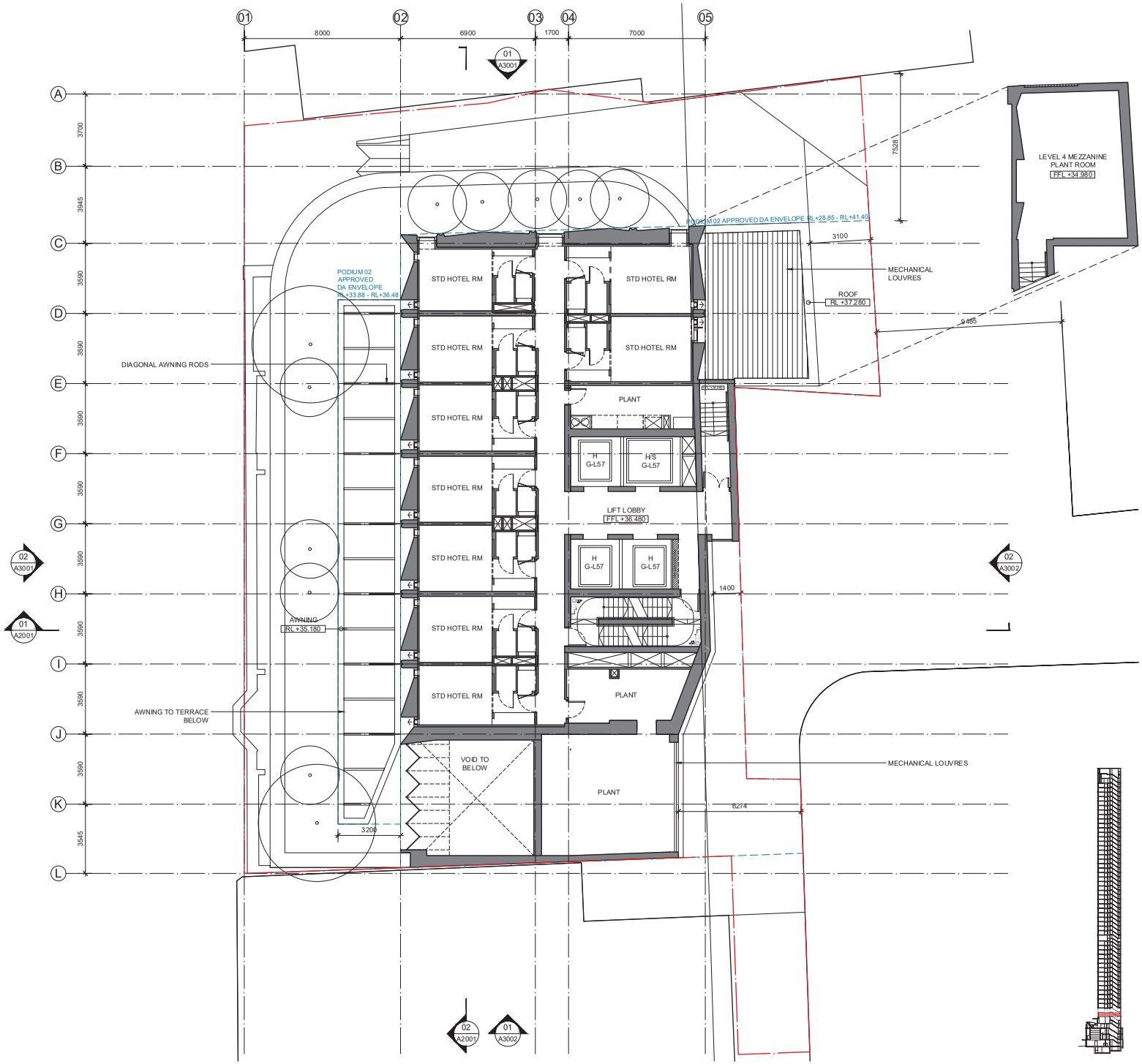
DRAWING TITLE
PLAN LEVEL 4

DRAWING NUMBER	ISSUE
A1040	C



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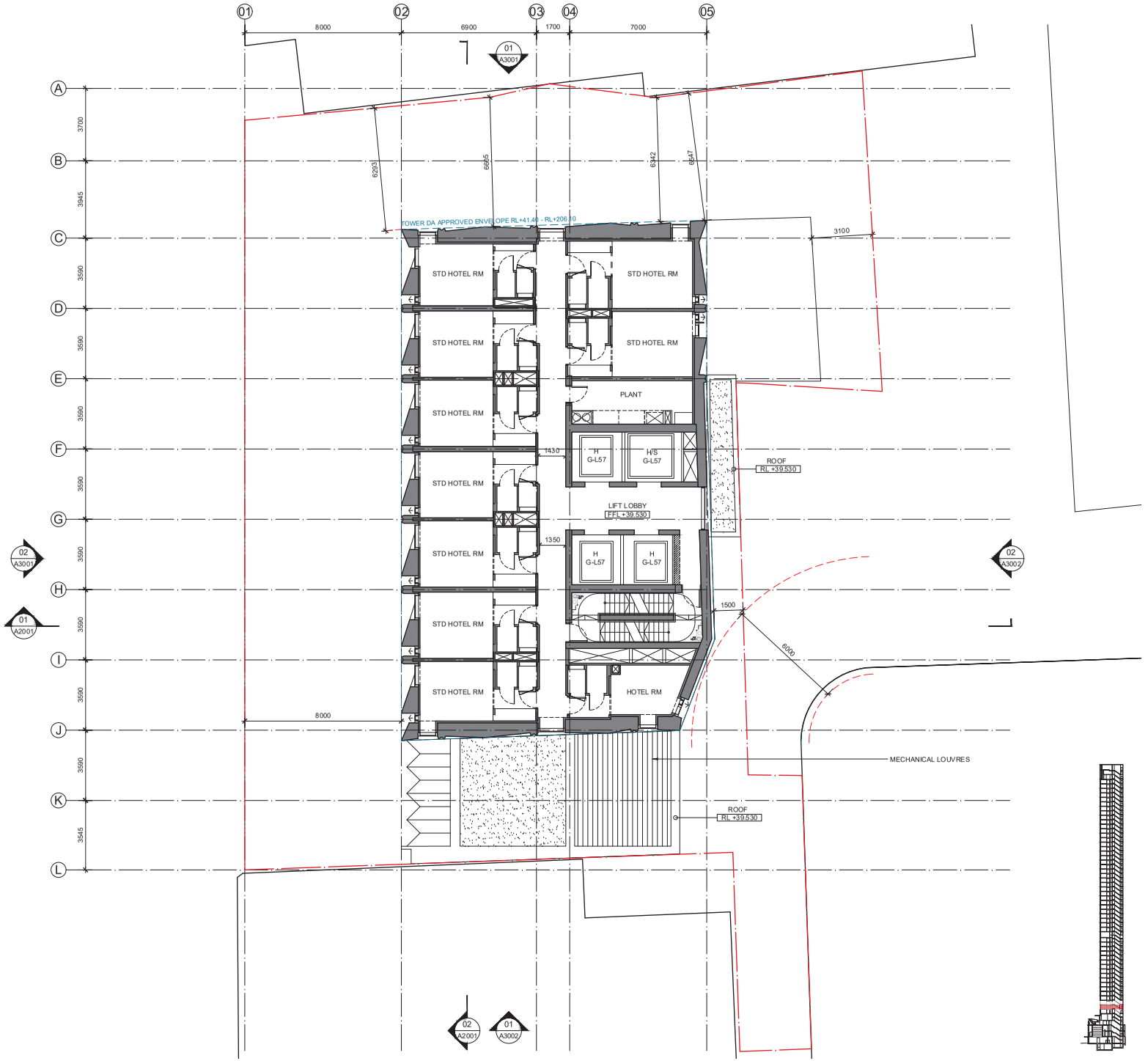
DRAWING TITLE
PLAN LEVEL 5

DRAWING NUMBER	ISSUE
A1050	C



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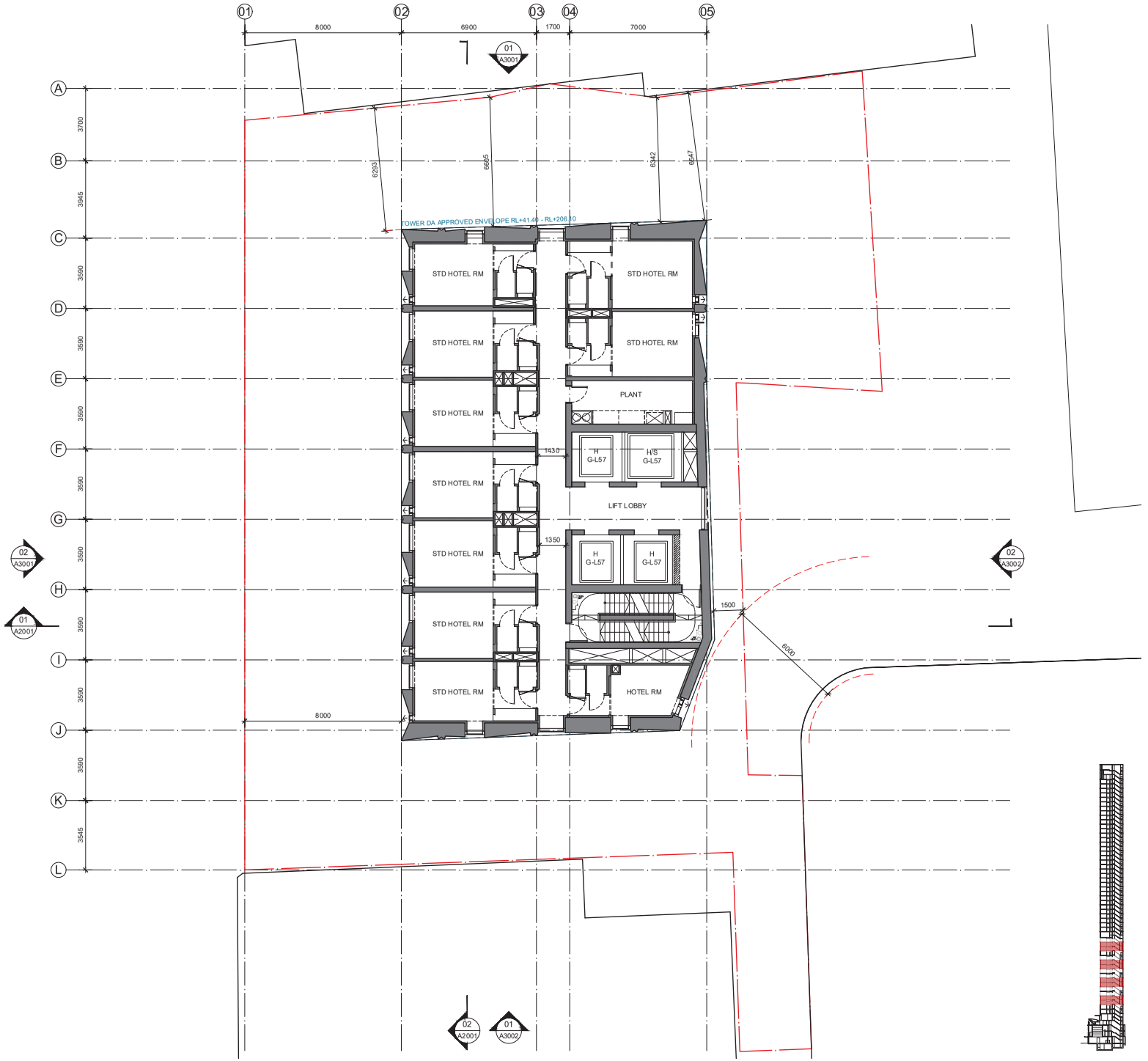
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 6

DRAWING NUMBER	ISSUE
A1060	C



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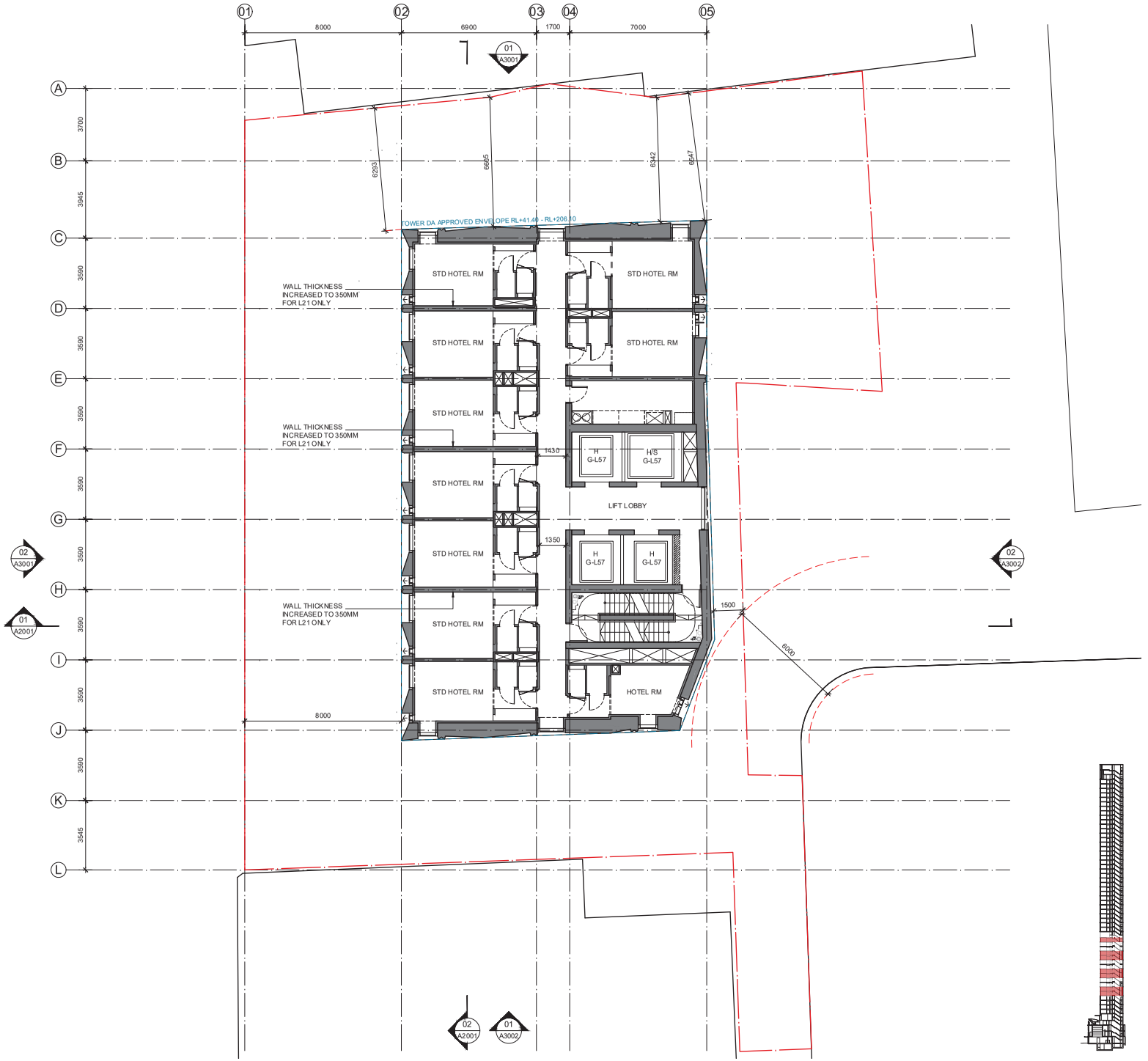
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 7-8,11-12,15-16,19-20

DRAWING NUMBER	ISSUE
A1070	C



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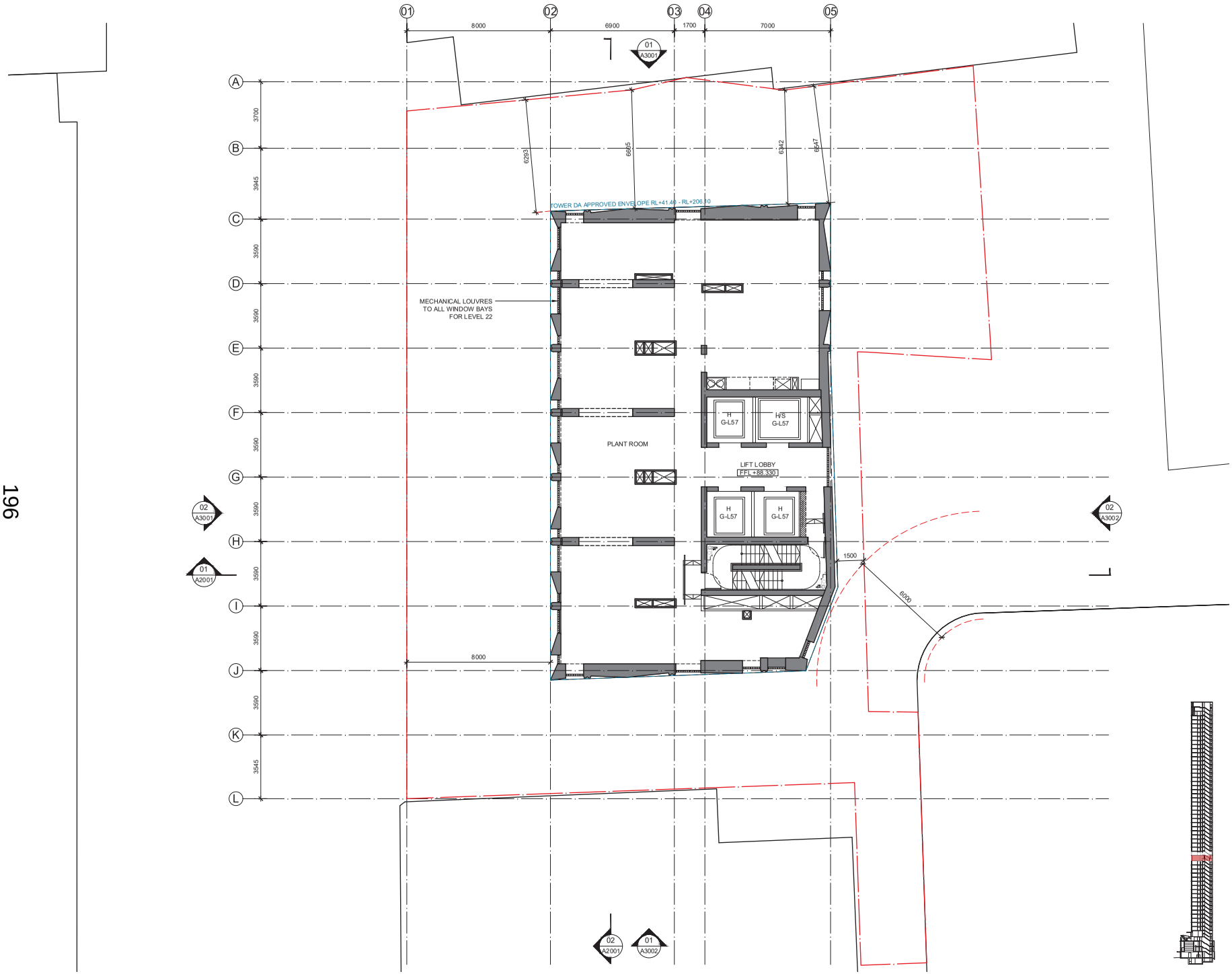
DRAWING TITLE
PLAN LEVEL 9-10,13-14,17-18,21

DRAWING NUMBER	ISSUE
A1090	C



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NOTES / LEGEND / MATERIAL

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A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

Well Smart Investment Holding (Bris) Pty Ltd
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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 22

DRAWING NUMBER	ISSUE
A1220	C



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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 23-24, 27-28

DRAWING NUMBER	ISSUE
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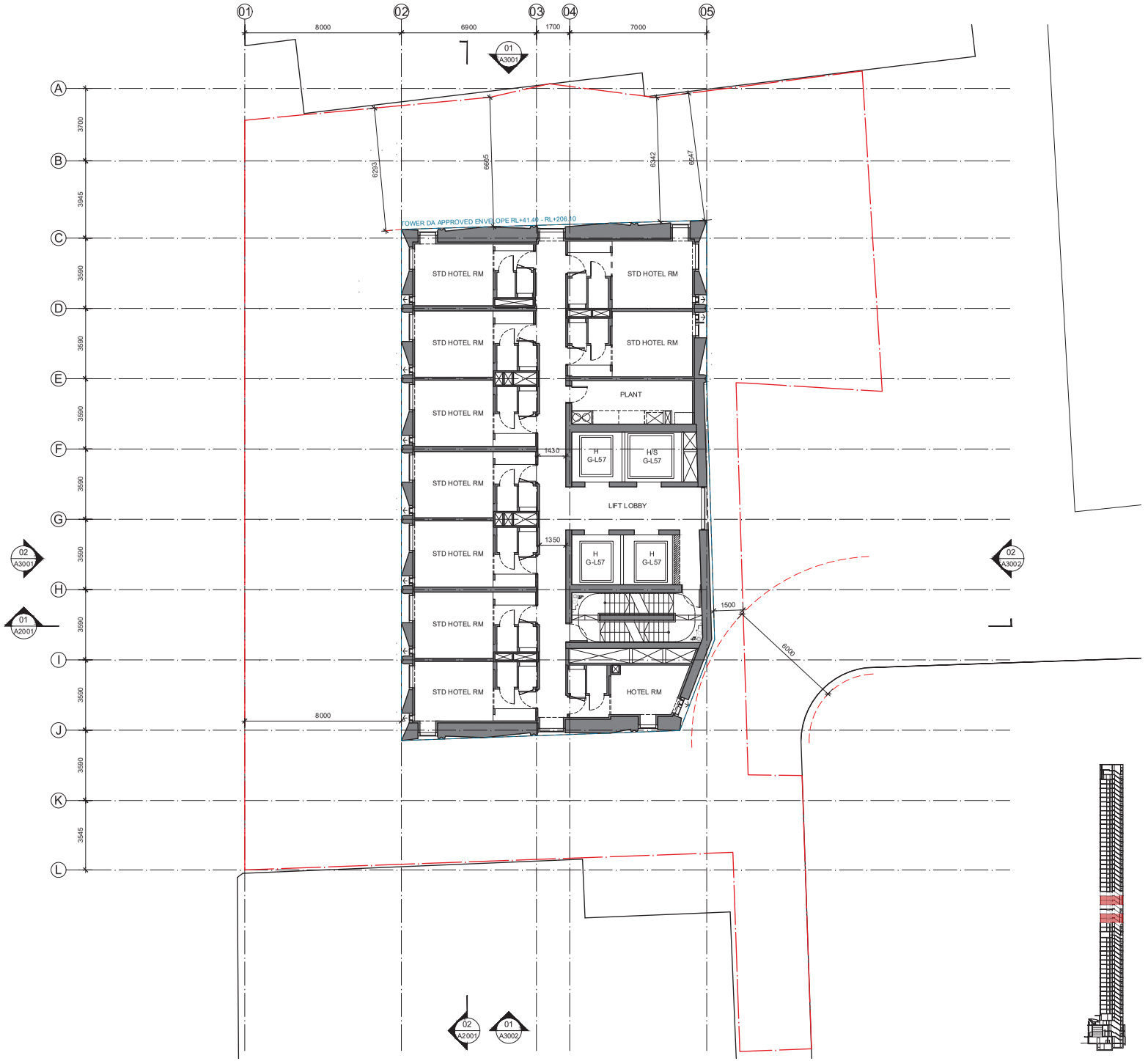

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 25-26, 29-30

DRAWING NUMBER	ISSUE
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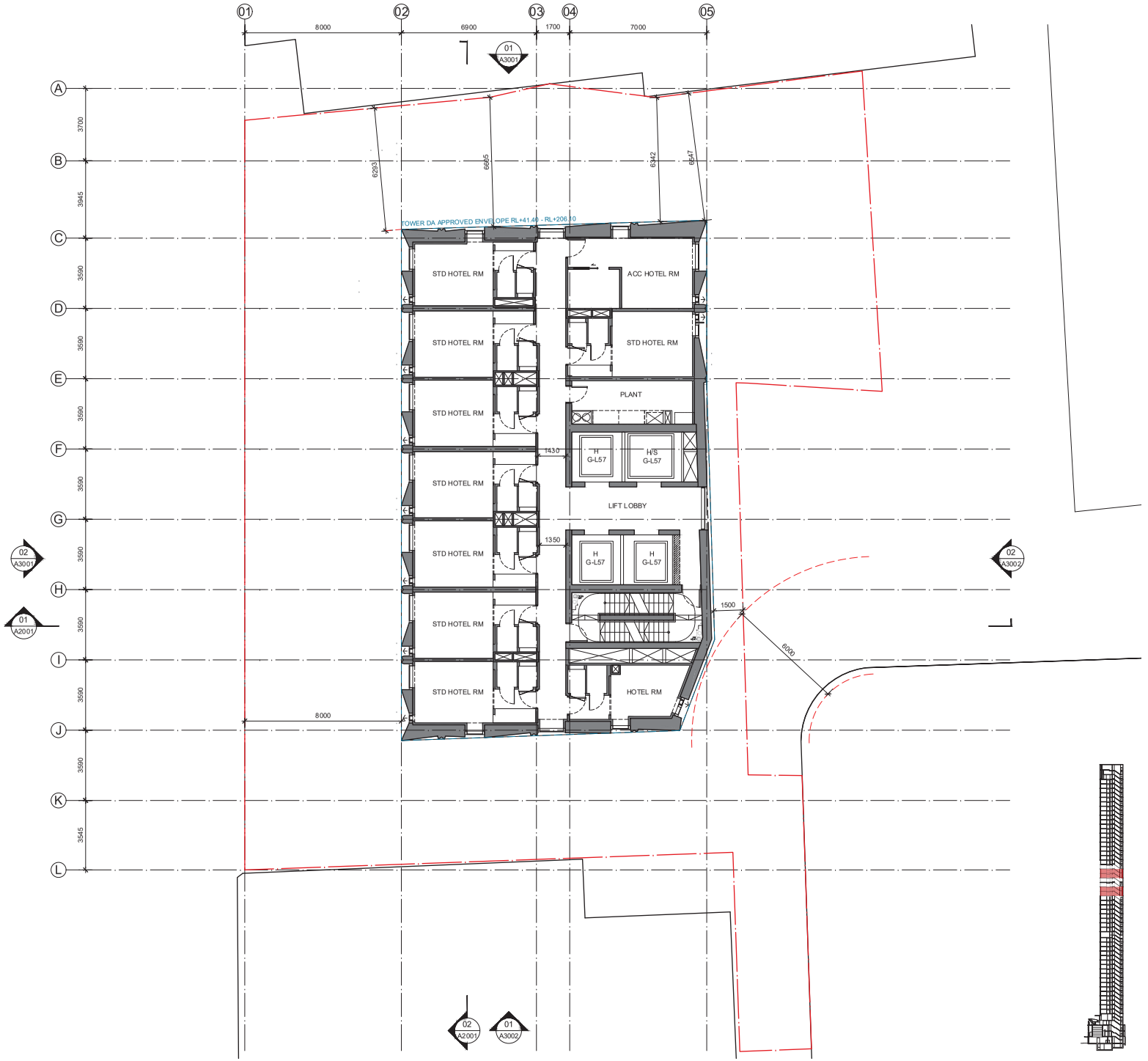

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 31-32, 35-36

DRAWING NUMBER	ISSUE
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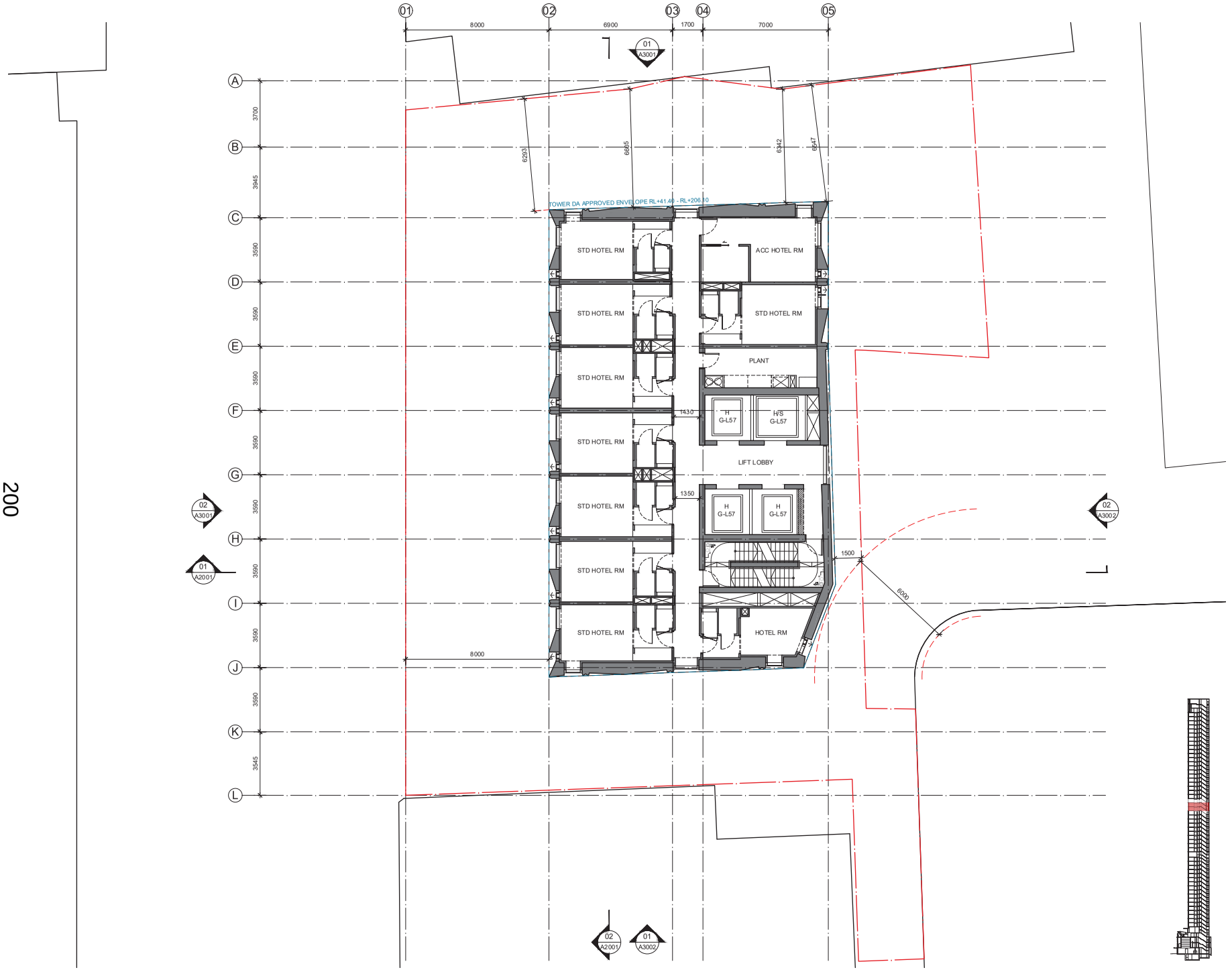

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 33-34

DRAWING NUMBER	ISSUE
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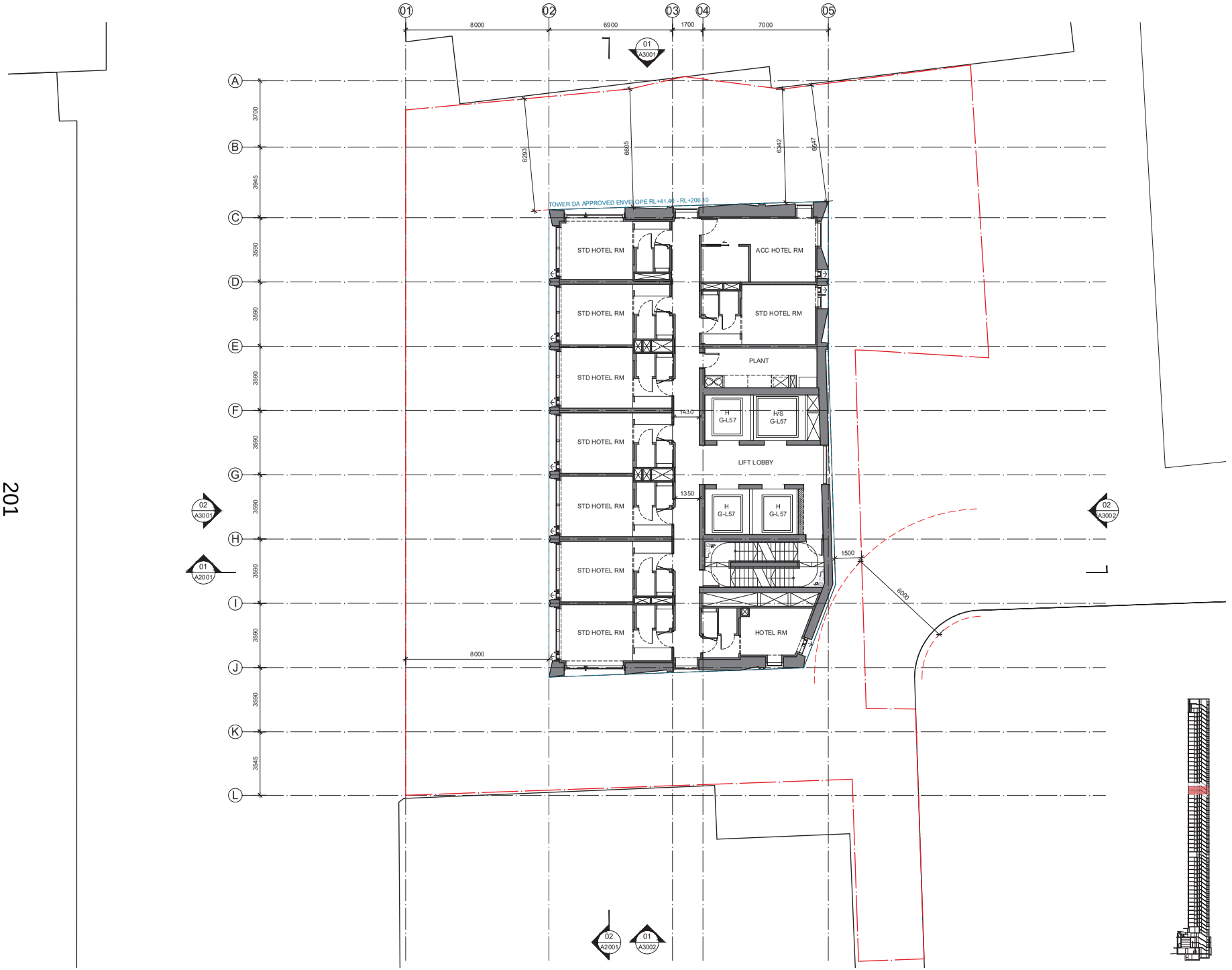

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 37-38

DRAWING NUMBER	ISSUE
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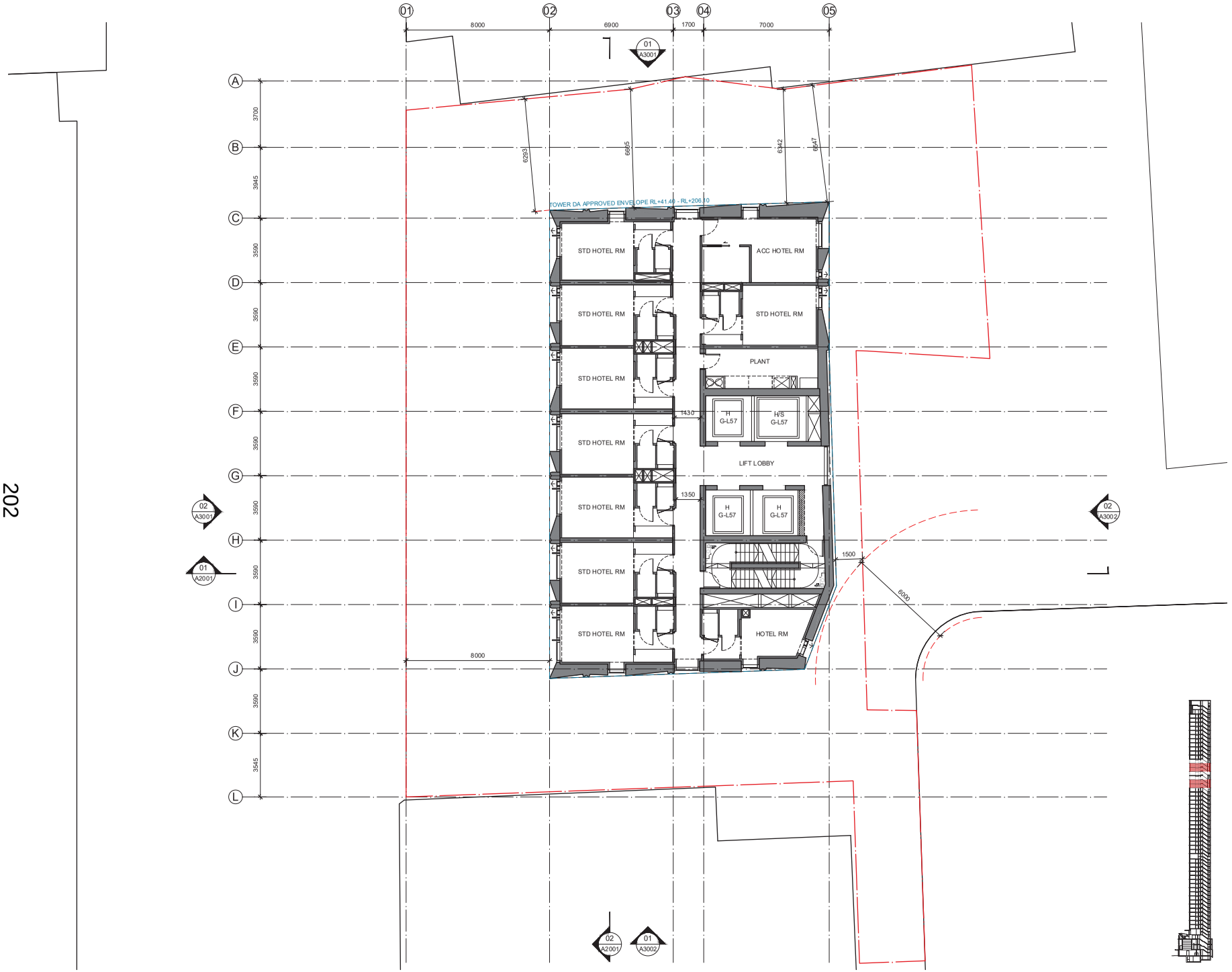

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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 39-40,43-44

DRAWING NUMBER	ISSUE
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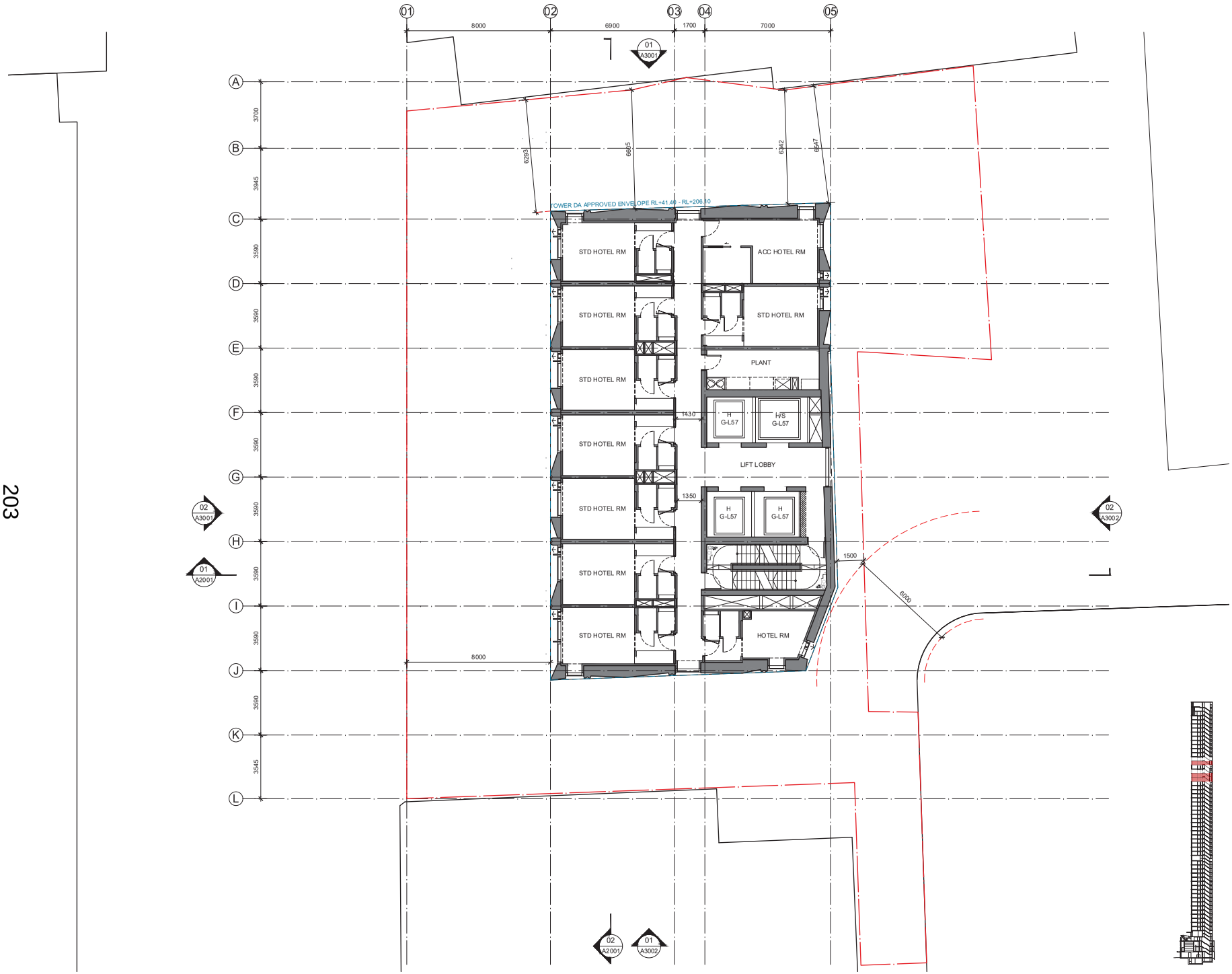

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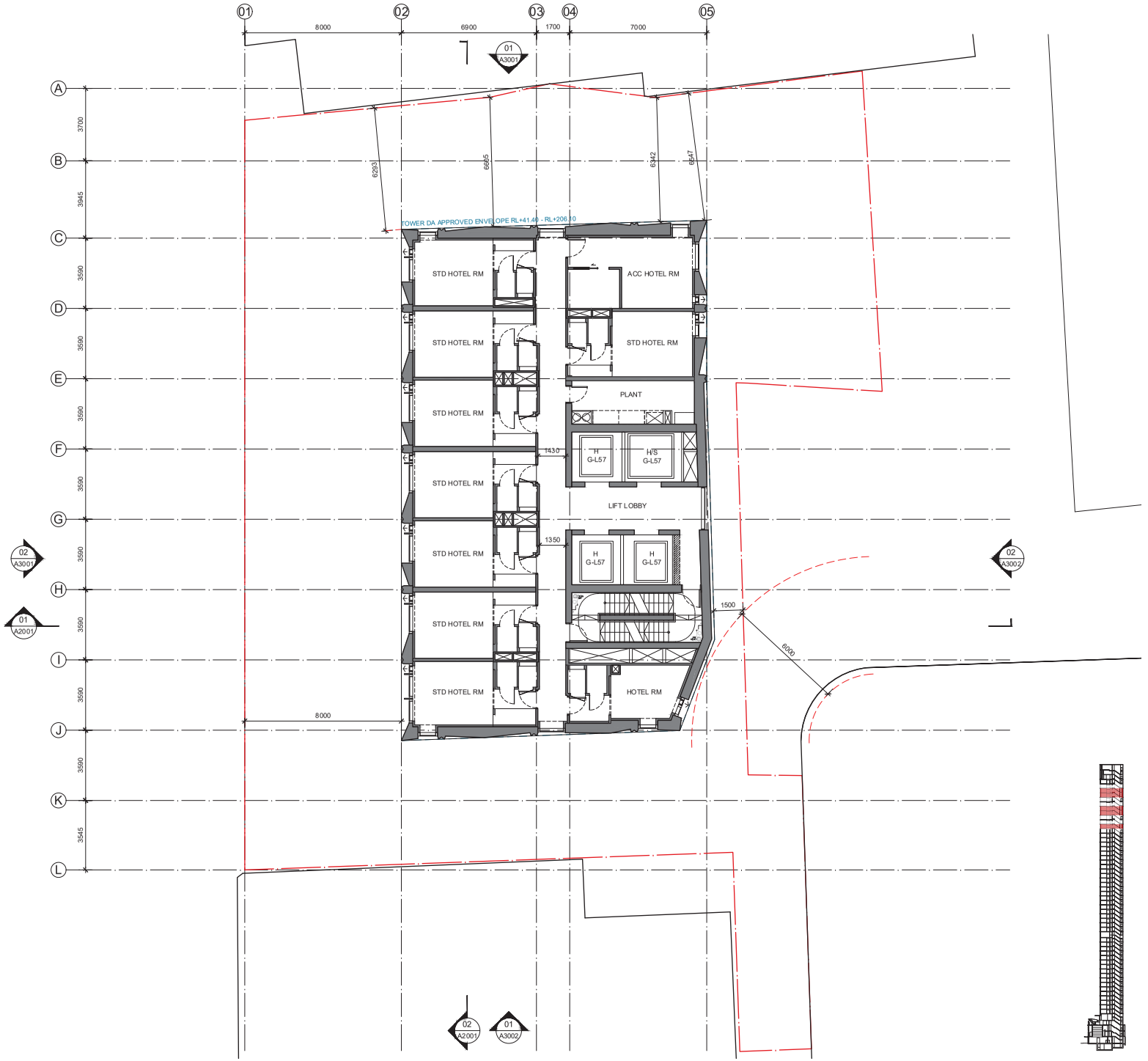
DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 41-42, 45

DRAWING NUMBER	ISSUE
A1410	C



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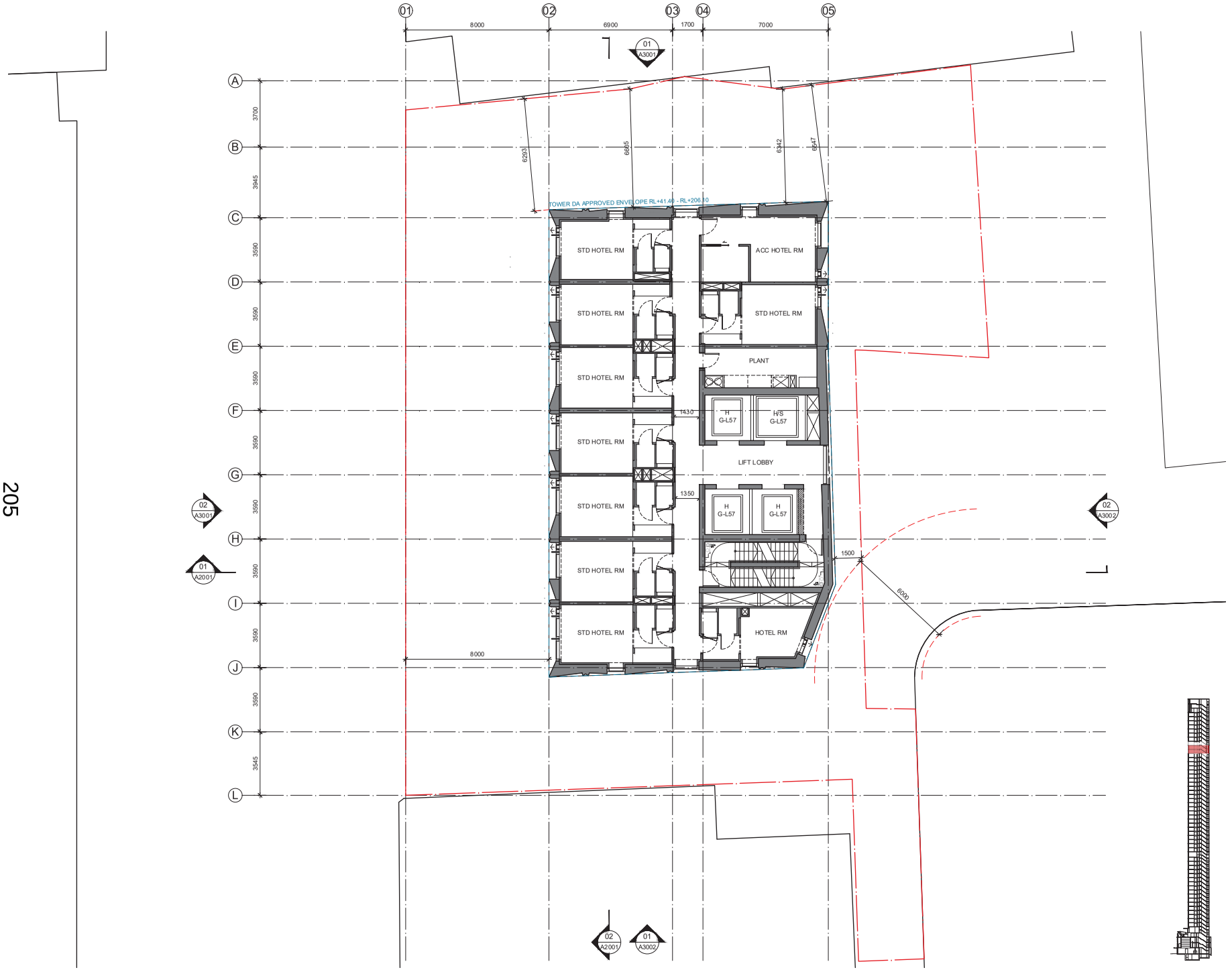
DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 46,49-50

DRAWING NUMBER	ISSUE
A1460	C



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DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 47-48

DRAWING NUMBER	ISSUE
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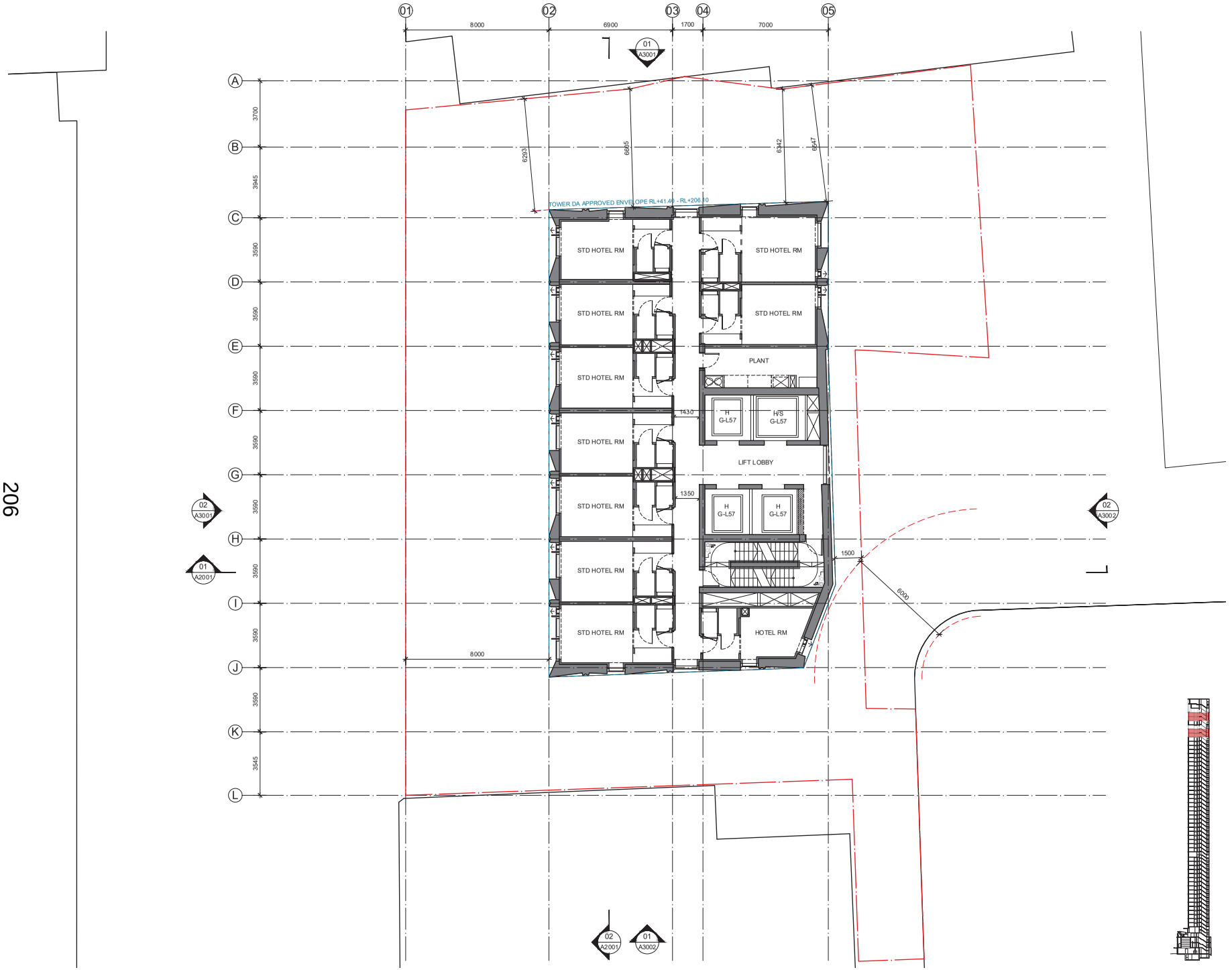

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DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 51-52,55-56

DRAWING NUMBER	ISSUE
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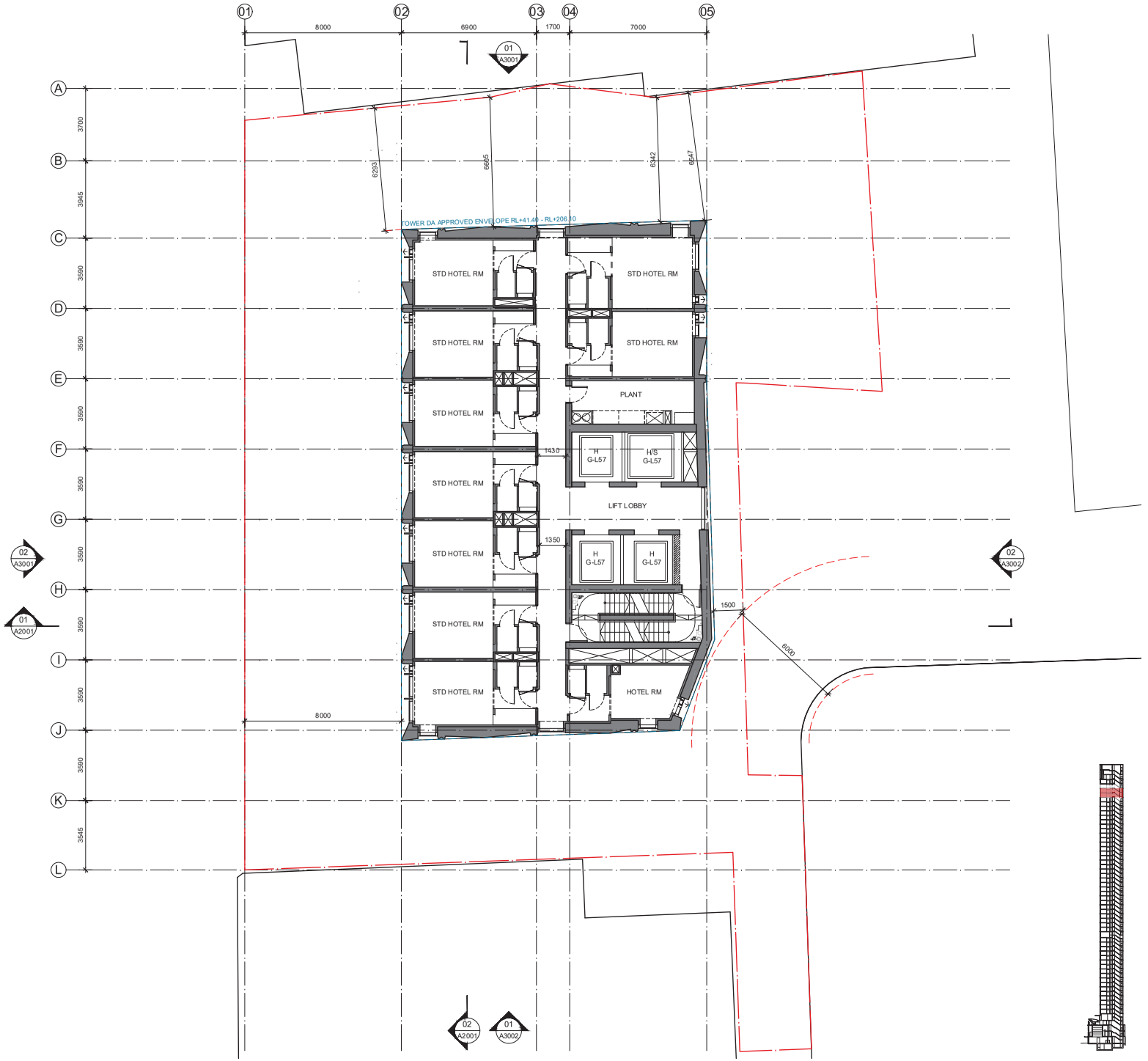

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C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

Well Smart Investment Holding (Bris) Pty Ltd
WELLSMART GROUP
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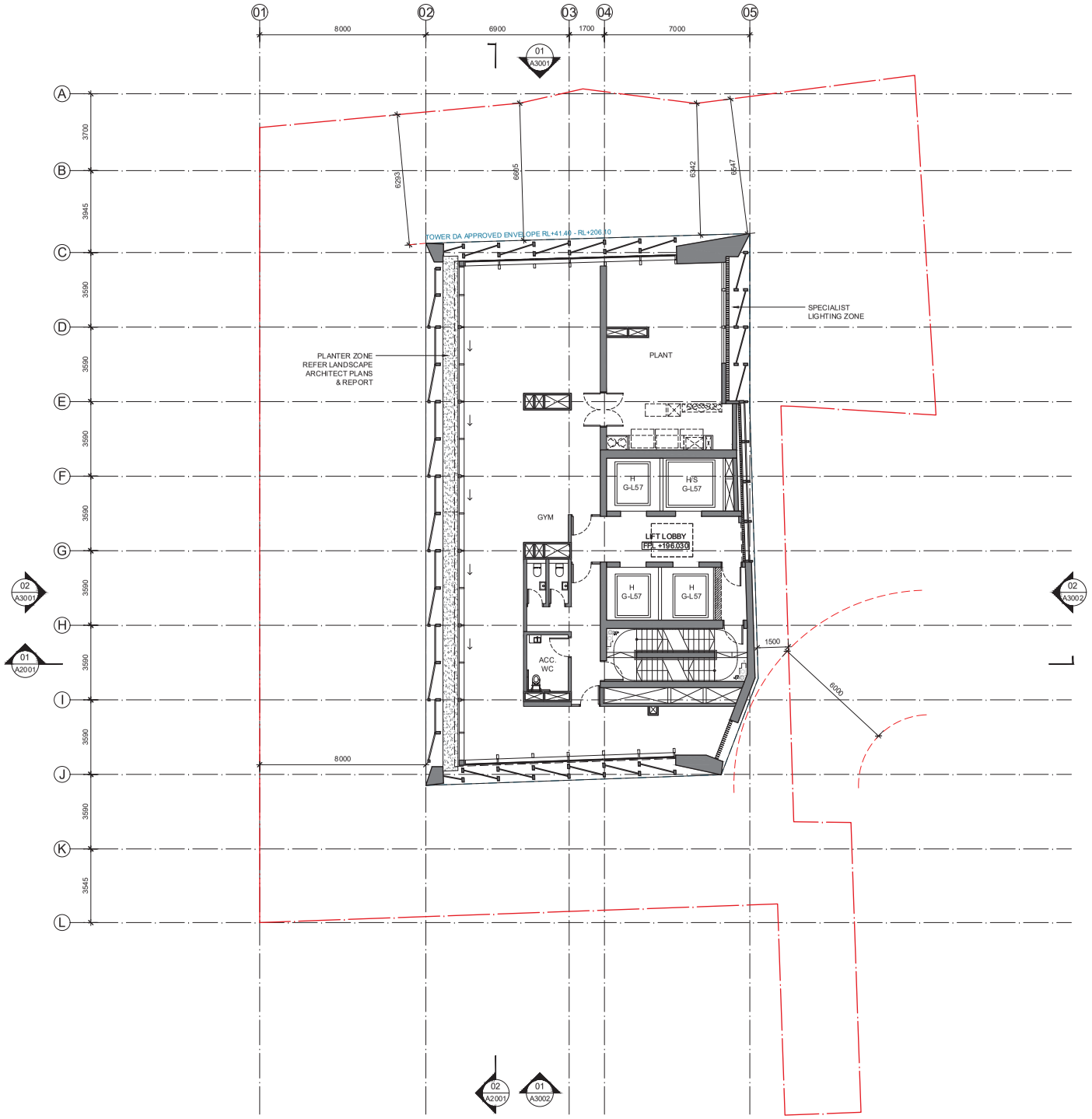
PROJECT	REF
372-382A PITT STREET	633

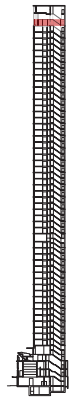
ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 53-54

DRAWING NUMBER	ISSUE
A1530	C





NOTES / LEGEND / MATERIAL

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C	22.11.24	UPDATED DRAWINGS	KHA

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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
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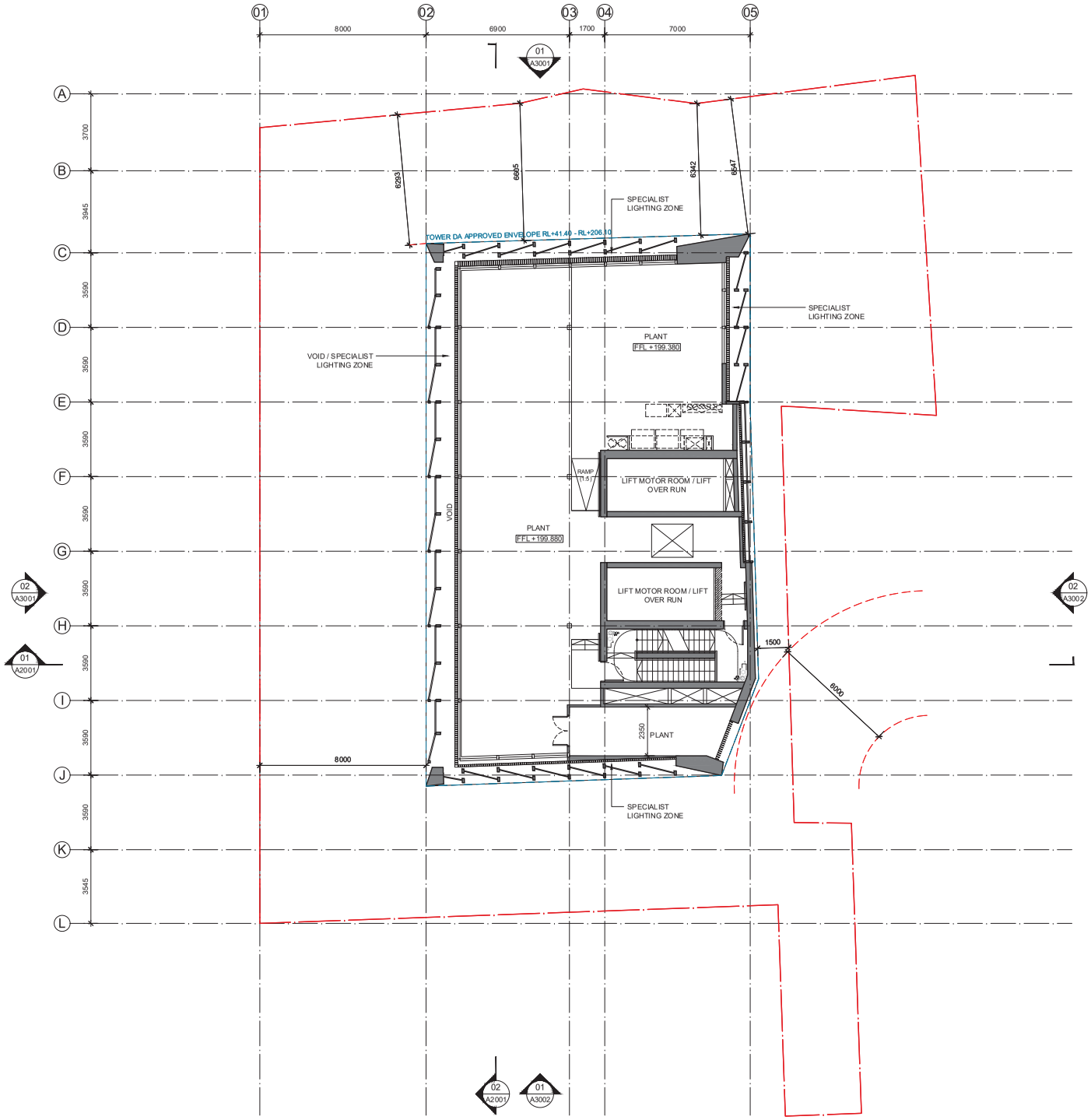
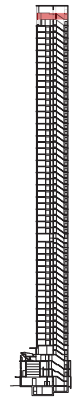
DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 57

DRAWING NUMBER	ISSUE
A1570	C





NOTES / LEGEND / MATERIAL

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A	18.12.23	DEVELOPMENT APPLICATION	KHA
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C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

Well Smart Investment Holding (Bris) Pty Ltd
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PROJECT	REF
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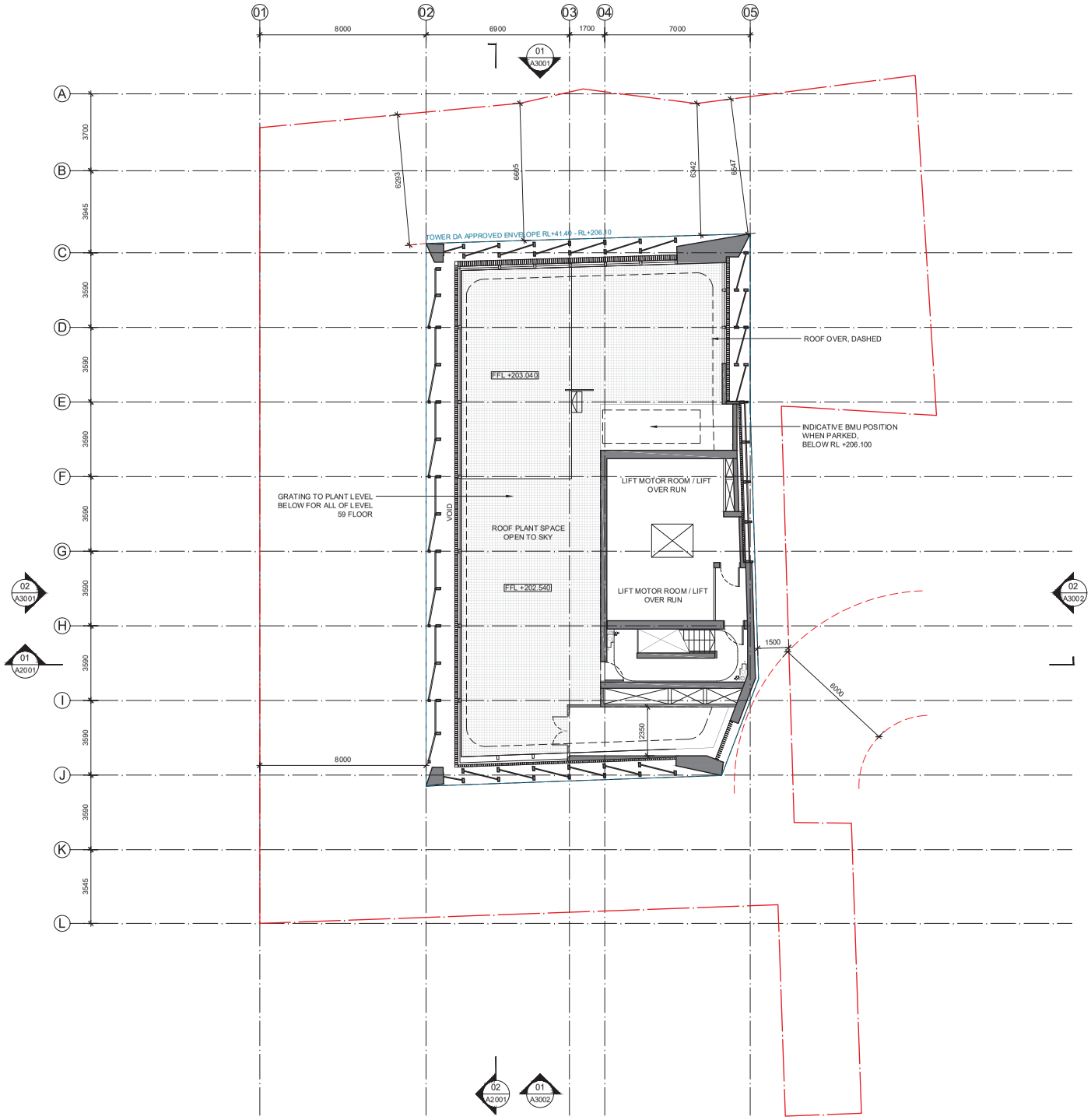
DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 58

DRAWING NUMBER	ISSUE
A1580	C



210

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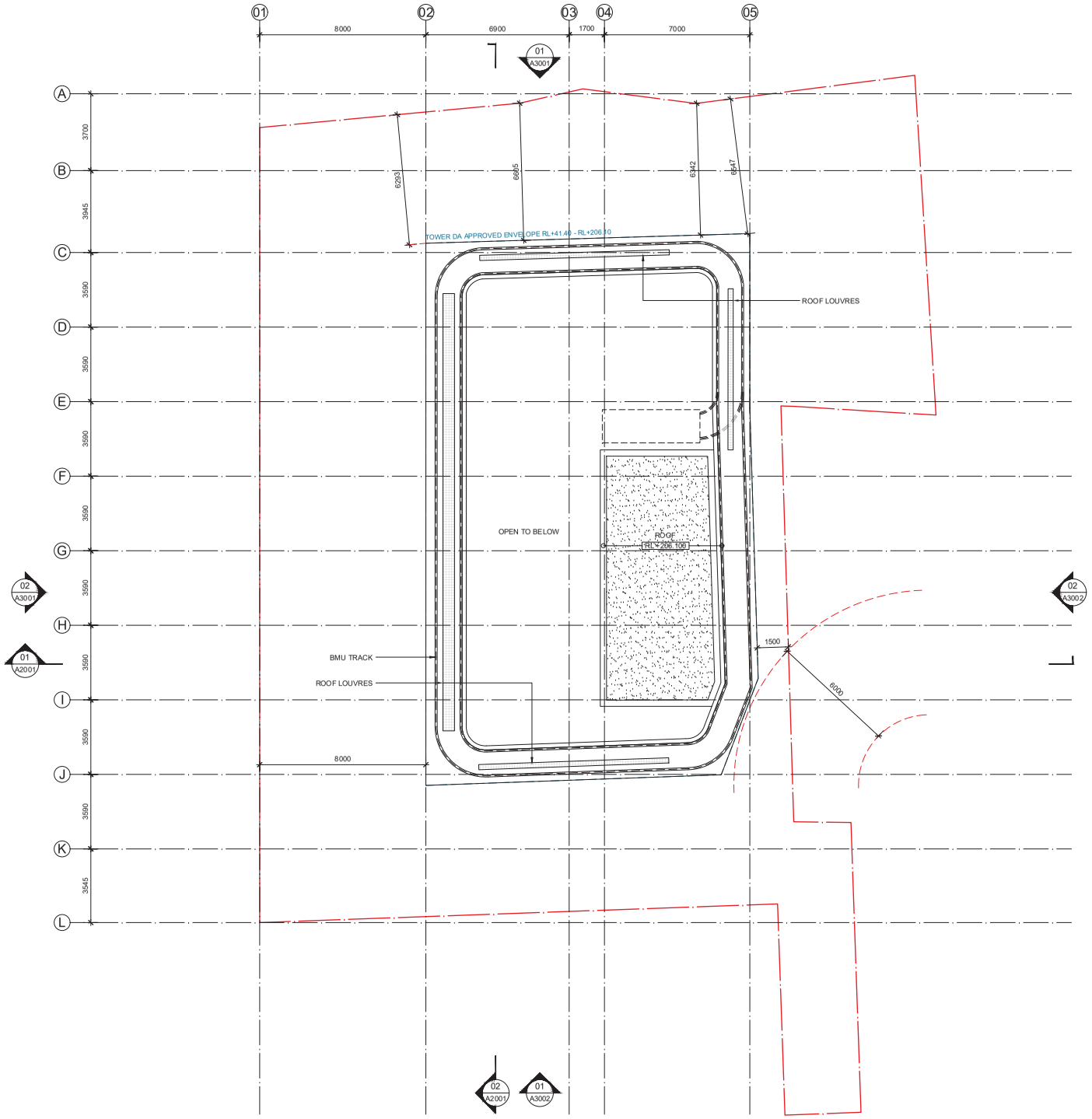
DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 59

DRAWING NUMBER	ISSUE
A1590	C



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PROJECT	REF
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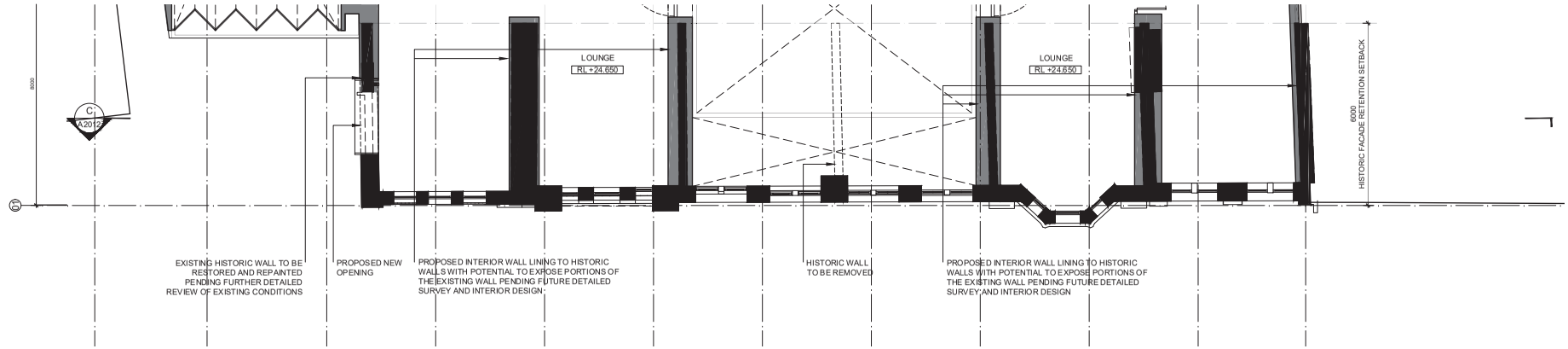
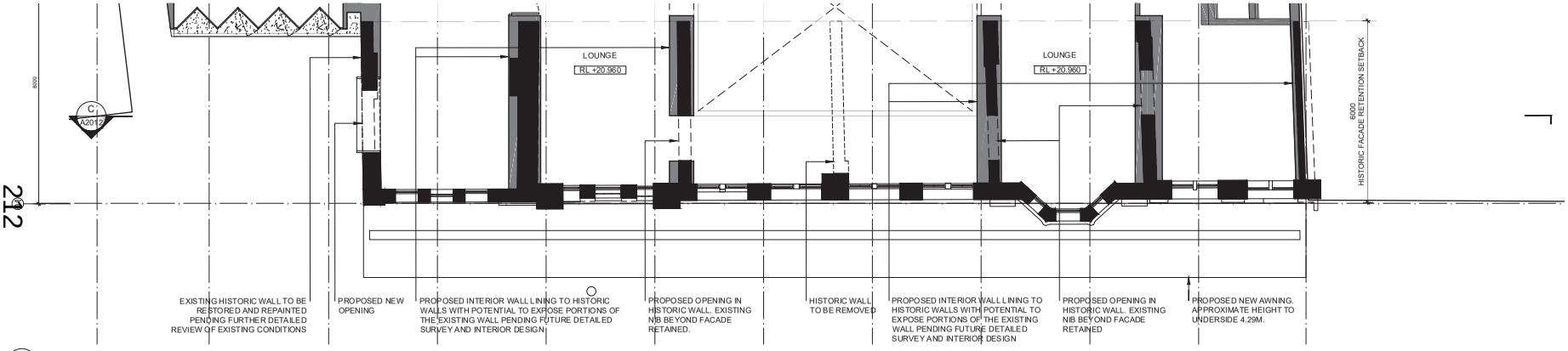
DRAWN	KHA	NORTH
SCALE (@ A1)	1:100	
DATE	22.11.2024	

DRAWING TITLE
PLAN LEVEL 60 - ROOF

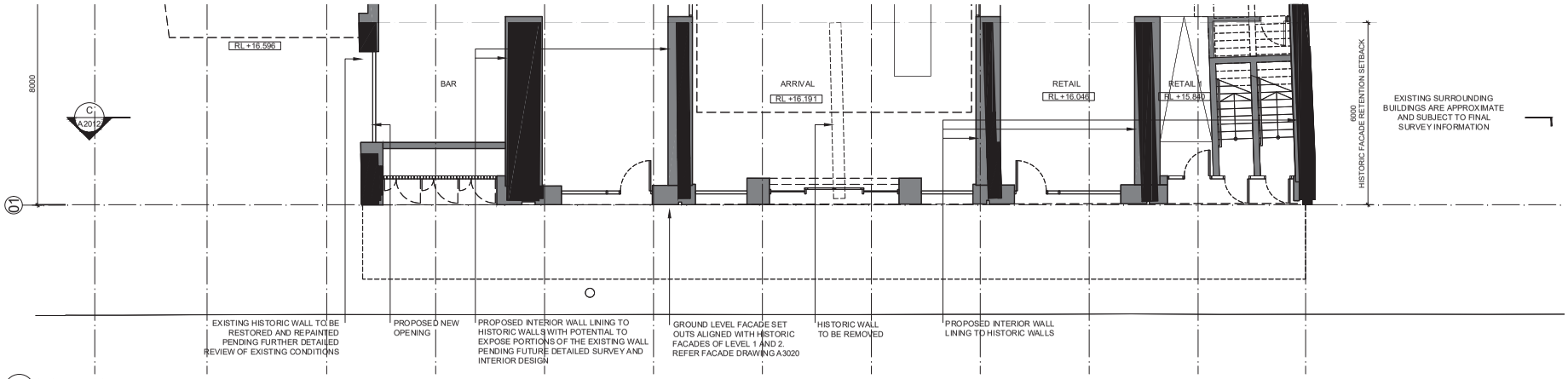
DRAWING NUMBER	ISSUE
A1600	C



3 A1200 LEVEL 2 - PART PLAN DETAIL 1:75



2 A1200 LEVEL 1 - PART PLAN DETAIL 1:75



1 A1200 GROUND FLOOR - PART PLAN DETAIL 1:75

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C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

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PROJECT	REF
372-382A PITT STREET	633

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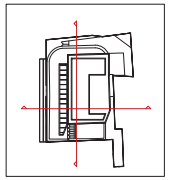
DRAWN	KHA	NORTH
SCALE (@ A1)	1:75	
DATE	22.11.2024	

DRAWING TITLE
HISTORIC BUILDING PART PLANS

DRAWING NUMBER	ISSUE
A1800	C



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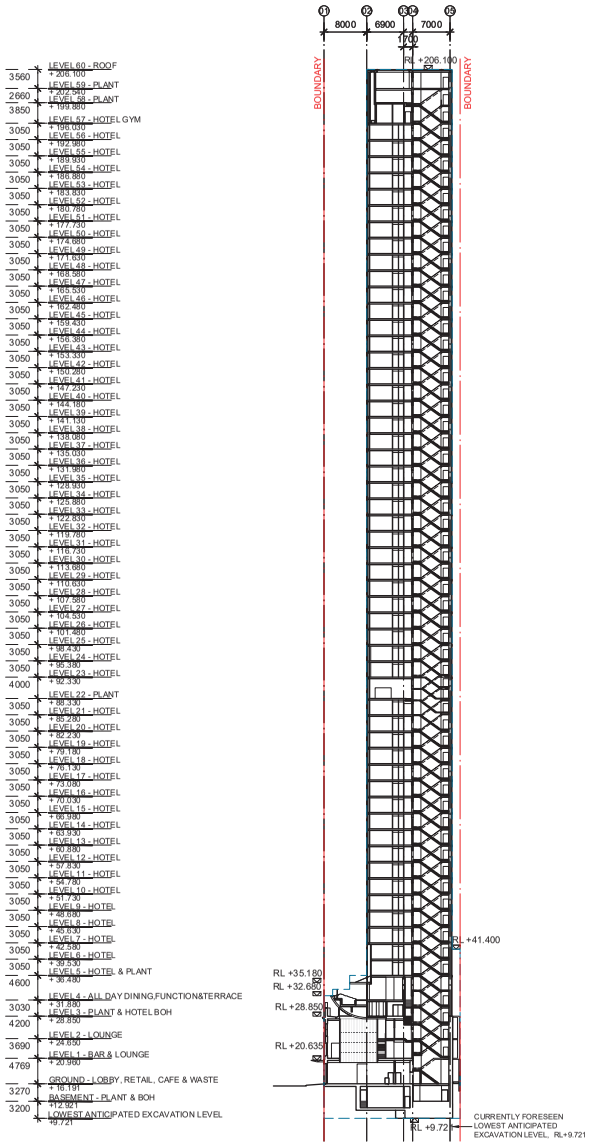
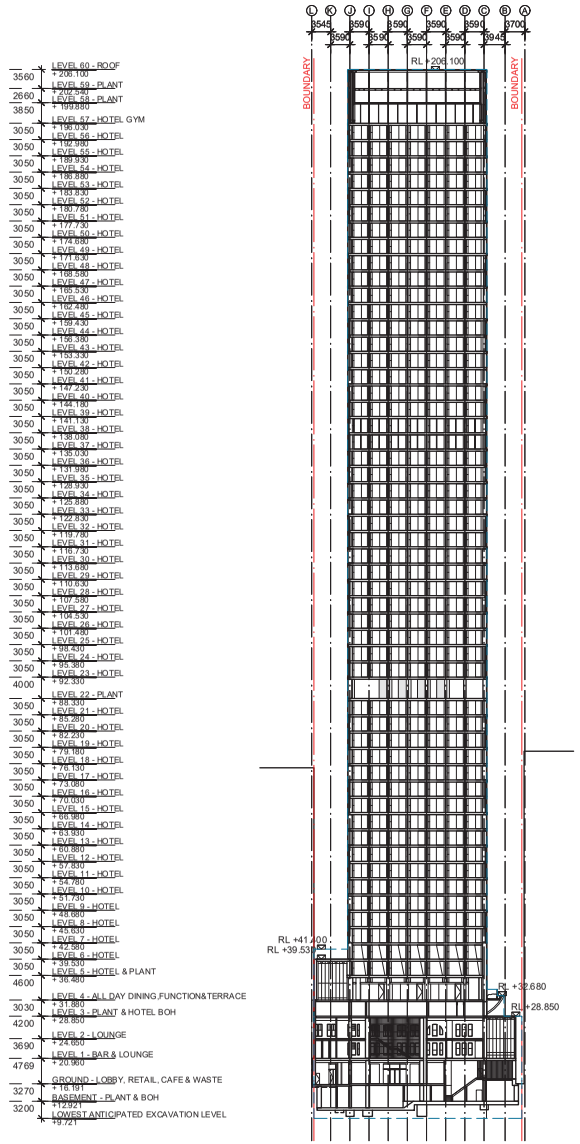


01 SECTION A
A2001 SECTION 1:500



02 SECTION B
A2001 SECTION 1:500

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A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
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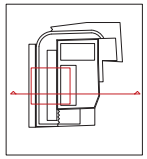
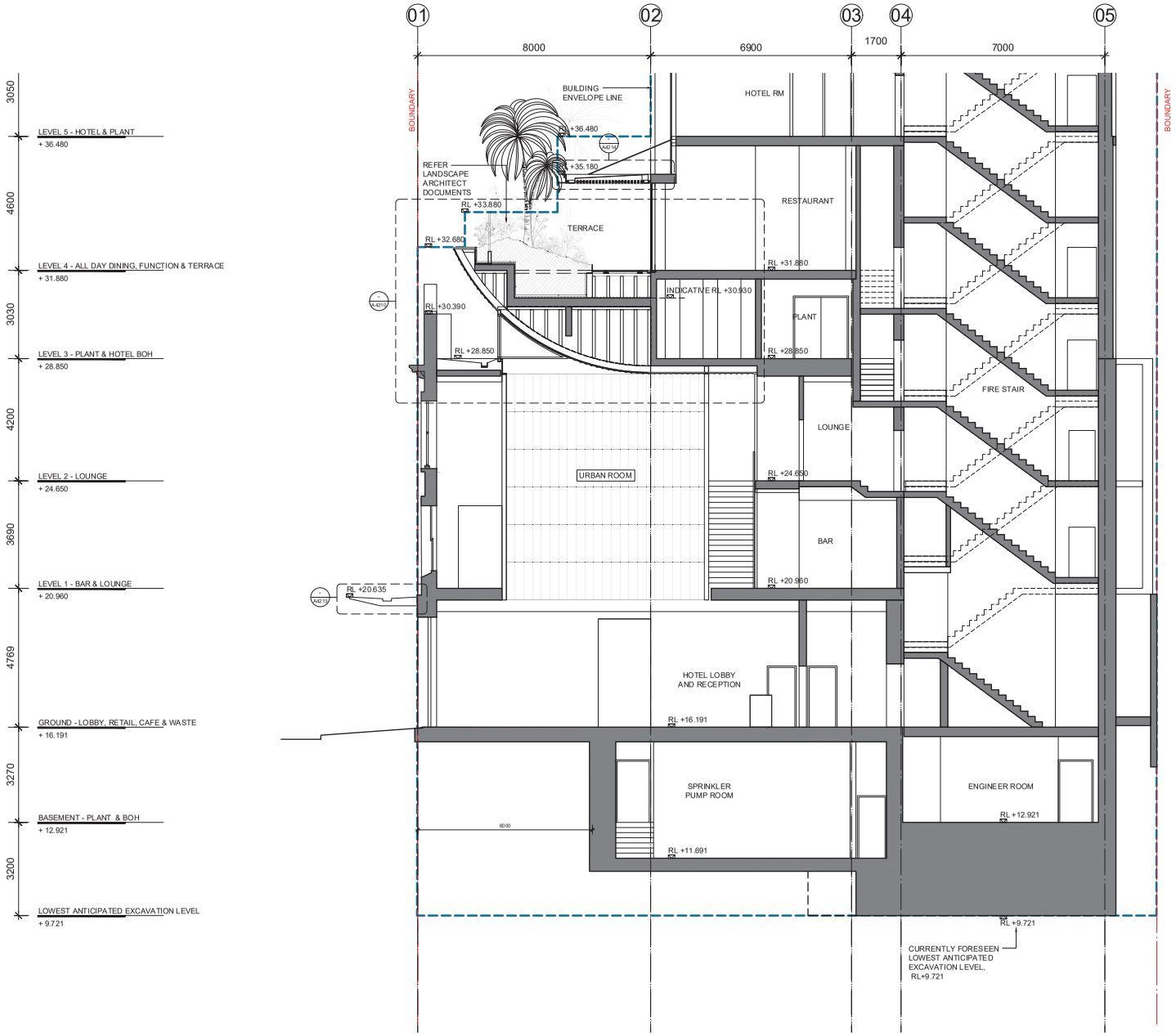
DRAWN	KHA	NORTH
SCALE (@ A1)	1:500	
DATE	22.11.2024	

DRAWING TITLE
SECTION A (East-West) &
SECTION B (North-South)

DRAWING NUMBER	ISSUE
A2001	C





214

NOTES / LEGEND / MATERIAL

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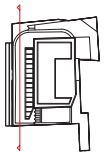
DRAWN	KHA	NORTH
SCALE (@ A1)	1:75	
DATE	22.11.2024	

DRAWING TITLE
DETAILED SECTION
URBAN ROOM

DRAWING NUMBER	ISSUE
A2010	C





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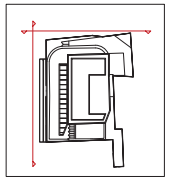
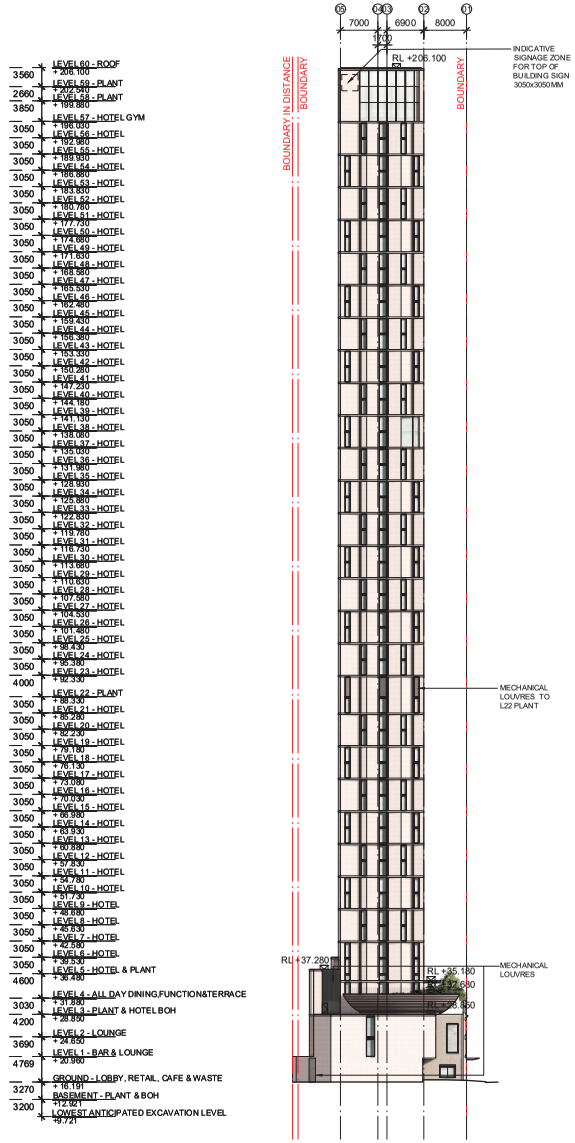
DRAWN	KHA	NORTH
SCALE (@ A1)	1:75	
DATE	22.11.2024	

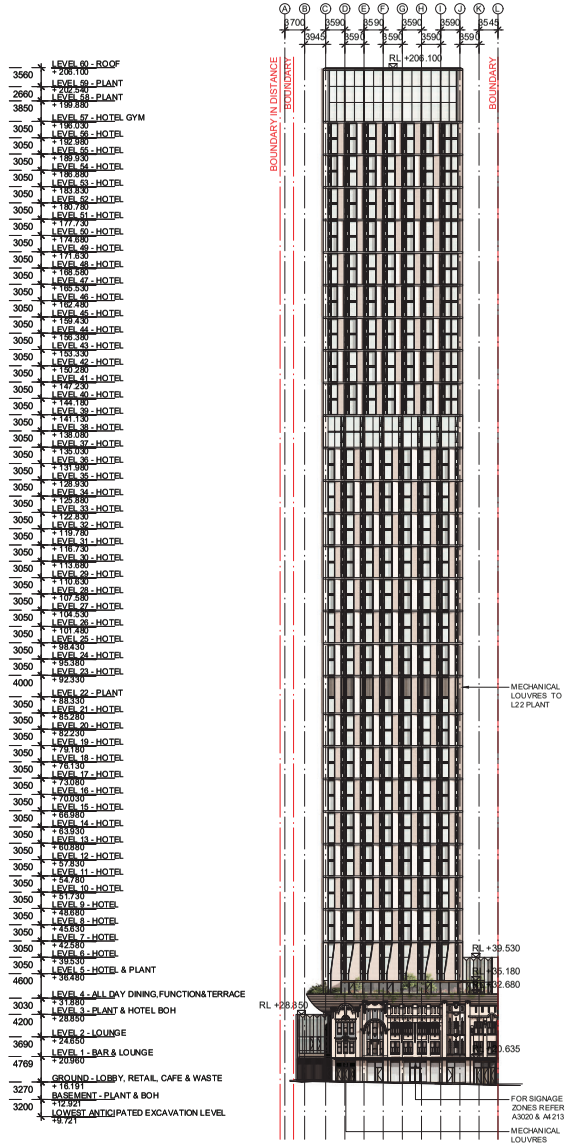
DRAWING TITLE
DETAILED SECTION
HISTORIC FACADE - PROPOSED

DRAWING NUMBER	ISSUE
A2012	C





01 NORTH ELEVATION
A3001 ELEVATION 1:500



02 WEST ELEVATION
A3001 ELEVATION 1:500

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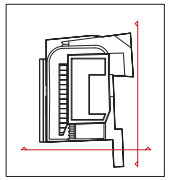
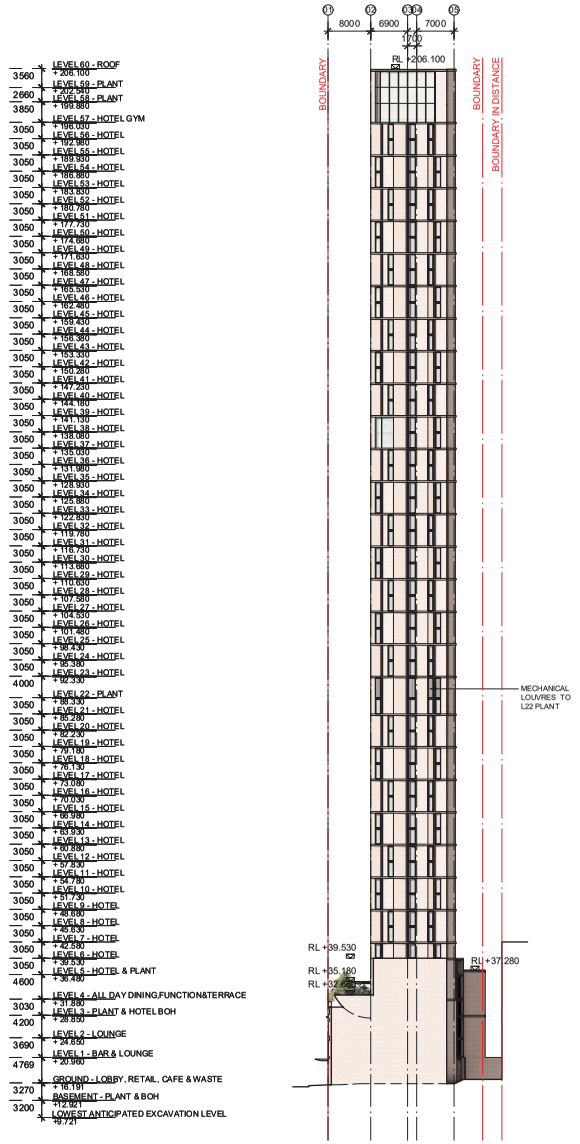
DRAWN	KHA	NORTH
SCALE (@ A1)	1:500	
DATE	22.11.2024	

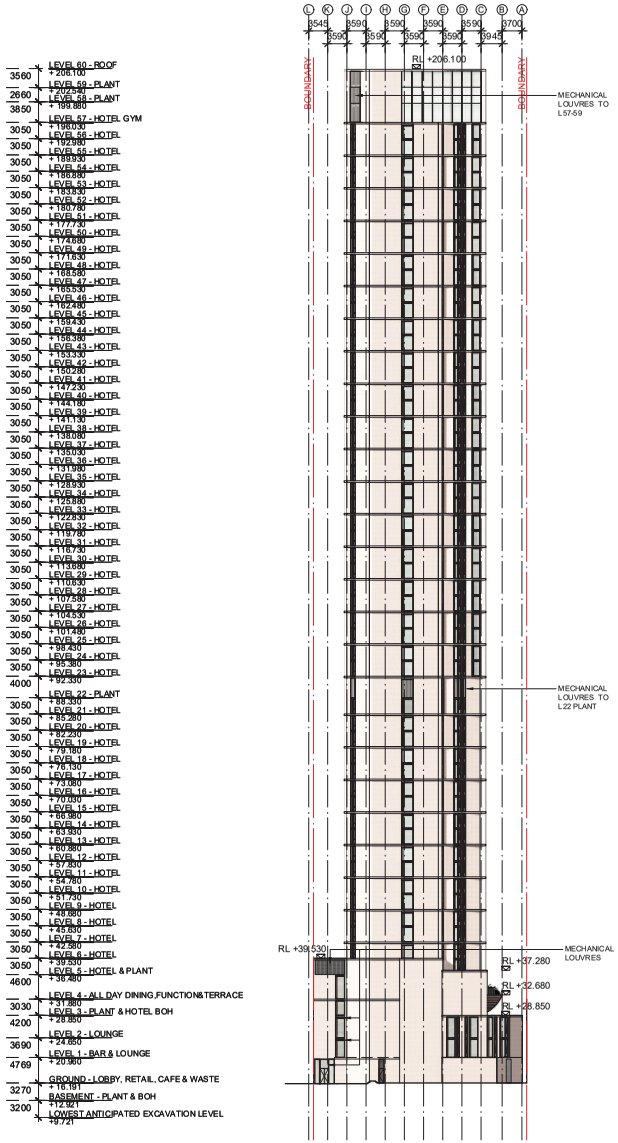
DRAWING TITLE
NORTH ELEVATION &
WEST ELEVATION

DRAWING NUMBER	ISSUE
A3001	C





01 A3002 SOUTH ELEVATION
ELEVATION 1:500



02 A3002 EAST ELEVATION
ELEVATION 1:500

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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

Well Smart Investment Holding (Bris) Pty Ltd
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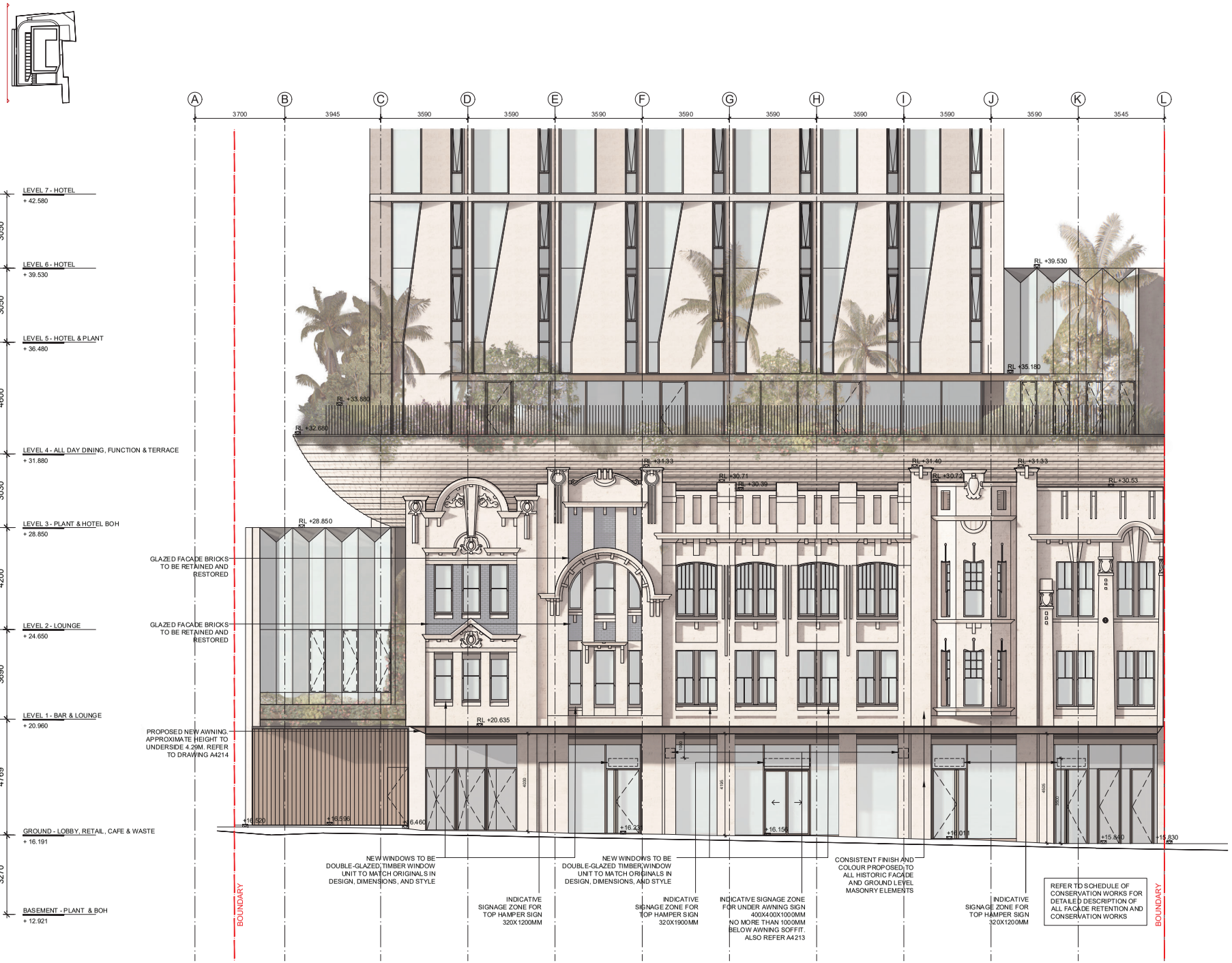
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)	1:500	
DATE	22.11.2024	

DRAWING TITLE
SOUTH ELEVATION &
EAST ELEVATION

DRAWING NUMBER	ISSUE
A3002	C



218

NOTES / LEGEND / MATERIAL

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C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)	1:75	
DATE	22.11.2024	

DRAWING TITLE
DETAILED STREET ELEVATION
PITT STREET

DRAWING NUMBER	ISSUE
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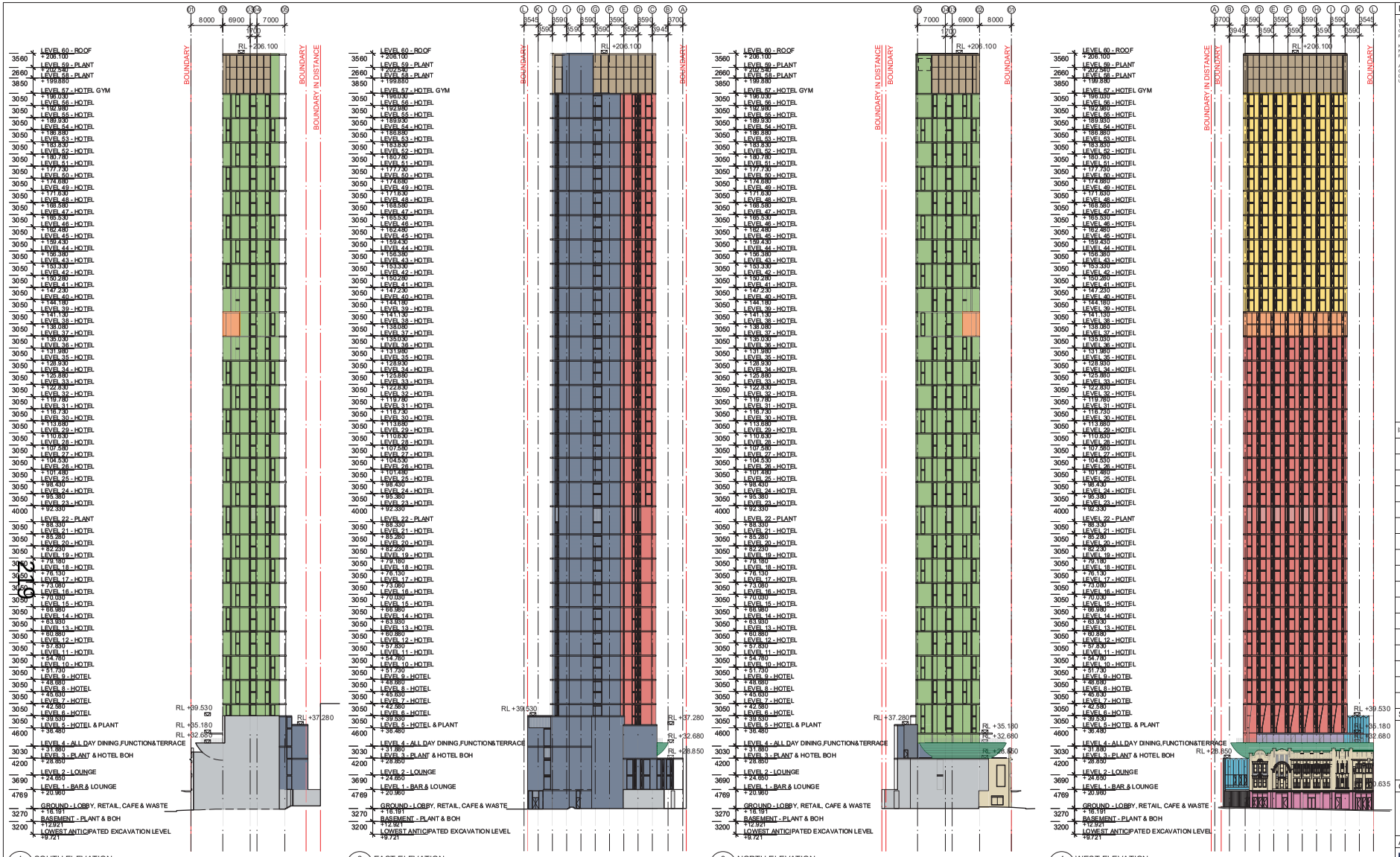

FACADE TYPE LEGEND:

- FACADE TYPE 1: TOWER - TYPICAL LOW LEVEL
- FACADE TYPE 2: TOWER - MID-LEVEL EXPRESSION
- FACADE TYPE 3: TOWER - TYPICAL HIGH LEVEL
- FACADE TYPE 4: TOWER - TOP-LEVEL EXPRESSION
- FACADE TYPE 5: TYPICAL NORTH AND SOUTH BLADE WALLS
- FACADE TYPE 6: PODIUM - LANDSCAPE VESSEL
- FACADE TYPE 7: PODIUM - FACETED GLAZED FACADE AND ROOF
- FACADE TYPE 8: TOWER/PODIUM - TYPICAL EAST TOWER AND LOW LEVEL PODIUM
- FACADE TYPE 9: PODIUM - TYPICAL GROUND LEVEL FACADE AND AWNING
- FACADE TYPE 10: PODIUM - TYPICAL LEVEL 4 FACADE AND AWNING
- RETAINED AND RESTORED EXISTING HISTORIC FABRIC
- WALLS ALONG SITE BOUNDARY

NOTES / LEGEND / MATERIAL

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STATUS

DEVELOPMENT APPLICATION

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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)	1:500	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE OVERVIEW

DRAWING NUMBER	ISSUE
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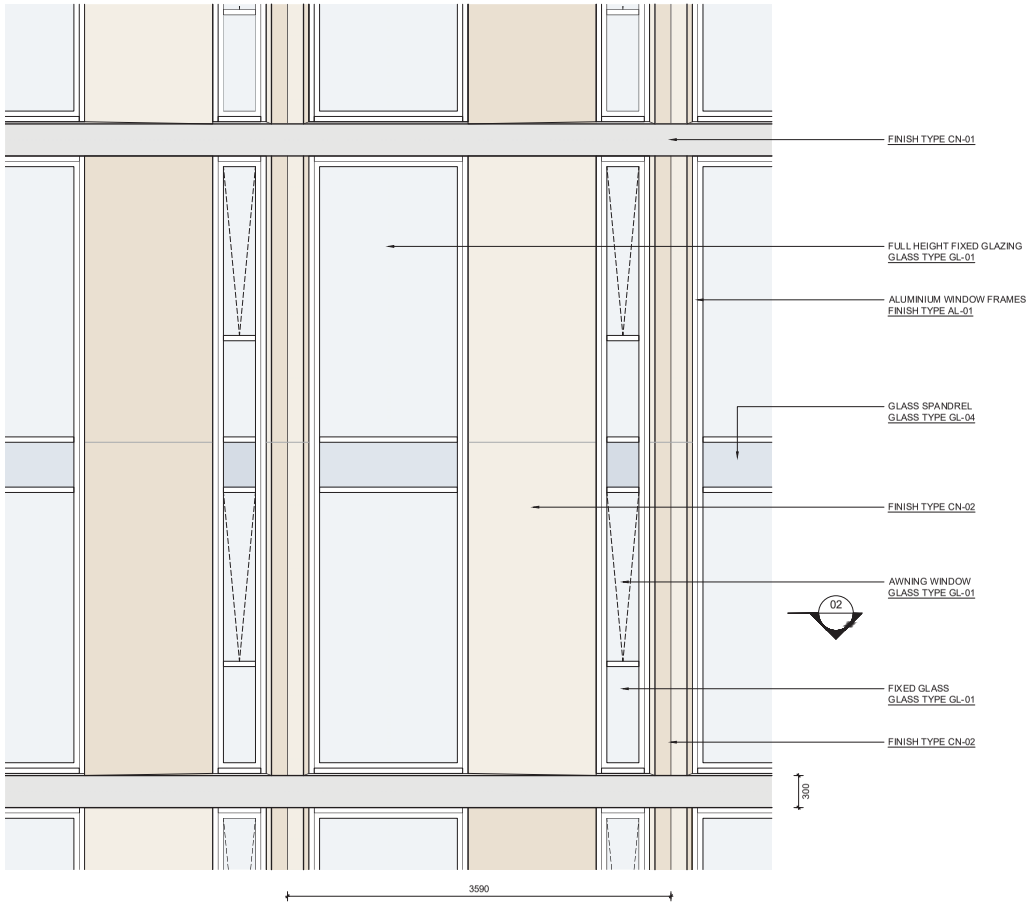
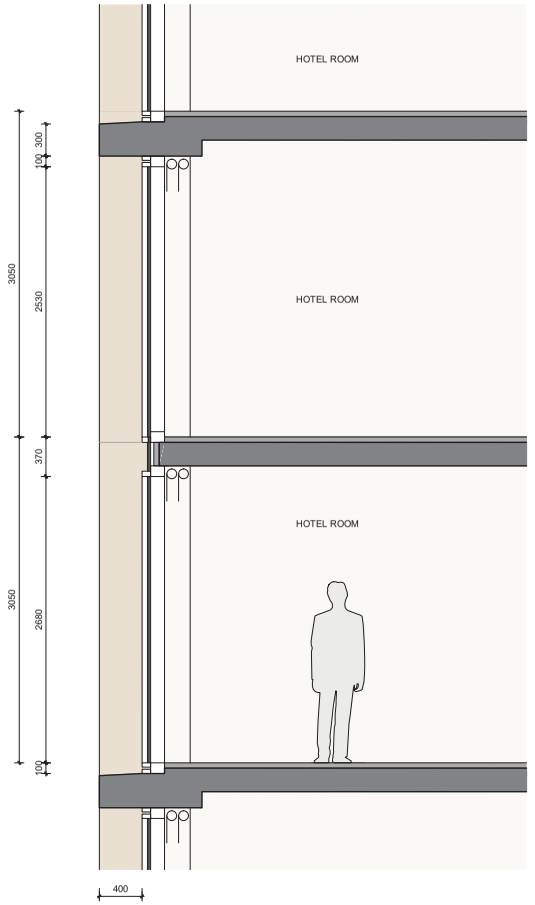
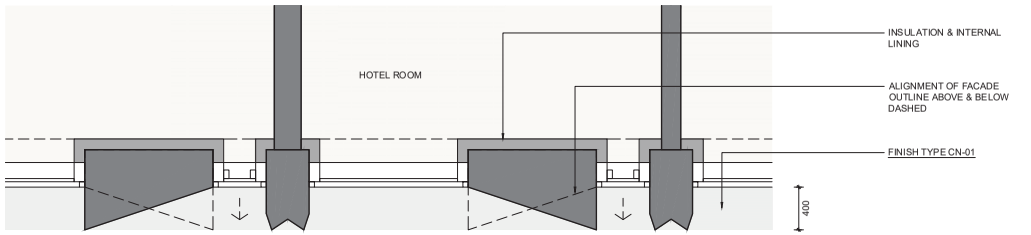


01 / - ELEVATION - WEST FACADE DETAIL 1:25@A1



03 / - SECTION - TYPICAL HOTEL DETAIL 1:25@A1



02 / - PLAN - WEST FACADE TYPE 1 DETAIL 1:25@A1

NOTES / LEGEND / MATERIAL

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NOTE:
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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

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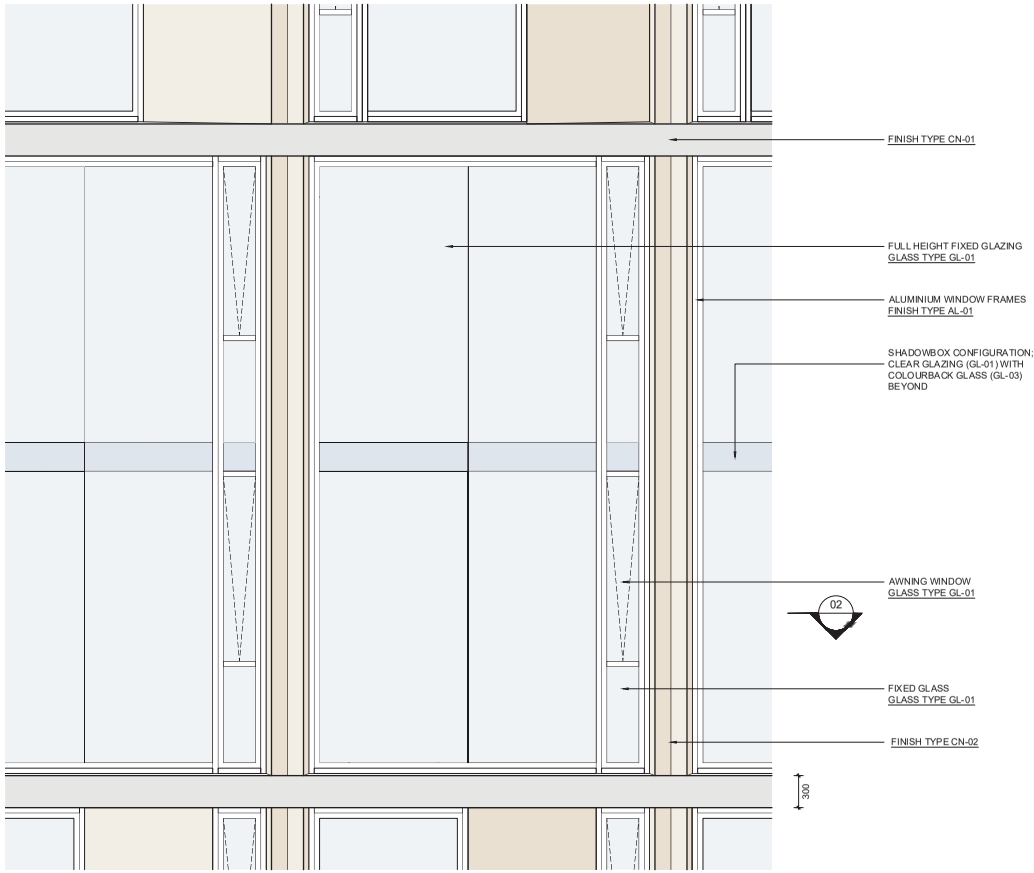
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

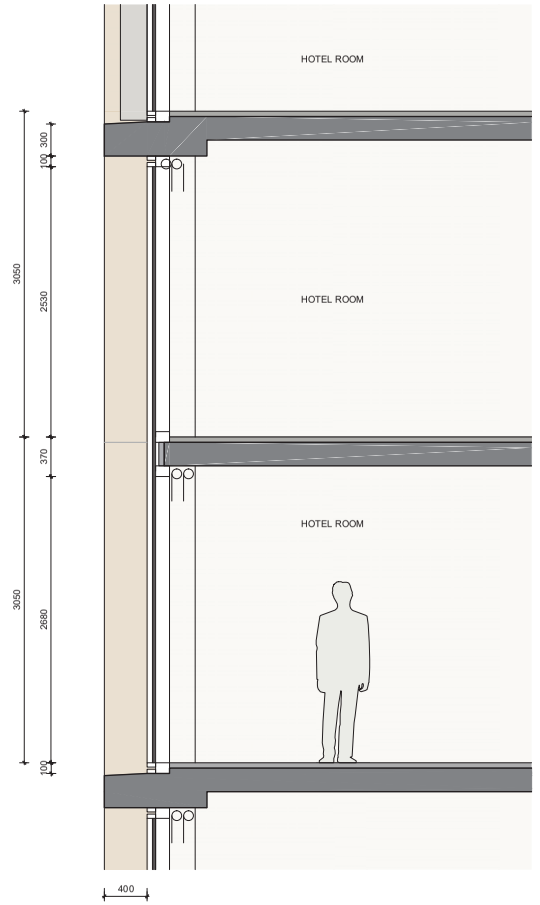
DRAWN	KHA	NORTH
SCALE (@ A1)	1:25	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 1: TOWER
TYPICAL LOW LEVEL

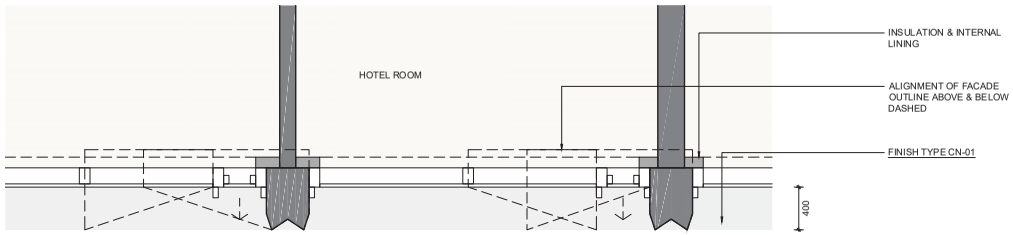
DRAWING NUMBER	ISSUE
A4200	C



01 - ELEVATION - WEST FACADE DETAIL 1:25@A1



03 - SECTION - TYPICAL HOTEL DETAIL 1:25@A1



02 - PLAN - WEST FACADE TYPE 2 DETAIL 1:25@A1

221

NOTES / LEGEND / MATERIAL

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NOTE:
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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

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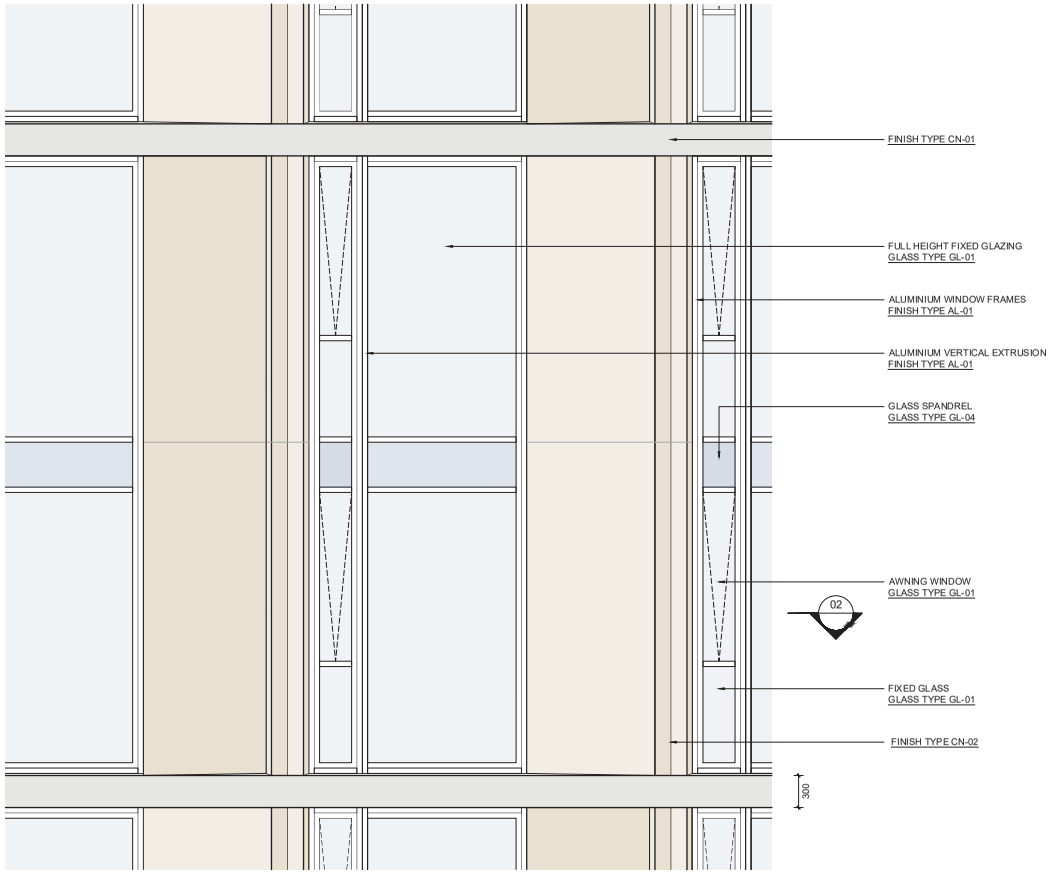
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

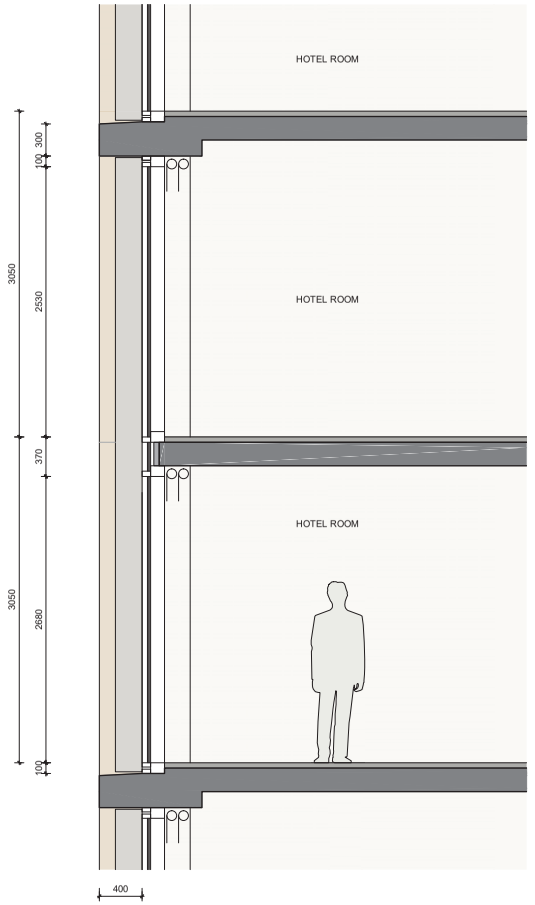
DRAWN	KHA	NORTH
SCALE (@ A1)	1:25	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 2: TOWER
MID-LEVEL EXPRESSION

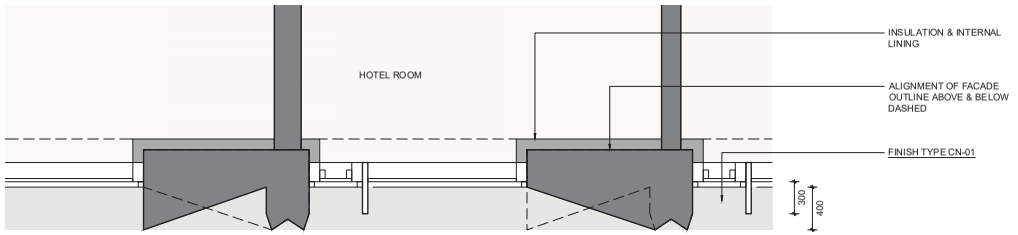
DRAWING NUMBER	ISSUE
A4201	C



01 / - ELEVATION - WEST FACADE DETAIL 1:25@A1



03 / - SECTION - TYPICAL HOTEL DETAIL 1:25@A1



02 / - PLAN - WEST FACADE TYPE 3 DETAIL 1:25@A1

NOTES / LEGEND / MATERIAL

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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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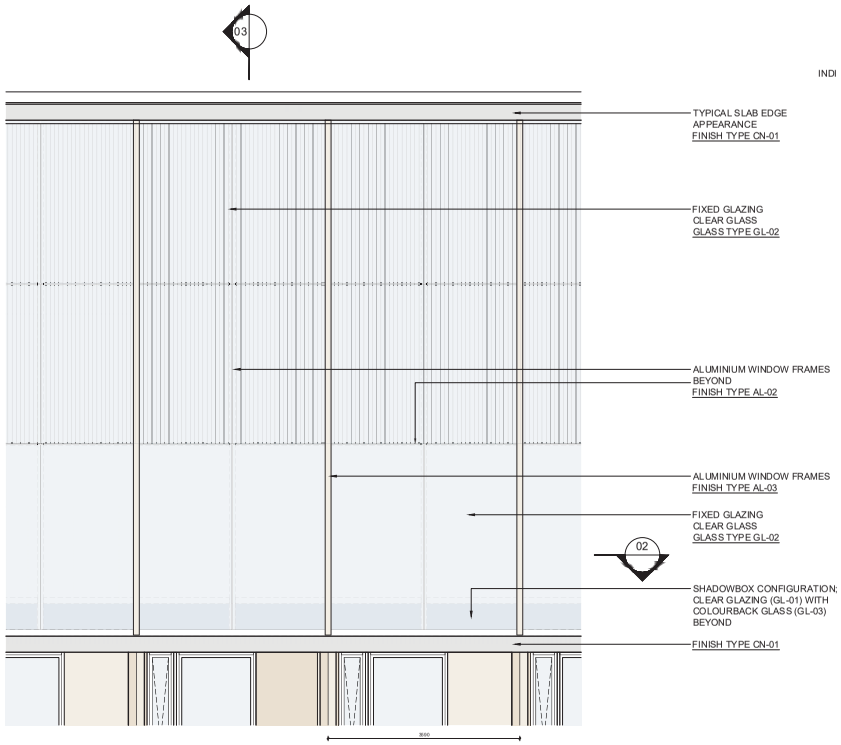
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

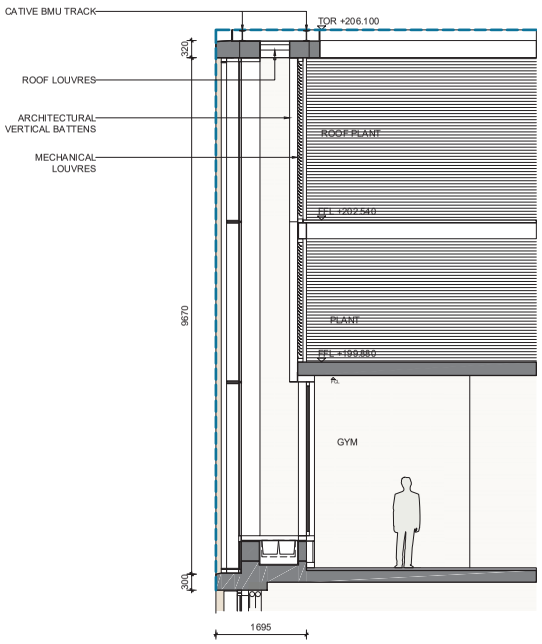
DRAWN	KHA	NORTH
SCALE (@ A1)	1:25	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 3: TOWER
TYPICAL HIGH LEVEL

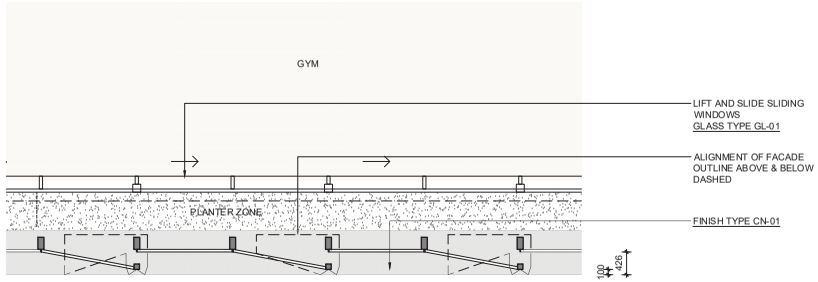
DRAWING NUMBER	ISSUE
A4202	C



01 - ELEVATION - WEST FACADE DETAIL 1:50@A1



03 - SECTION - TOP LEVEL EXPRESSION DETAIL 1:50@A1



02 - PLAN - WEST FACADE TYPE 4 DETAIL 1:50@A1

NOTES / LEGEND / MATERIAL

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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

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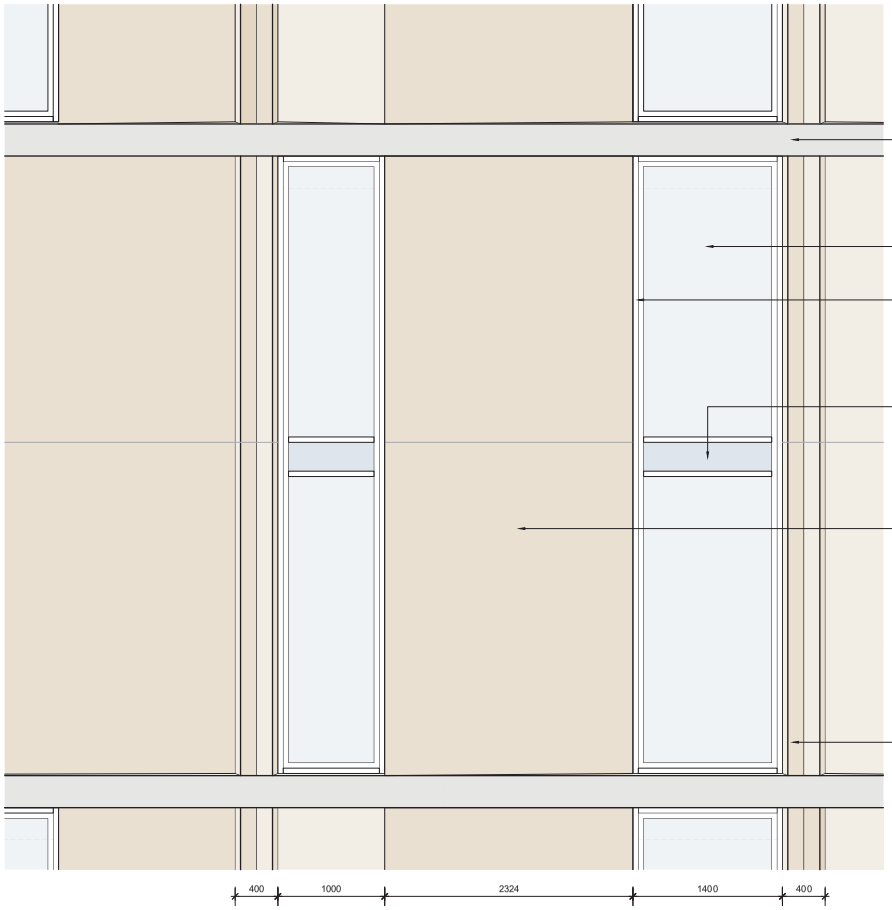
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

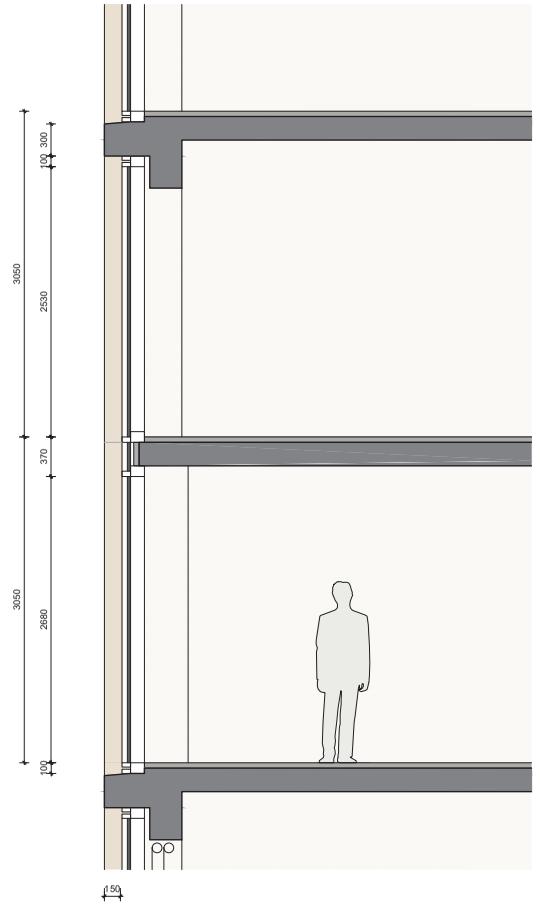
DRAWN	KHA	NORTH
SCALE (@ A1)	1:50	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 4: TOWER TOP-LEVEL EXPRESSION

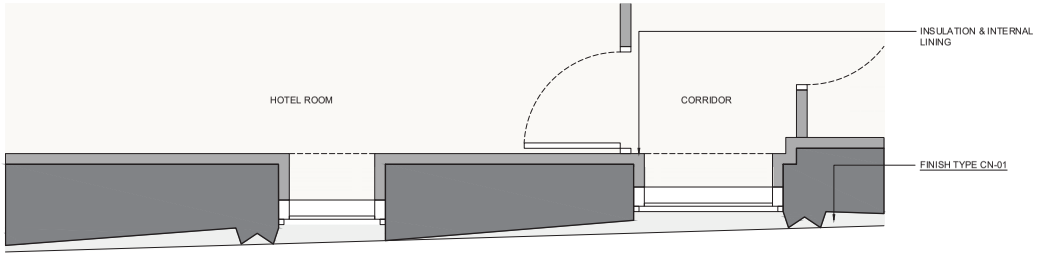
DRAWING NUMBER	ISSUE
A4203	C



01 - ELEVATION - NORTH FACADE DETAIL 1:25@A1



03 - SECTION - TYPICAL HOTEL DETAIL 1:25@A1



02 - PLAN - NORTH FACADE TYPE 5 DETAIL 1:25@A1

NOTES / LEGEND / MATERIAL

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ISSUE	DATE	AMENDMENT	CHECKED
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B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
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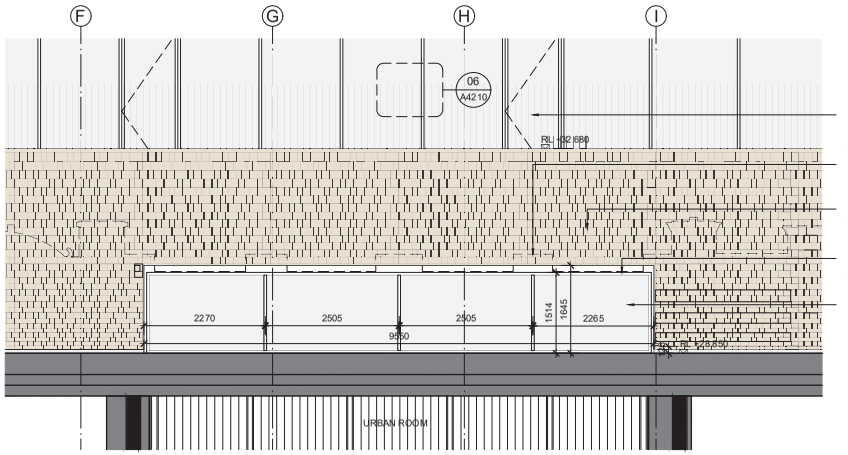
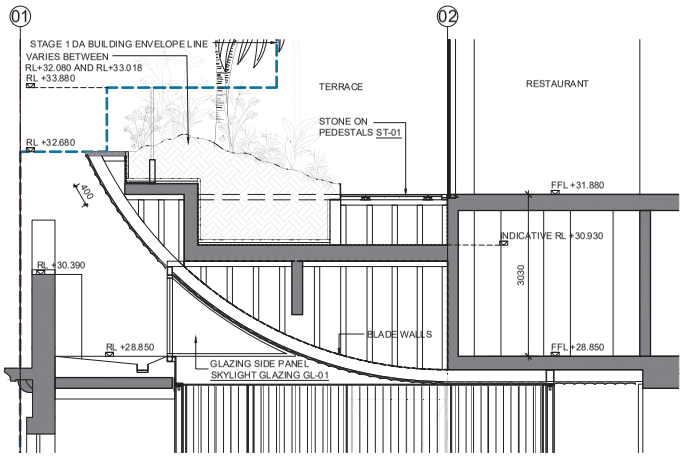
DRAWN	KHA	NORTH
SCALE (@ A1)	1:25	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 5
TYPICAL NORTH AND SOUTH BLADE WALLS

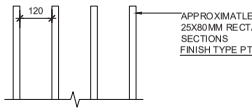
DRAWING NUMBER	ISSUE
A4204	C



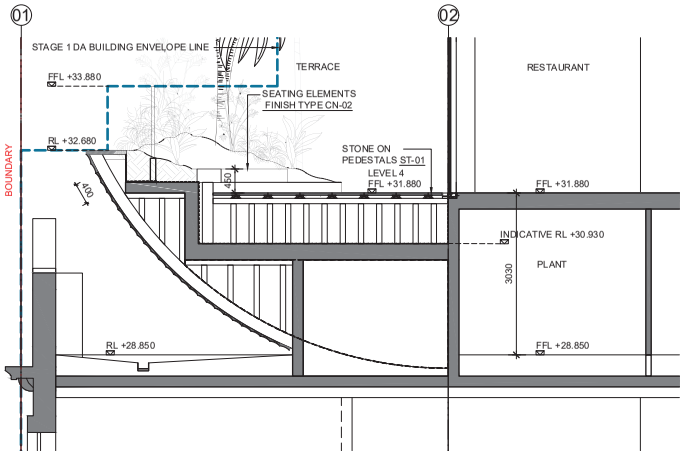
01 ELEVATION
A4210 DETAIL 1:50@A1



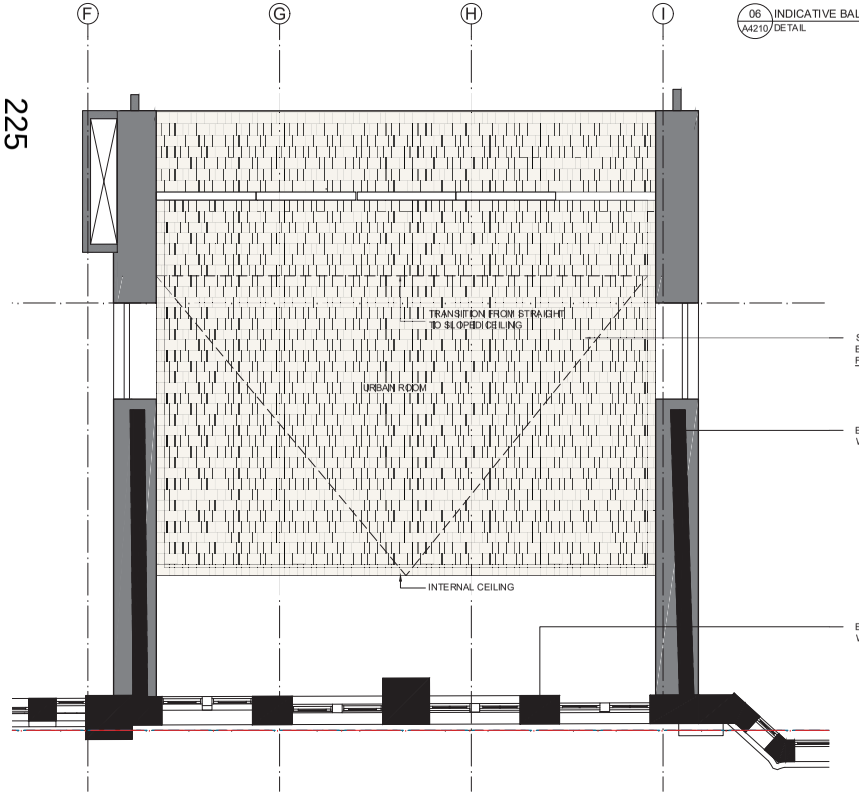
03 SECTION A
A4210 DETAIL 1:50@A1



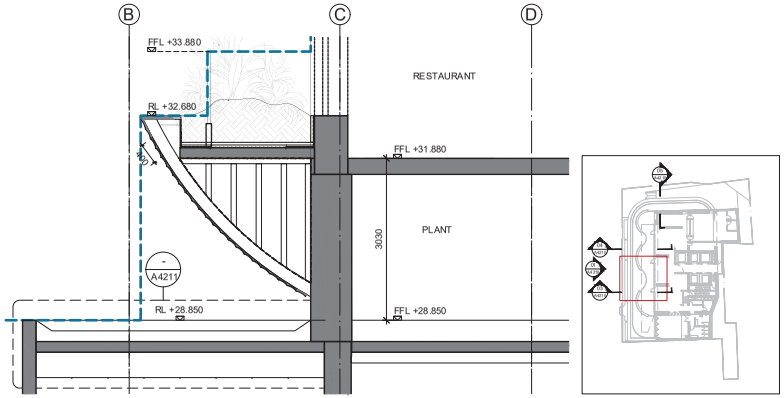
06 INDICATIVE BALUSTRADE DETAILING
A4210 DETAIL 1:10@A1



04 SECTION B
A4210 DETAIL 1:50@A1



02 REFLECTED CEILING PLAN
A4210 DETAIL 1:50@A1



05 SECTION C
A4210 DETAIL 1:50@A1

225

NOTES / LEGEND / MATERIAL

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NOTE:
TOTALL FINISHES, REFER DIGITAL MATERIAL SAMPLE BOARD, A4600.

ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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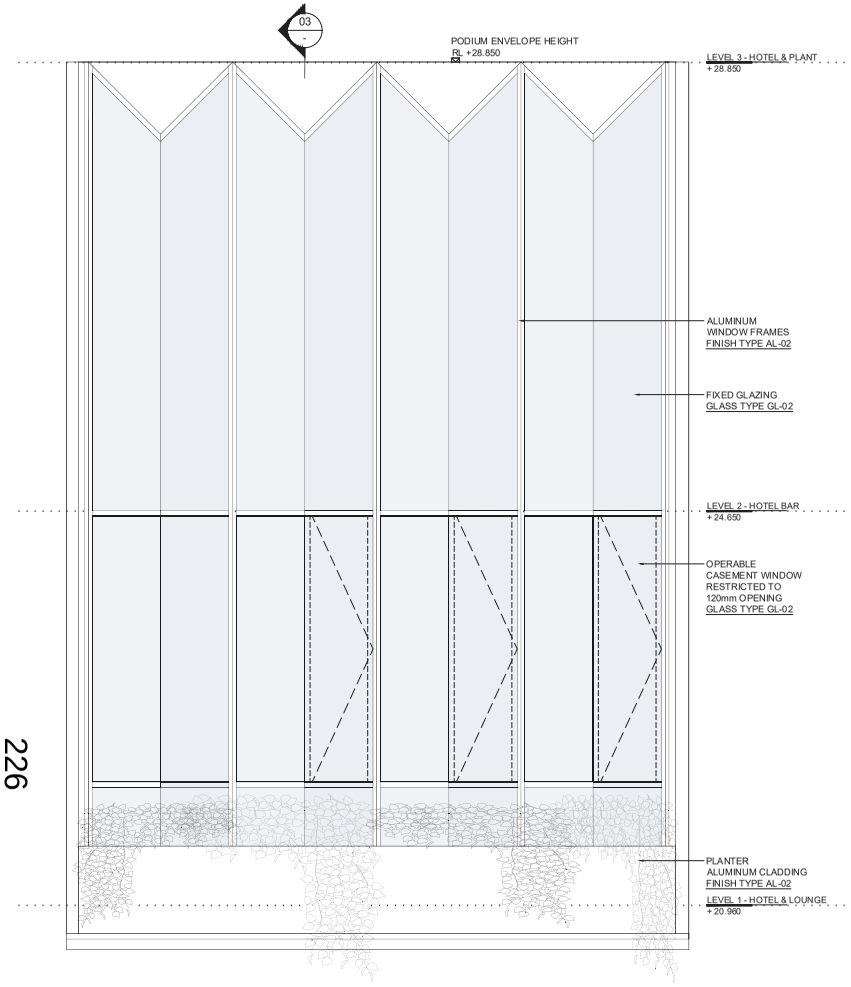
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

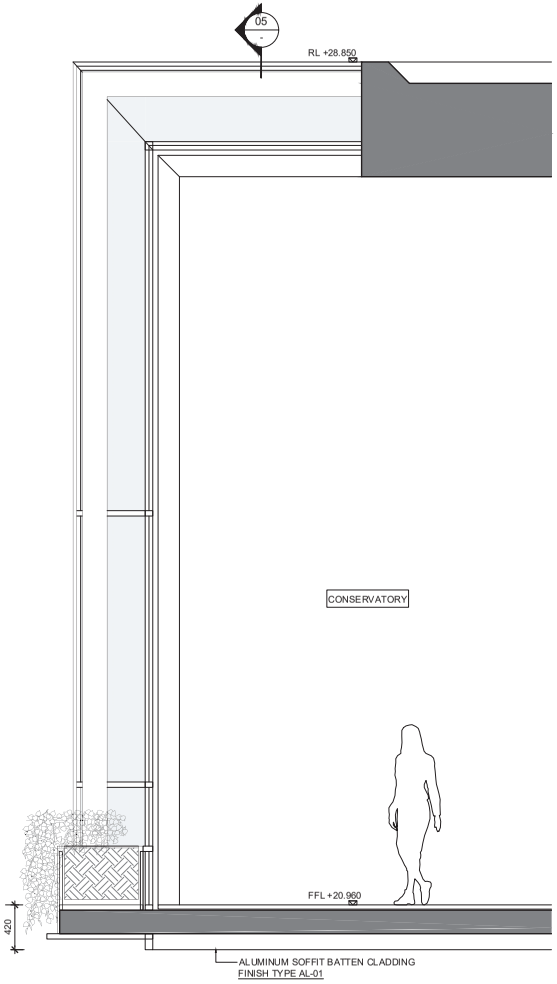
DRAWN	KHA	NORTH
SCALE (@ A1)	1:50	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 6: PODIUM
LANDSCAPE VESSEL

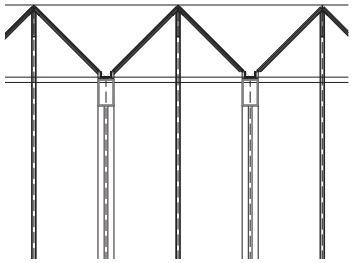
DRAWING NUMBER	ISSUE
A4210	C



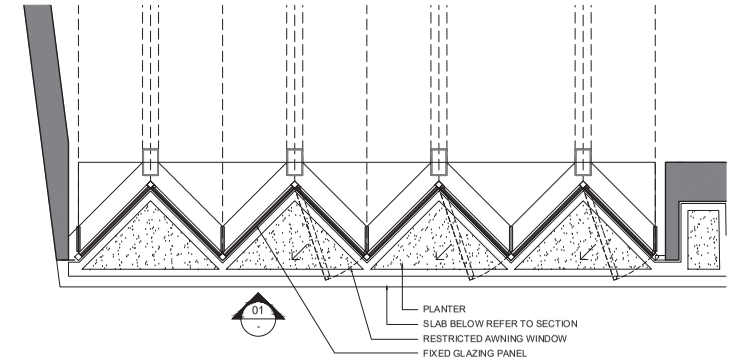
01 ELEVATION - L1
- DETAIL 1:25@A1



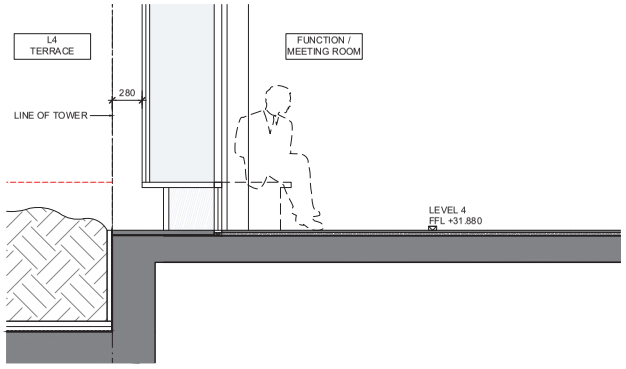
3 SECTION - LEVEL 1
- DETAIL 1:25@A1



05 SECTION DETAIL
- DETAIL 1:25@A1



02 PLAN - L1
- DETAIL 1:25@A1



4 SECTION - LEVEL 4
- DETAIL 1:25@A1

226

NOTES / LEGEND / MATERIAL

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NOTE:
FOR ALL FINISHES, REFER DIGITAL MATERIAL SAMPLE BOARD, A4500.

ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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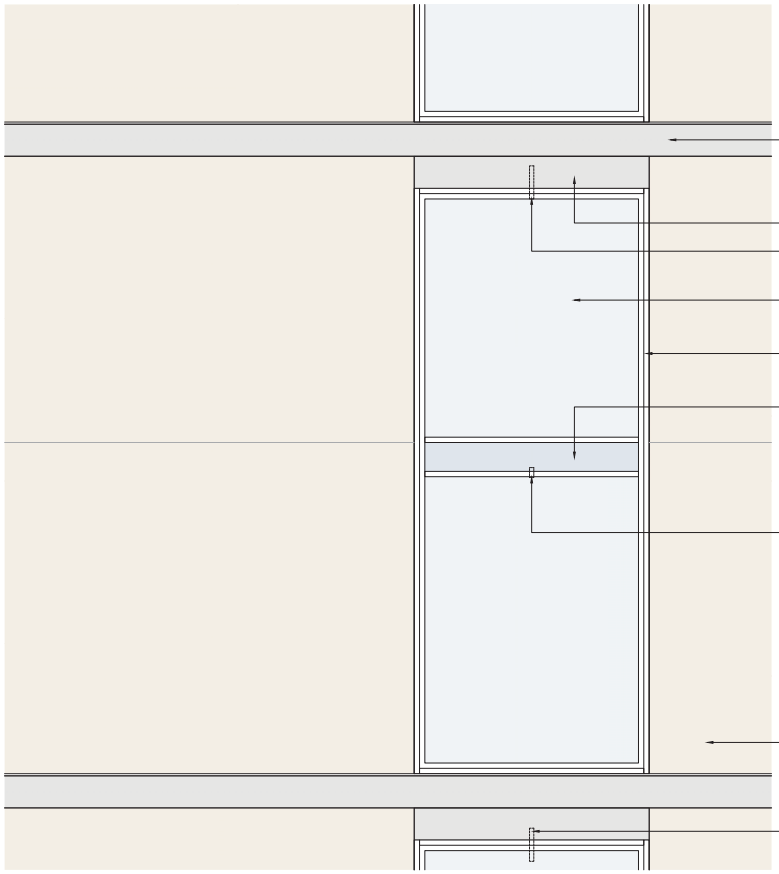
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

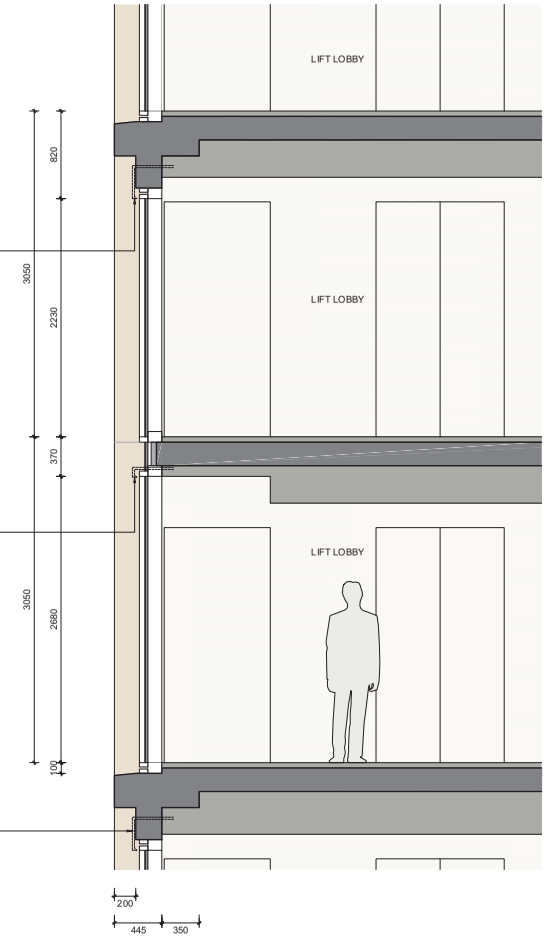
DRAWN	KHA	NORTH
SCALE (@ A1)	1:25	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 7: PODIUM
FACETED GLAZED FACADE AND ROOF

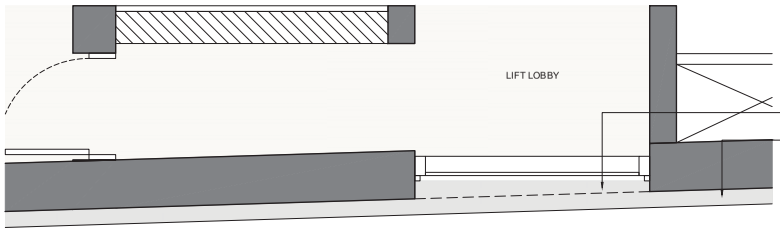
DRAWING NUMBER	ISSUE
A4211	C



01 - ELEVATION - EAST FACADE DETAIL 1:25@A1



03 - SECTION - HOTEL LIFT LOBBY DETAIL 1:25@A1



02 - PLAN - EAST FACADE TYPE 8 DETAIL 1:25@A1

NOTES / LEGEND / MATERIAL

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NOTE:
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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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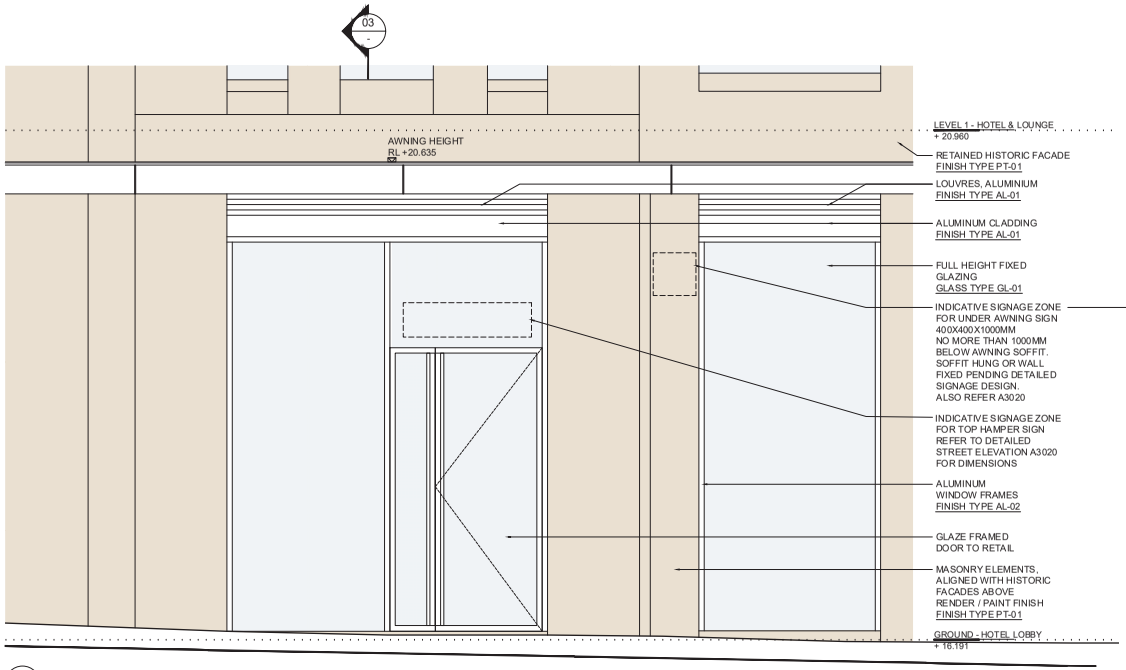
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

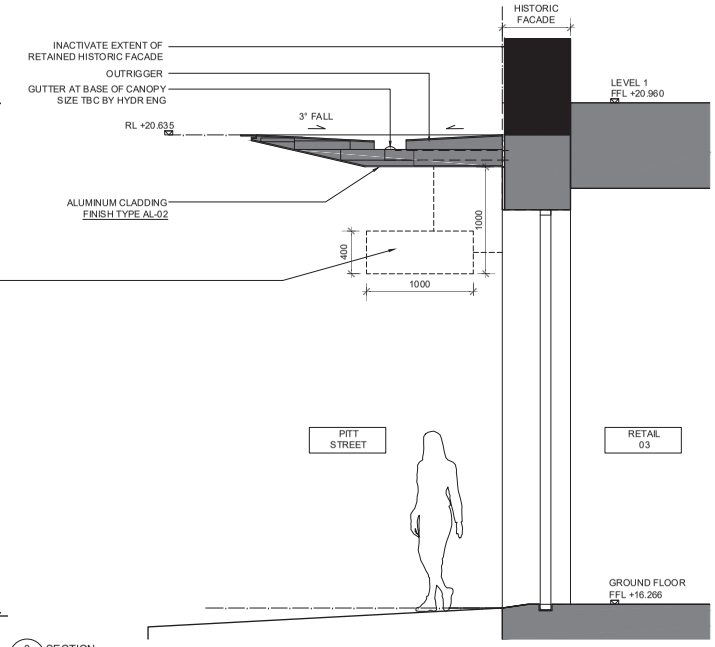
DRAWN	KHA	NORTH
SCALE (@ A1)	1:25	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 8: PODIUM/TOWER
TYPICAL EAST TOWER AND LOW LEVEL PODIUM

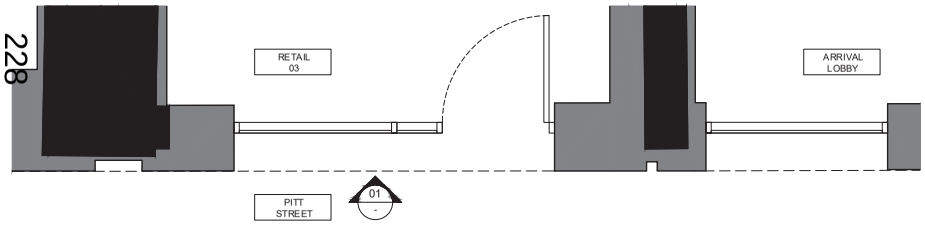
DRAWING NUMBER	ISSUE
A4212	C



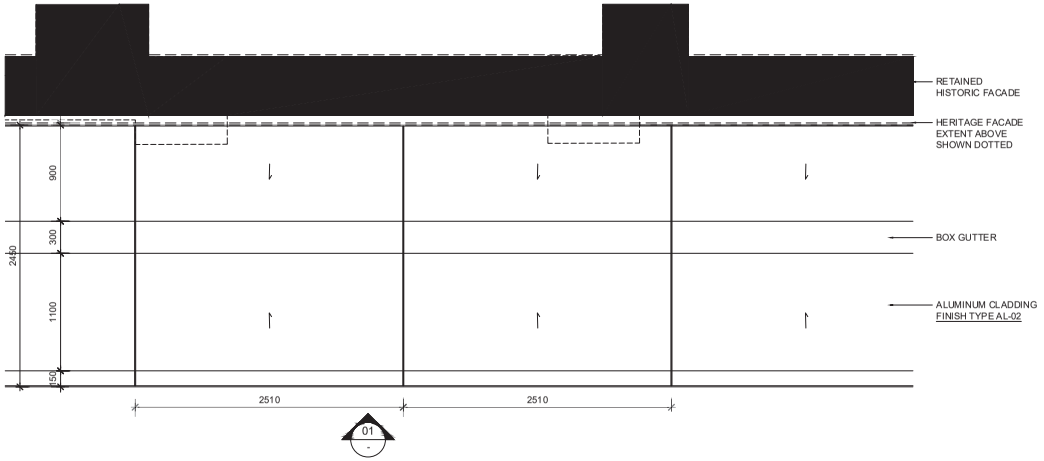
01 - ELEVATION DETAIL 1:25@A1



3 - SECTION DETAIL 1:25@A1



02 - PLAN - GF DETAIL 1:25@A1



02 - PLAN - L1 (AWNING) DETAIL 1:25@A1

NOTES / LEGEND / MATERIAL

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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
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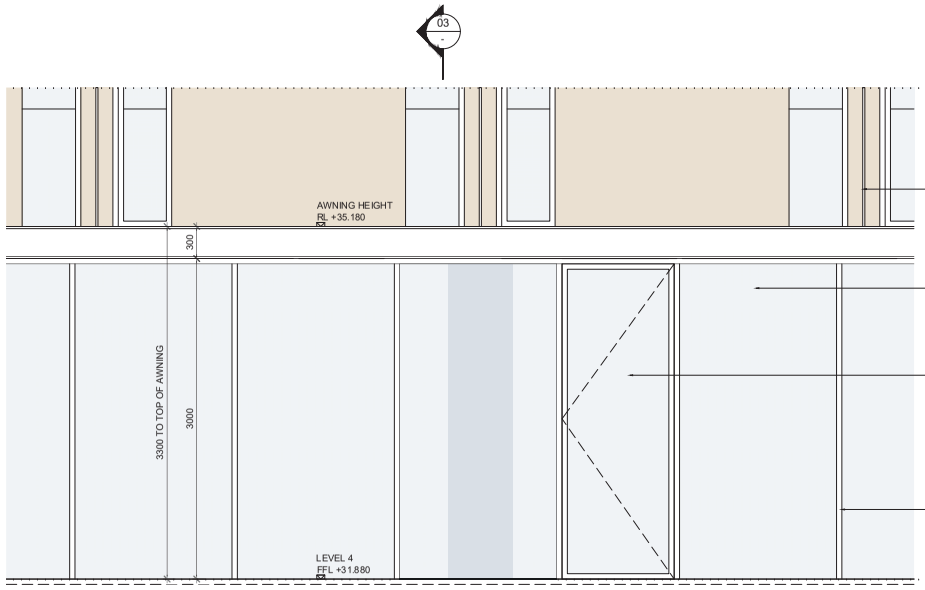
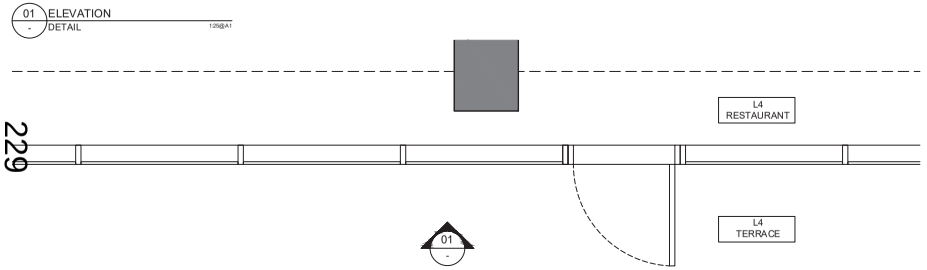
DRAWN	KHA	NORTH
SCALE (@ A1)	1:25	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 9: PODIUM
TYPICAL GROUND LEVEL FAÇADE AND AWNING

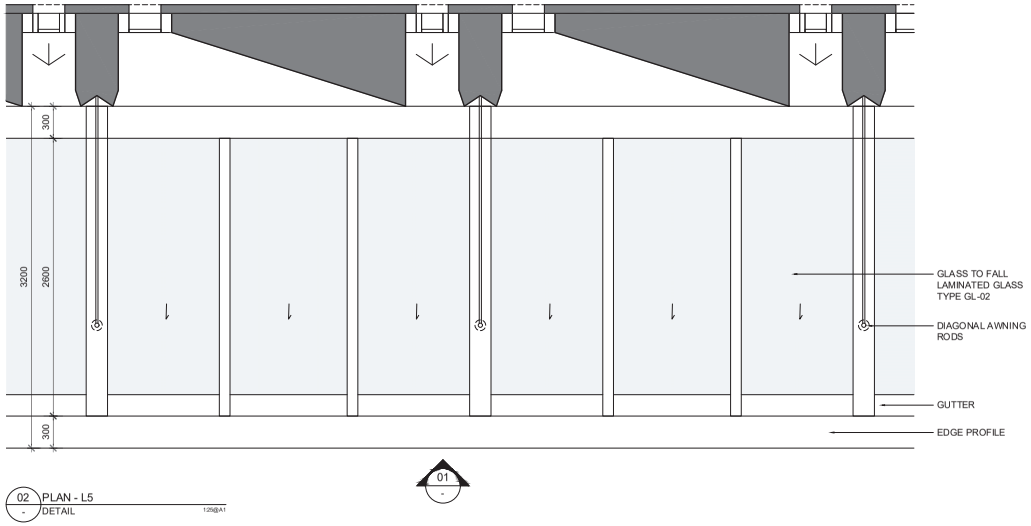
DRAWING NUMBER	ISSUE
A4213	C



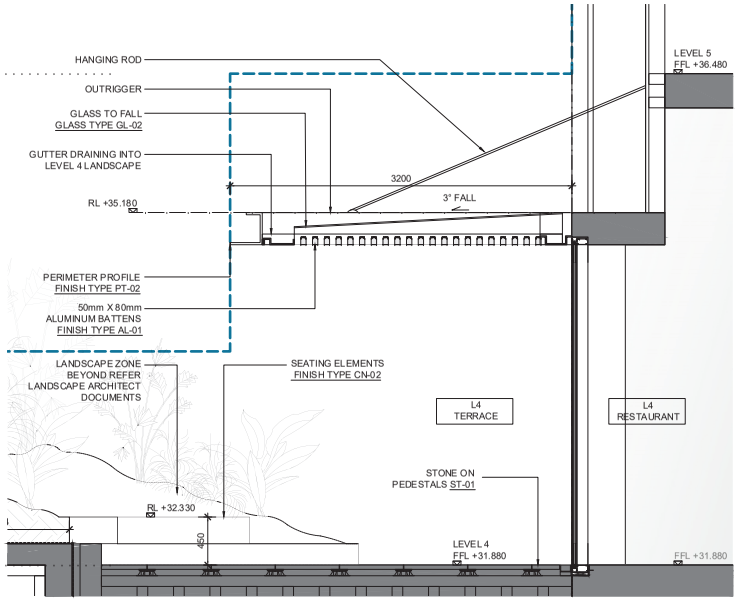
01 - DETAIL — ELEVATION — 1:25@A1



02 - DETAIL — PLAN - L4 — 1:25@A1



02 - DETAIL — PLAN - L5 — 1:25@A1



3 - DETAIL — SECTION — 1:25@A1

229

NOTES / LEGEND / MATERIAL

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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

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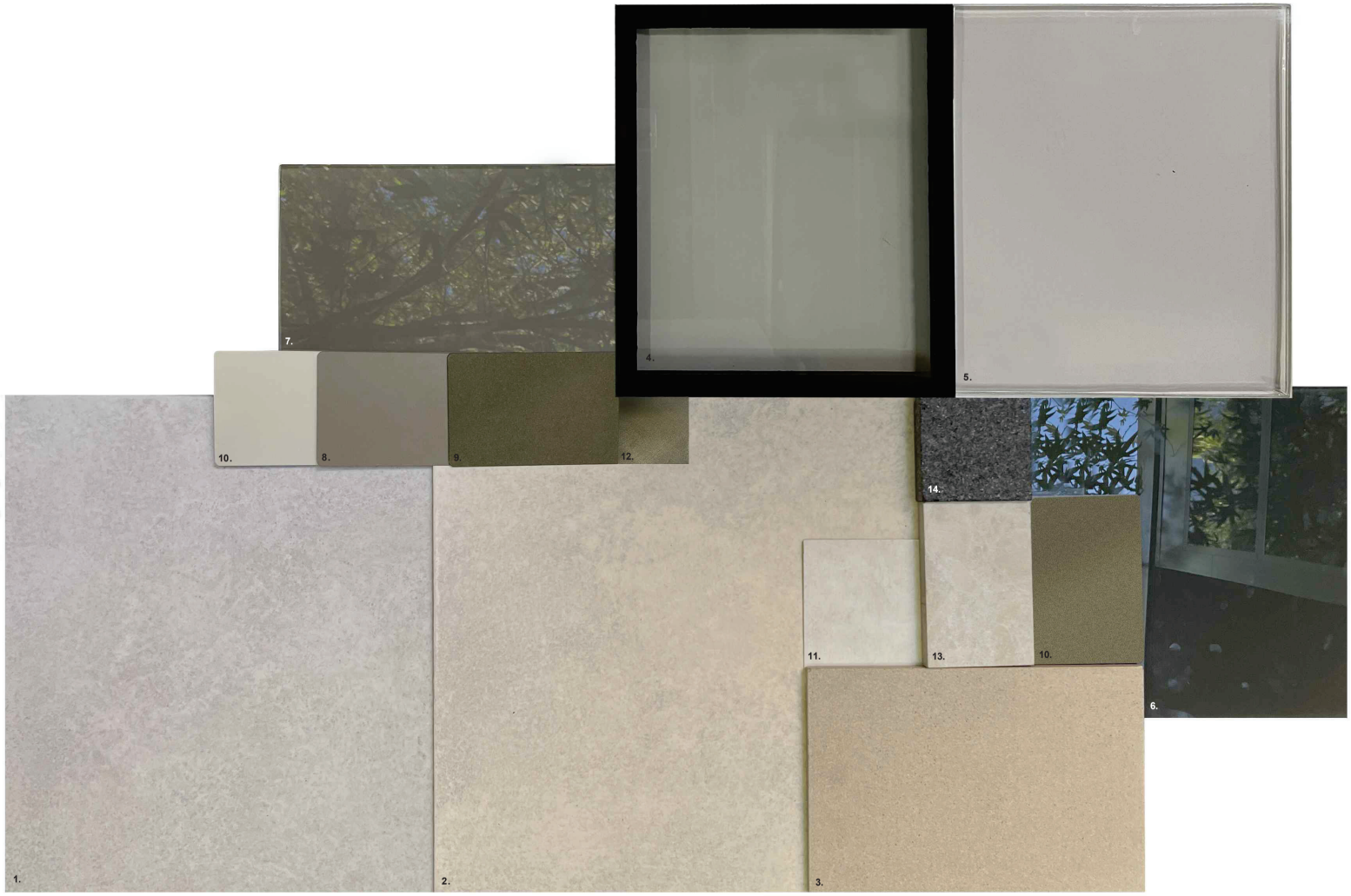
PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)	1:25	
DATE	22.11.2024	

DRAWING TITLE
FACADE TYPE 10: PODIUM
TYPICAL LEVEL 4 FACADE AND AWNING

DRAWING NUMBER	ISSUE
A4214	C



EXTERNAL MATERIAL LEGEND:

1. CN-01
GRC / CONCRETE / MASONRY
COLOUR: LIGHT GREY

2. CN-02
GRC / CONCRETE / MASONRY
COLOUR: SAND

3. CN-03
GRC / CONCRETE / MASONRY
COLOUR: SANDSTONE

4. GL-01
BRIGHT COLOURED, REFLECTIVE DGU GLAZING WITH LOW-E COATING

5. GL-02
BRIGHT COLOURED, REFLECTIVE LAMINATED GLAZING

6. GL-03
COLOURBACK GLASS, DARK GREY COLOUR

7. GL-04
COLOURBACK GLASS, MID GREY COLOUR

8. AL-01
MID BRONZE COLOURED ALUMINIUM

9. AL-02
DARK BRONZE COLOURED ALUMINIUM

10. AL-03
SAND COLOURED ALUMINIUM

11. PT-01
CREAM / LIGHT GREY PAINT

12. PT-02
DARK BRONZE COLOURED METALLIC PAINT

13. ST-01
SAND COLOURED GRANITE STONE PAVING

14. ST-02
BLACK COLOURED GRANITE STONE PAVING

NOTES / LEGEND / MATERIAL

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ISSUE	DATE	AMENDMENT	CHECKED
A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

DEVELOPMENT APPLICATION

CLIENT

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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)		
DATE	22.11.2024	

DRAWING TITLE
EXTERIOR FINISHES BOARD

DRAWING NUMBER	ISSUE
A4500	C

Attachment C2

Selected Drawings



NOTES / LEGEND / MATERIAL

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PROJECT	REF
372-382A PITT STREET	633

ADDRESS
372-382A PITT STREET, SYDNEY, NSW 2000

DRAWN	KHA	NORTH
SCALE (@ A1)	-	
DATE	22.11.2024	

DRAWING TITLE
PERSPECTIVE VIEW 1
AERIAL VIEW - SOUTH WEST

DRAWING NUMBER	ISSUE
A4700	C



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A	18.12.23	DEVELOPMENT APPLICATION	KHA
B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

STATUS

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PERSPECTIVE VIEW 2
STREET VIEW - SOUTH WEST

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C	22.11.24	UPDATED DRAWINGS	KHA

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SCALE (@ A1)	-	
DATE	22.11.2024	

DRAWING TITLE
PERSPECTIVE VIEW 3
STREET ELEVATION - PITT STREET

DRAWING NUMBER	ISSUE
A4702	C



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B	29.01.24	DETAILED SSDA	KHA
C	22.11.24	UPDATED DRAWINGS	KHA

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PERSPECTIVE VIEW 4
LANDSCAPE VESSEL

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DATE	22.11.2024	

DRAWING TITLE
PERSPECTIVE VIEW 5
STREET VIEW - NORTH WEST

DRAWING NUMBER	ISSUE
A4704	C

Attachment D

Competition Design Report

URBIS

ARCHITECTURAL DESIGN COMPETITION REPORT

372-382A Pitt Street, Sydney

Prepared for
BELINGBAK AND ICD PROPERTY
February 2023

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Ashleigh Ryan
Associate Director	Toni Walter
Consultant	Kate Riley
Project Code	P0035477
Report Number	Architectural Design Competition Report – FINAL – Rev 01 – February 2023 (acknowledged by City of Sydney Council on 13 February 2023)

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We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

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JURY MEMBER ENDORSEMENT

The Jury confirms that this report is an accurate record of the Architectural Design Competition and endorses the assessment and recommendations. This Jury report is to be the guide for the further detailed design and refinement of the winning scheme.

Name	Signature	Date
Peter Mould (Jury Chair)		16 February 2023
Kerry Clare		16 February 2023
Penny Fuller		20 February 2023
Barrie Barton		16 February 2023
Phillip Rossington		20 February 2023
David McCracken		19 February 2023

1. INTRODUCTION

1.1. OVERVIEW

This Architectural Design Competition Report (Report) has been prepared by Urbis on behalf of Belingbak and ICD Property (the Proponent) for the competitive design process undertaken for 372-382A Pitt Street, Sydney (the site). This report outlines the process, providing a summary of each of the schemes and the jury's recommendation.

The competitive process was conducted in accordance with the Architectural Design Competition Brief (Brief), which was issued to all invited competitors on 8 November 2022 and is included at **Appendix A**. The Brief was developed in consultation with the City of Sydney Council (City), where feedback and detailed comments were incorporated into the final Brief issued to Competitors. A copy of the final Brief issued to entrants was provided to the City on 7 November 2022.

This Report is prepared in accordance with the requirements of Section 3.5 of the City's *Competitive Design Policy* (Policy) as follows:

(a) Following its determination, the jury is required to prepare a report (to be referred to as the Architectural Design Competition Report) detailing:

(i) the competition process and incorporating a copy of the competition brief;

(ii) the jury's assessment of the design merits of each of the entries;

(iii) the rationale for the choice of preferred design which must clearly demonstrate how it best exhibits design excellence in accordance with the provisions of Clause 6.21C(2) of the Sydney Local Environmental Plan 2012 and the approved Design Excellence Strategy; and

(iv) an outline of any further recommended design amendments or proposed conditions of development consent that are relevant to the achievement of design excellence.

The purpose of this Report is to inform the City of the competitive process undertaken for the site, the outcomes and the rationale for the selection of the preferred architectural design for the site.

This Report is divided into two sections:

- **Part 1** – Assessment of Submissions
- **Part 2** – Recommendations

1.2. COMPETITIVE PROCESS

On 8 November 2022, the Proponent commenced an Architectural Design Competition to select the most appropriate design and architectural team that best demonstrated the ability to achieve design excellence in accordance with the City of Sydney Competitive Design Policy (Policy).

The selected competitive process comprised an 'invited' architectural design competition. The Proponent invited five (5) entrants to participate in the process.

The competitive process was undertaken in accordance with the Design Excellence Strategy for the site and the Brief. The competitive process sought a range of designs that responded to the Concept DA site-specific building envelope approved by the consent authority (the Central Sydney Planning Committee) on 15 September 2022.

A six (6) person Jury reviewed and assessed five (5) architectural designs, all of which represented the building form and impact if an additional 10% design excellence floor area was granted by the consent authority in consideration of design excellence.

1.3. DESIGN COMPETITION MANAGER

The Proponent's independent Competition Manager was Toni Walter (Urbis).

The Proponent made available the following Technical Advisors:

- Planning – Urbis

- Structural Engineering – TTW
- Façade – Apex
- Quantity Surveyor – WT Partnership

The Proponent also made available a Heritage Consultant (Urbis) for information only, who was present at the competitor Briefing Session.

1.4. JURY

The six member jury comprised the following members:

- Peter Mould – Deputy Chair (Sydney Design Advisory Panel)
- Kerry Clare – Director (Clare Design / Sydney DAP)
- Penny Fuller – Founding Partner (Silvester Fuller)
- Barrie Barton – Director (Right Angle)
- Phillip Rossington – Principal (BVN)
- David McCracken– Principal at Voda Management

1.5. CITY OF SYDNEY OBSERVERS

In accordance with the Policy, City Observers were present during presentations and jury deliberations. The following City Observers were present at various stages of the competitive process:

- Georgia Nicol (Design Excellence Planner – City of Sydney Council)
- Silvia Correia (Design Excellence Coordinator – City of Sydney Council)
- Anita Morandini (Design Excellence Manager – City of Sydney Council)
- Jessica Joseph (Specialist Planner – City of Sydney Council)
- Matthew Girvan (Area Coordinator – City of Sydney Council)

1.6. KEY DATES OF ARCHITECTURAL DESIGN COMPETITION

The key dates for the Architectural Design Competition are outlined in Table 1.

Table 1 – Key Competition Dates

Date	Milestone
Tuesday 8 November 2022	Commencement Date
Thursday 10 November 2022	Competitor Briefing Session and Site Visit
Friday 25 November 2022	Jury Briefing Session
Week commencing Monday 28 November 2022	Quantity Surveyor Meeting/s
Thursday 15 December 2022	Final Submission Lodgement Date
Monday 9 January – Monday 16 January 2023	Review of Final Submissions and Technical Reporting

Date	Milestone
Monday 16 January 2023	Lodgement of Presentation Date Material
Thursday 19 January and Friday 20 January 2023	Presentation Date/s
Friday 20 January 2023	Decision Date
Monday 30 January 2023	Notification to Competitors

1.7. COMPETITION ARCHITECTS

The Architectural Design Competition comprised five (5) competitors:

- Woods Bagot
- Kerry Hill Architects + Crone
- FJMT Studio
- Fitzpatrick and Partners + TZG
- Neeson Murcutt and Neille + Bates Smart

1.8. SELECTION PROCESS

The selection process was based on the written material supplied by competitors and the presentations given to the jury.

Following a thorough assessment of each scheme, the jury concluded that one scheme presented the most successful response to the Brief and is recommended as the preferred design of the competitive process.

In accordance with the Policy, the jury provides this Report which outlines the design merits of each scheme and a recommendation that the architect of the preferred design is retained by the Proponent to prepare a Detailed development application (DA).

The jury considers that the matters set out in Part 2 of this Report (Recommendations) should be addressed prior to the lodgment of the Detailed DA.

2. PART 1 – ASSESSMENT OF SUBMISSIONS

2.1. PREAMBLE

Following the submission of the final architectural schemes, a technical assessment and compliance review of the five (5) entries was undertaken by the Technical Advisors. This review was provided to the Jury prior to the Final Presentation dates.

Each competitor presented their scheme to the Jury explaining their approach to the site, design concept, compliance with planning controls, and the design and commercial objectives of the Brief, as well as the benefits of their respective schemes.

In accordance with the assessment criteria within the Brief, the design schemes were analysed and assessed by the Jury with a focus on design quality, planning compliance and the design and commercial objectives of the Brief. Based on this method of assessment, a winning scheme was recommended by the Jury.

An assessment of the design merits and areas for further development were also identified and discussed during the deliberation process. The Jury noted that the majority of schemes demonstrated a clear understanding of the design brief, the site context and were generally consistent with the key planning controls. All schemes were accepted as fulfilling the submission requirements.

The following section outlines each of the five (5) design schemes in more detail in the order of presentations.

2.2. WOODS BAGOT

The Woods Bagot scheme demonstrated a well resolved and high quality design that comprised three key aspects – the retention and restoration of the existing Edwardian terrace façades, the creation of a new laneway behind the existing terraces to separate the retained terraces from the new portion of the podium, and a tower which maximised views and outlook to the north along Pitt Street.

The scheme was generally compliant with the approved Concept DA building envelope, and successfully met the requirements objectives of the design brief. The scheme responded strongly to the need to integrate with the urban context of the area.

The layered history of the site was well understood and informed many aspects of the design. The consideration and approach to incorporating designing with Country principles and stories was a strength of this scheme though not clearly manifested in the design resolution, and the integration of opportunities for public art was well considered. The selected materials were rich and striking. The hotel entry sequence and overall layout of the ground plane was generally considered to be successful. However, the jury questioned whether safety for the residents could be further improved when accessing the building at night.

The scheme incorporated on site drop off / pick up arrangements for visitors to the hotel arriving by different modes of transport (such as taxi and ride share) through the provision of a porte cochere within the rear lot ('Lot 35', noting that this lot is not currently included within the site boundary). The jury queried whether the layout of the ground floor could be resolved without the inclusion of Lot 35.

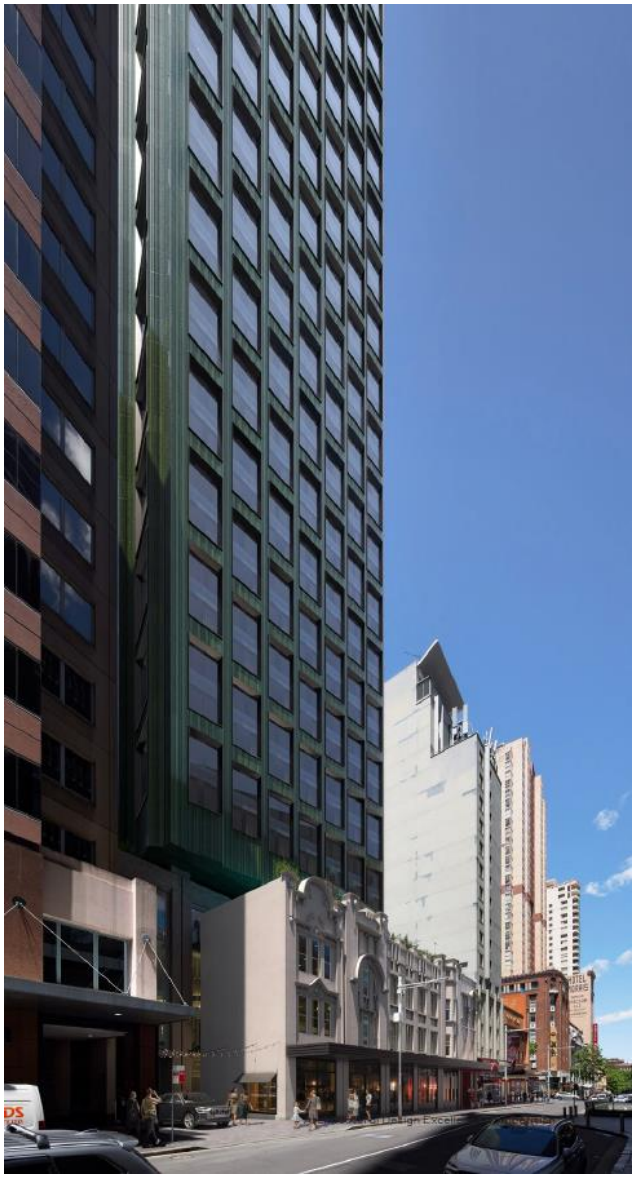
The basement solution was well resolved, although considered a risk, to be building below the Sydney water line.

Figure 1 – Woods Bagot Indicative Podium Perspective facing South East



Source: Woods Bagot

Figure 2 – Woods Bagot Indicative Tower Perspectives



Picture 1 Facing South East

Source: Woods Bagot



Picture 2 Facing North East

Source: Woods Bagot

2.3. KERRY HILL ARCHITECTS + CRONE

The Kerry Hill Architects (KHA) + Crone scheme demonstrated a unique and well considered architectural design solution to the site which comprised retention of the existing historic terraces (replacing only the northern terrace with a new façade), a ‘landscaped vessel’ above the terraces, and an elegant tower form which subtly expressed the differing hotel and residential uses. This scheme was delineated with four punctuations in its form that were considered to demonstrate a successful relationship and separation between the existing historic terraces, the ‘landscape vessel’, and the two sections of the tower.

The ‘urban room’ at the ground floor was considered a strong public gesture which physically and visually connects the ground floor externally with Pitt Street and internally with the restaurant and co-working spaces above. Natural light is skilfully introduced into the urban room through clearstory windows above the heritage facades. However, the jury acknowledged that this urban room would result in the removal of some existing historic fabric. It was considered the strength of the proposition would be maintained and evolve with future operator requirements.

The Jury commended the use of high-quality materials, the well considered street activation, the depth of the tower façade and the glass to solid ratio of the tower. However, the Jury encouraged further consideration of the use of ‘sandstone shingles’ to ensure the landscape vessel does not appear too visually dominant when viewed from the street. The contemporary and elegant awning design was considered a positive gesture.

The hotel rooms and residential tower floor plates, as well as the internal planning that allowed natural light to hotel and residential lobbies, were well considered. The Jury also supported the lightness and architectural expression of the ‘lantern-like’ tower crown, and the remaking of the ground floor of the Pitt Street buildings that clearly grounded them

Figure 3 – Kerry Hill Architects and Crone Indicative Podium Perspective (facing East)



Source: KHA and Crone

Figure 4 – Kerry Hill Architects and Crone Indicative Tower Perspectives



Picture 3 Facing East

Source: KHA + Crone



Picture 4 Facing North East

Source: KHA + Crone

2.4. FJMT STUDIO

The FJMT scheme demonstrated a design response with a memorable, unique and strong identity. The design was inspired by the binding together, weaving and gathering of the Djuguma (a woven ‘dilly bag’).

The design intent of the Country-inspired façade was commended by the Jury and considered a strength of this scheme, as was the grand three-storey lobby space.

However, the Jury questioned whether the extent of concrete and the solid to glass ratio within the hotel portion of the tower façade was sympathetic to the lightness of the original design intent. The timeless nature of the aesthetic, and the extent to which the pigmented concrete would maintain its intended colour, was also questioned.

The natural light to the residential and hotel lift lobbies was supported. The scheme maximises views from the residential apartments to the east and west. However, sun shading to the residential levels through the provision of horizontal bands was considered to be unresolved, particularly for those apartments with a single orientation to the west.

The innovative structural solution and overall efficiency and planning of the hotel and residential tower floor plates was well considered and well resolved. The Jury supported the reduction in building mass inherent in the structural solution.

Figure 5 – FJMT Studio Indicative Podium Perspective facing South East



Source: FJMT

Figure 6 – FJMT Indicative Tower Perspectives



Picture 5 Facing North East

Source: FJMT Studio



Picture 6 Facing South West

Source: FJMT Studio

2.5. FITZPATRICK AND PARTNERS + TZG

The Fitzpatrick and Partners + TZG scheme comprises a podium that is integrated with the existing terraces and a tower design that is inspired by the work of Sydney-based artist, Ceara Melikvec.

The integration of the existing terraces within the podium design and retention of the northern-most bay at 372 Pitt Street was considered a strength, particularly as it achieves continuity and richness along the Pitt Street ground plane. However, the width of the vehicle entry was considered too visually dominant.

The integration of art throughout the design was commended.

The secret garden located within the north eastern portion of the site was supported, although the Jury questioned the extent to which the garden would be used by the public given its' location and accessibility at the rear of the site.

The hotel and residential floor plates were well considered, and the flexibility for future resolution of residential layouts was noted. The jury commended the use of the green tiles throughout the façade design to create visual interest, but questioned how the large format perforated glass panels on the façade would be cleaned and maintained. The use of the edged planting zone to apartments was a positive environmental initiative.

Figure 7 – Fitzpatrick and Partners + TZG Indicative Podium Perspective facing East



Source: Fitzpatrick and Partners + TZG

Figure 8 – Fitzpatrick and Partners + TZG Indicative Tower Perspectives



Picture 7 Facing North East

Source: Fitzpatrick and Partners + TZG



Picture 8 Facing South East

Source: Fitzpatrick + Partners

2.6. NEESON MURCUTT AND NEILLE + BATES SMART

The Neeson Murcutt and Neille + Bates Smart scheme demonstrated a well resolved design with a strong landscape and public domain response, and a generous approach to the provision of through-site laneways. The elegant composition of the tower and retention of the existing terraces was considered a strength of this scheme.

The provision of laneways at the ground floor to create visual vibrancy and openness was supported. However, the jury questioned whether residents' safety could be further improved when accessing the building at night via the southern laneway, and whether there was a critical mass and variety of offerings to activate the public spaces provided. The internal level change at the ground floor was questioned , as was the separation gap between the two northern-most terraces.

The jury supported the sensitive treatment of the existing terraces and the exposure of the terraces at the rear to create the 'dolls house' effect, although questioned if the integration of these terraces could have been further explored.The jury commended the design rational and façade expression of the tower. The structural efficiency and commitment to being carbon neutral with the choice in materiality was also supported. The lifting strategy and placement was seen to constrain planning on the lower levels.

Figure 9 – Neeson Murcutt and Neille + Bates Smart Indicative Podium Perspective facing South West



Source: Neeson Murcutt and Neille + Bates Smart

Figure 10 – Neeson Murcutt and Neille + Bates Smart Indicative Tower Perspectives



Picture 9 Facing East

Source: Neeson Murcutt and Neille + Bates Smart



Picture 10 Facing North

Source: Neeson Murcutt and Neille + Bates Smart

2.7. SUMMATION

The Competition Jury determined that the scheme presented by Kerry Hill Architects + Crone demonstrated the highest potential for achieving design excellence and confirmed the scheme as the winner of the Architectural Design Excellence Competition.

However, several development areas were identified as requiring further refinement and resolution prior to the scheme being considered to have achieved design excellence. This is set out in further detail within Section 3 below.

In considering the overall design approach of the Kerry Hill + Crone scheme, the Jury determined that the collective components of the landscape vessel, ground floor plane including the public 'urban room', the façade design, and delineation of the hotel/residential tower resulted in a compelling and elegant architectural and urban response.

The Jury further commended:

- The relationship and separation of the existing retained terraces, and the new podium and tower form.
- The internal floor planning of the hotel and residential levels, including servicing and operational aspects of the hotel.
- Vertical transportation throughout the podium and tower, and the provision of natural light to the corridors.
- The proportions and rhythm of the tower façade, and the window to wall ratio.

Most schemes indicated compliance with the maximum floor space controls and complied with the maximum building height determined by the approved Concept DA building envelope and the sun access plane to Belmore Park. In accordance with the Competition Brief and the intent of the design excellence provisions of the Sydney LEP 2012 and the Policy, the jury recommends that the KHA + Crone scheme demonstrates the potential for design excellence and that the team be retained by the proponent. The jury recommends that the consent authority consider the issues and recommendations contained in Part 2 of this Report, as follows.

3. PART 2 – JURY RECOMMENDATIONS

The jury sets out its recommendations which may assist the consent authority in ensuring that the preferred design is refined and developed to achieve the best possible design outcome. The following aspects of the KHA + Crone should be addressed through design development and prior to the lodgment of a Detailed DA.

The jury also identified a number of key principles and qualities of the concept design that should be maintained through the design development to the Detailed DA.

3.1. KEY PRINCIPLES OF THE DESIGN TO BE MAINTAINED AND DEVELOPED

The following key principles and qualities are fundamental to the concept design and should be maintained:

- The contribution of the scheme to creating a publicly accessible 'urban room' is considered an important public gesture.
- The 'urban room' as the arrival hall to the building from Pitt Street, and the public nature of the room (in being a public space for all).
- The retention of natural light at the ground floor is important, including the view of the 'landscape vessel' above from the ground floor.
- The general approach to the high quality of materials, the depth of the tower façade, and glass to solid ratio within the tower.
- The solidity of the hotel façade for the lower portion of the tower, relative to a lighter and less solid residential façade for the upper portion of the building, as well as the breaks in between.
- The overall environmental strategy is considered fundamental to the design.
- The natural light to lift lobbies is to be maintained.
- The lightness and the architectural expression of the 'lantern-like' tower crown.
- The concept of creating a deep-soil vessel at the upper podium level and the extent of planting provided to this terrace..
- The tower sitting within a green landscaped podium and the idea of being surrounded by a green edge.
- The minimisation of the impacts of vehicular movements into the site.
- The optimisation of the activation of the street façade.

3.2. AREAS FOR FURTHER RESOLUTION AND REFINEMENT THROUGH DESIGN DEVELOPMENT

- Access from the residential lobby to the Goulburn Street laneway to achieve greater permeability and through-site connectivity.
- Further consideration should be given to the landscaped vessel and its materials as the scheme develops to allow more light into the lower podium levels, and to consider its relationship to and the visual impact on the historic buildings below, noting it is shown outside the approved Concept DA envelope .
- In collaboration with an appropriate consultant, further consideration should be given to Connecting to Country opportunities within the scheme and particularly the landscape vessel
- The visibility, wayfinding and customer experience to the Level 1 lobby for hotel guests and public visitors should be developed to ensure it is legible and intuitive.

4. CONCLUSION

This competitive process has been carried in accordance with the Brief and City's Policy. This report documents the competitive process and the jury's recommendation for the preferred design.

It is considered that the preferred scheme by KHA + Crone, subject to further refinement as set out in Part 2, exhibits the potential of achieving design excellence.

The jury confirms that this report is an accurate record of the competitive process and endorses the assessment and recommendations.

Juror	Signature	Date
Peter Mould (Jury Chair)		16 February 2023
Kerry Clare		16 February 2023
Penny Fuller		20 February 2023
Barrie Barton		16 February 2023
Phillip Rossington		20 February 2023
David McCracken		19 February 2023

DISCLAIMER

This report is dated 20 February 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Services Pty Ltd **(Urbis)** opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Belingbak and ICD Property **(Instructing Party)** for the purpose of Design Competition Report **(Purpose)** and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A ENDORSED COMPETITION BRIEF (INCLUDING APPENDICES)

URBIS

URBIS.COM.AU

Attachment E

Submissions

From: John Knight <[redacted] on behalf of John Knight <[redacted] <John Knight <[redacted]

Sent on: Monday, June 24, 2024 2:00:39 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Linsay Knight (home) <[redacted]

Subject: Submission - D/2024/446 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Jessica

We live in an apartment on the 13th floor of the Seidler building known as North - 85-91 Goulburn St - on the south side of Goulburn St between Pitt and Castlereagh Sts.

In this building the windows in all the apartments face north (hence the name of the building) directly towards the proposed 60 story hotel development at 372-374 Pitt Street.

The apartments enjoy intermittent direct sunshine throughout some of the day, blocked of course from time to time by the towers of the Industrial Court, the Masonic Centre, the Ibis Hotel and World Square.

We are concerned that this new tall building will further reduce our hours of direct sunlight.

Going through the DA documents on the City of Sydney website we cannot find that a detailed shadowing study has been done to assess the impact of the new tower on the mix of sunlight and shade on nearby buildings, particularly those to the south, like ours.

Please advise if a shadowing study is available, and if not, whether one can be required.

Thanks for your attention to this request.

Linsay and John Knight
43/85-91 Goulburn Street Haymarket

_____

Prof JF Knight | [redacted]

From: Harry Cheuk <[redacted] on behalf of Harry Cheuk <[redacted] <Harry Cheuk <[redacted]

Sent on: Friday, July 12, 2024 2:30:17 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

CC: Saeid Askarian <[redacted]

Subject: Objection to proposed development at 372-382 Pitt Street, Sydney (D/2024/446)

Attachments: 240617-CoS letter-D2024-446.pdf (497.97 KB), 20240216125543875.pdf (3.7 MB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To: City of Sydney
Manager Planning Assessments
Mr Bill MacKay

Dear Mr MacKay

I refer to your letter dated 17 June 2024 seeking our view on the proposed hotel and retail development at 372-382 Pitt Street, Sydney under development application no. D/2024/446. (See Council letter attached). I understand that the subject DA is for proposed "detailed design" of the development at the above address.

We are authorised representatives of the following Superannuation Funds who are the joint owners of Strata Unit no. 1004 in the adjacent commercial building at 370 Pitt Street, Sydney:

- Askarian Superannuation Fund
- Cheuk Superannuation Fund

Reasons for lodging an objection:

1. The existing building at 370 Pitt Street, as approved by the City of Sydney relies on the open space in the adjacent laneway (i.e. Carruthers Place) for the operation of the following fire safety and health/amenity aspects:

   a. Mechanical ventilation of the office building and carpark ventilation systems,
   b. Fire stairs egress passageway from the building to the footpath on Pitt Street,
   c. Stair pressurisation fresh air intake from the air space over the laneway,
   d. Safe access by the Fire Rescue NSW (FRNSW) to the Fire Control Room and fire hydrant and sprinkler booster valves via the laneway.

2. Approval of the proposed development will have adverse impacts on the above essential fire safety and health/amenity measures and will downgrade the fire safety of the building in 370 Pitt Street.

3. **A search of the previous development and building approval documents showed that the construction of the building at 370 Pitt Street was subject to the above fire safety measures being provided over and along the existing laneway. A brief summary of the history of previous planning approvals and council correspondences (see attached) are presented in the next section for your information.**

History of previous planning approvals and council comments:

1. City of Sydney granted consent for the development of 370 Pitt street with the DA & BA approvals subject to the condition that the development was built with no obstruction to the existing laneway. In other words, City of Sydney has approved the building (DA and BA) at 370 Pitt St with:

   - two fire stairs discharging to the laneway (minimum of two metres of exit) and in turn to the footpath in Pitt St,
   - safe access by the FRNSW to the Fire Control Room and fire hydrant and sprinkler boosters from the laneway,
   - mechanical ventilation to the building (supply, exhaust and stair pressurisation intake) over the air space of the laneway,

2. Please refer to the attached document from the Building Approval file held by the City of Sydney in relation to the subject

laneway. It appears that it was recommended in July 1990 and approved by Council to change the laneway to a public road. This would have been part of the DA and BA approvals of 370 Pitt St.

3. We understand that the laneway was sold recently by Council to someone and Council had ignored the above matters, which was not right. This appears to be in breach of Council's base building approval and Council's recommendations to change the laneway to a public road.

4. The construction of the proposed loading dock (in the subject DA) in the laneway or any modification to the laneway will be in breach of Council's approvals and recommendations to change the laneway to a public road.

5. Council will add to their previous mistakes by approving the proposed loading dock as shown in the submitted drawing for the proposal.

6. Council must not approve the loading dock as shown on the submitted plans or any structure or building elements or any obstruction over any part of the laneway and must place a condition for the establishment of an easement/covenant to prevent any future obstruction over the full width of the laneway, otherwise Council will be in breach of their previous approvals for the construction of 370 Pitt St. Also, if approval is granted for the proposed loading dock or any building works within the laneway, it will make 370 Pitt St unsafe for its occupants and will have adverse impact on the health and amenity of the occupants in 370 Pitt St.

While the proposed development, if approved and constructed, will have adverse impacts on the fire safety and health/amenity of the whole building at 370 Pitt Street, it is understood that the Strata Committee is also preparing an objection for this DA.

We sincerely hope that the Council will look seriously into this matter and ensure the assessment of all related DA's (Including the concept DA no. D/2024/36 and the detailed design DA D/2024/446) for the proposed development will not result in the impairment of the fire safety and health/amenity of our building, in which case the Council will be held liable for any undesirable consequences.

We look forward to receiving your reply in response to the concerns we raised above.

Regards

Saeid Askarian (For and on behalf of ASKARIAN Superannuation Fund), and

Harry Cheuk (For and on behalf of CHEUK Superannuation Fund)

CITY OF SYDNEY

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

+61 2 9265 9333
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au

17-Jun-2024

015

Askarian Pty Ltd And W & M Cheuk Pty Ltd
1004/362-370 Pitt St
SYDNEY NSW 2000

Applicant name:
WELL SMART INVESTMENT HOLDING (AUST) PTY LTD

Reference number: D/2024/446
Site address: 372-382A Pitt Street , SYDNEY NSW 2000

Proposed development:
Detailed design proposal for demolition of structures, excavation, remediation and construction of a 60 storey mixed-use hotel and ancillary retail development with basement level, vehicular and loading access from Carruthers Place. The application is being assessed concurrently with the amending DA for the concept building envelope D/2024/36.

Consent Authority:
Central Sydney Planning Committee (under delegation of the Minister for Planning)

Well Smart Investment Holding (AUST) Pty Ltd has submitted a State Significant development (SSD-65204458) application (Council Ref D/2024/446) located at **372-382A Pitt Street, Sydney** in the City of Sydney Local Government Area. As part of our assessment, we are notifying surrounding neighbours and property owners to seek their views on the proposal.

The SSD application including the Environmental Impact Statement (EIS), will be on public exhibition from **Monday 17 June 2024** until **Monday 15 July 2024**. These documents can be viewed at:

City of Sydney website: https://online2.cityofsydney.nsw.gov.au/DA

Department of Planning, Housing and Infrastructure website:
https://www.planningportal.nsw.gov.au/major-projects/projects/hotel-372-382a-pitt-street-sydney-0

We encourage you to review all documents to understand the details of the proposal. Guidance to prepare your comments is on the **City of Sydney** website and on the back of this page.

A liquor licence application may be lodged with Liquor & Gaming NSW in relation to this development application. To access information about the licence application and/or to make a submission about the licence application please go to https://www.liquorandgaming.nsw.gov.au/community-and-stakeholders/have-your-say/community-consultations/liquor-and-gaming-application-noticeboard or call 1300 024 720.

If a submission is made by way of objection, the grounds of objection must be specified in the submission.

Privacy statement: Before making your submission, please read the Department's Privacy Statement at www.planning.nsw.gov.au/privacy or call 1300 305 695 for a copy. The Department may publish your submission on its website in accordance with the Privacy Statement.

Bill MacKay
Manager Planning Assessments

4088203-180620241131-000028-ASA001-000519

Property owned/occupied by addressee: Suite 1004/362-370 Pitt Street SYDNEY NSW 2000

Providing feedback on development proposals

1. If you would like to comment on the proposal, you can email your feedback before the closing date at ePlanning search - city.sydney/find-da (preferable) or by posting to City of Sydney, GPO Box 1591, Sydney NSW 2001, including the relevant application number and address. If your feedback is an objection, your reasons should be clearly given. We would like to know about the issues that are important to you.

2. City of Sydney employees assess applications against planning criteria in local planning controls and state legislation. You can view the planning controls on our website at cityofsydney.nsw.gov.au/development-control-plans.

3. We will send you a letter or email confirming we have received your feedback and will carefully consider it as part of the assessment.

4. Any feedback about this development will **not** be kept confidential and will be made completely available on the City of Sydney's website as explained in the terms and conditions of making a submission in ePlanning search.

5. If you want some or all identifying information about you to be private, instead of using ePlanning search send your feedback to council@cityofsydney.nsw.gov.au. You must include the relevant application number, and the site address in your email. Tell us what identifying information you want kept private in the first paragraph of your feedback. We will still publish your feedback but with information which may identify you withheld.

6. Feedback is routinely placed on the NSW Planning Portal. Even when your privacy is requested, personal information within these copies will be available in the portal to applicants and external agencies.

7. If amendments are made to the application before determination and City of Sydney employees consider these to be minor or to reduce impacts, you will not be notified again. However, we will contact you if significant changes are made to the current proposal.

8. The Local Planning Panel or the Central Sydney Planning Committee will directly determine more significant or contentious applications. The committee deals with applications valued over $50 million. Applications that involve minor development or less complex issues will ordinarily be determined under delegation of Council, by the Director of City Planning, Development & Transport.

9. If the application is to be determined by the Local Planning Panel, City of Sydney employees will contact people who provided feedback, wherever possible. Due to the short timeframe from when an agenda is published to the meeting taking place, it is not always practical to post a letter to people who commented. We ask you to include a daytime phone number or email address, so we can contact you quickly.

10. The Local Planning Panel generally meets every second Wednesday. The Central Sydney Planning Committee generally meets every 3 weeks on Thursday evenings. The public is welcome to attend these meetings, which are held in the Council Chambers at Sydney Town Hall, 483 George Street. Contact Secretarial on 02 9265 9333 to find out the dates and times of the next meetings. You can ask to speak at committee meetings, and if this is possible, you will have three minutes to present your issues.

11. Agendas and reports for committee are generally available one week before the meeting on the City of Sydney's website, meetings.cityofsydney.nsw.gov.au. Copies are also available free of charge from our customer service centre at Town Hall House and our neighbourhood service centres in Glebe, Green Square and Kings Cross.

12. When a final decision is made about an application, we will inform everyone who gave feedback about the outcome. For development proposals determined by the Local Planning Panel or Central Sydney Planning Committee,the minutes of meetings will be available on the City of Sydney's website.

13. Should you provide feedback, if you have given a gift or made a donation to a councillor, employee or approved contractor of the City of Sydney in the past 2 years, you must include a disclosure statement with your feedback (city.sydney/disclose-donation-gift). Failure to disclose relevant information is an offence under the *Environmental Planning and Assessment Act1979*. It is also an offence to make a false disclosure statement.

14. City of Sydney employees are available to assist you. You can talk with City of Sydney planner dealing with the application about its progress, planning controls, the possible timing of considerationby committee (if applicable) and further information on anything that is not clear from the application documents.

Lincolne Scott Australia Pty Ltd
Consulting Engineers (inc Vic)

83 Alexander Street, Crows Nest
PO Box 737
New South Wales 2065
Telephone: (02) 906 3166
Telex: Linsco AA 33940
Fax: (02) 906 3680

90 JUN 7 A9:18

MK/DOC
2/GEN10/021
2980/0/5

4th June 1990

The Town Clerk
Council of the City of Sydney
PO Box 1591
SYDNEY NSW 2000

Attention: Mr. P. Conroy
(Health & Community Services Dept.)

Dear Sir,

Re: COMMERCIAL DEVELOPMENT - 370 PITT STREET, SYDNEY
MECHANICAL SERVICES
BA REFERENCE 1092/88

We refer to the Health and Community Services Department Plan Assessment Report dated 26th April 1990, Ref. No. DN 998/90.

This report contains conditions No. 1 and 27 which indicate new requirements of air filters on fan assisted VAV boxes and the Carpark supply system.

We respectfully request the Council reconsider implementation of these conditions for this particular project for the following reasons:-

The Mechanical Services drawings for the above project were initially submitted for Council approval in May 1988. These drawings were documented for the thirteen (13) storey office building. Prior to submission of drawings, details of the Carpark ventilation system were reviewed with the Council in September 1987 and approval obtained for the mechanical supply ventilation system without filters. This was in consideration of the mechanical ventilation being supplemented by the unfiltered make-up air entering the Carpark via the entrances at Pitt and Castlereagh Streets.

The conditions of building approval BA Ref. No. 1872/87 were received in June 1988. These conditions raised no requirement for the filtration of air recirculated through the fan assisted VAV boxes.

.../2

Subsequently, the project was expanded to the fifteen (15) storey office building. This expansion however, had only minor effect on the Mechanical Services and did not affect design of the typical office floor or the Carpark.

The drawings were resubmitted for Council approval in March/April 1989. The new conditions of building approval were received in our office on 22nd May 1990. During the period of fourteen (14) months from the resubmission of drawings to the receipt of approval conditions, the project has reached the stage of practical completion.

By reasons of the above, we seek the Council's dispensation from the Conditions No. 1 and 27 of the Plan Assessment Report.

Yours faithfully,
LINCOLNE SCOTT AUSTRALIA PTY. LTD.

M. KRAWCZYK

Yes, due to the circumstances described in this letter, it is warranted to enforce the condition.

SOUTHERN INTERNATIONAL
Southern International Constructions Pty Ltd
Level 10, 287 Elizabeth Street, Sydney 2000
P.O. Box A102 Sydney South 2000
Telephone 2649999 Fax 2648818

Original appl 1872/87

The Town Clerk
The Council Of The City Of Sydney
G.P.O. Box 1591
SYDNEY NSW 2001

6th August, 1990.

Attention: Director Of Planning and Building

Dear Sir,

RE: PROPERTY NO'S - 362-372A PITT STREET, SYDNEY.

BUILDING APPROVAL NUMBER 1092/88

We refer to the approval granted in respect of the Mechanical Services Drawings dated 18th May, 1990 and Condition No. 6 attaching to the Plan Assessment Report of the Health and Community Services Department date 26th April, 1990. We also refer to our Meeting with Mr. Peter Conroy of Council on Wednesday, 30th May, 1990 at which we agreed with Mr. Conroy that we write to Council and ask that compliance with Condition No.6 be dispensed with.

As you are aware, the position of the Car Park Exhaust Grilles shown in the Mechanical Services Drawings for the revised Building Application (1092/88) is precisely the same as that contained in the Mechanical Services Drawings approved in respect of the Building Approval granted in March, 1988 (1872/2/87). The Mechanical Services Drawings in respect of the earlier Building Application were approved on 1st June, 1988, without mention or objection to the location of the Car Park Exhaust Vents and there was no Condition attaching to such Approval, in terms of Condition No.6, which Council has now sought to impose. A summary of the events relating to these approvals is attached.

As Council is aware, Carruthers Place has existed since a subdivision of the area in 1840. Searches and enquiries made on our behalf have failed to uncover any evidence that would suggest that Carruthers Place has been used for any purpose other than a roadway and public thoroughfare. With respect, it is inconceivable, given that Carruthers Place has been used in this fashion for in excess of 150 years , that anyone will now attempt to establish title to the land. Even if that remote possibility should eventuate, such an attempt would be unsuccessful, given the public use of the thoroughfare for such a long period of time.

.../2

In fact it has been brought to our attention that Council at its Meeting of 23rd July, 1990 has given notice of its intention to take over Carruthers Place in accordance with the provisions of Sections 224 (3) and 628 of the Local Government Act 1919.

In conclusion, we consider that Council's Condition No 6 with respect, is unreasonable having regard to the past, present and future use of Carruthers place and to the previous approvals granted by Council and accordingly our Company, respectfully requests that Council delete the Condition No 6 it has imposed. Conditional upon the land being resumed.

Yours faithfully,
SOUTHERN INTERNATIONAL CONSTRUCTIONS PTY LTD

D. Kenny

D.Kenny
DIRECTOR

Letter of reply is required notifying the writer that dispensation will be granted subject to final resumption of tenancy

SOUTHERN INTERNATIONAL
Southern International Constructions Pty Ltd
Level 10, 257 Elizabeth Street, Sydney 2000
P.O. Box A102 Sydney South 2000
Telephone 264 9999 Fax 264 8818

25th June, 1990.

SUMMARY.

(1) On the 21st October, 1987, the Council Of The City Of Sydney approved a Building Application for the Construction of an Underground Substation (Ref.B.A. 1218: 8:87) which shows the Exhaust Grills discharging on the Boundary Line into Carruthers Place.

(2) The original Building Application (1872/2/87) for this project was submitted on the 11th September, 1987 and was approved by the Council on the 15th March, 1988.

(3) Following Submission of that Original BA on the 11th September, 1987, a Meeting was convened with Council on the 28th September, 1987. This Meeting was Minuted and officially confirmed back to Council in a Letter dated 30th September, 1987. Minute 1.4 specifically refers to the current problem.

(4) Following on from (3) above Lincolne Scott Australia Pty Ltd submitted Mechanical Services Drawings on the 9th May, 1988 in compliance with Council's stated request. Drawing No. M4 shows the Carpark Exhaust in position as constructed. These Mechanical Service Drawings were approved on the 1st June, 1988 without mention or objection to the location of the Car Park Exhaust.

(5) Whilst work was progressing in accordance with the original B.A., a revised Building Application (1092/88) for a building of increased height, was submitted in April, 1988. This revised B.A. was approved on the 12th September, 1988. Approved B.A. Drawings No's A2.03K, and A3.03F show the Carpark Exhaust Grille in its now constructed position immediately on the Boundary of Carruthers Place. The location of the Carpark Exhaust Grills are in exactly the same location as shown in the original Mechanical Service Drawings approved on the 1st June, 1988.

(6) The Mechanical Service Drawings for the revised Building Application were submitted on the 3rd April, 1989. Whilst receipt of these drawings is acknowledged by Council the Drawings were lost in Council's system and it was not until February, 1990 after continual pressure for approval of these Drawings by Southern International Constructions Pty. Ltd., that Council admitted that they could not locate the Drawings.

Council requested further copies of these Mechanical Service Drawings and these were submitted on the 8th February, 1990. Approval of these Drawings was received on the 22nd May, 1990. This approval contains the Condition No 6 which is now causing concern.

PARCELS OF LAND, LANES, PASSAGES, BEING RESIDUALS OF SUBDIVISION, RATED OR UNRATED, THE OWNERS OF WHICH ARE UNKNOWN OR UNTRACEABLE - COUNCIL POLICY. (A03-00082)

16.

That arising from consideration of a report by the Acting City Engineer dated 9th July, 1990, approval be given to:-

(1) the service on the owners of the lands referred to in Items 1, 5, 6, 8, 9, 10, 11 and 15 of the schedule accompanying the report of the Acting City Engineer, Notice of Council's intention to take over the road in accordance with the provisions of Sections 224(3) and 628 of the Local Government Act, 1919, subject to the City Solicitor being satisfied that each Item complies with the requirements of Section 224(3);

(2) the Items 4, 7, 12, 13, 14 and 16 of the schedule accompanying the report of the Acting City Engineer be referred to the City Solicitor for investigation and subsequent recommendation;

- and further, any relevant documents and plans be executed, if required, under the Common Seal of the Council or by Council's Attorney.

Carried.

CE (K. Davis)

SCM. [illegible]

[illegible]

Checked and recorded Miscellaneous Bk No 24.

[illegible] 3/8/90.

ITEM No. 16. COMMITTEE FINANCE COMMITTEE

City Engineer's Department

MINUTE PAPER C34AAG

KD/AJ

File No. A03-00082

Subject: PARCELS OF LAND, LANES, PASSAGES, BEING RESIDUALS OF SUBDIVISION, RATED OR UNRATED, THE OWNERS OF WHICH ARE UNKNOWN OR UNTRACEABLE. COUNCIL POLICY.

Date 9th July, 1990

THE TOWN CLERK

I refer to the City Solicitor's minutes dated 10th and 31st January, 1990, which make further recommendation in respect of 17 parcels of land, of doubtful status, which have untraceable or unknown owners, referred to in the Acting City Engineer's minute dated 27th September, 1989.

Six properties, namely Items 4, 10, 12, 13, 14 and 16, shown on the revised Schedule attached hereto, were previously recommended by the Acting City Engineer in the aforementioned minute for action by way of sale for overdue rate persuant to Section 602 of the Local Government Act, 1919. The City Solicitor, in his first mentioned minute, however, advised, in part, as follows:

> "There are six properties which the City Engineer recommended for action by way of sale for overdue rates. In general I think that this procedure is not recommended as it requires Council to form a positive opinion that the land is privately owned. In the case of any laneways or passages which were created before the 1879 Act I would be reluctant to form that opinion. The one thing that has been clearly established by the recent examples of cases disputing the status of laneways and passages is that if the laneway was created before 1880 then the determination of its status will almost always be difficult and require exhaustive searching of 19th century records and conveyancing documents. Whether lands are laneways or passages, resumption or action under Section 224(3) will almost always be more appropriate".

After further discussion with the City Solicitor it is now considered that five of these properties, Items 4,12,13,14 and 16, should be further investigated by the City Solicitor prior to final decision as to resumption or action under Section 224(3) of the Local Government Act would be more appropriate.

In the light of the City Solicitor's aforementioned comments and further discussion, it is now recommended that action under Section 224(3) Local Government Act, 1919, be taken in regards to Item 9, Carruthers Place, a lane between Nos. 370 and 372 and the rear of Nos. 372-374 Pitt Street, and Item 10, a lane between No. 29 and No. 31 and at the rear of Nos. 31-33 Oxford Street.

Items 1, 5, 6, 7, 8, 11, 15 of the attached Schedule were all previously recommended for action under Section 224(3) of the Local Government Act, 1919, by the Acting City Engineer in his aforementioned minute dated 27th September, 1989.

The City Solicitor in his first mentioned minute dated 10th January, 1990, advised, in part, as follows:-

"The remaining items are recommended for action pursuant to Section 224(3). The information in the Engineer's report, to my mind, establishes a doubt as to the status of the lands in the case of all but Item 7 where survey states that the lane is subject to various rights of way. Specifically created rights of way on the whole are consistent with an intention that laneways remain in private ownership."

It is therefore considered that Item 7, a lane between Nos. 389 and 391 and at the rear of Nos. 389-395 George Street, Sydney, now should also be further investigated by the City Solicitor with regard to possible resumption action under the provisions of the Public Roads Act, 1902.

Items 2, 3, 17 of the attached Schedule are the subjects of separate actions.

The City Solicitor in his second mentioned minute, dated 31st January, 1990, set out the appropriate steps that should be followed by Council if it intends to take action pursuant to Section 224(3). The City Solicitor states, in part, as follows:-

"The subsection (245(3)) clearly sets out the procedure to be followed by Council. Council should not serve notice of its intenion to take over the road until it is satisfied of two factors, namely:

1. that the road has been left in subdivision of private lands before the commencement of the Local Government Act, 1906; and

2. there exists a doubt as to whether or not it is a public road.

While my minute of 10 January, 1990 deals with the second point, Council must also be satisfied as to the first. If Council is in any doubt as to whether any of the items recommended for action pursuant to Section 224(3) were left in subdivision of private lands before the commencement of the 1906 Act, this matter should be clarified before any notice of intention to take over the road is served. It is not possible for me to advise in relation to this issue from the material contained in Council's file."

and further:

"Once Council is satisfied that the items which are recommended for action pursuant to secion 224(3) are roads left in subdivision in private lands before the commencement of the Local Government Act, 1906, it would be appropriate for Council to pass the following resolution:

That arising from consideration of the Acting City Engineer's minute of 27th September, 1989 and the City Solicitor's minute of 10 January 1990, Council resolves to serve on the owners of the lands referred to in items ( ) of the Schedule to the Acting City Engineer's minute notice of intention to take over the road in accordance with the provisions of Sections 224(3) and 628 of the Local Government Act, 1919".

Recommendation

That arising from consideration of a report by the Acting City Engineer dated 9th July, 1990, approval be given to :

1. Service on the owners of the lands referred to in Items 1, 5, 6, 8, 9, 10, 11, and 15 of the Schedule attached to the Acting City Engineer's minute, notice of intention to take over the road in accordance with the provisions of Sections 224(3) and 628 of the Local Government Act, 1919, subject to the City Solicitor being satisfied that each Item complies with the requirements of Section 224(3).

2. That Items 4, 7, 12, 13, 14, and 16 of the Schedule attached to the Acting City Engineer's minute, be referred to the City Solicitor for investigation and recommendations; and

3. All relevant documents and plans being executed under the Common Seal of Council or by Council's Attorney.

FINANCE COMMITTEE 16 JUL 1990

RECOMMENDATION APPROVED

COUNCIL 23 JUL 1990

JOHN EVERNDEN
A / CITY ENGINEER (9406)

9th July, 1990

See decision sheet

S41ABH
KD/MD

SCHEDULE (JULY, 1990)

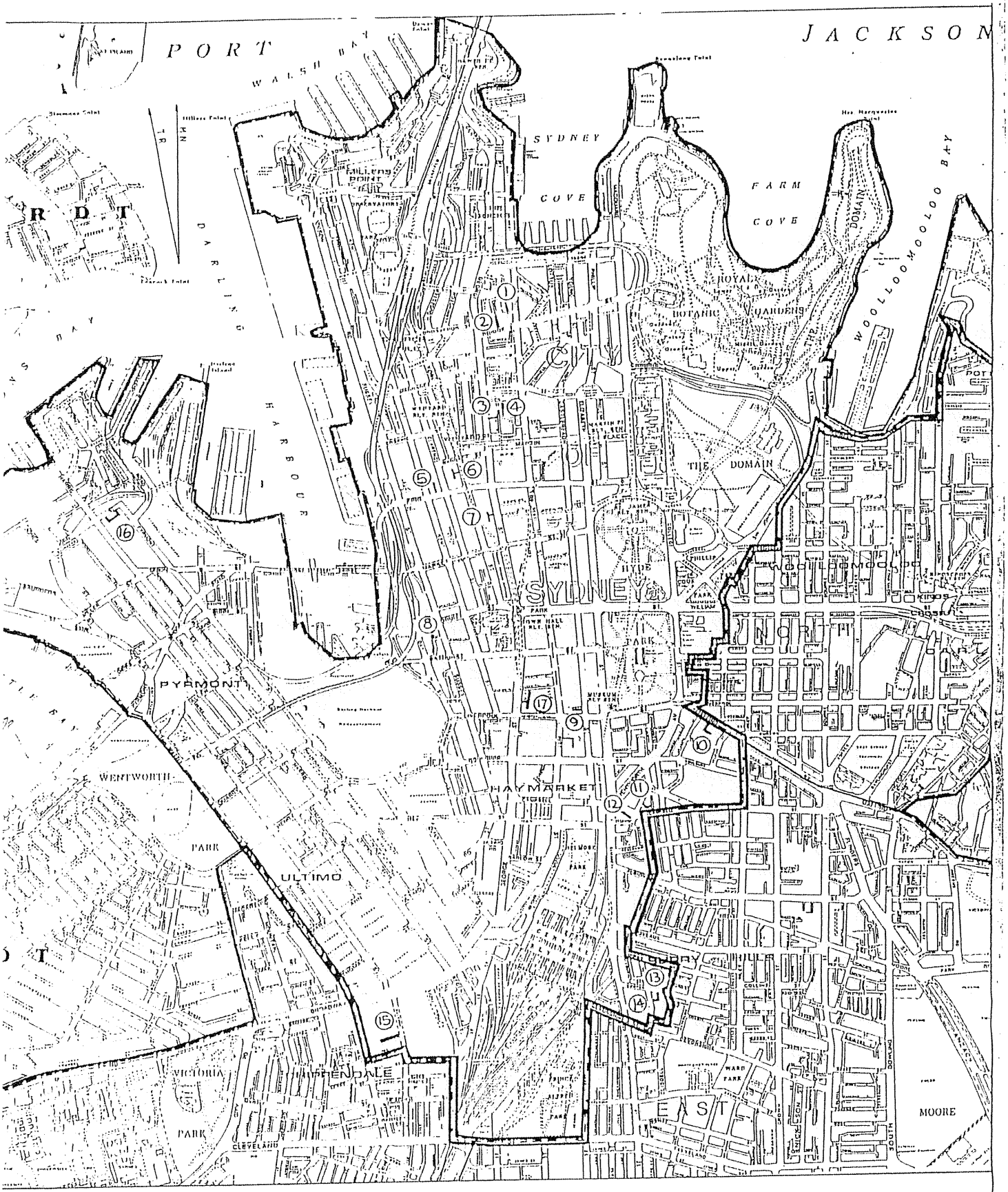
A03-00082

RESIDUAL LAND WITHIN THE CITY OF SYDNEY THE OWNERS OF WHICH ARE UNTRACEABLE

ITEM	SUBJECT	FILE NO.	PLAN NO.	VALUATION NO.	FIRST RATED	O/S RATES $	TYPE	SHOWN ON MAP	RECOMMENDATION ACTION
1	Queens Court adjoining No.8 Dalley Street rear 49A-57 Pitt Street	S06 01608	S5-543/179	208.4973	1967	27,755	Dead End	1865	Sec. 224(3)
2	Passage between 14&16 Bridge Street.	S06 00140	S5-574/170	208.4972	1960	Non rate-able 1-1-84	Through	1850	Subject to separate action
3	Palings Lane between 338 and 340 George Street.	S06 01610	S5-543/26	-	Not rated	-	Through	1865	Subject of an agree-ment AMP Soc.& Council
4	Rear of 115 Pitt Street.Part of Tank Stream.	S06 01626	S5-543/181A	208.12449	1969	6,436	Land-locked	-	Refer to City Solicitor for further comment
5	Lane adjoining 40 King St. at rear of 163 to 177 Clarence St. and 304-306 Kent Street.	S06 01611	S5-543/182A	-	Not rated	-	Dead End	1850	Sec. 224(3)
6	Lane between 69 & 71 & at rear of 69 York Street	S06 01127	S5-543/170A	208.77180	Not rated	-	Dead End	1850	Sec. 224(3)
7	Lane between 389 & 391 & at rear of 389-395 George Street	S06 01628	S7C-183/77	208.6845	1959	177,178	Dead End	1865	Refer to City Solicitor for further comment
8	Extension of Sands Street rear 263-265 Sussex Street.	S06 01607	S5-543/180A	-	Not rated	-	Dead End	1865	Sec. 224(3)
9	Carruthers Place lane between 370 & 372 & at rear of 372-374 Pitt Street.	S06 01301	S5-543/194	208.12548.001	1984	7,864	Dead End	1880	Sec. 224(3)
10	Lane between 29 & 31 and at rear of 31-33 Oxford Street	S06 01629	S5-543/113	208.11789.1	1979	17,000	Dead End	1865	Sec. 224(3)
11	Lane rear of 82-102 Campbell St. between Foster St. and Beauchamp Lane.	S06 01270	S5-543/175	-	Not rated	-	Through	1865	Sec. 224(3)
12	Passage adjoining 33 Foster St. rear of 71-79 Campbell St	S06 01609	S5-543/174	-	Not rated	-	Dead End	About 1890	Refer to City Solicitor for further comment
13	Passage between 45&47 Cooper St. at rear 32-44 Holt St.	S06 01630	S5-543/183	208.4294	1954	4,314	Dead End Land-locked	1911	Refer to City Solicitor for further comment
14.	Passage adjacent 32 Holt St. at rear 33-43 Cooper Street	S06 01631	S5-543/184	208.8252	1954	4,282	Dead End	1911	Refer to City Solicitor for further comment

SCHEDULE (JULY 1990)
RESIDUAL LAND WITHIN THE CITY OF SYDNEY THE OWNERS OF WHICH ARE UNTRACEABLE

ITEM	SUBJECT	FILE NO.	PLAN NO.	VALUATION NO.	FIRST RATED	O/S RATES $	TYPE	SHOWN ON MAP	RECOMMENDATION ACTION
15	Irving Lane between Carlton St. and Balfour Street	S06 01612	S5-543/176	208.2975.1	1968	5,258	Through	1865	Sec. 224.(3)
16	Passage adjacent 79 & 93 and at rear 79-93 John St.Pyrmont	S06 01627	S5-543/187	208.8591	1961	4,268	Through	1865	Refer to City Solicitor for further comment
17	Passage between 628 & 630 and at rear 614-634 George Street beside Central Police Station.	S06 01667	S5-543/142	208.63184	-	Not rated	Through (Part Dead End	1865	Subject to separate action



LOCALITY SKETCH

RESIDUAL LANDS WITHIN THE
CITY OF SYDNEY
THE OWNERS OF WHICH ARE
UNKNOWN OR UNTRACEABLE

From: [redacted] < [redacted] on behalf of [redacted]
< [redacted] < [redacted] < [redacted]

Sent on: Wednesday, July 17, 2024 9:14:41 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/446 - 372-374 Pitt Street SYDNEY NSW 2000 - Attention Jessica Symons

Attachments: Objection Summission by Owners of Lot 54, 55 and 56 370 Pitt Street 17 july 2024.pdf (148.01 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

HI City of Sydney

This objection/ submission to the proposed development at 372-382A Pitt Street is being submitted by the owners of Lot 54,55 and 56 in 370 Pitt Street.

Could you please remove the name of [redacted] from documents in the public domain and please also remove my name from that which is loaded on to the public domain.

We look forward to a response to matters raised.

Regards & thanks

[redacted]
Chief Executive Officer
[redacted]

A start in life
a brighter future for young australians

100 YEARS

Suite 702, 370 Pitt Street, Sydney NSW 2000
P [redacted] **M** [redacted]
ABN 21 871 881 074
www.astartinlife.org.au

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City of Sydney
17 July 2024

Objections to Development Proposal D/2024/446– 372-382A Pitt Street

We are the owners of Lot 54, 55 and 56 in Strata Plan 52106 at 370 Pitt Street. We are aware another development proposal has been submitted for 372- 382A Pitt Street and have a number of significant concerns with the proposal.

Those concerns relate to safety (further details below), loss of amenity and significant loss of light due to the overwhelming and disproportionate scale of the proposed development. These concerns were raised with City of Sydney in an objection, lodged at the end of February 2024 to **D/2024/36**, to which no response has been provided nor have these concerns been addressed in any way. As such they remain valid and are once again raised so they can be resolved.

We are also very concerned that Carruthers Place, a public laneway seems to be incorporated in this development proposal. The existence and ongoing existence of this laneway was a key factor for us in the purchase of the three pieces of property in 370 Pitt Street. The existence of the laneway provided substantial light and other amenity to each of the properties. Should there have been any change in use of the laneway, as is now proposed and also occurred when City of Sydney (we are now informed) sold the laneway, we should have received advance notification from City of Sydney, allowing us to raise concerns. Unfortunately this did not occur.

It would appear that the plans (development application) submitted by 372- 380 Pitt Street, provide for a service, loading bay, which will have heavy and large vehicle traffic volumes, being located where services crucial to the safe operation of 370 Pitt Street are located and have been located for over 30 years. These services have always been located via/in Carruthers Place, a public laneway and were approved as such by City of Sydney. Those services include two fire stairs from 370 Pitt Street discharging to the laneway. In addition, ventilation to building (supply, exhaust and stair pressurisation intake), access to critical fire control room and fire boosters, as required by Fire Rescue NSW are from this laneway.

The above issues present serious safety issues for 370 Pitt Street, its occupants and our employees. We are very concerned that safety is being compromised particularly as workers and pedestrians, using fire exits will be exiting onto a loading bay used by trucks, other heavy vehicles and cars servicing a very large hotel complex.

We are aware that City of Sydney approved the Building Application for 370 Pitt Street over 30 years (1988) ago and that at the time approval was given, Council knew these safety measures relied on keeping Carruthers Place available as a public laneway.

We are also aware that Council records over the years and in more recent times also show a significant awareness by City of Sydney of the existence of services from 370 Pitt Street ie fire exits, fire sprinklers, fire valves and exhaust systems totally reliant on Carruthers Place, a public laneway.

Please note these objections to the development proposal **D/2024/446 and D/2024/36.**

Yours sincerely

[redacted]

[redacted]

NSW Masonic Youth Property Trust- (Chair)
NSW Masonic Welfare Property Trust-(Chair)

From: Jennifer Morgan <[redacted] on behalf of Jennifer Morgan <[redacted] <Jennifer Morgan <[redacted]

Sent on: Friday, July 19, 2024 11:08:58 AM

To: council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

CC: Matthew Shannon <[redacted]

Subject: Objection to State Significant Development (SSD - 65204458) (COUNCIL Ref D/2024/446) [STL-MATTER.FID374197]

Attachments: Letter to City of Sydney - OBJECTION TO STATE SIGNIFICANT DEVELOPMENT - 19.07.24(100576379.1).pdf (270.48 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/Madam,

Please refer to the **attached** correspondence which I am forwarding to you on behalf of Matthew Shannon, Director, of our office.

Kind regards,

Jennifer Morgan
Legal Assistant
SHAND TAYLOR LAWYERS
Incorporating MUNRO THOMPSON Lawyers
D [redacted] | **E** [redacted]

Level 2, 77 Mooloolaba Esplanade, Mooloolaba QLD 4557 I PO Box 5, Mooloolaba QLD 4557
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SHANDTAYLOR LAWYERS
Incorporating MUNRO THOMPSON Lawyers

19 July 2024

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Via email: council@cityofsydney.nsw.gov.au & dasubmissions@cityofsydney.nsw.gov.au

OBJECTION TO STATE SIGNIFICANT DEVELOPMENT (SSD – 65204458) (COUNCIL Ref D/2024/446)

This correspondence is a submission made by:

Name of Submission-maker	Sky's The Limit Enterprises Pty Ltd
Address of Submission-maker	C/- Shand Taylor Lawyers Level 2, 826 Ann Street Fortitude Valley QLD 4006
Electronic Address for Service	[redacted]
Site address of development application	372-374 PITT STRET, SYDNEY NSW 2000 376 PITT STREET, SYDNEY NSW 2000 378 PITT STREET, SYDNEY NSW 2000 380 PITT STREET, SYDNEY NSW 2000 382 PITT STREET, SYDNEY NSW 2000 382A PITT STREET, SYDNEY NSW 2000

This submission is made to the Council of the City of Sydney (**Council**), being the relevant assessment manager for the State Significant Development (SSD – 65204458) (Council Ref D/2024/446).

Preamble

Our office has been engaged by Sky's The Limit Enterprises Pty Ltd (the **Submitter**) to prepare this submission regarding the abovementioned development application.

The Sumbitter is the registered owner of 35/362-370 Pitt Street Sydney (described as Lot 35 on Strata Plan 46628) (**Lot 35**).

At the outset, the Submitter notes that they support well planned development that respects and makes a positive contribution to the planned neighbourhood character of our communities.

However, the Submitter strongly objects to the proposed development in its current form. The grounds for the objection are as follows:

Privilege is not waived by mistaken delivery of this confidential communication. If there is a problem with this communication please contact us.

Directors
Rod O'Sullivan
John Sneddon
Matthew Shannon
Brad Clark
Richard Waring
Alex Tuhtan
Kimberley Forman
Patrick Sherlock
Annie Kelly

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1. Removal of access via Carruthers Place

The submitted documents clearly show that access to Lot 35 will not be maintained as part of this proposal.

The applicant is proposing to develop the Site (and particularly Carruthers Place) without ensuring:

1. proper access is maintained to Lot 35 (which is bounded on its remaining three sides by existing buildings). Lot 35 is currently used for car parking and has always had access through Carruthers Place;
2. there is proper separation between existing buildings and the building intended to be constructed on lot 35. The proposed development is overly bulky and not of an appropriate scale.

If approved in its current form, the proposed development will deny access to Lot 35, which would render Lot 35 landlocked with no practical access and ensure Lot 35 is sterilised from future development.

Further, adjacent sites, including the Sydney Masonic Centre Civic Tower, require fire and vehicular access via Carruthers Place[1].

The proposed development in its current form ought not to be approved as the proposed development will:

(a) Constitute a safety hazard as it will block a laneway (Carruthers Place) that is required for fire access from two adjoining buildings, namely the Masonic Centre and 370 Pitt Street;

(b) Block vehicular and pedestrian access from Lot 35; and

(c) Alter the appearance of Pitt Street as Carruthers Place (which is recognised as an existing laneway in the DCP[2]) will not be viewed as or be capable of being used as a laneway.

The material accompanying the application is misleading as it does not recognise part of the site is being used for vehicular and pedestrian access to Lot 35 via Carruthers Place.

The proposal notes that '*Restricted access is also provided to the rear of the site for loading and services via a shared vehicular right-of-way to the south from Goulburn Street'*, however, does not consider access to Lot 35 or fire access to adjoining buildings.

2. Conflict with Central Sydney DCP 1996

The Central Sydney DCP 1996 states that

1. '*Lanes are an integral part of the public space network in Central Sydney'*; and

2. '*Lanes separate buildings, maintain Central Sydney's characteristic urban grain and permeability, provide vistas and views through city blocks, and add visual interest to the built environment'* and '*Lanes contribute significantly to the variety of pedestrian experience in Central Sydney. They can enrich the urban quality of the city as well as being interesting places for a variety of uses, such as restaurants, cafes and other activities that attract people and provide opportunities for social interaction'*.

The proposed development conflicts with the Central Sydney DCP 1996, particularly clause 3.1 as:

1. the capacity for Carruthers Place (as a laneway) to be used for pedestrian and vehicular access will be denied by the proposed development and the appearance of Carruthers Place as a lane will be lost.
2. the removal of Carruthers Place will conflict with the objective of the Central Sydney DCP 1996 to retain and develop lanes as useful and interesting pedestrian connections as well as for service access and to maintain Central Sydney's fine urban grain.[3]

[1] The City of Sydney Policy for the Management of Laneways in Central Sydney, page 2 '*Lanes contribute to the pedestrian convenience and amenity of the city, the servicing of city buildings and the appreciation of the heritage of a city by Providing access to buildings for vehicles and pedestrians, particularly for service reasons such as fire egress or access to carparks and loading docks'*.
[2] Please see figure 3.1 'Lanes and Midblock Connections' of Central Sydney DCP 1996.
[3] Further, the Submitter notes that Council's policy for the Management of Laneways in Central Sydney states:

3. Inconsistency with the objectives for development within the City Centre Zone

The proposed development is inconsistent with the objectives within the City Centre Zone, particularly as it does not 'protect the fine-grained urban fabric of Central Sydney especially the existing network of streets and lanes, and to provide for high quality development that contributes to the existing urban form'.

4. Impact on easements

The common property in Strata Plan 46628 is benefitted by Easements G319989 and G319990 (the Easements).

The Easements burden Lots A and B in Deposited Plan 439950, both of which form part of the Site. The Development Application fails to take into account the rights granted under the Easements, which include rights to access the burdened areas and rights to maintain and reconstruct the sewer pipes contained within the burdened areas.

5. Lower-Level Podium to exceed maximum height of the approved podium envelope

The lower-level podium is proposed to exceed the maximum height of the approved podium envelope as follows:

- Up to RL 32.68 to accommodate the proposed 'landscaped vessel.'
- Up to RL 33.88 to accommodate the balustrade above the 'landscaped vessel'.
- Up to RL 36.48 to accommodate the awning and associated supporting structures above the proposed landscaped vessel (at Level 4).

Although it has been asserted that there will be no additional adverse impacts on environmental amenity as a result of the 'minor increase in street frontage height', the Submitter considers that if Council were to allow the lower-level podium to exceed the maximum height of the approved envelope that the podium will overshadow pedestrians and conflict with City Centre Zone given the proposed development will not enhance the amenity of community places by protecting sun access.

The Submitter also considers that the proximity of the lower-level podium to adjoining buildings and adjoining lots will adversely affect the amenity of the spaces inside the neighbouring buildings, the quality of space between the buildings, and visual and acoustic privacy, especially in circumstances where the intended use of the proposed development is a hotel.

The overall effect will reduce the access to light and air and result in a crowded, suffocating feeling for occupants of the adjoining buildings and the users of Pitt Street. This substantial loss of amenity should not be permitted.

6. Conclusion

We consider the application ought not to be approved in its current form as the proposed development must (at a minimum) be modified:

1. to retain Carruthers Place as an existing laneway (to reflect the requirements of the DCP[4]) to provide adequate separation and so that it can be viewed as and be capable of being used as a laneway (including as a useful and interesting pedestrian connection as well as for service access) and to maintain Central Sydney's fine urban grain (including the existing network of streets and lanes) and the appearance of Pitt Street;

(a) '*Laneways have traditionally served a variety of functions in the city from the provision of off-street vehicular and service access to city buildings to quality secondary pedestrian routes through city blocks'*;

(b) '*Submissions to the Central Sydney Planning Inquiry in August 1992 noted that laneways in the city were being lost and that therefore something of Sydney's unique scale and character had vanished. This observation was linked to a criticism of the practice of site amalgamation which it was said had led to projects of a much larger scale and the construction of "gargantuan" buildings which overwhelmed their neighbours*';

[4] Please see figure 3.1 'Lanes and Midblock Connections' of Central Sydney DCP 1996.

2. to provide an easement for full, free and unimpeded vehicular and pedestrian access to Lot 35 at any time;

3. to ensure fire access remains to two adjoining buildings, namely the Masonic Centre and 370 Pitt Street

4. to take into account the rights granted under the Easements over the Site; and

5. to reduce the size of the proposed podium and the development to maintain reasonable amenity.

Thank you for your consideration. Please do not hesitate to contact us to discuss this matter.

Yours faithfully
SHAND TAYLOR LAWYERS

[redacted]

Matthew Shannon
Director

T [redacted]
E [redacted]

From: Warwick Van Ede <[redacted] on behalf of Warwick Van Ede <[redacted] <Warwick Van Ede <[redacted]

Sent on: Monday, July 22, 2024 2:52:03 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cityofsydney.nsw.gov.au

Subject: DA - D/2024/446 - The Owners - Strata Plan No. 46628 (JSM 45104)

Attachments: Approved Plans showing exists and fire boosters.pdf (1.37 MB), Letter1 - Bill MacKay.pdf (179.37 KB), Email from Wellsmart.docx (16.97 KB), image001.png (6.56 KB), image002.png (7.48 KB), image003.jpg (1019 Bytes), image004.jpg (982 Bytes), image005.jpg (10.54 KB)

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Dear Mr Mackay

I act for The Owners - Strata Plan No. 46628 located at 370 Pitt Street, Sydney and now attach a submission on behalf of my client in response to your letter dated 24 June 2024.

Yours faithfully

Warwick van Ede
Lawyer I BEc LLM
Accredited Specialist -
Property Law
JS Mueller & Co Lawyers

Level 1, 240 Princes Highway
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F 02 9567 8551
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W <http://scanmail.trustwave.com/?c=16815&d=_OWd5qHPhT50NUazI5pTWETYusPLwWWE97q9MZSHAQ&s=115&u=http%3a%2f%2fwww%2emuellers%2ecom%2eau%2f>
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<https://scanmail.trustwave.com/?c=16815&d=_OWd5qHPhT50NUazI5pTWETYusPLwWWE9-m6MMXTXQ&s=115&u=https%3a%2f%2ftwitter%2ecom%2fJSMuellerCo>

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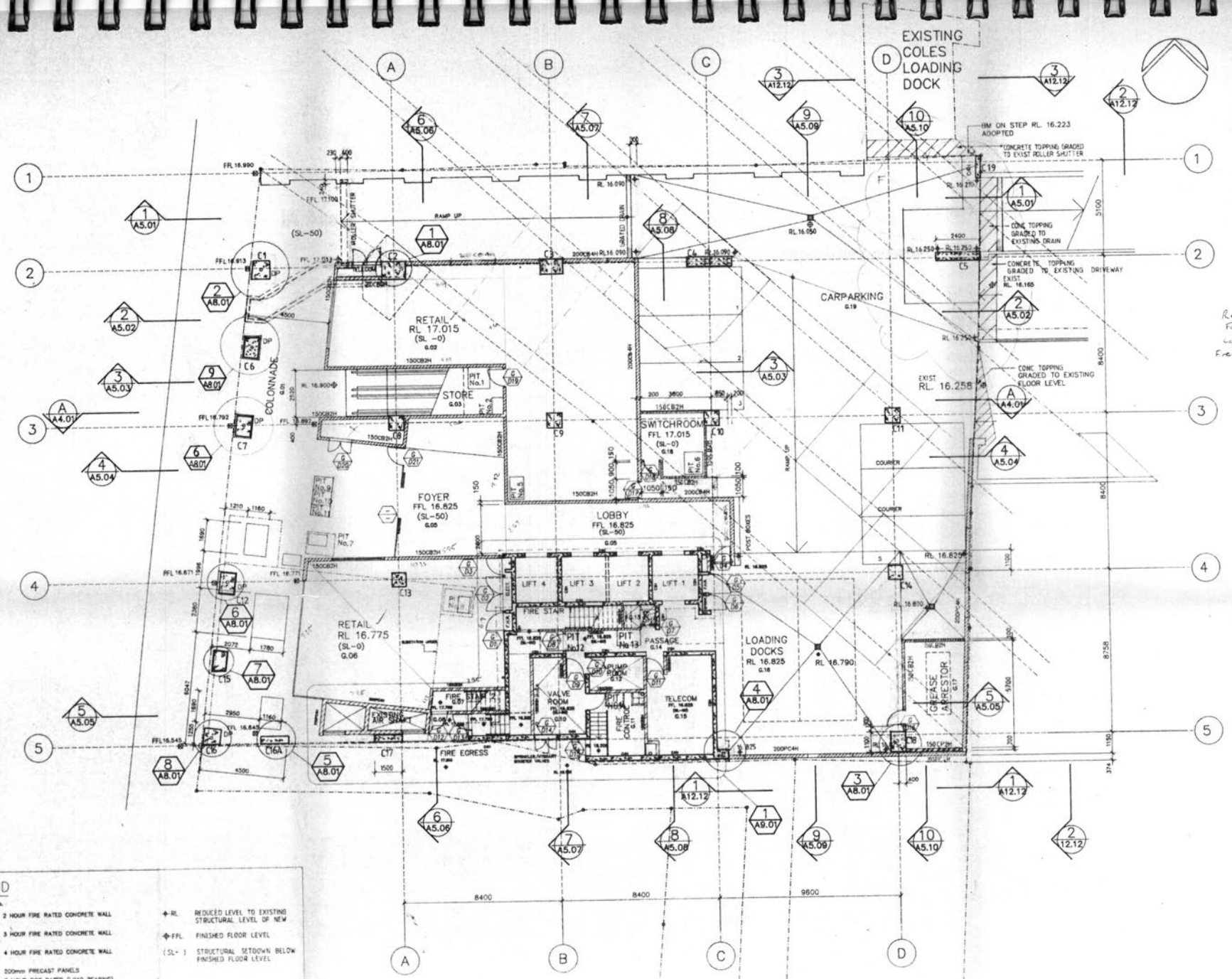

Retail = 213.96m²
Foyer = 40.76m²
Lobby = 32.20m²
Fire stairs = 30.29m²

Date	Issue	Amendment
13.4.88	G	NEW D.A. SUBMISSION
25.2.88	F	CONCRETE SLAB LEVELS AMENDED
8.2.88	E	C.S. SLAB LEVELS TELECOM CUPBOARD AMENDED COL. NOS SHOWN
28.1.88	D	GREASE ARRESTOR RM. BLOCK WALL ADDED SWITCH ROOM WALLS AMENDED PIT NO 14 ADDED
22.1.88	C	PIT 5,7,9,10,11,12,13 REVISED ESCALATORS OTIS 600 ROOM & DOOR No.s ADDED RL'S,SL'S ADDED PRECAST EXT. WALLS REVISED
15.12.87	B	GREASE ARRESTOR ROOM EXTENDED ENGAGED COLUMNS CARPARK FOOTINGS & CARPARK RL'S AMENDED GREASE ARRESTOR DOOR RELOCATED
11.12.87	A	SWITCHROOM REVISED COLUMN SIZE REVISED SECTION REFERENCES ADDED CORE LAYOUT AMENDED REFER TO DWG. A9.01 FFL,RL REVISED

Contractor to verify all dimensions on site before commencing work. Figured dimensions given are to be taken in preference to scaling.
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Client
SOUTHERN INTERNATIONAL CONSTRUCTIONS PTY.LTD

Project
370 PITT ST.
SYDNEY

Drawing
GROUND FLOOR (PITT ST.)

LEGEND

WALL CODE No.

C2H	2 HOUR FIRE RATED CONCRETE WALL
C3H	3 HOUR FIRE RATED CONCRETE WALL
C4H	4 HOUR FIRE RATED CONCRETE WALL
200PC3H	200mm PRECAST PANELS 3 HOUR FIRE RATED (LOAD BEARING)
200PC4H	200mm PRECAST PANELS 4 HOUR FIRE RATED
100GB3H	100mm GYPSUM BLOCKS 3 HOUR FIRE RATED
150CB2H	150mm SOLID DENSEWEIGHT CONCRETE BLOCKWORK 2 HOUR FIRE RATED
D2H	2 HOUR FIRE RATED DRY WALL CONSTRUCTION
DNR	NON RATED DRY WALL CONSTRUCTION

RL	REDUCED LEVEL TO EXISTING STRUCTURAL LEVEL OF NEW
FFL	FINISHED FLOOR LEVEL
(SL-)	STRUCTURAL SETDOWN BELOW FINISHED FLOOR LEVEL

22 July 2024

JS MUELLER & CO
LAWYERS

Mr Bill MacKay
Manager, Planning and Assessments
City of Sydney
Town Hall House 456 Kent Street
SYDNEY NSW 2000

Our Ref: WVE:AK:45104
Your Ref: D/2024/446

By Email: council@cityofsydney.nsw.gov.au

Dear Mr MacKay

RE: SITE ADDRESS – 372 – 382A PITT STREET, SYDNEY NSW 2000

We act for The Owners – Strata Plan No. 46628, located at 370 Pitt Street, Sydney and refer to letter from Council dated 24 June 2024, being a notification of a proposed development D/2024/446, to be assessed concurrently with the pending DA for the Concept Building Envelope D/2024/36.

Whilst the owners corporation's concerns are set out in the submission previously lodged with Council in relation to D/2024/36, the owners corporation does not want the Council to be under any misapprehension that its concerns are any less regarding D/2024/446 which continues to seek to utilise Carruthers Place.

Accordingly, the intention of this letter is to reiterate the concerns of the owners corporation in relation to D/2024/446 based on its earlier concerns and additional additional matters.

Use of former Carruthers Place

The building comprising our strata scheme (SP46628) was designed incorporating features which assumed the existence of Carruthers Place as a public laneway, and the proposal formed D/2024/446, as with D/2024/36 will significantly impede those amenity and safety features which were incorporated into 370 Pitt Street based upon that assumption.

Firstly, and critically, there are fire escape exits the egress for which is to the property formed by Carruthers Place. I am **attaching** a diagram which indicates the proximity of the relevant fire egress points in question.

It is incomprehensible to this strata scheme that approval could be given to a development incorporating the Carruthers Place land which impacts on both primary and secondary fire safety indicators. The primary issue is that the proposed development has the capacity to actually impede egress from the relevant fire egress door in a physical sense.

Indeed, implied threats have been made to the owners corporation in relation to the need for this access point to be restricted (see correspondence **attached**).

P [redacted]
W muellers.com.au
E [redacted]

LEVEL 1,
240 PRINCES HIGHWAY
ARNCLIFFE NSW 2205

SINCE 1979

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The secondary point arises in relation to the safety of persons exiting from that fire egress door and in particular their safety in circumstances where there is likely to be a flow of vehicles and other traffic which may cause a danger to persons exiting 370 Pitt Street from that point. It is incongruous that Council would enable and facilitate a safety issue to be brought into existence as part of its planning process for the benefit of the Applicant.

In addition, fire safety infrastructure for 370 Pitt Street is accessed via Carruthers Place including the owners corporation's sprinkler and hydrant systems room. In the owners corporation's submission, it is incumbent upon the Applicant to demonstrate appropriate safety measures not only in relation to persons potentially exiting from the owners corporation's fire egress, but also appropriate and lawful means by which the owners corporation's fire safety systems can be accessed as required.

The current form of the application fails to address these critical issues.

The plans submitted by the applicant provide for a loading bay to be accessed from Carruthers Place, and servicing the development site and ultimately the development. This will mean heavy traffic volumes, consisting of large and bulky vehicles in and through a space which is crucial to the safe operation of 370 Pitt Street, and adjacent to deliveries and services crucial to its operation – services and facilities which have been located in those places for over 30 years.

Indeed, part of the approval originally given for the current building located at 370 Pitt Street by the Council explicitly required the discharge of the two fire ingresses in question into Carruthers Place. I have already dealt with the question of accessing the necessary services.

The application appears to gloss over the critical need for appropriate easements and rights to be registered recognising fire exits, access required for fire hydrants inclusive of the hydrant booster valves and other services. The need for these matters to be explicitly addressed should be detailed in an appropriate Management Plan on which Council should insist being in a satisfactory state before consideration can be given for approval of the proposal.

To do otherwise would potentially place the Council in a most difficult position in the event of any incident arising from the need to utilise the fire exits or other fire services.

The owners corporation has also been the subject of aggressive correspondence copies of which also **attached** to this submission.

Air Light and Ventilation Matters Arising in Relation to Carruthers Place

Since construction of the building located at 370 Pitt Street, Sydney, The Owners – Strata Plan No. 46628 have enjoyed access to light and air as a result of the location of Carruthers Place.

Indeed, the rear aspect of the building at 370 Pitt Street is significantly reliant upon the air and ventilation provided by the open space in Carruthers Place and immediately adjoining it.

The proposed development will result in a substantial loss of amenity for the owners and occupants at 370 Pitt Street, Sydney. The openness currently enjoyed will be cut off, and this will be particularly significant at the southern aspect of the building.

Whilst it is one matter for the Council to sell the land comprising Carruthers Place, it is entirely another matter to enable that land to facilitate a development which will overshadow, crowd and effectively "suffocate" other buildings, including the building located at 370 Pitt Street, Sydney.

Nowhere in the proposal is there any acknowledgement of the fact that ventilation to the building (supply, exhaust and stair pressurisation intake) access to critical fire control room and boosters, as required by Fire Rescue NSW, are accessed from this laneway.

Matters Arising from Physical Aspects of the Proposed Development

The issues arising from the proposed development are due to the proposal's:

- location;
- size and bulk; and
- its proposed utilisation of all aspects of the street frontage of Pitt Street, including Carruthers Place.

As such, the proposal is out of scale and context for this site.

It is almost impossible to comprehend how significantly the actual development works will impact on the occupants of 370 Pitt Street, Sydney. Given the nature of the site over which the proposed development is to take place, it is inevitable that the applicant will seek to utilise Carruthers Place as an access point for all aspects of the proposed development, including ingress and egress of demolition-related vehicles and equipment, and ingress and egress of construction related equipment. In part this arises from the proposal to include the street frontage of the balance of buildings fronting Pitt Street and to incorporate them within the development. This will, as a matter of course, restrict the ability of the applicant to access the site other than via Carruthers Place.

As was pointed out earlier in this submission, and the submission lodged in respect of D/2024/36, the frequent accessing of Carruthers Place provides a substantial and significant hazard to owners and occupants of the strata scheme, putting aside the amenity issues which arise from that use.

The impact on amenity of occupants of 370 Pitt Street will be impacted during the construction process even prior to the completion of the proposed development. Such construction will involve the creation of significant pollutants to the air and ventilation systems available to the occupants of 370 Pitt Street, and will involve substantial noise impact as part of both the demolition and construction processes, not only in terms of major percussive equipment and machinery, but also significantly increased heavy vehicle movement, the operation of diesel and other motorised machinery on a daily basis, and the likely interruption to the normal ingress and egress of occupants of 370 Pitt Street, Sydney.

Significant traffic management issues arise from the nature of the proposal, none of which are addressed. The proposal says nothing about the significant issue which will arise in relation to the management of pedestrians, their need to cross Carruthers Place, and at the same time, the use of Carruthers Place as a loading bay and also effectively a service road for a large hotel complex.

I note that other objections to D/2024/446 refer in part to these aspects in addition to the matters previously raised by the owners corporation both the current proposal (D/2024/446) and D/2024/36 do not appear to give sufficient access to the owners corporation to:

1. perform any maintenance to the façade of the building – necessary access would need to include the ability to install scaffolding permitting safe access; and
2. for cleaning of external windows (thereby further impacting amenity and light on an ongoing basis.

Practical Matters Arising from the Proposal

The proximity of the proposed development site to 370 Pitt Street raises a number of concerns to the owners corporation:

- Soil and groundwork management – there is a very real risk of land slippage and ground displacement occurring during the course of construction and excavation, and/or the potential for the undermining of support to the land on which 370 Pitt Street is located. At the very least, the

owners corporation would have expected to be presented with appropriate engineering reports addressing these concerns, and establishing appropriate protocols for their avoidance;

Recent construction events in the wider Sydney area have highlighted the catastrophic consequences to adjoining landowners of poorly planned construction and excavation work, and the owners corporation located at 370 Pitt Street does not wish to be joining other strata schemes as the victims of inappropriately planned development.

- Management and Interruption to Services – the nature of the proposed development will necessarily impact services of various kinds currently available to SP46628. These issues need to be addressed explicitly and prior to the granting of any development approval as the operation of a major commercial building such as this located at 370 Pitt Street cannot be interrupted due to ad-hoc plans to deal with matters of this kind.

  The owners corporation has the benefit of various easements relating to such services and the proposed utilisation of Carruthers Place will impact upon these services explicitly. However, the proposal does not seek to deal with these issues in any meaningful way, and the Council needs to address these specifically and carefully.

Conclusion

Broadly, the proposal set out in D/2024/446, as with D/2024/36, development which is out of proportion, fails to appropriately deal with very real safety and amenity issues, and completely avoids grappling with potential but very real building and engineering issues.

It is appropriate that the Council require the Applicant to reconsider all of these issues and properly document proposed solutions to them.

The concerns of The Owners – Strata Plan No. 46628 in relation to D/2024/446 are very real and it is deeply concerning that the issues raised by the owners corporation in relation to D/2024/36 appear to largely remain unaddressed in any meaningful way. It would be necessary for the Council to take steps to ensure that these issues are not glossed over by the developer.

Yours faithfully

[redacted]

ACCREDITED SPECIALIST
PROPERTY LAW

JS MUELLER & CO

Warwick Van Ede | Lawyer

E: [redacted]

SINCE 1979

From: syd project <[redacted]
Sent: Tuesday, July 9, 2024 2:24 PM
To: Matthew Hua <[redacted]
Cc: jack jia <[redacted] aileen cheah <[redacted] syd project <[redacted] kahkiat sham <[redacted]
Subject: 372 Pitt Street: Official Complaint to FRNSW

Hi Matthew,

On behalf of our director Jack Jia, I am writing to inform you that an official complaint has been lodged with FRNSW in regard to 362-370 Pitt Street Owner Corporation's reluctance to engage with Well Smart Group on forming the new easement for the property's fire egress.

You should be aware currently there is no easement enabling the fire egress at Carruthers Place. 362-370 Pitt Street has no lawful means of gaining access to Carruthers Place.

We were advised by our legal team that Well Smart Group as the owner of the land, has the right to restrict access to Carruthers Place. Once we have obtained all relevant approvals, we would proceed to fence up the site for upcoming site mobilisation works, this would then render your property NCC non-compliance.

Notwithstanding the above mentioned, we still hope to resolve this in a way that could benefit both parties. We are open for discussions.

Regards,

Kah Kiat

WELLSMART GROUP | ADD : 09-01, ICB Enterprise House, 116 Middle Road, Singapore 188972 | TEL : [redacted] | MOB: [redacted] | EMAIL : [redacted] | WEBSITE: www.wellsmart.com.sg

My workday may look different from your workday. Please do not feel obligated to respond outside of your normal working hours.

-Disclaimer:.

[redacted]
RFD, LLM
SOLICITOR & NOTARY

My Ref: ASB
Your Ref: D/2024/446

PO Box 666
PICTON NSW 2571
[redacted] Barkers Lodge Road
PICTON NSW 2571
Fax (02) 4677 3314
Phone [redacted]
ABN 29 058 715 354
e-mail: [redacted]

19 July 2024

The General Manager,
Council of the City of Sydney,
VIA PLANNING PORTAL WEBSITE.

Dear Sir / Madam,

Re: Sydney Masonic Holdings Limited, Masonic Investments Limited & Sydney Masonic Centre Pty. Limited – Submission to Council on D/2024/446 - Hotel at 372-382A Pitt Street, Sydney

I act for Sydney Masonic Holdings Limited and Masonic Investments Limited, between them own the property located at 279 Castlereagh Street, Sydney (also known as 66 Goulburn Street, Haymarket) ("the Building"). This property backs on to the proposed development site. I also act for Sydney Masonic Centre Pty. Limited ("SMC") located at 66 Goulburn Street, Haymarket.

The Building backs directly onto the proposed building site, separated only by a 3m driveway. The Building has two subterranean garage levels, five above ground levels making up the podium building. The Civic Tower is then positioned on top of the podium. The Building is a solid concrete building, with foundation piers embedded into the common rock body underneath both the Building and the site of the proposed hotel.

I am instructed that SMC operates an Events and Conference Centre which rents out commercial event space on a per event basis, generally between one to four events per day period. SMC operates 17 hours per day 7 days per week between 0700 and 2400 most days. Government, corporate and association meetings generally take place from early morning onwards throughout the day, with dining, meetings, cultural or live music events in the evenings/nights. The event spaces are also booked for use as examination rooms and similar.

Whilst my clients support the principle of the project, they are very concerned about the demolition and heavy construction period in relation to the viability of SMC's business, especially with respect to issues of noise, vibration and dust.

Noise and Vibration

SMC would be adversely affected by any noise or vibration sounds caused by drilling, hammering, banging or any type of intrusive construction, with the noise transferring throughout the entire building. Consequently, when heavy works are performed on the building, or nearby, such as installation of FFE, drilling, lift maintenance, etc., the works must be scheduled to take place outside of contracted booking times. Events cannot be held whilst noisy works take place due to the sound and vibration transfer via the common rock body throughout the entire building, rendering the spaces not fit for use during the demolition and excavation periods.

During the online stakeholder consultation briefing held by my clients' representative with the developer's community engagement consultants on 23 January 2024, the stakeholders were advised that "to inform the assessment, background noise levels were established. Predictions indicate typical site activities will exceed limits". It was advised that especially during the heavy construction period, noise and vibration levels are predicted to exceed limits. Stakeholders were further informed that it is the responsibility of the selected contractor to manage noise and vibration through:

– Preparation of construction noise and vibration management plan;
– Managing site activities within agreed times and respite periods;
– Briefing all workers on managing disruption;
– Developing work practices and use of equipment that reduces noise and vibration to adjacent areas; and
– Promptly responding to and rectifying issues.

Further, the minutes reflect that Community consultation is key to minimising, not removing all, noise impacts:

– There will likely be consultation required to prepare construction management plans; and
– Ongoing coordination of construction activities with community to reduce disruption.

Monitoring and reporting:

– Contractor to install noise and vibration monitors;
– Maintain records of all monitor data for verification conformance of site activities with agreed times; and
– Provide vibration monitors incorporating an alert system to notify where there may be potential building damage (refer to structural engineer).

My clients' concern is that if a contracted event is taking place and the noise or vibration from construction works is such that it causes a SMC event to stop, which is highly likely, then this would be a totally unacceptable situation. SMC have contracts in place

with our clients to supply the event spaces in a presentable condition, including within acceptable noise limits. It will be unacceptable to ‘manage’ the noise and vibration disruptions through ‘monitoring’ and ‘scheduling’ because once an event starts it cannot be stopped, and the business is booked many months in advance. This could expose SMC to litigation alleging breach of contract.

The stakeholder consultation indicated that the noise and vibration levels are predicted to exceed limits, therefore potentially creating a situation where SMC is unable to trade during the heavy construction period, potentially for weeks or months.

My clients are open to the prospect of compensation for the inability to trade for a certain period. However, this would need to be negotiated and implemented at the earliest possible opportunity as event bookings are taken well in advance, i.e. months and sometimes years ahead. My clients strongly believe this needs to be a firm non-negotiable condition of consent.

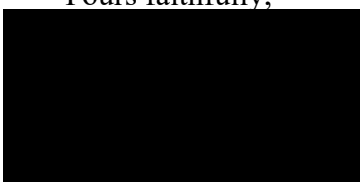
Dust

My clients have an air-cooled HVAC system installed on the podium roof top of level 5. The roof top is directly adjacent to the construction site, with no walls, corners, screens or filters of any type in between the HVAC units and the proposed building.

It is expected that the demolition of existing buildings and excavation of the ground, and then to a lesser extent the skyward construction, will generate substantially more dust pollution than is normally experienced. My clients have concerns that the additional dust caught up in the air-cooled HVAC system will cause damage to the units, clog the filters and thereby greatly reduce the efficiency of the system.

My clients are seeking a solution and conditions that the contractor will implement to alleviate any damage to the HVAC units during the heavy and general construction periods.

Yours faithfully,



Item 9.

Development Application: 7-19 Coulson Street, 5 Goddard Street and 23 Eve Street, Erskineville - D/2024/652

File Number: D/2024/652

Summary

Date of Submission:	7 August 2024, amended between 4 March and 9 April 2025
Applicant:	SJB Planning
Architect:	DKO Architecture
Owner:	Brightwell Real Estate Pty Ltd, and Brightwell Holdings Pty Ltd
DAP:	24 October 2024
Cost of Works:	$124,782,800.00
Zoning:	The site is zoned MU1 Mixed-Use under the Sydney Local Environmental Plan 2012. The concept proposal is defined as a 'mixed-use development', comprising residential flat buildings, attached dwellings and commercial premises, all of which are permissible with consent.
Proposal Summary:	The subject application seeks consent for: • concept building envelopes for a mixed-use development comprising 4 residential flat buildings with 2 basement levels for car parking, storage and services; 2 attached dwellings in a terrace typology, and the adaptive reuse of an existing heritage item as a commercial premises; and, • concept design for public domain works, including a new open space (Carter's Park), the southward extension of Goddard Street, and widening of Coulson Street.

No physical works are proposed as part of this application. A reference scheme is provided for assessment purposes only, with the detailed design of the development and the precise use of the heritage item subject to a separate development application following the completion of a competitive design process.

Voluntary Planning Agreement

The owners of the site have made a Public Benefit Offer to enter into a Voluntary Planning Agreement (VPA) with the City of Sydney.

The VPA will provide for the following public domain works including dedication and embellishment:

- of 500m² of land for Carter's Park;
- to extend Goddard Street southward to connect to Coulson Street; and
- for a 2.5m landscape setback on the northern side of Coulson Street, west of the Goddard Street extension.

The draft VPA is required to undergo a 28-day public exhibition in accordance with the requirements of section 7.5 of the Environmental Planning and Assessment Act 1979.

Reason for Reporting

The subject application is referred to the Central Sydney Planning Committee for determination as the proposed development is defined as a "major development" for the purposes of the City of Sydney Act 1988.

Notification

The subject application was notified and advertised for a period of 28 days between 16 May and 14 June 2024. Thirty-three (33) objections and one (1) submission of support were received. The primary concerns raised include:

- excessive building height and insufficient separation, and associated amenity impacts, including overshadowing, visual and acoustic privacy impacts;
- demolition of the masonry powerhouse building;
- removal of the Norfolk Island Pine;
- increase in density and pressure on existing infrastructure, including traffic impacts; and

- construction impacts.

The issues raised in the submission are addressed in the report, and where appropriate, conditions are recommended in Attachment A to address these issues.

Design Advisory Panel

The concept proposal has been reviewed by the City's Design Advisory Panel and subsequently amended to incorporate the necessary design refinements to positively address the panel's comments. Overall, the concept proposal has been amended to reasonably preserve the residential amenity of neighbouring properties and the significance of the heritage item.

Assessment

The subject application has also been amended, including the submission of additional information, to address issues identified by City staff and the relevant issues raised by the submissions received. The key amendments include:

- submission of a public benefit offer to provide for the above-mentioned public domain works;

- modify the concept envelopes to minimise overshadowing to 21-25 Coulson Street, maximise solar access to the future Carter's Park, and improve relationship with the retained heritage item;

- modify the concept envelopes and the reference scheme to demonstrate feasible equitable access and compliant level of deep soil area; and,

- additional information to demonstrate protection of identified view corridors from Sydney Park.

The proposal is generally compliant with the relevant planning provisions. Any non-compliances have been assessed as having merit in the context of the site and are addressed in this report.

Subject to the recommended conditions, the proposal can function as a site-specific development control plan to ensure the detailed design of buildings are of appropriate height, bulk and scale that respond to the character of the area and are capable of achieving design excellence.

Summary Recommendation: It is recommended that authority be delegated to the Chief Executive Officer to determine the application, following the drafting, and conclusion of the public exhibition, of the VPA and considering any public submissions received.

Consideration be given to granting deferred commencement consent requiring the VPA to be executed prior to the consent becoming operative and subject to the recommended conditions contained in Attachment A of this report.

Development Controls:

(i) Commonwealth Airports Act 1996 and Civil Aviation (Buildings Control) Regulations 1988

(ii) Sydney Airport Referral Act 1996

(iii) Sydney Water Act 1994

(iv) Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021

(v) City of Sydney Act 1988 and City of Sydney Regulation 2016

(vi) SEPP (Resilience and Hazards) 2021

(vii) SEPP (Housing) 2021

(viii) SEPP (Transport and Infrastructure) 2021

(ix) SEPP (Biodiversity and Conservation) 2021

(x) SEPP (Sustainable Buildings) 2022

(xi) Sydney Local Environmental Plan 2012

(xii) Sydney Development Control Plan 2012

Attachments:

A. Recommended Conditions of Consent

B. Concept Envelope Drawings

C. Reference Scheme Drawings

D. Design Excellence Strategy

E. Public Benefit Offer

F. Submissions

Recommendation

It is resolved that:

(A) authority be delegated to the Chief Executive Officer to determine Development Application No. D/2024/652, following the drafting and conclusion of the public exhibition of the Voluntary Planning Agreement generally in accordance with the public benefit offer dated 1 April 2025 and considering any public submissions received in response;

(B) if the Chief Executive Officer determines to approve the application, consideration be given to supporting the variation sought to Clause 4.3 'Height of Buildings' pursuant to Clause 4.6 of Sydney Local Environmental Plan 2012; and

(C) if the Chief Executive Officer determines to approve the application, consideration be given, pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, to granting deferred commencement consent to Development Application No. D/2024/652 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

(A) The concept proposal satisfies the objectives of the Environmental Planning and Assessment Act 1979, in that, subject to the imposition of conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Central Sydney Planning Committee.

(B) The concept proposal generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012. Where non-compliances exist, they have been demonstrated to be acceptable in the circumstances of the case or can be resolved by the recommended conditions of consent.

(C) Based upon the material available to the Central Sydney Planning Committee at the time of determining this application, the Committee is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of the Sydney Local Environmental Plan 2012, that compliance with the 'height of buildings' development standard is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening Clause 4.3 of the Sydney Local Environmental Plan 2012.

(D) The reference scheme accompanying the concept proposal demonstrates that the concept envelopes can accommodate developments that complies with the maximum floor space ratio development standard pursuant to Clause 4.4 of the Sydney Local Environmental Plan 2012.

(E) The concept proposal includes the adaptive reuse of the 'former Bakewell Brothers southeast warehouse', which subject to conditions, can conserve the significance of the heritage item in accordance with Clause 5.10 of the Sydney Local Environmental Plan 2012.

(F) Subject to compliance with the Design Excellence Strategy, the undertaking of a competitive design process, and compliance with the recommended conditions of consent, the concept envelopes can accommodate future buildings that can exhibit design excellence in accordance with Clause 6.21C of the Sydney Local Environmental Plan 2012.

Background

The Site and Surrounding Development

1. The site comprises three (3) properties:

   (a) 7-19 Coulson Street, with a legal description of Lots C, D and E in DP22910

   (b) 5 Goddard Street, with a legal description of Lot 1 in DP533468

   (c) 23 Eve Street, with a legal description of Lot 1 in DP533467

2. The site is irregular in shape, with an overall area of approximately 7,747m². It has a street frontage to Goddard Street to the north, Eve Street to the east, and Coulson Street to the south. Levels on the site fall from west to east, and from south to north. The site is also identified as being flood-affected.

3. The site currently accommodates a total of 6 buildings, being:

   (a) a single storey weatherboard cottage at 5 Goddard Street, which was occupied as a site office for the redevelopment at 1-3 Goddard Street (Figure 2)

   (b) a single storey weatherboard cottage at 23 Eve Street, currently occupied as a residential dwelling (Figure 4)

   (c) a masonry warehouse building, a masonry powerhouse building, a masonry office building, and a large warehouse building at 7-19 Coulson Street, currently occupied as the Brightwell Transport headquarters (Figures 5 and 6)

4. The site is not located within a heritage conservation area. However, the masonry warehouse building located at the southeast corner of 7-19 Coulson Street is identified as a heritage item of local significance, known as the 'former Bakewell Brothers southeast warehouse including interiors' (I2246). Heritage assessment has also been carried out to determine that the masonry powerhouse building located at the southwestern corner of 7-19 Coulson Street to be of insufficient heritage significance to warrant retention despite being over 50 years old.

5. The site is located within the Ashmore neighbourhood. The area immediately surrounding the site is transitioning to predominantly residential in nature, with more recent residential flat buildings constructed above street level to comply with flood planning levels. The neighbouring properties include:

   (a) to the north, at 1-3 Goddard Street, a 4-storey boarding house; and at 3 Eve Street, a 5-6 storey residential flat building

   (b) to the northeast, at 11-17 and 19-21 Eve Street, two 3-5 storey residential flat buildings

   (c) to the east, at 8 and 20 Eve Street, two 3-5 storey residential flat buildings

   (d) to the southeast, 27-41 Eve Street and 1-5 Coulson Street, contain 2 rows of single storey terraces

   (e) to the south, at 2-4 Coulson Street and 117-219 Mitchell Road, two 6 storey residential flat buildings

(f) to the west, at 21-25 Coulson Street, 4 storey residential flat buildings known as the Star Printery

6. Photos of the Site and surrounds are provided below.

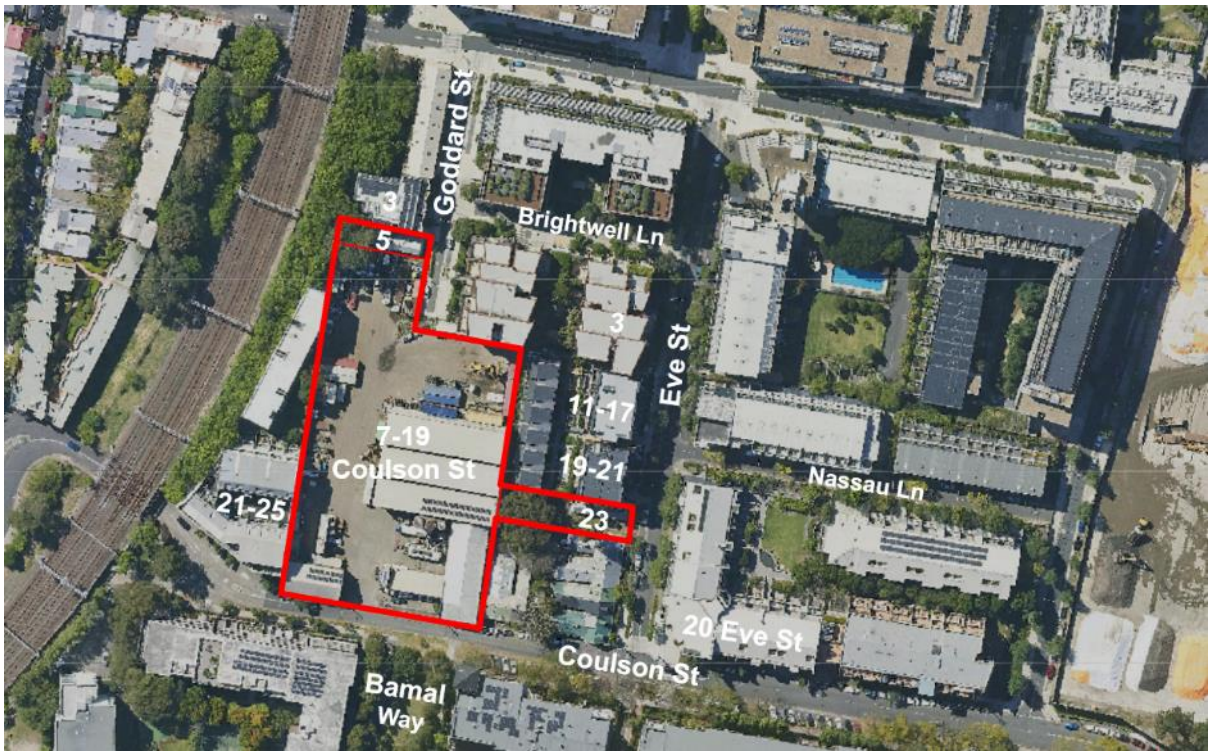


Figure 1: Aerial view of site and surrounds



Figure 2: Site (5 Goddard Street) viewed from Goddard Street



Figure 3: Site (7-19 Coulson Street) viewed from Goddard Street, with neighbouring property 1-3 Goddard Street and 3 Eve Street



Figure 4: Site (23 Eve Street) viewed from Eve Street, and 19-21 Eve Street in the background



Figure 5: Site (7-19 Coulson Street) viewed from Coulson Street



Figure 6: Existing heritage warehouse onsite viewed from Coulson Street, and adjoining single-storey at 5 Coulson Street



Figure 7: Neighbouring property at 1-3 Goddard Street



Figure 8: Neighbouring properties at 3, 11-17 and 19-21 Eve Street, viewed from the site (internally)



Figure 9: Neighbouring property at 20 Eve Street



Figure 10: Neighbouring property at 21-25 Coulson Street and 2-4 Coulson Street



Figure 11: Neighbouring property at 177-219 Mitchell Road



Figure 12: Bamal Way (middle), between 177-219 Mitchell Road and 2-4 Coulson Street



Figure 13: Neighbouring properties at 27-41 Eve Street



Figure 14: Neighbouring property at 1-5 Coulson Street

History Relevant to the Development Application

Development Applications

7. The following pre-lodgement discussions are relevant to the current proposal:

    - **PDA/2020/280** - written advice was provided on 7 December 2020 to provide general advice for the redevelopment of the site, including the need for a concept DA, a public benefit offer for public domain works identified by Section 5.5 of Sydney Development Control Plan 2012 (DCP), and the following matters that are directly relevant:

        - 23 Eve Street should not be provided as a through-site link connecting the future Goddard Street and Eve Street. Instead, 2 terraces should be provided in accordance with the DCP to provide a height transition between the development at 19-21 Eve Street and the single storey terraces to the south; and

        - The City has undertaken an analysis of the demand for centre-based childcare and found that there is no existing additional demand for childcare in this location, and in recognition of the heritage listing of the southeast warehouse building subsequent to the preparation of Section 5.5 of the DCP, an alternative use may be pursued in this location.

    - **PDA/2023/124** - further written advice were provided on 28 July 2024 and 31 October 2023 to guide the preparation of the subject concept proposal.

8. The following consents for neighbouring properties are relevant to the current proposal:

    - **D**/2014/1805 - 19-21 Eve Street - Development consent was granted deferred commencement consent by the Major Development Assessment Sub-committee of Council on 20 October 2015 for the demolition of an existing industrial building and construction of 2-4 storey residential flat buildings.

    - As part of the assessment, it was determined that Goddard Lane is unnecessary for the overall redevelopment of Ashmore. It was noted that "the lane is not strategically required for access/circulation purposes within the Ashmore road network and is not required to “break up” the future street block, which is of a similar size to other blocks within the precinct. Given the multiple land ownership and uncertainty of timing for redevelopment, it is unlikely that Goddard Lane will be realised."

    - The consent also supported a variation to the height of buildings development standard.

    - **D/2017/1393 - 11-17 Eve Street** - Development consent was granted by the Local Planning Panel on 4 July 2018 for the demolition of existing buildings and construction of a 3-5 storey residential flat building.

    - Consistent with the assessment of D/2014/1805, the delivery of Goddard Lane was determined to be unnecessary, and supported a variation to the height of buildings development standard.

- **D/2014/2037 - 3 Eve Street** - Development consent was granted by the Major Development Assessment Sub-committee of Council on 20 October 2015 for the demolition of existing industrial buildings and construction of a 5-6 storey residential flat building. The consent supported a variation to the height of buildings development standard.

- **D/2019/880 - 3 Goddard Street** - Development consent was granted by the Local Planning Panel on 22 July 2020 for the demolition of an existing warehouse building and construction of a 3-4 storey boarding house. The consent supported a variation to the height of buildings development standard.

Amendments

9. In response to a request for additional information and amendments sent to the applicant on 19 November 2024, the following information were provided between 4 March and 9 April 2025:

   (a) a Public Benefit Offer to provide for the public domain works required by Section 5.5 of the DCP (refer to 'Voluntary Planning Agreement' section for details)

   (b) amended concept drawings to incorporate the following:

      (i) increase Building 4's southern setback to the heritage item by 4m, and then reduce the height of Building 4's southern portion (3m depth) to 4 storeys. This is to achieve a better relationship with the heritage item, ensure Carter's Park has a minimum area of 500m², and to maximise solar access to Carter's Park

      (ii) reduce Building 3's Goddard Street frontage height to 4 storey (4m depth) to maximise solar access to Carter's Park

      (iii) remove Building 2's northwestern corner for the top 3 storeys to maintain solar access to the neighbouring 21-25 Coulson Street

      (iv) clearly identify the provision of deep soil area and communal open spaces, being 17% and 25% of the site area respectively, to demonstrate compliance with the Apartment Design Guide (ADG)

   (c) amended reference scheme to demonstrate the following:

      (i) at least 70% of future apartments can achieve 2 hours of solar access as per the ADG and

      (ii) equitable access ramps can be provided without impacting on the extent of deep soil areas and the privacy of ground floor units while also complying with the relevant flood planning levels

   (d) a view analysis to demonstrate that the proposed development, including the proposed height exceedance, will not impact on the identified view corridors from Sydney Park to the city skyline and the King Street ridgeline

   (e) additional survey, flooding, and stormwater information

(f) additional growth data to assist Sydney Water in ensuring the delivery of adequate assets associated with in the proposed growth in the area

(g) amendments to the design excellence strategy, preliminary public art plan, and indicative operational waste management plan

Proposed Development

10. The application, as amended, seeks consent for the following:

(a) 4 building envelopes for residential flat buildings ranging in height from 4-7 storey, providing approximately 131 dwellings, and a building envelope for two 3-storey terraces. The building envelopes specify:

(i) maximum building heights defined by RLs

(ii) flood planning levels defined by RLs

(iii) ground and upper level setbacks

(iv) deep soil locations

(b) indicative adaptive reuse of the heritage warehouse as a commercial premises

(c) gross floor area (GFA) of 13,239m², comprising 12,470m² of residential floor space and 769m² of non-residential floor space

(d) the dedication and embellishment of land for the following future public domain works, including:

(i) southward extension of Goddard Street through the site, connecting to Coulson Street

(ii) 2.5m footpath widening to Coulson Street, west of the future Goddard Street extension

(iii) delivery of the future Carters Park with an area of 500m²

11. All of the public domain works identified above are to be dedicated to the City of Sydney (the City) under the terms of a Voluntary Planning Agreement (VPA), which is discussed separately below.

12. A reference scheme has been lodged to support the subject concept proposal as a proof of concept by demonstrating how a detailed building design may be able to be configured within the proposed concept envelopes. The reference scheme is not approved as part of any consent granted and are for assessment purposes only.

13. The reference scheme identifies the following future land uses:

(a) up to 2 levels of basement car parking, bicycle parking, storage and services

(b) a separate loading area, with a turntable and temporary waste holding area

(c) 131 residential apartments, ground floor and roof top communal open spaces; 2 terraces fronting Eve Street

(d) a commercial premises within the existing heritage item

14. No physical works, including any demolition, excavation or tree removal, form part of the subject application.

15. Selected drawings of the concept envelopes are provided below; while the reference scheme is available at Attachment C.

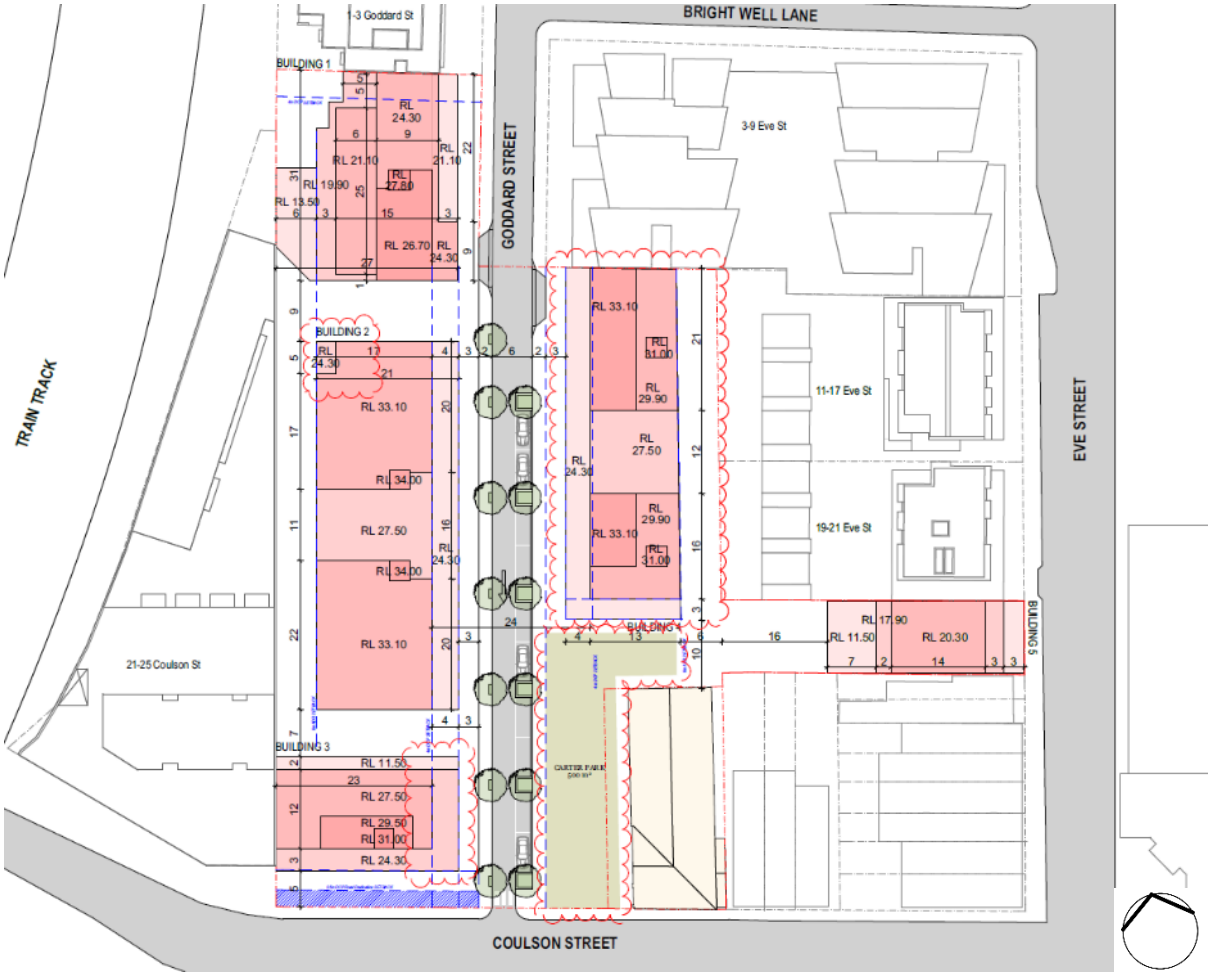


Figure 15: Concept envelope - plan

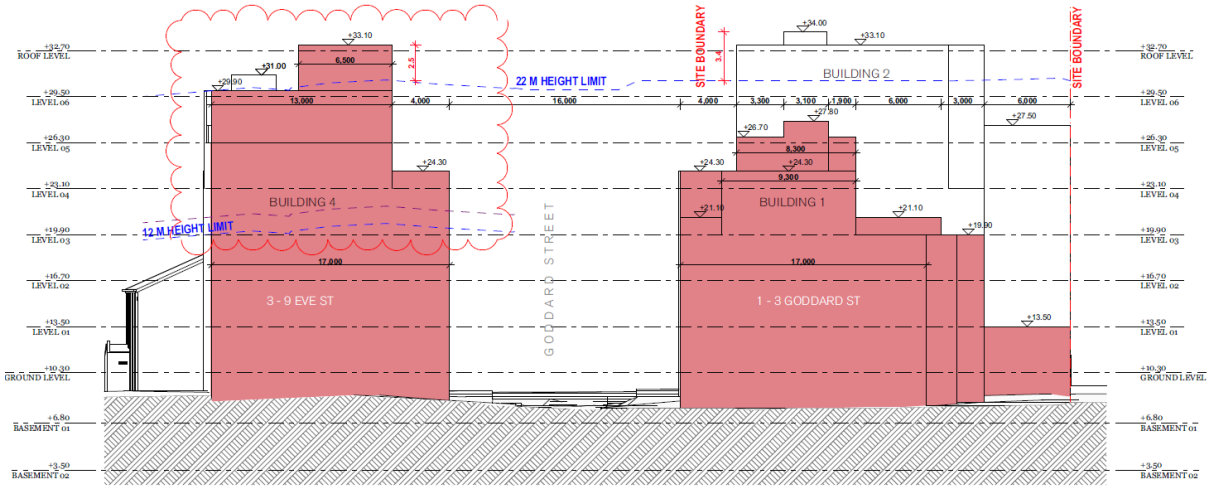


Figure 16: Concept envelope - north elevation

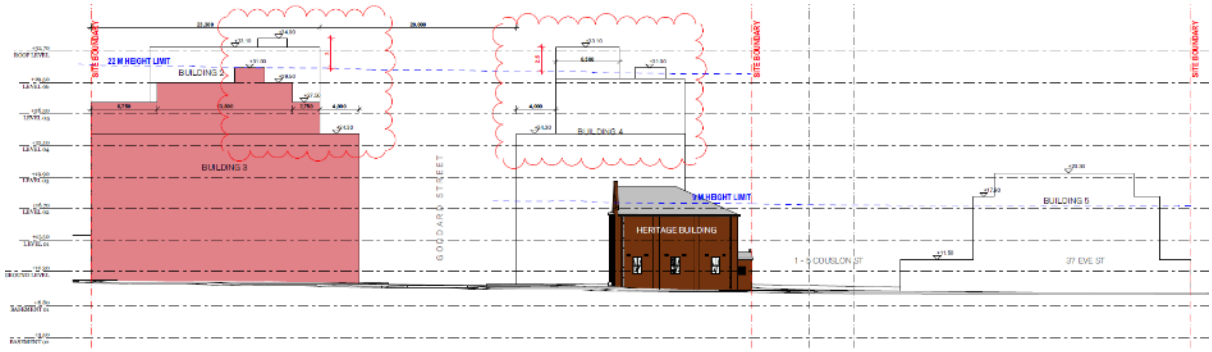


Figure 17: Concept envelope - south elevation

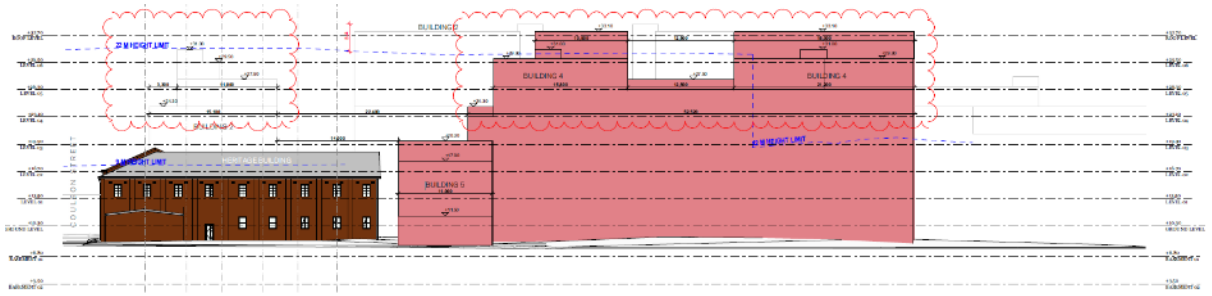


Figure 18: Concept envelope - east elevation

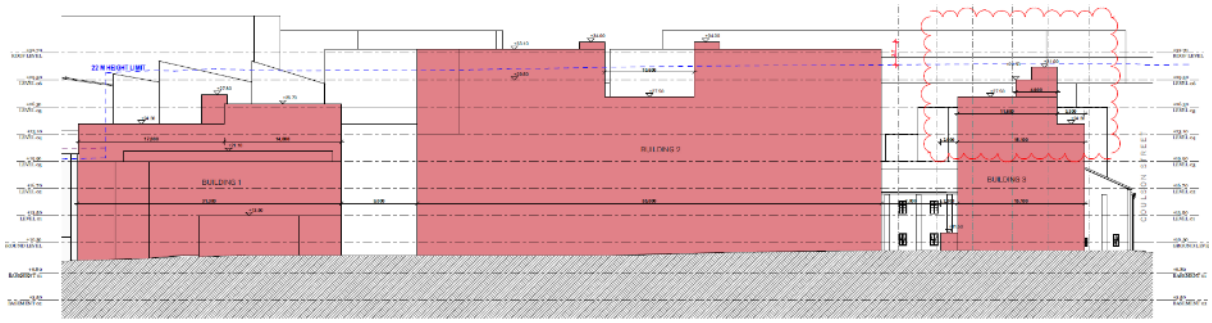


Figure 19: Concept envelope - west elevation

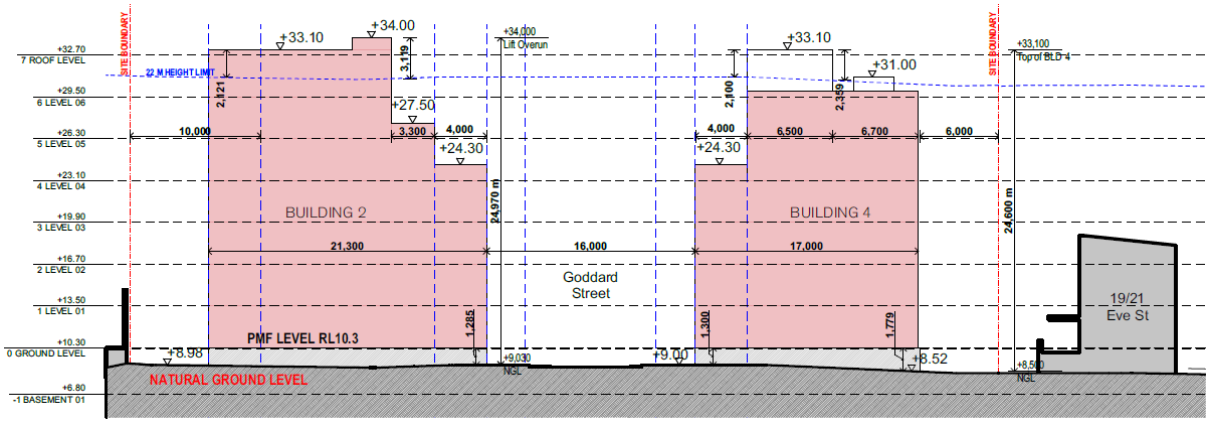


Figure 20: Concept envelope - section 01

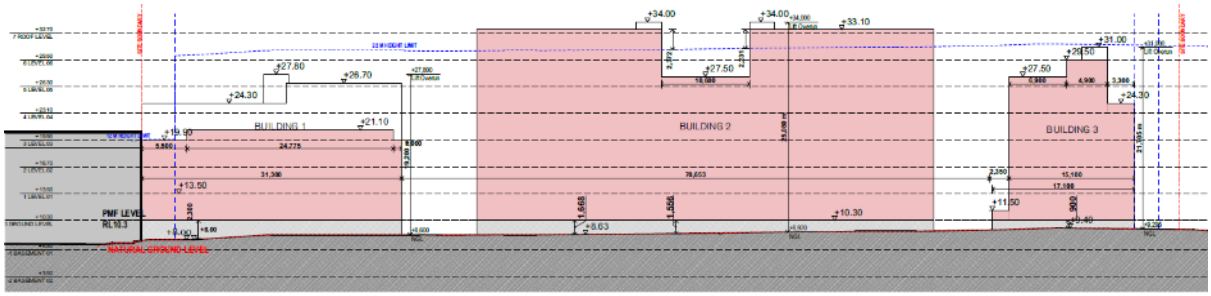


Figure 21 Concept envelope - section 02

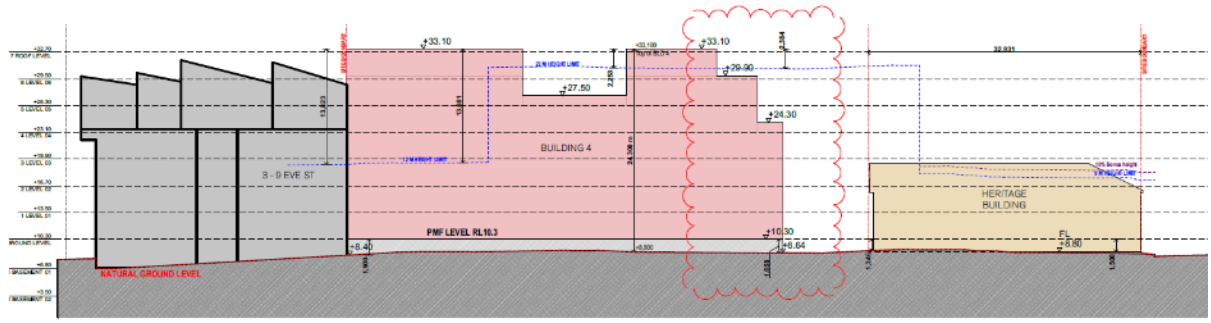


Figure 22: Concept envelope - section 03

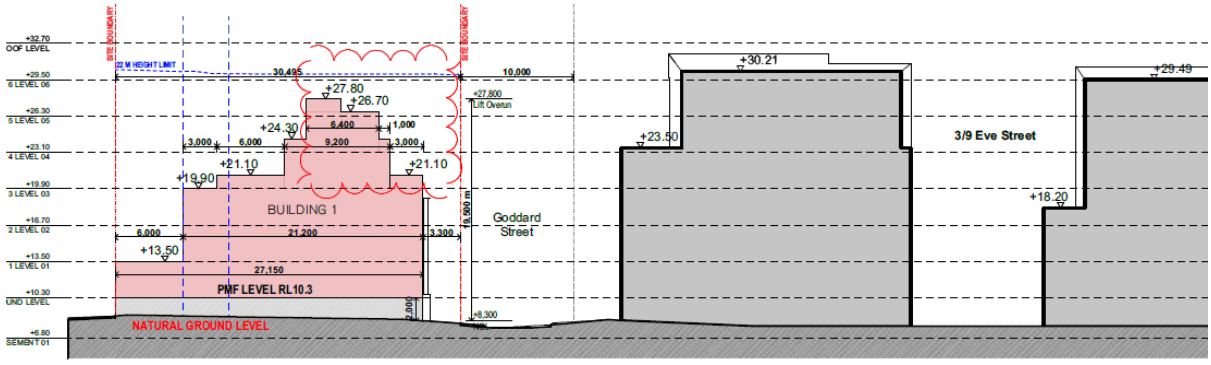


Figure 23: Concept envelope - section 04

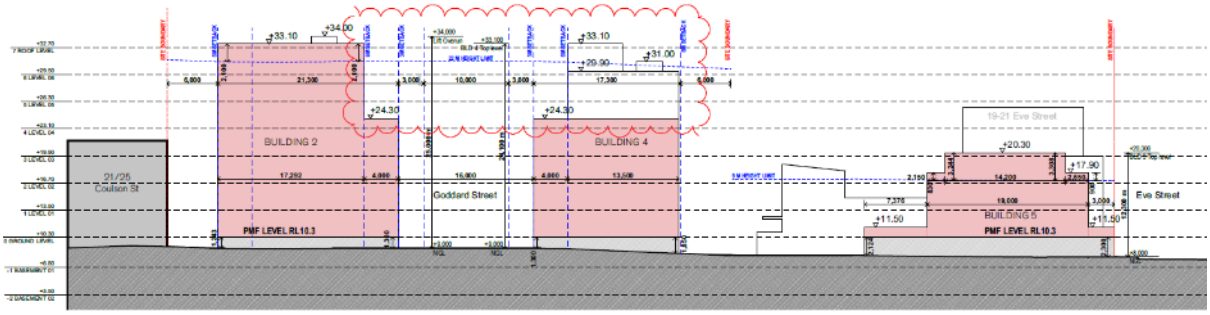


Figure 24: Concept envelope - section 05

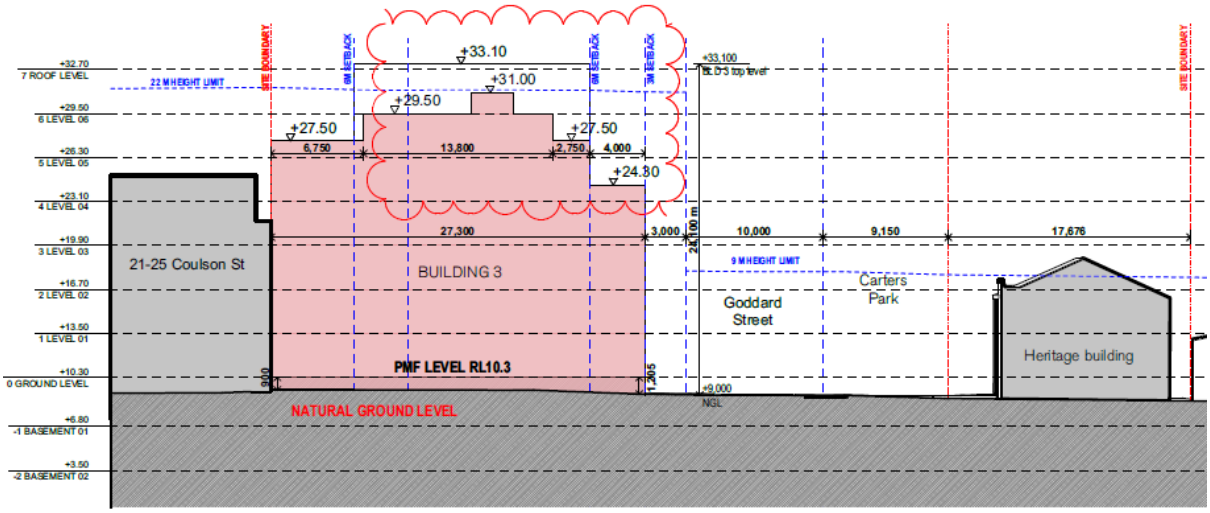


Figure 25: Concept envelope - section 06



Figure 26: Indicative view of the eastern side of Goddard Street (building 4) from Coulson Street

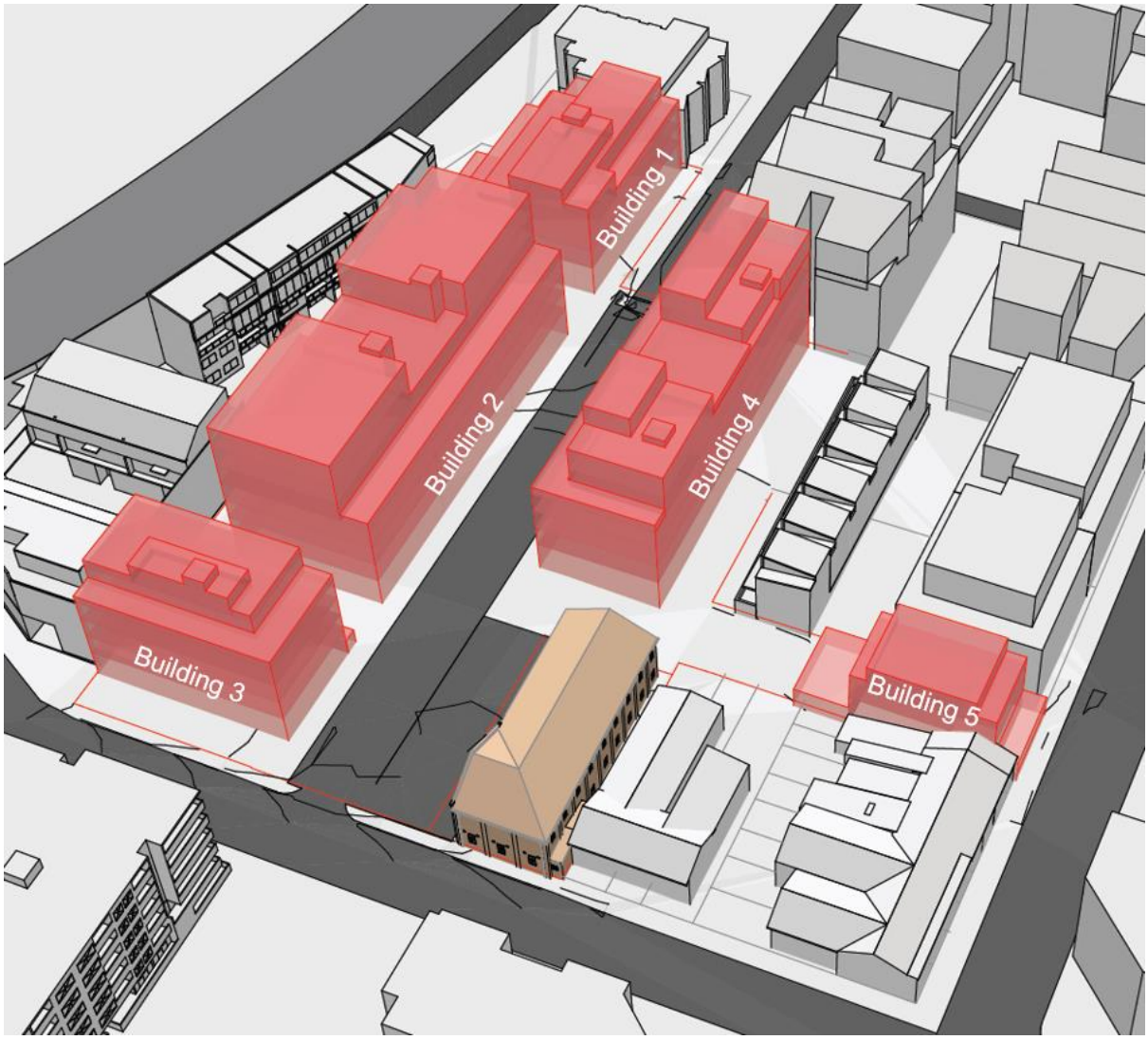


Figure 27: Concept envelope - axonometric view 1

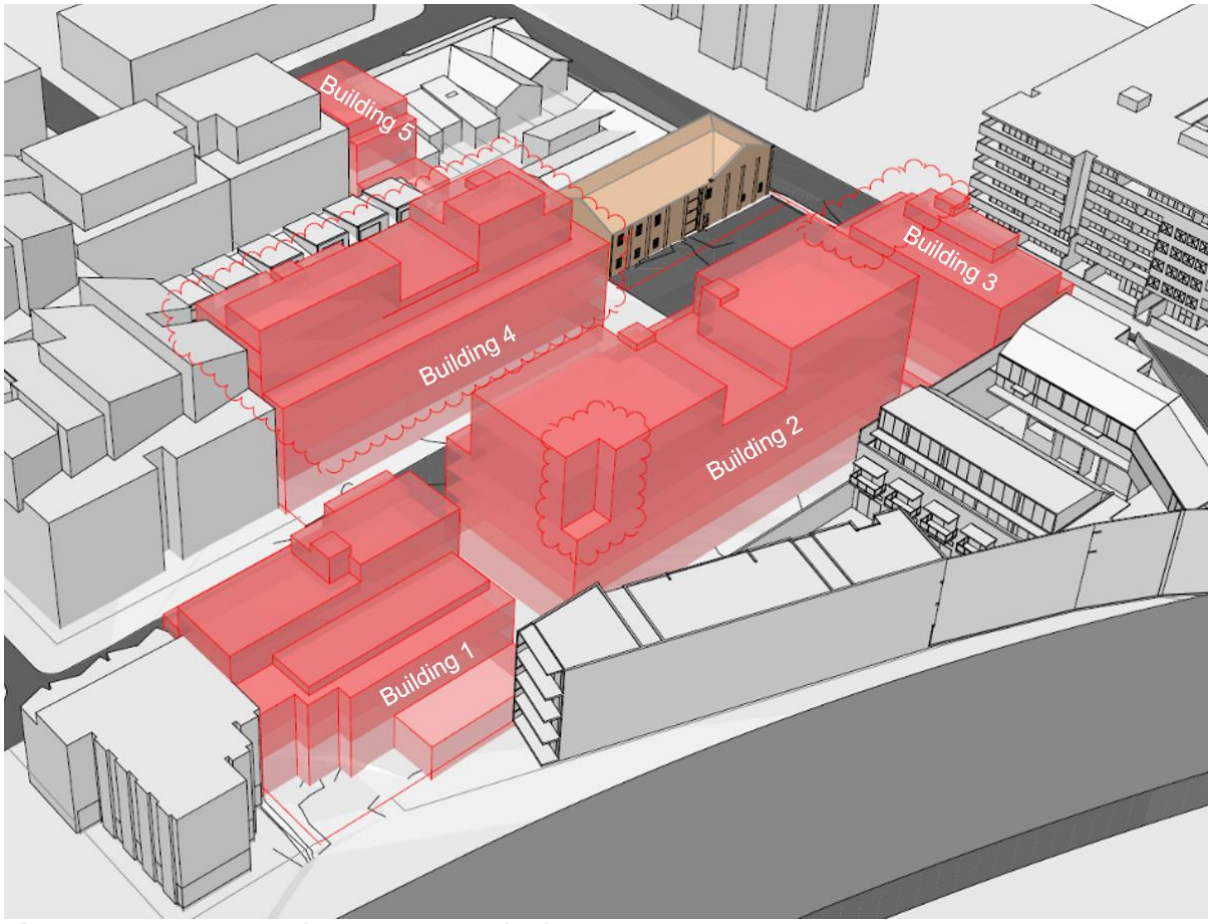


Figure 28: Concept envelope - axonometric view 2

Voluntary Planning Agreement

16. The subject application is accompanied by a Public Benefit Offer to enter into a VPA with the City to provide for public domain works that is generally consistent with the site-specific requirements of Section 5.5 of Sydney Development Control Plan 2012 (DCP).

17. The offer was accepted, and the VPA is being negotiated and drafted in association with the subject application. The offer provides for the following benefits:

    (a) dedication and embellishment of 500m² of land for Carter's Park, with a value of $500,629 + GST

    (b) dedication and embellishment to extend Goddard Street southward to connect to Coulson Street, with a value of $1,779,737 + GST

    (c) dedication and embellishment for a 2.5m landscape setback along Coulson Street, west of the Goddard Street extension, with a value of $97,961 + GST

18. The draft VPA is required to undergo a 28-day public exhibition in accordance with the requirements of Section 7.5 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

19. It is recommended that authority be delegated to the Chief Executive Officer (CEO) to determine the application, following the drafting and conclusion of the public exhibition of the VPA, and considering any public submissions received in response.

20. It is also recommended that the CEO consider granting of a deferred commencement development consent subject to the recommended conditions requiring the VPA to be executed and registered on title prior to the consent becoming operative. This will ensure that the consent cannot be acted upon without assurance that the public benefits will be delivered in accordance with the provisions of this agreement.

Assessment

21. The proposed development has been assessed under Section 4.15 of the EP&A Act.

State Environmental Planning Policies

State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 Remediation of Land

32. The aim of Chapter 4 of the Resilience and Hazards SEPP is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.

33. Site investigations have identified the presence of heavy metals, phenols and polycyclic aromatic hydrocarbons (PAHs), total recoverable hydrocarbons; and asbestos on the site.

34. A Remediation Action Plan (RAP) has been submitted and a letter of interim advice prepared by an EPA Accredited Site Auditor has also been submitted to confirm that the approach outlined in the RAP is appropriate.

35. The letter of interim advice confirms that the site can be made suitable for the proposed development subject to the implementation of the RAP, and the City's Environmental Health Unit have reviewed the information provided and accepted the Site Auditor's advice.

36. Appropriate conditions are recommended in Attachment A requiring the future detailed design DA to include further documentation to address the requirement Chapter 4 of the Resilience and Hazards SEPP.

State Environmental Planning Policy (Housing) 2021 - Chapter 4 Design of Residential Apartment Development

37. Chapter 4 of the Housing SEPP aims to improve the design quality of residential apartment development in New South Wales, and requires the consent authority, when considering the subject application, to take into consideration a number of matters relating to design quality, including the principles as set out in Schedule 9.

38. A design verification statement and design report prepared by DKO Architecture has been submitted to address the design quality principles and the relevant objectives of the ADG. The statement is deemed to satisfy Clause 29 of the EP&A Regulation 2021.

39. An assessment of the concept proposal against the design quality principles is provided as follows:

(a) **Principle 1:** Context and Neighbourhood Character

The site is located within the Ashmore neighbourhood. The concept proposal will provide building envelopes to facilitate the delivery of a mix of residential dwelling types and the indicative adaptive reuse of a heritage item for commercial use. It will also facilitate the delivery of future public domain works. Overall, the concept proposal will facilitate development that is consistent with the desired future character of Ashmore.

(b) **Principle 2:** Built Form and Scale

The submitted reference scheme demonstrates that the proposed concept envelopes can accommodate the maximum permitted FSR for the site. While the Design Excellence Strategy targets up to 10% bonus FSR, a condition is recommended to require the additional floor space, if any, be contained wholly within the concept envelopes.

The height of the proposed concept envelopes, while exceeding the maximum permitted height for the site in some areas, allow for appropriate height transitions to neighbouring developments and the heritage item contained within the site, and protects the identified view corridors from Sydney Park.

The concept proposal will facilitate development that is of an appropriate built form and scale.

(c) **Principle 3:** Density

The proposed concept envelopes are compliant with the maximum permitted FSR, which is appropriate in the Ashmore neighbourhood given its proximity to established and proposed infrastructure, public transport, community and recreational facilities. The proposed density also responds to the desired future character of Ashmore.

(d) **Principle 4:** Sustainability

Appropriate energy efficiency and sustainability targets are identified in the Design Excellence Strategy, and a condition is recommended to require future consideration at the future detailed design DA.

(e) **Principle 5:** Landscape

The proposed development can accommodate common open spaces that amounts to at least 25% of the total site area, either in the form of a courtyard or rooftop open space, and to achieve the amenity requirements of the ADG.
A condition a condition is recommended to require future consideration at the future detailed design DA.

(f) **Principle 6:** Amenity

The submitted reference scheme demonstrates that the proposed concept envelopes can accommodate future detailed design of building that can achieve an acceptable standard of residential amenity as per the ADG.

The future detailed design DA will be required to confirm that an acceptable standard of residential amenity is achieved.

(g) **Principle 7:** Safety

This is a matter of consideration for the future detailed design DA.

(h) **Principle 8:** Housing Diversity and Social Interaction

This is a matter of consideration for the future detailed design DA.

(i) **Principle 9:** Aesthetics

This is a matter of consideration for future detailed design DA.

40. The concept proposal is acceptable when assessed against the SEPP including the above stated principles and the associated ADG, which are generally replicated within the apartment design controls under the DCP. Consequently, compliance with the SEPP generally implies compliance with the City's own controls. An assessment against the ADG is provided below.

2E Building Depth	**Consistency**	**Comment**
12-18m (glass to glass)	Able to comply	Some of the concept envelopes exceed 18m in depth, which is considered acceptable to provide flexibility for future detailed design in terms of building position and articulation, considering that the reference scheme demonstrates compliance with the maximum depth. Compliance will be assessed at the detailed design DA stage.

2F Building Separation	Consistency	Comment
Up to four storeys (approximately 12 metres): • 12m between habitable rooms / balconies • 9m between habitable and non-habitable rooms • 6m between non-habitable rooms Five to eight storeys (approximately 25 metres): • 18m between habitable rooms / balconies • 12m between habitable and non-habitable rooms • 9m between non-habitable rooms	Able to comply	The concept envelop is generally consistent with the building separation requirements of the ADG. While the reference scheme does not specify apartment layouts, so that the location of habitable and non-habitable rooms cannot be confirmed, a condition is recommended to require careful consideration of the relevant interfaces with neighbouring properties and within the site at the subsequent competitive design process, and compliance will be assessed at the detailed design DA stage.

3D Communal and Public Open Space	Consistency	Comment
Communal open space has a minimum area equal to 25% of the site.	Able to comply	The reference scheme has demonstrated that adequate quantum, and equitable distribution, of communal open spaces can be provided on the ground floor and rooftop of the future buildings. The eye of the sun diagrams (Attachment B) also demonstrated the ability to comply with the solar access requirements. Compliance will be assessed at the detailed design DA stage.
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (midwinter).		

3E Deep Soil Zones	Consistency	Comment
Deep soil zones are to have a minimum area equivalent to 15% of the site (as site area exceeds 1,500m².	Yes	The reference scheme demonstrates that approximately 17% of deep soil zones can be provided, without being impeded by ramping and other accessibility infrastructure necessary to

3E Deep Soil Zones	Consistency	Comment
		overcome the raised floor levels required to address flood risks. Compliance will be assessed at the detailed design DA stage.

3F Visual Privacy	Consistency	Comment
Up to four storeys (12m): • 6m between habitable rooms / balconies • 3m between non-habitable rooms Five to eight storeys (25m): • 9m between habitable rooms / balconies • 4.5m between non-habitable rooms.	Able to comply	*Refer to assessment against Objective 2F above.*
Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas.	Able to comply	A condition is recommended to require careful consideration of the relevant interfaces at the subsequent competitive design process and at the detailed design DA stage.

4A Solar and Daylight Access	Consistency	Comment
70% of units to receive a minimum of 2 hours of direct sunlight in midwinter to living rooms and private open spaces.	Able to comply	The design verification statement claims that over 70% of apartments will receive at least 2 hours of direct sunlight to living rooms and private open spaces, and that less than 15% of apartments will receive no direct sunlight. This is generally supported by the submitted eye of the sun diagrams, despite the reference scheme (also included in the eye of the sun diagrams) does not specify apartment layouts to confirm.
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.		

4A Solar and Daylight Access	Consistency	Comment
		Compliance will be assessed at the detailed design DA stage.

4B Natural Ventilation	Consistency	Comment
All habitable rooms are naturally ventilated.	Able to comply	The design verification statement claims that over 60% of apartments can be naturally cross ventilated. This is generally supported by the reference scheme, despite it does not specify apartment layouts to confirm. Compliance will be assessed at the detailed design DA stage.
Minimum 60% of apartments in the first nine (9) storeys of the building are naturally cross ventilated.		
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Able to comply	*Refer to assessment against Objective 2E above.*

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m	Able to comply	The reference scheme indicates 3.2m floor to floor height, which would provide sufficient tolerance at construction to achieve 2.7m floor to ceiling heights. Compliance will be assessed at the detailed design DA stage.

4D Apartment Size and Layout	Consistency	Comment
Minimum unit sizes: • Studio: 35m² • 1 bed: 50m² • 2 bed: 70m² • 3 bed: 90m²	Able to comply	The reference scheme demonstrates the ability of the concept envelopes to accommodate a mix of apartment types that complies with the minimum apartment sizes. Compliance will be assessed at the detailed design DA stage.

4D Apartment Size and Layout	Consistency	Comment
Additional bathrooms increase the minimum internal area by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.		

4E Private Open Space and Balconies	Consistency	Comment
Studio apartments are to have a minimum balcony area of 4m² with a minimum depth of 1m. One bed apartments are to have a minimum balcony area of 8m² with a minimum depth of 2m. Two bed apartments are to have a minimum balcony area of 10m² with a minimum depth of 2m. Three bed apartments are to have a minimum balcony area of 12m² with a minimum depth of 2.4m. Private open space for apartments on ground level, on a podium, or similar, must have a minimum area of 15m² and a minimum depth of 3m.	Able to comply	The reference scheme demonstrates the ability of the concept envelopes to accommodate the minimum private open space required relevant to each apartment size. Compliance will be assessed at the detailed design DA stage.

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is eight.	Able to comply	The concept envelopes can accommodate multiple building cores and associated additional heights for lift overruns and the likes. The reference scheme also demonstrates compliance with this requirement.

4F Common Circulation and Spaces	Consistency	Comment
		Compliance will be assessed at the detailed design DA stage.
Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled.	Able to comply	Compliance with these requirements will be assessed at the detailed design DA stage.
Daylight and natural ventilation are provided to all common circulation spaces.		

4G Storage	Consistency	Comment
Minimum storage provision facilities: • Studio: 4m³ • 1 bed: 6m³ • 2 bed: 8m³ • 3 bed: 10m³ (Minimum 50% storage area located within unit)	Able to comply	Compliance with the minimum storage provision will be assessed at the detailed design DA stage.

4J Noise and Pollution	Consistency	Comment
Have noise and pollution been adequately considered and addressed through careful siting and layout of buildings?	Able to comply	The submitted acoustic report identifies the apartments fronting Coulson Street and the train track may not achieve the relevant internal noise criteria with windows open to achieve natural ventilation without mitigation. The acoustic report includes recommendations of passive mitigation

4J Noise and Pollution	Consistency	Comment
		method to inform the subsequent competitive design process. Compliance will be assessed at the detailed design DA stage.

State Environmental Planning Policy (Sustainable Buildings) 2022

41. The future detailed design DA will be required to satisfy BASIX requirements and the requirements set out in the Sustainable Buildings SEPP. The relevant sustainability criteria have been identified in the Design Excellence Strategy to inform the subsequent competitive design process. A condition is also recommended to require the future detailed design DA to demonstrate compliance with the Sustainable Buildings SEPP, including the submission of a BASIX certificate.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 5, Subdivision 2: Development likely to affect an electricity transmission or distribution network

42. The application is subject to Clause 2.48 of the SEPP as the development will be carried out within 5m of an exposed overhead electricity power line and involves the penetration of ground within 2m of an underground electricity power line.

43. The application was referred to Ausgrid for comment. Ausgrid responded on 29 August 2024 raising no objections, and the recommended conditions have been included in Attachment A.

Division 15, Subdivision 2: Development in or adjacent to rail corridors and interim rail corridors

44. The application is subject to Clause 2.99 of the SEPP as the development will involve excavation adjacent to the rail corridor.

45. The application was referred to Transport for NSW (TfNSW) for concurrence. TfNSW (as Rail Authority) responded on 24 September 2024 raising no objections and provided concurrence subject to recommended conditions. The recommended conditions have been included in Attachment A.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 2 Vegetation in Non Rural Areas

46. Chapter 2 of the Biodiversity and Conservation SEPP states that the Council must not grant consent for the removal of vegetation within heritage sites or heritage conservation areas unless Council is satisfied that the activity is minor in nature and would not impact the heritage significance of the site.

47. While this concept DA does not include any actual removal of trees, the concept envelopes will require the removal of 2 trees on 23 Eve Street. Those trees are not within a heritage site or conservation area. As such, development consent can be granted for their removal at the detailed design DA stage.

Local Environmental Plans

Sydney Local Environmental Plan 2012

48. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the MU1 Mixed-Use zone. The proposed development is defined as a mixed-use development, comprising residential flat building, attached dwellings, and commercial premises, which are permissible with consent in the zone and consistent with the relevant zone objectives.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings 4.6 Exceptions to development standards	No	The concept proposal seeks variations to the height of buildings development standard. A request to vary the height of buildings development standard in accordance with Clause 4.6 has been submitted. Please refer to 'Discussion' below.
4.4 Floor space ratio	Yes	A floor space ratio of 1.71:1 (13,239m²) is proposed, which is compliant with the total maximum floor space ratio of 1.73:1 (13,363m²). The future development may be eligible for up to 10% additional FSR (calculated based on the post-dedication site area). A condition is recommended to ensure any additional FSR are wholly contained within the approved concept envelopes.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The concept proposal involves the indicative adaptive reuse of the heritage-listed former Bakewell Brothers warehouse for commercial purposes, which is appropriate to ensure the on-going conservation of the building. Conditions are recommended to ensure the adaptive reuse are guided by appropriate heritage principles, and that the historic use of the site is appropriately interpreted as part of the future redevelopment of the site.
5.21 Flood Planning	Yes	The site is located within the Alexandra Canal catchment and is affected by flooding. A site-specific flood assessment has been submitted and recommends flood planning levels (FPLs) for the development. The flood assessment is considered acceptable by Council's Public Domain Unit, and a condition is recommended to ensure the identified FPLs are incorporated into the future detailed design of buildings.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence 6.21C Design Excellence 6.21D Competitive design process	Able to comply	A competitive design process is required in accordance with Clause 6.21D, and a satisfactory Design Excellence Strategy has been submitted to address the requirements of Section 3.3 of the DCP. Conditions are recommended to approve the Design Excellence Strategy and for additional design requirements to be incorporated into the future competitive design process brief. A competitive design process is to be undertaken prior to lodgement of the future detailed design DA. The competitive design process must adhere to the Design Excellence Strategy and

Provision	Compliance	Comment
		conditions of consent. Upon demonstrating design excellence, the future development may be eligible for up to 10% additional FSR.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development	Able to comply	The permissible number of car parking spaces are determined by the quantum of commercial floor space, and the number and mix of residential dwelling. The reference scheme demonstrates that a compliant number of car parking can be accommodated within the indicative basements. However, as these figures are indicative only, compliance can only be assessed at the future detailed design DA stage.
7.14 Acid Sulfate Soils	Able to comply	The site is located on land with class 3 Acid Sulfate Soils. The future detailed design DA, when physical works are proposed, will determine if the relevant requirements are applicable.
7.16 Airspace operations	Yes	The proposed development will penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for Sydney Airport. As discussed in 'External Referrals' below, Sydney Airport Corporation, as a proxy for the Civil Aviation Safety Authority, has provided concurrence, subject to conditions.
7.20 Development requiring or authorising preparation of a development control plan	Yes	The site area is greater than 5,000m², as such, a site-specific DCP is required. Pursuant to Section 4.23 of the EP&A Act, the subject concept DA is submitted in lieu of a site-specific DCP. As detailed elsewhere in this report, subject to the recommended conditions in Attachment A, the subject application adequately addresses the matters for consideration specified under this clause

Provision	Compliance	Comment
		including, height, bulk, massing, streetscape and environmental impacts.
7.23 Large retail development outside of Green Square Town Centre and other planned centres	Yes	No shops or markets with a gross floor area greater than 1,000m² is proposed under the subject application.

Development Control Plans

Sydney Development Control Plan 2012

49. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

Section 2 – Locality Statements

50. The site is located within the Ashmore locality. The proposed concept proposal is in keeping with the unique character and the design principles of the locality in that:

    (a) it will indicatively provide different types of residential accommodations, including 2 terraces and a mix of apartment sizes and layouts;

    (b) it can accommodate future buildings that reinforces the transition of building heights within the locality;

    (c) it will, together with the associated VPA, contribute to a high-quality public domain by contributing of a permeable network of streets and providing a new public park and public domain upgrades;

    (d) it will, subject to conditions, accommodate future buildings that reinforce a strong landscaped character through the provision of landscape buffers between the new buildings and the public domain; and

    (e) it will protect the 2 identified view corridors from Sydney Park as per Section 5.5.8.2 of the DCP.

Section 3 – General Provisions

Provision	Compliance	Comment
3.1 Public Domain Elements	Able to comply	Section 5.5 of the DCP sets out the site-specific requirements for new public open spaces and streets to be dedicated to the City. The concept proposal is generally consistent with those requirements and is considered capable of facilitating future development that will make a positive contribution.

Provision	Compliance	Comment
		The delivery and dedication of the required public domain works will form part of the associated VPA. Conditions are also recommended to guide the detailed designs of the Goddard Street extension, Coulson Street widening, and Carter's Park, which are to be submitted and assessed at the detailed design DA stage. An acceptable public art strategy has also been provided, and a condition is recommended to ensure that strategy will inform the subsequent competitive design process and require the submission of a preliminary public art plan for assessment at the detailed design DA stage.
3.2. Defining the Public Domain		The proposed concept envelopes maximise solar access to the future Carter's Park and maintain an acceptable level of solar access to Bamal Way. The reference scheme demonstrates that the concept envelopes can accommodate future buildings that contribute to the safety, amenity and quality of streets and the public domain while addressing the flood risks of the site. Appropriate conditions are also recommended to draw particularly attention to this particular matter. Compliance with the relevant wind comfort criteria within Carter's Park, and reflectivity of future building materials will be assessed at the detailed design DA stage.
3.3 Design Excellence and Competitive Design Processes	Yes	The Design Excellence Strategy establishes an acceptable design excellence process for the redevelopment of the site. As discussed against Division 4 of the LEP above, appropriate conditions are recommended to approve the Design Excellence Strategy, to require additional design requirements to be

Provision	Compliance	Comment
		incorporated into any future competitive design process brief, and for the competitive design process to be undertaken prior to lodgement of the future detailed design DA. It is noted that any additional FSR (up to 10%) will be calculated based on the post-dedication site area as per provision 3.3.5(1), and that a condition is recommended to ensure any additional FSR are wholly contained within the approved concept envelopes to ensure no additional environmental impacts as per provision 3.3.5(2).
3.5 Urban Ecology	Yes	While no physical tree removal forms part of this application, the concept envelopes necessitate the indicative removal of the *Araucaria heterophylla* (Norfolk Island Pine) and *Washingtonia robusta* (Mexican Fan Palm), both located on 23 Eve Street. The indicative removal of the 2 trees is acceptable, as the Norfolk Island Pine and the Mexican Fan Palm are identified to have medium and low retention rating respectively, and that their retention would unreasonably restrict the redevelopment potential of 23 Eve Street. Appropriate conditions are recommended to require the retention and protection of all existing street trees, and the submission of additional information at detailed design DA stage to confirm that all 6 other existing trees onsite will be retained and protected.
3.6 Ecologically Sustainable Development	Yes	ESD target benchmarks, including the requirement for fossil-fuel free design, have been incorporated into the Design Excellence Strategy that is recommended for approval. Conditions are recommended to ensure that the proposed ESD target benchmarks will be carried through the

Provision	Compliance	Comment
		competitive design process to the detailed design DA stage.
3.7 Water and Flood Management	Yes	*Refer to Clause 5.21 of the LEP above.*
3.8 Subdivision, Strata Subdivision and Consolidation	Able to comply	Consideration to subdivision and lot consolidation will be considered at the detailed design DA stage.
3.9 Heritage 3.10 Significant Architectural Building Types	Yes	*Former Bakewell Brothers Warehouse* The indicative adaptive reuse for commercial purposes is compatible with the heritage significance of the heritage warehouse, and conditions are recommended to ensure the adaptive reuse is guided by appropriate heritage principles and supported by an interpretation strategy to inform the developmental history of the site, including its occupancy by Bakewell Brothers and H Brightwell and Sons. *'Powerhouse' building* A heritage assessment has been carried out to consider the significance of the remnant elements of the powerhouse building located at the southwestern corner of 7-19 Coulson Street. The assessment concluded that the loss of the distinctive chimney, outbuildings and all internal equipment and fittings results in the building not meeting the criteria for heritage listing and not being of sufficient significance to warrant retention. The indicative demolition is therefore acceptable.
3.11 Transport and Parking	Able to comply	The reference scheme demonstrates that compliant quantum of car parking, bicycle parking, and servicing can be accommodate within the indicative basement and building footprint.

Provision	Compliance	Comment
		Compliance will be assessed at the detailed design DA stage.
3.12 Accessible Design	Able to comply	The submitted reference scheme has demonstrated that the accessibility facilities necessary to overcome the raised finished floor level to address flood risks can be provided without impeding on deep soil and landscape area. Compliance will be assessed at the detailed design DA stage.
3.13 Social and Environmental Responsibilities	Able to comply	Compliance with the CPTED principles will be assessed at the detailed design DA stage.
3.14 Waste	Able to comply	The reference scheme has demonstrated that the concept envelopes can accommodate an acceptable waste management solution. A condition is recommended to ensure the detailed design of future buildings will comply with the relevant provisions of the *City of Sydney Guidelines for Waste Management in New Development*.

Section 4 – Development Types

4.1 Single Dwellings, Terraces and Dual Occupancies

The concept envelope for Building 5 at 23 Eve Street will accommodate 2 terraces. As such, it is assessed against the following provisions.

Provision	Compliance	Comment
4.1.1 Building height	Able to comply	The concept envelope for Building 5 has a maximum height of 12.3m. It can accommodate a 3 storey development while complying with the flood planning levels, which is approximately 2.3m above existing ground levels. The 3 storey height is compliant with the maximum 4 storey recommended for the eastern portion of 23 Eve Street. It is also appropriate, as it responds to the street frontage height of 19-21 Eve

Provision	Compliance	Comment
		Street and provides a height transition to the existing single storey terraces at 27-41 Eve Street.
4.1.2 Building setbacks	Acceptable	The concept envelope is not set back from Eve Street to accommodate the required 3m landscape setback. However, it is acknowledged that a single storey envelope is necessary to accommodate some structures required to overcome the raised floor levels (due to flood risks) and to provide access to the future terraces. This is articulated in reference scheme, where no gross floor area is proposed within the single storey envelope. A condition is recommended to require the future detailed design of the buildings to achieve a high quality interface with the public domain, including the provision of deep soil and enhanced landscape presentation, within that 3m landscape setback.
4.1.3 Residential amenity	Able to comply	Compliance with the relevant amenity requirements including solar access, the location and quantum of private open space, deep soil planting and privacy will be assessed at the detailed design DA stage.

4.2 Residential Flat, Commercial and Mixed-Use Developments

Provision	Compliance	Comment
4.2.1 Building height 4.2.2 Building setbacks	N/A	*Refer to Section 5.5.8 of the DCP below.*
4.2.3 Amenity	Able to comply	The reference scheme demonstrates that a development can be constructed within the proposed concept envelopes with acceptable level of residential amenity, in terms of solar access, natural ventilation, provision of landscaping and deep soil, and provision of communal and private open spaces.

Provision	Compliance	Comment
		Compliance will be assessed at the detailed design DA stage.
4.2.3.12 Flexible housing and dwelling mix	Able to comply	This is a matter of consideration at the detailed design DA stage, noting that the number and mix of apartments shown in the reference scheme are indicative only.
4.2.4 Fine grain, architectural diversity and articulation	Able to comply	The future Goddard Street extension will have a width of approximately 10m. The concept envelopes for Buildings 2 and 4 have a maximum frontage length of 60m and 52m, respectively, exceeding the maximum length of 60m. Notwithstanding, this section also allows for variations to the maximum frontage lengths subject to design measures to articulate the building facades into smaller elements. Compliance will be assessed at the detailed design DA stage.
4.2.6 Waste and recycling Management	Able to comply	*Refer to Section 3.14 of the DCP above.*
4.2.7 Heating and cooling infrastructure	Able to comply	A condition is recommended to ensure all future plant and services, including consolidated heating and cooling infrastructure are to be accommodated within the concept envelopes.
4.2.8 Letterboxes	Able to comply	This is a matter of consideration at the detailed design DA stage.
4.2.9 Non-residential development in the Mixed-Uses Zone	Able to comply	The potential amenity impact associated with the adaptive reuse of the heritage item as a commercial premises is a matter of consideration at the detailed design DA stage.

Section 5 – Specific Areas

5.5 Ashmore Neighbourhood

Provision	Compliance	Comment
5.5.1 Ashmore Urban Strategy 5.5.2 Urban design principles	Yes	The concept proposal is generally consistent with the Ashmore urban strategy and urban design principles.
5.5.3.1 Street network	Able to comply	The concept proposal provides for the 10m wide southward extension of Goddard Street to Coulson Street, and the 2.5m landscaped setback on Coulson Street. The associated VPA will facilitate the dedication of these lands to the City, while their detailed design will be a matter of consideration at the future detailed design DA stage. It is noted that the 6m Goddard Lane was not pursued by the previous DAs for 11-17 and 19-21 Eve Street. As such, the 8m east-west road off Goddard Street is considered unnecessary.
5.5.3.2 Movement and connectivity	Acceptable	The location of the proposed vehicular access point for the residential development is consistent with the recommended location shown in the *Ashmore Circulation and Access map*, and a separate vehicular access point is provided for the loading bay to avoid queueing on Goddard Street and to minimise the amount of the ground plane dedicated to ramping to comply with the flood planning levels. The reference scheme also demonstrates the provision of an integrated carpark within 7-19 Coulson Street with a single connection under the street, consistent with the *Ashmore Circulation and Access map*.
5.5.3.4 Public open space	Able to comply	The concept proposal provides for 500m² of land for the future Carter's Park, which complies with the minimum requirement. The associated VPA will facilitate the dedication of land to the City, while the detailed design of the park, which is

Provision	Compliance	Comment
		intended to provide passive recreation space with adequate seating, will be a matter of consideration at the detailed design DA stage.
5.5.4 Accessibility and amenity in the public domain		
5.5.4.2 Quality of landscaping and landscape setbacks	Able to comply	The proposed concept envelopes provide for landscaped setbacks as identified in the *Ashmore Open Space and Setbacks map*. Design of these landscaped setbacks will be a matter for consideration at the detailed design DA stage.
5.5.5 Staging	N/A	Considering the scale of the concept proposal, a staging plan is not considered necessary.
5.5.6 Floor space ratio	Yes	The concept proposal indicates that 5 Goddard Street and 7-19 Coulson Street will be amalgamated in accordance with *Ashmore Land Amalgamation map*. The concurrent redevelopment of the 2 land parcels is to facilitate the delivery of future public domain works. The associated VPA will facilitate the dedication of the necessary lands to the City. A deferred commencement condition is recommended, requiring a VPA to be drafted, exhibited, executed and registered on title before the consent becomes operational to secure these lands.
5.5.7 Land use mix	Yes	The proposed concept envelopes support the delivery of Ashmore as a predominantly residential neighbourhood, and the heritage warehouse is identified for adaptive reuse as a commercial premises, which is considered appropriate. As informed by PDA/2020/280, an analysis was undertaken to establish that there is no additional demand for centre-based childcare in this location. The provision

Provision	Compliance	Comment
		of a child-care centre is therefore not pursued.
5.5.8 Building layout, form and design		
5.5.8.1 Height of buildings	Acceptable	The concept envelope for Building 3 is compliant with the recommended height in storey, being a maximum of 6 storeys with a 4 storey frontage height to Goddard Street. The concept envelope for Building 5 is also compliant as discuss under Section 4.1 of the DCP. While Buildings 2 and 4 comply with the 4 storey frontage height to Goddard Street, their overall height includes an additional storey (being 7 storeys instead of 6 storey). As demonstrated elsewhere in this report, the additional height is considered acceptable, responding to the intent of the DCP to allow greater heights within the subject site, providing a height transition to neighbouring developments, and maintaining an acceptable level of solar access to neighbouring properties. Similarly, while Building 1 complies with the overall height of 6 storeys, it has a stepped 3-4 storey frontage height to Goddard Street, instead of 3 storeys. This is also considered acceptable as it responds to the frontage height of 3 Goddard Street, and provides a transition to the 4 storey frontage height of Buildings 2 and 3 to the south.
5.5.8.2 Views	Yes	A visual impact assessment, including photomontages, has been submitted. The assessment demonstrates that the concept proposal will preserve the 2 identified view corridors from Sydney Park, despite the variations to the height of buildings development standard, as shown in Figures 32 and 33.
5.5.8.3 Dwelling type and location	Yes	The concept proposal provides 4 envelopes for residential apartments and an envelope for 2 terraces, consistent

Provision	Compliance	Comment
		with the recommendation of the *Ashmore Building Type map*.
5.5.8.4 Building form and design	Able to comply	This is a matter of consideration for the future detailed design DA.
5.5.8.5 Typical ground floor condition for residential flat buildings	Yes	The concept envelopes provide for deep soil landscape planting area along Goddard Street. Compliance with the design criteria will be assessed at the detailed design DA stage.
5.5.9 Terrace housing	Yes	Terrace housing is proposed to be provided at 23 Eve Street in accordance with the *Ashmore Building Type Map, and c*ompliance with the design criteria will be assessed at the detailed design DA stage.
5.5.10 Biodiversity	Able to comply	This is a matter of consideration for the future detailed design DA.

Discussion

Clause 4.6 Request to Vary a Development Standard

51. The site is subject to various maximum height of buildings development standards, ranging from 9m to 22m. Section 5.5 of the DCP also recommends various building heights in storey, ranging from 3 storeys to 6 storeys. These are illustrated in Figure 29 below.



Figure 29: LEP height of buildings map (left) and DCP height in storey map (right)

52. The concept envelopes exceed the various maximum height of buildings development standards as illustrated in Figure 30, with a maximum variation of 13.75m (114.59%) to the maximum 12m observed at the northeastern corner of 7-19 Coulson Street.

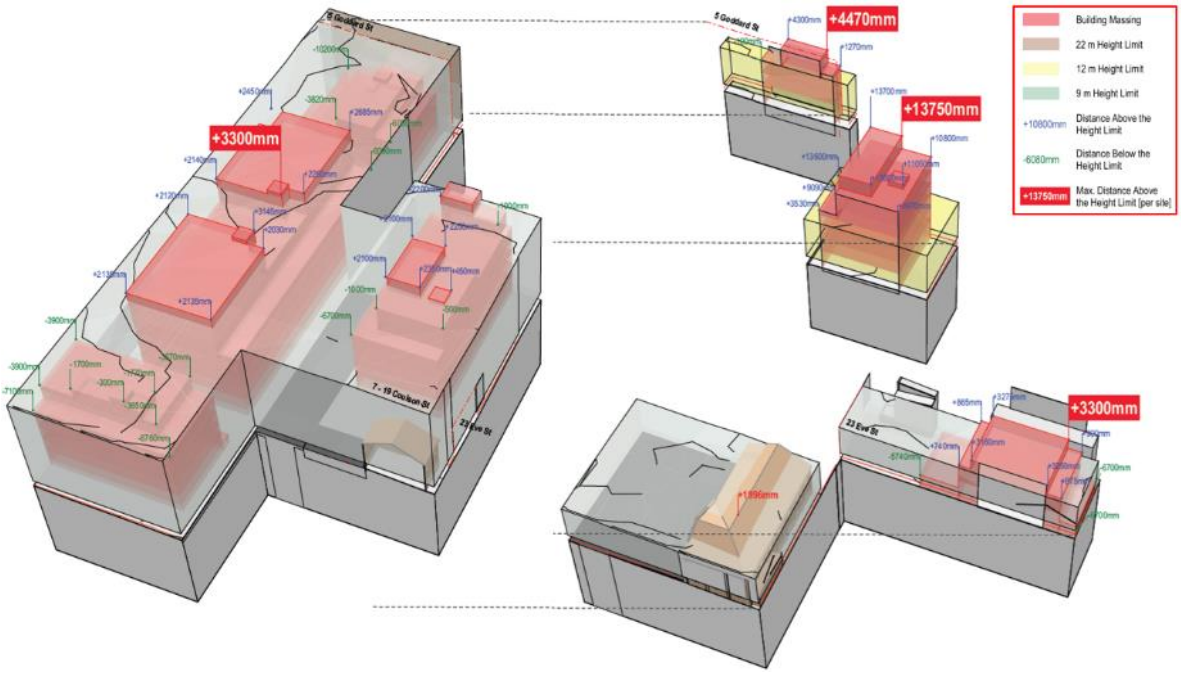


Figure 30: Height plane diagram identifying height exceedance

53. A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the development standard by demonstrating that:

    (a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and

    (b) there are sufficient environmental planning grounds to justify contravening the standard.

Applicant's Written Request - Clause 4.6(3)(a) and (b)

54. The applicant seeks to justify the contravention of the height of buildings development standard on the following basis that:

    compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:

    (a) consistent objectives (a) and (b) of the development standard, the proposed heights are appropriate within the context of the site, and provide a height transition to neighbouring buildings and the heritage item as illustrated in Figure 31 and as follows:

        (i) the overall height of the concept envelopes, being generally 6-7 storey in height with a 4 storey street wall height, is consistent with the general height of the Ashmore neighbourhood, being generally 6-8 storey in height with a 4 storey street wall height;

        Building 1

        (ii) the variation to the 12m height that applies to a small portion of 5 Goddard Street allows Building 1 to step up in its overall height to provide a transition between the 4 storey development at 3 Goddard Street (north) to the 7 storey height of Building 2; and a transition between the 3 storey frontage height at 3 Goddard Street (north) and the 4 storey frontage height for the future Goddard Street extension, as generally desired by the LEP and the DCP (Figure 29);

        (iii) Building 1 also steps down in height in the west to provide a better transition to 21-25 Coulson Street;

        Building 2 and Building 4 (southern part)

        (iv) the variation to the 22m height for Building 2 and the southern part of Building 4 accommodates a 7th storey and lift overruns, which providea variety of building heights that remain contextually appropriate, and as discussed below, balance the achievement of the permissible floor space with the solar amenity of the neighbouring properties;

        (v) the variation does not hinder Building 4 in providing an acceptable height transition to the heritage warehouse;

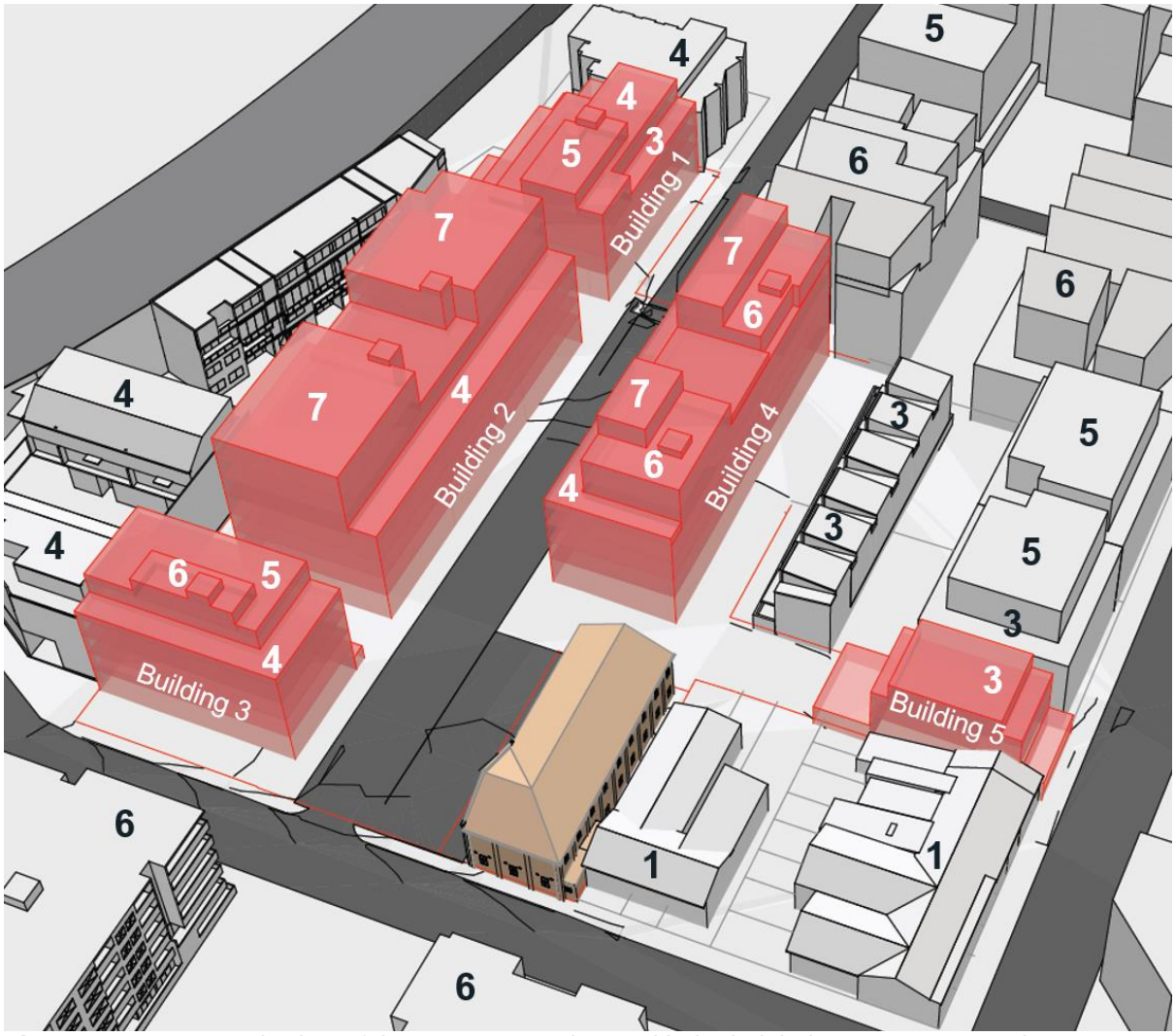


Figure 31: Axonometric view of the concept envelope, with the height in storey annotated

Building 4 (northern part)

(vi) the variation to the 12m height that applies to the northern part of Building 4 is necessary to achieve the desired 6 storey built form with a 4 storey frontage height to Goddard Street recommended by the DCP;

(vii) the variation also allows for a better height relationship with the existing 6 storey building to the north at 3 Eve Street, which had a similar variation approved previously;

(viii) the variation does not hinder Building 4 in providing an acceptable height transition to the 3 storey buildings at the rear of 11-17 and 19-21 Eve Street;

Building 5

(ix) the variation to the 9m height that applies to Building 5 is necessary to achieve the desired built form recommended by the DCP, particularly after accounting for the flood planning level; and

(x) the variation does not hinder Building 5 in providing an acceptable height transition between the 5 storey development at 11-17 and 19-21 Eve Street and the single storey terraces at 27-41 Eve Street.

(b) consistent objective (c) of the development standard, the proposed heights will protect the 2 view corridors from Sydney Park as identified in section 5.5.8.2 of the DCP as illustrated by Figures 32 and 33 below:



Figure 32: Modelled view of View Corridor A



Figure 33: Modelled view of View Corridor B

there are sufficient environmental planning grounds to justify contravention of the standard:

(c) the height variations are partly in response to the flood constraints of the site, with the future ground level raised between 0.9m to 2.3m above existing ground levels, while achieving the density envisioned by the LEP and the built form recommended by the DCP;

(d) the height variations facilitate the redistribution of built form and massing across the site based on a detailed urban design analysis prepared by the project architect to minimise overshadowing impacts to adjoining properties, including 2-4 and 21-25 Coulson Street, and 11-17 and 19-21 Eve Street;

(e) the redistribution of built form and massing across the site also ensures the proposed heights are contextually appropriate, particularly considering the desired character of the Ashmore neighbourhood and the building heights of the immediate context as illustrated in Figure 31;

(f) the proposed variations will not hinder the protection of the 2 identified view corridors from Sydney Park; and

(g) the proposed variations will not hinder the delivery of future roads and open space, nor contribute to additional overshadowing to the future Carter's Park.

Consideration of Applicant's Written Request - Clause 4.6 (3)

55. Development consent must not be granted unless the consent authority is satisfied that the applicant's written request has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.

Does the written request adequately address those issues at Clause 4.6(3)(a)?

56. The written request has adequately demonstrated that the proposed development meets the objectives of the height of buildings development standard despite the non-compliance with the numerical standard. As such, to the extent of the variation proposed, compliance with the development standard is unreasonable and unnecessary.

Does the written request adequately address those issues at clause 4.6(3)(b)?

57. The written request has established environmental planning grounds that are specific to the circumstances of the site to justify the extent of non-compliance with the height of buildings development standard. In this instance, the elements of non-compliance are appropriate within the context of the immediate surroundings, allow the proposed development to preserve the residential amenity for neighbouring developments, while maintaining a reasonable development capacity for the site to contribute to future public domain and housing supply. The written request has therefore demonstrated that there are sufficient environmental planning grounds to support the extent of the variation proposed.

Conclusion

58. For the reasons provided above the requested variation to the height of buildings development standard is supported as the applicant's written request has adequately addressed the matters required to be addressed by clause 4.6 of the LEP.

Overshadowing

59. Eye of the sun diagrams have been provided to support the concept proposal. The diagrams at 15 minutes interval are included in Attachment B, while the diagrams at an hourly interval is provided below in Figure 34. The diagrams show the proposed envelopes in pink, with the reference scheme contained within.

60. Objective 4A-1 of the ADG requires the living rooms and private open spaces of at least 70% of apartments in a building of at least 2 hours of direct sunlight between 9am and 3pm at mid-winter. It also allows up to 15% of apartments in a building to receive no direct sunlight. Objective 3B-2 of the ADG then requires overshadowing of neighbouring properties to be minimised.

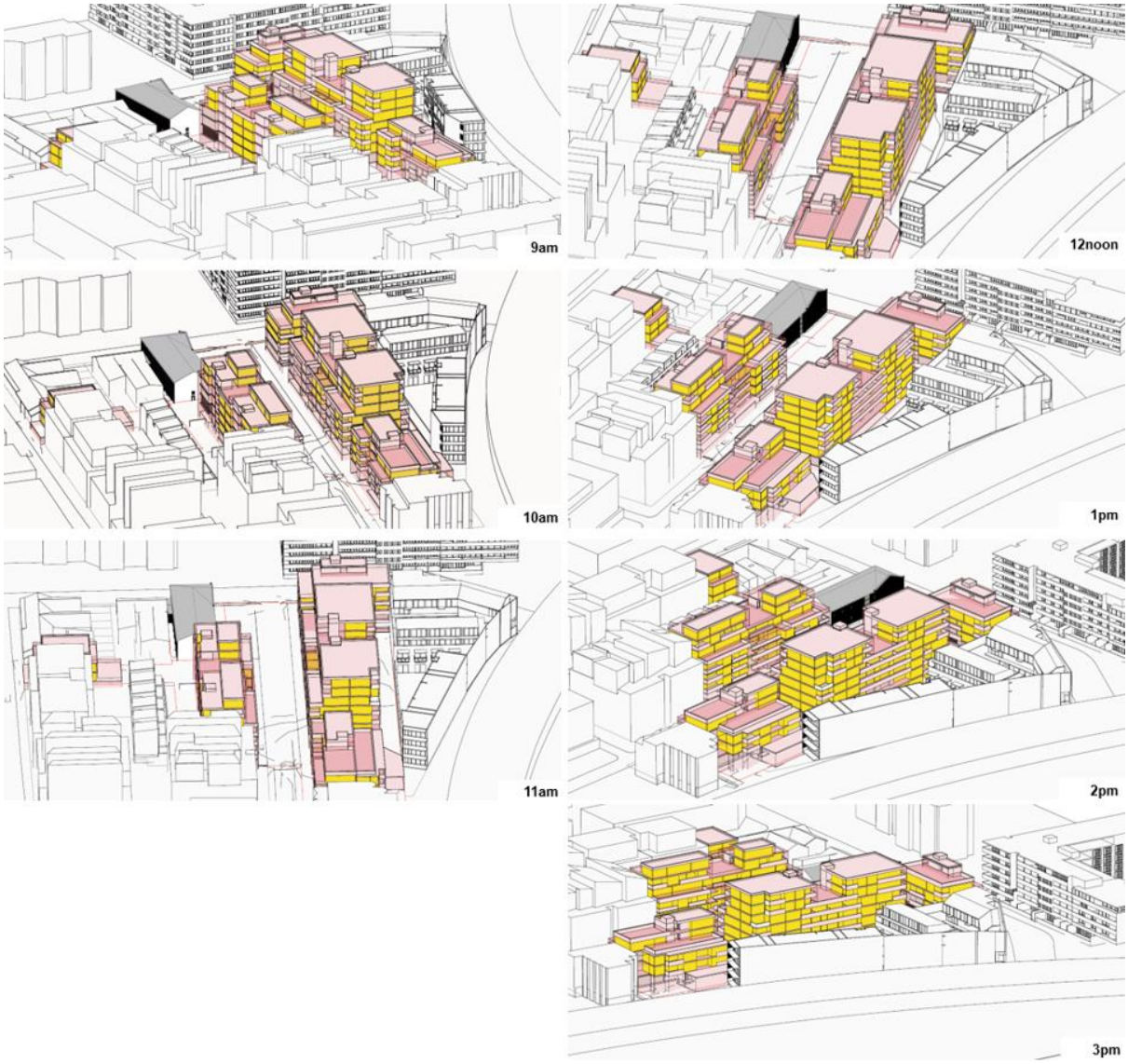


Figure 34: Eye of the sun diagrams (hourly interval)

61. The eye of the sun diagrams demonstrates the following:

21-25 Coulson Street

(a) Of the 46 apartments, 21 (45.7%) currently achieve at least 2 hours of direct sunlight to their respective private open space and living area. The northwestern corner of Building 2 has been amended to allow those 21 apartments to continue to achieve at least 2 hours of direct sunlight.

(b) The western portion of Building 1 steps down in height to avoid any additional overshadowing to the southeast-facing apartments within the northern block of 21-25 Coulson Street between 9am and 9.30am.

(c) Overall, the concept proposal has been designed and subsequently amended to maintain solar access to 21-25 Coulson Street in accordance with the ADG.

11-17 Eve Street

(d) Of the 19 apartments, 16 (84.2%) currently achieve at least 2 hours of direct sunlight to their respective private open space and living area. The concept proposal allows those 19 apartments to continue to achieve at least 2 hours of direct sunlight.

(e) The communal open space was originally approved with 1 hour of direct sunlight. The concept proposal will maintain at least 1 hour of direct sunlight to approximately 50% of the communal open space located in the middle of the site between 11.15am and 12.30pm.

19-21 Eve Street

(f) Of the 18 apartments, 13 (72.2%) currently achieve at least 2 hours of direct sunlight to their respective private open space and living area. The concept proposal allows those 13 apartments to continue to achieve at least 2 hours of direct sunlight.

(g) The concept proposal, however, will impact 2 ground floor apartments (BG.02 and BG.03). The 2 apartments are located within the 3 storey built form at the rear of 19-21 Eve Street. The proposal will maintain the pre-existing 1.5 hours of direct sunlight to their living area, but results in 30 minutes of additional overshadowing to their private open space, reducing the amount of solar access from 2 hours 15 minutes to 1 hour 45 minutes.

(h) The 30 minutes of additional overshadowing is considered reasonable as the impact is caused by the portion of Building 4 that is compliant with the 6 storey height recommended by the DCP, and is reduction is in accordance with the reduction allowable by the ADG.

(i) Otherwise, the concept proposal will allow the communal open space located in the middle of the site to continue to receive at least 2 hours of direct sunlight, between 10am and 12.45pm.

2-4 Coulson Street

(j) The concept proposal will result in additional overshadowing to some of the north facing apartments, particularly those located on the lower three levels. However, those apartments will continue to receive over 3 hours 45 minutes of direct sunlight to their respective private open space and living area, exceeding the requirements of the ADG.

1-5 Coulson Street

(k) The concept proposal allows the three terraces to continue to achieve at least 2 hours of direct sunlight to their living area windows and private open spaces between 10am and 12.00noon, which is consistent with the requirements of Section 4.1.3 of the DCP.

27-41 Eve Street

(l) Similarly, the concept proposal allows the row of terraces to continue to achieve at least 2 hours of direct sunlight to their living area windows and private open spaces between 11.15am and 1.30pm, which is consistent with the requirements of Section 4.1.3 of the DCP.

Design Advisory Panel

62. The proposed development was considered by the Design Advisory Panel on 24 October 2024, and the application was subsequently amended to address the Panel's recommendations as detailed in the table below:

Recommendations	**Response**
The proposed development should be amended to address issues identified by City staff, including future land dedication, interface with heritage items, solar access, building heights and view corridor, building separation, deep soil provision, ground floor access and communal open space provision.	The proposed development has been amended to address issues identified by City staff as detailed in the 'Amendments' section and as discussed elsewhere in this report.
The concept envelope of Building 2 should be amended to ensure no additional overshadowing to 21-25 Coulson Street.	The concept envelope for Building 2 has been amended to preserve solar access to 21-25 Coulson Street as discussed above.
Adequate acoustic considerations and requirement for noise and vibration mitigation measures should be included given the site's proximity to the rail corridor.	An acoustic report has been provided to include an assessment on the potential noise and vibration impacts, and makes recommendations on noise and vibration mitigation measures to inform the subsequent competitive design process and future detailed design of the buildings.
The existing Norfolk Island Pine should be retained if possible.	Retention of the Norfolk Island Pine is not feasible without significantly limiting the redevelopment potential of 23 Eve Street. Its indicative removal is supported.
The demolition of the powerhouse building is considered on balance more important than its retention given it would allow for the reinforcement of the street pattern, an improved public domain (wider footpath on Coulson Street), and provide substantially more housing.	A heritage assessment has been carried out to demonstrate that the powerhouse building is not of sufficient significance to warrant retention. The demolition of the building also allows significant public domain benefits and opportunity to delivery additional housing as noted by the Panel.

Recommendations	Response
The Panel noted that the proposal demonstrated that this site is not suitable for the State Government's 30% floor space boost and height bonus.	The assessment of this concept DA demonstrated limited scope for the site to achieve any additional floor space and/or height without adversely affecting the amenity of the neighbouring residential developments, the future residents of the site, and the future public domain, including Carter's Park.

Consultation

Internal Referrals

63. The application was discussed with the City's Heritage Specialist, Urban Designer, Landscape Specialist, VPA Coordinator, Environmental Health Unit, Public Domain Unit, Transport and Access Unit, Tree Management Unit, Waste Management Unit, Public Art Team, and Design Excellence Team. Relevant comments have been included in this report, and where appropriate, conditions recommended by these referrals have been included in Attachment A.

External Referrals

Sydney Airport

64. Section 182 of the Commonwealth Airports Act 1996 specifies that, amongst other things, constructing a building or other structure that intrudes into a prescribed airspace is a controlled activity.

65. Schedules 2 and 5 of the Civil Aviation (Building Control) Regulations 1988 identify that the site is subject to a prohibition of the construction of buildings more than 15.24m above existing ground level.

66. Section 183 of the Commonwealth Airports Act 1996 specifies that controlled activities may not be carried out in relation to prescribed airspace unless an approval has been granted. The relevant approval body is the Civil Aviation Safety Authority (CASA).

67. The Sydney Airport Airfield Design Manager, as an authorised person of the CASA, provided approval for the controlled activity on 13 August 2024.

Sydney Water

68. Pursuant to Section 78 of the Sydney Water Act 1994, the application was notified to Sydney Water. As requested by Sydney Water in their comments issued on 11 September 2024, growth data has been provided by the applicant as part of the subject application to assist Sydney Water in ensuring the timely delivery of new assets in the area.

Ausgrid

69. Pursuant to Section 2.48 of the Transport and Infrastructure SEPP, the application was referred to Ausgrid for comment. Ausgrid responded on 29 August 2024 raising no objections, and the recommended conditions have been included in Attachment A.

Transport for NSW

70. Pursuant to Section 2.99 of the Transport and Infrastructure SEPP, the application was referred to Transport for NSW (TfNSW) for concurrence. TfNSW (as Rail Authority) provided concurrence on 24 September 2024, and the recommended conditions have been included in Attachment A.

Advertising and Notification

71. In accordance with the City of Sydney Community Participation Plan 2023, the proposed development was notified and advertised for a period of 28 days between 14 August and 12 September 2024. A total of 1,566 properties were notified. A total of 34 submissions were received, including 33 in objection and 1 in support.

72. The 33 submissions in objection raised the following issues:

Amenity impacts

(a) **Issue:** Overshadowing impacts to 2 Coulson Street, 21-25 Coulson Street, and 19-21 Eve Street.

Response: The concept envelopes has been amended to preserve solar access to neighbouring properties, particularly to 21-25 Coulson Street. Overall, the extent of overshadowing impacts is considered acceptable.

(b) **Issue:** Visual and acoustic privacy impacts to 21-25 Coulson Street and 2 Coulson Street, visual privacy impacts to 1 Coulson Street, and visual privacy impacts from the rooftop communal open space of Building 4 to 19-21 Eve Street.

Response: The concept envelops are generally consistent with the building separation requirements of the ADG, which serves to protect visual and acoustic privacy. As the apartment layouts are matters for the detailed design DA stage, visual and acoustic privacy are best assessed as that later stage.

Notwithstanding, a condition is recommended to require careful consideration of key interfaces with neighbouring properties and within the site at the subsequent competitive design process and detailed design DA.

(c) **Issue:** Impacts on the natural cross ventilation of the lobby of 3 Goddard Street.

Response: A lightwell is provided within 3 Goddard Street to allow its lift lobbies to achieve natural cross ventilation without relying on 5 Goddard Street.

Other concerns

(d) **Issue:** The proposed heights (and upper storey setback) do not respond to neighbouring buildings and the heritage item located onsite. No additional heights should be allowed, as bonuses may apply at a later stage.

Response: The concept envelopes have been amended to achieve an acceptable relationship with the heritage warehouse, and proposed heights are considered acceptable within the site's context, achieving an acceptable height transition to neighbouring buildings. No additional height is sought through the design excellence process.

(e) **Issue:** The proposed development should support the provision of larger apartments (3+ bedroom).

Response: Apartment mix is a matter for consideration at the later detailed design DA stage.

(f) **Issue:** The proposed development should achieve 100% natural ventilation.

Response: Compliance with the natural cross ventilation requirements of the ADG will be assessed at detailed design DA stage, and a condition is recommended to require the future detailed design of buildings to carefully balance of acoustic amenity and natural ventilation.

(g) **Issue:** The proposed development should not rely on fossil fuel.

Response: Fossil-fuel free design has been identified as one of the ESD target benchmarks, in the Design Excellence Strategy that is recommended for approval.

(h) **Issue:** The powerhouse building should be retained to preserve the industrial heritage of the locality.

Response: As discussed, the powerhouse building has lost much of its significant fabric, and the remanent fabrics do not allow the building to meet the criteria for heritage listing or to warrant retention. Furthermore, the removal of the powerhouse building also allows significant public domain benefits and opportunity to delivery additional housing.

(i) **Issue:** The Norfolk Island Pine at 23 Eve Street should be retained considering its ecological value.

Response: While no physical removal is considered as part of this DA, the indicative removal of the Norfolk Island Pine is considered acceptable as it is considered to have a medium retention value, and its retention would unreasonably restrict the redevelopment potential of 23 Eve Street.

Traffic concerns

(j) **Issue:** The proposed development should reduce the provision of parking to lower of cost of housing.

Response: While no parking spaces are approved as part of this concept DA, the indicative number of parking spaces is compliant with the maximum allowable under the LEP.

(k) **Issue:** The proposed development should increase the provision of parking to avoid additional pressure on on-street parking.

Response: The demand for on-street is primarily managed by the City's residential parking permit scheme, noting that new multi-unit residential developments are typically not eligible for residential parking permit.

(l) **Issue:** The proposed development should provide compliant level of bicycle parking.

Response: The reference scheme demonstrates a compliant level of bicycle parking within the indicative basement and building footprint. Compliance will be assessed at the detailed design DA stage.

Public Domain concerns

(m) **Issue:** Additional infrastructure is required to support the proposed increase in density, and that the proposed development should dedicate a portion of the site for community benefit.

Response: The proposed development and the associated VPA will provide for future public domain works, including the future Carter's Park, southward extension of Goddard Street, and the widening of Coulson Street.

(n) **Issue:** Carter's Park should be no less than 500m², and the application lacks detailed design for the park.

Response: The application has been amended to provide 500m² of land for the future Carter's Park. Detailed design of the park is a matter for consideration either under a separate DA or as part of the future detailed design DA.

(o) **Issue:** Road widening of Coulson Street is required to improve pedestrian safety, and should not impact on the existing single-storey terraces.

Response: The associated VPA will provide the for the road widening of Coulson Street, which will take place to the west of the future Goddard Street extension, not modifying the frontages of the existing single-storey terraces to the east of the future Goddard Street extension.

(p) **Issue:** The design of the Goddard Street extension should maximise walking and cycling comfort, including continue footpath treatment and wombat crossing between Bamal Way and Carter's Park.

Response: Detailed design of Goddard Street is a matter for consideration at the future detailed design DA stage. Notwithstanding, a condition is recommended by the City's Public Domain unit for specific treatments to be included in a future public domain concept plan.

Construction concerns

(q) **Issue:** The subject site must be appropriately remediated to address any contamination concerns.

Response: Adequate investigation has been carried out to allow a NSW EPA Accredited Site Auditor to advise that the site can be made suitable for the proposed development. An appropriate condition is recommended to require further considerations at the future detailed design DA stage.

(r) **Issue:** Construction impacts, including noise and dust.

Response: This concept DA does not consider any physical works. Construction impacts, and the need to impose any appropriate conditions, are matters for consideration at the future detailed design DA stage.

Financial Contributions

73. The appropriate contributions will be determined and applied at the detailed design DA stage in accordance with the following:

(a) City of Sydney Development Contributions Plan 2015;

(b) City of Sydney Affordable Housing Program 2023; and

(c) Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

Relevant Legislation

74. Commonwealth Airports Act 1996

75. Sydney Airport Referral Act 1996

76. Sydney Water Act 1994

77. Environmental Planning and Assessment Act 1979

78. City of Sydney Act 1988

Conclusion

79. The subject concept application seeks consent for concept envelopes for a mixed-use development comprising 4 envelopes for residential flat buildings, an envelope for 2 terraces, and the indicative adaptive reuse of a heritage item for commercial use. The concept proposal also provides for public domain works, including the southward extension of Coulson Street, a 2.5m landscape setback on Coulson Street, and a new 500m² Carter's Park.

80. The concept proposal generally complies with the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012. Any variations have been discussed throughout this report, and found to be acceptable, subject to conditions of consent where necessary.

81. The concept proposal and Design Excellence Strategy establish concept building envelopes and suitable parameters for a competitive design process. Subject to the recommended conditions, the proposed envelops are generally able to accommodate detailed building designs of an appropriate bulk and scale that responds to the character of the area, and capable of achieving design excellence subject to a competitive design process.

82. A Public Benefit Offer has been received and accepted in principle by the City of Sydney for the above-mentioned public domain works. The Public Benefit Offer will inform a draft VPA associated with the application. The draft VPA will undergo a 28-day public exhibition in accordance with section 7.5 of the EP&A Act. A deferred commencement condition is recommended to enable the VPA to be drafted, exhibited, executed and registered on title.

83. For these reasons, it is recommended that authority be delegated to the CEO to determine the application, following the drafting and conclusion of the public exhibition of the VPA and considering any public submissions received in response. It is recommended that the CEO consider granting deferred commencement consent subject to the recommended conditions requiring the VPA to be executed and registered on title prior to the consent becoming operative.

GRAHAM JAHN, AM

Chief Planner / Executive Director City Planning, Development and Transport

Bryan Li, Senior Planner

Attachment A

Recommended Conditions of Consent

DEFERRED COMMENCEMENT CONDITION

This consent does not operate, and may not be acted on, until the Council is satisfied of the following matter:

(A) VOLUNTARY PLANNING AGREEMENT

(a) The Voluntary Planning Agreement between the Council of the City of Sydney, and Brightwell Real Estate Pty Ltd and Brightwell Holdings Pty Ltd, has been exhibited, executed and submitted to Council; and,

(b) The Voluntary Planning Agreement, as executed, must be registered on the title of the land(s).

Reason

To require the execution and registration of the voluntary planning agreement.

Evidence of the above relevant matter must be produced to the consent authority, within 24 months of the date of the determination, otherwise the consent will lapse.

Under section 76(4) of the EP&A Regulation, the consent authority will notify you in writing if the matters above have been satisfied and the date from which this consent operates.

The conditions of development consent below apply from the date that this consent operates.

Note: Section 76(3) of the EP&A Regulation enables a consent authority to specify the period within which the applicant must produce evidence to the consent authority sufficient enough to enable it to be satisfied as to the relevant matter(s) that it requires before a deferred commencement consent can operate. Where a period is specified under section 76(3), a deferred commencement consent will lapse if the applicant has not produced sufficient evidence for the consent authority to be satisfied of the relevant matters on the expiration of the specified period.

Where the applicant produces evidence of the relevant matters in accordance with section 76(4) of the EP&A Regulation, the consent authority must notify the applicant whether or not it is satisfied as to the relevant matter(s). If the consent authority has not notified the applicant within 28 days after receiving the applicant's evidence, the consent authority is taken to have notified the applicant that it is not satisfied about the relevant matter(s) on the date on which that period expires, for the purposes of section 8.7 of the EP&A Act (see sections 76(4), (5) and (6) of the EP&A Regulation).

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below in Schedules 1 to 5.

SCHEDULE 1

GENERAL CONDITIONS

(1) CONCEPT DEVELOPMENT APPLICATION

Pursuant to Division 4.4 of the Environmental Planning and Assessment Act, 1979, and Clause 87 of the *Environmental Planning and Assessment Regulation 2021*, this Notice of Determination relates to a concept development application. A subsequent detailed design development application (DA) is required for any works to be carried out on the site.

Reason

To specify the status of this approval as a concept development consent and that it does not authorise the carrying out of any works on any part of the site.

(2) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT

The terms of the Voluntary Planning Agreement entered into in accordance with Deferred Commencement Condition (A) are to be complied with.

Reason

To ensure the development complies with all terms of the planning agreement.

(3) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2024/652 dated 24 October 2024 and the following drawings prepared by DKO Architecture:

Drawing No.	Rev	Drawing Name	Date
DA200	B	Envelope Plans	12/02/2025
DA300	B	N & S Elevations	12/02/2025
DA301	B	E & W Elevations	12/02/2025
DA302	B	Sections	12/02/2025
DA303	B	Sections	12/02/2025

and as amended by the conditions of this consent.

(b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(4) MATTERS NOT APPROVED

The following items are not approved and do not form part of this concept development consent:

(a) any works, including demolition, tree removal, excavation, remediation and/or construction;

(b) the removal or pruning of any tree on or adjoining the site;

(c) the height in storeys, street frontage height in storeys, or floor levels of the development;

(d) the layout and number of residential apartments or the non-residential tenancy;

(e) the depth, extent, number, layout and design of basement levels and/or configuration of car parking;

(f) the design and number of car parking spaces, bicycle spaces, car share or loading spaces/zones;

(g) the precise quantum of floor space; and

(h) any additional floor space up to 10%, pursuant to the provision of Clause 6.21D(3) of Sydney LEP 2012.

Reason

To ensure all parties are aware of the scope of the concept consent.

(5) BUILDING HEIGHT

(a) Building height proposed as part of any subsequent DA for the detailed design of the building must not exceed the heights expressed as RLs (AHD) shown on drawings listed in the APPROVED DEVELOPMENT condition (3) above.

(b) For clarity, this condition does not restrict development comprising building height:

(i) proposed or erected by or on behalf of a public authority on land identified in the Voluntary Planning Agreement for transfer (and/or dedication) for the purpose of public amenities such as street furniture, street lighting, landscape structures or the like;

(ii) located in the ground level common open space areas for the purpose of landscape structures and communal facilities that do not comprise floor space (or GFA) and do not compromise deep soil provision.

Reason

To ensure the constructed development complies with the approved height.

(6) FLOOR SPACE RATIO

The following applies to Floor Space Ratio (FSR):

(a) The Floor Space Ratio (FSR) of development contained within the site must not exceed the maximum permitted FSR calculated in accordance with the Sydney Local Environmental Plan 2012, being a maximum total Gross Floor Area of 13,363sqm.

(b) Notwithstanding (a) above, the proposal may be eligible for up to 10% additional floor space pursuant to the in force provisions of Clause 6.21D(3) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that the resulting detailed design exhibits design excellence and is the result of a competitive design process.

(c) Precise FSR details are to be submitted as part of any subsequent DA for the detailed design of the building.

Reason

To specify the relevant floor space ratio controls applicable to the development.

(7) DEVELOPMENT TO BE CONTAINED WITHIN APPROVED ENVELOPES

Subject to other conditions of this consent, the building envelope is only approved on the basis that the ultimate detailed design for the buildings on the site, including articulation, balconies, terraces, services, privacy treatments, sun shading, other projections, parapets, any building services, and plant and lift overruns will be entirely contained within the approved building footprint and envelope, and comply with the relevant planning controls.

Reason

To ensure that the detailed building design is consistent with the approved concept envelopes.

(8) COMPETITIVE DESIGN PROCESS

A competitive design process shall be conducted in accordance with the provisions of the Sydney Local Environmental Plan 2012 and:

(a) In accordance with the 'Design Excellence Strategy' prepared by SJB Planning dated 5 March 2025; and

(b) Prior to the lodgement of any subsequent development application for the detailed design of the buildings.

The detailed design of the buildings must exhibit design excellence in accordance with Clause 6.21C of the Sydney Local Environmental Plan 2012.

Reason

To specify the approved Design Excellence Strategy for the development.

(9) DETAILED DESIGN OF BUILDINGS

The building design submitted as part of any subsequent DA for the detailed design of the building, must address the following design requirements:

(a) The design of the western extent of Buildings 1 and 2 are to incorporate external visual privacy measures to provide passive sun control and to maintain privacy for both the future residents of these buildings and the neighbouring residents at 21-25 Coulson Street.

(b) The design of the northern extent of Building 2 is to incorporate a primarily non-habitable interface to maintain privacy for residents of Building 1.

(c) The design of any apartments which form the perimeter of any rooftop communal open space are to incorporate a primarily non-habitable interface to maintain privacy for residents and support usable communal areas.

(d) The design treatment of the south elevation of Building 4 is to be carefully addressed as part of the design competition to provide an appropriate backdrop to, and minimise the visual impact of the building on, the Heritage listed Former Bakewell Brothers Warehouse to its south. The design treatment should include detailed architectural articulation and modulation, and the use of appropriate materials, colours and finishes.

(e) Design for flood planning levels, equitable access, and building services are to be high quality and well-integrated primarily within the building footprint to enable deep soil provision within setbacks, enhanced landscape presentation, and to create a high quality interface with the public domain whilst providing amenity and outlook for ground level apartments and any future terraces. Flood gates are not to be utilised.

Reason

To identify particular design requirements for the attention of the architects commissioned to undertake the detailed design of the buildings.

(10) RESIDENTIAL LAND USE

(a) The residential component of the development must be designed to be consistent with the principles of Chapter 4 of State Environmental Planning Policy (Housing) 2021, the guidelines of the Apartment Design Guide (the ADG), and the provisions of the Sydney Development Control Plan 2012, with particular attention to the following matters:

(i) ADG objectives 2F Building separation and 3F-1 Visual privacy;

(ii) ADG objective 3D-1 Communal open space – with an equitable distribution of communal open spaces across all apartment buildings

(iii) ADG objective 4B-1 Natural ventilation;

(iv) ADG objective 4B-3 Natural cross ventilation;

(v) ADG objective 4J Noise and pollution – with noise and natural ventilation addressed firstly through siting and layout, then facade treatment and design, and lastly through attenuated passive ventilation devices.

(b) A BASIX certificate in accordance with the requirements of State Environmental Planning Policy (Sustainable Buildings) 2022 must be submitted with any subsequent detailed design development application.

Reason

To identify particular planning requirements pertaining to residential land use for the attention of the architects commissioned to undertake the detailed design of the buildings.

(11) ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES

Any subsequent detailed design DA must demonstrate that access and facilities are provided for people with a disability in accordance with the National Construction Code.

Reason

To ensure the detailed design of the building provides access for people of all abilities.

(12) ADAPTABLE HOUSING

Any subsequent detailed design DA is to provide the required number of residential units that are able to be adapted for people with a disability in accordance with provision 3.12.2 of the Sydney Development Control Plan 2012, the National Construction Code and Australian Standard AS4299.

Reason

To ensure the detailed design of the building provides apartments that can be easily adapted for people with a disability.

(13) HERITAGE PRINCIPLES FOR THE ADAPTIVE REUSE OF THE FORMER BAKEWELL BROTHERS WAREHOUSE

A set of Heritage Principles for the Adaptive Reuse of the Former Bakewell Brothers Warehouse are to be prepared by a suitably qualified and experienced heritage consultant. It is to address matters including:

(a) the significance of the building and its parts

(b) identify the spatial planning and features of the building, including the grading of fabric, elements, and spaces and which elements are to be conserved

(c) detail the physical structure of the building and proposed methods to ensure that its stability is maintained with minimal impact on heritage fabric and spaces

(d) outline specific conservation works

(e) upgrade of services and spaces to support future uses

(f) alterations and additions, including the possible enhancement of its corner presentation.

(g) recommended management of the building.

The Heritage Principles for the Adaptive Reuse of the heritage item must be submitted to and approved by Council's Executive Director City Planning Development and Transport prior to the competitive design process, and form part of the parameters to be considered in the competition.

Reason

To identify heritage principles to guide the subsequent competitive design process and the subsequent detailed design of the buildings.

(14) HERITAGE INTERPRETATION STRATEGY

(a) Prior to commencement of the competitive design process, a Heritage Interpretation Strategy for the site must be prepared and approved by Council's Area Planning Manager.

(b) The strategy is to be prepared by a suitably qualified and experienced heritage practitioner or historian.

(c) The strategy to include a concise developmental history of the site including its occupancy by Bakewell Brothers and H Brightwell and Sons.

(d) The strategy is to outline how the information on the history and significance of the site could be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used.

(e) The strategy should outline the indicative location, type, making materials and contents of the interpretation device being proposed.

(f) The approved Heritage Interpretation Strategy must be included in the Design Excellence brief and implemented prior to an occupation certificate being issued for each stage of the development of the site to the satisfaction of Council's Urban Design and Heritage Manager.

Reason

To ensure that the heritage of the site is appropriately interpreted and incorporated into the development.

(15) ARCHAEOLOGICAL ASSESSMENT

An archaeological assessment undertaken by a suitably qualified archaeologist must be submitted to with any subsequent detailed design DA. The report must assess whether the proposed works have the potential to disturb any archaeological remains and the need for any archaeological investigation prior to commencement of any works on site. The report should also recommend measures and documentation to be undertaken during the process of demolition and excavation work.

Recommendations by the archaeological assessment are to be implemented during the process of demolition and excavation work.

Should the assessment report suggest the site may contain relics and the proposed work may disturb them, council may request the applicant to amend the proposal so that the relics are properly protected or interpreted.

The approved Archaeological Assessment is to be included as a background document for the design competition.

Reason

To ensure that the archaeology of the site is appropriately managed and protected.

(16) PRELIMINARY LOADING AND SERVICING MANAGEMENT PLAN

A Draft Loading Dock Management Plan must be submitted with any subsequent detailed design DA. The Plan must include (but is not limited to) the following information:

(a) Details of anticipated service vehicle movements during a typical week for all uses at the site;

(b) Details of transfer routes for bins, deliveries, etc to and from the loading bay for all uses at the;

(c) Management of deliveries to ensure there is no requirement for any service vehicles to wait on public streets to enter the site;

(d) Contingency measures in the event that the turntable is not operational.

It should be noted that unimpeded access will need to be provided for residential collection vehicles to set down within 10 meters of waste storage area(s) between 6am and 6pm on collection day(s) or until all scheduled residential waste collections have been completed for the day.

Reason

To ensure loading and servicing is managed appropriately.

(17) SECURITY GATES

If any detailed building design submitted as part of any subsequent DA incorporates a car park accessed by a security gate, then that gate must be located at least 6 metres within the site from the property boundary with the street.

Reason

To ensure any subsequent detailed building design provides adequate space between security gates and the street.

(18) PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of *Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities*.

Reason

To ensure parking facilities are designed in accordance with the Australian Standards.

(19) BICYCLE AND END OF TRIP FACILITIES

(a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development should be in accordance with the rates specified at Section 3.11.3 of the Sydney Development Control Plan 2012.

(b) All bicycle parking spaces and end of trip facility must be provided on private land. The public domain cannot be used to satisfy this condition.

Notes: If a basement storage area on title that is large enough to store a bike and is no smaller than a class 1 bike locker this can be counted as a space.

(c) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities.

Reason

To ensure a compliant quantum of bicycle and end of trip facilities are provided.

(20) VEHICLE ACCESS

The detailed building design must allow for all vehicles to enter and depart the site in a forward direction.

Reason

To optimise traffic and pedestrian safety on and around the site.

(21) ON SITE LOADING AREAS AND OPERATION

The detailed building design must provide for all loading, unloading and servicing operations to be carried out within the confines of the site and so there is no obstruction of other properties/units or the public way.

Reason

To ensure any subsequent detailed design for the building is able to accommodate all loading activities within the site.

(22) WASTE AND RECYCLING MANAGEMENT

(a) Prior to the commencement of any competitive design process for the site, a Waste Management Strategy (WMS) must be submitted to and approved by Council's Area Planning Manager and which once approved, may be appended to the design brief for the competitive design process. The WMS must address the following requirements:

(i) estimates of waste streams (waste, recycling and food waste) that will be generated and the number of bins and collection frequency to manage the waste generated calculated in accordance with the rates specified in the City's Guidelines for Waste Management in New Developments;

(ii) the minimum spatial requirements (minimum room sizes, minimum door sizes, manoeuvring space, size of bin holding areas etc) for waste management systems and facilities based on the estimated waste generation of the ongoing operation of the development and must account for specified bin sizes;

(iii) safe and convenient access to waste facilities for residents with a maximum 30m walking distance from any entrance of a residential dwelling to the waste and recycling storage area and residential chute systems contained within accessible chute rooms;

(iv) waste holding area adjacent to proposed loading area permitting safe and convenient access for waste collection staff including a maximum manual handling distance by council contractors of 10m;

(v) waste management and collection must be accommodated wholly within the site;

(vi) access for a 10.6m long Council garbage truck and vertical clearance of 4 metres clear of all ducts, pipes and other services;

(vii) waste collection vehicles to be able to enter and exit the premises in a forward direction;

(viii) waste management systems and facilities that promote safe and convenient stage of the development should be designed to allow for independent residential waste servicing;

(ix) separate waste storage area for residential and commercial aspects of developments. Commercial tenants must not have access to residential waste storage areas.

(b) Any subsequent detailed design DA must include details to demonstrate that adequately sized waste management facilities including waste storage areas and truck access and loading is provided in accordance with the relevant requirements of the Sydney DCP 2012 and the City's Guidelines for Waste Management in New Developments.

Reason

To ensure the provision of adequate waste and recycling facilities.

(23) LAND CONTAMINATION

(a) Any subsequent detailed design DA must include reports and documentation to address the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.

(b) The relevant reports and documentation may include but are not limited to the following:

(i) *Detailed Site Investigation (63684/149,320 Rev 3)* prepared by JBS&G Australia Pty Ltd and dated 7 August 2024 (council's reference 2024/466600).

(ii) *Remedial Action Plan (JBS&G 67361 | 160,420)* prepared by JBS&G Australia Pty Ltd and dated 30 July 2024 (council's reference 2024/454343).

(iii) *Site Audit Report - 7-19 Coulson St, 5 Goddard St and 23 Eve St, Erskineville (reference 318002060)* prepared by Tom Onus of Ramboll Australia Pty Ltd and dated 13 August 2024 (council's reference 2024/466601).

(c) Any land that is to be dedicated to the City under the voluntary planning agreement entered into in accordance with the deferred commencement condition (A) of this consent must not be encumbered by an Environmental Management Plan or Long-Term Environmental Management Plan.

Reason

To advise the documentation required to demonstrate site suitability and to ensure future public land is not encumbered by onerous ongoing land contamination management requirements.

(24) ACOUSTIC REPORT

An Acoustic Impact Assessment must be undertaken by a suitably qualified acoustic consultant and submitted with any subsequent detailed design DA in accordance with the provisions of the Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012, the NSW Government's Development near Rail Corridors and Busy Roads - Interim Guideline and the State Environmental Planning Policy (Transport and Infrastructure) 2021.

Reason

To specify that an acoustic report must be submitted as part of any subsequent detailed design development application.

(25) WIND ASSESSMENT

(a) Prior to the lodgement of any subsequent detailed design DA, the design must be subject to wind tunnel testing to ascertain the impacts of the development on the wind environment and conditions within the publicly accessible pedestrian space, the surrounding streets, neighbouring buildings, and communal external areas and private open space areas within the subject development.

(b) Any recommendations of this wind tunnel testing and wind assessment report required by (a) above must be incorporated into and submitted with any subsequent detailed design DA.

Reason

To specify the matters that have been identified through the concept development application assessment as requiring further resolution through the detailed design development stages.

(26) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Details are to be provided with the subsequent DA for the detailed design of the building to confirm that the building has adopted the ESD targets specified in the Design Excellence Strategy referred to in Condition (8) above. The specified ESD targets are to be carried through the competition phase, design development and construction, to the completion of the project.

Reason

To ensure parties are aware of the relevant ESD targets.

(27) PUBLIC ART

(a) The Preliminary Public Art Plan – Concept DA prepared by Cultural Capital (Revision C) dated April 2025 (Council reference 2025/223471) must be included as an appendix to any competitive design process brief.

(b) A further Preliminary Public Art Plan, based upon the strategy referred to in (a) above, must be prepared and submitted with any subsequent detailed design DA.

(c) All public artworks must be in accordance with the relevant objectives and provisions of the Sydney Development Control Plan 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at http://www.cityofsydney.nsw.gov.au/explore/arts-and-culture/public-art.

Please contact the Public Art Team for further information at: publicartreferrals@cityofsydney.nsw.gov.au

Reason

To ensure public art is installed to the City's satisfaction.

(28) TREES IDENTIFIED FOR REMOVAL

(a) For the purposes of the competitive design processes and any subsequent detailed design DA, the trees detailed in the table below are identified for removal.

(b) No consent is granted or implied for any tree removal works under this consent. Consent for tree removal must be sought under a subsequent detailed design DA.

Tree No.	Species	Location
7	Norfolk Island pine (*Araucaria heterophylla*)	23 Eve St
8	Mexican Fan Palm *(Washingtonia robusta)*	

Reason

To identify trees that may be removed subject to any subsequent detailed design DA.

(29) TREES THAT MUST BE RETAINED

For the purposes of the competitive design processes and any subsequent detailed design DA, the trees detailed in the table below are identified for retention.

Tree No.	Species	Location
1	Port Jackson Fig (*Ficus rubiginosa)*	5 Goddard St
2	Tallowwood *(Eucalyptus microcorys)*	7-19 Coulson St
3	Large Leaf Privet (*Ligustrum lucidum*)	21-25 Coulson St
4, 5	Silky Oak *(Grevillea robusta)*	7-19 Coulson St
6	Lemon Scented Gum (Corymbia citrodora)	23 Eve St
12	Yucca *(Yuccas spp)*	21-25 Coulson St

Reason

To identify trees that must be retained.

(30) STREET TREES AND DETAILED DESIGN DEVELOPMENT APPLICATIONS

(a) All street trees surrounding the site must be included for retention in any subsequent detailed design DA.

(b) Any design elements (awnings, street furniture, footpath upgrades etc) within the public domain must ensure appropriate setbacks are provided from the street tree to allow maturity of the tree to be achieved.

(c) The location of any new driveways must not require the removal of any existing street trees. The driveway must be appropriately set back so it does not have adverse impacts both below and above ground upon any existing street trees.

Reason

To specify that retention of street trees is required for any subsequent detailed design DA.

(31) TREE INFORMATION REQUIRED FOR ANY FUTURE DETAILED DESIGN DEVELOPMENT APPLICATION

(a) An Arboricultural Impact Assessment (AIA) must be submitted with any subsequent detailed design DA. The report must be prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 in Arboriculture and written in accordance with the Australian Standard AS 4970-2009 Protection of Trees on Development Sites (AS4970).

(b) The report must provide the following details:

(i) Provide an assessment detailed in a tree schedule / table for each tree surveyed that includes:

a. the common and full botanical name;

b. the age class;

c. the (estimated) height;

d. the trunk diameter measured at 1.4 metres height;

e. the canopy spread to the four cardinal points;

f. a summary of the trees' health, vigour and structural condition;

g. an estimation of the trees useful life expectancy using appropriate industry methods;

h. list / appendix of plans and documents used to inform report.

(ii) An assessment and discussion of the likely impacts the development will have on the trees to be retained. This should include above and below ground constraints, including any land remediation required, on trees that should be retained.

(iii) Any excavation beyond the existing footing, exploratory root investigation is required to determine the exact location of existing roots. This shall consist of an 'air knife' / soil vacuum / hand-digging, gently removing the soil to expose the existing tree roots where construction is likely to impact on the tree/s or require root pruning to achieve the proposed development design. An assessment of tree root size, number and condition must be provided (including photos). No roots over 40mm will be permitted for removal.

(iv) Recommendations of any design to the wall, construction techniques and/or other protection methods required to minimise adverse impact on trees that should be retained during the demolition, excavation and construction works, and into the long term. Note: particular attention must be paid to the existing soil levels, required development levels to integrate to the existing building, and the required tree protection measures.

(v) If any design are recommended for the demolition, excavation or construction of the wall (including its footings), updated plans, elevations and/or sections are to be provided reflecting the Arborist's advice.

(vi) Any excavation within the TPZ must be undertaken using non-destructive methods (such as by hand). All new footings within the TPZ of trees to be retained shall be relocated / realigned if any tree root greater than 40mm in diameter. A minimum of 150mm clearance shall be provided between the tree root and footing.

(vii) Details of the tree protection measures in accordance with AS4970-2009 Protection of trees on development site.

(viii) Provide a scaled Tree Protection Plan of 1:100 / 1:200, showing the tree protection zones, structural root zones, canopy and incursion within these zones of existing trees.

(ix) Details of pruning must be provided (including marked up photos/tree roots). Only minor pruning with a maximum of 5% canopy removal and maximum of 50mm diameter branches / 40mm diameter roots will be permitted by Council. All proposed pruning works must be specified in accordance with Australian Standard 4373–2007, Pruning of Amenity Trees.

Note: reports which include photos with a single vertical line as the area recommended for pruning will not be accepted.

(x) Information on the Arborist's involvement during the works is also required.

(xi) Any other works that must be prohibited throughout construction and development on site.

(xii) Refer to Council's (weblink below) 'Tree Guidelines for Pruning, Reporting and Using an Arborist' for guidance on information that must be provided in an Arboricultural Impact Assessment Report, including tree pruning specification and exploratory root investigation;

https://www.cityofsydney.nsw.gov.au/property-tree-maintenance/apply-prune-remove-tree

Reason

To identify the information relating to trees that needs to accompany any future detailed design DA.

(32) FLOOD PLANNING LEVELS

Details must be submitted with any subsequent detailed design DA to demonstrate compliance with the recommended flood planning levels indicated in the report titled "Flood Assessment Report" prepared by Northrop Consulting dated 6 March 2025.

Reason

To ensure the detailed design of the building addresses flood risk.

(33) PUBLIC DOMAIN CONCEPT PLAN

A public domain concept plan, showing all the existing site frontages, extending a minimum of 5m past the boundary and to the road centreline, and the dedication land to the City, must be prepared in accordance with the City's Public Domain Manual and Sydney Streets Code and be submitted with any future detailed design DA.

The Public Domain Concept Plan must address the following issues:

(a) The turning circle for garbage truck access to basement from Goddard St must be reviewed and resolved and avoid the turning paths encroaching on the footpath and street trees.

(b) Design for Goddard St must comply with the City's DCP, Street Code and Sydney Street Technical Specifications and Standards.

(c) The 2.5m footpath widening on Coulson St must be integrated with the Goddard St design.

(d) The basement tunnel crossing Goddard St must maintain a clearance of 1.5m below the gutter invert levels.

(e) According to the City's Canopy coverage targets by 2050, Carter Park must achieve 70% canopy coverage with primarily soft planting in deep soil areas. Lighting and basic park furniture, including bench seats, a bin enclosure, must be provided. Lawn or play equipment are not required. Outdoor dining or sitting areas associated with commercial use are not supported within Carter's Park.

(f) All required bicycle parking for the development must be located outside the future public domain areas.

(g) Clear demarcation is required between private and public domains around Carter's Park.

(h) Traffic calming solutions must be implemented to ensure safe pedestrian access, including a Continuous Footpath Treatment (CFT) at the end of Goddard St and a potential raised pedestrian crossing on Coulson St connecting Bamal Way and Carter's Park.

Note: A detailed Public Domain Plan will be required prior to construction.

Reason

To ensure public domain works comply with Council's requirements.

(34) STORMWATER DRAINAGE DESIGN

Any future detailed design DA must be supported by the following:

(a) A detailed concept stormwater management plan prepared by suitable qualified and experienced professionals must be submitted with any future detailed design DA and must include a certified stormwater drainage design complying with:

(i) Council's Sydney Streets Technical Specifications, Part A4 Drainage Design;

(ii) Council's Sydney Streets Technical Specifications, Standard Drawings;

(iii) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage

(iv) Construction;

(v) Council's Stormwater Drainage Manual; and

(vi) All relevant Australian Standards

This information is available for download from the City's website at https://www.cityofsydney.nsw.gov.au/development/publicdomainworks/daassociatedworks.

(b) A design certification report prepared by a suitably qualified practitioner engineer (NPER) demonstrating compliance with approved music link targets and parameters. The report must include a response to all stormwater quality improvement devices structural integrity, treatment train and their treatment properties.

Reason

To ensure stormwater drainage design complies with Council's requirements and appropriate stormwater quality on the site.

(35) STORMWATER ONSITE DETENTION

The requirements of Sydney Water with regard to the onsite detention (OSD) of stormwater must be ascertained and complied with.

Note: where an OSD is not required by Sydney Water one may still be required by the City.

Reason

To ensure the requirements of Sydney Water are complied with.

(36) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO COMPETITIVE DESIGN PROCESS

(a) Prior to the commencement of any competitive design process, an accurate 1:1 electronic CAD model of the envelope approved by this consent must be submitted to and approved by Council's City Model Unit.

(b) The data required to be submitted within the surveyed location must include and identify:

(i) envelope design above in accordance with the development consent;

(ii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

(c) The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

(d) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements

(e) Council's Modelling staff should be consulted prior to creation of the model.

(f) The data is to comply with all the conditions of the Development Consent.

Reason

To require the submission of a CAD model to reflect the amended concept envelope and to facilitate the subsequent competitive design process.

SCHEDULE 2

PRESCRIBED CONDITIONS

The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: http://www.legislation.nsw.gov.au

SCHEDULE 3

CONDITIONS OF CONSENT – SYDNEY AIRPORT

The conditions of consent as advised by Sydney Airport are as follows:

(37) SYDNEY AIRPORT CONDITIONS

(a) Any future detailed design of buildings must not exceed a maximum height of RL 34.00 metres AHD, this includes all lift over-runs, vents, chimneys, aerials, TV antennae, construction cranes etc.

(b) If the height of any temporary structure and/or equipment be greater than 15.24 metres above existing ground height (AEGH), a new approval must be sought in accordance with the Civil Aviation (Buildings Control) Regulations Statutory Rules 1988 No. 161.

(c) Construction cranes may be required to operate at a height significantly higher than that of the proposed development and consequently, may not be approved under the Airports (Protection of Airspace) Regulations. Approval to operate construction equipment (I.e. cranes) should be obtained prior to any commitment to construct.

SCHEDULE 4

CONDITIONS OF CONSENT – AUSGRID

The conditions of consent as advised by Ausgrid are as follows:

(38) UNDERGROUND CABLES

Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.

It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA)

In addition to BYDA the proponent should refer to the following documents to support safety in design and construction:

(a) SafeWork Australia – Excavation Code of Practice.

(b) Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.

The following points should also be taken into consideration.

(a) Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

(b) Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing.

(c) Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

(39) OVERHEAD POWERLINES

The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.

The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at www.ausgrid.com.au.

It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.

(40) NEW DRIVEWAYS - PROXIMITY TO EXISTING POLES

Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

(41) NEW OR MODIFIED CONNECTION

To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries.

SCHEDULE 5

CONDITIONS OF CONSENT – TRANSPORT FOR NSW (TfNSW)

The conditions of consent as advised by TfNSW are as follows:

The proposed development will need to take the following documents into consideration for incorporating into the lodgement of any future detailed Development Applications:

- Department of Planning and Environment's 'Developments near Rail Corridors and Busy Roads – Interim Guideline' 2008.
- TfNSW Asset Management Branch Standard 'Airspace and External Developments - T HR CI 12090 ST' dated 1 June 2021.

No works are permitted within the Rail Corridor, or TAHE (Transport Asset Holding Entity) land or airspace, including craneage or other aerial operations.

Due to the proximity of the works proposed in the Concept Plans to the rail corridor and TAHE (Transport Asset Holding Entity) land and assets, the Applicant is requested to consult with Sydney Trains prior to lodgement of any future development applications.

As part of the lodgement of any future Stage 2 Development Application(s), the Applicant/Developer shall prepare and submit to Sydney Trains, the following rail specific with the Development Application(s) for Sydney Train's review, comment, and written endorsement:

1. Geotechnical and Structural report/drawings that meet Sydney Trains' requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
2. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
3. Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and/or structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
4. Detailed Survey Plan showing the relationship of the proposed development with respect to Sydney Trains' easement and rail corridor land.
5. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.
6. If required by Sydney Trains, a Monitoring Plan (including instrumentation and the monitoring regime during excavation and construction phases).

Attachment B

Concept Envelope Drawings

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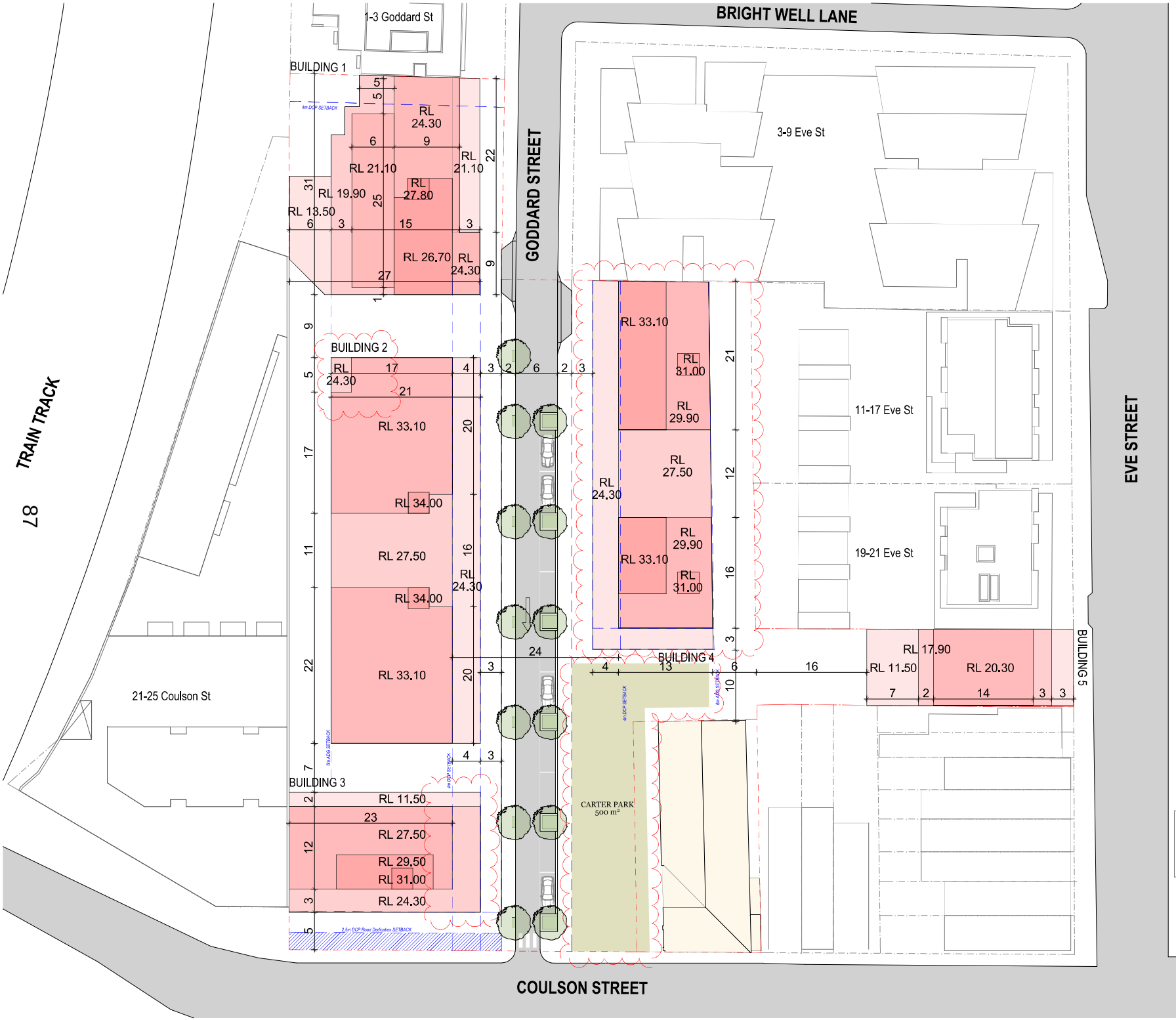

Rev	Date	By	Chk	Description
A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response

Notes
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CONCEPT DEVELOPMENT APPLICATION

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Plans
Drawing Name	Envelope Plans
Drawing Number	**DA200**
Revision	**B**

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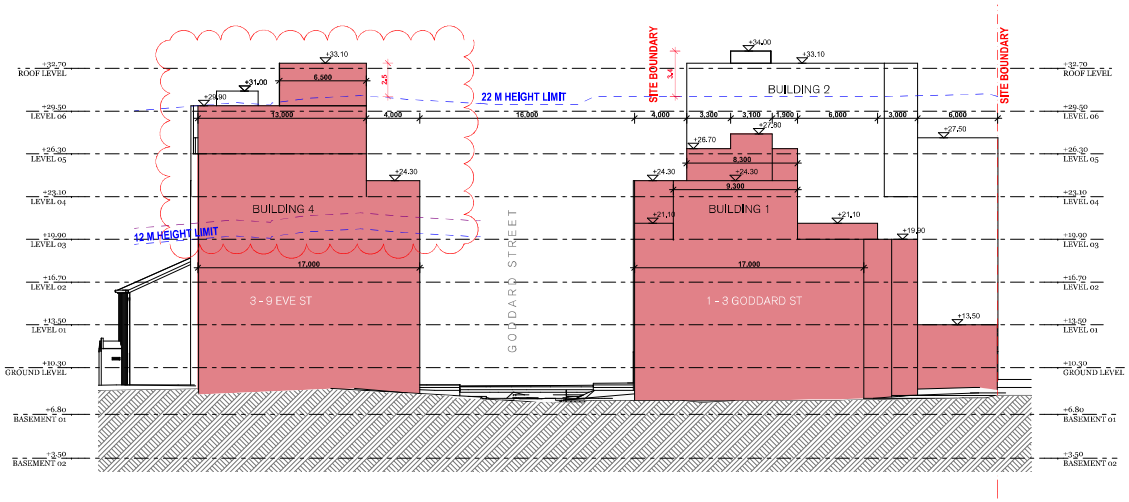
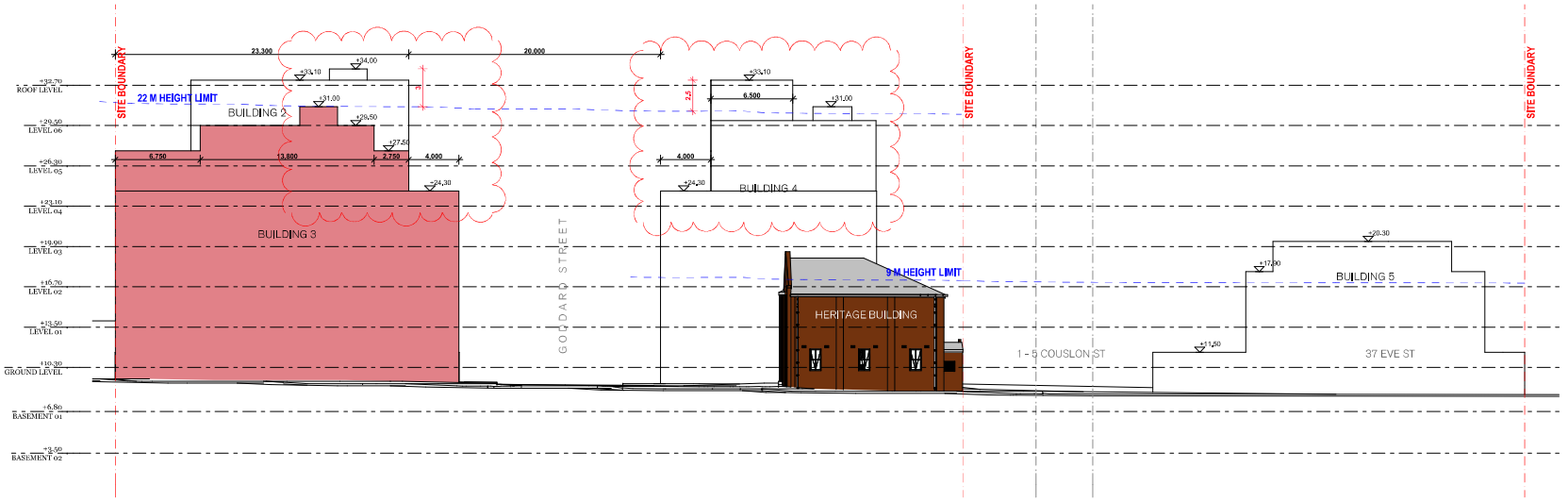


NORTH ELEVATION

Rev	Date	By	Chk	Description
A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response



SOUTH ELEVATION

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Project Number	13162
Project Address	7-10 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:200@ A1
Drawing Series	Elevations & Sections
Drawing Name	N & S Elevations
Drawing Number	**DA300**
Revision	**B**

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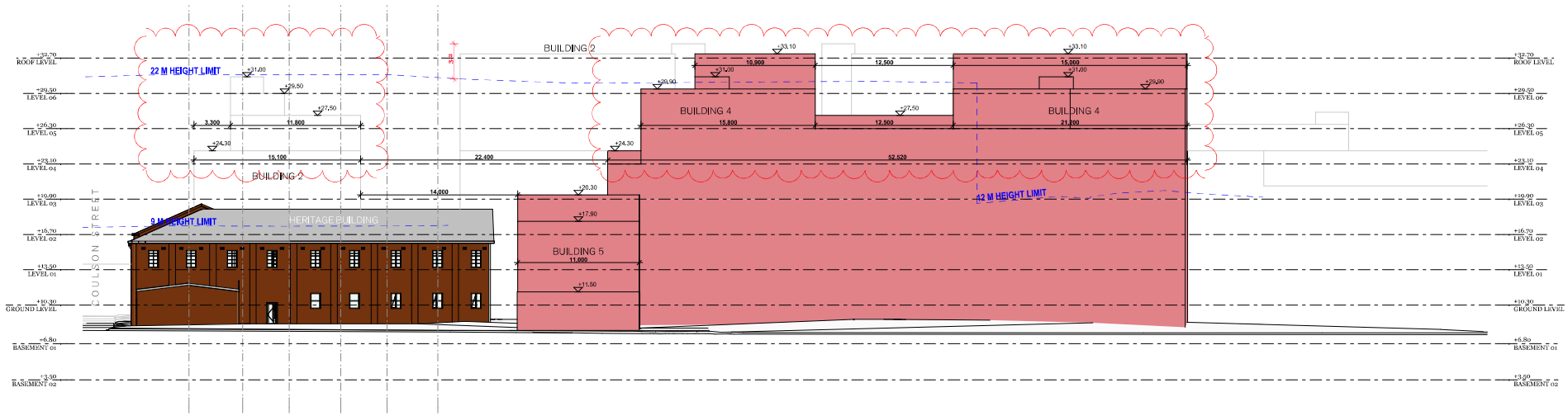

EAST ELEVATION

Rev	Date	By	Chk	Description
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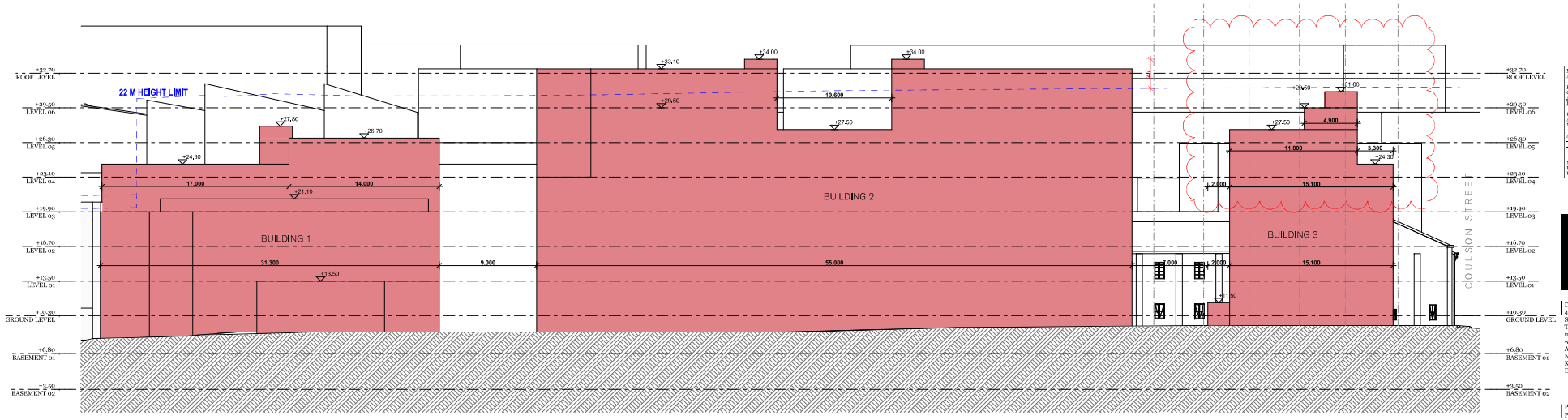
B	12/02/2025	KHS	DF	RFI Response

68



WEST ELEVATION

Notes
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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-10 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:200@ A1
Drawing Series	Elevations & Sections
Drawing Name	E & W Elevations
Drawing Number	DA301
Revision	B

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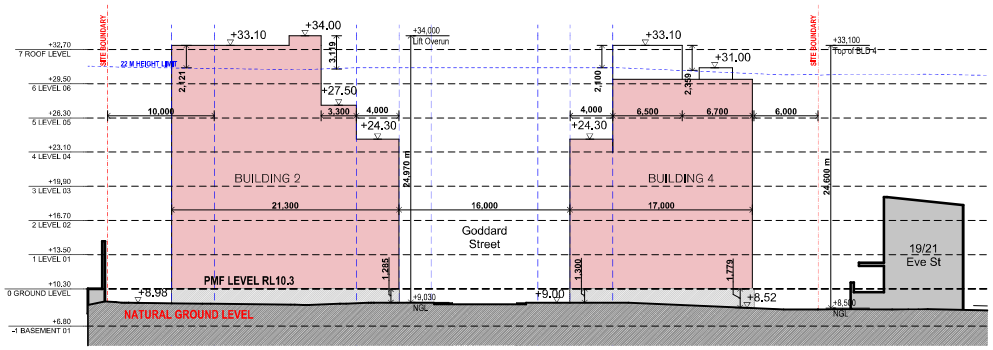

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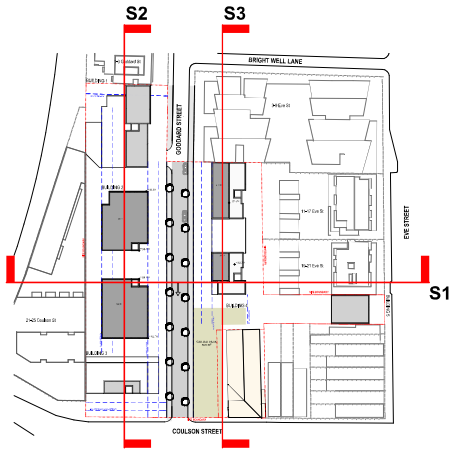

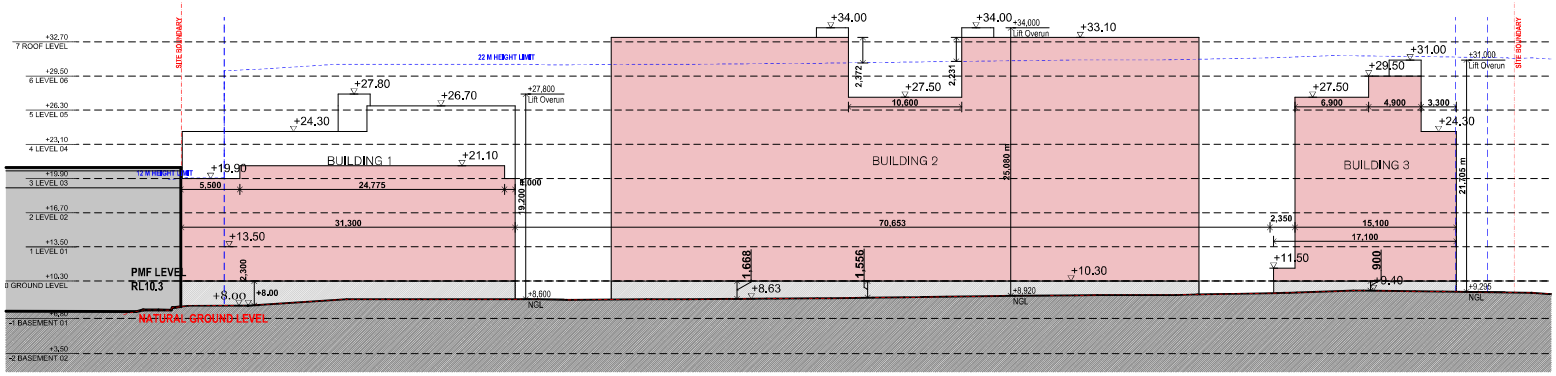

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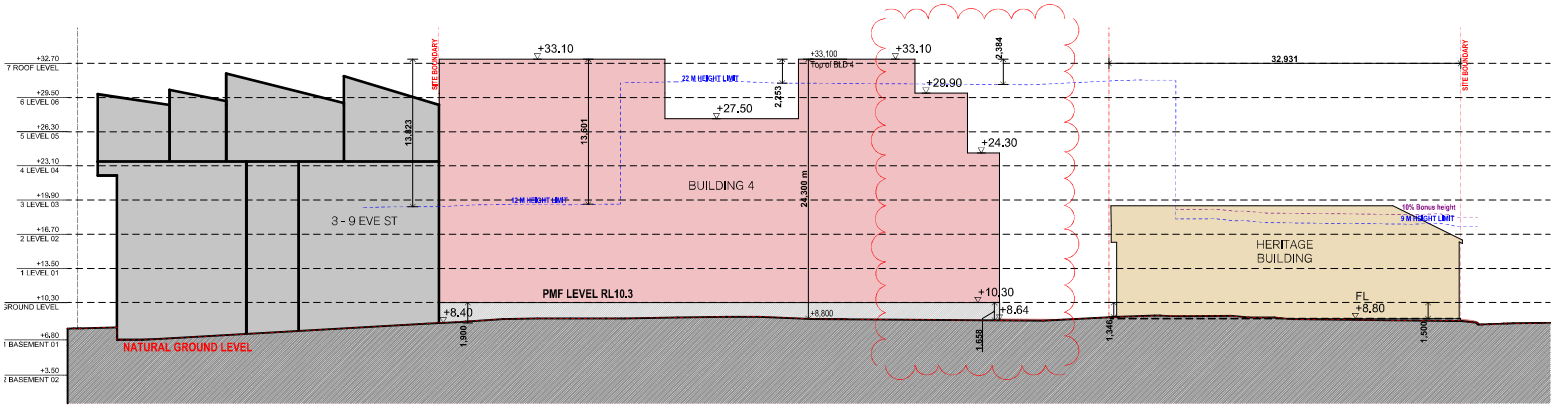

SECTION 03

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Rev	Date	By	Chk	Description
A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Elevations & Sections
Drawing Name	Sections
Drawing Number	**DA302**
Revision	**B**

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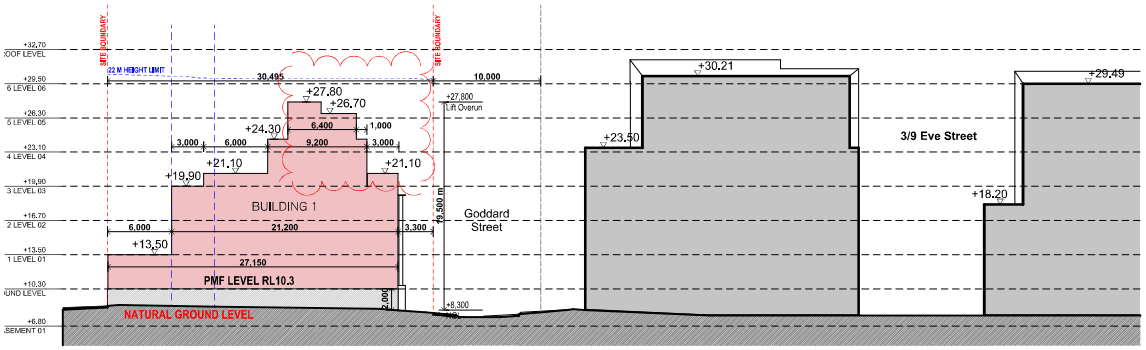

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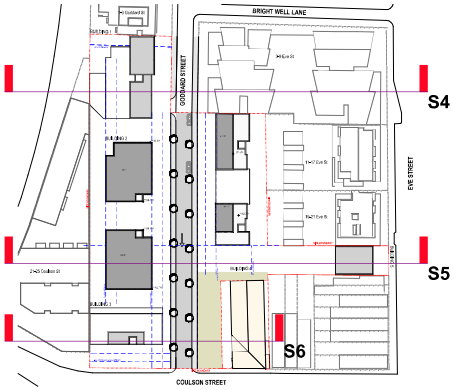

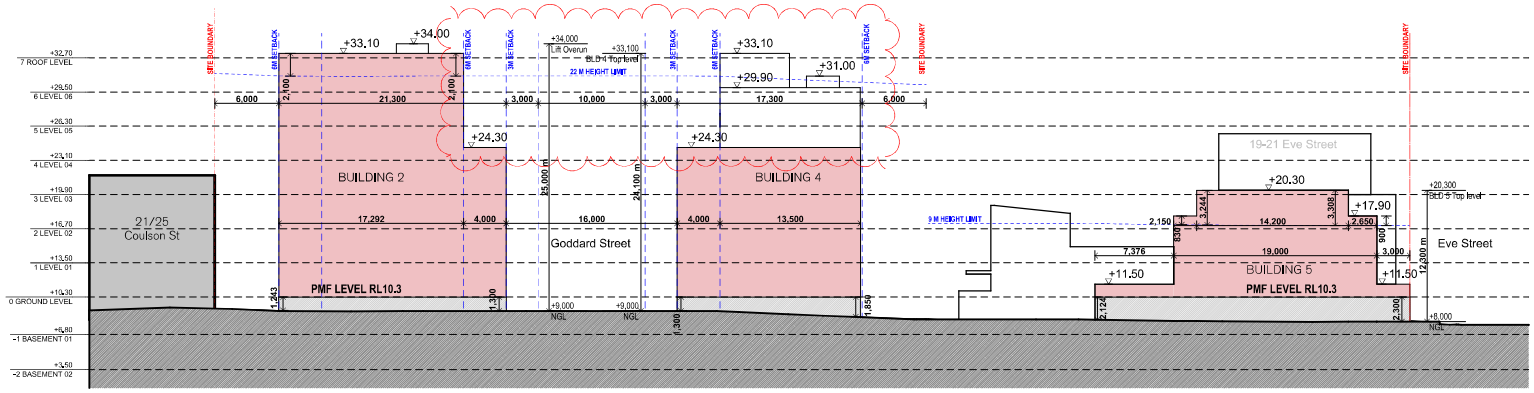

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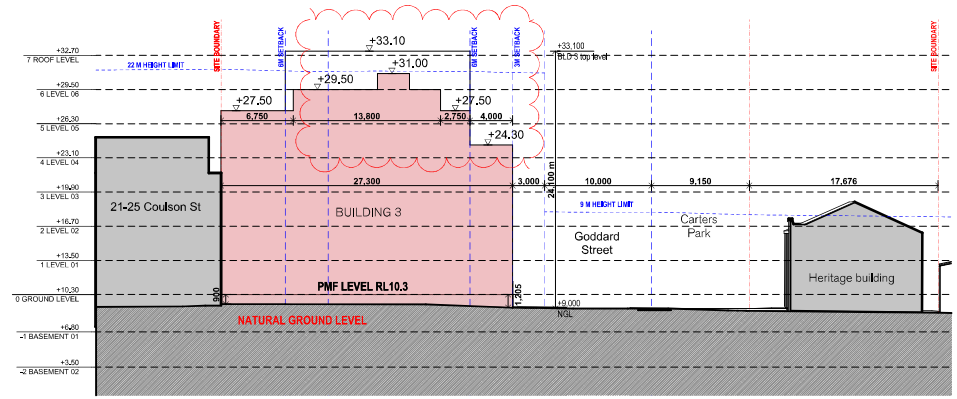

SECTION 06

Rev	Date	By	Chk	Description
A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Elevations & Sections
Drawing Name	Sections
Drawing Number	**DA303**
Revision	**B**

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A	3/05/2024	JF	DF	For Concept DA submission
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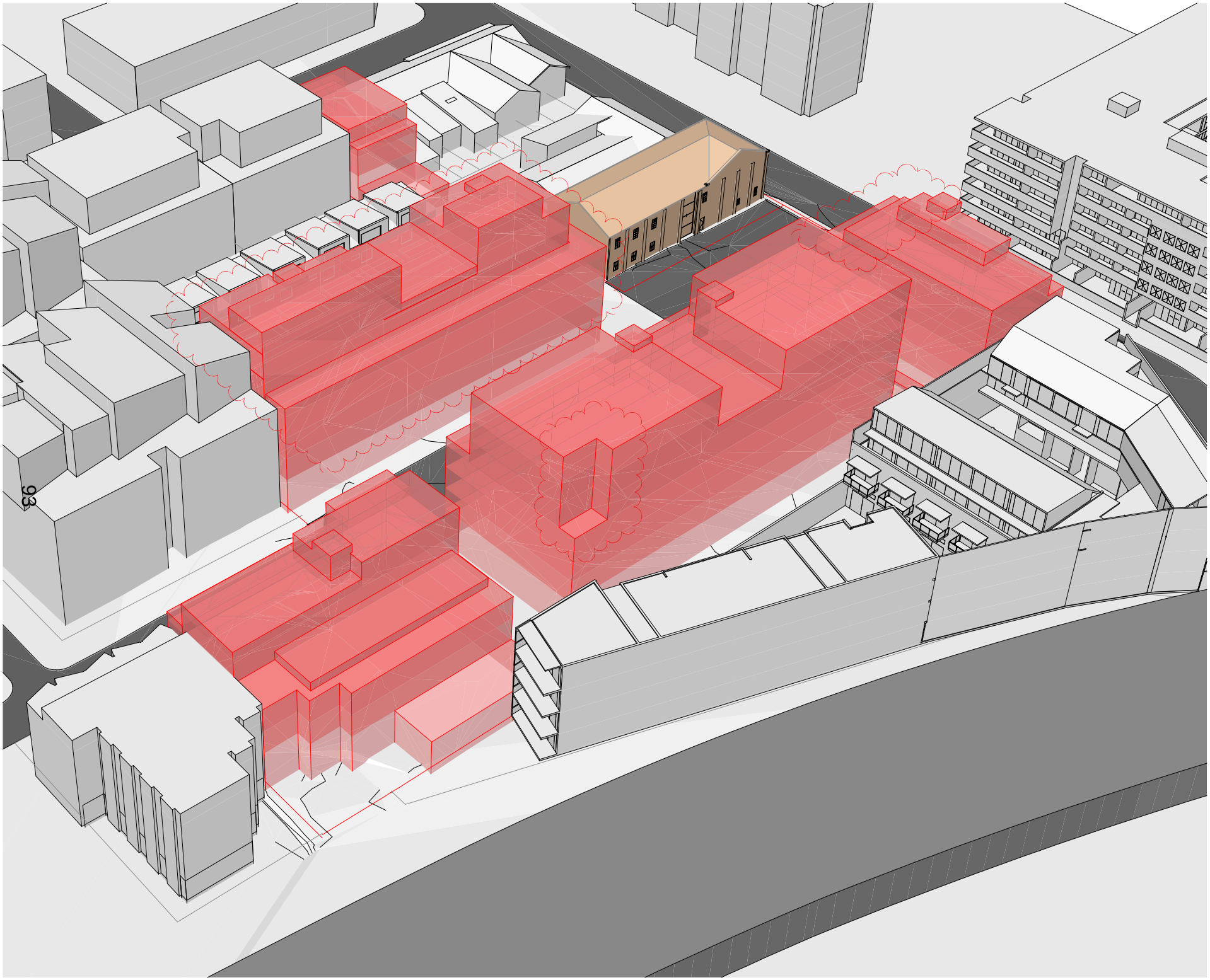
Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-10 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:25@ A1
Drawing Series	Elevations & Sections
Drawing Name	Stage 1 Envelope
Drawing Number	**DA308**
Revision	**B**



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Rev	Date	By	Chk	Description
A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:25@ A1
Drawing Series	Elevations & Sections
Drawing Name	Stage 1 Envelope
Drawing Number	**DA309**
Revision	**B**

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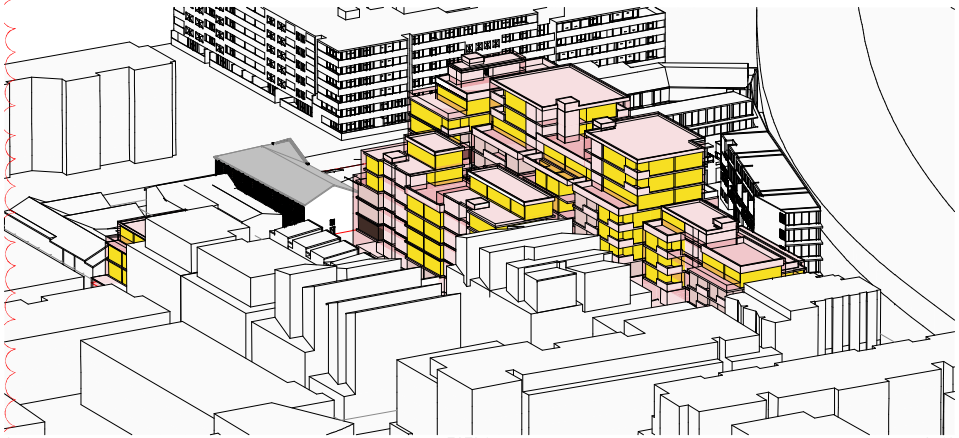

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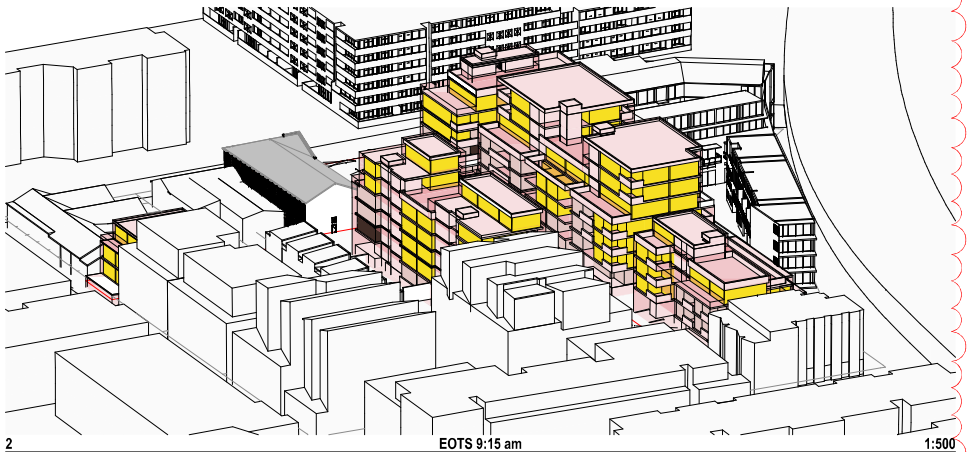

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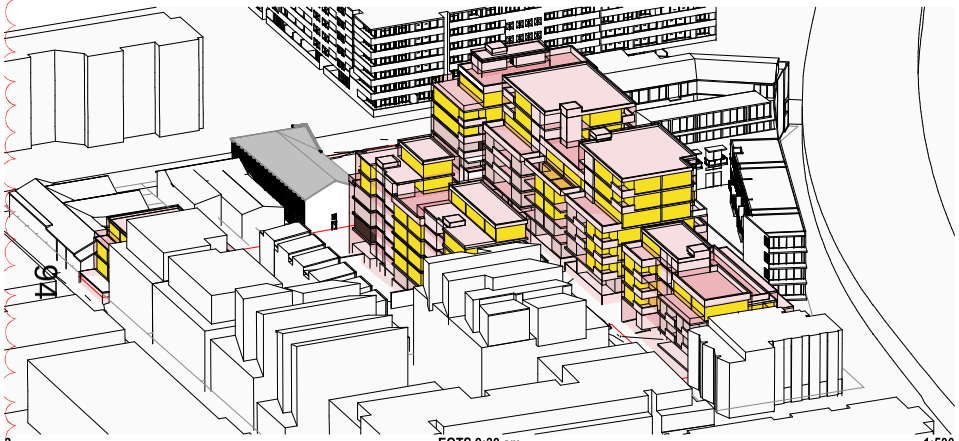
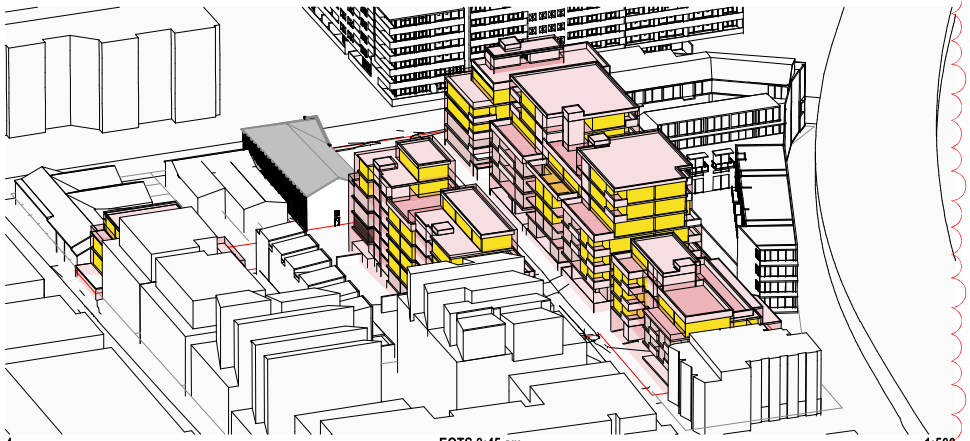


3 EOTS 9:30 am 1:500



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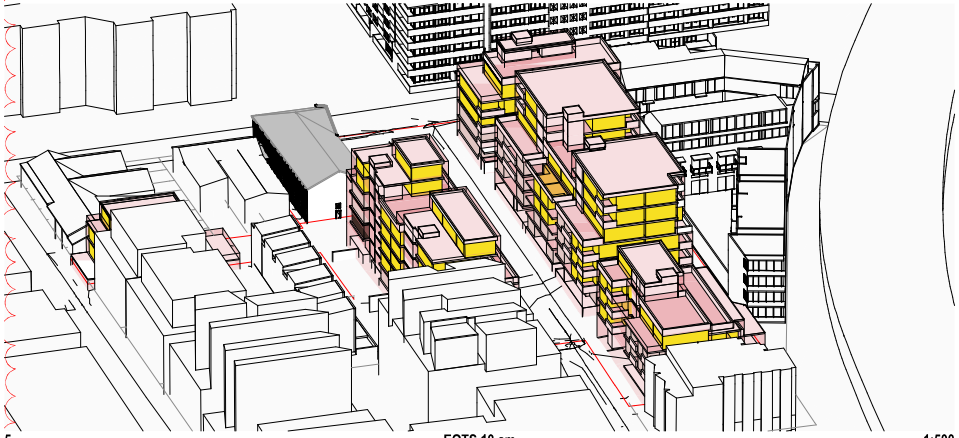
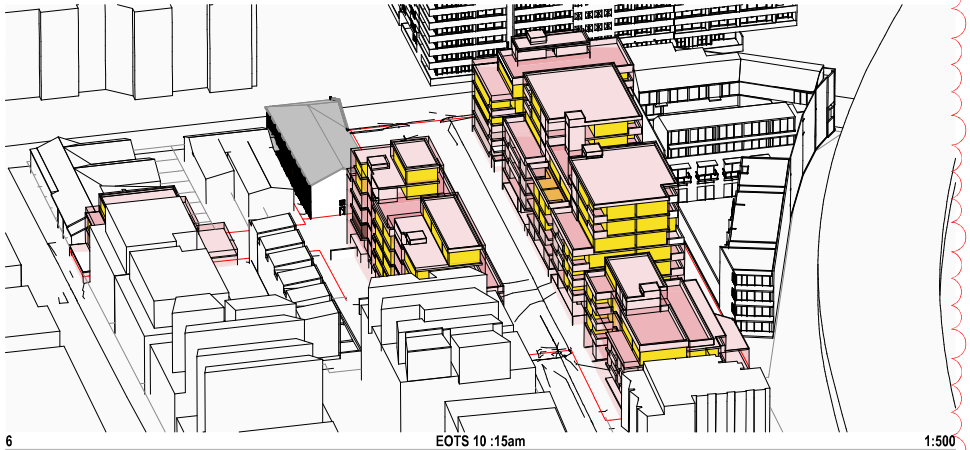


5 EOTS 10 am 1:500



6 EOTS 10 :15am 1:500

Rev	Date	By	Chk	Description
A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response

LEGEND

INDICATIVE PLANED UNITS ACHIEVING 2HRS SOLAR ACCESS

PROPOSED MASSING ENVELOPE

Notes
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CONCEPT DEVELOPMENT APPLICATION

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Koos de Keijzer 5767
David Randerson 8542

Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-10 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Drawing Series	Compliance Drawings
Drawing Name	Eye of the Sun
Drawing Number	**DA400**
Revision	**B**

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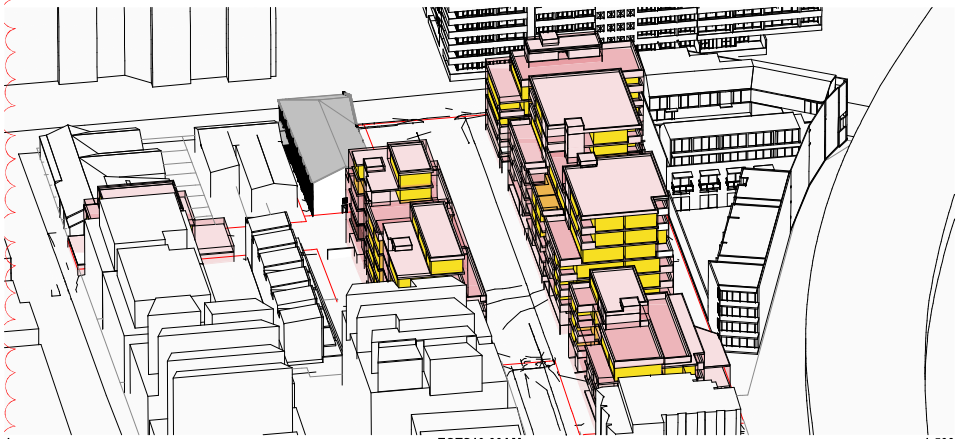


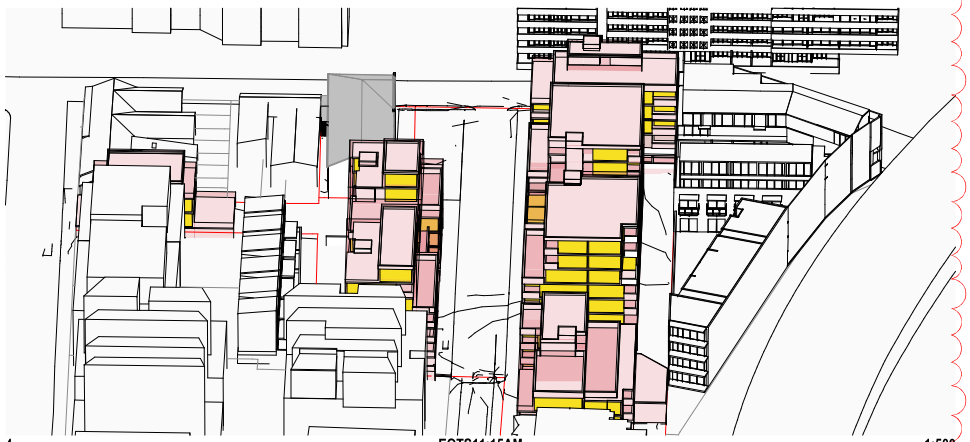
1 EOTS10:30AM 1:500



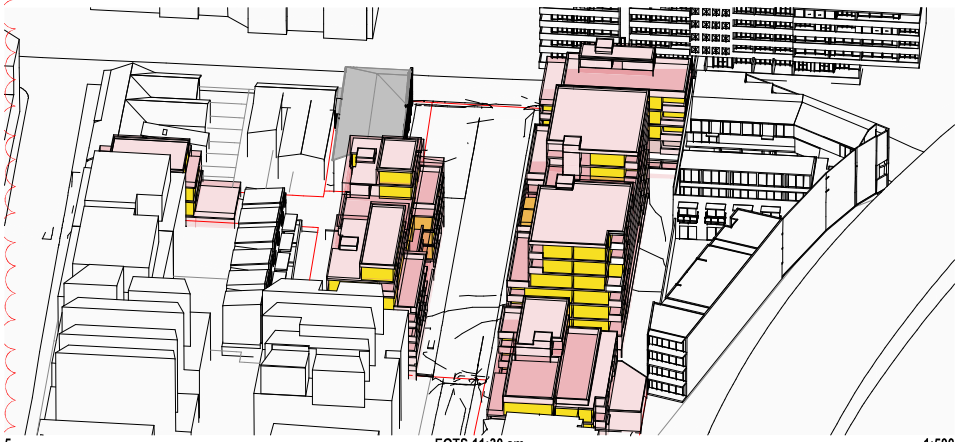
2 EOTS10:45AM 1:500



3 EOTS 11 am 1:500



4 EOTS11:15AM 1:500



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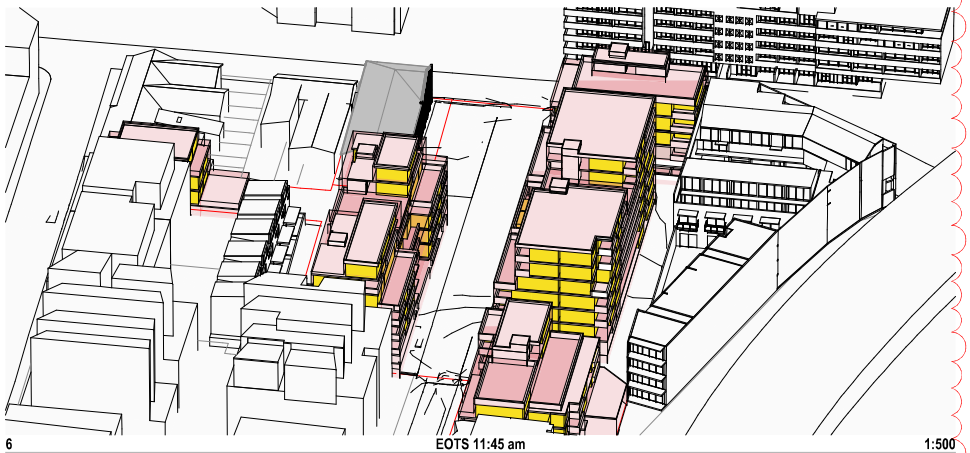

6 EOTS 11:45 am 1:500

Rev	Date	By	Chk	Description
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David Randerson 8542

Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-10 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Drawing Series	Compliance Drawings
Drawing Name	Eye of the Sun
Drawing Number	DA401
Revision	B

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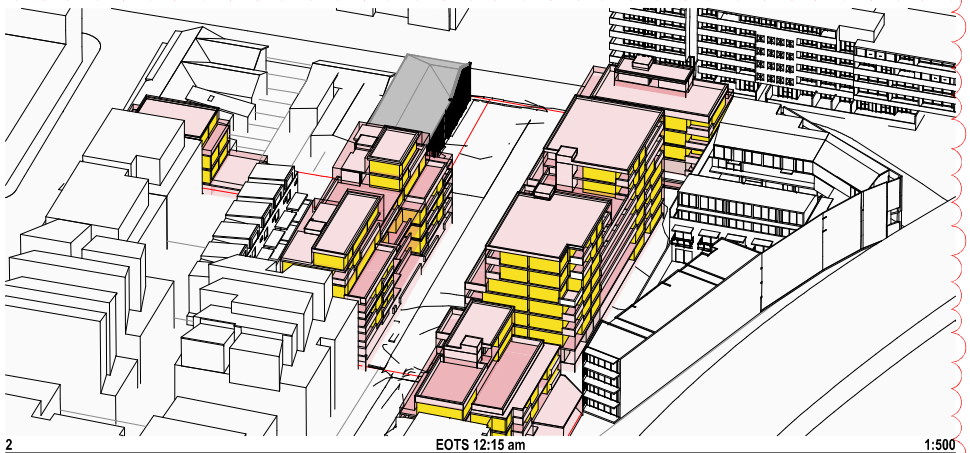
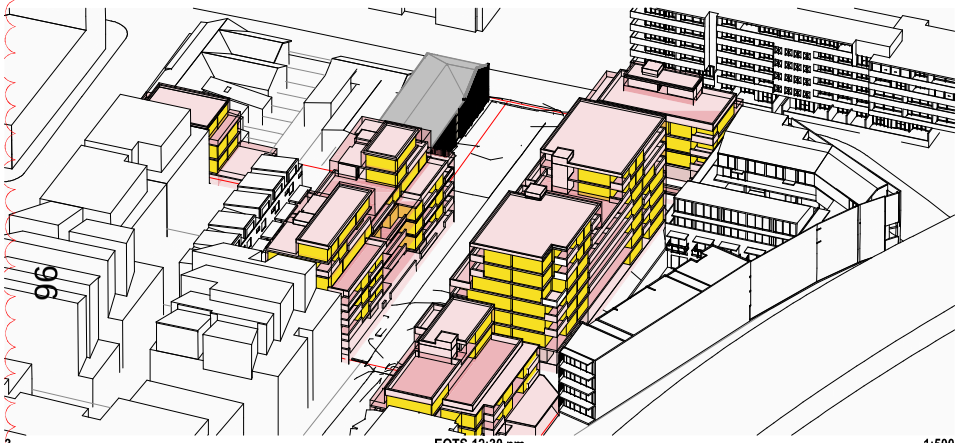
1 EOTS 12 pm 1:500



2 EOTS 12:15 am 1:500



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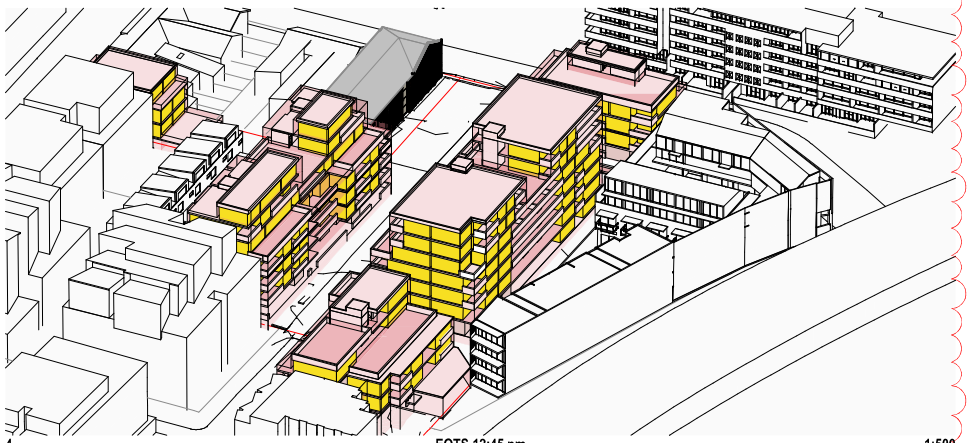

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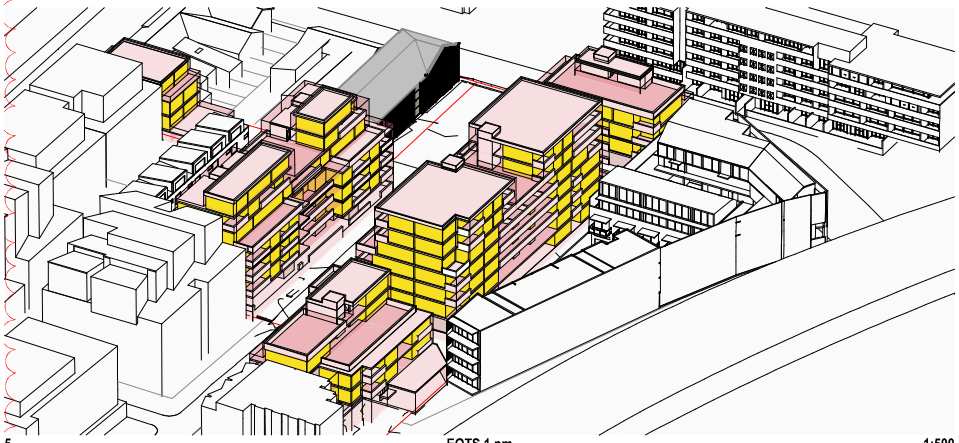

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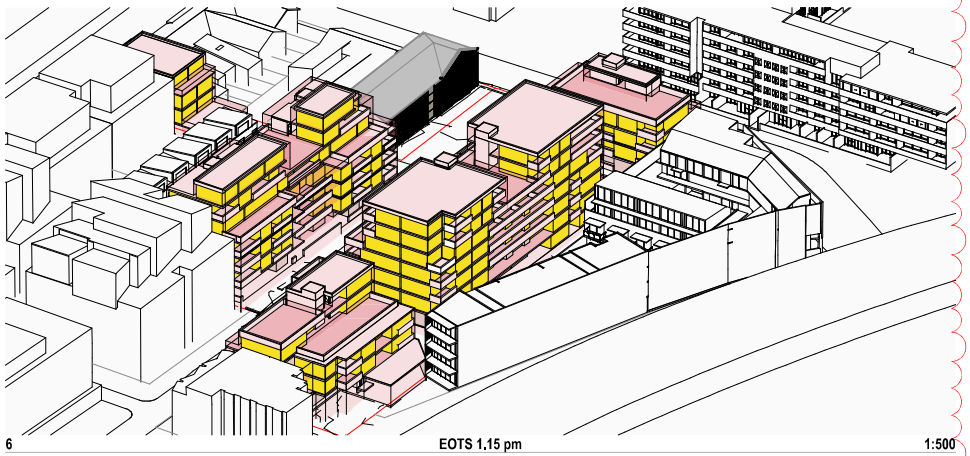

6 EOTS 1.15 pm 1:500

Rev	Date	By	Chk	Description
A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response

LEGEND

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Koos de Keijzer 5767
David Randerson 8542

Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Drawing Series	Compliance Drawings
Drawing Name	Eye of the Sun
Drawing Number	**DA402**
Revision	**B**

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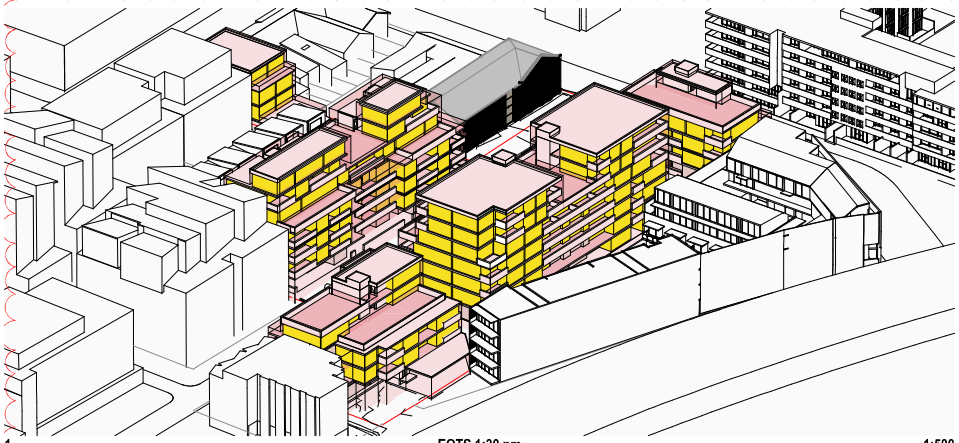

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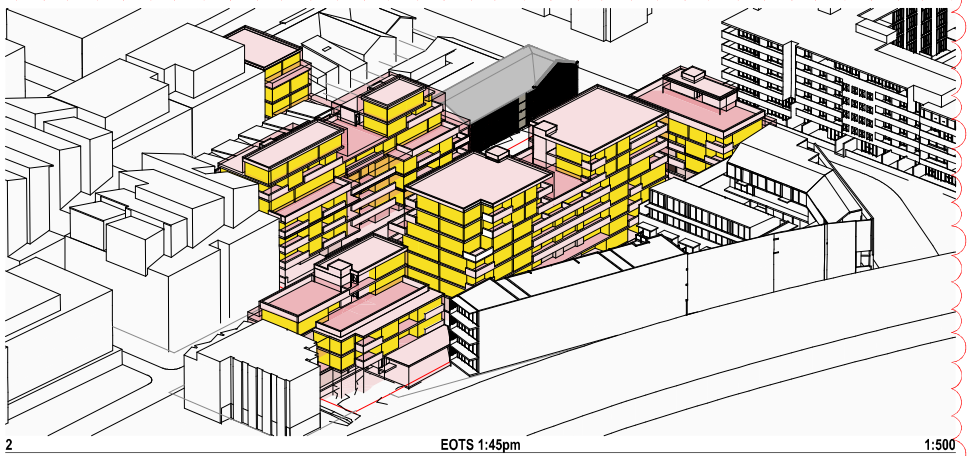

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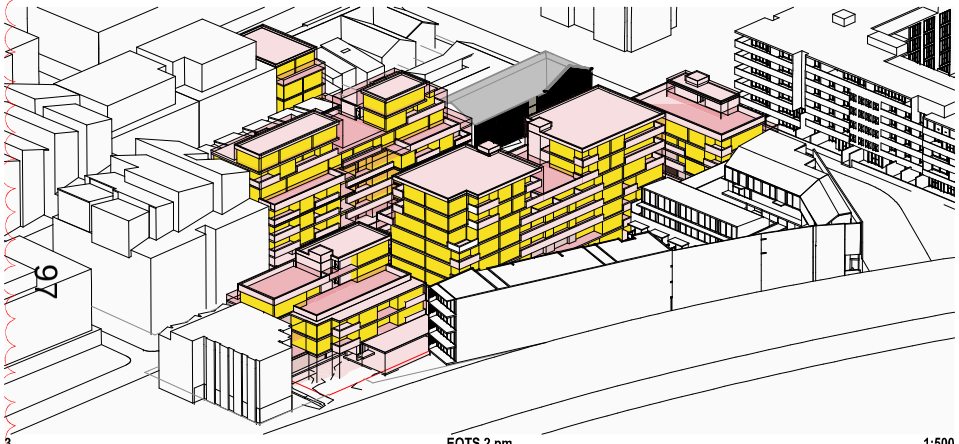

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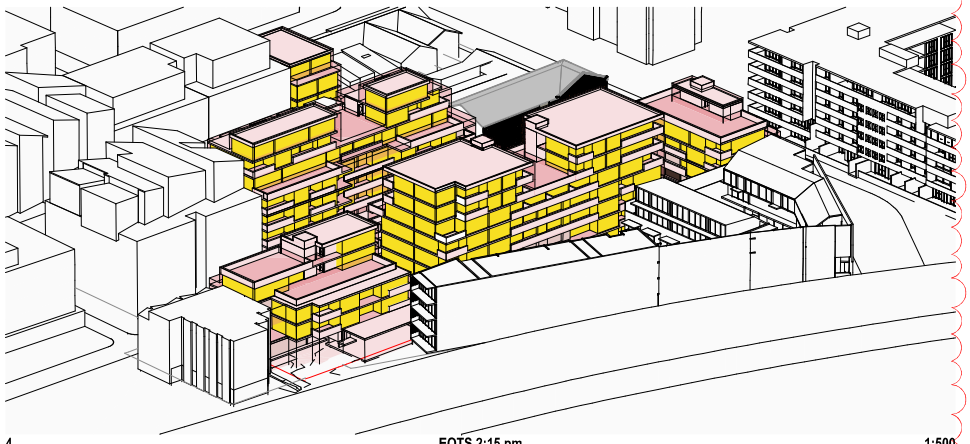

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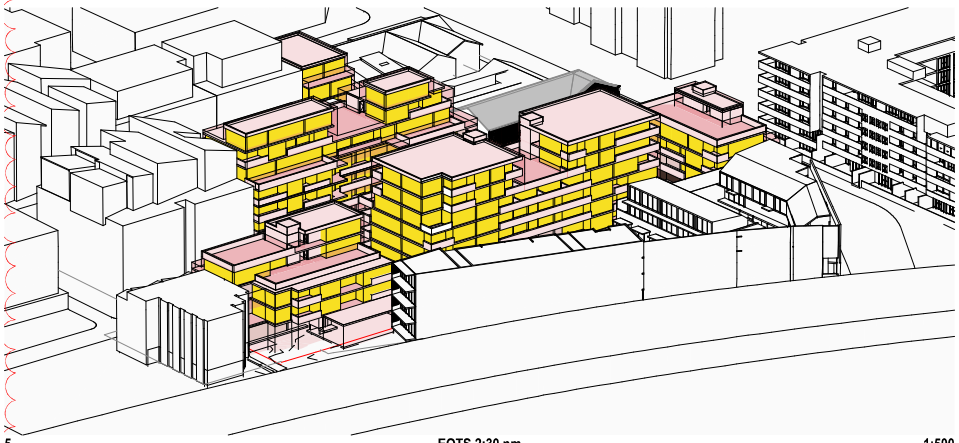

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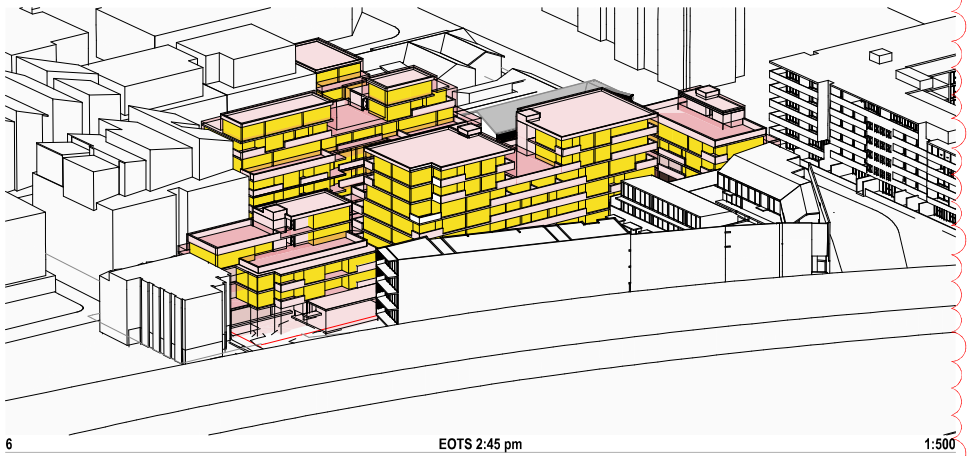

6 EOTS 2:45 pm 1:500

Rev	Date	By	Chk	Description
A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response

LEGEND

INDICATIVE PLANED UNITS ACHIEVING 2HRS SOLAR ACCESS

PROPOSED MASSING ENVELOPE

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Koos de Keijzer 5767
David Randerson 8542

Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Drawing Series	Compliance Drawings
Drawing Name	Eye of the Sun
Drawing Number	**DA403**
Revision	**B**

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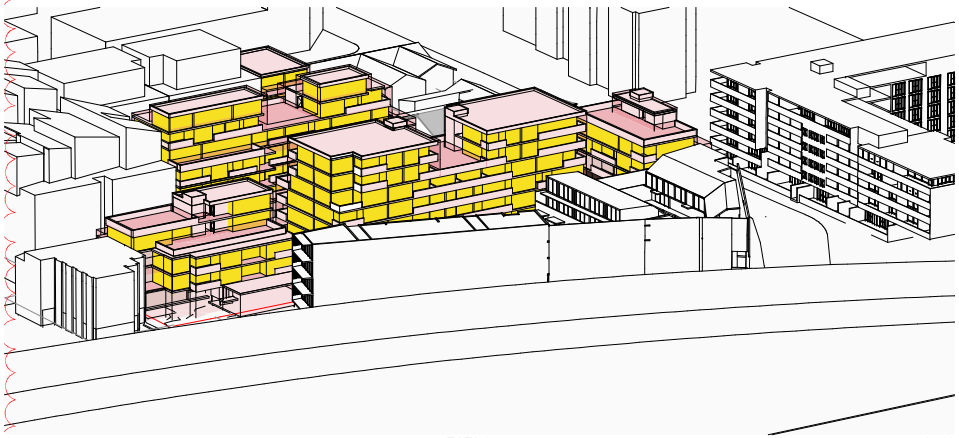

1 EOTS 3 pm 1:500

98

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A	3/05/2024	JF	DF	For Concept DA submission
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LEGEND

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
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Date	May 2024
Drawing Series	Compliance Drawings
Drawing Name	Eye of the Sun
Drawing Number	**DA404**
Revision	**B**

Attachment C

Reference Scheme Drawings

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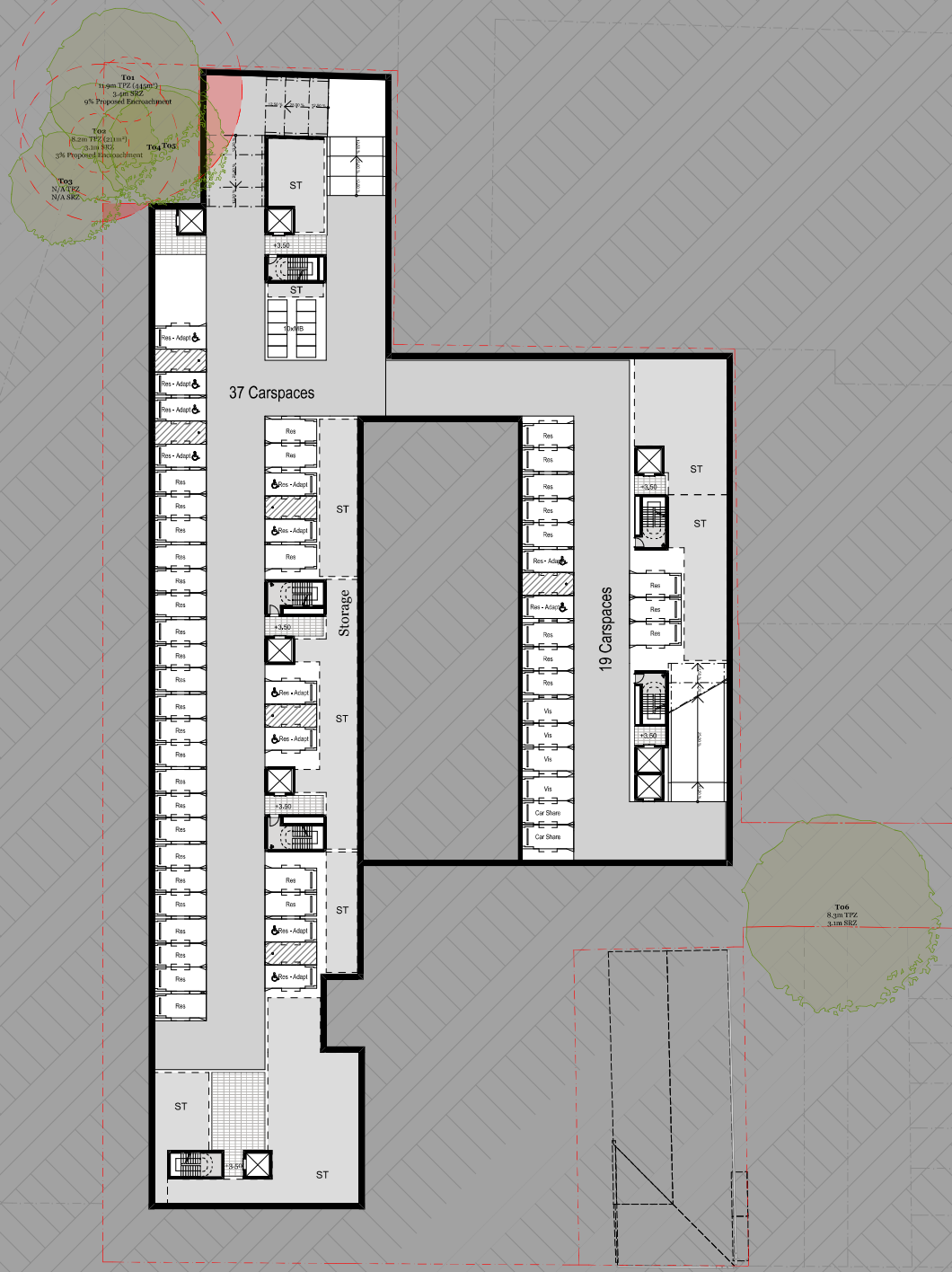

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Rev	Date	By	Chk	Description
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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Basement 02
Drawing Number	**DA2100**
Revision	**B**

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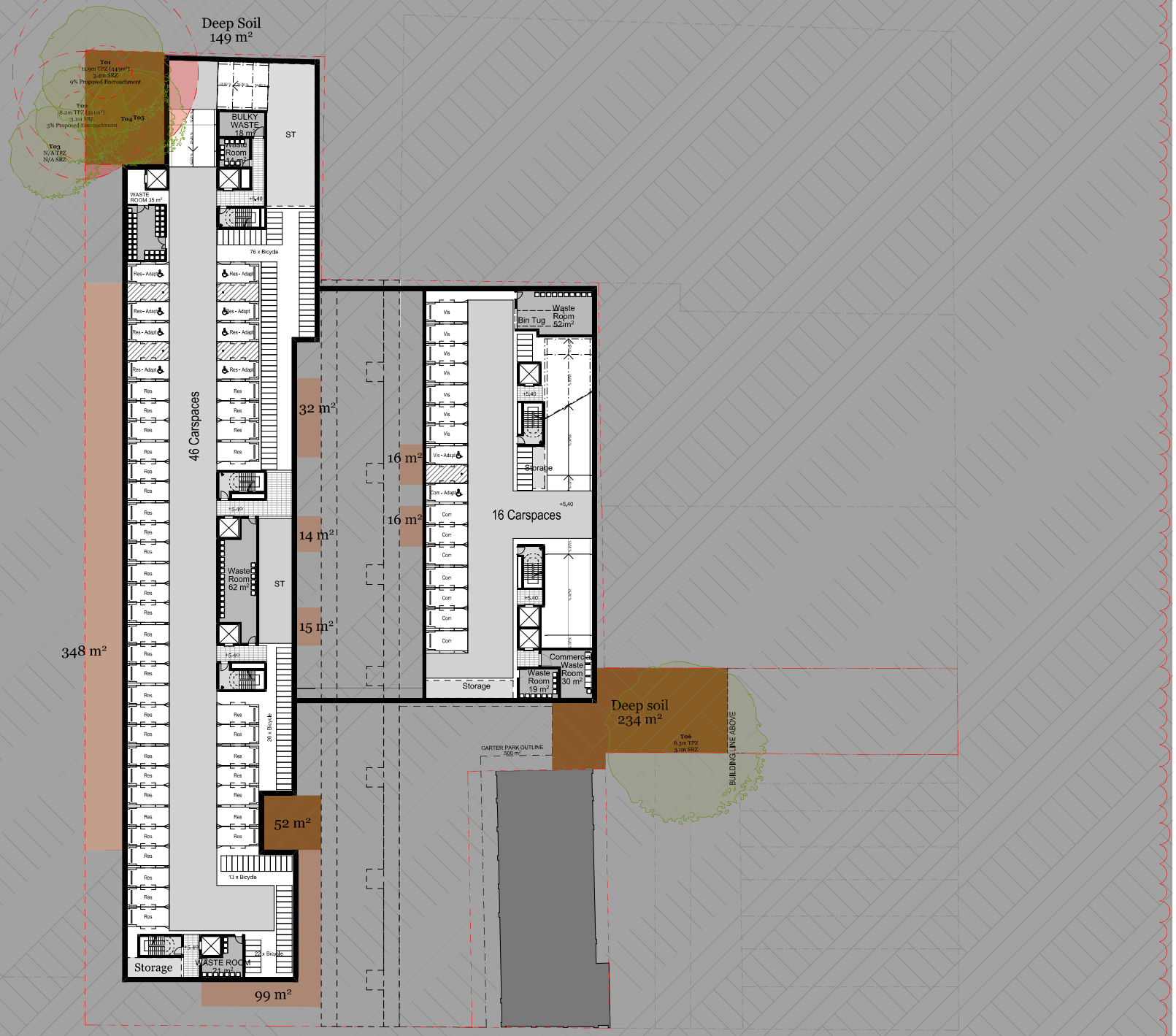

Deep Soil

Level	Area
BASEMENT 01	974
	974 m² (17%)

Site Area (Excluding Dedication & Heritage Site) - 5687m²
Required - (15%) 853m²

Rev	Date	By	Chk	Description
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B	12/02/2025	KHS	DF	RFI Response

LEGEND

- Deep Soil (6m)
- Deep Soil (3m)

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Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Basement 01
Drawing Number	**DA2101**
Revision	**B**



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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Ground
Drawing Number	DA2102
Revision	B

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CONCEPT DEVELOPMENT APPLICATION

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Koos de Keijzer 5767
David Randerson 8542

Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Level 01
Drawing Number	DA2103
Revision	B

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A	3/05/2024	JF	DF	For Concept DA submission
B	12/02/2025	KHS	DF	RFI Response

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Level 02
Drawing Number	DA2104
Revision	B

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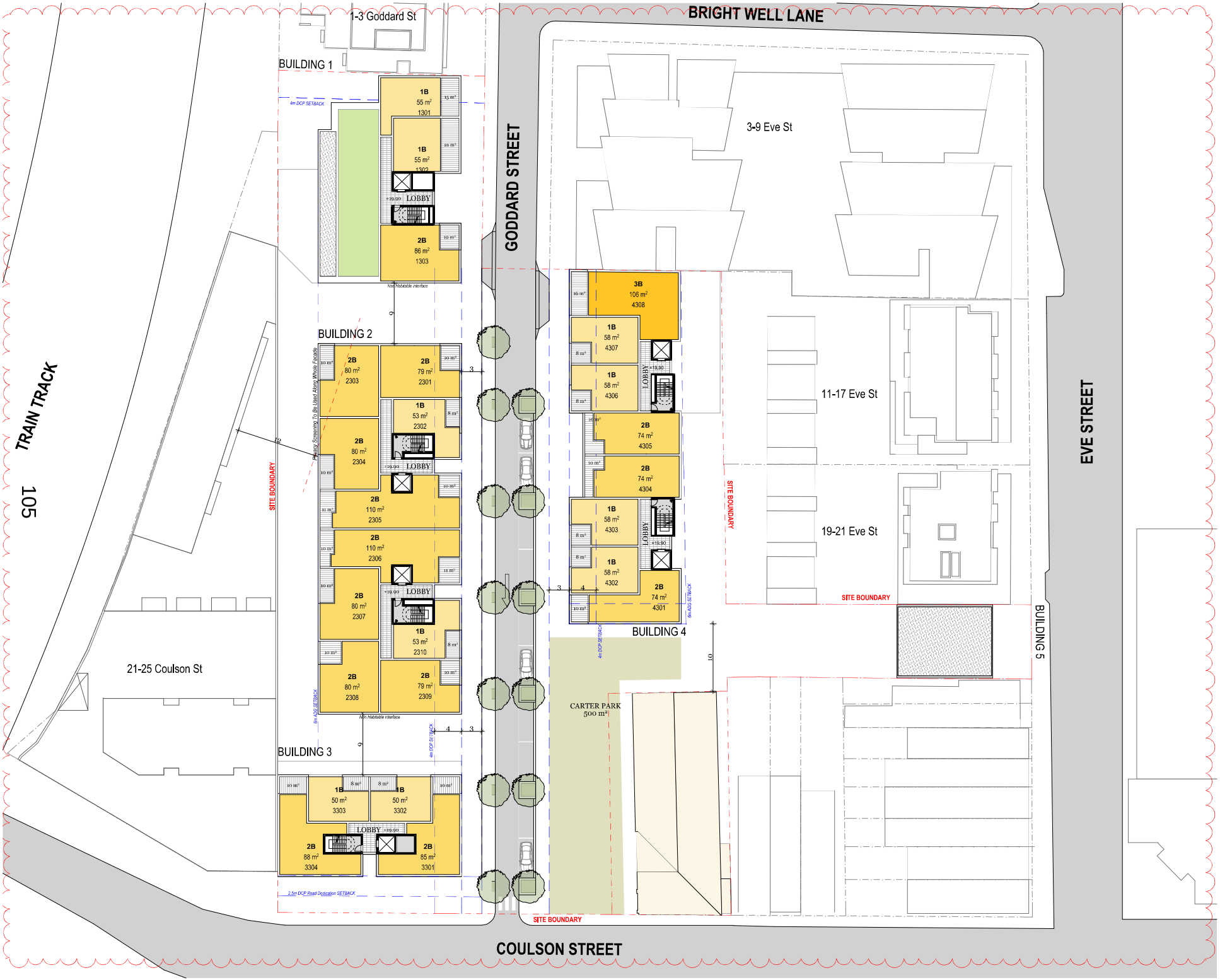

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B	12/02/2025	KHS	DF	RFI Response

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Level 03
Drawing Number	DA2105
Revision	B

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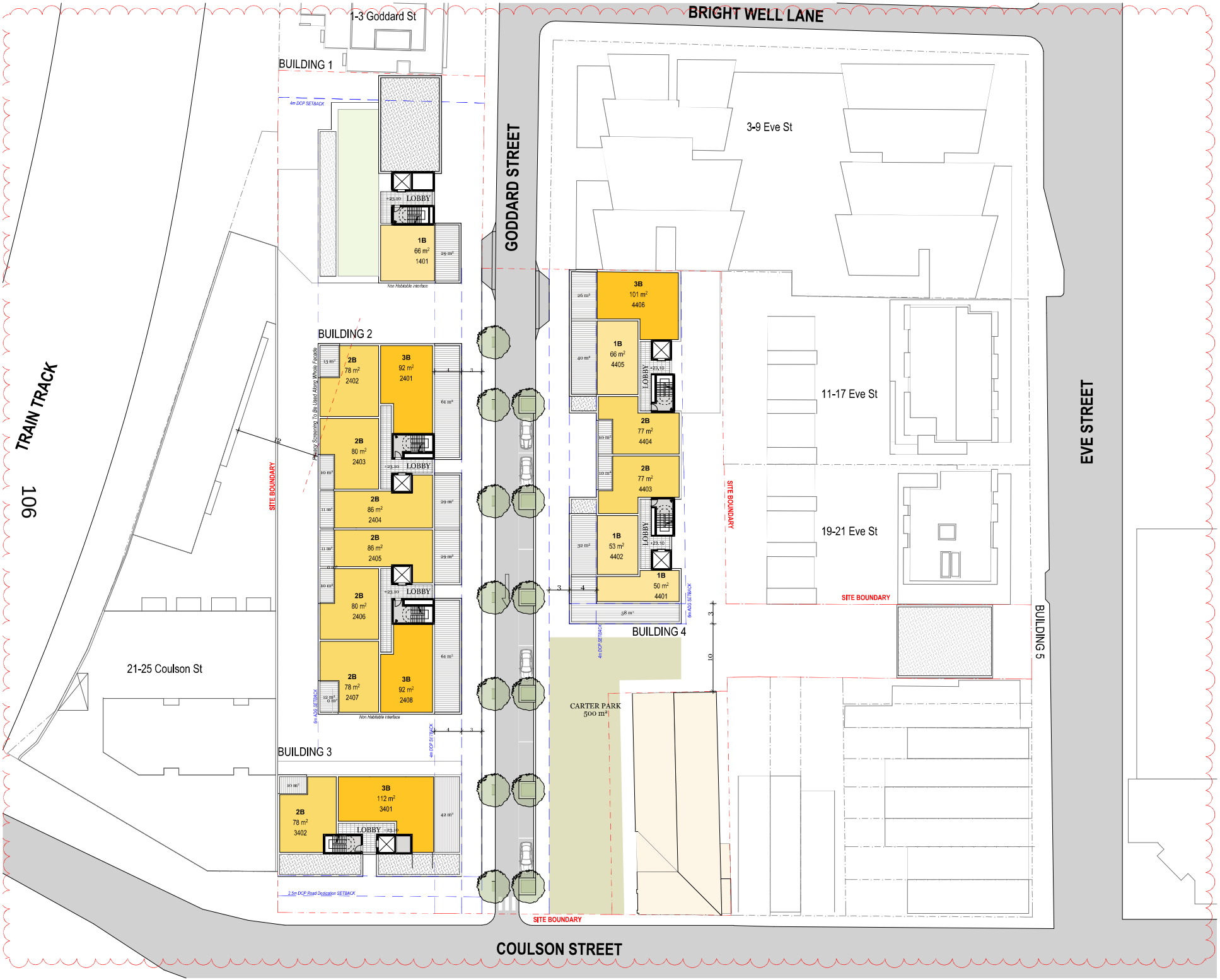

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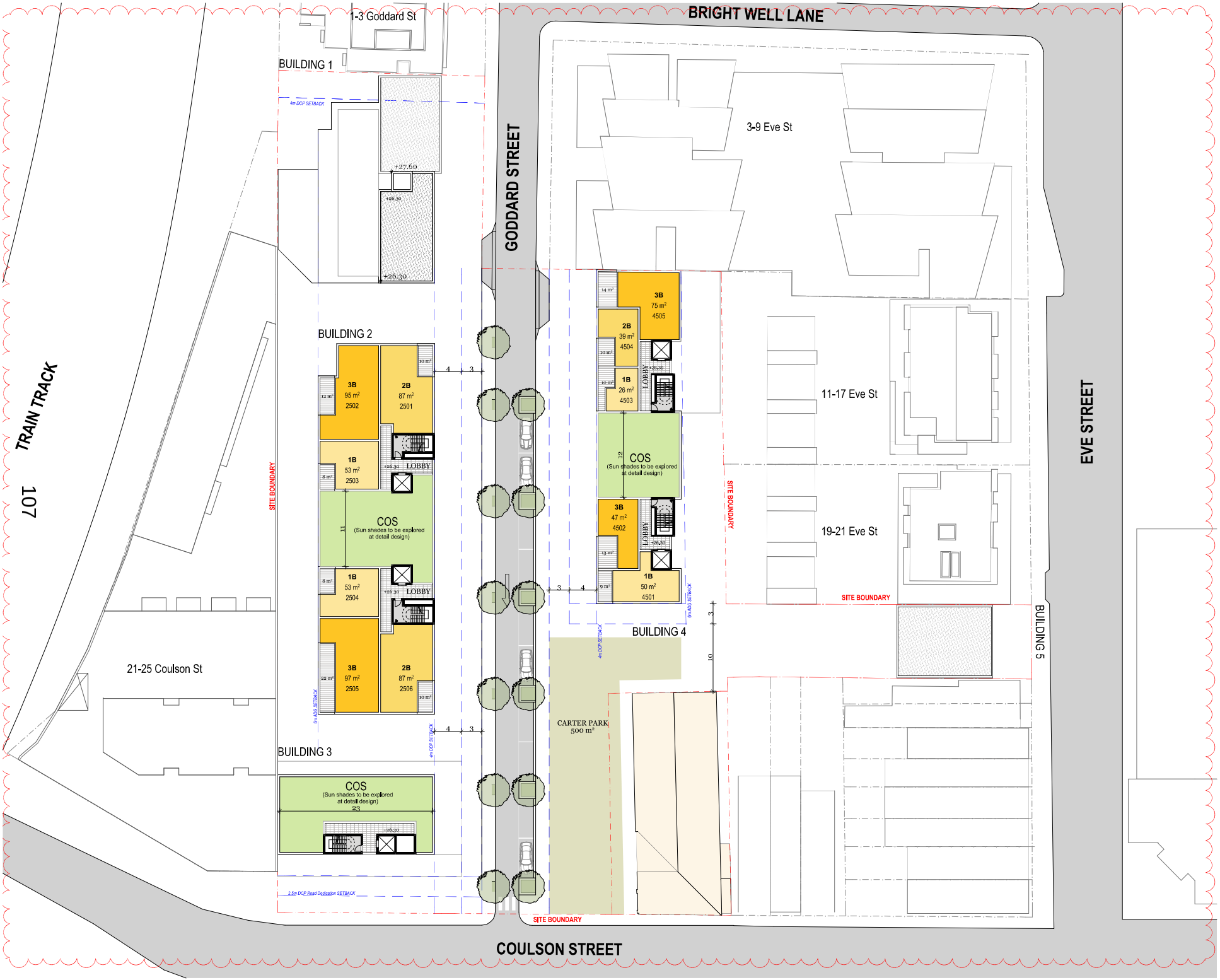
Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Level 04
Drawing Number	**DA2106**
Revision	**B**



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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-10 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Level 05
Drawing Number	DA2107
Revision	B

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-10 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Level 06
Drawing Number	**DA2108**
Revision	**B**

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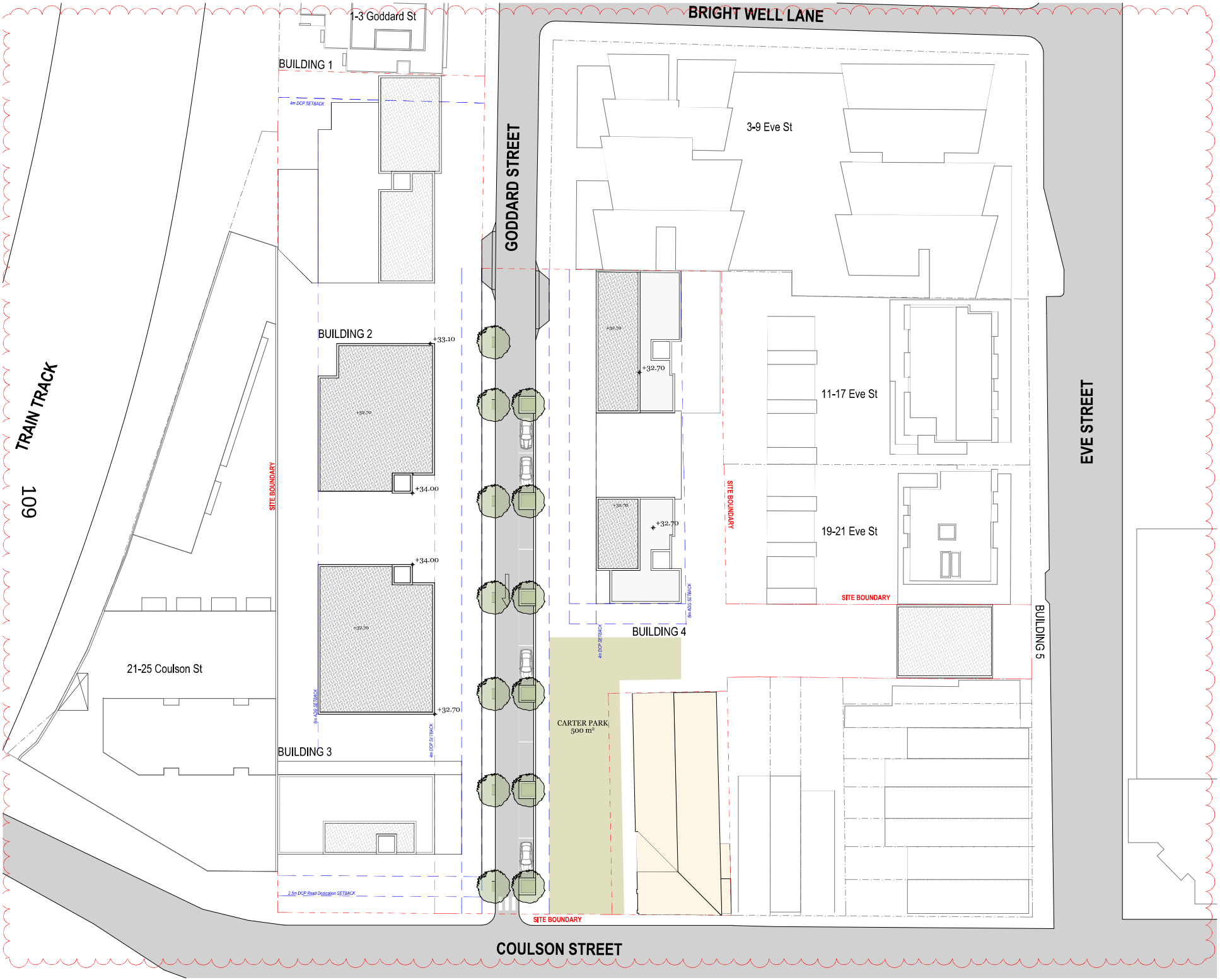

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Project Name	Coulson Street Stage 1 DA
Project Number	13162
Project Address	7-19 Coulson St Erskineville NSW 2043 Aust.
Client	Brightwell Transport
Date	May 2024
Scale	1:250@ A1
Drawing Series	Indicative Plans
Drawing Name	Roof Level
Drawing Number	DA2109
Revision	B

Attachment D

Design Excellence Strategy

7-19 Coulson Street, 5 Goddard Street and 23 Eve Street, Erskineville

Design Excellence Strategy

5 March 2025

Amended Final

REF: #9556

Ver	Description	Date	Prepared By	Checked By
1	Draft	1 August 2024	LH	MB
2	Final	5 March 2025	LH	Council/MB

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Contents

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1. Introduction

1.1 Overview

This Design Excellence Strategy (the Strategy) for 7-19 Coulson Street, 5 Goddard Street and 23 Eve Street, Erskineville (the site) has been prepared by SJB Planning on behalf of Brightwell Real Estate Pty Ltd (the proponent).

The purpose of this Strategy is to establish the framework for the competitive design process to deliver the highest standard of architectural and urban design responsive to the site's context.

This Strategy has been prepared in accordance with Section 1.2 of the Competitive Design Policy (the Policy) and Section 3.3.2 of the Sydney Development Control Plan (SDCP 2012), the Strategy defines:

- The location and extent of each competitive design process;
- The type of competitive design process to be undertaken:
- The number of designers involved in the process;
- How fine grain and contextually varied architectural design is to be achieved across large sites;
- Options for distributing any additional floor space which may be granted by the consent authority for demonstrating design excellence through a competitive design process; and
- The target benchmarks for ecologically sustainable development.

Note: Nothing in this Strategy represents an approval from the consent authority for a departure from the relevant SEPPs, Sydney Local Environmental Plan (SLEP) 2012 or SDCP 2012. To the extent of any inconsistency, the SEPPs, LEP and DCP will prevail.

2. Design Excellence Strategy

2.1 Location and Extent of the Competitive Design Process

The competitive design process will apply to the entire site known as 7-19 Coulson Street, 5 Goddard Street and 23 Eve Street, Erskineville. Table 1 outlines the legal description of the site.

Legal Description	Address
Lots C, D and E in DP22910	7-19 Coulson Street
Lot 1 in DP 533468	5 Goddard Street
Lot 1 in DP 533467	23 Eve Street

Table 1: Legal descriptions and property addresses

The site is irregular in shape and has an approximate area of 7,747m^2. The site is bounded by Coulson Street to the south, adjacent buildings and Goddard Street to the north and adjacent buildings and Eve Street to the east. The site is bounded by adjacent buildings and the Sydney Trains T3, T4 and T8 train lines to the west. The site is shown at Figure 1.



Figure 1: Aerial view of the site (Source: SIX Maps)

2.2 Type of Competitive Process

An invited Competitive Design Alternatives Process (competitive process) will be undertaken.

2.3 Competitors

The proponent will appoint a minimum of three (3) competitors. The selection of competitors will be undertaken in consultation with the City of Sydney (City) and will:

- Include a range of emerging and established architectural practices;
- Require each competitor to have demonstrated capabilities in design excellence by being the recipient of an Australian Institute of Architects (AIA) award or commendation, or in the case of overseas competitors the same with their equivalent professional association.
- A minimum of 50% of Competitors to be Australian based architects. For the purposes of being considered an 'Australian based architect', where a Competitor is a consortium, partnership or other joint authorship, the Australian local firm must be the principle/lead design architect and
- Require that each competitor will be a person, corporation or firm registered as an architect in accordance with the *NSW Architects Act 2003* or, in the case of interstate or overseas competitors, eligible for registration with their equivalent association.

For the competitive process, a minimum of 3 competitors must participate, comprised of the following:

- 3 competitors each, constituted of an established and an emerging architectural practice.
- The emerging architectural practice must design at least two of the five buildings.

The proposed buildings are identified at Figure 2.



Figure 2: Building identification diagram

2.4 Selection Panel

The Selection Panel will be appointed by the proponent and nominated in consultation with the City. The Selection Panel is to comprise four (4) members with:

- Two (2) members nominated by the proponent; and
- Two (2) members nominated by the City and who have no pecuniary interested in the development proposal or involvement in the approval processes.

Selection Panel members are to:

- Represent the public interest;
- Be appropriate to the type of development proposed;
- Include only persons who have expertise and experience in the design and construction professions and industry; and
- Include a majority of registered architects with urban design experience.

The Chairperson of the Selection Panel will have expertise in architecture and urban design and be a recognised advocate of design excellence.

The City will nominate an impartial observer(s) to verify that the competitive process has been followed appropriately and fairly.

The Selection Panel's decision will be via a majority vote and will not fetter the discretion of the consent authority in its determination of any subsequent development application associated with the site that is the subject of this competitive process.

2.5 Competitive Design Alternatives Brief

In establishing a competitive process brief (the Brief), the proponent will ensure that:

- All details regarding the conduct of the competitive process will be contained within the Brief and no other document;
- The Brief and appended documents will be reviewed and endorsed in writing by the City prior to commencement of any associated competitive process and its distribution to competitors; and
- The Brief is to be generally in accordance with the City Model Competitive Design Process Brief and the Policy.

2.6 Design Integrity

The architect of the winning scheme, as selected by the Selection Panel, will be appointed by the proponent as Design Architect.

To ensure design continuity and excellence of the winning scheme is maintained throughout the development process, as a minimum the Design Architect is to:

- Prepare the development application for the preferred design;
- Prepare the design drawings for a construction certificate for the preferred design;
- Prepare the design drawings for the contract documentation;
- Maintain continuity during the construction phases through to completion of the project;
- Provide any documentation required by the consent authority verifying the design intent has been achieved at completion; and

— Attend all meetings that pertain to design issues with the community, authorities and other stakeholders, as required.

The Design Architect may work in association with other architectural practices but is to retain a leadership role over design decisions.

2.7 Proposed Allocation of up to 10% Additional Floor Space Ratio

The Proponent will pursue up to 10% of additional floor space ratio under clause 6.21D(3)(b) of the LEP, the distribution of which will be explored through the competitive process and is to be consistent with the Concept DA consent and relevant provisions of the LEP and DCP.

Any additional floor pursued under clause 6.21D(3)(b) of the LEP must not result in a breach of the maximum building height control. The Concept DA proposes to breach the maximum building height control.

Nothing in this document is to be taken as an approval or endorsement of the potential additional floor space available under clause 6.21D(3)(b) of the LEP.

2.8 Target Benchmarks for Ecologically Sustainable Development

The Brief is to include the ecologically sustainable development (ESD) targets for the development.

The key ESD targets for the proposal are as follows:

— City of Sydney DCP (2012) Section 3.6, Ecologically Sustainable Development (ESD);
— NCC 2022 Section J Compliance (NCC 2019 if applicable CC's issued prior to 1st October 2023);
— Meeting the new legislated BASIX benchmarks in line with Sustainable Buildings SEPP 2022 requirements: for mid/high-rise residential building at the time of delivery.
    - BASIX Energy 60%
    - BASIX Water 40% + 5% extra targeted
    - High level of NatHERS thermal performance rating - minimum 7 NatHERS Star average rating for whole development and minimum 6 NatHERS star individual apartments
    - Use of low impact materials and minimisation of resources to reduce embodied emission.
— Fossil-fuel free design to allow for carbon neutrality by 2035.
— Following a range of sustainability initiatives across the site spanning energy efficiency, water efficiency, indoor environment quality, waste management and comfort.
— Biophilic excellence through plants and embedding nature in the design.
— Provision of Heat Island Mitigation measures.

ESD targets and sustainability initiatives will be carried through the competitive process, design development and construction stages to completion of the project to deliver the ESD targets.

Attachment E

Public Benefit Offer

BRIGHTWELL REAL ESTATE PTY LTD

ACN 000 063 927
508/17 Hickson Road, Dawes Point, NSW 2000

01 April 2025

The Chief Executive Officer
City of Sydney
Town Hall House
Sydney NSW 2000

Public Benefit Offer - Accompanying Concept Development Application D/2024/652 at 7-19 Coulson Street, 5 Goddard Street and 23 Eve Street, Erskineville

Dear Ms Barone,

Brightwell Real Estate Pty Ltd has lodged a Concept Development Application for the land known as 7-19 Coulson Street, 5 Goddard Street and 23 Eve Street, Erskineville. The application primarily seeks concept approval for five building envelopes for residential uses on the land.

The site is located within the Ashmore Precinct of the Sydney Development Control Plan (DCP) 2012. A range of public benefits are identified to be provided on the site in Figure 5.121 Ashmore Dedication Map of SDCP 2012.

This letter forms a Public Benefit Offer (PBO) to enter into a local voluntary planning agreement (VPA) under section 7.4 of the Environmental Planning and Assessment Act 1979 to provide public benefits on the site, as identified in SDCP 2012.

The PBO to be discussed includes future public benefit works, with the following estimated costs as provided by Mitchell Brandtman (QS):

- Extension of Goddard Street 963m^2 – Estimated Cost: $1,779,737 + GST
- Construction of Carters Park, 500m^2 – Estimated Cost: $500,629 + GST
- Landscaped setback on Coulson Street 75.5m^2– Estimated Cost: $97,961 + GST

The abovementioned areas will only be offered to be dedicated to Council following the approval of the Stage 2 DA. It is imperative that during the assessment of the Stage 2 DA, the ‘site area’ is inclusive of the above-mentioned areas, and as such the floor space ratio is calculated based on the entire site area (inclusive of public benefit works areas). This approach was utilised during the assessment of the Concept DA and should be carried through during the assessment of Stage 2.

We look forward to working with Council on the progress and consideration of the VPA offer.

Yours sincerely,

IAN BRIGHTWELL
Director

Attachment F

Submissions

From: Rob <[redacted] on behalf of Rob <[redacted] <Rob <[redacted]

Sent on: Friday, August 16, 2024 10:02:19 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi team,

I am writing about the proposed development on Goddard Street / Coulson Street in Erskineville - at the site of the old Brightwell Transport / Brandon Molasses factory.

I'm concerned about the shade impact from the new buildings facing Coulson Street. I live on the ground floor of Verve Apartments (2 Coulson Street, opposite the proposed development) and we rely on winter sunlight to keep our apartment warm and bright.

On pages 21-24 of the DA it looks like there is significant additional shade falling on our apartments across most of the day (9am through 3pm - although it's hard to tell exactly what the additional impact is). Can you please review, and if this is the case I request these shade impacts be mitigated - e.g. apartment heights be lowered or set back further from the street to keep the shade impacts the same as the current structure across the road.

It will have a really significant impact on the liveability of our apartment if we are in shade most of the day.

Otherwise I am supportive of the proposal - I support increasing density in Erksineville, the apartment heights seem sensitive to the surroundings and the character of the suburb, and I like the new green space and connectivity improvement by linking Goddard Street to Coulson.

Thanks for your consideration.

Kind regards,
Rob

--
Robert Pattinson
M: [redacted]

From: [redacted] on behalf of [redacted]

Sent on: Friday, August 16, 2024 10:52:07 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Michael Stephens

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Dear Assessing Officer,

I write to raise concerns regarding this application. While I raise no objection to the majority of the proposal I have significant concerns regarding the following elements:

1. **The proposed complete demolition of the circa 1912 Bakewells Powerhouse building**

   The 2014 *City of Sydney Industrial and Warehouse Buildings Study*led to the listing of the former Bakewell Brothers warehouse on Coulson Street on the Sydney LEP (I2246) in the south-east corner of the site. However, the circa 1912 south-west building (possibly a former engine or power house), which has the same connection to the former Bakewell pottery works, was not listed, despite being recognised as such by the study but nevertheless was not included within the heritage listing. This building is significantly more intact than the south east building that was listed, and makes a much more positive contribution to the street in the form of the face brick facade and original windows facing Coulson Street. It is now one of the few remaining reminders of the industrial heritage of this part of Erskineville.

   This building, despite various alterations over the years, including demolition of the chimneys, retains a strong streetscape presence, historic legibility, and much of its original form and character. It seems to me that there is an excellent opportunity for this structure to be adaptively reused and/or integrated into a new development, that preserves its street facade, while enabling future development of the site. Given its closeness to the southern boundary of the site, it would seem to be a relatively straightforward proposition to retain all or some of the southernmost section of this building/facade and integrate it either into the development, or have it stand alone similar to the semi-ruin design of the Paddington Reservoir.

   One excellent example of where this has been achieved is 'The George' apartments at 153-167 George Street, Redfern, which was approved in 2012 under D/2012/454. While the context of that site was different in that it was located within a heritage conservation area, the development successfully married the character of the original building (a circa 1930 Leyland Motors warehouse) with the new residential flat building by retaining and restoring the street facade but allowing for modifications to ensure that the development could be carried out.

   It seems to me that the stated objectives for Section 3.6 of the Sydney DCP 2012 for ecologically sustainable development could be more readily met by minimising demolition in a partial retention of this existing building and the adaptive reuse of the existing building.

   The demolition of this building, destroying one of the few remaining reminders of Erskineville's industrial history, also runs contrary to one of the key principles (a) in the locality statement for the Ashmore Area under Section 2.7.8 of the Sydney DCP 2012: "(a) Future development is to be of the highest quality, and sympathetic to the existing surrounding local character and history of Erskineville and Alexandria and their former industrial uses."



2. **The removal of the substantial Norfolk Island Pine tree (T7) at 23 Eve Street.**

I object in the strongest terms to the proposed removal of a substantial Norfolk Island Pine tree (T7; *Araucaria heterophylla*) from the site of 23 Eve Street, which is described as in "good health, density and structural condition" in the submitted arborist report. This substantial tree provides (18m in height) significant landscaped amenity to the local area, the subject site, adjoining properties and the streetscape, and it is one of the most substantial trees within the immediate vicinity.

This tree provides significant ecological amenity to the area which is unfortunately low in levels of tree canopy cover. Indeed, it has at times been observed to be an important connecting and habitat tree for local wildlife. I have personally observed this tree to be a popular roosting tree for many birds including the Eastern Koel (*Eudynamys orientalis*).



2020 view of the Norfolk Island Pine tree (centre) as seen from Building 16 of 177-219 Mitchell Road.

If the City of Sydney wishes to increase and maintain tree canopy levels and amenity, this must be done by retaining substantial native trees such as this, which provide food and shelter for native wildlife, not to mention the amenity provided to residents of the surrounding area. The City of Sydney's Urban Forest Strategy is very clear on the importance of protecting the existing tree population of our localities to maximise the benefits of a mature canopy. The age and significant size of this Norfolk Island Pine also aligns with the strategic outcomes of ensuring a wide age spread and species diversity of trees. As a consequence, the loss of this tree will be a substantial loss not only to the streetscape, but also to surrounding areas and local wildlife, which goes against the objectives (b, d, e and n) of Section 3.6 of the Sydney DCP 2012 for ecologically sustainable development.

It is simply not sufficient to justify the removal of mature and beautiful trees in a landscaped setting for the weak reasoning provided in the arborist (being to facilitate the "development envelope, excavation works and considered scope of works"). Even if some replacement trees are proposed elsewhere, it will be many years before any such trees are able to reach (if at all) a maturity and height that compares with the current tree. Meanwhile the landscaped context of the surrounding area will suffer.

As a consequence, I would strongly recommend that the proposed envelope for building at 23 Eve Street be redesigned to enable the retention of the Norfolk Island Pine tree (T7). A more sensitive design that successfully retains this tree of the front setback should be considered, as its position and canopy height could easily enable the retention of the tree in a courtyard or increased setback arrangement. If the City of Sydney wishes to increase tree canopy by 50% by 2030, it cannot be done through the attrition of substantial mature trees such as those on this site for unsympathetic development.

I thank you for the opportunity to comment on this matter and wish to be kept informed on any updates.**I wish to have my name and any contact details treated as confidential and redacted from any public release of this submission .**

Regards,

[redacted] Erskineville

From: VIVIAN THOMAN <[redacted] on behalf of VIVIAN THOMAN <[redacted] <VIVIAN THOMAN <[redacted]

Sent on: Monday, August 19, 2024 8:55:50 AM

To: dasubmissions@cityofsydney.nsw.gov.au

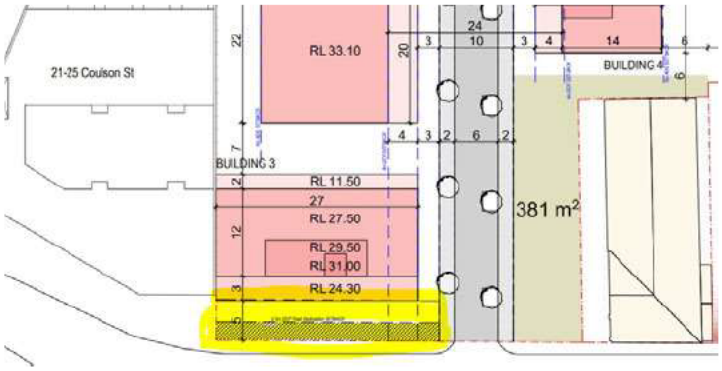
Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi Michael,

I am an apartment owner at 2 Coulson Street and would like to provide some comments regarding Concept Development Application the D/2024/652:

- My concerns are regarding the other heritage building (where proposed building 3 is located) on Coulson Street seems to be demolished instead of being kept - are you able to advise why this is so?



- The height of building 3 will affect the amount of light and sunshine my current apartment receives from shadowing and is not great especially as I'm north facing. Is there any options available to me?

Thanks

Viv

[redacted]

From: Jeremy Evangelatos <[redacted] on behalf of Jeremy Evangelatos <[redacted] <Jeremy Evangelatos <[redacted]

Sent on: Sunday, August 18, 2024 2:15:33 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi Michael,

Reviewing the proposed plans for this development application- the proposed 7 stories would be far too high for this area. The surrounding buildings and terraces are between 1- 4 storeys and the street over (eve street) apartment are 3-4.

The building proposed to the east of Goddard Street should match the surrounds without blocking needed light to surrounding buildings and terraces- 4-5 storey max. Any higher would not only look out of place but would impact greatly on sunlight to surrounding homes.

The proposed building on the west side of Goddard Street would be fine if was at 7 storeys. And would not impact any existing buildings.

As a local resident- the boutique feel of this area would be ruined by a massive building complex and Rob existing low level dwellings of much needed sunlight.

Regards
Jeremy

From: [redacted] on behalf o[redacted]

Sent on: Sunday, August 18, 2024 12:16:24 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Feedback on Proposed Development: D/2024/652

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi

I would like to provide feedback to the above proposal on Coulson St Erskineville.

I do not want my email address or first name to be made public.

I have concerns about the population density of that area of Erskineville without the supporting infrastructure. There are medium density housing developments all throughout this and nearby streets with development currently underway on a very large complex on the Mitchell road side currently.

This area does not currently have (and I see no plans either) basic services such as adequate groceries availability and footpath accessibility for the population that currently live in the 6 block radius around the proposed development.

There are real and material issues of over crowding in the ares with currently planned developments not yet completed or inhabited, once they are this will increase the pressures on services and accessibility in the area. A proposal of such density added to the area would create material risk to inhabitants and liability for the City of Sydney.

Thank you for considering my feedback.

Kind regards

[redacted]

From: Natalie Gundara <[redacted] on behalf of Natalie Gundara <[redacted] <Natalie Gundara <[redacted]
Sent on: Wednesday, August 21, 2024 12:54:43 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney Planning Authority,

I am writing to formally object to the proposed development outlined in the document available at the following: https://eplanning.cityofsydney.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=2400125&fbclid=IwY2xjawEyM8dleHRuA2FlbQIxMAABHeWydtYP25yl6Qg9mSzQkxz4amdCcCNAPPuVQSCxOwjanr_Lblutwajv CA_aem_ai_BAmrCKVsO2TOPdaL5Kg.

While I appreciate the need for development in our city, I have significant concerns regarding the impact of this project on our community.

Traffic Congestion: The area in question is already experiencing considerable traffic congestion, and pedestrian safety is already a concern in this area.The introduction of a new development of this scale will exacerbate the situation, leading to increased traffic and potential safety risks for pedestrians and cyclists. The infrastructure in the area is not equipped to handle the additional load, and this will also result in longer commute times and increased frustration for residents and visitors alike.

Insufficient Green Space: Green spaces are essential for the well-being of urban residents, providing a necessary respite from the hustle and bustle of city life. The proposed development, however, does not appear to allocate sufficient space for parks, gardens, or recreational areas. This is particularly concerning given the growing population in the area and the increasing demand for outdoor spaces where residents can exercise, relax, and engage in community activities.

In conclusion, while I support thoughtful and sustainable development in our city, I believe this proposal falls short in addressing the critical issues of traffic management and green space provision. I respectfully urge the City of Sydney Planning Authority to reconsider the approval of this development in its current form and to seek solutions that better align with the needs and well-being of our community.

Thank you for considering my concerns.

Yours sincerely

Natalie Gundara

227/221 Sydney Park Road

Erskineville NSW 2043

[redacted]

From: Walter Grealy <[redacted] on behalf of Walter Grealy <[redacted] <Walter Grealy <[redacted]

Sent on: Tuesday, August 27, 2024 12:40:57 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: D/2024/652

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Mia Music,
my name is Wally Grealy. I live at 1 Coulson Street Erskineville 2043.
I would like to make some comments and get some feedback about the proposed development.
I have lived at my address for about 30 years so I've seen a lot of changes in the area with new developments.
My main concern is about the amount of dust and noise that will be generated during the demolition and building. I have a single-story dwelling that is impacted by dust from the trucks coming and going to Brightwell transport ,so I'm sure that the same thing will be a problem during the demolition of the new site.
The dust is a health hazard for me as well as the noise from trucks that could potentially line up opposite my residence waiting to enter the site. The truck drivers leave their engines idling because they need air conditioning but the noise is very annoying, feet away from my front door.
Is it possible for trucks to enter the site from Goddard Street as most of the buildings are multi story and not so affected by noise of idling trucks waiting to enter.
My other query is whether road widening will affect Coulson Street in front of my residence?
Finally, I have some privacy concerns regarding building 4, and 23 Eve Street. Will they be able to look into my backyard ?
Are measures being taken to prevent this happening?
Behind me for instance one of the buildings has a solid wall without balconies so no one can look into my back garden.
Thank you for the opportunity to raise these questions and concerns.
Please contact me in person (I'm a retiree so will be home most days), or email or phone.
My phone no us [redacted]
Regards ,
Wally Grealy
[redacted]

Get Outlook for iOS

From: Emily Boden <[redacted] on behalf of Emily Boden <[redacted] <Emily Boden <[redacted]

Sent on: Wednesday, August 28, 2024 4:38:56 PM

To: council@cityofsydney.nsw.gov.au

Subject: Comments on Application - D/2024/652 - 7-19 Coulson Street ERSKINEVILLE NSW 2043

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom it my concern,

I am writing in regards to the application for the above development plans in progress.

Reference Number D/2024/652

Concept Development Application for five building envelopes between 2-7 storeys for residential land uses

Proposed Development at 7-19 Coulson Street Erskineville

I have concerns about Buildings 4 as a 7 levelled building with meeting and BBQ area on rooftop.

The over shadowing from BLD 4 Coulson Street will **prevent natural light** to the rear of the building units and garden area at 19-21 Eve Street Erskineville.

With the proposed BLD 4 height being 7 levels as well as a rooftop entertainment area this will overlook into the neighbouring building 19-21 Eve Street Erskineville making an **invasion of privacy**.

Most importantly the Erskineville area was Zoned as future construction at 5 storeys or below no higher. This proposed 7 storey is not in line with Sustainable Buildings code SEPP2022 requirements for mid/high rise residential buildings.

Kind Regards,
Emily Boden
[redacted]

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From: Lauren Fontana <[redacted] on behalf of Lauren Fontana <[redacted] <Lauren Fontana <[redacted]

Sent on: Wednesday, August 28, 2024 1:22:18 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: Comments on proposal D/2024/652

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Reference Number D/2024/652

Concept Development Application for five building envelopes between 2-7 storeys for residential land uses

Proposed Development at 7-19 Coulson Street Erskineville

I have concerns about Buildings 4 as a 7 levelled building with meeting and BBQ area on rooftop.

The over shadowing from BLD 4 Coulson Street will prevent natural light to the rear of the building units and garden area at 19-21 Eve Street Erskineville.

With the proposed BLD 4 height being 7 levels as well as a rooftop entertainment area this will overlook into the neighbouring building 19-21 Eve Street Erskineville making an invasion of privacy.

Most importantly the Erskineville area was Zoned as future construction at 5 storeys or below no higher. This proposed 7 storey is not in line with Sustainable Buildings code SEPP2022 requirements for mid/high rise residential buildings.

Regards,

Lauren Fontana

From: K8 <[redacted] on behalf of K8 <[redacted] <K8 <[redacted]

Sent on: Thursday, August 29, 2024 1:05:54 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi,

We are registering our absolute revulsion of yet another proposed development in Erskineville, a suburb which is rapidly being destroyed by the excess of oversized, poor quality, garishly designed, multi-storey favela buildings your incompetent and corrupt bureaucracy continues to approve despite constant disapproval from locals which showcases your department's complete and total disregard of public sentiment.

The infrastructure, public space and amenities for this horror-show (alongside the recent slew of equally awful, over-sized favelas you have shoe-horned into the suburb) simply does not exist in the area combined with the complete and total inability of our streets to cater to the additional car, cycle and people traffic such a development will usher in. Yet again it is quite clear this is being disregarded by your department just like countless others before it.

Congratulations on driving yet another stake into the heart of this suburb's character, further destroying the very aspects that which made it attractive in the first place. We have zero confidence public sentiment regarding this latest development (just like the many that preceded it) will be considered and this abomination will be approved as outlined, most liklely even expanded upon as your department all so often does late into the proposal process.

Thank you for clarifying the observations many of us have made of your department of late and to whom you are really beholden to.

- An Erskineville Family and their many neighbours for over three decades

From: Christopher Standen <[redacted] on behalf of Christopher Standen <[redacted] <Christopher Standen <[redacted]

Sent on: Monday, September 9, 2024 6:16:32 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Attachments: Submission on concept DA.pdf (106.65 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Mia

Please find my personal submission on the concept DA D/2024/652 attached.

Please acknowledge receipt.

Dr Christopher Standen

Research Fellow Urban Development
International Centre for Future Health Systems, Faculty of Medicine
Room 342, Level 3, AGSM Building
UNSW NSW 2052

E: [redacted]
W: unsw.edu.au
T: [redacted]

CRICOS Provider Code 00098G

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Submission on Concept DA for Brightwell Transport site redevelopment D/2024/652

Personal submission by: Christopher Standen

Date: 9 September 2024

General

1. I support mixed use redevelopment of this site and the increase of housing supply close to jobs, education, services and public transport.
2. However, I object to the proposal in its current form as it:
    a) Does not meet the requirements of "density done well" and a healthy built environment (see NSW Health's Healthy Built Environment Checklist);
    b) Will do little to improve housing affordability for low-income and essential worker households, given that most units will be bundled with a parking space costing $100,000+.

Car parking

3. I object to the high number of car parking spaces (123), this being the absolute maximum permitted under the LEP. The number of parking spaces should be significantly reduced below the maximum permitted, noting that:
    a) Demand for properties without parking in Erskineville exceeds the current supply. On 6/9/24, there were 57 parking spaces listed on spacer.com.au alone, with many others listed in local Facebook groups, etc. Properties without parking sell/rent out quickly and easily.
    b) When we moved to the area, we could not find a family-sized unit without parking, so we are now forced to pay for a parking space we do not need. The amount we can rent it out for ($27 per week after tax) is well below what it costs us: ~$175 per week in mortgage repayments, strata levies and council rates plus ~$4,500 in stamp duty. We know many other families/households in a similar situation.
    c) A parking space adds more than $100,000 to the price of a unit. Providing more properties without parking would improve housing affordability.
    d) Reducing the size/depth of the parking basement would significantly reduce construction costs and impacts.
    e) The site is very well served by public transport, including two heavy rail stations within 800 m. Erskineville is one of the most walkable suburbs in NSW with a Walk Score of 92/100. Schools, shops, services and recreation opportunities are within walking distance. There are numerous car share pods in the neighbourhood providing a range of vehicles for different needs, in addition to taxis and rideshare. Erskineville is well connected to the City of Sydney bicycle network.

f) We already have an undesirable amount of traffic in the area. If you were to survey the community, I expect the overwhelming majority would say they do not want more traffic generation.

g) Over the last 20 years, car ownership in the City of Sydney has increased from 46% of households to 56%. There are now 4 cars for every 10 residents, compared to 3 for every 10 residents in 2001. This growth in car ownership has been fuelled by the massive growth in off-street parking supply. It has contributed to a significant increase in traffic, traffic noise and traffic danger. Continued increases in traffic generation are unsustainable and inconsistent with the City of Sydney's Strategic Plan, specifically Direction 5 "A city for walking, cycling and public transport" and Direction 2 "A leading environmental performer".

4. Parking spaces should be unbundled from unit lots. This will give households the flexibility to acquire/dispose of parking as their needs change (e.g., when changing jobs) – again improving housing affordability.

Goddard Street

5. To minimise traffic noise and danger, and to maximise walking/cycling comfort, Goddard St street should be designed as a quiet way or 10 km/h shared zone.
6. Goddard St should allow two-way bicycle traffic. This will support a direct low-stress cycling link between the McDonald St Cycleway, Bamal Way and Sydney Park.
7. A continuous footpath treatment should be installed at the intersection of Coulson St and Goddard St to maintain the current pedestrian level of service and maximise safety.
8. A raised (wombat) pedestrian and bicycle crossing is essential to connect Bamal Way with Carters Park/Goddard St. As well increasing safety, this will help to calm traffic and reduce traffic noise on Coulson St.
   Note: The existing wombat crossing at Coulson St/Eve St is too far from the desire path.
9. Has any consideration been given to installing a modal filter on Goddard St to restrict through traffic?

Open space

10. I object to Carters Park being reduced from 0.05 hectares to 0.038 hectares. This is a significant reduction in open space (-24%). There are suburban backyards larger than 0.038 hectares – it is barely enough space for children to kick a ball around.

Building height

11. I object to the request to increase building heights above those permitted, noting that heights may be allowed to increase further during the planning process (e.g., with design bonuses).

Housing diversity

12. There is a chronic shortage of larger units in Erskineville suitable for families, multi-generational households and shared housing. See this recent article in The Sydney Morning Herald: *Families lose out in Sydney's new housing push, say planners*. At least 20% of dwellings in this development should have three or more bedrooms, in line with the proposed Design and Place SEPP.

Natural ventilation

13. For the health and wellbeing of occupants, and to minimise heating/cooling energy use/cost, 100% of homes should be naturally ventilated. Many other developments in the area have achieved 100% natural ventilation, e.g., Platform Apartments in Eveleigh.

Fossil gas connection

14. For the health and wellbeing of occupants, and to minimise utility costs and greenhouse gas emissions, the development should not use fossil gas for heating or cooking.

From: Kristen Weber <[redacted] on behalf of Kristen Weber <[redacted] <Kristen Weber <[redacted]

Sent on: Wednesday, September 11, 2024 11:49:23 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom it May Concern

I am the owner occupier at 55/2 Coulson Street which is directly opposite the proposed development and would like you to please take into account my concerns in the next phase of development.

1. Reduction in natural light and green outlook
I am seriously concerned about the impact of sunlight on the Verve building, and personally on my balcony. I am concerned building directly in front of our building will reduce dramatically the natural light and remove the green outlook we currently have and replace it with concrete. My building is North facing and the sunlight that we currently get is one of the biggest reasons I bought the property back in 2009.

2. Noise
I have concerns due to the proximity of the proposed building that noise will travel directly into my apartment and affect my everyday living.

3. Lack of privacy
With the narrow road on Coulson street and the building proposed directly in front of our balcony and building, there will be a severe lack of privacy. I understand that the proposal is to move the building back 2.5meters but this is still not sufficient to grant any privacy / noise and would be closer than any other development in the area.

Regards
Kristen Weber

From: Michelle Lee <[redacted] on behalf of Michelle Lee <[redacted] <Michelle Lee <[redacted]

Sent on: Wednesday, September 11, 2024 2:34:04 PM

To: council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

Subject: Application D/2024/652 - Objection

Attachments: D2024652 Objection Milijo Developments_240911.pdf (526.73 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Planning Officer

I was unable to submit this on eplanning, so pls see attached letter with comments relating to submission D/2024/652.

Thank you,

MILIJO DEVELOPMENTS

Michelle Lee
Development Manager
NSW Registered Architect 10553

[redacted] [redacted]

Save contact

Reference: D/2024/652

11/09/2024

Dear Planning Officer,

I am submitting these comments in relation to D/2024/652, on behalf of Milijo Developments, owner of 3 Goddard Street Erskineville.

Our concerns are predominantly in relation to:
1) visual privacy issues resulting from the proposed frontage height of Building 1
2) natural ventilation and solar access issues resulting from proposed envelope of Building 1

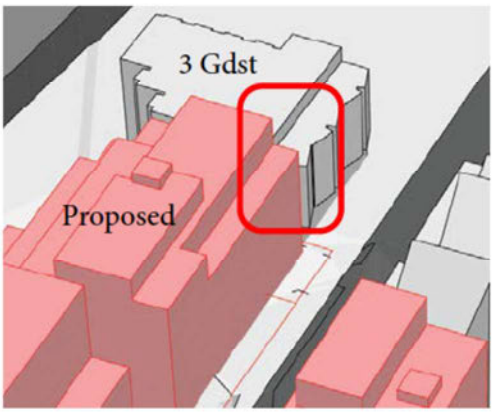
Height of Buildings (Sydney Local Environmental Plan 2012, Clause 4.3)

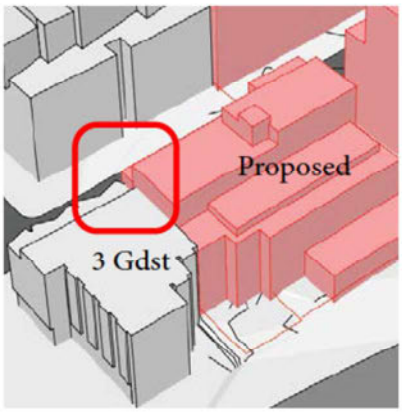
The proposed Building 1 exceeds the maximum permitted height to the northern section of 5 Goddard St as per the Sydney LEP. Whilst no solar access loss is evident in the submitted shadow diagrams, we are concerned over the height transition between our two buildings.

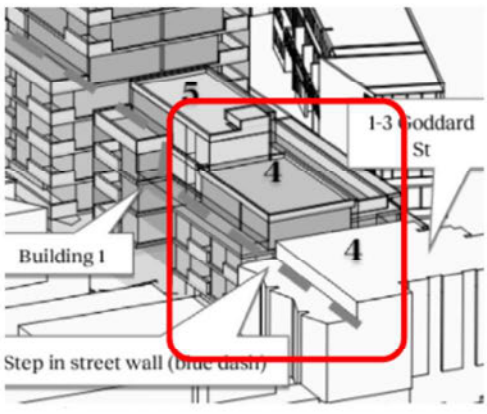
The existing height of 3 Goddard street at the street front is 11m, stepping back to 13.56m in height.

The proposed envelope does not match these heights or street wall setback. This height differences creates visual privacy issues in directly overlooking the terraces of 3 Goddard St.

Security and visual privacy should be considered for the benefit of both sites. Likewise, these considerations should be taken into account at the rear of the site facing the railway.

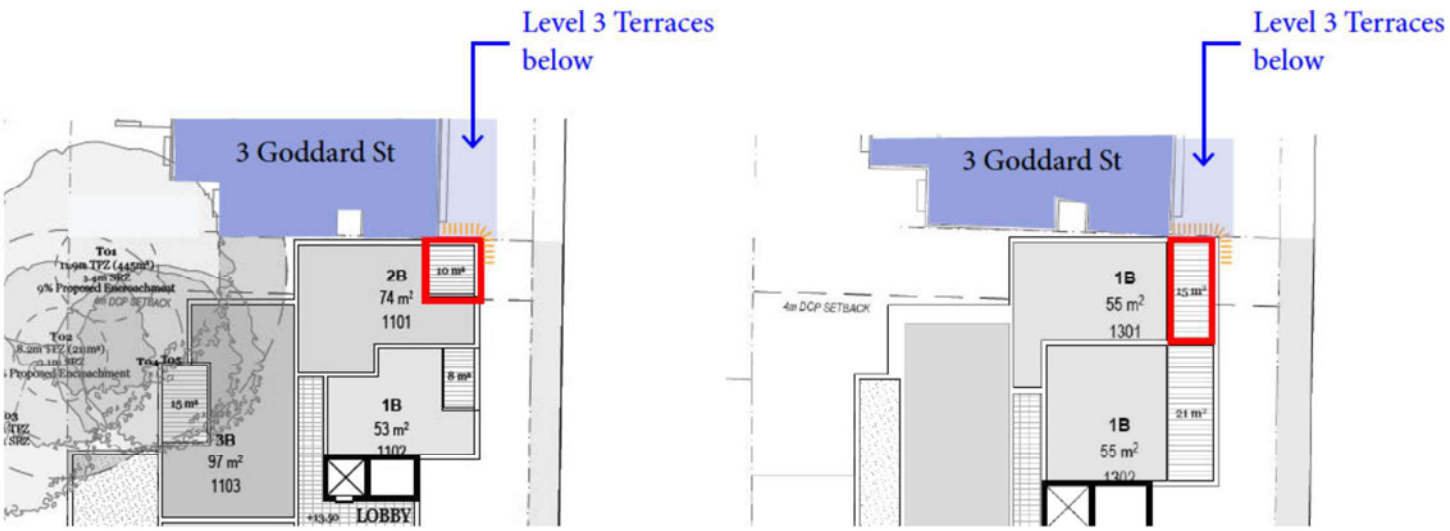


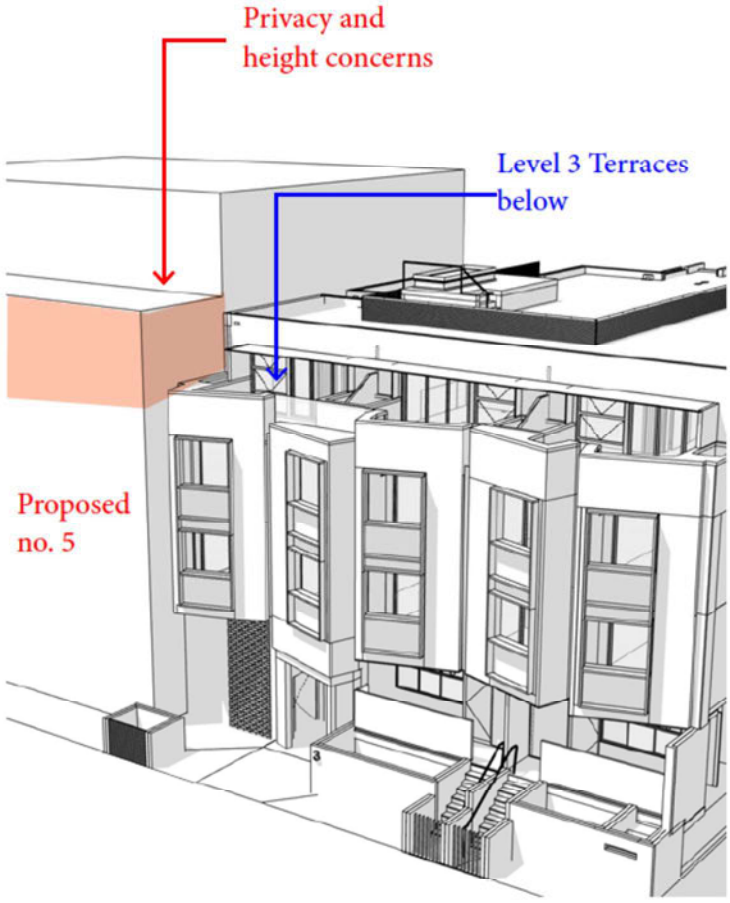




The junction of existing 3 Goddard st, and proposed envelope of 5 Goddard st

State Environmental Planning Policy (Housing) 2021
3F Visual Privacy: Chapter 4 – Design of Residential Apartment Development

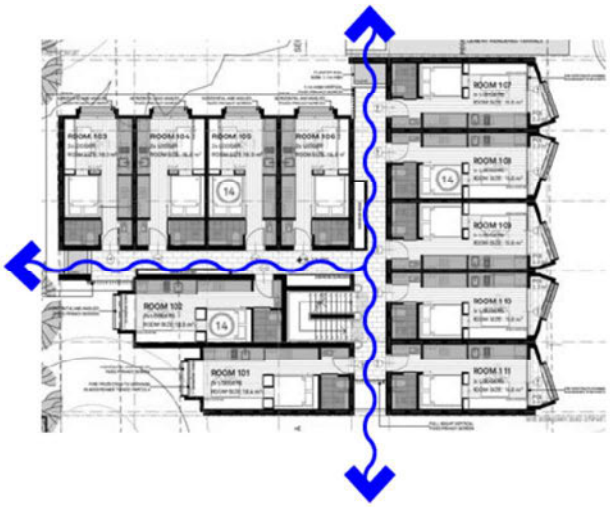




The junction of existing 3 Goddard st, and proposed envelope of 5 Goddard st

State Environmental Planning Policy (Housing) 2021
4b Natural Ventilation: Chapter 4 – Design of Residential Apartment Development

Secondly , an integral design element of 3 Goddard Street is the cross ventilation achieved by the open breezeways as marked below.
The proposed will substantially block this ventilation point and become our primary view over all 4 levels.



3 Goddard St, Floor Plan



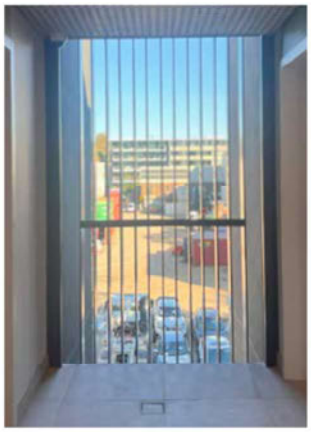
5 Goddard St, Proposed Floor Plan

In our approach to the design of our thoroughfares, we recognised the importance of public spaces on the wellbeing of our residents within a multi-residential setting. From an early planning stage, we insisted upon all corridors have views to greenery - obtaining natural light and ventilation and avoiding dead-ends completely.
Milijo Developments have put in a substantial investment engaging artist and colour theorist Lymesmith to create identity and movement to these corridors via a place-informed mural and unique colours for each unit door.
If the proposed solid wall is to become the primary view of our public spaces across all levels, we urge Council to include a Condition ensuring the applicant considers the principles of design excellence, and has a realistic maintenance and access plan in place.





Existing corridors featuring artwork by Lymesmith



Existing view facing South

Acknowledging this submission is still in the Design Concept stage, we have kept our objections isolated to the height and shape of the proposed envelope.

We look forward to discussing these concerns with you, or assisting with access to our site if required.

Thank you for your consideration and time in this matter



Michelle Lee
Director, Milijo Developments
NSW Registered Architect 10553

From: Suzie Bailey <[redacted] on behalf of Suzie Bailey <[redacted] <Suzie Bailey <[redacted]
Sent on: Wednesday, September 11, 2024 2:38:16 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music
Attachments: Ashmore Estate_Parks.pdf (1.19 MB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Mia

I am writing to make comment on the recent SSDA submission at 5 Goddard Street and it's contribution to the future of the neighbourhood.

I believe the design does little to contribute to and support the growing umber of young families and children in the area. I would like to see the design incorporate:

- A children's playpark
- Grassy areas for children to run around and participate in unstructured play

As a current resident of one of the older buildings on the Ashmore Estate, I believe that more can, and should, be done to contribute to the public domain. I am disappointed to see that as one of the last developments in the western side of the Ashmore estate, very little space has been allocated to **practical** public use. The area known as Carters Park is under designed and under utilised. A children's park would be more beneficial to this area as a whole, rather than "heritage interpretations" of seating walls, or spaces for public art. At the moment, the park only seems to interact with the commercial use of the heritage building rather than the neighbourhood as a whole.

Given the current cost of housing and living we are currently experiencing in Sydney, there are significantly more young families buying and renting apartments. The area needs to support these families in their quest to make Erskineville their long-term home and create a meaningful community. I would like to see the design respond to the local community needs, not just the apartment yield of the developers.

I have attached a markup from Nearmaps of the current Ashmore Estate, and plotted on local children's playgrounds. As can be seen, not one playground is provided within the immediate vicinity of the estate. A simple but great precedent is the Kirsova 2 playground on George Street, this little park manages a lot in such a small space: swings, slide, nature-based play and small grassy area for ball games.

Thank you for taking the time to read my comments, I look forward to seeing the revised design.

Suzanne Hendry



From: Michelle Lee <[redacted] on behalf of Michelle Lee <[redacted] <Michelle Lee <[redacted]

Sent on: Wednesday, September 11, 2024 2:34:04 PM

To: council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

Subject: Application D/2024/652 - Objection

Attachments: D2024652 Objection Milijo Developments_240911.pdf (526.73 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Planning Officer

I was unable to submit this on eplanning, so pls see attached letter with comments relating to submission D/2024/652.

Thank you,

MILIJO DEVELOPMENTS

Michelle Lee
Development Manager
NSW Registered Architect 10553

[redacted]

[redacted]

Save contact

Reference: D/2024/652

11/09/2024

Dear Planning Officer,

I am submitting these comments in relation to D/2024/652, on behalf of Milijo Developments, owner of 3 Goddard Street Erskineville.

Our concerns are predominantly in relation to:
1) visual privacy issues resulting from the proposed frontage height of Building 1
2) natural ventilation and solar access issues resulting from proposed envelope of Building 1

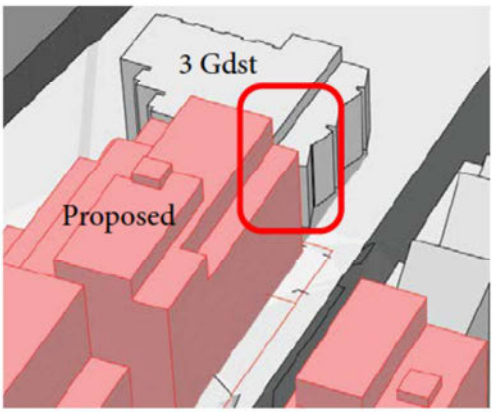
Height of Buildings (Sydney Local Environmental Plan 2012, Clause 4.3)

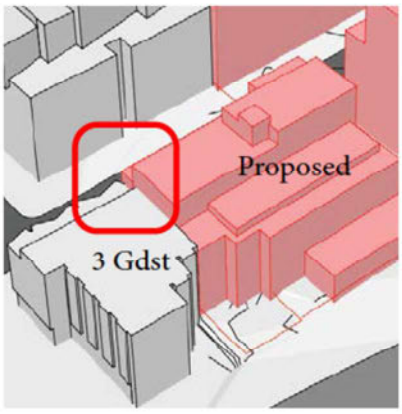
The proposed Building 1 exceeds the maximum permitted height to the northern section of 5 Goddard St as per the Sydney LEP. Whilst no solar access loss is evident in the submitted shadow diagrams, we are concerned over the height transition between our two buildings.

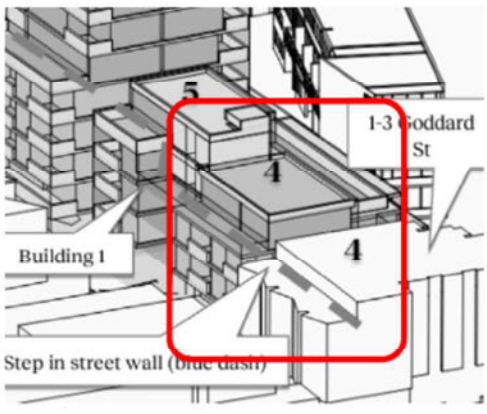
The existing height of 3 Goddard street at the street front is 11m, stepping back to 13.56m in height.

The proposed envelope does not match these heights or street wall setback. This height differences creates visual privacy issues in directly overlooking the terraces of 3 Goddard St.

Security and visual privacy should be considered for the benefit of both sites. Likewise, these considerations should be taken into account at the rear of the site facing the railway.

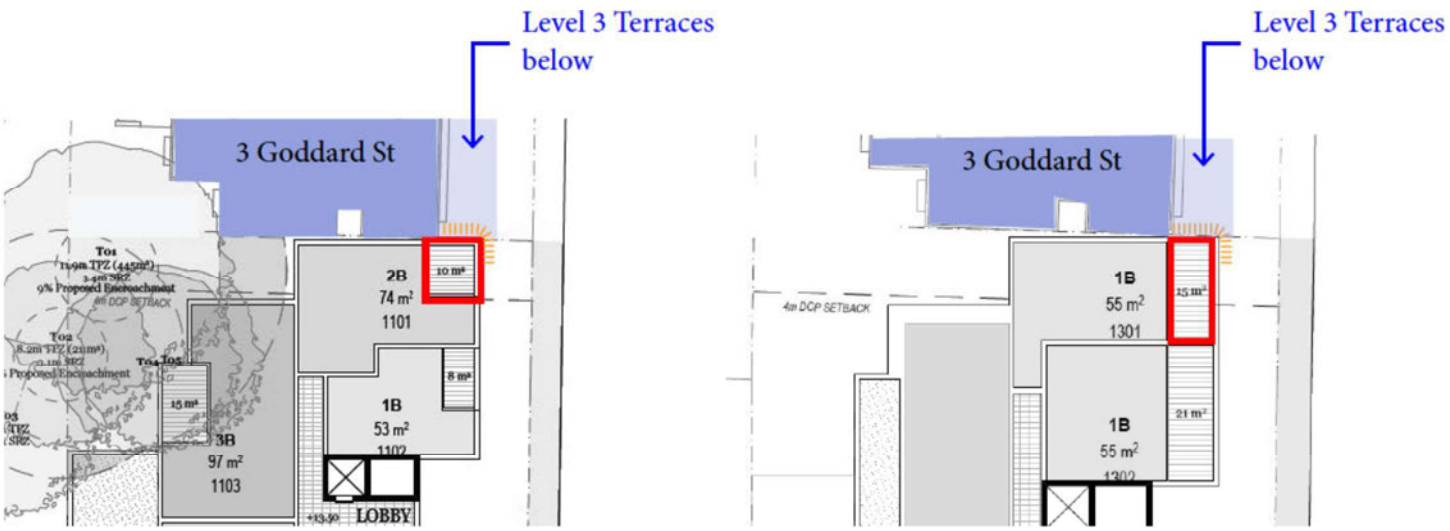


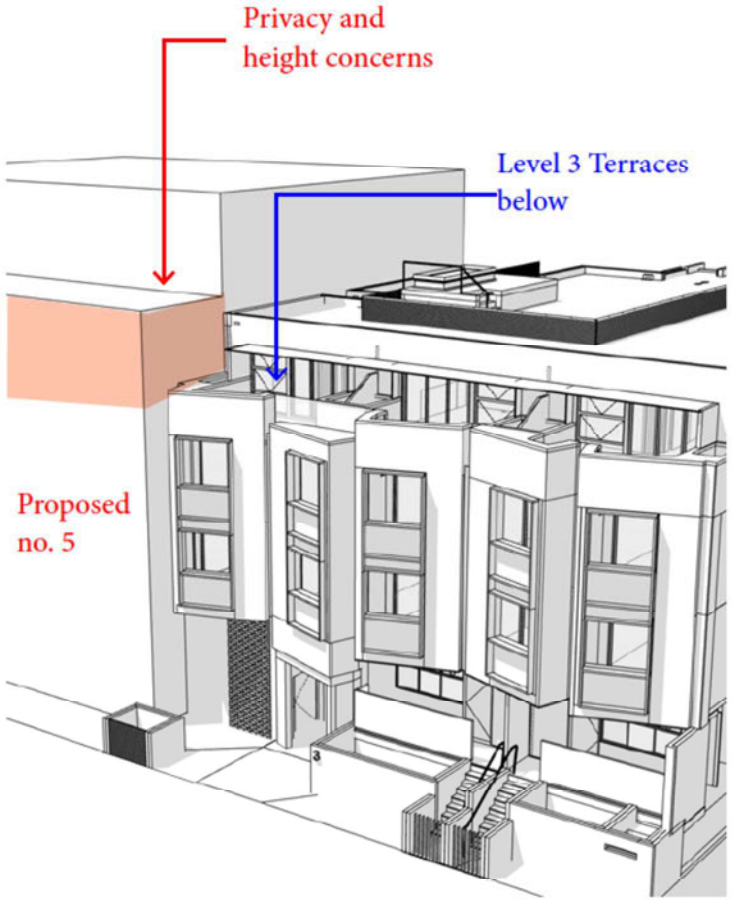




The junction of existing 3 Goddard st, and proposed envelope of 5 Goddard st

State Environmental Planning Policy (Housing) 2021
3F Visual Privacy: Chapter 4 – Design of Residential Apartment Development

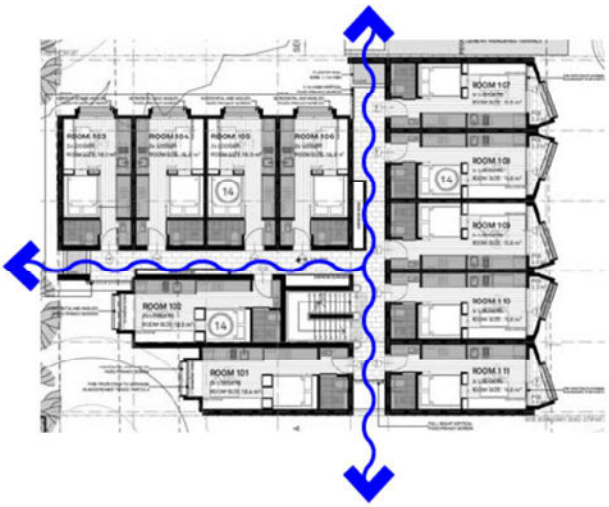




The junction of existing 3 Goddard st, and proposed envelope of 5 Goddard st

State Environmental Planning Policy (Housing) 2021
4b Natural Ventilation: Chapter 4 – Design of Residential Apartment Development

Secondly , an integral design element of 3 Goddard Street is the cross ventilation achieved by the open breezeways as marked below.
The proposed will substantially block this ventilation point and become our primary view over all 4 levels.



3 Goddard St, Floor Plan



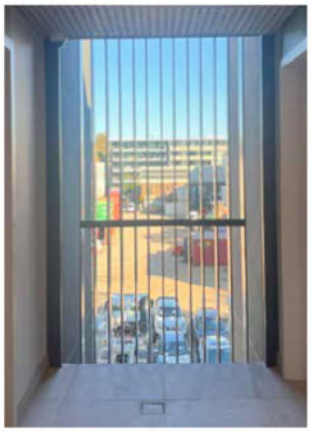
5 Goddard St, Proposed Floor Plan

In our approach to the design of our thoroughfares, we recognised the importance of public spaces on the wellbeing of our residents within a multi-residential setting. From an early planning stage, we insisted upon all corridors have views to greenery - obtaining natural light and ventilation and avoiding dead-ends completely.
Milijo Developments have put in a substantial investment engaging artist and colour theorist Lymesmith to create identity and movement to these corridors via a place-informed mural and unique colours for each unit door.
If the proposed solid wall is to become the primary view of our public spaces across all levels, we urge Council to include a Condition ensuring the applicant considers the principles of design excellence, and has a realistic maintenance and access plan in place.





Existing corridors featuring artwork by Lymesmith



Existing view facing South

Acknowledging this submission is still in the Design Concept stage, we have kept our objections isolated to the height and shape of the proposed envelope.

We look forward to discussing these concerns with you, or assisting with access to our site if required.

Thank you for your consideration and time in this matter



Michelle Lee
Director, Milijo Developments
NSW Registered Architect 10553

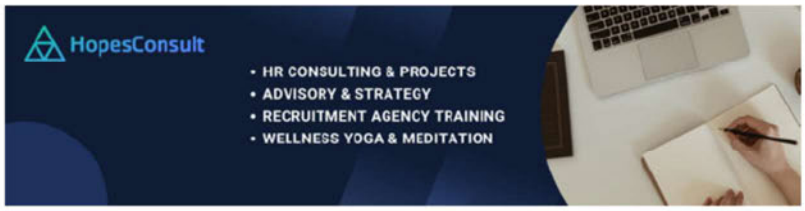
From: Laura Hopes <[redacted] on behalf of Laura Hopes <[redacted] <Laura Hopes <[redacted]
Sent on: Wednesday, September 11, 2024 3:07:55 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: 5 Goddard Street ERSKINEVILLE NSW 2043 submission 653

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Attention to Mia Music

Regarding the above submission, we need to consider children's play spaces and free play for the Erskineville area which is increasingly being filled with appartments that aren't taking into account children's spaces!

Laura Hopes
Director
[redacted]
Email me
HopesConsult



From: Cathy Zhao <[redacted] on behalf of Cathy Zhao <[redacted] <Cathy Zhao <[redacted]

Sent on: Wednesday, September 11, 2024 3:16:13 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard St, Erskineville 2043 - Attn: Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Mia,
I am writing to provide feedback on the proposed development as a resident of the area. While I appreciate the effort to address our city's housing needs, I am concerned about the current proposal's lack of green space and children's playground.

It would be beneficial for the community to have a portion of the proposed development dedicated to an open green space with a playground to cater to the increasing number of young families that live in the area. Incorporating these elements into the development plan is crucial:

1. Community well being and child development: in a family oriented community, safe and accessible play areas are a necessity for children's health and wellbeing, social and cognitive development, and overall quality of life.
2. Environmental benefits: green spaces contribute to improve air quality.
3. Property value: well designed green areas can increase / maintain property values.
4. Urban planning best practices emphasises the importance of mixed use spaces

Providing these spaces demonstrates a commitment to creating a liveable, sustainable community, which is part of a developer's social license to operate.

By incorporating a well equipped children's playground and other shared green areas, the development will align with our city's long term goals for both increased housing and community well-being and environmental responsibility.

I look forward to seeing a revised proposal that addresses these crucial aspects of urban living.

Kind regards
Cathy Zhao

From: [redacted] on behalf of [redacted]

Sent on: Wednesday, September 11, 2024 9:26:39 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

As a resident on Coulson Road,

To whom it may concern:

RE the above application I am firmly against for the following reasons:

- The development will bring with it a huge traffic problem along Coulson and the surrounding roads. Mitchell Road already experiences high traffic
- Too many large buildings – there is already a massive building site along Mitchell Road and its associated noise pollution – this development will only add to it
- Noise pollution of yet another building site on our doorstep
- Blocking out of natural light where there is currently no building above 2 levels or so
- Overpopulation of the area putting a strain on public transport and quiet enjoyment
- Destruction of the local area into another enclave of apartment blocks just makes us another version of Waterloo/Zetland

Kind regards,

[redacted]

From: Cathy Parmeter <[redacted] on behalf of Cathy Parmeter <[redacted] <Cathy Parmeter <[redacted]

Sent on: Wednesday, September 11, 2024 4:03:20 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To whom it may concern

As a resident of Unit 68/2-4 Coulson St Erskineville for over 14 years I wish to comment on aspects of the above Concept Development Application D/2024/652.

My chief concerns regarding this proposal, are :

1. The effects of shadowing from Building 3 on the Verve Complex, particularly Bldg C where I reside.

2. Noting that it is proposed to setback the footpath on the Northern side of Coulson St, I believe that this should be the absolute minimum given the current difficulties that pedestrians,
wheelchairs and parents with strollers encounter in passing each other which are likely to grow in the future with the increased number of residents in the Ashmore Precinct.

3. I am also concerned about the amenity of privacy in my home depending on the final design and orientation of Building 3 of the proposed development.

4. Finally I am worried about the negative impact on traffic and safety created by the extension of Goddard St and its consequent intersection with Coulson St.

Further I query the lack of any heritage preservation of the existing masonry warehouse on the South Western boundary of the Brightwells site fronting Coulson St.

Thank you for the opportunity to comment on the DA and look forward to being kept informed of the process going forward.

Yours sincerely,

Cathy Parmeter
68/2-4 Coulson St
Erskineville 2043

From: Shalini Scholtz <[redacted] on behalf of Shalini Scholtz <[redacted] <Shalini Scholtz <[redacted]

Sent on: Wednesday, September 11, 2024 7:20:09 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Devon Indig <[redacted]

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To whom it may concern,

I wish to register my concern regarding the DA D/2024/652. Please note that I own apartment 26 in the Star Printery (21-25 Coulson Street) and the proposed building 2 will be built directly next to my unit. I have the following concerns:

1. Proposed height: Building 2 is proposed to be 7 stories high which is 4 stories higher than the Star Printery buildings. I am concerned that this height will impact on the sun exposure in my property and that the building will be considerably higher than any other property in the immediate vicinity so will look out of place.

2. Privacy: My unit has floor to ceiling windows and I am concerned that Building 2 will be able to directly look into my unit (including the master bedroom) and impact on my privacy.

3. Noise: As Building 2 is only 6 metres from my unit, I'm concerned that the noise of the new residents will impact on my unit since it is so close.

Please keep me informed of the status of this DA.

kind regards
Charlotta Scholtz

From: Jenni Petersen <[redacted] on behalf of Jenni Petersen <[redacted] <Jenni Petersen <[redacted]

Sent on: Wednesday, September 11, 2024 10:35:57 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Ms Music

I am writing to lodge my concerns in respect the current proposal for this site for the following reasons:

- The height of the proposed buildings particularly the proposed Building 3 will greatly impact the light and sunshine into my apartment in the Verve Complex.
- The lack of sunlight will increase the risk of damp in my apartment.
- The proposed height of Building 3 will be greatly disproportionate to the heritage building on the opposite side of Goddard Street
- The traffic on Coulson Street will be greatly increased and there appear to be no traffic calming measures proposed – source of traffic:
  a. construction traffic during what will likely be a very protracted period of time
  b. after the build, the increased residential traffic
  c. traffic using Macdonald St/Goddard Street/Coulson Street as a rat run to get from Bourke Street Alexandria to King Street/ Princess Highway Newtown.
- Risk to safety of pedestrians – no safe crossing options from the proposed Goddard Street to Bamal Way.
- Need to actively reduce speed limit of vehicles using Coulson Street. The current speed limit is 40km/hr but vehicles rarely observe this particularly when coming east from Concord Street under the railway bridge and often partially drive on the opposite side of the road as they take the turn too quickly. The risk of a serious accident will be increased by traffic turning right from the new Goddard St as there is no clear line of sight of traffic exiting that will be from Goddard Street by the traffic travelling from under the railway bridge as the road curves left.
- Coulson Street narrows at the eastern end of Bamal Way so that vehicles travelling in opposite directions cannot safely pass each other – the traffic turning left out of the proposed Goddard Street will be turning onto Coulson Street just before where the road narrows.
- Traffic from Flora Street regularly illegally turn right onto Concord Street needs to be addressed particularly when the Coulson Street traffic increases.

The community aspect of Erskineville is important to maintain – the pandemic made us realise the value of community and getting out to enjoy the area in which we live. People from all walks of life walk from their apartments to local cafes and the surrounding park areas with/without children and dogs and I am concerned that failure to address these traffic concerns will impact their (and my) continued safety.

I note too that the development proposal does not include any affordable housing which is extremely disappointing.

Hoping that serious consideration can be given to the issues I have herein raised.

Yours sincerely
Jenni Petersen
Unit 1 Coulson Street Erskineville.

From: Justin Waller <[redacted] on behalf of Justin Waller <[redacted] <Justin Waller <[redacted]

Sent on: Wednesday, September 11, 2024 9:46:41 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To whom it may concern,

I object to the removal of the Norfolk pine tree. This is:
- a mature tree in good condition (18m tall),
- where there is a limited number of large mature tree
- This tree provides great coverage across the area
- each year it nests different birds, in recent years it has nested migrating and migrating Kuol's.

The removal of the tree would be detrimental to the area which would just be replaced by another building.

Kind regards.

From: Jennifer Richardson <[redacted] on behalf of Jennifer Richardson <[redacted] <Jennifer Richardson <[redacted]

Sent on: Wednesday, September 11, 2024 10:05:02 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To whom it may concern,

Re: D/2024/652
5 Goddard Street, 7-19 Coulson Street, 23 Eve Street ERSKINEVILLE NSW 2043

I wish to register my concern & disagreement with the proposal regarding the DA

I am the owner of an apartment within the Star Printery building of which this development will be overshadowing & dwarfing.

I put forward the following concerns regarding the proposal development of 5 buildings up to 7 storeys at the above addresses:

1. Environmental
    a. Noise: initial prolonged construction. Post construction noise generated by additional residents, motor vehicles and service vehicles (potentially early hours of the day for example rubbish removal), busses required for additional people transport.
    b. Wind: close proximity of high density buildings will alter current airflow and will create turbulent captured wind increased gusts stirring up dirt and debris.
    c. Pollution: additional food and waste, heating and cooling requirements, chemical and water waste, noise (a/a), reflective surfaces will increase pollution and the reduction of trees and natural foliage will decrease air quality.
2. Loss of amenity
    a. Privacy: The additional elevations and building orientation including close proximity and window directions will enable vision directly into my apartment. I will have no privacy in my apartment.
    b. Overshadowing and sunlight: a behemoth of a building will overshadow the much smaller Star Printery building. The buildings will negatively impact and & reduce the amount of sunlight able to enter my apartment. The building placements will affect airflow and wind (a/a).
3. Overdevelopment and lack of infrastructure
    a. Proposed height: Building 1 is proposed to be 5-6 storeys, much higher than the Star Printery building and surrounding buildings including long standing/historic single storey dwellings.
    b. Communications and access to reliable internet is potentially reduced which may require additional communications towers resulting in harmful fallout for residents (health and unsightly)
    c. Traffic: increased number of vehicles in the area to service apartments such as rubbish removal, uber and taxis, will increase traffic congestion experienced along Coulson St from King St and Mitchell St ends, Eve Streets, restricting opportunity for entrance and exit from existing Sydney Park, Zenith, Star Printery and other residents.
    d. Parking: the number of cars spaces proposed seems to be less than the number of units proposed. Occupants with motor vehicles without facility for parking all vehicles will try to access street parking which is already under pressure increasing the distance from parking location to residence.
    e. Pedestrian safety: a recently installed pedestrian crossing has impacted traffic flow along Coulson St from King St and Mitchell St ends, Eve Streets, restricting opportunity for entrance and exit from existing Sydney Park, Zenith, Star Printery and other residents. The addition of

five buildings will negatively impact the area more than one pedestrian crossing.

Please keep me informed of the status of this DA.

Yours sincerely,

Jennifer Richardson

From: Amani Shariff <[redacted] on behalf of Amani Shariff <[redacted] <Amani Shariff <[redacted]

Sent on: Wednesday, September 11, 2024 3:42:34 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard street, erskineville nsw 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi Mia,

I am writing in regards to the recent submission at 5 Goddard street erskineville.

As a local resident with a young family, I would appreciate if the design could incorporate a practical use of the land that we can leverage for myself and our family - like a children's playground and area for children to play in

I would appreciate you considering this as part of the next stage of redesign.

Many thanks,

Amani

From: Roland Harris <[redacted] on behalf of Roland Harris <[redacted] <Roland Harris <[redacted]

Sent on: Thursday, September 12, 2024 9:11:51 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom It May Concern,

I am writing with concerns about aspects of this development proposal as a resident and owner at 21-25 Coulson Street next door. I am also the Chair of the Strata Committee for our building, although we have not had an opportunity to meet to put together a collective response and I am therefore not writing on behalf of the Strata Committee.

Whilst it was clear this lot would be developed at some point given the surrounding residential neighbourhood, and not wanting to be a NIMBY about development, there are aspects of this proposal that are of considerable concern in terms of the impact on our building.

In particular, the heights proposed for the buildings directly adjacent to our block will have a terribly detrimental impact on the natural light and vacant air space around our buildings, blocking sun and completely crowding in our entire block against the train line on the other side, which already has a high tree line to mitigate sound and sight of the railway.

Although the application has noted that there are buildings in the overall Ashmore precinct of up to 8 storeys, in the directly adjacent areas, they are much lower than this. This proposal should not be approved at its current height if it is to fit in with areas directly adjacent, including our block. A more appropriate limit would be the height of the current wall dividing the two blocks, which would have no detrimental impact compared to the current state.

Furthermore, extending Goddard Street through to Coulson Street would make this a more likely thoroughfare for traffic north and south through the precinct. It would therefore be desirable to have this instead be closed to through traffic and instead become a walkway/bike path, or to implement traffic obstacles, or to make it single lane and a shared pedestrian zone as is the case at the corners of Bridge and Metters Streets a couple of hundred metres north.

I appreciate thorough consideration of these concerns and would like to be kept updated on this development proposal.

Kind Regards,

Roland Harris
27/21-25 Coulson Street
Erskineville NSW 2043
e: [redacted]
t: [redacted]

From: Deborah Giblett <[redacted] on behalf of Deborah Giblett <[redacted] <Deborah Giblett <[redacted]
Sent on: Thursday, September 12, 2024 9:49:10 AM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: [redacted]
Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music
Attachments: Friends of Erskineville Submission - DA Brightwell Transport Site D 2024 652.pdf (166.16 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

I am attaching the submission for Friends of Erskineville, a resident's action group, regarding the D/2024/652.

Kind regards

Deborah Giblett
President, Friends of Erskineville
[redacted]

m: [redacted]

Virus-free.www.avast.com

Submission on Concept DA for Brightwell Transport site redevelopment D/2024/652

Submission by: Friends of Erskineville

Date: 11 September 2024

General

We support mixed use redevelopment of this site and the increase of housing supply close to jobs, education, services and public transport.

However, we object to the proposal in its current form as it:

a) Does not meet the requirements of "density done well" and a healthy built environment (see NSW Health's Healthy Built Environment Checklist);

b) Will do little to improve housing affordability for low-income and essential worker households

c) Traffic planning fails to optimise opportunities to improve walkability, interact fully with active transport modes or improve access to open space

d) Proposes a reduction in area of Carters Park and lack of planning to retain existing mature trees within the site

e) Proposes to cynically manipulate the building height provisions of the LEP

Car parking

We object to the high number of car parking spaces (128), this being the absolute maximum permitted under the LEP. The number of parking spaces should be significantly reduced below the maximum permitted, noting that:

a) Demand for properties without private parking in Erskineville exceeds the current supply. Properties without private parking sell/rent out quickly and easily.

b) A parking space adds more than $100,000 to the price of a unit. Providing more properties without parking would improve housing affordability.

c) Reducing the size/depth of the parking basement would significantly reduce construction costs and improve housing affordability.

d) The site is very well served by public transport, including two heavy rail stations within 800 m. Erskineville is one of the most walkable suburbs in NSW with a Walk Score of 92/100. Schools, shops, services and recreation opportunities are within walking distance. There are numerous car share pods in the neighbourhood providing a range of vehicles for different needs, in addition to taxis and rideshare. Erskineville is well connected to the City of Sydney bicycle network.

e) The community has on numerous occasions stated it is undesirable to increase traffic in the area. Provision of and increases to off street parking availability directly contributes to a

significant increase in traffic, traffic noise and traffic danger. It is inconsistent with the City of Sydney strategic direction - "A city for walking, cycling

f) Parking spaces should be unbundled from unit lots. This will give households the flexibility to acquire/dispose of parking as their needs change (e.g., when changing jobs) – again improving housing affordability.

Goddard Street

To minimise traffic noise and danger, and to maximise walking/cycling comfort, Goddard St must be designed as a quiet way or 10 km/h shared zone.

Goddard St must allow two-way bicycle traffic. This will support a direct low-stress cycling link between the McDonald St Cycleway, Bamal Way and Sydney Park.

A continuous footpath treatment must be installed at the intersection of Coulson St and Goddard St to maintain the current pedestrian level of service and maximise safety.

A raised (wombat) pedestrian and bicycle crossing is essential to connect Bamal Way with Carters Park/Goddard St. As well as increasing safety, this will help to calm traffic and reduce traffic noise on Coulson St. *Note: The existing wombat crossing at Coulson St/Eve St is too far from the desire path.*

Open space

We object to Carters Park being reduced from 0.05 hectares to 0.038 hectares (-24%).
This is a significant reduction. There existing mature trees on this site and efforts must be made to retain these.

Building height

We object to the request to increase building heights above those permitted, noting that heights may be allowed to increase further during the planning process (e.g., with design bonuses) with no proposes off set to provision of affordable housing.

Housing diversity

There is a chronic shortage of larger units in Erskineville suitable for families, multi-generational households and shared housing.
See this recent article in The Sydney Morning Herald:
Families lose out in Sydney's new housing push, say planners.
At least 20% of dwellings in this development should have three or more bedrooms, in line with the proposed Design and Place SEPP.

Natural ventilation and fossil fuel usage

For the health and wellbeing of occupants, and to minimise heating/cooling energy use/cost, 100% of homes should be naturally ventilated.

Friends of Erskineville supports and therefore advocates for new developments to use alternate sources to fossil fuels (gas) for heating, hot water or cooking.

From: Nina Wilkinson <[redacted] on behalf of Nina Wilkinson <[redacted] <Nina Wilkinson <[redacted]

Sent on: Thursday, September 12, 2024 10:03:09 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom it may concern

We need more children's parks in the area. Please keep aside this space for green /play areas to accommodate the growing number of young families in the area (I am a resident with small children).

Thank you
Nina Wilkinson

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From: Joella Kussrow <[redacted] on behalf of Joella Kussrow <[redacted] <Joella Kussrow <[redacted]

Sent on: Thursday, September 12, 2024 10:37:37 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

I am concerned with this development proposal for the following reasons:

- height of the building. Height in the area does not exceed 6 levels so this development should be held to the same rules. In the proposal they are wanting 8 levels. Ground to Level 7. This will dramatically change the skyline of the area and will make the complex stand out too much. Also making excessive shadows.

- street parking. Already there is a massive lack of public car space. This complex doesn't include enough parking for residents and guests so this will put more strain on the already poor packing situation in the area.

- traffic impact. Already traffic is a nightmare due to all the apartment development in the area. What changes are going to be put in place to support this many new residents? Coulson Street in particular will be impacted.

From: [redacted]
<[redacted]

Sent on: Thursday, September 12, 2024 4:37:56 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Attachments: IMG_6865.jpeg (189.03 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Thank you for the opportunity to submit comments on the proposed development for the Brightwell site. Please keep my name, street address and email private.

Although more residential density is welcome when it is of good quality, I strongly object to the current proposal in this DA on the basis of an inadequately planned parking provision and traffic study that will be harmful to the suburb and drastically increase congestion. The traffic problems with this DA can be summarised as follows:

Excessive parking provision

The DA has proposed building spaces for private motor vehicle storage to the absolute maximum of the limit, a limit which has been increased by significantly reducing the number of 1-bedroom apartments and increasing the 2-bedroom apartments compared to the target, considering that 2 bedroom apartments are provided a larger maximum parking allowance. This is a fundamentally flawed decision which completely fails to recognise what would be appropriate for the location of the site, to wit:

- Within easy walking distance of St Peters, Newtown, Erskineville and MacDonaldtown train stations
- Within easy cycling distance of Green Square, Redfern, Mascot and Sydenham train stations, including provided separated cycleways on Mitchell Rd, Huntley St, MacDonald St, Bourke St, Wilson St, Sydney Park Rd pop-up cycleway, and the planned Sydney Park Junction project, Maddox St cycleway etc.
- Numerous bus routes with stops not only adjacent to the site on Coulson St, but also within mere blocks on Sydney Park Rd, King St, Erskineville Rd and Mitchell Rd.

Frankly speaking, the idea that this building could require anywhere near the maximum private car parking provision is simply nonsensical. Very few people in such a suburb well-provisioned with copious public transport links actually require a car compared to the far-flung car-dependent suburbs of Western Sydney, and therefore having almost 1 car space per apartment as suggested in this proposal (128 spaces for 136 apartments + 2 terraces and some commercial space) is ridiculous. It would especially be ridiculous to assume that the two terraces need TWO car spaces each! It is of note that each additional underground car space provided adds a huge cost increase to the construction and hence purchase price of apartments, and so excessive car space allocation is directly harmful to the City's and State Government's needs in providing affordable high-density housing within walking distance of train stations. At the very least, a significant number of the private car space allocations should be converted to car share spaces, to increase the car share by at least double.

It is of particular note that the Urban Design Report on page 74 notes the ADG design criteria contains "maximum car parking rates", but in its compliance calculations refers to these as "spaces required", i.e. reframing these as a*minimum* car parking rate. This is indicative of the poor quality design thinking that resulted in the above seen excessive parking allocations.

Woefully inadequate cycling provision

By contrast to bulky, inefficient motor vehicle parking with associated required turning circles and clearances, the proposed bicycle parking is clearly presented as an afterthought. Let's be frank here: if there are two adults per bedroom in an apartment, and potentially four adults in a two-bedroom apartment as a result, the logical requirement is to consider providing four bicycle parking spaces per two bedroom apartment since these adults cannot share a single bicycle for the same trip in the way that they can all ride in a single car. And yet, only the absolute minimum of one bicycle space per apartment is noted in this DA. What is worse is that the drawings indicate these to be tiny, minimum-size storage cages which are only intended to store a single ultra-narrow racing-style bike. There is no provision for wider or taller bicycles, bicycles with panniers, adult tricycles for people with a disability, cargo bicycles, attached bike trailers (especially for transporting children

to daycare), all of which are in heavy use in this dense inner-city suburb for daily transport, commuting, grocery hauling etc. The DA for the underground carpark should require a complete reworking in order to match the excellent secure open bicycle parking provision at the Arkadia building on 18 Huntley St, which has adequate room for two bikes per apartment to fit at each rack (with specifically allocated spaces for each apartment) and enough open space next to each rack for extra-long-and-wide cargo bicycles to fit easily (photo attached).

Excessive car provision on Goddard St, to the detriment of all other transport modes

Despite being the exit to the proposed basement car parking, the extension of Goddard St plan outlined in the Traffic Study does not contain a provision for a safe separated cycleway for the bicycle users exiting that car park to use, nor any alternative bicycle consideration, which is likely not compliant with the TfNSW Road User Space Allocation Policy that is mandatory for anyone amending existing roads or designing new ones. The footpaths are only 2m wide on one side and 2.3m wide on the other, with the diagram indicating trees planted in the 2m footpath to reduce its width, which is not compliant with the minimum Level of Service C required by the TfNSW Walking Space Guide (type 3 footpath for residential greater than 3 storeys requires at least 3 m of space not adjacent to the active edge for LOS C). This is due to the provision of an excessively wide 3.5m traffic lane, which is not appropriate for a one-way local access street and needs to be significantly narrowed to comply with Movement and Place framework. The idea that a maximum-provision underground car parking building would also provide numerous free on-street parking spaces in an additional 2.2m wide parking lane is simply risible. If this space is not to be allocated directly to active transport, the following possible uses would all be higher on the priority list than the public subsidised storage of private cars as required under the Road User Space Allocation Policy, in no particular order:

- Short term Loading bays for removalist vans and deliveries
- In-road covered hangar for bicycle parking
- In-road visitor bicycle parking
- In-road share bicycle parking
- Disabled parking bay
- Street trees on the western side to be planted in-road instead of infringing on footpath space
- Car share only spaces (including both spaces allocated to specific car share vehicles, as well as empty spaces for visitors that can only be parked in when arriving using a car share vehicle)

Inadequate consideration of active transport across the entire DA

The worst parts of the DA here are the Ecologically Sustainable Development Report and Traffic Report. Both are shamefully negligent in omitting the requirements for the design of the site to be considered with regards to its impacts on active transport and the potential opportunities for highly efficient mobility modes.

The Ecologically Sustainable Development report has barely four sentences devoted to active transport, with no consideration of the fact that the car park's design is not accommodating of any bicycles other than non-transport "sport" type bicycles, and no consideration of the fact that the maximally allowed car parking provision entrenches car dominance in direct contradiction to the requirements to consider fossil-fuel free design for carbon neutrality, long term energy efficiency in terms of transport by residents, and most importantly inter-generational equity in terms of the significant embedded building costs in providing wide car spaces and roads instead of far more efficient bicycle spaces and cycleways, as well as the ongoing skyrocketing costs of car ownership and upkeep in and of themselves.

The Traffic Study inexplicably uses data from multiple decades ago, which results in overlooking the effect of the proposed car increase on all transport modes. The map on page 15 is dated 2013 and is missing many established separated cycleways on Sydney Park Rd, Macdonald St, Campbell Rd connecting to Bourke St, Harley St and Ashmore St etc, here depicted as only on-road cycling if at all, as well as many extensive plans for separated cycleways as previously mentioned on Maddox St, Sydney Park Junction etc, and the numerous shared paths in the area. The SCATS detector map on page 41 is an even older diagram from 2001 and does not include the significant changes made to the lanes with the Mitchell Rd and Huntley St separated cycleways, in anticipation of the Sydney Park Junction connection to increase the active transport flow on both foot and cycle in this area. These omissions are clearly reflected in the traffic study's movement summary failure to include any data on the LoS for bicycles. Not only does the traffic study fail to consider the impact of increased car traffic on buses, pedestrians and bicycles in the surrounding streets, it also assumes that the streets can handle an increase in car traffic in direct contradiction to the additional traffic calming measures and additional separated cycle lanes explicitly recommended by the Erskineville Alexandria Traffic and Transport study (2023) for Maddox St and Mitchell Rd. Any traffic study which fails to aim to maximise Level of Service for active transport users in dense-inner city areas should be sent back to the drawing board for urgent remediation, and not approved until then.

Summary

We need more quality high-density housing where possible near public transport, but the plans presented here fall short of

that mark. This concept DA, as outlined above, should be rejected in its current form due to failure to align with the following Council and State strategies regarding necessary and urgent mode shift towards active transport:

- City of Sydney Walking Strategy and Action Plan https://www.cityofsydney.nsw.gov.au/policy-planning-changes/your-feedback-walking-strategy-action-plan
- City of Sydney Cycling Strategy and Action Plan https://www.cityofsydney.nsw.gov.au/strategies-action-plans/cycling-strategy-and-action-plan
- City of Sydney City Plan 2036 - Infrastructure https://www.cityofsydney.nsw.gov.au/-/media/corporate/files/2020-07-migrated/files_c-1/city-plan-2036-city-of-sydney-local-strategic-planning-statement-infrastructure.pdf?download=true
- City of Sydney Public Space Public Life 2007 https://issuu.com/gehlarchitects/docs/issuu_516_sydney_pspl2007
- City of Sydney Sustainable Sydney 2030-2050 https://www.cityofsydney.nsw.gov.au/sustainable-sydney-2030-2050
- NSW Future Transport Strategy https://www.future.transport.nsw.gov.au/documents/future-transport-strategy and Future Transport Strategy 2056 https://media.opengov.nsw.gov.au/pairtree_root/9a/76/83/89/3b/f3/45/7c/a5/a2/97/82/13/55/89/18/obj/168352.pdf
- TfNSW Active Transport Strategy https://www.future.transport.nsw.gov.au/future-transport-plans/active-transport-strategy
- TfNSW Sydney's Walking Future https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/sydneys-walking-future-web.pdf
- TfNSW Sydney's Cycling Future https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/sydneys-cycling-future-web.pdf
- TfNSW Providing for Walking and Cycling in Transport Projects Policy https://www.transport.nsw.gov.au/system/files/media/documents/2021/providing-for-walking-and-cycling-in-transport-projects-policy.pdf
- TfNSW Road User Space Allocation Policy https://www.transport.nsw.gov.au/system/files/media/documents/2024/road-user-space-allocation-policy_july-2024.pdf
- TfNSW Beyond the Pavement Policy https://www.transport.nsw.gov.au/system/files/media/documents/2022/beyond-the-pavement-policy-2020.pdf
- NSW Active Travel Charter for Children https://www.parliament.nsw.gov.au/lcdocs/other/10362/National%20Heart%20Foundation%20Brochure%20-%20NSW%20Active%20Charter%20for%20Children.PDF
- NSW Government Architect - Better Placed https://www.planning.nsw.gov.au/sites/default/files/2023-10/better-placed.pdf
- NSW State Infrastructure Strategy 2022 https://sis2022.infrastructure.nsw.gov.au/key-objectives
- NSW Guide to Movement and Place https://www.movementandplace.nsw.gov.au
- Committee for Sydney – A Fork in the Road (on congestion management) https://sydney.org.au/wp-content/uploads/2021/11/CfS-Issues-Paper-12-A-Fork-in-the-Road-1.pdf
- Greater Sydney Region Plan https://www.planning.nsw.gov.au/sites/default/files/2024-04/greater-sydney-region-plan.pdf

Best regards,
[redacted]



From: Rachel Donovan [redacted] on behalf of Rachel Donovan [redacted] <Rachel Donova [redacted]

Sent on: Thursday, September 12, 2024 5:00:06 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi,

I live at 1A Goddard Street, Erskineville, and wish to submit the following feedback regarding the proposal above.

- I am pleased with the plan to extend Goddard Street through to Coulson Street. However, I am very concerned that this will mean access for residents to the 5 new buildings at 5 Goddard, 7-19 Coulson and 23 Eve will be through Goddard Street. Is this the case? This would create a tremendous amount of traffic to our currently quiet street. This will also bring the risk of antisocial driving.
- I believe Goddard Street should not be one way from Brightwell Lane to Coulson Street. I was unable to find any information regarding access to the buildings and whether that will be from Goddard, Eve, or Coulson, could you please clarify?
- Why is Carter's Park now only 382m^2? As a young family with pets we require more green space, not reduced park size. It said Council required 500m^2 but now the proposal is requesting only 382m$^{2;}$ why?
- How can Council ensure that the site is safely and effectively remediated? There are identified contaminants, and I am concerned that the same issue will occur as the Honeycomb terraces. How can this developer and the Council assure us there will be no issues with remediation?

I look forward to your responses.

Kind regards,
Rachel Donovan

Sent from Outlook

From: Julie Moffat [redacted] on behalf of Julie Moffat < [redacted] <Julie Moffat [redacted]>

Sent on: Thursday, September 12, 2024 8:30:41 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: D/2024/652 Concept DA

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

I wish to submit some objections for this proposal:
The proposal in it's current form will not contribute to offering affordable housing for low income and essential worker households.
Carter's Park is of inadequate size and should be around 3 times larger to offer some decent open green space to residents, both existing residents and residents that will potentially be living in a new development on this site.
Car parking should be zero, to consider that the site is well serviced by public transport, there are numerous car share pods within the vicinity. The extra price for a residence with car parking is $100000 plus, and providing parking contributes to increased traffic, congestion.
Any mature and significant trees on the site should be maintained. They are habitat and food resource for our native wildlife, as well as provide canopy to reduce heat impacts.
Any increase of building height I oppose.
Yours sincerely,
Julie Moffat
64 Erskineville Road
Erskineville 2043

From: [redacted] > on behalf of [redacted]

Sent on: Thursday, September 12, 2024 11:17:39 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

I would like all of my identifying information kept private as part of this feedback including my first and last name; my email address and residential address and phone number and any information which may identify me to be withheld from public display.

D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

I am writing to formally express my concerns regarding Development Application D/2024/652 and how it will significantly impact the property at [redacted] Erskineville and surrounding buildings.

After reviewing the proposed development, I believe it will have several adverse effects on the surrounding area, particularly on our property. The key issues of concern include:

1. **Impact on Privacy:** The development appears to encroach upon the privacy of adjacent properties, including 1 Brightwell Lane. The proposed height and positioning of the structure will allow direct views into our property, infringing upon our right to privacy in our home.

2. **Overshadowing and Loss of Natural Light:** The height and bulk of the proposed structure will lead to overshadowing of nearby properties, including ours. This will result in a loss of natural light, particularly in the afternoons, which is critical to maintaining the liveability and value of our home.

3. **Disruption During Construction:** We are also concerned about the potential for prolonged construction periods, which could lead to noise, dust, and overall disruption to the peaceful enjoyment of our property. The impact on air quality and general amenity in the area during this time should not be underestimated and I also note that one of the reports has recorded asbestos contamination within the site.

4. **Non-Compliance with Council's Requirement for Cater's Park**

Another significant concern is that the proposed development does not comply with the City of Sydney Council's requirement for a minimum of 500sqm of public open space for Cater's Park. The current proposal falls short of this requirement, which is essential for maintaining adequate green spaces and recreational areas in the community.

As a resident of [redacted] believe this non-compliance will negatively impact the local community's access to open space, particularly as the development will increase population density in the area. The lack of sufficient public parkland will exacerbate the pressure on existing recreational areas, reducing the overall quality of life for local residents, especially families and those with children who rely on these spaces for leisure and outdoor activities.

5. **Setbacks and Building Heights on Goddard Street**

In addition to the concerns outlined, the proposed development does not align with the existing building heights along Goddard Street. The current streetscape is primarily composed of three-story terrace houses, plus the boarding rooms, which maintain a consistent and harmonious aesthetic in the neighborhood.

The proposal for increased building heights would create an imbalance in the architectural character of the street and surrounds, overwhelming the existing dwellings particularly those on 21-25 coulson street and altering the area's

established visual identity, contributing to a feeling of overcrowding and diminish the sense of openness in the area.

We respectfully request that the council carefully consider these concerns and work to mitigate the negative effects that this development will have o [redacted] and the wider community in Erskineville. I would appreciate any further information about steps that might be taken to address these issues or any potential amendments to the development plan that could help alleviate our concerns.

Thank you for your attention to this matter. I look forward to your response and would be happy to meet or discuss the situation further if necessary.

Please confirm receipt.

Kind regards

[redacted] Erskineville.

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From: [redacted]
Sent: Thursday, September 12, 2024 8:05:18 AM
To: [redacted]
Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

From: Andrea Schuppien [redacted] on behalf of Andrea Schuppien [redacted] <Andrea Schuppien [redacted]

Sent on: Thursday, September 12, 2024 10:17:30 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Mia Music,

I am a resident of 21-25 Coulson Street and reaching out to you about my concerns about development proposal D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043.

The heights proposed for the buildings directly adjacent to our block will block a lot our view and most importantly natural light around our buildings, blocking sun and locking us in between the new proposed building and the train line.

The other buildings directly surrounding this space are not as high.I believe this proposal should not be approved at its current height ibut instead fit in with the height of other buildings around it including ours.

Thank you for considering my concerns as an owner of an apartment in The Star Printery (21-25 Coulson St).

Best,

Andrea Schuppien

[redacted]

27/21-25 Coulson St
Erskineville 2043 NSW

From: Nareen Rottinger [redacted] on behalf of Nareen Rottinger <[redacted]> <Nareen Rottinger [redacted]

Sent on: Thursday, September 12, 2024 6:47:27 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Naree [redacted]

Subject: Submission - D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043 - Attention Mia Music

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Raising concern on the proposed development of 5 Goddard street Erskineville, we live at 21-25 Coulson St (Star Printery) on the 1st floor facing East directly into the proposed site. Our concern is regarding the R.L of 7 stories max will impede on our already limited sunlight as all windows in our apartment are east facing and currently gets less than 1 hr of early morning sunshine per day. Given our east facing floor to ceilings windows we also would like to raise a concern around privacy and would much appreciate if this is taken into consideration.

Regards,
Nareen & Mitchell of 21 Coulson St.

From:	Jordan Rastrick
To:	Mia Music
Subject:	Query: D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043
Date:	Wednesday, 25 September 2024 10:02:00 PM

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To whom it may concern,

I am a resident at 36 Flora Street in Erskineville and I am writing in response to mail from the council informing me of the aforementioned development application. I would like to express my support for the application as I strongly believe in increasing the density of this neighbourhood both to put downward pressure on rents and housing prices, and also to increase the amenity.

Kind regards,

Jordan Rastrick

From: Bryan Li <BLi@cityofsydney.nsw.gov.au> on behalf of Bryan Li <BLi@cityofsydney.nsw.gov.au> <Bryan Li <BLi@cityofsydney.nsw.gov.au>>
Sent on: Tuesday, January 28, 2025 8:21:24 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Query: D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043

From: [redacted]
Sent: Saturday, 25 January 2025 2:36 PM
To: Bryan Li <BLi@cityofsydney.nsw.gov.au>
Subject: Query: D/2024/652 - 5 Goddard Street ERSKINEVILLE NSW 2043

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi

I understand that the official submission period for this application has closed. However, hoping the City of Sydney Council may accept a late submission, especially since the development application is still under assessment.

I would like all of my identifying information kept private as part of this feedback including my first and last name; my email address and residential address and phone number and any information which may identify me to be withheld from public display.

I submitted feedback Before the deadline previously and want to further support the feedback provided from others in relation to housing diversity.

Specifically the notable lack of three and four-bedroom dwellings, including townhouses, terraces, and apartments, within the proposed development.

The current proposal predominantly features 1 and 2 bedroom units, which does not align with the diverse housing needs of our community.

One significant issue with the proposed development is that it continues the trend of surrounding apartment blocks, which overwhelmingly consist of one- and two-bedroom units. This lack of diversity in dwelling sizes is a missed opportunity to address the growing demand for three- and four-bedroom properties in the area.

The surrounding developments at Arbor and nearby precincts have already contributed to an oversupply of smaller apartments, catering predominantly to singles, couples, and investors. However, this approach fails to meet the needs of families and larger households who are seeking suitable long-term housing in Erskineville. The current and future population of the area requires a more balanced mix of housing options to ensure the community remains inclusive and sustainable.

By not providing sufficient larger dwellings, the development may inadvertently exclude families seeking suitable housing options in the area. This could lead to a demographic imbalance and undermine the community's cohesion and diversity.

I urge the council to consider these concerns and recommend revisions to the development plan that incorporate a more balanced mix of dwelling types and sizes, ensuring the needs of all community members are met.

Many thanks
[redacted]
Erskineville Resident

Item 10.

Public Exhibition - Planning Proposal - Powerhouse Museum Heritage Item Amendment - Sydney Local Environmental Plan 2012 Amendment

File No: X098649

Summary

This report proposes the public exhibition of Planning Proposal - Powerhouse Museum Heritage Item Amendment, which proposes to expand the Powerhouse Museum's existing heritage listing in Sydney Local Environmental Plan 2012 to ensure its significance is adequately recognised and managed into the future.

This report recommends that the Central Sydney Planning Committee approve the proposal and seek a gateway determination from the Department of Planning, Housing and Infrastructure which will enable the City to place the amendment on public exhibition.

Council and the Central Sydney Planning Committee considered an identical recommendation in December 2024 but resolved to defer consideration of the proposal to enable a review of the purpose and whether any additional benefit is gained from the local listing against the recently expanded State heritage listing (see Attachments A and B).

The City has now completed its review. The general benefits of having a local and State heritage listing that are aligned include a consistency in approach across both listings, and that the site's local significance is appropriately recognised in line with community expectation and Council's responsibility to conserve the environmental heritage of the City of Sydney. The site-specific benefits of having a local heritage listing are that, subject to meeting all relevant criteria including satisfaction of conservation management plans, will enable the locally listed heritage site to be eligible for an award of Heritage Floor Space, which the Powerhouse Museum has expressed an interest in exploring. Without the expanded local heritage listing any application of Heritage Floor Space will be limited.

The Powerhouse Ultimo Revitalisation State Significant Development was approved by the NSW Minister for Planning and Public Spaces on 24 March 2025. The City's draft Inventory Sheet will be updated to reference this approval, consistent with the existing expanded State heritage listing.

Recommendation

It is resolved that:

(A) the Central Sydney Planning Committee note the 12 December 2024 report to the Central Sydney Planning Committee as shown at Attachment A to the subject report;

(B) the Central Sydney Planning Committee note the 12 December 2024 Resolution of the Central Sydney Planning Committee as shown at Attachment B to the subject report;

(C) the Central Sydney Planning Committee approve the Planning Proposal - Powerhouse Museum Heritage Item Amendment, shown at Attachment C to the subject report, for submission to the Department of Planning, Housing and Infrastructure with a request for a gateway determination;

(D) the Central Sydney Planning Committee approve the Planning Proposal - Powerhouse Museum Heritage Item Amendment as shown at Attachment C to the subject report for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;

(E) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 5 May 2025, that Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal - Powerhouse Museum Heritage Item Amendment; and

(F) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Powerhouse Museum Heritage Item Amendment to correct any drafting errors or to ensure consistency with the gateway determination.

Attachments

Attachment A. Report to the Central Sydney Planning Committee - 12 December 2024

Attachment B. Resolution of the Central Sydney Planning Committee - 12 December 2024

Attachment C. Planning Proposal - Powerhouse Museum Heritage Item Amendment

Attachment D. Powerhouse Museum Heritage Assessment Report (Lovell Chen)

Attachment E. Draft Inventory Sheet - Powerhouse Museum and Interiors

Background

1. This report proposes the public exhibition of Planning Proposal - Powerhouse Museum Heritage Item Amendment, which proposes to expand the Powerhouse Museum's existing heritage listing in Sydney Local Environmental Plan 2012 to ensure its significance is adequately recognised and managed into the future.

2. This report recommends that the Central Sydney Planning Committee approve the proposal and seek a gateway determination from the Department of Planning, Housing and Infrastructure which will enable the City to place the amendment on public exhibition.

3. Council and the Central Sydney Planning Committee considered an identical recommendation in December 2024 but resolved to defer consideration of the proposal to enable a review of the purpose and whether any additional benefit is gained from the local listing against the recently expanded State heritage listing (see Attachments A and B).

4. The City has now completed its review. The general benefits of having a local and State heritage listing that are aligned include a consistency in approach across both listings, and that the sites local significance is appropriately recognised in line with community expectation and Council's responsibility to conserve the environmental heritage of the City of Sydney. The site-specific benefits of having a local heritage listing are that, subject to meeting all relevant criteria including satisfaction of conservation management plans, it will enable the locally listed site to be eligible for an award of Heritage Floor Space, which the Powerhouse Museum has expressed an interest in exploring. Without the expanded local heritage listing any application of Heritage Floor Space will be limited.

5. The Powerhouse Ultimo Revitalisation State Significant Development was approved by the NSW Minister for Planning and Public Spaces on 24 March 2025. The City's draft Inventory Sheet will be updated to reference this approval, consistent with the existing expanded State heritage listing.

6. Refer to the 12 December 2024 report to the Central Sydney Planning Committee as shown at Attachment A for the relevant details.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Matt Devine, Senior Specialist Planner Heritage

Attachment A

Report to the Central Sydney Planning Committee – 12 December 2024

Item 8.

Public Exhibition - Planning Proposal - Modern Residential Flat Buildings, Powerhouse Museum and Oxford Street LGBTIQA+ Heritage Items - Sydney Local Environmental Plan 2012 Amendments

File No: X109515, X098649, X091578

Summary

Sydney has many layers of history and culturally significant places, landscapes and buildings. These places, landscapes and buildings, from our distant and recent past, tell the story of Sydney and contribute to its liveability, environment and economy.

As the City of Sydney (the City) grows and develops, we face several challenges in protecting and maintaining our historical and cultural heritage, while also accommodating change. Our planning controls assist us in balancing these challenges. For over 75 years, the City has been at the forefront of heritage conservation and management. Our planning controls are already informed by a deep but growing understanding of cultural and heritage significance.

This report proposes the public exhibition of 3 planning proposals to amend the City's Sydney Local Environmental Plan 2012 (SLEP 2012).

The first is Planning Proposal - Modern Residential Flat Buildings Heritage Items, which proposes to amend the SLEP 2012 by including nine new buildings as local heritage items under Schedule 5, Part 1.

The second is Planning Proposal - Oxford Street LGBTIQA+ Heritage Items, which proposes to amend the SLEP 2012 by including 3 new buildings as local heritage items under Schedule 5, Part 1.

The third is Planning Proposal - Powerhouse Museum Heritage Item Amendment, which proposes to amend the Powerhouse Museum's existing SLEP 2012 heritage listing to ensure its significance is adequately recognised and managed into the future.

This report recommends that the Central Sydney Planning Committee approve the public exhibition of the proposed amendments to the City's planning framework and seek a gateway determination for the 3 planning proposals from the Department of Planning, Housing and Infrastructure which will enable the City to place the amendments on public exhibition.

Recommendation

It is resolved that:

(A) the Central Sydney Planning Committee approve the Planning Proposal - Modern Residential Flat Buildings Heritage Items, shown at Attachment A to the subject report, for submission to the Department of Planning, Housing and Infrastructure with a request for a gateway determination;

(B) the Central Sydney Planning Committee approve the Planning Proposal - Modern Residential Flat Buildings Heritage Items as shown at Attachment A for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;

(C) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 9 December 2024 that Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal - Modern Residential Flat Buildings Heritage Items;

(D) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Modern Residential Flat Buildings Heritage Items to correct any drafting errors or to ensure consistency with the gateway determination;

(E) the Central Sydney Planning Committee approve the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items, shown at Attachment B**,** to the subject report, for submission to the of Planning, Housing and Infrastructure with a request for a gateway determination;

(F) the Central Sydney Planning Committee approve the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items as shown at Attachment B for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;

(G) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 9 December 2024 that Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items;

(H) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items to correct any drafting errors or to ensure consistency with the gateway determination;

(I) the Central Sydney Planning Committee approve the Planning Proposal - Powerhouse Museum Heritage Item Amendment, shown at Attachment C to the subject report, for submission to the Department of Planning, Housing and Infrastructure with a request for a gateway determination;

(J) the Central Sydney Planning Committee approve the Planning Proposal - Powerhouse Museum Heritage Item Amendment as shown at Attachment C for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;

(K) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 9 December 2024 that Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal - Powerhouse Museum Heritage Item Amendment; and

(L) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Powerhouse Museum Heritage Item Amendment to correct any drafting errors or to ensure consistency with the gateway determination.

Attachments

Attachment A. Planning Proposal - Modern Residential Flat Buildings Heritage Items

Attachment A1. Modern Residential Flat Buildings - Targeted Heritage Study (GML Heritage)

Attachment A2. Draft Inventory Sheet - 3 Wylde Street, Potts Point - Gateway

Attachment A3. Draft Inventory Sheet - 40–44 Victoria Street, Potts Point - Gemini

Attachment A4. Draft Inventory Sheet - 5 Onslow Avenue, Elizabeth Bay - St Ursula

Attachment A5. Draft Inventory Sheet - 108 Elizabeth Bay Road, Elizabeth Bay - Oceana

Attachment A6. Draft Inventory Sheet - 12 Ithaca Road, Elizabeth Bay - Ithaca Gardens

Attachment A7. Draft Inventory Sheet - 41–49 Roslyn Gardens, Elizabeth Bay - Bayview

Attachment A8. Draft Inventory Sheet - 50–58 Roslyn Gardens, Rushcutters Bay - Aquarius

Attachment A9. Draft Inventory Sheet - 74–76 Roslyn Gardens, Rushcutters Bay - Roslyn Gardens

Attachment A10. Draft Inventory Sheet - 1-5 Clement Street, Rushcutters Bay

Attachment A11. Heritage Assessment - 15 Wylde Street, Potts Point - Denison

Attachment A12. Heritage Assessment - 100 Elizabeth Bay Road, Elizabeth Bay - International Lodge

Attachment A13. Heritage Assessment - 80 Elizabeth Bay Road, Elizabeth Bay - Bay Apartments

Attachment A14. Heritage Assessment - 19 Ithaca Road, Elizabeth Bay - The Reef

Attachment A15.	Heritage Assessment - 85-91 Elizabeth Bay Road, Elizabeth Bay - Ercildoune
Attachment A16.	Heritage Assessment - 51-59 Roslyn Gardens, Rushcutters Bay - The Tor
Attachment B.	Planning Proposal - Oxford Street LGBTIQA+ Heritage Items
Attachment B1.	Oxford Street LGBTIQA+ Heritage Assessment Report (TKD Architects)
Attachment B2.	Draft Inventory Sheet - 134 Oxford Street, Darlinghurst - Oxford Hotel
Attachment B3.	Draft Inventory Sheet - 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst - Palms Hotel
Attachment B4.	Draft Inventory Sheet - 85-91 Oxford Street, Darlinghurst – Universal
Attachment C.	Planning Proposal - Powerhouse Museum Heritage Item Amendment
Attachment C1.	Powerhouse Museum Heritage Assessment Report (Lovell Chen)
Attachment C2.	Draft Inventory Sheet - Powerhouse Museum and interiors

Background

Planning Proposal - Modern Residential Flat Buildings Heritage Items

1. Since 2019, there has been considerable interest from current and former City of Sydney Councillors, community members and community groups to have the heritage significance of Modern (1945-1975) Residential Flat Buildings recognised through a local heritage listing or changes to their contribution status on the Sydney Development Control Plan 2012.

2. In response, the City of Sydney engaged independent experts Godden Mackay Logan (GML) to assess the heritage significance of a targeted selection of 18 Modern Residential Flat Buildings in Potts Point, Elizabeth Bay and Rushcutters Bay to determine their potential for heritage listing. This occurred in 2 stages (Stage 1 and Stage 2).

3. For Stage 1 of the project, GML prepared a preliminary heritage assessment for each of the 18 buildings. Through this process, it was decided that only 15 buildings warranted further heritage investigation.

4. For Stage 2 of the project, work involved detailed heritage assessments for the 15 potentially locally significant buildings.

5. Throughout Stage 2, the City of Sydney notified property owners of the heritage investigation by letter and email. Notifications were sent to each building's respective Strata Managers or Strata Committee Secretary. Notifications included requests to engage with property owners to discuss the heritage study, heritage listing process and carry out site visits.

6. City of Sydney staff and members of the GML team met with Strata Committee and Owners Corporation representatives from nine of the fifteen buildings. These meetings took place at the buildings or online.

7. Through the Stage 2 heritage assessments, GML identified nine buildings that met the threshold for local significance under the NSW heritage assessment criteria (2023) and warranted inclusion as individual items on the SLEP 2012. Summaries of these assessments are presented below and at Attachments A2-A10.

3 Wylde Street, Potts Point – 'Gateway'

8. The heritage assessment concluded that Gateway meets the threshold for local significance in terms of:

    (a) Criterion (b) Historical association: The Gateway has strong associations with Douglas Forsyth Evans, an accomplished architect who designed several noteworthy apartment projects in the postwar period. The Gateway is a good example of Forsyth Evans' work and provides evidence of his design principles, response to context and willingness to experiment with new technological advances of the period. The Gateway also has some significance for its association with Sydney Fischer, a prominent property developer of the period.

(b) Criterion (c) Aesthetic / creative / technical achievement: The Gateway is aesthetically distinct and of high design quality. The design of the building—its siting on a narrow site, its irregular form and planning of corridors and units, the configuration of the internal layouts and its fenestration—demonstrates Forsyth Evans' inventiveness in planning and ability to engage with challenging sites. The external elevations have a unique presentation with projecting slabs painted white, red textured face brickwork, and a regular fenestration pattern with blue spandrel panels. Combined with its distinctive entrance hood, mural and foyer the building contributes positively to the streetscape of the Potts Point peninsula.

The entryway sequence with angled concrete hood, cast concrete lettering, stone crazy paving, and distinctive Kurt Norden mural etched into sandstone, is considered to have particular aesthetic significance. The Gateway also has some technical significance as an early example of the use of lift-slab construction techniques in Australia..

(c) Criterion (g) Representative: The Gateway is a good and intact representative example of the work of Douglas Forsyth Evans and of 1960s apartment buildings in the Potts Point area more generally. It is one of a group of significant apartments designed by Forsyth Evans during the 1950s and 1960s. The Gateway is important in demonstrating principal characteristics of Forsyth Evans' designs, including an individual response to the site, innovation in construction technologies, linear planning with a single-sided gallery circulation and façade treatments utilising projecting slabs, large areas of glazing and red textured brick walling.

Developed on a difficult site with expansive harbour views, The Gateway also represents the increase in harbourside apartment developments in the Potts Point and Elizabeth Bay areas during the 1950s and 1960s. Largely intact, The Gateway, particularly its entrance features, mural and foyer, is able to demonstrate this significant period in the evolution of the local area.

9. The targeted heritage study concluded that Gateway meets the threshold for local heritage significance for its historical, aesthetic and representative values and warrants potential listing as a heritage item on the SLEP 2012.

40-44 Victoria Street, Potts Point – 'Gemini'

10. The heritage assessment concluded that Gemini meets the threshold for local significance in terms of:

(a) Criterion (a) Historical significance: Gemini has historic significance as an innovative example of high-rise housing developed in the Elizabeth Bay and Potts Point area during the 1950s and 1960s. Its construction as compact studios, and later use as a motel, is able to demonstrate an important phase in the historical and social development of the area.

(b) Criterion (b) Historical association: Gemini is associated with architect Harry Seidler, one of the most significant modernist architects in Australia, who has made an important contribution to the development of Australia's built environment. As a noteworthy apartment project of the 1960s Gemini has strong associations with the architect. Gemini has some significance for its association with developers Horwitz Corporation as an example of their apartment developments within the local area and as an example of their collaborations with Harry Seidler.

(c) Criterion (c) Aesthetic / creative / technical achievement: Gemini shows innovations in planning and construction that make it a noteworthy example of a late 1950s–1960s modernist apartment building. Gemini displays typical elements of the work of architect Harry Seidler during the 1960s. It shares aesthetic characteristics with some of Seidler's most notable projects including Blues Point Tower and Village Towers (Arlington), which demonstrate distinctive aesthetic attributes in form and composition.

Gemini also has unique aspects in its design and construction that demonstrate creative and technical excellence, innovation and achievement. In its construction, planning and detailing it demonstrates Harry Seidler's progressive development of design prototypes applied across multiple projects. Its expression of structure, regular façade arrangement, use of raw materials and spare planning with a concern for natural light, sun shading, and ventilation are all typical of Seidler's highly acclaimed architecture. Gemini has been widely published and is a noteworthy example of the work of an important designer. The original design and structure are largely intact, with minimal alterations visible to the exterior of the buildings.

(d) Criterion (d) Social, cultural and spiritual: Gemini is listed on the Australian Institute of Architects (NSW Chapter) Register of Significant Architecture, indicating that it has importance to architects and the design community more generally.

(e) Criterion (e) Research potential: Gemini is listed on the Australian Institute of Architects (NSW Chapter) Register of Significant Architecture, indicating that it has importance to architects and the design community more generally. expanded over an 8-year period it is able to demonstrate important elements in architectural innovation. Gemini is an important example of Seidler's early apartment design and can contribute to knowledge about the evolution of housing in Australia and the work of Harry Seidler.

(f) Criterion (g) Representative: Gemini is considered to have representative significance as one of a group of 1960s apartment projects designed by Harry Seidler & Associates in the local area and more widely, which as a group are highly significant. Other examples in the Elizabeth Bay and Potts Point area include Ithaca Gardens, Aquarius, Ercildoune and International Lodge. These projects were widely published and featured in the multiple surveys of Harry Seidler's career. As Seidler himself noted, each project applied a series of evolving structural and planning prototypes. Each was built of the same materials, and with evolving structural systems, repeated layouts for construction efficiencies, repeated window units and sun shading elements to create characteristic 'tensional' façade patterns.

Gemini is noteworthy amongst this group as a pair of towers linked by a sky bridge, constructed eight years apart. Gemini displays key characteristics of this significant group of apartment projects and is an important representative example of Harry Seidler's long-term engagement with construction and planning efficiency and innovation. Gemini is representative of wider trends in housing, the redevelopment of inner-city suburbs with higher density apartments, and the growing demand for compact well-located housing.

11. The targeted heritage study concluded that Gemini meets the threshold for local heritage significance for its historic, associative, aesthetic, research potential and representative values and warrants potential listing as a heritage item on the SLEP 2012.

5 Onslow Avenue, Elizabeth Bay – 'St Ursula'

12. The heritage assessment concluded that St Ursula meets the threshold for local significance in terms of:

    (a) Criterion (a) Historic significance: St Ursula has historic significance as a building designed by a Europe-trained architect in the years immediately following World War II, a time when a significant group of émigré architects were applying their European modernist training to Sydney conditions. This group made a significant contribution to the built environment. As one of the first apartment buildings designed by an architect trained in Europe, St Ursula is considered to be historically important. It is also has historical significance as one of the earliest examples of a modern residential flat building to be built in the area after World War II, a time when building materials were scarce.

    (b) Criterion (b) Historical association: St Ursula has historical association with architect Hugo Stossel. It is a good and representative example of the work of Hugo Stossel, a significant modernist architect active in Sydney in the years following World War II who made a notable contribution to the development of Sydney's cultural environment, in particular residential flat buildings in the eastern suburbs. It is particularly notable as his first apartment building completed in Sydney following World War II and his emigration from Europe.

    (c) Criterion (c) Aesthetic / creative / technical achievement: St Ursula is a well-designed and considered modernist residential apartment building demonstrating a high degree of creative and technical achievement. Its form and composition demonstrate technical achievement and distinctive aesthetic attributes through its curved plan, which is oriented to views to the harbour and maximises light and ventilation to each unit. It demonstrates the evolution of apartment design in the years following World War II and the use of new construction methodologies and materials such as curtain walling. The building is substantially intact with its original modernist design qualities able to be appreciated.

    (d) Criterion (d) Social, cultural and spiritual: St Ursula is listed on the Australian Institute of Architects (NSW Chapter) Register of Significant Architecture, indicating that it has importance to architects and the design community more generally.

    (e) Criterion (e) Research potential: Hugo Stossel is one of a group of architects who, having trained and worked in Europe, emigrated to Australia in the 1930s. The early work of this group is considered significant for its ability to demonstrate the application of European modernist architectural training in the context of Australia. As one of Hugo Stossel's first projects completed following World War II and his first apartment design, St Ursula is considered to be significant for its ability to contribute to an understanding of the development of postwar modernism and, in particular, its application by architects trained in Europe.

(f) Criterion (f) Rarity: Hugo Stossel (later as Hugo Stossel & Associates) was a prolific apartment designer in the postwar period, particularly in the Elizabeth Bay and Potts Point area, and St Ursula dating from 1953 is considered an early and rare example of his work. It demonstrates unusual characteristics of interwar architectural styles and Stossel's European architectural training and experience. It is considered a highly resolved example of his work that contributes to an understanding of the development of postwar architecture. St Ursula's form and detailing are considered rare in the context of postwar apartments in the Elizabeth Bay area as few curved-plan residential flat buildings were constructed in this period.

(g) Criterion (g) Representative: St Ursula is a good intact and representative example of the work of Hugo Stossel, a significant architect of this period. St Ursula can be seen as a significant representative example of Hugo Stossel's architectural practice and is particularly significant as work completed early in his career in Australia.

13. The targeted heritage study report concluded that St Ursula meets the local threshold for all 7 heritage significance criteria and warrants potential listing as a heritage item on the SLEP 2012.

108 Elizabeth Bay Road, Elizabeth Bay – 'Oceana'

14. The heritage assessment concluded that Oceana meets the threshold for local significance in terms of:

(a) Criterion (a) Historic significance: Oceana is a good example of a large scale post-World War II high-rise apartment building in the Elizabeth Bay Potts Point area. It is representative of the process of redevelopment and subdivision of the suburb, beginning in the interwar period, from grand, freestanding dwellings to apartment buildings. The site's redevelopment by Moses Eisner with architect Theodore Fry demonstrates the growing influence of European migrants on the built environment, an important historic phase in the development of the area. The building's location on the harbour foreshore is also able to demonstrate a period before restrictions on the development of foreshore land were implemented. At its time of construction Oceana was one of the largest apartment buildings in Sydney and represented a marked shift in the development of Elizabeth Bay towards higher densities.

(b) Criterion (b) Historical association: Oceana has strong associations with Theodore Fry, a noteworthy architect of this period as his largest and most intact project. Oceana is a good example of Fry's work and provides evidence of his designs, including an application of modernist design principles. Oceana also has some significance for its association with Moses Eisner, a noteworthy businessman, engineer and property developer of the period.

(c) Criterion (c) Aesthetic / creative / technical achievement: Oceana is considered to be aesthetically distinct and of high design quality. The design of the building—its siting on its harbour front site, the elongated form, the planning of the corridors and units, the configuration of the internal layouts and its fenestration pattern demonstrates Fry's application of modernist architectural principles. The external elevations have a unique presentation with large areas of glazing, projecting balconies and external circulation galleries. The building contributes positively to the streetscapes/skyscapes of the Elizabeth Bay peninsula. The integrity of common areas remains to be confirmed.

(d) Criterion (f) Rarity: Oceana is considered rare as an example of the architectural work of Theodore Fry. Other examples of his design work have been substantially altered and are less able to be appreciated. Oceana is also rare for its scale and location, with later apartment buildings in this area lower in scale and set back from the harbour's edge. Buildings of the late 1960s tended to use compact plans stepping down their sites in response to the topography. The uncompromising horizontal massing of Oceana is rare in the context of the Elizabeth Bay Potts Point area.

(e) Criterion (g) Representative: Oceana is representative of a wider post-World War II trend, seen in many areas of Sydney close to the city and the harbour, of large houses being replaced by Modernist residential flat buildings. As one of the largest apartment buildings in Sydney at the time of its construction, and one of the largest apartment buildings to be developed in the Elizabeth Bay and Potts Point area, Oceana is significant for its ability to represent this trend. Oceana is also a good and intact representative example of the work of a European émigré architect and property developer. It is one of a group of significant apartments that European migrants completed during the 1950s and 1960s in the local area. It is important in demonstrating the principal characteristics of these projects, which tended towards higher densities, displayed modernist design principles and promoted apartment living.

15. The targeted heritage study report concluded that Oceana it meets the threshold for local heritage significance for its historic, associative, aesthetic, rarity and representative values and warrants potential listing as a heritage item on the SLEP 2012.

12 Ithaca Road, Elizabeth Bay – 'Ithaca Gardens'

16. The heritage assessment concluded that Ithaca Gardens meets the threshold for local significance in terms of:

(a) Criterion (a) Historic significance: Ithaca Gardens has historic significance as a prominent example of medium-rise housing developed in the Elizabeth Bay and Potts Point area during the 1950s and 1960s. Architect Harry Seidler had significant influence on the growing popularity of compact inner-city apartment living and Ithaca Gardens can be seen to have played an important role in this. Seidler was an effective promoter of modernism and Ithaca Gardens received considerable media attention. That the architect lived in the apartment, and had the interior photographed by Max Dupain, added to the reputation of the building. The building's design demonstrates modernist architecture's engagement with compact multi-housing forms and is a key example of the introduction of Bauhaus-influenced modernism into the Australian context. Ithaca Gardens is able to demonstrate wider historical trends of importance to the local area and to NSW more generally.

(b) Criterion (b) Historical association: Ithaca Gardens is associated with architect Harry Seidler, one of the most significant modernist architects in Australia, who has made an important contribution to the development of Australia's built environment. As his first completed apartment project, and as his place of residence, Ithaca Gardens has strong associations with the architect and is of particular historical interest in interpreting the context of his work. Ithaca Gardens has some significance for its association with Civil & Civic Constructions (later expanded as Lendlease) as the first project by the long-running and significant partnership formed between the firm and Harry Seidler, which continued through the next decades.

(c) Criterion (c) Aesthetic / creative / technical achievement: Ithaca Gardens shows many innovations in planning and construction that make it a noteworthy example of a late 1950s– 1960s modernist apartment building. Ithaca Gardens is an early application of what can be seen as typical elements of the work of architect Harry Seidler during the 1960s. It shares aesthetic elements with some of Seidler's most notable projects including Blues Point Tower, Village Towers (Arlington), Ercildoune and Aquarius, which demonstrate distinctive aesthetic attributes in form and composition.

In its construction, planning and detailing it demonstrates Seidler's progressive development of design prototypes applied across multiple projects. Its expression of structure, its regular façade arrangement, its use of materials and spare planning, with a concern for natural light, sun shading, and ventilation, are all typical of Seidler's highly acclaimed architecture. Ithaca Gardens was widely published and is a noteworthy example of the architect's work. It is a substantial achievement and the work of an important designer. The original design and structure are largely intact, with minimal alterations visible to the exterior of the buildings.

(d) Criterion (d) Social, cultural and spiritual: Ithaca Gardens is listed on the Australian Institute of Architects (NSW Chapter) Register of Significant Architecture, indicating that it has importance to architects and the design community more generally.

(e) Criterion (e) Research potential: As an early example of innovative apartment design and construction in Australia, and as an example of Seidler's early apartment designs, Ithaca Gardens has the ability to contribute to knowledge about the evolution of housing in Australia and the work of Harry Seidler.

(f) Criterion (f) Rarity: Ithaca Gardens is considered rare as an early and innovative modernist apartment project in Elizabeth Bay. It is also rare as an apartment designed in the 1950s by a European architect, with modernist training in Canada and the United States, and constructed in Sydney in the 1960s. Possibly more than any other apartment project completed by Seidler, Ithaca Gardens represents the first application of his modernist training in the Australian context. As the first apartment project designed by Harry Seidler to be constructed in Australia it is rare.

(g) Criterion (g) Representative: Ithaca Gardens is considered to have representative significance as one of a group of 1960s apartment projects designed by Harry Seidler and Associates, which are collectively highly significant. Other examples include Blues Point Tower, Stephen Towers, Village Towers (Arlington), Ercildoune and Aquarius. These projects were widely published and featured in the multiple surveys of Harry Seidler's career. As Seidler himself noted each project applied a series of evolving structural and planning prototypes. They were built of the same materials, and with evolving structural systems, repeated layouts for construction efficiencies, repeated window units and sun shading elements to create characteristic 'tensional' façade patterns. Many of these elements were first applied in Ithaca Gardens and then further developed in later projects throughout the 1960s.

Ithaca Gardens displays key characteristics of this significant group of apartment projects and is an important representative example of Harry Seidler's long-term innovation and engagement with construction and planning efficiency. Ithaca Gardens is representative of wider trends in housing, the redevelopment of inner-city suburbs with higher density apartments, and the growing demand for compact, well-located housing.

17. The targeted heritage study report concluded that Ithaca Gardens meets the local threshold for all 7 heritage significance criteria and warrants potential listing as a heritage item on the SLEP 2012.

41-49 Roslyn Gardens, Elizabeth Bay – 'Bayview'

18. The heritage assessment concluded that Bayview meets the threshold for local significance in terms of:

(a) Criterion (b) Historical association: Bayview has a historical association with architect Hugo Stossel. It is a good and representative example of the work of Hugo Stossel, a significant modernist architect active in Sydney in the years following World War II, who has made a notable contribution to the development of Sydney's cultural environment, in particular residential flat buildings in the eastern suburbs. Bayview is also one of several projects that demonstrates the sustained collaboration between Hugo Stossel & Associates and Parkes Developments, which, by 1970, was one of Australia's largest private development companies, with the largest Sydney land holdings.

(b) Criterion (c) Aesthetic / creative / technical achievement: Bayview is a well-designed and considered modernist residential apartment building demonstrating a high degree of creative and technical achievement. It demonstrates technical achievement and distinctive aesthetic attributes in form and composition through its unique triaxial form oriented to views of the harbour, maximising light and ventilation for each unit. It is able to demonstrate the evolution of apartment design towards more organic forms and variations in plans and façade materials. The building is substantially intact externally, and its original modernist design qualities are able to be appreciated.

(c) Criterion (f) Rarity: Although the architects of Hugo Stossel & Associates were prolific apartment designers in the postwar period, particularly in the Elizabeth Bay and Potts Point area, Bayview shows unusual characteristics and can be seen as a highly finished and particularly well-resolved example of their work. Bayview's form and detailing are considered rare in the context of postwar apartments in the Elizabeth Bay area where few Y-plan tower developments were constructed.

(d) Criterion (g) Representative: Bayview is a good intact and representative example of the work of the prolific architectural firm Hugo Stossel & Associates and is able to represent the work of Hugo Stossel, a significant architect of this period. Bayview can be seen as a significant representative example of Hugo Stossel's architectural practice. Along with Yarranabbe Gardens and Eastbourne Tower in Darling Point, it can be seen as one of the most prominent and distinctive of Stossel's apartment projects and is particularly significant as work completed late in his career.

19. The targeted heritage study report concluded that Bayview meets the threshold for local heritage significance for its historical, aesthetic, rarity and representative values and warrants potential listing as a heritage item on the SLEP 2012.

50–58 Roslyn Gardens, Rushcutters Bay – 'Aquarius'

20. The heritage assessment concluded that Aquarius meets the threshold for local significance in terms of:

(a) Criterion (a) Historic significance: Aquarius has historic significance as an innovative example of high-rise housing developed in the Elizabeth Bay and Potts Point area during the 1950s and 1960s. Its construction as a motel, later sold individually as compact studio or one bedroom apartments, is able to demonstrate an important change in the historical and social development of the area. The building's design demonstrates modernist architecture's engagement with compact multi-housing forms and is a key example of the introduction of Harry Seidler's international influenced modernism into the Australian context. Aquarius is able to demonstrate wider historical trends of importance to the local area and to NSW more generally.

(b) Criterion (b) Historical association: Aquarius is associated with architect Harry Seidler, one of the most significant modernist architects in Australia, who has made an important contribution to the development of Australia's built environment. As one of his most noteworthy apartment projects of the 1960s, Aquarius has strong associations with the architect.

(c) Criterion (c) Aesthetic / creative / technical achievement: Aquarius shows many innovations in planning and construction that make it a noteworthy example of a late 1950s–1960s modernist apartment building. Aquarius displays typical elements of the work of architect Harry Seidler during the 1960s. It shares aesthetic elements with some of Seidler's most notable projects including Ithaca Gardens, Blues Point Tower, Village Towers (Arlington), and Ercildoune, which demonstrate distinctive aesthetic attributes in form and composition.

Aquarius also has unique aspects in its design and construction that demonstrate creative and technical excellence, innovation and achievement. In construction, planning and detailing Aquarius demonstrates Seidler's progressive development of design prototypes applied across multiple projects. Its expression of structure, its regular façade arrangement, its use of raw materials and efficient planning with a concern for natural light, sun shading, and ventilation are all typical of Seidler's highly acclaimed architecture. Aquarius was widely published and is a noteworthy example of the architect's work. Aquarius is a substantial achievement and the work of an important designer. The original design and structure are largely intact, with minimal alterations visible to the exterior of the buildings.

(d) Criterion (d) Social, cultural and spiritual: Aquarius is listed on the Australian Institute of Architects (NSW Chapter) Register of Significant Architecture, indicating that it has importance to architects and the design community more generally.

(e) Criterion (e) Research potential: As an early example of innovative apartment design and construction in Australia, and as an example of Seidler's early apartment designs, Aquarius has the ability to contribute to knowledge about the evolution of housing in Australia and the work of Harry Seidler.

(f) Criterion (f) Rare: Aquarius is considered rare as an early and innovative modernist apartment project in Elizabeth Bay. As one of Seidler's most noteworthy early experiments in apartment design Aquarius has exceptional aesthetic significance as an example of creative and technical achievement. Aquarius is considered rare as the first, and one of few examples, of Seidler's experiments with split-level planning, and as a particularly innovative example of his work in the 1960s.

(g) Criterion (g) Representative: Aquarius is considered to have representative significance as one of a group of 1960s apartment projects designed by Harry Seidler & Associates, which as a group are highly significant. Other examples include Ithaca Gardens, Blues Point Tower, Village Towers (Arlington), Ercildoune and Gemini. These projects were widely published and featured in the multiple surveys of Harry Seidler's career. As Seidler himself noted, each project applied a series of evolving structural and planning prototypes. They were built of the same materials, and with evolving structural systems, repeated layouts for construction efficiencies, repeated window units and sun shading elements to create characteristic 'tensional' façade patterns.

Aquarius is noteworthy among this group as the best-realised version of Seidler's split-plan form with projecting rooms and separated vertical circulation unit. Aquarius displays key characteristics of this significant group of apartment projects and is an important representative example of Seidler's long-term innovation and engagement with construction and planning efficiency. Aquarius is representative of wider trends in housing, the redevelopment of inner-city suburbs with higher density apartments, and the growing demand for compact, well-located housing.

21. The targeted heritage study report concluded that Aquarius meets the local threshold for all 7 heritage significance criteria and warrants potential listing as a heritage item on the SLEP 2012.

74-76 Roslyn Gardens, Rushcutters Bay – 'Roslyn Gardens'

22. The heritage assessment concluded that Roslyn Gardens meets the threshold for local significance in terms of:

    (a) Criterion (b) Historical association: 74-76 Roslyn Gardens has a historical association with architect Douglas Snelling. It is a good and representative example of the work of Douglas Snelling, a significant modernist architect active in Sydney in the years following World War II, who has made a notable contribution to the development of Sydney's cultural environment, in particular modernist furniture, interiors and houses in the eastern suburbs. As one of only two apartment projects he designed and one of few Snelling projects to remain largely intact this association is considered important.

    (b) Criterion (c) Aesthetic / creative / technical achievement: 74-76 Roslyn Gardens has a historical association with architect Douglas Snelling. It is a good and representative example of the work of Douglas Snelling, a significant modernist architect active in Sydney in the years following World War II, who has made a notable contribution to the development of Sydney's cultural environment, in particular modernist furniture, interiors and houses in the eastern suburbs. As one of only two apartment projects he designed and one of few Snelling projects to remain largely intact this association is considered important.

    (c) Criterion (f) Rarity: 74-76 Roslyn Gardens is considered rare as one of only two apartment projects designed by notable and highly acclaimed architect Douglas Snelling. The other example, Bibaringa, was an existing design that Snelling adapted. As a result 74-76 Roslyn Gardens can be seen as Snelling's only complete apartment project and is hence considered rare.

    (d) Criterion (g) Representative: Roslyn Gardens is considered to have representative significance as one of a group of 1960s apartment projects designed by architects in the local area, which are collectively highly significant. Other prominent architects working in this period in the area include Harry Seidler, Douglas Forsyth Evans, Hugo Stossel, Hans Peter Oser and Aaron Bolot. 74-76 Roslyn Gardens displays key characteristics of this significant group of apartment projects and is an important representative example of a modernist residential flat building in the local area.

23. The targeted heritage study report for 74-76 Roslyn Gardens, Rushcutters Bay concluded that it meets the threshold for local heritage significance for associative, aesthetic, rarity and representative values and warrants potential listing as a heritage item on the SLEP 2012.

1-5 Clement Street, Rushcutters Bay

24. The heritage assessment concluded that 1-5 Clement Street meets the threshold for local significance in terms of:

    (a) Criterion (c) Aesthetic / creative / technical achievement: 1–5 Clement Street is considered a good representative example of a late-modern residential apartment building demonstrating creative and technical achievement. The concrete frame and central lift and stair core of the building reduces the number of load-bearing internal walls and the need for corridors, maximising unit space. Use of concrete frame and precast building elements are simply treated. Apartments are well planned with distinctive curved bathroom walls. The entry sequence and lobby of board-formed concrete and circular window element are well resolved and remain intact. The underground carpark makes full use of the lot area and frees up the ground floor for landscaping, which makes a positive contribution to streetscape.

    (b) Criterion (g) Representative: 1–5 Clement Street has representative significance as a late modernist residential apartment building in the Rushcutters Bay, Elizabeth Bay and Potts Point area. It displays the principal characteristics of this class of cultural places, including use of expressed concrete construction, efficient structural systems, regular façade arrangements, repeated building elements and planning that provides high amenity units. In this way 1–5 Clement Street is able to demonstrate the evolution of residential apartment buildings in the area, which are an important feature of the local built environment. 1–5 Clement Street is able to demonstrate a way of life that has been important in the social and historical development of the Rushcutters Bay, Elizabeth Bay and Potts Point area.1–5 Clement Street can be seen as a good representative example of the work of architects Ancher Mortlock Murray & Wooley in this period when they were prolific and highly regarded.

25. The targeted heritage study report for 1-5 Clement Street, Rushcutters Bay found that it meets the threshold for local heritage significance for its aesthetic and representative values and warrants potential listing as a heritage item on the SLEP 2012.

26. Based on these conclusions, progressing local heritage listing for each proposed heritage item will ensure the local heritage significance of each building is appropriately considered and maintained in the context of any future plans or redevelopment at each site.

Planning Proposal - Oxford Street LGBTIQA+ Heritage Items

27. In 2022, a review of the planning controls applying to Oxford Street was implemented to facilitate the growth of the cultural and creative sectors, protect heritage and character and support the day and night-time economies for the local community and visitors.

28. Community consultation indicated that people value the strong connection between Oxford Street and LGBTIQA+ communities and wanted to see its social and cultural heritage recognised and maintained.

29. This led to the development of the Oxford Street LGBTIQA+ Social and Cultural Place Strategy with five priority areas. The first priority (Priority 1) focused on recognising historic LGBTIQA+ places and spaces.

30. In response, the City of Sydney engaged TKD Architects in 2022 to complete a heritage study investigating sites within the Oxford Street precinct. Their study focussed on places with historic and contemporary connections to the LGBTIQA+ community.

31. Recommendations made by TKD Architects included the revision of heritage inventory sheets for 14 existing heritage items and the Oxford Street Heritage Conservation Area to include relevant information about this community; this has been completed. The study also recommended the inclusion of five additional sites within Schedule 5, Part 1 of the SLEP 2012.

32. Two of these items were outside the study area. However, the remaining 3, which constitute the subject of this planning proposal, are recommended for listing.

33. The amendments proposed in this planning proposal were recommended in the TKD Architects heritage assessment, which was prepared in accordance with the NSW Heritage Assessment Criteria (2023). A summary of this assessment and supporting heritage inventory sheets is presented below and at **Attachment B1-B4**.

134 Oxford Street, Darlinghurst – Oxford Hotel

34. The heritage assessment concluded that the Oxford Hotel meets the threshold for local significance in terms of:

    (a) Criterion (a) Historic significance: The site and its surroundings have been continuously occupied by a hotel, linked by continuity of licensing, since the late 1850s. Additionally, the Oxford Hotel has had some historic associations with the development of Sydney's rock music scene and historic associations with Sydney's gay community.

    (b) Criterion (b) Historical association: The building has strong associations with architect Ernest Lindsay Thompson, a prominent and prolific designer of hotels in metropolitan Sydney during the first third of the twentieth century

    (c) Criterion (c): Aesthetic / creative / technical achievement: Although modified, the exterior of the building demonstrates characteristics of the Federation Free Style and is distinctive in character. The Oxford Hotel is a prominent element in the streetscape that makes an important contribution to the Taylor Square townscape, notwithstanding modifications to its exterior.

    (d) Criterion (d) Social, cultural and spiritual: The Oxford Hotel is significant because of its associations with Sydney's gay community for over forty years. It has been a popular venue for the community and has provided a range of facilities. It may also have social significance because of its associations with Sydney's rock music scene during the second half of the 1970s

    (e) Criterion (g) Representative: The Oxford Hotel, although it has been modified externally and internally, is a representative Federation era hotel. Its exterior is representative of the Federation Free Style.

35. The heritage study concluded that the building at 134 Oxford Street, Darlinghurst meets the threshold for local heritage significance for its historic, associative, aesthetic, social and representative values and warrants potential listing as a heritage item on the SLEP 2012.

124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst – Palms

36. The heritage assessment concluded that the Palms meets the threshold for local significance in terms of:

    (a) Criterion (a) Historic significance: The building is evidence of the demolition, widening and reconstruction of the built form along the north side of Oxford Street from 1909 to 1914 by the Municipal Council of Sydney. The building became a gay nightclub in the late 1970s which it remains to the present day and is important evidence of the development of Oxford Street as an important focus of LGBTIQA+ commercial and social activity from the end of the 1970s.

    (b) Criterion (d) Historical association: 124 Oxford Street has been associated with Sydney's LGBTIQA+ community, particularly the gay male section, since the opening of Palms Nightclub circa 1977.

    (c) Criterion (f) Rare: The site is a rare example of a LGBT nightclub that has operated almost continuously since the late 1970s.

37. The heritage study concluded that the building at 124 (part of 124-128 Oxford Street) Oxford Street, Darlinghurst meets the threshold for local heritage significance for its historic, associative and rare values and warrants potential listing as a heritage item on the SLEP 2012.

85-91 Oxford Street, Darlinghurst - Universal

38. The heritage assessment concluded that Universal meets the threshold for local significance in terms of:

    (a) Criterion (a) Historic significance: 85-91 Oxford Street, particularly the first floor sections of their facades, provide evidence of the consolidation and development of the street in the years before and after World War I. As Club 85, then Midnight Shift and now Universal, the buildings are important evidence of the development of Oxford Street as an important focus of LGBTIQA+ commercial and social activity from the end of the 1970s onwards.

    (b) Criterion (b) Historical association: The site is associated with prominent architectural firm of Morrow & De Putron, prominent jeweller and shoe maker, William Berkman and architect A W Warden.

    (c) Criterion (c) Aesthetic / creative / technical achievement: The first floor section of 89-91 Oxford Street's facade has aesthetic significance as an example of Federation Free Style commercial architecture while the first floor section of 85-87 Oxford Street's façade is a distinctive example of Inter War Free Classical commercial architecture.

    (d) Criterion (d) Social, cultural, and spiritual: The buildings at 85-91 Oxford Street have been associated with Sydney's LGBTIQA+ community, particularly the gay male section, since the opening of Tropicana in 1978.

    (e) Criterion (f) Rare: The buildings are a rare example of a LGBT nightclub that has operated almost continuously since 1980.

(f) Criterion (g) Representative: The upper sections of the facades of 85-91 Oxford Street are representative of suburban commercial architecture constructed during the second and third decades of the twentieth century in Sydney.

39. The heritage study concluded that the building at 85-91 Oxford Street, Darlinghurst meets the threshold for local heritage significance for its historic, associative, aesthetic, social and rare values and warrants potential listing as a heritage item on the SLEP 2012.

40. Based on these conclusions, progressing local heritage listing for each proposed heritage item will ensure the significance of each building is appropriately recognised, considered and managed in the context of any future plans or redevelopment at each site.

Planning Proposal - Powerhouse Museum Heritage Item Amendment

41. Since 2014, there has been significant community interest in the management and future of the Powerhouse Museum, triggered by a proposal to close the Powerhouse Museum at Ultimo and construct a new Powerhouse facility in Sydney's western suburbs in 2014

42. On 15 May 2023, a Resolution of Council (Item 11.9) was carried, that:

(a) (B) 'the Chief Executive Officer be requested to investigate the entire Powerhouse Museum site [in Ultimo] for heritage significance'

43. In response to this Resolution, the City of Sydney engaged Lovell Chen to prepare a independent heritage assessment for the full extent of the Powerhouse Museum site in early 2024.

44. The Powerhouse Museum, Ultimo is already an individually listed heritage item under Schedule 5, Part 1 of the SLEP 2012: 'Powerhouse Museum former warehouse buildings, including interior' (I2031)

45. However, the current SLEP 2012 listing does not recognise several elements and buildings associated with the entire Powerhouse Museum site, including the Wran and Harwood Buildings.

46. As a result of the heritage assessment findings, this planning proposal is to amend the Powerhouse Museum's existing SLEP 2012 listing (I2031) to better reflect its heritage significance and recognise the importance of the buildings and elements associated with it.

47. To achieve this, it proposes to expand the site's current SLEP 2012 mapped heritage boundary (see proposed boundary in Attachment **C**to include the Wran Building, Harwood Building and landscape elements, update its property description to include additional Lot and DP boundaries, and amend the item name. These proposed amendments align with recent gazetted revisions made to the State Heritage Register listing for the item.

48. The amendments were recommended in the Lovell Chen heritage assessment, which was prepared in accordance with the NSW Heritage Assessment Criteria (2023). A summary of this assessment and supporting heritage inventory sheet is presented below and at Attachment C1 and C2.

49. The heritage assessment concluded that the Powerhouse Museum, including the Wran Building, Harwood Building, and landscapes associated with the complex, meet the threshold for local significance in terms of:

    (a) Criterion (a) Historic significance: The Powerhouse Museum complex is important in the course of the history of NSW, Sydney and the Pyrmont Peninsula. The original Power House was established in 1898/99 for the generation of coal fired electricity to power Sydney's tramway network. The Ultimo Power House was the first facility for the generation of electrical power in NSW, and from 1899 until the 1920s it was the largest and most technologically advanced. Both buildings were closed by the 1960s and in the late-1970s, the NSW Public Works Department resolved to adapt the Ultimo Power House and Tram Depot as premises for the Museum of Applied Arts and Sciences (MAAS). The vision was for the conversion and adaptive reuse of the derelict industrial buildings with the MAAS and NSW Government Architect committed to delivering a new type of visitor attraction, a place of engagement, activation and broad popular appeal. The decision to retain and adapt the historic buildings perpetuated their physical presence in the urban landscape, as well as their relationship and Ultimo's historic associations with industry and transport. The nature of the MAAS collection, including some of its signature items (i.e., the Boulton and Watt 'Whitbread Engine' and 'Locomotive No. 1') aligned with these thematic associations, as well as the huge scale of the buildings.

    (b) Criterion (b) Historic association: The Powerhouse Museum is notable for having been conceptualised, championed and delivered by a large and diverse group of organisations (including the NSW Labor Party, the office of the NSW Government Architect and MAAS) and individuals within them (including Neville Wran, Dr Lindsay Sharp, Norman Harwood, Lionel Glendenning), as well as others (including Richard Johnson). These individuals and institutions reflect diverse fields of endeavour, including politics, architecture, engineering, exhibition design and collections management. Some individuals are remembered in building names (the Wran and Harwood buildings). The breadth of expertise embodied in the project is consistent with the scale, complexity and prestige of the undertaking.

    (c) Criterion (c) Aesthetic / creative / technical achievement: Conception of the Powerhouse Museum was contemporary with the Heritage Act, 1977 (NSW), as well as the first edition of the Burra Charter (1979). The adaptation of the former Tram Depot (1979-81) was a very early example in NSW (and Australia) of adaptive renewal of a transport/industrial building and set the tone for the adaption of the Power House buildings. The works to the Tram Depot were significant with some side walls retained or retained in part. Interventions were, however, respectful of the scale, massing, materiality and roof profile of the original structure. The outcome is a building that retains legibility as an historic industrial structure, as well as its relationship with the Power House buildings to the north.

    (d) Criterion (d) Social, cultural and spiritual: Since its opening in 1988 the museum has been valued by people across Sydney, NSW and beyond who have shared experiences and memories of the place. The strength of public attachment to the place is demonstrated by the extent of public support and donations for its establishment, and subsequently, its consistently high visitor numbers and the strong community reaction to the NSW Government's proposal for significant change at the place.

50. The heritage assessment concluded that the Powerhouse Museum, including the Wran and Harwood Buildings at 500 Harris Street, Ultimo meet the threshold for local heritage significance for its historic, associative, aesthetic and social warrants potential listing as a heritage item on the SLEP 2012.

51. Based on these conclusions, progressing the proposed amendments to the existing SLEP 2012 heritage item listing '*Powerhouse Museum former warehouse buildings, including interior*' (I2031) will ensure the local heritage significance of the entire Powerhouse Museum site is appropriately recognised and considered in the context of any future plans or redevelopments at the site.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

52. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:

    (a) Direction 8 - A thriving cultural and creative life - the acknowledgement of the importance of the 9 Modern Residential Flat Buildings, 3 Oxford Street LBQTIQA+ buildings in Darlinghurst and amendment to the existing Powerhouse Museum's SLEP 2012 heritage item listing will contributes to the City's culture and creative life, with the protection of the heritage fabric and promoting the history of each site and their value to the community.

Relevant Legislation

53. Environmental Planning and Assessment Act 1979.

Public Consultation

54. Should the planning proposals at Attachment A, B and C be approved, they will be forwarded to the Department of Planning, Housing and Infrastructure with requests for a gateway determinations to allow public exhibition.

55. The public consultation processes for the planning proposals will be subject to the conditions of the gateway determination issued by the Department of Planning, Housing and Infrastructure. Exhibition documents will be made available for viewing and comment on the City's Have Your Say website

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Adele Zubrzycka, Senior Specialist Planner Heritage

Attachment B

Resolution of the Central Sydney Planning Committee – 12 December 2024

Resolution of Central Sydney Planning Committee

12 December 2024

Item 8

Public Exhibition - Planning Proposal - Modern Residential Flat Buildings, Powerhouse Museum and Oxford Street LGBTIQA+ Heritage Items - Sydney Local Environmental Plan 2012 Amendments

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

It is resolved that:

(A) the Central Sydney Planning Committee approve the Planning Proposal - Modern Residential Flat Buildings Heritage Items, shown at Attachment A to the subject report, for submission to the Department of Planning, Housing and Infrastructure with a request for a gateway determination;

(B) the Central Sydney Planning Committee approve the Planning Proposal - Modern Residential Flat Buildings Heritage Items as shown at Attachment A for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;

(C) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 9 December 2024 that Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal - Modern Residential Flat Buildings Heritage Items;

(D) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Modern Residential Flat Buildings Heritage Items to correct any drafting errors or to ensure consistency with the gateway determination;

(E) the Central Sydney Planning Committee approve the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items, shown at Attachment B to the subject report, for submission to the of Planning, Housing and Infrastructure with a request for a gateway determination;

(F) the Central Sydney Planning Committee approve the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items as shown at Attachment B for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;

(G) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 9 December 2024 that Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items;

(H) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Oxford Street LGBTIQA+ Heritage Items to correct any drafting errors or to ensure consistency with the gateway determination; and

(I) the Central Sydney Planning Committee defer consideration of the Planning Proposal - Powerhouse Museum Heritage Item Amendment, shown at Attachment C to the subject report, to enable a review of the purpose and additional benefit of the local listing against the recently expanded state heritage listing.

Carried unanimously.

X109515, X098649, X091578

Attachment C

Planning Proposal - Powerhouse Museum Heritage Item Amendment

CITY OF SYDNEY

Planning Proposal – Powerhouse Museum Heritage Amendment



Planning Proposal
December 2024

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1. Background

1.1. History

The Sydney Local Environmental Plan 2012 (SLEP 2012) came into effect on 14 December 2012, consolidating the Sydney, Leichhardt and South Sydney plans into one comprehensive plan in the new NSW Government's Standard Instrument format.

Continuous review is necessary to ensure the SLEP 2012 continues to deliver positive outcomes for the local economy, residents and visitors and remains consistent with the vision set out in the *City of Sydney's City Plan Local Strategic Planning Statement and Sustainable Sydney 2030-2050 Continuing the Vision.*

Since the SLEP 2012 has been in force, the City of Sydney has made heritage-related amendments and additions to improve its operation, accuracy and ensure its diverse history is adequately acknowledged.

The City of Sydney has made changes to these controls to address the changing urban context, to meet strategic objectives and to support growth, primarily through site-specific and discrete planning proposals responding to landowner requests or through strategic work such as the Central Sydney Planning Strategy.

Since 2014, there has been significant community interest in the management and future of the Powerhouse Museum, triggered by a proposal to close the Powerhouse Museum at Ultimo and construct a new Powerhouse facility in Sydney's western suburbs in 2014.

On 15 May 2023, a Resolution of Council (Item 11.9) included that: *(B) 'the Chief Executive Officer be requested to investigate the entire Powerhouse Museum site [in Ultimo] for heritage significance'*

In response to this Resolution of Council, the City of Sydney engaged Lovell Chen to prepare a heritage assessment for the entire Powerhouse Museum site in early 2024.

The Powerhouse Museum, Ultimo is already an individually listed heritage item under Schedule 5, Part 1 of the SLEP 2012: '*Powerhouse Museum former warehouse buildings, including interior' (I2031)*. However, the current SLEP 2012 listing does not recognise several important elements and buildings associated with the entire Powerhouse Museum site, including the Wran and Harwood Buildings.

The purpose of this planning proposal is to amend the Powerhouse Museum's existing SLEP 2012 listing (I2031) to better reflect its heritage significance and recognise the importance of the buildings and elements associated with it. To achieve this, it proposes to expand the site's current SLEP 2012 mapped heritage boundary to include the Wran Building, Harwood Building and landscape elements, update its property description to include additional Lot and DP boundaries, and amend the item name. These proposed amendments align with recent gazetted revisions made to the State Heritage Register listing for the item.

The amendments proposed in this planning proposal were recommended in the Lovell Chen heritage assessment, which was prepared in accordance with the NSW Heritage Assessment Criteria (2023).

The additions in this Planning Proposal will ensure the City's planning control framework is up to date and reflects current planning strategies.

1.2. Introduction

This Planning Proposal – Sydney Local Environment Plan – Powerhouse Museum (planning proposal) explains the intent of, and justification for, proposed amendments to the SLEP 2012. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) and relevant Department of Planning guidelines.

The purpose of this planning proposal is to amend the item name, property description and mapped boundary of an existing heritage item listed under Schedule 5 (Environmental heritage), Part 1 (Heritage items) of the SLEP 2012. The proposed amendments are for the following item:

- Powerhouse Museum, 500 Harris Street, Ultimo: '*Powerhouse Museum former warehouse buildings, including interior'* – Item no. I2031

1.3. Background

Site identification

This planning proposal relates to the following land and structures:

- 500 Harris Street, Ultimo - Lot 1, DP 631345

The relevant structures, Lot and DP boundaries are outlined in red in Figure 1.

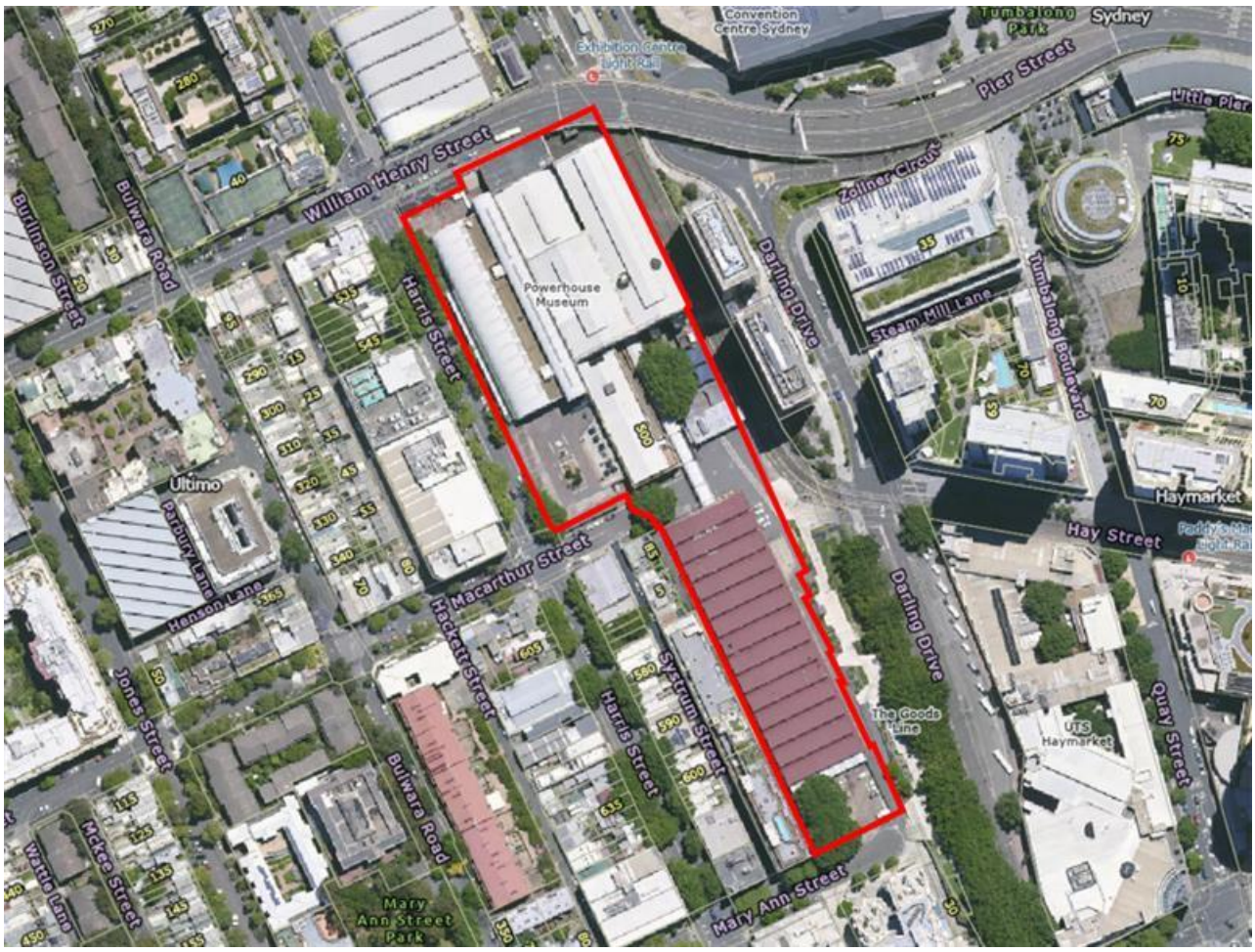

Figure 1. Location of site and Lot and DP boundaries for 500 Harris Street, Ultimo.

500 Harris Street, Ultimo – Powerhouse Museum

The Powerhouse Museum complex is bound by William Henry Street to the north, Harris Street and Omnibus Lane to the west, Mary Ann Street to the south and the Goods Line/tramway corridor to the east. The area, identified in Figure 1 comprises Lot 1, DP 631345 (the Powerhouse Museum, 500 Harris Street) and Lot 1, DP 770031 (Former Ultimo Post Office). Lot 1, DP 631345 is made up of the following:

- Lot 1, DP 781732: Museum and gallery space constructed in the 1980s (generally referred to as the Wran Building), and hard paved courtyard to the north
- Lot 1, DP 631345: Including the remnants of an electricity-generating power station built from 1898 to the 1930s (Engine House, Boiler House, North Annex, Pump House), hard paved areas and public open space generally to the west and east of the study area
- Lot 3, DP 631345: Harris Street forecourt (part)
- Lot 37, DP 822345: Harris Street forecourt (part)
- Lot 1, DP 216854: The 'Harwood Building', a former Tram Depot that was adapted for use as storage, offices and conservation studios in 1980-81

The Power House was established in 1898/99 for the generation of coal fired electricity to power Sydney's tramway network. A Tram Depot was constructed concurrently on site where tram cars were stabled. The Power House and Tram Depot closed in 1963 and 1953, respectively.

The Powerhouse Museum was developed during the 1980s as premises for Museum of Applied Arts and Sciences (MAAS), which maintains a diverse collection estimated at 500,000 items/objects. The Museum is owned by the NSW Government and operated and maintained by the NSW Minister for the Arts and the Trustees of MAAS. It was formally gazetted on the NSW State Heritage Register in 2020. It closed in 2024.



Figure 2. The Powerhouse Museum at 500 Harris Street, Ultimo

1.4. Planning context

Land Zoning

The Powerhouse Museum Lot and DP boundary and proposed SLEP 2012 mapped heritage boundary is located within the MU1, Mixed Use Zone. It is abutted by a Classified Road (SP2) to the west and Public Recreation (RE1) area to the south.

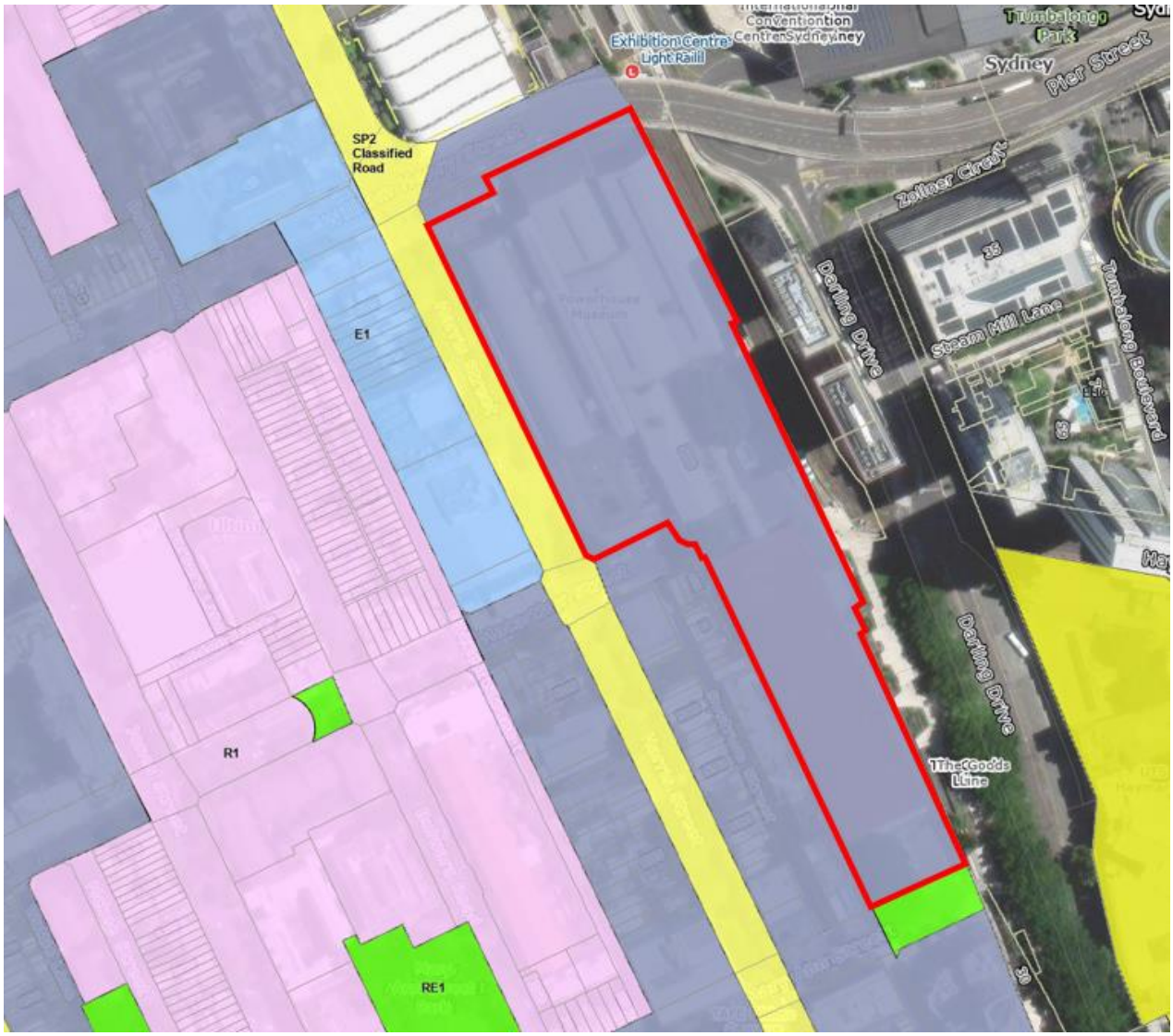

Figure 3. Extract from Zoning map in the SLEP 2012 showing zoning controls.

Heritage Context

The Powerhouse Museum site includes the existing SLEP 2012 heritage item boundary for the '*Powerhouse Museum former warehouse buildings, including interior'* (I2031). The nearest existing heritage item is the '*Former Ultimo Post Office including interior'* at 494 Harris Street (I2030) which abuts the site to its north. In close proximity are the following items:

- *Glasglow Arms Hotel including interior* at 527-529 Harris Street (I2032)
- *Terrace Group including interior* at 578-606 Harris Street (I2033)
- *Former "Millinery House" including interior* at 608-614 Harris Street (I2035)

The site is also in close proximity to the Harris Street Heritage Conservation Area (C57).



Figure 4. Extract from the SLEP 2012 Heritage Map (HER_008) showing heritage items adjacent to, and within, 500 Harris Street, Ultimo (outlined in red).

1.5. Heritage assessment

In 2014, City of Sydney engaged Lovell Chen to prepare a heritage assessment for the Powerhouse Museum, Ultimo. The heritage assessment was commissioned in response to a Resolution (Item 11.9 (b)) of the City of Sydney Council on 15 May 2023, which required that:

- 'the Chief Executive Officer be requested to investigate the entire Powerhouse Museum site [in Ultimo] for heritage significance'

The amendments proposed in this planning proposal were recommended in the Lovell Chen heritage assessment, which was prepared in accordance with the NSW Heritage Assessment Criteria (2023).

The Lovell Chen heritage assessment for the Powerhouse Museum site is included in **Appendix C1.** A draft inventory sheet for the site, also prepared by Lovell Chen, is included in **Appendix C2.**

Heritage assessment findings

The heritage assessment concluded that the Powerhouse Museum, including the Wran Building, Harwood Building, and landscapes associated with the complex, meet the threshold for local significance in terms of:

- Criterion (a) Historic significance: The Powerhouse Museum complex is important in the course of the history of NSW, Sydney and the Pyrmont Peninsula. The Power House was established in 1898/99 for the generation of electricity to power Sydney's tramway network and the Ultimo Power House was the first facility for the generation of electrical power in NSW, and from 1899 until the 1920s it was the largest and most technologically advanced. Both buildings were closed by the 1960s and in the late-1970s, the NSW Public Works Department resolved to adapt the Ultimo Power Station and Tram Depot as premises for the Museum of Applied Arts and Sciences (MAAS). The vision was for the conversion and adaptive reuse of the derelict industrial buildings with the MAAS and NSW Government Architect committed to delivering a new type of visitor attraction, a place of engagement, activation and broad popular appeal. The decision to retain and adapt the historic buildings perpetuated their physical presence in the urban landscape, as well as their relationship and Ultimo's historic associations with industry and transport. The nature of the MAAS collection, including some of its signature items (i.e. the Boulton and Watt 'Whitbread Engine' and 'Locomotive No. 1') aligned with these thematic associations, as well as the huge scale of the buildings.

- Criterion (b) Historic association: The Powerhouse Museum is notable for having been conceptualised, championed and delivered by a large and diverse group of organisations (including the NSW Labor Party, the office of the NSW Government Architect and MAAS) and individuals within them (including Neville Wran, Dr Lindsay Sharp, Norman Harwood, Lionel Glendenning), as well as others (including Richard Johnson). These individuals and institutions reflect diverse fields of endeavour, including politics, architecture, engineering, exhibition design and collections management. Some individuals are remembered in building names (the Wran and Harwood buildings). The breadth of expertise embodied in the project is consistent with the scale, complexity and prestige of the undertaking.

- Criterion (c) Aesthetic / creative / technical achievement: Conception of the Powerhouse Museum was contemporary with the *Heritage Act*, 1977 (NSW), as well as the first edition of the *Burra Charter* (1979). The adaptation of the former Tram Depot (1979-81) was a very early example in NSW (and Australia) of adaptive renewal of a transport/industrial building and set the tone for the adaption of the Power House buildings. The new works to the Tram Depot were significant with a few side walls remaining. Interventions were, however, respectful of the scale, massing, materiality and roof profile of the original structure. The outcome is a building that retains legibility as an historic industrial structure, as well as its relationship with the Power House buildings to the north.

- Criterion (d) Social, cultural and spiritual: Since its opening in 1988 the museum has been valued by people across Sydney, NSW and beyond who have shared experiences and memories of the place. The strength of public attachment to the place is demonstrated by the extent of public support and donations for its establishment, and subsequently, its consistently high visitor numbers and the strong community reaction to the NSW Government's proposal for significant change at the place.

The heritage study concluded that the Powerhouse Museum, including the Wran and Harwood Buildings at 500 Harris Street, Ultimo meet the threshold for local heritage significance for its historic, associative, aesthetic and social warrants potential listing as a heritage item on the SLEP 2012.

Based on these conclusions, progressing amendments to the existing heritage item '*Powerhouse Museum former warehouse buildings, including interior'* (I2031) will ensure the local heritage significance of the site is appropriately considered and maintained in the context of any future plans or redevelopment at each site.

2. Objectives and intended outcomes

The objectives of this planning proposal are to recognise the significance of the SLEP 2012 heritage listed '*Powerhouse Museum former warehouse buildings, including interior'* (I2031) by amending its item name, property description, and SLEP 2012 mapped boundary under Schedule 5, Part 1, of SLEP 2012. By making these amendments, the heritage significance of the site can be appropriately considered and maintained in the context of any future plans or redevelopment at each site.

The proposed amendments will also support and align with the Pyrmont Peninsula Place Strategy. The Strategy recommended that the Wran Building be included in the existing Powerhouse Museum's SLEP 2012 listing. Further, this proposed amendment will ensure the current SLEP 2012 listing aligns with the State Heritage Register boundary for the site.

3. Explanation of provisions

3.1. Amendment 3 SLEP 2012 Heritage Schedule Amendment

The planning proposal seeks to amend the SLEP 2012, Schedule 5, Part 1 by amending the item name, property description and mapped boundary of the '*Powerhouse Museum former warehouse buildings, including interior'* as shown below in **Table 3.** Text to insert is shown as **bold underline**. Text to omit is shown as ~~**bold strikethrough**~~.

Table 3: Proposed amendments to Schedule 5, Environmental heritage, Part 1, heritage items.

Locality	Item Name	Address	Property Description	Significance	Item no.
Ultimo	Powerhouse Museum, ~~**former warehouse buildings,**~~ including interiors	500 Harris Street	**Lot 37 DP 822345, Lot 3 DP 631345, Lot 3 DP 216854, Lot 1 DP 781732, Lot 1 DP 631345** Lot 1, DP 631345	Local	I2031

The name of this heritage item has been amended in accordance with the directions contained in the *Standard Instrument (Local Environmental Plans) Order 2006*, which require that an item name briefly describe those things that are part of its heritage significance.

This heritage item amendment is described further in the supporting information contained in the heritage assessment included at **Appendix C1** and heritage inventory sheet included at **Appendix C2**. The non-statutory heritage inventory sheet can continue to be updated as new information becomes available.

4. Justification

Section A – Need for the planning proposal

Q.1 Is the planning proposal a result of any strategic study or report?

This planning proposal is the result of a heritage assessment prepared by Lovell Chen in 2024. The heritage assessment was commissioned by the City of Sydney in response to a Resolution (Item 11.9 (b)) of the City of Sydney Council on 15 May 2023, that:

> *'the Chief Executive Officer be requested to investigate the entire Powerhouse Museum site [in Ultimo] for heritage significance'*

The amendments proposed in this planning proposal were recommended in the Lovell Chen heritage assessment, prepared in accordance with the NSW Heritage Assessment Criteria (2023).

The Powerhouse Museum, Ultimo is already an individually listed heritage item under Schedule 5, Part 1 of the SLEP 2012: '*Powerhouse Museum former warehouse buildings, including interior' (I2031)*. However, the current SLEP 2012 listing does not recognise several important elements and buildings associated with the entire Powerhouse Museum site, including the Wran and Harwood Buildings.

The purpose of this planning proposal is to amend the Powerhouse Museum's existing SLEP 2012 listing (I2031) to better reflect its heritage significance and recognise the importance of the buildings and elements associated with it.

As noted above, the proposed amendments will also support and align with the Pyrmont Peninsula Place Strategy which recommended that the Wran Building be included in the existing Powerhouse Museum's SLEP 2012 listing. Further, they will align with recently gazetted (gazette no. 268) revisions to the Powerhouse Museum's SHR listing.

A summary of Lovell Chen's revised assessment of significance for the Powerhouse Museum is presented below:

Criteria (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area:

> *The Powerhouse Museum complex, including the Wran Building, former Ultimo Tram Depot (Harwood Building) and the former Ultimo Power House buildings, is important in the course of the history of NSW, Sydney and the Pyrmont Peninsula. (Note: Ultimo Post Office, which is included in the SHR in its own right, is not considered to derive additional significance for its association with the Powerhouse Museum.)*
>
> *The former Power House and the Tram Depot demonstrate and retain associations with historic events of significance. The Power House was established in 1898/99 for the generation of electricity to power Sydney's tramway network. The tram cars were stabled in the Tram Depot, constructed concurrently on a site to the south of the Power House. The two buildings continue to share a symbiotic functional relationship.*
>
> *Ultimo was selected for these major initiatives for a number of reasons, including access to a rail corridor (for delivery of coal), the relatively low cost of land, the potential for expansion (which quickly became a reality), the existing industrial character of the area and because of its proximity to Darling Harbour, which provided a reliable source of water essential for the water cooling system.*

The Ultimo Power House was the first facility for the generation of electrical power in NSW, and from 1899 until the 1920s it was the largest and most technologically advanced. The Power House evolved considerably between the late-1890s and 1930s, reflecting growing demand and technical advances. The Power House finally closed in 1963. Over the following decade it was stripped of plant and machinery, and its three tall chimney stacks were truncated. By the 1970s the evolved Power House complex was in a state of dereliction.

The Ultimo Tram Depot was the first stabling facility for Sydney's electric tram network. The building, which was also enlarged over time to meet demand, closed in 1953, following which it was adapted for storage, a process that included the removal of almost all tram tracks and service pits. The building, which was contemplated for adaptation as a Museum of Transport in the mid-1960s, was derelict by the 1970s.

In the late-1970s, the NSW Public Works Department resolved to adapt the Ultimo Power Station and Tram Depot as premises for the Museum of Applied Arts and Science (MAAS), a collection of considerable significance in its own right. The origins of MAAS date to the Sydney International Exhibition of 1879. MAAS also has strong connections with Ultimo, having been headquartered at the Technological Museum on Harris Street from 1893 to the 1980s.

The vision was for the conservation and adaptive re-use of the derelict industrial buildings, and the introduction of new works to the west of the site (Harris Street) creating a new public address. The initiative was developed by the NSW Government Architect and MAAS and drew upon expertise from a broad range of contributors (see Criterion 'b'). In terms of its programme, the ambitious undertaking was inspired by overseas precedents (including the Pompidou Centre, Paris). It was also a major expression of an emerging interest internationally in adaptive renewal (see criterion 'c'). Political impetus for the project was provided by the bicentenary of 1988 (Premier Wran stipulated completion by 1988). The project also a flagship of the regeneration of the Darling Harbour precinct.

MAAS and the NSW Government Architect were committed to delivering a new type of visitor attraction, a place of engagement, activation and broad popular appeal. Aspirations for the architectural character, conservation and internal experience (exhibition design) of the place were correspondingly ambitious. The Powerhouse Museum complex a is place that is embedded within and responsive to its setting. The decision to retain and adapt the historic buildings perpetuated their physical presence in the urban landscape, as well as their relationship and Ultimo's historic associations with industry and transport. The nature of the MAAS collection, including some of its signature items (i.e. the Boulton and Watt 'Whitbread Engine' and 'Locomotive No. 1') aligned with these thematic associations, as well as the huge scale of the buildings.

The new additions were also historically referential – the linear vaulted forms of the Wran Building, for instance, drew upon the Garden Palace, venue for the 1879 International Exhibition, the event that was foundational to MAAS.

The Powerhouse Museum has been a notable popular success and has inspired broad community support and sentiment.

The site meets this threshold at a local level and at a State level.

Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area):

The Powerhouse Museum complex derives significance for its associations with individuals and institutions of importance in Sydney and NSW's history.

The Powerhouse Museum is notable for having been conceptualised, championed and delivered by a large and diverse group of organisations (including the NSW Labor Party, the office of the NSW Government Architect and MAAS) and individuals within them (including Neville Wran, Dr Lindsay Sharp, Norman Harwood, Lionel Glendenning), as well as others (including Richard Johnson). These individuals and institutions reflect diverse fields of endeavour, including politics, architecture, engineering, exhibition design and collections management. Some individuals are remembered in building names (the Wran and Harwood buildings). The breadth of expertise embodied in the project is consistent with the scale, complexity and prestige of the undertaking.

A test for criterion 'b' is first to demonstrate that the person or group is of importance in the history of NSW (or at the local level), and second that they have a special association with the place under assessment.

Of the notable individuals and organisations associated with the Powerhouse Museum complex, two stand out for the strength of their association with the place, and for their role in shaping its identify and evolution: MAAS and the office of the NSW Government Architect. MAAS (notably through the work of Lindsay Sharp and Norm Harwood) and the office of the NSW Government Architect (led by Lionel Glendenning). The Powerhouse Museum is perhaps the seminal work of Glendenning's career.

As related to the other individuals of note associated with the Powerhouse, Neville Wran was associated with multiple places and initiatives, including the Powerhouse Museum, during his ten-year tenure as State premier (1976-86). Evidence to indicate that the Powerhouse derives cultural significance for this association, or that the Museum is a preeminent landmark of his legacy, did not come to light during research for this report.

Similarly, evidence to suggest that the place is of cultural heritage significance for its association with Henry Deane or Walter Liberty Vernon did not come to light. Deane was associated with multiple works of major infrastructure – including the Ultimo Power House and Tram Depot – during his career as Engineer in Chief for the NSW Railways from 1891-1906 and Engineer in Chief of the Commonwealth Railways Construction Branch, 1912-14. Walter Liberty Vernon oversaw the design of a significant numbers of public buildings (including over 20 post offices) as the NSW Government Architect from 1890 to 1911.

The site meets this threshold at a local level and at a State level.

Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area):

The Powerhouse Museum complex is significant for demonstrating aesthetic characteristics and a high degree of creative achievement.

Aesthetic value is a broad concept. As applied to heritage significance, aesthetic characteristics and qualities may relate to how we respond to sounds, smells and other factors having an impact on human thoughts, feelings and attitudes. These qualities may be associated with good design; they may also relate to concepts of beauty. Aesthetic values can be the result of the conscious design of a place or object. They can also be the outcome of the way in which a place or object has evolved and been used over time. Many places and objects combine both. Aesthetic values tend to be specific to a time and cultural context. As related to the Powerhouse Museum, this criterion relates primarily to its standing as a landmark of adaptive renewal, and its architectural and experiential qualities.

Conception of the Powerhouse Museum was contemporary with the Heritage Act, 1977 (NSW), as well as the first edition of the Burra Charter (1979). The adaptation of the former

Tram Depot (1979-81) was a very early example in NSW (and Australia) of adaptive renewal of a transport/industrial building and set the tone for the adaption of the Power House buildings. The works to the Tram Depot were significant. Interventions were, however, respectful of the scale, massing, materiality and roof profile of the original structure. The outcome is a building that retains legibility as an historic industrial structure, as well as its relationship with the Power House buildings to the north.

This approach, bold, assertive while simultaneously responsive to the valued attributes and characteristics of the place continued in the Power House itself. The buildings were retained as three-dimensional forms; the spatial qualities of the buildings were celebrated; original fabric was revealed where possible; applied details and new interventions embraced colour as well as architectural diversity of the evolved building complex; and thematic synergies between the collection and the place were optimised. Opportunities for innovation presented by the existing building were also seized. A notable example was the use of historic conduits connecting the Turbine Hall to Darling Harbour (for use in the water cooling system) in support of the Museum's air conditioning system.

Works for the adaptation of the Ultimo Power House and Tram Depot were contemporary with early examples of adaptive reuse of industrial/transport buildings as arts facilities at the national as well as international levels.

The use of the adapted buildings as premises for MAAS, while not explicitly a heritage issue, is also relevant. The coalition of the collection and the historic buildings was mutually strengthening in terms of their significance, social resonance and cultural influence. For the first time, the buildings were accessible to the public, and the collection had space to breathe and reach a broader audience.

The architectural and experiential qualities of the Powerhouse Museum were the outcome of an intensely collaborative approach, with Lionel Glendenning and Richard Johnson being lead protagonists. Glendenning, architect of record for the Powerhouse and Principal Architect within the Office of the NSW Government Architect, brought a notably plural sensibility to the project. His interest in drawing upon a diverse set of historical and symbolic references was responsive to the origins and associations of the collections and the existing buildings. It was also contemporary with the expansion of Postmodernist principles in architectural design.

Glendenning explored a series of design themes including: the layering of space through screens and structural rhythm; levels of transparency to evoke spatial depth; the insertion of buildings within buildings to rescale experience; memory and contextual reference to create dialogues between old and new, and between past and present; and grids and their rotation as compositional tactics to encourage diverse movement and experiences within a building or site.

The cumulative significance of these elements was their reference to memory, time and travel, evocative not just of the industrial nature of the collection and its new location in a series of structures originally devoted to transport but also an analogy to a museum visitor's experience of memory, time and travel as they would make their way around the diverse volumes and spaces of the whole museum complex.

The design of the exhibitions and visitor experience, overseen by Johnson, was similarly innovative. Much as Glendenning had conceived the exterior form and the diverse scale of spaces within as an extension of the broader urban context, Johnson was interested in the internal experience of the museum being like that of a city. Major exhibits – including the Boulton and Watt Engine, the Cataline and Loco No. 1 – were used as anchors, to assist visitors in navigating the large spaces.

The Powerhouse Museum has been modified since 1988, notably during the works of 2011-13. However, the core principles that underpinned the design response, and many of the sources and references that informed it, remain evident.

The design qualities of the Powerhouse Museum were highly awarded. It was the first project ever to have been nominated for three categories in the RAIA National Architecture Awards: the President's Award for Recycled Buildings; the Belle Interiors Award for Interior Design; and the Sir Zelman Cowen Award. It won all of them. At the State level, it was the co-recipient of the RAIA NSW Chapter's top award, the Sulman Award for 1988.

The site meets this threshold at a local level and at a State level.

Criterion (d) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area):

The Powerhouse Museum is a place of social value to communities and groups for a range of reasons variously related to conceptions of identity, practice and interest (as discussed at Section 2.6.1). Based on the limited review of evidence undertaken for this assessment, communal attachment as it relates to the Powerhouses Museum resonates at the local (Sydney) level and possibly the State level.

Since its opening in 1988 the museum has been valued by people across Sydney, NSW and beyond who have shared experiences and memories of the place. The strength of public attachment to the place is demonstrated by the extent of public support and donations for its establishment, and subsequently, its consistently high visitor numbers and the strong community reaction to the NSW Government's proposal for significant change at the place.

The Museum is used and appreciated by the Pyrmont, Sydney and NSW communities. It is also valued by communities who identify with and derive a sense of pride from an appreciation that the Powerhouse is a museum with few equivalents in Australia or elsewhere that is recognised worldwide and has contributed positively to perceptions of Sydney and NSW. Communities of identity associated with the Powerhouse also include those that have been supported (or represented) by the Museum, including migrant and LGBTQI communities.

Communities of interest associated with the Powerhouse Museum include groups that formed (or mobilised) following the NSW Government's 2014/5 announcement of plans to replace the Powerhouse Museum in Ultimo with a new facility in Sydney's western suburbs. Communities of interest also include those with an interest in the site's associations with industry, transport and with MAAS.

Communities of practice associated with the Powerhouse Museum may include but are unlikely to be limited to present and former MAAS staff, Powerhouse Museum staff and volunteers.

The site meets this threshold at a local level.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes.

Appropriate heritage protection under Amendment 3 is best achieved through amendments to the existing item name, property description and mapped SLEP 2012 boundary identification of the Powerhouse Museum in an environmental planning instrument. The current listing does not include or acknowledge several buildings, spaces and elements that contribute to its heritage significance.

It is also inconsistent with the listing description and boundary in the gazetted NSW State Heritage Register listing for the site.

Progressing the proposed amendment to the current Powerhouse Museum SLEP 2012 listing will ensure that its local heritage significance is appropriately recognised, considered and conserved. It will also ensure formal consultation with landowners and the broader community prior to any future change or development to the items. These outcomes are only achieved in the longer term through protection under Schedule 5, Part 1 of the SLEP 2012.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Yes. See comments below

Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan, completed in March 2018, is the Greater Sydney Commission's vision for a Greater Sydney of three cities where most residents live within 30 minutes of their jobs and services. City of Sydney is situated within the Eastern Harbour City.

This plan sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. This sets out how the State Government's 10 directions for a Greater Sydney are to be implemented through integrated planning. These 10 directions, with 40 supporting objectives, address infrastructure, liveability, productivity and sustainability. This planning proposal is consistent with these high level directions and objectives. In particular it addresses the liveability great places direction objective:

Objective 13: Environmental heritage is identified conserved and enhanced

By listing each building on the SLEP 2012, this planning proposal will fulfill this objective.

Eastern City District Plan

The Eastern City District Plan completed by the Greater Sydney Commission in March 2018 is a 20-year plan to manage growth in the context of economic, social and environmental matters. The district plan identifies 22 planning priorities and associated actions that support a liveable, productive and sustainable future for the district. This planning proposal gives effect to the following key planning priority and actions:

Liveability Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage Action 26 - Identify, conserve and enhance environmental heritage by:

> *(a) engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
>
> *(b) applying adaptive re-use and interpreting heritage to foster distinctive local places*
>
> *(c) managing and monitoring the cumulative impact of development on the heritage values and character of places.*

This priority seeks to enhance the district's liveability by identifying, conserving and enhancing the heritage of local centres and neighbourhoods. It notes that built heritage contributes to an area's sense of place, its distinctive character and diversity of built form and uses and brings people together.

By consulting with the community to consider amending and listing these items as having local heritage significance, this planning proposal will address the district plan by respecting the City of Sydney's diverse heritage and fostering great places to bring people together.

The retention, conservation and revised acknowledgement of the items in Amendments 1-3 has potential to enhance the character and distinct sense of place in Ultimo.

Q4. Is the planning proposal consistent with council's local strategy or other local strategic plan?

Yes.

Sustainable Sydney 2030 – 2050 Community Strategic Plan

The City of Sydney's Sustainable Sydney 2030 Strategic Plan is the vision for the sustainable development of the City to 2050 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal is consistent with the key directions of Sustainable Sydney 2030 – 2050, particularly Direction 4 'Design excellence and sustainable development.'

Local strategic planning statement

The City Plan 2036 Local Strategic Planning Statement was completed in March 2020. This statement is the 20-year vision for land use planning in the city. It aims to link the NSW State Government's strategic plans and the community strategic plans with the city's planning controls. This plan highlights that the unique heritage character of Sydney is a strong focus for local communities.

The planning proposal identifies amendments to the Powerhouse Museum's SLEP 2012 listing that will facilitate its conservation and allow future generations to recognise the site's significance. The amended heritage listing will ensure future development considers and maintains the entire Powerhouse Museum site's heritage significance, including the Wran Building and Harwood Building.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

This planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs) as summarised in Table 4 and detailed in the following section. In this table, consistent means that the planning proposal does not contradict of hinder the application of the relevant state environmental planning policy.

Table 4: Consistency with State Environmental Planning Policies.

State Environmental Planning Policy	Comment
SEPP (Biodiversity and Conservation) 2021	Consistent - amendments in this planning proposal will continue to support the biodiversity and conservation in the local government area
SEPP (Building Sustainability Index: BASIX) 2004	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - no amendments in this proposal will hinder the application of this SEPP.

State Environmental Planning Policy	Comment
SEPP (Housing) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Industry and Employment) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Planning Systems) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Precincts–Central River City) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Precincts–Eastern Harbour City) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Precincts–Regional) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Precincts–Western Parkland City) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Primary Production) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Resilience and Hazards) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Resources and Energy) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP No 65 - Design Quality of Residential Flat Development	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Transport and Infrastructure) 2021	Consistent - no amendments in this proposal will hinder the application of this SEPP.
SEPP (Housing) Amendment (Transport Oriented Development) 2024	Consistent - no amendments in this proposal will hinder the application of this SEPP.

Q6. Is the planning proposal consistent with applicable ministerial directions?

This planning proposal is consistent with all Ministerial Directions issued under section 9.1 of the *Environmental Planning and Assessment Act 1979*, as summarised in Table 5.

Table 5: Consistency of the planning proposal with ministerial directions**.**

Ministerial Direction	Comment
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	Consistent. No amendments in this proposal will hinder the implementation of Regional Plans

Ministerial Direction	Comment
1.2 Development of Aboriginal Land Council land	Not applicable
1.3 Approval and Referral Requirements	Consistent. No amendment includes concurrence, consultation or referral provisions or identify any designated development.
1.4 Site Specific Provisions	Consistent – see discussion below.
1.4A Exclusion of Development Standards from Variation	Consistent. This planning proposal does not propose to exclude a development standard from variation under clause 4.6
Focus area 1: Planning Systems – Place-based	
1.6 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.11 Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.12 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.13 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.14 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.15 Implementation of Greater Macarthur 2040	Not applicable
1.16 Implementation of the Pyrmont Peninsula Place Strategy	Consistent. This planning proposal supports and aligns with the Pyrmont Peninsula Place Strategy by including the Wran Building in the existing Powerhouse Museum's SLEP 2012 listing and amending the LEP boundary to align with the State Heritage Register boundary for the site
1.17 North West Rail Link Corridor Strategy	Not applicable
Focus area 2: Design and Place	No directions in place
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	Consistent. Amendments in this planning proposal will continue to support the protection and conservation of environmentally sensitive areas in the local government area

Ministerial Direction	Comment
3.2 Heritage Conservation	Consistent. Amendments in this planning proposal will support the conservation of items, areas, objects and places of environmental heritage significance in the local government area
3.3 Sydney Drinking Water Catchments	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5 Recreation Vehicle Areas	Not applicable
Focus area 4: Resilience and Hazards	
4.1 Flooding	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
4.2 Coastal Management	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
4.3 Planning for Bushfire Protection	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
4.4 Remediation of Contaminated Land	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
4.5 Acid Sulfate Soils	Consistent. Amendments in this planning proposal are proposed for land classified as Class 5 and will not hinder the implementation of this local planning direction
4.6 Mine Subsidence and Unstable Land	Not applicable
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
5.2 Reserving Land for Public Purposes	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
5.3 Development Near Regulated Airports and Defence Airfields	Not applicable
5.4 Shooting Ranges	Not applicable
Focus area 6: Housing	
6.1 Residential Zones	Consistent. This planning proposal supports and aligns with this local planning direction, particularly objectives (a) and (b).
6.2 Caravan Parks and Manufactured Home Estates	Not applicable
Focus area 7: Industry and Employment	

Ministerial Direction	Comment
7.1 Business and Industrial Zones	Consistent. No amendments in this proposal will hinder the implementation of this local planning direction
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
Focus area 8: Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable
Focus area 9: Primary Production	
9.1 Rural Zones	Not applicable
9.2 Rural Lands	Not applicable
9.3 Oyster Aquaculture	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The planning proposal will not adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. It is unlikely that the proposed amendment to Part 1, Schedule 5 of SLEP 2012 will result in development creating any environmental effects that cannot be readily controlled.

Q9. How has the planning proposal adequately addressed any social and economic effects?

Identification and recognition of each heritage item and its significance will facilitate retention of physical, social, cultural and historic values that may have significance to the community. No changes to current zoning controls are proposed. The merit-based heritage provisions provide capacity for Council and any proponent to take into account these matters when development is proposed.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Yes. The SLEP 2012 amendment will not generate any additional demand for infrastructure.

Q11. What are the views of State and Commonwealth public authorities consulted in the gateway determination?

If required by the Gateway Determination, the Heritage Council of NSW will be consulted during the public exhibition period. The identification of this heritage item, based on a comprehensive heritage assessment, is consistent with Heritage Council of NSW standards.

5. Mapping

The Heritage Map tile HER_008 will be updated to shade in brown the amended item boundary. The heritage map extract at **Figure 5** shows the proposed boundary.

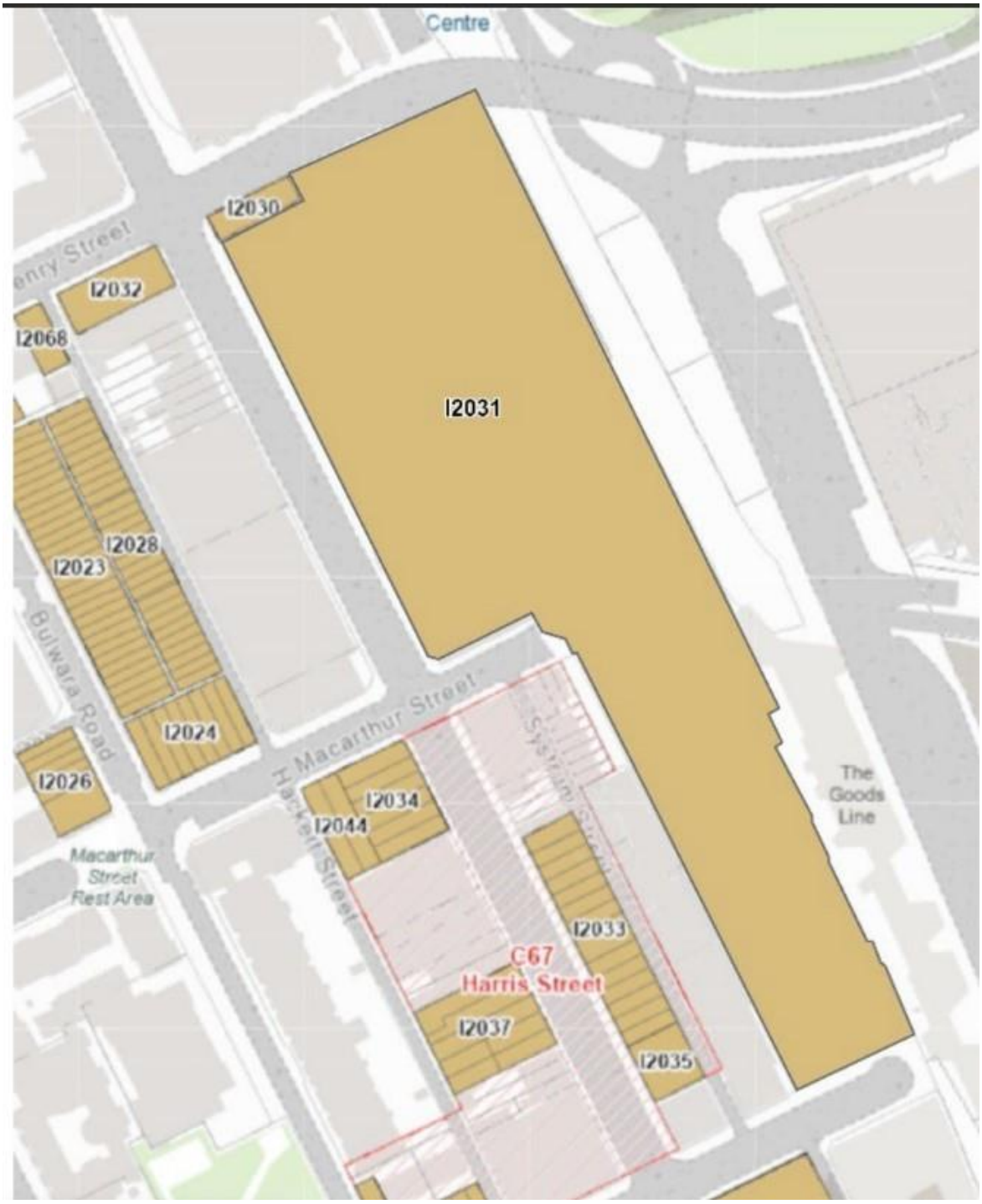

Figure 5. Proposed heritage boundary amendment for the Powerhouse Museum, Heritage Map tile HER_0008.

6. Community consultation

5.1 Public Exhibition

This planning proposal shall be exhibited in accordance with the requirements of gateway determination once issued by the Department of Planning, Housing and Infrastructure.

It is anticipated that public exhibition will be for a period of at least 20 working days, which is consistent with the Environmental Planning and Assessment Act 1979 and the Local Environmental Plan Making Guideline prepared by the Department dated August 2023.

The public exhibition of the documents will be on the City of Sydney website and carried out in accordance with the City's Community Participation Plan.

Consultation with the necessary NSW agencies, authorities and other relevant organisations will be undertaken as required by the conditions contained within the gateway determination.

7. Project timeline

The anticipated timeline for the completion of the planning proposal is as follows:

Stage	Timeframe
Gateway request	December 2024
Public exhibition & government agency consultation	April 2025
Consideration of submissions	June 2025
Post exhibition consideration of proposal	August 2025
Draft and finalise LEP	October 2025

Appendices

Appendix C1 – Powerhouse Museum Heritage Assessment Report (Lovell Chen)

Appendix C2 – Draft Inventory Sheet - Powerhouse Museum and interiors

Attachment D

Powerhouse Museum Heritage Assessment Report (Lovell Chen)

POWERHOUSE MUSEUM

HERITAGE ASSESSMENT

No. 500 Harris Street, Ultimo, Sydney, New South Wales 2007



August 2024

Prepared for

CITY OF SYDNEY

Prepared by

LOVELL CHEN

ACKNOWLEDGEMENT OF COUNTRY

This report was prepared on the lands of the Wurundjeri people who have been custodians of this land for thousands of years. We acknowledge their stories, connection to land, water and culture which is embedded in Country. We pay our respects to their Elders past and present and acknowledge that this report includes a post-contact history that forms only a small part of the ongoing story.

The Powerhouse Museum is located on the lands of the Gadigal of the Cadigal (Gadigal), Gammerigal and/or Wangal clans of the Eora Nation, who are, and have always been the custodians of this land. We pay our respects to the Elders past and present, and acknowledge the stories, traditions and cultures of all Aboriginal and Torres Strait Islander people.

Quality Assurance Register

The following quality assurance register documents the development and issue of this report prepared by Lovell Chen Pty Ltd in accordance with our quality management system.

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Cover: View of the Powerhouse Museum looking south-east from the corner of Harris and William Henry streets (September 2023)

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APPENDIX A CHRONOLOGY

APPENDIX B PHYSICAL ANALYSIS

1.0 BACKGROUND AND BRIEF

This Heritage Assessment was commissioned by the City of Sydney. It responds to a Resolution of Sydney City Council that 'the Chief Executive Officer be requested to investigate the entire Powerhouse Museum site [in Ultimo] for heritage significance'.[1] Further commentary on the context for assessment is provided below (see Section 1.4 and Appendix A).

The primary authors were heritage consultant Adam Mornement, a Principal of Melbourne-based practice Lovell Chen and Professor Philip Goad, Redmond Barry Distinguished Professor and Chair of Architecture, Melbourne School of Design, University of Melbourne.

1.1 Nomenclature

Buildings at the subject site have been referred to by various names over time. For ease of understanding, the nomenclature adopted in this document is generally consistent with the most recent documents relating to the place, including the Conservation Management Plan (CMP) prepared by Curio Projects in 2022.[2]

1.2 Acknowledgements

The authors are grateful for support provided by the following: Lisa Havilah, Chief Executive Officer, Museum of Applied Arts and Sciences (MAAS); Jeremy Kelshaw, Director, Office of the Chief Executive, MAAS; and Simon Walkom, Director, Strategy & Operations, MAAS.

1.3 Study area

The study area (the Powerhouse Museum complex) is bound by William Henry Street to the north, Harris Street and Omnibus Lane to the west, Mary Ann Street to the south the and the Goods Line/tramway corridor to the east. This area, illustrated at Figure 1, comprises Lot 1, DP 631345 (the Powerhouse Museum, 500 Harris Street) and Lot 1, DP 770031 (Former Ultimo Post Office). Lot 1, DP 631345 is made up of the following:

- Lot 1, DP 781732: Museum and gallery space constructed in the 1980s (generally referred to as the Wran Building), and hard paved courtyard to the north
- Lot 1, DP 631345: Including the remnants of an electricity-generating power station built from 1898 to the 1930s (Engine House, Boiler House, North Annex, Pump House) as well as hard paved areas and public open space generally to the west and east of the study area
- Lot 3, DP 631345: Harris Street forecourt (part)
- Lot 37, DP 822345: Harris Street forecourt (part)
- Lot 1, DP 216854: The 'Harwood Building', a former Tram Depot that was adapted for use as storage, offices and conservation studios in 1980-81

1 City of Sydney, Resolution of Council (City of Sydney), 15 May 2023, Item 11.9 'Supporting the Powerhouse', Item 'B'.

2 Curio Pty Ltd, *Powerhouse Ultimo Draft Conservation Management Plan,* 2022. At the time of writing it was understood that this CMP was under review.



Figure 1
The study area
Source: Nearmap (base photograph)

The Powerhouse Museum was developed during the 1980s as premises for MAAS, which maintains a diverse collection estimated at 500,000 items/objects. The Museum is owned by the NSW Government and operated and maintained by the NSW Minister for the Arts and the Trustees of MAAS, which is constituted as a body corporate under the *Museum of Applied Arts and Sciences Act* 1945. Under the provisions of the Act, nine Trustees are appointed by the Governor of NSW, on the recommendation of the NSW Minister for the Arts, for a term of up to three years, and may serve for a maximum of three full terms.

1.4 Context for review

This heritage assessment was prepared during a period of public interest in the management and future of the Powerhouse Museum. This interest was triggered by a proposal, announced by the NSW Government in November 2014, to close the Powerhouse Museum at Ultimo and construct a new Powerhouse facility in Sydney's western suburbs (see Appendix A for further information).

The original proposal has evolved over the intervening decade. The proposition, at the time of writing, was for the Powerhouse Museum at Ultimo to be retained and adapted as part of a creative industries precinct. The new museum (at Parramatta) was under construction.

Since 2014/15, plans for the Powerhouse group of museums have been the subject of extensive media coverage and community activism including, but not limited to, the 'Powerhouse Alliance', 'Save the Powerhouse' and the NSW Chapter of the National Trust of Australia. In 2020, a Select Committee was convened to consider the NSW Government's management of the Powerhouse Museum and other museums and cultural institutions in the State[3] (again, see Appendix A for further information).

The statutory heritage controls that apply to the Powerhouse Museum (Ultimo) have also evolved since 2014. At that time the only building at the study area that was included in the NSW State Heritage Register was the Post Office (Item no. 00502). The remnants of the Ultimo Power House built from the late-nineteenth century to the interwar period were included in the City of Sydney Local Environmental Plan (LEP I2031) as 'Powerhouse Museum former warehouse buildings, including interiors'.

In 2020, the Ultimo Power House was included in the NSW State Heritage Register (Item no. 02045), and in 2023 the Heritage Council of NSW resolved to investigate an expansion of the NSW State Heritage Registration to include the Wran and Harwood buildings.[4]

Further commentary on the heritage controls that apply to the study area is at Section 1.6.

1.5 Methodology

The approach to assessment in this document follows best practice methodologies including those set out in the *Australia ICOMOS Charter for Places of Cultural Significance (Burra Charter)* 2013 and its Practice Notes, and *Assessing Heritage Significance, Guidelines for assessing places and objects against the Heritage Council of NSW criteria* issued by the NSW Department of Planning and Environment, 2023.

Best practice in significance assessment demonstrates the importance of an approach which recognises that values ascribed to places are interrelated. Methodologies that assist in thinking broadly about values are also consistent with best practice, as is the recognition that assessments of significance are qualitative and can never be completely objective. As such, it should be acknowledged how, why and when they have been produced.

It is also important to acknowledge that significance assessments will change over time as new evidence emerges, or perceptions of historical and social values about a place evolve – as has occurred at the

3 NSW Legislative Council, *Select Committee on the Government's Management of the Powerhouse Museum and Other Museums and Cultural Projects in New South Wales*, September 2022.

4 Heritage Council of NSW, Meeting Minutes 520, 4 October 2023, p. 5.

Powerhouse Museum in recent years. That is to say, assessments of significance should be sufficiently flexible to accommodate changing community and professional understandings of heritage values.

In cases where the primary author(s) of a heritage place are alive it is considered appropriate to consult with them (or endeavour to do so). Consultation with the author(s) of heritage places is also consistent with the provisions of the *Copyright Act* 1968, and the amendments made to that Act by the *Commonwealth Copyright Amendment (Moral Rights) Act* 2000, notably the provisions of Section 195.

In broad terms, the sequence observed in the assessment of the Powerhouse Museum complex was as follows:

- Understanding the place, including:

  Data gathering and summary history

  Site familiarisation – physical inspection

  Document review, including previous heritage reports and assessments

  Analysis of press coverage and advocacy campaigns

  Consultation with Lionel Glendenning, architect-of-record for the Powerhouse Museum, Jennifer Sanders, Deputy Director of the Powerhouse Museum 2001-09, and Dr Lindsay Sharp, Director of MAAS from 1978-88

- *Assessment of significance*

  Against the NSW Heritage Criteria, consistent with *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria*, prepared by Department of Planning and Environment, NSW, 2023

1.6 Heritage controls and listings

Table 1 Heritage controls and listings within the study area

Place	Statutory heritage controls	Heritage listings (non-statutory)	Extent of registration
Ultimo Post Office, 1901, 494 Harris Street, Ultimo	NSW State Heritage Register (00502), gazetted 4 February 1999 LEP (I2030), gazetted 14 December 2012 ('Former Ultimo Post Office including interior')	Register of the National Estate (Place ID 2381) Classified by the National Trust of Australia (NSW), (S9302)	
Ultimo Power House (Powerhouse Museum, Stage Two)	*State:* NSW State Heritage Register (02045), gazetted 4 September 2020 * Note: on 28 February 2024, the NSW State Heritage Register	Register of the National Estate, 'Powerhouse Museum (Stage Two)' (Place ID 100690)	The boundary is within Lot 1 DP 631345 and comprises the four main interconnected heritage buildings being the Engine House and Turbine Hall, Second Boiler House, Office Building and Switch Hall.

Place	Statutory heritage controls	Heritage listings (non-statutory)	Extent of registration
	Committee (HOD No. 5068313) issued a draft recommendation to expand the Powerhouse Museum complex to include the Wran and Harwood buildings. *Local:* LEP (I2031), ('Powerhouse Museum former warehouse buildings, including interiors', see Figure 2)		The proposed extension to the curtilage of the Ultimo Power House SHR listing (February 2024) includes: • Lot 1 DP 631345 • Lot 1 DP 770031 • Lot 1 DP 781732 • Lot 3 DP 216854 • Lot 3 DP 631345 • Lot 37 DP 822345
Harwood Building (Former Ultimo Tramway Depot; Powerhouse Museum, Stage One)	N/A * Note: on 28 February 2024, the NSW State Heritage Register Committee (HOD No. 5068313) issued a draft recommendation to expand the Powerhouse Museum complex to include the Harwood Building	Register of the National Estate (Place ID 100691) Classified by the National Trust of Australia (NSW), (S10611)	
Water Cooling System and Manifold	Section 170 Heritage Register 2020 Ultimo Power House SHR Listing	N/A	

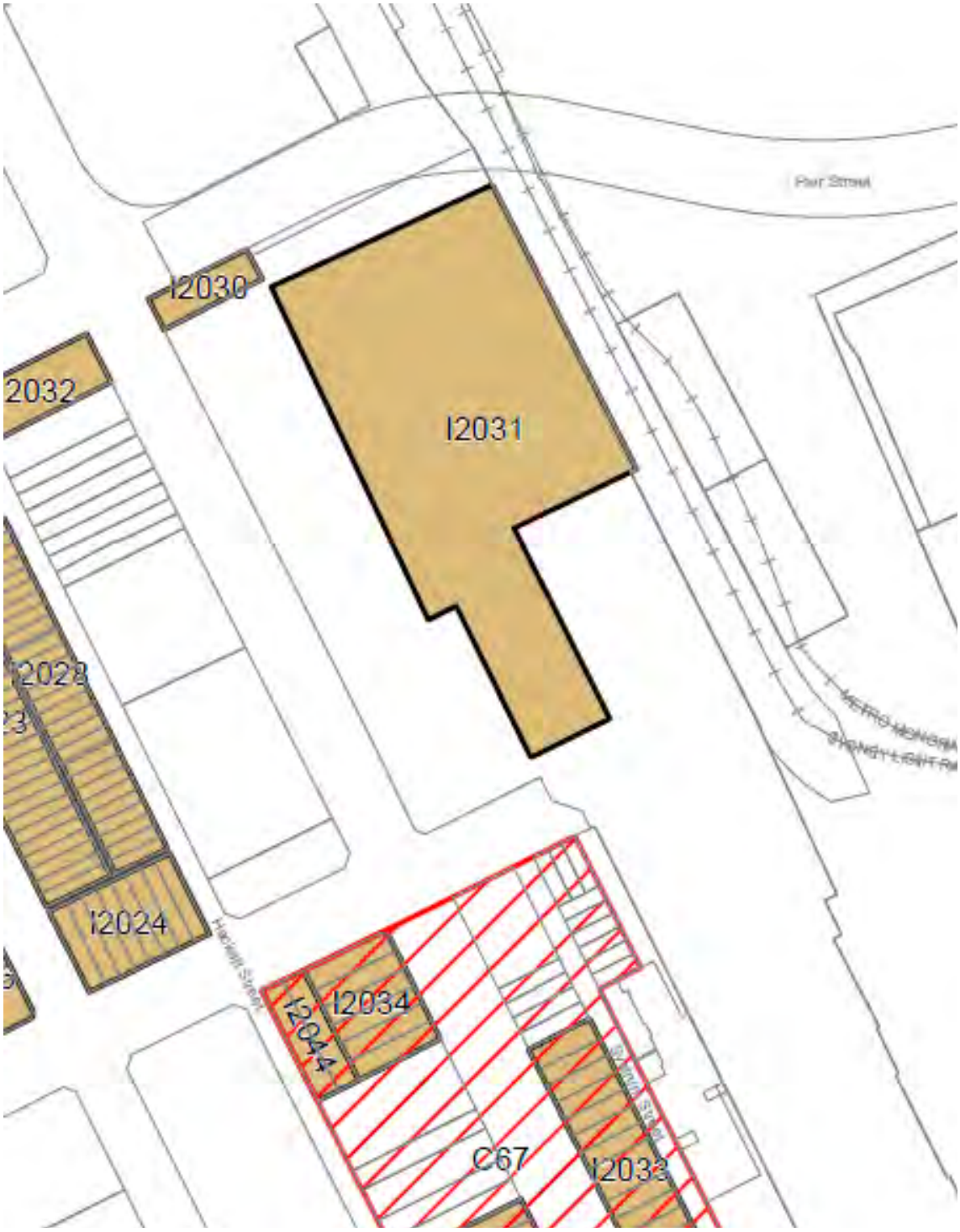

Figure 2 Mapping for the 'Powerhouse Museum former warehouse buildings, including interiors' (designated I2031), Sydney LEP

Source: Sydney Local Environmental Plan 2012, Heritage Sheet 008

1.7 Exclusions and limitations

1.7.1 Direct engagement with interested parties and Traditional Owners

Other than the individuals noted above, direct engagement with interested parties was not part of the agreed scope of this heritage assessment. The same applies to engagement with Traditional Owners.

1.7.2 Research

Primary research was generally not undertaken for this heritage assessment. Existing sources were relied upon including, but not limited to, those listed at Section 1.9.

1.7.3 MAAS collection

Analysis of the MAAS collection does not form part of this heritage assessment. As noted, the collection includes an estimated 500,000 items, many of which are significant in their own right.

This heritage assessment does, however, recognise that the collection (generally) and items within it (specifically) were one of a number of reference points in the development of the programme and design for the Powerhouse Museum concept (discussed further at Section 2.0).

1.8 Definitions

The terminology used in this report is of a specific nature. The following definitions are from the *Burra Charter, 2013* (Article 1), as endorsed by a large number of statutory and national heritage bodies.

Place means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

- *Cultural significance* is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*.
- Places may have a range of values for different individuals or groups.

Fabric means all the physical material of the *place* including elements, fixtures, contents and objects.

Conservation means all the processes of looking after a *place* so as to retain its *cultural significance*.

Maintenance means the continuous protective care of a *place*, and its *setting*.

Maintenance is to be distinguished from repair which involves *restoration* or *reconstruction*.

Preservation means maintaining a *place* in its existing state and retarding deterioration.

Restoration means returning a *place* to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.

Reconstruction means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material.

Adaptation means modifying a *place* to suit the existing *use* or a proposed use.

Use means the functions of a *place*, including the activities and traditional and customary practices that may occur at the place or are dependent on the place.

Compatible use means a *use* which respects the *cultural significance* of a *place*. Such a use involves no, or minimal, impact on cultural significance.

Setting means the immediate and extended environment of a *place* that is part of or contributes to its cultural significance and distinctive character.

Related place means a *place* that contributes to the *cultural significance* of another place.

Related object means an object that contributes to the *cultural significance* of a *place* but is not at the place.

Associations mean the special connections that exist between people and a *place*.

Meanings denote what a *place* signifies, indicates, evokes or expresses to people.

Interpretation means all the ways of presenting the *cultural significance* of a *place*.

The following derives from the *Operational Guidelines for the Implementation of the World Heritage Convention (*12 July 2017):

- *Integrity* means the completeness, intactness and condition of the attributes that convey (or embody) the heritage values of the place. Attributes may be tangible and/or intangible.

The following derive from current dictionary definitions:

- *Tangible* means perceptible by touch. In a heritage context, this typically relates to the fabric (elements, fixtures, contents and objects) of a place.
- *Intangible*, means incapable of being perceived by the sense of touch. In a heritage context, the term is often applied to concepts of social and/or historical value. An example of an intangible value at Federation Square may the meanings generated between the place and the community through experience and interaction over time.

1.9 Sources

Documents reviewed during the preparation of this document include but are not limited to the following:

- AMBS Ecology & Heritage, *Historical Archaeological Assessment,* 2018
- Architectural Projects, *Conservation Management Plan: The Powerhouse Museum*, 2003
- Coast History & Heritage, *Draft Aboriginal Overview Powerhouse Ultimo*, 2022
- Cracknell & Lonergan Architects Pty Ltd, *Assessment of Heritage Significance, Independent Review*, 2020
- Curio Pty Ltd, *Powerhouse Ultimo Draft Conservation Management Plan,* 2022
- Legislative Council of the NSW Parliament, Select Committee on the Government's Management of the Powerhouse Museum and other Museums and Cultural Projects in New South Wales, September 2022
- NSW Government response to the Select Committee findings
- National Trust of Australia (NSW) State Heritage Register Nomination: Ultimo Powerhouse, 2015
- National Trust of Australia (NSW), T Brassil, *Ultimo Tram Depot (The Harwood Building), History and Significance*, 2019
- National Trust of Australia (NSW) State Heritage Register Nomination: Harwood Building, 2020
- Winkworth, Kylie, Powerhouse Museum Social Values assessment, unpublished, 2020

2.0 UNDERSTANDING THE PLACE

The objective of the following is to provide insight into the cultural, creative and contextual forces that shaped the creation of the Powerhouse Museum complex, a place that should be understood as an integrated whole.

2.1 A new type of attraction

The Powerhouse Museum was conceived as a broad-based place of education, entertainment, research, and collecting. It is understood that the initial impetus for this new type of public attraction came from Neville Wran, Premier of NSW from 1976-86. Wran, his wife Jill Hickson-Wran and David Hill, head of Wran's Ministerial Advisory Unit, travelled to Paris in 1977, where they visited the Centre Pompidou, a new multi-dimensional centre for the arts and culture designed in striking contrast to its setting, with a highly mechanised aesthetic and technical character (Figure 3).



Figure 3 Elevated view of the Centre Pompidou, Beaubourg, Paris: designed by Italo-British team of Renzo Piano, Richard Rogers, Su Rogers and Gianfranco Franchini
Source: www.spiralarchitectslab.com.au/journal/2018/4/30/iconic-architecture-georges-pompidou-centre

During the 1970s, museums and public visitor attractions across North America as well as Europe were in the throes of a renaissance, with an increasing emphasis on entertainment, accessibility and engagement with exhibits/collections.

As well as Wran, a prominent voice in the promotion of the Powerhouse as an Australian response to these ideas was Dr Lindsay Sharp, who was appointed Deputy Director of MAAS in 1978 and became Director shortly afterwards. Speaking in 1981, Sharp observed that:

> […] the concept that was emerging from the multitude of meetings and architectural refinements […] was for […] a new cultural and educational centre for Sydney that brings together three singular elements: the collections of the Museum of Applied Arts and Science, the Ultimo Power House buildings and the concept of a science discovery centre and space theatre.[5]

These ideas were expanded in a 1982 interview:

> […] Museums have gone way beyond mere serried ranks of objects illustrating one particular esoteric point or other. What they are now is a whole range of cultural activities, they can include films […] theatre, plays, they can include discussion and display of subjects that are of ecological importance, or the impact of science and technology upon society […]. [This] new generation of museums is going to impact [the] new Powerhouse Museum in due course […].[6]

Throughout the generation of concepts for the architectural design of the Powerhouse, as well as the visitor experience, a commitment to popular appeal remained a central preoccupation:

> Certainly, the Powerhouse has been planned from the outset as a museum for all of us. Accessibility is the keynote. Strategies have been developed to meet the varied needs of families, school children and senior citizens, ethnic groups, tourists and the disabled, as well as specialists and the general visitor. A wide variety of visitors programmes, films and performance arts activities will ensure this venue hums with activity.[7]

As discussed below, aligned with ambitions for innovation as a museum experience were correspondingly progressive aspirations for building conservation, architectural design and exhibition design.

2.2 Sources and references

Critical to the Powerhouse Museum concept was a process of tailoring the hybrid visitor attraction model to the existing buildings, their setting, the collections (applied arts and science) and the expertise embodied within MAAS.

The Powerhouse Museum complex is conspicuous as a place embedded within and responsive to its setting. The decision to retain and adapt the Power House buildings and the Tram Depot perpetuated their physical presence in the urban landscape, as well as Ultimo's historic associations with industry and transport (see also Appendix A). As noted by Sharp in 1982:

> The Power House [building complex], which originated in the late 1890s […] are in themselves major artefacts recording the social, industrial, and if you like, transport history of Sydney and NSW […]. We will use the broad social history attached to the architecture of those buildings in our displays. It's the perfect location, and a perfect set of buildings for us.[8]

5 MAAS Annual Report, 1981.

6 '"We couldn't have better buildings to work in", Frank Lowe interviews Lindsay Sharp', *The Architecture Show* (journal), December 1982, p. 10.

7 MAAS Annual Report, 1986-87, p. 15.

8 '"We couldn't have better buildings to work in", Frank Lowe interviews Lindsay Sharp', *The Architecture Show* (journal), December 1982, p. 13.

Opportunities presented by the cavernous volumes of the buildings, as well as aspects of the collection were also optimised:

> I [Lindsay Sharp] would say that the buildings have inevitably laid down certain ideas. For example, the main halls, the Power Halls are roughly 300ft long and about 90ft wide and about 90ft high. [This] makes them a natural space in which to display very large transport items – boats, plains, trains and cars and all of transport objects. Now it seems to me that we have to go beyond that, understanding the relationship between the spaces and the big objects, and to develop themes.[9]

As well as items within the collection, Lionel Glendenning, Principal Architect for the Powerhouse, drew upon the linear vaulted forms of the Garden Palace (Figure 4) – venue for the 1879 International Exhibition, the event that was foundational to MAAS (see Appendix A) – in the design of the West Building (now known as the Wran Building):

> Unique to the Powerhouse Museum is the fact that the Museum's building, its historic fabric and contemporary architecture, and its Ultimo location, together with its diverse collection are metaphors for the overarching narrative that informs the Powerhouse Museum, for the Museum is born of the Industrial Revolution – its essence is designing and making for living.[10]

Glendenning recorded some of the references and sources that informed the design in the 1980s, summarised below (see also Figure 5):

> A number of ideas are developed and explored in this project including:
>
> - The great exhibition and railway buildings of the 19th century including Garden Palaces, Sydney, Melbourne Exhibition Building and Central Railway Station, Sydney.
> - A contextual awareness and historic reference.
> - Creating old and new linkages with the architecture of Ultimo and the Powerhouse.
> - Architecture within Architecture. House within House.
> - Adaption and reuse of existing fragments of the city.
> - Separation, layering, transparency, screen, density, diversity, intervention.[11]

A number of these points, and others, are discussed further below.

9 '"We couldn't have better buildings to work in", Frank Lowe interviews Lindsay Sharp', *The Architecture Show* (journal), December 1982, p. 12.

10 Lionel Glendenning and Jennifer Sanders, Powerhouse Museum Redux, 15 November 2020.

11 Lionel Glendenning, notes and sketches from the early 1980s (private records). See also Design 5, Powerhouse Museum Design Principles, 13 October 2022, p. 26.

Figure 4
Engraving of Garden Palace interior, 1879
Source: State Library of Victoria
(*Illustrated Australian News*)





Figure 5 Glendenning sketch referencing sources and relationships embedded in the Powerhouse concept
Source: Courtesy of Jennifer Sanders and Lionel Glendening

2.3 A landmark of adaptive reuse

The emergence of the heritage movement worldwide from the 1960s was, at least in part, a response to urban areas being decimated by speculative development and urban 'rejuvenation' projects. It was led by a groundswell of activist reaction from residential communities and design professionals who saw a practical means to halting demolition. A pivotal moment in Paris came in 1973, when the nineteenth century iron and glass market buildings of Les Halles were demolished and replaced by the Forum des Halles (1979-86), a partially underground glass and steel multi-storey commercial and shopping centre with associated gardens (the site is very close to the Centre Pompidou, referenced above). The outpouring of community concerns over both developments, one speculative and the other institutional, found global response in a new interest and excitement in revitalising old buildings with new uses.

Such an interest was not confined to Europe. The examples of the conversion in 1964 of the Ghirardelli Chocolate Factory in San Francisco into a retail and hospitality venue (now Ghirardelli Square) and in 1967 of the Cannery, also in San Francisco by architect Joseph Esherick into a shopping mall, were trendsetters in the commercial sphere. There also developed an emerging enthusiasm globally for conversions of warehouses in the mid-1960s and early 1970s into residences and small businesses. By contrast, cultural institutions in these decades adopting a similar philosophy came somewhat slowly. The conversion of former office and industrial buildings into museums or art galleries was a later phenomenon, reserved largely for the mid-1970s and 1980s (discussed below)

One of the most significant conversions of an industrial (or transport-related) structure into an art gallery/museum was the transformation of the vast former railway station of the Gare D'Orsay (1898-1900) in Paris into the Musee D'Orsay (Figure 6). It was one of President Valery Giscard D'Estaing's *grand projets*. Announced in 1978, the station's renovation and design transformation was contemporary with the Powerhouse Museum – the works were complete in 1986, with the internal museum planning, decoration, installation, furniture and fittings undertaken by Italian architect Gae Aulenti.



Figure 6 The Gare D'Orsay, Paris was adapted at the Musee D'Orsay in 1978-86
Source: https://www.britannica.com (Musee-d'Orsay)

2.3.1 The Powerhouse Museum as a landmark of adaptive renewal

The Powerhouse Museum was conceived at a moment of momentum in the evolution of heritage controls in NSW and Australia – the *Heritage Act* (NSW) was passed in 1977 and the first edition of the *Burra Charter*, a document that has exerted a considerable influence on heritage policy and practice in Australia, was published in 1979. In between these two events, in 1978, the NSW Government committed to retaining and adapting the Power House buildings and Tram Depot. Prior to this, wholesale demolition had been actively contemplated.

The prominence of the project, as well as the sophistication of the approach to assimilating the existing buildings with the new programme (a process led by Glendenning, Sharp and Richard Johnson, discussed below, see also Appendix A), contribute to an understanding of the Powerhouse Museum as a landmark of adaptive renewal. The Museum was highly visible, regularly reported and the scale of the project was without (or with few) precedents, certainly in Australia.

The adaptation of the former Tram Depot (1979-81) was a very early example in NSW (and Australia) of adaptive renewal of a transport/industrial building. The approach set the tone for the Powerhouse itself. Significant works were required to adapt the derelict tram shed to its new use (Figure 7). The floor was excavated, the roof line raised to create additional space and a new south elevation was introduced (Figure 8). The structure now includes a basement (storage and plant), ground floor (conservation studios and offices) and mezzanine areas. Original fabric is limited to the east and west elevations, and part of the north elevation. The building, however, reads as an historic industrial structure; the saw tooth roof and limited materials palette reference the original building, and the footprint is largely unchanged.



Figure 7 Works for the adaptive re-use of the Tram Depot underway, November 1980
Source: Powerhouse Museum Photo Library ST1D-SMN-16-12A



Figure 8 South elevation of the former Tram Depot (Harwood Building) during works, 1981
Source: Extract from paper given by Jennifer Sanders and Kylie Winkworth, Australia ICOMOS 2019, Sydney Talk Series No. 6, 1 October 2019 (original source not cited)

The design response to the Power House buildings was bold and assertive. The buildings were adapted as three-dimensional volumes – early consideration of retaining only the external fabric was resisted. A notable example of the intent to optimise opportunities presented by the existing buildings was the use of historic conduits connecting the Turbine Hall to Darling Harbour (for use in the water cooling system) in support of the Museum's air conditioning system. Applied details and new interventions embraced texture, patterning and colour (see, for instance, Figure 8) as well as the diversity of the evolved building complex, which included Federation era industrial and commercial forms, Queen Anne Revival, (the Post Office) and Art Nouveau references.

In terms of its status as a landmark of adaptive renewal, the Ultimo Power House also derives significance for its function as new headquarters for MAAS; this was adaptive re-use with a clear purpose. The coalition of the collection and the historic buildings was mutually strengthening in terms of their significance, social resonance and cultural influence. For the first time, the buildings were accessible to the public, and the collection had space to breathe and reach its intended audience. The retention of the Power House buildings and the Tram Depot also retained their historic functional relationship, and was similarly mutually reinforcing.



Figure 9 Striped escape stairs and a lift shaft, pictured c. 1987, reference former coal elevators and pneumatic ash handling plant at the south of the Boiler House
Source: *SD Magazine*, 89/02

2.4 The design response

Broadly contemporary with the global embrace of possibilities presented by adaptive renewal was a questioning of tenets that had been fundamental to Modernism from the 1920s. These included the propositions that historic architecture as represented by ornament, decoration and stylistic reference was irrelevant and out of date, and that the historic city centre was redundant, unhealthy and needed to be cleared. Challenges to Modernist principles found divergent expression in locations worldwide. By the early-1970s these strands of thought had coalesced as Postmodernism.

2.4.1 Postmodernism in Australia

Across the globe, the adoption of Postmodernism in architecture from the late 1960s proceeded in parallel with developments in Europe, Great Britain and the United States, with buildings that would later be labelled as 'postmodern' appearing in countries including Japan, Thailand, and also Australia.

In Australia, the influence of Robert Venturi's ideas came first through Australian architects studying at the University of Pennsylvania, where Venturi and Romaldo Giurgola taught during the 1960s. Douglas Gordon's and later Peter Corrigan, writing from the United States, published an important article on the

Venturis' work in *Architecture Australia* in February 1972. On Corrigan's return to Melbourne in 1974 and joining in partnership with Maggie Edmond, their partnership of Edmond and Corrigan produced some of the most convincing early examples of Postmodernism in Australia as applied to non-residential buildings. Their Resurrection Church and Resurrection School at Keysborough (1974-6), and St Joseph's Church, Box Hill (1976) in suburban Melbourne, with their polychromatic brickwork made direct reference to everyday suburban vernacular forms.

Perhaps the strongest signal of the embrace of a postmodern position at a professional level, was the Royal Australian Institute of Architects' annual convention held in Sydney in May 1980, which had as its theme, 'The Pleasures of Architecture' and featured as keynote speakers, the postmodernists Michael Graves, Dutch architect Rem Koolhaas (who had published *Delirious New York* in 1978) and Canadian architect/educator George Baird, who had co-authored with Charles Jencks, *Meaning in Architecture* in 1969.[12] A key feature of the convention was an exhibition of 20 Australian architect considering the adaptive reuse/reinterpretation of architect John Verge's nineteenth century Regency villa, 'Engehurst' in Woollahra. To complete that official acceptance of Postmodernism at the level of large-scale civic architecture, in Mitchell Giurgola Thorp's competition-winning design for Parliament House, Canberra (1980) was announced. On its completion in 1988, it was Australia's largest purpose-built Postmodern public building.

Postmodernism in NSW

In NSW, the adoption of Postmodernism in architecture was gradual, and adopted across a spectrum of building typologies from the mid-1970s. At the time, and afterward, many of the architects, trained as modernists, disavowed any links to the term 'Postmodern' but many of the buildings produced at the time reveal a strong interest in the forms and materials of the rural vernacular (including shearing sheds and colonial homesteads), the nineteenth century terrace house, as well as nineteenth century structures such as exhibition buildings and railway stations. In short, they refer to a set of historical and symbolic elements not usually associated with the label 'Modernism'. As such, the term 'Postmodernism' is used here often to identify buildings that, from the 1970s, show a new and critical awareness of history. The Marie Short House, Kempsey (Glenn Murcutt, 1974-5) and Andrews Farmhouse, Eugowra (John Andrews, 1978) are two such examples. So too the historically referential inner-urban housing blocks in the Woolloomooloo Housing Precinct (1975-85) designed separately by the firms of Philip Cox & Partners (Forbes Street, 1979) and Allen Jack & Cottier (Forbes Street, 1979-80) for the NSW Housing Commission. Those blocks had roof forms, verandahs and arched windows that made direct reference to the precinct's nineteenth century terrace houses.

More overt in their adoption of Postmodern elements was the conversion of three Edwardian terrace houses in Paddington by Allen Jack & Cottier (project architect Peter Stronach, 1978-9) as well as their later Smith House, Paddington (1980-1) and Nankervis House, Paddington (1981-4). One of the state's largest early Postmodern public buildings, the brick polychrome striped University of Technology Sydney's Haymarket Campus (Philip Cox & Partners, 1980-4), retained fragments of the old Flower Markets building as facades and urban landmarks (Figure 10).

12 'The Pleasures of Architecture', *Architecture Australia*, 69: 2 (April-May 1980), pp. 37-78. See also Paul Hogben, 'The Aftermath of 'Pleasures: Untold Stories of Post-Modern Architecture in Australia, in *PROGRESS: 20th annual conference of SAHANZ* (Sydney: 2-5 October 2003), pp.146-151.



Figure 10 View of the Haymarket Campus of the University of Technology Sydney
Source: UTS

2.4.2 Postmodernism and the NSW Government Architect

The office of the NSW Government Architect was one of the state's leading design trendsetters from the late 1950s to the late 1980s. This was due in part to the office employing the most talented young designers soon after graduation and the fostering of those talents.[13] Some of the state's most progressive designers worked within the office at critical stages of their careers, including Ken Woolley, Peter Webber, Peter Hall, Michael Dysart, and later David Turner, Colin Still and Lionel Glendenning among others. A result was that the NSW Government Architect was often at the forefront of exploring the latest theories and functional innovations associated with the development of post-war architecture in NSW.

In the 1980s, for example, the office of the NSW Government Architect was an early adopter of some of the characteristic forms and stylistic themes of Postmodernism. The barrel vault, for example, a practical roof shape though with long historical associations and references, was one of the most

13 Nicola Pullan and Robert Freestone, 'Enthusiasm, Energy and Originality: The Influence of Harry Rembert's European Architectural Investigations on Australian Post-war University Design' in *Proceedings of the Society of Architectural Historians, Australia and New Zealand* 36; *Distance Looks Back*, edited by Victoria Jackson Wyatt, Andrew Leach and Lee Stickells (Sydney: SAHANZ, 2020), pp. 324-38.

commonly adopted signs of aesthetic change towards a more historically referential architecture. High vaulted steel structures signified, for example, the key circulation route of the Claymore Public School (NSW Government Architect, project architect Lionel Glendenning, completed 1980) and the forms of the Sulman Award-winning (1984) Parklea Prison (1979-83) in Sydney's outer west (NSW Government Architect, project architect Lindsay Kelly, and Noel Bell, Ridley Smith & Partners).

A high point of the NSW Government Architect's Office embrace of Postmodernism came with buildings and urban spaces completed for the 1988 Bicentennial. Notable among these are structures and urban design elements that adorn Bicentennial Park, Homebush Bay (NSW Government Architect, project architect Lionel Glendenning; project landscape architect Lorna Harrison, 1983-88), especially the tholos form of the Federation Pavilion in Centennial Park (Lewin Tzannes Pty Ltd with NSW Government Architect, project architect Andrew Andersons, 1987, Figure 11); Glendenning's arched and pyramid-roofed Treillage Tower (Figure 12); and the contextually referential and Classically-composed Macquarie Street Wing of the State Library of NSW (NSW Government Architect, project architect Andrew Andersons, 1983-88).



Figure 11 Federation Pavilion in Centennial Park, Alex Tzannes, 1988
Source: https://www.monumentaustralia.org.au



Figure 12 Treillage Tower at Bicentennial Park, Homebush Bay, Lionel Glendenning, 1986
Source: https://sydney-city.blogspot.com

2.5 Postmodernism, adaptive reuse and the Powerhouse Museum

The development of the Powerhouse Museum between 1978 and 1988 occupies a significant place in the context of Postmodernism's emergence and the rise of the adaptive reuse of historic buildings, both globally and within Australia. The completion of the Powerhouse Museum involved not just the adaptive reuse of the former Ultimo Power House complex and Tram Depot (Stage I) but also major additions on Harris Street (the Wran Building) and the insertion of service structures in the courtyard behind.

The Wran Building is where Glendenning, as architect of record for the Powerhouse and Principal Architect within the Office of the NSW Government Architect, explored a series of design themes including: the layering of space through screens and structural rhythm; levels of transparency to evoke spatial depth; the insertion of buildings within buildings to rescale experience; memory and contextual reference to create dialogues between old and new, and between past and present; and grids and their rotation as compositional tactics to encourage diverse movement and experiences within a building or site. While Glendenning himself does not favour the term, the design strategies employed in the Wran Building have since come to be seen as typical of Postmodernist architecture.

Combined with Glendenning's approach to the new building's sympathetic placement within the context of the existing Power House buildings and Ultimo's topography (a series of linear buildings placed along the contours of the site), their adaptive reuse was the outcome of collaboration with the architect and noted exhibition designer Richard Johnson of Denton Corker Marshall, and the broad and diverse team of consultants and tradespeople brought in to assist with the project, including lighting specialists, theatre set designers, audio specialists, graphic designers (Emery Vincent) and colour consultants, among many others.

Johnson was brought on to the project in 1986 – he replaced Barry Howard, an American designer who supported an enclosed, or 'black box' design rationale. Johnson promoted a different approach, philosophically aligned to that of Glendenning – in this sense, the Powerhouse Museum was an exemplary work of design collaboration. Johnson was interested in the internal experience of the museum being like that of a city, in much the same way that Glendenning had conceived the exterior form and the diverse scale of spaces within as an extension of the broader urban context of Ultimo, Haymarket and the renewal of the Darling Harbour precinct. In 1988, Johnson observed that:

> […] here was a museum with a great range of diverse spaces, with a great diverse collection, with a whole range of thematic ideas […]. The architecture had responded to that diversity and contextualism […] the exhibition design had to follow that lead. […] I tried to build up a discipline, a way of structuring the exhibition design, based upon the way a visitor moves through the building […].
>
> The building is as it is because it evolved over such a long period of time. Like a city it has a sort of loose fit circulation, there's no classical route through it. […] We have placed what we call landmark objects in public spaces that will guide people through the museum … the Boulton/Watt Engine is a major landmark structure. These are located at key points generally with an axial approach to them so that people can see them from a distance and remember where they are […].[14]

What this meant was that the initial entry sequence to the Powerhouse Museum from Harris Street became one of the most important design aspects of the overall scheme.

A giant 'verandah' screen ran most of the length of the Wran Building along Harris Street, terminating in a

14 Colin Wood Lionel Glendenning and Richard Johnson, Powerhouse', *Design World: The International Journal of Design* 14, 1988, pp. 18-31.

bow-fronted portal (see Figure 13 and Figure 14) that opened onto the entry forecourt – this feature was truncated as part of works undertaken in 2011-13. The paving of the forecourt was an angled grid pattern that 'turned' pedestrians towards the glazed entry doors of the museum. A steel lattice screen re-emphasised this point of entry and also directed visitors to perceive the three main spatial elements of the Wran Building. All three were linear extrusions.

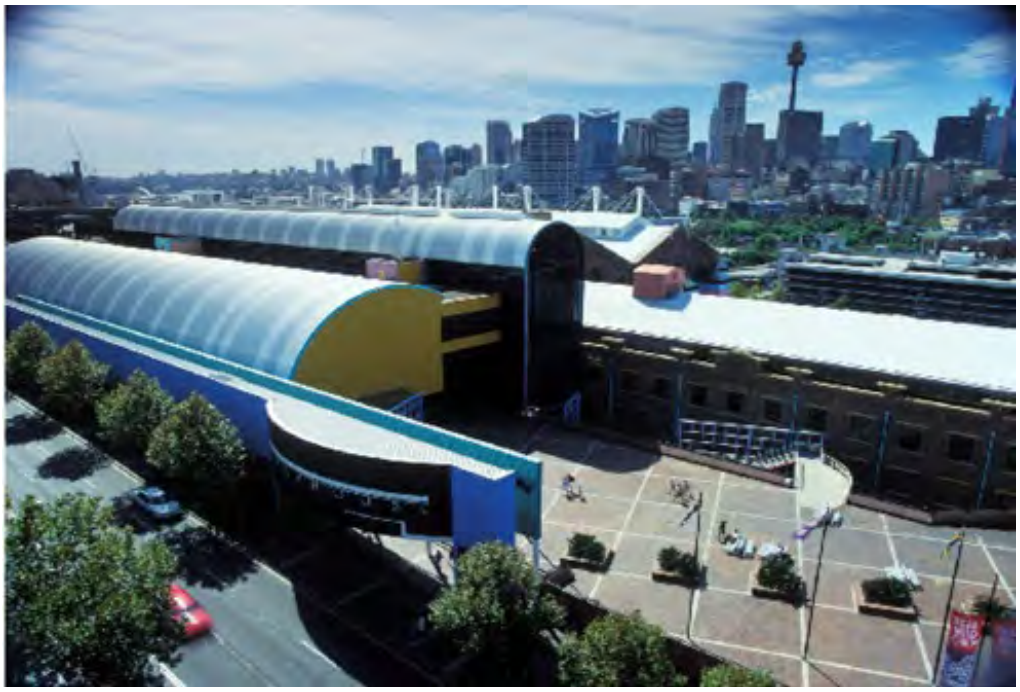

Figure 13
Elevated view of the entry forecourt and the Harris Street 'verandah', c. 1988

Source: Extract from paper given by Jennifer Sanders and Kylie Winkworth, Australia ICOMOS 2019, Sydney Talk Series No. 6, 1 October 2019 (original source not cited)



Figure 14 The bow-fronted portal that opened onto the Harris Street forecourt

Source: *SD Magazine*, 89/02

The first was a long, giant vaulted space – glazed at ground level – with solid upper end walls painted as 'blue sky murals' as if open to the air. Lined internally with 'Ripplefoil' and externally with corrugated steel roofing painted in stripes, its form evoked nineteenth century exhibition structures and railway terminus sheds like the famed carriage shed (1889) at Normanton Railway Station in outback Queensland, a reference acknowledged by Glendenning.[15] At the building's opening, this long tall exhibition space featured a series of designed installations, including a free-standing gateway designed by Richard Johnson which outlined in silhouette, but reduced in scale, the Garden Palace exhibition hall of 1879 (referenced above). This gateway and other exhibits from the time of opening no longer exist or have been relocated (such as the copy of Lawrence Hargrave's box kite and the Strasburg Clock). But the overall volume remains as do both 'sky' murals, which had been executed by scene painters at Glendenning's instigation.

The second was a flat-roofed linear link structure that contained ticketing, pedestrian ramps to the basement and up to a mezzanine gallery overlooking the vaulted volume and the third element, a barrel-vaulted glazed galleria. The supporting columns for the mezzanine and the galleria aligned with the brick piers of the original Switch House building. This meant that the spacing of columns was not always the same but deferred directly to the rhythm and proportions of the existing structures on site. On the third level of the link structure were offices and meeting rooms that overlooked the galleria. Significantly, the ramp enabled views across spaces and differing vantage points for some objects of the collection, for example, tall museum objects and others which were suspended in space.

The third element, the galleria, was a tall, thin, barrel-vaulted linear volume. It too echoed the tall, nave-like volumes of exhibition structures of the nineteenth century such as the Crystal Palace in London (1851) as well as train departure halls of the same period. At ground level, placed deliberately in this long volume as an introductory exhibit, as if one was literally going on a journey, is 'Locomotive No. 1', the first steam locomotive to see service in NSW in the 1850s. Beyond the locomotive is another of the museum's prized exhibits, the Boulton and Watt 'Whitbread Engine' (1785), one of the first rotative steam engines ever built and the oldest surviving, with its 'distressed' wall evocative of London's Whitbread brewery, a self-conscious piece of architectural stagecraft designed by Glendenning to allow visitors to explore the upper level working of this machine that, in effect, gave birth to steam power and steam travel in the late eighteenth and nineteenth century. At the south end of the galleria, a circular lift (now removed) took visitors to the mezzanine gallery level and administrative staff to the uppermost level, where the administration offices were located. Behind the circular lift at this uppermost level of the galleria was one of Glendenning's 'buildings within buildings'. Designed like a miniature of the Switch House, this gable-roofed, timber-veneer faced structure sits independent of the barrel-vaulted roof of the galleria (Figure 15). It contains the boardroom of the Powerhouse Museum. Entry to this temple-like structure was through a 'Tardis'-like, pyramid roofed structure, aligned at the same angle of the forecourt grid pattern, an orientation that matched exactly that of the Garden Palace (1879). The roof of the boardroom has a vaulted ceiling with a Tiepolo-like painted fresco depicting clouds, blue sky and a *putto* (a winged infant) wielding a bow and arrow.

The significance of all of these elements was their reference to memory, time and travel, evocative not just of the industrial nature of the collection and its new location in a series of structures originally devoted to transport but also an analogy to a museum visitor's experience of memory, time and travel as they would make their way around the diverse volumes and spaces of the whole museum complex.

In the Turbine Hall, Richard Johnson designed another 'building within a building': a plaster-clad architectural form containing within it a miniature recreation of an Art Deco cinema from the Kings Cinema chain, using doors, lights and fittings from the Queen Victoria

15

Building's 1930s renovations and seats from the Manly Odeon (1932, demolished 1985). This 'building within a building' remains. Another architectural form – a white, open 3x3 gridded cube structure – also sat within the Turbine Hall but has since been removed. However, the floating 'top' of this 3x3 cube, which sat above the Kings Cinema form remains.

Other key 'Postmodern' design elements within the Powerhouse Museum that remain, include the two striped escape stair towers in the former Grace Bros courtyard with their bold yellow and green interiors, the basement theatrette ('Target') with its Art Deco-inspired black, silver and mirror finishes, and the main lecture theatre ('Coles'), also in the basement, with its c. 1920s colour scheme by George Freedman, and across the complex, various kitchen and bathroom interiors decorated in black and white checkerboard ceramic tiles.

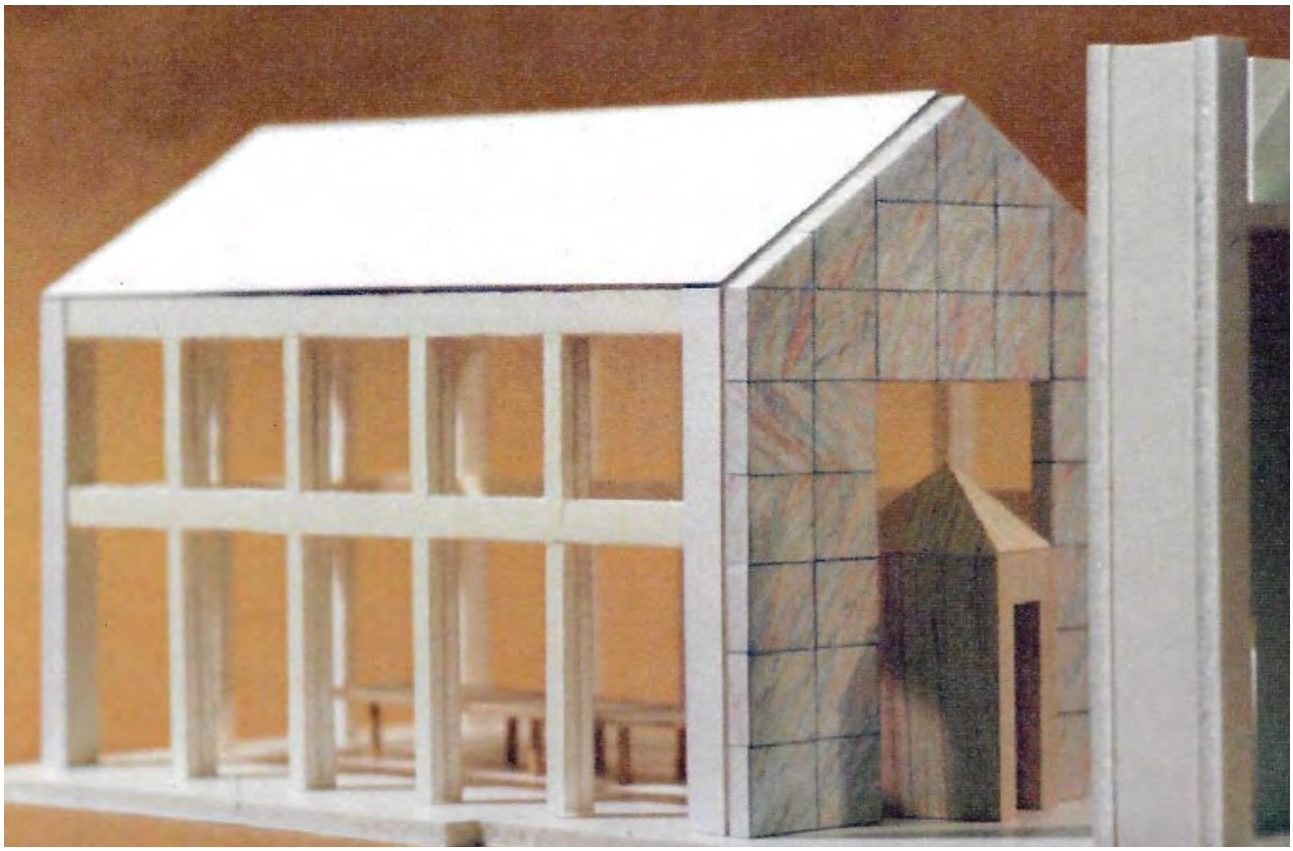

Figure 15 Model of the board room: a building within a building
Source: Courtesy of Jennifer Sanders and Lionel Glendenning

2.6 Response and community sentiment

In 1988, peer recognition at a national level of the design qualities of the Powerhouse Museum was overwhelming. It was the first project ever to have been nominated for three categories in the RAIA National Architecture Awards: the President's Award for Recycled Buildings; the *Belle Interiors* Award for Interior Design; and the Sir Zelman Cowen Award. It won all three.

At the State level, it was the co-recipient of the RAIA NSW Chapter's top award, the Sulman Award for 1988. An excerpt from the national jury's citation is evidence of that contemporary acclaim:

> The interiors at the Powerhouse are dazzling. A *tour-de-force* of form, colour, shape, pattern and texture. Scope remains for change and growth, yet one is never left with a sense of incompleteness.
>
> In an era which demands the separation of architecture, interiors and exhibition design, this project demonstrates that they are very much part and parcel of the same family. The result is stunning. Public acceptance and enthusiasm is overwhelming.
>
> The Sydney Powerhouse is a powerful exhibit, an exhibition and a design centre. It will make a significant contribution to architecture in raising the general design consciousness of all its visitors in an entertaining and memorable way.[16]

The Museum has also been a great popular success. It drew approximately 21 million in-person visitors between its opening in March 1988 and is closure in February 2024.[17]

It is also noted that the success of the Museum is reflected in the popularisation of its name. 'Powerhouse Museum' was a site-specific reference to the place and its new use as premises for MAAS. In recent times, as noted in Appendix A, it has become a brand – i.e. Powerhouse Parramatta.

2.6.1 Social value

Based on a limited review of available information and evidence[18] communities and groups with an attachment to the place include communities of divergent scale, structure, relationships with each other and relationships with the place.

For the purposes of the following, these may variously be characterised as communities of identity, interest and practice.[19]

Members of communities of identity are, in generalised terms, tied to each other through socio-cultural characteristics, including education, values, demographics and social class. Some may have a formal structure (i.e. membership organisations), but the majority are informal. As associated with the Powerhouse Museum, members of communities of identity may derive pride (or a sense of identity) from knowing that the Powerhouse exists.[20] This pride may be associated with an appreciation that the Powerhouse is a museum with few equivalents in Australia or elsewhere that is known worldwide and has contributed positively to perceptions of Sydney and NSW. It may likewise be associated with the Museum's strong connection with MAAS, itself an institution (and collection) of considerable significance. Communities of identity associated with the Powerhouse also include those that have been

16 National Awards Issue, *Architecture Australia* (1988), p. 46.

17 Estimate calculated from visitor data obtained from MAAS annual reports.

18 Sources referenced for this Heritage Assessment include press coverage, advocacy campaigns, MAAS annual reports and the 'What We Heard' Consultation Report prepared by Aureon in March 2022.

19 These typologies draw on Chris Harrington, Allan Curtis and Rosemary Black, 'Locating communities in natural resource management' Journal of Environmental Policy and Planning, Vol 10, 2008, Issue 2.

20 For background on 'existence value' see, for instance, Robin Attfield, 'Existence Value and Intrinsic Value', *Ecological Economics*, Volume 24, Issues 2–3, February-March 1998, pp.163-68.

supported (or represented) by the Museum, including migrant and LGBTQI communities.[21]

Communities of interest include collectives or groups with a 'stake' in a particular issue, space, or practice. They may have formal structures (i.e. be membership based, hold regular meetings or have recognised figureheads) or have informal networks. Communities of interest associated with the Powerhouse Museum include special interest groups, perhaps including retired members of the Rail Tram and Bus Union, the Australian Society for the History of Engineering and Technology, Engineers Australia and the National Trust of Australia, NSW Chapter. Communities of interest also include groups that formed (or mobilised) following the NSW Government's 2014/5 announcement of plans to replace the Powerhouse Museum in Ultimo with a new facility in Sydney's western suburbs. These include, but are not limited to, the Powerhouse Alliance and Save the Powerhouse. Members and supporters of these relatively new communities of interest include museum professionals, curators, architects, heritage specialists, benefactors of the Museum and former MAAS trustees. Core activities of these groups have included challenging the NSW Government's plans and the rationale behind them and drawing attention to the Powerhouse Museum as a place deserving of protection and support.

Communities of practice include groups arranged around an activity or common practice, usually involving interaction, learning and shared interests and/or expertise. Communities of practice associated with the Powerhouse Museum may include but are unlikely to be limited to present and former MAAS staff, Powerhouse Museum staff and volunteers.

21 'Absolutely Queer' was held at the Powerhouse in 2023-24, and the Museum's association migrant history dates to 2003. The impetus behind the Migrant Heritage Centre (established in 1998, but relocated to the Powerhouse in 2003) derived from a recognition that collecting, research and programming in cultural institutions did not reflect the cultural diversity of NSW, and that action was needed to record the memories and experiences of post war migrants.

3.0 ASSESSMENT OF SIGNIFICANCE

The following considers the heritage significance of the Powerhouse Museum complex and its setting. The study area has been the subject of heritage analysis and assessment since the 1980s (see section 1.6), and the application of statutory heritage controls has evolved considerably over that period. The first building at the site to be included in NSW State Heritage Register (SHR) was the Post Office, in 1999; the Power House followed in 2020. Prior to its inclusion in the SHR the Power House was included in LEP ('Powerhouse Museum former warehouse buildings, including interiors'). At the time of writing, the NSW Heritage Department had recommended the expansion of the SHR entry for the Power House to include the Harwood and Wran buildings.

Until recently, heritage assessments of the study area and particular buildings within it have placed emphasis on the significance of the Power House complex for its historical associations with the generation of electricity and Sydney's tramways network, and for reasons of architectural/aesthetic and technical significance.

Consistent themes in the LEP Statement of Significance for the Power House and the present SHR Statement include (in summary) its:

- Historical significance as the original generating station for the supply of electricity to power Sydney's tramway network, and with the reticulation of electrical power generally;
- Historical significance as of the largest and most important generating stations in NSW for many years;
- Technological significance as the first place where turbine driven alternators were used in Australia (in 1905), among other innovations; and
- Local historical significance as a building associated with (and representative of) the Pyrmont Peninsula's late nineteenth century industrial heritage.

Concluding comments in the LEP and SHR entries note, respectively, that:

- Alterations undertaken for the building's conversion to the Powerhouse Museum are significant for its re-use of the buildings and as a 'modern design', awarded the Sulman Medal; and
- The Powerhouse is of museological and architectural significance as a landmark early example of the adaptive reuse of a large-scale industrial heritage site, which was then a radical and exhilarating new approach to museum making for NSW. The transformation of the Power House through conservation and adaptation was recognised with several awards and was influential in the urban design of the later buildings in the precinct.

Other assessments have variously acknowledged the chimneys (demolished) as Sydney landmarks for many years,[22] and the Powerhouse Museum as a place of social value.[23]

3.1 Assessment (2024)

The following assessment is based on *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria*, prepared by Department of Planning and Environment, NSW, 2023. This document guides processes of assessment against the criteria developed in 1999 by the Heritage Council of NSW. The criteria were gazetted following amendments to the *Heritage Act* 1977. The guidelines promote a standard of practice for identifying, understanding and assessing places of heritage value. They also assist in determining thresholds for significance (i.e. State or local).

Evidence relied upon in this assessment is included in Appendices A and B and at Section 2.0.

22 See, for instance, National Trust nomination of Ultimo Power House to NSW State Register, 2015.

23 See, for instance, National Trust nomination of Ultimo Power House to NSW State Register, 2015.

Consistent with s. 33(3)(b) of the *Heritage Act* 1977 a place or item should, in typical circumstances, satisfy more than one criterion to warrant inclusion in the SHR.

3.1.1 Criterion 'a': Historic significance

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

As stated in the NSW guidelines framework:

> A place or object is important in the course or pattern of an area's history if it:
>
> - is the product of
> - is an example of
> - was influenced by
> - has influenced
> - is associated with
> - has a symbolic association with
>
> something that has made a strong contribution to the course or pattern of development of our culture, society or environment.
>
> Places or objects that meet criterion (a) might include:
>
> - those that demonstrate strong associations with past customs, cultural practices, philosophies or systems of government, regardless of the intactness of the place or any structure on the place;
> - those that are associated with significant historical events, regardless of the intactness of the place or any structure on the place;
> - cultural landscapes and other evidence demonstrating overlays of the continual pattern of human use and occupation where the physical fabric (above or below ground) demonstrates any of the points described above.

Comment

The Powerhouse Museum complex, including the Wran Building, former Ultimo Tram Depot (Harwood Building) and the former Ultimo Power House buildings, is important in the course of the history of NSW, Sydney and the Pyrmont Peninsula. (*Note*: Ultimo Post Office, which is included in the SHR in its own right, is not considered to derive additional significance for its association with the Powerhouse Museum.)

The former Power House and the Tram Depot demonstrate and retain associations with historic events of significance. The Power House was established in 1898/99 for the generation of electricity to power Sydney's tramway network. The tram cars were stabled in the Tram Depot, constructed concurrently on a site to the south of the Power House. The two buildings continue to share a symbiotic functional relationship.

Ultimo was selected for these major initiatives for a number of reasons, including access to a rail corridor (for delivery of coal), the relatively low cost of land, the potential for expansion (which quickly became a reality), the existing industrial character of the area and because of its proximity to Darling Harbour, which provided a reliable source of water essential for the water cooling system.

The Ultimo Power House was the first facility for the generation of electrical power in NSW, and from 1899 until the 1920s it was the largest and most technologically advanced. The Power House evolved considerably between the late-1890s and 1930s, reflecting growing demand and technical advances. The Power House finally closed in 1963. Over the following decade it was stripped of plant and machinery, and its three tall chimney stacks were truncated. By the 1970s the evolved Power House complex was in a state of dereliction.

The Ultimo Tram Depot was the first stabling facility for Sydney's electric tram network. The building, which was also enlarged over time to meet demand, closed in 1953, following which it was adapted for storage, a process that included the removal of almost all tram tracks and service pits. The building, which

was contemplated for adaptation as a Museum of Transport in the mid-1960s, was derelict by the 1970s.

In the late-1970s, the NSW Public Works Department resolved to adapt the Ultimo Power Station and Tram Depot as premises for the Museum of Applied Arts and Science (MAAS), a collection of considerable significance in its own right. The origins of MAAS date to the Sydney International Exhibition of 1879. MAAS also has strong connections with Ultimo, having been headquartered at the Technological Museum on Harris Street from 1893 to the 1980s.

The vision was for the conservation and adaptive re-use of the derelict industrial buildings, and the introduction of new works to the west of the site (Harris Street) creating a new public address. The initiative was developed by the NSW Government Architect and MAAS and drew upon expertise from a broad range of contributors (see Criterion 'b'). In terms of its programme, the ambitious undertaking was inspired by overseas precedents (including the Pompidou Centre, Paris). It was also a major expression of an emerging interest internationally in adaptive renewal (see criterion 'c'). Political impetus for the project was provided by the bicentenary of 1988 (Premier Wran stipulated completion by 1988). The project also a flagship of the regeneration of the Darling Harbour precinct.

MAAS and the NSW Government Architect were committed to delivering a new type of visitor attraction, a place of engagement, activation and broad popular appeal. Aspirations for the architectural character, conservation and internal experience (exhibition design) of the place were correspondingly ambitious. The Powerhouse Museum complex a is place that is embedded within and responsive to its setting. The decision to retain and adapt the historic buildings perpetuated their physical presence in the urban landscape, as well as their relationship and Ultimo's historic associations with industry and transport. The nature of the MAAS collection, including some of its signature items (i.e. the Boulton and Watt 'Whitbread Engine' and 'Locomotive No. 1') aligned with these thematic associations, as well as the huge scale of the buildings.

The new additions were also historically referential – the linear vaulted forms of the Wran Building, for instance, drew upon the Garden Palace, venue for the 1879 International Exhibition, the event that was foundational to MAAS.

The Powerhouse Museum has been a notable popular success and has inspired broad community support and sentiment (see criterion 'd').

The Powerhouse Museum complex satisfies this criterion at the local level (Sydney). It also satisfies the threshold for Criterion 'a' at the State level.

3.1.2 Criterion 'b': Historical association

> An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

As stated in the NSW guidelines framework:

> A place or object has special associational value if it is associated with a person, organisation or group of people who have made an important or notable contribution to the course, pattern and development of our cultural and/or physical environment. In this context, special association may relate not only to the 'great' and well known, but also to the influential, the exemplary, and the innovative.
>
> Places or objects that meet this criterion might include those that:
>
> > demonstrate strong associations with a particular event, historical theme, people, or philosophies and ideologies
> >
> > are associated with significant historical events, regardless of the intactness of the place or any structure on the place.
>
> A place may be considered significant because an important historical figure was said to have lived there and accomplished significant achievements while living there. For example, a house and studio being of state heritage significance as it was

associated with an important artist during the most productive period of their career.

The level of heritage significance at state or local levels can only be determined by comparison with other like places. The attributes described for criteria (f) and (g) can assist in the determination of significance.

The contribution of persons or groups to an area's history must focus primarily on their individual achievement(s) or how well they are known across NSW or the local area. This generally relates to 'who/what did they ultimately influence' or 'who/what did they come to be recognised by'.

Comment

The Powerhouse Museum complex derives significance for its associations with individuals and institutions of importance in Sydney and NSW's history.

The Powerhouse Museum is notable for having been conceptualised, championed and delivered by a large and diverse group of organisations (including the NSW Labor Party, the office of the NSW Government Architect and MAAS) and individuals within them (including Neville Wran, Dr Lindsay Sharp, Norman Harwood, Lionel Glendenning), as well as others (including Richard Johnson). These individuals and institutions reflect diverse fields of endeavour, including politics, architecture, engineering, exhibition design and collections management. Some individuals are remembered in building names (the Wran and Harwood buildings). The breadth of expertise embodied in the project is consistent with the scale, complexity and prestige of the undertaking.

A test for criterion 'b' is first to demonstrate that the person or group is of importance in the history of NSW (or at the local level), and second that they have a special association with the place under assessment.

Of the notable individuals and organisations associated with the Powerhouse Museum complex, two stand out for the strength of their association with the place, and for their role in shaping its identify and evolution: MAAS and the office of the NSW Government Architect. MAAS (notably through the work of Lindsay Sharp and Norm Harwood) and the office of the NSW Government Architect (led by Lionel Glendenning). The Powerhouse Museum is perhaps the seminal work of Glendenning's career.

As related to the other individuals of note associated with the Powerhouse, Neville Wran was associated with multiple places and initiatives, including the Powerhouse Museum, during his ten-year tenure as State premier (1976-86). Evidence to indicate that the Powerhouse derives cultural significance for this association, or that the Museum is a preeminent landmark of his legacy, did not come to light during research for this report.

Similarly, evidence to suggest that the place is of cultural heritage significance for its association with Henry Deane or Walter Liberty Vernon did not come to light. Deane was associated with multiple works of major infrastructure – including the Ultimo Power House and Tram Depot – during his career as Engineer in Chief for the NSW Railways from 1891-1906 and Engineer in Chief of the Commonwealth Railways Construction Branch, 1912-14. Walter Liberty Vernon oversaw the design of a significant numbers of public buildings (including over 20 post offices) as the NSW Government Architect from 1890 to 1911.

The Powerhouse Museum complex satisfies this criterion at the local level (Sydney). It also satisfies the threshold for Criterion 'b' at the State level.

3.1.3 Criterion 'c': Aesthetic/creative/technical achievement

A place or object is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area).

As stated in the NSW guidelines framework:

A place or object is important because of its aesthetic significance if that place or object exhibits sensual qualities that can be judged to be of significance against various ideals including beauty, picturesqueness, evocativeness, expressiveness, landmark

presence, streetscape contribution, symbolism or some other quality of nature or human endeavour.

Alternatively, a place is important in demonstrating a high degree of creative or technical achievement at a particular period if that place illustrates artistic or technical excellence, innovation, accomplishment, extension or creative adaptation in a variety of fields of human endeavour including but not exclusive to art, engineering, architecture, industrial or scientific design, landscape design, construction, manufacture, and craftsmanship or some other technical field.

Places or objects that meet this criterion might include those that:

- demonstrate creative or technical excellence, innovation or achievement
- demonstrate aspirations, tastes and fashions
- have been the inspiration for creative or technical achievement
- demonstrate distinctive aesthetic attributes in form or composition
- demonstrate a highly original and influential style, such as an important early (or seminal) work of a major architect
- are an archaeological resource
- demonstrate the culmination of a particular architectural style (known as climactic).

A place may be considered significant under this criterion if it is a major landmark in a town, or it is the first major work in a particular architectural style. The significance may be diminished if its landmark qualities have been impacted by surrounding development, or it is only one of many examples of the architectural style. The level of heritage significance at state or local levels can only be determined by comparison with other like places or objects. The attributes described for criteria (f) and (g) can assist in the determination of significance.

Comment

The Powerhouse Museum complex is significant for demonstrating aesthetic characteristics and a high degree of creative achievement.

Aesthetic value is a broad concept. As applied to heritage significance, aesthetic characteristics and qualities may relate to how we respond to sounds, smells and other factors having an impact on human thoughts, feelings and attitudes. These qualities may be associated with good design; they may also relate to concepts of beauty. Aesthetic values can be the result of the conscious design of a place or object. They can also be the outcome of the way in which a place or object has evolved and been used over time. Many places and objects combine both. Aesthetic values tend to be specific to a time and cultural context. As related to the Powerhouse Museum, this criterion relates primarily to its standing as a landmark of adaptive renewal, and its architectural and experiential qualities.

Conception of the Powerhouse Museum was contemporary with the *Heritage Act*, 1977 (NSW), as well as the first edition of the *Burra Charter* (1979). The adaptation of the former Tram Depot (1979-81) was a very early example in NSW (and Australia) of adaptive renewal of a transport/industrial building and set the tone for the adaption of the Power House buildings. The works to the Tram Depot were significant. Interventions were, however, respectful of the scale, massing, materiality and roof profile of the original structure. The outcome is a building that retains legibility as an historic industrial structure, as well as its relationship with the Power House buildings to the north.

This approach, bold, assertive while simultaneously responsive to the valued attributes and characteristics of the place continued in the Power House itself. The buildings were retained as three-dimensional forms; the spatial qualities of the buildings were celebrated; original fabric was revealed where possible; applied details and new interventions embraced colour as well as architectural diversity of the evolved building complex; and thematic synergies between the

collection and the place were optimised. Opportunities for innovation presented by the existing building were also seized. A notable example was the use of historic conduits connecting the Turbine Hall to Darling Harbour (for use in the water cooling system) in support of the Museum's air conditioning system.

Works for the adaptation of the Ultimo Power House and Tram Depot were contemporary with early examples of adaptive reuse of industrial/transport buildings as arts facilities at the national as well as international levels.

The use of the adapted buildings as premises for MAAS, while not explicitly a heritage issue, is also relevant. The coalition of the collection and the historic buildings was mutually strengthening in terms of their significance, social resonance and cultural influence. For the first time, the buildings were accessible to the public, and the collection had space to breathe and reach a broader audience.

The architectural and experiential qualities of the Powerhouse Museum were the outcome of an intensely collaborative approach, with Lionel Glendenning and Richard Johnson being lead protagonists. Glendenning, architect of record for the Powerhouse and Principal Architect within the Office of the NSW Government Architect, brought a notably plural sensibility to the project. His interest in drawing upon a diverse set of historical and symbolic references was responsive to the origins and associations of the collections and the existing buildings. It was also contemporary with the expansion of Postmodernist principles in architectural design.

Glendenning explored a series of design themes including: the layering of space through screens and structural rhythm; levels of transparency to evoke spatial depth; the insertion of buildings within buildings to rescale experience; memory and contextual reference to create dialogues between old and new, and between past and present; and grids and their rotation as compositional tactics to encourage diverse movement and experiences within a building or site.

The cumulative significance of these elements was their reference to memory, time and travel, evocative not just of the industrial nature of the collection and its new location in a series of structures originally devoted to transport but also an analogy to a museum visitor's experience of memory, time and travel as they would make their way around the diverse volumes and spaces of the whole museum complex.

The design of the exhibitions and visitor experience, overseen by Johnson, was similarly innovative. Much as Glendenning had conceived the exterior form and the diverse scale of spaces within as an extension of the broader urban context, Johnson was interested in the internal experience of the museum being like that of a city. Major exhibits – including the Boulton and Watt Engine, the Cataline and Loco No. 1 – were used as anchors, to assist visitors in navigating the large spaces.

The Powerhouse Museum has been modified since 1988, notably during the works of 2011-13. However, the core principles that underpinned the design response, and many of the sources and references that informed it, remain evident.

The design qualities of the Powerhouse Museum were highly awarded. It was the first project ever to have been nominated for three categories in the RAIA National Architecture Awards: the President's Award for Recycled Buildings; the *Belle Interiors* Award for Interior Design; and the Sir Zelman Cowen Award. It won all of them. At the State level, it was the co-recipient of the RAIA NSW Chapter's top award, the Sulman Award for 1988.

The Powerhouse Museum complex satisfies this criterion at the local level (Sydney). It also satisfies the threshold for Criterion 'c' at the State level.

3.1.4 Criterion 'd': Social, cultural and spiritual

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons.

As stated in the NSW guidelines framework:

A place or object is important for its strong or special association with a particular community or cultural group. This could be for social, cultural or spiritual reasons that have a perceived meaning or symbolic, spiritual or moral value that is important to them and which generates a strong sense of attachment.

Alternatively, a place is important when the community exhibits strong or special feelings or attaches community identity to it, or the community gathers especially for spiritual reasons, recreation or resort.

The place or object may be Aboriginal or non-Aboriginal or a natural environment. The natural place or object does not have to be a built/ constructed/modified (culturally created) place and could be in an unmodified natural form or format.

Types of places or objects that meet this criterion might include those that:

- are esteemed by the community for their cultural values such as places that support cultural traditions or practices
- are considered sacred and/or if damaged or destroyed would cause the community a sense of loss
- contribute to a community's sense of identity such as places of reverence and worship.

A place or object does not need to be known to or valued by the whole community in an area to be significant. A 'particular' community or cultural group may be defined by such things as a common ethnic background, religious belief or profession.

Care must be taken not to confuse heritage significance with preference. For example, a community may seek to retain an older building in preference to replacing it with a more contemporary development of a site. In such cases, there must be evidence that the place or object is separately valued in accordance with this criterion or one of the other criteria to be considered a significant place.

Comment

The Powerhouse Museum is a place of social value to communities and groups for a range of reasons variously related to conceptions of identity, practice and interest (as discussed at Section 2.6.1). Based on the limited review of evidence undertaken for this assessment, communal attachment as it relates to the Powerhouses Museum resonates at the local (Sydney) level and possibly the State level.

Since its opening in 1988 the museum has been valued by people across Sydney, NSW and beyond who have shared experiences and memories of the place. The strength of public attachment to the place is demonstrated by the extent of public support and donations for its establishment, and subsequently, its consistently high visitor numbers and the strong community reaction to the NSW Government's proposal for significant change at the place.

The Museum is used and appreciated by the Pyrmont, Sydney and NSW communities. It is also valued by communities who identify with and derive a sense of pride from an appreciation that the Powerhouse is a museum with few equivalents in Australia or elsewhere that is recognised worldwide and has contributed positively to perceptions of Sydney and NSW. Communities of identity associated with the Powerhouse also include those that have been supported (or represented) by the Museum, including migrant and LGBTQI communities.

Communities of interest associated with the Powerhouse Museum include groups that formed (or mobilised) following the NSW Government's 2014/5 announcement of plans to replace the Powerhouse Museum in Ultimo with a new facility in Sydney's western suburbs. Communities of interest also include those with an interest in the site's associations with industry, transport and with MAAS.

Communities of practice associated with the Powerhouse Museum may include but are unlikely to be limited to present and former MAAS staff, Powerhouse Museum staff and volunteers.

The Powerhouse Museum complex satisfies this criterion at the local level (Sydney). It is possible that it also satisfies the threshold for Criterion 'd' at the State level.

3.1.5 Criterion 'e': Research potential

> An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

As stated in the NSW guidelines framework:

> A place or object has potential to yield information that will contribute to an understanding of an area's history if it can be demonstrated that with further examination or research, it may reveal information that will contribute to our understanding of our past.
>
> The potential to contribute to our understanding of the past may be found in archaeological deposits, complexes, buildings and structures, gardens and plantings.
>
> Types of places or objects that meet this criterion might include those that:
>
> > have the potential to yield new or further substantial information (such as scientific, archaeological, architectural)
> >
> > are an important benchmark or reference site, place or type
> >
> > contribute evidence to our understanding of past natural and cultural patterns, development or activity that is unavailable elsewhere.
>
> Documents, oral history and other sources of evidence, in addition to a detailed examination of the surviving physical fabric, can often assist in the assessment of whether a site could reveal valuable archaeological, technical or scientific information. For example, it may become apparent that the buried footings of a colonial house have little integrity if there is historical evidence that the site has been so disturbed that there will be no additional archaeological deposits associated with the use of the house.

Comment

It is considered that further investigation of or research into the Powerhouse Museum complex has limited potential to yield evidence of cultural heritage significance that is not currently visible, well understood or available from other sources.

As noted above (Criterion 'a'), the Powerhouse Museum complex derives historical significance for its association with the generation of electrical power, initially for Sydney's tramway network, and for the redevelopment of the place as premises for MAAS in the 1980s.

Following its closure (1963) the Ultimo Power House was stripped of the majority of machinery and plant. Fixtures and items that provided evidence of the Tram Depot's original use, a comparatively simple structure, were also removed. By the late-1970s the buildings existed largely as shells.

The history of the Power House, in terms of its operation and evolution, is well known from the documentary record, as well as from analyses and assessments of the place undertaken since the mid-1980s. The same applies to the former Tram Depot.

The Powerhouse Museum complex, in terms of its design, development, opening, evolution and operations since the 1980s, has likewise been thoroughly documented.

The extent of disturbance at the site over time is such that archaeological potential at the subject site is generally limited.[24]

The Powerhouse Museum complex is not considered to satisfy this criterion at the local level (Sydney). Likewise, it is not considered to satisfy the threshold for Criterion 'e' at the State level.

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24 For further detail on areas considered to retain potential for historical archaeological resources to be present see Curio Pty Ltd, Draft Conservation Management Plan for the 'Powerhouse Ultimo', Section 3, Table 3.3.

3.1.6 Criterion 'f': Rare

An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

As stated in the NSW guidelines framework:

> A place or object demonstrates rare, uncommon or endangered aspects of an area's cultural or natural heritage. The place or object illustrates past human activities or achievements that are at risk of being lost, and/or are of exceptional interest. Past human activities and achievements can include a way of life, custom, process, function, land use, design or some other activity or achievement that is no longer practised.
>
> Types of places or objects that meet this criterion might include those that:
>
> - provide evidence of a defunct custom, way of life or process
> - are the only example of their type
> - demonstrate designs or techniques of exceptional interest
> - show rare evidence of a significant human activity important to a community.
>
> This criterion is exclusive and is concerned with places that are few in number. Determining what constitutes 'few in number' relies on contextual study. It is difficult to make claims without knowing how many other places survive or how many places existed at some time in the past.
>
> It requires overview studies and comparative studies of place types to make judgements, although even with comparative study the historical data may be indicative rather than quantifiable.
>
> For example, a park in a country town is said to be a rare example of Victorian public garden design, but further research reveals that it is a representative example, as there are many such parks in country towns in NSW. However, if research shows that the park is one of the few remaining examples of an important 19th century garden designer, or contains species not found in similar gardens elsewhere, it may qualify as rare in the NSW context.
>
> Assuming it is the only garden of its type in the local area, it is likely it would also be rare in the local context. The level of heritage significance at state or local levels can only be determined by comparison with other like places or objects or by proving that there is no documentation on similar places. This helps in determining the heritage significance of a place.

Comment

The Powerhouse Museum is one of a large number of cultural institutions and museums in NSW.

The Power House complex is also one of a large number historic buildings adapted to new uses in Sydney and NSW, albeit a particularly large and successful example. Likewise, it is one of a large number of places and monuments in Sydney and NSW associated with the bicentenary (see also Section 2.4).

The Powerhouse Museum complex is not considered to satisfy this criterion at the local level (Sydney). Likewise, it is not considered to satisfy the threshold for Criterion 'f' at the State level.

3.1.7 Criterion 'g': Representative

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).

As stated in the NSW guidelines framework:

> A place or object is important in demonstrating the principal characteristics of a particular class of cultural or natural places or objects if it displays:
>
> - the defining features, qualities or attributes of a type

variation within a type

evolution of a type

transition of a type

and where the type or class of cultural or natural places illustrates a range of human or environmental activities including:

a way of life

a custom

an ideology or philosophy

a process

a land use

a function

a form

a design

a style

a technique

some other activity or achievement.

Types of places or objects that meet this criterion might include those that:

demonstrate the stages of development of a class of cultural places, including experimentation

are recognised as an example of a type, style, taxonomic group, etc

demonstrate land-use influence on the geographical, financial, etc development of an area

demonstrate in their fabric the impact of an ideology, value or philosophy or association with a custom

include complexes where more than one building or structure survives, demonstrating a way of life, often with associated furniture, fittings and other objects.

A place must demonstrate its significance in its fabric to fulfil criterion (g). This criterion is concerned with the evidence found at the place. If the evidence does not survive this criterion cannot be applied.

To assist in determining whether a place satisfies criterion (g), it is important to adopt a common understanding of:

class of cultural places

principal characteristics.

Comment

The Powerhouse Museum complex does not derive cultural heritage significance as related to criterion 'g'.

Every place or building is an example of a 'type' or 'class'. A key test is whether the class of place is significant. The Powerhouse Museum, as a major public institution dedicated to conserving and displaying culturally significant objects, satisfies this test, and it displays the distinguishing attributes of this class, including diversity of experience, accessibility, mass appeal and evolution. For the reasons given above (notably at Section 2.1), the Powerhouse also represented an 'evolution' of this type.

It is considered, however, that the conceptual, museological and architectural rationale behind this evolution is adequately, and more appropriately addressed under criteria 'a' and 'c' above.

The Powerhouse Museum complex is not considered to satisfy this criterion at the local level (Sydney). Likewise, it is not considered to satisfy the threshold for Criterion 'g' at the State level.

3.2 Statement of significance (2024)

What is significant?

The Powerhouse Museum complex, including the Wran Building, former Ultimo Tram Depot (Harwood Building) and the former Ultimo Power House buildings [see Figure 16]. The buildings, their setting and the exhibition design of the Powerhouse Museum should be understood as an integrated whole.

Why is it significant?

The Powerhouse Museum complex is of historical significance (Heritage Council of NSW Criteria 'a' and

'b'), aesthetic significance (Criterion 'c') and social significance (Criterion 'd') to NSW and Sydney.

How is it significant?

The former Power House and the Tram Depot demonstrate and retain associations with historic events of significance. The Power House was established in 1898/99 for the generation of electricity to power Sydney's tramway network. The tram cars were stabled in the Tram Depot, constructed concurrently on a site to the south. The two buildings continue to share a symbiotic functional relationship.

The Ultimo Power House was the first facility for the generation of electrical power in NSW, and from 1899 until the 1920s it was the largest and most technologically advanced. It closed in 1963. The Ultimo Tram Depot (also completed in 1899, and closed in 1953) was the first stabling facility for Sydney's electric tram network.

In the late-1970s, the NSW Public Works Department resolved to adapt the Ultimo Power Station and Tram Depot – by then in a state of dereliction and largely stripped of plant and machinery – as premises for the Museum of Applied Arts and Science (MAAS), a huge collection of considerable significance in its own right. MAAS has strong connections with Ultimo, having been headquartered at the Technological Museum on Harris Street from 1893 to the 1980s.

The vision was for the conservation and adaptive re-use of the derelict industrial buildings, and the introduction of new works to the west of the site (Harris Street) creating a new public address. The undertaking was inspired by overseas precedents. Political impetus for the project was provided by the bicentenary. The project also a flagship of the regeneration of the Darling Harbour precinct. *(Criterion 'a')*

The Powerhouse is a large and complex place that is rich in ideas, ambition and associations. It is notable for having been conceptualised, championed and delivered by a large and diverse group of organisations The breadth of expertise embodied in the project is consistent with the scale, complexity and prestige of the undertaking. Of the notable individuals and organisations associated with the complex MAAS and the office of the NSW Government Architect stand out for the strength of their association with the place, and for their role in shaping its identify and evolution. The Powerhouse Museum is perhaps the seminal work of Glendenning's distinguished career. *(Criterion 'b')*

The Powerhouse Museum complex is a major, and early, outcome of an emerging interest internationally in adaptive renewal of industrial/transport buildings for the creative arts. Works for the adaptation of the Tram Depot and Power House buildings were bold, and assertive while simultaneously responsive to the distinct character of the place.

The coalition of the MAAS collection and the historic buildings was mutually strengthening in terms of their significance, social resonance and cultural influence.

The architectural and experiential qualities of the Powerhouse Museum were the outcome of a collaborative approach, with Lionel Glendenning and Richard Johnson being lead protagonists. Glendenning brought a notably plural sensibility to the project. His interest in drawing upon a diverse set of historical and symbolic references was responsive to the origins and associations of the collections and existing buildings. It was contemporary with the expansion of Postmodernist principles in architectural design.

Glendenning explored a series of design themes at the Powerhouse the cumulative effect of which was their reference to memory, time and travel, evocative not just of the industrial nature of the collection and its new location in a series of structures originally devoted to industry and transport but also an analogy to a museum visitor's experience of memory, time and travel as they would make their way around the diverse volumes and spaces of the whole museum complex.

The design of the exhibitions and visitor experience, overseen by Johnson, was similarly innovative. Much as Glendenning had conceived the exterior form and the diverse scale of spaces within as an extension of the broader urban context, Johnson was interested in the internal experience of the museum being like that of a city. Major exhibits – including the Boulton and Watt Engine, the Cataline and Loco No. 1 – were used

as anchors, to assist visitors in navigating the huge spaces.

The Powerhouse Museum has been modified since 1988, notably during the works of 2011-13. However, the core principles that underpinned the design response, and many of the sources and references that informed it, remain evident.

The design qualities of the Powerhouse Museum were highly awarded. *(Criterion 'c')*

The Powerhouse Museum is a place of social value to communities and groups for a range of reasons variously related to conceptions of identity, practice and interest. Broad communities of identity across Sydney and NSW derive a sense of pride from an appreciation that the Powerhouse is a museum with few equivalents in Australia or elsewhere that is recognised worldwide and has contributed positively to perceptions of Sydney and NSW. Communities of identity associated with the Powerhouse also include those that have been supported (or represented) by the Museum, including migrant and LGBTQI communities.

Communities of interest associated with the Powerhouse include groups that formed (or mobilised) following the NSW Government's 2014/5 announcement of plans to replace the Powerhouse Museum in Ultimo with a new facility in Sydney's western suburbs, Communities of interest also include those with an interest in the site's associations with industry, transport and with MAAS.

Communities of practice associated with the Powerhouse Museum may include but are unlikely to be limited to present and former MAAS staff, Powerhouse Museum staff and volunteers. *(Criterion 'd'.)*

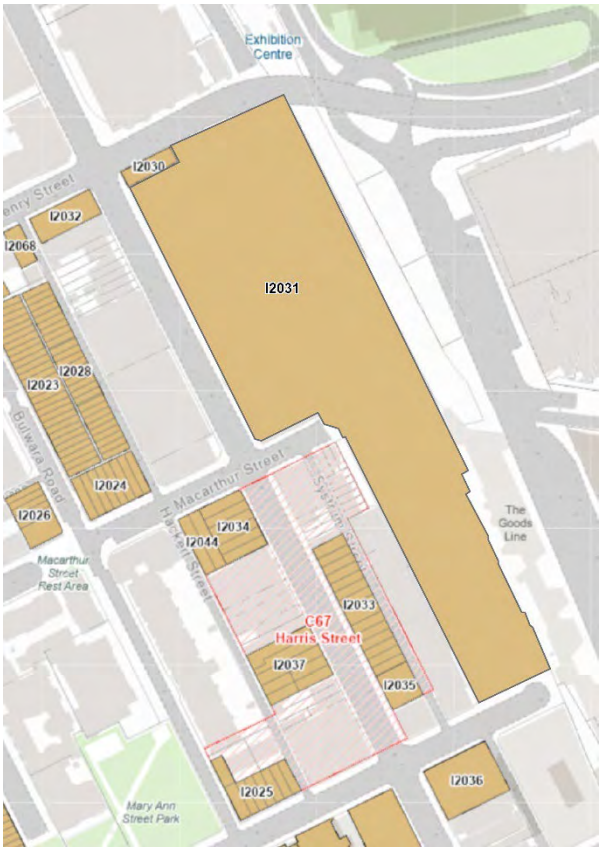
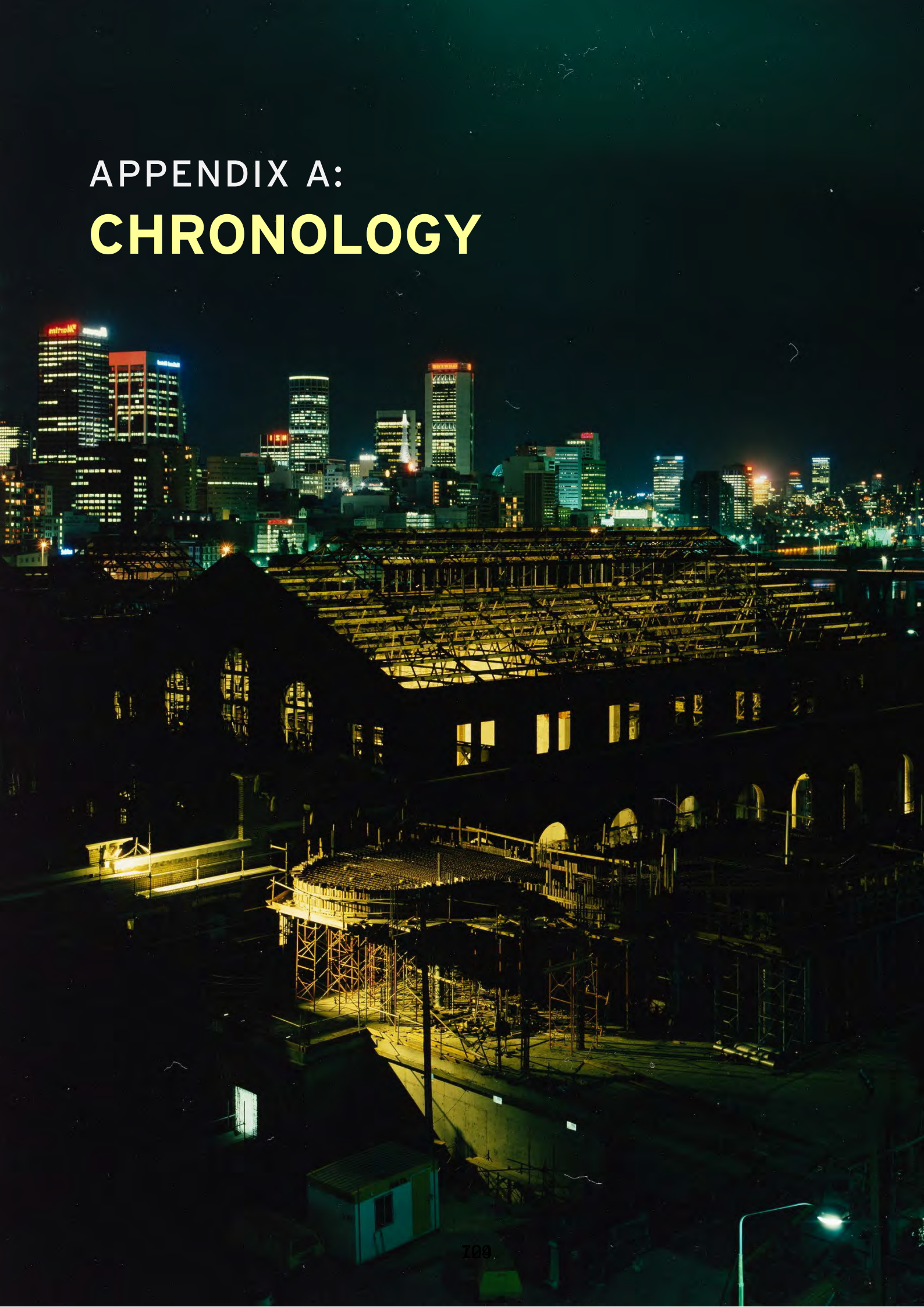
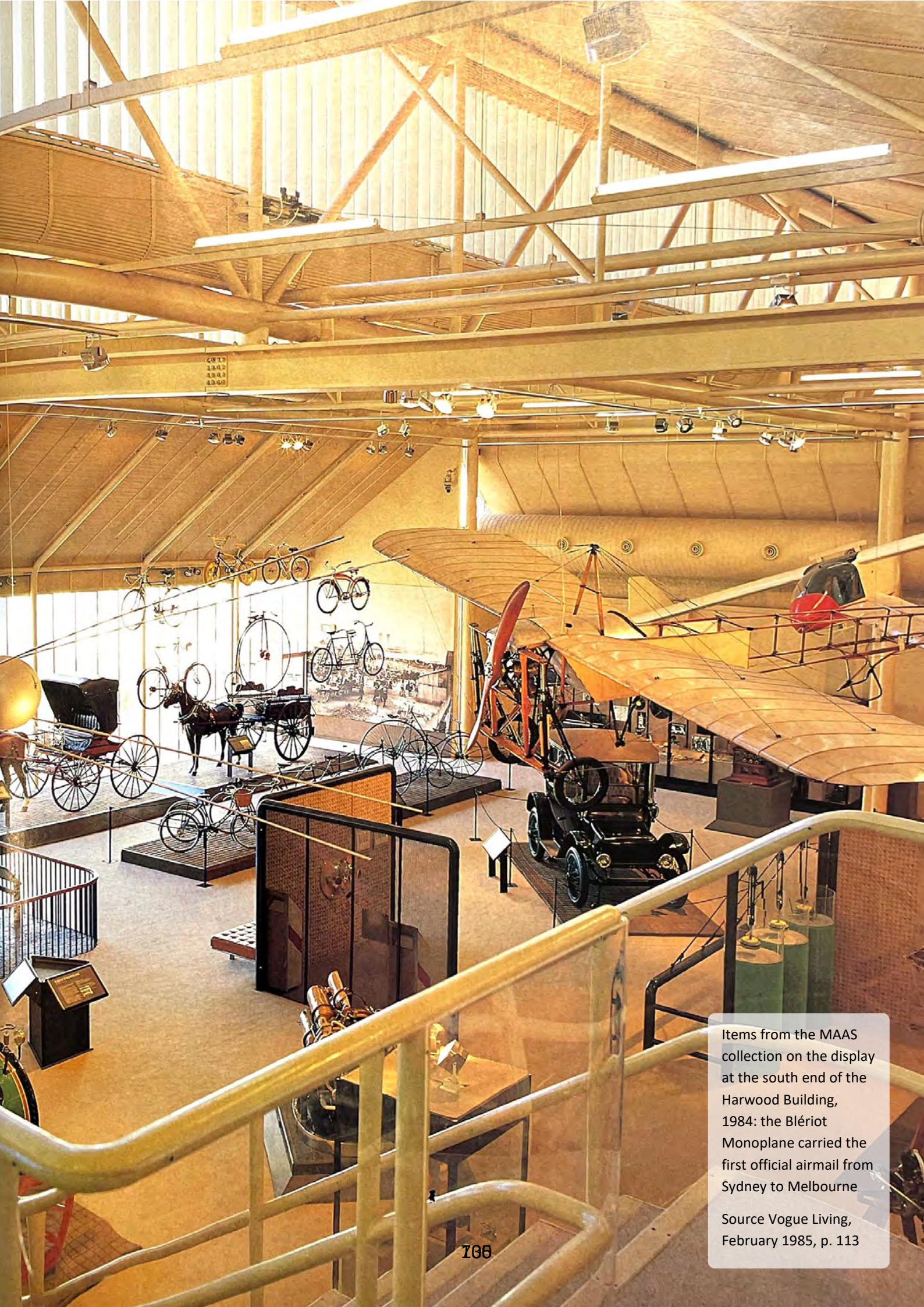


Figure 16 Proposed extent of heritage curtilage for the Powerhouse Museum complex for the Sydney LEP, Heritage Sheet 008: designated I2031

APPENDIX A:
CHRONOLOGY





Items from the MAAS collection on the display at the south end of the Harwood Building, 1984: the Blériot Monoplane carried the first official airmail from Sydney to Melbourne

Source Vogue Living, February 1985, p. 113

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INTRODUCTION

The following chronology arranged around core phases in the evolution of the Powerhouse Museum at Ultimo since the late-1970s, and the Museum of Applied Arts and Science (MAAS) since 1879. The core objective of this document is to support an understanding of the Powerhouse Museum as a place of historical significance. It does not seek to present a complete or comprehensive history of either the Powerhouse Museum of MAAS. As noted in the main report, pre-colonial land uses and associations are not addressed in this chronology.

Information included below derives, in the main, from the following sources:

Architectural Projects, *Conservation Management Plan: The Powerhouse Museum*, prepared for the Powerhouse Museum, 2003

T Brassil, *Ultimo Tram Depot (The Harwood Building), History and Significance*, National Trust of

Australia (NSW), 2019

Curio Projects, *Powerhouse Ultimo Draft Conservation Management Plan*, May 2022

Design 5 Architects, Powerhouse Museum Design Principles, May 2022 (included as an appendix to the Curio Project CMP referenced above)

Nomination of Ultimo Power House as a site for an historic engineering marker, November 1994

Parliament of New South Wales, *Upper House Inquiry into museums and galleries: Hearings and Transcripts*, 2016-2019

Parliament of New South Wales, *Upper House Inquiry into museums and galleries: Hearings and Transcripts*, 2020-2022

Parliament of New South Wales, *Legislative Council Hansard*, selected commentary and documentation, 2015-2024



View looking south towards Darling Harbour from Blues Point, c. 1880
Source: Museums of History, mhnsw.austoriesgeneraldarling-harbour)

SETTLEMENT AND INDUSTRY: 1788-1880s

Pyrmont and Ultimo developed as industrial areas with strong transport connections following European settlement, establishing themes that continue to resonate.

1803-06 Governor King grants 13.8 hectares (34 acres) to surgeon John Harris (1803). The land is named 'Ultimo Farm' by Harris. A further grant of 54.4 hectares (135 acres) is given by 1806. The Powerhouse Museum is believed to be located within this larger grant.

1830s Reclamation and development of Darling Harbour.

Development in Pyrmont and on the periphery of the Harris estate includes quarrying, manufacturing and processing works, as well as workers' housing.

1838 John Harris dies, leaving no heirs. His estate is divided equally between his brothers William and George Harris. Complications with his Will leave the brothers being able to receive rent from properties, but unable to subdivide the land, stymieing development.

1855 The Darling Harbour Goods Line is extended along the eastern boundary of Ultimo to a location close to the future Pyrmont Bridge. The presence of the Goods Line in this location severs the direct connection between Darling Harbour and Harris Street, with the Powerhouse site located in between. The isolation of the Harris land from Darling Harbour, in addition to the underutilisation of the rail line in its early years, creates tension between the Harris family and the Government.

1859 The sons of William and George Harris inherit the Ultimo Estate, meaning that subdivision of the land is now legally permissible. Built form delivered as an outcome of subdivision generally continues patterns seen elsewhere on the Pyrmont peninsula, including warehouses, industrial complexes and workers housing.

1860s-80s Consolidation of the Pyrmont peninsula as an industrial area dominated by warehouses and large factories, many associated with the wool industry. Limited residential development.

1870 The Darling Harbour Goods Yard is constructed to the north of the subject site.

THE MUSEUM OF APPLIED ARTS AND SCIENCE: 1879 - PRESENT

Established as an outcome of the Sydney International Exhibition (1879), the institution now known as the museum o Applied Arts and Science occupied various premises before taking up residence at the Technological Museum on Harris Street, Ultimo in 1893. In 1988 it relocated to the former Ultimo Power House.

1879 (17 September) Sydney International Exhibition opens at the Garden Palace, a purpose-designed exhibition venue designed by James Barnet.

1880 (January) The New South Wales Technological, Industrial and Sanitary Museum (NSWTISM) is founded and acquires exhibits which had been displayed at the International Exhibition. The Museum is housed within the Garden Palace in the Sydney Botanic Gardens.

1882 (September) A major fire at the Garden Palace destroys the building and much of the Museum collections.

1883 The Museum is re-established in the former Agricultural Hall in the Domain.

1893 The Museum moves into new premises at 651 Harris Street, Ultimo designed by William Kemp. The location, adjacent to the Sydney Technical College, is selected to attract and instruct workers.

The Museum continues to collect exhibits, specialising in Australian decorative arts, ceramics, clothing, furniture and musical instruments. It also carries out a programme of applied scientific research.



Figure 1 Technological Museum, 651 Harris Street, designed by William Kemp
Source: Dixson Library, State Library of NSW, IE12594670, FL12594912

1900s

The Museum is running out of space for collection storage and exhibitions. Over the coming decades options contemplated for new premises include the Queen Victoria Building, the Fort Macquarie Tram Depot and the Sydney University Institute.

Much of collection is stored off-site.

1906

Renovations to the Museum's interior, and opening of a gallery devoted to Australian Flora Applied to Art.

1945

Passage of the *Museum of Applied Arts and Sciences Act*. The Museum is renamed the Museum of Applied Arts and Sciences (MAAS).

1947

A 2.8-hectare site at Castle Hill was acquired for the Museum (now the 'Powerhouse Castle Hill').

1950s

The Museum presents demonstrations of new models and inventions such as X-ray and RADAR equipment, and television.

1960s-70s

Ongoing attempts to identify larger premises for the Museum. From the late 1970s, buildings at Castle Hill become the central storage facility for the collection.

1978

NSW Premier Neville Wran announces ambitious plans for the adaptive re-use of the former Ultimo Power House and the former Tram Deport as premises for MAAS. Dr Lindsay Sharp appointed Director of MAAS.

(September) Building A at Castle Hill opens, containing a workshop and conservation facilities. Buildings B, C and G are completed during the 1980s.



Figure 2 Timber exhibit, Technological Museum, 1906
Source: Government Printing Office, NSW State Archives, NRS-4481-3-[7/16331]-St3084



Figure 3
Hand loom, Technological Museum, 1927

Source: Government Printing Office,
NSW State Archives, NRS-4481-3-[7/16001]-St11616

ESTABLISHMENT OF THE ELECTRIC TRAMWAYS: 1890s

A commitment to the electrification of Sydney's tramway network results in the construction of the Ultimo Power House and the adjacent Tram Depot (Car House).

1893

Sydney's first electric-powered tram line opens on the North Shore. Its success leads to plans for adopting electricity across the whole network.

1895-96

(September) An Act of Parliament sanctions the construction of the George Street and Harris Street Electric Tramway, along with a Power House and Car House at Ultimo. Factors influencing the location of the Power House include access to the Darling Harbour Rail Corridor (the Goods Line) for coal supply and the disposal of ashes; access to Darling Harbour for adequate sea water supply for the condensers; and the relatively low cost of the land and space for expansion. While the intention was to purchase the whole city block bounded by William Henry, Harris, Macarthur and Pyrmont streets, the exclusion of the more expensive Harris Street frontage reduces the capital outlay.

1897

The majority of contracts for construction of the Power House and Car House are let between 1897 and 1898. J Stewart & Co is contracted to build the Ultimo Power House and Tram Shed, and Justin McSweeney is awarded Contract 18 to construct the water conduit connecting Darling Harbour to the Boiler House supplying seawater to the condensers (the Water Cooling System and Manifold).

1898

Construction of the Ultimo Power House and Car House commences.

1899

The Ultimo Power House opens (December), to generate electricity for Sydney's new tram network. It is the first large-scale electric power plant constructed in Australia. The complex of buildings comprises the Engine Room/House and Administrative/Office Building (North Annex), and the Boiler Hall/House and Pump Room/House. The overall building measures c. 60 metres (200 feet) by c. 30 metres (100 feet). The original pump house chimney stack is estimated to have comprised 890,000 bricks and rose to a height of c. 91 metres (300 feet).

The Ultimo Tram Depot opens the same year and is operational from 8 December. The Depot houses the fleet on the George Street, City to Harris Street, Pyrmont line and is bounded by Mary Ann Street (south), Omnibus Lane (west); the Darling Harbour Railway Goods Yard (east); and the Power House (north). As originally built, the Tram Depot comprises 12 tracks and nine bays, and measures c. 83 metres (275 feet) by c. 39 metres (130 feet). The structure, with capacity for 108 tram cars, is the first of 12 electric tram depots to open across the tram network between 1899 and 1915. A Store and Repair Shop adjoining the rear of the depot features the same sawtooth design of the Car House.



Figure 4
Power House under construction, c. 1898: view looking north-east with the William Henry Street iron bridge visible at rear

Source: NSW State Archives, NRS-4481-2-[4/8645]-1227



Figure 5
Power House under construction, c. 1898: view looking north to the pump room and stack

Source: NSW State Archives, NRS-4481-2-[4/8645]-1228



Figure 6
Power House under construction, 1898: the Engine House and North Annexe

Source: NSW State Archives, NRS-4481-2-[4/8645]-122

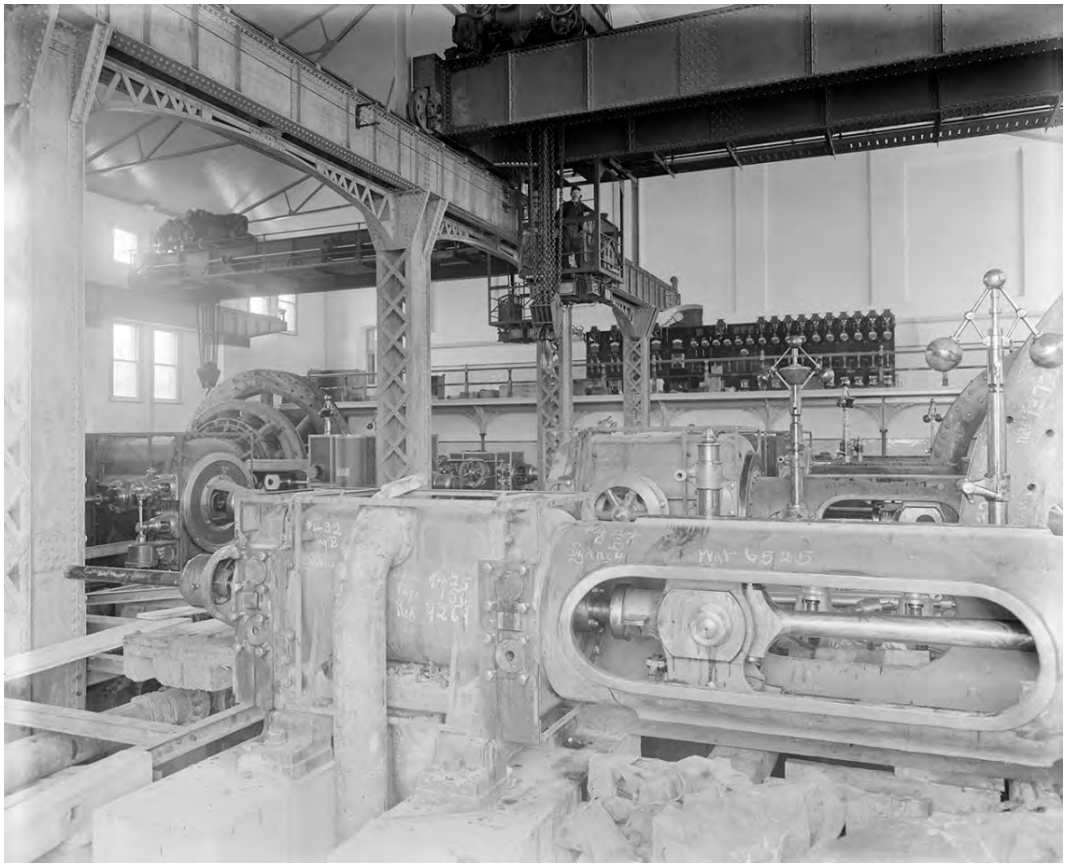


Figure 7
Ultimo Power House interior, 1899: Engine Hall

Source: NSW State Archives, NRS-4481-4-523-[AF00224579]



Figure 8
First electric tram, Ryde lines, Ultimo Depot, 1899

Source: NSW State Archives, NRS-17420-2-49-2009/011

EXPANSION: 1900s -1930s

Expansion and modernisation of the Ultimo Power House and Tram Depot.

1901

Designed by the Public Works Department's Government Architect's Branch under W L Vernon in 1900, the Ultimo Post Office is constructed at 484 Harris Street, Ultimo. The building opens on 16 July and operates until the 1980s when it is converted to a childcare centre.

1902-05

With rapid demand for electricity, the Power House is expanded just three years after opening. The works are significant, including extension of the Engine House (later renamed the Turbine Hall) to the south; and construction of a new and larger Boiler House. The Boiler House, with 24 boilers installed at the peak of capacity, is designed to produce high-pressure for conversion to electricity, and to use seawater taken from Darling Harbour to cool its condensers. Two chimney stacks, each c. 68 metres high (224 feet), are built for the new boilers. Extensions to the Engine House accommodate the new alternating current plant with higher voltage capacity allowing substations were built around the Sydney tramway system.

Ultimo is the largest generating power station in the Southern Hemisphere with an output of c. 13,274 kilowatts (17,800 horsepower).

1904

The Pyrmont Power Station begins operations less than a mile away, further consolidating the peninsula's identity as an industrial area.

1908

The Tram Depot is extended with five additional bays spanning c. 46 metres (150 feet) north along the Darling Harbour Goods Line.

1909

With increasing demand for electricity, two additional turbo-alternators are installed at the Power House.

1912

Construction begins on a new Power House at White Bay (operational by 1913).

1913

To accompany the operations of the Tram Depot, a Tramway Instruction Room is constructed at the northwestern extent of the site between the Turbine Hall and the Post Office. This siting of the Tramway Instruction Room amongst Power House buildings and away from the Tram Depot speaks to the intertwined processes of both and the connected nature of operations throughout the site. The Tramway Instruction Room is a purpose-built facility housing specialist equipment used for the training of electric tram drivers.

1920s

Expansion and improvements to Ultimo Power House associated with electrification of the suburban rail network.

1922-27

A new Switch House is constructed to support upgrades to Sydney's tram network beyond the capacity of existing switchboard facilities in the Engine Room and Turbine Hall. It is located to the south of the Turbine Hall and houses high tension switch gear, transformer banks, and a new control room.

1923 Power output at the White Bay Power House exceeds that of Ultimo for the first time.

1923-28 New water conduits constructed from the Power House to Darling Harbour.

1927 Until 1927, one of the depot's tram tracks (known as '10 Road') connected the Tram Depot with the railway line running from Darling Harbour Goods Yard to the Power House. This connection originally streamlined the movement of materials associated with the Power House's operational infrastructure and the Darling Harbour Goods Line. This railway line would later be removed to accommodate the construction of a coal storage bunker which allowed the Power House to continue operating through the 1940s supply chain issues of coal related to industrial action.

1927-32 Modernisation and remodelling of the Power House to achieve greater efficiency of operation, including replacement and upgrade of equipment and plant, installation of a new pneumatic coal handling plant, and construction of a new concrete coal store to the south of the Boiler House.



Figure 9 View from Pier Street towards the Boiler House and Pump House stack, 1937
Source: City of Sydney Archives, A-00029703

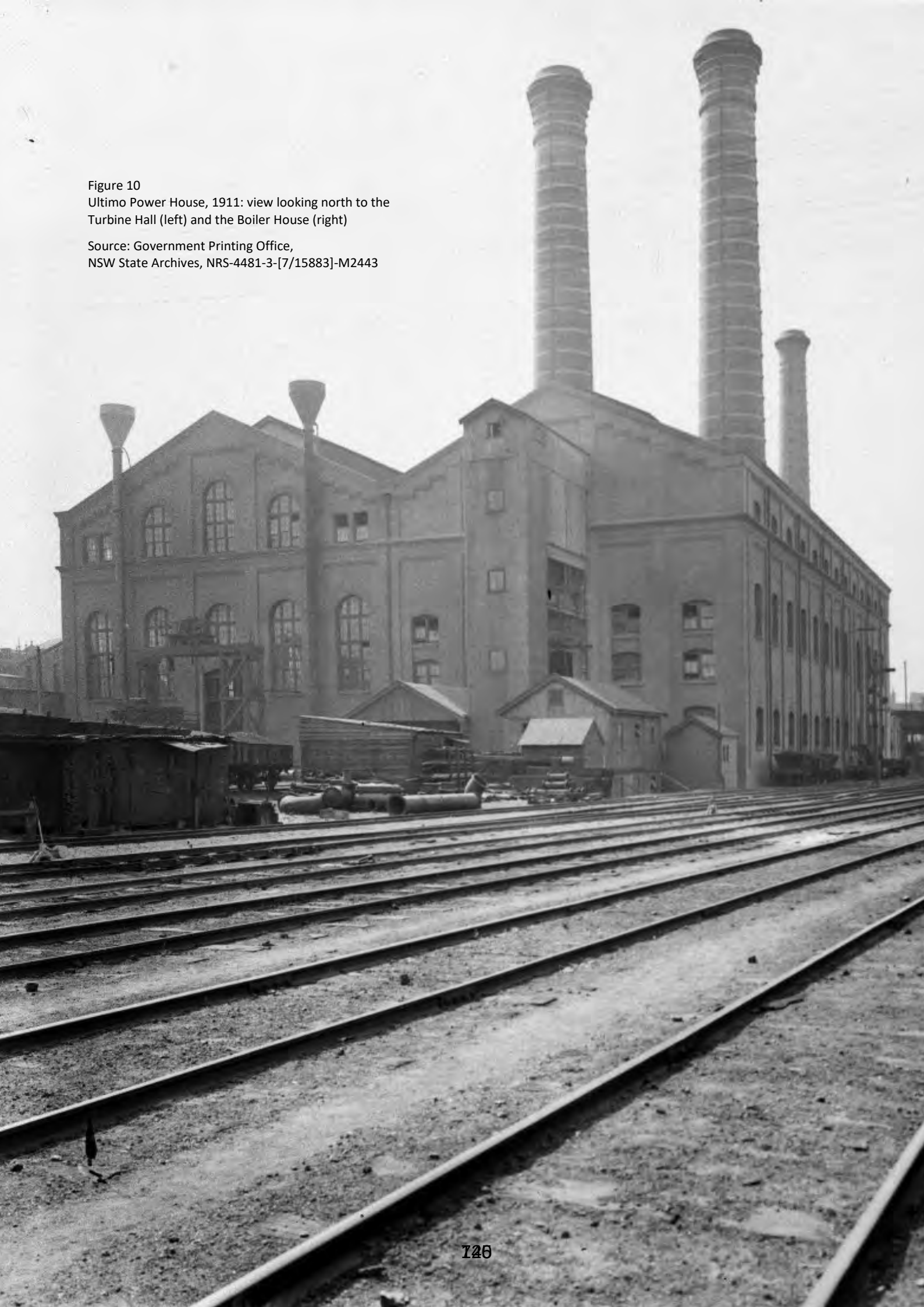


Figure 10
Ultimo Power House, 1911: view looking north to the Turbine Hall (left) and the Boiler House (right)

Source: Government Printing Office,
NSW State Archives, NRS-4481-3-[7/15883]-M2443



Figure 11
the Engine house during adaptive works (1980s)

Source: Powerhouse Museum

DECLINE AND CLOSURE: 1940s-70s

Following World War II, industry shifted away from the inner suburbs, including Pyrmont and Ultimo. The de-industrialisation process results in widespread redevelopment.

1939-45 During World War II, air raid shelters are constructed at the Ultimo Power House complex.

1947 Interruptions to coal supply in the 1940s, a result of industrial action at the coalfields, result in conversion of the boilers to operate on fuel oil.

1948 (April) The Commissioner of Railways purchases 550 Harris Street, providing a street frontage to the west.

1953 (June) The Ultimo Tram Depot ceases operations, the first of Sydney's 12 tram depots to shut down. Until 1956, it is used to store surplus tramcars awaiting scrapping.

The Tramway Instruction Room is vacated when a new training school opens in Randwick. By 1954 it is being used as a storeroom for the Electrical Commission of NSW.

1960s The Tram Depot is used for storage for the Museum of Applied Arts and Sciences (MAAS) and Brambles Industries Ltd.

1960 Demolition begins on the 1898-99 Pump House chimney stack.

1963 (October) Closure of the Power House; the replacement of Sydney's tram network in favour of buses is complete.

1964 The former Tram Depot is vested in the Board of Trustees of the MAAS for the purposes of establishing a transport museum. The Government Architect prepared plans for the construction of the Museum.

1967 Plans to establish a transport museum in the Tram Depot are suspended, associated with consideration of the Western Distributor being routed on its path (plans for the freeway were abandoned in 1977).

1967-68 Extensive demolition of the Pump House to allow for widening of the William Henry Street Bridge.

1975-77 Most of the Power House plant machinery and equipment is removed. Demolition of the two 1902 Boiler House chimney stacks to below roofline heights.

RENEWAL: 1970-80s

Adaptation of the Power House for the Museum of Applied Arts and Sciences.

1977

Passage of the *Heritage Act*, NSW – this legislation framed the works to the former Tram Depot and Power House.

1978

Feasibility study (Powerhouse Relocation Study) for adaptive re-use of the Power House prepared by Dr Lindsay Sharp and Lionel Glendenning (see also page 20) under the aegis of Premier Neville Wran and the Minister for Public Works. This document references the adaptation of Gare O'Orsay in Paris as a museum, in addition to the adaptation of Hyde Park Barracks and the Royal Mint. It is anticipated that the museum would require 38,000sqm of space to accommodate its requirements.

1979

(13 August) NSW Premier Neville Wran announces plans to adapt the Power House and Tram Depot as premises for MAAS, with final completion by the bi-centenary in 1988.



Figure 12 Interior of the Turbine Hall, facing south, during adaptive works
Source: Powerhouse Museum



Figure 13 View looking north from the Turbine Hall, during adaptive works (1980s)
Source: Powerhouse Museum



Figure 14 View of the Power House looking northeast (1980s)
Source: Powerhouse Museum



Figure 15 View looking south from the Post Office, c. mid-1980s: the footings of the Wran Building are in the foreground
Source: Powerhouse Museum

1981

(September) Stage One of the redevelopment – the Ultimo Tram Depot opens – a foretaste of what is to come. The former Tram Depot is adapted for use by MAAS, and as a temporary display space for exhibits, at a cost of $5.2 million with much modification to the existing building.

The site is opened on 4 September by NSW Premier Neville Wran.

1982-87

Redevelopment of the Power House buildings as Stage Two of the Powerhouse Museum continues.

Works to adapt the Power House were significant. Plant and equipment were removed, new internal floors introduced, and new buildings constructed on the west side.

1984

The former Tram Depot is renamed the 'Harwood Building' in honour of former MAAS curator Norman Harwood.

The Darling Harbour Goods Line is decommissioned, after port functions and wool stores moved away from Sydney in the 1960s.

1985 The former Ultimo Post Office is adapted as a childcare centre.

1986 Richard Johnson of Denton Corker Marshall Architects is appointed as exhibition designer for the Powerhouse Museum (see page 20).

1988 Ultimo Powerhouse Museum opens (March). The Harwood Building becomes storage, office space, workshops and studios/laboratories to support the Powerhouse Museum.

Peer recognition for the design qualities of the Powerhouse is overwhelming. It is the first project ever to have been nominated for three categories in the RAIA National Architecture Awards (the President's Award for Recycled Buildings; the Belle Interiors Award for Interior Design; and the Sir Zelman Cowen Award). It wins all three. At the NSW level, it is the co-recipient of the RAIA NSW Chapter's top award, the Sulman Award.



Figure 16 Oblique aerial view looking north along Harris Street, 1988
Source: Australian Heritage Photographic Library (Dragi Markovic, Barcode rt65910)

LIONEL GLENDENNING (1941-)

Lionel Glendenning graduated in architecture from the University of New South Wales in 1966. The winner of multiple scholarships including the Byera Hadley Travelling Scholarship, a Fulbright Travel Grant and the inaugural Robert Gordon Menzies Scholarship, he gained an M.Arch from the Graduate School of Design (GSD) at Harvard University in 1969. At Harvard, formative influences were the architectural history lectures of Eduard Sekler (1920-2017), the environmental ideas of landscape architect Ian McHarg who regularly visited the GSD, and the focus on urbanism in the design studios.

Glendenning had earlier commenced work as a student in the office of the NSW Government Architect in 1958, rising to Principal Architect in 1984. Key projects on which he worked as principal designer included the Claymore Public School (1980), Bicentennial Park, Homebush (1983-8, with landscape architect Lorna Harrison), and the Sulman Award-winning Powerhouse Museum (1978-88).

In 1988, Glendenning joined the Sydney firm of Edwards Madigan Torzillo Briggs Pty Ltd as Managing Director, where he worked until his retirement in 2012. Key EMTB projects, with which Glendenning was closely associated include a proposal for a Multifunction Polis, Adelaide, SA (1989-90, unbuilt), IMAX Theatre, Darling Harbour, Sydney (1996) and Caves Beachside, NSW (2009).[1]

RICHARD JOHNSON (1946-)

Richard Johnson graduated in architecture from the University of New South Wales in 1969, then worked for the Commonwealth Department of Housing and Construction from 1969 until 1985, rising to the position of Principal Architect. He developed special expertise in exhibition design and was responsible for a number of Australian exhibition pavilions overseas, including Expo 74 in Spokane, Washington, USA (1974), Expo 75, Okinawa, Japan (1975) and Expo 85 in Tsukuba, Japan (1985).

In 1985, he became the Sydney director of the Melbourne-based firm of Denton Corker Marshall (DCM), and became heavily involved in DCM's design consultancy to the Powerhouse Museum project, working directly with Lionel Glendenning and museum director Lindsay Sharp.

Later projects undertaken with DCM included the Australian Embassy, Beijing (1982-92), Australian Embassy, Tokyo (1986-90), and the Governor Phillip Tower/Governor Macquarie Tower/Museum of Sydney complex, Sydney (1990-95). In 2001, he established the firm of Johnson Pilton Walker, completing further projects associated with gallery and exhibition design, including the Asian Gallery, Art Gallery of NSW, Sydney, NSW (2004), National Portrait Gallery, Canberra, ACT (2008), Zoology Wing of the Australian Museum, Sydney, NSW (2008) and Chau Chak Wing Museum, University of Sydney, Sydney (2020). Johnson was awarded the RAIA Gold Medal in 2008.

1 Paul Walker, 'The multifunction polis: an urban idea and its end', in Julie Miao & Tan Yigitcanlar, eds, *Routledge Companion of Creativity and the Built Environment* (London: Routledge, 2024), pp. 467-9; interview with Lionel Glendenning, by Robert Freestone and Paul Walker, unpublished transcript, undated (c. 2023). [Thanks to Paul Walker for sharing this transcript]



The Switch House (left), Turbine Hall (right) and pedestrian walkway linking the Powerhouse and Harwood Building, 1988
Source: *Architecture Australia Awards,* 1988, p.47

POWERHOUSE MUSEUM: 1990s-2013

Until the major 'Revitalisation Project' of 2011-13, works at the Powerhouse Museum were generally small-scale and localised.

1994

The brasserie on Level 5 of the Switch House is redesigned, with wall and ceiling murals depicting floral motifs by Ken Done. The restaurant is renamed the 'Garden Restaurant.'

1997-2002

The Inner West Light rail opens at the former Darling Harbour Goods Line in 1997. The monorail station adjacent to the museum is later renamed the Powerhouse Museum Station in 2002.

2000

Localised, small-scale alterations at Level 3 of the Wran Building.

Earthquake damage prevention project sees the completion of works on the outer wall of the Boiler Hall.

2003

The first Conservation Management Plan for the Powerhouse Museum is prepared (by Architectural Projects).

Also in 2003, the Migration Heritage Centre relocate to the Powerhouse Museum.

2004

A bridge connecting the Turbine Hall and Boiler House at Level 2 is constructed.

2005-08

Powerhouse Museum's 'Refresh Program' includes alterations to the Wran Building's Harris Street façade which is repainted white, and the yellow logo replaced. Further changes include a restructuring of the museum's wayfinding and upgrades to the Level 1 courtyard.

2007-09

The Powerhouse Museum partners with NSW Department of Commerce to undertake the 'Centenary Stonework Program'.

The former Ultimo Post Office undergoes stone conservation works including the replacement of deteriorating sandstone, damaged carvings, and the slate roof. Structural works focusing on seismic stabilisation are completed for the front gable and chimneys. New floor finishes, kitchen, and bathroom amenities are provided for the building's 2008 reopening as the Powerhouse Volunteer Centre.

In 2009, a covered walkway is constructed connecting the former Post Office with the Wran Building.

The Boiler Hall, North Annex, and Turbine Hall undergo extensive safety and external maintenance works. Masonry and cement render mouldings as posing a potential risk due to structural instability are subsequently removed.

2011-13

Powerhouse Museum begins a major phase of works referred to as the 'Revitalisation Project', the first major upgrade of facilities since 1988.

The project involved the demolition of brick parapets; partial demolition of the colonnade to Harris Street; removal of stairs and handrails from the forecourt; dismantling of the Turbine Hall's large interior cube structure; removal of the glass lift

from the Wran Building; and demolition of two pairs of escalators (formerly connecting levels 1-3).

Major construction works for the Revitalisation Project include: the construction of new steps and handrails with LED lighting; the addition of a new main entrance linking the forecourt to the Switch House; the relocation of the panoramic glass visitor lift to the Turbine Hall; relocation of the shop and café near the Switch House exit; replacement of Turbine Hall escalators; upgrades to the fire sprinkler system; construction of toilet facilities on level 2. Plans for the installation of canopy structures on the forecourt were never realised.



The Wran Building as seen from the Harris Street forecourt
Source: *Architecture Australia*, September 1988, p. 62

PUBLIC DEBATE AND COMMUNITY ADVOCACY: 2014-PRESENT

The NSW Government's plans to close the Powerhouse Museum at Ultimo and construct a new facility at Parramatta provoke sustained public debate.

2014

MAAS Director Rose Hiscock (appointed 2013) announces a new direction for the Powerhouse, including rationalisation of 'teams' and staff reductions; stronger links with the Darling Harbour precinct; and a new 'address' to the east (Goods Line public realm).

In November, NSW Premier Mike Baird announces that the Powerhouse Museum will relocate from Ultimo to Parramatta.

The Powerhouse Museum Alliance is formed in response to the announcement.

2015

Redevelopment of the Goods Line is complete – the Goods Line reinterprets former railway infrastructure as public greenspace.

(February) The NSW Government announces plans to raise funds for the new Powerhouse in the western suburbs through the sale of the Powerhouse in Ultimo.

The Government's plans stimulate sustained public debate and community activism. Dominant themes in the discourse include but are not limited to: broad support for a new facility in the western suburbs (Parramatta); advocacy for revitalising the Powerhouse at Ultimo, as opposed to replacement; calls for greater transparency in the decision-making process; and questions about the absence of consultation.

Community groups formed in response to the announcement include, but are not limited to, the 'Powerhouse Alliance' and 'Save the Powerhouse' (see also Appendix C).

The National Trust announces its opposition to the NSW Government's plans, and subsequently (December) nominates the Power House to the NSW State Heritage Register. The nomination is limited to the remnant late-nineteenth and early-twentieth century fabric of the Power House itself.

2016-24

On-going public debate, lobbying and protest about the Government's plans for the Powerhouse Museum in Ultimo and Parramatta.

(June) It is announced that there will be an Upper House Inquiry into the relocation of the Powerhouse Museum as a part of a broader inquiry into NSW museums and galleries. The committee is originally intended to report by 24 November 2016 – this deadline is periodically pushed back with a final report date of 28 February 2019.

2017

(January) Premier Mike Baird announces retirement.

Gladys Berejiklian is elected as leader of the NSW Liberal party. Berejiklian expresses commitment to following through on Baird's promise of moving the Powerhouse Museum from Ultimo to Parramatta at an estimated cost of $1 billion.

(July) The NSW Government announces plans to retain the Powerhouse Museum at Ultimo as well as building the new facility at Parramatta. A business case to determine the future of the site is in train.

2020-21

A heritage assessment of the 'Ultimo Tramways Power House Museum' (prepared for Heritage NSW, Department of Premier and Cabinet by Cracknell & Lonergan) is completed. The assessment finds that the Powerhouse does not meet a threshold for State significance.

(4 September) The inclusion of the Powerhouse in the NSW State Heritage Register (02045) is gazetted. The entry excludes the Harwood and Wran buildings.

(29 September) The NSW State Heritage Register Committee discuss the merits of extending the Powerhouse register entry to include the Harwood Building. The Committee finds that the State threshold is not met (consistent with s.33(3)(b) of the *Heritage Act* 1977).

During 2020, Design 5 Architects is engaged to prepare a Conservation Management Plan for the Powerhouse Museum by Create NSW and MAAS. A Final Draft Report is issued in June 2021.

Curio Projects Pty Ltd engaged to prepare an 'updated' Conservation Management Plan for the Powerhouse. The document includes 'research undertaken by Design 5 Architects' (Draft CMP issued in April 2022).

2022

(Sept) Committee for the Upper House Inquiry into the government's management of the Powerhouse Museum and other museum and cultural projects in New South Wales releases its final report. It includes the recommendation that the NSW Government prioritise listing the entirety of the Ultimo Powerhouse Museum site (including the Wran and Harwood buildings) on the State Heritage Register.

(December) A team led by Durbach Block Jaggers is announced as the winner of a competition for a major (c. $480 million) expansion of the Powerhouse Museum complex. Major outcomes include the replacement of the Wran Building with a new multi-level annexe to Harris Street and public realm improvements, notably to the Harris Street Forecourt and Grace Bros Courtyard.

2023

It is announced that the Powerhouse Museum is to be closed for conservation works prior to the opening of the new museum in Parramatta.

(September) An amended scheme for the renewal of the Powerhouse complex scheme is announced. The proposal, which retains and adapts the Wran Building, is estimated to cost $250 million.

(November) NSW State Heritage Register Committee resolves to amend (expand) the registration for the Powerhouse to include the Wran and Harwood buildings.

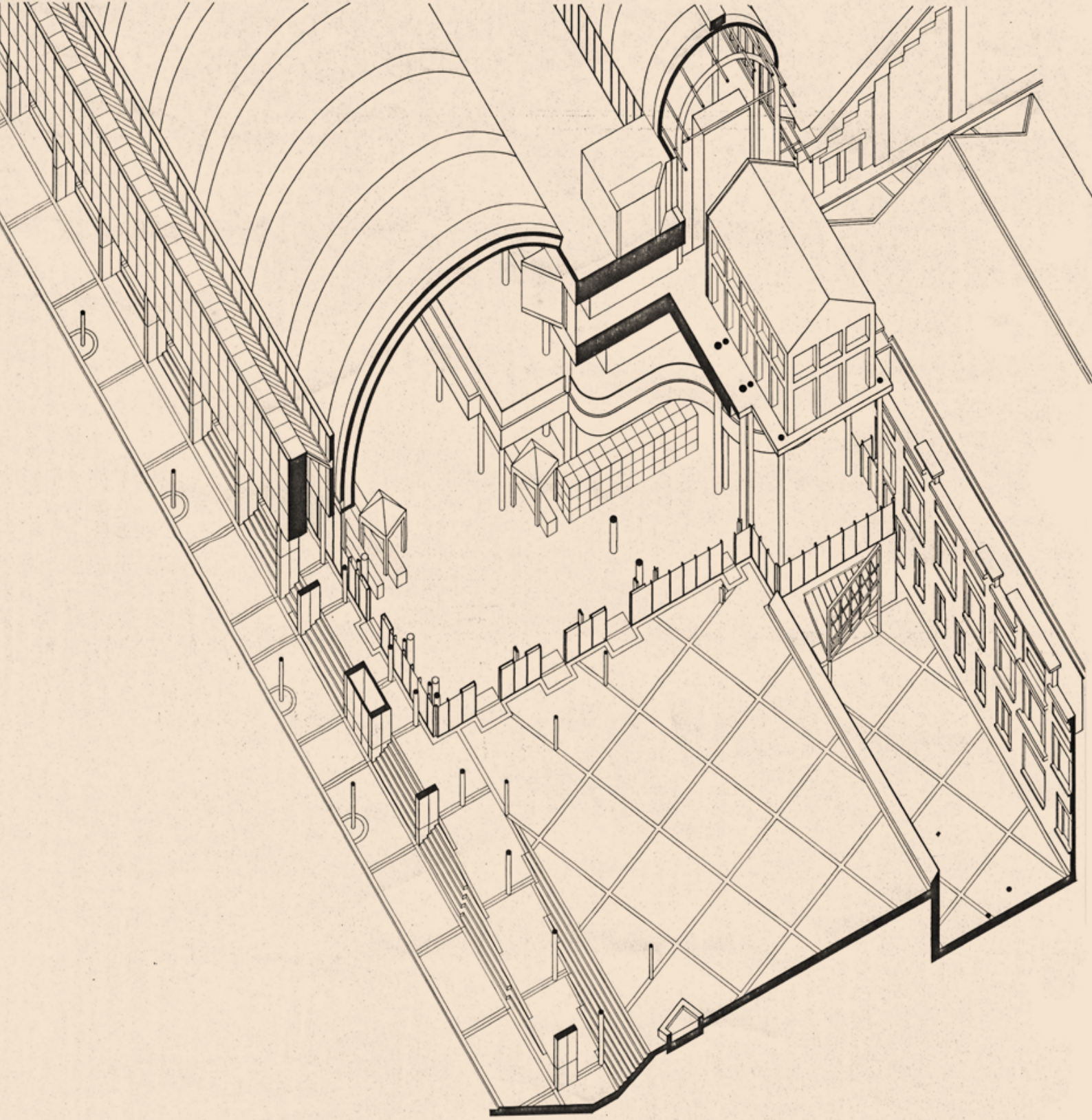
2024

(5 February) the Powerhouse Museum closes for three years.

(28 February) NSW State Heritage Register Committee issues a draft State Heritage Register listing for the expanded Powerhouse Museum complex.



Figure 17 Perspective of proposed works to eastern arrival to the Powerhouse Museum, including new landscape treatment in place of the Grace Bros Courtyard and activation of the Switch House. ground level: note retention of Wran Building, visible art rear (September 2023)
Source: https://architectureau.com/, accessed 6 May 2024



APPENDIX B:

PHYSICAL ANALYSIS

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LEGEND

1	ENGINE HOUSE (1899)
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3	NORTH ANNEXE (1899)
4	PUMP HOUSE, REMNANT (1899)
5	POST OFFICE (1901) AND COURTYARD
6	TURBINE HALL (1902)
7	SWITCH HOUSE (1927)
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9	WRAN BUILDING (1988)
10	HARRIS STREET FORECOURT
11	GRACE BROS COURTYARD
12	CAFÉ

INTRODUCTION

The following provides a description of the Powerhouse Museum complex as it presented in early 2024. A primary objective is to identify alterations undertaken since the major adaptive renewal works of the 1980s.

Visual inspections were undertaken in September 2023 and February 2024. The latter visit took place following the closure of the Museum for three years – decanting works were underway at that time.

Documentation referenced in the preparation of this analysis included, but was not limited to:

- Historic photography (including photography included in Appendix A)
- Architectural drawings (various) provided by the Powerhouse Museum
- Drawings/documentation included in the Curio Pty Ltd, *Powerhouse Ultimo Draft Conservation Management Plan*, 2022
- Summary of changes to Wran Building 1988-2022, provided by the Powerhouse Museum
- Plans and existing conditions photos of the upper levels of the North Annex, provided by the Powerhouse Museum

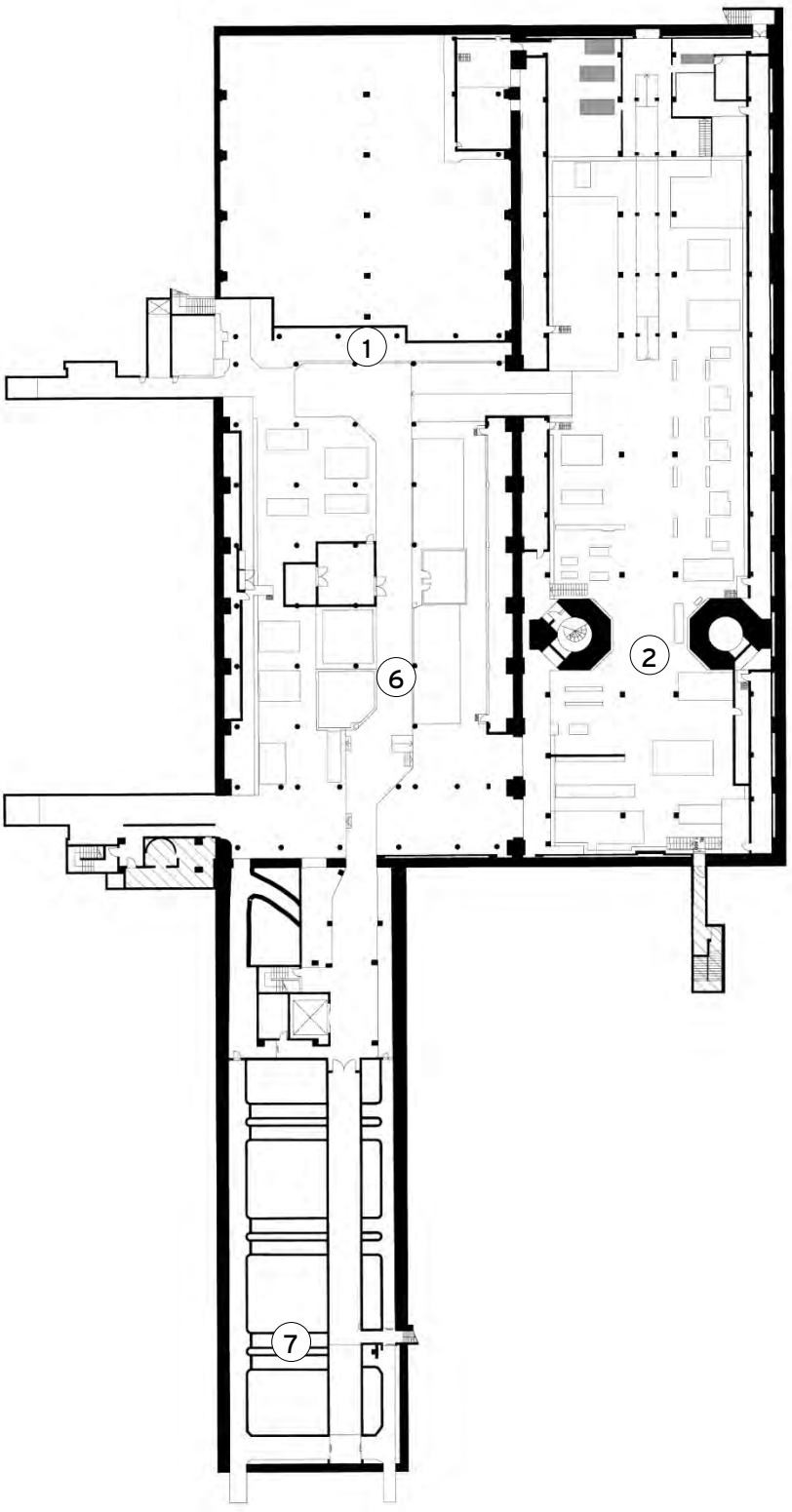
The existing conditions plans at pp. B4-B12 derive from documentation prepared by Design 5 Architects and reproduced in the Curio Pty Ltd CMP referenced above. The floor plans also include graphic representations of the various levels at the complex which – identified as 'basement' and Levels 1-5. The primary entry from Haris Street is at Level 3.

All photography is by Lovell Chen and was taken in February 2024 unless otherwise stated.

Using this document

If using a PDF version of the Physical Analysis, the buildings can be found by clicking the labels on the site plans at pp. B4-B12. Each of these labels is hyperlinked to the relevant location. Click on the 'Home' icon at the bottom of each page to return to the Table of Contents.

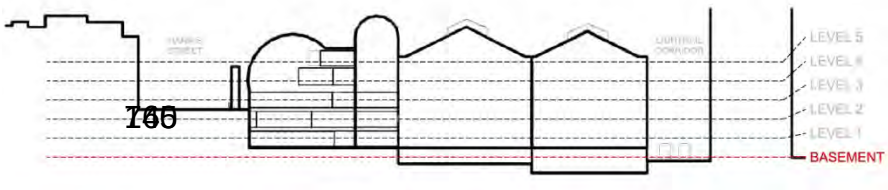
EXISTING CONDITIONS PLANS

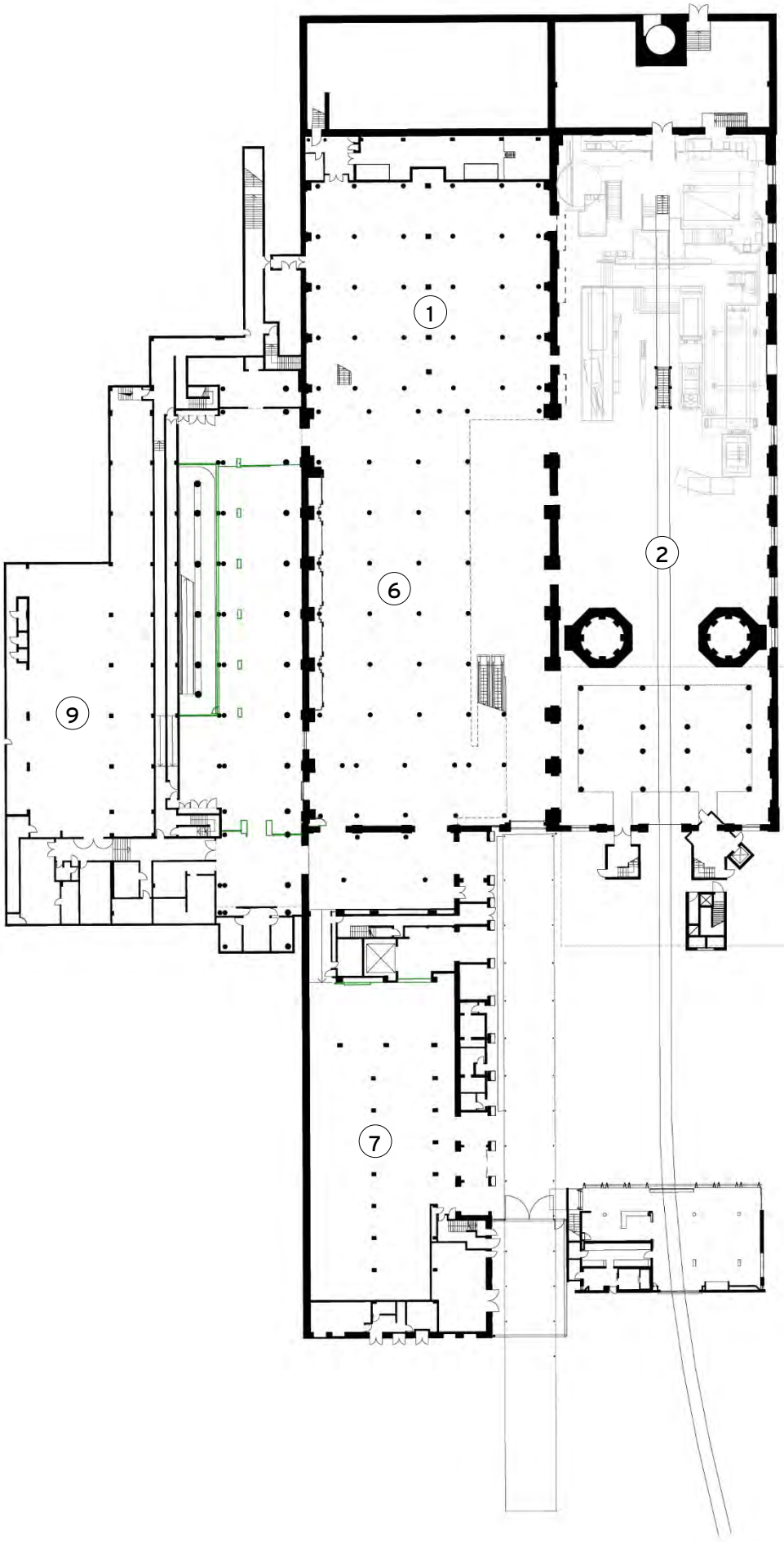


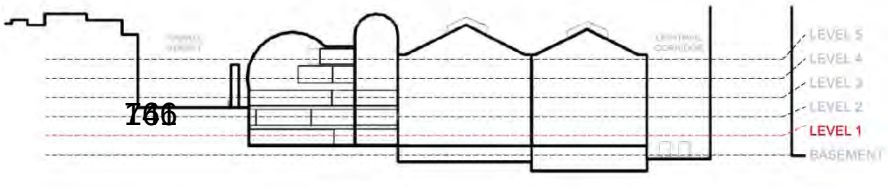


POWERHOUSE MUSEUM

BASEMENT FLOOR PLAN

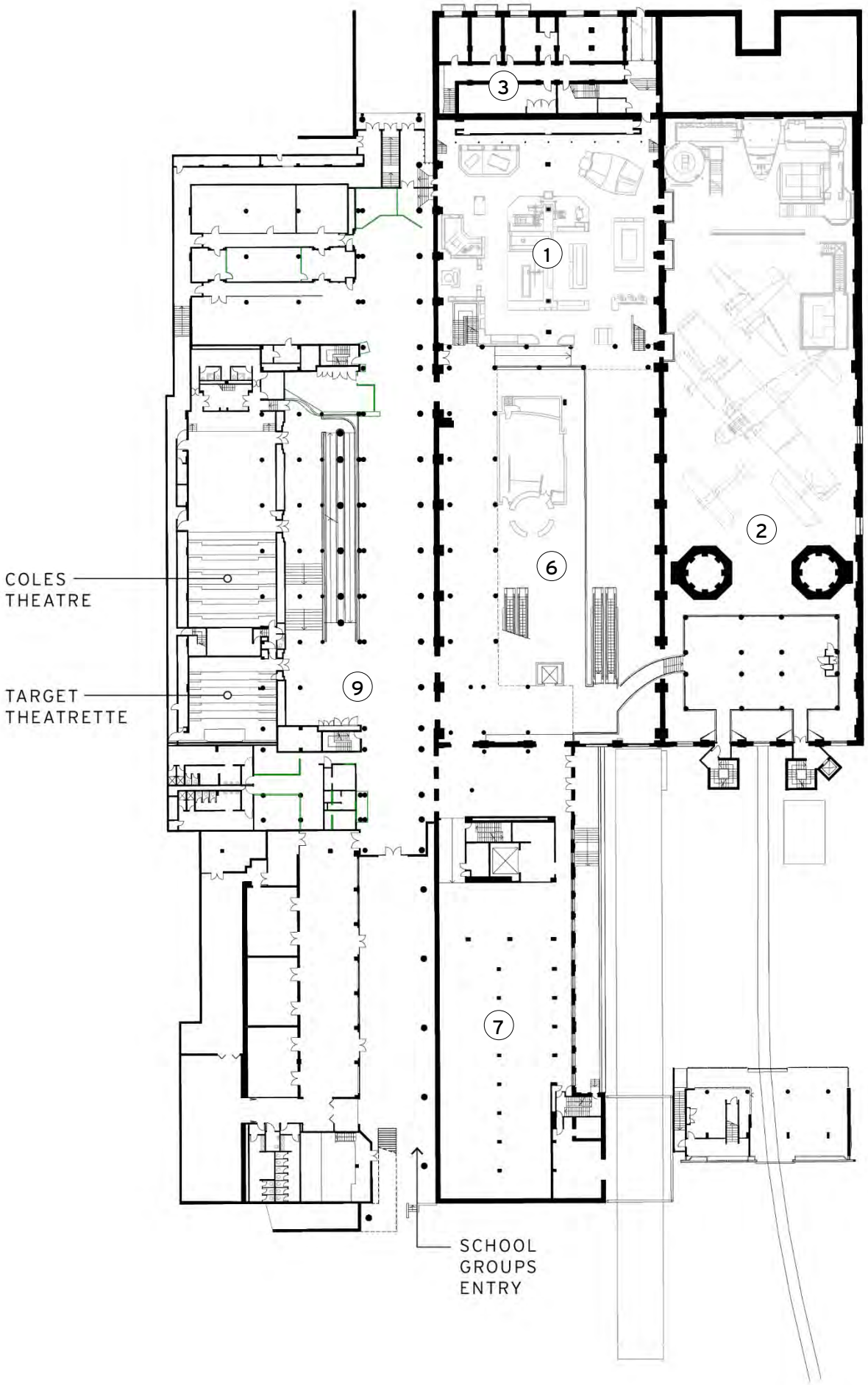






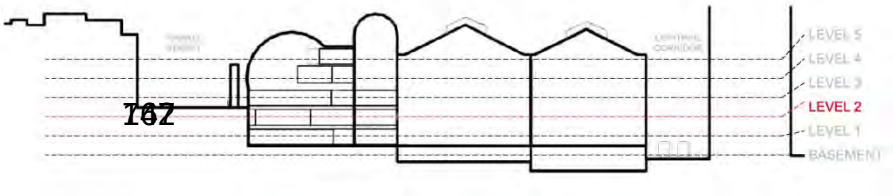
POWERHOUSE MUSEUM

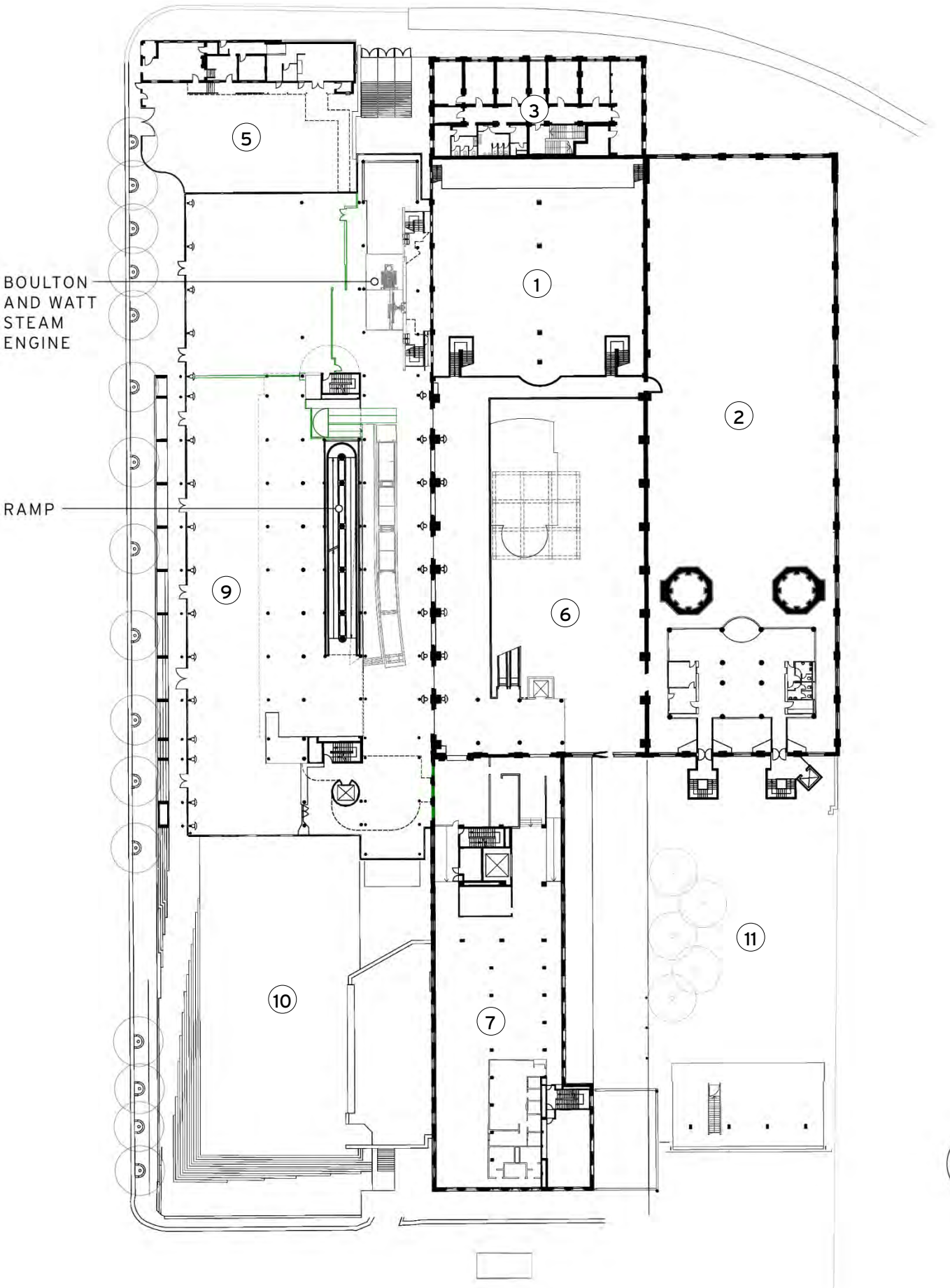
LEVEL 1 FLOOR PLAN



POWERHOUSE MUSEUM

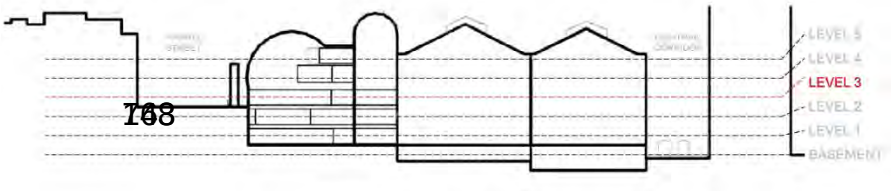
LEVEL 2 FLOOR PLAN

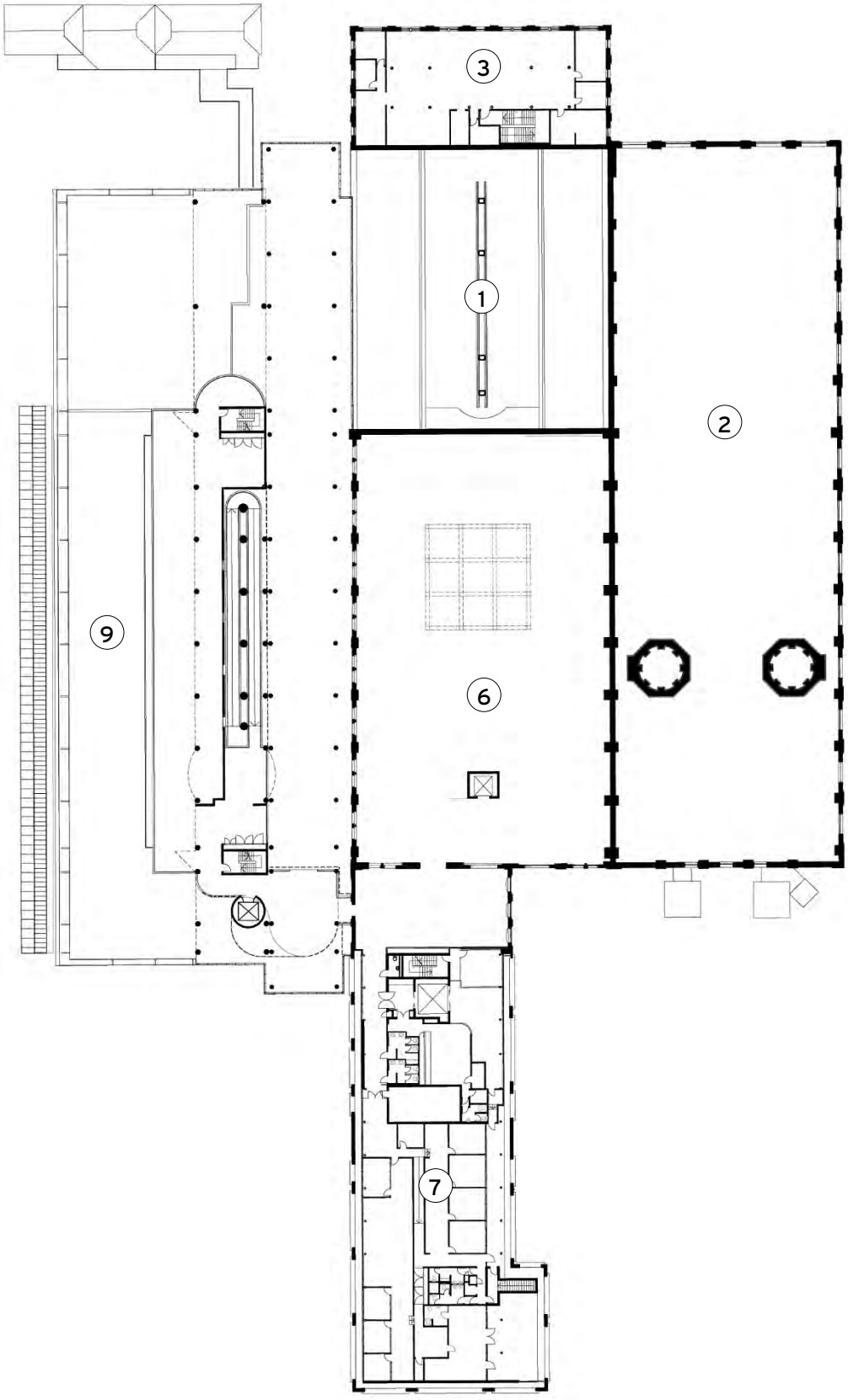




POWERHOUSE MUSEUM

LEVEL 3 FLOOR PLAN

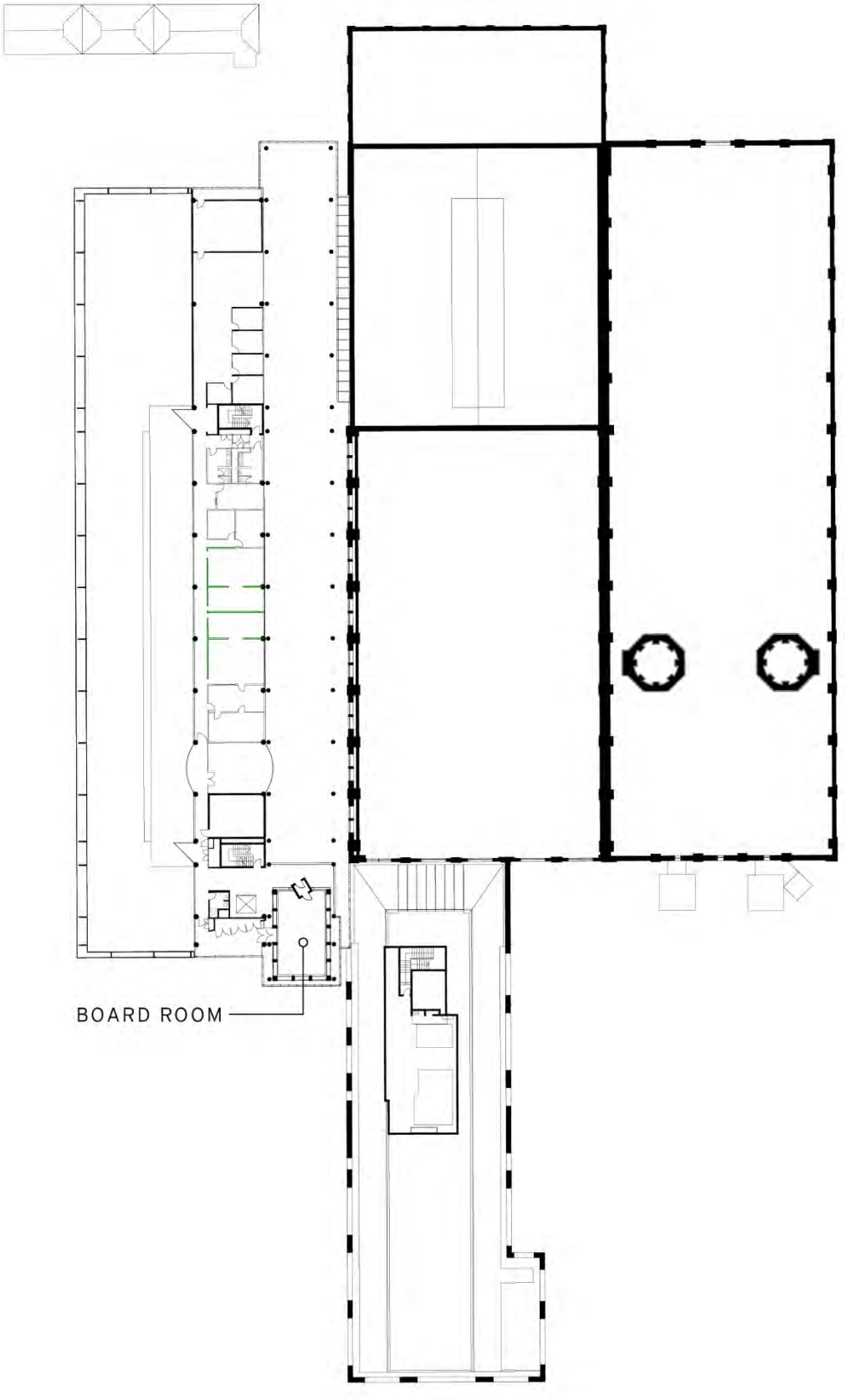




POWERHOUSE MUSEUM

LEVEL 4 FLOOR PLAN

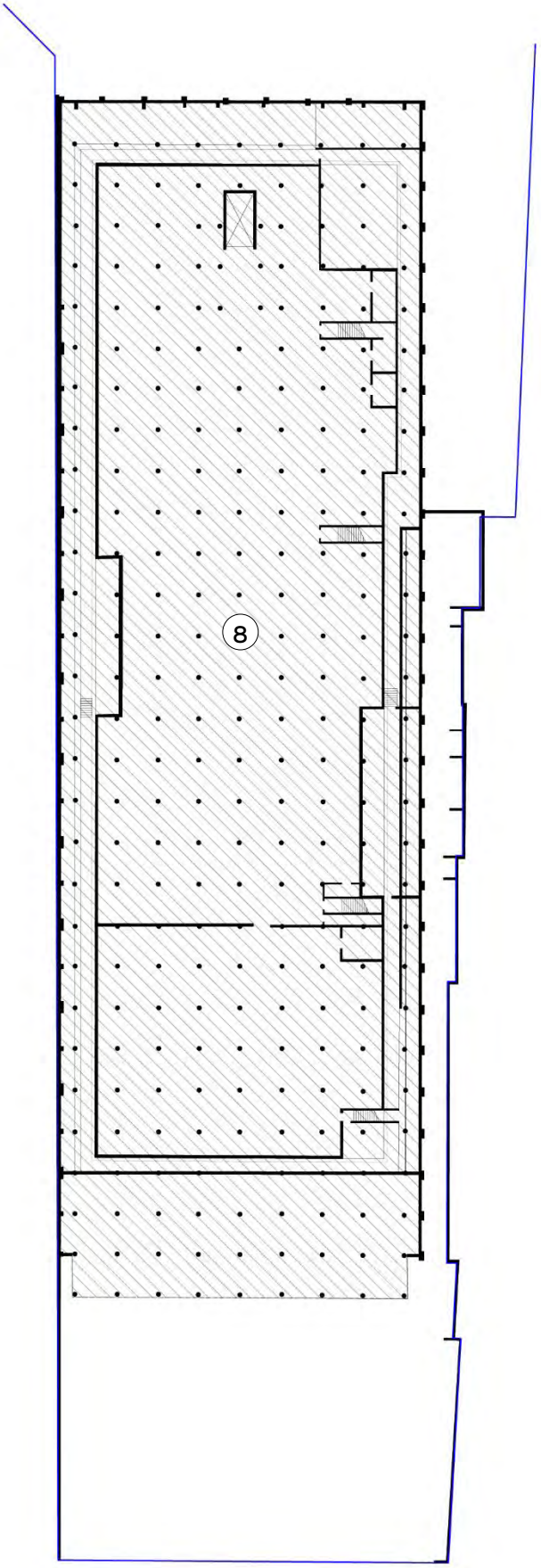




POWERHOUSE MUSEUM

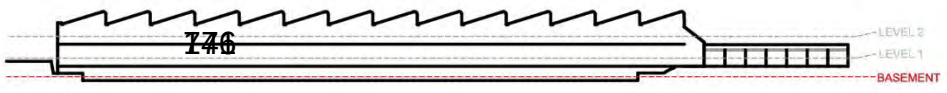
LEVEL 5 FLOOR PLAN

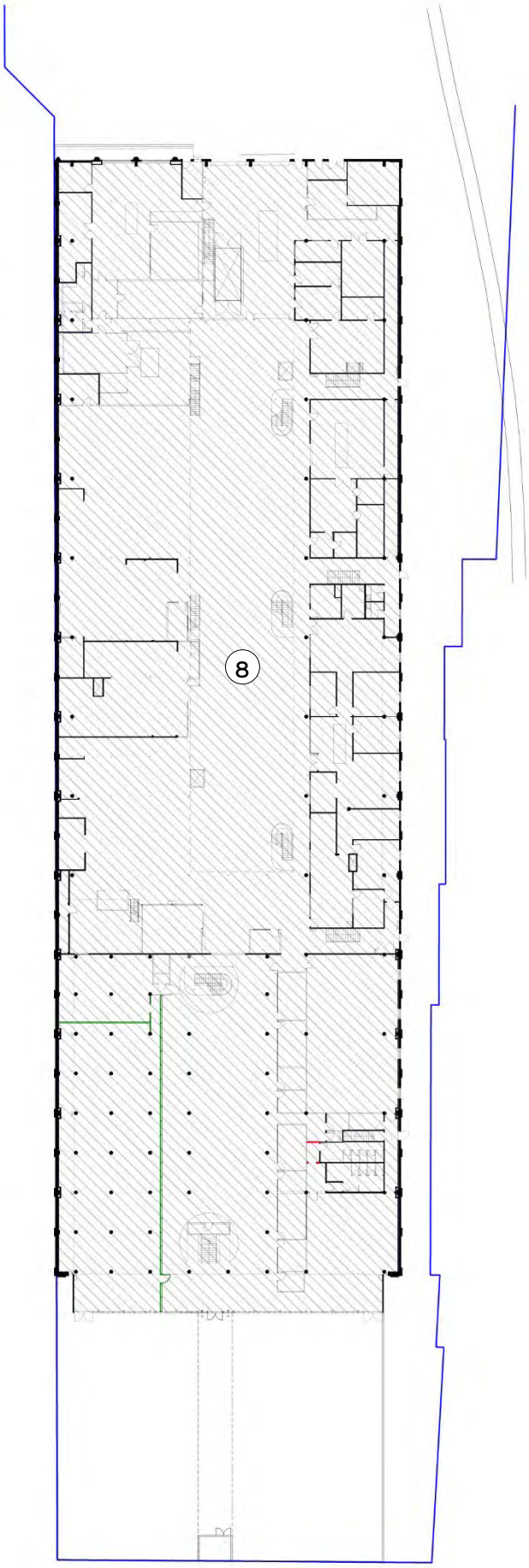




HARWOOD BUILDING

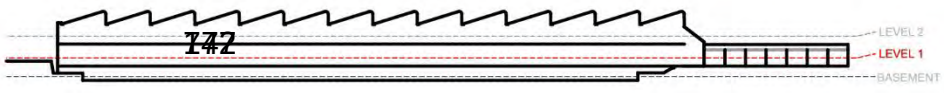
BASEMENT FLOOR PLAN

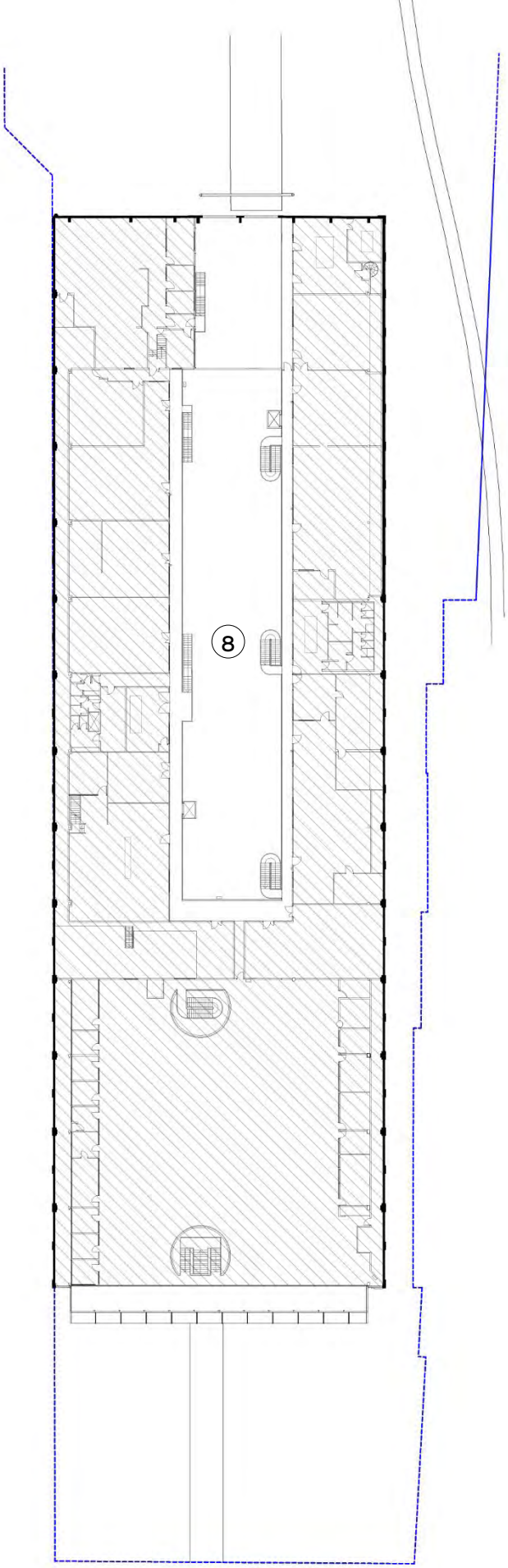




HARWOOD BUILDING

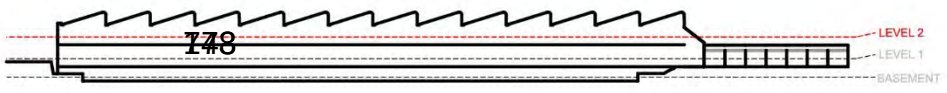
LEVEL 1 FLOOR PLAN





HARWOOD BUILDING

LEVEL 2 FLOOR PLAN



01 | ENGINE HOUSE (1899)

Dates of construction and alteration

1898-99	Construction of Engine House
1902	Alterations and additions, including new switchboard gallery mezzanines to the north and to the south, for direct current (DC) and alternating current (AC) respectively, and integration with the new Turbine Hall
1913	Alterations and additions, including installation of a substation with a new switchboard and construction of a gallery level to the west
1926	Removal of southern gallery mezzanine
1930	Minor alterations and additions
1960s	Machinery/plant associated with electricity production largely removed
1982-88	Adaptive re-use works, involving the removal of electrical equipment and machinery, concrete engine pads, tiled walkways, cast iron floor grates, and the western gallery. Alterartions to the west elevation to integrate the Engine House with the Wran Building

Past and present uses		Functions
1899-1963	Power station	Generating electricity
1988-2024	Museum	Exhibition/museum spaces

History

1899	The first iteration of the Engine House was built with a DC switchboard gallery to its northern end overlooking a hall of Allis-Corliss Horizontal Cross Compound Steam Engines, which were powered by the steam produced in the Boiler House adjoining to the east, and an electric travelling crane supported by metal columns and girders
1901	The switchboard caught fire, causing non-structural damage to the Engine House and temporary cessation of electricity production
1902	A new DC switchboard gallery was built at the northern end and the southern end was extended and altered to accommodate a new AC switchboard gallery and integration with the new Turbine Hall
1913	A new substation with rotary converters was installed to convert AC generated by the turbines to DC, with its marble switchboard being accommodated by a new gallery at the western end
1926	Following the construction of the new Switch House, the AC gallery was removed
1932	Flooding caused by a burst water main resulted in damage to machinery
1963	Ultimo Power House closed and the Engine House subsequently fell into disrepair
1980s	The Engine House was adapted for museum use as part of Stage II of the Powerhouse Museum project. The original permanent exhibition designed for the space, which continued to 2024, was 'Steam Revolution'

Description

The Engine House is approximately 32 metres long and 30 metres wide, with brick walls mostly consisting of original and early fabric, and a gable roof with a curved ridge mounted lantern. The structure is accessible at various levels from the abutting North Annexe to the north, Boiler House to the east, Turbine Hall to the south and Wran Building to the west.

Exterior

- The brick perimeter walls of the Engine House are almost entirely concealed by adjacent built form,
- The gable roof and lantern are clad with corrugated metal sheeting, the latter with louvres to the west and east

Interior

The Engine House has an internal volume spanning Powerhouse Museum levels 2-4 (no floor to level 4) and an enclosed level 1, in addition to a partial basement. The building can be accessed from the North Annexe at levels 1 and 2, the Boiler House at basement level and level 1, the Turbine Hall at basement level and levels 1, 2 and 3, and the Wran Building at level 2.

Basement

- The accessible basement, which is of concrete construction, is limited to ancillary spaces adjacent to the basements of the Turbine Hall and Boiler House

Level 1

- Level 1 is flexible exhibition space for temporary exhibitions and was displaying ‘Experimentations’ in 2024
- Original openings in the level 2 floor slab, through which steam engines would rise from their concrete bases on the level below, have been infilled so the level 1 ceiling is completely enclosed
- The bases to the lattice columns, which supported the gantry crane in the space above, have been retained

Levels 2-3

- The exhibition hall for the permanent exhibition ‘Steam Revolution’ comprises an open space between level 2 and the underside of the roof
- At the northern end there is a mezzanine, consisting mostly of the original DC switchboard gallery, accessible via stairs from level 2
- Three openings in the eastern wall at level 2 lead to viewing balconies in the Boiler House
- At the south end, stairs from level 2 lead up to a bridge, at level 3, which runs across the intersection of the Engine House and Turbine Hall and extends through an opening to create a viewing balcony in the Boiler House
- The northern, western and eastern walls are painted in a lilac colour and a white-tiled dado runs at level 2 of the latter two walls and up to the northern mezzanine
- At the approximate height of level 4, there is a row of windows to the western wall, which was an external wall prior to the construction of the Wran Building
- The metal roof truss structure and timber lining boards are visible and painted in a mint green colour
- The original gantry crane, including its plate girders and lattice columns, all painted yellow, spans the space, supported by pilasters to the western and eastern walls

Integrity

The Engine House has a high level of intactness to its 1988 adaptation. The original features which were incorporated into the 1980s adaptation include:

- The brick outer walls and pilasters to the western and eastern internal faces
- The gantry crane and structure
- The white-tiled dado
- The northern gallery
- The metal truss roof structure

Nearly all of the alterations and additions which were implemented as part of the adaptive reuse design remain. Changes since 1988 include:

- The removal and infill of a stair at the northern end between levels 1 and 2
- Reconfiguration of exhibits

Images



Figure 1
View of the Engine House from the bridge at level 3



Figure 2
The Engine House, level 2

02 | BOILER HOUSE (1899-1902)

Dates of construction and alteration

1898-99	Construction of Boiler House (initial stage)
1902-05	Significant expansion, including extension to the south, increase in height, construction of two large brick chimney stacks and relocation of coal and ash handling structures to the south
1927-32	Modernisation of industrial equipment
1960s-70s	Plant/infrastructure associated with industrial processes largely removed
1976-77	Chimneys demolished down to roof level
1982-88	Adaptive re-use for Powerhouse Museum

Past and present uses		Functions
1899-1963	Power station	Generating steam by burning fossil fuels to heat water in boilers
1988-2024	Museum	Exhibition spaces

History

1899	The first iteration of the Boiler House was designed to allow for future expansion. Its pipes and flues were reticulated to the chimney in the adjoining Pump House to its north and the steam it produced powered the engines in the adjoining Engine House to its west
1902-05	The Boiler House was substantially expanded to accommodate additional Babcock and Wilcox boilers to provide sufficient energy for the Parson's Steam Turbo Alternator installed in the new Turbine Hall extension to the Engine House and to incorporate a pump room and a pair of 65-metre-high chimney stacks
1927-1932	Industrial plant in the Boiler House was modernised. Subsequent equipment updates were predominantly the replacement and addition of boilers
1947	In response to coal supply issues caused by industrial action in New South Wales, the boilers were converted to run on fuel oil
1963	Ultimo Power House closed and the Boiler House subsequently fell into disrepair
1976-77	The upper parts of each of the chimneys were demolished, causing damage to roof fabric
1980s	The Boiler House was adapted for museum use as part of Stage II of the Powerhouse Museum project. Its original permanent exhibitions, the display of which continued to 2024, included 'Transport', designed by Desmond Freeman Associates, and 'Space', designed by Iain Halliday of Neil Burley Designs

Description

The Boiler House is 83 metres long, 23 metres wide and approximately 23.5 metres high. Its outer walls are brick and comprise fabric from the two key phases of construction. The gable roof with a gabled ridge-mounted lantern was clad in corrugated sheet metal in the 1980s. The Boiler House abuts the Engine Room and Turbine Hall to the west and can be accessed through openings in the shared wall. To the north, the open area enclosed by the remnant external walls of the former Pump House can be accessed via the Boiler House basement. Adjacent to the south, the Grace Bros Courtyard can be accessed at level 1 via the central roller door or vertical circulation shafts. Sydney Light Rail tracks are located to the east (outside study area).

Exterior

- The face brick elevations are articulated with recessed window bays framed by pilasters and stepped corbels
- There is a shadow of the previously abutting Pump House at the lower level of the north elevation
- To the south elevation, a pair of stair enclosures, clad with metal sheeting with alternating pink and blue horizontal banding and topped with pyramid skylights, flank the central window bay, with a lift shaft adjoining the eastern stair shaft
- A relatively small extent of each of the chimneys project, to different heights, beyond the roofline

Interior

The Boiler House has an internal volume spanning Powerhouse Museum levels 1-4 (no floor to level 4), in addition to a basement level

Basement

- The basement is of concrete construction and accommodates modern services, integrated with the extant bases of the chimneys

Levels 1-3

- The exhibition hall is a huge volume, rising to full height from level 1 (ground) to the metal truss roof structure, which is mostly comprised of 1902-1905 fabric and was strengthened in 1988 for exhibit display purposes
- The flooring to level 1 is concrete, installed in the 1980s
- The bases of the white-painted brick chimneys project just beyond the roof line
- To the west elevation, there are three viewing balconies at level 2. accessed via the Engine House, and one at level 3, accessed via the bridge demarcating the Engine House and Turbine Hall. The balconies have perforated metal balustrades of the same type as the ramps in the Wran Building, and elsewhere within the complex
- At the south end there are two mezzanines, at levels 2 and 3, supported by two rows of cylindrical columns
- To the interior of the southern stair shafts, the visible steel I-beam structure is lilac, the walls are yellow and the stair stringers, posts and rails are mint green

Integrity

The Boiler House has a high level of intactness to its 1988 adaptation. Its remnant chimneys and most of its brick outer walls and roof structure are original or early fabric which were incorporated into the 1980s adaptation. Nearly all of the alterations and additions which were implemented as part of the adaptive reuse design remain.

Changes since 1988 include:

- Reconfiguration of openings in shared wall with Engine House and Turbine Hall at level 1
- Installation of a new ramp, running through a new wall opening, to provide circulation to the level 2 mezzanine from level 2 of the Turbine Hall
- Infill of the void in the centre of the column grid to the level 2 mezzanine floor

Images



Figure 3
North and east (part) elevations of the Boiler House as seen from William Henry Street

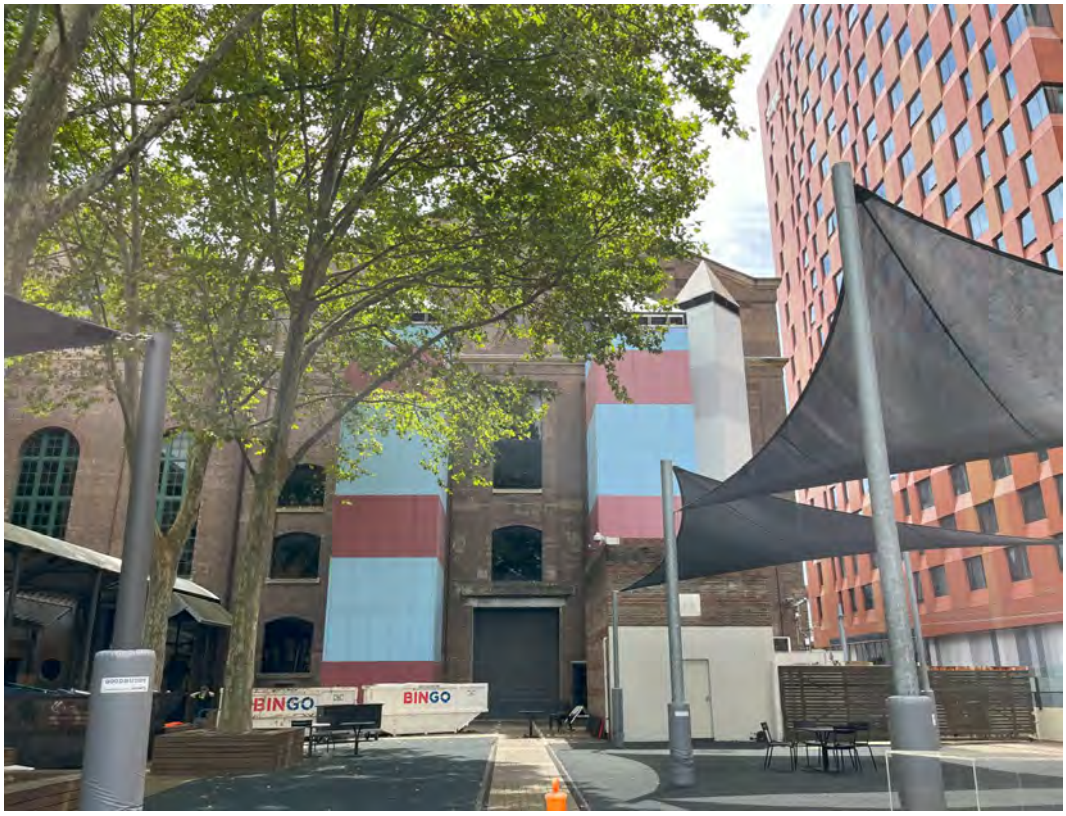


Figure 4
South elevation of the Boiler House from the Grace Bros Courtyard: the two vertical circulation shafts were added in the 1980s



Figure 5
View from level 2 mezzanine of the Boiler House, looking north: the Catalina flying boat (foreground) had been lowered by February 2024



Figure 6
View looking south through the Boiler House from ground level

03 | NORTH ANNEXE (1899)

Dates of construction and alteration

1898-99	Construction of North Annexe
c. 1931	Installation of water tanks to roof
1936	Conversion of accumulator room to recreation and shower rooms
1968	The widening of the William Henry Street Bridge transformed the setting for the North Annexe
1980s	Upgrades were carried out, including replacing the original spiral stair with a new stair

Past and present uses

Functions

1899-1963	Office and administration for power station	Offices, worker amenities, emergency water supply and power storage
1940s	Temporary works for air raid defence	War time precautions
2024	Offices	Offices and creative studios

History

1899	The 'Office' building was built to accommodate administration offices, staff accommodation and the accumulator (battery) room, with a flat roof to allow for extensions and additions
c. 1931	New South Wales Government Railways installed four cast iron water tanks to the flat roof of the North Annexe; two were used for water supply to the Ultimo Tram Depot and two were used for emergency water supply to the Power House boilers
c. 1936	The single room on the top floor, which housed the accumulators, was adapted for use as recreation and shower rooms by Power House workers
1963	Ultimo Power House closed and the North Annexe subsequently fell into disrepair
1980s	The North Annexe was restored and adapted for office uses

Description

The North Annexe is a symmetrically composed three-storey building of sandstone and brick construction. It is the most architecturally ornate building of the late nineteenth and early twentieth group at the Powerhouse Museum, adopting Italian Renaissance references. The seven-bay north elevation is in face brickwork with sandstone dressings defining the openings, string courses and cornices.

Exterior

- The external elevations are composed of a sandstone base to the semi-basement and ground levels, with a rusticated finish (except for the extent of the east elevation which previously abutted the Pump House), and red face brick to the upper levels and parapet, which rises above a sandstone entablature
- The symmetrical north elevation is articulated with window bays to the upper two levels, recessed by brick pilasters, with carved sandstone detailing

- A sandstone portal, which was the original main entrance to the Power House complex, is in the centre of the north elevation and rises to the height of the second storey, topped with a pediment; within the opening there is a modern roller door and above there is an original *bas-relief* spandrel with a sign reading 'N.S.W.G.T POWERHOUSE 1899' against a background of electric bolts
- To the north of the North Annexe there is a narrow paved walkway, partially overhung by the William Henry Street bridge

Interior

- The flooring is generally tiled in a checkerboard pattern of terracotta and mahogany colours, with carpets to office and studio spaces
- White-painted suspended ceilings and bulkheads accommodate modern services
- To the lower level, most of the stone and brick walls are exposed, whereas, to the upper levels, the walls are generally plastered and painted
- The door and window joinery is cedar, most of which is painted in a grey-green colour
- To the upper level, there are cast iron columns with decorative capitals within the workshop spaces
- Two doors on the ground level have WWII-era stencils – it is possible that they are remnants of the WWII-era air raid precautions

Integrity

The North Annexe retains a high level of integrity to its 1988 refurbishment. This includes a combination of original and restored fabric, such as the:

- Masonry walls, externally and internally
- Cedar door and window joinery
- Tiled flooring
- Cast iron columns

Images



Figure 7 The upper levels of the North Annexe, as seen from William Henry Street



Figure 8
Paved laneway to the north



Figure 9
The original entry has been infilled with a roller door: note decorative spandrel panel



Figure 10

04 | PUMP HOUSE, REMNANTS (1899)

Dates of construction and alteration

1898-99	Construction of Pump House, chimney and seawater conduits
1902-05	Modifications for integration with extended Boiler House
1907-08	Upgrades to seawater conduits and pumps
1959-60	Substantial dismantling of chimney
1967-68	Further demolition of chimney and Pump House to enable construction of the new William Henry Street bridge
1970s-2000s	Further demolition of the Pump House and construction of asphalt paving, concrete access stairs and brick infill of arched openings to northern wall
c. 2010s	Demolition of remnant roof structure

Past and present uses

Functions

1899-1932	Pump house for power station	Pumping water to and conveying exhaust from the boilers
1960s-1970s	Dump	City of Sydney waste handling
2024	N/A	Site access and egress

History

1898-99	The Pump House was built adjoining the Boiler House with a primary elevation of similar design to the North Annexe. In the centre of its north elevation, in alignment with the central window bay of the Boiler House behind, a brick chimney stack was constructed to a height of c. 61 metres. Underground water conduits were constructed between Darling Harbour and the Pump House; the inlet conduit supplied seawater to the Pump House for pumping to the boilers in the Boiler House and the outlet conduit would discharge the heated water back to Darling Harbour
1902-05	The Pump House was integrated into the expanded Boiler House
1907-08	The water conduits and pumps were upgraded to meet the increased capacity of the complex
1927-32	Following the modernisation works to the Boiler House, including the reticulation of new seawater conduits, the Pump House was decommissioned
1958	One of the retaining bands on the chimney failed
1959-60	The chimney stack was dismantled down to the height of approximately 7.5 metres
1967-68	The stack was further demolished to make way for the William Henry Street bridge, which replaced the 1886 iron bridge
1970s-2000s	The Pump House continued to deteriorate
c. 1980s-2000s	The courtyard is secured and altered to allow access and egress for the Boiler House basement

Description

The footprint of the former Pump House is an open area with asphalt paving. The perimeter consists of fragments of the former Pump House brick eastern wall and northern wall and chimney base, the eastern external wall of the North Annexe and the northern external wall of the Boiler House. William Henry Street bridge cuts over the north-eastern corner of the courtyard. Two modern concrete stairs with metal handrails – one coming up from the Boiler House basement and one leading up to emergency exit doors in the northern wall – create an egress path.

Integrity

The remnant fabric of the original Pump House comprises brick elements of its 1898-1899 construction. The northern and eastern external walls, with some brickwork detailing to their external and internal faces, are partly extant, and the remainder of the outer perimeter has been infilled with brick walling. The two arched window openings with carved keystones in the north elevation, to the west of the chimney base, have been infilled with red brick but remain legible. The upper parts of the northern and external walls and the northern part of the chimney base were partially demolished to facilitate the construction of the new William Henry Street bridge and the remaining fabric has continued to deteriorate. The remnants of the former Pump House read as a ruin.

Images



Figure 11
View looking west into the Pump house remnants from William Henry Street: note the chimney base at right



Figure 12
Arched openings, infilled, to the north of the former Pump House



Figure 13
The remnants of the chimney stack (left) and the underside of William Henry Street (right)

05 | POST OFFICE (1901) AND COURTYARD

Dates of construction and alteration

1900-01	Construction of Ultimo Post Office
c. 1940s	Reconstruction of column at William Henry Street and Harris Street corner
1985	Alterations to interior and exterior, and construction of addition to the east
1992	Renovations, including new amenities for use childcare centre use
2008	Conservation/restoration works

Past and present uses

Functions

1901-1985	Post Office	Postal services and Postmaster's residence
c. 1914-1930s	Commonwealth Savings Bank	Savings and general banking
1980s-2008	Childcare centre	Childcare
2008-2024	Amenities for Museum staff	Volunteer Centre

History

1859	The Ultimo Estate, which encompassed the land of the subject site, was subdivided. The development and population growth that followed gave rise to demand for a post office
1900	The vacant land at 494 Harris Street was acquired for the construction of a post office and Postmaster's residence, to the design of Walter Liberty Vernon, the New South Wales Government Architect at the Department of Public Works
1901	The Ultimo Post Office opened
c. 1914-1930s	The Ultimo Post Office was used for customer banking services by the Commonwealth Savings Bank
c. 1944	A motor car collided with the column at the street corner, later reinstated
1985	The Ultimo Post Office closed. MAAS acquired the former Ultimo Post Office site and adapted the building for use as a childcare centre. As well as alterations and the additions to the buildings, these works included a hard-paved courtyard to the south.
2008	The building was opened as the Volunteer Centre for the Powerhouse Museum in 2008

Description

The former Ultimo Post Office occupies a prominent location at the south-east corner of William Henry Street and Harris Street. The structure is comprised of three elements, each with a slate-clad hipped roof form and each stepping down the slope of William Henry Street. Extending from the west these elements are: the former Post Office, the former Postmaster's residence and a 1980s addition. The street-facing elevations of the former Post Office and Postmaster's residence present as low-scale and picturesque foreground elements in views of the Powerhouse Museum from the north.

Exterior

- The Post Office and Postmaster's residence, to the extent of their street-facing elevations, are in a Federation Free Style with Romanesque details, including a broad column and ashlar rounded arches to the corner recess. The cartouche above further defines the entry to the former Post Office.
- Distinguishing details to the former Postmaster's residence are a pair of ashlar oculi flanking the main entry.
- The rear (south) elevations of the former Post Office and residence generally lack decoration and applied details and have been modified over time, notably for the adaptation of the buildings for use as a childcare facility.
- The east addition is sympathetic to the earlier buildings, with slate-clad hipped roof and face brick external walls.

Interior

- Original features of the former Post Office include its plan form, ribbed metal ceiling lining, sash windows with coloured upper lights and the marble chimney with decorative tile reveals.
- Extensive alterations have carried out to the former residence. Original fabric/details generally survive as fragments.

Integrity

The street-facing elevations of the former Ultimo Post Office and Postmaster's residence retain relatively high levels of integrity as built in 1900/01, its period of significance. The Post Office interior also retains original details and finishes. Significant additions and alterations occurred in the 1980s, but do not demonstrate the architectural aesthetic of the balance of the Powerhouse Museum complex.

Images



Figure 14
View of the Post Office looking south-east from the intersection of William Henry and Harris streets



Figure 15
Elevated view of the rear (south) elevation of the Post Office



Figure 16
Rear (south) elevation of the 1980s addition (right) and the 1900-01 buildings (left)

06 | TURBINE HALL (1902)

Dates of construction and alteration

1902	Construction of extension to Engine House
1905	Installation of turbine
1909	Installation of additional turbines
c. 1914	Installation of additional turbines
1927-31	Upgrades to industrial equipment, including replacement of turbines and further excavation of basement, and integration with newly constructed Switch House
1982-88	Adaptive re-use works, involving the removal of concrete engine pads and tiled walkways. Alterartions were made to the western wall to integrate the Engine House with the Wran Building.
2011013	Internal alterations and conservation works to south elevation

Past and present uses		Functions
1902-1963	Power station	Generating electricity
1988-2024	Museum	Exhibition spaces

History

1902	The southern extension to the original Engine House was constructed to house reciprocating engines. A travelling crane (extant) was installed in 1902
1905	The first steam turbine, a 2,240kW Parson's Steam Turbo Alternator, was installed, supplied with steam by the additional boilers in the extended Boiler House
1909	Two additional Parson's Steam Turbo Alternators were installed
c. 1910	The building was referred to as the 'Turbine Hall' instead of the 'Engine House extension'
c. 1914	The reciprocating engines are removed to allow for the installation of four additional Parson's Steam Turbo Alternators
1923-1928	A new well and pump were installed to the basement of the Turbine Hall, connected to new inlet and outlet seawater conduits which were constructed, at the Darling Harbour end by the Sydney Harbour Trust and at the Power House end by New South Wales Government Railways, to increase water circulation to the boilers
1927-1931	As part of modernisation works, turbine units were upgraded, necessitating additional excavation, and the southern end of the building was integrated with the new Switch House
1963	Ultimo Power House closed and the turbines were removed from the Turbine Hall, which subsequently fell into disrepair
1980s	The Turbine Hall was adapted for museum use as part of Stage II of the Powerhouse Museum project The water circulation system was adapted for use for air conditioning

Description

The Turbine Hall is 56 metres deep and 31 metres wide, with brick outer walls mostly consisting of original and early fabric, and a gable roof with a gabled lantern. The structure is accessible at various levels from the abutting Engine House to the north, Boiler House to the east, Switch House to the south and Wran Building to the west. To the east of the Switch House, the Turbine Hall faces the Grace Bros courtyard.

Exterior

- The only external elevation to the south (partly concealed by the Switch House). The face brickwork is relieved by arched window openings and recessed bays framed by pilasters and stepped corbels
- The gabled roof and lantern are clad with corrugated metal sheeting, the latter with louvres to west and east

Interior

The internal volume of the Turbine Hall is huge, spanning levels 1-4 of the Powerhouse Museum. Level 1 extends the full width of the plan; levels 2 and 3 successively step back to the west. At the south end, there is circulation between levels 1-4 via escalators and a lift. Additionally, there is a full basement level.

Basement and water cooling system and manifold

- The basement is of concrete construction and accommodates modern services
- The seawater pit and pumps, which connect to the inlet and outlet conduits running to Darling Harbour, are located in the centre of the basement plan

Levels 1-4

- Level 1 is used for temporary exhibitions, including '1001 Remarkable Objects' in 2024, with its eastern third being a full height space for large scale exhibits and its western part being enclosed for small and light sensitive exhibits
- On level 2 there is a 'building within a building' – the Kings Cinema – with a highly decorative interior which references Art Deco motifs
- On level 3 there is a narrow gallery space running adjacent to the junction with Wran Building and extending out to form a roof level to the Kings Cinema, the plan being similar to a keyhole shape, as well as a bridge extending to the Boiler House at the intersection with the Engine House
- At the south a ramp at level 2 provides access to the Boiler House mezzanine
- A mezzanine at level 4 provides access to the Switch House
- At the approximate height of level 4, there is a row of windows to the western wall, which was an external wall prior to the construction of the Wran Building
- The walls and ceiling lining boards are painted in white
- To the eastern wall, a white-tiled dado, comprised of mostly original tiles, runs at the equivalent height of level 2
- The original gantry crane, finished in a dark grey colour, spans the space at the approximate height of level 4, supported by pilasters, rising from level 1 to the eastern wall and rising from level 3 to the western wall
- The original roof truss structure, which was strengthened in the 1980s, is finished in a dark grey colour
- A large, square grid with glazing is suspended from the ceiling at the northern end

Integrity

The Turbine Hall has a high level of intactness to its 1988 adaptation. The original features which were incorporated into the 1980s adaptation include:

- The south wall
- The brick outer walls and pilasters to the eastern internal face
- The gantry crane and associated rails and infrastructure
- The white-tiled dado to the eastern wall
- The metal truss roof structure

The circulation spaces to the south end have been substantially altered and added to, but the overall spatial arrangement of the 1980s design remains legible. Changes since 1988 include:

- Reconfiguration of openings in shared wall with the Boiler House
- Reconfiguration of the circulation zone to the southern end, including removal of the multi-level, steel grid cube, installation of a lift, and construction of level 2 walkway to the Boiler House mezzanine

Images



Figure 17
View of the Turbine Hall south elevation (part) from the Switch House (left)



Figure 18
View looking through the Turbine Hall from level 2



Figure 19
Seawater pit and valves in the basement

07 | SWITCH HOUSE (1927)

Dates of construction and alteration

1922-27	Construction of Switch House
1928-63	Minor modifications
1982-88	Adaptive re-use, including gabled upper-level addition
2011-13	Partial enclosure of the west elevation following bridging of a void to the east of the Harris Street Forecourt

Past and present uses

Functions

1927-63	Power station	Control room, switchgear and battery storage
1988-2024	Part of the museum complex	Exhibition spaces, offices and retail

History

1922-1927	The Switch House was built to accommodate modernised switchgear to service the upgraded Sydney tram network, superseding the switchboards and transformers in the Engine House
1963	Ultimo Power House closed and the Switch House subsequently fell into disrepair
1980s	The Switch House was adapted for museum and ancillary uses as part of Stage II of the Powerhouse Museum project, involving substantial internal refurbishment, construction of an additional level and highlighting elements of the facades with yellow paint to match the Wran Building

Description

The Switch House was the major built outcome of the significant expansion works of the 1920s/30s. The four-level building is 61 metres long, 23 metres wide and 17 metres high. It abuts the south elevation of the Turbine Hall, and addresses Macarthur Street (south), the Grace Bros Courtyard (east) and the Harris Street Forecourt (west, at Level 3).

Exterior

The building is constructed of face brick and concrete in a simplified Federation commercial style. Distinguishing details include brick pilasters, dentilled string courses, decorative parapets and flat arched openings. Dressings, sills, lintels and caps are in concrete, painted yellow (in the 1980s). There are false gables to the east and west elevations, and a gabled rooftop addition (1988).

Interior

Internal finishes at the Switch House almost all date to the 1980s, or more recently. As refurbished in 1988, there was exhibition space on levels 2 and 3, with a brasserie and offices in level 4 (the addition). The most recent uses were a café and shop on level 3, with studio accommodation for artists above.

Vertical circulation is via a lift and stair core at the north of the building.

Integrity

The Switch House, to the extent of its external presentation and internal planning, retains relatively high levels of integrity to the adaptive reuse works of the 1980s. The presentation of the building from the west has been compromised through the bridging of the original void in that location.

Images



Figure 20 South and east (part) elevations of the Switch House



Figure 21 View of the Switch House (right) from the Harris Street Forecourt

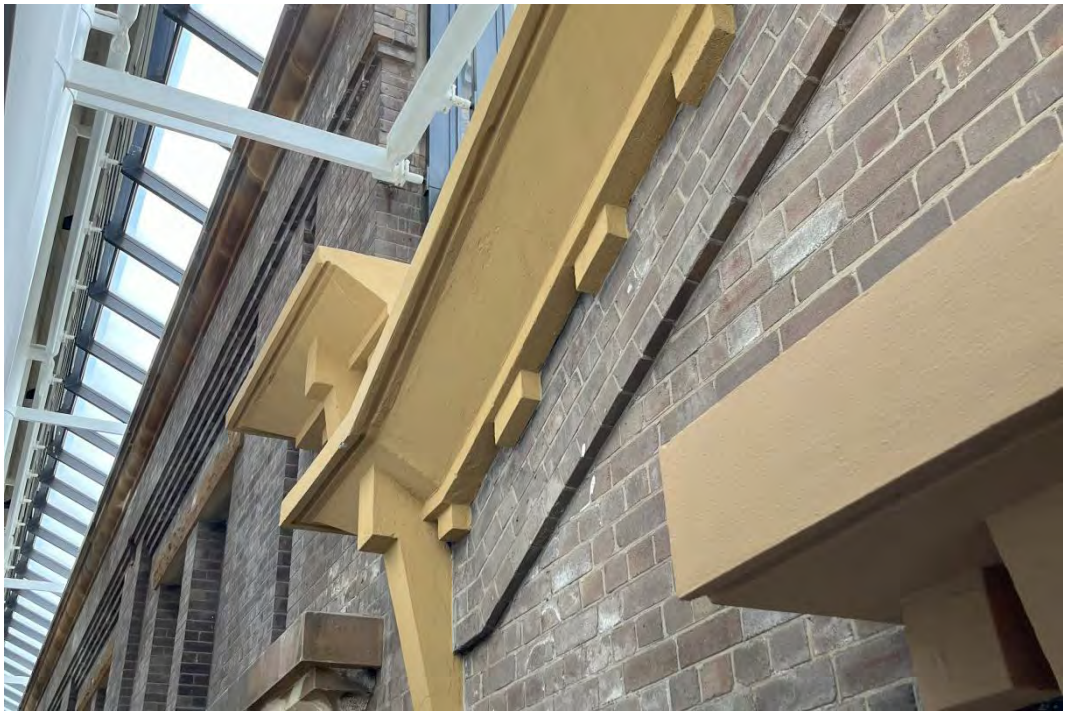


Figure 22
Detail of the interface between the Switch House and the Wran Building roof (Vault 1)

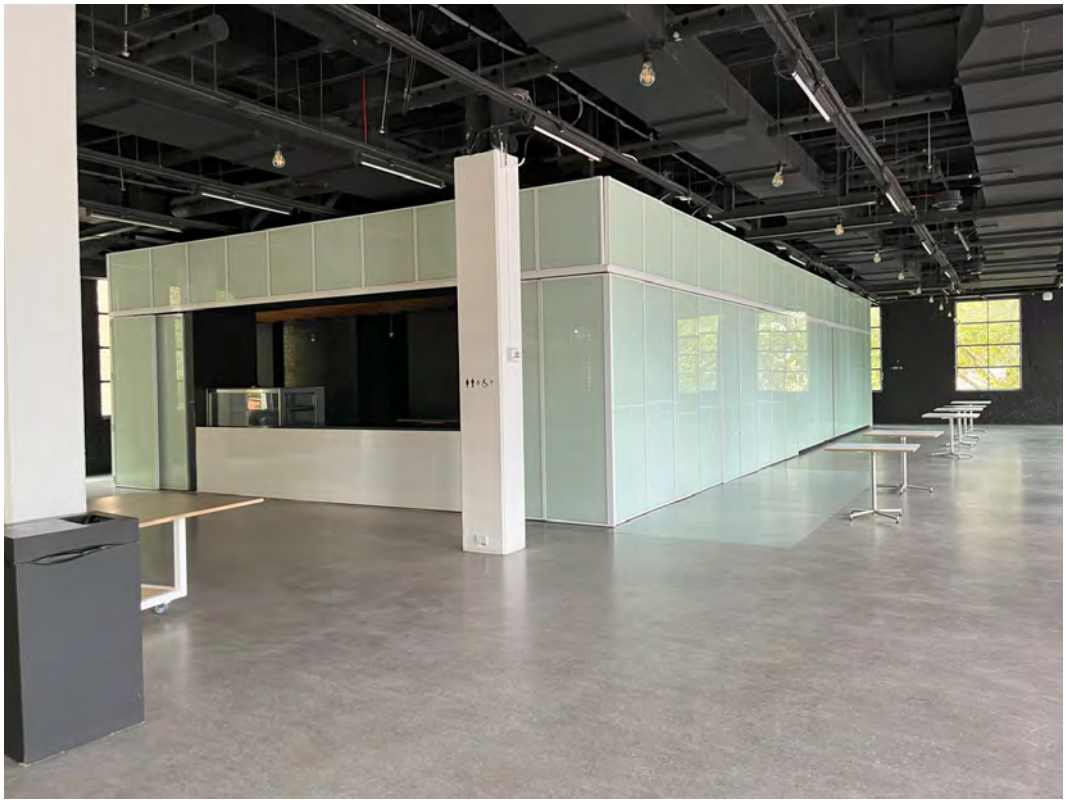


Figure 23
Level 3 of the Switch House

08 | HARWOOD BUILDING, FORMER TRAM DEPOT (1981)

Dates of construction and alteration

1898-99	Construction of the Ultimo Car House
1908	Car House extended to the north by approximately 45 metres (four saw tooth bays)
1953-56	Following the closure of the electric tramways, the Car House was stripped of tracks, pits and associated infrastructure for use as storage
1980-81	Adaptive re-use of the Car House for Phase 1 of the Powerhouse Museum

Past and present uses

1899-1953	Tram Car House
1981-present	Part of the Powerhouse Museum complex

Functions

1899-1953: Facility for stabling and maintenance of electric tram cars

1953-56	Store for redundant trams
1981-88	Temporary Museum (for display of MAAS exhibits); office space; collections store; curational workshops
1988-present	Museum function discontinued following opening of Powerhouse Museum Phase 2

History

The Tram Car House was adapted to the Harwood Building (aka Phase 1 of the Powerhouse Museum) in 1980-81.

1899-1953	The Tram Car House was operational from 8 December 1899 until 1953, when Sydney's electric tram network was closed. For much of its operational life, the tram network was powered by electricity generated at the Ultimo Power House.
1953-77	In the years following the closure of the tram network the former Car House was used as a store for redundant trams. During the 1960s the building was contemplated for adaptation as a Transport Museum. By the late-1970s, when Premier Neville Wran announced plans for the Powerhouse Museum, the former Car House had been largely stripped of tracks and infrastructure associated with its original use, and was in a state of semi-dereliction.
1980-81	A major package of works saw the former Car House adapted as a multi-functional facility to support the operations of MAAS and the Powerhouse Museum complex.
1984	The former Car House was renamed the Harwood Building, in honour of the Norm Harwood, a highly regarded former curator of MAAS.

Description

Works undertaken for the adaptation of the former Car House were extensive. Original fabric (i.e. dating to 1899-1908) includes the east elevation, west elevation (largely enclosed by a walkway, Omnibus Lane) and part of the north elevation. Works included excavation to create a basement (for storage), the introduction of a new ground level and construction of a mezzanine at the south end of the volume. The height of the roof was increased, to optimise useable space. The new roof referenced the saw tooth profile of the original building, with south-facing lights.

Exterior

The Harwood Building occupies the approximate footprint of the former Tram Car House, covering an area of c. 5,000 square metres. The primary entry is at the south, accessed from Mary Ann Street. The south elevation dates to 1981. A skillion profile roof form clad in corrugated sheet steel connects the southernmost saw tooth light and the modern glazing at ground level. During its operation as a tram depot the south face was unenclosed. A covered walkway with a wave-like roof profile extends from Mary Ann Street across a hard paved courtyard.

The brickwork east elevation (which comprises 14 saw tooth bays) dates, in the main, to the 1899 works. Details include a moulded string course, engaged pilasters and brick capping. The five bays at the north end were reconstructed in the 1980s to align with the south end – the 1899 and 1908 sections were originally staggered. The lower sections of the east elevation have been overpainted. The Goods Line public open space in this location enables a reading of the full length of the building, as well as the saw tooth roof profile. The roof form references the original, although it is raised higher to create a more generous internal volume and the saw tooth forms have curved ridges. To the east and west the corrugated steel sheeting splays out to align with the masonry walls below.

The three westernmost bays of the north elevation are original, the balance was constructed in 1980-81. Two of the three windows in the retained section have been reframed; the other has been infilled. The west elevation is original, albeit enclosed by the adjacent raised walkway (Omnibus Lane).

At the north, a covered walkway links the Harwood Building with the base of the Switch House.

Interior

The Harwood building has two levels, with mezzanines to the west and south. The basement is a single open volume that is used for collection storage. The ground floor, at the north end, includes a security office and a loading bay, to the south of which is a double-height workshop space (for conservation). The south end of the ground floor includes offices and a library, with further office accommodation on the mezzanine level above. (Between 1981 and 1988 the south end of the building was the principal exhibition space for the Powerhouse Museum.)

Integrity

The Harwood Building has a high level of integrity to its adaptive re-use and remodelling of 1980-81.

Images

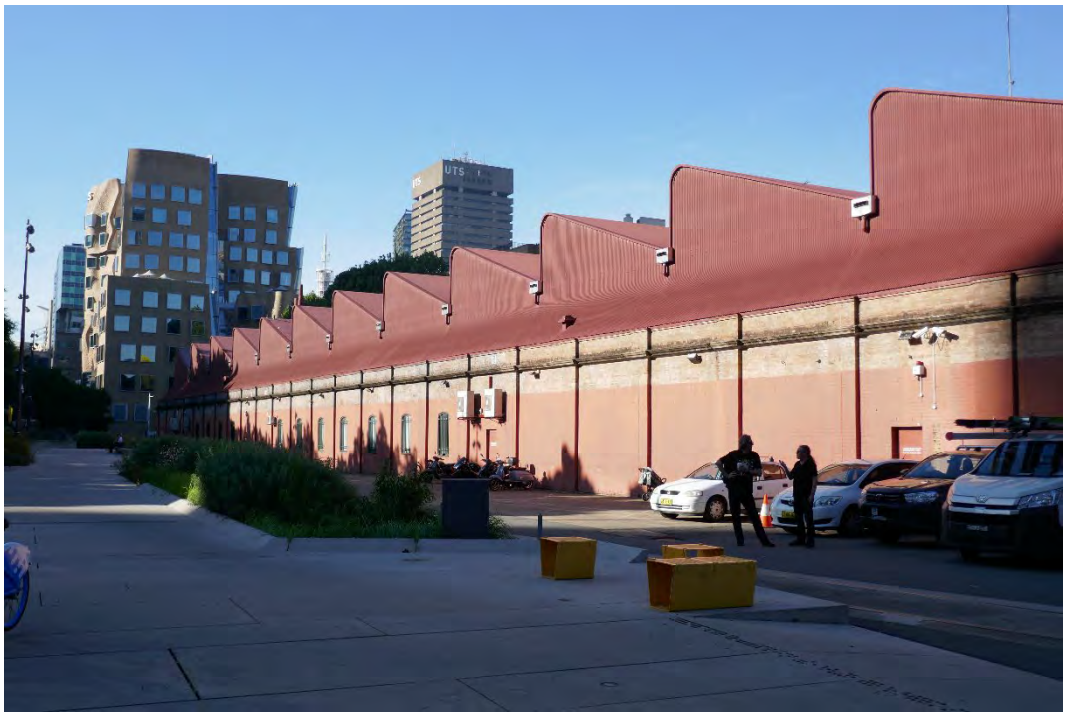


Figure 24
East elevation of the Harwood Building (part), looking south: the nine brick bays at the south date to 1899, and the roof form dates to 1981



Figure 25
The south elevation as seen from Omnibus Lane



Figure 26
North elevation of the Harwood Building

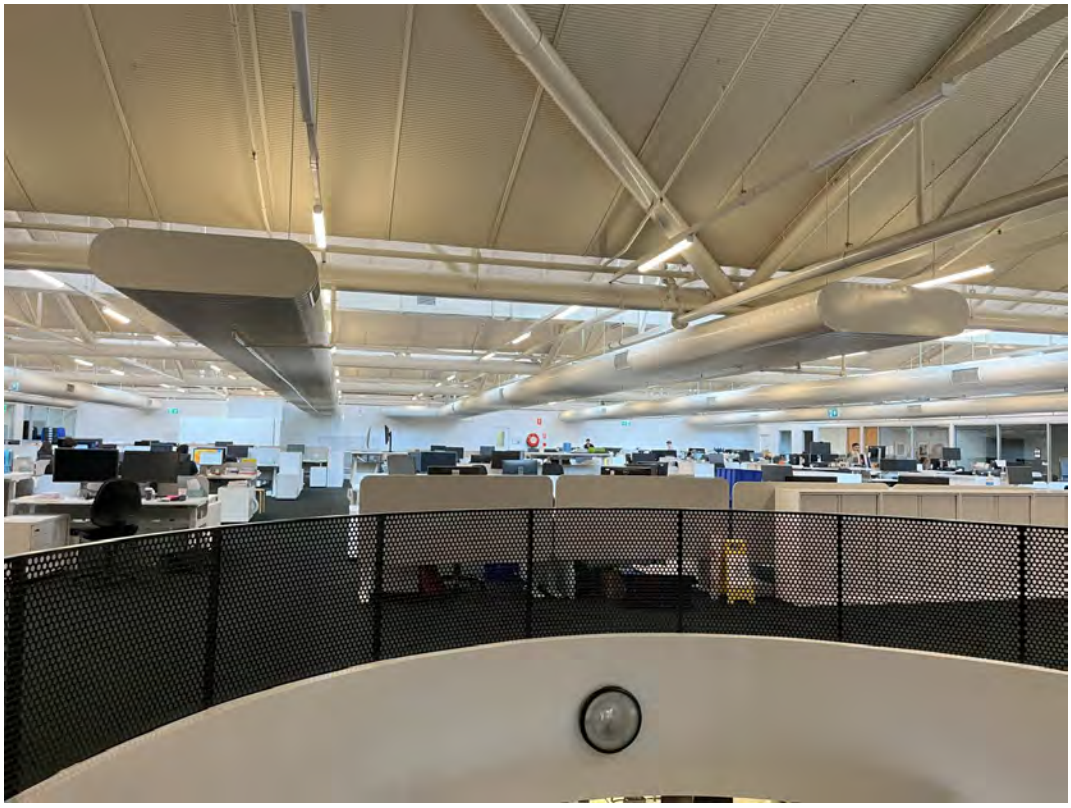


Figure 27
View of the mezzanine at the south end of the Harwood Building

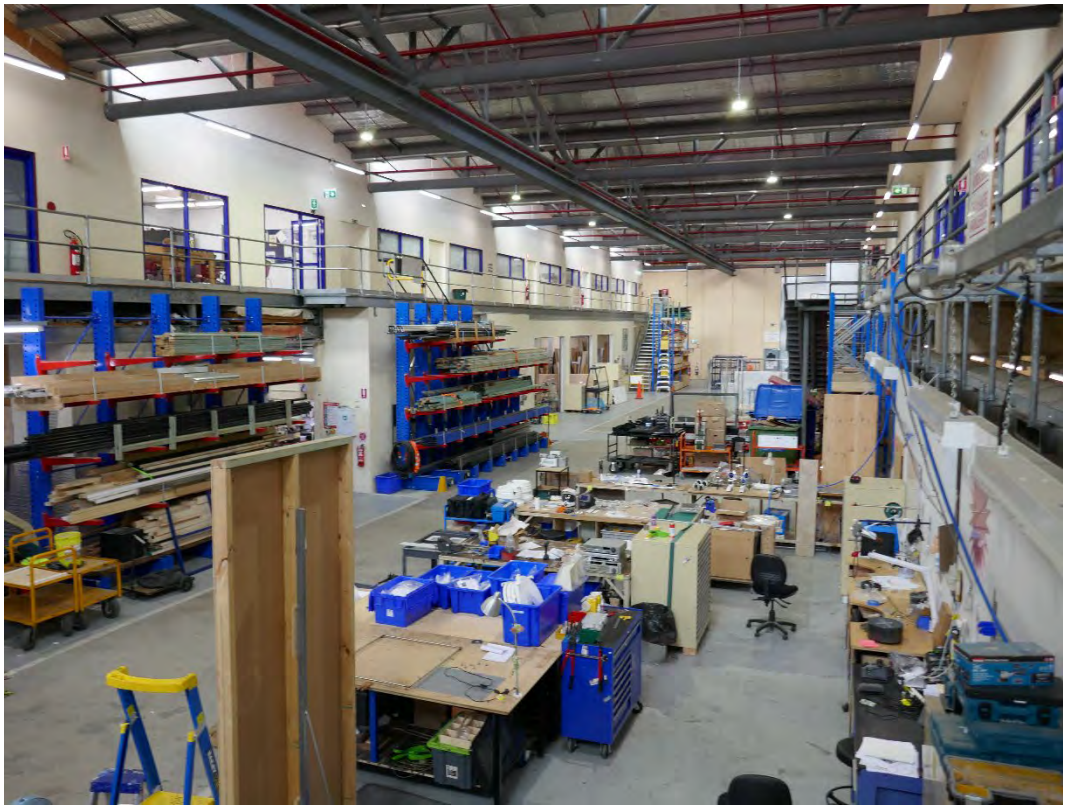


Figure 28
Workshop

09 | WRAN BUILDING (1988)

Dates of construction and alteration

1980s	Construction of the West Building (later named the Wran Building)
2005-06	Yellow finishes to north and south elevations changed to white
2011-13	Alterations as part of the 'Powerhouse Museum Revitalisation Project', including blocking of glazing to Harris Street to create a 'black box', truncation of the screen that extended south of Vault 2 and removal of glass lift from the south elevation to accommodate a remodelled entry

Past and present uses

1988-2024	Museum, exhibition spaces, board room, office/administrative accommodation

Description

Exterior

The Wran Building (1980s) was the major new-build component of the Powerhouse Museum complex. It comprises two parallel vaulted forms that enclose large open volumes, with a three-level linking element in between.

Vault 1 (the 'Galleria'), adjacent to the Turbine Hall and Engine Room, forms the primary entry to the museum from the Harris Street Forecourt at the south. The tall steel-framed structure has a partially glazed roof, with glazed facades to the north, south and west. The west elevations of the Turbine Hall and Engine Room are expressed within the Galleria; this is achieved by the vaulted roof extending over the parapets of the former industrial buildings. The north elevation addresses the Post Office courtyard and an emergency egress that opens to a sunken paved area and an external stair.

Vault 2, which was originally used for touring exhibitions, extends approximately 90 metres along Harris Street, the southern extent is screened by a freestanding colonnade (truncated in 2011-13). The broad roof form, clad in corrugated sheeting, is an incomplete vault. Overpainted fibre cement sheets clad the north and south elevations.

The three-level link element between the two vaults is articulated to the north and south as bands of full-width glazing and solid panels.

Interior

The vaulted roof is carried on slender circular profile columns that extend through the space. Original fittings and finishes in the Galleria include nougat marble to the floor areas (some areas damaged) and a ramp with perforated metal balustrades for vertical circulation; a lift at the south connects levels 3-5. Permanent exhibits displayed in the Galleria included Locomotive No. 1 close to the entry and the Boulton and Watt Beam Engine at the north.

A major feature of Vault 2 (Exhibition Hall) are the murals of the Australian sky to the north and south. Changes to Vault 2 have altered its original character, including the blocking of natural light from the south, the subdivision of the volume into two spaces and painting of the ceiling in black (the original Renfoil was reflective).

Studios, offices, stores and service spaces in the link element are generally intact as built, including the bathrooms (which have a distinctive black and white tile finish throughout) and the cashier's office. North-south passageways on each level variously provide viewing points into the vaults to either side. At the south end of Level 4 is the board

room, conceived by Glendenning as a 'building within a building'. Board room … The vaulted ceiling is painted *** with a nymph – the work was done by the same theatre set paints who completed the murals in the Touring Hall.

Level 2 of the Wran Building (below the main entrance) was used for temporary exhibitions, and included two theatres to the west of the plan – Target Theatrette, finished in mirrors and the larger Coles Theatre, an almost entirely intact post-modernist space. Level 2 also provides access for school groups, via the Switch Room basement to the south. The perforated ramps extend to Level 2.

The basement includes plant, service and storage spaces.

Key collection objects

The Galleria (Vault 1) is a key orientating space. As noted, Locomotive No. 1 is at the entry and rthe Boulton and Watt Beam Engine anchors the north end.

Integrity

The Wran Building, although modified (notably in 2011-13) retains a high level of integrity, including the overall form, planning and materiality of the tri-partite building.

Images



Figure 29
South elevation, February 2024



Figure 30
North elevation of the Wran Building: Ultimo Post Office (part) is in the foreground



Figure 31
Detail of Harris Street elevation of the Touring Hall: the freestanding colonnade is visible at rear



Figure 32
View looking north through Vault 1: Locomotive No 1 is in the foreground and the west elevation of the Turbine Hall is at right



Figure 33
Sky mural at north end of the Touring Hall



Figure 34 View looking south through Vault 1 (the Galleria): the Board Room, clad in orange tiles,is visible at rear



Figure 35 Bathrooms and wet areas are finished in black and white tiles throughout



Figure 36
Board room



Figure 37
'Nougat' marble flooring on the ground floor (Level 3) of the Wran Building



Figure 38
The Target Theatrette

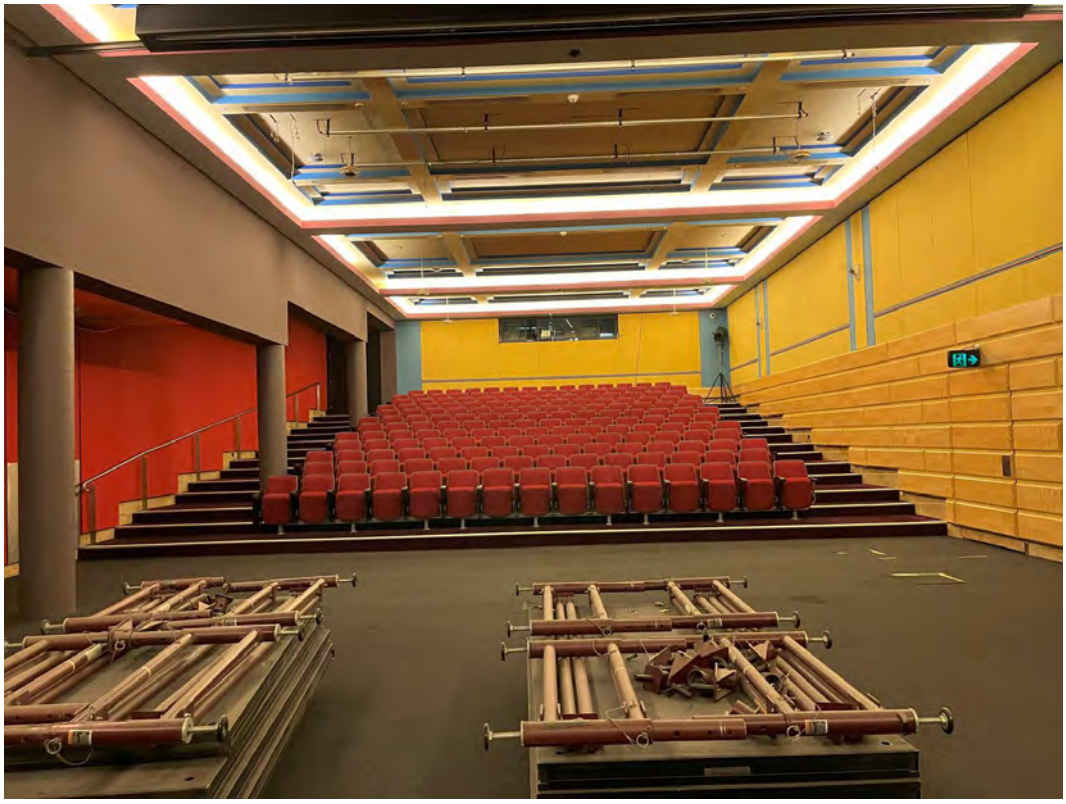


Figure 39
The Coles Theatre

10 | HARRIS STREET FORECOURT (1988)

Dates of construction and alteration

Late-1980s	Construction of the forecourt
2011-13	Alterations as part of the 'Powerhouse Museum Revitalisation Project', including the truncation of the colonnaded screen that extended south of the Wran Building (Vault 2) along the Harris Street boundary, and roofing of a void to the west of the Switch House – replaced with a raised platform

Past and present uses

1988-2024	Public open space, and forecourt to the primary entry to the Museum

Description

The forecourt was constructed in the 1980s as part of the Powerhouse Museum complex. It is a brick paved area accessed from Harris and Macarthur streets. Concrete steps and ramps manage the level change from street level. A face brick wall defines the south end of the space. The concrete platform outside the Switch House was constructed in 2011-13.

Integrity

The Harris Street Forecourt is a simply finished and hard-wearing space that retains high levels of integrity as completed in 1988. The major alteration is the reduced sense of enclosure as a consequence of the truncation of the colonnade.

Images



Figure 40
Harris Street forecourt looking north towards the Museum entry: the Switch House is at right (February 2024)



Figure 41
View looking towards the Wran Building from the platform outside the Switch House (September 2023)



Figure 42
Steps leading from Harris Street up to the forecourt (September 2023)

11 | GRACE BROS COURTYARD (1988)

Dates of construction and alteration

1890s-1920s	Service/storage/transit area supporting the activities of the Power House
c. 1927-31	A coal bunker was constructed in the approximate location of the courtyard
1988	Grace Bros Courtyard formed as part of the 1980s works
1997	Café constructed at south of the courtyard

Past and present uses		Functions
1890s-1960s	Power station	Service area traversed by rail tracks
1988	Public outdoor space	Café and seating area

Description

The Grace Bros Courtyard is a hard-paved open space that is framed by the Switch House to the west, the Light Rail line to the east, the Boiler House to the north and the café to the south. The striped stairs attached to the south elevation of the Boiler House are a prominent backdrop at the north of the space. Trees (species and age not determined), extending north-south through courtyard, soften the space and provide some level of canopy enclosure.

Integrity

The integrity of the café has not been established.

Images



Figure 43
View from the Grace Bros Courtyard looking towards the Switch House



Figure 44
View from the covered walkway looking north towards the Boiler House

12 | CAFÉ (1997)

Dates of construction and alteration

1997	Construction of 'Café Junction'

History

1996-97	The café replaced an earlier kiosk in a similar location.

Description

The single-level flat-roofed café is of steel and concrete construction. It is rectangular in plan and extends between the covered walkway that runs parallel to the Switch House and the light rail line, forming the south boundary of the Grace Bros Courtyard.

Exterior

The south elevation is finished in grey-coloured metal sheeting. There is a large top-hung sliding doorway in the approximate centre. This entry, clad in silver coloured metal panels, is aligned with rail (or tram) tracks embedded in the asphalt. Except for three openings at the base of the top-hung entryway the south elevation is windowless.

The north elevation is almost entirely glazed, with panels set in steel frames of varied dimensions.

Interior

The café was not inspected internally.

Integrity

The integrity of the café has not been established.

It is a building of utilitarian character and presentation that post-dates the major phase of construction for the Powerhouse Museum complex.

Images



Figure 45
South elevation of the café



Figure 46
North elevation of the café (part)

Attachment E

Draft Inventory Sheet - Powerhouse Museum and interiors

Heritage nomination form

A. Nominated item

1. Name

Name*	Powerhouse Museum, including interiors
Other or former names	Powerhouse Museum former warehouse buildings, including interiors, Ultimo Powerhouse, Powerhouse Ultimo, Museum of Applied Arts & Sciences

2. Location

Street address*	500 Harris Street ULTIMO NSW 2007
Alternate street address	
Local government area*	City of Sydney

Land parcels*	Lot	Lot 3	DP	216854	Building reference / name	Harwood Building (former Tram Depot)
		Lot 1 & 3		631345		Powerhouse Museum and part of the Harris Street forecourt
		Lot 1		781732		Wran Building (includes paved courtyard to north)
		Lot 37		822345		Harris Street forecourt (part)

Coordinates	
Latitude	-33.878517
Longitude	151.199773
Datum	GDA94

3. Extent of nomination



Source of map or plan	Geocortex
Description of the boundary, if required	The Powerhouse Museum complex is bound by William Henry Street to the north, Harris Street and Omnibus Lane to the west, Mary Ann Street to the south the and the Goods Line/tramway corridor to the east. The extent of proposed listing is denoted in red above.

4. Ownership

For organisations / company, please provide both the name of the business and a contact.

Name of owner(s)*	TRUSTEES of THE MUSEUM of APPLIED ARTS
Business / organisation name, if applicable	
Address	
Phone	
Email	
Ownership explanation, if required	

B. Significance

5. Why is it important in NSW?

Refer to the guideline Assessing heritage significance when completing this section.

Statement of significance*
The Powerhouse Museum complex historical significance, historical association, aesthetic /creative/technical achievement and social, cultural, and spiritual significance to NSW and Sydney. The former Power House and the Tram Depot demonstrate and retain associations with historic events of significance. The Power House was established in 1898/99 for the generation of electricity to power Sydney's tramway network. The tram cars were stabled in the Tram Depot, constructed concurrently on a site to the south. The two buildings continue to share a symbiotic functional relationship. The Ultimo Power House was the first facility for the generation of electrical power in NSW, and from 1899 until the 1920s it was the largest and most technologically advanced. It closed in 1963. The Ultimo Tram Depot (also completed in 1899, and closed in 1953) was the first stabling facility for Sydney's electric tram network. In the late-1970s, the NSW Public Works Department resolved to adapt the Ultimo Power Station and Tram Depot – by then in a state of dereliction and largely stripped of plant and machinery – as premises for the Museum of Applied Arts and Science (MAAS), a huge collection of considerable significance. MAAS has strong connections with Ultimo, having been headquartered at the Technological Museum on Harris Street from 1893 to the 1980s. The vision was for the conservation and adaptive re-use of the derelict industrial buildings, and the introduction of new works to the west of the site (Harris Street) creating a new public address. The undertaking was inspired by overseas precedents. Political impetus for the project was provided by the bicentenary. The project also a flagship of the regeneration of the Darling Harbour precinct. The Powerhouse is a large and complex place that is rich in ideas, ambition and associations. It is notable for having been conceptualised, championed and delivered by a large and diverse group of organisations The breadth of expertise embodied in the project is consistent with the scale, complexity and prestige of the undertaking. Of the notable individuals and organisations associated with the complex MAAS and the office of the NSW Government Architect stand out for the strength of their association with the place, and for their role in shaping its identify and evolution. The Powerhouse Museum is perhaps the seminal work of the project architect Lionel Glendenning's distinguished career. The Powerhouse Museum complex is a major, and early, outcome of an emerging interest internationally in adaptive renewal of industrial/transport buildings for the creative arts. Works for the adaptation of the Tram Depot and Power House buildings were bold, and assertive while simultaneously responsive to the valued characteristics of the place. The coalition of the MAAS collection and the historic buildings was mutually strengthening in terms of their significance, social resonance and cultural influence. The architectural and experiential qualities of the Powerhouse Museum were the outcome of a collaborative approach, with Lionel Glendenning and Richard Johnson being lead protagonists. Glendenning brought a notably plural sensibility to the project. His interest in drawing upon a diverse set of historical and symbolic references was responsive to the origins and associations of the collections and existing buildings. It was contemporary with the expansion of Postmodernist principles in architectural design. Glendenning explored a series of design themes at the Powerhouse the cumulative effect of which was their reference to memory, time and travel, evocative not just of the industrial nature of the collection and its new location in a series of structures originally devoted to industry and transport but

also an analogy to a museum visitor's experience of memory, time and travel as they would make their way around the diverse volumes and spaces of the whole museum complex.

The design of the exhibitions and visitor experience, overseen by Johnson, was similarly innovative. Much as Glendenning had conceived the exterior form and the diverse scale of spaces within as an extension of the broader urban context, Johnson was interested in the internal experience of the museum being like that of a city. Major exhibits – including the Boulton and Watt Engine, the Catalina and Loco No. 1 – were used as anchors, to assist visitors in navigating the huge spaces. The Powerhouse Museum has been modified since 1988, notably during the works of 2011-13. However, the core principles that underpinned the design response, and many of the sources and references that informed it, remain evident.

The design qualities of the Powerhouse Museum were highly awarded. The Powerhouse Museum is a place of social value to communities and groups for a range of reasons variously related to conceptions of identity, practice and interest. Broad communities of identity across Sydney and NSW derive a sense of pride from an appreciation that the Powerhouse is a museum with few equivalents in Australia or elsewhere that is recognised worldwide and has contributed positively to perceptions of Sydney and NSW. Communities of identity associated with the Powerhouse also include those that have been supported (or represented) by the Museum, including migrant and LGBTQI communities.

Communities of interest associated with the Powerhouse include groups that formed (or mobilised) following the NSW Government's 2014/5 announcement of plans to replace the Powerhouse Museum in Ultimo with a new facility in Sydney's western suburbs. Communities of interest also include those with an interest in the site's associations with industry, transport and with MAAS. Communities of practice associated with the Powerhouse Museum may include but are unlikely to be limited to present and former MAAS staff, Powerhouse Museum staff and volunteers.

C. Description

6. Describe the existing item

Description*	The Powerhouse Museum complex comprises the former Ultimo Power House and Tram Depot (which adapted an earlier Car House) being the, engine house, boiler house, north annex, pump house, turbine hall, switch house buildings. These buildings have undergone ongoing change to support the evolving needs of the museum functions. Later addition buildings are the Wran Building, Harris Street forecourt, Café and Grace Bros courtyard. The building envelopes are generally intact, with varying degrees of intervention for the museum in 1988. **ENGINE HOUSE (1899)** The Engine House is approximately 32 metres long and 30 metres wide. Its brick walls mostly consist of original and early fabric, and its gable roof has a curved ridge-mounted lantern. The structure is accessible at various levels, from the abutting North Annexe to the north, Boiler House to the east, Turbine Hall to the south, and Wran Building to the west. *Exterior* • The brick perimeter walls of the Engine House are almost entirely concealed by adjacent built form • The gable roof and lantern are clad with corrugated metal sheeting, the latter with louvres to the west and east

Interior
The Engine House has an internal volume spanning Powerhouse Museum levels 2-4 (no floor to level 4), an enclosed level 1, and a partial basement. The building can be accessed from the North Annexe at levels 1 and 2, the Boiler House at the basement level and level 1, the Turbine Hall at the basement level and levels 1, 2 and 3, and the Wran Building at level 2.

Basement
The accessible basement, which is of concrete construction, is limited to ancillary spaces adjacent to the basements of the Turbine Hall and Boiler House.

Level 1
- Level 1 is a flexible exhibition space for temporary exhibitions and was displaying 'Experimentations' in 2024
- The original openings in the level 2 floor slab, through which steam engines would rise from their concrete bases on the level below, have been infilled, so the level 1 ceiling is completely enclosed
- The bases to the lattice columns, which supported the gantry crane in the space above, have been retained.

Levels 2-3
- The exhibition hall for the permanent exhibition 'Steam Revolution' comprises an open space between level 2 and the underside of the roof.
- At the northern end, there is a mezzanine, consisting mostly of the original DC switchboard gallery, accessible via stairs from level 2
- Three openings in the eastern wall at level 2 lead to viewing balconies in the Boiler House
- At the south end, stairs from level 2 lead up to a bridge at level 3, which runs across the intersection of the Engine House and Turbine Hall and extends through an opening to create a viewing balcony in the Boiler House
- The northern, western, and eastern walls are painted lilac, and a white-tiled dado runs at level 2 of the latter two walls and up to the northern mezzanine
- At the approximate height of level 4, there is a row of windows to the western wall, which was an external wall prior to the construction of the Wran Building
- The metal roof truss structure and timber lining boards are visible and painted mint green
- The original gantry crane, including its plate girders and lattice columns, all painted yellow, spans the space, supported by pilasters to the western and eastern walls.

BOILER HOUSE (1899-1902)
The Boiler House is 83 metres long, 23 metres wide and approximately 23.5 metres high. Its outer walls are brick and comprise fabric from the two key phases of construction. The gable roof with a gabled ridge-mounted lantern was clad in corrugated sheet metal in the 1980s. The Boiler House abuts the Engine Room and Turbine Hall to the west and can be accessed through openings in the shared wall.

To the north, the open area enclosed by the remnant external walls of the former Pump House can be accessed via the Boiler House basement. Adjacent to the south, the Grace Bros Courtyard can be accessed at level 1 via the central roller door or vertical circulation shafts. Sydney Light Rail tracks are located to the east (outside the item boundary).

Exterior

- The face brick elevations are articulated with recessed window bays framed by pilasters and stepped corbels.
- There is a shadow of the previously abutting Pump House at the lower level of the north elevation.
- To the south elevation, a pair of stair enclosures, clad with metal sheeting with alternating pink and blue horizontal banding and topped with pyramid skylights, flank the central window bay, with a lift shaft adjoining the eastern stair shaft.
- A relatively small extent of each of the chimneys project to different heights beyond the roofline.

Interior

The Boiler House has an internal volume spanning Powerhouse Museum levels 1-4 (no floor to level 4), in addition to a basement level.

Basement

- The basement is of concrete construction and accommodates modern services integrated with the extant bases of the chimneys.

Levels 1-3

- The exhibition hall is a huge volume, rising to full height from level 1 (ground) to the metal truss roof structure, which is mostly comprised of 1902-1905 fabric and was strengthened in 1988 for exhibit display purposes
- The flooring to level 1 is concrete, installed in the 1980s
- The bases of the white-painted brick chimneys project just beyond the roof line
- To the west elevation, there are three viewing balconies at level 2. accessed via the Engine House, and one at level 3, accessed via the bridge demarcating the Engine House and Turbine Hall. The balconies have perforated metal balustrades of the same type as the ramps in the Wran Building and elsewhere within the complex
- At the south end, there are two mezzanines, at levels 2 and 3, supported by two rows of cylindrical columns
- To the interior of the southern stair shafts, the visible steel I-beam structure is lilac, the walls are yellow, and the stair stringers, posts and rails are mint green.

NORTH ANNEXE (1899)

The North Annexe is a symmetrically composed three-storied building of sandstone and brick construction. It is the most architecturally ornate building of the late nineteenth and early twentieth group at the Powerhouse Museum, adopting Italian Renaissance references. The seven-bay north elevation is in face brickwork with sandstone dressings defining the openings, string courses and cornices.

Exterior

- The external elevations are composed of a sandstone base to the semi-basement and ground levels, with a rusticated finish (except for the extent of the east elevation, which previously abutted the Pump House), and red face brick to the upper levels and parapet, which rises above a sandstone entablature.
- The symmetrical north elevation is articulated with window bays to the upper two levels, recessed by brick pilasters and carved with sandstone detailing.

- A sandstone portal, which was the original main entrance to the Power House complex, is in the centre of the north elevation and rises to the height of the second storey, topped with a pediment. Within the opening, there is a modern roller door, and above it is an original bas-relief spandrel with a sign reading 'N.S.W.G.T POWERHOUSE 1899' against a background of electric bolts.
- To the north of the North Annexe is a narrow paved walkway partially overhung by the William Henry Street bridge.

Interior

- The flooring is generally tiled in a checkerboard pattern of terracotta and mahogany colours, with carpets to office and studio spaces
- White-painted suspended ceilings and bulkheads accommodate modern services
- To the lower level, most of the stone and brick walls are exposed, whereas, to the upper levels, the walls are generally plastered and painted
- The door and window joinery is cedar, most of which is painted grey-green
- To the upper level, there are cast iron columns with decorative capitals within the workshop spaces
- Two doors on the ground level have WWII-era stencils – it is possible that they are remnants of the WWII-era air raid precautions

PUMP HOUSE, REMNANTS (1899)

The footprint of the former Pump House is an open area with asphalt paving. The perimeter consists of fragments of the former Pump House brick eastern wall and northern wall and chimney base, the eastern external wall of the North Annexe and the northern external wall of the Boiler House. William Henry Street bridge cuts over the north-eastern corner of the courtyard. Two modern concrete stairs with metal handrails – one coming up from the Boiler House basement and one leading up to emergency exit doors in the northern wall – create an egress path.

TURBINE HALL (1902)

The Turbine Hall is 56 metres deep and 31 metres wide, with brick outer walls mostly consisting of original and early fabric and a gable roof with a gabled lantern. The structure is accessible at various levels from the abutting Engine House to the north, Boiler House to the east, Switch House to the south and Wran Building to the west. To the east of the Switch House, the Turbine Hall faces the Grace Bros courtyard.

Exterior

- The only external elevation to the south (partly concealed by the Switch House). The face brickwork is relieved by arched window openings and recessed bays framed by pilasters and stepped corbels.
- The gabled roof and lantern are clad with corrugated metal sheeting, the latter with louvres to the west and east.

Interior

The internal volume of the Turbine Hall is huge, spanning levels 1-4 of the Powerhouse Museum. Level 1 extends the full width of the plan; levels 2 and 3 successively step back to the west. At the south end, there is circulation between levels 1-4 via escalators and a lift. Additionally, there is a full basement level.

Basement and water-cooling system and manifold

- The basement is of concrete construction and accommodates modern services.
- The seawater pit and pumps, which connect to the inlet and outlet conduits running to Darling Harbour, are in the centre of the basement plan.

Levels 1-4

- Level 1 is used for temporary exhibitions, including '1001 Remarkable Objects' in 2024, with its eastern third being a full-height space for large-scale exhibits and its western part being enclosed for small and light-sensitive exhibits.
- On level 2, there is a 'building within a building' – the King's Cinema – with a highly decorative interior that references Art Deco motifs.
- On level 3 there is a narrow gallery space running adjacent to the junction with Wran Building and extending out to form a roof level to the Kings Cinema, the plan being similar to a keyhole shape, as well as a bridge extending to the Boiler House at the intersection with the Engine House.
- At the south, a ramp at level 2 provides access to the Boiler House mezzanine.
- A mezzanine at level 4 provides access to the Switch House.
- At the approximate height of level 4, there is a row of windows to the western wall, which was an external wall prior to the construction of the Wran Building.
- The walls and ceiling lining boards are painted in white.
- To the eastern wall, a white-tiled dado, comprised of mostly original tiles, runs at the equivalent height of level 2
- The original gantry crane, finished in a dark grey colour, spans the space at the approximate height of level 4, supported by pilasters, rising from level 1 to the eastern wall and rising from level 3 to the western wall.
- The original roof truss structure, which was strengthened in the 1980s, is finished in dark grey.
- A large, square grid with glazing is suspended from the ceiling at the northern end.

SWITCH HOUSE (1927)

The Switch House was the major built outcome of the significant expansion works of the 1920s/30s. The four-level building is 61 metres long, 23 metres wide and 17 metres high. It abuts the south elevation of the Turbine Hall and addresses Macarthur Street (south), the Grace Bros Courtyard (east) and the Harris Street Forecourt (west, at Level 3).

Exterior

The building is constructed of face brick and concrete in a simplified Federation commercial style. Distinguishing details include brick pilasters, dentilled string courses, decorative parapets and flat arched openings. Dressings, sills, lintels, and caps are made of concrete and painted yellow (in the 1980s). There are false gables to the east and west elevations and a gabled rooftop addition (1988).

Interior

Internal finishes at the Switch House almost all date to the 1980s or more recently. When it was refurbished in 1988, it had exhibition space on levels 2 and 3, a brasserie, and offices on level 4 (the addition). The most recent uses were a café and shop on level 3, with studio accommodation for artists above. Vertical circulation is via a lift and stair core at the north of the building.

HARWOOD BUILDING, FORMER TRAM DEPOT (1981)

Exterior

The Harwood Building occupies the approximate footprint of the former Tram Car House, covering an area of c. 5,000 square metres. The primary entry is at the south, accessed from Mary Ann Street. The south elevation dates to 1981. A skillion profile roof form clad in corrugated sheet steel connects the southernmost saw tooth light and the modern glazing at ground level. During its operation as a tram depot, the south face was unenclosed. A covered walkway with a wave-like roof profile extends from Mary Ann Street across a hard-paved courtyard.

The brickwork east elevation (which comprises 14 saw tooth bays) dates, in the main, to the 1899 works. Details include a moulded string course, engaged pilasters and brick capping. The five bays at the north end were reconstructed in the 1980s to align with the south end – the 1899 and 1908 sections were originally staggered. The lower sections of the east elevation have been overpainted. The Goods Line public open space in this location enables a reading of the full length of the building, as well as the saw-tooth roof profile. The roof form references the original, although it is raised higher to create a more generous internal volume, and the saw tooth forms have curved ridges. To the east and west, the corrugated steel sheeting splays out to align with the masonry walls below.

The three westernmost bays of the north elevation are original; the balance was constructed in 1980-81. Two of the three windows in the retained section have been reframed; the other has been infilled. The west elevation is original, albeit enclosed by the adjacent raised walkway (Omnibus Lane).

At the north, a covered walkway links the Harwood Building with the base of the Switch House.

Interior

The Harwood building has two levels, with mezzanines to the west and south. The basement is a single open volume that is used for collection storage. The ground floor, at the north end, includes a security office and a loading bay, and to the south is a double-height workshop space (for conservation). The south end of the ground floor includes offices and a library, with further office accommodation on the mezzanine level above. (Between 1981 and 1988, the south end of the building was the principal exhibition space for the Powerhouse Museum).

WRAN BUILDING (1988)

Exterior

The Wran Building (1980s) was the major new-build component of the Powerhouse Museum complex. It comprises two parallel vaulted forms enclosing large open volumes, with a three-level linking element.

Vault 1 (the 'Galleria'), adjacent to the Turbine Hall and Engine Room, forms the primary entry to the museum from the Harris Street Forecourt at the south. The tall steel-framed structure has a partially glazed roof with glazed facades to the north, south and west. The west elevations of the Turbine Hall and Engine Room are expressed within the Galleria; this is achieved by the vaulted roof extending over the parapets of the former industrial buildings. The north elevation addresses the Post Office courtyard and an emergency egress that opens to a sunken paved area and an external stair.

Vault 2, originally used for touring exhibitions, extends approximately 90 metres along Harris Street. The southern extent is screened by a freestanding colonnade (truncated in 2011-13). The broad roof form, clad in corrugated sheeting, is an incomplete vault. Overpainted fibre cement sheets clad the north and south elevations. The three-level link element between the two vaults is articulated to the north and south as bands of full-width glazing and solid panels.

Interior
The vaulted roof is carried on slender circular profile columns that extend through the space. Original fittings and finishes in the Galleria include nougat marble to the floor areas (some areas damaged) and a ramp with perforated metal balustrades for vertical circulation; a lift at the south connects levels 3-5. Permanent exhibits displayed in the Galleria included Locomotive No. 1 close to the entry and the Boulton and Watt Beam Engine at the north. A major feature of Vault 2 (Exhibition Hall) are the murals of the Australian sky to the north and south. Changes to Vault 2 have altered its original character, including the blocking of natural light from the south, the subdivision of the volume into two spaces and painting of the ceiling in black (the original Renfoil was reflective).

Studios, offices, stores and service spaces in the link element are generally intact as built, including the bathrooms (which have a distinctive black and white tile finish throughout) and the cashier's office. North-south passageways on each level variously provide viewing points into the vaults to either side. At the south end of Level 4 is the boardroom, conceived by Glendenning as a 'building within a building'. The vaulted ceiling is painted with a nymph – the work was done by the same theatre set painters who completed the Touring Hall murals.

Level 2 of the Wran Building (below the main entrance) was used for temporary exhibitions. It included two theatres to the west of the plan – Target Theatrette, finished in mirrors and the larger Coles Theatre, an almost entirely intact post-modernist space. Level 2 also provides access for school groups via the Switch Room basement to the south. The perforated ramps extend to Level 2.

The basement includes plant, service and storage spaces.

Key collection objects
The Galleria (Vault 1) is a key orientating space. As noted, Locomotive No. 1 is at the entry, and the Boulton and Watt Beam Engine anchors are at the north end.

HARRIS STREET FORECOURT (1988)
The forecourt was constructed in the 1980s as part of the Powerhouse Museum complex. It is a brick-paved area accessed from Harris and Macarthur streets. Concrete steps and ramps manage the level change from street level. A face brick wall defines the south end of the space. The concrete platform outside the Switch House was constructed in 2011-13.

GRACE BROS COURTYARD (1988)
The Grace Bros Courtyard is a hard-paved open space that is framed by the Switch House to the west, the Light Rail line to the east, the Boiler House to the north and the café to the south. The striped stairs attached to the south elevation of the Boiler House are a prominent backdrop at the north of the space. Trees (species and age not determined), extending north-south through the courtyard, soften the space and provide some level of canopy enclosure.

	CAFÉ (1997) The single-level flat-roofed café is of steel and concrete construction. It is rectangular in plan and extends between the covered walkway that runs parallel to the Switch House and the light rail line, forming the south boundary of the Grace Bros Courtyard.
Condition of fabric and/or archaeological potential*	The extent of disturbance at the site over time is such that archaeological potential at the subject site is generally limited (Curio Pty Ltd, Draft Conservation Management Plan for the 'Powerhouse Ultimo', Section 3, Table 3.3)
Integrity / intactness*	Despite later alterations and additions, the Powerhouse Museum building retains a high degree of integrity. ***Ultimo Power House and Tram Depot (original complex)*** **ENGINE HOUSE (1899)** The Engine House has a high level of intactness to its 1988 adaptation. The original features which were incorporated into the 1980s adaptation include: • The brick outer walls and pilasters to the western and eastern internal faces • The gantry crane and structure • The white-tiled dado • The northern gallery • The metal truss roof structure Nearly all the alterations and additions that were implemented as part of the adaptive reuse design remain. Changes since 1988 include: • The removal and infill of a stair at the northern end between levels 1 and 2 • Reconfiguration of exhibits **BOILER HOUSE (1899-1902)** The Boiler House is highly intact compared to its 1988 adaptation. Its remnant chimneys, most of its brick outer walls, and roof structure are the original or early fabric that was incorporated into the 1980s adaptation. Nearly all of the alterations and additions implemented as part of the adaptive reuse design remain. Changes since 1988 include: • Reconfiguration of openings in shared wall with Engine House and Turbine Hall at level 1 • Installation of a new ramp, running through a new wall opening, to provide circulation to the level 2 mezzanine from level 2 of the Turbine Hall • Infill of the void in the centre of the column grid to the level 2 mezzanine floor **NORTH ANNEXE (1899)** The North Annexe retains a high level of integrity to its 1988 refurbishment. This includes a combination of original and restored fabric, such as the: • Masonry walls, externally and internally • Cedar door and window joinery • Tiled flooring • Cast iron columns

PUMP HOUSE, REMNANTS (1899)

The remnant fabric of the original Pump House, built in 1898-1899, includes partially extant northern and eastern walls with some brick detailing. Two arched window openings with carved keystones in the north elevation have been infilled with red brick but remain visible. The upper parts of the walls and part of the chimney base were partially demolished for the construction of the new William Henry Street bridge, and the remaining structure has continued to deteriorate, reading as a ruin.

TURBINE HALL (1902)

The Turbine Hall has a high level of intactness to its 1988 adaptation. The original features which were incorporated into the 1980s adaptation include:

- The south wall
- The brick outer walls and pilasters to the eastern internal face
- The gantry crane and associated rails and infrastructure
- The white-tiled dado to the eastern wall
- The metal truss roof structure

The circulation spaces to the south end have been substantially altered and added to, but the overall spatial arrangement of the 1980s design remains legible. Changes since 1988 include:

- Reconfiguration of openings in the shared wall with the Boiler House
- Reconfiguration of the circulation zone to the southern end, including removal of the multi-level, steel grid cube, installation of a lift, and construction of level 2 walkway to the Boiler House mezzanine

SWITCH HOUSE (1927)

The Switch House, to the extent of its external presentation and internal planning, retains relatively high levels of integrity to the adaptive reuse works of the 1980s. The presentation of the building from the west has been compromised through the bridging of the original void in that location.

HARWOOD BUILDING, FORMER TRAM DEPOT (1981)

Works undertaken for the adaptation of the former Car House were extensive. Original fabric (i.e. dating to 1899-1908) includes the east elevation, west elevation (largely enclosed by a walkway, Omnibus Lane) and part of the north elevation.

Works included excavation to create a basement (for storage), the introduction of a new ground level and the construction of a mezzanine at the south end of the volume. The height of the roof was increased to optimise useable space. The new roof referenced the saw tooth profile of the original building, with south-facing lights.

The Harwood Building has a high level of integrity to its adaptive reuse and remodelling of 1980-81.

Redevelopment as the Powerhouse Museum (new addition Wran Building, Harris Street Forecourt, café and Grace Bros Courtyard)

- The Wran Building although modified (notably in 2011-13), retains a high level of integrity, including the overall form, planning, and materiality of the tri-partite building.

	▪ The Harris Street Forecourt is a simply finished and hard-wearing space that retains high levels of integrity, as completed in 1988. The major alteration is the reduced sense of enclosure caused by the truncation of the colonnade. ▪ The café is a building of utilitarian character and presentation that post-dates the major phase of construction for the Powerhouse Museum complex. ▪ The integrity of the café and Grace Bros courtyard is unknown.
Modification dates	**ENGINE HOUSE (1899)** • 1898-99 Construction of Engine House • 1902 Alterations and additions, including new switchboard gallery mezzanines to the north and the south for direct current (DC) and alternating current (AC), respectively, and integration with the new Turbine Hall • 1913 Alterations and additions, including installation of a substation with a new switchboard and construction of a gallery level to the west • 1926 Removal of southern gallery mezzanine • 1930 Minor alterations and additions • 1960s Machinery/plant associated with electricity production largely removed • 1982-88 Adaptive reuse involves removing electrical equipment and machinery, concrete engine pads, tiled walkways, cast iron floor grates, and the western gallery. Alterations to the west elevation to integrate the Engine House with the Wran Building **BOILER HOUSE (1899-1902)** • 1898-99 Construction of Boiler House (initial stage) • 1902-05 Significant expansion, including extension to the south, increase in height, construction of two large brick chimney stacks and relocation of coal and ash handling structures to the south • 1927-32 Modernisation of industrial equipment • 1960s-70s Plant/infrastructure associated with industrial processes largely removed • 1976-77 Chimneys demolished down to roof level • 1982-88 Adaptive reuse for Powerhouse Museum **PUMP HOUSE, REMNANTS (1899)** • 1898-99 Construction of Pump House, chimney and seawater conduits • 1902-05 Modifications for integration with extended Boiler House • 1907-08 Upgrades to seawater conduits and pumps • 1959-60 Substantial dismantling of chimney • 1967-68 Further demolition of the chimney and Pump House to enable the construction of the new William Henry Street bridge • 1970s-2000s Further demolition of the Pump House and construction of asphalt paving, concrete access stairs and brick infill of arched openings to the northern wall • c. 2010s Demolition of remnant roof structure **TURBINE HALL (1902)** • 1902 Construction of extension to Engine House • 1905 Installation of turbine • 1909 Installation of additional turbines • c. 1914 Installation of additional turbines

	• 1927-31 Upgrades to industrial equipment, including replacement of turbines and further excavation of the basement, and integration with newly constructed Switch House • 1982-88 Adaptive reuse works involving the removal of concrete engine pads and tiled walkways. Alterations were made to the western wall to integrate the Engine House with the Wran Building. • 2011-13 Internal alterations and conservation works to the south elevation **SWITCH HOUSE (1927)** • 1922-27 Construction of Switch House • 1928-63 Minor modifications • 1982-88 Adaptive reuse, including gabled upper-level addition • 2011-13 Partial enclosure of the west elevation following bridging of a void to the east of the Harris Street Forecourt **HARWOOD BUILDING, FORMER TRAM DEPOT (1981)** • 1898-99 Construction of the Ultimo Car House • 1908 Car House extended to the north by approximately 45 metres (four saw tooth bays) • 1953-56 Following the closure of the electric tramways, the Car House was stripped of tracks, pits and associated infrastructure for use as storage • 1980-81 Adaptive reuse of the Car House for Phase 1 of the Powerhouse Museum **WRAN BUILDING (1988)** • 1980s Construction of the West Building (later named the Wran Building) • 2005-06 Yellow finishes to north and south elevations changed to white • 2011-13 Alterations as part of the 'Powerhouse Museum Revitalisation Project', including blocking of glazing to Harris Street to create a 'black box', truncation of the screen that extended south of Vault 2 and removal of glass lift from the south elevation to accommodate a remodelled entry **HARRIS STREET FORECOURT (1988)** • Late-1980s Construction of the forecourt • 2011-13 Alterations as part of the 'Powerhouse Museum Revitalisation Project', including the truncation of the colonnaded screen that extended south of the Wran Building (Vault 2) along the Harris Street boundary and roofing of a void to the west of the Switch House – replaced with a raised platform **GRACE BROS COURTYARD (1988)** • 1890s-1920s Service/storage/transit area supporting the activities of the Power House • c. 1927-31 A coal bunker was constructed in the approximate location of the courtyard • 1988 Grace Bros Courtyard formed as part of the 1980s works • 1997 Café constructed south of the courtyard
When was the last time you inspected the item?	February 2024
Current use	Museum
Original or former use/s	Electrical – Coal Power Station

D. History

7. Origins and historical evolution

Years of construction*	Start	1897	End	1997
Designer or architect*	**Ultimo Power House and Tram Depot** The NSW Railway Commissioners are responsible for the original design of the Ultimo Power House and Tram Depot (now named Harwood Building). It is possible the design has some association with Henry Deane who was Engineer in Chief for the NSW Railways from 1891-1906. **Modifications to the Power House and Tram Depot and additions (Wran building, Harris Street Forecourt, Café and Grace Bros courtyard**) *Redevelopment as the Powerhouse Museum* The Government Architect's Branch, Public Works Department and MAAS design team all closely collaborated on the later-stage developments, which included alterations to the original Ultimo Power House buildings and Tram Depot (now named Harwood Building) and new additions, including the Wran Building, Harris Street forecourt, Café, and Grace Bros courtyard. The primary individuals responsible were Lionel Glendenning, Principal Architect within the Office of the NSW Government Architect and architect of record for the Powerhouse; Richard Johnson of Denton Corker Marshall Architects, Director of Design for the Powerhouse Museum; and Lindsay Sharp, Director of both the MAAS and later Powerhouse museums			
Maker or builder*	J. Stewart and Co. Sydney was the builder responsible for the construction of the Ultimo Power House complex, which was known as the 'Ultimo Power House and Tram Shed' and comprised the Engine House, Boiler House, Pump House, North Annexe, Tram Deport (now named Harwood Building). Justin McSweeney (builders responsible for the water-cooling system and manifold located within the 1902 Turbine Hall). Stage II Powerhouse Museum exhibitions (on display until 2024) included: ▪ 'Transport,' created by Desmond Freeman Associates ▪ 'Space,' designed by Iain Halliday of Neil Burley Designs			
Historical outline*	FIRST NATIONS HISTORY - THE EORA NATION The site sits on the land originally occupied by Aboriginal people of the Cadigal, Gommerigal and/or Wangal clans of the Eora Nation. The "Eora people" was the name given to the coastal Aborigines around Sydney. Central Sydney is therefore often referred to as "Eora Country". Within the City of Sydney local government area, the traditional owners are the Cadigal and Wangal bands of the Eora. There is no written record of the name of the language spoken and currently there are debates as whether the coastal peoples spoke a separate language "Eora" or whether this was a dialect of the Dharug language. Remnant bushland in places like Blackwattle Bay retain elements of traditional plant, bird and animal life, including fish and rock oysters (Anita Heiss, "Aboriginal			

People and Place", Barani: Indigenous History of Sydney City http://www.cityofsydney.nsw.gov.au/barani).

With the invasion of the Sydney region, the Cadigal and Wangal people were decimated but there are descendants still living in Sydney today. All cities include many immigrants in their population. Aboriginal people from across the state have been attracted to suburbs such as Pyrmont, Balmain, Rozelle, Glebe and Redfern since the 1930s.

Changes in government legislation in the 1960s provided freedom of movement enabling more Aboriginal people to choose to live in Sydney

Ultimo forms the southern half of the Pyrmont peninsula, bounded by Darling Harbour on the east, Blackwattle Bay on the west and Broadway on the south. It became part of the estate of the surgeon John Harris in 1803. The sandstone ridge that is the spine of the Pyrmont peninsula was covered at the Ultimo end by rich alluvial soil. This had attracted some early market gardens, however Harris's vision for his property was not development, but the creation of a country seat.

1803-06

Governor King grants 13.8 hectares (34 acres) to surgeon John Harris (1803). The land is named 'Ultimo Farm' by Harris. A further grant of 54.4 hectares (135 acres) is given by 1806. The Powerhouse Museum is believed to be located within this larger grant.

1830s

Reclamation and development of Darling Harbour. Development in Pyrmont and on the periphery of the Harris estate includes quarrying, manufacturing and processing works, as well as workers' housing.

1838

John Harris dies, leaving no heirs. His estate is divided equally between his brothers William and George Harris. Complications with his Will leave the brothers being able to receive rent from properties, but unable to subdivide the land, stymieing development.

1855

The Darling Harbour Goods Line is extended along the eastern boundary of Ultimo to a location close to the future Pyrmont Bridge. The presence of the Goods Line in this location severs the direct connection between Darling Harbour and Harris Street, with the Powerhouse site located in between. The isolation of the Harris land from Darling Harbour, in addition to the underutilisation of the rail line in its early years, creates tension between the Harris family and the Government.

1859

The sons of William and George Harris inherit the Ultimo Estate, meaning that subdivision of the land is now legally permissible. Built form delivered as an outcome of subdivision generally continues patterns seen elsewhere on the Pyrmont peninsula, including warehouses, industrial complexes and workers housing.

1860s-80s

Consolidation of the Pyrmont peninsula as an industrial area dominated by warehouses and large factories, many associated with the wool industry. Limited residential development.

1870

The Darling Harbour Goods Yard is constructed to the north of the subject site.

THE MUSEUM OF APPLIED ARTS AND SCIENCE: 1879 – PRESENT

Established as an outcome of the Sydney International Exhibition (1879), the institution now known as the Museum of Applied Arts and Science occupied various premises before taking up residence at the Technological Museum on Harris Street, Ultimo, in 1893. In 1988 it relocated to the former Ultimo Power House.

1879

(17 September) Sydney International Exhibition opens at the Garden Palace, a purpose-designed exhibition venue designed by James Barnet.

1880

(January) The New South Wales Technological, Industrial and Sanitary Museum (NSWTISM) is founded and acquires exhibits which had been displayed at the International Exhibition. The Museum is housed within the Garden Palace in the Sydney Botanic Gardens.

1882

(September) A major fire at the Garden Palace destroys the building and much of the Museum collections.

1883

The Museum is re-established in the former Agricultural Hall in the Domain.

1893

The Museum moves into new premises at 651 Harris Street, Ultimo designed by William Kemp. The location, adjacent to the Sydney Technical College, is selected to attract and instruct workers.

The Museum continues to collect exhibits, specialising in Australian decorative arts, ceramics, clothing, furniture and musical instruments. It also carries out a programme of applied scientific research.

	1900s The Museum is running out of space for collection storage and exhibitions. Over the coming decades options contemplated for new premises include the Queen Victoria Building, the Fort Macquarie Tram Depot and the Sydney University Institute. Much of collection is stored off-site. 1906 Renovations to the Museum's interior, and opening of a gallery devoted to Australian Flora Applied to Art. 1945 Passage of the Museum of Applied Arts and Sciences Act. The Museum is renamed the Museum of Applied Arts and Sciences (MAAS). 1947 A 2.8-hectare site at Castle Hill was acquired for the Museum (now the 'Powerhouse Castle Hill'). 1950s The Museum presents demonstrations of new models and inventions such as X-ray and RADAR equipment, and television. 1960s-70s Ongoing attempts to identify larger premises for the Museum. From the late 1970s, buildings at Castle Hill become the central storage facility for the collection. 1978 NSW Premier Neville Wran announces ambitious plans for the adaptive re-use of the former Ultimo Power House and the former Tram Deport as premises for MAAS. Dr Lindsay Sharp appointed Director of MAAS. 1978 (September) Building A at Castle Hill opens, containing a workshop and conservation facilities. Buildings B, C and G are completed during the 1980s. ESTABLISHMENT OF THE ELECTRIC TRAMWAYS: 1890s A commitment to the electrification of Sydney's tramway network results in the construction of the Ultimo Power House and the adjacent Tram Depot (Car House). 1893 Sydney's first electric-powered tram line opens on the North Shore. Its success leads to plans for adopting electricity across the whole network.

	1895-96 (September) An Act of Parliament sanctions the construction of the George Street and Harris Street Electric Tramway, along with a Power House and Car House at Ultimo. Factors influencing the location of the Power House include access to the Darling Harbour Rail Corridor (the Goods Line) for coal supply and the disposal of ashes; access to Darling Harbour for adequate sea water supply for the condensers; and the relatively low cost of the land and space for expansion. While the intention was to purchase the whole city block bounded by William Henry, Harris, Macarthur and Pyrmont streets, the exclusion of the more expensive Harris Street frontage reduces the capital outlay. 1897 The majority of contracts for construction of the Power House and Car House are let between 1897 and 1898. J Stewart & Co is contracted to build the Ultimo Power House and Tram Shed, and Justin McSweeney is awarded Contract 18 to construct the water conduit connecting Darling Harbour to the Boiler House supplying seawater to the condensers (the Water Cooling System and Manifold). 1898 Construction of the Ultimo Power House and Car House commences. 1899 The Ultimo Power House opens (December), to generate electricity for Sydney's new tram network. It is the first large-scale electric power plant constructed in Australia. The complex of buildings comprises the Engine Room/House and Administrative/Office Building (North Annex), and the Boiler Hall/House and Pump Room/House. The overall building measures c. 60 metres (200 feet) by c. 30 metres (100 feet). The original pump house chimney stack is estimated to have comprised 890,000 bricks and rose to a height of c. 91 metres (300 feet). The Ultimo Tram Depot opens the same year and is operational from 8 December. The Depot houses the fleet on the George Street, City to Harris Street, Pyrmont line and is bounded by Mary Ann Street (south), Omnibus Lane (west); the Darling Harbour Railway Goods Yard (east); and the Power House (north). As originally built, the Tram Depot comprises 12 tracks and nine bays, and measures c. 83 metres (275 feet) by c. 39 metres (130 feet). The structure, with capacity for 108 tram cars, is the first of 12 electric tram depots to open across the tram network between 1899 and 1915. A Store and Repair Shop adjoining the rear of the depot features the same sawtooth design of the Car House.

	EXPANSION: 1900s -1930s Expansion and modernisation of the Ultimo Power House and Tram Depot. 1901 Designed by the Public Works Department's Government Architect's Branch under W L Vernon in 1900, the Ultimo Post Office is constructed at 484 Harris Street, Ultimo. The building opens on 16 July and operates until the 1980s when it is converted to a childcare centre. 1902-05 With rapid demand for electricity, the Power House is expanded just three years after opening. The works are significant, including extension of the Engine House (later renamed the Turbine Hall) to the south; and construction of a new and larger Boiler House. The Boiler House, with 24 boilers installed at the peak of capacity, is designed to produce high-pressure for conversion to electricity, and to use seawater taken from Darling Harbour to cool its condensers. Two chimney stacks, each c. 68 metres high (224 feet), are built for the new boilers. Extensions to the Engine House accommodate the new alternating current plant with higher voltage capacity allowing substations were built around the Sydney tramway system. Ultimo is the largest generating power station in the Southern Hemisphere with an output of c. 13,274 kilowatts (17,800 horsepower). 1904 The Pyrmont Power Station begins operations less than a mile away, further consolidating the peninsula's identity as an industrial area. 1908 The Tram Depot is extended with five additional bays spanning c. 46 metres (150 feet) north along the Darling Harbour Goods Line. 1909 With increasing demand for electricity, two additional turbo-alternators are installed at the Power House. 1912 Construction begins on a new Power House at White Bay (operational by 1913). 1913 To accompany the operations of the Tram Depot, a Tramway Instruction Room is constructed at the northwestern extent of the site between the Turbine Hall and the Post Office. This siting of the Tramway Instruction Room amongst Power House buildings and away from the Tram Depot speaks to the intertwined processes of both and the connected nature of operations throughout the site. The Tramway Instruction Room is a purpose-built facility housing specialist equipment used for the training of electric tram drivers.

	1920s Expansion and improvements to Ultimo Power House associated with electrification of the suburban rail network. 1922-27 A new Switch House is constructed to support upgrades to Sydney's tram network beyond the capacity of existing switchboard facilities in the Engine Room and Turbine Hall. It is located to the south of the Turbine Hall and houses high tension switch gear, transformer banks, and a new control room. 1923 Power output at the White Bay Power House exceeds that of Ultimo for the first time. 1923-28 New water conduits constructed from the Power House to Darling Harbour. 1927 Until 1927, one of the depot's tram tracks (known as '10 Road') connected the Tram Depot with the railway line running from Darling Harbour Goods Yard to the Power House. This connection originally streamlined the movement of materials associated with the Power House's operational infrastructure and the Darling Harbour Goods Line. This railway line would later be removed to accommodate the construction of a coal storage bunker which allowed the Power House to continue operating through the 1940s supply chain issues of coal related to industrial action. 1927-32 Modernisation and remodelling of the Power House to achieve greater efficiency of operation, including replacement and upgrade of equipment and plant, installation of a new pneumatic coal handling plant, and construction of a new concrete coal store to the south of the Boiler House. DECLINE AND CLOSURE: 1940s-70s Following World War II, industry shifted away from the inner suburbs, including Pyrmont and Ultimo. The deindustrialization process results in widespread redevelopment. 1939-45 During World War II, air raid shelters are constructed at the Ultimo Power House complex. 1947 Interruptions to coal supply in the 1940s, a result of industrial action at the coalfields, result in conversion of the boilers to operate on fuel oil. 1948 (April) The Commissioner of Railways purchases 550 Harris Street, providing a street frontage to the west.

	1953 (June) The Ultimo Tram Depot ceases operations, the first of Sydney's 12 tram depots to shut down. Until 1956, it is used to store surplus tramcars awaiting scrapping. The Tramway Instruction Room is vacated when a new training school opens in Randwick. By 1954 it is being used as a storeroom for the Electrical Commission of NSW. 1960s The Tram Depot is used for storage for the Museum of Applied Arts and Sciences (MAAS) and Brambles Industries Ltd. 1960 Demolition begins on the 1898-99 Pump House chimney stack. 1963 (October) Closure of the Power House; the replacement of Sydney's tram network in favour of buses is complete. 1964 The former Tram Depot is vested in the Board of Trustees of the MAAS for the purposes of establishing a transport museum. The Government Architect prepared plans for the construction of the Museum. 1967 Plans to establish a transport museum in the Tram Depot are suspended, associated with consideration of the Western Distributor being routed on its path (plans for the freeway were abandoned in 1977). 1967-68 Extensive demolition of the Pump House to allow for widening of the William Henry Street Bridge. 1975-77 Most of the Power House plant machinery and equipment is removed. Demolition of the two 1902 Boiler House chimney stacks to below roofline heights. RENEWAL: 1970-80s Adaptation of the Power House for the Museum of Applied Arts and Sciences. 1977 Passage of the Heritage Act, NSW – this legislation framed the works to the former Tram Depot and Power House. 1978 Feasibility study (Powerhouse Relocation Study) for adaptive re-use of the Power House prepared by Dr Lindsay Sharp and Lionel Glendenning (see also page 20) under the aegis of Premier Neville Wran and the Minister for Public Works.

	This document references the adaptation of Gare O'Orsay in Paris as a museum, in addition to the adaptation of Hyde Park Barracks and the Royal Mint. It is anticipated that the museum would require 38,000sqm of space to accommodate its requirements. 1979 (13 August) NSW Premier Neville Wran announces plans to adapt the Power House and Tram Depot as premises for MAAS, with final completion by the bi-centenary in 1988. 1981 (September) Stage One of the redevelopment – the Ultimo Tram Depot opens – a foretaste of what is to come. The former Tram Depot is adapted for use by MAAS, and as a temporary display space for exhibits, at a cost of $5.2 million with much modification to the existing building. The site is opened on 4 September by NSW Premier Neville Wran. 1982-87 Redevelopment of the Power House buildings as Stage Two of the Powerhouse Museum continues. Works to adapt the Power House were significant. Plant and equipment were removed, new internal floors introduced, and new buildings constructed on the west side. 1984 The former Tram Depot is renamed the 'Harwood Building' in honour of former MAAS curator Norman Harwood. The Darling Harbour Goods Line is decommissioned, after port functions and wool stores moved away from Sydney in the 1960s. 1985 The former Ultimo Post Office is adapted as a childcare centre. 1986 Richard Johnson of Denton Corker Marshall Architects is appointed as exhibition designer for the Powerhouse Museum. 1988 Ultimo Powerhouse Museum opens (March). The Harwood Building becomes storage, office space, workshops and studios/laboratories to support the Powerhouse Museum. Peer recognition for the design qualities of the Powerhouse is overwhelming. It is the first project ever to have been nominated for three categories in the RAIA National Architecture Awards (the President's Award for Recycled Buildings; the Belle Interiors Award for Interior Design; and the Sir Zelman Cowen Award). It wins all three. At the NSW level, it is the co-recipient of the RAIA NSW Chapter's top award, the Sulman Award.

	POWERHOUSE MUSEUM: 1990s-2013 Until the major 'Revitalisation Project' of 2011-13, works at the Powerhouse Museum were generally small-scale and localised. 1994 The brasserie on Level 5 of the Switch House is redesigned, with wall and ceiling murals depicting floral motifs by Ken Done. The restaurant is renamed the 'Garden Restaurant.' 1997-2002 The Inner West Light rail opens at the former Darling Harbour Goods Line in 1997. The monorail station adjacent to the museum is later renamed the Powerhouse Museum Station in 2002. 2000 Localised, small-scale alterations at Level 3 of the Wran Building. Earthquake damage prevention project sees the completion of works on the outer wall of the Boiler Hall. 2003 The first Conservation Management Plan for the Powerhouse Museum is prepared (by Architectural Projects). Also in 2003, the Migration Heritage Centre relocate to the Powerhouse Museum. 2004 A bridge connecting the Turbine Hall and Boiler House at Level 2 is constructed. 2005-08 Powerhouse Museum's 'Refresh Program' includes alterations to the Wran Building's Harris Street façade which is repainted white, and the yellow logo replaced. Further changes include a restructuring of the museum's wayfinding and upgrades to the Level 1 courtyard. 2007-09 The Powerhouse Museum partners with NSW Department of Commerce to undertake the 'Centenary Stonework Program'. The former Ultimo Post Office undergoes stone conservation works including the replacement of deteriorating sandstone, damaged carvings, and the slate roof. Structural works focusing on seismic stabilisation are completed for the front gable and chimneys. New floor finishes, kitchen, and bathroom amenities are provided for the building's 2008 reopening as the Powerhouse Volunteer Centre. In 2009, a covered walkway is constructed connecting the former Post Office with the Wran Building. The Boiler Hall, North Annex, and Turbine Hall undergo extensive safety and external maintenance works. Masonry and cement render mouldings as posing a potential risk due to structural instability are subsequently removed.

	2011-13 Powerhouse Museum begins a major phase of works referred to as the 'Revitalisation Project', the first major upgrade of facilities since 1988. The project involved the demolition of brick parapets; partial demolition of the colonnade to Harris Street; removal of stairs and handrails from the forecourt; dismantling of the Turbine Hall's large interior cube structure; removal of the glass lift from the Wran Building; and demolition of two pairs of escalators (formerly connecting levels 1-3). Major construction works for the Revitalisation Project include: the construction of new steps and handrails with LED lighting; the addition of a new main entrance linking the forecourt to the Switch House; the relocation of the panoramic glass visitor lift to the Turbine Hall; relocation of the shop and café near the Switch House exit; replacement of Turbine Hall escalators; upgrades to the fire sprinkler system; construction of toilet facilities on level 2. Plans for the installation of canopy structures on the forecourt were never realised. 2014-PRESENT The NSW Government's plans to close the Powerhouse Museum at Ultimo and construct a new facility at Parramatta provoke sustained public debate. 2015 Redevelopment of the Goods Line is complete – the Goods Line reinterprets former railway infrastructure as public greenspace. (February) The NSW Government announces plans to raise funds for the new Powerhouse in the western suburbs through the sale of the Powerhouse in Ultimo. 2020-21 (4 September) The inclusion of the Powerhouse in the NSW State Heritage Register (02045) is gazetted. The entry excludes the Harwood and Wran buildings. 2023 (November) NSW State Heritage Register Committee resolves to amend (expand) the registration for the Powerhouse to include the Wran and Harwood buildings. 2024 (5 February) the Powerhouse Museum closes for three years. State Heritage Register listing expanded

8. Historical themes represent

Themes indicate the broad historical context in which an item is significant. Themes help to identify related or comparative items contributing to the same theme.

Refer to the document NSW Historical Themes if completing this section.

Relevant National / Australian themes	3 Developing local, regional, and national economies 4 Building settlements, towns, and cities 8 Developing Australia's cultural life
Relevant NSW / State themes	**3 Developing local, regional, and national economies** *Science:* Activities associated with systematic observations, experiments and processes for the explanation of observable phenomena *Technology:* Activities and processes associated with the knowledge or use of mechanical arts and applied sciences represents artifacts such as engines, computers, and telecommunications devices that chart technological progress. **4 Building settlements, towns, and cities – Utilities** Activities associated with the provision of services, especially on a communal basis. As a former powerhouse, the museum inherently represents utilities and energy generation as a critical urban service. **8 Developing Australia's cultural life** *Creative Endeavour:* Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities. The Powerhouse Museum's exhibits include architectural styles, design objects, and public art displays reflecting Australia's creative industries. *Social Institutions:* Activities and organisational arrangements for the provision of social activities. The Powerhouse Museum itself operates as a hub for public engagement and education.

E. Criteria for assessing heritage significance in NSW

9. Assessment under Heritage Council criteria of State significance*

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion A)
The Powerhouse Museum complex, including the Wran Building, former Ultimo Tram Depot (Harwood Building) and the former Ultimo Power House buildings, is important in the course of the history of NSW, Sydney and the Pyrmont Peninsula. (Note: Ultimo Post Office, which is included in the SHR in its own right, is not considered to derive additional significance for its association with the Powerhouse Museum.) The former Power House and the Tram Depot demonstrate and retain associations with historic events of significance. The Power House was established in 1898/99 for the generation of electricity to power Sydney's tramway network. The tram cars were stabled in the Tram Depot, constructed concurrently on a site to the south of the Power House. The two buildings continue to share a symbiotic functional relationship. Ultimo was selected for these major initiatives for a number of reasons, including access to a rail corridor (for delivery of coal), the relatively low cost of land, the potential for expansion (which quickly became a reality), the existing industrial character of the area and because of its proximity to Darling Harbour, which provided a reliable source of water essential for the water cooling system. The Ultimo Power House was the first facility for the generation of electrical power in NSW, and from 1899 until the 1920s it was the largest and most technologically advanced. The Power House evolved considerably between the late-1890s and 1930s, reflecting growing demand and technical advances. The Power House finally closed in 1963. Over the following decade it was stripped of plant and machinery, and its three tall chimney stacks were truncated. By the 1970s the evolved Power House complex was in a state of dereliction. The Ultimo Tram Depot was the first stabling facility for Sydney's electric tram network. The building, which was also enlarged over time to meet demand, closed in 1953, following which it was adapted for storage, a process that included the removal of almost all tram tracks and service pits. The building, which was contemplated for adaptation as a Museum of Transport in the mid-1960s, was derelict by the 1970s. In the late-1970s, the NSW Public Works Department resolved to adapt the Ultimo Power Station and Tram Depot as premises for the Museum of Applied Arts and Science (MAAS), a huge collection of considerable significance in its own right. The origins of MAAS date to the Sydney International Exhibition of 1879. MAAS also has strong connections with Ultimo, having been headquartered at the Technological Museum on Harris Street from 1893 to the 1980s. The vision was for the conservation and adaptive re- use of the derelict industrial buildings, and the introduction of new works to the west of the site (Harris Street) creating a new public address. The initiative was developed by the NSW Government Architect and MAAS and drew upon expertise from a broad range of contributors (see Criterion 'b'). In terms of its programme, the ambitious undertaking was inspired by overseas precedents (including the Pompidou Centre, Paris). It was also a major expression of an emerging interest internationally in adaptive renewal (see criterion 'c'). Political impetus for the project was provided by the bicentenary of 1988 (Premier Wran stipulated completion by 1988). The project also a flagship of the regeneration of the Darling Harbour precinct. MAAS and the NSW Government Architect were committed to delivering a new type of visitor attraction, a place of engagement, activation and broad popular appeal. Aspirations for the architectural character, conservation and internal experience (exhibition design) of the place were correspondingly ambitious. The Powerhouse Museum complex a is place that is embedded within and responsive to its setting. The decision to retain and adapt the historic buildings perpetuated their physical presence in the urban landscape, as well as their relationship and Ultimo's historic associations with industry and transport. The nature of the MAAS collection, including some of its signature items (i.e. the Boulton and Watt 'Whitbread

Engine' and 'Locomotive No. 1') aligned with these thematic associations, as well as the huge scale of the buildings.

The new additions were also historically referential – the linear vaulted forms of the Wran Building, for instance, drew upon the Garden Palace, venue for the 1879 International Exhibition, the event that was foundational to MAAS.

The Powerhouse Museum has been a notable popular success and has inspired broad community support and sentiment (see criterion 'd').

The Powerhouse Museum complex satisfies this criterion at the local level.

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion B)

The Powerhouse Museum complex derives significance for its associations with individuals and institutions of importance in Sydney and NSW's history.

The Powerhouse Museum is notable for having been conceptualised, championed and delivered by a large and diverse group of organisations (including the NSW Labor Party, the office of the NSW Government Architect and MAAS) and individuals within them (including Neville Wran, Dr Lindsay Sharp, Norman Harwood, Lionel Glendenning), as well as others (including Richard Johnson). These individuals and institutions reflect diverse fields of endeavour, including politics, architecture, engineering, exhibition design and collections management. Some individuals are remembered in building names (the Wran and Harwood buildings). The breadth of expertise embodied in the project is consistent with the scale, complexity and prestige of the undertaking.

A test for criterion 'b' is first to demonstrate that the person or group is of importance in the history of NSW (or at the local level), and second that they have a special association with the place under assessment.

Of the notable individuals and organisations associated with the Powerhouse Museum complex, two stand out for the strength of their association with the place, and for their role in shaping its identify and evolution: MAAS and the office of the NSW Government Architect. MAAS (notably through the work of Lindsay Sharp and Norm Harwood) and the office of the NSW Government Architect (led by Lionel Glendenning). The Powerhouse Museum was perhaps the seminal work of Glendenning's career.

As related to the other individuals of note associated with the Powerhouse, Neville Wran was associated with multiple places and initiatives, including the Powerhouse Museum, during his ten-year tenure as State premier (1976-86). Evidence to indicate that the Powerhouse derives cultural significance for this association, or that the Museum is a preeminent landmark of his legacy, did not come to light during research for this report.

Similarly, evidence to suggest that the place is of cultural heritage significance for its association with Henry Deane or Walter Liberty Vernon did not come to light. Deane was associated with multiple works of major infrastructure – including the Ultimo Power House and Tram Depot – during his career as Engineer in Chief for the NSW Railways from 1891-1906 and Engineer in Chief of the Commonwealth Railways Construction Branch, 1912-14. Walter Liberty Vernon oversaw the design of a significant numbers of public buildings (including over 20 post offices) as the NSW Government Architect from 1890 to 1911.

The Powerhouse Museum complex satisfies this criterion at the local level.

An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area) (Criterion C)
The Powerhouse Museum complex is significant at the local (Sydney) for demonstrating aesthetic characteristics and a high degree of creative achievement. Aesthetic value is a broad concept. As applied to heritage significance, aesthetic characteristics and qualities may relate to how we respond to sounds, smells and other factors having an impact on human thoughts, feelings and attitudes. These qualities may be associated with good design; they may also relate to concepts of beauty. Aesthetic values can be the result of the conscious design of a place or object. They can also be the outcome of the way in which a place or object has evolved and been used over time. Many places and objects combine both. Aesthetic values tend to be specific to a time and cultural context. As related to the Powerhouse Museum, this criterion relates primarily to its standing as a landmark of adaptive renewal, and its architectural and experiential qualities. Conception of the Powerhouse Museum was contemporary with the Heritage Act, 1977 (NSW), as well as the first edition of the Burra Charter (1979). The adaptation of the former Tram Depot (1979-81) was a very early example in NSW (and Australia) of adaptive renewal of a transport/industrial building and set the tone for the adaption of the Power House buildings. The works to the Tram Depot were significant. Interventions were, however, respectful of the scale, massing, materiality and roof profile of the original structure. The outcome is a building that retains legibility as an historic industrial structure, as well as its relationship with the Power House buildings to the north. This approach, bold, assertive while simultaneously responsive to the valued attributes and characteristics of the place. The buildings were retained as three- dimensional forms; the spatial qualities of the buildings were celebrated; original fabric was revealed where possible; applied details and new interventions embraced colour as well as architectural diversity of the evolved building complex; and thematic synergies between the collection and the place were optimised. Opportunities for innovation presented by the existing building were also seized. A notable example was the use of historic conduits connecting the Turbine Hall to Darling Harbour (for use in the water cooling system) in support of the Museum's air conditioning system. Works for the adaptation of the Ultimo Power House and Tram Depot were contemporary with early examples of adaptive reuse of industrial/transport buildings as arts facilities at the national as well as international levels. The use of the adapted buildings as premises for MAAS, while not explicitly a heritage issue, is also relevant. The coalition of the collection and the historic buildings was mutually strengthening in terms of their significance, social resonance and cultural influence. For the first time, the buildings were accessible to the public, and the collection had space to breathe and reach a broader audience. The architectural and experiential qualities of the Powerhouse Museum were the outcome of an intensely collaborative approach, with Lionel Glendenning and Richard Johnson being lead protagonists. Glendenning, architect of record for the Powerhouse and Principal Architect within the Office of the NSW Government Architect, brought a notably plural sensibility to the project. His interest in drawing upon a diverse set of historical and symbolic references was responsive to the origins and associations of the collections and the existing buildings. It was also contemporary with the expansion of Postmodernist principles in architectural design. Glendenning explored a series of design themes including: the layering of space through screens and structural rhythm; levels of transparency to evoke spatial depth; the insertion of buildings within buildings to rescale experience; memory and contextual reference to create dialogues between old and new, and between past and present; and grids and their rotation as compositional tactics to encourage diverse

movement and experiences within a building or site.

The cumulative significance of these elements was their reference to memory, time and travel, evocative not just of the industrial nature of the collection and its new location in a series of structures originally devoted to transport but also an analogy to a museum visitor's experience of memory, time and travel as they would make their way around the diverse volumes and spaces of the whole museum complex.
The design of the exhibitions and visitor experience, overseen by Johnson, was similarly innovative. Much as Glendenning had conceived the exterior form and the diverse scale of spaces within as an extension of the broader urban context, Johnson was interested in the internal experience of the museum being like that of a city. Major exhibits – including the Boulton and Watt Engine, the Cataline and Loco No. 1 – were used as anchors, to assist visitors in navigating the large spaces.

The Powerhouse Museum has been modified since 1988, notably during the works of 2011-13. However, the core principles that underpinned the design response, and many of the sources and references that informed it, remain evident.

The design qualities of the Powerhouse Museum were highly awarded. It was the first project ever to have been nominated for three categories in the RAIA National Architecture Awards: the President's Award for Recycled Buildings; the Belle Interiors Award for Interior Design; and the Sir Zelman Cowen Award. It won all of them. At the State level, it was the co- recipient of the RAIA NSW Chapter's top award, the Sulman Award for 1988.

The Powerhouse Museum complex satisfies this criterion at the local level.

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural, or spiritual reasons (Criterion D)

The Powerhouse Museum is a place of social value to communities and groups for a range of reasons variously related to conceptions of identity, practice and interest (as discussed at Section 2.6.1). Based on the limited review of evidence undertaken for this assessment, communal attachment as it relates to the Powerhouses Museum resonates at the local (Sydney) level and possibly the State level.

Since its opening in 1988 the museum has been valued by people across Sydney, NSW and beyond who have shared experiences and memories of the place. The strength of public attachment to the place is demonstrated by the extent of public support and donations for its establishment, and subsequently, its consistently high visitor numbers and the strong community reaction to the NSW Government's proposal for significant change at the place.

The Museum is used and appreciated by the Pyrmont, Sydney and NSW communities. It is also valued by communities who identify with and derive a sense of pride from an appreciation that the Powerhouse is a museum with few equivalents in Australia or elsewhere that is recognised worldwide and has contributed positively to perceptions of Sydney and NSW. Communities of identity associated with the Powerhouse also include those that have been supported (or represented) by the Museum, including migrant and LGBTQI communities.

Communities of interest associated with the Powerhouse Museum include groups that formed (or mobilised) following the NSW Government's 2014/5 announcement of plans to replace the Powerhouse Museum in Ultimo with a new facility in Sydney's western suburbs. Communities of interest also include those with an interest in the site's associations with industry, transport and with MAAS.

Communities of practice associated with the Powerhouse Museum may include but are unlikely to be limited to present and former MAAS staff, Powerhouse Museum staff and volunteers.

The Powerhouse Museum complex satisfies this criterion at the local level.

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion E)
It is considered that further investigation of or research into the Powerhouse Museum complex has limited potential to yield evidence of cultural heritage significance that is not currently visible, well understood or available from other sources. As noted above (Criterion 'a'), the Powerhouse Museum complex derives historical significance for its association with the generation of electrical power, initially for Sydney's tramway network, and for the redevelopment of the place as premises for MAAS in the 1980s. Following its closure (1963) the Ultimo Power House was stripped of the majority of machinery and plant. Fixtures and items that provided evidence of the Tram Depot's original use, a comparatively simple structure, were also removed. By the late-1970s the buildings existed largely as shells. The history of the Power House, in terms of its operation and evolution, is well known from the documentary record, as well as from analyses and assessments of the place undertaken since the mid-1980s. The same applies to the former Tram Depot. The Powerhouse Museum complex, in terms of its design, development, opening, evolution and operations since the 1980s, has likewise been documented extensively. The extent of disturbance at the site over time is such that archaeological potential at the subject site is generally limited. **The Powerhouse Museum complex is not considered to satisfy this criterion at the local level.**
An item possesses uncommon, rare, or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area) (Criterion F)
The Powerhouse Museum complex does not satisfy this criterion. It is one of a large number of cultural institutions and museums in NSW. The Power House complex, while a large and particularly successful example, is one of a number historic buildings adapted to new uses in Sydney and NSW. Likewise, it is one of a large number of places and monuments in Sydney and NSW associated with the bicentenary. **The Powerhouse Museum complex is not considered to satisfy this criterion at the local level.**
An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments) (Criterion G)
The Powerhouse Museum complex does not derive cultural heritage significance as related to criterion 'g'. Every place or building is an example of a 'type' or 'class'. A key test is whether the class of place is significant. The Powerhouse Museum, as a major public institution dedicated to conserving and displaying culturally significant objects, satisfies this test. It displays the distinguishing attributes of this class, including diversity of experience, accessibility, mass appeal and evolution. For the reasons given above (notably at Section 2.1), the Powerhouse also represented an 'evolution' of this type. It is considered, however, that the conceptual, museological and architectural rationale behind this evolution is adequately, and more appropriately addressed under criteria 'a' and 'c' above. **The Powerhouse Museum complex is not considered to satisfy this criterion at the local level**

F. Heritage listings

10. Existing heritage listings

Listing Name	Listing Title	Listing Number	Gazette Date	Gazette No.	Gazette Page.
Heritage Act - s.170 NSW State agency heritage register	Water Cooling System and Manifold				
Heritage Act - s.170 NSW State agency heritage register	The Darling Harbour Rail Corridor				
Heritage Act - State Heritage Register	Powerhouse Museum Complex	02045	12/07/2024	268	2 - 8
Institution of Engineers (NSW) Historic Engineering Marker	Powerhouse Museum National Engineering Marker				
Local Environmental Plan	Powerhouse Museum former Warehouse Buildings, incl	12031			
National Trust of Australia register	Former Ultimo Tram Depot Tram Shed (Powerhouse Mus	S10611	30/07/1997		
National Trust of Australia register	Ultimo Power House (former Turbine Hall, Boiler Ho	S11648	24/06/2015		
National Trust of Australia register	Powerhouse Museum		29/07/2015		

G. Photograph



Caption*	Powerhouse Museum as seen from Harris Street (Ian Thorpe Aquatic Centre to the left)
Date of photograph*	12/15/2020
Name of photographer*	Sagar Chauhan
Copyright holder, if known	No Credit

Recommended Management

The Powerhouse Museum and interiors at 500 Harris St, Ultimo should be retained and conserved.

A Heritage Assessment and Heritage Impact Statement, or a Conservation Management Plan/Strategy, should be prepared for the place prior to any major works being undertaken and shall be in accordance with the relevant planning controls.

An Archaeological Assessment should be prepared prior to any significant ground disturbing works being undertaken and shall be in accordance with the relevant planning controls.

All conservation and future modifications should be undertaken in accordance with the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter).

H. Author details

12. Primary author of this form*

Name	Lovell Chen
Position and organisation, if applicable	
Contact phone number	
Email address	
Date form completed	

13. References used to complete this form*

Author	Date Published	Title
Architectural Projects	2003	Conservation Management Plan: The Powerhouse Museum, prepared for the Powerhouse Museum
T Brassil	2019	Ultimo Tram Depot (The Harwood Building), History and Significance, National Trust of Australia (NSW)
Curio Projects	May 2022	Powerhouse Ultimo Draft Conservation Management Plan
Design 5 Architects	May 2022	Powerhouse Museum Design Principles (included as an appendix to the Curio Project CMP referenced above)
	November 1994	Nomination of Ultimo Power House as a site for an historic engineering marker
Parliament of New South Wales	2016-2019	Upper House Inquiry into museums and galleries: Hearings and Transcripts
Parliament of New South Wales	2020-2022	Upper House Inquiry into museums and galleries: Hearings and Transcripts
Parliament of New South Wales	2015-2024	Legislative Council Hansard, selected commentary and documentation
Lovell Chen	2024	Powerhouse Museum, Heritage Assessment, No. 500 Harris Street, Ultimo, Sydney, New South Wales 2007
Anita Heiss and Melodie-Jane Gibson	Accessed November 18, 2024	“Aboriginal People and Place,” Barani Sydney’s Aboriginal History, <https://www.sydneybarani.com.au/sites/aboriginal-people-and-place/>.
State Government	Accessed November 18, 2024	“Powerhouse Museum Complex,” State Heritage Inventory, [SHR #02045], https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5068313

I. Additional photographs and images



Caption*	Undated city archives taken from Darling Drive
Date of photograph*	No date
Name of photographer*	No author
Copyright holder, if known	No credit



Caption*	Powerhouse Museum
Date of photograph*	No date
Name of photographer*	No author
Copyright holder, if known	No credit



Caption*	Ultimo Power House and its immediate surrounds, 2018
Date of photograph*	Unknown
Name of photographer*	TDK Architects
Copyright holder, if known	TDK Architects



Caption*	Powerhouse lintel with name and date of building
Date of photograph*	No date
Name of photographer*	No author
Copyright holder, if known	



Caption*	Powerhouse Museum under construction in 1985
Date of photograph*	No date
Name of photographer*	Helen Grant
Copyright holder, if known	City of Sydney Archives & History Resources



Caption*	The Harris Street entrance of the Powerhouse Museum in 1988.
Date of photograph*	No date
Name of photographer*	No author
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