CITY OF SYDNEY

23 October 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. Development Application: 71, 73 and 75 York Street, 46-52 King Street and 104-118 Clarence Street, Sydney - D/2024/1018
5. Development Application: 155 Mitchell Road, Erskineville - D/2025/448
6. Development Application: 155 Mitchell Road, Erskineville - D/2025/405
7. Post Exhibition - Planning Framework - Ultimo Pyrmont – Sydney Local Environmental Plan 2012, Ultimo Pyrmont Local Infrastructure Contributions Plan, Sydney Development Control Plan 2012 Amendment and Central Sydney Development Contributions Plan Amendment
8. Proposed Schedule of Central Sydney Planning Committee Meetings and Briefings for 2026, 2027 and 2028

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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.

At the start of each Central Sydney Planning Committee meeting, the Chair may reorder agenda items so that those items with speakers can be dealt with first.

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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 18 September 2025

Item 3.

Matters arising from the Minutes

Matters arising from the minutes of the Central Sydney Planning Committee of 18 September 2025.

Item 4.

Development Application: 71, 73 and 75 York Street, 46-52 King Street and 104-118 Clarence Street, Sydney - D/2024/1018

File Number: D/2024/1018

Summary

Date of Submission:	18 November 2024 Amended drawings and supporting documentation submitted on 12 February 2025, 22 May 2025, 23 June 2025, 29 July 2025, 11 September 2025, 25 September 2025 and 26 September 2025
Applicant:	Merivale CBD Pty Limited
Architect/Designer:	SJB
Developer:	Merivale
Owner:	Merivale CBD Pty Limited JH Clarence #2 Pty Limited The Owners - Strata Plan No 61233 The Owners - Strata Plan No 17719
Planning Consultant:	Ethos Urban
Heritage Consultant:	City Plan Heritage
Cost of Works:	$56,650,000
Zoning:	SP5 Metropolitan Centre The application comprises a concept development for food and drink premises, tourist and visitor accommodation and commercial offices which are permissible with consent.
Proposal Summary:	The proposal seeks consent for a concept mixed-use development comprising tourist and visitor accommodation, food and drink premises and commercial office uses.

The application seeks a maximum capacity of 8,211 persons and proposes indoor hours of operation of 24-hours daily and outdoor hours between 10.00am and 12.00 midnight.

The proposal also seeks consent for works to facilitate the future uses including the partial demolition of the rear of 73 York Street, demolition of existing fire stairs, removal of some lifts and the replacement of lifts and fire stairs. Other works proposed include the reinstatement of the original cartway within 104-118 Clarence Street, the creation of openings between buildings and the creation of a new waste storage area and loading dock within the basement level of 71 York Street.

The site contains five separate buildings, all of which are listed as heritage items of either local or state significance under the Sydney Local Environmental Plan 2012 and the Heritage Act 1977.

As the application involves the development of one or more heritage items listed on the State Heritage Register under the Heritage Act 1977, the application constitutes Integrated Development. General Terms of Approval were issued by Heritage NSW on 2 October 2025.

The application is referred to the Central Sydney Planning Committee (CSPC) for determination as the proposal is "major development" for the purposes of the City of Sydney Act 1988.

During the assessment of the application, the scheme was amended, and additional information was submitted to address the concerns of Council officers and other public authorities. These concerns principally related to the:

- scope of works
- adequacy of the heritage assessment
- site access and servicing
- waste management; and
- operational management

These issues were largely addressed by the applicant in amended plans and the submission of additional supporting documentation. Subject to the adoption of the recommended conditions of consent, the proposal is now considered to achieve an acceptable degree of compliance with the relevant planning controls, maintains the heritage significance of each heritage item located within the site and will not adversely impact surrounding developments.

The application was notified for 30 days between 19 November 2024 and 18 December 2024, with 30 submissions received. Following the submission of amended plans on 22 May 2025, the application was renotified for 30 days between 12 June 2025 and 11 July 2025, with 32 additional submissions received.

Overall, a total of 62 submissions from 41 individual submitters were received. Of the submissions, 2 were in support of the proposal and 60 were objecting to the proposal.

Submissions in support noted the positive social and commercial contribution that the proposal will have on Central Sydney and its contribution to the late-night economy.

Concerns raised in submissions include the following:

- Owner's consent
- Loss of housing in Central Sydney
- Reduced residential amenity
- Noise impacts from the proposed use on surrounding uses
- Traffic impacts
- Negative heritage impacts on subject buildings and surrounding heritage items
- Unlawful use of the driveway easement
- Site overdevelopment
- Site underdevelopment
- Lack of community consultation
- Hours of operation
- Loss of commercial office space
- Oversaturation of hotels and food and drink uses in Central Sydney
- Acoustic impacts during construction
- Construction schedule and developer communication with surrounding developments
- Access to footpaths during construction

- Lack of environmental impact assessment or social impact assessment
- Lack of additional community benefits

The issues raised above are addressed and discussed within the report. Overall, the proposal has been accompanied by documentation demonstrating the development is capable of maintaining appropriate acoustic levels so as to not adversely impact existing surrounding sensitive uses, has submitted waste and traffic management strategies to ensure the local road network is not adversely impacted and has prepared heritage management documents to ensure the proposed and future works to the buildings retain and enhance the heritage significance of each building.

The application is generally compliant with the relevant planning controls and is capable of providing appropriate amenity to surrounding developments and compatible uses sympathetic to the heritage context of the site and locality. The application is generally in keeping with the desired future character of the area and, subject to compliance with recommended conditions of consent, the development is supported.

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

Development Controls:

(i) City of Sydney Act 1988

(ii) Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021

(iii) Heritage Act 1977

(iv) SEPP (Resilience and Hazards) 2021

(v) SEPP (Industry and Employment) 2021

(vi) SEPP (Sustainable Buildings) 2022

(vii) SEPP (Transport and Infrastructure) 2021

(viii) SEPP (Biodiversity and Conservation) 2021

(ix) Sydney Local Environmental Plan 2012

(x) 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/2024/1018 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 imposition of appropriate 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 proposal generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

(C) The proposal is consistent with the objectives of the SP5 Metropolitan Centre.

(D) The proposed development has acceptable impacts on the heritage significance of heritage items within the development site. The development is in accordance with the aims and objectives for heritage conservation provided in Clause 5.10 of the Sydney Local Environmental Plan 2012.

(E) The development is considered to exhibit design excellence, consistent with the provisions of Clause 6.21C of the Sydney Local Environmental Plan 2012 and the application demonstrates the site is suitable for the proposed uses, maintains, conserves and enhances the heritage qualities of the subject site and special character area and is of a high standard of architectural design, materials and detailing.

(F) The proposed development is unlikely to result in any significant adverse environmental or amenity impacts on surrounding properties, the public domain, and the broader Central Sydney locality, subject to conditions.

(G) The public interest is served by the approval of the proposal, as amendments to the development application have addressed the matters raised by the City and the community, subject to recommended conditions imposed relating to heritage conservation, waste management and construction management.

Background

The Site and Surrounding Development

1. The site comprises five separate properties being:

   - 71 York Street
   - 73 York Street
   - 75 York Street
   - 46-52 King Street
   - 104-118 Clarence Street

   having legal descriptions of Lots 1-12 SP 61233, Lot 1 DP 86286, Lots 1-3 DP 73933, Lot 1 DP 78983, Lot 6 DP 84049, Lots 1-41 SP 17719, Lots 43-45 SP 17719 and Lots 46-47 SP 30376.

2. The site has an approximate total area of 2,421sqm. It has an approximate 55m site frontage to York Street to the east, 35m frontage to King Street to the south, and 38m frontage to Clarence Street to the west.

3. An aerial photograph of the site and its context is provided in Figure 1 below.

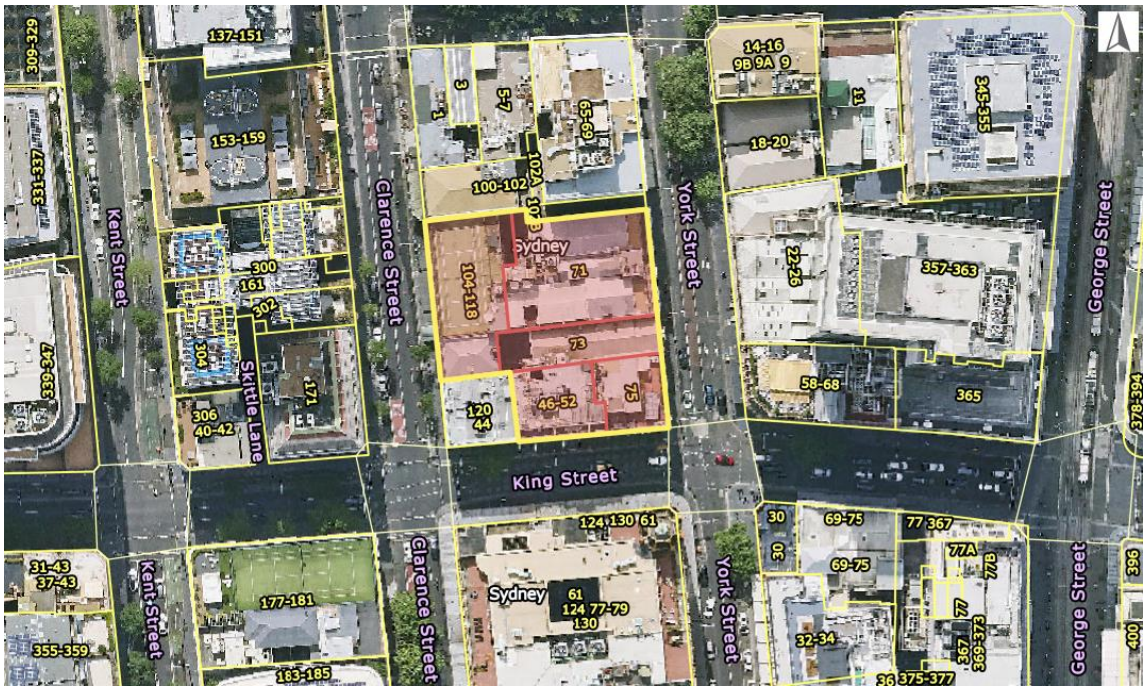


Figure 1: Aerial view of site and surrounds

4. The site contains five separate buildings described below.

5. 71 York Street is located at the north-eastern corner and contains a five-storey commercial building comprising commercial office spaces, a bar and two levels of basement car parking accessed from York Street. The building is identified as a heritage item of local significance known as the 'former "Gardiner House" including interiors' (Sydney Local Environmental Plan 2012 (SLEP 2012) item no. I1987).

6. The building was constructed in 1888 and has been modified since the original construction, however, the internal cast iron column and timber beam construction in addition to its facade clearly communicate its original warehouse function. The building is identified as a fine and intact example of the Victorian Free Classical style and includes intricate facade detailing including decorative stonework, pilasters expressing its trabeated construction and vertical rhythm, and a balustraded parapet with triangular pediments.

7. 71 York Street is historically linked to its sister warehouse at 104-118 Clarence Street (located within the subject development site), forming a rare pair of back-to-back warehouses and have now-sealed connections located within basement levels.

8. 71 York Street also benefits from an easement for access over the existing driveway directly adjoining to the north located on the site of 100-102 Clarence Street and is accessed from York Street.

9. Figures 2-4 below illustrate the existing development at 71 York Street.



Figure 2: Existing street frontage of 71 York Street

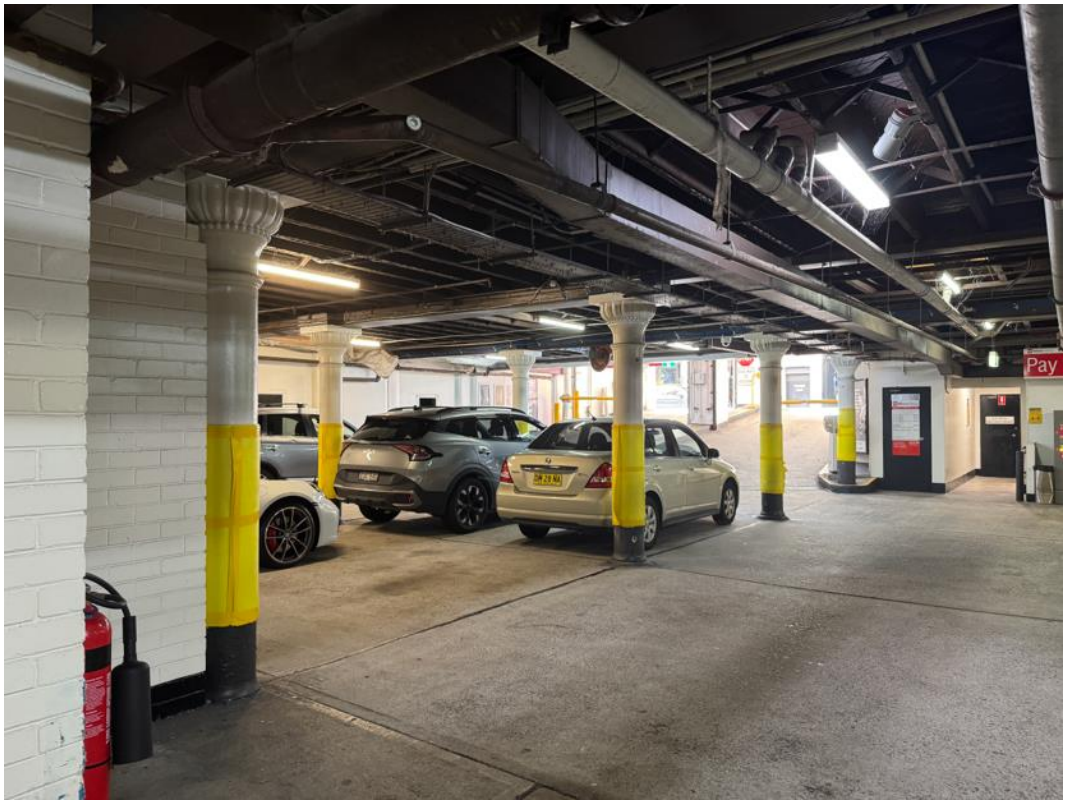


Figure 3: Existing basement level 1 within 71 York Street



Figure 4: Existing ground level within 71 York Street

10. 73 York Street is located at the centre of the development fronting York Street to the east and contains a five-storey commercial building comprising a bar on the ground and basement floors and commercial office spaces above. The building is identified as a heritage item of state significance known as the 'former "Henley House" including interiors (SLEP 2012 item no. I1988). The site is also referred to as 'Hardware House' in the State Heritage Register (SHR no. 00580).

11. The building was constructed in 1891 and demonstrates historic significance as a prominent surviving example of a Victorian Mannerist style warehouse with a relatively intact facade. The design is noted for its multi-storey oriel window, varied pediments, intensive use of pilasters, projecting cornices, and an ornate gable creating a strong vertical composition within landmark quality in the York Street streetscape.

12. Some elements of the building, including remnant cast iron columns within the basement, are examples of the original structural system and are good examples of late Victorian warehouse construction methods on narrow lots.

13. Figures 5 to 7 illustrate the existing development at 73 York Street.



Figure 5: Existing street frontage of 73 York Street

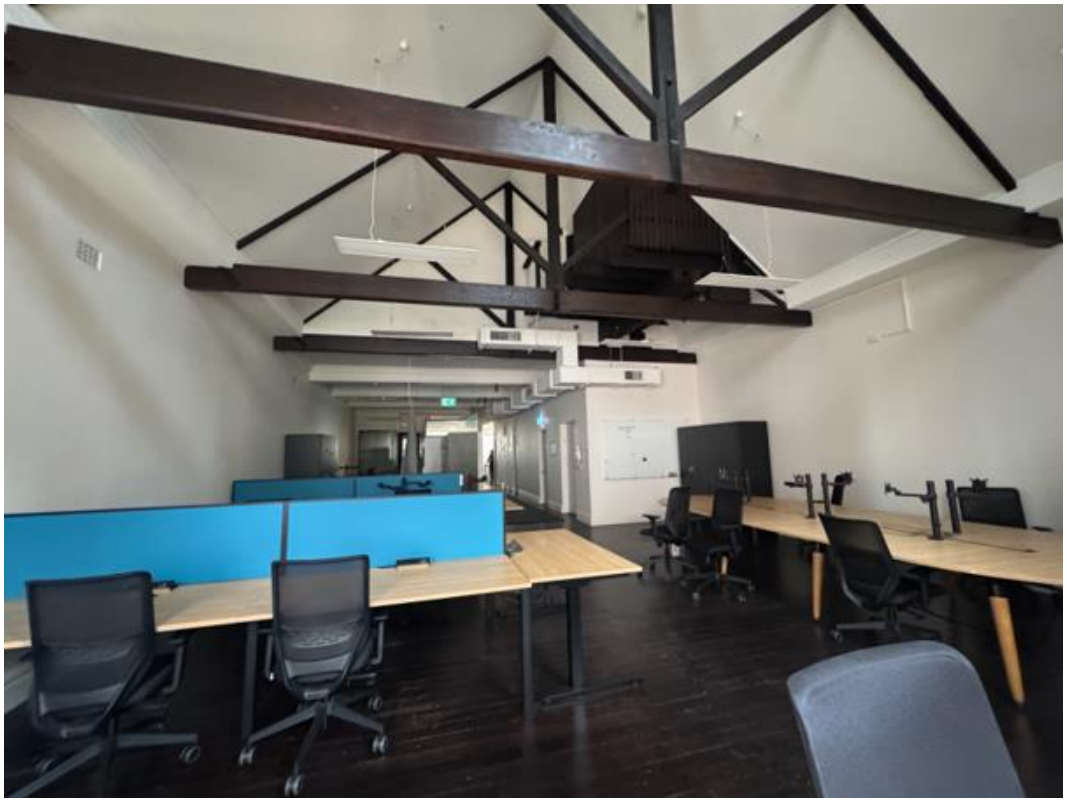


Figure 6: Existing upper floor office space within 73 York Street



Figure 7: Existing office space facing the rear lightwell within 73 York Street

14. 75 York Street is located at the south-eastern corner of the development and contains a six-storey building comprising pub uses with ancillary office space and a caretakers unit/office located on the top level. The existing pub on site is known as 'Hotel CBD' and 'York 75' and is currently operated by Merivale. The building is identified as a heritage item of state significance known as the 'former "National House" including interiors' (SLEP 2012 item no. 1989 and SHR no. 00581).

15. Constructed in 1892, National House is recognised for being part of a cohesive group of warehouse buildings that collectively reflect the establishment of York Street as an important commercial and warehouse district in Sydney. The six-storey Italianate style warehouse including surviving internal cast iron columns reinforces its rarity, especially given the predominance of Victorian Free Classical and Romanesque warehouse styles in Central Sydney.

16. Originally constructed for warehouse uses then associated with the National Bank of Australasia (later known as the National Australia Bank) from 1920 until 1984. During this time the building was extended further west increasing the King Street frontage. Later uses of the site included a bookshop until 1993 when the site was redeveloped into bar uses which formally opened as 'Hotel CBD' in 1995 and continues to operate under the same management.

17. Figures 8 and 9 below illustrate the existing development at 75 York Street.



Figure 8: Existing street frontage of 75 York Street viewed from the intersection of King Street and York Street



Figure 9: Existing ground level bar area of 75 York Street

18. 46-52 King Street is located along the southern boundary of the development fronting King Street and contains a seven-storey commercial building comprising a hairdresser on the ground floor, food and drink uses on the ground and basement floors and commercial office spaces above. The building is identified as a heritage item of local significance known as the 'former York Hotel facade' (SLEP 2012 item no. I1839).

19. The building was constructed in 1891 and originally operated as the 'Post-office Coffee Palace' or 'Ellis' Coffee Palace', providing food and drink uses and temporary accommodation. The site later operated as the York Hotel from the 1920s. During this time, the easternmost bay was demolished, later forming the western addition to 75 York Street as described above.

20. In 1985, significant alterations resulted in the original section of the facade being retained while the building's interior and the majority of the perimeter walls were rebuilt with a reinforced concrete structure. An additional four storeys were added to the building at this time as well and the use of the building changed to commercial office use with various retail and food and drink uses occupying the ground floor tenancies. The basement and a portion of the ground floor level continued to trade as the York Hotel.

21. Figure 10 below illustrates the existing development at 46-52 King Street.



Figure 10: Existing street frontage of 46-52 King Street

22. 104-118 Clarence Street is located along the western boundary of the development fronting Clarence Street and contains a six-storey mixed-use building comprising retail and food and drink uses on the ground and basement floors and residential apartments on the floors above. The building is identified as a heritage item of local significance known as the 'former warehouse "Gardiner & Co." including interiors' (SLEP 2012 item no. I1714).

23. The building at 104-114 Clarence Street was originally constructed in 1887 while 116-118 was constructed to match the style of the adjacent building in the early 1900s. Used for commercial purposes, 104-114 Clarence Street was paired with the warehouse at 71 York Street, with the two buildings sharing a rear service courtyard accessible from York Street. Historic evidence also indicated that a cartway and loading dock was located at the northern corner of the site, accessible from Clarence Street. In 1980/81, the two buildings were amalgamated and converted to a mixed-use development containing retail uses on the ground and basement floors while residential apartments were contained in the floors above. A sixth storey was added to the building at this time with a flat roof to accommodate new plant and a tennis court on the rooftop.

24. Figures 11 and 12 below illustrate the existing development at 104-118 Clarence Street.



Figure 11: Existing Street frontage of 104-118 Clarence Street



Figure 12: Existing rooftop space of 104-118 Clarence Street

25. Surrounding land uses are mixed-use developments and are generally characterised by retail, commercial, residential and tourist and visitor accommodation land uses.

26. Located to the east on the opposite side of the road along York Street are predominantly commercial office buildings with retail and food and drink uses located along the ground floor. Among these buildings are 22-26 York Street, a four to six storey commercial building listed partially as a state heritage item (22 York Street SLEP item no. 1976 and SHR no. 00647) and local heritage item (24-26 York Street SLEP item no. 1977), and 58-68 King Street, a 14-storey commercial building identified as a local heritage item known as the 'former "ACA" building including interiors' (SLEP item no. I1840).

27. Adjoining the development to the south-west, located at the intersection of King Street and Clarence Street, is 44 King Street, a six-storey commercial building comprising food and drink uses on the ground and basement floors and commercial offices on the floors above. The site is identified as a local heritage item known as 'former warehouse including interiors and cart dock' (SLEP item no. I1838).

28. To the south of the development on the opposite side of the road along King Street is the Grace Hotel containing food and drink uses at the ground floor and tourist and visitor accommodation and ancillary conference facilities on the floors above. The site is listed as an item of state significance known as the 'former "Grace Building" including interiors' (SLEP item no. I1990 and SHR no. 00712).

29. To the west on the opposite side of the road along Clarence Street are a mix of buildings including a mixed-use development containing the Skye Suites tourist and visitor accommodation, residential apartments and retail and food and drink uses at 161 Clarence Street and a commercial office building with restaurant use on the ground floor at 171 Clarence Street.

30. To the north-east of the site at 65-69 York Street is a local heritage listed commercial building known as the former "Asbestos House" containing food and drink uses at the ground floor and commercial offices above. The building is identified as a local heritage item (SLEP item no. I1985).

31. To the north-west at 100-102 Clarence Street is a multi-storey commercial development comprising retail uses on the basement and ground floors, and commercial office uses above. The building contains driveway access from York Street in which 71 York Street and 104-118 Clarence Street benefit from through and easement for access.

32. Figures 13 to 18 below illustrate uses surrounding the development site.



Figure 13: Existing commercial use to the east along York Street



Figure 14: Existing commercial use to the south-west at the corner of Clarence Street and King Street



Figure 15: The Grace Hotel, opposite to the south along King Street



Figure 16: Existing commercial uses opposite and to the west along Clarence Street



Figure 17: Asbestos House and driveway separating the subject development and the building to the north-east along York Street



Figure 18: Adjoining commercial uses the north-west along Clarence Street

History Relevant to the Development Application

Development Applications

33. Applications that are relevant to the current proposal are provided below.

71 York Street

34. There are no relevant applications.

73 York Street

35. Development application **D/2021/1493** was granted consent on 14 March 2022 for the fitout and use of the lower ground floor as a small bar. The small bar has approved hours of operation between 12.00pm and 2.00am the following day.

75 York Street

36. Development application **D/1993/129** was granted consent on 21 May 1993 for the fitout and use of the basement, ground and first floors as a bar and restaurant.

37. Development application **D/1993/519** was granted consent on 23 November 1993 for alterations and additions to the premises including an additional sixth floor for the use as a caretaker's unit.

38. Development application **D/1996/513** was granted consent on 23 December 1997 to extend the trading hours of the hotel until 12.00 midnight Monday to Sunday.

39. Development application **D/1996/790** was granted consent on 5 March 1998 for the extension of the hotel use over levels 2, 3 and 4.

40. Development application **D/2005/2238** was granted consent on 31 March 2006 for the extension of the approved operating hours of the hotel between 7.00am and 4.00am the following day Monday to Saturday, and between 10.00am and 12.00 midnight on Sunday. The consent has been modified four times to continue the extended trading hours, most recently being granted consent under Modification E on 23 December 2020 for an additional trial period of 5 years.

41. Development application **D/2008/1329** was granted consent on 23 February 2009 to extend the bar use over levels 5 and 6.

42. Development application **D/2014/733** was granted consent on 26 June 2014 to change the use of the level 6 caretaker's unit to an office use ancillary to the hotel.

43. Development application **D/2015/1690** was granted consent on 23 December 2015 to formalise and update the operation of the premises' Plan of Management.

44. The development site has also been subject to development applications and footway applications to allow the extension of the bar use on the public footway along York Street and King Street.

45-52 King Street

45. Development application **D/2012/301** was granted consent on 17 July 2021 for internal and external alterations to the licensed premises, previous known as the York Hotel, then Trumps Tavern, on part of the ground floor and basement level. The consent was modified several times under modifications A to F, granting consent to internal reconfigurations, external signage, and hours of operation. Modification F was most recently approved on 3 December 2021 to allow hours of operation between 9.00am and 12.00 midnight Monday to Wednesday and 9.00am and 2.00am the following day Thursday to Sunday on a permanent basis.

46. Development application **D/2024/841** was granted consent on 5 December 2024 for alterations to the ground floor to change the use of the existing hair salon and the remaining front portion of the ground floor to a small lobby café with accompanying alterations to the ground floor façade.

47. Development application **D/2025/209** was granted consent on 22 May 2025 for internal alterations to the remainder of the ground floor area and basement for the continued use of the space as a food and drink premises and granted consent under D/2012/301 (as amended).

104-118 Clarence Street

48. There are no relevant applications.

Amendments

49. Following a preliminary assessment of the proposal by Council Officers, a request for additional information and amendments was sent to the applicant on 20 February 2025. The request sought clarification on the scope of works proposed in the application and a separation between architectural drawings depicting proposed works and concept reference drawings.

50. The request also sought further information on the heritage qualities of each building, requiring an updated or a new Conservation Management Plan (CMP) for each building and a clearer assessment of the impacts of the proposed works on each heritage item located within the development site.

51. Clarification was also sought on the management of loading, servicing and waste management of the entire development site and the proposed use of the driveway located to the north of the site in which 71 York Street and 104-118 Clarence Street benefit from an easement for access over.

52. A precinct-wide plan of management was also sought, requiring general management requirements for the precinct with individual plans of management to be lodged with subsequent detailed development applications for individual tenancies.

53. Concurrently, Heritage NSW also requested further information to satisfy the relevant requirements under the Heritage Act 1977. The request sought further information on the existing conditions of original fabric within each state heritage item and impacts of the development on these items. The request was incorporated into the request for further information issued by Council officers.

54. The applicant responded to the request on 22 May 2025, and submitted an amended application clarifying the scope of works, increasing the scope to additional works including the partial demolition of the rear of 73 York Street, the retention of part of the existing vehicle access from York Street into the basement of 71 York Street to accommodate a loading dock for loading, servicing and deliveries and the proposed reinstatement of the northern cartway at the north of 104-118 Clarence Street to provide additional vehicle access for loading and servicing.

55. The amended application sought to remove the proposed use of the easement over the northern driveway for any loading and servicing.

56. Additional information submitted with the amended application also included CMPs for 71, 73 and 75 York Street and Heritage Asset Action Plans for 46-52 King Street and 104-118 Clarence Street. A precinct-wide Plan of Management was also submitted.

57. On 11 June 2025, an additional request for further information was issued to the applicant requesting further amendments relating to waste management and waste storage area design. The request sought that waste storage areas be redesigned for more efficient storage and management processes and for additional storage space be allocated to each building. The request also sought minor updates to the Plan of Management.

58. On 23 June 2025 an updated Plan of Management was submitted that satisfactorily addressed Council's request.

59. On 29 July 2025, updated architectural drawings and supporting documentation was submitted to respond to Council's request. Whilst the amended design and waste management approach submitted was generally supported, further information was sought to confirm waste disposal pathways from each building to the centralised waste storage and loading areas was appropriate. Further information was submitted on 15 September 2025.

60. On 11 August 2025, General Terms of Approval were granted by the Heritage Council of NSW in which the Heritage Council Approvals Committee resolved to grant approval subject to no consent being granted for the following:

    (a) Removal of the rear of 73 York Street

    (b) Ground floor openings between 71 and 73 York Street and 46-52 King Street

    (c) Removal of the c1929 fire stairs and large opening to 46-52 King Street

    (d) Construction of new fire stairs within the c1920s section of 75 York Street

    (e) Removal of remnant c1891 walls to the west of 75 York Street

    (f) Removal of the existing lift within 75 York Street.

61. Minutes from the Heritage Council Approvals Committee meeting indicated that there was insufficient information to support various elements of the project, and any subsequent development application would need to contain significantly greater analysis of the existing heritage fabric in order to understand the scope of potential impacts on the heritage significance of the items.

62. This advice was discussed with the applicant and a request to amend the application to address the issues raised by the Heritage Council Approvals Committee was received by Council. The request was accepted and on 11 September 2025, a Statement of Heritage Impact Addendum was received by Council and issued to Heritage NSW. On 17 September 2025, amended architectural drawings that reflected the findings in the comprehensive heritage considerations were also submitted and an accompanying updated estimated development cost report was received and submitted to Heritage NSW for further consideration.

63. Updated General Terms of Approval were received on 2 October 2025 and are discussed in further detail throughout this assessment report.

Proposed Development

64. The subject development application seeks concept development (site specific DCP) consent pursuant to Section 4.22 of the Environmental Planning and Assessment Act 1979, for the use of the site as a hotel/pub comprising the following ancillary land uses:

    (a) Food and drink premises

    (b) Tourist and visitor accommodation

    (c) Indoor recreation

    (d) Office premises

65. The proposed concept use seeks consent for a maximum precinct capacity of 8,211 people allocated to the following uses:

    (a) Food and drink premises: 6,805 people

    (b) Back of house/loading: 29 people

    (c) Tourist and visitor accommodation: 620 people

    (d) Indoor recreation: 200 people

    (e) Office: 557 people

66. The proposal also seeks consent for 24-hour operation for all internal areas and outdoor hours (ground level and rooftop terraces) between 10.00am and 12.00 midnight.

67. The application is also accompanied by precinct-wide heritage, BCA, acoustic, access, traffic, servicing and waste management strategies to guide future detailed development applications in addition to a precinct-wide plan of management for the licensed use.

68. In addition to the concept use, the application seeks consent for alterations to facilitate future development applications for the fitout and use of the site. Proposed works are described in detail below:

69. 71 York Street

(a) Demolition of existing concrete topper over original vehicle ramp within basements 1 and 2, retention of original structure and provision of a new staircase above for access within the basement levels

(b) Demolition of existing fire stairs

(c) Reinstatement of original openings and creation of new openings in blind arches in basement levels between 71 York Street and 104-118 Clarence Street

(d) Removal of one vehicle driveway ramp from York Street vehicle entry

(e) Creation of openings within various blind arches between 71 York Street and 73 York Street

(f) Demolition of non-original partitioning throughout the building and the construction of a new lift at the rear of the building extending above the roof to access the roof terrace of 104-118 Clarence Street

(g) Demolition of part of the flooring at the rear of the building and the construction of new fire stairs

(h) Construction of new external staircase within the existing northern service courtyard with openings for access from 71 York Street and 104-118 Clarence Street

70. 73 York Street

(a) Demolition of rear wing storage rooms, lift, stair access from ground floor to basement and various internal partitioning

(b) Demolition of fire stairs on levels 2, 3 and 4

(c) Demolition of rear portion of the building, including rear façade on ground level and level 1 and flooring on levels 1 to 4 reducing the internal depth of the building from approximately 30m to approximately 17.5m

(d) Retention of original rear façade from level 2 to level 4

(e) Construction of a new rear glazed wall from level 1 to level 4

(f) Creation of new ground floor central courtyard approximately 156sqm in size

(g) Retention of existing timber roof trusses and construction of glazed roof over approximately 50% of new courtyard

(h) Installation of a new lift and creation of a new opening to 75 York Street to access new fire stairs

(i) Construction of new stair access from York Street to basement level and other stair access and openings between 71 York Street and 73 York Street

71. 75 York Street

    (a) Demolition of northern c1920s wall to create a new opening between 73 York Street and 75 York Street and the construction of new fire stairs, extending above the existing building to provide access to level 7 of 46-52 King Street

    (b) Demolition of internal partitions within the c1920s addition

    (c) Demolition of part of the roof above the c1920s addition and replacement with a new skylight

    (d) Creation of two openings on each floor between 75 York Street and 46-52 King Street

    (e) Construction of partitions to provide back of house areas on the ground floor

72. 46-52 King Street

    (a) Creation of openings on the ground floor to level 6 to provide ground floor stair access to the new central courtyard and new windows to the northern façade of the building

    (b) Demolition of internal partitions to facilitate the creation of openings to 75 York Street

73. 104-118 Clarence Street

    (a) Demolition of fire stairs and lift, including fire stairs from the basement to Clarence Street along the northern boundary wall of the building

    (b) Demolition of the rear wall separating 104-118 Clarence Street and 73 York Street at the ground floor and the construction of a new stacking door to allow access to the central courtyard

    (c) Demolition of various internal partitions on each floor

    (d) Creation of openings between 104-114 Clarence Street and 116-118 Clarence Street

    (e) Construction of new fire stairs and lifts extending to the rooftop terrace

    (f) Reinstatement of original cartway along the northern boundary to provide access to the existing northern service courtyard

    (g) Demolition of rooftop plant and other services

    (h) Creation of openings within the eastern boundary wall to allow access to new external staircase

74. Detailed drawings of the proposed development are provided in Attachment B, and selected drawings to illustrate the proposal generally are provided below.



Figure 19: Indicative east-west cross section through 104-118 Clarence Street and 73 York Street showing indicative uses



Figure 20: Proposed ground floor indicating openings to connect all buildings, reinstated northern carriageway and new central courtyard

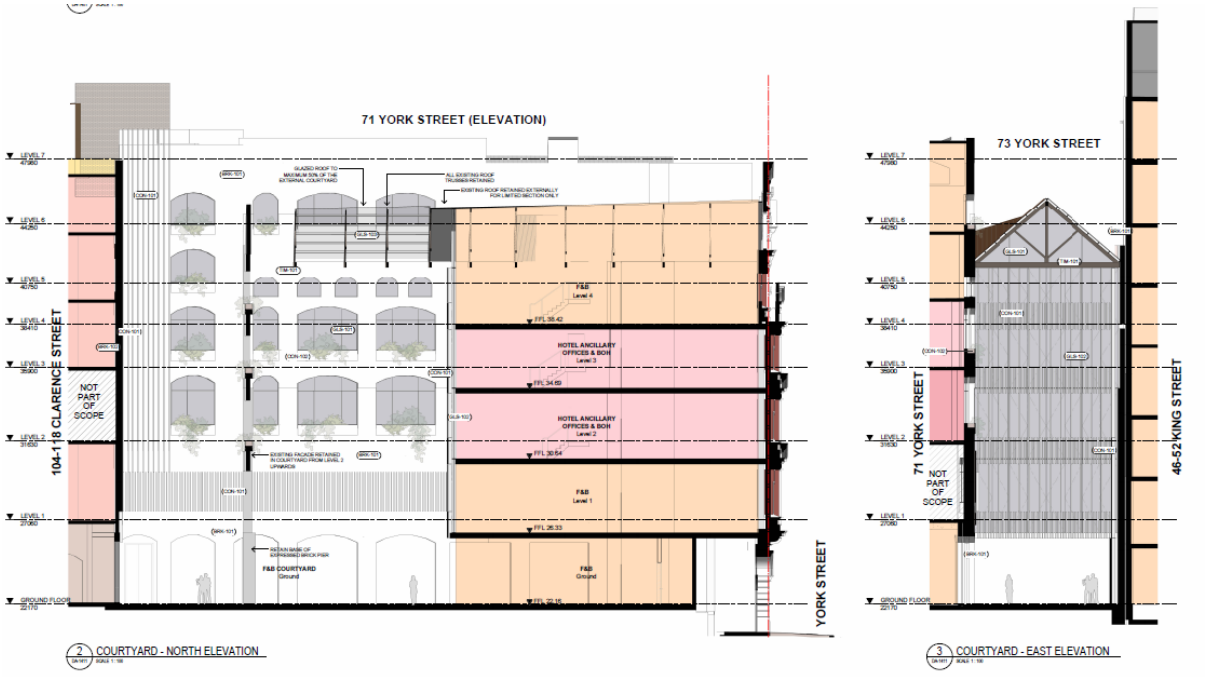


Figure 21: Proposed internal elevations of central courtyard

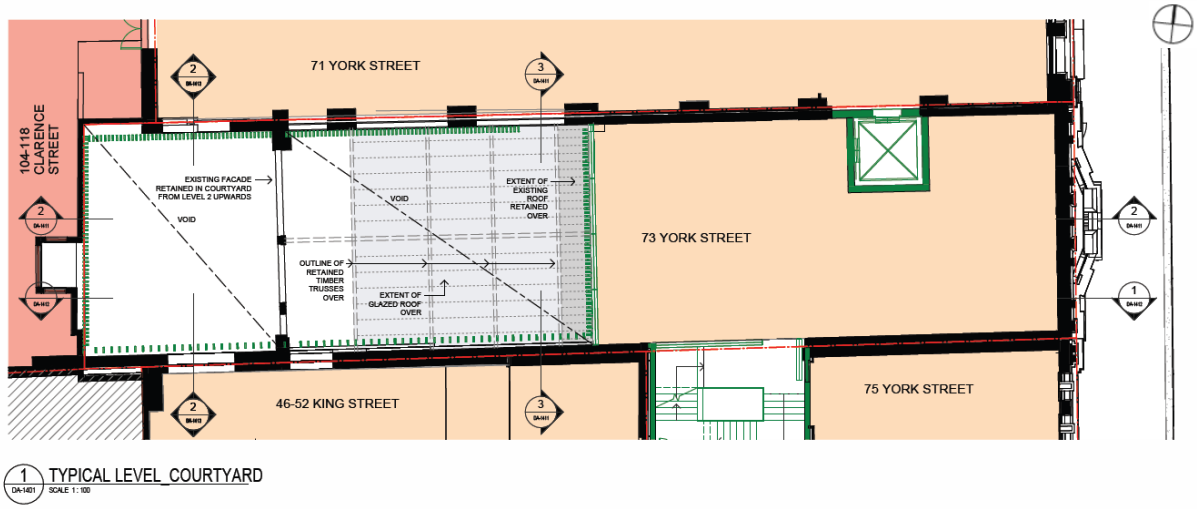


Figure 22: Detail showing extent of demolition within 73 York Street, retention of part of the rear facade and new glazed roof

Assessment

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

Heritage Act 1977

76. The subject application involves works to two items listed on the State Heritage Register under the Heritage Act 1977 including 73 York Street known as Hardware House (SHR no. 00580), also listed as the former Henley House on the SLEP 2012, and 75 York Street known as National House (SHR No. 00581).

77. The application has been accompanied by detailed Conservation Management Plans and Heritage Asset Action Plans in addition to a comprehensive Statement of Heritage Impact that considers the impacts of the proposed development on the significance of each heritage item.

78. As Integrated Development requiring approval under the Heritage Act 1977, a copy of the application was referred to the Heritage Council on 3 December 2024 in accordance with Clause 66 of the Environmental Planning and Assessment Regulation 2000.

79. On 13 January 2025, the Heritage NSW issued a request for further information which was incorporated into Council's request for further information as discussed above under the heading Amendments. An amended application was submitted to Council and notification was sent to Heritage NSW on 5 June 2025.

80. In correspondence dated 15 July 2025, the NSW Heritage Council was advised that the exhibition period had been completed, and 62 submissions were received.

81. On 11 August 2025, General Terms of Approval were granted by the Heritage Council of NSW in which the Heritage Council Approvals Committee resolved to grant approval subject to no consent being granted for the following:

    (a) removal of the rear of 73 York Street

    (b) ground floor openings between 71 and 73 York Street and 46-52 King Street

    (c) removal of the c1929 fire stairs and large opening to 46-52 King Street

    (d) construction of new fire stairs within the c1920s section of 75 York Street

    (e) removal of remnant c1891 walls to the west of 75 York Street

    (f) removal of the existing lift within 75 York Street

82. As discussed above, the General Terms of Approval were discussed with the applicant, and an amended application was submitted to Council to address concerns raised by the Heritage Council Approvals Committee.

83. In accordance with Section 38 of the Environmental Planning and Assessment Regulation 2021, a new request was sent to Heritage NSW for further consideration.

84. Updated General Terms of Approval were issued on 2 October 2025 subject to conditions which are included in the recommended conditions of consent in Attachment A and discussed further under the heading 'Discussion' below.

State Environmental Planning Policies

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

85. 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.

86. A Phase 1 Contamination Assessment Report was submitted with the application. The report assesses the potential or contamination at the site based on the historical and current land uses and provides an opinion on whether further investigations are required to assess the risk of harm from contamination ad the suitability for the proposed land uses.

87. Given the long-term commercial uses across the precinct, low levels of background contamination are expected beneath and surrounding the site. These commercial activities are common sources of soil and groundwater contamination, including, but not limited to, petroleum hydrocarbons, chlorinated hydrocarbons, Polycyclic aromatic hydrocarbons (PAHs), heavy metals and Per- and poly-fluoro alkyl substances (PFAS). The assessment submitted with the application did not identify evidence that would suggest significant contamination is present beneath the site, which would preclude ongoing commercial and hotel accommodation uses.

88. Given that there will be no interaction between future workers or visitors to the site with underlying soil and groundwater, except for minor excavations to upgrade the elevator shafts, any potential contamination at the site is considered a low risk to human health and the environment.

89. As such, the submitted assessment report has determined that the Site is suitable for the proposal and ongoing commercial and hotel accommodation land use, concluding that further investigations to characterise potential contamination are not required, based on the proposal.

90. The following actions are recommended during the development of the site to mitigate risks from unexpected contamination if encountered when excavating the elevator shafts:

    (a) All construction works should be undertaken in accordance with relevant guidelines to ensure that identified hazardous materials (asbestos / lead-based paint) and other contaminants are not released into the environment;

    (b) All excavation works should be undertaken in accordance with a Construction Environmental Management Plan (CEMP), adopting industry standard controls to mitigate risk to workers and the public from potential contamination. The CEMP should include an unexpected finds protocol to assess potential contamination if encountered; and

    (c) Excavated soils requiring offsite disposal must be classified in accordance with EPA NSW waste classification guidelines Part 1: Classifying waste.

91. Council's Environmental Health Officer has reviewed the information provided and is satisfied that, subject to conditions, the site is suitable for the proposed use. As such, the application satisfied the relevant provisions of the SEPP.

State Environmental Planning Policy (Industry and Employment) 2021 – Chapter 3 Advertising and Signage

92. The aim of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage is to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high-quality design and finish.

93. The application has not been accompanied by any details for signage or a signage strategy. As the development site contains several heritage items and spans multiple street frontages, a condition of consent is recommended requiring a separate application be submitted for a signage strategy and the installation of signage.

State Environmental Planning Policy (Sustainable Buildings) 2022

94. The aims of this Policy are as follows—

(a) to encourage the design and delivery of sustainable buildings,

(b) to ensure consistent assessment of the sustainability of buildings,

(c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored,

(d) to monitor the embodied emissions of materials used in construction of buildings,

(e) to minimise the consumption of energy,

(f) to reduce greenhouse gas emissions,

(g) to minimise the consumption of mains-supplied potable water,

(h) to ensure good thermal performance of buildings.

Chapter 3 Standards for non-residential development

95. 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, if the development has an estimated development cost of $5 million or more, or

(b) alterations, enlargement or extension of an existing building, if the development has an estimated development cost of $10 million or more.

Section 3.2 Development Consent for non-residential development

96. Section 3.2 Development consent for non-residential development provides that:

(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—

(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,

(b) a reduction in peak demand for electricity, including through the use of energy efficient technology,

(c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,

(d) the generation and storage of renewable energy,

(e) the metering and monitoring of energy consumption,

(f) the minimisation of the consumption of potable water.

(2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.

97. With regard to the above matters, it is noted the subject application limits physical woks to the demolition of internal walls and stairwells and the construction of new internal walls, doors, fire stairs and lift cores, loading dock, atrium and the reinstatement of an original cartway. The application seeks to adaptively reuse the existing building structures which in itself seeks to minimise demolition waste. Due to the limited scope of works in the subject application, many of the matters for consideration are not relevant and are to be addressed in the detailed development applications for future tenancy fitouts.

98. The application was accompanied by written evidence of the intention to incorporate energy efficient technologies in future fitouts including in kitchen and bar areas and lighting and ventilation.

99. Further, with regard to section (2) above the applicant has adequately quantified the embodied emissions attributable to the development. Section 35B of the Environmental Planning and Assessment Regulation determines the form in which embodied emissions are to be quantified. The embodied emissions attributable to the development have been appropriately quantified using the NABERS embodied energy form published on the NSW Planning Portal and certified by an appropriately qualified person as required by the regulations.

Section 3.3 Other Considerations for Large Commercial Development

100. Section 3.3 Other considerations for large commercial development applies to development defined as prescribed office premises, prescribed service apartments and prescribed hotel or motel accommodation.

101. Section 3.3 provides that:

(1) In deciding whether to grant development consent to large commercial development, the consent authority must consider whether the development minimises the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050.

(2) Development consent must not be granted to large commercial development unless the consent authority is satisfied the development is capable of achieving the standards for energy and water use specified in Schedule 3.

(3) For the purposes of subsection (2), development is capable of achieving a standard specified in Schedule 3 if there is a NABERS commitment agreement in place to achieve the standard.

102. The above, to the extent it relates to energy use, does not apply to large commercial development, except serviced apartments, on land to which the following local environmental plans apply—

(a) Sydney Local Environmental Plan 2012,

(b) Sydney Local Environmental Plan (Green Square Town Centre) 2013,

(c) Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013.

103. The proposed development is subject to one of the above LEPs however, is not likely to result in hotel accommodation containing 100 guest rooms or more and thus is not defined as prescribed hotel or motel accommodation. See further discussion in the Sydney Local Environmental Plan 2012 table below.

State Environmental Planning Policy (Transport and Infrastructure) 2021

104. The provisions of SEPP (Transport and Infrastructure) 2021 have been considered in the assessment of the development application.

Division 15, Subdivision 2: Development in or adjacent to rail corridors and interim rail corridors

Clause 2.101– Development within or adjacent to interim rail corridor

105. The application is adjacent to the CBD Rail Link corridor and was subsequently referred to Transport for NSW (TfNSW) for concurrence. TfNSW rejected the request, noting in their advice that specialist input was not required as proposed excavation is minor in nature (≤1.5m in depth).

Division 17, Subdivision 2: Development in or adjacent to road corridors and road reservations

Clause 2.122 – Traffic-generating development

106. The application is subject to Clause 2.122 of the SEPP as the development proposes a food and drink premises greater than 300sqm with a frontage to King Street, a regional classified road.

107. The application was referred to TfNSW who raised no objection to the proposal, subject to conditions included in Attachment A.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 6 Water Catchments

108. The development is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SEPP. The SEPP requires the Sydney Harbour Catchment Planning Principles to be considered in the carrying out of development within the catchment.

109. The development site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, it 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.

Local Environmental Plans

Sydney Local Environmental Plan 2012

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

Part 1 Preliminary

Provision	Compliance	Comment
1.8A Savings provisions relating to development applications	Yes	Amendments made to the SLEP 2012 by the SLEP 2012 (Amendment No 109) made on 30 May 2025 do not apply to the subject development application, in accordance with subclause (9)(a) of clause 1.8A of the SLEP 2012. These provisions relate to the amendments to the SLEP 2012 for dwelling retention, detailed in clause 7.36 of the SLEP 2012. The controls do not apply given this development application was made prior to the commencement of the plan.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The development site is located in the SP5 Metropolitan Centre zone. The proposed development is defined as food and drink premises, tourist and visitor accommodation and office premises, and 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	A maximum building height of 60m is permitted. A height of 30m is proposed. The proposed development complies with the maximum height of buildings development standard.
4.4 Floor space ratio	Yes	A base floor space ratio of 8:1 or 19,368sqm is permitted. A floor space ratio of 5.7:1 or 13,724sqm is proposed.

Provision	Compliance	Comment
		The proposed development complies with the maximum floor space ratio development standard.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The development site contains several items of local and state heritage significance. See further details under the heading 'Discussion'.
5.21 Flood planning	Yes	The development site is not identified as being subject to flooding. Based on the City's Interim Floodplain Management Policy requirements of flood planning levels for developments outside the floodplain, building floor levels and/or all egress points must be 300mm above surrounding gutter invert levels. It is noted that some entry points to the building currently do not meet this, however, future detailed development applications are capable of meeting the floodplain requirements. As such, the application is considered to generally meet the requirements of this provision.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 1 Floor space in Central Sydney		
6.10 Heritage floor space	Yes	71 York Street currently has an award for heritage floor space granted by Council in 1999. The heritage floor space grant was for a total of 4,205sqm and a Deed was executed and floor space transferred accordingly. A restrictive covenant is currently placed on title noting that the building may not be added to or altered if the works will

Provision	Compliance	Comment
		result in the floor space area on the building on the land will exceed 5,790sqm. The proposed works in the subject application will not exceed this restriction. The supporting documentation submitted with the application also noted that the Heritage Floor Space award is eligible for renewal in 2026 and the landowner will seek a new award for heritage floor space in the future.
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 along the street and will contribute positively to the character of the area. The development achieves or has provided appropriate strategies for future developments within the site to achieve 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 application also achieves a high standard of architectural design that retains or enhances the heritage significance of the individual heritage items located within the site. The works proposed, including upgrades to fire stairs, the creation of openings between buildings and the creation of a loading dock are located in areas of each building in which are of less heritage significance or are compatible with the build character of the existing buildings. Further, the proposed demolition of the rear of 73 York Street, whilst considered a loss of heritage fabric, retains the significant front portion of the building and provides opportunities for

Provision	Compliance	Comment
		interpretation with the retention of part of the rear façade and roof structure. Overall, the proposal is sympathetic to the heritage qualities of the site and demonstrates consistency with the development requirements for the York Street Special Character Area. The development therefore achieves design excellence.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.6 Office premises and business premises 7.9 Other land uses	Yes	The proposed development does not seek consent for any car parking spaces and is consistent with the objectives of this provision.
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	The development site is located in Central Sydney and is subject to the requirements of section 7.13. Refer to the discussion below under the heading Financial Contributions heading.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The development site is located on land with class 5 Acid Sulfate Soils. The application does not propose works requiring the preparation of an Acid Sulfate Soils Management Plan.
7.20 Development requiring or authorising preparation of a development control plan	Yes	The area of the development site is greater than 1,500 square metres, which triggers the requirement for the preparation of a site-specific development control plan. Section 4.23 of the Environmental Planning and Assessment Act 1979 allows a concept approval to be lodged

Provision	Compliance	Comment
		in lieu of preparing a development control plan. The matters under Clause 7.20 (4) of the Sydney LEP 2012 are satisfied by the documentation submitted with the application and the recommended conditions. The proposal satisfactorily sets expectations for the future uses contained within the site, heritage conservation, ESD outcomes, acoustic impacts, activation of the ground level and interface with the public domain and demonstrating compliance with the objectives of the York Street Special Character Area.
7.33 Sustainability requirements for certain large commercial development	N/A	The application notes that a future development application for hotel accommodation will likely contain less than 100 hotel guest rooms and does not meet the definition of 'prescribed hotel or motel accommodation'. As such, the sustainability requirements of this clause do not apply however, will also require to be addressed in any detailed development.
7.36 Dwelling retention	N/A	As detailed above under clause 1.8A, the provisions for dwelling retention do not apply to the subject application as the development application was made prior to the commencement of the amended LEP.

Development Control Plans

Sydney Development Control Plan 2012

111. 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

112. The development site is located within the York Street Special Character Area including Clarence Street and Kent Street. The proposed development is in keeping with the unique character and the design principles of the Special Character Area. The proposal will support the existing urban character of the area as it will retain the existing heritage items. The majority of proposed alterations will be undertaken with the largely modified part of the buildings, will not be visible from the public domain or will be improving the existing facades or reinstating original features.

113. The heritage items, which includes former warehouses, hotels and commercial stores, will have their heritage significance retained and respected by ensuring the significant elements and fabric of each item are not compromised or adversely impacted.

Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain		
3.2.2 Addressing the street and public domain	Yes	The application seeks to retain and enhances each heritage item's street frontage by removing redundant vehicle entries and reinstating original features, positively contributing to the streetscape. The application also provides improved access to the site or is capable of providing accessible entries into tenancies in future detailed applications.
3.2.3 Active frontages	Yes	The application seeks consent for active uses to occupy all ground floor and most basement and first floor areas within existing building, enhancing active frontages along York Street, King Street and Clarence Street.
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.
3.6 Ecologically Sustainable Development	Yes	As discussed above, the proposed works are limited to demolition, removal of partition walls and works to fire stairs and lifts, however, generally satisfy the objectives for ESD. The application notes the proposed development is not considered to constitute ‘large commercial development’ for the purposes of Clause 7.33 of the SLEP 2012 and therefore the

Provision	Compliance	Comment
		energy performance standards and use of renewable energy generated on-site are not considered to be applicable to the proposed development. Notwithstanding, the Applicant is committed to ensuring the following measures are adopted in the future redevelopment of the precinct: • New water fittings and fixtures with the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development; • Connection to dual reticulation system for permitted non-potable uses (if available); • Metering and monitoring of energy consumption; and • Efforts will be made to utilise recycled materials and reduce the amount of material used in the construction of individual fit outs. In addition to the above, a condition of consent is recommended requiring the submission of a schedule of materials to be salvaged and reused within the development, to further ensure the reduction of waste going into landfill.
3.9 Heritage	Yes	The application seeks consent to carry out works within buildings recognised as local and state heritage items. See further details under the heading 'Discussion'.
3.10 Significant Architectural Building Types	Yes	The proposal relates to warehouse buildings that are older than 50 years old. Refer to the 'Discussion' section below.

Provision	Compliance	Comment
3.11 Transport and Parking		
3.11.1 Managing transport demand	Yes	The proposal comprises a mixed-use development including a non-residential development exceeding 1,000 square metres of GFA. As such, it generates a requirement for a Transport Impact Study, Green Travel Plan and Transport Access Guide under the relevant provisions of Section 3.11.1 of the Sydney DCP 2012. A Traffic Impact Assessment report has been submitted with the application in accordance with these requirements, which has been reviewed by Transport for New South Wales and the City's Access and Transport Unit. The latter has advised that it is acceptable with regard to the controls in Section 3.11.1 of the Sydney DCP 2012. Conditions are recommended in Attachment A to ensure detailed development applications are appropriately accompanied by a Green Travel Plan or Transport Access Guide for the development, particularly for any hotel use.
3.11.3 Bike parking and associated facilities	Able to comply	Appropriate conditions of consent are recommended and included in Attachment A to this report to ensure that adequate bicycle parking and end of journey facilities are provided as part of any future detailed design development application.
3.11.6 Service vehicle parking	Yes	Three service vehicle spaces, including one SRV bay, are proposed within the site. The amended proposal also includes the reinstatement of the western cartway from Clarence Street that provides additional loading space to service the site. Generally, the proposed site access and service vehicle parking availability within the development site is considered acceptable.

Provision	Compliance	Comment
3.11.10 Vehicle access for developments greater than 1000sqm GFA	Yes	The application proposes two vehicle entry points to the development site; one from an existing vehicle entry point on York Street and a secondary entry point through the reinstated cartway along Clarence Street. Both access points are located at the furthest point from their respective street intersections and are acceptable.
3.11.11 Vehicle access and footpaths	Yes	The proposed vehicle access points are considered acceptable. Due to heritage constraints the reinstated cartway will require service vehicles to perform a reverse-in, forward-out manoeuvre. Whilst this is not a preferred access option, appropriate safety measures may be employed such as a traffic spotter to ensure pedestrian safety is maintained. All safety measures are to be detailed in a comprehensive traffic management strategy and is included as a condition of consent.
3.11.13 Design and location of waste collection points and loading areas	Yes	The application proposes a waste collection strategy that includes a mixture of kerbside collection and on-site collection. The application proposes a new large loading dock and waste storage area that is able to cater for a larger portion of waste generated by the site. Small waste collection vehicles will also be able to access the site for on-site collection. The design and location of waste collection within the site is acceptable. See further details regarding waste management under the heading 'Discussion'.
3.12 Accessible Design	Yes	The site is generally capable of providing accessible entry at several entry points along the York Street, King Street and Clarence Street frontages of the site. The site is also capable of providing accessible amenities for visitors

Provision	Compliance	Comment
		including sanitary facilities within each food and drink tenancy in addition to providing accessible hotel rooms, designed to comply with the relevant Australian Standards.
3.13 Social and Environmental Responsibilities	Yes	A Social Impact Assessment (SIA) has been submitted with the application. The SIA assesses the potential social impacts that may arise from the proposal during construction and operational phases and subsequently recommends appropriate social mitigation and benefits optimisation measures. The SIA concludes that with the mitigation measures (for the subsequent detailed stages of the project), the proposal will likely have a positive impact. Mitigation measures include the following: • Preparation of venue-specific management plans to support the precinct-wide plan of management • Offering live music programming, diversifying the offering of entertainment within the site • Providing harm reduction training to venue management staff • Implementing sound treatment measures recommended in the acoustic report • Reduce hours of operation in outdoor areas The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	The application proposes a new mixed-use development and has considered waste management strategies for future uses within this concept development application, including the provision of a

Provision	Compliance	Comment
		large waste storage area located adjacent to the proposed loading dock. See further details under the heading 'Discussion'.
3.15 Late Night Trading Management	Yes	The proposed concept development seeks consent for in-principle land uses for hotel/pub use, food and drink tenancies and tourist and visitor accommodation. See further details under the heading 'Discussion'.
3.16 Signage and Advertising	N/A	No signage is proposed as part of this application. A condition is imposed to require separate consent to be obtain for a signage strategy and the installation of any signage.

4.2 Residential Flat, Non-Residential and Mixed-Use Developments

Provision	Compliance	Comment
4.2.3 Amenity 4.2.3.3 Internal common areas	Yes	The design of the building at 104-118 Clarence Street is capable of providing separate corridor space to the remaining residential apartment and will not decrease amenity to corridor spaces. Final design details and compliance with this section of the SDCP 2012 must be addressed in the relevant detailed development applications.
4.2.3.7 Private open space and balconies	Yes	The remaining residential apartment currently does not have any private open space. The proposed application does not impact the access to natural light or ventilation.
4.2.3.8 Common open space	No, but acceptable	The application indicates communal open space at the existing rooftop of 104-118 Clarence Street will be removed and converted to hotel uses. Whilst this reduces overall amenity to the remaining residential unit located within the building, the building will only consist of a single residential use and

Provision	Compliance	Comment
		common open space is not deemed necessary. As noted above, final design details and compliance with residential amenity requirements must be addressed in the relevant detailed development application.
4.2.3.9 Ventilation	Yes	The remaining residential apartment is currently single aspect. The proposed development does not reduce any access to natural ventilation.
4.2.3.10 Outlook	Yes	The application improves outlook from the residential apartment as a result of the demolished rear of 73 York Street. The creation of a larger internal courtyard will improve outlook.
4.2.3.11 Acoustic Privacy	Yes	An acoustic report submitted with the application satisfactorily addresses acoustic impacts to surrounding residential uses and proposes suitable mitigation measures to manage these impacts.

4.4 Other Development Types and Uses

4.4.8 Visitor accommodation

114. The application seeks consent for the use of a hotel within the site. The application, however, is not seeking formal consent for the fitout and use for the hotel, which will be sought in a separate detailed development application. Whilst the site is capable of providing a hotel use consistent with the objectives and relevant provisions for visitor accommodation in Section 4.4.8 of the Sydney Development Control Plan 2012 (SDCP 2012), any separate development application must demonstrate compliance with the relevant controls.

Section 5 – Specific Areas

Provision	Compliance	Comment
5.1.3 Heritage items, warehouses and special character areas	Yes	The application proposes works to heritage items and is considered to retain or enhance the heritage significance of each building. See further details under the heading 'Discussion'.

Provision	Compliance	Comment
5.1.4 Building exteriors	Yes	The proposed retention of the heritage facades within each building positively contributes to the streetscape and enhances the York Street Special Character Area.

Discussion

Concept Development Application

115. The subject development application seeks concept development (site specific DCP) consent pursuant to Section 4.22 of the Environmental Planning and Assessment Act 1979, for the use of the site as a hotel/pub comprising the following ancillary land uses:

    (a) food and drink premises

    (b) tourist and visitor accommodation

    (c) indoor recreation (hotel gym and wellness)

    (d) office premises

116. The proposed concept use seeks consent for a maximum precinct capacity of 8,211 people allocated to the following uses:

    (a) food and drink premises: 6,805 people

    (b) back of house/loading: 29 people

    (c) tourist and visitor accommodation: 620 people

    (d) indoor recreation: 200 people

    (e) office: 557 people

117. The proposal also seeks consent for 24-hour operation for all internal areas and outdoor hours (ground level and rooftop terraces) between 10.00am and 12.00 midnight.

118. In addition, the application seeks consent for works, predominantly relating to fire stair and lift upgrade works to facilitate the future uses.

119. The application has been accompanied by several supporting strategies to guide future development to ensure the orderly future development of the precinct. Strategies include the following:

    (a) Traffic and Servicing Strategy - outlining expected future vehicle movements for deliveries, servicing and waste. The strategy nominates the number of vehicle movements and recommended times for deliveries to ensure impacts on the local road network and the amenity of surrounding developments are managed adequately. Subject to minor amendments including addressing the share of vehicle movements through the reinstated cartway to 104-118 Clarence Street and related safety mitigation measures, the Strategy demonstrates the proposed use is suitable for the development site and the environmental impacts are acceptable.

    (b) Waste Management Strategy - assessing the proposed uses and nominates waste generation rates in accordance with those uses and expected frequency of waste pick-up. Waste management is discussed in further detail in the section below.

    (c) Preliminary Acoustic Assessment - addressing potential noise impacts on nearby sensitive receivers including hotel and residential uses. The assessment considered the impacts of noise from the proposed hotel, food and drink, gym, outdoor terrace activities and building services and recommended mitigation measures to ensure noise being generated from the development will have an acceptable impact. Mitigation measures include the installation of glass screens on rooftop terraces, installation of vibration isolation in entertainment/club tenancies and upgraded ventilation infrastructure. Mitigation measures must be implemented in detailed applications.

    (d) Statement of Heritage Impact, Conservation Management Plans and Heritage Asset Action Plans - consider the heritage values of the existing buildings, ranking the significance of built elements and outlines a set of guiding principles that should be considered for any future works. The Statement of Heritage impact also assesses the impact of the proposed works on the significance of the heritage items.

    (e) Precinct-wide operational plan of management - sets out guiding principles for the management of the precinct including the responsible service of alcohol, gaming management, patron management, entertainment, noise mitigation measures, complaints handing and security.

120. The above listed strategies and assessment reports demonstrate the development site is capable of operating a large-scale food and drink, entertainment and visitor accommodation precinct. It is recommended that conditions of consent require any future development applications associated with the approved concept use be in accordance with the recommendations of the relevant strategies and assessments.

121. Further, as the subject application does not seek consent for any specific fitout for any tenancy, a condition of consent is recommended prohibiting the commencement of any use approved in the consent prior to the issue of an occupation certificate following a detailed development application (or complying development where relevant) for the fitout and specific use of a building or individual tenancy.

Hours of Operation

122. Consent is sought for 24-hour operation of the site. Section 3.15.4 of the SDCP 2012 states licenced premises proposing late night trading hours of operation are to be limited in time to enable Council to assess the ongoing management performance of a premise and its impacts on neighbourhood amenity.

123. The proposed uses and license constitute a Category A premises located in the Late Night Management trading area. The proposed hours of operation for the tenancies on site are as follows:

    (a) Indoor - 24-hours

    (b) Outdoor - 10.00am to 12.00 midnight

124. The SDCP 2012 recommends base hours for Category A premises located within a Late Night Management trading area of 6.00am and 12.00 midnight for indoor areas and 9.00am and 10.00pm for outdoor areas and allows extended 24-hour trading for internal areas and outdoor trading until 1.00am on a trial basis.

125. Section 3.15.4(8) of the SDCP 2012 recommends extended trading to be granted up to three additional hours with any further additional hours of operation to be considered after the successful completion of the initial trial period. The application seeks an additional 6 hours of extended trading for indoor areas between 12.00 midnight and 6am.

126. Whilst not strictly complying with section 3.15.4(8) of the SDCP 2012, an initial trial period to allow 24-hour trading is supported for the following reasons:

    (a) The precinct is located within Central Sydney, adjacent to or within close proximity to several other existing and approved late night venues, including venues offering live music and entertainment.

    (b) The application has satisfactorily demonstrated that acoustic impacts to surrounding developments, including sensitive uses, can be mitigated through the implementation of recommendations within the submitted acoustic report.

    (c) The submitted architectural drawings indicate a large portion of the development will occupy hotel accommodation, back of house, or office uses which are generally not considered high-impact uses.

    (d) The application indicates the precinct will include diverse offerings including restaurant, club, and live music venues.

    (e) Due to the nature of the range of uses proposed, it is likely that the dispersal of patrons at closing time will not lead to significant impacts and will more likely result in a staggered dispersal.

    (f) The development site is likely to offer a range of uses that will operate during daytime and nighttime hours, providing street activation throughout the whole day, rather than just at nighttime.

(g) The application has been accompanied by a Plan of Management that satisfactorily sets out the general requirements for precinct management. Future detailed DAs are also to be accompanied by venue-specific management plans that will provide comprehensive management requirements based on the nature of the venue use.

(h) The existing licensed premises located within the development site known as Hotel CBD currently has approved hours of operation between 7.00am and 4.00am the following day. A search of Council records indicates the premises has been operating at these hours since 2006 and has generally shown good management, with only one noise complaint being received since 2011.

(i) The development is in an area serviced very well by a diverse range of transport options including bus, metro, rail and light rail services in addition to taxi and rideshare options, private vehicle use and bicycle infrastructure.

(j) The submitted plan of management provides a comprehensive overview of patron behaviour management and security requirements to ensure impacts to the public domain and surrounding developments are reduced as much as possible.

127. Based on the above review of the matters for consideration noted in section 3.16.3 of the SDCP 2012, it is considered appropriate to grant and initial trial period for 24-hour indoor trading and outdoor trading between 10.00pm and 12.00midnight. The application has successfully demonstrated the proposed uses will contribute to the late-night economy within Central Sydney, will provide a diverse range of uses that contribute to an active street along York Street, King Street and Clarence Street and provide the opportunity for live music and entertainment and can manage potential adverse impacts through the implementation of noise mitigation measures and appropriate management measures through a detailed plan of management.

128. Generally, the application is considered to satisfy the objectives of section 3.15 of the SDCP 2012 and the proposed hours of operation are supported. The site is considered an appropriate location for late night uses and is likely to further support the future special entertainment precinct likely to be located within Central Sydney.

129. The application was also discussed with Council's Licensed Premises and Late Night Trading Unit who raised no objection to the proposal, subject to conditions.

Waste Management and Servicing

130. The application seeks consent for the construction of a central loading dock and waste storage area in which the precinct will rely on for most deliveries, servicing and waste management. The application submitted a Waste Management Plan that provides details on the waste storage area located within basement 1 of 71 York Street and notes that each individual detailed development application must also consider waste and provide appropriate additional waste storage areas within the individual tenancies or larger building should they be required.

131. Three existing buildings currently have kerbside collection including 104-118 Clarence Street, 75 York Street and 46-52 King Street. Of these sites, 104-118 Clarence Street is identified as being a site that will change use from residential to hotel, intensifying the use and likely increasing waste generation. Additionally, food and drink uses within 46-52 King Street are likely to increase and result in increased waste generation rates.

132. In accordance with the objectives and provisions of Section 3.14 of the SDCP 2012 and the Guidelines for Waste Management in New Developments, the future development applications must ensure waste storage and collection minimise disruptions to surrounding developments and the local road networks. Whilst kerbside collections are appropriate for the existing food and drink uses contained within 46-52 King Street and 75 York Street, subsequent development applications will be required to address waste management procedures including any additional storage space required in each tenancy and waste collection practices that will not impact on the local road network or surrounding developments, particularly in relation to acoustic impacts.

133. Further, the application proposes a single loading space to cater for the majority of site servicing and waste collection. While the fitouts of each individual tenancy will be sought under separate detailed development applications, the waste storage areas and loading spaces are proposed in the subject application. It is recommended that the loading and waste storage space be delivered prior to the issue of an occupation certificate for the first detailed development application for the fitout and use of an individual tenancy. A condition of consent is recommended to this effect, unless an appropriate interim site servicing management strategy is approved by Council separately.

Heritage Conservation

134. The development is subject to a number of considerations relating to heritage conservation, particularly the provisions of the Heritage Act 1977, the SLEP 2012 and SDCP 2012. Consideration must be given to the impact of the proposal on heritage fabric within the site and conservation opportunities that future developments may incorporate in a detailed development application.

135. The site contains the following heritage items:

    (a) 71 York Street – local heritage item known as the 'former "Gardiner House" including interiors' (SLEP 2012 item no. I1987)

    (b) 73 York Street – state heritage item known as the 'former "Henley House" including interiors (SLEP 2012 item no. I1988). The site is also referred to as 'Hardware House' in the State Heritage Register (SHR no. 00580)

    (c) 75 York Street – state heritage item known as the 'former "National House" including interiors' (SLEP 2012 item no. 1989 and SHR no. 00581)

    (d) 46-52 King Street – local heritage item known as the 'former York Hotel façade' (SLEP 2012 item no. I1839)

    (e) 104-118 Clarence Street - the 'former warehouse "Gardiner & Co." including interiors' (SLEP 2012 item no. I1714)

136. The development site is also located within close proximity to a number of heritage items of both local and state significance including 22-26 York Street, (22 York Street SLEP item no. 1976 and SHR no. 00647 and 24-26 York Street SLEP item no. 1977), 58-68 King Street (SLEP item no. I1840), 44 King Street (SLEP item no. I1838), 77-79 York Street (SLEP item no. I1990 and SHR no. 00712) and 65-69 York Street (SLEP item no. I1985).

Conservation management plans and heritage asset action plans

137. In accordance with section 5.10(6) of the SLEP 2012 and section 3.9.2 of the SDCP 2012, conservation management plans (CMPs) were prepared for the buildings located at 71, 73 and 75 York Street and heritage asset action plans (HAAPs) were prepared for 46-52 King Street and 104-118 Clarence Street. The documents outline the significance of each heritage item and opportunities and limits required to be considered in the preparation of any future development application.

138. The CMPs and HAAPs adequately address the heritage qualities of each building and identify appropriate uses for each site and areas in which works may be carried out. Overall, the documents are considered to set out clear guiding principles for future developments. Council's Heritage Specialist noted that the documents are satisfactory for the subject application but note further addendums to the documents may be required in future detailed development applications.

Impact of proposed change of use and works on heritage items

139. The application seeks consent for the use of the buildings for hotel, food and drink and ancillary office uses. Works to all buildings are also proposed including demolition of fire stairs, construction of new fire stairs, new lift cores, the reinstatement of the cartway to 104-118 Clarance Street and partial demolition of the rear of 73 York Street.

140. Generally, no objection is proposed regarding the change of use. Food and drink premises, hotel accommodation, office spaces and indoor recreation uses are not uncommon for the adaptive reuse of traditional warehouse buildings. CMPs and HAAPs as discussed above have been prepared and will provide guidance to the proposed uses and future fitout works. Further, while some conflicts between heritage conservation and the regulation compliance works are expected for the new uses, overall the fabric and features identified to have exceptional or high significance is capable of being retained. The physical works enabling the change of use, as shown on the architectural plans are also considered acceptable.

141. Overall, the proposed use will enable more open public access to these heritage items, and their heritage significance can be experienced and celebrated more than previous uses.

142. In regard to the proposed works, the majority of works will have a neutral or positive impact on the heritage significance of the site, whilst works that will result in an adverse heritage impact are specific to the demolition of the rear of 73 York Street.

143. Works such as creating new openings between buildings are located between structural masonry piers or within blind arches on boundary walls. Opening blind arches to connect two neighbouring warehouses was common practice in the past and is not considered to have a significant impact on the significance of fabric or spatial quality. Other works such as the construction of new lifts and stairwells do not appear to affect original timber beams, brick walls, cast iron columns or other significant internal features. Further, the removal of high or exceptional significance-rated fabric is reduced as much as possible and where appropriate, can be reused on-site.

144. The proposed demolition of the rear of 73 York Street proposes the removal of approximately 4 structural bays within the warehouse building and fabric rating from little to exceptional significance. The amended application reduces the scope of demolition, with the retention of the rear wall from Level 2, including the brick gable and roof trusses. Generally, it is considered the demolition of the flooring of the rear of the building, whilst resulting in the removal of some moderate to high significance-rated fabric, allows for appropriate interpretation of the original scale of the building whilst facilitating the future use. On balance, the loss of significant fabric is considered acceptable.

145. To ensure works are appropriately detailed and cause as little impact to retained fabric as possible, the following additional detailed documentation is required prior to the issue of a Construction Certificate:

    (a) Detailed drawings of reinstated cartway and façade works to 104-118 Clarence Street

    (b) Detailed drawings of 75 York Street façade and removed vehicle entryway

    (c) Structural reports to clarify structural stability of 73 York Street and demolished rear of building

    (d) Detailed drawings of typical new openings between each building

    (e) Physical materials and samples board of all new external works including external within the northern service courtyard and lift and stair extensions to 75 York Street and 104-118 Clarence Street

Impact on surrounding heritage items and local character

146. As discussed above, the site is in close proximity to several heritage items of local and state significance. The site also falls within the York Street Special Character Area including Clarence Street and Kent Street as per section 2.1.1 of the SDCP 2012.

147. The development site contains buildings originally built as warehouses and hotels, both of which are described as significant buildings and use types in the locality due to its proximity between Darling Harbour and the City Markets. Other surrounding buildings of heritage significance include other warehouse buildings and hotels of exceptional quality, in addition to other heritage items built after the construction of the Sydney Harbour Bridge, signifying York Street's role as a new major arterial road.

148. The application proposes works predominantly to the internal areas of each building and includes the upgrade of fire egress stairs, relocation of lifts and creation of openings to provide connections to neighbouring buildings within the precinct. External works are generally limited to the reinstatement of the original cartway within 104-118 Clarence Street, the removal of one vehicle entry ramp to 71 York Street, and some stair and lift works above the existing roof heights of 71 York Street, 75 York Street, and 104-118 Clarence Street.

149. On balance, the proposed development is seen to strengthen the heritage significance of each heritage item located within the precinct and have a positive contribution to the Special Character Area. The proposal seeks to reinstate or restore original façade features to warehouses, while stair and lift works are generally set back from the street at a distance that cannot be viewed from the public domain. Overall, the application is considered to have a positive impact to the streetscape and is consistent with the locality statement and supporting general objectives of the York Street Special Character Area.

Heritage NSW Correspondence

150. The site includes two buildings listed as State heritage items under the Heritage Act 1977 and has been nominated as Integrated Development, requiring General Terms of Approval issued by the NSW Heritage Council or their delegate. As discussed above, the Heritage Council Approvals Committee issued General Terms of Approval on 11 August 2025 granting general consent to the development subject to no consent being granted for various demolitions works of significant heritage fabric.

151. Amended plans were submitted to Heritage NSW on 17 September 2025 and updated General Terms of Approval were issued on 2 October 2025. The terms of approval granted consent to the amended proposed works except the creation of openings from 73 York Street to 71 York Street and 46-52 King Street that conflict with the original western brick façade (see Figure 22 below).



Figure 23: Excerpt of Ground Floor demolition plan. Original rear wall of 73 York Street outlined in green.

152. In addition to the above, the General Terms of Approval require the submission of structural certification of 73 York Street demonstrating the proposed openings and demolition works will maintain the structural integrity of the building, and various details drawings of all building alterations to 73 and 75 York Street.

153. The General Terms of Approval have been included in Attachment A.

154. Generally, the proposed development is considered to satisfy the objectives and relevant provisions of section 5.10 of the SLEP 2012 in that the proposal enhances the significance of the heritage items contained within the site by reinstating original features, concentrating new works within later, heavily modified or less significant areas of each building, and establishes guiding principles for future developments through the preparation of a conservation management plan or a heritage asset action plan.

155. The application adequately addresses the heritage and streetscape provisions at a concept stage and meets the matters for consideration as to whether the development exhibits design excellence in clause 6.21C(2) of the SLEP 2012. The application also satisfies the character statement and supporting principles of the York Street Special Character Area including Clarence Street and Kent Street as per section 2.1.1 of the SDCP 2012 and discussed in the Sydney Development Control Plan 2012 section above.

156. Overall, the proposed development meets the objectives in Section 3.9 and Sections 3.10 and 5.1.3 of the SDCP 2012 in that the proposed development adequately addresses the heritage constraints of the site and is capable of providing a future development that enhances the significance of surrounding heritage items and special character areas and the public domain.

157. The submitted Statement of Heritage Impact submitted with the application is considered satisfactory in support of the works proposed in the subject application and the conservation management plans and heritage asset action plans prepared outline appropriate conservation guidelines that must be considered in the preparation of future detailed development applications.

Access (easements)

158. The proposal comprises five separate buildings that are proposed to operate as a single food and drink, entertainment, and hotel precinct. The intention of the precinct is to provide openings between adjoining buildings to consolidate fire egress and accessible entries in addition to allowing staff and guests to move between tenancies. Further, the application proposes a single waste storage area and loading dock to facilitate waste management and site servicing to the whole precinct. The applicant has not indicated or elected to consolidate the lots as all buildings would be considered to be higher than 25m triggering more stringent stair pressurisation requirements under the NCC which would have potential negative impacts on all the heritage listed buildings. As such, it is recommended that easements for access across all sites to allow access to fire egress points and the centralised waste storage and loading dock be prepared.

159. In addition to the easements required to be created for access, part of the development site also benefits from an existing easement for access over a driveway located to the north that falls within the boundary of 100-102 Clarence Street. Whilst the amended application does not seek to use this driveway for the purpose of deliveries or servicing, the easement has not been extinguished and all parcels of land that benefit from the easement still have a right to use it.

160. To reduce the likelihood of the use of the easement by general servicing vehicles and to stop through-traffic from York Street to Clarence Street via the reinstated cartway, a condition of consent is recommended to include a removable bollard within the northern service courtyard. The bollard allows the continued use of the easement for relevant parties however reduces unnecessary and unapproved use of the driveway like through-traffic for public use.

Consultation

Internal Referrals

161. The application was discussed with Council's:

    (a) Building Services Unit;

    (b) Environmental Health Unit;

    (c) Licenced Premises Unit;

    (d) Heritage and Urban Design Unit;

    (e) Public Domain Unit;

    (f) Safe City Unit;

    (g) Surveyors;

    (h) Transport and Access Unit;

    (i) Waste Management Unit.

162. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Recommended Conditions of Consent.

External Referrals

Sydney Water

163. Pursuant to Section 78 of the Sydney Water Act 1994, the application was referred to Sydney Water for comment.

164. A response was received raising no objections to the proposed development, subject to conditions.

NSW Heritage Council

165. Pursuant to the Heritage Act 1977, the application was referred to NSW Heritage Council on 3 December 2024 for concurrence.

166. Copies of public submissions made to the City of Sydney during the notification period were forwarded to the NSW Heritage Council on 15 July 2025.

167. General Terms of Approval were issued by the NSW Heritage Council Approvals Committee on 11 August 2025 and have been included in the schedules within the recommended conditions of consent.

168. Amended plans were submitted to Heritage NSW on 15 September 2025 for further review.

169. Amended General Terms of Approval were issued under delegation of the NSW Heritage Council on 2 October.

Transport for NSW

170. Pursuant to Section 2.122 of the SEPP (Transport and infrastructure) 2021, the application was referred to Transport for NSW (TfNSW) for comment.

171. Comments were received on 4 December 2024. Conditions of consent were recommended which are included in the Notice of Determination.

Advertising and Notification

172. In accordance with the City of Sydney Community Participation Plan 2022, the proposed development was notified and advertised for a period of 30 days between 19 November 2024 and 18 December 2024. A total of 683 properties were notified and 30 submissions were received.

173. The amended application was renotified to the public for a period of 30 days between 12 June 2025 and 11 July 2025. A total of 681 properties were notified and 32 additional submissions were received.

174. In total, 62 submissions were received from 41 individual submitters. Of all submissions received, two submissions were in support of the proposal and 60 were in objection.

175. Submissions of support noted the need for more venues that contribute to the 24-hour economy of Central Sydney and the support for investment into the social life of the city.

176. Objections received raised the following issues:

Issue	Response
Owner’s consent has not been provided by the remaining individual lot owners of 104-118 Clarence Street or 71 York Street to lodge the DA for commence development.	Evidence of owner's consent from all properties including strata consent has been received and constitutes appropriate owner's consent for the purpose of lodging a development application.
A 24-hour bar precinct will have an adverse impact on residential lots within the site and surrounding residential uses.	The development site is located within a Late Night Management precinct that allows 24-hour operation for food and drink premises. Supporting documentation submitted with the application demonstrates amenity impacts on surrounding sensitive uses, particularly regarding patron behaviour and noise, can be appropriately managed. It is recommended that all mitigation measures and management procedures accompanying the application be complied with and considered in all future detailed development applications.

Issue	Response
The proposed development removes common open space at the rooftop in the residential building.	The proposed development will result in one single residential apartment within 104-118 Clarence Street. As such, the requirements of the requirements of Chapter 4 of the SEPP (Housing) and Apartment Design Guide relating to the provision of common open space no longer apply.
The proposal removes 40 residential units from Central Sydney and the displacement of several residents, contradicts the objectives of the Greater Sydney Region Plan and NSW Housing Strategy and is not in the public interest. The application also does not propose alternative housing arrangements. People should be able to live in the CBD. The proposal will also result in the loss of essential commercial office floor space and small, independently run retail spaces.	Whilst it is acknowledged that the proposal will result in the loss of long-term residential uses, the application is consistent with the objectives of the SP5 Metropolitan Centre zone. Tourist and visitor accommodation and food and drink premises are considered uses that serve the workforce, visitors and the wider community and provide additional opportunities for new social spaces within Central Sydney. Further, as discussed in the SLEP 2012 section above, the provisions for dwelling retention are not applicable as the application was made prior to the commencement of the amended plan. Where appropriate, affordable housing contributions are payable to further assist in the provision of housing within the City of Sydney LGA.
The proposal does not seek to utilise the site's potential to enhance housing supply. The previous proposal for a 49-storey office building should be amended to a residential tower to increase housing.	No consent has been granted for a tower on site for residential uses. The subject application has been assessed on its own merit and is considered appropriate.
The proposal will result in increased noise, antisocial behaviour, violence and crime rates in the area.	It is acknowledged that the proposed use will result in varying degrees of noise and behaviour normally associated with late night entertainment uses, however, appropriate mitigation measures including acoustic controls and a precinct-wide operational plan of management have been prepared that satisfactorily address potential impacts.

Issue	Response
Noise levels have not been adequately addressed in the proposal, nor has there been sufficient monitoring or consultation to assess the full impact on the surrounding community. Inadequate noise mitigation measures are proposed, and an independent review of the acoustic assessment should be undertaken. The proposed nightclub and rooftop bar will create excessive noise and disturbances.	An acoustic assessment has been submitted with the application that has appropriately measured existing noise levels and potential impacts and mitigation measures from the proposed uses. Council's Environmental Health Officer has reviewed the submission and consider the findings and recommendations appropriate and conditions of consent requiring compliance with these recommendations are included in Attachment A.
There has been minimal community consultation undertaken by the applicant.	Applicants are not required to undertake separate community consultation. The application has been exhibited in accordance with the City of Sydney community engagement strategy and community participation plan.
There are no clear benefits for local residents.	Food and drink uses are considered a development type that contributes positively to the local area and serves local residents and visitors in addition to providing additional employment opportunities.
The development will cause significant congestion due to increased visitor traffic. Not enough parking has been allocated to the site.	The Sydney Local Environmental Plan does not require minimum parking rates for staff or visitors. The site is serviced by several modes of public transport and is unlikely to create a significant increase in private vehicle use. Further, an on-site loading dock will ensure delivery and service vehicles do not adversely impact the local traffic network.
Restricted hours of operation (e.g. 2am) should be imposed on the development.	The application seeks consent for 24-hour indoor operation. In accordance with the extended hours allowed in Section 3.15 of the SDCP 2012 and with matters for consideration addressed as per the 'Discussion' section above, permanent indoor hours of operation between 6.00am and 12.00midnight are recommended while 24-hour trading is recommended for a trial period. Trial periods allow for further flexibility in operation and provide Council

Issue	Response
	an opportunity to review premises management periodically.
The applicant has a history of non-compliance in previous developments, as reported in the media, and raises concerns about the quality of management of this development.	The application has been accompanied by a precinct-wide plan of management that adequately responds to the relevant requirements of the SDCP 2012. As noted above, extended trading is reviewed periodically and is based on the venue being able to demonstrate good premises management.
There are already too many licensed food and drink venues in Central Sydney and the application represents an overdevelopment of this use in the area. The scale of the proposal represents an overdevelopment. The city is already over-serviced by hotels.	There is no maximum number of food and drink premises or hotels permissible in Central Sydney. The proposed uses are permissible with consent in the SP5 Metropolitan Centre zone and are consistent with the zone objectives. Further, a BCA report was submitted with the information confirming the site can accommodate the proposed maximum capacity in regard to fire egress.
The development will negatively impact guests staying at The Grace Hotel by way of noise, vehicular traffic and light pollution.	Supporting documentation demonstrates the development is not likely to cause an adverse impact on surrounding developments by way of traffic or noise, subject to compliance with relevant strategies and mitigation measures. Further, the application does not propose any external lighting.
Shared access to infrastructure such as waste collection zones and service docks must be carefully managed to prevent overcrowding and delays.	The application has been accompanied by a waste, transport, and servicing management strategy in which is had been demonstrated that the use of the loading space can be appropriately managed so as to not cause any adverse traffic impacts on the surrounding road network.
Care must be taken to ensure the proposed development complements the historical prominence of the heritage buildings in the precinct, including The Grace building.	The proposed use and works to the site are considered to retain or enhance the historic significance of the heritage buildings located within the site and demonstrate compliance with the character statement of

Issue	Response
	the York Street Special Character Area. The proposal is not considered to have an adverse impact on the heritage significance of surrounding heritage items.
The proposal seeks to use land that falls in an adjacent site. While part of the development site benefits from an easement over this land, the proposed development seeks to use land in the adjacent site that is does not benefit from an easement over for vehicle access and manoeuvring.	The application has been amended to remove any use of the adjacent driveway for the purposes of deliveries and servicing. Whilst part of the site still benefits from the easement, the proposed operation of the site is not relying on the driveway for access.
The development should consider the acoustic impacts on future residential uses in the area.	The application has considered the impacts on existing sensitive receivers in the area including residential and hotel uses. It is unreasonable to request a review of future uses where their location is unknown. Future developments for residential uses must also consider background noise levels and manage these accordingly, by way of providing their own noise attenuation measures including acoustic glazing.
Demolition activities should be restricted to daytime hours, preferably from 9am to 5pm, to minimise disruption to residents and visitors. Any heavy works or late-night construction activities should be limited, with work permitted only on weekends and submitted to prior approval and notice periods by Council.	All works must comply with the City of Sydney Code of Practice for Construction Hours and Noise. These hours are generally between 7.00am and 7.00pm Monday to Friday and 7.00am and 5.00pm on Saturday with no works on Sundays or public holidays. If works are sought outside these hours, a separate application must be made and approved by Council.
The existing pub on site results in too many people gathering on the footpath blocking the way of other pedestrians. Measures should be implemented to reduce impacts of patrons on the footpath on surrounding developments after 10pm.	The use of the footpath for operation by food and drink tenancies are required to be considered under a separate footway application. These applications consider the width of the footway, shared and safe access for pedestrians and recommended hours of operation in accordance with outdoor hours as per the Sydney Development Control Plan 2012.
Concern is raised that future DAs may involve increasing building heights on	Future development applications will need to address the impact of any additional

Issue	Response
Clarence Street which could further impact the neighbourhood's character and amenity.	structures on the heritage significance of the building and on surrounding buildings.
Merivale has a monopoly on the nightlife in Sydney and have a specific target market to patrons under the age of 25. Other operators should be able to apply to provide a precinct that is more age inclusive.	The application proposes a mix of uses including food and drink, pub uses, entertainment and hotel. There is no indication in any documentation the proposal will be targeted to a specific age group.
The developer should provide transparent timelines for construction stages and regular communications with affected residents.	There is no legislative requirement to complete works within a specific timeframe. The developer is encouraged to communicate with surrounding landowners when works will be carried out and future development applications will be notified to the public in accordance with the community participation plan.
The development must ensure access to surrounding streets, with minimal disruption to residents be maintained.	Conditions of consent are recommended to ensure the public footway is not impeded during the carrying out of works.
The development makes surrounding buildings unsuitable for residential purposes.	The application has demonstrated that late-night uses are capable of operating without having an adverse impact on surrounding sensitive uses with the implementation of recommended noise mitigation measures.
The proposed amended application has not considered previous submissions.	Applicants are not required to formally address submissions. This assessment report has considered the amended proposal and all submissions received.
The application has not been accompanied by a social impact assessment, and an affordable housing contribution has not been offered.	Whilst not required for this development type as per section 3.13 of the SDCP 2012, a social impact assessment was submitted with the application and concludes the proposed development will have an acceptable social impact, subject to the implementation of recommended mitigation measures as discussed in detail in the SDCP 2012 discussion above. Affordable housing contributions are payable as discussed in the section below.

Issue	Response
The application continues to lack an integrated transport and access plan or comprehensive traffic impact assessment capable of demonstrating that the surrounding road network and transport infrastructure can accommodate the projected increase in patron volumes, servicing and deliveries, emergency vehicle access and egress and pedestrian flows during peak and nighttime hours.	The submitted transport and servicing strategy satisfactorily meets the requirements to demonstrate the development will not have an adverse impact on the local road network or surrounding footpaths.
The application has not been accompanied by an Environmental Impact Assessment.	Development applications are not required to be accompanied by a formal Environmental Impact Assessment. The submitted statement of environmental effects and other supporting documentation satisfactorily address the environmental impacts of the proposed development.
Clarification is required regarding the proposed amended use of the easement on the adjacent site. How are the owners of the site able to distinguish which vehicles are servicing the sites that do benefit from the easement versus those that have no legal right to access the adjacent site? The easement on the adjacent site does not allow for through-travel from York Street to Clarence Street via the new proposed carriageway. Waste servicing from the outdoor courtyard instead of the basement loading dock will not be consistent with the terms of the easement and should not be supported. It is unclear how the applicant will manage who will be able to access the newly created carriageway and restrict access to service vehicles only.	The amended application has confirmed the driveway is not proposed to be used for site servicing. As discussed above, a condition of consent is recommended to include a removable bollard within the northern service courtyard to restrict any through traffic and unapproved access from the cartway to the driveway. Whilst part of the subject site benefits from the easement for access, it is recommended that separate legal advice be sought and discussions between relevant parties discuss the use of the driveway in the future.
The application does not propose any additional public benefit such as family friendly community facilities, cultural spaces, green public areas, or infrastructure investments.	The application is subject to payment of development contributions pursuant to section 7.12 of the Environmental Planning and Assessment Act 1979. Contributions will be used to fund local infrastructure projects in accordance with the Central

Issue	Response
	Sydney development contributions plan 2020. The development is not required to provide any other additional public benefit.
The consolidation of the sites risks undermining the architectural and historical fabric of York, King and Clarence Streets.	The proposed works to each building are not considered to negatively impact the individual heritage significance of each building nor the heritage character of the York Street Special Character Area. The application has been accompanied by comprehensive heritage management documents that ensure the integrity of each building is maintained. The proposal is also consistent with the character statement and relevant provisions of the special character area, reinstating original features and protecting or enhancing the warehouse character of the locality.
The development will decrease property values in the area.	There is no indication that the proposed development will impact property values. Property values are not a matter for consideration in assessing this development applicaiton.
The proposal prioritises short-term entertainment over long-term residential stability.	The application proposes permissible uses within the SP5 Metropolitan Centre zone and is not required to consider incorporating residential uses within the site.

Financial Contributions

Levy under Section 7.12 of the Environmental Planning and Assessment Regulation 2000

177. The Central Sydney Development Contributions Plan 2020 applies to the site. The cost of the development is over $250,000. The development is therefore subject to a Section 7.12 contribution under this Plan. A condition relating to this contribution has been included in the recommended conditions. The condition requires the contribution to be paid prior to the issue of a construction certificate.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

178. Section 7.32 of the Act outlines that the consent authority may grant consent to a development application subject to a condition requiring dedication of part of the land for the purpose of providing affordable housing, or payment of a monetary contribution to be used for the purpose of providing affordable housing where the section of the Act applies.

179. The Act applies with respect to a development application for consent to carry out development within an area if a State Environmental Planning Policy identifies that there is a need for affordable housing within the area. Clause 14 of the Housing SEPP identifies that there is a need for affordable housing within each area of the State.

180. An affordable housing condition may be reasonably imposed under Section 7.32(3) of the Act subject to consideration of the following:

    (a) the condition complies with all relevant requirements made by a State environmental planning policy with respect to the imposition of conditions under this section, and

    (b) the condition is authorised to be imposed by a local environmental plan, and is in accordance with a scheme for dedications or contributions set out in or adopted by such a plan, and

    (c) the condition requires a reasonable dedication or contribution required to be made by the applicant under this section or section 7.11.

181. Having regard to the provisions of Section 7.32 of the Act, the imposition of an affordable housing contribution is reasonable. A condition of consent is recommended requiring the payment of an affordable housing contribution prior to the issue of a construction certificate. The imposition of a condition requiring the payment of affordable housing contributions also satisfies the matters for consideration in Section 15 of the Housing SEPP in that contributions are to fund the delivery of affordable housing as further detailed in the City of Sydney Affordable Housing Program.

182. Section 7.13(1)(d)(iii) of the SLEP 2012 notes that contributions for the purpose of affordable housing applies to land in Central Sydney that involves the change of use of existing floor area from other than residential accommodation tor residential accommodation or tourist and visitor accommodation.

183. In accordance with the SLEP 2012 and in lieu of the delivery of affordable housing, a contribution of 1% of the total additional floor area to change use from non-residential to tourist and visitor accommodation is required at a rate of $11,646.80 per square metre. Based on the submitted Total Floor Area drawings, the proposal nominates several areas within the site as 'Hotel Accommodation', 'Hotel Ancillary' or 'Hotel Lobby & Public Bar'.

184. Based on the nomination of this floor space as uses falling under the 'Tourist and Visitor Accommodation' use definition under the SLEP 2012, the application proposes approximately 3,660sqm of hotel use floor space in addition to the proposed change of use from residential to hotel, resulting in a contribution of $426,273. A condition of consent is recommended requiring payment prior to the issue of a construction certificate.

185. The above monetary contributions are considered reasonable in accordance with Section 7.32(3)(c) of the Act.

Housing and Productivity Contribution

186. The development is not subject to a Housing and Productivity Contribution under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

187. While the site is located with the Greater Sydney region, the development reduces total floor space on site and contributions are not payable.

Relevant Legislation

188. Environmental Planning and Assessment Act 1979.

189. Heritage Act 1977.

Conclusion

190. The proposed concept development is appropriate in its setting and is generally compliant with the relevant planning controls in the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012.

191. The proposal was amended to address Council's concerns relating to heritage conservation, site access and servicing, waste management and operational management. The amended proposal is satisfactory, subject to the recommended conditions included in Attachment A.

192. The application seeks Integrated Development approval under the Heritage Act 1977 as the site contains two state heritage listed buildings at 73 York Street and 75 York Street. General Terms of Approval have been granted by Heritage NSW and are included in the list of recommended conditions.

193. The application has satisfactorily demonstrated that the development site is suitable for hotel, food and drink and office uses. The application has been accompanied by suitable management plans and strategies that will guide future detailed development applications to ensure future uses will have an acceptable impact on the heritage significance of the buildings within the site, the amenity of surrounding developments and the public domain and the operation of the local road network.

194. Where the assessment of the subject proposal has identified potential issues for a future detailed design development application, such as heritage conservation, bicycle parking and end of journey facilities, waste management and servicing, these matters are identified in the recommended conditions of consent requiring further consideration.

195. The proposal will provide for new food and drink and tourist and visitor accommodation uses in Central Sydney, within a development site that is highly accessible to existing and planned employment, services and planned and existing public transport infrastructure.

196. Subject to the recommendations in this report, and the imposition of the recommended conditions, the proposal is capable of accommodating a future detailed design that responds to the constraints of the development site and contributes to the existing and desired future character of the locality.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Marie Burge, 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 to 4.

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2024/1018 dated 18 November 2024 (as amended) and the following drawings prepared by SJB:

Drawing Number	Revision	Drawing Name	Date
Demolition Plans			
DA-0251	11	Demolition Plan – Basement 02	17/09/2025
DA-0252	11	Demolition Plan – Basement 01	17/09/2025
DA-0253	11	Demolition Plan – Level 00	17/09/2025
DA-0254	11	Demolition Plan – Level 01	17/09/2025
DA-0255	11	Demolition Plan – Level 02	17/09/2025
DA-0256	11	Demolition Plan – Level 03	17/09/2025
DA-0257	11	Demolition Plan – Level 04	17/09/2025
DA-0258	11	Demolition Plan – Level 05	17/09/2025
DA-0259	11	Demolition Plan – Level 06	17/09/2025
DA-0260	11	Demolition Plan – Level 07	17/09/2025
DA-0261	11	Demolition Plan – Roof	17/09/2025
Floor Plans			
DA-1001	7	Floor Plan – Basement 02	15/05/2025
DA-1002	12	Floor Plan – Basement 01	17/09/2025
DA-1003	12	Floor Plan – Level 00	17/09/2025
DA-1004	8	Floor Plan – Level 01	17/09/2025

Drawing Number	Revision	Drawing Name	Date
DA-1005	8	Floor Plan – Level 02	17/09/2025
DA-1006	8	Floor Plan – Level 03	17/09/2025
DA-1007	8	Floor Plan – Level 04	17/09/2025
DA-1008	8	Floor Plan – Level 05	17/09/2025
DA-1009	8	Floor Plan – Level 06	17/09/2025
DA-1010	8	Floor Plan – Level 07	17/09/2025
DA-1011	8	Floor Plan – Roof	17/09/2025
Elevations			
DA-1401	8	Elevations – East	17/09/2025
DA-1402	8	Elevations – South	17/09/2025
DA-1403	7	Elevations – West	15/05/2025
DA-1404	7	Elevations – North	15/05/2025
DA-1411	8	Courtyard Elevations – Sheet 1	17/09/2025
DA-1412	8	Courtyard Elevations – Sheet 2	17/09/2025
Sections			
DA-1501	7	Building Section 1	15/05/2025
DA-1502	7	Building Section 2	15/05/2025
DA-1503	7	Building Section 3	15/05/2025
DA-1504	8	Building Section 4	17/09/2025
DA-1505	7	Building Section 5	15/05/2025
DA-1506	8	Building Section 6	17/09/2025
DA-1507	8	Building Section 7	17/09/2025

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.

(2) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

(a) The northern service courtyard must be designed to include a removable bollard, separating the courtyard from the driveway (located within the site of 100-102 Clarence Street).

(b) All design modifications required by Heritage NSW as detailed in Schedule 3 are to be included in updated drawings.

The modifications are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(3) DELIVERY OF ESSENTIAL INFRASTRUCTURE

(a) The delivery of all loading and servicing infrastructure including the loading dock, waste storage area and new carriageway must be delivered prior to the issue of the relevant Occupation Certificate for the first future fitout development application comprising >200sqm of gross floor area.

(b) Temporary site servicing arrangements may be addressed in an interim traffic, servicing and waste management strategy, submitted to and approved by Council's Area Planning Manager prior to the issue of a construction certificate.

Reason

To ensure essential infrastructure is delivered to support future uses on site.

(4) DETAILED DEVELOPMENT APPLICATIONS

(a) No consent is granted or implied for the fitout or detailed approval of each individual premises.

(b) A detailed development consent is required to be obtained for the fitout and of each individual premsies prior to that fitout or use commencing.

(c) Subsequent detailed development applications must be consistent with this consent, including all approved management plans and strategies.

Reason

To require separate consent to be obtained for a use.

(5) SECTION 7.12 CONTRIBUTIONS PAYABLE – SUBMITTED AND VERIFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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*.

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%

The Section 7.12 levy is payable to the City of Sydney in accordance with the following:

(a) Prior to a Construction Certificate being issued, 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. Payments may be made by EFTPOS (direct card only), cash (up to $5,000 only), credit card (up to $300,000 only) or bank cheque made payable to the City of Sydney council. Larger payments to be by direct bank transfer in consultation with the City. Direct debit, personal cheques and 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.

Please contact Council's Planning Administration staff at Planningsystemsadmin@cityofsydney.nsw.gov.au to request a written Statement of Contributions Owing, prior to payment.

Reason

To ensure development contributions are paid to support the provision of public facilities, amenities, and services in Central Sydney.

(6) AFFORDABLE HOUSING CONTRIBUTION – RESIDUAL LAND OR CENTRAL SYDNEY – 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.

(b) The contribution is $426,273 (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 of additional residential/hotel development (3,660sqm).

(c) 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.

(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 taken from the most recent NSW Government Rent and Sales Report at the time of indexation of the equivalent monetary contribution rate; and

(iii) 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.

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.

(7) 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.

(8) CHANGES TO KERB SIDE PARKING RESTRICTIONS

(a) The reinstatement of the cartway and construction of a new driveway from Clarence Street requires separate consideration by the Local Transport Forum.

(b) A separate submission must be made to the Local Transport Forum 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.

(c) 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.

(d) 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.

(9) 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.

(10) SERVICE VEHICLE SIZE LIMIT

The largest size of the service vehicle that can access to the site is 6.4 m.

A minimum of three (3) service vehicle spaces must be provided within the site, comprising one (1) Small Rigid Vehicle (SRV) space and two (2) B99 (standard car/van/ute) loading spaces.

Any subsequent detailed design development application must include swept paths for the largest vehicles to access any proposed onsite loading areas (including accessing the driveway in and out from the roadway and manoeuvring within the loading areas).

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(11) VEHICLE ACCESS

All vehicles are to enter and depart the site travelling in a forward direction while using the York Street driveway. All service vehicles must use a spotter when entering the site by reversing in from Clarence Street into the carriageway service vehicle parking space and are required to exit the site in a forward direction.

Reason

To increase pedestrian safety at the site access.

(12) GENERAL HERITAGE

(a) 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 existing building which is listed as a Heritage Item, other than items identified for removal/alteration/penetrations/fixings on the approved plans.

(b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.

(c) The creation of the new carriageway on Clarence Street and removal of vehicle entries on York Street are to match existing materials and finishes of the relevant buildings, including flooring where appropriate.

(d) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.

(e) 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 works.

(f) The face brickwork/stone/tiles must not be rendered, painted or coated.

Reason

To ensure that the development does not result in adverse heritage impacts.

(13) MATERIALS FOR MAKING GOOD

New materials for making good and repairs, are to match the existing in terms of colours, finishes, sizes, profile and properties.

Reason

To ensure appropriate materials and finishes are used.

(14) CONSERVATION MANAGEMENT PLANS

(a) The conservation management plans or heritage asset action plans for 71 York Street, 73 York Street, 75 York Street and 104-108 Clarence Street are to be updated to include evidence discovered during the alteration works.

(b) The updated documents are to provide further detailed investigations to the existing fabric, update significance rating of all building components and spaces as built at completion of the project and revise management policies where needed.

(c) The updated heritage management plans and heritage asset action plans are to be submitted to the satisfaction of Council's Area Planning Manager prior to the issue of an Occupation Certificate.

Reason

To ensure heritage fabric is appropriately retained and conserved.

(15) 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.

(16) WASTE AND RECYCLING MANAGEMENT - GENERAL

(a) The proposal must be consistent with the Waste and Recycling Management Strategy prepared by Arup, dated 29 July 2025 (Council Ref: 2025/475788).

(b) Temporary site servicing arrangements may be addressed in an interim waste management strategy, submitted to and approved by Council's Area Planning Manager prior to the issue of a construction certificate.

Reason

To ensure that waste and recycling is appropriately managed throughout all phases of the development.

(17) BICYCLE PARKING AND END OF TRIP FACILITIES

(a) The number of bicycle parking spaces and end of trip facilities to be provided within the site boundary is to be demonstrated for each subsequent detailed development application, with reference to the Sydney Development Control Plan 2012. 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. Detailed plan must be submitted as part of any subsequent fitout development application.

(b) The site shall also consider cargo bike spaces to facilitate delivery and servicing.

Reason

To ensure the allocation of bicycle parking onsite that is in accordance with Australian Standards and the Council's DCP.

(18) LAND SUBDIVISION – SEPARATE DA REQUIRED

Any proposal for land subdivision will require a separate application to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a Subdivision Certificate under Section 6.15 of the *Environmental Planning and Assessment Act 1979*.

Reason

(19) 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, pursuant to Section 88B of the *Conveyancing Act 1919*, where access over one lot is required by the owner/occupier of another lot in the development prior to the issue of any Occupation Certificate.

These are to include, but not be limited to:

(a) An Easement for future services (whole of lot).

(b) A Restriction for fire safety and protection.

(c) An Easement for Garbage Room.

(d) An easement for loading dock.

(e) A right of carriageway, limited in stratum over No.104-118 Clarence Street, benefiting No.71 York Street.

The Easements may be reciprocal in nature (burdening one lot and benefitting another in the development), granting rights of access to persons and/or vehicles (where appropriate), and is 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.

(20) EASEMENTS RELATING TO LOTS

Documentary reciprocal easements for services, drainage, support and shelter, and emergency egress (and other similar easements as required), affecting the whole of each lot if so desired, must be created over the lots in the development, pursuant to Section 88B of the *Conveyancing Act 1919* and to Council's satisfaction prior to the issue of any Occupation Certificate.

Reason

To ensure the orderly development of the property.

(21) RIGHTS OF CARRIAGEWAY OVER SHARED DRIVEWAY AREAS

All shared driveway areas must be covered by dimensioned rights of carriageway 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. Rights of carriageway must be prepared prior to the issue of any Occupation Certificate.

Reason

To ensure clarity in relation to the driveway areas and the orderly operation of the buildings.

(22) S88B INSTRUMENT

The terms within any Section 88B must ensure that easements prevail over any building management statement.

Reason

To ensure easements have certainty.

(23) SIGNAGE STRATEGY

A separate development application is to be submitted seeking approval of a signage strategy for the building. The signage strategy development application must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

Reason

To require separate consent to be obtained for a signage strategy.

(24) SIGNS - SEPARATE DA REQUIRED

A separate development application (or included in any separate fitout development application) for any proposed signs must be submitted to and approved by Council prior to the erection or display of any such signs, other than those permitted to be erected as exempt or complying development.

Reason

To require separate consent to be obtained for any additional signs.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(25) DEMOLITION, SALVAGE AND REUSE SCHEDULE AND METHODOLOGY

(a) A schedule of materials to be salvaged and reused must be developed and submitted to the satisfaction of Council's Area Planning Manager prior to the issue of a Construction Certificate. The schedule is to include detailed methodologies for carrying out demolition, dismantling and alterations to significant building fabric.

(b) Salvaged materials are to be reused for the project or stored safely within the buildings. Location of the storage area during the work and after the project must be specified.

Reason

To ensure heritage fabric is appropriately retained and conserved.

(26) NEW CONNECTING OPENINGS

(a) Creating the new openings must not adversely impact the structural integrity of the existing buildings and avoid major structural interventions to the retained walls.

(b) The following details must be provided to the satisfaction of Council's Area Planning Manager prior to the issue of a Construction Certificate:

(i) Confirm the wall between 71 and 73 York Street is not a party wall but comprises two separate walls. If so, these two walls must clearly shown on the demolition plans and proposed plans.

(ii) The exact locations and sizes of the proposed connecting openings on the northern and southern walls of 73 York Street are to be further reviewed so that the new openings do not compromise the integrity of retained side walls and western walls of No.73 York Street. The new openings must not remove existing wall piers. The sizes of the openings are to be reduced to allow more original masonry walls at 73 York Street and 71 York Street be retained.

(iii) Locations of existing beams, roof trusses and side wall piers (L04) at 73 York Street must be shown on the existing and proposed plans. The new lift at 73 York Street must not conflict with the existing beams and roof trusses.

(iv) Existing floor beams and joists providing lateral support to the western, northern and southern walls of 73 York Street are to be retained. The floors demolished are to be interpreted on the retained walls.

(v) Ground level connecting openings between 71 and 73 York Street and between 73 and 75 York Street, are to be no higher than the underside of the first floor structure of 73 York Street, or 4m where no structure applies to allow existing brickwork above this height be retained and the existing beam and floor structure not affected.

Reason

To ensure heritage fabric is appropriately retained and conserved.

(27) STRUCTURAL ASSESSMENT

(a) The extent of demolition and new wall openings must not adversely impact on the structural integrity of the existing buildings and retained walls. The proposed works must be assessed in a structural report prepared by a suitably qualified structural engineer experienced in heritage buildings. The report must examine how the demolition and alterations will impact on the retained structures and building components and specify any retrofitting or interventions required. Design of the connecting openings is to be reviewed incorporating the structural assessment recommendations.

(b) The report must be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To ensure heritage fabric is appropriately retained and conserved.

(28) HERITAGE DESIGN DETAILS

Following design details including 1:10-1:20 scale drawings and material and finish specifications, must be provided to the satisfaction of Council's Area Planning Manager prior to the issue of a Construction Certificate:

(a) All new connecting openings, including details of the reveals, bulkheads and thresholds.

(b) New planters in front of the connecting openings facing the courtyard.

(c) New western enclosure to the retained section of 73 York Street.

(d) Elevation of retained original western wall of 73 York Street, showing all the alterations and new works to this wall.

(e) Design details of reinstatement of original carriageway at 104-118 Clarence Street.

(f) Design details of basement level vehicle entry shutter and egress door at York Street frontage of 71 York Street.

(g) New lifts at 71 York Street and 73 York Street. The lift shaft at 73 York Street is to be transparent clear glass to mitigate its impact. The pop-up over the roof of 73 York Street must be minimised and not visible from York Street.

Reason

To ensure works to heritage items are appropriately detailed.

(29) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

(a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

(b) The Construction Traffic Management Plan should generally include, but not be limited to, the following:

(i) Site information and building construction plan

a. A description of the development

b. Construction program and construction methodology

c. Construction hours

d. A detailed plan of any proposed hoarding and/or scaffolding

e. Details of crane arrangements including the location of any crane(s)

f. Location(s) where it is proposed to park construction vehicle

g. Location of any proposed work zone(s)

(ii) Access and movement

a. Pedestrian and traffic management measures.

b. Haulage routes.

c. Predicted number of construction vehicle movements and detail of vehicle types.

(iii) Impacts

a. Identify any potential impacts to general traffic, cyclists, pedestrians and bus stops/services within the vicinity of the site from construction activities and construction vehicles during the construction of the proposed works.

b. Existing CTMPs for developments within or around the development site should be referenced in the CTMP to ensure that coordination of work activities is managed to minimise impacts on the surrounding road network.

(iv) Mitigation

a. Measures to minimise movement delays (i.e. vehicle movements are to be minimised during peak network demand periods).

b. Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads.

c. 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 CTMP.

d. Measures to avoid construction worker vehicle movements.

(v) Monitoring

a. Details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site.

(vi) Consultation

a. Consultation strategy for liaison with surrounding stakeholders, including other developments under construction.

b. Any impacts on bus stops/services shall include consultation and approval from the bus operator before changes are implemented and shall ensure like-for-like bus infrastructure is provided.

c. Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Customer Journey Planning 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.

(c) 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.

(30) DILAPIDATION REPORT - PUBLIC DOMAIN

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/

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 non-exclusive 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.

Reason

To establish and document the condition of the public domain for comparison as building work progresses and is completed.

(31) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

(a) Before the issue of a construction certificate, a construction environmental management plan (CEMP) must be prepared for the site by a suitably qualified environmental consultant and submitted to Council's Area Planning Manager for approval.

(b) The CEMP must consider all potential environmental impacts from the approved works including but not limited to sediment and erosion control, contamination containment, stockpiles, noise and vibration, odours and dust emissions.

(c) All works must be undertaken onsite in accordance with the approved CEMP.

Reason

To ensure that construction is appropriately managed to prevent pollution impacts.

(32) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION CERTIFICATE

(a) All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the DA Acoustic Report prepared by The Acoustic Group, dated 14 November 2024, ref 54.5543.R1C:MSC, titled *Preliminary Acoustic Assessment Kings Green Concept Development Application (DA) 71-75 York Street. 46-52 King Street & 104-108 Clarence Steet, Sydney* (Council Ref: 2024/662726) must be implemented in the development prior to the commencement of its use.

(b) Prior to the issue of a relevant construction certificate, the Certifier must ensure the following:

(i) A suitably qualified acoustic consultant must be appointed in accordance with the definition noted in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

(ii) The consultant is required to review the relevant building plans, specifications, and associated documentation, and must:

a. Verify that the construction plans, drawings, and construction methodology for the development are consistent with the approved acoustic report and comply with all relevant conditions and documentation of this consent.

b. Resolve any non-compliances through amended construction plans, drawings, and construction methodology as necessary.

c. Ensure that all requirements under this clause are completed to the written satisfaction of the Certifier.

(iii) Following completion of the above tasks, the consultant must provide written notification to the Certifier outlining any identified non-compliances.

Reason

To ensure detailed construction and fit plans comply with the relevant standards in the approved acoustic report.

(33) DEMOLITION, EXCAVATION AND 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.

(34) 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 a Construction Certificate being issued.

Reason

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

(35) HERITAGE INTERPRETATION PLAN

(a) An interpretation plan for the group of heritage buildings must be submitted to and approved by Council's Urban Design and Heritage Manager / Area Planning Manager prior to a Construction Certificate being issued. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian.

(b) The interpretation plan must detail how information on the history and significance of the heritage 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.

(c) The plan must specify the location, type, making materials and contents of the interpretation device being proposed.

(d) Prior to the issue of a relevant Occupation Certificate, the approved interpretation plan must be implemented to the satisfaction of Council's Urban Design and Heritage Manager / Area Planning Manager.

Reason

To ensure that the heritage of the site is appropriately interpreted and incorporated into the development.

(36) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MAJOR WORKS)

(a) Prior to a Construction Certificate being issued, an archival photographic recording of the existing buildings, including 71, 73 and 75 York Street, and 104-118 Clarence Street 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.

Procedure

(b) 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.

(c) 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.

(d) 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.

(i) 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.

(ii) 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 an Occupation Certificate being issued.

(e) 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'.

(i) For each of the two submissions listed above in (a) and (b), the digital form of the recording is to be as follows:

a. The Development Application number and the Condition of Consent number must be noted.

b. Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.

c. 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 4-6MB, 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.

d. Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive 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.

e. The report can be submitted by 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.

Reason

To ensure appropriate archival documentation of the building.

(37) ARCHAEOLOGICAL ASSESSMENT

An archaeological assessment undertaken by a suitably qualified archaeologist must be submitted to and approved by Council's Urban Design and Heritage Manager prior to the issue of a Construction Certificate, relevant to buildings with new lift pits or where any excavation works are to be undertaken. 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.

Reason

To ensure that the archaeology of the site is appropriately managed and protected.

(38) BUILDING WORKS TO COMPLY WITH NATIONAL CONSTRUCTION CODE – HERITAGE BUILDINGS OR BUILDINGS WITHIN CONSERVATION AREA

(a) The submitted BCA compliance report must be updated to reflect the revised design of the proposal. The report is to include recommended measures to address performance-based solutions required by the report. The updated report is to be submitted for approval by Council's Area Planning Manager.

(b) Any building works required to ensure compliance with the NCC (previously known as BCA) or new building standards not specified in the approved plan must not damage existing fabric and building features. If such upgrading works have impact or potentially have impact on existing fabric and features, details of the works must be addressed in the updated BCA compliance report.

(c) Any subsequent detailed design DA must be accompanied by a compliance report demonstrating the existing buildings are suitable for their specific use. The report should specify any interventions or alternative solutions needed to achieve compliance.

Reason

To ensure an appropriate heritage outcome.

(39) HERITAGE CONSERVATION WORKS – HERITAGE ITEM OR SIGNIFICANT BUILDINGS

(a) Prior to the issue of a Construction Certificate, a schedule of conservation works to be undertaken concurrent with the works is to be submitted to Council's Urban Design and Heritage Manager for approval.

(b) The schedule is to detail the conservation of all fabric identified as having heritage significance/value including but not limited to the following:

(i) Retained roof structure above the proposed courtyard at rear of 73 York Street

(ii) Retained western wall of 73 York St

(iii) All masonry walls after new openings are created

(iv) Salvage and retrofitting of floor joists and boards where new stairs/lifts are introduced

(v) Repair works to existing columns, floor/roof timber structure, ceilings and joinery at the entrances

(vi) Any heritage building elements and fabric affected by the proposed alterations.

(c) The schedule is to be supported by outline specifications, methodologies and detailed architectural sections, elevations and plans at 1:20 and 1:5 scales. The details should incorporate any structural and/or building services design for the building.

(d) 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 existing building. Any departure from approved plans requiring additional demolition/chasing of significant fabric is to be discussed with City of Sydney Heritage Specialists for acceptance.

(e) A schedule of site inspections at key points during construction (like after demolition, before covering significant fabric with new ceilings and floors and/or when design changes impacting significant fabric need to be implemented and required to be discussed with Council) is required to be submitted to City of Sydney for approval.

(f) 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.

(g) INSPECTION AND APPROVAL: The conservation works are to be progressively inspected by Council Heritage Specialists in accordance with approved scheduled site inspections as per point (e), and be implemented to the satisfaction of Council's Urban Design and Heritage Manager prior to the issue of an Occupation Certificate or commencement of the use, whichever is the earlier.

Reason

To ensure the carrying out of appropriate heritage conservation works.

(40) USE OF HERITAGE CONSULTANT - MAJOR DEVELOPMENT

(a) An experienced heritage consultant is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The conservation architect 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.

(b) Evidence and details of the above commission on the above terms are to be provided to Council prior to the issue of any Construction Certificate or commencement of work on site whichever is the earlier.

(c) Throughout the documentation and construction stages of the approved works the experienced heritage consultant is to:

(i) Undertake site inspections of not less than fortnightly intervals.

(ii) Maintain a diary of site inspections that includes photographs of the works, details of heritage advice and decisions arising out of each inspection and any further physical evidence uncovered during the works.

(iii) Compile a final report, including the diary, verifying how the heritage conditions have been satisfied, and the works completed in accordance with the Conservation Management Plan.

(d) Upon completion of the works, the final report is to be submitted for approval by Council's Urban Design and Heritage Manager / Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of an Occupation Certificate or the commencement of the use, whichever is earlier.

Reason

To ensure that the implementation of the approved development is carried out in a manner that does not have adverse heritage impacts.

(41) PUBLIC DOMAIN DAMAGE BOND

(a) A Public Domain Damage Deposit 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.

(b) 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.

(c) The bond in this condition will be released in full when the Final Occupation Certificate for this consent has been issued and any rectification works to the footway and Public Domain are completed to Council's satisfaction. If rectification works are required the City will release 90% of the total Bond, with the remaining 10% balance to be held for the duration of a 6 months Defect Liability Period.

Reason

To allow for the appropriate management and rectification of damage to the public domain.

(42) PROTECTION OF STONE KERBS

(a) The existing stone kerbs on the Clarence Street, King Street and York Street frontages of the site are to be retained and properly protected during demolition, excavation and construction works.

(b) 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 re-installed 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.

(c) Note the following:

(i) all costs associated with the works are to be borne by the developer.

(ii) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.

(iii) 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.

(iv) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers.

(v) Council approval is required before kerbs are removed.

(vi) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.

(vii) 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.

Reason

To ensure the protection of stone kerbs.

(43) PUBLIC DOMAIN VEHICLE ENTRIES

A public domain concept plan, extending a minimum of 5m past the location of the vehicle footway crossing removal and creations on York Street and Clarence Street, and to the road centreline, must be prepared in accordance with the City's *Public Domain Manual* and *Sydney Streets* Code. The plan must identify all proposed public domain works required to be carried out.

The plan must be submitted to and approved by the City's Public Domain Unit prior to the issue of any Construction Certificate for the development other than for demolition or excavation.

Note: A detailed Public Domain Plan will be required prior to construction (refer to Public Domain Plan Detailed Documentation for Construction condition).

Reason

To ensure public domain works comply with Council's requirements.

(44) PUBLIC DOMAIN LEVELS AND GRADIENTS

Prior to the issue of any Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages adjacent to the vehicle footway crossing removal and creation works on York Street and Clarence Street, 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/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.

(45) STORMWATER AND DRAINAGE - MINOR DEVELOPMENT

The drainage system is to be constructed in accordance with the City's standard requirements as detailed in the City of Sydney's Stormwater Drainage Manual. The development is to be designed so that the flow of pollutants from the site due to stormwater is reduced.

Reason

To ensure the drainage system is constructed in accordance with Council's requirements.

(46) NATIONAL CONSTRUCTION CODE COMPLIANCE - ALTERATIONS AND ADDITIONS - UPGRADE OF THE BUILDING IS REQUIRED

Pursuant to Section 64 of the Environmental Planning and Assessment Regulation 2021, each building must comply with the Building Code of Australia through the prescribed compliance pathways addressing the following matters prior to the issuing of each relevant construction certificate:

(b) Fire resistance - Part C1;

(c) Fire resistance and stability – Part C2;

(d) Compartmentation and separation - Part C3;

(e) Protection of openings - Part C4;

(f) Access and egress - Part D1;

(g) Provision of escape - Part D2;

(h) Construction of exits - Part D3;

(i) Access for people with disability - Part D4;

Note: Compliance with the access provisions of Part D4 may necessitate design modifications prior to a Construction Certificate being issued.

(j) Fire fighting equipment - Part E1;

(k) Smoke hazard management (Performance Requirements) - Part E2;

(l) Lift installations - Part E3;

(m) Visibility in an emergency, exit signs and warning systems - Part E4;

Reason

To ensure the works comply with relevant regulations.

(47) STRUCTURAL CERTIFICATION FOR EXISTING BUILDING – ALTERATIONS AND ADDITIONS

A qualified practising registered structural engineer must provide structural certification to the Registered Certifier verifying that the existing structure can adequately support the proposed new loads and the structural design complies with the Structural Provisions of the *Building Code of Australia* prior to a Construction Certificate being issued. The proposed additional loads and/or alterations must not cause a decrease in the existing structural performance of the building including its performance under earthquake actions (AS1170.4).

Reason

To ensure the existing structure can support the new loads.

(48) WASTE AND RECYCLING MANAGEMENT – COMMERCIAL

(a) The proposal must be consistent with the Waste and Recycling Management Strategy prepared by Arup, dated 29 July 2025 (Council Ref: 2025/475788).

(b) Temporary site servicing arrangements may be addressed in an interim waste management strategy, submitted to and approved by Council's Area Planning Manager prior to the issue of a construction certificate.

Reason

To document agreed waste management facilities and arrangements and ensure good waste management outcomes.

BEFORE BUILDING WORK COMMENCES

(49) STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

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 Urban Design and Heritage Manager / Area Coordinator Planning Assessments / Area Planning Manager. The report must explain how the retained building elements, such as building facades or chimneys are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

Reason

To ensure the preservation of the building elements that are proposed to be retained.

(50) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

(a) Prior to the commencement of demolition and/or excavation work required under this consent (or in relation to any future fitout development application) the following details must be submitted to and be approved by the Principal Certifier:

(i) 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.

(ii) 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.)

(iii) An Excavation Work Method Statement prepared by an appropriately qualified person.

(iv) 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.

(v) 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.

(b) Such statements must, where applicable, be in compliance with AS2601-2001 Demolition of Structures, the *Work, Health and Safety Act 2011* and Regulation; Council'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:

(i) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.

(ii) The name and address of the company/contractor undertaking demolition/excavation works.

(iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.

(iv) The name and address of the transport contractor.

(v) The type and quantity of material to be removed from site.

(vi) Location and method of waste disposal and recycling.

(vii) Proposed truck routes, in accordance with this development consent.

(viii) 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).

(ix) Measures to control noise emissions from the site.

(x) Measures to suppress odours.

(xi) Enclosing and making the site safe.

(xii) Induction training for on-site personnel.

(xiii) 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.

(xiv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the SafeWork NSW.

(xv) Disconnection of utilities.

(xvi) 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).

(xvii) 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).

(xviii) Waterproofing of any exposed surfaces of adjoining buildings.

(xix) 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*).

(xx) Working hours, in accordance with this development consent.

(xxi) Any SafeWork NSW requirements.

(c) 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.

(d) All waste records from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site. These records must be available for sighting on request by an authorised Council officer.

Reason

To ensure that impacts arising from demolition, excavation and construction are appropriately managed.

(51) HAZARDOUS MATERIALS SURVEY REQUIRED

A Hazardous Materials Survey Report must be prepared by a certified Occupational Hygienist (*Australia Institute of Occupational Hygienists*) and submitted to the satisfaction of Council's Area Coordinator Planning Assessments / Area Planning Manager prior to any demolition / refurbishment work commencing at the site. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to their safe management and/or removal to ensure the site is made safe for demolition, construction and future use/occupation.

Reason

To ensure that hazardous materials on the site are identified and appropriately managed.

(52) 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.

(53) ROAD OPENING APPLICATION

A separate road opening application under Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council prior to the commencement of any:

(a) Excavation in or disturbance of a public way, or

(b) Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).

Reason

To ensure that approval under the Roads Act is obtained.

(54) USE OF A STRUCTURAL ENGINEER

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.

Reason

To ensure the structural stability integrity of the subject site and neighbouring buildings.

(55) EXCAVATION AND CONSTRUCTION METHODOLOGY

(a) A Detailed Excavation and Construction Methodology is to be prepared by the builder engaged for the construction works under this consent. The methodology must be endorsed by the structural consultant engaged as per the Condition titled *Use of a Structural Engineer* above and submitted to the Principal Certifier prior to commencement of excavation or construction works whichever is the earlier.

(b) Excavation is to be carried out in accordance with the methodology required by (a) above.

Reason

To ensure the structural stability integrity of the subject site and neighbouring buildings.

(56) 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.

(57) SURVEY SETOUT

All footings, walls, external stairs 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 and Council indicating the position of new external walls and features in relation to the boundaries of all allotments. Any encroachments identified by the proposed building works over adjoining boundaries must be removed or an appropriate easement created under Section 88B of the Conveyancing Act, 1919, with terms to the satisfaction of Council, prior to the issue of an occupation certificate.

Reason

To ensure the development does not encroach onto neighbouring properties.

To ensure separate development consent is sought for land subdivision.

(58) 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.

DURING BUILDING WORK

(59) USE OF INTRUSIVE APPLIANCES – NOT APPROVED

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".

A separate Section 4.55 or development 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*.

Reason

To ensure the acoustic amenity of surrounding developments is maintained.

(60) ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

(a) 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.

(b) 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.*

(c) 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.

(d) If the discovery is on Council's land, Council must be informed.

Reason

To ensure that the archaeology of the site is appropriately managed and protected.

(61) SURVEY CERTIFICATE AT COMPLETION

Prior to the issuance of an Occupation Certificate, a Final Survey Plan and Certificate prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act 2002, must be submitted to Council upon completion of the building works. This documentation shall certify the location and height of all new building works, including offsets relative to the allotment boundaries.

Reason

To ensure the development does not encroach onto neighbouring properties and is in accordance with the approved plans.

(62) NOTIFICATION – NEW CONTAMINATION EVIDENCE

(a) Council and the Certifier (AND/OR ACCREDITED SITE AUDITOR IF REQUIRED) must be notified immediately of any new information which arising during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

(b) Once identified, remediation, demolition or construction work must immediately cease.

(c) A certified environmental consultant must be appointed to undertake an assessment of the potential contaminants and works required to make the site safe from potential human health and environmental harm.

(d) If the duty to report contamination to the NSW EPA under Section 60 of the Contaminated Land Management Act 1997 is triggered, the NSW EPA and Council must be notified immediately.

Reason

To ensure that any new contamination evidence or unexpected finds is reported and the site is appropriately remediated.

(63) CLASSIFICATION OF WASTE

(a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility or otherwise lawfully managed.

(b) The classification, and the volume of material removed, and the receival facility's details must be reported to the Certifier or Council (where a Certifier is not required).

Reason

To ensure that waste from site is classified and disposed of appropriately.

(64) 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.

(65) 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.

(66) PUBLIC DOMAIN PLAN DETAILED DOCUMENTATION FOR CONSTRUCTION

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 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.

Reason

To ensure the public domain complies with Council's requirements.

(67) 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 an 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.

(68) HOURS OF WORK AND NOISE – CBD

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*.

Reason

To protect the amenity of the surrounding area.

(69) 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.

(70) 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.

(71) 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.

(72) 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.

(73) ASBESTOS REMOVAL WORKS

(a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence must be made available to any authorised Council officer on request within 24 hours.

(b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.

(c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2017* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW)* December 2011 and the *City of Sydney Managing Asbestos Policy dated 21 October 2013 and associated guidelines.*

(d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.

(e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.

(f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.

(g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).

(h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.

(i) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

(i) contact person for the site;

(ii) telephone and facsimile numbers and email address; and

(iii) site activities and time frames.

Reason

To ensure that the handling and removal of asbestos from the site is appropriately managed.

(74) 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.

(75) 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.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(76) HISTORIC MARKER

A plaque of high-quality material (e.g. bronze or stainless steel) describing the history of the site and building must be installed on the facade of the building prior to an Occupation Certificate being issued. The design, location and wording must be submitted for the approval of Council's Urban Design and Heritage Manager prior to manufacture and installation. The marker is to be incorporated into the heritage interpretation plan if a plan is required by this consent.

Reason

To ensure that the heritage of the site is appropriately interpreted and incorporated into the development.

(77) CYCLICAL MAINTENANCE PLAN

A cyclical maintenance plan specifying frequency and methodologies to conduct building inspections and maintenance works to building elements and services must be submitted to and approved by Council's Urban Design and Heritage Manager prior to the issue of an Occupation Certificate / registration of heritage floor space. The maintenance plan is to be prepared by a suitably qualified heritage consultant and endorsed by the building owner.

Reason

To ensure appropriate ongoing maintenance of the building.

(78) 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.

(79) 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 with a 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.

(80) PUBLIC DOMAIN VEHICLE ENTRIES 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.

(81) PUBLIC DOMAIN VEHICLE ENTRIES 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.

(82) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of a proposed structure shall encroach onto the adjoining properties. Prior to the issue of a Final Occupation Certificate for the relevant building/s, the Principal Certifier shall review the Final Identification Survey and confirm that the proposed structures stand wholly within the subject boundaries. Any encroachments of the building over the side boundaries must be removed, or alternatively, 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 registration provided to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason

To ensure the orderly development of land, and that the property rights of adjoining owners are respected.

OCCUPATION AND ONGOING USE

(83) TRADING HOURS - INDOOR

The indoor trading hours are regulated as follows:

(a) The permitted trading hours are restricted to between 6.00am and 12.00midnight Monday to Sunday.

(b) Notwithstanding (a) above, the premises may operate for 24-hour trade for a trial period of 3 years from the date of the issue of an Occupation Certificate for the first detailed design DA.

(c) Should the operator seek to continue the extended operating hours outlined in (b) above, an application must be lodged with Council at least 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by NSW Police and Liquor & Gaming.

Reason

To ensure the premises trades within the approved trading hours.

(84) TRADING HOURS - OUTDOOR

The outdoor trading hours, including internal courtyards and rooftop terraces are regulated as follows:

(a) The permitted trading hours are restricted to between 10.00am and 10.00pm Monday to Sunday.

(b) Notwithstanding (a) above, the premises may trade between 10.00am and 12.00midnight for a trial period of 3 years from the date of the issue of an Occupation Certificate for the first detailed design DA.

(c) Should the operator seek to continue the extended operating hours outlined in (b) above, an application must be lodged with Council at least 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by NSW Police and Liquor & Gaming.

Reason

To ensure the premises trades within the approved trading hours.

(85) MAXIMUM CAPACITY OF PERSONS

(a) The maximum number of persons (including staff, patrons and performers) permitted in the premises at any one time is 8,211 persons.

(b) Subsequent detailed development applications must specify the maximum number of persons permitted within each individual premises.

(c) The manager is responsible for ensuring that the total number of persons in the precinct does not exceed that specified in part (a) above.

Reason

To ensure the premises can safely accommodate patrons, staff and performers and safeguard the amenity of the surrounding neighbourhood.

(86) PLAN OF MANAGEMENT

(a) The use must always be operated / managed in accordance with the Plan of Management prepared by Merivale dated 15 May 2025 (Council Ref: 2025/305874). In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

(b) The Plan of Management can be updated at any time. Any revised Plan of Management is to be submitted to and endorsed by Council's Area Planning Manager and may be updated without the requirement for a Section 4.55 modification application.

(c) Subsequent detailed development applications must by supported by a Plan of Management addendum prepared in accordance with the requirements of the Sydney Development Control Plan 2012, based on the nature of the premises.

Reason

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

(87) SURVEILLANCE CAMERAS

(a) CCTV surveillance cameras must be strategically installed, operated and maintained throughout the premises with coverage to:

(i) All entrance/s and exits used by the public including a 10m radius of these entrance/s and exits;

(ii) all areas within the premise occupied by the public (excluding toilets).

(b) All CCTV recording equipment and cameras must be of high-grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras.

(c) CCTV recordings must be retained for 28 days before being re-used, destroyed or deleted. Time and date must be automatically recorded. The CCTV recording equipment must be capable of reproducing a digital copy.

(d) All CCTV recording devices and cameras must be checked to ensure the equipment is operating correctly.

(e) When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to immediately review recordings and produce copies.

Reason

To ensure the safety and security of staff, patrons and the surrounding neighbourhood is adequately monitored and maintained.

(88) COPIES OF CONSENTS AND MANAGEMENT PLANS

A copy of the current development consent(s) for the operation of the licensed premises, and the Plan of Management must be kept on-site and made available to Authorised Officers.

Reason

To ensure all relevant approved documents are available on-site upon request.

(89) NEIGHBOURHOOD AMENITY

Management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.

Reason

To safeguard the amenity of the surrounding neighbourhood.

(90) SECURITY – LICENSED PREMISES

Security is to be provided at any time and in any manner specified in the approved Plan of Management.

Reason

To ensure the safety and security of staff, patrons and the surrounding neighbourhood is adequately monitored and maintained.

(91) CESSATION OF SERVICE

The premises may be open for business only between the approved trading hours. The operator must cease providing food and/or alcohol at the premises 15 minutes before the required closing time.

Reason

To ensure the development operates within the approved trading hours.

(92) ON SITE LOADING AND SERVICE VEHICLE PARKING

(a) Future individual fitout development applications must demonstrate that all loading and unloading operations associated with servicing the site can be carried out within the confines of the site at all times and must not obstruct other properties or the public domain.

(b) The strategies adopted in the submitted Traffic, Servicing and Waste Management Strategy prepared by Arup dated 16 May 2025 (Council ref: 2025/305877) must be complied with including:

(i) Minimum of two B99 loading bays and one SRV loading bay

(ii) Larger trucks must be restricted from accessing the loading dock during peak pedestrian and traffic hours

(iii) Any service vehicle reverse movements through the public road or footpath must be supervised by a qualified staff member

Reason

To maintain the orderly operation of servicing areas and to ensure the public domain and surrounding developments are kept free from physical obstructions.

(93) DELIVERY SERVICE PLAN

A Delivery Service Plan (DSP) must be submitted with any subsequent detailed fitout development application. The DSP should be prepared with reference to the Loading and Servicing Last Mile Freight Toolkit published by Transport for NSW and address and include the following:

(a) The requirements of section 7.8.1 of DCP 2012 as they apply to the proposed development.

(b) Why the DSP is being prepared.

(c) The capacity of nearby on-street parking and loading zones.

(d) Anticipated generation of waste, freight, delivery and servicing trips caused by the proposed development, with reference to the proposed uses and quantum of gross floor area.

(e) The expected timing of service and freight vehicle movements through the day and the week, and anticipated time slots per vehicle type.

(f) Anticipated peak and priority time slots by land use, business or activity, and any proposed exclusive operational windows.

(g) Design details for the proposed loading and servicing facilities, including number of service bays, clearance heights, grades and turning widths.

(h) Description of the minimum required features and capacities of a booking system to adequately manage the proposed loading dock.

(i) Details of how oversized and incompatible vehicles will be prevented from attending the site, with reference to proposed clearance heights and service bay sizes.

(j) Details of consolidation strategies that will be employed to reduce vehicle movements, including offsite delivery consolidation, waste contract consolidation and procurement-led consolidation.

Reason

To maintain the orderly operation of vehicle parking areas and to ensure the public domain is kept free from physical obstructions.

(94) SCHEDULED COLLECTIONS – COMMERCIAL

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.*

Reason

To minimise the impacts on amenity and safety caused by the presentation and collection of commercial waste.

(95) 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.

(96) ANNUAL FIRE SAFETY STATEMENT FORM

An annual Fire Safety Statement must be given to Council and Rescue NSW commencing within 12 months after the date on which the Fire Safety Certificate is issued or the use commencing, whichever is earlier.

Reason

To ensure annual checks on fire safety measures.

(97) 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.

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 Terms of Approval for Integrated Development as advised by the Heritage Council of NSW are as follows:

(98) APPROVED DEVELOPMENT

All development shall comply with the information contained within:

(a) Architectural drawings, prepared by SJB Architects, as listed below:

Dwg	Dwg Title	Date	Rev
Project Name: Kings Green 71,73,75 York St and 46-50 King St and 104-118 Clarence Street			
DA-0000	COVER SHEET	17.09.2025	8
DA-0101	LOCATION PLAN	15.05.2025	7
DA-0102	SITE PLAN	15.05.2025	7
DA-0201	EXISTING PLAN – BASEMENT 02	15.05.2025	7
DA-0202	EXISTING PLAN – BASEMENT 01	15.05.2025	7
DA-0203	EXISTING PLAN – LEVEL 00	15.05.2025	7
DA-0204	EXISTING PLAN – LEVEL 01	15.05.2025	7
DA-0205	EXISTING PLAN – LEVEL 02	15.05.2025	7
DA-0206	EXISTING PLAN – LEVEL 03	15.05.2025	7
DA-0207	EXISTING PLAN – LEVEL 04	15.05.2025	7
DA-0208	EXISTING PLAN – LEVEL 05	15.05.2025	7
DA-0209	EXISTING PLAN – LEVEL 06	15.05.2025	7
DA-0210	EXISTING PLAN – LEVEL 07	15.05.2025	7
DA-0211	EXISTING PLAN – ROOF	15.05.2025	7
DA-0251	DEMOLITION PLAN – BASEMENT 02	17.09.2025	11
DA-0252	DEMOLITION PLAN – BASEMENT 01	17.09.2025	11

DA-0253	DEMOLITION PLAN – LEVEL 00	17.09.2025	11
DA-0254	DEMOLITION PLAN – LEVEL 01	17.09.2025	11
DA-0255	DEMOLITION PLAN – LEVEL 02	17.09.2025	11
DA-0256	DEMOLITION PLAN – LEVEL 03	17.09.2025	11
DA-0257	DEMOLITION PLAN – LEVEL 04	17.09.2025	11
DA-0258	DEMOLITION PLAN – LEVEL 05	17.09.2025	11
DA-0259	DEMOLITION PLAN – LEVEL 06	17.09.2025	11
DA-0260	DEMOLITION PLAN – LEVEL 07	17.09.2025	11
DA-0261	DEMOLITION PLAN – ROOF	17.09.2025	11
DA-1001	FLOOR PLAN – BASEMENT 02	15.05.2025	7
DA-1002	FLOOR PLAN – BASEMENT 01	17.09.2025	12
DA-1003	FLOOR PLAN – LEVEL 00	17.09.2025	12
DA-1004	FLOOR PLAN – LEVEL 01	17.09.2025	8
DA-1005	FLOOR PLAN – LEVEL 02	17.09.2025	8
DA-1006	FLOOR PLAN – LEVEL 03	17.09.2025	8
DA-1007	FLOOR PLAN – LEVEL 04	17.09.2025	8
DA-1008	FLOOR PLAN – LEVEL 05	17.09.2025	8
DA-1009	FLOOR PLAN – LEVEL 06	17.09.2025	8
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DA-1507	BUILDING SECTION 7	17.09.2025	8

(b) *Amended Heritage Impact Statement (HIS), Kings Green Precinct Concept DA*, prepared by City Plan Heritage, dated 22 May 2025

(c) *Statement of Environmental Effects (SOEE), Kings Green Precinct Concept DA*, prepared by Ethos Urban, dated 11 November 2025

(d) *Response to request for further information*, prepared by Ethos Urban, dated 22 May 2025

(e) *Conservation Management Plan (CMP) 73 York Street*, City Plan Heritage, dated 16 May 2025

(f) *Conservation Management Plan (CMP) 75 York Street*, City Plan Heritage, dated 16 May 2025

(g) *Conservation Management Plan (CMP) 71 York Street*, City Plan Heritage, dated 14 May 2025

(h) *Heritage Asset Action Plan (HAAP) 46-52 King Street*, City Plan Heritage, dated 9 May 2025

(i) *Heritage Asset Action Plan (HAAP) 104-118 Clarence Street*, City Plan Heritage, dated 22 May 2025

(j) *Site Survey Part 1, 50 and 52 King Street, 71, 73 and 75 York Street and 104-118 Clarence Street*, prepared by CSA Surveyors, dated 1 August 2022

(k) *Site Survey Part 2, 50 and 52 King Street, 71, 73 and 75 York Street and 104-118 Clarence Street*, prepared by CSA Surveyors, dated 1 August 2022

(l) *Addendum Heritage Impact Statement (HIS), Kings Green Precinct Concept DA*, prepared by City Plan Heritage, dated 11 September 2025

EXCEPT AS AMENDED by the General Terms of Approval

(99) DETAILS TO BE SUBMITTED FOR APPROVAL

(a) The following information is to be submitted with the s.60 application for approval by the Heritage Council of NSW (or delegate):

(i) Structural certification of the following:

a. The proposed size and number of openings to all original perimeter walls of 73 and 75 Yorks Street

b. The proposed removal of existing beams at the western end of 73 York Street.

c. The proposed roof structure including retained original timber roof trusses and new glazed roof cladding.

(ii) Amended plans of the ground floor showing deletion of openings between 71 and 73 York Street and ground floor openings between 73 and 46-52 King Street that conflict with the original western brick façade and other original masonry piers of 73 York Street. All openings that compromise the structural integrity of the perimeter wall.

(iii) Detailed drawings of all proposed works to 73 and 75 York Street including the following,

a. The treatment of the 1 exposed column in the basement of 73 York Street.

b. The new lift within 73 York Street building including consideration of the impact of the lift location on the original structural columns and fabric.

c. The 2 large openings in the northern basement brick perimeter walls of 73 York Street including materials and dimensions.

d. The basement stairs that ascend to the central entrance of 73 York Street and the new accessible lift lobby including materials and dimensions that align with the heritage values of the site

e. Proposed finishes to ground floor and opportunities to reinstate original details.

f. The original western masonry wall showing treatment of existing windows and opening of ground floor and first floor. Details of remnant features that enable interpretation such as the gable and ventilation window, express piers and central concrete column are to be shown as retained.

g. The detail plans and elevations of all openings including dimensions and finishes demonstrating how the original fabric will be modified. All openings in the original walls of 73 and 75 York Street to be numbered.

h. The retention of the rendered and painted internal wall finish and exposed original structural elements within 73 York Street building.

i. Any new partition walls including to the new fire stair of 75 York Street, and fixing details to significant fabric.

j. A detailed dismantling methodology of all original fabric, such as beams and timber floor structure of 73 York Street, including condition assessment for re-use within the proposed design. This should include hold points for inspection, storage details, proposed restoration works and prepared in accordance with a tradesperson with experience working with the preservation and repair of heritage fabric. The methodology should include recycling of original flooring of 73 York Street to patch the areas affected by the removal of the stairwell and lift core on each level as well as opportunities for reinstatement of timber floor to ground floor.

(iv) The detail design of final number and location of openings between 73 and 75 York Street and adjoining buildings should include the following:

a. Only the minimum necessary removal of original fabric of perimeter walls of 73 and 75 York Street buildings to achieve compliant accessible egress, historical interpretation and retention of structural integrity.

b. Detailed drawings demonstrating the introduction of proposed arches in the perimeter wall of 73 York Street including methodology for the formation of the proposed openings.

Reason: The details requested were either not supplied during the assessment of the application or were considered to be unsympathetic to the heritage values. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

(100) HERITAGE CONSULTANT

A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

(101) SPECIALIST TRADESPERSONS

All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

(102) SITE PROTECTION

Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

(103) HERITAGE INTERPRETATION PLAN

(a) An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/ Government certification.

(b) The interpretation plan must detail how information on the history and significance of National House and Hardware House will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.

(c) The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate

Reason: Interpretation is an important part of every proposal for works at heritage places.

(104) PHOTOGRAPHIC ARCHIVAL RECORDING

A photographic archival recording of National House and Hardware House must be prepared prior to the commencement of works, and may be requested during works and at the completion of works. This recording must be prepared in accordance with the Heritage NSW publication 'Guidelines for preparing archival recordings of heritage items as a condition of consent' (2025). Only the digital copy of the archival record must be submitted electronically to Heritage NSW. The required format and specifications of the record are published on the Heritage NSW website.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

(105) UNEXPECTED FINDS

The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

(106) COMPLIANCE

If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

(107) SECTION 60 APPLICATION

An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

ADVISORY NOTE

The following information is required to enable assessment of future applications:

(a) Survey of the elevation of western wall of 73 York Street is to be provided in survey and proposed demolition and detail design drawings.

(b) Survey to be amended to show timber floors to 73 and 75 (Note Figure 62, CMP75, p56).

(c) Survey to show party wall detail between 73 and 71.

(d) Survey to show accurate extent of original western c1891 masonry wall to all floors of 75 York Street.

(e) The Statement of Heritage Impact should assess the proposal against the conservation policies in the Conservation Management Plan (CMP).

(f) Details of all retained walls around the rear light well to 73 York Street are to be shown.

(g) Details of proposed works to roof terrace at 75 York Street including visual analysis of views to and from the item.

(h) A schedule of conservation works including to the building façades.

(i) Archaeological assessment

(j) Services installation plans.

ADVICE

Section 148 of the Heritage Act 1977 (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

RIGHT OF APPEAL

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

SCHEDULE 4

STATE AUTHORITY CONDITIONS

The following conditions of consent have been recommended by State authorities:

TRANSPORT FOR NSW

(108) ROAD OCCUPANCY LICENCE

Road Occupancy Licence (ROL) shall be obtained from the Transport Management Centre for any works that may impact on traffic flows on King Street during construction activities for both the concept DA and subsequent future DA's lodged for the approved works. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf.

SYDNEY WATER

Prior to the issue of an Occupation Certificate/Subdivision Certificate:

(109) 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:

(110) 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.

(111) 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.

(112) 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 should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

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.

(113) 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:

(a) Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.

(b) 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

(114) 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:

(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.html

(c) Install water-monitoring devices on your meter to identify water usage patterns and leaks.

(d) Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

(115) 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.

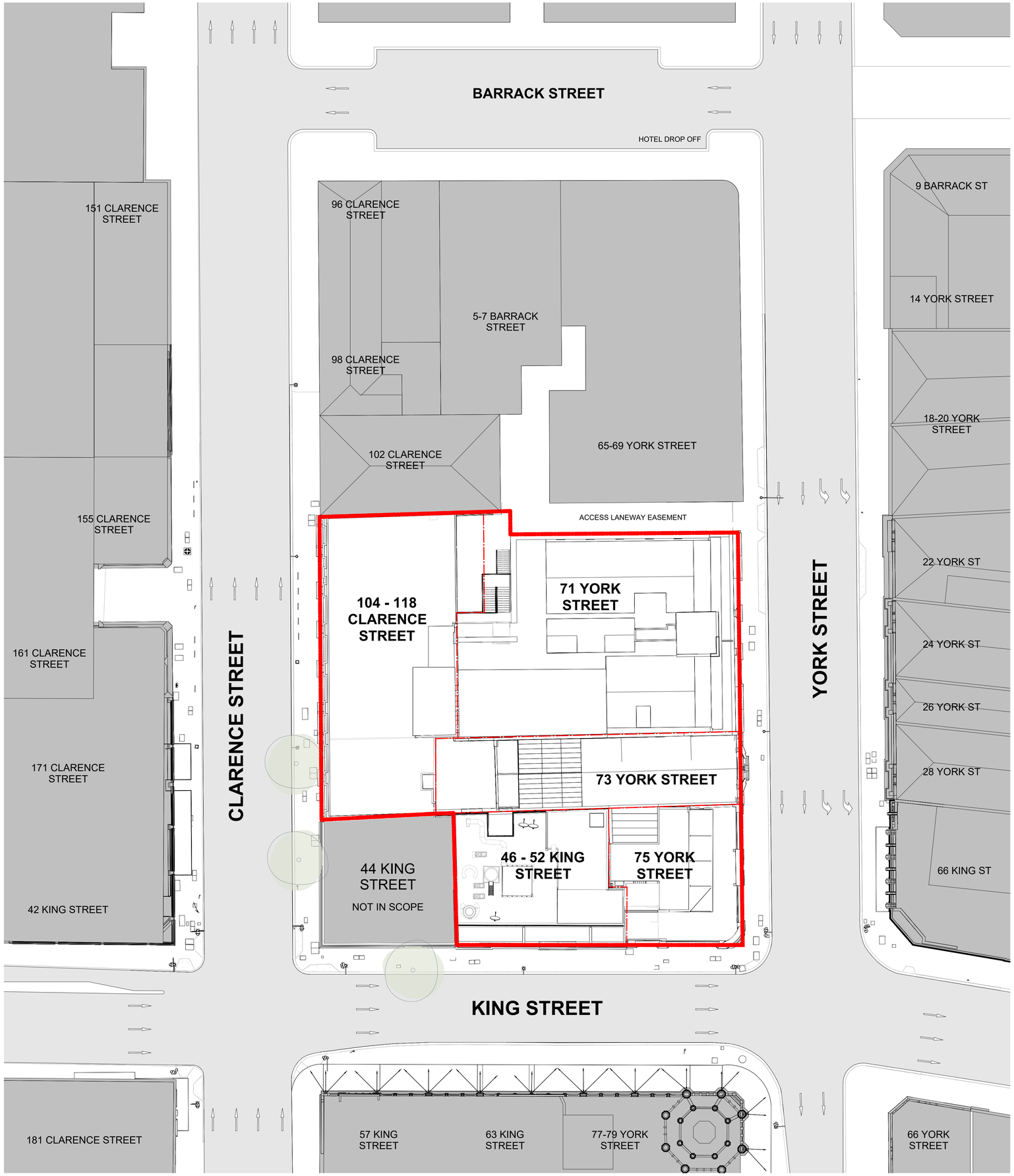
Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

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

Attachment B1

Selected Drawings



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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH

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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

SITE PLAN

Date	Scale	Sheet Size
15.05.2025	1 : 250	A1

Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-0102	/ 7

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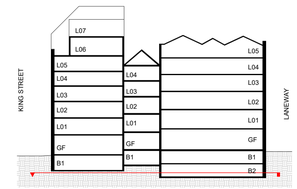
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Drawing Name

EXISTING PLAN - BASEMENT 02

Date	Scale	Sheet Size
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Drawing No.	Revision
DA-0201	/ 7

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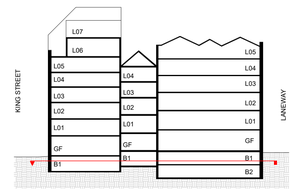
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Drawing Name

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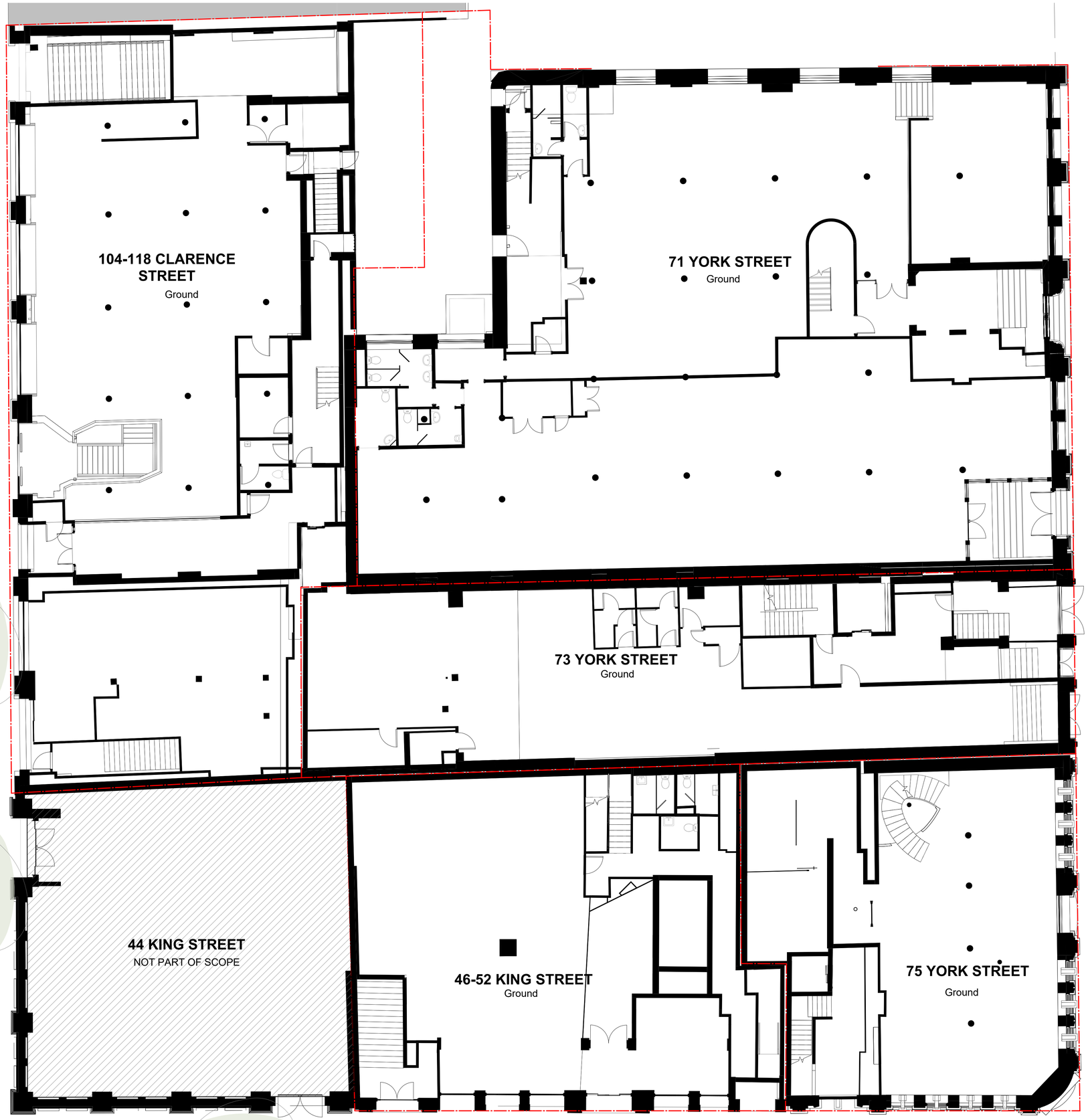
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JM	DM	7106

Drawing No.	Revision
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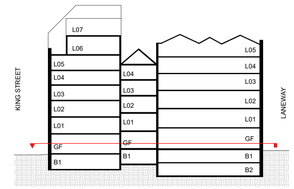
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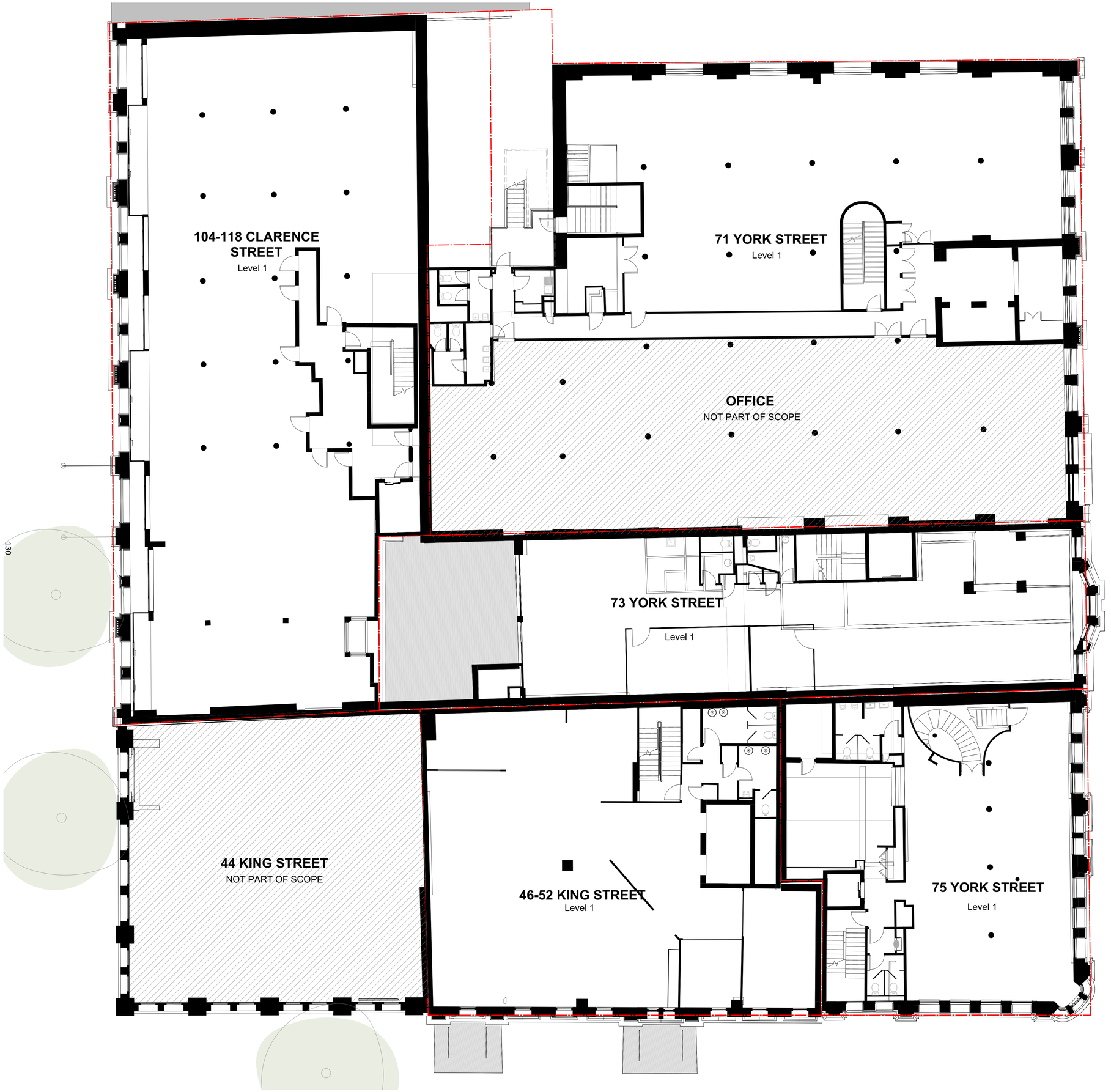
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DA-0203		/ 7

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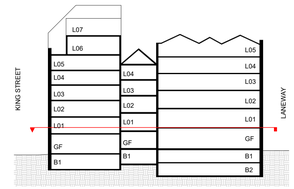
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KEY SECTION



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

EXISTING PLAN - LEVEL 01

Date	Scale	Sheet Size
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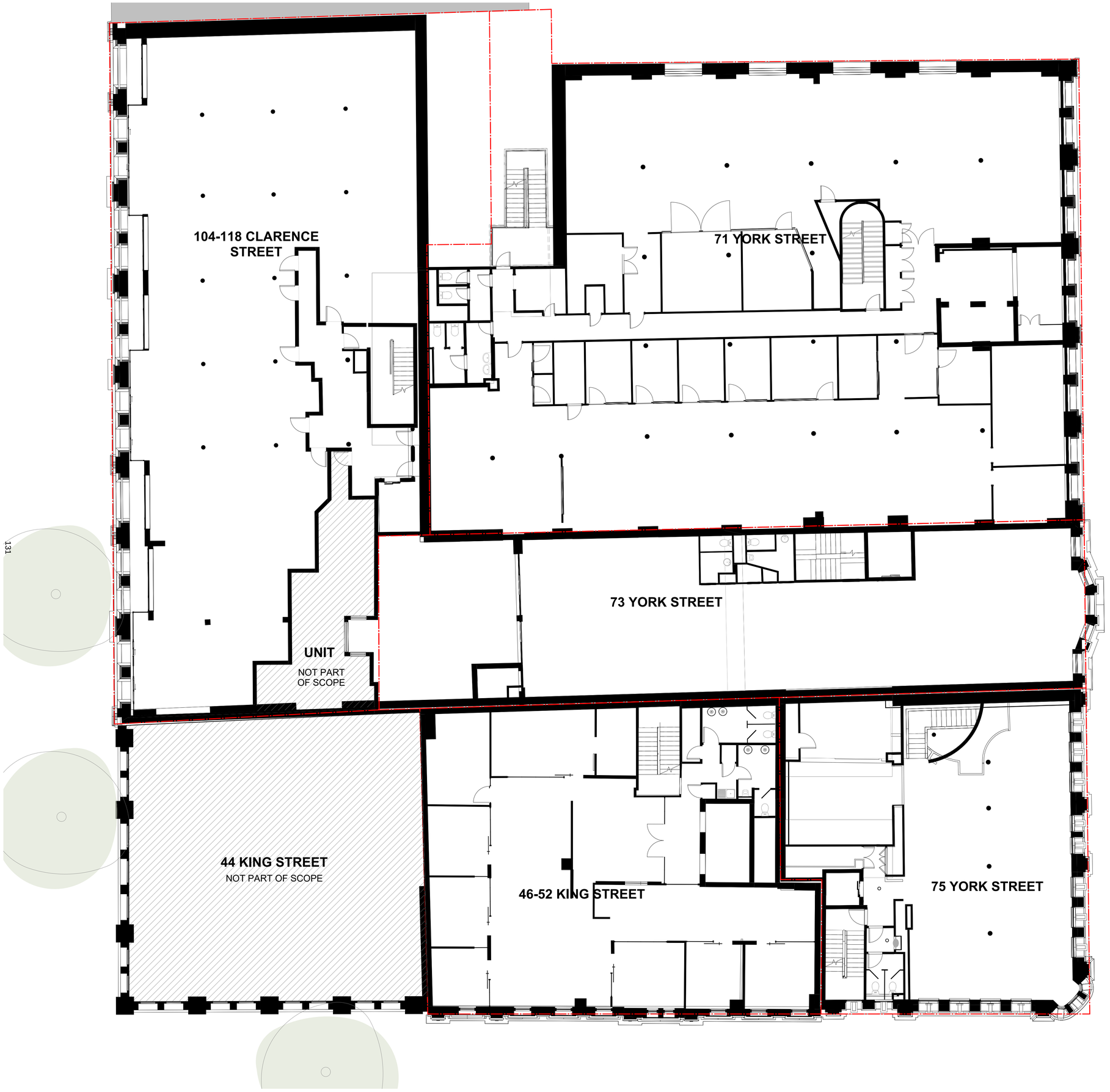
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DA-0204	/ 7

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7	15.05.2025	ISSUE FOR DA	DM	AH

KEY SECTION

NOTE: MINOR CHANGES TO FORM AND CONFIGURATION MAY BE REQUIRED WHEN DRAWINGS ARE SUBSEQUENTLY PREPARED FOR CONSTRUCTION PURPOSES AFTER THE GRANT OF DEVELOPMENT CONSENT.

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

EXISTING PLAN - LEVEL 02

Date	Scale	Sheet Size
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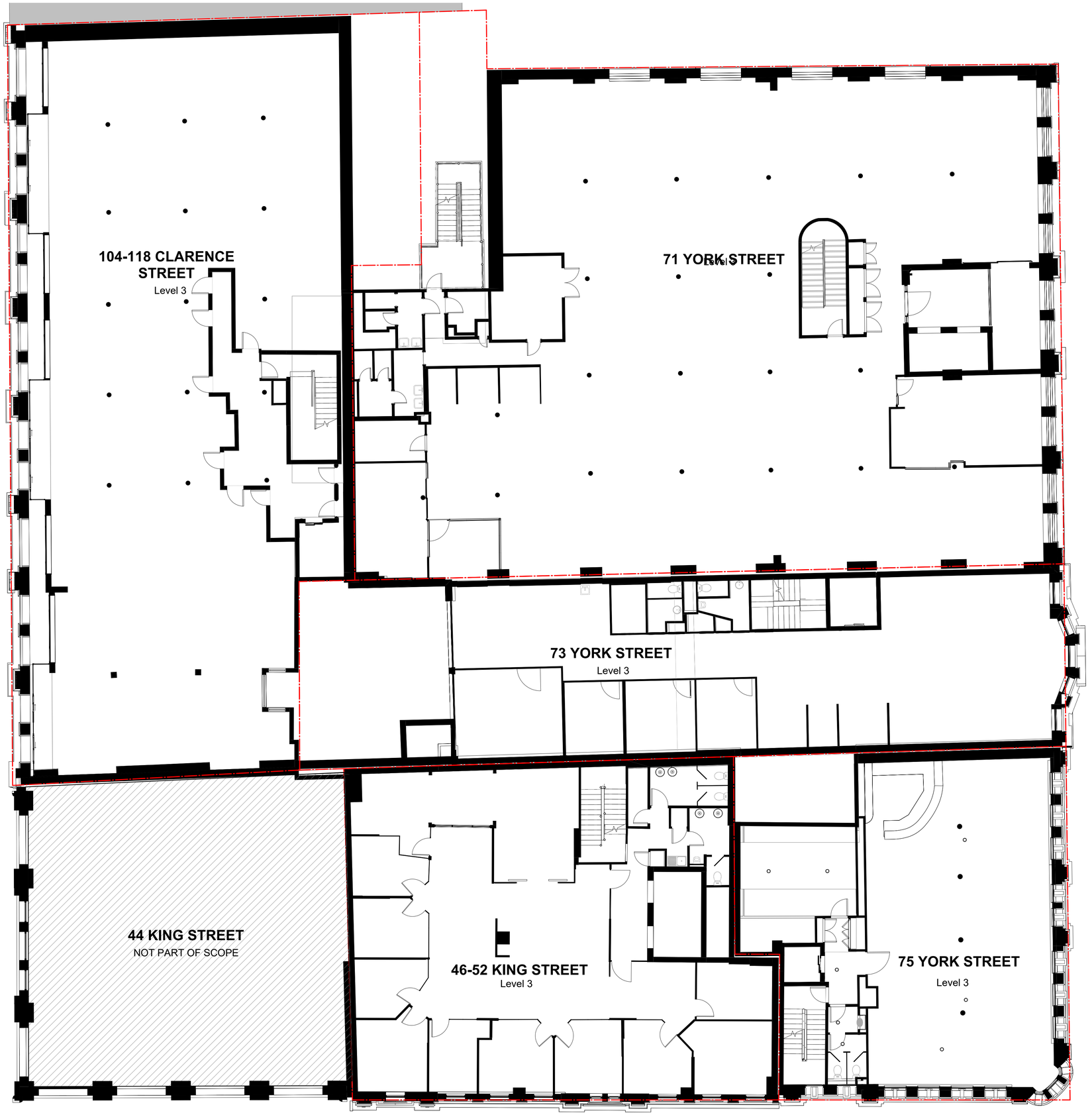
Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-0205	/ 7

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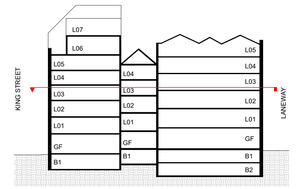
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH

KEY SECTION



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

EXISTING PLAN - LEVEL 03

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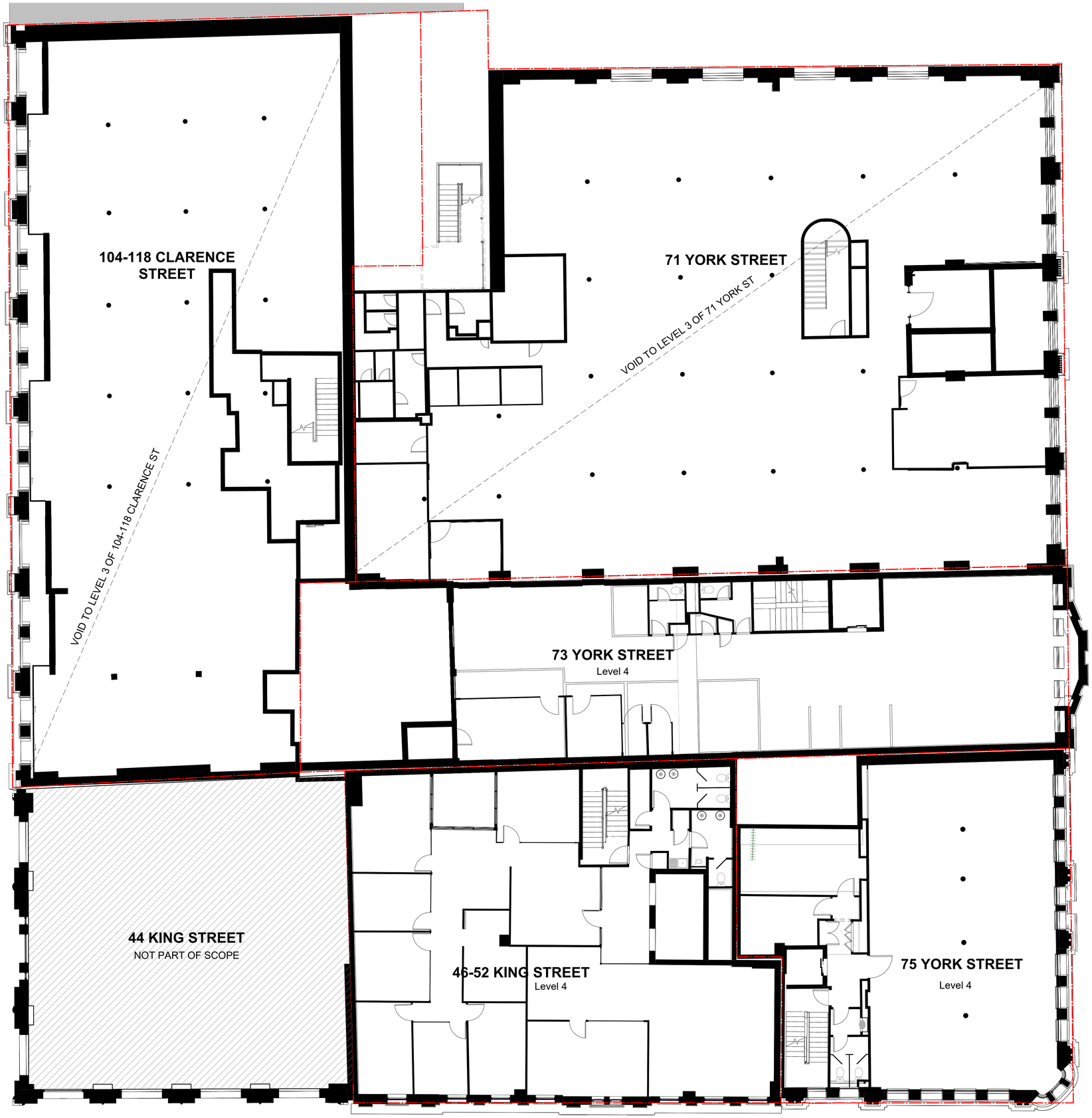
Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-0206	/ 7

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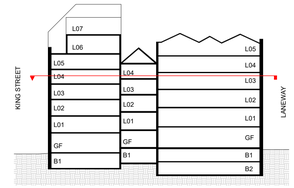
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH

KEY SECTION



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

EXISTING PLAN - LEVEL 04

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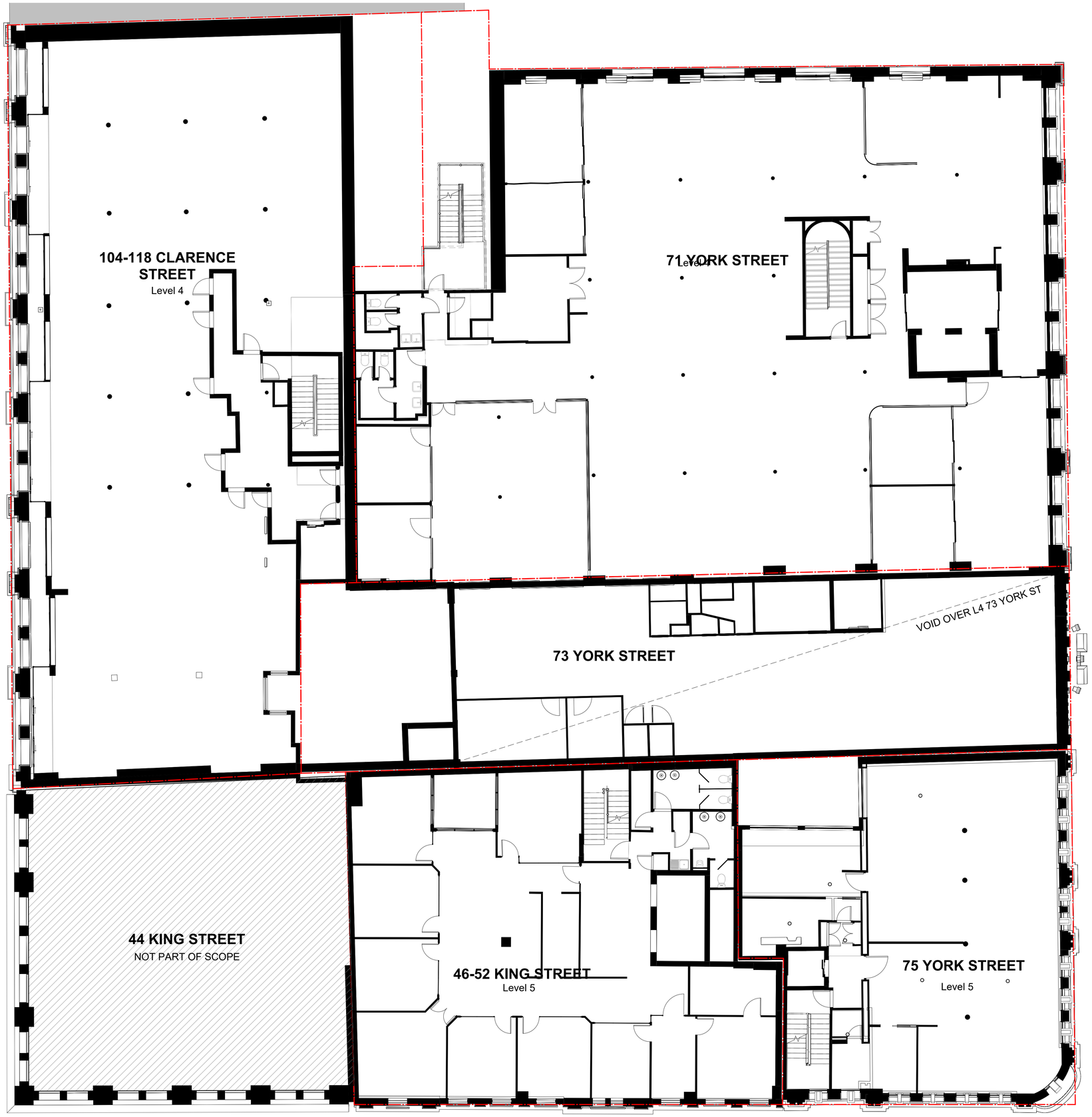
Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-0207	/ 7

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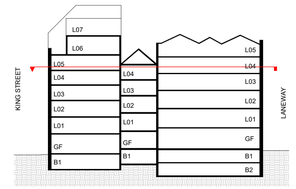
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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4	24.04.2025	FOR INFORMATION	JM	DM
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6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH

KEY SECTION



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Project

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SYDNEY NSW 2000

Drawing Name

EXISTING PLAN - LEVEL 05

Date	Scale	Sheet Size
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Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-0208	/ 7

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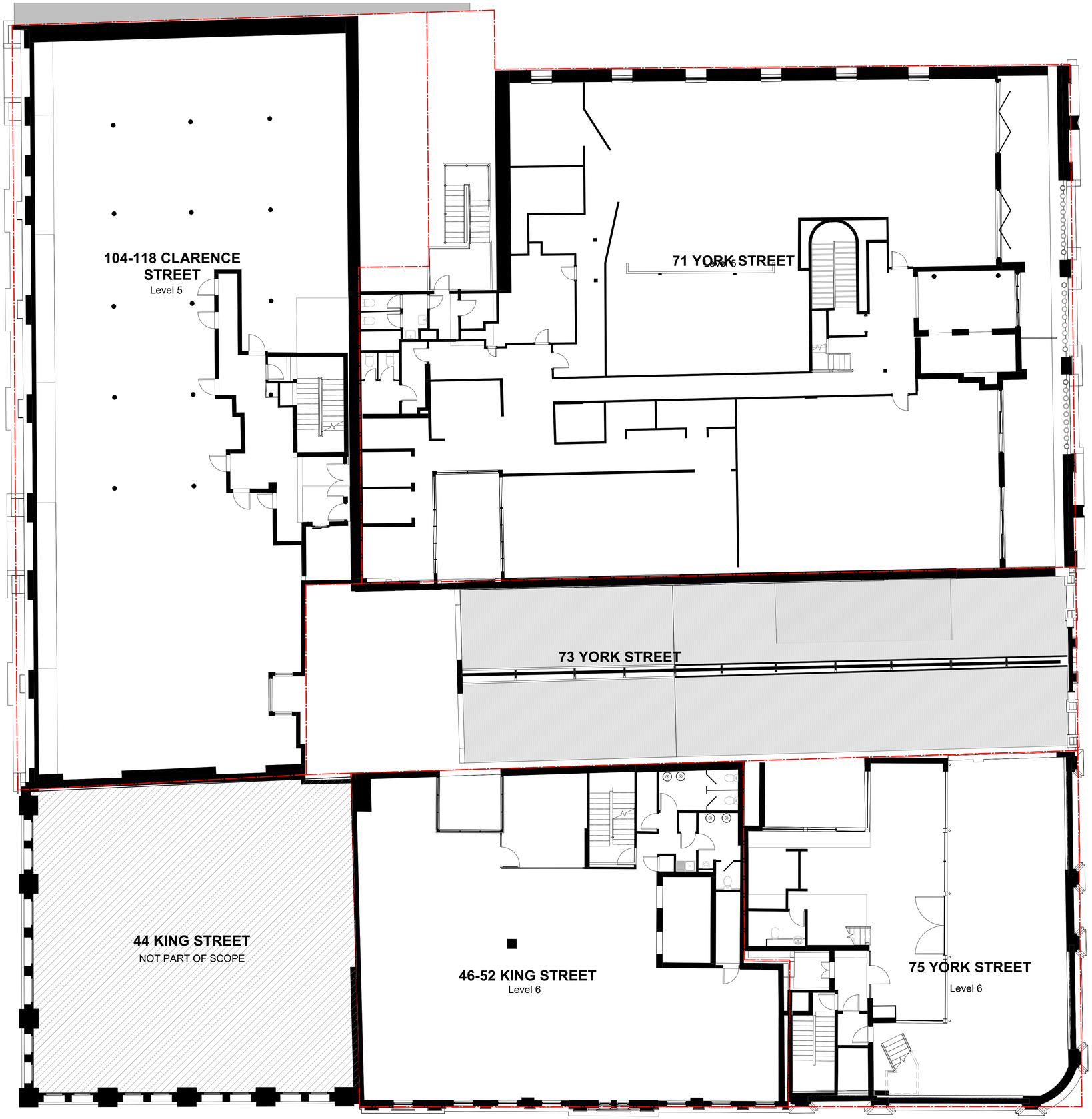
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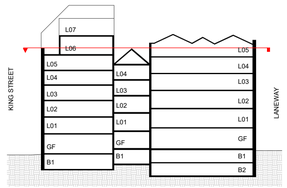
Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH



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Drawing Name

EXISTING PLAN - LEVEL 06

Date	Scale	Sheet Size
15.05.2025	1 : 100	A1

Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-0209	/ 7

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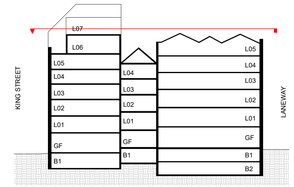
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH

KEY SECTION



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Drawing Name

EXISTING PLAN - LEVEL 07

Date	Scale	Sheet Size
15.05.2025	1 : 100	A1
Drawn	**Chk.**	**Job No.**
JM	DM	7106
Drawing No.		**Revision**
DA-0210		/ 7

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FOR APPROVAL

Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH

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Client

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Project

KINGS GREEN

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& 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

EXISTING PLAN - ROOF

Date	Scale	Sheet Size
15.05.2025	1 : 100	A1
Drawn	**Chk.**	**Job No.**
JM	DM	7106
Drawing No.		**Revision**
DA-0211		/ 7

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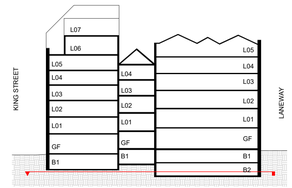
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Rev	Date	Revision	By	Chk.
1	08.04.2025	FOR INFORMATION	JM	DM
3	17.05.2025	FOR INFORMATION	JM	DM
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	06.08.2025	FOR INFORMATION	JM	DM
9	08.08.2025	FOR INFORMATION	JM	DM
10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

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Project

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SYDNEY NSW 2000

Drawing Name

DEMOLITION PLAN - BASEMENT 02

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1

Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-0251	/ 11

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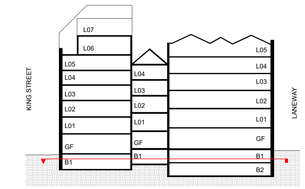
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

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1	08.04.2025	FOR INFORMATION	JM	DM
3	17.05.2025	FOR INFORMATION	JM	DM
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	06.08.2025	FOR INFORMATION	JM	DM
9	08.08.2025	FOR INFORMATION	JM	DM
10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

DEMOLITION PLAN - BASEMENT 01

KEY

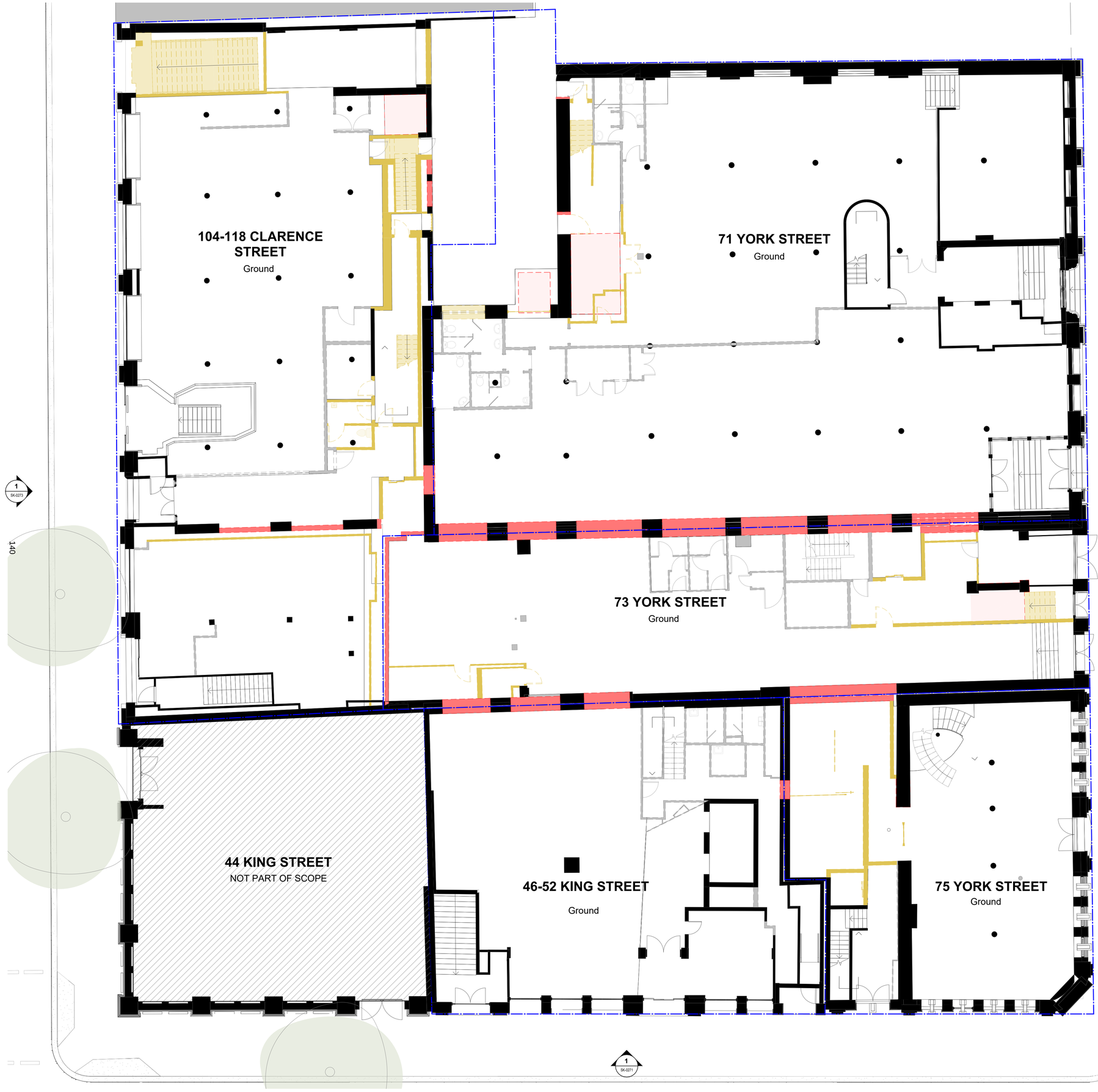
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- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-0252		/ 11

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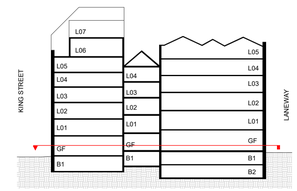
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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1	08.04.2025	FOR INFORMATION	JM	DM
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4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	06.08.2025	FOR INFORMATION	JM	DM
9	08.08.2025	FOR INFORMATION	JM	DM
10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

DEMOLITION PLAN - LEVEL 00

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	**Chk.**	**Job No.**
JM	DM	7106
Drawing No.		**Revision**
DA-0253		/ 11

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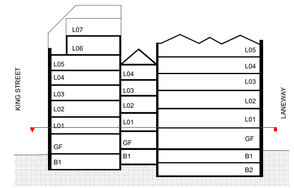
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FOR APPROVAL

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6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
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10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Project

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Drawing Name

DEMOLITION PLAN - LEVEL 01

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
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JM	DM	7106
Drawing No.		Revision
DA-0254		/ 11

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Level 1

71 YORK STREET
Level 1

OFFICE
NOT PART OF SCOPE

73 YORK STREET
Level 1

44 KING STREET
NOT PART OF SCOPE

46-52 KING STREET
Level 1

75 YORK STREET
Level 1

1 SK-0273

1 SK-0272

1 SK-0271

141

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)



KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)

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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
1	08.04.2025	FOR INFORMATION	JM	DM
3	17.05.2025	FOR INFORMATION	JM	DM
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
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8	06.08.2025	FOR INFORMATION	JM	DM
9	08.08.2025	FOR INFORMATION	JM	DM
10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION

NOTE: MINOR CHANGES TO FORM AND CONFIGURATION MAY BE REQUIRED WHEN DRAWINGS ARE SUBSEQUENTLY PREPARED FOR CONSTRUCTION PURPOSES AFTER THE GRANT OF DEVELOPMENT CONSENT.

Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

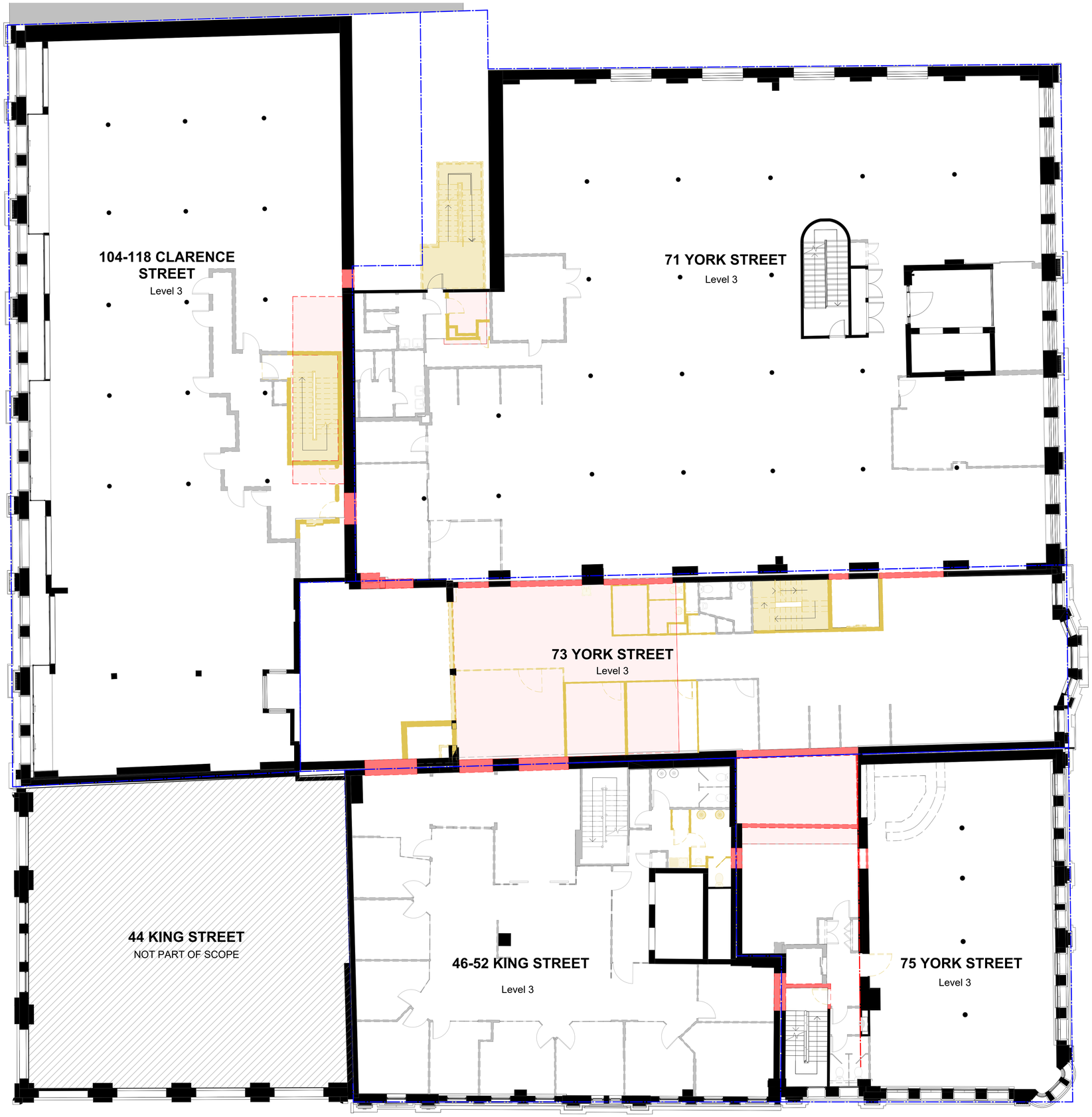
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Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-0255		/ 11

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1 SK-0273

143

1 SK-0272

1 SK-0271

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)

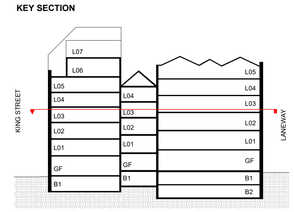
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
1	08.04.2025	FOR INFORMATION	JM	DM
3	17.05.2025	FOR INFORMATION	JM	DM
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
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7	15.05.2025	ISSUE FOR DA	DM	AH
8	06.08.2025	FOR INFORMATION	JM	DM
9	08.08.2025	FOR INFORMATION	JM	DM
10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



NOTE: MINOR CHANGES TO FORM AND CONFIGURATION MAY BE REQUIRED WHEN DRAWINGS ARE SUBSEQUENTLY PREPARED FOR CONSTRUCTION PURPOSES AFTER THE GRANT OF DEVELOPMENT CONSENT.

Client

[redacted]

Project

KINGS GREEN

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SYDNEY NSW 2000

Drawing Name

DEMOLITION PLAN - LEVEL 03

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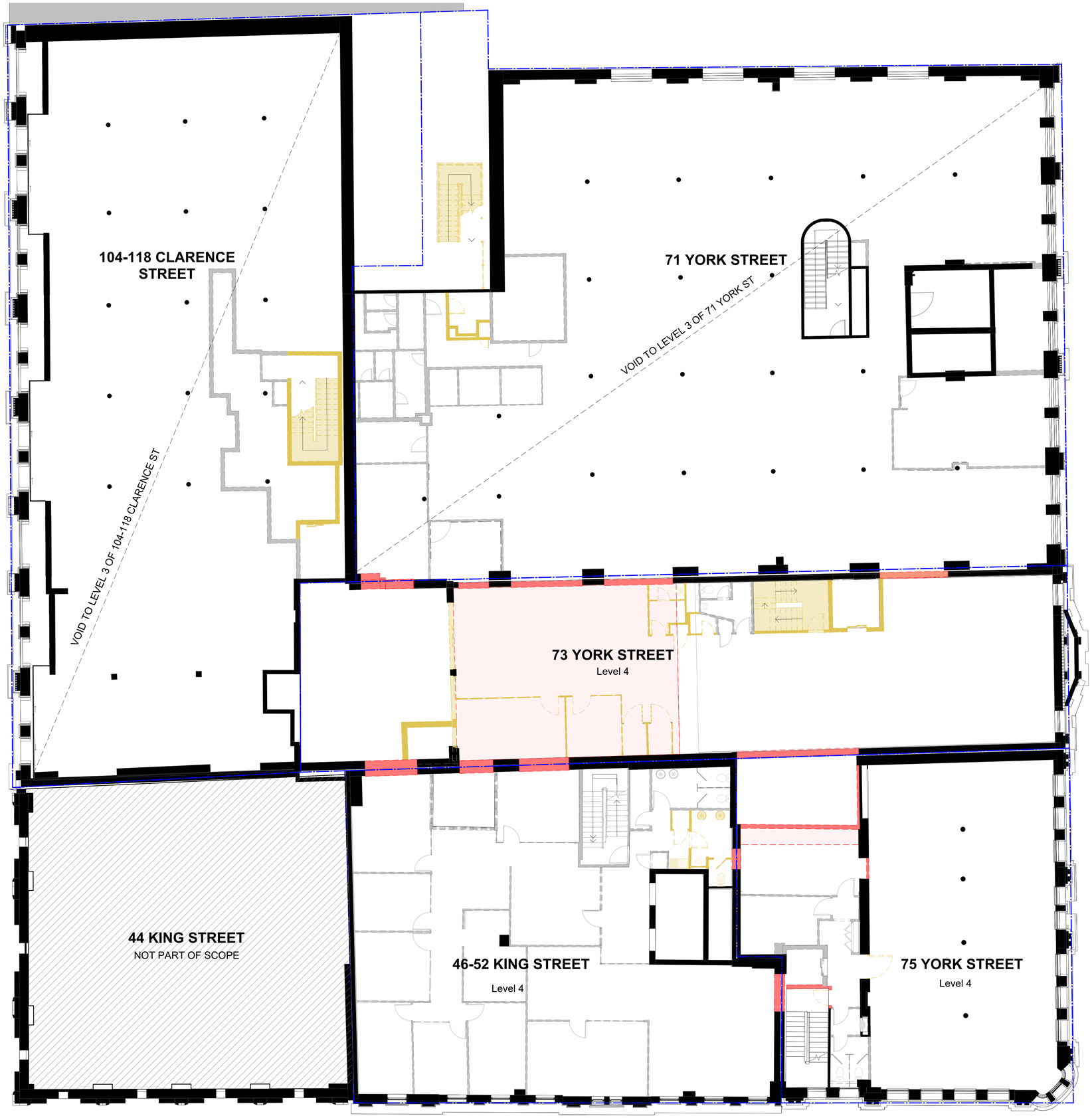
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JM	DM	7106

Drawing No.	Revision
DA-0256	/ 11

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1 SK-0273

144

1 SK-0272

1 SK-0271

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

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10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION

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Client

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Drawing Name

DEMOLITION PLAN - LEVEL 04

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1

Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-0257	/ 11

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11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION

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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

DEMOLITION PLAN - LEVEL 05

KEY

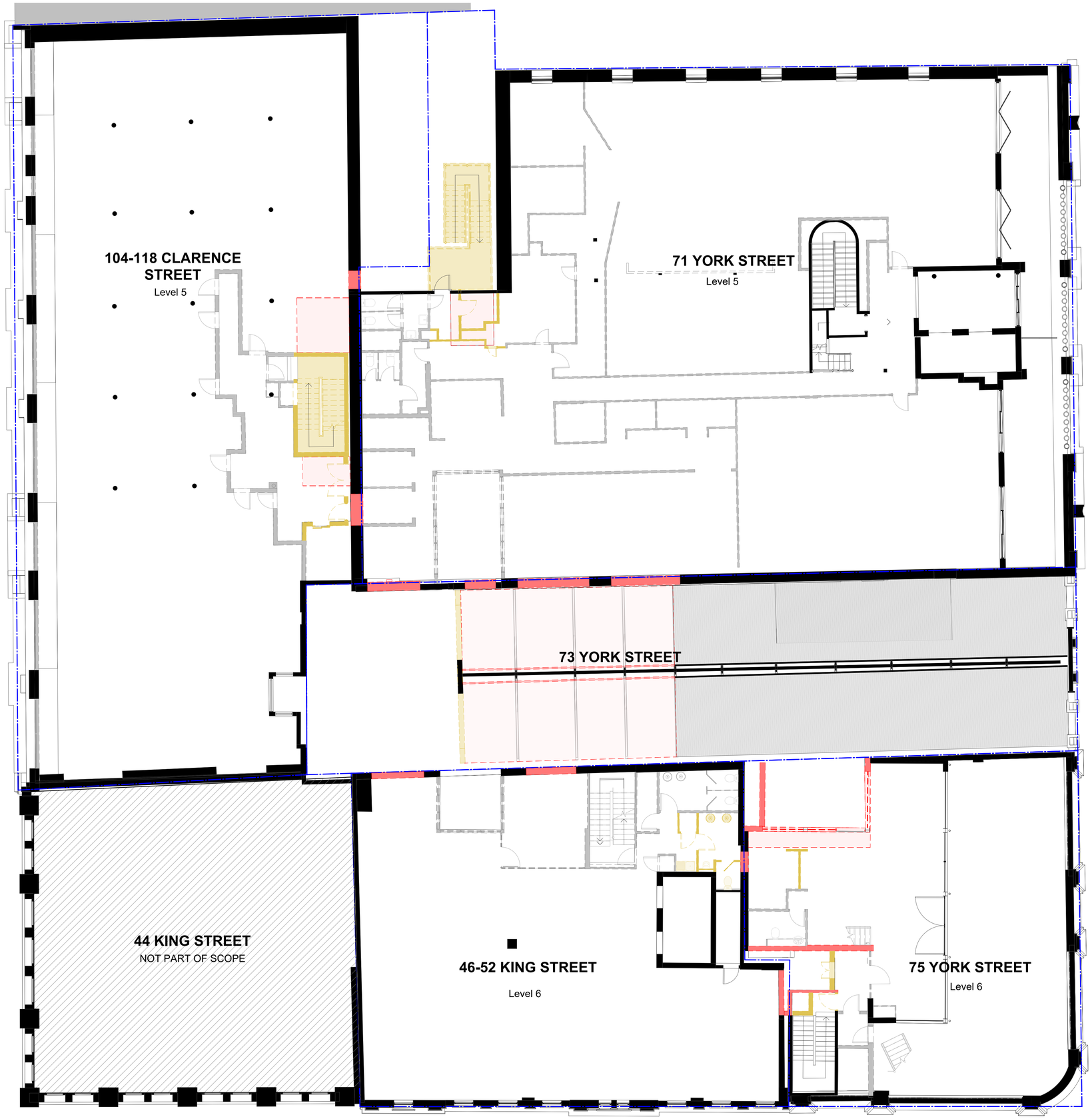
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- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
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Date	Scale	Sheet Size
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JM	DM	7106
Drawing No.		Revision
DA-0258		/ 11

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1 SK-0273

1 SK-0272

1 SK-0271

146

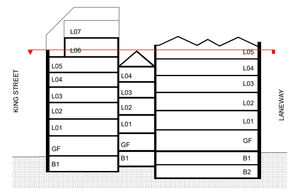
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	06.08.2025	FOR INFORMATION	JM	DM
9	08.08.2025	FOR INFORMATION	JM	DM
10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

DEMOLITION PLAN - LEVEL 06

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-0259		/ 11

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1 SK-0273

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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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Rev	Date	Revision	By	Chk.
1	08.04.2025	FOR INFORMATION	JM	DM
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4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	06.08.2025	FOR INFORMATION	JM	DM
9	08.08.2025	FOR INFORMATION	JM	DM
10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

DEMOLITION PLAN - LEVEL 07

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)

Date	Scale	Sheet Size
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Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-0260		/ 11

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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

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1	08.04.2025	FOR INFORMATION	JM	DM
3	17.05.2025	FOR INFORMATION	JM	DM
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5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	06.08.2025	FOR INFORMATION	JM	DM
9	08.08.2025	FOR INFORMATION	JM	DM
10	12.08.2025	FOR APPROVAL	JM	DM
11	17.09.2025	FOR APPROVAL	JM	DM



148

NOTE: MINOR CHANGES TO FORM AND CONFIGURATION MAY BE REQUIRED WHEN DRAWINGS ARE SUBSEQUENTLY PREPARED FOR CONSTRUCTION PURPOSES AFTER THE GRANT OF DEVELOPMENT CONSENT.

Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

DEMOLITION PLAN - ROOF

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- NON ORIGINAL FABRIC DEMOLITION SUBJECT TO FUTURE APPROVAL
- HISTORIC FABRIC PROPOSED FOR DEMOLITION
- NON-ORIGINAL FABRIC PROPOSED FOR DEMOLITION (FOR AREAS SUBJECT TO PROPOSED WORKS AS PREVIOUSLY IDENTIFIED)

Date	Scale	Sheet Size
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JM	DM	7106
Drawing No.		Revision
DA-0261		/ 11

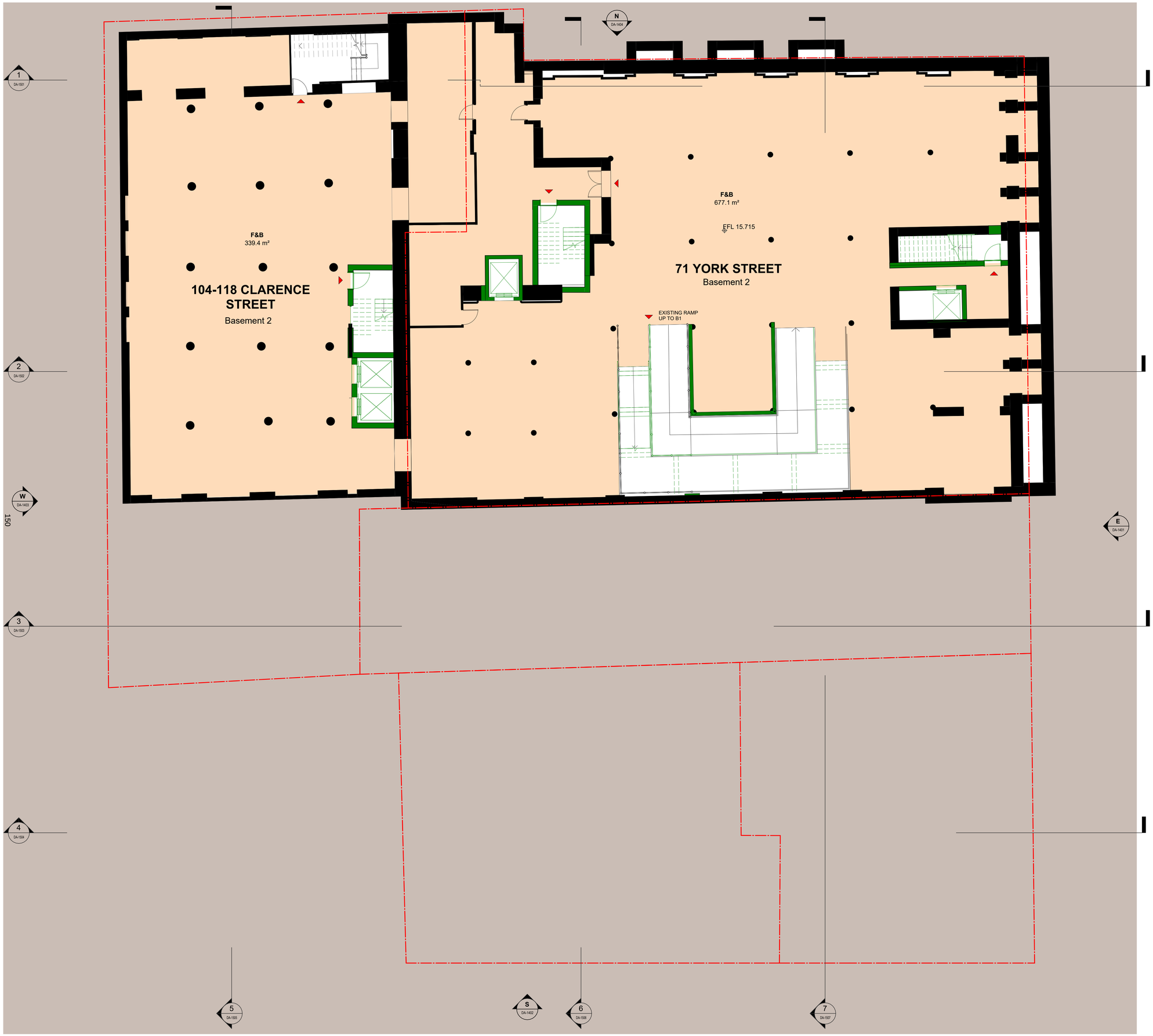
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Attachment B2

Selected Drawings



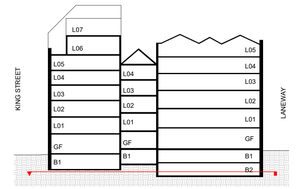
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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7	15.05.2025	ISSUE FOR DA	DM	AH

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - BASEMENT 02

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

Date	Scale	Sheet Size
15.05.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1001		/ 7

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NOTE: ADDITIONAL WASTE AREA MAY BE REQUIRED BASED ON FUTURE FIT-OUTS (SUBJECT TO FUTURE DETAILED DEVELOPMENT APPLICATIONS)*.

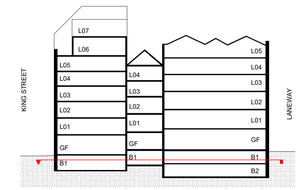
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7	15.05.2025	ISSUE FOR DA	DM	AH
11	02.09.2025	FOR INFORMATION	JM	DM
12	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

[redacted]

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - BASEMENT 01

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1002		/ 12

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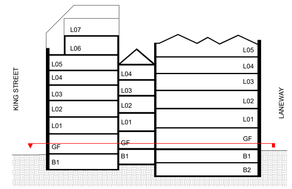
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11	02.09.2025	FOR INFORMATION	JM	DM
12	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



NOTE: MINOR CHANGES TO FORM AND CONFIGURATION MAY BE REQUIRED WHEN DRAWINGS ARE SUBSEQUENTLY PREPARED FOR CONSTRUCTION PURPOSES AFTER THE GRANT OF DEVELOPMENT CONSENT.

Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - LEVEL 00

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1003		/ 12

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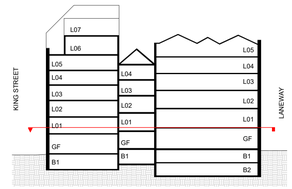
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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
1	08.04.2025	FOR INFORMATION	JM	DM
2	15.04.2025	FOR INFORMATION	JM	DM
3	17.05.2025	FOR INFORMATION	JM	DM
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - LEVEL 01

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1004		/ 8

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FOR APPROVAL

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8	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - LEVEL 02

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1005		/ 8

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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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8	17.09.2025	FOR APPROVAL	JM	DM

CLARENCE STREET

YORK STREET

155

1 DA-1501

2 DA-1502

3 DA-1503

4 DA-1504

5 DA-1505

6 DA-1506

7 DA-1507

N DA-1404

W DA-1403

E DA-1401

S DA-1402

104-118 CLARENCE STREET
Level 3

HOTEL ACCOMMODATION
479.9 m²

EFL 35.865

71 YORK STREET
Level 3

HOTEL ANCILLARY OFFICES & BOH
696.2 m²

EFL 35.859

NEW OPENINGS

EFL 35.859

73 YORK STREET
Level 3

HOTEL ANCILLARY OFFICES & BOH
139.1 m²

EFL 34.685

VOID OVER COURTYARD

NEW FACADE

NEW OPENINGS (PROTECTED)

HOTEL ANCILLARY OFFICES & BOH
485.6 m²

44 KING STREET
NOT PART OF SCOPE

46-52 KING STREET
Level 3

FFL 33.130

SOFT FLOOR INFILL TO ALLOW FUTURE REINSTATEMENT OF LIFT

75 YORK STREET
Level 3

FFL 33.535

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - LEVEL 03

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1006		/ 8

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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

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6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM

CLARENCE STREET

YORK STREET

156

104-118 CLARENCE STREET

71 YORK STREET

VOID TO LEVEL 3 OFFICE SPACE

VOID TO LEVEL 3 HOTEL SPACE

VOID OVER COURTYARD

NEW FACADE

73 YORK STREET
Level 4
F&B
137.6 m²
FFL 38.415

NEW OPENINGS (PROTECTED)

44 KING STREET
NOT PART OF SCOPE

F&B
487.2 m²
46-52 KING STREET
Level 4
FFL 37.247

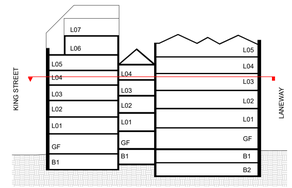
FFL 37.175
SOFT FLOOR INFILL TO ALLOW FUTURE REINSTATEMENT OF LIFT
75 YORK STREET
Level 4

N DA-1404
1 DA-1501
2 DA-1502
3 DA-1503
4 DA-1504
W DA-1403
E DA-1401
5 DA-1505
S DA-1402
6 DA-1506
7 DA-1507

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - LEVEL 04

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1007		/ 8

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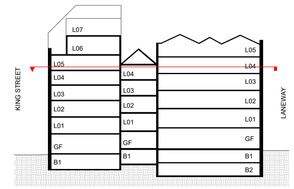
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7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - LEVEL 05

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1008		/ 8

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7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM

CLARENCE STREET

YORK STREET

1 DA-1501

2 DA-1502

W DA-1403

158

4 DA-1504

5 DA-1505

S DA-1402

6 DA-1506

7 DA-1507

N DA-1404

E DA-1401

104-118 CLARENCE STREET
Level 5

HOTEL ACCOMMODATION
497.4 m²

FFL 43.735

71 YORK STREET
Level 5

F&B
644.7 m²

FFL 43.772

FFL 43.772

F&B TERRACE
52.2 m²

NEW OPENINGS

73 YORK STREET

NEW OPENINGS (PROTECTED)

FFL 44.250

F&B
379.2 m²

FFL 44.340

FFL 44.250

F&B TERRACE
113.5 m²

44 KING STREET
NOT PART OF SCOPE

46-52 KING STREET
Level 6

SOFT FLOOR INFILL TO ALLOW FUTURE REINSTATEMENT OF LIFT

75 YORK STREET
Level 6

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - LEVEL 06

Date	Scale	Sheet Size
17.09.2025	1 : 100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1009		/ 8

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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

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3	17.05.2025	FOR INFORMATION	JM	DM
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM

KEY SECTION



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - LEVEL 07

KEY

- EXISTING BUILDING ELEMENTS RETAINED
- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

Date	Scale	Sheet Size
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Drawn	**Chk.**	**Job No.**
JM	DM	7106
Drawing No.		**Revision**
DA-1010		/ 8

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KEY

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- PROPOSED ELEMENTS
- F&B
- F&B TERRACE
- HOTEL LOBBY & PUBLIC BAR
- HOTEL ACCOMMODATION
- HOTEL ANCILLARY
- BOH
- NOT IN SCOPE
- PATH OF ESCAPE EGRESS

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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

FLOOR PLAN - ROOF

Date	Scale	Sheet Size
17.09.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1011		/ 8

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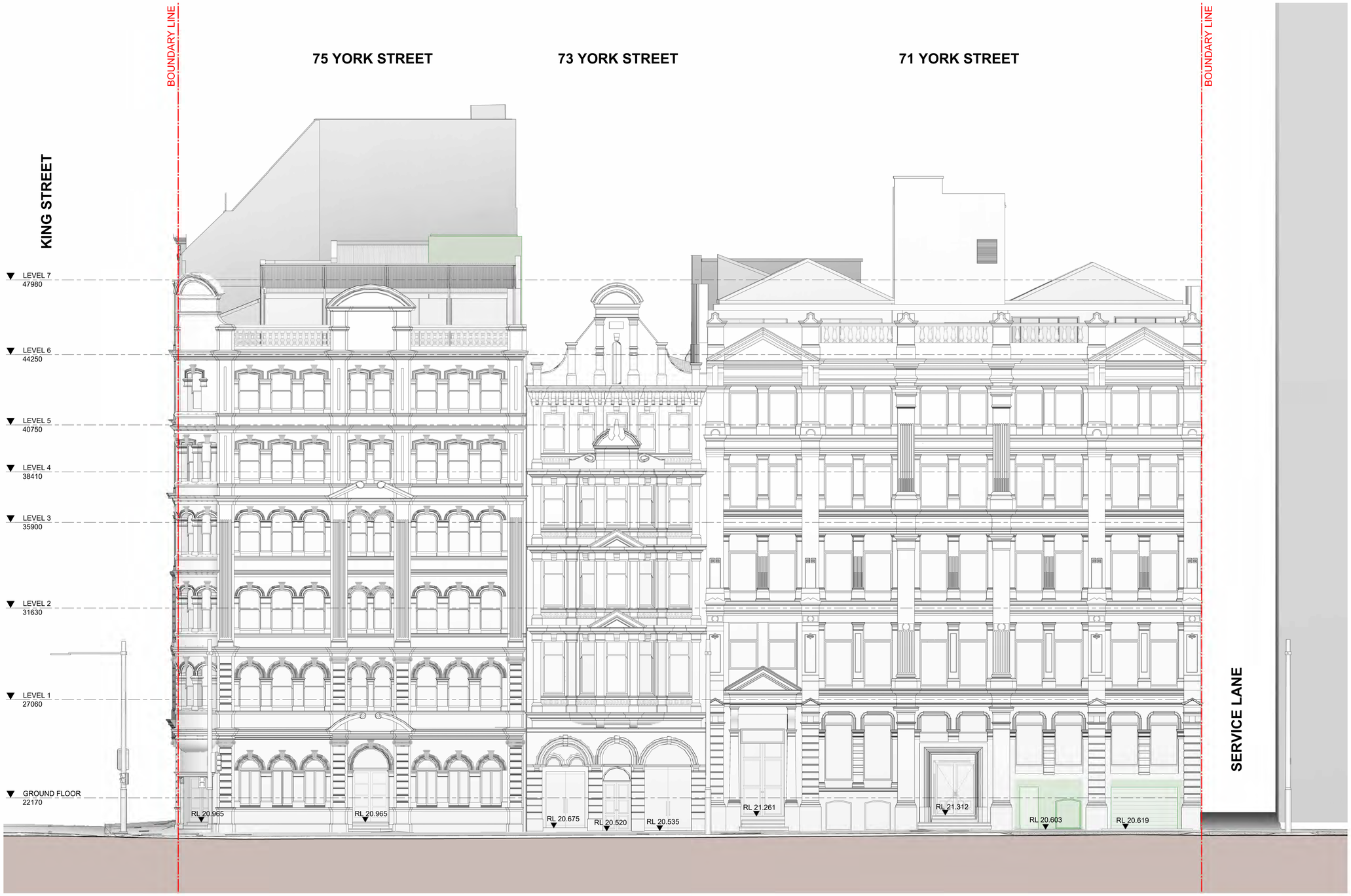
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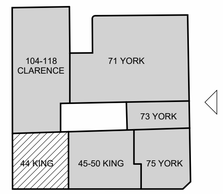
Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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8	17.09.2025	FOR APPROVAL	JM	DM



KEY PLAN



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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

ELEVATIONS - EAST

Date	Scale	Sheet Size
17.09.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1401		/ 8

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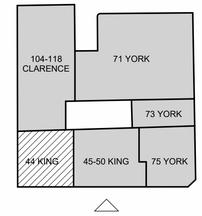
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5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM



KEY PLAN



NOTE: MINOR CHANGES TO FORM AND CONFIGURATION MAY BE REQUIRED WHEN DRAWINGS ARE SUBSEQUENTLY PREPARED FOR CONSTRUCTION PURPOSES AFTER THE GRANT OF DEVELOPMENT CONSENT.

Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St
& 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

ELEVATIONS - SOUTH

Date	Scale	Sheet Size
17.09.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1402		/ 8

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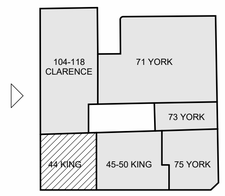
Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH



KEY PLAN



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

ELEVATIONS - WEST

Date	Scale	Sheet Size
15.05.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1403		/ 7

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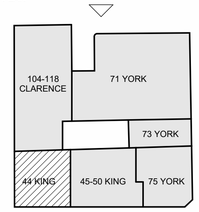
Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
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6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH



KEY PLAN



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

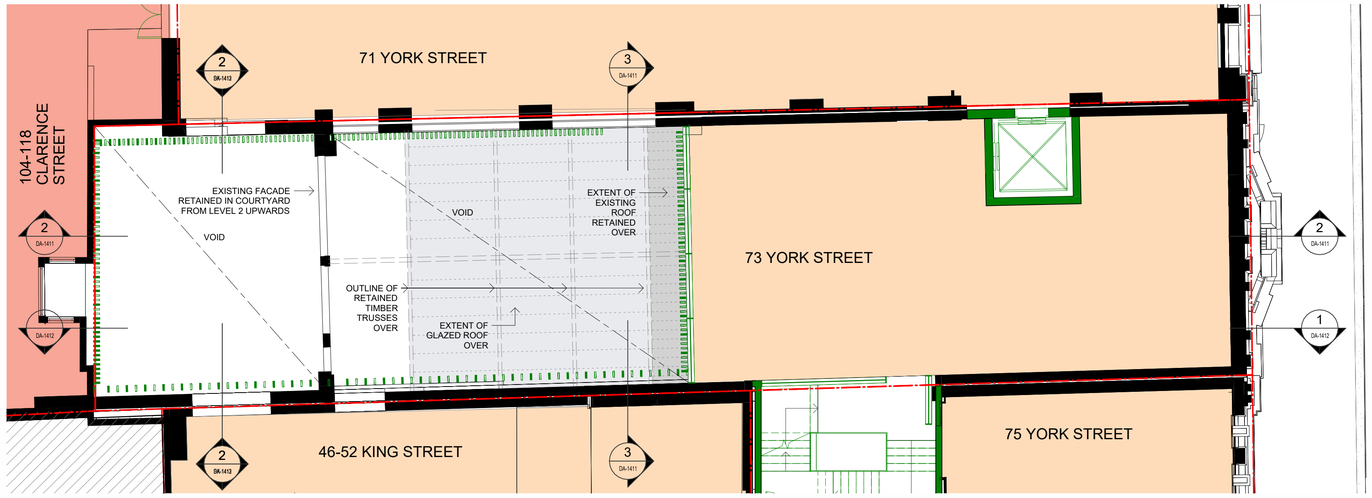
ELEVATIONS - NORTH

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JM	DM	7106
Drawing No.		**Revision**
DA-1404		/ 7

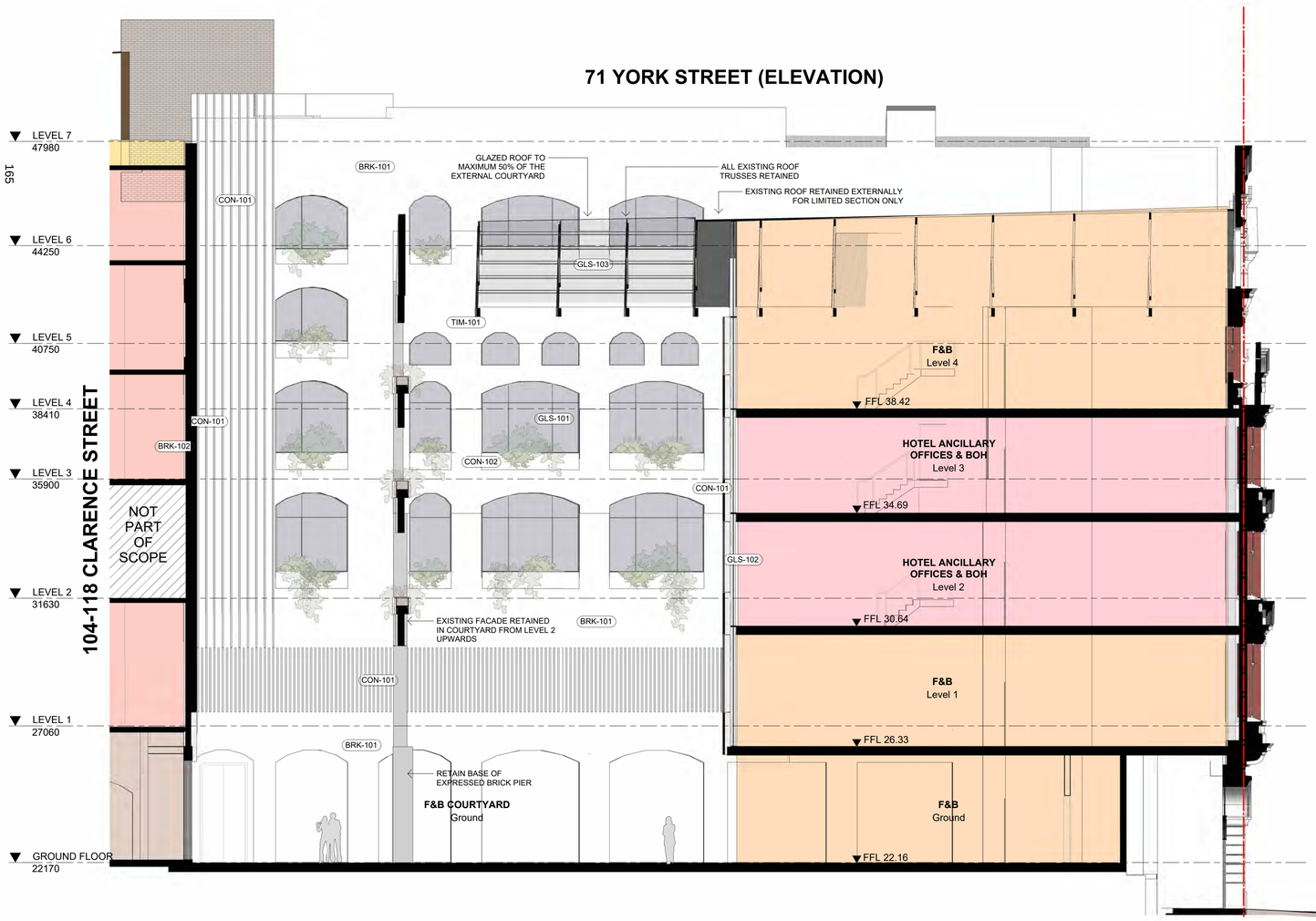
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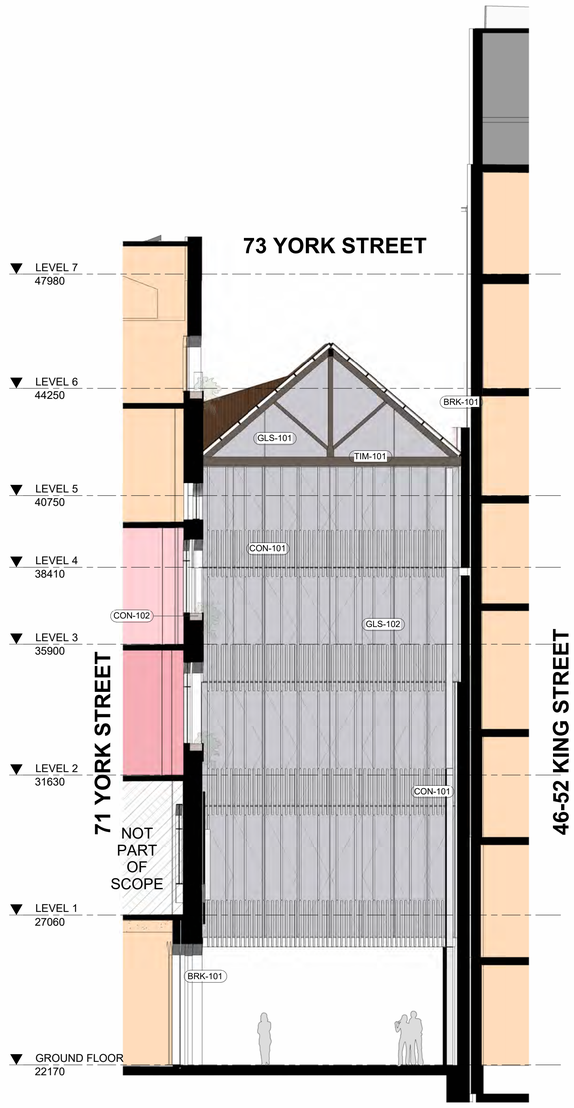
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1 DA-1401 TYPICAL LEVEL_COURTYARD
SCALE 1 : 100



2 DA-1411 COURTYARD - NORTH ELEVATION
SCALE 1 : 100



3 DA-1411 COURTYARD - EAST ELEVATION
SCALE 1 : 100

EXTERNAL FINISHES

BRK-101	BRICKWORK | Removal of brick finishes to expose raw brickwork
BRK-102	BRICKWORK | Existing brickwork painted | Off-white colour
CON-101	GRC BATTENS | Off white colour
CON-102	GRC PLANTERS | Off white colour
GLS-101	GLAZING | Metal framed | New openings in existing walls | Sliding and fixed | Off-white frame finish
GLS-102	GLAZING | Metal framed | Bifold operation | Off-white frame finish
GLS-103	GLAZING | Metal framed | Glazed Roof | Off-white frame finish
TIM-101	TIMBER | Existing timber truss retained

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FOR APPROVAL

Rev	Date	Revision	By	Chk.
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KEY PLAN

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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

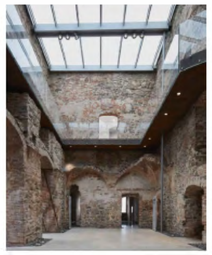
COURTYARD ELEVATIONS - SHEET 1

Date	Scale	Sheet Size
17.09.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1411		/ 8

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PRECEDENTS COURTYARD FACING ELEVATIONS

71 YORK STREET & 46-52 KING STREET



73 YORK ST



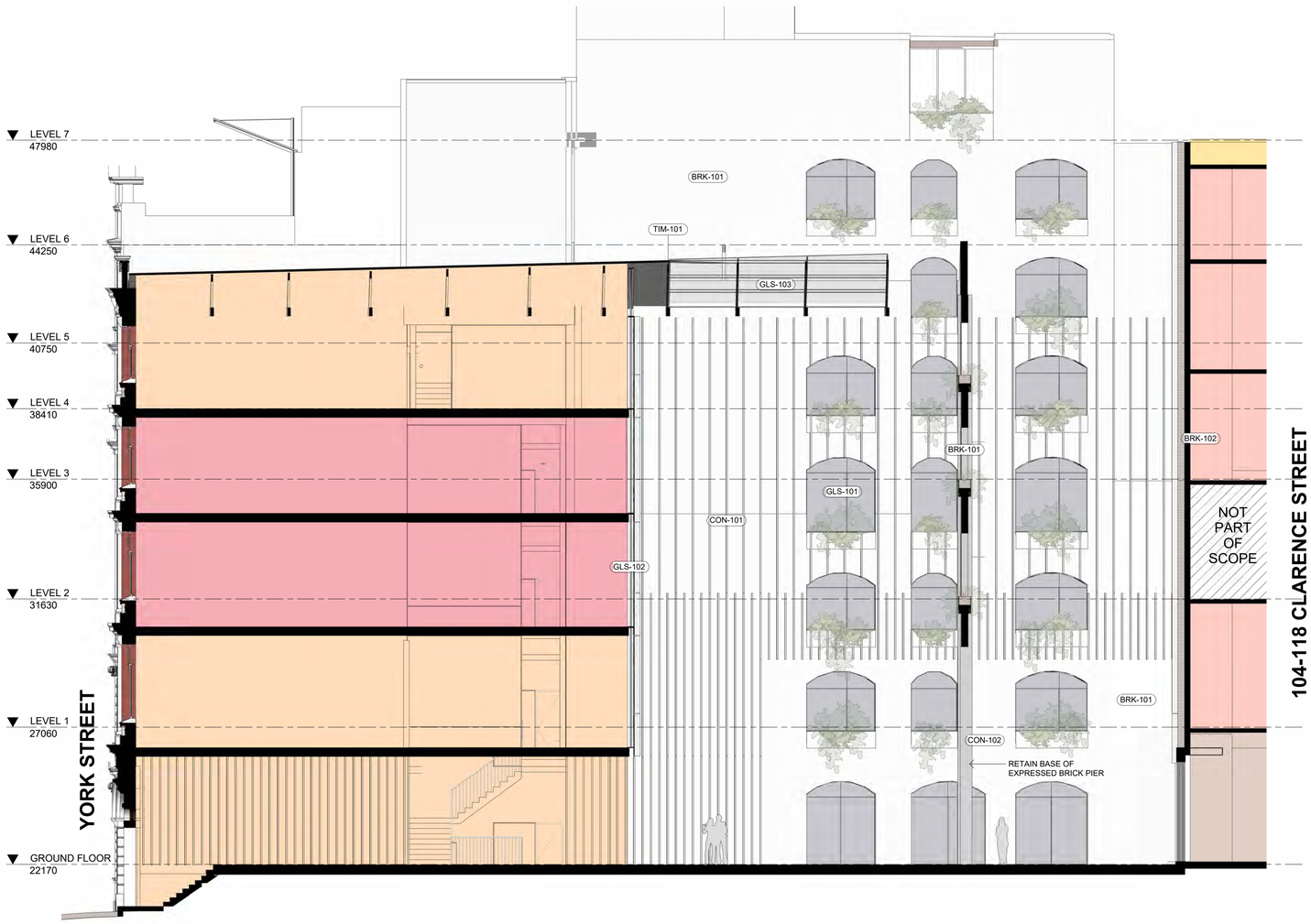


104-118 CLARENCE ST



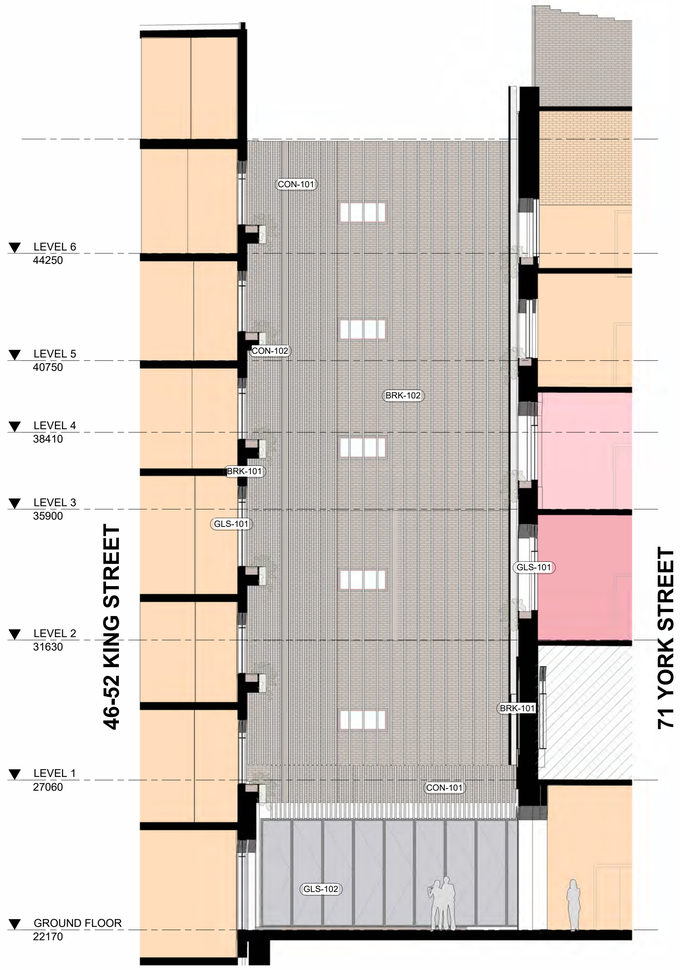

EXTERNAL FINISHES

BRK-101	BRICKWORK | Removal of brick finishes to expose raw brickwork
BRK-102	BRICKWORK | Existing brickwork painted | Off-white colour
CON-101	GRC BATTENS | Off white colour
CON-102	GRC PLANTERS | Off white colour
GLS-101	GLAZING | Metal framed | New openings in existing walls | Sliding and fixed | Off-white frame finish
GLS-102	GLAZING | Metal framed | Bifold operation | Off-white frame finish
GLS-103	GLAZING | Metal framed | Glazed Roof | Off-white frame finish
TIM-101	TIMBER | Existing timber truss retained



1 DA-1411 COURTYARD - SOUTH ELEVATION
SCALE 1 : 100

104-118 CLARENCE STREET (ELEVATION)



2 DA-1411 COURTYARD - WEST ELEVATION
SCALE 1 : 100

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8	17.09.2025	FOR APPROVAL	JM	DM

KEY PLAN

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Client

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Project

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SYDNEY NSW 2000

Drawing Name

COURTYARD
ELEVATIONS - SHEET 2

Date	Scale	Sheet Size
17.09.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1412		/ 8

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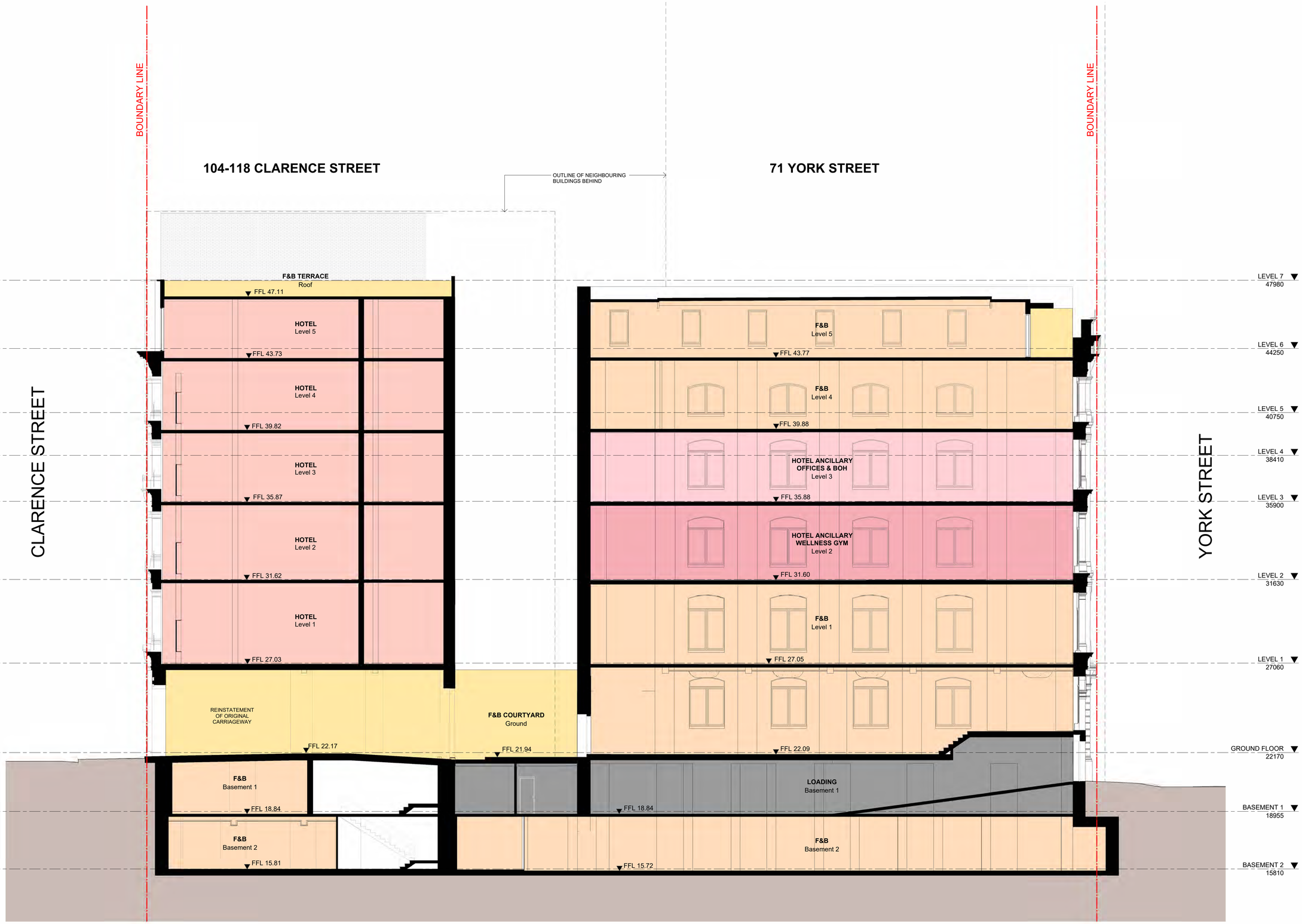
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4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

BUILDING SECTION 1

Date	Scale	Sheet Size
15.05.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1501		/ 7

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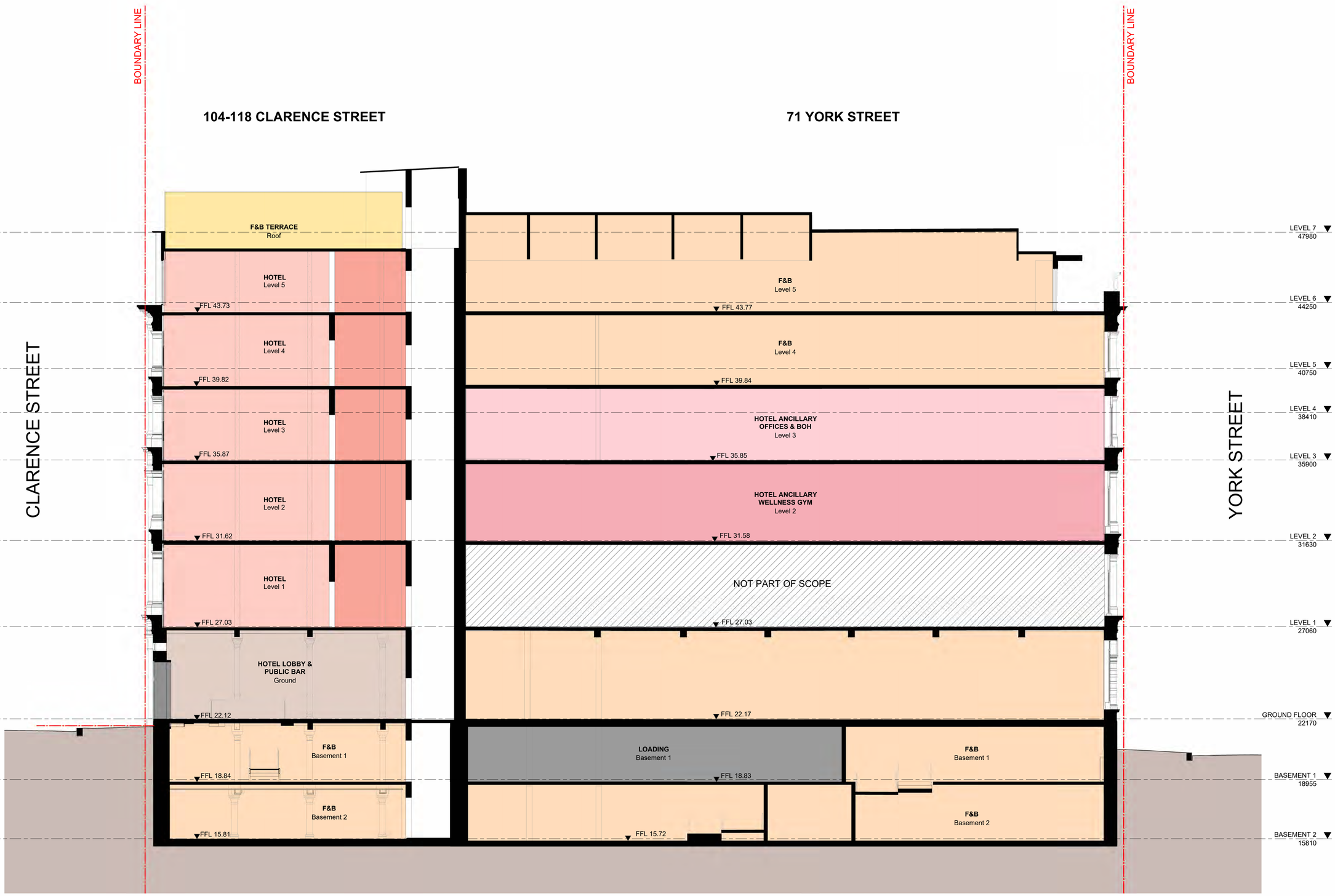
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7	15.05.2025	ISSUE FOR DA	DM	AH



KEY PLAN



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Drawing Name

BUILDING SECTION 2

Date	Scale	Sheet Size
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Drawing No.		**Revision**
DA-1502		/ 7

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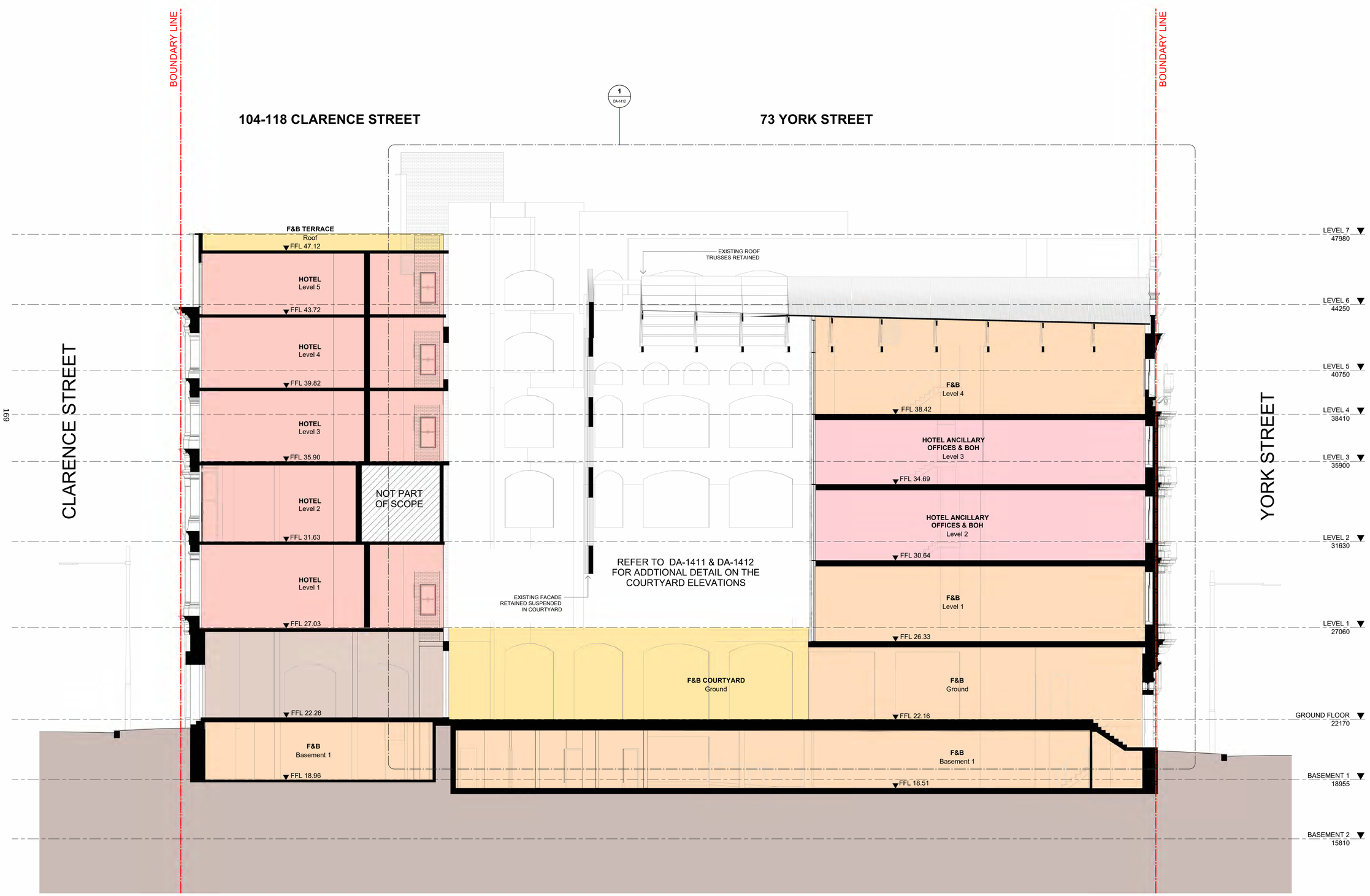
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SYDNEY NSW 2000

Drawing Name

BUILDING SECTION 3

Date	Scale	Sheet Size
15.05.2025	1:100	A1

Drawn	Chk.	Job No.
JM	DM	7106

Drawing No.	Revision
DA-1503	/ 7

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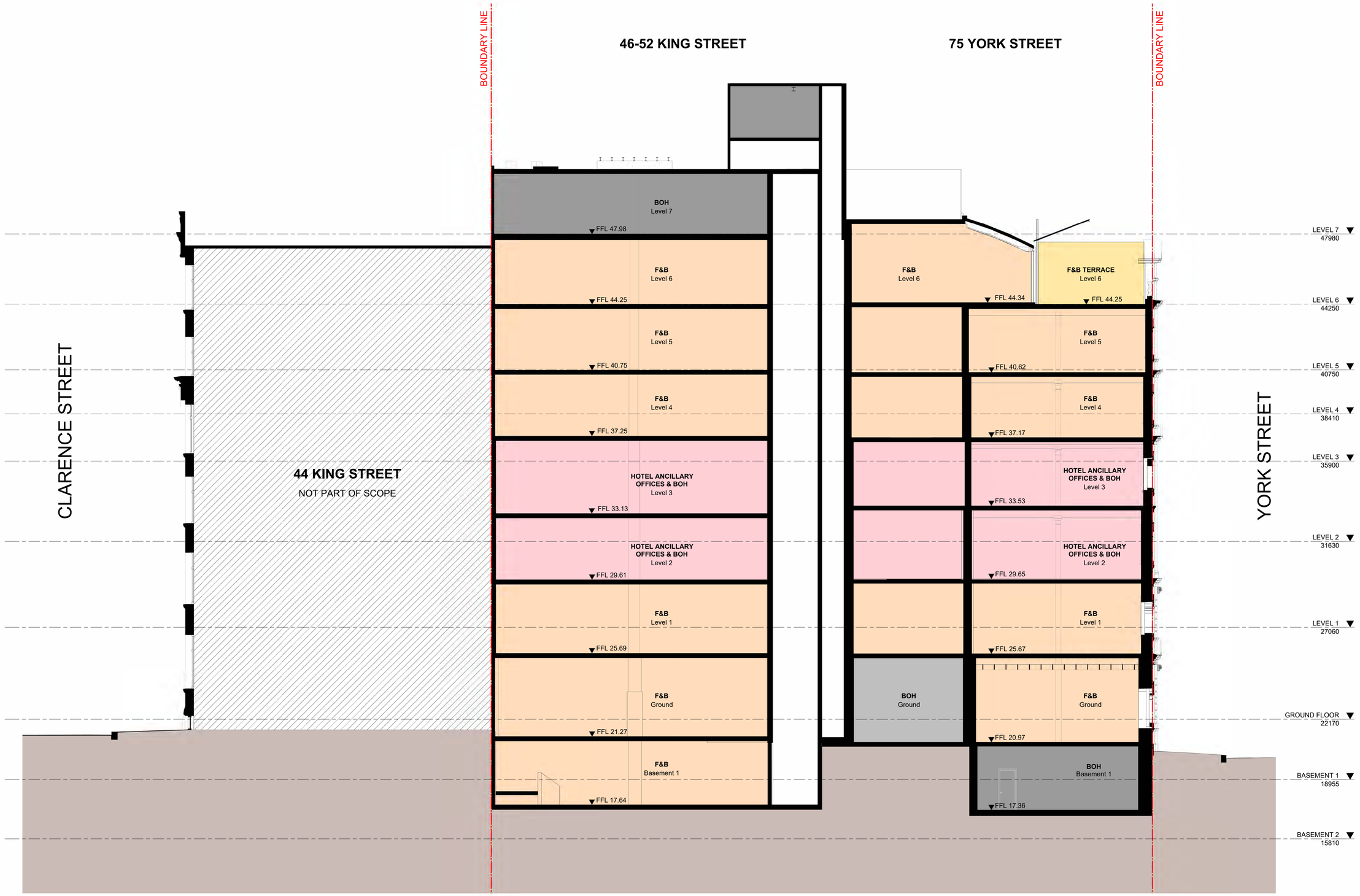
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FOR APPROVAL

Rev	Date	Revision	By	Chk.
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6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM



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KINGS GREEN

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SYDNEY NSW 2000

Drawing Name

BUILDING SECTION 4

Date	Scale	Sheet Size
17.09.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1504		/ 8

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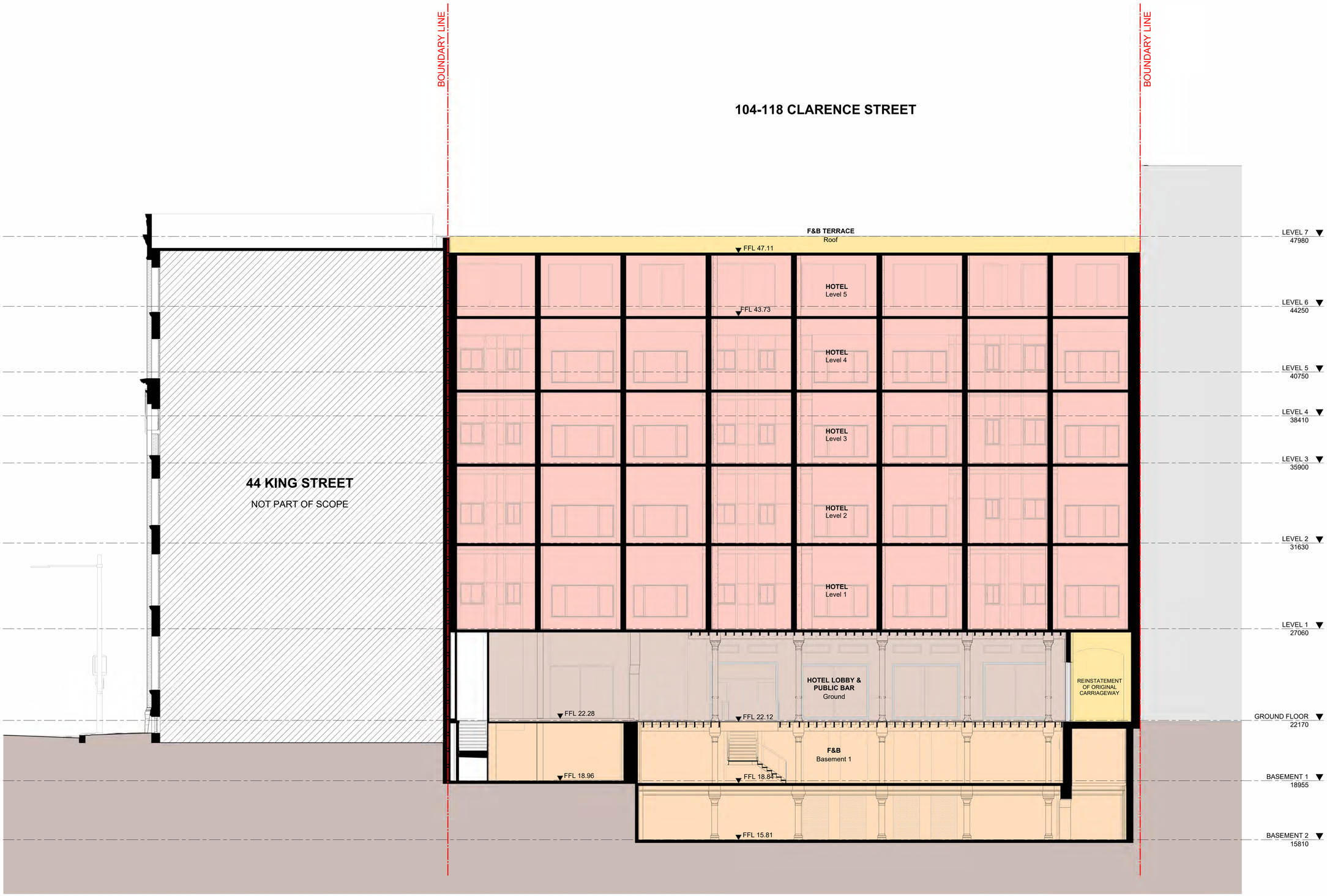
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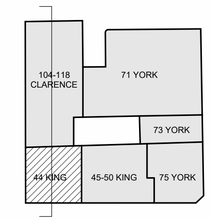
Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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Rev	Date	Revision	By	Chk.
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7	15.05.2025	ISSUE FOR DA	DM	AH



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St
& 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

BUILDING SECTION 5

Date	Scale	Sheet Size
15.05.2025	1:100	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1505		/ 7

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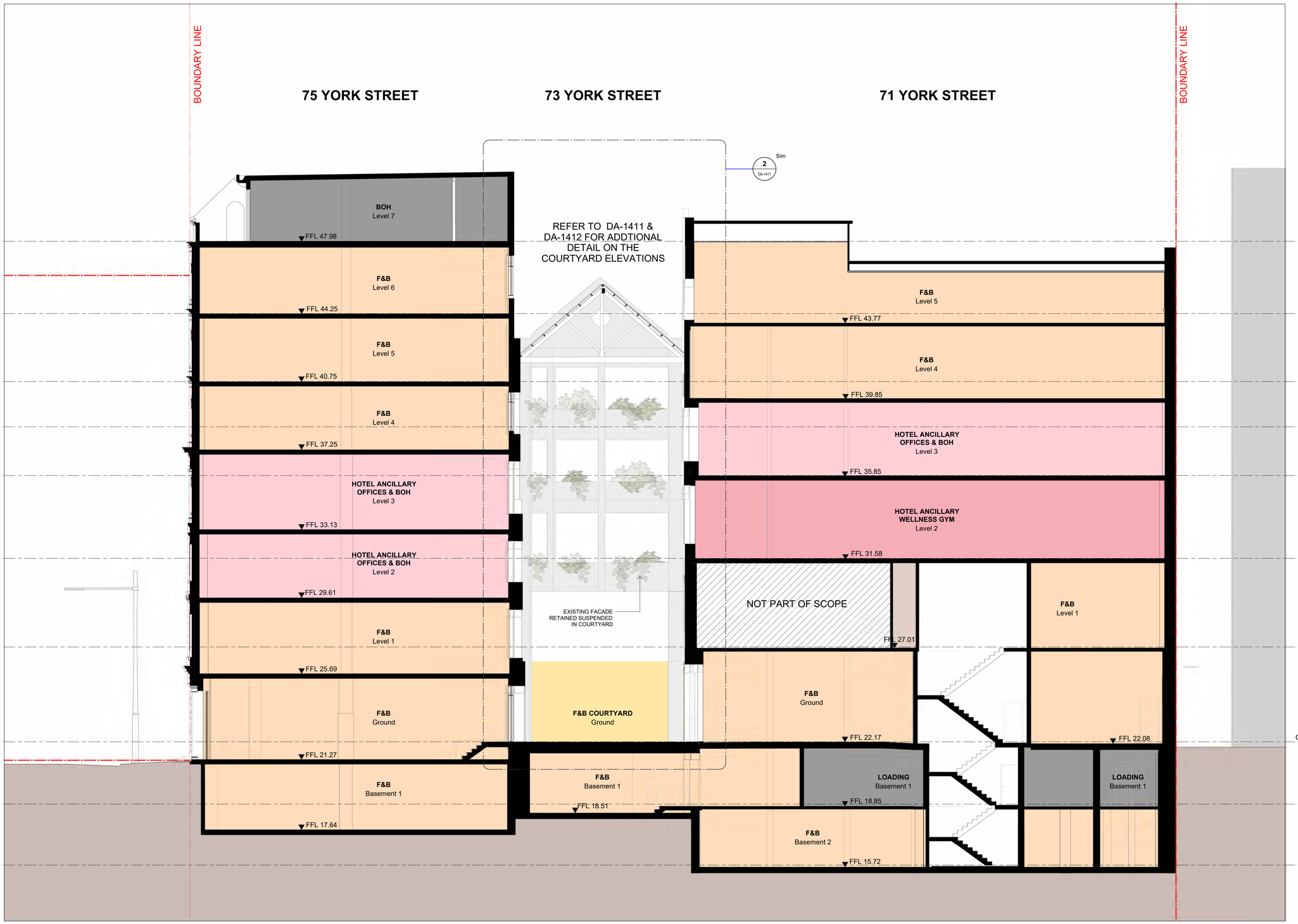
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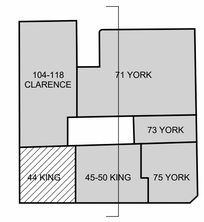
Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
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5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM



KEY PLAN



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Client

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Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

BUILDING SECTION 6

Date	Scale	Sheet Size
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Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1506		/ 8

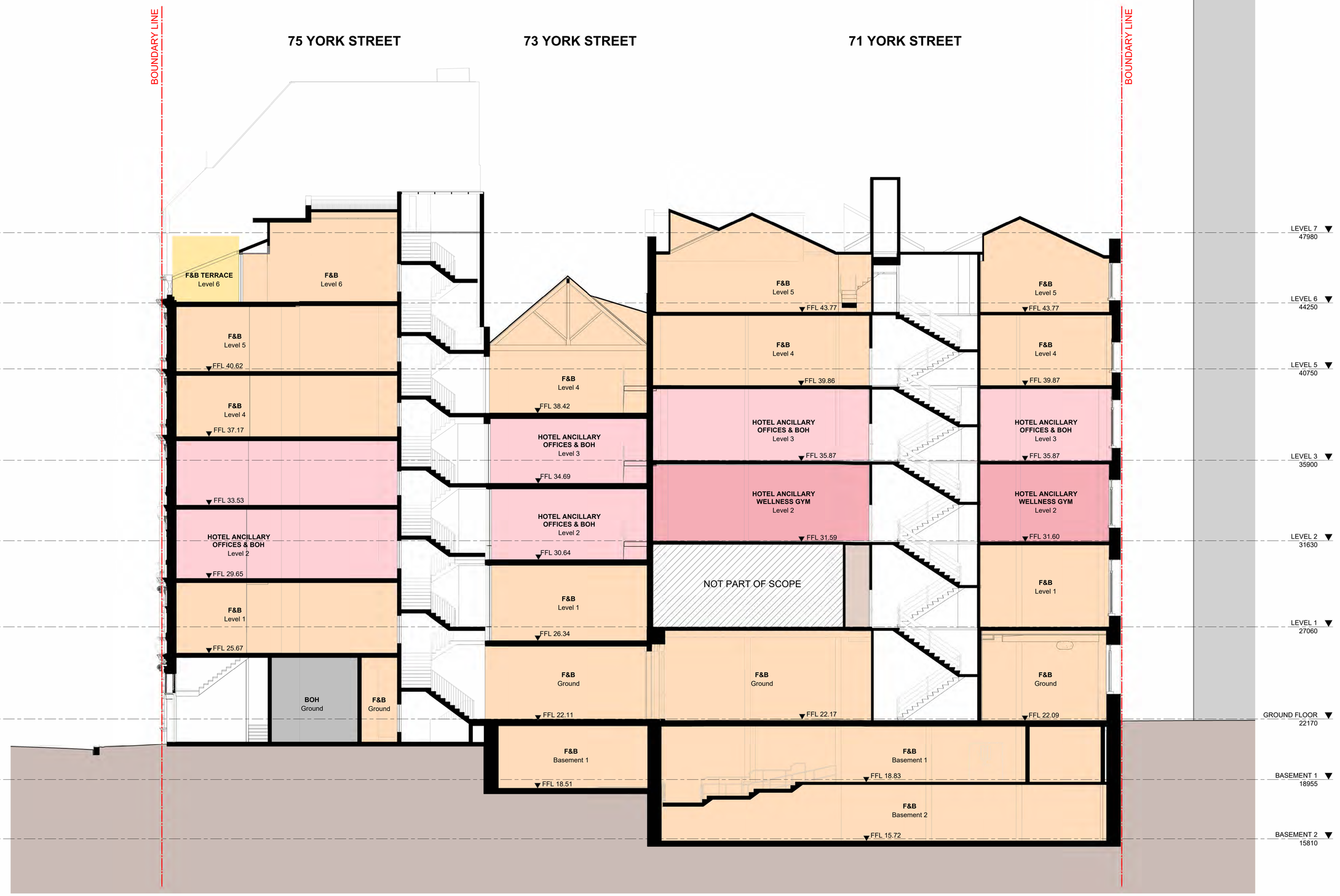
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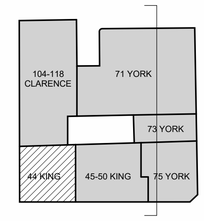
Nominated Architects: Adam Haddow-7188 | John Pradel-7004

FOR APPROVAL

Rev	Date	Revision	By	Chk.
4	24.04.2025	FOR INFORMATION	JM	DM
5	01.05.2025	PRELIMINARY	JM	DM
6	09.05.2025	FOR INFORMATION	JM	DM
7	15.05.2025	ISSUE FOR DA	DM	AH
8	17.09.2025	FOR APPROVAL	JM	DM



KEY PLAN



NOTE: MINOR CHANGES TO FORM AND CONFIGURATION MAY BE REQUIRED WHEN DRAWINGS ARE SUBSEQUENTLY PREPARED FOR CONSTRUCTION PURPOSES AFTER THE GRANT OF DEVELOPMENT CONSENT.

Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

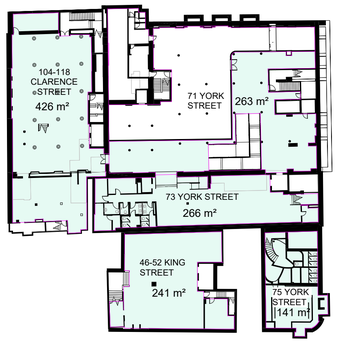
BUILDING SECTION 7

Date	Scale	Sheet Size
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Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-1507		/ 8

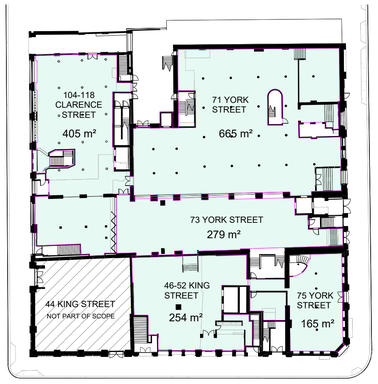
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1 DA-1501 **BASEMENT 02**
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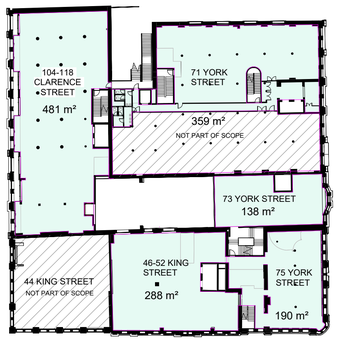


2 DA-1403 **BASEMENT 01**
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3 DA-1401 **LEVEL 00**
SCALE 1 : 500

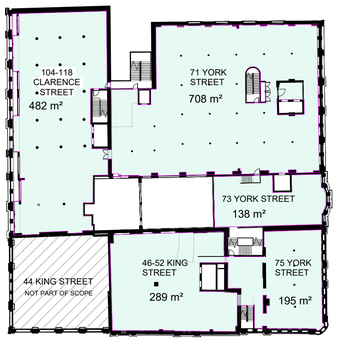
Area Schedule (GFA)		
Area Description	Level	Area
46-52 King St	BASEMENT 1	241 m²
46-52 King St	GROUND FLOOR	254 m²
46-52 King St	LEVEL 1	288 m²
46-52 King St	LEVEL 2	287 m²
46-52 King St	LEVEL 3	289 m²
46-52 King St	LEVEL 4	289 m²
46-52 King St	LEVEL 5	290 m²
46-52 King St	LEVEL 6	288 m²
		2227 m²
71 York St	BASEMENT 2	784 m²
71 York St	BASEMENT 1	263 m²
71 York St	GROUND FLOOR	665 m²
71 York St	LEVEL 1	359 m²
71 York St	LEVEL 2	708 m²
71 York St	LEVEL 3	708 m²
71 York St	LEVEL 5	712 m²
71 York St	LEVEL 6	646 m²
		4844 m²
73 York St	BASEMENT 1	266 m²
73 York St	GROUND FLOOR	279 m²
73 York St	LEVEL 1	138 m²
73 York St	LEVEL 2	138 m²
73 York St	LEVEL 3	138 m²
73 York St	LEVEL 4	142 m²
		1101 m²
75 York St	BASEMENT 1	141 m²
75 York St	GROUND FLOOR	165 m²
75 York St	LEVEL 1	190 m²
75 York St	LEVEL 2	189 m²
75 York St	LEVEL 3	195 m²
75 York St	LEVEL 4	199 m²
75 York St	LEVEL 5	201 m²
75 York St	LEVEL 6	88 m²
		1368 m²
104-118 Clarence St	BASEMENT 2	349 m²
104-118 Clarence St	BASEMENT 1	426 m²
104-118 Clarence St	GROUND FLOOR	405 m²
104-118 Clarence St	LEVEL 1	481 m²
104-118 Clarence St	LEVEL 2	432 m²
104-118 Clarence St	LEVEL 3	482 m²
104-118 Clarence St	LEVEL 5	482 m²
104-118 Clarence St	LEVEL 6	501 m²
		3558 m²
TOTAL		13098 m²



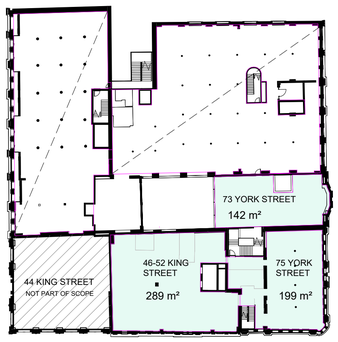
4 DA-1401 **LEVEL 01**
SCALE 1 : 500



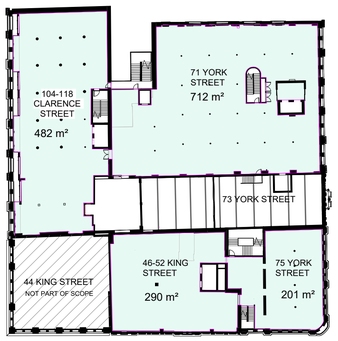
5 DA-1401 **LEVEL 02**
SCALE 1 : 500



6 DA-1401 **LEVEL 03**
SCALE 1 : 500



7 DA-1401 **LEVEL 04**
SCALE 1 : 500



8 DA-1401 **LEVEL 05**
SCALE 1 : 500



9 DA-1401 **LEVEL 06**
SCALE 1 : 500



10 DA-1401 **LEVEL 07**
SCALE 1 : 500

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Nominated Architects: Adam Haddow-7188 | John Pradel-7004

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8	17.09.2025	FOR APPROVAL	JM	DM

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Client

merivale

Project

KINGS GREEN

71, 73, 75 York St & 46-50, 52 King St & 104-118 Clarence St
SYDNEY NSW 2000

Drawing Name

AREA PLANS - GFA

Date	Scale	Sheet Size
17.09.2025	1 : 500	A1
Drawn	Chk.	Job No.
JM	DM	7106
Drawing No.		Revision
DA-8101		/ 8

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Attachment C

Submissions

From: DJ Chen
Sent on: Tuesday, December 10, 2024 2:57:07 PM
To: council
Subject: Objection to D/2024/1018

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 Council

Reference is made to the below application

Applicant name:
MERIVALE CBD PTY LIMITED

Reference number:
D/2024/1018

Site address:
75 York Street, SYDNEY NSW 2000, 71 York Street, SYDNEY NSW 2000, 73 York Street, SYDNEY NSW 2000, 104-118 Clarence Street, SYDNEY NSW 2000, 46-52 King Street, SYDNEY NSW 2000

I am the lot owner of 16 / 104-118 Clarence St Sydney NSW 2000

In my capacity as owner and resident I am writing to register our objection to the proposal.

No owner consent and no intention to sell

We note that the applicant Merivale does not have full owner consent to submit this proposal and has not acted in good faith in this process to date. We note that other lot owners of 104-118 Clarence St Sydney have also not provided its consent and the motion for Merivale to submit this application is currently under challenge by owners of SP17719.

There is currently no intention for our lots to be sold to Merivale or to provide the consent required for this proposal to proceed, contrary to any representation by the applicant to suggest otherwise.

Adverse impact on Residential lots

We request that the proposal be assessed with regard to the above. In particular the proposal for the applicant to operate a 24/7 bar precinct must be rejected considering the adverse impact this has on current remaining residential lots and is not inappropriate for the applicant to operate as such when there are residential lots in the building that it does not and will not own.

Similarly the proposal to turn the existing common area rooftop into a public rooftop bar for the applicant's commercial gains must be rejected when considering the adverse impact this has on current residential lots in the building that are not owned by the applicant. Amongst the concerns are the impact on privacy and noise that the public rooftop bar will bring which will greatly diminish residential amenity for the current residential lots.

Proposal is Against the public interest

The proposed development should also be rejected given the proposed displacement of residents from current residential lots and the impact that this will have on the existing housing supply. There are currently a total of 40 residential units at 104-118 Clarence St and home to over 80 residents. The proposal seeks to reduce long term housing supply in the middle of the country's biggest housing crisis and is against the public interest. Plans by the applicant to convert the building to a boutique hotel / gym does not add to the long term housing supply.

Proposal Not Highest and Best Use of the Site

Previous publicised proposal for the site contemplated a 49 level building. The previous proposed plans for a office building could be amended to a residential development that provides substantial uplift to the existing 40 residential units. Similar developments in the surrounding area including the successful residential conversions at 116 Bathurst St and the in development 111 Castlereagh St which set a precedent for making the best use of the site and contributing to an increase in housing supply.

The applicant's proposal not only does not contribute to any uplift in housing stock but seeks to reduce and eliminate the existing available long term housing stock from the site altogether. Given there are clear examples of how the site's GFA can be maximised to contribute to the housing supply, such a proposal should be rejected.

We have been speaking to neighbouring residents who have raised similar concerns to the above, in a particular the concerns of being forced out of their current homes and adverse impact on residential amenity of having a 24/7 bar operating in the building.

We strongly encourage council to take the above concerns into account and REJECT the application on public interest grounds.

Sincerely

D J Chen
Owner Lot 16 104-118 Clarence St Sydney NSW 2000

From: [redacted]
Sent on: Wednesday, December 11, 2024 11:02:10 AM
To: council
Subject: Development proposal D/2024/1018 Address 104-118 Clarence 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.

I am writing as a resident of 104- 118 Clarence St Sydney. Please do not publish any personal details for privacy reasons

We are strongly objecting to this proposal.

We do not want our home being turned into a bar and nightclub or have a nightclub running next to our home. We are very concerned about the noise and also the antisocial behaviour and increase violence and crime rates that is associated with the expanded bar precinct that is being planned.

We also do not want to be moved out of the building as the location is very convenient for work and commuting. If we are forced out of our home we will be priced out and will have a very hard time finding alternative accommodation that suits our needs. We don't think it is fair for us to move and the proposal should not be approved.

We do not believe the plans are suitable for the building and we ask Council to reject the proposal.

From: Chen
Sent on: Saturday, December 14, 2024 12:22:14 PM
To: City of Sydney
Subject: Planning Objection - Council Reference D/2024/1018

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 Council

I am writing to register our objection to this planning proposal.

- ## Environmental Concerns

  We are deeply concerned about the significant increase in noise levels from the proposed precinct/nightclub, which is planned to operate**24/7—ALL DAY, EVERY DAY.** Noise levels have not been adequately addressed in the proposal, nor has there been sufficient monitoring or consultation to assess the full impact on the surrounding community.

  ### Against Public Interest

  The proposed development will result in the **complete removal of all existing residential accommodation** on the site, displacing current residents at a time of severe housing shortages and unaffordability. This proposal will**FORCE OUT** every resident in the building, taking away their homes and worsening the housing crisis.

  ### Significant Community Impact

  The proposed extensive liquor license for the entire site, including an open-air rooftop bar, will**significantly increase the risk of public disorder, disturbances, and crime.** There has been**minimal community consultation** and no clear benefits outlined for local residents, leaving the community overlooked and underserved.

  ### Traffic and Parking Concerns

  The development will cause **significant congestion** due to increased visitor traffic. Insufficient parking provisions will further exacerbate local traffic conditions, an issue that has not been properly addressed in the proposal.

We ask that Council REJECT the proposal in the community's interest.

From: David
Sent on: Sunday, December 15, 2024 11:38:33 AM
To: council
Subject: Objection: Deveopment Application D/2024/1018

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Dear Council,

I am writing to express our strong objection to the proposed planning application at the below address

104-118 Clarence Street SYDNEY NSW 2000

46-52 King Street SYDNEY NSW 2000

73 York Street SYDNEY NSW 2000

71 York Street SYDNEY NSW 2000

75 York Street SYDNEY NSW 2000

Environmental Concerns

The proposed development will result in a significant increase in noise levels, with the precinct/nightclub planned to operate non stop **24/7.** The application fails to properly assess the noise impact on the surrounding community. Additionally, there has been inadequate monitoring or consultation to ensure the proposal considers the well-being of surrounding residents.

History of Past Non-Compliance

The applicant Merivale has a history of past violations of various regulations Approving the application will pose a high risk that similar violations are repeated.

Against Public Interest

The development will **completely remove all existing residential accommodation** on the site, displacing current residents during a critical housing affordability crisis. Forcing people out of their homes is not only unjust but also exacerbates the severe housing shortage in our city.

Community Impact

The proposed extensive liquor license for the entire site, including an open-air rooftop bar, poses serious risks of **public disorder, disturbances, and increased crime.** The lack of meaningful community consultation demonstrates a disregard for local residents, and there is no tangible benefit to the community outlined in the proposal.

Traffic and Parking Concerns

The development will lead to **increased traffic congestion** due to higher visitor volumes, while insufficient parking provisions will worsen existing issues in the area. These traffic concerns have not been adequately addressed in the proposal and will negatively impact the neighborhood.

Conclusion

For these reasons, we urge the Council to **REJECT** this planning proposal in the interest of protecting our community and preserving the quality of life for local residents. The concept proposed is NOT in the public interest.

Yours sincerely

David

From: Kay T

Sent on: Tuesday, December 17, 2024 12:03:46 AM
To: council
Subject: Objection to D/2024/1018

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 to object D/2024/1018 proposing extensive liquor licenses as there are many venues with liquor licenses existing nearby. There are a lot of people getting drunk at Hotel CBD starting from 4pm and they have outdoor seating, they have massively obstructed the pedestrian walk path and their intoxication behaviour will definitely affect our neighborhood. If more rooftop bars/ nightclubs/ bars are opened, this place will be dangerous and no longer suitable for all other citizens. Safety is my very big concern and also impact of the neighborhood including noise.

Yours Sincerely,
Kay

From: meng meng
Sent on: Monday, December 16, 2024 4:57:53 PM
To: Council
Subject: Objection to D/2024/1018

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.

We are writing to object to the subject proposal

Environmental concerns - the significant increase in noise levels will cause a consistent public nuisance in our surrounding neighbourhood especially the proposal for a rooftop bar and 24/7 operation throughout the site. This will have a significant impact on the surrounding residential area.

We are also concerned about the increase in antisocial behaviour from the late night activities and impact on safety and increase criminal behaviour. The applicant has a poor record in following regulations.

We do not believe the proposal is a good use of the site, which is better suited for more residential housing whereas we understand the current proposal will actually force exisiting residents out of their homes and reduce housing in the city which is not in the public's best interest.

There are already enough bars in the area and we do not need more, and definitely not more noise everyday and everynight as is proposed. It delivers no additional benefit for local residents.

We note that there has been very little consultation from the applicant on the proposal which affects a large part of the community here on clarence st and king st and that a large part of the community are also submitting their objections to what is proposed.

There is also very little consideration of the traffic impact, especially with the increase in visitors being proposed at the precinct with impact on existing parking and traffic flow in the area.

We ask council to Reject the proposal as it is not in the public's best interest.

--
Meng

From: Recarda Barker
Sent on: Sunday, December 15, 2024 8:44:42 PM
To: council
Subject: Objection to D/2024/1018 KINGS GREEN CONCEPT DEVELOPMENT APPLICATION (DA) 71-75

YORK STREET. 46-52 KING STREET & 104-108 CLARENCE STEET, SYDNEY

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 concerned resident of I am writing to object to the proposal

D/2024/1018

104-118 Clarence Street SYDNEY NSW 2000

46-52 King Street SYDNEY NSW 2000

73 York Street SYDNEY NSW 2000

71 York Street SYDNEY NSW 2000

75 York Street SYDNEY NSW 2000

for a nightclub and rooftop operation of 24 hours a day, seven days a week. This plan raises serious concerns about its impact on our community's safety, livability, and long-term sustainability.

1. Increased Crime and Safety Concerns

Extended operating hours will likely contribute to higher rates of alcohol-related crime, antisocial behaviour, and disturbances in the area. These issues, especially during late-night hours, pose a significant risk to residents' safety and undermine the overall sense of security in our community livability. In addition place strain on local enforcement.

2. Traffic Congestion and Hooning Behaviour

The area is already plagued by cars and motorbikes hooning around King, Clarence, and York Streets, particularly during late hours. A 24/7 nightclub would exacerbate this issue, attracting more reckless driving and noise pollution, creating a dangerous environment for pedestrians and other road users. Increased traffic from nightclub patrons and ride-share vehicles would only worsen congestion and make the precinct less accessible for residents and businesses.

3. Strain on Housing and Livability

With the severe housing shortage in our area, it is vital to preserve the livability of residential spaces. A 24/7 nightclub and rooftop bar will create constant noise, disturbances, and disruptions, making the precinct less appealing for residents and contributing to the decline in available housing for families and individuals.

4. Disruption to Community Balance

A 24/7 operation is incompatible with the needs of a diverse community, which includes families, workers, and elderly residents who require quiet and rest during the night. This proposal undermines the balance between commercial

activity and residential needs, prioritising profits over community well-being.

While I support the idea of fostering a vibrant local economy, I strongly believe this can be achieved without compromising the quality of life for residents. I urge decision-makers to consider implementing restricted operating hours (e.g., closing by 2 AM on weekends and earlier on weekdays) and strict noise and traffic management measures.

Thank you for considering this objection. I hope the concerns of residents will be given serious attention before making a final decision.

Yours sincerely,

Recarda Barker

181 Clarence Street

Sydney NSW 2000

From: James
Sent on: Tuesday, December 17, 2024 9:16:26 AM
To: council
Subject: Support for d/2024/1018

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 Council,

Would like to voice my strong support for this project, the city needs to have more venues to support 24/7 economy.

We should also remove onstreet parking and slow speed limits to make it more pedestrian and cycling friendly.

Thanks

From: pclocalm
Sent on: Tuesday, December 17, 2024 10:13:37 AM
To: council
Subject: Objection to planning proposal - Council Reference D/2024/1018

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 Council,

I am writing to express our strong objection to the proposed planning application at the following addresses:

- 104-118 Clarence Street, SYDNEY NSW 2000
- 46-52 King Street, SYDNEY NSW 2000
- 73 York Street, SYDNEY NSW 2000
- 71 York Street, SYDNEY NSW 2000
- 75 York Street, SYDNEY NSW 2000

This proposal, if approved, would have far-reaching negative consequences for the local community, including environmental degradation, disruption of public order, and the displacement of residents. I outline my key concerns below for your consideration.

Environmental Concerns

The proposed development includes plans for a precinct/nightclub operating 24/7, which will undoubtedly lead to a significant increase in noise pollution. Continuous, high-volume noise will severely impact the quality of life for nearby residents and businesses. This is particularly concerning given that the application has not adequately assessed the potential noise impacts, nor has it proposed effective measures to mitigate them.

Moreover, there has been insufficient consultation with the community to understand the extent of these potential impacts. The well-being of local residents, many of whom rely on the area as a peaceful home and workspace, has been largely ignored. Approving such a project without proper environmental consideration sets a dangerous precedent for prioritizing commercial interests over the health and comfort of the community.

Past Non-Compliance

The applicant, Merivale, has a history of non-compliance with various regulations in previous developments. This track record raises serious concerns about the applicant's ability and willingness to operate within the bounds of the law. Instances of previous violations suggest a pattern of behavior that could lead to repeated breaches, should this proposal be approved.

Granting approval to this application without holding the applicant accountable for past violations undermines public confidence in regulatory processes. It also increases the likelihood that similar infractions will occur, putting the community at further risk of harm.

Against Public Interest

This development will result in the complete removal of all existing residential accommodation on the site, forcing current residents to leave. At a time when Sydney is experiencing a critical housing affordability crisis, displacing people from their homes is both unjust and irresponsible.

The lack of alternative housing options for displaced residents exacerbates an already dire situation. Approving a project that prioritizes commercial interests over the fundamental need for housing sends a troubling message about the

Council's commitment to addressing the housing crisis.

Community Impact

The proposed development includes an extensive liquor license across the entire site, as well as an open-air rooftop bar. These features pose significant risks to the community, including:

1. **Public Disorder:** Extended liquor licensing hours and the addition of a rooftop bar increase the likelihood of disorderly conduct, particularly during late-night hours.
2. **Disturbances:** The noise and activity associated with such a venue will disrupt the daily lives of residents and the operations of nearby businesses.
3. **Crime Rates:** Evidence suggests that large-scale entertainment venues, particularly those with extended liquor licenses, contribute to higher rates of alcohol-fueled violence and criminal behavior.

The absence of meaningful community consultation is deeply concerning. Local residents and stakeholders have not been given a sufficient platform to express their views, nor has the applicant demonstrated any willingness to address these valid concerns. Furthermore, the application fails to outline any tangible benefits to the community, making it clear that this proposal prioritizes private profit over public good.

Traffic and Parking Concerns

The proposed development will significantly increase traffic congestion in an already busy part of Sydney. The influx of visitors to the area, combined with insufficient parking provisions, will exacerbate existing traffic issues.

This will have several knock-on effects:

- Increased travel times and reduced accessibility for local residents and businesses.
- Safety concerns for pedestrians, cyclists, and other road users due to higher vehicle volumes.
- Additional strain on public transport systems, which are already operating near capacity during peak times.

The proposal does not adequately address these concerns, nor does it offer a viable solution to mitigate the anticipated impacts on traffic and parking.

Conclusion

This proposed development represents a significant threat to the well-being of the local community and fails to align with the principles of responsible urban planning. It prioritizes commercial gain at the expense of environmental integrity, housing affordability, and community cohesion.

For the reasons outlined above, we strongly urge the Council to **REJECT** this planning application. Protecting the interests of local residents and preserving the quality of life in our city should remain the Council’s top priorities.

Thank you for taking the time to consider this objection. I trust that the Council will carefully weigh the concerns of the community when making its decision.

Sincerely,

Angela

From: pclocalm
Sent on: Tuesday, December 17, 2024 10:13:37 AM
To: council
Subject: Objection to planning proposal - Council Reference D/2024/1018

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The absence of meaningful community consultation is deeply concerning. Local residents and stakeholders have not been given a sufficient platform to express their views, nor has the applicant demonstrated any willingness to address these valid concerns. Furthermore, the application fails to outline any tangible benefits to the community, making it clear that this proposal prioritizes private profit over public good.

Traffic and Parking Concerns

The proposed development will significantly increase traffic congestion in an already busy part of Sydney. The influx of visitors to the area, combined with insufficient parking provisions, will exacerbate existing traffic issues.

This will have several knock-on effects:

- Increased travel times and reduced accessibility for local residents and businesses.
- Safety concerns for pedestrians, cyclists, and other road users due to higher vehicle volumes.
- Additional strain on public transport systems, which are already operating near capacity during peak times.

The proposal does not adequately address these concerns, nor does it offer a viable solution to mitigate the anticipated impacts on traffic and parking.

Conclusion

This proposed development represents a significant threat to the well-being of the local community and fails to align with the principles of responsible urban planning. It prioritizes commercial gain at the expense of environmental integrity, housing affordability, and community cohesion.

For the reasons outlined above, we strongly urge the Council to **REJECT** this planning application. Protecting the interests of local residents and preserving the quality of life in our city should remain the Council’s top priorities.

Thank you for taking the time to consider this objection. I trust that the Council will carefully weigh the concerns of the community when making its decision.

Sincerely,

Angela

From: John Paul Merlino

Sent on: Tuesday, December 17, 2024 12:52:48 PM
To: council
Subject: Objection DA D/2024/1018 71-75 York Street, 104-118 Clarence Street, 46-52 King Street SYDNEY [HWLE-MATTER.C0221868.1213959]
Attachments: Letter of Objection DA1018(1266490763.1).pdf (104.79 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 Council

Please see our letter of objection attached on behalf of Auswave Pty Limited.

Regards

John Paul Merlino
Partner

HWL EBSWORTH LAWYERS

Level 14, Australia Square 264-278 George Street | Sydney NSW 2000
Phone +61 2 9334 8822 | Mobile [redacted]
[redacted] | www.hwlebsworth.com.au

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HWL EBSWORTH
LAWYERS

Our Ref: 1213959

17 December 2024

By Email Only
Attention: Marie Burge
The Chief Executive Officer
City of Sydney
GPO Box 1591
Sydney 2001

Email: council
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Dear Madam

Objection to development application D/2024/1018
Premises: 71, 73, and 75 York Street, 104-118 Clarence Street and 46-52 King Street, Sydney

We act for AUSWAVE Pty Limited (**Our Client**), the owner of Lot 5 in SP61233 being the property known as Suite 102, 71 York Street Sydney (**Property**).

We are instructed to submit this letter by way of objection to development application D/2024/1018 being a concept development application for alterations and additions and change of use of the above Premises to a "precinct" for food and drink, tourist and visitor accommodation uses (**DA**).

Lack of Owners' Consent

We are instructed that Our Client has not consented to the DA as an owner of land to which the development application relates.

Section 23(1) of the *Environmental Planning and Assessment Regulation 2021* (**EPA Reg**) clearly states:

> *(1) A development application may be made by—*
>
> *(a) the owner of the land to which the development application relates, or*
>
> *(b) another person, with the written consent of the owner of the land.*

Level 14, Australia Square, 264-278 George Street, Sydney NSW 2000 Australia
GPO Box 5408, Sydney NSW 2001 Australia
Telephone +61 2 9334 8555
Facsimile 1300 369 656 (Australia) +61 2 8507 6584 (International)
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ABN 37 246 549 189

The Statement of Environmental Effects submitted with the DA states:

> *The Site is identified as 71-75 York Street, 46-52 King Street and 104-118 Clarence Street, Sydney. It comprises six (6) allotments with a total area of 2,420.55m2, as identified in Table 2. The land is owned by Merivale apart from six (6) strata lots which, at the time of lodgement, are subject to an acquisition process. The subject strata lots are located on Basement 1 and part of Ground Level of 104-118 Clarence Street, part of level 2 of 104-118 Clarence Street (collectively legally described as Lots 16, 41, 43, 44 in Strata Plan (SP) 17719 and Lot 47 in SP 30376) and part of Level 1 at 71 York Street (legally described as Lot 5 in SP 61233). These lots are excluded from the Concept DA, however, the overall precinct and its impacts have been assessed on the basis that Merivale has the majority ownership in each strata, and these lots will be acquired in the future.*

Although the applicant seeks to avoid the need to obtain Our Client's Owners' Consent to the DA, it is abundantly clear from the plans, not to mention the final sentence in the quoted section above, that the DA relates to the Property and is therefore caught by section 23 of the EPA Reg. Therefore, any purported "exclusion" of the Property from the DA does not affect the requirement for Our Client's consent as owner of the Property to be obtained as required by the EPA Reg.

For the avoidance of doubt Our Client has not provided its consent as an owner of land to which the development relates, and such consent is required.

In the absence of Our Client's written consent to the DA, Council has no choice but to refuse the DA.

Merit Issues

The Property is used as the location for Our Client's offices. The location of its offices within a Heritage Item, that was originally a warehouse building, is of particular importance to its officers.

The DA proposes to create a 24-hour precinct the provides for a number of food and drink and tourist uses that are antithetical to the current use of Our Client's offices. Whilst Our Client is aware of similar uses in the vicinity of the Premises and Property such as small bars and the CBD Hotel, the DA will nevertheless result in a significant intensification of food and drink, tourist and visitor accommodation uses, particularly where there will be a loss of the existing office uses.

We are instructed that Our Client objects to this significant intensification and loss of the use of a heritage listed building for office uses. A 24-hour precinct that caters to some 10,000 persons will have significant impacts on the surrounding area which is predominantly office and retail uses.

The change and intensification of uses will cause an increase in anti-social behaviour as acknowledged by the SEE and the SIA. However, the recommendations are not detailed enough to identify how plans of management are proposed to mitigate these impacts, particularly once patrons leave the venues. Such impacts are unacceptable when the size of the proposed precinct is taken into account.

For the above reasons, Our Client objects to the DA and the Council or Panel is required refuse the DA.

Yours faithfully

[redacted]

John Paul Merlino
Partner
HWL Ebsworth Lawyers

+61 2 9334 8822
[redacted]

Andrew Buchanan
Partner
HWL Ebsworth Lawyers

+61 2 9334 8504
[redacted]

Michael Robinson
Special Counsel
HWL Ebsworth Lawyers

+61 2 9334 8643
[redacted]

From: Yasmin Cameron
Sent on: Tuesday, December 17, 2024 7:55:58 AM
To: council
Subject: Support for D/2024/1018

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I was so excited to read about the development proposal by Merivale on Clarence Street. I just want to say that the investment into the social life of this city is much needed and I am very supportive of this development going forward.

Thanks,
Yasmin

From: James Devenish
Sent on: Wednesday, December 18, 2024 4:52:37 PM
To: dasubmissions
Subject: Submission - D/2024/1018 - 75 York Street SYDNEY NSW 2000 - Attention Marie Burge

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As a neighbouring resident, I object to D/2024/1018 ("Kings Green" in the form as lodged 18 Nov 2024):

I am pleased to see a plan to revitalise the York/Clarence/King heritage buildings, as the buildings in the plan have been under-used and have been regressing from their peak potential for several years. However, the ambition of the plan is poorly balanced due to impacts on the city and its communities.

Problems embodied in the plan include:

1. Loss of lower-price inner-city residential apartments and eviction of all remaining tenants (104-118 Clarence Street), being replaced exclusively with hotel accommodation, during a time of residential housing and affordability crisis, in an area that's already hotel-serviced;
2. Loss of street-accessible, ground-level, retail shopping space for small and independently-run "liveable city" amenities, to be replaced with food & beverage (alcohol and music) in an area that:
    1. Already has a concentration of food, beverage, alcohol, music, and entertainment;
    2. Needs more residential- and family-friendly amenities other than those proposed in the plan;
3. Multiple open-air terrace entertainment areas in a neighbourhood that is already negatively noise- and behaviour-affected by an increase in entertainment venues and an increase in patronage (we also need to avoid Ivy-style precinct noise);
4. Dramatic increase in food & beverage (alcohol and music) space, in a neighbourhood that is nearly saturated with substantially-similar and related venues & services, where we are experiencing an increase of:
    1. Anti-social late-night entertainment-related behaviour in the neighbourhood, including:
        1. All-night shouting,
        2. Public urination,
        3. Vomiting on neighbouring buildings,
        4. Loitering on the steps of residential properties,
        5. Increase of late-night anti-social traffic-pedestrian interactions.
    2. Extended-trading alcohol-and-music venues that add to overall late-night and early-morning noise that negatively-impacts residents' health and is difficult to manage due to the combined quantity and transience of noise generators from multiple surrounding venues, and the quantity of residential noise receivers;
    3. Further reduces the diversity of city amenities and venue types.

While these issues are not specific to the proposed development, the plan represents an overall contribution to the negative loss of amenities and the increase in sum of anti-social problems from this and similar developments. In the submitted plans, assessments such as the noise assessment are so narrow as to omit to adequately address the daily pain points experienced in the neighbourhood as listed above. I believe the plan could be modified to address these issues.

Thanks & regards,
James Devenish
Resident: 177-181 Clarence Street, Sydney

From: Ray
Sent on: Wednesday, December 18, 2024 1:52:11 PM

To: City of Sydney
Subject: Objection to D/2024/1018

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Dear Council

As residents we are very concern this proposal will remove all the existing residential housing in the building. There are no proposal for us to relocate and highly likely the alternatives will not be affordable with prices and cost of living pressures prevalent in the city. The applicant has not offered anything to mitigate this in its plans and just assumes they can force all residents to move.

Not only so, the high noise impact has not been properly assessed and should not be permitted in the area where there are many residential buildings that will be affected. There has been no considered assessment of this impact, especially from the 24/7 nightclub and use of the rooftop as an open air bar and how this will affect all residents long term.

The proposal is not good for the community and inconsistent with good planning. It simply advances the applicant's commercial gain without consideration of the public interest. We strongly urge Council to reject the proposal.

Thank you

From: Phoebe Le
Sent on: Wednesday, December 18, 2024 12:43:36 AM
To: council
CC: clarencehouse104
Subject: OBJECTION TO D/2024/1018

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.

Objection to Concept Plan for Development at 104-118 Clarence Street, 46-52 King Street, 73 York Street, 71 York Street, and 75 York Street, Sydney NSW 2000

Dear Sir/Madam,

I am writing to formally object to the concept plan for the development located at**104-118 Clarence Street**, **46-52 King Street**, **73 York Street**, **71 York Street**, and **75 York Street**, Sydney NSW 2000. As residents of the area, we believe that the proposed development is problematic for the following reasons:

1. **Noise and Nuisance from Nightclub and Rooftop Bar** :
   As residents of this community, we strongly oppose the inclusion of a nightclub in the proposed development, as well as the establishment of a bar on the rooftop. Both of these venues are likely to generate excessive noise and disturbances, particularly during late-night hours. Given that the surrounding area is a mix of residential and commercial spaces, we believe that the operation of these venues would severely disrupt the peace and quiet that residents currently enjoy. There has been no consideration of how the noise from these businesses would impact the quality of life for those living nearby. We are concerned about the potential for loud music, voices, and other disruptions late into the night, which will negatively affect our well-being, sleep, and general peace.

2. **Lack of Noise Mitigation Measures** :
   The plans for this development appear to be lacking in effective noise mitigation measures. There is no mention of soundproofing, noise barriers, or other strategies to minimize the disturbance caused by such establishments. The noise generated by a nightclub and rooftop bar is inherently difficult to control, especially in a dense urban environment. The lack of provisions to address these concerns makes us anxious about the future living conditions in our area.

3. **Inadequate Consideration of Residential Impact** :
   There has been a significant lack of consideration for the impact of this development on the existing residents in the area. The current plans do not appear to adequately address issues such as noise pollution, increased foot traffic, or potential safety concerns. Residents' quality of life must be prioritized, especially when it comes to balancing development with the need for a peaceful and livable environment.

4. **Overdevelopment and Density** :
   In addition to the concerns regarding noise, we also believe that the scale and nature of this proposed development represent an overdevelopment for the area. The combination of commercial entertainment spaces, alongside other retail and residential elements, would increase the density and congestion on an already busy street. This could lead to adverse impacts such as greater traffic, lack of parking, and overcrowding in public spaces, which would negatively affect both residents and the broader community.

5. **Safety Concerns** :
   The operation of a nightclub and rooftop bar, especially in close proximity to residential areas, could present safety risks due to increased alcohol consumption and the potential for altercations. We are concerned that the area may become less safe during nighttime hours, which would directly impact the security of local residents.

6. **Inadequate Community Consultation** :
   We also feel that the consultation process for this development has been insufficient. Many of the residents in the vicinity were not fully informed about the scope of the development, nor were they consulted about the potential impacts. A proper community consultation process is crucial for ensuring that developments like this take into account the views and concerns of those who will be most affected.

For these reasons, we urge the City of Sydney Council to REJECT this concept plan and to take into account the adverse effects it could have on the residents in the area. We are asking for the proposal to be amended to remove the nightclub and rooftop bar components.

Thank you for considering our concerns.

Phoebe

From: Guo
Sent on: Tuesday, December 17, 2024 11:31:14 PM
To: council
CC: clarencehouse104
Subject: Objection to D/2024/1018

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Dear Sir /Madam

I am writing to strongly object to the proposed planning application **D/2024/1018**

The proposal raises serious concerns across several key areas:

1. **Noise and Environmental Impact:**
   The precinct's proposed 24/7 operations, including a nightclub and rooftop bar, will cause significant noise pollution, disrupting local residents and businesses. The lack of a thorough noise assessment or mitigation plan reflects a disregard for community well-being.

2. **Past Non-Compliance:**
   The applicant, Merivale, has a history of regulatory violations, including breaches of noise and liquor licensing conditions. Approving this application risks repeated non-compliance, harming the community further.

3. **Housing Displacement:**
   The removal of existing residential accommodation will displace residents during Sydney's housing affordability crisis, worsening the shortage of affordable housing and undermining community stability.

4. **Community Safety:**
   The proposed liquor license and open-air venues risk increased public disturbances, antisocial behavior, and crime. This poses a threat to residents' quality of life and public safety. Merivale's history of permitting drug use and antisocial behaviour in its venues is well documented and presents a serious risk to the community

5. **Traffic and Parking:**
   The development will exacerbate traffic congestion and parking shortages in an already strained area, with no adequate measures proposed to address these issues.

This proposal prioritises private commercial gain over community needs, housing security, and public safety. I urge the Council to reject this application to protect the interests and well-being of local residents.

Thank you for your consideration.

Sincerely,

Guo

From: [redacted]
Sent on: Wednesday, December 18, 2024 6:33:07 AM

To: City of Sydney
Subject: Re: Objection to D/2024/1018

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May I ask that my personal information such as the email address used and my first name be kept confidential on this matter.

Thank you!

On Tue, Dec 17, 2024 at 8:41 PM [redacted] wrote:

To Whom It May Concern,

I am writing to formally object to the proposal submitted by Merivale CBD Pty Limited for the site located at 104-118 Clarence Street, Sydney NSW 2000. As a current tenant of the building, I wish to raise the following concerns regarding this proposal:

1. **Displacement of Tenants** : The proposed development would force tenants like myself to leave our homes. This is particularly distressing as we currently reside in a location that is convenient for our work in the city. The eviction would cause significant personal stress, as we would need to find new accommodation, settle into a new home, and endure increased travel time to and from work.

2. **Housing Crisis and Uncertainty** : Given the ongoing housing crisis in Australia, there is no certainty that tenants will be able to find suitable housing in a timely manner. The risk of homelessness is especially concerning for families with children, as finding affordable and secure housing in such a short period may not be feasible.

3. **Noise Impact** : The building is situated near a residential property. If this proposal proceeds, the resulting construction and future usage of the site could lead to increased noise, disrupting the peace of surrounding residents. This would be detrimental to the quality of life in the area.

4. **Public Disorder and Crime** : If the proposal is approved, there is a genuine concern about a potential increase in public disorder, disturbances, and crime in the surrounding area. The nature of the proposed development could attract undesirable behavior, which would harm the local community.

5. **Traffic Congestion** : The proposal may exacerbate the already congested local traffic conditions. This would negatively impact the welfare of all residents in the area, leading to further delays, pollution, and safety concerns.

6. **Consideration of Local Welfare** : While the proposal may aim to increase tourism or attract visitors, it is important for the council to prioritize the welfare of its residents first. The long-term impact on the local community—such as the issues mentioned above—should be carefully considered, as residents contribute to the daily life and culture of the area.

Given these points, I strongly urge you to reconsider the approval of this proposal, as it would have a profoundly negative impact on the local community.

Thank you for taking the time to review my concerns. **I trust that the council will prioritize the well-being of its constituents in making a final decision.**

Sincerely,

[redacted]

From: Clarence House

Sent on: Wednesday, December 18, 2024 6:59:46 PM

To: DASubmissions; City of Sydney

CC: sugiianto399; gregshoebridge; thdgmly;kokoso24; DJ Chen; pcmailmail1;angyou99; rainmelon6; dkinglocal22; hellomaybb; jiansydney888; windcurrent1; alexccme99; jaochicosean1106; cablg666; kingoil1989;howsping; birdscold; darrenjc2020; jiemaster886; firstrose; morninglight1236; blkjack988;amystorer1999

Subject: Re Objection to D/2024/1018

Attachments: SMH news 291024.pdf (197.22 KB), ABC news 060924.pdf (1.02 MB), ABC news 040924.pdf (2.35 MB), SMH news 070524.pdf (1.02 MB)

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Thank you for acknowledging our submission.

As highlighted, we believe the applicant's track record of non-compliance with regulations and state laws must be factored into the assessment of their proposal.

Attached are recent reports from the ABC and *Sydney Morning Herald*, as widely covered in the media.

Given these concerns, we strongly urge that the application be rejected in the public interest.

[redacted]

Sex, sleaze and hospitality

‘One step from being a brothel’: Sex, drugs, harassment alleged in Ivy penthouse

An extensive investigation has revealed claims of exploitation of female staff at hospitality giant Merivale. The company denies this.

By Eryk Bagshaw and Bianca Hrovat

OCTOBER 29, 2024

[redacted]

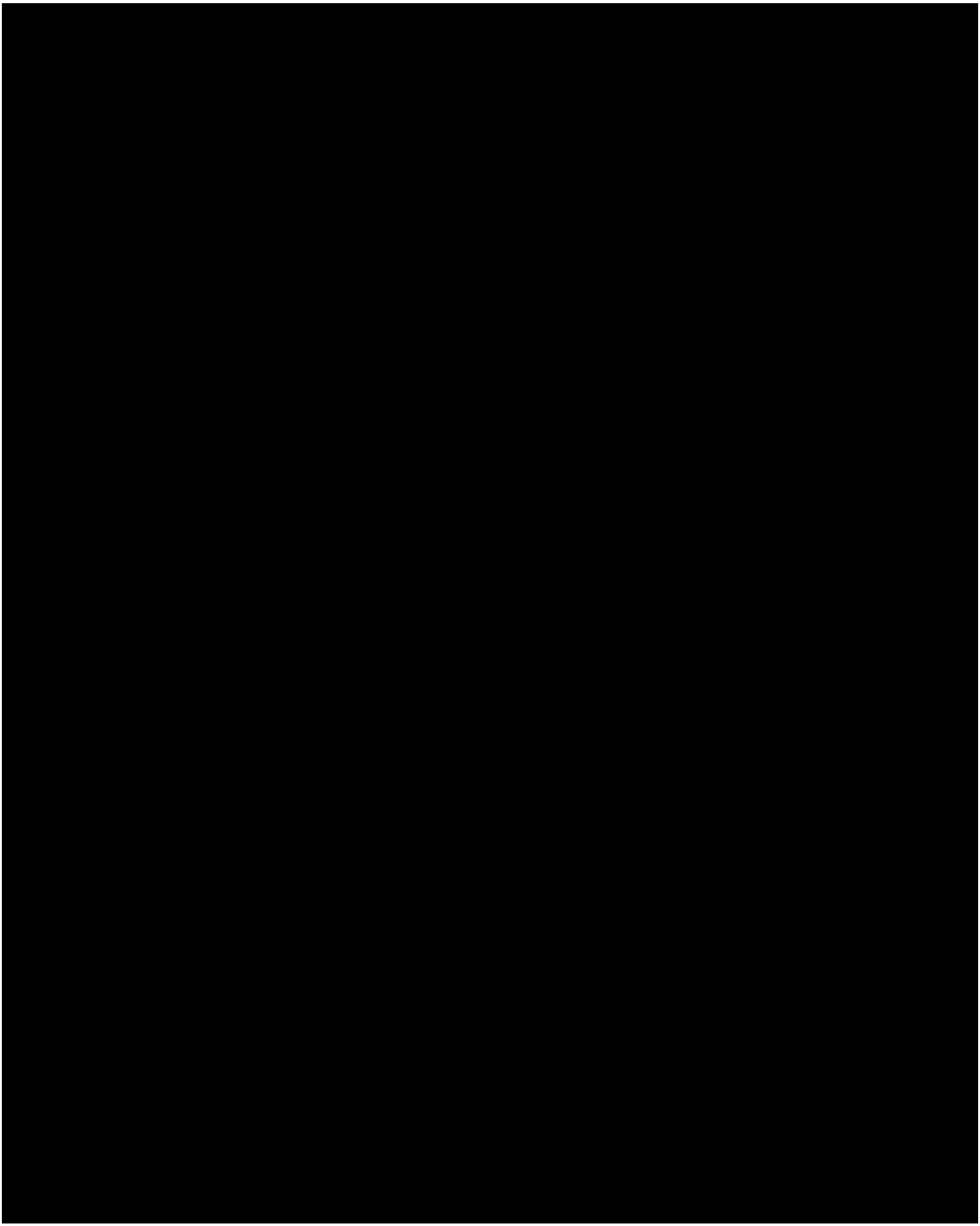
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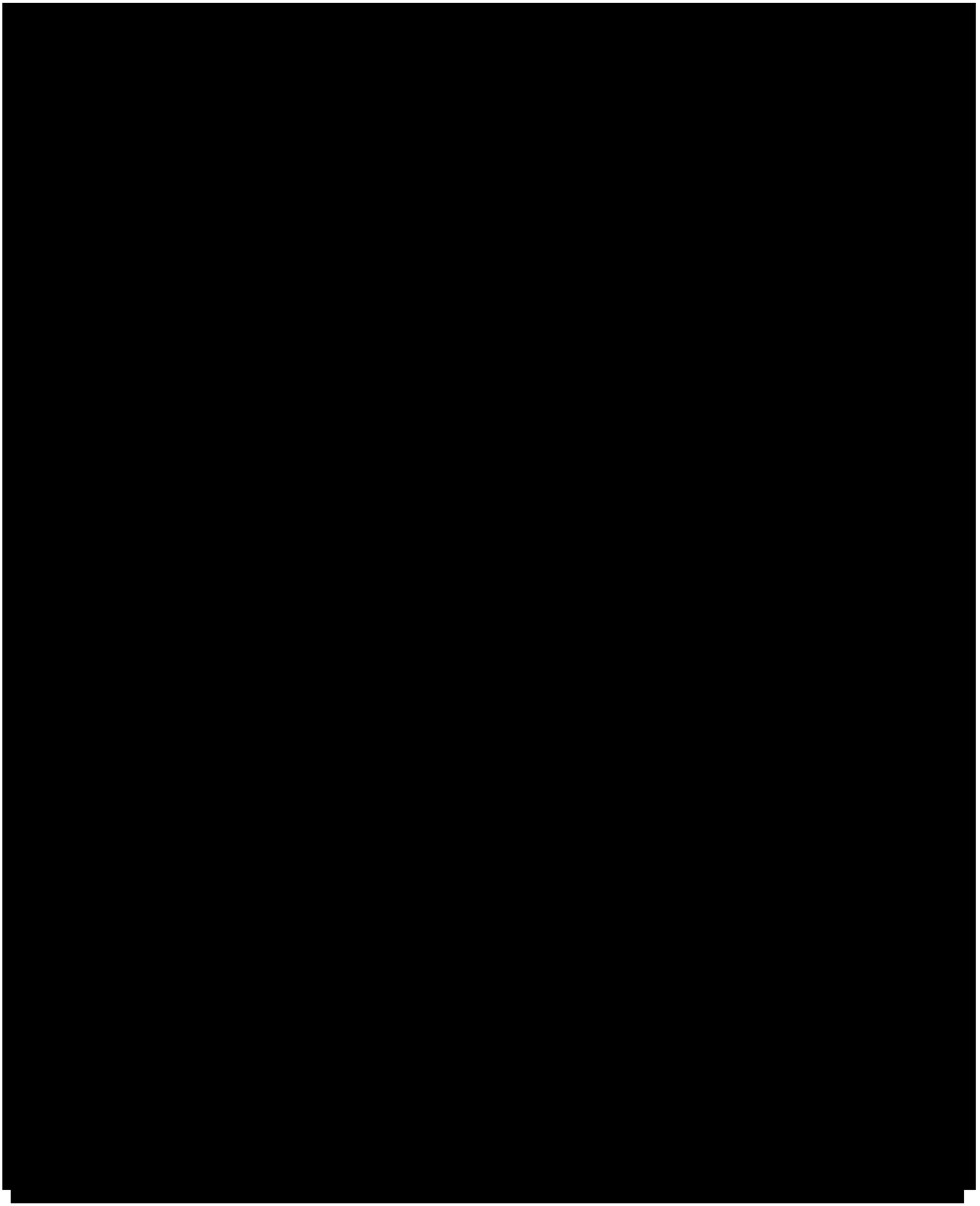
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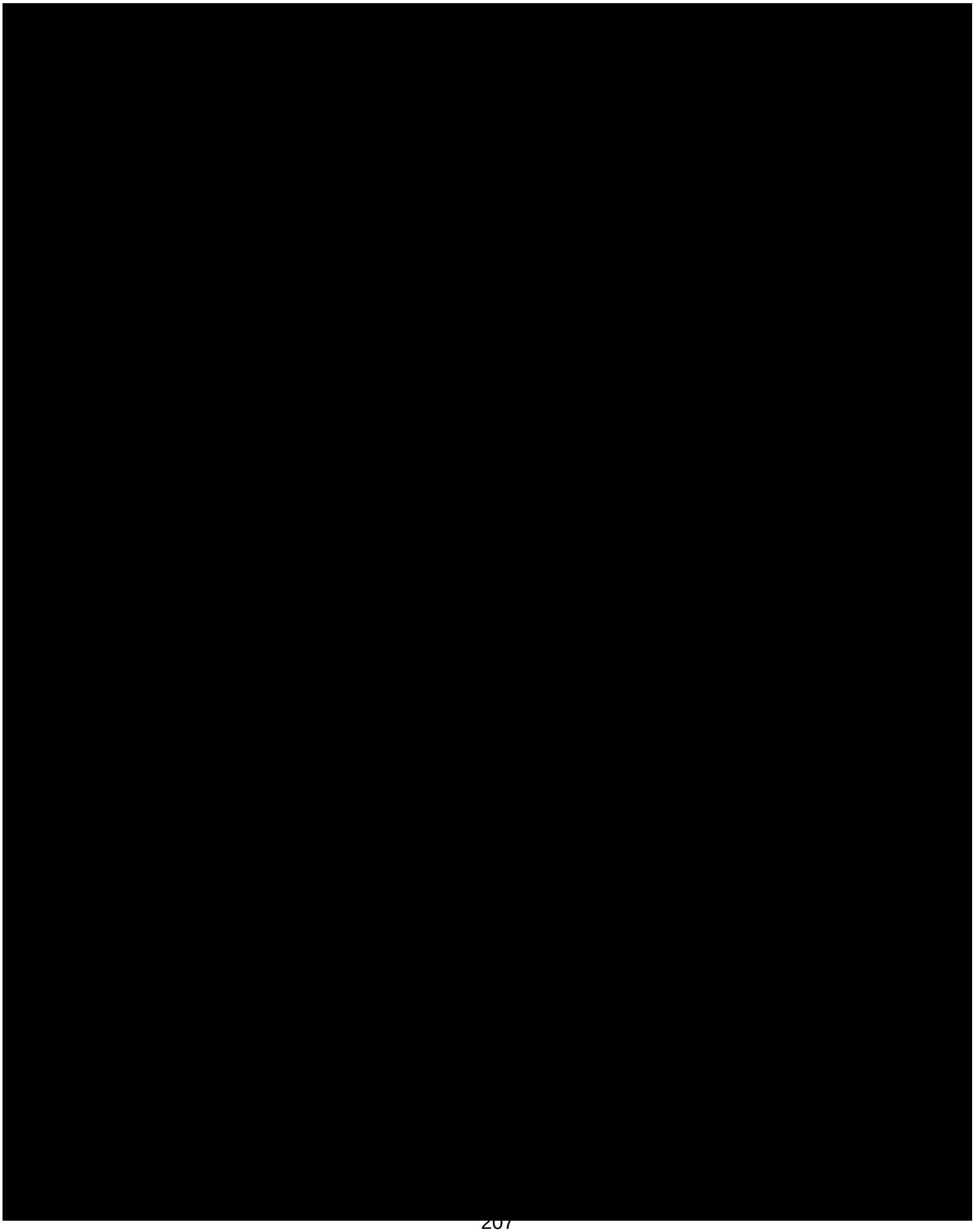
Merivale hospitality group allegations being assessed by SafeWork NSW and Liquor & Gaming NSW

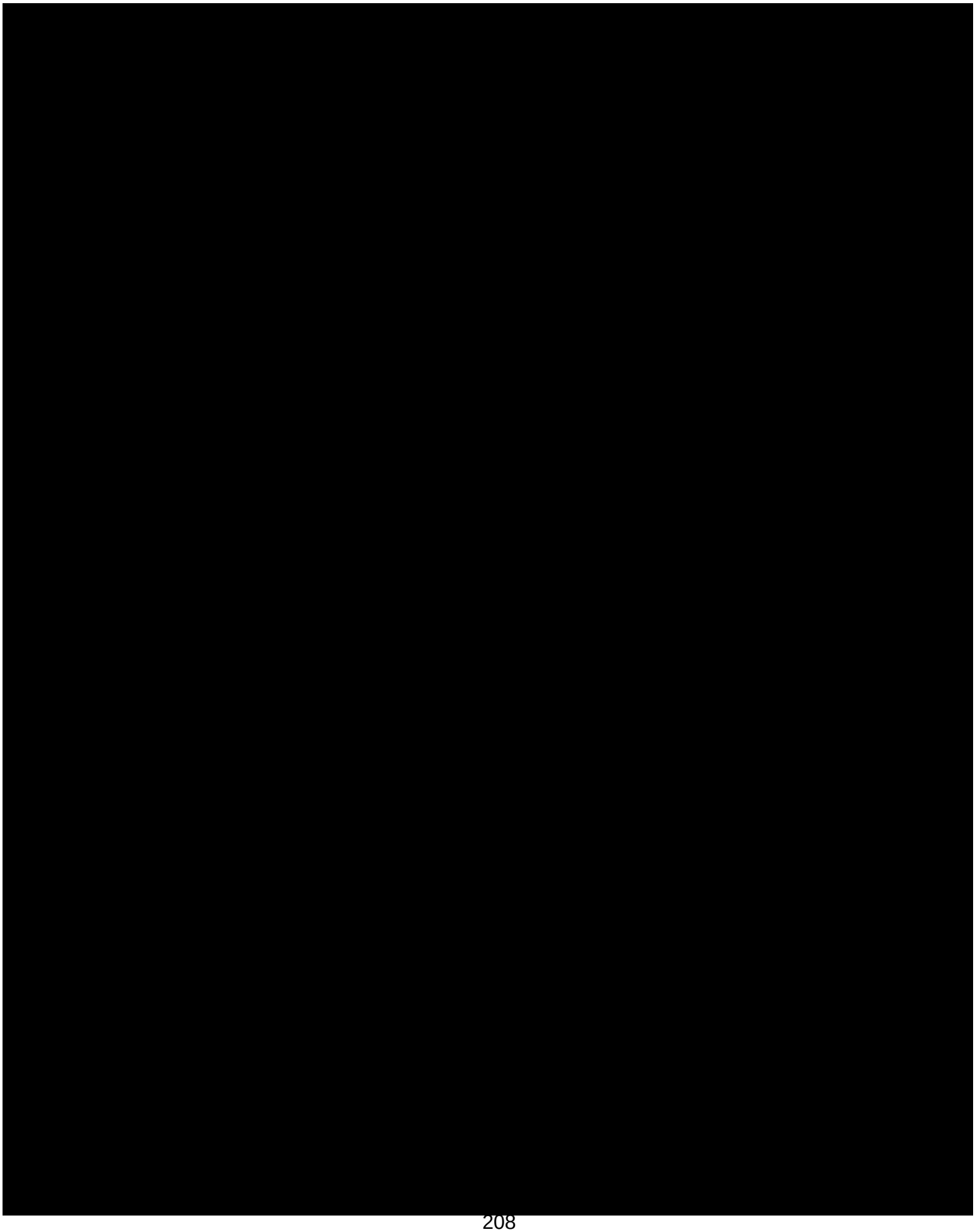
By Adelaide Miller ABC Investigations Hospitality Industry











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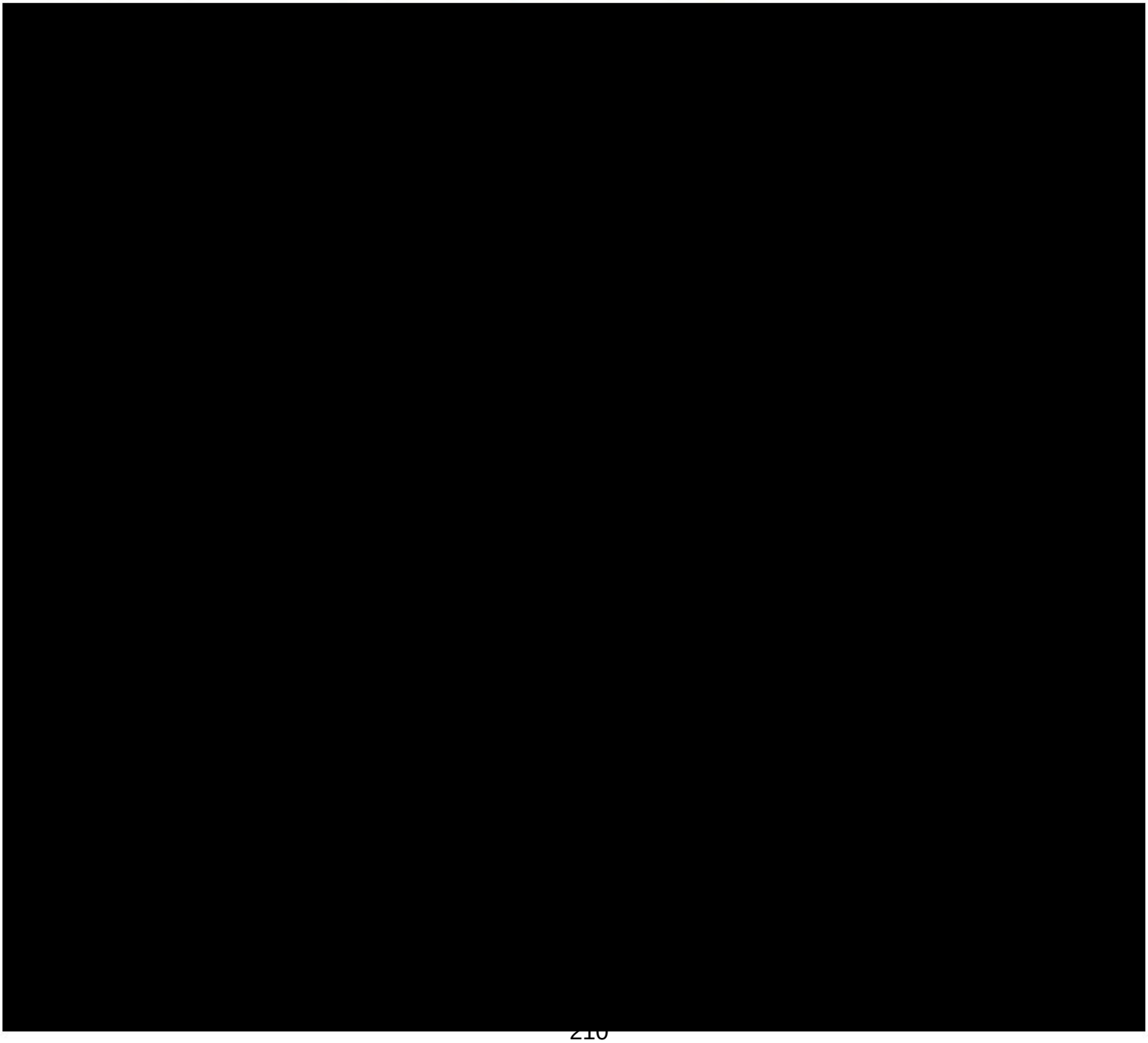
Posted Fri 6 Sep 2024 at 3:22pm

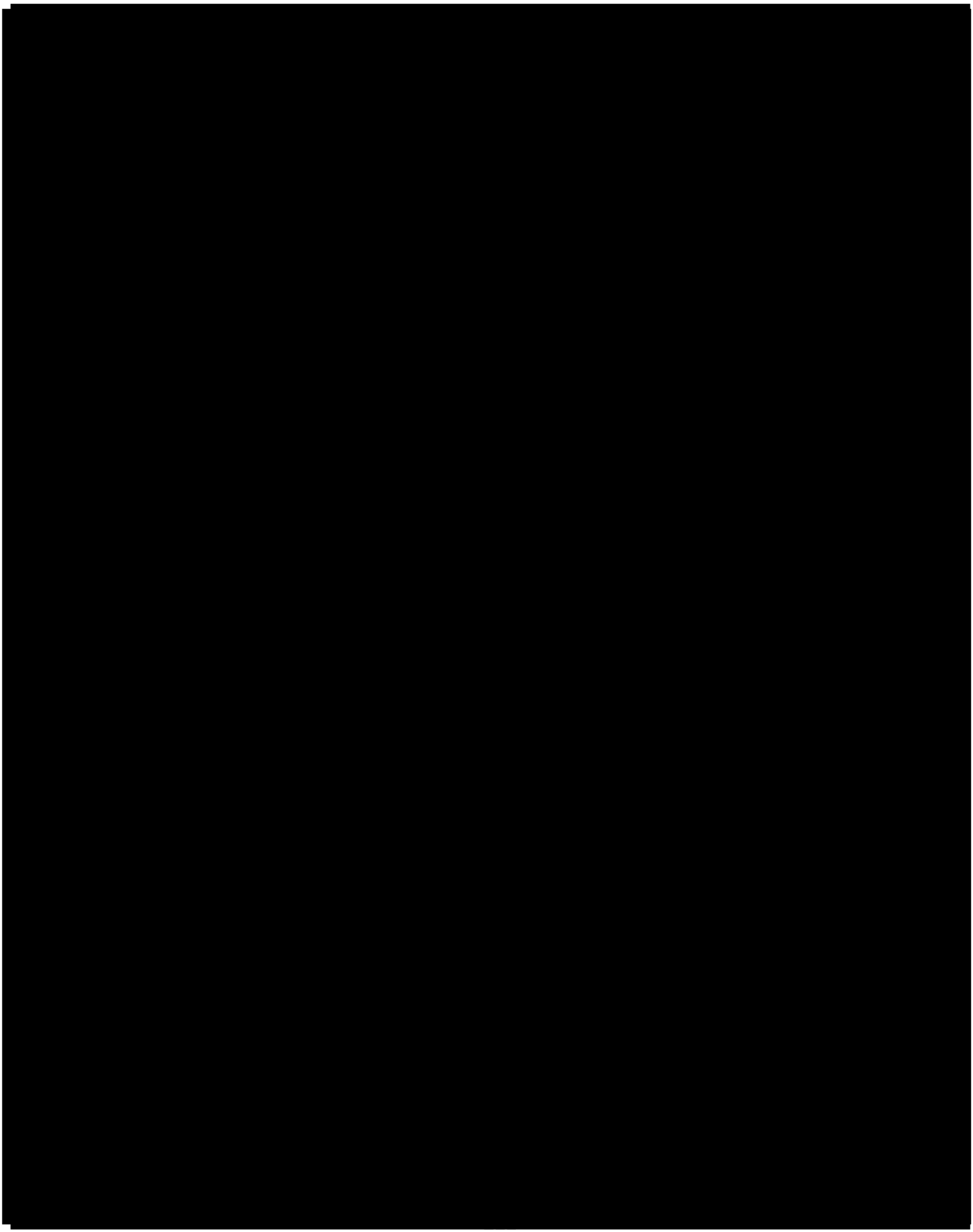
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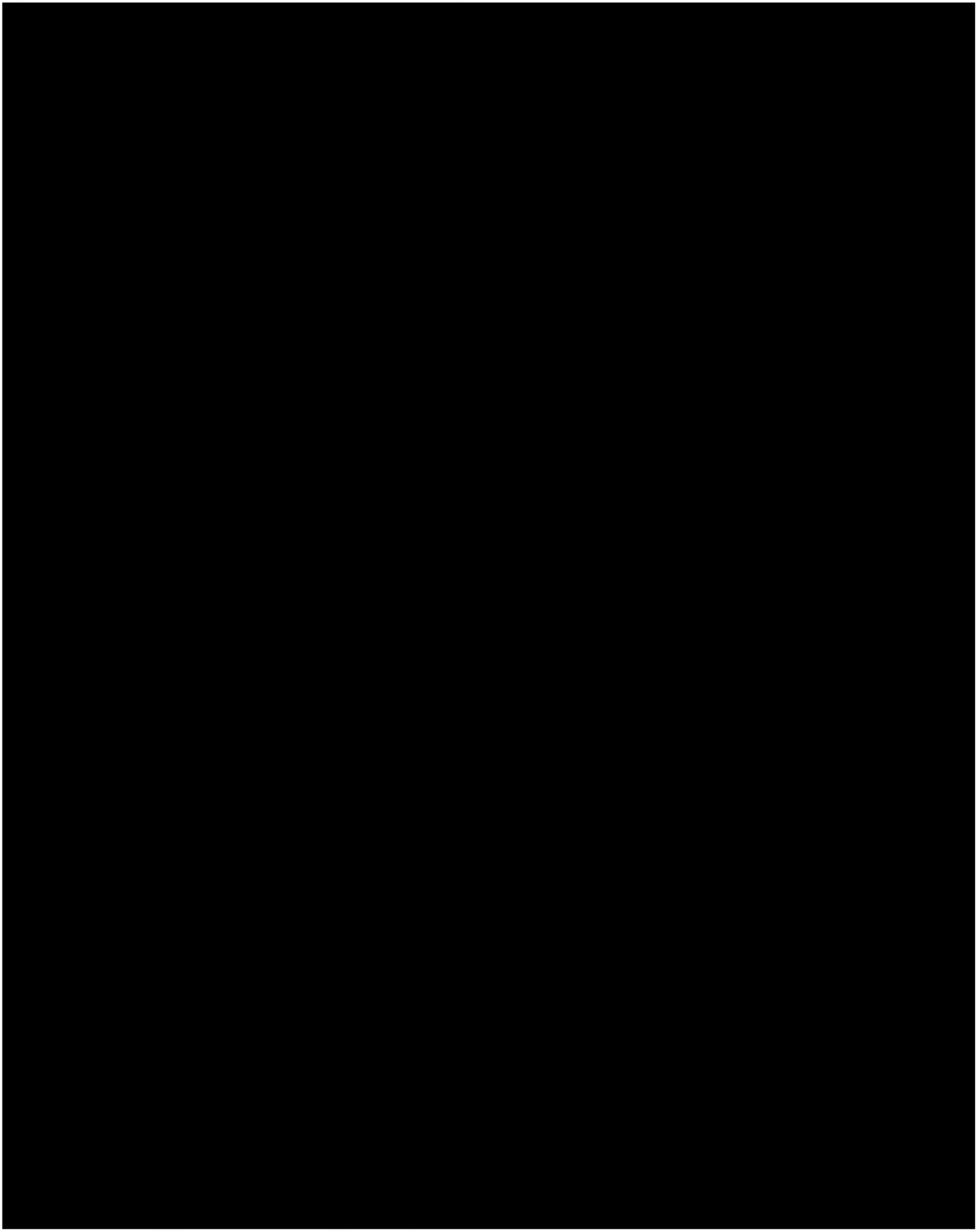
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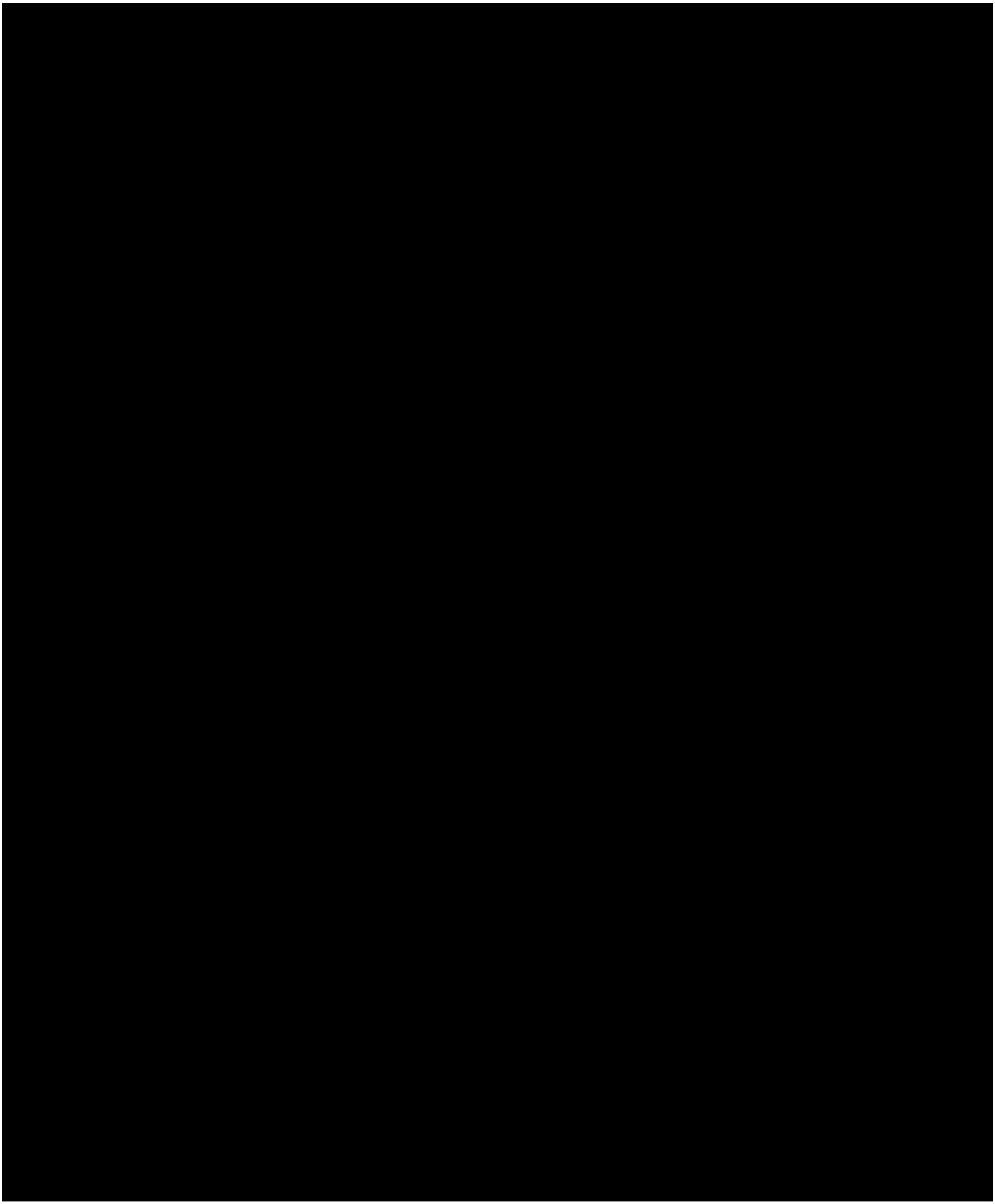
Former Merivale hospitality group staff allege culture of exploiting women and drug use at work

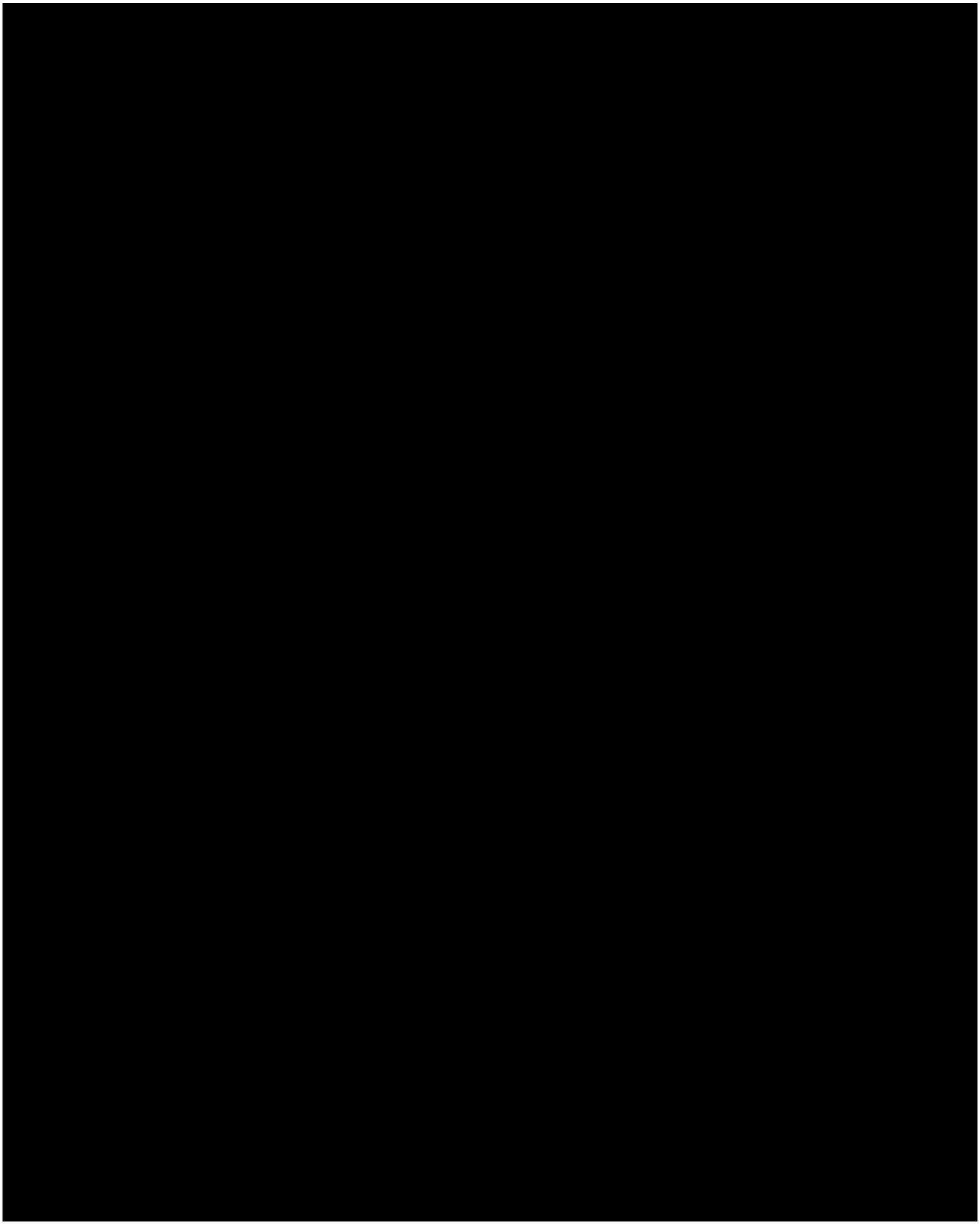
By Adelaide Miller By Ninah Kopel ABC Investigations Hospitality Industry

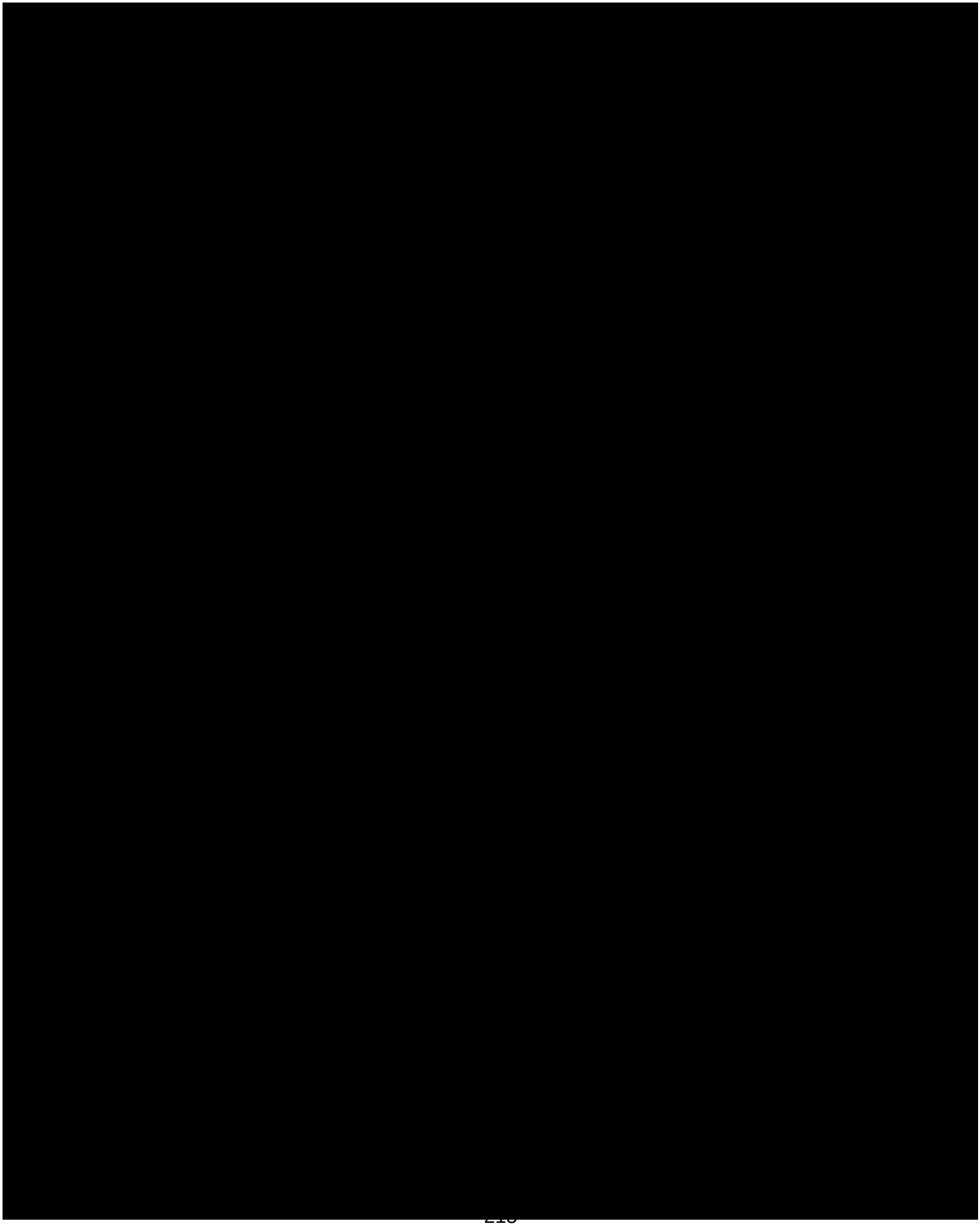


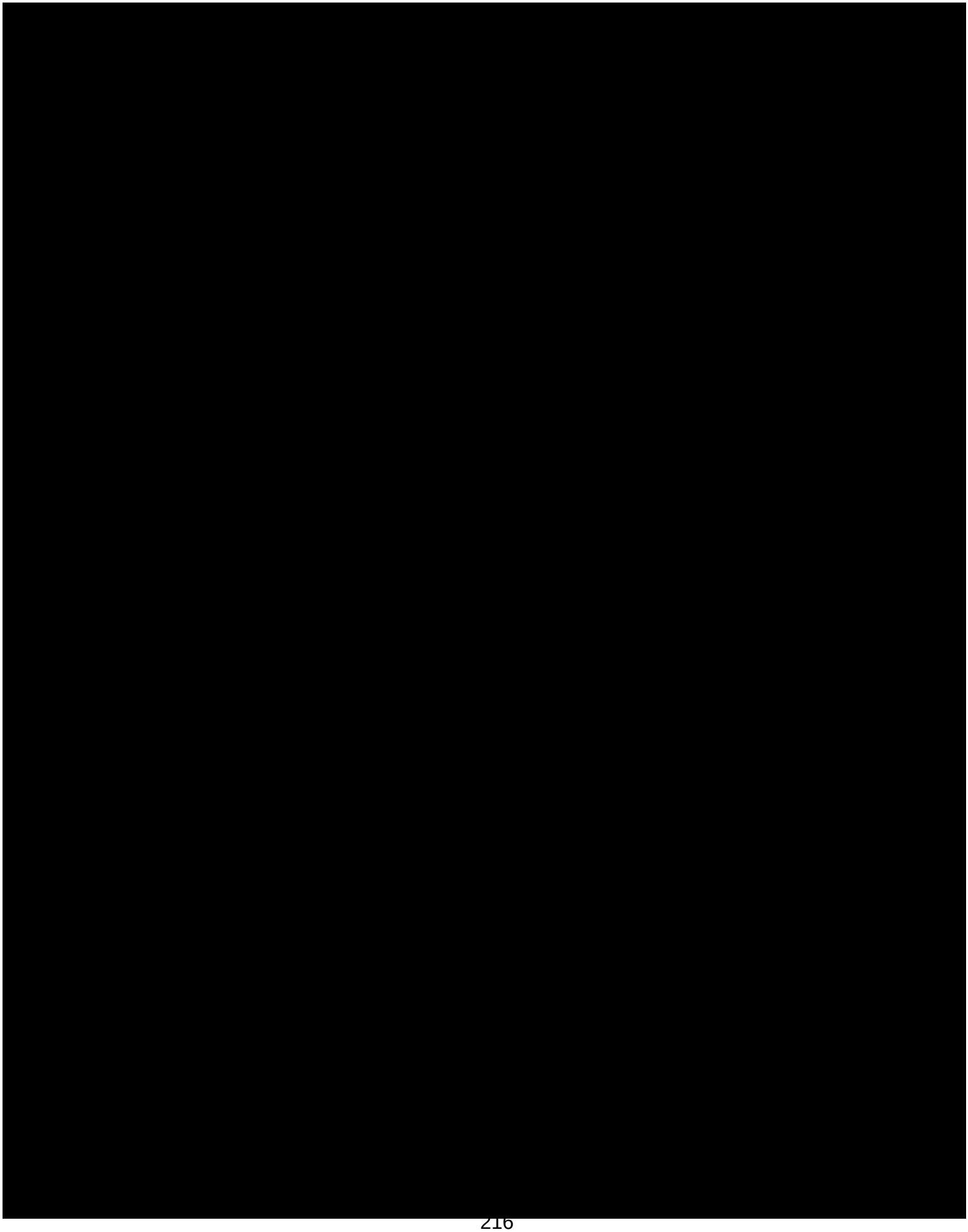


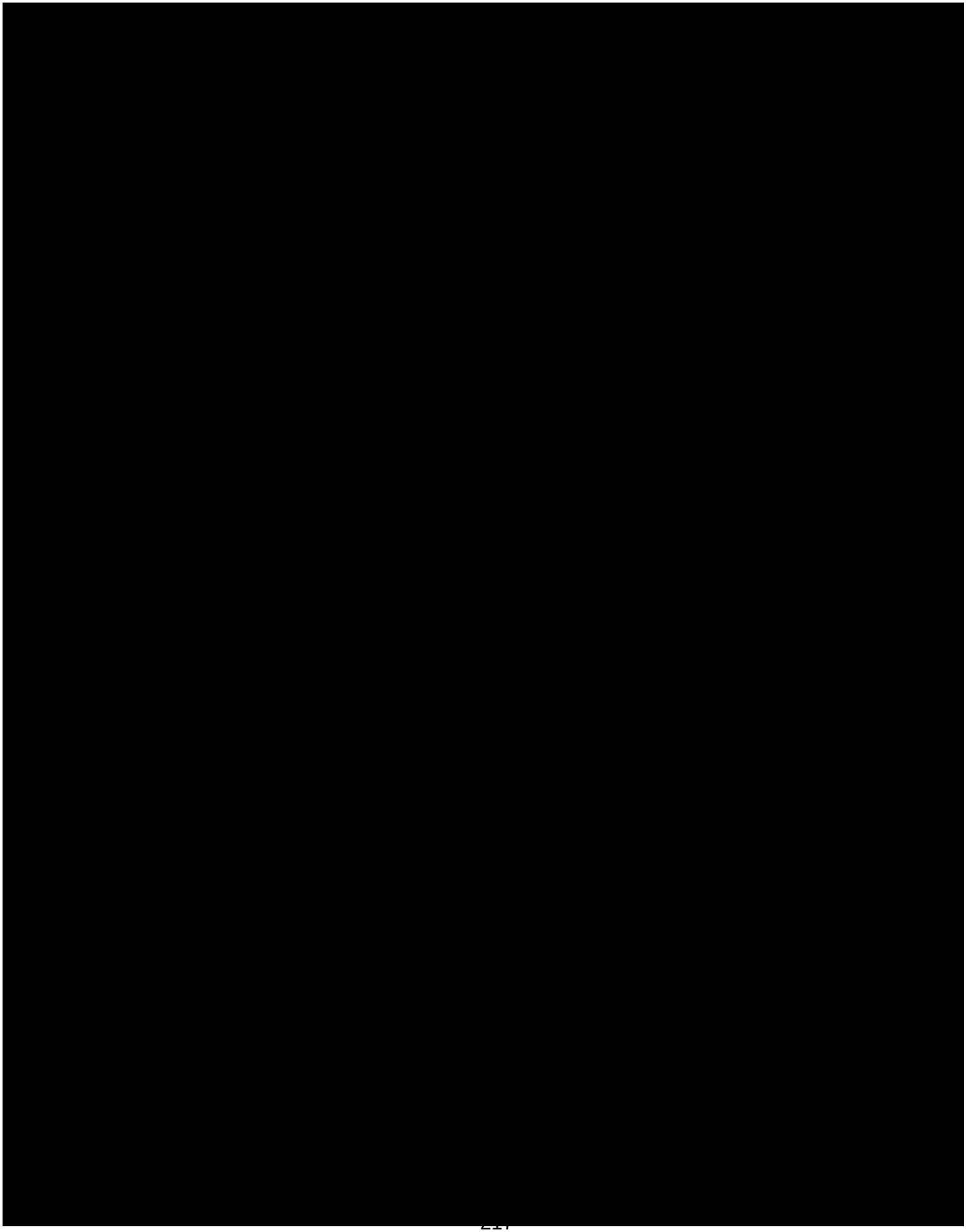


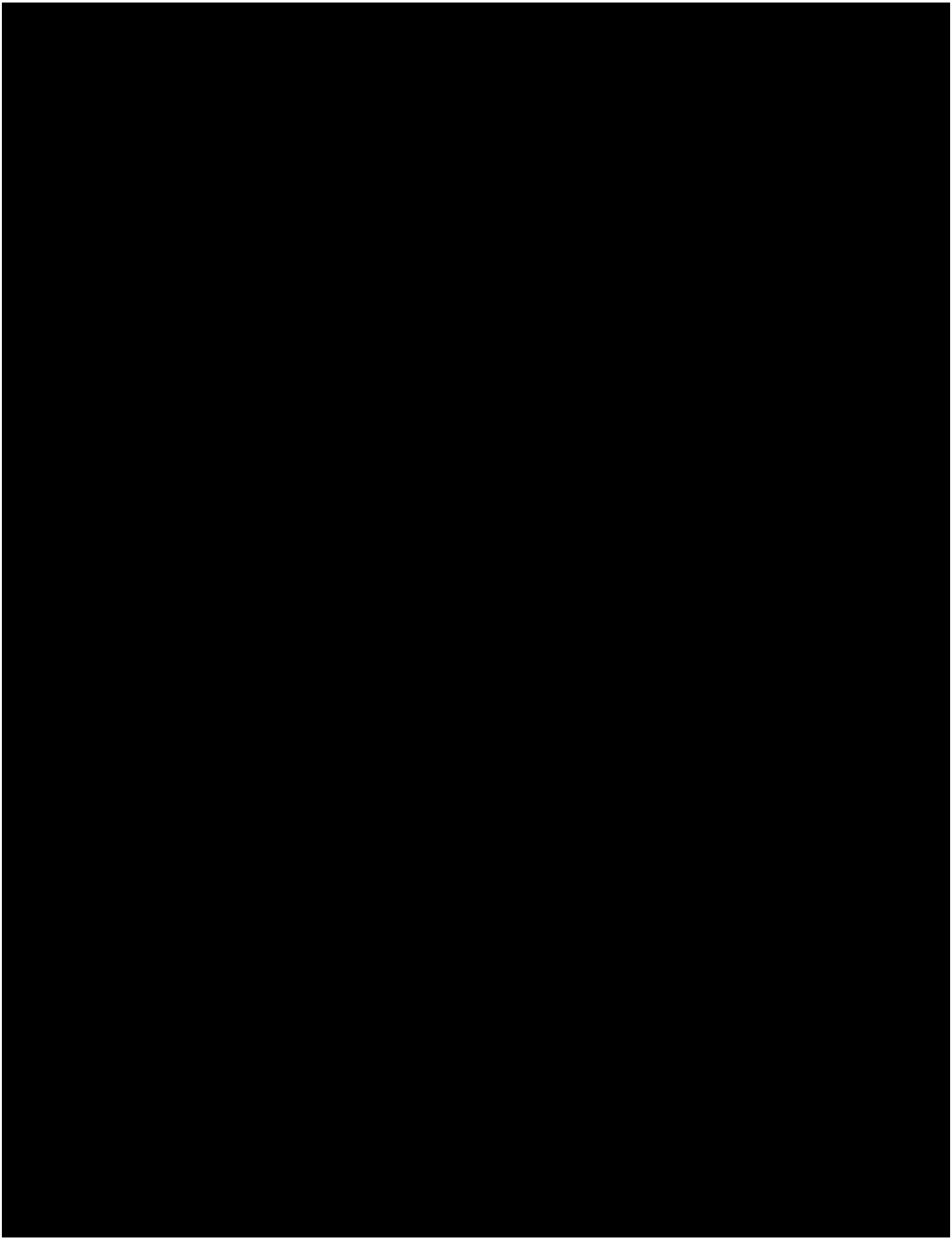


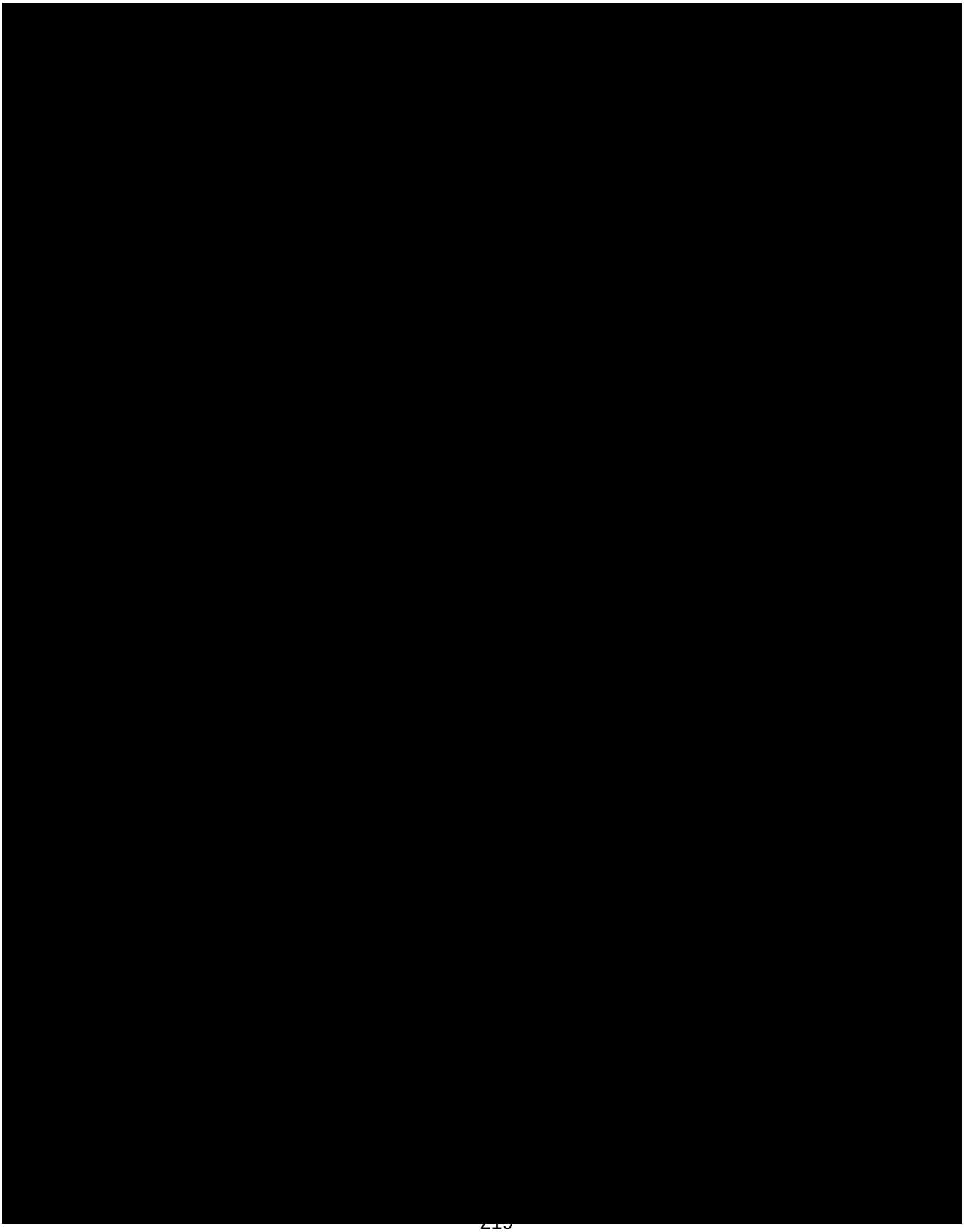


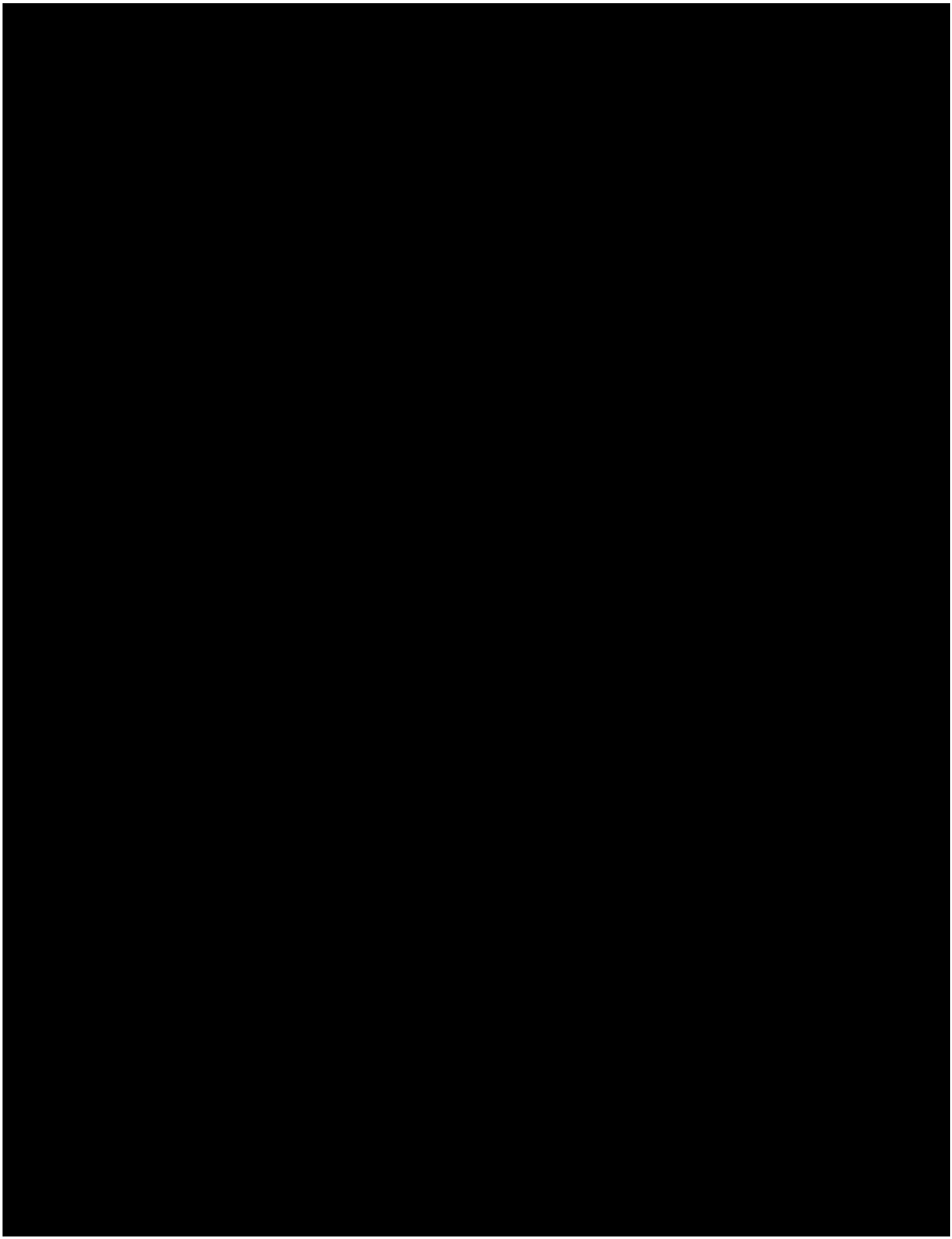


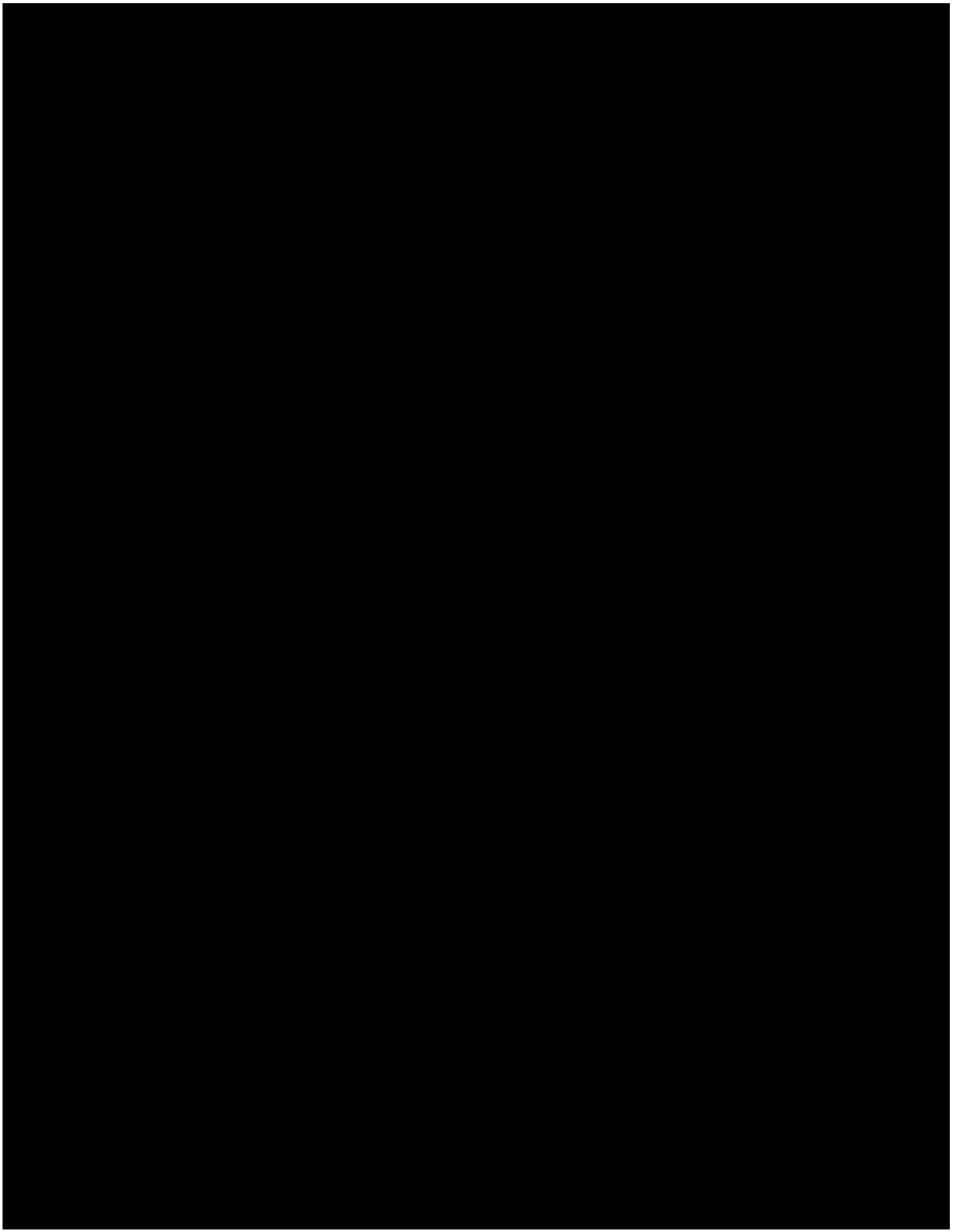


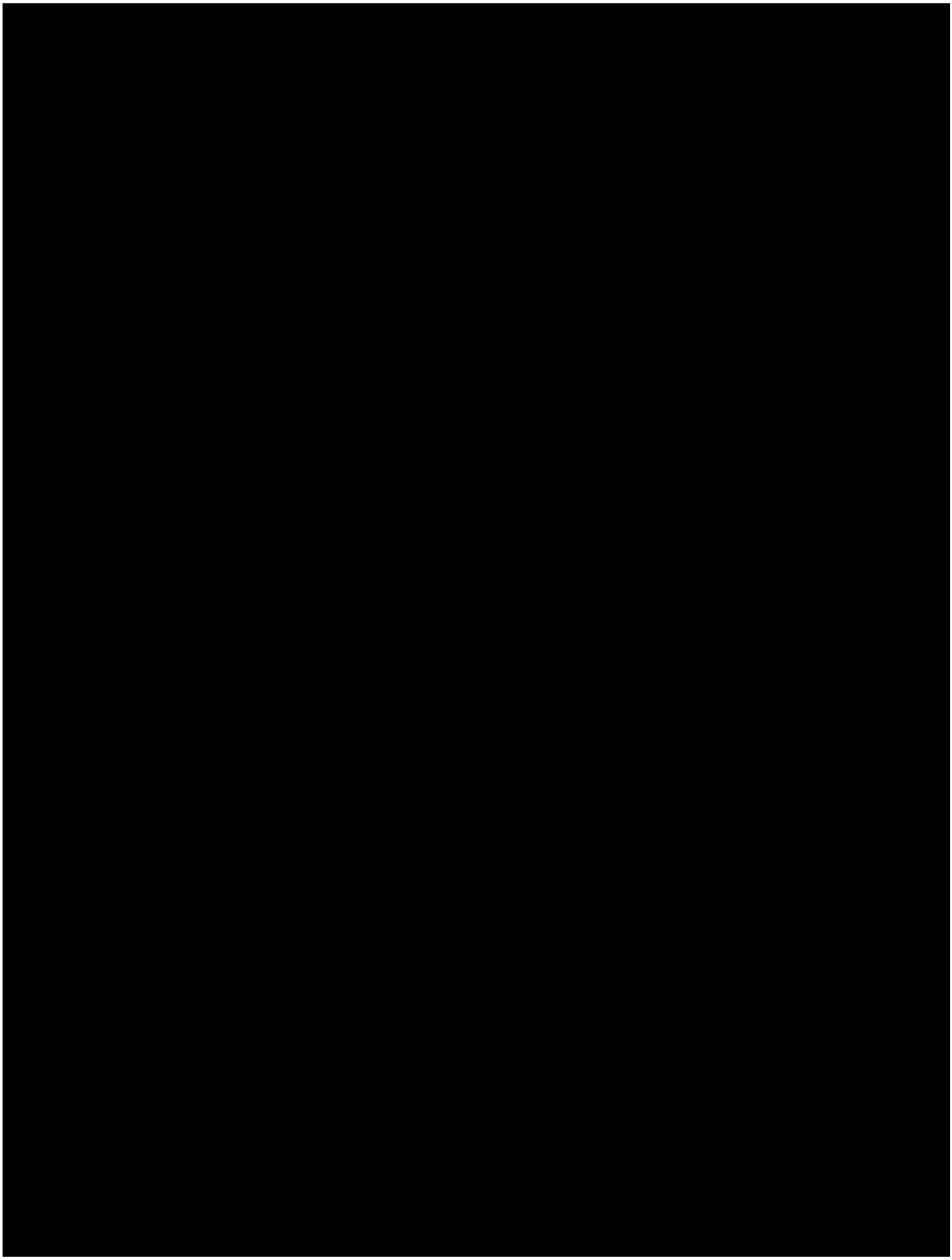














The ABC is continuing to investigate the hospitality industry.

If you have a story to share, you can securely contact **Adelaide Miller** on **miller.adelaide@proton.me**

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Posted Wed 4 Sep 2024 at 5:11am

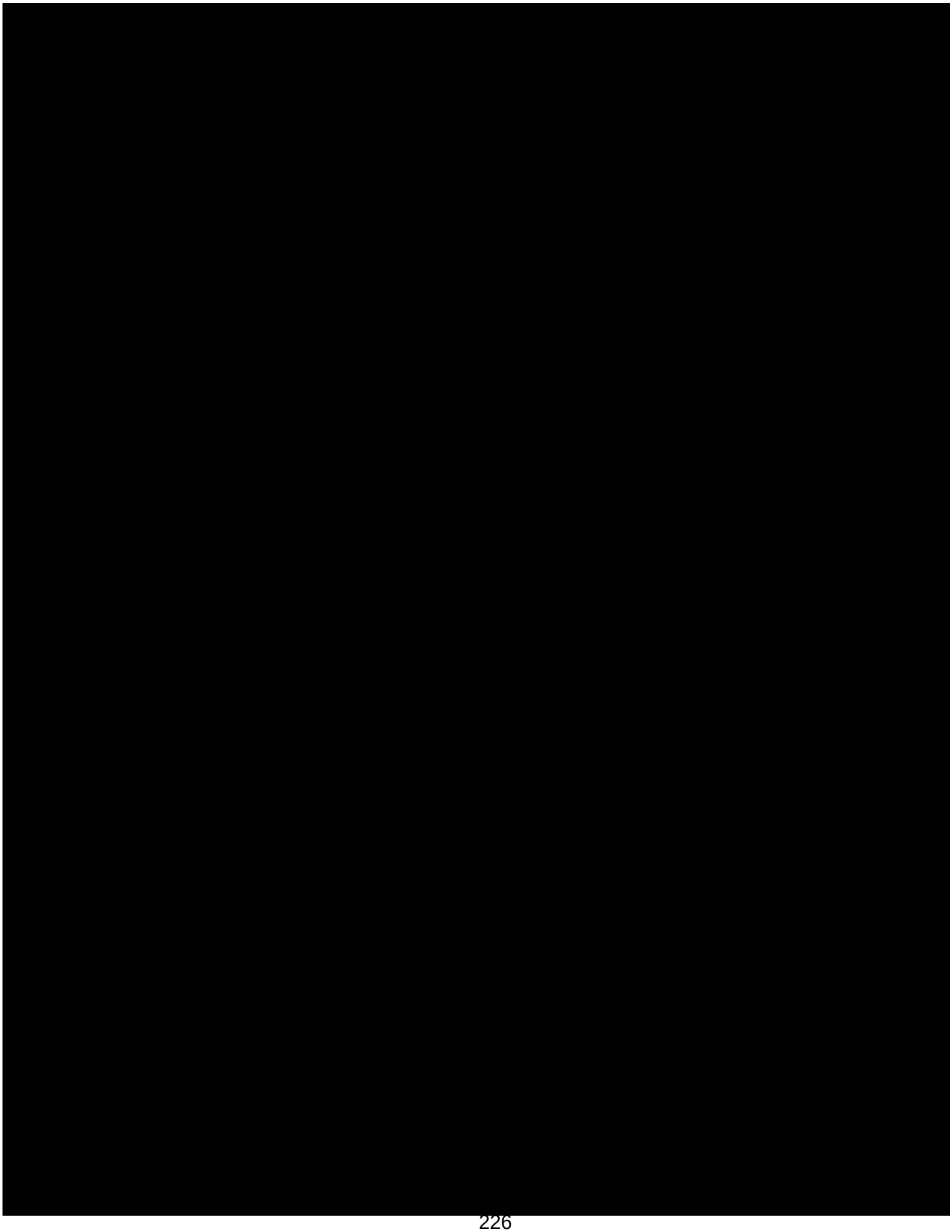
‘This is not a good deal’: Merivale’s $18m class action settlement derailed

A group of current and former employees alleging $129 million in underpayments now wants to abandon the settlement agreement.



Bianca Hrovat

May 7, 2024



[redacted]

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- Brisbane restaurant takes on hospo giant Merivale in surprise counterclaim over name
- $300,000 is at the centre of a falling out between two Sydney hospo heavyweights
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Bianca Hrovat – Bianca is Good Food's Sydney-based reporter.

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IGA Liquor

A very merry summer salad

From: Becky C
Sent on: Wednesday, December 18, 2024 7:31:00 PM

To: City of Sydney
Subject: Objection to D/2024/1018

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 Council

We share similar views as other residents and strongly object to the proposed development, as it is fundamentally incompatible with the principles of responsible urban planning and the long-term well-being of the community. The environmental impact, disregard for the public interest, and the disruption to the local area make this project unsuitable for the location.

A major concern is the loss of residential housing as part of this proposal. The removal of existing accommodation, particularly in an area already facing a housing affordability crisis, is both concerning and unjust. The displacement of residents will contribute to the growing shortage of affordable housing in Sydney, forcing those affected to seek alternatives in an already competitive and expensive rental market. This not only disrupts lives but undermines the city's goal of increasing and preserving affordable housing stock in urban areas.

We also urge the Council to consider the broader impact of this development on the community. The proposal poses significant risks to public health and safety, particularly through its environmental impacts, including noise pollution and the potential for increased crime associated with the large-scale entertainment venues proposed. The applicant's track record of regulatory breaches, as widely reported by the*ABC* and *Sydney Morning Herald*, raises further concerns about their ability to operate responsibly and within the law.

The health and well-being of local residents, the preservation of affordable housing, and the integrity of urban planning processes must take precedence over the commercial interests of the applicant. Approving this proposal would reward a history of non-compliance and set a dangerous precedent for future developments in the area.

For these reasons, we strongly request that the Council reject this planning proposal in its entirety. The negative impact on the community, loss of residential housing, and the applicant's disregard for regulatory standards make this proposal incompatible with the public interest.

Thank you for your time and consideration.

From: Kay
Sent on: Tuesday, December 17, 2024 10:54:01 PM
To: council
CC: clarencehouse104
Subject: OBJECTION TO D/2024/1018

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 am writing to express our **strong objection** to the proposed planning application at the following addresses:

- 104-118 Clarence Street, SYDNEY NSW 2000
- 46-52 King Street, SYDNEY NSW 2000
- 73 York Street, SYDNEY NSW 2000
- 71 York Street, SYDNEY NSW 2000
- 75 York Street, SYDNEY NSW 2000

This application raises a host of serious concerns across several critical areas, including environmental impact, public safety, housing displacement, traffic management, and the applicant's track record. The following points outline our objections in detail and highlight why this proposal should be rejected in the interest of protecting the community.

Environmental Impact and Noise Pollution

One of the most significant concerns is the expected rise in noise pollution caused by the development, particularly due to the 24/7 operation of the proposed precinct and nightclub. Extended hours of operation in a densely populated area will generate continuous noise, including loud music, crowd noise, and vehicular disturbances during late-night hours. This is likely to disrupt the daily lives of residents, many of whom rely on the area as a peaceful space to live and work.

The application does not provide a comprehensive assessment of the noise impact or propose effective noise mitigation measures. For a development of this magnitude, it is standard practice to include detailed noise monitoring and mitigation strategies, such as soundproofing, operational restrictions, and compliance protocols. The omission of these essential details reflects a lack of consideration for the well-being of nearby residents and businesses.

Beyond noise, the development is likely to lead to other forms of environmental degradation. Increased traffic volumes and visitor activity will contribute to air pollution and strain public infrastructure. It is concerning that the application does not adequately address these broader environmental impacts, further demonstrating that community well-being is not a priority for the developer.

Past Non-Compliance by the Applicant

The applicant, Merivale, has a documented history of regulatory violations in its previous projects. These include breaches of noise restrictions, liquor licensing conditions, and safety standards. Such a track record raises significant concerns about the applicant’s ability to manage this development responsibly and adhere to local laws.

Granting approval to this application without addressing the applicant’s history of non-compliance would undermine public trust in the planning process. It also creates a substantial risk of repeated violations, leading to further harm to the community. The Council must prioritize accountability by holding developers to the highest standards and ensuring that only those with a proven commitment to compliance are granted approvals.

Housing Displacement and Affordability

The proposed development will result in the total removal of all existing residential accommodation on the site, displacing current residents. This is especially troubling given the ongoing housing affordability crisis in Sydney, where secure and affordable housing is increasingly scarce.

Displacing residents during such a critical time not only disrupts their lives but exacerbates an already dire housing shortage. Those forced to leave may struggle to find alternative accommodation, especially in a market where rental costs are skyrocketing. The lack of any plans to provide replacement housing for displaced residents reflects a disregard for their basic needs and well-being.

The preservation of residential spaces in mixed-use areas is essential for fostering balanced and vibrant communities. Removing all housing from this site to prioritize commercial interests undermines the social fabric of the area and sets a harmful precedent for future developments.

Community Disruption and Public Safety

The proposed liquor license for the entire site, including an open-air rooftop bar, poses significant risks to the community. These risks include:

1. **Noise and Disturbances:** Open-air venues amplify noise, with sounds from music, conversations, and other activities traveling far beyond the site. This will be particularly disruptive during nighttime hours when ambient noise levels are low. Nearby residents and businesses will suffer from sleep disturbances, reduced productivity, and an overall decline in quality of life.

2. **Public Disorder:** Large-scale venues with extensive liquor licenses are often associated with antisocial behavior, including excessive drinking, rowdiness, and public disturbances. These issues are exacerbated during late-night hours and could lead to a significant increase in complaints from the community.

3. **Crime Rates:** Similar developments in other areas have demonstrated a correlation between large-scale entertainment venues and increases in alcohol-fueled incidents, such as theft, assault, and vandalism. Without robust measures to manage these risks, the proposal is likely to compromise public safety.

The absence of meaningful community consultation is particularly disappointing. Local residents and stakeholders have not been given an adequate platform to voice their concerns, nor has the applicant shown any willingness to address them. Moreover, the proposal fails to outline any tangible benefits to the community, making it clear that it prioritizes private profit over public good.

Traffic and Parking Concerns

The development is likely to cause significant traffic congestion, particularly given the expected increase in visitor volumes. This will exacerbate existing congestion on key roads in the area, such as Clarence Street and York Street, leading to longer travel times and reduced accessibility for residents and local businesses.

Insufficient parking provisions in the application are another major issue. With a large number of visitors expected, the lack of adequate parking facilities will worsen the current shortage, creating additional challenges for residents, workers, and visitors. This will lead to increased illegal parking, traffic disruptions, and heightened tensions in the community.

The 24/7 concept that is proposed would mean these traffic issues will extend throughout the day and into the night, and taking away previous available parking on the street that would be available to residents in the evenings.

Conclusion

This proposed development presents a range of significant risks to the local community and the broader Sydney area. Its environmental impact, disregard for public safety, and displacement of residents make it fundamentally incompatible with the principles of responsible urban planning.

The Council has a duty to prioritize the well-being of its residents and the sustainability of its neighborhoods. Allowing

this proposal to proceed would send a message that commercial interests take precedence over the health, safety, and stability of the community.

For these reasons, we urge the Council to **reject** this planning application in its entirety. Protecting the interests of local residents and maintaining the integrity of our city should remain the Council's top priorities.

Thank you for taking the time to consider this objection.

Kay

From: Hong
Sent on: Wednesday, December 18, 2024 10:59:00 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>
CC: Clarence House; Becky;
DASubmissions; sugiianto399 gregshoebridge; thdgmly; kokoso243; DJ
Chen; pcmailmail; angyou99; rainmelon6; dkinglocal22; hellomaybb; jiansydney888; windcurrent1;
alexccme99; jaochicosean1106; cablg666; kingoil1989; darrenjc2020; jiemaster886; firstrose;
morninglight1236; blkjack988; amystorer1999

Subject: Re: Re Objection to D/2024/1018

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 Council

We also strongly object to the proposal, the removal of existing residential housing when we are already facing a housing crisis will exacerbate the shortage of affordable housing, directly contradicting the city's goals.

Additionally, the noise pollution from a 24/7 nightclub and entertainment venues, coupled with inadequate noise mitigation measures, poses a serious risk to the surrounding community. This issue is particularly concerning given the applicant's well-documented track record of failing to manage noise levels and traffic at their other venues,

We urge the Council to prioritise the health and well-being of residents, over the commercial interests of the applicant. For these reasons, we strongly request that the Council reject this proposal.

Hong

On Wed, Dec 18, 2024 at 10:45 PM Becky wrote:

> Yes it is also well publicised that noise levels and traffic management have been out of control in the applicant's other venues so their track record of non compliance is very much prevalent - see below.
>
> Worst of all, the concept proposal involves a 24/7 operation, something the applicant has shown they are not capable of managing effectively. Their history of non-compliance with noise and traffic management regulations further underscores their inability to handle such a large-scale development responsibly.
>
> Council needs to take this into consideration and reject the proposal.



On Wed, Dec 18, 2024 at 6:59 PM Clarence House wrote:

> Thank you for acknowledging our submission.
>
> As highlighted, we believe the applicant's track record of non-compliance with regulations and state laws must be factored into the assessment of their proposal.
>
> Attached are recent reports from the ABC and *Sydney Morning Herald*, as widely covered in the media.
>
> Given these concerns, we strongly urge that the application be rejected in the public interest.

From: Becky
Sent on: Wednesday, December 18, 2024 10:44:53 PM

To: Clarence House; City of Sydney; DASubmissions

CC: sugiianto399; gregshoebridge; thdgmly; kokoso243; DJ Chen; pcmailmail1; angyou99; rainmelon6; dkinglocal22; hellomaybb; jiansydney888; windcurrent1; alexccme99; jaochicosean1106; cablg666; kingoil1989; howsping; darrenjc2020; jiemaster886; firstrose; morninglight1236; blkjack988; amystorer1999

Subject: Re: Re Objection to D/2024/1018

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.

Yes it is also well publicised that noise levels and traffic management have been out of control in the applicant's other venues so their track record of non compliance is very much prevalent - see below.

Worst of all, the concept proposal involves a 24/7 operation, something the applicant has shown they are not capable of managing effectively. Their history of non-compliance with noise and traffic management regulations further underscores their inability to handle such a large-scale development responsibly.

Council needs to take this into consideration and reject the proposal.



On Wed, Dec 18, 2024 at 6:59 PM Clarence House wrote:

> Thank you for acknowledging our submission.

As highlighted, we believe the applicant's track record of non-compliance with regulations and state laws must be factored into the assessment of their proposal.

Attached are recent reports from the ABC and *Sydney Morning Herald*, as widely covered in the media.

Given these concerns, we strongly urge that the application be rejected in the public interest.

From: Gary

Sent on: Wednesday, December 18, 2024 2:36:48 PM
To: City of Sydney
Subject: OBJECTION TO D/2024/1018

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

This proposed development is fundamentally incompatible with the principles of responsible urban planning and community well-being. The environmental impact, disregard for the public interest, and disruption to the local community make this project unsuitable for the area.

We urge the Council to carefully consider the long-term consequences of approving this application. The health and well-being of local residents, the preservation of affordable housing, and the integrity of urban planning processes must take precedence over the commercial interests of the applicant, especially when their breaches of various regulations are well publicised.

For these reasons, we strongly request that the Council reject this planning proposal in its entirety.

From: Clarence House

Sent on: Wednesday, December 18, 2024 11:55:00 PM
To: DASubmissions ; City of Sydney

CC: sugiianto399; gregshoebridge@; thdgmly;
kokoso243; DJ Chen; pcmailmail1;
angyou99; rainmelon6; dkinglocal22; hellomaybb; jiansydney888; windcurrent1; alexccme99;
jaochicosean1106; kingoil1989; cableg666;
howsping; birdscold; darrenjc2020; jiemaster886; firstrose; morninglight1236; blkjack988;
amystorer1999

Subject: Re: Re Objection to D/2024/1018
Attachments: 18122024 OBJECTION TO D20241018.pdf (74.5 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.

Dear Council

The attached further submission further reiterates the concerns of residents and our strong objection to the concept proposal.

We take this opportunity to strongly urge Council to reject the proposal in the public interest.

On Wed, Dec 18, 2024 at 6:59 PM Clarence House wrote:

> Thank you for acknowledging our submission.
>
> As highlighted, we believe the applicant's track record of non-compliance with regulations and state laws must be factored into the assessment of their proposal.
>
> Attached are recent reports from the ABC and *Sydney Morning Herald*, as widely covered in the media.
>
> Given these concerns, we strongly urge that the application be rejected in the public interest.

18 December 2023

To the Planning Officer, City of Sydney Council

FURTHER SUBMISSION OF OBJECTION TO D/2024/1018

We write to reiterate our strong opposition to the proposed development at 104-118 Clarence Street, 46-52 King Street, 71 York Street, 73 York Street, and 75 York Street. Our objection is grounded in a deep concern for the future of our community, the environment, and the well-being of local residents.

No to More Noise in Our Area

We write to say no to more noise in the area. The proposal includes a 24/7 nightclub and rooftop bar, both of which will create unbearable levels of noise that will disrupt the lives of residents who already face significant challenges living in a bustling city. The applicant has failed to adequately address how they will manage noise pollution, which is a critical issue for our community. Noise levels, especially in the late hours of the night, will spill over into surrounding properties, disturbing the peace of residents who rely on a quiet environment to live and work. The noise pollution from such a development would lead to chronic stress, sleep disturbances, and a decline in overall mental and physical health. We do not accept that the needs of a commercial enterprise should come at the expense of the health and well-being of the community.

The applicant's track record at other venues shows that they have failed to manage noise pollution effectively in the past. Their other establishments have been widely publicized for noise violations, and this is not something we can afford to ignore. We have seen firsthand the impact on local communities when noise management is insufficient or neglected. Approving this proposal would be a grave mistake, as it would set a precedent for future developments to ignore the concerns of residents, disregarding their right to a peaceful environment.

No to the Destruction of Our Homes

We write to save our homes. The proposed development will result in the displacement of current residents, removing valuable residential accommodation in an area already struggling with a housing affordability crisis. At a time when affordable housing is in short supply in Sydney, this proposal goes directly against the city's objectives of increasing housing stock and providing affordable living spaces for all. The removal of these homes would force many residents to find alternatives in a highly competitive rental market, likely at significantly higher rents.

This is not just about buildings—it's about the people who live in them. Removing residential housing to make way for a commercial development sends the message that profit is more important than people. We cannot afford to continue down this path of displacing communities for short-term commercial gain. We ask the Council to consider the impact on the lives of those who will be forced to leave their homes and find somewhere else to live.

No to Irresponsible Development

We write to put a stop to the 24/7 nightclub and rooftop bar that will have a significant and lasting impact on the lives of residents. The concept of a 24/7 operation, with little regard for the surrounding community, is not only irresponsible but also impractical. The applicant has shown a history of non-compliance with regulations, including breaches of noise restrictions, safety protocols, and liquor

licensing laws. These past failures make it clear that they cannot be trusted to manage a 24/7 venue responsibly. The evidence from their other venues, as reported by the ABC and Sydney Morning Herald, demonstrates their inability to properly handle the social and environmental impact of such developments.

A 24/7 nightclub located in an area with so much residential presence is simply unmanageable. There is no way to ensure that noise, traffic, and safety concerns will be properly controlled during late hours, and the impact on the surrounding area would be disastrous. Public safety would be jeopardized, and the strain on local infrastructure would be unsustainable. We cannot allow such a project to move forward when it is clear that the applicant is not capable of managing the issues that arise from it.

Conclusion: A Call for Responsibility
We urge the Council to listen to the concerns of local residents and to reject this development in its entirety. We are not opposed to progress, but progress must be responsible and must take into account the well-being of the people who live here. The applicant's track record of non-compliance, combined with the proposal's disregard for noise, traffic management, and the displacement of residents, makes it clear that this is not a project that should move forward.

We trust that the Council will make the right decision for the community and reject this application. We ask you to prioritize the long-term well-being of the residents, protect affordable housing, and prevent the introduction of a disruptive, 24/7 commercial operation in our area.

Thank you for your time and consideration.

Sincerely,

Clarence House

From: Erin Christianson
Sent on: Tuesday, December 17, 2024 9:47:52 PM
To: council
Subject: Objection to D/2024/1018

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’m writing to object to the proposed development by Merivale as it is NOT in the community’s best interest and should be REJECTED.

I am a long term resident of Clarence House at 104-118 Clarence Street, Sydney and will be severely affected by this proposal. The proposed development will take away all existing residential accommodation at a time where there is a severe housing shortage and cost of living crisis.

There is already 2 massive hotels across the road, The Grace Hotel & Skye Suites, there is no need for another one. Especially one that is going to result in residents having to move out of their apartments in this time of a National housing crisis.

Merivale already holds prominence on George Street with The Ivy Precinct, there is absolutely no need for another “Entertainment Precinct” 3 minutes away.

People can’t afford to go out as it is, it’s absolutely ridiculous to be redeveloping a residential building and business area in a cost of living crisis. There is absolutely no benefit for local residents.

Please, this redevelopment is insane. MERIVALE HAS ENOUGH, SYDNEY DOES NOT NEED THIS and RESIDENTS WILL BE KICKED OUT OF THEIR HOMES.

Regards,

Erin Christianson

Sent from my iPhone

From: [redacted]
Sent on: Tuesday, December 17, 2024 8:41:36 PM
To: council
CC: clarencehouse104
Subject: Objection to D/2024/1018

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 to formally object to the proposal submitted by Merivale CBD Pty Limited for the site located at 104-118 Clarence Street, Sydney NSW 2000. As a current tenant of the building, I wish to raise the following concerns regarding this proposal:

1. **Displacement of Tenants** : The proposed development would force tenants like myself to leave our homes. This is particularly distressing as we currently reside in a location that is convenient for our work in the city. The eviction would cause significant personal stress, as we would need to find new accommodation, settle into a new home, and endure increased travel time to and from work.

2. **Housing Crisis and Uncertainty** : Given the ongoing housing crisis in Australia, there is no certainty that tenants will be able to find suitable housing in a timely manner. The risk of homelessness is especially concerning for families with children, as finding affordable and secure housing in such a short period may not be feasible.

3. **Noise Impact** : The building is situated near a residential property. If this proposal proceeds, the resulting construction and future usage of the site could lead to increased noise, disrupting the peace of surrounding residents. This would be detrimental to the quality of life in the area.

4. **Public Disorder and Crime** : If the proposal is approved, there is a genuine concern about a potential increase in public disorder, disturbances, and crime in the surrounding area. The nature of the proposed development could attract undesirable behavior, which would harm the local community.

5. **Traffic Congestion** : The proposal may exacerbate the already congested local traffic conditions. This would negatively impact the welfare of all residents in the area, leading to further delays, pollution, and safety concerns.

6. **Consideration of Local Welfare** : While the proposal may aim to increase tourism or attract visitors, it is important for the council to prioritize the welfare of its residents first. The long-term impact on the local community—such as the issues mentioned above—should be carefully considered, as residents contribute to the daily life and culture of the area.

Given these points, I strongly urge you to reconsider the approval of this proposal, as it would have a profoundly negative impact on the local community.

Thank you for taking the time to review my concerns. **I trust that the council will prioritize the well-being of its constituents in making a final decision.**

Sincerely,

[redacted]

From: Mary
Sent on: Wednesday, December 18, 2024 11:59:32 PM

To: City of Sydney
Subject: OBJECTION TO D/2024/1018

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 Council planning officer

I am writing to express my concerns regarding the proposal in question, particularly the lack of consultation with residents. This is a major issue, especially given the impact that the proposal has on those living in the building and the surrounding area.

The plans appear to have been developed without any meaningful engagement with the residents who will be directly affected by the changes.

The proposal will have significant impact of the lives of people in this area and should not be approved unless it is properly addressed.

We ask that Council takes this into consideration in evaluating the proposal and refuse it in the public interest

From: Becky
Sent on: Wednesday, December 18, 2024 10:44:53 PM

To: Clarence House; council;
DASubmissions
CC: sugiianto399; gregshoebridge; thdgmly; kokoso24; DJ Chen; pcmailmail1; angyou99; rainmelon6; dkinglocal22; hellomaybb; jiansydney888; windcurrent1; alexccme99; jaochicosean1106; cablg666; kingoil1989; howsping; darrenjc2020; jiemaster886; firstrose; morninglight1236; blkjack988; amystorer1999

Subject: Re: Re Objection to D/2024/1018

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Yes it is also well publicised that noise levels and traffic management have been out of control in the applicant's other venues so their track record of non compliance is very much prevalent - see below.

Worst of all, the concept proposal involves a 24/7 operation, something the applicant has shown they are not capable of managing effectively. Their history of non-compliance with noise and traffic management regulations further underscores their inability to handle such a large-scale development responsibly.

Council needs to take this into consideration and reject the proposal.



On Wed, Dec 18, 2024 at 6:59 PM Clarence House wrote:

> Thank you for acknowledging our submission.

As highlighted, we believe the applicant's track record of non-compliance with regulations and state laws must be factored into the assessment of their proposal.

Attached are recent reports from the ABC and *Sydney Morning Herald*, as widely covered in the media.

Given these concerns, we strongly urge that the application be rejected in the public interest.

From: Clarence House

Sent on: Wednesday, December 18, 2024 11:55:00 PM
To: DASubmissions; council
CC: sugiianto399; gregshoebridge; thdgmly;kokoso243; DJ Chen; pcmailmail1; angyou99; rainmelon6; dkinglocal22; hellomaybb; jiansydney888; windcurrent1; alexccme99; jaochicosean1106; kingoil1989; cableg666; howsping; birdscold; darrenjc2020; jiemaster886; firstrose; morninglight1236; blkjack988; amystorer1999

Subject: Re: Re Objection to D/2024/1018
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Dear Council

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On Wed, Dec 18, 2024 at 6:59 PM Clarence House wrote:

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18 December 2023

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The applicant's track record at other venues shows that they have failed to manage noise pollution effectively in the past. Their other establishments have been widely publicized for noise violations, and this is not something we can afford to ignore. We have seen firsthand the impact on local communities when noise management is insufficient or neglected. Approving this proposal would be a grave mistake, as it would set a precedent for future developments to ignore the concerns of residents, disregarding their right to a peaceful environment.

No to the Destruction of Our Homes

We write to save our homes. The proposed development will result in the displacement of current residents, removing valuable residential accommodation in an area already struggling with a housing affordability crisis. At a time when affordable housing is in short supply in Sydney, this proposal goes directly against the city's objectives of increasing housing stock and providing affordable living spaces for all. The removal of these homes would force many residents to find alternatives in a highly competitive rental market, likely at significantly higher rents.

This is not just about buildings—it's about the people who live in them. Removing residential housing to make way for a commercial development sends the message that profit is more important than people. We cannot afford to continue down this path of displacing communities for short-term commercial gain. We ask the Council to consider the impact on the lives of those who will be forced to leave their homes and find somewhere else to live.

No to Irresponsible Development

We write to put a stop to the 24/7 nightclub and rooftop bar that will have a significant and lasting impact on the lives of residents. The concept of a 24/7 operation, with little regard for the surrounding community, is not only irresponsible but also impractical. The applicant has shown a history of non-compliance with regulations, including breaches of noise restrictions, safety protocols, and liquor

licensing laws. These past failures make it clear that they cannot be trusted to manage a 24/7 venue responsibly. The evidence from their other venues, as reported by the ABC and Sydney Morning Herald, demonstrates their inability to properly handle the social and environmental impact of such developments.

A 24/7 nightclub located in an area with so much residential presence is simply unmanageable. There is no way to ensure that noise, traffic, and safety concerns will be properly controlled during late hours, and the impact on the surrounding area would be disastrous. Public safety would be jeopardized, and the strain on local infrastructure would be unsustainable. We cannot allow such a project to move forward when it is clear that the applicant is not capable of managing the issues that arise from it.

Conclusion: A Call for Responsibility
We urge the Council to listen to the concerns of local residents and to reject this development in its entirety. We are not opposed to progress, but progress must be responsible and must take into account the well-being of the people who live here. The applicant's track record of non-compliance, combined with the proposal's disregard for noise, traffic management, and the displacement of residents, makes it clear that this is not a project that should move forward.

We trust that the Council will make the right decision for the community and reject this application. We ask you to prioritize the long-term well-being of the residents, protect affordable housing, and prevent the introduction of a disruptive, 24/7 commercial operation in our area.

Thank you for your time and consideration.

Sincerely,

Clarence House

From: Clarence House

Sent on: Wednesday, December 18, 2024 6:59:46 PM

To: DASubmissions; council

CC: sugiianto399; gregshoebridge; thdgmly; kokoso243; DJ Chen; pcmailmail1; angyou99; rainmelon6; dkinglocal22; hellomaybb; jiansydney888; windcurrent1; alexccme99; jaochicosean1106; cablg666; kingoil1989; howsping; birdscold; darrenjc2020; jiemaster886; firstrose; morninglight1236; blkjack988; amystorer1999

Subject: Re Objection to D/2024/1018

Attachments: SMH news 291024.pdf (197.22 KB), ABC news 060924.pdf (1.02 MB), ABC news 040924.pdf (2.35 MB), SMH news 070524.pdf (1.02 MB)

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Thank you for acknowledging our submission.

As highlighted, we believe the applicant's track record of non-compliance with regulations and state laws must be factored into the assessment of their proposal.

Attached are recent reports from the ABC and *Sydney Morning Herald*, as widely covered in the media.

Given these concerns, we strongly urge that the application be rejected in the public interest.

[redacted]

Sex, sleaze and hospitality

‘One step from being a brothel’: Sex, drugs, harassment alleged in Ivy penthouse

An extensive investigation has revealed claims of exploitation of female staff at hospitality giant Merivale. The company denies this.

By Eryk Bagshaw and Bianca Hrovat

OCTOBER 29, 2024

[redacted]

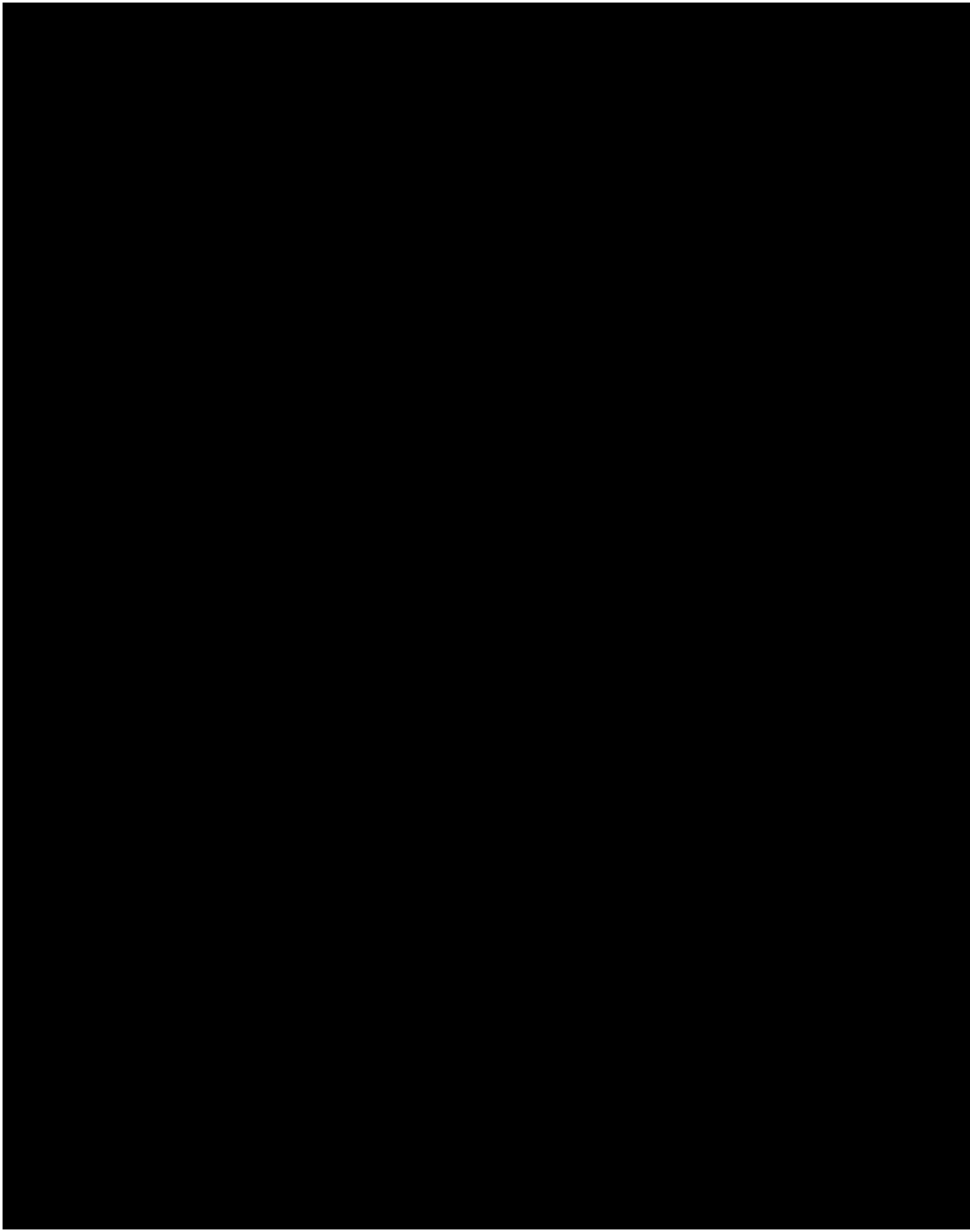
ABC News has a fresh look

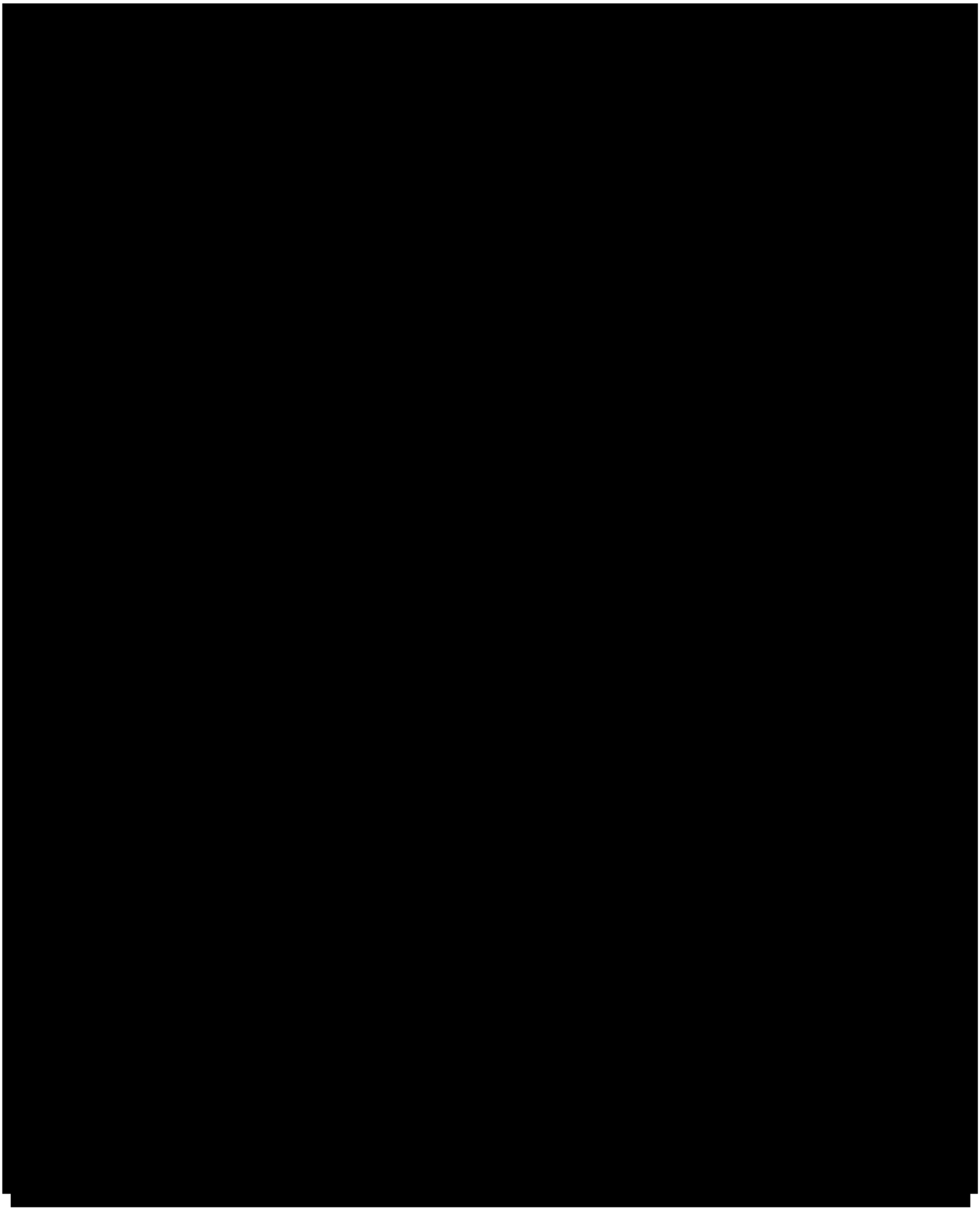
We've made it easier to find the stories that matter to you with a new homepage, personalised sections and more.

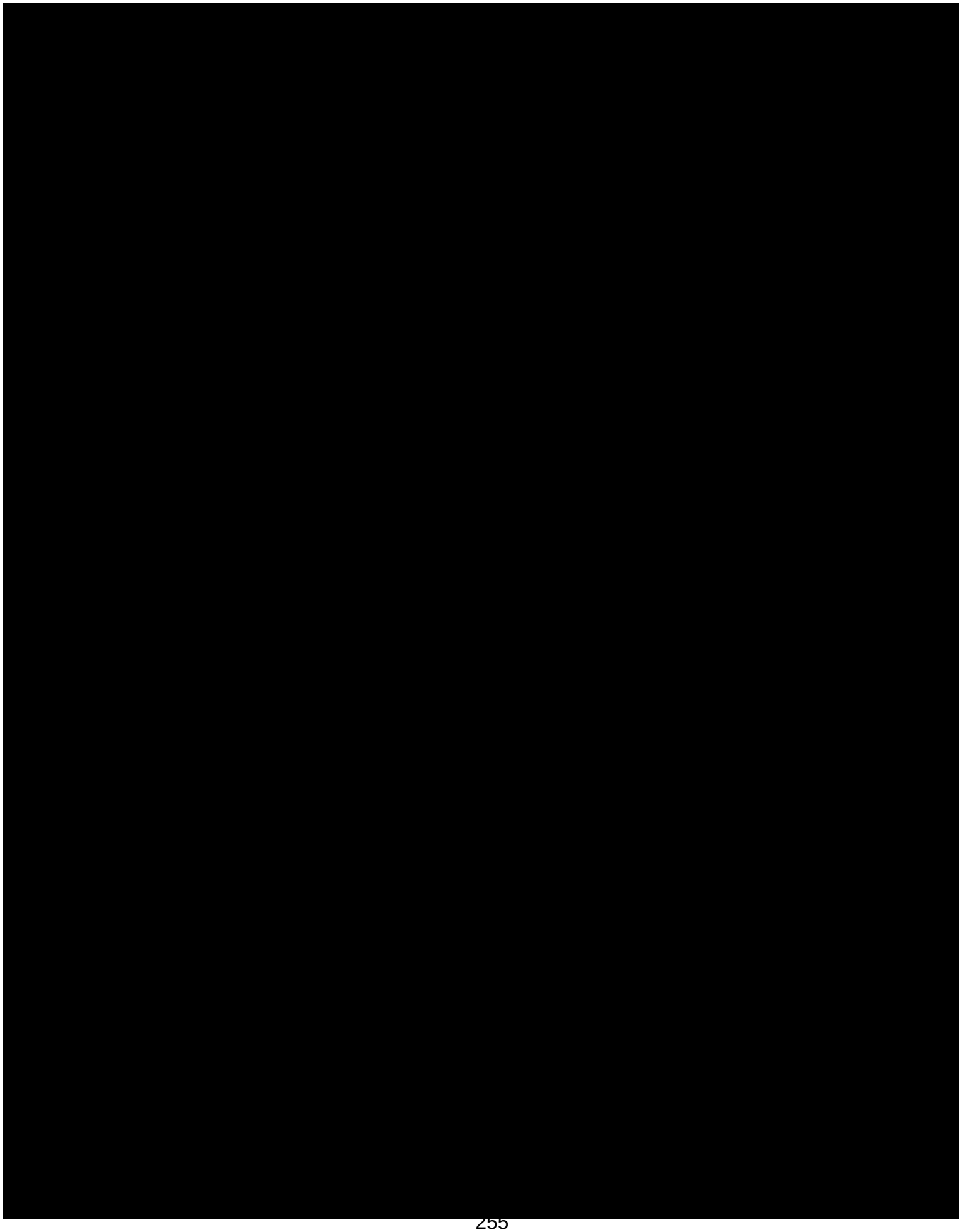
Merivale hospitality group allegations being assessed by SafeWork NSW and Liquor & Gaming NSW

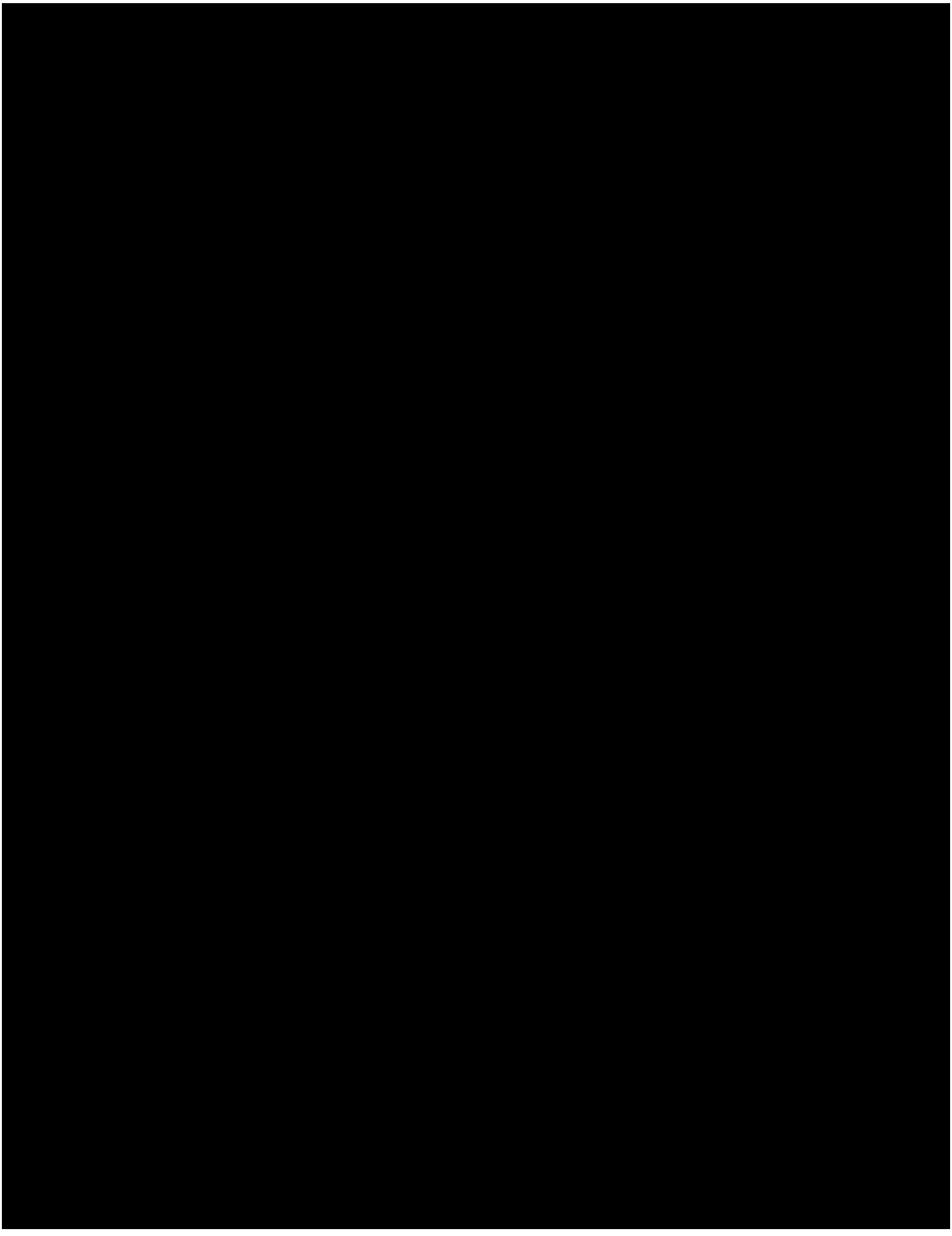
By Adelaide Miller ABC Investigations Hospitality Industry











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Posted Fri 6 Sep 2024 at 3:22pm

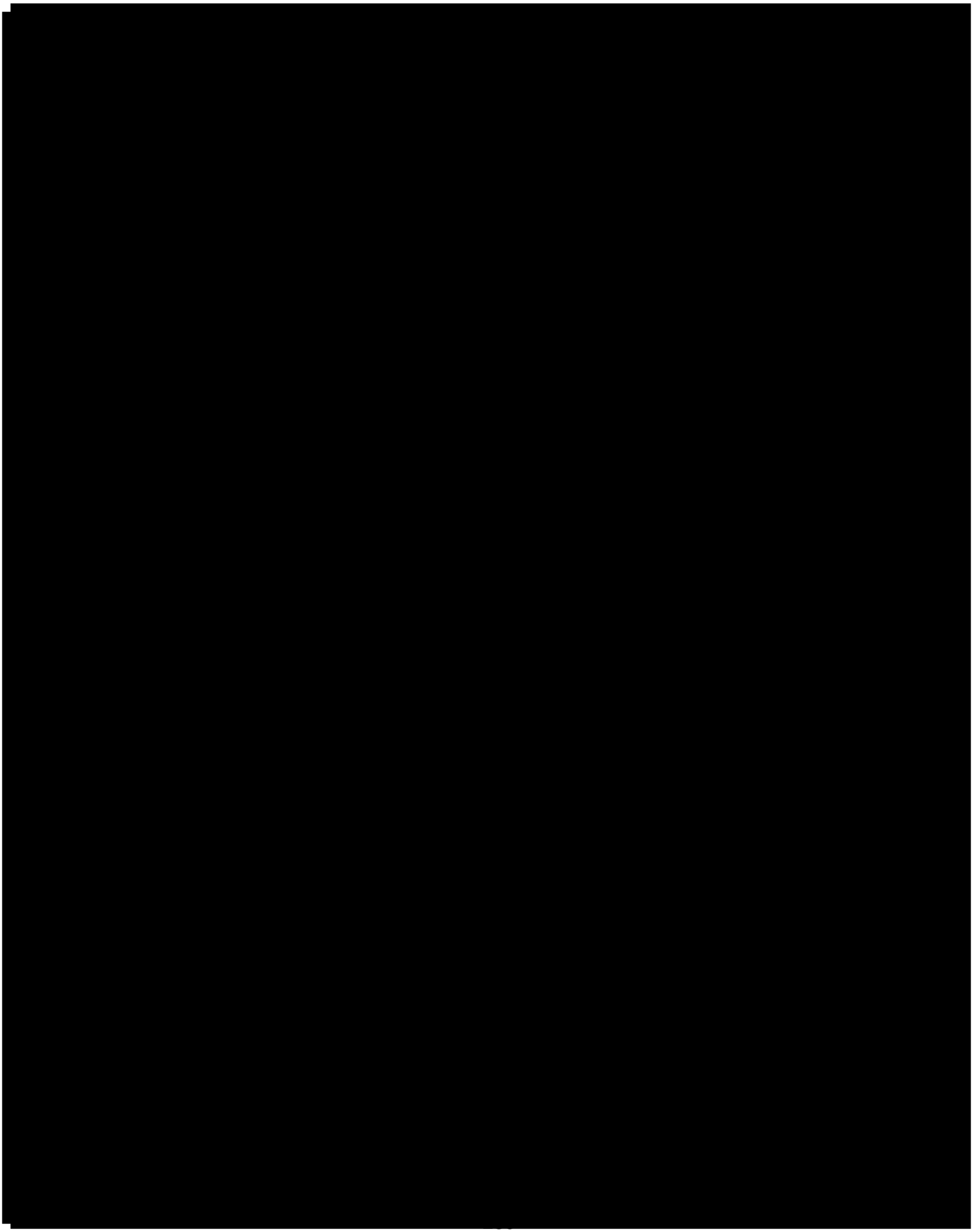
ABC News has a fresh look

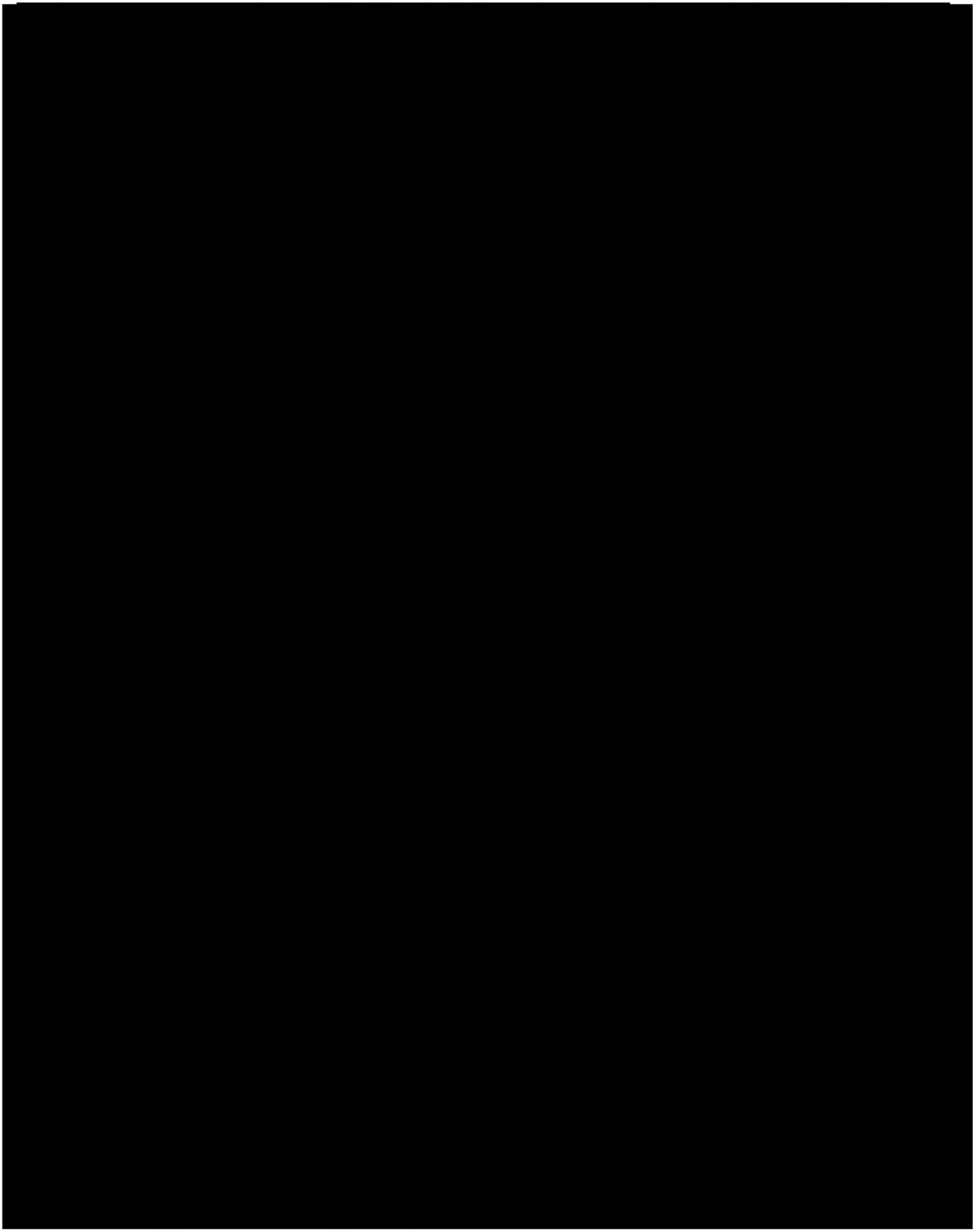
We've made it easier to find the stories that matter to you with a new homepage, personalised sections and more.

Former Merivale hospitality group staff allege culture of exploiting women and drug use at work

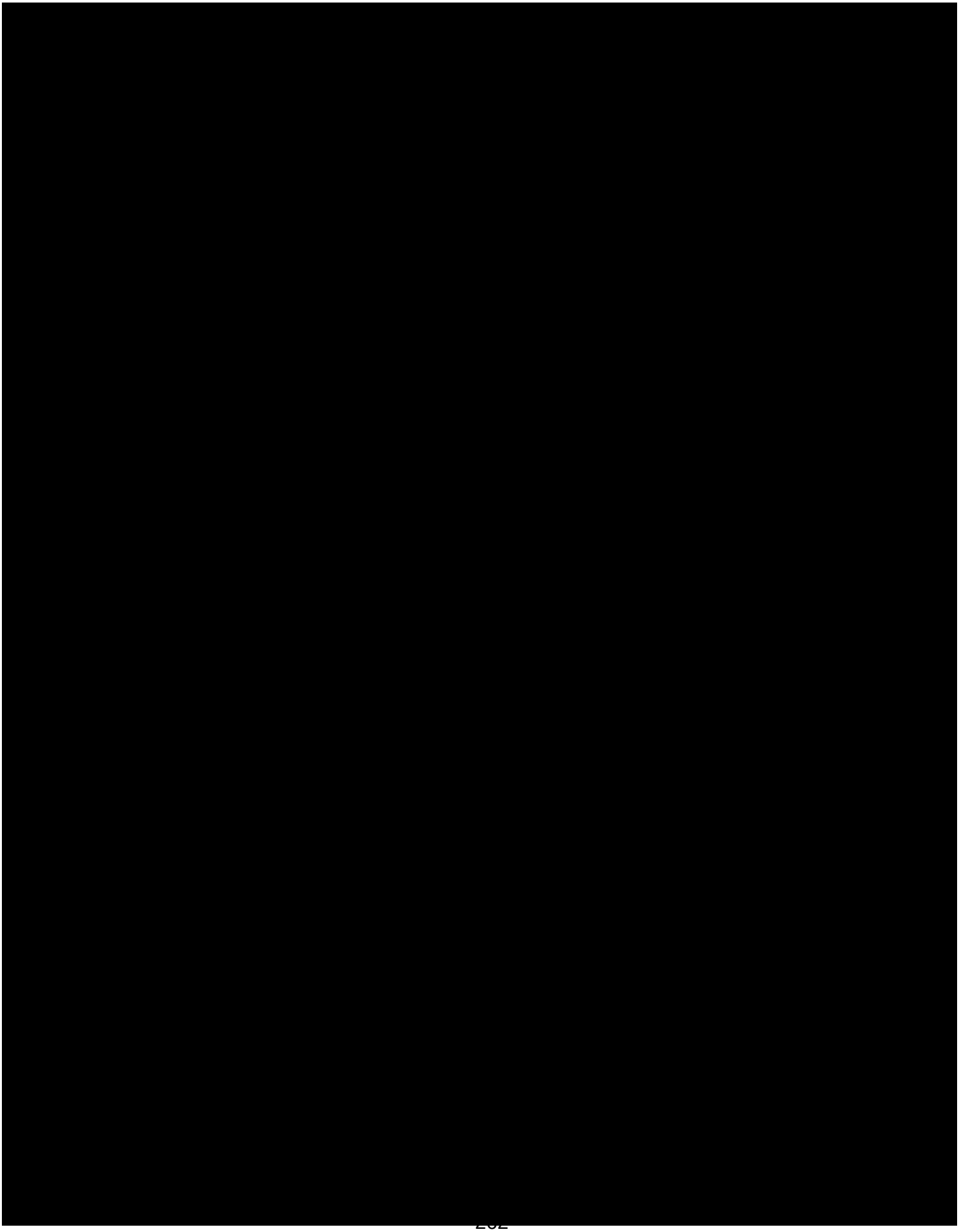
By Adelaide Miller By Ninah Kopel ABC Investigations Hospitality Industry

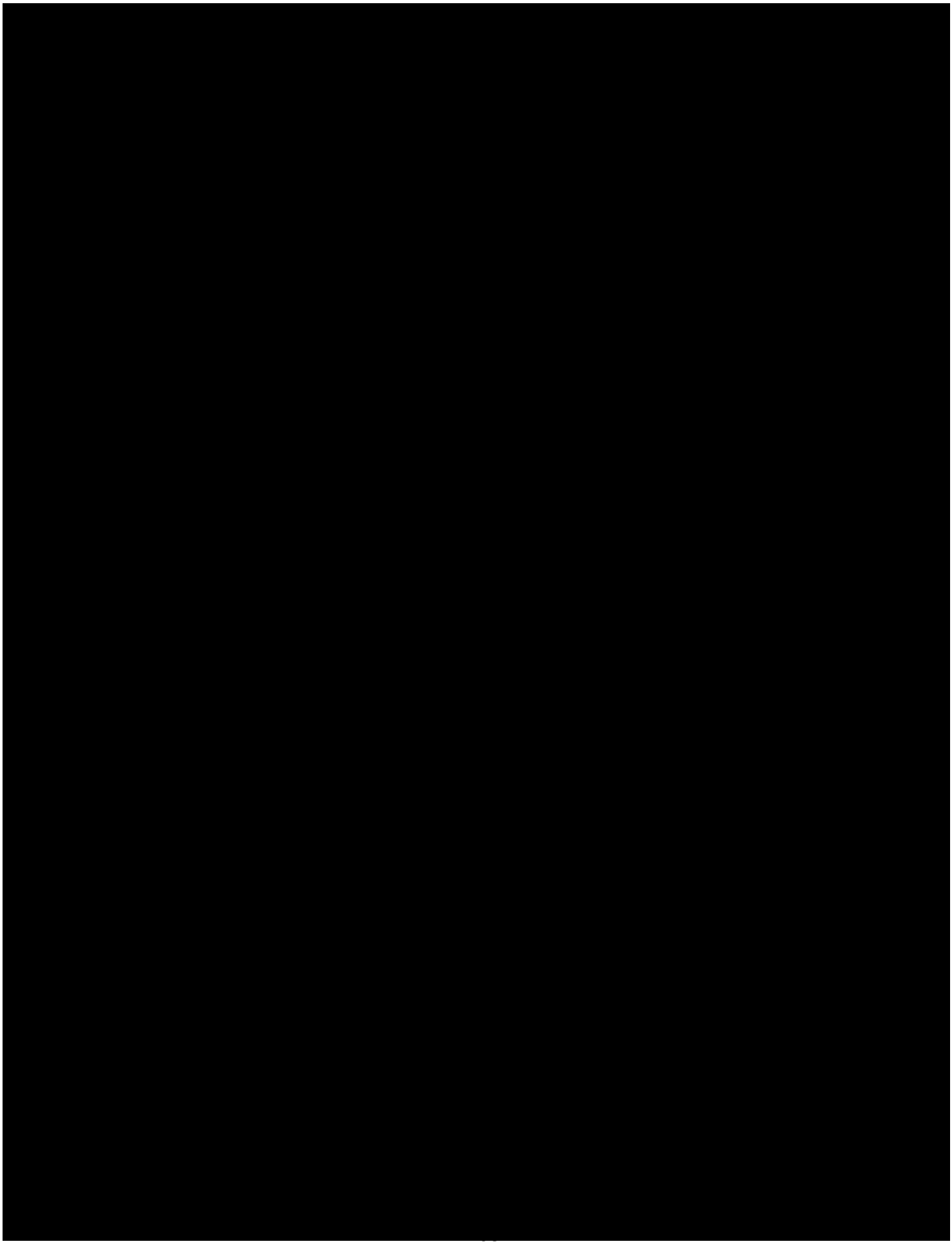


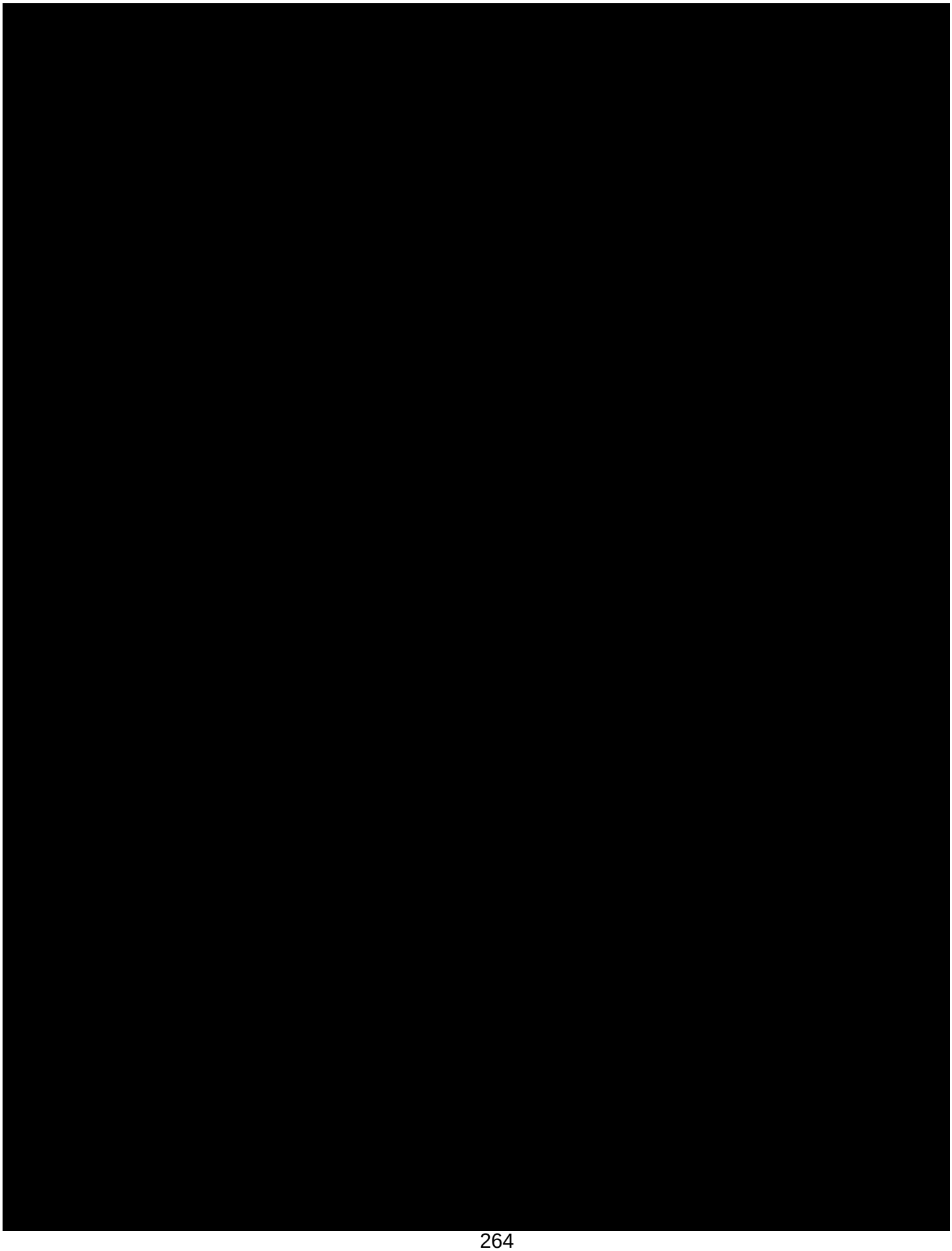


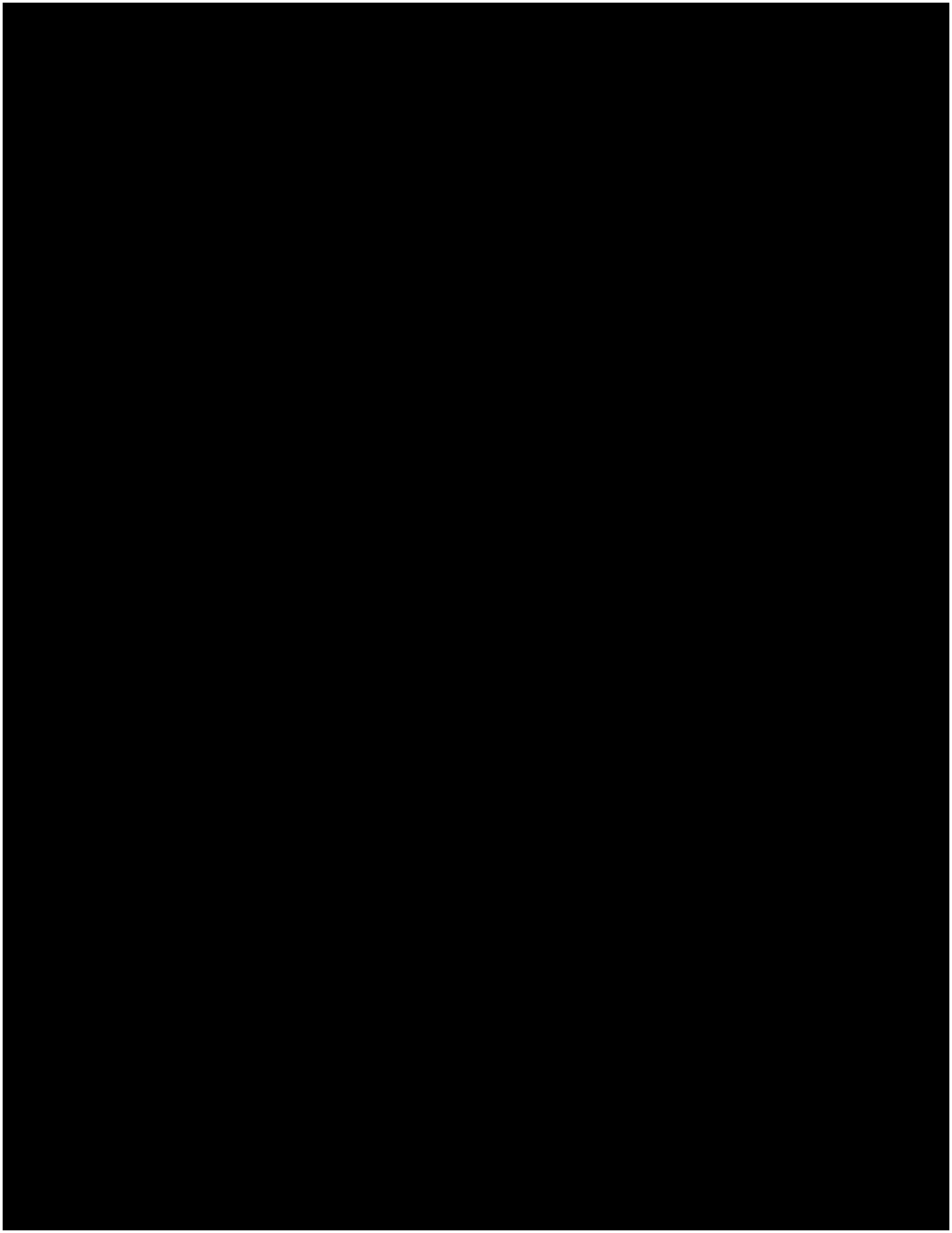


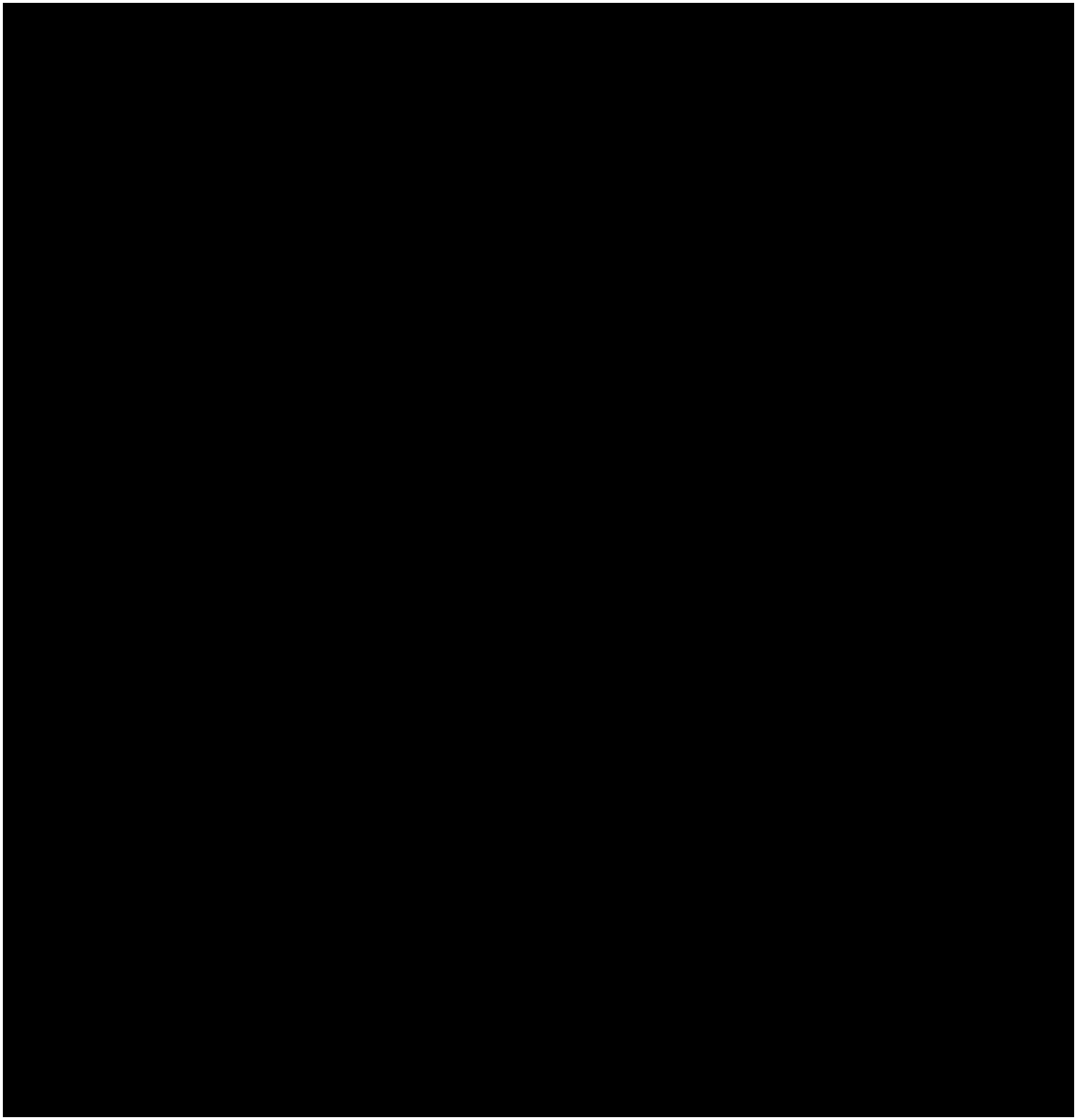


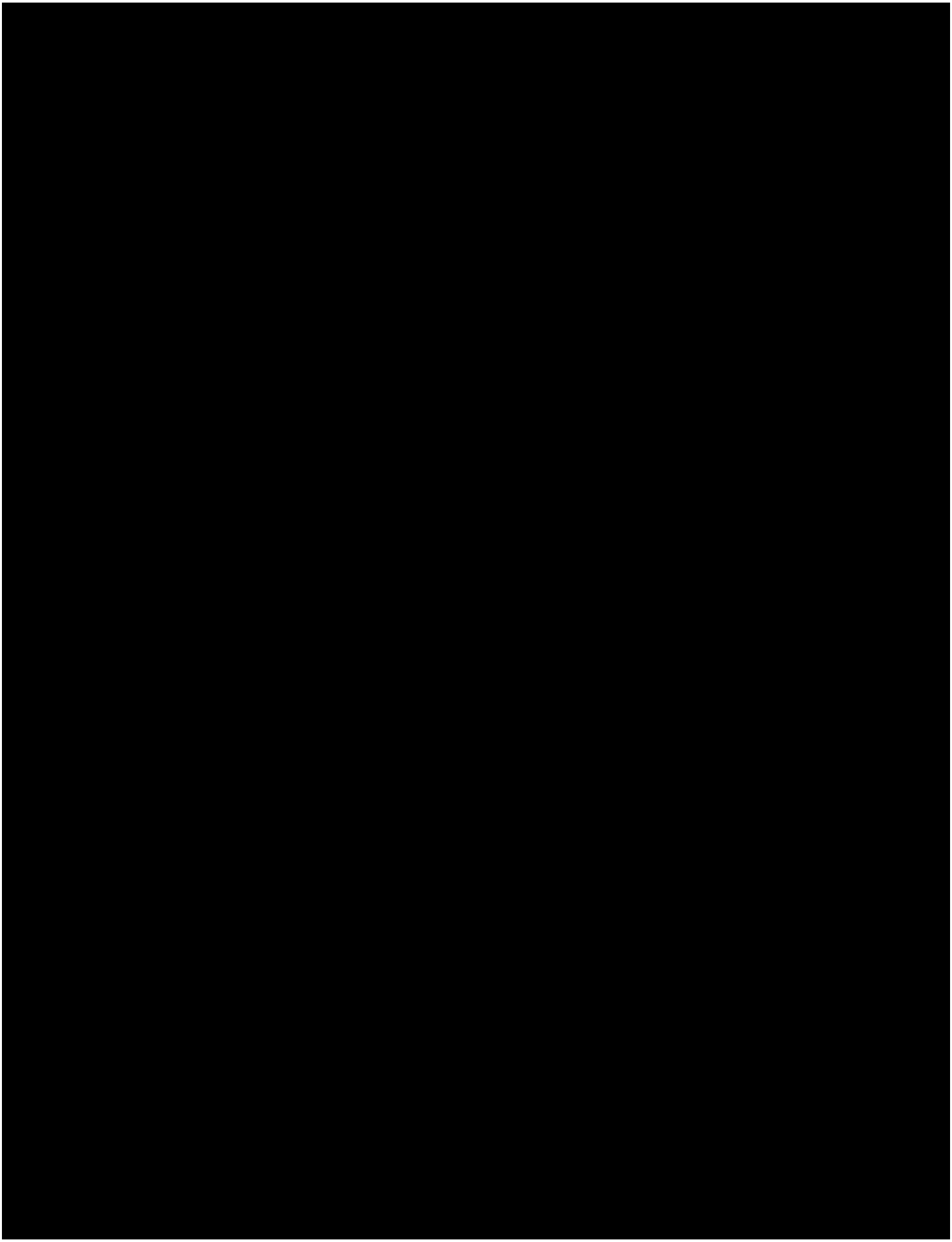


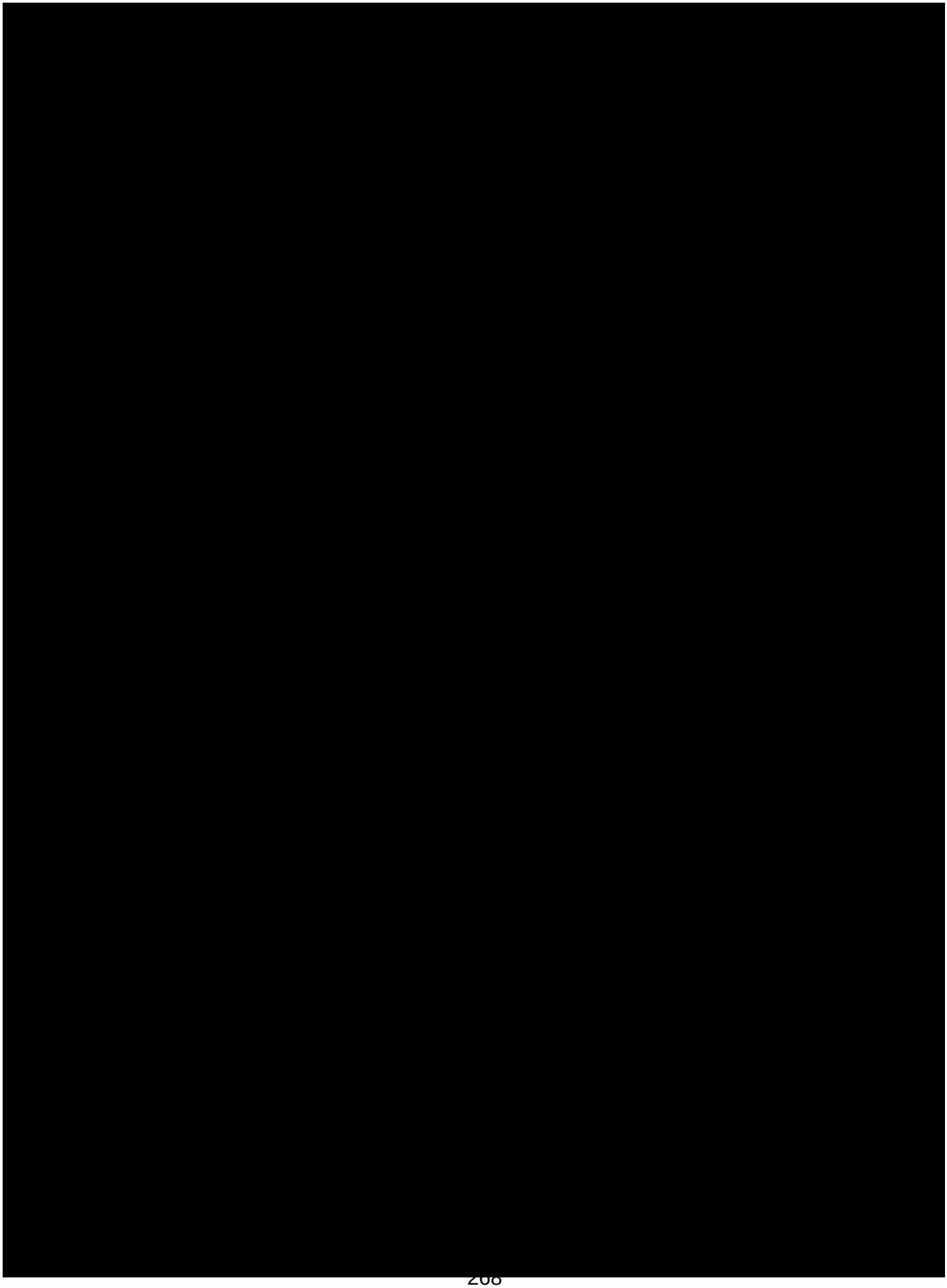


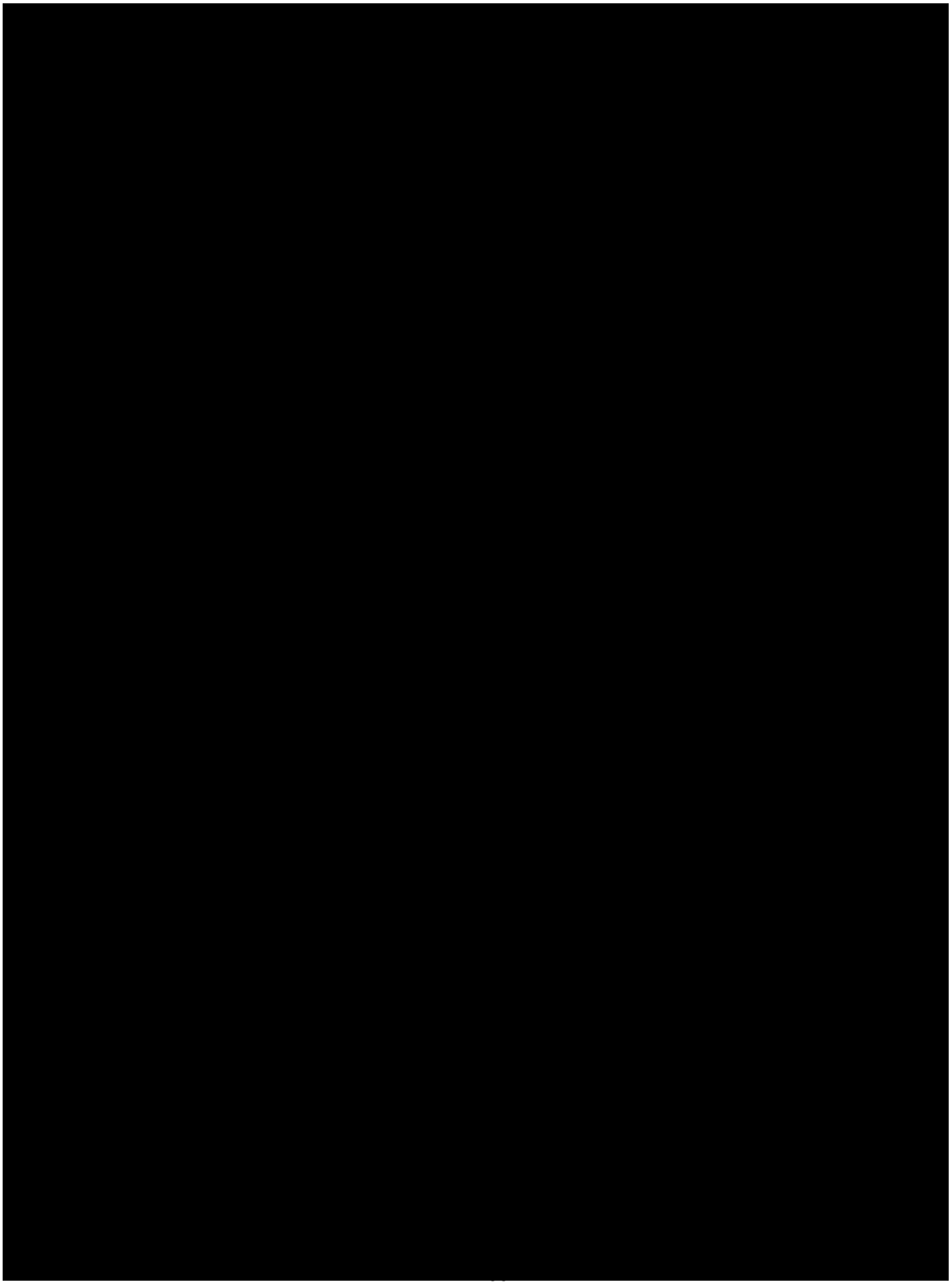


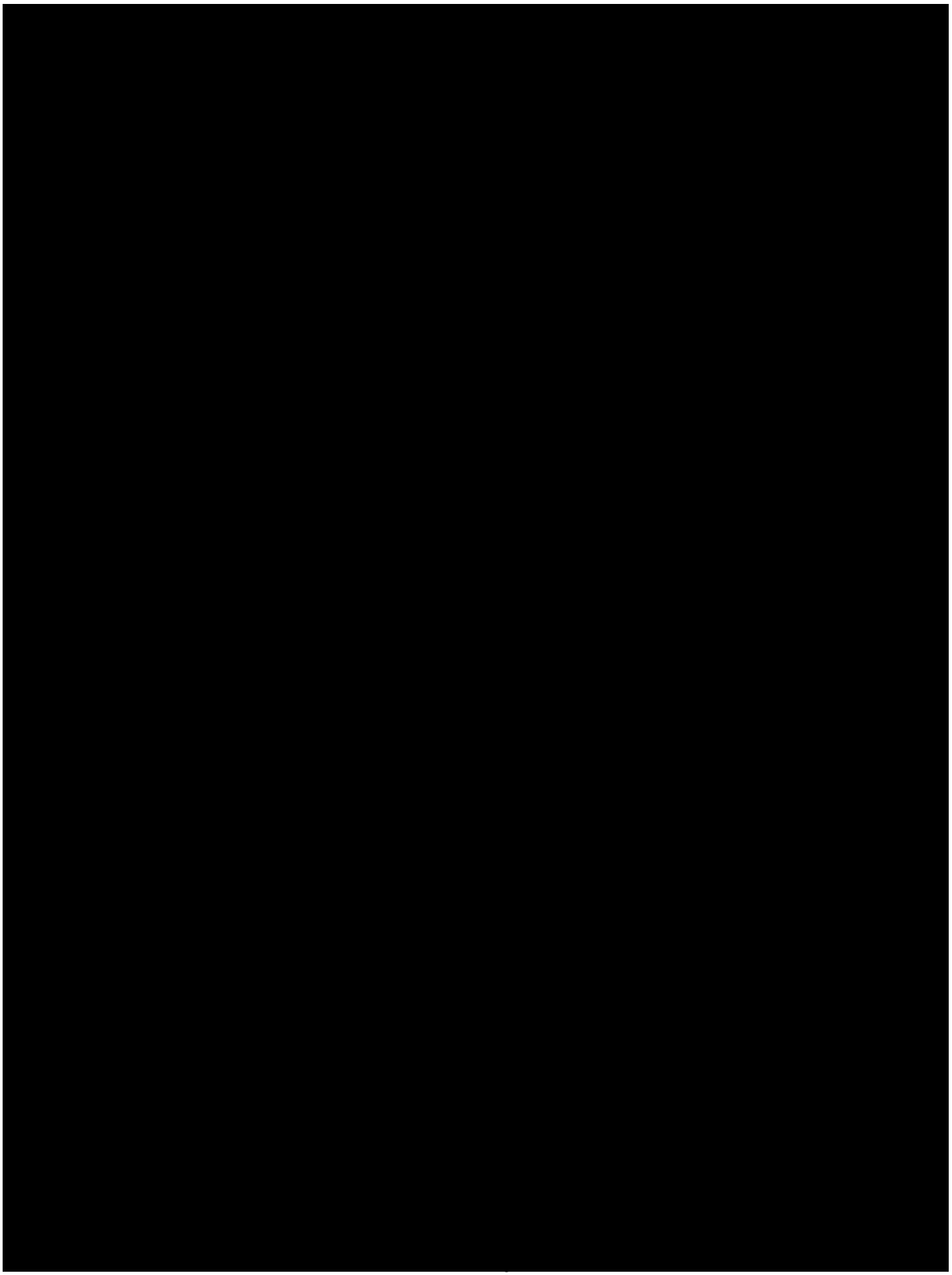














The ABC is continuing to investigate the hospitality industry.

If you have a story to share, you can securely contact **Adelaide Miller** on **miller.adelaide@proton.me**

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Posted Wed 4 Sep 2024 at 5:11am

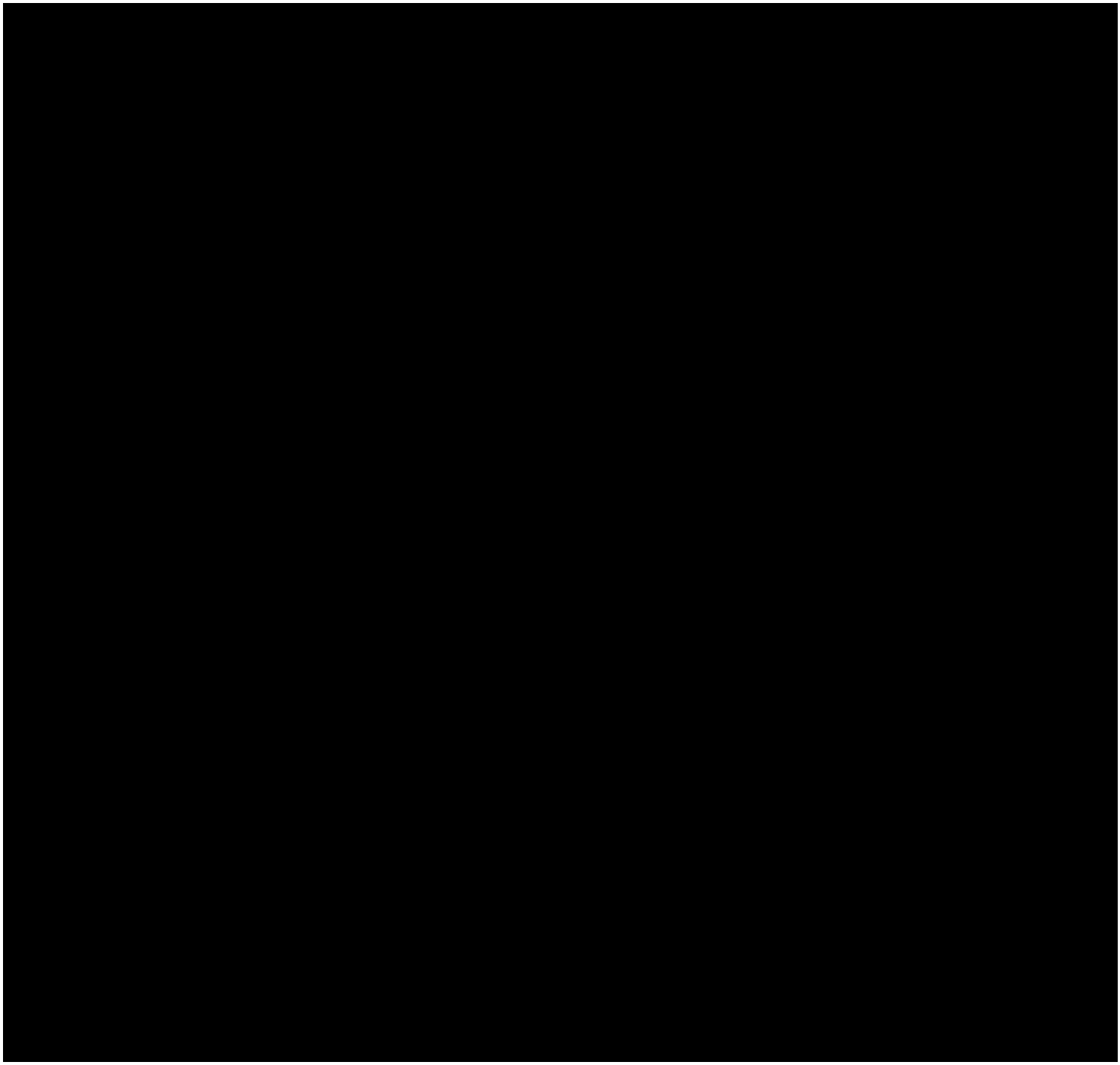
‘This is not a good deal’: Merivale’s $18m class action settlement derailed

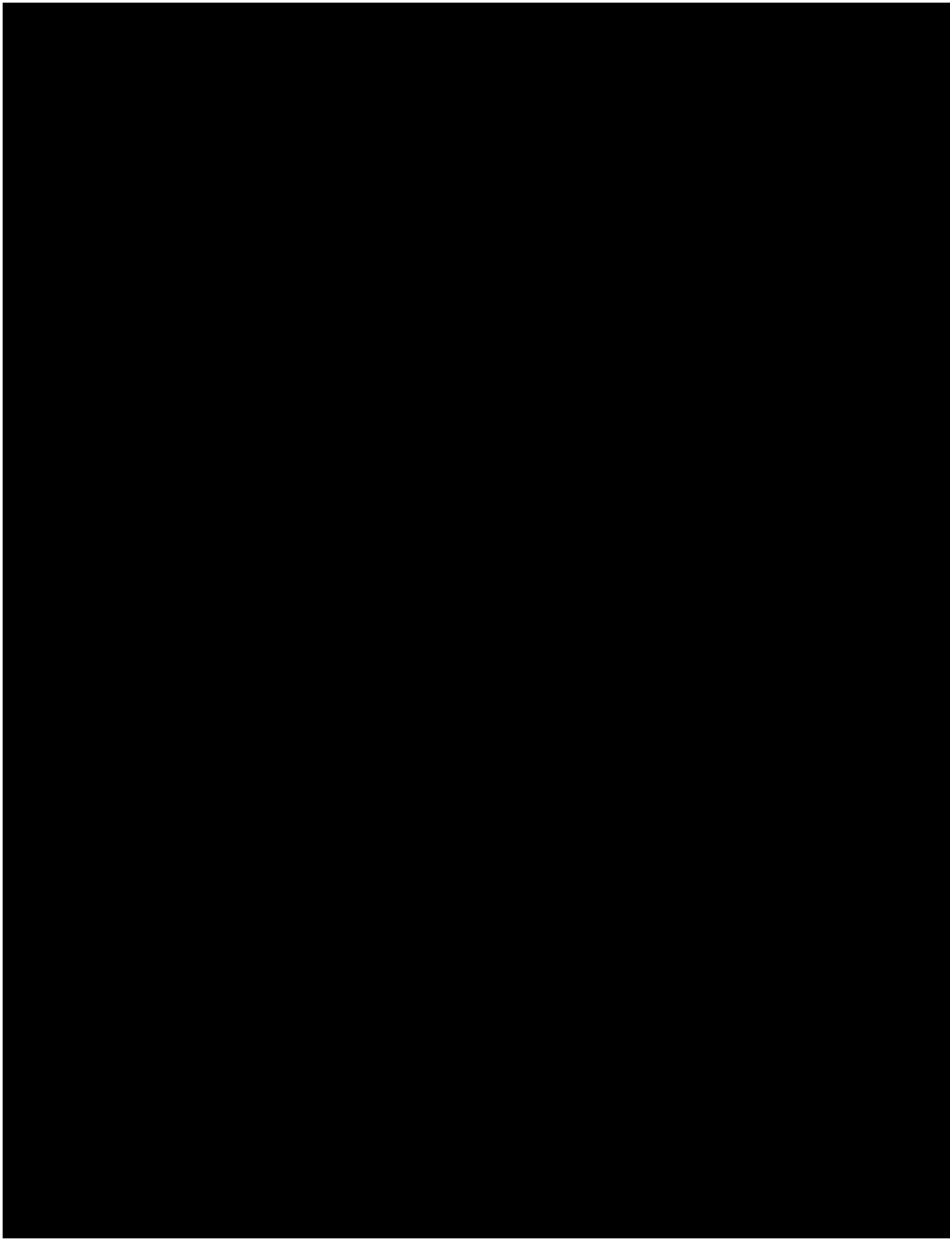
A group of current and former employees alleging $129 million in underpayments now wants to abandon the settlement agreement.



Bianca Hrovat

May 7, 2024





[redacted]

Read more

- Brisbane restaurant takes on hospo giant Merivale in surprise counterclaim over name
- $300,000 is at the centre of a falling out between two Sydney hospo heavyweights
- 'They went to war with each other': The rise and fall of a Sydney restaurant revolutionary

MORE: Restaurant news Merivale Justin Hemmes



Bianca Hrovat – Bianca is Good Food's Sydney-based reporter.

POPULAR ON GOOD FOOD



Masterclass

Adam Liaw's retro-licious prawn cocktail (plus the simple seafood sauce that makes it sing)



Review Sydney

Terry Durack saves one of the year's best openings until last for his final review



Cookbook extracts

Here are recipes from 30+ of the best cookbooks of 2024



Weekly meal planner

20 of Adam Liaw's best midweek recipes of 2024 to always have on standby



Good Food recommends

13 of Good Food's favourite foodie stocking fillers for $20 or less



IGA Liquor

A very merry summer salad

From: DJ Chen
Sent on: Wednesday, December 18, 2024 11:15:16 PM

To: DASubmissions council
CC: David Cook
Subject: Re: Submission

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Attention Marie Burge

Hi Marie

I would like to follow up on this submission made last week.

As mentioned the applicant Merivale does not have full owner consent to submit their proposal and other lot owners of 104-118 Clarence St Sydney have also not provided consent.

The motion for Merivale through the strata to submit the application is currently under challenge by owners of SP17719.

Are you available this week to discuss?

Many thanks

On Tue, Dec 10, 2024 at 3:47 PM DASubmissions wrote:

> **Thank you for your feedback**
>
> We will carefully consider the issues you have raised as part of our assessment.
>
> For small developments, most decisions are made at an employee level. We'll let you know when a decision has been made and where you can get more information.
>
> The Local Planning Panel determines applications for significant development. The Central Sydney Planning Committee determines applications over $50 million. These meetings are open to the public in the Council Chambers at Sydney Town Hall. We'll let you know if the application will be considered at a meeting so you can attend and present your issues. We'll let you know the panel or committee's decision and where you can get more information.
>
> Your feedback will not be kept confidential and will be made completely available on the City of Sydney's website, except for any identifying information you have already asked to be kept confidential. You do not need to reconfirm that these details be withheld.
>
> If you were not aware of this and want some or all identifying information about you to be private, please email council@cityofsydney.nsw.gov.au. and tell us what identifying information you want kept private. We will still publish your feedback but with information which may identify you withheld.
>
> 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.
>
> Bill MacKay
> Manager Planning Assessments

cityofsydney.nsw.gov.au

The City of Sydney acknowledges the Gadigal of the Eora nation as the Traditional Custodians of our Local Area.

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From: Philip Low
Sent on: Wednesday, December 18, 2024 5:47:28 PM
To: dasubmissions
Subject: Submission - D/2024/1018 - 75 York Street SYDNEY NSW 2000 - Attention Marie Burge

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 Burge,

RE: Concerns Regarding Development Application D/2024/1018 - 71-75 York Street, 46-52 King Street, and 104-118 Clarence Street, Sydney

As the owners of The Grace Hotel, located at 77-79 York Street, Sydney, we write to express our concerns regarding the proposed development application (D/2024/1018) for the Kings Green Precinct.

While we appreciate the efforts to activate heritage spaces and support Sydney's 24-hour economy, the development poses several challenges for our business operations and guest experience.

Key Concerns:

1. **Acoustic Impacts** : The extended operating hours, rooftop terraces, and live music venues may lead to heightened noise levels, particularly during late-night hours, impacting guests staying at the Grace Hotel. We urge the Council to ensure comprehensive noise mitigation strategies are implemented.

2. **Traffic and Access** : Increased pedestrian and vehicular traffic in the area could disrupt access to The Grace Hotel, especially given the limited nature of existing loading zones and egress points. We request a detailed traffic management plan to address these concerns.

3. **Heritage Preservation** : While we commend the adaptive reuse of adjacent heritage buildings, care must be taken to ensure the proposed developments complement, rather than detract from, the historical prominence of the heritage buildings in the precinct, including The Grace Building.

4. **Operational Infrastructure** : Shared access to infrastructure such as waste collection zones and service docks must be carefully managed to prevent overcrowding and delays.

5. **Light Pollution** : The lighting from activated rooftop terraces and other outdoor spaces must be controlled to avoid unnecessary light spill that could affect our guests' comfort.

We kindly request the opportunity to review mitigation measures proposed by the applicants to address these concerns and to engage in discussions regarding collaborative solutions.

Thank you for considering our submission. We look forward to working together to achieve a balanced outcome that benefits the community while preserving the integrity of The Grace Hotel’s operations.

Yours sincerely,

Philip Low
Regional Director
Linkbond (Asia) Ltd

T: 02 9290 2200
M: [redacted]
E: [redacted]

From: Marie Burge

Sent on: Thursday, December 19, 2024 12:29:47 PM
To: DASubmissions
Subject: FW: Kings Green -D/2024/1018-Merivale CBD Pty Limited-71 York St & 104 Clarence St
Attachments: 2024.12.18-ltr-Arcidiacono to Council.pdf (4.32 MB), Title 1_174180.pdf (110.08 KB), Plan_DP174180.pdf (118.41 KB), Title_3_1271955.pdf (44.47 KB), Title_2_1271955.pdf (42.13 KB), Title_1_1271955.pdf (41.67 KB), Plan_DP1271955.pdf (245.76 KB), 2024.12.18-ltr Ken Hollyoak-re Strategy.pdf (1008.34 KB)

Hello,

Could you please register this submission to D/2024/1018 and send a receipt email?

Thanks,
Marie

From: Michael Austin
Sent: Wednesday, 18 December 2024 4:27 PM
To: City of Sydney
Cc: Anna Arcidiacono
Subject: Kings Green -D/2024/1018-Merivale CBD Pty Limited-71 York St & 104 Clarence St

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 Mr MacKay,
I act for Mr & Mrs Arcidiacono and attach letter and enclosures in response to your letter of the 19 November 2024.
Could you please acknowledge receipt.
Thank you.
Regards
Michael

Michael Austin
MA Law & Associates

50 Paddington Street,
Paddington, NSW, 2021
&
4th Floor, 8 Spring Street,
Sydney, NSW, 2000

W: ma-law.com.au
E: [redacted]
P: 9960 3397
M: [redacted]
This email including any attachment may be confidential and/or privileged. If you are not the intended recipient, please delete this email and notify me promptly.
Liability limited by a scheme approved under Professional Standards Legislation.

Mr JA and Mrs AM Arcidiacono

100 Clarence Street

Sydney, NSW, 2000

18 December 2024

Mr Bill MacKay

Manager Planning Assessments

City of Sydney

Town Hall

456 Kent St

Sydney NSW 2000 By Email: council

Dear Mr MacKay

Applicant name: MERIVALE CBD PTY LIMITED

Reference number: D/2024/1018

Site address: 75 York Street, SYONEY NSW 2000, 71 York Street, SYDNEY NSW 2000, 73 York Street, SYDNEY NSW 2000, 104-118 Clarence Street. SYDNEY NSW 2000, 46-52-Klng Street, SYDNEY NSW 2000

Proposed Development: Concept Development Application for Building Upgrades and the use of the precinct for food and drink and tourist and visitor accommodation uses.

Thank you for your letter 19 November 2024 seeking comments by the 18 December 2024.

We have a number of concerns about the proposal, including that it proposes use of land that we own. We have not given owners' consent to the application. The proposal also proposes use of land that we own over which easements exist, but the proposed use would not fall within the easement rights.

Further, you no doubt appreciate the lodged material is quite long and detailed and prepared by a number of consultants and comment requires some detailed consideration by our own subject matter experts, particularly as the titling to the sites and surrounds is complex.

As this is the case and given the time of year making it hard to access relevant disciplines to review the application on our behalf, we seek some additional time to supplement and make further comment if necessary.

That said we have been able to access some advice and comment as follows:

1. Traffic, Servicing and Waste Management Strategy

Please find attached letter from Ken Hollyoak Director, TTPP Transport Planning summarising the proponent's Strategy and raising specific concerns and concluding "**the Traffic Servicing And Waste Management Strategy Report (Arup 2024) is not workable in its current form**."

Comment-

We are the registered proprietors of 100 Clarence Street (Lot 1 in DP174180), the Laneway (Lot 3 in DP1271955), the Dock (Lot 2 in DP1271955) and the Passageway (Lot 1 in DP1271955). Please find attached Title search and deposited Plan.

There are no easements that burden our title at 100 Clarence Street. The rear of Lot 1 (that is, the eastern end) is an area we use for parking and access. The proposal to Council involves proposed use of our car parking area on Lot 1, but the proponent has no right or agreement to use that area at all and the space is required for use by us.

We use the areas called the Dock and the Laneway to access York Street. The Arup Strategy also seeks to use our title to those lots for ingress, egress, and turning. We are also concerned about the change/intensification of use of the Laneway. The rights granted by the existing easements over the Laneway and Dock benefit 71 York and 104 Clarence but do not allow for their exclusive use of that land. There are no rights for 73, 75 York Street or 46-52 King Street to use the Laneway. The proposal would involve an impermissible extension of the use of the Laneway and Dock easements to other lots that do not have the benefit of the easements.

2. Engagement report-Concept DA

The object of the engagement is stated as:
Provide accurate information about the proposal.
- Deliver an independent, transparent and accountable engagement process where stakeholders were able to give feedback and request further information.
- Create pathways for stakeholder feedback and interaction.
- Understand stakeholder concerns.

Comment-
Other than the minimalist contact received generically by letter there has been no meaningful engagement with us as a direct neighbour.

3. Acoustic Report

We have not been able to access a subject matter expert on this but are concerned about the effect acoustically on our property of the rooftop terrace relating to 104-118 Clarence Street and part of 71 and 75 York Street.

Our intention is to lodge a Development Application for our property and that application is likely to include a residential component and we think this should be taken into consideration as a likely future use.

4. **Generally**
We have no objection to a proposed development of the site and welcome the revitalisation of the City and this precinct, however it is important to have regard to the extent of our legal rights and the limited lawful use that the proponent can make of the Laneway and Dock; and also to the future of surrounding properties in the process and to ensure the compatibility with likely future uses.

Yours faithfully

[redacted]

Anna Arcidiacono (and on behalf of John Arcidiacono)

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/174180

SEARCH DATE	TIME	EDITION NO	DATE
4/12/2024	10:28 AM	40	14/6/2024

LAND

LOT 1 IN DEPOSITED PLAN 174180
AT SYDNEY
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ST PHILIP COUNTY OF CUMBERLAND
TITLE DIAGRAM DP174180

FIRST SCHEDULE

ANNA MARIE ARCIDIACONO
JOHN ANTHONY ARCIDIACONO
AS JOINT TENANTS (CN AM125868)

SECOND SCHEDULE (8 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 DP1098657 EASEMENT FOR LIGHT & AIR VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1098657
3 DP1098657 RESTRICTION(S) ON THE USE OF LAND
4 AC477526 RIGHT OF WAY APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING LOT 1 IN DP1052948 (CREATED BY ORDER OF COURT)
5 AC477527 RIGHT OF WAY APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING LOT 1 IN DP619464 (CREATED BY ORDER OF COURT)
6 AN410955 LEASE TO APGP SIX PTY LIMITED OF SHOP 1, GROUND FLOOR, 100 CLARENCE STREET, SYDNEY. EXPIRES: 30/9/2022. OPTION OF RENEWAL: 3 YEARS. (SEE AP952442)
7 AT38558 LEASE TO SPECIALIST NEWS PTY LIMITED OF LEVEL 1, 100 CLARENCE STREET, SYDNEY. EXPIRES: 10/4/2026. OPTION OF RENEWAL: 2 YEARS.
8 AU147320 LEASE TO JTB SERVICES PTY LTD OF LEVEL BASEMENT 1, 100 CLARENCE STREET, SYDNEY. COMMENCES:15/07/2024. EXPIRES: 14/7/2028.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

ddm03micaus PRINTED ON 4/12/2024

Obtained from NSW LRS on 04 December 2024 09 28 AM AEST © Office of the Registrar-General 2024
* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register Dye & Durham hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900. Note: Information contained in this document is provided by Dye & Durham Solutions Pty Ltd, ABN 35 099 032 596, www dyedurham com au an approved NSW Information Broker

Req:R497365 /Doc:DP 0174180 P /Rev:20-Sep-2002 /NSW LRS /Pgs:ALL /Prt:04-Dec-2024 10:31 /Seq:1 of 1
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A942.015

Plan Form No. 6 (for transfers, leases, etc).

F.P. 174180 (E)

Municipality of
Shire of
City of Sydney

M.M.

PLAN "A"

of land comprised in Certificate of Title Vol. 1072 fol. 249.

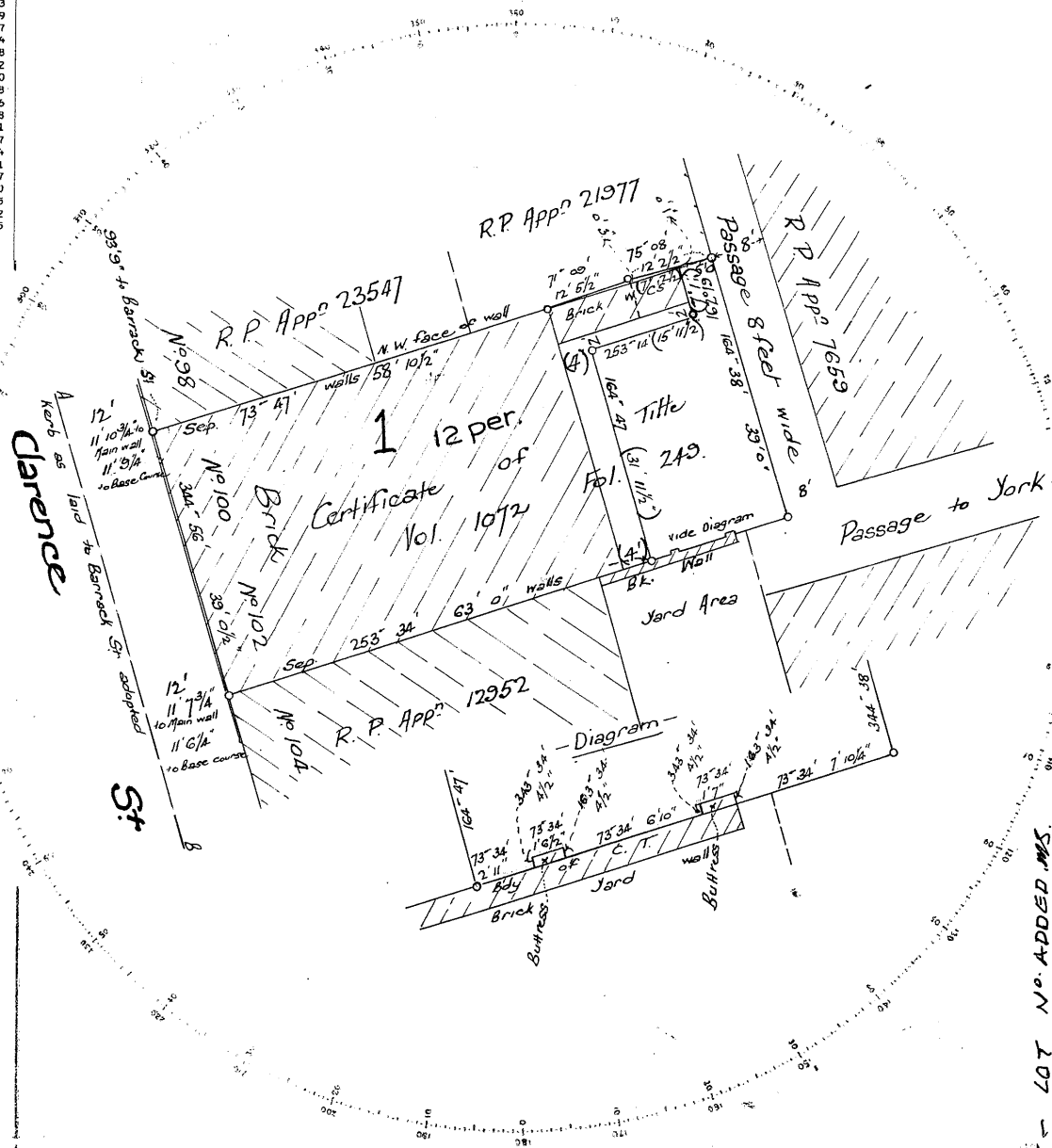
Parish of St Philip County of Cumberland

Scale 20 feet to an Inch

CONVERSION TABLE ADDED IN DEPARTMENT OF LANDS

DP 174180

FEET	INCHES	METRES
-	1	0.025
-	2 1/2	0.064
-	3	0.076
-	4 1/2	0.114
-	7	0.178
1	6 1/2	0.470
1	7	0.483
2	-	0.610
2	11	0.889
4	-	1.219
5	-	1.524
6	10	2.083
7	1	2.159
7	2 1/2	2.197
7	10 1/4	2.394
8	-	2.438
11	6 1/4	3.512
11	7 3/4	3.550
11	9 1/4	3.588
11	10 3/4	3.626
12	-	3.658
12	2 1/2	3.721
12	5 1/2	3.797
15	11 1/2	4.864
31	11 1/2	9.741
39	-	11.887
39	0 1/2	11.900
58	10 1/2	17.945
63	-	19.202
93	9	28.575



This margin to be left free from notation

I Oswald Henry Little of Sydney
Licensed Surveyor, specially Licensed under the Real Property Act, do hereby solemnly and sincerely declare that the boundaries and measurements shown in this plan are correct for the purposes of the said Act, and that the survey of the land to which the plan relates has been made * by me and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act, 1900.

Subscribed and declared before me at Sydney
this 6th day of April A.D. 1923

A D Curley J.P.

O.H. Little
Licensed Surveyor.

Datum line of Azimuth A.B.

Date of Survey January 1923

* Here add by me or under my immediate supervision as the case may be

14.8.1995 - LOT No. ADDED MS.

AREA & BRACKETS OF INTERNAL CONNECTIONS ADDED IN LPI NSW WIDE 2002/1998 19/9/2002

This is the plan marked "A" referred to in Annual Report dated 15.4.24 made by me

Signatures of parties to be made in this margin

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 3/1271955

SEARCH DATE	TIME	EDITION NO	DATE
4/12/2024	10:28 AM	3	23/7/2024

LAND

LOT 3 IN DEPOSITED PLAN 1271955
AT SYDNEY
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ST PHILIP COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1271955

FIRST SCHEDULE

ANNA MARIE ARCIDIACONO
JOHN ANTHONY ARCIDIACONO
AS JOINT TENANTS

SECOND SCHEDULE (21 NOTIFICATIONS)

1		RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2		RIGHT OF WAY BK T NO 153 AFFECTING THE WHOLE OF THE LAND ABOVE DESCIBED
3		BK 8 NO 383 RIGHT OF WAY AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
4	AQ636148	RIGHT OF CARRIAGEWAY PURSUANT TO ORDER OF SUPREME COURT 2016/00187385 AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
5		BK 13 NO 293 RIGHT OF WAY AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
6	9789960	EASEMENT FOR LIGHT AND AIR AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED AS SET OUT IN 9789960
7	AA357985	EASEMENT FOR KEEPING IN PLACE SPRINKLER HEADS AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
8	AA357985	EASEMENT FOR KEEPING IN PLACE VENTILATION PIPE AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
9	AA357985	EASEMENT FOR OVERHANG AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
10	AC477527	RIGHT OF FOOTWAY AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
11	AC477527	RIGHT OF CARRIAGEWAY AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
12	AC477527	EASEMENT FOR SERVICES AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
* 13	AQ691987	CAVEAT BY ANNA MARIE ARCIDIACONO & JOHN ANTHONY

END OF PAGE 1 - CONTINUED OVER

ddm03micaus PRINTED ON 4/12/2024

SECOND SCHEDULE (21 NOTIFICATIONS) (CONTINUED)

		ARCIDIACONO
14	AT821503	EASEMENT FOR REPAIRS (COURT ORDER) AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
15	AT821503	EASEMENT FOR SERVICES (COURT ORDER) AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
16	AT821503	EASEMENT TO PERMIT OVERHANGING STRUCTURES TO REMAIN (COURT ORDER) AFFECTING THE PARTS DESIGNATED (A), (B) AND (C) IN DP1287681
17	AT821503	EASEMENT TO PERMIT OVERHANGING STRUCTURES TO REMAIN (COURT ORDER) AFFECTING THE PARTS DESIGNATED (A1) & (B1) IN DP1287681
18	AT821503	EASEMENT TO PERMIT OVERHANGING STRUCTURES TO REMAIN (COURT ORDER) AFFECTING THE PART DESIGNATED (D) IN DP1287681
19	AT821503	EASEMENT TO PERMIT OVERHANGING STRUCTURES TO REMAIN (COURT ORDER) AFFECTING THE PART DESIGNATED (E) IN DP1287681
20	AT821503	EASEMENT TO PERMIT ENCROACHING STRUCTURE TO REMAIN (COURT ORDER) AFFECTING THE PARTS DESIGNATED (F) & (G) IN DP1287681
21	AT821503	EASEMENT TO PERMIT ENCROACHING STRUCTURE TO REMAIN (COURT ORDER) AFFECTING THE PART DESIGNATED (H) IN DP1287681

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1271955

SEARCH DATE	TIME	EDITION NO	DATE
5/12/2024	10:42 AM	4	23/7/2024

LAND

LOT 2 IN DEPOSITED PLAN 1271955
AT SYDNEY
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ST PHILIP COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1271955

FIRST SCHEDULE

ARCHER LUBES PTY LTD

SECOND SCHEDULE (11 NOTIFICATIONS)

1			RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
* 2		AQ691985	CAVEAT BY ARCHER LUBES PTY LTD
3		AQ636148	RIGHT OF CARRIAGEWAY PURSUANT TO ORDER OF SUPREME COURT 2016/00187385 AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
* 4		AS815641	CAVEAT BY THE OWNERS-STRATA PLAN NO. 61233
* 5		AS815642	CAVEAT BY THE OWNERS-STRATA PLAN NO. 61233
6		AT821504	RIGHT OF CARRIAGEWAY (COURT ORDER) AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
7		AT821504	EASEMENT FOR REPAIRS (COURT ORDER) AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
8		AT821504	EASEMENT FOR SERVICES (COURT ORDER) AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
9		AT821504	EASEMENT TO TO PERMIT OVERHANGING STRUCTURES TO REMAIN (COURT ORDER) AFFECTING THE PARTS DESIGNATED (A), (B) & (C) IN DP1287681
10		AT821504	EASEMENT TO TO PERMIT OVERHANGING STRUCTURES TO REMAIN (COURT ORDER) AFFECTING THE PART DESIGNATED (E) IN DP1287681
11		AT821504	EASEMENT TO PERMIT ENCROACHING STRUCTURE TO REMAIN (COURT ORDER) AFFECTING THE PARTS DESIGNATED (F) & (G) IN DP1287681

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

ddm03micaus PRINTED ON 5/12/2024

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NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/1271955

SEARCH DATE	TIME	EDITION NO	DATE
5/12/2024	10:46 AM	1	16/6/2021

LAND

LOT 1 IN DEPOSITED PLAN 1271955
AT SYDNEY
LOCAL GOVERNMENT AREA SYDNEY
PARISH OF ST PHILIP COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1271955

FIRST SCHEDULE

JELPO PTY LIMITED

SECOND SCHEDULE (8 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 RIGHT OF WAY BK T NO 153 AFFECTING THE WHOLE OF THE LAND ABOVE DESCIBED
3 BK 1 NO 111 RIGHT OF WAY AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
4 BK 13 NO 293 RIGHT OF WAY AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
5 9789960 EASEMENT FOR LIGHT AND AIR AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED AS SET OUT IN 9789960
6 AC477526 RIGHT OF FOOTWAY AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
7 AC477526 RIGHT OF CARRIAGEWAY AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED
8 AC477526 EASEMENT FOR SERVICES AFFECTING THE WHOLE OF THE LAND ABOVE DESCRIBED

NOTATIONS

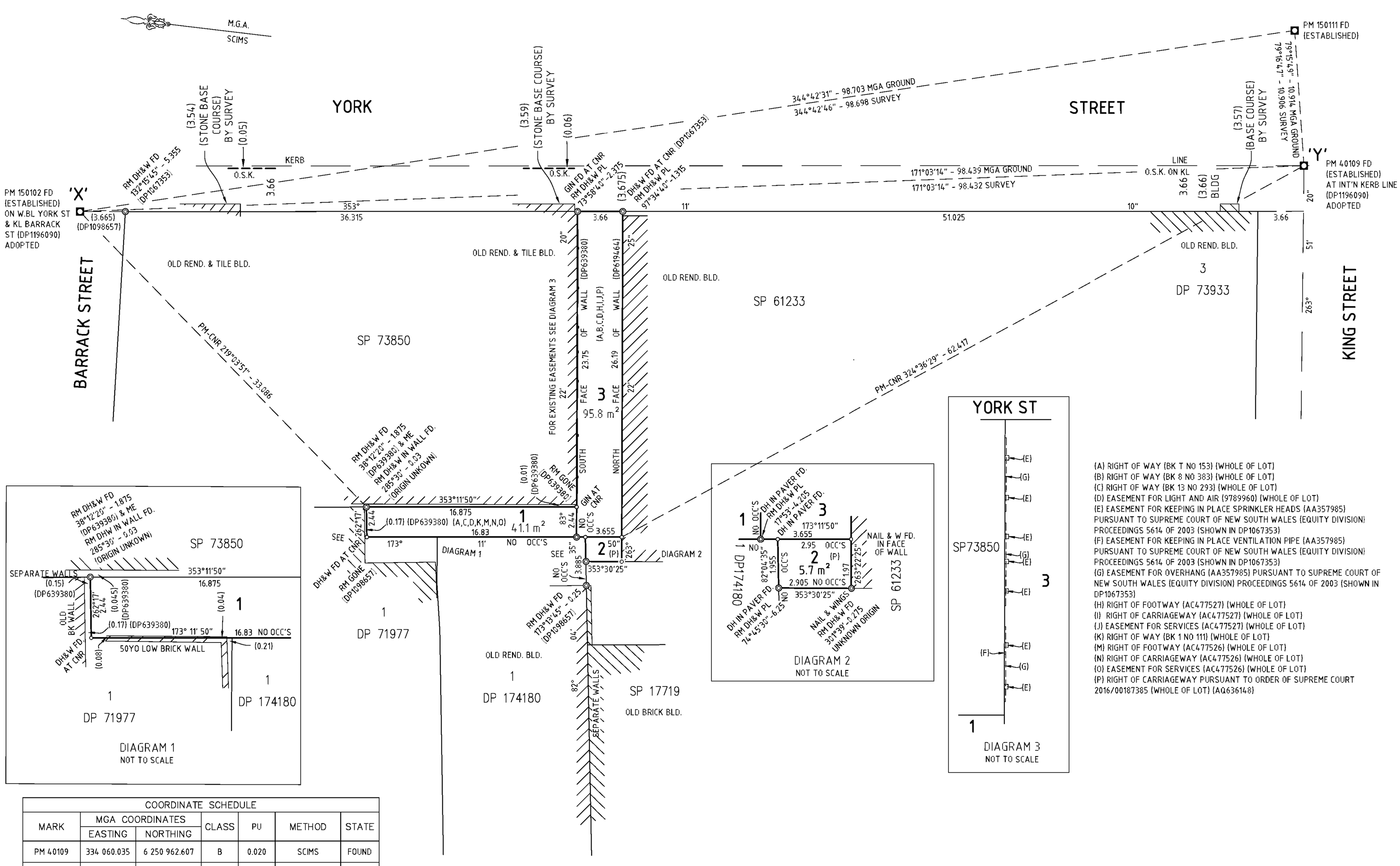
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

ddm03micaus PRINTED ON 5/12/2024

Obtained from NSW LRS on 05 December 2024 09:46 AM AEST © Office of the Registrar-General 2024
* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. Dye & Durham hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900. Note: Information contained in this document is provided by Dye & Durham Solutions Pty Ltd, ABN 35 099 032 596, www.dyedurham.com.au an approved NSW Information Broker.

Req:R500649 /Doc:DP 1271955 P /Rev:16-Jun-2021 /NSW LRS /Prt:04-Dec-2024 15:01 /Seq:1 of 6
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(A) RIGHT OF WAY (BK T NO 153) (WHOLE OF LOT)
(B) RIGHT OF WAY (BK 8 NO 383) (WHOLE OF LOT)
(C) RIGHT OF WAY (BK 13 NO 293) (WHOLE OF LOT)
(D) EASEMENT FOR LIGHT AND AIR (9789960) (WHOLE OF LOT)
(E) EASEMENT FOR KEEPING IN PLACE SPRINKLER HEADS (AA357985) PURSUANT TO SUPREME COURT OF NEW SOUTH WALES (EQUITY DIVISION) PROCEEDINGS 5614 OF 2003 (SHOWN IN DP1067353)
(F) EASEMENT FOR KEEPING IN PLACE VENTILATION PIPE (AA357985) PURSUANT TO SUPREME COURT OF NEW SOUTH WALES (EQUITY DIVISION) PROCEEDINGS 5614 OF 2003 (SHOWN IN DP1067353)
(G) EASEMENT FOR OVERHANG (AA357985) PURSUANT TO SUPREME COURT OF NEW SOUTH WALES (EQUITY DIVISION) PROCEEDINGS 5614 OF 2003 (SHOWN IN DP1067353)
(H) RIGHT OF FOOTWAY (AC477527) (WHOLE OF LOT)
(I) RIGHT OF CARRIAGEWAY (AC477527) (WHOLE OF LOT)
(J) EASEMENT FOR SERVICES (AC477527) (WHOLE OF LOT)
(K) RIGHT OF WAY (BK 1 NO 111) (WHOLE OF LOT)
(M) RIGHT OF FOOTWAY (AC477526) (WHOLE OF LOT)
(N) RIGHT OF CARRIAGEWAY (AC477526) (WHOLE OF LOT)
(O) EASEMENT FOR SERVICES (AC477526) (WHOLE OF LOT)
(P) RIGHT OF CARRIAGEWAY PURSUANT TO ORDER OF SUPREME COURT 2016/00187385 (WHOLE OF LOT) (AQ636148)

COORDINATE SCHEDULE						
MARK	MGA COORDINATES		CLASS	PU	METHOD	STATE
	EASTING	NORTHING				
PM 40109	334 060.035	6 250 962.607	B	0.020	SCIMS	FOUND
PM 150102	334 044.728	6 251 059.842	B	0.020	SCIMS	FOUND
PM 150111	334 070.757	6 250 964.640	B	0.020	SCIMS	FOUND
DATE OF SCIMS COORDINATES: 26-OCT-2020		MGA ZONE: 56			MGA DATUM: GDA2020	
COMBINED SCALE FACTOR: 0.999933						

SURVEYOR Name: ROBERT SEYMOUR DAVIDSON Date: 3rd NOVEMBER 2020 Reference: J10433	PLAN OF DELIMITATION OF LOT 1 IN DP 619464 AND LOTS 1 AND 2 IN DP 1052948	L.G.A.: SYDNEY Locality: SYDNEY Reduction Ratio: 1:200 Lengths are in metres.	REGISTERED 16.6.2021

DP1271955

Req:R500649 /Doc:DP 1271955 P /Rev:16-Jun-2021 /NSW LRS /Prt:04-Dec-2
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ePlan

PLAN FORM 6_E (2020)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 5 sheet(s)

Office Use Only

Registered: 16.6.2021

Title System: TORRENS

Office Use Only

DP1271955

PLAN OF DELIMITATION

OF LOT 1 IN DP 619464 AND
LOTS 1 AND 2 IN DP 1052948

LGA: SYDNEY

Locality: SYDNEY

Parish: ST PHILIP

County: CUMBERLAND

Survey Certificate

I, ROBERT SEYMOUR DAVIDSON

of Geodesy Pty Ltd

a surveyor registered under the *Surveying and Spatial Information Act 2002*, certify that:

(a) The land shown in the plan was surveyed in accordance with the Surveying and Spatial Information Regulation 2017, is accurate and the survey was completed on 03-Nov-2020

(b) ~~Partial Survey~~

(c) ~~Compilation~~

Datum Line: **'X'-'Y'**

Type: Urban ☒ Rural ☐

Electronic signature affixed by me (ROBERT DAVIDSON)

Signature: Dated: 15-Dec-2020

Surveyor Identification No: 8965

Surveyor registered under the *Surveying and Spatial Information Act 2002*

~~Crown Lands NSW/Western Lands Office Approval~~

~~I, ---------- (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.~~

~~Signature: ----------~~

~~Date: ----------~~

~~File Number: ----------~~

~~Office: ----------~~

~~Subdivision Certificate~~

~~I, ---------- certify that the provisions of section 6.15 of the *Environmental Planning and Assessment Act 1979* have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.~~

~~Signature: ----------~~

~~Registration number: ----------~~

~~Consent Authority: ----------~~

~~Date of endorsement: ----------~~

~~Subdivision Certificate number: ----------~~

~~File number: ----------~~

Plans used in the preparation of survey.

DP57659, DP61553, DP80148, DP174180, DP619464, DP1052948, DP1067353, DP1098657, DP1196090

Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.

Surveyor's Reference: J10433

Signatures, Seals and Section 88B Statements should appear on **the following sheet(s)**

Req:R500649 /Doc:DP 1271955 P /Rev:16-Jun-2021 /NSW LRS /Prt:04-Dec-2
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ePlan

PLAN FORM 6_E (2020) **DEPOSITED PLAN ADMINISTRATION SHEET** Sheet 2 of 5 sheet(s)

Office Use Only

Registered: 16.6.2021

Office Use Only

DP1271955

PLAN OF DELIMITATION

OF LOT 1 IN DP 619464 AND
LOTS 1 AND 2 IN DP 1052948

Subdivision Certificate number: ———

Date of Endorsement: ———

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2017*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

CITY OF SYDNEY

THE DEFINITION OF THE ALIGNMENT OF:
York Street

TO THE EXTENT SHOWN HEREON IS
SATISFACTORY TO THE COUNCIL OF
THE CITY OF SYDNEY

Donald James Urquhart
REGISTERED SURVEYOR
19/01/2021

STREET ADDRESS FOR ALL LOTS ARE NOT AVAILABLE.

If space is insufficient use additional annexure sheet

Surveyor's Reference: J10433

Req:R500649 /Doc:DP 1271955 P /Rev:16-Jun-2021 /NSW LRS /Prt:04-Dec-2
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ePlan

PLAN FORM 6_E (2020) **DEPOSITED PLAN ADMINISTRATION SHEET** Sheet 3 of 5 sheet(s)

Office Use Only

Registered: 16.6.2021

Office Use Only

DP1271955

PLAN OF DELIMITATION

OF LOT 1 IN DP 619464 AND
LOTS 1 AND 2 IN DP 1052948

Subdivision Certificate number: ———

Date of Endorsement: ———

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2017*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Name of the Registered Proprietor : ANNA MARIE ARCIDIACONO

Signature of the Registered Proprietor:

Name of the Registered Proprietor : JOHN ANTHONY ARCIDIACONO

Signature of the Registered Proprietor:

Surveyor's Reference: J10433

Req:R500649 /Doc:DP 1271955 P /Rev:16-Jun-2021 /NSW LRS /Prt:04-Dec-2
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ePlan

PLAN FORM 6_E (2020) **DEPOSITED PLAN ADMINISTRATION SHEET** Sheet 4 of 5 sheet(s)

Office Use Only

Registered: 16.6.2021

Office Use Only

DP1271955

PLAN OF DELIMITATION

OF LOT 1 IN DP 619464 AND
LOTS 1 AND 2 IN DP 1052948

Subdivision Certificate number: ———

Date of Endorsement: ———

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2017*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Executed on behalf of the Corporation named below by the authorised person(s) whose signature(s) appear below pursuant to the authority specified.

Company name : JELPO PTY LIMITED

Company ACN or ABN : 087 302 092

Authority : section 127 of the Corporations Act 2001

Signature : A. Arcidiacono

Name : ANNA M. ARCIDIACONO

Position : Please Choose DIRECTOR

Signature :

Name :

Position : Please Choose

Surveyor's Reference: J10433

Req:R500649 /Doc:DP 1271955 P /Rev:16-Jun-2021 /NSW LRS /Prt:04-Dec-2
© Office of the Registrar-General /Src:GlobalX /Ref:ddm03micaus

ePlan

PLAN FORM 6_E (2020) **DEPOSITED PLAN ADMINISTRATION SHEET** Sheet 5 of 5 sheet(s)

Office Use Only

Registered: 16.6.2021

Office Use Only

DP1271955

PLAN OF DELIMITATION

OF LOT 1 IN DP 619464 AND
LOTS 1 AND 2 IN DP 1052948

Subdivision Certificate number: ———

Date of Endorsement: ———

This sheet is for the provision of the following information as required:

- A schedule of lots and addresses - See 60(c) *SSI Regulation 2017*
- Statements of intention to create and release affecting interests in accordance with section 88B *Conveyancing Act 1919*
- Signatures and seals- see 195D *Conveyancing Act 1919*
- Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

Executed on behalf of the Corporation named below by the authorised person(s) whose signature(s) appear below pursuant to the authority specified.

Company name : ARCHER LUBES PTY LTD

Company ACN or ABN : 108582323

Authority : section 127 of the Corporations Act 2001

Signature :

Name : ANNA M ARCHARD

Position : Please Choose DIRECTOR

Signature :

Name :

Position : Please Choose

Surveyor's Reference: J10433

Our Ref: 24378

16 December 2024

MA Law & Associates
50 Paddington Street
Paddington NSW 2021

Attention: Michael Austin

Dear Michael,

RE: KING STREET DEVELOPMENT – D/2024/1018
REVIEW OF TRAFFIC SERVICING AND WASTE MANAGEMENT STRATEGY REPORT (ARUP 2024)

As requested, please find herein The Transport Planning Partnership (TTPP) traffic and parking assessment for the above proposed development.

Introduction

1. I have read the information you have forwarded to me.

2. My work has been primarily involved a review of the Arup report entitled Traffic Servicing And Waste Management Strategy Report (Arup 2024) which accompanied the proposal.

The Arup Report

3. The report notes that Kings Green Precinct intends to create a mixed use 24 hour venue with around 4376m2 of hotel, 9,997m2 of food and beverage and 1,384m2 of ancillary Hotel Office Premises

4. It is the intention that the site servicing and waste collection is to be served by utilising existing streets and laneways.

5. Specifically, the intention is to use the existing laneway which connects from York Street to the rear of 71 York Street and 104-118 Clarence Street. Currently, a small number of vehicles access via this laneway and additionally the Arup report notes that a private contractor collects waste from the laneway using an SRV sized vehicle (although some tenants have council collections on street).

6. The Arup report prepared for the current proposal indicates all of the loading zones around the site and show the existing laneway and the proposed service yard.

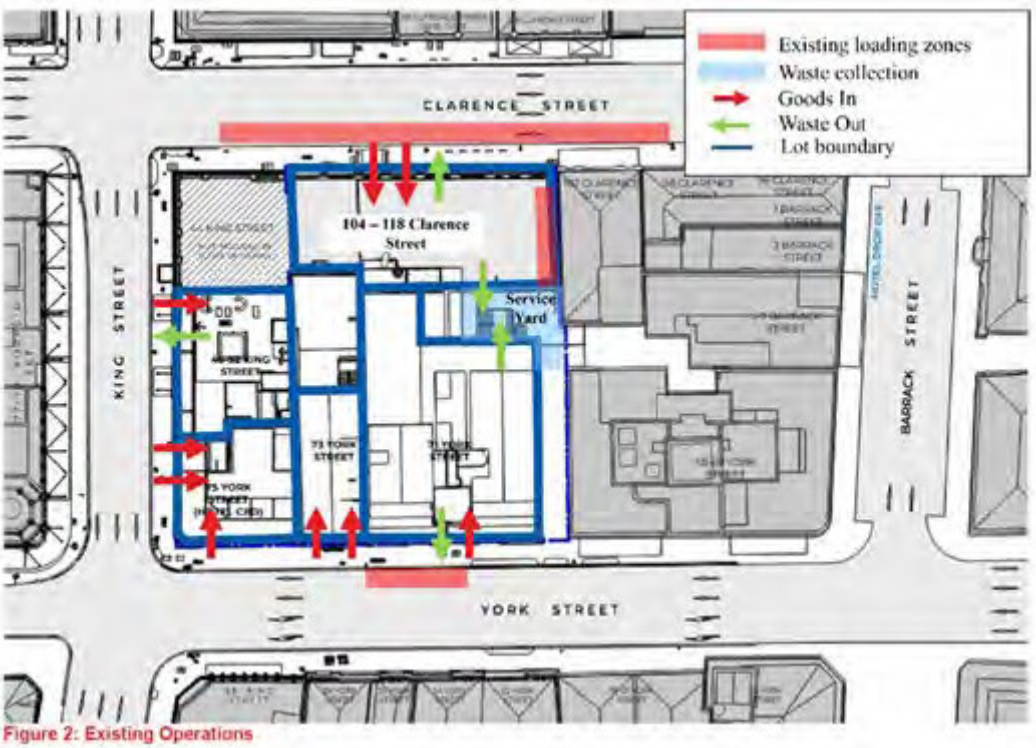


Figure 2: Existing Operations

7. The report proposes that deliveries and services would generate up to 22 vehicles per hour with above 13 vehicles per hour generated consistently from 5am until 2pm.

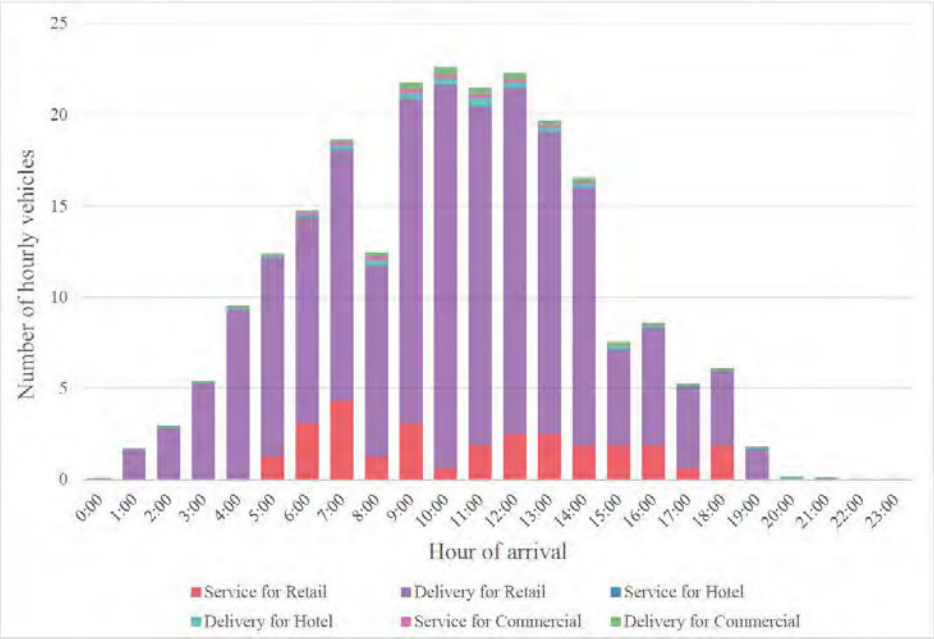


Figure 5. UFFM projected service and delivery vehicle profile

8. However, the report explains that a managed loading dock system with a service manager would reprofile the service and delivery vehicle profile such that it was much flatter and took place over a longer period.

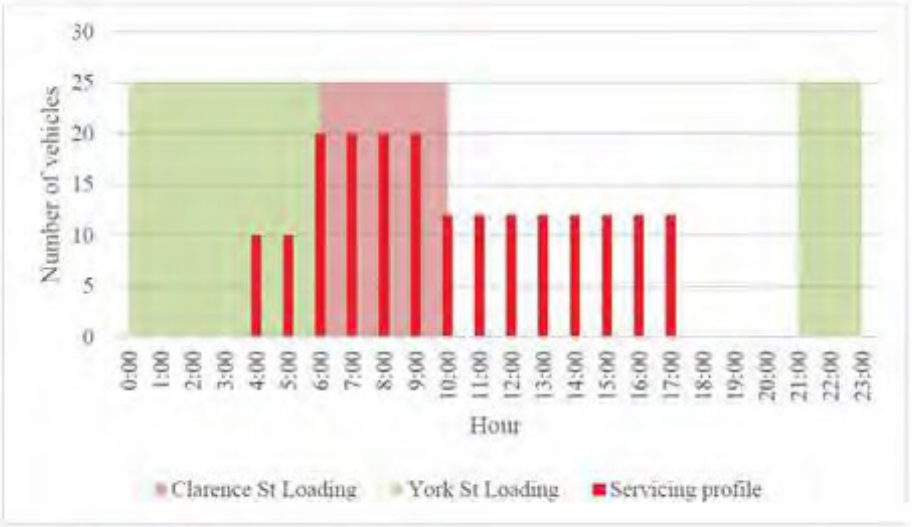


Figure 6: Revised daily servicing profile

9. It is not clear how many of these vehicles would be using the proposed loading dock and how many would be using on street loading zones or how this would be managed.

10. It is of note that these estimates of daily servicing do not include waste collection. However, some benchmarking of other Merivale Sites (summarised at Table 8 of the Arup Report) suggests that there could be up to 4 waste collections per day.

- General waste – collected daily but twice on Saturday, Sunday and Monday
- Carboard – Collected Monday, Wednesday and Friday
- Glass – Collected 3 times on a weekday

11. Other less regular collections of oils (every 8-10 weeks) and organics (every 4-6 weeks) would also occur.

12. It is suggested that waste collection will occur early in the morning as per existing conditions. It is not clear if this is for general waste only or for cardboard, glass, oils and organics as well.

13. The Arup report does note at Section 5.1 that the "development of the operational strategy is underpinned by the following principles – "utilise the existing laneway and service yard to manage the majority of waste and servicing activities" & 'Zero Waste Collection occurring on the street frontages of Clarence, King and York Street"

14. This is confirmed by the stated approach for each address being :-

- 71 York Street – All goods will enter via the servicing yard or building entrances on York Street. All waste will be directed to the servicing yard

- 104-118 Clarence Street – All goods will enter via the servicing yard or building entrances on Clarence Street. All waste will be directed to the servicing yard

- 46-52 King Street, 73 and 75 York St – All goods will enter via the servicing yard or building entrances on King or York Street including the Hotel CBD Chute. All waste will be directed to the servicing yard.

15. The Arup report shows the location of two loading bays which would be used

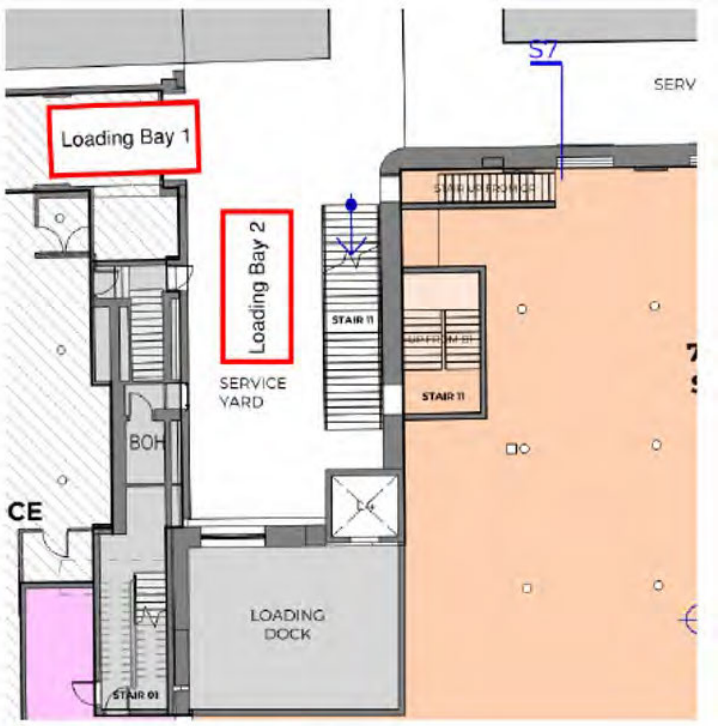
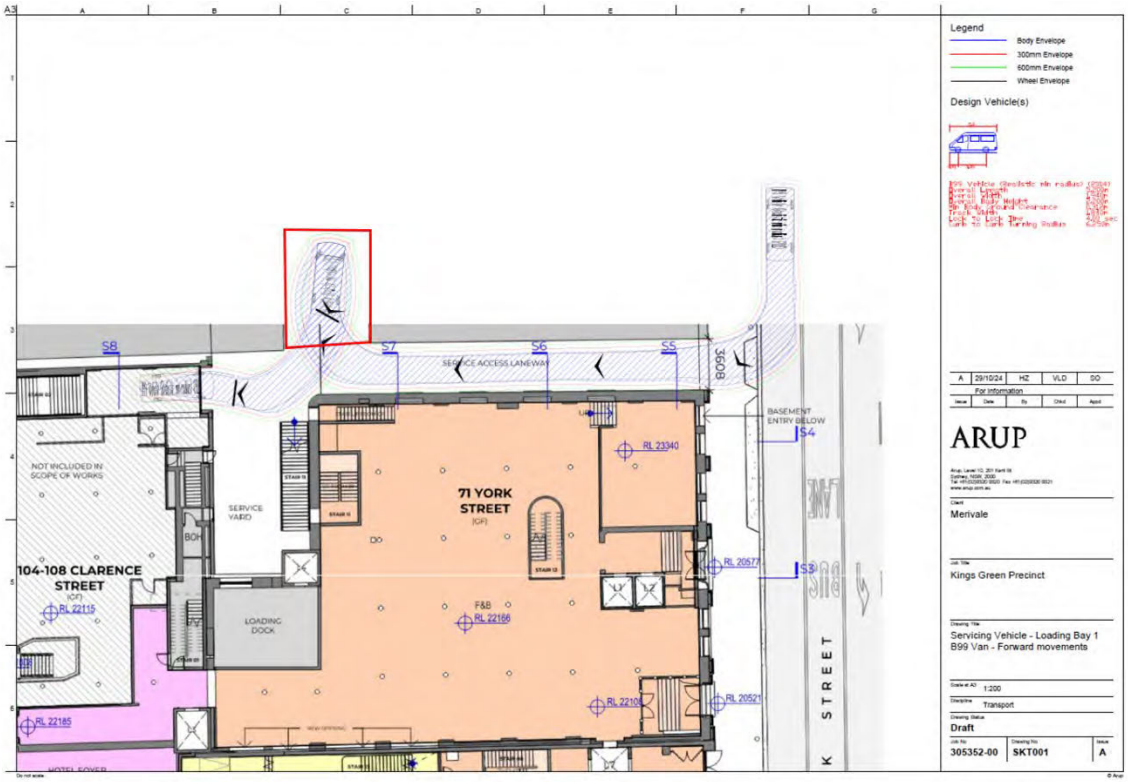
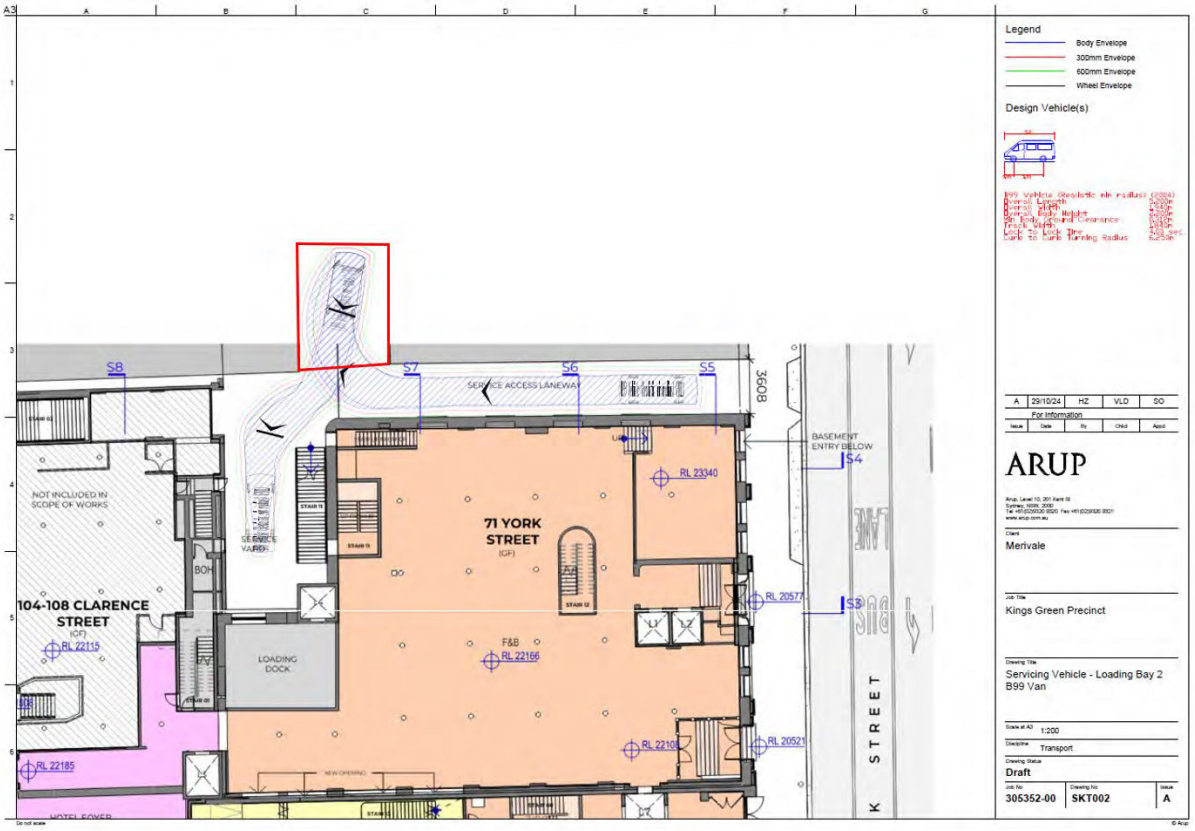


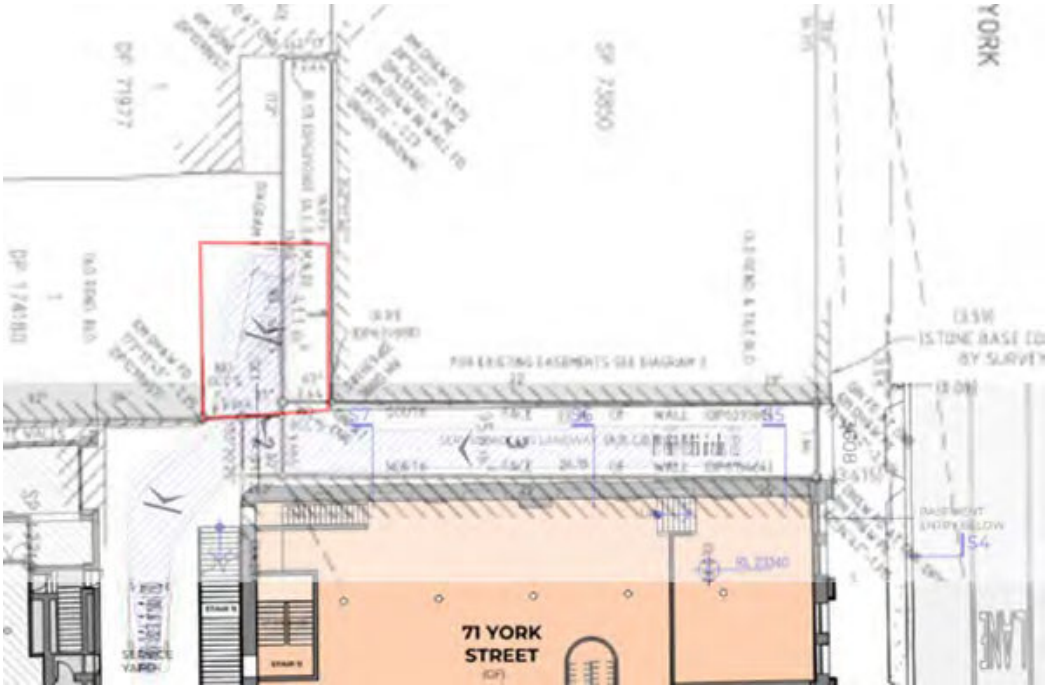
Figure 8: Servicing Yard layout

16. It also shows how a B99 vehicle would access the loading bays. This would require the use of land to the rear of 102 Clarence Street for a turning area (as edged red on the swept paths below). Without this red edged area, B99 vehicles would not be able to turn around and would need to reverse in or reverse out into the lane way.


Legend
Body Envelope
300mm Envelope
600mm Envelope
Wheel Envelope
Design Vehicle(s)
ARUP
Merivale
Kings Green Precinct
Servicing Vehicle - Loading Bay 1
B99 Van - Forward movements
1:200
Transport
Draft
305352-00
SKT001
A
71 YORK STREET
104-108 CLARENCE STREET
SERVICE ACCESS LANEWAY
BASEMENT ENTRY BELOW
NOT INCLUDED IN SCOPE OF WORKS
SERVICE YARD
LOADING DOCK
BOH
F&B
K STREET
S8
S7
S6
S5
S4
S3
RL 23340
RL 20577
RL 22166
RL 22105
RL 20521
RL 22115
RL 22185


Legend
Body Envelope
300mm Envelope
600mm Envelope
Wheel Envelope
Design Vehicle(s)
ARUP
Merivale
Kings Green Precinct
Servicing Vehicle - Loading Bay 2
B99 Van
1:200
Transport
Draft
305352-00
SKT002
A
71 YORK STREET
104-108 CLARENCE STREET
SERVICE ACCESS LANEWAY
BASEMENT ENTRY BELOW
NOT INCLUDED IN SCOPE OF WORKS
SERVICE YARD
LOADING DOCK
BOH
F&B
K STREET
S8
S7
S6
S5
S4
S3
RL 23340
RL 20577
RL 22166
RL 22105
RL 20521
RL 22115
RL 22185

17. It can be seen that the wide red edged area stretches beyond the right of way.



18. It is proposed that garbage will be collected with an SRV sized truck. This truck will drive along the right of way and park on the right of way whilst it is loaded up with waste which will be stored in the service yard

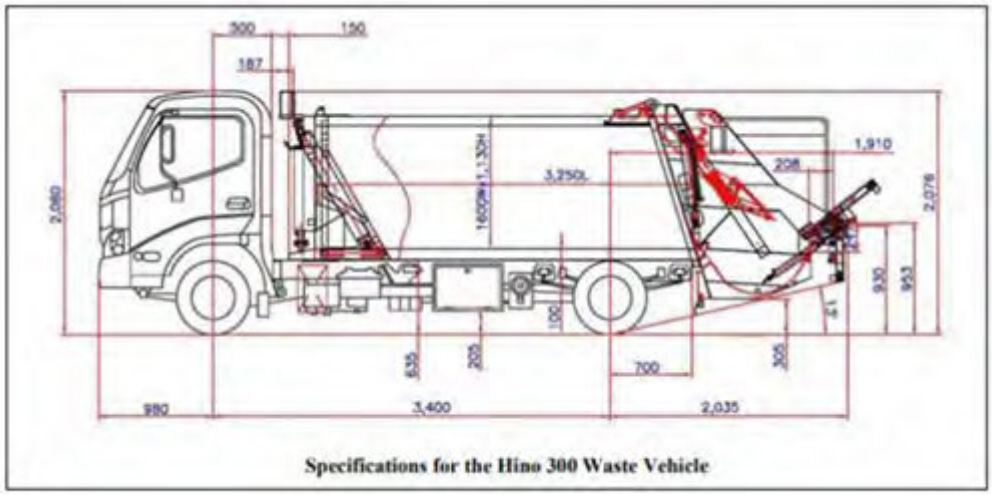


Figure 10: SRV sized Waste Collection Vehicle

19. This truck will either need to either reverse into or reverse out of the laneway. Although not mentioned in the ARUP report, I would expect this to take place under traffic control.

20. The report notes that at certain times of day, it is expected that deliveries may exceed capacity of the servicing yard. At this time, the servicing yard Manager would look to plan additional deliveries at times when on-street loading zones are available (although they may of course be occupied).

21. To provide additional loading zone capacity, it is planned to physically extend the York Street loading zone and to extend the operation time on the Clarence Street Loading zone by one hour.

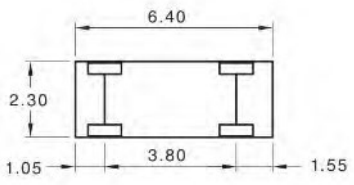
Hollyoak Concerns with the Arup Plan

22. The Arup swept path drawings show the lane has a total width of 3.608m from wall to wall. However, there are several small concrete protrusions which would make the operational width narrower. The protrusions on the southern side were measured as being 660mm and on the northern side are 470mm. The available width between this protrusion is 2.478m which is very narrow for a 2.3m wide small rigid vehicle.





AS 2890.2:2018

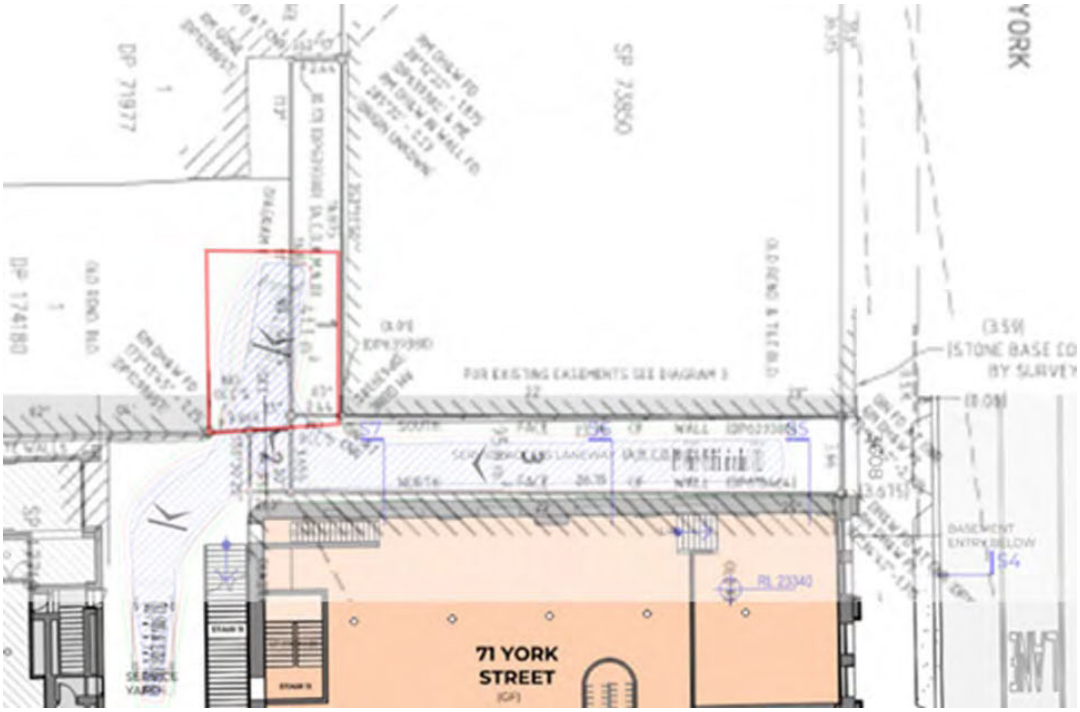


(a) Small rigid vehicle
Clearance height 3.50
Design turning radius 7.1

23. Furthermore, the available width might be further compromised by the waste bins and other objects located along the laneway.



24. The swept paths shown for the manoeuvring of a B99 vehicles cannot be achieved without use of the red area shown below. However, this red area is not part of the right of way.



25. On this basis, deliveries and service vehicles will not be able to turn around and would need to reverse into the service yard or reverse out of it. Sometimes council may reluctantly allow such reversing manouvres to happen for a small number of the vehicles (one or two) but there are anticipated to be above 200 vehicles per day. This is not acceptable as it will mean all vehicles will have to reverse over the York Street driveway which is not safe.

26. There would also be a significant increase in the number of vehicles using the laneway with a service / delivery demand of up to 23 vehicles per hour plus a potential four waste collection vehicles. This gets very close the 30vph threshold set out in AS2890.1(2004) Para 3.22 which says that a 5.5m wide 2-way driveway is required

    As a guide, 30 or more movements in a peak hour (in and out combined) would usually require provision for two vehicles to pass on the driveway, i.e. a minimum width of 5.5 m. On long driveways, passing opportunities should be provided at least every 30 m.

27. Finally, the fact that the garbage trucks would need to wait on the right of way while garbage is collected does not accord with the terms of the right of way which allows vehicles to pass & repass in the lane way but not to park along it.

28. In summary, the Traffic Servicing And Waste Management Strategy Report (Arup 2024) is not workable in its current form.

We trust the above is to your satisfaction. Should you have any queries regarding the above or require further information, please do not hesitate to contact the undersigned on 8437 7800.

Yours sincerely,

[redacted]

Ken Hollyoak
Director

From: [redacted]

Sent on: Wednesday, June 18, 2025 1:48:52 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/1018 - 75 York Street SYDNEY NSW 2000 - Attention Marie Burge

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,

Thank you for the opportunity to present commentary regarding the upcoming Development Application (DA) submission for the proposed project**D/2024/1018.** I kindly request that my name and position be withheld from any publicly published commentary related to this matter.

[redacted], I wish to express the following concerns regarding the proposed development:

1. **Noise Pollution During Demolition:**

   We are concerned about noise disturbances, particularly during the demolition phase. We request that demolition activities be restricted to daytime hours, preferably from 9:00 am to 5:00 pm, to minimize disruption to residents and visitors.

2. **Heavy Works and Late Night Work Permits:**

   Any heavy works or late-night construction activities should be limited, with work permitted only on weekends and subject to prior approval and notice periods by the council.

3. **Footpath Access and Noise Considerations:**

   We request that the application for footpath access take into account the potential for increased noise affecting residents and visitors after 10:00 pm daily, and that measures be implemented to mitigate noise during these hours.

4. **Operating Hours and Noise Testing:**

   We propose that the project's operating hours be subject to noise level testing, with the doors kept closed after 10:00 pm to reduce noise impact on the surrounding community.

5. **Impending Future DA Applications:**

   We are also concerned about future DA applications that may involve increasing building heights on Clarence Street, which could further impact the neighborhood's character and amenity.

Thank you for considering these concerns. We trust that appropriate measures will be taken to ensure that the development proceeds with minimal adverse impact on the local community.



From: The Bedroom Sales [redacted] on behalf of The Bedroom Sales [redacted] <The Bedroom Sales [redacted]

Sent on: Thursday, June 26, 2025 2:36:18 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: OBJECTION / Submission - D/2024/1018 - 75 York Street SYDNEY NSW 2000 - Attention Marie Burge

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 Council ,

I would like to pass on my comment regarding my rejection of the proposal for 75 York Street Sydney.
I am an owner and resident of 161 Clarence Street Sydney and I understand that the area is zoned for entertainment. I also understand the shortage of accomodation for the people of Sydney.

Why is a proposal from Merivale a consideration when they already have multiple venues around the CBD?

If the area is to be designated as an entertainment area and one that provides for the general population, why is Merivale the only applicant?

Merivale not only have a monopoly on the nightlife of Sydney they also have created a destination for events that are aimed/suited for those under 25 years of age. The Ivy precinct closes its fine dining restaurants on Friday and Saturday nights to accomodate the visitors to the nightclub.
How is this OK when the restaurants could be enjoyed by patrons wanting a nice meal at, for example, FELIX?
This tells me that Merivale expect that their patrons will be a public disturbance.

I would like to think that the Council would have taken the opportunity to invite a cast of hospitality groups to come forward with their proposals for this site and not have left this in the hands of one single group to monopolise.

I think the Haymarket area and Darling Square have a really positive impact on both residents of Sydney and visitors from the surrounding areas. Surely a model based on these areas would be more suited to both residents, visitors and office workers.

In summary, the reasons for my rejection to this proposal are ;
1. Merivale has a monopoly on Sydneys night life. We need to keep a balance.
2. Housing is in crisis and this proposal will essentially eliminate good and proper housing.
3. Entertainment should be inclusive for all to enjoy and not aimed at only one age group.

Regards,
Jodie

From: [redacted]

Sent on: Monday, June 30, 2025 4:25:28 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/1018 - 75 York Street SYDNEY NSW 2000 - Attention Marie Burge

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,

I am writing as a concerned resident [redacted] in relation to**Development Application D/2024/1018**, which proposes a large-scale hospitality precinct across several heritage-listed buildings in the immediate vicinity of my home.

While I support thoughtful revitalisation and respect for heritage architecture, I wish to formally express my concerns regarding the potential impacts of this development on residents like myself who have chosen to live in the CBD for both convenience and a sense of community.

Key Concerns:

1. **Loss of Residential Character**
   The proposal's focus on a 24-hour hospitality precinct, including late-night venues and a nightclub, risks significantly altering the balance between residential and commercial uses in this area. The unique residential character that currently exists in pockets of the CBD, including around Clarence Street, is an essential aspect of urban life that should be preserved.
2. **Noise Impact – During Construction and Operation**
   I am particularly concerned about elevated noise levels during construction phases, which could cause extended disruption to residents' daily lives. Furthermore, the proposed rooftop terraces operating until midnight and entertainment venues running late into the night will likely lead to ongoing noise pollution that negatively affects the amenity and liveability of surrounding residential buildings. There is already a nightclub on Kent Street which creates a lot of noise on Friday and Saturday nights which regularly disturbs sleep.
3. **Impact on Property Value**
   [redacted] I am worried that increased noise levels, loss of residential appeal, and prolonged construction disruptions may diminish the desirability of the area for potential buyers and tenants, ultimately devaluing my property investment. The development risks creating an environment that prioritises short-term entertainment over long-term residential stability.
4. **Access to Kent and Clarence Streets During Construction**
   Given the scale of the proposed development, I am concerned about access restrictions to Kent Street, Clarence Street, and surrounding laneways during construction. These streets are critical for residents, deliveries, emergency services, and daily movement in and out of residential buildings like mine. There have been constant roadworks on both Clarence and Kent Street recently that have impacted access and comfort.

Request for Consideration:

I respectfully request that the City of Sydney:

- Undertake a thorough, independent assessment of noise impacts during both construction and operation, particularly regarding late-night venues.
- Require the developer to implement robust noise mitigation strategies, operational limits, and soundproofing for all late-night venues.
- Ensure comprehensive plans are in place to maintain access to surrounding streets, with minimal disruption to residents.
- Provide transparent timelines for construction stages and regular communication with affected residents.
- Consider the cumulative impacts of this proposal on the residential community and the long-term liveability of this area.

I appreciate the opportunity to provide feedback and trust that residents' voices will be considered to ensure a balanced, sustainable outcome for this important area of Sydney.

Please reply via email.

Kind regards,
[redacted]

From: [redacted]

Sent on: Wednesday, July 2, 2025 9:50:36 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2024/1018 - 75 York Street SYDNEY NSW 2000 - Attention Marie Burge

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'd prefer that my personal details, including email address, be withheld.

[redacted]

I support a night-time economy and entertainment options. In my experience, the CBD has a much more vibrant and interesting nightlife than when I previously lived here 20 years ago and I see new venues opening up all over the place. I don't believe this part of the CBD lacks entertainment mega-complexes, with Merivale's own Ivy complex very close by and Barangaroo only a few blocks as well.

I also support people being able to live in the CBD. In my own personal, direct and recent experience, what the CBD lacks is accessible rental accommodation. This proposal would not only replace this valuable building, but make the surrounding buildings unsuitable for residential purposes as well.

I urge you to reject the proposal.

From: DJ Chen [redacted] on behalf of DJ Chen [redacted] <DJ Chen [redacted]>

Sent on: Thursday, July 3, 2025 7:32:52 PM

To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>; City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Re: Renotification - D/2024/1018 - 75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King 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.

Dear Council

Reference is made to the renotification of the below application

Applicant name:
MERIVALE CBD PTY LIMITED

Reference number:
D/2024/1018

Site address:
75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King Street , SYDNEY NSW 2000

I am the lot owner of 16 / 104-118 Clarence St Sydney NSW 2000

In my capacity as owner and resident I am writing to confirm our continued objection to the proposal based on the renotification plans. This submission is further to my original submission sent in December 2024 when invitation to provide submissions on the application was first notified and should be read in conjunction with the previous submission.

Confirmation of No owner consent and No intention to sell

As noted in my previous submission, it remains the case that the applicant Merivale, does not have—and will not obtain—full owner consent to submit or proceed with this proposal. The applicant has not acted in good faith throughout the process to date.

It is also important to highlight that, based on the numerous objections submitted in response to the original application, several other title owners have similarly withheld their consent and have not provided their approvals. Furthermore, the motion authorising Merivale to lodge the development application is still being actively contested.

I confirm that there is no intention for our lot to be sold to Merivale, nor will we provide the owner consent necessary for this proposal to proceed**.**

Any suggestion by the applicant that it has obtained—or expects to obtain—unanimous owner consent is false and

misleading.

This matter should be given appropriate weight in Council's assessment of the proposal.

Adverse impact on Remaining Residential lots

We request that the proposal be assessed with regard to the above. In particular the proposal for the applicant to operate a 24/7 bar precinct must be rejected considering the adverse impact this has on current remaining residential lots and is not inappropriate for the applicant to operate as such when there remains residential lots in the building that it does not and will not own.

Likewise the proposal to turn the existing common area rooftop into a public rooftop bar for the applicant's own commercial gains must be rejected when considering the adverse impact this has on current residential lots in the building that are not owned by the applicant.

Amongst the concerns are the impact on privacy and noise that the public rooftop bar will bring which will greatly diminish residential amenity for the current residential lots.

The proposal threatens to:

- Severely impact residential amenity through increased noise, reduced privacy, and loss of quiet enjoyment.
- Result in non-residents accessing common areas, to the detriment of existing residents.

The amendments put forward by the applicant does not seek to address any of the above concerns.

Proposal is Against the Public Interest

As originally submitted there are currently a total of 40 residential units at 104-118 Clarence St and home to over 80 residents. Many residents, both on their own and as a collective, have already expressed concerns over the proposal, as evidenced by the submissions published to date.

This proposal comes at a time of a national housing crisis. The development would result in:

- The loss of, at a minimum, 40 existing residential units—home to more than 80 residents.
- The forced displacement of current residents with no replacement or mitigation proposed.
- No contribution to the long-term housing stock, given the proposed use as a boutique hotel and gym.

The applicant's amendments fail to address these core concerns. The proposal, if approved, would directly reduce the availability of much-needed housing in the area.

The proposal in essence seeks to reduce long term housing supply in the middle of the country's biggest housing crisis and must be rejected on public interest grounds.

Proposal Not Highest and Best Use of the Site

The proposal fails to utilise the site’s potential to enhance housing supply. In fact, it eliminates it. Prior proposals for the site—such as a 49-storey development—highlight its potential for substantial residential uplift.

As above, the applicant's proposal not only does not contribute to any uplift in housing stock but seeks to reduce and eliminate the existing available long term housing stock from the site altogether.

Given there are clear examples of how the site's GFA can be maximised to contribute to the housing supply, such a proposal should be rejected.

Previous publicised proposal for the site contemplated a 49 level building. The previous proposed plans for a office building could be amended to a residential development that provides substantial uplift to the existing 40 residential units. Similar developments in the surrounding area including the successful residential conversions at 116 Bathurst St and the in development 111 Castlereagh St which set a precedent for making the best use of the site and contributing to an increase in housing supply.

Base on review of the amended plans , it remains that the amendments do not achieve highest and best use of the site and should be rejected.

Again many neighbouring residents have already raised similar concerns to the above, in a particular the concerns of being forced out of their current homes and adverse impact on residential amenity of having a 24/7 bar operating in the building and the surroundings. The applicant has continued to ignore these concerns and progress with an application that does not have support or consent from affected residents and owners.

We strongly encourage the assessment panel to take the above concerns into account and REJECT the application in its entirety on public interest grounds.

Sincerely

D J Chen

Owner Lot 16 104-118 Clarence St Sydney NSW 2000

On Thu, Jun 12, 2025 at 8:46 AM Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> wrote:

12 June 2025

Applicant name:
MERIVALE CBD PTY LIMITED

Reference number:
D/2024/1018

Site address:
75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King Street , SYDNEY NSW 2000

Proposed development:
Renotification of amended Concept Development Application for building upgrades and the use of the precinct for food and drink and tourist and visitor accommodation uses. The application constitutes Integrated Development and requires approval under the Heritage Act 1977.

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 **11 July 2025**. 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.

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.

For more information, contact Marie Burge on 02 9265 9333.

Bill MacKay
Manager Planning Assessments

CITY OF SYDNEY

cityofsydney.nsw.gov.au

_____
___ This email and any files transmitted with it are intended solely for the use of the addressee(s) and may contain information that is confidential or subject to legal privilege. If you receive this email and you are not the addressee (or responsible for delivery of the email to the addressee), please note that any copying, distribution or use of this email is prohibited and as such, please disregard the contents of the email, delete the email and notify the sender immediately.
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From: [redacted]
Sent on: Monday, July 7, 2025 4:05:59 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Re: Development proposal D/2024/1018 Address 104-118 Clarence 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.

Dear Council and Local Planning Panel

[redacted] Again please do not publish any personal details for privacy reasons

We refer to the renotification of the plans under DA D/2024/1018

We are disappointed that none of the concerns we raised and shared with other residents have been addressed as part of the latest amendments.
Again the applicant has not considered existing residents and have not provided any proposal to provide alternative accommodation for those of us who will be forced out of our homes.

We do not want our homes being turned into a nightclub or have a nightclub and bar running on top of and next to our home. The proposal does not have any consideration of residents or the impact that it will have on the area. We are also concerned with the applicant's publicised history of non compliance, and question their ability to address the increased antisocial behaviour and crime rates that this new concept precinct will bring to a shared residential precinct.

The new plans should be rejected by the panel in the public interest.

On Wed, Dec 11, 2024 at 11:02 AM YT [redacted] wrote:

> [redacted]. Please do not publish any personal details for privacy reasons
>
> We are strongly objecting to this proposal.
>
> We do not want our home being turned into a bar and nightclub or have a nightclub running next to our home. We are very concerned about the noise and also the antisocial behaviour and increase violence and crime rates that is associated with the expanded bar precinct that is being planned.
>
> We also do not want to be moved out of the building as the location is very convenient for work and commuting. If we are forced out of our home we will be priced out and will have a very hard time finding alternative accommodation that suits our needs. We don't think it is fair for us to move and the proposal should not be approved.
>
> We do not believe the plans are suitable for the building and we ask Council to reject the proposal.

From: [redacted]
Sent on: Monday, July 7, 2025 4:32:56 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Fwd: Objection to D/2024/1018

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 Council

I write in relation to the below:

Applicant name:

MERIVALE CBD PTY LIMITED

Reference number: D/2024/1018

Site address:

75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King Street , SYDNEY NSW 2000

It is extremely concerning that the applicant's renotification plans does very little to address the concerns previously raised by myself and other residents in my submission from last year dated 17 December 2024.

As stated previously the proposal, if approved, would have far-reaching negative consequences for the local community, including environmental degradation, disruption of public order, and the displacement of residents.

KEY NOTABLE CONCERNS raised remains as follows and remains unaddressed:

Environmental Concerns

The proposed development includes plans for a precinct/nightclub operating 24/7. This will undoubtedly lead to a significant increase in noise pollution. Continuous, high-volume noise will severely impact the quality of life for nearby residents and businesses. This is particularly concerning given that the application has not adequately assessed the potential noise impacts, nor has it proposed effective measures to mitigate them.

None of these have been adequately assessed in detail or mitigated by the applicant in its submissions to date.

Moreover, there has been insufficient consultation with the community to understand the extent of these potential impacts. The well-being of local residents, many of whom rely on the area as a peaceful home and workspace, has been largely ignored. Approving such a project without proper environmental consideration sets a dangerous precedent for prioritizing commercial interests over the health and comfort of the community.

Past Non-Compliance

The applicant, Merivale, has a history of non-compliance with various regulations in previous developments. This track record raises serious concerns about the applicant's ability and willingness to operate within the bounds of the law. Instances of previous violations suggest a pattern of behavior that could lead to repeated breaches, should this proposal be approved.

Granting approval to this application without holding the applicant accountable for past violations undermines public confidence in regulatory processes. It also increases the likelihood that similar infractions will occur, putting the community at further risk of harm.

Since our last submission, further details of the applicant and its parent company's non compliance have emerged and remains unaddressed.

Against Public Interest

This development will result in the complete removal of all existing residential accommodation on the site, forcing current residents to leave. At a time when Sydney is experiencing a critical housing affordability crisis, displacing people from their homes is both unjust and irresponsible.

The lack of alternative housing options for displaced residents exacerbates an already dire situation. Approving a project that prioritises commercial interests over the fundamental need for housing sends a troubling message about the Council's commitment to addressing the housing crisis.

The applicant has done nothing to address these concerns in its latest submission and no proposal has been put forward to address displaced residents, all at a time when housing supply in the state remains critically low and unaffordable for many.

Community Impact

The proposed development includes an extensive liquor license across the entire site, as well as an open-air rooftop bar. These features pose significant risks to the community, including:

1. **Public Disorder:** Extended liquor licensing hours and the addition of a rooftop bar increase the likelihood of disorderly conduct, particularly during late-night hours.
2. **Disturbances:** The noise and activity associated with such a venue will disrupt the daily lives of residents and the operations of nearby businesses.
3. **Crime Rates:** Evidence suggests that large-scale entertainment venues, particularly those with extended liquor licenses, contribute to higher rates of alcohol-fueled violence and criminal behavior.

The absence of meaningful community consultation is deeply concerning. Local residents and stakeholders have not been given a sufficient platform to express their views, nor has the applicant demonstrated any willingness to address these valid concerns. Furthermore, the application fails to outline any tangible benefits to the community, making it clear that this proposal prioritizes private profit over public good.

It appears that applicant has not done anything to address these concerns raised by the community or offer any solutions

Traffic and Parking Concerns

The proposed development will significantly increase traffic congestion in an already busy part of Sydney. The influx of visitors to the area, combined with insufficient parking provisions, will exacerbate existing traffic issues.

This will have several knock-on effects:

- Increased travel times and reduced accessibility for local residents and businesses.
- Safety concerns for pedestrians, cyclists, and other road users due to higher vehicle volumes.
- Additional strain on public transport systems, which are already operating near capacity during peak times.

The proposal does not adequately address these concerns, nor does it offer a viable solution to mitigate the anticipated

impacts on traffic and parking.

The applicant's latest submissions does little to address the above

Conclusion

The latest renotified plans for the proposed development represents a significant threat to the well-being of the local community and fails to align with the principles of responsible urban planning.

For the reasons outlined above, we strongly urge the panel to **REJECT** the application. Protecting the interests of local residents and preserving the quality of life in our city should remain the Council and panel's top priorities.

Again thank you for taking the time to consider this objection. I trust that you will carefully weigh the concerns of the community when making the decision.

Angela

On Tue, Dec 17, 2024 at 10:13 AM [redacted] wrote:

> **Dear Council,**
>
> I am writing to express our strong objection to the proposed planning application at the following addresses:
>
> - 104-118 Clarence Street, SYDNEY NSW 2000
> - 46-52 King Street, SYDNEY NSW 2000
> - 73 York Street, SYDNEY NSW 2000
> - 71 York Street, SYDNEY NSW 2000
> - 75 York Street, SYDNEY NSW 2000
>
> This proposal, if approved, would have far-reaching negative consequences for the local community, including environmental degradation, disruption of public order, and the displacement of residents. I outline my key concerns below for your consideration.
>
> ## Environmental Concerns
>
> The proposed development includes plans for a precinct/nightclub operating 24/7, which will undoubtedly lead to a significant increase in noise pollution. Continuous, high-volume noise will severely impact the quality of life for nearby residents and businesses. This is particularly concerning given that the application has not adequately assessed the potential noise impacts, nor has it proposed effective measures to mitigate them.
>
> Moreover, there has been insufficient consultation with the community to understand the extent of these potential impacts. The well-being of local residents, many of whom rely on the area as a peaceful home and workspace, has been largely ignored. Approving such a project without proper environmental consideration sets a dangerous precedent for prioritizing commercial interests over the health and comfort of the community.
>
> ## Past Non-Compliance
>
> The applicant, Merivale, has a history of non-compliance with various regulations in previous developments. This track record raises serious concerns about the applicant's ability and willingness to operate within the bounds of the law. Instances of previous violations suggest a pattern of behavior that could lead to repeated breaches, should this proposal be approved.
>
> Granting approval to this application without holding the applicant accountable for past violations undermines public confidence in regulatory processes. It also increases the likelihood that similar infractions will occur, putting the community at further risk of harm.

Against Public Interest

This development will result in the complete removal of all existing residential accommodation on the site, forcing current residents to leave. At a time when Sydney is experiencing a critical housing affordability crisis, displacing people from their homes is both unjust and irresponsible.

The lack of alternative housing options for displaced residents exacerbates an already dire situation. Approving a project that prioritizes commercial interests over the fundamental need for housing sends a troubling message about the Council's commitment to addressing the housing crisis.

Community Impact

The proposed development includes an extensive liquor license across the entire site, as well as an open-air rooftop bar. These features pose significant risks to the community, including:

1. **Public Disorder:** Extended liquor licensing hours and the addition of a rooftop bar increase the likelihood of disorderly conduct, particularly during late-night hours.
2. **Disturbances:** The noise and activity associated with such a venue will disrupt the daily lives of residents and the operations of nearby businesses.
3. **Crime Rates:** Evidence suggests that large-scale entertainment venues, particularly those with extended liquor licenses, contribute to higher rates of alcohol-fueled violence and criminal behavior.

The absence of meaningful community consultation is deeply concerning. Local residents and stakeholders have not been given a sufficient platform to express their views, nor has the applicant demonstrated any willingness to address these valid concerns. Furthermore, the application fails to outline any tangible benefits to the community, making it clear that this proposal prioritizes private profit over public good.

Traffic and Parking Concerns

The proposed development will significantly increase traffic congestion in an already busy part of Sydney. The influx of visitors to the area, combined with insufficient parking provisions, will exacerbate existing traffic issues.

This will have several knock-on effects:

- Increased travel times and reduced accessibility for local residents and businesses.
- Safety concerns for pedestrians, cyclists, and other road users due to higher vehicle volumes.
- Additional strain on public transport systems, which are already operating near capacity during peak times.

The proposal does not adequately address these concerns, nor does it offer a viable solution to mitigate the anticipated impacts on traffic and parking.

Conclusion

This proposed development represents a significant threat to the well-being of the local community and fails to align with the principles of responsible urban planning. It prioritizes commercial gain at the expense of environmental integrity, housing affordability, and community cohesion.

For the reasons outlined above, we strongly urge the Council to **REJECT** this planning application. Protecting the interests of local residents and preserving the quality of life in our city should remain the Council’s top priorities.

Thank you for taking the time to consider this objection. I trust that the Council will carefully weigh the concerns of the community when making its decision.

Sincerely,

From: [redacted]
Sent on: Monday, July 7, 2025 4:29:53 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Re: Objection to D/2024/1018

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 Council
Applicant name:

MERIVALE CBD PTY LIMITED

Reference number:
D/2024/1018

Site address:
75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King Street , SYDNEY NSW 2000

It is extremely concerning that the applicant's renotification plans does very little to address the concerns previously raised by myself and other residents in my submission from last year dated 17 December 2024.

As stated previously the proposal, if approved, would have far-reaching negative consequences for the local community, including environmental degradation, disruption of public order, and the displacement of residents.

KEY NOTABLE CONCERNS raised remains as follows and remains unaddressed:

Environmental Concerns

The proposed development includes plans for a precinct/nightclub operating 24/7. This will undoubtedly lead to a significant increase in noise pollution. Continuous, high-volume noise will severely impact the quality of life for nearby residents and businesses. This is particularly concerning given that the application has not adequately assessed the potential noise impacts, nor has it proposed effective measures to mitigate them.

None of these have been adequately assessed in detail or mitigated by the applicant in its submissions to date.

Moreover, there has been insufficient consultation with the community to understand the extent of these potential impacts. The well-being of local residents, many of whom rely on the area as a peaceful home and workspace, has been largely ignored. Approving such a project without proper environmental consideration sets a dangerous precedent for prioritizing commercial interests over the health and comfort of the community.

Past Non-Compliance

The applicant, Merivale, has a history of non-compliance with various regulations in previous developments. This track record raises serious concerns about the applicant's ability and willingness to operate within the bounds of the law. Instances of previous violations suggest a pattern of behavior that could lead to repeated breaches, should this proposal be approved.

Granting approval to this application without holding the applicant accountable for past violations undermines public confidence in regulatory processes. It also increases the likelihood that similar infractions will occur, putting the community at further risk of harm.

Since our last submission, further details of the applicant and its parent company's non compliance have emerged and remains unaddressed.

Against Public Interest

This development will result in the complete removal of all existing residential accommodation on the site, forcing current residents to leave. At a time when Sydney is experiencing a critical housing affordability crisis, displacing people from their homes is both unjust and irresponsible.

The lack of alternative housing options for displaced residents exacerbates an already dire situation. Approving a project that prioritises commercial interests over the fundamental need for housing sends a troubling message about the Council's commitment to addressing the housing crisis.

The applicant has done nothing to address these concerns in its latest submission and no proposal has been put forward to address displaced residents, all at a time when housing supply in the state remains critically low and unaffordable for many.

Community Impact

The proposed development includes an extensive liquor license across the entire site, as well as an open-air rooftop bar. These features pose significant risks to the community, including:

1. **Public Disorder:** Extended liquor licensing hours and the addition of a rooftop bar increase the likelihood of disorderly conduct, particularly during late-night hours.
2. **Disturbances:** The noise and activity associated with such a venue will disrupt the daily lives of residents and the operations of nearby businesses.
3. **Crime Rates:** Evidence suggests that large-scale entertainment venues, particularly those with extended liquor licenses, contribute to higher rates of alcohol-fueled violence and criminal behavior.

The absence of meaningful community consultation is deeply concerning. Local residents and stakeholders have not been given a sufficient platform to express their views, nor has the applicant demonstrated any willingness to address these valid concerns. Furthermore, the application fails to outline any tangible benefits to the community, making it clear that this proposal prioritizes private profit over public good.

It appears that applicant has not done anything to address these concerns raised by the community or offer any solutions

Traffic and Parking Concerns

The proposed development will significantly increase traffic congestion in an already busy part of Sydney. The influx of visitors to the area, combined with insufficient parking provisions, will exacerbate existing traffic issues.

This will have several knock-on effects:

- Increased travel times and reduced accessibility for local residents and businesses.
- Safety concerns for pedestrians, cyclists, and other road users due to higher vehicle volumes.
- Additional strain on public transport systems, which are already operating near capacity during peak times.

The proposal does not adequately address these concerns, nor does it offer a viable solution to mitigate the anticipated impacts on traffic and parking.

The applicant's latest submissions does little to address the above

Conclusion

The latest renotified plans for the proposed development represents a significant threat to the well-being of the local community and fails to align with the principles of responsible urban planning.

For the reasons outlined above, we strongly urge the panel to **REJECT** the application. Protecting the interests of local residents and preserving the quality of life in our city should remain the Council and panel's top priorities.

Again thank you for taking the time to consider this objection. I trust that you will carefully weigh the concerns of the community when making the decision.

Angela

On Tue, Dec 17, 2024 at 10:13 AM [redacted] > wrote:

> **Dear Council,**
>
> I am writing to express our strong objection to the proposed planning application at the following addresses:
>
> - 104-118 Clarence Street, SYDNEY NSW 2000
> - 46-52 King Street, SYDNEY NSW 2000
> - 73 York Street, SYDNEY NSW 2000
> - 71 York Street, SYDNEY NSW 2000
> - 75 York Street, SYDNEY NSW 2000
>
> This proposal, if approved, would have far-reaching negative consequences for the local community, including environmental degradation, disruption of public order, and the displacement of residents. I outline my key concerns below for your consideration.
>
> ## Environmental Concerns
>
> The proposed development includes plans for a precinct/nightclub operating 24/7, which will undoubtedly lead to a significant increase in noise pollution. Continuous, high-volume noise will severely impact the quality of life for nearby residents and businesses. This is particularly concerning given that the application has not adequately assessed the potential noise impacts, nor has it proposed effective measures to mitigate them.
>
> Moreover, there has been insufficient consultation with the community to understand the extent of these potential impacts. The well-being of local residents, many of whom rely on the area as a peaceful home and workspace, has been largely ignored. Approving such a project without proper environmental consideration sets a dangerous precedent for prioritizing commercial interests over the health and comfort of the community.
>
> ## Past Non-Compliance

The applicant, Merivale, has a history of non-compliance with various regulations in previous developments. This track record raises serious concerns about the applicant's ability and willingness to operate within the bounds of the law. Instances of previous violations suggest a pattern of behavior that could lead to repeated breaches, should this proposal be approved.

Granting approval to this application without holding the applicant accountable for past violations undermines public confidence in regulatory processes. It also increases the likelihood that similar infractions will occur, putting the community at further risk of harm.

Against Public Interest

This development will result in the complete removal of all existing residential accommodation on the site, forcing current residents to leave. At a time when Sydney is experiencing a critical housing affordability crisis, displacing people from their homes is both unjust and irresponsible.

The lack of alternative housing options for displaced residents exacerbates an already dire situation. Approving a project that prioritizes commercial interests over the fundamental need for housing sends a troubling message about the Council's commitment to addressing the housing crisis.

Community Impact

The proposed development includes an extensive liquor license across the entire site, as well as an open-air rooftop bar. These features pose significant risks to the community, including:

1. **Public Disorder:** Extended liquor licensing hours and the addition of a rooftop bar increase the likelihood of disorderly conduct, particularly during late-night hours.
2. **Disturbances:** The noise and activity associated with such a venue will disrupt the daily lives of residents and the operations of nearby businesses.
3. **Crime Rates:** Evidence suggests that large-scale entertainment venues, particularly those with extended liquor licenses, contribute to higher rates of alcohol-fueled violence and criminal behavior.

The absence of meaningful community consultation is deeply concerning. Local residents and stakeholders have not been given a sufficient platform to express their views, nor has the applicant demonstrated any willingness to address these valid concerns. Furthermore, the application fails to outline any tangible benefits to the community, making it clear that this proposal prioritizes private profit over public good.

Traffic and Parking Concerns

The proposed development will significantly increase traffic congestion in an already busy part of Sydney. The influx of visitors to the area, combined with insufficient parking provisions, will exacerbate existing traffic issues.

This will have several knock-on effects:

- Increased travel times and reduced accessibility for local residents and businesses.
- Safety concerns for pedestrians, cyclists, and other road users due to higher vehicle volumes.
- Additional strain on public transport systems, which are already operating near capacity during peak times.

The proposal does not adequately address these concerns, nor does it offer a viable solution to mitigate the anticipated impacts on traffic and parking.

Conclusion

This proposed development represents a significant threat to the well-being of the local community and fails to align with the principles of responsible urban planning. It prioritizes commercial gain at the expense of environmental integrity, housing affordability, and community cohesion.

For the reasons outlined above, we strongly urge the Council to **REJECT** this planning application. Protecting the interests of local residents and preserving the quality of life in our city should remain the Council’s top priorities.

Thank you for taking the time to consider this objection. I trust that the Council will carefully weigh the concerns of the community when making its decision.

Sincerely,

Angela

From: Phoebe Le [redacted] > on behalf of Phoebe Le [redacted] <Phoebe Le [redacted]

Sent on: Tuesday, July 8, 2025 1:52:49 PM

To: council@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: OBJECTION TO D/2024/1018

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 am writing to refer to the recent renotification of the development plans for the site D/2024/1018

Unfortunately, based on our review the revised plans do not address the concerns originally raised in my previous submission. Specifically, the key issues related to noise, community impact, safety, and overdevelopment remain unmitigated. The proposed modifications do not sufficiently alleviate the disturbances or community concerns associated with the project, and there continue to be significant gaps in the measures proposed to mitigate these issues.

Specifically we asked for the proposal to be amended to remove the nightclub and rooftop bar components. However this does not seem to be reflected in the amendments put forward by the applicant.

We urge the council and relevant planning commitees to ensure that all concerns are thoroughly considered and addressed in this process and any future planning stages. Further community consultation and planning adjustments are necessary to genuinely reflect the interests and well-being of local residents.

For these reasons, we urge the City of Sydney Council to REJECT the concept plan as proposed taking into account the adverse effects it could have on the residents in the area and the broader public interest.

Thank you for your attention to this matter.

Further reasons can be found in my original submission which I have included below.

Phoebe

Objection to Concept Plan for Development at 104-118 Clarence Street, 46-52 King Street, 73 York Street, 71 York Street, and 75 York Street, Sydney NSW 2000

Dear Sir/Madam,

I am writing to formally object to the concept plan for the development located at**104-118 Clarence Street**, **46-52 King Street**, **73 York Street**, **71 York Street**, and **75 York Street**, Sydney NSW 2000. As residents of the area, we believe that the proposed development is problematic for the following reasons:

1. **Noise and Nuisance from Nightclub and Rooftop Bar** :
   As residents of this community, we strongly oppose the inclusion of a nightclub in the proposed development, as well as the establishment of a bar on the rooftop. Both of these venues are likely to generate excessive noise and disturbances, particularly during late-night hours. Given that the surrounding area is a mix of residential and commercial spaces, we believe that the operation of these venues would severely disrupt the peace and quiet that residents currently enjoy. There has been no consideration of how the noise from these businesses would impact the quality of life for those living nearby. We are concerned about the potential for loud music, voices, and other disruptions late into the night, which will negatively affect our well-being, sleep, and general peace.

2. **Lack of Noise Mitigation Measures** :
   The plans for this development appear to be lacking in effective noise mitigation measures. There is no mention of soundproofing, noise barriers, or other strategies to minimize the disturbance caused by such establishments. The noise generated by a nightclub and rooftop bar is inherently difficult to control, especially in a dense urban environment. The lack of provisions to address these concerns makes us anxious about the future living conditions in our area.

3. **Inadequate Consideration of Residential Impact** :
   There has been a significant lack of consideration for the impact of this development on the existing residents in the area. The current plans do not appear to adequately address issues such as noise pollution, increased foot traffic, or potential safety concerns. Residents' quality of life must be prioritized, especially when it comes to balancing development with the need for a peaceful and livable environment.

4. **Overdevelopment and Density** :
   In addition to the concerns regarding noise, we also believe that the scale and nature of this proposed development

represent an overdevelopment for the area. The combination of commercial entertainment spaces, alongside other retail and residential elements, would increase the density and congestion on an already busy street. This could lead to adverse impacts such as greater traffic, lack of parking, and overcrowding in public spaces, which would negatively affect both residents and the broader community.

5. **Safety Concerns** :
   The operation of a nightclub and rooftop bar, especially in close proximity to residential areas, could present safety risks due to increased alcohol consumption and the potential for altercations. We are concerned that the area may become less safe during nighttime hours, which would directly impact the security of local residents.

6. **Inadequate Community Consultation** :
   We also feel that the consultation process for this development has been insufficient. Many of the residents in the vicinity were not fully informed about the scope of the development, nor were they consulted about the potential impacts. A proper community consultation process is crucial for ensuring that developments like this take into account the views and concerns of those who will be most affected.

For these reasons, we urge the City of Sydney Council to REJECT this concept plan and to take into account the adverse effects it could have on the residents in the area. We are asking for the proposal to be amended to remove the nightclub and rooftop bar components.

Thank you for considering our concerns.

Phoebe

From: Phoebe Le [redacted] on behalf of Phoebe Le [redacted] <Phoebe Le [redacted]

Sent on: Tuesday, July 8, 2025 1:52:49 PM

To: council@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: OBJECTION TO D/2024/1018

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 am writing to refer to the recent renotification of the development plans for the site D/2024/1018

Unfortunately, based on our review the revised plans do not address the concerns originally raised in my previous submission. Specifically, the key issues related to noise, community impact, safety, and overdevelopment remain unmitigated. The proposed modifications do not sufficiently alleviate the disturbances or community concerns associated with the project, and there continue to be significant gaps in the measures proposed to mitigate these issues.

Specifically we asked for the proposal to be amended to remove the nightclub and rooftop bar components. However this does not seem to be reflected in the amendments put forward by the applicant.

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For these reasons, we urge the City of Sydney Council to REJECT the concept plan as proposed taking into account the adverse effects it could have on the residents in the area and the broader public interest.

Thank you for your attention to this matter.

Further reasons can be found in my original submission which I have included below.

Phoebe

Objection to Concept Plan for Development at 104-118 Clarence Street, 46-52 King Street, 73 York Street, 71 York Street, and 75 York Street, Sydney NSW 2000

Dear Sir/Madam,

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1. **Noise and Nuisance from Nightclub and Rooftop Bar** :
   As residents of this community, we strongly oppose the inclusion of a nightclub in the proposed development, as well as the establishment of a bar on the rooftop. Both of these venues are likely to generate excessive noise and disturbances, particularly during late-night hours. Given that the surrounding area is a mix of residential and commercial spaces, we believe that the operation of these venues would severely disrupt the peace and quiet that residents currently enjoy. There has been no consideration of how the noise from these businesses would impact the quality of life for those living nearby. We are concerned about the potential for loud music, voices, and other disruptions late into the night, which will negatively affect our well-being, sleep, and general peace.

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For these reasons, we urge the City of Sydney Council to REJECT this concept plan and to take into account the adverse effects it could have on the residents in the area. We are asking for the proposal to be amended to remove the nightclub and rooftop bar components.

Thank you for considering our concerns.

Phoebe

From: Hong [redacted] on behalf of Hong [redacted] <Hong [redacted]

Sent on: Thursday, July 10, 2025 12:08:06 AM

To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>

Subject: Fwd: Objection to D/2024/1018 Renotification of amended Concept Development Application

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Please kindly confirm receipt
Thank you
---------- Forwarded message ----------
From: **Hong** [redacted]
Date: Thursday, July 10, 2025
Subject: Objection to D/2024/1018 Renotification of amended Concept Development Application
To: Clarence House <[redacted]>
Cc: "council@cityofsydney.nsw.gov.au" <council@cityofsydney.nsw.gov.au>, [redacted]

[redacted]

Subject: Follow-up on Objection to Proposed Development D/2024/1018

Dear Council,

I am writing to follow up on my previous email submission dated December 18, 2024, regarding the objection to the proposed removal of existing residential housing and the establishment of a 24/7 nightclub and entertainment venue.

Given the ongoing concerns about housing shortages and community well-being, I would appreciate an update on the status of this proposal and whether community feedback, including our objection, has been taken into consideration in the decision-making process.

We remain deeply concerned about the impact this development would have on affordable housing availability, noise levels, and the overall quality of life for nearby residents. We respectfully urge the Council once again to prioritise the needs of the community over commercial interests.

Thank you for your time and continued attention to this matter. I look forward to your response.

Warm regards,
Hong

On Wednesday, July 9, 2025, Clarence House [redacted] wrote:

> Dear Council
>
> Please kindly acknowledge the submission attached and below
>
> On Tue, Jul 8, 2025 at 1:30 PM Clarence House [redacted] wrote:
>
> > For the Attention of Marie Burge, Senior Planning Officer and
> > Bill MacKay Manager Planning Assessments
> >
> > We enclosed our submission of OBJECTION to the planning proposal D/2024/1018 as renotified
> >
> > We strongly request that Council REJECT this renotified planning proposal in its entirety for the reasons outlined in the public interest.

--
PC

--
PC

From: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Thursday, July 10, 2025 8:09:43 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Renotification - D/2024/1018 - 75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King Street , SYDNEY NSW 2000

From: Becky [redacted]
Sent: Wednesday, 9 July 2025 11:50 PM
To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>; City of Sydney <council@cityofsydney.nsw.gov.au>; Clarence House [redacted]
Subject: Re: Renotification - D/2024/1018 - 75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King 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.

Hi thank you for the notification

I confirm that we continue to object to the proposal for the reasons outlined in the collective submission by residents of Clarence House 104-118 Clarence St

We believe the concept plans as amended remains against the public interest and should be rejected

On Thursday, June 12, 2025, Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> wrote:

> 12 June 2025
>
> **Applicant name:**
> MERIVALE CBD PTY LIMITED
>
> **Reference number:**
> D/2024/1018

Site address:
75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King Street , SYDNEY NSW 2000

Proposed development:
Renotification of amended Concept Development Application for building upgrades and the use of the precinct for food and drink and tourist and visitor accommodation uses. The application constitutes Integrated Development and requires approval under the Heritage Act 1977.

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 **11 July 2025**. 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.
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.
For more information, contact Marie Burge on 02 9265 9333.

Bill MacKay
Manager Planning Assessments
CITY OF SYDNEY
cityofsydney.nsw.gov.au

This email and any files transmitted with it are intended solely for the use of the addressee(s) and may contain information that is confidential or subject to legal privilege. If you receive this email and you are not the addressee (or responsible for delivery of the email to the addressee), please note that any copying, distribution or use of this email is prohibited and as such, please disregard the contents of the email, delete the email and notify the sender immediately.

From: Clarence House [redacted] on behalf of Clarence House [redacted] <Clarence House [redacted]

Sent on: Wednesday, July 9, 2025 11:20:00 PM

To: council@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: Re: Objection to D/2024/1018 Renotification of amended Concept Development Application

Attachments: Letter of support 08.07.25.pdf (485.84 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 Council

Please find attached letter of support from another long term resident of the building. We encourage you to take the matters raised into account when assessing the applicant's proposal and reject Development Application D/2024/1018 in its entirety .

Subject: Re: Objection to D/2024/1018 Renotification of amended Concept Development Application
To: Clarence House [redacted]

I want to express my strong support for the comprehensive objection submitted by the residents of Clarence House regarding Development Application D/2024/1018. Having reviewed the detailed submission, I am deeply concerned that the amended development proposal continues to fail in addressing the fundamental issues that will significantly impact our community.

Housing Displacement Crisis As a long-term resident of Clarence House, I am particularly troubled by the complete removal of all existing residential accommodation across the development site. The submission rightfully highlights that no alternative housing provisions, mitigation measures, or relocation support have been offered to displaced tenants. This is unconscionable during Sydney's current housing crisis. The applicant's failure to acknowledge or respond to this central concern demonstrates a callous disregard for the housing security of existing residents and directly contradicts the City's stated objectives of protecting and increasing residential housing in the CBD.

Inadequate Environmental Impact Assessment The lack of a comprehensive noise impact assessment for the proposed open-air rooftop venue and 24/7 entertainment precinct operations is deeply troubling. As someone who has lived in this area for many years, I can attest to how noise disturbances significantly impact residents' quality of life, particularly during night-time hours. The scale and continuous nature of the proposed operations will create an untenable living environment for nearby residents, yet the applicant has made no meaningful effort to address these environmental concerns.

Public Safety and Liquor Licensing Concerns The retention of an extensive, site-wide liquor license with large-capacity venues and rooftop bars, without adequate public safety commitments, raises serious concerns about increased risks of public disorder, late-night antisocial behaviour, and alcohol-related crime. The applicant's history of non-compliance issues, as referenced in the submission, makes these concerns even more pressing. The absence of strengthened operational safeguards to protect nearby residents and businesses is unacceptable.

Lack of Community Consultation Perhaps most disappointing is the complete absence of meaningful community engagement throughout this process. Despite numerous legitimate objections from affected residents and stakeholders, the applicant has shown no genuine willingness to consult with or incorporate feedback from the local community. The re-notified plans appear to be merely a technical exercise rather than a substantive response to community concerns.

Infrastructure and Traffic Impacts The ongoing failure to address traffic, parking, and infrastructure strain concerns will have significant impacts on our already busy streets and public infrastructure. The inadequate parking and access arrangements, combined with the anticipated increase in visitors, staff, and service vehicles, will place unacceptable pressure on transport systems, pedestrian access, and emergency services.

Community Impact and Long-term Consequences Having been a resident of Clarence House for many years, I have witnessed firsthand the changes in our neighbourhood and the importance of maintaining a balance between commercial development and residential amenity. This development, as currently proposed, threatens to fundamentally alter the character of our community in ways that will be detrimental to long-term residents and the broader public interest.

The submission's conclusion that this development reflects "a disregard for the residents, businesses, and broader community who will bear the impacts of this development" resonates strongly with my experience as a long-term resident. The failure to meaningfully address the community's original objections suggests a development approach that prioritises commercial interests over community wellbeing and sustainable city planning.

Call for Action I strongly support the submission's call for Council and the Local Planning Panel to:

- Uphold its commitment to responsible, inclusive, and sustainable city planning
- Require the applicant to address key concerns around housing displacement, noise management, public safety, and community consultation before any further submissions are considered
- Reject Development Application D/2024/1018 in its entirety as currently proposed in the public interest

I urge Council to act in the long-term interests of Sydney's communities and reject this application until the fundamental concerns raised by residents are meaningfully addressed.

I appreciate you placing me on the email list and look forward to continued advocacy on this important matter.

Yours sincerely

Alexander Weilsmann JP MPP (USYD) MA (UNSW)
E [redacted]
Long-term Resident, Clarence House
104–118 Clarence Street, Sydney NSW 2000

From: Clarence House [redacted] on behalf of Clarence House [redacted] <Clarence House [redacted]

Sent on: Wednesday, July 9, 2025 11:11:14 PM

To: council@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: Re: Objection to D/2024/1018 Renotification of amended Concept Development Application

Attachments: SMH article 01.07.25.pdf (667.04 KB), SMH article 30.06.25.pdf (417 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 Council

Further to our submission below we also like to draw your attention to the enclosed articles published recently by the Sydney Morning Herald (dated 30.6.2025 and 1.7.2025 respectively) detailing the applicant Merivale's continued non compliance with regulations and history of mismanagement and illegal activities within its venues.

We strongly encourage the Council and local planning panel to take this into consideration when assessing the proposed concept plans that are being put forward by the applicant.

On Wed, Jul 9, 2025 at 10:39 PM Clarence House [redacted] wrote:

> Dear Council
>
> Please kindly acknowledge the submission attached and below
>
> On Tue, Jul 8, 2025 at 1:30 PM Clarence House [redacted] wrote:
>
> > For the Attention of Marie Burge, Senior Planning Officer and
> > Bill MacKay Manager Planning Assessments
> >
> > We enclosed our submission of OBJECTION to the planning proposal D/2024/1018 as renotified
> >
> > We strongly request that Council REJECT this renotified planning proposal in its entirety for the reasons outlined in the public interest.

The criminals, MPs and VIPs: How Justin Hemmes went from party-boy billionaire to political operator

As the head of the Merivale empire's political capital rose, so did the future criminals that swelled the membership ranks of its private club, Level 6.

By **Eryk Bagshaw**, **Bianca Hrovat** **and** **Natalie Clancy**

July 1, 2025

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]



[redacted]



[redacted]



[redacted]

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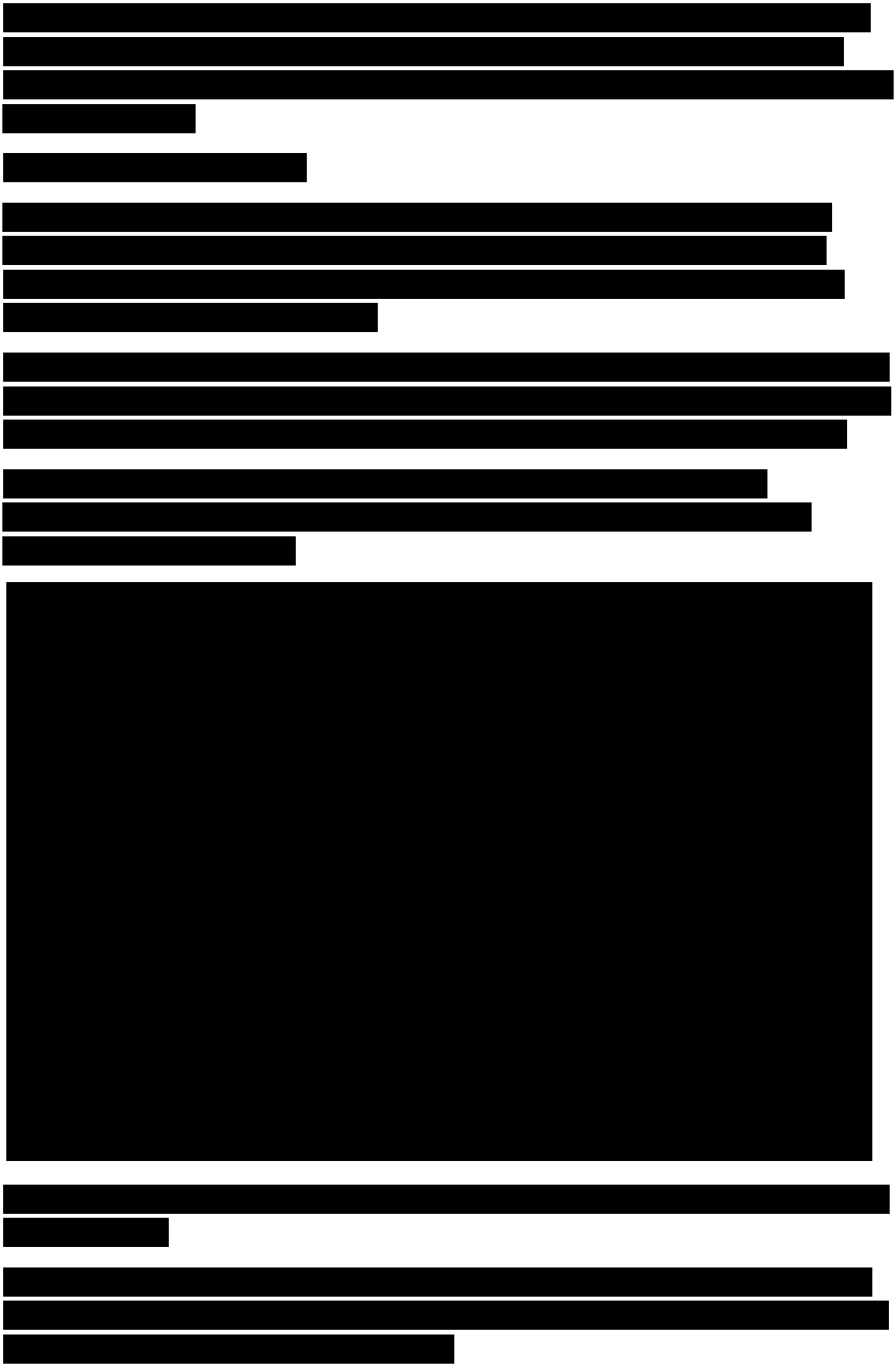


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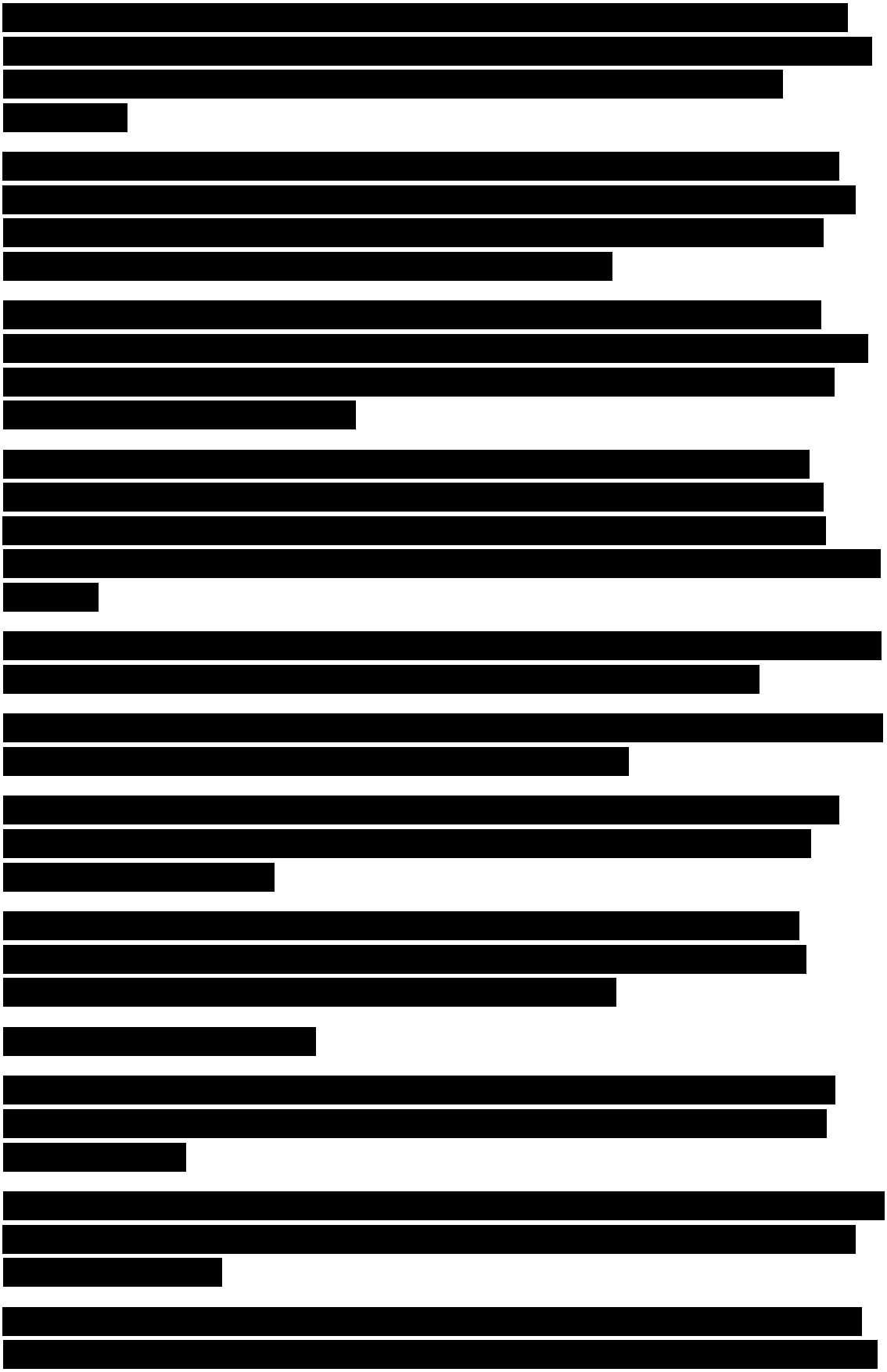


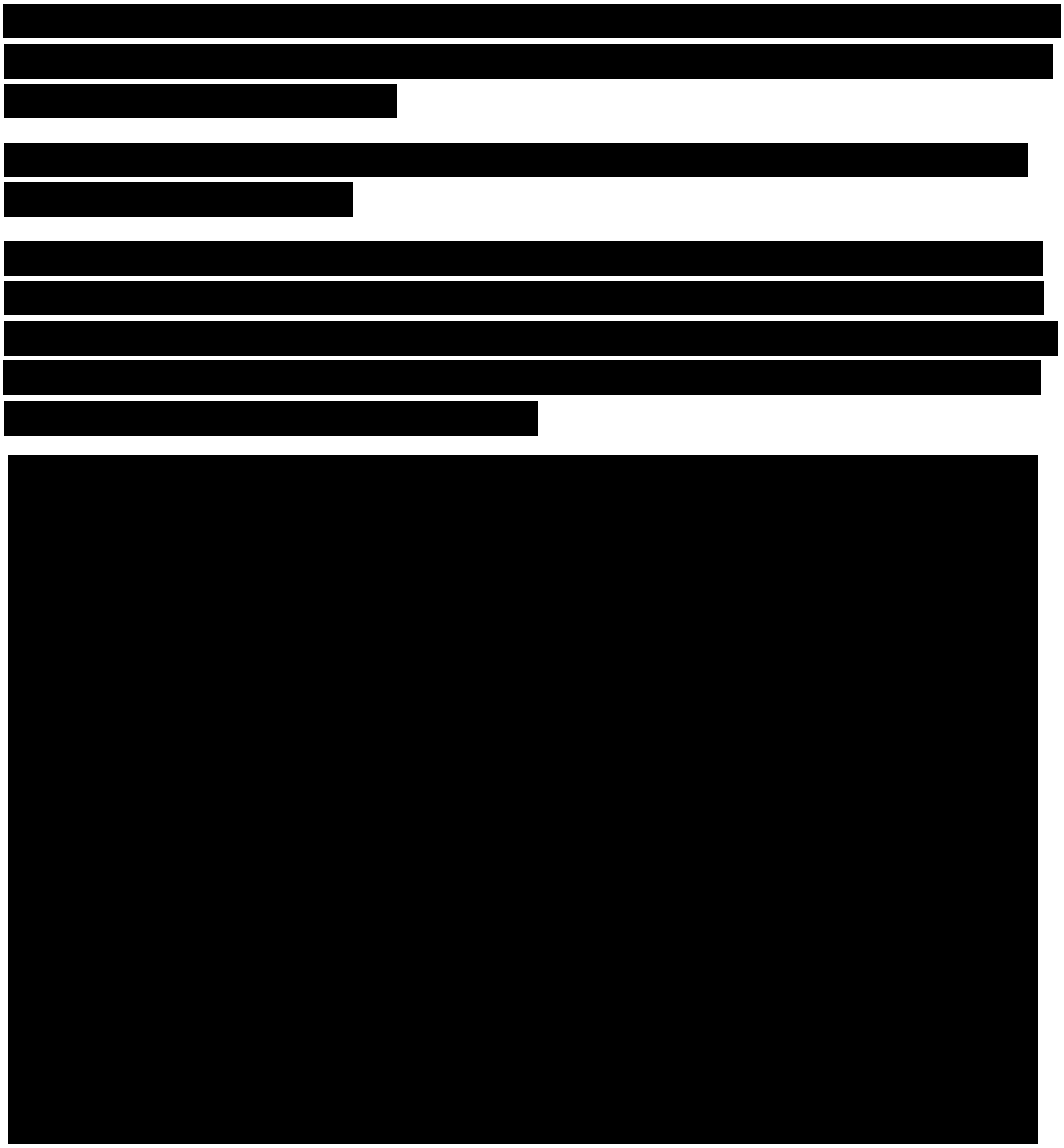
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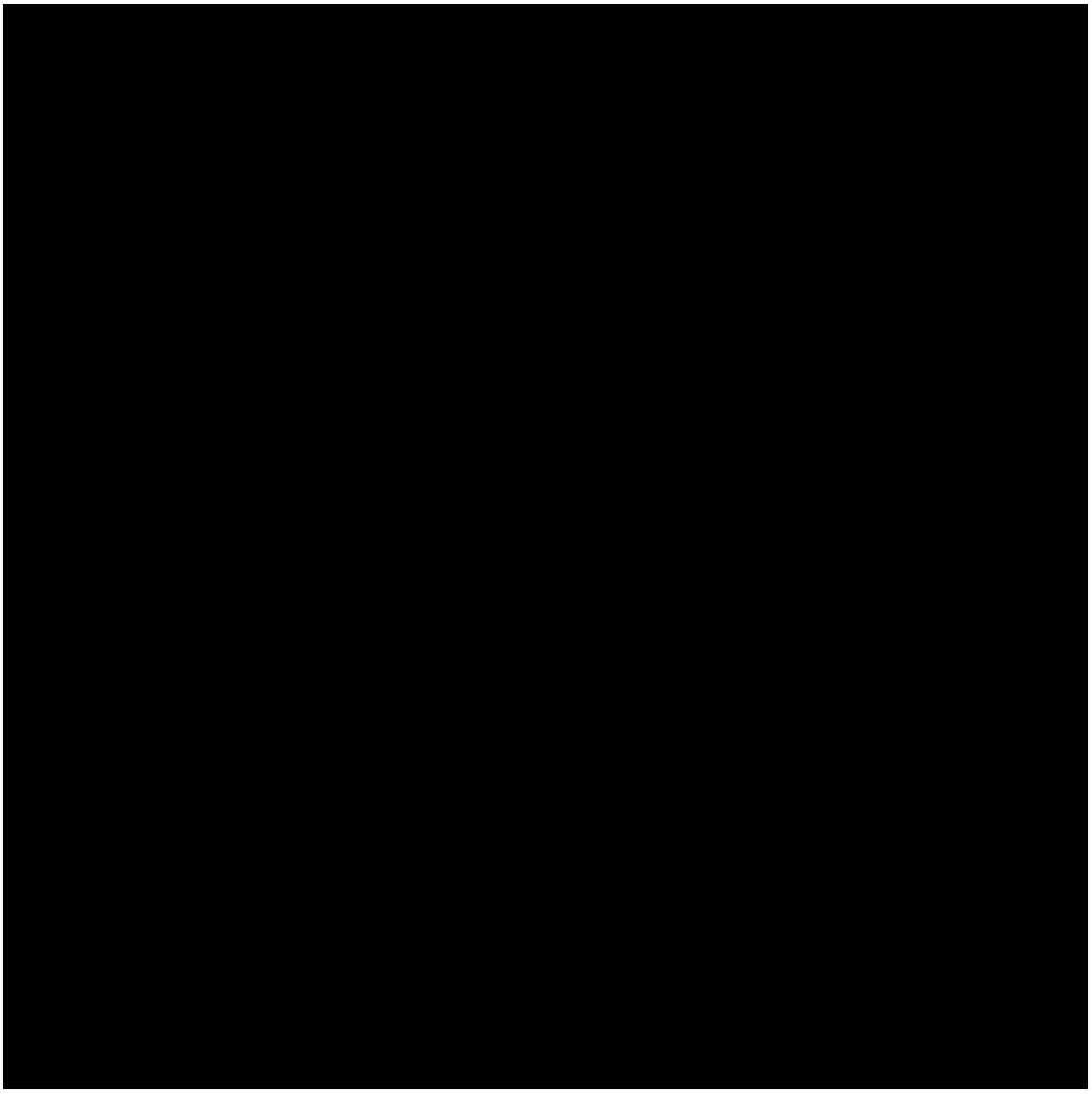
Mexican chefs were sold the Australian dream by Merivale. It was all 'smoke screens and make-believe'

For skilled Mexican chefs seeking a better life, Merivale was the perfect sell. The reality was something else entirely.

By **Bianca Hrovat**, **Eryk Bagshaw** **and** **Natalie Clancy**

June 30, 2025





[redacted]



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Bianca Hrovat – Bianca is Good Food's Sydney eating out and restaurant editor.

Eryk Bagshaw is an investigative reporter for The Sydney Morning Herald and The Age. He was previously North Asia correspondent.Connect via Twitter.

Natalie Clancy is a producer for 60 Minutes.Connect via email.

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From: Clarence House [redacted] on behalf of Clarence House [redacted] <Clarence House [redacted]

Sent on: Wednesday, July 9, 2025 10:39:43 PM

To: council@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: Re: Objection to D/2024/1018 Renotification of amended Concept Development Application

Attachments: SUBMISSION OF OBJECTION TO D20241018 08072025.pdf (238.89 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 Council

Please kindly acknowledge the submission attached and below

On Tue, Jul 8, 2025 at 1:30 PM Clarence House [redacted] wrote:

> For the Attention of Marie Burge, Senior Planning Officer and
> Bill MacKay Manager Planning Assessments
>
> We enclosed our submission of OBJECTION to the planning proposal D/2024/1018 as renotified
>
> We strongly request that Council REJECT this renotified planning proposal in its entirety for the reasons outlined in the public interest.

SUBMISSION OF OBJECTION TO D/2024/1018

Re: Re-Notification of Amended Development Application
From: Residents of Clarence House
104–118 Clarence Street, Sydney NSW 2000

To: City of Sydney Council, Local Planning Panel

Dear Council,

We write on behalf of the residents of Clarence House at 104–118 Clarence Street, Sydney, in response to the **re-notification of amended Development Application D/2024/1018**, concerning the following addresses:

- 104–118 Clarence Street
- 46–52 King Street
- 71 York Street
- 73 York Street
- 75 York Street

We wish to reaffirm and **restate our strong objection** to this development. Despite amendments and the re-notification process, the updated plans **do not meaningfully address the concerns raised in our original submission**. The core issues remain unresolved, and the proposed development continues to present serious risks to environmental amenity, housing stability, public safety, and community wellbeing.

---

1. Failure to Address Displacement of Residents

The revised proposal continues to include the **complete removal of all existing residential accommodation** across the development site. No alternative housing provisions, mitigation measures, or relocation support have been offered to displaced tenants.

At a time when housing availability and affordability are at crisis levels across Sydney, the absence of any strategy to retain, replace, or support displaced residents is unacceptable. The applicant has **completely failed to acknowledge or respond to this concern**, despite it being a central issue in earlier submissions.

This not only contradicts the City's stated objectives of protecting and increasing residential housing in the CBD, but also undermines broader public efforts to support housing security. **Removing existing housing stock for entertainment and commercial use is a clear step in the wrong direction.**

---

2. No Adequate Response to Noise and Environmental Impacts

The amended submission **still lacks a comprehensive noise impact assessment** to address the proposed inclusion of an open-air rooftop venue and operations of a late-night 24/7 entertainment precinct that has been outlined as part of the applicant's concept plans. There is no clear plan for managing or mitigating noise from music, crowds, or deliveries—especially during night-time hours when residents are most vulnerable to disturbance.

This is a serious omission, particularly given the scale and 24/7 nature of the proposed uses. Nearby residents, including those in and around Clarence House, will be directly and significantly impacted, yet the applicant has made **no meaningful effort to address these environmental concerns** in the re-submission.

---

3. Ongoing Concerns Regarding Public Safety and Liquor Licensing

The revised plans retain an extensive, site-wide liquor license with large-capacity venues and rooftop bars, yet there is **no new information or additional commitments** regarding public safety, security, or responsible service practices.

Our original submission raised concerns about:

- Increased risk of public disorder and late-night antisocial behaviour
- Potential rises in alcohol-related crime
- Inadequate site management history from the applicant (Merivale)

None of these concerns have been addressed in the amended documents. In fact, **the applicant has entirely failed to engage with their own record of non-compliance**, nor have they proposed any strengthened operational safeguards to protect nearby residents and businesses.

---

4. Community Consultation Remains Absent

One of the most disappointing aspects of both the original and amended proposals is the **lack of meaningful community engagement**. Despite numerous legitimate objections from affected residents and stakeholders, there is no indication that the applicant has sought to consult with or incorporate feedback from the local community.

The re-notified plans appear to be a technical response rather than a substantive one, and do not reflect a genuine willingness to adjust the proposal in light of public interest.

---

5. Traffic, Parking, and Infrastructure Strain Still Unresolved

Traffic and congestion concerns raised in our initial submission also remain unaddressed. The revised application continues to provide **inadequate parking and access arrangements**, despite the anticipated increase in visitors, staff, and service vehicles.

The development will strain already busy streets and place additional pressure on public infrastructure—including transport systems, pedestrian access, and emergency services.

Conclusion

The renotified development application **fails to respond meaningfully to the community's original objections**. It reflects a disregard for the residents, businesses, and broader community who will bear the impacts of this development.

We again urge Council and the Local Planning Panel to:

- Uphold its commitment to responsible, inclusive, and sustainable city planning
- Require the applicant to address key concerns around housing displacement, noise management, public safety, and community consultation before any further submissions are considered
- **Reject Development Application D/2024/1018** in its entirety as currently proposed in the public interest

Thank you for your time and consideration. We trust the Council will act in the long-term interests of Sydney's communities.

Yours sincerely,
Residents of Clarence House
104–118 Clarence Street
Sydney NSW 2000

From: [redacted]
Sent on: Thursday, July 10, 2025 10:22:57 PM
To: council@cityofsydney.nsw.gov.au
CC: [redacted]
Subject: Submission against Development Application D/2024/1018

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 response to the re-notification of amended Development Application **D/2024/1018**, relating to the following addresses:

- 104–118 Clarence Street
- 46–52 King Street
- 71 York Street
- 73 York Street
- 75 York Street

I wish to **formally reaffirm and state my strong objection** to this development proposal in its current form. Despite the amendments and the re-notification process undertaken by the applicant, the updated concept plans**fail to meaningfully address the key concerns** raised by local residents. The core issues that threaten the social, environmental, and infrastructural wellbeing of our community remain wholly unresolved.

I make the following points supporting my objection.

---

1. Failure to Address Displacement of Residents and Housing Loss

The **removal of all existing residential accommodation** across the development site is perhaps the most alarming aspect of the proposed concept. The revised application still proposes to **entirely eliminate residential uses from the site, including in Clarence House,which is currently home to over 80 residents,** with no plans, commitments, or mitigation measures to support the residents who currently live there or to replace the lost housing stock.

This is particularly egregious given the ongoing **housing affordability and availability crisis** affecting Sydney. The**City of Sydney's own strategic planning objectives** include commitments to protect existing housing in the CBD and to promote mixed-use development that retains residential presence. This application does the opposite: it proposes to**erase all housing in favour of high-turnover commercial and entertainment functions**, with no evidence of consideration for its social consequences.

Furthermore, the applicant has made **no contact or engagement with existing tenants**, many of whom are long-term residents with deep ties to the community. No relocation assistance, social impact assessment, or affordable housing contribution has been offered. This constitutes a **complete abdication of social responsibility**, and sets a troubling precedent for future developments if approved.

---

2. Inadequate Consideration of Noise and Environmental Impacts

The amended documentation remains significantly deficient in its treatment of **acoustic and environmental impacts**, particularly those associated with:

- An **open-air rooftop bar and entertainment venue**
- The operation of a **24/7 entertainment precinct**
- Amplified music, foot traffic, deliveries, and late-night crowd dispersal

The **acoustic report included in the submission is not fit for purpose**. It focuses narrowly on a single part of the site and completely fails to consider the cumulative and sustained impact of noise arising from the**rooftop venue and expanded late-night trading** across the development. These venues, if approved, will generate continuous noise that affects nearby residents not just during occasional events, but every day, particularly at night.

There is **no detailed plan** for noise mitigation, no modeling of rooftop music spill, no restrictions on operating hours, and no monitoring or complaints resolution process. This omission is particularly glaring given that**Clarence House is a residential building located within immediate proximity**, and that acoustic impacts are one of the most commonly cited grounds for refusal in urban planning cases involving mixed-use development.

Without proper environmental assessment and appropriate planning controls, this proposal will**diminish local amenity**, increase stress on nearby residents, and create conditions that are incompatible with peaceful residential living.

---

3. Liquor Licensing, Public Safety, and Social Impact Concerns

The amended proposal maintains a **site-wide, large-capacity liquor license** across a number of venues, including rooftop bars and high-density late-night establishments. However, it still provides**no additional information or commitments** on how the applicant intends to manage:

- The **risk of public disorder**
- The **potential increase in alcohol-related crime and antisocial behaviour**
- **Patron safety**, crowd control, and dispersal strategies

I draw attention to the applicant's **track record of liquor licensing non-compliance** in other venues across Sydney, as cited in previous submissions and in publicly available media reports. This history cannot be ignored when evaluating a proposal of this scale, particularly one that involves round-the-clock operations in a densely populated and historically mixed-use precinct.

We as residents have **valid and ongoing fears** about the increase in street-level disturbances, noise, and antisocial conduct, particularly during night-time hours. The proposal, however, offers**no commitments to enhanced security staffing, CCTV coverage, or coordinated public safety measures with local authorities**. It appears that the applicant expects the surrounding community and public services to absorb the negative consequences without offering any corresponding benefit or accountability.

This is not consistent with responsible planning, nor with the expectations of a city that prides itself on balancing nightlife with livability.

---

4. Continued Absence of Community Consultation and Transparency

One of the most disappointing aspects of this application has been the **complete absence of meaningful community consultation**. At no stage have the residents of Clarence House—or indeed the wider affected community—been invited to participate in any genuine engagement process.

The applicant’s approach to community feedback appears to be **reactive, procedural, and dismissive**. The re-notified plans make no substantive changes that respond to the hundreds of submissions made during the original notification period. There is no indication that resident voices were taken seriously, and no documentation provided on how public input has influenced the proposal in any way.

This reflects **a technical response to statutory requirements, not a good-faith effort to work with the community**. Developments of this scale and complexity should be accompanied by proactive consultation strategies, community liaison forums, and transparency regarding planning motivations and trade-offs.

The current application fails these basic standards of public accountability.

---

5. Persistent Traffic, Parking, and Infrastructure Concerns

Finally, the proposal fails to resolve—or even properly acknowledge—the **serious traffic and infrastructure implications** associated with a high-density entertainment precinct operating extended hours.

There are **no adequate provisions** for:

- Off-street parking for patrons or staff
- Deliveries and waste management
- Emergency vehicle access and egress
- Public transport capacity and pedestrian overflow

The introduction of multiple large venues in an already constrained area will place**unsustainable pressure on local roads and footpaths**, disrupt existing traffic patterns, and create congestion risks. Emergency access could be compromised, and nearby businesses and residents will face daily disruptions.

The City of Sydney should not approve any development that **increases congestion and reduces safety without fully integrated and funded infrastructure solutions**—none of which are provided in the applicant's amended submission.

Conclusion and Call for Action

For the above reasons I strongly object to the amended proposal in **Development Application D/2024/1018**. The revised plans have failed to address the major concerns raised by local residents and instead reinforce the impression that this is a **commercially driven proposal that ignores its social and environmental obligations**.

The applicant has made **no meaningful effort to preserve housing, engage with residents, reduce environmental harm, or ensure public safety**. Approving such a proposal would represent a significant step backward for responsible urban planning in Sydney.

We respectfully request that Council and the Local Planning Panel:

- Uphold its commitment to **inclusive, sustainable, and socially responsible development**
- Require the applicant to **fully address concerns** around displacement, noise, licensing, safety, and consultation
- **Reject Development Application D/2024/1018 in its entirety**, as currently proposed, in the interests of public amenity, transparency, and long-term community wellbeing

Thank you for your attention to this important matter and trust that you will act in the best interests of the people who live and work in this area.

Yours sincerely,

Alex

Email: [redacted]

From: Maree Zhou [redacted] on behalf of Maree Zhou [redacted] <Maree Zhou [redacted]

Sent on: Thursday, July 10, 2025 11:18:00 PM

To: council@cityofsydney.nsw.gov.au; DASubmissions@cityofsydney.nsw.gov.au

CC: ZMaxwell@cityofsydney.nsw.gov.au

Subject: Objection to Amended Concept Development Application D/2024/1018

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To: Planning Assessments Panel
City of Sydney Council
Subject: Objection to Amended Concept Development Application D/2024/1018

Dear Panel Members,

I write with deep concern and strong objection to the amended Concept Development Application D/2024/1018.

As someone who has lived in this part of Sydney for many years, I feel compelled to speak out—because what is being proposed would fundamentally damage the heart of our community, displace people from their homes, and prioritise commercial profit over the wellbeing of real human lives.

Despite recent minor amendments, this proposal remains as harmful and disconnected from community needs as it was at first lodgement. The changes do not address the real concerns raised by residents. In fact, they appear to sidestep them entirely.

---

1. Forcible Displacement of Residents – A Human Cost Ignored

At the core of this development is something truly devastating: the total removal of long-term residential accommodation. That means people—families, individuals, workers—being pushed out of their homes with no offer of support, no plan for rehousing, no basic acknowledgment that they matter.

This is not just a planning oversight. It's a failure of empathy, of responsibility, and of social conscience. At a time when Sydney is in the grip of a deep housing crisis, it is appalling to see a major development erase the very kind of housing we should be protecting. Where are these residents supposed to go? Who is accountable for the lives disrupted?

This is not just about bricks and mortar—it's about people's security, dignity, and right to remain part of the city they helped build.

---

2. Noise, Sleep, and the Right to Peace

Living in the city doesn't mean giving up the right to peace and rest. Yet this proposal introduces a 24/7 entertainment precinct and rooftop venue with virtually no meaningful plan to manage noise or protect the wellbeing of nearby residents.

We're talking about loud music, late-night crowds, delivery trucks at all hours—right on the doorstep of people's homes. The acoustic report provided ignores the full scope of impacts. It's incomplete and unconvincing. There's no mention of real-world consequences: sleepless nights, constant stress, deteriorating health. Residents deserve better than empty assurances.

This isn't just about volume—it's about quality of life.

---

3. Liquor, Late-Night Trading, and Community Safety

We are deeply worried about what this proposal will bring to our streets at night. More alcohol, more noise, more late-night disruption—and no meaningful plan to keep people safe.

The developer wants to keep an extensive liquor license covering the entire site. But where are the safety measures? Where is the plan to manage intoxicated patrons, protect women wa king home at night, or prevent the rise of alcohol-related violence?

Given the applicant's track record of regulatory breaches and mismanagement, the lack of any strengthened safeguards is not only careless—it's dangerous. Our neighbourhood should not be sacrificed for someone else's profit.

---

4. A Community Ignored

One of the most disheartening parts of this process has been how thoroughly the voices of residents have been ignored. We have written, objected, pleaded—but the revised proposal shows no evidence that our input has mattered.

There has been no genuine engagement, no outreach, no willingness to listen. This is not what community planning should look like. We are not just statistics. We are the people who live here, raise our children here, care for our neighbours here.

If this development goes ahead as proposed, it will be because the very people most affected were pushed to the side.

---

5. Congested Streets, Strained Infrastructure

This part of Sydney is already under pressure. Streets are narrow, traffic is heavy, footpaths are busy. And yet the proposal seems to imagine a seamless increase in visitors, staff, and delivery vehicles, with little in the way of planning for how that will work.

Emergency access, loading zones, public transport capacity—none of it is adequately addressed. It feels like yet another burden being placed on the community, without consultation or care.

---

6. A Neighbourhood at Risk

What's at stake here is more than just noise, housing, or traffic. It's the future of our neighbourhood—its character, its heart, and the people who call it home.

This proposal would replace residents with party-goers and hooligans, community with commercialism, stability with constant disruption. It would hollow out a diverse, vibrant part of Sydney and turn it into just another entertainment strip.

We are not against change. We welcome thoughtful, inclusive development. But this proposal is not that. It is extractive, one-sided, and blind to the damage it will cause.

Final Appeal: Listen to Us

Please, hear our voices. Do not let this be another story of a city that turned its back on the people who lived in it.

I call on the City of Sydney and the Local Planning Panel to:

- Stand up for housing security, liveability, and public safety
- Insist on genuine, transparent community consultation
- Require proper assessments and mitigation plans
- **Reject Development Application D/2024/1018 as currently proposed in its entirety**

We ask you to be guardians of the public interest, not facilitators of unchecked commercial expansion.

Thank you for your time and your consideration. I respectfully request to remain informed of future updates related to this application.

Yours sincerely,
M . Zhou
Resident, Clarence Street, City of Sydney

From: meng meng [redacted] on behalf of meng meng [redacted] <meng meng [redacted]
Sent on: Thursday, July 10, 2025 8:45:54 PM
To: Council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au
Subject: Followup on Objection to D/2024/1018

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 the Planning Committee

We are writing to follow up on our previous objection to the proposed development, and question whether the below concerns are being addressed in the resubmitted proposal

1. Environmental and Noise Concerns

The proposed rooftop bar and round-the-clock operation will significantly increase noise levels, especially during night hours. This will create an ongoing public nuisance and have a substantial negative impact on the quality of life for residents in the surrounding neighbourhood, including those on Clarence Street and King Street. Continuous noise, particularly from late-night entertainment, is not compatible with the mix used residential nature of the area and in consideration of the many residential dwellings that current exist at and around the site.

Our review of the applicant's latest acoustic report raises significant concerns regarding its adequacy and scope. The report appears to focus solely on the potential noise impact of the proposed basement club on the upper levels of the Skye apartment building located across from the site. This narrow focus is fundamentally flawed.

There are multiple existing residential dwellings both at and surrounding the proposed development site that stand to be directly affected by noise generated not only from the basement club, but also from other components of the proposed 24/7 operation. This includes the open-air rooftop bar, which presents a particularly serious concern due to the potential for elevated and widespread noise emissions.

Given the breadth of potential impact, the acoustic report appears insufficient for the purposes of a thorough assessment. We strongly urge that the report be independently reviewed and scrutinised to ensure it properly considers the full extent of noise implications for all affected residents in the area, not just a limited subset.

2. Safety and Antisocial Behaviour

We are seriously concerned about the potential rise in antisocial behaviour and crime associated with extended late-night operations. The introduction of additional venues operating into the early hours increases the risk of disturbances, vandalism, and other criminal behaviour. We also note the applicant's poor track record in adhering to regulations, (as has been well publicised and for which they are currently being investigated). This exacerbates our concerns regarding safety and community wellbeing.

3. Inappropriate Use of the Site

We believe the proposed use of the site is inappropriate. This area would be better utilised for residential development to meet ongoing housing demand. It is especially troubling that the proposal appears to displace current residents, reducing the availability of housing stock in the city at a time when more housing—not less—is urgently needed. This outcome is not in the public interest.

4. Oversaturation of Hospitality Venues

There is already a high concentration of bars and entertainment venues in the area. The introduction of yet another,

particularly one operating every day and night, adds no clear benefit for local residents. Instead, it places an additional burden on the community without providing offsetting advantages.

5. Lack of Community Consultation

We are also disappointed by the minimal community consultation undertaken by the applicant. A development of this scale and impact warrants broad and genuine engagement with those who live and work in the vicinity. Many local residents shared our concerns and have likewise submitted formal objections.

6. Traffic and Parking Impact

The proposal fails to adequately address the impact on local traffic and parking. Increased visitor numbers will place further pressure on already congested streets, affecting both traffic flow and residents' ability to park in the area.

Conclusion

In summary, we believe the proposal will result in serious negative consequences for the local community, including increased noise, reduced safety, housing displacement, and inadequate infrastructure planning. We respectfully urge the planning committee s to reject this proposal in the public interest.

Sincerely,

Meng

On Mon, Dec 16, 2024 at 4:57 PM meng meng [redacted] wrote:

> We are writing to object to the subject proposal
>
> Environmental concerns - the significant increase in noise levels will cause a consistent public nuisance in our surrounding neighbourhood especially the proposal for a rooftop bar and 24/7 operation throughout the site. This will have a significant impact on the surrounding residential area.
>
> We are also concerned about the increase in antisocial behaviour from the late night activities and impact on safety and increase criminal behaviour. The applicant has a poor record in following regulations.
>
> We do not believe the proposal is a good use of the site, which is better suited for more residential housing whereas we understand the current proposal will actually force exisiting residents out of their homes and reduce housing in the city which is not in the public’s best interest.
>
> There are already enough bars in the area and we do not need more, and definitely not more noise everyday and everynight as is proposed. It delivers no additional benefit for local residents.
>
> We note that there has been very little consultation from the applicant on the proposal which affects a large part of the community here on clarence st and king st and that a large part of the community are also submitting their objections to what is proposed.
>
> There is also very little consideration of the traffic impact, especially with the increase in visitors being proposed at the precinct with impact on existing parking and traffic flow in the area.
>
> We ask council to Reject the proposal as it is not in the public’s best interest.
>
> --
> Meng

From: Clarence House <[redacted] on behalf of Clarence House [redacted] <Clarence House [redacted]

Sent on: Thursday, July 10, 2025 9:40:05 PM

To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>; DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>; council@cityofsydney.nsw.gov.au

CC: [redacted] ZMaxwell@cityofsydney.nsw.gov.au

Subject: Further Submission Regarding Applicant's Proposal D/2024/1018 Renotification of amended Concept Development Application

Attachments: Liberal leaders distance themselves from Hemmes as Merivale faces investigation.pdf (175.59 KB), The Age 30.06.2025.pdf (1.98 MB)

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Dear Manager, Planning Assessments

Thank you for acknowledging receipt of our submissions.

We would like to further draw the Council and Local Planning Panel's attention to the additional articles published by The Age and Sydney Morning Herald respectively, concerning the applicant, and its parent company Merivale and owner, Copies of both are attached for reference.

These further investigations raise serious concerns regarding the applicant's and owner's political affiliations and a broader history of questionable conduct. We believe these matters warrant thorough scrutiny as part of the assessment process.

In light of this information, we respectfully request that Council and the Local Planning Committee apply a rigorous probity process in assessing the applicant's proposal.

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Furthermore, the attached articles outline a consistent pattern of misconduct associated with the applicant's venues, which we believe raises significant concerns about the suitability of the current proposal and concept being presented.

Thank you again for your attention to these concerns.

Residents of Clarence House

104-118 Clarence St Sydney

On Thu, Jul 10, 2025 at 11:57 AM Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> wrote:

Thank you for your feedback

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Bill MacKay
Manager Planning Assessments

CITY OF SYDNEY

cityofsydney.nsw.gov.au



The City of Sydney acknowledges the Gadigal of the Eora nation as the Traditional Custodians of our Local Area.

From: Clarence House [redacted]
Sent: Wednesday, 9 July 2025 11:11 PM
To: council@cityofsydney.nsw.gov.au
Cc: [redacted]

[redacted]

Subject: Re: Objection to D/2024/1018 Renotification of amended Concept Development Application

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> Please kindly acknowledge the submission attached and below
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> > For the Attention of Marie Burge, Senior Planning Officer and
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> > Bill MacKay Manager Planning Assessments
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> > We enclosed our submission of OBJECTION to the planning proposal D/2024/1018 as renotified
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> > We strongly request that Council REJECT this renotified planning proposal in its entirety for the reasons outlined in the public interest.

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Liberal leaders distance themselves from Hemmes as Merivale faces investigation

By Eryk Bagshaw, Jessica McSweeney and Bianca Hrovat

July 1, 2025 — 6.36pm

[redacted]

[redacted]

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[redacted]

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[redacted]

[redacted]

[redacted]



[redacted]

THE AGE

'We've let the wolf into the den': Fresh allegations against Merivale raise further concerns

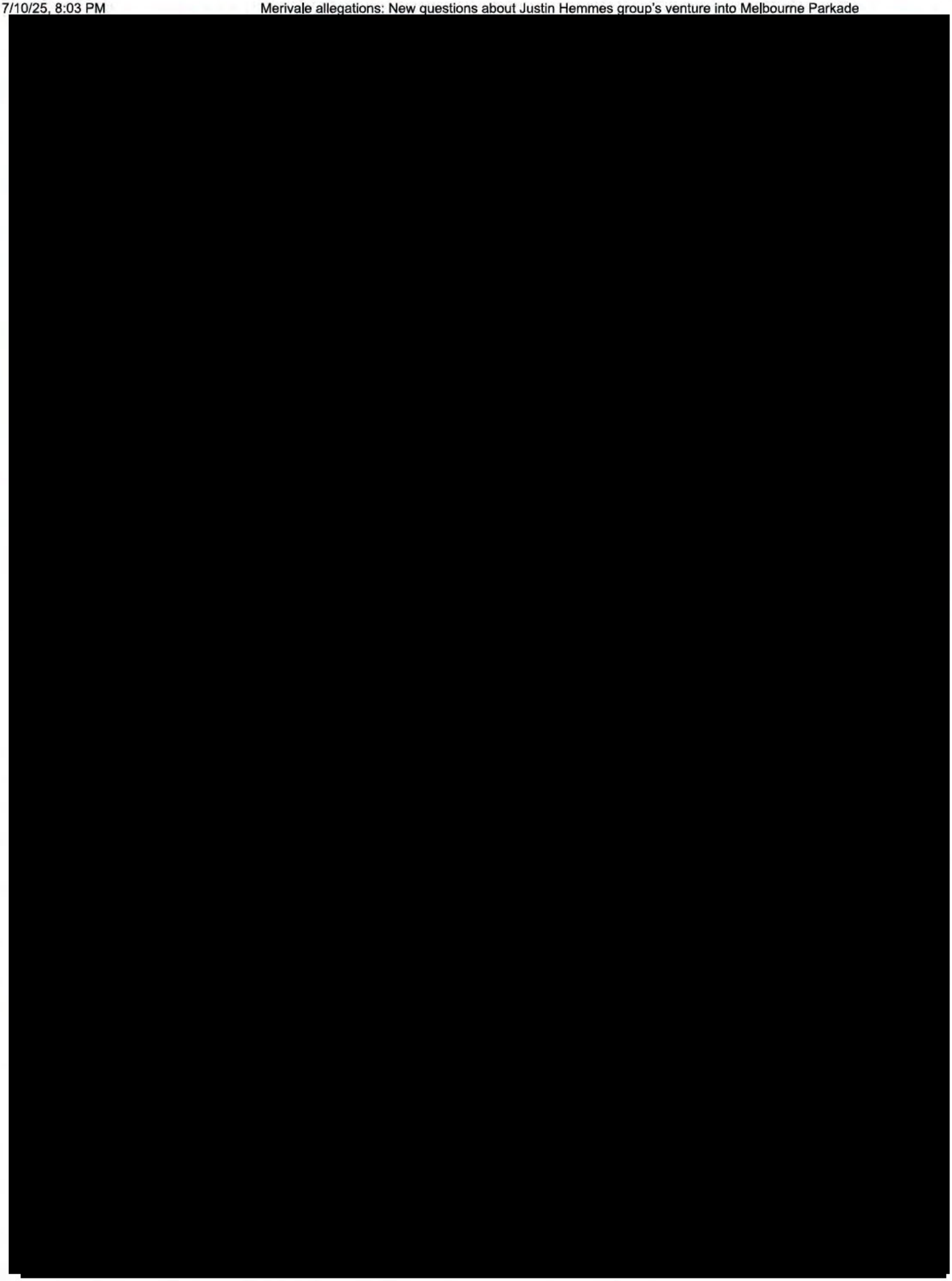


Cara Waters

June 30, 2025 — 7.00pm

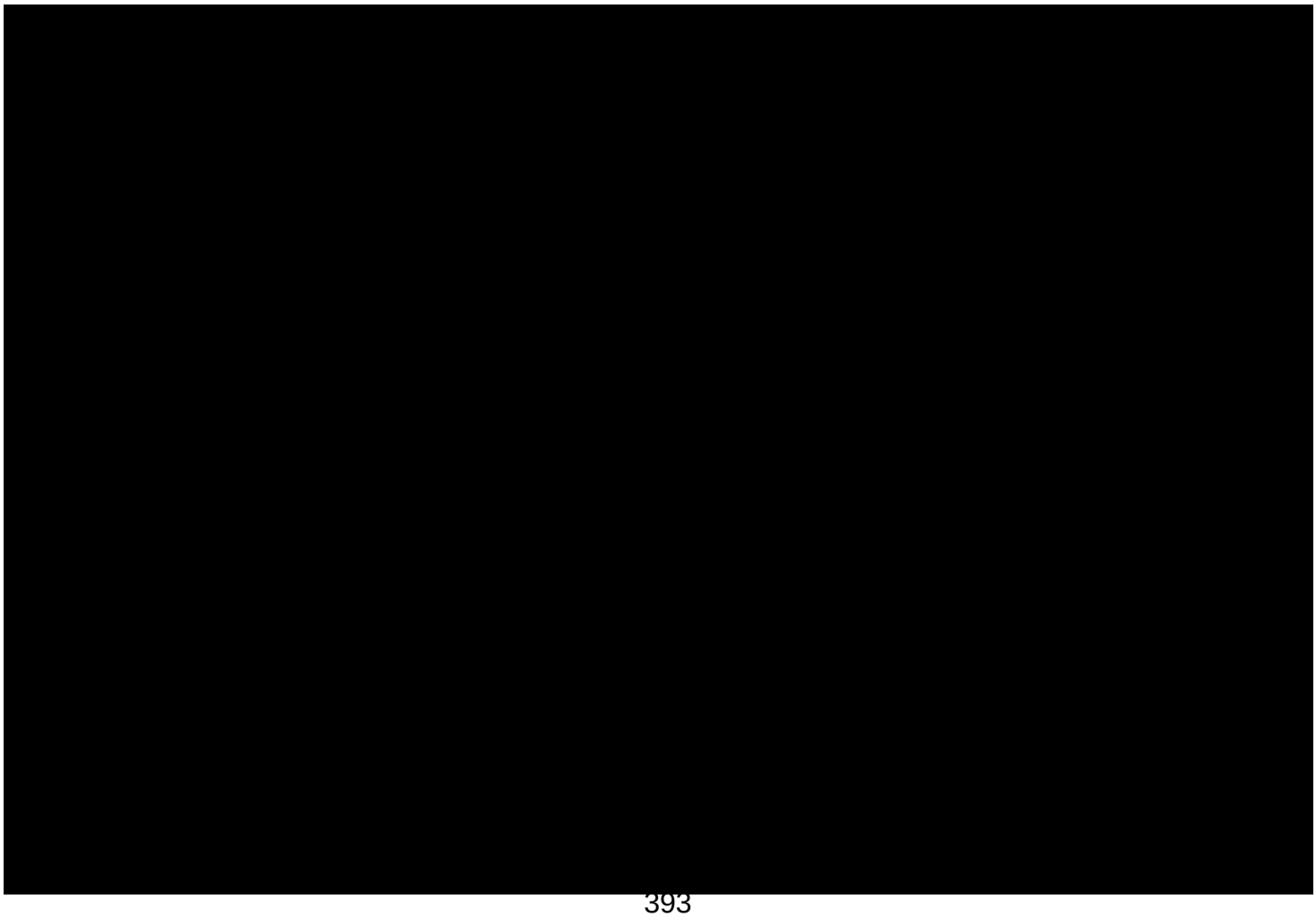
Australia's giants of the hospitality industry are in the spotlight across a series of investigations by the Sydney Morning Herald, The Age, Good Food and 60 Minutes. See all 24 stories.

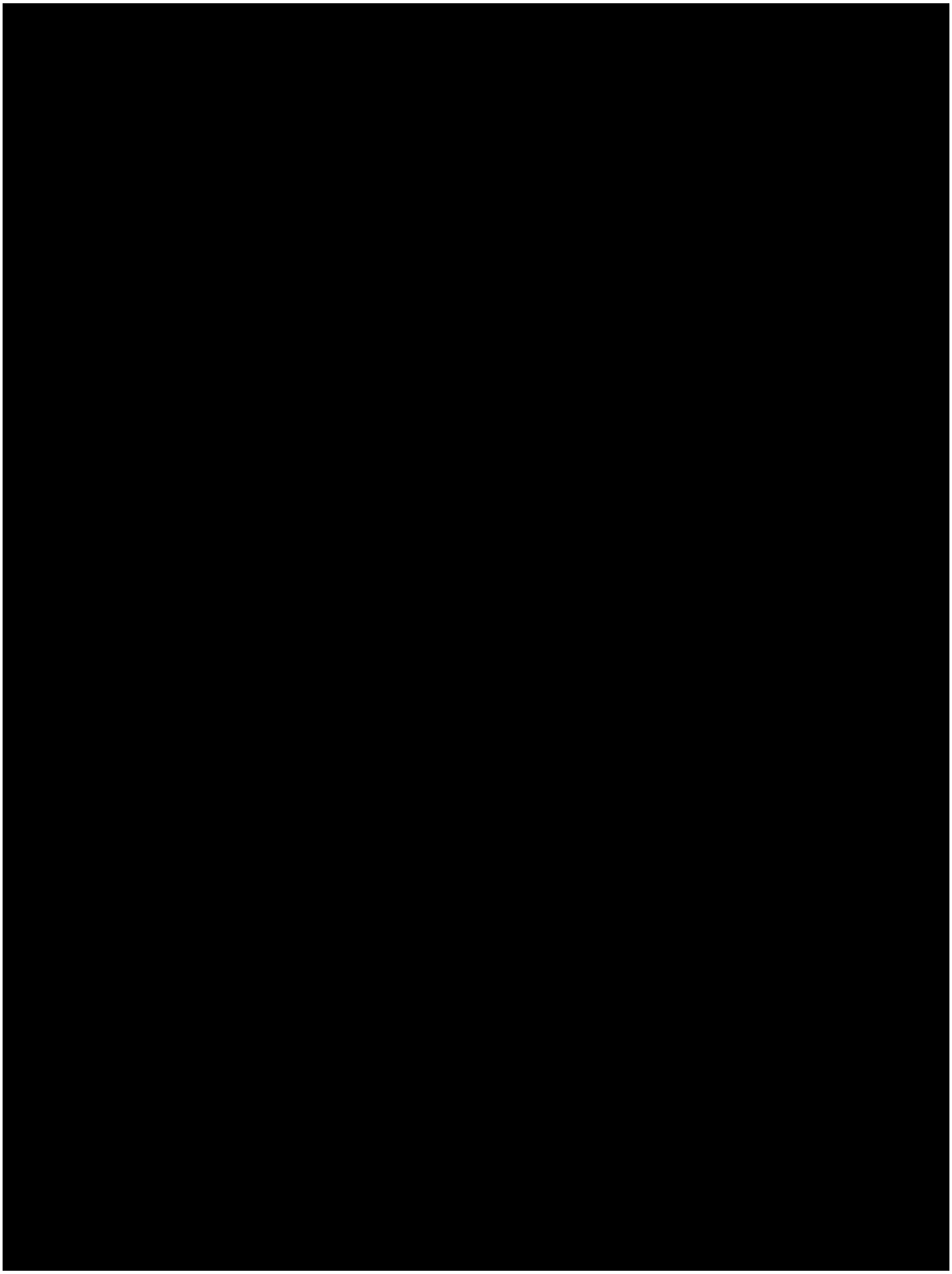
[redacted]











[redacted]

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Cara Waters is the city editor for The Age. Connect via Twitter, Facebook or email.

From: Vince Chow [redacted] on behalf of Vince Chow <[redacted]<Vince Chow [redacted]

Sent on: Thursday, July 10, 2025 11:08:13 PM

To: council@cityofsydney.nsw.gov.au; DASubmissions@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: Submission in Strong Objection – Amended Concept Development Application D/2024/1018

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: Planning Assessments Panel
City of Sydney Council
Subject: Submission in Strong Objection – Amended Concept Development Application D/2024/1018

Dear Panel Members,

I write in respect of the re-notified **Amended Concept Development Application D/2024/1018**, pertaining to multiple sites including 104–118 Clarence Street and surrounding properties. Upon review of the revised documentation, it is my considered view that the proposal continues to exhibit significant planning deficiencies and warrants refusal on multiple grounds related to residential displacement, environmental amenity, public safety, infrastructure capacity, and procedural fairness.

---

1. Residential Displacement and Housing Policy Non-Compliance

The proposed **complete removal of existing residential tenancies** across the development footprint, without any offsetting mechanisms such as**replacement housing stock**, **relocation assistance**, or **affordable housing contributions**, represents a substantial breach of the City of Sydney's**Housing Strategy** and broader metropolitan housing objectives under the**Greater Sydney Region Plan**.

The failure to provide any **social impact assessment** or **tenant transition plan** indicates a disregard for the planning system's obligation to prioritise housing retention and diversity within the CBD. The application facilitates further **gentrification and displacement**, contributing to the systematic erosion of the city's permanent residential population in favour of transient, commercial land uses.

This outcome is **antithetical to strategic urban planning principles** that promote mixed-use, social y inclusive and liveable central city environments.

---

2. Inadequate Environmental and Acoustic Assessment

The proposal's environmental documentation does not satisfy the requirements of a**comprehensive Environmental Impact Assessment (EIA)**. Most notably, the**acoustic report** fails to undertake a**cumulative impact analysis** or provide robust modelling of noise emissions from the proposed**open-air rooftop venue**, extended operating hours, and 24/7 trading concepts.

The documentation does not sufficiently address:

- **Night-time noise propagation** and its effects on surrounding sensitive receptors
- **Mitigation measures**, such as structural attenuation, operational restrictions, or real-time noise monitoring
- A **Noise Management Plan** consistent with EPA and planning guidelines
- Potential breaches of the **Protection of the Environment Operations Act 1997 (NSW)**

In a mixed-use precinct with **existing high-density residential interfaces**, such oversights are material and constitute a planning risk that is incompatible with acceptable residential amenity standards.

---

3. Liquor Licensing, Public Safety, and Anti-Social Behaviour Risks

The applicant's intention to retain and potentially intensify a**site-wide on-premises liquor licence**—without concurrent submission of an updated**Venue Management Plan**, **Operational Plan of Management**, or **Safety and Security Strategy**—raises material concerns regarding crime prevention, public health, and cumulative social impact.

The proposal introduces a clear **overconcentration of licensed premises**, a well-documented contributor to increased alcohol-related harm and anti-social behaviour. This is particularly concerning given:

- The **close spatial proximity** to established residential dwellings (e.g., Clarence House)

- The absence of a **Crime Prevention Through Environmental Design (CPTED)** assessment
- The applicant's history of **non-compliance and enforcement actions**, including those reported at other venues operated by Merivale

In the absence of enforceable controls, including trading hour limitations, patron caps, and mandatory RSA training regimes, this component of the proposal is inconsistent with the principles of**risk-based licensing regulation** and public safety planning.

---

4. Absence of Genuine Community Engagement

The proponent has not demonstrated compliance with the principles of**meaningful community engagement** as articulated in the**NSW Community Participation Plan (CPP)** and the**City of Sydney's Engagement Strategy**.

The **re-notification process appears perfunctory**, with no evidence of substantive revisions in response to the significant volume of submissions lodged during the original exhibition period. There has been**no facilitated stakeholder engagement**, community workshops, or attempt to co-design mitigation strategies with affected residents.

Such an approach undermines public confidence in the development assessment process and fails to uphold**best practice standards in participatory planning**.

---

5. Unresolved Transport and Infrastructure Impacts

The proposal continues to lack an **Integrated Transport and Access Plan (ITAP)** or comprehensive **Traffic Impact Assessment (TIA)** capable of demonstrating that the surrounding road network and transport infrastructure can accommodate the projected increase in:

- **Patronage volumes** from extended-hour venues
- **Servicing, deliveries, and waste management movements**
- **Emergency vehicle access and egress**
- **Pedestrian flows during peak and night-time hours**

The absence of detail regarding **loading dock provision, active transport encouragement, and car parking limitations** represents a significant planning omission. Without these components, the proposal cannot be said to achieve alignment with the**City of Sydney's Sustainable Transport Policy** or**Movement and Place framework**.

---

6. Impacts on Neighbourhood Character and Long-Term Urban Liveability

The cumulative impact of intensified entertainment uses, displacement of residents, and late-night activation across the entire site poses a serious threat to the established**local character, social fabric, and functional balance** of the surrounding precinct.

The development risks converting a mixed-use, culturally diverse, and residentially integrated environment into a**monofunctional nightlife precinct**, reducing long-term urban liveability and increasing reliance on reactive enforcement and regulation.

Such an outcome is **inconsistent with the public interest test** and contravenes the principles of**ecologically sustainable development (ESD)** under the**Environmental Planning and Assessment Act 1979 (NSW)**.

---

7. Request for Determination in the Public Interest

Given the range and seriousness of the planning issues identified, I respectfully urge the Planning Panel to:

- **Reject Development Application D/2024/1018** in its current form on the grounds of strategic misalignment, amenity impacts, and failure to satisfy statutory obligations
- Require the proponent to undertake a revised submission that includes:
    - A full **Social Impact Assessment**
    - A **comprehensive acoustic and environmental study**
    - A **stakeholder consultation report**
    - Clear and enforceable **management and mitigation plans** addressing safety, noise, and transport impacts

I further request to be included on all future notifications and consultations related to this proposal.

Thank you for considering this submission.

Yours faithfully,

From: Maree Zhou [redacted] on behalf of Maree Zhou [redacted] <Maree Zhou [redacted]

Sent on: Thursday, July 10, 2025 11:18:00 PM

To: council@cityofsydney.nsw.gov.au; DASubmissions@cityofsydney.nsw.gov.au

CC: ZMaxwell@cityofsydney.nsw.gov.au

Subject: Objection to Amended Concept Development Application D/2024/1018

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: Planning Assessments Panel
City of Sydney Council
Subject: Objection to Amended Concept Development Application D/2024/1018

Dear Panel Members,

I write with deep concern and strong objection to the amended Concept Development Application D/2024/1018.

As someone who has lived in this part of Sydney for many years, I feel compelled to speak out—because what is being proposed would fundamentally damage the heart of our community, displace people from their homes, and prioritise commercial profit over the wellbeing of real human lives.

Despite recent minor amendments, this proposal remains as harmful and disconnected from community needs as it was at first lodgement. The changes do not address the real concerns raised by residents. In fact, they appear to sidestep them entirely.

---

1. Forcible Displacement of Residents – A Human Cost Ignored

At the core of this development is something truly devastating: the total removal of long-term residential accommodation. That means people—families, individuals, workers—being pushed out of their homes with no offer of support, no plan for rehousing, no basic acknowledgment that they matter.

This is not just a planning oversight. It's a failure of empathy, of responsibility, and of social conscience. At a time when Sydney is in the grip of a deep housing crisis, it is appalling to see a major development erase the very kind of housing we should be protecting. Where are these residents supposed to go? Who is accountable for the lives disrupted?

This is not just about bricks and mortar—it's about people's security, dignity, and right to remain part of the city they helped build.

---

2. Noise, Sleep, and the Right to Peace

Living in the city doesn't mean giving up the right to peace and rest. Yet this proposal introduces a 24/7 entertainment precinct and rooftop venue with virtually no meaningful plan to manage noise or protect the wellbeing of nearby residents.

We're talking about loud music, late-night crowds, delivery trucks at all hours—right on the doorstep of people's homes. The acoustic report provided ignores the full scope of impacts. It's incomplete and unconvincing. There's no mention of real-world consequences: sleepless nights, constant stress, deteriorating health. Residents deserve better than empty assurances.

This isn't just about volume—it's about quality of life.

---

3. Liquor, Late-Night Trading, and Community Safety

We are deeply worried about what this proposal will bring to our streets at night. More alcohol, more noise, more late-night disruption—and no meaningful plan to keep people safe.

The developer wants to keep an extensive liquor license covering the entire site. But where are the safety measures? Where is the plan to manage intoxicated patrons, protect women walking home at night, or prevent the rise of alcohol-related violence?

Given the applicant's track record of regulatory breaches and mismanagement, the lack of any strengthened safeguards is not only careless—it's dangerous. Our neighbourhood should not be sacrificed for someone else's profit.

---

4. A Community Ignored

One of the most disheartening parts of this process has been how thoroughly the voices of residents have been ignored. We have written, objected, pleaded—but the revised proposal shows no evidence that our input has mattered.

There has been no genuine engagement, no outreach, no willingness to listen. This is not what community planning should look like. We are not just statistics. We are the people who live here, raise our children here, care for our neighbours here.

If this development goes ahead as proposed, it will be because the very people most affected were pushed to the side.

---

5. Congested Streets, Strained Infrastructure

This part of Sydney is already under pressure. Streets are narrow, traffic is heavy, footpaths are busy. And yet the proposal seems to imagine a seamless increase in visitors, staff, and delivery vehicles, with little in the way of planning for how that will work.

Emergency access, loading zones, public transport capacity—none of it is adequately addressed. It feels like yet another burden being placed on the community, without consultation or care.

---

6. A Neighbourhood at Risk

What's at stake here is more than just noise, housing, or traffic. It's the future of our neighbourhood—its character, its heart, and the people who call it home.

This proposal would replace residents with party-goers and hooligans, community with commercialism, stability with constant disruption. It would hollow out a diverse, vibrant part of Sydney and turn it into just another entertainment strip.

We are not against change. We welcome thoughtful, inclusive development. But this proposal is not that. It is extractive, one-sided, and blind to the damage it will cause.

Final Appeal: Listen to Us

Please, hear our voices. Do not let this be another story of a city that turned its back on the people who lived in it.

I call on the City of Sydney and the Local Planning Panel to:

- Stand up for housing security, liveability, and public safety
- Insist on genuine, transparent community consultation
- Require proper assessments and mitigation plans
- **Reject Development Application D/2024/1018 as currently proposed in its entirety**

We ask you to be guardians of the public interest, not facilitators of unchecked commercial expansion.

Thank you for your time and your consideration. I respectfully request to remain informed of future updates related to this application.

Yours sincerely,
M . Zhou
Resident, Clarence Street, City of Sydney

From: shirley [redacted] on behalf of shirley [redacted] <shirley [redacted]

Sent on: Thursday, July 10, 2025 10:00:24 PM

To: council@cityofsydney.nsw.gov.au; DASubmissions@cityofsydney.nsw.gov.au

Subject: Objection to D/2024/1018 Amended Concept Development Application

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 Assessments Panel, CIty of Sydney Council

I write in relation to the amended Concept Development Application D/2024/1018

Below I expand on several key areas of concern which, in my view, **warrant the strongest possible objection** to the latest proposal.

---

1. Housing Displacement and the Broader Housing Crisis

The proposal's plan for the **complete removal of all existing residential accommodation** across the site is not only alarming, it is profoundly irresponsible in the context of Sydney's deepening housing crisis.

There is **no indication** within the revised documentation of any intention to**relocate or otherwise support current residents** who will be forcibly displaced by this development. No mitigation plans, no social housing contribution, and no transitional housing options have been proposed. This omission is not merely an oversight—it represents a **deliberate dismissal** of the social impacts of the proposal. Given the City of Sydney's own housing strategy, which includes objectives to protect and increase affordable residential options in the CBD, this development flies in the face of planning policy and public interest.

If allowed to proceed, this development would contribute to the **erasure of permanent residents from the CBD**, accelerating the trend of transforming our city into a space for tourists, short-term visitors, and commercial activities, at the direct expense of those who live and contribute to the city long term.

---

2. Environmental and Acoustic Impact – A Missing Assessment

A significant concern which remains glaringly unaddressed is the **lack of a robust environmental impact assessment**, particularly in relation to**acoustic pollution and night-time disturbances** arising from the proposed**open-air rooftop venue** and **24/7 entertainment operations**.

As someone who has lived in the vicinity for many years, I can attest that even moderate night-time activities—let alone large-scale entertainment venues—can have**severe impacts on sleep quality, mental health, and overall well-being**. The failure to include a comprehensive noise study in an area with a dense population of residential buildings is an egregious oversight.

There is also no detailed plan provided regarding **noise attenuation, operating hours, music control, or complaint resolution mechanisms**. The proposal essentially invites unregulated night-time operations in an environment that must balance both commercial activity and residential amenity.

The **acoustic report submitted as part of the proposal documentation fails to address the critical concerns raised** regarding noise pollution and its broader environmental impact. The report appears narrowly focused on a**single aspect of the proposed entertainment precinct**, offering limited assessment of the overall noise footprint and virtually no meaningful analysis of the**anticipated impacts from the open-air rooftop bar and additional venue spaces**

included in the concept plans.

---

3. Public Safety, Liquor Licensing, and Crime Risk

The developer's intention to **retain a large-scale, site-wide liquor license**—alongside an expanded footprint of venues and extended trading hours—poses**serious risks** to public safety and social cohesion. The lack of additional public safety commitments in the updated proposal is deeply concerning.

The site's proximity to residential buildings, including Clarence House, necessitates a**highly managed and constrained licensing environment**, not a permissive one. History tells us that**venues operating without sufficient oversight**, particularly those associated with Merivale, have led to increased incidents of**alcohol-related violence, vandalism, and anti-social behaviour**.

The applicant's own compliance history raises significant red flags. Residents and businesses in the area should not be forced to bear the**social and policing costs** of a development that prioritises alcohol sales and entertainment over safety and amenity. This is especially critical given the absence of**detailed operational plans, security provisions, or responsible service strategies** in the current submission.

---

4. Failure of Meaningful Community Consultation

The developer's **repeated failure to engage meaningfully with local stakeholders** is perhaps one of the most disappointing aspects of this process. Genuine community consultation requires more than the procedural minimum—it demands**listening, transparency, and responsiveness**.

Despite receiving numerous legitimate objections from Clarence House residents and other stakeholders, the amended plans appear to have**dismissed community feedback in its entirety**. There is no evidence that the applicant has revised the proposal in response to concerns raised. The re-notification process feels procedural, not participatory.

The principles of **inclusive planning and community engagement**, as championed by both the NSW Government and the City of Sydney, are being undermined by the applicant's conduct. For a project of this size and impact, this failure is inexcusable.

---

5. Traffic, Infrastructure, and Access Strain

The proposal's ongoing failure to **adequately address traffic flow, infrastructure capacity, and access issues** remains a major concern. The increased volume of visitors, staff, and service vehicles associated with the proposed development will significantly strain **already congested local streets**, many of which are narrow and ill-suited to high-intensity commercial operations.

The plan offers **no sufficient mitigation strategy** for managing deliveries, emergency access, or peak-time pedestrian flows. Parking remains inadequate. Public transport hubs—already under pressure—will face added congestion. The absence of a robust traffic management plan in the revised proposal further demonstrates the applicant's**disregard for integrated planning**.

---

6. Long-Term Community Impact and Neighbourhood Character

Over the years, Clarence House and its surroundings have evolved into a **diverse and livable community** with a delicate balance of residential, commercial, and cultural life. The proposed development threatens to**upend this balance entirely**.

Replacing long-term housing and human-scale businesses with an **intensified entertainment complex** will fundamentally alter the character of the neighbourhood. The development as proposed risks transforming the area into a**transient, nightlife-dominated precinct**—one that prioritises tourism and consumption over stability and

sustainability.

As local residents, we are not opposed to change or progress. But we do oppose developments that fail to account for**social, environmental, and civic responsibilities**. We oppose developments that**benefit a few commercial interests at the expense of hundreds of local voices**. And we strongly object to a process that continues to**sideline those who will be most affected**.

---

7. Call for Responsible Decision-Making

In conclusion, I respectfully urge Council and the Local Planning Panel to:

- Uphold its commitment to **responsible, inclusive, and sustainable planning**
- Require the applicant to **meaningfully address concerns** related to housing loss, environmental impacts, public safety, and stakeholder engagement
- **Reject Development Application D/2024/1018** in its entirety as proposed, on the grounds of failing to satisfy core planning and public interest criteria

This application, as it stands, demonstrates a disregard for **basic planning principles**,**public accountability**, and the **rights of residents**. Council has an obligation to defend the interests of the community and to ensure that Sydney remains a city for**living—not just for entertainment and profit**.

I thank you for the opportunity to provide input and respectfully request that I be kept on the contact list for future updates and consultations related to this development.

Yours sincerely,

Shirley

From: Clarence House [redacted] on behalf of Clarence House [redacted] <Clarence House [redacted]

Sent on: Thursday, July 10, 2025 9:40:05 PM

To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>; DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>; council@cityofsydney.nsw.gov.au

CC: [redacted] ZMaxwell@cityofsydney.nsw.gov.au

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Bill MacKay
Manager Planning Assessments

CITY OF SYDNEY

cityofsydney.nsw.gov.au

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From: Clarence House [redacted]
Sent: Wednesday, 9 July 2025 11:11 PM
To: council@cityofsydney.nsw.gov.au
Cc: [redacted]

[redacted]

Subject: Re: Objection to D/2024/1018 Renotification of amended Concept Development Application

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_____
___

Liberal leaders distance themselves from Hemmes as Merivale faces investigation

By Eryk Bagshaw, Jessica McSweeney and Bianca Hrovat

July 1, 2025 — 6.36pm

[redacted]

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THE AGE

'We've let the wolf into the den': Fresh allegations against Merivale raise further concerns

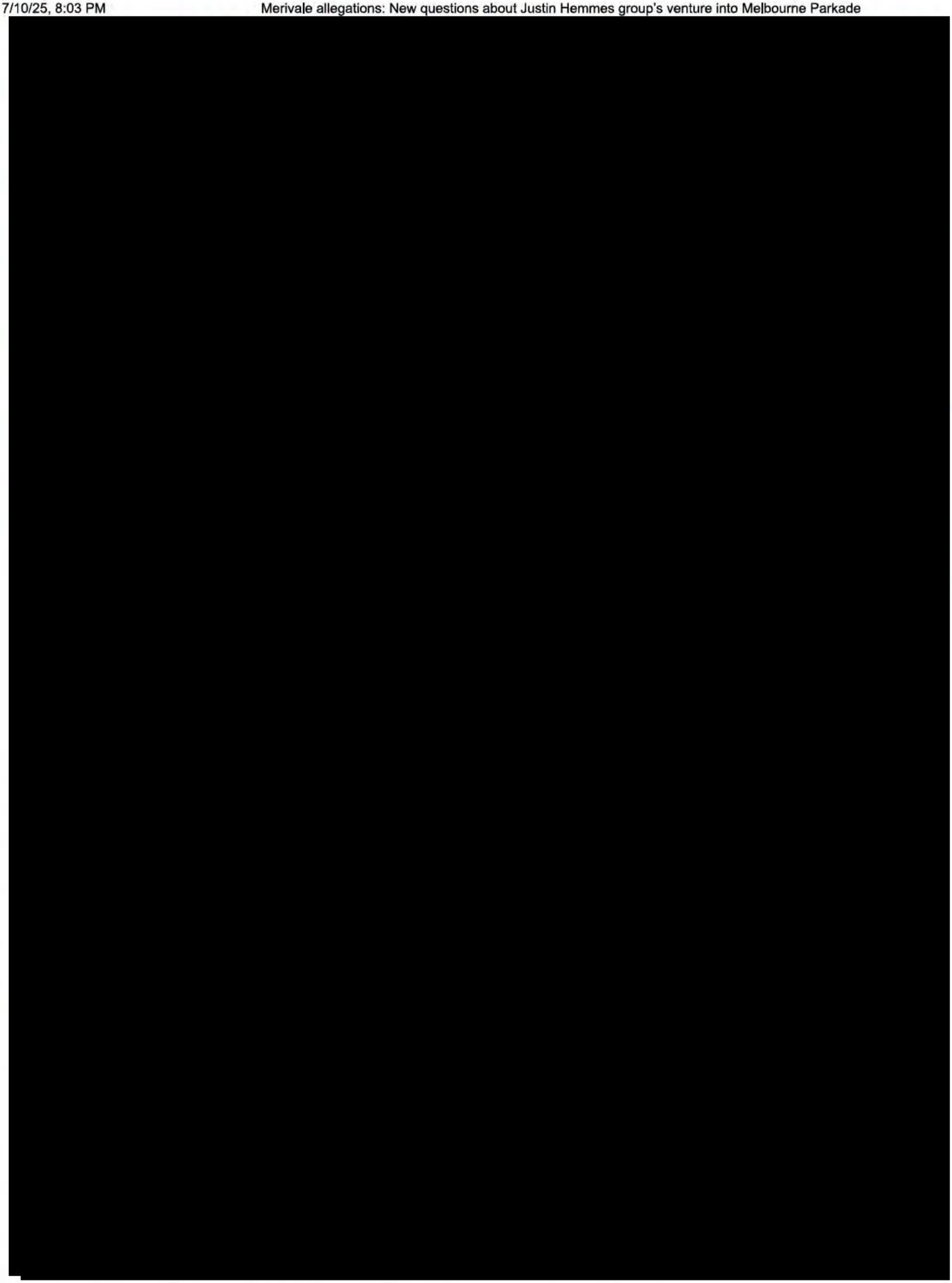


Cara Waters

June 30, 2025 — 7.00pm

Australia's giants of the hospitality industry are in the spotlight across a series of investigations by the Sydney Morning Herald, The Age, Good Food and 60 Minutes. See all 24 stories.

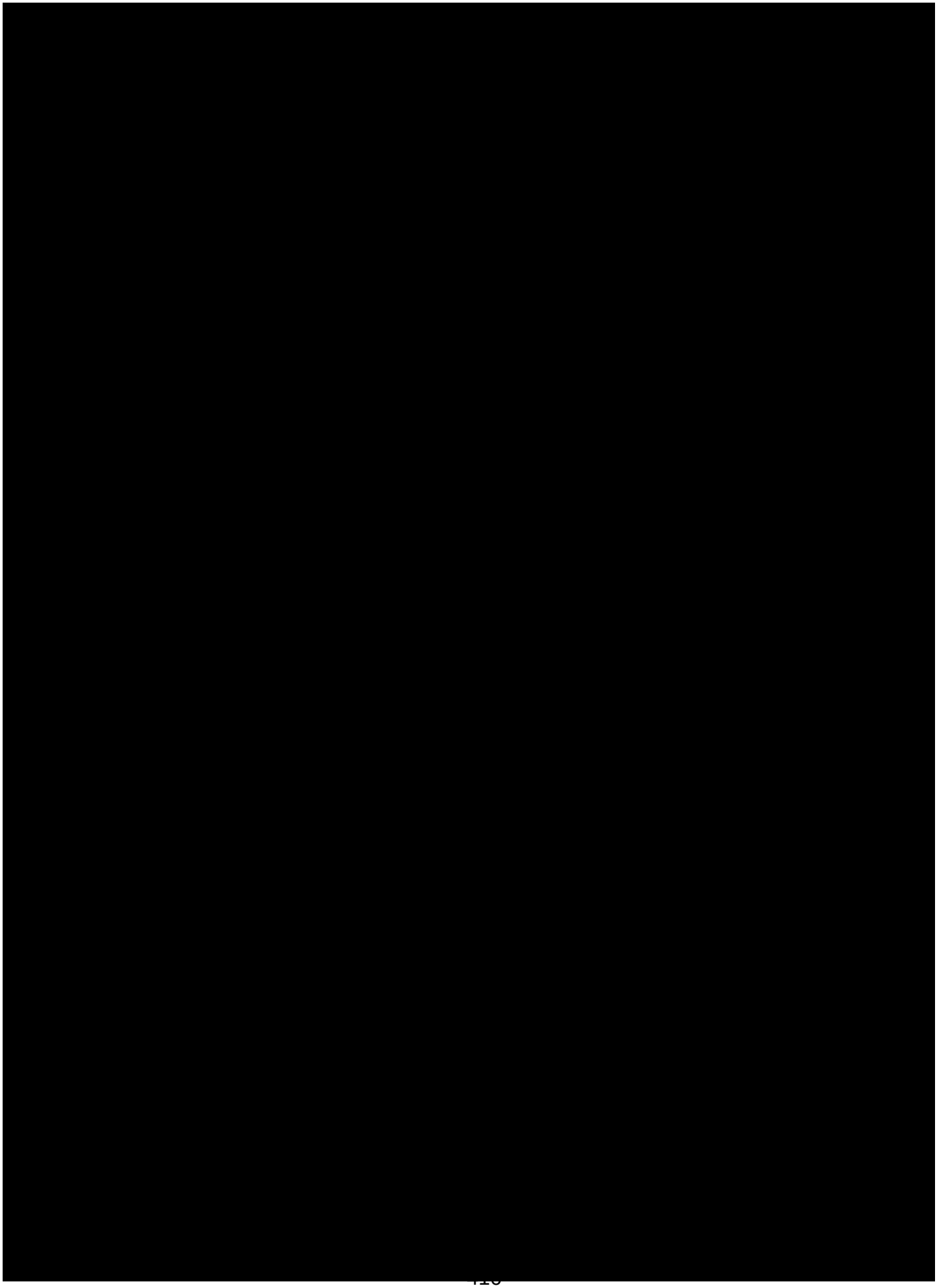
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[redacted]

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Cara Waters is the city editor for The Age. Connect via Twitter, Facebook or email.

From: Melinda Futcher <MFutcher@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Friday, July 11, 2025 12:28:23 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Submission in Strong Objection – Amended Concept Development Application D/2024/1018

-----Original Message-----
From: Vince Chow [redacted]
Sent: Thursday, 10 July 2025 11:08 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>; DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Cc: [redacted]
Subject: Submission in Strong Objection – Amended Concept Development Application D/2024/1018

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: Planning Assessments Panel
City of Sydney Council
Subject: Submission in Strong Objection – Amended Concept Development Application D/2024/1018

Dear Panel Members,

I write in respect of the re-notified Amended Concept Development Application D/2024/1018, pertaining to multiple sites including 104–118 Clarence Street and surrounding properties. Upon review of the revised documentation, it is my considered view that the proposal continues to exhibit significant planning deficiencies and warrants refusal on multiple grounds related to residential displacement, environmental amenity, public safety, infrastructure capacity, and procedural fairness.

---

1. Residential Displacement and Housing Policy Non-Compliance

The proposed complete removal of existing residential tenancies across the development footprint, without any offsetting mechanisms such as replacement housing stock, relocation assistance, or affordable housing contributions, represents a substantial breach of the City of Sydney's Housing Strategy and broader metropolitan housing objectives under the Greater Sydney Region Plan.

The failure to provide any social impact assessment or tenant transition plan indicates a disregard for the planning system's obligation to prioritise housing retention and diversity within the CBD. The application facilitates further gentrification and displacement, contributing to the systematic erosion of the city's permanent residential population in favour of transient, commercial land uses.

This outcome is antithetical to strategic urban planning principles that promote mixed-use, socially inclusive and liveable central city environments.

---

2. Inadequate Environmental and Acoustic Assessment

The proposal's environmental documentation does not satisfy the requirements of a comprehensive Environmental Impact Assessment (EIA). Most notably, the acoustic report fails to undertake a cumulative impact analysis or provide robust modelling of noise emissions from the proposed open-air rooftop venue, extended operating hours, and 24/7 trading concepts.

The documentation does not sufficiently address:

* Night-time noise propagation and its effects on surrounding sensitive receptors
* Mitigation measures, such as structural attenuation, operational restrictions, or real-time noise monitoring
* A Noise Management Plan consistent with EPA and planning guidelines

* Potential breaches of the Protection of the Environment Operations Act 1997 (NSW)

In a mixed-use precinct with existing high-density residential interfaces, such oversights are material and constitute a planning risk that is incompatible with acceptable residential amenity standards.

---

3. Liquor Licensing, Public Safety, and Anti-Social Behaviour Risks

The applicant's intention to retain and potentially intensify a site-wide on-premises liquor licence—without concurrent submission of an updated Venue Management Plan, Operational Plan of Management, or Safety and Security Strategy—raises material concerns regarding crime prevention, public health, and cumulative social impact.

The proposal introduces a clear overconcentration of licensed premises, a well-documented contributor to increased alcohol-related harm and anti-social behaviour. This is particularly concerning given:

* The close spatial proximity to established residential dwellings (e.g., Clarence House)

* The absence of a Crime Prevention Through Environmental Design (CPTED) assessment

* The applicant's history of non-compliance and enforcement actions, including those reported at other venues operated by Merivale

In the absence of enforceable controls, including trading hour limitations, patron caps, and mandatory RSA training regimes, this component of the proposal is inconsistent with the principles of risk-based licensing regulation and public safety planning.

---

4. Absence of Genuine Community Engagement

The proponent has not demonstrated compliance with the principles of meaningful community engagement as articulated in the NSW Community Participation Plan (CPP) and the City of Sydney's Engagement Strategy.

The re-notification process appears perfunctory, with no evidence of substantive revisions in response to the significant volume of submissions lodged during the original exhibition period. There has been no facilitated stakeholder engagement, community workshops, or attempt to co-design mitigation strategies with affected residents.

Such an approach undermines public confidence in the development assessment process and fails to uphold best practice standards in participatory planning.

---

5. Unresolved Transport and Infrastructure Impacts

The proposal continues to lack an Integrated Transport and Access Plan (ITAP) or comprehensive Traffic Impact Assessment (TIA) capable of demonstrating that the surrounding road network and transport infrastructure can accommodate the projected increase in:

* Patronage volumes from extended-hour venues

* Servicing, deliveries, and waste management movements

* Emergency vehicle access and egress

* Pedestrian flows during peak and night-time hours

The absence of detail regarding loading dock provision, active transport encouragement, and car parking limitations represents a significant planning omission. Without these components, the proposal cannot be said to achieve alignment with the City of Sydney's Sustainable Transport Policy or Movement and Place framework.

---

6. Impacts on Neighbourhood Character and Long-Term Urban Liveability

The cumulative impact of intensified entertainment uses, displacement of residents, and late-night activation across the entire site poses a serious threat to the established local character, social fabric, and functional balance of the surrounding precinct.

The development risks converting a mixed-use, culturally diverse, and residentially integrated environment into a monofunctional nightlife precinct, reducing long-term urban liveability and increasing reliance on reactive enforcement and regulation.

Such an outcome is inconsistent with the public interest test and contravenes the principles of ecologically sustainable development (ESD) under the Environmental Planning and Assessment Act 1979 (NSW).

---

7. Request for Determination in the Public Interest

Given the range and seriousness of the planning issues identified, I respectfully urge the Planning Panel to:

* Reject Development Application D/2024/1018 in its current form on the grounds of strategic misalignment, amenity impacts, and failure to satisfy statutory obligations

* Require the proponent to undertake a revised submission that includes:

    * A full Social Impact Assessment

    * A comprehensive acoustic and environmental study

    * A stakeholder consultation report

    * Clear and enforceable management and mitigation plans addressing safety, noise, and transport impacts

I further request to be included on all future notifications and consultations related to this proposal.

Thank you for considering this submission.

Yours faithfully,

Vincent Chow

From: Melinda Futcher <MFutcher@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Friday, July 11, 2025 12:27:55 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Objection to D/2024/1018 Amended Concept Development Application

-----Original Message-----
From: shirley [redacted]
Sent: Thursday, 10 July 2025 10:00 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>; DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Objection to D/2024/1018 Amended Concept Development Application

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 Assessments Panel, CIty of Sydney Council

I write in relation to the amended Concept Development Application D/2024/1018

Below I expand on several key areas of concern which, in my view, warrant the strongest possible objection to the latest proposal.

_____

1. Housing Displacement and the Broader Housing Crisis

The proposal's plan for the complete removal of all existing residential accommodation across the site is not only alarming, it is profoundly irresponsible in the context of Sydney's deepening housing crisis.

There is no indication within the revised documentation of any intention to relocate or otherwise support current residents who will be forcibly displaced by this development. No mitigation plans, no social housing contribution, and no transitional housing options have been proposed. This omission is not merely an oversight—it represents a deliberate dismissal of the social impacts of the proposal. Given the City of Sydney's own housing strategy, which includes objectives to protect and increase affordable residential options in the CBD, this development flies in the face of planning policy and public interest.

If allowed to proceed, this development would contribute to the erasure of permanent residents from the CBD, accelerating the trend of transforming our city into a space for tourists, short-term visitors, and commercial activities, at the direct expense of those who live and contribute to the city long term.

_____

2. Environmental and Acoustic Impact – A Missing Assessment

A significant concern which remains glaringly unaddressed is the lack of a robust environmental impact assessment, particularly in relation to acoustic pollution and night-time disturbances arising from the proposed open-air rooftop venue and 24/7 entertainment operations.

As someone who has lived in the vicinity for many years, I can attest that even moderate night-time activities—let alone large-scale entertainment venues—can have severe impacts on sleep quality, mental health, and overall well-being. The failure to include a comprehensive noise study in an area with a dense population of residential buildings is an egregious oversight.

There is also no detailed plan provided regarding noise attenuation, operating hours, music control, or complaint resolution mechanisms. The proposal essentially invites unregulated night-time operations in an environment that must balance both commercial activity and residential amenity.

The acoustic report submitted as part of the proposal documentation fails to address the critical concerns raised regarding noise pollution and its broader environmental impact. The report appears narrowly focused on a single aspect of the proposed entertainment precinct, offering limited assessment of the overall noise footprint and virtually no meaningful analysis of the anticipated impacts from the open-air rooftop bar and additional venue spaces included in the concept plans.

3. Public Safety, Liquor Licensing, and Crime Risk

The developer's intention to retain a large-scale, site-wide liquor license—alongside an expanded footprint of venues and extended trading hours—poses serious risks to public safety and social cohesion. The lack of additional public safety commitments in the updated proposal is deeply concerning.

The site's proximity to residential buildings, including Clarence House, necessitates a highly managed and constrained licensing environment, not a permissive one. History tells us that venues operating without sufficient oversight, particularly those associated with Merivale, have led to increased incidents of alcohol-related violence, vandalism, and anti-social behaviour.

The applicant's own compliance history raises significant red flags. Residents and businesses in the area should not be forced to bear the social and policing costs of a development that prioritises alcohol sales and entertainment over safety and amenity. This is especially critical given the absence of detailed operational plans, security provisions, or responsible service strategies in the current submission.

4. Failure of Meaningful Community Consultation

The developer's repeated failure to engage meaningfully with local stakeholders is perhaps one of the most disappointing aspects of this process. Genuine community consultation requires more than the procedural minimum—it demands listening, transparency, and responsiveness.

Despite receiving numerous legitimate objections from Clarence House residents and other stakeholders, the amended plans appear to have dismissed community feedback in its entirety. There is no evidence that the applicant has revised the proposal in response to concerns raised. The re-notification process feels procedural, not participatory.

The principles of inclusive planning and community engagement, as championed by both the NSW Government and the City of Sydney, are being undermined by the applicant's conduct. For a project of this size and impact, this failure is inexcusable.

5. Traffic, Infrastructure, and Access Strain

The proposal's ongoing failure to adequately address traffic flow, infrastructure capacity, and access issues remains a major concern. The increased volume of visitors, staff, and service vehicles associated with the proposed development will significantly strain already congested local streets, many of which are narrow and ill-suited to high-intensity commercial operations.

The plan offers no sufficient mitigation strategy for managing deliveries, emergency access, or peak-time pedestrian flows. Parking remains inadequate. Public transport hubs—already under pressure—will face added congestion. The absence of a robust traffic management plan in the revised proposal further demonstrates the applicant's disregard for integrated planning.

6. Long-Term Community Impact and Neighbourhood Character

Over the years, Clarence House and its surroundings have evolved into a diverse and livable community with a delicate balance of residential, commercial, and cultural life. The proposed development threatens to upend this balance entirely.

Replacing long-term housing and human-scale businesses with an intensified entertainment complex will fundamentally alter the character of the neighbourhood. The development as proposed risks transforming the area into a transient, nightlife-dominated precinct—one that prioritises tourism and consumption over stability and sustainability.

As local residents, we are not opposed to change or progress. But we do oppose developments that fail to account for social, environmental, and civic responsibilities. We oppose developments that benefit a few commercial interests at the expense of hundreds of local voices. And we strongly object to a process that continues to sideline those who will be most affected.

7. Call for Responsible Decision-Making

In conclusion, I respectfully urge Council and the Local Planning Panel to:

* Uphold its commitment to responsible, inclusive, and sustainable planning

* Require the applicant to meaningfully address concerns related to housing loss, environmental impacts, public safety, and stakeholder engagement

* Reject Development Application D/2024/1018 in its entirety as proposed, on the grounds of failing to satisfy core planning and public interest criteria

This application, as it stands, demonstrates a disregard for basic planning principles, public accountability, and the rights of residents. Council has an obligation to defend the interests of the community and to ensure that Sydney remains a city for living—not just for entertainment and profit.

I thank you for the opportunity to provide input and respectfully request that I be kept on the contact list for future updates and consultations related to this development.

Yours sincerely,

Shirley

From: Michael Austin [redacted] on behalf of Michael Austin [redacted] <Michael Austin [redacted]
Sent on: Friday, July 11, 2025 12:53:43 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: [redacted]
Subject: Submission - D/2024/1018 - 75 York Street SYDNEY NSW 2000 - Attention Marie Burge
Attachments: 2025.7.11-Submission letter to City of Sydney Council.pdf (2.59 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 Marie Burge,
We act for the registered proprietors of 100 Clarence Street Sydney and Lots 1,2,3 in DP 1271955.
Please find attached a further letter of submission in relation to above referenced DA.
Thank you
Regards
Michael

Michael Austin
MA Law & Associates

50 Paddington Street,
Paddington, NSW, 2021
&
4th Floor, 8 Spring Street,
Sydney, NSW, 2000

[redacted]

This email including any attachment may be confidential and/or privileged. If you are not the intended recipient, please delete this email and notify me promptly.
Liability limited by a scheme approved under Professional Standards Legislation.

MA LAW
& ASSOCIATES
50 Paddington Street,
Paddington, NSW 2021
&
4th Floor, 8 Spring Street,
Sydney, NSW 2000
[redacted]

11th July 2025

Chief Executive Officer

City of Sydney

Town Hall

456 Kent St

Sydney NSW 2000 By Email only: council@cityofsydney.nsw.gav.au

Attention Marie Burge

Dear Ms Burge,

Applicant name: MERIVALE CBD PTY LIMITED (Merivale)

Reference number: D/2024/1018

Site address: 75 York Street, SYONEY NSW 2000, 71 York Street, SYDNEY NSW 2000, 73 York Street, SYDNEY NSW 2000, 104-118 Clarence Street. SYDNEY NSW 2000, 46-52-Kling Street, SYDNEY NSW 2000

Proposed Development: Concept Development Application for Building Upgrades and the use of the precinct for food and drink and tourist and visitor accommodation uses.

We act for the registered proprietors John and Anna Arcidiacono of 100 Clarence Street (Lot 1 in DP174180), and the Laneway (Lot 3 in DP1271955), ARCHER LUBES PTY LTD of the Dock (Lot 2 in DP174180) and JELPO PTY LIMITED of the Passageway (Lot 1 in DP174180). Please find attached Title searches and deposited Plans.

Merivale's responses, if adhered to, have to a substantial extent, answered our client's concerns with respect to the **use of the Laneway and Dock**. That said there are still issues that need clarification and answers before we can be assured our client's rights are preserved.

Our clients have a number of concerns about the amended proposal.

Those concerns:

1. **At 4, (page 3) of the Detailed Response to Council's Request for Further Information** -Comment from Merivale in Use of Easement – 'However, it should be noted that access for the servicing of 71 York Street via easement remains'.

   I. What does this mean given creation of the loading dock in the basement of 71 York St and the proposal for the reinstated new Carriageway (104 Clarence)?

   II. Will ongoing access along the Laneway and Dock really be required for 71 York and 104 Clarence in this new strategy?

   III. How are our clients to distinguish vehicles and people legitimately using this easement from those actually delivering for 73 & 75 York St and the King St properties which have **no easement rights**?

   IV. the prospect of Mobile Garbage Bins (MGBs) being illegally placed in the Laneway despite commitment to MGB pick up zone in York Street, which is already happening.

   V. The capacity to use the new Carriageway (104 Clarence) and Laneway, **as a through line from Clarence to York and vice versa**? Again, this would be a breach of the terms of the existing easement as an extension benefitting 73 & 75 York St and the King St properties and because of intensification of the use of the easement, effectively usurping our client's ownership and use including usurping the other surrounding legitimate users of the easement (e.g. 69 York St).

   VI Access for the serving of 71 York St proposes use of land that our client's own. And owners' consents to the application have not been sought or given.

2. Although not referred to in the response to Council's request for Further Information **the Waste and Recycling Management Strategy Comments at 5.2.2 'Alternative Waste & Recycling Collection Area' of Attachment K** –. Comment from Merivale-'Given the height restrictions within the loading dock area, an **alternative option** considered all waste collection was to occur within the service lane via the carriageway'.

   I. This alternative option if adopted, will breach the terms of the existing easement because of the intensification of the use effectively usurping our client's ownership and use including usurping the other surrounding legitimate users of the easement.

   II. We believe that the existence and operation of a bin tug from the basement of 71 York, with a human operator, increases the likelihood of compliance however we trust that Council conditions will be drafted and then enforced ~~conditionality~~ surrounding the orderly management of waste removal / collection from the site particularly as it pertains to the laneway and new carriageway.

3. **New Carriageway / Lot 3 Laneway and Lot 2 Dock access**

   I It is reasonable to have a heathy dose of scepticism that Merivale will continue to use the laneway in excess of their easement rights for 71 York – based on sheer volume of vehicles and goods trying to access and egress the new loading dock.

   II. Query the veracity of the waste calculations given the lack of independence and conflict of interest created by the applicant providing the data.

III. If the current proposal were to proceed, how will members of the public, couriers or waste removal persons be stopped from using the Laneway and Dock as a thoroughfare of convenience? Or a 'rat run'. We feel gates on the new development boundaries would be appropriate as a minimum. It would also be very convenient for some delivery drivers/riders and possibly waste trucks to drive/ride through or just duck up the laneway for 10 minutes to do a delivery.

IV. 73 & 75 York St and the King St properties **do not have easement** rights over Lots 2 &3-Dock and Laneway respectively.

Given the time of year and school holidays, making it hard to access relevant disciplines to review the application on our behalf, we seek some additional time to supplement and make further comment if necessary.

Yours faithfully

[redacted]

Michael Austin

From: Melinda Futcher <MFutcher@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>
Sent on: Friday, July 11, 2025 1:38:19 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Planning Objection - Council Reference D/2024/1018

From: Chen [redacted]
Sent: Friday, 11 July 2025 1:37 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>; Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Re: Planning Objection - Council Reference D/2024/1018

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 Council,

I am writing to register our continued and strong **objection** to the proposed planning application, concerning the properties at:

- 104–118 Clarence Street, SYDNEY NSW 2000
- 46–52 King Street, SYDNEY NSW 2000
- 73 York Street, SYDNEY NSW 2000
- 71 York Street, SYDNEY NSW 2000
- 75 York Street, SYDNEY NSW 2000

Applicant name:
MERIVALE CBD PTY LIMITED

Reference number:
D/2024/1018

Despite the recent renotification, it is extremely disappointing that the revised documentation has not adequately addressed the major concerns previously raised by residents and stakeholders. Our objections remain unchanged—and in fact are reinforced—due to the following unresolved issues:

Environmental Concerns

We remain deeply concerned about the **significant increase in noise levels** stemming from the proposed 24/7 precinct and nightclub operations. Noise impacts have**not been sufficiently addressed** in the renotified documents. There is no evidence of comprehensive noise modelling, independent acoustic assessment, or genuine consultation with affected residents. The current acoustic report has a narrow focus and fails to consider the entire concept precinct's impact on neighbouring residential properties and local residents. This lack of analysis is unacceptable for a development of this scale.

Against the Public Interest – Loss of Housing

The development will result in the **complete removal of existing residential accommodation**, forcing out all current residents. At a time of unprecedented housing unaffordability and supply constraints, this is a highly irresponsible and unjust outcome.

The renotified proposal **still fails to address** where displaced residents are expected to go, or how this decision aligns with the Council's broader responsibilities to housing equity and social sustainability.

Significant Community Impact

We reiterate our objection to the proposed **extensive liquor license across the entire site**, including an open-air rooftop bar. This component of the proposal continues to pose**serious risks of late-night disorder, noise disturbances, and anti-social behaviour**.

The updated documents **do not outline any community benefits**, public amenities, or mitigation measures to protect surrounding residents. Minimal community consultation has taken place, and the voices of those who live and work nearby continue to be ignored.

Traffic and Parking Concerns

The renotification does not provide any meaningful solution to the **anticipated increase in traffic congestion**, nor does it address the**lack of adequate parking**. With an influx of patrons and deliveries expected around the clock, traffic conditions will deteriorate further—yet these concerns remain inadequately assessed in the planning documents.

Conclusion

This proposal, in its current form, is **clearly not in the public interest** and will have lasting negative impacts on local residents, infrastructure, and community well-being.

We urge Council to **reject this application** and to prioritise a planning approach that values residents, housing security, and balanced development.

Yours sincerely,
Chen

From: Fiona Tang [redacted] on behalf of Fiona Tang [redacted] <Fiona Tang [redacted]

Sent on: Friday, July 11, 2025 2:52:37 PM

To: council@cityofsydney.nsw.gov.au; planningsystemsadmin@cityofsydney.nsw.gov.au

Subject: Re: Strong Objection to Planning Proposal –Reference number: D/2024/1018

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 Council
Planning Department

Re: Strong Objection to Planning Proposal – 104–118 Clarence St, 46-52 King St, 71, 73, 75 York St, SYDNEY NSW 2000 (Renotification Submission) Reference number: D/2024/1018

Dear Council,

I am writing to register a **formal objection** to the proposed planning application and its renotification concerning the sites at:

- **104–118 Clarence Street, SYDNEY NSW 2000**
- **46–52 King Street, SYDNEY NSW 2000**
- **73 York Street, SYDNEY NSW 2000**
- **71 York Street, SYDNEY NSW 2000**
- **75 York Street, SYDNEY NSW 2000**

Despite the recent renotification, **critical concerns raised during the initial exhibition period remain unaddressed**. As a local resident and community stakeholder, I urge the Council to give serious consideration to the following unresolved issues, which make this proposal**incompatible with sound urban planning, public interest, and community well-being**.

---

1. Public Interest and Housing Displacement

1.1 Forced Evictions During a Housing Crisis

This development will **remove all residential housing units on-site**, resulting in the **forced displacement of long-standing residents**. No provision is being made for relocation support, alternative accommodation, or compensation for affected residents.

1.2 Contradiction with Housing and Planning Objectives

This action directly contradicts the objectives of the Greater Sydney Region Plan and NSW Housing Strategy, which call for**increased housing stock**, sustainable infill development, and protections for affordable urban housing. The proposed redevelopment eliminates existing housing stock**without replacement or mitigation**.

1.3 Lack of Transitional Housing Plans

There is no reference to any **transitional housing support**, social impact assessment, or rental protections for residents who will lose their homes if the project proceeds. Council must not support a proposal that exacerbates the housing crisis by design.

---

2. Environmental and Noise Pollution Concerns

2.1 24/7 Operation Will Severely Disrupt Surroundings

The proposed entertainment precinct includes a nightclub and hospitality venues with operations scheduled**24 hours a day, seven days a week**. Such continuous use is highly inappropriate for an area surrounded by mixed-use developments, including residential buildings.

2.2 Inadequate Noise Impact Assessment

The renotified documents do **not provide a detailed, independent acoustic report** that properly considers late-night noise

emissions, rooftop noise spillover, or cumulative sound impacts during peak hours. The lack of noise modelling for surrounding streets, laneways, and building facades highlights an insufficient understanding of the real-world implications. This goes to highlight the inadequacies and short comings of the acoustic report that the applicant has commissioned.

2.3 Lack of Resident Engagement on Noise Issues

Local residents were **not consulted** on noise expectations, mitigation options, or operational compromises. This failure shows disregard for the long-term impact of continuous high-volume entertainment in a historically sensitive and residentially integrated precinct.

---

3. Significant Negative Community Impacts

3.1 Broad Liquor License Will Worsen Public Disorder

The application seeks a **broad, site-wide liquor license**, including for an **open-air rooftop bar**. This setup introduces significant risks including public intoxication, violence, late-night disturbances, and property damage—particularly to nearby buildings and laneways.

3.2 Rooftop Venue Risks Heightened Sound Travel

Noise from a rooftop bar travels further and penetrates more easily into surrounding areas than ground-level venues. This has not been addressed in the renotification, which lacks environmental noise contour mapping or impact forecasts for night hours.

3.3 Increased Policing and Public Service Demands

Council and emergency services will face **heightened strain** due to increased calls, complaints, security interventions, and possible medical incidents. There is**no plan** in the proposal to contribute to local policing or community safety resources.

---

4. Lack of Genuine Community Consultation

4.1 Minimal Engagement Despite Major Change

For a development of this scale—spanning multiple blocks, altering existing land use, and affecting numerous residents—the community has been**given limited opportunity to engage meaningfully**. The renotification did not include direct outreach to displaced tenants or resident associations.

4.2 No Public Benefit or Shared Amenities

The proposal outlines **no tangible wider public benefit**. The precinct proposed targets specific "party goers" with its roof top bar and basement night clubs. There is no inclusion of family friendly community facilities, cultural spaces, green public areas, or infrastructure investments that would warrant wider public support for the project. This absence of reciprocal value fails the "public interest" test.

4.3 Disregard for Local Heritage and Character

Several of the sites affected are **close to heritage-listed or culturally significant buildings**. The proposal's modern entertainment use is**incompatible with the surrounding architectural character and planning intention** of the York/Clarence/King precinct.

---

5. Traffic, Parking, and Transport Burdens

5.1 Increased Traffic and Congestion

The influx of visitors to a 24/7 entertainment hub will place**significant stress on surrounding streets**, many of which are already heavily congested. Clarence, York, and King Streets are**not designed to handle additional vehicular pressure** from late-night traffic, rideshare drop-offs, and delivery services.

5.2 Insufficient On-Site Parking

The proposal fails to provide **adequate on-site parking**, instead relying on the assumption that visitors will use public transport or nearby commercial car parks. This approach ignores real-world travel behaviour and places**unfair pressure on residential and commercial street parking**.

5.3 Pedestrian Safety Risks

Increased foot traffic at night, particularly involving intoxicated individuals, poses serious**safety risks to pedestrians and cyclists**. There are**no provisions** for improved lighting, widened footpaths, or safety wardens to manage this influx.

---

6. History of Non-Compliance by the Applicant

6.1 Merivale's Documented Breaches

The applicant, **Merivale**, has a well-documented history of breaching planning and licensing conditions at other venues across Sydney. This includes noise complaints, overcrowding, licensing violations, unauthorised works and reported exploitation of workers, mishandling of workers' complaints and general mismanagement within its venues.

6.2 Risk of Repeat Offenses

Allowing this applicant to manage a multi-venue, all-day/all-night operation**without detailed conditions, oversight, or enforcement mechanisms** is highly risky. Previous patterns of behaviour strongly suggest that compliance issues may be repeated here—at the community's expense.

---

7. Incompatible with Sustainable Urban Planning

7.1 No Integration with Public Services or Infrastructure

The proposal does not integrate or support upgrades to local infrastructure, including waste services, transport capacity, or stormwater management. It assumes that the existing urban network can absorb the additional burden—which is **not feasible without investment**.

7.2 Disproportionate Focus on Commercial Entertainment

The development is unbalanced in its focus, **prioritising private commercial gain over balanced, mixed-use planning**. It offers no housing, no community infrastructure, and no cultural contribution beyond alcohol-based entertainment.

---

8. Conclusion and Formal Objection

The proposed development, in its current and renotified form, is clearly**not in the public interest**, does not align with sustainable urban development goals, and has**failed to respond to community concerns** raised during earlier consultation.

We strongly urge the Council to:

- **Reject the current proposal outright**, due to unresolved environmental, social, and compliance concerns;
- Require the applicant to develop a **revised plan** that includes genuine community benefit, a considered approach incorporating the inclusion of residential housing, and broader environmental safeguards;
- Initiate a broader **community impact review** before any large-scale change of use is approved for this site.

Thank you for your time and consideration.

Fiona Tang

Resident, City of Sydney

From: Chen [redacted] on behalf of Chen [redacted] <Chen [redacted]

Sent on: Friday, July 11, 2025 1:37:07 PM

To: council@cityofsydney.nsw.gov.au; planningsystemsadmin@cityofsydney.nsw.gov.au

Subject: Re: Planning Objection - Council Reference D/2024/1018

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 Council,

I am writing to register our continued and strong **objection** to the proposed planning application, concerning the properties at:

- 104–118 Clarence Street, SYDNEY NSW 2000
- 46–52 King Street, SYDNEY NSW 2000
- 73 York Street, SYDNEY NSW 2000
- 71 York Street, SYDNEY NSW 2000
- 75 York Street, SYDNEY NSW 2000

Applicant name:
MERIVALE CBD PTY LIMITED

Reference number:
D/2024/1018

Despite the recent renotification, it is extremely disappointing that the revised documentation has not adequately addressed the major concerns previously raised by residents and stakeholders. Our objections remain unchanged—and in fact are reinforced—due to the following unresolved issues:

Environmental Concerns

We remain deeply concerned about the **significant increase in noise levels** stemming from the proposed 24/7 precinct and nightclub operations. Noise impacts have**not been sufficiently addressed** in the renotified documents. There is no evidence of comprehensive noise modelling, independent acoustic assessment, or genuine consultation with affected residents. The current acoustic report has a narrow focus and fails to consider the entire concept precinct's impact on neighbouring residential properties and local residents. This lack of analysis is unacceptable for a development of this scale.

Against the Public Interest – Loss of Housing

The development will result in the **complete removal of existing residential accommodation**, forcing out all current residents. At a time of unprecedented housing unaffordability and supply constraints, this is a highly irresponsible and unjust outcome.

The renotified proposal **still fails to address** where displaced residents are expected to go, or how this decision aligns with the Council's broader responsibilities to housing equity and social sustainability.

Significant Community Impact

We reiterate our objection to the proposed **extensive liquor license across the entire site**, including an open-air rooftop bar. This component of the proposal continues to pose**serious risks of late-night disorder, noise disturbances, and anti-social behaviour**.

The updated documents **do not outline any community benefits**, public amenities, or mitigation measures to protect surrounding residents. Minimal community consultation has taken place, and the voices of those who live and work nearby continue to be ignored.

Traffic and Parking Concerns

The renotification does not provide any meaningful solution to the **anticipated increase in traffic congestion**, nor does it address the**lack of adequate parking**. With an influx of patrons and deliveries expected around the clock, traffic conditions will deteriorate further—yet these concerns remain inadequately assessed in the planning documents.

Conclusion

This proposal, in its current form, is **clearly not in the public interest** and will have lasting negative impacts on local residents, infrastructure, and community well-being.

We urge Council to **reject this application** and to prioritise a planning approach that values residents, housing security, and balanced development.

Yours sincerely,
Chen

From: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Friday, July 11, 2025 3:12:38 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Strong Objection to Planning Proposal –Reference number: D/2024/1018

-----Original Message-----
From: Fiona Tang [redacted]
Sent: Friday, 11 July 2025 2:53 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>; Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Re: Strong Objection to Planning Proposal –Reference number: D/2024/1018

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 Council
Planning Department

Re: Strong Objection to Planning Proposal – 104–118 Clarence St, 46-52 King St, 71, 73, 75 York St, SYDNEY NSW 2000 (Renotification Submission) Reference number: D/2024/1018

Dear Council,

I am writing to register a formal objection to the proposed planning application and its renotification concerning the sites at:

* 104–118 Clarence Street, SYDNEY NSW 2000
* 46–52 King Street, SYDNEY NSW 2000
* 73 York Street, SYDNEY NSW 2000
* 71 York Street, SYDNEY NSW 2000
* 75 York Street, SYDNEY NSW 2000

Despite the recent renotification, critical concerns raised during the initial exhibition period remain unaddressed. As a local resident and community stakeholder, I urge the Council to give serious consideration to the following unresolved issues, which make this proposal incompatible with sound urban planning, public interest, and community well-being.

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1. Public Interest and Housing Displacement

1.1 Forced Evictions During a Housing Crisis

This development will remove all residential housing units on-site, resulting in the forced displacement of long-standing residents. No provision is being made for relocation support, alternative accommodation, or compensation for affected residents.

1.2 Contradiction with Housing and Planning Objectives

This action directly contradicts the objectives of the Greater Sydney Region Plan and NSW Housing Strategy, which call for increased housing stock, sustainable infill development, and protections for affordable urban housing. The proposed redevelopment eliminates

existing housing stock without replacement or mitigation.

1.3 Lack of Transitional Housing Plans

There is no reference to any transitional housing support, social impact assessment, or rental protections for residents who will lose their homes if the project proceeds. Council must not support a proposal that exacerbates the housing crisis by design.

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2. Environmental and Noise Pollution Concerns

2.1 24/7 Operation Will Severely Disrupt Surroundings

The proposed entertainment precinct includes a nightclub and hospitality venues with operations scheduled 24 hours a day, seven days a week. Such continuous use is highly inappropriate for an area surrounded by mixed-use developments, including residential buildings.

2.2 Inadequate Noise Impact Assessment

The renotified documents do not provide a detailed, independent acoustic report that properly considers late-night noise emissions, rooftop noise spillover, or cumulative sound impacts during peak hours. The lack of noise modelling for surrounding streets, laneways, and building facades highlights an insufficient understanding of the real-world implications. This goes to highlight the inadequacies and short comings of the acoustic report that the applicant has commissioned.

2.3 Lack of Resident Engagement on Noise Issues

Local residents were not consulted on noise expectations, mitigation options, or operational compromises. This failure shows disregard for the long-term impact of continuous high-volume entertainment in a historically sensitive and residentially integrated precinct.

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3. Significant Negative Community Impacts

3.1 Broad Liquor License Will Worsen Public Disorder

The application seeks a broad, site-wide liquor license, including for an open-air rooftop bar. This setup introduces significant risks including public intoxication, violence, late-night disturbances, and property damage—particularly to nearby buildings and laneways.

3.2 Rooftop Venue Risks Heightened Sound Travel

Noise from a rooftop bar travels further and penetrates more easily into surrounding areas than ground-level venues. This has not been addressed in the renotification, which lacks environmental noise contour mapping or impact forecasts for night hours.

3.3 Increased Policing and Public Service Demands

Council and emergency services will face heightened strain due to increased calls, complaints, security interventions, and possible medical incidents. There is no plan in the proposal to contribute to local policing or community safety resources.

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4. Lack of Genuine Community Consultation

4.1 Minimal Engagement Despite Major Change

For a development of this scale—spanning multiple blocks, altering existing land use, and affecting numerous residents—the community has been given limited opportunity to engage meaningfully. The renotification did not include direct outreach to displaced tenants or resident associations.

4.2 No Public Benefit or Shared Amenities

The proposal outlines no tangible wider public benefit. The precinct proposed targets specific "party goers" with its roof top bar and basement night clubs. There is no inclusion of family friendly community facilities, cultural spaces, green public areas, or infrastructure investments that would warrant wider public support for the project. This absence of reciprocal value fails the "public interest" test.

4.3 Disregard for Local Heritage and Character

Several of the sites affected are close to heritage-listed or culturally significant buildings. The proposal's modern entertainment use is incompatible with the surrounding architectural character and planning intention of the York/Clarence/King precinct.

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5. Traffic, Parking, and Transport Burdens

5.1 Increased Traffic and Congestion

The influx of visitors to a 24/7 entertainment hub will place significant stress on surrounding streets, many of which are already heavily congested. Clarence, York, and King Streets are not designed to handle additional vehicular pressure from late-night traffic, rideshare drop-offs, and delivery services.

5.2 Insufficient On-Site Parking

The proposal fails to provide adequate on-site parking, instead relying on the assumption that visitors will use public transport or nearby commercial car parks. This approach ignores real-world travel behaviour and places unfair pressure on residential and commercial street parking.

5.3 Pedestrian Safety Risks

Increased foot traffic at night, particularly involving intoxicated individuals, poses serious safety risks to pedestrians and cyclists. There are no provisions for improved lighting, widened footpaths, or safety wardens to manage this influx.

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6. History of Non-Compliance by the Applicant

6.1 Merivale’s Documented Breaches

The applicant, Merivale, has a well-documented history of breaching planning and licensing conditions at other venues across Sydney. This includes noise complaints, overcrowding, licensing violations, unauthorised works and reported exploitation of workers, mishandling of workers' complaints and general mismanagement within its venues.

6.2 Risk of Repeat Offenses

Allowing this applicant to manage a multi-venue, all-day/all-night operation without detailed conditions, oversight, or enforcement mechanisms is highly risky. Previous patterns of behaviour strongly suggest that compliance issues may be repeated here—at the

community’s expense.

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7. Incompatible with Sustainable Urban Planning

7.1 No Integration with Public Services or Infrastructure

The proposal does not integrate or support upgrades to local infrastructure, including waste services, transport capacity, or stormwater management. It assumes that the existing urban network can absorb the additional burden—which is not feasible without investment.

7.2 Disproportionate Focus on Commercial Entertainment

The development is unbalanced in its focus, prioritising private commercial gain over balanced, mixed-use planning. It offers no housing, no community infrastructure, and no cultural contribution beyond alcohol-based entertainment.

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8. Conclusion and Formal Objection

The proposed development, in its current and renotified form, is clearly not in the public interest, does not align with sustainable urban development goals, and has failed to respond to community concerns raised during earlier consultation.

We strongly urge the Council to:

* Reject the current proposal outright, due to unresolved environmental, social, and compliance concerns;

* Require the applicant to develop a revised plan that includes genuine community benefit, a considered approach incorporating the inclusion of residential housing, and broader environmental safeguards;

* Initiate a broader community impact review before any large-scale change of use is approved for this site.

Thank you for your time and consideration.

Fiona Tang

Resident, City of Sydney

From: Jason K [redacted] on behalf of Jason K [redacted] <Jason K [redacted]

Sent on: Friday, July 11, 2025 4:32:13 PM

To: DASubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au

Subject: SUBJECT: Objection to Planning Proposal – Reference Number: D/2024/1018

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 Council
Local Planning Panel

SUBJECT: Objection to Planning Proposal – 104–118 Clarence St, 46–52 King St, 71- 75 York St, SYDNEY NSW 2000

Reference Number: D/2024/1018

Dear Council,

I am writing to formally object to the proposed development and its renotification for the above sites. The revised plans still do not address major concerns raised during the first exhibition period and remain incompatible with good urban planning and public interest.

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1. Public Interest and Housing Displacement

This development would remove all current residential units from the site, forcing out long-term residents and families during a housing crisis. There is no plan for relocation, support, or any replacement housing. This directly contradicts both the NSW Housing Strategy and the Greater Sydney Region Plan, which aim to protect and grow affordable inner-city housing. No transitional housing options or social impact assessments have been offered.

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2. Environmental and Noise Concerns

The proposal includes 24/7 operations, including a nightclub and rooftop venues. This would cause significant and ongoing noise, especially at night, in an area with nearby homes. The acoustic report provided by the applicant is inadequate—it lacks real-world noise modelling and does not reflect the cumulative impact. Residents were not consulted about how this noise would affect their lives or what mitigation might be possible.

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3. Community and Safety Impacts

The proposed precinct includes an extensive liquor license across the site, including for an open-air rooftop bar. This raises serious concerns around late-night alcohol-related incidents such as noise, violence, property damage, and anti-social behaviour. Rooftop venues also increase noise spread, but this has not been addressed in any environmental modelling. Emergency services will be further strained, and no community safety plan has been provided.

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4. Lack of Community Benefit or Consultation

Despite its size and scope, this proposal has included little to no meaningful engagement with local residents or tenants. It offers no community infrastructure, public spaces, or inclusive design features. The entire precinct is focused on nightlife and alcohol, with no family-friendly spaces or broader public value. It disregards the local heritage character of the area and the needs of existing residents and workers.

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5. Traffic, Parking and Pedestrian Safety

The plan will bring increased traffic, deliveries, and rideshare activity to streets that are already under strain. There is inadequate on-site parking, and the developer assumes people will use public transport—an unrealistic view. This will worsen congestion and create pedestrian safety risks, particularly late at night when intoxicated crowds are leaving the venue. No steps have been taken to address these risks.

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6. Applicant's History of Non-Compliance

The applicant, Merivale, has a track record of non-compliance at other venues, including breaches of licensing conditions, unauthorised works, and allegations of poor staff treatment. There is no reason to believe that proper management and compliance will be any better at this proposed multi-venue site. Without strict oversight, issues are likely to repeat.

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7. Poor Alignment with Planning Goals

This proposal does not support sustainable urban planning. It offers no new housing, no upgraded infrastructure, and no long-term community benefit. It is designed primarily for commercial entertainment use and prioritises private profit over balanced urban development.

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8. Conclusion

This proposal fails to address key concerns raised by the community and is clearly**not in the public interest**. It threatens the quality of life for nearby local residents, displaces long term existing residents and families, and adds unnecessary environmental and social pressures.

I respectfully ask the Council to:

- **Reject** the proposal in its current form
- **Require a revised plan** that includes community benefit and new housing
- **Undertake a full community impact review** before approving any major use changes

Thank you for considering this submission.

J.K.

From: DJ Chen <[redacted] on behalf of DJ Chen <[redacted] <DJ Chen <[redacted]

Sent on: Friday, July 11, 2025 8:22:51 PM

To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>; council@cityofsydney.nsw.gov.au; DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>

Subject: IMPORTANT: RE: Renotification - D/2024/1018 - 75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King 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.

To: Marie Burge, City of Sydney Council
CC: Bill MacKay, Manager Planning Assessments

Date: 11 July 2025

Dear Marie,

Further to our previous correspondence, I am writing to confirm that, as of close of business today, 11 July 2025, I have not provided any consent as a current owner of Lot 16, 104–118 Clarence Street, Sydney NSW 2000, for the applicant, MERIVALE CBD PTY LIMITED (**Merivale)**, to proceed with Concept Development Application **D/2024/1018**.

Accordingly, any consideration or approval of the application by Merivale must be conditional upon obtaining our formal approval and consent as owners.

I would appreciate your acknowledgment of receipt of this letter and request that it be formally noted for the record that the applicant, Merivale, does not have our consent.

Yours sincerely,

D J Chen

Owner

16 / 104-118 Clarence St Sydney NSW 2000

Applicant name:
MERIVALE CBD PTY LIMITED

Reference number:
D/2024/1018

Site address:
75 York Street , SYDNEY NSW 2000, 71 York Street , SYDNEY NSW 2000, 73 York Street , SYDNEY NSW 2000, 104-118 Clarence Street , SYDNEY NSW 2000, 46-52 King Street , SYDNEY NSW 2000

Proposed development:
Renotification of amended Concept Development Application for building upgrades and the use of the precinct for food and drink and tourist and visitor accommodation uses. The application constitutes Integrated Development and requires approval under the Heritage Act 1977.

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 **11 July 2025**. 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.

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.

For more information, contact Marie Burge on 02 9265 9333.

Bill MacKay
Manager Planning Assessments

CITY OF SYDNEY

cityofsydney.nsw.gov.au

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From: Linda Yan <[redacted] on behalf of Linda Yan <[redacted] <Linda Yan <[redacted]

Sent on: Friday, July 11, 2025 6:30:34 PM

To: council@cityofsydney.nsw.gov.au; DASubmissions@cityofsydney.nsw.gov.au

Subject: Objection to Merivale Concept Development Application D/2024/1018

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General Manager

City of Sydney Council

Email: council@cityofsydney.nsw.gov.au

RE: Objection to Merivale Concept Development Application D/2024/1018 (King, Clarence and York Streets, Sydney)

To whom it may concern,

I am writing to formally object to the Concept Development Application submitted by Merivale for the Kings Green precinct, encompassing the heritage-listed buildings on King, Clarence, and York Streets in Sydney's CBD.

While I appreciate the importance of revitalising underutilised sites and maintaining heritage structures, this proposal represents a serious missed opportunity to address one of the city's most pressing challenges: the critical shortage of affordable and diverse housing in central Sydney.

Lack of Housing Provision

Despite its substantial footprint and the adaptive reuse of five large buildings, Merivale's proposal contains no residential component—no apartments, no key worker accommodation, no build-to-rent—nothing that addresses Sydney's ongoing housing crisis. With vacancy rates and housing availability at historic lows and housing affordability pushing essential workers out of the CBD, we must demand more from high-profile developments like this one.

Instead rather than contributing to housing stock in the city, the proposal seeks to remove an entire building of existing residential units from the site altogether, displacing existing residents and contributing to the housing crisis further.

Hospitality, nightlife, and boutique experiences are already abundant in Sydney's city centre. What we lack are places for people to live, particularly lower-income and middle-income earners who support the CBD economy. This precinct could have integrated housing—above or alongside hospitality spaces—helping to create a truly mixed-use, resilient, and inclusive urban environment.

Misalignment with City Goals

The City of Sydney has repeatedly stated that increasing housing supply—especially affordable and well-located housing—is a key strategic goal. Approving a high-profile precinct that delivers zero housing sends the wrong message and contradicts these broader planning objectives.

Call for Revised Proposal

I urge Council to request a revised proposal that meaningfully includes residential elements as part of the development mix. At the very least, the project should be required to explore:

- A component of affordable housing or key worker housing
- Build-to-rent units above the hospitality uses
- Adaptive reuse of upper floors for apartments, in line with height and heritage constraints

As one of Sydney's largest hospitality developers, Merivale is well-placed to lead by example—offering not just nightlife, but inclusive, sustainable urban regeneration that puts people and liveability first.

Thank you for considering this submission.

Sincerely,

Linda Yan

From: Kevin So <[redacted] on behalf of Kevin So <[redacted] <Kevin So <[redacted]

Sent on: Friday, July 11, 2025 6:13:31 PM

To: DASubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au

Subject: Objection to D/2024/1018– Merivale Kings Green Precinct

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 Council
Re: Objection to D/2024/1018**– Merivale Kings Green Precinct (71–75 York St, 46–52 King St, 104–118 Clarence St)**

Dear Council,

I am writing to formally object to the development application submitted by Merivale for the proposed Kings Green hospitality precinct in the Sydney CBD.

While I acknowledge the importance of revitalising urban areas and the economic benefits that can come with investment in hospitality, I believe this proposal is a missed opportunity to address one of the city's most urgent and pressing challenges: the housing crisis.

1. Lack of Residential Use in Prime Location

The development site sits in one of the most connected and well-resourced parts of the city. It is ideally suited for mixed-use development that includes **residential housing**, especially **affordable or key worker housing**. Instead, Merivale's DA focuses exclusively on food, beverage, hotel, wellness, and office spaces — functions that already dominate the CBD and do not contribute meaningfully to long-term urban sustainability or inclusivity.

2. Housing Need Ignored

Sydney is in a well-documented housing crisis. Median rents continue to climb, vacancy rates are critically low, and key workers are increasingly pushed to the city's fringes. Every available parcel of land in the CBD — especially heritage sites being adaptively reused — must be evaluated through the lens of housing need. This DA does not include even a nominal residential component, which is a clear failure of planning vision and social responsibility.

3. Missed Opportunity for Leadership

As one of Sydney's most prominent hospitality companies, Merivale had an opportunity to show leadership — to develop a world-class precinct that could integrate hospitality and nightlife with permanent urban living. Instead, this is a business-as-usual commercial focused development that caters to visitors, not residents.

4. Urban Imbalance

There is already an overconcentration of licensed venues and short-term accommodation in the city centre. Without a counterbalancing increase in permanent residents, the CBD risks becoming a transient, exclusionary, and noisy environment — vibrant by night but hollow by day. Including housing in developments like this is essential to achieving a 24-hour city that is not just entertaining, but livable.

In conclusion, I urge the Council to reconsider this DA in light of broader urban planning goals. The Kings Green proposal, as it stands, reflects a private commercial vision, not a public-minded or future-focused one. A requirement for integrated residential housing should be considered as a condition for approval — particularly in a project of this scale and strategic location.

From: Saeko Lu <[redacted] on behalf of Saeko Lu <[redacted] <Saeko Lu <[redacted]

Sent on: Friday, July 11, 2025 5:26:33 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: Objection D/2024/1018 – Merivale redevelopment

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 Council
By email council@cityofsydney.nsw.gov.au

Subject: Objection to Development Application D/2024/1018 – Merivale Redevelopment (71–75 York St, 46–52 King St & 104–118 Clarence St)

Dear City of Sydney Planning Department,

I am writing to express my strong objection to DA D/2024/1018, proposed by Merivale for the redevelopment of three key sites in Sydney's CBD. This application represents a profound **missed opportunity to contribute to Sydney's urgent housing needs** — and in fact, appears to worsen them.

Sydney Needs More Housing — Not More Boutique Hotels

We are in the middle of a housing crisis. Renters in the inner city — especially students, essential workers, and young professionals — are being priced out at alarming rates. Thousands of people who want to live in walkable, transit-connected areas like the CBD simply can't find an affordable home.

Yet this proposal, covering an enormous footprint across York, Clarence, and King Streets, **includes no new residential housing**. Instead, it replaces existing and potential housing capacity with a boutique hotel, luxury hospitality venues, and more premium office space. This is precisely the kind of private development that benefits from the city's infrastructure, amenity, and public investment — while giving almost nothing back in terms of long-term community benefit.

What This Site Could Offer

This site could be part of the solution. It could:

- Deliver **build-to-rent apartments** above retail or hospitality venues;
- Incorporate **key worker housing** or capped-rent units;
- Set a new model for **mixed-use development** in the CBD;
- Show how commercial vibrancy can **coexist with residential community**.

Instead, the DA reflects a familiar pattern: prioritising nightlife and profit over people.

No Housing Contribution, No Social Benefit

Given the scale and visibility of this development, it is disappointing — if not alarming — that there is **no affordable housing contribution, no public open space, and no support for displaced tenants** who may currently live or work on these sites. Council should be demanding far more from large private developers like Merivale, especially when projects benefit from planning flexibility or consolidated site access.

In Summary

DA D/2024/1018 fails on a critical public need: housing. It removes potential housing stock from the inner city and replaces it with high-end, short-term entertainment uses that do nothing to alleviate the pressure on the rental market.

I urge Council to:

- Reject the proposal in its current form;
- Require the inclusion of **residential housing** — with a portion dedicated to affordability;
- Set clear expectations for large CBD projects to contribute meaningfully to Sydney's housing future.

Let's not allow another major city site to be turned over to private nightlife at the cost of long-term livability.

Sincerely,

From: Le <[redacted] on behalf of Le <[redacted] <Le <[redacted]

Sent on: Friday, July 11, 2025 5:02:15 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>; City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Objection to Development Application D/2024/1018 – Merivale Redevelopment at 71–75 York Street, 46–52 King Street & 104–118 Clarence Street, Sydney

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:
The General Manager
City of Sydney Council
GPO Box 1591
Sydney NSW 2001

Subject: Objection to Development Application D/2024/1018 – Merivale Redevelopment at 71–75 York Street, 46–52 King Street & 104–118 Clarence Street, Sydney

Dear Sir/Madam,

I am writing to submit a formal objection to Development Application D/2024/1018, lodged by Merivale for the major redevelopment of multiple interconnected sites in the Sydney CBD.

While the proposal highlights hospitality, boutique hotel accommodation, and commercial office upgrades, it fails to address — and indeed contributes to — a critical issue affecting our city: **the displacement of residents and the lack of new, affordable housing provision in the inner city.**

Key Grounds for Objection:

1. Displacement of Residents and Loss of Existing Housing

According to publicly available information, the redevelopment will result in the **loss of existing residential dwellings**, displacing tenants currently residing on-site. At a time when Sydney is experiencing an acute housing affordability and availability crisis, the removal of any housing stock — especially housing within the city centre — is unacceptable without equivalent or greater replacement.

The proposal provides **no new residential dwellings**, despite occupying a substantial footprint across multiple sites. Given the ongoing housing pressures facing low- and moderate-income workers — including hospitality workers themselves — it is deeply concerning that this large-scale private development will result in a net loss of residential accommodation.

2. Failure to Align with Council's Housing Objectives

The City of Sydney's own strategies and planning instruments identify the need to **prioritise residential development**and ensure that housing is integrated into mixed-use precincts. This application undermines those objectives by prioritising commercial hospitality uses over social needs.

If Merivale wishes to position itself as a contributor to the vibrancy of Sydney's city centre, it should also demonstrate a commitment to **retaining or replacing affordable housing**, or better yet, incorporating long-term rental housing into the proposal.

3. Increased Commercialisation and Erosion of Livability

The development's focus on high-end hospitality, late-night entertainment, and boutique accommodation caters to a transient, tourism-driven economy, not to long-term residents. It reinforces the pattern of gentrification and over-commercialisation, which pushes residents and essential workers out of the city, undermining the social diversity and livability Sydney is known for.

This is especially troubling in a precinct with existing heritage and human-scale character, which is now being restructured into an elite destination precinct for commercial purposes.

4. Insufficient Public Benefit

The proposal does not clearly demonstrate any tangible public benefit that could justify the displacement of residents and the intensification of land use for private commercial gain. There is no provision for public green space, affordable housing, community infrastructure, or First Nations engagement.

5. Heritage, Amenity, and Character Concerns

The significant scale and consolidation of properties under this DA risks **undermining the architectural and historical fabric of York, King, and Clarence Streets**, which have long maintained a balance between commercial, cultural, and residential use. The transformation into a monolithic hospitality and entertainment zone may permanently alter the area's character.

Conclusion:

I urge the City of Sydney Council to reject Development Application D/2024/1018 in its current form. The application fails to address the pressing need for housing, actively displaces residents, and offers no meaningful public benefit in return.

Should the applicant wish to proceed, I recommend Council require:

- **Retention or re-provision of housing**, with minimum allocation commitments.
- **A social impact assessment**, including the displacement of current residents.
- **A clear strategy for balancing commercial uses with residential amenity.**

Sydney's future must prioritise housing and equity alongside economic growth. Please do not allow this development to set a precedent that further erodes residential opportunities in the heart of our city.

Thank you for considering my objection. I am available to discuss this matter further and would appreciate being notified of any updates to this application.

Yours sincerely,

Le

From: Le < [redacted] on behalf of Le < [redacted] <Le < [redacted]

Sent on: Friday, July 11, 2025 5:02:15 PM

To: DASubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au

Subject: Objection to Development Application D/2024/1018 – Merivale Redevelopment at 71–75 York Street, 46–52 King Street & 104–118 Clarence Street, Sydney

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:
The General Manager
City of Sydney Council
GPO Box 1591
Sydney NSW 2001

Subject: Objection to Development Application D/2024/1018 – Merivale Redevelopment at 71–75 York Street, 46–52 King Street & 104–118 Clarence Street, Sydney

Dear Sir/Madam,

I am writing to submit a formal objection to Development Application D/2024/1018, lodged by Merivale for the major redevelopment of multiple interconnected sites in the Sydney CBD.

While the proposal highlights hospitality, boutique hotel accommodation, and commercial office upgrades, it fails to address — and indeed contributes to — a critical issue affecting our city: **the displacement of residents and the lack of new, affordable housing provision in the inner city.**

Key Grounds for Objection:

1. Displacement of Residents and Loss of Existing Housing

According to publicly available information, the redevelopment will result in the **loss of existing residential dwellings**, displacing tenants currently residing on-site. At a time when Sydney is experiencing an acute housing affordability and availability crisis, the removal of any housing stock — especially housing within the city centre — is unacceptable without equivalent or greater replacement.

The proposal provides **no new residential dwellings**, despite occupying a substantial footprint across multiple sites. Given the ongoing housing pressures facing low- and moderate-income workers — including hospitality workers themselves — it is deeply concerning that this large-scale private development will result in a net loss of residential accommodation.

2. Failure to Align with Council's Housing Objectives

The City of Sydney's own strategies and planning instruments identify the need to **prioritise residential development**and ensure that housing is integrated into mixed-use precincts. This application undermines those objectives by prioritising commercial hospitality uses over social needs.

If Merivale wishes to position itself as a contributor to the vibrancy of Sydney's city centre, it should also demonstrate a commitment to **retaining or replacing affordable housing**, or better yet, incorporating long-term rental housing into the proposal.

3. Increased Commercialisation and Erosion of Livability

The development's focus on high-end hospitality, late-night entertainment, and boutique accommodation caters to a transient, tourism-driven economy, not to long-term residents. It reinforces the pattern of gentrification and over-commercialisation, which pushes residents and essential workers out of the city, undermining the social diversity and livability Sydney is known for.

This is especially troubling in a precinct with existing heritage and human-scale character, which is now being restructured into an elite destination precinct for commercial purposes.

4. Insufficient Public Benefit

The proposal does not clearly demonstrate any tangible public benefit that could justify the displacement of residents and the intensification of land use for private commercial gain. There is no provision for public green space, affordable housing, community infrastructure, or First Nations engagement.

5. Heritage, Amenity, and Character Concerns

The significant scale and consolidation of properties under this DA risks **undermining the architectural and historical fabric of York, King, and Clarence Streets**, which have long maintained a balance between commercial, cultural, and residential use. The transformation into a monolithic hospitality and entertainment zone may permanently alter the area's character.

Conclusion:

I urge the City of Sydney Council to reject Development Application D/2024/1018 in its current form. The application fails to address the pressing need for housing, actively displaces residents, and offers no meaningful public benefit in return.

Should the applicant wish to proceed, I recommend Council require:

- **Retention or re-provision of housing**, with minimum allocation commitments.
- **A social impact assessment**, including the displacement of current residents.
- **A clear strategy for balancing commercial uses with residential amenity.**

Sydney's future must prioritise housing and equity alongside economic growth. Please do not allow this development to set a precedent that further erodes residential opportunities in the heart of our city.

Thank you for considering my objection. I am available to discuss this matter further and would appreciate being notified of any updates to this application.

Yours sincerely,

Le

From: Saeko Lu <[redacted] on behalf of Saeko Lu <[redacted] <Saeko Lu <[redacted]

Sent on: Friday, July 11, 2025 5:28:22 PM

To: Council@cityofsydney.nsw.gov.au

Subject: Objection D/2024/1018 – Merivale redevelopment

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 Council
By email council@cityofsydney.nsw.gov.au

Subject: Objection to Development Application D/2024/1018 – Merivale Redevelopment (71–75 York St, 46–52 King St & 104–118 Clarence St)

Dear City of Sydney Planning Department,

I am writing to express my strong objection to DA D/2024/1018, proposed by Merivale for the redevelopment of three key sites in Sydney's CBD. This application represents a profound **missed opportunity to contribute to Sydney's urgent housing needs** — and in fact, appears to worsen them.

Sydney Needs More Housing — Not More Boutique Hotels

We are in the middle of a housing crisis. Renters in the inner city — especially students, essential workers, and young professionals — are being priced out at alarming rates. Thousands of people who want to live in walkable, transit-connected areas like the CBD simply can't find an affordable home.

Yet this proposal, covering an enormous footprint across York, Clarence, and King Streets, **includes no new residential housing**. Instead, it replaces existing and potential housing capacity with a boutique hotel, luxury hospitality venues, and more premium office space. This is precisely the kind of private development that benefits from the city's infrastructure, amenity, and public investment — while giving almost nothing back in terms of long-term community benefit.

What This Site Could Offer

This site could be part of the solution. It could:

- Deliver **build-to-rent apartments** above retail or hospitality venues;
- Incorporate **key worker housing** or capped-rent units;
- Set a new model for **mixed-use development** in the CBD;
- Show how commercial vibrancy can **coexist with residential community**.

Instead, the DA reflects a familiar pattern: prioritising nightlife and profit over people.

No Housing Contribution, No Social Benefit

Given the scale and visibility of this development, it is disappointing — if not alarming — that there is **no affordable housing contribution, no public open space, and no support for displaced tenants** who may currently live or work on these sites. Council should be demanding far more from large private developers like Merivale, especially when projects benefit from planning flexibility or consolidated site access.

In Summary

DA D/2024/1018 fails on a critical public need: housing. It removes potential housing stock from the inner city and replaces it with high-end, short-term entertainment uses that do nothing to alleviate the pressure on the rental market.

I urge Council to:

- Reject the proposal in its current form;
- Require the inclusion of **residential housing** — with a portion dedicated to affordability;
- Set clear expectations for large CBD projects to contribute meaningfully to Sydney's housing future.

Let's not allow another major city site to be turned over to private nightlife at the cost of long-term livability.

Sincerely,

From: Cameron <[redacted] on behalf of Cameron <[redacted] <Cameron <[redacted]

Sent on: Friday, July 11, 2025 5:46:37 PM

To: council@cityofsydney.nsw.gov.au

Subject: Re: OBJECTION TO D/2024/1018 Concept Plan for Development at 104-118 Clarence Street, 46-52 King Street, 73 York Street, 71 York Street, and 75 York 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.

To the Planning Officer
City of Sydney Council

Base on the renotification , the applicant has done nothing to address previous concerns

In particular the noise pollution from the significant concentration of nightclubs and bars being proposed in the new concept plans are of serious concern.

The inclusion of these commercial entertainment venues at this scale is inappropriate in an area where there is a significant existing residential presence. No consideration is made to existing residents and there has been a total lack of consultation.

The presence of a nightclub and rooftop bar raises concerns about safety risks, particularly with alcohol-related incidents late at night and promotion of drug use. These are real concerns given the applicant Merivale's history and track record.

For these reasons I continue to object to the proposal and urge Council to do the same.

On Wed, Dec 18, 2024 at 12:41 PM Cameron <[redacted] wrote:

> **To the Planning Officer**
> City of Sydney Council
>
> Dear Sir/Madam,
>
> I am writing to formally object to the proposed concept plan for the development at**104-118 Clarence Street**, **46-52 King Street**, **73 York Street**, **71 York Street**, and **75 York Street**, Sydney. As a local resident, I have significant concerns about the plan.
>
> 1. **Noise Disruption** :
> The proposed nightclub and rooftop bar will create significant noise, especially at night, which will disrupt residents in the area. There has been no proper consideration of how this noise will be managed or how it might affect the quality of life for those living nearby.
>
> 2. **Lack of Residential Impact Assessment** :
> The development plan fails to address the impact on residents, including the potential for late-night disturbances and increased traffic. The inclusion of these commercial entertainment venues is inappropriate in a area where there is a significant existing residential presence.
>
> 3. **Overdevelopment** :
> The scale of the development is excessive for this part of the city, which will likely lead to overcrowding, congestion, and parking issues, further affecting the livability of the area.

4. **Safety Concerns** :
   The presence of a nightclub and rooftop bar raises concerns about safety risks, particularly with alcohol-related incidents late at night and drug use. We are seriously concerned that the applicant will not be able to manage these risks given its poor track record.

In light of these issues, we respectfully request that the council refuse the approval of this development,

Thank you for your consideration.

From: David <[redacted] on behalf of David <[redacted] <David <[redacted]
Sent on: Friday, July 11, 2025 1:26:18 PM
To: council@cityofsydney.nsw.gov.au
Subject: D/2024/1018 submission

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 the Local Planning Panel, City of Sydney

Re: Objection to the Proposed Planning Application – Renotification Submission

Application D/2024/1018

Site Addresses:

- 104–118 Clarence Street, SYDNEY NSW 2000
- 46–52 King Street, SYDNEY NSW 2000
- 73 York Street, SYDNEY NSW 2000
- 71 York Street, SYDNEY NSW 2000
- 75 York Street, SYDNEY NSW 2000

I am writing to lodge a formal objection to the above development proposal, which has been renotified for public comment. Upon further review, I must reiterate and expand upon my serious concerns regarding the nature, scale, and impact of this proposal on our community and the surrounding environment.

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1. Environmental and Noise Concerns

The proposal includes a 24/7 entertainment precinct and nightclub, which will significantly elevate ambient noise levels across a wide area. This is particularly concerning given the densely populated nature of the surrounding precinct. The developer has failed to provide any robust, independent noise impact assessment that fully accounts for the round-the-clock operation and open-air rooftop components.

Further, there has been inadequate community consultation or environmental monitoring to assess the cumulative impacts on residents' mental well-being, sleep quality, and overall health. The lack of transparency and community engagement on such a high-impact issue is unacceptable.

---

2. History of Non-Compliance by the Applicant

It is important to highlight that the applicant, **Merivale**, has a track record of breaching various regulatory and licensing conditions in previous developments. Allowing the same operator to manage such a large-scale site without stringent oversight introduces a high likelihood of repeated violations, further endangering public safety and trust in planning enforcement.

This history must be given serious weight in the assessment process, as it sets a precedent for potential ongoing non-compliance and disregard for operational constraints.

3. Inconsistent with the Public Interest and Housing Needs

The proposed development would eliminate all existing residential accommodation on the site, effectively displacing current residents. This action is especially troubling during an ongoing housing affordability and rental crisis across Sydney.

It is neither justifiable nor ethical to displace residents to make way for a late-night entertainment hub. This proposal prioritises commercial profit over basic human needs, and approving it sends a damaging message about the city's commitment to housing equity and social responsibility.

---

4. Negative Community and Social Impact

The extension of liquor licensing across the entire site, including an open-air rooftop bar, introduces serious risks of alcohol-related violence, anti-social behaviour, noise disturbances, and general disruption. These issues have been well-documented in similar precincts throughout the CBD. Again the applicant Merivale cannot be trusted to manage this behaviour base on there history of non compliance.

Moreover, the proposal lacks any demonstrated community benefit. There is no social infrastructure, cultural space, or public amenity integrated into the plan—nor has the developer meaningfully consulted with local stakeholders. This absence of community-centred planning is deeply concerning.

---

5. Traffic and Infrastructure Strain

The increase in traffic volumes due to visitors, delivery services, and late-night patronage will place significant strain on an already congested part of the city. The proposal fails to provide sufficient parking spaces, loading zones, or traffic mitigation measures. This oversight will exacerbate existing traffic issues, reduce pedestrian safety, and negatively impact local businesses and residents.

Conclusion and Request for Rejection

Given the significant and unresolved issues outlined above—including environmental harm, housing displacement, public safety risks, and a blatant disregard for community wellbeing—I strongly urge the Council to**reject this planning proposal** in its entirety.

This development is not aligned with the principles of sustainable urban planning, nor does it serve the interests of the wider community.

Yours sincerely,

David

Item 5.

Development Application: 155 Mitchell Road, Erskineville - D/2025/448

File Number: D/2025/448

Summary

Date of Submission:	3 June 2025
Applicant:	Coronation Property Co Pty Ltd
Architect/Designer:	FJC
Developer:	Coronation Property Co Pty Ltd
Owner:	Erskineville Developments Pty Ltd
Planning Consultant:	Urbis
Heritage Consultant:	GBA Heritage
DAP:	Pre-lodgement Advice - 1 August 2024, 28 November 2024, and 11 February 2025
Cost of Works:	$568,650,460.00
Zoning:	The site is zoned E1 Local Centre and MU1 Mixed-Use under the Sydney Local Environmental Plan 2012. The proposed development is a mixed-use development comprising 'residential flat buildings', 'shop-top housing' and 'retail premise'. The uses are permitted with consent within the relevant zones.
Proposal Summary:	Development consent is sought to amend the approved concept consent (D/2015/966) relating to buildings F&I and G&H only, to convert the residential component to Build-to-Rent housing and affordable housing. The proposed development seeks to apply the in-fill affordable housing bonuses under Chapter 2 of SEPP (Housing) 2021 which permits up to an additional 30% floor area and height. The approved envelopes are proposed to be modified accordingly.

In addition to the City's affordable housing contributions applying, the application is accompanied by a public benefit offer (PBO) for the construction and ongoing operation of standalone on-site affordable to be managed by a Tier-1 community housing provider - Evolve Housing. This will be secured 'in perpetuity' on title exceeding the requirements of Chapter 2 of the Housing SEPP.

A detailed development application (D/2025/405) for the buildings the subject of this amending application has been assessed concurrently and is also reported to the CSPC for determination.

The application was notified for a period of 28 days between 4 June and 5 July 2025. 75 submissions were received.

The application is referred to the Central Sydney Planning Committee (CSPC) for determination as the proposed development is defined as a 'major development'' for the purpose of the City of Sydney Act 1988.

Summary Recommendation: The development application is recommended to be delegated to the CEO to determine the application:

- following the conclusion of the public exhibition of the draft Voluntary Planning Agreement (VPA/2025/7), and consideration of any public submissions received in response; and
- subject to receipt of an approval from Federal Department of Infrastructure and Regional Development, Airspace Protection, Aviation and Airports, pursuant to the Airports (Protection of Airspace) Regulations 1996 and clause 7.16 of the Sydney Local Environmental Plan 2012.

Development Controls:

(i) Environmental Planning and Assessment Act NSW 1979 and Environmental Planning and Assessment Regulations 2021

(ii) City of Sydney Act 1988 and City of Sydney Regulations 2016

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

(iv) Sydney Airport Referrals Act 1996

(v) Airports Act 1996 (Cth) and Civil Aviation (Building Control) 1988

(vi) Draft Sydney Local Environmental Plan 2012 (Planning Proposal - Policy and Housing Keeping Amendments 2023)

(vii) Sydney Local Environmental Plan 2012 (Gazetted 24 April 2025)

(viii) Sydney Development Control Plan 2012

(ix) SEPP (Biodiversity and Conservation) 2021

(x) SEPP (Housing) 2021

(xi) SEPP (Industry and Employment 2021

(xii) SEPP (Resilience and Hazards) 2021

(xiii) SEPP (Sustainability) 2021

(xiv) SEPP (Transport and Infrastructure 2021

(xv) City of Sydney Interim Floodplain Management Policy 2012

(xvi) City of Sydney Guidelines for Waste Management in New Developments

(xvii) Sydney Landscape Code Volume 2: All development except single dwellings

(xviii) City of Sydney Community Engagement Strategy and Community Participation Plan 2022

(xix) City of Sydney Development Contributions Plan 2015

(xx) City of Sydney Affordable Housing Program 2023

(xxi) Housing and Productivity Order 2024

Attachments:

(A) Recommended Conditions of Consent

(B) Conditions of Consent (D/2015/966/I)

(C) Amended Concept Plan Drawings

(D) Clause 4.6 Variation Request - Height of Buildings

(E) Submissions

Recommendation

It is resolved that:

(A) authority be delegated to the Chief Executive Officer (CEO) to determine Development Application number D/2025/448 following the conclusion of the public exhibition of the draft Voluntary Planning Agreement (VPA/2025/7), and consideration of any public submissions received in response;

(B) authority be delegated to the Chief Executive Officer (CEO) to determine Development Application number D/2025/448 subject to receipt of an approval from Federal Department of Infrastructure and Regional Development, Airspace Protection, Aviation and Airports, pursuant to the Airports (Protection of Airspace) Regulations 1996 and clause 7.16 of the Sydney Local Environmental Plan 2012;

(C) the Chief Executive Officer (CEO) consider granting deferred commencement development consent pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, subject to the recommended conditions requiring the Voluntary Planning Agreement to be executed and registered on title prior to the consent becoming operative, and the conditions of consent outlined in Attachment A to this report; and

(D) the variation requested to Clause 4.3 'Height of buildings' development standard be upheld in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

(A) The proposed development satisfies the objectives of the Environmental Planning and Assessment Act 1979 in that, subject to 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/CEO at the time of determining this application, the Committee is satisfied that:

  (i) the applicant's written request relating to the maximum height of buildings development standard adequately addressed the matters required to be addressed under Clause 4.6 of the Sydney Local Environmental Plan 2012, that compliance with the respective development standards is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening the development standards.

(C) The proposed development 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 the State Environmental Planning Policy (Housing) 2021. Where non-compliances exist, they have been demonstrated in this report to be acceptable in the circumstances of the case or can be resolved through the detailed development application.

(D) The proposed development will provide on-site affordable housing in perpetuity.

(E) The proposed development is capable of demonstrating 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 resulting from the amended building envelopes would have a form, bulk and massing that is suitable for the site and its context and is appropriate in the setting of the Ashmore Neighbourhood locality, when taking into consideration the additional floor space permitted to accommodate the on-site affordable housing.

Background

The Site and Surrounding Development

1. The site has a legal description of Lot 20 in DP 1290687 and is known as 155 Mitchell Road, Erskineville. The site is part of the broader Ashmore Estate site which is the subject of the approved concept plan (D/2015/966), sought to be amended under this application. The proposed development comprises the development blocks for buildings F&I and buildings G&H located at the southern end of the broader site.

2. The site is irregular in shape with an approximate area of 2.65 hectares. The site is bound by MacDonald Street (future) to the north, Mitchell Road to the east, Coulson Street to the south, and Hadfield Street to the west.

3. The site is located within the Ashmore Neighbourhood. The surrounding area is characterised by a mixture of land uses, primarily being residential and mixed-use, including:

   (a) Development within the Ashmore Neighbourhood to the north and west comprises predominantly residential development between three- and eight-storeys in height, with the building directly to the north also including ground level retail.

   (b) A 7,500sqm neighbourhood park, to be known as McPherson Park provided by the development, is under construction directly to the north.

   (c) Development within the Coopers Estate heritage conservation area (C2) to the east comprises predominantly residential development, being terraced houses and three- four-storey residential flat buildings, with some retail along Mitchell Road.

   (d) Development within Sydney Park Village to the south comprises predominantly residential development between four- and ten-storeys in height, with the building directly to the south also including ground level retail.

4. The site is an active construction site with early works for buildings F&I and G&H, and infrastructure within Kooka Walk south (future) progressing.

5. The site is identified as being subject to flooding. The development of the broader site includes flood mitigation measures including the construction of the Ashmore trunk drain under Kooka Walk and a detention basin within McPherson Park.

6. A site visit was carried out on 29 July 2025. Photos of the site and surrounds are provided below:



Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from Mitchell Road facing south



Figure 3: Site viewed from Mitchell Road facing north



Figure 4: Site viewed from Coulson Street facing east



Figure 5: Site viewed from Hadfields Street facing north



Figure 6: Coopers Estate conservation area (Mitchell Road) facing southeast



Figure 7: Coopers Estate conservation area (Mitchell Road) facing southeast



Figure 8: Coopers Estate conservation area (Mitchell Road) facing southeast



Figure 9: Sydney Park Village (Coulson Street) facing southwest



Figure 10: Onea (Hadfields Street) facing southwest



Figure 11: Park Sydney Village (Mitchell Road) facing northwest

History Relevant to the Development Application

Development Applications

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

- **D/2015/966** – Development consent was granted on 3 March 2017, subject to deferred commencement, for a concept plan for a mixed-use precinct, including residential, commercial and recreation uses, including building envelopes for nine buildings ranging in height between two and eight storeys and concept design for public domain works including new streets, park and trunk drainage. The consent was made operational on 18 October 2017. The concept plan has been modified seven times (Modifications A-D, F-G & I).

- **D/2025/301** – Development consent was granted on 31 July 2025 for early works for block F&I including site preparation works, remediation, including installation of a borrow pit, bulk excavation, shoring and associated services to facilitate the future development.

- **D/2025/335** – Development consent was granted on 15 August 2025 for early works for block G&H including site preparation works, remediation, bulk excavation, shoring, and associated services to facilitate the future development. A modification application was lodged to reduce the extent of excavation (Mod A).

- **D/2025/405** – A development application was lodged on 22 May 2025 seeking consent for the detailed design of buildings F&I and G&H. The detailed design is a mixed-use development comprising retail premises, and build-to-rent and affordable housing. This application is reported to CSPC for determination concurrently.

- **D/2025/467** – A development application was lodged on 26 May 2025 seeking consent for construction of a stormwater culvert within Kooka Walk south.

Housing Delivery Authority

8. It is noted that the proposal may have been eligible to be declared State Significant Development (SSD) by Housing Delivery Authority (HDA). A development declared SSD is assessed by the Department of Planning, Housing and Infrastructure and would not be assessed by the City, reviewed by DAP or determined by the CSPC.

9. The applicant's lodgement of this development application with the City has enabled a favourable voluntary planning agreement to be negotiated that secures the affordable housing component ongoing as opposed to the provisions of the Housing SEPP only requiring the affordable housing component to be provided for 15 years.

10. The City is best placed to assess this development application noting the complex planning history for the site and the broader Ashmore Neighbourhood, and the sensitivities of the surrounding built environment.

11. Additionally, the development involves the delivery of significant public infrastructure and public domain areas which should be delivered in conjunction with the City.

Compliance Action

12. The site is not subject to any relevant compliance action.

Amendments

13. Following a preliminary assessment of the proposed development by Council Officers, a request for additional information and amendments was sent to the applicant on 28 August 2025**.** The request related to:

    (a) Amended Clause 4.6 written request regarding height of buildings standard

    (b) Additional supporting information regarding solar access and overshadowing

    (c) Amended concept building envelope plans

    (d) Revised digital model.

14. The applicant responded to the request on 15 & 30 September, and 7 October 2025 and submitted amended plans, a revised Clause 4.6 written request and additional supporting information.

Proposed Development

15. The application seeks consent to amend the approved concept consent (D/2015/966/I), relating to buildings F&I and G&H only, as follows:

    - Amend the permitted land uses to specify the residential accommodation being used for build-to-rent housing or affordable housing.

    - No change to the approved retail land uses located in Block F which includes a full-line supermarket and retail premises.

    - Amend Condition (8) Allocation of Floor Space to accommodate up to an additional 30% floor space as permitted by the in-fill affordable housing bonus in Chapter 2 of SEPP (Housing) 2021, subject to the allocation of the required affordable housing component in any detailed development application.

    - Amend the approved building envelopes by amended Condition (1) to accommodate:

        - the above floor space, including a corresponding additional 30% height as permitted by the In-fill Affordable housing bonus in Chapter 2 of SEPP (Housing) 2021, subject to the allocation of the required affordable housing component in any detailed development application

        - additional height - as justified by written request submitted pursuant to Clause 4.6 of SLEP 2012 which largely reflects the additional height permitted under the Draft Sydney Local Environmental Plan 2012 (Policy and House Keeping Amendments 2023) which is considered well advanced with Parliamentary Counsel and can be given significant weight and

        - built form amendments to:

            - maximise residential amenity

            - reflect the built forms consistent with the design competition winning schemes, as adapted

            - increase street wall heights and amend above street wall setbacks

            - increase building height, measured in storeys, to reflect the above height changes

            - amended ground level setback locations to accommodate retail activation along part of Mitchell Road.

    - Amended conditions (4), (7), (8), and (9) accordingly.

16. Plans and elevations of the proposed development are provided below.

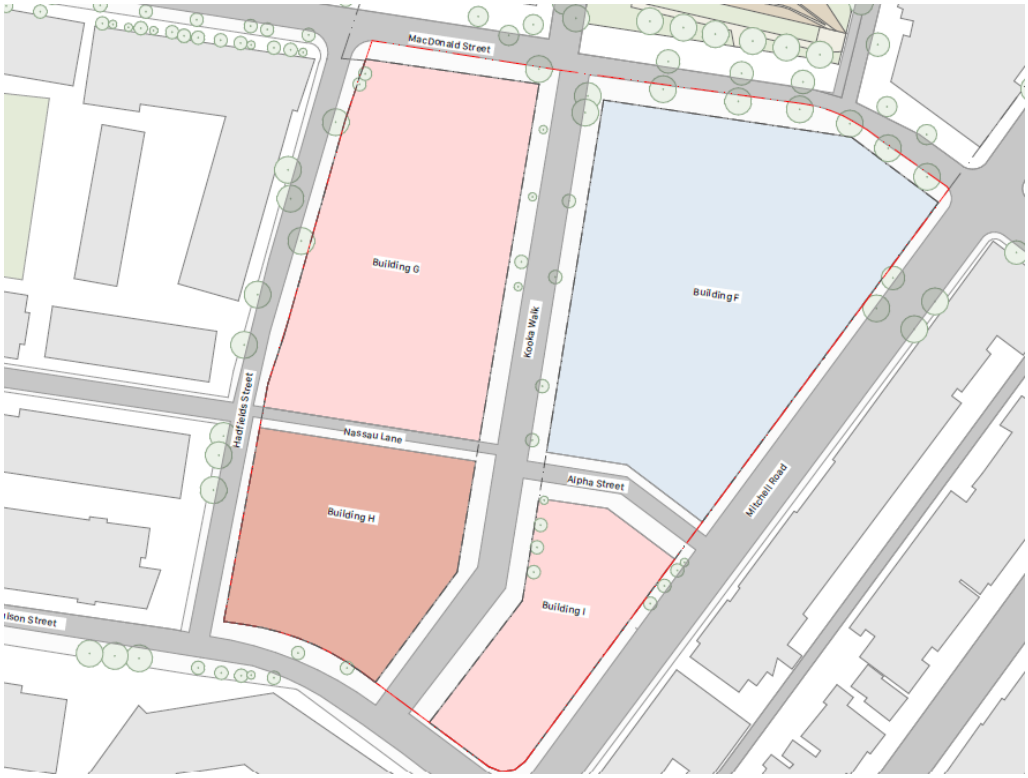


Figure 12: Proposed amended land uses plan



Figure 13: Proposed amended height in storeys plan, including street wall heights

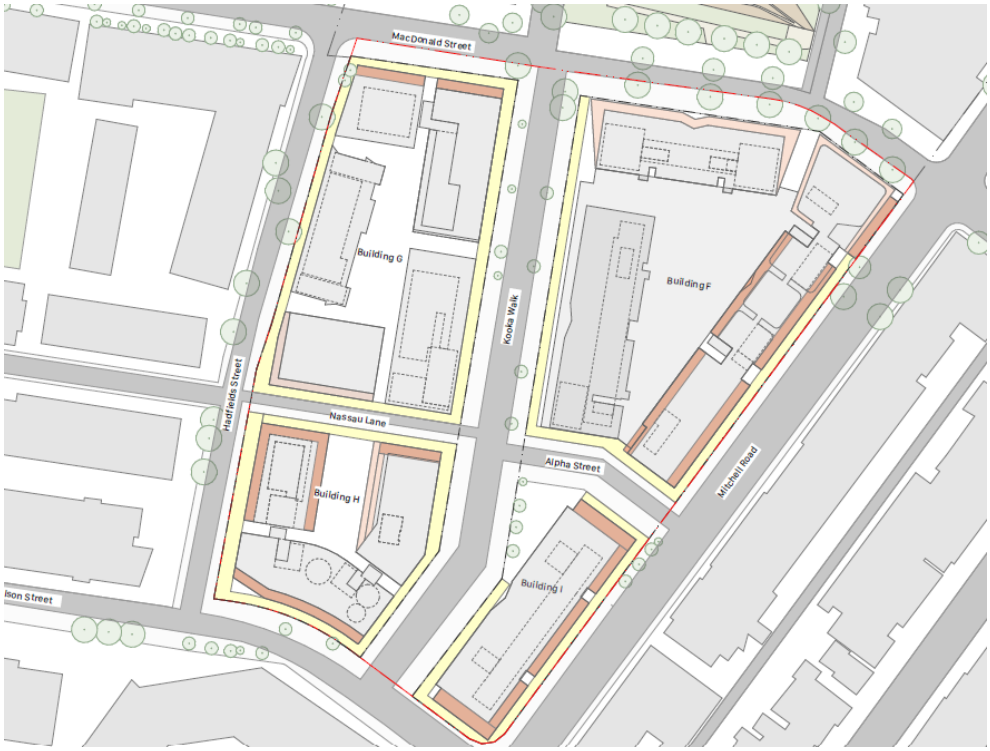


Figure 14: Proposed amended ground and upper-level setback plans

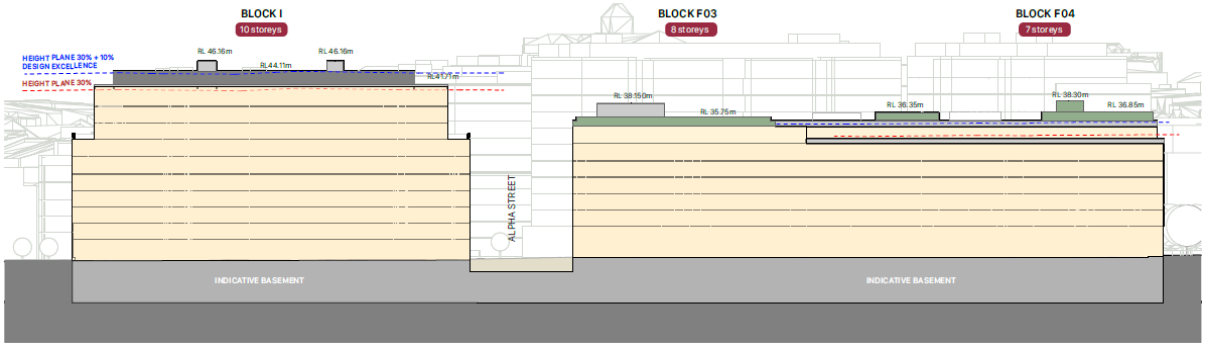


Figure 15: Proposed amended sections - buildings F and I (north-south) fronting Mitchell Road

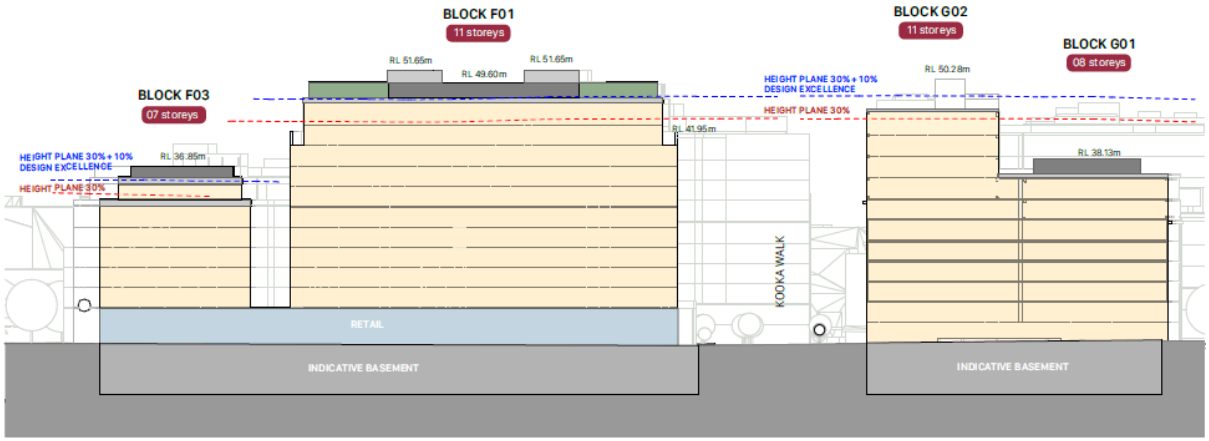


Figure 16: Proposed amended sections - buildings F and G (east-west) fronting Macdonald Street

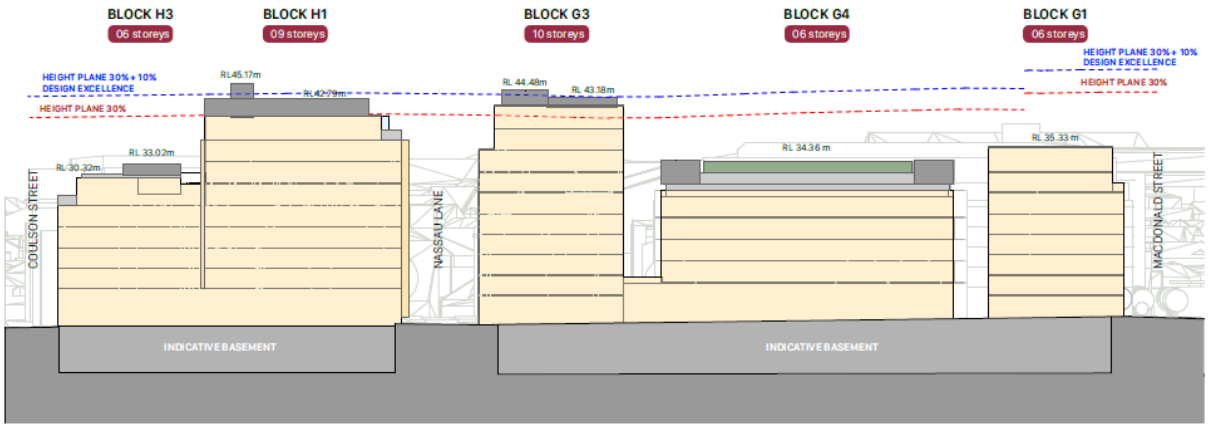


Figure 17: Proposed amended sections - buildings G and h (north-south) fronting Hadfields Street

Voluntary Planning Agreement

17. The application was accompanied by a Public Benefit Offer to enter into a Voluntary Planning Agreement with the City to provide on-site affordable housing in accordance with Chapter 2 In-fill affordable housing of the Housing SEPP, with the affordable housing provided in perpetuity.

18. The offer was accepted, and the VPA is being negotiated and drafted in association with the subject development application and accompanying detailed development application (D/2025/405).

19. The infill affordable housing is proposed to be managed by a Tier-1 registered community housing provider - Evolve Housing.

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

State Environmental Planning Policies

State Environmental Planning Policy (Housing) 2021

20. The relevant principles of SEPP (Housing) 2021 are as follows:

    (a) enabling the development of diverse housing types, including purpose-built rental housing,

    (b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,

Chapter 2 Affordable Housing

Part 2 Development for affordable housing

Division 1 In-fill affordable housing

21. The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.

22. The proposed amendments to the approved concept plan seek to utilise the full 30% affordable housing bonuses afforded by Section 16 of the SEPP for floor space ratio and height respectively.

Additional floor space ratio

23. Section 16 permits an additional floor space ratio of up to 30%, greater than the maximum permitted floor space ratio applying to the site, based on the minimum affordable housing component as calculated in accordance with the below equation

    affordable housing component = additional floor space ratio (as a percentage) ÷ 2

    for example, where a 15% affordable housing component is provided, an additional floor space ratio of 30% would be available.

24. The additional floor space has been incorporated into the proposed amended concept building envelopes and approval is sought to amend Condition (8) *Gross Floor Area* to permit the additional floor space.

25. A full assessment and calculation of the additional floor space is undertaken under the 'Floor space' heading in the discussion below as there is an interrelationship between other provisions that must all be considered.

Section 19 Non-discretionary Development Standard

26. Section 19 of the SEPP includes non-discretionary development standards for affordable housing. Compliance with the non-discretionary development standards is a matter for the detailed development application. The non-discretionary development standards relate to site area, landscaped area, parking for affordable housing dwellings, and parking for non-affordable housing dwellings. The proposed amended concept plan is capable of complying with these non-discretionary standards or in the case of parking, may be subject to less onerous provisions under another environmental planning instrument.

Section 21 Period must be used for affordable housing

27. The provisions of the SEPP, specify at Section 21, that the affordable housing is to be provided for a minimum period of 15 years, which is complied with as the affordable housing component is to be provided in perpetuity. This is captured by the Public Benefit Offer and draft Voluntary Planning Agreement.

Chapter 3 Diverse Housing

Part 4 Build-to-rent housing

28. The proposed amending concept plan comprises residential accommodation, including build-to-rent housing under Chapter 3, Part 4 and affordable housing under Chapter 2 Part 1.

29. Development consent may be granted to build-to-rent housing for development for the purpose of a residential flat building or shop top housing on land zoned, relevantly, a zone where development for the purpose of residential flat buildings is permissible and zoned MU1 Mixed-Use. The site is zoned part E1 Local Centre, in which residential flat buildings are permissible and MU1 Mixed-Use, and therefore the proposed development is permissible.

30. Section 74 of the SEPP includes non-discretionary development standards for build-to-rent housing. Compliance with the non-discretionary development standards is a matter for the detailed development application. The non-discretionary development standards relate to building height, floor space, and parking. The proposed amended concept plan is capable of complying with these non-discretionary standards, subject the flexibility afforded by Clause 4.6 of the LEP or in the case of parking, may be subject to less onerous provisions under another environmental planning instrument.

Chapter 4 - Design of Residential Apartment Development

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

32. 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.

33. The applicant has submitted a design verification statement and design report prepared by FJC 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 Section 29 of the Environmental Planning and Assessment Regulation 2021.

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

    (a) **Principle 1:** Context and Neighbourhood Character

    The proposed development is compatible with the context and neighbourhood character of the Ashmore Neighbourhood, intended to be a sustainable neighbourhood offering a variety of dwelling types. The current need for additional housing, in particular affordable housing, is relevant to context, not just within the Ashmore Neighbourhood but more broadly.

    The proposed development gives regard to the lower scale residential neighbourhood to the east, noting the separation provided by Mitchell Road, and the stepping down in scale achieved through the provision of upper level setbacks along the Mitchell Road frontage. Further design development demonstrated by a detailed development application will further assist in providing a transition in scale to the adjoining area visually through the architectural expression of the upper levels to reduce the perceived scale of the development.

    (b) **Principle 2:** Built Form and Scale

    The scale, bulk and height are appropriate having regard to the desired future character of the neighbourhood and context. The built form seeks to maximise internal amenity.

The massing has been arranged to respond to the specific opportunities and constraints of the site. The height of the buildings purposefully reduces towards the eastern, southern and western edges of the site to reduce the potential impacts on the surrounding areas.

The building envelopes are set back from all boundaries, except where an active frontage is provided, providing a landscaped setback which softens the built forms, defining the landscape character of the neighbourhood and reducing the visual bulk of the buildings on the streetscape.

(c) **Principle 3:** Density

The amended concept plan complies with the maximum permitted gross floor area, derived from the approved floor area apportioned to the site, and the floor space bonuses permitted under Clause 6.21D of the Sydney LEP and Section 16 of the Housing SEPP.

(d) **Principle 4:** Sustainability

This matter is to be addressed by a detailed development application.

(e) **Principle 5:** Landscape

There are no substantive changes to the proposed landscaping noting that the approved deep soil landscaped setbacks and overall deep soil landscape requirements remain unchanged. A landscape concept plan has been approved for buildings F&I and buildings G&H and remain applicable for the detailed development application. In addition, the proposed building envelopes support the provision of rooftop communal open spaces, including landscaping (consistent with Condition 26A of the approved concept plan).

(f) **Principle 6:** Amenity

This matter is to be addressed by a detailed development application. Notwithstanding, the proposed building envelopes are capable of accommodating a development that would reasonably achieve the amenity related objectives of the ADG, having regard to flexibility required by Section 75 of the Housing SEPP.

(g) **Principle 7:** Safety

This matter is to be addressed by a detailed development application.

(h) **Principle 8:** Housing Diversity and Social Interaction

This matter is to be addressed by a detailed development application.

(i) **Principle 9:** Aesthetics

This matter is to be addressed by a detailed development application.

35. 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)	Capable of complying	The proposed concept building envelope exceed 18m in depth, however, can be designed to accommodate floor plates with a maximum depth of no greater than 18m (glass to glass).

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	Partial inconsistency	See discussion below.
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 inconsistency	See discussion below.
9 storeys and above (over 25m): • 24m between habitable rooms / balconies • 18m between habitable and non-habitable rooms	Partial inconsistency	See discussion below.

2F Building Separation	Consistency	Comment
• 12m between non-habitable rooms		
At the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3m.	Yes	Land to the east is zoned R1 and generally comprises lower density development, predominantly terraced housing. The separation achieved through the proposed building setbacks and Mitchell Road provides adequate increased separation between dwellings.

3B Overshadowing	Consistency	Comment
Living areas, private open space and communal open space should receive solar access in accordance with objectives 3D Communal and public open space and 4A Solar and daylight access. Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%.	Capable of complying	Refer to discussion below. The detailed development application demonstrates compliance.

3D Communal and Public Open Space	Consistency	Comment
Communal open space has a minimum area equal to 25% of the site.	Capable of complying	The proposed concept envelopes accommodate communal open space areas at ground level and rooftops, with rooftop areas being prioritised in accordance with Condition 21A of the approved concept plans.
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).	Capable of complying	As above, rooftop communal open space areas are to be prioritised to maximise the amenity of these spaces. The detailed development application demonstrates compliance.

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.	Capable of complying	Condition (20) of the approved concept plan required the preparation and approval of landscape concept plans. These were approved prior to the commencement of the competitive design process for each scheme. Buildings F&I and Buildings G&H were each required to achieve 10% deep soil, noting additional deep soil is accommodated with the public domain areas of the broader site. There are minor changes proposed to the configuration of the deep soil setbacks to accommodate the proposed detailed building designs but remain generally consistent with the approved landscape plans.

3F Visual Privacy	Consistency	Comment
Up to 4 storeys (12 metres): • 6m between habitable rooms / balconies • 3m between non-habitable rooms	Partial inconsistency	See discussion below.
5 to 8 storeys (25 metres): • 9m between habitable rooms / balconies • 4.5m between non-habitable rooms	Partial inconsistency	See discussion below.
9 storeys and above (over 25m): • 12m between habitable rooms / balconies • 6m between non-habitable rooms	Partial inconsistency	See discussion below.

3F Visual Privacy	Consistency	Comment
Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas.	Capable of complying	This is a matter for the detailed development application.

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.	Acceptable	This is a matter for the detailed development application. Testing of the proposed amended envelopes indicate that there is likely to be a variation to the solar access design criteria of around 10%. This is considered acceptable having regarding the site circumstances and the additional floor space required to achieve the on-site affordable housing. See discussion below.
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	Capable of complying	The detailed development application demonstrates compliance is achievable.

4B Natural Ventilation	Consistency	Comment
All habitable rooms are naturally ventilated.	Capable of complying	This is a matter for the detailed development application.
Minimum 60% of apartments in the first 9 storeys of the building are naturally cross ventilated.	Acceptable	This is a matter for the detailed development application. Testing of the proposed amended envelopes indicate that there is likely to be a variation to the natural cross ventilation design criteria. See discussion below.

4B Natural Ventilation	Consistency	Comment
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Capable of complying	This is a matter for the detailed development application.

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m	Yes	This is a matter for the detailed development application.
Non-habitable rooms: 2.4m	Yes	
Two-storey apartments: 2.7m for main living area floor, 2.4m for second floor, where it does not exceed 50% of the apartment area.	Yes	
If located in mixed-use areas – 3.3m for ground and first floor to promote future flexibility of use.	Capable of complying	This is a matter for the detailed development application.

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.	Capable of complying	This is a matter for the detailed development application.

4D Apartment Size and Layout	Consistency	Comment
A fourth bedroom and further additional bedrooms increase the minimum internal area by 12sqm each.		
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.	Capable of complying	This is a matter for the detailed development application.
Habitable room depths are to be no more than 2.5 x the ceiling height.	Capable of complying	This is a matter for the detailed development application.
8m maximum depth for open plan layouts.	Capable of complying	This is a matter for the detailed development application.
Minimum area for bedrooms (excluding wardrobes): • master bedroom: 10sqm • all other bedrooms: 9sqm Minimum dimension of any bedroom is 3m (excluding wardrobes).	Capable of complying	This is a matter for the detailed development application.
Living and living/dining rooms minimum widths: • Studio and one-bedroom: 3.6m • 2-bedroom or more: 4m	Capable of complying	This is a matter for the detailed development application.
4m minimum width for cross over and cross through apartments.	Capable of complying	This is a matter for the detailed development application.

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. 2 bed apartments are to have a minimum balcony area of 10sqm with a minimum depth of 2m. 3 bed apartments are to have a minimum balcony area of 12sqm with a minimum depth of 2.4m.	Capable of complying	This is a matter for the detailed development application.
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.	Capable of complying	This is a matter for the detailed development application.

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is 8.	Capable of complying	This is a matter for the detailed development application.
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	Capable of complying	This is a matter for the detailed development application.
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	Capable of complying	This is a matter for the detailed development application.

4F Common Circulation and Spaces	Consistency	Comment
rooms should be carefully controlled.		
Daylight and natural ventilation are provided to all common circulation spaces.	Capable of complying	This is a matter for the detailed development application.

4G Storage	Consistency	Comment
Minimum storage provision facilities: • Studio: 4m^3 • 1 bed: 6m^3 • 2 bed: 8m^3 • 3 bed: 10m^3 (Minimum 50% storage area located within unit)	Capable of complying	This is a matter for the detailed development application.

4J Noise and Pollution	Consistency	Comment
Have noise and pollution been adequately considered and addressed through careful siting and layout of buildings?	Capable of complying	This is a matter for the detailed development application.

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 Standards for residential development - BASIX

36. The proposed concept plan includes residential development. The detailed development application will be required to be accompanied by a BASIX certificate.

Chapter 3 Standards for non-residential development

37. The proposed concept plan includes development, other than development for the purposes of residential accommodation, that involves the erection of a new building, if the development has an estimated development cost of $5 million or more. Chapter 3 of the SEPP will therefor apply to the detailed development application.

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

38. 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.

39. The approved concept consent addressed site contamination and Condition (18) was imposed requiring the provisions of this SEPP (transitional provisions) to be satisfied for any subsequent detail development application.

40. The proposed land use changes under this amending concept application remain within the same land use categories, being retail premises and residential accommodation. The amended concept application does not introduce any more sensitive land uses that would require further assessment regarding site suitability or the potential for the land to be made suitable for the approved uses.

41. The approved early works consents (D/2025/301, D/2025/335 and D/2025/467 (under assessment)) included the required information and the consent authority was satisfied that the site could be made suitable for the proposed land uses subject to the implementation of the approved Remediation Works Plans.

State Environmental Planning Policy (Transport and Infrastructure) 2021

42. 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

Section 2.47 Excavation – corridors and transmission circuits

43. The application is subject to Section 2.47 as the development involves the penetration of ground to a depth of at least 3 metres below ground level (existing) on land that is within 10 metres (measured radially) of the centreline of the Transgrid electricity supply corridor.

44. The proposed development is located at least 12.5m from the Transgrid electricity supply corridor located in Mitchell Road and therefore referral under this Clause was not required.

Section 2.48 Determination of development applications – other development

45. The application is subject to Section 2.48 of the SEPP as the development involves the penetration of ground within 2m of an electricity distribution pole and involves or requires the placement of power lines underground.

46. As such, the application was referred to Ausgrid for a period of 21 days and no objection was raised.

Division 17, Subdivision 2: Development in or adjacent to road corridors and road reservations

Section 2.120 – Impact of road noise or vibration on non-road development

47. The application is subject to Section 2.120 of the SEPP of the policy. This section applies to development for the purpose of certain non-road development on land adjacent to a busy road, i.e., a freeway or other road with an average daily traffic frequency of more than 20,000 vehicles, and the consent authority considers is likely to be adversely affected by road noise and vibration.

48. The proposed development includes residential accommodation. The site fronts Mitchell Road along its eastern boundary which is identified as a busy road. It is considered likely that the development would be adversely affected by road noise, notwithstanding the lower traffic speeds along Mitchell Road.

49. The detailed development application will be required to address the noise criteria in sub-section 2.120(3).

Section 2.122 – Traffic-generating development

50. The application is subject to Clause 2.122 of the SEPP as the proposed development is traffic generating development as outlined in the Table in Schedule 3 to the SEPP.

51. Accordingly, the application was referred to Transport for NSW for a period of 21 days and no objection was raised.

Local Environmental Plans

Draft Sydney Local Environmental Plan 2012 - Policy and Housing Keeping Amendments 2023

52. Planning Proposal PP-2024-709 is a relevant consideration under section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979.

53. Relevantly, the planning proposal includes:

    (a) LEP amendment 2 - Structures associated with green roofs

        Additional miscellaneous provision allowing rooftop structures providing access to rooftop gardens or communal open spaces that, support social use of roof areas, to exceed the height of building shown for the land on the Height of Buildings Map.

    (b) LEP amendment 8 - Design excellence processes

        Amendment (4) to Clause 6.21D(3) to permit the consent authority to award a bonus of up to 10 per cent additional building height **and** up to 10 per cent additional floor space to a building demonstrating design excellence when considering a development application resulting from a competitive process.

54. The planning proposal was subject of public exhibition between 17 December 2024 and 14 March 2025.

55. The planning proposal was returned to the Department of Planning, Housing and Industry (DPHI) for assessment and drafting on 1 July 2025.

56. The relevant draft amendments are considered to be well advanced and should be afforded significant weight in the assessment of this application as addressed below. The amendments are currently with Parliamentary Counsel for drafting. The City understands that DPHI raised no substantive issues that would prevent the making of the amended LEP.

Sydney Local Environmental Plan 2012

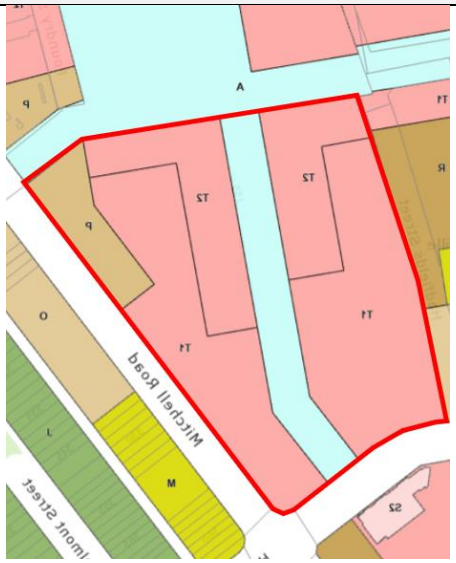
57. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is zoned E1 Local Centre and MU1 Mixed-Use. The proposed development is defined as: • residential flat buildings • shop-top housing • retail premises, including a shop (supermarket) These uses are permitted with consent in the relevant zones. The proposal generally meets the objectives of the relevant zones.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings 4.6 Exceptions to development standards	No, subject to Clause 4.6 variation	The site is subject to a maximum permitted building height of 18m, 25m and 27m.

Provision	Compliance	Comment
		 Figure 18: height map extract Section 16(3) of the Housing SEPP permits up to a 30% additional building The relevant maximum heights are outlined in detail in the 'Discussion' section below, to which the proposed development does not comply, and a request to vary the maximum height of buildings standard in accordance with Clause 4.6 has also been submitted.
4.4 Floor space ratio	Yes	The approved concept plan apportioned the gross floor area across the 9 development blocks as indicated in condition (8) *Allocation of Floor Space*. F = 24,962.5sqm G = 18,941sqm H = 11,887.5sqm I = 7,933.5sqm Total = 63,725sqm Clause 6.21D(3)(b) permits an additional 10% floor space for building demonstrating design excellence resulting from a competitive process. Total = 70,097.5sqm* *Whilst the bonus is not awarded under the concept application, the potential to

Provision	Compliance	Comment
		obtain the bonus is considered and is relevant to the calculation of the in-fill affordable housing bonus below. Section 16(1) of the Housing SEPP permits up to a 30% additional gross floor area as discussed earlier in this report. Total = 91,126.04sqm** **subject to a detailed DA achieving the design excellence bonus. Condition (8) *Allocation of floor space* is recommended to be amended to reflect the above, subject to any subsequent detailed development application (for buildings F&I and G&H) providing the corresponding provision of affordable housing (15%) in accordance with Chapter 2 of the Housing SEPP, in perpetuity in accordance with the PBO.
4.6 Exceptions to development standards	Refer to Discussion below.	The proposed development seeks to vary the development standard prescribed under Clause 4.3. A Clause 4.6 written request has been submitted with the application. Refer to discussion below.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is located within the vicinity of the Cooper Estate heritage conservation area CA2. The building separation afforded by Mitchell Road is sufficient to ensure that the proposed development would not have an adverse impact on the heritage significance of the conservation area.
5.21 Flood planning	Yes, capable of complying	The site is subject to flooding during the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events. A site-specific flood study has been submitted with the application and accompanying detailed applications and

Provision	Compliance	Comment
		recommends flood planning levels (FPLs) for the development. Council's Public Domain Unit has reviewed the proposed development. The detailed development application is to incorporate the relevant FPLs to ensure compliance with the City's Interim Floodplain Management Policy.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21C Design excellence	Yes, capable of complying	The proposed development is for concept building envelopes which are capable of accommodating future buildings which can exhibit design excellence in accordance with the objectives and matters for consideration in Clause 6.21C of the Sydney LEP 2012. Demonstration of design excellence is required before the award of any additional building floor space.

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	Capable of complying	The detailed development application is subject to these development standards and is required to demonstrate compliance. 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 amended concept plan does not approve the size of location of basements.
7.5 Residential flat buildings, dual occupancies and multi dwelling housing	Capable of complying	

Provision	Compliance	Comment
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	The detailed development application will be subject to an affordable housing contribution and will be calculated based on the Total Floor Area and allocation of uses of the detailed development.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Capable of complying	The site is located on land with class 3 Acid Sulfate Soils. This is a matter required to be addressed by the detailed development application.
7.16 Airspace operations	No	The proposed development will penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for Sydney Airport. Flysafe are yet to provide approval. As outlined in the recommendations of this report, it is recommended that the application be delegated to the CEO for approval following receipt of the appropriate approval.
7.19 Demolition must not result in long term adverse visual impact	Not applicable	The developer obtained a complying development certificate for the demolition of the existing buildings. The site is currently an active construction site and hoardings have been installed, screening the site from the surrounding public domain.
7.20 Development requiring or authorising preparation of a development control plan	Yes	In accordance with Section 4.23 of the Act, the approved concept plan (subject to approval of this amending concept application) will satisfy the obligation to prepare a development control plan.
7.23 Large retail development outside of Green Square Town Centre and other planned centres	Yes	The proposed location of the mixed-use building which includes 'retail premises' is located within the E1 Local Centre zoned portion of the site and is not identified as Restricted Retail Development under this clause.

Provision	Compliance	Comment
7.33 Sustainability requirements for certain large commercial development	Capable of complying	The proposed development does not comprise a *large commercial premise*. The proposed development may comprise a *prescribed shopping centre*. This is a matter required to be addressed by the detailed development application.

Development Control Plans

Sydney Development Control Plan 2012

58. 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

59. The site is located within the Ashmore Neighbourhood locality. The proposed development is in keeping with the unique character and the design principles of the locality.

60. The objectives in Table 1 are particularly relevant to the proposed development. It should be noted that several objectives are achieved through associated applications for the construction and delivery of public domain areas, such as Kooka Walk and McPherson Park.

Table 1: Relevant Ashmore Neighbourhood Objectives

Objective	Comment
(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.	This is a matter for the detailed development application.
(c) Mix of dwellings to provided flexibility and choice	This is a matter for the detailed development application.
(d) Ensure building heights in Ashmore provide a transition to the surrounding conservation areas	Whilst it is noted that building heights have increased to accommodate the additional floor space required to achieve the on-site affordable housing, the height of buildings along Mitchell Road adjoining the conservation area include upper-level setbacks and will be required to provide a change in materiality and finishes to assist

Objective	Comment
	in the maintaining a visual transition in scale between the neighbourhoods.
(i) Create a strong landscaped character that unites development in Ashmore by setting back development from the public domain and providing native planting that is in accordance with the Council's Landscape Code.	The approved concept plan is consistent with this objective and there are only minor changes proposed to the configuration of the deep soil setbacks to accommodate the proposed detailed building designs.
(j) Introduce an appropriate mix of land uses with retail at ground level on MacDonald Street, adjacent to McPherson Park and some commercial uses at the intersection of MacDonald Street and Mitchell Road.	The approved concept plan is consistent with this objective and there are no changes proposed to the approved uses or their locations within the development.
(k) Protect key panoramic views from Sydney Park to the CBD skyline and King Street ridge and east-west views throughout the neighbourhood to enhance visual permeability.	The existing view from the eastern knoll in Sydney Park is largely retained. There is some impact to the eastern edge but is deemed acceptable as discussed below.

61. The principles in Table 2 are particularly relevant to the proposed development.

Table 2: Ashmore Neighbourhood Principles

Principles	Comment
1 Transition of Building Heights • Transition in height to conservation areas • Street walls heights with upper-level setbacks to Mitchell Road • Locate higher buildings around McPherson Park	Street wall heights have been increased and upper-level setbacks reduced to accommodate the additional floor space to achieve the onsite affordable housing. An upper-level setback to Mitchell Road has been retained. The detailed design is to incorporate a change in materiality and finishes to delineate the approved street wall heights and break down the increased heights of the street wall elevations. Larger buildings are located around McPherson Park, consistent with the park room approach taken for the broader Ashmore Estate site.

Principles	Comment
2 Land Uses • Predominantly residential • Local shops and services • Open spaces	There are no changes proposed to the approved uses or their locations within the development.
3 Public Domain • McPherson Park and Kooka Walk • Water sensitive urban design • Landscaped setbacks	There are no changes proposed to the delivery of the public domain. There are minor changes proposed to the configuration of the deep soil setbacks to accommodate the proposed detailed building designs.

Section 3 – General Provisions

Provision	Compliance	Comment
3.1 Public Domain Elements	Yes	There is no substantive changes proposed to the public domain area required to be delivered in accordance with VPA/2017/39.
3.2. Defining the Public Domain	Yes	A Public Art Master Plan has previously been approved for the broader site. The design and implementation of public art is a matter for the detailed development application.
3.3 Design Excellence and Competitive Design Processes	Yes	In this instance competitive design processes have already been undertaken for both buildings F&I and buildings G&H, respectively and are eligible for up to 10% additional floor space pursuant to Clause 6.21D(3)(b) of the LEP. The potential additional floor space has been accommodated within the amended concept plan envelopes.
3.4 Hierarchy of Centres, City South	Yes	There are no changes proposed to the approved uses or their locations which remain consistent with the intended hierarchy of centres, noting Ashmore's role as a Local Village.

Provision	Compliance	Comment
3.5 Urban Ecology	Yes	There are no substantive changes to the proposed deep soil area. The approved landscape concept plans remain relevant. Deep soil landscaped areas will include canopy tree planting improving urban canopy and the urban ecology of area.
3.6 Ecologically Sustainable Development	Capable of complying	This is a matter for the detailed development application.
3.7 Water and Flood Management	Yes	The site is flood affected. The relevant flood planning levels have been considered in the design of the proposed amended building envelopes, noting the established FPLs influence building height. The VPA requires installation of dual reticulation water reuse infrastructure within Kooka Walk.
3.8 Subdivision, Strata Subdivision and Consolidation	Yes	Site consolidation was addressed by condition (3) of the approved concept consent. Further subdivision will occur to create the development blocks and land to be dedicated or transferred to Council as public domain areas (Kooka Walk, Alpha Street and footpath widening).
3.9 Heritage	Yes	The site is adjacent to the Cooper Estate Heritage Conservation Area. The physical and visual separation afforded by Mitchell Road ensures that the proposed development would not adversely impact the heritage significance of the adjacent conservation area.
3.11 Transport and Parking	Yes	This is a matter for the detailed development application.
3.12 Accessible Design	Yes	This is a matter for the detailed development application.
3.14 Waste	Yes	This is a matter for the detailed development application.

Provision	Compliance	Comment
3.15 Late Night Trading Management	Yes	This is a matter for the detailed development application or subsequent applications for the operation of the non-residential premises.
3.16 Signage and Advertising	Yes	Addressed by condition (45) of the approved concept consent.

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	Acceptable	The proposed building height in storeys has been increased and is inconsistent with figure 5.144 of the DCP due to the application of the in-fill affordable housing bonus under the Housing SEPP. The additional floor space required to achieve the on-site affordable housing has been distributed through the site responding to the design principles for the Ashmore Neighbourhood, addressed above, and the specific context of the site. This is assessed in detail in the discussion below.
4.2.2 Building setbacks	Yes	There are only minor changes to the approved ground floor level setbacks. Refer to discussion below.
4.2.3 Amenity		
4.2.3.1 Solar access	Acceptable	*Solar access to proposed apartments* Refer to ADG assessment above. *Overshadowing to neighbouring dwellings* Refer to discussion below.

Provision	Compliance	Comment
4.2.3.3 Internal common areas	Capable of complying	This is a matter for the detailed development application.
4.2.3.4 Design features to manage solar access	Capable of complying	This is a matter for the detailed development application.
4.2.3.5 Landscaping	Capable of complying	This is a matter for the detailed development application.
4.2.3.6 Deep Soil	Capable of complying	There are no changes proposed to the site deep soil requirements as outlined in the approved landscape concept plan. There are minor changes proposed to the configuration of the deep soil setbacks to accommodate the proposed detailed building designs.
4.2.3.8 Common open space	Capable of complying	There are no changes to Conditions (21) *Communal Open Space* and (21A) *Communal Open Space and Green Roof* of the approved concept plan. The proposed amended building envelopes accommodate sufficient communal open space areas, with rooftop areas prioritised.
4.2.3.9 Ventilation	Capable of complying	This is a matter for the detailed development application.
4.2.3.10 Outlook	Capable of complying	This is a matter for the detailed development application.
4.2.3.11 Acoustic privacy	Capable of complying	This is a matter for the detailed development application.
4.2.3.12 Flexible housing and dwelling mix	Capable of complying	This is a matter for the detailed development application.
4.2.4 Fine grain, architectural diversity and articulation	Capable of complying	This is a matter for the detailed development application.
4.2.6 Waste and recycling Management	Capable of complying	This is a matter for the detailed development application.

Provision	Compliance	Comment
4.2.9 Non-residential development in the MU1 Mixed-Use zone	Capable of complying	This is a matter for the detailed development application.

Section 5 – Specific Areas

Provision	Compliance	Comment
5.5.3 Local infrastructure and public domain		
5.5.3.1 Street network	Yes	The proposed development is consistent with the planned street network which is being delivered under separate development consents.
5.5.3.4 Public Open Space	Yes	The proposed development is consistent with the planned public open space network being delivered under separate development consents.
5.5.4.1 Solar Access	Acceptable	The amended concept envelopes will likely overshadow the public space located directly to the south of Building I. See discussion below. The amended concept envelopes will not have any impact on solar access to McPherson Park.
5.5.4.2 Quality of landscaping and landscaped setbacks	Capable of complying	This is a matter for the detailed development application.
5.5.7 Land use mix	Yes	There are no changes proposed to the approved uses or their locations.
5.5.8 Building Layout, form and design	Capable of complying	This is a matter for the detailed development application.
5.5.8.1 Height of buildings	Acceptable	The provisions of SEPP Housing prevail. See discussion below.
5.5.8.2 Views	Acceptable	The existing views from the eastern knoll in Sydney Park are largely retained. There is some impact to the eastern edge but is deemed acceptable. See discussion below.

Provision	Compliance	Comment
5.5.8.3 Dwelling type and location	Capable of complying	This is a matter for the detailed development application.
5.5.8.4 Building form and design	Capable of complying	This is a matter for the detailed development application.
5.5.8.5 Typical ground floor condition for residential flat buildings	Capable of complying	This is a matter for the detailed development application.
5.5.8.6 Fences	Capable of complying	This is a matter for the detailed development application.
5.5.8.7 Building Materials	Capable of complying	This is a matter for the detailed development application.
5.5.9.1 Other development	Capable of complying	This is a matter for the detailed development application.
5.5.10 Biodiversity	Capable of complying	Deep soil landscaped areas will include canopy tree planting improving urban canopy and the urban ecology of area.

Discussion

Reference scheme

62. Ordinarily a reference scheme is submitted to demonstrate that the proposed concept plan can be appropriately developed. This requirement is met through the submission of the accompanying detailed development application (D/2025/405) and provides a more certain representation of the future detailed design as the detailed development application has been subject to design development and is the result of the competitive design processes.

63. The proposed detailed design demonstrates how the proposed amended building envelopes can be developed having regard to the relevant planning controls and the context of the site.

Design Advisory Panel advice

64. The development was referred to the City's Design Advisory Panel in August 2024 to explore the potential for the site to accommodate the proposed in-fill affordable housing bonus under Chapter 2 of SEPP (Housing) 2021.

65. This involved high level massing studies undertaken by the City and FJC (on behalf of the applicant) to assess the potential for the site to accommodate the proposed uplift, including an assessment of the likely amenity that could be achieved and the potential impacts to the surrounding areas. The Panel provided the following advice:

    - The FJC scheme achieves a higher GFA because building separations are reduced, and ground floors have been lowered below PMF levels. The FJC scheme conceals lift overruns with two-storey maisonettes and includes communal open spaces on lower roof levels. Deep soil provisions remain unchanged. All modelling increases street wall height.

    - Coronation Property Co has committed to work with the City to progress the uplift scheme and will work with a community housing provider to develop a build-to-rent affordable housing product that will remain affordable in perpetuity. It is proposed that affordable housing provision will be concentrated into Block H for CHP management.

    - The Panel commended both the City and FJC on their explorations and fully supports the provision of affordable housing in perpetuity. However, it noted that street wall and building height increases were an unfortunate consequence of delivering more affordable housing. Increased building heights will impact city views from Sydney Park.

    - The Panel recommended mandating architectural treatments that align with the current street wall heights, as they better relate to neighbouring buildings.

    - The Panel also suggested that street section assessments be undertaken to inform good urban design outcomes in the uplift scheme. It also suggested mandating the planting of large street trees with dense canopies to counter street wall heights.

    - The Panel recommended that the City investigate ways to ensure the affordable housing component is prioritised, not staged last and put at risk of not being delivered.

66. The development was referred to the City's Design Advisory Panel in December 2024 to assess design development of the competitive design process winning schemes which involved amendments to the schemes to accommodate the proposed In-fill affordable housing bonus. In general, advice was provided regarding:

    - improved solar access, including potential modifications to the built form

    - improved natural cross ventilation, including:

        - clarifications regarding road noise impacts

        - concerns regarding cross ventilation through narrower building gaps

    - street wall height expression to retain approved street wall height datums

    - building separation and apartment amenity

    - building scale and massing, including concerns regarding long sheer facades along Kooka Walk

- internal planning to reduce dog-leg corridors (Building H)
- reliance on elevated bridges linking building forms
- formation of a DAP sub-committee to inform the changes.

67. The development was referred to the City's Design Advisory Panel sub-committee in February 2025. The sub-committee generally provided advice on the detailed design of the building. Whilst this is less so relevant to the amending concept plan, relevant comments included:

    - requirement for further articulation to the expression of the street wall heights for buildings F&I and G&H
    - provide an indent or splay at the southern end of the Building F courtyard to improve building separation
    - consolidate and expand the gaps between the buildings of building G to improve natural cross ventilation for corner apartments.

Floor space

68. Condition (8) *Gross Floor Area* of the approved concept plan apportioned the approved gross floor area across the 9 development blocks of the broader site.

69. As an approved concept plan, remaining in force for a site, the approved floor space as outlined in this condition is the base floor space for the consideration of the below bonuses. The amending concept application and detailed development application seek to apply the following provisions which would permit additional floor space.

Design excellence bonus

70. Clause 6.21D(3) of the LEP permits an additional floor space of up to 10%, at the discretion of the consent authority, for a development demonstrating design excellence. The approved concept plan requires a competitive design process to be undertaken for building F&I and buildings G&H, respectively. In this instance, the competitive design processes have already been undertaken.

71. The detailed development is therefore eligible for a potential design excellence bonus of up to 10% of the maximum permitted floor space. The potential additional floor space has been accommodated within the amended concept plan envelopes.

Affordable housing bonus

72. Section 16 of the Housing SEPP permits an additional floor space ratio of up to 30%, greater than the maximum permitted floor space ratio applying to the site, based on the minimum affordable housing component as calculated in accordance with the below equation

    affordable housing component = additional floor space ratio (as a percentage) ÷ 2

    for example, where a 15% affordable housing component is provided, an additional floor space ratio of 30% would be available.

73. The in-fill affordable housing practice note dated December 2023 confirms that bonuses, including site-specific or project specific bonuses, to development standards may be considered cumulatively. The affordable housing bonus is proposed to be applied in addition to any design excellence bonus.

74. The permitted gross floor areas, subject to the above bonuses, is calculated in Table 3 below:

Table 3: Calculation of total permitted gross floor area

Development Block	Condition (8) GFA	Plus, up to 10% design excellence bonus	Plus, 30% Affordable Housing bonus	Total Permitted GFA
F	24,962.50sqm	27,458.75sqm	35,696.34sqm	91,126sqm
G	18,941.00sqm	20,835.10sqm	27,085.63sqm	
H	11,887.50sqm	13,076.25sqm	16,999.13sqm	
I	7,933.50sqm	8,726.85sqm	11,344.90sqm	

75. A maximum gross floor area of 91,126sqm is permitted for buildings F&I and G&H.

76. In order to address the site context, it is recommended that the total gross floor area be permitted across the four remaining development blocks (F, G, H, and I) rather than remaining apportioned. The application has demonstrated that the 30% bonus should not be accommodated proportionately across each block as site constraints dictate that some development blocks are not able to accommodate the quantum of additional floor spaces otherwise permitted, although can be redistributed appropriately to other development blocks where its potential impact would be less significant.

77. The development of the four remaining development blocks is to be considered under a single detailed development application to allow the consolidation of the affordable housing component within a single development block.

78. Condition (8) *Allocation of floor space* is recommended to be amended to reflect the above, subject to any subsequent detailed development application (for Buildings F&I and G&H) providing the corresponding provision of affordable housing (15%) in accordance with Chapter 2 of the Housing SEPP, in perpetuity in accordance with the PBO/VPA. The remaining residential GFA will also need to be utilised for Build-to-Rent housing as discussed elsewhere in this report.

Building height

79. Clause 4.3 of Sydney LEP 2012 specifies the height of buildings development standards applying to the land. The maximum height of buildings under this clause is 18m, 25m and 27m, as shown in Figure 19 below.

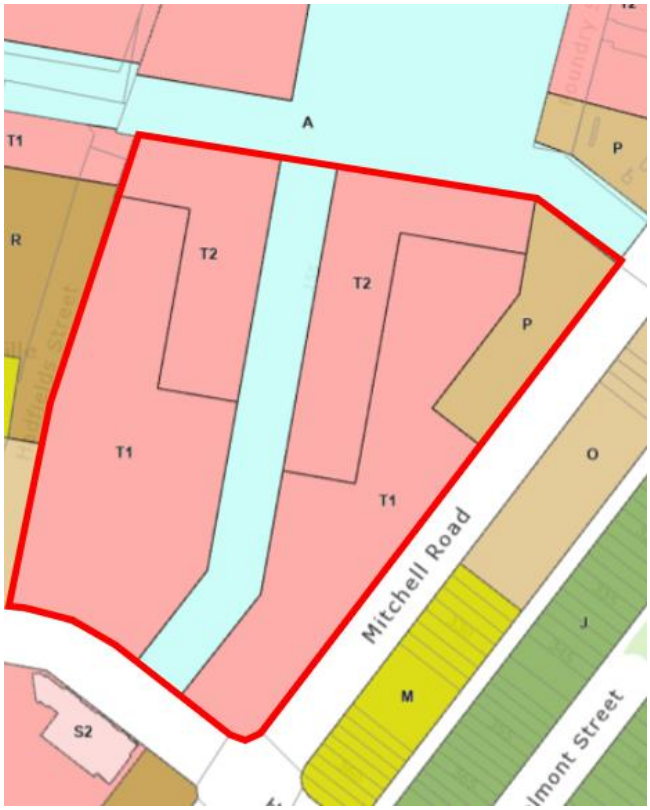


Figure 19: Extract from SLEP Height of buildings map

80. Section 16(3) of SEPP Housing 2021 permits additional height, equal to the amount of additional floor space achieved under Section 16(1) (expressed as a percentage).

81. As the calculations for the affordable housing bonus above assumes a 30% bonus, accordingly the height bonus is also 30%.

82. An assessment of the proposed development against the above development standard, including the 30% bonus is calculated in Table #6 below. The extent of the proposed height variations is included in the right most column.

83. Heights are generally measured to structures such as lift overruns or plant enclosures that typically are higher than the surrounding roof forms but are more discrete in scale.

Table 4: Assessment of the proposed height variation

Building	LEP Height (m)	Plus, 30% affordable housing bonus (m)	Proposed (m)	Variation (m)	Variation (%)
F01	27	35.1	43.8	8.7	24.79%
F01	25	32.5	43.8	11.3	34.77%
F02	27	35.1	44	8.9	25.36%

Building	LEP Height (m)	Plus, 30% affordable housing bonus (m)	Proposed (m)	Variation (m)	Variation (%)
F02	25	32.5	44	11.5	35.38%
F03	25	32.5	32.3	complies	
F03	18	23.4	32.3	8.9	38.03%
F04	18	23.4	32.3	8.9	38.03%
G01	27	35.1	30	complies	
G02	25	32.5	42.28	9.78	30.09%
G03	25	32.5	39.6	7.1	21.85%
G03	27	35.1	39.6	4.5	12.82%
G04	25	32.5	38.68	6.18	19.02%
G05	25	32.5	27.08	complies	
H01	25	32.5	37.27	4.77	14.68%
H02	25	32.5	37.27	4.77	14.68%
H03	25	32.5	25.42	complies	
I01	25	32.5	38.3	5.5	16.92%

84. The above variations are seen in the height plane diagram below.

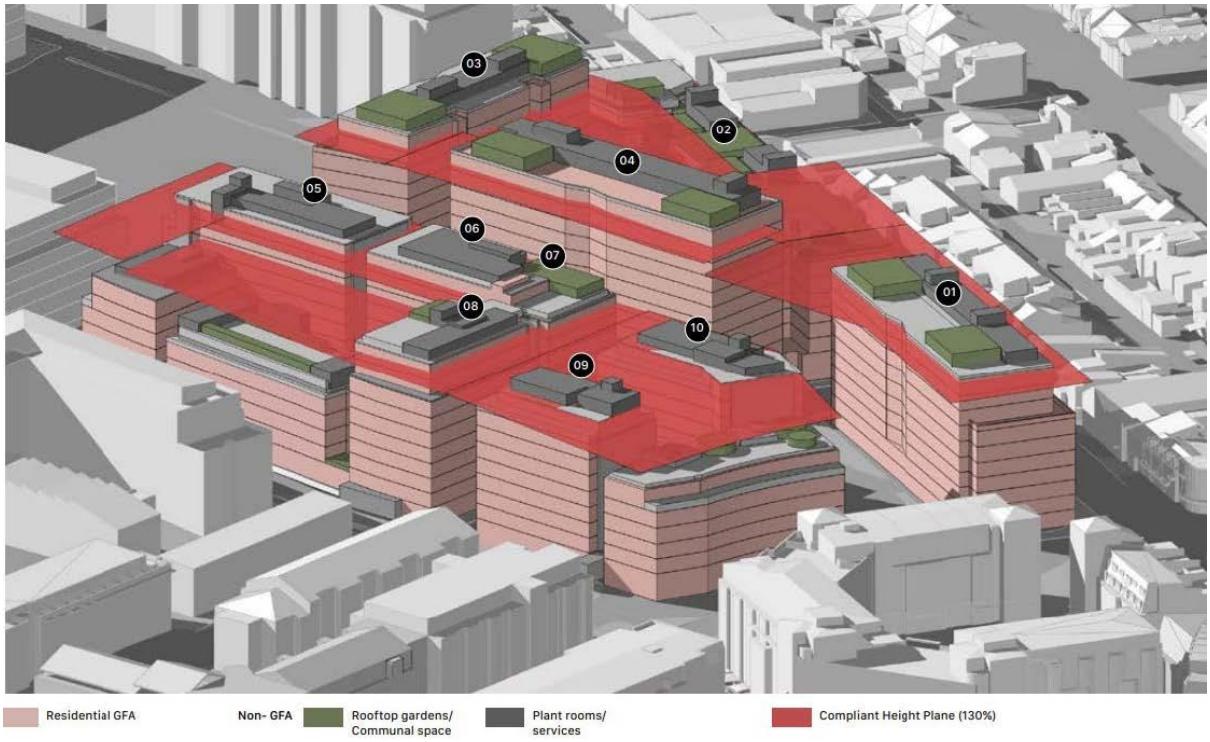


Figure 20: Proposed variations to the 130% height plane

85. In addition, Draft Sydney Local Environmental Plan 2012 (Policy and Housekeeping Amendments 2023) includes two proposed amendments relevant to the calculation of building height.

    (a) LEP amendment 2 - Structures associated with green roofs

    Additional miscellaneous provision allowing rooftop structures providing access to rooftop gardens or communal open spaces that, support social use of roof areas, to exceed the height of building shown for the land on the Height of Buildings Map.

    (b) LEP amendment 8 - Design excellence processes

    Amendment to Clause 6.21D(3) to permit the consent authority to award a bonus of up to 10 per cent additional building height **and** up to 10 per cent additional floor space to a building demonstrating design excellence when considering a development application resulting from a competitive process.

86. Whilst these amendments are not in force and therefore cannot be applied in the calculation of the proposed variations (Table 4 above), significant weight should be given to the improved numerical compliance should these provisions have been applied, as they are intended in the near future, when considering the Clause 4.6 written request to vary the height of building development standard below.

87. Application of LEP amendment 2, to exempt green and social roofs from the calculation, significantly reduces the extent of any variation. The exclusions would apply where the structures provide access to green roofs and rooftop communal open space to support social use of the roof space. Certain requirements would need to be met including the provision of landscaping and shade, reduction in urban heat island effect and limitation on any additional overshadowing that is more than minimal.

88. Application of LEP amendment 8, to apply the design excellence bonus to height, in addition to floor space, would reduce the extent of the variations as outlined in Table 5 below:

Table 5: Assessment of the proposed height variation with consideration to draft LEP amendment to apply the design excellence bonus

Building	LEP Height	Plus, 30% affordable housing bonus & 10% design	Proposed	Variation (m)	Variation (%)
F01	27	38.61	43.8	5.19	13.44%
F01	25	35.75	43.8	8.05	22.52%
F02	27	38.61	44	5.39	13.96%
F02	25	35.75	44	8.25	23.08%
F03	25	35.75	32.3	complies	
F03	18	25.74	32.3	6.56	25.49%
F04	18	25.74	32.3	6.56	25.49%
G01	27	38.61	30	complies	
G02	25	35.75	42.28	6.53	18.27%
G03	25	35.75	39.6	3.85	10.77%
G03	27	38.61	39.6	0.99	2.56%
G04	25	35.75	38.68	2.93	8.20%
G05	25	35.75	27.08	complies	
H01	25	35.75	37.27	1.52	4.25%
H02	25	35.75	37.27	1.52	4.25%
H03	25	35.75	25.42	complies	

Building	LEP Height	Plus, 30% affordable housing bonus & 10% design	Proposed	Variation (m)	Variation (%)
I01	25	35.75	38.3	2.55	7.13%

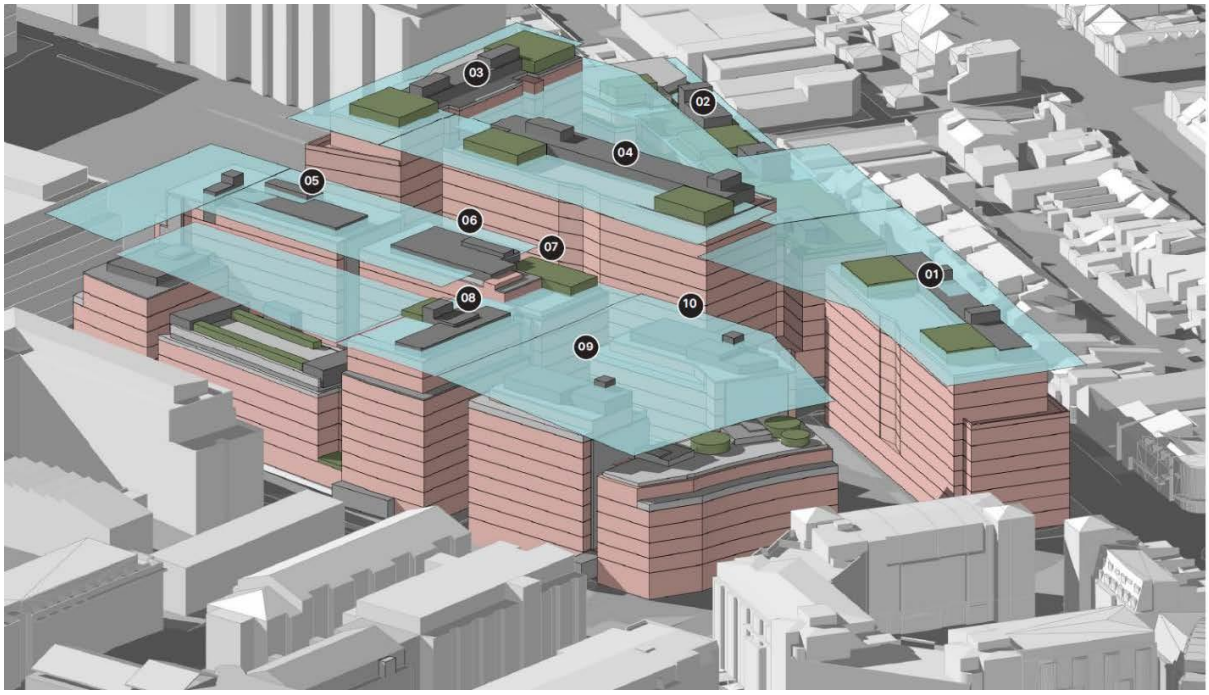


Figure 21: Proposed variations to the 130 + 10% height plane

89. Also of note, the In-fill Affordable Housing practice note dated December 2023 confirms Clause 4.6 remains applicable.

Clause 4.6 Request to Vary a Development Standard

90. As outlined above, the site is subject to a maximum height of buildings control of 25.74m, 35.75m and 38.61m being the height of buildings permitted under Clause 4.3 of the LEP, and the bonus height permitted under Section 16(3) of the Housing SEPP. The proposed development exceeds the maximum height controls as outlined in Table 4 above.

91. The request also addresses the non-discretionary development standard in Section 75(2)(a) of the Housing SEPP which requires build-to-rent housing to comply with the height of buildings development standard under another EPI. In this instance, this is the same standard as outlined in the paragraph above.

92. 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:

    (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)

93. The applicant seeks to justify the contravention of the height of buildings development standard on the following basis:

    compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and

    The written request demonstrates that compliance with the development standard is unreasonable or unnecessary because the proposed development is consistent with the objectives of the height of buildings development standard, notwithstanding the proposed variations. The applicant has demonstrated this with respect to the relevant objectives as outlined below. In addition, for completeness, the written request also addresses the relevant objectives of Chapter 2 of the Housing SEPP, being relevant to the 30% height bonus which is included within the calculation of the development standard, proposed to be varied.

    Chapter 2 Affordable Housing of SEPP Housing 2021

    15A The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.

    (a) The written request addresses the objective of the affordable housing bonus under the Housing SEPP, demonstrating that the proposed development provides long-term affordable housing and is able to do so with high level of amenity. The proposed development exceeds the requirements of the SEPP offering the affordable housing in perpetuity as opposed to the SEPP's minimum 15-year requirement. The proposed height variation does not seek to exceed the density of development permitted in accordance with the site controls.

        Achieving strict compliance with the height control would compromise or reduce the delivery of affordable housing which would be inconsistent with the objective of the part of the Policy which affords the bonus height.

    Clause 4.3 Height of buildings of SLEP 2012

    (1) The objectives of this clause are as follows—

        (a) to ensure the height of development is appropriate to the condition of the site and its context,

    (b) The written request identifies that the Ashmore Neighbourhood is undergoing significant change. The proposed development is compatible with the desired future character of the area and has been design in a way to maintain a transition in scale to the surrounding developments.

The majority of the variations are the result of structures such as lift overruns, rooftop plant areas, landscape planters and balustrading, and rooftop amenity structures, the majority of this would be exempt once the LEP amendment is in force.

There are discrete areas where floor space is located above the nominated height development standard. These are as a result of:

- *Flood planning level requirements* - further flood studies and flood planning undertaken since the drafting of the LEP height controls and approval of the concept plan have increased the flood planning levels for the site. Consequently, the ground levels of the buildings are required to be raised to comply with the City's Interim Flood Planning Requirements. Flood planning levels are approximately 1.5 to 2m above existing ground level throughout the site.

- *Floor-to-floor height requirements* - changes to the National Construction Code and introduction of the Building Practitioners Act 2020 since the drafting of the LEP height controls and approval of the concept plan have increased the floor-to-floor heights required to achieve compliant floor-to-ceiling heights.

- *Redistribution of massing* - the permitted floor space has been redistributed throughout the site to maximise the potential residential amenity that can be achieved, whilst lowering buildings in other areas to minimise any potential impacts. The redistribution also facilitates the delivery of the proposed affordable housing component within a single building (Building H) better meeting the operational requirements of the CHP.

  The redistribution of the massing for blocks F01, F02 and F03 have shifted the envelope further inwards, resulting in an overlap to the step in the height control. Consequently, numerically, the larger extent of the variations occur at these steps, but the majority of the envelope remain compliant within the higher height control. The portion where the larger extent of the variation occurs are located inward of the site. These have minimal impact on the surrounding area and would be less so perceivable, ensuring a transition in scale to the surrounding area is achieved.

- *Provision of on-site affordable housing* - the redistribution of the permitted floor space as described above results in discrete areas where there is floor area within non-compliant areas of the development. This resulted from the careful consideration of the built form and the surrounding development so that there would be no substantive impacts. Should it be required to reduce the gross floor area to remove these non-compliances there would be a comparable reduction in the affordable housing delivered which is inconsistent with the intent of the Housing SEPP objectives and the intended outcome of the Public Benefit Offer.

- *Access to rooftop amenities* - each building is provided with rooftop communal open spaces in accordance with condition 21A of the approved concept plan. These rooftop areas consequently require equitable access and various structures to provide amenity. The detailed development application will address the design of roof top structures, however, generally these include low or semi-permeable structures such as landscaped planters, balustrading, shade structure or pergolas. The intent is that rooftop areas are set back from the edge of the roof and would appear recessive.

- *Allowance for plant and lift overruns* - the areas of greatest non-compliance are attributed to plant and lift overruns zones to accommodate the required building services. These areas do not include floor area and are discrete in location and scale.

The proposed massing is generally consistent with the objectives and principles of the Ashmore Neighbourhood DCP ensuring that a transition in scale to the surrounding areas is maintained. Taller buildings are sited internally on the site fronting Kooka Walk and McPherson Park, whilst building generally step down from north to south (for buildings G&H) and towards the eastern and western sides of the site.

The proposed massing is a consequence of the careful distribution of the applicable affordable housing and design excellence bonuses across the group of buildings.

The proposed development is therefore consistent with the objective, having regard also to the objective of Chapter 2 of the Housing SEPP.

(b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,

(c) The Coopers Estate Heritage Conservation Area is located adjacent to buildings F&I on the opposite side of Mitchell Road. The application is supported by a Heritage Impact Assessment. The proposed building envelopes are separated from the conservation area by the distance afforded by Mitchell Road itself, which includes mature street trees.

The proposed building envelopes, whilst higher, maintain adequate setbacks, including upper-level street wall setbacks to maintain separation to the conservation area. The future development would not diminish the existing contribution of the buildings within the conservation area to the streetscape.

The proposed development is therefore consistent with the objective.

(c) to promote the sharing of views outside Central Sydney,

(d) There are no view corridors within the Ashmore Neighbourhood identified in the LEP. Section 5.5.8.2 of the DCP identifies a view corridor from the eastern knoll of Sydney Park of the Sydney CBD skyline.

The site is visible within this view corridor. The potential extent of the impact is demonstrated in Figure 22 below.

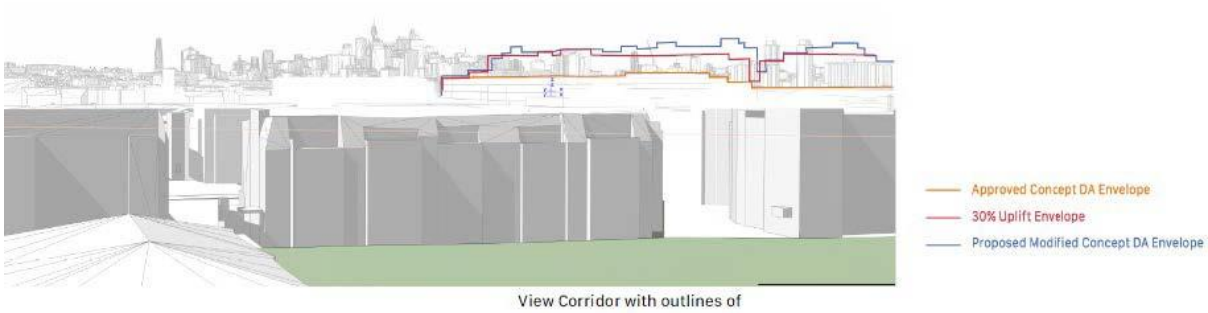


Figure 22: wireframe representation of the proposed building envelope indicating the potential view impact

The proposed variations would impact distant CBD skyline views towards the eastern edge of the skyline. The extent of impact is considered acceptable given;

- the primary view of the skyline is unimpeded
- the area of impact would obstruct only a portion of the view, being generally the eastern edge where less significant or iconic buildings are visible
- the part of the building causing the variation would be absorbed in the broader urban context
- the area of impact does not affect views to the sky and
- the area of impact is caused largely by compliant elements. The additional impact caused by the non-compliant elements has little material impact.

The sharing of views remains promoted through the retention of building separation achieved between buildings.

(d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,

Not applicable

(e) in respect of Green Square—…

Not applicable

there are sufficient environmental planning grounds to justify contravention of the standard.

(i) *Delivery of onsite affordable housing*

The proposed variations enable the development to achieve the full extent of the design excellence and affordable housing floor space incentives. These provisions are intended to support the delivery of high-quality built form outcomes and increase the supply of housing, including affordable housing. Strict compliance with the height of buildings standards would constrain the development from accommodate the additional floor space required to achieve the on-site affordable housing component. The proposed variations enable the development to realise the maximum number of affordable housing dwellings within the planning framework.

(ii) *Draft LEP Amendments*

The proposed draft LEP amendments include two relevant amendments, relating to:

- application of the design excellence bonus to height (in addition to floor space in this instance); and

- encouragement of green and social roofs,

These amendments once in force would significantly reduce or eliminate the numerical non-compliance as outlined in Table 5 above.

The application of the design excellence bonus to height in addition to the originally selected floor space would better enable the additional floor space to be accommodated by proportionally allowing additional height. This minimises the impact to built forms where additional floor space is otherwise attempted to be accommodated within orderly constrained envelope, having a negative impact on the design intent and residential amenity.

The exemption of certain rooftop gardens, communal open space areas and ancillary access and structures, provided certain design and amenity criteria are satisfied, would encourage the provision of high-quality rooftop spaces that support social interaction and residential amenity. Notwithstanding, the potential impact on surrounding properties remains a relevant consideration.

The proposed development has been designed having regard to these proposed amendments and their intent.

(iii) *Redistribution of Massing and Built Form*

The proposed additional floor space has been redistributed across the site having regard to the site context. Areas where a larger variation occur are the result of massing being relocated so that other buildings remain lower, such as building G5 fronting Hadfields Street for example which remains well below the height control. Similarly, block H remains low to establish a better street interface to Coulson Street and prevent direct overshadowing directly to the south. The variations for block H comprise lift overruns and rooftop plant areas and are set back from the edges of the buildings.

Taller buildings are generally located towards the northern end of the site or centrally along Kooka Walk to minimise impact to the surrounding area. Areas of non-compliance are generally set back from the edge of the building, such as for buildings G2 and G3. The building separation achieved across Kooka Walk is some 26m and is better able to accommodate the increased building heights adjoining Kooka Walk.

There are some buildings within block F where habitable floor space is located within the non-compliant portion of the building. This is a result of the floor space redistribution and has been appropriately located to ensure that the additional massing does not have any adverse impacts on the surrounding area. Building F4 located on the western side of the block has also been set back further from Kooka Walk but consequently straddles a step in the height control. As a result, the extent of the more significant variation appears numerically more significant however only relates to the edge of the building past this step and not the whole of the building.

Similar to block G, taller buildings of block F are sited towards the north of the site or along Kooka Walk. The buildings towards the eastern side of block F to maintain a transition of scale to the lower height building on the opposite side of Mitchell Road.

Building I includes a very small area of habitable floor space located within the non-compliant portion of the building. The area of non-compliance is set back from the street wall with the plant and lift overrun set back further.

As described in the response to objective (a) above, structural elements of the building design have also contributed to height increases to respond to changes since the drafting of the LEP height controls and approval of the concept plan for the site. This relates to:

- Flood planning levels
- NCC floor-to-floor heights required to achieve floor-to-ceiling heights

(iv) *Residential Amenity*

The written request demonstrates that the proposed redistribution of floor space, and consequently height variations improve the potential amenity of the development and minimise amenity impact to the surrounding area. As described above, lower buildings within block G and H reduce overshadowing to surrounding apartments. Whilst the redistribution within block F improves internal solar access to the west facing apartments fronting Kooka Walk.

(v) *Overshadowing and privacy*

The written request demonstrates that there would be an absence of material impact on the amenity of the surrounding properties and public domain as a consequence of the proposed variations. The written request is accompanied by a detailed solar access assessment demonstrating the potential impact of the amended building envelopes. The assessment demonstrates that levels of solar access consistent with the relevant ADG objectives and DCP provisions would be maintained for the surrounding dwellings, located within:

- Coopers Estate conservation area (Mitchell Road and Belmont Street)

- Coulson Street (Sydney Park Village)
- Hadfields Street (Onea)

This is assessed in detail in the accompanying detailed development application demonstrating that the proposed amended envelopes are capable of building developed.

(vi) *Views*

The written request demonstrates that there would be an absence of material impact on the amenity of the surrounding properties and public domain as a consequence of the proposed variations.

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

94. 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)?

95. The written request has demonstrated that the proposed development is consistent with the objectives of the height of buildings development standard notwithstanding 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)?

96. The written request has demonstrated that there are sufficient environmental planning grounds that are specific to the circumstances of the variations to justify the non-compliance with the height of buildings development standard.

97. In this instance, the elements of non-compliance are appropriate within the context of the new planning controls, which have been applied having regard to the suitability of the site and the surrounds to accommodate this additional uplift. The variations to the development standard allow the maximum permitted floor space to be distributed throughout the site in a more contextually appropriate way, minimising the impacts on surrounding properties.

98. The variations support the ability for the future development to achieve reasonable levels of residential amenity whilst retaining the residential amenity of the surrounding dwellings. Achieving the maximum permitted floor space secures the provision of additional diverse and affordable housing options, meeting the housing needs of the community.

99. The written request has therefore demonstrated that there are sufficient environmental planning grounds to support the extent of the variation proposed.

Conclusion

100. 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 cl 4.6 of the Sydney Local Environmental Plan 2012.

101. The recommended approved height is captured in amended building envelopes plans to be included in Condition (1) *Approved Plans* of the recommended conditions of consent at Attachment A.

102. As with the approach taken for floor space, reliance on the building envelopes captured by Condition (1)(b) is subject to any subsequent detailed development application (for buildings F&I and G&H) providing the corresponding provision of affordable housing (15%) in accordance with Chapter 2 of the Housing SEPP, in perpetuity in accordance with the PBO/VPA. The remaining residential floor area will also need to be utilised for build-to-rent housing as discussed elsewhere in this report.

Apartment Design Guide

Building Separation and Visual Privacy

103. Objective 2F and 3F of the Apartment Design Guide provide design guidance specifying the building separation distance required to be achieved to ensure sufficient privacy measures. The proposed building envelopes may give rise to non-compliances subject to the internal layout of the proposed detailed design. This may occur towards the southern ends of the courtyard of building F and between building forms within buildings G and H.

104. An amendment to Condition (11) *Detailed Design of Buildings* is recommended requiring the internal layout of the buildings to locate habitable rooms, non-habitable rooms, and blank walls to minimise non-compliances with the building separation and visual privacy design criteria, and where non-compliances occur, provided adequate privacy measures to achieve the ADG Objectives.

Solar Access

105. The design criteria in Objective 4A-1 of the ADG recommends that the living areas and private open spaces of at least 70% of apartments receive a minimum of 2 hours direct sunlight between 9 am and 3 pm in midwinter. A maximum of 15% of apartments in a building should receive no direct sunlight during the same period.

106. The proposed concept building envelopes have been developed to maximise the potential solar access that can be achieved for the future apartments. The additional floor space has been distributed having consideration to internal overshadowing, and setbacks have been increased to maximise solar access.

107. The detailed development demonstrates that the proposed building envelopes can achieve a reasonable level of amenity, albeit would result in a variation to the design criteria of around 10%. This is considered in detail in the accompanying assessment report, however, in summary the variation is considered acceptable having regard to Section 75 of the Housing SEPP, which requires flexibility to be considered, and the provision of the on-site affordable housing component.

Solar access to surrounding development (ADG and DCP assessment)

108. The potential overshadowing impacts to surrounding dwellings is considered below having regard to the ADG objectives or DCP provisions as relevant to the building typology of the dwellings potentially being impacted.

109. The proposed amended building envelopes have the potential to overshadow surrounding properties within:

- Coopers Estate conservation area (Mitchell Road and Belmont Street)

- Coulson Street (Sydney Park Village)
- Hadfields Street (Onea)

110. The accompanying detailed development application demonstrates that the proposed amended building envelopes can be developed whilst ensuring that any additional overshadowing to surrounding properties remains compliant with the relevant ADG objective and DCP provisions.

111. The additional massing has been redistributed to minimise impacts on properties that would otherwise be unduly overshadowed.

Natural cross ventilation

112. The design criteria in Objective 4B-3 of the ADG recommends that at least 60% of apartments are naturally cross ventilated in the first nine storeys of a building.

113. The detailed development demonstrates that the proposed building envelopes can achieve a reasonable level of amenity, albeit would result in a variation to the design criteria of around 10%. This is considered in detail in the accompanying assessment report, however, in summary the variation is considered acceptable having regard to Section 75 of the Housing SEPP, which requires flexibility to be considered, and the provision of the on-site affordable housing component.

Sydney Developemnt Control Plan 2012

Distribution of massing

114. The proposed additional floor space afforded by the design excellence bonus and affordable housing bonus has not been distributed evenly across the site as this would result in poorer internal amenity and additional amenity impacts to surrounding properties. The additional floor space has been redistributed, primarily siting taller building towards the northern end of the site fronting McPherson Park or centrally along Kooka Walk. Subsequently, building heights were able to be reduced towards the edges of the site to assist in providing a transition in scale to the surrounding areas.

Height in storeys

115. It would not be possible to accommodate the additional floor space whilst maintaining compliance with the DCP height in storeys controls as originally drafted for the Ashmore Neighbourhood or the approved concept plan itself.

116. To the extent of any inconsistency, the provisions of a State environmental planning policy, which provided the affordable housing bonus, prevail over those of a local environmental planning policy, and consequently a DCP.

117. As described above, the amended concept plan distributes the additional massing (additional storeys) throughout the site to respond to the context of the site and would have an acceptable impact on the character of the area and the amenity of the streets and surrounding residential areas.

118. In addition, the potential impact of the increased building heights has been assessed in detail in response to the submitted Clause 4.6 written request above.

Street frontage height in storeys

119. Deferred commencement condition (2) *Design Modifications* of the approved concept plan required amendments to introduce or reinforce street wall heights. These amendments are now reflected in the approved concept plan drawings.

120. The proposed amendments to the approved concept plans increase the street wall heights as outlined in Table 6 below.

Table 6: Street wall heights

Location	Approved Height	Proposed Height
Building F - Macdonald Street	7-storey	7- 9-storey
Building F - Mitchell Road	4- 3-Storey	4- 7-storey
Building F - Kooka Walk	7- 5-storey	11-storey
Building I - Mitchell Road	4-storey	6-storey
Building I - Kooka Walk	5-storey	10-storey
Building G - Macdonald Street	6-storey	6- 9-storey
Building G - Kooka Walk	7- 5-storey	11-storey
Building G&H - Nausea Ln	4-storey	9- 10-storey
Building H - Kooka Walk	5-storey	6-storey
Building G - Hadfields Street	4-storey	6- 8-storey

121. Condition (11) *Detailed Design of Buildings* is recommended to be amended to incorporate additional particulars to require the detailed design of buildings F&I and G&H to ensure that the approved street wall heights are reflected in the architecture of the buildings through a change in materiality and finishes.

Above street wall setbacks

122. Deferred commencement condition (2) *Design Modifications* of the approved concept plan required amendments to introduce or reinforce street wall heights. These amendments are now reflected in the approved concept plan drawings.

123. The proposed amendments to the approved concept plan in part delete above street wall setbacks in the following locations

    (a) Building F&I - along the western edge to Kooka Walk.

(b) Building G&H - along the eastern edge to Kooka Walk

(c) Building H2 - along the western edge to Hadfields Street

124. As above, where above street wall setbacks are proposed to be deleted or modified, it is recommended that a change in materiality and finishes be applied to break down the perceived height.

125. The City's Design Advisory Panel and sub-committee provided advice on the street wall setback and materiality treatments at each meeting.

126. As above, Condition (11) *Detailed Design of Buildings* is recommended to be amended to address this design solution.

Ground level street setbacks

127. The approved ground level street setback of 3m is proposed to be deleted along Mitchell Road for the portion of the building proposed to be utilised for an active frontage (retail premises) as indicated in the detailed development application.

128. This is acceptable as it reduces the extent of residential uses at ground level, noting the dwellings in this location are subject to road noise, and provides an active frontage, in part mirroring the retail uses on the opposite side of the Mitchel Road.

129. The minor reduction in landscaping is considered negligible in the context of the broader site as the relevant deep soil and landscaping controls can be met as demonstrated by the detailed development application.

Public Domain

Solar access

130. Section 5.5.4.1 of the DCP states that new development must ensure that it provides a minimum of 3 hours of direct sunlight between 11 am and 2 pm in midwinter to the public space (within the Sydney Park Village development) at the southwestern corner of the Mitchel Road and Coulson Street intersection.

131. The amended building envelopes have the potential to overshadow the public open. The reference scheme (detailed DA) demonstrates that the potential overshadowing is limited and is acceptable.

Sydney Park view corridor

132. Section 5.5.8.2 of the DCP establishes a protected view corridor from Sydney Park. The view, enjoyed from the eastern knoll in Sydney Park, known as view corridor A as described in the DCP, covers the extent of the CBD high rise towers from Darlinghurst in the east to Barangaroo in the west.



Figure 23: existing view from the eastern knoll within Sydney Park

133. The proposed amended buildings envelopes would partly impact distant CBD skyline views toward the eastern edge of the skyline. As outlined above with respect to the Clause 4.6 written request, the impact is considered acceptable. The extent of impact is limited in the context of the overall view and is largerly caused by compliant elements arising from the bonus height allowed under the Housing SEPP.

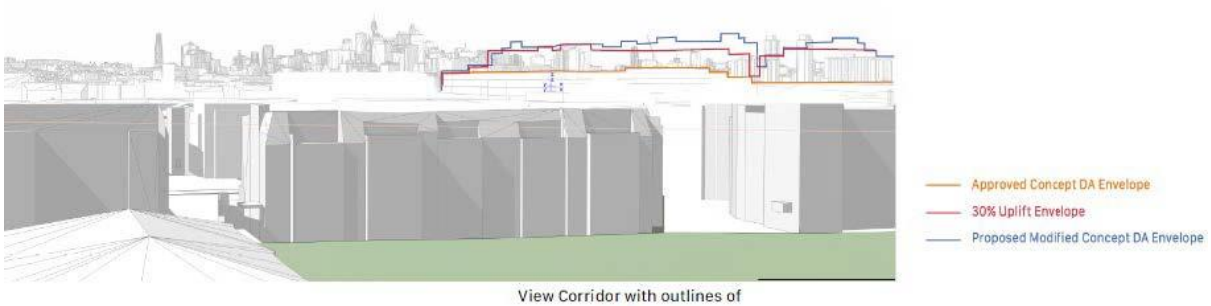


Figure 24: wireframe representation of the proposed building envelope indicating the potential view impact

Vehicle Access Locations

134. There are no changes proposed to the approved vehicle access locations which remain generally in accordance with Figure 5.1.1 *Ashmore Circulation and Access* of the DCP. Vehicle access remains prohibited from MacDonald Street and Kooka Walk.

Consultation

Internal Referrals

135. The application was discussed with:

(a) Environmental Health

(b) Heritage and Urban Design

(c) Public Domain

(d) Transport and Access

(e) Tree Management

(f) Waste Management

136. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Recommended Conditions of Consent.

External Referrals

Ausgrid

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

138. Comments were received on 26 June 2025 confirming no objection to the proposed development.

Sydney Airport & Flysafe

139. The site is located within an area defined in the Schedules of the Civil Aviation (Building Control) Regulations 1988 which limits the height of structures to 15.24m above existing ground height (AEGH) without prior approval of the Civil Aviation Safety Authority (CASA).

Buildings G, H and I

140. The proposed development seeks a maximum height of RL 50 (AHD) for buildings G, H and I, being above 15.24m AEGH and therefore approval is required.

141. The Airfield Spatial & Technical Planning Manager at Sydney Airports as an authorised person of the CASA confirmed that no objection was raised.

Building F

142. In addition to the above, 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.

143. A prescribed airspace includes the airspace above any part of an Obstacle Limitation Surface (OLS). The OLS relevant to the site is RL 51 (AHD). Building F is a maximum height of RL 51.35 and exceeds RL 51 by 350mm.

144. Sydney Airports referred the application to the Secretary of the Department of Infrastructure Transport, Cities and Regional Development (Cth) under Regulation 11(2) of the Airports (Protection of Airspace) Regulations 1996.

145. Flysafe are yet to provide approval. As outlined in the recommendations of this report, it is recommended that the application be delegated to the CEO for approval following receipt of the appropriate approval.

Sydney Water

146. Pursuant to Section 78 of the Sydney Water Act 1994, the application was referred to Sydney Water for comment.

147. Comments were received on 3 July 2025 confirming no objection to the proposed development.

Transport for NSW

148. Pursuant to Section 2.122 *Traffic Generating Development* of the SEPP (Transport and infrastructure) 2021, the application was referred to Transport for NSW (TfNSW) for comment.

149. Comments were received on 1 July 2025 confirming no objection to the proposed development.

Advertising and Notification

150. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified for a period of 28 days between 5 June 2025 and 4 July 2025. A total of 2259 properties were notified and 75 submissions were received, including:

    (a) 74 submissions in objection

    (b) 1 submission in support

151. The submissions raised the following issues:

Planning Policy / Process

(a) **Issue**: Objection to the retrospective application of Housing SEPP bonus and design excellence provisions to increase the scale of the development.

Response: The application of the Housing SEPP bonus has been addressed in this report. The introduction of new development controls to encourage the delivery of affordable housing means that new and existing developments are eligible for additional floor space and height provided this public benefit is provided.

The proposed changes to the LEP to permit the design excellence bonus to apply to floor space and height have been considered in the context of the draft amendments and the associated variations to the maximum permitted building height are addressed by a Clause 4.6 written request.

(b) **Issue**: Request for more meaningful engagement and consultation with the community on these changes.

Response: The proposed development and accompanying detailed development application were notified in accordance with the City's Public Participation Plan 2022.

(c) **Issue**: View that the affordable housing requirements are inadequate to justify the increased building height.

Response: The required affordable housing component is to be provided to obtain the applicable bonuses. In addition, the Public Benefit Offer offers the affordable housing component in perpetuity as opposed to the ordinary 15-year requirement under the Housing SEPP. This is considered to be a significant public benefit, notwithstanding the potential impact of the increased building heights has been carefully considered and is acceptable in the circumstances.

(d) **Issue**: The potential public benefits do not outweigh the likely impact on the community.

Response: As above, the likely impact of the development has been considered acceptable having regard to the acceptability of those potential impacts and the significant public benefit that is otherwise provided.

Built form, massing and scale

(e) **Issue**: Objection to proposed 11-storey height, which exceeds the maximum established 6-8 storey character of Erskineville.

Response: The increased building heights relate to the additional floor space permitted under the Housing SEPP. The distribution of the additional massing seeks to minimise the impact to the surrounding area and generally steps down towards the edges of the site.

(f) **Issue**: View that the development should remain consistent with the previously approved concept plans for the Ashmore Estate.

Response: The approved concept plan is sought to be amended to reflect the changes to the planning controls which permits additional height and floor space for certain developments which were not available when the concept plan was originally approved.

(g) **Issue**: Inadequate height transitions between the proposed development and surrounding mid- and lower-scale developments.

Response: Upper-level setbacks have been retained, albeit street wall heights have increased to accommodate the additional floor space. A condition is recommended to require the detailed design to address the expression of the approved street wall heights to assist in visually breaking down the perceived scale of the development.

(h) **Issue**: The previously required step down to Mitchell Road has been lost and should be reinstated

Response: As above, upper-level setbacks have been retained, albeit street wall heights have increased. The proposed amended building envelopes maintain a reasonable transition in scale to the adjoining area.

(i) **Issue**: Approval would set an undesirable precedent for further high-rise development within the Erskineville area.

Response: Each development is to be assessed on its merits.

Neighbourhood character and amenity

(j) **Issue**: Incompatible with Erskineville's "village feel" and human-scale streetscapes.

Response: The proposed development is consistent with the desired future character of the Ashmore Neighbourhood. The retail offering meets the intended function of the site as local village.

The design of the detailed development is required to address the presentation to the streetscape and is to maintain a human-scale through articulation of the building massing and the design of the facades.

(k) **Issue**: Incompatible with the neighbouring heritage conservation area and heritage buildings.

Response: The building separation afforded by Mitchell Road was considered sufficient to ensure that the proposed development would not adversely affect the heritage significance of the conservation area.

Build-to-rent model and affordable housing

(l) **Issue**: Criticism of the build-to-rent model, suggesting it fosters transient populations and weakens community ties.

Response: The proposed build-to-rent housing will provide additional diverse housing options and is permitted under the provisions of the Housing SEPP, being a State planning policy.

(m) **Issue**: The proposed dwelling mix lacks family-sized apartment (3+ bedrooms) and provides a high proportion of studio and 1-bedroom apartments.

Response: The proposed dwelling mix is a matter for the detailed development application.

(n) **Issue**: Scepticism of the genuine affordability of the proposed housing.

Response: The proposed affordable housing is to be managed by a community housing provider and is to be offered at a discounted rental rate in accordance with the provisions of the Housing SEPP.

Potential amenity impacts

(o) **Issue**: The development would cause overshadowing and loss of daylight to surrounding dwellings and their gardens, and streets.

Response: The proposed amended building envelopes would cause some additional overshadowing to surrounding properties and the public domain, however, is generally acceptable having regard to the objectives of the ADG and DCP as they relate to the varying building typologies or specific provision relating to public domain areas. The detailed development application demonstrates that the proposed amended building envelope can be developed whilst ensuring that any additional overshadowing would not have an unacceptable impact on the amenity of the surrounding area.

(p) **Issue**: The privacy of surrounding dwellings would be impacted by overlooking from proposed balconies and windows, particularly from the upper levels.

Response: This is generally a matter for the detailed design, however, adequate building separation to surrounding development to ensure that a reasonable level of privacy is maintained.

(q) **Issue**: Concern the proposed development would cause noise impacts, affecting the quiet enjoyment of the area.

Response: All servicing is to be undertaken onsite within the enclosed loading docks. The use of rooftop communal open spaces and private open spaces is unlikely to have an undue impact on the surrounding area. It is unlikely that there would be a discernible increase in traffic noise associated with the development noting Mitchell Road is classified as a busy road within the meaning of the Transport and Infrastructure SEPP.

Transport, traffic and parking

(r) **Issue**: Increased vehicle movements from residential, retail, servicing vehicles.

Response: Transport for NSW and the City's Access and Transport Unit were satisfied the proposed development would have an acceptable impact on the surrounding road network.

(s) **Issue**: Existing traffic congestion on Mitchell Road and surrounding street will be worsened.

Response: As above. The approved signalisation of the Mitchell Road, MacDonald Street and Maddox Street intersection will marginally improve traffic flow along Mitchell Road.

(t) **Issue**: Inadequate on-site parking provision.

Response: This is a matter for the detailed development application. On-site parking is to be provided in accordance with the maximum permitted parking rates.

(u) **Issue**: Existing public transport services, particularly buses are at capacity during peak hours.

Response: The City's Access and Transport Unit continuously engage with the State government to improve public transport services to meet the changing and growing transport demands at a regional and local level.

Infrastructure, services and amenities

(v) **Issue**: No new infrastructure proposed to support increased population.

Response: The development of the broader site includes new public open spaces. The proposed development includes additional retail premises, which may be used for other services such as medical, and a full-line supermarket which will service the needs of the broader local community.

(w) **Issue**: Lack of associated planning for additional education, childcare, healthcare, open spaces and community facilities to support the population growth.

Response: The proposed development includes the delivery of substantial new public open spaces. A previous stage of the development also delivered a child care centre. The provision of additional education facilities is a matter for the State government. The provision of additional health services is a matter for the State government. Additional GP and allied health services would also respond to market demand.

Environmental and sustainability impacts

(x) **Issue**: The proposed development has minimal tree canopy and deep soil zones, contributing to urban heat island and microclimate effects.

Response: There is no change to the deep soil requirements under the approved landscape concept plans.

(y) **Issue**: Existing solar panels would be overshadowed reducing efficiency, increasing reliance on fossil fuels, and impacting cost recovery of the infrastructure.

Response: Regrettably, there would be some overshadowing to existing solar panels, however, the potential impact is consistent with section 4.1.3.2 of the DCP which provides guidance on this situation.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

152. The City of Sydney Development Contributions Plan 2015 applies to the site. The detailed development application is subject to a Section 7.11 local infrastructure contribution under this Plan.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

153. The City's Affordable Housing Program 2023 applies to the site. The detailed development application is subject to a Section 7.13 contribution for the purpose of affordable housing.

Housing and Productivity Contribution

154. The Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2024 applies to the site. The detailed development application is subject to a Housing and Productivity Contribution.

Relevant Legislation

155. Environmental Planning and Assessment Act 1979.

Conclusion

156. The development application seeks to amend the approved concept plan (D/2015/966) to accommodate the affordable housing bonus afforded under the Housing SEPP. The proposed amended concept plans facilitate the delivery of 13,668.68sqm floor space to be used for on-site affordable housing (approximately 169 dwellings) in perpetuity.

157. The matters for consideration as outlined in Section 4.15(1) of the Act have been satisfied. The proposed development is permitted with the MU1 Mixed-Use zone and the E1 Local Centre zone, respectively, and is consistent with the objectives of the zones.

158. The written request made pursuant to Clause 4.6 of the LEP to vary the height of buildings development standard is considered to be well founded. The written request demonstrates that strict compliance with the development standard is unreasonable or unnecessary because the proposed development would be consistent with the objectives of the height of buildings development standard, and there are sufficient environmental planning grounds to justify the variation in the specific circumstances.

159. The proposed amended buildings envelopes are capable of accommodating detailed building designs that will achieve a reasonable level of amenity, are of an appropriate form, massing and scale, having regard to the provisions of the Housing SEPP, and are capable of achieving design excellence subject to competitive design processes. This is demonstrated by the accompanying detailed development application (D/2025/405).

160. The Public Benefit Offer received and accepted by the City will inform a draft VPA associated with the application. The draft VPA will undergo a 28-day public exhibition period in accordance with the requirements of Section 7.5 of the Environmental Planning and Assessment Act 1979. A deferred commencement condition is recommended to enable the VPA to be drafted, executed and registered on title.

161. For these reasons it is recommended that authority be delegated to the Chief Executive Officer (CEO) to determine the application:

    - following the conclusion of the public exhibition of the draft Voluntary Planning Agreement (VPA/2025/7), and consideration of any public submissions received in response; and

    - subject to receipt of an approval from Federal Department of Infrastructure and Regional Development, Airspace Protection, Aviation and Airports, pursuant to the Airports (Protection of Airspace) Regulations 1996 and clause 7.16 of the Sydney Local Environmental Plan 2012.

162. It is recommended that the CEO consider granting 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.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Michael Stephens, Senior Planner

Attachment A

Recommended Conditions of Consent

Part A - Deferred Commencement Conditions

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 new Voluntary Planning Agreement (VPA/2025/7) between the Council of the City of Sydney and Erskineville Developments Pty Ltd and Erskineville Investments Pty Ltd, consistent with the terms of the Public Benefit Offer dated 13 June 2025 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 executive 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.

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).

Part B – 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, 2 and 3.

SCHEDULE 1

GENERAL CONDITIONS

(1) MODIFICATION OF D/2015/966/I

Development Consent D/2015/966/I must be modified pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act 1979 as detailed in the following (a) – (c):

(a) Condition (1) Approved Plans is amended to insert the additional plans and particulars listed in condition (3)(b) Approved Plans below.

(b) The conditions of consent in the table below must be replaced by the corresponding conditions of this consent

Condition of D/2015/966/I	**Replacement Condition**
(4) Development Sequence	(5) DEVELOPMENT SEQUENCE
(7) Floor Space Ratio	(6) FLOOR SPACE RATIO
(8) Allocation of Floor Space	(7) ALLOCATION OF FLOOR SPACE
(9) Building Height	(8) BUILDING HEIGHT
(11) Detailed Design of the Buildings	(9) DETAILED DESIGN OF THE BUILDINGS
(15) Green Travel Plan	(10) GREEN TRAVEL PLAN
(45) Signage Strategy	(11) SIGNAGE STRATEGY

(c) The following conditions of consent must be inserted:

(4) Voluntary Planning Agreement (VPA/2025/7)

Schedule 3 – Conditions of Consent – Flysafe

(2) RELIANCE ON DEVELOPMENT CONSENT D/2015/966

(a) This development consent relies on, and should be read in conjunction with, the existing development consent D/2015/966/I.

(b) This consent is subject to compliance with all conditions of consent contained in the existing development consent D/2015/966/I, except as amended by the conditions of this development consent.

(3) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2015/966 dated 9 July 2015 and the following drawings:

Drawing Number	**Architect**	**Date**
D~~*DA*~~01-02 Issue ~~*M R S Y Z*~~	Architectus	~~*07/04/2017*~~ ~~*13/11/2017*~~ ~~*16 January 2020*~~ ~~*10 July 2024*~~ *11 December 2024*
DA01-03 Issue M	Architectus	07/04/2017
DA01-04 Issue L	Architectus	07/04/2017
DA01-05 Issue ~~*M R S Y Z*~~	Architectus	~~*07/04/2017*~~ ~~*13/11/2017*~~ ~~*16 January 2020*~~ ~~*10 July 2024*~~ *11 December 2024*
DA01-06 Issue ~~*M T U Y Z*~~	Architectus	~~*07/04/2017*~~ ~~*13/11/2017*~~ ~~*16 January 2020*~~ ~~*10 July 2024*~~ *11 December 2024*
DA01-07 Issue ~~*T V W Y Z*~~	Architectus	~~*10/10/2017*~~ ~~*13/11/2017*~~ ~~*16 January 2020*~~ ~~*10 July 2024*~~ *11 December 2024*
DA01-10 Issue L	Architectus	07/04/2017
DA01-11 Issue ~~*U Y AA AB AE*~~ *ZA*	Architectus	~~*10/10/2017*~~ ~~*17/11/2017*~~ ~~*15/06/18*~~ ~~*16 January 2020*~~ ~~*10 July 2024*~~ *11 August 2025*
Site Locality and Indicative Phasing Plan	AECOM	22/09/2016

and as amended by the conditions of this consent.

(b) **Except where a Stage 2 Detailed Development Application provides an affordable housing component in accordance with Chapter 2 of SEPP Housing 2021, and is provided in perpetuity in accordance with the Public Benefit Offer dated 13 June 2025, the development may be in accordance with Development Application D/2025/448 dated 3 June 2025 and the following drawings prepared by FJC:**

Drawing Number	Architect	Date
200.2 – Indicative Envelope Plan	**FJC**	**3 *October 2025***
200.3 – Proposed Land use	**FJC**	**3 *October 2025***
200.4 – Building Height and Street Wall Heights in storeys	**FJC**	**3 *October 2025***
200.5 – Ground and Upper Level Setbacks	**FJC**	**3 *October 2025***
200.7 – Deep Soil	**FJC**	**3 *October 2025***

and as amended by the conditions of this consent.

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) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT (VPA/2025/7)

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.

(5) DEVELOPMENT SEQUENCE

Development is to be carried out sequentially in accordance with the approved Phasing Plan. For clarity:

(a) A Construction Certificate for Phase 2 is not to be issued unless development of Phase 1 is substantially commenced;

(b) A Construction Certificate for Phase 3 is not to be issued unless ~~*development of*~~ *the development application for* Phase 2 is ~~*substantially commenced*~~ *approved*;

(c) A Construction Certificate for Phase 4 is not to be issued unless development of Phase 3 is substantially commenced;

(d) A Construction Certificate for Phase 5***, 6 or 7*** is not to be issued unless development of Phase 4 is substantially commenced;

(e) ~~***A Construction Certificate for Phase 6 is not to be issued unless development of Phase 5 is substantially commenced; and***~~

(f) ~~***A Construction Certificate for Phase 7 is not to be issued unless development of Phase 6 is substantially commenced.***~~

(6) FLOOR SPACE RATIO

The following applies to Floor Space Ratio:

(a) The Floor Space Ratio of the proposal must not exceed the maximum permissible and shall be calculated in accordance with Clauses 4.4, 4.5, and 6.21***C*** of the *Sydney Local Environmental Plan 2012* **and Section 16 of *SEPP Housing 2021*.**

(7) ALLOCATION OF FLOOR SPACE

(a) In accordance with Condition 7 of D/2015/966/1, a maximum GFA of 121,572.5m^2 is approved at Stage 1, which is to be apportioned to the approved development blocks in accordance with the following table:

Development Block	**Approved GFA**
Block A	12,945m^2
Block B	12,490m^2
Block C	17,370m^2
Block D	977m^2
Block E	14,066m^2
Block F	24,962.5m^2
Block G	18,941m^2
Block H	11,887.5m^2
Block I	7,933.5m^2

(b) The approved Design Excellence Strategy sets out the development blocks which comprise each competitive process phase. Notwithstanding the above, development blocks in a competitive process phase may be eligible for additional floorspace in accordance with clause 6.21 of the *Sydney Local Environmental Plan 2012*.

(c) Each competitive process phase will only be eligible for a maximum of an additional 10% of the floor space apportioned to it. Additional floor space is not transferrable between the competitive process phases. If blocks within a competitive process phase are not able to accommodate the full 10% additional floor space, the remaining balance of additional floor space cannot be transferred to another competitive process phase.

(d) ***Notwithstanding the approved GFA in part (a), where a stage 2 detailed development application meets the requirements of Clause 6.21D to obtain an additional 10% floor space and provides affordable housing component in accordance with Chapter 2 of SEPP (Housing) 2021 and the remaining residential accommodation is Build-to-Rent housing in accordance with Chapter 3 of SEPP (Housing) 2021, a maximum collective GFA of 91,126.04sqm is permitted for Blocks F, G, H and I.***

(8) BUILDING HEIGHT (AMENDING CONDITION)

Unless approved by this Stage 1 consent, the height of any future building on the site must not exceed the maximum permissible and shall be calculated in accordance with Clause 4.3 of the *Sydney Local Environmental Plan 2012* ***and Section 18 of SEPP (Housing) 2021***.

(9) DETAILED DESIGN OF THE BUILDINGS

The relevant competitive design process brief and Stage 2 development applications must incorporate the following design requirements:

(a) The design of Block B must integrate with the retained area of open space on the corner of Ashmore Street and Mitchell Road;

(b) The design of Block C must incorporate articulation or other design measures to reduce the impact of the 140m block length fronting Mitchell Road;

(c) The design of Blocks C and F must give consideration to activating the frontages of Mitchell Road at the corner of Macdonald Street;

(d) The design of buildings with basement access are to minimise the possibility of light beams from vehicle headlights shining into habitable rooms when exiting car parks;

(e) The designs of all buildings are to position mailboxes inside secure areas, and mailboxes with non-master key locks are to be installed;

(f) The designs of all buildings are to ensure no openings to basement levels are located below the PMF level; and

(g) The design of the northern building on Block E is to incorporate on its western side boundary:

(i) A nil setback at ground level;

(ii) A minimum setback of 3m on all levels where blank walls are proposed;

(iii) A minimum setback of 3m on Levels 1-3 where windows to non-habitable rooms are proposed;

(iv) A minimum setback of 6m on Levels 1-3 where windows to habitable rooms or balconies are proposed;

(v) A minimum setback of 4.5m on Levels 4-7 where windows to non-habitable rooms are proposed; and

(vi) A minimum setback of 9m on Levels 4-7 where windows to habitable rooms or balconies are proposed.

The above criteria must be satisfied, unless it can be adequately demonstrated that Objective 3F-1 of the ADG has been met despite non-compliance with this criteria.

(h) ***The design of building F, G and H is to incorporate privacy measures to adequate demonstrate that Objective 3F-1 of the ADG has been met despite non-compliance with the design criteria.***

(i) ***The design of buildings F & I and G & H is to incorporate design measures including, but not limited to, a change in facade design, materiality and or finishes to generally reflect the originally approved street wall heights identified in the approved plans listed in condition (1)(a).***

(10) GREEN TRAVEL PLAN

Each Stage 2 development application must be supported by a site specific Green Travel Plan **or be subject to a condition requiring the preparation and approval of a Green Travel Plan.**

(11) SIGNAGE STRATEGY

A detailed signage strategy for the whole development shall be submitted with the Stage 2 development applications for Blocks C and F, and must be included in the brief for the relevant competitive design processes **or be subject to a condition requiring the preparation and approval of a Signage Strategy.**

The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs proposed for the development.

SCHEDULE 3

CONDITIONS OF CONSENT – FLY SAFE

Conditions to be inserted prior to determination by CEO.

Attachment B

Conditions of Consent D/2015/966/I

CITY OF SYDNEY

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

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26 August, 2025

ERSKINEVILLE DEVELOPMENTS PTY LTD

SECTION 4.55 MODIFICATION APPROVAL FOR 88 MACDONALD STREET, 3 STOVEMAKER LANE , 57A ASHMORE STREET , 57B ASHMORE STREET , 57C ASHMORE STREET , 5080 MACDONALD STREET , 5010 FOUNDRY STREET , 5 STOVEMAKER LANE , 2 STOVEMAKER LANE , AND 155 MITCHELL ROAD , ERSKINEVILLE NSW 2043
APPLICATION NO: D/2015/966/I

I refer to your application dated 20 February 2025 to amend current consent D/2015/966 as modified.

You are advised that your application for modification has been **approved** under Section 4.55(2) of the Environmental Planning and Assessment Act 1979. A copy of the Notice of Determination of the original development application is attached with the amendments resulting from the modification shown in ***bold italics***.

This approval is limited to only those amendments requested in your Section 4.55 application dated 20 February 2025. Approval is not granted for any other items which may have been amended on the submitted drawings and for which approval has not been specifically sought.

This approved modification will require an amended Construction Certificate which must be obtained from your Certifier (Council or private accredited certifier). Building work must not commence until an amended Construction Certificate has been approved.

The Council officer dealing with this application is **Julia Errington ph. 02 9288 5984, email jerrington@cityofsydney.nsw.gov.au.**

Yours faithfully

NICOLA REEVE
Area Planning Manager

Notes:

Modification of development consent in accordance with Section 4.55 of the Act shall not be construed as the granting of development consent, but reference to a development consent, is a reference to the development consent so modified.

Section 8.9 of the Act confers on an applicant who is dissatisfied with this determination a right of appeal to the Land and Environment Court and the Court may determine the appeal.

For the reasons for imposing conditions, refer to the Notice of Determination for the original development consent.

Modification of a development consent does not remove the need to obtain any other statutory consent necessary under the Environmental Planning and Assessment Act 1979, or any other Act.

The conditions of consent of the development application have been modified with the consent of the applicant.

CITY OF SYDNEY

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Town Hall House
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NOTICE OF DETERMINATION - APPROVAL issued under Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979

Development Application No.	D/2015/966/I
Applicant	ERSKINEVILLE DEVELOPMENTS PTY LTD
Land to be developed	88 Macdonald Street , 3 Stovemaker Lane , 57A Ashmore Street , 57B Ashmore Street , 57C Ashmore Street , 5080 Macdonald Street , 5010 Foundry Street , 5 Stovemaker Lane , 2 Stovemaker Lane , and 155 Mitchell Road , ERSKINEVILLE NSW 2043 Lot 3 DP 1262184, Lot 4 DP 1262184, Lot 5 DP 1262184, Lot 7 DP 1262184 (Future 5010 Stovemaker Lane), Lot 8 DP 1262184 (Future 5020 Kooka Walk), Stratum affected Lot 9 DP 1262184, Stratum affected Lot 10 DP 1262184, Lots 1-173 SP 101982, Lot 2 DP 1262184, Lots 1-157 SP 102164, Lot 1 DP 1262184, Lot 20 DP 1290687, Lot 3 DP 1236425, Lot 4 DP 1236425, Lot 6 DP 1262184
Approved development	Stage 1 Concept Plan for a mixed use precinct including residential, commercial and recreation uses, including building envelopes for nine (9) development blocks ranging in height between two (2) and eight (8) storeys and concept design for public domain works including new streets, a 7,446m^2 park, and new trunk drainage.
Cost of development	$636,739,189
Determination	The application was determined by the Central Sydney Planning Committee and was granted approval subject to the attached conditions. This Section 4.55 modification application was determined under delegation of Council and was granted approval **subject to the attached conditions**.
Date of Determination	3 March 2017
Consent is to operate from	18 October 2017
Consent will lapse on	**18 October 2022**
Date of Section 4.55(2) Modification	***26 August 2025***

Reasons for conditions

Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.

Reasons for Approval

(A) The development as modified is substantially the same as was originally approved and is consistent with the requirements of Section 4.55(2) of the Environmental Planning and Assessment Act, 1979.

(B) The development has been considered against the reasons given by the Central Sydney Planning Committee for the grant of consent that is to be modified, and the proposal is consistent and acceptable, as per Section 4.55(3) of the Environmental Planning and Assessment Act, 1979.

(C) The proposed modifications ensure that the detailed design development application is consistent with the concept approval to satisfy Section 4.24 of the Environmental Planning and Assessment Act, 1979.

(D) The increased height of the building envelopes are in keeping with the desired future character of the area and will not adversely impact the amenity of the surrounding area. These variations are reasonable and justified with regard to the detailed design modification application D/2023/842/C.

(E) The proposed 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.

Community Consultation

No submissions were received.

Right of Appeal

If you are dissatisfied with this decision, Section 8.9 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environmental Court within 6 months of the date of this notification.

Alternatively, you may request a review under Division 8.2 of the Act within 28 days of the date of this notice (NB Division 8.2 is not applicable to integrated or designated development).

per
GRAHAM JAHN AM
Executive Director - City Planning, Development & Transport

CONDITIONS OF CONSENT

SCHEDULE 1A

APPROVED DEVELOPMENT/DESIGN MODIFICATIONS/COVENANTS AND CONTRIBUTIONS/USE AND OPERATION

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(1) APPROVED STAGE 1 DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2015/966 dated 9 July 2015 and the following drawings:

Drawing Number	**Architect**	**Date**
D~~***DA***~~01-02 Issue ~~*M R S*~~ ~~***Y Z***~~	Architectus	~~*07/04/2017*~~ ~~*13/11/2017*~~ ~~*16 January 2020*~~ ~~***10 July 2024***~~ ***11 December 2024***
DA01-03 Issue M	Architectus	07/04/2017
DA01-04 Issue L	Architectus	07/04/2017
DA01-05 Issue ~~*M R S*~~ ~~***Y Z***~~	Architectus	~~*07/04/2017*~~ ~~*13/11/2017*~~ ~~*16 January 2020*~~ ~~***10 July 2024***~~ ***11 December 2024***
DA01-06 Issue ~~*M T U*~~ ~~***Y Z***~~	Architectus	~~*07/04/2017*~~ ~~*13/11/2017*~~ ~~*16 January 2020*~~ ~~***10 July 2024***~~ ***11 December 2024***
DA01-07 Issue ~~*T V W*~~ ~~***Y Z***~~	Architectus	~~*10/10/2017*~~ ~~*13/11/2017*~~ ~~*16 January 2020*~~ ~~*10 July 2024*~~ ***11 December 2024***
DA01-10 Issue L	Architectus	07/04/2017
DA01-11 Issue ~~*U Y AA AB*~~ ~~***AE***~~ ***ZA***	Architectus	~~*10/10/2017*~~ ~~*17/11/2017*~~ ~~*15/06/18*~~ ~~*16 January 2020*~~ ~~***10 July 2024***~~ ***11 August 2025***
Site Locality and Indicative Phasing Plan	AECOM	22/09/2016

and as amended by the conditions of this consent and amended plans provided as required under deferred commencement condition (1).

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

(Amended 30 November 2017 – Mod A)

(Amended 5 December 2018 – Mod B)

(Amended 13 February 2020 – Mod C)

(Amended 15 August 2024 – Mod G)

(Amended 26 August 2025 – Mod I)

(1A) DESIGN MODIFICATIONS

The building envelopes must be modified as follows:

(c) The podium level on Block I, located at the corner of Kooka Walk and Alpha Street, is to be deleted from the plans.

The modifications are to be submitted to and approved by Council's Director City Planning, Development and Transport prior to the preparation of the competitive design process brief for Block E.

(Added 30 November 2017 – Mod A)

(2) STAGED DEVELOPMENT APPLICATION

Pursuant to Clause 100 of the Environmental Planning and Assessment Regulation 2000, this Notice of Determination relates to a Stage 1 Development Application for building envelopes and concept uses only.

A subsequent development application (Stage 2) or applications are required for any built form of the development.

(3) CONSOLIDATION OF LAND

Competitive design processes for Blocks F, G, H, and I are not to commence until the southern parcel of land, being 165-175 Mitchell Road Erskineville (Lot 2 in DP 772101), has been consolidated with the northern parcel of land, being 57 Ashmore Street (otherwise known as 149-163 Mitchell Road) Erskineville (Lot 23 in DP 849857), or the residue of Lot 23 in DP 849857 following subdivision.

(4) DEVELOPMENT SEQUENCE

Development is to be carried out sequentially in accordance with the approved Phasing Plan. For clarity:

(a) A Construction Certificate for Phase 2 is not to be issued unless development of Phase 1 is substantially commenced;

(b) A Construction Certificate for Phase 3 is not to be issued unless ~~*development of*~~ *the development application for* Phase 2 is ~~*substantially commenced*~~ *approved*;

(c) A Construction Certificate for Phase 4 is not to be issued unless development of Phase 3 is substantially commenced;

(d) A Construction Certificate for Phase 5 is not to be issued unless development of Phase 4 is substantially commenced;

(e) A Construction Certificate for Phase 6 is not to be issued unless development of Phase 5 is substantially commenced; and

(f) A Construction Certificate for Phase 7 is not to be issued unless development of Phase 6 is substantially commenced.

(Amended 5 May 2023 – Mod F)

(5) MATTERS NOT APPROVED

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

(a) Any demolition, construction, or excavation;

(b) The location of vehicle access points;

(c) The indicative layouts of buildings; and

(d) The removal of any trees.

(6) STAGE 2 TO BE CONTAINED WITHIN APPROVED ENVELOPE

(a) The detailed design, including services, developed under any future Stage 2 Development Application shall be contained within the building footprint and envelope approved as part of this consent*, as modified*.

(b) Plant and equipment is to be provided in the basement where it cannot be contained within the approved *(as modified)* building envelope.

(c) Any modification of the envelope must be fully justified through the competitive design process and Stage 2 DA process and be compliant with all relevant planning controls.

(Amended 30 November 2017 – Mod A)

(7) FLOOR SPACE RATIO

The following applies to Floor Space Ratio:

(a) The Floor Space Ratio of the proposal must not exceed the maximum permissible and shall be calculated in accordance with Clauses 4.4, 4.5, and 6.21 of the *Sydney Local Environmental Plan 2012*.

(8) ALLOCATION OF FLOOR SPACE

(a) In accordance with Condition 9 above, a maximum GFA of 121,572.5m^2 is approved at Stage 1, which is to be apportioned to the approved development blocks in accordance with the following table:

Development Block	Approved GFA
Block A	12,945m^2
Block B	12,490m^2
Block C	17,370m^2
Block D	977m^2
Block E	14,066m^2
Block F	24,962.5m^2
Block G	18,941m^2
Block H	11,887.5m^2
Block I	7,933.5m^2

(b) The approved Design Excellence Strategy sets out the development blocks which comprise each competitive process phase. Notwithstanding the above, development blocks in a competitive process phase may be eligible for additional floorspace in accordance with clause 6.21 of the *Sydney Local Environmental Plan 2012*.

(c) Each competitive process phase will only be eligible for a maximum of an additional 10% of the floor space apportioned to it. Additional floor space is not transferrable between the competitive process phases. If blocks within a competitive process phase are not able to accommodate the full 10% additional floor space, the remaining balance of additional floor space cannot be transferred to another competitive process phase.

(9) BUILDING HEIGHT

Unless approved by this Stage 1 consent, the height of any future building on the site must not exceed the maximum permissible and shall be calculated in accordance with Clause 4.3 of the *Sydney Local Environmental Plan 2012*.

(10) DESIGN EXCELLENCE AND COMPETITIVE DESIGN PROCESS

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

(a) Conducted in accordance with 'Design Excellence Strategy for ~~*149-163 Mitchell Road*~~ *57 Ashmore Street* and 165-175 Mitchell Road, Erskineville' dated ~~*8 November 2016*~~ *4 August 2022*, prepared by Urbis on behalf of ~~*Greenland Golden Horse Investment Pty Ltd*~~ *Coronation Property Co Pty Ltd (Council ref. 2022/454452)*.

(b) Conducted prior to the lodgement of a Stage 2 development application for each development block.

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

(Amended 29 August 2022 – Mod D)

(11) DETAILED DESIGN OF BUILDINGS

The relevant competitive design process brief and Stage 2 development applications must incorporate the following design requirements:

(a) The design of Block B must integrate with the retained area of open space on the corner of Ashmore Street and Mitchell Road;

(b) The design of Block C must incorporate articulation or other design measures to reduce the impact of the 140m block length fronting Mitchell Road;

(c) The design of Blocks C and F must give consideration to activating the frontages of Mitchell Road at the corner of Macdonald Street;

(d) The design of buildings with basement access are to minimise the possibility of light beams from vehicle headlights shining into habitable rooms when exiting car parks;

(e) The designs of all buildings are to position mailboxes inside secure areas, and mailboxes with non-master key locks are to be installed;

(f) The designs of all buildings are to ensure no openings to basement levels are located below the PMF level; and

(g) The design of the northern building on Block E is to incorporate on its western side boundary:

(i) A nil setback at ground level;

(ii) A minimum setback of 3m on all levels where blank walls are proposed;

(iii) A minimum setback of 3m on Levels 1-3 where windows to non-habitable rooms are proposed;

(iv) A minimum setback of 6m on Levels 1-3 where windows to habitable rooms or balconies are proposed;

(v) A minimum setback of 4.5m on Levels 4-7 where windows to non-habitable rooms are proposed; and

(vi) A minimum setback of 9m on Levels 4-7 where windows to habitable rooms or balconies are proposed.

The above criteria must be satisfied, unless it can be adequately demonstrated that Objective 3F-1 of the ADG has been met despite non-compliance with this criteria.

(12) DETAILED DESIGN OF CHILDCARE CENTRES

The relevant competitive design process brief and/or Stage 2 development applications must demonstrate the following:

(a) Compliance with the Education and Care Services National Regulations;

(b) That 33% of places will be allocated to children aged 0-2 years;

(c) That clear lines of site between playrooms, children's bathrooms, cot rooms and outdoor play areas are provided;

(d) That cot rooms off playrooms designated for children aged 0-2 years are provided;

(e) The access into the child care centre is secure; and

(f) That outdoor play areas have access to natural light and natural ventilation.

(13) STAGE 2 DESIGN REQUIREMENTS FOR WASTE AREAS AND COLLECTION

(a) The future Stage 2 DAs shall incorporate the following design requirements in relation to waste storage and collection areas:

(i) The nominated waste and recycling storage areas must be constructed to meet the relevant conditions required by the City's Waste Minimisation in New Developments Policy 2005.

(ii) A minimum $8m^2$ in dedicated space(s) for residential bulky waste storage must be provided for developments up to 80 units, and then 1m2 for every ten units after that. The space(s) should be separated by a caged area (or similar) if to be included within a nominated waste holding room for storage or collection bins.

(iii) Residential and commercial waste and recycling receptacles and bulky waste must be stored on the property at all times and must not be placed on the kerbside for collection.

(iv) Commercial waste and recycling receptacles must be stored in a separated area from residential waste and recycling receptacles and commercial tenants must not have access to residential bins or waste rooms.

(v) Doorways to bin collection area(s) and any goods lift(s) must fit the size of bins proposed for use in the WMP. Dimensions of standard bins available for use are:

a. 1,100 litres – 1240mm long x 1070mm wide

b. 660 litres – 1260mm long x 780mm wide

c. 240 litres – 730mm long x 550mm wide

(vi) Clearance height for access by collection vehicles must be no less than 4m at any point for the vehicle to enter the site to service bins.

(vii) Collection vehicles are to enter and exit in a forward direction (use of vehicle turntables are acceptable).

(viii) The maximum travel distance between the storage point and collection point for all waste and recycling bins and bulky waste shall be no more than 10 meters.

(ix) Unimpeded access must be provided to facilitate collection from the waste and recycling storage location(s) at all times.

(x) Unimpeded access shall be provided for collection vehicles to set down within 10 meters of waste storage area(s) between 6am and 6pm on collection day(s).

(xi) The applicant must contact Council's Waste Services unit for information on the installation of a compatible (GAR) key system to allow for the City's staff to collect residential waste and recycling receptacles and bulky waste from inside the properties.

(xii) Commercial tenancies must have a commercial waste contract in place prior to the commencement of business trading.

(xiii) Waste and recycling containers will not be supplied until construction in developments is completed unless otherwise organised with waste services.

(xiv) The development must have a residential rating or applied for a residential rating prior to a City of Sydney waste service commencing.

(xv) Commercial and residential waste service collections and waste storage arrangements must be conducted in accordance with the City's Waste Policy – Local Approvals Policy for Managing Waste in Public Places (2013).

(14) STORMWATER

Each Stage 2 development application must be supported by the following:

(a) Local Drainage Management Plan; and

(b) Stormwater Quality Assessment.

(15) GREEN TRAVEL PLANS

Each Stage 2 development application must be supported by a site specific Green Travel Plan.

(16) PLACING ELECTRICAL WIRES UNDERGROUND

The existing overhead electrical wires located on the site frontages in Ashmore Street and Coulson Street road reserves are to be placed underground at the cost of the developer.

Note: Approval by Ausgrid must be sought for placing wires underground.

(17) RETENTION OF HILL'S WEEPING FIG TREES

The Stage 2 development application for Block B must include:

(a) A detailed survey which includes the location of each Hills Weeping Fig, existing structures, retaining walls and levels. The survey must include accurate tree heights, canopy spread and crown shapes.

(b) The survey must be overlayed onto the Architectural Plans for Block B.

(c) Cross Section Plans must be provided showing the location of trees and proximity of the canopy to the buildings within Block B;

(d) The design of the buildings for Block B must be appropriately setback from the Hills Weeping Figs to allow a minimum distance of 2 metres from the edge of the existing canopies.

(e) The Arboricultural Impact Assessment which involves the assessment of the Hills Weeping Fig trees adjacent to Block B must include in addition to the information above, the following additional information:

(i) A 'Pruning Schedule' (size of branches, location, and extent of pruning) must be provided for the Hills Weeping Figs. This must also take into account additional pruning required for hoardings, scaffolding and building construction works. Pruning must not exceed more than 15% of the total live canopy area.

(ii) A 'Methodology Statement' outlining tree protection requirements during construction of the building' (tree protection from cranes, piling, rigging, hoardings, scaffolding, etc.) - that describes the construction method for new buildings and contains recommendations on how to minimise any impacts on the Hill's Weeping Figs. This must be site specific and not generic tree protection specifications.

(18) LAND CONTAMINATION

No development works are to be undertaken on the site until such time as a stage 2 development application has been submitted to and approved by the Consent Authority.

Note: The stage 2 application must include documentation that demonstrates the requirements of State Environmental Planning Policy No 55 are addressed.

To address the requirements of SEPP No 55 the hierarchy of assessment may include but not be limited to the following:

(a) Detailed Environmental Site Assessment (DESA) (Also known as Stage 2)

(b) Remediation Action Plan (RAP)

(c) Review by NSW EPA Site Auditor

(d) Site Validation Report

(e) Site Audit Statement (SAS)

(19) STRUCTURAL, GEOTECHNICAL AND CONSTRUCTION REVIEW

The Stage 2 development application for Block B must be accompanied by the following reports:

(a) A structural assessment of the proposal prepared by an appropriately qualified structural engineer, including details on the protection of the structural integrity of the adjoining heritage item at 1A Ashmore Street.

(b) A geotechnical assessment of the proposal prepared by an appropriately qualified geotechnical engineer, including any excavation for footings and walls and details on the protection of the ground conditions of the adjoining heritage item at 1A Ashmore Street.

(c) A construction review of the proposal and any alternative construction methods for the proposal prepared by an appropriately qualified person.

Note: Excavation will not be permitted if it will occur under common walls and footings to common walls, or freestanding boundary walls, or under any other part of adjoining land or it will occur under or forward of the front facade of the building.

(20) LANDSCAPING

(a) Prior to the preparation of the brief for each competitive design process, a Landscape Concept Plan must be submitted to Council's Director City Planning, Development and Transport for approval. The Plan should identify any landscape constraints, and set the aspirations and requirements for the landscape spaces, including rooftops, in order to achieve design excellence. It should establish a clear commitment to designing landscape sustainably and in an integrated manner, and demonstrate that the function and aesthetic of both the landscape and the building have been considered concurrently in relation to each other.

(b) The Landscape Concept Plan for Block B must demonstrate how the level changes between the future building and the retained area of open space on the Corner of Ashmore Street and Mitchell Road will be managed, and how the retained trees will be adequately protected, conserved, and integrated into the design.

(21) COMMUNAL OPEN SPACE

All Stage 2 development applications involving the development of a residential flat building or mixed use building are required to provide an area equal to 25% of the development block site area as communal open space.

(21A) COMMUNAL OPEN SPACE AND GREEN ROOFS

The requirement to consider and give preference to providing communal open space and green roofs on the rooftops of mixed use and residential buildings must be included in the competition brief for each of the competitive design processes.

(22) TREE INFORMATION REQUIRED FOR STAGE 2 APPLICATIONS

(a) An Arboricultural Impact Assessment (AIA) prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 in Arboriculture must be submitted with each individual Stage 2 development application.

(b) The report must reflect current industry practices, with particular reference to the Australian Standard 'Protection of trees on development site' (AS4970-2009) and must include:

(i) Identify and include correct botanical and common names of all trees within the proposed development site and any tree within a 5 metres radius of the site that are likely be to be affected by the development;

(ii) An assessment of all trees health, vigour and structural condition.

(iii) Identify all trees to be retained and removed during construction and development;

(iv) Include a suitably scaled plan of the site showing the location and numbers of all trees assessed in the report including tree recommended for removal and retention, Structural Root Zones and Tree Protection Zones for all trees recommended for retention;

(v) A discussion of all options available, including reasons as to why trees are, or are not being recommended for removal or retention;

(vi) Recommendations of any design modifications, construction techniques and/or other protection methods required to minimise adverse impact on trees that should be retained during the demolition & construction works, and into the long term.

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

(viii) Details on the trunk protection (method / materials/ duration); and

(ix) Details of any pruning required for construction and development. This must include number of branches and orientation, branch diameter, percentage of live canopy to be removed. This information must also be detailed on either a diagram or photograph of the tree.

(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.

(23) ECOLOGICAL ASSESSMENT REPORTS

The Stage 2 development applications for Blocks A and D must be accompanied by an Ecological Assessment Report to assess the impacts of those proposals on flora and fauna in the vicinity of Coppersmith Lane.

(24) SUBDIVISION AND DEDICATION OF ROADS

Any future subdivision and road dedication shall be strictly in accordance with the plan prepared by the City of Sydney Survey Section, titled "Proposed Lot Layout of 'Ashmore Estate', Erskineville, reference S5-16-1255 Revision D dated 03/03/16, other than minor departures due to redefinition of the external site boundaries, and the exclusion of Lot 1 in DP 535528 being the substation site near the corner of Ashmore Street and Mitchell Road.

(25) LAND SUBDIVISION – SEPARATE DA REQUIRED

Any proposal to subdivide the site, including any stratum subdivision of the buildings, will be required to form part of the relevant Stage 2 application, or require a separate application to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a Subdivision Certificate under Section 109J of the *Environmental Planning and Assessment Act 1979*.

(26) DESIGN AND CONSTRUCTION OF ROADS

In relation to any future Stage 2 development application:

(a) Detailed engineering, road, drainage and infrastructure works, design and construction plans for the construction of the proposed roads are to be submitted to Council and approval gained prior to the issue of any Construction Certificate for the proposed ~~Subdivision Works~~ *public domain works set out in the Voluntary Planning Agreement for that particular Phase*. The design and documentation is to include any requirements and approvals from external parties such as public utility service authorities and is to be in accordance with Council's "*Development Specifications for Civil Works Design and Construction*" and is to be in accordance with any approved flood analysis and assessment report for the site and is to be consistent with Water Sensitive Urban Design principles.

(b) The submission to Council is to provide plans and specifications sufficient to describe in detail the design, scope and extent of all proposed road, drainage and infrastructure works for the construction of the road extensions prepared and certified by a Professional Engineer, and is to include:

(i) Details of existing and final site contours, levels and volumes of proposed earthworks providing confirmation that the site contours and levels will not adversely impact upon the flow of floodwater on the site,

(ii) Geometric design and pavement design of the road extensions including formation widths, batter slopes, longitudinal sections, cross-sections, materials, specifications and thicknesses of pavement and surfacing,

(iii) Proposed contours and levels, showing existing and proposed adjacent levels at abutment to threshold of adjacent properties, proposed buildings, existing roads and existing parks including level and batter slopes. Details of the interpolation of the design levels demonstrating that the road will marry in with their thresholds with the existing roads.

(iv) Kerb and gutter design and specifications and any necessary works and matching into existing formations including a minimum 500mm existing road pavement restoration,

(v) Geometric and hydraulic design of all stormwater drainage structures and systems including drainage swales and temporary

downstream drainage, if required, and specifications and materials and details of connections into Council's public stormwater system,

(vi) Details of design and specifications for footpaths, retaining walls, pedestrian and bicycle facilities, street lights, traffic and pedestrian signage, landscaping and associated verge works,

(vii) Details of structures and conduits for the provision and installation of any public utility services and any adjustment to existing services required,

(viii) Details of structures, procedures and measures adopted to address erosion and sediment control during the earthworks and construction process,

(ix) Details of traffic management and site management procedures during the construction process,

(x) Specifications showing assumptions, calculations and testing.

(c) The certification is to include confirmation from a Professional Engineer that the design complies with Council's Development Specifications for Civil Works Design and Construction and that the development will be flood compatible by enabling the floor levels of buildings to provide a minimum of 500mm freeboard above the 1 in 100 year flood level and a minimum of 300mm for publicly accessible areas.

(d) The documentation is to be fully coordinated with the approved Public Domain and Landscape plans for the development, and submitted concurrently to Council's Public Domain Section for review and Council's acceptance of completed Subdivision Work and issue of the final Compliance Certificate as the Principal Certifying Authority will be subject to certification and compliance with the approved drawings, the Development Specifications for Civil Works Design and Construction, applicable standards and the submission of certified Works as Executed drawings.

(Amended 30 November 2017 – Mod A)

(27) TEMPORARY TURNING AREAS

(a) Any road which is constructed and dedicated as a dead end street, as a result of the staged delivery of the site, must provide a temporary vehicle turning area.

(b) Details of the vehicle turning must be submitted with the detailed design of the affected road.

(c) All temporary turning areas must be designed to accommodate a Council waste collection vehicle as a minimum.

(d) The vehicle turning area must remain until the relevant subsequent stages are complete and the turning area is no longer required.

(28) VEHICLES ACCESS POINTS

Indicative vehicle access points to buildings are not approved as part of this consent. Vehicle access points generally in accordance with Part 5.5 of Sydney DCP 2012 are to be submitted with Stage 2 development applications. Vehicle access points are to be minimised with basement consolidations where possible, subject to any stratum subdivision preferences, and no vehicle access points are to be located on MacDonald Street or Kooka Walk.

The sites must be configured to ensure all vehicles can enter and depart the sites in a forward direction.

(29) BICYCLE PARKING

Bicycle parking for use by residents is to be a combination of A and B security level as specified in Table 1.1 of AS 2890 Part 3 (2015) – Bicycle Parking and located in upper level basements. Bicycle parking for use by residential visitors and customers of non-residential uses is to be provided at street level and adjacent to pedestrian entries. Bicycle parking for use by staff of non-residential uses is to be security level B and separate to bicycle parking for residents.

The details of the location, quantity and type of bicycle parking is to be included in the Stage 2 development applications. 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.

(30) PARKING DESIGN

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

(31) MECHANICAL PARKING FACILITIES

A proposal for any mechanical parking facilities is to be accompanied by a report outlining the following:

(a) Provision in accordance with the manufacturer's specifications and relevant Australian Standards for off-street car parking;

(b) Management of use and operation of the stacker/s including during periods of vehicle queuing and during any system failure, and

(c) Noise and vibration levels as received by occupiers of the building including references to relevant standards.

(32) CAR SHARE

(a) Car share spaces must be provided in accordance with the Sydney DCP requirements for car share allocation and shall be made available to members of the public as well as residents and available at all times.

(b) To enable the assessment of car share spaces across the site, all Stage 2 development applications must provide details on:

(i) the number of apartments approved to date;

(ii) the minimum number of car share spaces the approved number of units would require;

(iii) the expected total number of units within the whole development site;

(iv) the expected total number of car share spaces to be provided; and

(v) the number of car share spaces approved to date (including on and off street).

(c) Car share spaces are to be located together in the most convenient locations within the basements and are to be used exclusively for car share.

(33) 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.

(34) INTERSECTION UPGRADE WORKS – MITCHELL ROAD/MADDOX STREET /MACDONALD STREET

(a) The intersection of Mitchell Road, Maddox Street and future MacDonald Street is to be upgraded with the installation of traffic signals. The following is to be submitted to and approved by the NSW Roads and Maritime Services and the Director City Planning, Development and Transport, prior to the issue of a Construction Certificate *for Phase 4 (Block E)*:

(i) Detailed design drawings consisting of a road design plan, illustrating road design dimensions (e.g. lane widths, median widths, swept paths etc.), including provisions for pedestrians and cyclists. Investigation of the intersection upgrade is to determine whether dedicated right or left turn lanes in both directions on Mitchell Rd could be included to provide a dedicated through lane to minimise delays to buses. Plans shall be to scale.

(ii) The removal of any on-street parking spaces required as a result of the proposed intersection upgrade will require community consultation with affected residents and/or businesses and shall be undertaken by the applicant to the satisfaction of the NSW Roads and Maritime Services.

(iii) The upgraded facility must be provided prior to the issue of an Occupation Certificate.

(b) All costs associated with the upgrade of the intersection are to be borne by the developer.

(Amended 30 November 2017 – Mod A)

(35) ~~***INTERSECTION UPGRADE WORKS – ASHMORE STREET / MITCHELL ROAD***~~

(a) ~~*Upgrade of the Ashmore Street and Mitchell Road intersection is to be investigated to minimise delays to through traffic, including buses, on Mitchell Road. Concept designs including dedicated right or left turn lanes in both directions on Mitchell Road are to be submitted to and approved by the Director City Planning, Development and Transport prior to the issue of a Construction Certificate for development Blocks B and/or C.*~~

(b) ~~*The upgraded facility must be provided and fully operational prior to the issue of an Occupation Certificate for development Blocks B and/or C.*~~

(c) ~~*All costs associated with the upgrade of the intersection are to be borne by the developer.*~~

(Deleted 30 November 2017 – Mod A)

(36) SERVICE VEHICLE SIZE AND TURNING PATHS

(a) The Stage 2 development applications should specify anticipated vehicle sizes accessing the sites and include swept path analysis for each intersection and building loading dock to be accessed.

(b) The swept paths must account for the largest design vehicle accessing the street or building. These will be used to determine a condition for the largest vehicle permitted to service the site.

(37) LOADING MANAGEMENT PLAN

A management plan accounting for loading associated with the supermarket and all other non-residential uses is to be prepared and submitted with the relevant Stage 2 development applications.

The plan is to outline how the loading dock will be managed and used by all non-residential tenants to ensure all vehicles can be received on site, all loading and unloading including waste management will take place on site and to ensure vehicles are not waiting to enter the site in surrounding public streets.

The management plan is to be prepared for distribution, once approved, to all relevant tenants and external users of the loading area.

(38) VEHICLES ASSOCAITED WITH CHILDCARE CENTRE

The relevant Stage 2 development application is to include an assessment of potential options, including full provision onsite, for drop-off and pick-up vehicle movements associated with the proposed childcare facilities.

(39) WASTE FACILITIES

All Stage 2 development applications are to provide details of the location, construction and servicing of the waste collection facilities for the proposed buildings. The design of the facilities is to be in accordance with Council's *"Policy for Waste Minimisation in New Developments."*

(40) STORMWATER AND DRAINAGE

All Stage 2 development applications are to provide details of the drainage system for the development which is to be designed and constructed in accordance with Council's standard requirements as detailed in Council's 'Stormwater Drainage Connection Information' document dated July 2006. This information is available on Council's website - www.cityofsydney.nsw.gov.au.

(41) REFLECTIVITY

The Stage 2 development applications must contain sufficient information to demonstrate that that the visible light reflectivity from building materials used on the facade of any building greater than three storeys does not exceed 20%. The relevant Stage 2 development applications shall be the subject of a reflectivity report that demonstrates compliance with the above.

(42) PUBLIC ART

~~*The requirement to prepare a Public Art Strategy that nominates artists and potential locations must be included in the competition brief for each of the competitive design processes. The Public Art Strategy associated with the winning scheme must be lodged with the relevant future Stage 2 development applications.*~~

~~*Each Public Art Strategy is to make reference to the industrial history and development of the site, and of Erskineville.*~~

A single Public Art Strategy that addresses the whole site for the benefit of the community is required to be developed, and submitted to and approved by Council's Director, City Planning, Development and Transport prior to the issue of a Construction Certificate for above ground works for Phase 1 (Blocks B and C). The Strategy should contain an analysis of the precinct including the contemporary social context; pre and post-colonial history; and the development of the site and Erskineville more broadly. It should nominate a methodology for the selection of artists, potential locations and opportunities for artworks delivered under the Voluntary Planning Agreement and as required by Public Art Conditions of Consent applied to Detailed Design Development Consents, and an indicative budget for public art.

The Strategy must be included in the competition briefs for each of the competitive design processes.

(Amended 30 November 2017 – Mod A)

(43) HERITAGE INTERPRETATION PLAN

(a) An interpretation plan for the overall site must be submitted with the first Stage 2 development application. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian. It must:

(i) include a concise developmental history of the overall site including its occupancy by Metters Ltd;

(ii) make specific reference to the industrial history of the site including its occupancy by Metters Ltd;

(iii) detail how information on the history and significance of the site will be provided and make recommendations regarding public accessibility, signage and lighting (public art and the display of selected artefacts are some of the means that can be used);

(iv) specify the location, type, making materials and contents of the interpretation device being proposed and the staging of the interpretation.

(b) Prior to an occupation certificate being issued for each Stage 2 development application, the approved interpretation plan for the relevant stage must be implemented to the satisfaction of Council's Director City Planning, Development and Transport.

(44) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

A detailed ESD report shall be submitted to and approved by Council's Director City Planning, Development and Transport prior to the preparation of the brief for the first competitive design process. The ESD Report must incorporate ESD initiatives over and above BASIX requirements that will obligate all Stage 2 development applications to incorporate the specified ESD initiatives.

(45) SIGNAGE STRATEGY

A detailed signage strategy for the whole development shall be submitted with the Stage 2 development applications for Blocks C and F, and must be included in the brief for the relevant competitive design processes. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs proposed for the development.

(46) CHANGES TO KERB SIDE PARKING ARRANGEMENTS

(a) 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 associated with any Stage 2 DA. 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.

(b) 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 changes to all signs and stems from the kerb line of the nearest intersection.

(c) All costs associated with the parking proposal will be borne by the developer.

Note: The applicant should contact Council's Area Traffic Engineer to discuss any proposal before making a submission.

(47) ON SITE LOADING AREAS AND OPERATION

The Stage 2 development applications must ensure all loading and unloading associated with the site can be carried out within the confines of the site at all times and not obstruct other properties or the public road or footpath.

(48) ~~*ALIGNMENT LEVELS – MAJOR DEVELOPMENT*~~

(a) ~~*Proposed building floor levels, basement levels, basement car park entry levels and ground levels shown on the approved development application plans are indicative only and have not been approved by this consent.*~~

(b) ~~*Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work, alignment levels for the building and site frontages must be submitted to and approved by Council. The submission must be prepared by a Registered Surveyor, must be in accordance with the City of Sydney's Public Domain Manual and must be submitted with a completed Alignment Levels checklist (available in the Public Domain Manual) and Footpath Levels and Gradients Approval Application form (available on the City's website).*~~

(c) ~~*These alignment levels, as approved by Council, are to be incorporated into the plans submitted with the application for a Construction Certificate for any civil, drainage and public domain work as applicable under this consent. If the proposed detailed design of the public domain requires changes to any previously approved Alignment Levels, then an amended Alignment Levels submission must be submitted to and approved by Council to reflect these changes prior to a Construction Certificate being issued for public domain work.*~~

(Deleted 30 November 2017 – Mod A)

(49) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN

Prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the building facade adjoining the footpath, the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.

The form of the recording is to be as follows:-

(a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;

(b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;

(c) Each image is to be numbered and cross referenced to a site location plan;

(d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;

(e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive 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.

Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must immediately be made safe and functional by the applicant. Damage must be fully rectified by the applicant in accordance with the City's standards prior to a Certificate of Completion being issued for Public Domain Works or before an Occupation Certificate is issued for the development, whichever is earlier.

(50) ROAD NETWORK AND GEOMETRIC ROAD DESIGN

(a) Preparation of the detailed design and construction documentation for the proposed public road system shall include all necessary liaison with and requirements of all relevant public utility authorities, Roads and Maritime Services, Council, 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 Council with the road design submission.

(b) The design and construction of all road works *associated with each Phase as per the Voluntary Planning Agreement* shall be undertaken in accordance with City of Sydney's *Sydney Streets Technical Specification and the Public Domain Manual*. Detailed plans, construction details and specifications for the works shall be prepared and submitted to Council for approval prior to issue of a Construction Certificate *for public domain works*, excluding for approved preparatory or demolition work, or before issue of an approval under Section 138 of the Roads Act 1993 for the road and drainage, infrastructure work. The detailed plans and supporting documentation shall include as a minimum the following information;

(i) General subdivision plan with contour details, clearly indicating the extent of work;

(ii) Road cross sections showing road and footway widths, existing levels, design levels, cross fall grade pavement configuration, batter slopes, engineered retaining walls, kerb returns, kerb and gutter, vehicle crossovers, pedestrian ramps the location of public utility services and 900mm minimum road restoration to match smoothly into the existing road levels;

(iii) Plan drawing and longitudinal section showing gutter invert, kerb and boundary alignments with design grades of the existing and proposed future public road network including public utility services;

(iv) Road design and drainage plans showing the following:

a. road pavement structure and design;

b. kerb, gutter and building alignment;

c. traffic calming management structures / measures including consistency with the Ashmore Infrastructure Concept Design (2016);

d. traffic, pedestrian and parking signage;

e. details of intersections with existing roads including line-marking, pavement marking, sign-posting, swept paths for the largest expected vehicle;

f. on-road bicycle route infrastructure and facilities;

g. Drainage plans and schedule of drainage elements, showing the following:

i. The proposed location of all subsoil drains and sub-pavement drains, including the nominal width and depth of trenches, pipe diameters and materials, longitudinal design grades, and the locations of outlets and cleanouts;

ii. The location of public utility services;

iii. Details and specifications for the construction of all components of the system in accordance with the City of Sydney's Sydney Streets Technical Specification;

iv. All assumptions and/or calculations made in the determination of the need or otherwise for subsurface drainage, including requirements of broader stormwater catchment analysis to undertaken beyond the site boundary;

v. Drainage details and longitudinal sections with hydraulic grade lines for the design storm and other standard features such as flow rates, pipe class, pipe grade and velocity;

vi. Adjustments/upgrades to utility services as required;

vii. Standard engineering and structural details plan;

viii. Erosion and sedimentation control plans;

ix. A design certification report for the road works 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 design documentation shall be completed in accordance with

the relevant standards and specifications as adopted by Council from time to time. All engineering plans and calculations shall be checked, signed and certified by a suitably qualified practicing professional engineer.

(c) The road and drainage works are to be completed in accordance with the approved plans and the City of Sydney's *Public Domain Manual* before any Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.

(Amended 30 November 2017 – Mod A)

(51) SYDNEY WATER REQUIREMENTS

(a) Each subsequent stage 2 development application must be referred to Sydney Water.

(b) Each subsequent stage of the development must comply with the City of Sydney and Sydney Water stormwater strategy for the Ashmore Precinct and must meet Sydney Water's guidelines for building over and adjacent to our stormwater assets.

(c) All new buildings and permanent structures are to be 1m away from the outside face of the stormwater channel. Permanent structures include, but are not limited to basement car parking, hanging balconies, roof eves, hanging stairs, stormwater pits, stormwater pipes, etc. This clearance would apply for unlimited depth and height.

(d) The developer is to prepare concept water and wastewater sizing and location plans. The plans should indicate the proposed service connection location for the future buildings within the development area. Initial sizing of water and wastewater extensions should be based on the Water and Sewerage Codes of Australia.

(e) Depending on the complexity of servicing options due to local conditions, a Water Service Coordinator may advise that it is necessary to engage a range of service providers to complete the concept servicing documentation.

Note: Amplification of the main may be required to connect with Sydney Water's trunk assets as planning for the Ashmore precinct advances and maximum capacity is reached with increased densification.

(52) AUSGRID REQUIREMENTS

(a) The developer is required to make a formal submission to Ausgrid by means of a duly completed Preliminary Enquiry and / or Connection Application form, to allow Ausgrid to assess any impacts on its infrastructure and determine the electrical supply requirements for the development (eg. whether a substation is required on site).

(b) The developer is to ensure that the proposed works do not contravene Ausgrid's technical standards and statutory requirements, in regards to the safe and reliable operation and maintenance of Ausgrid's network.

(53) TRANSGRID REQUIREMENTS

(a) All works are to be planned and carried out in accordance with both the - NSW WorkCover 'Work near Underground Assets' Guide. Further, TransGrid's 'Requirements for Working in the Vicinity of TransGrid Underground Cables' document should be adhered to.

(b) TransGrid's access to our underground cable network must be maintained at all times, including during the construction period.

(c) TransGrid requires a set of works as executed plans pertaining to the future Stage 2 development applications to which Clause 44 of the *State Environmental Planning Policy (Infrastructure) 2007* applies, following the issue of a relevant Occupation Certificate.

(d) TransGrid requests formal notification of any application, and subsequent modifications to applications, for Stage 2 development applications to which Clause 44 of the *State Environmental Planning Policy (Infrastructure) 2007* applies.

(54) RMS REQUIREMENTS

In accordance with Section 87 of the *Roads Act, 1993* approval for a traffic control light requires the consent of Roads and Maritime Services (RMS). Therefore, RMS will require concept plans of the proposed traffic signals at Mitchell Road/Maddox Street intersection for review prior to any development consent or approval being granted *for Phase 4 (Block E)*.

(Amended 30 November 2017 – Mod A)

(55) TRANSPORT FOR NSW REQUIREMENTS

Intersection upgrade designs for the Mitchell Rd/Maddox St intersection and Mitchell Rd/Ashmore St intersection are to be submitted to Transport for NSW for review.

SCHEDULE 2

The prescribed conditions in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000 apply to the development.

SCHEDULE 3

TERMS OF APPROVAL

OTHER INTEGRATED DEVELOPMENT APPROVALS

The Terms of Approval for Integrated Development as advised by NSW Office of Water are as follows:

1. A detailed baseline assessment of the groundwater conditions (i.e. measured daily water levels, flow direction, hydraulic gradient, groundwater quality, contamination status, presence of dependent ecosystems and identification of receiving environments) across the entire concept plan area and in accordance with the requirements of the NSW Aquifer Interference Policy is to be provided to DPI Water by the concept plan applicant six months after consent being granted for the development of the estate.

2. An authorisation must be obtained from DPI Water for any proposed building development within the concept plan area incorporating below-ground areas that intercept groundwater (i.e. water below the surface of the ground) – such an authorisation is subject to conditions and is only valid for the period of construction or twelve months, whichever is the lesser.

3. Detailed measurement, monitoring, management and reporting terms of approval in accordance with the NSW Aquifer Interference Policy shall be applied by DPI Water to development applications for proposed buildings within the concept plan area.

4. Development applications for proposed buildings are to include clear statements of the estimated volume of groundwater take required for the construction period, the calculations used to derive the estimate, and the duration over which dewatering is expected to occur – all calculations are to be based on site-specific measurements of the hydraulic characteristics of subsurface lithologies.

5. Any proposed discharge of dewatering flows to receiving infrastructure (i.e. stormwater or sewer) must be demonstrated to be permissible with written approval from the controlling authority being provided to DPI Water at the time of application for an authorisation – the proposed return (i.e. injection or recharge) of water to the subsurface will require a separate authorisation to be obtained from DPI Water and treatment of the water will be required.

6. The take of groundwater from any building development in the concept plan area is not permitted following the completion of construction or during subsequent occupation – below-ground areas of individual developments are to be made watertight for the anticipated life of each building.

7. Sufficient permanent engineered drainage shall be provided beneath and around the outside of each of the watertight below-ground areas of each building to ensure that natural groundwater flow is not impeded and that artificial mounding of the water table does not occur at any time during the life of the building.

8. Before the issue of an Occupation Certificate for each individual building a works-as-completed report shall be provided to DPI Water by the applicant that records the total metered volume of groundwater taken, the actual period over which

dewatering occurred, the quality and contamination status of all water discharged and the measured impacts on the surrounding environment.

9. A detailed assessment of the groundwater conditions (i.e. measured daily water levels, flow direction, hydraulic gradient, groundwater quality, contamination status, presence of dependent ecosystems, identification of receiving environments and cumulative impacts of all aquifer interference activities) across the entire concept plan area is to be provided to DPI Water by the concept plan applicant six months after the finalisation of all development within the estate.

Prior to commencement of each staged individual development

10. An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take necessary to complete construction.

11. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed 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.

12. Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:

    (a) any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and

    (b) any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and

    (c) where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.

13. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.

14. Documentation (referred to as a ‘report’) comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process must be provided. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted in a format consistent with electronic retrieval without editing

restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation of each staged individual development

15. The following shall be included in the initial report:

    (d) measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.

    (e) a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.

    (f) details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.

    (g) a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [Note that groundwater level measurements should be undertaken on a continuous basis using automatic loggers in monitoring bores.]

16. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.

17. Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.

18. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.

19. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability determined by slug-testing, pump-testing or other means).

20. A copy of a valid consent for the development shall be provided in the initial report.

21. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called "tailwater") must comply with the provisions of the Protection of the Environment Operations Act 1997 and any requirements of the relevant controlling authority.

22. Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation of each staged individual development

23. Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.

24. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.

25. Measurement and monitoring arrangements to the satisfaction of the approval body are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.

26. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/s. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.

27. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.

28. The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.

29. Access to groundwater management works used in the activity is to be provided to permit inspection when required by the approval body under appropriate safety procedures.

Following excavation of each staged individual development

30. Following cessation of the dewatering operations, the applicant shall submit the completion report which shall include:

    (h) detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and

    (i) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and

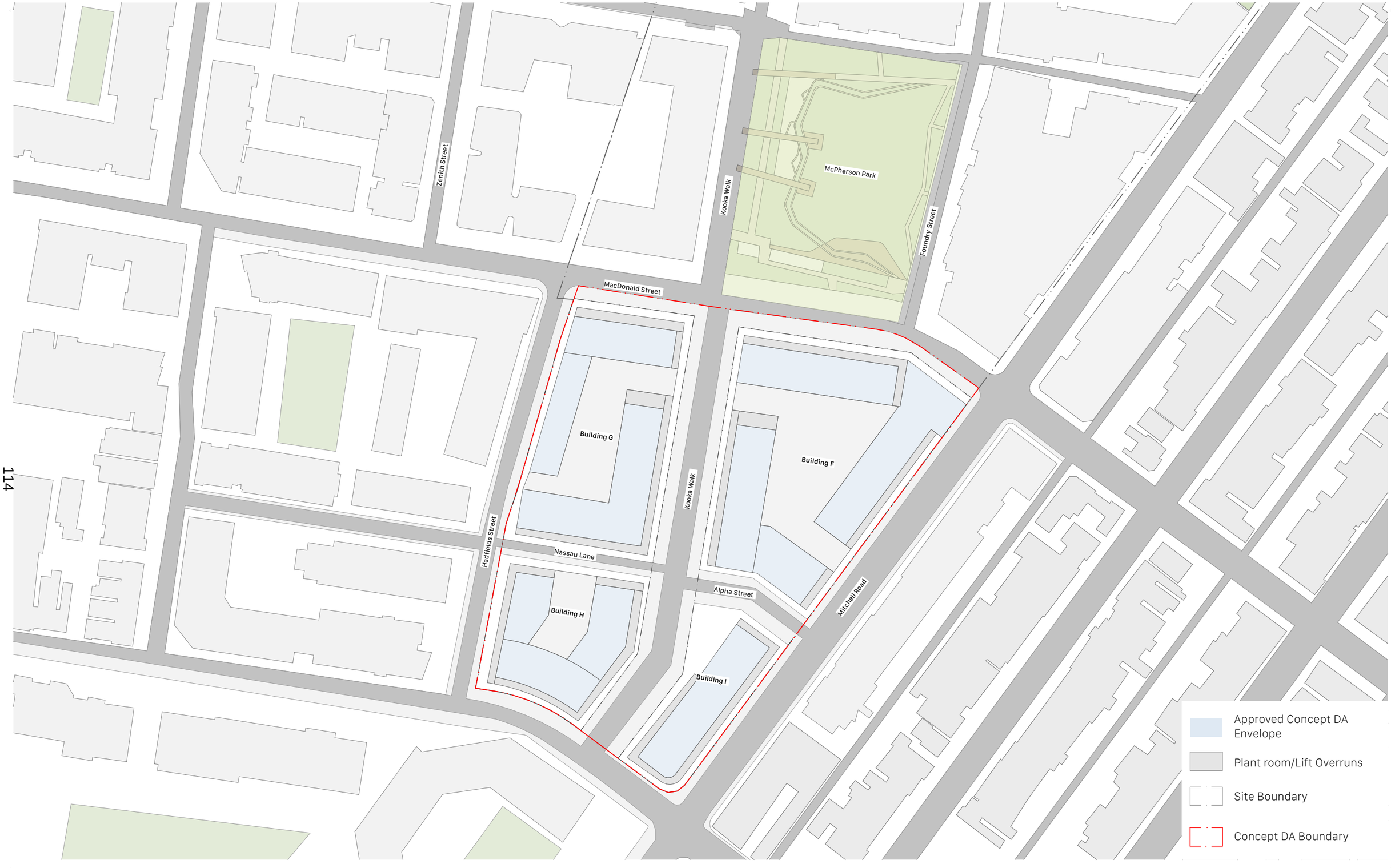
    (j) a detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.

31. The completion report is to be assessed by the approval body prior to any certifying agency's approval for occupation or use of the completed construction.

Attachment C

Amended Concept Plan Drawings

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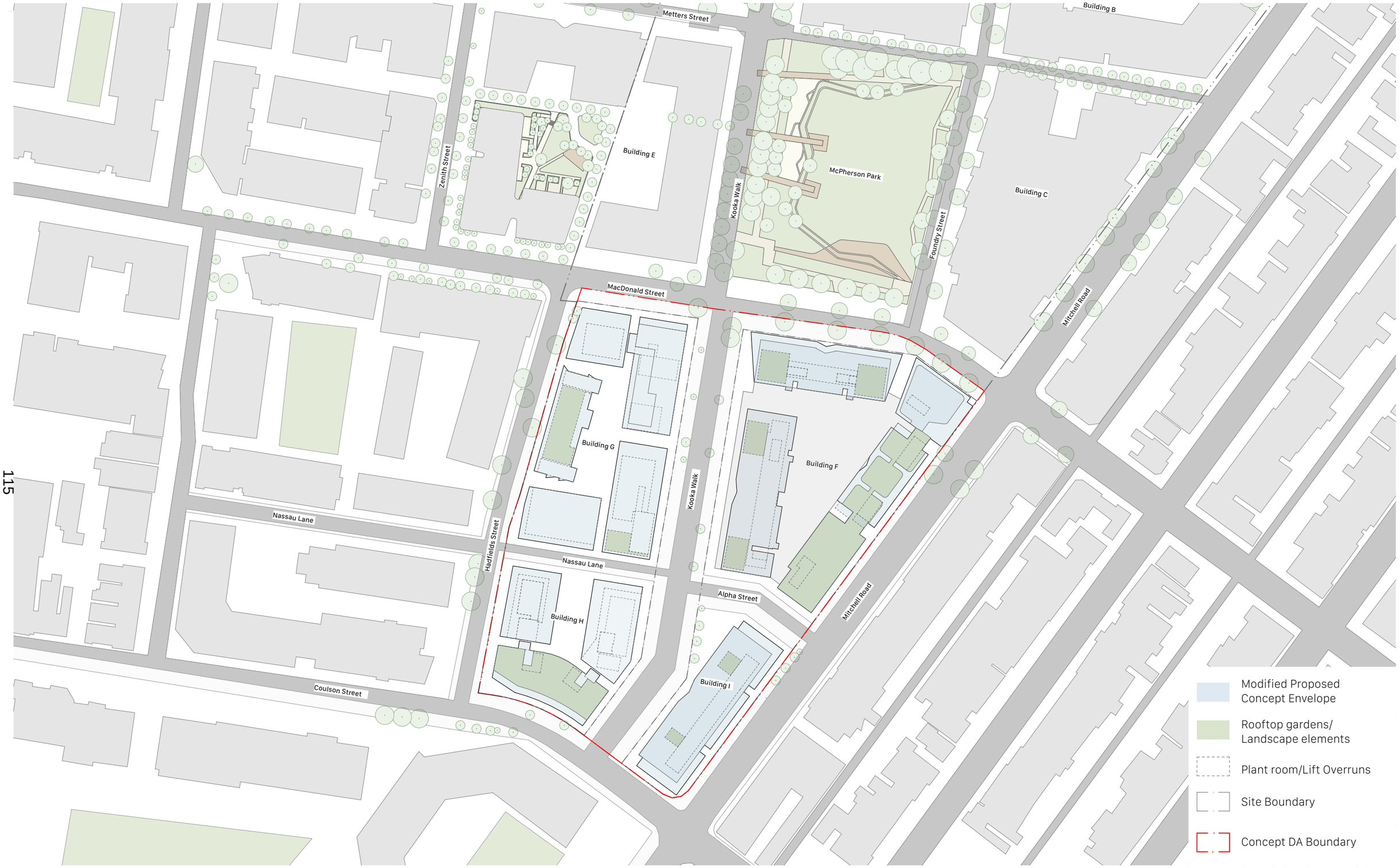
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3/10/2025

200.1 — Approved Concept DA Envelope
Coronation Property Co — Block F, G, H and I of Ashmore Estate

Scale
1:1500 @ A3

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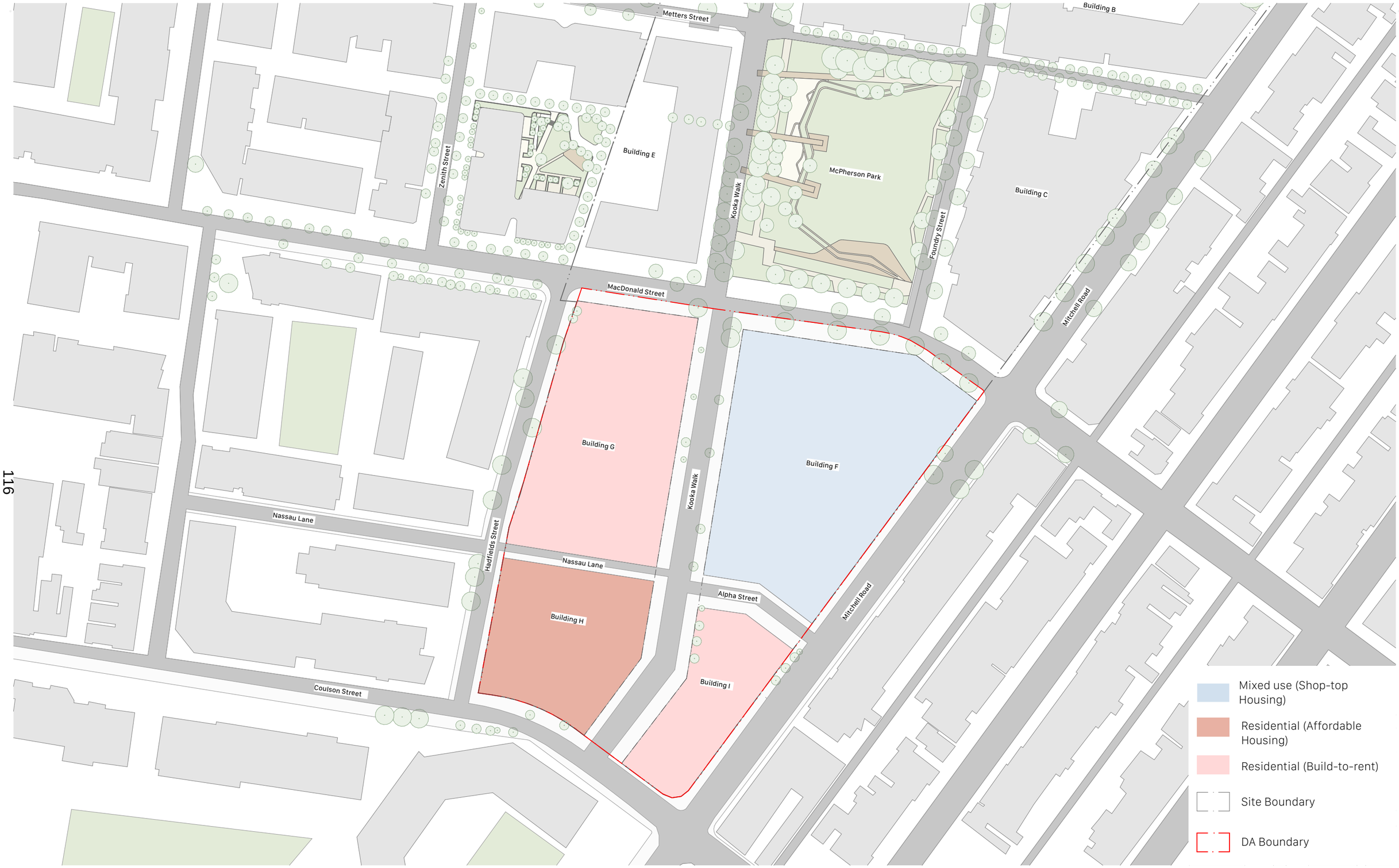
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200.2 — Indicative Envelope Plan
Coronation Property Co — Block F, G, H and I of Ashmore Estate

Scale
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200.3 — Proposed Land use
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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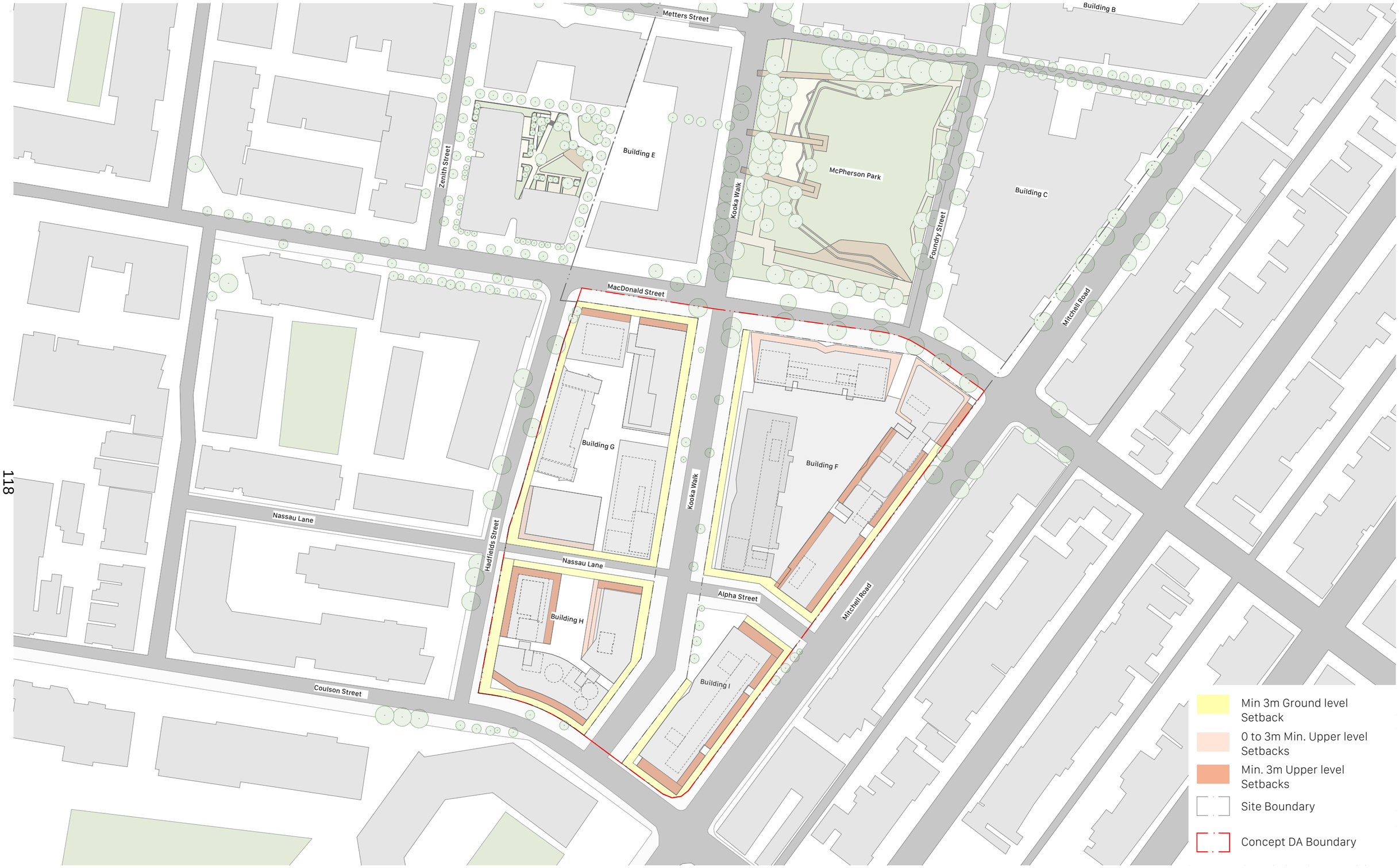
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200.4 — Building heights and Street Wall heights in storeys)
Coronation Property Co — Block F, G, H and I of Ashmore Estate

Scale
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200.5 — Ground and Upper Level Setbacks
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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200.6 — Communal Open Space - Ground and Upper Levels
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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200.7 — Deep Soil
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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200.8 — Indicative Basement Extent
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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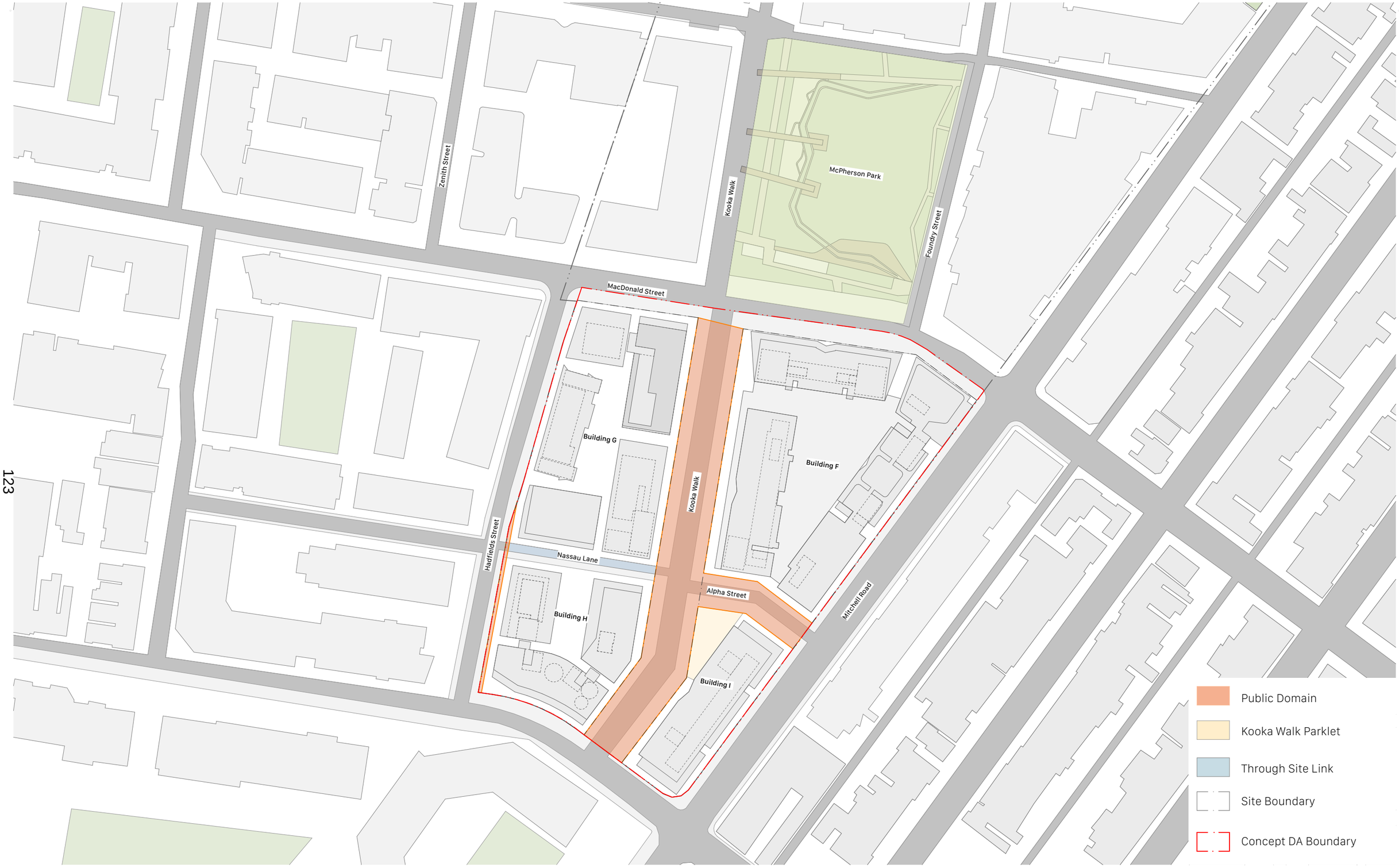
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200.9 — Existing Trees on Site
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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200.10 — Public Domain Allocation Plan
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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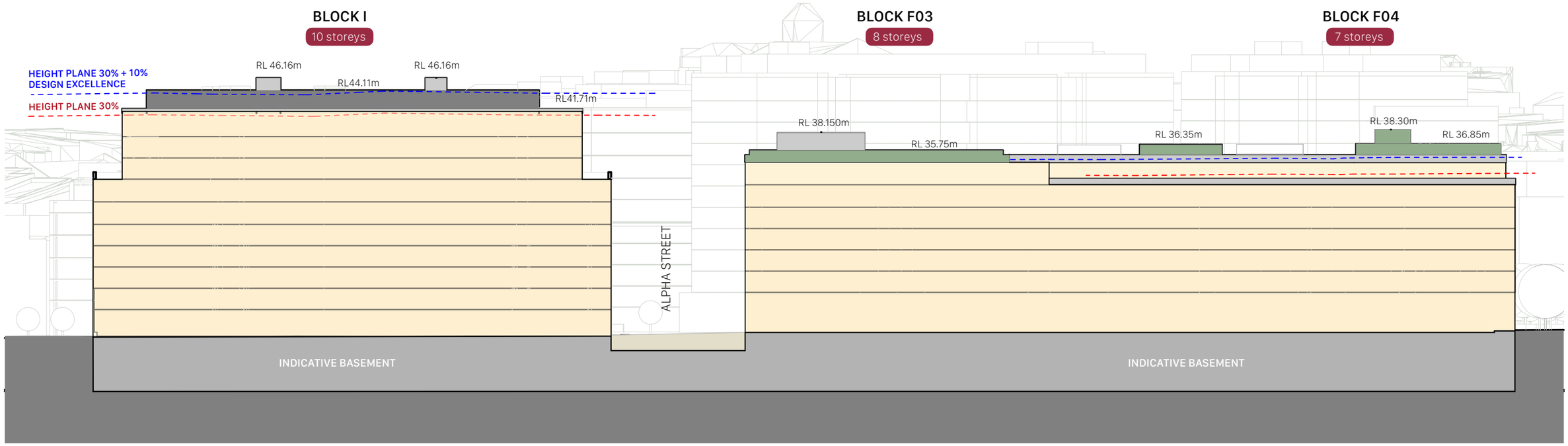
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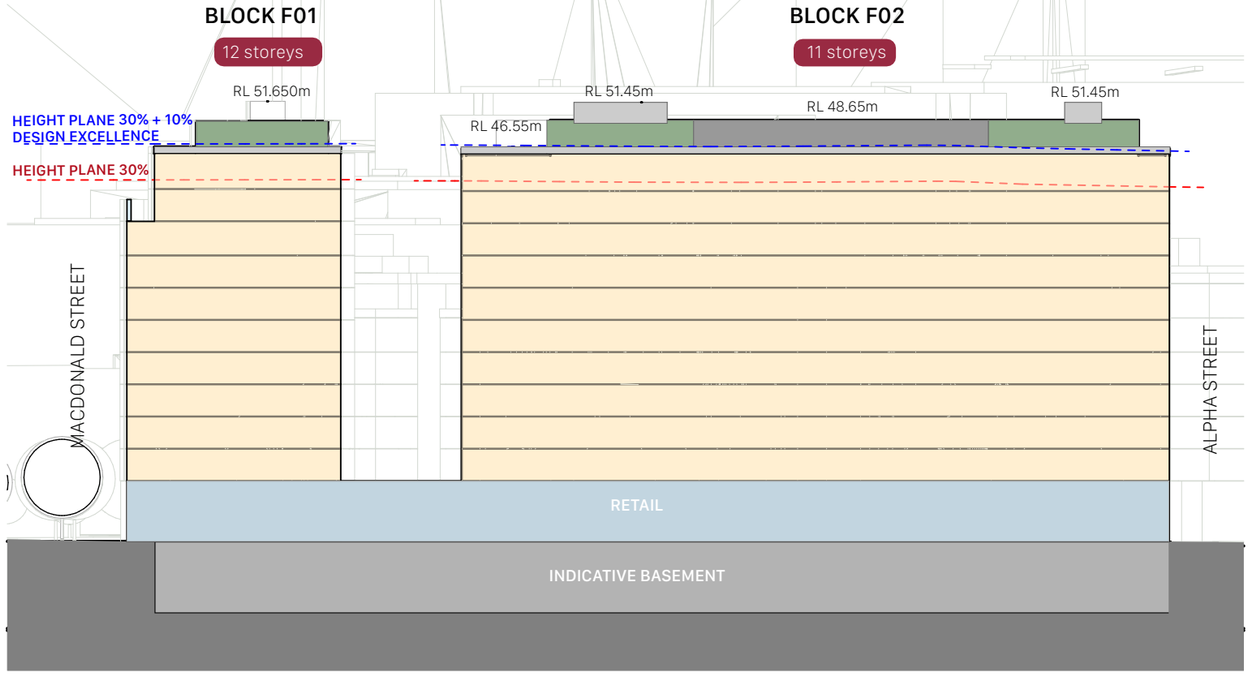
200.11 — Street Awnings
Coronation Property Co — Block F, G, H and I of Ashmore Estate

Scale
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Residential GFA

Rooftop Gardens/ Communal Space

Non-Residential GFA

Compliant Height Plane (143%)

Compliant Height Plane (130%)

Key Plan



** The Top RLs have been increased by 300 mm to provide for design flexibility*

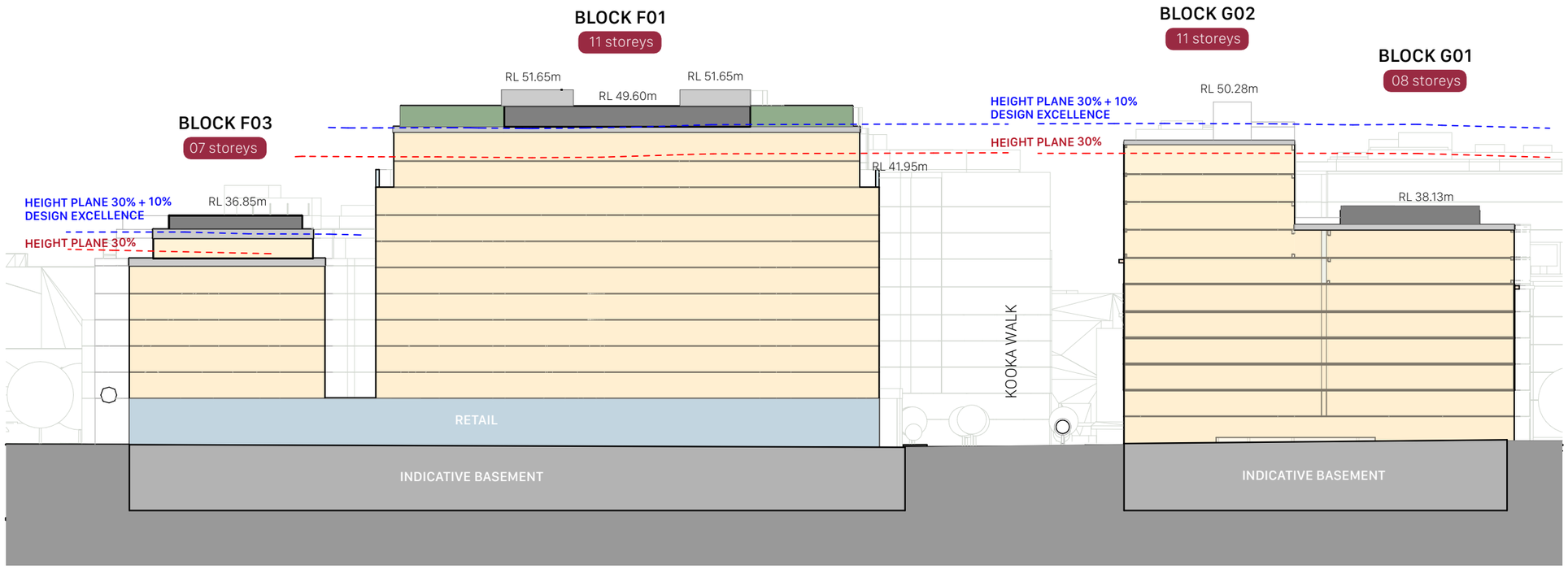
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200.12 — Height Study - Sections 01 & 02
Coronation Property Co — Block F, G, H and I of Ashmore Estate

Scale
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Residential GFA

Rooftop Gardens/
Communal Space

Non-Residential GFA

Compliant Height Plane
(143%)

Compliant Height Plane
(130%)

Key Plan



** The Top RLs have been increased by 300 mm to provide for design flexibility*

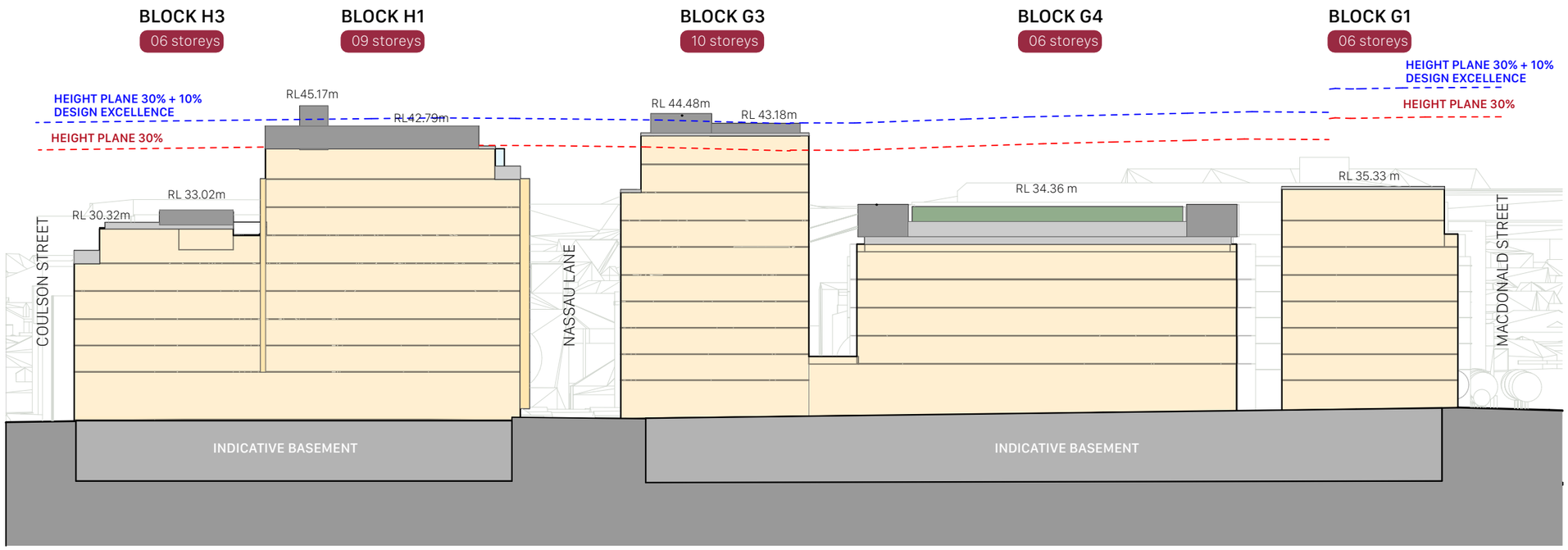
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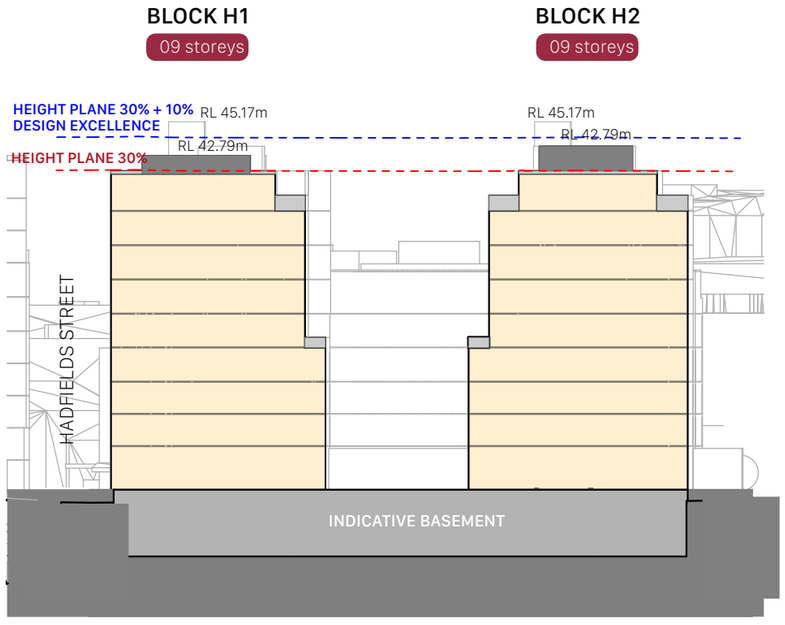
200.13 — Height Study - Sections 03 & 04
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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** The Top RLs have been increased by 300 mm to provide for design flexibility*

Residential GFA

Rooftop Gardens/ Communal Space

Non-Residential GFA

Compliant Height Plane (143%)

Compliant Height Plane (130%)

Key Plan



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200.14 — Height Study - Sections 05 & 06
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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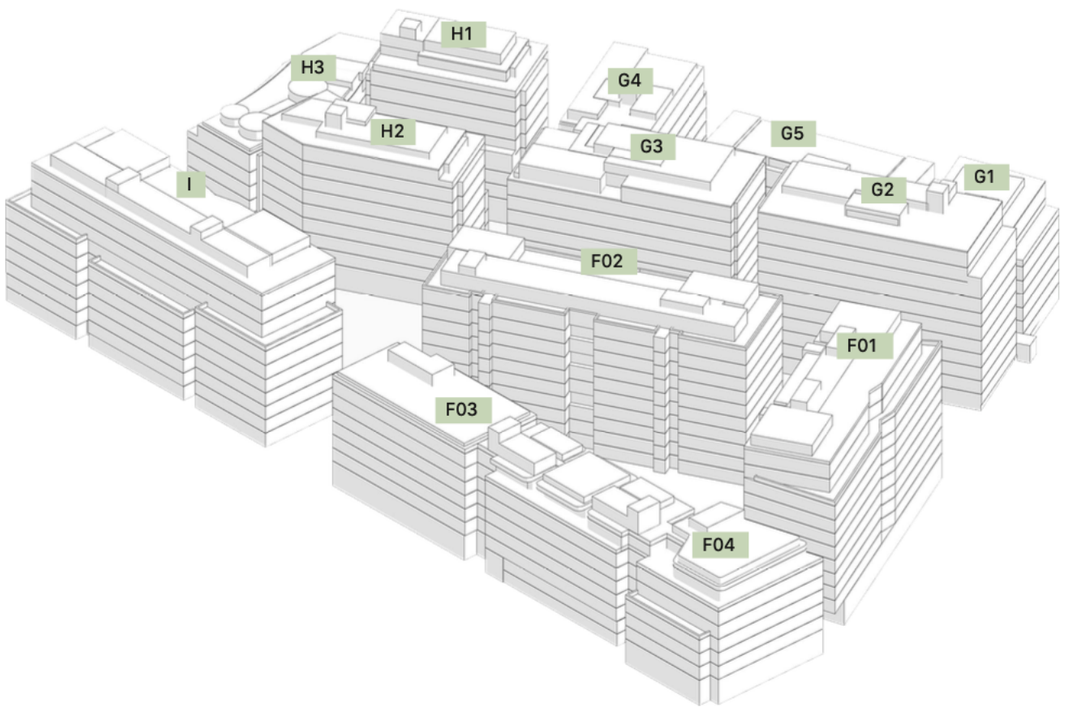
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200.15 — Indicative Development Staging
Coronation Property Co — Block F, G, H and I of Ashmore Estate

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	Building Number	LEP Controls Height (m)	30% Additional Height (m)	Proposed Heights of Buildings (m)**
Building F				
	F01*	25	32.50	43.80
	F01	27	35.10	43.80
	F02*	24	31.20	44.00
	F02	27	35.10	44.00
	F03*	18	23.40	32.30
	F03	25	32.50	32.30
	F04	18	23.40	32.30
Building G				
	G1	27	35.10	30.0
	G2	27	35.10	42.28
	G3	25	32.50	39.60
	G3*	27	35.10	39.60
	G4	25	32.50	38.68
	G5	25	32.50	28.46
Building H				
	H1	25	32.50	37.27
	H2	25	32.50	37.27
	H3	25	32.50	25.42
Building I				
	1	25	32.50	38.30

* different LEP height controls apply here

** The Maximum HOB provided by the Architects have been increased by 300mm to provide for design flexibility

Attachment D

Clause 4.6 Variation Request
Height of Buildings

URBIS

ASHMORE ESTATE AMENDING CONCEPT DEVELOPMENT APPLICATION

Clause 4.6 Variation Request

Prepared for

ERSKINEVILLE INVESTMENT HOLDINGS PTY. LTD. C/O CORONATION PROPERTY CO. PTY. LTD

30 September 2025

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Stephen White
Associate Director	Anna Wang
Senior Consultant	Sam McGough
Consultant	Rachael Helsham
Project Code	P0054074
Report Number	Final



Acknowledgement of Country

Urbis acknowledges the Traditional Custodians of the lands we operate on.

We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years.

We pay our respects to First Nations Elders, past and present.

The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

Title: Sacred River Dreaming
Artist Hayley Pigram
Darug Nation
Sydney, NSW

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

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You must read the important disclaimer appearing within the body of this report.

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REQUEST TO VARY A DEVELOPMENT STANDARD

REQUEST TO VARY CLAUSE 4.3 HEIGHT OF BUILDING IN SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

Address: 155 Mitchell Road, Erskineville

This application relates to the Amended Concept DA of Buildings F&I and G&H located within the southern portion of the Ashmore Precinct (the Precinct) and should be reviewed in conjunction with the Detailed DA for F&I and G&H.

Date: December 2024

SITE AND PROPOSED DEVELOPMENT

1. Site Description

The key features of the site are summarised in the following table.

Table 1 Site Description

Feature	Description
Street Address	155-165 Mitchell Road, Erskineville This application relates to the southern portion of the Precinct, which comprise Blocks F&I and G&H. Block F&I are located to the east of the site fronting Mitchell Road and Blocks G&H are located to the west of the site fronting Hadfield Street.
Legal Description	Lot 20 DP1290687
Easements and Restrictions	(A) Easement for water supply purposes 6 wide limited in stratum. (B) Easement for water supply purposes 8 wide. (C) Restriction on the use of land. (D) Planning agreement pursuant to section 7.6 Environmental Planning and Assessment Act 1979. (H) Easement for support variable width. (T1) Easement for turning area variable width.
Site Area	The total site area is approximately 22,653sqm
Site Dimensions	The site is irregular shaped.
Existing Development	The site currently comprises vacant warehouse and office buildings and ancillary structures, which are currently being demolished under Complying Development. The surrounding heritage context is as follows: ▪ C2 “Cooper Estate” heritage conservation area immediately east of the site. ▪ C22 “Erskineville Estate” heritage conservation area further north of the site.
Adjacent Development North	A mixture of mixed-use and residential flat buildings as part of the Ashmore Estate as well as the future McPherson Park.
Adjacent Development East	Townhouse developments adjacent Mitchell Road with heights ranging from one storey to four storeys.
Adjacent Development South	The Sydney Park high density residential flat building precinct.
Adjacent Development West	Mixture of medium and high density residential flat building developments.

Feature	Description
Access Network	The site is bound by Hadfields Street, Coulson Street and Mitchell Road. MacDonald Street along the site's northern extent is being delivered under a separate development application (D/2023/962). Vehicular access is available to the site off all frontages. Kooka Walk, to be delivered under a subsequent detailed DA, will be a pedestrian street and vehicular access will not be available. The site is well serviced by bus services, with the nearest bus stop within 200m from the site, and servicing the following routes: ▪ 370: Coogee to Glebe point Road. ▪ 308: Marrickville Metro to Bondi Junction Via Oxford St, Crown St and King St Erskineville Station is 850m from the site and provides services to: ▪ T2 Parramatta or Leppington to City ▪ T3 Liverpool or Lidcombe to city ▪ T4 Bondi Junction to Waterfall or Cronulla

Figure 1 Location Plan

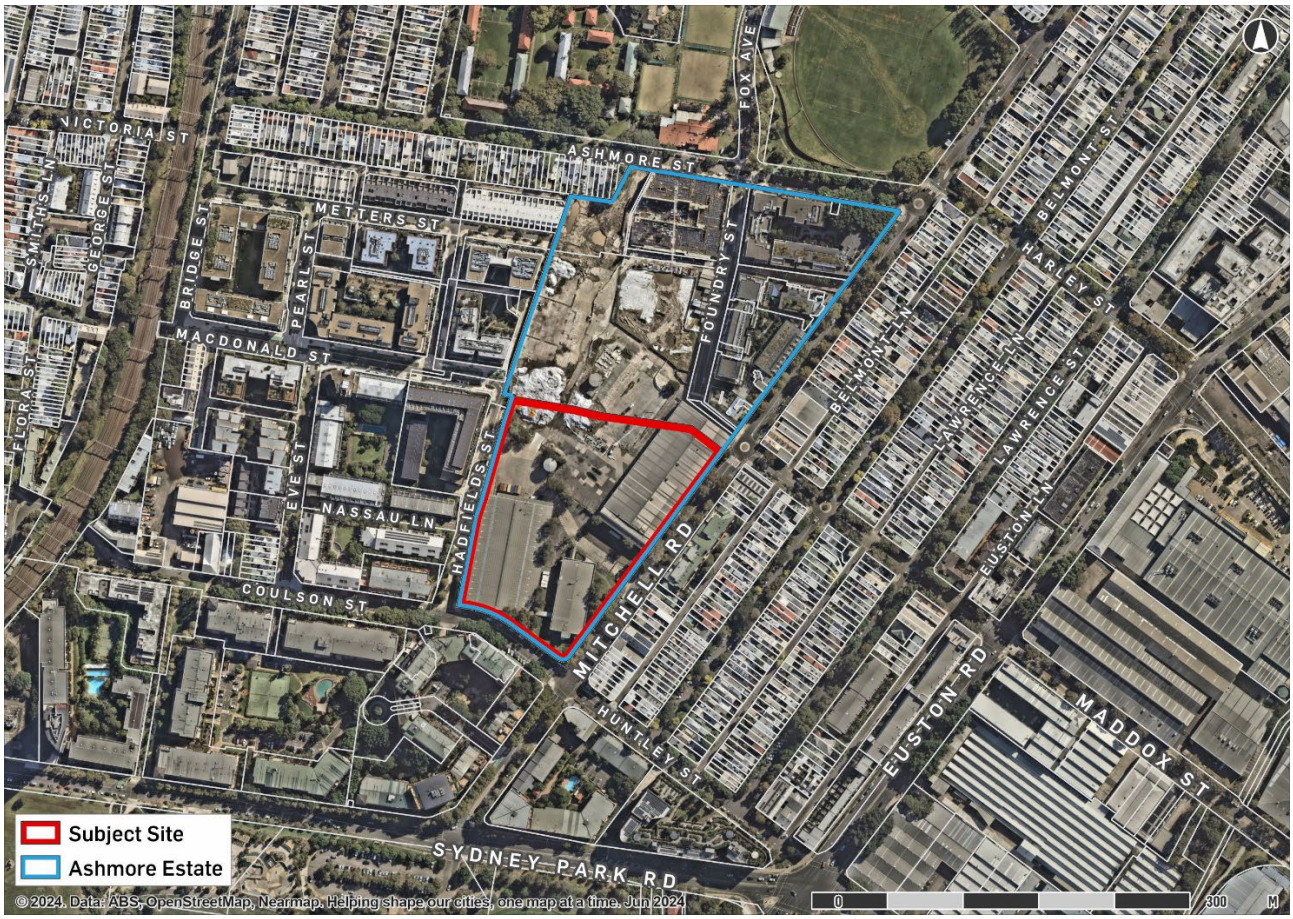


Figure 2 Aerial Photograph



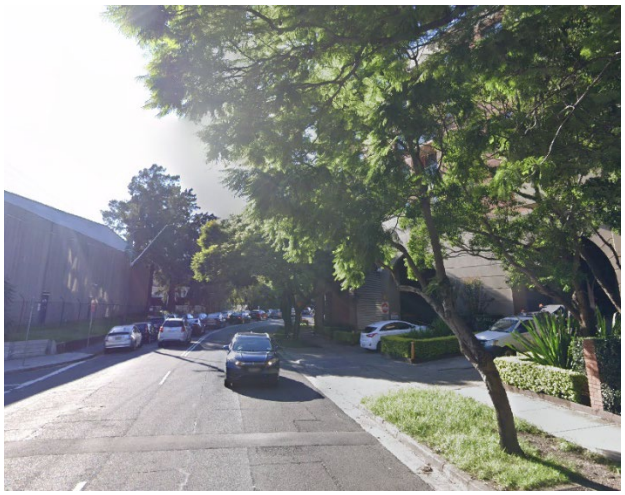
Figure 3 Site Photos



Picture 1 View south along Mitchell Road



Picture 2 Intersection of Mitchell Road and Coulson Street



Picture 3 View east along Coulson Street



Picture 4 View south along Hadfields Street

Source: Google Maps

2. Proposed Development

A summary of the key features and details of the proposed development (including land use and works) is provided in the table below:

Table 2 Development Description

Key Element	Proposal			
Development Types (Land Use)	Mixed use development (Block F) & Residential flat building (Block I, G & H)			
Description of Development	Amended concept building envelopes for Blocks F & I and Blocks G & H, incorporating additional FSR and building height permitted by infill affordable housing bonuses under the Housing SEPP.			
Built Form & Design	**Block F**	**Block I**	**Block G**	**Block H**
Building height	▪ F1: 43.8m	▪ I1: 38.3m	▪ G1: 30m	H1: 37.27m

Key Element	Proposal			
	▪ F2: 44m ▪ F3: 32.3m ▪ F4: 32.3m		▪ G2: 42.28m ▪ G3: 39.60m ▪ G4: 38.68m ▪ G5: 28.46m	▪ H2: 37.27m ▪ H3: 25.42m
	Note: the total envelope height has been increased by 300mm across all four blocks to allow for flexibility of plant, lift overrun, balustrades and design flexibility etc.			
Number of Storeys: ▪ North Elevation ▪ East Elevation ▪ South Elevation ▪ West Elevation	▪ F1: 11 ▪ F2: 11 + Mezzanine ▪ F3: 7 + Mezzanine ▪ F4: 7	▪ I1: 10	▪ G1: 8 ▪ G2: 11 ▪ G3: 11 ▪ G4: 10 ▪ G5: 6	▪ H1:9 ▪ H2: 6 ▪ H3: 9
Gross floor area	38,062m^2	12,461m^2	26,829m^2	13,669m^2
Total:	**91,021m^2**			
Access and Parking				
Vehicle access	**Block F & I**: One shared vehicle entry off Alpha Street to the southern frontage of Block F. **Block G & H**: One shared vehicle entry off Hadfields Street to the western frontage of Block G. Both blocks will have shared basements resident parking, accommodating through-site link / proposed road requirements.			
Landscaping and Public Domain				
Landscape area	**Blocks F & I** ▪ Landscaped Area: 5,958sqm:		**Blocks G & H** ▪ Landscaped Area: 4,639sqm	
	Total: Landscaped Area: 10,597sqm The landscaping detail and deep soil area is a part of the detailed DA.			
Through site link(s)	Through-site links between Blocks F & I (for Alpha Street) and Blocks G & H (for Nassau Lane) are to be delivered as per the VPA executed for the Ashmore Estate.			
Staging and Infrastructure Delivery				
Development Staging	▪ Stage 1: Substructure and basement level 1 slab and fit out. ▪ Stage 2: Structure. ▪ Stage 3: Façade and fit out.			

Key Element	Proposal
ESD/Sustainability/BASIX/Section J - BCA	Key ESD commitments for the proposal include:

Figure 4 Proposed Concept Envelope



Source: FJC Studio

PLANNING INSTRUMENT, DEVELOPMENT STANDARD AND PROPOSED VARIATION

3. What is the planning instrument you are seeking to vary?

The application seeks to vary the State Environmental Planning Policy (Housing) 2021 (**Housing SEPP**) Sydney Local Environmental Plan 2012 (**SLEP 2012**).

4. What is the site's zoning?

E1 Local Centre and MU1 Mixed Use

5. What is the development standard to be varied?

The standard proposed to be varied is the maximum height of the building standard under Part 2, Division 1, Clause 16(3) and the non-discretionary development standard under Clause 74(2)(a) of the Housing SEPP.

Part 2, Division 1, Clause 16(3) of the Housing SEPP states:

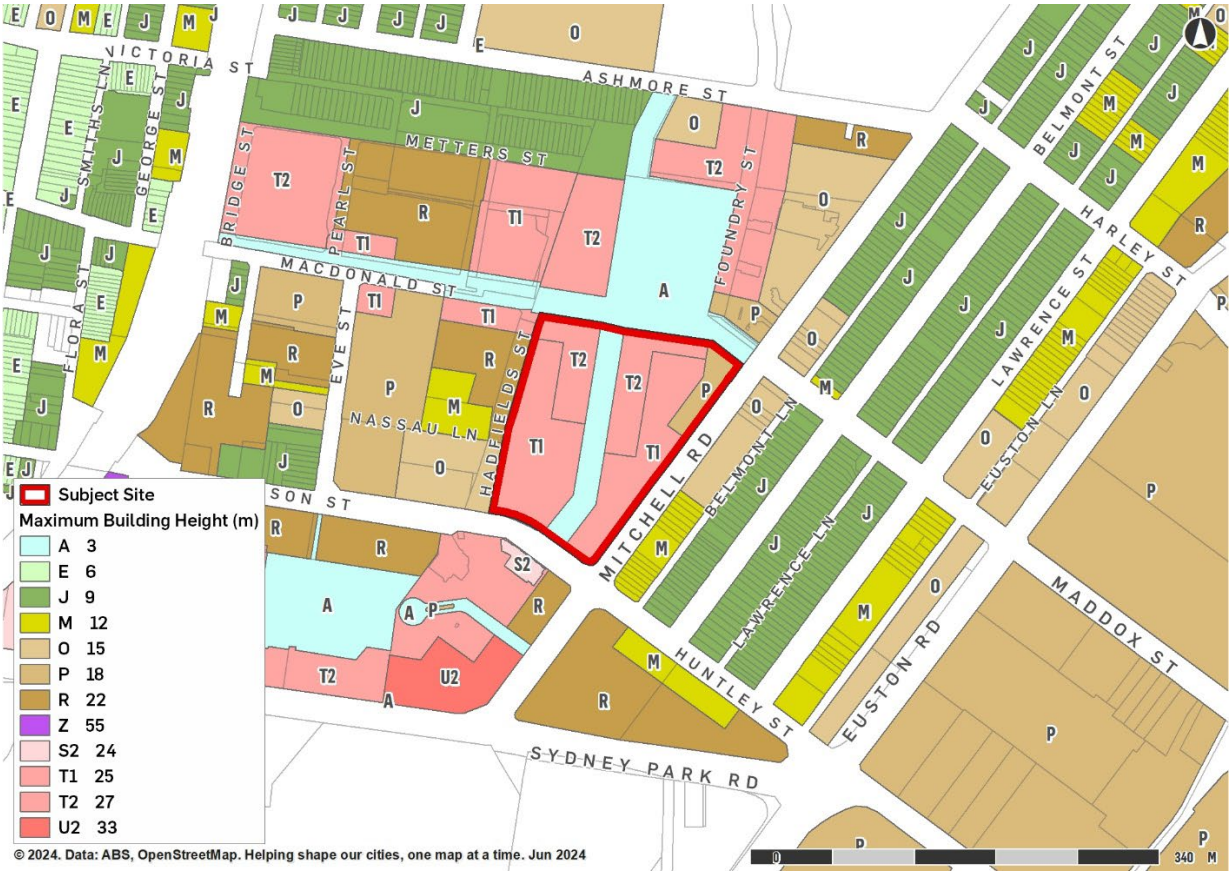
> *16 Affordable housing requirements for additional floor space ratio*
>
> *(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).*
>
> *(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—*
>
> $$\text{affordable housing component} = \frac{\text{additional floor space ratio (as a percentage)}}{2}$$
>
> ***(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).***
>
> *(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.*

Additionally, Chapter 3. Part 4, Clause 74 of the Housing SEPP states:

> *74 Non-discretionary development standards—the Act, s 4.15*
>
> *(2) The following are non-discretionary development standards in relation to the carrying out of the development to which this Part applies—*
>
> ***(a) the building height of all proposed buildings is not more than the maximum building height permitted under Chapter 5, Chapter 6 or another environmental planning instrument for a building on the land,***

The permissible building height for the land is set out in 4.3 Height of building under SLEP 2012. Varied height development standards apply to the site, ranging between 18m, 25m and 27m for buildings, and 3m within the public domain areas.

Figure 5 Height of Building Diagram



Source: Urbis, 2024

The maximum permissible height has been established through the incentives provided by the 'infill affordable housing' provisions under the Housing SEPP. The proposal seeks to provide the maximum 15% affordable housing, therefore will utilise the full 30% uplift in height available under the Housing SEPP.

The height of buildings development standard is not excluded from the operation of Clause 4.6 of the SLEP.

The objective of the In-fill affordable housing provisions of the Housing SEPP is as follows:

> *15A Objective of division*
>
> *The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.*

The objectives of the development standard in the LEP are as follows:

> *1) The objectives of this clause are as follows—*
>
> *(a) to ensure the height of development is appropriate to the condition of the site and its context,*
>
> *(b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,*
>
> *(c) to promote the sharing of views outside Central Sydney,*
>
> *(d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,*
>
> *(e) in respect of Green Square—*

(i) to ensure the amenity of the public domain by restricting taller buildings to only part of a site, and

(ii) to ensure the built form contributes to the physical definition of the street network and public spaces.

6. Type of development standard?

Numerical.

7. What is the numeric value of the development standard in the environmental planning instrument?

As outlined above, the site is subject to several numeric development standards relating to the height of the building under the SLEP and the Housing SEPP. This results in a maximum permissible building height of the following, which applies to various locations of the site:

- 18m x 130% = 23.4m
- 25m x 130% = 32.5m
- 27m x 130% = 35.1m

8. What is the difference between the existing and proposed numeric values? What is the percentage variation (between the proposal and the environmental planning instrument)?

A portion of Buildings F3 (only in the 25/32.5m height zone), G1, G5 and H3 can comply with the maximum building height control. The proposal exceeds the maximum height of building controls in other locations, which are described below:

Table 3 Areas of height exceedance

Building location	LEP height	Maximum permissible height	Proposed Height	Height exceedance	% of Variation
Building F					
F1	27m	35.1m	43.8m	8.7m	24.77%
F1*	25m	32.5m	43.8m	11.3m	34.76%
F2	27m	35.1m	44m	8.9m	25.35%
F2*	25m	32.5m	44m	12.8m	39.38%
F3	25m	32.5m	32.3m	complies	
F3*	18m	23.40m	32.3m	8.9m	38.03%
F4	18m	23.4m	32.3m	8.9m	38.03%
Building I					
I1	25m	32.5m	38.3m	5.8m	17.84%
Building G					

Building location	LEP height	Maximum permissible height	Proposed Height	Height exceedance	% of Variation
G1	27m	35.1m	30m	complies	
G2	27m	35.1m	42.28m	7.18m	20.5%
G3	25m	32.5m	39.60m	7.10m	21.9%
G3*	27m	35.10m	39.60m	4.50m	12.8%
G4	25m	32.5m	38.68m	6.18m	19.0%
G5	25m	32.5m	28.46m	complies	
Building H					
H1	25m	32.5m	37.27m	4.77m	14.7%
H2	25m	32.5m	37.27m	4.77m	14.7%
H3	25m	32.5m	25.42m	complies	

The figure on the following pages illustrates three clear components of the area of non-compliance comprising:

- Residential GFA (orange)
- Communal areas and structures and Balustrades (green)
- Plant and Lift Overrun (Grey)

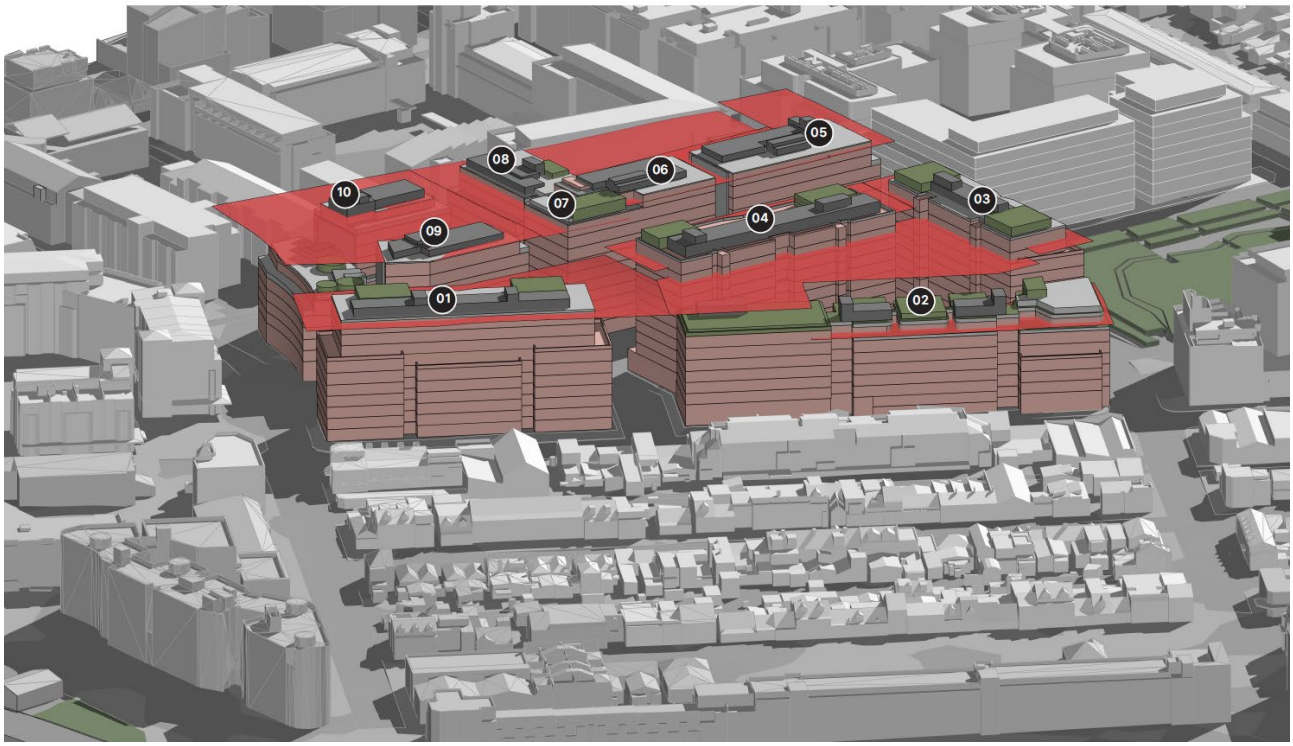
This is to clearly denote the elements which are being breached.

The area of non-compliance relates to portions of the most top floor level across certain buildings within the site. The more significant height departure relates to rooftop plant, balustrades and lift overrun areas, which does not contain gross floor area (GFA) and are essential building structures that are required to provide amenities for the buildings.

GFA within buildings F4, H1 and H2 are below the maximum height limit. The areas of the building that contains GFA which are protruding beyond the height limit relates to the following buildings:

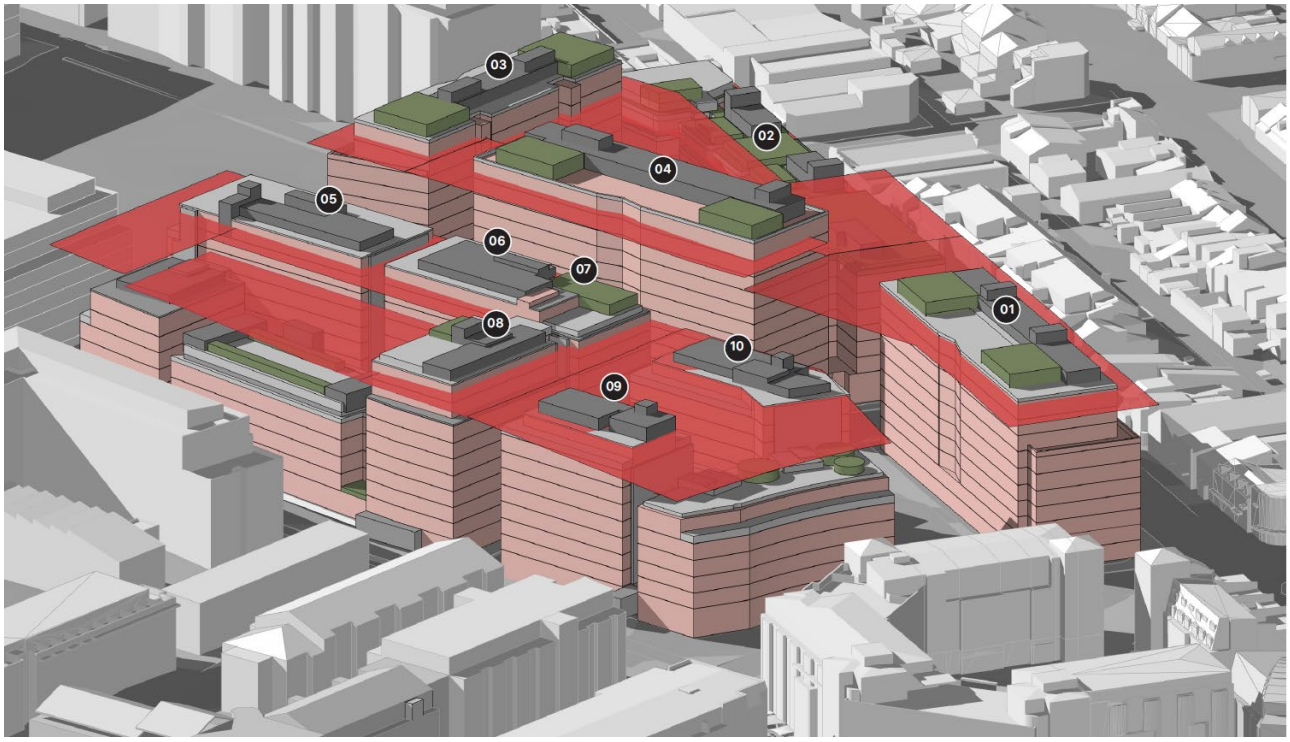
- Building F1
- Building F2
- Building F3 (in the 18m/23.40m zone)
- Building I1
- Building G2
- Building G3
- Building G4

Figure 6 Area of Non-Compliance (Block F&I)



Source: FJC Studio

Figure 7 Area of Non-compliance (Block G&H)



Source: FJC Studio

Sydney LEP Amendment:

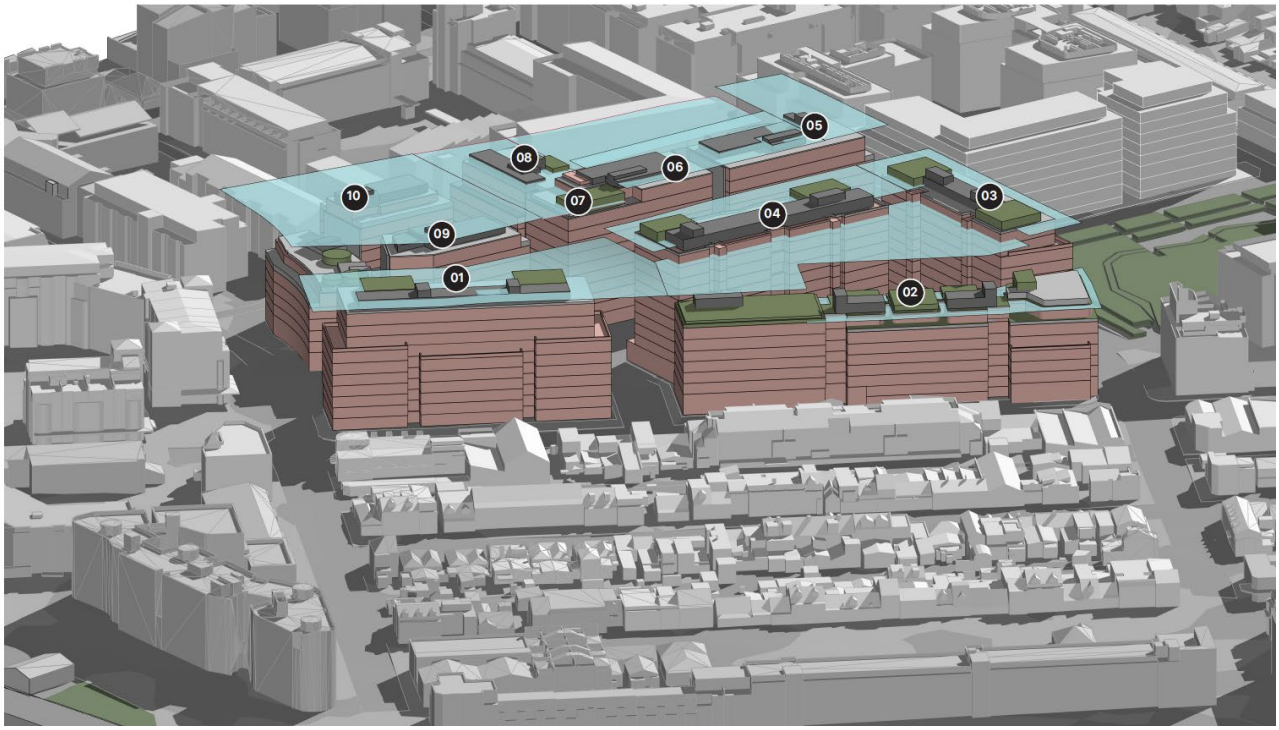
The City of Sydney has prepared a suite of proposed changes to the planning controls applying to Central Sydney and the wider LGA under the current Sydney LEP. One of the changes relate to the City of Sydney's Competitive Design Policy, including offering incentives of both 10% height and 10% floor space (whereas currently only one incentive can be elected, and in the context of this application, FSR was the elected bonus). In early December 2023 Council approved these amendments and seek a Gateway Determination

from the Department of Planning, Housing and Infrastructure subject to recommended changes. Public exhibition of the design excellence change has commenced.

Accordingly, given only FSR is the elected design excellence bonus with no corresponding height design excellence bonus, there is a discrepancy between the maximum height achievable on the site and the maximum allowable FSR on the site.

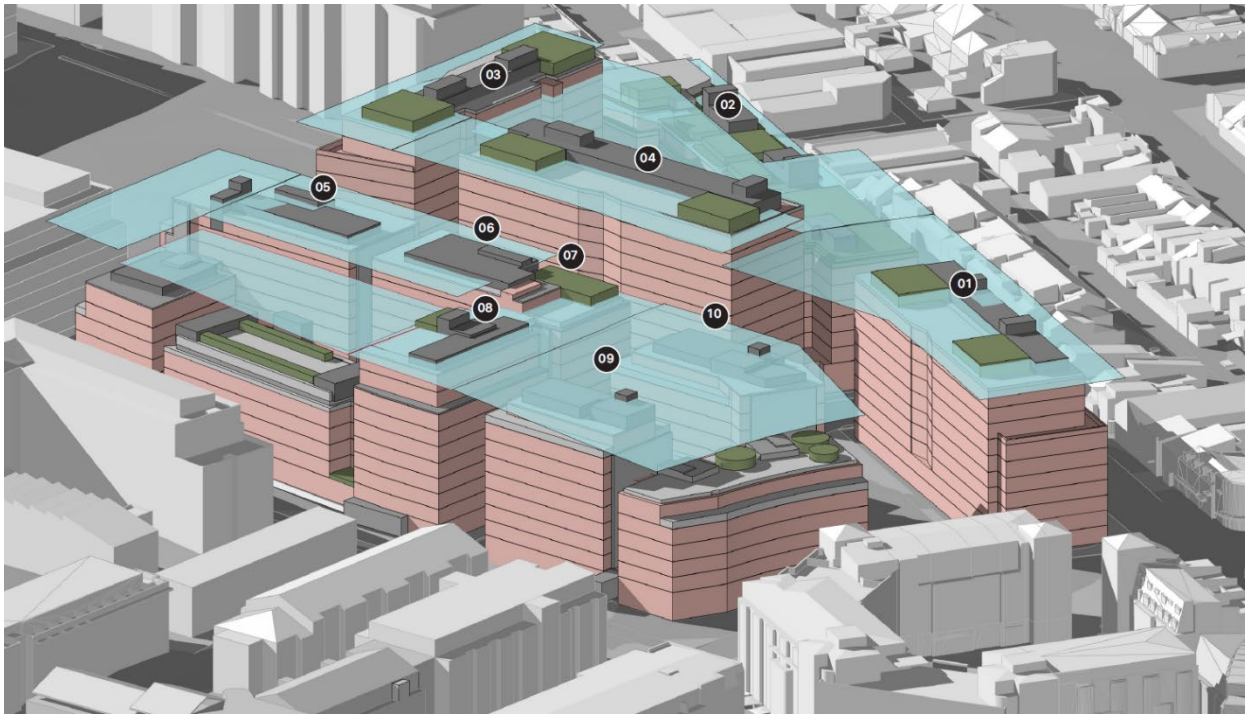
We acknowledge that the amendment will not apply to this application, however for the purpose of assessing the height non-compliance, we have also included the scenario where the draft design excellence height bonus is applied. Under this scenario, the extent of height exceedance is reduced to mostly non-GFA areas, e.g. plant and lift overrun. Please refer to the figures below.

Figure 8 Area of non-compliance Block F&I (30% Housing SEPP and 10% design Excellence)



Source: FJC Studio

Figure 9 Area of Non-compliance Block G&H (30% Housing SEPP and 10% design Excellence)



Source: FJC Studio

Site-specific justifications

The area of non-compliance is the result of:

- **Flood planning requirements** – the proposed envelope has been designed to comply with Council's interim floodplain management policy, requiring buildings to be raised to meet the probable maximum flood and 1%AEP flood levels. This has resulted in buildings being raised, in certain locations, up to 2 meters. Compliance with flood planning controls necessitated an increase in building height. This requirement has been resolved as part of the detailed DA submission but had not been anticipated when the LEP control and concept envelope were first established. As a result, the concept envelope was amended to ensure compliance with flood requirements.
- **Floor to floor height requirements** – Establishing floor to floor heights to satisfy the *Design Building and Practitioners Act 2020* (DBP Act). Various changes have occurred since the concept plans inception, which date back to 2015, (such as higher construction and building standards) that have necessitated new construction requirements while ensuring the minimum floor to ceiling heights of the ADG are met. A combination of floor-to-floor levels plus the flood planning level compliance results in minor portions of GFA sitting above the height plane.
- **Redistribution of massing** – to maintain a high standard of building amenity and to mitigate the external impacts of the development, the massing of Blocks F, I, G and H have been carefully redistributed. This includes lowered building heights in some locations, particularly Block G and H (Buildings H3, G5, G1), and the transfer of this GFA to elsewhere within the envelope. The massing strategy has been part of ongoing consultation with City of Sydney to develop an uplift opportunity and ensure a standalone affordable housing building is provided in Block H.
- **Provision of affordable housing** – the proposed development provides 15% of the total GFA for affordable housing in perpetuity. In achieving this, the bonus 30% has been carefully distributed across the site as part of the broader massing strategy, however, results in some GFA that sits above the height plane (notwithstanding the exceedances generated by the flood planning levels and floor to floor requirements). Any reductions to height, which the maximum affordable housing GFA relies upon (due to the sliding scale nature of the Housing SEPP), would result in less GFA being provided for affordable housing and impact the viability of providing affordable housing in perpetuity.
- **Access to rooftop amenities** – at the request of Council's urban design team, each building provides several areas for access to rooftop amenities. These areas require lift access, balustrading and shade structures that sit above the height plane, however, do not result in GFA and will not be visually

dominant. These rooftop amenity structures are semi-permeable (that is, not fully enclosed or designed to be solid elements) and therefore their visual presence on the rooftops will be recessed and minimized when viewed from street level. This approach is widely consistent with the City's Policy and Housekeeping Amendments 2023 Planning Proposal (which is a draft EPI).

- **Allowance for plant and lift overrun** – the areas of the greatest height exceedances are attributed to plant and lift overrun zones to accommodate services. Despite these elements amplifying the agree of variation from the height of building control, these do not comprise GFA , do not comprise whole levels (that is, they are interspersed on the rooftops) and have been strategically recessed within the rooftops of individual buildings to minimise and conceal any visual impact of these structures. As the proposal complies with the maximum gross floor area across the Precinct, the proposed variation does not represent an overdevelopment of the site, and is the result of achieving the design excellence FSR bonus of 10%.

Additionally, the excess variation is also a result of an additional 300mm of height being added to the envelope to allow for design flexibilities through the detailed DA.

The proposed height is based on a massing that was nominated and reviewed by City of Sydney Council through consultation with the proponent. This acknowledged the site's capacity to provide affordable housing under the Housing SEPP in a manner that redistributed height across the precinct and to support a standalone affordable housing building (Block H).

Housing priority

The NSW government's objectives for providing additional housing in well located areas close to infrastructure and transport, with amenities and work opportunities would be thwarted if strict compliance with the height development standard was required.

The practice note for in-fill affordable housing clearly states that the "*consent authorities should be flexible in the design response of the development having regard to….the Government's policy intent to deliver more affordable housing."*

If compliance with the height standard was adopted, this would result in deleting the additional height that contains GFA. However, this will require the deletion of an entire storey within Buildings F1, F2, F3, I1, G2, G3 and G4, which would result in a significant loss of dwellings and affordable dwellings on this key inner city site. Accordingly, this is inconsistent with the State priority. Also to note that the affordable housing provisions of the Housing SEPP work on a sliding scale so any loss of GFA will result in a loss of GFA allocated to affordable housing and the ability for the affordable housing to be delivered in perpetuity.

JUSTIFICATION FOR THE PROPOSED VARIATION

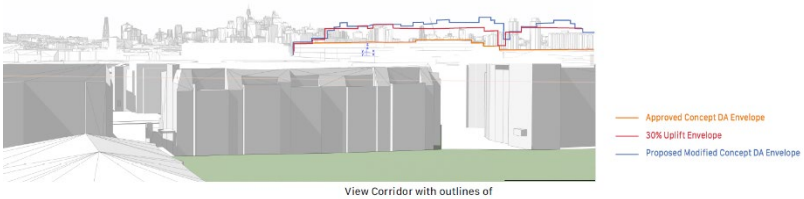
9. How is compliance with the development standard unreasonable or unnecessary in the circumstances of the particular case?

Table 4 Unreasonable or Unnecessary Response

Key Questions	Response
a) Are the objectives of the development standard achieved notwithstanding the non-compliance?	For completeness, this section addresses both the objective of the infill affordable housing provisions of the Housing SEPP and the objectives of the height of buildings development standard within the SLEP. The objective of Part 2, Division 1 of the Housing SEPP *15A The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.* The proposal allocates 15% of its total GFA to affordable housing to be operated by an CHP in perpetuity, in a location close to services, retail and public transport responding to an identified need for affordable housing. A covenant will be registered on the title to the relevant stratum lot reflecting this requirement. All of the affordable housing will be located within its own stratum rather than peppered throughout the overall development, which is proposed to be in building H. The operation of affordable housing in

Key Questions	Response
	perpetuity is also going above and beyond the requirement under the Housing SEPP, which only requires 15 years. Accordingly, the proposal delivers significant public benefits, including: ▪ Long-term affordable housing supply. ▪ High-quality amenity for affordable housing tenants will be delivered as part of the Detailed DA. ▪ Urban renewal aligned with broader strategic planning goals. ▪ The proposed height variation does not increase the intensity of the uses on the site. When assessed on a whole-site basis, the proposal also complies with the maximum permissible GFA applicable to the site. If the proposal was to require to meet the maximum permissible height, the building envelope will be reduced and it will result in the loss of affordable housing and residential dwellings, which will not be consistent with the objective of the Housing SEPP. The areas of non-compliance within Block H relates to the zones provided for the future plant areas and lift overruns. The lift overruns are needed in order to provide equitable access throughout the building. Assessment against the Sydney LEP objectives is discussed below.
Sydney LEP Objectives: *The objectives of the clause are to:* *(a) to ensure the height of development is appropriate to the condition of the site and its context,*	The site is located within the Ashmore Precinct. The character of the Precinct continues to undergo significant change Notwithstanding the non-compliance, the proposal results in an intensity of development that is both consistent and compatible with the desired future character of the area and provides a transition of scale with surrounding existing development. A large portion of the non-compliance of the building envelope is a result of lift overruns, rooftop plant, balustrade and rooftop amenity structures. The non-compliant elements are not in a location, or of a scale, that would result in the development being incompatible with the condition of the site and its context, as these are very common building structures that can be seen in the existing development surrounding the site. In addition, the areas of non-compliance are also a direct result of the following: ▪ Flood planning requirements ▪ Floor to floor height requirements ▪ Redistribution of massing ▪ Provision of affordable housing ▪ Access to rooftop amenities ▪ Allowance for plant and lift overrun The above items are explained in detail in Section 8 of this report. The plant rooms and lift overrun are all vital to the buildings operations and functionality. The lift provide equitable access to each floor and rooftop communal open space of the respective buildings. The Balustrading is required to provide safety to the rooftop communal areas. Additionally, the height has also been increased to accommodate the increased floor to floor height from 3.1m to 3.15m as required in the BCA. With that, an additional 300mm of height has been added to the envelope to areas of rooftop to provide some flexibility of design. In acknowledgment of this, the impacts of the envelope heights would be overstated (or worst case outcomes) as the detailed design will provide a high level of building articulation and permeability. In terms of the elements of breach that are non-GFA: ▪ The plant and lift overrun areas of envelope are consolidated and located centrally within the site/each building, away from key site interfaces with the public domain. ▪ The plant equipment envelope will be obscured by screening to be included in the detailed DA.

Key Questions	Response
	As such, the areas of non-compliance will not materially change the intent of the detailed design as part of the detailed DA. There are also areas of non-compliance that make up GFA. These are areas which are confined to the top level of the proposed envelope. These non-compliances are located in the following buildings. G02, G03, G04, F01, F02, F03 (in the 18m/23.40m zone), I01. Accommodating the maximum allowable floorspace within the heights envisioned by the planning controls was difficult to achieve as – ▪ The site is flood affected and the PMF level is 1.5m – 2m above street level. ▪ Changes to the NCC have required greater floor to floor heights **Blocks F&I** The non-compliances of blocks F&I along Mitchell Road are absorbed by the podium and street setbacks. The lower street wall height of 4 storeys to the north of Mitchell Road also reduces the perception of the bulk and scale of the non-compliant area. Block I to the south of Mitchell Road. A large section of the Block F envelope non-compliance is to accommodate rooftop gardens for communal open space in the detailed DA. These areas will provide vital communal space, while promoting social interaction and a sense of community that are easily accessible to each of the buildings. Due to a number of reasons such as flood planning and building separations (as outlined in Section 8 above), Block F01, F02 and F03 have been shifted further inward of the block. This has resulted in the buildings partially falling within the lower 32.50m height plane, increasing the variation for that part of the building to 34.76% (F01) and 39.38% (F02). The part of the non-compliant building that falls within the lower height plane is located inward of Block F and will not have any visual or amenity impacts external to the site. The buildings maintain the design principles outlined in the Design report prepared by FJC. Despite the height non-compliance with GFA area, the proposed envelopes generally maintain the same design principles providing a transition in scale by arranging taller built forms towards Kooka Walk and McPherson Park, which is one of the objectives under the DCP. **Block G&H** Despite the height non-compliance, the proposed built form is able to provide a transition of scale along Kooka Walk, from the north to the south of the site. This is achieved by having 11 storey to 10 storey built form within Block G (north to south) and a 9 storey built from within Block H. The width of the Kooka Walk is more than 20m, its generous width is able to absorb the area of non-compliance into its context. The width of Kooka Walk is also able to provide visual buffer so that the area of non-compliance will not create a sense of enclosure for future pedestrians. The areas of non-compliance relating to Buildings G4 are further setback at the street frontage. Transition of scale is still achieved despite the non-compliance, as Building G4 is a 10 storeys building, stepping down to a nine storey building at H1 and terminating with a six storey built form at the southern end of Hadfield Street. The variation of scale creates visual interest along this long frontage and reinforces the proposal's relationship to existing context along Hadfield Street. Lastly, the height non-compliance is a result of careful design consideration by distribution of additional Housing SEPP height and design excellence FSR bonuses across the group of multiple buildings, which has endorsed by the City of Sydney Council prior to lodgement.

Key Questions	Response
	Accordingly, the area of non-compliance will not prevent the buildings to be compatible with the height, bulk and scale of the future character of the locality and positively contribute to the streetscape and public space Context character is further assessed in the section below.
(b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,	The Copper Estate Heritage Conservation Area is located to the east of Block F and I, across Mitchell Road. A Heritage Impact Statement has been prepared by GBA Heritage which states that the proposed building envelopes and future detailed development will not have a negative impact on the surrounding heritage conservation areas. The proposed envelope is separated by the thoroughfare of Mitchell Road, which is lined both sides with mature trees that provide further visual relief to the areas of non-compliance. The trees along the western side of Mitchell Road are proposed to be retained. Future development will not impact on the ability for the terraced row housing along the eastern section of the HCA to contribute to the streetscape of Mitchell Road and the conservation area. The proposed envelope although increased, still maintains adequate setbacks and building separations which will improve the urban design outcome in comparison to the existing non-compatible warehouse buildings.
(c) to promote the sharing of views outside Central Sydney,	There are no identified significant views within the Ashmore Estate, in this instance the building separation are applied to ensure views are shared between buildings. However, under section 5.5.8.2 of the Sydney Development Control Plan (SDCP), views from Sydney Park to the CBD skyline are to be protected. The site as proposed is visible from Sydney Park. Potential distant view towards the CBD skyline maybe available from the upper level units from Sydney Park Village. The area of non-compliance is unlikely to impact on private view from these developments, because: ▪ The area of non-compliance will maintain view to sky. ▪ The area of non-compliance will be absorbed within the urban context of the surrounding environment, therefore will not look out of placed. The areas of non-compliance will impact on the distant CBD skyline view from the top of the hill at Sydney Park. The areas of non-compliance are likely to obstruct distant view towards the east. This impact is considered to be acceptable because: ▪ The primary view corridor towards the Sydney CBD (including centre point tower) is unobstructed. ▪ The area of non-compliance will only obstruct portion of the eastern view corridor which do not comprise iconic buildings or harbour view. ▪ The area of non-compliance will maintain view to sky. ▪ The area of non-compliance will be absorbed within the urban context of the surrounding environment, therefore will not look out of placed. Figure 10 Approved and Proposed Building Envelope viewed from Sydney Park  *Source: FJC Studio*

Key Questions	Response
(d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,	The subject site is not within close proximity to Central Sydney nor Green Square Town Centre. Accordingly, this objective is not applicable to the proposed variation.
(e) in respect of Green Square— *(i) to ensure the amenity of the public domain by restricting taller buildings to only part of a site, and* *(ii) to ensure the built form contributes to the physical definition of the street network and public spaces.*	The subject site is not within close proximity to Green Square. Accordingly, this objective is not applicable to the proposed variation.
b) Are the underlying objectives or purpose of the development standard not relevant to the development? (Give details if applicable)	*N/A – Section a above has been satisfied*
c) Would the underlying objective or purpose be defeated or thwarted if compliance was required? (Give details if applicable)	*N/A – Section a above has been satisfied*
(d) Has the development standard been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard?	*N/A – Section a above has been satisfied*
e) Is the zoning of the land unreasonable or inappropriate so that the development standard is also unreasonable or unnecessary?	*N/A – Section a above has been satisfied*

10. Are there sufficient environmental planning grounds to justify contravening the development standard?

Yes.

There are sufficient environmental planning grounds to justify contravening the development standard as follows.

Delivery Onsite Affordable Housing

The height variation enables the proposal to realise the full design excellence and affordable housing FSR incentives. These provisions are specifically intended to encourage the delivery of high-quality built form outcomes and to increase the supply of housing and affordable housing. Strict compliance with the height controls would reduce the development's capacity to achieve the additional floor space enabled by these provisions. In turn, this would result in fewer residential units, including a reduction in the amount of affordable housing that can be delivered on the site.

The proposed height variation, enables the proposal to fully realise these planning incentives, thereby delivering a greater number of dwellings, including affordable housing, within a highly accessible location. This outcome advances local housing targets and makes a direct contribution towards addressing the State's broader housing supply and affordability objectives.

Draft LEP Amendments

As noted above, the City of Sydney is progressing housekeeping amendments to Sydney LEP that are directly relevant to the proposed height variation and if these were applied the area of non-compliance will be reduced to rooftop plant and lift overrun areas only. Under the draft amendments, areas relating to green roofs and rooftop communal spaces will also be exempt from the height calculation and therefore would not result in non-compliance with the building height development standard, and the area of non-compliance will be further reduced to very minimal locations of the building. These draft amendments are well advanced,

having been publicly exhibited and endorsed by Council in June 2025 following Gateway determination by DPHI, and are now at the finalisation stage. Two key amendments are of particular relevance:

1. **Design Excellence Provisions**

   The draft amendment seeks to apply the 10% design excellence bonus to both height and FSR. At present, only one incentive may be elected - and in the case of this application, the FSR bonus has been selected. Accordingly, given only FSR is the elected design excellence bonus with no corresponding height design excellence bonus, there is a discrepancy between the maximum height achievable on the site and the maximum allowable FSR on the site. If this amendment were to apply, the height noncompliance would be substantially reduced as shown in **Figure 11** below, and the area of non-compliance would only relate to rooftop plant, communal open space elements and lift overruns.

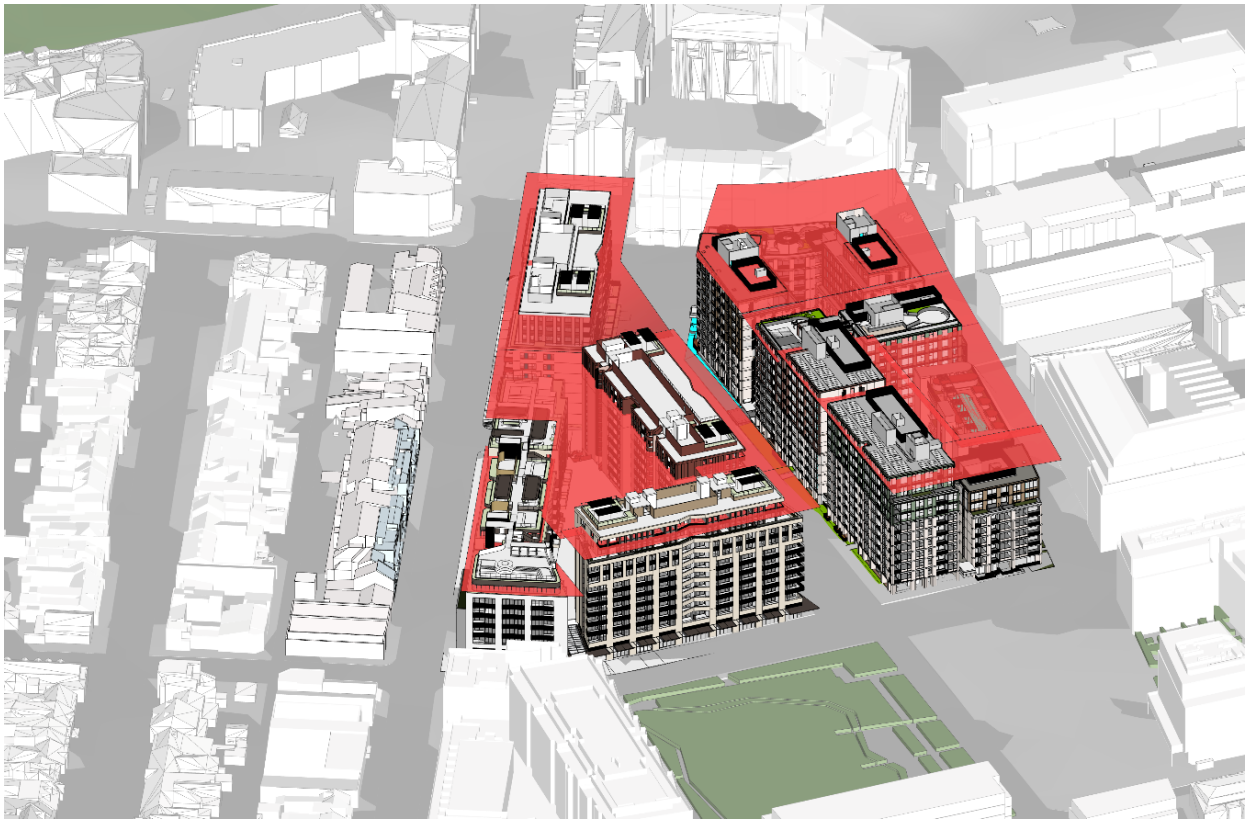
2. **Exclusion of Green Roofs and Rooftop Structures from Height**

   The draft amendment seeks to introduce a new clause to the LEP to exclude rooftop gardens, communal open space, and associated ancillary structures (including access and amenities) from the calculation of building height, provided certain design and amenity criteria are satisfied. This change recognises the social and amenity benefits of green roofs and rooftop communal spaces, while ensuring impacts on surrounding properties (e.g. overshadowing, built form compatibility) are minimised. If this amendment were to apply, the area of noncompliance would be substantially reduced, and the area of non-compliance would only relate to rooftop plant areas that are not associated with rooftop communal spaces.

While it is acknowledged that these amendments do not formally apply to this DA, it is directly relevant to the assessment of the proposal's height non-compliance. If the draft height amendments were to be applied, the extent of exceedance would be materially reduced and limited primarily to non-GFA elements such as plant. These minor exceedances are typical in high-density development and do not undermine the intent of the height standard.

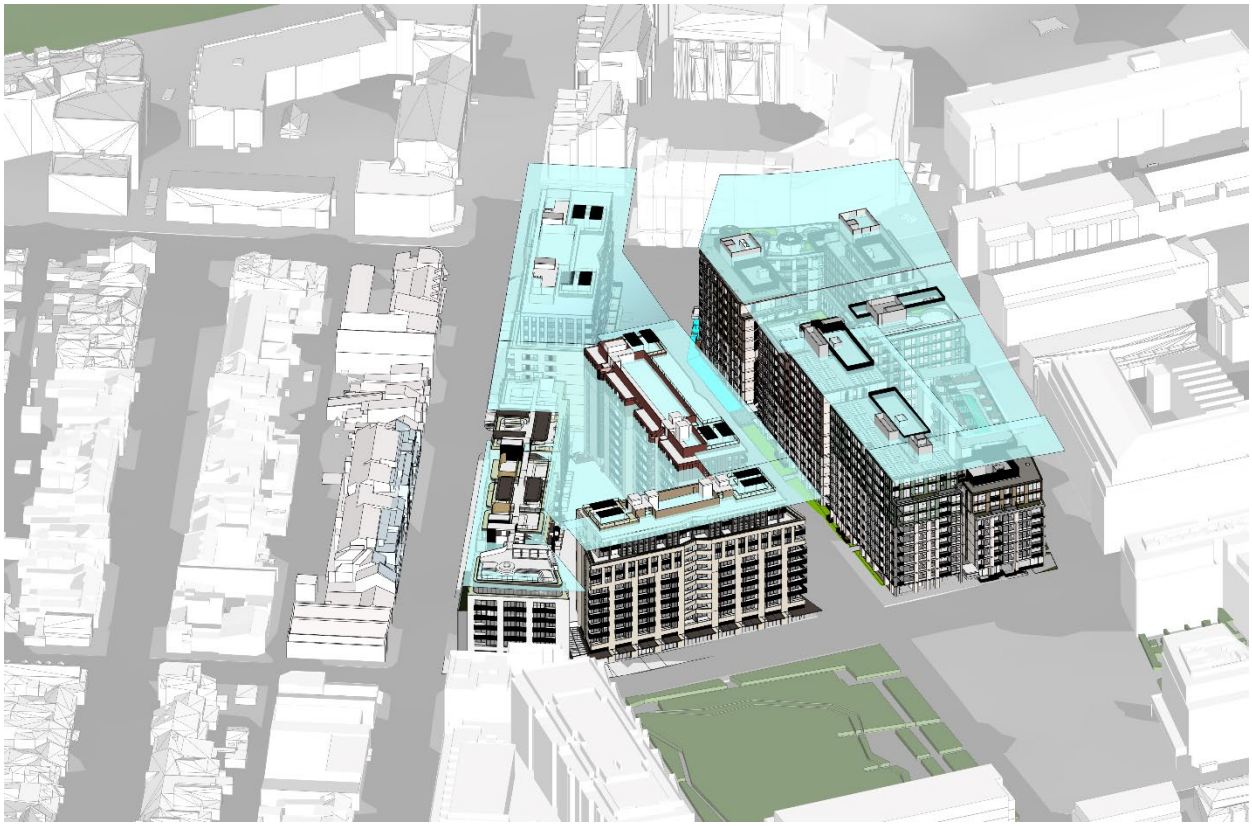
Accordingly, the current non-compliance arises from a timing issue in relation to LEP amendments that are already endorsed by Council and supported by DPHI. The proposal aligns with the direction of the City's intentions and delivers the type of outcomes - design excellence, affordable housing, rooftop greening - that current and future planning policies are intended to facilitate.

Figure 11 Area of non-compliance if design excellence bonus were to be applied to both height and FSR



Picture 5 Area of non-compliance – F&I and G&H (view from the north) – 130% scenario

Source: FJC



Picture 6 Area of non-compliance – F&I and G&H (view from the north) – 143% scenario

Source: FJC

Massing and Built Form

Block G

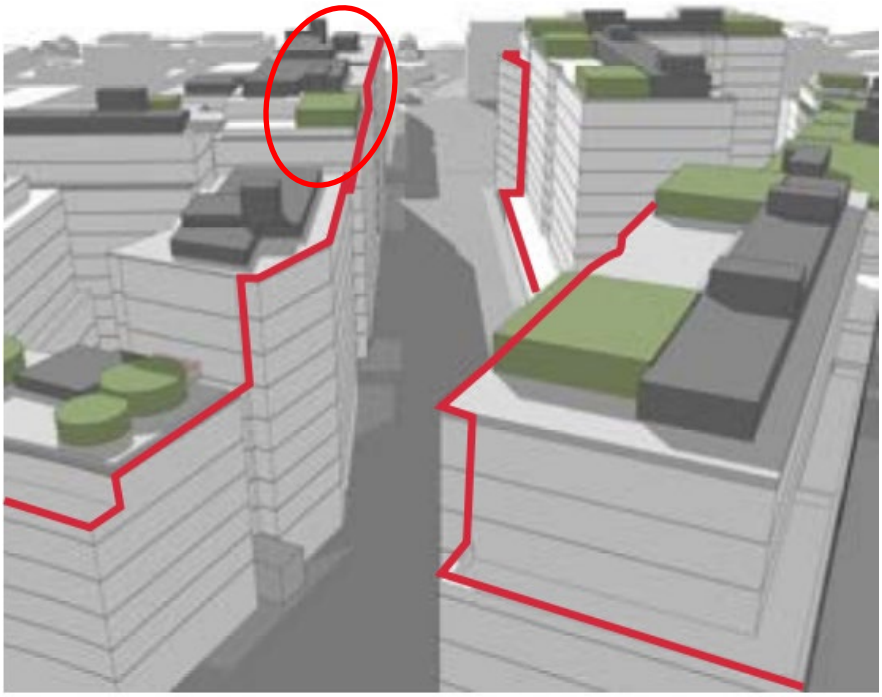
The massing has been redistributed across Block G resulting the G5 building, which fronts Hadfield Street being significantly lower than the maximum height plane. This mass has been redistributed to Block G2, G3 and G4 which has resulted in those buildings breaching the 130% height limit.

The area of non-compliance to Buildings G2, G3 and G4 is mostly limited to the upper most level plus roof plant and lift overrun zones with some area of the rooftop garden also protruding into the height plane. The area of non-compliance are generally setback from the street frontage by arranging taller built forms towards Kooka Walk and McPherson Park. The area of non-compliance does not compromise the ability for the development to provide an appropriate transition in scale despite the height non-compliance. This is consistent with one of the built form objectives of the DCP.

The area of non-compliance relating to Building G2 and G3 is further setback at the street. The upper level setback is able to provide visual relief and also a transition in scale from Building G1 to the proposed buildings within Block F. While a portion of these buildings are over the height plane, these protrusions are associated with a compliant overall Concept GFA for Buildings F, I, G and H. Therefore, the intensity of the use of the site remains compliant notwithstanding the height non-compliance. Further to this, the width of Kooka Walk also ensures that the areas of non-compliance to blocks G2 and G3 provide adequate solar access and amenity to Block F and the public domain.

The width of the Kooka Walk is more than 20m, its generous width is able to absorb the area of non-compliance into its context. The width of Kooka Walk is also able to provide visual buffer so that the area of non-compliance will not create a sense of enclosure for future pedestrians.

Figure 12 Kooka Walk Interface



Source: FJC Studio

The areas of non-compliance relating to Buildings G4 is further setback at the street frontage. The additional setback is able to reduce visual dominance of the area of non-compliance and reduce the perceivable bulk and scale of the built form. Figure 10 below shows the area of non-compliance in relation to Building G4.

Transition of scale is still achieved despite the non-compliance, as Building G4 is a 10 storey building, stepping down to a nine storey building and terminating with a six storey built form at the southern end of

Hadfield Street. The variation of scale creates visual interest along this long frontage and reinforces the proposal's relationship to existing context along Hadfield Street.

Figure 13 Hadfield Street Interface



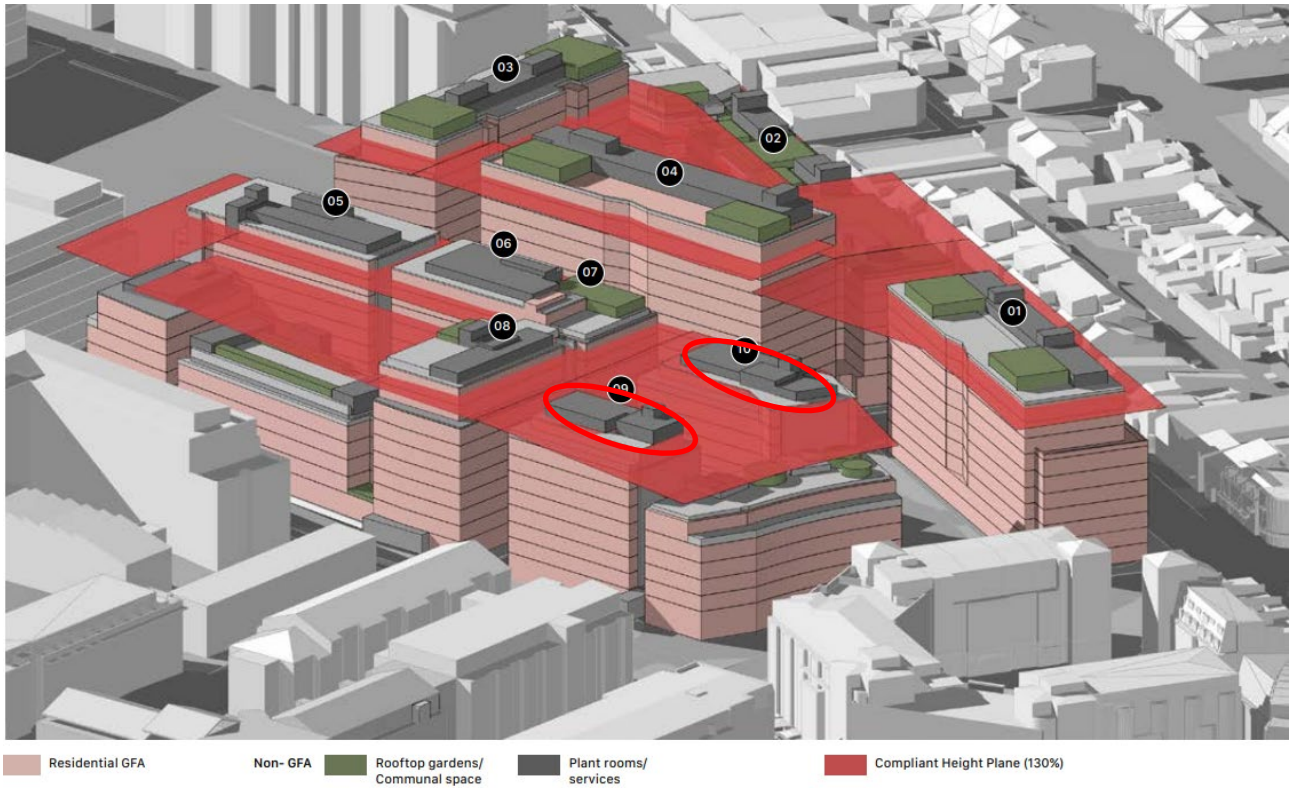
Source: FJC Studio

Block H

Similar to Block G, the massing of Block H has also been redistributed to establish a better street frontage interface with Coulson Street and improve solar access. Massing from Block H3 has been redistributed the H1 and H2.

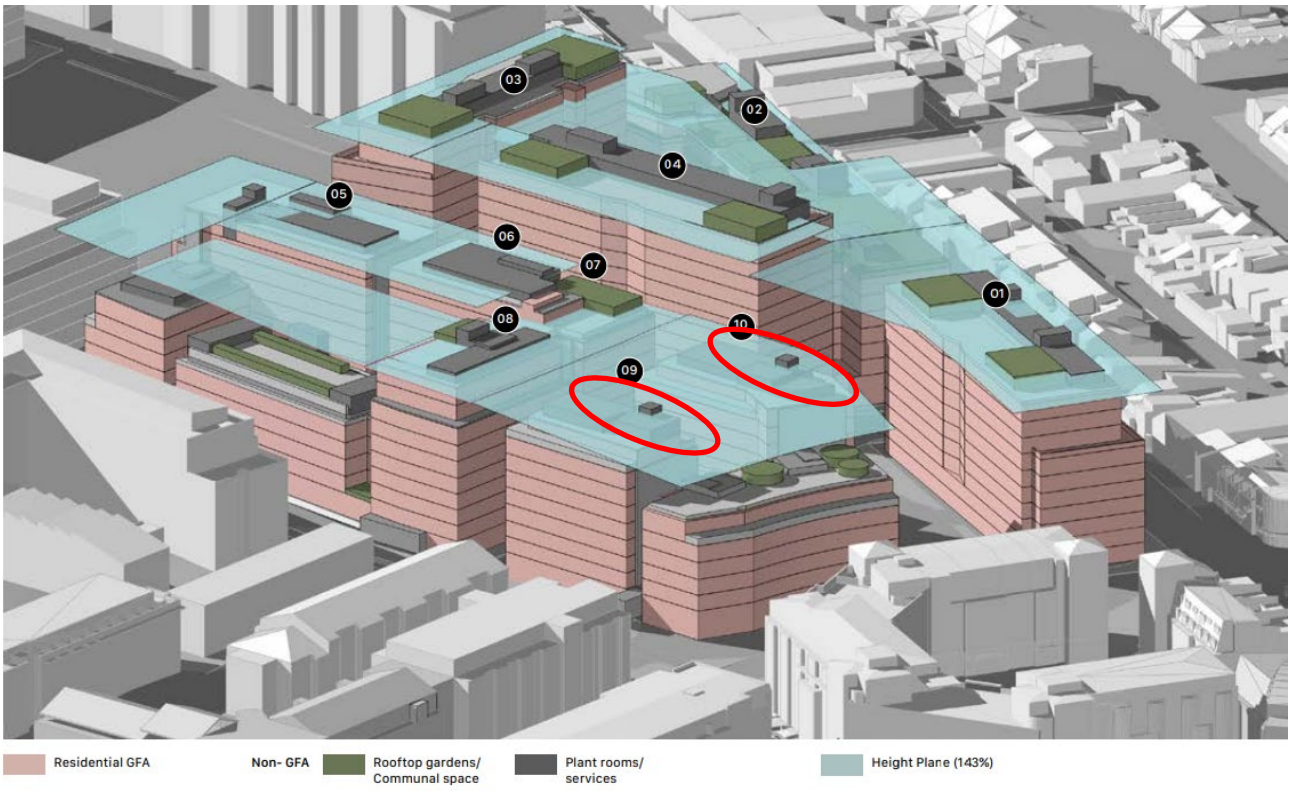
Although Building H1 and H2 are both non-compliant. It is strictly limited to non GFA area such as the future lift overrun and rooftop plant zones within the envelope. The areas of non-compliance within H1 and H2 are significantly setback from Coulston Road allowing adequate solar access to the south of the site. The lift overrun and rooftop plant are essential components of the buildings functionality and will be appropriately screened and setback from the building edge to further reduce visual impacts (to be addressed in the detailed DA). The areas of non-compliance relative to Hadfield Street and Kooka Walk is setback from the building frontage with the lift overrun being central to the building rooftop. When viewed from the public domain, this area is unlikely to be seen.

Figure 14 Proposed Building Heights within the 130% Height Plane



Source: FJC Studio

Figure 15 Proposed Building Heights within the 130% and 10% Design Excellence Height Plane



Source: FJC Studio

As demonstrated above, the areas of non-compliance for Block H are vastly reduced when the draft EPI 10% height bonus from the design excellence provisions are taken into consideration (as exhibited by the City)This is evident across most of the site where majority of the variation relates to non-GFA area.Block F

The area of non-compliance within Block F relates to F1, F2, F3 and F4 with the degree of variation varied across each building. In addition, areas of GFA sit above the height plane on all blocks as well. Accommodating the height the maximum allowable floorspace within the heights envisioned by the planning controls was difficult to achieve as –

- The site is flood affected and the PMF level is 1.5m – 2m above street level.
- Changes to the NCC have required greater floor to floor heights
- Ability to accommodate the 10% design excellence floorspace without also raising the height.

The envelope achieves a transition in height from the corner of MacDonald Street and Kooka Walk. The width of the Kooka Walk is more than 20m, its generous width is able to absorb the area of non-compliance into its context. The width of Kooka Walk is also able to provide visual buffer so that the area of non-compliance will not create a sense of enclosure for future pedestrians.

Along Macdonald's Street, the transition of height from Block F1 and F4 to Macdonald Street has a stepped build form which appropriately transitions to the lower density development to the east. This is demonstrated in Figure 15 below.

Figure 16 Section along Macdonald Street



Macdonald St- looking North

Source: FJC Studio

The areas of non-compliance are further setback from the street frontages. The additional setback is able to reduce visual dominance of the area of non-compliance and reduce the perceivable bulk and scale of the built form.

For Buildings F1 and F2 as part of design refinement, the massing has been shifted within Block F to improve solar access amenity for the eastern elevation of Building F2 and solar access to the communal open space at the elevated courtyard. As a result of this, a portion of these envelopes are now located within the 25 / 32.5m metre height control which results in a greater numerical non-compliance within the 25 / 32.5m metre height plane area.

The areas of non-compliance along Mitchell Road primarily relate to rooftop communal open space areas and future plant zones. These areas are setback from the Mithcell Road and would not be visible form the street. The Mitchell Road frontage at Buildings F3 achieves a transition in heights to reduce the perceived bulk and scale of the building.

Block I

The extent of non-compliance of Block I relates to both GFA and non-GFA area. However, the area that comprises GFA is very minor. The area of non-compliance again is setback from the street wall with the plant and lift overrun setback even further from the building edge along Mitchell Road and Coulson Street. The additional setback is able to reduce visual dominance of the area of non-compliance and reduce the perceivable bulk and scale of the built form. The area of non-compliance is outlined in Figure 16 below.

The extent of GFA which exceeds the height plane is minimal and the bulk of the non-compliance i plant and lift overrun zones (which does not comprise GFA) which is vital for the functionality of the building and the lift overrun provides equitable access to the rooftop communal areas.

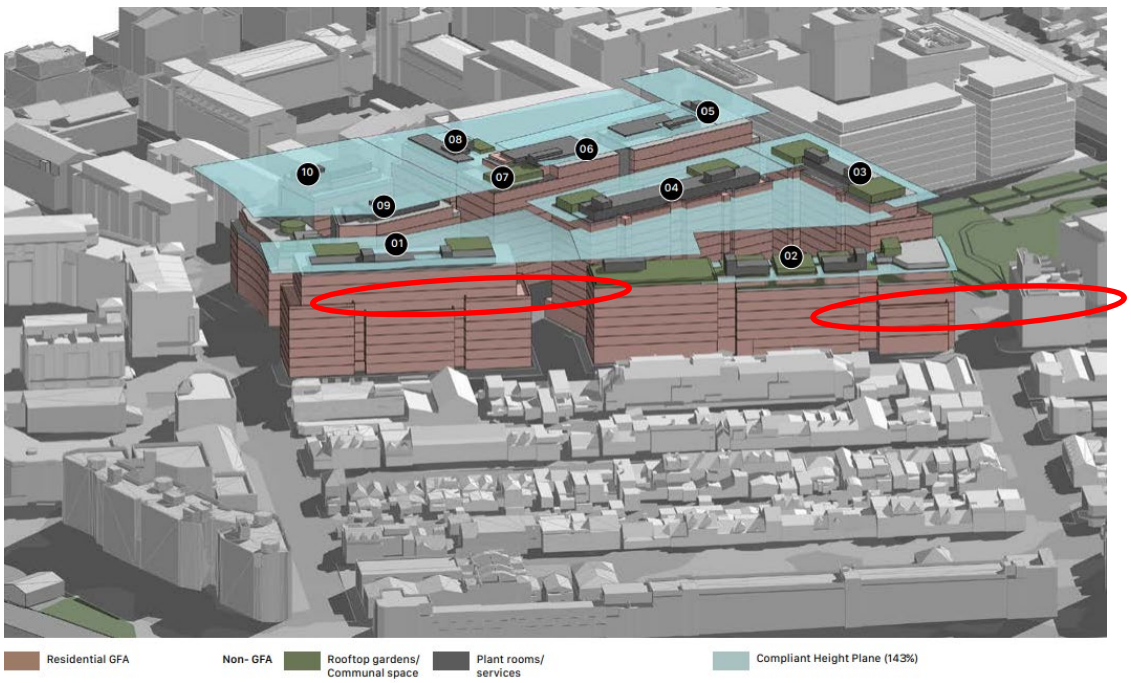
Figure 17 Mitchell Road Street Wall



Source: FJC Studio

The height non-compliance is a result of careful design consideration by distribution of additional Housing SEPP height and design excellence FSR bonuses across the group of multiple buildings, which has endorsed by the City of Sydney Council prior to lodgement. Overall, the proposal achieves an appropriate contextual fit and the areas of non-compliance have been appropriately designed to maintain the character and amenity of the Ashmore Estate and surrounds.

Figure 18 Proposed Building Heights within the 130% and 10% Design Excellence Height Plane



Source: FJC Studio

Redistribution of Massing across the site to Improve Amenity

The revised building envelopes and the resultant heigh variations are the product of an iterative design process that has balanced achieving development yield with mitigating impacts on surrounding properties and the public domain. While the envelopes remain generally consistent with the form nominated by Council, a series of refinements have been introduced to reduce overshadowing, improve amenity, and align with the detailed DA design outcomes. Key refinements include:

- **Reduction in Building Heights (Block H):** Heights have been reduced to improve solar access to adjacent dwellings on Coulson Street. Block H also consolidates the affordable housing component within a single block.
- **Redistribution of Massing:** Massing has been redistributed from Block H to the targeted locations within Block G that can accommodate additional uplift without resulting in adverse overshadowing or solar impacts on Hadfield Street and Coulson Street and balancing the overall built form across the site.
- **Improved Solar Access:** At Block F, massing fronting Kooka Walk has been shifted eastward, increasing the separation to Block G. This improves solar access to both residential units and the public domain.

These refinements demonstrate that the proposed redistribution of building mass delivers an improved planning and design outcome compared to strict compliance with the allowable height control. Despite the height variation, the proposal still seeks to achieve solar access, maintain urban design objectives, enhanced residential amenity and alignment with Council's nominated envelopes. In this context, strict compliance with the height controls would undermine the extensive design evolution of the building envelope and the intended outcomes.

Amenity

The areas of non-compliance relating to lift overruns, balustrade, shade structures and plant enclosures will not result in any visual privacy impacts, as they are building structures, which do not comprise any GFA. Where they are located central to the building form they will not be visible within the public domain. The areas of non-compliance relating to roof plant and lift overrun zones, will be appropriately screened and acoustic attenuation will be implemented. This is detailed in the Detailed DA.

Where areas of non-compliance comprise GFA, appropriate setbacks have been implemented to provide a recessive feel to the roof areas. These upper setbacks also help improve solar access. Appropriate façade design and treatment will also improve the areas of non-compliance

Where areas of non-compliance include GFA, compliance with the with the relevant setback (visual privacy) controls in the ADG has been mostly achieved at a precinct level. Where the areas of non-compliance don't meet the minimum building separation, design elements such as privacy screens and building orientation as detailed in the detail DA have been used to mitigate privacy issues between habitable rooms.

Overshadowing

Detailed shadow studies have been prepared by FJC to assess the overshadowing impacts of the areas of non-compliance above the maximum permitted height on 21 June (refer **Figure 18).** The analysis considers the potential impacts on nearby residential development, particularly 300–322 Mitchell Road to the west and Sydney Park Village to the north.

At 300–322 Mitchell Road, there are 39 apartments located opposite Building F and I. Of these, 34 apartments fully comply with the Apartment Design Guide (**ADG**) requirement for a minimum of two hours of direct solar access to living areas between 9am and 3pm on 21 June. The area of non-compliance does not impact on these apartments' ability to continue to achieve solar compliance. Four apartments fall short of this requirement, as outlined below:

- **Apartment 1:** Receives 1 hour of solar access, representing a shortfall of one hour.
- **Apartment 3:** Receives 1 hour and 30 minutes of solar access, representing a shortfall of 30 minutes.

- **Apartment 11:** Receives around 10 mins of sun under the approved Concept DA envelope because this apartment is overshadowed by its own building elements. The solar non-compliance is not caused by the area of height non-compliance.
- **Apartment 20**: Receives 15 minutes of direct solar access. It is noted that this apartment was already affected under the approved Concept DA envelope, where it achieved only one hour of solar access due to the recessed windows.

Based on the views from the sun and shadow analysis submitted, the additional overshadow impacts are a combination of both compliant built form and non-compliant building elements such as plant, lift overrun and communal open space. The communal open space elements on the rooftop would be excluded from the building height calculation if the Draft LEP amendments were applied, therefore the shadow impact arising from these elements are considered to be acceptable.

Apartment 10 receives 1 hour and 50 minutes of solar access, falling only 10 minutes short of the required 2 hours. This represents a negligible shortfall. Nevertheless, this apartment is already overshadowed under the approved Concept DA envelope, therefore the 10min shortfall is not a result of the height non-compliance.

When considered in context, these impacts are minor. The area of non-compliance will only impact solar compliance to 5% of the apartments within 300–322 Mitchell Road, which is considered as minimal impact. On this basis, the proposal's shadow impacts are considered acceptable and not significant in the broader planning context.

The shadow analysis also identifies some impacts on Building 9 within the Sydney Park Village. The ground level of this building accommodates retail tenancies and basement access points, while residential apartments are located on the upper levels.

The greatest impact occurs in the morning period, when shadow extends across parts of the ground and upper levels. However, from approximately 11am onwards, the extent of overshadowing is limited to the ground plane only and does not affect residential apartments above. Between 11am and 3pm, upper-level apartments continue to receive direct sunlight, ensuring compliance with the Apartment Design Guide. In the afternoon, additional shadow falls across the ground level of Building 9. As these areas comprise retail and access points rather than residential units, the area of non-compliance will not impact on solar amenity of residential units within Building 9 of the Sydney Park Village.

In regard to the public domain, the development is located to the south of MacPherson Park, therefore the area of non-compliance will not have an impact on MacPherson Park. When compared to the complaint envelope, the area of non-compliance will not have any impact (aside from at 9am) on the public square within the Sydney Park Village development in the southwest corner of Coulson Street and Mitchell Road. The public square is able to receive minimum of three hours of direct sunlight between 10am and 3pm on 21 June. The impacts to the Sydney Park Village development itself are minimal between 9am – 12pm. It is important to note that any additional shadow caused by the area of non-compliance is the result of achieving significant housing uplift in a well located precinct, with the inclusion of affordable housing.

Figure 19 Overshadowing Analysis (9am-2pm)



Picture 7 Shadow Impact at 9am



Picture 8 Shadow Impact at 10am



Picture 9 Shadow Impact at 11am



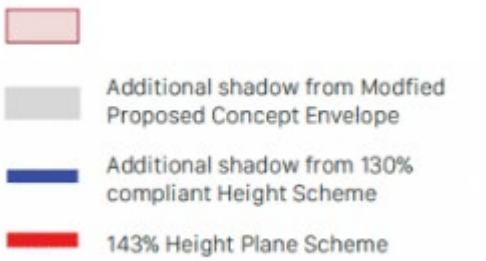
Picture 10 Shadow Impact at 12pm



Picture 11 Shadow Impact at 1pm



Picture 12 Shadow Impact at 2pm



Source: FJC

Views

There are no identified significant views within the Ashmore Estate, in this instance the building separation are applied to ensure views are shared between buildingenvelopes.

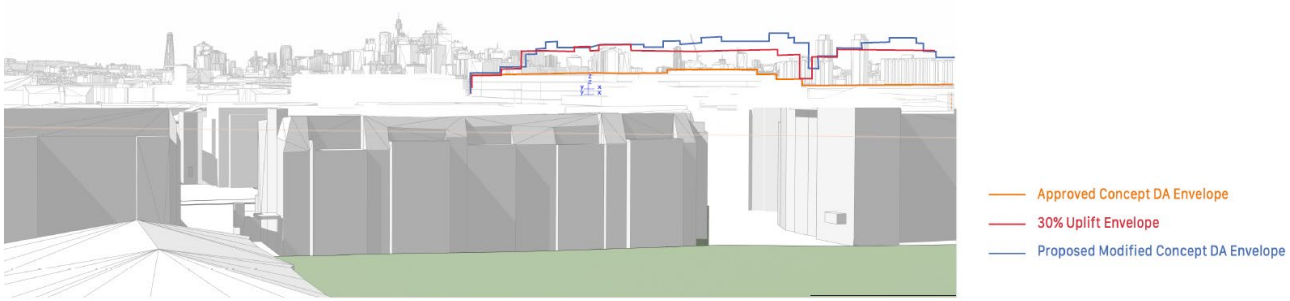
The areas of non-compliance will impact on the distant CBD sky view from the top of the hill at Sydney Park. The areas of non-compliance are likely to obstruct distant view towards the east. This impact is considered to be acceptable because:

- The distant CBD skyline view towards the east is obstructed by the compliant uplift envelope, not by the area of non-compliance.
- The area of non-compliance will not obstruct the primary view corridor towards the Sydney CBD (including centre point tower). This ensures that the most significant visual amenity is preserved for visitors.

- The area of non-compliance will only obstruct portion of the eastern view corridor, and it obstructs sky view, instead of views to iconic buildings or harbour view. This means that the obstruction does not significantly detract from the overall visual experience or cultural value of the skyline. The primary visual and cultural assets of the city remain visible and accessible.
- The area of non-compliance will maintain view to sky.
- Due to the spatial separation of these buildings, the area of non-compliance will be absorbed within the urban context of the surrounding environment, therefore will not look out of placed.

Accordingly, there is no material impact in terms of views from a complying 130% scheme and the area of non-compliance.

Figure 20 View impact assessment from Sydney Park– amended concept envelope assessment



View Corridor with outlines of

Source: FJC Studio

11. Is there any other relevant information relating to justifying a variation of the development standard?

Public Interest

For development that contravenes a development standard, the consent authority must be satisfied the proposal will be in the public interest. This is achieved via consistency with the objectives of the development standard and the objectives of E1 and MU1 zones, which has been demonstrated below.

Table 5 Assessment of Compliance with E1 Local Centre Land Use Zone Objectives (**applicable to Block F and portion of Block G**)

Objective	Assessment
To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.	The additional height associated within Block F allows for the inclusion of more diverse and flexible spaces that can accommodate a variety of future retail uses on the ground floor, which will be designed as part of the Detailed DA. The majority of the area of non-compliance relates to rooftop plant and lift overrun zones, which is to provide access to future communal amenities and to facilitate building services to be designed as part of the detailed DA. Therefore, the area of non-compliance will enhance the overall functionality of the future development for the residents.
To encourage investment in local commercial development that generates employment opportunities and economic growth.	The height non-compliance will not have a direct impact on investment in local commercial development.

Objective	Assessment
To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.	The area of height non-compliance allows for the proposed building envelope to achieve the full design excellence and affordable housing FSR incentives, which in turn will allow for the provision of additional residential units to be included in the development. This will help to achieve housing targets in the local centre and directly contributes to addressing the State's housing crises. In addition to the above any reduction to the height would inadvertently reduce the amount of GFA for affordable and impact the viability to provide such housing in perpetuity. The proposed building envelope inclusive of the non-compliance will deliver a significant contribution of affordable housing to be provided in perpetuity.
To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	The additional height on the upper floors does not detract from the provision of future ground floor retail uses within Block F, but rather complement it by providing the necessary infrastructure and support for these uses.
To maximise public transport patronage and encourage walking and cycling.	The area of height non-compliance allows for the proposed building envelope to achieve the full design excellence and affordable housing FSR incentives, which in turn will allow for the provision of additional residential units to be included in the development. In turn, this allows the overall development to promote higher public transport usage by providing more destinations and origins within a compact area. The plant and lift overrun zones while exceeding maximum height limits, do not negatively impact the pedestrian experience at street level and support the building's overall functionality.

Table 6 Assessment of Compliance with MU1 Mixed Use Land Use Zone Objectives (**applicable to Blocks I, portion of Block G and Block H**)

Objective	Assessment
To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.	Not relevant for Blocks I, portion of Block G and Block H, as no retail or commercial uses are proposed.
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.	The detailed DA will incorporate features to contribute to an active frontage such landscaping on the ground floor and separate ground floor entries to enhance the pedestrian experience and contribute to activation. The areas of height non-compliance will not detract the ability for the future development to achieve a positive street-level experience.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The proposed building envelope carefully considers the interface with adjoining zones, ensuring that the area of non-compliance does not

Objective	Assessment
	result in adverse impact on overshadowing, privacy issues, or other conflicts with neighbouring properties. The plant and lift overrun zones that are over the height plane are setback to minimise visual and operational impacts on adjacent land uses, maintaining harmony between different zones. The detailed DA will also include appropriate screening, and noise mitigation measures to further reduce potential impact from the plant zones that will be over the height plane.
To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	Not relevant for Blocks I, portion of Block G and Block H, as no retail or commercial uses are proposed.
To ensure land uses support the viability of nearby centres.	The area of height non-compliance allows for the proposed building envelope to achieve the full design excellence and affordable housing FSR incentives, which in turn will allow for the provision of additional residential units to be included in the development. This will help to attract more residents in the area, which support activation and the economic viability of the future development.
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 area of height non-compliance allows for the proposed building envelope to achieve the full design excellence and affordable housing FSR incentives, which in turn will allow for the provision of additional residential units to be included in the development. In turn, this allows the overall development to promote higher public transport usage by providing more destinations and origins within a mixed-use compact area. The plant and lift overrun zones while exceeding maximum height limits, do not negatively impact the pedestrian experience at street level and support the building's overall functionality.

DISCLAIMER

This report is dated 30 September 2025 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 Ltd **(Urbis)** opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Coronation **(Instructing Party)** for the purpose of 4.6 variation request **(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.

Attachment E

Submissions

From: Ruth George <[redacted] on behalf of Ruth George <[redacted] <Ruth George <[redacted]

Sent on: Tuesday, June 17, 2025 8:02:23 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Gigi Grgory <[redacted]

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Dear Sir/Madam,

I am writing as a local resident of 177-219 Mitchell road in relation to the proposed development at 155 Mitchell road. I wish to formally object to the current proposal on the followinggrounds:

The proposed building exceeds the height of existing developments in the area and is out of character with the current streetscape. A high-rise development would significantly block natural sunlight to surrounding properties, negatively impacting residents' quality of life. I strongly believe that the building should be limited to a maximum of six storeys, which is more consistent. The existing high rise apartment at Zenix is an eyesore in the existing landscape as an example of what we do not want in this area.

There have been several cases in the past 20 years where newly built apartments in the local area have experienced structural issues, leading to costly remediation, safety risks, and distress to owners and residents. Given this history, I am concerned about the long-term integrity of another large-scale development, particularly if corners are cut in construction or oversight is inadequate. We know that the privatisation of building certification has caused a lot of these issues.

A development of this scale would contribute to significant population density in an already constrained area. The local infrastructure is not equipped to support high-density living:

- The Erskineville train line currently only services residents every 15–20 minutes during peak times, and is already under strain.
- Local roads, public transport, and essential services (such as schools, healthcare, and parking) are not designed to accommodate such a high influx of new residents. Mitchell road in peak hours is at a snails pace.

A high-rise building next to existing low- to mid-rise dwellings will likely devalue nearby properties, including mine. The scale of the development and the associated congestion will diminish the area's appeal, natural light access, and liveability. We do not want this suburb to end up like Waterloo or Mascot.

In summary, I support thoughtful development that considers the needs of existing residents and the long-term sustainability of the community. I respectfully urge Council to:

- Reject the current proposal in its form, or
- Impose a strict height limit of no more than 6 storey.

Thank you for considering my submission. Please keep me informed of any further developments regarding this proposal.

Kind regards,

Ruth George

From: PlanningAlerts <contact@planningalerts.org.au> on behalf of PlanningAlerts <contact@planningalerts.org.au> <PlanningAlerts <contact@planningalerts.org.au>>

Sent on: Wednesday, June 18, 2025 3:55:02 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Comment on application D/2025/448

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For the attention of the General Manager / Planning Manager / Planning Department

Application: D/2025/448

Address: 155 Mitchell Road Erskineville NSW 2043

Description: Amending Concept Development Application to amend the Concept Consent (D/2015/966) relating to buildings F&I and G&H only, to convert the residential component to Build-to-Rent and to provide affordable housing, and modify building envelopes.

Name of commenter:

Address of commenter:

Email of commenter:

Comment

Looking at this development I see that each time they build a building they get permission to increase the hight and then for the next building they put in a DA to increase the next one

So now the building on the corner of Mitchell and Couslon has gone up to 11 stories
I feel this is excessive and do NOT support this amendment

There are no set backs from the street and no green areas in between the buildings like in the buildings on Mitchell and Ashmore

This should not be allowed to proceed

This comment was submitted via PlanningAlerts, a free service run by the charity the OpenAustralia Foundation for the public good. View this application on PlanningAlerts

Important Privacy Notice - Please Read

The email address and street address are provided to City of Sydney only so you can contact, identify and verify in response to D/2025/448, and not for any other purpose.

You, City of Sydney do NOT have permission to publish, nor share with anyone outside City of Sydney the email address and street address without express written permission from

We specifically confirm that any consent given in any form (including pursuant to your privacy policy) to disclose personal information to third parties is withdrawn.

From: [redacted] on behalf of [redacted]

Sent on: Wednesday, June 18, 2025 3:15:18 PM

To: council@cityofsydney.nsw.gov.au

Subject: Feedback on development proposals D/2025/405 and D/2025/448 at 155 Mitchell Road, 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.

Thank you for the opportunity to provide feedback on the development proposals as listed above in the 'subject' field. The proposed modified concept changes for the Erskineville Ashmore precinct blocks F, G, H and I are of considerable concern to me.

- The proposed increased height is out of scale and character for the neighbourhood and far above what was originally planned.
- The height will obstruct existing city skyline and tree canopy views which currently provide environmental balance in an already high density precinct on the city edge.
- The look of the combined large blocks is unattractive and out of character with the neighbourhood.
- The dramatic increase in building height will overshadow existing homes and public spaces.
- The increase in population (including the 'build to rent' proposal) will put further strain on: street parking; vehicular congestion; local infrastructure such as schools, child care, GP services, services for the aging population; and, pedestrian safety.
- The amenity and liveability of Erskineville will be greatly diminished. Erskineville has already taken its fair share of high density. Additionally, the adjoining precincts of Green Square/Zetland/Redfern have all provided high density accommodation on the edge of an ever expanding city.

I request that my following identifying details not be published:

- name
- email address

Kind regards

[redacted]

From: Jack Whiddon <[redacted] on behalf of Jack Whiddon <[redacted] <Jack Whiddon <[redacted]

Sent on: Thursday, June 19, 2025 5:38:46 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Clover Moore <cmoore@cityofsydney.nsw.gov.au>; Hoenig <[redacted]

Subject: No towers on Mitchell Rd

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 strongly oppose the proposed changes to building heights along Mitchell Rd, as outlined in D/2025/448. The modified proposal doubles the approved height from 4-7 storeys to 7-11 storeys, exceeding current permissible heights by up to 11.3 metres.

This tower block should be set back from the existing residential street of Mitchell Rd, which it would enclose. The 7-10 storey blocks should be set back from the street, stepping down to **currently approved** lower buildings at street level, opening up the streetscape aesthetically and allowing in more light.

The proposed new building heights would irreparably alter the character of the neighbourhood, creating an overbearing high wall of building from street level, similar to sites like the recently developed Mascot. It would be more appropriate to match the completed adjoining block at Maddox St intersection at 3-4 storeys at street level.

The scale of height proposed - **the tallest of all the apartment blocks already built on the site** - is inconsistent with the 'village' vibe for which Erskineville is loved. Building height regulations are in place to avoid excessive overdevelopment, maintain the local character, and protect existing residents. The reasons stated in the DA by the developer to override existing height regulations are inadequate – design excellence & inclusion of rooftop gardens while commendable should not determine height regulation.

As the overshadow analysis on the DA shows, residents on Mitchell Rd would be severely impacted by the proposed new heights, losing most afternoon sun. The additional shadow from the modified proposal is dramatic. In my case at 284 Mitchell Rd, my entire house and backyard would be in complete shade by 2 pm, ruining my garden (which is already challenged by limited northern sun).

The increased shadowing of existing dwellings, particularly the terraces on Mitchell Road's northern section, raises serious concerns. Urban planning should balance development with the well-being of current residents.

The terraces won't meet the minimum solar access requirements under the modified plan. Adequate solar access is crucial for natural lighting, energy efficiency, and residents' health. Reducing sunlight exposure can lead to higher energy costs, reduced comfort, and health issues.

Allowing increased shadowing based on housing uplift sets a concerning precedent. Future developments may compromise existing residents' amenities for higher density, leading to widespread urban living degradation.

Re-evaluating the design is needed instead of accepting further non-compliance. Innovative architectural designs,

strategic building orientations, and stepped building forms can achieve developmental goals while preserving solar access.

Prioritising new affordable housing shouldn't compromise existing residents' quality of life. Equity in urban development means considering the needs of both current and future residents. Compromising one group's living conditions for another undermines community cohesion and sustainability.

While housing uplift and affordable housing are laudable, they shouldn't override urban planning standards that protect residents' access to sunlight.
A balanced approach is needed—one that designs solutions to meet developmental goals without harming existing communities.

I urge the council to stick to the approved plan, adhering to current height restrictions, and reject the proposed modified plan, which would be disastrous for the local community.
Sincerely,
Jack Whiddon
284 Mitchell Rd 2015

Paradise lost? My garden at 2.15pm 17 June'25 - which would be in total shade at this time under the proposed modified plan.



From: Jack Whiddon <[redacted] on behalf of Jack Whiddon <[redacted] <Jack Whiddon <[redacted]

Sent on: Friday, June 20, 2025 1:26:08 AM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Hoenig <[redacted] Clover Moore <cmoore@cityofsydney.nsw.gov.au>

Subject: No towers on Mitchell Rd

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.

Amended version of submission letter

No towers on Mitchell Rd

I strongly oppose the proposed changes to building heights along Mitchell Rd, as outlined in D/2025/448. The modified proposal doubles the approved height from 4-7 storeys to 7-11 storeys, exceeding current permissible heights by up to 11.3 metres.

This tower block should be set back from the existing residential street of Mitchell Rd, which it would enclose. The 7-10 storey blocks should be set back from the street, stepping down to **currently approved** lower buildings at street level, opening up the streetscape aesthetically and allowing in more light.

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A balanced approach is needed—one that designs solutions to meet developmental goals without harming existing communities.

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Sincerely,
Jack Whiddon

284 Mitchell Rd 2015

Paradise lost?

My garden at 2.15pm 17 June'25 - which would be in total shade at this time under the proposed modified plan.

From: PlanningAlerts <contact@planningalerts.org.au> on behalf of PlanningAlerts <contact@planningalerts.org.au> <PlanningAlerts <contact@planningalerts.org.au>>

Sent on: Friday, June 20, 2025 8:59:44 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Comment on application D/2025/448

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.

For the attention of the General Manager / Planning Manager / Planning Department

Application: D/2025/448

Address: 155 Mitchell Road Erskineville NSW 2043

Description: Amending Concept Development Application to amend the Concept Consent (D/2015/966) relating to buildings F&I and G&H only, to convert the residential component to Build-to-Rent and to provide affordable housing, and modify building envelopes.

Name of commenter:

Address of commenter:

Email of commenter:

Comment

The proposed amendements do not even comply with the significant 143% increase in maximum height bonus and is not in keeping with the original concept plan approved by council.

The height plane is intended for the total building height and to suggest non-residential uses exceeding this height are less important is misleading.

Increased building seperation is not demonstrated with the increased height above the previously approved 8 storeys. This should be demonstrated in the envelope plans and embeded in the approval as the current proposal suggests a greater massing/FSR than is achievable on the site. Relying on privacy screens in subesquent detailed proposals is not an acceptable solution and will guarantee poor outcomes for the development and residents.

Greater justification for the significant street wall height modification is required. The amendments are not consistent with the intent of the original concept plan in which street walls are reduced to mediate scale. The mitchell road interface for example is not consistent with the original intent to transition to the lower densisty adjoining properties. The street wall datum from the development to the north should be maintained.

Wall height views at sky level are not adequate and misleading and should be a street level. Solar anaylsis of the public domain comparing approved DA with modifiation is required.

There is insufficient design justification for the amendments and is not consistent with the design objections of the previous approval and council DCP.

This comment was submitted via PlanningAlerts, a free service run by the charity the OpenAustralia Foundation for the public good. View this application on PlanningAlerts

Important Privacy Notice - Please Read

The email address and street address are provided to City of Sydney only so you can contact, identify and verify [redacted], in response to D/2025/448, and not for any other purpose.

You, City of Sydney do NOT have permission to publish, nor share with anyone outside City of Sydney the email address and street address without express written permission from [redacted]

We specifically confirm that any consent given in any form (including pursuant to your privacy policy) to disclose personal information to third parties is withdrawn.

From: Michael Taylor <[redacted] on behalf of Michael Taylor <[redacted] <Michael Taylor <[redacted]

Sent on: Friday, June 20, 2025 4:36:37 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Hello,

I'm writing to object to the proposed development application D/2025/448.

The proposal seeks to significantly increase the building height across multiple buildings, particularly the buildings that adjoin Mitchell Road.

The proposed height of the buildings along Mitchell Road, which are planed for 11 stories plus a mezzanine, will have a significant impact on the amenity of local residents.

Firstly, the buildings will have a significant shadow impact on surrounding terraced houses, placing them in shadow from as early as 1pm in winter. Given the design of the terraced houses, which date back almost a century, they already suffer from low light levels. The significant shadow impact from the proposed development will only add to the low light levels of the surrounding houses, which will result in colder houses and increased damp, negatively impacting the liveability of these houses.

Secondly, as part of the City of Sydney's efforts to reduce carbon emissions, a number of residents in nearby houses have invested in solar panels. Another adverse impact of the significant shadow impact from the proposed development is that the solar panels will be in shadow from 1pm, making them virtually redundant during the winter months. This will mean that all surrounding residents will need to revert to using electricity from the grid during the winter months, further increasing demand for coal-fired power stations and increasing the carbon footprint for these houses.

Thirdly, the proposed building on Mitchell Road directly adjoin a heritage conservation area, comprised of single and two story dwellings. The proposed height of the development is significantly higher than any other building in the area and will dwarf the existing terraced houses that adjoin the development site. This will have a significant impact on the heritage conservation area and will be in opposition to the development guidelines that all other developments in the conservation area are required to comply with.

Given this, the proposed amendment to the development should be rejected and the existing approved building heights should be retained.

Regards,
Michael

From: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Monday, June 23, 2025 10:13:56 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Save Our Erskineville

-----Original Message-----
From: eudi rais <[redacted]
Sent: Sunday, 22 June 2025 7:08 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Cc: Clover Moore <cmoore@cityofsydney.nsw.gov.au>; [redacted]
Subject: Save Our Erskineville

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 Council,

As a resident of Mitchell Rd, I am writing to express our strong objection to the proposed modifications outlined in Development Application D/2025/448 for 155 Mitchell Road, Erskineville.

Erskineville's identity is built on a careful balance of heritage, scale, and community-focused planning. The revised proposal, including multiple 11-storey buildings directly along Mitchell Road, undermines this character. The height and bulk of the design would create significant shadowing and visual dominance, disrupting the surrounding streetscape and reducing access to natural light for nearby low-rise homes.

This is not a rejection of growth or affordable housing—it's a call for development that integrates thoughtfully with the existing neighbourhood. Any new plan must respect established planning controls, particularly in relation to height and street interface. The original stepped-back design of existing buildings on the same site offers a more suitable model, preserving both residential amenity and local character.

We urge the Council to uphold the existing height guidelines and reject the amended proposal in its current form.

Sincerely,
Eudi Rais
284 Mitchell Road 2015

From: Ferguson, Peter <[redacted] on behalf of Ferguson, Peter <[redacted] <Ferguson, Peter <[redacted]

Sent on: Tuesday, June 24, 2025 11:54:21 AM

To: dasubmissions@cityofsydney.nsw.gov.au; cmoore@cityofsydney.nsw.gov.au; [redacted]

Subject: D/2025/448 PLEASE, PLEASE Don't steal my SUNSHINE on Belmont Street :-(

Attachments: Mitchell road.png (229.55 KB), What I'm loosing 1.jpg (3.71 MB), What I'm loosing 2.jpg (4.55 MB), What I'm loosing 3.jpg (2.98 MB), What I'm loosing 4.jpg (1.92 MB), What I'm loosing 6.jpg (3.23 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.

Good morning Clover, Ron and DA submissions.

I was recently notified that the development at 155 Mitchell Road (D/2025/448) has requested approval to extend its height from the approved 8 stories to 11 stories. If approved this will greatly impact the privacy of residents on Belmont Street but more importantly -it will cut my sunlight from 2-3pm onward as seen in the overshadow diagram in the DA application. I will be missing out on several hours of afternoon sunlight in my poor little single story terrace at 319 Belmont Street which is already a dark house.

I have always taken great joy in my little garden. If this DA is approved it will basically make it an unproductive space. One of the few joys in life since being diagnosed with advanced cancer, is to be with my two cats in my house in the afternoon when a sliver of sun passes through the side passage and just makes it into my lounge room and bedroom -for about 30 minutes and then disappears. If this DA is approved this tiny ray of sunlight will be gone. Similarly, the rear of my house (Kitchen and bathroom)will be in darkness when previously I had hours of sun. This is such a shame, considering my oncologists, radiologist, physiotherapist, nurse navigator and urologist suggest I get as much vitamin D as possible to fight this cancer. So unfair. I also have real concerns about the impact of parking in the area with these additional floors. It is so hard for anyone locally to find a parking space, but this potential increase of apartments in the DA will make the matter much worse for everyone in the area.

This development borders a heritage zone and the 11 story façade on Mitchel is not in keeping with the surrounding residential area creating a wind tunnel of apartment windows looking down on us (Mascot style). Alexandria/ Erskineville is an established village community -and yes, we must accept the agreed upon 8 story façade, but the modifications in this DA are too much and the jump from 8 stories to 11 will create an ugly vertical ghetto butted up against beautiful heritage streets with real character -plunging us into darkness. I hope you will push back on the behalf of the impacted residents in the area -and from the looks of the report there are a lot of us. Please protect your loyal rate paying residents against these greedy developers and make them realise they are lucky to be able to build to the agreed 8 story level in a great suburb that is predominantly 1 story high residential.

Please decline this DA and allow me to keep the tiny amount of light I get in my home.

Yours, in anticipation with fingers crossed 😊😊…….please don't let this happen.

Peter Ferguson, Yoshii and Nyxie at 319 Belmont St Alexandria.

Peter Ferguson

[redacted]

T [redacted]

E [redacted]

[redacted]

[redacted] cknowledges the Traditional Custodians of the land on which we operate, live and gather as a team. We recognise their continuing connection to land, water and community. We pay respect to Elders past, present and emerging.

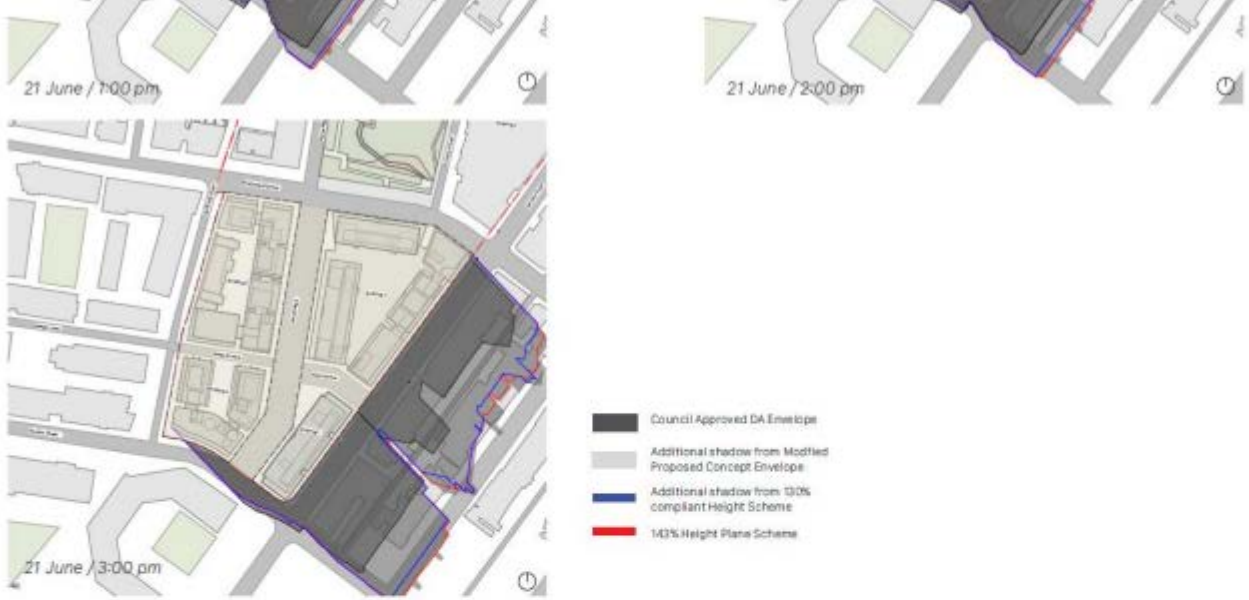


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Please consider the environment before printing this email.



Source: FJC Studio

As shown above, the proposed massing to achieve the 30% housing bonuses does increase overshadowing to the Mitchell Road residents. Currently, the massing/height proposed will make a number of the sites non-compliant and they will not receive 2hrs of solar access between 9am-3pm on June 21. It is noted that the overshadowing would be similar with a compliant (130%) scheme.

Beyond the above overshadowing impacts, the additional mass does not create unreasonable impact to the development on the opposite side of Coulson Street. Although the proposed envelope increases the overshadowing to the residential development, it does not reduce the solar compliance beyond the approved envelope.

The additional mass does not create unreasonable impact to the development on the opposite side of









From: Cynthia Adey <[redacted] on behalf of Cynthia Adey <[redacted] <Cynthia Adey <[redacted]

Sent on: Tuesday, June 24, 2025 7:00:20 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

To whom it may concern,
I live on level 7 in the apartment block on 5 Hadfields st directly opposite the proposed development of buildings F, I, G& H. I am extremely concerned about the height of the proposed buildings. This whole development was never supposed to be higher than 7 stories in keeping with the the other buildings in the area. I never would have bought my apartment if I had even an inkling the Ashmore development would be over 7 stories. My privacy, sunlight and outlook will be severely affected if this goes ahead. The proposed buildings are very close- just a few metres away from Hadfields St and I feel I would need to have blinds permanently closed for any sort of privacy. I believe my energy bills will increase due to lack of winter sun. I feel like I have been deceived by the council and developers as we have been told many times over the years the height would never be above 7 stories. The area will lose it's charm and character and start to look more like Waterloo.
I hope you will consider my objections seriously and not allow this development to be built. My and all other residents' mental health (and in some cases physical health)will be severely impacted if this is allowed to proceed.
Thank you
Cynthia Adey
714/5 Hadfields st
Erskineville

From: Richard Wakefield <[redacted] on behalf of Richard Wakefield <[redacted] <Richard Wakefield <[redacted]

Sent on: Wednesday, June 25, 2025 6:07:27 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: DA Objection (Richard Wakefield).docx (1.36 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.

Good evening Michael,

I have attached a letter relating to my objections to the above Development Application proposal that I would like council to consider.

Please feel free to reach out to me on this email address or [redacted]

Richard Wakefield (he/him)

Chief Engineer, Software Engineering & DataOps, Data Platforms

[redacted]

Level 14, 275 Kent Street

[redacted]

[redacted]cknowledges the traditional owners as the custodians of this land, recognising their connection to land, waters and community.
We pay our respects to Australia's first peoples, and to their elders, past, present and future.

Confidential communication

[redacted] Corporation

Richard Wakefield
Unit 38 / 300 Mitchell Road
Alexandria NSW 2015
[redacted]

25th June 2025

City of Sydney
GPO Box 1591
Sydney NSW 2001

Re: Objection to Development Application D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I am writing to lodge a formal objection to Development Application D/2025/448 & D/2015/966 submitted by Coronation Property Co Pty Ltd, concerning the proposed amendments to the Concept Consent (D/2015/966) for Blocks F, G, H, and I at 155 Mitchell Road, Erskineville, NSW 2043.

As a local resident, I acknowledge the importance of urban renewal and the provision of affordable housing. However, I have serious concerns regarding the scale and impact of the proposed modifications which, if approved, would significantly and negatively affect the surrounding area's character, amenity and infrastructure.

---

1. Excessive Height and Loss of Sunlight

The proposed height increases across Blocks F, G, and I of up to three additional storeys exceed the original approved Concept DA and are inconsistent with the intended transitional scale for the precinct. This intensification threatens to overshadow existing low-density dwellings in adjacent heritage conservation zones, particularly along Mitchell Road and Coulson Street, disrupting the carefully balanced built form and visual amenity. The height of buildings F & I will reduce natural light and negatively affect quality of life for residents along Mitchell Road. The Proposed Modified Concept DA Urban Design Report documentation supplied by **fjcstudio** is not a true indication of the shadow impact as published on Page 45 along Mitchell Road and surrounding streets. See below actual pictures taken at 1pm & 2pm on 25th June 2025 with the 3-storey structure at the corner of Mitchell Road & Maddox St and 2-storey facility with the Medical Centre / Woolworths tenancy and **fjcstudio** report pictures.

2. Loss of Heritage Transition and Local Character

The Ashmore Precinct borders sensitive heritage areas, including the Coopers Estate Conservation Area. The proposed uplift under the Housing SEPP appears to prioritize yield over context-sensitive design, thereby undermining planning objectives that mandate built form to "provide a transition to the surrounding conservation areas" as stated in the Sydney DCP 2012 Part 5.5.

---

3. Traffic and Transport Impact

According to the updated Traffic and Transport Assessment (December 2024), the proposal increases the total yield to **1,705 apartment units** – an 8% uplift is misleading from the original 1065 lots proposed by Greenland, an actual 62% uplift. This will significantly increase traffic congestion in and around Mitchell Road, Maddox Street, and the Erskineville/St Peters area. While the report concludes that traffic levels remain stable, local experience suggests that street-level congestion, inadequate parking and pedestrian safety are already pressing issues that would only worsen whilst the introduction of a new speed limit to 40kphs this year has caused a significant disruption to traffic flows along Mitchell Road during peak hours and weekends.

---

4. Amenity and Infrastructure Pressure

The increase in population density without proportional public infrastructure upgrades – including open space, childcare, schooling, and pedestrian facilities – raises concerns about amenity and live ability. While Kooka Walk and green links are welcome additions, they are insufficient in mitigating the demand pressures that will result from this scale of intensification.

---

5. Community Consultation and Transparency

While I appreciate the Council's notification process, many local residents remain unaware of the significance of the proposed changes. These major modifications should warrant broader community consultation, including an updated Environmental Impact Statement (EIS) and independent assessment of overshadowing, solar access, and infrastructure strain.

---

6. Loss of Privacy

The proposed structure, particularly with the inclusion of rooftop access, poses a significant concern regarding the loss of privacy for adjoining properties. Elevated viewing points such as rooftop terraces create direct lines of sight into neighbouring homes and private outdoor spaces, which were previously shielded from view. This intrusion into residents' private lives undermines their reasonable expectation of privacy and will likely result in discomfort and a diminished sense of security. Such impacts are inconsistent with the planning principles that aim to protect residential amenity and should be carefully reconsidered in the assessment of this application.

Requested Action

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.
- **Conducts broader community consultation** to ensure transparency and engagement, given the scale and lasting impact of the proposed changes.
- Provide an **updated Environmental Impact Statement (EIS)** and **independent assessment of overshadowing, solar access, and infrastructure strain** due to the misinformation supplied in the Proposed Modified Concept DA Urban Design Report documentation supplied by **fjcstudio** and a revised **Traffic Management Report** due to the introduction of a new speed zone imposed along Mitchell Road this year.

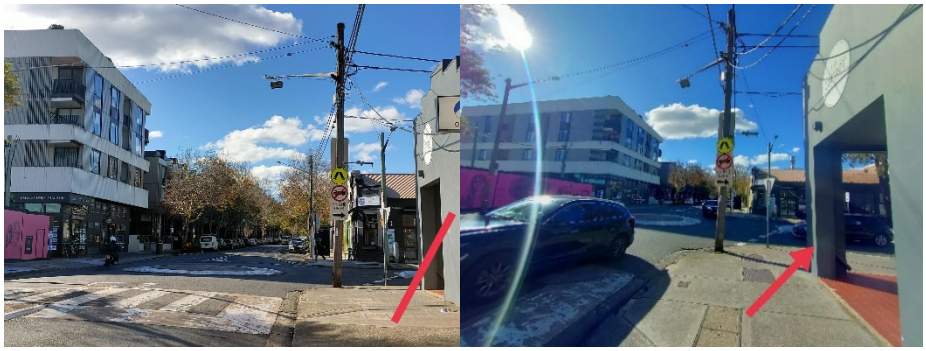
I urge Council to carefully consider the concerns of all residents and the long-term consequences of approving this development. I respectfully request that Development Application **D/2025/448 & D/2015/966** be refused or significantly amended to address the above concerns.

Thank you for your consideration and welcome any opportunity to participate in further consultations or provide additional feedback.

Yours sincerely,

Richard Wakefield





3-storey structure at corner of Mitchell Road and Maddox Street Alexandria at 1pm on 25th June 2025



2-storey structure in front of Erskineville Pharmacy & Woolworths Metro, 149-153 Mitchell Road Erskineville at 1pm on 25th June 2025 with shadows already across Mitchell Road





Impact of 3-, 2-storey buildings at 149-153 Mitchell Road Erskineville at 2pm on 25th June 2025

From: Javier S <[redacted] on behalf of Javier S <[redacted] <Javier S <[redacted]
Sent on: Thursday, June 26, 2025 4:33:35 PM
To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>
CC: [redacted]
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

To:
Michael Stephens
City of Sydney Council
Town Hall House
456 Kent Street
Sydney NSW 2000

Subject: Objection to Development Application D/2025/448 – 155 Mitchell Road, Erskineville, NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear Michael,

I am writing to lodge a formal objection to **Development Application D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for**Blocks F, G, H, and I** at **155 Mitchell Road, Erskineville, NSW 2043**.

As a constituent of the local community, I acknowledge the importance of urban renewal and the provision of affordable housing. However, I have several serious concerns regarding the scale and impacts of the proposed modifications which, if approved, would significantly and negatively affect the surrounding area's character, amenity and infrastructure.

1. Excessive Height and Overdevelopment

The proposed height increases across Blocks F, G, and I—up to 3 additional storeys—exceed the originally approved Concept DA and are inconsistent with the intended transitional scale for the precinct. This intensification threatens to overshadow existing low-density dwellings in adjacent heritage conservation zones, particularly along Mitchell Road and Coulson Street, disrupting the carefully balanced built form and visual amenity. The height of buildings F & I will reduce natural light and negatively affecting quality of life in particular to those working from home or suffering mental health/anxiety. The Proposed Modified Concept DA Urban Design Report documentation supplied by fjcstudio is not a true indication of the shadow impact as published on Page 45 along Mitchell Road and surrounding streets. See below actual pictures taken at 1pm & 2pm on 25th

June 2025 with the 3 storey structure at the corner of Mitchell Road & Maddox St and 2 storey facility with the Medical Centre/Woolworths tenancy and fjcstudio report pictures.

2. Loss of Heritage Transition and Local Character

The Ashmore Precinct borders sensitive heritage areas, including the Coopers Estate Conservation Area. The proposed uplift under the Housing SEPP appears to prioritise yield over context-sensitive design, thereby undermining planning objectives that mandate built form to "provide a transition to the surrounding conservation areas" as stated in the Sydney DCP 2012 Part 5.5.

3. Traffic and Transport Impact

According to the updated Traffic and Transport Assessment (December 2024), the proposal increases the total yield to**1,705 apartment units**—an 8% uplift is misleading from the original 1065 lots proposed by Greenland, an actual 62% uplift. This will significantly increase traffic congestion in and around Mitchell Road, Maddox Street, and the Erskineville/St Peters area. While the report concludes that traffic levels remain stable, local experience suggests that street-level congestion, inadequate parking and pedestrian safety are already pressing issues that would only worsen whilst the introduction of a new speed limit to 40kphs this year has caused a significant disruption to traffic flows along Mitchell Road during peak hours and weekends.

4. Amenity and Infrastructure Pressure

The increase in population density without proportional public infrastructure upgrades—including open space, childcare, schooling, and pedestrian facilities—raises concerns about amenity and live ability. While Kooka Walk and green links are welcome additions, they are insufficient in mitigating the demand pressures that will result from this scale of intensification.

5. Community Consultation and Transparency

While I appreciate the Council's notification process, many local residents remain unaware of the significance of the proposed changes. These major modifications should warrant broader community consultation, including an updated Environmental Impact Statement (EIS) and independent assessment of overshadowing, solar access, and infrastructure strain.

6. Loss of Privacy

The proposed structure, particularly with the inclusion of rooftop access, poses a significant concern regarding the loss of privacy for adjoining properties. Elevated viewing points such as rooftop terraces create direct lines of sight into neighbouring homes and private outdoor spaces, which were previously shielded from view. This intrusion into residents' private lives undermines their reasonable expectation of privacy and will likely result in discomfort and a diminished sense of security. Such impacts are inconsistent with the planning principles that aim to protect residential amenity and should be carefully reconsidered in the assessment of this application.

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.
- **Conducts broader community consultation** to ensure transparency and engagement, given the scale and lasting impact of the proposed changes.
    - Provide an updated **Environmental Impact Statement (EIS)** and **independent assessment of overshadowing, solar access, and infrastructure strain**due to the mis information supplied in the Proposed Modified Concept DA Urban Design Report documentation supplied by**fjcstudio** and a revised **Traffic Management Report** due to the introduction of a new speed zone imposed along Mitchell Road this year.

I urge Council to carefully consider the concerns of all residents and the long-term consequences of approving this development. I respectfully request that Development Application No. **D/2025/448 & D/2015/966** be refused or significantly amended to address the above concerns. Thank you for your consideration and welcome any opportunity to participate in further consultations or provide additional feedback.

Yours sincerely,

Peter & Eva Szpilczak

30/300 Mitchell Road, Alexandria, NSW, 2015

E: [redacted]

Ph: [redacted]

Date: 26th June 2025





3 storey Structure at corner of Mitchell Road and Maddox Street Alexandria at 1pm on 25th June 2025



2 storey structure in front of Erskineville Pharmacy & Woolworths Metro, 149-153 Mitchell Road Erskineville at 1pm on 25th June 2025 with shadows already across Mitchell Road



Impact of 3 & 2 storey buildings at 149-153 Mitchell Road Erskineville at 2pm on 25th June 2025

From: Javier S <[redacted] on behalf of Javier S <[redacted] <Javier S <[redacted]
Sent on: Thursday, June 26, 2025 4:22:11 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Attention Michael Stephens

City of Sydney Council
Town Hall House
456 Kent Street
Sydney NSW 2000

Subject: Objection to Development Application D/2025/448 – 155 Mitchell Road, Erskineville, NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear Michael,

I am writing to lodge a formal objection to **Development Application D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for**Blocks F, G, H, and I** at **155 Mitchell Road, Erskineville, NSW 2043**.

As a constituent of the local community, I acknowledge the importance of urban renewal and the provision of affordable housing. However, I have several serious concerns regarding the scale and impacts of the proposed modifications which, if approved, would significantly and negatively affect the surrounding area's character, amenity and infrastructure.

1. Excessive Height and Overdevelopment

The proposed height increases across Blocks F, G, and I—up to 3 additional storeys—exceed the originally approved Concept DA and are inconsistent with the intended transitional scale for the precinct. This intensification threatens to overshadow existing low-density dwellings in adjacent heritage conservation zones, particularly along Mitchell Road and Coulson Street, disrupting the carefully balanced built form and visual amenity. The height of buildings F & I will reduce natural light and negatively affecting quality of life in particular to those working from home or suffering mental health/anxiety. The Proposed Modified Concept DA Urban Design Report documentation supplied by fjcstudio is not a true indication of the shadow impact as published on Page 45 along Mitchell Road and surrounding streets. See below actual pictures taken at 1pm & 2pm on 25th

June 2025 with the 3 storey structure at the corner of Mitchell Road & Maddox St and 2 storey facility with the Medical Centre/Woolworths tenancy and fjcstudio report pictures.

2. Loss of Heritage Transition and Local Character

The Ashmore Precinct borders sensitive heritage areas, including the Coopers Estate Conservation Area. The proposed uplift under the Housing SEPP appears to prioritise yield over context-sensitive design, thereby undermining planning objectives that mandate built form to "provide a transition to the surrounding conservation areas" as stated in the Sydney DCP 2012 Part 5.5.

3. Traffic and Transport Impact

According to the updated Traffic and Transport Assessment (December 2024), the proposal increases the total yield to**1,705 apartment units**—an 8% uplift is misleading from the original 1065 lots proposed by Greenland, an actual 62% uplift. This will significantly increase traffic congestion in and around Mitchell Road, Maddox Street, and the Erskineville/St Peters area. While the report concludes that traffic levels remain stable, local experience suggests that street-level congestion, inadequate parking and pedestrian safety are already pressing issues that would only worsen whilst the introduction of a new speed limit to 40kphs this year has caused a significant disruption to traffic flows along Mitchell Road during peak hours and weekends.

4. Amenity and Infrastructure Pressure

The increase in population density without proportional public infrastructure upgrades—including open space, childcare, schooling, and pedestrian facilities—raises concerns about amenity and live ability. While Kooka Walk and green links are welcome additions, they are insufficient in mitigating the demand pressures that will result from this scale of intensification.

5. Community Consultation and Transparency

While I appreciate the Council's notification process, many local residents remain unaware of the significance of the proposed changes. These major modifications should warrant broader community consultation, including an updated Environmental Impact Statement (EIS) and independent assessment of overshadowing, solar access, and infrastructure strain.

6. Loss of Privacy

The proposed structure, particularly with the inclusion of rooftop access, poses a significant concern regarding the loss of privacy for adjoining properties. Elevated viewing points such as rooftop terraces create direct lines of sight into neighbouring homes and private outdoor spaces, which were previously shielded from view. This intrusion into residents' private lives undermines their reasonable expectation of privacy and will likely result in discomfort and a diminished sense of security. Such impacts are inconsistent with the planning principles that aim to protect residential amenity and should be carefully reconsidered in the assessment of this application.

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.
- **Conducts broader community consultation** to ensure transparency and engagement, given the scale and lasting impact of the proposed changes.
    - Provide an updated **Environmental Impact Statement (EIS)** and **independent assessment of overshadowing, solar access, and infrastructure strain**due to the mis information supplied in the Proposed Modified Concept DA Urban Design Report documentation supplied by**fjcstudio** and a revised **Traffic Management Report** due to the introduction of a new speed zone imposed along Mitchell Road this year.

I urge Council to carefully consider the concerns of all residents and the long-term consequences of approving this development. I respectfully request that Development Application No. **D/2025/448 & D/2015/966** be refused or significantly amended to address the above concerns. Thank you for your consideration and welcome any opportunity to participate in further consultations or provide additional feedback.

Yours sincerely,

Mr Javier Santamarta

27/300 Mitchell Road, Alexandria, NSW, 2015
E:

Ph:
Date: 25th June 2025





3 storey Structure at corner of Mitchell Road and Maddox Street Alexandria at 1pm on 25th June 2025



2 storey structure in front of Erskineville Pharmacy & Woolworths Metro, 149-153 Mitchell Road Erskineville at 1pm on 25th June 2025 with shadows already across Mitchell Road



Impact of 3 & 2 storey buildings at 149-153 Mitchell Road Erskineville at 2pm on 25th June 2025

From: <[redacted]

Sent on: Thursday, June 26, 2025 12:06:52 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

To Mr. Michael Stephens

I am writing to you concerning the Application by CORONATION PROPERTY CO PTY LTD Reference D/2025/448 155 Mitchell Road ERSKINVILLE NSW 2043, to extend the height of the development opposite my apartment complex to Eleven stories.

Sir I am of the understanding that the development is to add more levels from Seven stories to Eleven stories.

I am on the 2nd floor/ 3rd Level, my apartment which only gets sun light for a small portion of the day. I am concerned that the increase in the apartment development height will block any direct sunlight. Causing long term discomfort my health, by causing the fungal/mold growth to my apartment exterior. Also, increasing in height of the development will trap noise being emitted by passing vehicle and pedestrian traffic, causing it to rebound between to the two apartment complexes with no means to dissipate, thereby it will be amplifying the volume of the noise emissions. Reducing quality of life, in an ever increasing congested environment for where I have lived for the last twenty years.

Your feed back would be much appreciated

Regards
David Walker
9302/177-219 Mitchell Road,
Erskinville NSW 2043

From: Stephen Koumas <[redacted] on behalf of Stephen Koumas <[redacted] <Stephen Koumas <[redacted]

Sent on: Saturday, June 28, 2025 4:40:17 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Dear Mr Stephens,

I am writing to formally object to Development Application D/2025/448.

This proposal involves a substantial increase in building height across multiple structures, particularly those bordering Mitchell Road.

The buildings proposed along Mitchell Road, reaching 11 storeys plus a mezzanine, will have a serious impact on the amenity of nearby residents. These buildings will cast significant shadows over adjacent terrace houses and apartment blocks, leaving them with no sunlight during the winter months. Many of these terraces, built nearly a century ago, already suffer from limited natural light. The added shadow will exacerbate these conditions, resulting in colder, damper homes and a marked decline in overall liveability. In my own case, this would mean the living room and outdoor areas would receive no sunlight during winter.

The proposed buildings directly adjoin a designated heritage conservation area consisting mainly of one and two storey dwellings. The scale of the development would completely overshadow this low-rise precinct and be out of keeping with the established character of the neighbourhood. This contradicts the conservation guidelines that other developments in the area are required to observe and threatens the integrity of the heritage zone.

For these reasons, I urge the council to reject the proposed amendments to the development application and uphold the currently approved building heights.

Yours sincerely,

Stephen

Sent from my iPhone

From: Christopher Medlicott <[redacted] on behalf of Christopher Medlicott <[redacted] <Christopher Medlicott <[redacted]

Sent on: Sunday, June 29, 2025 7:56:00 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Re: Submission - D/2025/405 - 155 Mitchell Road 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 note there's two DA's. Please note my feedback per below for D/2025/448 as well.

Thank you

Christopher Medlicott
|m [redacted]
|e: [redacted]

On Fri, 20 Jun 2025 at 1:57 pm, Christopher Medlicott <[redacted] wrote:

> Dear Michael,
>
> I refer to the submission D/2025/405 for 155 Mitchel Road, Erskineville.
>
> I note the height of the buildings has increased to 11 at certain parts of the site.
>
> I am writing to submit my objection / concerns in relation to these increased heights. I note the original Ashmore Precinct had very clear height specifications per site. Many owners in the immediate area have purchased properties with the specific master plan in place. The increased heights are likely to have an impact on local amenity, including impacts from shadowing of nearby streets and buildings.
>
> Further to this, the increased vehicular traffic in and around the precinct, including nearby roads (particularly Mitchell Road) will have a negative impact on local amenity.
>
> On this basis, I am submitting this objection for council's consideration; as these changes represent a material moving of the goalpost at the final stages of the Ashmore Precinct redevelopment.
>
> Regards,
> Christopher Medlicott
> [redacted]
> Sent from my iPad

From: Kirill Kuznetsov <[redacted] on behalf of Kirill Kuznetsov
<[redacted] <Kirill Kuznetsov <[redacted]
Sent on: Monday, June 30, 2025 8:53:32 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

To the Consent Authority, City of Sydney Council,

This document constitutes a formal objection to the Development Application concerning the urban renewal project at 155 Mitchell Road, Erskineville, with specific reference to the proposed Blocks F, G, H, and I within the Ashmore Precinct.

As a resident of this community, I am deeply concerned by the scale, nature, and foreseeable negative impacts of this proposal. While I acknowledge the need for housing, this development represents a significant and damaging overreach—one that prioritizes excessive density and developer profit at the direct expense of the established character, liveability, and strained infrastructure of Erskineville.

This proposal is not a sensitive integration into our neighbourhood; it is an overwhelming and inappropriate escalation of scale that threatens to permanently degrade the unique atmosphere we value. I urge the Council to reject this application in its current form on the following grounds.

1. Excessive Height and Gross Overdevelopment Incompatible with Local Character

The proposal seeks to erect buildings of up to 11 storeys, a height that is fundamentally at odds with the established character of Erskineville. The developer’s own documentation concedes that the adjacent Sydney Park Village development has a **seven-storey** street wall height, and other neighbouring developments are even lower. The Sydney Development Control Plan (DCP) for the Ashmore Precinct itself specifies a character of buildings "up to 8 storeys."

The developer’s application for a Clause 4.6 variation to exceed these height controls by a staggering 30% cannot be justified. The claim that this is necessary for the provision of "affordable housing" is a thin veil for a development that maximizes floorspace at any cost. This excessive height will create a domineering and oppressive "canyon effect" along our streets, block sunlight to neighbouring homes and public spaces, and irrevocably damage the human scale of our community. It is a textbook example of overdevelopment that disregards the very context it claims to respect.

2. The Detrimental Impact of a Dominant Build-to-Rent Model

The proposal is proudly positioned as what "will be the largest build-to-rent investment in Australia to date." This model, particularly at this unprecedented scale, is a significant threat to the social fabric of Erskineville. Our suburb is defined by a strong sense of community, fostered by residents who have a long-term stake in the area.

A massive, transient rental population managed by a single corporate entity does not foster this same level of community investment. It risks creating a detached, temporary enclave rather than an integrated part of the neighbourhood. This model prioritizes rental yield for a corporate landlord over the stability and social cohesion that defines a thriving community. It actively undermines the "close-knit local community" the developer purports to value.

3. Failure to Provide Essential Community Infrastructure

The addition of over 1,000 new apartments—translating to several thousand new residents across the Ashmore precinct—imposes an immense strain on our already stretched local services. Yet, this proposal fails to deliver any meaningful social infrastructure to support this influx.

The developer highlights amenities such as private cinemas, music rooms, and rooftop pools. These are not public benefits; they are exclusive facilities for residents. The proposal does not include provisions for critically needed services such as:

- **Medical Facilities:** No new GP clinics or pharmacies are proposed.
- **Childcare Centres:** Essential for the hundreds of new families the development will attract.
- **Community Spaces:** True public spaces, not just private resident lounges.

To approve a development of this magnitude without a concurrent, legally binding plan for essential service delivery is irresponsible. It mortgages the future liveability of our suburb for the sake of development expediency.

4. Exacerbation of Traffic Congestion and Parking Scarcity

The Traffic and Parking Assessment reveals a plan that will inevitably lead to traffic chaos. The proposal includes just **262 parking spaces for 505 apartments** in Blocks G & H. This ratio of approximately 0.5 spaces per dwelling guarantees that hundreds of new vehicles will be forced to compete for the extremely limited on-street parking in the area.

This will not only frustrate existing residents but will also lead to increased traffic congestion on already busy roads like Mitchell Road, Coulson Street, and Hadfields Street as drivers circle the area searching for parking. Furthermore, the claim that proximity to public transport justifies this shortfall is flawed. Existing train and bus services are already operating at or near capacity during peak hours. Adding thousands of new commuters without a significant upgrade to these services will lead to overcrowding and a decline in service quality for everyone.

5. Unacceptable Noise and Amenity Impacts

The sheer density of this proposal, combined with its design, will create an unacceptable level of noise and disruption for neighbouring properties.

- **Operational Noise:** The inclusion of extensive rooftop communal areas, complete with swimming pools, BBQ facilities, and lounges, will generate significant noise from late-night social gatherings, directly overlooking adjacent homes.
- **Traffic and Servicing Noise:** The increase in residential traffic, along with frequent waste collection vehicles and delivery trucks servicing over 1,000 apartments and a supermarket, will create a constant source of noise pollution and disturbance. The submitted documents lack a comprehensive acoustic assessment that adequately addresses the long-term impact on the amenity of the surrounding residential area.

Conclusion: A Proposal that Takes from the Community, and Gives Little Back

This development application is not a balanced or reasonable proposal. It is an attempt to exploit planning loopholes for affordable housing to justify a development of a scale and density that is completely inappropriate for Erskineville.

The excessive height, the lack of critical infrastructure, the flawed build-to-rent model, and the inevitable traffic and noise issues will collectively degrade the quality of life for the existing community. The public "benefits" offered are trivial when weighed against the permanent negative impacts of such a monolithic and out-of-character development.

I strongly urge the Council to reject this application. It is imperative that any development on this site is

scaled back to respect the established character of Erskineville and is required to contribute meaningfully to the infrastructure our growing community desperately needs.

Best regards,

Kirill Kuznetsov

From: <[redacted]

Sent on: Sunday, June 29, 2025 4:09:15 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Development applications D/2025/405 & D/2025/448 situated 155 Mitchell Road, Erskineville. 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.

Dear Sir/Madam,

I wish to make the following comments in opposition to the above applications:

1. The proposed heights of the buildings are out of character with the historical nature of the area;
2. The increase in population will cause undue strain on local infrastructure and amenities;
3. The increase in the number of cars will exacerbate congestion on Mitchell Road;
4. the increase in population with less carparks provided in the development will create chaos for on street parking and this will adversely affect businesses on Mitchell Road. In any case residents in this development should not be issued any on street parking permits if the development itself is not providing adequate on site parking.

Yours faithfully,

[redacted]

From: Alison Bond <[redacted] on behalf of Alison Bond <[redacted] <Alison Bond <[redacted]

Sent on: Tuesday, July 1, 2025 11:52:54 AM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Peter Quigley <[redacted]

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: AB_PQ_Objection Letter_155 Mitchell Rd.pdf (86.2 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 General Manager,

Our unit is located on the ground floor with a livingroom and bedroom overlooking Mitchell Road. The proposed amendments would result in severe overshadowing, crowding, and overdevelopment, directly affecting the quality of life in the neighbourhood. Please find attached a list of concerns about the above submission.

Thank-You,

Alison Bond
Peter Quigley[redacted]
(Lot 1 300-322 Mitchell Road, Alexandria)

Alison Bond & Peter Quigley

Unit 1 /300-322 Mitchell Road
Alexandria NSW 2015

30th June 2025

City of Sydney
GPO Box 1591
Sydney NSW 2001

Re: Objection to Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I am writing to lodge a formal objection to Development Application **D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for **Blocks F, G, H, and I at 155 Mitchell Road**, Erskineville, NSW 2043.

Our unit is located on the ground floor with a livingroom and bedroom overlooking Mitchell Road. The proposed amendments would result in severe overshadowing, crowding, and overdevelopment, directly affecting the quality of life in the neighbourhood. We are concerned about the further loss of sunlight and privacy these changes would bring. While we understand that higher tower blocks are permitted, they have previously been set back from the street to reduce their impact; something that should remain in place.

We want to stress that we are not opposed to new developments. In fact, the buildings constructed between Maddox Street and Ashmore Street are a good example of what can be done well. They are of a reasonable height, visually appealing, and more appropriately integrated into the streetscape. They demonstrate that thoughtful design can contribute positively to the area without compromising the amenity of existing residents.

These are our current concerns.

Excessive Height and Loss of Sunlight

Exceeds height limits under the local LEP (Local Environmental Plan) or DCP

(Development Control Plan).

Overdevelopment of the site – does not align with existing or desired streetscape.

Loss of Heritage Transition and Local Character

Overdevelopment of the site – does not align with existing or desired streetscape.

Environmental Concerns

Loss of significant trees or habitat (especially if protected or home to wildlife).

Increased hard surfaces leading to stormwater runoff and flooding.

Insufficient landscaping or green space.

Traffic and Transport Impact

Increased traffic congestion in surrounding streets.

Inadequate on-site parking (leading to spillover into residential streets).

Insufficient loading/unloading or service vehicle space.

Amenity and Infrastructure Pressure

Noise from communal areas, mechanical equipment, car parks, or rooftop spaces.

Late-night activity in commercial/mixed-use developments.

Community Consultation and Transparency

Seems very sneaky to get permission to develop then to ramp up building heights. Stick to the agreed upon heights in good faith with the community.

No contribution to public domain (e.g., footpath widening, landscaping, plazas).

Loss of Privacy

Noise from communal areas, mechanical equipment, car parks, or rooftop spaces.

Late-night activity in commercial/mixed-use developments.

Non-Compliance with Planning Instruments

Fails to meet zoning objectives or controls under the LEP or DCP.

Misuse of exceptions or variations under SEPP 1 or Clause 4.6 (in NSW).

Requested Action

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.

I encourage the Council to thoughtfully evaluate the concerns raised by residents and to consider the long-term impacts of approving this development. I respectfully request that **Development Applications D/2025/448 and D/2015/966** be either rejected or substantially revised to address these issues.

Yours sincerely,

Alison Bond

Peter Quigley

From: Nick Summers <[redacted] on behalf of Nick Summers <[redacted] <Nick Summers <[redacted]
Sent on: Tuesday, July 1, 2025 12:49:20 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: cmoore@cityofsydney.nsw.gov.au; [redacted]
Subject: DA Submission: Objections to D/2025/448 and D/2025/405
Attachments: Mitchell Rd DA submissioon.pdf (39.87 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.

Attention
Development Approvals
City of Sydney Council
dasubmissions@cityofsydney.nsw.gov.au

From
Nicholas Summers
330 Mitchell Road
Alexandria NSW 2015
[redacted]

RE: Objections to D/2025/405 and D/2025/448

I am writing in relation to Development Applications D/2025/405 and D/2025/448, both of which concern the developments at 155 Mitchell Road, Alexandria NSW 2015. My property is at 330 Mitchell Road, directly opposite Building I.

I am not, in general, opposed to the development of the site. I am not fundamentally opposed to change, and I believe in and am supportive of the principles of affordable housing and build-to-rent.

However, I am very strongly opposed to the proposed amendments to the already-approved plans, which will add additional stories to Buildings I and F, and which will result in an irrevocable loss of comfort and conviviality for existing residents of the southern end of Mitchell Road.

Alexandria and Erskineville are renowned for being ‘village communities’. This fact is celebrated by the bright and cheerful hoardings currently surrounding the excavation taking place at the site. While ‘community’ might be a guiding principle for the space within the development envelope — and this is to be applauded — the monolithic structures under consideration do little to maintain a feeling of intimacy or congeniality outside that envelope.

I understand the need for affordable housing — but I also value balance, and these amendments clearly prioritise development over the needs and comfort of existing residents.

The enormous size and bulk of the new buildings is visually and psychologically oppressive, and I think that only someone who does not have to live across the road from them in the future would choose not to see that. This is of course subjective, but ‘architectural delight’ — which is very clearly a focus of the optimistically-worded descriptions contained within the DAs — is as subjective a concept as the comfort of the people most intimately affected by these amendments is an objective reality.

The perspective drawings and elevations reveal how massive these amended building heights will be in relation to the existing structures on Mitchell Road, which are all low- to medium-rise and which are, with only a couple of

exceptions, all residential. The sense of overshadowing will be immense and the loss of privacy inescapable.

The DA documents provide detailed reporting on the requirements for solar access for the new structures but do not account for their impact on existing buildings. The solar diagrams show definitively that the buildings along the southern end of Mitchell Road will lose their sunlight from about midday during the coldest months of the year. Not only will this overshadowing be oppressive, it is also likely to lead to increased heating costs for affected buildings.

I also have serious concerns about increased traffic flow and safety — for instance, the corner of Maddox Street and Mitchell Road desperately needs a set of pedestrian crossing lights — but trust that Council will attend to that.

I urge Council to reject the proposed changes on the grounds that they do not adequately address the needs of existing residents on the southern end of Mitchell Road and for the reasons given above.

At the very least, I believe any additional stories that are approved should be set back significantly from the leading edge of the envelope along a gradient that minimises both the visual impact compared to the surrounding environment and the severe impact of the loss of sunlight.

Sincerely,

Nicholas Summers
330 Mitchell Road, Alexandria, NSW 2015
[redacted]

Nick Summers
(ABN 453 437 157 29)
[redacted]
P.O. Box 901
Newtown NSW 2042
Australia

1 July 2025

Attention
Development Approvals
City of Sydney Council
dasubmissions@cityofsydney.nsw.gov.au

From
Nicholas Summers
330 Mitchell Road
Alexandria NSW 2015
0411 832 707

RE: Objections to D/2025/405 and D/2025/448

I am writing in relation to Development Applications D/2025/405 and D/2025/448, both of which concern the developments at 155 Mitchell Road, Alexandria NSW 2015. My property is at 330 Mitchell Road, directly opposite Building I.

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Alexandria and Erskineville are renowned for being ‘village communities’. This fact is celebrated by the bright and cheerful hoardings currently surrounding the excavation taking place at the site. While ‘community’ might be a guiding principle for the space within the development envelope — and this is to be applauded — the monolithic structures under consideration do little to maintain a feeling of intimacy or congeniality outside that envelope.

I understand the need for affordable housing - but I also value balance, and these amendments clearly prioritise development over the needs and comfort of existing residents.

The enormous size and bulk of the new buildings is visually and psychologically oppressive, and I think that only someone who does not have to live across the road from them in the future would choose not to see that. This is of course subjective, but 'architectural delight' — which is very clearly a focus of the optimistically-worded descriptions contained within the DAs — is as subjective a concept as the comfort of the people most intimately affected by these amendments is an objective reality.

The perspective drawings and elevations reveal how massive these amended building heights will be in relation to the existing structures on Mitchell Road, which are all low- to medium-rise and which are, with only a couple of exceptions, all residential. The sense of overshadowing will be immense and the loss of privacy inescapable.

The DA documents provide detailed reporting on the requirements for solar access for the new structures but do not account for their impact on existing buildings. The solar diagrams show definitively that the buildings along the southern end of Mitchell Road will lose their sunlight from about midday during the coldest months of the year. Not only will this overshadowing be oppressive, it is also likely to lead to increased heating costs for affected buildings.

I also have serious concerns about increased traffic flow and safety — for instance, the corner of Maddox Street and Mitchell Road desperately needs a set of pedestrian crossing lights - but trust that Council will attend to that.

I urge Council to reject the proposed changes on the grounds that they do not adequately address the needs of existing residents on the southern end of Mitchell Road and for the reasons given above.

At the very least, I believe any additional stories that are approved should be set back significantly from the leading edge of the envelope along a gradient that minimises both the visual impact compared to the surrounding environment and the severe impact of the loss of sunlight.

Sincerely,

Nicholas Summers
330 Mitchell Road, Alexandria, NSW 2015



From: Bradley Bishop <[redacted] on behalf of Bradley Bishop <[redacted] <Bradley Bishop <[redacted]

Sent on: Tuesday, July 1, 2025 12:19:09 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/405 & D/2025/448 - 155 Mitchell Road 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.

To: Development Assessments Team

City of Sydney Council

RE: Objection to Development Applications D/2025/405 and D/2025/448 – Erskineville Ashmore Precinct Blocks F, G, H & I

Date: 1st July 2025

Dear Assessors,

I am writing to formally object to the proposed modifications outlined in the above development applications for the Ashmore Precinct (Blocks F, G, H & I), Erskineville.

While I support appropriate development that enhances community wellbeing, I believe the scale and intensity of the proposed modifications are inconsistent with sound urban planning principles and pose a threat to the character, infrastructure, and liveability of Erskineville.

1. Excessive Building Heights and Bulk

The proposed increase in building heights—up to 11 storeys for some blocks—is a 43% uplift from the original controls and is fundamentally at odds with the low-rise, heritage-influenced character of Erskineville. This fails the planning principle articulated in *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*, where the Court noted that compatibility requires "not sameness" but "a respectful response" to the surrounding built form. In this case, the proposal overwhelms, rather than respects, the existing built environment.

Moreover, the City of Sydney's Local Environmental Plan (LEP) 2012 and Erskineville Planning Strategy have consistently emphasised the importance of human-scaled development and preservation of character precincts. Allowing this scale of uplift undermines the strategic vision for the area.

2. Overshadowing and Loss of Amenity

Increased building heights will result in substantial overshadowing of adjacent public and private open spaces, leading to a loss of natural light and diminished outdoor amenity. In*Veloshin v Randwick Council [2007] NSWLEC 428*, the Court highlighted that solar access to both existing and future residents must be "reasonable and equitable." This DA modification fails that test.

3. Strain on Local Infrastructure, Especially Schools and Roads

No clear infrastructure plan accompanies this intensification. Local schools such as Erskineville Public and Newtown High are already nearing or at capacity. The NSW Department of Planning's Principles for Greater Sydney state that "infrastructure must be planned concurrently with growth."

Additionally, the proposed reduction in on-site parking will lead to further congestion in an already pressured street network, contrary to the principles in*Stockland Development Pty Ltd v Manly Council [2004] NSWLEC 472*, where cumulative traffic and parking impacts were deemed unacceptable in the absence of mitigation measures.

4. Erosion of Community Character and Cohesion

The likely build-to-rent nature of the development fosters transient tenancy, potentially reducing long-term community investment. The Court in*Gordon v Warringah Council [2010] NSWLEC 1025* noted that social impacts, including a reduction in community cohesion, must be considered under s4.15(1)(b) of the Environmental Planning and Assessment Act 1979 (NSW) ("EP&A Act").

5. Inconsistency with Design Excellence Provisions

While the DA cites design excellence as justification for height bonuses, the proposal does not demonstrate an exceptional architectural outcome as required under Clause 6.21 of the LEP 2012. There is limited evidence of superior environmental, urban or social design that would warrant such a significant breach of planning controls.

6. Breach of Public Expectation and Procedural Fairness

Residents have participated in earlier planning processes in good faith, relying on the original planning controls. Substantially modifying these controls erodes public trust and contravenes the principle of legitimate expectation, which the Court has upheld in decisions such as *Terrace Tower Holdings Pty Ltd v Sutherland Shire Council [2003] NSWLEC 201*.

Conclusion

For the reasons above, I strongly object to Development Applications D/2025/405 and D/2025/448 and urge Council to refuse them in their current form. A more moderate, human-scaled approach that aligns with the LEP, respects community input, and integrates with infrastructure capacity would be more appropriate.

Yours sincerely,

Bradley Bishop

177-219 Mitchell Road, Erskineville

From: Jeremy Austen <[redacted] on behalf of Jeremy Austen <[redacted] <Jeremy Austen <[redacted]
Sent on: Tuesday, July 1, 2025 10:39:23 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention
Attachments: D2025448_CoS_Ashmore_JAusten_250107.pdf (606.45 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 Michael

Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043

Please find attached a response to the above submission.

Regards,

Jeremy

Jeremy Austen
361 Belmont Street
Alexandria NSW 2015
T [redacted]
M [redacted]

1 July 2025

Jeremy Austen
a 361 Belmont Street Alexandria NSW 2015
e [redacted]
t [redacted]

City of Sydney
Town Hall House
456 Kent Street
Sydney
NSW 2000

Coronation Property
Response to Ammending Concept Development Application to amend the Concept Consent (D/2015/966)
Ref no: D/2025/488
Site: 155 Mitchell Road, Erskineville NSW 2043

Buildings F and I, and Buildings G and H

I am writing in opposition to the proposed changes by Coronation Property to the previous Concept Consent (D/2015/966).
My reasons are as follows:

1 They contradict previous proposals for the precinct

The proposed increases in envelope compared to original plans in the *Sydney Development Control Plan* (DCP) 2012 (see Figure 1), are as follows:

Building F – from a four/six-story to an eleven-storey building

Building I – from a five/six-storey to a nine-storey building

Building G – from a five/eight-storey to a seven/eleven-storey building

Building H – from a six/seven-storey to a six/ten-storey building

In some instances, that's double the size, which is unacceptable.



Figure 1
Source: *Urbis, Statement of Modification v2, 57 Ashmore Street, Erskineville*

2 There is no justification offered for the increased sizes

These increases are unexplained. Previously, GH Properties had varied their proposal for buildings B and C to include one extra storey, based on the questionable justification that they had been blocked from removing the trees on the corner Mitchell Road and Ashmore Street as justification for this (note: the land these trees are on is public space and includes a heritage listed electrical substation, so should never have been included in the development in the first place, especially given the age and the beauty of the trees, the relevance of the substation and the City of Sydney's policies regarding tree removal and heritage).

But there seems to be no explanation or justification for the more extreme increase in scale of this new proposal for Buildings F and I and Buildings G and H. One can only assume that it must be developer profits driving this.

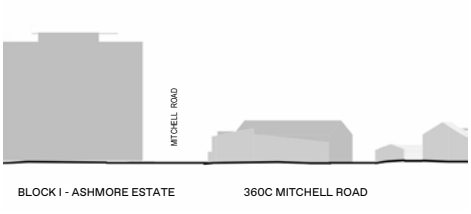


Figure 2
Source: BVN Development Application Site Elevations, AR-00-10A-XX-03, 02/05/20225

3 They are incompatible with The Cooper Estate Conservation Area

Buildings F and I are directly adjacent to this heritage area which starts on Mitchell Road (including the road itself) and includes Belmont Street, of which I am a resident, and Lawrence Street to the south east of this. Buildings in this area are predominantly one and two storeys high, with a few of three or four storeys, as identified in your Statement of Heritage Impact for the precinct. According to your *Sydney Local Environmental Plan* (LEP) 2012 and the *Sydney Development Control Plan* (DCP) 2012, these streets have an FSR of 2:1 and 1.25:1.

A nine storey and an eleven storey building directly opposite here would be a degradation of the quality of the area and not in the public interest. It would be visually incompatible, have too much height and bulk and would cast shadows onto buildings on the south east side of Mitchell Road and beyond, issues that were noted as community concerns in City of Sydney's *Ashmore Update: Urban Design*.

The close proximity of buildings F and I would be detrimental to the Conservation area as it visually encroaches on it to an unacceptable level (see Figure 2).



Figure 3
Source: Bates Smart, *S12794 Ashmore Estate Buildings F&I, Architectural Drawings, 155 Mitchell Road, Erskineville 2043*

4 They are detrimental to neighbouring properties

The shadow diagrams show that, even though our house is half a block away from Buildings F and I, they will still cast a shadow over our houses and rear gardens in Belmont Street to an unacceptable degree (see Figure 3). There will also be an unprecedented loss of privacy due to these buildings overlooking our houses.

5 They contradict City of Sydney's vision for the precinct

Erskineville and north Alexandria are areas of small terraced houses and it has been recognised by City of Sydney that there should be a transition between these heritage areas and the new higher buildings in the Ashmore precinct, as stated in your original *Planning for the Ashmore precinct* web page:

> *'The Sydney DCP outlines the vision for Ashmore. It will be a mainly residential area within the suburb of Erskineville. Terraces, townhouses and apartments will be fronted by tree-lined streets ...'*
>
> *'We want sustainable and responsible development that meets the needs of a growing population but respects and protects the character of surrounding suburbs.'*
>
> *'The review recommended Ashmore precinct should incorporate a variety of building types and heights, reduce the impact of building at street level and provide designated open space. As a result,the planning controls have a predominant building height of five and six storeys, lower building heights near conservation areas...'*

This ethos is reflected in the Ashmore precinct in the new row of terraced houses in Metters Street, built adjacent to the back of terraced cottages and houses in Ashmore Street. Given the similar proximity to terraced houses, why hasn't this ethos been applied to buildings F and I.

The other buildings in the Ashmore precinct on Mitchell Road (buildings A and B) are only three to four storeys high, suggesting there has been a consideration for adjacent building heights there. Therefore, what is the justification for a proposal for nine storeys for building I and eleven storeys for Building F which is opposite the same kind of low level buildings?

The only higher buildings on Mitchell Road are six to ten storeys in Sydney Park Village, but these are not directly opposite the conservation area and shouldn't be used as a precedent. Indeed, the Sydney Park Village buildings that are adjacent to the conservation area, at the end of Belmont Street, are respectfully only two storeys in height. The more recently built Arkadia building is only six storeys high and, being at the end of the road, has less visual impact on neighbouring properties. These should be considered as being appropriate precedents to base the proposal for buildings F and I on.

6 They contradict City of Sydney's planning guidelines for the precinct

According to your *Sydney Development Control Plan* (DCP) 2012, the FSR for the area of Ashmore Estate containing buidings F and I is 1.75:1 (see Figure 4). Do these buildings really still fit within this constraint?

7 They are detrimental to public amenity

These will be the largest buildings in the area. The scale, both in height and width, of Buildings F and I will create a terrible wind tunnel effect along Mitchell Road. It's one thing to have a tall building, but to have a tall and wide building is another. It creates an unpleasant wall of building which will significantly change the nature of an otherwise low to medium rise area.

These buildings 'turn their backs' on Mitchell Road, offering no sense of street community, unlike the houses on the opposite side of the road.

8 They add nothing new to public amenity

They will add nothing to public amenity which isn't already there. There is already a supermarket within the precinct and another within walking distance. The fact that another is proposed, only goes to show how poor the planning is for this precinct – if it had been planned properly there would have been one decent-sized supermarket rather than two small ones.

Sydney Park Village has a piazza on the corner of Mitchell and Coulson roads, which offers a spece for placemaking and community interaction, with a cafe, a restaurant and a shop. There is a missed opportunity to extend this community piazza space onto the opposite corner where Building I is.

In summary, I strongly oppose the proposed Ammended Concept Development Application for the Ashmore Estate Buildings F and I and Buildings G and H and recommend restricting the size of buildings in this location to that outlined in City of Sydney's own Development Control Plan.

I look forward to your response.

Regards,

Jeremy Austen

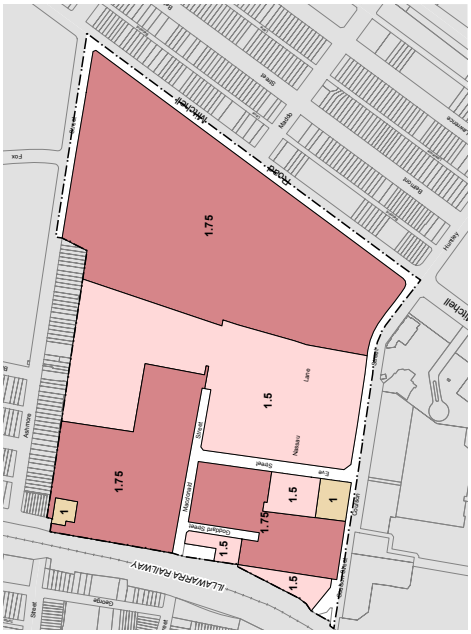


Figure 4
Source: *Draft Amendment – South Sydney Development, Control Plan Amendment: Urban Design 1997 – Part G, Ashmore Precinct*

From: Joanna Dempsey <[redacted] on behalf of Joanna Dempsey <[redacted] <Joanna Dempsey <[redacted]

Sent on: Monday, June 30, 2025 8:13:32 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention

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.

What a disaster to this area!!..this will ruin the village feel and heritage feel to the area ..another corrupt development being aloud!!...What an ugly design and under thought development!!

Get Outlook for Android

From: Farzad Jazayeri <[redacted] on behalf of Farzad Jazayeri <[redacted] <Farzad Jazayeri <[redacted]

Sent on: Tuesday, July 1, 2025 2:17:41 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention

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,

Subject: Strong Objection to Development Application D/2025/448 – 155 Mitchell Road, Erskineville NSW 2043

I am writing to express my strong objection to the proposed changes in Development Application D/2025/448, which seeks to increase the building height and number of units under a build-to-rent model at 155 Mitchell Road, Erskineville.

The proposed increase in density will significantly and negatively impact the character and liveability of the local area. Erskineville is already experiencing the effects of overdevelopment, with mounting pressure on local infrastructure and public amenities. Adding more residential units will only exacerbate these existing issues.

My specific concerns include the following:

1. **Overcrowding and Density:**
   The proposed increase will result in excessive population density, which is inconsistent with the current character of Erskineville. This threatens to erode the community's unique village atmosphere and liveability.

2. **Public Infrastructure Strain:**
   Local schools are already operating at or near full capacity, and both train and bus services are frequently overcrowded during peak hours. Increasing the number of residents will place unsustainable pressure on these already stretched public services.

3. **Traffic Congestion and Parking Issues:**
   The area's roads are already congested, particularly during peak periods. There is insufficient parking to meet current demand, and increasing the number of dwellings without appropriate parking provisions will worsen this issue, contributing to traffic congestion and safety concerns for both motorists and pedestrians.

4. **Loss of Amenity and Environmental Impact:**
   Taller buildings will lead to overshadowing, loss of privacy, and reduced sunlight for neighbouring properties. Additionally, the proposed increase in units will likely contribute to increased noise and reduced open green space, further affecting the area's residential amenity.

While I support thoughtful and sustainable development, this proposal is excessive and does not align with the capacity or character of Erskineville. I urge the responsible authorities to reject the proposed amendment and instead consider developments that respect the local context, infrastructure limitations, and the wellbeing of existing residents.

Thank you for the opportunity to provide this submission. I trust that community concerns such as mine will be given serious consideration.

Sincerely,

Dr Farzad Jazayeri
Unit 16104 Number 177 Mitchell Road Erkineville

[redacted]

[redacted]

1/7/2025

From: [redacted] <[redacted] on behalf of [redacted] <[redacted]

Sent on: Wednesday, July 2, 2025 10:30:59 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/405 & D/2025/448 - 155 Mitchell Road 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.

Dear City of Sydney,

I'm writing as a committed member of the Erskineville community to express my strong opposition to the proposed development, particularly the inclusion of levels 7 through 11.

Erskineville is known for its village atmosphere, community spirit, and heritage streetscapes — qualities that are increasingly rare in inner-city Sydney. The proposed height of this development is out of step with the suburb's existing scale and threatens to dramatically alter its character. There is a real risk of Erskineville heading in the direction of overdevelopment seen in areas like Mascot, where high-rise buildings have come at the expense of livability and identity.

Beyond the visual and cultural impact, a development of this scale would place additional strain on local infrastructure — including public transport, green spaces, and essential services — all of which are already under pressure. Parking is also a serious concern, with limited street availability in Erskineville. Adding a high-density building without adequate off-street parking would only worsen congestion and reduce the everyday livability of the area for both residents and visitors.

Furthermore, I do not believe that adding further levels to this development will have any meaningful or positive impact on housing affordability. Increasing height does not guarantee affordability — and in this case, it appears to serve the interests of developers rather than meeting the needs of the local community. True affordability requires thoughtful planning, not simply building upwards.

I respectfully urge the Council to reject the proposed height and scale of this development. Growth must be balanced with responsibility — not driven by developer interests at the expense of community wellbeing. Erskineville deserves planning decisions that protect its unique character and genuinely serve the people who live here.

Thank you for your attention to this matter.

Kind regards,

[redacted]

P.s. Please redact my personal details - I do not want my email and name published

From: Melinda Futcher <MFutcher@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Wednesday, July 2, 2025 1:03:17 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Kim Diep <
Sent: Wednesday, 2 July 2025 10:35 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Hello,

Regarding this DA modification to increase the height and dwellings. I am a resident of the adjacent apartment block and I object to this modification based on the following reasons:

1. Overshadowing and obstruction of views to the neighbouring buildings 2. The built character of this proposal juxtaposes with the councils zoning. And height restrictions to this site 3. Increased congestion to the surrounding context 4. Reduces the value of neighbouring properties 5. Increases affordability to the overall housing market affecting everyday battlers.

Regards

From: Fabian Foo <[redacted] on behalf of Fabian Foo <[redacted] <Fabian Foo <[redacted]

Sent on: Tuesday, July 1, 2025 4:40:16 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention

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 CoS

Building heights

Coronation Property's request to increase building heights should be completely and unequivocally rejected. The requested heights are out of line with the rest of the Ashmore precinct and Erskineville in general. Furthermore the overshadowing and additional traffic congestion cannot be mitigated.

Apartment mix

The proposed apartment mix should accommodate more three and four bedroom apartments to cater to families. More one and two bed apartments will not solve the housing crisis. The fall in enrolments at Erskineville Public School show that families are fleeing the area.

thank you

Fabian Foo

From: Marjorie Farrow <[redacted] on behalf of Marjorie Farrow <[redacted] <Marjorie Farrow <[redacted]

Sent on: Wednesday, July 2, 2025 5:21:31 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: City Of Sydney.docx (16.89 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 letter regarding this development with noted objections.
Marjorie Farrow

Marjorie Dawn Farrow
Unit 28 / 300 Mitchell Road
Alexandria NSW 2015

1st July I 2025

City of Sydney
GPO Box 1591
Sydney NSW 2001

Re: Objection to Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I am writing to lodge a formal objection to Development Application **D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for **Blocks F, G, H, and I at 155 Mitchell Road**, Erskineville, NSW 2043.

---

1. Excessive Height and Loss of Sunlight

This development exceeds height limits under the local Environmental Plan or the Development Control Plan so why would this be approved?

It also seems to not be in line with other building in the local area.

My unit facing Mitchell Road and it would also loose its sun and that is a feature and amenity that make the unit a pleasant home to enjoy.

---

2. Loss of Heritage Transition and Local Character

Alexandria has become a great precinct for people to live with the great mix of existing and other low rise buildings particularly in the this region of Mitchell Road and this large development would be not be totally out of the character of the area..

---

3. Traffic and Transport Impact

It is already high density for parking and a development of this size would only increase the traffic problem in the area given there seems to be in adequate on site parking.

---

4. Amenity and Infrastructure Pressure

Construction has been known to cause significant movement resulting in surrounding buildings being damaged.

Commercial activity late night will also disrupt normal sleeping for nearby residences.

Roof top activities also will result in noise spreading.

---

5. Community Consultation and Transparency

There is a community feeling that has been created in Alexandria and having my unit located in this region I would not have though such a large project would be as progressed without significant community consolation.

---

6. Loss of Privacy

Such a development with the height will certainly mean significant loss of privacy for existing

units built to a more reasonable height in keeping with the area..

Requested Action

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.
- **Have greater interaction with surrounding residents.**
- I encourage the Council to thoughtfully evaluate the concerns raised by residents and to consider the long-term impacts of approving this development. I respectfully request that **Development Applications D/2025/448 and D/2015/966** be either rejected or substantially revised to address these issues.

Yours sincerely,

Marjorie Farrow

From: eileen Hayse <[redacted] on behalf of eileen Hayse <[redacted] <eileen Hayse <[redacted]
Sent on: Wednesday, July 2, 2025 7:12:18 PM
To: dasubmissions@cityofsydney.nsw.gov.au; Terry Griffiths <[redacted]
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

I reside at 7705/177 Mitchell Rd Erskineville and object to the extra building heights proposed for this development for the following reasons:

- The building heights of the original proposal were already too high. The extra heights of 2 to 4 stories for several buildings will mean an extra several thousand people will move into Erskineville putting a severe strain on existing resources including schools, public transport, child care centres, health centres (try getting an appointment at Erskineville Doctors), car parks and shopping facilities.
- The extra vehicles will mean the current traffic nightmare on Mitchell Road will turn into a daily gridlock for thousands of motorists. Side roads will become "rat runs" and parking for existing locals and visitors will become near impossible.
- The new heights will be out of character with the surrounding suburb (much of which is still 19th and early 20th Century terrace housing), changing the charming character of the suburb. Please don't turn it into a mini Manhattan!
- The new heights will obstruct existing views and increase overshadowing, reducing natural light and outdoor spaces.

Enough is enough! Erskineville is already doing more than its fair share in developing high and medium density housing. It is a fantastic suburb that has in the last 25 years undergone a reasonably successful transition from semi industrial to almost fully residential.

This is a step too far. Please don't spoil our gem of a suburb.

Regards,

Terry Griffiths (Erko resident of 42 years)
[redacted]

From: [redacted] < [redacted] on behalf of [redacted]

Sent on: Wednesday, July 2, 2025 3:19:50 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 and D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Urgent: High

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.

D/2025/448 and D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

Dear Michael Stephens,
Im [redacted].
I strongly appose the revised plans to increase the number of apartments.

- These towers will cause severe overshadowing to my house where I grow vegetables and hang my clothes to dry.
- These apartments will look into my backyard.
- What an eye sore for the neighbourhood.
- The area is already overcrowded with insufficient parking on the streets for residents , visitors and even people going to Sydney Park.
- Traffic congestion in our local streets and lanes is appalling.
- Bus services and train services are inadequate to travel to the city.
- Hospitals and medical centres are all struggling with current population difficult to get an appointment.
- Local schools like Erskineville Public have been overcrowded for years resorting to composite classes with the huge influx of new residents resulting in poor learning outcomes for the young children.
- We have lousy grocery options with the very expensive and poor selections Woolworths Metro monopoly in Alexandria / Erskineville area.
- The development proposal only addresses more profits for Coronation and not a quality design to address the community's needs.

  This development proposal will severely devalue surrounding properties. Sydney Council needs to protect the residents from this poor design and attempt to just profit at the cost of existing residents.

Please do not publicly display my name or address.

Many Thanks,

[redacted]

From: Ombeline Even <[redacted] on behalf of Ombeline Even <ombeline-even@hotmail.fr> <Ombeline Even <[redacted]

Sent on: Wednesday, July 2, 2025 8:03:43 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Dear Michael,

I am writing to you regarding the submission for D/2025/448 - 155 Mitchell Road NSW 2043.

Living in the neighbourhood, I am deeply concerned by the proposed height of the buildings and the pressure these additional homes will put on the existing infrastructures, noting the significant current development and growth of Green Square.

After reviewing the proposal, I have several concerns that I believe warrant serious consideration before any approval is granted.

1. Height and Overshadowing

The proposed development seeks to increase the building height beyond what is permissible under current planning controls. This not only contravenes established guidelines but also threatens to overshadow Fig Street Park and Wentworth Park, diminishing public amenity and affecting the enjoyment of these spaces by residents and visitors alike.

2. Heritage Impact

The development's scale and design appear incompatible with the surrounding heritage context. The potential for adverse impacts on the character and significance of nearby heritage-listed sites has not been adequately addressed, raising concerns about the preservation of the area's historical integrity.

3. Design Excellence

The proposal lacks the design excellence expected for developments in this precinct. The architectural response does not demonstrate a high standard of design quality, which is essential to maintain the aesthetic and functional values of the area.

4. Traffic and Public Transport Strain

The anticipated increase in resident and visitor numbers could exacerbate existing traffic congestion and place additional pressure on public transport services. The development does not appear to include sufficient measures to mitigate these impacts, potentially leading to reduced accessibility and increased travel times for the community.

5. Environmental and Social Amenity

The proposal may lead to increased wind effects, reduced natural light, and potential loss of privacy for neighboring properties. These factors could significantly diminish the quality of life for existing residents and are not adequately addressed in the application.

In light of these concerns, I respectfully urge the Council to reject this development application or, at the very least, require substantial modifications to ensure it aligns with the community's best interests and complies with all relevant planning controls.

Thank you for considering my objections. I look forward to your response and to participating in any future

consultations regarding this matter.

Kind regards,

Ombeline Even

18 Huntley street, Alexandria NSW 2015

From: Peter Gibbs <[redacted] on behalf of Peter Gibbs <[redacted] <Peter Gibbs <[redacted]

Sent on: Wednesday, July 2, 2025 4:08:06 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

To whom it may concern,

I strongly appose the increased size of this project.

Parking & public transport is already at limit.

Traffic in the area is already bad and will only get worse.

We have lived on Mitchell Rd for 17 years and have raised our children here, this new project will completely block the afternoon sun to our property.

Please don’t let this project proceed.

Thank you.

Pete Gibbs
[redacted]

From: [redacted] on behalf of [redacted]
[redacted] <[redacted]

Sent on: Wednesday, July 2, 2025 10:53:56 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Objection to Development Application D/2025/448 at 155 Mitchell Road, Erskineville

Attachments: Objection to Development Application (1).pdf (56.66 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.

Attention: Mr Michael Stephens,

I attach my letter of objection to Development Application D/2025/448.

Please ensure my personal details (set out in the header of the letter, top right hand corner) are concealed from public disclosure.

If you would like to contact me in relation to this objection, please feel free to contact me at this email address.

Regards
[redacted]

2 July 2025

Michael Stephens
City of Sydney Council
PO Box 1591
SYDNEY NSW 2001

Objection to Development Application D/2025/448 at 155 Mitchell Road, Erskineville

Dear Mr. Stephens,

I am writing to formally object to Development Application D/2025/448 for the property at 155 Mitchell Road, Erskineville, NSW 2043. While I acknowledge the intention behind the development to increase housing supply, I have significant concerns about the proposed amendments, which I believe will negatively impact the local community and infrastructure. Below are the key reasons for my objection:

1. Strain on Local Infrastructure and Services

Erskineville is already facing significant pressure on its local infrastructure, and the proposed development will exacerbate these challenges.

- **Local Public School**: The public school serving this catchment area is small and already under significant strain. There is limited playground space, and facilities are insufficient to accommodate the growing number of students. The proposed increase in local population will only add to these pressures, potentially affecting the quality of education and well-being of students.
- **Childcare and Health Services**: There is already a significant shortage of childcare spaces in the area, with long waiting lists for existing facilities. Similarly, the local healthcare system, including doctors, is already overwhelmed, with long wait times for appointments. The development will add to the demand for these services, potentially making it even more difficult for existing residents to access basic amenities.
- **Playgrounds and Recreation**: The proposed development does not address the clear need for more public open space and playgrounds, especially for families with children. With an increase in residents, particularly families living in spaces without individual yards, the lack of adequate recreational spaces will be felt even more acutely.

2. Excessive Height and Impact on Local Amenity

The proposed height of the buildings is excessive and out of character for the suburb of Erskineville. This will have several detrimental effects on the local area:

- **Visual Impact and Character of the Area**: Erskineville is a low-rise, residential neighborhood with a strong sense of community. The proposed height is out of scale with the surrounding buildings and will create an eyesore that disrupts the overall aesthetic of the area. The development will also block existing views and reduce the open space that defines the character of this part of Erskineville.
- **Excessive Shadows and Loss of Natural Light**: One of the major concerns is the impact of the height on neighbouring properties. The excessive building height will cast long shadows, particularly on properties to the south and west, which will reduce natural light for existing residents. This is not only an aesthetic concern but will also reduce the livability of homes in the surrounding area.

3. Traffic Congestion and Parking Issues

The local road network in Erskineville is already struggling with congestion, and the narrow streets cannot accommodate the level of additional traffic that the proposed development will generate. Furthermore, there is no provision for sufficient street parking in the area:

- **Narrow Streets and Traffic Congestion**: The streets surrounding the proposed development are narrow and often congested, especially during peak hours. The addition of a large number of residential apartments will lead to even greater congestion, making it more difficult for residents to move around the area, and potentially creating unsafe conditions for pedestrians and cyclists.
- **Lack of Parking**: There is already a shortage of parking spaces in the local area, and this development will exacerbate the situation. With limited off-street parking, residents and visitors will be forced to park in already overcrowded streets, leading to further issues with parking availability and road safety.

4. Development Size and Scope

Given the scale of the proposed changes to the development—specifically, the amendments to the building envelopes, the conversion to Build-to-Rent, and the provision of affordable housing—it is my view that the proposed amendments should not be considered as a simple variation to the original Concept Development Application. The changes are substantial and will have a significant impact on the local area in terms of infrastructure, amenity, and character.

As such, these amendments should be treated as a new development application rather than a variation of the existing consent. This will allow for more detailed assessment, adequate community consultation, and a more thorough consideration of the impacts of such a large-scale development on Erskineville.

Conclusion

While I understand the need to provide more housing and affordable options, this proposed development is not well-suited to the existing context of Erskineville. The combination of excessive height, strain on local infrastructure, and potential negative impacts on the community and environment makes it difficult to support in its current form. I urge the City of Sydney Council to reconsider the proposed amendments, particularly with respect to height, infrastructure planning, and community impact.

I would also request that the council reconsider the scale of the project to ensure that it aligns with the needs of the local community, and that there is sufficient provision for vital infrastructure and services such as education, healthcare, and recreation.

Thank you for considering my objection. I look forward to hearing from you regarding the outcome of this application.

Sincerely,



From: [redacted] < [redacted] on behalf of [redacted]
< [redacted] < [redacted]
Sent on: Wednesday, July 2, 2025 4:09:10 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Comments on Proposals D/2025/405 + D/2025/448
Attachments: D Maher response to Development 155 Mitchell Rd Alexandria.docx (18.9 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.

Sydney City Council,

Please see attached information as a response to Council for the above Development Application's.
Please keep all my corresponding information private,

Kind regards,

[redacted]

1 July 2025

City of Sydney
Feeback to Proposed Development
Applicant Name: Coronation Property Co Pty Ltd
Reference Number: D2025/405 + D2025/448
Proposed Development: Detailed Development Application related to Amending Concept Application (D/2025/448) for buildings F & I storey mixed use development including Build-to-Rent (BTR) apartments with ground floor supermarket and retail (building F), over two levels of shared basement, and for buildings G & H, comprising a 6-11 storey residential development including BTR apartments (building G) and affordable housing (building H), over two levels or shared basement and landscaping. The application is integrated development requiring an approval from Water NSW under the Water management Act 2000.
Proposed Development: Amending Concept Development Application to amend the Concept Consent (D/2015/966) relating to buildings F & I and G & H only, to convert the residential component to Build-to-Rent and to provide affordable housing and modify building envelopes.

Please ensure all my personal information, including my name, address, phone number, and email address, is kept strictly confidential.

Executive Summary of Objections
This submission strongly objects to the amended development application (D/2025/448) for Buildings F – I. The proposal, which seeks to increase height, alter building envelopes, introduce Build-to-Rent (BTR) and affordable housing, and add supermarket/retail space, high-rise, commercialised presence onto a quiet, low rise, heritage-listed precinct and risks long-term community, environmental and urban design damage. The amendments not only violates the original Concept Consent (D/2015/966) but seeks to exploit it, transforming the vision into a fortress-like compound that directly conflicts with Sydney City Council's stated goals for heritage integration, environmental responsiveness and urban wellbeing.

Expanded and Specific Grounds for Objection

Architectural Incompatibility and Overdevelopment – The built form lacks transition and modulation, imposing a bulky and alien presence. It disregards the rhythm, materials and articulation of neighbouring heritage structures. The scale and massing constitute overdevelopment, far exceeding the precinct's intended capacity. The project stretches two blocks in length, with one small road relief, however creating two unbroken walls of concrete massing and removing all visual diversity or human-scale relief. It is also inconsistent with the development along Mitchell Road from Henderson Street to Sydney Road.

Overshadowing and Loss of Solar Access – Winter overshadowing will significantly reduce sunlight to neighbouring dwellings. The building's unbroken height ignores solar impact modelling and climate-sensitive design. Extended shadowing impacts both private and public amenity zones.

Loss of Airflow, Ventilation and Microclimate Disruption – Narrow street canyons and tall facades will generate wind tunnels. The loss of cross-ventilation across the site and neighbouring properties will increase thermal discomfort. Reduced vegetation and hard-surfacing undermine passive cooling and natural climate control.

Traffic, Road Safety and Parking Pressure – Ground floor supermarket and increased density will overburden roads and intersections. Delivery trucks and commercial traffic will pose risks in a residential setting. On street parking scarcity will escalate, disadvantaging current residents. Existing infrastructure is not equipped to accommodate the traffic load of both Build-to-Rent and commercial components.

Amenity Impacts and Joy of Living – Loss of views, light, air and space diminishes the everyday quality of life. Long-term residents will suffer ongoing noise, crowding and reduced sense of place. Aesthetic

enjoyment and neighbourhood feel will be degraded. This proposal undermines not just space but the psychological and emotional connection to place.

TOD SEPP – I am concerned that the proposed development, which is significantly larger than the original submission in 2015, may not align with the objectives of the TOD SEPP. Even if it meets those requirements, I believe that this building is extremely excessive and incongruent with the neighbourhood and will have negative impacts on our community.

Acoustic Impacts – continuous use, multiple tenancies and commercial loading will result in 24 hour noise. Quiet enjoyment of neighbouring homes and units will be undermined.

Green Infrastructure Neglected – Minimal planting or tree canopy; no real biodiversity or cooling contribution is provided. Rooftop 'green spaces' are tokenistic and not publicly accessible. The proposed built form removes all meaningful opportunity for urban tree canopy, thermal regulation or ecological contribution to this local environment and area.

Visual Softening Ignored – No integration of setbacks, screen planting or façade relief. Solid block form replaces architectural diversity with harsh uniformity. The development actively removes the layered character of the precinct and replaces it with bulk monotony.

Heritage Disrespect and Precedent Risk – Dwarf's the adjacent heritage-listed precinct. Creates permanent visual dissonance with low-scale, historic buildings. Approving this would set a precedent that endangers the character streets across Sydney City area.

International Best Practice Contradicted – Amsterdam (Jordaan 2021) – A similar high-rise proposal was rejected for undermining heritage concerns, liveability and streetscape integrity by restricting scale and height of the development. London (Shoreditch & Bloomsbury) – Tower proposals scaled back to respect established low-rise areas. Vancouver (Gastown) – Development capped to preserve urban heritage views.
International planning precedents such as the above demonstrates that global cities facing development pressure are successfully preserving local heritage, scale and community function. These examples re not legal templates but reflect shared planning principles with our own LEP, that height must respect context and that heritage and human scale are not dispensable for speculative gain.

Monolithic Structure Effect – The proposal reads as two concrete walls spanning nearly a quarter of Mitchell Road. Its sheer bulk, height and uninterrupted massing are in stark contrast to the finely grained, human-scale buildings opposite that define the existing area. This structure offers no permeability, no relief in form, no visible effort to respect view corridors or rhythm of neighbouring facades. It is a jarring visual and emotional disruption to the people who already live here, who experience this neighbourhood daily as one of openness, heritage and community. There is no genuine transition in materiality or design. From the footpath, the proposal presents as an imposing, fortification-like structure – antithetical to urban design principles that support integration and community.

Failure to Provide for Existing Amenity – This proposal appears to have been designed only for incoming occupants and not for the people who already live here. It fails to respect the community's rhythm of life, quiet enjoyment and the cultural texture of the area.
Build-to-Rent Risks – High turnover, low integration, minimal long-term responsibility
Affordable Housing Misused – Used to justify inappropriate bulk and intensity; true social housing requires place-based design.
Retail Incursion – Commercial loading and customer traffic conflict with neighbourhood rhythm and scale
Flood Risk – Development triggers Water NSW approval due to hydrological sensitivity. With two-level basements and extensive landscape, the site is highly vulnerable to runoff and groundwater impacts.

In Conclusion
This development represents significant overdevelopment and erodes solar access, privacy, thermal comfort, liveability and infrastructure balance. It disregards the human, historical and environmental threads that make this neighbourhood liveable. Growth must be woven into context, not forced upon it. The community deserves a design that listens, adapts and softens, not one that walls itself off in concrete and height.

I respectfully urge Sydney City Council to reject the application.



From: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Thursday, July 3, 2025 10:50:54 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: F K <
Sent: Thursday, 3 July 2025 10:37 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.
Hello Michael,

I am writing to express my deep concern regarding the proposed modification to the Mitchell Road development, which seeks to significantly increase the height of several buildings — in some cases nearly doubling their original scale.

This proposed increase will have a substantial and irreversible impact on the surrounding neighbourhood. It will:

* Overshadow existing homes and public spaces, affecting access to sunlight and amenity for nearby residents;

* Alter the low-rise, historic character of Erskineville and neighbouring areas of Alexandria, which are valued for their unique village atmosphere and heritage streetscapes;

* Exacerbate existing congestion on already overburdened local roads, placing further strain on parking, traffic flow, and public transport infrastructure.

It is also deeply concerning that the original development application proposed a lower scale — likely to avoid scrutiny — only for a significant height increase to be pursued later via modification. This undermines the integrity of the planning process and community trust in it.

I urge Council to reject this modification and require the developer to adhere to the originally approved scale, in keeping with the area's planning controls and community expectations.

Kind regards,

Fiona Knapman
(Local resident)

From: Kelly Purvis <[redacted] on behalf of Kelly Purvis <[redacted] <Kelly Purvis <[redacted]

Sent on: Thursday, July 3, 2025 10:50:49 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Objection to Proposed Modified Concept DA – Blocks F, G, H & I, Ashmore Precinct

To whom it may concern,

I am writing to formally object to the proposed modifications for Blocks F, G, H & I in the Erskineville Ashmore Precinct (DA reference numbers D/2025/405 and D/2025/448).

This development, as currently proposed, represents a significant departure from the scale and character of Erskineville. The dramatic increase in building heights—up to 43% beyond original plans—will drastically alter the unique village feel of the area, overshadow homes and public spaces, and obstruct the open sky and natural light that contribute to the amenity and liveability of our neighbourhood.

Beyond the visual impact, the development raises serious concerns about infrastructure strain. Local schools, public transport, and essential services are already under pressure. Further population growth without commensurate investment in these services risks reducing quality of life for existing and future residents alike.

Moreover, the lack of adequate parking provision under the guise of sustainability does not reflect the practical realities on the ground. In a suburb already facing parking shortages, this approach will likely displace the problem onto surrounding streets, inconveniencing both current and new residents.

While we understand the need for housing, it should not come at the cost of Erskineville's identity, livability, and cohesion. We urge the City of Sydney and the relevant authorities to reconsider this proposal in favour of a more balanced, community-centred approach that respects the area's character and capacity.

Sincerely,
K Purvis

From: pierre JUBIEN <[redacted] on behalf of pierre JUBIEN <[redacted] <pierre JUBIEN <[redacted]

Sent on: Thursday, July 3, 2025 10:54:38 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Subject: Formal Objection to Development Application D/2025/448 – 155 Mitchell Road, 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.

Dear Michael Stephens,

I am writing to express my formal objection to the proposed modifications outlined in Development Application D/2025/448 for 155 Mitchell Road, Erskineville. While the intention to increase housing availability is acknowledged — and indeed already met under the current, approved DA — the proposed changes are excessive and would significantly harm the fabric of the local neighborhood.

Erskineville is defined by its village-like character, human-scale buildings, and established sense of community. Introducing towers of up to 11 storeys on this site would drastically alter the visual and social landscape, casting shadows, creating wind tunnels, and overwhelming nearby homes and streetscapes. The proposed height and density are grossly out of proportion with surrounding developments, which predominantly features lower-rise buildings. This kind of over-development risks denaturing the suburb's unique identity, reducing livability, and eroding the urban charm that residents and visitors alike value.

Moreover, the additional population, retail activity, and vehicle use generated by the supermarket and Build-to-Rent scheme will worsen already strained traffic conditions in the area. Mitchell Road, along with adjacent streets, already experiences significant congestion and limited parking availability. This proposal would compound those pressures, putting further stress on local infrastructure without any clear mitigation strategy.

The current DA already supports housing growth in a balanced and appropriate manner. This new proposal is not a response to housing need — it appears to be driven purely by profit, at the expense of community values and quality of life. I urge the City of Sydney to reject this modification in favor of a more respectful and sustainable approach to urban development.

Kind regards,
Pierre Jubien
18 Huntley St, Alexandria, NSW 2015

From: Michael Naumoff <[redacted] on behalf of Michael Naumoff <[redacted] <Michael Naumoff <[redacted]

Sent on: Thursday, July 3, 2025 2:36:41 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Objection to Proposed Modified Concept DA – Blocks F, G, H & I, Ashmore Precinct

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 to formally object to the proposed modifications for Blocks F, G, H & I in the Erskineville Ashmore Precinct (DA reference numbers D/2025/405 and D/2025/448).

This development, as currently proposed, represents a significant departure from the scale and character of Erskineville. The dramatic increase in building heights—up to 43% beyond original plans—will drastically alter the unique village feel of the area, overshadow homes and public spaces, and obstruct the open sky and natural light that contribute to the amenity and liveability of our neighbourhood.

Beyond the visual impact, the development raises serious concerns about infrastructure strain. Local schools, public transport, and essential services are already under pressure. Further population growth without commensurate investment in these services risks reducing quality of life for existing and future residents alike.

Moreover, the lack of adequate parking provision under the guise of sustainability does not reflect the practical realities on the ground. In a suburb already facing parking shortages, this approach will likely displace the problem onto surrounding streets, inconveniencing both current and new residents.

Lastly, the emphasis on build-to-rent housing—without guarantees around affordability, family suitability, or long-term community integration—risks creating a more transient population with weaker community ties.

While we understand the need for housing, it should not come at the cost of Erskineville's identity, livability, and cohesion. We urge the City of Sydney and the relevant authorities to reconsider this proposal in favour of a more balanced, community-centred approach that respects the area's character and capacity.

Sincerely,
Michael Purvis
Sent from my iPhone

From: Samantha Stanley <[redacted] on behalf of Samantha Stanley <[redacted] <Samantha Stanley <[redacted]

Sent on: Thursday, July 3, 2025 2:45:52 PM

To: DASubmissions@cityofsydney.nsw.gov.au

Subject: Objection to Modified Development Proposal – Blocks F, G, H & I, Ashmore Precinct

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 to express my strong opposition to the proposed amendments for Blocks F, G, H & I in the Ashmore Precinct, Erskineville (DA reference numbers D/2025/405 and D/2025/448).

The proposed changes represent an unacceptable shift in scale that is out of step with the fabric of Erskineville. Increasing the building heights by more than 40% will overwhelm the low-rise, human-scale character that makes this suburb so unique. These tall structures will cast long shadows over nearby homes and communal spaces, diminishing natural light and open sky — features that are central to the neighbourhood's charm and livability.

There are also practical concerns around the impact this development will have on already stretched infrastructure. Local schools are at capacity, public transport is crowded during peak hours, and services such as healthcare and childcare are struggling to keep pace with existing demand. Adding hundreds more residents without meaningful upgrades to services and facilities is not sustainable.

The plan's minimal parking provisions are also problematic. While I support efforts to promote more sustainable transport, the current reality is that many residents still rely on cars — especially families and shift workers. With street parking already difficult, this development will only intensify competition for limited spots in surrounding areas.

Additionally, the focus on build-to-rent units, without clear commitments to affordability, long-term tenure, or family-friendly design, risks creating short-term housing rather than fostering a strong, stable community.

I support thoughtful, well-integrated housing solutions — but not at the expense of Erskineville's unique character and community wellbeing. I urge council to reject this over-scaled proposal and instead advocate for a more appropriate, context-sensitive development that truly serves the people who live here.

Sincerely,
Samantha Stanley

From: Sharlie Raymond <[redacted] on behalf of Sharlie Raymond <[redacted] <Sharlie Raymond <[redacted]

Sent on: Thursday, July 3, 2025 9:11:27 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Objection to Concept Development Application and Detailed Development Application - 155 Mitchell Road, Erskineville NSW 2043 (D/2025/448 and D/2025/405)

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 hope this email finds you well.

I am writing in relation to the Concept and Detailed Development Applications (D/2025/448 and D/2025/405) for the site at 155 Mitchell Road, Erskineville. As the owner of 358B Mitchell Road, Alexandria—directly opposite the proposed development—I wish to**formally object to the plans as they currently stand.**

The most significant issue from my perspective is the **proposed scale and height of Building I,** which is set to rise to 10 storeys. This represents an important departure from the low-rise nature of the surrounding area and poses serious concerns for both the immediate neighbours and the broader community fabric.

Key Issues of Concern:

1. Inappropriate Scale and Bulk:
The height and overall size of Building I are vastly disproportionate to the existing environment, where buildings generally do not exceed three storeys. Such a large structure would visually overwhelm the area and dramatically alter the character of Mitchell Road. Just looking at the scale below, it is obvious when comparing the size of Block 1 - Ashmore Estate to 360C Mitchell Rd that the**development fails to appropriately transition between building heights.**



2. Overshadowing and Loss of Sunlight and Privacy:

The proposed height will result in severe overshadowing of properties, particularly those along Mitchell Road. I notice the Statement of Environment Effects include overshadowing impacts of every side of the proposed development, except Mitchell Rd. Apologies if I've missed it. Having lived in this house for over 4 years, I can tell you that we already get very limited sunlight - only approx 2h/day during winter. Having a 10 storey building only a few meters away would mean no natural sunlight at all for my and my neighbours' homes, which would lead to impact on thermal comfort in winter and on our mental wellbeing.

A 10-storey building would also result in direct overlooking into our balconies, and internal living spaces, which would lead to a loss of privacy within our homes.

This has an unreasonable impact on Mitchell Rd's existing residents.

3. Traffic and Noise Impacts:
I notice that Part A: Ashmore Estate Blocks F & I Traffic and Parking Assessment was conducted in 2021 in the midst

of COVID, which brought multiple government mandated lockdowns, as well as schooling and working from home for a majority of people. Although additional data was collected in 2023, there still hadn't been mass return to the office mandates. As such, I believe your traffic assessment isn't representative of the current traffic situation, especially on Mitchell Rd during peak hours. An increase in population density will naturally bring more vehicles, contributing to already challenging traffic conditions on Mitchell Road.

Additionally, the rise in resident numbers is likely to lead to higher ambient noise levels, reducing the overall livability of the area.

4. Affordable Housing vs Community Impact:
While I support the objective of increasing affordable housing options, this must be weighed appropriately against the impact on existing residents. Bonus height provisions under the SEPP should not be used in a way that results in overbearing developments immediately adjacent to low-rise homes.

5. Poor Integration with the Streetscape:
Building I, in its proposed form, fails to respect or respond to the established character or scale of Mitchell Road according to the Sydney Development Control Plan (SDCP) 2012, as referenced in the Statement of Environmental Effects (Section 2.7), which specifically calls for "low buildings fronting Mitchell Road." The proposed heights reaching up to 11 storeys(Ap section 3.1), are a stark contrast to the predominantly three-storey terrace houses in the immediate vicinity. Rather than enhancing the street, it threatens to dominate it in a way that feels intrusive and out of place. This is inconsistent with the surrounding streetscape.

Suggested Path Forward:

I urge Council to please reconsider the height and design of Building I. Reducing its scale to three or four storeys, with upper levels set back to reduce visual bulk, would ensure the building integrates more naturally into the streetscape. Any additional floor space required to meet density targets could be strategically relocated to the western portion of the site, where greater building heights are already part of the existing urban context.

In closing, I respectfully ask that Council take these concerns seriously and push for a more context-sensitive design outcome. I would welcome the opportunity to discuss this further if helpful.

Kind regards,

Sharlie Raymond
[redacted]
Owner of 358b Mitchell Rd
Alexandria NSW 2015

From: Deborah Giblett <[redacted] on behalf of Deborah Giblett <[redacted] <Deborah Giblett <[redacted]

Sent on: Thursday, July 3, 2025 8:50:13 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

This submission from Friends of Erskineville, a residents' action group of concerned residents, relates to D2025/448 and D/2025/405

Friends of Erskineville urge the Council to have this developer proceed with the already agreed-upon plans for the site and deliver on this much-delayed project.

Our main feedback raises the following points:

- The Master Plan and subsequent variations have been agreed over many years, and still less than 50% of the project has been built – this project was earmarked for completion this year! Building needs to commence as agreed as soon as possible.
- Erskineville is already a very high-density suburb, with an area of 0.81 square kilometres and a population of 9,657, that is a density of 11,922 per square kilometre
- On completion, under the plans previously agreed by Council and the community, there will be an increase in population at this precinct of some 6,000 plus residents, an increase in density to 19,329 people per square kilometre.
- The density for this project far exceeds any ask from the State government - Erskineville is already doing the heavy lifting in terms of shouldering its share of the contribution to address the housing crisis.
- Existing and announced infrastructure barely supports the current density
  schools are at capacity, and we see no plans for high schools
  local medical facilities are straining – primary care, allied health and hospitals
  roads are clogged – more height – more cars – more traffic
  85% of the surrounding footpaths do not meet even the bare minimum standards set out by Council, and
  traffic lights are installed at a mind-numbing rate, making our eminently walkable suburb a nightmare
- These development applications primarily focus on increasing height, supposedly to address the housing crisis. Yet, cynically, they offer to offset the increase in height with a suggested reduction in commercial tenancies that would provide the support services the increased number of residents would require.
- Through traffic planning does not appear to address just how there will be movement in and out of the precinct, particularly if there are increased volumes of cars and people. Rat runs have already developed and appear not to be addressed in any planning.

However, there are positives to this project. Not least of those positives are the wonderful new neighbours we now have, the families we greet at local venues and some outstanding community members who contribute in so many ways.

When the Master Plan was devised and agreed upon, it was with an eye on the future and the need for increased places for people to live close to where they worked. It is why, amongst other projects, Friends of Erskineville pushed for the southern entrance to the train station to improve access for people moving into those homes. Homes that were due to be delivered this year.

We strongly urge the project to proceed as already agreed, with no height increase.

Pushing to increase the quantity of units now, which in and of itself not address the complexity of the housing crisis, without considering the already very high density and the current need for significant increases in local infrastructure, is not an investment in building communities; it becomes a cynical exercise in lining one's pockets.

Deborah Giblett

President, Friends of Erskineville

From: Dan Vu <[redacted] on behalf of Dan Vu <[redacted] <Dan Vu <[redacted]

Sent on: Thursday, July 3, 2025 9:27:21 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

FORMAL OBJECTION - ERSKINEVILLE ASHMORE PRECINCT BLOCKS F & I DEVELOPMENT

I am writing as a concerned citizen of Sydney to formally object to the above development applications for the proposed residential complex at
155 Mitchell Road, Erskineville. After careful review of the application documents, I believe this development proposal presents significant concerns that warrant rejection in its current form.

EXCESSIVE BUILDING HEIGHTS AND INAPPROPRIATE SCALE

The proposed building heights of 7-11 storeys, reaching up to 46.25 metres, represent a dramatic and inappropriate increase from the original approved concept. This 30% height increase will fundamentally alter the character of Erskineville, creating a development that is completely out of scale with the surrounding low-rise, historic neighborhood.

The proposed heights will obstruct existing views and create severe overshadowing, reducing natural light and outdoor space amenity for existing residents. This dramatic increase in height will overshadow existing homes and public spaces, block sunlight, and fundamentally alter the low-rise, historic character of Erskineville. The development fails to respond appropriately to the adjacent Cooper Estate Conservation Area, creating an inappropriate contrast that will dominate the streetscape.

INADEQUATE INFRASTRUCTURE FOR COMMUNITY NEEDS

Our local public schools are already serving a growing community. The addition of 577 new dwellings will generate a significant school-age population without corresponding infrastructure upgrades. Overcrowded classrooms and stretched resources are inevitable when developments of this scale proceed without adequate planning for educational facilities.

Similarly, the proposal makes no provision for additional healthcare services. Similar developments elsewhere have shown that education and GP services often fall short of demand, leaving new and existing residents with inadequate access to essential services.

PARKING AND TRAFFIC CONCERNS

The plan's strategy of 'reduced car parking' may sound sustainable, but it will worsen the existing parking shortage. With only 0.47 car parking spaces per dwelling (272 spaces for 577 dwellings), more residents with fewer on-site parking options will congest local streets further.

The concentration of all vehicle access via the single new Alpha Street will create significant traffic bottlenecks, while the development will generate approximately 2,000+ daily vehicle trips with no corresponding infrastructure upgrades to surrounding streets.

CONCERNS ABOUT HOUSING AFFORDABILITY AND

COMMUNITY COHESION

Build-to-rent complexes often foster a transient population with less investment in community life. These developments may not provide family-sized dwellings (with only 5.7% three-bedroom apartments planned) and often rent at a premium, worsening housing affordability rather than improving it.

The proposal's dwelling mix heavily favors studio and one-bedroom apartments (68.8% of total units), which does not support the family-oriented community character that Erskineville has maintained.

ENVIRONMENTAL AND SUSTAINABILITY CONCERNS

The development provides minimal deep soil provision (only 7.1% of the site) and limited tree canopy, which will exacerbate urban heat island effects and reduce biodiversity. The wind impacts from tall buildings have not been adequately addressed, potentially creating uncomfortable conditions for pedestrians and residents.

INADEQUATE COMMUNITY CONSULTATION

The community has not been adequately consulted about this significant intensification of the precinct. The scale and impact of this development warrant extensive community engagement, which has not occurred.

CONCLUSION

While we recognize the need for additional housing in Sydney, this proposal represents over-development that will fundamentally damage the character and liveability of Erskineville. The excessive heights, inadequate parking provision, insufficient community infrastructure planning, and failure to consider cumulative impacts make this development inappropriate for the site.

I urge Council to reject this application in its current form and require the developer to:

1. Reduce building heights to be consistent with the neighborhood character and original concept approval
2. Provide adequate parking provision of at least 1:1 per dwelling
3. Contribute to or provide additional school and healthcare infrastructure
4. Increase the proportion of family-sized dwellings
5. Implement meaningful community consultation before any resubmission
6. Address overshadowing and privacy impacts on existing residents
7. Provide adequate deep soil and tree canopy coverage

The residents of Erskineville deserve development that enhances rather than diminishes our community. This proposal, in its current form, fails to meet that standard.

I request that this objection be formally noted and that I be notified of any further developments regarding this application.

Yours sincerely,

Dan Vu, local Erskineville resident

From: anna rothbart <[redacted] on behalf of anna rothbart <[redacted] <anna rothbart <[redacted]

Sent on: Thursday, July 3, 2025 9:14:19 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: AR letter.pdf (622.16 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.

Dear Mr Stephens,

Objection to Development Application D/2025/448 – 155 Mitchell Road, Erskineville, NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Please find my letter detailing these objections attached.

Regards,

Anna Rothbart

Ms Anna Rothbart
35/300 Mitchell Road, Alexandria, NSW, 2015
E: [redacted]
Ph: [redacted]
Date: 3rd July 2025

To:
The General Manager
City of Sydney Council
Town Hall House
456 Kent Street
Sydney NSW 2000

Subject: Objection to Development Application D/2025/448 – 155 Mitchell Road, Erskineville, NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I am writing to lodge a formal objection to **Development Application D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for **Blocks F, G, H, and I** at **155 Mitchell Road, Erskineville, NSW 2043**.

As a constituent of the local community, I acknowledge the importance of urban renewal and the provision of affordable housing. However, I have several serious concerns regarding the scale and impacts of the proposed modifications which, if approved, would significantly and negatively affect the surrounding area's character, amenity and infrastructure.

1. Excessive Height and Overdevelopment

The proposed height increases across Blocks F, G, and I—up to 3 additional storeys—exceed the originally approved Concept DA and are inconsistent with the intended transitional scale for the precinct. This intensification threatens to overshadow existing low-density dwellings in adjacent heritage conservation zones, particularly along Mitchell Road and Coulson Street, disrupting the carefully balanced built form and visual amenity. The height of buildings F & I will reduce natural

light and negatively affecting quality of life in particular to those working from home or suffering mental health/anxiety. The Proposed Modified Concept DA Urban Design Report documentation supplied by fjcstudio is not a true indication of the shadow impact as published on Page 45 along Mitchell Road and surrounding streets. See below actual pictures taken at 1pm & 2pm on 25th June 2025 with the 3 storey structure at the corner of Mitchell Road & Maddox St and 2 storey facility with the Medical Centre/Woolworths tenancy and fjcstudio report pictures.

The extra storeys will exceed height limits under the LEP. The building will also be out of character with the surrounding established buildings and not align with existing streetscape.

The loss of sunlight to our apartment would also breach the sunlight access rules in the DCP (minimum 3 hours sunlight to private open space).

2. Loss of Heritage Transition and Local Character

The Ashmore Precinct borders sensitive heritage areas, including the Coopers Estate Conservation Area. The proposed uplift under the Housing SEPP appears to prioritise yield over context-sensitive design, thereby undermining planning objectives that mandate built form to "provide a transition to the surrounding conservation areas" as stated in the Sydney DCP 2012 Part 5.5.

3. Traffic and Transport Impact

According to the updated Traffic and Transport Assessment (December 2024), the proposal increases the total yield to **1,705 apartment units**—an 8% uplift is misleading from the original 1065 lots proposed by Greenland, an actual 62% uplift. This will significantly increase traffic congestion in and around Mitchell Road, Maddox Street, and the Erskineville/St Peters area. While the report concludes that traffic levels remain stable, local experience suggests that street-level congestion, inadequate parking and pedestrian safety are already pressing issues that would only worsen whilst the introduction of a new speed limit to 40kphs this year has caused a significant disruption to traffic flows along Mitchell Road during peak hours and weekends.

There are frequent reports on local groups of accidents and near misses due to increased traffic in the area and drivers not respecting the bike paths or pedestrian crossings. I have two young children and never rely on cars stopping at our zebra crossing near our daycare due to a number of near misses I have experienced with my family. Safety due to poor traffic control is already a major concern for us in the area and the addition of extra storeys and the extra residents and traffic that will include means this will not be able to be accommodated on our roads in a safe

way. There seems to be no provision to update the infrastructure to match the population increase.

4. Amenity and Infrastructure Pressure

The increase in population density without proportional public infrastructure upgrades—including open space, childcare, schooling, and pedestrian facilities—raises concerns about amenity and live ability. While Kooka Walk and green links are welcome additions, they are insufficient in mitigating the demand pressures that will result from this scale of intensification.

5. Loss of Privacy

The proposed structure, particularly with the inclusion of rooftop access, poses a significant concern regarding the loss of privacy for adjoining properties. Elevated viewing points such as rooftop terraces create direct lines of sight into neighbouring homes and private outdoor spaces, which were previously shielded from view. This intrusion into residents' private lives undermines their reasonable expectation of privacy and will likely result in discomfort and a diminished sense of security. Such impacts are inconsistent with the planning principles that aim to protect residential amenity and should be carefully reconsidered in the assessment of this application.

We are a young family, we rely on everything being local including our daycare and I do not want to compromise my children's privacy.

6. Noise and Amenity Impacts

As a young family who relish the quiet surroundings of our neighbourhood after work hours, the potential of additional noise impacts from late-night activity in this development will impact our wellbeing. We have already been severely impacted by the ongoing building of this development over the past couple of years and the addition of extra storeys will prolong our discomfort, increase our exposure to dust from the work site, increase the building noise which makes it difficult to work from home and increase the risk of damage to our building.

7. Environmental and Health Concerns

Since construction started opposite us, I have not opened our bedroom windows in nearly 2 years and in addition have purchased air purifiers. The amount of dust and dirt (and asbestos we were warned about) has seriously impacted our wellbeing living here. We have not opened our windows due to the heavy construction and exposure risk of inhalation of particulate matter which can cause multiple cardiovascular and respiratory disease and cancer (Cohen et al., 2017; World Health Organization, 2021b) and is a genuine source of concern, stress and anxiety for us particularly with young children who also attend their daycare opposite the construction site.

Any prolonging of this exposure due to additional storeys prolongs our stress and anxiety living in the area with these genuine and well researched health concerns.

Requested Action:

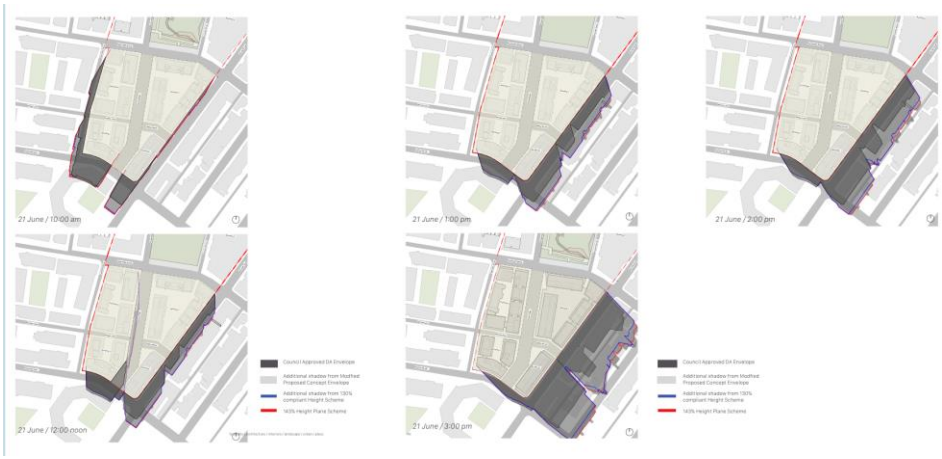
I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.
- **Conducts broader community consultation** to ensure transparency and engagement, given the scale and lasting impact of the proposed changes.
- Provide an updated **Environmental Impact Statement (EIS)** and **independent assessment of overshadowing, solar access, and infrastructure strain** due to the mis information supplied in the Proposed Modified Concept DA Urban Design Report documentation supplied by **fjcstudio** and a revised **Traffic Management Report** due to the introduction of a new speed zone imposed along Mitchell Road this year.

I urge Council to carefully consider the concerns of all residents and the long-term consequences of approving this development. I respectfully request that Development Application No. **D/2025/448 & D/2015/966** be refused or significantly amended to address the above concerns. Thank you for your consideration and welcome any opportunity to participate in further consultations or provide additional feedback.

Yours sincerely,

Anna Rothbart





3 storey Structure at corner of Mitchell Road and Maddox Street Alexandria at 1pm on 25th June 2025



2 storey structure in front of Erskineville Pharmacy & Woolworths Metro, 149-153 Mitchell Road Erskineville at 1pm on 25th June 2025 with shadows already across Mitchell Road



Impact of 3 & 2 storey buildings at 149-153 Mitchell Road Erskineville at 2pm on 25th June 2025

From: Aaron Spicer <[redacted] on behalf of Aaron Spicer <[redacted] <Aaron Spicer <[redacted]

Sent on: Friday, July 4, 2025 12:32:10 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Michael

I am a resident of the Motto project on Nassau Lane, so in relatively close proximity to proposed buildings G4 and H1. Our building is 3 stories high

I was horrified to see the significant increase in building heights proposed in that location, especially in the context of how it will appear from the street in comparison to the adjacent buildings on Hadfields Lane. I was okay with a previous increase in the heights in this location as the design had thoughtfully considered the visual impacts by having 4 stories at the street frontage with an additional 2 stories set back. It appears no such attempt has been made to consider how out of scale the new buildings will look. I also support having some additional allowances such as provided by the SEPP to facilitate affordable housing

As the documents note that even with the additional height allowances building G4 still exceeds the maximum permissible height by 18.1% and H1 by 13.75%. What is the point of having maximum limits if they can be exceeded so significantly even after bonuses have been applied, and not just to accommodate small items of plant set back from boundaries but whole residential floors? Surely the significant bonuses should provide for an absolute maximum. How can residents who purchase near future developments have any confidence in what will ultimately be built. The "support" for going over the maximum height is also a joke, as though flood planning requirements, floor to floor height requirements, plant and lift overruns aren't things developers would need to consider on all developments at height and so should already be factored into the maximums allowed.

To go from something that presents at street level as 4 stories to 10 stories (the upper 2 levels although set back are still very visible) is excessive given the location against 3-4 story development. They have clearly also done a "cost out" exercise and significantly reduced the visual appeal of the built form - previously there was good variability in how the different buildings presented. Now they all look the same with just a different colour cladding on the upper levels - hardly design excellence.

If the developer wants increased scale they should build up to it in the centre of the development rather than having such an abrupt change from surrounding buildings as they were doing previously.

I hope council do not approve this latest application without significant changes and bring the building envelopes back within the maximum allowed after considering the SEPP

Aaron

From: <[redacted]

Sent on: Thursday, July 3, 2025 10:03:12 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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, I object to this submission. I've lived in Erskineville for over 20 years. We do not need to start building 11 story high rises. Don't turn Erskineville into Mascot / Green Square, you will absolutely kill the vibe of what Erskineville stands for. Mitchell Road traffic is already a mess. The local public transport is just getting busier. We don't need this, or want this. Please don't. Thanks Paula

Sent from my iPhone

From: Ben Fisher <[redacted] on behalf of Ben Fisher <[redacted] <Ben Fisher <[redacted]

Sent on: Thursday, July 3, 2025 7:31:58 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

I think this proposal is just what is needed for the area. There is a severe lack of affordable housing near the CBD, and this would go far to helping address that. It's becoming increasingly difficult for young families to make a life in the inner west.

Im sure there will be many who will claim this is "out of character with the neighborhood". This is ridiculous. The buildings will replace what was once an industrial site and will be bounded on three sides by existing apartment developments.

Please do not give in to a handful of voices opposed to any sort of change.

Best,
Ben

From: Lan Gogan <[redacted] on behalf of Lan Gogan <[redacted] <Lan Gogan <[redacted]

Sent on: Thursday, July 3, 2025 4:19:03 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Mr Stephen's

I am a 74 years old lady, owner and occupier of residence 315 Belmont St. Alexandria. I'm writing to express my concern regarding the above submission D/2025/448- 155 Mitchell Road Erskineville NSW 2043.

I have always supported our Lord Mayor Clover Moore's action against climate change, reduce greenhouse gas emissions and residential waste stream. I shared her vision to make Sydney a sustainable city for future generation.

I am a keen gardener and spent time in my garden everyday, composting, mulching and enjoy the native wasps, blue banded bees and other insects around. I collect seeds, take cuttings and pot them for friends and neighbourhoods.

I have a strong objection to the developer's proposal to build 11 stories, which will impact the amount of light into my backyard. The lost of sunlight to my garden oasis will be devastating.

Over the past few years Mitchell Road and the surrounding streets has become increasingly busy and congested. This surely is not working toward our vision for a safer streets and sustainable city.

I request the council consider the adverse impact not only on me but all the neighbouring residence.

Regards
Lan Gogan
Sent from my iPad

From: Crystal Boza <[redacted] on behalf of Crystal Boza <[redacted] <Crystal Boza <[redacted]

Sent on: Thursday, July 3, 2025 10:06:45 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

To whom it may concern;

I am writing to object to the proposal to increase the scale of Ashmore precinct. There is already substantial strain upon infrastructure within Erskineville - Mitchell Road is increasingly congested, the local schools are having to accommodate higher numbers (2024 + 2025 = 3 kindergarden classes!) without any accommodations to support these increases,

We purchased our unit based on the original proposal. The current changes being sought that would mean our skyline and that of surrounding areas will be significantly reduced as a consequence of increase in height. It will also cast more artificial shade and impact the aesthetic of surrounds.

My understanding is that there is currently height restrictions which have prevented the eyesores of Waterloo, Mascot and Wolli Creek. Erskineville is a community hub and has a strong history of such. Mass constructions and plan manipulations such as what is being proposed by the Ashmore precinct stand to impinge upon this.

I formally submit my objection to the above mentioned proposal.

Kind regards,
Crystal Boza.

Yahoo Mail: Search, organise, conquer

From: Megan Engard <[redacted] on behalf of Megan Engard <[redacted] <Megan Engard <[redacted]

Sent on: Thursday, July 3, 2025 10:02:36 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Hello,

I have been a resident of Erskineville for a number of years and am writing to formally express my concerns and object to this development proposal. I believe it poses serious risk of:
- increasing overcrowding and putting undue pressure on community infrastructure
- eroding the community character and worsening housing affordability in our area
- obstructing neighbourhood views and lowering property value
- altering the low-rise, historic character of the Erskineville neighbourhood
- exacerbating traffic issues and street parking shortages

Please take these comments and community risks seriously and do not pass this proposal.

Regards,
Megan Engard

MEGAN ENGARD
[redacted]

From: Samantha Gibbs <[redacted] on behalf of Samantha Gibbs <[redacted]
<Samantha Gibbs <[redacted]
Sent on: Thursday, July 3, 2025 11:40:37 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Dear Michael,

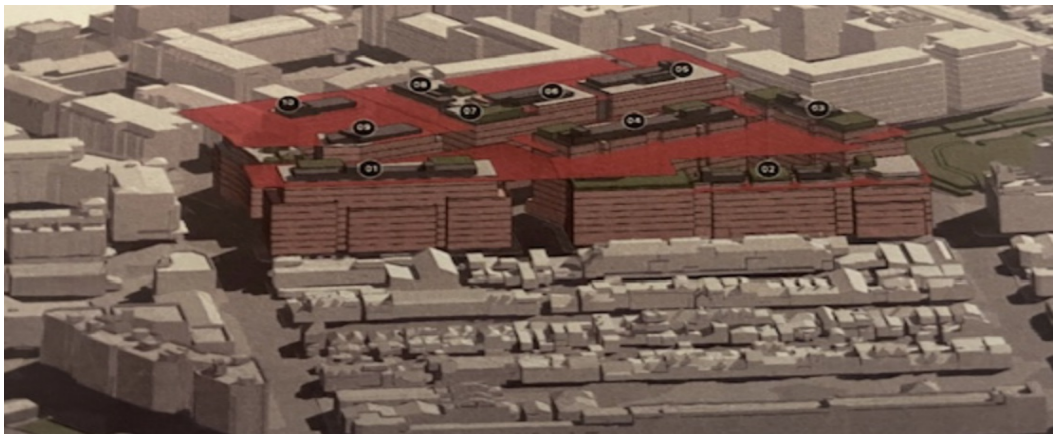
Objection to Concept Development Application and Detailed Development Application - 155 Mitchell Road, Erskineville NSW 2043 (D/2025/448 and D/2025/405).

I am writing in relation to the Concept and Detailed Development Applications (D/2025/448 and D/2025/405) for the site at 155 Mitchell Road, Erskineville to convey my strongest objection to the proposal. I am the owner of 358A Mitchell Road, Alexandria which is situated directly opposite the proposed development and I **formally object to the current plans**.

The most significant issue is the **proposed scale and height of Building I,** which is set to rise to 10 storeys and a significant departure from the low-rise nature of the surrounding area. This will be detrimental for both the immediate neighbours and the broader community.

Key Issues of Concern:

1. Inappropriate Scale and Bulk:
The height and overall size of Building I are vastly disproportionate to the existing environment, where buildings generally do not exceed three storeys. Such a large structure would visually overwhelm the area and dramatically alter the character of Mitchell Road. It is clear when comparing the size of Block 1 - Ashmore Estate to our property at 358A Mitchell Rd that the **development fails to appropriately transition between building heights.**



2. Overshadowing and Loss of Sunlight and Privacy:

The proposed height will result in severe overshadowing of properties, particularly those along Mitchell Road. Apologies if I failed to find it, but the Statement of Environment Effects failed to include overshadowing impacts for Mitchell Rd. Having lived in this house for over 17 years, I speak from experience that in winter we already have limited sunlight (approximately 2h/day during winter). Having such an obtrusive 10 storey structure only meters away would mean no natural sunlight at all. I find unacceptable for the existing residents of Mitchell Road.

3. Traffic and Noise Impacts:
The increased population density associated with the development will exacerbate the already significant congestion and challenging traffic conditions on Mitchell Road, a busy thoroughfare, reducing the overall

liveability of the area.

4. Poor Integration with the Streetscape:

Building I, in its proposed form, fails to respect or respond to the established character or scale of Mitchell Road according to the Sydney Development Control Plan (SDCP) 2012, as referenced in the Statement of Environmental Effects (Section 2.7), which specifically calls for "low buildings fronting Mitchell Road." The proposed heights reaching up to 11 storeys (Ap section 3.1), are a stark contrast to the predominantly three-storey terrace houses in the immediate vicinity. Rather than enhancing the street, it threatens to dominate it in a way that feels intrusive and out of character with the surrounding streetscape.

In closing, I urge Council to please reconsider the height and design of Building I. Reducing its scale to three or four storeys, with upper levels set back to reduce visual bulk, would ensure the building integrates more naturally into the streetscape. Any additional floor space required to meet density targets could be strategically relocated to the western portion of the site, where greater building heights are already part of the existing urban context.

I respectfully ask that Council take these concerns seriously and push for a more design outcome that is in keeping with the existing character of the community and sensitive to the impact this development will have on the existing community.

Kind regards,

Samantha Gibbs
[redacted]
Owner of 358A Mitchell Rd
Alexandria NSW 2015

From: Camilla Maggio <[redacted] on behalf of Camilla Maggio <[redacted] <Camilla Maggio <[redacted]

Sent on: Friday, July 4, 2025 12:20:24 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Objection to D/2025/448 increased building heights at 155 Mitchell Rd Erskineville

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 am writing to formally object to the proposed amendment to Development Application D/2025/448 currently on exhibition, relating to 155 Mitchell Road, Erskineville by Coronation Property. The proposed changes to increase the allowable building height are deeply concerning and should be rejected on the following grounds:

1. Incompatibility with the Established Character of the Area

The proposed increase in building height, particularly the section on Mitchell Rd which is labeled building F is inconsistent with the established character of Erskineville and Alexandria. This section of the suburb has a village-like character, which contributes to the area's unique identity and community feel. Approving a significant height increase circa 8 and 11 stories would set a concerning precedent for overdevelopment and visual dominance in an area not suited to high-rise intensification. The new proposed increased heights do not remotely meet the planning controls put in place and exceed at 143%. There is no green space or significant setback separating Mitchell Rd and the buildings. This will destroy the charm of this area entirely.

2. Overdevelopment and Strain on Infrastructure

The existing infrastructure, in particular public transport, roads, and parking is already under considerable pressure in this area. Mitchell Road is already bumper to bumper on most days during peak hours and cannot take an additional burden as immense as the new proposed heights would bring. There is no corresponding proposal to enhance services or facilities to accommodate the additional population density this amendment would permit. Parking is already limited in the area, and further densification without an increase in transport options or parking provisions would worsen congestion and reduce liveability for existing residents. Whilst I understand the need more for more homes, this area cannot take any more of the burden without creating serious issues.

3. Impact on the Heritage Conservation Area

The opposite side of Mitchell Road, which is where my home at 286 Mitchell Rd is situated, forms part of a recognised Heritage Conservation Area Cooper Estate. Our home was built in 1900 and has been renovated recently with a DA to maintain and pay respect to the history of the area. These homes cannot be recreated and should not be situated directly across the road from an 8 story, stepping to 11 story building. The proposal does not adequately demonstrate respect for or integration with the heritage values of this precinct. The taller and bulkier buildings will visually intrude on the streetscape, disrupt existing sightlines, and diminish the historic and architectural character of the area. This amendment would undermine longstanding planning controls intended to protect the unique heritage of Erskineville and Alexandria.

4. Lack of Strategic Justification

There appears to be no strategic planning justification or demonstrated public benefit to warrant an increase in building height at this location. Whilst we understand the need for more homes this is not the appropriate solution. A change of this scale should only be considered through a comprehensive local or precinct-level planning review, not via an individual development amendment. This has been evidenced in the recent case *Canterbury-Bankstown Council v Realize Architecture* [2024] NSWLEC 31 which does not allow for modifications to be approved if they are not

“substantially the same” as the previously approved development. This is an increase to all of the key components and as such is certainly not considered substantially the same - it involves a modification to height, bulk, scale, floor space, and the impacts of the modification of those components or features of the development’.

5. Overshadowing and impact on neighboring properties

The shadow studies provided in the proposal show they my property at 286 Mitchell Rd will be party shaded by 11am - including the windows and skylights to our living room and main hallway and bedrooms and completely shadowed by around 1pm by this development. This will mean that we are receiving less than 2 hours of sunlight to our main living areas which will be detrimental to our mental health as well as our physical health. In addition to this our property is already very shaded by neighbouring trees and the only sunlight that we do receive to the backyard is in this afternoon period. With the proposed new heights we will not receive any sunlight throughout the day which will impact our garden and the ability to maintain the existing greenery.

I would also like it to be noted that Coronation Property have already began their portion of the development without adhering to the usual processes and completed significant works including demolition and excavation prior to completing a detonation report on the neighboring properties - we have already seen damages occurring to our newly renovated property. This is not a good start to the developers relationship and shows no care for the neighboring properties.

In summary, the proposed amendment to increase building heights at 155 Mitchell Road is inconsistent with the character of the local area, represents overdevelopment unsupported by infrastructure, and fails to respect the nearby heritage conservation area. I respectfully, the strongly urge Council to reject the amendment in its current form and uphold the planning principles that preserve the amenity, heritage, and liveability of Erskineville.

Yours sincerely,
Camilla Maggio
286 Mitchell Rd, Alexandria

From: Yolanda Masterson <[redacted] on behalf of Yolanda Masterson <[redacted] <Yolanda Masterson <[redacted]

Sent on: Thursday, July 3, 2025 8:38:01 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Objection to D/2025/448

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

I'm writing as a long-time resident of Erskineville to object to Development Application D/2025/448, which proposes significant increases in building height at**155 Mitchell Road, Erskineville NSW 2043**

- Block F: from 7–8 storeys to 9–11
- Blocks G & H: from 7–8 storeys to 9–11
- Block I: from 4 storeys to 7

Erskineville is a close-knit, human-scale neighbourhood known for its heritage homes, green spaces, and strong sense of community. Proposals like this risk undermining everything that makes the area livable, walkable, and locally valued.

Overshadowing and Visual Impact
The proposed height increases will cast shadows over surrounding homes, many of which are heritage-listed or single-storey. It will reduce sunlight to nearby parks and public spaces, and the overall bulk is completely out of step with Erskineville's village character.

Strain on Local Infrastructure
Our transport, schools, roads, and essential services are already stretched — especially at peak times. Adding more height (and more residents) without matching investment in infrastructure will only add to these pressures.

No Clear Community Benefit
The proposal offers no obvious benefit to local residents. It seems designed to increase returns for the developer, with no guarantees of affordable housing, upgraded facilities, or improved services. That's not a fair trade-off for such a large change.

Loss of Local Character
Erskineville's charm lies in its low-rise streets, leafy parks, and walkable scale. Replacing that with towers changes the whole feel of the area.

Lack of Proper Consultation
Many in the community are unaware of this DA, and there's been little effort to engage with residents on a change of this scale. Genuine consultation must come before decisions like this are made.

Environmental Concerns
Taller buildings bring more hard surfaces, less greenery, and increased heat — contributing to the urban heat island effect and reducing biodiversity. It's hard to see how this aligns with the City of Sydney's environmental goals.

Parking, Traffic, and Safety
More floors mean more people and more cars, which will worsen traffic on already narrow streets. That impacts safety and quality of life, especially for pedestrians and families.

Construction Disruption
Major works like this bring years of noise, dust, trucks, and road closures. That's a huge and unfair burden for local residents, schools, and businesses to carry.

Planning Precedent and Long-Term Impact
Approving this DA sets a precedent for more height across Erskineville. It risks a domino effect of overdevelopment that permanently shifts the balance away from community needs and toward developer interests.

In short, this proposal is out of step with the values, needs, and identity of Erskineville. It offers little to the community and risks long-term damage to a neighbourhood people choose to live in because of its scale, feel, and connection.
I respectfully ask that the Council reject this DA and uphold the previously agreed story heights for these blocks.

Yours sincerely,
Yolanda Masterson

Yolanda Masterson
[redacted]

From: John Eleftheriou <[redacted] on behalf of John Eleftheriou <[redacted] <John Eleftheriou <[redacted]

Sent on: Thursday, July 3, 2025 10:22:28 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: Submission - D2025448 - 155 Mitchell Road ERSKINEVILLE NSW 2043.docx (17.3 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.

Submission - D/2025/448
155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Dear Mr Michael Stephens

Please find attached my objection to D/2025/448

Kind regards
John Eleftheriou

[redacted]

305-307 Belmont Street
Alexandria NSW 2015

Submission - D/2025/448

155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Re: Objection to D/2025/448

Dear Mr Michael Stephens,

We object to the lodged DA for the above addresses for a 10+ storey building on many grounds.

Excessive Height

At over 51 metres, Building F is well over the heights of all the other buildings in the area, and also exceeds Councils Planning Controls. The developers are claiming for additional height due to “design excellence”. These buildings fall well short of the guidelines for design excellence.

Size and Bulk

A 12 storey wall of apartments on Mitchell Road is not in keeping with the current scale of existing apartment buildings and houses. The size and bulk is completely inappropriate to Mitchel Road, with inadequate setbacks from the street.

This proposal fundamentally contradicts the stated objectives of the NSW Government’s Low and Mid-Rise Housing Policy. While the policy aims to improve housing supply, in well-located, infrastructure-ready areas, this development fails.

It is inappropriate in scale, disconnected from transport, unsupported by local infrastructure.

Overshadowing and Solar Access

As admitted in the developers’ own submission, their proposal does NOT meet the minimum guidelines. This is a case of “Robbing Peter to pay Paul”. Additionally, there will be overshadowing of my property from sunrise through to noon in both summer and winter.

Traffic

Traffic congestion is already a serious problem in our area. The local streets are all single lane and were never designed to handle the volume of traffic that will be generated by this overdevelopment.

People will die who need urgent ambulance service as the streets will not flow, they will be at standstill, it is already a disaster, the traffic is not coping today.

Established Old Suburbs & Community Awareness

Long established suburbs will be destroyed, loss of trees, ambience, blocks full of overshadowing, and Mitchell Road will become a wind tunnel.

Is the community aware of this and is this the foresight of all Governments to destroy 200+ year old suburbs? The developers own submission includes 24 pages (2 columns per page) of affected properties!

Infrastructure

It is well known and documented in the local area that our infrastructure, stormwater, sewerage and power is at maximum load. Will the developer be putting in a power substation ? **This whole area had a 4 hour blackout last Thursday, 26 June!**

Thank you for considering my points. I appreciate the opportunity to contribute to ensuring our community is met by the community needs and our communities parameters which are not generally focused on by developers desire for quick profits.

I implore you to Reject or Scale Back the Proposal

- Reject the development in its current form, or
- Limit the development to the previously approved heights and envelope

Sincerely

John Eleftheriou

305-307 Belmont Street

Alexandria NSW 2015

Ph: [redacted]

From: JK <[redacted] on behalf of JK <[redacted] <JK <[redacted]
Sent on: Friday, July 4, 2025 8:38:04 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/448 - 155 Mitchell Road 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 there,

I've reviewed this submission and have some major concerns:

With the expansion of this development, the number of residents in the area will be significantly increased. Currently without this development, the traffic in the area is frequently congested and it can take ages to travel down Mitchell road. The parking in the area is very limited and this causes vehicles to frequently illegally park - blocking laneways & gateways - please check with your rangers the incidence of illegal parking.

This high rise development would also not fit in with the character of the area - the original proposal would be acceptable.

I request that this submission is rejected.

Regards John
Address: 168 Mitchell Rd, Alexandria 2015 NSW, Australia
Mobile: [redacted]
Email: [redacted]

From: Euwen Tham <[redacted] on behalf of Euwen Tham <[redacted] <Euwen Tham <[redacted]

Sent on: Friday, July 4, 2025 9:10:18 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/405 & D/2025/448 - 155 Mitchell Road 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.

To: Michael Stephens

Subject: Objection to Concept DA and Detailed DA – 155 Mitchell Road, Erskineville (D/2025/448 and D/2025/405)

Dear Michael,

I am writing to lodge a **formal objection** to the Concept Development Application and Detailed Development Application for the site at 155 Mitchell Road, Erskineville NSW 2043 (Ref: D/2025/448 and D/2025/405).

I am the owner of 360A Mitchell Road, Alexandria NSW 2015, located directly opposite the proposed development. My concerns relate primarily to the**excessive height, massing, and resulting impacts of Building I**, which, at a proposed height of 10 storeys, is **significantly out of scale with the surrounding built form**and will adversely affect the amenity of both my property and the wider community.

Summary of Key Objections

1. Excessive Height and Massing
Building I's proposed 10-storey height is entirely inconsistent with the character of Mitchell Road, which comprises predominantly 1–3 storey terraces. The development fails to provide an appropriate transition in scale, resulting in a built form that dwarfs the existing residential fabric and creates unacceptable visual bulk. Ie. a 10 storey building directly adjacent to existing 2 storey terraces is not appropriate. The prior design of 4 storeys with a fifth set back was more contextually appropriate. The current proposal does not reflect SEPP (Housing) Principle 2, which requires built form and scale to respect the existing or desired future character of the street and its context. Nor does it adequately address SEPP 65 Design Quality Principles, particularly those relating to scale, streetscape, and urban context.

2. Overshadowing
The increased height will result in significant loss of solar access to properties on Mitchell Road, including my own. Shadow diagrams submitted suggest that by 12pm on 21 June, my property and the remainder of the terraces on Mitchell Road will be completely overshadowed. This will directly impact the use and enjoyment of my private open space and prevent the viable installation of solar panels, which I had planned for environmental and economic reasons.

3. Loss of Privacy / Overlooking
A building of 10 storeys will result in substantial overlooking into neighbouring properties, with no apparent mitigation through screening or design measures. This will significantly reduce privacy for existing residents and is inconsistent with principles of residential amenity.

4. Precedent and Inconsistency with Ashmore Development
The newly completed buildings within the Ashmore precinct fronting Mitchell Road are predominantly 3–4 storeys. Approving a 10-storey building in this location would set an inappropriate precedent and undermine the planning approach already adopted for the precinct. Future development fronting Mitchell Road should remain consistent with this 3–4 storey height envelope as it is not only logical but appropriate to adopt a consistent height all along Mitchell Road.

5. Impact on Community Character
The bulk and scale of Building I are more akin to those found in high-density areas such as Waterloo or Zetland, not Erskineville or Alexandria. This contradicts the masterplan intent for a community-focused, medium-density environment that complements the established character of Mitchell Road.

6. Traffic and Infrastructure Strain
The significant increase in density will place further pressure on Mitchell Road, which is already a high-traffic corridor, and will likely exacerbate congestion and associated safety concerns.

7. Noise Impacts
Higher density inevitably brings increased noise. I note the absence of a building management plan, which would typically address these concerns. It is unclear how potential noise impacts, particularly for adjoining residential properties will be mitigated.

8. Poor Street Interface
The ground plane of Building I does not appear to provide adequate articulation or pedestrian amenity, and lacks a human-scaled interface with the public domain. The design should be revised to include more responsive street frontages and active uses to enhance streetscape character.

9. Affordable Housing and Built Form Balance
While I acknowledge the objectives of the Infill Affordable Housing provisions under the Housing SEPP, any resulting bonus in height and floor space must be balanced against the impact on surrounding properties. At present, that balance is not achieved. A height more in line with neighbouring properties being 3 to 4 storeys would be more appropriate and still enable the delivery of affordable housing within the planning framework.

10. Need for Building Management Strategy
Given the mix of proposed tenures (Build-to-Rent and Affordable Housing), a clear building management plan should be made publicly available to address concerns around long-term maintenance, amenity, and resident mix management.

11. Wind Impacts
The Wind Impact Assessment prepared by SLR Consulting Australia states that the proposed 10-storey Building I will not alter wind conditions along Mitchell Road, particularly at measurement points 55, 59, and 60–63. However, this conclusion appears questionable, given the substantial increase in building height and the absence of any visible wind mitigation strategies in the proposed design. It is unusual for a building of this scale to have no discernible wind management measures, and this raises concerns about the adequacy of the wind modelling and its assumptions.

Suggested Alternative

To address these concerns, I respectfully **propose that the height of Building I be reduced to 3 or 4 storeys**, with additional upper levels set back to reduce visual bulk and ensure a**more gradual transition** to the adjoining low-scale terraces.

Any **lost floor space could be redistributed elsewhere on the site, preferably to the western portion**, where higher buildings have already been approved and are contextually more appropriate.

Conclusion

I urge Council to reconsider the current proposal for Building I, particularly the height, massing, and interface with Mitchell Road, to ensure it better reflects the existing and desired future character of the area and minimises adverse impacts on current residents. I also request that serious consideration be given to the alternative solution proposed above.

Please don’t hesitate to contact me should you have any questions or wish to discuss. Look forward to discussing further with you.

Kind regards,

Eu Wen Tham
360A Mitchell Road
Alexandria NSW 2015

From: Luke Fincher <[redacted] on behalf of Luke Fincher <[redacted] <Luke Fincher <[redacted]

Sent on: Thursday, July 3, 2025 7:17:57 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

I write to you concerning the proposed changes to the development of the Ashmore estate. The significant change to height and subsequent massive increase of residential apartments will cause strain to existing infrastructure and services in the area. Without improvements and upgrades to roads, public transport, schools and waste collection services I believe standards will lower for all residents.

Regards,
Luke

From: Maciej Adamczak <[redacted] on behalf of Maciej Adamczak <[redacted] <Maciej Adamczak <[redacted]

Sent on: Thursday, July 3, 2025 10:40:36 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

CC: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: Objection to Proposed Building Height Increases - Development Application D/2025/448

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 to formally object to the proposed modifications to the development application D/2025/448, which seeks to increase the height of two residential towers adjacent to the apartment property I own.

The original proposal was to align the building heights with nearby structures, with one tower limited to 7 - 8 storeys and the other to 4 storeys. The revised proposal now seeks to increase these to 9 - 11 storeys and 7 storeys respectively. I strongly oppose this change.

This amendment represents a significant increase in building mass and density, which will directly impact the surrounding community and local infrastructure. The area already experiences heavy traffic congestion, and further densification will exacerbate this problem. More apartments will mean more residents relying on public transport, increasing crowding on buses and trains, longer queues at local shops, and greater pressure on essential services such as GPs and medical specialists.

Beyond infrastructure strain, the increased height poses additional environmental concerns. Taller buildings will overshadow nearby properties, reducing access to sunlight and increasing wind tunnelling between buildings, negatively affecting liveability and public open spaces.

This shift away from the originally approved and more balanced plan undermines community trust in the planning process. These changes serve developer interests at the expense of local residents and set a troubling precedent for future overdevelopment in the area.

I respectfully urge the City of Sydney to reject the proposed height increases and uphold the original, community-minded development parameters.

Sincerely,

Maciej Adamczak
14104 177-219 Mitchel Rd
Erskineville NSW 2043

03-07-2025

From: [redacted] < [redacted] on behalf of [redacted]
< [redacted] < [redacted] < [redacted]

Sent on: Thursday, July 3, 2025 10:57:19 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: OBJECTIONS TO D/2025/448 AND D/2025/405 AT 155 MITCHELL ROAD; ERSKINEVILLE, N.S.W. 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.

PRIVACY: Please keep confidential my name, landline, mobile telephone number, email address and street address.

Dear Sir.

Height: I object to the proposed increase in the heights of Buildings F, G, H & I as outlined in the Revised Amending Concept - clause 4.6 (height)

Under the Housing SLEPP 2112 the building height may be increased by up to 30% in order to provide for up to 15% of the total housing to be affordable housing. The developer has increased the height allowance for all buildings by 30% and shows this in tables on pages 9 & 10 of the document, **"Amending Concept Development Application"**. I support the developer receiving approval for this increase.

It is also possible for the developer to seek an increase of 10% in height if the building meets design excellence standards. At present a developer may access only one of these two possible height extension's; not both of them. This developer seeks to access both of these height extensions on the assumption the State Government will approve the Council of the City of Sydney's request to amend the City of Sydney's Competitive Design Policy to permit both extension's to be used giving a maximum height extension of 40%.

I do not support this application to use height extension methods when this is contrary to current law.

The developer is not satisfied with 40%, he wants more and designed the buildings to exceed the 40% from both provision's in the SEPP. The justification for this is that the Council of the City of Sydney has required the provision of amenities (gardens, sitting areas, shade structures) on the rooftop of each building. In effect, the developer is saying that this ought not be counted as additional height when presenting this height increase proposal.

In conclusion; I support the heights shown as **"Maximum Permissible Heights"** in tables 9 & 10.

Affordable Housing: I object to the proposal to place all the affordable housing in one building.

The developer proposes to place all of the affordable housing in building H and to keep them available for rent in perpetuity; however, there is no indication of what time span satisfies "perpetuity". Nor is there any indication of what usable lifespan these buildings will be expected to meet. SLEPP provision's require affordable rental housing to be retained for 15 years.

All of the evidence I have seen is critical of developments which segregate home owners and normal renters from affordable housing housing designed for **very low, low and moderate income households.** In most cases of this kind, which can be described as **Economic Class Segregation,** leads to discrimination, made easy by the clear demarcation of households based on income.

I support the inclusion of 30% affordable housing spread evenly across buildings F, G, H, and I.

Yours Sincerely;

TEL email: .

From: Bianca Gross <[redacted] on behalf of Bianca Gross
<[redacted] <Bianca Gross <[redacted]
Sent on: Friday, July 4, 2025 9:41:57 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

RE: Objection to Proposed Development – Erskineville Ashmore Precinct Blocks F, G, H & I

Reference Numbers: D/2025/405 and D/2025/448

Dear Sir/Madam,

I am writing to formally object to the proposed modifications to the Concept Development Application for Blocks F, G, H & I in the Erskineville Ashmore Precinct.

While I appreciate the intention to deliver new housing, I believe the scale and nature of this proposal will have significant adverse impacts on Erskineville's character, infrastructure, and livability. My concerns include:

Strain on Local Infrastructure, Especially Schools and Health Services
Our public schools and GP clinics are already operating under pressure. Adding hundreds more dwellings without commensurate investment in infrastructure will inevitably lead to overcrowded classrooms, longer waiting times, and diminished community services.

Erosion of Community Character and Housing Affordability
The build-to-rent model often results in a transient population with less connection to the local community. Additionally, these developments typically lack family-sized dwellings and rent at a premium, further exacerbating housing affordability issues for long-term residents.

Excessive Building Heights and Overshadowing
The proposed increases in building height—up to 43% higher than originally approved—will overshadow existing homes, block views, and reduce access to sunlight in public and private spaces.

- Block F: Up to 9–11 storeys (previously 7–8)
- Blocks G & H: Up to 9–11 storeys (previously 7–8)
- Block I: Up to 7 storeys (previously 4)

This level of intensification is fundamentally inconsistent with the historic, low-rise character of Erskineville.

Reduced Parking and Increased Congestion
While reduced parking is presented as a sustainable measure, in reality it will further strain already limited on-street parking. Local streets are already congested, and additional residents without adequate parking provisions will only worsen the problem.

Loss of Views and Sunlight
The increased height and bulk of the proposed buildings will permanently impact the outlook, natural light, and sense of openness that define this neighbourhood.

In Summary, this proposal is an overdevelopment that prioritises developer incentives over the wellbeing of the existing community. I urge Council to reconsider the scale and design of this project to ensure it aligns with Erskineville's established character and capacity.

Please accept this letter as my formal objection to this development proposal. I request that Council give serious consideration to these concerns before any decision is finalised.

Kind regards,

Bianca Gross
7605/177-219 Mitchell Road
[redacted]
04/07/2025

From: [redacted] on behalf of [redacted]
<[redacted]>
Sent on: Thursday, July 3, 2025 10:10:42 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens
Attachments: To_ City of Sydney – Planning Assessments Team.pdf (135.46 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 Planning Team,

I am writing to provide feedback on the proposed amendment to the Concept DA D/2015/966, relating specifically to Building I at 155 Mitchell Road, Erskineville.

I request that my name and residential address be withheld from any published or publicly accessible version of my submission. Please ensure that no identifying information is included on your website or the NSW Planning Portal.

Attached is my objection letter outlining concerns about the proposed additional height of Building I, its impacts on overshadowing, neighbourhood character, traffic, and parking.

Thank you for considering my submission.

Kind regards,

[redacted]

To: City of Sydney Planning Assessments Team
DA Reference: D/2025/448
Site Address: 155 Mitchell Road, Erskineville NSW 2043
Applicant: Coronation Property Co Pty Ltd

Submission From: -

[redacted]

Objection to the Proposed Additional Height of Building I

I write to formally object to the proposed amendments to the Concept DA D/2015/966, specifically the proposed height increases to 'Building I' at 155 Mitchell Road, Erskineville, on the following grounds:

1. Overshadowing and Residential Amenity

The proposed height increase of 'Building I' will significantly increase overshadowing of nearby homes, including my property at No.367 Belmont Street. The amended concept DA admits that the increased massing leads to further non-compliance with solar access requirements under the Sydney LEP 2012. This proposal will result in a loss of sunlight to homes that are already struggling to meet minimum solar thresholds, particularly during the winter solstice. The additional three (3) storeys proposed on this site would result in excessive overshadowing and loss of sunlight for the residents living immediately to the east of the subject site, particularly those properties fronting Belmont Street.

The SLEP's existing 7-storey height limit for the site was specifically set to strike an appropriate balance between intensification of development and preservation of reasonable amenity outcomes for surrounding properties, including solar access.

Permitting a 10-storey building would result in: -

- Significant loss of sunlight to habitable rooms and private open space of neighbouring properties.
- Diminished residential amenity and a potential breach of the solar access objectives of the Apartment Design Guide (ADG) under SEPP 65.

Residents of Belmont Street have a reasonable expectation that any new development on the subject site would comply with the SLEP's Height of Building (HoB) controls and would therefore not cause overshadowing beyond what has already been strategically planned for and accepted by Council and the community

The sun is a basic residential amenity, not a negotiable element of urban design. Loss of light translates to diminished comfort, higher energy bills, and devaluation of property. This alone should disqualify the additional height request.

2. Excessive Bulk and Visual Impact

The additional height breaches the 130% permissible height plane, and the justification offered, such as "recessive treatment" of lift overruns and plant structures, is superficial and fails to mitigate the actual impact. These bulky rooftop additions will dominate the skyline when viewed from Belmont Street and nearby open space, with no meaningful attempt at visual integration or proportional scaling.

This is not a minor variation; it represents a noticeable and irreversible shift in the built form character of the area.

3. Compliance with State Environmental Planning Policy No. 65 (SEPP 65) – Design Quality of Residential Apartment Development

The DA's accompanying Statement of Environmental Effects (SEE) appears deficient in demonstrating how the proposed development adequately addresses the mandatory Design Quality Principles under SEPP 65, particularly in respect of its impact on surrounding properties.

SEPP 65 and the associated Apartment Design Guide (ADG) include explicit objectives and criteria intended to: -

- Maintain solar access to neighbouring properties.
- Protect and enhance amenity of the public domain and adjoining residential areas.
- Ensure new apartment buildings are appropriately scaled and sited relative to their context.

The SEE does not appear to include a robust or transparent assessment of how the proposal complies with the solar access, overshadowing and neighbourhood interface provisions of SEPP 65 and the ADG.

This raises serious questions as to whether the proposal meets the required design quality standard and whether Council can be satisfied it warrants consent under SEPP 65.

4. Traffic and Infrastructure Strain

The traffic assessment admits the uplift across the Ashmore Estate (including Building I) will contribute over 1,000 additional peak-hour trips. The development also reduces on-site parking, pushing overflow into surrounding residential streets, including Belmont Street, which is already heavily impacted by commuter parking and service vehicles.

There is no commitment in the proposal to meaningfully mitigate traffic, improve local road infrastructure, or limit vehicle reliance. The height increase intensifies density without resolving its consequences.

5. Developer-Driven Yield, Not Community Benefit

While the application leans on the SEPP (Housing) 2021 to justify the height increase, it is important to note that the additional bulk in Building I is not directly delivering the affordable housing it uses to justify its uplift. Affordable housing is isolated to Block H. Building I's additional floors are allocated to market-rate build-to-rent apartments and rooftop infrastructure, maximising developer profit under the guise of policy compliance.

The public gets shadowing, congestion, and bulk. The developer gets a yield uplift. That trade-off is inequitable and unjustifiable.

6. Inconsistent with Local Character and Planning Objectives

The height and massing of Building I are grossly inconsistent with the existing built form surrounding Mitchell Road and Belmont Street, including the adjacent Cooper Estate Heritage Conservation Area. The Sydney DCP 2012 clearly states that development in Ashmore must provide "a transition to surrounding conservation areas" and preserve key view corridors and solar access.

This proposal does the opposite: it ignores transition zones, overwhelms neighbours, and weakens the fine-grain character that defines Erskineville and Alexandria.

7. Misuse of Planning Incentives and Policy Stacking

The proposal exploits recent changes to the Competitive Design Policy and SEPP (Housing) 2021 by stacking bonuses, effectively bypassing the intent of each policy, and delivering height increases that exceed community expectations for design excellence or public benefit.

It is noted that the DA may seek to rely on the provisions of the State Environmental Planning Policy - Housing (Housing SEPP) to justify the additional building height on the grounds of affordable housing.

However, the DA documentation provides no substantial or compelling justification as to why a height variation of this magnitude is necessary, reasonable, or warranted for the delivery of affordable housing.

- There is no clear or quantitative evidence provided demonstrating why the 7-storey development permitted under the SLEP would not be viable or sufficient to deliver an affordable housing component.
- The applicant has not demonstrated how the exceedance is consistent with the objectives of the Housing SEPP in a way that outweighs the significant adverse impacts and inconsistency with the SLEP.

Without clear evidence of necessity and reasonableness under the Housing SEPP, the proposed variation should not be supported.

8. Unclear Parking Permit Eligibility Will Increase Local Parking Pressure

The application provides no clarity on whether future residents of the Ashmore development, including those in Building I, will be eligible for Zone 36 residential parking permits. Given the proposal offers minimal on-site parking, there is a risk that new residents without parking will compete with existing residents for limited on-street spaces.

I request that Council explicitly confirm that residents of this development will be **ineligible** for residential parking permits, in line with planning practices applied to other high-density, transit-accessible zones across the LGA. Without such conditions, the development will erode existing parking access for surrounding residents, including those on Belmont Street.

Conclusion

This height variation is unnecessary, excessive, and contrary to the planning framework's intent. It undermines residential amenity, imposes unjustified impacts, and delivers questionable public benefit.

It must also be emphasised that a compliant seven (7) storey mixed-use development, which is consistent with the current SLEP and SEPP 65 requirements, would still deliver the developer a highly viable and economically attractive development outcome on this site.

I respectfully submit that the proposed 10-storey building: -

- Is inconsistent with the statutory planning framework, particularly the SLEP's HoB provisions.
- Would result in unreasonable and unacceptable impacts on the amenity of surrounding residents.
- Lacks a robust justification under SEPP 65 or the Housing SEPP.
- Represents poor planning practice that undermines the integrity of Council's strategic planning.

The existing planning controls already allow for substantial development capacity and intensity appropriate to this site's zoning and strategic context. There is no compelling economic or public interest argument presented by the applicant that would justify disregarding the statutory framework at the expense of neighbouring amenity and planning integrity.

I, therefore, urge Council to refuse the proposed amendment to increase the height of Building I and to resist pressure from other government entities whose interests prioritise development yield over the wellbeing of existing residents and the established character of the area.

Kind regards,



From: Daniel Gock <[redacted] on behalf of Daniel Gock <[redacted] <Daniel Gock <[redacted]

Sent on: Friday, July 4, 2025 11:09:41 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Dear Michael Stephens,

I have recently purchased in Erskineville and am incredibly concerned about the proposal to increase the building heights in the Ashmore precinct. This development, in its revised form, does not reflect the needs or character of our Erskineville. I'm particularly concerned about the proposed increase in building heights and the reliance on the build-to-rent model, which I believe is a short-sighted approach to a much deeper housing issue.

The build-to-rent model is not a genuine solution to housing affordability.
While often marketed as a way to increase supply and provide more rental options, in practice, these developments tend to deliver smaller apartments at premium rents, accessible mainly to higher-income tenants. They rarely include truly affordable or family-sized housing, and with no path to ownership, they do little to address long-term housing security. At best, they are a stopgap. At worst, they commercialise housing for profit while sidelining real affordability outcomes.

Increasing building heights benefits developers, not the community.
The significant height increases proposed, up to 43% more than what was originally approved, appear to be driven by financial gain, not public good. These taller towers will overshadow existing homes and public spaces, diminish access to sunlight, and permanently alter the low-rise character that defines Erskineville. The community bears the cost in lost amenity, while developers reap the reward in extra floors of high-rent apartments.

Parking is already limited and public services are stretched. Adding hundreds more residents without substantial, guaranteed investment in infrastructure is simply irresponsible planning.

Thank you for taking the time to read through and for understanding my concerns.

Kind regards,
Daniel Gock
Sydney Park Village Resident

From: Alex Cook <[redacted] on behalf of Alex Cook <[redacted] <Alex Cook <[redacted]

Sent on: Friday, July 4, 2025 11:10:14 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: ATTN: Michael Stephens. Objection to Concept Development Application and Detailed Development Application - 155 Mitchell Road, Erskineville NSW 2043 (D/2025/448 and D/2025/405)

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,

Hope you are well. I'm writing to present arguments against the Proposed Development at 155 Mitchell Road, Erskineville. The concerns primarily revolve around the impacts on residential amenity, traffic, and the character of the existing neighbourhood. The argument is not against the completion of the development but rather than new amendment which will sees the buildings unjustifiably increasing in height from 4 stories to 11 storeys

1. Overshadowing
The proposed development, with its significant increase in height and density, poses a substantial risk of overshadowing existing properties on Mitchell Road, particularly three-story townhouses. While the Statement of Environmental Effects (SEE) and Architectural Plans (AP) mention solar access, the sheer scale of the new buildings (up to 11 storeys in some sections, as per AP Section 3.1 and 3.6) compared to the existing low-scale residential character of Mitchell Road suggests that sunlight to private open spaces and living areas of adjacent townhouses will be significantly reduced, especially during the critical winter months. This loss of solar access will negatively impact the liveability and energy efficiency of these homes. Further, the existing homes on Mitchell Road and even Belmont Street will lose a considerable amount of sunlight due to this proposal.

2. Loss of Privacy
The increased height and density of the proposed development will inevitably lead to a significant loss of privacy for residents of three-story townhouses on Mitchell Road. The Architectural Plans (Section 5.4) indicate building separation distances and the use of translucent glass or privacy screens in some areas. However, with buildings reaching up to 11 storeys (AP Section 3.1), direct overlooking into private yards, balconies, and even internal living spaces of adjacent townhouses is highly probable. The proposed solutions, such as translucent glass, may mitigate direct views but can still result in a sense of being overlooked and a reduction in the perceived privacy of one's home. This is particularly concerning for multi-story dwellings where upper-level windows will have direct sightlines into the new development.

3. Increased Traffic Congestion and Parking Issues
The proposed development includes 577 apartments and 5,125m2 of retail floorspace (SEE Section 1.0, Development Summary). While the plans propose 379 car parking spaces (SEE Section 9.7), this significant increase in residential and retail density will undoubtedly lead to a substantial increase in traffic movements on Mitchell Road and surrounding local streets. Mitchell Road is already described as a "busy, noisy road" (SEE Section 2.5). The influx of additional vehicles, including residents, visitors, delivery trucks for the supermarket and retail, and service vehicles, will exacerbate existing traffic congestion, particularly during peak hours. This will negatively impact the daily lives of existing residents, making ingress and egress from their properties more difficult and increasing noise and air pollution. Furthermore, despite the proposed parking, the sheer volume of new residents and retail activity may lead to increased on-street parking demand in an already constrained residential area, further impacting the amenity of the neighborhood. The traffic report is also from 2021 which was during COVID and at a time of increased lockdown when far fewer vehicles were on the roads than are now, as such that report is inconsequential and out of date.

4. Negative Impact on Neighborhood Character and Visual Amenity
The proposed development significantly deviates from the established low-scale residential character of Mitchell Road and the adjacent Cooper Estate Conservation Area.**The Sydney Development Control Plan (SDCP) 2012, as referenced in the Statement of Environmental Effects (Section 2.7), specifically calls for "Low buildings**

fronting Mitchell Road." The proposed heights, reaching up to 11 storeys (AP Section 3.1), are a stark contrast to the predominantly two and three-story townhouses and detached houses in the immediate vicinity. While the Architectural Plans (Section 3.3) attempt to mitigate bulk through stepped street walls and varied materials, the sheer scale of the development will be visually overwhelming and out of character with the existing streetscape. This will fundamentally alter the visual amenity of the neighborhood, diminishing the residential feel and sense of community for long-term residents.

I look forward to your response and would happily engage further on a more progressive and amenable community plan.

Thanks,
Alex Cook

Owner 358B Mitchell Road, Alexander NSW 2015

From: Zoe Tillett <[redacted] on behalf of Zoe Tillett <[redacted] <Zoe Tillett <[redacted]

Sent on: Friday, July 4, 2025 1:04:34 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Tom Kennedy <[redacted]

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: Objection Letter.pdf (99.51 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 DA Submissions committee,

I ask that you please take the attached letter as a formal objection to the proposed development plan at 155 Mitchell Road, and urge you to listen to the community needs as addressed in this correspondence as well as the many others I know have been communicated.

Kind regards,

Zoe and Thomas Ferguson-Kennedy

Zoe & Thomas Ferguson-Kennedy
32/ 300-322 Mitchell Road
Alexandria NSW 2015

4th July 2025

City of Sydney
GPO Box 1591
Sydney NSW 2001

Re: Objection to Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I am writing to lodge a formal objection to Development Application **D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for **Blocks F, G, H, and I at 155 Mitchell Road**, Erskineville, NSW 2043.

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1. Excessive Height and Loss of Sunlight

The height of the proposed buildings at 155 Mitchell Road is excessive and not aligned with the original development plans for the area. Our property at 300-322 Mitchell Road directly faces the proposed development site and this will significantly decrease sunlight into our home.

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2. Loss of Heritage Transition and Local Character

The proposed site does not fit within the local character of the Erskineville/Alexandria area, and the proposed height and scale of the development does not fit with other local establishments and culture.

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3. Traffic and Transport Impact

Street parking is already a challenge in the busy suburb of Erskineville/Alexandria, and with increased development, this will become a significant concern. Increased traffic in the area, particularly so close to parks, schools, and other community institutions could be a risk to the general public as traffic would increase significantly.

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4. Amenity and Infrastructure Pressure

The pressure on amenities and infrastructure, particularly with consideration to power and water, is one that the Erskineville/Alexandria community are concerned about in regard to a development of this scale at this height. The increased pressure on power, water, and stormwater/drainage that would be caused by a building of this scale would put significant pressure on these areas.

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5. Community Consultation and Transparency

The community are displeased at the lack of transparency and community consultation surrounding this project. The initial development plans suggested a vastly differing scale of height on the building, and the lack of transparency and community consultation around these changes is disappointing and shows a severe lack of care for the Erskineville/Alexandria community.

---

6. Loss of Privacy

Our property is located on the second floor of our building, and we have purchased at this height because we appreciate the privacy it offers and we know that this brings significant value to our home. We feel strongly that a development of this scale will significantly decrease our right to quiet and private enjoyment of our own home and strongly urge the council to consider this in their review of these development plans. Not only will this significantly reduce people's right to privacy, but will decrease the value of our homes.

Requested Action

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.
- **Consider a reasonable height for the proposed development** as the existing proposal for height is inappropriate and does not honour the community for the above reasons.

I encourage the Council to thoughtfully evaluate the concerns raised by residents and to consider the long-term impacts of approving this development. I respectfully request that **Development Applications D/2025/448 and D/2015/966** be either rejected or substantially revised to address these issues.

Yours sincerely,

Zoe and Thomas Ferguson-Kennedy

From: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Friday, July 4, 2025 1:14:31 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Justin Lin <[redacted]
Sent: Friday, 4 July 2025 12:05 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Dear City of Sydney Planning Team,

I am writing as a concerned resident to formally object to the proposed modifications to the Erskineville Ashmore Precinct Blocks F, G, H, and I (Development Applications D/2025/405 and D/2025/448), specifically the plans to substantially increase building heights across these sites.

This proposal threatens the amenity, character, and liveability of our community. I wish to outline several key concerns:

1. Excessive Building Heights and Overshadowing:
The proposed increases-up to 11 stories in some blocks-are significantly out of step with the originally approved plans and Erskineville's established low-rise character. These changes would dramatically increase overshadowing of existing homes and public spaces, block vital sunlight, and negatively affect residential amenity and community enjoyment of outdoor areas.
2. Strain on Local Infrastructure:
Our local schools and GP services are already under pressure. Additional high-density housing without matched investment in infrastructure will inevitably result in overcrowded classrooms and overstretched health services. These are critical services for local families and must not be overlooked.
3. Loss of Community Character and Cohesion:
Build-to-rent developments often fail to support long-term community stability. The absence of family-sized dwellings and the high cost of rental units can foster a transient population and further exacerbate the existing housing affordability crisis.
4. Insufficient Parking Provision and Traffic Congestion:
The proposed reduction in on-site parking may seem aligned with sustainability goals, but in practice it is likely to worsen traffic and parking issues in surrounding streets. I live on Hadfields Street, which already experiences frequent speeding, excessive traffic noise, and a heightened risk of pedestrian injury. Increasing the local population density without addressing traffic and safety concerns will only intensify these problems and put residents at further risk.

This development, as currently proposed, is out of character with the unique, heritage-rich identity of Erskineville. I urge the City of Sydney to reject the proposed modifications and uphold the community's vision for a liveable, sustainable, and inclusive neighbourhood.

Thank you for considering this submission.

Yours sincerely,

Justin Lin
Hadfields Street, Erskineville

From: Darren Youles <[redacted] on behalf of Darren Youles <[redacted] <Darren Youles <[redacted]

Sent on: Friday, July 4, 2025 1:27:30 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: Submission - D_2025_448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens.pdf (154.18 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 Mr Stephens,

Please find a detailed objection to **Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development ApplicationD/2015/966.**

These proposals as they stand will have a comprehensive negative impact on my property on Mitchell Road, and I implore you to consider these impacts and reject these plans or they are significantly revised.

Thank you in advance for your consideration to this matter.

Kind regards,
Darren Youles
[redacted]

Confidential communication
[redacted]
[redacted] orporation

Darren Youles
Unit 29 / 300 Mitchell Road
Alexandria NSW 2015

4 July 2025

City of Sydney
GPO Box 1591
Sydney NSW 2001

Re: Objection to Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I am writing to lodge a formal objection to Development Application **D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for **Blocks F, G, H, and I at 155 Mitchell Road**, Erskineville, NSW 2043.

The reasons for my objection are as follows:

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1. Excessive Height and Loss of Sunlight

The proposal:

- Exceeds height limits under the local LEP (Local Environmental Plan) or DCP (Development Control Plan).
- Is out of character with surrounding buildings.
- Contributes to overdevelopment of the site – does not align with existing or desired streetscape.
- Causes an excessive shadow cast on neighbouring properties (especially private open space or solar panels).
- Reduces solar access to adjacent homes, parks, or public areas. **My property will lose direct sunlight, reducing the quality of life within the unit.**
- Breaches sunlight access rules in the DCP (e.g., minimum 3 hours sunlight to private open space).

---

2. Loss of Heritage Transition and Local Character

The proposal:

- Has poor internal layout, lack of cross-ventilation, or poor building articulation.
- Provides no contribution to public domain (e.g., footpath widening, landscaping, plazas).
- Is incompatible with surrounding heritage conservation area or nearby heritage-listed properties.
- Disrupts established architectural character or historical significance of the area.

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3. Traffic and Transport Impact

This proposal:

- Increases traffic congestion in surrounding streets.
- Provides inadequate on-site parking (leading to spill over into residential streets).
- Has insufficient loading/unloading or service vehicle space.

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4. Amenity and Infrastructure Pressure

The proposal will exacerbate:

- Noise from communal areas, mechanical equipment, car parks, or rooftop spaces.
- Late-night activity in commercial/mixed-use developments.
- Construction noise over extended periods.

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5. Loss of Privacy

This proposal:

- Will cause considerable loss of privacy due to windows, balconies, directly overlooking or into my living areas.
- Provides inadequate setbacks or screening measures.
- Impacts on reasonable privacy expectations.

Requested Action

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.

I encourage the Council to thoughtfully evaluate the concerns raised by residents and to consider the long-term impacts of approving this development. I respectfully request that **Development Applications D/2025/448 and D/2015/966** be either rejected or substantially revised to address these issues.

Yours sincerely,



Darren Youles

From: Radhika Kumar Singh <[redacted] on behalf of Radhika Kumar Singh <[redacted] <Radhika Kumar Singh <[redacted]

Sent on: Friday, July 4, 2025 2:03:55 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Re: OBJECTION: Submission - D/2025/448 - 155 Mitchell Road 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.

To whom it may concern

I am seriously concerned regarding the proposal to increase the height of this development and increase capacity in an already congested suburb where parking and traffic is a nightmare since these developments commenced.

The proposal will cause further issues such as:

- block sunlight for already existing homes across the streets.
- more strain and stress on infrastructure and community
- Damages the character and beauty of this precinct.
- Does nothing for the affordability crisis as these places can only be afforded by premium clientele and not by people who are homeless or can't afford the expensive rent.
- most of the current apartments are occupied by Asians and this place is now starting to look like another Mascot. We are losing a beautiful diverse community.

Regards
Radhika

From: Lynne Hannan <[redacted] on behalf of Lynne Hannan <[redacted] <Lynne Hannan <[redacted]

Sent on: Friday, July 4, 2025 1:33:49 PM

To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>

Subject: Proposed changes to the height of Ashmore estate D/2025/448

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.

I am deeply concerned that the height of the new development in Mitchell Rd Alexandria will now be extended in general and in some cases to 11 storeys!

This is completely unacceptable. The development will be totally inappropriate for the character of Erskineville and Alexandria.

It will impact significantly on people's privacy because it will overlook their homes and backyards. It will also cause lots of noise and interfere with people's quiet enjoyment of their homes.

It will block their sunlight and breezes so important in this time of heat waves and climate change. It will create canyons that are dark dingy and depressing in winter.

The existing infrastructure such as public transport is already in adequate to deal with the number of people living in the area and with its density as it is.

It will create an hugely increased pressure on traffic, parking, schools.

What will happen to Maddox Street which is already gridlocked and about which the council promised years ago traffic calming measures which have never materialised? Mitchell road is also largely gridlocked.

I accept there is a need for new housing to be built and that each area must accept its share of new developments. However the current proposal is totally inappropriate unacceptable and I object in the strongest possible terms.

Please take these concerns into consideration.

Dr Lynne Hannan PhD

Sent from my iPhone

From: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>

Sent on: Friday, July 4, 2025 11:38:11 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Oskar Sachs <
Sent: Friday, 4 July 2025 11:22 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

I live adjacent to this proposed development and object to the proposed new building height.
Our street is already compromised in terms of lack of parking, excessive speeding and noise from traffic and I believe this new proposal will only make matters worse.

Oskar Sachs
207B/5 Hadfields Street
Erskineville NSW 2043

From: [redacted] on behalf of [redacted]
<[redacted]>
Sent on: Friday, July 4, 2025 1:57:32 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: RE: D/2025/448 - objection to application

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: Michael Stephens

Dear Mr. Stephens

I wish to convey my objection to the aforementioned DA submission - below are the reasons listed out. For privacy reasons I also would like to keep my personal information hidden from being made available on the City of Sydney website, thank you

While I understand the intention to boost housing supply, I have serious concerns that the proposed amendments will negatively affect the Erskineville community, the surrounds and its infrastructure. Some key points being:

1. Development Size and Scope

The scale of the proposed amendments - including increased building envelopes, Build-to-Rent conversion, and affordable housing - represents a significant change, not a minor variation. This should be wholly reconsidered as most/no other buildings in the vicinity currently meet the height proposed, nor should it for the additional reasons following.

2. Traffic Congestion and Parking Issues
Erskineville's narrow streets are already congested and lack sufficient parking.

- **Narrow Streets and Congestion:** Increased traffic from the development will worsen congestion, making it harder and less safe for pedestrians, cyclists, and drivers.
- **Parking Shortages:** With parking already limited, the addition with more residents without adequate off-street parking will worsen the situation, reducing road safety and accessibility.

3. Excessive Height and Impact on Local Amenity
The proposed building heights are out of character for Erskineville and will have negative impacts.

- **Visual Impact and Character:** Erskineville is a low-rise, community-focused suburb. The proposed heights will overshadow existing buildings, block views, and undermine the area's character.
- **Shadows and Loss of Light:** Taller buildings will cast long shadows, especially over neighbouring properties to the south and west, reducing natural light and impacting livability.

4. Strain on Local Infrastructure and Services
Erskineville's infrastructure is already under pressure, and this development will worsen the situation.

- **Local Public School:** The school is small, with limited space and facilities, struggling to meet current demand. More residents will only increase this strain, impacting education quality.
- **Childcare and Health Services:** Childcare places are scarce, with long waiting lists. Local healthcare services, including GPs, already face significant demand. This development will add further pressure.
- **Playgrounds and Recreation:** The plan fails to provide adequate public open space and playgrounds. With

more families and limited private yards, the lack of recreational space will be even more apparent.

These substantial changes should be assessed through a new development application, ensuring thorough review, community consultation, and proper evaluation of the impacts on Erskineville.

While more housing is important, this proposal does not suit Erskineville's existing context. Excessive building height, infrastructure strain, and negative community impacts make the current plan unacceptable.

I urge the City of Sydney Council to reconsider the amendments, focusing on building scale, infrastructure capacity, and community needs. The project must be aligned with local requirements, including education, healthcare, and recreational facilities.

Kind regards,



From: Maggie Aitken <[redacted] on behalf of Maggie Aitken <[redacted] <Maggie Aitken <[redacted]

Sent on: Friday, July 4, 2025 2:04:59 PM

To: dasubmissions@cityofsydney.nsw.gov.au; cmoore@cityofsydney.nsw.gov.au

Subject: DA D/2025/448 Mitchell Road

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 have lived in this street for 40 years. My property will be significantly affected by this development yet I have received no information about this proposal. So where is the duty of care to ratepayers when I only heard about this proposal from a neighbour - at the last minute???

When Park Sydney was first proposed, it was going to be 19 storeys high. Due to the diligence of the City of Sydney the height was reduced to 9 storeys. Why has this been changed? Who does it reward - the developers at the expense of the residents, who will have to be in shade for a significant part of the day.

I have lived in this sunny spot for 40 years. The City of Sydney prides itself on its city of Villages. It is not a village when one can see high rise buildings out of our front window. Early shade can have a devastating effect on people's mental health and Seasonally Affected Disorder, and that is what we have to look forward to.

While the developers put money into their bank accounts, the residents who wish to sell their house will lose money as no one wants to buy a house that is in shade for a significant time during the day

A few months ago the council garden staff kindly removed about a dozen Shlefflera bushes growing in the nature strip in front of my house. I have converted it to a native garden with nearly 20 native plants that will need full sunlight for their growth. With the effects of shading caused by this development, this garden will not grow to its full potential. It was to be my pride and joy, as I do a lot of bushcare and being around plants again has a positive effect on one's mental health.

I would urge the Council to reconsider this change of plan and consider the lives of the residents rather than the developers.
We pay our rates and would appreciate the respect of the council to allow as many people as possible to enjoy the sun and the life they are used to

Yours sincerely,

Maggie Aitken
302, Belmont Street, Alexandria

PS. Why cannot the high rise building legislation be mandated to a more V -shaped style: 2-3 storeys then 5-6 stoeys etc. THis allows more sunlight for everyone and everyone should have access to the sky

From: Liz Zacka [redacted] on behalf of Liz Zacka [redacted] <Liz Zacka [redacted]

Sent on: Friday, July 4, 2025 3:59:37 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: Request to object to Proposed Development Application_D.2025.448 & D.2025.405_Zacka.docx (20.63 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.

Hello,

Please see attached my objection letter regarding two recent development applications D/2025/448 and D/2025/405.

I am strongly opposing the intended significant increases to the building heights of these development from 3 stories to 7-11 stories and urge council to consider the impact to residents.

Thank you,
Liz Zacka

Liz Zacka
Unit 40 / 300 Mitchell Road
Alexandria NSW 2015

3rd July 2025

City of Sydney
GPO Box 1591
Sydney NSW 2001

Re: Objection to Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I'm writing to lodge a formal objection to Development Application **D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for **Blocks F, G, H, and I at 155 Mitchell Road**, Erskineville, NSW 2043.

Excessive Height and Loss of Sunlight

Excessive shadow will be cast on our property significantly impacting sunlight access.

Our apartment is on the top floor and west facing. Due to our building design our private open balcony space currently has sunlight access (without shadow casts) from approx 11am – sunset – it relies on the access coming from the west aspect.

This proposal will impact the sunlight access significantly resulting in the balcony space likely to be in permanent shadow, which breaches sunlight access rules in the DCP (minimum 3 hours sunlight to private open space).

Traffic and Transport Impact

Mitchell Road already experiences an extremely high volume of traffic that residents content with, traffic pressure has already been impacted in the street with significantly underutilised bike lanes that encroach on the road capacity and this proposal will exacerbate that congestion even further, adding strain on available parking (due to the inadequate onsite parking) leading to spillover in nearby streets and will chokehold traffic on what needs to be a key arterial road connecting city to south.

Loss of Privacy and Overlooking

As a top floor resident this new proposal will impact our reasonable expectations to privacy in our windows, living areas and in particular rooftop balcony space – this is a value point of our apartment and will significantly reduce our property value should the privacy of the property be impacted so heavily.

Infrastructure Strain

The population increase will impact public transport (in particular the volume needing access to Route 308 to the city) which is already at capacity during workdays.

Height, Bulk, and Scale

The new proposed height of the building is an overdevelopment of the site – does not align with existing or desired streetscape.

Requested Action

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.

I encourage the Council to thoughtfully evaluate the concerns raised by residents and to consider the long-term impacts of approving this development. I respectfully request that **Development Applications D/2025/448 and D/2015/966** be either rejected or substantially revised to address these issues.

Yours sincerely,

Liz Zacka

From: Kiel Horton [redacted] on behalf of Kiel Horton [redacted] <Kiel Horton [redacted]

Sent on: Friday, July 4, 2025 5:59:28 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Danielle Horton [redacted]

Subject: Objection to development applications: 155 Mitchell Road, Erskineville NSW 2043 (D/2025/448 and D/2025/405)

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 Council Planning Team,

I am writing to formally object to the proposed developments under Development Applications D/2025/448 and D/2025/405 for 155 Mitchell Road, Erskineville. As local resident for 12 years, and owner of a property facing the proposed Block I for 7 years, I am directly affected by these amendments and have significant concerns should they proceed.

1. Material departure from the agreed upon plan

As a resident who accepted and supported the original Ashmore proposal in good faith, I feel misled that the amendments are now being made that clearly will erode trust in the initial process.

The original planning framework was developed with community consultation and a balance between growth and livability. Approving this amendment would set a concerning precedent and diminish public confidence in the strategic planning process.

2. Significant overshadowing

Shadow diagrams from the Statement of Environmental Effects (p79) highlight that my property will experience a material reduction in natural light resulting from overshadowing from Block I. Should this pass, my property will effectively be fully in shade from 12pm, likely violating the City's own solar access provisions and minimum standards for adjacent dwellings. This will negatively affect my family's quality of life and energy efficiency of mine and surrounding properties.

3. Parking shortfall

With low on-site parking space ratios as it stands, this dramatic increase in units will clearly push spillover parking onto surrounding residential streets that cannot meet demand for parking. Being able to access street parking has become materially more difficult since the earlier Ashmore phases have been completed, and this will greatly increase this issue further.

Increased traffic volumes will also place further strain on Mitchell Road, which already experiences major bottlenecks during peak times.

4. Urban wall

The proposal introduces excessive visual bulk that undermines the established low- to mid-rise character within the Erskineville village. Further, the design lacks any appropriate transition to nearby built forms and will create a monolithic urban wall along Mitchell Road. This is not aligned with the original Ashmore Precinct planning framework.

In summary, these proposed changes are extremely disappointing as a resident who has lived through years of disruption from precinct redevelopment. I urge Council to refuse these amendments, or require substantial redesign to address the issues highlighted above.

Sincerely,
Kiel Horton

From: Victoria Hannan [redacted] n behalf of Victoria Hannan [redacted] <Victoria Hannan [redacted]
Sent on: Monday, July 7, 2025 11:23:09 AM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Fwd: Ashmore Development D/2025/448

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 see attached to this email my grave concerns re the proposed development.

Sent from my iPhone

Begin forwarded message:

From: Victoria Hannan [redacted]
Date: 4 July 2025 at 4:53
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Ashmore Development

Dear sir /madam,
As a local resident, I am distressed to learn that the council is considering increasing the height of the proposed unit blocks in Ashmore Estate.
My concerns are relevant for what will have an enormous impact on traffic flow, noise pollution, privacy and security. At present our streets in Alexandria have increasing traffic grid locks and noise. Safety for pedestrians and, bike riders etc is worrying. The village feeling we enjoy now will be no more. I consider the present proposed plans for a lesser height is only just bearable. Many dwellings will lose the sun and ambient light making it darker and colder especially in winter. I very strongly disagree with this new proposal and hope the council will consider the needs of local and long time residents.
Sincerely Victoria Hannan
Sent from my iPhone

From: [redacted] on behalf of [redacted]

Sent on: Friday, July 4, 2025 4:57:59 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

Attachments: Objection - D.2025.448 - No.155 Mitchell Road, Erskenville ([redacted] - No.[redacted].[redacted].docx (25.49 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 Planning Team,

I am writing to provide feedback on the proposed amendment to the Concept DA D/2015/966, relating specifically to Building I at 155 Mitchell Road, Erskineville.

I request that my name and residential address be withheld from any published or publicly accessible version of my submission. Please ensure that no identifying information is included on your website or the NSW Planning Portal.

Attached is my objection letter outlining concerns about the proposed additional height of Building I, its impacts on overshadowing, neighbourhood character, traffic, and parking.

Thank you for considering my submission.

Kind regards,

[redacted]

To: City of Sydney Planning Assessments Team
DA Reference: D/2025/448
Site Address: 155 Mitchell Road, Erskineville NSW 2043
Applicant: Coronation Property Co Pty Ltd

Submission From: -

[redacted]
Alexandria NSW 2015

Objection to the Proposed Additional Height of Building I

I write to formally object to the proposed amendments to the Concept DA D/2015/966, specifically the proposed height increases to 'Building I' at 155 Mitchell Road, Erskineville.

Executive Summary

This executive summary conveys the key points of objection by me, [redacted] a local resident, and [redacted] Alexandria, regarding Development Application D/2025/448 for No.155 Mitchell Road, Erskineville. The subject 'Concept DA' proposes a 10-storey mixed-use building that flagrantly exceeds the Sydney Local Environmental Plan 2012 (SLEP 2012) Height of Buildings (HoB) control of seven (7) storeys or a total maximum height of twenty-seven (27) metres.

I, therefore, urge the Council to refuse the application in its current form, on grounds that it undermines established planning controls, causes undue harm to neighbouring properties, and lacks sound justification or public benefit to warrant such a significant breach.

Key objections are outlined below: -

1. Breach of Height Controls without Strategic Justification

The proposed 10-storey height dramatically exceeds the SLEP 2012 Height of Buildings Map control for this site (mapped at ~7 storeys or 27m maximum). This is not a minor variation but a major uplift of three (3) additional storeys (over 40% higher) than permitted. No Planning Proposal or strategic planning assessment has been undertaken to justify amending the LEP standards for this site so, in effect, the applicant is attempting to bypass the proper planning process by seeking approval via a standard DA.

Such a substantial contravention of the height limit undermines the integrity of the planning controls and community expectations. Normally, a height increase of this magnitude should be pursued through a formal LEP amendment (Planning Proposal) with comprehensive strategic justification and public consultation – none of which has occurred. Approving this Concept DA as proposed would set a troubling precedent that large exceedances of development standards can be achieved without the robust scrutiny that rezoning proposals require. I, therefore, contend that Council upholds the current height limit to maintain fair and consistent planning governance.

2. Excessive Overshadowing Impact on Belmont Street Properties

The extra height and bulk will cause unacceptable overshadowing of homes along Belmont Street to the east, severely diminishing their sunlight and residential amenity. Existing planning controls and previous area plans anticipated that new buildings on this site should minimise shadow impacts on surrounding properties. In fact, City of Sydney's controls stipulate that a new development must not create additional shadow on a neighbouring dwelling that already receives less than 2 hours of sun in mid-winter.

The Belmont Street cottages currently enjoy only limited afternoon sunlight, and the original masterplan for the precinct ensured that any taller buildings would not overshadow those rear yards until after about 3pm in mid-winter. By soaring three (3) storeys above the intended height, the proposal would cast much earlier and longer shadows over these homes, violating the amenity protections envisaged by Council's planning controls.

Year-round, but especially at winter solstice, the 10-storey building would rob adjacent residents of precious sunlight in their backyards and living areas during the afternoon. Such excessive overshadowing is inconsistent with the reasonable expectations of neighbouring owners and goes against the public interest. The objector emphasises that preserving sunlight access for existing homes is a fundamental planning objective, and this DA clearly fails to meet that obligation.

3. Non-Compliance with State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65)

Neighbouring Amenity: The Development Application does not adequately demonstrate compliance with the Design Quality principles of SEPP 65 (State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development), particularly with respect to protecting the amenity of neighbouring properties. Good design in urban infill projects requires sensitivity to context and impacts. Principle 1 (Context and Neighbourhood Character) and Principle 2 (Scale) under SEPP 65 demand that new buildings fit harmoniously into their surroundings – including not unduly dominating or overshadowing adjacent lower-scale areas.

Furthermore, the Apartment Design Guide (ADG), which guides SEPP 65 compliance, explicitly calls for minimising overshadowing of adjoining properties in mid-winter. The subject proposal, by introducing excessive height, fails these design quality tests. It does not respect the scale of the surrounding neighbourhood (which is characterised by much lower building heights) and it diminishes neighbouring amenity through these shadow impacts.

The DA's documentation, therefore, falls short of proving that the design will maintain adequate solar access and privacy for neighbours – a core consideration under SEPP 65 and Council's DCP. In summary, the proposal's design is not of acceptable quality in terms of its relationship to its context and its impact on adjacent dwellings, which is a strong ground for refusal under the design quality framework.

4. Lack of Justification for Extra Three (3) Storeys under Housing SEPP (Affordable Housing)

The applicant appears to be invoking the affordable housing incentive provisions of the Housing SEPP 2021 (which supersedes the former Affordable Rental Housing SEPP) to seek additional height. While the Housing SEPP does allow certain bonuses (typically up to 20-30% extra floor space and height for projects including a substantial portion of affordable housing), there is no substantial evidence in the DA that the maximum bonus (three (3) additional storeys in this case) is warranted or necessary to deliver affordable housing on this site.

The objection notes that the application provides no rigorous viability analysis or planning rationale explaining why the development must have ten (10) storeys to achieve its affordable housing commitments. It is unclear how much affordable housing is proposed, and whether it truly justifies such a large departure from the planning controls. I am, therefore, concerned that the affordable housing provision is being used as a pretext to gain excessive development yield without genuine merit. Council should require a clear demonstration of why additional height is essential for affordability outcomes – and in this DA, no such justification has been made.

Absent of a compelling public benefit, the mere inclusion of some affordable units should not automatically permit a dramatic building height increase. In short, the public benefits do not clearly outweigh the public impacts, calling into question the reliance on Housing SEPP bonuses in this proposal.

5. Feasibility of a Compliant 7-Storey Scheme

Importantly, I would also like to emphasise that a compliant 7-storey mixed-use development is entirely feasible on this site and would be financially viable while fully adhering to the planning controls. The developer's pursuit of a three extra floors appears driven by maximising profit and yield, rather than necessity. There is no credible evidence that the project would be unviable or unable to provide housing (even affordable housing) at the 7-storey height limit. In fact, the site's zoning and the existing LEP/DCP controls were adopted to allow a substantial development – in the order of seven storeys which, under normal circumstances, should already deliver a profitable outcome.

A compliant scheme could provide new housing and even include affordable units (with modest bonus floor space) without breaching height limits or harming neighbours. Therefore, the excessive height is simply not required in order to achieve the development's true objectives.

Approving the taller building would, therefore, confer an undeserved windfall gain to the applicant at the expense of the community's-built form expectations. I also contend that the proper balance of planning outcomes can be met with a height-compliant design, and I urge Council to ignore the argument that extra height is required for project feasibility or public benefit – since those claims are totally unsubstantiated.

Conclusion

In summary, my objection is rooted in upholding the rule of law in planning and protecting the amenity of existing residents. The proposed 10-storey development at 155 Mitchell Road is incompatible with the planning controls and the surrounding context. It seeks an unjustified height increase that would set a poor precedent, cause undue overshadowing and amenity impacts, and compromise design quality standards – all without a convincing public interest justification.

I now respectfully request that Council refuses or requires substantial modification of this DA. It is considered that a scaled-down, height-compliant development would better align with the Sydney LEP 2012, satisfy State policy design principles, and maintain fairness by honouring the community's planning framework. Council's commitment to its Local Environmental Plan and to equitable, strategic planning should be reaffirmed by rejecting this proposal in its current form.

Kind regards,



ALEXANDRIA.

From: Michael Stephens <MJStephens@cityofsydney.nsw.gov.au> on behalf of Michael Stephens <MJStephens@cityofsydney.nsw.gov.au> <Michael Stephens <MJStephens@cityofsydney.nsw.gov.au>>
Sent on: Wednesday, July 9, 2025 10:09:22 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Query: D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043

Please register below submission.

From: [redacted]
Sent: Tuesday, 8 July 2025 8:27 PM
To: Michael Stephens <MJStephens@cityofsydney.nsw.gov.au>
Subject: Query: D/2025/448 - 155 Mitchell Road 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,
Regarding this amendment, there are references throughout the document to agreements already made with the City of Sydney council during it's development. Is there any point therefore in raising a fundamental objection given it appears the council has already implicitly approved all the material aspects? Hence the consultation appears pointless.
The objection we, and we know many of our neighbours have, is that we specifically chose to buy and live in the Ashmore precinct due to the height of buildings being limited to 8 storeys. This makes it far more open and attractive than alternatives such as Zetland with heights of 12 storeys, and this has been reflected in property prices. It seems that because the developers fell well behind the original timeframe for development they (via their successors Coronation) have been rewarded by access to recent legislative changes.
Three further aspects of concern:

- Seeking access to 'bonus' capacity via height, due to the inclusion of affordable housing, even though this is not provided in those buildings proposed to increase to 11 storeys.
- A further 10% bonus due to a design excellence award;
    - how are such awards decided and ensured free of conflicts of interest or corruption?
    - Is it reasonable that this is awarded in addition to the affordable housing bonus with the increased impact on neighbours , it does nothing for our design which was predicated on neighbouring buildings being up to 8 storeys
- Our property, [redacted] has already been adversely impacted by a previous amendment which was approved granting an increase also in the height of the building diagonally opposite to ours on the junction of Hadfields and Macdonald St. Our building is 'crowded out' and shadowed by these combined amendments instead of having light and good visibility to Macpherson Park

Yours sincerely,
[redacted]

From: [redacted] on behalf of [redacted]

Sent on: Monday, July 14, 2025 2:00:18 AM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: [redacted]; Michael Stephens <mjstephens@cityofsydney.nsw.gov.au>

Subject: Submission D/2025/405 and D/2025/448

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 accept the following submission for D/2025/405 and D/2025/488. As discussed with Michael Stephens, we have been overseas for a number of years (returning in December 2025) and we recently became aware of the revised application which is why this submission is delayed.

To Whom it may concern,

We strongly oppose the building proposal for D/2025/405 and D/2025/448. The modified proposal has significant impact on our property due to the increased height of the building and it's close proximity to our property.

Direct impacts on our home

Our property is directly over the road from Block I on Mitchell Road and we were already concerned with the approved application and the impacts it will have on us and our home. This revised proposal significantly exasperates these concerns and will impose ongoing financial costs to us.

The building (Block I) is just [redacted] away from our home with little to no set back and the significant increase in height will impact us emotionally (health and wellbeing due to less natural light) financially (due to higher heating and cooling costs), our privacy and also the overall thermal design of our property will be dramatically compromised.

The following elements of our property will be seriously impacted by the overshadowing that is a result of the increase in height and the close proximity to our property.

- Our property has been designed with thermal properties in mind to be energy efficient and take advantage of airflow and natural sunlight
- We rely on sun to heat our home and the height of these buildings will mean that we may lose sun in winter as early at 1pm
- Our pool which is used 12 months per year is located at the front of the property (close to Mitchell Road) this will be significantly impacted due to overshadowing.
- The above points will be further exasperated as the output from our 48 solar panels will severely reduce our ability to cost effectively heat and cool our home and pool

A significant part of our investment in our home for energy efficiency will essentially become redundant by these height increases and this proposal will impose a significant ongoing cost financially to us.

Indirect impacts on the community

- The buildings are aesthetically out of character with the neighbourhood due to their size and the lack of set back from the road. This sets a very concerning precedent.
- Allowing these increases, where they severely impact existing residents is very concerning. Increased heights should only be utilised where the impact on existing residents is minimal.
- Parking and vehicle congestion is already a significant concern in the area

We are not opposed to development and support affordable housing but any approved application should not result in such severe detriment to existing residents.

Please also can you redact our name and address if publishing this.

Kind regards

Alexandria 2015

Item 6.

Development Application: 155 Mitchell Road, Erskineville - D/2025/405

File Number: D/2025/405

Summary

Date of Submission:	22 May 2025
Applicant:	Coronation Property Co Pty Ltd
Architect/Designer:	Bates Smart and BVN
Developer:	Coronation Property Co Pty Ltd
Owner:	Erskineville Developments Pty Ltd
Planning Consultant:	Urbis
Heritage Consultant:	GBA Heritage
DAP:	Pre-lodgement Advice - 28 November 2024 and 11 February 2025
Cost of Works:	$568,650,460.00
Zoning:	The site is zoned E1 Local Centre and MU1 Mixed-Use under the Sydney Local Environmental Plan 2012. The proposed development is a mixed-use development comprising 'residential flat buildings', 'shop-top housing' and 'retail premise'. The uses are permitted with consent within the relevant zones.
Proposal Summary:	Development consent is sought for the detailed design of buildings F&I and G&H of the Ashmore Estate as defined by the accompanying concept development application (D/2025/448). The proposed development is a mixed-use development comprises 1075 apartments and includes: • construction of a 7-13 storey mixed-use building comprising ground floor level commercial premise including a supermarket and retail premise, and shop top housing (build-to-rent) (known as building F),

- construction of an 11-storey residential flat building (build-to-rent) with rooftop communal open spaces (known as building I),
- fit out of two levels of basement parking (buildings F&I) containing 345 car parking spaces, bicycle parking, storage and end-of-trip facilities,
- construction of a 6-11 storey residential flat building (build-to-rent) with rooftop communal open spaces (known as building G),
- construction of a 7-9 storey residential flat building (affordable housing in perpetuity) with rooftop communal open spaces (known as building H),
- fit out of two levels of basement parking (buildings G&H) containing 144 car parking spaces, bicycle parking, storage and end-of-trip facilities; and
- site landscaping and public art.
- The construction of Kooka Walk south and Alpha Street, which are located within the site, are the subject of a separate development application.

The application is referred to the Central Sydney Planning Committee (CSPC) for determination as the proposed development is defined as a 'major development" for the purpose of the City of Sydney Act 1988.

The proposed development requires amendment to the approved concept consent (D/2015/966/I), which is sought under the accompanying amending concept application (D/2025/448) and is reported concurrently to the CSPC for determination.

The proposed development seeks to apply the In-fill affordable housing bonuses under Chapter 2 of SEPP (Housing) 2021 which permits an additional 30% gross floor area and height.

The accompanying amending concept application (D/2025/448) includes a public benefit offer (PBO) for the construction and ongoing operation of the on-site affordable housing in perpetuity, to be managed by a Tier-1 community housing provider - Evolve Housing.

The approved concept consent (D/2015/966/I), sought to be amended by D/2025/448, is subject to a voluntary planning agreement (VPA/2015/39) for infrastructure including, relevant to these Phases, construction and dedication of Kooka Walk south including extension of the Ashmore Precinct trunk drain, Alpha Street, and footpath widening on Hadfield Street. There is no change to these deliverables.

The application is integrated development, requiring an approval from Water NSW under sections 89 and 90(2) of the Water Management Act 2000. Water NSW provided general terms of approval on 10 September 2025.

As an Integrated Development Application, the application was notified and advertised for a period of 28 days between 5 June 2025 and 4 July 2025. 116 submissions were received.

The proposed development is the subject of two 'competitive design alternative processes' albeit undertaken prior to the amendment to apply the in-fill affordable housing provisions. Notwithstanding, the proposed development retains the winning architects and their schemes and has satisfactorily addressed the recommendations of the design juries and therefore should be eligible for the design excellence bonus afforded under Clause 6.21D(3) of the SLEP 2012.

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

Development Controls:

(i) Environmental Planning and Assessment Act NSW 1979 and Environmental Planning and Assessment Regulations 2021

(ii) City of Sydney Act 1988 and City of Sydney Regulations 2016

(iii) Water Management Act 2000

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

(v) Sydney Airport Referrals Act 1996

(vi) Airports Act 1996 (Cth) and Civil Aviation (Building Control) 1988

(vii) Draft Sydney Local Environmental Plan 2012 (Planning Proposal - Policy and Housing Keeping Amendments 2023)

(viii) Sydney Local Environmental Plan 2012 (Gazetted 24 April 2025)

(ix) Sydney Development Control Plan 2012

(x) SEPP (Biodiversity and Conservation) 2021

(xi) SEPP (Housing) 2021

(xii) SEPP (Industry and Employment 2021

(xiii) SEPP (Resilience and Hazards) 2021

(xiv) SEPP (Sustainability) 2021

(xv) SEPP (Transport and Infrastructure 2021

(xvi) City of Sydney Interim Floodplain Management Policy 2012

(xvii) City of Sydney Guidelines for Waste Management in New Developments

(xviii) Sydney Landscape Code Volume 2: All development except single dwellings

(xix) City of Sydney Community Engagement Strategy and Community Participation Plan 2022

(xx) City of Sydney Development Contributions Plan 2015

(xxi) City of Sydney Affordable Housing Program 2023

(xxii) Housing and Productivity Order 2024

Attachments:

(A) Recommended Conditions of Consent

(B) Selected Architectural Plans

(C) Clause 4.6 Variation Request - Height of Buildings

(D) Clause 4.6 Variation Request - Floor to Ceiling Heights

(E) Submissions

Recommendation

It is resolved that:

(A) authority be delegated to the Chief Executive Officer (CEO) to determine the application following:

(i) the conclusion of the public exhibition of the draft Voluntary Planning Agreement (VPA/2025/7), and consideration of any public submissions received in response; and

(ii) receipt of an approval from Federal Department of Infrastructure and Regional Development, Airspace Protection, Aviation and Airports, pursuant to the Airports (Protection of Airspace) Regulations 1996 and clause 7.16 of the Sydney Local Environmental Plan 2012; and

(B) the Chief Executive Officer consider granting deferred commencement development consent pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, subject to the recommended conditions requiring the Voluntary Planning Agreement to be executed and registered on title prior to the consent becoming operative and the conditions of consent outlined in Attachment A to this report. In doing so:

(i) the consent only be granted following the granting of development consent to D/2025/448 to amend the approved concept plan (D/2015/966);

(ii) the variation requested to Clause 4.3 'Height of buildings' development standard be upheld in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012;

(iii) the variation requested to ADG Objective 4C-3 'Ceiling heights' development standard be upheld in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and

(iv) the design excellence bonus permitted under Clause 6.21D of the Sydney Local Environmental Plan 2012 be awarded.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

(A) The proposed development satisfies the objectives of the Environmental Planning and Assessment Act 1979 in that, subject to 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:

(i) the applicant's written requests relating to the maximum height of buildings and ceiling heights development standards adequately addressed the matters required to be addressed under Clause 4.6 of the Sydney Local Environmental Plan 2012, that compliance with the respective development standards is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening the development standards.

(C) The proposed development 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 the State Environmental Planning Policy (Housing) 2021. Where non-compliances exist, they have been demonstrated in this report to be acceptable in the circumstances of the case or can be resolved by the recommended conditions of consent.

(D) The proposed development will provide 169 stand-alone on-site affordable housing dwellings in perpetuity.

(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 outcomes 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 Ashmore Neighbourhood locality, when taking into consideration the additional floor space permitted to accommodate the on-site affordable housing.

Background

The Site and Surrounding Development

1. The site has a legal description of Lot 20 in DP 1290687 and is known as 155 Mitchell Road, Erskineville. The site is part of the broader Ashmore Estate site which is the subject of an approved concept plan (D/2015/966), sought to be amended concurrently. The proposed development comprises the development blocks for buildings F&I and buildings G&H located at the southern end of the broader site.

2. The site is irregular in shape with an approximate area of 2.65 hectares. The site is bound by MacDonald Street (future) to the north, Mitchell Road to the east, Coulson Street to the south, and Hadfields Street to the west.

3. The site is located within the Ashmore Neighbourhood. The surrounding area is characterised by a mixture of land uses, primarily being residential and mixed-use, including:

   (a) Development within the Ashmore Neighbourhood to the north and west comprises predominantly residential development between three- and eight-storeys in height, with the building directly to the north also including ground level retail.

   (b) A 7,500sqm neighbourhood park, to be known as McPherson Park, is under construction directly to the north.

   (c) Development within the Coopers Estate heritage conservation area (C2) to the east comprises predominantly residential development, being terraced houses and three- four-storey residential flat buildings, with some retail along Mitchell Road.

   (d) Development within Sydney Park Village to the south comprises predominantly residential development between four- and ten-storeys in height, with the building directly to the south also including ground level retail.

4. The site is an active construction site with early works for buildings F&I and G&H, and infrastructure within Kooka Walk south (future) progressing.

5. The site is identified as being subject to flooding. The development of the broader site includes flood mitigation measures including the construction of the Ashmore trunk drain and a detention basin within McPherson Park.

6. A site visit was carried out on 29 July 2025. Photos of the site and surrounds are provided below:



Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from Mitchell Road facing south



Figure 3: Site viewed from Mitchell Road facing north



Figure 4: Site viewed from Coulson Street facing east



Figure 5: Site viewed from Hadfields Street facing north



Figure 6: Coopers Estate conservation area (Mitchell Road) facing southeast



Figure 7: Coopers Estate conservation area (Mitchell Road) facing southeast



Figure 8: Coopers Estate conservation area (Mitchell Road) facing southeast



Figure 9: Sydney Park Village (Coulson Street) facing southwest



Figure 10: Onea (Hadfields Street) facing southwest



Figure 11: Park Sydney Village (Mitchell Road) facing northwest

History Relevant to the Development Application

Development Applications

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

- **D/2015/966** – Development consent was granted on 3 March 2017, subject to deferred commencement, for a concept plan for a mixed-use precinct, including residential, commercial and recreation uses, including building envelopes for nine buildings ranging in height between two and eight storeys and concept design for public domain works including new streets, park and trunk drainage. The consent was made operational on 18 October 2017. The concept plan has been modified seven times (Modifications A-D, F-G & I).

- **D/2025/301** – Development consent was granted on 31 July 2025 for early works for block F&I including site preparation works, remediation, including installation of a borrow pit, bulk excavation, shoring and associated services to facilitate the future development.

- **D/2025/335** – Development consent was granted on 15 August 2025 for early works for block G&H including site preparation works, remediation, bulk excavation, shoring, and associated services to facilitate the future development. A modification application was lodged to reduce the extent of excavation (Mod A).

- **D/2025/448** – A development application was lodged on 3 June 2025 to amend the approved concept plan (D/2015/966) relating to buildings F&I and G&H only, to convert the residential component to build-to-rent and to provide affordable housing, and modify building envelopes. This application is reported to CSPC for determination concurrently.

- **D/2025/467** – A development application was lodged on 26 May 2025 seeking consent for construction of a stormwater culvert within Kooka Walk south.

Housing Delivery Authority

8. It is noted that the proposal may have been eligible to be declared State Significant Development (SSD) by Housing Delivery Authority (HDA). A development declared SSD is assessed by the Department of Planning, Housing and Infrastructure and would not be assessed by the City or determined by the CSPC.

9. The applicant's lodgement of this development application with the City has enable a favourable voluntary planning agreement to be negotiated that secures the affordable housing component **in perpetuity** as opposed to the provisions of the Housing SEPP only requiring the affordable housing component to be provided for 15 years.

10. The City is best placed to assess this development application noting the complex planning history for the site, and the broader Ashmore Neighbourhood, and the sensitivities of the surrounding built environment.

11. Additionally, the development involves the delivery of significant public infrastructure and public domain areas which should be delivered in conjunction with the City.

Compliance Action

12. The site is not subject to any relevant compliance action.

Amendments

13. Following a preliminary assessment of the proposed development by Council Officers, a request for additional information and amendments was sent to the applicant on 28 August 2025. The request related to:

    (a) Amended clause 4.6 written request regarding height of buildings standard

    (b) Additional supporting information regarding solar access and overshadowing

    (c) Amended plans and supporting documentation to resolves issues regarding architectural expression, residential amenity, dwelling mix, landscaping, waste management, car parking and vehicle access, and stormwater management.

    (d) Resolve the design of Alpha Street and vehicle access arrangement

    (e) Respond to submissions

    (f) Revised digital models

14. The applicant responded to the request on 15 September 2025 submitted amended plans and revised supporting documentation. Additional supporting documentation was received between 16 September 2025 and 3 October 2025

Proposed Development

15. The application seeks consent for the following:

Building F&I

- Construction of a mixed-use development comprising:
    - Building F - a mixed-use building
        - 5,195sqm ground floor retail (use and fitout subject to separate applications) including:
            - a full-line supermarket
            - four retail premises
        - 411 shop-top housing build-to-rent apartments
    - Building I - a residential flat building
        - 161 shop-top housing built-to-rent apartments
        - Shared internal common spaces and facilities and above podium and rooftop communal open spaces for use of all residents.
            - Gym and swimming pool
            - Outdoor dining areas and passive recreation areas
            - Lounge areas and indoor dining areas/rooms
            - Co-working spaces
            - Music rooms
- Shared basement providing 249 residential car parking spaces, 96 retail car parking spaces, residential bicycle parking, end-of-trip facilities, waste management, storage and plant.

Buildings G&H

- Construction of residential flat buildings
    - Building G - a residential flat building
        - 334 built-to-rent apartments
        - Internal common spaces and facilities and rooftop communal open spaces for use of all residents, including:
            - Gym and swimming pool
            - Outdoor dining areas and passive recreation areas

- Lounge areas and indoor dining areas/rooms
- Co-working spaces
- Music practice rooms

- Building H - a residential flat building
  - 169 affordable housing apartments (Chapter 2 of Housing SEPP)
    - 30 x studios
    - 46 x one-bedroom apartments
    - 90 x two-bedroom apartments
    - 3 x three-bedroom apartment (or 11 including dual key apartments)
  - Rooftop communal open spaces

- A shared basement providing 144 car parking spaces, bicycle parking, waste management, storage and plant.
- Construction of a publicly accessible through site link extending the Nassau Lane alignments through the site connecting to Kooka Walk to the east at the intersection with Alpha Street (future road).

16. Photo montages of the proposed development are provided below.



Figure 12: Proposed photomontages - buildings F&I



Figure 13: Proposed photomontages - buildings F&I



Figure 14: Proposed photomontages - buildings F&I



Figure 15: Proposed photomontages - buildings G&H



Figure 16: Proposed photomontages - building H (affordable)



Figure 17: Proposed photomontages - buildings G&H

Voluntary Planning Agreement

17. The application was accompanied by a Public Benefit Offer to enter into a Voluntary Planning Agreement with the City to provide on-site affordable housing in accordance with Chapter 2 In-fill affordable housing of the Housing SEPP, with the affordable housing to be provided in perpetuity, secured on title.

18. The offer was accepted, and the VPA is being negotiated and drafted in association with the subject development application and accompanying amended concept application (D/2025/448).

19. The affordable housing is proposed to be managed by a Tier-1 registered community housing provider - Evolve Housing.

Assessment

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

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. Site investigations identified contaminants present on the site:

34. Remediation Works Plans (RWPs) relating to the site, accompanied by letters of interim advice, were submitted with the early works applications (D/2025/301 and D/2025/335) and the subject development application.

35. The RWPs propose to excavate and dispose of contaminated natural soils and fill that is not suitable for retention on site. A borrow pit with a maximum capacity of 28,750 cubic meters was approved as part of the early works consent for buildings F&I and stores the contaminated material to be retained on site.

36. Any retained impacted soils, not within the borrow pit, are contained a minimum of 1.5m below the finished surface level and identified with a marker layer in accordance with the requirements of the VPA.

37. The remediation works will largely be completed under the early works consents, however, works proposed under the subject application are required to complete the remediation. Accordingly, a letter of interim advice is required to be prepared by a NSW EPA Accredited Site Auditor and submitted to the City prior to the issue of the relevant construction certificates for buildings F&I and G&H.

38. A final Site Audit Statement (Section A) will be required to be submitted prior to the issue of the relevant first occupation certificate for buildings F&I and G&H.

39. An environmental management plan (EMP) will be required to manage and maintain the contained or retained impacted soils on site and will be required to be registered on the Title of the affected lots.

40. The Council's Health Unit has reviewed the information provided and has recommended conditions of consent to ensure compliance with the remediation measures outlined, and for Council to be notified should there be any changes to the strategy for remediation.

41. The consent authority may be satisfied that, subject to conditions, that the site can be made suitable for the proposed uses.

State Environmental Planning Policy (Industry and Employment) 2021 – Chapter 3 Advertising and Signage

42. The proposed development does not include details of any future signage or signage zones and therefore an assessment against the SEPP is not required at this stage.

43. Conditions of consent are recommended requiring any future signage to be the subject of a separate development application, including the preparation and approval of a signage strategy for building F (which contains the proposed supermarket and retail premises).

State Environmental Planning Policy (Housing) 2021

44. Section 7.32 of the EP&A Act and states that where the consent authority is satisfied that the development meets certain criteria, and a Local Environmental Plan authorises an affordable housing condition to be imposed, such a condition should be imposed so that mixed and balanced communities are created.

45. Clause 7.13 (Contribution for purpose of affordable housing) of the Sydney Local Environmental Plan 2012 allows for circumstances where an affordable housing contribution may be levied for development of land on residual land.

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

Chapter 2 Affordable Housing

Part 2 Development for affordable housing

Division 1 In-fill affordable housing

47. The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.

48. The proposed development seeks to utilise the full 30% affordable housing bonuses afforded by Section 16 of the SEPP for floor space ratio and height respectively.

Additional floor space ratio

49. Section 16 permits an additional floor space ratio of up to 30%, greater than the maximum permitted floor space ratio applying to the site, based on the minimum affordable housing component as calculated in accordance with the below equation

> affordable housing component = additional floor space ratio (as a percentage) ÷ 2
>
> for example, where a 15% affordable housing component is provided, an additional floor space ratio of 30% would be available.

50. For the purpose of calculating the maximum floor space ratio for the site, consideration must be taken to the maximum permitted gross floor area permitted by the approved concept plan, subject to the approval of the amending concept application, which is 91,126.04sqm sqm. The floor space ratio was apportioned to each development block within the broader site under the concept plan.

51. In calculating the maximum permitted floor space ratio, the potential design excellence bonus of up to 10% achieved under Clause 6.21D(3) of SLEP 2012 was also taken into account as the maximum permitted floor space ratio defined under the SEPP is inclusive of any site specific or project specific bonuses available under another EPI. The In-fill affordable housing practice note dated December 2023 confirms that bonuses to development standards may be considered cumulatively.

52. In this instance, as the full 30% floor space ratio bonus is sought, the minimum affordable housing component must equal 15% of gross floor area of the development.

53. The proposed development allocates the entirety of building H (above ground) to satisfy the affordable housing component. Building H has a gross floor area of 13,668.68sqm which equates to 15% of the development. This represents the delivery of 169 new affordable dwellings for the community (separate to other affordable housing contributions).

54. Accordingly, as per subsection 16(3) additional building height that is the same percentage as the additional floor space ratio is permitted, as outline above, in this instance an additional 30%.

55. The additional height has been applied under the amending concept application, compliance to which is assessed under the SLEP 2012 table below.

56. It should be noted that the In-fill affordable housing practice states that local development standards should be applied flexibly and need to be balanced against the need to realise more affordable housing.

57. The proposed affordable housing is proposed to be operated by a Tier 1 Community Housing Provider. Details have been provided confirming early and ongoing engagement with a CHP – Evolve Housing. The CHP has also endorsed the proposed plans, confirming that building H meets their demand and operational requirements.

Section 19 Non-discretionary Development Standard

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

Provision	Compliance	Comment
(a) minimum lot size - 450sqm	Yes	The site has an area of 22,653sqm (excluding land to be dedicated).
(b) minimum landscaped area - lessor of: (i) 35sqm per dwelling, or (ii) 30% of the site area	Yes	The proposed development provides 10,597sqm of landscaping (including on structure), representing 46% of the site area (excluding land to be dedicated).
(c) deep soil - 15%	N/A	Not applicable as per subsection 19(3).
(d) direct solar access (3hrs) in mid-winter to living rooms and private open space - 70%	N/A	Not applicable as per subsection 19(3).
(e) parking spaces for dwellings used for affordable housing - at least: (i) 0.4 spaces per 1-bed (ii) 0.5 spaces per 2-bed (iii) 1 space per 3-bed	No	As outlined in the In-fill affordable housing practice note dated December 2023, as another EPI (SLEP 2012) contains a more permissive development standard (Clause 7.5 - category B) and the provision of parking less than these non-discretionary standards has merit, it is not intended that a written request pursuant to Clause 4.6 of the standard instrument should be required for the non-discretionary parking standard. Clause 7.5 of SLEP specifies a maximum parking rate only, being in part less than these non-discretionary development standards, and therefore no parking is required. The proposed parking is considered acceptable as outlined under the relevant heading below. A more onerous standard should not be applied consistent with the objective for car parking in SLEP 2012, being to minimise the amount of vehicular traffic generated because of the proposed development.
(f) parking spaces for dwellings not used for affordable housing - at least: (i) 0.5 spaces per 1-bed (ii) 1 space per 2-bed (iii) 1.5 space per 3-bed	No	
(g) the minimum internal area in the ADG	Yes	The proposed development complies as per the ADG summary below.

Section 21 Period must be used for affordable housing

59. Unlike the provisions of the SEPP, which specify that the affordable housing is to be provided for a minimum period of 15 years, the proposed affordable housing component is to be provided in perpetuity. This is captured by the Public Benefit Offer, and is reinforced through the recommended conditions of consent which require a restriction, under s88 E of the Conveyancing Act, to be registered on the Title of the building H land (likely in Stratum) restricting the use of the building consistent with the affordable housing terms under the SEPP in perpetuity.

60. Section 22 of the SEPP confirms that land on which affordable housing under this division is carried out may be subdivided with development consent. The future subdivision of the land (likely stratum) would be subject to a separate development application.

61. It should be noted that the delivery of the affordable housing component to satisfy the requirements of the SEPP is separate to the contribution (or dedication) required to satisfy other affordable housing contributions Clause 7.13 of the SLEP 2012 which is addressed under the relevant heading later in this report.

Chapter 3 Diverse Housing

Part 4 Build-to-rent housing

62. The proposed development comprises residential accommodation, including build-to-rent housing under Chapter 3, Part 4 and affordable housing under Chapter 2 Part 1.

63. Development consent may be granted to build-to-rent housing for development for the purpose of a residential flat building or shop top housing on land zoned, relevantly, a zone where development for the purposed of residential buildings is permissible and zone MU1 Mixed-Use. The site is zoned part E1 Local Centre, in which residential flat buildings are permissible and MU1 Mixed-Use and therefore the proposed development is permissible.

64. Development consent may be granted if the development will result in at least 50 dwellings occupied, or intended to be occupied, by individuals under residential tenancy agreements, and all buildings containing the dwellings are located on the same lot of land.

65. The proposed development contains 906 build-to-rent dwellings (excluding those proposed to be utilised for affordable housing) across buildings F&I and G. The buildings are located on the same lot of land. Whilst subdivision into the eventual development blocks (F, I and G&H) is not sought under this application, subdivision of the land will be required to dedicate or transfer the future public domain land (Kooka Walk and Alpha Street) to the City. Notwithstanding, each set of buildings for each development block will be located on the same lot of land and will contain at least 50 dwellings respectively, maintaining compliance with this provision.

Conditions of build-to-rent housing to apply for at least 15 years

66. The consent authority can be satisfied that the build-to-rent tenanted component of the development -

    (a) will not be subdivided into separate strata lots, and

    (b) will be owned and operated by 1 person, and

(c) will be operated by 1 managing agent, who provided on-site management.

67. In the case of this development, the developer, Coronation, has provided details of the proposed ownership and management, including on-site management, arrangements to ensure that the conditions required to be imposed can be complied with.

68. Coronation proposes to operate the build-to-rent housing under their property management entity Nation.

69. Additionally, the proposed development includes on site facilities, such as concierge and office spaces to facilitate the ongoing on-site management requirements.

Section 74 Non-discretionary development standards

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

Provision	Compliance	Comment
(2)(a) building height of all proposed buildings is not more than the maximum building height permitted under chapter 5, Chapter 6 or another EPI for a building on the land	No, but Clause 4.6 request supported	The proposed building height complies with the amending concept plan, to be considered concurrently and determined prior to this application. The proposed development varies the height of buildings development standard. A written request made pursuant to Clase 4.6 is addressed in the discussion below.
(2)(c) floor space ration that is not more than the maximum permissible floor space ratio for residential accommodation under Chapter 5, Chapter 6 or another EPI for a building	Yes, subject to approval of D/2025/448	The proposed floor space ratio complies with the amending concept plan, to be considered concurrently and determined prior to this application.
(2)(d) for development carried out on land in the Eastern Harbour City – (i) 0.2 spaces per dwelling (iii) if lesser under another EPI, the lesser rate	Yes	The proposed development provides 393 parking space for the build-to-rent component and complies with this non-discretionary development standard.

Section 75 Design requirements

71. This section applies to development to which this Part applies only if Chapter 4 *Development of residential apartment development* applies to the building resulting from the development. Chapter 4 applies to the proposed development and therefore the design requirements apply.

72. The consent authority must be flexible in applying the design criteria set out in the NSW Apartment Design Guide, including, in particular the design criteria set out in Part 4 *Designing the building*, items 4E *Private open space and balconies*, 4G *Storage* and 4K *Apartment Mix.*

73. The consent authority, in its consideration of the objectives set out in Part 4 of the ADG, must consider the following –

    (i) the amenities proposed to be provided to tenants residing in the building through common spaces and shared facilities and services.

    (ii) whether the configuration and variety of dwellings in the building will provide adequate options to prospective tenants in relation to the size and layout of the dwellings,

    (iii) whether tenants residing in the building will be able to relocate to other dwellings in the building that will better accommodate their housing requirements if their requirements change.

74. The proposed development seeks flexibility in the application of some design criteria set out in Part 4 of the ADG. This is addressed under the relevant heading and compliance table later in this report.

75. In respect to the matters for consideration outlined above, the consent authority can be satisfied that these criteria are met through the provision of highly amenitised common spaces, both internal and external, and shared facilities, the dwelling mix and diversity provided, including housing designed for families, and the on-site management arrangements for rental tenancies. Significant weight should be given to the above when considering the objectives set out in Part 4 of the ADG.

Chapter 4 Design of Residential Apartment Development

76. 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 to take into consideration a number of matters relating to design quality, including the design quality principles as set out in Schedule 9.

77. The applicant has submitted a design verification statement and design report prepared by Bates Smart NSW (Matthew Allen) registration number 8498 and BVN (Peter Titmuss) NSW registration number 10447 with the application, addressing the design quality principles and the objectives of parts 3 and 4 of the Apartment Design Guide. The statements are deemed to satisfy Clause 29 of the Environmental Planning and Assessment Regulation 2021.

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

    (a) **Principle 1:** Context and Neighbourhood Character

    The proposed development is compatible with the context and neighbourhood character of the Ashmore Neighbourhood, intended to be a sustainable neighbourhood offering a variety of dwelling types. In considering the context and neighbourhood character the current need for additional housing, in particular affordable housing, is relevant to context, not just within the Ashmore Neighbourhood but more broadly.

The proposed development gives regard to the lower scale residential neighbourhood to the east, noting the separation provided by Mitchell Road, and the stepping down in scale achieved through the provision of upper level setbacks along the Mitchell Road frontage. Visually, the architectural expression has also been varied at the upper levels to soften the perceived scale of the buildings.

(b) **Principle 2:** Built Form and Scale

The scale, bulk and height are appropriate having regard to the desired future character of the neighbourhood and context. The built form seeks to maximise internal amenity and provides outlook and views to the sky for all apartments.

The massing has been arranged to respond to the specific opportunities and constraints of the site. The height of the buildings purposefully reduces towards the eastern, southern and western edges of the site to reduce the potential impacts on the surrounding areas.

The buildings are set back from all boundaries, except where an active frontage is provided, providing a landscaped setback which softens the built forms, defining the landscape character of the neighbourhood and reducing the visual bulk of the buildings on the streetscape.

(c) **Principle 3:** Density

The proposed development provides additional diverse and affordable housing options within the locality and is consistent with density permitted by the relevant development controls and concept plans for the site. The dwelling mix provides housing options, including some ground floor three-bedroom apartments designed for families.

Notwithstanding the increased density, the proposed development achieves reasonable amenity and is further maximised through the provision of shared communal facilities and open spaces.

(d) **Principle 4:** Sustainability

The proposed development maximises internal amenity. Natural cross ventilation has been maximised where possible whilst natural ventilation has been achieved to all apartments, notwithstanding the eastern frontage being impacted by road noise. Ceiling fans have been provided to provide a low energy and cost for option for ventilation and coiling.

Built forms have been orientated and designed to maximise solar access, with sun shading devices having been well-integrated, particularly on the northern and western elevations, to balance thermal comfort.

Consolidated deep soil landscaping is provided which supports water infiltration and urban canopy.

The buildings front and embrace Kooka Walk which provides an active transport green spine through the neighbourhood, with extensive urban canopy and rain gardens, to support the environmental functions of the area.

Electric car and bike sharing is offered to residents promoting modal shift away from private car ownership.

(e) **Principle 5:** Landscape

The proposed development is consistent with the approved landscape concept plans for buildings F&I and buildings G&H. The development is characterised by deep soil landscape setbacks and green and social roofscapes.

The proposed landscaping includes a mixture of endemic and exotic planting and includes tree planting to promote urban canopy and reduce urban heat island effects.

(f) **Principle 6:** Amenity

The proposed development provides diverse apartments typologies. The internal layouts have been designed to provide flexibility and maximise amenity.

The proposed development achieves reasonable levels of residential amenity, having regard to the design guidance in the ADG and considerations for Affordable Housing and Built-to-Rent Housing in the SEPP, and is further maximised through the provision of shared communal facilities and open spaces.

(g) **Principle 7:** Safety

The proposed development has been designed to minimise 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 are elevated above the street and provide surveillance to the internalised landscaped areas and the public domain.

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

(h) **Principle 8:** Housing Diversity and Social Interaction

Build-to-rent housing contributes to housing diversity within the area (being subject to Chapter 3 *Diverse housing* of the Housing SEPP). The provision of internal common areas and facilities and roof-top common open spaces and facilities, which provide a desirable environment for social interaction and would foster community.

Similarly, the affordable housing component contributes to housing diversity within the LGA providing much needed affordable housing opportunities. The design of the building includes roof-top common open spaces which provide a desirable environment for social interaction and would foster community.

(i) **Principle 9:** Aesthetics

The schemes were the subject of competitive design processes. The winning schemes have been adapted but retain and develop the architectural expression of the designs.

The external appearance of the buildings is defined by the internal layout and structure and are well proportioned and balanced in composition.

The designs utilise a variety of materials, colours and texture to break down the scale of the buildings, particularly where street wall heights are replicated, and provide interest and diversity within streetscapes

79. 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 inconsistency	See discussion below.

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	Partial inconsistency	See discussion below.
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 inconsistency	See discussion below.
9 storeys and above (over 25m): • 24m between habitable rooms / balconies	Partial inconsistency	See discussion below.

2F Building Separation	Consistency	Comment
• 18m between habitable and non-habitable rooms • 12m between non-habitable rooms		
At the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3m.	Yes	Land to the east is zoned R1 and generally comprises lower density development, predominantly terraced housing. The separation achieved through the proposed building setbacks and Mitchell Road provides adequate separation between dwellings.

3D Communal and Public Open Space	Consistency	Comment
Communal open space has a minimum area equal to 25% of the site.	Yes	A total of 4,604sqm (40%) of communal open space is provided for buildings F&I A total of 3,236sqm (31%) of communal open space is provided for buildings G&H. Equitable communal open space (29%) is provided separately for the affordable housing building (Building H). Communal open spaces are dispersed throughout the site to provide convenient access for all residents.
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	A minimum of 50% of the communal open spaces received direct solar access in mid-winter. Rooftop areas provide the majority spaces with direct solar access and have been designed accordingly.

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	Generally consistent with the approved landscape concept plans, noting precinct wide approach to deep soil.

3F Visual Privacy	Consistency	Comment
Up to 4 storeys (12 metres): • 6m between habitable rooms / balconies • 3m between non-habitable rooms	Partial inconsistency	See discussion below
5 to 8 storeys (25 metres): • 9m between habitable rooms / balconies • 4.5m between non-habitable rooms	Partial inconsistency	See discussion below
9 storeys and above (over 25m): • 12m between habitable rooms / balconies • 6m between non-habitable rooms	Partial inconsistency	See discussion below
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. Gallery style access and open circulation is used for building G5 and adjoins kitchens.

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.	Acceptable	660 of 1075 (62%) apartments achieve the specified solar access requirements The consent authority must be flexible in their considered as required by Section 75 of the SEPP where is relates to build-to-rent housing. See discussion below.
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	Yes	152 of 1075 (14.2%) receive no direct sunlight.

4B Natural Ventilation	Consistency	Comment
All habitable rooms are naturally ventilated.	Yes	All habitable rooms have a window to an external space.
Minimum 60% of apartments in the first 9 storeys of the building are naturally cross ventilated.	No	447 of 953 (47%) apartments located on the lowest 9 storeys are naturally cross ventilated. The consent authority must be flexible in their considered as required by Section 75 of the SEPP where is relates to build-to-rent housing. See discussion below
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Yes	The proposed development generally complies.

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m	Yes	A floor-to-floor height of 3.15m is proposed which can accommodate the required internal floor to ceiling heights
Non-habitable rooms: 2.4m	Yes	

4C Ceiling Heights	Consistency	Comment
2-storey apartments: 2.7m for main living area floor, 2.4m for second floor, where it does not exceed 50% of the apartment area.	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	Part of the site is zoned MU1 Mixed-Use. Whilst the proposed retail largely occupies the MU1 zoned land, there are a number of apartments within buildings F and G that are subject to this provision. See discussion 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	All apartments achieve the minimum unit size requirements.
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 proposed development is consistent with the design criteria.

4D Apartment Size and Layout	Consistency	Comment
Habitable room depths are to be no more than 2.5 x the ceiling height.	Yes	The proposed development is consistent with the design criteria.
8m maximum depth for open plan layouts.	Yes	The proposed development is consistent with the design criteria.
Minimum area for bedrooms (excluding wardrobes): • main bedroom: 10sqm • all other bedrooms: 9sqm Minimum dimension of any bedroom is 3m (excluding wardrobes).	Yes	The proposed development is consistent with the design criteria.
Living and living/dining rooms minimum widths: • Studio and one-bedroom: 3.6m • 2-bedroom or more: 4m	Yes	The proposed development is consistent with the design criteria.
4m minimum width for cross over and cross through apartments.	Yes	The proposed development is consistent with the design criteria.

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. 2 bed apartments are to have a minimum balcony area of	Yes	The proposed apartments achieve the minimum balcony area and depth requirements. Some studio apartments (configured as dual key three-bedroom apartments) do not have balconies. See discussion below.

4E Private Open Space and Balconies	Consistency	Comment
10sqm with a minimum depth of 2m. 3 bed apartments are to have a minimum balcony area of 12sqm 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 15sqm and a minimum depth of 3m.	Yes	The proposed apartments achieve the minimum terrace area and depth requirements.

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is 8.	Partial compliance	Several circulation cores have greater than 8 apartments located off each core. See discussion below.
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	Yes	A maximum of 30 apartments share a single lift in each building exceeding 10 storeys in height.
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 proposed development is consistent with the design criteria.
Daylight and natural ventilation are provided to all common circulation spaces.	Yes	The proposed development is generally consistent with the design criteria.

4G Storage	Consistency	Comment
Minimum storage provision facilities: • Studio: 4m^3 • 1 bed: 6m^3 • 2 bed: 8m^3 • 3 bed: 10m^3 (Minimum 50% storage area located within unit)	Yes	Storage schedules have been provided for buildings F&I and G&H which demonstrates that the proposed development is capable of achieving the design criteria. A condition of consent 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

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 Mitchell Road minimises the number of apartments fronting the busy road. The design of the road facing façade 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.

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 Standards for residential development - BASIX

80. BASIX Certificates have been submitted with the development application (Certificate nos. 1793562M_03 and 1779049M_05).

81. The BASIX certificates 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.

Chapter 3 Standards for non-residential development

82. 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, if the development has an estimated development cost of $5 million or more, or

Section 3.2 Development Consent for non-residential development

83. The applicant has submitted a City of Sydney Design for Environmental Performance report template to address the above. The template identifies design and technology responses for environmental performance that the applicant proposes to be incorporated in the development.

84. The applicant has adequately quantified the embodied emissions attributable to the development. Section 35B of the Environmental Planning and Assessment Regulation determines the form in which embodied emissions are to be quantified. The embodied emissions attributable to the development have been appropriately quantified using the NABERS embodied energy form published on the NSW Planning Portal and certified by an appropriately qualified person as required by the regulations.

State Environmental Planning Policy (Transport and Infrastructure) 2021

85. 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 2.47 Excavation – corridors and transmission circuits

86. The application is subject to Clause 2.47 as the development involves the penetration of ground to a depth of at least 3 metres below ground level (existing) on land that is within 10 metres (measured radially) of the centreline of the Transgrid electricity supply corridor.

87. The proposed development is located at least 12.5m from the Transgrid electricity supply corridor located in Mitchell Road and therefore referral under this Clause was not required.

Clause 2.48 Determination of development applications – other development

88. The application is subject to Clause 2.48 of the SEPP as the development involves the penetration of ground within 2m of an electricity distribution pole and involves or requires the placement of power lines underground.

89. As such, the application was referred to Ausgrid for a period of 21 days and no objection was raised.

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

90. The application is subject to Clause 2.120 of the SEPP of the policy. This section applies to development for the purpose of certain non-road development on land adjacent to a busy road, i.e., a freeway or other road with an average daily traffic frequency of more than 20,000 vehicles, and the consent authority considers is likely to be adversely affected by road noise and vibration.

91. The proposed development includes residential accommodation. The site fronts Mitchell Road along its eastern boundary which is identified as a busy road. It is considered likely that the development would be adversely affected by road noise, notwithstanding the lower traffic speeds along Mitchell Road.

92. The consent authority must not grant development consent to development for the purpose of residential accommodation unless it is satisfied that appropriate measures will be taken to ensure the following LAqu internal noise levels are not exceeded with windows open.

    (a) bedrooms - 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.

93. The following mitigation measures have been incorporated into the design of the road facing apartments of buildings F&I.

    (a) Noise affected habitable spaces adjacent to balconies

        (i) continuous solid fencing to a height of 1.76 at ground level (largely concealed by landscaping);

        (ii) continuous solid balustrading to a height of 1.1m for levels 1 and above;

        (iii) low height top hung windows located behind solid balustrading; and

        (iv) acoustically treated balcony ceiling soffit.

    (b) Noise affected habitable spaces not adjacent to balconies

        (i) acoustically attenuated plenums with an internal cross section of 250mm in width and 2400mm in height, and external insect and weather poof louvered cover and internal user controllable louvers.

94. The intent of the above mitigation measures is to also ensure that natural ventilation requirements are also achieved.

95. It is not anticipated that the development would be impacted by road borne vibration impacts.

96. The application satisfies Clause 2.120 subject to the details shown on the architectural plans and the recommendations of the Environmental Nosie and Natural Ventilation Assessment report.

Clause 2.122 Traffic generating development

97. The application is subject to Clause 2.122 of the SEPP as the proposed development is traffic generating development as outlined in the Table in Schedule 3 to the SEPP.

98. Accordingly, the application was referred to Transport for NSW for a period of 21 days and no objection was raised.

Local Environmental Plans

Draft Sydney Local Environmental Plan 2012 - Policy and Housing Keeping Amendments 2023

99. Planning Proposal PP-2024-709 is a relevant consideration under section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979.

100. Relevantly, the planning proposal includes:

(a) LEP amendment 2 - Structures associated with green roofs

Additional miscellaneous provision allowing rooftop structures providing access to rooftop gardens or communal open spaces that, support social use of roof areas, to exceed the height of building shown for the land on the Height of Buildings Map.

(b) LEP amendment 8 - Design excellence processes

Amendment (4) to Clause 6.21D(3) to permit the consent authority to award a bonus of up to 10 per cent additional building height **and** up to 10 per cent additional floor space to a building demonstrating design excellence when considering a development application resulting from a competitive process.

101. The planning proposal was subject of public exhibition between 17 December 2024 and 14 March 2025.

102. The planning proposal was returned to the Department of Planning, Housing and Industry for assessment and drafting on 1 July 2025.

103. The relevant draft amendments are considered to be well advanced and should be afforded significant weight in the assessment of this application as address below. The amendments are currently with Parliamentary Counsel for drafting. The City understands that DPHI raised no substantive issues that would prevent the making of the amended LEP.

Sydney Local Environmental Plan 2012

104. 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 E1 Local Centre and MU1 Mixed-Use. The proposed development is defined as: • residential flat buildings • shop-top housing • retail premises, including a shop (supermarket) These uses are permitted with consent in the relevant zones. The proposal generally meets the objectives of the relevant zones.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	No, but Clause 4.6 supported	The amending concept application establishes the maximum permitted building envelopes. The amending concept application considered the height of buildings map, the In-fill affordable housing bonus (up to 30%) and a bonus (up to 10%) for a building demonstrating design excellence when considering a development application resulting from a competitive process The proposed development complies with the proposed building envelopes of the amending concept application, to be considered concurrently and determined prior to this application. Notwithstanding, this involves variations to the development standard and therefore a written request made pursuant to Clause 4.6 has been considered accordingly. See Discussion Below.
4.4 Floor space ratio	Yes	The approved concept plan apportioned the gross floor area across the 9 development blocks as indicated in condition (8) Allocation of Floor Space. F = 24,962.5sqm G = 18,941sqm H = 11,887.5sqm I = 7,933.5sqm Total = 63,725sqm Clause 6.21D(3) permits an additional 10% floor space for buildings demonstrating design excellence resulting from a competitive process. The amending concept application (D/2025/448) applies the In-fill affordable housing bonus, permitting up to 30% additional flood space.

Provision	Compliance	Comment
		The total maximum permitted floor space for buildings F&I and G&H is there for 91,126.04sqm. The proposed development complies with maximum GFA permitted by the amending concept application, to be considered concurrently and determined prior to this application.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.1 and 5.1A Development on land intended to be acquired for public purposes	Not applicable	Whilst not identified for acquisition, the proposed development includes footpath widening along part of Hadfield Street, located largely adjacent building H, in accordance with the requirements of the VPA (VPA/2015/39).
5.10 Heritage conservation	Yes	The site is located within the vicinity of the Cooper Estate heritage conservation area CA2.
5.21 Flood planning	Yes	The site is identified as being subject to flooding. The application proposes development at or below the relevant flood planning levels. 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.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
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 in the vicinity and will contribute positively to the character of the area. The development achieves the principle of ecologically sustainable development

Provision	Compliance	Comment
		and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.

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	A maximum of 645 car parking spaces is permitted. Buildings F&I includes 572 apartments. A maximum of 332 car parking spaces is permitted. 249 car parking spaces are proposed. Buildings G&H includes 503 apartments. A maximum of 313 car parking spaces is permitted. 144 car parking spaces are proposed. The proposed development includes 393 residential car parking spaces and complies with the relevant development standards. Visitor car parking spaces are provided within the maximum rates.
7.7 Retail premises	Yes	A maximum of 102 car parking spaces is permitted. The proposed development includes 96 retail car parking spaces and complies with the relevant development standards. Click and collect parking is provided within retail parking allocation.
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	In addition to the in-fill affordable housing provided on-site, the application

Provision	Compliance	Comment
		is subject to an affordable housing contribution under this clause. The contribution is calculated at: • 3% of the total floor area used for residential purposes; and • 1% of the total floor area not used for residential purposes. The floor area intended to be utilised for in-fill affordable housing (Building H) is exempt from calculation of the contribution in accordance with the City's Affordable Housing Program. Due to the scale of the development and complexity in delivering the onsite in-fill affordable housing, the City's Affordable Housing Program was varied, by Council resolution on 23 June 2025, to permit the payment of the contributions in stages, as follows: • Building F – prior to first OC • Building I – prior to first OC • Building G – prior to first CC (via bank guarantee)
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The site is located on land with class 3 Acid Sulfate Soils. The approved early works required implementation of Acid Sulfate Soils Management Plans. Implementation of the management plans will be required to continue under this application until site remediation works are finalised.
7.16 Airspace operations	No	The proposed development will penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for Sydney Airport. Flysafe are yet to provide approval. As outlined in the recommendations of this

Provision	Compliance	Comment
		report, it is recommended that the application be delegated to the CEO for approval following receipt of the appropriate approval.
7.19 Demolition must not result in long term adverse visual impact	Not applicable	The developer obtained a complying development certificate for the demolition of the existing buildings. The site is currently an active construction site and hoardings have been installed, screening the site from the surrounding public domain.
7.20 Development requiring or authorising preparation of a development control plan	Yes	In accordance with Section 4.23 of the Act, the approved concept plan (subject to approval of the amending concept application) satisfies the obligation to prepare a development control plan.
7.23 Large retail development outside of Green Square Town Centre and other planned centres	Yes	The portion of the site zoned MU1 Mixed-use is identified as Restricted Retail Development under this clause. The proposed retail premises, including the supermarket, is located on the portion of the site zoned E1 and is not affected by this clause.  **Figure 18:** excerpt from LEP Retail Premises Map with site outlined red
7.33 Sustainability requirements for certain large commercial development	Not applicable	The proposal does not comprise a *large commercial premise*. The proposed gross lettable area is 4852sqm and therefore the proposed

Provision	Compliance	Comment
		development does not comprise a *prescribed shopping centre* as the total gross lettable area of the shops (including any food and drink premises) is less than 5,000sqm.

Development Control Plans

Sydney Development Control Plan 2012

105. 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

106. The site is located within the Ashmore Neighbourhood locality. The proposed development is in keeping with the unique character and the design principles of the locality.

107. The objectives in Table 1 are particularly relevant to the proposed development. It should be noted that several objectives are achieved through associated applications for the construction and delivery of public domain areas, such as Kooka Walk and McPherson Park.

Table 1: Ashmore Neighbourhood Objectives

Objective	Comment
(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.	The proposed materials and finishes are of a high quality and take inspiration from the former industrial and manufacturing uses that were carried out on the site. The choice of colours and finishes are sympathetic to the character of the adjoining conservation area.
(c) Mix of dwellings to provided flexibility and choice	The proposed development will provide additional diverse and affordable housing options. The dwelling mix provides housing options, including some ground floor three-bedroom apartments designed for families.
(d) Ensure building heights in Ashmore provide a transition to the surrounding conservation areas	Whilst it is noted that building heights have increased to accommodate the additional floor space required to achieve the on-site affordable housing, the height of buildings along Mitchell Road adjoining the conservation area include upper-level setbacks and a change in materiality and

Objective	Comment
	finishes to assist in maintaining a visual transition in height between the neighbourhoods.
(i) Create a strong landscaped character that unites development in Ashmore by setting back development from the public domain and providing native planting that is in accordance with the Council's Landscape Code.	Consolidated deep soil setbacks are provided surrounding the buildings, except where active frontages are provided. The landscaped setbacks define the landscape character of the Neighbourhood and are planted out appropriately.
(j) Introduce an appropriate mix of land uses with retail at ground level on MacDonald Street, adjacent to McPherson Park and some commercial uses at the intersection of MacDonald Street and Mitchell Road.	Retail premises are provided on the ground level of Building F, fronting McPherson Park, with a full-line supermarket behind, and additional ground level retail is provided at the corner of MacDonald Street and Mitchell Road and extends along the street to the south.
(k) Protect key panoramic views from Sydney Park to the CBD skyline and King Street ridge and east-west views throughout the neighbourhood to enhance visual permeability.	The existing view from the eastern knoll in Sydney Park is largely retained. There is some impact to the eastern edge but is deemed acceptable as discussed below. Alpha Street and Nassau Lane provide an east-west break in the built form to enhance visual permeability into and through the Ashmore Neighbourhood.

108. The principles in Table 2 are particularly relevant to the proposed development.

Table 2: Ashmore Neighbourhood Principles

Principles	Comment
1 Transition of Building Heights • Transition in height to conservation areas • Street walls heights with upper-level setbacks to Mitchell Road • Locate higher buildings around McPherson Park	Street wall heights have been increased and upper-level setbacks reduced to accommodate the additional floor space to achieve the onsite affordable housing. Notwithstanding, the design and materiality retains the expression of the characteristic street wall heights and seeks to soften the building form in transition to the adjoining lower scale heritage conservation area. Larger buildings are located around McPherson Park, consistent with the park room approach taken for the broader Ashmore Estate site.

Principles	Comment
2 Land Uses • Predominantly residential • Local shops and services • Open spaces	The proposed development is predominantly residential providing diverse and affordable housing and includes well located retail premises and a full-line supermarket.
3 Public Domain • McPherson Park and Kooka Walk • Water sensitive urban design • Landscaped setbacks	McPherson Park and Kooka Walk will be delivered as part of previous and the current phase of the development and include stormwater detention and rainwater swales for stormwater infiltration. Consolidated deep soil setbacks are provided to define the public domain and soften the built form.

Section 3 – General Provisions

Provision	Compliance	Comment
3.1 Public Domain Elements	Yes	Public domain works including the delivery of a new park, new streets, and green cycleways and pedestrian links are to be delivered under separate applications. Footpath widening along Hadfields Street is included under this application.
3.2. Defining the Public Domain	Yes	The submitted Preliminary Public Art Strategies are consistent with the Public Art Master Plan for the site and comply with the City's Public Art Policy and Guidelines for Public Art in New Development.
3.2.1 Improving the public domain	Acceptable	Refer to discussion below.
3.2.4 Footpath awnings	Yes	Street awnings are provided along all active frontages.
3.2.6 Wind effects	Yes	The wind environment generally meets the safety and comfort criteria. Limited wind mitigation devices are relied upon. Some corner apartments require additional screening to mitigate wind

Provision	Compliance	Comment
		impacts to balconies at the corner of the buildings. Some screening and dense landscaping are relied upon to meet the comfort requirements for some communal open space areas. Street awnings are provided along all active frontages, otherwise a three-metre landscaped setback is provided which assists in minimising any downdraft directly to the footpath.
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.
3.3 Design Excellence and Competitive Design Processes	Yes	The proposed development was subject to competitive design processes 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 amended concept plan envelopes.
3.4 Hierarchy of Centres, City South	Yes	The proposed development provides retail including a full-line supermarket consistent with its role as a Local Village
3.5 Urban Ecology	Yes	Trees were removed as part of the early works on site. The proposed development includes planting of landscaping, including deep soil planting, replacing the trees lost and to improving the urban canopy and urban ecology of the area.
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 Clause 7.15 of SLEP 2012 above.

Provision	Compliance	Comment
		On-site detention tanks are provided for Building F&I and Buildings G&H. Dual reticulation water reuse infrastructure is to be provided in accordance with the terms of the VPA to future proof the development to reuse recycled/harvested water.
3.8 Subdivision, Strata Subdivision and Consolidation	N/A	A separate application will be required to subdivide the site into the applicable development blocks and future public domain (Alpha Street and Kooka Walk south).
3.9 Heritage	Yes	The site is adjacent to the Cooper Estate Heritage Conservation Area. The building separation provided across the street (Mitchell Road) ensures that there is no impact to the heritage significance of the conservation area.
3.11 Transport and Parking	Yes, subject to condition	The proposed development includes a total of 487 car parking spaces. This includes 343 residential spaces, 43 residential visitor spaces, 88 retail spaces and 13 car share spaces The parking spaces comply with the maximum permitted in the SLEP 2012. A car wash bay is provided within each basement. 32 motorcycle spaces and 11 service vehicle spaces are also provided, which complies subject to conditions. 1,255 bicycle parking spaces are provided, which complies with the minimum requirements.
3.12 Accessible Design	Yes	162 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	A condition is recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.
3.16 Signage and Advertising	Yes, subject to condition	A condition is recommended requiring a separate application for signage, including preparation of a signage strategy for building F.

Section 4 – Development Types

4.2 Residential Flat, Commercial and Mixed-Use Developments

109. It is noted that the amenity provisions in Section 4.2 of the DCP for residential flat buildings and mixed-use redevelopment largerly align with the Apartment Design Guide design objectives.

Provision	Compliance	Comment
4.2.1 Building height		
4.2.1.1 Height in storeys and street frontage height in storeys		The amending concept application establishes the maximum permitted building envelopes including heights in storeys and street frontage height in storeys. The potential impact of the additional height is considered under the accompanying amending concept application. The proposed development complies with the proposed building envelopes of the amended concept application, to be considered concurrently and determined prior to this application.
4.2.2 Building setbacks	Yes	The proposed development complies with the ground level setbacks established in the approved concept plan and complies with the upper-level setbacks proposed in the amending concept application, as above.
4.2.3 Amenity		
4.2.3.1 Solar access	Acceptable	*Solar access to proposed apartments*

Provision	Compliance	Comment
		Refer to ADG assessment above *Overshadowing to neighbouring dwellings* Refer to discussion below.
4.2.3.4 Design features to manage solar access	Yes	Following advice from the DAP sub-committee, additional solar shading devices were incorporated as required to manage solar heat gain.
4.2.3.5 Landscaping 4.2.3.6 Deep Soil	Yes	Refer to discussion below.
4.2.3.7 Private open space and balconies	Yes	Refer to ADG assessment.
4.2.3.8 Common open space	Yes	Refer to ADG assessment.
4.2.3.9 Ventilation	Yes	Refer to ADG assessment.
4.2.3.10 Outlook	Yes	All apartments are provided with a reasonable outlook to the street or to internal courtyards.
4.2.3.11 Acoustic privacy	Yes	Refer to ADG assessment.
4.2.3.12 Flexible housing and dwelling mix	Acceptable	Refer to discussion below.
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.
4.2.7 Heating and cooling infrastructure	Yes	Heating and cooling infrastructure is located at suitable centralised locations in the basement and roof levels of the building.
4.2.8 Letterboxes	Yes	Letterboxes are provided within the building lobbies, and a condition has been recommended to ensure that they are installed with non-master key locks for security.

Provision	Compliance	Comment
4.2.9 Non-residential development in the MU1 Mixed-Uses zone	Yes	Subject to conditions, the retail portion of the proposed development will not adversely impact the amenity of neighbouring residential properties. Separate consent is to be obtained for the fitout of the supermarket and retail premises which will allow for detailed assessment of the proposed uses.

Section 5 – Specific Areas: Ashmore Neighbourhood

Provision	Compliance	Comment
5.5.3 Local infrastructure and public domain		
5.5.3.1 Street network	Yes	The proposed development is consistent with the planned street network which is being delivered under separate development consents.
5.5.3.4 Public Open Space	Yes	The proposed development is consistent with the planned public open space network being delivered under separate development consents.
5.5.4.1 Solar Access	Acceptable	The proposed development will overshadow the public space located directly to the south of Building I. See discussion below. The proposed development will not have any impact on solar access to McPherson Park.
5.5.4.2 Quality of landscaping and landscaped setbacks	Yes	Landscaped setbacks are provided in accordance with Figure 5.134. The design provides consolidated deep soil planting to support urban canopy.
5.5.4.3 Stormwater	Yes	Stormwater management works are being delivered under separate development consents.
5.5.7 Land use mix	Yes	The proposed development is predominantly residential and includes well located retail premises and a full-line supermarket.

Provision	Compliance	Comment
5.5.8 Building Layout, form and design	Acceptable	The proposed development provides a range of building heights, types and architectural scale.
5.5.8.1 Height of buildings	Acceptable	The provisions of SEPP Housing prevail.
5.5.8.2 Views	Acceptable	The existing view from the eastern knoll in Sydney Park is largely retained. There is some impact to the eastern edge but is deemed acceptable as discussed below.
5.5.8.3 Dwelling type and location	Yes	The proposed development provides an acceptable dwelling mix.
5.5.8.4 Building form and design	Yes	Architectural diversity and interest are achieved across the Ashmore Neighbourhood.
5.5.8.5 Typical ground floor condition for residential flat buildings	Yes	The ground floor condition is generally achieved, with some ground level apartments being two storey, and all apartments being elevated above street level with a landscaped setback to address flood levels and promote privacy.
5.5.8.6 Fences	Yes	Front fences are generally low in height and provide a clear delineation between the public and private domain whilst promoting passive surveillance.
5.5.8.7 Building Materials	Yes	The proposed materials and finishes are compatible with the desired future character of the Ashmore Neighbourhood and consider the former industrial and natural history of the area. The proposed development does not use materials that are not permitted within the locality.
5.5.9.1 Other development	Yes	The full-line supermarket is sleaved by residential and smaller scale retail premises to minimise long blank facades. Retail frontages are provided along MacDonald Street and Mitchell Road, mirroring the development to the north, and activating the public domain whilst minimise conflict with other land uses.

Provision	Compliance	Comment
5.5.10 Biodiversity	Yes	The proposed landscaping supports urban canopy and provides a mix of vegetation and landscaped features to promote urban ecology.

Discussion

Status of concept development applications and consent (D/2015/966 and D/2025/448)

110. 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.

111. The proposed development is a detailed development application relating to buildings F&I and G&H of the concept consent D/2015/966 in force for the site.

112. The approved concept consent D/2015/966 is proposed to be amended (D/2025/448) to accommodate the in-fill affordable housing provisions introduced under Chapter 2 of the Housing SEPP after approval of the original concept consent. The proposed amending concept application is recommended for approval and is to be determined by CSPC prior to the determination of this application to ensure the proposed development is consistent with the concept plan.

113. As outlined below, the proposed development is consent with key conditions of the approved concept consent D/2015/966, except those proposed to be amended by the amending concept consent D/2025/448 (comments provided where applicable):

D/2015/966/I - approved concept plan, as modified

Table 3: Compliance with conditions of the approved concept DA, except where proposed to be amended (see Table 4).

D/2015/966/I - approved concept plan, as modified	Comment
Condition (10) Design Excellence and Competitive Design Process	A competitive design process has been. See further discussion below.
Condition (11)(c) Detailed design of buildings	Retail has been specified at the corner of Building F, activating the frontage to Mitchell Road.
Condition (11)(d) Detailed design of buildings	The basement driveway for Buildings F&I is located opposite the substation and building entry for Building I, minimising any impact from car headlights exiting the basement. The basement driveway for Buildings G&H is located opposite an external blank wall of

D/2015/966/I - approved concept plan, as modified	Comment
	the adjoining development, minimising any impact from car headlights exiting the basement.
Condition (13) Waste collection areas	Capable of complying subject to recommended conditions of consent.
Condition (15) Green Travel Plans	The Draft Green Travel Plans provided were generally acceptable. Final GTPs are to be provided prior to OC.
Condition (16) Undergrounding electrical wires underground	A condition has been recommended requiring the existing overhead electrical powerlines to be relocated underground, subject to Ausgrid approval.
Condition (25) Communal open space	The proposed development complies.
Condition (25A) Communal open space on rooftops	The proposed development complies. Preference has been given to providing communal open spaces on rooftops to maximise amenity.
Condition (28) Vehicle access points	Vehicle access points are located off Alpha Street and Hadfield Street. No vehicle access is proposed from the streets prohibited by this condition.
Condition (29) Bicycle parking	Capable of complying subject to recommended conditions of consent.
Condition (30) Parking design	Capable of complying subject to recommended conditions of consent.
Condition (32) Car share	Capable of complying subject to recommended conditions of consent.
Condition (37) Loading management plan	Draft Loading and Servicing Plans have been submitted to demonstrate that the proposed loading areas are designed to accommodate all deliveries and waste collection on site.

D/2015/966/I - approved concept plan, as modified	Comment
Condition (39) Waste facilities	Capable of complying subject to recommended conditions of consent.
Condition (41) Reflectivity	A condition is recommended specifying glazing requirements and requiring samples to be provided for approval.
Condition (42) Public Art	The submitted preliminary public art plans are acceptable.
Condition (43) Heritage Interpretation Plan	A heritage interpretation plan was approved prior to the construction of the first development within the Ashmore Estate.
Condition (45) Signage Strategy	A condition is recommended requiring a separate development application to be submitted for the signage strategy for Building F.

Table 4: Compliance with recommended conditions of the amending concept application

D/2025/448 - amending concept plan	Comment
Recommended amendment to Condition (1)	The proposed development complies with the building envelopes as referenced in the 'approved plans' table.
Recommended amendment to Condition (7) *Floor Space Ratio*	The proposed development complies with the maximum floor space ratio permitted under the relevant development controls.
Recommended amendment to Condition (8) *Gross Floor Area*	The proposed development complies with the maximum gross floor area.
Recommended amendment to Condition (9) *Building Height*	The proposed development complies with the maximum building heights.
New condition - *Voluntary Planning Agreement*	A new condition is recommended requiring compliance with VPA/2025/7 for the provision of affordable housing in perpetuity.
Amendments to Condition (11) *Detailed Design of Buildings*	The proposed development complies with the additional detailed design requirements.

D/2025/448 - amending concept plan	Comment
Amendments to Condition (15) *Green Travel Plan* and (45) *Signage Strategy* to permit conditions to be resolved by conditions.	Conditions of consent are recommended requiring compliance.

Competitive design process - Jury recommendation

114. Separate design competitions were held for buildings F&I and buildings G&H, respectively in December 2023 and February 2024.

115. The two 'competitive design alternative processes' were undertaken prior to the introduction of the in-fill affordable housing provisions under Chapter 2 of the Housing SEPP and therefore reflected a scheme consistent with the approved concept consent (D/2015/966) and not the amended concept application (D/2025/448).

116. Notwithstanding, the proposed development retains the winning architects and their schemes, which have been adapted to accommodate the additional floorspace and height afforded under the SEPP.

117. The City's amended Design Excellence Policy addresses applications where substantive modifications have been made prior to lodgement. The City may, at its sole discretion, require a Design Integrity Assessment. However, in this instance, consideration by the City's Design Advisory Panel (DAP), which included a member of the competition juries, is considered sufficient to maintain continuity with the winning schemes and recommendations noting the generally positive response. The DAP advice is outlined below and has been satisfactorily addressed.

118. On this basis the application has satisfactorily addressed the recommendations of the design juries as outlined below, therefore it should be eligible for the design excellence bonus afforded under Clause 6.21D(3) of the SLEP 2012.

119. An expectation to convene a new design competition would be unwarranted in this instance and would delay the delivery of more housing, in particularly affordable housing.

Buildings F&I

120. The design competition jury selected the Bates Smart scheme as the winning scheme for Building F&I. In the opinion of the jury, the Bates Smart scheme was most capable of achieving design excellence, subject to a number of recommendations.

121. As detailed in the Tables 5 & 6 below, the development application retains the design integrity and key aspects of the winning scheme and responds to the key recommendations made by the Jury. The proposal satisfies the provision of clause 6.21D of Syndey LEP 2012 and accordingly is eligible for 10% additional floor space.

Table 5: Consideration of the design competition jury recommendations for buildings F&I

Key principles of the design to be maintained and developed	
The multistorey communal facility hub between Block F and I at Alpha Street.	The communal facilities have been significantly expanded in size and versatility and have been relocated along the rooftop to provide improved amenity.
The Kooka Walk parklet within Block I at the western end of Alpha Street.	The landscaped parklet area has been retained and developed.
The residential lobbies and relationship to the footpath – particularly the main lobby at the southern end of Block F.	The location and general design intent of the lobbies has been retained. The main residential lobby at the southern end of Block F provides the onsite management functions required for build-to-rent housing.
The lift redundancy strategy with upper floor connections between cores.	Additional lifts have been incorporated as a consequence of the additional building height and dwelling numbers. A redundancy strategy is no longer required.
The breaks between buildings to articulate and create fine urban grain and design diversity, which reduces the bulk and mass of the building envelopes.	These breaks have been retained or are externally expressed as breezeways to maintain building articulation, particularly along longer frontages.
The general block layouts with multiple cores, block depths and apartment planning.	The general block layout with multiple cores has been retained. There have been some changes to apartment layouts to accommodate the addition floor space, but the predominate planning remains unchanged. Apartment and block depth remains compliant with the ADG.
The open staircases to the Block F courtyard.	The open staircase design has been retained, within their central courtyard location, and are incorporated into the open breezeway vertical circulation. The main external staircase at the southern end of the courtyard has been lost as a consequence of refinements to the block planning to improve solar access, however, the design intent is otherwise retained for size other stair cores.

Key principles of the design to be maintained and developed	
The ‘sleeving’ of the supermarket with townhouses along Mitchell Road.	Two storey terrace style apartments line the eastern frontage of Block F to Mitchell Road at ground level concealing the supermarket behind internally. The extent of the frontage providing non-active or residential uses has been minimised to only the extent required for building access and services. Corbeling or hit and miss brickwork have been incorporated to provided visual interest to the streetscape and to minimise the impact of extent of otherwise blank walls.

Table 6: Consideration of the design competition jury recommendations for buildings F&I

Areas for further resolution and refinement through design development	
Further consideration should be given to the scale and architectural expression of the upper levels at the corner of MacDonald Street and Mitchell Road.	Notwithstanding the additional building height to accommodate the additional floor space required to deliver the on-site affordable housing component, the articulation and expression of the building at the corner of MacDonald Street and Mitchell Road is considered to be well resolved.
The vehicle access design will require further assessment and refinement. Access driveways, loading dock space (including location), turning circles and swept paths need to be considered in terms of functionality to develop an appropriate design solution.	Alpha Street is subject to a separate development application, however, the submitted plans and analysis demonstrate that the proposed vehicles access arrangements provide functional and safe ingress and egress to and from the site.
Further consideration should be given to the pedestrian connection between the basement car park and the supermarket.	The ease of the pedestrian connection is governed by flood planning requirements which require a bunded solution to all basement entries. The proposed escalator arrangement balances engineering requirements with the accessibility and usability of the entry.
While the materiality of the scheme was supported, the Selection Panel encourages Bates Smart to explore opportunities for more diversity of material in individual building elements across the two sites.	The introduction of a change in colour and materiality at the upper levels to reflect the street wall heights provides additional diversity of material in individual building elements and varies more so across the two buildings in comparison to the design competition scheme.

Areas for further resolution and refinement through design development	
Further develop the scale and articulation of the Mitchell Road townhouses in relation to the existing streetscape.	The two storey terraces have been further developed. The rhythm reflects the street with a clearly defined entry door and vestibule and small front garden terrace.
Ensure no habitable rooms are internalised within any unit types	The internalised studies have been deleted.
Design diversity should be further developed across the various built forms, with particular regard to the adjacent Heritage Conservation Area and human scale to Cooper Estate.	Greater design diversity has been achieved through the refinement of the building massing, articulation, and finishes and materials. The change in colour and materiality above the street wall height provided a further opportunity to vary the design expression. The design of the ground level apartments including two-storey terraces maintains a human scale and connection at ground level. The retention of an above street wall set back and change in colour and materiality assists in breaking down the increased building heights.

Buildings G&H

122. The design competition jury selected the BVN scheme as the winning scheme for Building G&H. In the opinion of the jury, the BVN scheme was most capable of achieving design excellence, subject to a number of recommendations.

123. As detailed in the Tables 7 & 8 below, the development application retains the design integrity and key aspects of the winning scheme and responds to the key recommendations made by the Jury. The proposal satisfies the provision of clause 6.21D of Syndey LEP 2012 and accordingly is eligible for 10% additional floor space.

Table 7: Consideration of the design competition jury recommendations for buildings G&H

Key principles of the design to be maintained and developed	
The articulation of the concept envelope into eight discreet built forms.	The proposed development generally maintains the eight discrete built forms. Gaps between the buildings have reduced proportionally to accommodate the additional floor space required to deliver the on-site affordable housing component.

Key principles of the design to be maintained and developed	
The fundamental architectural expression (including details of the façade) to provide a fine grain, architectural design diversity, and contextual appropriateness.	The masonry base has become a more significant element having been adopted to express the street wall height datums. Diversity is provided through the built forms through the varying complementary colour palette.
The palette of materials.	The palette of materials has been retained and developed upon.
The single loaded corridor of the Block G building facing Hadfields Street and two-storey expression of the facades.	Building G5 maintains the galleria style breezeway corridor. Apartments are design in a two-storey configuration to provide natural cross ventilation and are expressed accordingly to the street.
The rooftop communal areas.	Rooftop communal areas are accessible from each building and provide a range of amenities for the residents.
Retention and enhancement of the site wayfinding strategy including the connection to Kooka Walk buildings via the lobbies along Hadfield Street.	The building lobbies are well connected off internal pathways through the internal courtyard and off the Nassau Lane through-site-link. Condition of consent are recommend requiring wayfinding signage plans to be submitted.
Expression of the ‘frames’ of each building as a facade ordering device	The external frame element has been retained and provides an external expression of the internal layout of the building. The framed profile is utilised for both the masonry base and metal facade above.

Table 8: Consideration of the design competition jury recommendations for buildings G&H

Areas for further resolution and refinement through design development	
The alternative floor plate scheme should be adopted, whilst ensuring ADG compliance in areas such as cross ventilation and solar access.	The internal layouts have been resigned following the reconsideration of the scheme to accommodate the additional floor space to deliver the on-site affordable housing.

Areas for further resolution and refinement through design development	
	Solar access and natural crosse ventilation have been maximised noting the difficultly in achieving strict compliance on this site whilst also delivering the on-site affordable housing.
Further consideration is to be given to effective external sun shading and how facades will be calibrated to respond to the solar context of each elevation	Window hood shading devices have been incorporated into the framed glazing design on the northern and western elevations of the buildings. Additional shading is not warranted on the eastern elevation as the building aspect is slightly southeast and is therefore not subject to extensive heat loading.
Reconfigure the double-loaded common corridors to reduce their length, introduce slots or open up the corridor at the ends to allow for more natural light and ventilation	Where possible, corridors have windows at the end to, noting the increased density accommodated to accommodate the affordable housing uplift.
The number of lifts should be reduced through design refinement whilst maintaining an acceptable lift redundancy strategy.	The number of lifts meets the relevant NCC and ADG requirements. Lift redundancy is maintained as each core has more than one lift.
More detail should be provided to show how the mesh detail over full-height windows will function	This element has been deleted.
Block H needs a better relationship with Nassau Lane. The design should provide for increased active uses of Nassau Lane, to enable social connection with private and public domain.	A communal open space area is provided within the central courtyard and overlooks Nasau Lane. There is a level difference due to the flooding. A 3m landscaped setback is provided between the apartments fronting Nassau Lane and the through-site-link walkway itself.
Building separation and privacy need to be improved for re-entrant corner apartments that only have 4m separation, particularly where adjacent to building entries. Privacy objectives of the ADG should be achieved.	Internal layouts have been refined to minimise the potential amenity implications for re-entrant corner apartments. Additionally, design elements have been incorporated to maintain reasonable levels of privacy.
Internalised studies need to be reconfigured to provide windows.	Internal layouts have been refined to delete any internalised studies.

Areas for further resolution and refinement through design development	
Balconies are to be re-configured so their width is not exceeded by their depth.	Internal layouts have been refined to reconfigure balconies to generally meet this requirement.

Design Advisory Pannel Advice

124. The development was referred to the City's Design Advisory Panel in August 2024 to explore the potential for the site to accommodate the proposed In-fill affordable housing bonus under Chapter 2 of SEPP (Housing) 2021.

125. This involved high level massing studies undertaken by the City and FJC (on behalf of the applicant) to assess the potential for the site to accommodate the proposed uplift, including an assessment of the likely amenity that could be achieved and the potential impacts to the surrounding area.

126. The development was referred to the City's Design Advisory Panel in December 2024 to assess design development of the competition winning schemes which involved amendments to the competitive design process winning schemes to accommodate the proposed In-fill affordable housing bonus. In general, advice was provided regarding:

- improved solar access, including potential modifications to the built form
- improved natural cross ventilation, including:
  - clarifications regarding road noise impacts
  - concerns regarding cross ventilation through narrower building gaps
- street wall height expression to retain approved street wall height datums
- building separation and apartment amenity
- building scale and massing, including concerns regarding long sheer facades along Kooka Walk
- internal planning to reduce dog-leg corridors (Building H)
- reliance on elevated bridges linking building forms

127. The Panel also recommended that a sub-committee be formed to review the amended schemes in response to the above advice.

128. The development was referred to the City's Desing Advisory Panel sub-committee in February 2025 to assess the amendments made in response to the December Panel meeting advice. The Panel sub-committee also heard from the architects (Bates Smart and BVN). The Panel generally supported the proposed development, subject to the resolution of the maters outlined in Tables 9 & 10 below.

Table 9: Satisfaction of DAP sub-committee advice for Building F&I

DAP sub-committee advice	Outcome
Provide an indent or splay at the southern end of the Building F courtyard to improve building separation.	A small indent was provided. Additional layout planning and privacy measures have been designed and detailed
Further articulate the expression of the street wall heights	The concept plan street wall heights have been adapted and expressed through the change in materiality at the upper levels of the building.
Provide sun shading to upper levels	An awning has been specified to shade exposed windows.. A design modification condition has been recommended to require further details to be submitted prior to construction.
Maximise natural ventilation for apartments	Natural cross ventilation has been maximised as far as practical. A condition of consent is recommended requiring ceiling fans to be installed in all living rooms and bedrooms to reduce the reliance on central air conditioning.
Improve the architectural expression of the southern elevation of Building I to breakdown the expanse of blank wall.	An additional window has been included in the southern elevation of the living areas, breaking down the expanse of blank wall.

Table 10: Satisfaction of DAP sub-committee advice for Building G&H

DAP sub-committee advice	Outcome
Consolidate and expand the gaps between buildings to improve natural cross ventilation for coroner apartments.	The three narrow gaps between the buildings of block G fronting Kooka Walk have been consolidated into one single larger gap which breaks down the length of the building and improves natural cross ventilation.
Minimise the number of bridges between buildings by providing separate lift cores.	As above, the gaps between buildings have been consolidated to remove the need for bridges and a separate vertical core is provided for building G4.
Maximise natural ventilation for apartments	Natural cross ventilation has been maximised as far as practical.

DAP sub-committee advice	Outcome
	A condition of consent is recommended requiring ceiling fans to be installed in all living rooms and bedrooms to reduce the reliance on central air conditioning.
Provide effective sun shading	Firstly, the extent of glazing has been reduced to minimise the extent of unprotected glazing. Secondary, external window hoods have been incorporated into the metal expressed framed facade. The window hoods are shaped based on the elevation aspect to protect from the more intense sun angles. Reverse L-shaped hoods are proposed on the western elevation, whereas U-shaped hoods are proposed on the northern elevation. Supporting documentation was provided from the environmental consultant to demonstrate the effectiveness of the sun shading. A design modification condition has been recommended to require further details to be submitted prior to construction.
Further articulate the expression of the street wall heights	The approved street wall heights have been expressed through the extension of the masonry base to the height of the approved street walls. The lightweight metal framed facade, indicative of the design competition winning scheme, is utilised above.
Minimise the impact of the external lift and stair cores within the internal courtyard of block G.	The stairwells at each end of building G5 have been rotated and inset to minimise the encroachment into the courtyard area.

Building Height

Clause 4.6 Request to Vary a Development Standard

129. Clause 4.3 of Sydney LEP 2012 specifies the height of buildings development standards applying to the land. The maximum height of buildings under this clause is 18m, 25m and 27m, as shown in Figure 19 below.



Figure 19: Extract from SLEP Height of buildings map

130. Section 16(3) of SEPP Housing 2021 permits additional height, equal to the amount of additional floor space achieved under Section 16(1) (expressed as a percentage).

131. As the calculations for the affordable housing bonus above assumes a 30% bonus, accordingly the height bonus is also 30%.

132. An assessment of the proposed development against the above development standard, including the 30% bonus is calculated in Table 11 below. The extent of the proposed height variations is included in the right most column.

133. Heights are generally measured to structures such as lift overruns or plant enclosures that typically are higher than the surrounding roof forms but are more discrete in scale.

Table 11: Assessment of the proposed height variation

Building	LEP Height (m)	Plus, 30% affordable housing bonus (m)	Proposed (m)	Variation (m)	Variation (%)
F01	27	35.1	43.5	8.4	23.93%
F01	25	32.5	43.5	11	33.85%
F02	27	35.1	43.7	8.6	24.50%
F02	25	32.5	43.7	11.2	34.46%
F03	25	32.5	32	complies	
F03	18	23.4	32	8.6	36.75%
F04	18	23.4	32	8.6	36.75%
G01	27	35.1	26.93	complies	
G02	25	32.5	41.98	9.48	29.17%
G03	25	32.5	39.3	6.8	20.92%
G04	25	32.5	38.38	5.88	18.09%
G05	25	32.5	28.16	complies	
H01	25	32.5	39.97	7.47	22.98%
H02	25	32.5	36.97	4.47	13.75%
H03	25	32.5	25.12	complies	
I01	25	32.5	38	5.5	16.92%

134. The above variations are seen in the height plane diagram below.



Figure 20: Proposed variations to the 130% height plane

135. In addition, Draft Sydney Local Environmental Plan 2012 (Policy and Housekeeping Amendments 2023) includes two proposed amendments relevant to the calculation of building height.

    (a) LEP amendment 2 - Structures associated with green roofs

    Additional miscellaneous provision allowing rooftop structures providing access to rooftop gardens or communal open spaces that, support social use of roof areas, to exceed the height of building shown for the land on the Height of Buildings Map.

    (b) LEP amendment 8 - Design excellence processes

    Amendment to Clause 6.21D(3) to permit the consent authority to award a bonus of up to 10 per cent additional building height **and** up to 10 per cent additional floor space to a building demonstrating design excellence when considering a development application resulting from a competitive process.

136. Whilst these amendments are not in force and therefore cannot be applied in the calculation of the proposed variations (Table 11 above), significant weight should be given to the improved numerical compliance should these provisions have been applied, as they are intended in the near future, when considering the Clause 4.6 written request to vary the height of building development standard below.

137. Application of LEP amendment 2, to exempt green and social roofs from the calculation, significantly reduces the extent of any variation. The exclusions would apply where the structures provide access to green roofs and rooftop communal open space to support social use of the roof space. Certain requirements would need to be met including the provision of landscaping and shade, reduction in urban heat island effect and limitation on any additional overshadowing that is more than minimal.

138. Application of LEP amendment 8, to apply the design excellence bonus to height, in addition to floor space, would reduce the extent of the variations as outlined in Table 12 below:

Table 12: Assessment of the proposed height variation with consideration to draft LEP amendment to apply the design excellence bonus

Building	LEP Height	Plus, 30% affordable housing bonus & 10% design	Proposed	Variation (m)	Variation (%)
F01	27	38.61	43.5	4.89	12.67%
F01	25	35.75	43.5	7.75	21.68%
F02	27	38.61	43.7	5.09	13.18%
F02	25	35.75	43.7	7.95	22.24%
F03	25	35.75	32	complies	
F03	18	25.74	32	6.26	24.32%
F04	18	25.74	32	6.26	24.32%
G01	27	38.61	26.93	complies	
G02	25	35.75	41.98	6.23	17.43%
G03	25	35.75	39.3	3.55	9.93%
G04	25	35.75	38.38	2.63	7.36%
G05	25	35.75	28.16	complies	
H01	25	35.75	39.97	4.22	11.80%

Building	LEP Height	Plus, 30% affordable housing bonus & 10% design	Proposed	Variation (m)	Variation (%)
H02	25	35.75	36.97	1.22	3.41%
H03	25	35.75	25.12	complies	
I01	25	35.75	38	2.25	6.29%



Figure 21. Proposed variations to the 130% + 10% height plane

139. Also of note, the In-fill Affordable Housing practice note dated December 2023 confirms Clause 4.6 remains applicable.

Clause 4.6 Request to Vary a Development Standard

140. As outlined above, the site is subject to a maximum height of buildings control of 25.74m, 35.75m and 38.61m being the height of buildings permitted under Clause 4.3 of the LEP, and the bonus height permitted under Section 16(3) of the Housing SEPP. The proposed development exceeds the maximum height controls as outlined in Table 11 above.

141. As outlined in more detailed in Attachment C, the extent of the variations for each building are measured to the highest part of the building. In most instances this is the lift overrun, or in some cases plant enclosures. For the majority of the buildings the actual rooftop level may be a storey below the maximum building height, thereby meaning that the extent of the variation is significantly less for the majority of the built form. Notwithstanding, the Clause 4.6 written request deals with the absolute maximum building heights as required to.

142. The request also addresses the non-discretionary development standard in Section 75(2)(a) of the Housing SEPP which requires build-to-rent housing to comply with the height of buildings development standard under another EPI. In this instance, this is the same standard as outlined in the paragraph above.

143. 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:

    (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)

144. The applicant seeks to justify the contravention of the height of buildings development standard on the following basis:

    compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and

    The written request demonstrates that compliance with the development standard is unreasonable or unnecessary because the proposed development is consistent with the objectives of the height of buildings development standard, notwithstanding the proposed variations. The applicant has demonstrated this with respect to the relevant objectives as outlined below. In addition, for completeness, the written request also addresses the relevant objectives of Chapter 2 of the Housing SEPP, being relevant to the 30% height bonus which is included within the calculation of the development standard, proposed to be varied.

    Chapter 2 Affordable Housing of SEPP Housing 2021

    15A The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.

(a) The written request addresses the objective of the affordable housing bonus under the Housing SEPP, demonstrating that the proposed development provides long-term affordable housing and is able to do so with high level of amenity. The proposed development exceeds the requirements of the SEPP offering the affordable housing in perpetuity as opposed to the SEPP's 15-year requirement. The proposed height variation does not seek to exceed the density of development permitted in accordance with the site controls.

Achieving strict compliance with the height control would compromise or reduce the delivery of affordable housing which would be inconsistent with the objective of the part of the Policy which affords the bonus height.

Clause 4.3 Height of buildings of SLEP 2012

(1) The objectives of this clause are as follows—

(a) to ensure the height of development is appropriate to the condition of the site and its context,

The written request identifies that the Ashmore Neighbourhood is undergoing significant change. The proposed development is compatible with the desired future character of the area and has been designed in a way to maintain a transition in scale to the surrounding developments.

The majority of the variations are the result of structures such as lift overruns, rooftop plant areas, landscape planters and balustrading, and rooftop amenity structures, the majority of this would be exempt once the LEP amendment is in force.

There are discrete areas where floor space is located above the nominated height development standard. These are as a result of:

- *Flood planning level requirements* - further flood studies and flood planning undertaken since the drafting of the LEP height controls and approval of the concept plan have increased the flood planning levels for the site. Consequently, the ground levels of the buildings are required to be raised to comply with the City's Interim Flood Planning Requirements. Flood planning levels are approximately 1.5 to 2m above existing ground level throughout the site.

- *Floor-to-floor height requirements* - changes to the National Construction Code and introduction of the Building Practitioners Act 2020 since the drafting of the LEP height controls and approval of the concept plan have increased the floor-to-floor heights required to achieve compliant floor-to-ceiling heights.

- *Redistribution of massing* - the permitted floor space has been redistributed throughout the site to maximise the potential residential amenity that can be achieved, whilst lowering buildings in other areas to minimise any potential impacts. The redistribution also facilitates the delivery of the proposed affordable housing component within a single building (Building H) better meeting the operational requirements of the CHP.

  The redistribution of the massing for blocks F01, F02 and F03 have shifted the envelope further inwards, resulting in an overlap to the step in the height control. Consequently, numerically, the larger extent of the

variations occur at these steps but the majority of the envelope remain compliant within the higher height control. The portion where the larger extent of the variation occurs are located inward of the site. These have minimal impact on the surrounding area and would be less perceivable, ensuring a transition in scale to the surrounding area is achieved.

- *Provision of on-site affordable housing* - the redistribution of the permitted floor space as described above results in discrete areas where there is floor area within non-compliant areas of the development. This resulted from the careful consideration of the built form and the surrounding development so that there would be no substantive impacts. Should it be required to reduce the gross floor area to remove these non-compliances there would be a comparable reduction in the affordable housing delivered which is inconsistent with the intent of the Housing SEPP objectives and the intended outcome of the Public Benefit Offer.

- *Access to rooftop amenities* - each building is provided with rooftop communal open spaces in accordance with condition 21A of the approved concept plan. These rooftop areas consequently require equitable access and various structures to provide amenity. The design of the roof top structures include low or semi-permeable structures such as landscaped planters, balustrading, shade structure or pergolas. The rooftop areas are generally set back from the edge of the roof and would appear recessive.

- *Allowance for plant and lift overruns* - the areas of greatest non-compliance are attributed to plant and lift overruns zones to accommodate the required building services. These areas do not include floor area and are discrete in location and scale.

The proposed massing is generally consistent with the objectives and principles of the Ashmore Neighbourhood DCP ensuring that a transition in scale to the surrounding areas is maintained. Taller buildings are sited internally on the site fronting Kooka Walk and McPherson Park, whilst building generally step down from north to south (for buildings G&H) and towards the eastern and western sides of the site.

The proposed massing is a consequence of the careful distribution of the applicable affordable housing and design excellence bonuses across the group of buildings.

The proposed development is therefore consistent with the objective, having regard also to the objective of Chapter 2 of the Housing SEPP.

(b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,

(c) The Coopers Estate Heritage Conservation Area is located adjacent to buildings F&I on the opposite side of Mitchell Road. The application is supported by a Heritage Impact Assessment. The proposed building envelopes are separated from the conservation area by the distance afforded by Mitchell Road itself, which includes mature street trees.

The proposed building envelopes, whilst higher, maintain adequate setbacks, including upper-level street wall setbacks to maintain separation to the conservation area. The future development would not diminish the existing contribution of the buildings within the conservation area to the streetscape. The upper levels also include a change in finishes and materiality to further assist in providing a visual transition.

The proposed development is therefore consistent with the objective.

(c) to promote the sharing of views outside Central Sydney,

(d) There are no view corridors within the Ashmore Neighbourhood identified in the LEP. Section 5.5.8.2 of the DCP identifies a view corridor from the eastern knoll of Sydney Park of the Sydney CBD skyline.

The site is visible within this view corridor. The potential extent of the impact is demonstrated in Figure 22 below.

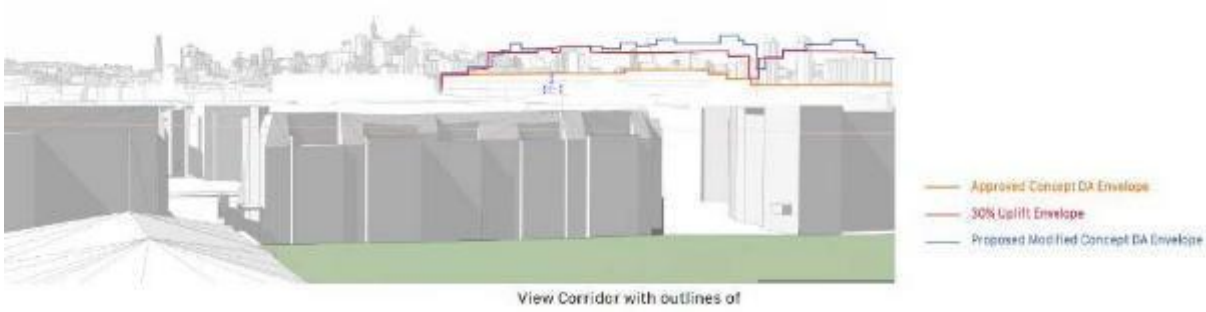


Figure 22: wireframe representation of the proposed building envelope indicating the potential view impact

The proposed variations would impact distant CBD skyline views towards the eastern edge of the skyline. The extent of impact is considered acceptable given;

- the primary view of the skyline is unimpeded
- the area of impact would obstruct only a portion of the view, being generally the eastern edge where less significant or iconic buildings are visible
- the part of the building causing the variation would be absorbed in the broader urban context
- the area of impact does not affect views to the sky
- the area of impact is caused largely by compliant elements. The additional impact caused by the non-compliant elements has little material impact.

(e) The sharing of views remains promoted through the retention of building separation achieved between buildings.

(d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,

Not applicable

(e) in respect of Green Square—…

Not applicable

there are sufficient environmental planning grounds to justify contravention of the standard.

(i) *Delivery of onsite affordable housing*

The proposed variations enable the development to achieve the full extent of the design excellence and affordable housing floor space incentives. These provisions are intended to support the delivery of high-quality built form outcomes and increase the supply of housing, including affordable housing. Strict compliance with the height of buildings standards would constrain the development from accommodating the additional floor space required to achieve the on-site affordable housing component. The proposed variations enable the development to realise the maximum number of affordable housing dwellings within the planning framework.

(ii) *Draft LEP Amendments*

The proposed draft LEP amendments include two relevant amendments, relating to:

- application of the design excellence bonus to height (in addition to floor space in this instance); and
- encouragement of green and social roofs,
- These amendments once in force would significantly reduce or eliminate the numerical non-compliance as outlined in Table #* above.
- The application of the design excellence bonus to height in addition to the originally selected floor space would better enable the additional floor space to be accommodated by proportionally allowing additional height. This minimises the impact to built forms where additional floor space is otherwise attempted to be accommodated within orderly constrained envelope, having a negative impact on the design intent and residential amenity.
- The exemption of certain rooftop gardens, communal open space areas and ancillary access and structures, provided certain design and amenity criteria are satisfied, would encourage the provision of high-quality rooftop spaces that support social interaction and residential amenity. Notwithstanding, the potential impact on surrounding properties remains a relevant consideration.

The proposed development has been designed having regard to these proposed amendments and their intent.

(iii) *Redistribution of Massing and Built Form*

The proposed additional floor space has been redistributed across the site having regard to the site context. Areas where a larger variation occur are the result of massing being relocated so that other buildings remain lower, such as building G5 fronting Hadfields Street for example which remains well below the height control. Similarly, block H remains low to establish a better street interface to Coulson Street and prevent direct overshadowing directly to the south. The variations for block H comprise lift overruns and rooftop plant areas and are set back from the edges of the buildings.

Taller buildings are generally located towards the northern end of the site or centrally along Kooka Walk to minimise impact to the surrounding area. Areas of non-compliance are generally set back from the edge of the building, such as for buildings G2 and G3. The building separation achieved across Kooka Walk is some 26m and is better able to accommodate the increased building heights adjoining Kooka Walk.

There are some buildings within block F where habitable floor space is located within the non-compliant portion of the building. This is a result of the floor space redistribution and has been appropriately located to ensure that the additional massing does not have any adverse impacts on the surrounding area. Building F4 located on the western side of the block has also been set back further from Kooka Walk but consequently straddles a step in the height control. As a result, the extent of the more significant variation appears numerically more significant however only relates to the edge of the building past this step and not the whole of the building.

Similar to block G, taller buildings of block F are sited towards the north of the site or along Kooka Walk. The buildings towards the eastern side of block F to maintain a transition of scale to the lower height building on the opposite side of Mitchell Road.

Building I includes a very small area of habitable floor space located within the non-compliant portion of the building. The area of non-compliance is set back from the street wall with the plant and lift overrun set back further.

As described in the response to objective (a) above, structural elements of the building design have also contributed to height increases to respond to changes since the drafting of the LEP height controls and approval of the concept plan for the site. This relates to:

- Flood planning levels
- NCC floor-to-floor heights required to achieve floor-to-ceiling heights

(iv) *Residential Amenity*

The written request demonstrates that the proposed redistribution of floor space, and consequently height variations improve the potential amenity of the development and minimise amenity impact to the surrounding area. As described above, lower buildings within block G and H reduce overshadowing to surrounding apartments. Whilst the redistribution within block F improves internal solar access to the west facing apartments fronting Kooka Walk.

(v) *Overshadowing and privacy*

The written request demonstrates that there would be an absence of material impact on the amenity of the surrounding properties and public domain as a consequence of the proposed variations. The written request is accompanied by a detailed solar access assessment demonstrating the potential impact of the amended building envelopes. The assessment demonstrates that levels of solar access consistent with the relevant ADG objectives and DCP provisions would be maintained for the surrounding dwellings, located within:

- Coopers Estate conservation area (Mitchell Road and Belmont Street)
- Coulson Street (Sydney Park Village)
- Hadfields Street (Onea)

This is assessed in detail in the accompanying detailed development application demonstrating that the proposed amended envelopes are capable of building developed.

(vi) *Views*

The written request demonstrates that there would be an absence of material impact on the amenity of the surrounding properties and public domain as a consequence of the proposed variations.

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

145. 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)?

146. The written request has demonstrated that the proposed development is consistent with the objectives of the height of buildings development standard notwithstanding 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)?

147. The written request has demonstrated that there are sufficient environmental planning grounds that are specific to the circumstances of the variations to justify the non-compliance with the height of buildings development standard.

148. In this instance, the elements of non-compliance are appropriate within the context of the new planning controls, which have been applied having regard to the suitability of the site and the surrounds to accommodate this additional uplift. The variations to the development standard allow the maximum permitted floor space to be distributed throughout the site in a more contextually appropriate way, minimising the impacts on surrounding properties.

149. The variations support the ability for the future development to achieve reasonable levels of residential amenity whilst retaining the residential amenity of the surrounding dwellings. Achieving the maximum permitted floor space secures the provision of additional diverse and affordable housing options, meeting the housing needs of the community.

150. The written request has therefore demonstrated that there are sufficient environmental planning grounds to support the extent of the variation proposed.

Conclusion

151. 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 cl 4.6 of the Sydney Local Environmental Plan 2012.

Apartment Design Guide

Building Separation

Buildings F&I

152. The internal separation between buildings F02 and F04 converges towards the southern end of the internal courtyard and does not meet the building separation design criteria in Objective of 2F and 3F-1 the ADG, to varying degrees.

153. Apartment layouts have been designed to minimise the number of habitable rooms and balconies facing one another within this area, particularly where the separation is least. Where habitable rooms and balconies face one another, privacy has been maximised by installing external privacy screening.

154. The internal separation within breezeways or between building F01 and F02 (northwestern corner) and F02 and F03/04 (northeastern corner) does not meet the design criteria. Similarly, apartment layouts within these areas have been designed to minimise habitable rooms, offset habitable rooms facing one another, and in certain instances provide privacy measures such as obscure glazing or external angled window hoods to prevent direct overlooking.

Buildings G&H

155. Breezeway links between buildings do not meet the building separation design criteria in Objective of 2F and 3F-1 the ADG. Apartments with an elevation to the breezeway links are orientated towards the street or internal courtyards and have only secondary rooms such as bedrooms and bathrooms with a window to the breezeway link. Windows are generally offset and have privacy measures such as obscure glazing or external angled window hoods to prevent direct overlooking.

Common circulation and spaces

156. Design criteria 1 in Objective 4F of the ADG recommends that a maximum of 8 apartments are located off a single circulation core. Buildings F&I include several circulation cores where up to 12 apartments are located off a single core. Buildings G&H include several circulation cores where up to 17 apartments are located off a single core.

157. Notwithstanding, reasonable amenity is provided. Opportunities to provide natural light to these corridors and lobbies has been maximised for the layouts.

158. Design criteria 2 in Objective 4F-1 of the ADG recommends that for a building 10 storeys or more in height that no more than 40 apartments are accessed from a single lift. Buildings F01 and F02 are more than 10-storeys in height. A minimum of two lifts is provided to all lift cores to achieve the design criteria.

Private open space - Balconies

159. Eleven studio apartments within building H do not have balconies. These studios are configured as part of three-bedroom dual key apartments and would have access to a compliant sized and dimensioned balcony when used in the dual key arrangement.

160. Notwithstanding, if configured as single apartments, the studios still benefit from the ground level and roof top communal open spaces which provides an alternate amenity for the residents.

Solar access

Solar access to new development

161. The design criteria in Objective 4A-1 of the ADG recommends that the living areas and private open spaces of at least 70% of apartments receive a minimum of 2 hours direct sunlight between 9 am and 3 pm in midwinter. A maximum of 15% of apartments in a building should receive no direct sunlight during the same period.

162. Solar analysis for the whole development demonstrates that 660 out of 1075 (63%) apartments and 152 out of 1075 (14.5%) apartments receive no sun.

Table 11: Solar access assessment

Building	**Apartments**	**2hrs Solar**	**No Sun**
Building F	411	251 (61.1%)	66 (16%)
Building I	161	100 (62.1%)	0 (0%)
Building G	334	223 (69.8%)	43 (12.9%)
Building H	169	86 (50.9%)	43 (25.4%)
Overall	1075	660 (61.4%)	152 (14.1%)

163. Section 75 of the Housing SEPP specifies that the design criteria in Part 4 of the ADG are to be applied flexibly, having consideration to the on-site amenities and flexibility provided to tenants. As outlined above under the Housing SEPP heading, significant flexibility should be given for this proposal.

164. The proposed development has maximised the solar access achieved to apartments within the development having regard to the existing constraints and the application of the in-fill affordable housing bonuses. Whilst the design criteria is not strictly met, the variation is relatively minor, being around 10% and is considered acceptable as the proposed development has been designed to maximise the potential to achieve solar access. The delivery of additional housing, in particular the affordable housing component, at this time prevails.

Solar access for affordable housing (Building H)

165. The In-fill affordable housing practice note dated December 2023 states that the affordable housing dwellings should receive similar solar access.

166. Building H, containing the affordable housing component, achieves 50.9% solar access. Whilst this is slightly below the solar access achieved for the rest of the development it is indicative of the building's location and constraints.

Solar access to surrounding development (ADG and DCP assessment)

167. The potential overshadowing impacts to surrounding dwellings is considered below having regard to the ADG objectives or DCP objectives as relevant to the building typology of the dwellings potentially being impacted.

Coopers Estate conservation area (Mitchell Road and Belmont Street)

168. The proposed development would overshadow the dwelling houses and terraces located along the eastern side of Mitchell Road from midday onwards, to varying degrees, increasing throughout the afternoon. Given the subdivision pattern and lot orientation, these terraces generally maintain a minimum of two hours solar access to their living rooms and private open space during the morning hours, given these are predominantly located to the rear (facing more so east). Section 4.1.3.1 *Solar access* of the DCP permits overshadowing to side windows by new developments.

169. The proposed development would overshadow the rear of the dwelling located along Belmont Street (the next street to the east) from 2:15pm onwards. Given the subdivision pattern and lot orientation, these terraces generally maintain a minimum of two hours solar access to their living rooms and private open space during the middle of the day and afternoon hours. The proposed development would have marginal, if not negligible impact to these properties.

170. The proposed development would overshadow the three-four storey residential flat building at 300-322 Mitchell Road. Apartments within this RFB are orientated with living areas and private open space either to the front (Mitchell Road) or the rear. Only the apartments within living areas and private open spaces facing the front are potentially impacted, of which there are 20 apartments. Of these, only five apartments would receive less than 2-hours solar access in mid-winter due to the proposed development. These apartments are located on the ground or first floor level and in part are either self-shaded or would have anticipated to have been impacted by the original concept plan. Of the five apartments, three would still receive solar access between 1- and 2-hours solar access. On balance, the proposed development reasonably maintains solar access in accordance with the ADG objective.

171. The proposed development would overshadow the solar panels on the north facing roof plane of 338-366 Mitchell Road from 1:15pm onwards in mid-winter, with the portion of the roof plane impacted increasing throughout the following hours. The extent of the impact is considered minimal over the course of the year and would not compromise the function of the solar panels.

Coulson Street apartments (Sydney Park Village)

172. The proposed development would partly overshadow the six-eight storey residential flat building on the southern side of Coulson Street (Building 9 of Sydney Park Village). Building H of the proposed development has been stepped down towards the south to minimise overshadowing. Consequently, the proposed development does not overshadow any living areas or private open spaces from 1pm onwards, ensuring a minimum of 2-hours solar access is maintained for these apartments in mid-winter. Therefore, the proposed development reasonably maintains solar access in accordance with the ADG objective.

Hadfields Street apartments (Onea)

173. The proposed development would partly overshadow the eight-storey residential flat building on the western side of Hadfields Street (5 Hadfields Street). Buildings G1 and G5 of the proposed development stepdown towards the west to minimise overshadowing.

174. The eastern elevation of 5 Hadfields Street is orientated partly south east due to the orientation of Hadfields Street meaning that solar access to this elevation can only be achieved between 9am and 10:45 am (i.e., for 1hr 45mins). Consequently, in accordance with Objective 3F-2 *Overshadowing of neighbouring properties is minimised during mid-winter* of the ADG, where a neighbouring property does not receive the required hours of solar access, the design of the proposed development ensures solar access to neighbouring apartments is not reduced by more than 20%. In this instance a 20% reduction would equate to 21mins.

175. The proposed development would overshadow apartments on the lower levels of the eastern elevation of 5 Hadfields Street between 9am and 9:20am only, being a maximum of 20% reduction thereby achieving the ADG objective.

176. Additionally, there is no impact to the north or west facing apartments, or apartments on the upper levels of east facing apartments, within the neighbouring development.

Natural cross ventilation

177. The design criteria in Objective 4B-3 of the ADG recommends that at least 60% of apartments are naturally cross ventilated in the first nine storeys of a building.

178. An analysis of the whole development demonstrates that 423 of 929 (45.5%) apartments are naturally cross ventilated. As the proposed development is affected by road noise, certain apartments located along the Mitchell Road frontage have plenums. Should these apartments also be considered in the calculation, then 447 of 953 (47%) apartments would be considered to be naturally cross ventilated.

179. Apartments plenums would still allow for typical natural cross ventilation with doors and/or windows open but would be affected by some road noise. The proposed plenums are designed to maintain natural ventilation whilst reducing the impact of the external noise source. Whilst natural ventilation is still achieved, the amount of airflow is reduced in comparison to a typical opening arrangement. Notwithstanding, a degree of cross ventilation is still likely to occur, and therefore some weight should be given to these apartments in the overall consideration, having regard to the constraint imposed by the proximity to the road.

180. Section 75 of the Housing SEPP specifies that the design criteria in Part 4 of the ADG are to be applied flexibly, having consideration to the on-site amenities and flexibility provided to tenants. As outlined above under the Housing SEPP heading, significant flexibility should be given for this proposal.

181. Additionally, ceiling fans are proposed to be installed in all apartments that are not naturally cross ventilated to further improve the amenity of the apartments.

182. A condition of consent is recommended requiring a ceiling fan to be installed within the living room and each bedroom of all apartments, regardless of whether these apartments are naturally cross ventilated, to maximise natural ventilation and reduce reliance on air conditioning systems to minimise operational costs and emissions.

Ceiling Heights - Clause 4.6 written request

183. 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'.

184. 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.

185. Objective 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.

186. The ground floor level apartments within Building F, which are designed as two-storey apartments with an upper-level mezzanine, have an internal ceiling height of 2.4m-2.7m and do not comply with the non-discretionary development standards, representing a maximum variation of 0.9m or 27.3%.

187. The ground floor level and first floor level apartments within buildings G, H and I have an internal ceiling height of 2.7m - 2.9m and do not comply with the non-discretionary development standards, representing a maximum variation of 0.6m or 18.2%.

188. 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)

189. 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.

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

- All apartments achieve the minimum required floor-to-ceiling heights for habitable and non-habitable rooms.

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

- All apartments achieve the required apartment sizes and are provided with well proportioned rooms.

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

- The proposed ceiling heights are appropriate for the proposed residential uses of the ground and first floor levels, noting that residential uses are permitted in the relevant zones.

- The approved concept plan and relevant section of the DCP identify the desired location of non-residential uses, being within building F where a supermarket and retail premises are proposed, and did not identify Buildings G, H or I as desired locations for non-residential uses.

- Retail uses are provided where active frontage is desirable along Mitchell Road and Macdonald Street, whereas the proposed residential uses are largely located off quieter streets, or parts of street, or Kooka walk where additional retail would be less favourable.

- Given the extent of proposed and already constructed non-residential uses across the Ashmore Estate is consistent with the concept plan and DCP, allowing for further flexibility to accommodate additional non-residential uses is unwarranted.

(iii) In summary, the applicant submits that the development is consistent with the ADG objective. 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:

- Whilst ground floor and first floor apartments within mixed-use areas do not provide additional floor-to-ceiling height to accommodate future flexibility, the prevailing floor-to-ceiling heights for habitable and non-habitable rooms are otherwise achieved to ensure reasonable amenity is provided.

  The proposed development provides ample non-residential uses within the desired locations as identified in the approved concept plan and area specific DCP. The provision of greater floor-to-ceiling heights for ground and first floor apartments elsewhere on the site is unwarranted as it is unlikely that these apartments would be converted to non-residential uses in the future.

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

190. 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)?

191. 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.

192. 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)?

193. The applicant has adequately 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 preferable retail is provided elsewhere on the site, consistent with the sites status within the retail hierarchy for Green Square and Erskineville.

Conclusion

194. 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.

Dwelling Mix

195. The proposed dwelling mix is assessed in Table 12 below:

Table 12: Dwelling mix

Apartment size	DCP	F&I	G&H	Total
Studio	5% - 10%	63 (11%)	98 (19.5%)	161 (15.4%)
One-bedroom	10% - 30%	333 (58.2%)	156 (31%)	489 (46.7%)
Two-bedroom	40% - 75%	141 (24.7%)	244 (48.5%)	385 (36.7%)
Three-bedroom	10% - 100%	35 (6.1%)	5 (1%) 11 - Dual Key (3.3%)	40 (3.8%)

196. The proposed development is generally consistent with the desired dwelling mix in the DCP noting that Section 75 of the Housing SEPP requires dwelling mix (ADG) to be considered flexibly for build-to-rent housing. On this basis the proposed dwelling mix is considered acceptable.

197. The proposed dwelling mix for the affordable housing component is:

(a) Studios = 30 (17.8%) affordable apartments

(b) One-bedroom apartments = 46 (27.2%) affordable apartments

(c) Two-bedroom apartments = 90 (53.25%) affordable apartments

(d) Three-bedroom apartments = 3 (1.8%) affordable apartments

(e) Dual Key three-bedroom apartments (including within above) = 11

198. The proposed dwelling mix for the affordable housing component was developed in consultation with the Community Housing Provider (Evolve Housing) and meets the demands for affordable housing as identified by the provider.

Sydney Development Control Plan 2012

Solar access to public spaces

199. Section 5.5.4.1 of the DCP states that new development must ensure that it provides a minimum of 3 hours of direct sunlight between 11 am and 2 pm in midwinter to the public space (within the Sydney Park Village development) at the southwestern corner of the Mitchel Road and Coulson Street intersection.

200. The proposed development would overshadow the public space, in part, during this period, with the majority of the impact being between 11am and 12pm to only a portion of the square as shown in Figure 23 below. Notwithstanding, the intent of the provision is met as the public space will retain good sunlight through the relevant period, providing reasonable amenity in comparable to the nature of the space. The design of the public space is largely transient and does not include areas for siting or recreation. Additionally, other public spaces (parks) are located nearby being Sydney Park and McPherson Park within the Ashmore precinct.



Figure 23: existing view from the eastern knoll within Sydney Park

Sydney Park view corridor

201. Section 5.5.8.2 of the DCP establishes a protected view corridor from Sydney Park. The view, enjoyed from the eastern knoll in Sydney Park, known as view corridor A as described in the DCP, covers the extent of the CBD high rise towers from Darlinghurst in the east to Barangaroo in the west.

202. The proposed development would partly impact distant CBD skyline views toward the eastern edge of the skyline. As outlined above with respect to the Clause 4.6 written request, the impact is considered acceptable. The extent of impact is limited in the context of the overall view and is largerly caused by compliant elements arising from the bonus height allowed under the Housing SEPP.

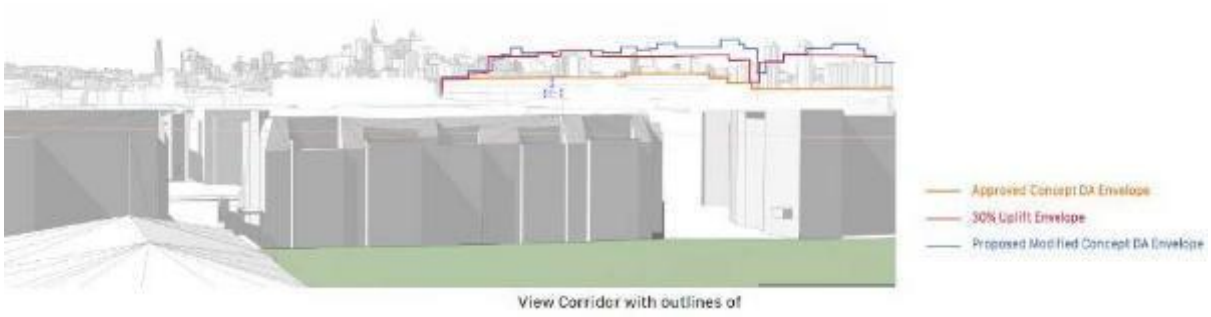


Figure 24: wireframe representation of the proposed building envelope indicating the potential view impact

Alpha Street

203. Alpha Street (future road) is located between buildings F&I and is required to be constructed and dedicated to the City as an obligation of the VPA.

204. Approval of the road will be subject to a separate development application, however, sufficient information has been submitted to demonstrate that the building designs, including building entries and vehicle access, can be accommodated. In particular, the location of the vehicle access near Mitchell Road, required swept path analysis to demonstrate that vehicles including the City's waste service and supermarket delivery vehicles can safely navigate this intersection.

205. A condition of consent is recommended requiring the plans to be amended to integrate the Alpha Street design, including landscaping and civil design coordination, once approved as this may have a minor impact on the development site within the 3m setbacks to Alpha Street due to the interfacing. Additionally, there may be minor changes to the alignment of Alpha Street and therefore if required a deed of variation to the VPA (VPA/2015/39) is to be negotiated.

206. The location and design of residential building entries is consistent with the design jury advice.

Loading and servicing - supermarket and retail

Supermarket and retail premises - Building F

207. Separate development consent is to be sought for the operation and fitout of the supermarket and retail premises. A condition is included in the recommended conditions of consent at Attachment A.

208. In addition to the supermarket, four separate retail premises (cold shell) areas, totalling 1,750sqm, are proposed along the MacDonald Street and Mitchell Road frontages. These areas have the potential to be configured into smaller retail premises as desired by the future operators.

209. Amenities (WCs) and multiple waste holding areas are provided at ground level for the shared use by each retail premises and their customers.

210. End-of-trip facilities including bicycle parking, showers and lockers are provided within the basement for the shared use of all building management (including buildings G&H), supermarket and retail staff.

Loading Docks

211. The supermarket and retail premises are serviced by a loading dock at the southern end of building F. The loading dock accommodates a 12.5m HRV, allowing forward in and forward out servicing via a turntable. The supermarket and retail premises would be serviced approximately five trips a day. A draft loading and servicing plan has been submitted that addresses the management of the loading dock, noting the loading dock is shared between the supermarket and retail, waste servicing, and residential removals.

212. A loading dock is provided at the western side of building G. The loading docks accommodate a 10.6m waste vehicle, in accordance with the City's waste management guidelines, allowing forward in and forward out servicing via a turntable. A draft loading and servicing plan has been submitted that addresses the management of the loading dock, noting the loading dock is accommodates waste servicing and residential removals.

Waste management

213. The proposed waste management arrangements are generally acceptable and will allow for the efficient management of waste and recycling, assisting in reducing waste and diverting recyclables from landfill. The building designs include waste chutes and recycling cupboards at each lift core. Waste is generally managed within the basement areas before being brought to the ground level loading docks for collection via a hoisting system.

214. Conditions of consent are recommended to require construction level design detail drawings to be submitted for approval once design coordination has occurred.

215. The ground level loading dock for buildings G&H provides sufficient capacity to store all waste and recycling bins for collection.

216. The ground level loading dock waste collection rooms for buildings F&I require further reconfiguration to accommodate additional capacity for residential waste collection and provide separate waste storage for retail waste collection. There is sufficient space within the adjoining areas to accommodate this. The proposed residential waste collection room has a grade change to the adjoining loading dock area which presents a potential collection issue for building management and waste collection contractors The above recommended conditions of consent address these issues. This would require minor changes within the building entry lobby above to accommodate the additional head height.

Landscaping

217. The proposed landscape design is generally acceptable. Conditions of consent are recommended requiring the approval of additional landscape plans

218. The conditions also suggest the substitution of certain tree species, such as Wattle trees and Palms, to align with the City's preferred Tree Species List ensuring species are appropriately selected for the likely growing conditions.

Landscape Setback

219. The urban design principles for the Ashmore Neighbourhood are defined by a strong landscaped character achieved by setting back development from the public domain. This landscaped setback is also critical in achieving the deep soil requirements (10%) of the approved landscape concept plans. The landscaped setback is reinforced by Section 5.5.4.2 of the DCP and the approved concept plan which specifies a 3m setback, except where active frontages are provided.

220. The proposed design minimises the extent of structures and paving within the landscaped setback to maximise consolidated deep soil planting to contribute to the landscaped character of the neighbourhood and urban canopy coverage.

221. This setback is marginally reduced in some instances along Kooka Walk to accommodate the required private open space without impacting on apartment depths. This is considered acceptable where the extent of the non-compliance is minor and is located adjacent to further consolidated landscaping within Kooka Walk itself.

Public Art

222. The City approved a Public Art Masterplan for the Ashmore Precinct in 2018. A Preliminary Public Art Plan has been submitted for buildings F&I and buildings G&H, respectively.

223. Consistent with the approved Public Art Masterplan, the preliminary plans acknowledge the masterplan and develop concepts by First Nations artist Lucy Simpson who has overseen the public art across the precinct thus far. The proposed public art locations provide opportunities to realise the artist's overarching 'Firestory' concept for the precinct.

224. Opportunities identified for public art include:

- sculptural wall attachments within Nassau Lane
- soffit treatments to building entries echoing the former turpentine forests of the area
- integrated sculptural attachments and surface treatments on the building facade interacting with the flow of water
- facade treatments include engraving and pattern
- functional elements integrated with feature seating and furniture

225. The proposed public art budget is $600,000 (exc. GST) and is consistent with the terms of the VPA. A condition of consent is recommended to adjust the budget to account for CPI increases. The VPA required a greater proportion of the public art budget to be utilised to provide public art within McPherson Park.

226. The City's Public Art Advisory Panel recommended taking this precinct wide approach and have remained informed on the development of the public art for each application. The two plans will complete the public art vision of the Ashmore Estate Precinct.

Consultation

Internal Referrals

227. The application was discussed with:

(a) Environmental Projects

(b) Environmental Health

(c) Heritage and Urban Design

(d) Public Domain

(e) Surveyors

(f) Transport and Access

(g) Tree Management

(h) Waste Management.

228. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Recommended Conditions of Consent.

External Referrals

Ausgrid

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

230. A response was received raising no objections to the proposed development. Conditions recommended by Ausgrid have been included in the recommended conditions of consent at Attachment A.

Sydney Airport & Flysafe

231. The site is located within an area defined in the Schedules of the Civil Aviation (Building Control) Regulations 1988 which limits the height of structures to 15.24m above existing ground height (AEGH) without prior approval of the Civil Aviation Safety Authority (CASA).

Buildings G, H and I

232. The proposed development seeks a maximum height of RL 50 (AHD) for buildings G, H and I, being above 15.24m AEGH and therefore approval is required.

233. The Airfield Spatial & Technical Planning Manager at Sydney Airports as an authorised person of the CASA confirmed that no objection was raised.

234. Separate approval will be required to operate construction cranes above this RL (controlled activity).

Building F

235. In addition to the above, 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.

236. A prescribed airspace includes the airspace above any part of an Obstacle Limitation Surface (OLS). The OLS relevant to the site is RL 51 (AHD). Building F is a maximum height of RL 51.35 and exceeds RL 51 by 350mm.

237. Sydney Airports referred the application to the Secretary of the Department of Infrastructure Transport, Cities and Regional Development (Cth) under Regulation 11(2) of the Airports (Protection of Airspace) Regulations 1996.

238. Flysafe are yet to provide approval. As outlined in the recommendations of this report, it is recommended that the application be delegated to the CEO for approval following receipt of the appropriate approval.

Sydney Water

239. Pursuant to Section 78 of the Sydney Water Act 1994, the application was referred to Sydney Water for comment.

240. Comments were received on 3 July 2025 confirming no objection to the proposed development.

Transport for NSW

241. Pursuant to Section 2.122 *Traffic Generating Development* of the SEPP (Transport and infrastructure) 2021, the application was referred to Transport for NSW (TfNSW) for comment.

242. Comments were received on 1 July 2025 confirming no objection to the proposed development. Two conditions, requiring a Construction Traffic and Pedestrian Management Plan and a Road Occupancy Licence to be approved / obtained, were recommended and have been included in the recommended conditions of consent at Attachment A.

Water NSW

243. Pursuant to Section 89 and 90(2) of the Water Management Act 2000, the application was referred to Water NSW for concurrence.

244. Copies of public submissions made to the City of Sydney during the notification period were forwarded to Water NSW on 14 July 2025.

245. General Terms of Approval were issued by Water NSW on 10 October 2025 and have been included in the schedules within the recommended conditions of consent at Attachment A.

Advertising and Notification

246. In accordance with the City of Sydney Community Participation Plan 2022, the proposed development was notified and advertised for a period of 28 days between 5 June 2025 and 4 July 2025. A total of 2259 properties were notified, and 116 submissions were received, including:

    (a) 109 submissions in objection

    (b) 7 submissions in support

247. The amended plans were not re-notified as the amendments to the design mainly involved internal reconfigurations and are not considered to intensify or create additional amenity impacts to neighbouring properties

248. The submissions raised the following issues:

Planning policy and assessment process

(a) **Issue:** Objection to the retrospective application of Housing SEPP bonus and design excellence provisions to increase the scale of the development.

Response: The application of the Housing SEPP bonuses is addressed through the assessment of the accompanying amending concept application (D/2025/448). Notwithstanding, the planning policy amendments remain a matter for consideration.

(b) **Issue**: Concerns regarding procedural fairness, public trust, and lack of community consultation in the planning process, noting the significant changes to the originally approved concept plan.

Response: As above, addressed through the amending concept application.

(c) **Issue**: Request for more meaningful engagement and consultation with the community on these changes.

Response: The proposed development and accompanying amending concept plan were notified in accordance with the City's Public Participation Plan 2022.

(d) **Issue**: Calls for new design competitions to be run which reflect the now proposed scale of the development, noting the design competitions were run prior to the application of the Housing SEPP bonus.

Response: The City's Competitive Design Policy allows discretion to be used to consider material changes to a competitive design process scheme. In this instance, and relying on the DAP advice, it is considered that a new competition is not warranted as the proposed development satisfactorily retains the design qualities of the endorsed outcome.

(e) **Issue**: View that bonuses should not be applied in conjunction with one another.

Response: The Infill affordable housing practice note dated December 2023 confirms that bonuses may be applied accumulatively.

(f) **Issue**: View that the affordable housing requirements are inadequate to justify the increased building height.

Response: The required affordable housing component is provided to obtain the applicable bonuses. In addition, the Public Benefit Offer offers the affordable housing component in perpetuity as opposed to the ordinary 15 year requirement under the Housing SEPP. This is considered to be a significant public benefit, notwithstanding the potential impact of the increased building heights has been carefully considered and is acceptable in the circumstances.

(g) **Issue**: Criticism that the affordable housing provisions are being used to justify excessive building heights.

Response: The provision of the affordable housing component in turn permits additional building height in accordance with the Housing SEPP.

(h) **Issue**: The potential public benefits do not outweigh the likely impact on the community.

Response: As above, the likely impact of the development has been considered acceptable having regard to the acceptability of those impacts and the significant public benefit that is otherwise provided.

Built form, massing and scale

(i) **Issue**: Objection to proposed 11-storey height, which exceeds the maximum established 6-8 storey character of Erskineville.

Response: The increased building heights relate to the additional floor space permitted under the Housing SEPP. The distribution of the additional massing seeks to minimise the impact to the surrounding area and generally steps down towards the edges of the site.

(j) **Issue**: The proposal does not comply with established height controls.

Response: The proposed development takes into account provisions relating to additional height afforded by changes to the Housing SEPP and the LEP. An amending concept application has been lodged to assess those changes.

(k) **Issue**: Inadequate height transitions between the proposed development and surrounding mid- and lower-scale developments.

Response: Upper-level setbacks have been retained towards the edges of the site to assist in the visual transition to the surrounding area.

A change in materiality and finishes has been incorporated at the upper levels to further break down the visual scale of the buildings.

(l) **Issue**: The previously required step down to Mitchell Road has been lost and should be reinstated.

Response: Buildings heights along Mitchell Road have increased. An upper-level setback has been retained.

(m) **Issue**: Lack of street wall modulation, screening and landscaping, which undermines the human scale of Mitchell Road.

Response: Breaks in the built form are incorporated along Mitchell Road through the open stairwells in Building F and recessed break in at the centre of the Building I facade.

An upper-level setback has been retained, notwithstanding the increased street wall and building height.

The approved deep soil landscaped setbacks to Mitchell Road have been retained and include significant landscaping to soften the built form.

(n) **Issue**: View that the development should remain consistent with the previously approved concept plans for the Ashmore Estate.

Response: The proposed development takes into account changes to the Housing SEPP and the LEP. An amending concept application has been lodged to assess those changes.

(o) **Issue**: Buildings are monolithic in size and would appear visually oppressive on surrounding dwellings and streets.

Response: Taller buildings are located towards the northern and central areas of the site, further away from the lower scale surrounding development. As above, upper-level setbacks and changes in materiality assist in breaking down the visual scale of the buildings.

(p) **Issue**: Approval would set an undesirable precedent for further high-rise development within the Erskineville area.

Response: Each development is to be assessed on its merits.

Neighbourhood character and amenity

(q) **Issue**: Incompatible with Erskineville's "village feel" and human-scale streetscapes.

Response: The proposed development is consistent with the desired future character of the Ashmore Neighbourhood. The retail offering meets the intended function of the site as local village.

The design of the ground plane, in particular, seeks to maintain the human scale of the streetscape. The built-from has been broken down into smaller elements above the street wall height to minimise the perceived scale of the development.

(r) **Issue**: Incompatible with the neighbouring heritage conservation area and heritage buildings.

Response: The building separation afforded by Mitchell Road was considered sufficient to ensure that the proposed development would not adversely affect the heritage significance of the conservation area.

(s) **Issue:** Suggestions for amendments to better integrate the development within existing streetscapes.

Response: The proposed development would have an acceptable presentation to the Mitchell Road streetscape noting the desired future character of the Ashmore Estate. The relevant objectives and principles for the Ashmore Neighbourhood have been met.

Build-to-rent model and affordable housing

(t) **Issue**: Criticism of the build-to-rent model, suggesting it fosters transient populations and weakens community ties.

Response: The proposed build-to-rent housing will provide additional diverse housing options and is permitted under the provisions of the Housing SEPP, being a State planning policy.

(u) **Issue**: The proposed dwelling mix lacks family-sized apartment (3+ bedrooms) and provides a high proportion of studio and 1-bedroom apartments.

Response: Amended plans includes additional family-sized three-bedroom apartments, primarily located at ground level. The proposed dwelling mix is otherwise considered acceptable - see discussion above.

(v) **Issue**: Suggestion that the affordable housing should be distributed throughout the development to foster community cohesion.

Response: Whilst the benefits of this suggestion are generally agreed. The management and services arrangements of the Community Housing Provider need to be considered to ensure that the ongoing operation and management of the affordable housing building itself is sustainable and economically viable. The CHP expressed their preference to manage the housing within a dedicated building (Building H).

(w) **Issue**: Build-to-rent model seen as prioritising developer profit over community housing needs.

Response: The proposed build-to-rent housing will provide additional diverse housing options and is permitted under the provisions of the Housing SEPP, being a State planning policy.

(x) **Issue**: Concerns regarding the increased concentration of social housing, noting neighbouring social housing areas, citing antisocial behaviour and lack of community services and law enforcement to manage potential issues.

Response: The proposed development does not include social housing, however, this is not to say that the development of additional social housing would not be supported.

(y) **Issue**: Build-to-rent properties have higher rental rates on average, not supporting affordability.

Response: The proposed build-to-rent housing will provide additional diverse housing options. This is in addition to the affordable housing provided on-site in perpetuity (building H).

(z) **Issue**: Build-to-rent development reduces potential for owner occupiers to purchase affordable homes.

Response: The proposed build-to-rent housing will provide additional diverse housing options and is permitted under the provisions of the Housing SEPP, being a State planning policy.

(aa) **Issue**: Build-to-rent model will create a social enclave, having on site amenities, not promoting integration with the surrounding community.

Response: Like other residential developments, the proposed development includes communal facilities and open spaces which support and promote social interaction and community amongst the residents, however, the development does not provide all of the services and amenities generally enjoyed and therefore is anticipated that future residents would also

Potential amenity impacts

(bb) **Issue**: The development would cause overshadowing and loss of daylight to surrounding dwellings and their gardens, and streets.

Response: Acceptable - see discussion above.

(cc) **Issue**: The development does not meet minimum solar access standards.

Response: Acceptable - see discussion above.

(dd) **Issue**: The privacy of surrounding dwellings would be impacted by overlooking from proposed balconies and windows, particularly from the upper levels.

Response: Adequate building separation is achieved to prevent the direct overlooking of surrounding dwellings.

(ee) **Issue**: Requests for increased setbacks, particularly at the upper levels, to reduce the impact on neighbouring amenity.

Response: The proposed development provides a reasonable transition in scale to the adjoining area to reasonably mitigate potential amenity impacts.

(ff) **Issue**: The tall buildings and narrow streets would cause increased wind tunnelling effects through the precinct, impacting pedestrian safety and comfort.

Response: Acceptable - see discussion above.

(gg) **Issue**: Loss of City skyline views, particularly from Sydney Park.

Response: Acceptable - see discussion above.

(hh) **Issue**: Impact to outlooks and views to the sky.

Response: The proposed development would not directly block outlooks and views to the sky as adequate building separation is provided to surrounding development.

(ii) **Issue**: Requests for a comprehensive acoustic assessment to be provided.

Response: An acoustic report was submitted to demonstrate that use of the proposed development, including loading and servicing requirements, would not have an adverse impact on surrounding residents.

(jj) **Issue**: Concerns the rooftop communal areas would cause late-night noise impacts to surrounding residents. Suggestions this is removed or redesigned to minimise potential noise impacts.

Response: The use of rooftop communal areas is unlikely to cause undue noise impacts. Conditions have been recommended regarding the use of these spaces. The use of these areas is also to be managed by onsite building management as required for build-to-rent housing.

(kk) **Issue**: The scale of the development would cause increase traffic and servicing and servicing noise impacts.

Response: All servicing is to be undertaken onsite within the enclosed loading docks. An acoustic report was submitted to demonstrate that this would not have an adverse impact on surrounding residents. Conditions of consent are recommended restricting the loading and services hours noting the site is within a residential area.

Transport, traffic and parking

(ll) **Issue**: Increased vehicle movements from residential, retail, servicing vehicles.

Response: Transport for NSW and the City's Access and Transport Unit were satisfied the proposed development would have an acceptable impact on the surrounding road network.

(mm) **Issue**: Existing traffic congestion on Mitchell Road and surrounding street will be worsened.

Response: As above. The approved signalisation of the Mitchell Road, MacDonald Street and Maddox Street intersection will marginally improve traffic flow along Mitchell Road.

(nn) **Issue**: Inadequate on-site parking provision leading to spillover parking into surrounding residential streets. Requests for no on-street parking permits if on-site parking is insufficient.

Response: Future residents of the proposed development will not be eligible for on-street parking permits. The surrounding street network comprises restricted parking and therefore it is unlikely that future residents would seek to rely on on-street parking for private vehicles.

(oo) **Issue**: Existing public transport services, particularly buses are at capacity during peak hours. Train services altered by southwestern line conversion.

Response: The City's Access and Transport Unit continuously engage with the State government to improve public transport services to meet the changing and growing transport demands at a regional and local level.

(pp) **Issue**: Traffic assessments outdated (e.g. conducted during COVID lockdowns).

Response: The City's Access and Transport Unit were satisfied the submitted Traffic Impact Assessments adequately addressed traffic volumes.

It is noted that the number of on-site parking spaces is significantly less than the maximum permitted number of parking spaces and was reduced further during the course of the assessment.

(qq) **Issue**: Concerns supermarket traffic and delivery trucks would impact pedestrian safety.

Response: The design of Alpha Street is subject of a separate application, however, the design is to ensure that vehicle access including truck movements will not adversely impact pedestrian safety on Alpha Street or Mitchell Road.

(rr) **Issue**: Need for more pedestrian crossings to improve pedestrian safety. Signals required at Mitchell Road and Maddox Street.

Response: Traffic lights are being delivery at this intersection under an approved preceding stage of the development. The proposed development also includes a north-south pedestrian green spine (Kooka Walk) and additional east-west links (Nassau Lane and Alpha Street) through the Ashmore Neighbourhood.

Infrastructure, services and amenities

(ss) **Issue**: No new infrastructure proposed to support increased population.

Response: The development of the broader site includes new public open spaces. The proposed development includes additional retail premises, which may be used for other services such as medical, and a full-line supermarket which will service the needs of the broader local community.

(tt) **Issue**: Increased strain on utilities and waste collection services.

Response: AUSGRID and Sydney Water have confirmed that sufficient capacity is available to service the development. The City's waste collection services will collect residential waste and recycling.

(uu) **Issue**: Emergency services, GP clinics and health services are overstretched, with long wait times.

Response: The provision of additional health services is a matter for the State government. Additional GP and allied health services would also respond to market demand.

(vv) **Issue**: Lack of associated planning for additional education, childcare, healthcare, open spaces and community facilities to support the population growth.

Response: The proposed development includes the delivery of substantial new public open spaces. A previous stage of the development also delivered a child care centre. The provision of additional education facilities is a matter for the State government.

Environmental and sustainability impacts

(ww) **Issue**: Existing solar panels would be overshadowed reducing efficiency, increasing reliance on fossil fuels, and impacting cost recovery of the infrastructure.

Response: Regrettably, there would be some overshadowing to existing solar panels, however, the potential impact is consistent with section 4.1.3.2 of the DCP which provides guidance on this situation.

(xx) **Issue**: The proposed development has minimal tree canopy and deep soil zones, contributing to urban heat island and microclimate effects.

Response: The proposed development complies with the approved landscaped concept plans. A strong landscaped setback is provided at ground level and green and social rooftops provide additional landscaped amenity. The development of the broader site also includes McPherson Park and Kooka Walk where additional significant urban canopy is provided.

(yy) **Issue**: The proposed development lacks landscape open spaces, the proposed rooftop gardens were described as “tokenistic”.

Response: The proposed green and social roofs are consistent with the approved concept plan and the recent planning amendments which supports the use of rooftops to provide communal open spaces with high levels of amenity, including landscaping.

(zz) **Issue**: The development may cause increased flood risks and should be independently reviewed.

Response: The City's Public Domain unit have reviewed the submitted flood planning information. The development includes significant flood planning infrastructure to improve flood levels in the locality.

(aaa) **Issue**: Potential impacts to groundwater table caused by deep excavation for the basements.

Response: Remediation Action Plans were submitted an approved under the early works consents which address land contamination, including impacts to groundwater.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

249. 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.

250. The total contribution payable is $20,073,810,06. A credit is provided for the existing buildings, now demolished under preceding consents.

251. A condition relating to this local infrastructure contribution has been included in the recommended conditions of consent at Attachment A.

252. The Voluntary Planning Agreement (VPA/2015/39) involves land dedication and public domain works which may be offset against the contributions. The increase in dwellings associated with the affordable housing uplift will generate additional contributions that may not be offset by the required VPA works. Condition (X) requires payment of the full contribution, less any contributions offset by the VPA works, calculated in accordance with the VPA. The condition requires the contribution to be paid prior to the issue of a construction certificate.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

253. The site is located within the 'residual lands' affordable housing contribution area. As the proposed development includes additional floor space the development is subject to the requirements of Section 7.13 relating to a contribution for the purpose of affordable housing.

254. 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 5,250sqm of non-residential TFA and 102,626sqm of residential TFA, noting a contribution is not required for the affordable housing component (Building H).

255. The contribution amount is calculated at a rate of $11,646.80 per square metre (indexed on 1 March 2025), for 1% of the non-residential TFA and 3% of the residential TFA. This results in a contribution of $36,469,391.90.

256. As outlined above, the City's Affordable Housing Program was varied by Council resolution on 23 June 2025 to permit the payment of the contributions in stages, as follows:

    (a) Building F – prior to first OC

    (b) Building I – prior to first OC

    (c) Building G – prior to first CC (via bank guarantee)

257. Section 7.32 of the Act applies to a development application for consent to carry out development within an area if a State environmental planning policy identifies that there is a need for affordable housing in the area.

258. Section 14 of SEPP Housing 2021 identifies that there is a need for affordable housing within each area of the state and therefore Section 7.32 of the Act applies to the development application.

259. Subject to subsection 7.32(3) of the Act, the consent authority may grant consent to a development application subject to a condition requiring dedication of part of the land for the purpose of providing affordable housing, or payment of a monetary contribution to be used for the purpose of providing affordable housing.

260. An affordable housing condition may be reasonably imposed under Section 7.32(3) of the Act subject to consideration of the following:

    (a) the condition complies with all relevant requirements made by a State environmental planning policy with respect to the imposition of conditions under this section, and

    (b) the condition is authorised to be imposed by an environmental planning instrument, and is in accordance with a scheme for dedications or contributions set out in or adopted by such an instrument, and

    (c) the condition requires a reasonable dedication or contribution, having regard to the following:

        (i) any other dedication or contribution required to be made by the applicant under this section or section 7.11.

261. Before imposing a condition under Section 7.32 of the Act, the consent authority must take into consideration any land or sum of money that the applicant has previously dedicated free of cost, or previously paid, for the purpose of affordable housing within the area otherwise than as a condition of consent. The applicant has not identified any other contributions within the City.

262. Before imposing a condition under Section 7.32 of the Act, the consent authority must consider the matters in Section 15 of the Housing SEPP. The City's Affordable Housing Program is consistent with these matters and therefore a condition requiring a contribution may be imposed.

263. Having regard to the provisions of Section 7.32 of the Act, the imposition of an affordable housing contribution is reasonable. A condition of consent is recommended requiring the payment of an affordable housing contribution prior to the issue of a construction certificate.

Housing and Productivity Contribution

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

265. 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, in part. A contribution is not payable for the part of the development for the purpose of affordable housing (building H), required to be managed by a registered community housing provider in accordance with Schedule 2 of the Housing and Productivity Order 2024

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

Relevant Legislation

267. Environmental Planning and Assessment Act 1979.

Conclusion

268. The development application seeks consent for a mixed-use development comprising retail, including a full-line supermarket, and shop top housing and residential flat buildings with the residential component being specified as either built-to-rent housing or affordable housing.

269. The matters for consideration as outlined in Section 4.15(1) of the Act have been satisfied. The proposed development is permitted with the MU1 Mixed-Use zone and the E1 Local Centre zone, respectively, and is consistent with the objectives of the zones.

270. The written request made pursuant to Clause 4.6 of the LEP to vary the height of buildings development standard is considered to be well founded. The written request demonstrates that strict compliance with the development standard is unreasonable or unnecessary because the proposed development would be consistent with the objectives of the height of buildings development standard, and there are sufficient environmental planning grounds to justify the variation in the specific circumstances.

271. The Public Benefit Offer received and accepted by the City will inform a draft VPA associated with the application. The draft VPA will undergo a 28-day public exhibition period in accordance with the requirements of Section 7.5 of the Environmental Planning and Assessment Act 1979. A deferred commencement condition is recommended to enable the VPA to be drafted, executed and registered on title.

272. For these reasons it is recommended that authority be delegated to the Chief Executive Officer (CEO) to determine the application:

- following the conclusion of the public exhibition of the draft Voluntary Planning Agreement (VPA/2025/7), and consideration of any public submissions received in response; and

- subject to receipt of an approval from Federal Department of Infrastructure and Regional Development, Airspace Protection, Aviation and Airports, pursuant to the Airports (Protection of Airspace) Regulations 1996 and clause 7.16 of the Sydney Local Environmental Plan 2012.

273. It is recommended that the CEO consider granting 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.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Michael Stephens, 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:

(1) CONCEPT PLAN MADE OPERATIVE

The deferred commencement development consent for the amending concept application (D/2025/448), to which this application relates, is to be made operative.

Reason

To ensure consistency with Section 4.24 of the Environmental Planning and Assessment Act 1979.

(2) VOLUNTARY PLANNING AGREEMENT (VPA/2025/7)

(a) The Voluntary Planning Agreement between the Council of the City of Sydney and Erskineville Developments Pty Ltd and Erskineville Investments Pty Ltd, consistent with the terms of the Public Benefit Offer dated 13 June 2025 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 executive 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.

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 and 2.

SCHEDULE 1

GENERAL CONDITIONS

(3) APPROVED DEVELOPMENT

Buildings F&I

(a) Development must be in accordance with Development Application No. D/2025/405 dated 22 May 2025 and the following drawings prepared by Bates Smart:

Drawing Number	Drawing Name	Date
ARDA-01-01 C	Site Plan	23 September 2025
ARDA-02-B02 E	Basement 02 Plan	3 October 2025
ARDA-02-B01 E	Basement 01 Plan	3 October 2025
ARDA-02-00 E	Ground Floor Plan	3 October 2025
ARDA-02-01 E	Level 01 Mezzanine Plan	3 October 2025
ARDA-02-02 C	Level 02 Plan	23 September 2025
ARDA-02-03 C	Level 03 Plan	23 September 2025
ARDA-02-04 C	Level 04 Plan	23 September 2025
ARDA-02-05 C	Level 05 Plan	23 September 2025
ARDA-02-06 C	Level 06 Plan	23 September 2025
ARDA-02-07 C	Level 07 Plan	23 September 2025
ARDA-02-08 C	Level 08 Plan	23 September 2025
ARDA-02-09 C	Level 09 Plan	23 September 2025
ARDA-02-10 C	Level 10 Plan	23 September 2025

Drawing Number	Drawing Name	Date
ARDA-02-11 C	Level 11 Plan	23 September 2025
ARDA-02-12 C	Roof Plan	23 September 2025
ARDA-09-10 C	Block I East and West Elevation	23 September 2025
ARDA-09-11 C	Block I North and South Elevation	23 September 2025
ARDA-09-20 C	Block F North Elevation & F01 South Elevation/F03/04 Section	23 September 2025
ARDA-09-21 C	Block F East Elevation & F03/04 West Elevation	23 September 2025
ARDA-09-22 C	Block F South Elevation & F02 North Elevation/F03/04 Section	23 September 2025
ARDA-09-23 C	Block F West Elevation & F02 East Elevation /F01 Section	23 September 2025
ARDA-09-24 C	Block F01 East Elevation	23 September 2025
ARDA-10-10 D	Block I Section 01	23 September 2025
ARDA-10-20 C	Block F Section 01	23 September 2025
ARDA-10-21 C	Block F Section 02	23 September 2025
ARDA-09-25 A	Materials Board	8 October 2025

and as amended by the conditions of this consent.

Buildings G&H

(b) Development must be in accordance with Development Application No. D/2025/405 dated 22 May 2025 and the following drawings prepared by BVN:

Drawing Number	Drawing Name	Date
AR-00-10A-XX-02 06	Site Plan	

Drawing Number	Drawing Name	Date
AR-00-10B-00-01 26	GA – Overall – Level 00	30 September 2025
AR-00-10B-01-01 21	GA – Overall – Level 01	19 September 2025
AR-00-10B-02-01 21	GA – Overall – Level 02	19 September 2025
AR-00-10B-03-01 21	GA – Overall – Level 03	19 September 2025
AR-00-10B-04-01 21	GA – Overall – Level 04	19 September 2025
AR-00-10B-05-01 21	GA – Overall – Level 05	19 September 2025
AR-00-10B-06-01 21	GA – Overall – Level 06	19 September 2025
AR-00-10B-07-01 21	GA – Overall – Level 07	19 September 2025
AR-00-10B-08-01 22	GA – Overall – Level 08	19 September 2025
AR-00-10B-09-01 21	GA – Overall – Level 09	19 September 2025
AR-00-10B-10-01 21	GA – Overall – Level 10	19 September 2025
AR-00-10B-11-01 18	GA – Overall – Level 11	19 September 2025
AR-00-10B-B1-01 21	GA – Overall – Level B1	12 September 2025
AR-00-10C-XX-01 15	Elevations – Overall	19 September 2025
AR-00-10C-XX-02 15	Elevations – Overall	19 September 2025
AR-00-10C-XX-03 15	Elevations – Overall	19 September 2025
AR-00-10D-XX-01 20	Sections – Overall	19 September 2025
AR-00-10D-XX-03 16	Sections – Overall	12 September 2025
AR-00-10Y-XX-01 07	Finishes Schedule	12 September 2025
AR-DA-SK070 01	Slot Screens	12 September 2025

and as amended by the conditions of this consent.

(c) 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) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT (VPA/2025/7)

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.

(5) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT (VPA/2015/39)

The terms of the planning agreement registered as Dealing AM746494 and Dealing AM746510 and the Variation to the VPA registered as Dealing AP549072 must be complied with.

Reason

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

(6) STAGED CONSTRUCTION

The works may be carried out in stages, with relevant conditions being satisfied prior to the issue of a relevant Construction Certificate, where specified in the conditions of consent, for each stage as detailed in the table below.

Construction Certificate Stage	Description
CC1(A) – Buildings F&I CC1(B) – Buildings G&H	Stage 1 - Structure
CC2(A) – Buildings F&I CC2(B) – Buildings G&H	Stage 2 - Facade
CC3(A) – Buildings F&I CC3(B) – Buildings G&H	Stage 3 - Fit out, services, landscaping, public art and public domain works

Reason

To set out the staging of works for this consent.

(7) DESIGN MODIFICATIONS

Amended architectural plans and design details incorporating the following requirements are to be submitted to approved by Council's Executive Director City Planning, Development & Transport prior to the issue of:

(a) Construction Certificate CC1(A) – Buildings F&I

(i) Alpha Street setbacks and Kooka Walk parklet – Amended architectural and landscape plans are to be provided incorporating the approved design for Alpha Street (Subject to approval of a separate development application), including any associated amendments to the southern setback of Building F to Alpha Street, the northern setback of Building I to Alpha Street, and the triangular deep soil area between Building I and Kooka Walk. The amendments are to incorporate the approved design and maximise the provision of deep soil landscaping within the aforementioned areas.

(b) Construction Certificate CC1(B) – Buildings G&H

(i) Sun shading – The sun shading devices detailed on the northern and western elevation are to be provided on the eastern facades to shade the glazing in the summer months maximising solar access in winter months. Supporting documentation is to be provided from an environmental performance consultant to demonstrate the effectiveness of the additional shading.

(c) Construction Certificate CC3(A) – Buildings F&I

(i) Specify ceiling fans within the living room and bedrooms of all apartments (regardless of whether the apartment is naturally cross ventilated).

(d) Construction Certificate CC3(B) – Buildings G&H

(i) Specify ceiling fans within the living room and bedrooms of all apartments (regardless of whether the apartment is naturally cross ventilated).

Reason

To require amendments to the approved plans and supporting documentation to resolve design issues.

(8) MATERIALS AND FINISHES

A comprehensive physical materials sample board and schedule detailing all proposed finishes (including glazing) must be submitted approved by Council's Executive Director City Planning, Development & Transport prior to the issue of any 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.

Reason

To require amendments to the materials and finishes that apply to the development.

(9) DESIGN QUALITY EXCELLENCE

(a) As the development has been awarded bonus floor space for achieving design excellence and in order to ensure the design quality excellence of the development is retained through to completion:

(i) **Buildings F&I -** The design architect BATES SMART is to have direct involvement in the design documentation, contract documentation and construction stages of Buildings F&I including signing off any required certifications at DA, S4.55 applications, Construction Certificate and Occupation Certificate stages

(ii) **Buildings G&H -** The design architect BVN is to have direct involvement in the design documentation, contract documentation and construction stages of Buildings G&H including signing off any required certifications at DA, S4.55 applications, Construction Certificate and Occupation Certificate stages

(iii) 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

(iv) Evidence of the design architect's commission must be provided to the Council prior to release of any relevant Construction Certificate.

(b) The design architects are not to be changed without prior notice and approval of the Council's Executive Director City 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.

(10) RESTRICTION ON AFFORDABLE HOUSING

Building H (including communal areas, ancillary services, and basement areas) of the development must be used for the purpose of Affordable Housing in accordance with Chapter 2, Part 2, Division 1 of State Environmental Planning Policy (Housing) 2021.

Prior to the issue of the first occupation certificate OC4 – Building H:

(a) a restriction must be registered, in accordance with Section 88E of the Conveyancing Act 1919 against the title of the property relating to the development, which will ensure the requirements of subsection (d) and (e) below are met, and

(b) evidence of an agreement with a registered community housing provider for the management of the affordable housing component must be given to the Registrar of Community Housing, including the name of the registered community housing provider, and

(c) evidence that (a) and (b) have been met must be given to Council

It is a condition of the development consent that during the relevant period (**in perpetuity**)-

(d) the affordable housing component must be used for affordable housing, and

(e) the affordable housing component must be managed by a registered community housing provider, and

(f) notice of a change in the registered community housing provider who manages the affordable housing component must be given to the Registrar of Community Housing and the consent authority no later than 3 months after the change, and

(g) the registered community housing provider who manages the affordable housing component must apply the Affordable Housing Guidelines.

For the purposes of this condition, *relevant period*, means **in perpetuity** in accordance with the PBO and the Voluntary Planning Agreement to be entered into to satisfy condition Part A (2).

Reason

To ensure that the affordable housing component of the development is delivered in accordance with the requirements of SEPP (Housing) 2021 and the PBO.

(11) BUILD-TO-RENT COMPONENT

Buildings F and I of the development must be used for the purpose of a Built-to-Rent housing development in accordance with Chapter 3, Part 4 of State Environmental Planning Policy (Housing) 2021.

Building G of the development must be used for the purpose of a Built-to-Rent housing development in accordance with Chapter 3, Part 4 of State Environmental Planning Policy (Housing) 2021.

It is a condition of the development consent that during the relevant period -

(a) the build-to-rent housing buildings must be occupied, or intended to be occupied, by individuals under residential tenancy agreements, and

(b) the tenanted component of the buildings must not be subdivided into separate lots, and

(c) the tenanted component of the buildings to which the development consent relates must –

(i) be owned and controlled by 1 person only, and

(ii) be operated by 1 managing agent only, who provides on-site management

For the purpose of this condition, *relevant period* has the same meaning as Section 73 of SEPP (Housing) 2021, in force at the time the application was lodged.

Reason

To comply with the requirements of the SEPP.

(12) ~~LAND DEDICATION – NO LONG TERM ENVIRONMENTAL MANAGEMENT PLAN~~

~~Any land that is to be dedicated to the City as part of the associated Voluntary Planning Agreement must not be encumbered by an Environmental Management Plan or Long Term Environmental Management Plan.~~

~~Reason~~

~~To ensure land to be dedicated to the City is not encumbered by an environmental management plan.~~

(13) LAND DEDICATION - REMEDIATION CAPPING LAYER

Any contaminants remaining on land to be dedicated to Council must be covered by a marker layer and be capped by a minimum 1.5m depth.

Any contaminants remaining on land to be dedicated to Council must be covered by a marker layer and be capped by a minimum 1.5m depth of clean fill below the topmost surface of the future road or park. The Site Auditor is required to submit an interim report to Council for approval after the remediation has been completed and prior to the construction of the public domain works confirming the depth and the placement of the marker layer.

Reason

To ensure remediation has been satisfactorily completed.

(14) SEPARATE DEVELOPMENT CONSENTS REQUIRED

No consent is granted or implied for the fit-out or specific use of the supermarket or retail premises located within building F.

A separate development consent (Development Application or Complying Development Certificate) is required to be obtained for each premises prior to the fit-out or use commencing.

Reason

To require separate consent to be obtained for the future use and fit out of the supermarket and retail premises.

(15) GROSS FLOOR AREA

The following applies to gross floor area:

(a) The development is not to exceed 90,618sqm calculated in accordance with the definition of gross floor area under the Sydney Local Environmental Plan 2012. The approved gross floor area is to be apportioned as follows:

(i) Building F above ground- 37,507sqm

(ii) Building I above ground – 12,454sqm

(iii) Building F&I below ground – 478sqm

(iv) Buildings G above ground – 26,555sqm

(v) Building H above ground – 13,468sqm

(vi) Building G&H below ground – 156sqm

(b) Prior to an 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.

Reason

To ensure the constructed development complies with the approved floor space ratio.

(16) AFFORDABLE HOUSING CONTRIBUTION – RESIDUAL LAND – PAYMENT IN LIEU OF FLOOR SPACE CONTRIBUTION – PRIOR TO CONSTRUCTION CERTIFICATE

(a) In accordance with the City of Sydney Affordable Housing Program, and as varied by Council on 30 June 2025, 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 total contribution is **$36,483,368.06** (indexed on 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 (5,250sqm) and the equivalent monetary contribution multiplied by 3% of the total floor area for residential development (102,666sqm). The contribution is apportioned as follows:

(i) Building F - $18,511,773.32

(ii) Building I - $5,529,667.70

(iii) Building G - $12,441,927.04

(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 taken from the most recent NSW Government Rent and Sales Report at the time of indexation of the equivalent monetary contribution rate; and

(iii) 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, 1 March 2025 to 28 February 2026.

(e) The apportioned monetary contribution payments may be staged and are to be paid no later than the issue of the first occupation certificate for each corresponding building.

(f) Prior to the issue of Construction Certificate (CC1(B) for Building G, a bank guarantee in favour of the City of Sydney to the value of the apportioned monetary contribution must be lodged with the City of Sydney.

(g) Prior to any Occupation Certificate being issued for Building G, the applicant must provide evidence that the bank guarantee referred to in (f) has been redeemed as payment of this contribution.

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.

(17) 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	$ 13,353,210.08
Community Facilities	$ 2,679,619.24
Traffic and Transport	$ 2,895,493.61
Stormwater Drainage	$ 1,145,487.13
Total	$ 20,073,810.06

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 – 141.7 for the June 2025 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. Payments may be made by EFTPOS (direct card only), cash (up to $5,000 only), credit card (up to $300,000 only) or bank cheque made payable to the City of Sydney council. Larger payments to be by direct bank transfer in consultation with the City. Direct debit, personal cheques and company cheques will not be accepted.

Reason

To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

(18) HOUSING AND PRODUCTIVITY CONTRIBUTION

Before the issue of each respective Construction Certificate for CC1(A) and CC1(B), the housing and productivity contribution (HPC) set out in the table below is required to be made.

	Buildings F&I (CC1(A))	**Buildings G (CC1(B))**
Housing and productivity contribution	**Amount**	**Amount**
Housing and productivity contribution (base component)	$5,899,113.85	$3,387,357.04
Transport project component	N/A	N/A
Total housing and productivity contribution per stage	$5,899,113.85	$3,387,357.04
Total housing and productivity contribution	$9,286,470.89	

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.

(19) ADDITIONAL DESIGN DETAILS

Revised plans and elevations and 1:50 scale minimum plans (or scale otherwise agreed by Council), elevations and section details, which demonstrate high quality design and materiality and finishes, of the following elements are to be submitted to and approved by Council's Executive Director City Planning, Development and Transport:

(a) prior to the issue of the construction certificate CC1(A) – Buildings F&I

(i) **Substation and services rooms** – provide details of external wall treatments and access doors

(ii) **Retail facades** – provide details of external wall glazing including entry doors and thresholds (accessible path of travel).

(iii) **Street awnings** – provide details of awning design, including materiality, structural design and drainage.

(iv) **Basement and Loading dock access** – provide details of external loading dock access and door.

(v) **Communal Open Spaces – Wind Barriers** – provide details of external wind barriers**.**

(vi) **Sun Shading Devices** – provide details of external shading devices including additional sun shading devices required by Condition (7) above.

(b) Prior to the issue of the construction certificate CC1(B) – Buildings G&H

(i) Substation and serves rooms or cupboards – provide details of external wall treatments and access doors

(ii) Nassau Lane – provide detailed design for the Nassau Lane alignment, including adjoining setback areas, including architectural plans and landscape plans. The through site link must provide adequate lighting.

(iii) Building Entry Awnings – provide details of awning design, including materiality, structural design, roof landscaping, and drainage,

(iv) Basement and Loading dock access – provide details of external loading dock access and door.

(v) Communal Open Spaces – Wind Barriers – provide details of external wind barriers**.**

(vi) Sun Shading Devices – provide details of external shading devices including additional sun shading devices required by Condition (7) above.

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, particularly where elements interface with the public domain.

(20) SIGNAGE STRATEGY

A separate development application is to be submitted seeking approval for a signage strategy for Building F. The signage strategy development application must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

All future signage associated with the supermarket and retail premises are to comply with the approved signage strategy required to be obtained under this condition.

Reason

To require separate consent to be obtained for a signage strategy.

(21) ALLOCATION FOR CAR WASH BAYS

Car wash bays are not to be allocated or leased to any individual occupied and must be retained strictly as common property by the building management for use by all tenants.

Reason

To ensure designated areas within the development are maintained as common property.

(22) ALLOCATION FOR VISITOR PARKING

Visitor parking spaces must not at any time be allocated or leased to an individual occupier and must be strictly retained as common property by the building management for use by tenant's 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.

(23) 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 1428.2-1992: 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.

(24) 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.

Reason

To ensure accessible vehicle parking spaces are allocated to adaptable units.

(25) SIGNS AT EGRESS

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.

Reason

To ensure the safety of surrounding pedestrians and cyclists.

(26) SIGNAL SYSTEM

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 construction certificates CC3(A) and CC3(B). 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.

(27) 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 property boundary.

Reason

To ensure the public domain is kept free from physical obstructions.

(28) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing building F&I must not exceed a maximum length of 12.5m.

The size of vehicles servicing buildings G&H must not exceed a maximum length of 10.6m.

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(29) 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.

(30) 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.

(31) 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.

(32) 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.

(33) PRELIMINARY LOADING DOCK MANAGEMENT PLANS

The Loading Dock Management Plans submitted with the application are not approved.

Amended Loading Dock Management Plans for buildings F&I and buildings G&H are required to be submitted prior to the issue of Construction Certificates CC1(A) and CC1(B), respectively. These plans are to address:

(a) Measures to ensure pedestrian safety across vehicle access ways and within the loading areas.

(b) Contingency measures in the event of mechanical failure of the turntable.

(c) Buildings F&I – The parking space for the Spacpac vehicle is to be relocated to the basement level to prevent conflict with heavy vehicles accessing the loading dock

(d) Buildings G&H – Swept paths must demonstrate ingress and egress paths clear of all obstructions, such as light poles and trees required to be retained.

Reason

To ensure the safe and efficient management of the loading docks.

(34) DESIGN MODIFICATIONS – WASTE MANAGEMENT

Building F&I

Amended plans incorporating the following amendments are to be submitted to and approved by Council's Area Planning Manager prior to the issue of Construction Certificate CC1(A) – Buildings F&I

(a) The residential waste holding room(s) within the loading dock in Building F are to be increased in size to accommodate 84 x 1100L bins. Aisles are to be provided between groups of bins to maintain safe and efficient access and manoeuvrability.

(b) The finished floor level of the residential waste holding rooms at the southern side of the loading dock in Building F is to be on grade with the adjoining loading dock (RL 8.20). A minimum floor to ceiling height of 2.1m is to be retained within the waste holding room. Consequential amendments to the floor level of the residential lobby, and surrounding area, above may be required.

(c) A waste room or cupboard is to be provided accommodating 2 x 240L FOGO bins within or in close proximity to each residential lobby within basement level 01 or 02.

(d) A retail waste storage area is to be provided within the loading dock in Building F to accommodate the number of bins outlined in Table 9 *Retail Waste storage and collection* of the Waste Management Plan prepared by MRA dated 15 September 2025 (Council Ref: 2025/562970).

(e) All waste and recycling bins to be presented to the loading dock for collection are to be drawn to scale on the plans.

(f) All waste and recycling bins to used in each chute discharge room are to be drawn to scale on the plans to demonstrate sufficient bin storage capacity can be accommodated at each building core.

(g) The bulky waste room is to incorporate dual outwards facing access doors with a minimum width of 1.8m and access to the loading dock via a 1.8m wide unobstructed path of travel

(h) A bin tug enclosure with three-phase power and secure storage area for a trailer sized to accommodate 4 x 1,100L bins and with a spring-loaded ramp not exceeding a grade of 1:14 is to be provided within the basement.

(i) Written confirmation is required from a qualified chute installer confirming adequate access, spatial allocation, and bin manoeuvrability for 1,100L bins onto the linear track system in all chute discharge rooms. A copy of or reference to the plans reviewed are to be included in the confirmation letter.

(j) The Waste Management Plan for Buildings F&I is to be amended to address the above and include:

Building G&H

Amended plans incorporating the following amendments are to be submitted to and approved by Council's Area Planning Manager prior to the issue of Construction Certificate CC1(B) – Buildings G&H

(k) A bin tug enclosure with three-phase power and secure storage area for a trailer sized to accommodate 4 x 1,100L bins and with a spring-loaded ramp not exceeding a grade of 1:14 is to be provided within the basement.

(l) The recycling bin cupboards on each level are to provide unobstructed access to all bins.

Reason

To allow for the safe and hygienic storage of waste and recycling and support provision of a safe and efficient waste collection service.

(35) DESIGN MODIFICATIONS - BASEMENT PLANS

Building F&I

Amended Basement Plans incorporating the following amendments are to be submitted to and approved by Council's Area Planning Manager prior to the issue of Construction Certificate CC1(A) – Buildings F&I:

(a) All accessible parking spaces must provide a 2.4m wide space and 2.4m wide shared area, as per AS 2890.6.

(b) Provision of two (2) accessible residential visitor parking spaces (with a comparable reduction in residential visitor parking spaces to comply with Condition 87 *Allocation of Parking*

(c) A schedule on the plans indication bicycle parking and end of trip facilities to comply with Condition 88 *Bicycle Parking and End of Trip Facilities* (including visitor parking spaces at ground level).

Building G&H

Amended Basement Plans incorporating the following amendments are to be submitted to and approved by Council's Area Planning Manager prior to the issue of Construction Certificate CC1(B) – Buildings G&H:

(d) The number of tandem parking spaces is to be reduced to 10 (10 x two nose to tail spaces).

(e) Provision of six (6) dedicated B99 vehicle service bays within the basement for use by maintenance and repair service vehicles, removalists, and the like.

(f) Provision of one (1) car wash bay

(g) Additional bicycle parking, to comply with Condition 88 *Bicycle Parking and End of Trip Facilities* and accompanied by a schedule on the plans.

(h) Revised ramp design (plans and ramp profile sections) confirming compliance with AS 2890.1 by amending the section of 1:4 grade at the bottom of the ramp where the grade change is greater than 12.5%.

Reason

To ensure that basement designs meeting traffic and transport requirements.

(36) 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.

Reason

To ensure no element of the development obstructs the use of the public way.

(37) LOADING DOCK SCHEDULE/REGISTER

The on-site loading docks are 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 tenants of the buildings.

Reason

To ensure the availability and orderly operation of the on-site loading dock.

(38) NO AIR CONDITIONING UNITS TO FACADE OR BALCONIES OF BUILDING

Approval is not granted for the installation of individual air conditioning units to the facade or balconies of the building.

Reason

To clarify the scope of the consent.

(39) TEMPORARY GROUND ANCHORS, TEMPORARY SHORING AND PERMANENT BASEMENT/RETAINING WALLS AFFECTING THE ROAD RESERVE

For temporary shoring including ground anchors affecting the road reserve (including land to be dedicated or transferred to Council), 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.

(40) 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.

(41) TREES APPROVED FOR REMOVAL

(a) All trees detailed in Table 1 below are approved for removal. Tree removal must not occur until the issue of Construction Certificate CC1(B).

Table 1 – Tree Removal:

Tree No	Species:	Location
1 x street tree	*Populus simonii* (Simon Poplar)	Hadfields Street (located in front of the loading dock access driveway)

(b) 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.

(42) 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 No	Species:	Location
55-58, 60, 62, 70, 95, 97, 101, 103 & 104	*Platanus x hybrida* (Oriental Plane)	Mitchell Road (street trees)
100	*Fraxinus griffithii* (Evergreen Ash)	Mitchell Road (street trees)
61 & 64	*Populus deltoides* (Cottonwood)	Mitchell Road (street trees)
143	*Cupaniopsis anacardioides* (Tuckeroo)	155 Mitchell Road (adjacent to existing south building)
9 x street trees	*Populus simonii* (Simon Poplar)	eastern side of Hadfield Street

Reason

To identify the trees that cannot be removed, must be retained and protected.

(43) 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 City considers 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.

(44) 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 buildings 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 the relevant 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.

(45) 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.

(46) LAND SUBDIVISION – SEPARATE DA REQUIRED

Land subdivision, including any stratum subdivision of the buildings, will require a separate application through the NSW Planning Portal to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a Subdivision Certificate under Section 6.15 of the *Environmental Planning and Assessment Act 1979*.

Reason

To ensure separate development consent is sought for land subdivision.

(47) LAND DEDICATIONS AND TRANSFERS

(a) The owner must dedicate for public purposes, the parcels of land adjoining as detailed in the Voluntary Planning Agreement for the site. The dedication is to be detailed in a plan of subdivision of the land. This plan is to be registered at NSW Land Registry Services prior to any Occupation Certificate being issued. The area to be dedicated must be shown as a separate lot or lots and numbered as such.

(b) Prior to the issue of any type of Occupation Certificate, land must be dedicated in accordance with the registered Voluntary Planning Agreement as follows:

(i) Alpha Street must be dedicated as Public Road;

(ii) Hadfields Street footpath widening as Public Road; and

(iii) Kooka Walk must be dedicated as Public Reserve;

(c) Land must be dedicated unencumbered. All leases, restrictions, covenants, easements and planning agreements must be extinguished prior to, or in conjunction with the dedication of the above lots.

(d) Public Domain works within the dedication areas must be sufficiently complete to the satisfaction of Council's Area Planning Manager prior to issue of the subdivision certificate and dedication.

Reason

To ensure road widening is dedicated for road purposes.

(48) 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.

(49) BASEMENTS UNDER COUNCIL ROAD (DEDICATIONS)

Where a road to be dedicated to Council is above a basement structure, a minimum of 1.8m clearance is required from the lowest point of the road reserve, usually the gutter invert. The roof of the basement connection structure must be designed to comply with AS5100 – Bridge Design, and the City's Technical Specification A3 – Roads and Structures Design Section 3.9 - Bridge and Structures, to accommodate the required traffic loads on Alpha Street.

Note: additional tolerance should be allowed for to accommodate land level changes and installation of services.

Reason

To meet operational and technical design requirements for land to be dedicated to Council.

(50) 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.

(51) FLOOD EMERGENCY RESPONSE PLAN

(a) Separate Flood Emergency Response Plans are to be prepared for buildings F&I, building G and building H by a suitably qualified flood engineer. The Flood Emergency Response Plan is to be implemented and operated by the building owner and/or building management at all times.

(b) The Flood Emergency Response Plans must include all measures required to be implemented to ensure the ongoing management of flooding risk in relation to the buildings, 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.

(iv) 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.

(v) Provide details (as an appendix) of all proposed flood sensors, their purpose, operation and maintenance (including the frequency of maintenance).

(vi) 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.

(vii) Provide details of access to flood free areas for disabled persons.

(ix) A pumping option needs to be shown, along with the location of pumps. The pumps must be designed to pump out the full range of flood volumes within 6 hours after floodwaters have receded.

(x) 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; and

(xi) Make provision for three monthly testing by the building owner and/or Owners Corporation.

(c) The building owner and/or building management 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.

(d) No toxic or other hazardous materials are to be stored below the Flood Planning Level or in the basement levels.

(e) Prior to the issue of a Construction Certificate for both Stages CC1(A) and CC1(B), the Flood Emergency Response Plan (FERP) for the respective

buildings are to be submitted to and approved by Council's Area Planning Manager.

Reason

To ensure flood risk management measures are complied with.

(52) STORAGE SCHEDULE

(a) The submitted storage schedules are not approved.

(b) Revised storage schedules and amended plans are to be submitted to and approved by Council's Area Planning Manager prior to the issue of Construction Certificates CC2(A) and CC2(B) for the respective buildings. The plans and schedule are to meet the conditions of consent and design criteria of Objective 4G of the Apartment Design Guide.

(c) The development is to comply with the revised storage schedule under (b) above to the satisfaction of the Accredited Certifier.

Reason

To ensure the development provides adequate amenity of the residents.

(53) PUBLIC ART

Public art must be installed to the City's satisfaction prior to the issue of the first Occupation Certificate for each of buildings F&I and buildings G&H.

(a) The public artwork must be in accordance with UAP Erskineville Precinct Stage Four (F&I) Preliminary Public Art Plan dated April 2025 and UAP Erskineville Precinct Stage Five (G&H) Preliminary Public Art Plan dated April 2025, the *Sydney DCP 2012*, the *Public Art Policy*, and the *Interim Guidelines: Public art in private developments*.

(b) Separate Detailed Public Art Plans for buildings F&I and buildings G&H with final details of the proposed public artwork must be submitted to and approved by Council's Executive Director City Planning, Development and Transport prior to issue of Construction Certificate CC2(a) and CC2(b), respectively.

(i) The Detailed Public Art Plans must adjust the public art budget to account for CPI in accordance with the VPA.

(c) Public artwork must be installed to the City's satisfaction, inspected and approved and the separate Final Public Art Reports for buildings F&I and buildings G&H submitted and approved by Council's Area Planning Manager prior to the issue of the any Occupation Certificate for buildings F&I and buildings G&H.

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.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(54) PUBLIC DOMAIN DAMAGE BOND

(a) 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 bond must be provided as security for repairing any damage to the public domain in the vicinity of the site.

(b) 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.

(c) The bond in this condition will be released in full when the Public Domain Works Security Bond for the associate buildings (D/2025/405) is lodged with the City.

Reason

To allow for the appropriate management and rectification of damage to the public domain.

(55) TREE BOND

(a) An unconditional bond of $190,000 for Trees 55, 56, 57, 58, 60, 61, 62, 64, 70, 95, 101, 103, 104 & 9 x street trees (Hadfields Street) located in the public domain must be submitted and approved by the City of Sydney prior to the commencement of work or the issue of any Construction Certificate, whichever is earlier.

(b) The unconditional bond will be retained by the City of Sydney for a minimum period of six months from the date of the issue of the Occupation Certificate for buildings F&I. An Arboricultural Report prepared by a qualified Arborist (minimum AQF Level 5) must be submitted to the City of Sydney at the expiry of each bond period and prior to the bond being refunded. If the report indicates that the tree(s) require remedial works, the bond may be held until the satisfactory completion of the remedial work by the City of Sydney Tree Management Team has been undertaken and the trees return to good health.

Reason

To ensure adequate protection of public street trees during construction works, and to provide financial security for the cost of repairs or replacement in the event of accidental damage or non-compliance with approved tree protection measures.

(56) REPLACEMENT STREET TREES

(a) The City of Sydney will regularly inspect the trees during the development works. In the event that the City of Sydney Tree Team deems the street tree(s) are not viable for retention due to excessive pruning or damage, the Applicant will be responsible for the removal and replacement of the trees as detailed below:

(i) Tree removal and stump grinding undertaken by a qualified arborist (minimum AQF3);

(ii) One tree replacement for each impacted tree must be planted on Mitchell Road:

(iii) Tree species consistent with the City of Sydney Street Tree Master Plan (refer to relevant street) or other relevant guidance document. Species substitutes will not be accepted;

(iv) The tree pit design must include structural soils to support pavements in accordance with the Street Tree Master Plan (Technical Guidelines);

(b) The Applicant must nominate tree planting delivery method, being a choice of one of two options:

(i) Undertake all tree supply, planting, and maintenance requirements to the required standards and to the satisfaction of the City of Sydney Tree Team.

OR

(ii) Pay a fee for the City of Sydney to supply, plant, and maintain each required tree on the Applicant's behalf. The fee is consistent with the City of Sydney Schedule of Fees and Charges.

(c) If the Applicant is nominating to undertake all tree supply, planting, and maintenance requirements, the following requirements must be met:

(i) Tree(s) must be planted prior to issuing of the Occupation Certificate;

(ii) Tree(s) supplied in minimum container size of 400 litres at the time of planting;

(iii) Tree(s) grown in accordance with the Australian Standard 2303 'Tree stock for landscape use' and meet the requirements of this standard at the time of planting;

(iv) Prior to the tree(s) being planted, certification from the tree supplier submitted to the City of Sydney Tree Team and Public Domain Officer that the tree(s) have been grown and comply with the requirements of AS2303. Any new tree(s) which do not conform will be rejected by the City of Sydney

(v) Tree(s) planted by a qualified Horticulturist or Arborist (minimum AQF Level 3);

(vi) Tree(s) inspected and approved by the City of Sydney Tree Team (or their representative) at the following milestones: before planting with planting pits excavated; after planting; and at the end of the maintenance period;

(vii) Tree(s) maintained by a qualified Horticulturist or Arborist (minimum AQF Level 3) for a minimum period of 12 months, commencing from the date of planting. Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree;

(viii) At the end of the 12-month maintenance period, written acceptance of the tree(s) obtained from the City of Sydney before release of the Public Domain Bond;

(ix) If the tree(s) fail to thrive and successfully establish during the maintenance period, then the City of Sydney will request payment for a replacement tree(s) and establishment period according to the City of Sydney Schedule of Fees and Charges.

Reason

To ensure public street trees are adequately protected during development works and, where damage occurs, to secure their timely removal and replacement

(57) PUBLIC DOMAIN TREE PLANTING AND MAINTENANCE

(a) New tree(s) must be planted in association with the development and be included on the Public Domain Plans required to be submitted under condition tilted 'Public Domain Plan'. The Plan must include:

(i) Tree species consistent with the City of Sydney Street Tree Master Plan or other relevant guidance document. Species substitutes will not be accepted;

(ii) Tree pits located and constructed in accordance with the City of Sydney Street Tree Master Plan (Technical Guidelines) or other relevant guidance document. The tree pit design must include structural soils to support pavements in accordance with the Street Tree Master Plan (Technical Guidelines);

(iii) The Applicants nominated tree planting delivery method, being a choice of one of two options:

a. Undertake all tree supply, planting, and maintenance requirements to the required standards and to the satisfaction of the City's Tree Management Officer.

or

b. Pay a fee for the City to supply, plant, and maintain each required tree on the applicant's behalf. The fee is consistent with the City's Schedule of Fees and Charges.

(iv) If the Applicant is nominating to undertake all tree supply, planting, and maintenance requirements, the following requirement must be met:

a. Tree(s) must be planted prior to issuing of the Occupation Certificate;

b. Tree(s) supplied in minimum container size of 400 litres at the time of planting;

c. Tree(s) grown in accordance with the Australian Standard 2303 'Tree stock for landscape use' and meet the requirements of this standard at the time of planting;

d. Prior to the tree(s) being planted, certification from the tree supplier submitted to the City of Sydney Tree Team and Public Domain Officer that the tree(s) have been grown and comply with the requirements of AS2303. Any new tree(s) which do not conform will be rejected by the City of Sydney;

e. Tree(s) planted by a qualified Horticulturist or Arborist (minimum AQF Level 3);

f. Tree(s) inspected and approved by the City of Sydney Tree Team (or their representative) at the following milestones: before planting with planting pits excavated; after planting; and at the end of the maintenance period;

g. Tree(s) maintained by a qualified Horticulturist or Arborist (minimum AQF Level 3) for a minimum period of 12 months, commencing from the date of planting. Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree;

h. At the end of the 12 month maintenance period, written acceptance of the tree(s) obtained from the City of Sydney before release of the Public Domain Bond;

i. If the tree(s) fail to thrive and successfully establish during the maintenance period, then the City of Sydney will request payment for a replacement tree(s) and establishment period according to the City of Sydney Schedule of Fees and Charges.

Reason

To ensure that details of street trees to be planted are approved, the works are carried out in an appropriate manner and the trees are maintained following installation.

(58) STREET TREE PRUNING

(a) The consent from Council's Tree Management Officer must be obtained prior to the undertaking of any street tree pruning works including tree roots greater than 30mm diameter.

(b) Construction access and the location of the works zone must be planned to avoid adversely impacting any tree to be retained. Alternative work zone locations must be provided, and suitable size cranes/machinery/equipment utilised to minimise tree pruning requirements.

(c) Any pruning that has been approved by Council, must be carried out by an arborist with a minimum AQF Level 3 qualification in arboriculture, and must be in accordance with AS4373 Australian Standards 'Pruning of Amenity Trees'

Reason

To ensure that approval is obtained for any pruning works to, or removal of, street trees and that such works are carried out in an appropriate manner.

(59) 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.

(60) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

(a) The Construction Traffic Management Plan accompanying this Development Application has not been approved by this consent.

(b) A Construction Traffic Management Plan must be submitted to and approved by Council prior to any Construction Certificate being issued.

(c) The approved Construction Traffic Management Plan must be complied with during any demolition and/or construction work.

Note: refer to TfNSW condition below for additional requirements

Reason

To ensure that the impacts of construction traffic is appropriately managed.

(61) CONSTRUCTION ACCESS LOCATIONS

Construction access points and work zones must be located to avoid adversely impacting any tree required to be retained. Work zones must be suitably located, and suitably sized cranes, machinery and equipment must be utilised to minimise any requirements for tree pruning.

Reason

To minimise construction impacts on trees required to be retained.

(62) 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 their 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.

(63) PUBLIC DOMAIN CONCEPT PLAN

A public domain concept plan, showing all the site frontages and extending a minimum of 5m past the boundary and to the road centreline, must be prepared in accordance with the City's *Public Domain Manual* and *Sydney Streets* Code. It must be submitted to and approved by the City's Public Domain Unit prior to the issue of any Construction Certificate for the development other than for demolition or excavation.

Note: A detailed Public Domain Plan will be required prior to construction (refer to Public Domain Plan Detailed Documentation for Construction condition).

Reason

To ensure public domain works comply with Council's requirements.

(64) PUBLIC DOMAIN LEVELS AND GRADIENTS - MAJOR

Prior to the issue of each of Construction Certificates CC1(A) and CC1(B), a Public Domain Levels and Gradients submission for the relevant building/s 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/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.

(65) STORMWATER DRAINAGE DESIGN

Prior to issue of each of the Construction Certificate CC1(A) and CC1(B), detailed stormwater management plans prepared by suitably qualified and experienced professionals must be submitted to and approved by the City's Public Domain Unit and must include:

(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.

(66) 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 both Construction Certificates CC1(A) and CC1(B).

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.

(67) STORMWATER QUALITY ASSESSMENT

The submitted MUSIC report and stormwater plans are not approved.

An updated MUSIC report, link and stormwater plans shall be submitted to and approved by the City's Public Domain Unit prior to each of Construction Certificates CC1(A) and CC1(B).

Prior to issue of each of the Construction Certificates CC1(A) and CC1(B) 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.

(68) FLOOD PLANNING LEVELS

The development must be constructed to comply with the recommended flood planning levels indicated in the report titled Flooding Assessment 155 Mitchell Road, Erskineville (Phases 5 & 6) prepared by Stantec dated 30 September 2025 reference project number 300204058 (Council ref: 2025/594237), as revised to resolve:

(a) minor errors and discrepancies between the tables and plans in Appendix G of the report; and

(b) the corresponding floor levels are to be detailed on the architectural plans.

The revised report and plans are to be submitted to and approved by Council's Executive Director City Planning Development and Transport prior to the issue of any construction certificate.

Details must be submitted to the Registered Certifier prior to the issue of the relevant 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.

(69) PUBLIC DOMAIN LIGHTING UPGRADE

Prior to issue of any Construction Certificate, a concept Public Domain Lighting Upgrade Plan for pedestrian and street lighting in the public domain must be submitted to and approved by City's Public Domain Unit. 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 Coulson Street, Hadfields Street and Mitchell Road, and the Nassau Lane through-site-link and shall be designed to include the following requirements of the City's Lights Code and Specifications.

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.

(70) ADAPTABLE HOUSING

Prior to the issue of each of Construction Certificates CC1(A) and CC1(B) being issued, information from an appropriately qualified access consult is to be submitted to the Registered Certifier

(a) Confirming that 15% of the residential apartments are able to adapted for people with a disability in accordance with the National Construction Code.

(b) Demonstrating (in a checklist) compliance with Australian Standard AS4299.

Reason

To ensure the provision of adaptable housing.

(71) BASIX CERTIFICATE – DETAILS TO BE LODGED WITH A CONSTRUCTION CERTIFICATE

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 both construction certificates CC1(A) and CC1(B) and the items nominated as part of the subject BASIX certificate must be specified on the plans submitted with each 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).

(72) FLOOR TO CEILING HEIGHT

Prior to the issue of any construction certificate, 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.

(73) LANDSCAPING OF THE SITE

This condition relates to works at grade and within deep soil areas.

A detailed landscape 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 Area Planning Manager prior to the issue of each of Construction Certificates CC1(A) and CC1(B). These documents must include:

(a) Location of existing and proposed planting on the site including existing and proposed trees, planting in natural ground, and planting on structure.

(b) 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

(c) 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.

(d) 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.

(e) Details of drainage, waterproofing and watering systems.

(f) Landscape maintenance plan. This plan is to be complied with during occupation of the property.

Buildings F&I

The following additional requirements apply to buildings F&I

(g) The two Acacia species listed on page 30 of the planting schedule must be replaced as follows:

(i) *Acacia parramattensis* – substitute with a small-plus species tree with a minimum mature height of 8 metres, selected from the City of Sydney's approved Tree Species List.

(ii) *Acacia dealbata* – substitute with a large species tree with a minimum mature height of 12 metres, suitable for the larger deep-soil area located to the west of the site. The replacement species must be selected from the City's approved list to ensure reliability and suitability.

(h) *Polyscias murrayi* (Pencil Cedar) must be replaced with a small-plus, medium, or large species tree with a minimum mature height of 8 metres, selected from the City's approved Tree Species List.

All landscaping in the approved plans is to be complete prior to the each Occupation Certificate being issued.

Reason

To ensure the development is supported by a good quality, buildable landscape scheme that meets the City's controls.

(74) INACCESSIBLE GREEN ROOFS – BUILDINGS F&I

This condition relates to inaccessible green roofs and landscaping on structure in Buildings F&I. Landscaped areas depicted on the approved architectural plans including the terrace perimeter planters in building F02 level 2, inaccessible landscaped planters on buildings F02 levels 3-11, F04 level 5 and building I level 6 are to be included in the revised landscape plans.

(a) A detailed landscaping on structure / 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 Area Planning Manager prior to the issue of Construction Certificate CC1(A) – Buildings F&I. 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 safe access points for landscape maintenance, including but not limited to, ladder brackets, anchor points and tracks, lockable maintenance windows and/or gates.

(iii) Engineers report confirming structural capacity of building for proposed green roof loads.

(iv) Details of soil types and depth including any mounding.

(v) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.

(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) 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.

(viii) A plan 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 the each 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 the each Occupation Certificate.

(d) Inaccessible green roofs must remain inaccessible for the lifetime of the property.

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.

(75) INACCESSIBLE GREEN ROOFS – BUILDINGS G&H

This condition relates to inaccessible green roofs and landscaping on structure in Buildings G&H.

(a) A detailed landscaping on structure / 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 Area Planning Manager prior to the issue of Construction Certificate CC1(B) – Buildings G&H. 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 safe access points for landscape maintenance, including but not limited to, ladder brackets, anchor points and tracks, lockable maintenance windows and/or gates.

(iii) Engineers report confirming structural capacity of building for proposed green roof loads.

(iv) Details of soil types and depth including any mounding.

(v) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.

(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) 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.

(viii) A plan 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 the each 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 the each Occupation Certificate.

(d) Inaccessible green roofs must remain inaccessible for the lifetime of the property.

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.

(76) ACCESSIBLE GREEN ROOFS

This condition relates to communal open spaces, landscaping on structure and planters in buildings F&I and buildings G&H.

(a) A detailed above podium and 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 Area Planning

Manager prior to the issue of Construction Certificate CC1(A) and CC1(B). These documents must include:

(i) A statement that includes details of proposed use of the communal roof terraces, 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) Details for inaccessible green roofs, location of ladder brackets, anchor points for safe landscape maintenance working at height.

(iv) Details for inaccessible planters located beyond balustrades, lockable maintenance gates and windows, and an access strategy that outlines how these planters will be safely accessed for ongoing landscape maintenance.

(v) Engineers report confirming structural capacity of building for proposed roof terrace loads.

(vi) 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.

(vii) 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.

(viii) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer.

(ix) 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.

(x) The specification of palms and tree ferns on levels 2, 7 and 8 must be substituted, wherever practical, with trees capable of achieving at least a small-plus canopy classification and a minimum mature height of 6 metres, in accordance with the City of Sydney's approved Tree Species List (subject to Obstacle Limitation Surface restrictions).

(xi) The planting schedules for levels 2, 7 and 8 must be amended to ensure species suitability, canopy spread, height, and long-term contribution to the site's canopy cover.

(b) Prior to the issue of each 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.

(77) OPERATIONAL WASTE MANAGEMENT PLANS

The operational waste management plans submitted with the development application are not approved by this consent.

Separate operational waste management plans are to be submitted to and approved by Council's Area Planning Manager prior to the issue of each of these Construction Certificates CC1(A) and CC1(B). The revised plans must comply with Council's Development Control Plan and *Guidelines for Waste Management in New Developments.* The revised plans must address:

(a) Food organics generation rates are to be based on 8L per unit or a 120L bin per 30 units, collected twice a week. Provision for food waste bins to be included from the loading dock.

(b) Direct access must be provided for residents to food organics recycling bins within or in close proximity to each core within the basement.

(c) Confirm that is the responsibility of the building manager to book a weekly collection of bulky waste, as the need arises.

(d) Document a secure area for the bin tug and trailer to be parked within the basement, including the provision of three-phase power for charging. A bin tug trailer with sufficient capacity to carry 4 x 1,100L bins. The trailer is to have a spring-loaded ramp not exceeding a grade of 1:14.

(e) Document paths of travel for both residential waste and retail waste to the loading dock.

(f) Update residential waste collection hours to specify collections between 6am and 6pm on scheduled collection days,

(g) Delete reference to council's recycling truck capacity. Council's truck will return on the same day if required.

(h) The operational waste management plan for Buildings G&H is to outline that all bins presented for collection are to be located on the same level as the waste vehicle (collection crew will not use mechanical aids to collect bins).

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.

(78) WASTE INFRASTRUCTURE

Prior to the issue of each of the Construction Certificates CC1(A) and CC1(B), detailed plans, and specifications for the construction of waste management facilities must be submitted to 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 storage areas(s) are to be designed and constructed in accordance with Reference D of Council's *Guidelines for Waste Management in New Developments.* Floors are to be waterproofed across all intersection that extend a minimum 1200mm high on the walls.

(b) Waste chute system to be designed in accordance with Section B and Reference E of the Council's *Guidelines for Waste Management in New Developments*.

(c) Integrated on-site waste collection and loading infrastructure to accommodate Council's standard 10.6m waste collection vehicle.

(d) Loading docks are to be provide with hot and cold water to facilitate scheduled bin cleaning post collection in a waterproofed area drained to the sewer.

Reason

To allow for the safe and hygienic storage of waste and recycling and support provision of a safe and efficient waste collection service.

(79) WASTE CHUTES – ACOUSTIC CONSTRUCTION PERFORMANCE CERTIFICATION

(a) Prior to the issue of each of the Construction Certificates CC1(A) and CC1(B), the acoustic performance of the chute system and chute room construction must be certified by a suitably qualified acoustic consultant to the satisfaction of the certifying authority to achieve:

(i) an RW + Ctr of not less than 55 if the adjacent rooms are habitable rooms (includes a kitchen, laundry and hallway) and achieve a DnT,w + Ctr of not less than 50 in verification prior to occupation,; and

(ii) an RW + Ctr of not less than 55 if the adjacent rooms are habitable rooms (includes a kitchen, laundry and hallway) and achieve a DnT,w + Ctr of not less than 50 in verification prior to occupation, and

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 allow for the safe and hygienic storage and collection of waste and recycling from the use of the building.

(80) ACOUSTIC / NATURAL VENTILATION – MITCHELL ROAD FRONTAGE

The Detailed Environmental Noise and Natural Ventilation Assessment prepared by Acoustic Logic, dated 17 April 2025, Ref 20240443.9/1704A/R5/LA Rev 5 (Council Ref: 2025/272365), and supplementary Acoustic Statement dated 10 September 2025 prepared by Acoustic Logic dated 10/9/2025 Ref 20240443.3/1709A/R1/BJ (Council Ref: 2025/561197) includes in principle design recommendations to amend the building design to address natural ventilation and acoustic attenuation simultaneously to achieve windows open noise criteria via passive noise mitigation. The architectural plans are to be amended, and additional information provided, to include the following:

(a) Revised noise and natural ventilation impact assessment detailing specific requirements to each level for each balcony and glazing configuration variation required to achieve the windows open noise criteria via passive noise mitigation.

(b) Amended architectural drawings, including 1:20 scale balustrade, soffit detailing and 1:50 scale window and door opening configurations, fully coordinated with and capturing the revised impact assessment's detailed recommendations.

(c) A report from the acoustic / natural ventilation consultant(s) reviewing and confirming that the architectural documentation achieves simultaneously both the required ADH natural ventilation requirements and windows open noise criteria.

The above is to be submitted to and approved by Council's Area Planning Manage prior to the issue of any construction certificate for above ground works.

Reason

To ensure the design of the apartments fronting Link Road achieve adequate natural ventilation and acoustic attenuation.

(81) COMPLIANCE WITH THE ACOUSTIC REPORTS

(a) All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the acoustic reports prepared by Acoustic Logic, dated 10 April 2025 titled 155 Mitchell Road Erskineville (Block F and I), Ref 20240443.2/1004A/R4/BJ Rev 4 (Council Ref: 2025/272363), and the supplementary Acoustic Statements dated 10/9/2025 prepared by Acoustic Logic dated 10 September 2025 Ref 20240443.3/1709A/R1/BJ (Council Ref: 2025/561197) must be implemented in the development prior to the commencement of its use.

(b) 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.

(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.

(82) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION CERTIFICATE

(a) A suitably qualified acoustic consultant must be appointed in accordance with the definition noted in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025 (Council Ref: 2024/673995-02)

(b) The consultant is required to review the relevant building plans, specifications, and associated documentation, and must:

(i) Verify that the construction plans, drawings, and construction methodology for the development are consistent with the approved acoustic report and comply with all relevant conditions and documentation of this consent.

(ii) Resolve any non-compliances through amended construction plans, drawings, and construction methodology as necessary.

(iii) Ensure that all requirements under this clause are completed to the written satisfaction of the Certifier.

(c) Following completion of the above tasks, the consultant must provide written notification to the Certifier outlining any identified non-compliances.

REASON

To ensure detailed construction and fit out plans comply with the relevant standards in the approved acoustic report.

(83) DEMOLITION, EXCAVATION AND 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 (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 are 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) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

(a) Before the issue of any construction certificate, a construction environmental management plan (CEMP) must be prepared for the site by a suitably qualified environmental consultant and submitted to the Certifier and Council.

(b) The CEMP must consider all potential environmental impacts from the approved works including but not limited to sediment and erosion control, contamination containment, stockpiles, noise and vibration, odours and dust emissions.

(c) All works must be undertaken onsite in accordance with the approved CEMP.

Reason

To ensure that construction is appropriately managed to prevent pollution impacts.

(85) 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 Construction Certificate CC3(A) and CC3(B) being issued.

Reason

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

(86) ALLOCATION OF PARKING

The number of car parking spaces to be provided for the development must comply with the tables below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of:

(a) Construction Certificate CC1(A) – Buildings F&I

Car Parking Type	Number
Residential spaces	149
Accessible residential spaces	86
Residential visitor spaces	17
Accessible residential visitor spaces	2
Retail parking	83
Accessible retail parking	2
Car share parking	8
Subtotal	
Motorcycle parking	32
Car wash bay	1

Car Parking Type	Number
Service vehicle spaces	6
Heavy Rigid Vehicle loading dock(s)	3
Total	

(b) Construction Certificate CC1(B) – Buildings G&H

Car Parking Type	Number
Residential spaces	86
Accessible residential spaces	22
Residential visitor spaces	24
Accessible residential visitor spaces	2
Car share parking	5
Subtotal	
Motorcycle parking	12
Car wash bay	1
Service vehicle spaces	5
Small Rigid Vehicle loading dock(s)	
Medium Rigid Vehicle loading dock(s)	1
Total	

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(87) 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.

Building F&I

Bicycle Parking Type	Number	Requirements
Residential	572	Spaces must be a class 1 bicycle locker [1]
Residential visitor	57	Spaces must be Class 3 bicycle rails
Non-residential	21	Spaces must be Class 2 bicycle facilities
Non-residential visitor	52	Spaces must be Class 3 bicycle rails
End of Trip Facility Type	Number	
Showers with change area	2	
Personal lockers	21	

Building G&H

Bicycle Parking Type	Number	Requirements
Residential	503	Spaces must be a class 1 bicycle locker [1]
Residential visitor	50	Spaces must be Class 3 bicycle rails

All bicycle parking spaces and end of trip facilities 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.

(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 the Construction Certificate CC3(A) and CC3(B) being issued.

Reason

To ensure the allocation of bicycle parking onsite that is in accordance with Australian Standards and the Council's DCP.

(88) REFLECTIVITY

Prior to issue of the Construction Certificates CC2(A) and CC2(B) the Registered Certifier must ensure that the visible light reflectivity from building materials used on the facade of the buildings does not exceed 20%.

Reason

To ensure the development does not result in adverse reflectivity impacts and to protect the amenity of the public domain.

(89) LAND REMEDIATION – LETTER OF INTERIM ADVICE OR SECTION B SITE AUDIT STATEMENT

(a) Prior to the issue of construction certificate CC1(A), the site must be remediated and validated in accordance with the Remediation Action Plan prepared by JBS&G, dated 16 July 2025, reference JBS&G 64092/ 169103 Rev2, and the Letter of Interim Advice or Section B Site Audit Statement issued by a NSW EPA accredited Site Auditor Rowena Salmon dated 24 November 2024. 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.

(b) Prior to the issue of construction certificate CC1(B), the site must be remediated and validated in accordance with the Remedial Works Plan prepared by JBS&G, dated 2 July 2025, reference number 64092 / 168887 Rev 2 and the Letter of Interim Advice or Section B Site Audit Statement prepared by NSW Environment Protection Authority accredited Site Auditor

Rowena Salmon dated 12 December 2024 and reference 318001756 RS-175 – Interim Advice Letter No. 9. 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.

(c) Any changes to the approved Remediation Action Plan, including any long-term Environmental Management Plan, must be approved in writing by both the Site Auditor and Council before the work begins.

Reason

To ensure that the site is appropriately remediated.

(90) ELECTRICITY SUBSTATION AND TURRETS

If required by the applicable energy supplier, the owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site, but not in any landscaped area or in any area visible from the public domain, to enable an electricity substation and/or turrets to be installed. The size and location of the substation is to be submitted for approval of Council and Ausgrid, prior to any Construction Certificate being issued or the commencement of the use, whichever is earlier. Electricity turrets must be located wholly within the boundary of the site.

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.

(91) TELECOMMUNICATIONS IN NEW DEVELOPMENTS

Prior to the issue of any 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.

(92) 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 in connection with the relocation and/or adjustment of services affected by the development.

(93) LETTERBOXES

(a) Details of the location and design of all letterboxes are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a CC3A and CC3B 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.

(94) FOOTPATH AWNING

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 each of the buildings.

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.

(95) DESIGN FOR ENVIRONMENTAL PERFORMANCE

WAITING ON ADVICE

(96) EMBODIED EMISSIONS REPORTING

Prior to the issue of Construction Certificate CC1(A) and CC1(B), as per the requirements of 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 the environmental performance of the development achieves the relevant requirements.

BEFORE BUILDING WORK COMMENCES

(97) CONSTRUCTION LIAISON COMMITTEE – ASHMORE PRECINCT

(a) Prior to the commencement of any work, a Construction Liaison Committee or an alternative approved in writing by Council's Director City Planning, Development and Transport, is to be established by the developer to ensure that demolition and construction related impacts (including construction noise and vibration, loading, issues associated with construction workers and vehicles, traffic issues and management of the construction site) can be dealt with expeditiously and cooperatively.

(b) The Committee is to be comprised of interested parties representing potentially affected properties adjacent to and surrounding the site and any interested group. A nominated representative of the Council may be an observer from time to time.

(c) The Committee shall meet prior to the commencement of works on the site and prior to the submission of the final Construction Management Plan to Council to address initial areas of concern, and then at monthly intervals or as considered appropriate by the Committee throughout the construction process.

(d) Prior to the commencement of work, the Site Manager is to provide the members of the Committee and Council with 24 hour contact details (including location of site offices and a 24 hour phone number) to ensure that any matters which arise during the construction process are addressed immediately. The Site Manager shall be available during normal business

hours to provide information to the public about activities on site and to bring any complaints to the attention of the Applicant.

(e) A register of all complaints shall be kept by the Applicant throughout the duration of the project and shall be made available to Council Officers on request.

(f) The Committee meetings are to be recorded/minuted and such records/minutes are to be provided to Council within 14 days of the meeting.

(g) The first Committee meeting should establish Terms of Reference, including purpose, size and membership, quorum, meeting frequency and duration, procedures for meetings, recording/distribution of comments and outcomes and the like.

(h) The initial call for resident/worker nominations to be sent to the adjacent and adjoining property owners and tenants must be submitted to and approved by the Director City Planning, Development and Transport prior to sending.

(i) The Site Manager is to inform each Committee meeting about the construction program, progress reports and impending work.

Reason

To ensure that a Construction Liaison Committee (or alternative) is established and operates to ensure that demolition and construction related impacts can be dealt with expeditiously and cooperatively.

(98) 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.

(99) 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 or 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 five 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 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.

DURING BUILDING WORK

(100) COMPLIANCE WITH ACID SULFATE SOILS MANAGEMENT PLANS

Buildings F&I - All recommendations contained in the Acid Sulphate Soils Management Plan prepared by JBS&G, reference 64092 / 156983 dated 7 February 2024 must be implemented, particularly management procedures outlined in Section 6 of the Report.

Buildings G&H - All recommendations contained in the Acid Sulphate Soils Management Plan prepared by JBS&G, reference 64092 / 156983 dated 31 October 2024 must be implemented, particularly management procedures outlined in Section 6 of the Report.

Reason

To ensure that Acid Sulphate Soils are appropriately managed.

(101) RUN-OFF, EROSION AND SEDIMENT CONTROL

Before the commencement of any works, all sediment and erosion controls must be implemented and maintained in accordance with the document titled Managing Urban Stormwater Soils & Construction Volume 1 (Landcom, 2004).

Sediment control structures must be maintained throughout remediation works to prevent runoff of any potentially contaminated water or soil to the surrounding environment.

Reason

To ensure that construction is appropriately managed to prevent pollution impacts

(102) 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.

(103) 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.

(104) 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.

(105) 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.

(106) 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.

(107) 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.

(108) LIGHTING OF SITE OUTSIDE OF STANDARD CONSTRUCTION HOURS

Lighting of the site while any work is undertaken outside of Council's standard hours of construction must ensure that at no time must the intensity, hours of illumination or location of the lighting cause objectionable glare or injury to the amenity of the neighbourhood or Obtrusive Light in accordance with the definition in Australian Standard AS4282-2023 Control of the obtrusive effects of outdoor lighting. If in the opinion of Council, injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause injury to nearby residents.

Reason

To protect the amenity of the surrounding area.

(109) 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.

(110) 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)

(111) 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(s).

(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.

(112) 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.

(113) 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.

(114) 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.

(115) PUBLIC DOMAIN PLAN DETAILED DOCUMENTATION FOR CONSTRUCTION

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 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.

Reason

To ensure the public domain complies with Council's requirements.

(116) 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.

(117) 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.

(118) 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.

(119) ACCESS DRIVEWAYS TO BE CONSTRUCTED

Temporary driveways are to be approved and 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.

(120) 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.

(121) 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.

(122) 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.

(123) 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.

(124) SURVEY

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.

Reason

To ensure the development does not encroach onto neighbouring properties.

(125) 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 and levels. 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 and levels approved under this consent.

Reason

To ensure the development does not encroach onto neighbouring properties.

(126) TREE PLANTING

(a) All trees must be planted by a qualified Arborist or Horticulturist.

(b) All newly planted trees must be maintained for a minimum period of 12 months after planting, including watering, mulching, weeding, formative pruning, pest and disease management, and replacement of any trees that fail to establish or become non-viable during the maintenance period.

(c) A qualified Arborist (minimum AQF Level 5) must assess the updated plans prior to being submitted to the City of Sydney.

Reason

To ensure the proposed landscape works comply with Council's Urban Forest Policy, relevant planning controls, and development consent conditions and to achieve long-term tree health, canopy cover, and environmental sustainability outcomes.

(127) SITE SUPERVISING AND REPORTING

(a) A qualified Arborist (minimum AQF Level 5) must oversee various stages of work within the Tree Protection Zone(s) (TPZs) of any tree listed for retention.

(b) The Arborist must certify compliance with each key milestone detailed below:

(i) Installation of tree protection measures (i.e. tree protection fencing, trunk and branch protection, ground protection, tree protection signage) prior to the commencement of the development works;

(ii) Demolition of ground surface materials (pavers, concrete, grass etc.) or inground structures within the TPZs of any tree to be retained;

(iii) Excavation and trenching within the TPZs;

(iv) Construction of footpaths, paving, vehicle crossings, retaining walls, and fencing within the TPZs;

(v) Landscape works within the TPZs;

(vi) Other times as specified in the Arboricultural Impact Assessment Report, Tree Protection Plan or these conditions.

(c) A Tree Protection Compliance Report, which includes photographic evidence and provides details on the health and structure of tree(s), must be submitted within one week following each scheduled inspection and key milestone listed above. The report is to be submitted to, and acknowledged, by the Council's Area Planning Manager. The Tree Protection Compliance Report must include:

(i) Confirmation that the tree protection measures have been installed in accordance with these conditions;

(ii) Details of any additional tree protection recommendations and subsequent implementation to ensure the tree(s) remain in a healthy condition;

(iii) Details of works undertaken on any tree to be retained or any works within the TPZs.

(d) A final Tree Protection Compliance Certificate demonstrating that all Tree Protection Compliance Reports have been submitted at each scheduled inspection and key milestone listed above must be submitted and approved by the City of Sydney Area Planning Manager prior to the issue of any Occupational Certificate.

Reason

To ensure the protection and ongoing health of trees on the site.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(128) OCCUPATION CERTIFICATE TO BE SUBMITTED

Occupation Certificates 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, in accordance with the following Occupation Certificate staging:

(a) Occupation Certificate OC1 – Building F

(b) Occupation Certificate OC2 – Building I

(c) Occupation Certificate OC3 – Building H

(d) Occupation Certificate OC4 – Building G

An occupation certificate for Building G must not be issued until the final Occupation Certificate for all parts of Building H (Affordable Housing) has issued.

Reason

To ensure the development is authorised for occupation and to ensure timely delivery of the affordable housing component.

(129) LAND REMEDIATION – SITE AUDIT STATEMENT (STAGED)

(a) Prior to the issue of each Occupation Certification a Section A Site Audit Statement must be obtained from a NSW Environmental Protection Authority Accredited Site Auditor. These statements must be submitted to Council's Area Planning Manager via hbapplications@cityofsydney.nsw.gov.au.

(b) Each SAS must confirm that the site has been remediated in accordance with the approved Remediation Action Plan and must clearly state that the site is suitable for the proposed use.

(c) If the SAS includes conditions requiring ongoing review by the Auditor or Council, these conditions must be reviewed and approved in writing by Council before the statement is issued.

(d) If any conditions of the SAS are inconsistent with this development consent, the development must not proceed until the inconsistency is resolved to Council's satisfaction (e.g. Section 4.55 modification under the Environmental Planning and Assessment Act 1979).

(e) A Certifier must not issue any Occupation certificate for any stage unless the SAS has been submitted to and approved by Council in accordance with this condition.

Reason

To ensure that the site is appropriately remediated.

(130) SITE AUDIT STATEMENT – ENVIRONMENTAL MANAGEMENT PLAN

(a) Where the ongoing suitability of the land and the issuance of the final Section A Site Audit Statement is dependent on the implementation of an Environmental Management Plan (EMP) or Long-Term Environmental Management Plan (LTEMP) for managing residual contamination, the EMP must be approved by the Site Auditor. A copy of the approved EMP must be submitted to Council before the release of the final Site Audit Statement.

(b) The EMP must be prepared, or reviewed and approved, by an appropriately qualified and certified environmental consultant.

(c) The EMP must comply with the relevant EPA guidelines for Site Auditors. It must clearly describe the nature and location of the residual contamination,

outline the long-term management and monitoring measures, identify responsible parties, and specify the legal mechanism by which the plan will be enforced.

(d) The EMP must also include a contingency plan detailing the actions to be taken in the event of failure of any containment or management systems for the residual contamination.

Reason

To ensure that contamination is appropriately managed.

(131) REGISTRATION OF POSITIVE COVENANT

Prior to the issue of any Occupation Certificate for any stage, a positive covenant pursuant to Section 88B or 88E of the Conveyancing Act, 1919 with terms to the satisfaction of Council, must be registered on the title of the land and a copy of the title submitted to the Council's Area Planning Manager and the Principal Certifier.

This positive covenant must be registered on the title of the land binding the owners and future owners with the responsibility for the ongoing maintenance and rehabilitation works required in terms of the encapsulated/remaining contaminated materials, including the discharge or prevention of discharge from any contaminants or for any works subsequently required by the NSW Environment Protection Authority.

A copy of the revised certificate of land title recording the covenant must be submitted to Council's Area Planning Manager and the Principal Certifier prior to the issue of any Occupation Certificate for any stage.

Reason

To ensure that contamination is appropriately managed.

(132) EASEMENT FOR PUBLIC ACCESS – THROUGH SITE LINK

(a) Prior to the issue of the first Occupation Certificate OC3 - building H, a documentary Easement for Public Access, limited in stratum if so desired, is to be created and registered on the Title of the development site. The Easement is to be defined over 380sqm of land for Pedestrian Link 3 (Nassau Lane) as identified in the VPA, extending from Hadfields Street to Kooka Walk between buildings H and Buildings G. The Easement is to be created appurtenant to Council in terms granting unrestricted rights for public pedestrian access, without vehicles, exclusive of wheelchairs for the disabled, to Council’s satisfaction,

(b) The terms within any Section 88B must ensure that easements prevail over any future building management statement.

(c) The plan for the easement for public access must show surveyed offsets to structures located within a metre of the easement, in accordance with the requirements of NSW Land Registry Services.

(d) Prior to the issue of the first Occupation Certificate OC3 – Building H, a documentary Positive Covenant is to be created and registered on the Title of the development site, appurtenant to Council. The Positive Covenant is to be created in terms indemnifying Council against any claims and damages arising from the use of the Easement for Public Access and is to require the maintenance of a $20,000,000 public indemnity insurance policy and is to require the maintenance, upkeep, lighting and repair of the Easement for Public Access in accordance with Council's requirements and to the satisfaction of Council.

Reason

Compliance with the terms of the VPA

(133) RESTRICTION ON THE USE OF LAND - RESIDENTIAL DEVELOPMENT

The following restriction applies to buildings approved for residential uses:

(a) The accommodation portion of the buildings 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 the like, other than in accordance with the Sydney Local Environmental Plan 2012.

(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 those levels from residential accommodation as defined in the Sydney Local Environmental Plan 2012. The restriction is to be registered on title prior to any Occupation Certificate for each building/stage being issued or the use commencing, whichever is earlier. The restriction must contain terms reasonably required by Council at the cost of the applicant, in accordance with the City's Fees and Charges.

(c) If a unit 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 or share accommodation.

Reason

To ensure the residential accommodation portion of the site is used for permanent residential purposes.

(134) RESTRICTION ON USE OF CAR SPACES – RESIDENTIAL

The following conditions apply to car parking:

(a) The on-site car parking spaces and 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 for each building/stage 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) Any future strata subdivision shall provide for a Restriction on the use of Land to be registered of all residential lots with car spaces, pursuant to Section 88B of the Conveyancing Act 1919, to the effect of (a) above. The covenant is to be created appurtenant to Council, at no cost to and to the satisfaction of Council.

(d) A restriction burdening common property in a future strata plan only, shall not satisfy this condition

Reason

To ensure the on-site car parking and storage spaces are not to be used other than by a resident of the building.

(135) RESTRICTION ON THE USE OF LAND - 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. Future strata subdivisions of the residential component of the site are to include an appropriate documentary 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. 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.

Reason

To prevent obstruction of common property areas.

(136) ASHMORE TRUNK DRAIN COMPLETION

The stormwater culver works located in Kooka Walk (under D/2025/467 and preceding stages of the development) must be completed and operational before the issue of any Occupation Certificate.

Reason

Compliance with the terms of the Voluntary Planning Agreement.

(137) 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 for each building/stage 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.

(138) 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.

(139) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT

Prior to the issue of any Occupation Certificate for each building/stage:

(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.

(140) SURVEY INFRASTRUCTURE – PRE-SUBDIVISION CERTIFICATE WORKS

(a) Pursuant to Section 38 of the Surveying and Spatial Information Act 2002, if it is likely that any new survey mark will be disturbed by associated works (for example, footpath or kerb and gutter construction), a surveyor may defer the placement of those marks.

(b) Prior to the issue of any Subdivision Certificate, documentary evidence in accordance with Section B11 – *Survey Infrastructure of the Technical Specification* must be prepared by a Registered Surveyor and submitted to and approved by the City. This evidence must include:

(i) A copy of any Surveyor-General's Approval for Deferment of Survey Marks granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the draft deposited plan) or

(ii) A certificate of Practical Completion obtained from the City's Public Domain team, together with 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 survey marks shown on their Deposited Plan remain at the date of practical completion.

Reason

To allow for deferment of survey marks.

(141) SURVEY INFRASTRUCTURE – RESTORATION

(a) Prior to any Occupation Certificate for each building/stage 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:

(i) 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;

(ii) 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;

(iii) Time-stamped 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.

Reason

To ensure all requirements for survey mark removal are complied with.

(142) FLOOD RISK MANAGEMENT

Prior to the issue of any Occupation Certificate for each building/stage, a certification report prepared by a suitably qualified practitioner engineer (NPER), 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.

Reason

To ensure flood risk management measures are complied with.

(143) FLOOD PROTECTION FEATURES

Prior to the issue of any Occupation Certificate for each building/stage, 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.

Reason

To ensure flood risk management measures are complied with.

(144) 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 for each building/stage or subdivision/strata certificate being issued.

Reason

To ensure the requirements of Sydney Water are met.

(145) SURVEY CERTIFICATE AT COMPLETION

Prior to the issue of any Occupation Certificate for each building/stage, a Final Survey Plan and Certificate prepared and signed by a Surveyor, registered under the *Surveying & Spatial Information Act, 2002* must be submitted at the completion of the building work for each building, certifying the location and height of the building, and showing offsets, in relation to the boundaries of the allotment.

Reason

To ensure the development does not encroach onto neighbouring properties and is in accordance with the approved plans.

(146) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of the proposed structure shall encroach onto the adjoining properties.

Reason

To protect neighbouring properties.

(147) 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 or land to be dedicated.

Reason

To protect the public way.

(148) 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 for each building/stage stating that the development has been constructed and the required levels achieved in accordance with the recommendations of the report titled '*Flood Impact Assessment Report'* prepared by Egis dated September 2024.

Reason

To ensure the development achieves the required floor levels.

(149) BASIX COMPLETION

All commitments listed in each relevant BASIX Certificate for the development must be fulfilled prior to any Occupation Certificate being issued for each building/stage.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under Section 75 EP&A Regulation 2021).

(150) VERIFICATION OF ACOUSTIC REPORT

Prior to the issue of any Occupation Certificate for each building/stage, the Certifier must ensure the following:

(a) A suitably qualified acoustic consultant must be appointed in accordance with the definition noted in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

(b) The consultant must inspect and review the completed development and ensure that:

(i) The final building work is assessed for compliance with the relevant acoustic Construction Certificate(s), the approved acoustic report(s), and all applicable noise-related conditions and documentation of this consent.

(ii) Any non-compliances identified under (i) above are documented in writing, with specific reference to the relevant acoustic criteria, and must include a scope of work necessary to rectify the issues and achieve compliance.

(iii) All requirements under this clause are completed to the written satisfaction of the Certifier.

(c) Following completion of item (b), the consultant must notify the Certifier in writing of any identified non-compliances.

Reason

To ensure the development complies with construction and fit out plans and the relevant standards in the approved acoustic report.

(151) UNDERGROUNDING OF OVERHEAD POWERLINE IN COULSON STREET

Prior to the issue of any Occupation Certificate, the existing overhead powerlines located along the northern side of Coulson Street between the intersections of Mitchell Road and Hadfield Street, including any integration works, are to be placed underground at the cost of the developer.

Note: AUSGRID approval is to be obtained prior to the works being undertaken.

Reason

In accordance with Condition 16 of the Concept Consent.

(152) WASTE AND RECYCLING COLLECTION CONTRACT - COMMERCIAL

Prior to the issue of Occupation Certificate OC1 (building F) 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.

(153) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

(a) Prior to the issue of any Occupation Certificate for each building/stage, 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 each 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 is 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 for each building/stage.

(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 each Occupation Certificate for each building/stage.

(e) The assigned building manager(s) for the development and direct contact details are to be provided to Council's City Cleansing & Resource Recovery Unit prior to the issue of a Occupation Certificate for each building/stage.

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.

(154) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of Occupation Certificate OC1 – Building F, the 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 by the Construction Certificate, and the Conditions of Consent.

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.

(155) STREET ADDRESSES OF LOTS

In accordance with Clause 60(c) of the Surveying and Spatial Information Regulation 2017, the street addresses for each lot must be shown on the Administration Sheet for the future subdivision. An application must be made to Council's Spatial Information Systems Team by email:

SpatialInformationSystemsTeam@cityofsydney.nsw.gov.au

The application must be made prior to the lodgement of the subdivision certificate or strata certificate applications, to obtain the correct street address for each lot or strata lot. The street addresses allocated by Council must be provided to the registered surveyor for inclusion in a schedule on the Administration Sheet. This schedule must be completed before the issue of a subdivision/strata certificate. The subdivision/strata certificate must not be issued if the schedule contains words to the effect "address not available" unless the lot is being dedicated as public road with that plan.

Reason

To ensure street addresses are appropriately allocated, and subsequently issued to the State's emergency services divisions, police departments and postal service.

(156) WAY FINDING SIGNAGE PLAN

Separate way finding plans must be submitted to and approved by Council's Area Planning Manager prior to the issue of any Occupation Certificate for:

(a) Buildings F&I

(b) Buildings G&H

The Plans 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 line marking where appropriate.

Reason

To ensure way finding is appropriately implemented across the site

(157) LOADING DOCK MANAGEMENT PLAN

Separate Loading Dock Management Plans are 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 the issue of the first Occupation Certificate for:

(a) Buildings F&I

(b) Buildings G&H

Once approved, this management plan is to be provided to all relevant tenants and external users of the loading areas.

Reason

To ensure that the loading dock is appropriately managed.

(158) TRANSPORT ACCESS PLANS

A separate Transport Access Guide (TAG) must be prepared for Block F&I and Block G&H. Information included in the TAG should include walking routes to public transport, cycleway connections, location of visitor bicycle parking, location of car share spaces.

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 any Occupation Certificate for each building or use commencing.

(159) 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 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.

(160) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

(a) Prior to the issue of 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.

OCCUPATION AND ONGOING USE

(161) MANAGING NOISE

The premises must be operated and managed in accordance with the approved acoustic report for this consent.

All physical aspects of the building's structure must be installed to meet performance parameters in accordance with this condition, and requirements of this consent, must be maintained and correctly used at all times. Where there is a conflict with the approved acoustic report and a requirement of this development consent, this consent prevails.

Reason

To protect the amenity of the local area.

(162) 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.

(163) WASTE AND RECYCLING – SCHEDULED COLLECTIONS

(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.

(164) WASTE AND RECYCLING – ONGOING WASTE MANAGEMENT

(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.

(165) 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.

(166) LANDSCAPE MAINTENANCE

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.

(167) USE OF COMMON AREAS AND FACILITIES

The communal open space and common areas and facilities must be available for the use of all residents of the buildings.

Reason

To ensure designated areas within the residential development are provided and maintained as common property for the amenity of the residents.

(168) MAIL ROOMS

All mail rooms must be secured with access restricted to Australia Post, building management and residents only.

Reason

To ensure mail rooms are secured.

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 Terms of Approval for Integrated Development as advised by Water NSW are as follows:

WATER NSW

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.

(169) 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.

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/waterlicensing/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.

GT0278-00001 A water access licence, for the relevant water source, must be obtained prior to extracting groundwater, unless an exemption applies. Advisory Note: See Schedule 4 of the Water Management (General) Regulation 2018.

GT0279-00001 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. 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

TERMS OF APPROVAL

The following conditions have been recommended by NSW State agencies:

AUSGRID

(170) AUSGRID OVERHEAD POWERLINES ARE IN THE VICINITY OF THE DEVELOPMENT

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.

Reason

AUSGRID requirement.

(171) 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.

Reason

AUSGRID requirement.

(172) 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.

Reason

AUSGRID requirement.

(173) AUSGRID KIOSK SUBSTATION IN THE VICINITY OF THE DEVELOPMENT

There is an existing kiosk style electricity substation that may be impacted by the proposed construction. Subsidence and vibration must be minimised at the substation site. The use of ground anchors under a substation is generally not permitted due to the presence of underground cabling and earthing conductors which may be more than 10m deep. A further area of exclusion may be required in some circumstances.

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.

Any portion of a building other than a BCA class 10a structure constructed from noncombustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

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 141.

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.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.

Reason

AUSGRID requirement.

SYDNEY AIRPORTS

TO BE INSERTED PRIOR TO DETERMINATION

SYDNEY WATER

Prior to issue of a construction certificate

(174) 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.

Reason

Sydney Water requirement.

(175) 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

Sydney Water advice.

(176) TRADE WASTE 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 should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

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

Sydney Water requirements.

(177) 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:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.

2. 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

Sydney Water requirement.

(178) 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

Sydney Water advice.

(179) 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

Sydney Water advice.

Prior to the issue of an Occupation Certificate / Subdivision Certificate

(180) SECTION 73 COMPLIANCE CERTIFICATE

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water's 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.

TRANSPORT FOR NSW

(181) CONSTRUCTION PEDESTRIAN AND TRANSPORT MANAGEMENT PLAN – TFNSW

A Construction Pedestrian and Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to TfNSW at development.ctmp.cjp@transport.nsw.gov.au for review and endorsement, prior to the issue of any Construction Certificate or any preparatory, demolition or excavation works, whichever is earlier.

Reason

Transport for NSW requirement.

(182) ROAD OCCUPANCY LICENCE

A Road Occupancy Licence (ROL) shall be obtained from Transport Management Centre for any works / construction zone that may affect the traffic control signals during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf.

Reason

Transport for NSW requirement.

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.

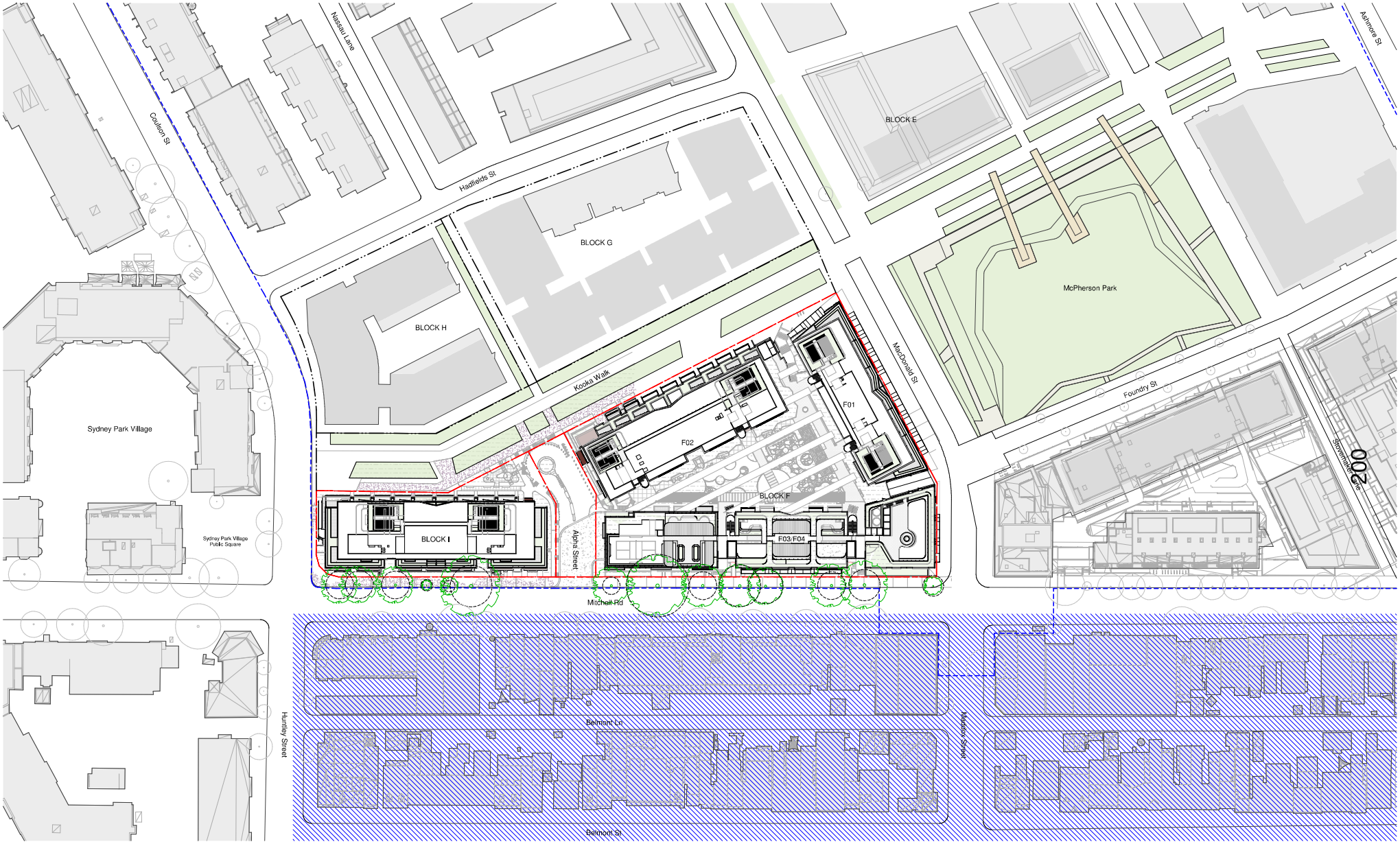
Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

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

Architectural Plans – Buildings F&I



LEGEND - PROPOSED SITE PLAN

- Boundary - Ashmore Precinct
- Boundary - Block F&I
- Boundary - Block G&H
- Cooper Estate Conservation Area
- Existing surrounding trees
- Existing adjacent trees pertaining to application – Refer to Arborist Report and Architectural Drawing ARDA-23-02
- New surrounding trees – Refer to Public Domain documentation

0 25 50 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Proposed Site Plan

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and/or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

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Scale	1 : 500 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:21:33 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-DD-AR-F03-R24.rvt
Drawing no.	ARDA-01-01
Revision	C

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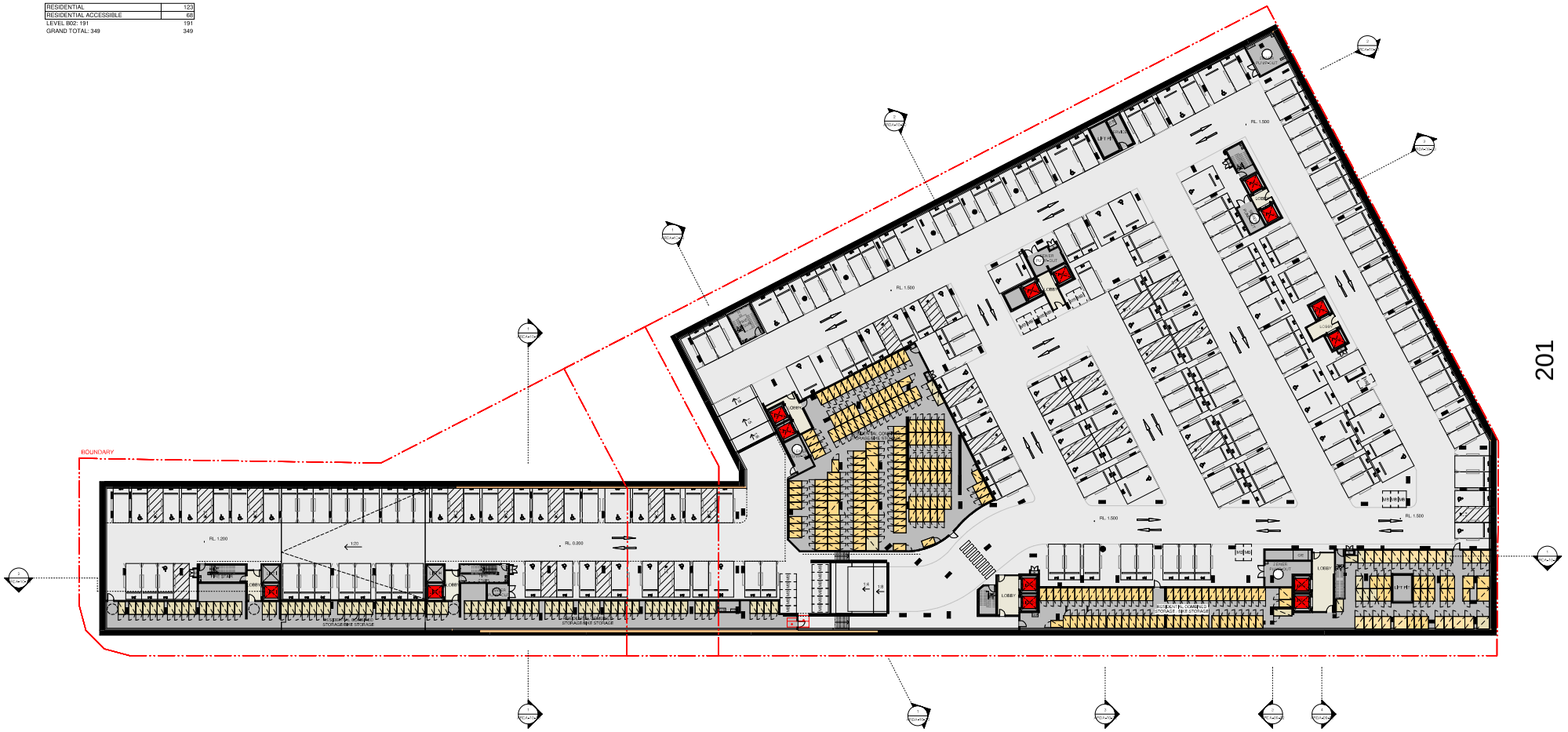
Bates Smart Architects Pty Ltd ABN 68 094 740 986

NSW Nominated Responsible Architects: Kellie Payne Reg. 6454 / Philip Vivian Reg. 6936 / Guy Lake Reg. 7119 / Matthew Allen Reg. 8438

BATESSMART

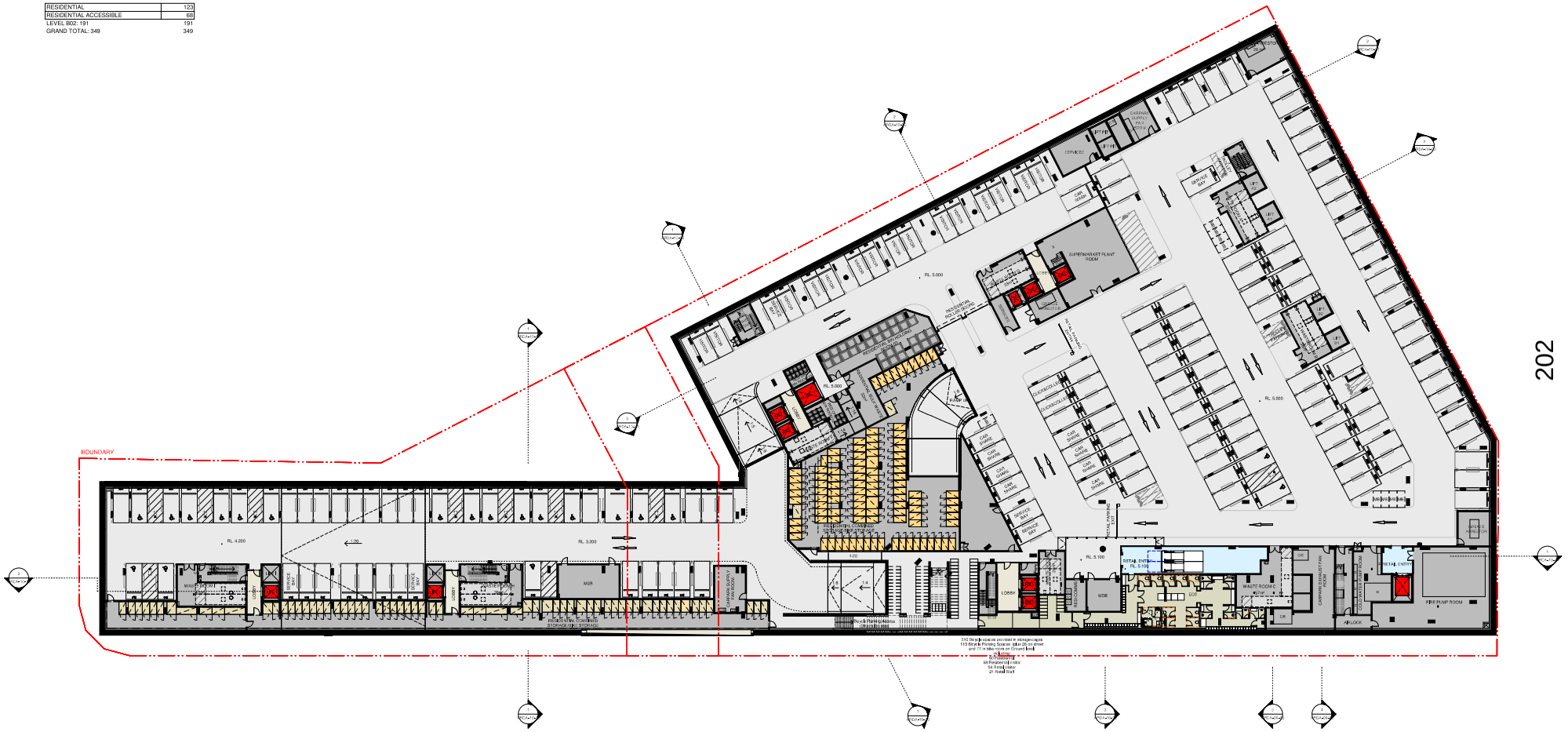
CAR PARKING SCHEDULE	
TYPE	COUNT
RETAIL	
CAR SHARE	8
CLICK&COLLECT	2
RETAIL	81
RETAIL ACCESSIBLE	2
SERVICE BAY	3
LEVEL B01: 96	96
RESIDENTIAL	
CAR WASH	1
RESIDENTIAL	25
RESIDENTIAL ACCESSIBLE	18
SERVICE BAY	3
VISITOR	15
LEVEL B01: 62	62
RESIDENTIAL	123
RESIDENTIAL ACCESSIBLE	68
LEVEL B02: 191	191
GRAND TOTAL: 349	349

MOTORBIKE SCHEDULE	
TYPE	COUNT
LEVEL B01	
RETAIL	9
RETAIL: 9	9
LEVEL B02	
RESIDENTIAL	23
RESIDENTIAL: 23	23
GRAND TOTAL: 32	32


BOUNDARY
201
RL 1.200
RL 0.300
RL 1.500
RL 1.500
RL 1.500
RL 1.500
LOBBY
LOBBY
LOBBY
LIFT
LIFT
RESIDENTIAL STORAGE
RESIDENTIAL STORAGE
RESIDENTIAL STORAGE

CAR PARKING SCHEDULE	
TYPE	COUNT
RETAIL	
CAR SHARE	8
CLICK&COLLECT	2
RETAIL	81
RETAIL ACCESSIBLE	2
SERVICE BAY	3
LEVEL B01: 96	96
RESIDENTIAL	
CAR WASH	1
RESIDENTIAL	25
RESIDENTIAL ACCESSIBLE	18
SERVICE BAY	3
VISITOR	15
LEVEL B01: 62	62
RESIDENTIAL	123
RESIDENTIAL ACCESSIBLE	68
LEVEL B02: 191	191
GRAND TOTAL: 349	349

MOTORBIKE SCHEDULE	
TYPE	COUNT
LEVEL B01	
RETAIL	9
RETAIL: 9	9
LEVEL B02	
RESIDENTIAL	23
RESIDENTIAL: 23	23
GRAND TOTAL: 32	32



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
AU Adaptable Units
MB Motorcycle Parking
WS W ind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-01-E00

Proposed landscape •Refer to Landscape Architects documentation

Storage Cage Allocation

- 10 x Bike storage cage (S35 provided)
- 20 x Bike storage cage (144 provided)
- 35 x Bike storage (33 provided)

Studio units have all required ADG storage located within the unit
Studio unit bicycle parking is provided at B1

0 12.5 25 m

SERVICES LEGEND

- Proposed Sydney Water Stormwater Culvert
- Proposed Recycled Water
- Proposed Stormwater Pipe
- Proposed Main Water
- Proposed Sewer
- Existing Sydney Water Stormwater Culvert
- Existing Sydney Water Watermain

Revision	Date	Description	Initial	Checked
E	03/10/25	Amended Development Application	SMK	SMK
D	23/09/25	Amended Development Application	JW	JW
C	12/09/25	For Sydney Water Approval	JW	JW
B	29/04/25	Amended Development Application	JW	HC
A	13/12/24	Development Application	HC	HC

Client: CORONATION

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Basement 01 Plan

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Scale	1 : 250 @ B1
Drawn	Author
Checked	Checker
Project no.	S12794
Status	Design Development
Plot Date	3/10/2025 4:50:56 PM
BIM	Autodesk Docs://Erskineville Phase 5 FA/ERSAS-BS-00-AR-F02-R24.rvt
Drawing no.	ARDA-02-B01E
Revision	E

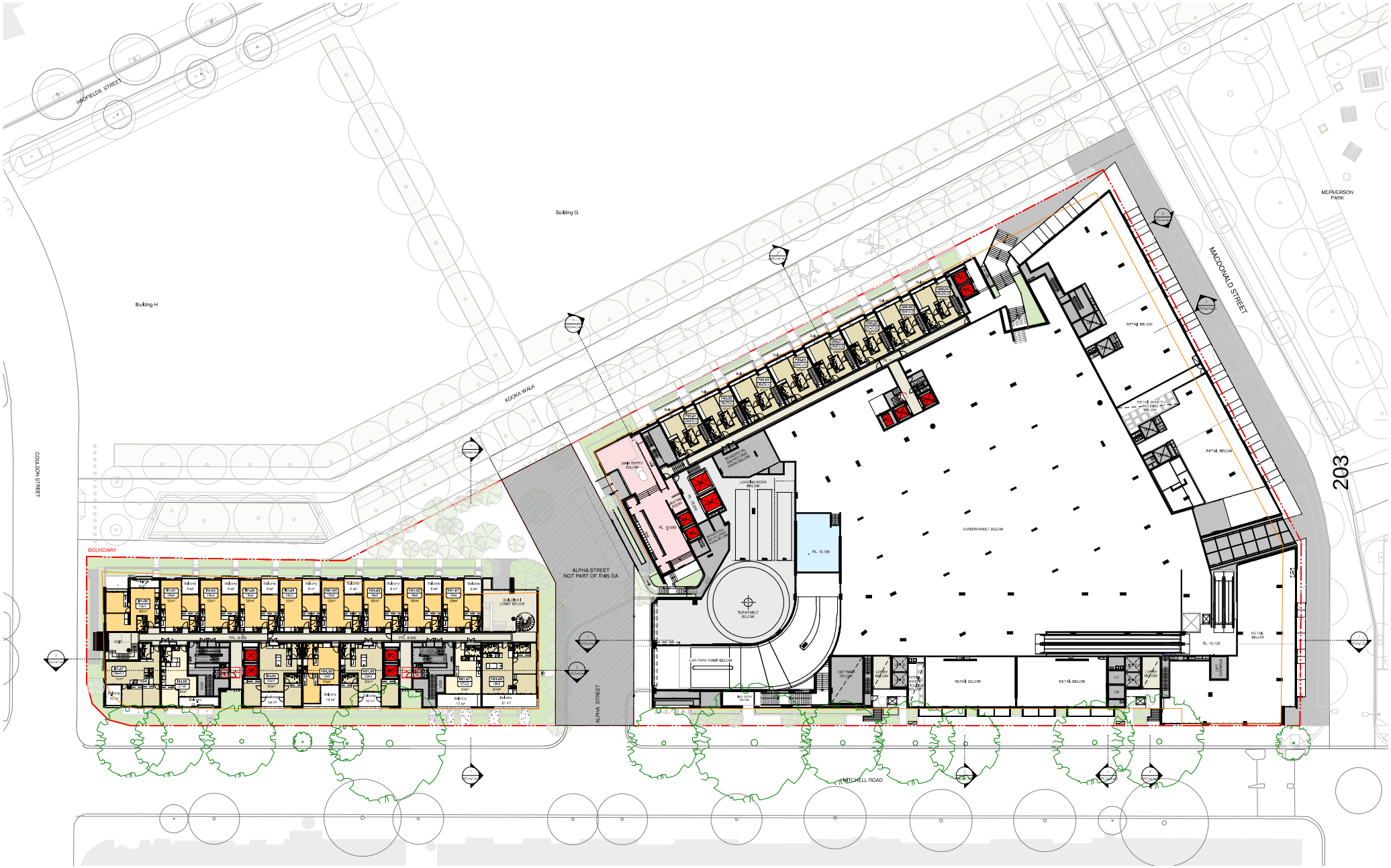
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Bates Smart Architects Pty Ltd ABN 68 094 740 986

NSW Nominated Responsible Architects: Kellie Payne Reg. 6454 / Philip Vivian Reg. 6936 / Guy Lake Reg. 7119 / Matthew Allen Reg. 8438

BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
S Security
(A) Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-25-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
D	03/10/25	Amended Development Application	SMK	SMK
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Level 01 Mezzanine Plan

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Scale	1 : 250 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	3/10/2025 4:32:52 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-DD-AR-F03-R24.rvt
Drawing no.	ARDA-02-01
Revision	D

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BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
(A) Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
• Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape • Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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155 Mitchell Road, Erskineville

Level 02 Plan

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Scale	1 : 250 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:23:08 PM
BIM	Autodesk Docs://Erskineville Phase 5 FAI/ERSAS-BS-00-AR-F02-R24.rvt

Drawing no. ARDA-02-02 Revision C

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BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
P Pump
(A) Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees
Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Level 03 Plan

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Scale	1 : 250 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:23:34 PM
BIM	Autodesk Docs://Erskineville Phase 5 FAI/ERSAS-BS-00-AR-F03-R24.rvt
Drawing no.	ARDA-02-03
Revision	C

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BATESSMART

Attachment B2

Architectural Plans – Buildings F&I



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
(A) Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Level 04 Plan

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and/or the fabrication of any components.

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Scale	1 : 250 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	24/09/2025 11:34:30 AM
BIM	Autodesk Docs://Erskineville Phase 5 FAIERSAS-BS-DD-AR-F03-R24.rvt
Drawing no.	ARDA-02-04
Revision	C

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BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
P Pit
(A) Accessible Units
MB Motorcycle Parking
WG Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Level 05 Plan

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Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:24:27 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-00-AR-F02-R24.rvt

Drawing no. ARDA-02-05 Revision C

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BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
AU Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
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Level 06 Plan

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and/or the fabrication of any components.

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Scale	1 : 250 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:24:53 PM
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Drawing no. ARDA-02-06 Revision C

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BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
AU Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-25-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Level 07 Plan

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Scale	1 : 250 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:25:28 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSKS-BS-00-AR-F02-R24.rvt
Drawing no.	ARDA-02-07 C
Revision	

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BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
AU Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Level 08 Plan

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and/or the fabrication of any components.

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Scale	1 : 250 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:25:48 PM
BIM	Autodesk Docs://Erskineville Phase 5 FAIERSAS-BS-DD-AR-F03-R24.rvt
Drawing no.	ARDA-02-08
Revision	C

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NSW Nominated Responsible Architects: Kellie Payne Reg. 6454 / Philip Vivian Reg. 6936 / Guy Lake Reg. 7119 / Matthew Allen Reg. 8438

BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
T Tank
AU Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Level 09 Plan

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Scale	1 : 250 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	24/09/2025 11:04:06 AM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-DD-AR-F03-R24.rvt

Drawing no. ARDA-02-09 Revision C

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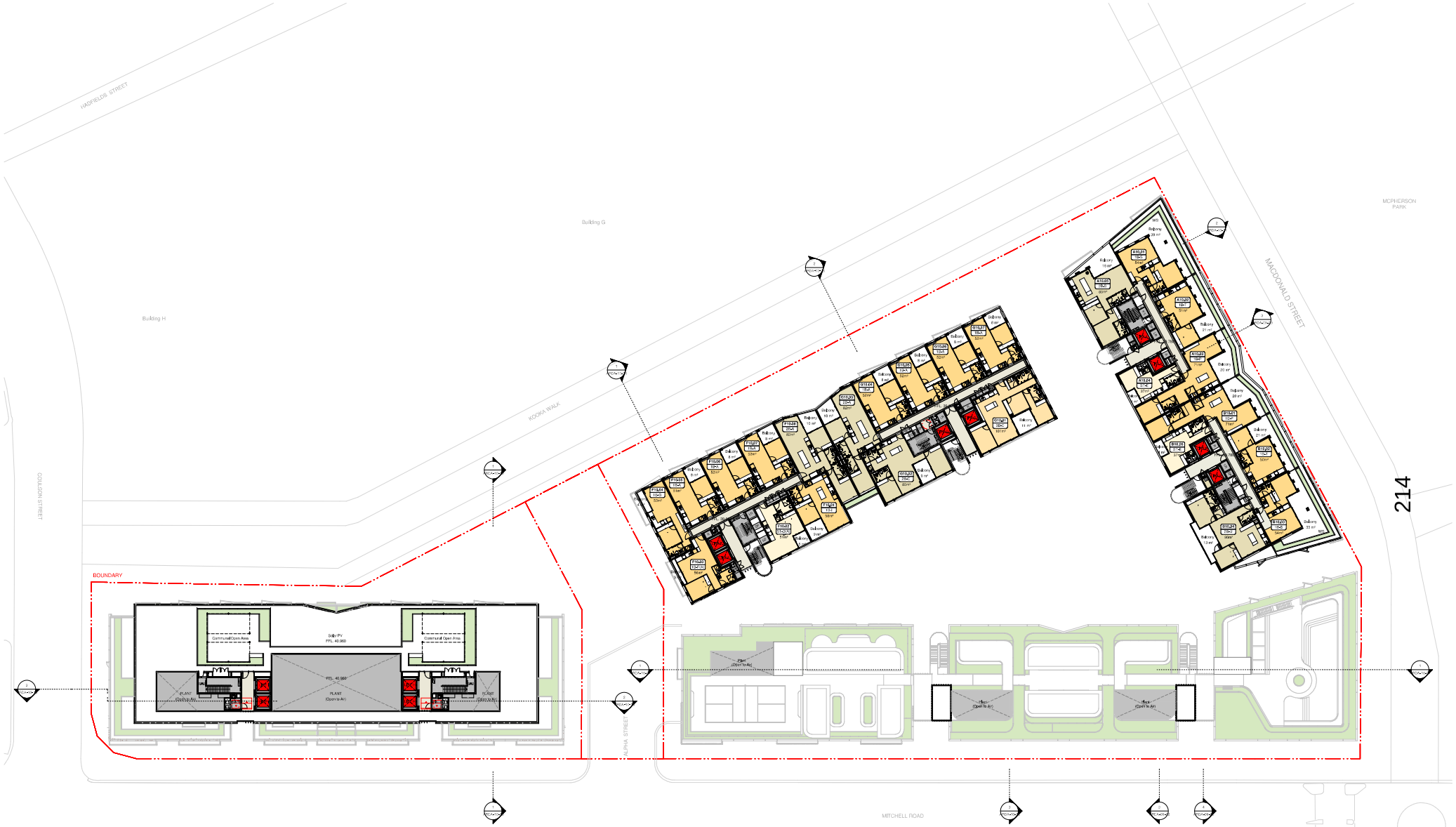
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NSW Nominated Responsible Architects: Kellie Payne Reg. 6454 / Philip Vivian Reg. 6936 / Guy Lake Reg. 7119 / Matthew Allen Reg. 8438

BATESSMART

Attachment B3

Architectural Plans – Buildings F&I



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
(A) Accessible Units
MB Motorcycle Parking
WS W'ind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	28/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Level 10 Plan

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Project no.	S12794
Status	Design Development
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BIM	Autodesk Docs://Erskineville Phase 5 FAIERSAS-BS-00-AR-F02-R24.rvt

Drawing no. ARDA-02-10 Revision C

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BATESSMART



LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
AU Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
•Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape •Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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155 Mitchell Road, Erskineville

Level 11 Plan

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Project no.	S12794
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Drawing no.	ARDA-02-11
Revision	C

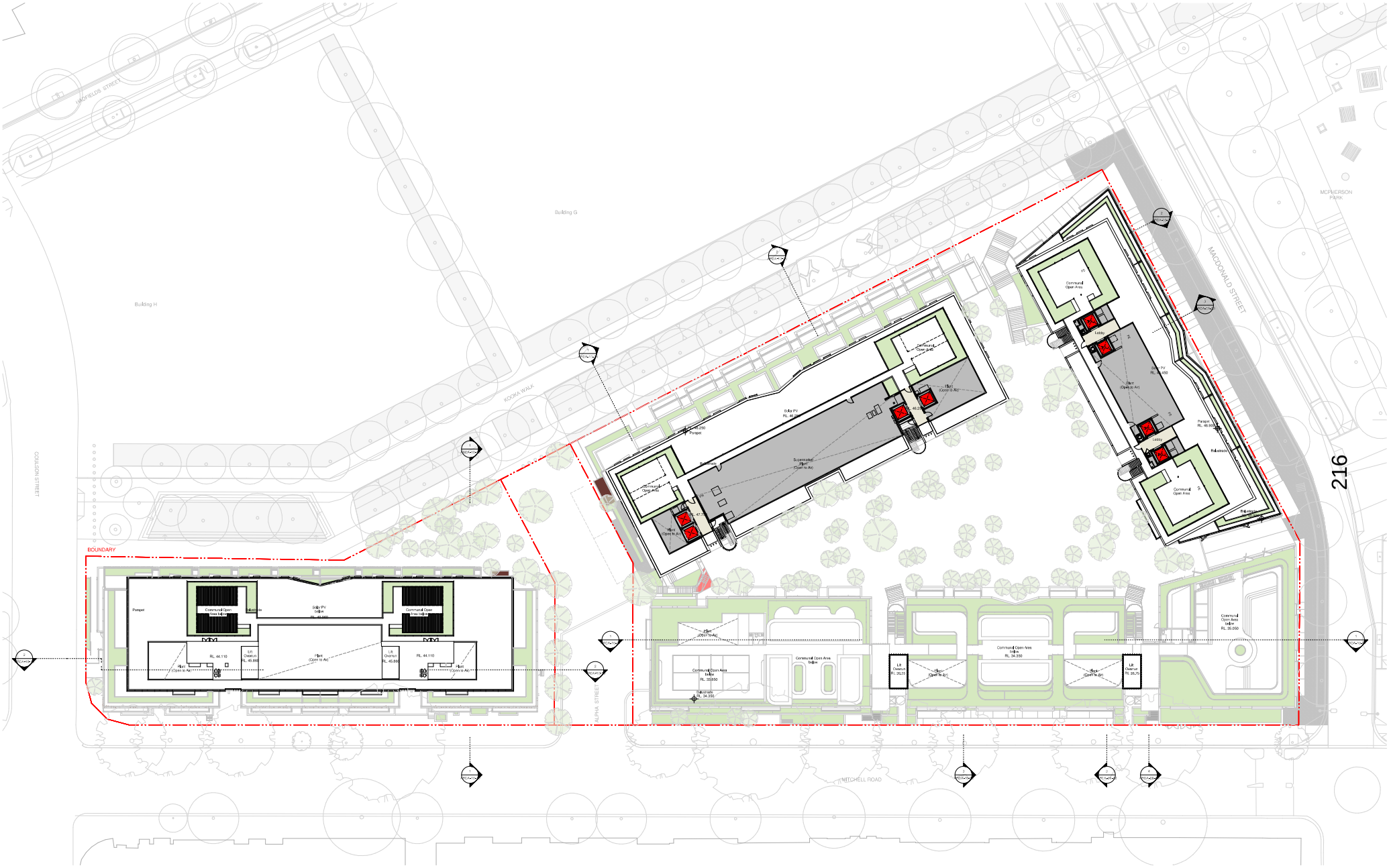
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LEGEND

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage 1 Envelope

M Mechanical
E Electrical
H Hydraulic
C Comms
F Fire
(A) Accessible Units
MB Motorcycle Parking
WS Wind Screen

Surrounding trees

Existing adjacent trees pertaining to application
• Refer to Arborist Report and Architectural Drawing ARDA-20-02

Proposed landscape • Refer to Landscape Architects documentation

0 12.5 25 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Roof Plan

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Project no.	S12794
Status	Design Development
Plot Date	24/09/2025 11:38:07 AM
BIM	Autodesk Docs://Erskineville Phase 5 FA1ERSAS-BS-DD-AR-F03-R24.rvt
Drawing no.	ARDA-02-12 C
Revision	

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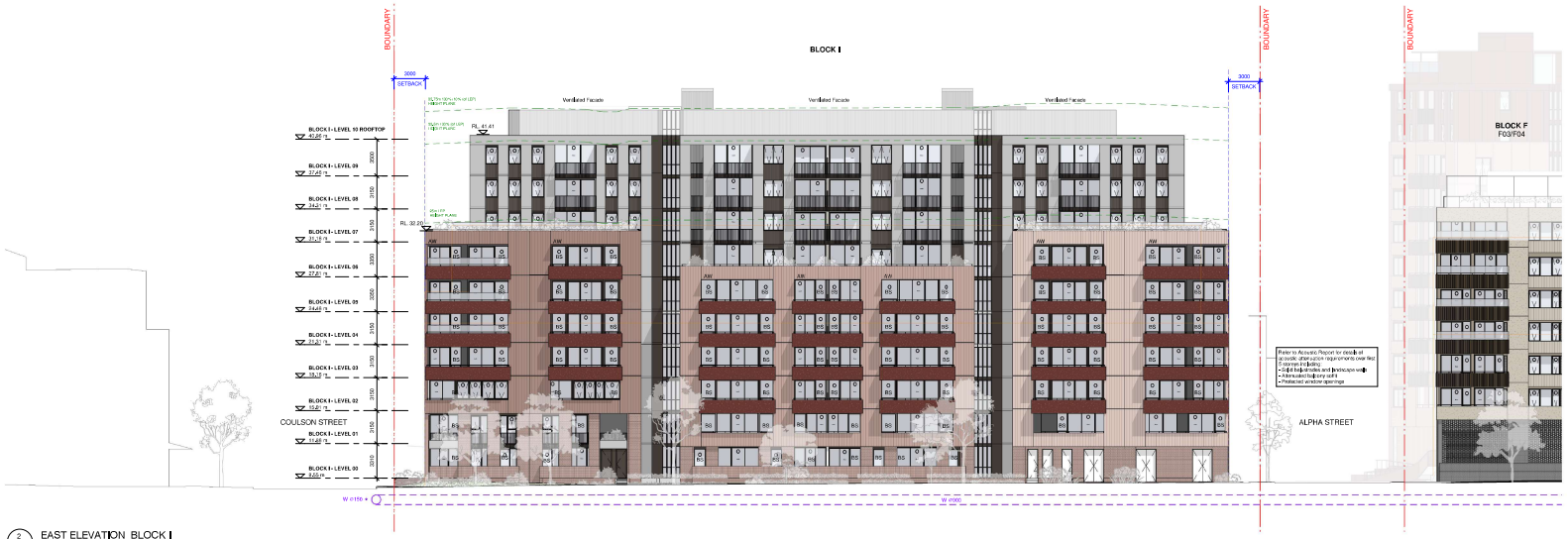
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BATESSMART



1 WEST ELEVATION_BLOCK I
1 : 200



2 EAST ELEVATION_BLOCK I
1 : 200

LEGEND - ELEVATIONS

Boundary Line
Height Plane
Boundary Set Back
Approved Stage One Envelope

Glazing Material and Operation

Glass - Clear
Glass - Colour back
Glass - Translucent
Operable - Sliding
Operable - Sash
Operable - Awning
Operable - Bottom Sash
Operable - Casement/Door
Operable - Bifold

Sun Shading and Acoustic Attenuation

AW Awning
BS Batten Screen
FSS Fixed Sunscreen
P Plenum

Painted Precast Concrete

Block F01
Block F02
Block F03/04
Block I

Painted Precast Concrete - Profiled

Block F01
Block F02
Block F03/04
Block I

Fibre Cement Sheet (colour to match precast concrete)

Block F01
Block F02
Block F03/04
Block I
To match window frames

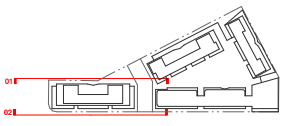
Brick

Brick - Black - laid to a profile - Black - fill and miter
Block F02/ Block I
Block F03/04

Metalwork

Primary metalwork - Perforated vibrant balustrade, feature stair, plant cover
Secondary metalwork - Palisade balustrades, shading devices, window frames.
Block F01
Block F02
Block F03/04
Block I

Concrete Colour Planter Box



0 10 20 m

Client CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Block I East & West Elevation

Scale	1 : 200 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:29:34 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-I30-AR-F03-R24.rvt
Drawing no.	ARDA-09-10 Revision C

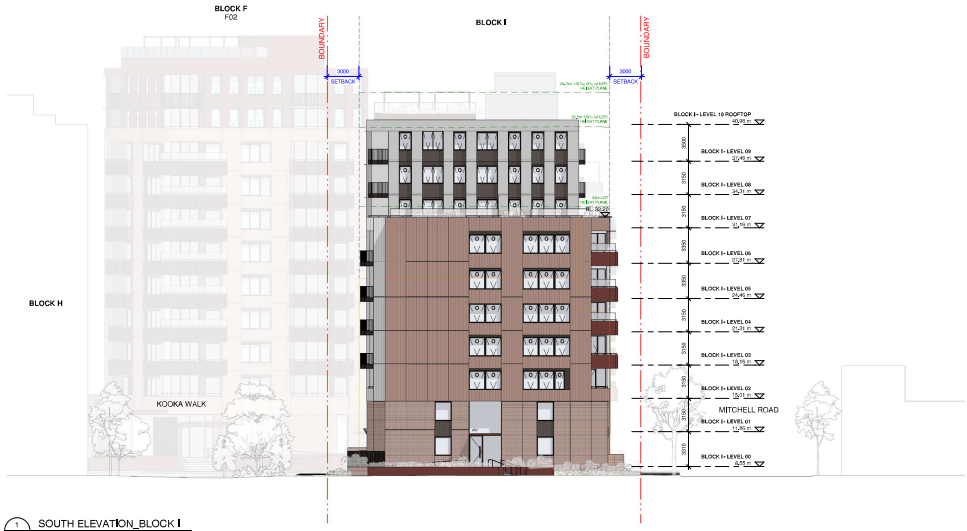
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BATESSMART



1 SOUTH ELEVATION_BLOCK I
1 : 200



2 NORTH ELEVATION_BLOCK I
1 : 200

LEGEND - ELEVATIONS

Boundary Line
Height Plane
Boundary Set Back
Approved Stage One Envelope

Glazing Material and Operation

Glass - Clear
Glass - Colour back
Glass - Translucent
Operable - Sliding
Operable - Sash
Operable - Awning
Operable - Bottom Sash
Operable - Casement/Door
Operable - Bifold

Sun Shading and Acoustic Attenuation

AW Awning
BS Brick Screen
FSS Fixed Sunscreen
P Plenum

Painted Precast Concrete

Block F01
Block F02
Block F03/04
Block I

Painted Precast Concrete - Profiled

Block F01
Block F02
Block F03/04
Block I

Fibre Cement Sheet (colour to match precast concrete)

Block F01
Block F02
Block F03/04
Block I
To match window frames

Brick

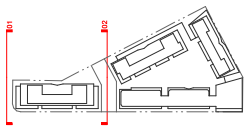
Brick - Black - Matt to a profile - Black - 10 and miles
Block F02/ Block I
Block F03/04

Metalwork

Primary metalwork - Perforated vibrant balustrade, feature stair, plant cover
Secondary metalwork - Palisade balustrades, shading devices, window frames.
Block F01
Block F02
Block F03/04
Block I

Concrete Colour Planter Box

218



0 10 20 m

Client
CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Block I North & South Elevation

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Drawing no.	ARDA-09-11
Revision	C

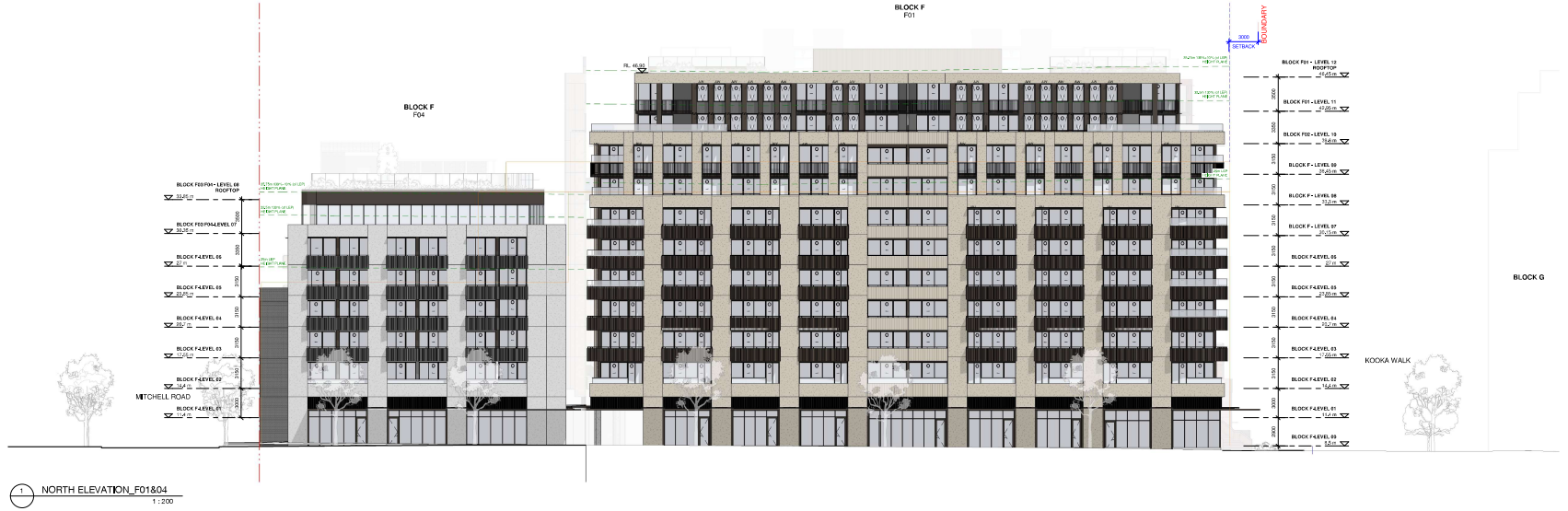
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BATESSMART



1 NORTH ELEVATION_F01&04
1 : 200



2 SOUTH ELEVATION_F01
1 : 200

LEGEND • ELEVATIONS

Boundary Line
Height Plane
Boundary Set Back
Approved Stage One Envelope

Glazing Material and Operation

Glass • Clear
Glass • Colour back
Glass • Translucent
Openable • Sliding
Openable • Sash
Openable • Awning
Openable • Bottom Sash
Openable • Casement/Door
Openable • Bifold

Sun Shading and Acoustic Attenuation

AW Awning
BS Batten Screen
FSS Fixed Sunscreen
P Plenum

Painted Precast Concrete

Block F01
Block F02
Block F03/04
Block I

Painted Precast Concrete • Profiled

Block F01
Block F02
Block F03/04
Block I

Fibre Cement Sheet (colour to match precast concrete)

Block F01
Block F02
Block F03/04
Block I
To match window frames

Brick

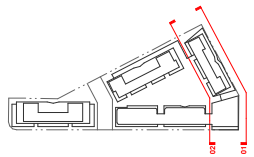
Brick / Brick - Bed to a profile / Brick - 10 and miles
Block F01/ Block I
Block F03/104

Metalwork

Primary metal work - Perforated folded balustrade, feature stair, plant cover
Secondary metal work - Palisade balustrades, shading devices, window frames.
Block F01
Block F02
Block F03/04
Block I

Concrete Colour Planter Box

219



0 10 20 m

Client
CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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155 Mitchell Road, Erskineville

Block F North Elevation & F01
South Elevation/F03/04 Section

Scale	1 : 200 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:31:44 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-00-AR-F03-R24.rvt
Drawing no.	ARDA-09-20
Revision	C

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BATESSMART



1 EAST ELEVATION_F03/04
1 : 200



2 WEST ELEVATION_F04
1 : 200

LEGEND • ELEVATIONS

Boundary Line
Height Plane
Boundary Set Back
Approved Stage One Envelope

Glazing Material and Operation

Glass • Clear
Glass • Colour back
Glass • Translucent
Operable • Sliding
Operable • Sash
Operable • Awning
Operable • Bottom Sash
Operable • Casement/Door
Operable • Bifold

Sun Shading and Acoustic Attenuation

AW Awning
BS Batten Screens
FSS Fixed Sunscreen
P Pergumn

Painted Precast Concrete

Block F01
Block F02
Block F03/04
Block I

Painted Precast Concrete • Profiled

Block F01
Block F02
Block F03/04
Block I

Fibre Cement Sheet (colour to match precast concrete)

Block F01
Block F02
Block F03/04
Block I
To match window frames

Brick

Brick / Brick - laid to a profile / Brick - laid as mitre

Block F01/ Block I
Block F03/F04

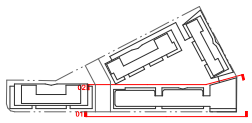
Metalwork

Primary metalwork - Perforated infill balustrade, feature slat, plant cover
Secondary metalwork - Palisade balustrades, shading devices, window frames.

Block F01
Block F02
Block F03/04
Block I

Concrete Colour Planter Box

220



0 10 20 m

Client
CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Block F East Elevation & F03/04 West Elevation

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Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:33:34 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-00-AR-F03-R24.rvt
Drawing no.	ARDA-09-21
Revision	C

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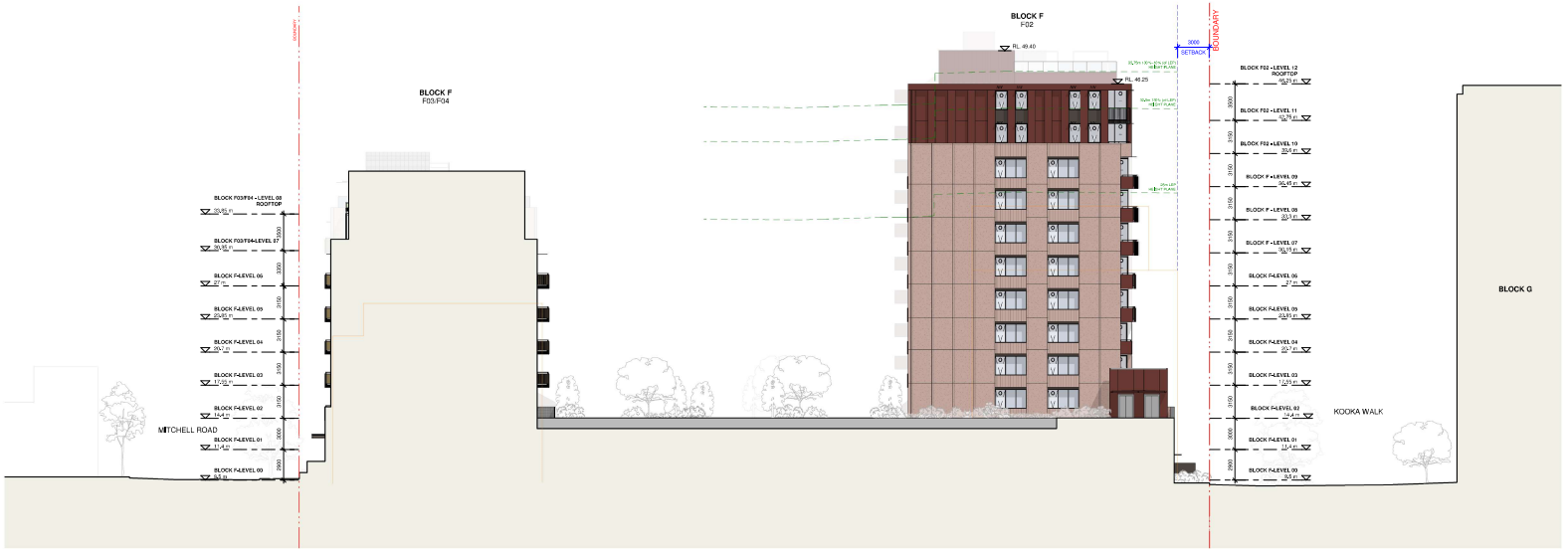
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BATESSMART



1 SOUTH ELEVATION_F02
1 : 200



2 SECTION_F03/04
1 : 200

LEGEND - ELEVATIONS

- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage One Envelope

Glazing Material and Operation

- Glass - Clear
- Glass - Colour back
- Glass - Translucent
- Operable - Sliding
- Operable - Sash
- Operable - Awning
- Operable - Bottom Sash
- Operable - Casement/Door
- Operable - Blind

Sun Shading and Acoustic Attenuation

- AW Awning
- BS Brise Screen
- FSS Fixed Sunscreen
- P Plenum

Painted Precast Concrete

- Block F01
- Block F02
- Block F03/04
- Block I

Painted Precast Concrete - Profiled

- Block F01
- Block F02
- Block F03/04
- Block I

Fibre Cement Sheet (colour to match precast concrete)

- Block F01
- Block F02
- Block F03/04
- Block I

To match window frames

Brick

Brick - Brick - Matt to a profile - Brick - 10 and miles

- Block F03 Block I
- Block F03/04

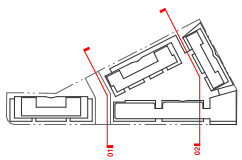
Metalwork

Primary metalwork - Perforated tubed balustrade, feature stair, plant screen
Secondary metalwork - Palisade balustrade, shading devices, window frames,

- Block F01
- Block F02
- Block F03/04
- Block I

Concrete Colour Planter Box

221



0 10 20 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	28/04/25	Amended Development Application	JW	JW
A	12/12/24	Development Application	HC	HC

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Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Block F South Elevation & F02
North Elevation/F03/04 Section

Scale	1 : 200 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	29/09/2025 6:34:51 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/S12543-BS-BD-AR-F03-R24.rvt
Drawing no.	ARDA-09-22
Revision	C

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Bates Smart Architects Pty Ltd ABN 68 094 740 986

NSW Nominated Responsible Architects: Kellie Payne Reg. 6464 / Philip Vivian Reg. 6696 / Guy Luke-Reg-7119 / Matthew Allen Reg. 8498

BATESSMART



1 WEST ELEVATION_F01 & F02
1 : 200



2 EAST ELEVATION_F02
1 : 200

LEGEND • ELEVATIONS

Boundary Line
Height Plane
Boundary Set Back
Approved Slope One Elevation

Glazing Material and Operation

Glass • Clear
Glass • Colour back
Glass • Translucent
Openable • Sliding
Openable • Sash
Openable • Awning
Openable • Bottom Sash
Openable • Casement/Door
Openable • Bifold

Sun Shading and Acoustic Attenuation

AW Awning
BS Batten Screen
FSS Fixed Sunscreen
P Pergumn

Painted Precast Concrete

Block F01
Block F02
Block F03/04
Block I

Painted Precast Concrete • Profiled

Block F01
Block F02
Block F03/04
Block I

Fibre Cestmont Sheet (colour to match precast concrete)

Block F01
Block F02
Block F03/04
Block I
To match window frames

Brick

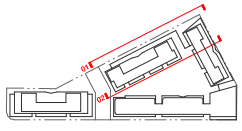
Brick - Black - Matt to a profile - Black - 10 and miles
Block F01/ Block I
Block F03/04

Metalwork

Primary metalwork - Perforated Vibrant balustrade, feature slat, plant cover
Secondary metalwork - Palisade balustrade, shading devices, window frames.
Block F01
Block F02
Block F03/04
Block I

Concrete Colour Planter Box

222



0 10 20 m

Client
CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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Block F West Elevation & F02 East Elevation/F01 Section

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Scale	1 : 200 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:36:52 PM
BIM	Autodesk Docs://Erskineville Phase 5 FA/ERSAS-BS-00-AR-F02-R24.rvt
Drawing no.	ARDA-09-23
Revision	C

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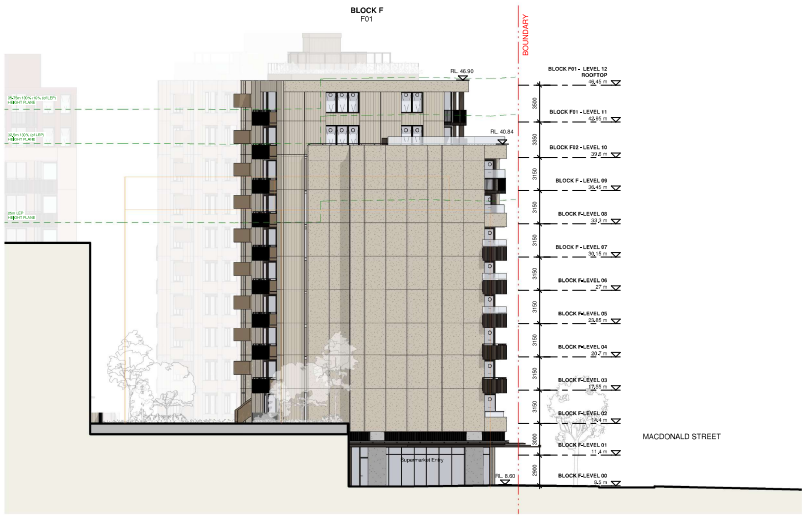
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NSW Nominated Responsible Architects: Kellie Payne Reg. 6454 / Philip Vivian Reg. 6936 / Guy Lake Reg. 7119 / Matthew Allen Reg. 8438

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Attachment B4

Architectural Plans – Buildings F&I



1 EAST ELEVATION_F01
1 : 200

LEGEND • ELEVATIONS

Boundary Line
Height Plane
Boundary Set Back
Approved Stage One Envelope

Glazing Material and Operation

Glass • Clear
Glass • Colour back
Glass • Translucent
Operable • Sliding
Operable • Sash
Operable • Awning
Operable • Bottom Sash
Operable • Casement/Door
Operable • Bifold

Sun Shading and Acoustic Attenuation

AW Awning
BS Batten Screen
FSS Fixed Sunscreen
P Plenum

Painted Precast Concrete

Block F01
Block F02
Block F03/04
Block I

Painted Precast Concrete • Profiled

Block F01
Block F02
Block F03/04
Block I

Fibre Cement Sheet (colour to match precast concrete)

Block F01
Block F02
Block F03/04
Block I
To match window frames

Brick

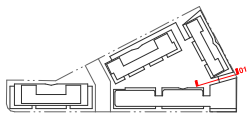
Brick / Brick - laid to a profile / Brick - roll and miss
Block F01/ Block I
Block F03/04

Metalwork

Primary metalwork - Perforated folded balustrade, feature slab, plant/lover secondary metalwork - Palisade balustrade, shading devices, window frames.
Block F01
Block F02
Block F03/04
Block I

Concrete Colour Planter Box

224



0 10 20 m

Client
CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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Block F01 East Elevation

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Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:37:27 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-00-AR-F02-R24.rvt
Drawing no.	ARDA-09-24 C
Revision	

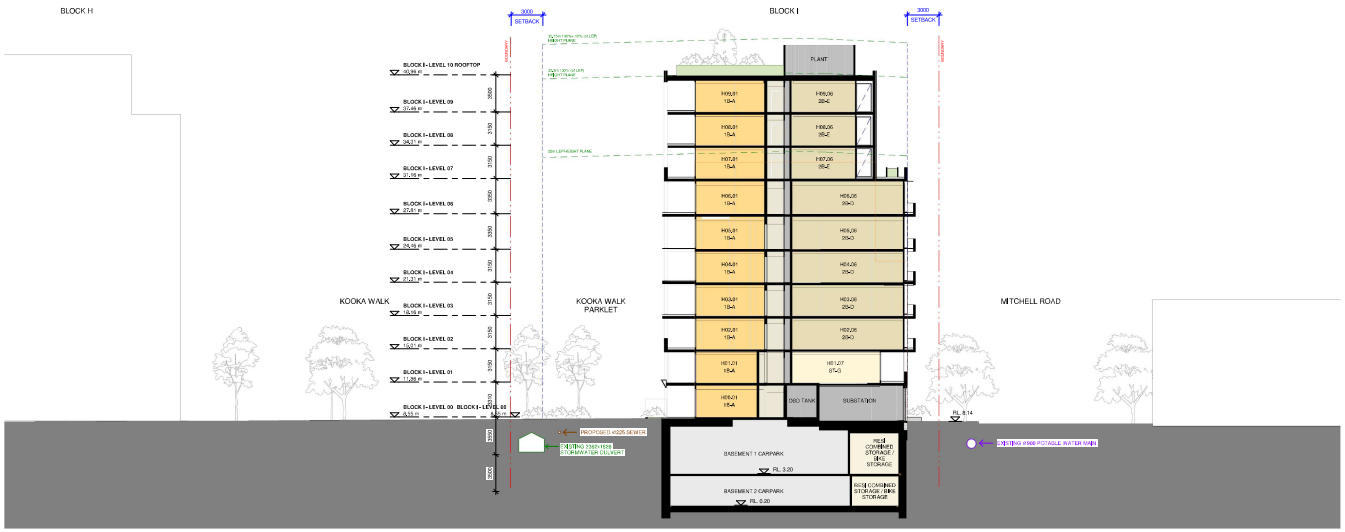
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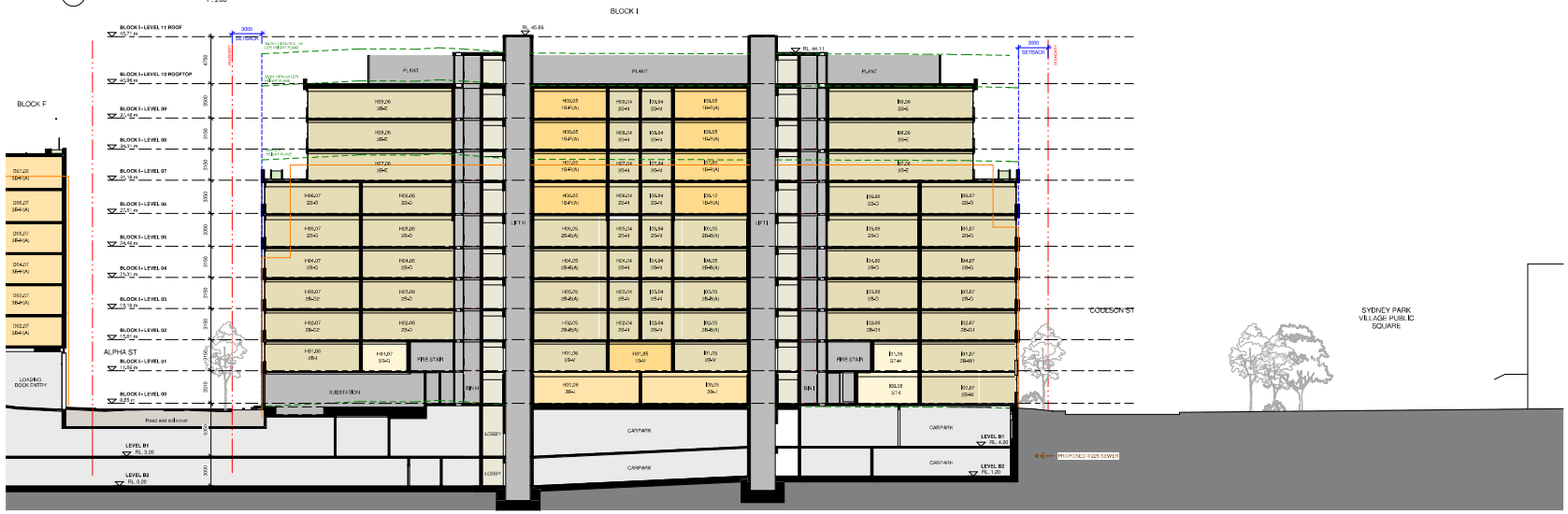
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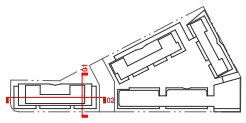


1 Building I Section 01
1 : 200



2 Building I Section 02
1 : 200

225



LEGEND
- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage One Envelope

0 10 20 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
D	23/09/25	Amended Development Application	JW	JW
C	10/09/25	For Sydney Water Approval	JW	JW
B	29/04/25	Amended Development Application	JW	HC
A	13/12/24	Development Application	HC	HC

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155 Mitchell Road, Erskineville

Block I Section 01

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Project no.	S12794
Status	Design Development
Plot Date	24/09/2025 10:44:36 AM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-I30-AR-F03-R24.rvt
Drawing no.	ARDA-10-10
Revision	D

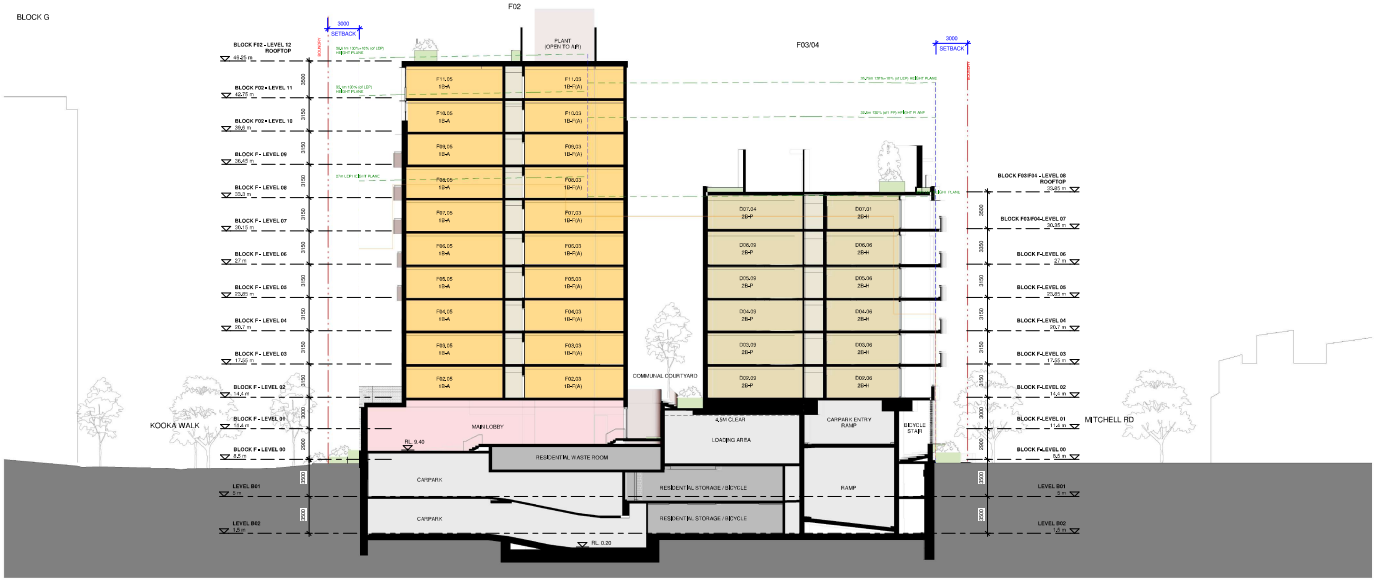
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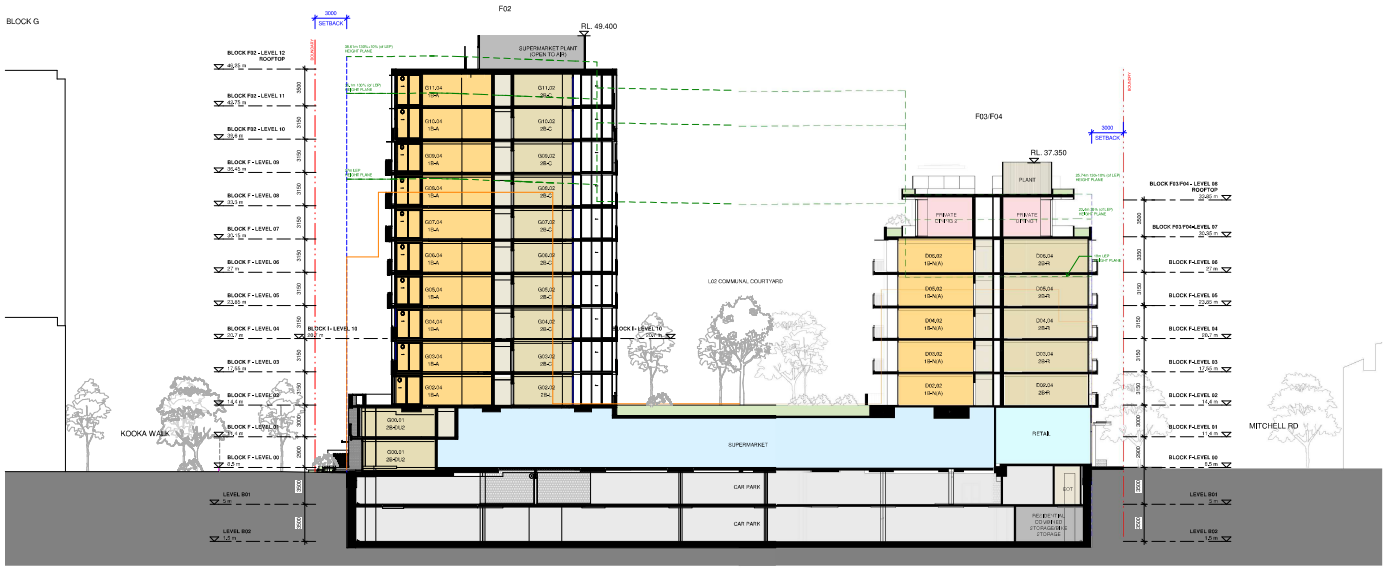
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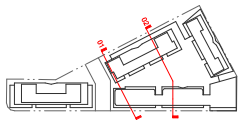
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1. Building F Section 01
1 : 200



2. Building F Section 02
1 : 200



LEGEND
- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage One Envelope

0 10 20 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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Block F Section 01

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Project no.	S12794
Status	Design Development
Plot Date	24/09/2025 10:44:46 AM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-DD-AR-F02-R24.rvt
Drawing no.	ARDA-10-20
Revision	C

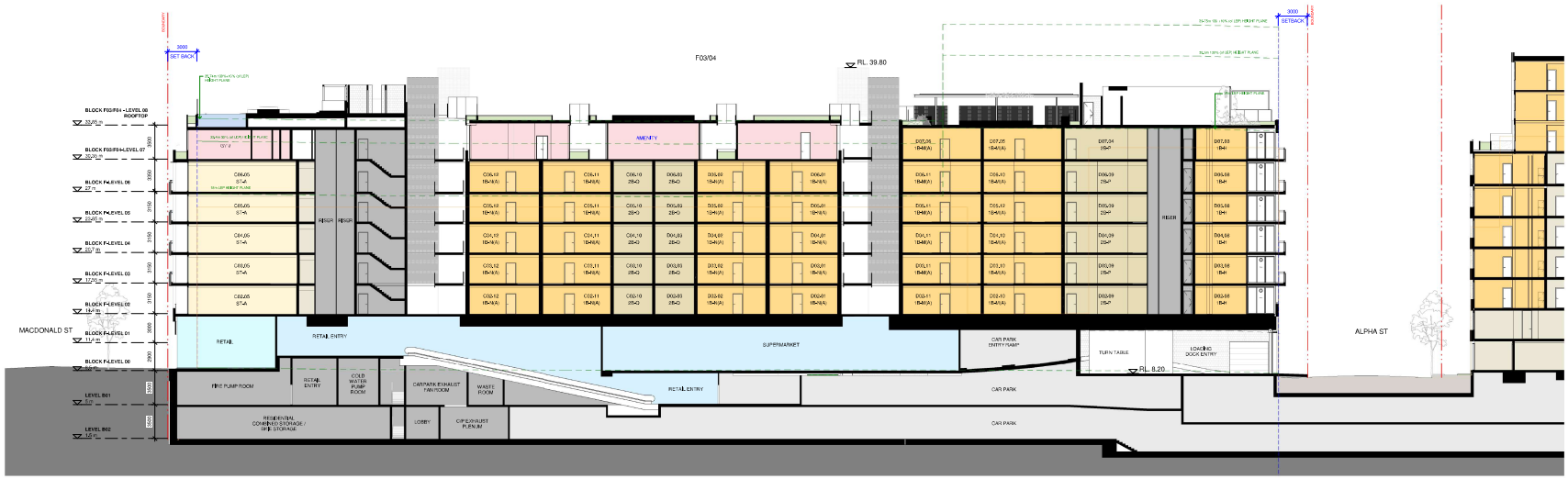
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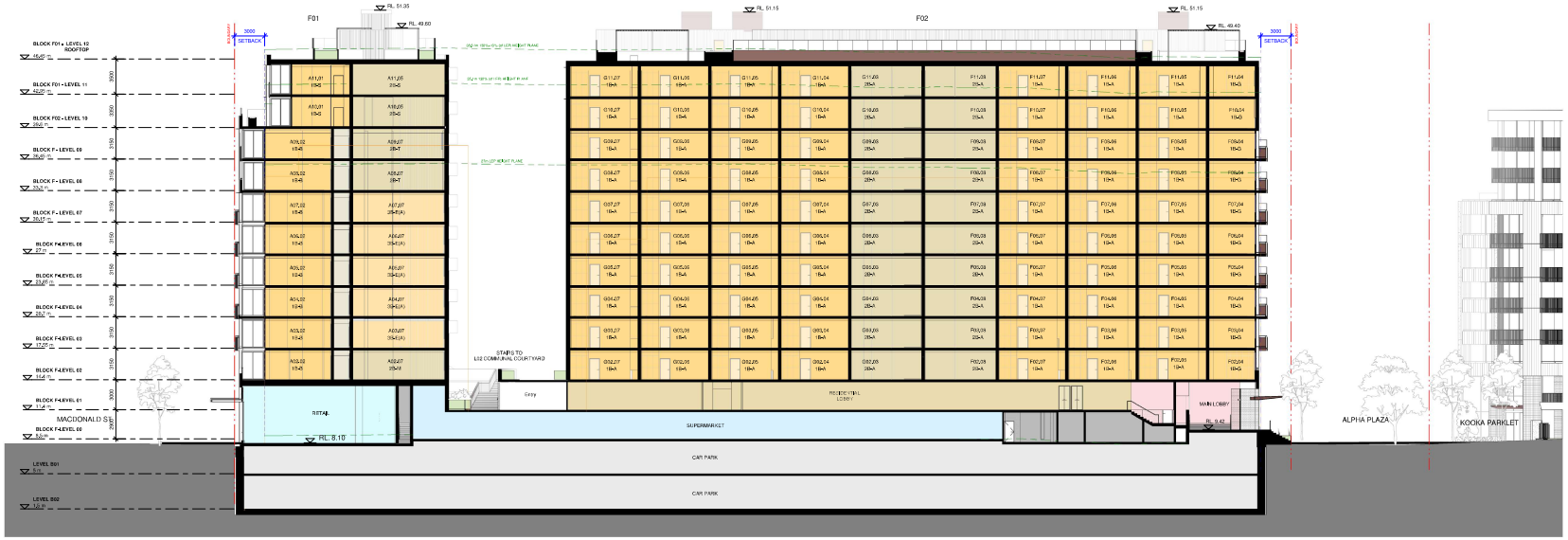
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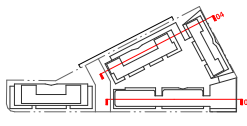
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1 Building F Section 03
1 : 200



2 Building F Section 04
1 : 200



LEGEND
- Boundary Line
- Height Plane
- Boundary Set Back
- Approved Stage One Envelopes

0 10 20 m

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Block F Section 02

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Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:38:27 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-00-AR-F03-R24.rvt
Drawing no.	ARDA-10-21
Revision	C

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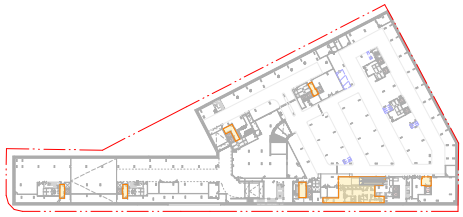
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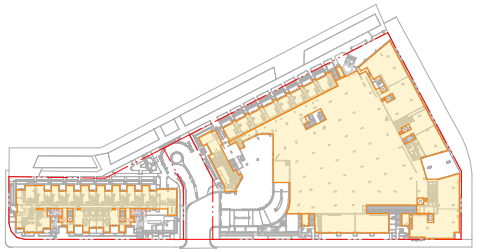
BASEMENT 02

Residential GFA: 116m²



BASEMENT 01

Residential GFA: 95m²
Retail GFA: 277m²



GROUND

Block I GFA: 1196m²
Block F02 Residential GFA: 649m²
Block F03/4 Residential GFA: 43m²
Block F Retail GFA: 5182m²

LEGEND - GROSS FLOOR AREA

Gross Floor Area (GFA)

definition

Gross Floor Area (GFA) means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

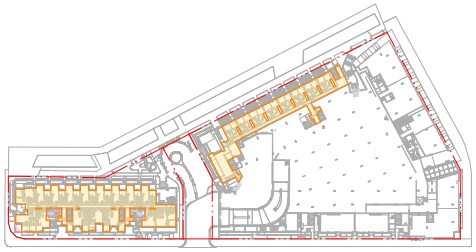
(a) the area of a mezzanine, and
(b) habitable rooms in a basement or an attic, and
(c) any shop, auditorium, cinema, and the like, in a basement or attic.

but excludes—

(d) area for common vertical circulation, such as lifts and stairs, and
(e) any basement—
(i) storage, and
(ii) vehicle access, loading areas, garbage and services, and
(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
(g) car parking to meet any requirements of the consent authority (including access to that car parking), and
(h) any space used for the loading or unloading of goods (including access to it), and
(i) terraces and balconies with outer walls less than 1.4 metres high, and
(j) voids above a floor at the level of a storey or storey above.

For the purpose of this exercise, be sure to also include any waste rooms located above basement level.

All measurements around shafts and voids should include the footprint of the wall enclosing them and only exclude the area of the void.



LEVEL 01

Block I GFA: 1210m²
F02 GFA: 746m²



LEVEL 02

Block I GFA: 1377m²
F01 GFA: 948m²
F02 GFA: 1124m²
F03/4 GFA: 1830m²



LEVEL 03

Block I GFA: 1377m²
F01 GFA: 956m²
F02 GFA: 1130m²
F03/4 GFA: 1850m²



LEVEL 04

Block I GFA: 1377m²
F01 GFA: 956m²
F02 GFA: 1130m²
F03/4 GFA: 1850m²



LEVEL 05

Block I GFA: 1377m²
F01 GFA: 956m²
F02 GFA: 1130m²
F03/4 GFA: 1792m²



LEVEL 06

Block I GFA: 1315m²
F01 GFA: 956m²
F02 GFA: 1130m²
F03/4 GFA: 1792m²

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
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Gross Floor Area Plans 01

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Drawn	Author
Checked	Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:50:23 PM
BIM	Autodesk Docs://Erskineville Phase 5 FA/ERSAS-BS-00-AR-F03-R24.rvt
Drawing no.	ARDA-22-00
Revision	C

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LEVEL 07

Block I GFA: 1060m²
F01 GFA: 956m²
F02 GFA: 1130m²
F03/4 GFA: 1265m²



LEVEL 08

Block I GFA: 1060m²
F01 GFA: 951m²
F02 GFA: 1130m²
F03/4 GFA: 23m²



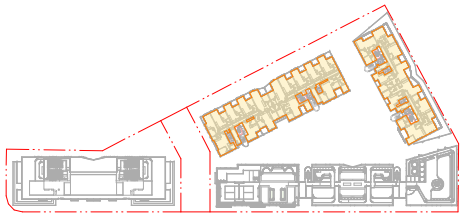
LEVEL 09

Block I GFA: 1090m²
F01 GFA: 951m²
F02 GFA: 1130m²



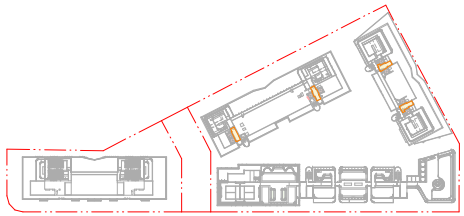
LEVEL 10

Block I GFA: 43m²
F01 GFA: 737m²
F02 GFA: 1130m²



LEVEL 11

F01 GFA: 737m²
F02 GFA: 1130m²



ROOFTOP

F01 GFA: 32m²
F02 GFA: 31m²

LEGEND - GROSS FLOOR AREA

Gross Floor Area (GFA)

Definition

Gross Floor Area (GFA) means the sum of the floor areas of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—
(a) the area of a mezzanine, and
(b) habitable rooms in a basement or an attic, and
(c) any shop, auditorium, cinema, and the like, in a basement or attic.

but excludes—

(d) any area for common vertical circulation, such as lifts and stairs, and
(e) any communal—
(i) storage area, and
(ii) plant room, service, loading areas, garbage and services, and
(f) any—
(i) car parking to meet any requirements of the consent authority (including access to that car parking), and
(ii) any space used for the loading or unloading of goods (including access to it), and
(iii) terraces and balconies with outer walls less than 1.4 metres high, and
(g) voids above a floor at the level of a storey or storey above.

For the purpose of this exercise, be sure to also include any waste rooms located above basement level.

All measurements around shafts and voids should include the footprint of the wall enclosing them and only exclude the area of the void.

229

Site Area:
11,419 m²

Total Gross Floor Area:
50,424m²

Client
CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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Gross Floor Area Plans 02

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Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:51:29 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-I30-AR-F02-R24.rvt
Drawing no.	ARDA-22-01 Revision C

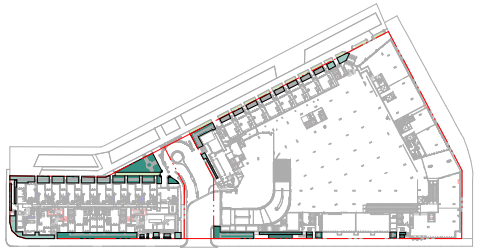
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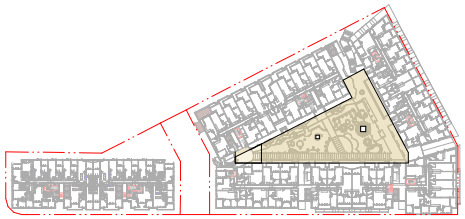
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GROUND

Total Deep Soil: 804m² (7% of site)

Including: 468m² Min 3m depth within boundary (drak green)
336m² Min 3m depth when including (light green)
adjacency to street planting
32m² permeable paving adjacent to deep soil



LEVEL 02

Communal Open Space: 1,717m²
Communal Open Space receiving solar access: 75m2



LEVEL 07

Communal Open Space: 368m²
Communal Open Space receiving solar access: 149m²

LEGEND - COMMUNAL OPEN SPACE AND DEEP SOIL

- Deep Soil - min 3m wide
- Deep Soil - less than 3m wide but contiguous with public domain deep soil making it more than 3m wide
- Permeable paving
- Communal Open Space
- Communal Open Space Receiving Solar Access
- Recently demolished, previous building lines
- Canopy Zone
- Tree Protection Zone (TPZ)
- Encroachment into TPZ

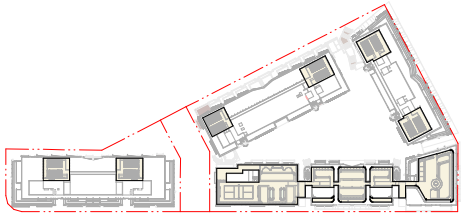
Site Area:
11,419 m²

Total Deep Soil:
804m² 7.0%

Total Communal Open Space:
4,385m² 38%
target 2,855m² (ADG Min 25% of site area)

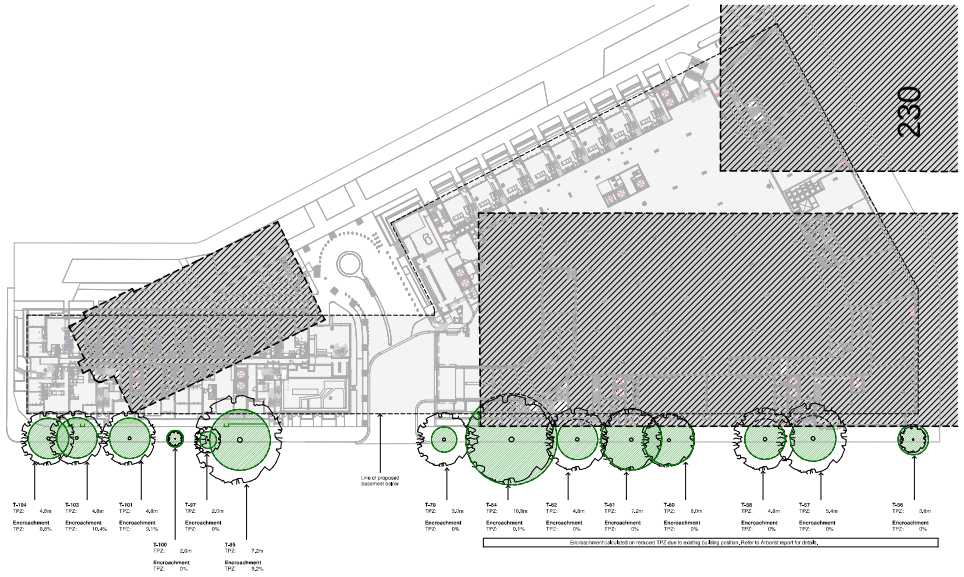
Total Communal Open Space receiving solar access:
2,524m² 57.5%

(ADG Min 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter)



ROOF PLAN

Communal Open Space: 2,300m²
Communal Open Space receiving solar access: 2,300m²



TREE RETENTION DIAGRAM

Client: CORONATION

Revision	Date	Description	Initial	Checked
C	23/09/25	Amended Development Application	JW	JW
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

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155 Mitchell Road, Erskineville

Open Area and Deep Soil Plans

Check all dimensions and site conditions prior to commencement of any work, the purchase or ordering of any materials, fittings, plant, services or equipment and the preparation of shop drawings and/or the fabrication of any components.

Do not scale drawings - refer to figured dimensions only. Any discrepancies shall immediately be referred to the architect for clarification.

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Scale	NTS @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	23/09/2025 6:52:34 PM
BIM	Autodesk Docs://Erskineville Phase 5 F&I/ERSAS-BS-DD-AR-F03-R24.rvt
Drawing no.	ARDA-22-02 Revision C

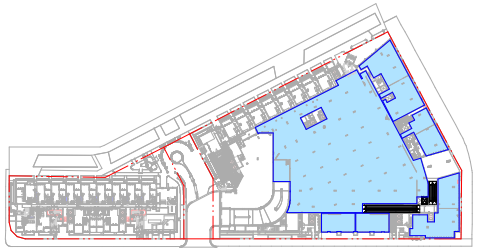
Melbourne 1 Nicholson Street Melbourne VIC 3000 Australia T 03 8664 6200 F 03 8664 6300 email mel@batessmart.com.au http://www.batessmart.com.au

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Bates Smart Architects Pty Ltd ABN 68 094 740 986

NSW Nominated Responsible Architects: Kellie Payne Reg. 6454 / Philip Vivian Reg. 6936 / Guy Lake Reg. 7119 / Matthew Allen Reg. 8438

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GROUND

TOTAL GLA: 4778m²

Client: CORONATION

Revision	Date	Description	Initial	Checked
A	23/09/25	Amended Development Application	JW	JW

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Gross Letable Area Plans

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Project no.	S12794
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Plot Date	23/09/2025 6:55:11 PM
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Drawing no.	ARDA-22-05 Revision: A

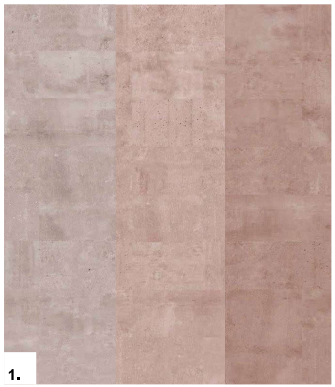
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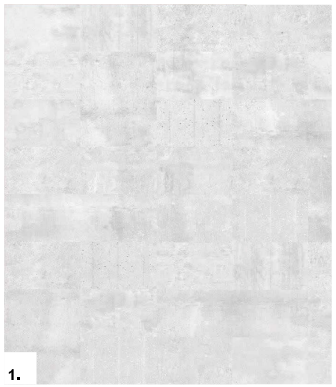
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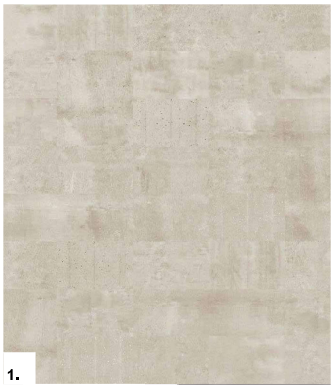
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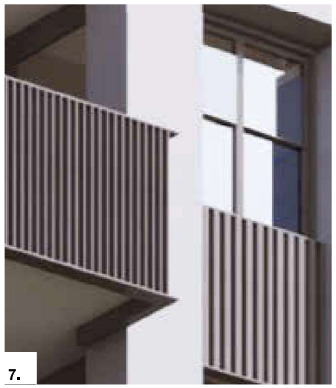
NSW Nominated Responsible Architects: Kellie Payne Reg. 6454 / Philip Vivian Reg. 6936 / Guy Lake Reg. 7119 / Matthew Allen Reg. 8438

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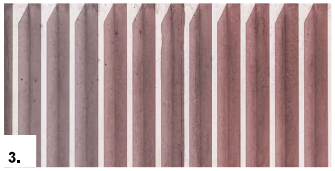


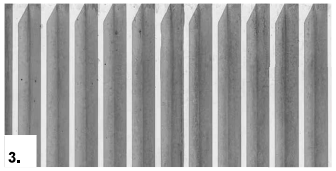


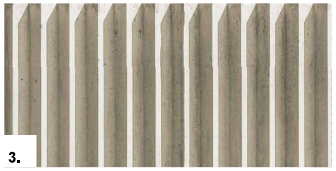




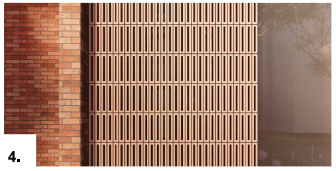






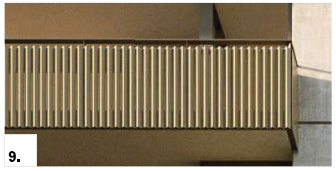












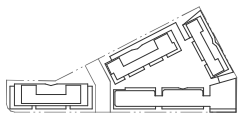








1. Painted precast concrete - Light/Medium/Dark Red, Grey, Sand
2. Integral colour FC sheet on balcony return walls - Light/Medium/Dark Red, Grey, Sand
3. Painted profiled precast concrete - Light/Medium/Dark Red, Grey, Sand
4. Breeze Block - Red, White
5. Breeze Block Solid - White
6. Brickwork cladding to ground and level 1 (stretcher, ribbed, hit and miss variations) - Red blended tones, Grey blended tones
7. Powdercoated aluminium window framing and balustrade rails - Dark Bronze
8. Powdercoated aluminium cladding - Dark Bronze, Grey, Red
9. Powdercoated aluminium balustrades - Dark Bronze, Golden, Grey, Red
10. GRC planters to ground and level 1



0 10 20 m

Client
CORONATION

Revision	Date	Description	Initial	Checked
A	08/10/25	Amended Development Application	CD	JW

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Material Board

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Scale	1 : 200 @ B1
Drawn	Author Checked Checker
Project no.	S12794
Status	Design Development
Plot Date	8/10/2025 4:17:47 PM
BIM	Autodesk Docs://Erskineville Phase 1 FA/ERSK-SAR-ZZ-XX-DR-A-0[Revit]
Drawing no.	ARDA-09-25 Revision A

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Bates Smart Architects Pty Ltd ABN 68 094 740 986

NSW Nominated Responsible Architects: Hollie Payne Reg. 6454 / Philip Vivian Reg. 6936 / Guy Luke Reg. 7191 Matthew Allen Reg. 8493

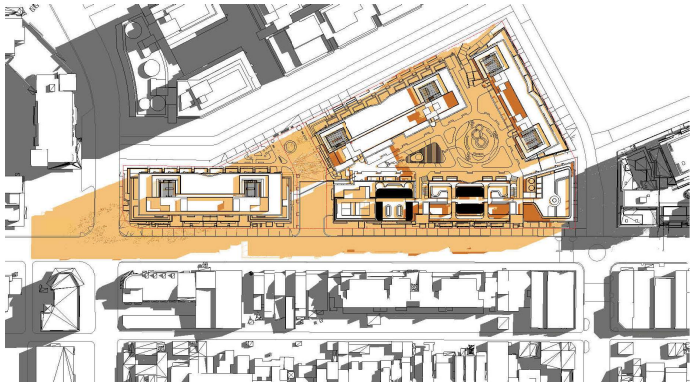
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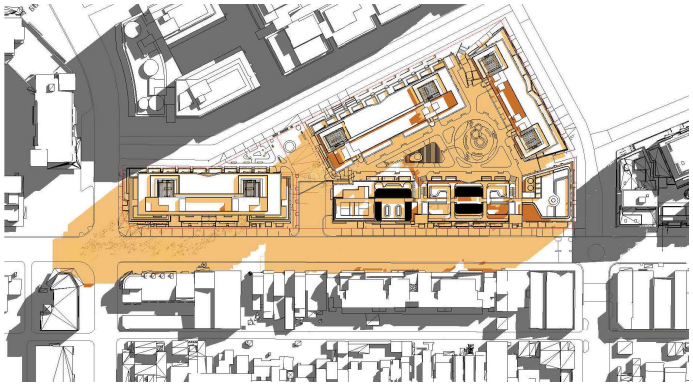
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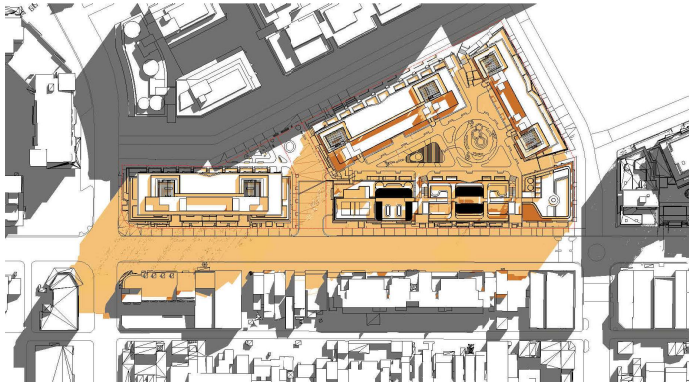
2 10am June 21



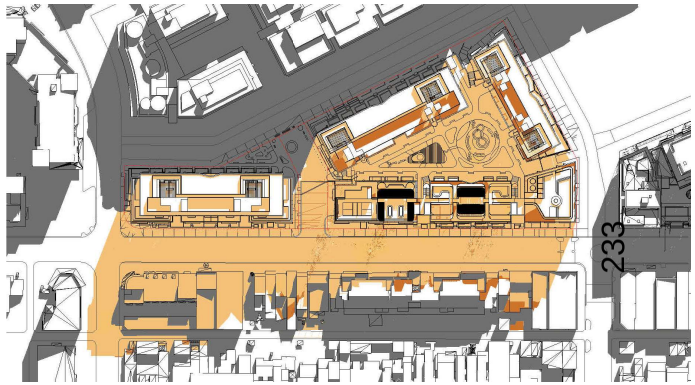
3 11am June 21



4 12pm June 21



5 1pm June 21



6 2pm June 21



8 3pm June 21

LEGEND - SHADOW DIAGRAMS

Boundary Line

Shadow cast by context

Proposed shadow above the 130% + 10% height plane

Proposed shadow below the 130% + 10% height plane

Client: CORONATION

Revision	Date	Description	Drawn	Checked
B	29/04/25	Amended Development Application	JW	JW
A	13/12/24	Development Application	HC	HC

Ashmore Estate Buildings F&I
155 Mitchell Road, Erskineville

Shadow Diagrams - Winter Solstice

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Scale	NTS @ B1
Drawn	Author
Checked	Checker
Project no.	S12794
Status	Design Development
Plot Date	29/04/2025 3:10:13 PM
BIM	Autodesk Docs://Erskineville Phase 1 FA/ERSK-SAD-ZZ-M3-A-ARDA-ZZ.rvt
Drawing no.	ARDA-21-00
Revision	B

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Attachment B5

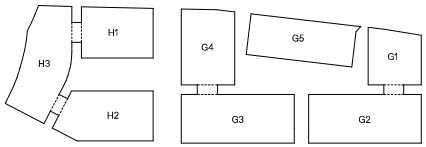
Architectural Plans – Buildings G&H

DEVELOPMENT APPLICATION DRAWING LIST

SHEET NUMBER	SHEET NAME	CURRENT REVISION DATE	CURRENT REVISION	CURRENT REVISION DESCRIPTION
AR-00-01A-XX-01	COVER SHEET	12/6/2025	09	DETAILED DEVELOPER SUBMISSION
AR-00-01A-XX-02	DEVELOPMENT MATRIX	12/6/2025	09	DETAILED DEVELOPER SUBMISSION
AR-00-01A-XX-03	BASIX THERMAL PERFORMANCE	12/6/2025	02	DETAILED DEVELOPER SUBMISSION
AR-00-01A-XX-04	LOCATION PLAN	12/6/2025	04	DETAILED DEVELOPER SUBMISSION
AR-00-01A-XX-05	SITE PLAN	12/6/2025	06	DETAILED DEVELOPER SUBMISSION
AR-00-01A-XX-06	SITE ELEVATIONS	12/6/2025	07	DETAILED DEVELOPER SUBMISSION
AR-00-01A-XX-07	DEMOLITION PLAN	12/6/2025	06	DETAILED DEVELOPER SUBMISSION
AR-00-01A-XX-08	DEMOLITION ELEVATIONS	12/6/2025	05	DETAILED DEVELOPER SUBMISSION
AR-00-01A-XX-09	DEMOLITION SECTIONS	12/6/2025	06	DETAILED DEVELOPER SUBMISSION
AR-00-01B-XX-01	GA - OVERALL - LEVEL 00	12/6/2025	03	DETAILED DEVELOPER SUBMISSION
AR-00-01B-XX-01	GA - OVERALL - LEVEL 01	12/6/2025	03	DETAILED DEVELOPER SUBMISSION
AR-00-01B-XX-01	GA - OVERALL - LEVEL 02	12/6/2025	03	DETAILED DEVELOPER SUBMISSION
AR-00-01B-XX-01	GA - OVERALL - LEVEL 03	12/6/2025	03	DETAILED DEVELOPER SUBMISSION
AR-00-01B-XX-01	GA - OVERALL - LEVEL 04	12/6/2025	03	DETAILED DEVELOPER SUBMISSION
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AR-00-01B-XX-01	GA - OVERALL - LEVEL 06	12/6/2025	03	DETAILED DEVELOPER SUBMISSION
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AR-00-01C-XX-02	SECTIONS - OVERALL	12/6/2025	18	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-01	ADG COMPLIANCE - SOLAR ACCESS	12/6/2025	07	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-02	ADG COMPLIANCE - CROSS VENTILATION	12/6/2025	09	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-03	ADG COMPLIANCE - STORAGE	12/6/2025	10	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-04	ADG COMPLIANCE - STORAGE SCHEDULE	12/6/2025	04	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-04	SUN EYE VIEWS	12/6/2025	03	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-05	OVERSHADOWING	12/6/2025	09	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-06	3D VIEWS	12/6/2025	02	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-07	COMPLIANCE - ADG BUILDING SEPARATION	12/6/2025	05	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-08	COMPLIANCE - ADG BUILDING SEPARATION	11/24/2025	05	DETAILED DEVELOPER SUBMISSION
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AR-00-01C-XX-10	COMPLIANCE - DDA / LIVABLE APARTMENTS	12/6/2025	10	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-11	COMPLIANCE - DDA / LIVABLE APARTMENTS	12/6/2025	10	DETAILED DEVELOPER SUBMISSION
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AR-00-01C-XX-13	ADG COMPLIANCE - DDA / LIVABLE	12/6/2025	05	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-14	COMPLIANCE - ENVELOPE	12/6/2025	03	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-20	PUBLIC REALM & LANDSCAPE	12/6/2025	07	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-21	COMMUNAL OPEN SPACE OVERSHADOWING	11/24/2025	05	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-22	COMPLIANCE - HEIGHT PLANES	12/6/2025	04	DETAILED DEVELOPER SUBMISSION
AR-00-03-XX-02	AREAS PLANS - GFA	12/6/2025	15	DETAILED DEVELOPER SUBMISSION
AR-00-03-XX-03	AREAS PLANS - NSA	12/6/2025	04	DETAILED DEVELOPER SUBMISSION
AR-00-01C-XX-01	BUILDING SCHEDULE	12/6/2025	07	DETAILED DEVELOPER SUBMISSION

Grand total: 49





1 BUILDING IDENTIFICATION

235

BVN

ARCHITECTS REGISTRATION BOARD / NOMINATED ARCHITECTS

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Nominated Architect: Ken Maher 7200
Facsimile: +61 2 8297 1299
bvn.com.au

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ISSUE	DATE	FOR	BY/AP
01	27/JAN/2024	DEVELOPER SUBMISSION	
02	14/FEB/2024	DEVELOPER SUBMISSION	
03	15/APR/2024	ISSUED FOR COORDINATION	
04	26/APR/2024	DEVELOPER SUBMISSION	
05	29/JUL/2025	DEVELOPER SUBMISSION	
06	15/AUG/2025	DEVELOPER SUBMISSION	
07	12/SEP/2025	DEVELOPER SUBMISSION	
08	31/OCT/2025	DEVELOPER SUBMISSION	
09	12/DEC/2025	DEVELOPER SUBMISSION	

CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
155 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 230011

TRUE NORTH / PROJECT NORTH
GRAPHIC SCALE: 0 2500 5000
SCALE: 1 : 2500@A0 DO NOT SCALE
STATUS: DA

DRAWING: COVER SHEET
DRAWING NUMBER: AR-00-01A-XX-01
ISSUE: 09

SITE DATA

SITE AREA: 10,557m²

MAX. PERMISSIBLE GFA: 40498m²

GFA SCHEDULE (PER BLOCK AND LEVEL)

GFA				
BUILDING_NAME_BVN	Level	Name	Area	Comments
BLOCK G				
BLOCK G	LEVEL B2	Residential Lobby	27,59 m²	G1/G2
BLOCK G	LEVEL B2	Residential Lobby	18,40 m²	G3/G4
BLOCK G	LEVEL B2	Residential Lobby	26,03 m²	G5
LEVEL B2: 3			72,02 m²	
BLOCK G	LEVEL B1	Residential Lobby	25,75 m²	G1/G2
BLOCK G	LEVEL B1	Residential Lobby	18,40 m²	G3
BLOCK G	LEVEL B1	Residential Lobby	11,96 m²	G4
BLOCK G	LEVEL B1	Residential Lobby	26,19 m²	G5
LEVEL B1: 4			81,29 m²	
BLOCK G	LEVEL 00	Communal	1186,01 m²	COMMUNAL
BLOCK G	LEVEL 00	Residential	477,79 m²	G1
BLOCK G	LEVEL 00	Residential	48,22 m²	G1/G2
BLOCK G	LEVEL 00	Residential	500,38 m²	G4
BLOCK G	LEVEL 00	Residential	161,53 m²	G5
LEVEL 00: 8			2377,93 m²	
BLOCK G	LEVEL 01	Residential	401,43 m²	G1
BLOCK G	LEVEL 01	Residential	769,08 m²	G2
BLOCK G	LEVEL 01	Residential	770,94 m²	G3
BLOCK G	LEVEL 01	Residential	382,64 m²	G4
BLOCK G	LEVEL 01	Residential	74,81 m²	G5
LEVEL 01: 6			2398,90 m²	
BLOCK G	LEVEL 02	Residential	401,43 m²	G1
BLOCK G	LEVEL 02	Residential	769,08 m²	G2
BLOCK G	LEVEL 02	Residential	770,94 m²	G3
BLOCK G	LEVEL 02	Residential	551,93 m²	G4
BLOCK G	LEVEL 02	Residential	368,23 m²	G5
LEVEL 02: 5			2861,60 m²	
BLOCK G	LEVEL 03	Residential	401,43 m²	G1
BLOCK G	LEVEL 03	Residential	769,08 m²	G2
BLOCK G	LEVEL 03	Residential	770,94 m²	G3
BLOCK G	LEVEL 03	Residential	551,93 m²	G4
BLOCK G	LEVEL 03	Residential	464,16 m²	G5
LEVEL 03: 5			2957,53 m²	
BLOCK G	LEVEL 04	Residential	401,43 m²	G1
BLOCK G	LEVEL 04	Residential	769,08 m²	G2
BLOCK G	LEVEL 04	Residential	770,94 m²	G3
BLOCK G	LEVEL 04	Residential	551,93 m²	G4
BLOCK G	LEVEL 04	Residential	368,23 m²	G5
LEVEL 04: 5			2861,60 m²	
BLOCK G	LEVEL 05	Residential	401,43 m²	G1
BLOCK G	LEVEL 05	Residential	769,28 m²	G2
BLOCK G	LEVEL 05	Residential	770,94 m²	G3
BLOCK G	LEVEL 05	Residential	551,93 m²	G4
BLOCK G	LEVEL 05	Residential	465,45 m²	G5
LEVEL 05: 5			2959,03 m²	
BLOCK G	LEVEL 06	Residential	350,60 m²	G1
BLOCK G	LEVEL 06	Residential	769,28 m²	G2
BLOCK G	LEVEL 06	Residential	770,94 m²	G3
BLOCK G	LEVEL 06	Residential	551,93 m²	G4
LEVEL 06: 4			2442,76 m²	
BLOCK G	LEVEL 07	Communal	24,02 m²	COMMUNAL
BLOCK G	LEVEL 07	Residential	350,60 m²	G1
BLOCK G	LEVEL 07	Residential	769,28 m²	G2
BLOCK G	LEVEL 07	Residential	770,94 m²	G3
BLOCK G	LEVEL 07	Residential	551,93 m²	G4
LEVEL 07: 7			2466,77 m²	
BLOCK G	LEVEL 08	Residential Lobby	8,19 m²	G1
BLOCK G	LEVEL 08	Residential	769,08 m²	G2
BLOCK G	LEVEL 08	Residential	770,94 m²	G3
BLOCK G	LEVEL 08	Residential	454,79 m²	G4
LEVEL 08: 4			2002,99 m²	
BLOCK G	LEVEL 09	Residential	717,96 m²	G2
BLOCK G	LEVEL 09	Residential	770,94 m²	G3
BLOCK G	LEVEL 09	Residential	454,79 m²	G4
LEVEL 09: 3			1943,68 m²	
BLOCK G	LEVEL 10	Residential	717,96 m²	G2
BLOCK G	LEVEL 10	Residential	509,01 m²	G3
BLOCK G	LEVEL 10	Residential Lobby	16,79 m²	G4
LEVEL 10: 3			1243,76 m²	
BLOCK G	LEVEL 11	Residential Lobby	5,87 m²	G2
LEVEL 11: 1			5,87 m²	
BLOCK G			26675,73 m²	
BLOCK H				
BLOCK H	LEVEL B2	Residential Lobby	37,81 m²	H1
BLOCK H	LEVEL B2	Residential Lobby	23,82 m²	H2
LEVEL B2: 2			61,74 m²	
BLOCK H	LEVEL B1	Residential Lobby	17,53 m²	H1
BLOCK H	LEVEL B1	Residential Lobby	23,78 m²	H2
LEVEL B1: 2			41,31 m²	
BLOCK H	LEVEL 00	Residential	478,66 m²	H1
BLOCK H	LEVEL 00	Residential	1349,75 m²	H3
LEVEL 00: 2			1828,40 m²	
BLOCK H	LEVEL 01	Residential	565,77 m²	H1
BLOCK H	LEVEL 01	Residential	618,80 m²	H2
BLOCK H	LEVEL 01	Residential	793,21 m²	H3
LEVEL 01: 3			1827,79 m²	
BLOCK H	LEVEL 02	Residential	565,77 m²	H1
BLOCK H	LEVEL 02	Residential	618,80 m²	H2
BLOCK H	LEVEL 02	Residential	793,21 m²	H3
LEVEL 02: 3			1827,79 m²	
BLOCK H	LEVEL 03	Residential	565,77 m²	H1
BLOCK H	LEVEL 03	Residential	618,80 m²	H2
BLOCK H	LEVEL 03	Residential	793,21 m²	H3
LEVEL 03: 3			1827,79 m²	
BLOCK H	LEVEL 04	Residential	443,51 m²	H1
BLOCK H	LEVEL 04	Residential	557,16 m²	H2
BLOCK H	LEVEL 04	Residential	793,21 m²	H3
LEVEL 04: 3			1703,88 m²	
BLOCK H	LEVEL 05	Residential	443,51 m²	H1
BLOCK H	LEVEL 05	Residential	557,16 m²	H2
BLOCK H	LEVEL 05	Residential	613,02 m²	H3
LEVEL 05: 3			1613,69 m²	
BLOCK H	LEVEL 06	Residential	443,51 m²	H1
BLOCK H	LEVEL 06	Residential	557,16 m²	H2
BLOCK H	LEVEL 06	Residential Lobby	8,78 m²	H3
LEVEL 06: 3			1009,45 m²	
BLOCK H	LEVEL 07	Residential	443,51 m²	H1
BLOCK H	LEVEL 07	Residential	557,16 m²	H2
LEVEL 07: 2			1000,66 m²	
BLOCK H	LEVEL 08	Residential	272,06 m²	H1
BLOCK H	LEVEL 08	Residential	446,68 m²	H2
LEVEL 08: 2			718,73 m²	
BLOCK H	LEVEL 09	Residential Lobby	18,35 m²	H1
BLOCK H	LEVEL 09	Residential Lobby	18,00 m²	H2
LEVEL 09: 2			36,35 m²	
			13497,57 m²	
TOTAL GFA			40173,30 m²	

AFFORDABLE HOUSING GFA

AFFORDABLE HOUSING GFA		
BLOCK	Level	GFA
BLOCK H	LEVEL B2	61,74 m²
BLOCK H	LEVEL B1	41,31 m²
BLOCK H	LEVEL 00	1828,40 m²
BLOCK H	LEVEL 01	1827,79 m²
BLOCK H	LEVEL 02	1827,79 m²
BLOCK H	LEVEL 03	1827,79 m²
BLOCK H	LEVEL 04	1703,88 m²
BLOCK H	LEVEL 05	1613,69 m²
BLOCK H	LEVEL 06	1009,45 m²
BLOCK H	LEVEL 07	1000,66 m²
BLOCK H	LEVEL 08	718,73 m²
BLOCK H	LEVEL 09	36,35 m²
		13497,57 m²

TFA SCHEDULE

TOTAL FLOOR AREA SCHEDULE	
Level	Area
LEVEL B2	1272,17 m²
LEVEL B1	1429,50 m²
LEVEL 00	1980,66 m²
LEVEL 01	3153,98 m²
LEVEL 02	3752,27 m²
LEVEL 03	3736,57 m²
LEVEL 04	3732,26 m²
LEVEL 05	3736,60 m²
LEVEL 06	3174,79 m²
LEVEL 07	3111,48 m²
LEVEL 08	2571,80 m²
LEVEL 09	2482,14 m²
LEVEL 10	1641,96 m²
LEVEL 11	141,23 m²
TOTAL FLOOR AREA	35617,10 m²

UNIT MIX

UNIT MIX		
BLOCK	UNIT TYPE	COUNT
BLOCK G	1B	110
BLOCK G	2B	152
BLOCK G	3B	4
BLOCK G	SB	68
BLOCK G: 334		
BLOCK H	1B	48
BLOCK H	2B	90
BLOCK H	3B	3
BLOCK H	SB	28
BLOCK H: 169		
TOTAL NUMBER OF UNITS: 503		

DDA SCHEDULE			
BLOCK	BUILDING_NUMBER_BVN	APARTMENT TYPE	Count
BLOCK G	G2	2B	10
BLOCK G	G3	2B	10
BLOCK G	G4	1B	9
BLOCK G	G4	2B	8
BLOCK G: 37			
BLOCK H	H1	1B	7
BLOCK H	H2	2B	3
BLOCK H	H3	1B	5
BLOCK H	H3	2B	13
BLOCK H	H3	SB	10
BLOCK H: 38			
TOTAL DDA APARTMENTS: 75			

UNIT MIX BY TYPE	
UNIT TYPE	COUNT
1B	158
1B: 158	
2B	242
2B: 242	
3B	7
3B: 7	
SB	98
SB: 98	
Grand total: 503	

LIVABLE SCHEDULE			
BLOCK	BUILDING_NUMBER_BVN	APARTMENT TYPE	Count
BLOCK G	G2	2B	10
BLOCK G	G3	2B	20
BLOCK G	G4	1B	9
BLOCK G	G4	2B	8
BLOCK G: 55			
BLOCK H	H1	1B	7
BLOCK H	H1	2B	4
BLOCK H	H2	2B	7
BLOCK H	H3	1B	5
BLOCK H	H3	2B	13
BLOCK H	H3	SB	10
BLOCK H: 46			
TOTAL LIVABLE APARTMENTS: 101			

AFFORDABLE HOUSING MIX		
BLOCK	UNIT TYPE	COUNT
BLOCK H	1B	48
BLOCK H	2B	90
BLOCK H	3B	3
BLOCK H	SB	28
TOTAL NUMBER OF AFFORDABLE HOUSING UNITS: 169		

PARKING

PARKING SCHEDULE	
TYPE	COUNT
2400 x 5400mm	97
2400 x 5400mm DDA	22
2400 x 5400mm_CAR SHARE	5
2400 x 5400mm_TANDEM	19
2400 x 5400mm_VISITOR	39
2400 x 5400mm_VISITOR_DDA	2
TOTAL CARPARK: 144	144

MOTORBIKE SCHEDULE	
TYPE	COUNT
1200 x 2500mm_MOTORBIKE	12
TOTAL MOTORBIKE SPACES: 12	12

COMPLIANCE

SEPP65 CROSS VENTILATION PER BUILDING		
BLOCK		COUNT
BLOCK G		
BLOCK G	Yes	141
BLOCK G	No	150
BLOCK G: 291		
BLOCK H		
BLOCK H	Yes	105
BLOCK H	No	64
BLOCK H: 169		
TOTAL NUMBER OF UNITS: 460		

SEPP65 CROSS VENTILATION TOTALS	
	COUNT
Yes	246
No	214
TOTAL NUMBER OF UNITS: 460	

SEPP65 SOLAR ACCESS COMPLIANCE PER BLOCK		
BLOCK		COUNT
BLOCK G		
BLOCK G	LESS THAN 2HR	58
BLOCK G	MORE THAN 2HR	232
BLOCK G	NO SUN	43
BLOCK G: 334		
BLOCK H		
BLOCK H	LESS THAN 2HR	39
BLOCK H	MORE THAN 2HR	86
BLOCK H	NO SUN	44
BLOCK H: 169		
TOTAL NUMBER OF UNITS: 503		

SEPP65 SOLAR ACCESS COMPLIANCE TOTALS	
	COUNT
LESS THAN 2HR	97
MORE THAN 2HR	319
NO SUN	87
TOTAL NUMBER OF UNITS: 503	

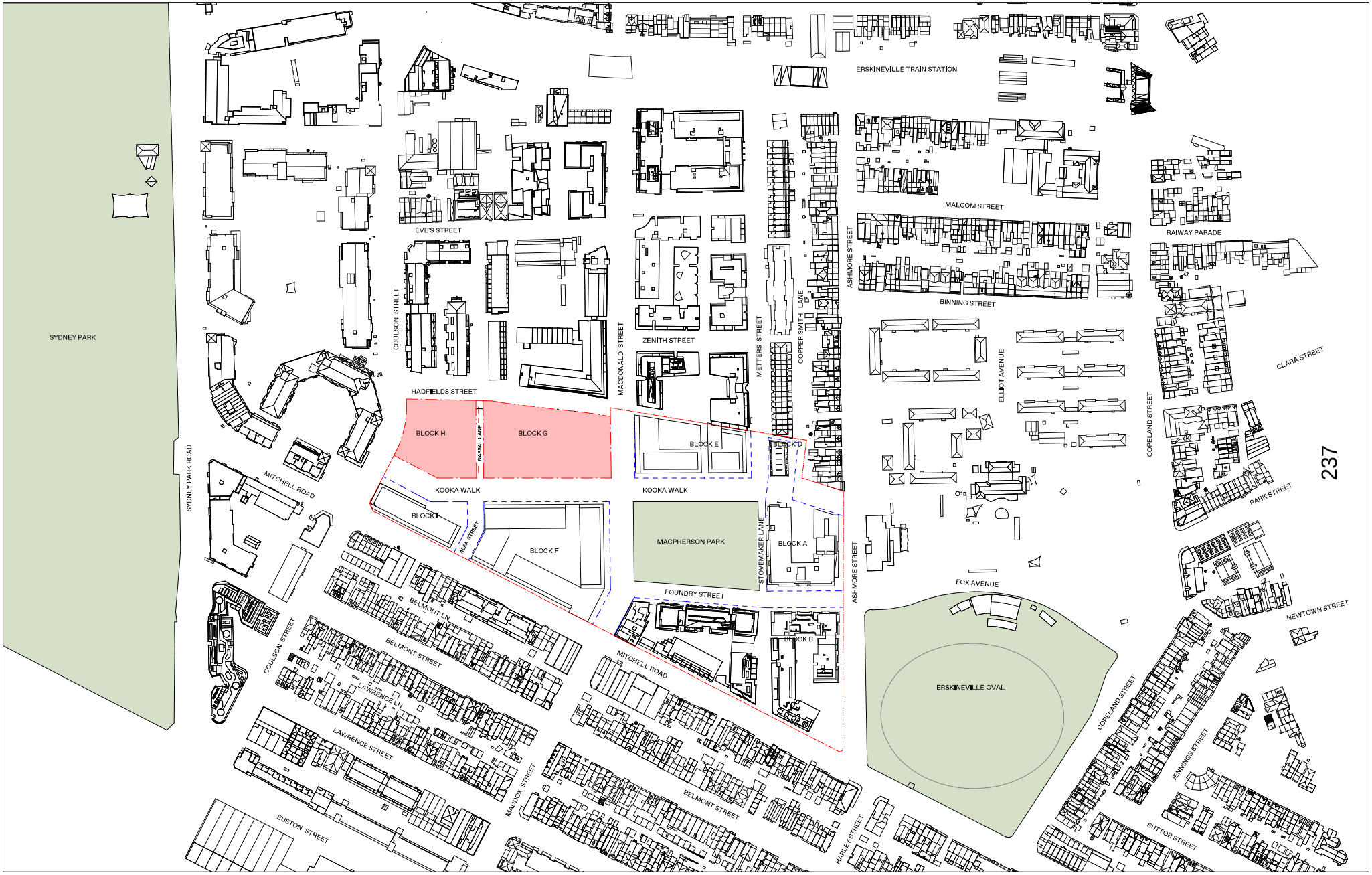
BASEMENT STORAGE CALCULATION
1 BEDROOM STORAGE
47
2 BEDROOM STORAGE
92
STUDIO STORAGE
78
TOTAL STORAGE CAGES: 207

BVN
ARCHITECTS REGISTRATION BOARD | NOMINATED ARCHITECTS
TITLE | REGISTRATION | NO
Nathan Blackett | 5164
Nathan Donaldson | 5164
Matthew Pullen | 5164
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ISSUE	DATE	FOR	CHKD
01	17/04/2020	RECTIFIED DA SUBMISSION	
02	06/08/2020	RECTIFIED DA SUBMISSION	
03	13/09/2020	RECTIFIED DA RESUBMISSION	

CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE
CLIENT: CORONATION PROPERTY
PROJECT: ASHMORE - BUILDINGS G & H, 195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2300011
TRUE NORTH
GRAPHIC SCALE: 0, 2500, 5000
SCALE: @A0 DO NOT SCALE
STATUS: DA
DRAWING: DEVELOPMENT MATRIX
DRAWING NUMBER: AR-00-01A--XY-02
ISSUE: 03



BVN

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NOMINATED ARCHITECTS

NAME	REG NO
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RICHARD HUNTER	7356
MICHAEL LEMBER	6356
NEIL MACKINNON	6356
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ISSUE	DATE	FOR	CHKD
01	17/04/2014	REVIEW	
02	16/05/2014	REVISED FOR DISCUSSION	
03	23/06/2014	REVIEW	
04	04/07/2014	REVIEW	
05	11/07/2014	REVIEW	
06	14/07/2014	REVIEW	
07	17/07/2014	REVIEW	
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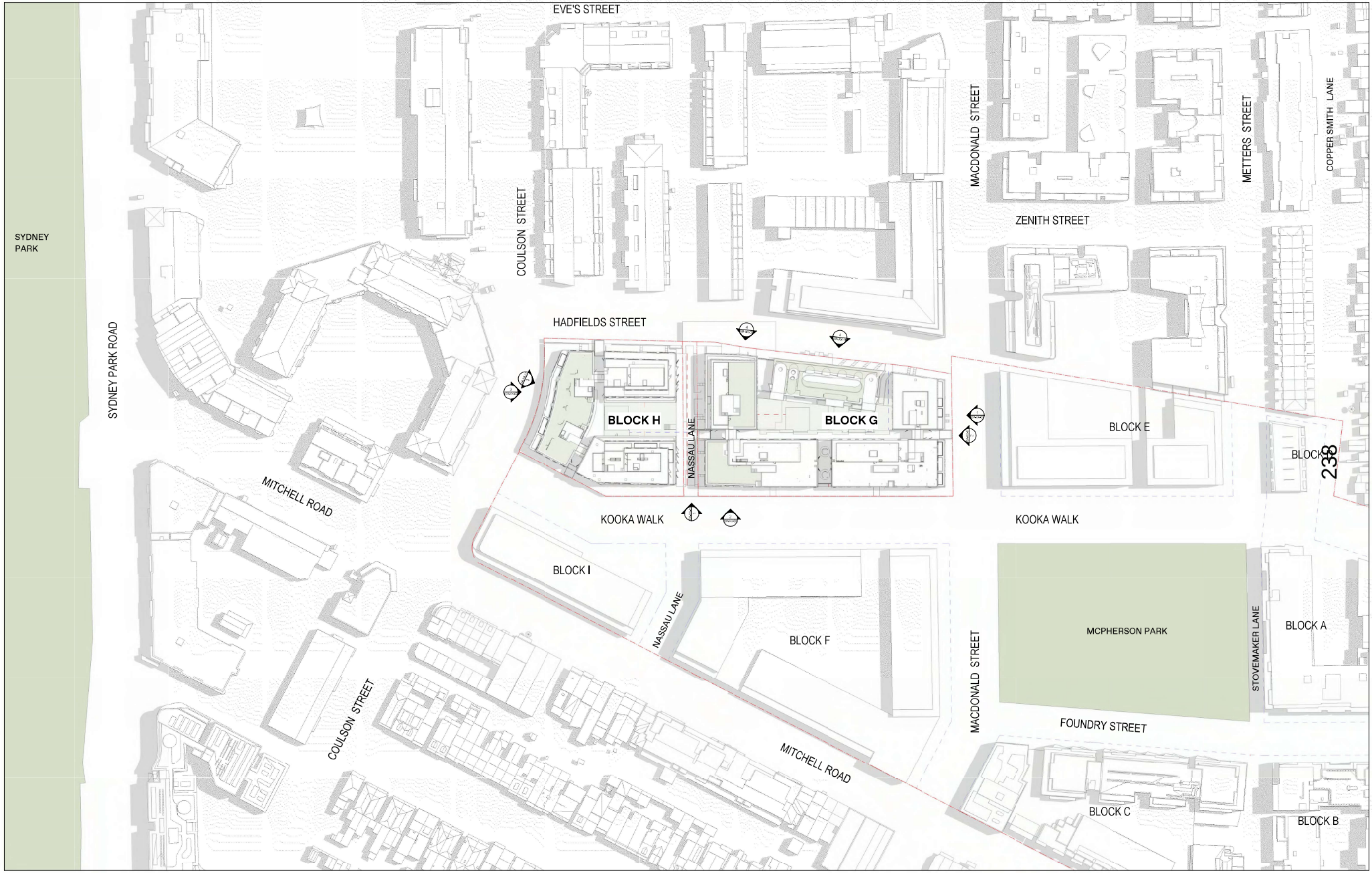
CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2309011
STATUS: DA

TRUE NORTH
GRAPHIC SCALE
SCALE: 1 : 1000@A0 DO NOT SCALE

DRAWING: LOCATION PLAN
DRAWING NUMBER: AR-00-10A-XX-01
ISSUE: 06



BVN

ARCHITECTS REGISTRATION BOARD NOMINATED ARCHITECTS

NAME	REG NO
[illegible]	[illegible]
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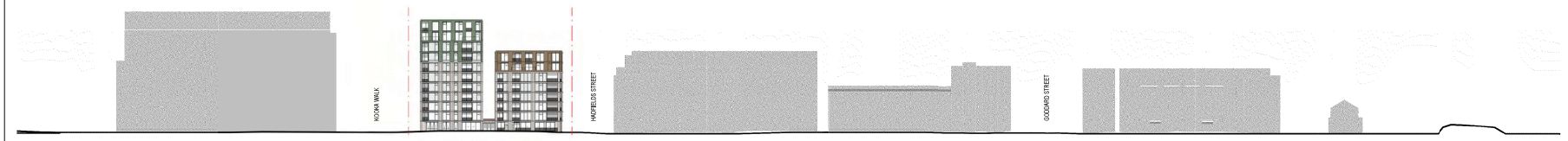
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NOTE

[illegible]

ISSUE	DATE	FOR	CHKD
01	7/04/2021	RETAIL ED 3 & 4 ELEMENT DESIGN	
02	14/05/2021	REVISED FOR DOCKET MOTION	
03	25/06/2021	RETAIL ED 3 & 4 ELEMENT DESIGN	
04	29/07/2021	RETAIL ED 3 & 4 ELEMENT DESIGN	
05	11/08/2021	RETAIL ED 3 & 4 ELEMENT DESIGN	
06	13/09/2021	RETAIL ED 3 & 4 PRE-DA SUBMISSION	

CONSULTANT: URBIS	CLIENT: CORONATION PROPERTY	PROJECT: ASHMORE - BUILDINGS G & H 195 MITCHELL RD, ERSKINEVILLE	TRUE NORTH	DRAWING: SITE PLAN
CONSULTANT: NEURON ENGINEERING		BVN PROJECT NUMBER: 2109011	GRAPHIC SCALE: 0 10000 20000	DRAWING NUMBER: AR-00-10A-XX-02
CONSULTANT: ABC CONSULTANTS		STATUS: DA	SCALE: 1 : 10000 DO NOT SCALE	ISSUE: 06
CONSULTANT: SCIENTIFIC FIRE				



4 MADDOX STREET | BLOCK F - ASHMORE ESTATE | BLOCK G - ASHMORE ESTATE | 1 HADFIELDS STREET | 93 MACDONALD ST | ROCHFORD | 69 MACDONALD STREET | KIRSOVA PLAYGROUND

1 NORTH ELEVATION



177-179 MITCHELL RD | BLOCK H - ASHMORE ESTATE | BLOCK G -ASHMORE ESTATE | BLOCK E - ASHMORE ESTATE | BLOCK D - ASHMORE ESTATE

2 EAST ELEVATION



37 EVE STREET | 20 EVE STREET | 1B COULSON STREET | BLOCK H - ASHMORE ESTATE | BLOCK I - ASHMORE ESTATE | 360C MITCHELL ROAD

3 SOUTH ELEVATION



BLOCK D- ASHMORE ESTATE | BLOCK E -ASHMORE ESTATE | BLOCK G - ASHMORE ESTATE | BLOCK H - ASHMORE ESTATE | 179 MITCHELL ROAD

4 WEST ELEVATION

239

BVN

ARCHITECTS REGISTRATION BOARD / NOMINATED ARCHITECTS

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NOTE

ISSUE	DATE	FOR	BY/AD
01	27JAN26	ISSUED FOR COORDINATION	
02	16JAN26	ISSUED FOR COORDINATION	
03	29JAN26	ISSUED FOR SUBMISSION	
04	06JUN26	ISSUED FOR SUBMISSION	
05	12JUN26	ISSUED FOR SUBMISSION	
06	19JUN26	ISSUED FOR SUBMISSION	
07	12AUG26	ISSUED FOR SUBMISSION	

Facade updates are in progress and only currently address the following items:
- Roof plant extents and Lift / Stair Overruns
- Ground Floor Apartment entry adjustments including entry doors
- Removal of Spandrel Panel (to be replaced by Solid full height panel in subsequent update)

Please note the following Council RFI items be included in amended overall elevations in a subsequent update by 22.09.2025 as discussed.
- Facade Sunshades added to North and East facades
- Window modulation into maximum 1200 wide panels
- Solid full height panel (in lieu of spandrel panel)

CONSULTANT URBIS
CONSULTANT NEURON ENGINEERING
CONSULTANT ABC CONSULTANTS
CONSULTANT SCIENTIFIC FIRE

CLIENT CORONATION PROPERTY

PROJECT ASHMORE - BUILDINGS G & H
155 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER 230911

GRAPHIC SCALE 0 10000 20000
SCALE As indicated@A3 DO NOT SCALE
STATUS DA

DRAWING SITE ELEVATIONS
DRAWING NUMBER AR-00-10A-XX-03
ISSUE 07



VIEW FROM NORTH EAST CORNER OF MACDONALD STREET AND KOOKA WALK

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ISSUE	DATE	FOR	SHAD
01	27JAN2021	REZONING SUBMISSION	
02	14APR2021	REZONING SUBMISSION	
03	28JUL2021	REZONING SUBMISSION	
04	14JAN2022	REZONING SUBMISSION	
05	03APR2022	REZONING SUBMISSION	
06	19APR2022	REZONING SUBMISSION	

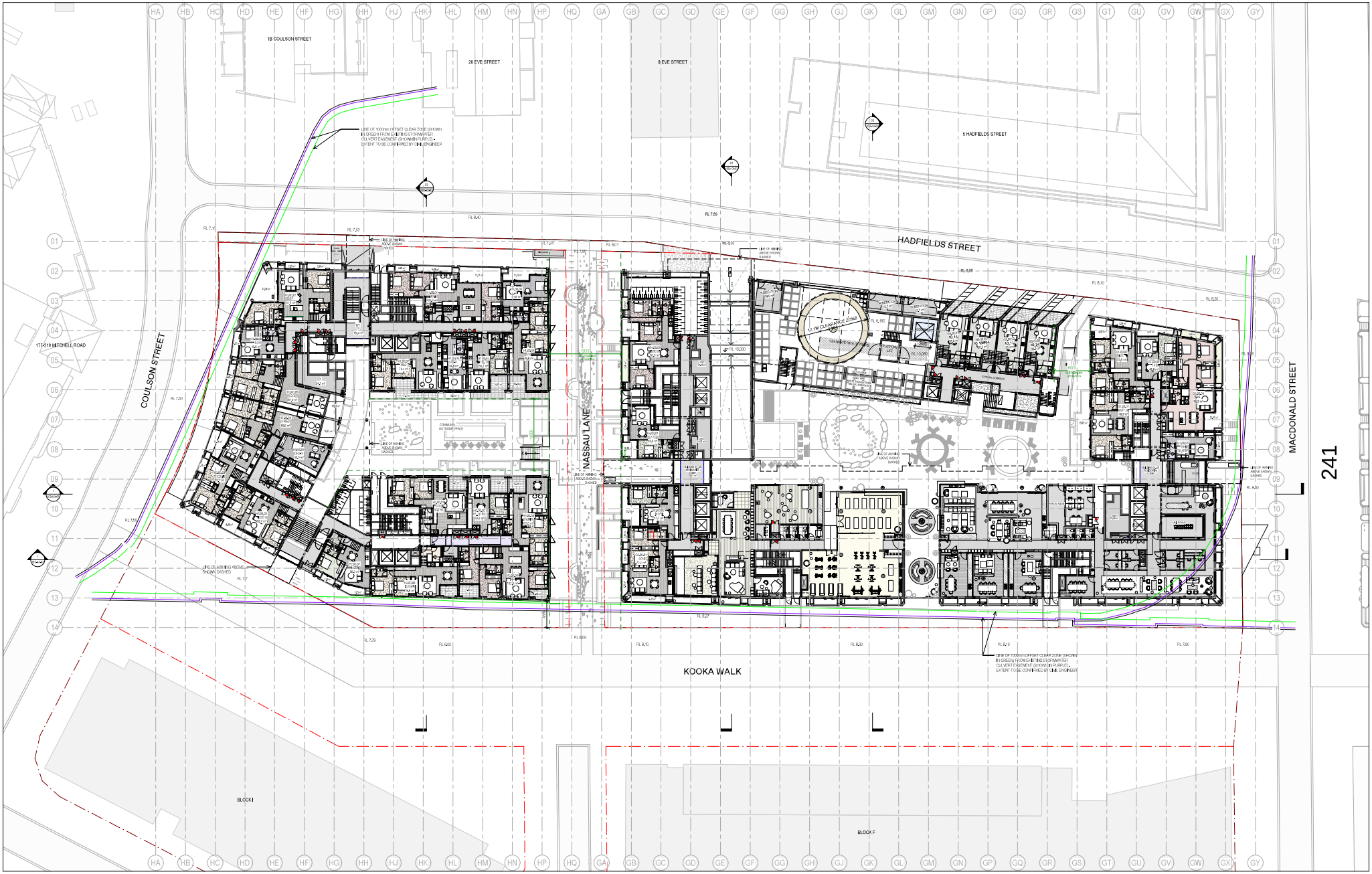
CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
155 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 209011

GRAPHIC SCALE
SCALE: @A1 DO NOT SCALE
STATUS: DA

DRAWING: VISUALISATIONS
DRAWING NUMBER: AR-00-10A-XX-05
ISSUE: 06



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ISSUE	DATE	FOR	CHKD
11	09/09/2024	ISSUED FOR DOCKET ACTION	
12	16/09/2024	ISSUED FOR DOCKET ACTION	
13	23/09/2024	ISSUED FOR DOCKET ACTION	
14	26/09/2024	ISSUED FOR DOCKET ACTION	
15	08/11/2024	ISSUED FOR INFORMATION	
16	04/12/2024	FOR CONSULTANT PACKAGE ISSUE	
17	06/12/2024	ISSUED FOR SUBMISSION	
18	13/02/2025	FOR INFORMATION	
19	13/02/2025	FOR DOCKET ACTION	
20	25/02/2025	DA CONSULTANT ENGAGEMENT	
21	17/04/2025	ISSUED FOR SUBMISSION	
22	15/05/2025	ISSUED FOR SUBMISSION	
23	13/06/2025	ISSUED FOR SUBMISSION	
24	18/06/2025	ISSUED FOR SUBMISSION	
25	25/06/2025	ISSUED FOR SUBMISSION	
26	30/06/2025	ISSUED FOR SUBMISSION	

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PROJECT
ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER
2300011

TRUE NORTH

GRAPHIC SCALE
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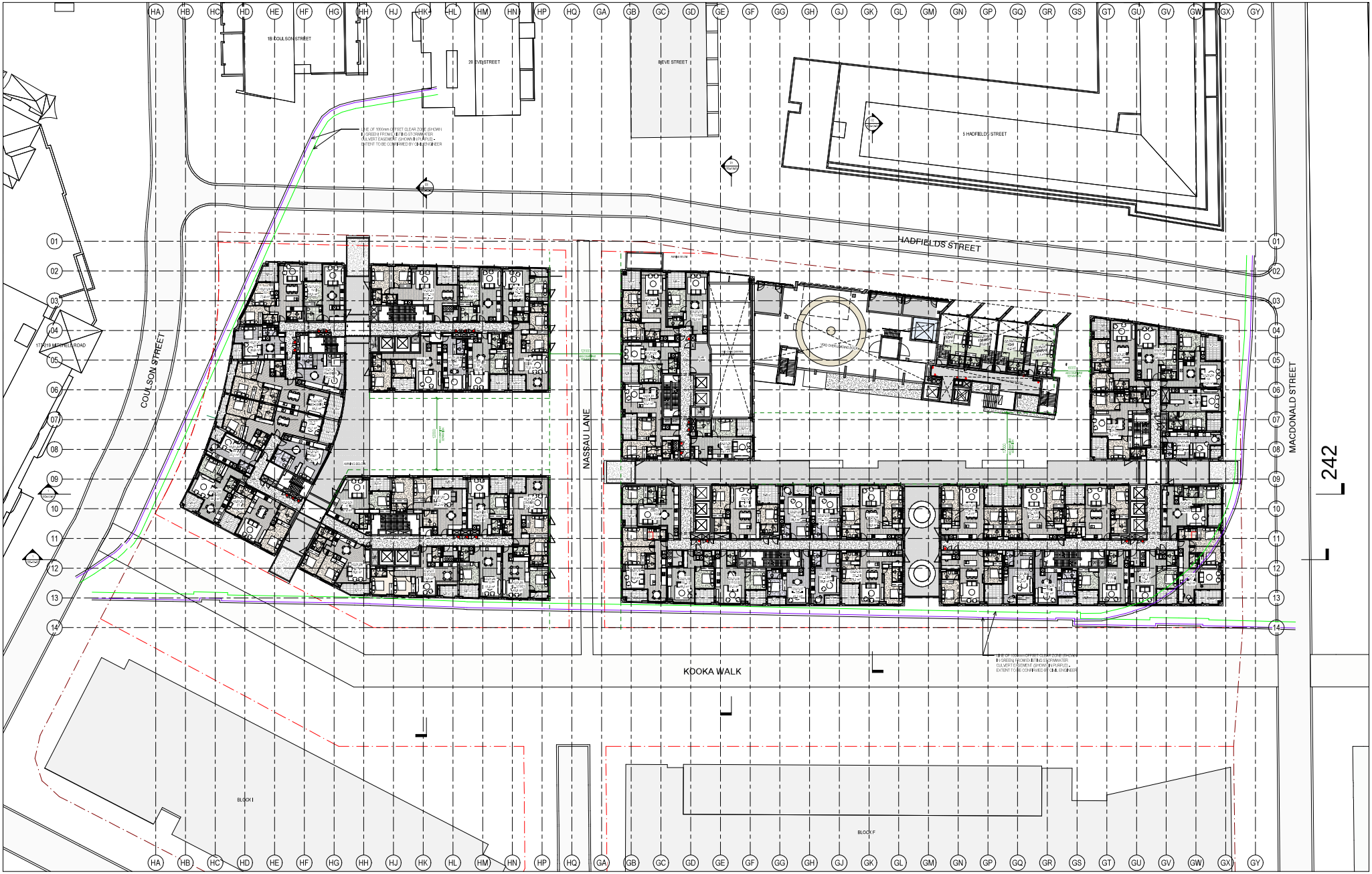
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STATUS
DA

DRAWING
GA - OVERALL - LEVEL 00

DRAWING NUMBER
AR-00-10B-00-01

ISSUE
26



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[illegible]	[illegible]
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ISSUE	DATE	FOR	CHKD
83	7/JAN/2021	RETHELED 24 HUMMUDES	
87	8/JAN/2021	REVISED FOR COORDINATION	
88	26/JAN/2021	ISSUED FOR COORDINATION	
89	1/FEB/2021	ISSUED FOR COORDINATION	
90	2/MAR/2021	RETHELED 24 HUMMUDES	
91	9/JUN/2021	ISSUED FOR COORDINATION	
12	28/JUL/2021	ISSUED FOR INFORMATION	
13	04/OCT/2021	DA CONSULTANT UPDATE/ISSUE	
14	26/OCT/2021	RETHELED 24 HUMMUDES	
15	1/JUN/2021	FOR Information	
16	1/JUN/2021	FOR COORDINATION	
17	1/JUN/2021	DA CONSULTANT UPDATE/ISSUE	
18	1/JUN/2021	RETHELED 24 HUMMUDES	
19	2/JUN/2021	RETHELED 24 HUMMUDES	
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KEY
FR FRITTED GLAZING

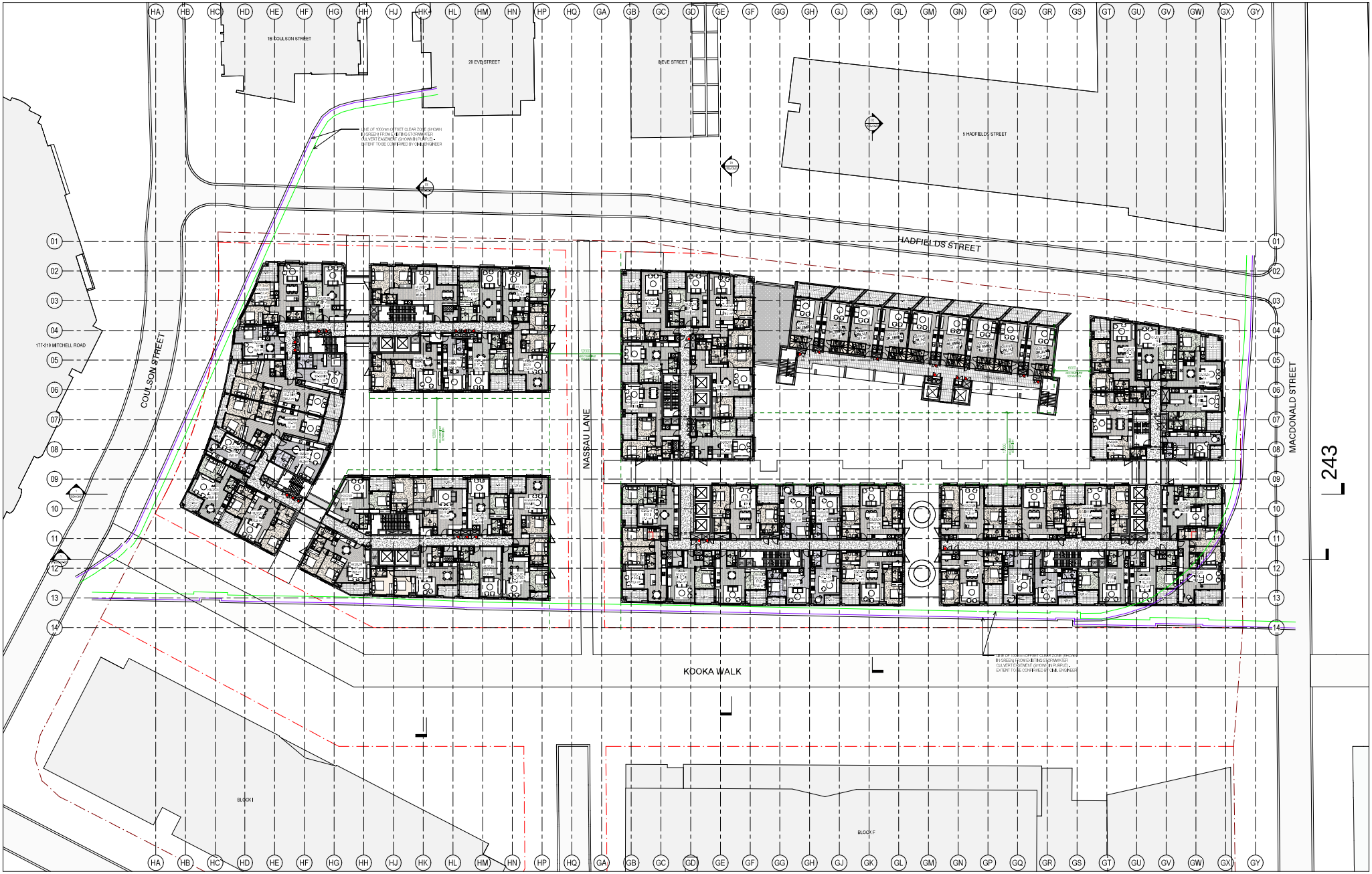
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PROJECT ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER 2309011

TRUE NORTH
GRAPHIC SCALE 0 2000 5000
SCALE 1 : 200@A0 DO NOT SCALE
STATUS DA

DRAWING GA - OVERALL - LEVEL 01
DRAWING NUMBER AR-00-10B-01-01
ISSUE 21



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ISSUE	DATE	FOR	CHKD
86	31/08/2021	RETHELD DA SUBMISSION	
87	06/09/2021	REVISED FOR COORDINATION	
88	09/09/2021	ISSUED FOR COORDINATION	
89	14/09/2021	ISSUED FOR COORDINATION	
90	24/09/2021	RETHELD DA SUBMISSION	
91	04/10/2021	ISSUED FOR COORDINATION	
92	08/11/2021	ISSUED FOR INFORMATION	
93	04/12/2021	DA CONSULTANT UPDATES/ISSUE	
94	06/12/2021	RETHELD DA SUBMISSION	
95	13/12/2021	FOR INFORMATION	
96	14/12/2021	FOR COORDINATION	
97	16/12/2021	DA CONSULTANT UPDATES/ISSUE	
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21	14/01/2022	RETHELD DA SUBMISSION	

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CONSULTANT
NEURON ENGINEERING

CONSULTANT
ABC CONSULTANTS

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PROJECT
ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER
2309011

TRUE NORTH

GRAPHIC SCALE
0 2000 5000

SCALE
1 : 2000 @ A0 DO NOT SCALE

STATUS
DA

DRAWING
GA - OVERALL - LEVEL 02

DRAWING NUMBER
AR-00-10B-02-01

ISSUE
21



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[illegible]	[illegible]
[illegible]	[illegible]
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26	27.06.2024	DETAILED DA SUBMISSION	
27	05.08.2024	ISSUED FOR COORDINATION	
28	09.08.2024	ISSUED FOR COORDINATION	
29	16.08.2024	ISSUED FOR COORDINATION	
10	21.08.2024	DETAILED DA SUBMISSION	
11	06.10.2024	ISSUED FOR COORDINATION	
12	28.11.2024	ISSUED FOR INFORMATION	
13	01.11.2024	DA CONSULTANT BACKGROUNDS	
14	28.11.2024	DETAILED DA SUBMISSION	
15	14.02.2025	FOR INFORMATION	
16	14.02.2025	FOR COORDINATION	
17	28.02.2025	DA CONSULTANT BACKGROUNDS	
18	11.04.2025	DETAILED DA SUBMISSION	
19	02.05.2025	DETAILED DA SUBMISSION	
20	12.08.2025	DETAILED DA RE-SUBMISSION	
21	19.08.2025	DETAILED DA RE-SUBMISSION	

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CONSULTANT NEURON ENGINEERING

CONSULTANT ABC CONSULTANTS

CONSULTANT SCIENTIFIC FIRE

CLIENT

CORONATION

CORONATION PROPERTY

PROJECT

ASHMORE - BUILDINGS G & H
105 MITCHELL RD, ERSKINEVILLE

BVN PROJECT NUMBER 2939011

TRUE NORTH

GRAPHIC SCALE

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SCALE

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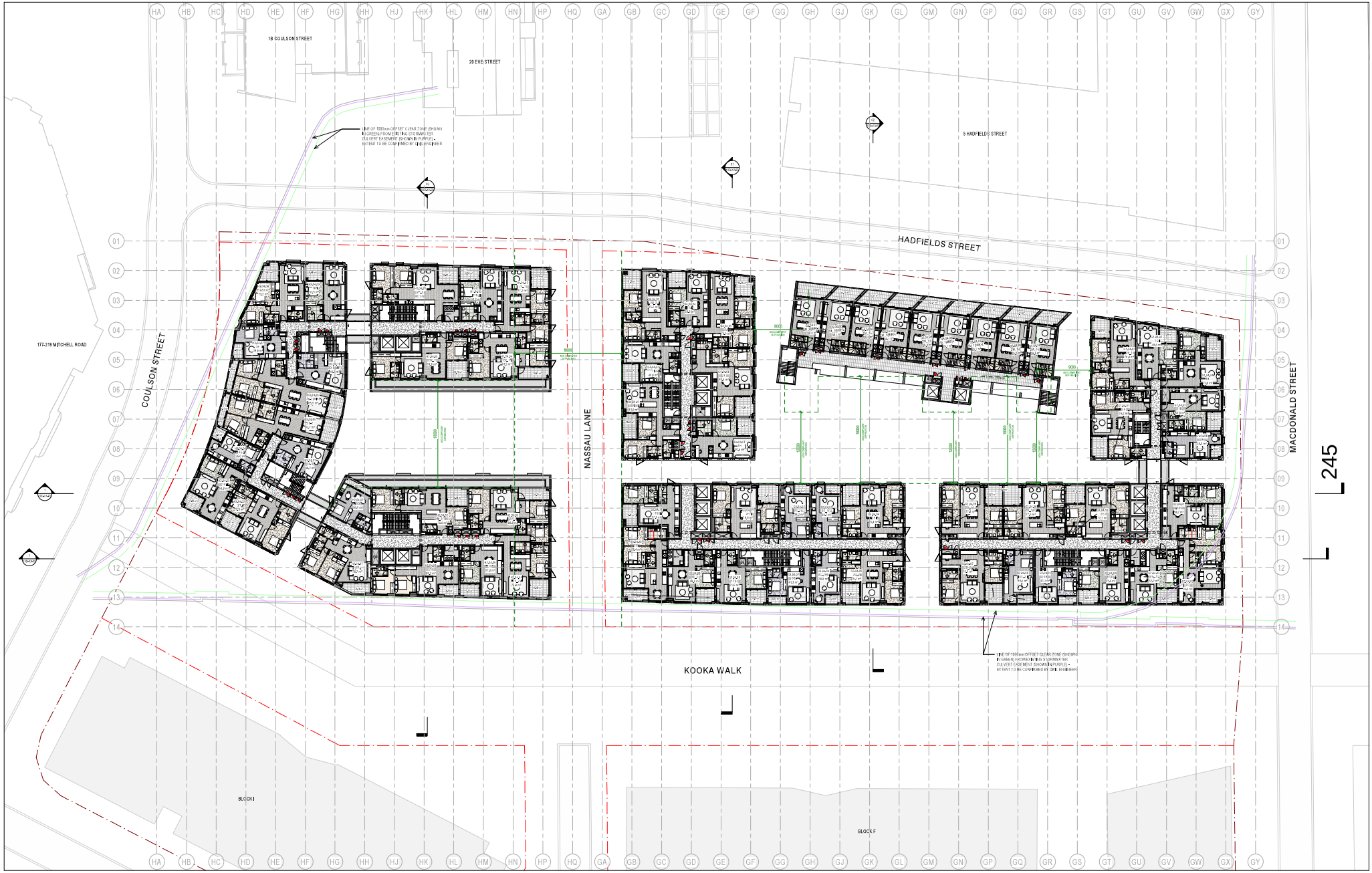
STATUS DA

DRAWING

GA - OVERALL - LEVEL 03

DRAWING NUMBER AR-00-108-03-01

ISSUE 21



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TIMOTHY HALE	5756
MICHAEL BOURKE	5884
NEIL BLAKE	6256
STEVEN DENNER	

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26	27.08.2024	DETAILED DA SUBMISSION	
27	30.08.2024	ISSUED FOR COORDINATION	
28	06.09.2024	ISSUED FOR COORDINATION	
29	16.09.2024	ISSUED FOR COORDINATION	
30	23.09.2024	DETAILED DA SUBMISSION	
31	06.10.2024	ISSUED FOR COORDINATION	
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13	01.11.2024	DA CONSULTANT BACKGROUNDS	
14	28.11.2024	DETAILED DA SUBMISSION	
15	14.02.2025	FOR INFORMATION	
16	14.02.2025	FOR COORDINATION	
17	28.02.2025	DA CONSULTANT BACKGROUNDS	
18	11.04.2025	DETAILED DA SUBMISSION	
19	02.05.2025	DETAILED DA SUBMISSION	
20	12.06.2025	DETAILED DA RE-SUBMISSION	
21	16.06.2025	DETAILED DA RE-SUBMISSION	

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PROJECT
ASHMORE - BUILDINGS G & H
105 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER
3939011

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GRAPHIC SCALE
0 5000 10000

SCALE
1 : 500@A0 DO NOT SCALE
STATUS
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GA - OVERALL - LEVEL 04
DRAWING NUMBER
AR-00-108-04-01
ISSUE
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Attachment B6

Architectural Plans – Buildings G&H



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RICHARD HOLDSWORTH	7234
MATTHEW BENSON	7235
NEIL ALLEN	7236
MARK FLANAGAN	7237

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87	30/08/2024	REVISED FOR COORDINATION	
88	05/09/2024	ISSUED FOR COORDINATION	
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94	04/12/2024	DETAILED DA SUBMISSION	
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96	11/12/2024	FOR COORDINATION	
97	16/12/2024	DA CONSULTANT UPDATE/REVISIONS	
98	17/12/2024	DETAILED DA SUBMISSION	
99	20/12/2024	DETAILED DA SUBMISSION	
20	13/01/2025	DETAILED DA RFI RESPONSE	
21	14/01/2025	DETAILED DA RFI RESPONSE	

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PROJECT
ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER
2309011

TRUE NORTH

GRAPHIC SCALE
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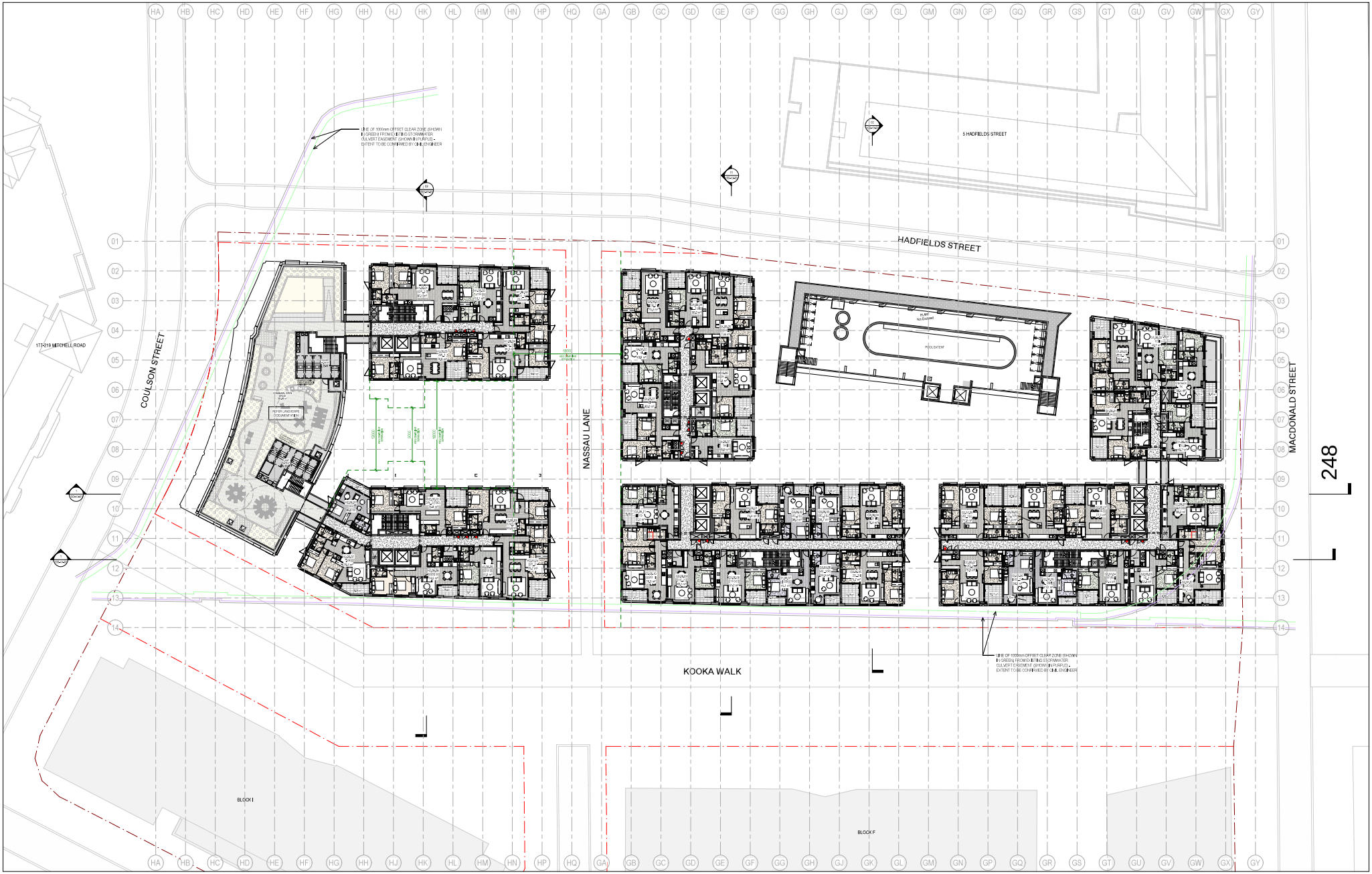
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87	06/09/2021	REVISED FOR COORDINATION	
88	29/09/2021	ISSUED FOR COORDINATION	
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97	14/02/2022	DA CONSULTANT UPDATE/REVISIONS	
98	11/04/2022	RETAIL ED 3 & 4 SUBMISSION	
99	05/05/2022	RETAIL ED 3 & 4 SUBMISSION	
100	13/05/2022	RETAIL ED 3 & 4 SUBMISSION	
101	16/05/2022	RETAIL ED 3 & 4 SUBMISSION	

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PROJECT
ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER
2309011

TRUE NORTH

GRAPHIC SCALE
0 2500 5000

SCALE
1 : 200@A0 DO NOT SCALE

STATUS
DA

DRAWING
GA - OVERALL - LEVEL 06
DRAWING NUMBER
AR-00-10B-06-01
ISSUE
21



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[illegible]	3291	[illegible]	3344
[illegible]	3344	[illegible]	3344
[illegible]	3344	[illegible]	3344
[illegible]	3344	[illegible]	3344
[illegible]	3344	[illegible]	3344

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ISSUE	DATE	FOR	CHKD
86	31/08/2021	RETHELED DA SUBMISSION	
87	01/09/2021	REVISED FOR COORDINATION	
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91	04/10/2021	ISSUED FOR COORDINATION	
92	08/11/2021	ISSUED FOR INFORMATION	
93	24/11/2021	DA CONSULTANT UPDATES/ISSUE	
94	26/11/2021	RETHELED DA SUBMISSION	
95	13/12/2021	ISSUED for Information	
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97	16/12/2021	DA CONSULTANT UPDATES/ISSUE	
98	17/12/2021	RETHELED DA SUBMISSION	
99	20/12/2021	RETHELED DA SUBMISSION	
100	13/01/2022	RETHELED DA SUBMISSION	
101	14/01/2022	RETHELED DA SUBMISSION	

KEY:
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CORONATION
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PROJECT
ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER
2309011

TRUE NORTH

GRAPHIC SCALE
0 2000 5000

SCALE
1 : 200@A0 DO NOT SCALE

STATUS
DA

DRAWING
GA - OVERALL - LEVEL 07

DRAWING NUMBER
AR-00-10B-07-01

ISSUE
21



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[illegible]	[illegible]
[illegible]	[illegible]
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87	14/04/2021	RETAIL ED 3 & 4 AMENDMENTS	
88	26/08/2021	REVISED FOR COORDINATION	
89	26/08/2021	ISSUED FOR COORDINATION	
90	14/09/2021	ISSUED FOR COORDINATION	
91	24/09/2021	RETAIL ED 3 & 4 AMENDMENTS	
92	04/10/2021	ISSUED FOR COORDINATION	
93	29/11/2021	ISSUED FOR INFORMATION	
94	01/12/2021	DA CONSULTANT UPDATE/REVISIONS	
95	06/12/2021	RETAIL ED 3 & 4 AMENDMENTS	
96	13/01/2022	FOR INFORMATION	
97	14/01/2022	FOR COORDINATION	
98	14/02/2022	DA CONSULTANT UPDATE/REVISIONS	
99	11/04/2022	RETAIL ED 3 & 4 AMENDMENTS	
20	05/05/2022	RETAIL ED 3 & 4 AMENDMENTS	
21	12/05/2022	RETAIL ED 3 & 4 AMENDMENTS	
22	16/05/2022	RETAIL ED 3 & 4 AMENDMENTS	

KEY:
FR FRITTED GLAZING

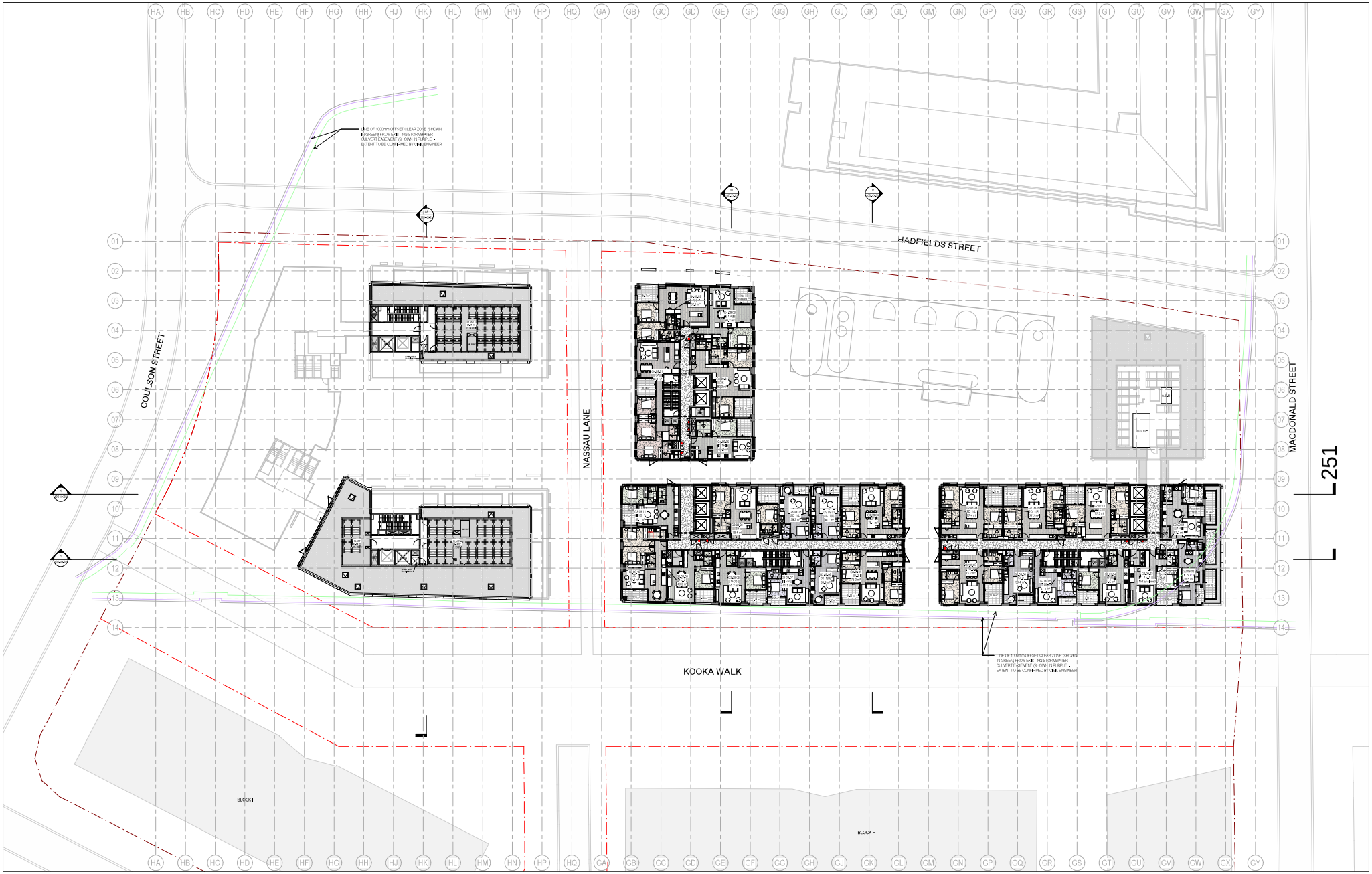
CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2309011

TRUE NORTH
GRAPHIC SCALE: 0 2000 5000
SCALE: 1:200@A0 DO NOT SCALE
STATUS: DA

DRAWING
DRAWING NUMBER: AR-00-10B-08-01
TITLE: GA - OVERALL - LEVEL 08
ISSUE: 22



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ISSUE	DATE	FOR	CHKD
86	7/04/2021	DETAILED DA SUBMISSION	
87	8/04/2021	REVISED FOR COORDINATION	
88	26/04/2021	ISSUED FOR COORDINATION	
89	14/05/2021	ISSUED FOR COORDINATION	
90	24/05/2021	DETAILED DA SUBMISSION	
91	9/07/2021	ISSUED FOR COORDINATION	
92	29/07/2021	ISSUED FOR INFORMATION	
93	24/11/2021	DA CONSULTANT UPDATE/REVISION	
94	26/11/2021	DETAILED DA SUBMISSION	
95	1/12/2021	FOR INFORMATION	
96	1/12/2021	FOR COORDINATION	
97	16/12/2021	DA CONSULTANT UPDATE/REVISION	
98	1/12/2021	DETAILED DA SUBMISSION	
99	6/05/2022	DETAILED DA SUBMISSION	
20	12/05/2022	DETAILED DA RFI RESPONSE	
21	16/05/2022	DETAILED DA RFI RESPONSE	

KEY:
FR FRITTED GLAZING

CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2200011

TRUE NORTH
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SCALE: 1:200@A0 DO NOT SCALE
STATUS: DA

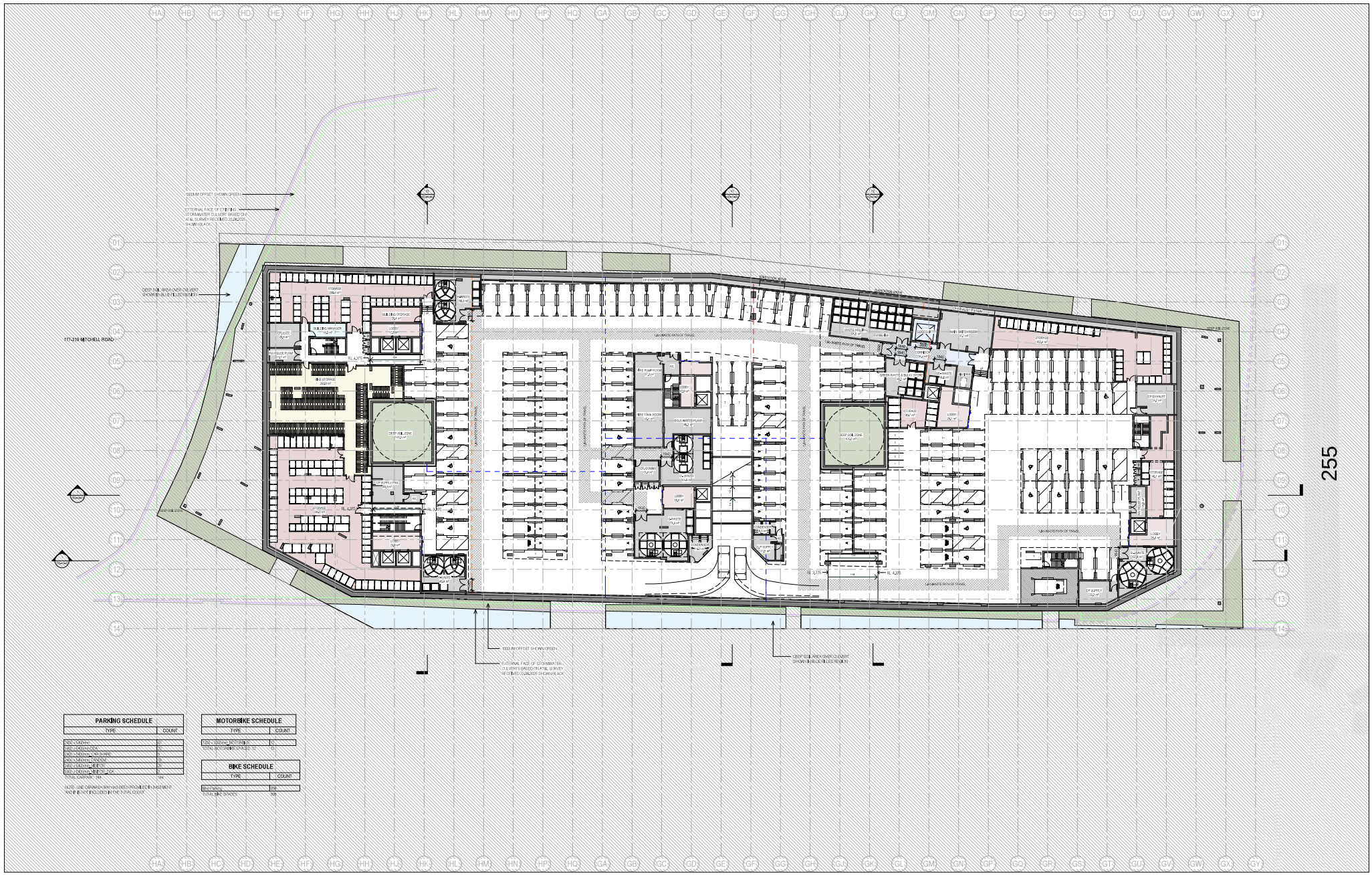
DRAWING: GA - OVERALL - LEVEL 09
DRAWING NUMBER: AR-00-10B-09-01
ISSUE: 21

COULSON STREET
NASSAU LANE
KOOKA WALK
HADFIELDS STREET
MACDONALD STREET
BLOCK I
BLOCK F
252

Attachment B7

Architectural Plans – Buildings G&H

COULSON STREET
NASSAU LANE
KOOKA WALK
HADFIELDS STREET
MACDONALD STREET
BLOCK F
254



PARKING SCHEDULE	
TYPE	COUNT
2400 x 5800mm	67
2400 x 5400mm 90A	80
2400 x 5400mm 90A SHARE	1
2400 x 5800mm PARADM	15
2400 x 5400mm_VISITOR	29
3300 x 5400mm_VISITOR_2XA	1
TOTAL CARPARK: 148	194

NOTE: ONE CARWASH BAY HAS BEEN PROVIDED IN BASEMENT AND IS NOT INCLUDED IN THE TOTAL COUNT.

MOTORBIKE SCHEDULE	
TYPE	COUNT
1000 x 1500mm_MOTORBIKES	10
TOTAL MOTORBIKE SPACES: 10	10

BIKE SCHEDULE	
TYPE	COUNT
Bike Parking	208
TOTAL BIKE SPACES	208

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[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
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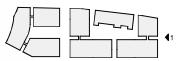
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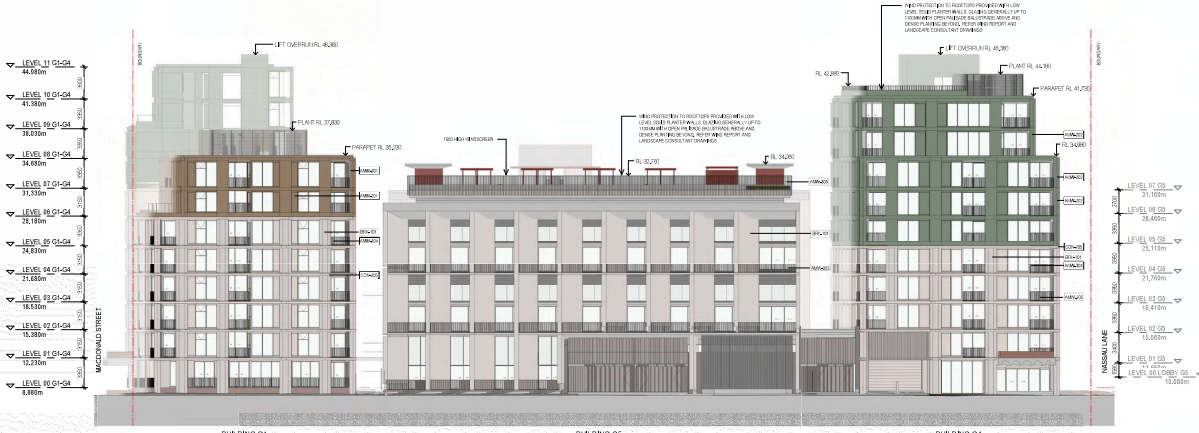
ISSUE	DATE	FOR	CHKD
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07	20/04/2026	DESIGN DEVELOPMENT	
08	14/04/2026	DESIGN DEVELOPMENT	
09	09/04/2026	ISSUED FOR COORDINATION	
10	09/04/2026	ISSUED FOR COORDINATION	
11	14/04/2026	ISSUED FOR COORDINATION	
12	29/04/2026	DESIGN DEVELOPMENT	
13	04/04/2026	ISSUED FOR COORDINATION	
14	04/11/2026	ISSUED FOR COORDINATION	
15	01/11/2026	DA CONSULTANT ENGINEER HOLD	
16	04/11/2026	DESIGN DEVELOPMENT	
17	14/05/2026	FOR INFORMATION	
18	14/05/2026	FOR COORDINATION	
19	26/05/2026	DA CONSULTANT ENGINEER HOLD	
20	12/04/2026	DESIGN DEVELOPMENT	
21	14/05/2026	DESIGN DEVELOPMENT	

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CONSULTANT	NEURON ENGINEERING
CONSULTANT	ABC CONSULTANTS
CONSULTANT	SCIENTIFIC FIRE
CLIENT	CORONATION PROPERTY
PROJECT	ASHMORE - BUILDINGS G & H 195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER	2300011
TRUE NORTH	
GRAPHIC SCALE	0 2500 5000
SCALE	1:200@A0 DO NOT SCALE
STATUS	DA
DRAWING	GA - OVERALL - LEVEL B1
DRAWING NUMBER	AR-00-108-B1-01
ISSUE	21



1 NORTH ELEVATION_G1_G2

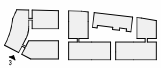


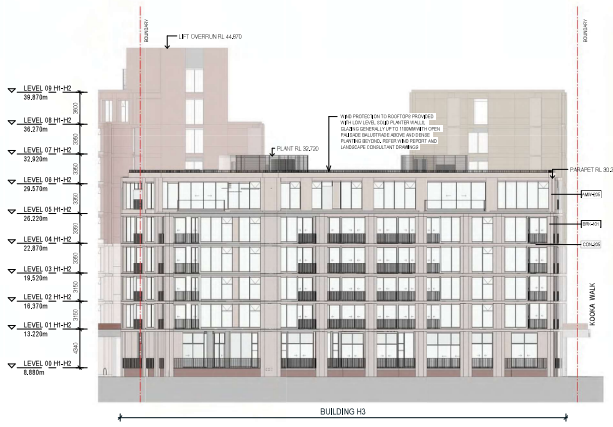


2 WEST ELEVATION_G1_G5_G4

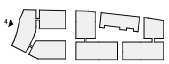


3 SOUTHEAST ELEVATION_H3_H2



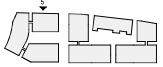


4 SOUTH ELEVATION_H3





5 WEST ELEVATION_H3_H1



256

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ISSUE	DATE	FOR
01	16/08/2024	ISSUED FOR COORDINATION
02	14/08/2024	DA CONSULTANT UPDATE/REVISION
03	21/08/2024	DETAILED DA SUBMISSION
04	26/08/2024	ISSUED FOR COORDINATION
05	29/08/2024	ISSUED FOR COORDINATION
06	11/09/2024	ISSUED FOR COORDINATION
07	25/09/2024	DETAILED DA SUBMISSION
08	04/10/2024	DA CONSULTANT UPDATE/REVISION
09	24/10/2024	DETAILED DA SUBMISSION
10	11/12/2024	RFI RESPONSE ITEM
11	06/02/2025	DA CONSULTANT UPDATE/REVISION
12	14/02/2025	DETAILED DA SUBMISSION
13	05/03/2025	DETAILED DA SUBMISSION
14	14/03/2025	DETAILED DA SUBMISSION
15	14/03/2025	DETAILED DA SUBMISSION

Facade updates are in progress and only currently address the following items:
- Roof plant extents and Lift / Stair Overruns
- Ground Floor Apartment entry adjustments including entry doors
- Removal of Spandrel Panel (to be replaced by Solid full height panel in subsequent update).

Please note the following Council RFI items be included in amended overall elevations in a subsequent update by 22.09.2025 as discussed:
- Facade Sunshades added to North and East facades
- Window modulation into maximum 1200 wide panels
- Solid full height panel (in lieu of spandrel panel)

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CONSULTANT ABC CONSULTANTS
CONSULTANT SCIENTIFIC FIRE

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PROJECT ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER 2300011

GRAPHIC SCALE 0 4000 10000
SCALE 1:200@A0 DO NOT SCALE
STATUS DA

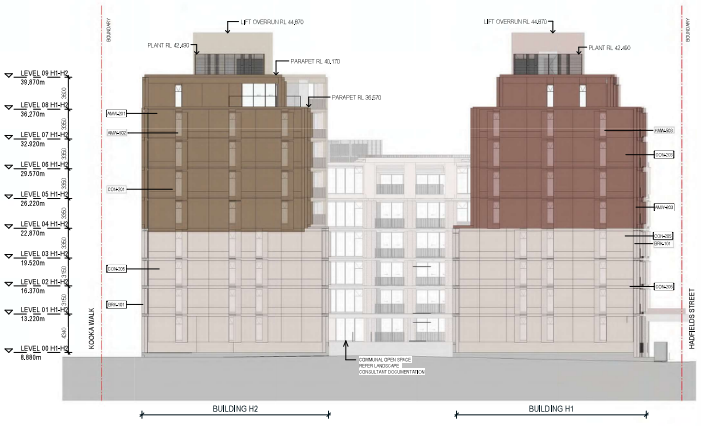
DRAWING ELEVATIONS - OVERALL
DRAWING NUMBER AR-00-10C-XX-01
ISSUE 15



6 EAST ELEVATION H2 G3 G2



7 SOUTH ELEVATION G3 G4



8 NORTH ELEVATION H1 H2

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ISSUE	DATE	FOR	CHKD
01	14/08/2024	ISSUED FOR COORDINATION	
02	14/08/2024	CONSULTANT UPDATE/REVISION	
03	21/08/2024	DETAILED SUBMISSION	
04	26/08/2024	ISSUED FOR COORDINATION	
05	29/08/2024	ISSUED FOR COORDINATION	
06	30/08/2024	ISSUED FOR COORDINATION	
07	29/08/2024	DETAILED SUBMISSION	
08	04/12/2024	CONSULTANT UPDATE/REVISION	
09	04/12/2024	DETAILED SUBMISSION	
10	13/02/2025	FOR COORDINATION	
11	26/02/2025	CONSULTANT UPDATE/REVISION	
12	14/03/2025	DETAILED SUBMISSION	
13	02/05/2025	DETAILED SUBMISSION	
14	14/05/2025	DETAILED SUBMISSION	
15	14/05/2025	DETAILED SUBMISSION	

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CONSULTANT ABC CONSULTANTS
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PROJECT ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER 2300011

GRAPHIC SCALE 0 2500 5000
SCALE 1:2500@A3 DO NOT SCALE
STATUS DA

DRAWING ELEVATIONS - OVERALL
DRAWING NUMBER AR-00-10C-XX-02
ISSUE 15

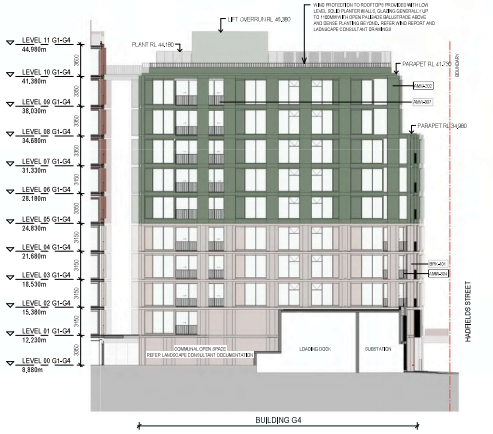


1 SOUTH ELEVATION_G1

2 WEST ELEVATION_G2_G3_H2







3 EAST ELEVATION_H1

4 EAST ELEVATION_G5

5 NORTH ELEVATION_G4

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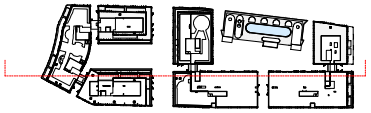
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ISSUE	DATE	FOR	CHKD
01	14/08/2024	ISSUED FOR COORDINATION	
02	14/08/2024	CONSULTANT UPDATE/REVISION	
03	21/08/2024	DETAILED DA SUBMISSION	
04	26/08/2024	ISSUED FOR COORDINATION	
05	29/08/2024	ISSUED FOR COORDINATION	
06	04/09/2024	ISSUED FOR COORDINATION	
07	24/09/2024	DETAILED DA SUBMISSION	
08	24/10/2024	CONSULTANT UPDATE/REVISION	
09	24/11/2024	DETAILED DA SUBMISSION	
10	13/12/2024	RFI RESPONSE	
11	06/02/2025	CONSULTANT UPDATE/REVISION	
12	14/04/2025	DETAILED DA SUBMISSION	
13	02/05/2025	DETAILED DA SUBMISSION	
14	14/05/2025	DETAILED DA SUBMISSION	
15	14/05/2025	DETAILED DA SUBMISSION	

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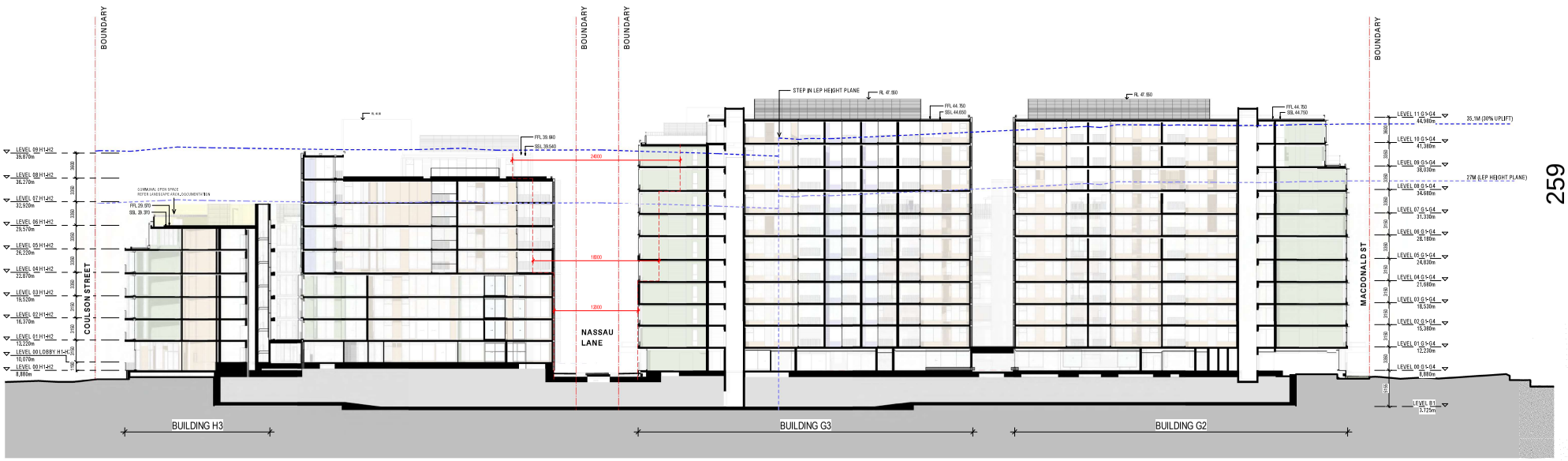
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CONSULTANT	URBIS
CONSULTANT	NEURON ENGINEERING
CONSULTANT	ABC CONSULTANTS
CONSULTANT	SCIENTIFIC FIRE
CLIENT	CORONATION PROPERTY
PROJECT	ASHMORE - BUILDINGS G & H 195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER	2300011
GRAPHIC SCALE	0 2 5000
SCALE	1:200@A0 DO NOT SCALE
STATUS	DA
DRAWING	ELEVATIONS - OVERALL
DRAWING NUMBER	AR-00-10C-XX-03
ISSUE	15



LEGEND

- LEP HEIGHT PLANE
- LEP + 30% UPLIFT (PERMISSIBLE AFFORDABLE HOUSING LIMIT)
- ADG COMPLIANT BUILDING SEPARATION



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[illegible]	[illegible]
[illegible]	[illegible]
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ISSUE	DATE	FOR	DRAFT
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36	16.05.2024	ISSUED FOR COORDINATION	
37	16.06.2024	DA CONSOL TANT BACKGROUNDS	
38	27.06.2024	DETAILED DA SUBMISSION	
39	02.09.2024	ISSUED FOR COORDINATION	
10	09.09.2024	ISSUED FOR COORDINATION	
11	16.09.2024	ISSUED FOR COORDINATION	
12	03.09.2024	DETAILED DA SUBMISSION	
13	26.10.2024	ISSUED FOR COORDINATION	
14	21.11.2024	DA CONSULTANT BACKGROUNDS	
15	26.11.2024	DETAILED DA SUBMISSION	
16	14.02.2025	FOR COORDINATION	
17	26.02.2025	DA CONSULTANT BACKGROUNDS	
18	11.04.2025	DETAILED DA SUBMISSION	
19	02.05.2025	DETAILED DA SUBMISSION	
20	12.08.2025	DETAILED DA RE-SUBMISSION	

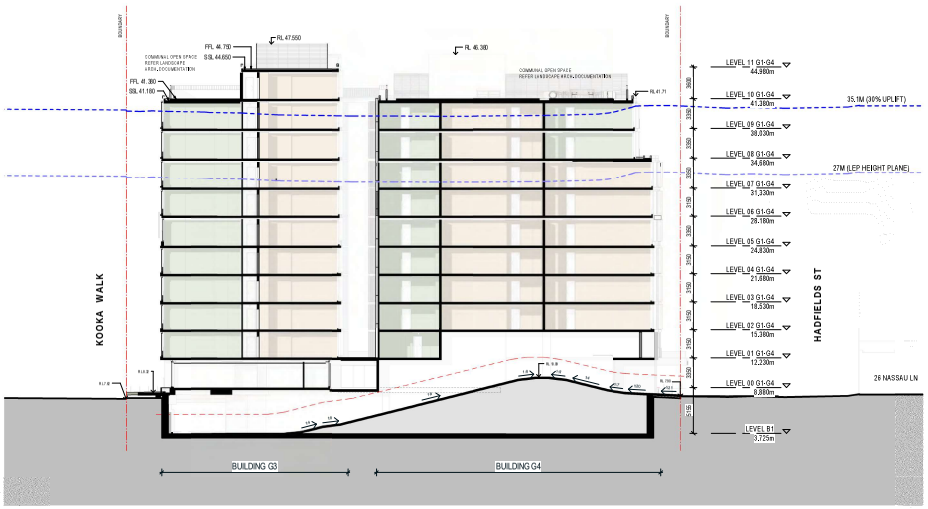
CONSULTANT: URBIS
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CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

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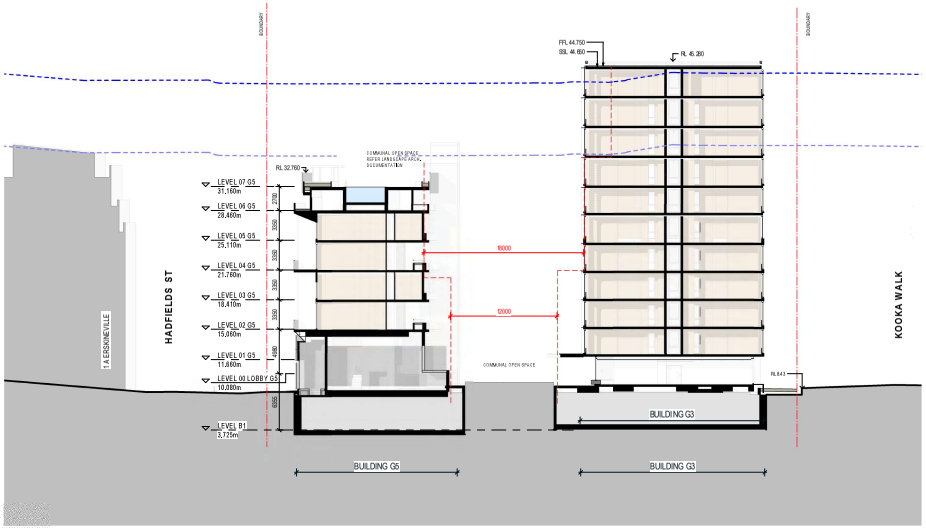
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105 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2939011

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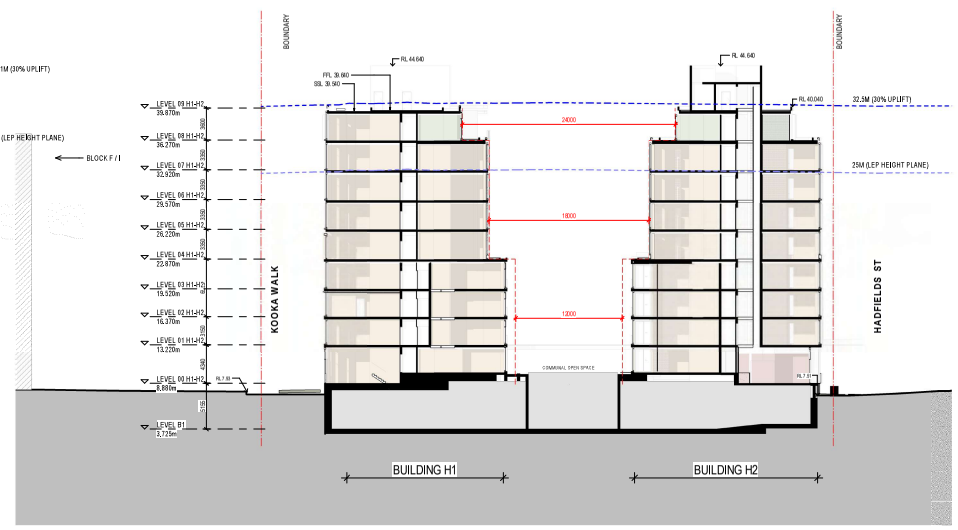
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ISSUE: 20



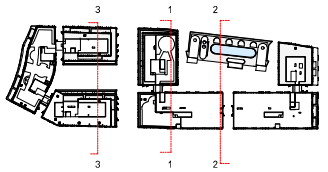
01 SECTION THROUGH RAMP 1_200



02 SECTION THROUGH BUILDING G COURTYARD_1_200



03 SECTION THROUGH BUILDING H COURTYARD



LEGEND

- LEP HEIGHT PLANE
- LEP + 30% UPLIFT (PERMISSIBLE AFFORDABLE HOUSING LIMIT)
- ADG COMPLIANT BUILDING SEPARATION

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ISSUE	DATE	FOR	DRAWN
01	26.03.2024	ISSUED FOR COORDINATION	
02	16.05.2024	ISSUED FOR COORDINATION	
03	16.06.2024	DA CONSULTANT BACKGROUNDS	
04	27.06.2024	DETAILED DA SUBMISSION	
05	02.08.2024	ISSUED FOR COORDINATION	
06	09.08.2024	ISSUED FOR COORDINATION	
07	16.08.2024	ISSUED FOR COORDINATION	
08	23.08.2024	DETAILED DA SUBMISSION	
09	26.09.2024	ISSUED FOR COORDINATION	
10	21.11.2024	DA CONSULTANT BACKGROUNDS	
11	29.11.2024	DETAILED DA SUBMISSION	
12	14.02.2025	FOR COORDINATION	
13	26.02.2025	DA CONSULTANT BACKGROUNDS	
14	11.04.2025	DETAILED DA SUBMISSION	
15	02.05.2025	DETAILED DA SUBMISSION	
16	12.06.2025	DETAILED DA RE-SUBMISSION	

CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

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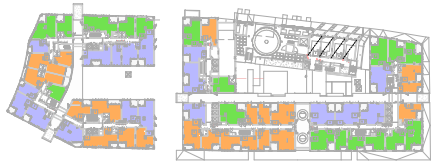
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105 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2909011

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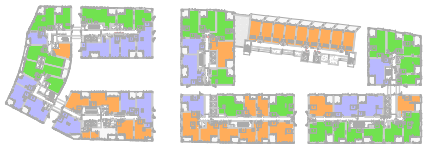
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ISSUE: 16



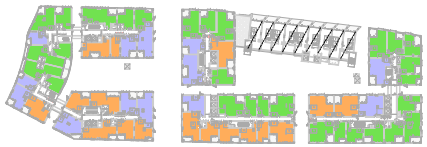
1 LEVEL 00 - Solar Access



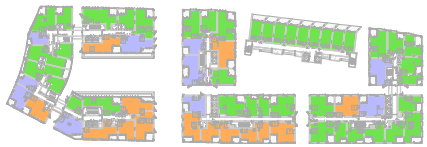
2 LEVEL 01 - Solar Access



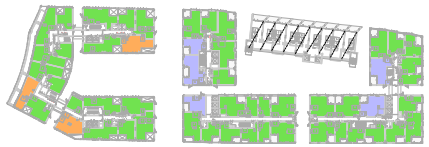
3 LEVEL 02 - Solar Access



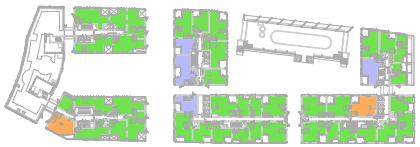
4 LEVEL 03 - Solar Access



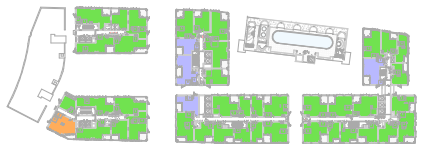
5 LEVEL 04 - Solar Access



6 LEVEL 05 - Solar Access



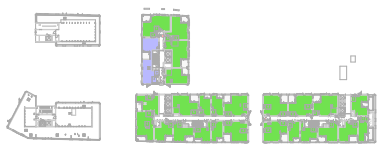
7 LEVEL 06 - Solar Access



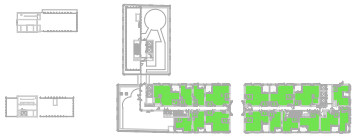
8 LEVEL 07 - Solar Access



9 LEVEL 08 - Solar Access



10 LEVEL 09 - Solar Access



11 LEVEL 10 - Solar Access

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SEPP65 SOLAR ACCESS COMPLIANCE TOTALS	
	COUNT
LESS THAN 2HR	97
MORE THAN 2HR	319
NO DIRECT SUNLIGHT	87
TOTAL NUMBER OF UNITS: 503	

319/503 APARTMENTS ACHIEVING MORE THAN 2 HOURS DIRECT SUNLIGHT = 63.4%

87/503 APARTMENTS RECEIVE NO DIRECT SUNLIGHT = 17.3%

SEPP65 SOLAR ACCESS COMPLIANCE PER BLOCK		
BLOCK		COUNT
BLOCK G		
BLOCK G	LESS THAN 2HR	58
BLOCK G	MORE THAN 2HR	233
BLOCK G	NO DIRECT SUNLIGHT	43
BLOCK G: 334		

233/334 APARTMENTS ACHIEVING MORE THAN 2 HOURS DIRECT SUNLIGHT = 69.8%

43/334 APARTMENTS RECEIVE NO DIRECT SUNLIGHT = 12.9%

SEPP65 SOLAR ACCESS COMPLIANCE PER BLOCK		
BLOCK		COUNT
BLOCK H		
BLOCK H	LESS THAN 2HR	39
BLOCK H	MORE THAN 2HR	86
BLOCK H	NO DIRECT SUNLIGHT	44
BLOCK H: 169		
TOTAL NUMBER OF UNITS: 503		

86/169 APARTMENTS ACHIEVING MORE THAN 2 HOURS DIRECT SUNLIGHT = 50.9%

44/169 APARTMENTS RECEIVE NO DIRECT SUNLIGHT = 26%

SEPP65 SOLAR COMPLIANCE LEGEND

NOTE: SOLAR ASSESSMENT PROVIDED BY SLR CONSULTING. REFER SLR REPORT FOR DETAILED ANALYSIS

- MORE THAN 2 HOURS DIRECT SUNLIGHT
- LESS THAN 2 HOURS DIRECT SUNLIGHT
- NO DIRECT SUNLIGHT

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NOTE

ISSUE	DATE	FOR	CHKD
04	29/05/2024	PEER REVIEW	
05	26/06/2024	REVISED DA SUBMISSION	
06	25/09/2024	DETAILED DESIGN	
07	13/11/2024	DETAILED DESIGN	

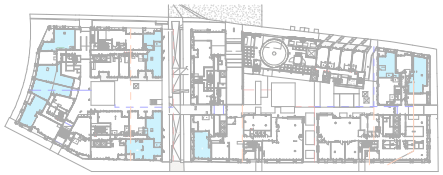
CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
105 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2309011

TRUE NORTH
GRAPHIC SCALE: 0 2500 5000
SCALE: 1 : 7000@A1 DO NOT SCALE
STATUS: DA

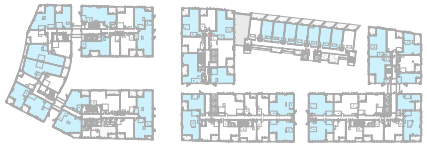
DRAWING: ADG COMPLIANCE - SOLAR ACCESS
DRAWING NUMBER: AR-DG-10T-XY-01
ISSUE: 07



1 LEVEL 00 - Cross Ventilation



2 LEVEL 01 - Cross Ventilation



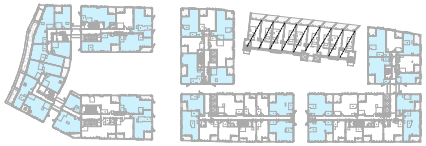
3 LEVEL 02 - Cross Ventilation



4 LEVEL 03 - Cross Ventilation



5 LEVEL 04 - Cross Ventilation



6 LEVEL 05 - Cross Ventilation



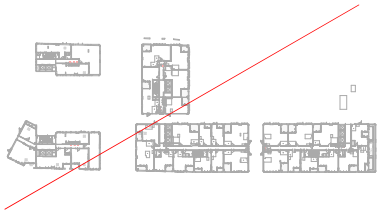
7 LEVEL 06 - Cross Ventilation



8 LEVEL 07 - Cross Ventilation

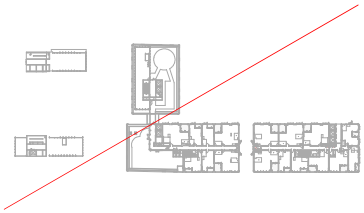


9 LEVEL 08 - Cross Ventilation



10 LEVEL 09 - Cross Ventilation

NOT COUNTED /ABOVE 9 STOREY



11 LEVEL 10 - Cross Ventilation

NOT COUNTED /ABOVE 9 STOREY

262

SEPP65 CROSS VENTILATION TOTALS	
	COUNT
Yes	246
No	214

TOTAL NUMBER OF UNITS: 460

246/460 APARTMENTS ACHIEVING CROSS VENTILATION = 53.5%

SEPP65 CROSS VENTILATION PER BUILDING		
BLOCK		COUNT
BLOCK G		
BLOCK G	Yes	141
BLOCK G	No	150
BLOCK G: 291		
BLOCK H		
BLOCK H	Yes	105
BLOCK H	No	64
BLOCK H: 169		

TOTAL NUMBER OF UNITS: 460

SEPP65 CROSS VENTILATION COMPLIANCE LEGEND

GENERAL NOTES:

- CEILING FANS TO BE INCORPORATED TO ALL APARTMENTS UP TO LEVEL 09 THAT DO NOT ALREADY ACHIEVE CROSS VENTILATION
- CROSS VENTILATION ASSESSMENT PROVIDED BY SLR CONSULTING, REFER SLR REPORT FOR DETAILED ANALYSIS

ACHIEVES CROSS VENTILATION

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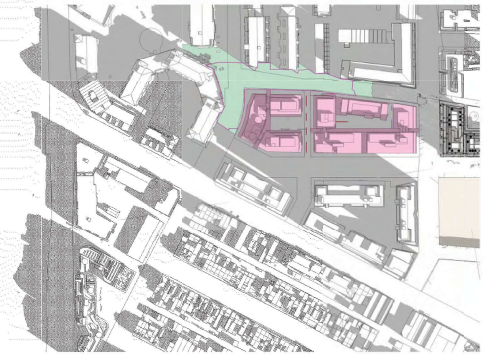
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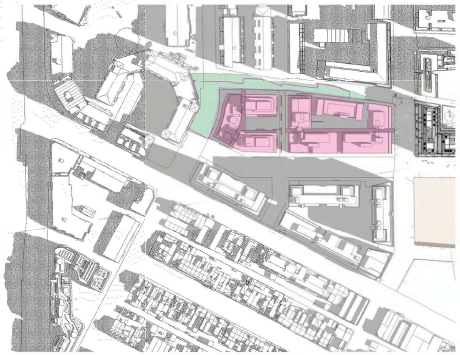
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ISSUE	DATE	FOR	CHKD
01	29/05/2020	PRELIMINARY / LIMITED ISSUE	
02	26/06/2020	REVISED DRAFT DOCUMENTATION	
03	23/09/2020	DETAILED PLANNING ISSUE	
04	29/09/2020	DETAILED PLANNING ISSUE	
05	21/01/2021	DEVELOPMENT BACKGROUNDS	
06	09/12/2021	DETAILED PLANNING ISSUE	
07	17/03/2022	FOR DISCUSSION	
08	11/05/2022	DETAILED PLANNING ISSUE	
09	13/05/2022	DETAILED PLANNING ISSUE	

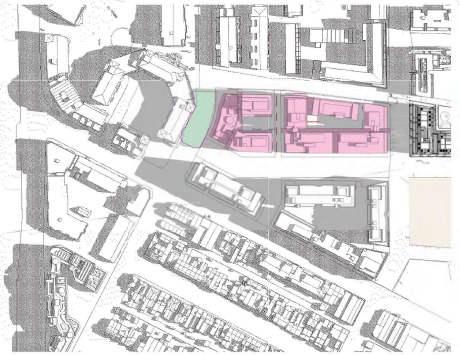
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CONSULTANT: NEURON ENGINEERING		BVN PROJECT NUMBER: 2300011	GRAPHIC SCALE: 0 2500 5000	DRAWING NUMBER: AR-DG-10T-XY-02	ISSUE: 09
CONSULTANT: ABC CONSULTANTS			SCALE: 1 : 2500@A1 DO NOT SCALE		
CONSULTANT: SCIENTIFIC FIRE			STATUS: DA		



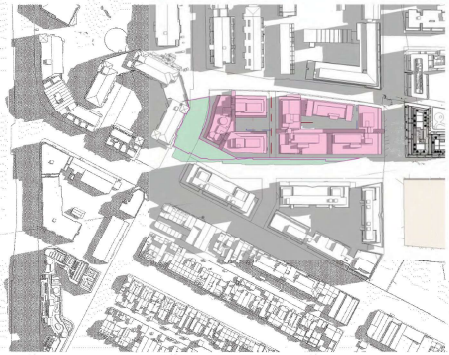
1 O/S 0900



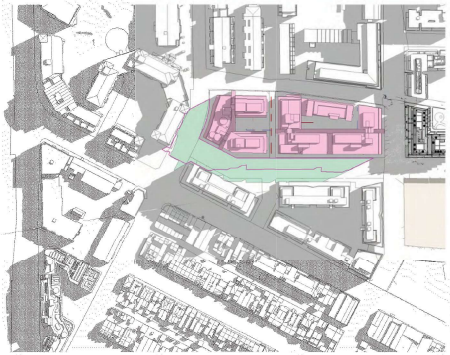
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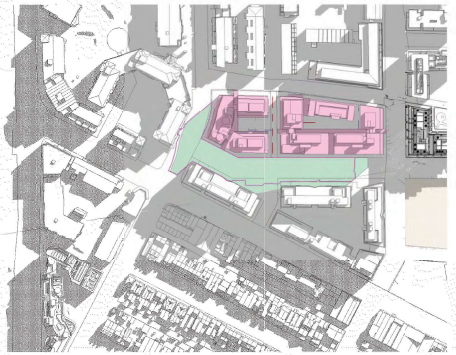
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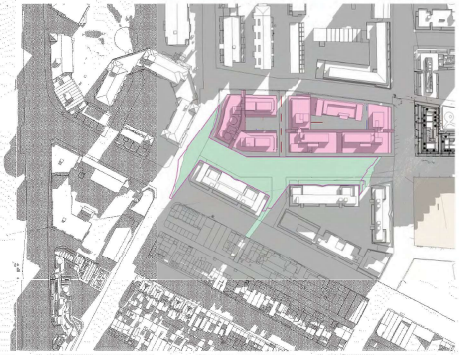


4 O/S 1200



5 O/S 1400





7 O/S 1500

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OVERSHADOWING LEGEND

LINE OF APPROVED CONCEPT DA ENVELOPE

DETAILED DA ENVELOPE

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ISSUE	DATE	FOR	CHKD
01	24/08/2016	ISSUED FOR PRELIMINARY LETTER ISSUE	
02	14/09/2016	ISSUED FOR COORDINATION	
03	21/09/2016	DETAILED DA SUBMISSION	
04	14/09/2016	ISSUED FOR COORDINATION	
05	21/09/2016	DETAILED DA SUBMISSION	
06	24/10/2016	DA CONSULTANT RESPONSE/ISSUE	
07	28/10/2016	DETAILED DA SUBMISSION	
08	11/11/2016	DETAILED DA SUBMISSION	
09	11/11/2016	DETAILED DA RESUBMISSION	

CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2309011

TRUE NORTH

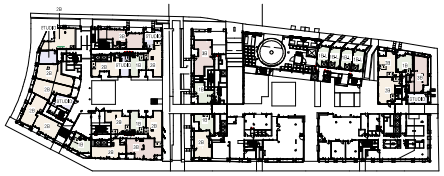
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SCALE: As indicated@A3 DO NOT SCALE
STATUS: DA

DRAWING: OVERSHADOWING
DRAWING NUMBER: AR-00-10T-XX-05
ISSUE: 09

Attachment B8

Architectural Plans – Buildings G&H



1 LEVEL 00 - Unit Mix



2 LEVEL 01 - Unit Mix



3 LEVEL 02 - Unit Mix



4 LEVEL 03 - Unit Mix



5 LEVEL 04 - Unit Mix



6 LEVEL 05 - Unit Mix



7 LEVEL 06 - Unit Mix



8 LEVEL 07 - Unit Mix



9 LEVEL 08 - Unit Mix



10 LEVEL 09 - Unit Mix



11 LEVEL 10 - Unit Mix

APARTMENT MIX PERCENTAGE PER BLOCK

1B		**3B**	
- BLOCK G	110/334 = 32.9%	- BLOCK G	4/334 = 1.2%
- BLOCK H	46/169 = 27.2%	- BLOCK H	3/169 = 1.8%
- COMBINED	156/503 = 31%	- COMBINED	7/503 = 1.4%
2B		**SB**	
- BLOCK G	152/334 = 45.5%	- BLOCK G	68/334 = 20.4%
- BLOCK H	90/169 = 53.3%	- BLOCK H	30/169 = 17.8%
- COMBINED	242/503 = 48.1%	- COMBINED	156/503 = 19.5%

UNIT MIX

BLOCK	UNIT TYPE	COUNT
BLOCK G	1B	110
BLOCK G	2B	152
BLOCK G	3B	4
BLOCK G	SB	68
BLOCK G: 334		
BLOCK H	1B	46
BLOCK H	2B	90
BLOCK H	3B	3
BLOCK H	SB	30
BLOCK H: 169		

TOTAL NUMBER OF UNITS: 503

UNIT MIX LEGEND

- STUDIO
- 1 BED
- 2 BED
- 3 BED

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TITLE | REGISTRATION | STATE
Nathan Konstas | 10164 | NSW
Nathan Konstas | 13644 | VIC
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NOTE

CORONATION IS CHECKING ALL ASPECTS OF THE DESIGN AND DOCUMENTATION FOR COMPLIANCE WITH THE DESIGN GUIDE. THE DESIGN AND DOCUMENTATION MAY BE AMENDED AS A RESULT OF THIS REVIEW.

ISSUE	DATE	FOR	CHKD
01	29/05/2024	PEER REVIEW	
02	26/06/2024	REVISED FOR COORDINATION	
03	12/07/2024	REVISED FOR COORDINATION	
04	19/08/2024	DA CONSULTANT ENGAGEMENT	
05	27/08/2024	DETAILED PLANNING REVIEW	
06	19/09/2024	REVISED FOR COORDINATION	
07	23/09/2024	DETAILED PLANNING REVIEW	
08	04/10/2024	REVISED FOR COORDINATION	
09	04/10/2024	REVISED FOR INFORMATION	
10	04/10/2024	DA CONSULTANT ENGAGEMENT	
11	04/10/2024	DETAILED PLANNING REVIEW	
12	14/10/2024	FOR INFORMATION	
13	14/10/2024	FOR COORDINATION	
14	25/10/2024	DA CONSULTANT ENGAGEMENT	
15	11/04/2025	DETAILED PLANNING REVIEW	
16	14/04/2025	DETAILED PLANNING REVIEW	

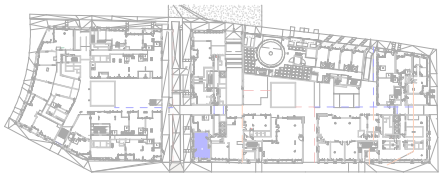
CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
105 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2300011

GRAPHIC SCALE
SCALE: 1 : 700@A1 DO NOT SCALE
STATUS: DA

DRAWING: UNIT MIX
DRAWING NUMBER: AR-DG-10T-XY-06
ISSUE: 16



1 LEVEL 00 - DDA & Livable



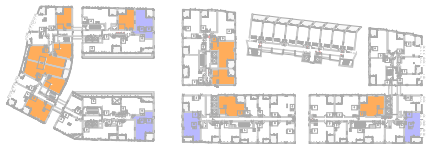
2 LEVEL 01 - DDA & Livable



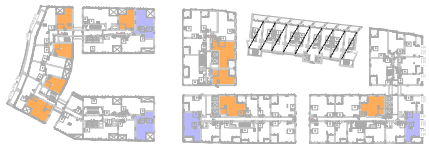
3 LEVEL 02 - DDA & Livable



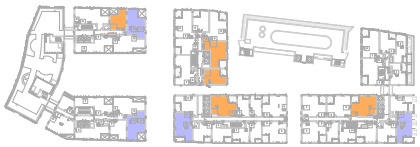
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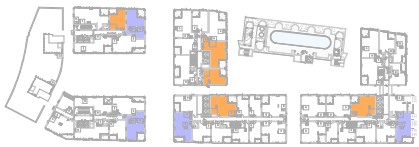
5 LEVEL 04 - DDA & Livable



6 LEVEL 05 - DDA & Livable



7 LEVEL 06 - DDA & Livable



8 LEVEL 07 - DDA & Livable



9 LEVEL 08 - DDA & Livable



10 LEVEL 09 - DDA & Livable



11 LEVEL 10 - DDA & Livable

DDA SCHEDULE			
BLOCK	BUILDING_NUMBER_BVN	APARTMENT TYPE	Count
BLOCK G	G2	2B	10
BLOCK G	G3	2B	10
BLOCK G	G4	1B	9
BLOCK G	G4	2B	8
BLOCK G 37			
BLOCK H	H1	1B	7
BLOCK H	H2	2B	3
BLOCK H	H3	1B	5
BLOCK H	H3	2B	13
BLOCK H	H3	SB	10
BLOCK H 38			

TOTAL DDA APARTMENTS: 75

75/503 = 14.9%

LIVABLE SCHEDULE			
BLOCK	BUILDING_NUMBER_BVN	APARTMENT TYPE	Count
BLOCK G	G2	2B	10
BLOCK G	G3	2B	10
BLOCK G	G4	1B	9
BLOCK G	G4	2B	8
BLOCK G 55			
BLOCK H	H1	1B	7
BLOCK H	H1	2B	4
BLOCK H	H2	2B	7
BLOCK H	H3	1B	5
BLOCK H	H3	2B	13
BLOCK H	H3	SB	10
BLOCK H 46			

TOTAL LIVABLE APARTMENTS: 101

101/503 = 20%

DDA / LIVABLE LEGEND

DDA AND LIVABLE

LIVABLE

266

BVN

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Nathan Broad	5994 (ACT)
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NOTE

ISSUE	DATE	FOR	CHKD
01	15/11/2024	ISSUED FOR INFORMATION	
02	21/11/2024	DEVELOPMENT APPLICATION	
03	25/11/2024	DETAILED SUBMISSION	
04	29/05/2025	FOR COORDINATION	
05	13/06/2025	DETAILED SUBMISSION	
06	19/09/2025	DETAILED PROGRESSION	

CONSULTANT	URBIS
CONSULTANT	NEURON ENGINEERING
CONSULTANT	ABC CONSULTANTS
CONSULTANT	SCIENTIFIC FIRE
CLIENT	CORONATION PROPERTY
PROJECT	ASHMORE - BUILDINGS G & H 195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER	2309011
TRUE NORTH	
GRAPHIC SCALE	0 2500 5000
SCALE	1 : 7000@A1 DO NOT SCALE
STATUS	DA
DRAWING	ADG COMPLIANCE - DDA LIVABLE
DRAWING NUMBER	AR-DG-10T-XX-14
ISSUE	06

SITE AREA

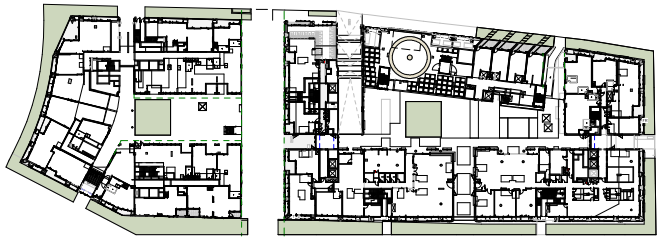
BLOCK G	3,756,9M2
BLOCK H	6,285.3M2
NASSAU LANE	380.5M2
PROPOSED ROAD WIDENING TO HADFIELDS STREET	134.7M2
TOTAL BLOCKS G&H SITE AREA	10,557M2

REQUIRED DEEP SOIL (10% OF SITE AREA) - 1055.7M2

DEEP SOIL CALCULATION

PERIMETER ZONE (WITHIN 3M DCP SETBACK) - 1178M2
DEEP SOIL (WITHIN GROUND FLOOR COMMUNAL OPEN SPACES- MIN 10X10M) - 200M2

TOTAL DEEP SOIL PROVISION FOR BLOCKS G&H - 1378M2



1 GA_LEVEL 00_DEEP SOIL COMPLIANCE
1 : 500

SITE AREA

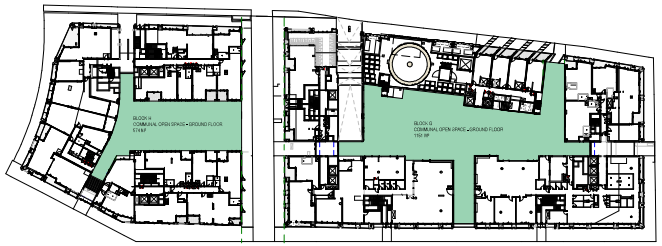
BLOCK G	3,756.9 M²
BLOCK H	6,285.3 M²
NASSAU LANE	380.5 M²
PROPOSED ROAD WIDENING TO HADFIELDS STREET	134.7 M²
TOTAL BLOCKS G&H SITE AREA	10,557 M²

REQUIRED COMMUNAL OPEN SPACE (25% OF SITE AREA) - 2639.25 M²

COMMUNAL OPEN SPACE COMPLIANCE

GROUND FLOOR - 1725 M²
ROOFTOP COMMUNAL AMENITY - 1503 M²

TOTAL COMMUNAL PROVISION FOR BLOCKS G&H - 3228 M²



3 GA_LEVEL 00_COMMUNAL OPEN SPACE
1 : 500



4 GA_LEVEL 10 ROOFTOP COMMUNAL OPEN SPACE
1 : 500

267

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SA	1359
TAS	1088
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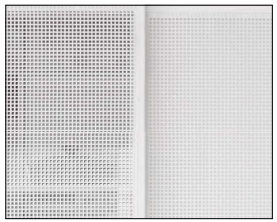
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ISSUE	DATE	FOR	CHKD
01	11/08/2021	RESPONSE TO RFI	
02	16/08/2021	REVISED FOR DOCKET MEETING	
03	25/08/2021	RESPONSE TO RFI	
04	31/08/2021	RESPONSE TO RFI	
05	06/09/2021	RESPONSE TO RFI	
06	10/09/2021	RESPONSE TO RFI	
07	14/09/2021	RESPONSE TO RFI	

CONSULTANT: URBIS	CLIENT: CORONATION PROPERTY	PROJECT: ASHMORE - BUILDINGS G & H 195 MITCHELL RD, ERSKINEVILLE		DRAWING: PUBLIC REALM & LANDSCAPE
CONSULTANT: NEURON ENGINEERING			DRAWING SCALE	
CONSULTANT: ABC CONSULTANTS			SCALE: 1 : 500@A1 DO NOT SCALE	
CONSULTANT: SCIENTIFIC FIRE		BVN PROJECT NUMBER: 2109011	STATUS: DA	DRAWING NUMBER: AR-00-10T-XX-20 ISSUE: 07



AMW-201 METAL WINDOW / SLIDING DOOR FRAMES
AMW-301 METAL PALISADE
AMW-401 METAL ARCHITECTURAL LOUVRES
MATTE FINISH, SIMILAR TO DULUX 'GULLY' C32



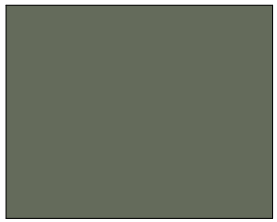
AMW-501, AMW-502, AMW-503, AMW-504
PERFORATED PRIVACY SCREENING
MATTE FINISH, SIMILAR TO AMW-201, AMW-202, AMW-203, AMW-205



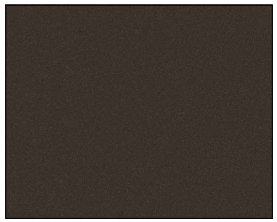
CON-201 SMOOTH COLOURED CONCRETE
COLOUR SIMILAR TO AMW-201



CLD-205 TEXTURED CEMENT CLADDING
COLOUR SIMILAR TO AMW-205



AMW-202 METAL WINDOW / SLIDING DOOR FRAMES
AMW-302 METAL PALISADE
AMW-402 METAL ARCHITECTURAL LOUVRES
MATTE FINISH, SIMILAR TO DULUX 'WIMBLETON' S21B7



AMW-206 METAL WINDOW / EXTERNAL CLADDING
SIMILAR TO DULUX 'DARK BRONZE'



CON-202 SMOOTH COLOURED CONCRETE
COLOUR SIMILAR TO AMW-202



GLS-101 CLEAR VISION GLAZING



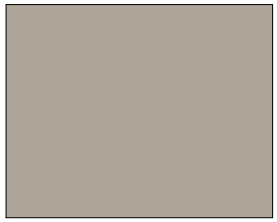
AMW-203 METAL WINDOW / SLIDING DOOR FRAMES
AMW-303 METAL PALISADE
AMW-403 METAL ARCHITECTURAL LOUVRES
MATTE FINISH, SIMILAR TO DULUX 'RUSSET TAN'



BRK-101 LIGHT COLOURED BRICK



CON-203 SMOOTH COLOURED CONCRETE
COLOUR SIMILAR TO AMW-203



AMW-205 METAL WINDOW / SLIDING DOOR FRAMES
AMW-305 METAL PALISADE
AMW-405 METAL ARCHITECTURAL LOUVRES
MATTE FINISH, SIMILAR TO DULUX 'DUNE'



CON-101 OFF-FORM CONCRETE



CON-205 SMOOTH COLOURED CONCRETE
COLOUR SIMILAR TO BRK-101

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ISSUE	DATE	FOR	CHKD
01	7/04/2021	RESPONSE TO RFI	
02	14/05/2021	REVISED FOR DISCUSSION	
03	25/06/2021	RESPONSE TO RFI	
04	06/12/2021	RESPONSE TO RFI	
05	17/12/2021	RESPONSE TO RFI	
06	19/01/2022	RESPONSE TO RFI	
07	11/03/2022	RESPONSE TO RFI	

CONSULTANT: URBIS
CONSULTANT: NEURON ENGINEERING
CONSULTANT: ABC CONSULTANTS
CONSULTANT: SCIENTIFIC FIRE

CLIENT: CORONATION PROPERTY

PROJECT: ASHMORE - BUILDINGS G & H
195 MITCHELL RD, ERSKINEVILLE
BVN PROJECT NUMBER: 2309011

DRAWING SCALE
SCALE @A0 DO NOT SCALE
STATUS: DA

DRAWING: FINISHES SCHEDULE
DRAWING NUMBER: AR-00-10Y-XX-01
ISSUE: 07

Attachment C

Clause 4.6 Variation Request – Height of Buildings

URBIS

CLAUSE 4.6 VARIATION REQUEST

Clause 4.6 Variation Request | Height of Building

Detailed DA | Blocks F&I and G&H
155 Mitchell Road, Erskineville

Prepared for
CORONATION PROPERTY CO.
30 September 2025

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Stephen White
Associate Director	Anna Wang
Senior Consultant	Sam McGough
Consultant	Matthew Holt
Project Code	P%54074
Report Number	Final

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We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

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urbis.com.au

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REQUEST TO VARY A DEVELOPMENT STANDARD

REQUEST TO VARY CLAUSE 4.3 HEIGHT OF BUILDING IN SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

Address: 155 Mitchell Road, Erskineville

This application relates to the Detailed DA of Buildings F&I and G&H located within the southern portion of the Ashmore Precinct (the Precinct) and should be reviewed in conjunction with the Amended Concept DA.

Date: May 2025

SITE AND PROPOSED DEVELOPMENT

1. Site Description

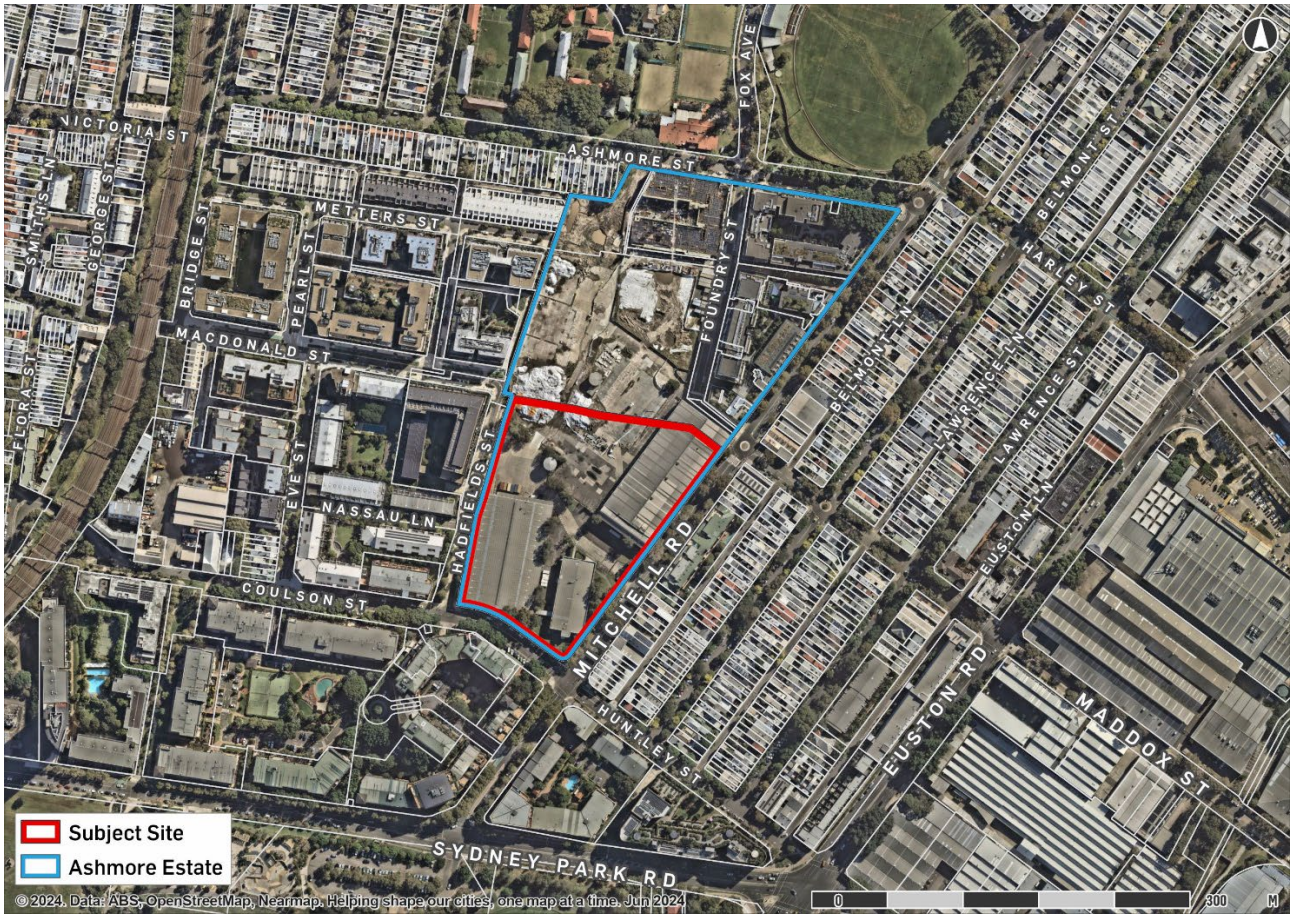
The key features of the site are summarised in the following table.

Table 1 Site Description

Site Characteristic	Description
Street Address	155 Mitchell Road, Erskineville
Location	This application relates to the southern portion of the Precinct, which comprise Blocks F&I and G&H. Block F&I are located to the east of the site fronting Mitchell Road and Blocks G&H are located to the west of the site fronting Hadfield Street.
Legal Description (Title Particulars)	Lot 20 DP1290687
Site Ownership	Coronation Property Co.
Title Encumbrances (Easements etc.)	(A) Easement for water supply purposes 6 wide limited in stratum. (B) Easement for water supply purposes 8 wide. (C) Restriction on the use of land. (D) Planning agreement pursuant to section 7.6 Environmental Planning and Assessment Act 1979. (H) Easement for support variable width. (T1) Easement for turning area variable width.
Existing development	The site currently comprises vacant warehouse and office buildings and ancillary structures, which are currently being demolished under Complying Development.
Zoning	E1 Local Centre MU1 Mixed Use
Development Area	Blocks F&I area: 12.096m^2 Blocks G&H area: 10,557m^2 Approx. Total site area: 22,653m^2

Site Characteristic	Description
Heritage	The Ashmore Precinct contains a local heritage item 603 “electrical substation”, which is located within the northern portion of the Precinct. C22 “Erskineville Estate” heritage conservation area is located further north of the Precinct. The site does not contain any heritage item and is not located within the heritage conservation area. Blocks F&I is located on the opposite side of the C2 “Cooper Estate” heritage conservation area.
Adjacent land uses North	A mixture of mixed-use and residential flat building development as part of the Ashmore Estate (Blocks B and C) as well as the future McPherson Park.
Adjacent land uses East	Townhouse developments further west adjacent Mitchell Road with heights ranging from one storey to four storeys.
Adjacent land uses South	The Sydney Park Village high density residential flat building development with 7-storey street wall height.
Adjacent land uses West	Mixture of medium and high density residential flat building developments, including: OneA Erskineville (6 storey street wall height) 6-26 Nassau Lane (townhouses) 16 Eve Street, Erskineville (5 storey street wall height) 1 Coulson Street, Erskineville (5 storey street wall height)
Public Transport	Two bus stops are immediately adjacent the site along Mitchell Road, which provides regular bus services to Central Station, Redfern Station and St Peters Station. Erskineville station is located approximately 600m northwest from the Precinct.

Figure 1 Location Plan



Source: Urbis, 2024

2. Proposed Development

The DA seeks approval of a mixed use development, comprising:

F&I

- Seeks approval of residential (in the form of build to rent development) and retail uses. Detailed fitout of the retail area will be subject to separate approval.
- Staged construction of a mixed-use development at Block F comprising:
  - 5,124sqm supermarket and retail at the ground level
  - 415 apartments
- Staged construction of a residential flat building at Block I consisting of 162 apartments.
- A consolidated basement below F&I, comprising two levels of car parking providing 379 car parking spaces, 32 motorcycle parking spaces, 712 bicycle parking spaces, storage, and waste management facilities.
- Provision of communal open space and indoor facilities including:
  - Block F
    - Central Courtyard at level 02 of Building F providing a bespoke water garden, a boardwalk pathway, bio-gardens and an all weather ‘green room’.
    - Indoor amenities at level 7 of Building F3 comprising communal dining rooms, gathering spaces, meeting rooms, gym, yoga, sauna and spa facilities.

    - Communal open space at level 8 of Building F3 comprising a swimming pool, lounges and cabanas, gathering spaces, BBQ dining areas and a pickleball court.
    - Four separate rooftop communal open space areas on Buildings F1 and F2 including sheltered areas for working, BBQ facilities, and outdoor dining.
  - Block I
    - Two separate rooftop communal open space areas comprising sheltered areas for working, BBQ facilities, and outdoor dining.
- - Landscaping throughout the site including embellishment of the ground levels, private terraces, and rooftop communal areas (Levels 2, 8 and 12 for Block F; Level 10 for Block I).
- A new publicly accessible park located to the northwest of Block I – Kooka Parklet.
- Construction on Alpha Street.
- Construction of new intersection at Mitchell Road and Alpha Street.
- Public art provision.

G&H

- Seeks approval of residential (in the form of build to rent and affordable housing development).
- Staged construction of two residential flat buildings, consisting of a total of 505 apartments, including 171 affordable housing units (this includes 15 dual key apartments, if dual key apartments are converted, it would be result in 156 affordable housing units).
- The affordable housing units are being consolidated entirely into Block H.
- A consolidated basement below G&H, comprising two levels of car parking providing 262 car parking spaces, 30 motorcycle parking spaces, storage, and waste management facilities.
- Provision of communal open space and indoor facilities including:
  - Block H:
    - Ground floor outdoor courtyard with seating and shade structure
    - Rooftop communal area with dining area with shade structure, seating, community garden, outdoor bar, working desks.
  - Block G:
    - Indoor communal facilities on the ground floor, including co-working space, cinema, private dining room, lounge, gym, wellness and retreat room, music room and library.
    - Ground floor outdoor courtyard with seating, shade structure, water features and dining and working spaces.
    - Rooftop communal area at Building G5 with an outdoor swimming pool, hot and cold plunge pools, sauna, sun lounges and cabanas and seating.
    - Rooftop communal area at Building G3 and G4 with seating, multipurpose court with shade structure, exercise equipment, dog grooming station and community garden.
- Landscaping throughout the site including embellishment of the ground levels, private terraces, and rooftop communal areas (Levels 7 & 8 for Block G; Level 8 for Block H).
- Construction of Nassau Lane and Road widening along Nassau Lane.
- Public art provision.

Figure 2 Photomontage of the F&I Proposal



Source: Bates Smart

Figure 3 Photomontage of the G&H Proposal



Source: BVN

PLANNING INSTRUMENT, DEVELOPMENT STANDARD AND PROPOSED VARIATION

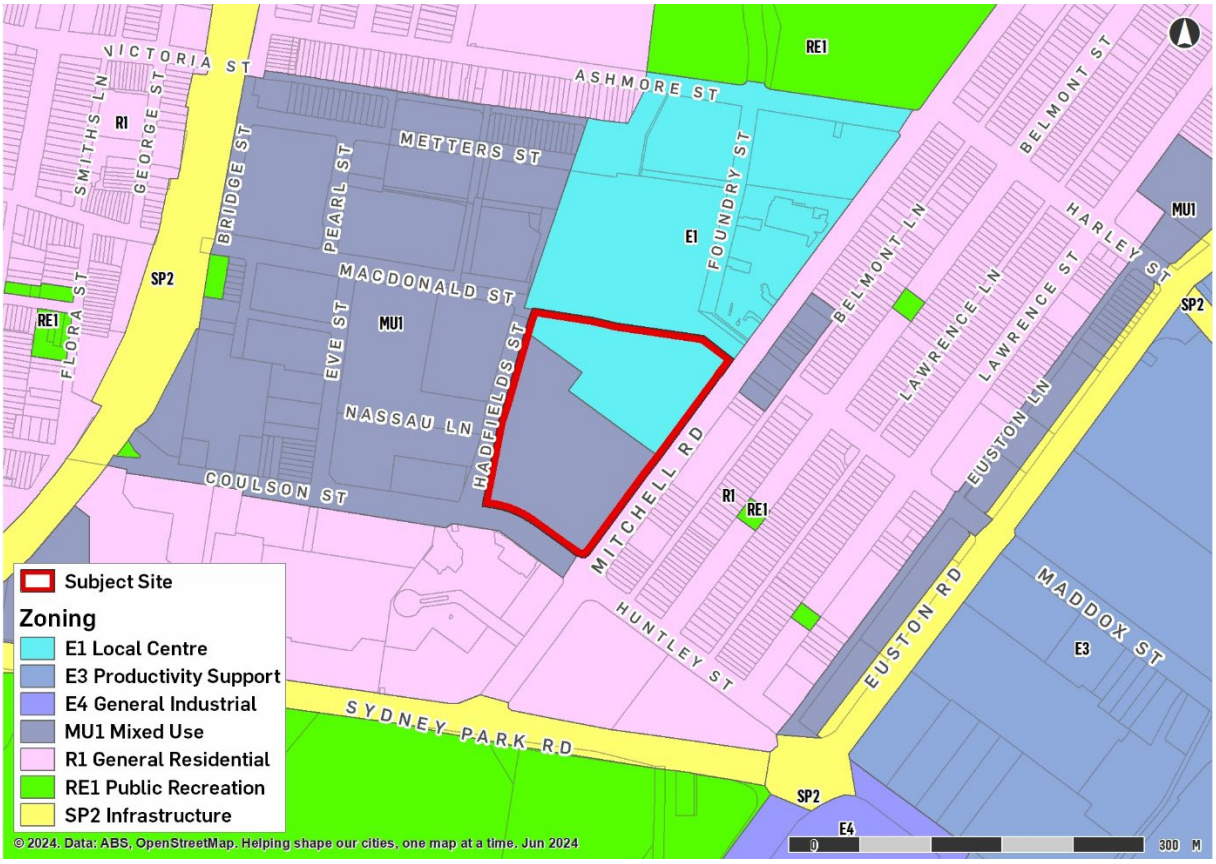
3. What is the planning instrument you are seeking to vary?

The application seeks to vary the *State Environmental Planning Policy (Housing) 2021* (***Housing SEPP***) and *Sydney Local Environmental Plan 2012* (**SLEP 2012**).

4. What is the site's zoning?

E1 Local Centre and MU1 Mixed Use.

Figure 4 Land-use Zoning Diagram



Source: Urbis, 2024

5. What is the development standard to be varied?

The standard proposed to be varied is the maximum height of the building standard under Part 2, Division 1, Clause 16(3) and the non-discretionary development standard under Clause 74(2)(a) of the Housing SEPP.

Part 2, Division 1, Clause 16(3) of the Housing SEPP states:

> *16 Affordable housing requirements for additional floor space ratio*
>
> *(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).*
>
> *(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—*

$$\text{affordable housing component} = \frac{\text{additional floor space ratio (as a percentage)}}{2}$$

(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).

(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.

Additionally, Chapter 3. Part 4, Clause 74 of the Housing SEPP states:

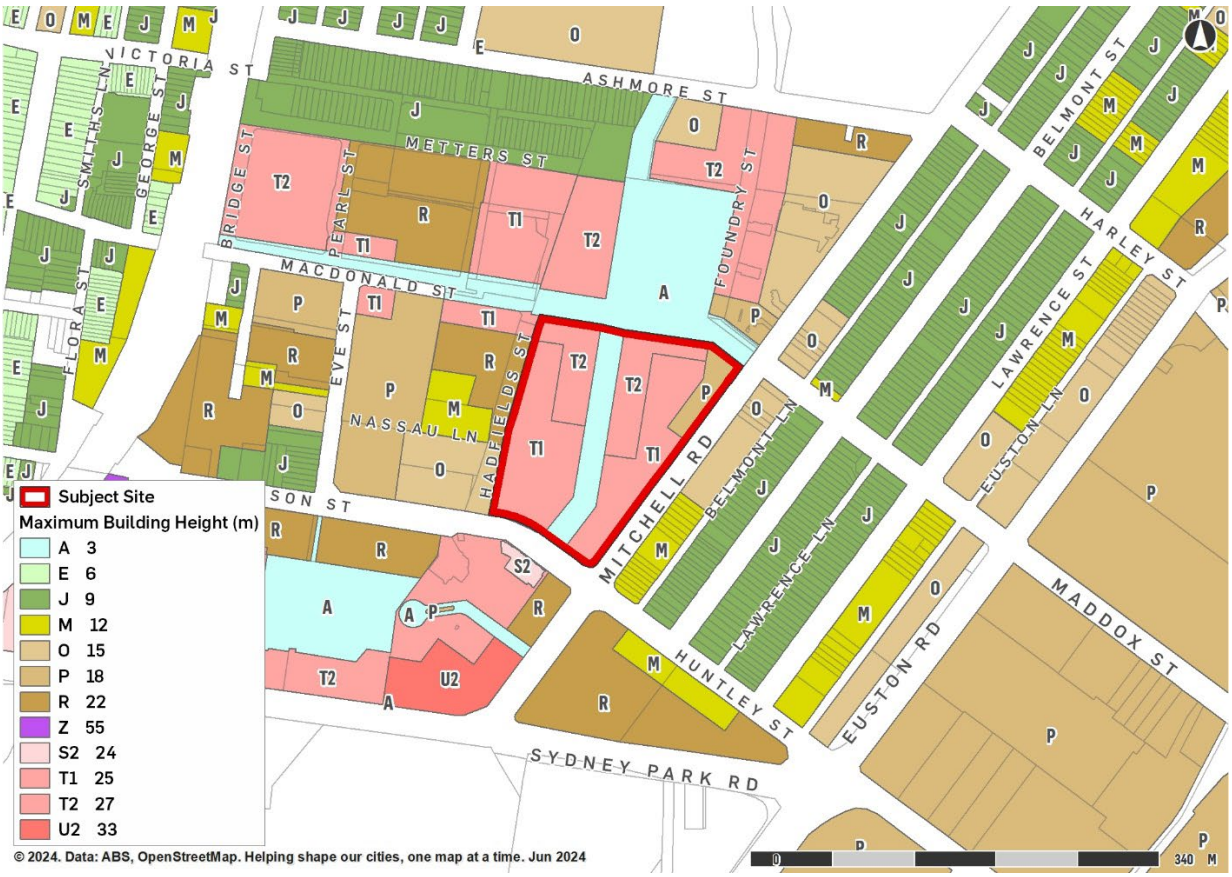
74 Non-discretionary development standards—the Act, s 4.15

(2) The following are non-discretionary development standards in relation to the carrying out of the development to which this Part applies—

(a) the building height of all proposed buildings is not more than the maximum building height permitted under Chapter 5, Chapter 6 or another environmental planning instrument for a building on the land,

The permissible building height for the land is set out in 4.3 Height of building under SLEP 2012. Varied height development standards apply to the site, ranging between 18m, 25m and 27m for buildings, and 3m within the public domain areas.

Figure 5 Height of Building Diagram



Source: Urbis, 2024

The maximum permissible height has been established through the incentives provided by the 'infill affordable housing' provisions under the Housing SEPP. The proposal seeks to provide maximum of 15% affordable housing, therefore will utilise the full 30% uplift in height available under the Housing SEPP.

The height of buildings development standard is not excluded from the operation of Clause 4.6 of the SLEP.

The objective of the In-fill affordable housing provisions of the Housing SEPP is as follows:

> *15A Objective of division*
>
> *The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.*

The objectives of the development standard in the LEP are as follows:

> *1) The objectives of this clause are as follows—*
>
> *(a) to ensure the height of development is appropriate to the condition of the site and its context,*
>
> *(b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,*
>
> *(c) to promote the sharing of views outside Central Sydney,*
>
> *(d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,*
>
> *(e) in respect of Green Square—*
>
> *(i) to ensure the amenity of the public domain by restricting taller buildings to only part of a site, and*
>
> *(ii) to ensure the built form contributes to the physical definition of the street network and public spaces.*

6. Type of development standard?

Numerical

7. What is the numeric value of the development standard in the environmental planning instrument?

As outlined above, the site is subject to several numeric development standards relating to the height of the building under the SLEP and the Housing SEPP. This results in a maximum permissible building height of the following, which applies to various locations of the site:

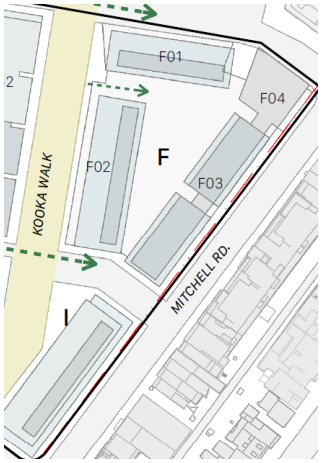
- 18m x 130% = 23.4m
- 25m x 130% = 32.5m
- 27m x 130% = 35.1m

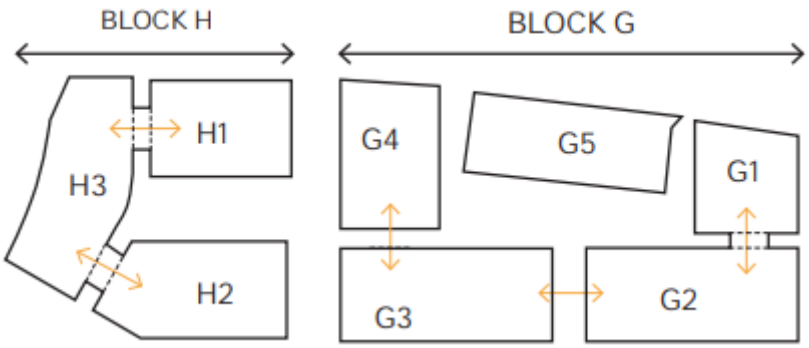
The height incentive has not been applied to the public domain areas and the maximum height in these areas will remain as 3m.

8. What is the difference between the existing and proposed numeric values? What is the percentage variation (between the proposal and the environmental planning instrument)?

Portion of Buildings F3 (only in the 25/32.5m height zone), G1, G5 and H3 can comply with the maximum building height control. The proposal exceeds the maximum height of building controls in other locations, which are described below:

Table 2 Areas of height exceedance

Building location	LEP height	Maximum permissible height	Proposed Height – maximum	Height exceedance	% of Variation
					
Building F					
F1	Part 25m and part 27m	Part 32.5m and part 35.1m	Top of the parapet to residential building: 39.0m Plant enclosure: 41.5m Lift overrun: 43.5m	In the 32.5m height zone: 6.5m – 11.0m In the 35.1m height zone: 3.9m – 8.4m	In the 32.5m height zone: 20% - 33.9%. In the 35.1m height zone: 11.1% -23.9%
F2	Part 25m and part 27m	Part 32.5m and part 35.1m	Top of the parapet to residential building: 38.25m Plant enclosure: 41.4m Lift overrun: 43.7m	In the 32.5m height zone: 5.75m – 11.2m In the 35.1m height zone: 3.15m – 8.6m	In the 32.5m height zone: 17.7%-34% In the 35.1m height zone: 9% - 24.5%.
F3	Part 18 and part 25m	Part 23.4m and part 32.5m	Top of the parapet to residential building: 26.5m Plant enclosure: 29.5m Lift overrun: 32.0m	In the 23.4m height zone: 3.1m – 8.6m In the 32.5m height zone: Complies	In the 23.4m height zone: 13.3% - 36.8% In the 32.5m height zone: Complies

Building location	LEP height	Maximum permissible height	Proposed Height – maximum	Height exceedance	% of Variation
F4	18m	23.4m	Top of the parapet to residential building: 23.4m – complies Plant enclosure: 29.5m Lift overrun: 32.0m	6.1m – 8.6m Note: the top of parapet height complies with the max height.	26% - 36.8%
Building I					
I1	25m	32.5m	Top of the parapet to residential building: 33.5m Plant enclosure: 36.0m Lift overrun: 38.0m	1.0m - 5.5m	3% - 16.9%
					
Building G					
G1	27m	35.1m	Top of the parapet to residential building = 26.93m Plant room = 29.73m	Complaint	N/A
G2	27m	35.1m	Top of the parapet to residential building = 37.28m Plant room = 39.60m Lift overrun = 41.98m	2.18m - 6.88m	6.2% - 19.6%
G3	25m	32.5m	Top of the parapet to residential building = 36.98m Plant room = 39.30m Lift overrun = 38.08m	4.48m - 6.80m	13.8% -20.9%

Building location	LEP height	Maximum permissible height	Proposed Height – maximum	Height exceedance	% of Variation
G4	25m	32.5m	Top of the parapet to residential building = 33.73m Plant room = 36.18m Lift overrun = 38.38m	1.23m - 5.88m	3.8% - 18.1%
G5	25m	32.5m	Top of the parapet to residential building = 21.71m Plant room = 22.28m Lift overrun = 28.16m	Complaint	N/A
Building H					
H1	25m	32.5m	Top of the parapet to residential building = 32.27m – complies Plant room = 34.59m Lift overrun = 36.97m	2.09m - 4.47m Note: the top of parapet height complies with the max height.	6.4% - 13.8%
H2	25m	32.5m	Top of the parapet to residential building = 32.27m – complies Plant room = 34.59m Lift overrun = 36.97m	2.09m- 4.47m Note: the top of parapet height complies with the max height.	6.4% - 13.8%
H3	25m	32.5m	Top of the parapet to residential building = 25.12m Plant room = 24.37m	Complaint	N/A

The area of non-compliance relates to portions of the most top floor level across certain buildings within the site. The more significant height departure relates to rooftop plant, balustrades and lift overrun areas, which does not contain gross floor area (**GFA**) and are essential building structures that is required to provide amenities for the buildings. **GFA within buildings F4, H1 and H2 are below the maximum height limit.** The areas of the building that contains GFA which are protruding beyond the height limit relates to the following buildings and has a variation of:

- Building F1: 6.5m (in the 25m/32.5m zone) and 3.9m (in the 27m/35.1m zone)
- Building F2: 5.75m (in the 25m/32.5m zone) and 3.15m (in the 27m/35.1m zone)
- Building F3: 3.1m (in the 18m/23.4m zone)
- Building I1: 1m
- Building G2: 2.18m
- Building G3: 4.48m

- Building G4: 1.23m

For Buildings F1 and F2 as part of design refinement, the buildings have been shifted within Block F and this is to improve solar access amenity for the eastern elevation of Building F2 and solar access to the communal open space at the elevated courtyard. As a result of this, a portion of these buildings are now located within the 25 / 32.5m metre height control which results in a greater numerical non-compliance within the 25 / 32.5m metre height plane area.

The area of non-compliance is the result of:

- **Flood planning requirements** – the proposed development has been designed to comply with Council's interim floodplain management policy, requiring buildings to be raised to meet the probable maximum flood and 1%+AEP flood levels. This has resulted in buildings being raised, in certain locations, of up to 2 metres. Compliance with flood planning controls necessitated an increase in building height. This requirement has been resolved as part of the detailed DA submission but had not been anticipated when the LEP control and concept envelope were first established. As a result, the concept envelope was amended to ensure compliance with flood requirements.

- **Floor to floor height requirements** – Establishing floor to floor heights to satisfy the Design Building and Practitioners Act 2020 (**DBP Act**). Various changes have occurred since the approval of the concept envelope in 2016 (such as higher construction and building standards) that have necessitated new construction requirements while ensuring the minimum floor to ceiling heights of the ADG are met. A combination of floor to floor levels plus the flood planning level compliance results in minor portions of GFA sitting above the height plane.

- **Redistribution of massing** – to maintain a high standard of building amenity and to mitigate the external impacts of the development, the massing of Blocks F, I, G and H have been carefully redistributed. This includes lowered building heights in some locations, particularly Block G and H (Buildings H3, G5, G1), and the transfer of this GFA to elsewhere within the development. The massing strategy has been part of ongoing consultation with City of Sydney to develop an uplift scheme under the infill affordable housing provisions in the Housing SEPP and ensures a standalone affordable housing building is provided in Block H.

- **Provision of affordable housing** – the proposed development provides 15% of the total GFA for affordable housing in perpetuity. In achieving this, the bonus 30% has been carefully distributed across the site as part of the broader massing strategy however, results in some GFA that sits above the height plane (notwithstanding the exceedances generated by the flood planning levels and floor to floor requirements). Any reductions to height, which the maximum affordable housing GFA relies upon (due to the sliding scale nature of the Housing SEPP), would result in less GFA being provided for affordable housing and impact the viability of providing affordable housing in perpetuity.

- **Access to rooftop amenities** – at the request of Council's urban design team, each building provides several areas for access to rooftop amenities. These areas require lift access, balustrading and shade structures that sit above the height plane, however, do not result in GFA and will not be visually dominant. These rooftop amenity structures are semi-permeable (that is, not fully enclosed or designed to be solid elements) and therefore their visual presence on the rooftops will be recessed and minimized when viewed from street level. This approach is widely consistent with the City's Policy and Housekeeping Amendments 2023 Planning Proposal (which is a draft EPI).

- **Allowance for plant and lift overrun** – the areas of the greatest height exceedances are attributed to plant and lift overrun zones to accommodate services. Despite these elements amplifying the agree of variation from the height of building control, these do not comprise GFA , do not comprise whole levels (that is, they are interspersed on the rooftops) and have been strategically recessed within the rooftops of individual buildings to minimise and conceal any visual impact of these structures. As the proposal complies with the maximum gross floor area across the Precinct, the proposed variation does not represent an overdevelopment of the site, and is the result of achieving the design excellence FSR bonus of 10%.

As the proposal complies with the maximum gross floor area across the Precinct, the proposed variation does not represent an overdevelopment of the site and is the result of achieving the design excellence FSR bonus of 10%.

The proposed height is based on a massing that was nominated and reviewed by City of Sydney Council through consultation with the proponent. This acknowledged the site's capacity to provide affordable housing

under the Housing SEPP in a manner that redistributed height across the precinct and to support a standalone affordable housing building (Block H).

Sydney LEP Amendment:

The City of Sydney has prepared a suite of proposed changes to the planning controls applying to Central Sydney and the wider LGA under the current Sydney LEP. One of the changes relate to the City of Sydney's Competitive Design Policy, including offering incentives of both 10% height and 10% floor space (whereas currently only one incentive can be elected, and in the context of this application, FSR was the elected bonus). In early December 2023 Council approved these amendments and seek a Gateway Determination from the Department of Planning, Housing and Infrastructure subject to recommended changes. Public exhibition of the design excellence change has commenced.

Accordingly, given only FSR is the elected design excellence bonus with no corresponding height design excellence bonus, there is a discrepancy between the maximum height achievable on the site and the maximum allowable FSR on the site.

We acknowledge that the amendment will not apply to this application, however for the purpose of assessing the height non-compliance, we have also included the scenario where the draft design excellence height bonus is applied. Under this scenario, the extent of height exceedance is reduced to mostly non-GFA areas, e.g. plant and lift overrun. Please refer to **Figure 7** and **Figure 11.**

Housing priority

The NSW government's objectives for providing additional housing in well located areas close to infrastructure and transport, with amenities and work opportunities would be thwarted if strict compliance with the height development standard was required.

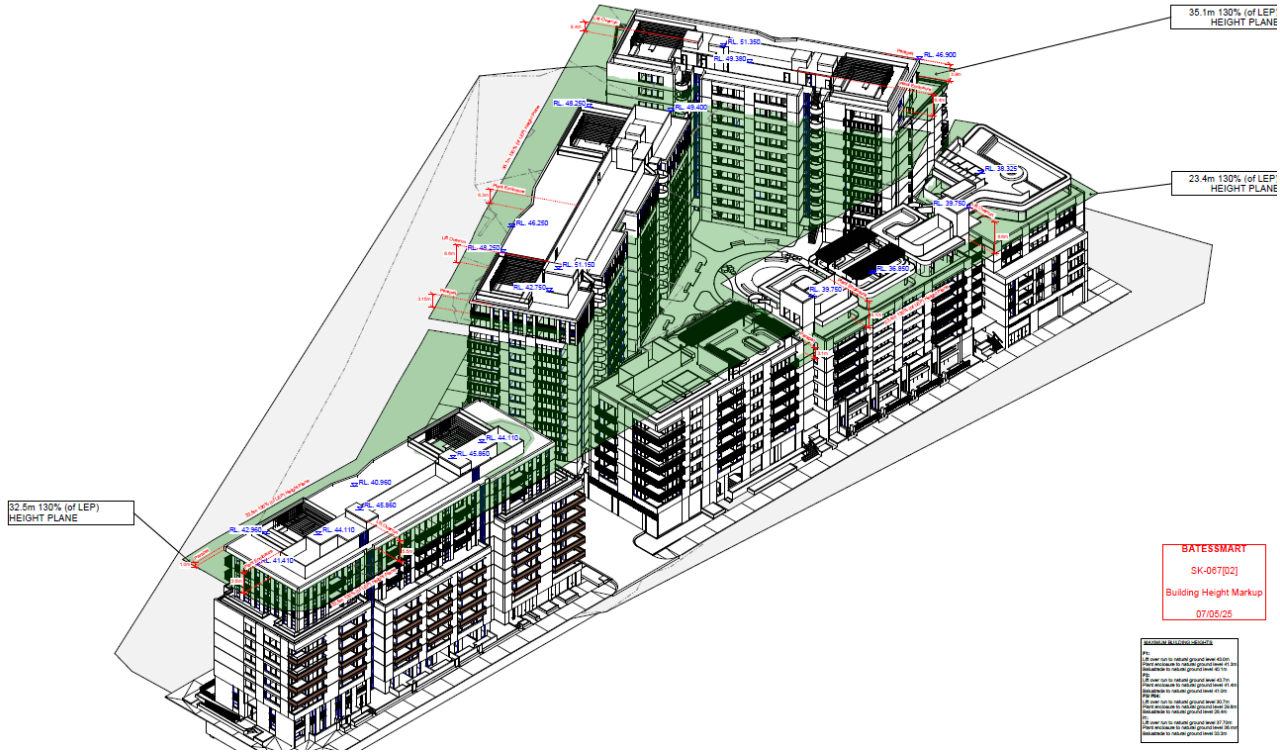
The practice note for in-fill affordable housing clearly states that the "*consent authorities should be flexible in the design response of the development having regard to the Government's policy intent to deliver more affordable housing."*

If compliance with the height standard was adopted, this would result in deleting the additional height that contains GFA. However, this will require the deletion of an entire storey within Buildings F1, F2, F3, I1, G2, G3 and G4, which would result in a significant loss of dwellings and affordable dwellings on this key inner city site. Accordingly, this would be inconsistent with the State priority. Also to note that the affordable housing provisions of the Housing SEPP work on a sliding scale so any loss of GFA will result in a loss of GFA allocated to affordable housing and the ability for the affordable housing to be delivered in perpetuity.

9. Visual representation of the proposed variation

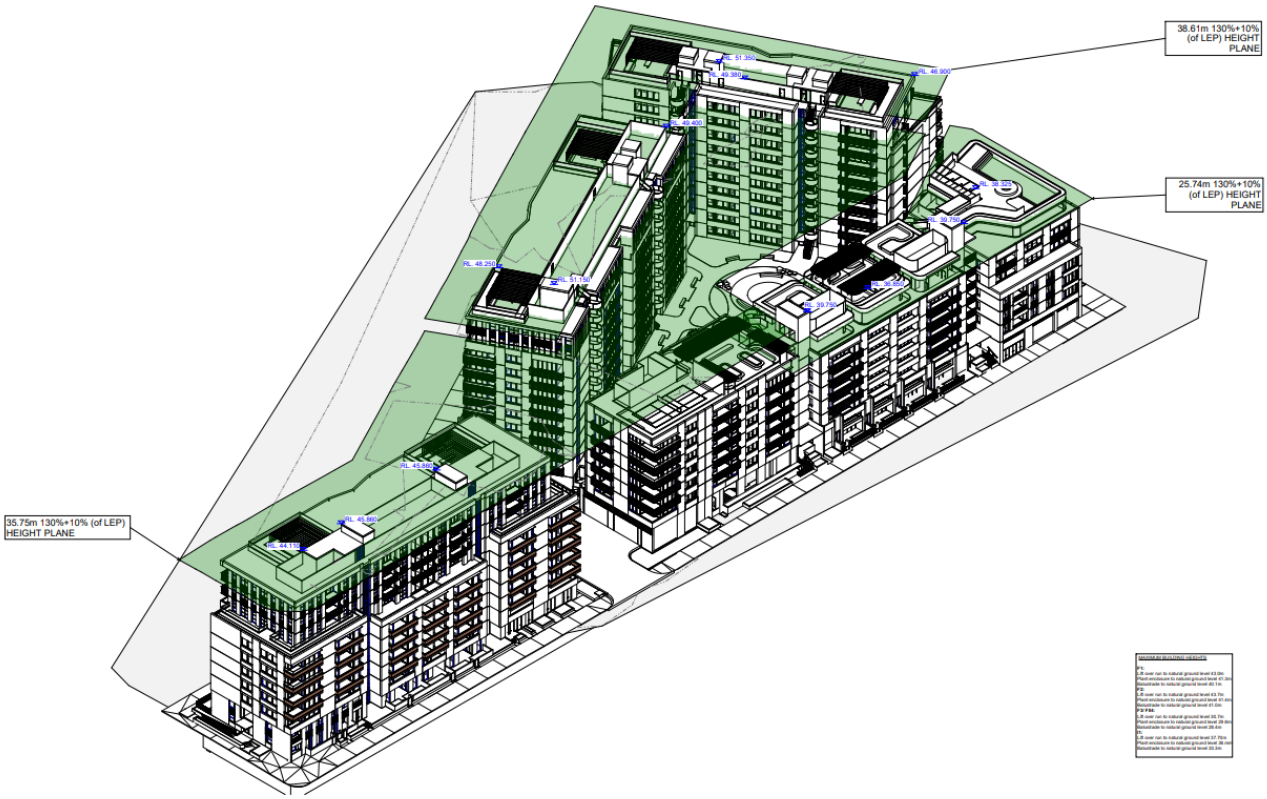
The figures below provide a representation of the proposed height of building variation.

Figure 6 Area of Non-compliance – F&I



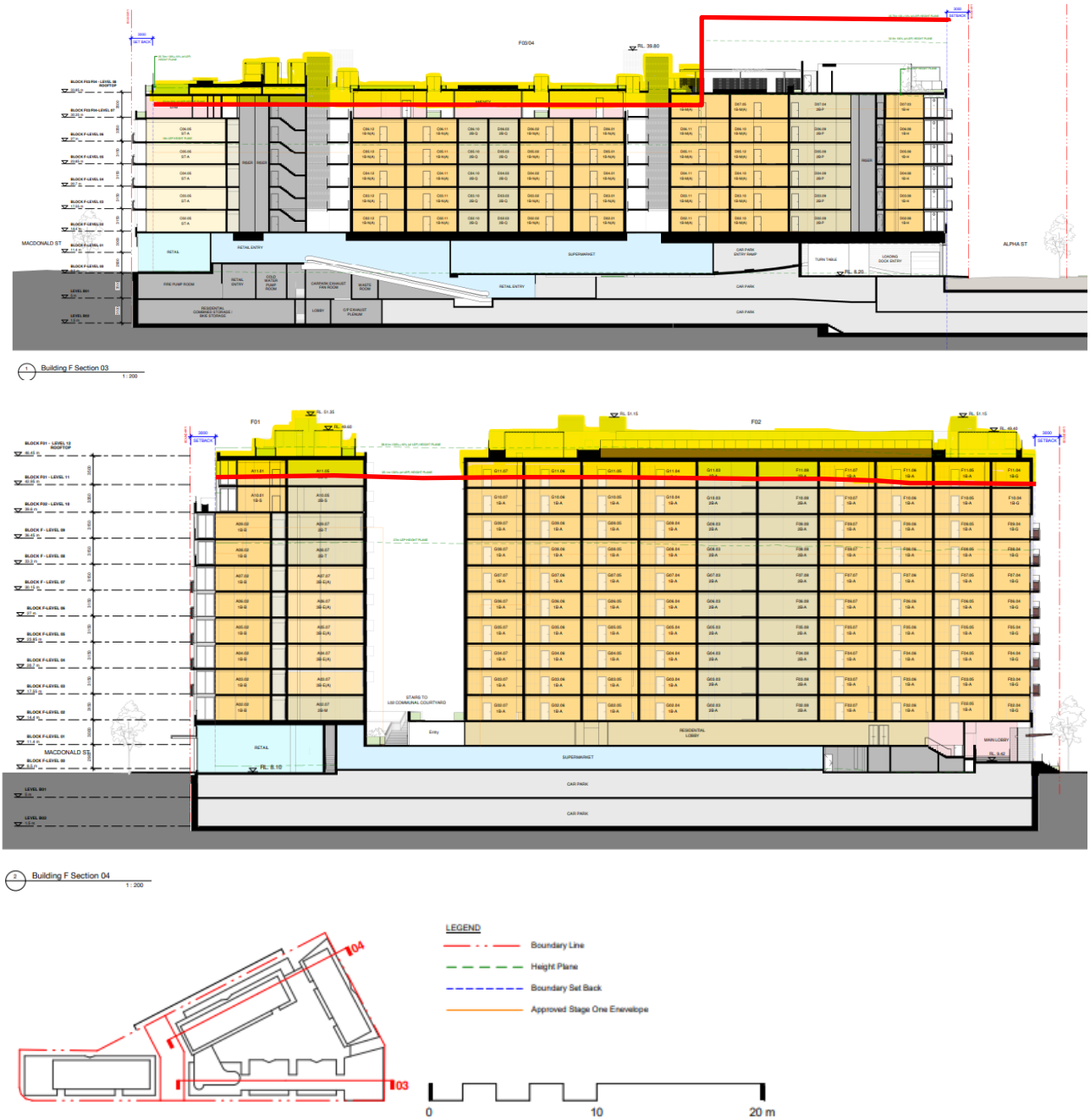
Source: Bates Smart

Figure 7 Area of Non-compliance – F&I: if 10% design excellence bonus were to be applied to both height and FSR



Source: Bates Smart

Figure 8 Sectional Diagram (area of non-compliance area shaded yellow and max height plane in red) – F&I



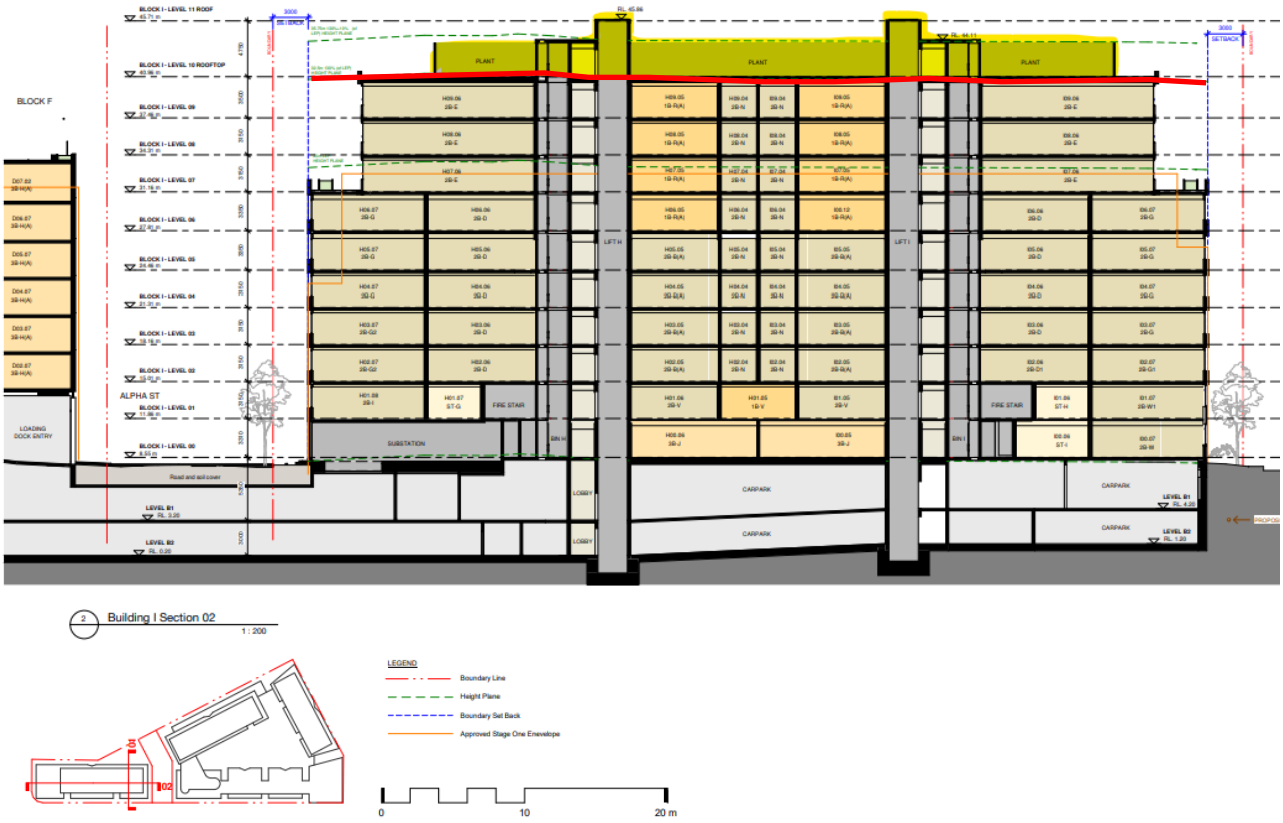
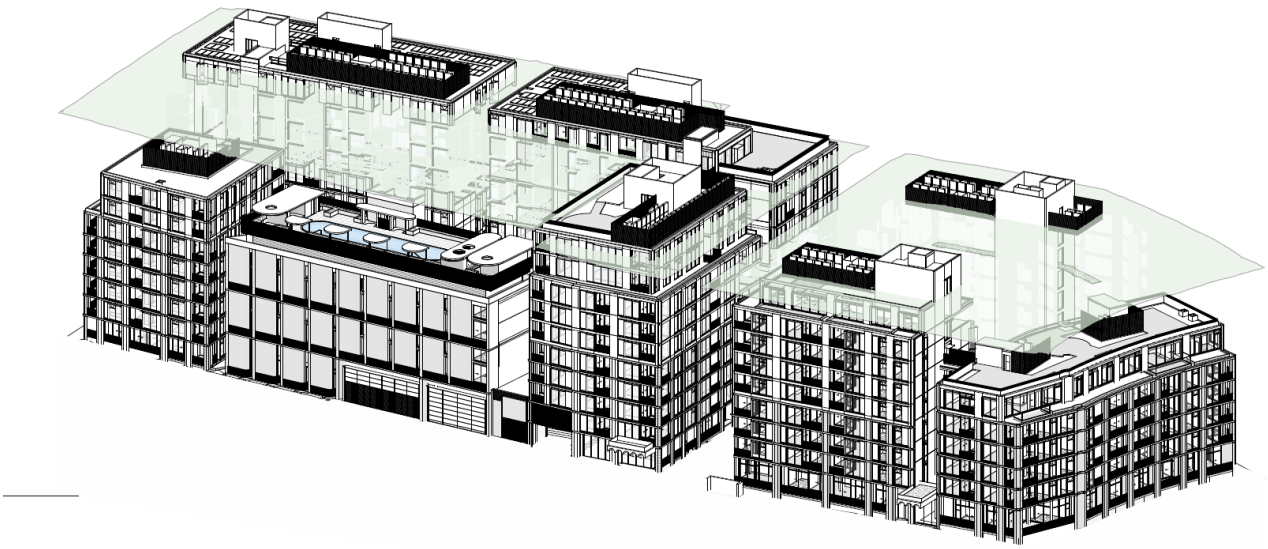
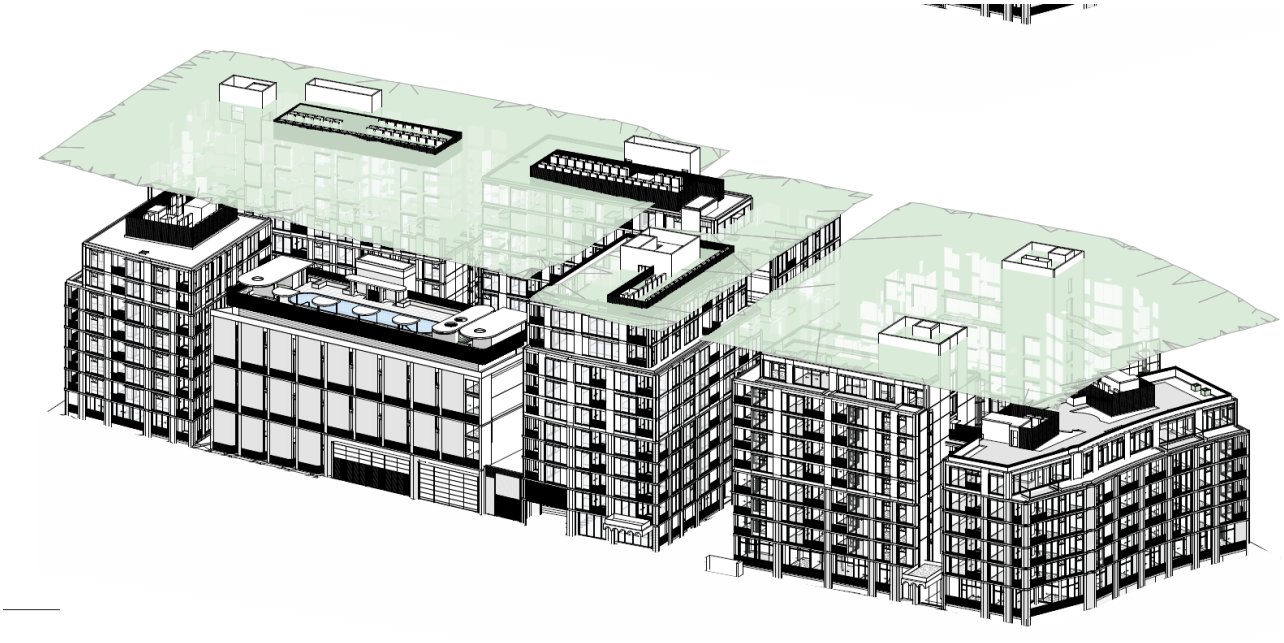


Figure 9 Area of Non-compliance – G&H



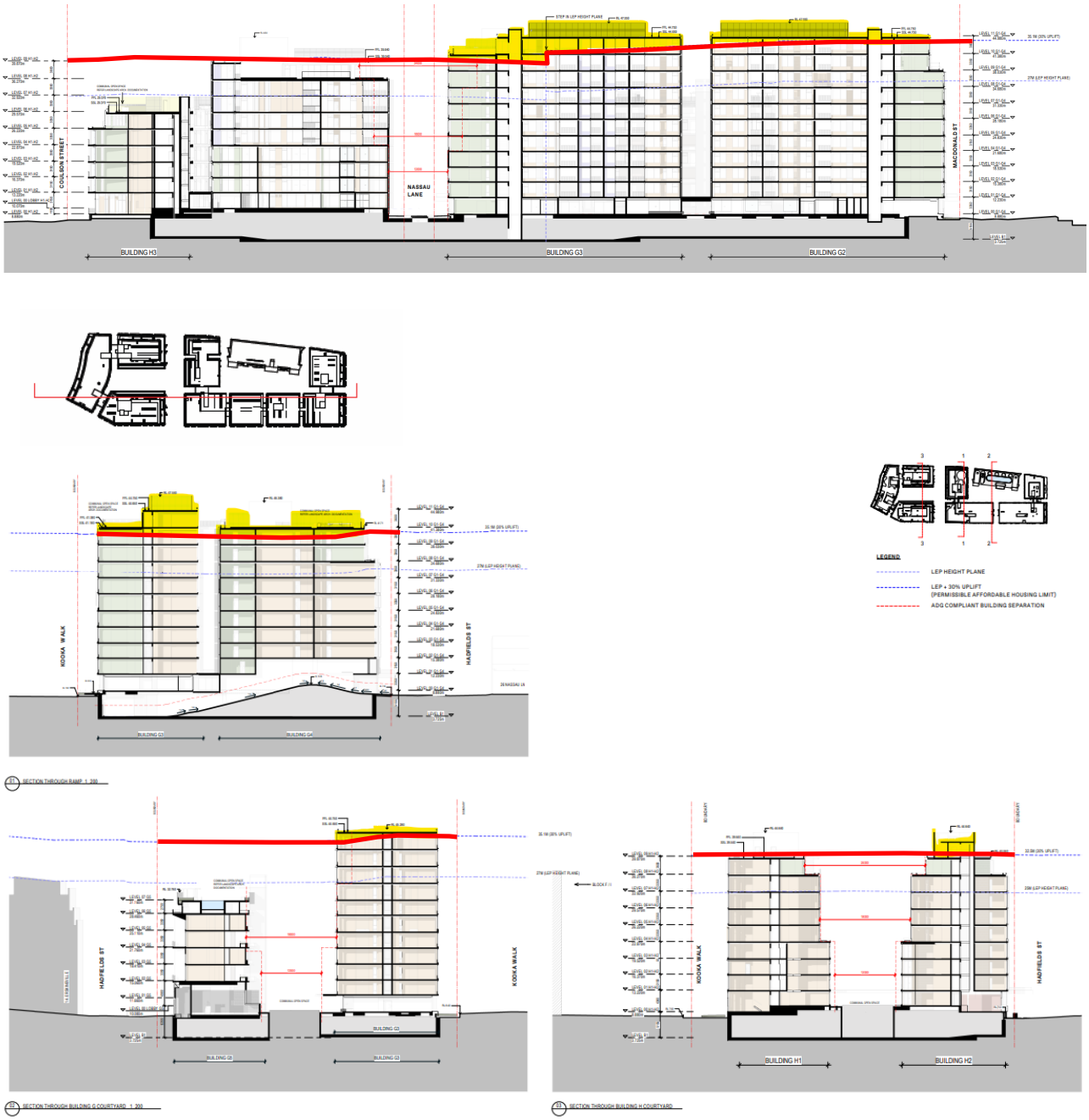
Source: BVN

Figure 10 Area of Non-compliance – G&H: if 10% design excellence bonus were to be applied to both height and FSR



Source: BVN

Figure 11 Sectional Diagram (area of non-compliance area shaded yellow and max height plane in red) – G&H



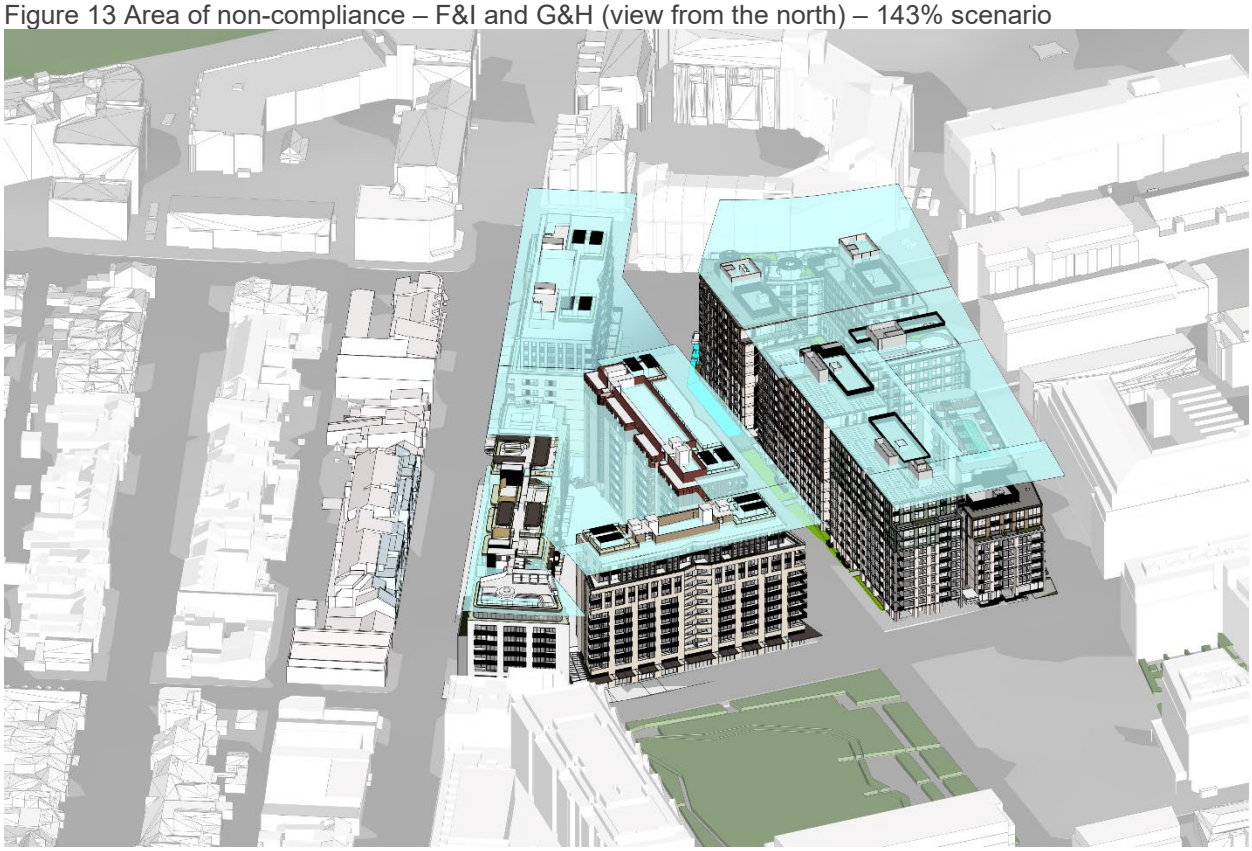
Source: FJC

Figure 12 Area of non-compliance – F&I and G&H (view from the north) – 130% scenario



Source: FJC

Figure 13 Area of non-compliance – F&I and G&H (view from the north) – 143% scenario



Source: FJC

JUSTIFICATION FOR THE PROPOSED VARIATION

10. How is compliance with the development standard unreasonable or unnecessary in the circumstances of the particular case?

Table 3 Unreasonable or Unnecessary Response

Key Questions	Response
a) Are the objectives of the development standard achieved notwithstanding the non-compliance?	For completeness, this section addresses both the objective of the infill affordable housing provisions of the Housing SEPP and the objectives of the height of buildings development standard within the SLEP. *The objective of Part 2, Division 1 of the Housing SEPP* *15A The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.* The proposal allocates 15% of its total GFA to affordable housing to be operated by an CHP in perpetuity, in a location close to services, retail and public transport responding to an identified need for affordable housing. A covenant will be registered on the title to the relevant stratum lot reflecting this requirement. All of the affordable housing will be located within its own stratum, which is proposed to be in building H. The operation of affordable housing in perpetuity is also going above and beyond the requirement under the Housing SEPP, which only requires 15 years. The affordable housing component has been carefully designed to ensure high levels of amenity and a variety of housing typologies that will meet the expected needs and profile of the affordable housing tenants. Accordingly, the proposal delivers significant public benefits, including: ▪ Long-term affordable housing supply. ▪ High-quality amenity for affordable housing tenants. ▪ Urban renewal aligned with broader strategic planning goals. ▪ The proposed height variation does not increase the intensity of the uses on the site. When assessed on a whole-site basis, the proposal also complies with the maximum permissible GFA applicable to the site. If the proposal was to required to meet the maximum permissible height, it will result in the loss of affordable housing and residential dwellings, which will not be consistent with the objective of the Housing SEPP. Assessment against the Sydney LEP objectives is discussed below.
Sydney LEP Objectives: *The objectives of the clause are to:* *(a) to ensure the height of development is appropriate to the condition of the site and its context,*	The site is located within the Ashmore precinct. The character of the Precinct continues to undergo significant change Notwithstanding the non-compliance, the proposal results in an intensity of development that is both consistent and compatible with the desired future character of the area and provides a transition of scale with surrounding existing development. **F&I:** <u>Communal Roof Terraces</u> The primary areas of the height non-compliance at Blocks F&I relate to the communal amenity areas on the rooftops. These communal open space areas are additional to the communal courtyard at Level 2 and provide surplus of outdoor residential amenities located on all buildings within the F and I precinct. The rooftop communal spaces provide residents with additional recreational areas, promoting social interaction and a sense of community, that are easily accessible to each of the buildings. The design of the rooftop space minimises visual impact and does not significantly alter the perceived height of the building from street level. The landscaped

Key Questions	Response
	rooftops rather improve the visual appeal of the building, making it more environmentally friendly. Rooftop plant, lift overrun and balustrade The other areas of non-compliance relate to rooftop plant, balustrade and lift overrun. These noncompliant elements are not in a location, or of a scale, that would result in the development being incompatible with the condition of the site and its context, as these are very common building structures that can be seen in the existing development surrounding the site. The plant rooms and lift overrun are all vital to the building's operations. The lifts provide equitable access to each floor and rooftop communal open space of the respective buildings. The balustrading is required to provide safety to the rooftop communal areas. Further to this, the mechanical plant equipment is needed to service the building and meet BCA requirements. Areas of non-compliance that comprise GFA: The height exceedance includes a very small amount of floorspace in buildings F1, F2 and F3. Accommodating the maximum allowable floorspace within the heights envisioned by the planning controls was difficult to achieve as – ▪ The site is flood affected and the PMF level is 1.5m – 2m above street level. ▪ Changes to the NCC have required greater floor to floor heights ▪ Ability to accommodate the 10% design excellence floorspace without also raising the height. More importantly, for Buildings F1 and F2 as part of design refinement, the buildings have been shifted within Block F and this is to improve solar access amenity for the eastern elevation of Building F2 and solar access to the communal open space at the elevated courtyard. As a result of this, a portion of these buildings are now located within the 25 / 32.5m metre height control which results in a greater numerical non-compliance within the 25 / 32.5m metre height plane area. **G&H:** Rooftop plant, lift overrun and balustrade One of the elements of areas of non-compliance relates to rooftop plant, balustrade and lift overrun. These noncompliant elements are not in a location, or of a scale, that would result in the development being incompatible with the condition of the site and its context, as these are very common building structures that can be seen in the existing development surrounding the site. The plant rooms and lift overrun are all vital to the building's operations. The lifts provide equitable access to each floor and rooftop communal open space of the respective buildings. The balustrading is required to provide safety to the rooftop communal areas. Further to this, the mechanical plant equipment is needed to service the building and meet BCA requirements. In terms of the elements of breach: ▪ The plant and lift overruns are consolidated and located centrally within ▪ The site, away from key site interfaces with the public domain. ▪ The plant equipment is enclosed behind screening, which will inherently obscure and shroud it from the public domain ▪ While minor elements such as balustrades are above the height plane, given their profile, will not cause any visual impacts. As such, these areas of non-compliance do not materially change the built form outcome on the site, or its relationship with any adjoining existing (or future) sites. Areas of non-compliance that comprise GFA:

Key Questions	Response
	The areas of non-compliance that comprise GFA relates to the top most levels of Buildings G4 fronting Hadfield Street, Buildings G2 and G3 fronting Kooka Walk andBuilding G2 fronting MacDonald Street. Despite the height non-compliance, the proposal generally maintains the urban design principle of providing a transition in scale by arranging taller built forms towards Kooka Walk and McPherson Park, which is one of the objective under the DCP. Kooka Walk: The width of the Kooka Walk is more than 20m, its generous width is able to absorb the area of non-compliance into its context. The width of Kooka Walk is also able to provide visual buffer so that the area of non-compliance will not create a sense of enclosure for future pedestrians. Despite the height non-compliance, the proposed built form is able to provide a transition of scale along Kooka Walk, from the north to the south of the site. This is achieved by having 11 storey to 10 storey built form within Block G (north to south) and a 9 storey built from within Block H. Hadfield Street: the areas of non-compliance relating to Buildings G4 are further setback at the street frontage. Transition of scale is still achieved despite the non-compliance, as Building G4 is a 10 storeys building, stepping down to a nine storey building. The variation of scale creates visual interest along this long frontage and reinforces the proposal's relationship to existing context along Hadfield Street. MacDonald Street: the area of non-compliance relating to Building G2 is further setback at the street frontage. The upper level setback is able to provide visual relief and also a transition in scale from Building G1to the built form proposed at Block F. While a portions of the most upper levels of Blocks G2, G3and G4 are over the height plane, these protrusions are associated with a compliant overall site FSR. Therefore, the intensity of the use of the site remains compliant notwithstanding the height non-compliance. Lastly, the height non-compliance is a result of careful design consideration by distribution of additional Housing SEPP height and design excellence FSR bonuses across the group of multiple buildings, which has endorsed by the City of Sydney Council prior to lodgement. Accordingly, the area of non-compliance will not prevent the buildings to be compatible with the height, bulk and scale of the future character of the locality and positively contribute to the streetscape and public space Context character is further assessed in the section below.
(b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,	**F&I:** The Copper Estate Heritage Conservation Area is located to the east of Block F and I, across Mitchell Road. While the proposed development reasonably large, the building (particularly on the Mithcell Street frontage) has been designed with appropriate setbacks, building cuts and variation in the architectural expression. The proposed development is separated by the thoroughfare of Mitchell Road, which is lined both sides with mature trees. The proposed development will not impact on the ability for the terraced row housing along the eastern section of the HCA to contribute to the streetscape of Mitchell Road and the conservation area. A Heritage Impact Statement (**HIS**) has been prepared by GBA Heritage to support the proposed development. The HIS determines the proposed development will not have an adverse impact on the HCA and is acceptable from a heritage perspective. **G&H:** The closest conservation area is approx. 45m from the site – and will be separated by future buildings. The development is therefore unlikely to impact on conservation areas further to the west of the site given the distance and presence of other buildings between the site and conservation area. The area of non-compliance will therefore not impact the transition in density to these heritage items

Key Questions	Response
(c) to promote the sharing of views outside Central Sydney,	There are no identified significant views within the Ashmore Estate, in this instance the building separation are applied to ensure views are shared between buildings. Potential distant view towards the CBD skyline maybe available from the upper level units from Sydney Park Village. The area of non-compliance is unlikely to impact on private view from these developments, because: ▪ The area of non-compliance will maintain view to sky. ▪ The area of non-compliance will be absorbed within the urban context of the surrounding environment, therefore will not look out of placed. The areas of non-compliance will impact on the distant CBD skyline view from the top of the hill at Sydney Park. The areas of non-compliance are likely to obstruct distant view towards the east. This impact is considered to be acceptable because: ▪ The primary view corridor towards the Sydney CBD (including centre point tower) is unobstructed. ▪ The area of non-compliance will only obstruct portion of the eastern view corridor which do not comprise iconic buildings or harbour view. ▪ The area of non-compliance will maintain view to sky. ▪ The area of non-compliance will be absorbed within the urban context of the surrounding environment, therefore will not look out of placed. ▪ This is discussed further in the section below.
(d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,	The subject site is not within close proximity to Central Sydney nor Green Square Town Centre. Accordingly, this objective is not applicable to the proposed variation.
(e) in respect of Green Square— *(i) to ensure the amenity of the public domain by restricting taller buildings to only part of a site, and* *(ii) to ensure the built form contributes to the physical definition of the street network and public spaces.*	The subject site is not within close proximity to Green Square. Accordingly, this objective is not applicable to the proposed variation.
b) Are the underlying objectives or purpose of the development standard not relevant to the development? (Give details if applicable)	*N/A*
c) Would the underlying objective or purpose be defeated or thwarted if compliance was required? (Give details if applicable)	*N/A*
(d) Has the development standard been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard?	*N/A*
e) Is the zoning of the land unreasonable or inappropriate so that the development standard is also unreasonable or unnecessary?	*N/A*

11. Are there sufficient environmental planning grounds to justify contravening the development standard?

Yes.

There are sufficient environmental planning grounds to justify contravening the development standard as follows.

Delivery Onsite Affordable Housing

The height variation enables the proposal to realise the full design excellence and affordable housing FSR incentives. These provisions are specifically intended to encourage the delivery of high-quality built form outcomes and to increase the supply of housing and affordable housing. Strict compliance with the height controls would reduce the development's capacity to achieve the additional floor space enabled by these provisions. In turn, this would result in fewer residential units, including a reduction in the amount of affordable housing that can be delivered on the site.

The proposed height variation, enables the proposal to fully realise these planning incentives, thereby delivering a greater number of dwellings, including affordable housing, within a highly accessible location. This outcome advances local housing targets and makes a direct contribution towards addressing the State's broader housing supply and affordability objectives.

Draft LEP Amendments

As noted above, the City of Sydney is progressing housekeeping amendments to Sydney LEP that are directly relevant to the proposed height variation and if these were applied the area of non-compliance will be reduced to rooftop plant and lift overrun areas only. Under the draft amendments, areas relating to green roofs and rooftop communal spaces will also be exempt from the height calculation and therefore would not result in non-compliance with the building height development standard, and the area of non-compliance will be further reduced to very minimal locations of the building. These draft amendments are well advanced, having been publicly exhibited and endorsed by Council in June 2025 following Gateway determination by DPHI, and are now at the finalisation stage. Two key amendments are of particular relevance:

1. **Design Excellence Provisions**

   The draft amendment seeks to apply the 10% design excellence bonus to both height and FSR. At present, only one incentive may be elected - and in the case of this application, the FSR bonus has been selected. Accordingly, given only FSR is the elected design excellence bonus with no corresponding height design excellence bonus, there is a discrepancy between the maximum height achievable on the site and the maximum allowable FSR on the site. If this amendment were to apply, the height noncompliance would be substantially reduced as shown in Figure 14 below, and the area of non-compliance would only relate to rooftop plant, communal open space elements and lift overruns.

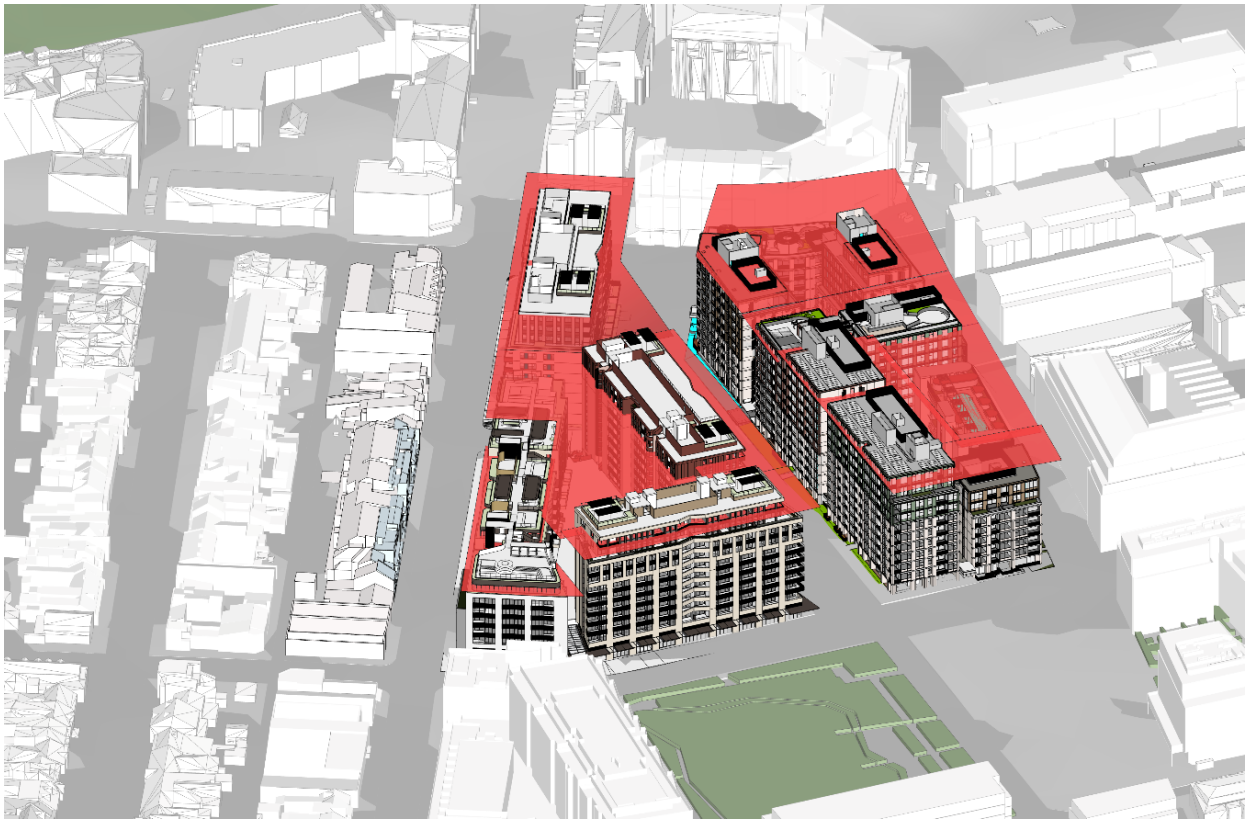
2. **Exclusion of Green Roofs and Rooftop Structures from Height**

   The draft amendment seeks to introduce a new clause to the LEP to exclude rooftop gardens, communal open space, and associated ancillary structures (including access and amenities) from the calculation of building height, provided certain design and amenity criteria are satisfied. This change recognises the social and amenity benefits of green roofs and rooftop communal spaces, while ensuring impacts on surrounding properties (e.g. overshadowing, built form compatibility) are minimised. If this amendment were to apply, the area of noncompliance would be substantially reduced, and the area of non-compliance would only relate to rooftop plant areas that are not associated with rooftop communal spaces.

While it is acknowledged that these amendments do not formally apply to this DA, it is directly relevant to the assessment of the proposal's height non-compliance. If the draft height amendments were to be applied, the extent of exceedance would be materially reduced and limited primarily to non-GFA elements such as plant. These minor exceedances are typical in high-density development and do not undermine the intent of the height standard.

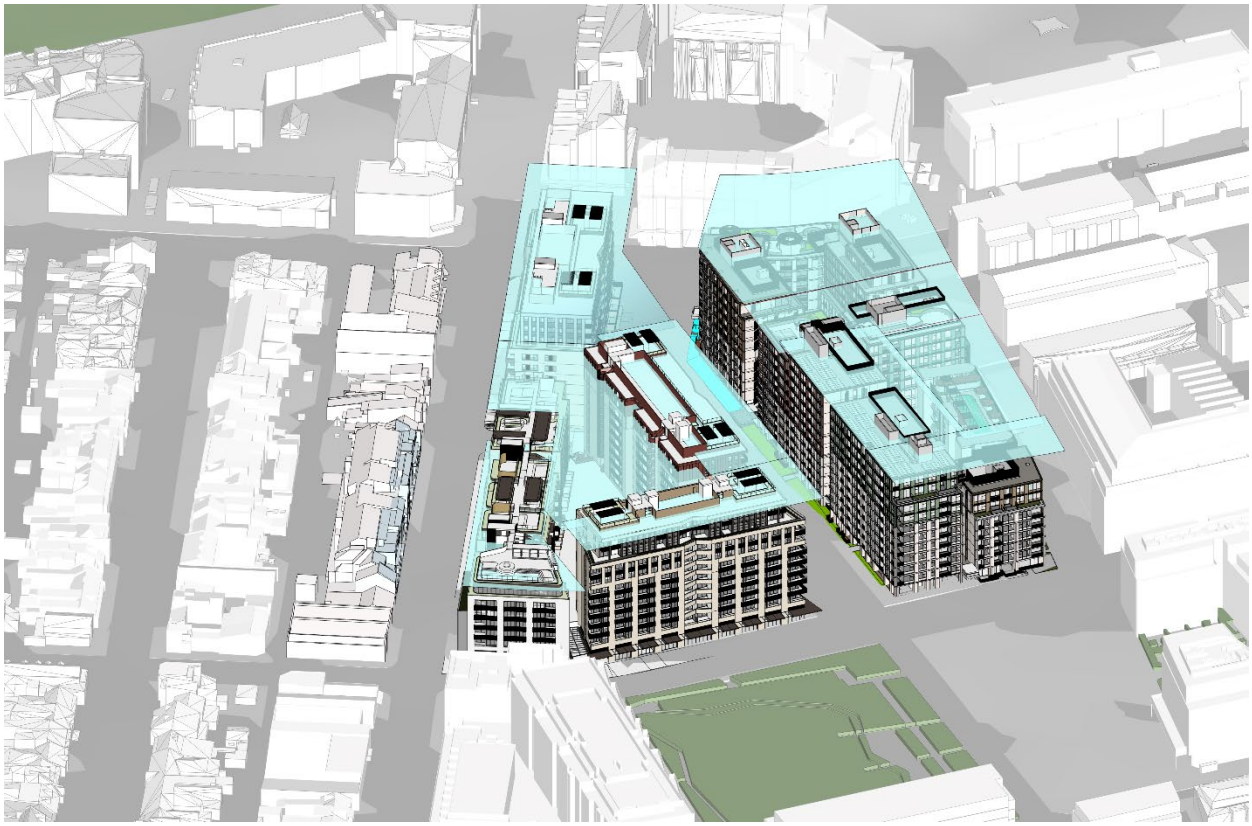
Accordingly, the current non-compliance arises from a timing issue in relation to LEP amendments that are already endorsed by Council and supported by DPHI. The proposal aligns with the direction of the City's intentions and delivers the type of outcomes - design excellence, affordable housing, rooftop greening - that current and future planning policies are intended to facilitate.

Figure 14 Area of non-compliance if design excellence bonus were to be applied to both height and FSR



Picture 1 Area of non-compliance – F&I and G&H (view from the north) – 130% scenario

Source: FJC



Picture 2 Area of non-compliance – F&I and G&H (view from the north) – 143% scenario

Source: FJC

Massing and Built Form

F&I:

The areas of non-compliance that comprise GFA relates to the top most levels of F1, F2 and F3. Accommodating the height the maximum allowable floorspace within the heights envisioned by the planning controls was difficult to achieve as –

- The site is flood affected and the PMF level is 1.5m – 2m above street level.
- Changes to the NCC have required greater floor to floor heights
- Ability to accommodate the 10% design excellence floorspace without also raising the height.

Kooka Walk

The development achieves a transition in height from the corner of MacDonald Street and Kooka Walk as illustrated in **Figure 14** below. The width of the Kooka Walk is more than 20m, its generous width is able to absorb the area of non-compliance into its context. The width of Kooka Walk is also able to provide visual buffer so that the area of non-compliance will not create a sense of enclosure for future pedestrians. A two storey street wall height is proposed at the Building F frontage with Kooka Walk the townhouses within are positioned at the same height as the retail space and are setback 3 metres from the boundary, presenting a 2 storey human scale brick plinth to the street. The lower street wall height reduces the visual dominance of the building to the street, and the height non-compliance is not noticeable at a human scale.

Additionally, the areas of non-compliance are further setback at the street frontage (Refer to Figure 15). The additional setback is able to reduce visual dominance of the area of non-compliance and reduce the perceivable bulk and scale of the built form.

For Buildings F1 and F2 as part of design refinement, the buildings have been shifted within Block F and this is to improve solar access amenity for the eastern elevation of Building F2 and solar access to the communal open space at the elevated courtyard. As a result of this, a portion of these buildings are now located within the 25 / 32.5m metre height control which results in a greater numerical non-compliance within the 25 / 32.5m metre height plane area.

Figure 15 Render of Corner of MacDonald Street and Kooka Walk



Source: Bates Smart

Mitchell Road

The areas of non-compliance along Mitchell Road primarily relate to the internal residential amenities area at level 7 and the rooftop communal open space at level 08. The communal open space is setback from Mitchell Road and screened by landscaping. The communal amenities are not visible form the street and enhances the residential amenities spaces throughout the development. The Mitchell Road frontage at Buildings F3 achieves a transition in heights to reduce the perceived bulk and scale of the building.

MacDonald Street

A small portion of GFA is located within the height breach along MacDonald Street. Despite the height non-compliance, the proposal generally maintains the urban design principle of providing a transition in scale by arranging taller built forms towards both Kooka Walk and MacDonald Street, which is consistent with one of the built form objectives under the DCP.

Overall, the proposal achieves an appropriate contextual fit and the areas of non-compliance have been appropriately designed to maintain the character and amenity of the Ashmore Estate and surrounds.

G&H:

The areas of non-compliance that comprise GFA relates to the top most levels of Buildings G4 fronting Hadfield Street, Buildings G2 and G3 fronting Kooka Walk, Building G2 fronting MacDonald Street. Despite the height non-compliance, the proposal generally maintains the urban design principle of providing a transition in scale by arranging taller built forms towards Kooka Walk and McPherson Park, which is consistent with one of the built form objective under the DCP.

Kooka Walk- Buildings G2 and G3

The width of the Kooka Walk is more than 20m, its generous width is able to absorb the area of non-compliance into its context. The width of Kooka Walk is also able to provide visual buffer so that the area of non-compliance will not create a sense of enclosure for future pedestrians.

Despite the height non-compliance, the proposed built form is able to provide a transition of scale along Kooka Walk, from the north to the south of the site. This is achieved by having 11 storey to 10 storey built form within Block G (north to south) and a 9 storey built from within Block H.

In addition, the buildings have been architecturally designed with deep vertical slots subtlety breaks down the larger building masses along Kooka Walk to minimise visual bulk.

Figure 16 Photomontage of Kooka Walk

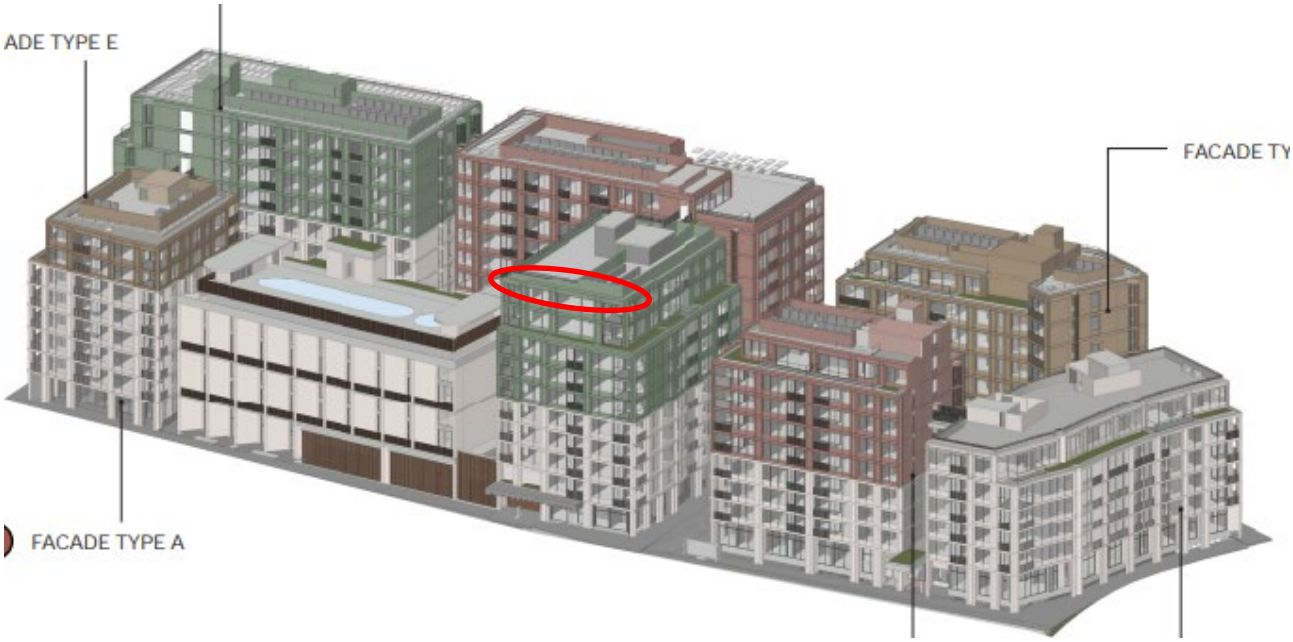


Hadfield Street - Buildings G4

The areas of non-compliance relating to Buildings G4 is further setback at the street frontage (Refer to **Figure** 16). The additional setback is able to reduce visual dominance of the area of non-compliance and reduce the perceivable bulk and scale of the built form.

Transition of scale is still achieved despite the non-compliance, as Building G4 is a 10 storeys building, stepping down to a nine storey building and terminating with a six storey built form at the southern end of Hadfield Street. The variation of scale creates visual interest along this long frontage and reinforces the proposal's relationship to existing context along Hadfield Street.

Figure 17 3D massing - area of non-compliance circled



MacDonald Street - Building G2

The area of non-compliance relating to Building G2 is further setback at the street frontage (refer to Figure 17). The upper level setback is able to provide visual relief and also a transition in scale from Building G1 to the proposed buildings within Block F.

Figure 18 Photomontage along MacDonald Street – area of non-compliance circled



While a portions these buildings are over the height plane, these protrusions are associated with a compliant overall site FSR. Therefore, the intensity of the use of the site remains compliant notwithstanding the height non-compliance.

Lastly, the height non-compliance is a result of careful design consideration by distribution of additional Housing SEPP height and design excellence FSR bonuses across the group of multiple buildings, which has endorsed by the City of Sydney Council prior to lodgement.

Overall, the proposal achieves an appropriate contextual fit and the areas of non-compliance have been appropriately designed to maintain the character and amenity of the Ashmore Estate and surrounds.

Redistribution of Massing across the site to Improve Amenity

The revised building envelopes and the resultant heigh variations are the product of an iterative design process that has balanced achieving development yield with mitigating impacts on surrounding properties and the public domain. While the envelopes remain generally consistent with the form nominated by Council, a series of refinements have been introduced to reduce overshadowing, improve amenity, and align with the detailed DA design outcomes. Key refinements include:

- **Reduction in Building Heights (Block H):** Heights have been reduced to improve solar access to adjacent dwellings on Coulson Street. Block H also consolidates the affordable housing component within a single block.
- **Redistribution of Massing:** Massing has been redistributed from Block H to the targeted locations within Block G that can accommodate additional uplift without resulting in adverse overshadowing or solar impacts on Hadfield Street and Coulson Street and balancing the overall built form across the site.
- **Improved Solar Access:** At Block F, massing fronting Kooka Walk has been shifted eastward, increasing the separation to Block G. This improves solar access to both residential units and the public domain.

These refinements demonstrate that the proposed redistribution of building mass delivers an improved planning and design outcome compared to strict compliance with the allowable height control. Despite the height variation, the proposal still seeks to achieve solar access, maintain urban design objectives, enhanced residential amenity and alignment with Council's nominated envelopes. In this context, strict compliance with the height controls would undermine the extensive design evolution of the building envelope and the intended outcomes.

Amenity

F&I:

The proposed lift overruns, balustrade and plant enclosures will not result in any visual privacy impacts, as they are building structures, which do not comprise any habitable space.

The primary areas of the height non-compliance at Blocks F&I relate to the communal amenity areas on the rooftops. There are no sensitive visual adjacencies at these interfaces. The rooftop terraces are setback from the edge of the buildings and are screened with landscaping to ensure there is no direct overlooking or privacy issues.

Further and in regard to the portions of Building F that exceed the height limit, the proposed development complies with the relevant setback (visual privacy) controls in the ADG, either by numeric compliance with the design criteria or compliance with the objectives contained in the design guidance (i.e., inclusion of angled windows, privacy screening). This means the development is able to provide adequate separation both within the site and to adjoining sites, allowing for visual privacy to be maintained in accordance with contemporary apartment planning expectations.

G&H:

The proposed lift overruns, balustrade and plant enclosures will not result in any visual privacy impacts, as they are building structures, which do not comprise any habitable space.

The communal open space located on buildings G3 and G4 comprise trafficable areas that is over the height limit. There are no sensitive visual adjacencies at these interfaces. Notwithstanding, these areas are setback

from the roof edge and are surrounded by gardens at the perimeter. The setbacks and plantings will ensure there is no direct overlooking.

Further and in regard to the portions of Buildings G2 ,G3 and G4 that exceed the height limit, the proposed development complies with the relevant setback (visual privacy) controls in the ADG, either by numeric compliance with the design criteria or compliance with the objectives contained in the design guidance (i.e., inclusion of angled windows, privacy screening). This means the development is able to provide adequate separation both within the site and to adjoining sites, allowing for visual privacy to be maintained in accordance with contemporary apartment planning expectations.

Overshadowing

Detailed shadow studies have been prepared by FJC to assess the overshadowing impacts of the areas of non-compliance above the maximum permitted height on 21 June (refer **Figure 18).** The analysis considers the potential impacts on nearby residential development, particularly 300–322 Mitchell Road to the west and Sydney Park Village to the north.

At 300–322 Mitchell Road, there are 39 apartments located opposite Building F and I. Of these, 34 apartments fully comply with the Apartment Design Guide (**ADG**) requirement for a minimum of two hours of direct solar access to living areas between 9am and 3pm on 21 June. The area of non-compliance does not impact on these apartments' ability to continue to achieve solar compliance. Four apartments fall short of this requirement, as outlined below:

- **Apartment 1:** Receives 1 hour of solar access, representing a shortfall of one hour.
- **Apartment 3:** Receives 1 hour and 30 minutes of solar access, representing a shortfall of 30 minutes.
- **Apartment 11:** Receives around 10 mins of sun under the approved Concept DA envelope because this apartment is overshadowed by its own building elements. The solar non-compliance is not caused by the area of height non-compliance.
- **Apartment 20**: Receives 15 minutes of direct solar access. It is noted that this apartment was already affected under the approved Concept DA envelope, where it achieved only one hour of solar access due to the recessed windows.

Based on the views from the sun and shadow analysis submitted, the additional overshadow impacts are a combination of both compliant built form and non-compliant building elements such as plant, lift overrun and communal open space. The communal open space elements on the rooftop would be excluded from the building height calculation if the Draft LEP amendments were applied, therefore the shadow impact arising from these elements are considered to be acceptable.

Apartment 10 receives 1 hour and 50 minutes of solar access, falling only 10 minutes short of the required 2 hours. This represents a negligible shortfall. Nevertheless, this apartment is already overshadowed under the approved Concept DA envelope, therefore the 10min shortfall is not a result of the height non-compliance.

When considered in context, these impacts are minor. The area of non-compliance will only impact solar compliance to 5% of the apartments within 300–322 Mitchell Road, which is considered as minimal impact. On this basis, the proposal's shadow impacts are considered acceptable and not significant in the broader planning context.

The shadow analysis also identifies some impacts on Building 9 within the Sydney Park Village. The ground level of this building accommodates retail tenancies and basement access points, while residential apartments are located on the upper levels.

The greatest impact occurs in the morning period, when shadow extends across parts of the ground and upper levels. However, from approximately 11am onwards, the extent of overshadowing is limited to the ground plane only and does not affect residential apartments above. Between 11am and 3pm, upper-level apartments continue to receive direct sunlight, ensuring compliance with the Apartment Design Guide. In the afternoon, additional shadow falls across the ground level of Building 9. As these areas comprise retail and access points rather than residential units, the area of non-compliance will not impact on solar amenity of residential units within Building 9 of the Sydney Park Village

In regard to the public domain, the development is located to the south of MacPherson Park, therefore the area of non-compliance will not have an impact on MacPherson Park. When compared to the complaint envelope, the area of non-compliance will not have any impact (aside from at 9am) on the public square

within the Sydney Park Village development in the southwest corner of Coulson Street and Mitchell Road. The public square is able to receive minimum of three hours of direct sunlight between 10am and 3pm on 21 June. The impacts to the Sydney Park Village development itself are minimal between 9am – 12pm. It is important to note that any additional shadow caused by the area of non-compliance is the result of achieving significant housing uplift in a well located precinct, with the inclusion of affordable housing.

Figure 19 Overshadowing Analysis (9am-2pm)



Picture 3 Shadow Impact at 9am



Picture 4 Shadow Impact at 10am



Picture 5 Shadow Impact at 11am



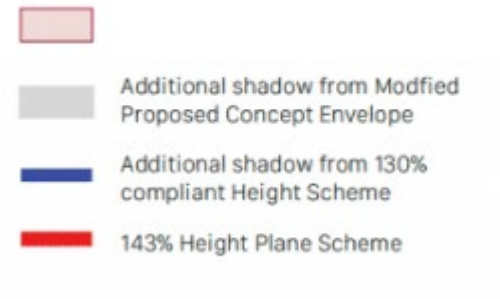
Picture 6 Shadow Impact at 12pm



Picture 7 Shadow Impact at 1pm



Picture 8 Shadow Impact at 2pm



Source: FJC

Views

There are no identified significant views within the Ashmore Estate, in this instance the building separation are applied to ensure views are shared between buildings.

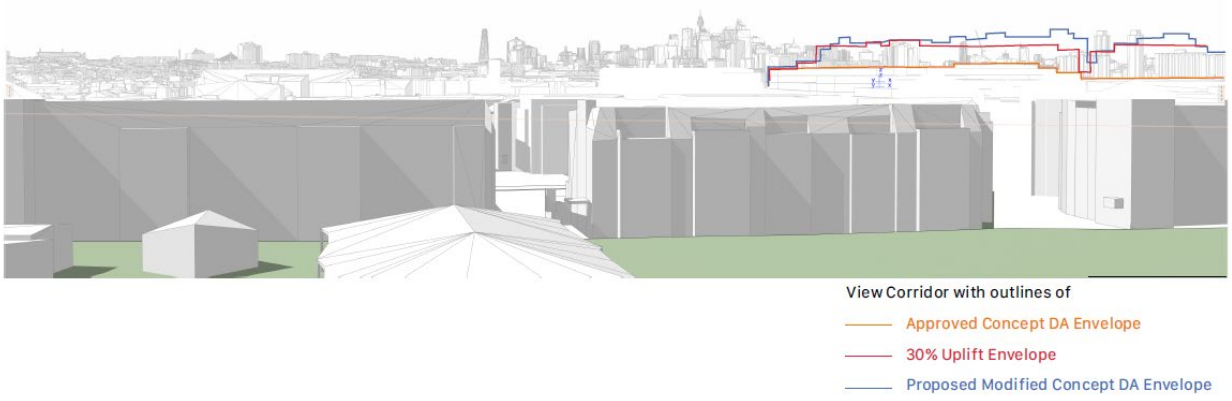
The areas of non-compliance will impact on the distant sky view from the top of the hill at Sydney Park. The areas of non-compliance are likely to obstruct distant view towards the east. This impact is considered to be acceptable because:

- The distant CBD skyline view towards the east is obstructed by the compliant uplift envelope, not by the area of non-compliance.

- The area of non-compliance will not obstruct the primary view corridor towards the Sydney CBD (including centre point tower). This ensures that the most significant visual amenity is preserved for visitors.
- The area of non-compliance will only obstruct portion of the eastern view corridor, and it obstructs sky view, instead of views to iconic buildings or harbour view. This means that the obstruction does not significantly detract from the overall visual experience or cultural value of the skyline. The primary visual and cultural assets of the city remain visible and accessible.
- The area of non-compliance will maintain view to sky.
- Due to the spatial separation of these buildings, the area of non-compliance will be absorbed within the urban context of the surrounding environment, therefore will not look out of placed.

Accordingly, there is no material impact in terms of views from a complying 130% scheme and the area of non-compliance.

Figure 20 View impact assessment from Sydney Park– amended concept envelope assessment



12. Is there any other relevant information relating to justifying a variation of the development standard?

Public Interest

For development that contravenes a development standard, the consent authority must be satisfied the proposal will be in the public interest. This is achieved via consistency with the objectives of the development standard and the objectives of E1 and MU1 zones, which has been demonstrated below.

Table 4 Assessment of Compliance with E1 Local Centre Land Use Zone Objectives (**applicable to Block F and portion of Block G**)

Objective	Assessment
To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.	The additional height associated within Block F allows for the inclusion of more diverse and flexible spaces that can accommodate a variety of retail uses on the ground floor. The majority of the area of non-compliance relates to rooftop plant and lift overrun, which is to provide access to communal amenities and to facilitate building services. Therefore, the area of non-compliance will enhance the overall functionality of the development for the residents.
To encourage investment in local commercial development that	The height non-compliance will not have a direct impact on investment in local commercial development.

Objective	Assessment
generates employment opportunities and economic growth.	
To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.	The area of height non-compliance allows for the development to achieve the full design excellence and affordable housing FSR incentives, which in turn will allow for the provision of additional residential units to be included in the development. This will help to achieve housing targets in the local centre and directly contributes to addressing the State's housing crisis. The proposal allocates 15% of its total GFA to affordable housing to be operated by an CHP in perpetuity. A covenant will be registered on the title to the relevant stratum lot reflecting this requirement. All of the affordable housing will be located within its own stratum, which is proposed to be in building H. The operation of affordable housing in perpetuity is also going above and beyond the requirement under the Housing SEPP, which only requires 15 years. If the proposal was required to meet the maximum permissible height, it will result in the loss of affordable housing and residential dwellings, which will not be consistent with the objective of the Housing SEPP.
To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	The additional height on the upper floors do not detract from the provision of ground floor retail uses within Block F, but rather complement it by providing the necessary infrastructure and support for these uses.
To maximise public transport patronage and encourage walking and cycling.	The area of height non-compliance allows for the development to achieve the full design excellence and affordable housing FSR incentives, which in turn will allow for the provision of additional residential units to be included in the development. In turn, this allows the overall development to promote higher public transport usage by providing more destinations and origins within a compact area. The plant and lift overrun structures, while exceeding maximum height limits, do not negatively impact the pedestrian experience at street level and support the building's overall functionality.

Table 5 Assessment of Compliance with MU1 Mixed Use Land Use Zone Objectives (**applicable to Blocks I, portion of Block G and Block H**)

Objective	Assessment
To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.	Not relevant for Blocks I, portion of Block G and Block H, as no retail or commercial uses are proposed.
To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse	The development includes features such landscaping on the ground floor and separate ground floor entries to enhance the pedestrian experience and contribute to activation. The area of non-compliance does not detract from the street-level experience but rather supports

Objective	Assessment
and functional streets and public spaces.	the overall functionality of the building, ensuring that the ground floor remains vibrant and active.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	The design carefully considers the interface with adjoining zones, ensuring that the area of non-compliance does not result in adverse impact on overshadowing, privacy issues, or other conflicts with neighbouring properties. The placement of plant and lift overrun structures is setback and screened to minimize visual and operational impacts on adjacent land uses, maintaining harmony between different zones. The overall development also includes appropriate setbacks, screening, and noise mitigation measures to further reduce potential conflicts
To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	Not relevant for Blocks I, portion of Block G and Block H, as no retail or commercial uses are proposed.
To ensure land uses support the viability of nearby centres.	The area of height non-compliance allows for the development to achieve the full design excellence and affordable housing FSR incentives, which in turn will allow for the provision of additional residential units to be included in the development. This will help to attract more residents in the area, which enhances the customer base and foot traffic for nearby centres, contributing to their viability.
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 area of height non-compliance allows for the development to achieve the full design excellence and affordable housing FSR incentives, which in turn will allow for the provision of additional residential units to be included in the development. In turn, this allows the overall development to promote higher public transport usage by providing more destinations and origins within a compact area. The plant and lift overrun structures, while exceeding maximum height limits, do not negatively impact the pedestrian experience at street level and support the building's overall functionality.

DISCLAIMER

This report is dated 30 September 2025 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 Ltd **(Urbis)** opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Coronation Property Co. **(Instructing Party)** for the purpose of Clause 4.6 Variation Request **(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.

Attachment D

Clause 4.6 Variation Request – Floor To Ceiling Heights

CLAUSE 4.6 VARIATION REQUEST – FLOOR TO CEILING HEIGHT

Buildings F&I and G&H (D/2025/405)

September 2025

Prepared for: Coronation Property Co Pty Ltd

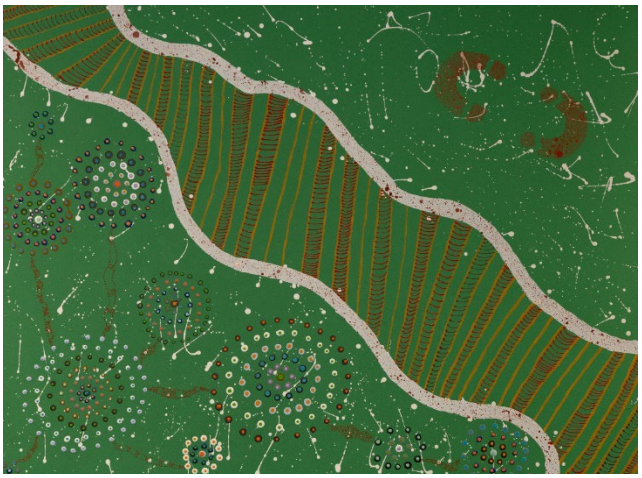
Urbis staff responsible for this report were:

Director	Stephen White
Associate Director	Anna Wang
Project Code	P%54074
Report Number	Final

Acknowledgment of Country

Urbis acknowledges the Traditional Custodians of the lands we operate on.
We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years.
We pay our respects to First Nations Elders, past and present.

Urbis is committed to incorporating our respect for First Nations cultures, peoples and storytelling in our work across the Country. We are proud to have partnered with Darug Nation artist, **Hayley Pigram**, and to profile her artwork - **Sacred River Dreaming**.



The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

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Request to vary clause 148 (2c) of State Environmental Planning Policy (Housing) 2021

Address: Buildings F&I and G&H at 155 Mitchell Road, Erskineville

Date: 15 September 2025

Site and proposed development

Site Description

The key features of the site are summarised in the following table.

Table 1 Site Description

Feature	Description
Street Address	155 Mitchell Road, Erskineville
Legal Description	Lot 20 DP1290687
Development area	Blocks F&I area: 12,096m2 Blocks G&H area: 10,557m2 Total site area: 22,653m2
Easements and Restrictions	(A) Easement for water supply purposes 6 wide limited in stratum. (B) Easement for water supply purposes 8 wide. (C) Restriction on the use of land. (D) Planning agreement pursuant to section 7.6 Environmental Planning and Assessment Act 1979. (H) Easement for support variable width. (T1) Easement for turning area variable width.
Existing Development	The site is currently vacant.
Local Context	The development is located within the southern portion (the site) of the Ashmore Precinct as part of the Sydney Local Government Area (LGA).
Adjacent Development North	A mixture of mixed-use and residential flat building development as part of the Ashmore Estate (Blocks B and C) as well as the future McPherson Park.
Adjacent Development East	Townhouse developments further west adjacent Mitchell Road with heights ranging from one storey to four storeys.
Adjacent Development South	The Sydney Park Village high density residential flat building development with 7-storey street wall height.
Adjacent Development West	Mixture of medium and high density residential flat building developments, including: ▪ OneA Erskineville (6 storey street wall height)

Feature	Description
	▪ 6-26 Nassau Lane (townhouses) ▪ 16 Eve Street, Erskineville (5 storey street wall height) ▪ 1 Coulson Street, Erskineville (5 storey street wall height)
Access Network	Existing vehicle access to the site is the via the driveway along Mitchell Road. Existing site access is also from Mitchell Road. Two bus stops are immediately adjacent the site along Mitchell Road, which provides regular bus services to Central Station, Redfern Station and St Peters Station. Erskineville station is located approximately 600m northwest from the Precinct.

Proposed Development

A summary of the key features and details of the proposed development (including land use and works) is provided below:

The DA seeks approval of a mixed use development, comprising:

F&I

- Seeks approval of residential (in the form of build to rent development) and retail uses. Detailed fit out of the retail area will be subject to separate approval.
- Staged construction of a mixed-use development at Block F comprising:
  - 5,125sqm supermarket and retail at the ground level
  - 415 apartments
- Staged construction of a residential flat building at Block I, consisting of 162 apartments.
- A consolidated basement below F&I, comprising two levels of car parking providing 379 car parking spaces, motorcycle parking spaces, storage, and waste management facilities.
- Provision of communal open space and indoor facilities including:
  - Block F
    - Central Courtyard at level 2 providing a bespoke water garden, a boardwalk pathway, bio-gardens and an all weather 'green room'.
    - Indoor amenities at level 7 of Building F3 comprising communal dining rooms, gathering spaces, meeting rooms, gym, yoga, sauna and spa facilities.
    - Communal open space at level 8 of Building F3 comprising a swimming pool, lounges and cabanas, gathering spaces, BBQ dining areas and a pickleball court.
    - Four separate rooftop communal open space areas on Buildings F1 and F2 including sheltered areas for working, BBQ facilities, and outdoor dining.
  - Block I
    - Two separate rooftop communal open space areas comprising sheltered areas for working, BBQ facilities, and outdoor dining.
- Landscaping throughout the site including embellishment of the ground levels, private terraces, and rooftop communal areas (Levels 2, 8 and 12 for Block F; Level 10 for Block I).
- A new publicly accessible park located to the northwest of Block I – Kooka Parklet.

- Construction on Alpha Street.
- Construction of new intersection at Mitchell Road and Alpha Street.
- Public art provision.

G&H

- Seeks approval of residential (in the form of build to rent and affordable housing development).
- Staged construction of two residential flat buildings, consisting of a total of 505 apartments, including 171 affordable housing units (this includes 15 dual key apartments, if dual key apartments are converted, it would be result in 156 affordable housing units).
- The affordable housing units are being consolidated entirely into Block H.
- A consolidated basement below G&H, comprising two levels of car parking providing 262 car parking spaces, motorcycle parking spaces, storage, and waste management facilities.
- Provision of communal open space and indoor facilities including:
  - Block H:
    - Ground floor outdoor courtyard with seating and shade structure
    - Rooftop communal area with dining area with shade structure, seating, community garden, outdoor bar, working desks.
  - Block G:
    - Indoor communal facilities on the ground floor, including co-working space, cinema, private dining room, lounge, gym, wellness and retreat room, music room and library.
    - Ground floor outdoor courtyard with seating, shade structure, outdoor swimming pool and sun lounges
    - Rooftop communal area at Building G5 with pool, seating, sauna, hot and cold plunge pools, steam room and change room. .
    - Rooftop communal area at Building G3 and G4 with seating, multipurpose court with shade structure, exercise equipment, dog grooming station and community garden.
- Landscaping throughout the site including embellishment of the ground levels, private terraces, and rooftop communal areas (Levels 7 & 8 for Block G; Level 8 for Block H).
- Construction of Nassau Lane and Road widening along Nassau Lane.
- Public art provision.

Planning instrument, development standard and proposed variation

1. What is the planning instrument you are seeking to vary?

State Environmental Planning Policy (Housing) 2021 (Housing SEPP).

2. What is the site's zoning?

The site has as spilt zoning, where the northern portion is zoned E1 Local Centre and southern portion is zoned MU1 Mixed Use zones.

Block F and portion of Block G is located within the E1 zone. Blocks I, G and H are located within the MU1 zone.

3. What is the development standard to be varied?

This clause 4.6 is seeking to vary the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide (ADG) as required under clause 148 (2C) of the Housing SEPP.

4. Type of development standard?

Numeric development standard

5. What is the numeric value of the development standard in the environmental planning instrument?

The recommended minimum ceiling heights specified in Part 4C of the ADG is as follows:

- 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 room with a 30-degree minimum ceiling slope
- If located in mixed used areas: 3.3m for ground and first floor to promote future flexibility of use

6. What is the difference between the existing and proposed numeric values? What is the percentage variation (between the proposal and the environmental planning instrument)?

The areas of the buildings that do not comply with the minimum ceiling height requirement for apartments located within mixed used areas is identified in the table below.

Recommended Minimum ceiling height	Proposed ceiling height	Variation
Block F		
3.3m for ground and first floor	Townhouse style apartments: Ground floor: 2.7m Level 01: 2.4m (level 01 area does not exceed 50% of the entire apartment area)	**Ground: - 0.6m / 18% variation** **Level 1: -0.9m / 27% variation**

Recommended Minimum ceiling height	Proposed ceiling height	Variation
Habitable rooms of units within the upper levels : 2.7m	2.7m	N/A Complies
Block I		
3.3m for ground and first floor	2.7m	**0.6 m / 18% variation**
Habitable rooms of all units: 2.7m	2.7m	N/A Complies
Block G		
3.3m for ground and first floor	2.7m	**0.6m / 18% variation**
Habitable rooms of upper levels units: 2.7m	2.7m	N/A Complies
Block H		
3.3m for ground and first floor	2.7m	**0.6 m / 18% variation**
Habitable rooms of all units: 2.7m	2.7m	N/A Complies

Justification for the proposed variation

1. How is compliance with the development standard unreasonable or unnecessary in the circumstances of the particular case?

Key Questions	Response
a) Are the objectives of the development standard achieved notwithstanding the non-compliance?	The underlying object or purpose of the recommended minimum ceiling heights is to ensure apartments achieve sufficient natural ventilation and daylight access, increase the sense of space, provide for well-proportioned rooms, and contribute to the flexibility of use over the life of the building. Despite the non-compliance, the ground level / first level of all buildings still achieves the objective of Part 4C-1 of the ADG as detailed below. Despite the non-compliance with the recommended ceiling heights within the ground and first floor levels, the apartments achieve sufficient natural ventilation and daylight access. Specifically: ▪ The apartments within all buildings still achieve the standard ceiling height requirement for habitable rooms within a residential zone and will therefore not compromise the amenity of future residents in terms of natural ventilation and daylight access. ▪ Apartments include well-proportioned rooms that meet or exceeds the minimum room dimensions recommended by the ADG. ▪ Objective 4C-3 Floor to ceiling heights of ground and first floor levels promote flexibility of use. The following is noted: – The residential use of the site is permitted with consent and considered appropriate in the context of the site and surrounding land uses. – The approved Concept DA (D2015/966) and Section 5 of the Sydney DCP did not identify non-residential uses within Block G, therefore the apartments are not required to be designed to provide flexibility of use, which is consistent with the Concept DA and Sydney DCP. – The approved Concept DA (D2015/966) and Section 5 of the Sydney DCP identifies non-residential uses within the ground floor of Block F. This is achieved by proposing a supermarket in the centre of the floorplate and having smaller retail tenancies fronting MacDonald Street and the corner of MacDonald Street and Mitchell Road. Accordingly, the desired retail uses have already been provided within Block F. – MacDonald Street and portion of Mitchell Road is activated by retail uses orientated to the streets, which is consistent with the location of active edge prescribed under the DCP (as per Figure 5.119). Street activation can continue be achieved by having direct street access to the ground floor apartments from both Mitchell Road and Kooka Walk within

Key Questions	Response
	Block F. Therefore despite the ceiling height non-compliance the desired urban design outcome can still be achieved. – Given the proposed and already constructed non-residenital land use across the Estate is consistent with Council's DCP and concept plan, flexibility for additional non-residential floor space is not warranted. – The site is in close proximity to commercial centres, such as Marrickville Metro and Alexandria/Green Square town centres, the provision of retail uses within the site is appropriate in the context of this site, and additional retail uses will not be appropriate for the site. – Given the strategic location of the site, there is opportunity to optimise housing, in order to address the housing crisis.
b) Are the underlying objectives or purpose of the development standard not relevant to the development? (Give details if applicable)	Not relied upon
c) Would the underlying objective or purpose be defeated or thwarted if compliance was required? (Give details if applicable)	Not relied upon
(d) Has the development standard been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard?	The following development within the Ashmore Precincts are located within the mixed use area. Approval has been granted despite that the minimum ceiling height in ground and first floor level was not achieved: ▪ Block E D/2023/842: approval was granted for having 2.7m ceiling height on the first floor. ▪ Block A D/2019/393: approval was granted for not having increased ceiling height on the ground and first floor. ▪ Blocks B&C D/2017/681: approval was granted for having 2.7m ceiling height on the first floor.
e) Is the zoning of the land unreasonable or inappropriate so that the development standard is also unreasonable or unnecessary?	Not relied upon

2. Are there sufficient environmental planning grounds to justify contravening the development standard?

There are sufficient environmental planning grounds to justify the proposed variations to the development standard, including the following:

- Although the apartments within the mixed-use area do not achieve the increased 3.3 m floor-to-ceiling height, these apartments achieve the standard habitable room ceiling height for development that are located within residential zone. This ensures that the development achieves appropriate levels of natural ventilation, daylight access and overall residential amenity.
- Strict compliance with the 3.3 m provision would require an increase in building height, further exacerbating non-compliance with the maximum permissible building height standard. This would in turn result in additional bulk and scale, as well as greater amenity impacts (including overshadowing and view loss) to the surrounding area.
- The split-level apartments in Buildings F and G comply with the ADG ceiling height requirements applicable to two-storey apartments outside mixed-use zones.

In conclusion, there are sufficient environmental planning grounds to justify convening the development standard.

3. Is there any other relevant information relating to justifying a variation of the development standard? (If required)

There are no known additional matters that need to be considered within the assessment of the clause 4.6 request and prior to granting concurrence, should it be required.

Disclaimer

This report is dated 17 September 2025 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 Ltd **(Urbis)** opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Coronation **(Instructing Party)** for the purpose of CLAUSE 4.6 VARIATION REQUEST **(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.

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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

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Attachment E

Submissions

From: Jamie Thomas
Sent on: Saturday, June 14, 2025 2:00:41 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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,

As a resident of MacDonald Street, I am strongly opposed to the development of an 11storey apartment complex on 155 Mitchell Road.

This height of building is not in keeping with the rest of Erskineville and surrounding infrastructure. I would request this is not approved and instead a building height of 6-7 storey's only is accepted. A 11 storey building would significantly impact other residential buildings nearby, through reduced sunlight; noise; and have a negative impact on the environment. It is completely out of step with other residential buildings.

Furthermore, Mitchell Road is already significantly bottlenecked with traffic and cannot accomodate a significant increase in traffic. This scale of this proposed residential building will result in high congestion that has not been designed for with roads surrounding 155 Mitchell Road and the services that need to access the area.

We strongly oppose.

regards
Jamie

Jamie Thomas
[redacted]

From: Brian Bollard
Sent on: Saturday, June 14, 2025 3:13:19 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Sounds great. We need more housing!

--

cheers, Brian

Brian Bollard
Rip Graphics
Mail: PO Box 395 Alexandria NSW 1435
Deliveries: Warehouse, 60-62 Wyndham St Alexandria 2015
(ENTRY AT REAR VIA LANE OFF HENDERSON RD)

Always was, always will be Aboriginal land.

From: Abi Rutherford
Sent on: Saturday, June 14, 2025 3:18:46 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Please note that a building of that height is unreasonable and disturbs the existing infrastructure and community dramatically. Please reconsider its approval.

From: Emer Hogan
Sent on: Saturday, June 14, 2025 3:45:07 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear City of Sydney Council,

As a resident of Eve Street in Erskineville, I am writing to **formally object to the proposed height of the development** currently under consideration. An 11-storey building is entirely inappropriate for this location and inconsistent with the existing character of the neighbourhood.

Surrounding buildings in the area range between five and seven storeys. Allowing an 11-storey structure would set an unsympathetic and disproportionate precedent. It would dramatically change the look and feel of the streets, overshadow nearby homes, and significantly reduce access to natural light for existing residents.

While I support the need for more housing, any new development must be balanced and aligned with the capacity of local infrastructure. Currently, public services in the area are already under strain:

- Childcare centres are full - my child is number 117 on a daycare waiting list.
- It is increasingly difficult to get timely GP appointments.
- Traffic congestion on Mitchell Road is worsening.
- Public transport, particularly train services, is not keeping pace with population growth.

I strongly urge the council to reject the current proposal in its current form and work towards a development that is more in keeping with the scale of the neighbourhood and better supported by infrastructure planning.

Kind regards,

Leonora Hogan

Eve St, Erskineville 2043

From: James Norquay
Sent on: Saturday, June 14, 2025 4:52:45 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Sir/Madam,

I am writing to formally lodge my objection to the proposed development near my property at 345 Belmont Street, Alexandria.

Having reviewed the development plans, I have grave concerns regarding the impact on access to natural sunlight at my residence. The height and positioning of the proposed building appear to significantly overshadow my property during key daylight hours. As a resident who relies on natural light for general well-being and mental health, this proposed reduction is not just an amenity issue it may directly affect my health and quality of life.

In addition to the overshadowing concern, I am also deeply concerned about the anticipated increase in local traffic volumes that the development will bring. Belmont Street already experiences congestion during peak hours, and this development could exacerbate that issue, potentially affecting safety, noise levels, and parking availability for local residents.

Given these impacts, I respectfully request that the City of Sydney Council give due consideration to the concerns of directly affected residents such as myself. I urge Council to assess whether appropriate modifications can be made to the scale, placement, and traffic mitigation strategies for this development to ensure that it does not significantly and detrimentally alter the livability of neighbouring homes.

Thank you for taking the time to consider my submission. I would appreciate being kept informed of any updates regarding this application and would welcome the opportunity to speak further at any public meetings or hearings.

Thank you

James

From: Casey M
Sent on: Saturday, June 14, 2025 5:16:22 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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,

11 Storeys for a tower on Mitchell Rd is much higher than anything else on the street and in the area and is not in keeping with the community feel of the area. Also - Micthell Road is at Gridlock every morning and evening - this is simply too many people for one road.

Please reconsider something more sustainable.

From: Jamie Quinn
Sent on: Monday, June 16, 2025 10:20:45 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

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Dear City of Sydney

I have concerns with the height of the proposed building as well as concerns of adding additional BTR and public housing to the area.

Being a property owner for the past 12 months in Erskineville on MacDonald street we have experienced much unrest with current public housing located on George street, the community is not structured for additional public housing and the local law enforcement does not have the capacity to patrol the area now and keep the community safe and the consideration of expanding on this puts the community at further risk of anti social behaviour

I strongly disagree with this application.

Thank you

Jamie Quinn
Bloom & Grow Australia & New Zealand
[redacted]

From: Angelica Celima
Sent on: Monday, June 16, 2025 2:15:45 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Mr. Stephens,

I am writing as a concerned local resident who lives directly across the road from the proposed development at**155 Mitchell Road, Erskineville**, to formally **object** to Development Application**D/2025/448**, submitted by **Coronation Property Co Pty Ltd**.

Visual Impact and Inappropriate Scale

The proposed development, with buildings ranging from **7 to 11 storeys**, is **grossly out of character with the existing streetscape of Mitchell Road**, which is predominantly low- to mid-rise. This excessive height will dominate the surrounding area and significantly contribute to the visual degradation of the neighbourhood. Allowing such a scale of construction risks turning a vibrant and community-oriented street into a**concrete jungle**, irreversibly altering the identity of Erskineville.

Overshadowing and Loss of Natural Light

As a resident **living directly opposite the site**, I am particularly affected by the**overshadowing** that would result from this development. The height and bulk of the proposed buildings will**block natural sunlight into my home**, especially during the morning and early afternoon hours. This will not only affect my**quality of life**, but also the **livability and value** of the property.

Community Character and Precedent

Approval of this application sets a **dangerous precedent** for future developments in this historically low-rise and community-based neighbourhood. Erskineville has long maintained a balance between sustainable development and heritage character — this proposal threatens to disrupt that balance in favour of high-density, high-rise housing.

Request for Review

I strongly urge the City of Sydney to:

- Reject the current proposal in its**present scale and form**;
- Require a **substantial reduction in building height** and bulk to align more closely with the existing streetscape and zoning expectations;

This objection is submitted in good faith with the aim of preserving the unique character, amenity, and livability of Erskineville.

Thanks

Angelica

From: Kirill Kuznetsov
Sent on: Monday, June 16, 2025 2:57:50 PM
To: dasubmissions
Subject: Objection to Development Application D/2025/405: 155 Mitchell Road, Erskineville (Blocks G, H, F & I)

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 the Consent Authority, City of Sydney Council,

This document constitutes a formal objection to the Development Application concerning the urban renewal project at 155 Mitchell Road, Erskineville, with specific reference to the proposed Blocks F, G, H, and I within the Ashmore Precinct.

As a resident of this community, I am deeply concerned by the scale, nature, and foreseeable negative impacts of this proposal. While I acknowledge the need for housing, this development represents a significant and damaging overreach—one that prioritizes excessive density and developer profit at the direct expense of the established character, liveability, and strained infrastructure of Erskineville.

This proposal is not a sensitive integration into our neighbourhood; it is an overwhelming and inappropriate escalation of scale that threatens to permanently degrade the unique atmosphere we value. I urge the Council to reject this application in its current form on the following grounds.

1. Excessive Height and Gross Overdevelopment Incompatible with Local Character

The proposal seeks to erect buildings of up to 11 storeys, a height that is fundamentally at odds with the established character of Erskineville. The developer's own documentation concedes that the adjacent Sydney Park Village development has a **seven-storey** street wall height, and other neighbouring developments are even lower. The Sydney Development Control Plan (DCP) for the Ashmore Precinct itself specifies a character of buildings "up to 8 storeys."

The developer's application for a Clause 4.6 variation to exceed these height controls by a staggering 30% cannot be justified. The claim that this is necessary for the provision of "affordable housing" is a thin veil for a development that maximizes floorspace at any cost. This excessive height will create a domineering and oppressive "canyon effect" along our streets, block sunlight to neighbouring homes and public spaces, and irrevocably damage the human scale of our community. It is a textbook example of overdevelopment that disregards the very context it claims to respect.

2. The Detrimental Impact of a Dominant Build-to-Rent Model

The proposal is proudly positioned as what "will be the largest build-to-rent investment in Australia to date." This model, particularly at this unprecedented scale, is a significant threat to the social fabric of Erskineville. Our suburb is defined by a strong sense of community, fostered by residents who have a long-term stake in the area.

A massive, transient rental population managed by a single corporate entity does not foster this same level of community investment. It risks creating a detached, temporary enclave rather than an integrated part of the neighbourhood. This model prioritizes rental yield for a corporate landlord over the stability and social cohesion that defines a thriving community. It actively undermines the "close-knit local community" the developer purports to value.

3. Failure to Provide Essential Community Infrastructure

The addition of over 1,000 new apartments—translating to several thousand new residents across the Ashmore precinct—imposes an immense strain on our already stretched local services. Yet, this proposal fails to deliver any meaningful social infrastructure to support this influx.

The developer highlights amenities such as private cinemas, music rooms, and rooftop pools. These are not public benefits; they are exclusive facilities for residents. The proposal does not include provisions for critically needed services such as:

- **Medical Facilities:** No new GP clinics or pharmacies are proposed.
- **Childcare Centres:** Essential for the hundreds of new families the development will attract.
- **Community Spaces:** True public spaces, not just private resident lounges.

To approve a development of this magnitude without a concurrent, legally binding plan for essential service delivery is irresponsible. It mortgages the future liveability of our suburb for the sake of development expediency.

4. Exacerbation of Traffic Congestion and Parking Scarcity

The Traffic and Parking Assessment reveals a plan that will inevitably lead to traffic chaos. The proposal includes just **262 parking spaces for 505 apartments** in Blocks G & H. This ratio of approximately 0.5 spaces per dwelling guarantees that hundreds of new vehicles will be forced to compete for the extremely limited on-street parking in the area.

This will not only frustrate existing residents but will also lead to increased traffic congestion on already busy roads like Mitchell Road, Coulson Street, and Hadfields Street as drivers circle the area searching for parking. Furthermore, the claim that proximity to public transport justifies this shortfall is flawed. Existing train and bus services are already operating at or near capacity during peak hours. Adding thousands of new commuters without a significant upgrade to these services will lead to overcrowding and a decline in service quality for everyone.

5. Unacceptable Noise and Amenity Impacts

The sheer density of this proposal, combined with its design, will create an unacceptable level of noise and disruption for neighbouring properties.

- **Operational Noise:** The inclusion of extensive rooftop communal areas, complete with swimming pools, BBQ facilities, and lounges, will generate significant noise from late-night social gatherings, directly overlooking adjacent homes.
- **Traffic and Servicing Noise:** The increase in residential traffic, along with frequent waste collection vehicles and delivery trucks servicing over 1,000 apartments and a supermarket, will create a constant source of noise pollution and disturbance. The submitted documents lack a comprehensive acoustic assessment that adequately addresses the long-term impact on the amenity of the surrounding residential area.

Conclusion: A Proposal that Takes from the Community, and Gives Little Back

This development application is not a balanced or reasonable proposal. It is an attempt to exploit planning loopholes for affordable housing to justify a development of a scale and density that is completely inappropriate for Erskineville.

The excessive height, the lack of critical infrastructure, the flawed build-to-rent model, and the inevitable traffic and noise issues will collectively degrade the quality of life for the existing community. The public "benefits" offered are trivial when weighed against the permanent negative impacts of such a monolithic and out-of-character development.

I strongly urge the Council to reject this application. It is imperative that any development on this site is scaled back to respect the established character of Erskineville and is required to contribute meaningfully to the infrastructure our growing community desperately needs.

From: Stacey T
Sent on: Monday, June 16, 2025 3:57:57 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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 currently live at 74 MacDonald St, Erskineville NSW 2043, my apartment is south facing onto MacDonald Street. When buying here I was excited for buildings to go up in the area, for more people to have access to an amazing area and for shops to go in. What is unique about this place is how the apartments are no more than 8 stories, with Hadfield Place being the highest, which would be across the road from where you are building. It would be a shame to turn into Waterloo or worse still Zetland.
So wondering how do we not destroy the sky line of this beautiful area for everyone who has lived here before these buildings are going up and for everyone who will live in the new buildings too.
Thank you
Stacey

From: naomi halligan
Sent on: Monday, June 16, 2025 3:14:10 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Good afternoon,

Please may I register my concern regarding proposals D/2025/408 and 448

I object to these proposals because I do not believe that high rise residential buildings are in character with the area, and the area does not have the infrastructure to respond to such increase in population (e.g road congestion, schools and primary health care).

Please could you acknowledge receipt of this email.

Regards
Naomi Halligan (resident of Erskineville)

Sent from my iPhone

From: James Mann
Sent on: Tuesday, June 17, 2025 7:39:32 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Mitchell road traffic is already at a standstill especially on weekends and the additional traffic will destroy the liveable surrounds

Sent from my iPhone

From: Matt Smaller
Sent on: Wednesday, June 18, 2025 3:38:27 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Submission Regarding Proposed 11-Story Development at 155 Mitchell Road ERSKINEVILLE NSW 2043

To Whom It May Concern,

I am writing to vehemently object to the proposed 11-story development at 155 Mitchell Road ERSKINEVILLE NSW 2043. While I acknowledge the need for housing development within our community, this proposal drastically departs from the established 7-story height limit and presents grave concerns regarding its impact on the existing character and amenity of Erskineville

The proposed 11-story behemoth will dominate the skyline, setting a dangerous precedent for future developments and irrevocably altering the feel and look of our vibrant community suburb. This dramatic increase in height is excessive and out of scale with surrounding buildings, negatively impacting:

Visual amenity and streetscape: This imposing structure will overshadow existing buildings, disrupting the established streetscape character and creating vast shadowed areas. It will also ruin the currently unimpeded views from Sydney Park, a popular spot to enjoy the night sky and fireworks displays such as New Year's Eve.

Traffic congestion and parking Traffic flows are already cripplingly bad with exploding population growth from the increase in residential developments. This development will only exacerbate the existing congestion and strain already limited parking infrastructure, further impacting residents and local businesses.

Community infrastructure Our current community infrastructure is already stretched thin. There are no new plans for schools, and daycare availability is comically challenging – my family was recently number 134 on a waiting list for our daughter! The increased population density will only worsen these issues and place further strain on essential services like waste collection, water, and gas supply.

Precedent: Approving this development sets a dangerous precedent, inviting a cascade of similarly oversized buildings that will forever change the character of our community, catering directly to the profits of greedy developers who lobby against community interests.

The existing 7-story height limit is entirely appropriate and reflects a carefully considered balance between the need for increased dwellings and the preservation of our neighbourhood's liveability. Approving an 11-story structure will cause irreparable damage, as others of the same size will inevitably follow, resulting in the irreversible loss of our community to developer profits.

This proposal is a completely irresponsible move. We all appreciate the need for increased housing, but this development prioritises profit over community well-being. I urge the Relevant Authority to reject this application and uphold the existing 7-story height limit. Any future development proposals for this site must be sensitive to the existing character and amenity of our community.

I request the opportunity to discuss my concerns further at your convenience.

Sincerely,

Matt Smaller

From: [redacted]
Sent on: Wednesday, June 18, 2025 3:15:18 PM
To: council
Subject: Feedback on development proposals D/2025/405 and D/2025/448 at 155 Mitchell Road, 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.

Thank you for the opportunity to provide feedback on the development proposals as listed above in the 'subject' field. The proposed modified concept changes for the Erskineville Ashmore precinct blocks F, G, H and I are of considerable concern to me.

- The proposed increased height is out of scale and character for the neighbourhood and far above what was originally planned.
- The height will obstruct existing city skyline and tree canopy views which currently provide environmental balance in an already high density precinct on the city edge.
- The look of the combined large blocks is unattractive and out of character with the neighbourhood.
- The dramatic increase in building height will overshadow existing homes and public spaces.
- The increase in population (including the 'build to rent' proposal) will put further strain on: street parking; vehicular congestion; local infrastructure such as schools, child care, GP services, services for the aging population; and, pedestrian safety.
- The amenity and liveability of Erskineville will be greatly diminished. Erskineville has already taken its fair share of high density. Additionally, the adjoining precincts of Green Square/Zetland/Redfern have all provided high density accommodation on the edge of an ever expanding city.

I request that my following identifying details not be published:

- name
- email address

Kind regards
[redacted]

From: Christopher Medlicott
Sent on: Friday, June 20, 2025 1:56:52 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Michael,

I refer to the submission D/2025/405 for 155 Mitchel Road, Erskineville.

I note the height of the buildings has increased to 11 at certain parts of the site.

I am writing to submit my objection / concerns in relation to these increased heights. I note the original Ashmore Precinct had very clear height specifications per site. Many owners in the immediate area have purchased properties with the specific master plan in place. The increased heights are likely to have an impact on local amenity, including impacts from shadowing of nearby streets and buildings.

Further to this, the increased vehicular traffic in and around the precinct, including nearby roads (particularly Mitchell Road) will have a negative impact on local amenity.

On this basis, I am submitting this objection for council's consideration; as these changes represent a material moving of the goalpost at the final stages of the Ashmore Precinct redevelopment.

Regards,
Christopher Medlicott
[redacted]
Sent from my iPad

From: Lorraine Chung
Sent on: Tuesday, June 24, 2025 5:05:20 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Hello to whom this might concern,
I would like to provide feedback on the development application related to Amending Concept Application (D/2025/448) for buildings F&I.
I am fundamentally against the proposal, especially the application to change the original designs to increase height in order to accommodate Built to Rent apartments.

First of all, currently the roads in surrounding area is not equip to service the volume of people that would flood the area if the apartments are built according to the new plan.
Mitchell road is already an extremely busy road for this size, it is constantly congested, it is not design to be a main road but is forced to be the main through way for the area.

Secondly, built to rent scheme is fundamentally flawed and will not help solve our current housing crisis, it will increase rent prices in the area, and take away potential homes for buyers who want to have their family in the area. Studies show that built to rent accommodation rises rent in surrounding areas, and corporate landlords are less empathetic, less flexible, less accommodating to their tenants. They also pay less tax, receives more government subsides than private landlords.

Developers landlords might sound like a good idea, but they might are even more unhinged and less regulated. They can also evict renters on short notice, raise rent as they please, or simply not renew the lease because the market is in high demand. (This has been happening at other built to rent apartments) They can also convert these rentals into short term rentals if it fits their business model.

Developers are even more profit driven than all individual homeowners/investors combined. Build to rent (including student accommodations such as igloo) are generally more expensive than individual landlord rented properties.

Built to rent also means less housing stock for home buyers, for families who want to establish their homes, people who have the means and would like to own their own home, no matter if they are first time second time third homeowners.

Changing approved plans to allow for bigger taller built to rent housing complex are just a way for the government to subsidies and profit developers with the limited land available in inner Sydney for families, cutting out normal people, reducing housing stock, in effect giving profit to developers with no benefit to the community, the government, nor the people of Sydney.

Please reconsider the application from Coronation properties (which is also a known developer with deep political ties with the NSW government), I implore you to do the right thing.

Best,
Lorraine

From: Ignazio Castrogiovanni
Sent on: Sunday, June 29, 2025 9:03:18 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Mr Stephens,

I am an Erskineville resident and I am firmly opposed to the proposed build-to-rent complex at the Ashmore Precinct, 155 Mitchell Road Erskineville NSW 2024.

The **11-storey height limit being proposed is completely at odds with the character of our low-rise suburb**. These buildings would:

- Dominate the skyline
- Cast long shadows across parks and neighbouring streets
- Reduce the livability and charm that Erskineville is known for

On top of that, the **influx of thousands of new residents** will place intense pressure on:

- Public transport, already overcrowded during peak hours
- Local schools and childcare facilities
- Parking and traffic flow in surrounding streets

This is an overreach. Growth is needed, but it must be **appropriate, considered, and backed by infrastructure**. This proposal fails on all three counts.

Sincerely,

Ignazio Castrogiovanni

Resident of Erskineville

3903/177-219 Mitchell Road, Erskineville NSW 2043

From: Sarah Kennedy
Sent on: Sunday, June 29, 2025 8:53:05 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Mr Stephens,

As a local resident who walks these streets daily, shops locally, and uses nearby parks with my family, I strongly oppose the proposed high-rise (11-storey) buildings in the Ashmore Precinct 155 Mitchell Road Erskineville NSW 2043.

The scale of this development is **entirely out of proportion** for Erskineville and would:

- Overwhelm the neighborhood with bulk and shadow
- Bring a **huge increase in residents** with no supporting infrastructure
- Strain public facilities we all rely on — especially transport, green space, and street parking

We're not against development — we're asking for **development that fits**. That means scaling back the height and ensuring infrastructure is upgraded in parallel. Otherwise, the unique fabric of this community will be lost.

Sincerely,

Sarah Kennedy

Resident of Erskineville

3903/177-219 Mitchell Road Erskineville NSW 2043

From: Kirill Kuznetsov
Sent on: Monday, June 30, 2025 8:52:21 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To the Consent Authority, City of Sydney Council,

This document constitutes a formal objection to the Development Application concerning the urban renewal project at 155 Mitchell Road, Erskineville, with specific reference to the proposed Blocks F, G, H, and I within the Ashmore Precinct.

As a resident of this community, I am deeply concerned by the scale, nature, and foreseeable negative impacts of this proposal. While I acknowledge the need for housing, this development represents a significant and damaging overreach—one that prioritizes excessive density and developer profit at the direct expense of the established character, liveability, and strained infrastructure of Erskineville.

This proposal is not a sensitive integration into our neighbourhood; it is an overwhelming and inappropriate escalation of scale that threatens to permanently degrade the unique atmosphere we value. I urge the Council to reject this application in its current form on the following grounds.

1. Excessive Height and Gross Overdevelopment Incompatible with Local Character

The proposal seeks to erect buildings of up to 11 storeys, a height that is fundamentally at odds with the established character of Erskineville. The developer’s own documentation concedes that the adjacent Sydney Park Village development has a **seven-storey** street wall height, and other neighbouring developments are even lower. The Sydney Development Control Plan (DCP) for the Ashmore Precinct itself specifies a character of buildings "up to 8 storeys."

The developer’s application for a Clause 4.6 variation to exceed these height controls by a staggering 30% cannot be justified. The claim that this is necessary for the provision of "affordable housing" is a thin veil for a development that maximizes floorspace at any cost. This excessive height will create a domineering and oppressive "canyon effect" along our streets, block sunlight to neighbouring homes and public spaces, and irrevocably damage the human scale of our community. It is a textbook example of overdevelopment that disregards the very context it claims to respect.

2. The Detrimental Impact of a Dominant Build-to-Rent Model

The proposal is proudly positioned as what "will be the largest build-to-rent investment in Australia to date." This model, particularly at this unprecedented scale, is a significant threat to the social fabric of Erskineville. Our suburb is defined by a strong sense of community, fostered by residents who have a long-term stake in the area.

A massive, transient rental population managed by a single corporate entity does not foster this same level of community investment. It risks creating a detached, temporary enclave rather than an integrated part of the neighbourhood. This model prioritizes rental yield for a corporate landlord over the stability and social cohesion that defines a thriving community. It actively undermines the "close-knit local community" the developer purports to value.

3. Failure to Provide Essential Community Infrastructure

The addition of over 1,000 new apartments—translating to several thousand new residents across the Ashmore precinct—imposes an immense strain on our already stretched local services. Yet, this proposal fails to deliver any meaningful social infrastructure to support this influx.

The developer highlights amenities such as private cinemas, music rooms, and rooftop pools. These are not public benefits; they are exclusive facilities for residents. The proposal does not include provisions for critically needed services such as:

- **Medical Facilities:** No new GP clinics or pharmacies are proposed.
- **Childcare Centres:** Essential for the hundreds of new families the development will attract.
- **Community Spaces:** True public spaces, not just private resident lounges.

To approve a development of this magnitude without a concurrent, legally binding plan for essential service delivery is irresponsible. It mortgages the future liveability of our suburb for the sake of development expediency.

4. Exacerbation of Traffic Congestion and Parking Scarcity

The Traffic and Parking Assessment reveals a plan that will inevitably lead to traffic chaos. The proposal includes just **262 parking spaces for 505 apartments** in Blocks G & H. This ratio of approximately 0.5 spaces per dwelling guarantees that hundreds of new vehicles will be forced to compete for the extremely limited on-street parking in the area.

This will not only frustrate existing residents but will also lead to increased traffic congestion on already busy roads like Mitchell Road, Coulson Street, and Hadfields Street as drivers circle the area searching for parking. Furthermore, the claim that proximity to public transport justifies this shortfall is flawed. Existing train and bus services are already operating at or near capacity during peak hours. Adding thousands of new commuters without a significant upgrade to these services will lead to overcrowding and a decline in service quality for everyone.

5. Unacceptable Noise and Amenity Impacts

The sheer density of this proposal, combined with its design, will create an unacceptable level of noise and disruption for neighbouring properties.

- **Operational Noise:** The inclusion of extensive rooftop communal areas, complete with swimming pools, BBQ facilities, and lounges, will generate significant noise from late-night social gatherings, directly overlooking adjacent homes.
- **Traffic and Servicing Noise:** The increase in residential traffic, along with frequent waste collection vehicles and delivery trucks servicing over 1,000 apartments and a supermarket, will create a constant source of noise pollution and disturbance. The submitted documents lack a comprehensive acoustic assessment that adequately addresses the long-term impact on the amenity of the surrounding residential area.

Conclusion: A Proposal that Takes from the Community, and Gives Little Back

This development application is not a balanced or reasonable proposal. It is an attempt to exploit planning loopholes for affordable housing to justify a development of a scale and density that is completely inappropriate for Erskineville.

The excessive height, the lack of critical infrastructure, the flawed build-to-rent model, and the inevitable traffic and noise issues will collectively degrade the quality of life for the existing community. The public "benefits" offered are trivial when weighed against the permanent negative impacts of such a monolithic and out-of-character development.

I strongly urge the Council to reject this application. It is imperative that any development on this site is

scaled back to respect the established character of Erskineville and is required to contribute meaningfully to the infrastructure our growing community desperately needs.

Best regards,

Kirill Kuznetsov

From: Stacey Trinh
Sent on: Monday, June 30, 2025 10:26:45 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear City of Sydney Assessment Team,

I am writing to formally object to the proposed development application D/2025/405, which seeks approval to construct an 11-storey building in Erskineville. This proposal is significantly out of character with the established built form of the surrounding area, where the majority of buildings do not exceed 6 to 8 storeys.

For example:

- **The Erko Apartments** on Ashmore Street are capped at **6 storeys** and are already considered among the higher-density developments in the area.
- **The Eve Apartments** near Macdonald Street are limited to **8 storeys**, designed to harmonise with the surrounding residential and heritage fabric.
- **One Sydney Park**, a major nearby development along Euston Road, is also limited to **approximately 8 storeys** in most of its structures.

Approving an 11-storey structure in this precinct would set a disruptive precedent, eroding the mid-rise character that defines Erskineville's evolving but still sensitive urban landscape. This scale would not only overshadow neighbouring residences, but it would also strain local infrastructure, increase traffic congestion, and reduce amenity for existing residents due to potential loss of privacy and sunlight.

The Erskineville community has actively supported moderate development that aligns with Council's own planning principles for human-scale, livable urban density. A height cap of **8 storeys** is more than sufficient to allow growth while ensuring that new development integrates respectfully into the existing streetscape.

I strongly urge Council to reject the current height proposal and work with the applicant to revise the design to a maximum of 8 storeys, which would better reflect the surrounding context and community expectations.

Thank you for considering this submission.

Yours sincerely,
Stacey Trinh
74 MacDonald Street, Erskineville 2043

STACEY TRINH | COUNTRY MANAGER, AUSTRALIA AND NEW ZEALAND
[redacted]
605 5TH AVE S, SUITE 800, SEATTLE, WA 98104
PAULASCHOICE.COM



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From: Planning Systems Admin

Sent on: Monday, June 30, 2025 12:43:15 PM
To: DASubmissions
Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Frank Debusmann
Sent: Monday, 30 June 2025 12:07 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Mr Stephens,

I am writing as a long-term resident of Erskineville to formally object to the proposed height of the new development, particularly the inclusion of levels 8 through 11.

Erskineville has long maintained a distinct character – a village-like charm with heritage, community, and livability at its core. The proposed height is inconsistent with the existing scale and feel of the area, and risks turning Erskineville into another high-rise corridor like Mascot – a space dominated by towering buildings and lacking the cultural fabric that makes this suburb unique.

Beyond aesthetics, this development would place further pressure on already stretched local infrastructure. Schools in the area are at full capacity, and additional high-density housing would exacerbate the strain on local teachers, classrooms, and community services.

I urge you to reconsider the building height and preserve what makes Erskineville a vibrant, livable, and distinct part of Sydney.

Kind regards,

Frank Debusmann

From: Planning Systems Admin

Sent on: Monday, June 30, 2025 12:44:33 PM
To: DASubmissions
Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Anne Debusmann
Sent: Monday, 30 June 2025 12:12 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Mr Stephens,

I am writing as a long-term resident of Erskineville, and me and my kids who always lived here call it our home, to formally object to the proposed height of the new development, particularly the inclusion of levels 8 through 11.

Erskineville has long maintained a distinct character – a village-like charm with heritage, community, and livability at its core. The proposed height is inconsistent with the existing scale and feel of the area, and risks turning Erskineville into another high-rise corridor like Mascot – a space dominated by towering buildings and lacking the cultural fabric that makes this suburb unique.

Beyond aesthetics, this development would place further pressure on already stretched local infrastructure. Schools in the area are at full capacity, and additional high-density housing would exacerbate the strain on local teachers, classrooms, and community services.

I urge you to reconsider the building height and preserve what makes Erskineville a vibrant, livable, and distinct part of Sydney.

Kind regards,

Anne Debusmann

From: John Kennedy
Sent on: Monday, June 30, 2025 1:32:23 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To Whom it May Concern,

As the owner of an investment property in Erskineville, I am writing to object to the proposed development at the Ashmore Precinct (Blocks F–I).

While I support thoughtful residential growth, the proposed 11-storey buildings are vastly disproportionate to the area's established character and could significantly undermine the long-term value and livability of the precinct.

My concerns include:

- Overshadowing and bulk that will degrade the visual and environmental quality of the neighbourhood
- A dramatic increase in population density without matching infrastructure improvements
- Potential negative impact on amenity, parking, and transport, all of which matter to renters and owners alike

As someone who has invested in Erskineville for its balance between urban convenience and community charm, I believe this project threatens that equilibrium. I urge the planning authority to revisit the scale and infrastructure alignment of this proposal.

Yours Sincerely,

John Kennedy

Property Owner

Unit 3903/177-219 Mitchell Road

Erskineville NSW

From: [redacted]
Sent on: Sunday, June 29, 2025 4:09:15 PM
To: City of Sydney
Subject: Development applications D/2025/405 & D/2025/448 situated 155 Mitchell Road, Erskineville. 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.

Dear Sir/Madam,
I wish to make the following comments in opposition to the above applications:
1. The proposed heights of the buildings are out of character with the historical nature of the area;
2. The increase in population will cause undue strain on local infrastructure and amenities;
3. The increase in the number of cars will exacerbate congestion on Mitchell Road;
4. the increase in population with less carparks provided in the development will create chaos for on street parking and this will adversely affect businesses on Mitchell Road. In any case residents in this development should not be issued any on street parking permits if the development itself is not providing adequate on site parking.

Yours faithfully,
[redacted]

From: Joanna Dempsey
Sent on: Monday, June 30, 2025 8:08:55 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

I think this will be a disaster to the area..the roads are already grid locked,no parking anywhere and destroys the village feel to this area...historic character in the area is destroyed with such a ugly building design.

I HOPE THIS IS NEVER APPOVED..WHAT A DISASTER!!!

Get Outlook for Android

From: Jeremy Austen

Sent on: Tuesday, July 1, 2025 10:36:25 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens
Attachments: D2025405_CoS_Ashmore_JAusten_250107.pdf (606.12 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 Michael

Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

Please find attached a response to the above submission.

Regards,

Jeremy

Jeremy Austen
361 Belmont Street
Alexandria NSW 2015
[redacted]

1 July 2025

Jeremy Austen
a 361 Belmont Street Alexandria NSW 2015
e [redacted]
t [redacted]

City of Sydney
Town Hall House
456 Kent Street
Sydney
NSW 2000

Coronation Property
Response to Detailed Development Application
related to Amending Concept Application (D/2025/448)
Ref no: D/2025/405
Site: 155 Mitchell Road, Erskineville NSW 2043

Buildings F and I, and Buildings G and H

I am writing in opposition to the proposed changes by Coronation Property to the previous Concept Consent (D/2015/966).
My reasons are as follows:

1 They contradict previous proposals for the precinct

The proposed increases in envelope compared to original plans in the *Sydney Development Control Plan* (DCP) 2012 (see Figure 1), are as follows:

Building F – from a four/six-story to an eleven-storey building

Building I – from a five/six-storey to a nine-storey building

Building G – from a five/eight-storey to a seven/eleven-storey building

Building H – from a six/seven-storey to a six/ten-storey building

In some instances, that's double the size, which is unacceptable.



Figure 1
Source: *Urbis, Statement of Modification v2, 57 Ashmore Street, Erskineville*

2 There is no justification offered for the increased sizes

These increases are unexplained. Previously, GH Properties had varied their proposal for buildings B and C to include one extra storey, based on the questionable justification that they had been blocked from removing the trees on the corner Mitchell Road and Ashmore Street as justification for this (note: the land these trees are on is public space and includes a heritage listed electrical substation, so should never have been included in the development in the first place, especially given the age and the beauty of the trees, the relevance of the substation and the City of Sydney's policies regarding tree removal and heritage).

But there seems to be no explanation or justification for the more extreme increase in scale of this new proposal for Buildings F and I and Buildings G and H. One can only assume that it must be developer profits driving this.

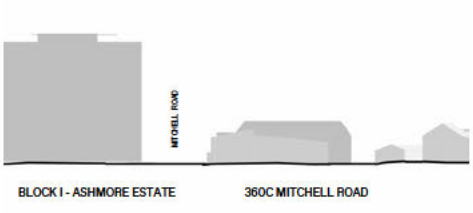


Figure 2
Source: BVN Development Application Site Elevations, AR-00-10A-XX-03, 02/05/20225

3 They are incompatible with The Cooper Estate Conservation Area

Buildings F and I are directly adjacent to this heritage area which starts on Mitchell Road (including the road itself) and includes Belmont Street, of which I am a resident, and Lawrence Street to the south east of this. Buildings in this area are predominantly one and two storeys high, with a few of three or four storeys, as identified in your Statement of Heritage Impact for the precinct. According to your *Sydney Local Environmental Plan* (LEP) 2012 and the *Sydney Development Control Plan* (DCP) 2012, these streets have an FSR of 2:1 and 1.25:1.

A nine storey and an eleven storey building directly opposite here would be a degradation of the quality of the area and not in the public interest. It would be visually incompatible, have too much height and bulk and would cast shadows onto buildings on the south east side of Mitchell Road and beyond, issues that were noted as community concerns in City of Sydney's *Ashmore Update: Urban Design*.

The close proximity of buildings F and I would be detrimental to the Conservation area as it visually encroaches on it to an unacceptable level (see Figure 2).



Figure 3
Source: Bates Smart, *S12794 Ashmore Estate Buildings F&I, Architectural Drawings, 155 Mitchell Road, Erskineville 2043*

4 They are detrimental to neighbouring properties

The shadow diagrams show that, even though our house is half a block away from Buildings F and I, they will still cast a shadow over our houses and rear gardens in Belmont Street to an unacceptable degree (see Figure 3). There will also be an unprecedented loss of privacy due to these buildings overlooking our houses.

5 They contradict City of Sydney's vision for the precinct

Erskineville and north Alexandria are areas of small terraced houses and it has been recognised by City of Sydney that there should be a transition between these heritage areas and the new higher buildings in the Ashmore precinct, as stated in your original *Planning for the Ashmore precinct* web page:

> *'The Sydney DCP outlines the vision for Ashmore. It will be a mainly residential area within the suburb of Erskineville. Terraces, townhouses and apartments will be fronted by tree-lined streets ...'*
>
> *'We want sustainable and responsible development that meets the needs of a growing population but respects and protects the character of surrounding suburbs.'*
>
> *'The review recommended Ashmore precinct should incorporate a variety of building types and heights, reduce the impact of building at street level and provide designated open space. As a result,the planning controls have a predominant building height of five and six storeys, lower building heights near conservation areas...'*

This ethos is reflected in the Ashmore precinct in the new row of terraced houses in Metters Street, built adjacent to the back of terraced cottages and houses in Ashmore Street. Given the similar proximity to terraced houses, why hasn't this ethos been applied to buildings F and I.

The other buildings in the Ashmore precinct on Mitchell Road (buildings A and B) are only three to four storeys high, suggesting there has been a consideration for adjacent building heights there. Therefore, what is the justification for a proposal for nine storeys for building I and eleven storeys for Building F which is opposite the same kind of low level buildings?

The only higher buildings on Mitchell Road are six to ten storeys in Sydney Park Village, but these are not directly opposite the conservation area and shouldn't be used as a precedent. Indeed, the Sydney Park Village buildings that are adjacent to the conservation area, at the end of Belmont Street, are respectfully only two storeys in height. The more recently built Arkadia building is only six storeys high and, being at the end of the road, has less visual impact on neighbouring properties. These should be considered as being appropriate precedents to base the proposal for buildings F and I on.

6 They contradict City of Sydney's planning guidelines for the precinct

According to your *Sydney Development Control Plan* (DCP) 2012, the FSR for the area of Ashmore Estate containing buidings F and I is 1.75:1 (see Figure 4). Do these buildings really still fit within this constraint?

7 They are detrimental to public amenity

These will be the largest buildings in the area. The scale, both in height and width, of Buildings F and I will create a terrible wind tunnel effect along Mitchell Road. It's one thing to have a tall building, but to have a tall and wide building is another. It creates an unpleasant wall of building which will significantly change the nature of an otherwise low to medium rise area.

These buildings 'turn their backs' on Mitchell Road, offering no sense of street community, unlike the houses on the opposite side of the road.

8 They add nothing new to public amenity

They will add nothing to public amenity which isn't already there. There is already a supermarket within the precinct and another within walking distance. The fact that another is proposed, only goes to show how poor the planning is for this precinct – if it had been planned properly there would have been one decent-sized supermarket rather than two small ones.

Sydney Park Village has a piazza on the corner of Mitchell and Coulson roads, which offers a spece for placemaking and community interaction, with a cafe, a restaurant and a shop. There is a missed opportunity to extend this community piazza space onto the opposite corner where Building I is.

In summary, I strongly oppose the proposed Detailed Development Application for the Ashmore Estate Buildings F and I and Buildings G and H and recommend restricting the size of buildings in this location to that outlined in City of Sydney's own Development Control Plan.

I look forward to your response.

Regards,

Jeremy Austen



Figure 4
Source: *Draft Amendment – South Sydney Development, Control Plan Amendment: Urban Design 1997 – Part G, Ashmore Precinct*

From: Matthew Perkins
Sent on: Tuesday, July 1, 2025 11:28:06 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To whom it may concern,

I have lived in Erskineville for nearly 15 years and have raised my family here.

Despite all the changes and development in the area, the persistence of a village feel is key to the atmosphere and to the sense of community made possible.

I have strong concerns that allowing 7-11 storey developments as proposed in this submission would fundamentally change the feel, atmosphere and spirit of the area.

This sized building would be way out of step with existing buildings, would fundamentally change the look of the area, would look out of place, and would set a dangerous precedent for more and more such buildings.

The current cap on buildings around 6 storeys seems to offer a decent balance between population density and community feel.

Because of all these points, I ask you to turn down this development application and help preserve some of this area's traditional atmosphere.

Thank you,

Matthew
56/20 Eve St
Erskineville

From: sonya matthew
Sent on: Tuesday, July 1, 2025 10:00:04 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Hello City of Sydney

I want to comment on my concern with this large development proposed for Mitchell Road, Erskineville.

I am currently a resident of Erskineville (have been since 2014) and feel this large development is going to cause harm to Erskineville's community environment.

In particular, the proposed 7 - 11 storey height of the development will reduce the sunshine on our streets and in our local homes. Furthermore, the additional stories will increase the population, which will have a concerning impact on the overall congestion of our roads in Erskineville.

Additionally, with more residents, this will create an issue with available car spaces on our local streets.

Please reconsider the proposed storeys to limit it to below 6-7 storeys as originally proposed for this development to ensure less shadowing of local housing and overpopulated areas and congestion.

Please don't allow this to dictate how Erskineville will be changed and cause damage to our community.

Thank you
Sonya

From:	Nick Summers
Sent on:	Tuesday, July 1, 2025 12:49:20 PM
To:	dasubmissions
CC:	cmoore; heffron
Subject:	DA Submission: Objections to D/2025/448 and D/2025/405
Attachments:	Mitchell Rd DA submissioon.pdf (39.87 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.

Attention
Development Approvals
City of Sydney Council
dasubmissions@cityofsydney.nsw.gov.au

From
Nicholas Summers
330 Mitchell Road
Alexandria NSW 2015
[redacted]

RE: Objections to D/2025/405 and D/2025/448

I am writing in relation to Development Applications D/2025/405 and D/2025/448, both of which concern the developments at 155 Mitchell Road, Alexandria NSW 2015. My property is at 330 Mitchell Road, directly opposite Building I.

I am not, in general, opposed to the development of the site. I am not fundamentally opposed to change, and I believe in and am supportive of the principles of affordable housing and build-to-rent.

However, I am very strongly opposed to the proposed amendments to the already-approved plans, which will add additional stories to Buildings I and F, and which will result in an irrevocable loss of comfort and conviviality for existing residents of the southern end of Mitchell Road.

Alexandria and Erskineville are renowned for being ‘village communities’. This fact is celebrated by the bright and cheerful hoardings currently surrounding the excavation taking place at the site. While ‘community’ might be a guiding principle for the space within the development envelope — and this is to be applauded — the monolithic structures under consideration do little to maintain a feeling of intimacy or congeniality outside that envelope.

I understand the need for affordable housing — but I also value balance, and these amendments clearly prioritise development over the needs and comfort of existing residents.

The enormous size and bulk of the new buildings is visually and psychologically oppressive, and I think that only someone who does not have to live across the road from them in the future would choose not to see that. This is of course subjective, but ‘architectural delight’ — which is very clearly a focus of the optimistically-worded descriptions contained within the DAs — is as subjective a concept as the comfort of the people most intimately affected by these amendments is an objective reality.

The perspective drawings and elevations reveal how massive these amended building heights will be in relation to the existing structures on Mitchell Road, which are all low- to medium-rise and which are, with only a couple of

exceptions, all residential. The sense of overshadowing will be immense and the loss of privacy inescapable.

The DA documents provide detailed reporting on the requirements for solar access for the new structures but do not account for their impact on existing buildings. The solar diagrams show definitively that the buildings along the southern end of Mitchell Road will lose their sunlight from about midday during the coldest months of the year. Not only will this overshadowing be oppressive, it is also likely to lead to increased heating costs for affected buildings.

I also have serious concerns about increased traffic flow and safety — for instance, the corner of Maddox Street and Mitchell Road desperately needs a set of pedestrian crossing lights — but trust that Council will attend to that.

I urge Council to reject the proposed changes on the grounds that they do not adequately address the needs of existing residents on the southern end of Mitchell Road and for the reasons given above.

At the very least, I believe any additional stories that are approved should be set back significantly from the leading edge of the envelope along a gradient that minimises both the visual impact compared to the surrounding environment and the severe impact of the loss of sunlight.

Sincerely,

Nicholas Summers
330 Mitchell Road, Alexandria, NSW 2015
[redacted]

Nick Summers
(ABN 453 437 157 29)
[redacted]
P.O. Box 901
Newtown NSW 2042
Australia

1 July 2025

Attention
Development Approvals
City of Sydney Council
dasubmissions@cityofsydney.nsw.gov.au

From
Nicholas Summers
330 Mitchell Road
Alexandria NSW 2015
[redacted]

RE: Objections to D/2025/405 and D/2025/448

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However, I am very strongly opposed to the proposed amendments to the already-approved plans, which will add additional stories to Buildings I and F, and which will result in an irrevocable loss of comfort and conviviality for existing residents of the southern end of Mitchell Road.

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The perspective drawings and elevations reveal how massive these amended building heights will be in relation to the existing structures on Mitchell Road, which are all low- to medium-rise and which are, with only a couple of exceptions, all residential. The sense of overshadowing will be immense and the loss of privacy inescapable.

The DA documents provide detailed reporting on the requirements for solar access for the new structures but do not account for their impact on existing buildings. The solar diagrams show definitively that the buildings along the southern end of Mitchell Road will lose their sunlight from about midday during the coldest months of the year. Not only will this overshadowing be oppressive, it is also likely to lead to increased heating costs for affected buildings.

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I urge Council to reject the proposed changes on the grounds that they do not adequately address the needs of existing residents on the southern end of Mitchell Road and for the reasons given above.

At the very least, I believe any additional stories that are approved should be set back significantly from the leading edge of the envelope along a gradient that minimises both the visual impact compared to the surrounding environment and the severe impact of the loss of sunlight.

Sincerely,

Nicholas Summers
330 Mitchell Road, Alexandria, NSW 2015
[redacted]

From: Bradley Bishop
Sent on: Tuesday, July 1, 2025 12:19:09 PM

To: dasubmissions
Subject: Submission - D/2025/405 & D/2025/448 - 155 Mitchell Road 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.

To: Development Assessments Team

City of Sydney Council

RE: Objection to Development Applications D/2025/405 and D/2025/448 – Erskineville Ashmore Precinct Blocks F, G, H & I

Date: 1st July 2025

Dear Assessors,

I am writing to formally object to the proposed modifications outlined in the above development applications for the Ashmore Precinct (Blocks F, G, H & I), Erskineville.

While I support appropriate development that enhances community wellbeing, I believe the scale and intensity of the proposed modifications are inconsistent with sound urban planning principles and pose a threat to the character, infrastructure, and liveability of Erskineville.

1. Excessive Building Heights and Bulk

The proposed increase in building heights—up to 11 storeys for some blocks—is a 43% uplift from the original controls and is fundamentally at odds with the low-rise, heritage-influenced character of Erskineville. This fails the planning principle articulated in *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*, where the Court noted that compatibility requires "not sameness" but "a respectful response" to the surrounding built form. In this case, the proposal overwhelms, rather than respects, the existing built environment.

Moreover, the City of Sydney's Local Environmental Plan (LEP) 2012 and Erskineville Planning Strategy have consistently emphasised the importance of human-scaled development and preservation of character precincts. Allowing this scale of uplift undermines the strategic vision for the area.

2. Overshadowing and Loss of Amenity

Increased building heights will result in substantial overshadowing of adjacent public and private open spaces, leading to a loss of natural light and diminished outdoor amenity. In*Veloshin v Randwick Council [2007] NSWLEC 428*, the Court highlighted that solar access to both existing and future residents must be "reasonable and equitable." This DA modification fails that test.

3. Strain on Local Infrastructure, Especially Schools and Roads

No clear infrastructure plan accompanies this intensification. Local schools such as Erskineville Public and Newtown High are already nearing or at capacity. The NSW Department of Planning's Principles for Greater Sydney state that "infrastructure must be planned concurrently with growth."

Additionally, the proposed reduction in on-site parking will lead to further congestion in an already pressured street network, contrary to the principles in*Stockland Development Pty Ltd v Manly Council [2004] NSWLEC 472*, where cumulative traffic and parking impacts were deemed unacceptable in the absence of mitigation measures.

4. Erosion of Community Character and Cohesion

The likely build-to-rent nature of the development fosters transient tenancy, potentially reducing long-term community investment. The Court in*Gordon v Warringah Council [2010] NSWLEC 1025* noted that social impacts, including a reduction in community cohesion, must be considered under s4.15(1)(b) of the Environmental Planning and Assessment Act 1979 (NSW) ("EP&A Act").

5. Inconsistency with Design Excellence Provisions

While the DA cites design excellence as justification for height bonuses, the proposal does not demonstrate an exceptional architectural outcome as required under Clause 6.21 of the LEP 2012. There is limited evidence of superior environmental, urban or social design that would warrant such a significant breach of planning controls.

6. Breach of Public Expectation and Procedural Fairness

Residents have participated in earlier planning processes in good faith, relying on the original planning controls. Substantially modifying these controls erodes public trust and contravenes the principle of legitimate expectation, which the Court has upheld in decisions such as *Terrace Tower Holdings Pty Ltd v Sutherland Shire Council [2003] NSWLEC 201*.

Conclusion

For the reasons above, I strongly object to Development Applications D/2025/405 and D/2025/448 and urge Council to refuse them in their current form. A more moderate, human-scaled approach that aligns with the LEP, respects community input, and integrates with infrastructure capacity would be more appropriate.

Yours sincerely,

Bradley Bishop

177-219 Mitchell Road, Erskineville

From: Farzad Jazayeri
Sent on: Tuesday, July 1, 2025 2:19:39 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To Whom It May Concern,

Subject: Strong Objection to Development Application D/2025/405 – 155 Mitchell Road, Erskineville NSW 2043

I am writing to express my strong objection to the proposed changes in Development Application D/2025/448, which seeks to increase the building height and number of units under a build-to-rent model at 155 Mitchell Road, Erskineville.

The proposed increase in density will significantly and negatively impact the character and liveability of the local area. Erskineville is already experiencing the effects of overdevelopment, with mounting pressure on local infrastructure and public amenities. Adding more residential units will only exacerbate these existing issues.

My specific concerns include the following:

1. **Overcrowding and Density:**
   The proposed increase will result in excessive population density, which is inconsistent with the current character of Erskineville. This threatens to erode the community's unique village atmosphere and liveability.

2. **Public Infrastructure Strain:**
   Local schools are already operating at or near full capacity, and both train and bus services are frequently overcrowded during peak hours. Increasing the number of residents will place unsustainable pressure on these already stretched public services.

3. **Traffic Congestion and Parking Issues:**
   The area's roads are already congested, particularly during peak periods. There is insufficient parking to meet current demand, and increasing the number of dwellings without appropriate parking provisions will worsen this issue, contributing to traffic congestion and safety concerns for both motorists and pedestrians.

4. **Loss of Amenity and Environmental Impact:**
   Taller buildings will lead to overshadowing, loss of privacy, and reduced sunlight for neighbouring properties. Additionally, the proposed increase in units will likely contribute to increased noise and reduced open green space, further affecting the area's residential amenity.

While I support thoughtful and sustainable development, this proposal is excessive and does not align with the capacity or character of Erskineville. I urge the responsible authorities to reject the proposed amendment and instead consider developments that respect the local context, infrastructure limitations, and the wellbeing of existing residents.

Thank you for the opportunity to provide this submission. I trust that community concerns such as mine will be given serious consideration.

Sincerely,

Dr Farzad Jazayeri
Unit 16104 Number 177 Mitchell Road Erkineville

[redacted]

[redacted]
1/7/2025

From: [redacted]
Sent on: Wednesday, July 2, 2025 10:30:59 AM

To: dasubmissions
Subject: Submission - D/2025/405 & D/2025/448 - 155 Mitchell Road 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.

Dear City of Sydney,

I'm writing as a committed member of the Erskineville community to express my strong opposition to the proposed development, particularly the inclusion of levels 7 through 11.

Erskineville is known for its village atmosphere, community spirit, and heritage streetscapes — qualities that are increasingly rare in inner-city Sydney. The proposed height of this development is out of step with the suburb's existing scale and threatens to dramatically alter its character. There is a real risk of Erskineville heading in the direction of overdevelopment seen in areas like Mascot, where high-rise buildings have come at the expense of livability and identity.

Beyond the visual and cultural impact, a development of this scale would place additional strain on local infrastructure — including public transport, green spaces, and essential services — all of which are already under pressure. Parking is also a serious concern, with limited street availability in Erskineville. Adding a high-density building without adequate off-street parking would only worsen congestion and reduce the everyday livability of the area for both residents and visitors.

Furthermore, I do not believe that adding further levels to this development will have any meaningful or positive impact on housing affordability. Increasing height does not guarantee affordability — and in this case, it appears to serve the interests of developers rather than meeting the needs of the local community. True affordability requires thoughtful planning, not simply building upwards.

I respectfully urge the Council to reject the proposed height and scale of this development. Growth must be balanced with responsibility — not driven by developer interests at the expense of community wellbeing. Erskineville deserves planning decisions that protect its unique character and genuinely serve the people who live here.

Thank you for your attention to this matter.

Kind regards,

[redacted]

P.s. Please redact my personal details - I do not want my email and name published

From: Melinda Futcher

Sent on: Wednesday, July 2, 2025 1:03:30 PM

To: DASubmissions

Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Kim Diep
Sent: Wednesday, 2 July 2025 10:36 AM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.
Hello,

Regarding this DA modification to increase the height and dwellings. I am a resident of the adjacent apartment block and I object to this modification based on the following reasons:

1. Overshadowing and obstruction of views to the neighbouring buildings 2. The built character of this proposal juxtaposes with the councils zoning. And height restrictions to this site 3. Increased congestion to the surrounding context 4. Reduces the value of neighbouring properties 5. Increases affordability to the overall housing market affecting everyday battlers.

Regards

From: Fabian Foo
Sent on: Tuesday, July 1, 2025 4:39:36 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention

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 CoS

Building heights
Coronation Property's request to increase building heights should be completely and unequivocally rejected. The requested heights are out of line with the rest of the Ashmore precinct and Erskineville in general. Furthermore the overshadowing and additional traffic congestion cannot be mitigated.

Apartment mix
The proposed apartment mix should accommodate more three and four bedroom apartments to cater to families. More one and two bed apartments will not solve the housing crisis. The fall in enrolments at Erskineville Public School show that families are fleeing the area.

thank you

Fabian Foo

From: Abe Thomas
Sent on: Wednesday, July 2, 2025 11:36:47 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention

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.

Respectfully I would like to object further development of this.

With regards to this application, Erskineville and Alexandria will be congested if there is proposed increase to the dwellings as per the DA.

This will cause a strain on:

Traffic on the roads and increased travel time
Congestion on public transport
Car parks
Congested Sydney park and its surrounding
School enrolments

Kind Regards,

Abe.

From: Basil Mourtos
Sent on: Wednesday, July 2, 2025 3:19:50 PM

To: dasubmissions
Subject: Submission - D/2025/448 and D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens
Urgent: High

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.

D/2025/448 and D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

Dear Michael Stephens,
Im Basil Mourtos a 35-year resident from 355 Belmont Street Alexandria 2015.
I strongly appose the revised plans to increase the number of apartments.

- These towers will cause severe overshadowing to my house where I grow vegetables and hang my clothes to dry.
- These apartments will look into my backyard.
- What an eye sore for the neighbourhood.
- The area is already overcrowded with insufficient parking on the streets for residents , visitors and even people going to Sydney Park.
- Traffic congestion in our local streets and lanes is appalling.
- Bus services and train services are inadequate to travel to the city.
- Hospitals and medical centres are all struggling with current population difficult to get an appointment.
- Local schools like Erskineville Public have been overcrowded for years resorting to composite classes with the huge influx of new residents resulting in poor learning outcomes for the young children.
- We have lousy grocery options with the very expensive and poor selections Woolworths Metro monopoly in Alexandria / Erskineville area.
- The development proposal only addresses more profits for Coronation and not a quality design to address the community's needs.

  This development proposal will severely devalue surrounding properties. Sydney Council needs to protect the residents from this poor design and attempt to just profit at the cost of existing residents.

Please do not publicly display my name or address.

Many Thanks,

Basil Mourtos

From: Shawna Murray
Sent on: Wednesday, July 2, 2025 1:08:19 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Mr Stephens,

I am writing as a long-term resident of Inner West of 12 years, and Erskineville specifically for just over 5 years.

I wish to formally object to the proposed height of the new development, particularly the inclusion of levels 7 through 11. This is not in the interest of the community, and believe the plans for this to be more detrimental than beneficial.

Erskineville has long maintained a distinct character – a village-like charm with heritage, community, and livability at its core. While more apartments are assisting to create homes, the proposed height is inconsistent with the existing scale and feel of the area, and risks turning Erskineville into another high-rise corridor like Mascot – a space dominated by towering buildings and lacking the cultural fabric that makes this suburb unique. It will impact natural light to many people, reduce the flow of already strained traffic conditions and the currently standard of buildings in the area.

I urge you to reconsider the building height and not place further pressure on already stretched local infrastructure and preserve what makes Erskineville a vibrant, livable, and distinct part of Sydney.

Thank you for you consideration,

Shawna Murray

From: [redacted]
Sent on: Wednesday, July 2, 2025 4:09:10 PM
To: City of Sydney
Subject: Comments on Proposals D/2025/405 + D/2025/448
Attachments: D Maher response to Development 155 Mitchell Rd Alexandria.docx (18.9 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.

Sydney City Council,

Please see attached information as a response to Council for the above Development Application's.
Please keep all my corresponding information private,

Kind regards,

[redacted]

1 July 2025

City of Sydney
Feeback to Proposed Development
Applicant Name: Coronation Property Co Pty Ltd
Reference Number: D2025/405 + D2025/448
Proposed Development: Detailed Development Application related to Amending Concept Application (D/2025/448) for buildings F & I storey mixed use development including Build-to-Rent (BTR) apartments with ground floor supermarket and retail (building F), over two levels of shared basement, and for buildings G & H, comprising a 6-11 storey residential development including BTR apartments (building G) and affordable housing (building H), over two levels or shared basement and landscaping. The application is integrated development requiring an approval from Water NSW under the Water management Act 2000.
Proposed Development: Amending Concept Development Application to amend the Concept Consent (D/2015/966) relating to buildings F & I and G & H only, to convert the residential component to Build-to-Rent and to provide affordable housing and modify building envelopes.

Please ensure all my personal information, including my name, address, phone number, and email address, is kept strictly confidential.

Executive Summary of Objections
This submission strongly objects to the amended development application (D/2025/448) for Buildings F – I. The proposal, which seeks to increase height, alter building envelopes, introduce Build-to-Rent (BTR) and affordable housing, and add supermarket/retail space, high-rise, commercialised presence onto a quiet, low rise, heritage-listed precinct and risks long-term community, environmental and urban design damage. The amendments not only violates the original Concept Consent (D/2015/966) but seeks to exploit it, transforming the vision into a fortress-like compound that directly conflicts with Sydney City Council's stated goals for heritage integration, environmental responsiveness and urban wellbeing.

Expanded and Specific Grounds for Objection

Architectural Incompatibility and Overdevelopment – The built form lacks transition and modulation, imposing a bulky and alien presence. It disregards the rhythm, materials and articulation of neighbouring heritage structures. The scale and massing constitute overdevelopment, far exceeding the precinct's intended capacity. The project stretches two blocks in length, with one small road relief, however creating two unbroken walls of concrete massing and removing all visual diversity or human-scale relief. It is also inconsistent with the development along Mitchell Road from Henderson Street to Sydney Road.

Overshadowing and Loss of Solar Access – Winter overshadowing will significantly reduce sunlight to neighbouring dwellings. The building's unbroken height ignores solar impact modelling and climate-sensitive design. Extended shadowing impacts both private and public amenity zones.

Loss of Airflow, Ventilation and Microclimate Disruption – Narrow street canyons and tall facades will generate wind tunnels. The loss of cross-ventilation across the site and neighbouring properties will increase thermal discomfort. Reduced vegetation and hard-surfacing undermine passive cooling and natural climate control.

Traffic, Road Safety and Parking Pressure – Ground floor supermarket and increased density will overburden roads and intersections. Delivery trucks and commercial traffic will pose risks in a residential setting. On street parking scarcity will escalate, disadvantaging current residents. Existing infrastructure is not equipped to accommodate the traffic load of both Build-to-Rent and commercial components.

Amenity Impacts and Joy of Living – Loss of views, light, air and space diminishes the everyday quality of life. Long-term residents will suffer ongoing noise, crowding and reduced sense of place. Aesthetic

enjoyment and neighbourhood feel will be degraded. This proposal undermines not just space but the psychological and emotional connection to place.

TOD SEPP – I am concerned that the proposed development, which is significantly larger than the original submission in 2015, may not align with the objectives of the TOD SEPP. Even if it meets those requirements, I believe that this building is extremely excessive and incongruent with the neighbourhood and will have negative impacts on our community.

Acoustic Impacts – continuous use, multiple tenancies and commercial loading will result in 24 hour noise. Quiet enjoyment of neighbouring homes and units will be undermined.

Green Infrastructure Neglected – Minimal planting or tree canopy; no real biodiversity or cooling contribution is provided. Rooftop 'green spaces' are tokenistic and not publicly accessible. The proposed built form removes all meaningful opportunity for urban tree canopy, thermal regulation or ecological contribution to this local environment and area.

Visual Softening Ignored – No integration of setbacks, screen planting or façade relief. Solid block form replaces architectural diversity with harsh uniformity. The development actively removes the layered character of the precinct and replaces it with bulk monotony.

Heritage Disrespect and Precedent Risk – Dwarf's the adjacent heritage-listed precinct. Creates permanent visual dissonance with low-scale, historic buildings. Approving this would set a precedent that endangers the character streets across Sydney City area.

International Best Practice Contradicted – Amsterdam (Jordaan 2021) – A similar high-rise proposal was rejected for undermining heritage concerns, liveability and streetscape integrity by restricting scale and height of the development. London (Shoreditch & Bloomsbury) – Tower proposals scaled back to respect established low-rise areas. Vancouver (Gastown) – Development capped to preserve urban heritage views.
International planning precedents such as the above demonstrates that global cities facing development pressure are successfully preserving local heritage, scale and community function. These examples re not legal templates but reflect shared planning principles with our own LEP, that height must respect context and that heritage and human scale are not dispensable for speculative gain.

Monolithic Structure Effect – The proposal reads as two concrete walls spanning nearly a quarter of Mitchell Road. Its sheer bulk, height and uninterrupted massing are in stark contrast to the finely grained, human-scale buildings opposite that define the existing area. This structure offers no permeability, no relief in form, no visible effort to respect view corridors or rhythm of neighbouring facades. It is a jarring visual and emotional disruption to the people who already live here, who experience this neighbourhood daily as one of openness, heritage and community. There is no genuine transition in materiality or design. From the footpath, the proposal presents as an imposing, fortification-like structure – antithetical to urban design principles that support integration and community.

Failure to Provide for Existing Amenity – This proposal appears to have been designed only for incoming occupants and not for the people who already live here. It fails to respect the community's rhythm of life, quiet enjoyment and the cultural texture of the area.
Build-to-Rent Risks – High turnover, low integration, minimal long-term responsibility
Affordable Housing Misused – Used to justify inappropriate bulk and intensity; true social housing requires place-based design.
Retail Incursion – Commercial loading and customer traffic conflict with neighbourhood rhythm and scale
Flood Risk – Development triggers Water NSW approval due to hydrological sensitivity. With two-level basements and extensive landscape, the site is highly vulnerable to runoff and groundwater impacts.

In Conclusion
This development represents significant overdevelopment and erodes solar access, privacy, thermal comfort, liveability and infrastructure balance. It disregards the human, historical and environmental threads that make this neighbourhood liveable. Growth must be woven into context, not forced upon it. The community deserves a design that listens, adapts and softens, not one that walls itself off in concrete and height.

I respectfully urge Sydney City Council to reject the application.



From: Lee de Winton
Sent on: Wednesday, July 2, 2025 3:39:34 PM

To: dasubmissions; Lee de Winton
Subject: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention

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.

Subject: Objection to Development Application D/2025/405 – Mitchell Road, Alexandria

Dear Assessment Officer,

I am writing to formally object to Development Application D/2025/405 for a large-scale residential development proposed along Mitchell Road, Alexandria.
While I acknowledge the merit in providing additional housing and support the principle of build-to-rent models, this specific proposal raises significant concerns that, in my view, render it inappropriate for approval in its current form. I respectfully request that Council considers the following matters in its assessment:

1. Excessive Scale and Height
The proposed development dramatically exceeds the prevailing scale and built form of the surrounding area. It will dominate the streetscape and overwhelm the existing low-to-medium-rise character of Mitchell Road and adjacent streets. The bulk and height of the structure will result in substantial overshadowing across a wide radius—impacting both residential and community amenity—potentially affecting properties up to a kilometre away.
This contravenes the City of Sydney's planning principles aimed at preserving solar access and protecting neighbourhood character. It also fails to adequately transition from neighbouring building forms, which is a key principle under the **NSW Apartment Design Guide** and **SEPP 65** (Design Quality of Residential Apartment Development).

2. View Loss and Visual Impact
The height and density will also result in severe and permanent view loss for residents and commercial operators in the area, particularly where existing infrastructure enjoys visual access across the city. The massing is inconsistent with the **City of Sydney LEP 2012 height controls**, and no meaningful mitigation appears to be proposed.

3. Traffic and Infrastructure Pressure
Mitchell Road is a narrow, single-lane carriageway already operating under considerable traffic stress. It frequently experiences congestion during peak and off-peak hours. Introducing a high-density development of this scale will significantly exacerbate the problem, impacting not only Mitchell Road but also adjacent feeder streets, public transport capacity, and emergency vehicle access.
The proposal does not appear to be supported by sufficient traffic or transport impact studies that take into account the existing conditions and cumulative development pressures in the area.

4. Proximity to Sydney Airport and Airspace Regulations
The development site is located within close proximity to Sydney Airport and may fall within the **Olsen Obstacle Limitation Surface (OLS)** or **PANS-OPS** airspace zones. As such, there may be height restrictions and operational safety considerations under **CASA Part 139**, the **National Airports Safeguarding Framework (NASF)** Guideline A (Protection of Airspace), and **Civil Aviation Regulations**.
Any proposal that penetrates these surfaces requires referral to aviation authorities and potentially **Airservices Australia** and **Sydney Airport Corporation Limited (SACL)**.
It is unclear whether these critical assessments have been conducted, and they must be a precondition to any further planning consideration.

5. Cumulative Amenity Impacts
When assessed cumulatively with other developments recently approved or under consideration in Alexandria and Erskineville, this DA adds to an unsustainable increase in local density without equivalent investment in open space, public transport capacity, or essential services. This contravenes principles of **ecologically sustainable development (ESD)**, to which Council is committed.

In Conclusion

For the reasons above, I strongly urge Council to refuse Development Application D/2025/405 in its current form. Should the proponent wish to proceed, I respectfully request that any future iteration of the development:

- Reduces height and bulk to align with surrounding built form;
- Includes a comprehensive traffic and infrastructure impact study;
- Demonstrates compliance with relevant aviation safety and height controls;
- Provides greater public amenity and green space contributions;
- Is subject to genuine community consultation and response.

Thank you for considering this submission.

Kind regards

Lee de Winton

From: Richard McIntyre
Sent on: Wednesday, July 2, 2025 7:35:35 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

I wish lodge my objection to this development application. I’m particularly concerned at the significantly increased height proposed for the development that will have an overpowering impact on all surrounding residential homes. In particular the two-storey terraces to the east of the development along Mitchell Rd, Belmont St and Lawrence St, will lose significant sun due to the height of these buildings. But also the other apartment complexes to the south and west of the development will enjoy significantly less sun and light. My view is that the development should be no higher than the existing apartments in the area.

Regards
Richard McIntyre
177-219 Mitchell Road

From: Megan Bourke
Sent on: Wednesday, July 2, 2025 5:36:02 PM

To: City of Sydney
Subject: D/2025/405

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

The online form for this one isn't working, so I thought I'd send a quick email.

I understand that an application has been made to increase the height of these buildings. Whilst I appreciate that we are in dire need of housing supply, I'm very concerned about the impact that increasing the size of this development will have on the local area. This was already decided when the original submission was reduced from 11 storeys or something similar (from memory).

The population of the Erskineville/Alexandria area is already growing substantially, which is reasonable, and I believe that the first stages of this development have struck a good balance between increased density and liveability. Please can we maintain this framework to ensure that housing is increased in a manner that is sustainable and doesn't put an unmanageable amount of pressure on public space and resources?

Thanks for your consideration
Megan Bourke
Alexandria resident

From: Kelly Purvis
Sent on: Thursday, July 3, 2025 10:50:49 AM
To: dasubmissions
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Objection to Proposed Modified Concept DA – Blocks F, G, H & I, Ashmore Precinct

To whom it may concern,

I am writing to formally object to the proposed modifications for Blocks F, G, H & I in the Erskineville Ashmore Precinct (DA reference numbers D/2025/405 and D/2025/448).

This development, as currently proposed, represents a significant departure from the scale and character of Erskineville. The dramatic increase in building heights—up to 43% beyond original plans—will drastically alter the unique village feel of the area, overshadow homes and public spaces, and obstruct the open sky and natural light that contribute to the amenity and liveability of our neighbourhood.

Beyond the visual impact, the development raises serious concerns about infrastructure strain. Local schools, public transport, and essential services are already under pressure. Further population growth without commensurate investment in these services risks reducing quality of life for existing and future residents alike.

Moreover, the lack of adequate parking provision under the guise of sustainability does not reflect the practical realities on the ground. In a suburb already facing parking shortages, this approach will likely displace the problem onto surrounding streets, inconveniencing both current and new residents.

While we understand the need for housing, it should not come at the cost of Erskineville's identity, livability, and cohesion. We urge the City of Sydney and the relevant authorities to reconsider this proposal in favour of a more balanced, community-centred approach that respects the area's character and capacity.

Sincerely,
K Purvis

From: Michael Naumoff
Sent on: Thursday, July 3, 2025 2:36:41 PM
To: dasubmissions
Subject: Objection to Proposed Modified Concept DA – Blocks F, G, H & I, Ashmore Precinct

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 to formally object to the proposed modifications for Blocks F, G, H & I in the Erskineville Ashmore Precinct (DA reference numbers D/2025/405 and D/2025/448).
This development, as currently proposed, represents a significant departure from the scale and character of Erskineville. The dramatic increase in building heights—up to 43% beyond original plans—will drastically alter the unique village feel of the area, overshadow homes and public spaces, and obstruct the open sky and natural light that contribute to the amenity and liveability of our neighbourhood.
Beyond the visual impact, the development raises serious concerns about infrastructure strain. Local schools, public transport, and essential services are already under pressure. Further population growth without commensurate investment in these services risks reducing quality of life for existing and future residents alike.
Moreover, the lack of adequate parking provision under the guise of sustainability does not reflect the practical realities on the ground. In a suburb already facing parking shortages, this approach will likely displace the problem onto surrounding streets, inconveniencing both current and new residents.
Lastly, the emphasis on build-to-rent housing—without guarantees around affordability, family suitability, or long-term community integration—risks creating a more transient population with weaker community ties.
While we understand the need for housing, it should not come at the cost of Erskineville's identity, livability, and cohesion. We urge the City of Sydney and the relevant authorities to reconsider this proposal in favour of a more balanced, community-centred approach that respects the area's character and capacity.

Sincerely,
Michael Purvis
Sent from my iPhone

From: Samantha Stanley
Sent on: Thursday, July 3, 2025 2:45:52 PM
To: DASubmissions
Subject: Objection to Modified Development Proposal – Blocks F, G, H & I, Ashmore Precinct

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 to express my strong opposition to the proposed amendments for Blocks F, G, H & I in the Ashmore Precinct, Erskineville (DA reference numbers D/2025/405 and D/2025/448).

The proposed changes represent an unacceptable shift in scale that is out of step with the fabric of Erskineville. Increasing the building heights by more than 40% will overwhelm the low-rise, human-scale character that makes this suburb so unique. These tall structures will cast long shadows over nearby homes and communal spaces, diminishing natural light and open sky — features that are central to the neighbourhood's charm and livability.

There are also practical concerns around the impact this development will have on already stretched infrastructure. Local schools are at capacity, public transport is crowded during peak hours, and services such as healthcare and childcare are struggling to keep pace with existing demand. Adding hundreds more residents without meaningful upgrades to services and facilities is not sustainable.

The plan's minimal parking provisions are also problematic. While I support efforts to promote more sustainable transport, the current reality is that many residents still rely on cars — especially families and shift workers. With street parking already difficult, this development will only intensify competition for limited spots in surrounding areas.

Additionally, the focus on build-to-rent units, without clear commitments to affordability, long-term tenure, or family-friendly design, risks creating short-term housing rather than fostering a strong, stable community.

I support thoughtful, well-integrated housing solutions — but not at the expense of Erskineville's unique character and community wellbeing. I urge council to reject this over-scaled proposal and instead advocate for a more appropriate, context-sensitive development that truly serves the people who live here.

Sincerely,
Samantha Stanley

From: johnstalex
Sent on: Thursday, July 3, 2025 10:41:00 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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

As a resident near by, I am against raising the height above the area standard of 6-7 stories.

The increased height will block already limited light into my property and allow visibility into my property.
Thanks
Alex Johnston

From: Sharlie Raymond
Sent on: Thursday, July 3, 2025 9:11:27 PM

To: dasubmissions
Subject: Objection to Concept Development Application and Detailed Development Application - 155 Mitchell Road, Erskineville NSW 2043 (D/2025/448 and D/2025/405)

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 hope this email finds you well.

I am writing in relation to the Concept and Detailed Development Applications (D/2025/448 and D/2025/405) for the site at 155 Mitchell Road, Erskineville. As the owner of 358B Mitchell Road, Alexandria—directly opposite the proposed development—I wish to**formally object to the plans as they currently stand.**

The most significant issue from my perspective is the **proposed scale and height of Building I,** which is set to rise to 10 storeys. This represents an important departure from the low-rise nature of the surrounding area and poses serious concerns for both the immediate neighbours and the broader community fabric.

Key Issues of Concern:

1. Inappropriate Scale and Bulk:
The height and overall size of Building I are vastly disproportionate to the existing environment, where buildings generally do not exceed three storeys. Such a large structure would visually overwhelm the area and dramatically alter the character of Mitchell Road. Just looking at the scale below, it is obvious when comparing the size of Block 1 - Ashmore Estate to 360C Mitchell Rd that the**development fails to appropriately transition between building heights.**



2. Overshadowing and Loss of Sunlight and Privacy:

The proposed height will result in severe overshadowing of properties, particularly those along Mitchell Road. I notice the Statement of Environment Effects include overshadowing impacts of every side of the proposed development, except Mitchell Rd. Apologies if I've missed it. Having lived in this house for over 4 years, I can tell you that we already get very limited sunlight - only approx 2h/day during winter. Having a 10 storey building only a few meters away would mean no natural sunlight at all for my and my neighbours' homes, which would lead to impact on thermal comfort in winter and on our mental wellbeing.

A 10-storey building would also result in direct overlooking into our balconies, and internal living spaces, which would lead to a loss of privacy within our homes.

This has an unreasonable impact on Mitchell Rd's existing residents.

3. Traffic and Noise Impacts:
I notice that Part A: Ashmore Estate Blocks F & I Traffic and Parking Assessment was conducted in 2021 in the midst

of COVID, which brought multiple government mandated lockdowns, as well as schooling and working from home for a majority of people. Although additional data was collected in 2023, there still hadn't been mass return to the office mandates. As such, I believe your traffic assessment isn't representative of the current traffic situation, especially on Mitchell Rd during peak hours. An increase in population density will naturally bring more vehicles, contributing to already challenging traffic conditions on Mitchell Road.

Additionally, the rise in resident numbers is likely to lead to higher ambient noise levels, reducing the overall livability of the area.

4. Affordable Housing vs Community Impact:
While I support the objective of increasing affordable housing options, this must be weighed appropriately against the impact on existing residents. Bonus height provisions under the SEPP should not be used in a way that results in overbearing developments immediately adjacent to low-rise homes.

5. Poor Integration with the Streetscape:
Building I, in its proposed form, fails to respect or respond to the established character or scale of Mitchell Road according to the Sydney Development Control Plan (SDCP) 2012, as referenced in the Statement of Environmental Effects (Section 2.7), which specifically calls for "low buildings fronting Mitchell Road." The proposed heights reaching up to 11 storeys(Ap section 3.1), are a stark contrast to the predominantly three-storey terrace houses in the immediate vicinity. Rather than enhancing the street, it threatens to dominate it in a way that feels intrusive and out of place. This is inconsistent with the surrounding streetscape.

Suggested Path Forward:

I urge Council to please reconsider the height and design of Building I. Reducing its scale to three or four storeys, with upper levels set back to reduce visual bulk, would ensure the building integrates more naturally into the streetscape. Any additional floor space required to meet density targets could be strategically relocated to the western portion of the site, where greater building heights are already part of the existing urban context.

In closing, I respectfully ask that Council take these concerns seriously and push for a more context-sensitive design outcome. I would welcome the opportunity to discuss this further if helpful.

Kind regards,

Sharlie Raymond
[redacted]
Owner of 358b Mitchell Rd
Alexandria NSW 2015

From: Trudy Stone
Sent on: Thursday, July 3, 2025 7:22:37 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To whom it may concern

I am writing in regards to the proposed development for 155 Mitchell Rd Erskineville. The main issues with this proposal is the height of the structure. This will cause dark and windy streets. This area is already quite populated and any further increase will cause more stress on local traffic, parking, and public transport. The structure will block out light to smaller buildings surrounding the site.

This is inappropriate in scale for this area.

Please listen to the local community and save our homes from the over shadowing being proposed.

Regards
Trudy
Sent from my iPhone

From: Andrew Marsden
Sent on: Friday, July 4, 2025 8:20:23 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

The increase in height to 11 stories dramatically undermines the ‘village’ nature of our beautiful Erskineville.
This is the thin-edge-of-the-wedge allowing for ongoing similar towers, forever changing the character of the area, seriously undermining the whole look and feel of the community.

I strongly object to this variation.

Regards,

Andrew Marsden

Sent from my iPhone thingy

From: Ben Fisher
Sent on: Thursday, July 3, 2025 7:32:44 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

I think this proposal is just what is needed for the area. There is a severe lack of affordable housing near the CBD, and this would go far to helping address that. It's becoming increasingly difficult for young families to make a life in the inner west.

Im sure there will be many who will claim this is "out of character with the neighborhood". This is ridiculous. The buildings will replace what was once an industrial site and will be bounded on three sides by existing apartment developments.

Please do not give in to a handful of voices opposed to any sort of change.

Best,
Ben

From: Bree Napier
Sent on: Thursday, July 3, 2025 8:21:14 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To Whom It May Concern,

I write to strongly oppose the proposed amendment to increase the building height to 51 metres (11 storeys) for the development at Mitchell Road, Ashmore Precinct (DA D/2025/405).

This proposed development is completely out of scale with the character and infrastructure capacity of Erskineville. It is an affront to the values and expectations of the local community, who have consistently voiced their opposition to high-rise overdevelopment in this area. The Erko community fought hard 14 years ago to prevent this very outcome—and we are prepared to do so again.

Increasing the building height to 11 storeys will:

- Overwhelm local infrastructure—schools, roads, public transport, and community services are already under pressure.
- Cast deep shadows over existing homes and green spaces, drastically reducing residential amenity and quality of life.
- Erode the low-rise village character of Erskineville, which has been shaped over generations and is central to its identity.
- Set a dangerous precedent for future overdevelopment that disregards established planning controls and community consultation.

We demand that the City of Sydney stand by its planning principles and protect the urban integrity of Erskineville. The proposed increase in building height is an unacceptable deviation from the agreed development envelope and shows blatant disrespect for community sentiment and prior commitments.

I urge the council to reject this amendment in the strongest terms.

Regards,

Bree Napier

Bree Napier
[redacted]

From: Dillon Bollinger
Sent on: Thursday, July 3, 2025 7:22:32 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Hello,

I object to this addition to the existing development. There is no need for this increase and the area does not need it.

The only purpose of this is greed.

I ask that the moral and ethical reasoning behind this by strongly reviewed.

Kind regards,

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:38:04 AM
To: DASubmissions
Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Keiran O'Sullivan
Sent: Friday, 4 July 2025 8:25 AM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.
To Whom It May Concern,

I am a resident of 106/2 Pearl Street, Erskineville and have been living as in Erskineville as a renter since 2021. I fully support the development application.

High density housing is the only way to improve housing affordability and this development goes in some way to advance that cause.

Sincerely,

Keiran O'Sullivan

Email: [redacted]

Mobile: [redacted]

From: Nicole Rawson
Sent on: Thursday, July 3, 2025 4:45:57 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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,

I would like to oppose this excessive building height request. Erskineville cannot support further infrastructure changes. This will impact the pricing of housing and make it a less desirable area to live. The traffic and parking in Erskineville is already overflowing and struggling.

Schools and daycares are already stretched too thin.

This will have a soffnificant inpact on the village envirerment we currently have.

Thank you for your time,
Nicole Bollinger

From: Rory Delaney
Sent on: Friday, July 4, 2025 7:29:42 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

If this brings more 3br apartments than 2br - supported.

Rory
161 Lawrence St, Alexandria 2015

From: joanne crawford
Sent on: Thursday, July 3, 2025 9:38:17 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

What happened to the rule that Erskineville could only be 6 stories? Out the window. Such a shame that such a beautiful suburb is being ruined with these multi story apartments, it's hardly in keeping and sympathy with the rest of the suburb.
Regards Joanne Crawford
Erskineville resident
Sent from my iPhone

From: Deborah Giblett
Sent on: Thursday, July 3, 2025 8:50:22 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

This submission from Friends of Erskineville, a residents' action group of concerned residents, relates to D2025/448 and D/2025/405

Friends of Erskineville urge the Council to have this developer proceed with the already agreed-upon plans for the site and deliver on this much-delayed project.

Our main feedback raises the following points:

- The Master Plan and subsequent variations have been agreed over many years, and still less than 50% of the project has been built – this project was earmarked for completion this year! Building needs to commence as agreed as soon as possible.
- Erskineville is already a very high-density suburb, with an area of 0.81 square kilometres and a population of 9,657, that is a density of 11,922 per square kilometre
- On completion, under the plans previously agreed by Council and the community, there will be an increase in population at this precinct of some 6,000 plus residents, an increase in density to 19,329 people per square kilometre.
- The density for this project far exceeds any ask from the State government - Erskineville is already doing the heavy lifting in terms of shouldering its share of the contribution to address the housing crisis.
- Existing and announced infrastructure barely supports the current density
  - schools are at capacity, and we see no plans for high schools
  - local medical facilities are straining – primary care, allied health and hospitals
  - roads are clogged – more height – more cars – more traffic
  - 85% of the surrounding footpaths do not meet even the bare minimum standards set out by Council, and
  - traffic lights are installed at a mind-numbing rate, making our eminently walkable suburb a nightmare
- These development applications primarily focus on increasing height, supposedly to address the housing crisis. Yet, cynically, they offer to offset the increase in height with a suggested reduction in commercial tenancies that would provide the support services the increased number of residents would require.
- Through traffic planning does not appear to address just how there will be movement in and out of the precinct, particularly if there are increased volumes of cars and people. Rat runs have already developed and appear not to be addressed in any planning.

However, there are positives to this project. Not least of those positives are the wonderful new neighbours we now have, the families we greet at local venues and some outstanding community members who contribute in so many ways.

When the Master Plan was devised and agreed upon, it was with an eye on the future and the need for increased places for people to live close to where they worked. It is why, amongst other projects, Friends of Erskineville pushed for the southern entrance to the train station to improve access for people moving into those homes. Homes that were due to be delivered this year.

We strongly urge the project to proceed as already agreed, with no height increase.

Pushing to increase the quantity of units now, which in and of itself not address the complexity of the housing crisis, without considering the already very high density and the current need for significant increases in local infrastructure, is not an investment in building communities; it becomes a cynical exercise in lining one's pockets.

Deborah Giblett

President, Friends of Erskineville

From: Neil Bennett
Sent on: Thursday, July 3, 2025 7:31:51 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Whatever happened to the Chris Minns plan of Parisian 3 story dwellings?

7 stories is enough surely - 11 stories is too much surely. The skyline changes for worse and forever. The infrastructure and roads don’t seem to be able to handle the current numbers.

Neil Bennett

[redacted]

From: M L
Sent on: Thursday, July 3, 2025 8:25:16 PM

To: DASubmissions
CC: DASubmissions
Subject: Re: Thank You For Your Submission

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,

One thing that bothered me is how council is evaluating these comments. From my perspective, there are four, maybe five groups of voices and incentives:

1. Homeowners who want controlled supply growth,
2. Developers who clearly benefit from a monetary stand point,
3. Renters who want higher supply growth to reduce rents and
4. Council, whose levies are a function of the number of housing there and have a vested interest in growing the housing supply.

Given 2 and 3 have temporary incentives as they aren't holding the permanent stock of housing and levies are paid by homeowners, do they all get a vote on this? I would be keen to see a breakdown of how city of Sydney council clearly address the different incentives.

Thanks,
Minhao

On 3 Jul 2025, at 19:55, DASubmissions wrote:

Thank you for your feedback

We will carefully consider the issues you have raised as part of our assessment.

For small developments, most decisions are made at an employee level. We'll let you know when a decision has been made and where you can get more information.

The Local Planning Panel determines applications for significant development. The Central Sydney Planning Committee determines applications over $50 million. These meetings are open to the public in the Council Chambers at Sydney Town Hall. We'll let you know if the application will be considered at a meeting so you can attend and present your issues. We'll let you know the panel or committee's decision and where you can get more information.

Your feedback will not be kept confidential and will be made completely available on the City of Sydney's website, except for any identifying information you have already asked to be kept confidential. You do not need to reconfirm that these details be withheld.
If you were not aware of this and want some or all identifying information about you to be private, please email council@cityofsydney.nsw.gov.au. and tell us what identifying information you want kept private. We will still publish your feedback but with information which may identify you withheld.

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.

Bill MacKay
Manager Planning Assessments

CITY OF SYDNEY

cityofsydney.nsw.gov.au



The City of Sydney acknowledges the Gadigal of the Eora nation as the Traditional Custodians of our Local Area.

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From: Crystal Boza
Sent on: Thursday, July 3, 2025 9:57:09 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To whom it may concern;

I am writing to object to the proposal to increase the scale of Ashmore precinct. There is already substantial strain upon infrastructure within Erskineville - Mitchell Road is increasingly congested, the local schools are having to accommodate higher numbers (2024 + 2025 = 3 kindgergarden classes!) without any accommodations to support these increases,

We purchased our unit based on the original proposal. The current changes being sought that would mean our skyline and that of surrounding areas will be significantly reduced as a consequence of increase in height. It will also cast more artificial shade and impact the aesthetic of surrounds.

My understanding is that there is currently height restrictions which have prevented the eyesores of Waterloo, Mascot and Wolli Creek. Erskineville is a community hub and has a strong history of such. Mass constructions and plan manipulations such as what is being proposed by the Ashmore precinct stand to impinge upon this.

I formally submit my objection to the above mentioned proposal.

Kind regards,
Crystal Boza.

Yahoo Mail: Search, organise, conquer

From: paulamax_bartlett
Sent on: Thursday, July 3, 2025 7:08:45 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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, I object to this submission. I've lived in Erskineville for over 20 years. We do not need to start building 11 story high rises. Don't turn Erskineville into Mascot / Green Square, you will absolutely kill the vibe of what Erskineville stands for. Mitchell Road traffic is already a mess. The local public transport is just getting busier. We don't need this, or want this. Please don't. Thanks Paula

Sent from my iPhone

From: Joella Kussrow
Sent on: Thursday, July 3, 2025 6:56:55 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

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This building proposal is too high! The rest of the area has been restricted to 6 levels so this should too. This building will block the sun on nearby houses and apartments.

From: Dan Vu
Sent on: Thursday, July 3, 2025 9:26:14 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

FORMAL OBJECTION - ERSKINEVILLE ASHMORE PRECINCT BLOCKS F & I DEVELOPMENT

I am writing as a concerned citizen of Sydney to formally object to the above development applications for the proposed residential complex at
155 Mitchell Road, Erskineville. After careful review of the application documents, I believe this development proposal presents significant concerns that warrant rejection in its current form.

EXCESSIVE BUILDING HEIGHTS AND INAPPROPRIATE SCALE

The proposed building heights of 7-11 storeys, reaching up to 46.25 metres, represent a dramatic and inappropriate increase from the original approved concept. This 30% height increase will fundamentally alter the character of Erskineville, creating a development that is completely out of scale with the surrounding low-rise, historic neighborhood.

The proposed heights will obstruct existing views and create severe overshadowing, reducing natural light and outdoor space amenity for existing residents. This dramatic increase in height will overshadow existing homes and public spaces, block sunlight, and fundamentally alter the low-rise, historic character of Erskineville. The development fails to respond appropriately to the adjacent Cooper Estate Conservation Area, creating an inappropriate contrast that will dominate the streetscape.

INADEQUATE INFRASTRUCTURE FOR COMMUNITY NEEDS

Our local public schools are already serving a growing community. The addition of 577 new dwellings will generate a significant school-age population without corresponding infrastructure upgrades. Overcrowded classrooms and stretched resources are inevitable when developments of this scale proceed without adequate planning for educational facilities.

Similarly, the proposal makes no provision for additional healthcare services. Similar developments elsewhere have shown that education and GP services often fall short of demand, leaving new and existing residents with inadequate access to essential services.

PARKING AND TRAFFIC CONCERNS

The plan's strategy of 'reduced car parking' may sound sustainable, but it will worsen the existing parking shortage. With only 0.47 car parking spaces per dwelling (272 spaces for 577 dwellings), more residents with fewer on-site parking options will congest local streets further.

The concentration of all vehicle access via the single new Alpha Street will create significant traffic bottlenecks, while the development will generate approximately 2,000+ daily vehicle trips with no corresponding infrastructure upgrades to surrounding streets.

CONCERNS ABOUT HOUSING AFFORDABILITY AND

COMMUNITY COHESION

Build-to-rent complexes often foster a transient population with less investment in community life. These developments may not provide family-sized dwellings (with only 5.7% three-bedroom apartments planned) and often rent at a premium, worsening housing affordability rather than improving it.

The proposal's dwelling mix heavily favors studio and one-bedroom apartments (68.8% of total units), which does not support the family-oriented community character that Erskineville has maintained.

ENVIRONMENTAL AND SUSTAINABILITY CONCERNS

The development provides minimal deep soil provision (only 7.1% of the site) and limited tree canopy, which will exacerbate urban heat island effects and reduce biodiversity. The wind impacts from tall buildings have not been adequately addressed, potentially creating uncomfortable conditions for pedestrians and residents.

INADEQUATE COMMUNITY CONSULTATION

The community has not been adequately consulted about this significant intensification of the precinct. The scale and impact of this development warrant extensive community engagement, which has not occurred.

CONCLUSION

While we recognize the need for additional housing in Sydney, this proposal represents over-development that will fundamentally damage the character and liveability of Erskineville. The excessive heights, inadequate parking provision, insufficient community infrastructure planning, and failure to consider cumulative impacts make this development inappropriate for the site.

I urge Council to reject this application in its current form and require the developer to:

1. Reduce building heights to be consistent with the neighborhood character and original concept approval
2. Provide adequate parking provision of at least 1:1 per dwelling
3. Contribute to or provide additional school and healthcare infrastructure
4. Increase the proportion of family-sized dwellings
5. Implement meaningful community consultation before any resubmission
6. Address overshadowing and privacy impacts on existing residents
7. Provide adequate deep soil and tree canopy coverage

The residents of Erskineville deserve development that enhances rather than diminishes our community. This proposal, in its current form, fails to meet that standard.

I request that this objection be formally noted and that I be notified of any further developments regarding this application.

Yours sincerely,

Dan Vu, local Erskineville resident

From: JK

Sent on: Friday, July 4, 2025 8:34:39 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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 there,
I've reviewed this submission and have some major concerns:

With the expansion of this development, the number of residents in the area will be significantly increased. Currently without this development, the traffic in the area is frequently congested and it can take ages to travel down Mitchell road. The parking in the area is very limited and this causes vehicles to frequently illegally park - blocking laneways & gateways - please check with your rangers the incidence of illegal parking.

This high rise development would also not fit in with the character of the area - the original proposal would be acceptable.
I request that this submission is rejected.

Regards John
Address: 168 Mitchell Rd, Alexandria 2015 NSW, Australia
Mobile: [redacted]
Email: [redacted]

From: Samantha Gibbs
Sent on: Thursday, July 3, 2025 11:40:37 PM
To: dasubmissions
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

Dear Michael,

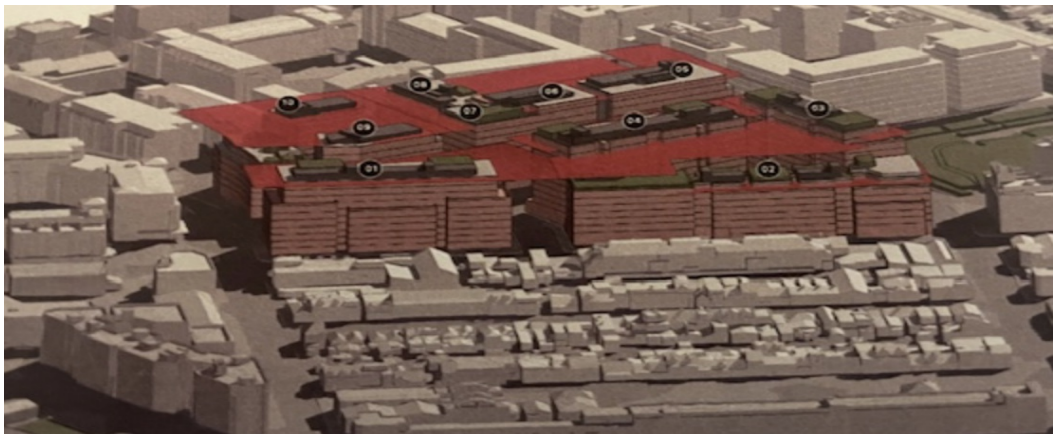
Objection to Concept Development Application and Detailed Development Application - 155 Mitchell Road, Erskineville NSW 2043 (D/2025/448 and D/2025/405).

I am writing in relation to the Concept and Detailed Development Applications (D/2025/448 and D/2025/405) for the site at 155 Mitchell Road, Erskineville to convey my strongest objection to the proposal. I am the owner of 358A Mitchell Road, Alexandria which is situated directly opposite the proposed development and I **formally object to the current plans**.

The most significant issue is the **proposed scale and height of Building I,** which is set to rise to 10 storeys and a significant departure from the low-rise nature of the surrounding area. This will be detrimental for both the immediate neighbours and the broader community.

Key Issues of Concern:

1. Inappropriate Scale and Bulk:
The height and overall size of Building I are vastly disproportionate to the existing environment, where buildings generally do not exceed three storeys. Such a large structure would visually overwhelm the area and dramatically alter the character of Mitchell Road. It is clear when comparing the size of Block 1 - Ashmore Estate to our property at 358A Mitchell Rd that the **development fails to appropriately transition between building heights.**



2. Overshadowing and Loss of Sunlight and Privacy:

The proposed height will result in severe overshadowing of properties, particularly those along Mitchell Road. Apologies if I failed to find it, but the Statement of Environment Effects failed to include overshadowing impacts for Mitchell Rd. Having lived in this house for over 17 years, I speak from experience that in winter we already have limited sunlight (approximately 2h/day during winter). Having such an obtrusive 10 storey structure only meters away would mean no natural sunlight at all. I find unacceptable for the existing residents of Mitchell Road.

3. Traffic and Noise Impacts:
The increased population density associated with the development will exacerbate the already significant congestion and challenging traffic conditions on Mitchell Road, a busy thoroughfare, reducing the overall

liveability of the area.

4. Poor Integration with the Streetscape:

Building I, in its proposed form, fails to respect or respond to the established character or scale of Mitchell Road according to the Sydney Development Control Plan (SDCP) 2012, as referenced in the Statement of Environmental Effects (Section 2.7), which specifically calls for "low buildings fronting Mitchell Road." The proposed heights reaching up to 11 storeys (Ap section 3.1), are a stark contrast to the predominantly three-storey terrace houses in the immediate vicinity. Rather than enhancing the street, it threatens to dominate it in a way that feels intrusive and out of character with the surrounding streetscape.

In closing, I urge Council to please reconsider the height and design of Building I. Reducing its scale to three or four storeys, with upper levels set back to reduce visual bulk, would ensure the building integrates more naturally into the streetscape. Any additional floor space required to meet density targets could be strategically relocated to the western portion of the site, where greater building heights are already part of the existing urban context.

I respectfully ask that Council take these concerns seriously and push for a more design outcome that is in keeping with the existing character of the community and sensitive to the impact this development will have on the existing community.

Kind regards,

Samantha Gibbs
[redacted]
Owner of 358A Mitchell Rd
Alexandria NSW 2015

From: Lucy Adams
Sent on: Friday, July 4, 2025 9:25:25 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Hello

I am writing to object to this development proposal.

Erskineville won't be able to handle a development this size, particularly one that has limited car parking. It is already very difficult to find street parking, and this will make quiet local streets even more busy.

Also, there is huge demand at schools and daycares already.

Erskineville has such a lovely community vibe, and it would be awful to lose this to a huge development.

Many thanks
Lucy

Sent from my iPhone

From: Lucy and Mario
Sent on: Thursday, July 3, 2025 10:56:29 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Good evening

I am writing to express my concern about the proposed additional storeys at 155 Mitchell Road. For context, I am a local and have resided close to the area the subject of to this development application for over 10 years. I do not have objections to the original proposal and building heights, but am not supportive of the proposed further increased height to the buildings. This is due to concerns about natural light and the overshadowing which will occur and the negative effect it will have on the amenity of nearby properties. I also hold significant concerns about the increase of cars generated as a result of the additional properties in terms of parking and congestion (despite what Council thinks, not everyone has a job or physical ability which permits the use of public transport or a bike).

Should you wish to discuss further, please don’t hesitate to contact me.

Kind regards,

Lucy

From: Melinda Jan Smith
Sent on: Thursday, July 3, 2025 8:01:11 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Good Evening

I live in apartment 9401/177-219 Mitchell Rd Erskineville. I would like to object to the additional height and number of apartments being planned in this development. The additional height will impact my outlook, sun and natural light.The additional number of apartments will impact parking, street and traffic congestion, difficulty accessing services such as general practitioners and other health services, public schools, buses, and over crowded trains. No additional bus services, schools, parks or other services are being planned to cater for all the additional people.

I am in favour of built to rent and affordable housing. I understand that Sydney needs more housing and particularly more affordable and accessible housing, however, the development on this site is already big enough. 11 storey high buildings is too much.

Thank you
Melinda Smith

Sent from my iPad

From: Nicole Rawson
Sent on: Thursday, July 3, 2025 4:43:53 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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,

I would like to oppose this excessive building height request. Erskineville cannot support further infrastructure changes. This will impact the pricing of housing and make it a less desirable area to live. The traffic and parking in Erskineville is already overflowing and struggling.

Schools and daycares are already stretched too thin.

Thank you for your time,
Nicole Bollinger

From: Dillon Bollinger
Sent on: Thursday, July 3, 2025 7:22:32 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Hello,

I object to this addition to the existing development. There is no need for this increase and the area does not need it.

The only purpose of this is greed.

I ask that the moral and ethical reasoning behind this by strongly reviewed.

Kind regards,

From: Megan Engard
Sent on: Thursday, July 3, 2025 10:01:44 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Hello,

I have been a resident of Erskineville for a number of years and am writing to formally express my concerns and object to this development proposal. I believe it poses serious risk of:

- increasing overcrowding and putting undue pressure on community infrastructure
- eroding the community character and worsening housing affordability in our area
- obstructing neighbourhood views and lowering property value
- altering the low-rise, historic character of the Erskineville neighbourhood
- exacerbating traffic issues and street parking shortages

Please take these comments and community risks seriously and do not pass this proposal.

Regards,
Megan Engard

From: minhaoleong
Sent on: Thursday, July 3, 2025 7:54:39 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Re: Objection to Proposed Increase in Height Limit – [D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043]

Dear Michael,

I am a long-term resident and owner of a home in Erskineville, and I am writing to express my strong objection to the proposed amendment to increase the height limit of the apartment development at 155 Mitchell Road, Erskineville, NSW 2043.

While I recognise the importance of addressing Sydney's housing needs, I have serious concerns about the implications of this proposal on our community and local infrastructure. My objections are outlined below:

1. **Overburdened Public Transport**
   Trains during morning and evening peak hours are already operating at or beyond capacity. In many instances, commuters are unable to board the first train and must wait for subsequent services. Additional residential density without transport upgrades will exacerbate this issue.
2. **Parking and Traffic Strain**
   Parking in Erskineville is already extremely limited, and additional apartments will only intensify the pressure on local streets and increase traffic congestion.
3. **Out of Character with Local Built Form**
   The proposed building height exceeds the established norms of the area, where most developments are seven storeys or less. Allowing this proposal could set a precedent for future high-rise developments that are out of character with the village feel and human scale of Erskineville.
4. **Inconsistent with the Ashmore Precinct Plan**
   This proposal does not align with the Ashmore Precinct planning controls, which were designed in consultation with the community to manage growth in a responsible and sustainable manner.
5. **Misuse of Affordable Housing Provisions**
   While I support efforts to increase access to affordable housing, I am concerned that this proposal uses the term as a planning mechanism to bypass established controls, rather than as part of a genuine, integrated housing strategy.

For these reasons, I respectfully request that the Council reject the proposed increase in height and number of units unless substantial modifications are made to ensure alignment with community expectations, existing infrastructure capacity, and adopted planning frameworks.

Thank you for your consideration of my concerns. I trust the planning process will give due weight to the views of local residents and protect the future livability of our neighbourhood.

Yours sincerely,
Minhao

From: Matt Bollinger
Sent on: Thursday, July 3, 2025 7:13:30 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

I object to this as it causes unnecessary strain on infrastructure and education facilities.

In addition to having a negative impact on the environment and community through unnecessary infrastructure and emissions.

Thanks.

Matthew Bollinger

[redacted]

[redacted]

From: [redacted]
Sent on: Thursday, July 3, 2025 8:48:27 PM
To: City of Sydney
Subject: Objection to DA D/2025/405 - 155 Mitchell Road 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.

Please do not publish my name, address or email address.

Re: D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

As a resident of Erskineville, I am strongly opposed to the development of an 11 storey apartment complex at 155 Mitchell Road.

This height of building is not in keeping with the rest of Erskineville and surrounding infrastructure. I would request this is not approved and instead a building height of 6-8 levels only is accepted. An 11 storey building would significantly impact other residential buildings nearby which were all approved at a maximum height of 8 floors. Eleven story buildings will cause reduced sunlight and have a negative impact on the existing buildings. It is completely out of step with other residential buildings.
The developer needs to proceed with delivering the agreed-upon buildings outlined in the 2015 Master plan. The entire Ashmore Estate is set to become one of, if not the most densely populated, urban developments in Sydney. It doesn't need more height; it needs to get built, and the job of bringing the local infrastructure up to standard to support the community is what really needs attention.

Furthermore, Mitchell Road is already significantly bottlenecked with traffic and cannot accommodate a significant increase in traffic. The scale of this proposed residential building will result in high congestion that has not been designed for with roads surrounding 155 Mitchell Road and the services that need to access the area.

Regards
[redacted]

From: Maciej Adamczak
Sent on: Thursday, July 3, 2025 10:42:15 PM
To: City of Sydney
CC: DASubmissions
Subject: Objection to Proposed Building Height Increases - Development Application D/2025/405

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 to formally object to the proposed modifications to the development application**D/2025/405**, which seeks to increase the height of two residential towers adjacent to the apartment property I own.

The original proposal was to align the building heights with nearby structures, with one tower limited to 7 - 8 storeys and the other to 4 storeys. The revised proposal now seeks to increase these to 9 - 11 storeys and 7 storeys respectively. I strongly oppose this change.

This amendment represents a significant increase in building mass and density, which will directly impact the surrounding community and local infrastructure. The area already experiences heavy traffic congestion, and further densification will exacerbate this problem. More apartments will mean more residents relying on public transport, increasing crowding on buses and trains, longer queues at local shops, and greater pressure on essential services such as GPs and medical specialists.

Beyond infrastructure strain, the increased height poses additional environmental concerns. Taller buildings will overshadow nearby properties, reducing access to sunlight and increasing wind tunnelling between buildings, negatively affecting liveability and public open spaces.

This shift away from the originally approved and more balanced plan undermines community trust in the planning process. These changes serve developer interests at the expense of local residents and set a troubling precedent for future overdevelopment in the area.

I respectfully urge the City of Sydney to reject the proposed height increases and uphold the original, community-minded development parameters.

Sincerely,

Maciej Adamczak
14104 177-219 Mitchell Rd
Erskineville NSW 2043

03-07-2025

From: [redacted]
Sent on: Thursday, July 3, 2025 4:41:12 PM
To: council
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Please keep my identity and contact details private

I am a local resident living on Mitchell Road, directly south of the proposed development, and I am writing to formally object to the proposed additional storeys. These changes would have a significant adverse impact on our area, particularly in terms of increased overshadowing, traffic congestion, and a reduction in overall residential amenity.

I also urge the council to reconsider the proposed exterior design. While I understand the intent to reference the area's industrial heritage, the current use of masonry and steel facades is not in keeping with the surrounding residential streetscape. The proposed materials introduce a stark, concrete aesthetic that is at odds with the softer character of the neighbourhood — even the site's previous commercial and industrial buildings did not present such a harsh visual impact. This design approach also undermines the broader planning objective of creating a welcoming, village-style inner-city environment.

I respectfully ask that the scale and design of the development be reviewed to ensure it aligns more closely with the character and needs of the local community.

Thank you.
[redacted]

From: Chong Chan
Sent on: Friday, July 4, 2025 9:46:40 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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,

I fully support this submission to create more supply of housing close to the city with supporting infrastructure already there to cope with the extra residents these buildings would create. It would also boost the liveliness of the area creating more of metropolis to support local businesses.

Regards,
Chong

From: Peter Gotting
Sent on: Friday, July 4, 2025 9:14:21 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Hello,

As an Erskineville resident, I would like to object to this proposal from Coronation to build apartments up to 11 storeys high. This would change the nature of Erskineville in a detrimental way. I live in a six storey building in the Ashmore precinct and am not against this development. But anything above six storeys high would impact natural light and the wind impacts on local residents. It is notable that Macdonald Street and Metters Streets, among others, are wind tunnels - much colder and blustery than surrounding streets on windy days. The higher buildings already impact the local area but six storeys is a nice balance between the need for more housing and keeping the community a nice place to live.

I support the development of the Ashmore precinct and the provision of more housing. The southern entrance to Erskineville station has made a significant difference to allow for an increase to the population in this area. The original 2015 Master Plan should proceed as it is.

Thank you for your time and consideration of these views. Please let me know if there are other ways to become involved in the community feedback around such important developments.

Yours faithfully,

Peter Gotting

_____
Peter Gotting
Phone: [redacted]
[redacted]

From: Euwen Tham
Sent on: Friday, July 4, 2025 9:10:18 AM

To: dasubmissions
Subject: Submission - D/2025/405 & D/2025/448 - 155 Mitchell Road 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.

To: Michael Stephens

Subject: Objection to Concept DA and Detailed DA – 155 Mitchell Road, Erskineville (D/2025/448 and D/2025/405)

Dear Michael,

I am writing to lodge a **formal objection** to the Concept Development Application and Detailed Development Application for the site at 155 Mitchell Road, Erskineville NSW 2043 (Ref: D/2025/448 and D/2025/405).

I am the owner of 360A Mitchell Road, Alexandria NSW 2015, located directly opposite the proposed development. My concerns relate primarily to the**excessive height, massing, and resulting impacts of Building I**, which, at a proposed height of 10 storeys, is **significantly out of scale with the surrounding built form**and will adversely affect the amenity of both my property and the wider community.

Summary of Key Objections

1. Excessive Height and Massing
Building I's proposed 10-storey height is entirely inconsistent with the character of Mitchell Road, which comprises predominantly 1–3 storey terraces. The development fails to provide an appropriate transition in scale, resulting in a built form that dwarfs the existing residential fabric and creates unacceptable visual bulk. Ie. a 10 storey building directly adjacent to existing 2 storey terraces is not appropriate. The prior design of 4 storeys with a fifth set back was more contextually appropriate. The current proposal does not reflect SEPP (Housing) Principle 2, which requires built form and scale to respect the existing or desired future character of the street and its context. Nor does it adequately address SEPP 65 Design Quality Principles, particularly those relating to scale, streetscape, and urban context.

2. Overshadowing
The increased height will result in significant loss of solar access to properties on Mitchell Road, including my own. Shadow diagrams submitted suggest that by 12pm on 21 June, my property and the remainder of the terraces on Mitchell Road will be completely overshadowed. This will directly impact the use and enjoyment of my private open space and prevent the viable installation of solar panels, which I had planned for environmental and economic reasons.

3. Loss of Privacy / Overlooking
A building of 10 storeys will result in substantial overlooking into neighbouring properties, with no apparent mitigation through screening or design measures. This will significantly reduce privacy for existing residents and is inconsistent with principles of residential amenity.

4. Precedent and Inconsistency with Ashmore Development
The newly completed buildings within the Ashmore precinct fronting Mitchell Road are predominantly 3–4 storeys. Approving a 10-storey building in this location would set an inappropriate precedent and undermine the planning approach already adopted for the precinct. Future development fronting Mitchell Road should remain consistent with this 3–4 storey height envelope as it is not only logical but appropriate to adopt a consistent height all along Mitchell Road.

5. Impact on Community Character
The bulk and scale of Building I are more akin to those found in high-density areas such as Waterloo or Zetland, not Erskineville or Alexandria. This contradicts the masterplan intent for a community-focused, medium-density environment that complements the established character of Mitchell Road.

6. Traffic and Infrastructure Strain
The significant increase in density will place further pressure on Mitchell Road, which is already a high-traffic corridor, and will likely exacerbate congestion and associated safety concerns.

7. Noise Impacts
Higher density inevitably brings increased noise. I note the absence of a building management plan, which would typically address these concerns. It is unclear how potential noise impacts, particularly for adjoining residential properties will be mitigated.

8. Poor Street Interface
The ground plane of Building I does not appear to provide adequate articulation or pedestrian amenity, and lacks a human-scaled interface with the public domain. The design should be revised to include more responsive street frontages and active uses to enhance streetscape character.

9. Affordable Housing and Built Form Balance
While I acknowledge the objectives of the Infill Affordable Housing provisions under the Housing SEPP, any resulting bonus in height and floor space must be balanced against the impact on surrounding properties. At present, that balance is not achieved. A height more in line with neighbouring properties being 3 to 4 storeys would be more appropriate and still enable the delivery of affordable housing within the planning framework.

10. Need for Building Management Strategy
Given the mix of proposed tenures (Build-to-Rent and Affordable Housing), a clear building management plan should be made publicly available to address concerns around long-term maintenance, amenity, and resident mix management.

11. Wind Impacts
The Wind Impact Assessment prepared by SLR Consulting Australia states that the proposed 10-storey Building I will not alter wind conditions along Mitchell Road, particularly at measurement points 55, 59, and 60–63. However, this conclusion appears questionable, given the substantial increase in building height and the absence of any visible wind mitigation strategies in the proposed design. It is unusual for a building of this scale to have no discernible wind management measures, and this raises concerns about the adequacy of the wind modelling and its assumptions.

Suggested Alternative

To address these concerns, I respectfully **propose that the height of Building I be reduced to 3 or 4 storeys**, with additional upper levels set back to reduce visual bulk and ensure a**more gradual transition** to the adjoining low-scale terraces.

Any **lost floor space could be redistributed elsewhere on the site, preferably to the western portion**, where higher buildings have already been approved and are contextually more appropriate.

Conclusion

I urge Council to reconsider the current proposal for Building I, particularly the height, massing, and interface with Mitchell Road, to ensure it better reflects the existing and desired future character of the area and minimises adverse impacts on current residents. I also request that serious consideration be given to the alternative solution proposed above.

Please don’t hesitate to contact me should you have any questions or wish to discuss. Look forward to discussing further with you.

Kind regards,

Eu Wen Tham
360A Mitchell Road
Alexandria NSW 2015

From: Bianca Gross
Sent on: Friday, July 4, 2025 9:42:39 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

RE: Objection to Proposed Development – Erskineville Ashmore Precinct Blocks F, G, H & I

Reference Numbers: D/2025/405 and D/2025/448

Dear Sir/Madam,

I am writing to formally object to the proposed modifications to the Concept Development Application for Blocks F, G, H & I in the Erskineville Ashmore Precinct.

While I appreciate the intention to deliver new housing, I believe the scale and nature of this proposal will have significant adverse impacts on Erskineville's character, infrastructure, and livability. My concerns include:

Strain on Local Infrastructure, Especially Schools and Health Services
Our public schools and GP clinics are already operating under pressure. Adding hundreds more dwellings without commensurate investment in infrastructure will inevitably lead to overcrowded classrooms, longer waiting times, and diminished community services.

Erosion of Community Character and Housing Affordability
The build-to-rent model often results in a transient population with less connection to the local community. Additionally, these developments typically lack family-sized dwellings and rent at a premium, further exacerbating housing affordability issues for long-term residents.

Excessive Building Heights and Overshadowing
The proposed increases in building height—up to 43% higher than originally approved—will overshadow existing homes, block views, and reduce access to sunlight in public and private spaces.

- Block F: Up to 9–11 storeys (previously 7–8)
- Blocks G & H: Up to 9–11 storeys (previously 7–8)
- Block I: Up to 7 storeys (previously 4)

This level of intensification is fundamentally inconsistent with the historic, low-rise character of Erskineville.

Reduced Parking and Increased Congestion
While reduced parking is presented as a sustainable measure, in reality it will further strain already limited on-street parking. Local streets are already congested, and additional residents without adequate parking provisions will only worsen the problem.

Loss of Views and Sunlight
The increased height and bulk of the proposed buildings will permanently impact the outlook, natural light, and sense of openness that define this neighbourhood.

In Summary, this proposal is an overdevelopment that prioritises developer incentives over the wellbeing of the existing community. I urge Council to reconsider the scale and design of this project to ensure it aligns with Erskineville's established character and capacity.

Please accept this letter as my formal objection to this development proposal. I request that Council give serious consideration to these concerns before any decision is finalised.

Kind regards,

Bianca Gross
7605/177-219 Mitchell Road
[redacted]

From: Xinyuan Yao
Sent on: Thursday, July 3, 2025 7:27:42 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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 a resident and owner of a terrace in Erskineville. I am writing to express my concern in the application to raise the height limit of the apartment. I am against the proposal for the following reasons:

- The trains during morning and evening peak hours are already at capacity. In fact, sometimes people are unable to get onto the trains and have to wait for the subsequent service
- Parking is already very difficult in the area
- It is out of character of the area where all the apartments are 7 floors and below, this might set precedence for future development
- This is not in line with the Ashmore precinct plan

While I recognise the importance of increasing access to affordable housing, I am concerned that the term is being used as a planning mechanism to bypass established height and density controls, rather than as part of a genuine, integrated housing strategy.

For these reasons, I respectfully request that the Council reject the proposed increase in height and number of units unless significant modifications are made to address community needs and concerns.

I appreciate your consideration of my concerns and trust the planning process will respect existing residents and the future livability of our neighbourhood.

Xinyuan

From: Tristin Hanna
Sent on: Thursday, July 3, 2025 7:34:45 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

As a resident of Erskineville, I strongly oppose this application. While I understand the need for housing, buildings of this height and scale will ruin the character of our neighbourhood, making it akin to the high rise of Zetland.

Tristin

From: Chris Thistlethwaite
Sent on: Thursday, July 3, 2025 7:34:54 PM
To: dasubmissions
CC: Daniel Kowalski
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Good Evening

As a resident of Rochford Street, I am strongly opposed to the development of an 11 storey apartment complex on 155 Mitchell Road.

This height of building is not in keeping with the rest of Erskineville and surrounding infrastructure. I would request this is not approved and instead a building height of 6-8 levels only is accepted. An 11 storey building would significantly impact other residential buildings nearby which were all approved at a maximum height of 8 floors. Eleven story buildings will cause reduced sunlight and have a negative impact on the existing buildings. It is completely out of step with other residential buildings.
The developer needs to proceed with delivering the agreed-upon buildings outlined in the 2015 Master plan. The entire Ashmore Estate is set to become one of, if not the most densely populated, urban developments in Sydney. It doesn't need more height; it needs to get built, and the job of bringing the local infrastructure up to standard to support the community is what really needs attention.

Furthermore, Mitchell Road is already significantly bottlenecked with traffic and cannot accomodate a significant increase in traffic. This scale of this proposed residential building will result in high congestion that has not been designed for with roads surrounding 155 Mitchell Road and the services that need to access the area.

We strongly oppose.

Chris Thistlethwaite and Daniel Kowalski

From: [redacted]
Sent on: Thursday, July 3, 2025 9:59:20 PM
To: City of Sydney
Subject: Objection to Proposed Local Development Plan – Ref: D/2025/405 and D/2025/448

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 request that ALL identifying information about me be kept private, including my name, surname and email.

Reference number:
D/2025/405
Address
155 Mitchell Road ERSKINEVILLE NSW 2043

and

D/2025/448
Address
155 Mitchell Road ERSKINEVILLE NSW 2043

Dear Sir/Madam,

I am writing to formally object to the proposed developments referenced D/2025/405 and D/2025/448.

While the original proposal was accepted by the community, the new plans significantly alter the nature and scale of the development. The proposed developments would significantly increase the population of Erskineville and Alexandria, potentially adding many new apartments and residents. Such a large-scale development is unsustainable in terms of road congestion, public transportation, childcare, education, and medical facilities in the vicinity of the proposed development.

Mitchell Road is already heavily congested, particularly during rush hours and weekends. Additional traffic will worsen road safety, particularly for pedestrians and cyclists. Public transport is overcrowded, and adding hundreds of new residents will only worsen the situation. The local infrastructure cannot cope with such an increase. Schools in the area are already at capacity, and no new provisions have been outlined. There are no plans to add more GPs, post office services and parking infrastructure. Please visit Sydney Park over the weekend, and you will realise that the neighbourhood is already at full capacity; the park is overcrowded, parking is impossible, and the strain on shared public spaces is clearly visible. Adding more high-density housing will only exacerbate this situation.

This development threatens to change the character of our neighbourhood irreversibly. What was once a quiet, balanced area is rapidly becoming overwhelmed. We fear our community is being**ignored** in favour of unsustainable growth.

I understand that the city must grow and evolve - that's why **THIS** large-scale residential complex at 155 Mitchell Rd is already underway. However, this latest proposal represents a drastic and unnecessary escalation that will seriously disrupt the existing community. The need for more affordable housing is undeniable, but if developers were truly acting in the public interest rather than driven by profit, they would have ensured that a greater proportion of the homes in the**current** plan were designated as affordable. Let’s be honest: developers are not saving lives - they are chasing margins.**And Sydneysiders are tired of being pushed aside for the sake of short-term profit. We have enough.**

I urge you to reject these revised proposals. Please consider the voices of local residents who live with the consequences of these decisions every day.

Kind regards,
[redacted]

From: [redacted]
Sent on: Thursday, July 3, 2025 10:57:19 PM

To: City of Sydney
Subject: OBJECTIONS TO D/2025/448 AND D/2025/405 AT 155 MITCHELL ROAD; ERSKINEVILLE, N.S.W. 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.

PRIVACY: Please keep confidential my name, landline, mobile telephone number, email address and street address.

Dear Sir.

Height: I object to the proposed increase in the heights of Buildings F, G, H & I as outlined in the Revised Amending Concept - clause 4.6 (height)

Under the Housing SLEPP 2112 the building height may be increased by up to 30% in order to provide for up to 15% of the total housing to be affordable housing. The developer has increased the height allowance for all buildings by 30% and shows this in tables on pages 9 & 10 of the document, **"Amending Concept Development Application"**. I support the developer receiving approval for this increase.

It is also possible for the developer to seek an increase of 10% in height if the building meets design excellence standards. At present a developer may access only one of these two possible height extension's; not both of them. This developer seeks to access both of these height extensions on the assumption the State Government will approve the Council of the City of Sydney's request to amend the City of Sydney's Competitive Design Policy to permit both extension's to be used giving a maximum height extension of 40%.

I do not support this application to use height extension methods when this is contrary to current law.

The developer is not satisfied with 40%, he wants more and designed the buildings to exceed the 40% from both provision's in the SEPP. The justification for this is that the Council of the City of Sydney has required the provision of amenities (gardens, sitting areas, shade structures) on the rooftop of each building. In effect, the developer is saying that this ought not be counted as additional height when presenting this height increase proposal.

In conclusion; I support the heights shown as **"Maximum Permissible Heights"** in tables 9 & 10.

Affordable Housing: I object to the proposal to place all the affordable housing in one building.

The developer proposes to place all of the affordable housing in building H and to keep them available for rent in perpetuity; however, there is no indication of what time span satisfies "perpetuity". Nor is there any indication of what usable lifespan these buildings will be expected to meet. SLEPP provision's require affordable rental housing to be retained for 15 years.

All of the evidence I have seen is critical of developments which segregate home owners and normal renters from affordable housing housing designed for **very low, low and moderate income households.** In most cases of this kind, which can be described as **Economic Class Segregation,** leads to discrimination, made easy by the clear demarcation of households based on income.

I support the inclusion of 30% affordable housing spread evenly across buildings F, G, H, and I.

Yours Sincerely;

[redacted]

[redacted]

[redacted]

[redacted]

From: Kristal Wan
Sent on: Friday, July 4, 2025 9:57:10 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Too high and will affect traffic congestion

Get Outlook for iOS

From: Bianca Gross
Sent on: Friday, July 4, 2025 9:41:57 AM
To: dasubmissions
Subject: Submission - D/2025/448 - 155 Mitchell Road 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.

RE: Objection to Proposed Development – Erskineville Ashmore Precinct Blocks F, G, H & I

Reference Numbers: D/2025/405 and D/2025/448

Dear Sir/Madam,

I am writing to formally object to the proposed modifications to the Concept Development Application for Blocks F, G, H & I in the Erskineville Ashmore Precinct.

While I appreciate the intention to deliver new housing, I believe the scale and nature of this proposal will have significant adverse impacts on Erskineville's character, infrastructure, and livability. My concerns include:

Strain on Local Infrastructure, Especially Schools and Health Services
Our public schools and GP clinics are already operating under pressure. Adding hundreds more dwellings without commensurate investment in infrastructure will inevitably lead to overcrowded classrooms, longer waiting times, and diminished community services.

Erosion of Community Character and Housing Affordability
The build-to-rent model often results in a transient population with less connection to the local community. Additionally, these developments typically lack family-sized dwellings and rent at a premium, further exacerbating housing affordability issues for long-term residents.

Excessive Building Heights and Overshadowing
The proposed increases in building height—up to 43% higher than originally approved—will overshadow existing homes, block views, and reduce access to sunlight in public and private spaces.

- Block F: Up to 9–11 storeys (previously 7–8)
- Blocks G & H: Up to 9–11 storeys (previously 7–8)
- Block I: Up to 7 storeys (previously 4)

This level of intensification is fundamentally inconsistent with the historic, low-rise character of Erskineville.

Reduced Parking and Increased Congestion
While reduced parking is presented as a sustainable measure, in reality it will further strain already limited on-street parking. Local streets are already congested, and additional residents without adequate parking provisions will only worsen the problem.

Loss of Views and Sunlight
The increased height and bulk of the proposed buildings will permanently impact the outlook, natural light, and sense of openness that define this neighbourhood.

In Summary, this proposal is an overdevelopment that prioritises developer incentives over the wellbeing of the existing community. I urge Council to reconsider the scale and design of this project to ensure it aligns with Erskineville's established character and capacity.

Please accept this letter as my formal objection to this development proposal. I request that Council give serious consideration to these concerns before any decision is finalised.

Kind regards,

Bianca Gross
7605/177-219 Mitchell Road
[redacted]

From: Jane Phillips
Sent on: Friday, July 4, 2025 7:20:50 AM

To: City of Sydney
Subject: D/2025/405

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,

Sending a concern regarding

D/2025/405.

The complex will add 9 and 11 story apartments to a low-rise area, adding to the growing congestion of traffic to the area.

The integrity of the original approvals should be maintained allowing for lower story levels, to alleviate an increasing density issue.

Regards

Jane Phillips
Park Sydney resident

From: Alex Cook
Sent on: Friday, July 4, 2025 11:10:14 AM

To: dasubmissions
Subject: ATTN: Michael Stephens. Objection to Concept Development Application and Detailed Development Application - 155 Mitchell Road, Erskineville NSW 2043 (D/2025/448 and D/2025/405)

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,

Hope you are well. I'm writing to present arguments against the Proposed Development at 155 Mitchell Road, Erskineville. The concerns primarily revolve around the impacts on residential amenity, traffic, and the character of the existing neighbourhood. The argument is not against the completion of the development but rather than new amendment which will sees the buildings unjustifiably increasing in height from 4 stories to 11 storeys

1. Overshadowing
The proposed development, with its significant increase in height and density, poses a substantial risk of overshadowing existing properties on Mitchell Road, particularly three-story townhouses. While the Statement of Environmental Effects (SEE) and Architectural Plans (AP) mention solar access, the sheer scale of the new buildings (up to 11 storeys in some sections, as per AP Section 3.1 and 3.6) compared to the existing low-scale residential character of Mitchell Road suggests that sunlight to private open spaces and living areas of adjacent townhouses will be significantly reduced, especially during the critical winter months. This loss of solar access will negatively impact the liveability and energy efficiency of these homes. Further, the existing homes on Mitchell Road and even Belmont Street will lose a considerable amount of sunlight due to this proposal.

2. Loss of Privacy
The increased height and density of the proposed development will inevitably lead to a significant loss of privacy for residents of three-story townhouses on Mitchell Road. The Architectural Plans (Section 5.4) indicate building separation distances and the use of translucent glass or privacy screens in some areas. However, with buildings reaching up to 11 storeys (AP Section 3.1), direct overlooking into private yards, balconies, and even internal living spaces of adjacent townhouses is highly probable. The proposed solutions, such as translucent glass, may mitigate direct views but can still result in a sense of being overlooked and a reduction in the perceived privacy of one's home. This is particularly concerning for multi-story dwellings where upper-level windows will have direct sightlines into the new development.

3. Increased Traffic Congestion and Parking Issues
The proposed development includes 577 apartments and 5,125m2 of retail floorspace (SEE Section 1.0, Development Summary). While the plans propose 379 car parking spaces (SEE Section 9.7), this significant increase in residential and retail density will undoubtedly lead to a substantial increase in traffic movements on Mitchell Road and surrounding local streets. Mitchell Road is already described as a "busy, noisy road" (SEE Section 2.5). The influx of additional vehicles, including residents, visitors, delivery trucks for the supermarket and retail, and service vehicles, will exacerbate existing traffic congestion, particularly during peak hours. This will negatively impact the daily lives of existing residents, making ingress and egress from their properties more difficult and increasing noise and air pollution. Furthermore, despite the proposed parking, the sheer volume of new residents and retail activity may lead to increased on-street parking demand in an already constrained residential area, further impacting the amenity of the neighborhood. The traffic report is also from 2021 which was during COVID and at a time of increased lockdown when far fewer vehicles were on the roads than are now, as such that report is inconsequential and out of date.

4. Negative Impact on Neighborhood Character and Visual Amenity
The proposed development significantly deviates from the established low-scale residential character of Mitchell Road and the adjacent Cooper Estate Conservation Area.**The Sydney Development Control Plan (SDCP) 2012, as referenced in the Statement of Environmental Effects (Section 2.7), specifically calls for "Low buildings**

fronting Mitchell Road." The proposed heights, reaching up to 11 storeys (AP Section 3.1), are a stark contrast to the predominantly two and three-story townhouses and detached houses in the immediate vicinity. While the Architectural Plans (Section 3.3) attempt to mitigate bulk through stepped street walls and varied materials, the sheer scale of the development will be visually overwhelming and out of character with the existing streetscape. This will fundamentally alter the visual amenity of the neighborhood, diminishing the residential feel and sense of community for long-term residents.

I look forward to your response and would happily engage further on a more progressive and amenable community plan.

Thanks,
Alex Cook
[redacted]
Owner 358B Mitchell Road, Alexander NSW 2015

From: Kristen Dumitrescu
Sent on: Friday, July 4, 2025 10:42:42 AM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To whom it may concern

As a resident of Erskineville, I have concerns about the development above.

While I am supportive of increasing density where appropriate to relieve housing pressure, this complex appears to take this to the extreme. It will bring a significant number of new residents to Erskineville, a suburb that does not have the infrastructure or facilities to support this, e.g. trains (currently already packed at peak hour), schools (at capacity), traffic (significant traffic already on Swanson St, Mitchell Rd, etc).

The height of the development (up to 11 stories) is also out of character for Erskineville, being significantly higher than existing developments in the area. We have concerns about overshadowing and loss of historic character, which is particularly relevant in a heritage conservation area like Erskineville.

To summarise, I am supportive of increase housing opportunities in Erskineville, provided that this is done in a way that supports the existing character and amenity of the suburb. In my view, the proposed development does not do this.

Please don’t hesitate to contact me if you require further information.

Kristen

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:36:43 AM

To: DASubmissions

Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Michael Lewis
Sent: Thursday, 3 July 2025 6:46 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.
I have submitted a proposal to halt this development based on several concerns. Firstly, the proposed height of the development is excessive and will destroy the village atmosphere of Erskineville. Secondly, the current traffic situation is already congested, and this development will exacerbate the problem. Lastly, there are insufficient facilities in the area, including supermarkets, schools, and other essential services, to support the increased population.

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:36:54 AM

To: DASubmissions

Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: James Evans
Sent: Thursday, 3 July 2025 7:14 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.
Dear City of Sydney

As a local resident I am fully in support of this application and encourage the City to consider this a positive step towards addressing the housing crisis.

Kind regards

James Evans
2 Nassau Lane, Erskineville

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:37:15 AM

To: DASubmissions

Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: [redacted]
Sent: Thursday, 3 July 2025 7:42 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Planning team,

I am a long-time resident and recent apartment owner of [redacted]/153 Mitchell Road, Erskineville NSW 2043, and I strongly object to the proposed increase in building height for this development.
The revised height is excessive, rising to 11 storeys-well above the maximum of 8 storeys that has been maintained across surrounding buildings. This change is not in keeping with the character or planning intent of the area and will have a direct and negative impact on my new apartment in Cascade 3, which currently enjoys an open outlook across this site. When I purchased my property, I was explicitly informed by the developer that no building on this site would exceed eight storeys. The proposed increase is a clear deviation from that commitment.

The developer should proceed with delivering the agreed-upon buildings outlined in the 2015 Master Plan. This development should have been completed by now, but delays-largely due to the developer-have stalled progress. This delay hinders the liveability of the space which already has been severely delayed

The development is already set to become one of the most densely populated urban precincts in Sydney. What it does not need is more height; what it does need is timely delivery and a serious focus on upgrading local infrastructure to support the growing community.

While I appreciate the need for new housing and thoughtful urban growth, this proposed amendment seems motivated more by increased profit than by community benefit. It shows little regard for the amenity of existing residents or the planning principles originally put in place. The fact this development is held up again as the developers attempt to squeeze more out of the site astounds me. The developer needs to get on with the finalising of this space so the residents can move forward and get on with living in the area.

I urge you to reject this amendment and hold the developer accountable to the original, agreed-upon plans.

Kind regards,

[redacted]

[redacted]/153 Mitchell Road

[redacted]

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:38:04 AM
To: DASubmissions
Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Keiran O'Sullivan
Sent: Friday, 4 July 2025 8:25 AM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.
To Whom It May Concern,

I am a resident of 106/2 Pearl Street, Erskineville and have been living as in Erskineville as a renter since 2021. I fully support the development application.

High density housing is the only way to improve housing affordability and this development goes in some way to advance that cause.

Sincerely,

Keiran O'Sullivan

Email: [redacted]

Mobile: [redacted]

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:37:33 AM
To: DASubmissions
Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Kelly Brown
Sent: Thursday, 3 July 2025 9:18 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

I would like to oppose the high storey of ~11 storeys.

I feel that the community and feel of the suburb does not need a high level storey building as being proposed

Sent from my iPhone

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:37:25 AM
To: DASubmissions
Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Laura Brindle
Sent: Thursday, 3 July 2025 8:45 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.
Dear Michael,

I am writing as a concerned local resident to formally object to Development Application D/2025/405. The proposal, as submitted, fails to demonstrate how it will meet the current and future needs of the community in line with the City of Sydney's planning principles—particularly those relating to infrastructure, liveability, and social equity.

Key areas of concern include:

1. Lack of Infrastructure Planning

The application does not include any meaningful provision for essential community infrastructure, despite a significant increase in residential density. Specifically:

* No mention of investment in primary or secondary school capacity, despite known constraints in the local education system and limits on Erskineville Public School development due to heritage building status.

* No plans to increase medical infrastructure, such as GP clinics, emergency care, dental practices, or allied health services, despite increases in time to get appointments locally.

* No meaningful enhancement of public open space or green areas, essential for health, wellbeing, and ecological sustainability.

* No upgrades proposed to bring the surrounding pedestrian environment up to Council's Walkable Neighbourhoods standard or improve active transport connectivity.

2. Poor Traffic and Urban Amenity Outcomes

The proposal appears to prioritise traffic engineering over urban liveability:

* Planning documents suggest an increase in signalised road crossings—a reactive measure that fails to address the root issue of vehicle congestion.

* The development is likely to create or worsen rat runs through neighbouring streets, contrary to the City's transport hierarchy, which places walking, cycling, and public transport ahead of car use. We have reduced train services to Erskineville and Maddox Street already gets too congested during morning and evening rush hours.

* There is no commitment to streetscape upgrades or integration into the City's broader Sustainable Sydney 2030 and 2050 visions.

3. Misaligned Housing Approach

The residential component raises serious equity concerns:

* The developer proposes a build-to-rent block, a model that places long-term control of rental pricing in the hands of private entities or community housing providers. This risks driving up local market rents and provides little housing security.

* The application includes inadequate levels of social, affordable, or ageing-in-place housing, and no provision for public housing —failing to meet the City's goals around housing diversity and inclusion.

* The offer to offset increased building height by reducing commercial tenancies is an insufficient trade-off that removes job opportunities and reduces mixed-use vibrancy, offering no real public benefit.

This proposal does not reflect the aspirations or planning benchmarks set out in Council's own strategic documents, including the Central Sydney Planning Strategy, Sustainable Sydney 2030/2050, and Greening Sydney Strategy. Without tangible commitments to public benefit, it represents a missed opportunity and should not proceed in its current form.

Increasing the scope of the project is also likely to increase the duration of the already overdue completion.

I urge Council to reject Application D/2025/405 until significant amendments are made to support local infrastructure, affordable housing, and a walkable, inclusive neighbourhood in line with City of Sydney objectives.

Sincerely,
Laura Brindle

213 Lawrence Street, Alexandria 2015

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:38:20 AM

To: DASubmissions

Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Oskar Sachs
Sent: Friday, 4 July 2025 11:22 AM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.
I live adjacent to this proposed development and object to the proposed new building height.
Our street is already compromised in terms of lack of parking, excessive speeding and noise from traffic and I believe this new proposal will only make matters worse.

Oskar Sachs
207B/5 Hadfields Street
Erskineville NSW 2043
[redacted]

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 11:37:03 AM
To: DASubmissions
Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Matthew Holmes
Sent: Thursday, 3 July 2025 7:19 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear Council,

I would like to object to this proposal on the grounds of the increased building heights.

7-8 stories has been more than enough for surrounding buildings. Higher would ruin the aesthetic and vibe of the area and the view from the top of Sydney Park which brings many to the area.

I am equally concerned about the overshadowing the extra levels would create, traffic congestion, lack of street parking and amenities. It is already becoming a very busy area for traffic, lack of parking and the trains at Erskineville are getting extremely crowded. It would be a mistake to add to this.

I don’t want the nice inner city suburb of Erskineville to become the next Green Square full of tall towers and more congested.

8 stories is great, adds to housing supply, and is in keeping with the area. Would love it to be built, but no higher than other buildings in the area please.

Please deny any request to extend the building heights above 8 stories.

Thank you
Matthew Holmes
Erskineville resident

From:	Darren Youles
Sent on:	Friday, July 4, 2025 1:27:39 PM
To:	dasubmissions
Subject:	Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens
Attachments:	Submission - D_2025_448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens.pdf (154.18 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 Mr Stephens,

Please find a detailed objection to **Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development ApplicationD/2015/966.**

These proposals as they stand will have a comprehensive negative impact on my property on Mitchell Road, and I implore you to consider these impacts and reject these plans or they are significantly revised.

Thank you in advance for your consideration to this matter.

Kind regards,
Darren Youles
[redacted]

Confidential communication
Westpac Banking Corporation (ABN 33 007 457 141, AFSL 233714)
Westpac Institutional Bank is a division of Westpac Banking Corporation

Darren Youles
Unit 29 / 300 Mitchell Road
Alexandria NSW 2015
[redacted]
[redacted]

4 July 2025

City of Sydney
GPO Box 1591
Sydney NSW 2001

Re: Objection to Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I am writing to lodge a formal objection to Development Application **D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for **Blocks F, G, H, and I at 155 Mitchell Road**, Erskineville, NSW 2043.

The reasons for my objection are as follows:

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1. Excessive Height and Loss of Sunlight

The proposal:

- Exceeds height limits under the local LEP (Local Environmental Plan) or DCP (Development Control Plan).
- Is out of character with surrounding buildings.
- Contributes to overdevelopment of the site – does not align with existing or desired streetscape.
- Causes an excessive shadow cast on neighbouring properties (especially private open space or solar panels).
- Reduces solar access to adjacent homes, parks, or public areas. **My property will lose direct sunlight, reducing the quality of life within the unit.**
- Breaches sunlight access rules in the DCP (e.g., minimum 3 hours sunlight to private open space).

---

2. Loss of Heritage Transition and Local Character

The proposal:

- Has poor internal layout, lack of cross-ventilation, or poor building articulation.
- Provides no contribution to public domain (e.g., footpath widening, landscaping, plazas).
- Is incompatible with surrounding heritage conservation area or nearby heritage-listed properties.
- Disrupts established architectural character or historical significance of the area.

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3. Traffic and Transport Impact

This proposal:

- Increases traffic congestion in surrounding streets.
- Provides inadequate on-site parking (leading to spill over into residential streets).
- Has insufficient loading/unloading or service vehicle space.

---

4. Amenity and Infrastructure Pressure

The proposal will exacerbate:

- Noise from communal areas, mechanical equipment, car parks, or rooftop spaces.
- Late-night activity in commercial/mixed-use developments.
- Construction noise over extended periods.

---

5. Loss of Privacy

This proposal:

- Will cause considerable loss of privacy due to windows, balconies, directly overlooking or into my living areas.
- Provides inadequate setbacks or screening measures.
- Impacts on reasonable privacy expectations.

Requested Action

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.

I encourage the Council to thoughtfully evaluate the concerns raised by residents and to consider the long-term impacts of approving this development. I respectfully request that **Development Applications D/2025/448 and D/2015/966** be either rejected or substantially revised to address these issues.

Yours sincerely,



Darren Youles

From: Planning Systems Admin

Sent on: Friday, July 4, 2025 1:14:24 PM
To: DASubmissions
Subject: FW: Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens

-----Original Message-----
From: Justin Lin
Sent: Friday, 4 July 2025 12:04 PM
To: DASubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

Dear City of Sydney Planning Team,

I am writing as a concerned resident to formally object to the proposed modifications to the Erskineville Ashmore Precinct Blocks F, G, H, and I (Development Applications D/2025/405 and D/2025/448), specifically the plans to substantially increase building heights across these sites.

This proposal threatens the amenity, character, and liveability of our community. I wish to outline several key concerns:

1. Excessive Building Heights and Overshadowing:
The proposed increases-up to 11 stories in some blocks-are significantly out of step with the originally approved plans and Erskineville's established low-rise character. These changes would dramatically increase overshadowing of existing homes and public spaces, block vital sunlight, and negatively affect residential amenity and community enjoyment of outdoor areas.
2. Strain on Local Infrastructure:
Our local schools and GP services are already under pressure. Additional high-density housing without matched investment in infrastructure will inevitably result in overcrowded classrooms and overstretched health services. These are critical services for local families and must not be overlooked.
3. Loss of Community Character and Cohesion:
Build-to-rent developments often fail to support long-term community stability. The absence of family-sized dwellings and the high cost of rental units can foster a transient population and further exacerbate the existing housing affordability crisis.
4. Insufficient Parking Provision and Traffic Congestion:
The proposed reduction in on-site parking may seem aligned with sustainability goals, but in practice it is likely to worsen traffic and parking issues in surrounding streets. I live on Hadfields Street, which already experiences frequent speeding, excessive traffic noise, and a heightened risk of pedestrian injury. Increasing the local population density without addressing traffic and safety concerns will only intensify these problems and put residents at further risk.

This development, as currently proposed, is out of character with the unique, heritage-rich identity of Erskineville. I urge the City of Sydney to reject the proposed modifications and uphold the community's vision for a liveable, sustainable, and inclusive neighbourhood.

Thank you for considering this submission.

Yours sincerely,

Justin Lin
Hadfields Street, Erskineville

From: Radhika Kumar Singh
Sent on: Friday, July 4, 2025 1:55:33 PM

To: dasubmissions
Subject: OBJECTION: Submission - D/2025/405 - 155 Mitchell Road 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.

To whom it may concern

I am seriously concerned regarding the proposal to increase the height of this development and increase capacity in an already congested suburb where parking and traffic is a nightmare since these developments commenced.

The proposal will cause further issues such as:

- block sunlight for already existing homes across the streets.
- more strain and stress on infrastructure and community
- Damages the character and beauty of this precinct.
- Does nothing for the affordability crisis as these places can only be afforded by premium clientele and not by people who are homeless or can't afford the expensive rent.
- most of the current apartments are occupied by Asians and this place is now starting to look like another Mascot. We are losing a beautiful diverse community.

Regards
Radhika

From:	Nicole Rawson
To:	DASubmissions
Subject:	Submission - D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens
Date:	Thursday, 3 July 2025 4:46:18 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.

Hi,

I would like to oppose this excessive building height request. Erskineville cannot support further infrastructure changes. This will impact the pricing of housing and make it a less desirable area to live. The traffic and parking in Erskineville is already overflowing and struggling.

Schools and daycares are already stretched too thin.

This will have a soffnificant inpact on the village envirerment we currently have.

Thank you for your time,
Nicole Bollinger

From: Liz Zacka

Sent on: Friday, July 4, 2025 3:59:37 PM
To: dasubmissions
Subject: Submission - D/2025/448 - 155 Mitchell Road ERSKINEVILLE NSW 2043 - Attention Michael Stephens
Attachments: Request to object to Proposed Development Application_D.2025.448 & D.2025.405_Zacka.docx (20.63 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.

Hello,

Please see attached my objection letter regarding two recent development applications D/2025/448 and D/2025/405.

I am strongly opposing the intended significant increases to the building heights of these development from 3 stories to 7-11 stories and urge council to consider the impact to residents.

Thank you,
Liz Zacka

Liz Zacka
Unit 40 / 300 Mitchell Road
Alexandria NSW 2015
[redacted]

3rd July 2025

City of Sydney
GPO Box 1591
Sydney NSW 2001

Re: Objection to Development Applications D/2025/448 – 155 Mitchell Road ERSKINEVILLE NSW 2043 & Objection to Amending Concept Development Application D/2015/966

Dear General Manager,

I'm writing to lodge a formal objection to Development Application **D/2025/448 & D/2015/966** submitted by **Coronation Property Co Pty Ltd**, concerning the proposed amendments to the Concept Consent (D/2015/966) for **Blocks F, G, H, and I at 155 Mitchell Road**, Erskineville, NSW 2043.

Excessive Height and Loss of Sunlight

Excessive shadow will be cast on our property significantly impacting sunlight access.

Our apartment is on the top floor and west facing. Due to our building design our private open balcony space currently has sunlight access (without shadow casts) from approx 11am – sunset – it relies on the access coming from the west aspect.

This proposal will impact the sunlight access significantly resulting in the balcony space likely to be in permanent shadow, which breaches sunlight access rules in the DCP (minimum 3 hours sunlight to private open space).

Traffic and Transport Impact

Mitchell Road already experiences an extremely high volume of traffic that residents content with, traffic pressure has already been impacted in the street with significantly underutilised bike lanes that encroach on the road capacity and this proposal will exacerbate that congestion even further, adding strain on available parking (due to the inadequate onsite parking) leading to spillover in nearby streets and will chokehold traffic on what needs to be a key arterial road connecting city to south.

Loss of Privacy and Overlooking

As a top floor resident this new proposal will impact our reasonable expectations to privacy in our windows, living areas and in particular rooftop balcony space – this is a value point of our apartment and will significantly reduce our property value should the privacy of the property be impacted so heavily.

Infrastructure Strain

The population increase will impact public transport (in particular the volume needing access to Route 308 to the city) which is already at capacity during workdays.

Height, Bulk, and Scale

The new proposed height of the building is an overdevelopment of the site – does not align with existing or desired streetscape.

Requested Action

I respectfully request that Council:

- **Refuses the current amendment proposal D/2025/448** & **D/2015/966** in its current form.
- **Requires a revised DA** that better aligns with the existing planning framework and neighbourhood character.

I encourage the Council to thoughtfully evaluate the concerns raised by residents and to consider the long-term impacts of approving this development. I respectfully request that **Development Applications D/2025/448 and D/2015/966** be either rejected or substantially revised to address these issues.

Yours sincerely,

Liz Zacka

From: Callum Jones-Bray
Sent on: Friday, July 4, 2025 4:58:45 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To whom it may concern,

I wanted to write to flag issues with the increased size of this proposal.

Being an apartment owner next door in 177-219 Mitchell road, it is already a difficult area to navigate by car over the course of the week due to the density of units with underground car parking. Simply put, Mitchell road is at bursting point so to add this many apartments would break the dam.

Secondly, local infrastructure is completely unsuitable for the current volume of residents let alone this many more. Whether it is St Peter's or Erskineville station, both are frequently overcrowded at rush hour on most days.

Thirdly, the size and scale of the development far outstrips anything else in the vicinity and would be totally out of keeping with the current area.

I am not opposed to apartments on the site but the size of this development will put undue stress on the area without a complete rework of local infrastructure which should be planned and completed in advance, not after this small town pops up.

Thanks

Callum Jones-Bray
8608/177-219 Mitchell Road

Sent from my iPhone

From: Kiel Horton
Sent on: Friday, July 4, 2025 5:59:28 PM

To: dasubmissions
CC: Danielle Horton
Subject: Objection to development applications: 155 Mitchell Road, Erskineville NSW 2043 (D/2025/448 and D/2025/405)

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 Council Planning Team,

I am writing to formally object to the proposed developments under Development Applications D/2025/448 and D/2025/405 for 155 Mitchell Road, Erskineville. As local resident for 12 years, and owner of a property facing the proposed Block I for 7 years, I am directly affected by these amendments and have significant concerns should they proceed.

1. Material departure from the agreed upon plan

As a resident who accepted and supported the original Ashmore proposal in good faith, I feel misled that the amendments are now being made that clearly will erode trust in the initial process.

The original planning framework was developed with community consultation and a balance between growth and livability. Approving this amendment would set a concerning precedent and diminish public confidence in the strategic planning process.

2. Significant overshadowing

Shadow diagrams from the Statement of Environmental Effects (p79) highlight that my property will experience a material reduction in natural light resulting from overshadowing from Block I. Should this pass, my property will effectively be fully in shade from 12pm, likely violating the City's own solar access provisions and minimum standards for adjacent dwellings. This will negatively affect my family's quality of life and energy efficiency of mine and surrounding properties.

3. Parking shortfall

With low on-site parking space ratios as it stands, this dramatic increase in units will clearly push spillover parking onto surrounding residential streets that cannot meet demand for parking. Being able to access street parking has become materially more difficult since the earlier Ashmore phases have been completed, and this will greatly increase this issue further.

Increased traffic volumes will also place further strain on Mitchell Road, which already experiences major bottlenecks during peak times.

4. Urban wall

The proposal introduces excessive visual bulk that undermines the established low- to mid-rise character within the Erskineville village. Further, the design lacks any appropriate transition to nearby built forms and will create a monolithic urban wall along Mitchell Road. This is not aligned with the original Ashmore Precinct planning framework.

In summary, these proposed changes are extremely disappointing as a resident who has lived through years of disruption from precinct redevelopment. I urge Council to refuse these amendments, or require substantial redesign to address the issues highlighted above.

Sincerely,
Kiel Horton

From: Damien Moore
Sent on: Friday, July 4, 2025 6:03:23 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To whom it may concern,

I am writing as I am against the proposed changes as advertised in the above development application.

The initial development application was done as the building heights matched the surrounding built environment that Erskineville has become.

The additional height requested will not only embolden future developments to seek to vary their maximum permissible heights, but put massive strain on the surrounding streets, buses and train routes which are already stretched.

If the developer wants to build a larger building, they can find an appropriate site in a suitable location.

Kind Regards,

Damien Moore

From: Jessica Xu
Sent on: Friday, July 4, 2025 10:56:29 PM
To: dasubmissions
Subject: Submission - D/2025/405 - 155 Mitchell Road 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.

To whom it may concern,

I am writing to express my concern and alarm about the proposed development.

There are several reasons to my objection:
- it significantly changes the character of the suburb as although there are already apartments, the unusually high nature of the proposed building represent a stark change from the much more thoughtful, lower apartment developments
- there are the real issues of shadowing over other dwellings in the area
- the services and infrastructure of the area are stretched already and will not cope well with high rise apartment population increases
- it may set a precedent for further very tall apartments which are not suitable for the infrastructure of the area

Thank you for your consideration.

Kind regards,
Jessica Xu

From: P ann ng Systems Adm n
Sent on: Monday, Ju y 7, 2025 11 30 1 AM
To: DASubm ss ons
Subject: W D 2025 05

From: Tarryn Hill-Cawthorne
Sent: Sunday, 6 uly 2025 10 44 AM
To: Michael Stephens
Subject: D/2025/405

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

Opposition to additional floors in the Erskineville Development

Bus Routes already exceeding capacity (for years)
The 370 bus and the 308 bus are already over capacity These buses serve Mitchell Road They regularly exceed the legal limit and are dangerous for standing passengers Regularly too full to pick up more passengers - and so jammed people struggle to exit at their stop

attach photos i have submitted to transport for NSW in the past in (370 in March and June 2023) the situation has not improved in years New builds along the route in Zetland and Rosebery (with no car parking) have just neutralised any efforts Transport for NSW have tried to improved the service Try getting a bus at 8am when UNSW USyd and local schools are all in term time

Poor oversight of New Builds
NSW government has an appalling track record of oversight when it has come to new builds Most the new builds in Erskineville have required special levies to fix major defects The Sugarcube/ Honeycomb disaster 5 Hadfields basically needed a new roof The Rochford has needed significant work When i was looking to buy last year almost every new apartment block had major special levies in place and some were taking their builder to court (at a huge expense) This is just erskineville the well publicised Toplace opal towers mascot towers lachlan's line shows that NSW government doesn't have the safeguards in place to handle highrises The people you are trying to give homes to get saddled with debt and uncertainty due to the incompetence A dream home becomes a financial nightmare for the very people you re trying to help

support new builds but leave the high rises until you've got your house in order


STOP


BUS STOPPING
STOP
STOP

From: Planning Systems Admin

Sent on: Monday, July 7, 2025 11:29:49 AM
To: DASubmissions
Subject: FW: Query: D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

From: Addie Yeo
Sent: Saturday, 5 July 2025 1:46 PM
To: Michael Stephens
Subject: Query: D/2025/405 - 155 Mitchell Road 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 there,

I live on Belmont Street and am against increasing the height/number of these apartments.

The area has very limited parking, transport options and facilities, not to mention the narrow one lane roads per direction. We cannot support further people density here.

Please reconsider, thanks.

Regards,
Adelene

From: Planning Systems Admin

Sent on: Monday, July 7, 2025 11:30:51 AM
To: DASubmissions
Subject: FW: Submission - D/2025/405 – 155 Mitchell Road, Esrkineville

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From: [redacted]
Sent: Sunday, 6 July 2025 9:57 PM
To: Michael Stephens
Subject: Submission - D/2025/405 – 155 Mitchell Road, Esrkineville

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,

Re: D/2025/405 – 155 Mitchell Road, Esrkineville

Please keep my name and email address confidential when publishing. Apologies for the delay in sending this letter - I emailed it two days ago in anticipation of the Friday closing date but for some reason it became stuck in my outbox.

I am a local resident writing to voice my concerns regarding the proposed 11-storey development located at 155 Mitchell Road, Erskineville. I have significant concerns regarding the proposed development.

1. Non-compliance with long-standing height restrictions

Erskineville's Ashmore precinct planning controls has a maximum building height of 8 storeys. This planning control has been long-standing, dating back before 2012 and has been applied to all new build developments in the area, including apartment buildings such as Erko, Rochford and Park Sydney. This planning control is well known to developers and has had general community support as an acceptable trade-off between high density and ensuring the amenity and aesthetic of the suburb is not damaged. This deviation from established planning controls undermines the intent of the Ashmore Precinct planning framework and should not be approved.

Whilst the provision of additional housing is a commendable objective in the midst of a national housing crisis, the application of infill affordable housing bonus provisions in the SEPP should not be used to create a development of inappropriate bulk and scale in an established heritage suburb. The Ashmore precinct is considered a successful new build area in a city littered with strategic planning failures – one only has to look at places such as Wolli Creek (where tall apartment blocks contribute to excessing shadowing and streets turned into wind tunnels) or Canterbury (where poor planning decisions have resulted in developments of such intensity and scale that they have destroyed the suburb's formerly pleasant aesthetic and character).

This success is built on strict height controls which have ensured that:

- Erskineville maintains its walkability by ensuring pedestrian footpaths and roads maintain solar access and reduce shadowing and wind tunnel effects;

- Despite the high density of the area, buildings retain a sense of human scale as well architectural harmony with other apartment developments and neighbouring low density heritage streets;

- The developments do no create shadowing of the surrounding heritage streets, particularly during the winter months;

- The number of additional dwellings do not strain local infrastructure and services.

The local community has long been awaiting the completion of the Park Sydney area, in particular the new McPherson Park and the pedestrian-only Kooka Walk. Yielding to pressure and abandoning long-standing height restrictions and turning Kooka Walk into an overshadowed wind tunnel just as the area is nearing completion would be a significant planning failure at a critical juncture when victory is in sight. Given the scale of the national housing crisis, Erskineville should be a model of high density living in the country to demonstrate that quality and quantity can go hand in hand – not another planning failure which contributes to the feeling amongst many ordinary Australians that new-build areas are best avoided.

2. Proposed housing mix will not assist families

Breaching height limits will not solve the national housing crisis if developers continue to preference small 1- and 2- bedroom units with cramped kitchens, minimal storage, no room for a dining table and bedrooms too small to even fit a desk. Given the general unaffordability of housing in this area, what this area needs are well designed 3- and 4- bedroom apartments which can accommodate families.

The developer is proposing up to 920 units, but the resulting development will not assist in housing families. By way of example:

- In Block G, which contains 334 units, 53% of units will comprise either studios or 1 bedroom units. Just 0.6% of units (i.e. 2 apartments) will contain 3 bedrooms.

- In Block H (the so-called affordable housing block), which contains 171 apartments (including 15 “dual key” apartments which have been double counted), there is just one 3 bedroom unit.

To reiterate, in a development of 920 units, there will be exactly one affordable 3 bedroom apartment. The likelihood of a young family securing the single affordable 3-bedroom apartment out of 920 units is so slim it renders the promise of cheaper housing practically meaningless. One can only imagine the media reaction if such a development is approved and it learns of this statistic. This proposal is disingenuously using the affordable housing bonus provisions to maximise the number of smaller units which can be sold, rather than a genuine attempt to solve the national housing crisis.

For development that contravenes established controls, the consent authority must be satisfied that the proposal will be in the public interest. Given the objections I have outlined above, I strongly encourage the City of Sydney council to exercise its authority and reject the application.

Kind regards,

[redacted]

From: Planning Systems Admin
>>

Sent on: Monday, July 7, 2025 11:31:03 AM
To: DASubmissions
Subject: FW: Query: D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

-----Original Message-----
From: Nicholas Simonovski
Sent: Saturday, 5 July 2025 9:06 PM
To: Michael Stephens
Subject: Query: D/2025/405 - 155 Mitchell Road 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.

As a resident in Erskineville, I oppose the proposed development in the suburb.

Erskineville does not need high-rise apartments to pollute the skyline and disrupt the status quo of the area.

Sent from my iPhone

From: Planning Systems Admin

Sent on: Monday, July 7, 2025 11:31:23 AM
To: DASubmissions
Subject: FW: Query: D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

From: Shane Rice
Sent: Saturday, 5 July 2025 1:44 PM
To: Michael Stephens
Subject: Query: D/2025/405 - 155 Mitchell Road 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'd like to formally object to the above application. It is not in fitting with the area and is far too high. The roads and infrastructure in the area cannot handle a development of that size and height.

Thank you for your time.

Regards,
Shane Rice
554/221 Sydney Park Road, Erskineville.
[redacted]

From: Planning Systems Admin

Sent on: Monday, July 7, 2025 11:30:36 AM
To: DASubmissions
Subject: FW: Query: D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

-----Original Message-----
From: Tigernsw
Sent: Sunday, 6 July 2025 9:33 AM
To: Michael Stephens
Subject: Query: D/2025/405 - 155 Mitchell Road 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 there,

I’m concerned about this DA and wondering increasing the height is necessary and more beneficial for the commercial other than the surrounding communities.

Regards
Tiger

From: Stephen McMahon
Sent on: Monday, July 7, 2025 1:06:30 PM

To: dasubmissions
Subject: D/2025/405: Submission of Support

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 Council, please accept this late submission.

I was not intending to make a submission. However, I have felt the need to make this submission to respond to the concerted campaign to object to the provision of new housing.

I am a long-standing resident of Erskineville for over 25 years. I have seen the area change a lot during this time. I live close to the Ashmore Estate. I am happy to provide my location upon request.

I **support** the proposed development on the following grounds:

1. I do not consider that there will be an impact on the character of the area. The location of the change is limited to the redevelopment taking place in the former industrial area. It will not be visually significant and will not impact on the area's valued terrace character.
2. I do not consider that there will be any significant change in the traffic volumes in the area. My observations and experiences suggest to me that the traffic congestion in the area that we all experience (and suffer from) is a result of motorists from outside Erskineville / Alexandria who are taking short cuts and 'rat running' to avoid the congestion on King Street and South Sydney, rather than from traffic generated by the new housing in the Ashmore Estate. I see further evidence for this from the dramatic increase in people using the Erskineville and St Peters railway stations. People who move into the Ashmore estate generally appear to be attracted by the proximity of public transport. I do not see any evidence that the development of the Ashmore Estate has unreasonably increased traffic congestion. I would like to see Council address the existing non-local rat-running issue as a priority separate to the consideration of this DA.
3. Relevantly, I recall that the traffic generated by the industrial activities in the Ashmore Estate had a much more significant impact on our amenity than the new homes that are here today.
4. I have no concern with demands on schools and other community facilities. The demand is cyclical. Enrolments in Erko primary go up and down with household aging. I anticipate that by the time new families establish in the Ashmore Estate the existing children in these facilities will have moved on, and if not the Department of Education can respond to short term spikes in demand.
5. New residents bring patronage to local businesses. The local village centre in Erskineville (east of Rochford Street) currently has a 25% shop vacancy rate. Any increased expenditure by new residents can only be an improvement.

In summary, the proposal includes additional housing supply in a well-located area. It is close to Sydney Park, has good bus and train access and is close to the CBD and large employers such as the Royal Prince Alfred hospital. Furthermore, the proposal includes a component of affordable housing. I want my young son to have the same housing opportunities that I have enjoyed. This is an excellent opportunity to assist in increasing housing supply.

Stephen McMahon
PO Box 7277 Alexandria NSW 2015

From: Edmond Chan
Sent on: Sunday, July 13, 2025 6:57:29 PM
To: dasubmissions; mjstephens
Subject: Submission – DA D/2025/405 – 155 Mitchell Road, 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.

Dear Mr Stephens,

Thank you for taking the time to speak with me on 7 July 2025 and for confirming that you would consider this submission, even though it follows the formal close of submissions on 4 July 2025. I appreciate your openness and assistance.

I am writing to object to the proposed modification to Development Application D/2025/405, which seeks to increase the approved height for 155 Mitchell Road, Erskineville NSW 2043 from 8 storeys to 11 storeys.

I live in Erskineville with my wife and young child. My son attends the local primary school. We often walk down Coulson Street on the way to Alan Davidson Oval in Sydney Park, and enjoy time at local cafés. This is a walkable, community-centred neighbourhood with a strong sense of place. I support more housing — particularly affordable housing — but it needs to be delivered in a way that respects the planning framework and the community it will serve.

1. Ashmore precinct was planned with an 8-storey cap
The Ashmore Precinct was carefully masterplanned with a 2 to 8-storey height limit, established through community consultation and urban design analysis. That limit was designed to integrate new buildings into Erskineville's low- to mid-rise character and protect liveability as the precinct evolves.

Increasing this to 11 storeys breaks that compact, walkable scale and risks setting a precedent that undermines the broader planning framework across Ashmore.

Approving this uplift would also risk setting a precedent for further height increases across Erskineville and Alexandria. It sends a message that established planning controls — even those developed through detailed public consultation — can be overridden on a site-by-site basis. This invites height creep, weakens the integrity of the Local Environmental Plan and Development Control Plan, and could permanently alter the area's mid-rise character.

2. Affordable housing doesn't justify planning non-compliance
The proposal relies on uplift through the Affordable Housing SEPP to justify the additional height. While I strongly support the delivery of affordable housing, the Statement of Environmental Effects (SEE) acknowledges that achieving the proposed uplift to 11 storeys means the development cannot fully comply with several key requirements of the Apartment Design Guide (ADG) — including:

- Minimum building separation distances
- Solar access requirements
- Cross-ventilation standards

These outcomes are addressed in the SEE using a "precinct-wide" assessment approach, which allows shortfalls in individual buildings to be averaged out across the broader site. While permissible, this approach risks delivering substandard amenity outcomes for residents in the affected buildings. Planning standards should not be waived in ways that compromise long-term livability.

3. Impact on public views from Sydney Park not addressed
Sydney Park is one of the most popular public spaces in inner Sydney. From its elevated hilltop, visitors enjoy

uninterrupted views of the City skyline — a defining visual experience of the area.

The SEE does not include any visual modelling or analysis from these key public viewpoints within the park. Given the increased height and the scale of the proposal, this is a significant omission. Council should require a full visual impact assessment from these public vantage points before considering any departure from the approved planning envelope.

4. The original design competition did not include the extra height
The SEE confirms that the original architectural design competition did not consider the additional height now proposed. This means the current scheme — with its uplift — was not subject to the same level of review or competitive design excellence process. That undermines the intent of using design competitions to ensure the highest standards for significant developments.

5. Cumulative strain on local infrastructure
The proposal would deliver 1,082 apartments, including 171 affordable dwellings. This represents a 28% increase from the 845 apartments previously approved for this site under the 8-storey scheme.

Such a substantial increase will place additional pressure on local infrastructure — schools, transport, green space, and services — without a clear plan for how those impacts will be managed. The SEE acknowledges the density but provides only limited mitigation strategies.

Conclusion
I strongly urge Council to reject the proposed increase to 11 storeys at 155 Mitchell Road, ERSKINEVILLE NSW 2043.

Under the original 8-storey planning envelope, this site (Blocks F, I, G and H) would already deliver approximately 845 new homes — a substantial contribution to local and state housing targets — without undermining design standards or strategic planning integrity. We can meet housing needs without abandoning the standards and strategies that have made inner Sydney livable.

By contrast, the proposed uplift to 11 storeys would require non-compliance with key elements of the Apartment Design Guide, including solar access, cross-ventilation, and building separation. These are not trivial technicalities — they are core design principles that protect residential amenity and ensure the long-term success of new communities.

This submission is not about opposing growth. It’s about ensuring growth happens within a clear, fair and considered framework that balances the needs of future residents with the quality of life for those who already call this place home.

Thank you again for your time and for considering this submission.

Sincerely,

Edmond Chan
33 Bridge Street, Erskineville, NSW 2043

From: [redacted]
Sent on: Monday, July 14, 2025 2:00:18 AM

To: dasubmissions
CC: Rick Boughton; Michael Stephens

Subject: Submission D/2025/405 and D/2025/448

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 accept the following submission for D/2025/405 and D/2025/488. As discussed with Michael Stephens, we have been overseas for a number of years (returning in December 2025) and we recently became aware of the revised application which is why this submission is delayed.

To Whom it may concern,

We strongly oppose the building proposal for D/2025/405 and D/2025/448. The modified proposal has significant impact on our property due to the increased height of the building and it's close proximity to our property.

Direct impacts on our home

Our property is directly over the road from Block I on Mitchell Road and we were already concerned with the approved application and the impacts it will have on us and our home. This revised proposal significantly exasperates these concerns and will impose ongoing financial costs to us.

The building (Block I) is just 23m away from our home with little to no set back and the significant increase in height will impact us emotionally (health and wellbeing due to less natural light) financially (due to higher heating and cooling costs), our privacy and also the overall thermal design of our property will be dramatically compromised.

The following elements of our property will be seriously impacted by the overshadowing that is a result of the increase in height and the close proximity to our property.

- Our property has been designed with thermal properties in mind to be energy efficient and take advantage of airflow and natural sunlight
- We rely on sun to heat our home and the height of these buildings will mean that we may lose sun in winter as early at 1pm
- Our pool which is used 12 months per year is located at the front of the property (close to Mitchell Road) this will be significantly impacted due to overshadowing.
- The above points will be further exasperated as the output from our 48 solar panels will severely reduce our ability to cost effectively heat and cool our home and pool

A significant part of our investment in our home for energy efficiency will essentially become redundant by these height increases and this proposal will impose a significant ongoing cost financially to us.

Indirect impacts on the community

- The buildings are aesthetically out of character with the neighbourhood due to their size and the lack of set back from the road. This sets a very concerning precedent.
- Allowing these increases, where they severely impact existing residents is very concerning. Increased heights should only be utilised where the impact on existing residents is minimal.
- Parking and vehicle congestion is already a significant concern in the area

We are not opposed to development and support affordable housing but any approved application should not result in such severe detriment to existing residents.

Please also can you redact our name and address if publishing this.

Kind regards

[redacted]

[redacted] Mitchell Road

Alexandria 2015

From: Michael Stephens
Sent on: Monday, July 14, 2025 8:40:48 AM
To: DASubmissions
Subject: FW: Query: D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

Please register submission.

From: Sabrina Thangiah
Sent: Sunday, 13 July 2025 11:04 AM
To: Michael Stephens
Subject: Re: Query: D/2025/405 - 155 Mitchell Road 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 Michael,

I am writing as a resident and property owner located directly opposite the proposed development at **300–322 Mitchell Road, Alexandria** (DA D/2025/405).

Having reviewed the available documentation, I wish to formally lodge my objection and concerns regarding the potential impacts of this proposal. I respectfully request that these matters be considered in Council's assessment and that my property be included in all relevant updates or communications throughout the process.

1. Overdevelopment via SEPP Provisions

-
-
- The DA seeks a 30% uplift in FSR
- and height under the SEPP (Housing) 2021 — increasing GFA from 32,900m² to over 50,000m².
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-
- These bonuses were excluded from
- the original design competition, undermining design excellence and public trust.
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-
-
- I request that:
-
-
    - Council refuse retrospective application of design bonuses;
    - A new design competition be held that includes the true scale of the project.

2. Heritage Impacts & Visual Bulk

- The DCP clearly states that street wall
- heights along Mitchell Road should be limited to 3 storeys to protect the transition into the adjacent Cooper Estate Heritage Conservation Area.
- My home lies within the Cooper Estate
- Heritage Conservation Area (C2).
- The proposed 6–11 storey height along
- Mitchell Road grossly exceeds DCP guidelines (3 storeys) and lacks transition or modulation.
- I object to:
    - The dominating street wall directly opposite
    - single/double-storey terraces;
    - Loss of heritage sightlines, morning light,
    - and privacy
- I request Council refuse proposed height and mandates the development stays within the DCP guidelines (3 storeys)

3. Environmental, Health & Safety Concerns

- The site contains asbestos, heavy metals,
- hydrocarbons, and potentially acid sulfate soils.
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- There is no indication of independent
- air quality or vibration monitoring.
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- I request:
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    -
    - Inclusion in all asbestos-related communications;
    -
    -
    -
    -
    -
    - Access to remediation validation reports
    - and air monitoring results
    -
    -
    -
    -
    - Council-led environmental oversight, not
    - just developer-appointed consultants.
    -

4. Landscape & Rooftop Usage

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-
- The streetscape opposite heritage homes receives no meaningful greening, while rooftop
- areas are packed with high-activity communal uses.
-
-
-

- I ask that Council:
  - Require redistribution of canopy cover to Mitchell Road;
  - Impose rooftop curfews and acoustic/privacy controls;
  - Enforce a post-occupancy landscape
  - and noise monitoring plan.

5. Cumulative Impact & Precinct-Wide Oversight

- This is now the third major mid/high-rise development on Mitchell Road.
- I urge Council to assess this DA within the full Ashmore Precinct context, not in isolation.
- Please require a comprehensive cumulative impact statement, including:
  - Visual character,
  - Traffic and parking demand,

- Drainage capacity,
- Infrastructure strain on long-established residential areas.

6. Flood Risk & Groundwater Management

- The site lies within a Botany Sands Groundwater
- Restriction Area and flood assessments show increased flood levels adjacent to my property.
- During construction, dewatering and drainage
- changes pose a risk of short-term flooding.
- The report lacks clarity on how runoff
- will be managed during construction when excavation, vibration and potential contamination risks are highest.
- I request:
  - Peer-reviewed modelling of flood impacts;
  - Enforcement of stormwater, sediment and
  - erosion controls;
  - Emergency access and egress routes for residents to be maintained throughout.

7. Construction Duration & Disruption

- The proposed works span 26 months plus
- 1 month of pre-construction, which is excessive.
- With an anticipated 40 heavy vehicle movements
- per day, and site access from Mitchell Road, disruption to residents' daily life is unavoidable.
- I request confirmation that:
    - No truck queuing will occur along Mitchell
    - Road;
    - Pedestrian access and safety will be preserved
    - at all times
    - Out-of-hours work will be strictly limited
    - and monitored.
    - a clear contact person and protocol for
    - raising urgent construction-related concerns.

-
-
- To be notified of any approved out-of-hours
- works in advance.
-
-

I appreciate Council's role in balancing growth with community wellbeing and planning integrity. I strongly urge you to reconsider this DA in light of the issues raised and require appropriate revisions, conditions or a full re-submission through a revised public process.

Kind Regards,

Sabrina

On Mon, Jul 7, 2025 at 8:13 AM Michael Stephens wrote:

> Hi Sabrina,
>
> Whilst we are not able to offer a formal extension to the submission period, any submission made prior to determination will be considered. However, it is recommended you make your submission as soon as possible so that your issues can be understood and addressed as part of the preliminary assessment.
>
> The application is would to be reported to a Central Sydney Planning Committee meeting later in the year. You will be notified when this application is on an agenda.
>
> Regards,
>
> Michael Stephens (he/him)
> Senior Planner
> Planning Assessments
>
> CITY OF SYDNEY
>
> Telephone [redacted]
> cityofsydney.nsw.gov.au
>
> 
>
> The City of Sydney acknowledges the Gadigal of the Eora nation as the Traditional Custodians of our local area.
>
> ---
>
> **From:** Sabrina Thangiah
> **Sent:** Monday, 7 July 2025 6:14 AM
> **To:** Michael Stephens
> **Subject:** Query: D/2025/405 - 155 Mitchell Road 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 am the owner of 21/300-322 Mitchell Road, Erskinville.
>
> I have been overseas for 5 weeks and only just returned.

I have received a letter asking to provide my views on D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043, the due date for this was 4th July and the letter was dated 5th June.

As I was not in the country within this window I am emailing seeking an extension to review the documents and provide my feedback.

Is this possible?

Thanks in advance.
Sabrina

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From: Planning Systems Admin [redacted] on behalf of Planning Systems Admin [redacted]

Sent on: Monday, July 7, 2025 11:31:13 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Query: D/2025/405 - 155 Mitchell Road ERSKINEVILLE NSW 2043

From: Sabrina Thangiah [redacted]
Sent: Monday, 7 July 2025 6:14 AM
To: Michael Stephens [redacted]
Subject: Query: D/2025/405 - 155 Mitchell Road 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 am the owner of 21/300-322 Mitchell Road, Erskinville.

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As I was not in the country within this window I am emailing seeking an extension to review the documents and provide my feedback.

Is this possible?

Thanks in advance.
Sabrina

From: [redacted]
Sent on: Friday, July 4, 2025 6:43:04 PM
To: City of Sydney [redacted]
Subject: D/2025/405 Mitchell Road ALexandria/Erskineville

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.

4.7.2025

Subject: Objection to Proposed Increase in Building Height to 11 Storeys – 155 Mitchell Road, Ashmore Precinct

Dear Lord Mayor and Councillors,

I write to formally object to the proposed amendment that would raise the maximum building height to eleven storeys for the mixed-use development at 155 Mitchell Road within the Ashmore Precinct. This proposal departs significantly from the 25-metre (≈ seven-storey) height limit established under Clause 4.3 of the Sydney Local Environment Plan 2012 and reinforced by the Sydney Development Control Plan 2012. Exceeding this limit by nearly 30% undermines the carefully calibrated urban form and risks serious environmental and social impacts.

Planning Context and Established Controls

The Ashmore Precinct's urban design controls—embodied in Sydney LEP 2012 and DCP 2012—were crafted through extensive consultation to ensure new development respects existing low- and mid-rise neighbourhoods, tree-lined streets and emerging open spaces. Current zoning anticipates terraces, townhouses and apartments up to 25 m fronting new parks and public links such as Kooka Walk. The proposed shift to 33 m (eleven storeys) conflicts with this vision and exceeds the built form envisaged for Local Centre and Mixed Use zones in Alexandria/Erskineville.

Height-Induced Microclimate Alterations

Recent simulation studies demonstrate that tall, rigid building envelopes dramatically alter local microclimates. ENVI-met modelling shows that increased building height intensifies wind tunnels at street level, disrupts natural cross-ventilation and elevates local air temperatures—undermining pedestrian comfort and forcing higher energy use for cooling systems. Furthermore, research into dense urban canopies confirms that abrupt height increases generate vortexes and downdraughts, disrupting surrounding airflow and exacerbating thermal stratification within adjacent public spaces
4
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Street Canyoning and Urban Heat Island Intensification

Blocks of uniform eleven-storey facades would produce a deep canyon effect, trapping heat and impeding air circulation. Studies of urban canyon geometry indicate high aspect-ratio canyons (height/width ≥ 1) can amplify local urban heat island (UHI) intensity by several degrees, particularly where sky view is restricted and vegetation is minimal. Complementary research underscores that lower-rise, tree-lined streets markedly mitigate UHI, whereas taller, denser canyons without ample greenery worsen thermal stress for both residents and passive public spaces
6
.

Inadequate Demonstration of Mitigation Measures

The proponent's Clause 4.6 variation request acknowledges height non-compliance areas but fails to provide rigorous microclimate or canyoning impact assessments, or to propose sufficient design responses such as graduated setbacks, enhanced building articulation or deep-rooted tree canopies to offset intensified UHI effects.

Recommendations

To uphold the precinct's liveability and design integrity, we urge Council to:

1. Reject any increase above the 25-metre height standard set by Clause 4.3.
2. Require any height variation application to include:
    - Graduated setbacks and step-downs to adjacent lower-rise buildings;
    - An independent ENVI-met or CFD microclimate study quantifying wind-tunnel, shadowing and UHI impacts;
    - A minimum 20 m-wide continuous tree-lined corridor along Mitchell Road, preserving the green spine of Kooka Walk;
    - Building envelopes that permit cross-ventilation and maintain at least 30% sky view at street level.
3. Preserve the precinct's carefully staged public realm—including McPherson Park and Kooka Walk—ensuring new development supports, rather than overwhelms, planned open spaces.

The existing controls balance renewal, amenity and climate resilience. Eleven storeys of unbroken façade along Mitchell Road will irreversibly disrupt this balance. We trust Council will uphold established LEP and DCP standards and safeguard the Ashmore Precinct's microclimate, streetscape character and community wellbeing.

Yours faithfully,

Zoe Thayer

[redacted]

Item 7.

Post Exhibition - Planning Framework - Ultimo Pyrmont - Sydney Local Environmental Plan 2012, Ultimo Pyrmont Local Infrastructure Contributions Plan, Sydney Development Control Plan 2012 Amendment and Central Sydney Development Contributions Plan Amendment

File No: X101016

Summary

The proposed Ultimo Pyrmont planning framework is the City of Sydney's (the City's) response to the NSW Government's Pyrmont Peninsula Place Strategy and the Minister for Planning and Public Spaces' direction to provide capacity for 4,000 new homes and 23,000 jobs.

This report follows the public exhibition of the City's Ultimo Pyrmont planning framework which included:

- new planning controls for 1,269 homes in residential flats, mixed-use developments and small-lot housing, designed to ensure good access to sunlight and natural ventilation
- new planning controls with the capacity to accommodate around 5,756 jobs in a range of building typologies in highly accessible locations and align with the types of commercial buildings industry have told us are in high demand
- new planning controls that facilitate opportunities to increase publicly accessible open space, widen footpaths, accommodate over 250 new trees, 2,000sqm of new green roofs, and minimise overshadowing to existing residents and important public parks and places, and
- a new local infrastructure contributions plan for Ultimo Pyrmont that will align growth with the delivery of new and improved local infrastructure

Together with the existing development approvals and State Significant sites, the draft framework meets the Pyrmont Peninsula Place Strategy targets, contributing 4,192 homes and 25,423 jobs.

The draft framework was exhibited from 1 October to 13 November 2024, receiving 243 submissions including 23 in support, 72 neutral and 148 objections. In addition, 11 submissions were received from public authorities and government agencies. A summary of the submissions and responses is provided at Attachment A.

The 23 submissions in support noted that the proposal provides for housing and employment growth in a location with excellent amenity, close to existing infrastructure and services, supported by an increase in public transport capacity and local infrastructure investment. Submissions acknowledged that the planning controls had been carefully crafted to minimise impacts on the existing community and generally looked to promote place improvements, including more trees, more open space, widened footpaths and streets with access to daylight and comfortable wind conditions.

The 148 objections mainly raised concerns about:

- infrastructure provision and alignment with growth
- traffic congestion and parking impacts
- the character of the area and that the planning controls would impact on the area's village feel
- building heights, being too tall and out of character with existing buildings and context
- the current lack of demand for office floor space and the need to plan for additional dwellings in response to the housing supply crisis.

The site-specific concerns focused on:

- the proposed controls for the Quarry Master Drive and Saunders Street precinct, and
- the proposed controls for the Gateway Apartments at 1-27 Murray Street

In response to submissions, the key change is to encourage mixed-use residential development on some mixed-use zoned sites where commercial development was previously proposed. This includes increased height and floor space ratio (FSR) for residential outcomes at the Gateway Apartments at 1-27 Murray Street, 46-48 Pyrmont Bridge Road and 13A-29 Union Street. With adjustments to exhibited sites, the amended proposal could deliver between 1,262 and 1,524 homes and 3,603 and 6,970 jobs, depending on market preference for residential or employment uses over time.

Combined with amended development approvals and development potential on State Significant sites, the City's amended Ultimo Pyrmont planning framework still exceeds the Pyrmont Peninsula Place Strategy targets contributing between 4,555 and 4,817 homes and 23,637 and 27,004 jobs for the area. A comparison of pre and post exhibition dwelling and job numbers is provided at Attachment B.

This report describes the outcomes of the exhibition and recommends changes be made to the Ultimo Pyrmont planning framework in response to the submissions.

The report asks the Central Sydney Planning Committee to note further investigation will be done on some new sites and sites requiring significant amendments in response to landowner submissions. Additional density on these sites is possible and the City will investigate revised planning controls through a Stage 2 process, to be reported back to Council and the Central Sydney Planning Committee and publicly exhibited. Stage 2 sites have the potential to accommodate approximately 1,300 additional homes.

The report recommends the Central Sydney Planning Committee approve the amended Planning Proposal and note the Draft Sydney Development Control Plan – Ultimo Pyrmont, and proceed to finalise the Planning Proposal as a local environmental plan (LEP). The Development Control Plan will come into effect when the LEP is published.

It recommends the Central Sydney Planning Committee note the Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 with a request that the Minister amend relevant planning regulations to enable a contributions levy of up to 3% on new development.

The report also asks the Central Sydney Planning Committee to note draft amendments to the Central Sydney Development Contributions Plan 2020, which were publicly exhibited at the same time as the draft Ultimo Pyrmont planning framework. Two submissions were received: one supportive and one neutral. The draft amendments include updates to legislative references and policy changes for exclusions and refunds. The amendments are consistent with the draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023. No changes are proposed to the levy rates or schedule of works in the Central Sydney Development Contributions Plan 2020.

Recommendation

It is resolved that:

(A) the Central Sydney Planning Committee note the matters raised in response to the public exhibition of Planning Proposal – Ultimo Pyrmont, draft Sydney Development Control Plan – Ultimo Pyrmont, draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 and Central Sydney Development Contributions Plan 2020 Amendments, shown at Attachment A to the subject report;

(B) the Central Sydney Planning Committee note that the NSW Government must recommit to returning Wentworth Park as public open space and not extend the Greyhound Breeders, Owners and Trainers Association's lease beyond 2027. Without this action, the community will face insufficient open space, inadequate recreational infrastructure, and increased flood risks in an already densely populated precinct;

(C) the Central Sydney Planning Committee approve Amended Planning Proposal – Ultimo Pyrmont shown at Attachment C to the subject report, and request the relevant local plan making authority make the planning proposal as a Local Environmental Plan under section 3.36 of the Environmental Planning and Assessment Act 1979;

(D) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 20 October 2025, that Council approve Amended Draft Sydney Development Control Plan – Ultimo Pyrmont shown at Attachment D to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan;

(E) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 20 October 2025, that Council request the Minister for Planning and Public Spaces amend Section 209(1) of the Environmental Planning and Assessment Regulation 2021 to allow for a contributions levy of up to 3% to apply to new development;

(F) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 20 October 2025, that Council approve Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 shown at Attachment E to the subject report, noting it will commence only following the amendment of Section 209(1) of the Environmental Planning and Assessment Regulation 2021 and the making of the amendment to the Local Environmental Plan;

(G) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 20 October 2025, that Council approve the draft amendments to the Central Sydney Development Contributions Plan 2020 shown at Attachment F to the subject report, noting these amendments will commence when published on the City's website;

(H) authority be delegated to the Chief Executive Officer to make amendments to Amended Planning Proposal – Ultimo Pyrmont, Amended Draft Sydney Development Control Plan – Ultimo Pyrmont, Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 and Central Sydney Development Contributions Plan 2020 Amendments to correct any errors or omissions prior to finalisation; and

(I) the Central Sydney Planning Committee note that, in response to submissions, the City is investigating 463-467 Harris Street, 56 Harris Street, 1-19 Allen Street, 313-369 Harris Street, 1-7 Henry Street, 26-52 Mount Street and 1-33 Saunders Street for new planning controls, the results of which will be reported back to Council and the Central Sydney Planning Committee and where supported, placed on public exhibition.

Attachments

Attachment A. Ultimo Pyrmont Planning Framework and Central Sydney Development Contributions Plan 2020 Amendments - Summary of Submissions and Responses

Attachment B. Pre and Post Exhibition Dwelling and Job Number Comparison

Attachment C. Amended Planning Proposal – Ultimo Pyrmont

Attachment D. Amended Draft Sydney Development Control Plan – Ultimo Pyrmont

Attachment E. Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 (as amended following public exhibition)

Attachment F. Draft Amendments to Central Sydney Development Contributions Plan 2020 (as amended following public exhibition)

Attachment G. Amended Ultimo Pyrmont Urban Design Study

Attachment H. Implementation of the Pyrmont Peninsula Place Strategy – Ministerial Direction

Background

1. The City's proposal is in response to the NSW Government's Pyrmont Peninsula Place Strategy (the Place Strategy) and a NSW Ministerial Direction under Section 9.1 of the Environmental Planning and Assessment Act 1979 (Attachment H) that any future planning in Ultimo and Pyrmont must:

    - facilitate development consistent with the Place Strategy
    - facilitate development consistent with the NSW Government's Pyrmont Peninsula Economic Development Strategy
    - align the planning controls with the NSW Government's District Plan priority of growing a stronger and more competitive Harbour CBD
    - give effect to the Place Strategy vision and deliver the envisaged future character of the identified sub-precincts
    - be consistent with the Place Strategy's 10 directions and Structure Plan, and
    - support the delivery of the Place Strategy 'Big Moves'

2. A full background of the City's original proposal, Place Strategy history, City early community engagement, design considerations and approach can be viewed in the December 2023 pre-exhibition report to the Transport, Heritage, Environment and Planning Committee and the Central Sydney Planning Committee at https://meetings.cityofsydney.nsw.gov.au/ieListDocuments.aspx?CId=137&MId=4185&Ver=4 (Item 5).

The NSW Government reviewed the City's proposal prior to public exhibition and approved it for public exhibition

3. The City's proposal was lodged with the NSW Department of Planning, Infrastructure and Housing in February 2024 for review and permission, called a gateway determination, to publicly exhibit.

4. A conditional gateway determination was issued in July 2024. Between July and September 2024, the City worked with the NSW Department of Planning, Infrastructure and Housing to resolve the gateway conditions. The gateway conditions resulted in minor amendments to the proposal, which were approved by the Chief Executive Officer in September 2024 in line with the resolutions from Council and the Central Sydney Planning Committee.

Public exhibition of Ultimo Pyrmont Planning Framework

We received 243 submissions from the community and 11 submissions from public authorities in response to the public exhibition of our proposal

5. The Planning Proposal, draft DCP and draft Contributions Plan were publicly exhibited for 31 working days from 1 October 2024 to 13 November 2024 in accordance with the Gateway Determination and the City's Community Participation Plan.

6. 19,720 notification letters were sent to landowners and occupants of surrounding properties. A notification email to 418 recipients was sent to local community groups and subscribers registered to receive project updates. The exhibition was also advertised on the City's "Sydney Your Say" page.

7. Hard copies of the consultation material were made available at the Town Hall House customer service centre, Ultimo Community Centre and Darling Square Library. The city model on Level 2 of Town Hall House was updated to include models for each of the sites where new planning controls were proposed. The "Sydney Your Say" page included an interactive map with drawings that summarised the proposed changes to planning controls, a video explaining the approach used to prepare the draft planning controls and a set of maps explaining the selection process the City followed when deciding which sites to consider in the study.

8. The City hosted an online information session on 14 October 2024. City staff presented the proposed planning controls and answered questions from attendees.

9. A total of 254 submissions were received during the public exhibition period. There were 23 submissions in support, 72 neutral and 148 submissions in opposition. Multiple submissions from individuals or strata body corporates have been counted as single submissions.

10. The City also received 11 submissions from public authorities and government agencies.

11. A summary of submissions and the City's response is included in Attachment A, with the key issues discussed below.

Issue: Concerns were raised about roads, traffic congestion, parking impacts and public transport provision

12. Of the 72 submissions raising concerns about growth and infrastructure, most highlighted roads, traffic congestion, parking, and public transport. Submissions noted existing congestion and increasing difficulty finding on-street parking. Some argued that Transport for NSW's Western Distributor "Improvements" project would make the situation worse.

Response: Ultimo Pyrmont is a walkable community with improving public transport

13. Ultimo Pyrmont is already a highly walkable neighbourhood. The Pyrmont Metro Station, opening in 2032 as part of Sydney Metro West, will significantly improve public transport access and further support walkability.

14. The NSW Government has funded a new commuter ferry wharf to connect the Sydney Fish Market to the harbour, along with major upgrades to the Wentworth Park light rail stop. These upgrades include new lifts, ramps, platforms, lighting, landscaping and signage, improving safety, accessibility and usability for over 6 million annual visitors.

15. In 2024, the NSW Government finalised the Pyrmont-Ultimo Transport Plan, setting out 55 initiatives for a sustainable, multi-modal transport network to support growth. Key actions include investigating the pedestrianisation of Union Street and widening Pyrmont Bridge Road footpaths between the new Metro station and relocated Fish Market. The City will continue to advocate for the full and appropriate delivery of these initiatives.

Response: The City is making it easier and safer to walk and cycle

16. The City has delivered a separated cycleway on Mary Ann Street, linking south to Jones Street, west to Glebe via Kelly Street, and east to the City via the Goods Line and Darling Harbour.

17. With community support, the City is advocating for active travel and public domain improvements around Pyrmont Metro. Priorities include:

    - 30km/h speed limits around the Metro station
    - pedestrianisation of Union Street
    - wider footpaths on Edward Street and Pyrmont Bridge Road, and
    - a separated cycleway on Bridge Road alongside both Metro sites

18. The City is also seeking improvements around the new Fish Market, including:

    - safer walking routes to public transport stops via Pyrmont Bridge Road, Bridge Road and Wattle Street
    - reversal of Transport for NSW's decision to retain the Wattle Street/Bridge Road slip lane
    - clarity on plans to increase L1 light rail service capacity and improve access at Fish Market and Wentworth Park stops
    - a separated cycleway (rather than a shared path) outside the Fish Market, continuing directly along Pyrmont Bridge Road to Pyrmont Bridge

19. The City continues to advocate for restoring Glebe Island Bridge as a direct walking and cycling link between Bays West and the City. This would unlock local connections to open space, community facilities and future schools on both sides of the bridge.

Response: The City prioritises sustainable transport, not more road space

20. The City has no plans to create additional road space in Ultimo Pyrmont. Instead, it is investigating improvements such as Union Street pedestrianisation, a Pyrmont Bridge Road cycleway, and in-road tree planting by reallocating vehicle lanes.

21. The City has implemented parking controls to reduce reliance on private vehicles, including time-of-day restrictions, ticket parking pricing, and kerbside priority for goods and services. Planning policies also apply maximum parking rates, require on-site car share bays, and mandate bicycle parking for new developments.

22. Under the City's neighbourhood parking policy, new residential flats and commercial/retail premises are ineligible for parking permits, further reducing on-street demand. Public transport improvements associated with Sydney Metro will also reduce the need for driving into or out of Ultimo Pyrmont.

Response: The City continues to oppose the Western Distributor "Improvements" project

23. Transport for NSW has confirmed it is no longer pursuing a new Western Distributor on-ramp at Pyrmont. However, it is still proposing to remove the zebra crossing and restrict the right-turn from the Pyrmont Bridge Road off-ramp. These changes would divert traffic through Harris Street, increasing volumes in the heart of Ultimo Pyrmont and undermining walkability and liveability.

24. Transport for NSW has advised that the Western Distributor project is under review and no decision has been made on whether it will proceed. If it does, construction would not occur until after the Sydney Fish Market relocates to Bridge Road in late 2025. The City continues to oppose the project and advocates for solutions that prioritise safety for people walking, cycling and using public transport.

Issue: The City and the community have long advocated for the appropriate provision of school infrastructure

25. Of the 72 submissions raising concerns about growth and supporting infrastructure, many highlighted public school capacity as a key issue.

Response: The NSW Department of Education is responsible for school infrastructure

26. The NSW Department of Education is responsible for planning and delivering school infrastructure. The City has long advocated for better provision in response to community concerns about capacity and access.

Previous Department of Education responses

27. **2020 draft Place Strategy exhibition:** The Department of Education stated the Pyrmont Peninsula could grow by 8,500 people (4,000 dwellings) by 2041, but was already well serviced by primary and secondary schools, and no additional places were required.

28. **2021 Blackwattle Bay exhibition:** The Department of Education acknowledged some modest enrolment growth that may require short-term intervention. Potential responses included intake boundary changes, new temporary or permanent classrooms, and upgrades to existing schools.

29. **2025 Blackwattle Bay land use amendment:** The City recommended the Department of Education prepare a public study on demand, supply and access to 2041 across Ultimo, Pyrmont, Glebe and Bays West. The Department of Planning responded that the proposal to allow and extra 320 dwellings would have little impact on social infrastructure demand and did not identify a need for new facilities.

Latest advice on the Ultimo Pyrmont Planning Framework

30. In May 2025, the Department of Education advised that:

    - it had reviewed assets, projects, planning actions and dwelling projections from the Place Strategy

- growth would affect capacity and primary school demand could be met by existing assets, but upgrades to high schools would be required

- these upgrades are currently unfunded and remain subject to consultation, due diligence and further detailed planning

31. No funding for school infrastructure in Ultimo, Pyrmont, Glebe or Bays West was allocated in the 2025/26 NSW Budget.

The City's position

32. The NSW Government must now commit to transparently addressing school demand, supply and access in Ultimo, Pyrmont, Glebe and Bays West, in consultation with the community.

33. Redevelopment of Bays West offers an opportunity to deliver a new primary school, supported by a restored Glebe Island Bridge active transport link. High school capacity could be addressed through improvements at Sydney Secondary College Blackwattle Bay Campus.

34. The City is committed to working with the Department of Education to resolve public school capacity issues, as demonstrated through our collaboration on Green Square Public School.

Issue: Growth must be supported by new and upgraded local infrastructure

35. Many submissions raised concerns that increased densities would place further strain on existing local infrastructure. Submissions highlighted the need for growth to be supported by new and upgraded facilities such as parks, pedestrian and cycling infrastructure, and tree planting. A number of submissions specifically requested upgrades to Wentworth Park.

36. Some submissions expressed concern that the Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 (the Draft Contributions Plan) would impose an additional charge at a time when economic pressures are already affecting housing feasibility and the financial sustainability of the construction sector. They argued that local contributions, when combined with affordable housing contributions and the State Government's Housing and Productivity Contribution, would place further burden on a struggling sector.

37. The Pyrmont Action Group submission objected to the Draft Contributions Plan seeking to recoup $10.5 million recently spent on the Pyrmont Community Centre upgrade. They argued that future contributions should not fund these works, which had been sought by the community since 2006. Instead, they requested that this allocation be redirected to the redevelopment of the Maybanke site as a Community Sports and Recreation Centre, and that the Maybanke upgrade works be brought forward from their current timeframe of 2036–2041.

Response: The City's growth strategy is supported by a new local infrastructure contributions plan

38. The City's growth strategy is supported by a new local infrastructure contributions plan, ensuring that contributions collected in Ultimo Pyrmont are reinvested into local infrastructure in Ultimo Pyrmont. This plan will replace the City of Sydney Development Contributions Plan 2015, as it relates to Ultimo and Pyrmont.

39. The Draft Contributions Plan includes a schedule of works detailing over $148 million in new and improved local infrastructure, fully or partly funded through contributions. As new development directly benefits from this investment, it is reasonable that development bears a share of the cost.

40. The schedule of works includes open space improvements, community facility upgrades, public domain enhancements, bike network extensions, stormwater works, and tree planting to 2041. Notably, it allocates $60 million for capacity improvements to Wentworth Park South and North.

41. Delivering and funding infrastructure is a long-term process. While current economic conditions are challenging, it remains essential to update contributions policy so it aligns with the growth projected under the new planning controls.

42. Local infrastructure is critical to making Ultimo and Pyrmont functional and attractive for residents, workers and visitors. Infrastructure contributions are therefore essential to provide the facilities needed to support future growth.

43. In response to Pyrmont Action Group's request regarding the Pyrmont Community Centre and Maybanke site:

    - The Pyrmont Community Centre upgrade will meet the infrastructure needs of a growing community, and it is reasonable to recoup these costs through the Contributions Plan.

    - Contributions legislation permits cost recovery for forward-funded projects, recognising that this approach enables earlier delivery of infrastructure.

    - The schedule of works already includes "Maybanke Recreation Facility – capacity improvements" with an estimated $9.1 million allocation in 2036–2041, reflecting current project planning.

    - While the community supports an indoor facility at Maybanke, the site's constraints would make such development prohibitively expensive compared to alternatives. Existing facilities at Ultimo Community Centre, along with the recently approved indoor recreation facility at the City's former Fig and Wattle Streets depot, will help meet demand. The Fig and Wattle development includes two new indoor sports courts that will be owned and operated by the City.

44. No changes are proposed to the Draft Contributions Plan's schedule of works.

45. It is recommended to exclude monuments, memorials, sculptures and art installations on public land from the need to pay a contribution. This reflects the social and cultural value of such works.

Issue: Concerns were raised that the planning controls would affect the area's character and diminish its village feel

Response: The City's proposal balances growth with character and heritage, consistent with the Place Strategy

46. Ultimo Pyrmont will experience significant growth and change due to the NSW Government's investment in a new Metro station, its Place Strategy, and the Ministerial Direction requiring future planning to accommodate new jobs and housing.

47. By advancing a precinct-wide planning proposal, the City is guiding growth sensitively consistent with the Place Strategy, informed by community engagement, and based on best practice design. Without this approach, future planning would be left to individual landowners or the NSW Government.

48. The Ultimo Pyrmont Planning Proposal demonstrates consistency with the Place Strategy's objectives, vision, 10 directions, Structure Plan, Height Strategy and sub-precinct priorities (see pages 59–97 of Attachment C).

Issue: Concerns were raised that the proposed building heights are too tall and out of character with the surrounding buildings and context

Response:

49. The Ministerial Direction requires the City's planning proposal to be consistent with the NSW Government's Pyrmont Peninsula Place Strategy, and in particular, the Height Strategy set out in the Urban Design Report.

50. The City's exhibited and amended planning proposal sets building heights below those permitted by the NSW Government's Height Strategy. The table below compares the City's proposed heights with the Government's maximum heights at sites where concerns have been raised:

Address	**NSW Government maximum height**	**City proposed height**	**Reason for lower height**
1-27 Murray Street Gateway Apartments	RL190 - RL320	RL90	Minimising overshadowing of existing apartments to meet Apartment Design Guide requirements
60 Union Street	RL130 - RL200	RL94	Minimising overshadowing of existing apartments to meet Apartment Design Guide requirements
2 Edward Street	RL150 - RL190	RL86	Minimising overshadowing of existing apartments to meet Apartment Design Guide requirements
48 Pirrama Road	RL90	RL55	Protect solar access to Pyrmont Bay Park; podium height consistent with the Star and REVY buildings; foreshore location

Address	NSW Government maximum height	City proposed height	Reason for lower height
26-38 Saunders Steet	RL320 - RL340	RL135	Minimise overshadowing of apartments to meet Apartment Design Guide requirements; respond to future Blackwattle Bay development
549-559 Harris Street	140 metres	41.5 metres	Minimising overshadowing of existing apartments to meet Apartment Design Guide requirements
383-389 Bulwara Road	44 metres	35 metres	Minimising overshadowing of existing apartments to meet Apartment Design Guide requirements

51. Full details of the City's proposed heights, where they are lower than those proposed by the NSW Government, are provided in the Urban Design Study (Attachment G). The reduced heights primarily protect solar access to parks and public places and minimise overshadowing of existing homes. This approach is consistent with the Place Strategy (which identifies key parks and places to protect), the NSW Government's Apartment Design Guide, and the City's Development Control Plan.

Issue: Concerns were raised regarding the current low demand for office space and the need to plan for additional employment floor space despite the need for more housing

52. Several submissions highlighted the current weak demand for office space, providing evidence on current market conditions, longer-term shifts in work practices, or noting that some local development sites have proposed changes to their land use mix in response to these conditions.

Response:

53. The Ministerial Direction requires long-term planning. The Place Strategy provides a growth framework to 2041 and is supported by the NSW Treasury Pyrmont Peninsula Economic Development Strategy, which forecasts $4.9 billion in additional economic output if commercial floor space is delivered to support 23,000 new jobs. The Strategy incorporates the impacts of COVID on employment and floor space demand.

54. In response to submissions, the City amended the proposal to allow mixed-use residential development on some sites with existing mixed-use zoning, in addition to the exhibited commercial proposals. These amendments, shown in bold in the table below, allow the market to determine the future use of these sites:

Address	**Existing controls**	**Exhibited controls**		**Amended controls**	
		Residential (no uplift exhibited)	Commercial	Residential	Commercial
1-27 Murray Street Gateway Apartments	30 metres 2.5:1	30 metres 2.5:1	RL90 6.5:1	**RL90** **5:1**	RL90 6.5:1
46-48 Pyrmont Bridge Road	12 metres 2:1	12 metres 2:1	38 metres 3.9:1	**38 metres** **3.41:1**	38 metres 3.9:1
13A-29 Union Street	23 metres 3.5:1	23 metres 3.5:1	45 metres 3.75:1	**45 metres** **3.73:1**	**50 metres** **4:1**

55. Following design development, one additional level was added to the commercial option at 13A–29 Union Street, resulting in a slightly higher FSR and building height. Otherwise the building envelopes are generally smaller than exhibited with less or equal impacts on neighbouring properties.

56. Residential FSRs are typically lower than commercial or hotel FSRs as residential buildings have more areas not counted as floor space including balconies and more services.

57. Sites with existing commercial zoning will continue to prohibit residential development. These sites anchor one of Australia's largest creative media employment clusters. The amended proposal retains a critical mass of new commercial floor space within walking distance of Pyrmont Metro Station, promoting public transport use for workers and customers. It supports a self-sustaining workplace precinct in a premium harbourside location, with a mix of building types in high demand by industry.

58. As other NSW Government employment precincts shift toward residential use, including at Blackwattle Bay (320 dwellings replacing 1,500 jobs) and the Central State Significant Precinct (Tech Central, 28,000 to 2,400 jobs), long-term employment planning in Pyrmont, at the centre of the "Harbour CBD" and "Innovation Corridor," is increasingly important.

59. The West Metro business case assumed additional commercial floor space would be delivered in Pyrmont. Providing employment floor space near metro stations increases patronage. New metro stations have proven transformative for commercial investment and city mobility. For example, the Waterloo Metro station has attracted $288 million in commercial development, creating 1,430 jobs in the Botany Road Precinct since the City's commercial planning controls were introduced in 2022.

Issue: Concerns were raised about proposed controls for the Quarry Master Drive and Saunders Street precinct

60. A total of 64 submissions referred to this precinct. Of these:

- 38 raised traffic and access issues
- 37 raised concerns about overshadowing of apartments, streets and public open space
- 30 raised concerns about view loss, loss of privacy and impact on property values
- 17 raised equity concerns regarding why some sites receive more development potential than others

Response:

Traffic, access and parking

61. The City's general comments on traffic, access and parking are addressed in paragraphs 10–22. For the Quarry Master Drive and Saunders Street precinct:

- it is approximately 100m from the existing Fish Market Light Rail stop and 600m from the future Pyrmont Metro Station
- the precinct is well-serviced by walking and cycling infrastructure, including the separated Saunders Street, Miller Street, and Union Street cycleways providing direct access to Pyrmont Metro and the Sydney CBD
- under current maximum car parking controls, the precinct will generate minimal additional vehicle movements
- Saunders Street is narrow and left-turn only at Miller Street and most vehicular traffic will use Quarry Master Drive and Bank Street which are wider 2-way roads connecting to surrounding suburbs

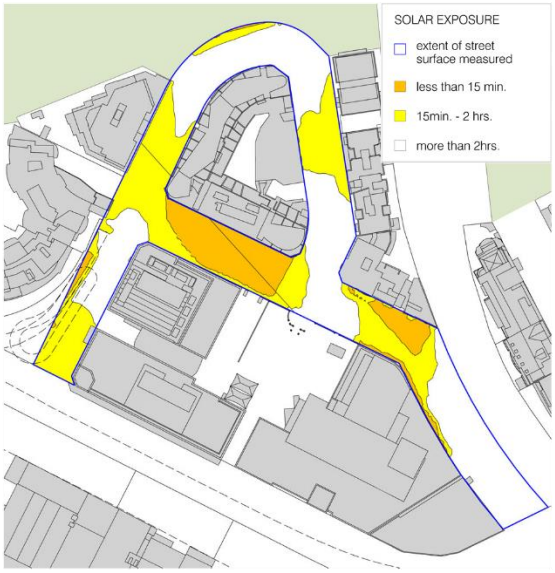
Overshadowing of apartments

62. Additional overshadowing of living rooms and private open space of adjoining residences has been minimised in accordance with the NSW Government's Apartment Design Guide and the City's Development Control Plan.

Overshadowing of streets and open space

63. Street setbacks and tower placement have been carefully designed to allow more sunlight into the streets, ensuring that more than half of surrounding streets receive at least 2 hours of sunlight in midwinter as shown in Figure 1.

64. As the sites are south of Knoll Park, Carmichael Park and Quarry Master Drive open space, no additional overshadowing will occur on these areas.



a. Sunlight at street level – existing condition



b. Sunlight at street level – exhibited scheme



c. Sunlight at street level - exhibited scheme, showing changes to available sunlight



d. Sunlight at street level -modified scheme for 26-38 Saunders Street, showing changes to available sunlight

Area of street surface receiving	less than 15 min	15min-2hrs	more than 2 hrs
Existing condition	15%	35%	51%
Exhibited scheme	11%	35%	54%
Modified scheme	11%	36%	53%

Figure 1: diagrams showing solar access to streets for the Quarry Master Drive and Saunders Street precinct, from 9am to 3pm, 21st of June

View loss, loss of privacy and impact on property values

65. The proposed planning controls maintain required separation distances between existing windows and balconies and the new building envelopes to ensure visual privacy, in line with the NSW Government's Apartment Design Guide.

66. Some private view loss will occur, mainly of distant views over existing private sites as shown in Figures 2 to 6. The Place Strategy prioritises protecting and enhancing public views over private ones. All sites subject to planning control changes in this sub-precinct were identified by the NSW Government's Place Strategy. The City's proposal remains within the NSW Government's height strategy. Potential impacts on surrounding property values are not considered a planning matter.

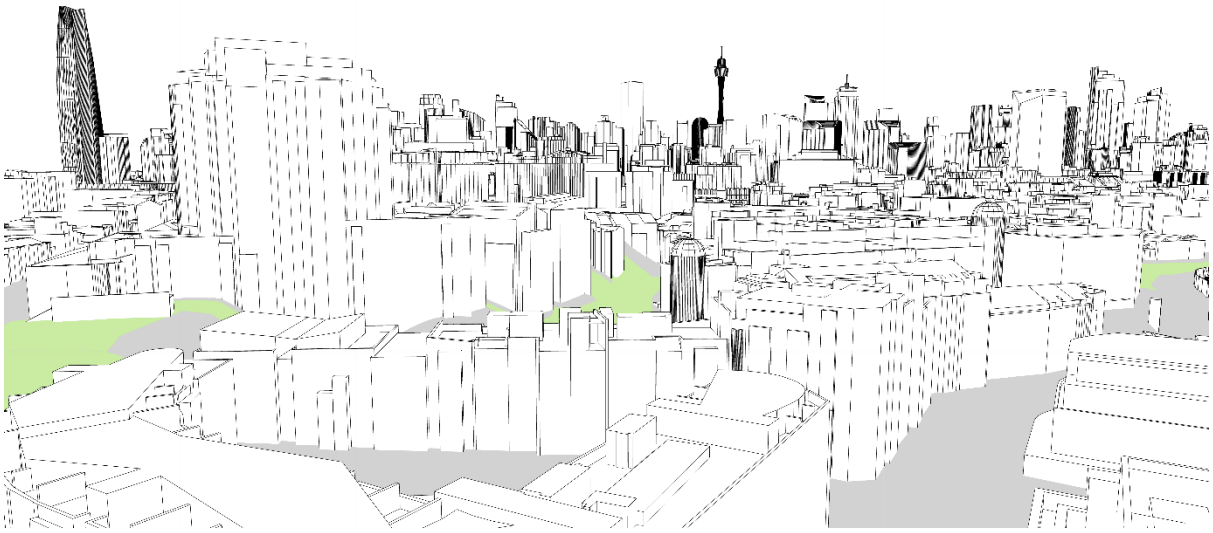


Figure 2: Indicative existing view, looking east, 122 Saunders Street, topmost floor

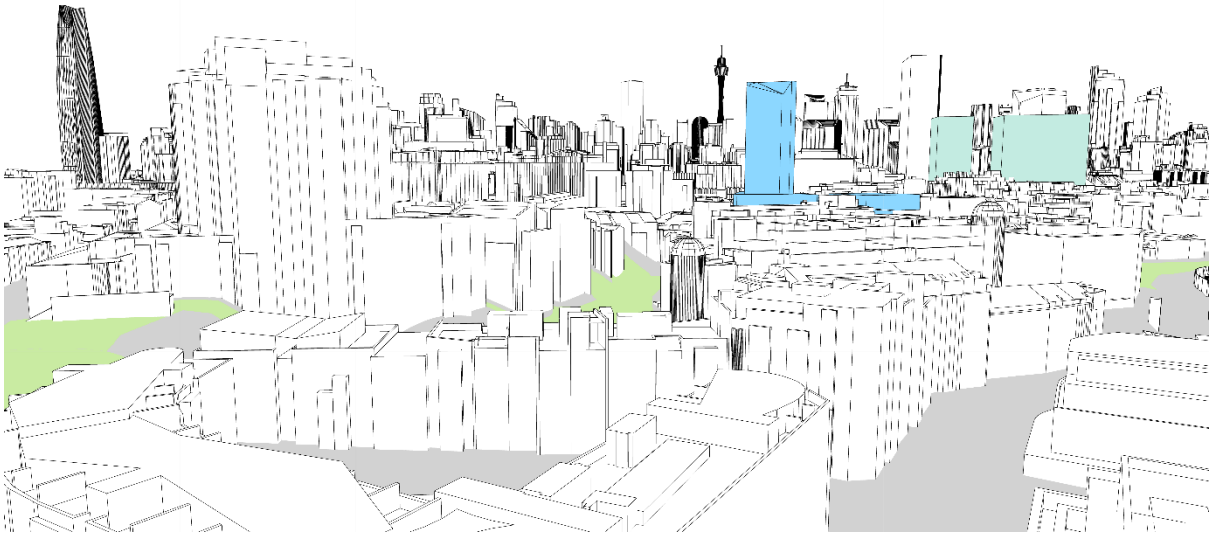


Figure 3: Indicative view, looking east, 122 Saunders Street, topmost floor with State Significant Developments shown

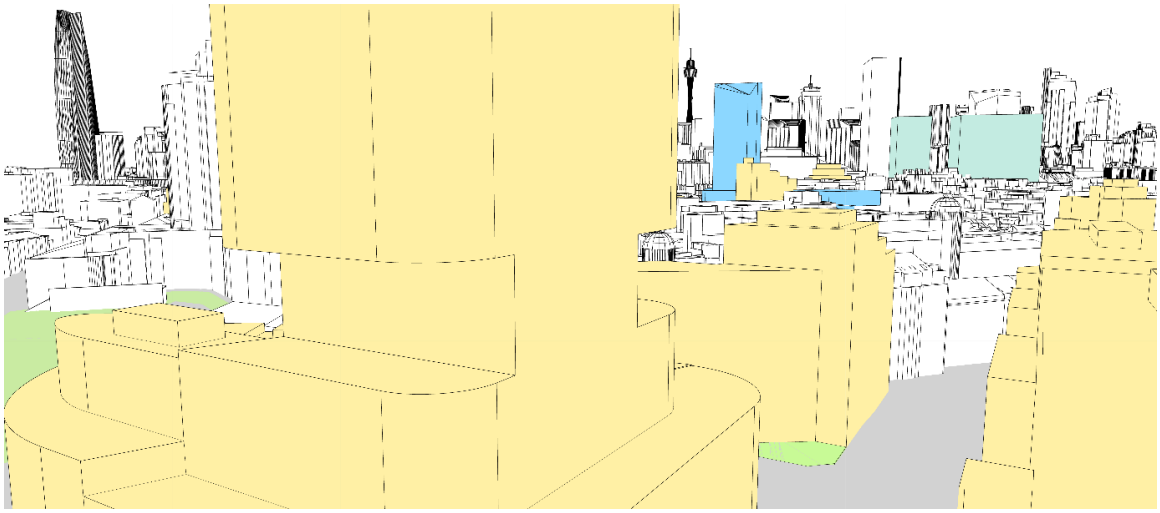


Figure 4: Indicative proposed view, looking east, 122 Saunders Street, topmost floor with State Significant Developments and proposed City planning envelopes shown



Figure 5: Indicative existing view, looking southwest, 21 Cadigal Avenue, 6th floor

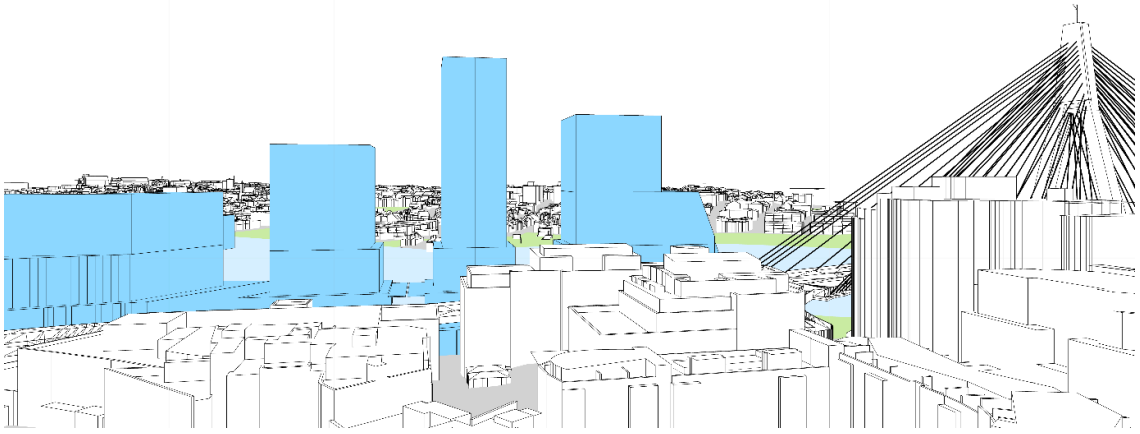


Figure 6: Indicative view, looking southwest, 21 Cadigal Avenue, 6th floor with State Significant Developments shown

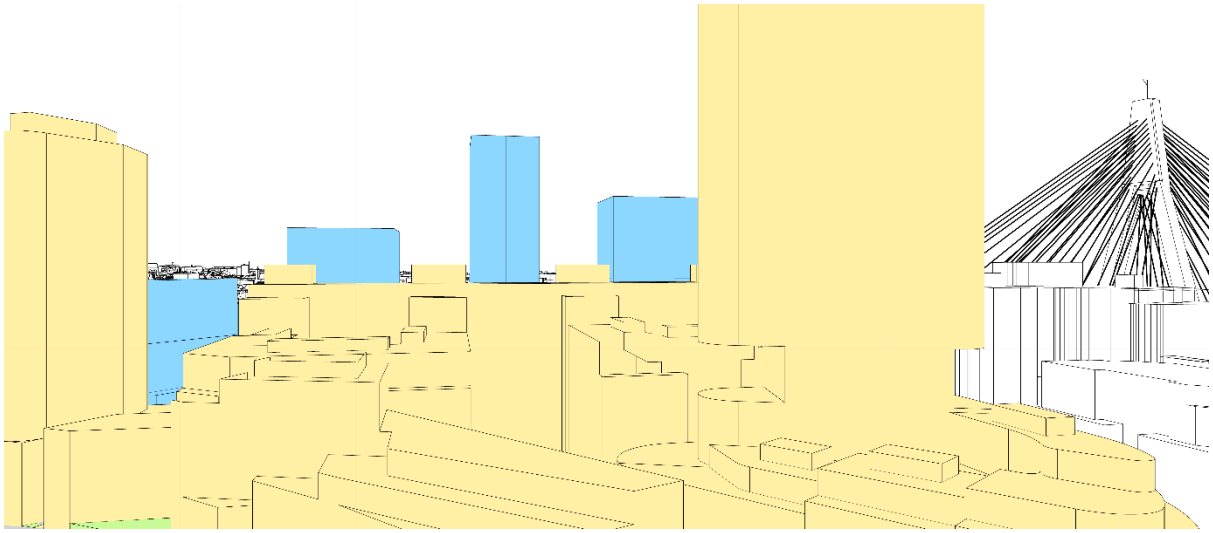


Figure 7: Indicative proposed view, looking southwest, 21 Cadigal Avenue, 6th floor with State Significant Developments and proposed City planning envelopes shown

Equity

67. Some landowners raised concerns that the City's proposal was inequitable, with some sites receiving more height and FSR than others. Owners at 14 Quarry Master Drive requested higher height and FSR than exhibited, while owners at 2–10, 120 and 122 Quarry Master Drive requested a review for potential increases.

68. The City reviewed all sites within the precinct. At 14 Quarry Master Drive, the maximum possible uplift has been accommodated while adhering to design considerations. The site is too small to support a taller building without unreasonably overshadowing existing residences to the east.

69. Sites at 2–10, 120 and 122 Quarry Master Drive would require amalgamation to accommodate any significant increase beyond current development. With approximately 66, 111 and 139 apartments on these sites, respectively, it is unlikely that such amalgamation would occur within the lifespan of the Place Strategy. Having reviewed these sites they are not recommended for planning control changes.

Issue: Concerns were raised about proposed controls for the Gateway Apartments, 1-27 Murray Street

Response:

70. The City's exhibited proposal retained the site's mixed-use zoning and permitted additional height and floor space for commercial development. The proposal sought to achieve the following outcomes for the site and block:

    - improved pedestrian access to the existing light rail station
    - enhanced north-south pedestrian connectivity across the block, over the light rail line
    - a larger publicly accessible open space, with more trees and improved solar access

- a public view corridor through the block to the water, looking north from Harwood Street
- a critical mass of commercial office floor space near the future Pyrmont Metro Station

71. There were 50 submissions relating to the Gateway Apartments. Key concerns included:

- displacement of existing residents (40 submissions)
- need and demand for additional office floor space (36 submissions)
- scale of the proposed envelope near the water (32 submissions)
- environmental concerns due to the existing building being in good condition (21 submissions)
- the need for more housing (20 submissions)
- requests for additional height and floor space if a mixed-use residential development is proposed (32 submissions)

72. The City considers the original proposed outcomes for the site and block listed at paragraph 70 important. The City's general comments on office demand and use are addressed in paragraphs 59-64. In response to submissions and due to the site's existing mixed-use zoning, the amended proposal permits mixed-use residential development with additional height and floor space.

73. This street block is the largest development site near the proposed Pyrmont Metro Station. It will be at the main entrance to the station and combined with a pedestrianised Union Street it should accommodate a larger publicly accessible open space with more trees and improved solar access. The NSW Government's Place Strategy identified it for new planning controls. The amended controls ensure improved light rail access, enhanced north-south connectivity and a complete block response to its changing context.

74. The amended planning controls remain below the maximum heights specified in the NSW Government's height strategy.

75. Any redevelopment of the site will be at the owners' discretion and subject to market conditions.

Some adjustments are proposed to exhibited sites

Heritage sites

76. When preparing the exhibited controls, the City does not have access to the subject buildings and therefore cannot complete detailed structural or heritage assessments.

77. The exhibition period allows owners to provide access, share detailed knowledge of their buildings, and supply specialist structural and heritage advice. This enables the City to better understand what planning controls may be appropriate to incentivise the conservation, adaptation and ongoing use of these important heritage buildings.

Sites impacted by wind

78. The City does not undertake detailed wind modelling for each proposed building envelope when preparing exhibited controls. Instead, controls were developed with reference to prevailing wind conditions on a site-by-site basis, incorporating best-practice measures such as appropriate tower setbacks above podium levels.

79. The exhibition period allows site owners to undertake more detailed wind modelling of the City's exhibited controls. This can highlight where adjustments are needed to achieve a safe and comfortable public domain that supports pedestrian activity.

Detailed design development

80. The City does not prepare detailed building designs when drafting exhibited controls. To determine FSR, general floor plate efficiencies are applied by land use to estimate the amount of floor space permitted.

81. The exhibition period allows site owners to test these assumptions through detailed design. This process can demonstrate where additional floor space is achievable within the exhibited controls, or where minor adjustments may result in more buildable and leasable outcomes.

Changes to competitive design processes

82. In June 2025, Council approved a change the requirement for a competitive design process from buildings being 25 metres in height to 35 metres in height. As such, the planning proposal has been amended to include the 10% additional FSR that was previously only accessible via a competitive design process for buildings under 35 metres.

83. In response to submissions, adjustments are proposed for the following sites to:

- incentivise conservation, adaptation and ongoing use of heritage sites
- further mitigate potential wind impacts
- reflect outcomes from detailed design development
- reflect Council's change in trigger requirements for competitive design processes

Address	Exhibited controls	Amended controls	Reason
26-38 Saunders Street	RL120 6.7:1	RL135 7:1	Detailed wind modelling identified the need for a 2-level void above the podium to mitigate wind impacts within the street. To accommodate this, height and FSR are slightly increased, remaining under the NSW Government's Height Strategy with no additional impacts.
86-92 Harris Street	27 metres 2.3:1	33 metres 3:1	Adjustments respond to detailed design development and the increase in the competitive design processes threshold.
562-576 Harris Street	24 metres 2:1	24 metres 2.75:1	In response to detailed design and a landowner request to pursue a hotel use instead of residential. Hotels can accommodate more floor space per level within the exhibited envelope. The additional FSR applies only to hotel use and does not increase impacts.
28-48 Wattle Street	RL56 4.1:1	RL56 4.5:1	Adjusted following detailed design, heritage and structural advice to allow for a north-south oriented built form option. This will be further tested through a design competition and DA. The amendment remains below the exhibited maximum height and does not create additional overshadowing to Wentworth Park, Quarry Green or nearby residences.

Address	Exhibited controls	Amended controls	Reason
80-84 Harris Street	33m 2.75:1	33m 3:1	Increase in the competitive design processes threshold.
469-476 Harris Street	27m 2.4:1	27m 2.65:1	Increase in the competitive design processes threshold.

Some new sites and sites with significant amendments will require additional investigation and consultation

84. In response to the public exhibition, some landowners have requested that planning controls for their sites be reviewed in line with the NSW Government's Place Strategy.

85. These sites were not included in the City's exhibited proposal because they were either:

- not identified for new controls in the Place Strategy
- constrained by an existing strata scheme, or
- social or affordable housing sites where the owner had not requested new controls.

86. In other cases, landowner requests for new controls are significantly different from what was exhibited.

87. In response to submissions, the following sites will be reviewed as part of a Stage 2 process. Where supported, draft planning controls will be prepared and reported to Council and the Central Sydney Planning Committee for endorsement to publicly exhibit for community engagement. Stage 2 sites have the potential to accommodate approximately 1,300 additional homes.

Address	Comment
463-467 Harris Street	A corner site adjoining a row of 8 properties where new controls have been prepared. The landowner seeks controls consistent with the adjoining sites. The site is not a heritage item or within a heritage conservation area.
56 Harris Street	Owned by City West, a community housing provider. Currently occupied by ~81 affordable rental units. City West has requested a review of the western half of the site to increase the number of homes. The site is not a heritage item or within a heritage conservation area.

Address	Comment
1-19 Allen Street	An existing residential strata with ~78 apartments. The strata has requested a review for potential new controls. The site is not a heritage item or within a heritage conservation area.
313-369 Harris Street	An existing mixed-use residential strata with ~136 apartments and 20 commercial units. The strata has requested a review for potential new controls. The site is not a heritage item or within a heritage conservation area.
1-7 Henry Avenue	Owned by Homes NSW and occupied by ~49 social housing dwellings. Homes NSW has requested a review for potential new controls to increase the number of homes. The site is within a heritage conservation area and includes 13 contributory Victorian terraces and 2 neutral infill flat buildings.
26-52 Mount Street	Owned by Homes NSW and occupied by ~42 social housing dwellings. Homes NSW has requested a review for potential new controls to increase the number of homes. The site is not a heritage item or within a heritage conservation area.
1-33 Saunders Street	Owned by Goodman. The owner seeks controls significantly different to those exhibited. The City proposes to retain the exhibited controls but include the site in the Stage 2 review. Goodman is seeking controls similar in scale to 26–38 Saunders Street.
344 Bulwara Road	An existing mixed-use residential strata with ~98 apartments and 4 commercial units. A resident of the building has requested a review for potential new controls. The site is not a heritage item or within a heritage conservation area. The site may have limited potential for additional yield once overshadowing to Mary Ann Street Park and 383-389 Bulwara Road are modelled.

Further engagement with public authorities and government agencies will be needed at the Development Application stage

88. In accordance with the Gateway Determination, consultation was also undertaken with the following public authorities and government agencies who were given a minimum of 30 working days to comment:

    (a) Transport for NSW

    (b) Sydney Metro

    (c) Heritage NSW

    (d) NSW Environmental Protection Authority

(e) The Biodiversity, Conservation and Science Group at the NSW Department of Climate Change, Energy, the Environment and Water

(f) NSW State Emergency Service

(g) Placemaking NSW

(h) NSW Land and Housing Corporation

(i) NSW Department of Education

(j) Infrastructure NSW

(k) Sydney Airport Corporation

(l) Department of Infrastructure, Transport, Regional Development, Communications and the Arts

(m) Civil Aviation Safety Authority

(n) Metropolitan Local Aboriginal Land Council

(o) relevant utility providers

89. The City received responses from 8 public authorities or government agencies, none of whom raised objection to the proposal. Some of the authorities identified standard processes that will need to be undertaken prior to lodgement and during the assessment of future development applications, including protection of airspace and asset requests, flood impact and risk assessments, noise and air quality assessments and connection applications to Sydney Water. The Department of Education's submission is addressed at paragraphs 25 to 34.

Public exhibition of draft amendments to Central Sydney Development Contributions Plan 2020

We received 2 submissions from the community in response to the public exhibition of our proposal

90. The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 is largely modelled on the Central Sydney Development Contributions Plan 2020, which levies contributions on new development as a percentage of development cost. The drafting process provided an opportunity to update the Central Sydney Plan to ensure greater consistency and alignment with the Draft Ultimo Pyrmont Plan.

91. The draft amendments to the Central Sydney Contributions Plan relate only to legislative references and policy. No changes are proposed to levy rates or to the Schedule of Works, which lists the infrastructure items the Plan funds.

92. The draft amendments were publicly exhibited for 31 working days, from 1 October to 13 November 2024, in accordance with Schedule 1(6) of the EP&A Act and the City’s Community Participation Plan.

93. The exhibition was advertised on the City's "Sydney Your Say" webpage. The project was also featured in the October edition of the Sydney Your Say eNewsletter, distributed on 18 October 2024 to 5,136 subscribers.

94. Two submissions were received. One supported the levies as a way to fund infrastructure. The other suggested developers should be charged the maximum contributions and questioned how compliance with obligations is ensured.

Response:

95. As noted, the draft amendments relate only to legislative references and policy. No changes are proposed to levy rates or the Schedule of Works.

96. The Plan's levy rates are the maximum permitted under Section 209(1) of the Environmental Planning and Assessment Regulation 2021.

97. The Plan has been in force since November 2021, with contributions funding a wide range of infrastructure in Central Sydney, including open space upgrades, road and traffic improvements (such as cycleways), community facilities and public domain works.

98. Development contributions are payable before a construction certificate is issued for development applications, or before works commence under complying development certificates. Certifiers must sight evidence that contributions have been paid before works begin.

99. Where developers commence works without paying required contributions, the City takes enforcement action to ensure obligations are met.

100. One additional amendment is recommended to align with the Draft Ultimo Pyrmont Contributions Plan 2023. It is proposed that contributions not apply to developments such as monuments, memorials, sculptures and art installations on public land. This exclusion recognises the social and cultural benefits such developments bring to the community.

Key Implications

The City's proposal is in response to and consistent with the NSW Government's direction and vision for Ultimo Pyrmont

101. The NSW Minister for Planning, through the Place Strategy and their Ministerial Directions under the Environmental Planning and Assessment Act 1979, has directed the City's planning work in Ultimo Pyrmont. The Minister requires the City to:

    (a) facilitate development within that is consistent with the Place Strategy and the NSW Government's Pyrmont Peninsula Economic Development Strategy

    (b) align the planning controls with the NSW Government's District Plan priority of growing a stronger more competitive Harbour CBD

    (c) guide growth and change balanced with character, heritage and infrastructure considerations

(d) give effect to the Place Strategy vision and deliver the envisaged future character of the identified sub-precincts

(e) be consistent with the Place Strategy's 10 directions and Structure Plan

102. The City has been working with the community to comply with these directions since July 2022 when the directions came into effect. A full copy of the Ministerial Direction is provided at Attachment H. Consistency with the Ministerial Direction is outlined in the Ultimo Pyrmont Planning Proposal at Attachment C.

Wentworth Park must be returned to the community as public open space

103. The Ministerial Direction and the NSW Government's Pyrmont Peninsula Place Strategy explicitly commit to:

- Facilitating the return of Wentworth Park to the community as public open space, not merely removing fences or partially activating the space; and
- Establishing a working group with government agencies and stakeholders to identify a suitable alternate site for greyhound racing.

104. The Pyrmont Peninsula is the densest area of its size in Australia, and density will increase further with planned development. Wentworth Park is a vital green space in this highly populated precinct, providing a rare opportunity for accessible outdoor recreation.

105. Wentworth Park is already heavily used:

- weekdays are fully booked from 3pm to 10pm, with unmet demand for 4 additional fields
- weekends are generally booked from 8am to 5pm
- fields are used more than 40 hours per week, excluding casual use
- in summer, 4,000 OzTag players, including 1,500 women, use the fields

106. The park's central portion, leased to greyhound racing, is nearly 4ha - large enough to accommodate multiple sporting fields. Such space is exceptionally rare in this highly urbanised area, where land is mostly developed and extremely expensive, making the creation of comparable open space for sport virtually impossible. Moreover, Wentworth Park is located in a flood-affected area. Its use as public open space is ideal because it can absorb overland flow and support stormwater management.

107. Inner West Council plans 31,000 additional homes within 2km of Wentworth Park, yet only 2 new sports fields are proposed at Rozelle Parklands. Their Social Infrastructure Needs Study identifies a shortfall of 16 sports fields and 4 multipurpose courts, largely to be addressed by upgrading existing facilities and shared school use. The City cannot rely on acquiring new land for sports fields as such parcels do not exist, and if they did, land prices would make them prohibitively expensive. Wentworth Park represents the only viable location for larger-scale sporting facilities in the area.

108. The City welcomed the NSW Government's commitment and developed a masterplan for Wentworth Park and included funding for embellishments in the Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023. Early consultation showed overwhelming support for:

    - removing the greyhound track
    - expanding publicly accessible open space, and
    - creating a well-designed park that supports nature, recreation, play, social interaction, and easy movement - goals the current track prevents.

109. The NSW Government must recommit to returning Wentworth Park as public open space and not extend the Greyhound Breeders, Owners and Trainers Association's lease beyond 2027. Without this action, the community will face insufficient open space, inadequate recreational infrastructure, and increased flood risks in an already densely populated precinct.

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

110. 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. The proposed amended planning controls are aligned with the strategic directions and objectives.

111. The proposed planning controls give effect to the infrastructure, liveability, productivity and sustainability priorities in the Greater Sydney Commission's Greater Sydney Region Plan and Eastern City District Plan and the City's Local Strategic Planning Statement.

Risks

112. City staff have undertaken a thorough assessment of the proposed planning controls and found that with the recommended changes, they demonstrate strategic and site-specific merit in accordance with NSW Government guidelines. The NSW Government also assessed and issued a Gateway Determination. The planning proposal is consistent with Sustainable Sydney 2030-2050 Continuing the Vision.

113. Progressing the planning controls in their amended form, taking into account matters raised through the public consultation process, is within the City's risk tolerance and appetite.

114. With the recommended changes, the planning controls have demonstrated that development will be capable of complying with relevant environmental and planning laws, regulations and industry standards and is within the City's minimal appetite for non-compliance with environmental laws, regulations and industry standards.

115. Proceeding with the planning proposal will meet the City's minimal appetite for disruption to our regulatory functions as decisions will be within the timeframes set in the NSW Government's Statement of Expectations Order 2024.

Relevant Legislation

116. Environmental Planning and Assessment Act 1979.

117. Environmental Planning and Assessment Regulation 2021.

118. Environmental Planning and Assessment (Statement of Expectations) Order 2024

Critical Dates / Time Frames

119. The Gateway Determination specified that the amendment to the Sydney LEP 2012 is to be completed by 1 November 2025. The City will liaise with the Department of Planning, Housing and Infrastructure for an extension to this timeframe if required.

120. If the planning proposal is approved by the Central Sydney Planning Committee and Council, the City will liaise with the Department of Planning, Housing and Infrastructure and Parliamentary Counsel to draft and make the Local Environmental Plan. Once the plan is made, the amendments to the Sydney LEP 2012 will come into effect when published on the NSW Legislation website

121. If approved by Council, the draft DCP will come into effect on the same day as the amendment to the Sydney LEP 2012.

122. If the Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 is approved by Council, the City will liaise with the Department of Planning, Housing and Infrastructure to progress the required amendment of Section 209(1) of the Environmental Planning and Assessment Regulation 2021. The Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 will not commence until Section 209(1) of the Environmental Planning and Assessment Regulation 2021 has been amended and the Sydney LEP 2012 amendments are in force.

123. If Council approves the draft amendments to the Central Sydney Development Contributions Plan 2020, these amendments will commence shortly after this approval is granted, when published on the City's webpage.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Tim Wise, Manager Planning Policy

Siobhan Fox-Roberts, Senior Specialist Planner

Laura Dodds-Hebron, Senior Specialist Planner

Attachment A

Ultimo Pyrmont Planning Framework and Central Sydney Development Contributions Plan 2020 Amendments - Summary of Submissions and Responses

Summary of submissions and responses

Engagement activity

From 1 October to 13 November 2024, we asked the community to comment on the draft Ultimo Pyrmont Planning Framework. The table below provides an overview of the activities undertaken.

Activity	Outcome
Sydney Your Say webpage The webpage and online feedback form was open for feedback from 1 October to 13 November 2024.	• 3,636 unique page views • 989 document downloads
Interactive map An interactive map with drawings that summarise the proposed changes to planning controls was included on the consultation webpage.	• 1,738 total visits • 797 unique users
Information video Explainer video outlining the approach used to prepare the planning controls was posted on the webpage.	• 562 views
Map / photo gallery A set of maps explaining the selection process followed when deciding which sites to consider in the study was also on the webpage.	
Notification letter A notification letter was sent to owners and occupants in the area.	• 19,720 letters sent
Email notification to stakeholders A notification email advising the proposal was open for comment was sent to local community groups, subscribers and people who made a submission during the early engagement phase.	• sent on 3 October 2024 • 418 recipients
E-newsletters Sydney Your Say newsletter – October 2024	• sent on 18 October 2024 • 5,136 subscribers
Online information session The session guided participants through the webpage and each available document plus how to make a submission.	• held 14 October 2024 • 12 pax
Media release / announcement Media release sent out 4 October.	• coverage by Channel 7 and trade magazines including The Urban Developer, Build Australia and Architecture AU

Summary of submissions and responses

Submissions

254 submissions were made by email and survey response. 23 submissions were in support of the proposal, 72 were neutral and 148 submissions raised objection. In addition, 11 submissions were received from public authorities and government agencies.

Submissions were received from:	
Individuals	207
Building representatives (including developers, landowner representatives, owners' corporations and strata committees)	28
State Government agencies	11
Community groups, advocacy bodies, and organisations	8
Total	**254**

The following table summarises the topics raised in these submissions and provides a response. The table is organised into three sections:

- General – comments relating to the proposal in its entirety or in a general sense
- Site specific – comments relating to a site or group of sites
- State Government submissions – those from Government agencies

General comments and responses

Submissions summary	**Response**
General - Support for the planning framework	
23 submissions - General support for the planning framework. The planning controls will provide for housing and employment growth in a location with excellent amenity, close to existing infrastructure and services, supported by an increase in public transport capacity and local infrastructure investment. It was acknowledged that the planning controls had been carefully crafted to minimise impacts on the existing community and generally looked to promote place improvements, including more trees, more open space, widened footpaths and streets with access to daylight and comfortable wind conditions.	Support noted.
General - Density, infrastructure and traffic	

Submissions summary	Response
33 submissions – Ultimo and Pyrmont already support a large population and are high density. Concern about the impact of increasing density on existing residents. Need to consider cumulative impacts with Fish Markets, Blackwattle Bay and Harbourside developments.	The NSW Government's Pyrmont Peninsula Place Strategy was prepared in expectation of the proposed Metro West station. A new Metro station at Pyrmont will drive demand for additional people to live, work, visit and move businesses to the area, which is already one of Australia's most successful urban communities, home to 18,000 residents and 34,000 workers. The City's approach looks to accommodate this growth in a way that is place-led and people-focused. Blackwattle Bay, the fish markets, Harbourside Shopping Centre, the Star, the Ultimo Indigenous Residential College and the new Pyrmont Metro Station sites have all been rezoned by NSW Government. These are not part of the City's review of planning controls, but they will contribute to the growth and change envisaged by the NSW Government's Place Strategy. In terms of infrastructure planning, growth on these and other government sites in the area has been considered by the City in its preparation of the proposal and the Pyrmont Local Infrastructure Contributions Plan.
55 submissions - Population growth must be supported by infrastructure, amenities and services. Pyrmont and Ultimo are already underprovided for. In particular: • *25 submissions* - need for more primary and secondary schools • *15 submissions* - need for more or upgraded parks and green space • *14 submissions* - concern about strain on the power grid • *8 submission* - need for better walking and cycling infrastructure • *6 submissions* - the lack of capacity of public transport infrastructure, including the light rail, the loss of the 501 bus and a lack of accessible ferries. Infrastructure should be built ahead or at least alongside additional residential.	**NSW Government infrastructure** Infrastructure such as public transport, hospitals and schools are the responsibility of the NSW Government. Through their submissions agencies confirmed: • NSW Education - The demand for primary school students may be accommodated by existing assets. Upgrades of existing high schools are required. These upgrades are currently not funded and will be subject to future planning and consultation. Education infrastructure is addressed in the main assessment report. • Transport for NSW – Eight initiatives are underway to upgrade transport infrastructure capacity and crossings, including completion of the foreshore link and increasing the L1 Inner West Light Rail frequency. Furthermore, the Metro will significantly improve public transport accessibility. The City's position in relation to Transport for NSW infrastructure is addressed in the main assessment report.

Submissions summary	Response
	• Sydney Water – did not raise objection to the proposal. They have requested detailed growth data from the City which the City will provided. This will enable the appropriate planning of water, waste water and sewage infrastructure. Some of the authorities identified standard processes that will need to be undertaken prior to lodgement and during the assessment of future development applications, including, protection of airspace and asset requests, flood impact and risk assessments, noise and air quality assessments and connection applications to Sydney Water. The NSW Government's Place Strategy was supported by a Utilities Infrastructure Assessment (UIA). The UIA addressed water, sewer, electricity, gas and telecommunications capacity and demand in the area. Interviews were undertaken with service providers at the time to determine existing capacity issues, planned projects and to discuss the project in general. The UIA then provide an analysis of the infrastructure upgrades required over the life of the Place Strategy to service the growth envisaged. **Local infrastructure** Councils are responsible for the provision of local infrastructure such as local roads, parks, cycle ways, public domain and community facilities. To ensure growth in Ultimo and Pyrmont is supported by local infrastructure, the Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 has been prepared. This contributions plan will enable the City to levy a contribution of up to 3 percent of the development cost on new development to generate approximately $148 million in contributions towards infrastructure over the life of the plan to 2041. The draft contributions plan includes a schedule of works which responds to the infrastructure demands arising from expected population growth. The schedule of works lists the infrastructure items that money collected through a contributions plan will be used to fund. The schedule of works for Ultimo and Pyrmont seeks to:

Submissions summary	Response
	• make capacity improvements to both the northern and southern sections of Wentworth Park, to enable this open space to continue to meet demand for active and passive recreation • make capacity improvements and upgrades to three existing community facilities so that they can continue to provide the community with spaces for indoor activities and meetings • enable public domain improvements and tree planting to improve public amenity • improve connectivity through dedicated cycleways; and • implement drainage upgrades and stormwater quality improvements. The City has little control over the timing for contributions income, with contributions becoming payable at the construction certificate stage of developments. The City aims to minimise lag between the payment of contributions by developers and their allocation towards infrastructure. In some circumstances to assist in the timely delivery of infrastructure, the City forward funds infrastructure and then uses the contributions plan to recoup costs associated with that infrastructure.
46 submissions -There is traffic congestion and difficulty parking currently. Concern about impact of increased population and workers on traffic and parking. Bank Street is mentioned as a particular pinch point. *1 submission* - support all sites except Bank Street and 100 Harris, due to the impact on traffic congestion.	Ultimo Pyrmont is already a highly walkable neighbourhood. The Pyrmont Metro Station, opening in 2032 as part of Sydney Metro West, will significantly improve public transport access and further support walkability. The NSW Government has funded a new commuter ferry wharf to connect the Sydney Fish Market to the harbour, along with major upgrades to the Wentworth Park light rail stop. These upgrades include new lifts, ramps, platforms, lighting, landscaping and signage, improving safety, accessibility and usability for over six million annual visitors. In 2024, the NSW Government finalised the Pyrmont-Ultimo Transport Plan, setting out 55 initiatives for a sustainable, multi-modal transport network to support growth. Key actions include investigating the pedestrianisation of Union Street and widening Pyrmont Bridge Road footpaths between the new Metro station and relocated Fish Market.

Submissions summary	Response
	The City will continue to advocate for the full and appropriate delivery of these initiatives. The City has delivered a separated cycleway on Mary Ann Street, linking south to Jones Street, west to Glebe via Kelly Street, and east to the City via the Goods Line and Darling Harbour. With community support, the City is advocating for active travel and public domain improvements around Pyrmont Metro. Priorities include: • 30km/h speed limits around the Metro station • pedestrianisation of Union Street • wider footpaths on Edward Street and Pyrmont Bridge Road, and • a separated cycleway on Bridge Road alongside both Metro sites. The City is also seeking improvements around the new Fish Market, including: • safer walking routes to public transport stops via Pyrmont Bridge Road, Bridge Road and Wattle Street • reversal of Transport for NSW's decision to retain the Wattle St/Bridge Rd slip lane • clarity on plans to increase L1 light rail service capacity and improve access at Fish Market and Wentworth Park stops, and • a separated cycleway (rather than a shared path) outside the Fish Market, continuing directly along Pyrmont Bridge Road to Pyrmont Bridge. The City continues to advocate for restoring Glebe Island Bridge as a direct walking and cycling link between Bays West and the City. This would unlock local connections to open space, community facilities and future schools on both sides of the bridge. The City has no plans to create additional road space in Ultimo Pyrmont. Instead, it is investigating improvements such as Union Street pedestrianisation, a Pyrmont Bridge Road cycleway, and in-road tree planting by reallocating vehicle lanes. The City has implemented parking controls to reduce reliance on private vehicles, including time-of-day restrictions, parking ticket pricing, and kerbside priority for goods and services. Planning policies also apply maximum parking rates, require on-site car share bays, and

Submissions summary	Response
	mandate bicycle parking for new developments. Under the City's neighbourhood parking policy, new residential flats and commercial/retail premises are ineligible for parking permits, further reducing on-street demand. Public transport improvements associated with Sydney Metro will also reduce the need for driving into or out of Ultimo Pyrmont. Transport for NSW has confirmed it is no longer pursuing a new Western Distributor on-ramp at Pyrmont. However, it is still proposing to remove the zebra crossing and restrict the right-turn from the Pyrmont Bridge Road off-ramp. These changes would divert traffic through Harris Street, increasing volumes in the heart of Ultimo Pyrmont and undermining walkability and liveability. Transport for NSW has advised that the Western Distributor project is under review and no decision has been made on whether it will proceed. If it does, construction would not occur until after the Sydney Fish Market relocates to Bridge Road in late 2025. The City continues to oppose the project and advocates for solutions that prioritise safety for people walking, cycling and using public transport.
1 submission - Suggestion that carshare requirements should be proportional to number of units without a parking space, (rather than proportional to total car parking spaces which it is currently).	The City's carshare DCP controls were not the subject of the public exhibition and are beyond the scope of the exhibited amendment. These controls were recently reviewed and updated as part of the City's June 2025 Policy and housekeeping amendments.
3 submissions - Support delivery of continuous foreshore path.	Support noted.
6 submissions - Support the closure of greyhound racing site and the expansion / improvement of Wentworth Park.	Support noted.
1 submission - Support delivery of Pyrmont Street Park and recommend allocating developer levies to fund the construction of a road/cycleway tunnel.	Support noted. The road/cycleway tunnel requested is under the Pyrmont Bridge Road intersection with Darling Drive, Murray Street and Union Street. The submissions notes that such a tunnel would divert a significant amount of traffic and improve pedestrian movement. The City agrees that the intersection in question is poor and presents as a car dominated environment that is difficult to navigate for people walking and

Submissions summary	Response
	cycling. The NSW Government's Pyrmont-Ultimo Transport Plan does include initiatives that may improve this situation including delivering a new cycling facility to complete missing link on Darling Drive on approach to Murray Street / Union Street intersection. The biggest barrier for the intersection however is Darling Drive, which is a NSW Government owned street.
1 submission - Suggested against opening up the covered walkway to the John Street pocket park as it becomes very difficult for pedestrians when it rains.	The northern setback at 14 Quarry Master Drive is required to achieve the 15% deep soil target for redevelopment sites. It will also improve daylight and visibility into the John Street Pocket Park pedestrian bridge, enhancing safety. The deep soil zone enables tree planting in line with the City's design principles. While a covered walkway could restrict tree planting, a pedestrian awning could be potentially considered at the detailed development application stage.
1 submission – Would like to see the Jones Street pocket park fixed up with proper fencing.	The cliff face on the northern edge of Jones Street Pocket Park is owned by the NSW Office of Strategic Lands. In March 2025, Jones Street Pocket Park was closed/partially closed in order for repair works on the cliff wall to be undertaken. This included installation of a temporary fence. The works are ongoing and will likely be completed in November 2025.
1 submission - The walking and cycling path along Pyrmont Bridge Road from where it crosses Bank St to Wattle St could be improved with better signage and resurfacing. Also extend the 'green man' timer for crossing Bank Streer please.	Pyrmont Bridge Road in this location is a NSW Government owned and managed State road. The surrounding area and roadways will undergo change in the coming years with redevelopments at Blackwattle Bay, the new Sydney Fish markets and potentially as a result of the Western Distributor "improvements" project. With community support, the City is advocating for active travel and public domain improvements related to Pyrmont Metro. Related priorities include: • wider footpaths on Pyrmont Bridge Road • a separated cycleway on Bridge Road • safer walking routes to public transport stops via Pyrmont Bridge Road, Bridge Road and Wattle Street • reversal of Transport for NSW's decision to retain the Wattle St/Bridge Rd slip lane, and

Submissions summary	Response
	• clarity on plans to increase L1 light rail service capacity and improve access at Fish Market and Wentworth Park stops.
1 submission - The City should fund Pyrmont Community Centre from the surplus budget. Remove recoupment from the infrastructure and instead use the developer levies to fund Maybanke indoor Sports and Recreation Centre.	The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 includes the Pyrmont Community Centre Upgrade as a recoupment works item in the schedule of works for which the City. This means that the City has forward funded the upgrade works but will recoup the costs through local infrastructure contributions. The Pyrmont Community Centre Upgrade has recently been completed. The upgrade will support the needs of future population increases, as well as the needs of the existing community, and the City considers that it is reasonable to recoup the costs of delivering this important infrastructure through development contributions. The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 schedule of works also includes upgrades to the Maybanke Community Centre's outdoor facilities to increase capacity for sports and outdoor exercise. The estimated time frame for delivery is between 2036-2041, which is based on where the project is currently up to in project planning and when contributions funding is likely to become available. The City has also secured additional indoor recreational facilities as part of the redevelopment at 14-26 Wattle Street, including two indoor sports courts to be owned and operated by the City. This objection is addressed further in the main report.
General - Character	
24 submissions - Concern that the building types and architectural styles will change the peninsula's character. A desire to keep the village feel. Concern about impacts of the proposal on streetscapes and heritage areas.	Pyrmont and Ultimo include a mix of architectural styles, building types, and scales. The controls have carefully considered the impacts of development envelopes on character, heritage items and heritage conservation areas. Individual site controls have been developed to provide for sympathetic development outcomes. Development adjoining heritage areas and heritage conservation areas has largely been avoided. The main development type to be undertaken in heritage conservation areas and on heritage items is the proposed small lot housing type.

Submissions summary	Response
	This development type is based on historical subdivision patterns in the area. This planning proposal also preserves the industrial heritage of Ultimo Pyrmont, for example, targeted changes to planning controls of 28-48 Wattle Street require the preservation and restoration of heritage significant fabric while maximising floor space. This objection is addressed further in the main report.
3 submissions - Treat the harbour as a natural asset and public good. It has strong historical value - indigenous and European. The topography, foreshore and harbour should be preserved and enhanced.	The building envelopes and controls proposed for the specific sites ensure that public views and access to the harbour are maintained or enhanced, access to foreshore areas is not altered, and the historical significance of the harbour for both Aboriginal communities and the role it played within European occupation are acknowledged.
1 submission – Concern about the crime rate, dumping and lack of community cohesion in the area. Concern that development will further increase these issues. Would like to see public domain improvements (lighting, parklet, CCTV, art) to create a sense of pride.	The City's proposal is supported by a new local development contributions plan, expected to generate around $148 million for local infrastructure. Of this, almost $89 million will fund open space and public domain upgrades, including streetscape works on Harris Street and improvements near the new Pyrmont Metro station. All works will be designed with community safety in mind. The proposed planning controls also apply Crime Prevention Through Environmental Design principles, ensuring through-site connections are highly visible, well-lit, and universally accessible.
General - Building heights	
22 submissions - Proposed building heights across the proposal are out of step with existing buildings and context. A dislike of tall buildings / towers. This does not include objections to height of specific buildings, which are included below.	New height controls are proposed for certain sites across Ultimo and Pyrmont. These are site specific. They have been designed taking into account specific site constraints and responding to the overarching design considerations. Detailed urban design analysis for each site has ensured that taller buildings are located and shaped so they respect privacy, minimise overshadowing of existing residential development and open space, maintain or enhance public view corridors and conserve heritage. This objection is addressed further in the main report.

Submissions summary	Response
14 submissions - Concern about overshadowing and loss of sunlight. Concern about loss of views and privacy.	Building envelopes have been modelled on a site-by-site basis to minimise overshadowing to existing residents and important public parks and places. The proposed building envelopes have been designed in alignment with NSW Government's Apartment Design Guide and the City's Development Control Plan including building separation, visual privacy, and solar and daylight access. This objection is addressed further in the main report.
2 submissions - Proposed building heights are not aligned with the PPPS. Objection to the introduction of the 'height transition zone' which contradicts the priorities of the PPPS. The proposal does not deliver on a gentle transition	Each of the envelopes proposed by the City comply with the Height Strategy set out in the NSW Government Pyrmont Peninsula Urban Design Report. The 'height transition zone' forms part of the NSW Government's height strategy, which permits buildings at a minimum of RL90 in height in this area. This objection is addressed further in the main report.
General - Zoning and land use	
20 submissions - There is low demand for commercial/office space, noting the high vacancy rate and post-Covid working patterns. The evidence underpinning the PPPS housing and jobs targets is outdated.	The City was set a target for commercial floor space within the Pyrmont Peninsula Place Strategy and the associated Ministerial Direction, which was underpinned by an Economic Development Strategy produced by NSW Treasury. The Economic Development Strategy states that it factors in the impacts of Covid in its employment forecasts. The Ministerial Direction requires all planning proposals in Ultimo Pyrmont demonstrate how they meet the objectives of the Place Strategy, including job targets. The focus for the City has been on meeting the required job targets in the most appropriate way. Demand for office floor space will be determined by the market and will change as the population grows. The proposed controls create capacity for office floor space to be provided when and if the market determines. Submissions were made in relation to 3 sites in mixed use zones, which had alternative controls exhibited to incentivise commercial development. A post-exhibition change is proposed to amend the base controls for these 3 sites, providing the flexibility of a residential or commercial option. This objection is addressed further in the main report.

Summary of submissions and responses

Submissions summary	Response
6 submissions - Zoning should be more flexible (MU1) to support financial viability of the development and allow developers to respond to demand.	See above. Furthermore, a post-exhibition change is proposed to add business premises as an additional permitted use for 26-38 Saunders Street and 14 Quarry Master Drive, in addition to the 3 sites exhibited. Permitting business premises on these sites will support more vibrant and active streets and providing better access to local services.
General - Housing and affordable housing	
11 submissions - Concern about the redevelopment of residential buildings and the displacement of existing residents.	Planning controls allow for future redevelopment, but they do not mandate development. Most of the sites in the planning proposal with existing residential buildings are strata. Legislation allows strata to collectively sell or redevelop with a 75% majority vote.
8 submissions - There is a housing crisis. The proposal should do more to address that.	The planning proposal aims to facilitate new homes in an appropriate location near existing and proposed infrastructure. The amended planning proposal will assist in facilitating 1,268 to 1,524 additional dwellings in a variety of different forms. The City's proposed Stage 2 process may also deliver additional homes.
5 submissions - The proposal should provide social / affordable housing and accommodation for essential workers.	Where there is an uplift in residential development potential an additional 9% Affordable Housing Contribution will be levied on the additional floor space. This is in addition to a base level contribution of 3%. This will be used to help fund affordable housing programs across the City of Sydney local area. Beyond contributions, the City also supports the provision of affordable rental housing through grants to non-government organisations and subsidising the sale or long term lease of council owned land to community housing providers. The City's proposed Stage 2 process may also deliver additional social and affordable rental housing homes.
2 submission - The additional 9% affordable housing contribution is too high and may make development unfeasible in current market conditions, preventing delivery of new homes.	The planning proposal enables additional height and FSR in appropriate locations across Ultimo and Pyrmont. The 9% additional affordable housing contribution is to be applied to key sites which will receive residential uplift. This is consistent with the requirements of the existing City of Sydney Affordable Housing

Submissions summary	Response
1 submission - a more workable model is Infill Affordable Housing models that provides stock to Community housing providers for 15 years.	Program, which accounted for the feasibility of such a contribution requirement when it was introduced in 2020. The City does not support a time limited affordable housing infill model as affordable housing will eventually be lost and unlikely to be replaced. Key workers and other community members who need affordable housing will be foced out of the area. The City requires purpose built affordable housing to be provided in perpetuity.
1 submission - Support for the requirement to pay additional contributions for sites that benefit from uplift, to enable the delivery of more affordable housing.	Support noted.
2 submissions - Suggest suggests that we identify sites and mandate landowners to provide public/affordable housing.	Where there is an uplift in residential development potential an additional 9% Affordable Housing Contribution will be levied on the additional floor space. This is in addition to a base level contribution of 3%. This will be used to help fund affordable housing programs across the City of Sydney local area. The City's proposed Stage 2 process may deliver additional social and affordable rental housing homes on sites owned by Homes NSW and City West Housing, a community housing provider. None of the sites subject to the current proposal are owned by Homes NSW or a community housing provider.
General - More development or a different outcome	
10 submissions - Would like to see more development. The planning proposal should be more forward thinking and ambitious, increasing development potential generally across the area.	The planning proposal responds to housing and jobs targets set in the Place Strategy and by the NSW Government for the City of Sydney as a whole. The proposed building envelopes maximise development capacity onsite, within our design considerations agreed with the community. The City's proposed Stage 2 process may deliver additional floor space for jobs and homes.
10 submissions - Would prefer a different distribution of heights or density. Some suggested more density should be near the Metro Station, others suggested increases in Ultimo. Others suggested a more even spread.	The City has undertaken detailed urban design analysis throughout its review. The envelopes proposed respond to site-specific constraints and respond to priorities and design considerations directly identified to us through engagement with residents, landowners and community groups. The planning controls

Submissions summary	Response
	minimise overshadowing to existing neighbouring properties in line with the NSW Government's Apartment Design Guide and minimise overshadowing to important parks and places. They are designed to ameliorate wind impacts in streets, preserve and enhance public views and respond to areas of established significant character. The City's proposed Stage 2 process may deliver additional floor space for jobs and homes.
1 submission - Recommends more flexibility in the controls rather than being tied to the site-specific envelope DCP, noting sites will still go through development assessment.	By resolving Apartment Design Guide and DCP compliance at the plan-making stage and embedding this in planning controls, the City provides greater certainty and efficiency. Landowners and the community can be confident that key issues such as overshadowing, wind, and apartment separation have already been addressed, enabling a more streamlined development application process. DCP controls must be applied flexibly and proposals that meet their objectives can still justify reasonable alternatives.
2 submission - Overshadowing and solar access planes should be considered in balance with need for new homes.	Overshadowing and solar access have been carefully balanced with the need for new housing. While the proposed planning controls will result in some overshadowing, it has been minimised through compliance with the Apartment Design Guide and the City's DCP—both well-established benchmarks. Overall, the City's proposal delivers more floor space than required to meet the housing and jobs targets set in the NSW Government's Place Strategy, with the Stage 2 process offering potential for even greater capacity.
1 submission - Inconsistency with the Pyrmont Peninsula Place Strategy. All sites 'capable of change' should receive uplift.	The City reviewed nearly every site in Ultimo and Pyrmont to identify the most sensitive ways to accommodate the growth set out in the NSW Government's Place Strategy. We began with sites flagged in the Strategy as capable of change, then extended our assessment to additional sites identified through our own review. Each site was initially considered and discussed with landowners and the community. Where planning control changes were appropriate, urban design testing was undertaken. Some sites were reviewed but not advanced, as they were found unsuitable for change; these are documented in the City's

Submissions summary	Response
	exhibited *Sites reviewed but not changing* document.
1 submission – A response to the review of TfNSW car parking levy scheme and a suggestion that funding and Government resource could be put towards assisting in repurposing commercial car parks into residential/commercial buildings to help meet housing shortages in prime locations.	This submission concerns the commercial car park at 360 Harris Street, which is strata subdivided with individual ownership of car spaces. The objector requests that the City encourage its conversion to accommodation, likely residential. They cite the Transport for NSW Parking Space Levy (PSL), a State tax on commercial car parking in areas well served by public transport. The PSL aims to reduce car use and funds transport projects such as walking and cycling infrastructure. However, the levy and its use are matters for the NSW Government. The site at 360 Harris Street is outside the City's planning jurisdiction and zoned under the State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021. The City therefore cannot amend planning controls for the site. While the SEPP permits residential use, any development application for conversion would need to demonstrate compliance with the Apartment Design Guide, including minimum residential amenity standards.
1 submission - Concern about some sites having their FSR decreased by having the design excellence bonus applied.	The base FSR for sites between 525 and 547 Harris Street, Ultimo is proposed to change from 3.5:1 to 3.3:1; 549-559 Harris Street from 4:1 to 3.61:1; and for 561-577 Harris Street from 4.1:1 to 3.41:1. The proposal involves a minor reduction in base FSR on these sites, which is of minor significance compared to the increased real development outcomes provided by the other proposed changes to planning controls on these sites, including increasing the height limit from 22 to 42 metres. The proposed height and FSR for these sites is informed by a detailed urban design analysis, guided by the principles of the Urban Design Study to maximise development within constraints across the Pyrmont peninsula. In addition, the base FSR plus design excellence bonus has been planned for these sites. Development in accordance with the current height limit on these sites would not require a competitive design process. However, development with the proposed height limits would require a competitive design process and be eligible for 10% additional design excellence floor space.

Submissions summary	Response
1 submission – An Unsolicited Proposal for Edgecliff has been submitted.	The proposal relates to Edgecliff and is beyond the scope of the exhibited proposal.
1 submission – Glebe Island - what is the point of creating parklands and walkways around a proposed 24/7 industrial site that will generate pollution and introduce trucks?	This submission appears to relate to Glebe Island and its existing industrial and port operations. The NSW Government is currently considering the future of Glebe Island, likely through a Stage 2 Bays Precinct Masterplan. The open space proposed in the exhibited plans is considered sufficiently separated from industrial uses at Bays West to ensure its amenity is not impacted.
6 submissions – Suggest development would be better located somewhere else with less impact on residents, for example Glebe Island.	This planning proposal addresses the housing and jobs targets for Ultimo and Pyrmont set out in the NSW Government's Place Strategy. By advancing a precinct-wide approach, the City can guide growth sensitively, consistent with the Strategy, informed by community engagement, and underpinned by best-practice design. Without this framework, planning would be left to individual landowners or the NSW Government. In addition to the City's planned growth in Ultimo and Pyrmont, further development will occur through NSW Government initiatives at Glebe Island, the Camperdown Road dive site, other State Significant precincts and sites, and through the City's response to LGA-wide targets.
1 submission – Questioning what value the heritage conservation areas provide to society during a housing crisis. They often result in either run down housing or luxury single family homes.	The planning proposal includes new planning controls for some heritage items and sites within conservation areas. The City's heritage conservation areas are the home for approximately 84,000 people and provide workplaces for almost 60,000 people. Conservation areas are more than a collection of individual heritage items. The City's conservation areas provide housing at the highest population densities in Australia and continue to house an increased population, some at rates greater than the metropolitan average rate of increase. The small lot sizes, variety of accommodation types and over two centuries of accumulated growth have produced successful urban environments that continue to accommodate change and warrant protection.
1 submission – Opposes universally requiring upper-level setbacks as they increase construction costs, increase susceptibility of the building to water ingress, reduce thermal	The City's proposal does not impose upper-level setbacks across all sites. Where setbacks are included in the exhibited DCP, they are typically used to maximise floor space below a

Submissions summary	Response
efficiency and reduce floor space. The desire for consistent street wall height should be considered in balance with the housing crisis.	solar plane protecting sunlight access to important parks, places, or existing residences. A blanket removal of setbacks would significantly reduce achievable floor space. Setbacks have also been applied where appropriate to transition to lower-scale residential areas (e.g. 46–48 Pyrmont Bridge Road and 446–456 Wattle Street) and to manage vertical additions to heritage items, protecting their setting and curtilage from key street views.
General - Construction	
20 submissions - Concern about construction related disruption to residents and existing businesses. Concern about dust and noise pollution.	The impacts of construction will be managed. We have regulation in place for construction sites to manage noise levels, traffic, access, and environmental impacts. From our discussions with landowners and developers involved in the sites, timescales vary greatly with some seeking to construct soon and others in the long term.
4 submissions - Concern about replacement of buildings which are in good condition and greenhouse gases resulting from development.	Planning for growth requires us to look to the future. Changing the planning controls allows for sites to redevelop but does not mandate it. Landowners can redevelop at a point which suits them, for example once the building reaches the end of its lifespan, or once an increase in the number of homes warrants the redevelopment. The planning controls also don't require full demolition of existing structures. There have been examples across the City of redevelopments including the retention and adaption of existing structures.
General - Consultation	
7 submissions - Insufficient public consultation. Residents of surrounding buildings were not notified. The exhibition period was too short to put in a considered response.	In May 2022 the City started consultation with community and stakeholder groups about the strategic review. 25,400 letters were sent to landowners and tenants inviting them to participate and register for updates. We held meetings with residents and landowners to understand their concerns, interests and perspectives on how to best accommodate growth and change in Ultimo and Pyrmont. This early engagement influenced the proposal and is summarised in our exhibited Early Engagement Report. The planning proposal, draft DCP and draft contributions plan were publicly exhibited for 31 working days from 1 October 2024 to 13

Submissions summary	Response
	November 2024 in accordance with the Gateway Determination and the City's Community Participation Plan. 19,720 notification letters were sent to landowners and occupants of surrounding properties. A notification email to 418 recipients was sent to local community groups and subscribers registered to receive project updates. The City hosted an online information session on 14 October 2024. City staff presented on the proposed planning controls and answered questions from attendees.

Site specific comments

Summary of submission	Response
Gateway building, 1-27 Murray Street - 50 submissions	
40 submissions - Concern about the displacement of existing residents. The Gateway building has been home to residents for nearly 25 years. Redevelopment would impact the community and social fabric. Residents value their community and lifestyle. Concern about residents not being able to afford alternative accommodation in Pyrmont, if displaced. Concern about government forcibly acquiring people's homes.	Planning controls allow for future redevelopment, but they do not mandate development. The Gateway building is strata owned. Legislation allows strata to collectively sell or redevelop with a 75% majority vote. If the majority of owners do not want to redevelop, the building will not be redeveloped. This site is addressed further in the main report.
36 submissions - High vacancy rates indicate low demand for additional office space. Post-Covid working patterns have decreased demand. Despite the changing context, the proposal for this site has remained unchanged since the PPPS. Due to viability, achieving owner consensus for redevelopment would be very difficult if the site is rezoned for commercial use. *32 submissions* - Lack of support for the rezoning of the site to commercial only. If the site is to be rezoned, it should remain mixed use. *20 submissions* - Sydney is facing a housing crisis. Redeveloping the Gateway site as a commercial office would result in the loss of 89	The Ministerial Direction requires long-term planning. The Place Strategy provides a growth framework to 2041 and is supported by the NSW Treasury Pyrmont Peninsula Economic Development Strategy, which forecasts $4.9 billion in additional economic output if commercial floor space is delivered to support 23,000 new jobs. The Strategy incorporates the impacts of COVID on employment and floor space demand. In response to submissions, the City has amended the proposal to allow mixed-use residential development on the subject site, in addition to the previously exhibited commercial proposal. These amendments increase the height for a mixed use residential project from 30 metres to approximately 87 metres and an increase in FSR from 2.5:1 to 5:1 - will allow

Summary of submission	Response
residential units, exacerbating the current housing shortage.	the market to determine the future use of this site, if the current owners choose to sell. This site is addressed further in the main report.
32 submissions - Concern about the proposed building envelope and its impact on Pyrmont's character. Concern that the 21-storey building height will result in overshadowing and wind, as well as aesthetic impacts. A desire for Pyrmont to retain its village feel, rather than becoming an extension of the CBD with commercial towers. Concern about impacts on the heritage listed Pyrmont Bridge Hotel, Maritime Museum and Darling Wharves, as well as historic streetscapes. A lack of alignment with the PPPS, which envisions low-rise buildings near the harbourside.	Ultimo Pyrmont will experience significant growth and change due to the NSW Government's investment in a new Metro station, its Place Strategy, and the Ministerial Direction requiring future planning to accommodate new jobs and housing. By advancing a precinct-wide planning proposal, the City can guide growth sensitively consistent with the Place Strategy, informed by community engagement, and based on best practice design. Without this approach, future planning would be left to individual landowners or the NSW Government. The Ministerial Direction requires the City's planning proposal to be consistent with the NSW Government's Pyrmont Peninsula Place Strategy, and in particular, the Height Strategy set out in the Urban Design Report. The City's exhibited and amended planning proposal sets building heights below those permitted by the NSW Government's Height Strategy. Full details of the City's proposed heights, where they are lower than those permitted by the NSW Government, are provided in the Urban Design Study (Attachment G to the main report). The reduced heights primarily protect solar access to parks and public places and minimise overshadowing of existing homes. This approach is consistent with the Place Strategy (which identifies key parks and places to protect), the NSW Government's Apartment Design Guide, and the City's Development Control Plan. This site is addressed further in the main report.
21 submissions - The building is in good condition. Investment has been made into its upkeep. Demolishing it for a new commercial structure would be wasteful and contribute unnecessarily to greenhouse gas emissions.	Planning for growth requires us to look to the future. Changing the planning controls allows for sites to redevelop but does not mandate it. Landowners can redevelop at a point which suits them, for example once the building reaches the end of its lifespan, or once an increase in the number of homes warrants the redevelopment. The planning controls also don't require full demolition of existing structures. There have been examples across

Summary of submission	Response
	the City of redevelopments including the retention and adaption of existing structures.
20 submissions - From previous rounds of engagement, resident concerns have been overlooked or not adequately addressed.	During early engagement, concerns were raised about new planning controls for the site. These were addressed in the City's pre-exhibition report to Council, which sought approval to publicly exhibit the proposal so that a broader view could be sort. The exhibition process allowed full consideration of new controls and broader community feedback. In response, the City has amended the proposal to enable a mixed-use residential outcome. While this will not satisfy all objectors—some of whom prefer no change—the City considers new controls essential. This block is the largest development site near the proposed Pyrmont Metro Station and was identified in the NSW Government's Place Strategy for significant height increases under their Height Strategy. Neighbouring sites will benefit from this policy shift, and the block presents an opportunity to greatly improve its interface with the public domain. The revised controls deliver better light rail access, stronger north–south connections, and a larger, greener, and more sunlit public space. Not progressing with the site means these outcomes will not occur. The site is discussed further in the main report.
5 submissions - The exclusion of 1-27 Murray Street from the Ultimo Pyrmont Strategic Review documentation raises questions about the review process. Why was this site omitted when neighbouring properties, such as 80-100 and 137 Murray Street, were evaluated?	This submission relates to the City's exhibited document *Sites reviewed but not changing*. 1-27 Murray Street is not included because new planning controls have been prepared for the site.
2 submissions - If it is rezoned, the height should be higher to make the project commercially viable.	The height of the proposal has been maximised within the City's design considerations. Any additional height would overshadow neighbouring residential apartments to the couth creating additional shadow in non-compliance with the NSW Government's Apartment Design Guide.
2 submissions - The demolition of 1-27 Murray Street and 2 Edward Street threatens to obstruct access to Pyrmont Bay Station, the nearest light rail station during construction. There has been limited consideration of the impacts of this.	Pyrmont Bay Light Rail stop may or may not need to be closed if the sites redevelop. This would be a matter for Transport for NSW who have strict requirements in regard to construction in close proximity to rail corridors.
1 submission - Vehicular access to the Gateway building is via 2 Edward Street. No	1-27 Murray Street benefits from an access easement across 2 Edward Street for vehicular

Summary of submission	Response
analysis has been carried out to show how residents would access their car parking should 2 Edward Street be redeveloped.	access. Any redevelopment of 2 Edward Street will need to consider access arrangements for 1-27 Murray Street in accordance with the existing access easement.
1 submission - Supports the proposal for the Gateway building.	Support noted.
Quarry Master Drive and Saunders Street precinct - 64 submissions	
38 submissions - Access into and out of the peninsula is very limited and the Quarry Master Drive area is a cul-de-sac. Additional high-rise development would place pressure on local streets. Saunders Street now with the bike lane is one lane for two-way traffic, further limiting capacity and parking. There is already very little on street parking. Traffic will also be made worse by changes to the Western Distributor and the Fish Markets redevelopment.	The City's general comments on traffic, access, and parking are further addressed in the main report. For the Quarry Master Drive and Saunders Street precinct: • the precinct will primarily be accessed on foot, by bicycle, or via public transport • it is approximately 100 metres from the existing Fish Market Light Rail stop and 600 metres from the future Pyrmont Metro Station • the precinct is well-serviced by walking and cycling infrastructure, including the separated Saunders Street, Miller Street, and Union Street cycleways providing direct access to Pyrmont Metro and the Sydney CBD • under current maximum car parking controls, the precinct will generate minimal additional vehicle movements • Saunders Street is narrow and left turn only at Miller Street; most vehicular traffic will use Quarry Master Drive and Bank Street, wider two-way roads connecting to surrounding suburbs.
37 submissions - Proposed building heights will reduce sunlight into apartments. This will prevent sustainable energy generation through installation of solar panels. Public and open spaces will be overshadowed, and sky views will be obstructed. Overshadowing will impact the flora and fauna in Carmichael Park, Knoll Park & Saunders Cliff-Face Pocket Park. Bank Street and Saunders Street will be very dark. A wind tunnel will be created.	Additional overshadowing of living rooms and private open space of adjoining residences has been minimised, in accordance with the NSW Government's Apartment Design Guide and the City's Development Control Plan. Street setbacks and tower placement have been carefully designed to allow more sunlight into the streets, ensuring that more than half of surrounding streets receive at least 2 hours of sunlight in midwinter. As the sites are south of Knoll Park, Carmichael Park, and Quarry Master Drive open space, no additional overshadowing will occur on these areas.

Summary of submission	Response
	Ensuring good design for wind has been an important design consideration for the City. The City's draft planning controls were developed with reference to prevailing wind conditions on a site-by-site basis, incorporating best-practice measures such as appropriate tower setbacks above podium levels. The exhibition period allowed site owners to undertake more detailed wind modelling of the City's exhibited controls. This highlighted where some adjustments were needed to achieve a safe and comfortable public domain that supports pedestrian activity. The adjustments are detailed in the main assessment report.
37 submissions - Objection to the proposed height and FSR increases for: • 26-38 Saunders Street • 140-148 Bank Street site • 1-33 Saunders Street And to a lesser extent: • 14 Quarry Master Drive (only 2 submissions)	The objections have been addressed in the Quarry Master Drive and Saunders Street precinct comments in the main report. Each of the listed sites were identified by the NSW Government for new planning controls as sites capable of change. They were not identified by the City. The City has undertaken detailed urban design analysis, informed by advice from the City Design Advisory Panel Subcommittee, community consultation and internal experts in heritage, trees, public domain, transport, access, urban analytics, economics and planning. This process resulted in the exhibited heights and FSR, which the City has deemed acceptable.
30 submissions - Concern about view loss, loss of privacy and impact on property values. The proposal will obscure views of the city skyline and Blackwattle Bay. The proposal does not encourage view sharing. Without the view, the value of the property would be reduced. Owners have invested significantly to secure the view, with the reassurance of the height limit. Occupants of the new towers will see into existing units.	The proposed planning controls maintain required separation distances between existing windows and balconies and the new building envelopes to ensure visual privacy and adequate outlook, in line with the NSW Government's Apartment Design Guide. Some private view loss will occur, mainly of distant views over existing private sites. The Place Strategy prioritises protecting and enhancing public views over private ones. All sites subject to planning control changes were identified by the NSW Government's Place Strategy. The City's proposal remains within the NSW Government Height Strategy. Taller buildings have been located to minimise overshadowing of homes and public spaces and to increase sunlight in streets. The proposal also improves local outlooks by

Summary of submission	Response
	providing views of more trees and active streets. Overall, the private view loss is considered acceptable. Potential impacts on surrounding property values are not considered a planning matter.
18 submissions - Concern about sustainability of redeveloping buildings in good condition. "The greenest building is the one that already exists".	Planning for growth requires us to look to the future. Changing the planning controls allows for sites to redevelop but does not mandate it. Landowners can redevelop at a point which suits them, for example once the building reaches the end of its lifespan, or once an increase in the number of homes warrants the redevelopment. The planning controls also don't require full demolition of existing structures. There have been examples across the City of redevelopments including the retention and adaption of existing structures.
17 submissions - Would like a fair and equitable distribution of development potential. The proposal benefits one block (26-38 Saunders Street) at the expense of others. Residents of neighbouring buildings (for example 2-10 and 14 Quarry Master Drive), are impacted negatively without receiving any benefit. Suggest redistribution of height to more evenly share development potential. *16 submissions* - Site specific comments relating to 14 Quarry Master Drive: • Increases in height and FSR are marginal, due to solar access to buildings to the south. • FSR increase is much lower than suggested in the PPPS. • This is in part because of the reduced footprint to accommodate open space and a through site link. • Redevelopment is highly unlikely to be economically viable with this small uplift, meaning it will not translate into actual housing • Concern about the loss of value for residents There were a few different suggestions: • 3 submissions suggested the site be excluded from the proposal	The City reviewed all sites within the precinct. At 14 Quarry Master Drive, the maximum possible uplift has been accommodated while adhering to design considerations. The site is too small to support a taller building without unreasonably overshadowing existing residences to the east. Sites at 2–10, 120, and 122 Quarry Master Drive would require amalgamation to accommodate any significant increase beyond current development. With approximately 66, 111, and 139 apartments on these sites, respectively, it is unlikely that such amalgamation would occur within the lifespan of the Place Strategy. Having reviewed these sites, they are not recommended for planning control changes.

Summary of submission	Response
• 9 submissions suggested exploring options for height / FSR to be increased to improve viability. • 5 submissions suggested an increase could be accommodated by 1-33 Saunders Street being zoned commercial only to alleviate the overshadowing constraint. 4 submissions suggested removing the green spaces and through site link to retain the current building footprint. *1 submission* - 2-10 Quarry Master Drive should also receive uplift in height and FSR.	
16 submissions - A 33-storey tower is inconsistent with the character of the area. Proposed building heights exceed the natural quarry cliff top. The challenges of being in a Quarry - low levels of light, echo and noise, poor communications - will be exacerbated by this development. The precinct was designed as a 'height-tiered community' to balance density with liveability. The proposal mirrors Blackwattle Bay which is very different in character from the Peninsula.	Ultimo Pyrmont will experience significant growth and change due to the NSW Government's investment in a new Metro station, its Place Strategy, and the Ministerial Direction requiring future planning to accommodate new jobs and housing. This includes an inevitable contextual change for the Quarry Master Drive and Saunders Street precinct with the NSW Government approved Blackwattle Bay site. The City has undertaken detailed urban design analysis, informed by advice from the City Design Advisory Panel Subcommittee and internal experts in heritage, trees, public domain, transport, access, urban analytics, economics and planning. This analysis, inline with our adopted design considerations, has led to the following in relation to the Quarry Master Drive and Saunders Street precinct: • additional overshadowing of living rooms and private open space of adjoining residences has been minimised, in accordance with the NSW Government's Apartment Design Guide and the City's Development Control Plan • street setbacks and tower placement have been carefully designed to allow more sunlight into the streets, ensuring that more than half of surrounding streets receive at least 2 hours of sunlight in midwinter • the proposed planning controls maintain required separation distances between existing windows and balconies and the new building envelopes to ensure visual privacy and adequate outlook, in line with

Summary of submission	Response
	the NSW Government's Apartment Design Guide. In relation to noise within in the precinct, residential dwellings are generally not sources of intrusive noise. The future DA process may offer other opportunities for noise attenuation when the detailed design of the development is known.
6 submissions - There is a lack of demand for commercial space. Targets were set pre-pandemic and do not reflect current realities. There is no need for local retail spaces at ground floor. In the area, many shops are vacant, and businesses are short lived. And more retail is being provided in the Fish markets redevelopment.	The City was set a target for commercial work space within the Pyrmont Peninsula Place Strategy and the associated Ministerial Direction, which was underpinned by an Economic Development Strategy produced by NSW Treasury. The Economic Development Strategy states that it factors in the impacts of Covid in its employment forecasts. The Ministerial Direction requires all planning proposals in Ultimo Pyrmont demonstrate how they meet the objectives of the Place Strategy, including job targets. The focus for the City has been on meeting the required job targets in the most appropriate way. Demand for office and retail floor space will be determined by the market and will change as the population grows. The proposed controls create capacity for office and retail floor space to be provided when and if the market determines. Planning for increased retail and business premises floor space is important in an area increasing in density. Permitting retail and business premises on these sites supports more vibrant and active streets and providing better access to local services for existing and future residents.
2 submissions - Support development. It is well located. Council has achieved a good balance. The building form prioritises light into the street.	Support noted.
2 submissions - Support the proposal for 26-38 Saunders Street. Proposes 2 changes to the envelope: • Increase the tower floorplate through a small reduction in open space and a reduction of setback from 9m to 6m at the western boundary • Increase the height of the podium from 6 to 8 storeys	Support noted. Reduced tower setbacks and an increased podium height cannot be accommodated without creating unsafe wind conditions at street level and an inappropriate amount of overshadowing for neighbour residential properties. Detailed wind modelling identified the need for a two-level void above the podium to mitigate wind impacts within the street. To

Summary of submission	Response
• Increase the FSR These changes would result in a 16% increase in the number of apartments, supporting the financial viability of the redevelopment.	accommodate this, height and FSR are slightly increased, remaining under the NSW Government's Height Strategy with no additional impacts.
1 submission - Amended controls are sought for a mixed-use option with an 8:1 FSR and building height of 120m. The reference scheme includes two residential towers and two commercial towers. One of the commercial building acts as a barrier to manage noise from the Anzac bridge.	The owner seeks controls significantly different to those exhibited. The City proposes to retain the exhibited controls but include the site in a Stage 2 review.
1 submission - Suggestion of alternative approach: slender tall towers closer to Bank Street, instead of bulky large towers to maximise view sharing and not 'crowd' in Saunders Street.	The concern here relates to the proposed form of 1-33 Saunders Street and the resultant private view, solar access and privacy impacts. The exhibited building envelope for 1-33 Saunders Street has been designed in alignment with NSW Government's Apartment Design Guide including building separation, visual privacy, and solar and daylight access. Some private view loss will occur. The Place Strategy prioritises protecting and enhancing public views over private ones. 1-33 Saunders Street was identified by the NSW Government's Place Strategy. The City's proposal remains within the NSW Government Height Strategy. Taller buildings have been located to minimise overshadowing of homes and public spaces and to increase sunlight in streets. The proposal also improves local outlooks by providing views of more trees and active streets. Overall, the private view loss is considered acceptable. Potential impacts on surrounding property values are not considered a planning matter.
12 Pyrmont Street	
3 submissions - Support for the envelope which minimises overshadowing, conserves the heritage structure and responds positively to the context.	Support noted.
1 submission - Suggests the setbacks are overly conservative and that there would be more job creation with larger floorplates. Suggests reducing the setbacks to 15m and increasing FSR to 4.6:1, while retaining the view corridor, solar access to neighbours and deep soil area.	The City has considered the request and has concluded that the setback as exhibited are appropriate. The upper level setback above the heritage item will ensure the protection of the items setting and curtilage when viewed from surrounding streets. It will also ensure the structural integrity of the heritage item and limit the need for significant structural interventions

Summary of submission	Response
	into existing heritage fabric. The setback to Jones Bay Road is essential in order to provide protection to an existing private tree and separation for existing residential properties on Pyrmont Street. The height of the proposed street wall along Jones Bay Road responds to and extends the existing street wall.
2 submissions - Support for the measures put in place to reduce impacts on 14, 16 & 18 Pyrmont Street, the identified open spaces and deep soil requirements, protecting the view corridor and protecting existing trees. Notes the urban design, biodiversity, and health benefits of open green spaces.	Support noted.
2 submissions - Concern about the proposed height and FSR increases. Mentions impact on views, privacy and property value. Notes that 12 Pyrmont Street was not included in the PPPS and questions its inclusion.	The City reviewed nearly every site in Ultimo and Pyrmont to identify the most sensitive ways to accommodate the growth envisaged by the NSW Government. We began with sites highlighted in the Place Strategy as candidates for additional jobs and homes, then extended our review to other sites, including 12 Pyrmont Street. This site contains the heritage-listed 'Slades Building,' a three-storey Federation-style warehouse that is vacant and in poor condition. It is further constrained by a light rail easement, boundary view protections, and an irregular lot shape, making redevelopment under existing controls highly unlikely. To incentivise the conservation, adaptation, and reuse of this important heritage building, the City prepared new planning controls. The exhibited height and FSR were determined through the design review process and represent a sensitive approach to enabling change without unreasonable impacts on views or privacy. Potential effects on surrounding property values are not a planning matter.
Harris Street group	
2 submissions - The Harris Street group is too tall. It is incompatible with the surrounding buildings, in particular heritage houses. Additional on street parking would be needed and would impact Hackett Street. It will impact views for Cadigal Avenue looking towards the city. *1 submission* - Previous work on the Harris Street group found that 12-storeys was inappropriate. Hackett Street requires a sensitive response as it is narrow and has	The height of the buildings proposed along Harris Street responds to the existing heights of nearby buildings extending the existing street wall. The Harris Street buildings transition down in height to minimise overshadowing of existing lower scale residential properties to the west. The rear setback provides deep soil for the planting of trees to Hackett Street. The rear lane setback is publicly accessible open space that extends the public space of Hackett Street.

Summary of submission	Response
heritage buildings. The envelope should taper and have easements to Hackett Street.	Any requirement for easements is a matter for consideration at development application stage. The City has implemented parking controls to reduce reliance on private vehicles, including time-of-day restrictions, parking ticket pricing, and kerbside priority for goods and services. Planning policies also apply maximum parking rates, require on-site car share bays, and mandate bicycle parking for new developments. Under the City's neighbourhood parking policy, new residential flats and commercial/retail premises are ineligible for parking permits, further reducing on-street demand. Any view impact from Cadigal Avenue as a result of development on Harris Street is considered to be acceptable.
1 submission - Seeking amended controls for 535-547 Harris Street, increasing the FSR to 3.61:1 and increasing the building height from 1 storey to 4, 5 and 7 storeys. The proposed envelope maintains the 15% deep soil and does not give rise to additional overshadowing.	The request for additional FSR and height has been considered and is considered unjustified. The increases requested would result in a building envelope incapable of complying with the NSW Government's Apartment Design Guide.
1 submission - Seeks amended controls for 562-576 Harris Street, increasing FSR to 2.42:1 for non-residential, to maximise efficient use of the land. Suggests: • the height design excellence bonus is retained and the requirement for a competition is removed. • The requirement for 10% deep soil is removed and greening ambitions are achieved through a green roof and/or walls. • Vehicular access to the site should be permitted from the Systrum Street frontage and deleted from the Macarthur Street frontage.	In response to detailed design development and a landowner request to pursue a hotel use instead of residential it is proposed to increase the FSR from 2:1 to 2.7.5:1 but retain the exhibited maximum height and planning envelope. Hotels can accommodate more floor space per level within the exhibited envelope. The additional FSR applies only to commercial use and does not increase impacts. The requirement for 10% deep soil is retained inline with the City's agreed design considerations. Vehicular access is maintained from Macarthur Street frontage in line with existing access arrangements. This ensures that the deep soil area to Systrum Street can be maintained and is considered to be a better heritage response.
1 submission - There is a large fossil fuel tank under 594 Harris Street which seems dangerous near to residents. This building is being vacated - could the tank be decommissioned?	This is a matter for consideration under any future development application for the site.

Summary of submission	Response
Pyrmont Village / John Street group	
4 submissions - Concern about the impact of the John Street group on the local character and heritage streetscape. *1 submission* - The heights of the terraces at 79-93 John Street should be no higher than the lowest height in the affordable housing opposite.	79–93 John Street currently contains eight terrace houses in pairs, originally two storeys with at least one attic addition. The terraces are isolated and have no historic or heritage value. The City proposes planning controls for four residential buildings of 5–7 storeys, incorporating 15% deep soil on site. Together, the buildings would create a street wall comparable in height to that opposite on John Street. While the new buildings may be visible in the background from Harris or Pyrmont streets, they will not appear dominant or detracting. Instead, they represent sensitive, well-designed mid-scale infill that delivers much-needed housing.
1 submission - Generally felt the heights and envelopes proposed were appropriate.	Support noted.
2 submissions - Support for the proposed planning controls for 80-84 Harris Street. Notes that sandstone cottage at 82 Harris should be retained and addressed sensitively.	Support noted. The heritage significance and protection of 82 Harris Street will be an important consideration at development application stage.
2 submissions - Propose a maximum height increase for 86-92 Harris in line with the existing height of 100 Harris Street and in response to design development. *1 submission* - Seeks amended controls for 86-92 Harris Street, increasing the height to 33m and FSR to 3:1. The proposed envelope maintains the through site link, commercial land use and deep soil.	In response to detailed design development, the City supports adjustments to the proposed controls for 86-92 Harris Street, including DCP envelope changes, a height increase from 27 to 33 metres and an FSR increase from 2.3:1 to 3:1. These changes can be accommodated without additional negative impacts on surrounding properties and the public domain. This issue is dealt with in the main assessment report.
1 submission - 100 Harris Street is an example of successful transformation of a heritage warehouse to commercial use. Oppose any increase in height at 100 Harris Street and recommend retention or replacement of the existing building at the same heights *1 submission* - New controls sought for 100 and 130 Harris Street. Suggests rezoning from E2 to MU1, with 39m height and 4.9:1 FSR to allow for a co-living development.	The majority of 100 Harris Street is currently occupied by the heritage-listed Federation Warehouse style former woolstore of “Schute, Bell, Badgery and Lumby Woolstore”. The former woolstore has been recently restored and refurbished as a commercial office space. To the south of the heritage building is a multi-storey carpark, with two levels of commercial above. The City’s proposal for 100 Harris is limited to the multi-storey carpark/commercial portion of the site. The City proposed planning controls to accommodate a 7-10 storey commercial building. The height of the building fits

Summary of submission	Response
	comfortably among the existing and proposed street wall height of buildings in the vicinity. Sites with existing commercial zoning, like 100 Harris, will continue to prohibit residential development. These sites anchor one of Australia's largest creative media employment clusters. The amended proposal retains a critical mass of new commercial floor space within walking distance of Pyrmont Metro Station, promoting public transport use for workers and customers. It supports a self-sustaining workplace precinct in a premium harbourside location, with a mix of building types in high demand by industry. The DCP changes requested as part of the submission are also not supported. Changes to height in storeys was requested in support of a residential scheme. These changes were based on the proposed change of use. As the change of use is not supported, the change in height in storeys is not justified.
48 Pirrama Road	
4 submissions - Objection to the proposed height of 48 Pirrama Road. It will be out of step with other buildings. It will block views and decrease privacy. In line with the Strategy, building heights should decrease as they approach the water. *1 submission* - the impacts of redeveloping 48 Pirrama Rad are not worth minimal improvement to the view and open green space. The John Street view corridor should not be applied to the redevelopment of existing buildings.	The Ministerial Direction requires the City's planning proposal to align with the NSW Government's Pyrmont Peninsula Place Strategy, particularly the Height Strategy in the Urban Design Report. The City's exhibited and amended proposal sets building heights below those allowed under the Height Strategy. At 48 Pirrama Road, heights have been limited to protect solar access to Pyrmont Bay Park, establish a podium consistent with the Star and REVY buildings, and respect the foreshore setting. The site is sufficiently distant from residential properties to avoid unreasonable impacts on private views or privacy. The building envelope is also set back to the west to preserve a John Street public view corridor, which the City considers important to maintain.
Other site-specific comments	
1 submission - Supports the proposal. An alternative envelope is put forward for 13A-29 Union Street consolidating the dual towers and increasing and relocating the deep soil planting to the south. Controls for 50m height and 4.3:1 + design excellence FSR are sought.	Support noted. In response to submissions, the City has amended the proposal to allow a mixed-use residential development outcome on this site as it has an existing mixed-use zoning. This is in addition to the previously exhibited commercial proposal. Based on the City's design considerations a mixed use residential outcome for the site can reasonably accommodate an

Summary of submission	Response
	FSR of 5:1 and an overall height of 45 metres. This is less than the exhibited commercial height and FSR for the site, with a smaller planning envelope, and as such will have minimal additional environmental impacts.
1 submission - Seeks amended controls for 20-80 Pyrmont Street, the Star casino site, to allow for residential and mixed uses. This would help deliver much-needed housing, while continuing to meet design requirements like minimising overshadowing and increasing open space.	The City met with the Star in response to their submission and invited them to advance their own separate planning proposal request for their site with the City.
1 submission - The proposed Star Hotel at the bulk indicated is inappropriate in the context and a blight on view lines from Pyrmont and elsewhere.	Noted. The Star hotel was approved by the NSW Government and is not the subject of the City's proposal.
1 submission - Puts forward an alternative envelope for 28-48 Wattle Street, a heritage listed former wool store with a sawtooth roof.	The exhibited planning controls have been adjusted following detailed design development and heritage and structural advice to allow for a north-south oriented built form option. This option was supported by the City's Design Advisory Panel and will be further tested through a design competition and development application. The amendment remains below the exhibited maximum height and does not create additional overshadowing to Wentworth Park, Quarry Green or nearby residences. It results in an amended DCP envelope and an increase in the maximum FSR from 4.1:1 to 4.5:1. This adjustment is discussed further in the main report. An exemption to the Wentworth Park Sun Access Plane has been accommodated in the planning proposal to permit the reconstruction of original historic turrets along the Wattle Street facade.
1 submission - E2 Commercial Centre zone which applies to 60 Union Street and sites around the Metro is too restrictive, particularly given the housing shortage and the challenges facing the commercial office market. Seeks rezoning to MU1 for 60 Union Street. *1 submission* - Change the zoning of 2 Edward Street from Commercial Centre to Mixed Use to encourage provision of more housing near the Metro station in Union Street.	At this time, the proposed change in zoning is not supported. The City was set a target for commercial floor space within the Pyrmont Peninsula Place Strategy and the associated Ministerial Direction, which was underpinned by an Economic Development Strategy produced by NSW Treasury. The Economic Development Strategy states that it factors in the impacts of Covid in its employment forecasts. The Ministerial Direction requires all planning proposals in Ultimo Pyrmont demonstrate how they meet the objectives of the Place Strategy, including job targets. The focus for the City has been on meeting the required job targets in the most appropriate way.

Summary of submission	Response
	Demand for office floor space will be determined by the market and will change as the population grows. The proposed controls create capacity for office floor space to be provided when and if the market determines. Sites with existing commercial zoning, like 60 Union Street and 2 Edward Street, will continue to prohibit residential development. These sites anchor one of Australia's largest creative media employment clusters. The amended proposal retains a critical mass of new commercial floor space within walking distance of Pyrmont Metro Station, promoting public transport use for workers and customers. It supports a self-sustaining workplace precinct in a premium harbourside location, with a mix of building types in high demand by industry. As other NSW Government employment precincts shift toward residential use, including at Blackwattle Bay (320 dwellings replacing 1,500 jobs) and the Central State Significant Precinct (Tech Central, 28,000 to 2,400 jobs), long-term employment planning in Pyrmont, at the centre of the "Harbour CBD" and "Innovation Corridor," is increasingly important. The West Metro business case assumed additional commercial floor space would be delivered in Pyrmont. Providing employment floor space near metro stations increases patronage. New metro stations have proven transformative for commercial investment and city mobility. For example, the Waterloo Metro station has attracted $288 million in commercial development, creating 1,430 jobs in the Botany Road Precinct since the City's commercial planning controls were introduced in 2022.
1 submission - Objection to height of One Darling Island because of the loss of public and private views.	No planning control changes are proposed for 1 Darling Island Road.
1 submission - Notes significant changes in housing and employment needs since the studies that informed the PPPS. Suggests the non-residential requirement be removed for 46-48 Pyrmont Bridge Road. *1 submission* - Suggests the site should be rezoned commercial centre.	In response to submissions, the City has amended the proposal to allow mixed-use residential development on 46-48 Pyrmont Bridge Road which has an existing mixed-use zoning. This is in addition to the previously exhibited commercial proposal. Based on the City's design considerations a mixed-use residential outcome for the site can reasonably accommodate an FSR of 3.41:1 and an overall height of 38 metres. This is less than the exhibited commercial height and FSR for the

Summary of submission	Response
	site, with a smaller planning envelope, and as such will have minimal additional environmental impacts.
1 submission - object to the heights increasing in Ultimo, because it would be to the detriment of the area's character.	Ultimo will experience significant growth and change due to the NSW Government's investment in a new Metro station, its Place Strategy, and the Ministerial Direction requiring future planning to accommodate new jobs and housing. By advancing a precinct-wide planning proposal, the City can guide growth sensitively consistent with the Place Strategy, informed by community engagement, and based on best practice design. Without this approach, future planning would be left to individual landowners or the NSW Government. The Ministerial Direction requires the City's planning proposal to be consistent with the NSW Government's Pyrmont Peninsula Place Strategy, and in particular, the Height Strategy set out in the Urban Design Report. The City's exhibited and amended planning proposal sets building heights below those permitted by the NSW Government's Height Strategy. Full details of the City's proposed heights, where they are lower than those permitted by the NSW Government, are provided in the Urban Design Study (Attachment G to the main report). The reduced heights primarily protect solar access to parks and public places and minimise overshadowing of existing homes. This approach is consistent with the Place Strategy (which identifies key parks and places to protect), the NSW Government's Apartment Design Guide, and the City's Development Control Plan. This site is addressed further in the main report.
1 submission - 20-28 Bulwara Road should retain its Residential zoning and be mandated for Public Housing	The City's proposal rezones 20-28 Bulwara Road from R1 General Residential to MU1 Mixed Use. This is to permit a broader range of commercial uses in a location with employment uses to across the road to the east and west. Whilst residential remains a permitted use on site, the City's proposal provides a floor space and height incentive for a non-residential outcome. This is because the configuration of the site and its relationship to neighbouring

Summary of submission	Response
	sites doesn't suit a larger residential outcome. A larger residential development on this site would fail to meet Apartment Design Guide amenity requirements, would struggle to meet deep soil requirements and would likely have greater impact on historical fabric on site. Any commercial redevelopment of the site will still be the subject of an affordable housing contribution.
Additional sites put forward for review	
3 submissions - New controls sought for 1-19 Allen Street and 313-369 Harris Street. The existing buildings are older and in need of renewal. They are well located, near to shops, services and transport. The buildings are not heritage listed. When combined, they could accommodate growth. With the Western Distributor to the south, they are not constrained by overshadowing requirements. *1 submission* - More development could be accommodated in Pyrmont along Harris Street between Allen and Fig Streets. This could revive a quiet area and spread development more equitably.	1-19 Allen Street is an existing residential strata with ~78 apartments. The strata has requested a review for potential new controls. The site is not a heritage item or within a heritage conservation area. 313-369 Harris Street is an existing mixed-use residential strata with ~136 apartments and 20 commercial units. The strata has requested a review for potential new controls. The site is not a heritage item or within a heritage conservation area. Following an initial review, additional density and height may be appropriate on these sites and the City will investigate them through a Stage 2 process, to be reported back to Council and publicly exhibit.
1 submission from City West Housing - Suggest their sites be reviewed for uplift to allow for renewal and deliver more affordable housing. Suggested amended controls to allow an increase in density for: 15-17 Jones Street, 14A Quarry Master Drive, and 56 Harris Street (also known as 88 John Street). Also suggests that it may be possible to manage overshadowing through different form for 17-21 Pyrmont Bridge Road.	Following an initial review the City met with City West to discuss their submission, and it was agreed that one of their sites, 56 Harris Street warranted further investigation. The City will investigate additional density and height on this site through a Stage 2 process, to be reported back to Council and publicly exhibit.
1 submission - 290 Harris Street - Would like an increase in allowable height to add 2 storeys to the existing 2 storey building. This aligns with the surrounding context.	290 Harris Street is a contributory Victorian terrace in a heritage conservation area. It is part of a consistent intact row of 2-storey terraces, and an additional 2 storeys is not considered appropriate.
1 submission - New controls sought for 123 Harris Street, a heritage item in a terrace with 121-127 Harris Street. Suggests increasing height restriction above 12m.	121-125 Harris Street is a listed heritage item within a heritage conservation area. The site sits directly opposite Union Square and is an important building in terms of framing the square. The request for additional height was not supported by any substantive evidence or

Summary of submission	Response
	justification. A height increase is not supported under the current proposal.
1 submission - Suggest 344 Bulwara is redeveloped as it is in a poor state of repair and could accommodate more density.	344 Bulwara Road is an existing mixed-use residential strata with ~98 apartments and 4 commercial units. A unit owner has requested a review for potential new controls. The site is not a heritage item or within a heritage conservation area. Following an initial review, additional density and height may be appropriate on the site and the City will investigate them through a Stage 2 process, to be reported back to Council and publicly exhibit. The site may have limited potential for additional yield once overshadowing to Mary Ann Street Park and 383-389 Bulwara Road are modelled.
1 submission - It seems that 562-606 Harris Street has been excluded - why? Prime opportunity.	562-570 Harris Street have been proposed for additional height and floor space. 578 to 606 Harris Street is a listed heritage item within a heritage conservation area. The request for additional height was not supported by any substantive evidence or justification. A height increase is not supported. Any height increase is likely to unreasonably overshadow existing residential properties to the east, in noncompliance with the Apartment Design Guide.
1 submission - New controls sought for 463-467 Harris Street, a corner site adjacent to identified sites. Suggest height of 27-30m and FSR of 3.5:1.	A corner site adjoining a row of eight where new controls have been prepared. The landowner seeks controls consistent with the adjoining sites. The site is not a heritage item or within a heritage conservation area. Following an initial review, the City is broadly supportive of additional density and height on this site and will investigate it through a Stage 2 process, to be reported back to Council and publicly exhibit.
1 submission - New controls sought for 43 and 45 Murray Street to increase height and FSR. Proximity to Metro means its an opportunity for new housing.	Following an initial review the City is not supportive of new planning controls for the subject sites. The request for new planning controls was not supported by any substantive evidence or justification. Additional height on the site is limited by the need to maintain solar access to neighbouring residential properties to the west and south in compliance with the Apartment Design Guide. The two sites are considered to be too small to accommodate towers. They would result in non-compliant tower setbacks, blank tower side walls and

Summary of submission	Response
	poor activation at street level with dominant vehicular access and servicing.
1 submission - suggests the Novotel Car Park on Murray Street would be a prime location for development.	The Novotel site is not within the City's planning jurisdiction under Sydney LEP 2012. Any change in planning control or development application would be led by the NSW Government.
1 submission - New controls sought for 74-84 Union Street, given proximity to the Metro Station and other sites. Suggests 6:1 FSR and 42m height.	Following an initial review the City is not supportive of new planning controls for the subject site. The request for new planning controls was not supported by any substantive evidence or justification. Additional height on the site is limited by the need to maintain solar access to neighbouring residential properties to the south in compliance with the Apartment Design Guide. Additional height in this location would also be contrary to the long-standing planning and urban design objective to limit the height of development along the northern edge of Union Street and important public space on the doorstep of the new Metro. The site is adjacent to heritage listed terraces and a hotel and additional height in this context is not supported.
2 submissions - Suggest the re-development of the Council depot site at corner of Wattle Street and Wattle Crescent.	10A Wattle Street is located on the eastern side of Wattle Street, opposite Wentworth Park. It is an irregular shaped site with a 32 metre frontage to Wattle Street that narrows to a point at the rear. The site is positioned in between Wentworth Park light rail stop to the south and an existing residential flat building to the north with an in-part nil boundary setback. Apartments in the adjoining residential flat building benefit from views and access to light and air across the subject site. The site primarily zoned SP2 Classified road, which prohibits and residential or substantial commercial development. The zoning is for the purposes of a potential future on/off ramp to the Western Distributor. The City through Transport for NSW Pyrmont Ultimo Transport Strategy work have advocated for future ramp to not be pursued in a hope that the site would be used for a more productive use. Even with a rezoning however the sites contextual constraints mean its future use would be limited.

State Government submissions

Submission summary	Response
State Government agency submissions	
NSW Department of Education - The department has reviewed existing assets, current projects, planning actions and demand projections, as well as analysed the original dwelling yields under the PPPS. While the demand for primary school students may be accommodated by existing asset, upgrades of existing high schools are required. These upgrades are currently not funded and will be subject to future consultation and detailed planning. The department is committed to working with Council to ensure schools are supporting community needs and continue to be appropriately resourced to respond to student population changes.	Noted. This submission is addressed in the main assessment report.
Department of Infrastructure, Transport, Regional Development, Communications and the Arts - To enable consideration of airspace protection or National Airport Safeguarding Framework (NASF) related issues in more detail, we encourage the City of Sydney Council to engage with Sydney Airport during any subsequent design / development application stages.	Noted. This standard process will need to be undertaken prior to lodgement and during the assessment of future development applications.
Heritage NSW - We support the inclusion of heritage conservation as one of the principles of the proposal. We recommend that any future development that involve excavation are required to consider the risk of harm to Aboriginal objects. We encourage proponents to engage with the NSW Government Architect's Designing with Country guideline. We support the proposed inclusion of controls to manage potential archaeological deposits in the DCP. Controls to safeguard unanticipated finds should also be included. We note that the precinct contains 8 State Heritage Register (SHR) items. We understand that these have been considered and that no changes to controls for state heritage items are proposed. We recommend that if works are proposed which impact on any SHR items that a Statement of Heritage Impact (SOHI) should	Noted. This standard process will need to be undertaken prior to lodgement and during the assessment of future development applications.

Submission summary	Response
be prepared. If the SOHI identifies impact on potential historical archaeology, a historical archaeological assessment should be prepared. If any significant maritime heritage items or relics are likely to be, then a Maritime Archaeological Research Design and Excavation Methodology (MARDEM) must be undertaken.	
Fire and Rescue NSW – We recommend that booster assemblies be installed on the hydrant and sprinkler systems. Further that they are enclosed in cabinets in accordance with the requirements of the relevant Australian Standards. The enclosure of the Booster Assemblies will enhance the design outcomes for buildings and assist in protecting these firefighting facilities from damage and vandalism. We also recommend that the design and layout (footprint) of new development provides safe and efficient access for emergency service vehicles and in particular fire brigade vehicles in line with the Fire Safety Guideline – Access for fire brigade vehicles and firefighters.	Noted. This standard process will need to be undertaken prior to lodgement and during the assessment of future development applications.
Transport for NSW - TfNSW supports the proposal and will continue to collaborate with the Council to promote sustainable transport options and improve place outcomes. Several initiatives are underway including upgrading crossings and connections to Wentworth Park and Fish Markets, completion of the foreshore link and increasing the L1 Inner West Light Rail frequency. TfNSW supports Council's proposal to widen footpaths and creating pedestrian through links, as well as the establishment of progressively lower car parking rate requirements. *Sydney Metro* - Sydney Metro is Australia's biggest public transport project. Pyrmont Station is one of nine stations along the Sydney Metro West alignment. Sydney Metro supports the Council's proposal. Planning controls have been amended to unlock capacity for a future residential tower above the Pyrmont Station eastern site to a height of 110 metres. Sydney Metro is currently progressing a Concept SSDA for an Over Station Development on the eastern site.	Noted. These standard process will need to be undertaken prior to lodgement and during the assessment of future development applications. The City will share the requested information with Sydney Metro in relation to the proposed draft controls. The City's planning controls have been designed to minimise overshadowing to existing and planned residential projects, including the Metro station tower. An amendment to the LEP to reference future residential projects is not considered warranted.

Submission summary	Response
The proposal seeks to introduce the Harwood Street view corridor, which crosses the eastern most tip of the Pyrmont Metro site. The podium is already approved under the Stage 3 CSSI. Sydney Metro requests further detail on the methodology and technical inputs used to define the proposed Harwood Street view corridor and its extent. The Planning Proposal seeks to establish height and floor space ratio (FSR) uplift at various sites located to the immediate north of the Metro site, including 60 Union Street and 1-27 Murray Street. Given the proximity and the imminent determination of the Concept SSDA, consideration should be given to amenity and solar access for future residents. It is requested that Council provide Sydney Metro with details of the extent of potential overshadowing and amend the objectives in the proposed LEP to acknowledge 'existing and future' residential properties. Sydney Metro requests that for future detailed applications comply with the provisions of the Sydney Metro Underground Corridor Protection Guidelines and Sydney Metro At Grade and Elevated Sections Guidelines. Applicants are to engage in discussions with Sydney Metro in relation to the location and nature of substratum structures.	
Sydney Water – 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. Our preliminary assessment indicates that water and wastewater servicing should be available for the proposed development. Future amplification, adjustments, deviations and/or minor extensions works may be required. Due to the volume of individual developments proposed and their locations, it is advised that feasibility applications are carried out for the developments in advance of DAs to ensure efficiencies in programming any asset upgrades, to prevent disruption and duplication of works.	Noted. This standard process will need to be undertaken prior to lodgement and during the assessment of future development applications.
Homes NSW – The following sites owned by Homes NSW (formerly Land and Housing Corporation) have potential for increased	Following an initial review the City met with Homes NSW to discuss their submission, and it was agreed that two of their sites, 1-7 Henry Avenue and 26-52 Mount Street warranted

Submission summary	Response
height and FSR and should be included in the proposal: • 86-118 Bowman Street, Pyrmont • 26-52 Mount Street, Pyrmont • 336-368 Jones Street, Pyrmont • 528-538 Jones Street, Ultimo Homes NSW would welcome the opportunity to collaborate with Council.	further investigation. The City will investigate them through a Stage 2 process, to be reported back to Council and publicly exhibit.
Civil Aviation Safety Authority - CASA has reviewed the proposal and notes the maximum proposed building height is RL120m. The Obstacle Limitation Surface (OLS) for Sydney Airport is RL 156m. Therefore, the buildings would be under the OLS and will not need to be assessed under the Airspace Regulations. Aviation Safety is not an issue.	Noted. This standard process will need to be undertaken prior to lodgement and during the assessment of future development applications.
Sydney Airport - The height of Sydney Airport's Obstacle Limitation Surface (OLS) over the area ranges in height from 130-156m AHD. Any proposed structures that will penetrate the OLS will be subject to the Federal AIRPORTS (PROTECTION OF AIRSPACE) REGULATIONS 1996. Construction cranes may be required to operate at a height significantly higher than that of the proposed development and consequently, may not be approved. Sydney Airport advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct.	Noted. This standard process will need to be undertaken prior to lodgement and during the assessment of future development applications.
NSW Environment Protection Authority (EPA) - In the instanced of rezoning land use to commercial and mixed use, EPA recommends the use of guidance material to mitigate potential impacts, including: Noise Guide for Local Government (EPA, 2023) and Local Government Air Quality Toolkit (EPA). For residential development, the EPA recommends that Council review the noise limits for development in proximity to busy roads contained in SEPP (Transport and Infrastructure) 2021, as well as the NSW Road Noise Policy and Development Near Rail Corridors and Busy Roads – Interim Guideline. The EPA also notes there is a likelihood of contamination issues across the proposal area due to historical industrial uses. Refer to Resilience and Hazards SEPP 2021 and the	Noted. The guidance and toolkits referenced have been relied upon in the preparation of the draft planning controls. All of the planning controls are in strict compliance with additional standard process needed to be undertaken prior to lodgement and during the assessment of future development applications.

Submission summary	Response
Managing Land Contamination: Planning Guidelines. The EPA must be notified of contamination that meets certain triggers.	
Department of Climate Change, Energy, the Environment and Water, Biodiversity, Conservation and Science (BCS) Group – BCS recommends: • a detailed flood impact assessment be conducted for each site during the DA stage • flood risk to pedestrians be considered. Recommends DAs locate pedestrian entrances away from locations of high flood hazard • consideration be given to ensuring that site access is provided via frontages away from significantly flood affected areas • Notes DAs proposing the demolition of built structures may impact habitats for microbats, including several threatened species. Specific guidelines and surveys are recommended to assess and mitigate impacts on their habitats. *NSW State Emergency Services* – SES note the Flood Impact and Risk Assessment and recommend: • ensuring that all openings to basements (ramp, vents, etc) are situated above the Probable Maximum Flood (PMF), or reconsidering basement carparking if this is not feasible. • ensuring that appropriate land use decisions are made at the rezoning stage, rather than relying on *"appropriate building design"* to mitigate identified flood risks. • note development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation. pursuing site design and stormwater management that reduces the impact of flooding and minimises any risk to the community, where relevant	Noted. These standard process will need to be undertaken prior to lodgement and during the assessment of future development applications. Planning for flooding at the City of Sydney is guided by the Interim Floodplain Management Policy, which was prepared in accordance with the NSW Government Floodplain Development Manual 2005. In accordance with the interim policy, the City has prepared floodplain management plans covering eight local catchments, which are supported by publicly available detailed flood studies, which are updated regularly. Also, in accordance with the interim policy, development applications must comply with Section 3.7 'Water and Food Management' of Sydney Development Control Plan 2012 and clause 5.21 'Flood planning' of Sydney Local Environmental Plan 2012. These controls require certain development to prepare a site-specific flood study in accordance with the state government floodplain development guidelines and may use the data contained in the City's detailed flood studies. Separate to this planning proposal, the City has recently updated its general flooding planning controls. Part of that project was an update to the water and flood management controls in the DCP. The proposed controls migrate the provisions of the interim policy into the DCP, along with updates to better manage heritage items and introduce criteria for design requirements, practical precautions and access arrangements for development at risk of flooding. The City has undertaken an assessment of the proposed controls against the updated NSW Flood Risk Management Manual and Flood Prone Land Policy and confirms they are compatible. The area subject to this planning proposal is covered by the City's Blackwattle Bay catchment and Darling Harbour catchment flood studies. Using this data, the City has undertaken internal analysis of flooding risk at the sites

Submission summary	Response
	identified as capable for change as part of this planning proposal. Where appropriate, flood planning levels and freeboard levels have been factored into the urban design analysis and development of built form controls. These levels are not explicitly expressed in this planning proposal, as it is more appropriate that a detailed flood study establish the levels at development application stage. This will allow a more detailed level of assessment, evidence gathering and flexibility in meeting the objectives of the planning controls. However, by assuming expected levels in the urban design analysis, the City can have better certainty that the proposed built form outcomes will be achievable when the flood planning levels are established at development application stage.

Summary of submissions

Draft amendments to Central Sydney Development Contributions Plan 2020

The draft amendments to Central Sydney Development Contributions Plan 2020 were publicly exhibited from 1 October to 13 November 2024. The public exhibition was advertised on the City's "Sydney Your Say" webpage. The project was included in the October edition of the Sydney Your Say eNewsletter sent on 18 October 2024 to 5,136 subscribers.

In response to this public exhibition, 2 submissions were received via email from individuals.

The following table summarises the topics raised in these submissions and provides a response.

Submissions summary	Response
General - Support	
Highly supportive of levies that will help fund a more community focused city. We should be building more cycle lanes, removing on street parking, decreasing speed limits and making footpaths wider.	Support noted. The draft amendments to the Central Sydney Development Contributions Plan 2020 do not include changes to the Plan's levy rates or its schedule of works. This Plan has been in force since November 2021, with development contributions being used to fund a wide range of infrastructure in Central Sydney, including open space upgrades, road and traffic improvements (such as cycleways), community facilities and public domain improvements.
General – Comments	
Developers should be charged the maximum – double the percentages listed in the draft documents.	Comment noted. The draft amendments to the Central Sydney Development Contributions Plan 2020 do not include changes to the Plan's levy rates. The Plan's levy rates are the maximum permitted under Section 209(1) of the Environmental Planning and Assessment Regulation 2021.
How are developers held accountable after their project has been approved and completed, to ensure they carry out their contributions commitments.	Infrastructure contributions under the Central Sydney Development Contributions Plan 2020 are payable prior to the issue of a construction certificate for building works approved via development applications, or prior to the commencement of works associated with complying development certificates. This means that developers must pay their contributions prior to commencing any building

Submissions summary	Response
	works. Certifiers must sight evidence that contributions obligations have been met. In instances where developers have not paid the required contributions but have commenced building works, the City takes action to ensure all contributions obligations are met.

Attachment B

Pre and Post Exhibition Dwelling and Job Number Comparison

SITE ADDRESS	EXHIBITED SCHEMES		POST-EXHIBITION SCHEMES			
	ADDITIONAL CAPACITY		ADDITIONAL CAPACITY base controls		ADDITIONAL CAPACITY alternative controls	
	jobs	dwellings	jobs	dwellings	jobs	dwellings
PPPS STATE-LED PROJECTS						
622-644a Harris Street (UTS Indigenous College)	324	250	324	250	324	250
1 Bridge Road (Sydney Fish Market)	725	0	725	0	725	0
37-69 Union Street (Pyrmont Metro)	400	200	400	200	400	200
26-32 Pyrmont Bridge Road (Pyrmont Metro)	-	0	-	0	-	0
20-80 Pyrmont Street (Star Casino)	370	0	370	0	370	0
Blackwattle Bay SSD	4,228	1,200	4,228	1,520	4,228	1,520
2-10 Darling Drive (Harbourside)	1,440	290	1,440	290	1,440	290
SUB-TOTAL	**7,487**	**1,940**	**7,487**	**2,260**	**7,487**	**2,260**
EASTERN HARBOUR CITY SEPP						
390-422 Harris Street (Global Switch)	0	0	499	0	499	0
273 Pyrmont Street (Global Switch)	1,321	0	1,321	0	1,321	0
80 Murray Street (Novotel Darling Harbour)	2,584	670	2,584	670	2,584	670
21a Murray Street	-35	0	-35	0	-35	0
SUB-TOTAL	**3,870**	**670**	**4,368**	**670**	**4,368**	**670**
SSD - UTS						
1-73 Broadway	1,335	0	1,335	0	1,335	0
81-117 Broadway	1,153	0	1,153	0	1,153	0
702-730 Harris Street	556	0	556	0	556	0
SUB-TOTAL	**3,044**	**0**	**3,044**	**0**	**3,044**	**0**

SITE ADDRESS	EXHIBITED SCHEMES		POST-EXHIBITION SCHEMES			
	ADDITIONAL CAPACITY		ADDITIONAL CAPACITY base controls		ADDITIONAL CAPACITY alternative controls	
	jobs	dwellings	jobs	dwellings	jobs	dwellings
SSD - POWERHOUSE						
Powerhouse Ultimo	175	0	175	0	175	0
TOTAL	175	0	**175**	**0**	**175**	**0**
TAFE						
1-17 Mary Anne Street	-	0	-	0	-	0
19 Mary Anne Street	3,859	0	3,859	0	3,859	0
SUB-TOTAL	3,859	0	**3,859**	**0**	**3,859**	**0**
APPROVED FLOOR SPACE post-2018						
14-26 Wattle Street	815	237	507	287	507	287
86-92 Harris Street	352	0	528	0	528	0
42 Pirrama Road (Google)	156	0	156	0	156	0
45 Murray Street	14	0	14	0	14	0
8 Darling Island Road	-	32	0	32	0	32
108-114 Miller Street	-77	21	-77	21	-77	21
14-16 Mount Street / 71 Harris Street	-	14	0	14	0	14
67-69 Murray Street	-30	7	-30	7	-30	7
192 Harris Street, Pyrmont	-1	2	-1	2	-1	2
67 Harris Street, Pyrmont	3	0	3	0	3	0
SUB-TOTAL	1,233	313	**1,101**	**363**	**1,101**	**363**
URBAN DESIGN STUDIES (CoS)						
46-48 Pyrmont Bridge Road	228	0	-49	45	228	0

SITE ADDRESS	EXHIBITED SCHEMES		POST-EXHIBITION SCHEMES			
	ADDITIONAL CAPACITY		ADDITIONAL CAPACITY base controls		ADDITIONAL CAPACITY alternative controls	
	jobs	dwellings	jobs	dwellings	jobs	dwellings
20-28 Bulwara Road	103	0	0	0	103	0
2 Edward Street	1,210	0	1,210	0	1,210	0
60 Union Street	910	0	910	0	910	0
1-27 Murray Street	2,158	-89	592	14	2,158	-89
13A-29 Union Street	544	0	30	101	572	0
69-71 Edward Street	61	0	0	0	61	0
55-65 Murray Street	-166	53	-101	53	-166	53
1-31 Saunders Street	-1,370	520	-1,370	520	-1,370	520
140-148 Bank Street	659	0	659	0	659	0
26-38 Saunders Street	-118	210	-118	216	-118	216
14 Quarry Master Drive	-148	32	-148	32	-148	32
80-84 Harris Street	-24	12	-24	12	-	12
79 John Street	4	6	4	6	4	6
81 John Street	-	-2	-	-2	-	-2
83 John Street	4	5	4	5	4	5
85 John Street	-	-2	-	-2	-	-2
87 John Street	-	6	0	6	0	6
89 John Street	-	-2	-	-2	-	-2
91 John Street	-	5	0	5	0	5
93 John Street	0	-2	-	-2	-	-2
12 Pyrmont Street	437	0	437	0	437	0
14 Pyrmont Street	-	2	0	2	0	2
16 Pyrmont Street	-	2	0	2	0	2
18 Pyrmont Street	-	2	0	2	0	2

SITE ADDRESS	EXHIBITED SCHEMES		POST-EXHIBITION SCHEMES			
	ADDITIONAL CAPACITY		ADDITIONAL CAPACITY base controls		ADDITIONAL CAPACITY alternative controls	
	jobs	dwellings	jobs	dwellings	jobs	dwellings
48 Pirrama Road	455	0	455	0	455	0
100 Harris Street	446	0	543	0	543	0
Sub-total Pyrmont	**5,394**	**758**	**3,034**	**1,013**	**5,542**	**764**
28-48 Wattle Street	1,036	0	0	0	685	0
50-54 Wattle Street	-	0	0	0	152	0
496-471 Harris Street	0	3	13	3	13	3
473-475 Harris Street	-6	6	17	6	17	6
477-479 Harris Street	4	1	7	1	7	1
481-483 Harris Street	4	-1	0	-1	0	-1
535-547 Harris Street	24	34	123	34	123	34
549-559 Harris Street	-194	58	-24	58	-24	58
561-577 Harris Street	-209	80	130	80	130	80
579-583 Harris Street	-105	40	11	40	11	40
562-576 Harris Street	9	13	61	13	82	0
383-389 Bulwara Road	-155	94	121	94	121	94
446-456 Wattle Street	15	28	96	28	96	28
458-468 Wattle Street	-47	23	20	23	20	23
470 Wattle Street	-13	17	-5	17	-5	17
Sub-total Ultimo	**362**	**395**	**569**	**395**	**1,428**	**382**
TOTAL URBAN DESIGN STUDIES (CoS)	**5,756**	**1,152**	**3,603**	**1,408**	**6,970**	**1,146**
TOTALS – ALL SITES	**25,423**	**4,076**	**23,637**	**4,701**	**27,004**	**4,439**
ADDITIONAL SMALL LOT DWELLINGS		116		116		116
TOTALS – ALL SITES and SMALL LOT DWELLINGS	**25,423**	**4,192**	**23,637**	**4,817**	**27,004**	**4,555**

Attachment C1

Amended Planning Proposal – Ultimo Pyrmont

CITY OF SYDNEY

Planning Proposal
Ultimo Pyrmont



The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

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Executive Summary

On 29 July 2022, the NSW Government issued a Ministerial Direction to guide the preparation of planning controls for Ultimo and Pyrmont. This was in response to the NSW Government's Pyrmont Peninsula Place Strategy (the Strategy). The Direction states that future planning in Ultimo and Pyrmont must:

- facilitate development consistent with the Place Strategy and the NSW Government's Pyrmont Peninsula Economic Development Strategy
- align the planning controls with the NSW Government's District Plan priority of growing a stronger and more competitive Harbour CBD
- give effect to the Place Strategy Vision and deliver the envisaged future character of the identified sub-precincts
- be consistent with the Place Strategy 10 directions and Structure Plan, and
- support the delivery of the Place Strategy Big Moves.

This Planning Proposal is a result of the work undertaken by the City to respond to this Strategy. The requirements within the Strategy are for new planning controls to be developed to provide floor space capacity for 8,500 new residents and up to 23,000 new jobs within Ultimo and Pyrmont. These new dwellings and jobs are located across a range of sites, including some sites that are under the control of the NSW Government. This planning proposal sets new planning controls for sites that are under the control of the City.

The City has undertaken extensive early engagement during the preparation of this planning proposal and associated planning controls. The overarching principles that the City has embraced, as established during early engagement, are as follows:

- more deep soil for more trees and cool green spaces
- more public space for more people – streets and open spaces
- minimise overshadowing of existing residential properties
- reinforce 'street wall' form of most buildings.
- conserve heritage values
- good design for wind and noise
- match land use to place
- consider public views to and from public places.
- maximise development within constraints.

Rather than taking an overarching, top down, precinct wide approach, the City has focused on sites that can sensitively accommodate change whilst delivering place benefits for the community.

The planning proposal places commercial and activity generating floor space closest to the proposed Pyrmont Metro West Station. This ensures a critical mass of businesses and activity close to public transport to attract employees and visitors. Mixed-use development forms a middle ring of a vibrant and accessible precinct. Residential development, comprising both high density and small lot housing options to the rear of existing terraces forms the final ring still within walking distance of light rail, buses and the Metro.

When added to the sites already rezoned by the NSW Government, this planning proposal will provide ~~the~~ capacity of between 4,555 and 4,817 homes and 23,644 and 27,011 jobs ~~4,100 dwellings and for up to 20,000 to 27,000 new jobs and~~ across Ultimo Pyrmont to meet Place Strategy's targets.

Two rezonings are proposed to provide greater flexibility. 1-33 Saunders Street, Pyrmont is rezoned from E2 Commercial Centre to a MU1 Mixed Use zone and 20-28 Bulwara Road, Pyrmont is rezoned from a R1 General Residential to MU1 Mixed Use zone. The rest of the LEP amendments are focussed on height and FSR amendments. For a number of sites, these height and FSR uplifts are only available where non-residential development is carried out. This is to incentivise the desired strategic outcomes of the Place Strategy.

The planning proposal delivers more affordable housing with land subject to a height and FSR increase required to pay an additional contribution on the uplift.

Supporting planning control changes included in the draft Development Control Plans prepared and exhibited alongside this planning proposal.

The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 ~~will be~~ were exhibited alongside this Planning Proposal. This will enable the City to impose a levy of up to 3% on new development to generate approximately $148 million in contributions towards infrastructure over the life of the plan to 2041.

1. Background

1.1. Ultimo-Pyrmont

1.1.1. Site identification

This planning proposal relates to the area of land identified as Ultimo-Pyrmont in Sydney LEP 2012.

1.1.2. Location and context

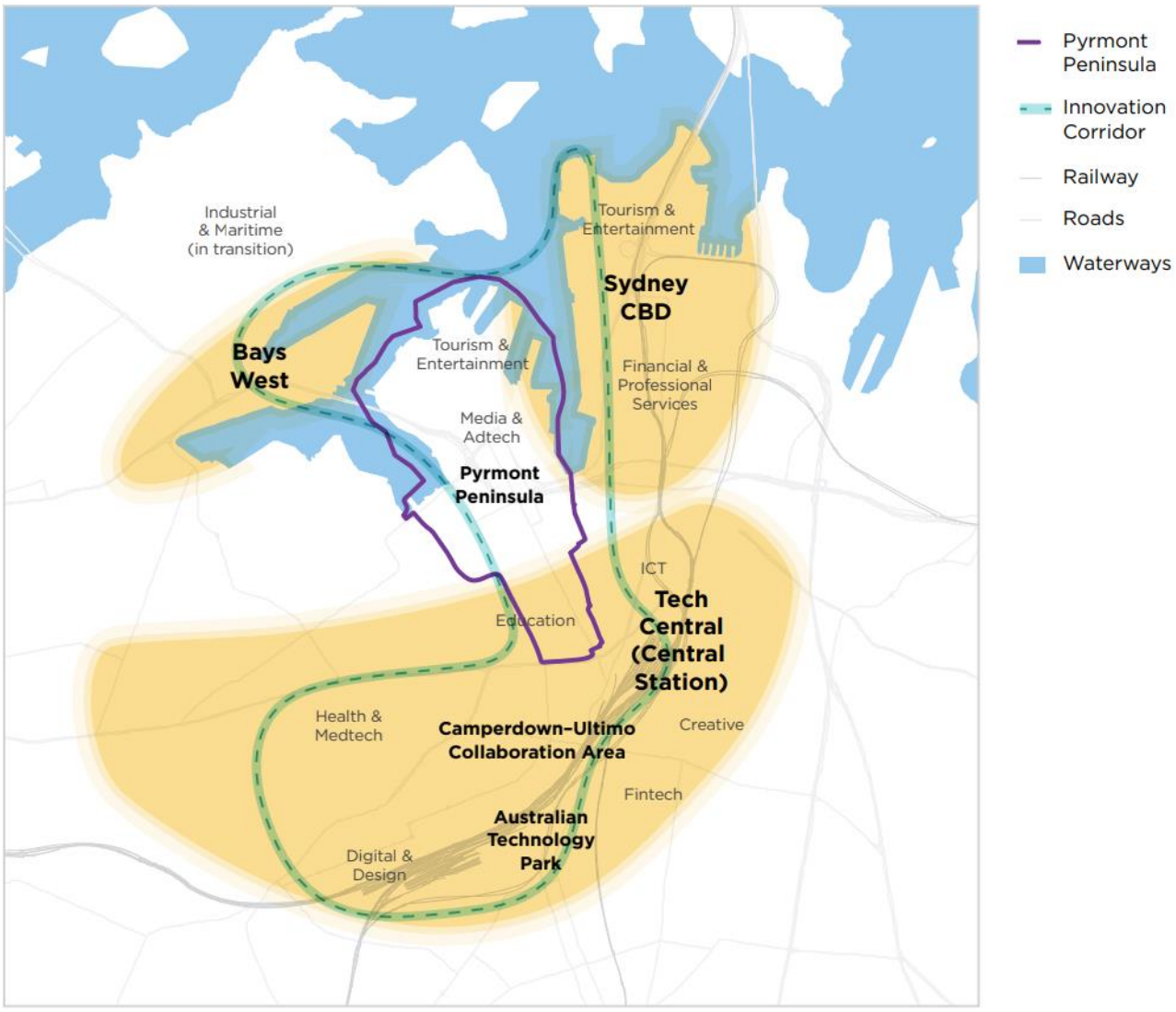
The initial study area, “Pyrmont Peninsula”, was identified by the Department of Planning and Environment (The Department) in the Pyrmont Peninsula Place Strategy (the Place Strategy – see section 1.2.1) and is defined in the s9.1 Ministerial Direction for the Peninsula.

The area is within the City of Sydney local government area about 1 kilometre west of Town Hall in Sydney’s CBD. The northern extent of the study area is Pirrama Park and Johnstons Bay. The eastern extent is Darling Harbour and the Goods Line walking path. The southern extent is George Street/Broadway. The western extent is the centre line of Wattle Street and the Western Distributor.

The NSW Government’s Place Strategy outlines that Ultimo and Pyrmont is Sydney’s fifth largest business district with around 40,000 workers. It forms part of the Innovation Corridor (see Figure 1) and is one of the fastest growing jobs hubs in Greater Sydney and extends from the Camperdown-Ultimo Collaboration Area and Tech Central in the south, through Ultimo-Pyrmont and the western edge of Central Sydney to Bays West.

Pyrmont Metro is scheduled to open in early 2030 directly connecting Ultimo and Pyrmont to Sydney CBD, Bays West and centres along the Metro West alignment including Sydney Olympic Park, Parramatta and Westmead. The NSW Treasury Economic Development Strategy and Demographic Profile developed in support of the NSW Government’s Place Strategy outline that with the opening of Metro in Pyrmont in early 2030, there will be significant additional demand for people to live, work, visit and move their businesses to Ultimo and Pyrmont.

Figure 1. the “Innovation Corridor”, Place Strategy, Department 2020



1.1.3. Built form and character

The study area has a very diverse built form and character. It ranges from traditional single storey workers cottages to high rise apartment buildings and also includes a number of significant commercial buildings. There is a strong heritage built form in parts of the study area, such as largely intact rows of terraces along Harris Street. Examples of maritime heritage are prominent along the waterfront and nearby streets, with warehouses that originally supported the wool trade being located throughout the precinct.

The large ‘The Star’ complex at the northern part of the study area is a major attractor to the area and comprises an irregular city block bounded by Union Street, Pyrmont Street, Jones Bay Road and Pirrama Road. It is serviced by the existing light rail network and is near the proposed Metro Station.

The character of the area is heavily influenced by major roadways such as the Western Distributor traversing the study area. The infrastructure, such as the pylons and on and off ramps tend to break the rhythm of the streetscape and create areas of low pedestrian amenity. Elsewhere, areas of attractive street trees and public open spaces such as the Union Street shared zone emphasis the village amenity.

The existing character has been recognised and considered during the preparation of this planning proposal and associated building envelopes.

1.1.4. Heritage

Located on the traditional lands of the Gadigal of the Eora nation, the Precinct was well used by Aboriginal people prior to invasion and colonisation by the British. The Precinct and surrounds were a waterscape of saltmarsh around the harbour edged, changing to vegetation typical of the Port Jackson Basin, such as Sydney peppermint, smooth-barked apple, red bloodwood and blackbutt. The Gadigal people were adept and skilled at living and hunting on the land. Gadigal women were particularly expert fishers. The land was also the sacred container and the blank canvas for their stories, artistry, and culture.

Despite the passing of time, Aboriginal people continued to play an active role in what became inner-city Sydney during the nineteenth and twentieth centuries. Country, including the ridges, creeks and waterways running through or near the area, remained important for Aboriginal people into the mid-1800s, when the intensification of urban development led to the draining, redirection or pollution of remaining creeks and wetlands and the ongoing quarrying of ridges changed that geographical landscape.

One of the first key structures of European Settlement in the precinct was the construction of a windmill on the northern end of the Peninsula by James Macarthur in 1807. By 1832 two settlers, John Harris and James Macarthur, held much of the Peninsula. Macarthur's Pyrmont Estate comprised most of the northern end of the Peninsula, and the Harris estate generally at the southern end of the peninsula on land comprising what is now Ultimo, Pyrmont and Haymarket.

During the latter half of the 19th Century, Pyrmont moved from becoming a largely housing and quarrying location to a more industrialised suburb. This was because of the construction of the Pyrmont Bridge, which greatly improved accessibility to the location. Wool and sugar became the key industries.

During the early part of the 20th century, additional industrial focussed land uses dominated. Power stations, incinerators and wharves and shipping became an additional focus. Residential development was focussed on providing housing for working class residents who tended to live and work in the area. This pattern continued throughout the post-war period. During the 1970s and 1980s a series of protests and sit-ins were held throughout Ultimo and Pyrmont as a result redevelopment and road projects leading to widespread evictions.

As part of the Place Strategy, the Department engaged Kelleher Nightingale Consulting Pty Ltd to undertake an Indigenous Cultural Heritage Report. This report was undertaken during Covid-19 restrictions, which limited the options for face-to-face consultation with the Aboriginal community; the report was limited to a desktop review for this reason.

A review of the AHIMS database was undertaken as part of this study. Three registered AHIMS sites were identified within this document. This has been verified by the City. No sites of Aboriginal heritage are listed within the *Sydney Local Environmental Plan 2012* (LEP). One heritage item with Aboriginal significance is noted in the City's Barani website (Tinker's Well) but is not listed in the LEP. Eight registered Aboriginal archaeological sites were identified in the study area. Controls relating to Potential Archaeological Deposits will be included within the DCP.

As part of the Place Strategy, the Department engaged GML to prepare a non-Indigenous heritage report. This was a review of the existing heritage controls impacting upon the study area, as well as a review of heritage items and heritage conservation areas. This included a series of recommendations regarding additional studies, proposing additional controls, and detailing the way in which additional development could be undertaken. This report has been used to establish the appropriate response to development controls on development in the vicinity of heritage items and heritage conservation areas, as well as for the proposed Ultimo-Pyrmont small lot housing development type.

1.1.5. Land use

The existing land uses can generally be summarised as follows:

- Commercial
- Mixed Use
- Residential

The existing land use zoning for sites affected by this planning proposal (other than sites identified for small lot housing) is outlined at Figure 3 Property Zoning. No significant alteration to these uses is proposed. The majority of changes in the planning proposal are to height and floor space ratio, and the introduction of alternative height and floor space ratios for certain sites. Two rezonings are proposed: 1-33 Saunders Street which is proposed to go from E2 Commercial Centre of MU1 Mixed Use, and 20-28 Bulwara Road which is to go from R1 General Residential to MU1 Mixed Use. The proposed amendments to height and floor space ratio and land use zoning are outlined in full at Section 5.2 Development outcome.

1.1.6. Transport and access

The planned construction of the Metro West station within Pyrmont will significantly improve the public transport in the area. The Place Strategy identified more demand for business and homes in the area as a result of the Metro, which supports the higher commercial and residential densities proposed in this planning proposal. The Planning Proposal focuses the increase in employment on suitable sites generally near public transport access, significantly decreasing reliance on private car usage in the study area.

1.1.7. Public domain

The public domain of Ultimo-Pyrmont is quite disparate. There are areas of very high quality public domain with attractive open space, streetscapes and shared zones. There are also areas bisected by flyovers for arterial roads, large concrete walls and low pedestrian safety and amenity. Several major transport routes pass through the area, including Harris Street, which is a major connector between the western distributor and the eastern and southern suburbs of the City.

The current streetscapes are also varied. There are pockets of single and two storey terrace houses, modern residential flat buildings and mixed-use developments, modern commercial buildings, adaptive reuse of heritage items and vernacular warehouse and commercial facilities. This diverse streetscape is reflected on how this area relates to public spaces. A number of areas, such as along Pyrmont Bridge Road, suffer from poor pedestrian amenity, narrow footpaths and uneven footpaths. Other areas, such as Murray Street and parts of Bulwara Road, provide a high quality pedestrian environment.

There are several public parks and publicly accessible spaces. As with the public domain, these are of varying quality. Areas such as Carmichael Park and Quarry Park provide high-quality public space to the community. Conversely, some publicly accessible spaces are of a lesser quality, and are a less desirable space for community use.

Controls focussed on improving the amenity of these spaces has been a guiding theme in the preparation of site controls, including consideration of overshadowing, streetscape and interaction with heritage items and heritage conservation areas.

1.2. Strategic context

1.2.1. Pyrmont Peninsula Place Strategy

The Pyrmont Peninsula Place Strategy (Place Strategy) is a NSW Government prepared strategy that outlines their vision for how Pyrmont and Ultimo should grow in the future. The Place Strategy is supported by a range of documents, including an Economic Development Strategy prepared by NSW Treasury, Heritage Studies, Urban Design Frameworks, and a Place Based Transport Strategy. The Place Strategy is underpinned by a Ministerial Direction that sets out the requirements and expectations of the NSW Government in this area. The Ministerial Direction applies to anyone contemplating future growth and change in Pyrmont and Ultimo, whether it is the NSW Government, the City or individual landowners/developers.

The Place Strategy sets out the following key directions for the study area:

1. jobs and industries of the future
2. development that complements or enhances that area
3. centres for residents, workers, and visitors
4. a unified planning framework
5. a tapestry of greener public spaces and experiences
6. creativity, culture, and heritage
7. making it easier to move around
8. building now for a sustainable future
9. great homes that can suit the needs of more people
10. a collaborative voice

In addition, the Place Strategy establishes “Five Big Moves” that seek to articulate the vision of the NSW Government for Pyrmont and Ultimo. These are:

1. build and link a world class foreshore
2. enhance the opportunity to provide a vibrant 24-hour cultural and entertainment destination, with small bars, performance spaces, museums, and other entertainment
3. realise the benefits of a new Metro station by making Pyrmont a destination, rather than the point where journeys start
4. create a low carbon and high-performance precinct, maintaining the shift to a place where people walk and use public transport to connect to other places
5. more, better and activated public spaces across the Peninsula

The Place Strategy set the following targets: floor space to cater for 23,000 new jobs and 4,000 new dwellings for 8,500 new residents by 2040.

In setting this broad framework, the NSW Government introduced some potential development outcomes and identified sites that could potentially be redeveloped, including developing indicative building envelopes. These building envelopes did not consider local places, solar access to existing dwellings, setbacks to heritage items, amenity within the street, or desired future character of areas. The identified sites tended to focus on a smaller number of large towers, rather than spreading the required growth across the area in a way that address and enhances Ultimo and Pyrmont as a place.

This planning proposal is the response from the City to these requirements. Our review looks at all sites in Ultimo and Pyrmont where we are the planning authority and seeks to update planning controls in response to the Ministerial Direction.

Our approach is place-led and people-focused and seeks to advance known community priorities contained in our community strategic plan Sustainable Sydney 2030-2050, our local strategic planning statement City Plan 2036, and priorities directly identified to us through our early engagement.

NSW Government Key Sites and State Significant sites

The NSW Government undertook the first stage implementation of the Place Strategy in July 2022, when they changed the planning controls for four sites:

– The Star Hotel at 20-80 Pyrmont Street (Lot 500 DP 1161507 and Lot 301 DP 873212),
– an Indigenous Residential College at 622-644 Harris Street (Lot A DP 87139, Lot 1 DP 87261 and Lot 9 DP 86567), and
– two Metro over-station developments at 37-69 Union Street (Lot 1 DP 620352) and 26-32 Pyrmont Bridge Road (Lot 10 DP 1028280).

Under the second stage of implementation, the NSW Government changed the planning controls for the existing fish market at Blackwattle Bay and adjoining sites west of the Western Distributor.

The NSW Government also approved the redevelopment of the Harbourside Shopping Centre site in Darling Harbour.

Collectively, these approvals are referred to as NSW Government “Key Sites” and they do not form part of the City’s review.

There is also land in Pyrmont and Ultimo where the City is not the planning authority as they are either:

– located within an area that is subject to the planning provisions of State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021, rather than the Sydney LEP 2012 and as such the City is not responsible for the planning controls for these sites, or
– State Significant Development, by virtue of their development type, being one identified in State Environmental Planning Policy (Planning Systems) 2021 as State Significant.

1.3. Strategic review process

1.3.1. The City’s strategic review

The NSW Government’s Place Strategy formed the starting point for City’s strategic review. The City has identified sites in the study area that could accommodate an uplift in height and density, and how that uplift could be accommodated whilst considering the following factors:

1. more deep soil for more trees and cool green spaces
2. more public space for more people – streets and open spaces
3. minimise overshadowing of existing residential properties
4. reinforce ‘street wall’ form of most buildings
5. conserve heritage values
6. good design for wind and noise
7. match land use to place
8. consider public views to and from public places
9. maximise development within constraints

The sites have been identified with community input and an analysis of urban design opportunities as described in the attached Early Engagement Report, Summary of Submissions and Urban

Design Study. The sites with proposed additional height and density are shown in the table below. Additional sites have been identified for small lot housing (see Section 2.3 Ultimo Pyrmont Small Lot Housing).

Figure 2. Sites affected by this planning proposal

Address	Lot/DP
46-48 Pyrmont Bridge Road Pyrmont	Lot 1 DP800148
20-28 Bulwara Road Pyrmont	Lot 1 DP433177
2 Edward Street Pyrmont	Lot 21 DP1000905
60 Union Street Pyrmont	Lot 2004 DP1103434
1-27 Murray Street Pyrmont	SP60306
55-65 Murray Street Pyrmont	Lots 14, 15 and 16 DP 32575
13A-29 Union Street Pyrmont	Lot 1 DP 119654
69-71 Edward Street Pyrmont	Lot 2 DP1076300
102 Pyrmont Street Pyrmont	Lot 1 DP 1076300
1-33 Saunders Street Pyrmont	Lot 102 DP853704
140-148 Bank Street Pyrmont	Lot 1 DP82057
26-38 Saunders Street Pyrmont	SP61725
14 Quarry Master Drive Pyrmont	SP70798
79 John Street Pyrmont	Lot 11 DP1007905
81 John Street Pyrmont	Lot 10 DP1007905
83 John Street Pyrmont	Lot 1 DP611040
85 John Street Pyrmont	Lot 301 DP232783
87 John Street Pyrmont	Lot 1 DP567806
89 John Street Pyrmont	Lot 21 DP1123226
91 John Street Pyrmont	Lot 22 DP1123226
93 John Street Pyrmont	Lot 23 DP1123226
12 Pyrmont Street Pyrmont	Lot 1 DP4520
48 Pirrama Road Pyrmont	Lot 1012 DP1145894
80 Harris Street Pyrmont	Lot D DP50010
82 Harris Street Pyrmont	Lot 1 DP131342
84 Harris Street Pyrmont	SP79258
86-92 Harris Street Pyrmont	Lot 1 DP791724
100 Harris Street Pyrmont	Lot 100 DP 1219280
28-48 Wattle Street Ultimo	Lot 1 DP 571484
50-54 Wattle Street Ultimo	Lot 1 DP 62297
446 Wattle Street Ultimo	Lot 9 DP260374

Address	Lot/DP
448 Wattle Street Ultimo	Lot 10 DP260374
450 Wattle Street Ultimo	Lot 11 DP260374
452 Wattle Street Ultimo	Lot 12 DP260374
454 Wattle Street Ultimo	Lot 13 DP260374
456 Wattle Street Ultimo	Lot 14 DP260374
458-468 Wattle Street Ultimo	SP65741
470 Wattle Street Ultimo	Lot 1 DP209558
469 Harris Street Ultimo	Lot 1 DP 69694
471 Harris Street Ultimo	Lot 1 DP 64212
473-475 Harris Street Ultimo	Lot 1 DP 64213
477 Harris Street Ultimo	Lot 1 DP 90991
479 Harris Street Ultimo	Lot 2 DP 90991
481 Harris Street Ultimo	Lot 3 DP 90991
483 Harris Street Ultimo	Lot 4 DP 90991
535 Harris Street Ultimo	Lot 1 DP928999
537 Harris Street Ultimo	Lot 2 DP928999
539 Harris Street Ultimo	Lot 3 DP928999
541 Harris Street Ultimo	Lot 4 DP928999
543 Harris Street Ultimo	Lot 5 DP928999
545 Harris Street Ultimo	Lot 6 DP928999
547 Harris Street Ultimo	Lot 7 DP928999
549-559 Harris Street Ultimo	Lot 1 DP79179
561-577 Harris Street Ultimo	Lot 1 DP631356
562-570 Harris Street Ultimo	Lot 44 DP868670
572 Harris Street Ultimo	Lot 45 DP868870
574 Harris Street Ultimo	Lot 46 DP868870
576 Harris Street Ultimo	Lot 47 DP868870
579-583 Harris Street Ultimo	Lots 1 and 2 DP 229201, Lot 1 DP 1102413
383-389 Bulwara Road, Ultimo	Lot 1 DP 773656

1.3.2. ~~Early~~ Engagement

Significant early engagement has been undertaken during the preparation of this planning proposal, and the proposed controls have been developed in consultation with the community and stakeholders. The proposed controls were publicly exhibited for 30 working days and received 243 submissions. A full discussion of the ~~early~~ engagement undertaken to date is included at Appendix 1.

1.3.3. Yields

When added to the sites already rezoned by the NSW Government, this planning proposal assists in providing ~~4,100 dwellings across and capacity for up to 20,000 to 27,000 new jobs~~ between 4,555 and 4,817 homes and 23,644 and 27,011 jobs ~~and Ultimo and Pyrmont~~ to meet Place Strategy's targets.

1.3.4. Potential for additional housing

The total number of dwellings that can be delivered on Harris Street sites by the planning proposal has been reduced given the uncertainty about how the section of Harris Street south of the Western Distributor motorway will be addressed by the NSW Government.

The NSW Government's Place Strategy identified that Harris Street should become more pedestrian focussed, with traffic reductions and decreased numbers of lanes. However, the subsequent Transport for NSW Western Distributor Network Improvement Project and the NSW Government's draft Pyrmont Ultimo Transport Plan indicate that there will be an overall increase in traffic movements along this corridor and only minor improvements for pedestrians. Given this, any new residential development will need to be designed to minimise noise impacts. This significantly reduces the overall number of dwellings that can be delivered on this section of Harris Street.

For Harris Street sites, maximum FSR has generally been reduced by 0.5:1 across a number of sites.

2. Planning controls

2.1 Zoning

Sydney LEP 2012 contains the zoning controls for Ultimo and Pyrmont.

The existing zoning of the lots identified within the precinct is comprised of the following zones:

- E1 – Local Centre
- E2 – Commercial Centre
- R1 – General Residential
- MU1 – Mixed Use

This is shown on Figure 3 below.

Figure 3. Property Zoning

Address	Lot/DP	Zone
46-48 Pyrmont Bridge Road Pyrmont	Lot 1 DP800148	MU1 Mixed Use
20-28 Bulwara Road Pyrmont	Lot 1 DP433177	R1 General Residential
2 Edward Street Pyrmont	Lot 21 DP1000905	E2 Commercial Centre
60 Union Street Pyrmont	Lot 2004 DP1103434	E2 Commercial Centre
1-27 Murray Street Pyrmont	SP60306	MU1 Mixed Use
55-65 Murray Street Pyrmont	Lots 14, 15 and 16 DP 32575	MU1 Mixed Use
13A-29 Union Street Pyrmont	Lot 1 DP 119654	MU1 Mixed Use
69-71 Edward Street Pyrmont	Lot 2 DP1076300	MU1 Mixed Use
102 Pyrmont Street Pyrmont	Lot 1 DP 1076300	MU1 Mixed Use
1-33 Saunders Street Pyrmont	Lot 102 DP853704	E2 Commercial Centre
140-148 Bank Street Pyrmont	Lot 1 DP82057	E2 Commercial Centre
26-38 Saunders Street Pyrmont	SP61725	R1 General Residential
14 Quarry Master Drive Pyrmont	SP70798	R1 General Residential
79 John Street Pyrmont	Lot 11 DP1007905	MU1 Mixed Use
81 John Street Pyrmont	Lot 10 DP1007905	MU1 Mixed Use
83 John Street Pyrmont	Lot 1 DP611040	MU1 Mixed Use
85 John Street Pyrmont	Lot 301 DP232783	MU1 Mixed Use
87 John Street Pyrmont	Lot 1 DP567806	MU1 Mixed Use
89 John Street Pyrmont	Lot 21 DP1123226	MU1 Mixed Use
91 John Street Pyrmont	Lot 22 DP1123226	MU1 Mixed Use
93 John Street Pyrmont	Lot 23 DP1123226	MU1 Mixed Use
12 Pyrmont Street Pyrmont	Lot 1 DP4520	E2 Commercial Centre

Address	Lot/DP	Zone
48 Pirrama Road Pyrmont	Lot 1012 DP1145894	E2 Commercial Centre
80 Harris Street Pyrmont	Lot D DP50010	MU1 Mixed Use
82 Harris Street Pyrmont	Lot 1 DP131342	MU1 Mixed Use
84 Harris Street Pyrmont	SP79258	E2 Commercial Centre
86-92 Harris Street Pyrmont	Lot 1 DP791724	E2 Commercial Centre
100 Harris Street Pyrmont	Lot 100 DP 1219280	E2 Commercial Centre
28-48 Wattle St Ultimo	Lot 1 DP 571484	MU1 Mixed Use
50-54 Wattle St Ultimo	Lot 1 DP 62297	MU1 Mixed Use
446 Wattle Street Ultimo	Lot 9 DP260374	MU1 Mixed Use
448 Wattle Street Ultimo	Lot 10 DP260374	MU1 Mixed Use
450 Wattle Street Ultimo	Lot 11 DP260374	MU1 Mixed Use
452 Wattle Street Ultimo	Lot 12 DP260374	MU1 Mixed Use
454 Wattle Street Ultimo	Lot 13 DP260374	MU1 Mixed Use
456 Wattle Street Ultimo	Lot 14 DP260374	MU1 Mixed Use
458-468 Wattle Street Ultimo	SP65741	MU1 Mixed Use
470 Wattle Street Ultimo	Lot 1 DP209558	MU1 Mixed Use
469 Harris Street Ultimo	Lot 1 DP 69694	MU1 Mixed Use
471 Harris Street Ultimo	Lot 1 DP 64212	MU1 Mixed Use
473-475 Harris Street Ultimo	Lot 1 DP 64213	MU1 Mixed Use
477 Harris Street Ultimo	Lot 1 DP 90991	MU1 Mixed Use
479 Harris Street Ultimo	Lot 2 DP 90991	MU1 Mixed Use
481 Harris Street Ultimo	Lot 3 DP 90991	MU1 Mixed Use
483 Harris Street Ultimo	Lot 4 DP 90991	MU1 Mixed Use
535 Harris Street Ultimo	Lot 1 DP928999	E1 Local Centre
537 Harris Street Ultimo	Lot 2 DP928999	E1 Local Centre
539 Harris Street Ultimo	Lot 3 DP928999	E1 Local Centre
541 Harris Street Ultimo	Lot 4 DP928999	E1 Local Centre
543 Harris Street Ultimo	Lot 5 DP928999	E1 Local Centre
545 Harris Street Ultimo	Lot 6 DP928999	E1 Local Centre
547 Harris Street Ultimo	Lot 7 DP928999	E1 Local Centre
549-559 Harris Street Ultimo	Lot 1 DP79179	E1 Local Centre
561-577 Harris Street Ultimo	Lot 1 DP631356	E1 Local Centre
562-570 Harris Street Ultimo	Lot 44 DP868670	MU1 Mixed Use
572 Harris Street Ultimo	Lot 45 DP868870	MU1 Mixed Use
574 Harris Street Ultimo	Lot 46 DP868870	MU1 Mixed Use
576 Harris Street Ultimo	Lot 47 DP868870	MU1 Mixed Use

Address	Lot/DP	Zone
579-583 Harris Street Ultimo	Lots 1 and 2 DP 229201, Lot 1 DP 1102413	E1 Local Centre
383 – 389 Bulwara Road, Ultimo	Lot 1 DP 773656	

2.2 Building height and floor space ratio

Sydney LEP 2012 contains the maximum building height and floor space ratio controls for Ultimo and Pyrmont.

The existing maximum building heights and floor space ratio controls for the identified sites are shown in the Figure 4 below.

Figure 4. Height and FSR

Address	Lot/DP	Existing Height (m)	Existing FSR
46-48 Pyrmont Bridge Road Pyrmont	Lot 1 DP800148	12	2
20-28 Bulwara Road Pyrmont	Lot 1 DP433177	9	1
2 Edward Street Pyrmont	Lot 21 DP1000905	24	4
60 Union Street Pyrmont	Lot 2004 DP1103434	33	4
1-27 Murray Street Pyrmont	SP60306	30	2.5
55-65 Murray Street Pyrmont	Lots 14, 15 and 16 DP 32575	30	4
13A-29 Union Street Pyrmont	Lot 1 DP 119654	24	3.5
69-71 Edward Street and 102 Pyrmont Street, Pyrmont	Lot 1 and 2 DP 1076300	24	4
1-33 Saunders Street Pyrmont	Lot 102 DP853704	33	4
140-148 Bank Street Pyrmont	Lot 1 DP82057	33	4
26-38 Saunders Street Pyrmont	SP61725	24	3
14 Quarry Master Drive Pyrmont	SP70798	27	3.5
79 John Street Pyrmont	Lot 11 DP1007905	9	1.25
81 John Street Pyrmont	Lot 10 DP1007905	9	1.25
83 John Street Pyrmont	Lot 1 DP611040	9	1.25
85 John Street Pyrmont	Lot 301 DP232783	9	1.25
87 John Street Pyrmont	Lot 1 DP567806	9	1.25
89 John Street Pyrmont	Lot 21 DP1123226	9	1.25
91 John Street Pyrmont	Lot 22 DP1123226	9	1.25
93 John Street Pyrmont	Lot 23 DP1123226	9	1.25
12 Pyrmont Street Pyrmont	Lot 1 DP4520	22	1.75

Address	Lot/DP	Existing Height (m)	Existing FSR
48 Pirrama Road Pyrmont	Lot 1012 DP1145894	24	4.5
80 Harris Street Pyrmont	Lot D DP50010	9	1.25
82 Harris Street Pyrmont	Lot 1 DP131342	9	1.25
84 Harris Street Pyrmont	SP79258	9	1.25
86-92 Harris Street Pyrmont	Lot 1 DP791724	15m	2
100 Harris Street Pyrmont	Lot 100 DP 1219280	24	3.5
28-48 Wattle St Ultimo	Lot 1 DP 571484	27m	4
50-54 Wattle St Ultimo	Lot 1 DP 62297	33m	4
446 Wattle Street Ultimo	Lot 9 DP260374	9	1
448 Wattle Street Ultimo	Lot 10 DP260374	9	1
450 Wattle Street Ultimo	Lot 11 DP260374	9	1
452 Wattle Street Ultimo	Lot 12 DP260374	9	1
454 Wattle Street Ultimo	Lot 13 DP260374	9	1
456 Wattle Street Ultimo	Lot 14 DP260374	9	1
458-468 Wattle Street Ultimo	SP65741	15	2.5
470 Wattle Street Ultimo	Lot 1 DP209558	15	2.5
469 Harris Street Ultimo	Lot 1 DP 69694	9m	1.5
471 Harris Street Ultimo	Lot 1 DP 64212	9m	1.5
473-475 Harris Street Ultimo	Lot 1 DP 64213	9m	1.5
477 Harris Street Ultimo	Lot 1 DP 90991	9m	1.5
479 Harris Street Ultimo	Lot 2 DP 90991	9m	1.5
481 Harris Street Ultimo	Lot 3 DP 90991	9m	1.5
483 Harris Street Ultimo	Lot 4 DP 90991	9m	1.5
535 Harris Street Ultimo	Lot 1 DP928999	22	3.5
537 Harris Street Ultimo	Lot 2 DP928999	22	3.5
539 Harris Street Ultimo	Lot 3 DP928999	22	3.5
541 Harris Street Ultimo	Lot 4 DP928999	22	3.5
543 Harris Street Ultimo	Lot 5 DP928999	22	3.5
545 Harris Street Ultimo	Lot 6 DP928999	22	3.5
547 Harris Street Ultimo	Lot 7 DP928999	22	3.5
549-559 Harris Street Ultimo	Lot 1 DP79179	22	4
561-577 Harris Street Ultimo	Lot 1 DP631356	22	4
579-583 Harris Street Ultimo		35	6.3
562-570 Harris Street Ultimo	Lot 44 DP868670	9	1
572 Harris Street Ultimo	Lot 45 DP868870	9	1.5

Address	Lot/DP	Existing Height (m)	Existing FSR
574 Harris Street Ultimo	Lot 46 DP868870	9	1.5
576 Harris Street Ultimo	Lot 47 DP868870	9	1.5
383-389 Bulwara Road Ultimo	Lot 1 DP 773656	18m	2

2.3 Small Lot Housing

As a result of the review, an opportunity for a more appropriate response to small lot housing fronting rear lanes and small streets was identified. This will only apply to the properties that generally comprise either heritage items, properties in a heritage conservation area, or properties that are both a heritage item and located in a heritage conservation area.

The sites identified as capable of accommodating small lot housing are identified on Figures 5 and 6 below.



Figure 5. Sites identified for small lot housing in the north of the study area

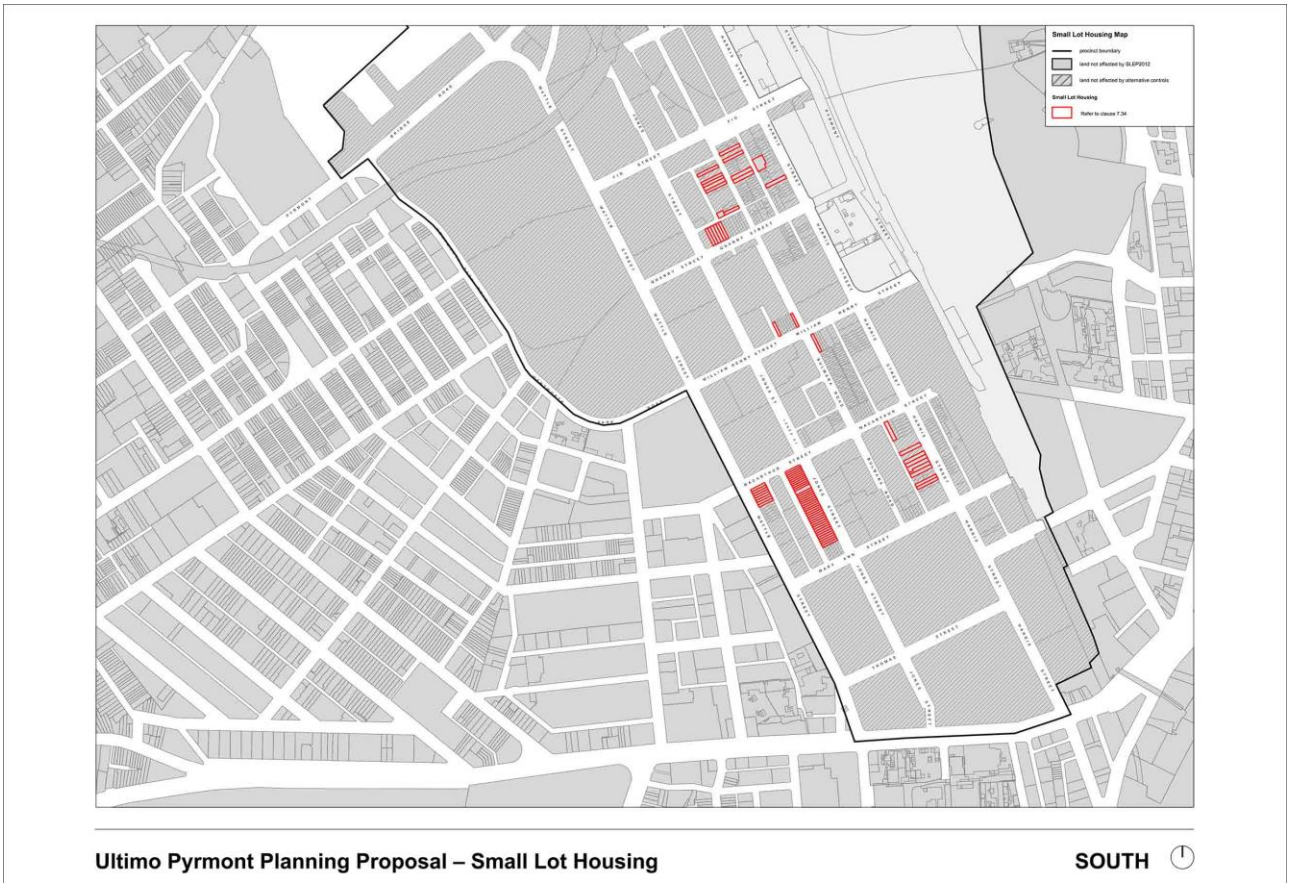


Figure 6. Sites identified for small lot housing in the south of the study area

2.4 Heritage

Pyrmont and Ultimo has 127 local heritage listed items within its boundaries, and eight state heritage listed items. There are also three Heritage Conservation Areas within the precinct.

As part of the NSW Government led Place Strategy project, an Indigenous heritage report was prepared by Kelleher Nightingale Consulting Pty Ltd and a non-Indigenous heritage report was prepared by GML Heritage. Both reports have been utilised in the preparation of this planning proposal, as they are recent studies that cover the identified area.

2.4.1 Local heritage listings

There are 127 local heritage listed items within the Precinct boundaries. It is important to note that not all heritage items are in proximity to individual lots that are subject to this planning proposal.

The key heritage items that are subject to this planning proposal are those identified as being suitable for small lot housing. The controls prepared have been developed to mitigate the impacts of this development on the items and character of the area. The development type is reinstating a traditional development type that existed in these areas, as typified by the heritage listed terraces at 1-21 Paternoster Row.

The controls developed have been carefully designed to minimise impacts on both heritage items and heritage conservation areas. Where those items are identified for an uplift in development potential, predominantly through the small lot housing controls, appropriate controls have been put in place to ensure that impacts are minimised, and that the development form is appropriate to the context. These elements have been reviewed by the City's Strategic Heritage advisor, who noted that the proposed built form was highly appropriate for the location but would require amendments to the listing information for the heritage conservation area. This can happen post determination.

2.4.3 State heritage

The Precinct contains eight State Heritage items. These have been considered during the preparation of individual site controls. No changes to controls for state heritage items are proposed. Changes to controls are proposed in the proximity of SHR item 01225, which is the Pyrmont and Glebe Railway Tunnels. Due to the nature of this item, the proximity is across several different sites within the study area. This item forms part of the former Metropolitan Goods Railway, and as such comprises a series of tunnels and cuttings. Provided appropriate caution is taken during the future development of sites adjoining these items, then there should be minimal impacts on these state heritage items.

No other State Heritage items are in proximity to any identified sites within the Study Area.

2.5 Sydney DCP 2012 controls

The study area is currently under the Sydney DCP 2012. A new section of Sydney DCP 2012 has been drafted for sites identified within this planning proposal. The existing DCP will continue to apply to those sites not covered by this planning proposal. An additional DCP section for Ultimo-Pyrmont Small Lot Housing has also been prepared. The draft DCP is ~~to be~~ exhibited alongside this planning proposal. This allows for a clear understanding of the proposed built form and controls proposed for the sites within the study area.

2.6 Pyrmont Peninsula Key Sites

Division 6 of the LEP currently lists four key sites that are considered to be the key sites in Ultimo-Pyrmont. These sites are:

- The Star Hotel at 20-80 Pyrmont Street (Lot 500 DP 1161507 and Lot 301 DP 873212)
- an Indigenous Residential College at 622-644 Harris Street (Lot A DP 87139, Lot 1 DP 87261 and Lot 9 DP 86567), and
- two Metro over-station developments at 37-69 Union Street (Lot 1 DP 620352) and 26-32 Pyrmont Bridge Road (Lot 10 DP 1028280).

Development on these sites require the concurrence of the Secretary of the Department and have individual site controls outside of the controls of the City of Sydney. These are listed within the current Pyrmont Peninsula Division of the LEP.

3. Objectives

This planning proposal will facilitate the renewal of Ultimo and Pyrmont consistent with the Pyrmont Peninsula Place Strategy, the Economic Development Strategy and the Section 9.1 Local Planning Direction from the Minister of Planning – 1.15 Implementation of the Pyrmont Peninsula Place Strategy. The objectives of the planning proposal are to:

- provide additional floor space for employment and business uses close to the Pyrmont Metro Station
- provide additional residential floor space through a diverse range of residential accommodation types
- ensure appropriate levels of sun access is maintained to existing habitable rooms
- ensure appropriate levels of sun access to Wentworth Park
- provide for a new development type, Ultimo-Pyrmont Small Lot Housing, and remove FSR restrictions for both existing and proposed lots in these areas
- allow business premises as an additional permitted use for certain site in the general residential zone to support activity and provision of local services
- deliver additional affordable housing by identifying sites with an uplift in residential yield in Schedule 6C of the LEP, requiring an additional contribution for affordable housing on the increased FSR.

4. Explanation of provisions

4.1 Proposed amendment to Sydney LEP 2012

The following amendments are proposed to the Sydney Local Environmental Plan 2012:

Mapping amendments

- Amend the Amend the Locality and Site Identification Map Sheets 7 and 8 as shown at Appendix 2 of this planning proposal to identify:
  - the area referred to as Pyrmont Ultimo Opportunity Land; and
  - sites identified for small lot housing.
- Amend the Floor Space Ratio Map Sheets 7 and 8 as shown at Appendix 2 of this planning proposal to introduce new floor space ratio controls for identified sites.
- Amend the Height of Building Map Sheets 7 and 8 as shown at Appendix 2 of this planning proposal to introduce new height controls for identified sites.
- Amend the Land Zoning Map Sheet 7 as shown at Appendix 2 of this planning proposal to rezone the following sites:
  - 1-33 Saunders Street, Pyrmont from E2 Commercial Centre to a MU1 Mixed Use; and
  - 20-28 Bulwara Road, Pyrmont from a R1 General Residential to MU1 Mixed Use
- Amend the Sun Access Protection Map Sheet 8 as shown at Appendix 2 of this planning proposal to:
  - Remove the hatch “Land Affected by Clause 6.17 and 6.18’ from Wentworth Park;
  - Remove the red outline Land Protected by Clause 6.18 from Wentworth Park; and
  - Add shading to Wentworth Park to include the park within ‘Area protected by Sun Access Planes’.
- Amend the Active Street Frontages Map Sheets 7 and 8 as shown at Appendix 2 of this planning proposal to apply active street frontage controls to the identified frontages.
- Introduce new Affordable Housing Map Sheets 7 and 8 to show sites to which an additional Affordable Housing Contribution will apply to the residential uplift, as shown at Appendix 2 of this planning proposal.
- Introduce new Alternative Height of Building Map Sheets 7 and 8 as shown at Appendix 2 of this planning proposal to provide alternative FSRs for non-residential development achievable under the new Division outlined below.
- Introduce new Alternative Floor Space Ratio Map Sheets 7 and 8 as shown at Appendix 2 of this planning proposal to provide alternative FSRs for non-residential development achievable under the new Division outlined below.

New Division 6A Pyrmont Ultimo Opportunity Land

- Introduce a new Division 6A that applies to land identified on the Locality and Site Identification Map as Pyrmont Ultimo Opportunity Land. The new division is to:
  - identify the objectives of the division to:
    - to support the growth and development of the Ultimo Pyrmont Precinct
    - to increase the amount and quality of open space appropriately located to support an increase in urban tree canopy
    - to enhance the amenity of streets, parks and public places
    - to protect and improve sunlight to streets, parks and public places
    - to minimise overshadowing to residential properties
    - to provide for a diversity of housing
  - ensure that for development on Pyrmont Ultimo Precinct Opportunity Land, the consent authority considers:
    - the impact the development will have on the amenity and solar access of nearby residential properties and public spaces
    - whether the development supports improved pedestrian comfort and safety
    - provision of appropriately located deep soil planting
  - remove the requirement for a DCP to be prepared for certain sites under clause 7.20 due to the extensive controls contained within the draft DCP Ultimo Pyrmont.
  - ensure that a building demonstrating design excellence in accordance with clause 6.21 of the Sydney LEP 2012 is only eligible for additional FSR, and not additional height.

6.17 Sun access planes

- Amend Clause 6.17(4) and schedule 6A to protect sun access to Wentworth Park by applying a sun access plane, as outlined in Appendix 1.

6.18 Overshadowing of certain public places

- Amend Clause 6.18(2) to remove Wentworth Park and replace it with a new clause in Division 7 Blackwattle Bay Precinct, as outlined below.

Division 7 Blackwattle Bay Precinct

- Amend 6.67 Preliminary to exclude the Blackwattle Bay Precinct from the application of 6.17.
- Introduce a new clause 6.72 to Division 7 Blackwattle Bay Precinct to ensure development consent must not be granted to development in the Blackwattle Bay Precinct unless the consent authority is satisfied the buildings on the land will not overshadow Wentworth Park between 10am and 2pm all year.

Small lot housing

- Introduce the following provisions to facilitate small lot housing:
  - Establish an objective to encourage housing diversity appropriate to the character of the precinct.

- Apply the clause to land identified as small lot housing on the Locality and Site Identification Map.
- Enable development consent to be granted for the subdivision of land and the erection of a detached dwelling where:
  - The subdivision of land is into 2 lots with the minimum private open space for the existing dwelling is 16m²; and
  - The gross floor area of the detached dwelling does not exceed 35sqm.
- Enable the floor space ratio to be exceeded by 35sqm for the purposes of a small lot dwelling under this clause.
- The maximum gross floor area for the existing dwelling lot after subdivision is equal to the gross floor area prior to subdivision.

Affordable housing

- Identify land with a residential uplift in Schedule 6C to ensure affordable housing contributions of 9% of the additional residential floor space are imposed as shown in the table at Appendix 1.

Additional permitted uses

- Make business premises an additional permitted use on the following sites:
  - 231-241 Harris Street, Pyrmont;
  - 261 Harris Street, Pyrmont;
  - 26-38 Saunders Street;
  - 14 Quarry Master Drive; and
  - 313-369 Harris Street, Pyrmont

Detailed drafting instructions and example provisions are provided in Appendix 1.

4.2 Site specific DCP

Amendments to Sydney DCP 2012 have been prepared and will be exhibited concurrently with this Planning Proposal.

The first amendment proposes specific controls for the sites included within this Planning Proposal and provides site-by-site envelopes and controls. This is to ensure that impacts on adjoining properties and public space are minimised. The draft DCP will include overall heights, building envelopes, setbacks, deep soil zones, building typology and pedestrian amenity. Those sites that are not identified within this planning proposal are not included within the draft DCP and existing controls will continue to apply.

The draft DCP Chapter also includes additional controls for Small Lot Housing in Ultimo Pyrmont. This section of the DCP has been prepared to demonstrate how the development can be undertaken whilst minimising impacts upon adjoining properties.

5. Justification

5.1 Strategic merit, community consultation and design input

The planning proposal is the next step in the broad precinct planning for Pyrmont and Ultimo which has been undertaken by both the Department of Planning and Environment and the City. Ongoing consultation and discussion have been held with the community and key stakeholders in this space to keep them informed of the process and how their comments have been reflected in the concepts prepared by the City.

The review of the planning controls for the Pyrmont and Ultimo has been as a direct result of the strategic work undertaken by the NSW Government in association with the construction of the Metro West Line and construction of the Pyrmont Metro Station. As such, it is considered that the strategic merit of the planning proposal has already been established by the NSW Government.

Ongoing input from the community has been key in developing the key design considerations guiding this planning proposal. These considerations are:

1. more deep soil for more trees and cool green spaces
2. more public space for more people – streets and open spaces
3. minimise overshadowing of existing residential properties
4. reinforce ‘street wall’ form of most buildings
5. conserve heritage values
6. good design for wind and noise
7. match land use to place
8. consider public views to and from public places
9. maximise development within constraints

The process setting this design considerations and identifying sites is described in the attached Early Engagement Report. The process of testing sites following these design considerations is described in the attached Urban Design Study.

5.2 Development outcome

This section provides a description of development outcomes facilitated by this planning proposal and the draft DCP. It also provides the justification for the proposed amendments to the Sydney LEP 2012.

The planning proposal seeks to increase both residential and employment capacity in appropriate locations through a diverse range of building forms. The City's proposal reflects a land use approach that seeks to:

a. incentivise a critical mass of business floor space close to Pyrmont Metro Station to promote public transport use by workers and customers, support a self-sustaining workplace precinct in a diversity of building typologies while also continuing to support the growth and clustering of creative media businesses;

b. plan for a middle ring of mixed-use developments with strong public transport accessibility to provide homes for people and good access to local shops and services for existing and future residents; and

c. provide an outer ring of residential development, comprised of housing options ranging from higher density to small lot dwellings, located slightly further from public transport but still within walking distance of light rail, bus routes or the Pyrmont metro station.

5.2.1 Site specific provision

It is proposed to introduce a new clause to Division 5 Site specific provisions which ensures development enabled through this planning proposal both contributes to growth and delivers place-based outcomes. The new clause will apply to land identified as Ultimo Pyrmont Opportunity Land on the Locality and Site Identification Map, shown at Figure 7.

The new clause will ensure that development on Ultimo Pyrmont Opportunity Land:

- supports the growth and development of the Ultimo Pyrmont Precinct
- supports an increase in urban tree canopy
- enhances the amenity of streets, parks and public places
- protects and improves sunlight to streets, parks and public places
- minimises overshadowing to residential properties and
- provides for a diversity of housing.

Development on Ultimo Pyrmont Opportunity Land will be supported by a draft DCP containing detailed built form controls. As such, development on Ultimo Pyrmont Opportunity Land will not require preparation of a site-specific development control plan.

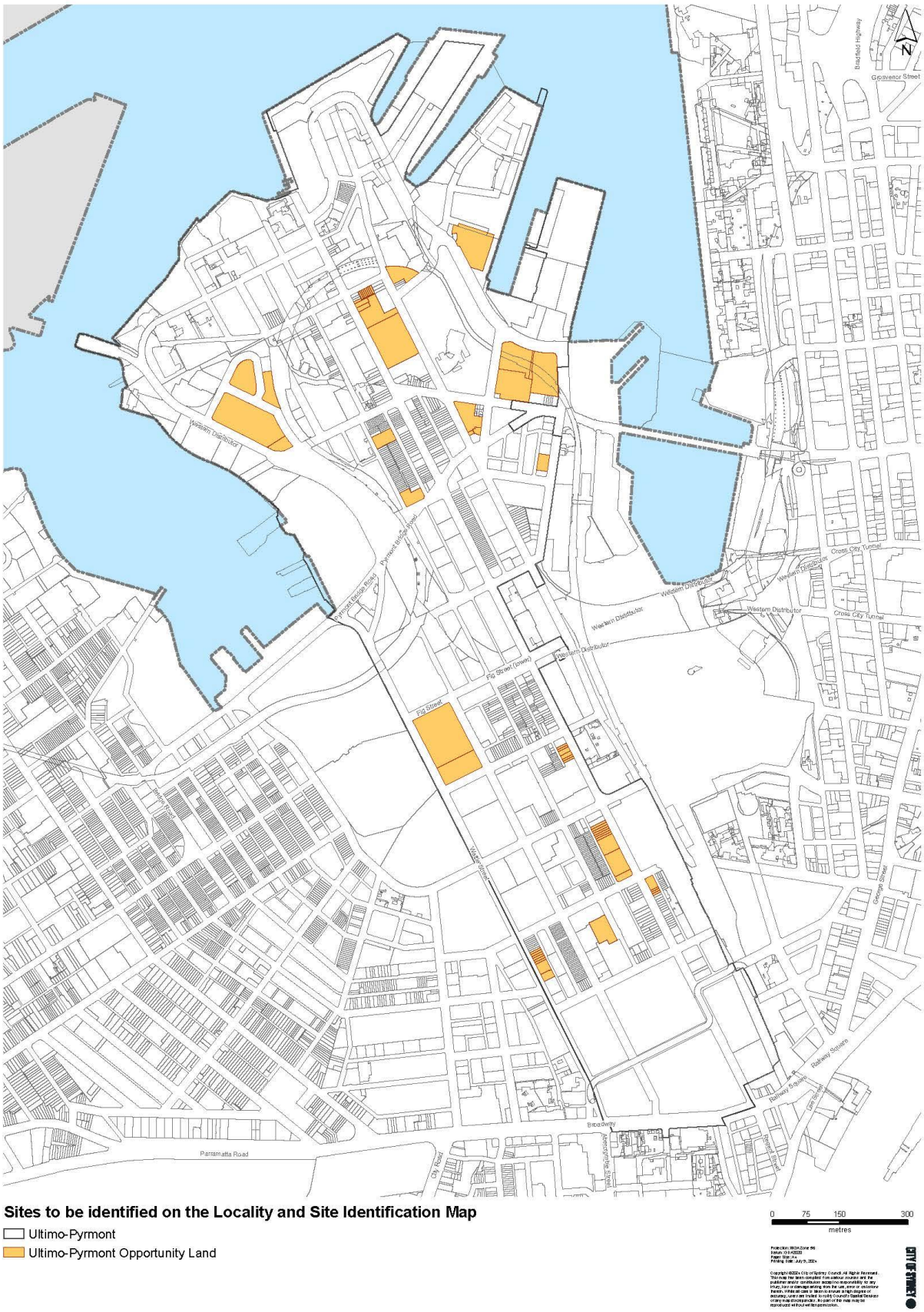


Figure 7. Sites to be identified as Ultimo Pyrmont Opportunity Land

5.2.2 Changes to height and FSR

The planning proposal allows additional height and/or floor space to support growth and development in appropriate locations and forms across Ultimo and Pyrmont. The proposed height and floor space controls have been developed through detailed urban design studies taking into consideration site-specific constraints. The proposed height and floor space controls are supported by detailed built form controls in the draft DCP.

Incentives for non-residential development

In accordance with the land use approach outlined above, some ~~sites identified as Pyrmont Ultimo Opportunity Land will only be able to access~~ new height and floor space ratio controls will only be available if the development is for non-residential uses. This is to incentivise the delivery of the required quantum of commercial floor space in appropriate locations.

The proposed height and FSR controls for non-residential development outlined in Figure 8 below are shown on the Alternative Height of Building and Alternative Floor Space Ratio Maps at Appendix 2.

Figure 8. Proposed alternative height and FSR controls for non-residential development

Address	Lot/DP	~~Existing~~ Height (m)	Proposed Alternative Height (m)	FSR	Proposed Alternative FSR
46-48 Pyrmont Bridge Road Pyrmont	Lot 1 DP800148	~~12~~ 38	38m	~~2:1~~ 3.41:1	3.9:1
20-28 Bulwara Road Pyrmont	Lot 1 DP433177	9	15m	1:1	1.4:1
1-27 Murray Street Pyrmont	SP60306	~~30~~ RL90	RL 90m	~~2.5:1~~ 5:1	6.5:1
13A-29 Union Street Pyrmont	Lot 1 DP 119654	~~24~~ 45	~~45m~~ 50m	~~3.5:1~~ 3.73:1	~~3.75:1~~ 4:1
69-71 Edward Street and 102 Pyrmont Street, Pyrmont	Lot 1 and 2 DP 1076300	24	38m	4:1	5.7:1
28-48 Wattle St Ultimo	Lot 1 DP 571484	27m	RL56m	4:1	~~4.1~~ 4.5:1
50-54 Wattle St Ultimo	Lot 1 DP 62297	33m	33m	4:1	4.5:1
562-570 Harris Street Ultimo	Lot 44 DP868670	24m	N/A	2:1	2.75:1
572 Harris Street Ultimo	Lot 45 DP868870	24m	N/A	2:1	2.75:1
574 Harris Street Ultimo	Lot 46 DP868870	24m	N/A	2:1	2.75:1
576 Harris Street Ultimo	Lot 47 DP868870	24m	N/A	2:1	2.75:1

Proposed increases to height and FSR controls

To help enable growth envisioned by the Place Strategy, the planning proposal seeks to increase the height and FSR controls for select sites, as outlined in Figure 9 below.

The proposed height and FSR controls outlined in Figure 9 below are shown on the Height of Building and Floor Space Ratio Maps at Appendix 2.

Figure 9. Proposed height and FSR controls

Address	Lot/DP	Existing Height (m)	Proposed Height (m)	FSR	Proposed FSR
2 Edward Street Pyrmont	Lot 21 DP1000905	24	RL 86m	4:1	7.7:1
60 Union Street Pyrmont	Lot 2004 DP1103434	33	RL 94m	4:1	7:1
55-65 Murray Street Pyrmont	Lots 14, 15 and 16 DP 32575	30	40	4:1	4.8:1
1-33 Saunders Street Pyrmont	Lot 102 DP853704	33	55m	4:1	4.22:1
140-148 Bank Street Pyrmont	Lot 1 DP82057	33	85m	4:1	11:1
26-38 Saunders Street Pyrmont	SP61725	24	RL~~120m~~ 135m	3:1	~~6.7:1~~ 7:1
14 Quarry Master Drive Pyrmont	SP70798	27	35m	3.5:1	4:1
79 John Street Pyrmont	Lot 11 DP1007905	9	28m	1.25:1	3:1
81 John Street Pyrmont	Lot 10 DP1007905	9	28m	1.25:1	3:1
83 John Street Pyrmont	Lot 1 DP611040	9	25m	1.25:1	2.75:1
85 John Street Pyrmont	Lot 301 DP232783	9	25m	1.25:1	2.75:1
87 John Street Pyrmont	Lot 1 DP567806	9	25m	1.25:1	2.5:1
89 John Street Pyrmont	Lot 21 DP1123226	9	25m	1.25:1	2.5:1
91 John Street Pyrmont	Lot 22 DP1123226	9	22m	1.25:1	2:1
93 John Street Pyrmont	Lot 23 DP1123226	9	22m	1.25:1	2:1
12 Pyrmont Street Pyrmont	Lot 1 DP4520	22	50m	1.75:1	3.5:1

Address	Lot/DP	Existing Height (m)	Proposed Height (m)	FSR	Proposed FSR
48 Pirrama Road Pyrmont	Lot 1012 DP1145894	24	50m	4.5:1	4.5:1
80 Harris Street Pyrmont	Lot D DP50010	9	33m	1.25:1	~~2.75:1~~ 3:1
82 Harris Street Pyrmont	Lot 1 DP131342	9	33m	1.25:1	~~2.75:1~~ 3:1
84 Harris Street Pyrmont	SP79258	9	33m	1.25:1	~~2.75:1~~ 3:1
86-92 Harris Street Pyrmont	Lot 1 DP791724	15m	~~27m~~ 33m	2:1	~~2.3:1~~ 3:1
100 Harris Street Pyrmont	Lot 100 DP 1219280	24	38m	3.5:1	3.5:1
446 Wattle Street Ultimo	Lot 9 DP260374	9	35m	1:1	3.75:1
448 Wattle Street Ultimo	Lot 10 DP260374	9	35m	1:1	3.75:1
450 Wattle Street Ultimo	Lot 11 DP260374	9	35m	1:1	3.75:1
452 Wattle Street Ultimo	Lot 12 DP260374	9	35m	1:1	3.75:1
454 Wattle Street Ultimo	Lot 13 DP260374	9	35m	1:1	3.75:1
456 Wattle Street Ultimo	Lot 14 DP260374	9	35m	1:1	3.75:1
458-468 Wattle Street Ultimo	SP65741	15	35m	2.5:1	3.75:1
470 Wattle Street Ultimo	Lot 1 DP209558	15	30m	2.5:1	3.5:1
469 Harris Street Ultimo	Lot 1 DP 69694	9m	27m	1.5:1	~~2.4:1~~ 2.65:1
471 Harris Street Ultimo	Lot 1 DP 64212	9m	27m	1.5:1	~~2.4:1~~ 2.65:1
473-475 Harris Street Ultimo	Lot 1 DP 64213	9m	27m	1.5:1	~~2.4:1~~ 2.65:1
477 Harris Street Ultimo	Lot 1 DP 90991	9m	27m	1.5:1	~~2.4:1~~ 2.65:1
479 Harris Street Ultimo	Lot 2 DP 90991	9m	27m	1.5:1	~~2.4:1~~ 2.65:1
481 Harris Street Ultimo	Lot 3 DP 90991	9m	18m	1.5:1	1.6:1

Address	Lot/DP	Existing Height (m)	Proposed Height (m)	FSR	Proposed FSR
483 Harris Street Ultimo	Lot 4 DP 90991	9m	18m	1.5:1	1.6:1
535 Harris Street Ultimo	Lot 1 DP928999	22	42m	3.5:1	3.3:1
537 Harris Street Ultimo	Lot 2 DP928999	22	42m	3.5:1	3.3:1
539 Harris Street Ultimo	Lot 3 DP928999	22	42m	3.5:1	3.3:1
541 Harris Street Ultimo	Lot 4 DP928999	22	42m	3.5:1	3.3:1
543 Harris Street Ultimo	Lot 5 DP928999	22	42m	3.5:1	3.3:1
545 Harris Street Ultimo	Lot 6 DP928999	22	42m	3.5:1	3.3:1
547 Harris Street Ultimo	Lot 7 DP928999	22	42m	3.5:1	3.3:1
549-559 Harris Street Ultimo	Lot 1 DP79179	22	42m	4:1	3.61:1
561-577 Harris Street Ultimo	Lot 1 DP631356	22	42m	4:1	3.41:1
579-583 Harris Street Ultimo		35	38m	6.3:1	6.5:1
562-570 Harris Street Ultimo	Lot 44 DP868670	9	24m	1:1	2:1
572 Harris Street Ultimo	Lot 45 DP868870	9	24m	1.5:1	2:1
574 Harris Street Ultimo	Lot 46 DP868870	9	24m	1.5:1	2:1
576 Harris Street Ultimo	Lot 47 DP868870	9	24m	1.5:1	2:1
383-389 Bulwara Road Ultimo	Lot 1 DP 773656	18m	35m	2:1	3:1
13A-29 Union Street Pyrmont	Lot 1 DP 119654	24	45m	3.5:1	3.73:1
1-27 Murray Street Pyrmont	SP60306	30	RL 90m	2.5:1	5:1
46-48 Pyrmont Bridge Road Pyrmont	Lot 1 DP800148	12	38m	2:1	3.41:1

5.2.3 Sun access plane for Wentworth Park

This planning proposal seeks to insert a sun access plane (SAP) for Wentworth Park into the Sydney LEP 2012 to protect solar access to the park. The SAP protects solar access to Wentworth Park between 10am and 2pm all year. The SAP proposed is consistent with the SAP for Wentworth Park introduced by the Pyrmont Peninsula Place Strategy Urban Design Report Vol. 3 Sub-precinct Master Planning.

Wentworth Park was previously introduced to Clause 6.18 Overshadowing of certain public places of the Sydney LEP 2012 as part of the amendments to enable the redevelopment of the Blackwattle Bay Precinct. The intention was to ensure that development in the Blackwattle Bay Precinct did not cause any additional overshadowing of Wentworth Park. Retaining Wentworth Park in Clause 6.18 would apply an overly restrictive limit to development outside of the Blackwattle Bay Precinct and would not enable the built forms outlined in this planning proposal.

This planning proposal seeks to remove Wentworth Park from Clause 6.18 Overshadowing of certain public places of the Sydney LEP 2012 and replace it with an amendment to Division 7 Blackwattle Bay that ensures development at Blackwattle Bay does not cause any additional overshadowing of Wentworth Park. This limits the effect of the clause to just the Blackwattle Bay Precinct and allows the proposed SAP for Wentworth Park to apply outside of the Blackwattle Bay Precinct. The proposed SAP for Wentworth Park will not apply to Blackwattle Bay as applying both controls to the Blackwattle Bay Precinct is not necessary.

The planning proposal does not seek to amend the sun access protection for the Glebe Foreshore or the Sydney Fish Market Urban Park.

Proposed amendments to the Sydney LEP 2012 are outlined at Appendix 1 and associated amendments to the Sun Access Protection Map are shown at Appendix 2. The proposed change to the Sun Access Protection Map at Appendix 2 includes removing from Wentworth Park the hatch for “Land Affected by Clause 6.17 and 6.18” and the red outline for “Land Protected by Clause 6.18”.

It is noted that the SAP coordinates at Appendix 1 are in format MGA94 for consistency with the Pyrmont Peninsula Place Strategy. These will be updated post-exhibition to format MGA2020 prior to the making of the LEP.

An exception to the proposed Wentworth Park SAP is required to allow the reinstatement of historical fabric at 28-48 Wattle Street as required by the supporting DCP. The exception should be limited to the reinstatement of historical fabric only.

5.2.3 Small lot housing

The planning proposal seeks to enable new homes to be built on small lots created at the rear of existing dwellings on select sites in Ultimo and Pyrmont. These small lot homes would front small streets and be subdivided from the lot containing the existing dwelling. Small lot homes have precedent in Ultimo and Pyrmont and contribute to the diverse housing options enabled by this planning proposal.

Small lot housing in Ultimo and Pyrmont would be enabled through a new clause in Division 4 Miscellaneous of the Sydney LEP 2012. The new clause will ensure:

- a development application for small lot housing comprises both an application for the subdivision of land and the erection of a detached dwelling. Subdivision without linking to a new dwelling will not be permitted
- the private open space for the existing dwelling after subdivision is a minimum of 16m²
- the gross floor area of the small lot dwelling does not exceed 35 m² and
- the existing lot retains the permissible gross floor area that was available prior to subdivision

The small lot housing is supported by detailed built form controls contained within the draft DCP. Sites where small lot housing would be permitted are identified on the Locality and Site Identification Map at Appendix 2.

5.2.4 Changes to zoning

Some minor changes are being made to land use. To allow for a greater mix of commercial and residential uses, the planning proposal, the planning proposal rezones the following sites:

- 1-33 Saunders Street, Pyrmont from E2 Commercial Centre to MU1 Mixed Use
- 20-28 Bulwara Road, Pyrmont from R1 General Residential to MU1 Mixed Use

5.2.5 Minor changes to land use permissibility

It is proposed to add business premises as an additional permitted use for the following sites:

- 231-241 Harris Street, Pyrmont
- 261 Harris Street, Pyrmont
- 313-369 Harris Street, Pyrmont
- 26-38 Saunders Street Pyrmont
- 14 Quarry Master Drive

This is the result of landowner requests and is an appropriate opportunity for more ground floor businesses to provide local services.

Under the current R1 General Residential zoning, food and drink premises and neighbourhood shops are permissible with consent. However, business premises such as hairdressers and travel agencies are prohibited. Permitting business premises on these sites will support more vibrant and active streets and providing better access to local services.

There is no proposed change to the land use zone of these sites. They will remain R1 General Residential.

5.2.6 Design excellence bonuses

The planning proposal includes a requirement that development on Ultimo Pyrmont Opportunity Land not be eligible for additional height under Clause 6.21D(3)(a) of the Sydney LEP 2012.

The site-specific controls for on Ultimo Pyrmont Opportunity Land have been developed through detailed urban design testing to maximise development capacity while minimising overshadowing of existing residential properties and public spaces. Therefore, as additional height has already been maximised, Clause 6.21D(3)(a) of the Sydney LEP 2012 should not apply.

Development on Ultimo Pyrmont Opportunity Land will still be eligible for additional floorspace under Clause 6.21D(3)(b) of the Sydney LEP 2012. The potential for additional design excellence floorspace was tested during the preparation of this planning proposal to ensure it can be accommodated.

5.2.7 Active frontages

Some frontages on Harris Street are proposed to be added to the Sydney LEP Active Frontage Map. This will mean that existing planning controls within the LEP encouraging uses which engage with and activate the street will apply. The proposed active frontages are identified on the Active Frontages Map at Appendix 2.

5.2.8 Affordable housing contributions

Sites which have been identified for residential uplift are proposed to be included in Schedule 6C of the Sydney LEP 2012 to capture nine per cent of the residential uplift floor space as affordable rental housing. This will be either through the provision of dwellings or an equivalent monetary

contribution. This approach is consistent with the existing *City of Sydney Affordable Housing Program*.

The contribution applied to residential uplift is in addition to the new general controls in Ultimo and Pyrmont which will require a contribution rate of one per cent of the total floor area for non-residential uses and three per cent of the total floor area of the development for residential uses as affordable rental housing.

The sites proposed to be included in Schedule 6C of the Sydney LEP 2012 are listed at Appendix 1.

5.3 Need for the planning proposal

Q1. Is the planning proposal the result of any strategic study or report?

This planning proposal implements the Place Strategy, prepared by the NSW Department of Planning and Environment. The work undertaken by the Department identifies targets for new residences and new employment floor space in the study area. The Department undertook a high-level review of planning controls that did not go into the fine grain of the topography, heritage, existing built environment, or community aspirations of the study area, and as such the potential controls developed were not considered the best way to meet these outcomes. Following consultation with the Department it was agreed that the City would be the lead authority for the preparation of the planning proposal and for the urban renewal of Pyrmont and Ultimo. The City has reviewed the planning controls and sites. Those sites identified in this planning proposal, and the associated controls, are a result of both the Place Strategy and the significant work undertaken independently by the City.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal is the best way of achieving the objectives given the required changes to height, FSR and land uses to meet the job and housing targets set for the study area. The City has undertaken an extensive design review exercise across the entire study area, which has identified those sites that can absorb the required increases in both employment and residential floor space. The planning proposal and LEP amendments are considered the most appropriate way of achieving the outcomes.

The introduction of small lot housing provides more diverse housing options across the study area, whilst managing development appropriately. The current floor space ratio controls present a challenge to delivering this form of housing and the planning proposal is the best means of removing that barrier.

5.4 Relationship to the strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan

A Metropolis of Three Cities – The Greater Sydney Region Plan is the Greater Sydney Commission's strategic plan for Greater Sydney. It is a 20-year plan with a 40-year vision, seeking to transform Greater Sydney into a metropolis of three distinct but connected cities: the Eastern Harbour City, the Central River City, and the Western Parkland City.

The following Objectives apply to the planning proposal:

Objective	Comment
Objective 4: Infrastructure use is optimised	The Planning Proposal is based on the principle of focusing the intensification of development close to new public transport infrastructure.
Objective 10: Greater housing supply	This Planning Proposal assists in delivering approximately 4100 new dwellings.
Objective 11: Housing is more diverse and affordable	The Planning Proposal includes a diverse range of housing uses, including residential flat buildings, mixed use developments and small lot housing. Where an uplift in residential yield is achieved, lots will be identified in Schedule 6C of the LEP, which will require an additional contribution for the purposes of affordable housing.
Objective 13: Environmental heritage is identified, conserved and enhanced	Development adjoining heritage areas and heritage conservation areas has largely been avoided. The main development type to be undertaken in heritage conservation areas and on heritage items is the proposed small lot housing type. This development type is based on historical subdivision patterns in the area.
Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities	The Planning Proposal expands upon the work undertaken in the Place Strategy to emphasis walkability and maximise development close to public transport.
Objective 30: Urban tree canopy cover is increased	Controls for both Deep Soil areas and street tree plantings are to be implemented to increase urban tree canopy coverage. An additional 250 new trees will be provided, and over 2,000sqm of new green roofs provided for, in addition to deep soil zones for new developments.
Objective 31: Public open space is accessible, protected and enhanced	Sun Access Planes have been developed to ensure that the quality of public open space is maintained. Publicly accessible open space such as plazas are included on appropriate sites.
Objective 38: Heatwaves and extreme heat are managed	Urban tree canopies are an effective manner in which climate change and extreme heat can be managed. The proposed controls propose a number of strategies to increase the urban tree canopy by 250 trees. The Planning Proposal also is based on increasing development around key public transport infrastructure, reducing reliance on private cars.
Objective 39: A collaborative approach to city planning	Extensive engagement has been undertaken throughout the preparation of the controls.

Eastern City District Plan

The *Eastern City District Plan* sets out the Greater Sydney Commission's vision for the Eastern City District, of which the City of Sydney is a part. The following planning priorities of the Eastern City District Plan (ECDP) apply to the planning proposal:

Priority	Comment
Priority E1: Planning for a city supported by infrastructure	The planning proposal aims to facilitate new homes in an appropriate location near existing and proposed infrastructure, including the proposed Pyrmont Metro Station
Priority E5: Providing housing supply, choice and affordability with access to jobs, services and public transport	The planning proposal is responding to the proposed Metro West line and associated station in Pyrmont, and seeks to provide both employment and housing in proximity to new public transport opportunities
Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage	The planning proposal will provide for the renewal of the existing Pyrmont and Ultimo areas, creating a high-quality built form and with controls developed to respect the heritage of the study area.
Priority E8: Growing and investing in health and education precincts and the Innovation Corridor	The planning proposal seeks to build on the existing media, communications and technology sectors that already have a presence in the northern and northwestern sections of the study area. The provision of additional commercial space in this area will help facilitate this. The southern section of the study area includes both TAFE and UTS and forms part of the Camperdown-Ultimo Collaboration Area. The planning controls have been developed in conjunction with these agencies to support this Innovation Corridor.
Priority E10: Delivering integrated land use and transport planning and a 30-minute city	The planning proposal will enable a variety of land uses within proximity to the new Metro West system, building density around public transport infrastructure.
Priority E11: Growing investment, business opportunities and jobs in strategic centre	The planning proposal provides additional space for employment and business growth located close to transport.
Priority E17: Increasing urban tree canopy cover and delivering Green Grid connections	The planning proposal builds upon existing controls that create a high-quality built form the increase liveability, accessibility, and sustainability.
Priority E18: Delivering high quality open space	One of the key drivers of the planning controls in the planning proposal has been ensuring that both public space and publicly accessible space will have appropriate sun protection controls to improve amenity.
Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently	The planning proposal works in conjunction with existing City and State policy on sustainability outcomes.

Q4. Is the planning proposal consistent with council's local strategy or other local strategic plan?

City Plan 2036: Local Strategic Planning Statement

City of Sydney's endorsed Local Strategic Planning Statement sets out the land use planning context, 20-year vision and planning priorities to positively guide change towards the City's vision for a green, global, and connected city. The planning statement explains how the planning system will manage that change to achieve the desired outcomes and guides future changes to controls, including those sought by proponents through planning proposals.

The Planning Statement recognises that the City is made up of 10 distinct villages. The study area forms the bulk of the Harris Street village and incorporates the most western component of the Chinatown and CBD South Village.

The Planning Statement recognises that planned infrastructure investments and NSW Government-led urban renewal projects could provide the catalyst for improvements within the Precinct. The Strategic Review is about positioning the study area for appropriate change in line with City and NSW Government strategies.

The Planning Statement identified the study area as a key area for future growth, with 2,100 dwellings and 22,000 jobs identified in the Harris Street village and 7,000 dwellings and 31,900 jobs in the Chinatown and CBD South village. This strategy predated the Place Strategy but shows a relationship between the broader strategic planning aims of the two documents.

The Planning Statement requires the City to consider specific principles for growth, including consistency with the Regional and District Plan, consistency with relevant directions objectives and actions of other long-term strategies of the City and consideration of land uses currently under-utilised by the market such as accommodation. The planning proposal is consistent with these, as has been discussed elsewhere in this planning proposal.

A specific requirement within the Planning Statement about proposals seeking to respond to a significant investment in infrastructure is provided. This is of relevance to the planning proposal, as one of the key drivers of change, particularly in the northern section of the study area, is the proposed Metro station. The work undertaken demonstrates that there has been significant consideration of the broader context of the area, including access to other infrastructure, appropriately apportioning development across the study area and that a value capture mechanism has been introduced.

This planning proposal gives effect to the following planning actions contained in the Statement:

Action	Comment
Action I1.1 Continue to encourage walking and cycling in the city by implementing the City's walking, cycling and Liveable Green Network strategies, and applying the NSW Government's Movement and Place framework, including working with: a) Land owners, universities, institutions, neighbouring local governments and NSW Government to deliver new, improved and safe connections, such as new streets, in particular across rail corridors, infrastructure sites and other barriers b) The NSW Government to: ii. investigate opportunities to improve pedestrian and cycle priority and reduce travel time for people walking and cycling iii. respond to lower speed environments across the city that make streets safer and more liveable, by reducing speed limits with a target of 30km/h iv. ensure better access to major transport hubs	The planning proposal gives effect to this action by proposing new pedestrian through site linkages and street connectivity in the accompanying DCP, a review of street treatments for more pedestrian friendly spaces and prioritising development around new transport hubs.
Action I1.5 Where a Sydney Metro West station is committed in Pyrmont, work with NSW Government agencies and others to develop a land use framework that:	The finalisation of this planning proposal will complete this action. The planning proposal has been developed with this Action as one of the key influences.

Action	Comment
a) Promotes employment growth, visitor accommodation, affordable enterprise space, high technology industry, retail, community and cultural uses b) Facilitates improved environments for walking and cycling c) Maximises public and active transport interchange.	
Action I2.7 Review existing development contributions plans regularly so that they adequately reflect infrastructure needs, and investigate if the City can increase the funds it can collect if funds do not meet the costs of providing infrastructure. This includes working with the NSW Government to repeal the outdated Redfern Waterloo Development Contributions Plan and incorporate affected land and development into the City's contributions plans	The proposal is supported a new local infrastructure contributions plan.
Action I3.2 Plan for and provide open space to meet the following criteria and outcomes: a) All residents and workers are to be within 400 metres of quality, functional open space b) Plan to increase public open space provision to meet or exceed 15 per cent of the city's total land area c) Major urban renewal areas and individual sites are to provide between 9 and 15 per cent of the land as public open space in a consolidated and accessible location, with high-density projects delivering 15 per cent, as described in the Open Space, Sports and Recreation Needs Study 2016 e) Sunlight to existing parks and public squares is protected and new parks and squares receive adequate sunlight	The planning proposal and accompanying DCP will create additional capacity for publicly accessible open space in the study area through additional deep soil zones, public areas, mid-block connection points, and will leverage off the planned removal of the Wentworth Park greyhound track and expansion and consolidation of Wentworth Park as publicly accessible open space.
Action L2.1 Plan for local communities to be able to access daily needs and essential services, including fresh food and health and personal services, within walking distance by providing an appropriate mix of uses, including local retail, services, infrastructure and recreation, in local and neighbourhood centres and mixed-use zones supported by adequate floor space on the ground floor (and adjacent floors where appropriate).	This planning proposal ensures that there is a balance of land uses in the study area, encouraging mixed use and commercial development alongside residential development. This includes allowing for business premises to occur on certain R1 zoned land.
Action L2.7 Plan for the desired character of a place through:	Buildings over 25m in height will be subject to the Design Excellence Clause within the existing LEP, which allows a

Action	Comment
a) ensuring new development achieves design excellence, including through competitive processes b) collaborating with the NSW Government to improve amenity standards for all housing types.	bonus provision where a building achieves a positive outcome. The controls contained within the DCP set out requirements to ensure maintenance of sunlight to existing dwellings, as well as ensuring high amenity for new residents.
Action L2.9 Conserve places of heritage significance by: d) ensuring development of heritage items, contributory buildings in conservation areas, and new development in conservation areas conserves the heritage values of the place and is sympathetic to the built form, scale and fabric.	The controls developed in the accompanying DCP have carefully considered the impacts of development envelopes on heritage items and heritage conservation areas. Individual site controls have been developed to provide for sympathetic development outcomes.
Action P2.1 Deliver diverse, suitable and well-designed spaces and places to support City Fringe's contribution to the city's and the District's economic diversity, affordability and resilience with a focus on knowledge-intensive sectors.	The planning proposal creates a planning framework that will deliver a diverse and well-designed area at the gateway to Central Sydney, providing the commercial floorspace needed to create a knowledge intensive employment centre.
Action P2.4 Ensure a genuine mix of uses to support lively and thriving village economies within City Fringe, including residential development provided it does not compromise commercial or enterprise uses.	Appropriately located mixed use development is provided for in this planning proposal.
Action P2.8 Work with the NSW Government to review planning controls for Pyrmont to facilitate appropriate economic and employment growth while remaining sensitive to Pyrmont's unique built form and heritage qualities.	The planning proposal facilitates this action.
Action S1.3 Protect and increase canopy cover and vegetation across public and private land by: b) reviewing, implementing and monitoring targets and controls for tree canopy cover on private land with the aim to increase tree canopy c) identifying opportunities for vegetation, including canopy cover, in road reserves	The planning proposal and DCP seek to achieve an increase in canopy cover for Ultimo-Pyrmont through an increase in deep soil planting zones and appropriate street tree planting.

Housing for All: City of Sydney Local Housing Strategy

The Housing Strategy sets out key priorities that guides the development of plans and strategies for the provision of housing in the City. The following priorities apply to the planning proposal:

Priority	Comment
Priority H1: Facilitating more homes in the right locations	The planning proposal aims to facilitate new homes in an appropriate location near existing and proposed infrastructure, including the proposed Pyrmont Metro Station
Priority H2: Coordinating housing growth with the delivery of infrastructure	The planning proposal is responding to the proposed Metro West line and associated station in Pyrmont
Priority H3 Increase diversity and choice in housing	The planning proposal will assist in facilitating an additional 4,100 dwellings in a variety of different forms.
Priority H4: Increase the diversity and number of homes available for lower-income households	The planning proposal will facilitate additional opportunities for housing diversity. The planning proposal also includes those properties that achieve a yield uplift in Schedule 6C of the LEP which ensures additional contributions for affordable housing on the percentage of increased yield.
Priority H7: Increasing liveability, sustainability and accessibility through high-quality residential design	The planning proposal builds upon existing controls that create a high-quality built form, building on existing controls.

Sustainable Sydney 2030 – 2050 Continuing the Vision

Sustainable Sydney 2030 – 2050 Continuing the Vision sets out the broad vision for the City, establishing Guiding Principles for the operation of the City. There are Six Guiding Principles. The planning proposal does not undermine any of these Guiding Principles, and the three applicable principles are:

Principle	Comment
We are accountable to the voices and elevate the knowledge and cultures of Aboriginal and Torres Strait Islander peoples	In 2022, the City of Sydney's review project team completed a Reading of Country led by Djinjama Cultural Design and Research. The project team learned through this Designing with Country process, and it helped inform our design review approach.
Our communities are engaged in the governance of their city	The preparation of the individual site controls that this planning proposal will enact have been developed through extensive community consultation and engagement.
We lead through stewardship and collaboration	The Place Strategy is a result of works undertaken by both the NSW Government and the City

Within this, 10 targets have been established to help measure the progress towards these Guiding Principles. The applicable targets are:

Target	Comment
By 2035 we will achieve net zero emissions in the City of Sydney local area.	The planning proposal will support the City achieving this target through utilising new public transport connectivity, minimising price car usage, and encouraging more energy efficient buildings.
By 2050 there will be a minimum overall green cover of 40%, including 27% tree canopy cover.	The controls in the supporting DCP generally require a minimum 15% deep soil planting and provide for a significant increase in street tree plantings, aiming to increase the overall tree canopy cover for Ultimo-Pyrmont. An additional 250 trees will be provided for under the controls.

By 2036 there will be approximately 700,000 jobs in the City of Sydney local area including 200,000 new jobs compared to 2017. An increased proportion of all jobs will be secure jobs.	The planning proposal will result in a significant uplift in the density of commercial and mixed-use zoned land.
By 2036 there will be at least 156,000 private dwellings and 17,500 non-private dwellings that include boarding houses and student accommodation. Of the private dwellings, 7.5% will be social housing and 7.5% will be affordable housing with this proportion maintained into the future.	Dwellings for an additional 8,700 residents will be provided for as part of this planning proposal. No changes to existing affordable housing provision will be provided for as this is best achieved through the existing planning framework.
By 2036 there will be at least 40,000m2 of new cultural production floor space in the City of Sydney local area compared to 2017	The planning proposal will create additional floor space through which this land use will be permissible.
By 2050 people will use public transport, walk or cycle to travel to and from work. This includes 9 out of 10 people working in the city centre and 2 out of 3 people working in the rest of the local area.	The planning proposal is driven by the provision of the Pyrmont Metro Station which will create significant additional public transport options for both residents and businesses.
By 2030 every resident will be around a 10-minute walk to what they need for daily life.	An increase in the density of commercial and mixed-use zones in proximity to residential areas is proposed as a part of this planning proposal.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

State Environmental Planning Policies	Comment
SEPP (Biodiversity and Conservation) 2021	Consistent – This planning proposal will not contradict or hinder application of this SEPP. Parts of Ultimo-Pyrmont are mapped as being subject to the foreshores and waterways area boundary. No changes are proposed in these locations. The planning proposal is consistent with the objectives of the section of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - This planning proposal will not contradict or hinder application of this SEPP.
SEPP (Housing) - 2021	Consistent – This planning proposal increases capacity for residential development across Ultimo-Pyrmont. The City's built form modelling has tested the controls contained in this planning proposal to confirm that every site zoned for housing can accommodate housing developments which achieve the amenity requirements in Chapter 4 of this SEPP. In addition, the SEPP will continue to apply to development within the Precinct that develops for relevant housing.
SEPP (Planning Systems) 2021	Consistent – the planning proposal responds to the introduction of state significant infrastructure under Schedule 5 of this SEPP.

State Environmental Planning Policies	Comment
SEPP (Precincts – Eastern Harbour City) 2021	4.1 of the SEPP precludes the SEPP from operating on land to which the Sydney Local Environmental Plan 2012 applies. Therefore, the SEPP is not applicable to this planning proposal.
SEPP (Resilience and Hazards) 2021	Consistent - the planning proposal includes land that is mapped as both Coastal Environment Area and Coastal Use Area under the SEPP. The proposed uses are consistent with the objectives of the SEPP
SEPP (Sustainable Buildings) 2022	Consistent – the planning proposal seeks to achieve positive outcomes by ensuring that new development will exceed the latest requirements and will implement other policy work from the City.

Q6. Is the planning proposal consistent with applicable Section 9.1 Ministerial Directions?

Ministerial Direction	Comment
Focus Area 1 Planning Systems	
1.1 Implementation of Regional Plans	The study area comprises part of the area covered by the Sydney Region Plan – A Metropolis of Three Cities. The planning proposal is consistent with the Regional Plan. The planning proposal is consistent with the Ministerial Direction.
1.3 Approval and Referral Requirements	The planning proposal is consistent with the Ministerial Direction
1.4 Site Specific Provisions	The planning proposal is for the rezoning of certain key sites that will create additional housing or employment floorspace to respond to dwelling and job targets in Ultimo-Pyrmont. As this is an existing urban environment with varying densities and constraints. As such a blanket rezoning is not considered appropriate. As a response, site specific height and FSR controls are proposed. Additional details regarding building envelopes and built form will be contained within the DCP to be placed on exhibition concurrently to ensure that no reference to drawings is contained within the planning proposal. The planning proposal is consistent with the Ministerial direction.
Focus Area 1: Planning Systems – Place-based	
1.15 Implementation of the Pyrmont Peninsula Place Strategy	The planning proposal is a direct local response to the work undertaken by the NSW Government that led to the Pyrmont Peninsula Place Strategy. This set out ambitious jobs and housing requirements for the area, and took a top down, high level approach to identifying where these targets could be met. The Place Strategy provided for a focus on employment generating land uses in Ultimo-Pyrmont. To demonstrate compliance with both this Ministerial Direction as well as the Place Strategy, the City has focussed on achieving the desired employment floorspace, with a focus on delivering the bulk of this near the proposed Metro Station, as well as in locations where the environment is less suited to residential outcomes. This complies with Objective (a).

	This planning proposal proposes a more nuanced approach to meeting these targets and is based on the key design considerations established during community consultation. These design considerations do not undermine the 10 Directions and Structure Plan identified within the Place Strategy, respond to the delivery of the Metro station, identified in the Big Moves section and is broadly consistent with the Pyrmont Peninsula Place Strategy – Urban Design Report (Vol. 3 Sub-precinct Master Planning). Consistency with the planning framework in the *Eastern City District Plan* and *Greater Sydney Region Plan* is demonstrated, showing that Objective (b) is met. As the overall objectives and aims of the Place Strategy and the planning proposal are consistent, it is considered that these inconsistencies are of a minor significance and do not undermine the approval intent of the Pyrmont Peninsula Place Strategy and Urban Design Report and does not undermine the achievement of the Pyrmont Peninsula Place Strategy's Vision, directions, Big Moves, sub-precinct Place Priorities, Framework for Key Sites and Key Infrastructure Opportunities, demonstrating compliance with objective (c).
Focus Area 3: Biodiversity and Conservation	
3.2 Heritage Conservation	A number of heritage items are located within the study area, and the impacts from the proposed changes to planning controls have been designed to minimise impacts on these items. No alteration to existing heritage controls is included within this planning proposal. The planning proposal is consistent with the Ministerial Direction.
3.9 Sydney Harbour Foreshores and Waterways Area	The study area is partially mapped as being a Foreshore and Waterways as defined in State Environmental Planning Policy (Biodiversity and Conservation) 2021. As such, consideration must be given to this direction. The planning proposal is consistent with the principles contained within this direction. The building envelopes and controls proposed for the specific sites ensure that public views and access to the harbour are maintained or enhanced, access to foreshore areas is not altered, and the historical significance of the harbour for both Aboriginal communities and the role it played within European occupation are acknowledged. The planning proposal is consistent with the Ministerial Direction.
Focus Area 4: Resilience and Hazards	
4.1 Flooding	A flood impact and risk assessment (FIRA) has been prepared for the planning proposal that considers relevant guidelines, including the NSW Flood Risk Management Manual 2023 and the Flood Impact and Risk Assessment – Flood Risk Management Guide LU01. There are some sites within the Study Area that are mapped as being flood prone in adopted Council strategies. The FIRA has undertaken a detailed analysis of each site to determine the flood constraints.

	Where sites are affected by flood constraints, the controls in the DCP and Interim Floodplain Management Policy ensure that development is compatible with the flood risk for the site and an acceptable level of detail is required as to how the flood risks are managed with any proposed development. Where sites are mapped as flood affected, appropriate floorboard levels have been ~~set~~ considered in the preparation of new planning controls, and these properties are predominately commercial or mixed use in nature, allowing for less sensitive uses on the ground floor. Future development applications for flood prone sites will need to be accompanied by site specific flood assessments demonstrating compliance with Council's flood-related development controls. The FIRA demonstrates that the planning proposal is consistent with the Section 9.1 Ministerial Directions, with the exception of Directions 4.1 (3) (d) and 4.1 (4) (c) – that is, permitting a significant increase in the development and/or dwelling density of that land. The FIRA demonstrates that although the Planning Proposal seeks to increase the development of some land within Pyrmont and Ultimo that is flood affected, the increase in floor space will typically not be flood affected (additional stories above flood levels or buildings outside the floodplain), access to and from the sites can be maintained during flood events with appropriate building design and redevelopment of the sites will typically result in a building that is more commensurate with the flood risk, having regard for the relevant flood-related development controls. As such, the Planning Proposal is considered to be consistent with the objectives of the Section 9.1 Ministerial Direction. A full assessment of the planning proposal's consistency with the Ministerial Direction can be found at Attachment A4 Flood Impact and Risk Assessment.
4.2 Coastal Management	Parts of the study area are mapped as being both in the Coastal Environment Area and the Coastal Use Area under State Environmental Planning Policy (Resilience and Hazards) 2021. No area subject to a proposed rezoning has been identified as a coastal vulnerability area or have been identified as land affected by a current or future coastal hazard. The planning proposal is consistent with the Ministerial Direction. The planning proposal is consistent with the objectives of the Coastal Management Act 2016 and the NSW Coastal Design Guidelines 2023. This planning proposal protects and enhances coastal environmental values, ensures the built environment is appropriate for the coast and local context and protects and enhances the social and cultural values of the coastal zone. Nothing in the planning proposal requires the preparation of a coastal management program.
4.4 Remediation of Contaminated Land	Ultimo-Pyrmont has had a variety of land uses over its post-settlement history, including a number of historical industrial uses.

	The planning proposal involves rezoning 20-28 Bulwara Road from RE1 General Residential to MU1 Mixed Use and proposes increasing the FSR by 1.4:1 for commercial uses only. This ministerial direction does not apply to this planning proposal with respect to 20-28 Bulwara Road. The planning proposal involves rezoning 1-33 Saunders Street from E2 Commercial Core to MU1 Mixed Use to facilitate residential uses, and the additional floor space ratio is also available for residential uses. The Pyrmont Peninsula Place Strategy Contamination and Acid Sulfate Soils Study (the Contamination study) was commissioned by the Department of Planning, Industry and Environment in 2021. It undertook a preliminary assessment of the entire peninsula, using publicly accessible information about potentially contaminated land constraints. 1-33 Saunders Street is identified in the Contamination study as having a high likelihood of contamination issues due to proximity to the former tank farm and Pyrmont Incinerator. Having regard to the existence of the Contamination study identifying the site as having a high likelihood for contamination, the land will be subject to additional assessment as part of any future development application, and if determined to be necessary, remediation will be undertaken prior to any change of use of the land. The Contamination study notes there is generally the potential for contamination to be present across the Pyrmont peninsula, due to former land uses and activities, and that further assessment will be required at development application stage. The planning proposal is consistent with the Ministerial Direction.
4.5 Acid Sulfate Soils	The entire area subject to this planning proposal is mapped as having Acid Sulfate Soils, with Class 1 being located to the north and northeast of the Precinct, Class 2 on the eastern and western boundary and Class 5 over the rest of the study area. All the City of Sydney LGA is mapped as being impacted by Acid Sulfate Soils. The approach taken to Acid Sulfate Soils will be consistent with that taken elsewhere in the City. The planning proposal does not contain provisions that contradict or hinder application of this direction. The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing Acid Sulfate Soils. Specific responses to the presence of Acid Sulfate Soils can be addressed on a site-by-site basis through the development application process.
Focus Area 5: Transport and Infrastructure	
5.1 Integrating Land use and Transport	The planning proposal has been initiated by City of Sydney Council to respond to the proposed construction of the Metro West line. This greatly increases the provision of public transportation in the study area, significantly decreasing reliance on private car usage. The bulk of the uplift for both employment and residential purposes are located at the north and south of the study area, which are the areas best served by public transport.

	The planning proposal is consistent with the Ministerial Direction.
5.2 Reserving Land for Public Purposes	No alteration of land reserved for public purposes, nor additional reservation of land for a public purpose, is proposed as part of this planning proposal. The planning proposal is consistent with the Ministerial Direction.
Focus Area 6: Housing	
6.1 Residential Zones	The planning proposal seeks to increase the density of residential accommodation on appropriately located sites within the study area. This will create additional housing diversity in the area, responds to the provision of the Metro transportation links and will set out requirements for appropriate design and sustainability outcomes. The base FSR for sites between 525 and 547 Harris Street, Ultimo is proposed to change from 3.5:1 to 3.3:1; 549-559 Harris Street from 4:1 to 3.61:1; and for 561-577 Harris Street from 4.1:1 to 3.41:1. As the sites are zoned E1 Local Centre, this results in a minor but justifiable inconsistency with direction 6.1 (2) (c) that a planning proposal must not contain provisions that will reduce the permissible residential density of land. The proposal involves a minor reduction in base FSR on these sites, which is of minor significance compared to the increased real development outcomes provided by the other proposed changes to planning controls on these sites, including increasing the height limit from 22 to 42 metres. The proposed height and FSR for these sites is informed by a detailed urban design analysis, guided by the principles of the Urban Design Study to maximise development within constraints across the Pyrmont peninsula. In addition, the base FSR plus design excellence bonus has been planned for these sites. Development in accordance with the current height limit on these sites would not require a competitive design process, as it is under the 25 metre height minimum in Sydney LEP 2012 clause 6.21D. However, development with the proposed height limits would require a competitive design process and be eligible for 10% additional design excellence floor space.
Focus Area 7: Industry and Employment	
7.1 Employment Zones	The planning proposal aims to significantly increase the total potential flood space for employment uses within the identified Employment zones, and places minimum floor space for employment uses within appropriate Mixed use zoned land. The base FSR for sites between 525 and 547 Harris Street, Ultimo is proposed to change from 3.5:1 to 3.3:1; 549-559 Harris Street from 4:1 to 3.61:1; and for 561-577 Harris Street from 4.1:1 to 3.41:1. As the sites are zoned E1 Local Centre, this results in a minor but justifiable inconsistency with direction 7.1 (1) (c) that a planning proposal must not reduce the total potential floor space area for employment uses and related public services is Employment Zones.

The proposal involves a minor reduction in base FSR on these sites, which is of minor significance compared to the increased real development outcomes provided by the other proposed changes to planning controls on these sites, including increasing the height limit from 22 to 42 metres. The proposed height and FSR for these sites is informed by a detailed urban design analysis, guided by the principles of the Urban Design Study to maximise development within constraints across the Pyrmont peninsula.

In addition, the base FSR plus design excellence bonus has been planned for these sites. Development in accordance with the current height limit on these sites would not require a competitive design process, as it is under the 25 metre height minimum in Sydney LEP 2012 clause 6.21D. However, development with the proposed height limits would require a competitive design process and be eligible for 10% additional design excellence floor space.

5.5 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?

The planning proposal only involves sites that are currently developed. It does not involve undeveloped sites or existing open space, which minimises any potential impacts on natural habitats.

The Pyrmont Peninsula Place Strategy Biodiversity Study (the Biodiversity study) was commissioned by the Department of Planning, Industry and Environment in 2021. This study found that “Pyrmont has undergone extensive change with very little if any remnant habitat”. The study identifies potential direct and indirect impacts from development, however notes “the application of the City of Sydney Landscape Code and the strict controls applied during the construction phase, these impacts may not occur.” The study’s main finding is that habitats will continue to be managed in small public and private spaces, such as landscaped areas within development sites.

The majority of sites identified for change in this planning proposal have at least 15 per cent of site area identified for new deep soil area in the proposed built form outcomes. For sites unable to provide deep soil, equivalent areas of green roof have been identified and accounted for in the proposed built form outcomes. This approach ensures that development according to the proposed controls will contribute to urban greening and expand habitat provision with high quality landscaping within private sites, which will enhance urban biodiversity over time.

Future development applications in accordance with this planning proposal will also have to comply with any general biodiversity requirements in Sydney DCP 2012. Separate to this planning proposal, the City is developing an update to the urban ecology planning controls in the DCP, which involves new requirements such as the provision of habitat features and bird strike prevention treatments in certain areas, and a requirement for sites which have been vacant for longer than 5 years to undertake a biodiversity assessment.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

One of the main environmental impacts associated with an intensification of development in a high-density urban environment is overshadowing. Appropriate height controls and building envelopes

have been developed for each site, expressed in both the LEP and DCP, to ensure that existing dwellings and relevant public open spaces receive an appropriate amount of sun.

No other environmental effects are anticipated to occur as a result of the planning proposal.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The City has recently introduced an increase in developer contributions required for affordable housing. Where there is an uplift in residential development potential an additional 9% Affordable Housing Contribution will be levied on the additional floor space. This will be used to help fund affordable housing programs across the City of Sydney LGA. Land that has been identified for a uplift in residential yield will be included in Schedule 6C of the LEP.

The introduction of the Ultimo-Pyrmont Small Lot Housing development type is a means of providing for an increase in the diversity of housing types across the study area.

5.6 State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The main driver for the proposed planning controls was the proposed construction of Sydney Metro stations in the study area. This will create significant additional transport infrastructure that, when combined with the existing Light Rail network, will provide a significant increase in the availability of public transportation opportunities in Pyrmont.

All utility services including electricity, telecommunications, water, sewer, and stormwater are currently available in the Precinct. If land within the Precinct is redeveloped it is expected the developer will upgrade these services to support the proposed development.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation will be undertaken with relevant NSW Government and Commonwealth public authorities post Gateway determination. Initial consultation has been undertaken with relevant state authorities including Land Housing Corporation, Transport for NSW, TAFE, Department of Education and Training and Department of Planning and Environment.

6. Mapping

The planning proposal seeks to amend the following maps contained in Sydney LEP 2012:

- Tile 007
  - Sheet CL1_007
  - Sheet FSR_007
  - Sheet HOB_007
  - Sheet LZN_007
- Tile 008
  - Sheet CL1_008
  - Sheet FSR_008
  - Sheet HOB_008
  - Sheet SAP_008
  - Sheet ASF_008

The following map tiles will be created

- Tile 007
  - Sheet AFH_007
  - Sheet AFSR_007
  - Sheet AHOB_007
- Tile 008
  - Sheet AFH_008
  - Sheet AFSR_008
  - Sheet AHOB_008

The above maps are included at Appendix 2.

7. Community Consultation

Extensive public consultation has been undertaken to date regarding the built form and planning controls contained within this planning proposal. This has included a total of four community information sessions with the Ultimo and Pyrmont community, where City of Sydney has presented the opportunities and constraints presented by Ultimo-Pyrmont to the community, including consideration of how to achieve the employment and housing targets required by the NSW Department of Planning and Environment.

These community consultation sessions were held on:

- 3 May 2022 (online)
- 25 October 2022 (Ultimo Community Centre)
- 28 November 2022 (Ultimo Community Centre)
- 18 July 2023 (Town Hall House)

~~Full details of the consultation undertaken to date is included in Appendix XXX.~~

Public consultation on the planning proposal itself ~~will be~~ was undertaken in accordance with the requirements of the Gateway determination.

~~It is proposed that, at a minimum, this will involve the~~ ~~n~~Notification of the public exhibition of this planning proposal was made on the City of Sydney website and in writing to the owners and occupiers of adjoining and nearby properties and relevant community groups.

~~It is expected this planning proposal will be publicly exhibited for at least 28 days.~~

~~It is proposed that exhibition material will be made available on the City of Sydney website.~~

~~Consultation with relevant NSW agencies and authorities and other relevant organisations will be undertaken in accordance with the Gateway determination.~~

The draft planning framework for Ultimo and Pyrmont was publicly exhibited from 1 October to 13 November 2024. This included a planning proposal to amend the Sydney LEP 2012, draft Sydney DCP 2012 amendment and Local Infrastructure Contributions Plan, along with supporting documentation including a detailed Urban Design Study. During this time a total of 254 submissions were made by email and survey response, including submissions from individuals, building representatives, NSW agencies and authorities and community groups and organisations.

8. Project Timeline

The anticipated timeline for completion of this planning proposal is as follows:

Stage	Timeframe
Gateway Determination	~~February~~ July 2024
Public exhibition and government agency consultation	~~February~~ October – ~~March~~ November 2024
Consideration of submissions	~~February~~ December 2024 – ~~May~~ October ~~2024~~ 2025
Post exhibition consideration of proposal by Council/CSPC	~~June 2024~~ October 2025
Drafting of LEP provisions	~~June 2024~~ November 2025
Finalisation of LEP and DCP and forwarding to Department of Planning and Environment for notification	~~July 2024~~ December 2025

Appendices

Appendix 1 – Example drafting

Division 6A Ultimo Pyrmont Opportunity Land

6.66A Ultimo Pyrmont Opportunity Land

(1) The objectives of this Division are as follows:

a) To support the growth and development of the Ultimo Pyrmont Precinct
b) to increase the amount and quality of open space appropriately located to support an increase in urban tree canopy
c) to enhance the amenity of streets, parks and public places
d) to protect and improve sunlight to streets, parks and public places
e) to minimise overshadowing to residential properties
f) To provide for a diversity of housing

(2) This Division applies to the Ultimo-Pyrmont Opportunity Land as identified on the locality map.

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered:

a) the impact the development will have on the amenity and solar access of nearby residential properties and public spaces
b) whether the development supports improved pedestrian comfort and safety
c) Provision of appropriately located deep soil planting

(4) Clause 7.20 does not apply to land to which this division applies.

(5) Clause 6.21D(3)(a) does not apply to a building for which development consent is granted under this clause.

6.66B Non-residential Development

(1) This clause applies to the following land within the Ultimo-Pyrmont Precinct:

a) 46-48 Pyrmont Bridge Road Pyrmont
b) 20-28 Bulwara Road Pyrmont
c) 1-27 Murray Street Pyrmont
d) 13A-29 Union Street Pyrmont
e) 69-71 Edward Street Pyrmont
f) 28-48 Wattle St Ultimo
g) 50-54 Wattle St Ultimo
h) 562-570 Harris Street, Ultimo
i) 572 Harris Street, Ultimo
j) 574 Harris Street, Ultimo
k) 576 Harris Street, Ultimo

(2) The objectives of this clause are as follows:

a) to encourage space for employment and business by providing a greater maximum height and floor space ratio for certain buildings,
b) to ensure the additional height and floor space reflects the desired character of the area,
c) to minimise adverse impacts on the amenity of the surrounding area,

d) to provide for commercial and retail opportunities in the Ultimo-Pyrmont Precinct

(3) A building on land to which this clause applies may have either or both of the following—

a) a height not exceeding the maximum height shown for the land on the Alternative Height of Buildings Map,
b) a floor space ratio not exceeding the maximum floor space ratio shown for the land on the Alternative Floor Space Ratio Map.

(4) Subclause (3) applies only if the building will be used for non-residential purposes.

Division 7 Blackwattle Bay Precinct

6.67 Preliminary

…

(2) Clauses 6.17, 6.21D(3), 7.6, and 7.20 do not apply to development in the Blackwattle Bay Precinct.

…

6.72 Overshadowing of Wentworth Park

(1) Development consent must not be granted to development in the Blackwattle Bay Precinct unless the consent authority is satisfied the buildings will not overshadow Wentworth Park between 10am and 2pm all year.

Small Lot Housing

7.34 Ultimo Pyrmont Precinct Small Lot Housing

(1) This clause applies to land identified as Small Lot Housing on the Locality and Site Identification Map.

(2) The objectives of this clause are to encourage a diverse range of housing options appropriate for the character of the precinct.

(3) A single development consent may be granted for development on land to which this clause applies for the subdivision of land and erection of a detached dwelling where—

a) The subdivision of land is into 2 lots with the minimum private open space for the existing dwelling is 16m², and
b) the gross floor area of the detached dwelling does not exceed 35 m².

(4) Development to which clause (3) applies may exceed the floor space ratio on the Floor Space Ratio Map by 35m².

(5) The maximum gross floor area for the existing dwelling lot after subdivision is equal to the gross floor area prior to subdivision.

Schedule 1 - Additional Permitted Use

Use of certain land at Harris Street, Pyrmont

(1) This clause applies to the following land at 231 – 241 Harris Street Pyrmont, 261 Harris Street Pyrmont, 26-38 Saunders Street, 14 Quarry Master Drive and 313-369 Harris Street Pyrmont—

(a) Lot 1, DP847171,

(b) SP 51673,

(c) Lot 1010 DP 850146,

(c) SP 51507,

(d) Lot 100, DP 613788,

(e) SP 18021.

(2) Development for the purposes of Business Premises is permitted with development consent.

Sun access planes

Amend the table is 6.17(4) by adding the following:

Place	Period of protection	Times of protection
Wentworth Park	All year	10am – 2pm

Add new parts to Schedule 6A as follows:

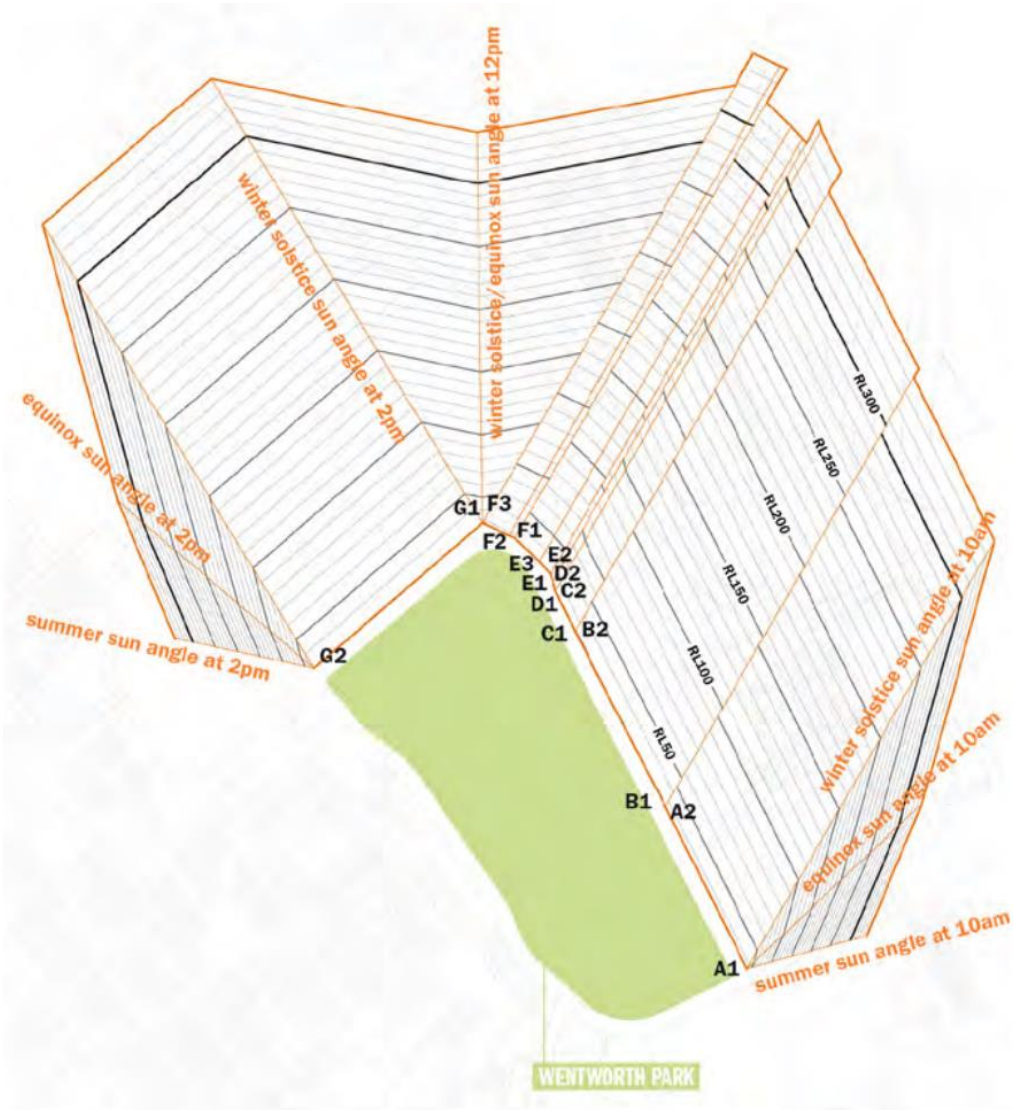
Part 15 Wentworth Park sun access planes

Note—

Regional open space for sporting, active and passive recreation and events. The eastern edge is defined by large format heritage warehouses which set the dominant street wall height and existing overshadowing to the park. Its amenity and future expansion will support the projected increase in worker and residential population throughout the Peninsula and in particular Blackwattle Bay.

Wentworth Park sun access plane

An exception to the proposed Wentworth Park SAP is required to allow the reinstatement of historical fabric at 28-48 Wattle Street as required by the supporting DCP. The exception should be limited to the reinstatement of historical fabric only.



Boundary ref:	MGA 56 Coordinates		Estimated natural ground level	Associated HOB control
	Easting	Northing		
A1	333134.9	6249804.4	RL 4	33m
A2	333034.2	6250005.1	RL 3	33m
B1	333034.2	6250005.1	RL 3	27m
B2	332922.5	6250222.2	RL 2	27m
C1	332922.5	6250222.2	RL 2	12m
C2	332898.0	6250272.0	RL 2	12m
C3	332894.9	6250284.6	RL 2	12m
D1	332894.9	6250284.6	RL 2	35m
D2	332891.9	6250293.1	RL 2	35m
E1	332891.9	6250293.1	RL 2	30m
E2	332878.4	6250308.9	RL 2	30m
E3	332848.3	6250337.9	RL 2	30m
F1	332848.3	6250337.9	RL 2	6m
F2	332840.6	6250340.8	RL 2	6m
F3	332808.2	6250356.6	RL 2	6m
G1	332808.2	6250356.6	RL 2	28m
G2	332599.7	6250176.4	RL 2	28m

Schedule 6C Contribution requirement for certain development on Planning Proposal Land

Apply an affordable housing contribution of 9% to any residential floor space that exceeds the maximum floor space ratio that applied prior to the publication of the LEP that implements this planning proposal.

The suggested approach to amending Schedule 6C of the Sydney LEP is to:

- map sites according to their current FSR, for example, sites with a 2:1 FSR that will be mapped “Area 2” on the Affordable Housing Map, sites with a 2.5:1 FSR that will be mapped “Area 3” on the Affordable Housing Map, and so on as shown in the table below;
- identify each area in “Planning Proposal Land” (column 1) of Schedule 6C;
- In each row, require in “Contribution Requirement” (column 2) that the contribution requirement be calculated by “the total amount of (a) the contribution applying to the development under clause 7.13, and (b) if the part of a building intended to be used for a purpose other than residential accommodation has a floor space ratio of less than XX:1—9% of the gross floor area equivalent to the amount by which the floor space ratio of the building exceeds XX:1”, with XX being the current FSR of the sites (before this planning proposal increases development capacity) as shown in the table below.

Address	Lot/DP	FSR above which a 9% affordable housing contribution is imposed on residential floor space	Affordable Housing Map Area	Proposed FSR (excl Design Excellence)
446 Wattle Street Ultimo	Lot 9 DP260374	1	2	3.75
448 Wattle Street Ultimo	Lot 10 DP260374	1	2	3.75
450 Wattle Street Ultimo	Lot 11 DP260374	1	2	3.75
452 Wattle Street Ultimo	Lot 12 DP260374	1	2	3.75
454 Wattle Street Ultimo	Lot 13 DP260374	1	2	3.75
456 Wattle Street Ultimo	Lot 14 DP260374	1	2	3.75
562-570 Harris Street Ultimo	Lot 44 DP868670	1	2	2
79 John Street Pyrmont	Lot 11 DP1007905	1.25	3	3
81 John Street Pyrmont	Lot 10 DP1007905	1.25	3	3
83 John Street Pyrmont	Lot 1 DP611040	1.25	3	2.75
85 John Street Pyrmont	Lot 301 DP232783	1.25	3	2.75
87 John Street Pyrmont	Lot 1 DP567806	1.25	3	2.5
89 John Street Pyrmont	Lot 21 DP1123226	1.25	3	2.5

Address	Lot/DP	FSR above which a 9% affordable housing contribution is imposed on residential floor space	Affordable Housing Map Area	Proposed FSR (excl Design Excellence)
91 John Street Pyrmont	Lot 22 DP1123226	1.25	3	2
93 John Street Pyrmont	Lot 23 DP1123226	1.25	3	2
80 Harris Street Pyrmont	Lot D DP50010	1.25	3	~~2.75~~ 3
82 Harris Street Pyrmont	Lot 1 DP131342	1.25	3	~~2.75~~ 3
84 Harris Street Pyrmont	SP79258	1.25	3	~~2.75~~ 3
469 Harris Street Ultimo	Lot 1 DP 69694	1.5	4	~~2.43~~ 2.65
471 Harris Street Ultimo	Lot 1 DP 64212	1.5	4	~~2.4~~ 2.65
473-475 Harris Street Ultimo	Lot 1 DP 64213	1.5	4	~~2.4~~ 2.65
477 Harris Street Ultimo	Lot 1 DP 90991	1.5	4	~~2.4~~ 2.65
479 Harris Street Ultimo	Lot 2 DP 90991	1.5	4	~~2.4~~ 2.65
481 Harris Street Ultimo	Lot 3 DP 90991	1.5	4	1.6
483 Harris Street Ultimo	Lot 4 DP 90991	1.5	4	1.6
572 Harris Street Ultimo	Lot 45 DP868870	1.5	4	2
574 Harris Street Ultimo	Lot 46 DP868870	1.5	4	2
576 Harris Street Ultimo	Lot 47 DP868870	1.5	4	2
383-389 Bulwara Road Ultimo	Lot 1 DP 773656	2	5	3
458-468 Wattle Street Ultimo	SP65741	2.5	6	3.75
470 Wattle Street Ultimo	Lot 1 DP209558	2.5	6	3.5
26-38 Saunders Street Pyrmont	SP61725	3	7	~~6.7~~ 7:1
14 Quarry Master Drive Pyrmont	SP70798	3.5	8	4
55-65 Murray Street Pyrmont	Lots 14, 15 and 16 DP 32575	4	9	4.8
1-33 Saunders Street Pyrmont	Lot 102 DP853704		9	4.22
579-583 Harris Street Ultimo		6.3	10	6.5
1-27 Murray Street Pyrmont	SP60306	2.5	6	5:1
46-48 Pyrmont Bridge Road Pyrmont	Lot 1 DP800148	2	5	3.41
13A-29 Union Street Pyrmont	Lot 1 DP 119654	3.5	8	3.73

Appendix 2 – Maps

Appendix 3 - Consistency with Ministerial Direction 1.15 Implementation of the Pyrmont Peninsula Place Strategy

Ministerial Direction 1.15 Implementation of the Pyrmont Peninsula Place Strategy (Place Strategy) requires a planning proposal for land subject to the Place Strategy to be consistent with the Place Strategy and the Place Strategy – Urban Design Report (Vol. 3 Sub-precinct Master Planning). The consistency of this planning proposal with the terms of the Ministerial Direction is outlined below.

1.1 The Planning Proposal gives effect to the objectives of Ministerial Direction 1.15 and the Vision (Part 5) of the Place Strategy

The planning proposal gives effect to the objectives of the Ministerial Direction by facilitating development within Ultimo Pyrmont that is consistent with the Place Strategy and the Economic Development Strategy as outlined below.

This planning proposal is aligned with the Eastern City District Plan Planning Priority E7 Growing a Stronger and More Competitive Harbour CBD and actively supports the consistent delivery of objectives in the Eastern City District Plan and Greater Sydney Region Plan. The planning proposal delivers additional capacity for employment floorspace close to the new Metro station to provide for 20,000-27,000 jobs.

As outlined in Table 1 below, this planning proposal guides growth and change balanced with character, heritage, access to sunlight and public space, views, trees and infrastructure considerations across the Peninsula.

Table 1 Alignment of the planning proposal with the Vision of the Place Strategy

Vision	Comment
A renowned and treasured cultural and entertainment precinct	**Consistent** This planning proposal contributes towards capacity for 4,100 homes and up to 20,000 to 27,000 jobs to support the success and vibrancy of key cultural and entertainment destinations within Ultimo Pyrmont. This planning proposal does not alter the planning controls for key cultural and entertainment uses which were identified as NSW Government key sites.
Pyrmont will be at the forefront of the future of work.	**Consistent** This planning proposal provides capacity towards up to 20,000 to 27,000 jobs in a range of building typologies in highly accessible locations and provides for the types of commercial buildings industry have told us are in high demand. This planning proposal also provides capacity for 4,100 homes to continue the tradition of Ultimo Pyrmont being a place where people live close to their work. A significant proportion of the commercial floorspace capacity is within close proximity of the new Metro Station, to promote public transport use by workers and customers, support a self-sustaining workplace precinct in a diversity of building

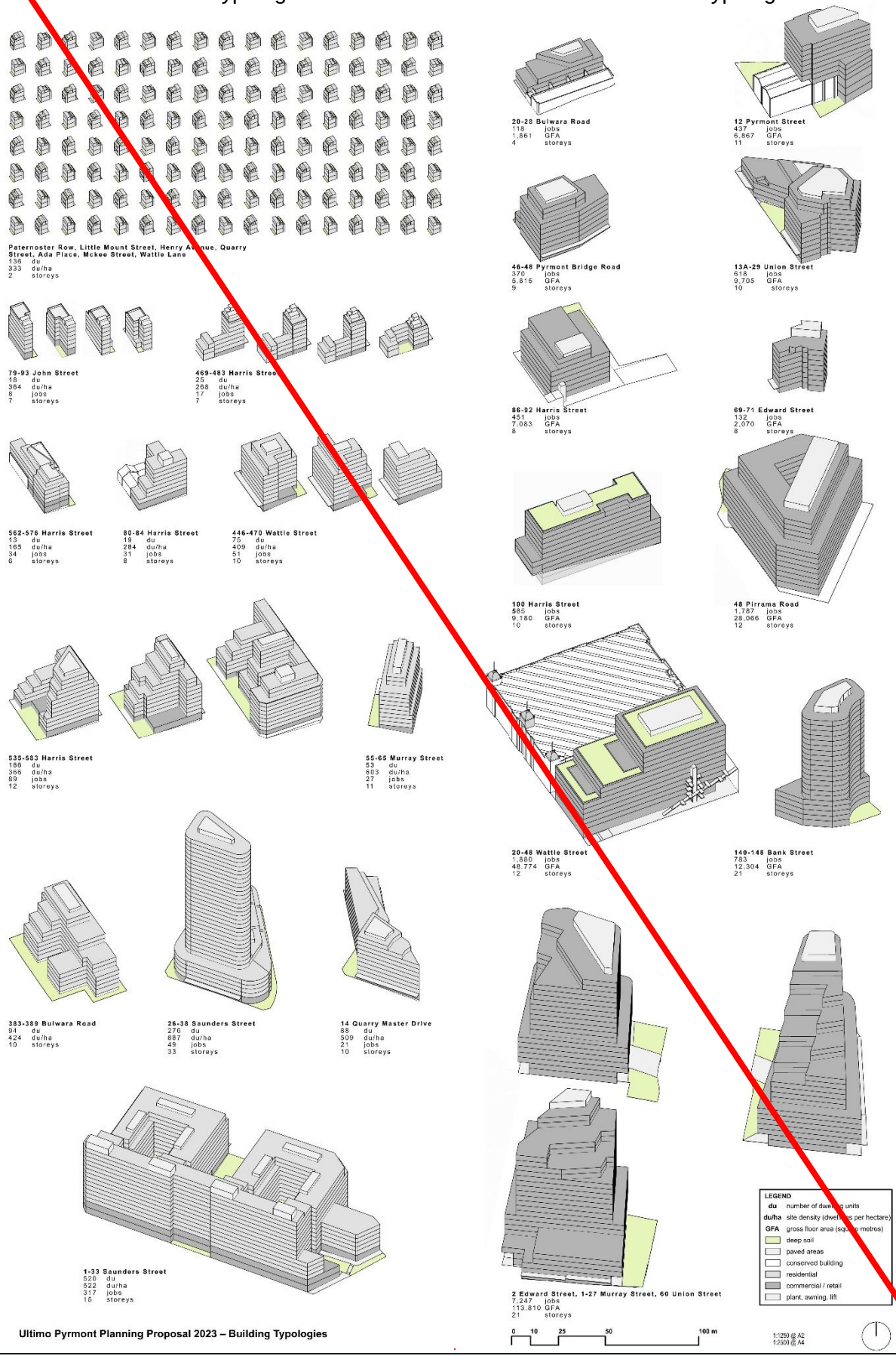
Vision	Comment
	typologies and support the growth and clustering of creative media businesses.
Green and connected.	**Consistent** The proposed planning controls facilitate opportunities to increase publicly accessible open space, widen footpaths, accommodate over 250 new trees, 2,000 square metres of new green roofs, and minimise overshadowing to existing residents and important public parks and places. The proposed planning controls also maintain and improve views and vistas to strengthen connections between Ultimo Pyrmont and the waterfront.
Embracing a sensible approach to growth	**Consistent** The strategic review looked at all sites in Ultimo and Pyrmont where the City is the planning authority and seeks to update the planning framework in response to the Direction. The City's review started with sites identified in the Place Strategy as being potentially capable of change and then expanded to look at nearly every site in Ultimo and Pyrmont. Ultimo was identified in the Planning Strategy as the location of the most growth. This planning proposal introduces new planning controls for a range of sites, to increase residential capacity within the Ultimo sub-precinct. After discussions with the landowners, this planning proposal does not introduce new planning controls for the UTS Broadway Campus and the TAFE NSW Ultimo Campus. Site-specific controls for those sites can be implemented through a separate planning process in the future. Further detail is included in Attachment A3 Sites Reviewed but Not Changing. This planning proposal introduces new planning controls for a number of sites in the southern part of the Darling Island sub-precinct, to facilitate commercial floorspace in close proximity of the Metro Station. This planning proposal also introduces new controls for a number of sites in the Blackwattle Bay sub-precinct to facilitate both residential and commercial floorspace near the foreshore walk as envisioned in the Place Strategy. This planning proposal has not included any within the Tumbalong Park sub-precinct. This area is largely under the responsibility of the NSW Government.
A variety of building typologies	**Consistent** This planning proposal delivers a range of building typologies and land uses~~, as demonstrated in Figure 5 Diagrammatic representation of the development permitted on each site included in this planning proposal~~. The proposed planning controls which contribute towards 4,100 dwellings are to be provided across a variety of building types, including residential flat buildings, mixed use developments and

Vision	Comment
	small lot housing which will have excellent access to sunlight and natural ventilation. The proposed planning controls which contribute towards accommodating up to 20,000 to 27,000 jobs in a range of building typologies in highly accessible locations and align with the types of commercial buildings industry have told us are in high demand.
People will use public transport, walk or cycle to get to and from the Peninsula.	**Consistent** Proximity to the future metro station has guided the City's land use approach. The City's planning proposal reflects a land use approach that seeks to: a) incentivise a critical mass of business floor space close to Pyrmont Metro Station to promote public transport use by workers and customers; b) plan for a middle ring of mixed-use developments with strong public transport accessibility to provide homes for people and good access to local shops and services for existing and future residents; and c) provide an outer ring of residential development, comprised of housing options ranging from higher density to small lot dwellings, located slightly further from public transport but still within walking distance of light rail, bus routes or the Pyrmont metro station. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund public domain upgrades and dedicated cycleways to improve connectivity.
A diversity of housing, including new affordable and social housing.	**Consistent** The proposed planning controls contribute towards providing for up to 4,100 homes in a variety of building forms and scales, including residential flat buildings, mixed use developments and small lot housing. This planning proposal delivers more affordable housing with land subject to a height and FSR increase for residential development required to pay an additional contribution on the uplift. This planning proposal does not change the planning controls for social or affordable housing sites, thus ensuring social and affordable housing tenants remain in the Ultimo Pyrmont community.
A tapestry of publicly accessible open spaces	**Consistent** This planning proposal increases the quantum of open space across Ultimo Pyrmont and protects solar access to existing parks. This planning proposal introduces new solar access planes for Wentworth Park to ensure the existing open space is not

Vision	Comment
	overshadowed by new development during the hours of primary use. The draft DCP Ultimo Pyrmont introduces site-specific controls which require development to provide publicly accessible open space with deep soil. The co-location of deep soil areas and streets makes it possible for the publicly accessible open spaces on private lots to be accessible to the public, extending areas for passive enjoyment, sitting, and walking, throughout the peninsula. The proposed planning controls also introduce a series of open spaces and through site links radiating from the metro station, so more people can access the station more easily and people arriving by metro can easily find their way to their destinations in comfort.

Residential typologies

Commercial typologies



~~Figure 5 Diagrammatic representation of the development permitted on each site included in this planning proposal~~

1.2 The Planning Proposal is consistent with the 10 directions (Part 6) and Structure Plan (Part 8) in the Pyrmont Peninsula Place Strategy

This planning proposal is consistent with the 10 directions, as outlined in the table below.

Table 2 Alignment of the planning proposal with the 10 directions of the Place Strategy

10 Directions	Comment
1. Jobs and industries of the future	**Consistent** This planning proposal provides capacity towards up to 20,000 to 27,000 jobs in a range of building typologies including low scale heritage buildings, large floorplate mid-rise buildings, and towers. This planning proposal provides for the type of office premises that industry has told us are in high demand in the area. A significant proportion of the commercial floorspace capacity is within close proximity of the new Metro Station to support the growth and clustering of creative media businesses. The amenity of the area for workers will be enhanced through new publicly accessible open spaces, through site links, and mixed use development with local retail and services.
2. Development that complements or enhances the area	**Consistent** The City's approach is place-led and people-focused. The urban design analysis which informed this planning proposal was guided by the following design considerations: 1. more deep soil for more trees and cool green spaces; 2. more public space for more people – streets and open spaces; 3. minimise overshadowing of existing residential properties; 4. reinforce ‘street wall’ form of most buildings; 5. conserve heritage values; 6. good design for wind and noise; 7. match land use to place; 8. consider public views to and from public places; and 9. maximise development within constraints. The detailed planning controls proposed in this planning proposal and the draft DCP Ultimo Pyrmont have been developed with consideration to the site-specific matters listed above. Using these guiding considerations has ensured that the new planning controls facilitate development that fits within the Peninsula’s evolving character and complements the area.

10 Directions	Comment
	A full description of the urban design benefits of this planning proposal are outlined throughout this Appendix.
3. Centres for residents, workers and visitors	**Consistent** This planning proposal supports the vibrancy of the Darling Island sub-precinct, increasing the size of the pedestrianised section of Harwood Street and incentivising non-residential development to create a node of activity and support the entertainment precinct. This planning proposal enables mixed use development with active frontages on Harris Street to support its role as a main street. In response to landowner requests, this planning proposal also introduces business premises as a permitted use to three R1 General Residential zoned sites on Harris Street to provide the opportunity for more ground floor businesses to provide local services. While the Place Strategy identifies that Harris Street should become a pedestrian-focused street with traffic reductions and a decreased number of lanes, the subsequent Transport for NSW Western Distributor Network Improvement Project and the NSW Government's draft Pyrmont Ultimo Transport Plan indicate that there will be an overall increase in traffic movements along this corridor and only minor improvements for pedestrians. The City has previously raised concerns that the Western Distributor Network Improvement Project and the draft Pyrmont Ultimo Transport Plan are both inconsistent with the Place Strategy. Given the prediction that traffic volumes on Harris Street will increase, the proposed planning controls for sites on Harris Street provide for the need to design to minimise noise impacts. This significantly reduces the overall number of dwellings that can be delivered on Harris Street. After discussions with the landowners, this planning proposal does not introduce new planning controls for the UTS Broadway Campus and the TAFE NSW Ultimo Campus. Site-specific controls for those sites can be implemented through a separate planning process in the future to support a new activity centre at the southern end of Harris Street. Further detail is included in Attachment A3 Sites Reviewed but Not Changing.
4. A unified planning framework	**Consistent** This planning proposal gives effect to the Place Strategy, as detailed in this Appendix. This planning

10 Directions	Comment
	proposal does not impact the planning pathway for any NSW Government key sites. All new planning controls are proposed to be contained within the Sydney LEP 2012 and the draft DCP Ultimo Pyrmont.
5. A tapestry of greener public spaces and experiences	**Consistent** This planning proposal introduces new solar access planes for Wentworth Park to ensure the existing open space is not overshadowed by new development during the hours of primary use. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund capacity improvements to both the northern and southern sections of Wentworth Park, to enable this open space to continue to meet demand for active and passive recreation. The draft DCP Ultimo Pyrmont, which will be exhibited with this planning proposal, introduces site-specific controls which require development to provide publicly accessible open space with deep soil. The co-location of deep soil areas and streets makes it possible for the publicly accessible open spaces on private lots to be accessible to the public, extending areas for passive enjoyment, sitting, and walking, throughout the peninsula. The proposed planning controls also introduce a series of open spaces and through site links radiating from the metro station, so more people can access the station more easily and people arriving by metro can easily find their way to their destinations in comfort. These connections are detailed in Section 1.5 below. This planning proposal together with the detailed planning controls of the draft DCP Ultimo Pyrmont ensure that view corridors to the water are maintained or enhanced.
6. Creativity, culture and heritage	**Consistent** This planning proposal supports the Sydney Harbour foreshore walk through ensuring no impact on the solar access of the foreshore parks. This planning proposal and the draft DCP Ultimo Pyrmont supports the ‘market to museum’ link along Pyrmont Bridge Road by requiring any development of 46-48 Pyrmont Bridge Road provide a 6.5 metre setback to Pyrmont Bridge Road to relieve a crucial pedestrian pinch point. This planning proposal responds to the heritage context of the area and preserves the industrial

10 Directions	Comment
	heritage of Ultimo Pyrmont. For example, targeted changes to planning controls of 28-48 Wattle Street require the preservation and restoration of heritage significant fabric while maximising floor space and encouraging the retention of small creative industries existing on the site. This planning proposal does not alter the planning controls for key cultural and entertainment uses which were identified as NSW Government key sites.
7. Making it easier to move around	**Consistent** The proposed planning controls identify several new and upgraded through site links to improve east-west connections and enhance “ridge to harbour” walking links. This includes a series of open spaces and through site links radiating from the metro station so more people can access the station more easily and people arriving by metro can easily find their way to their destinations in comfort. The proposed planning controls improve wayfinding to the Pyrmont Bay Light Rail stop, facilitating safe and legible interchange between the Pyrmont Metro Station and light rail. The Draft DCP Ultimo Pyrmont contains detailed design provisions for 28-48 Wattle Street which requires an accessible through-site link to ensure all people can travel east-west through the area. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund public domain upgrades, tree planting and dedicated cycleways to improve walking and cycling connectivity. Further detail on through site links and public domain upgrades is included in Section 1.5 below.
8. Building now for a sustainable future	**Consistent** This planning proposal and draft DCP Ultimo Pyrmont seek to achieve an increase in canopy cover through an increase in deep soil planting requirements and appropriate street tree planting. This planning proposal works in conjunction with existing City and State policy on sustainability outcomes, including net-zero energy requirements for non-residential development. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund public domain upgrades, tree planting and dedicated cycleways to improve connectivity.

10 Directions	Comment
9. Great homes that can suit the needs of more people	**Consistent** This planning proposal introduces planning controls which enable a diversity of housing types across a variety of scales, including residential flat buildings, mixed use developments and small lot housing. ~~As shown in Figure 5,~~ the scale of residential development enabled through this planning proposal varies from 2 storeys to 33 storeys, providing diverse options for residents. This planning proposal provides for an increased supply of affordable housing by requiring sites receiving residential uplift to provide nine per cent of the residential uplift floor space as affordable rental housing. This will be either through the provision of dwellings or an equivalent monetary contribution. This contribution is in addition to the new general controls in Ultimo and Pyrmont which will require a contribution rate of one per cent of the total floor area for non-residential uses and three per cent of the total floor area of the development for residential uses as affordable rental housing.
10. A collaborative voice	**Consistent** The City's approach is place-led and people-focused. It seeks to advance known community priorities contained in our community strategic plan, Sustainable Sydney 2030-2050 Continuing the Vision, our local strategic planning statement City Plan 2036, and priorities directly identified to us through engagement with residents, landowners and community groups. In May 2022 the City started consultation with community and stakeholder groups about the strategic review. We held conversations with residents and landowners to understand their concerns, interests and perspectives on how to best accommodate growth and change in Ultimo and Pyrmont. This early engagement influenced the urban design analysis, draft planning controls and the preparation of a local infrastructure contributions plan.

This planning proposal is consistent with the Structure Plan of the Place Strategy, as outlined in the table below.

Table 3 Alignment of the planning proposal with the Structure Plan of the Place Strategy

Structure Plan	Comment
Regional Harbour Parkland	**Consistent** This planning proposal supports the Sydney Harbour foreshore walk as a continuous water-edge experience, connecting people to an understanding of place and of care for Country through ensuring no change to solar access of the foreshore parks. This planning proposal enhances access to the foreshore through new and enhanced through site links and widened footpaths. These are detailed below in Section 1.5.
World class harbour foreshore walk	**Consistent** This planning proposal does not involve any sites involved in the delivery of the foreshore walk.
High street/intermediate transport corridor	**Consistent** This planning proposal enables mixed use development with active frontages on Harris Street to support its role as a main street. In response to landowner requests, this planning proposal also introduces business premises as a permitted use to three R1 General Residential zoned sites on Harris Street to provide the opportunity for more ground floor businesses to provide local services. While the Place Strategy identifies that Harris Street should become a pedestrian-focused street with traffic reductions and a decreased number of lanes, the subsequent Transport for NSW Western Distributor Network Improvement Project and the NSW Government's draft Pyrmont Ultimo Transport Plan indicate that there will be an overall increase in traffic movements along this corridor and only minor improvements for pedestrians. The City has previously raised concerns that the Western Distributor Network Improvement Project and the draft Pyrmont Ultimo Transport Plan are both inconsistent with the Place Strategy. Given the prediction that traffic volumes on Harris Street will increase, the proposed planning controls for sites on Harris Street provide for the need to design to minimise noise impacts. This significantly reduces the overall number of dwellings that can be delivered on Harris Street. After discussions with the landowners, this planning proposal does not introduce new planning controls for the UTS Broadway Campus and the TAFE NSW Ultimo Campus. Site-specific controls for those sites can be implemented through a separate planning process in the future to support a new activity centre at the southern end of Harris Street.
Strategic active transport route and green walkable streets	**Consistent**

Structure Plan	Comment
	This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund public domain upgrades, tree planting and dedicated cycleways to improve walking and cycling connectivity. The controls for small lot housing will encourage the removal of driveways from narrow streets in conservation areas and provide space for the planting of street trees, improving the amenity and walkability of narrow streets. The draft DCP Ultimo Pyrmont introduces site-specific controls which require development to provide publicly accessible open space with deep soil. The co-location of deep soil areas and streets makes it possible for the publicly accessible open spaces on private lots to be accessible to the public and increases canopy cover on streets.
Local open spaces	**Consistent** This planning proposal introduces new solar access planes for Wentworth Park to ensure the existing open space is not overshadowed by new development during the hours of primary use. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund capacity improvements to both the northern and southern sections of Wentworth Park, to enable this open space to continue to meet demand for active and passive recreation. The City has undertaken extensive work modelling the potential impacts associated with development uplift. The proposed planning controls seek to protect public views from public places and protect solar access to important parks and places so they remain pleasant places for people to spend time. The draft DCP Ultimo Pyrmont introduces site-specific controls which require development to provide publicly accessible open space with deep soil. The co-location of deep soil areas and streets makes it possible for the publicly accessible open spaces on private lots to be accessible to the public, extending areas for passive enjoyment, sitting, and walking.
Areas capable of change	**Consistent** This planning proposal introduces new controls to contribute towards providing for 4,100 dwellings and 20,000-27,000 jobs in Ultimo Pyrmont across a range of building typologies. The City looked at nearly every site in Ultimo and Pyrmont to try and determine the most sensitive way to accommodate the growth envisaged by the NSW Government. Our starting point for reviewing sites were the sites identified in the Place Strategy as being potentially capable of change and therefore candidates for delivering additional jobs and homes. We then

Structure Plan	Comment
	extended our consideration to additional sites identified through our review process. Sites have undergone initial consideration and discussion with landowners and the community. In instances where planning control changes were deemed appropriate, urban design testing was undertaken. Some sites identified in the Planning Strategy as an area capable of change were reviewed, but no planning control changes progressed as part of the proposed planning framework. The report at Attachment A3 provides a summary of these sites and the City's consideration.

1.3 The Planning Proposal delivers on envisaged future character for sub-precincts (Part 9), including relevant place priorities in the Pyrmont Peninsula Place Strategy

This planning proposal delivers on envisaged future character for sub-precincts, as outlined in Table 4 below.

Table 4 Alignment of the Planning Proposal with the envisaged future character for sub-precincts of the Place Strategy

Sub-precincts	Comment
Darling Island	**Consistent** This planning proposal plans for new jobs in a range of building typologies and scales within walking distance of the Pyrmont Metro station to cater for the growth of industries including tourism, culture, entertainment and innovation. This planning proposal does not provide for residential development within the Darling Island sub-precinct as the sites to which this planning proposal apply are all within close proximity of the Pyrmont Metro station and support built form envelopes better suited to commercial uses. View corridors to provide connections across the peninsula to the waterfront and waterfront open spaces have been identified and expanded upon in the proposed built form controls. This includes new planning controls for 48 Pirrama Road to enhance the John Street view corridor and open up views from Darling Island to the Anzac Bridge. The draft DCP Ultimo Pyrmont also identifies a network of new and improved through site links to improve wayfinding and pedestrian connectivity to the new Metro station. This includes widening the pedestrianised section of Harwood Street to improve wayfinding to the light rail and improve visual and pedestrian access from the ridgeline to the waterfront. New detailed controls for the light rail crossing at 2 Edward Street and Union Street provide for a visible and accessible connection from Union Street to the waterfront.

Sub-precincts	Comment
	The draft DCP Ultimo Pyrmont requires all sites receiving uplift through this planning proposal to undertake a competitive design excellence process. This will ensure that development applications appropriately consider their built form context, including pedestrian connectivity, view corridors and heritage, and deliver the highest standard of architectural, urban and landscape design. The proposed controls adapt older buildings for new workplaces to retain the heritage of the sub-precinct. The proposed controls for 12 Pyrmont Street retain the heritage-listed former warehouse and permit an 11-storey addition which can be used for commercial purposes. Taller buildings have been located to retain heritage buildings, ensure no solar impact on Union Square, enhance view corridors and maintain the visual privacy of existing residential buildings. A range of other place priorities are not relevant to this planning proposal and have not been addressed.
Tumbalong Park	**Not applicable** This planning proposal does not apply to any sites within the Tumbalong Park sub-precinct.
Ultimo	**Consistent** Detailed urban design analysis for each site to which this planning proposal applies has identified appropriate opportunities for deep soil for tree planting, publicly accessible open space, footpath widening and through site links. These requirements are included in the draft DCP Ultimo Pyrmont to ensure these public benefits are delivered. The draft DCP Ultimo Pyrmont requires all sites receiving uplift through this planning proposal to undertake a competitive design excellence process. This will ensure that development applications appropriately consider their built form context and deliver the highest standard of architectural, urban and landscape design. Detailed urban design analysis for each site has ensured that taller buildings are located so they respect privacy, minimise overshadowing of existing residential development and open space, maintain or enhance view corridors and conserve heritage. This planning proposal introduces planning controls to facilitate small lot housing on small streets at the rear of appropriate heritage-listed terraces and appropriate sites in the Harris Street Heritage Conservation Area (conservation area). These controls encourage the retention and restoration of significant fabric and reinforce the character of the conservation area.

Sub-precincts	Comment
	After discussions with the landowners, this planning proposal does not introduce new planning controls for the UTS Broadway Campus and the TAFE NSW Ultimo Campus. Site-specific controls for those sites can be implemented through a separate planning process in the future to support the place priorities for the Ultimo sub-precinct. Further detail is included in Attachment A3 Sites Reviewed but Not Changing. A range of other place priorities are not relevant to this planning proposal and have not been addressed.
Wentworth Park	**Consistent** This planning proposal introduces new solar access planes for Wentworth Park to ensure the existing open space is not overshadowed by new development during the hours of primary use. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund capacity improvements to both the northern and southern sections of Wentworth Park, to enable this open space to continue to meet demand for active and passive recreation. This planning proposal responds to the heritage context of the area and preserves the industrial heritage of Ultimo Pyrmont. Targeted changes to the planning controls of heritage-listed warehouses at 28-48 Wattle Street and 50-54 Wattle Street require the preservation and restoration of significant heritage fabric while maximising floor space to ensure the warehouse buildings continue to provide for creative industries. A range of new and improved through site links are identified in the draft DCP Ultimo Pyrmont to improve connectivity and overcome the difficult topography. This includes an accessible through-site link at 28-48 Wattle Street to ensure all people can travel from east-west from the ridgeline to Wentworth Park. This planning proposal introduces planning controls to facilitate small lot housing on small streets at the rear of appropriate sites in the Ultimo conservation area. These controls encourage the retention and restoration of significant fabric and reinforce the character of the conservation area. A range of other place priorities are not relevant to this planning proposal and have not been addressed.
Blackwattle Bay	**Consistent** This planning proposal facilitates residential, mixed use and commercial development of sites within the Blackwattle Bay sub-precinct to complement the redevelopment of the existing fish market at Blackwattle Bay and adjoining sites to the west of the Western Distributor motorway. As outlined in Attachment A2 Urban Design Study, detailed design analysis has ensured any development facilitated

Sub-precincts	Comment
	through this planning proposal results in no reduction in the amount of area of the northern foreshore promenade receiving at least 2 hours of solar access. The planning controls for 1-33 Saunders Street and 140-148 Bank Street have been designed to maintain a view corridor from Glebe Foreshore to the Former CSR McCaffery's Building. The draft DCP Ultimo Pyrmont contains provisions requiring ground level setbacks, upper level setbacks, through site links and a public square to ensure development within Blackwattle Bay improves the amenity of the public domain. Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of that project is an update to the deep soil and landscaping requirements to specify minimum areas of deep soil and minimum tree planting requirements for different land uses and site areas. These controls will ensure all development over a minimum size, including in Blackwattle Bay, provide deep soil and tree planting, and where deep soil cannot be delivered, a green roof is substituted. A range of other place priorities are not relevant to this planning proposal and have not been addressed.
Pirrama	**Not applicable** This planning proposal does not apply to any sites within the Pirrama sub-precinct.
Pyrmont Village	**Consistent** This planning proposal provides for a mix of uses along Harris Street, with commercial uses encouraged near the Metro station and mixed use or residential uses located further from the station. Union square is protected as an important place, with no change to its solar access as part of this planning proposal. View corridors to the foreshore, to parks and to landmarks have informed the proposed areas of pedestrianised streets, through-site links, widened footpaths, deep soil areas and upper level setbacks. The proposed planning controls for 46-48 Pyrmont Bridge Road require a 6.5 metre setback to Pyrmont Bridge Road at a crucial pinch point on the main walking path between Pyrmont Metro and Blackwattle Bay/Sydney Fish Markets. Combined with reallocating the disused bus bay for footpath widening, the community will have more space to walk and gather. The proposed planning controls for 100 Harris Street preserve the form of the recently restored and refurbished heritage-listed former woolstore and allow for the demolition and construction of a new 10 storey commercial building to the

Sub-precincts	Comment
	south of the heritage-listed item. These proposed controls preserve the heritage character and forms of the area and provide flexible new commercial floor space. This planning proposal also introduces planning controls to facilitate small lot housing on small streets at the rear of appropriate sites in the Pyrmont and Ultimo conservation areas. These controls preserve the heritage character of the conservation areas and provide for flexible new small lot housing with high amenity. The draft DCP Ultimo Pyrmont which accompanies this planning proposal requires developments provide deep soil for trees. Where deep soil cannot be provided at ground level, trees are to be planted on podium and rooftops. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund upgrades to the Pyrmont Community Centre, Ultimo Community Centre and the Maybanke Recreation Facility to enable these community spaces to continue to meet the community's needs. A range of other place priorities are not relevant to this planning proposal and have not been addressed.

1.4 The Planning Proposal supports the delivery of the Big Moves (Part 7) in the Pyrmont Peninsula Place Strategy

This planning proposal supports the delivery of the Big Moves in the Place Strategy through its considered place-based proposed planning controls.

Big Moves	Comment
A world-class harbour foreshore walk	**Consistent** This planning proposal does not involve any sites involved in the delivery of the foreshore walk. This planning proposal supports the Sydney Harbour foreshore walk as a continuous water-edge experience through ensuring no change to solar access of the foreshore parks. This planning proposal enhances access to the foreshore through new and enhanced through site links and widened footpaths. These are detailed below in Section 1.5.
A vibrant 24-hour cultural and entertainment destination	**Consistent** The City's approach is place-led and people-focused. This planning proposal and draft DCP Ultimo Pyrmont require sites to provide publicly accessible open spaces, deep soil for trees, new and improved through site links, footpath widening and active frontages to enhance and activate the public domain and provide more places for people.

Big Moves	Comment
	This planning proposal includes incentive planning controls for commercial floor space to encourage job creation in Pyrmont Ultimo and support the creative and entertainment industries. This planning proposal and draft DCP Ultimo Pyrmont do not introduce any changes to hours of operation, retaining the existing controls which enable cultural and creative uses at night.
Connect to Metro	**Consistent** This planning proposal supports connections to the Pyrmont Metro station through: a) incentivising a critical mass of business floor space close to the station to promote public transport use by workers and customers, support a self-sustaining workplace precinct in a diversity of building typologies while also continuing to support the growth and clustering of creative media businesses; b) planning for a middle ring of mixed-use developments with strong public transport accessibility to provide homes for people and good access to local shops and services for existing and future residents; and c) provide an outer ring of residential development, comprised of housing options ranging from higher density to small lot dwellings, located slightly further from public transport but still within walking distance of light rail, bus routes or the Pyrmont metro station. The proposed planning controls also introduce a series of open spaces and through site links radiating from the metro station to improve wayfinding and pedestrian connections to the Metro station. These are detailed below in Section 1.5.
Low carbon, high performance precinct	**Consistent** The City has a target of net zero emissions in the Council area by 2035. The City's existing planning controls require office buildings, shopping centres and hotels to meet certain minimum energy efficiency performance standards and to demonstrate net zero emissions from energy use from 1 January 2026. The City is unable to introduce higher energy efficiency requirements on residential buildings which are covered by the Sustainable Buildings SEPP 2022. Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of this project is an update to the parking requirements. Maximum parking rates for certain sites are proposed to be reduced in Pyrmont Ultimo to reflect the improved accessibility context due to the Pyrmont Metro. The requirements for bicycle parking are proposed to be updated to ensure easy access to bicycles for regular trips.

Big Moves	Comment
	The City's existing planning controls require new development to connect to any existing recycled water network. The City's update to its general planning controls also includes an update to the water efficiency, rainwater capture and stormwater management controls. This planning proposal and draft DCP Ultimo Pyrmont also require sites to provide publicly accessible open spaces, deep soil for trees, new and improved through site links, footpath widening and active frontages to enhance and activate the public domain to improve the walkability of the area. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan to fund public domain upgrades, tree planting and dedicated cycleways to improve connectivity. Transport for NSW has exhibited a draft Pyrmont-Ultimo Transport Plan, which is meant to detail the delivery of the objectives and initiatives in the Planning Strategy and Urban Design Report. The City has previously raised concerns that this plan is inconsistent with the objectives outlined in the Planning Strategy, particularly that integrated parking models and multi-utility hubs are not included in the Plan's actions.
More, and better activated public space	**Consistent** This planning proposal increases the quantum of open space across Ultimo Pyrmont and protects solar access to existing parks. This planning proposal introduces new solar access planes for Wentworth Park to ensure the existing open space is not overshadowed by new development during the hours of primary use. The draft DCP Ultimo Pyrmont introduces site-specific controls which require development to provide publicly accessible open space with deep soil. The co-location of deep soil areas and streets makes it possible for the publicly accessible open spaces on private lots to be accessible to the public, extending areas for passive enjoyment, sitting, and walking, throughout the peninsula. The proposed planning controls also introduce a series of open spaces and through site links radiating from the metro station to improve accessibility and wayfinding around the station. View corridors to provide connections across the peninsula to the waterfront and waterfront open spaces have been identified and expanded upon in the proposed built form controls.

1.5 The Planning Proposal is consistent with Peninsula wide objectives contained in Part 2 of the Urban Design Report

2.1 Country

The objectives of this section of the Urban Design Report are not covered by the scope of this planning proposal. Future development applications for individual sites and public domain works will give effect to these objectives.

2.2 Movement

Many of the objectives and initiatives of this section of the Urban Design Report are not covered by the scope of this planning proposal. The City's broad approach to improving movement is outlined below, and alignment to relevant objectives provided at Table 5.

Where delivery of a project or part of a project is a local government responsibility, the City will work with TfNSW on delivery in line with the Urban Design Report and the Pyrmont-Ultimo Transport Plan, along with the City's public domain codes and guidelines. The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan, exhibited alongside this planning proposal, will enable delivery as development progresses.

Through-site links and footpath widening

This planning proposal has been developed in line with the objectives and initiatives of this section. Built form outcomes are not proposed that would interfere with delivery of any of the key initiatives, and on relevant sites a contribution to delivery of identified movement networks is proposed with through-site links and setbacks to enable footpath widening.

The proposed controls for 2 Edward Street, 60 Union Street and 1-27 Murray Street deliver improved access between Union Street and the foreshore. The existing pedestrianised section of Harwood Street will be significantly widened, providing for a safer and more legible pedestrianised space between Pyrmont Metro, the Pyrmont Bay light rail stop and the foreshore.

The proposed controls also deliver an improved pedestrian link on Edward Street. The controls involve footpath widening on Edward Street, and replacing the current light rail overpass with a connection that is more legible, wider, safer and fully accessible. The Edward Street connection aligns with the location of the station entry to Pyrmont Metro and connects to businesses and destinations in Pyrmont Bay and Darling Island.

Through-site links proposed for 1-33 Saunders Street, 140-148 Bank Street and 14 Quarry Master Drive will connect existing pedestrian links and new development sites to Blackwattle Bay and the Fish Market light rail stop.

Through-site links proposed as part of 86-92 Harris Street and 100 Harris Street will provide new access from Harris Street to Pyrmont Street, allowing improved access from Harris Street to the foreshore via Jones Bay Road and to The Star. Lift access provided as part of the 86-92 Harris Street through-site link will ensure accessible movement.

A through-site link proposed as part of 28-48 Wattle Street, with the proposed lift access, will complete an important accessible east-west connection between Tumbalong Park and Wentworth Park.

The proposed built form at 46-48 Pyrmont Bridge Road will provide a 6.5 metre setback to Pyrmont Bridge Road at a crucial chokepoint on the main walking path between Pyrmont Metro and Blackwattle Bay/Sydney Fish Markets. Combined with reallocating the disused bus bay for footpath widening, this will result in a much better connection to a major tourist destination and trip generator for Pyrmont Metro.

NSW Government plans

Delivery of many of the objectives and initiatives of the Place Strategy and Urban Design Report is the responsibility of the NSW Government, especially initiatives that involve NSW Government controlled lands and public transport.

To this end Transport for NSW has exhibited a draft Pyrmont-Ultimo Transport Plan, which is meant to detail the delivery of the objectives and initiatives in the Place Strategy and Urban Design Report. The City has previously raised concerns that this plan is inconsistent with the objectives outlined in the Place Strategy and its Urban Design Report, particularly:

- Integrating parking models and multi-utility hubs are not included in the Plan's actions
- Overcoming the topography in pedestrian links is not addressed by the Plan
- Transitioning Pirrama Road into a shared access way is not included in the Plan
- The creation of a plaza connecting Allen Street to the light rail and ICC is not included in the Plan
- The future vision for Harris Street as a two-way street, with single lanes in either direction, contra-flow bus lanes, widened footpaths, new pedestrian crossings and bus stop rationalisation appears to be entirely left out of the Plan
- The need to improve access to Bowman Street and Bank Street from Distillery Drive via stairs or a lift has not been included in the Plan.

Transport for NSW are also progressing with the Western Distributor Road Network Improvements. The City has previously raised concerns that this project is incompatible with the objectives and initiatives outlined in the Place Strategy and its Urban Design Report, especially the future vision for Harris Street. The project is also incompatible with the NSW Government's intention to maximise housing in areas where people want to live, as the increased traffic volumes on Harris Street reduce residential capacity on adjacent sites due to amenity considerations.

Table 5 Alignment of the planning proposal with the Movement objectives of the Urban Design Report

2.2 Movement objectives	Comment
1. Establish a hierarchy of movement that clarifies the role of key streets and intersections.	**Not applicable** No new or changed streets or intersections are proposed in this planning proposal.
2. Provide safe, accessible and legible movement between transport modes and destinations within, around and across the Peninsula.	**Consistent** Through-site links and footpath widening is proposed as part of built form outcomes where it contributes to access between current and future destinations and transport hubs.
3. Maximise the convenience of walking and cycling to support investment in public transport infrastructure and minimise private vehicle use.	**Consistent** New through-site links and wider footpaths on key routes will support the convenience of walking and cycling compared to driving across the Pyrmont peninsula. As the proposed new links are fully accessible and contribute to completing larger accessible routes, they are better able to supplant short car trips including for people with disability, people with young children, etc. Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of this project is an update to the parking requirements. Maximum parking rates for certain sites are proposed to be reduced to reflect the improved

2.2 Movement objectives	Comment
	accessibility context due to the Pyrmont Metro, and the requirements for bicycle parking are proposed to be updated to ensure easy access to bicycles for regular trips.
4. Provide an uninterrupted foreshore walk with a continuous pedestrian and cycling route that also provides clear access to water for recreation and transport.	**Not applicable** This planning proposal does not involve any sites involved in the delivery of the foreshore walk.
5. Provide a continuous Walking and Cycling Loop in the Peninsula that enables convenient links between destinations in the Innovation Corridor, connects to the regional cycling network and integrates with the wider tech central cycling network.	**Not applicable** This planning proposal does not involve any sites involved in the delivery of the Walking and Cycling Loop. Proposed through-site links and footpath widening will provide easier access to the identified loop.
6. Calm local streets providing an improvement to street amenity and enabling safer lower speed spaces for community enjoyment.	**Consistent** The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan includes streetscape improvement to small streets as a local works item to be funded by local infrastructure contributions. The intention of this work item is to achieve place improvements in small street where planning control changes are proposed, making them calmer, greener streets that provide better amenity for the adjacent residents.
7. Deliver generous and attractive through site links that increase mid-block permeability, facilitate safe and direct movement.	**Consistent** Through-site links are proposed on large sites in order to improve permeability, introduce more east-west links across the peninsula, and reduce walking distances especially to key destinations. The pedestrianised area of Harwood Street is proposed to be significantly widened in order to become a highly visible pedestrian thoroughfare. Sites with through-site links and pedestrianised areas typically have non-residential uses proposed for the ground floor with active frontages facing the walkway. This improves the safety of through-site links with passive surveillance and increases their activity.

2.3 Open space network

Many of the objectives of this section of the Urban Design Report are not covered by the scope of this planning proposal. Alignment with the objectives is shown at Table 6.

This planning proposal has been developed in line with the objectives of this section of the Urban Design Report. The proposed built forms protect sun access planes to public open space, and do not obstruct any of the proposed open space network outcomes, including those on lands controlled by the NSW Government. Proposed built form locates areas of deep soil where they can best contribute as public open space, such as along main streets and entrances to through-site links.

Upgrades to City of Sydney parks and streets will be delivered by the City as development progresses, informed by the Place Strategy and Urban Design Report and in line with the City's own codes and guidelines. The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan, exhibited alongside this planning proposal, will enable delivery of these projects.

Table 6 Alignment of the planning proposal with the Open space network objectives of the Urban Design Report

2.3 Open space network objectives	Comment
1. Ensure public open space is designed and delivered in accordance with Connection with Country principles.	**Not applicable** This planning proposal identifies areas of deep soil that may be dedicated as public open space in future. Nothing in this planning proposal prevents the areas being designed and delivered in accordance with Connecting with Country principles.
2. Protect, conserve, restore and enhance biodiversity and connected urban ecologies to increase greening of the urban environments and connect people to nature.	**Consistent** This planning proposal prioritises the delivery of deep soil areas suitable for diverse landscaping and tree planting. This will ensure new development provides sustainable, long term tree planting and contributes to high quality urban ecology. The majority of sites have proposed over 15% site area as deep soil area. Sites that are unable to deliver deep soil are proposed to include significant green roofs as an alternative. Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of this project is an update to urban ecology requirements, including for habitat features and bird strike prevention treatments.
3. Recognise streets as open spaces with places for respite and play which will be enhanced with increased planting and reduction of on-street parking over time as public transport improves.	**Not applicable** This planning proposal does not involve changes to local streets or on-street parking. The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan, exhibited alongside this planning proposal, includes an allocation for inroad street tree planting in the schedule of proposed works. This will be delivered over time as development occurs.

2.3 Open space network objectives	Comment
	On-street parking arrangements will continue to be managed over time as development occurs and the traffic context changes.
4. Facilitate the return of Wentworth Park to community as public open space.	**Not applicable** This planning proposal does not involve Wentworth Park. The proposed built form does not prevent the conversion of any area of Wentworth Park to public open space. The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan, exhibited alongside this planning proposal, includes an allocation for capacity improvements to Wentworth Park in the schedule of proposed works. This will be delivered over time as development occurs.
5. Provide new and upgraded open spaces under and along the Western Distributor corridor.	**Not applicable** This planning proposal does not involve the space under the Western Distributor Corridor. The proposed built form does not rely on the space or prevent its conversion to open space in future.
6. Upgrade and expand existing open spaces through strategic closure of streets not required for maintaining site access or servicing and to meet universal design standards.	**Not applicable** This planning proposal does not involve changes to local streets. Street closures will continue to be managed over time as development occurs and the traffic context changes.
7. Provide for new public, publicly accessible open space and through site links on key sites and larger renewals where significant change is projected.	**Consistent** This planning proposal carefully locates deep soil areas on proposed development sites in order to maximise their utility as publicly accessible open space in future. Deep soil areas on large development sites are typically located along public streets, and consolidated into larger single areas. Through-site links are proposed on large development sites to improve permeability of large blocks and where they can contribute to important pedestrian connections.
8. Ensure new open space is located and designed to universal design standards, maximise solar access,	**Consistent** The City has undertaken extensive work modelling the potential impacts associated with development uplift.

2.3 Open space network objectives	Comment
amenity, safety and use throughout the day and night.	The proposed planning controls seek to protect public views from public places and protect solar access to important parks and places so they remain pleasant places for people to spend time. Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of this project is an update to requirements for any new public open space delivered as part of development. The existing and proposed DCP requirements ensure public open space delivered as part of development prioritises universal design, solar access and amenity.
9. Co-locate open space with community facilities where possible to support community events and activation.	**Not applicable** This planning proposal does not locate any new community facilities or public open space.
10. Increase urban tree canopy and greening to meet a 40% target between public and private lands, including provision for deep soil as per City of Sydney's guidelines, incorporating green roofs, façades and walls, appropriate material selection and the integration of Water Sensitive Urban Design (WSUD) requirements.	**Not applicable** Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of this project is an update to the deep soil and tree planting requirements in new development. This planning proposal has been developed incorporating the proposed requirements.
11. Support Resilient Sydney Strategy 2018 and Decentralised Water Master Plan through the design and implementation of storm water management, rainwater management and Water Sensitive Urban Design (WSUD) within the public and private realm.	**Not applicable** Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of this project is an update to the water efficiency, rainwater capture and stormwater management controls. The City's existing planning controls require new development to connect to any existing recycled water network.
12. Include provision for digital infrastructure to support knowledge-based and tech industry start-ups / businesses and educational facilities within the public domain, including publicly accessible private land, ensuring that all service infrastructure is concealed.	**Not applicable** Delivery of telecommunications infrastructure is governed by the Telecommunications Act 1997. This Commonwealth legislation overrides any local planning controls that would seek to ensure service infrastructure is concealed.

2.4 Views

This planning proposal has been developed in line with the objectives for views in the Place Strategy and Urban Design Report. The City's broad approach is outlined below, and alignment to relevant objectives provided at Table 7.

The proposed controls for 2 Edward Street, 60 Union Street and 1-27 Murray Street protect and extend the Harwood Street view corridor to Pyrmont Bay. This view corridor is not identified in the Urban Design Report, but was included in the 1999 Urban Development Plan for the Ultimo-Pyrmont Precinct and is respected by current built form. Approved built form for the Pyrmont Metro site partially obstructs this view corridor, as the point on the corner of Union Street and Pyrmont Bridge Road extends into the Harwood Street view corridor when viewed from Harwood Street on the other side of Pyrmont Bridge Road. The City has advocated to the NSW Government for this built form to be amended to acknowledge and protect the existing view corridor.

The proposed controls for 12 Pyrmont Street and 48 Pirrama Road protect and expand the John Street view corridor. This is described in the Urban Design Report as the east John Street view to the city centre, and the Carmichael Park view to the Anzac Bridge Pylons. The controls proposed for 48 Pirrama Road will complete the view corridor, locating deep soil where built form currently exists.

The proposed controls for 26-38 Saunders Street and 140-148 Bank Street protect the view corridor between the Former CSR McCaffery's Building at the top of the cliff face and the site of the future Sydney Fish Markets at Blackwattle Bay. This view corridor is not identified in the Urban Design Report, but was included in the 1999 Urban Development Plan for the Ultimo-Pyrmont Precinct and respected by current built form.

Table 7 Alignment of the planning proposal with the Views objectives of the Urban Design Report

2.2 Views objectives	Comment
1. Views are to be maintained and created along streets to reinforce connections to waterfront and regional open spaces at the Peninsula edges from the ridge along Harris Street.	**Consistent** View corridors to provide connections across the peninsula to the waterfront and waterfront open spaces have been identified and expanded upon in the proposed built form controls.
2. Views from key intersections are to support wayfinding within and across the Peninsula.	**Consistent** Views from intersections have been considered in urban design testing. Established street wall heights have been respected, with additional height set back from the street wall, allowing improved wayfinding from intersections.
3. Views to landmarks and major public facilities are to be protected including the Anzac Bridge Pylons and suspension wires, ICC and Sydney Fish Markets.	**Consistent** Views to the Anzac Bridge Pylons along the John Street view corridor and Carmichael Park have been protected. Any existing views to the ICC will not be affected by the proposed built form. Views to the future Sydney Fish Markets from the cliff walk will be protected by the view corridor to the Former CSR McCaffery's Building. Views to the Fish Markets from other locations will not be affected by the proposed built form.
4. Built form to protect and enhance the existing view corridor from Martin Place	**Consistent**

2.2 Views objectives	Comment
as defined within the Central Sydney Planning Framework.	The Martin Place view corridor in the Central Sydney Planning Strategy is intended to preserve sky view looking west from Martin Place. This planning proposal does not propose any built form that impacts this view corridor. 48 Pirrama Road is within the identified view corridor in the Urban Design Report, however in the City's analysis the proposed RL 55m built form does not impact sky view from Martin Place.
5. Create new and maintain existing views along streets and between buildings to water, open space and landmarks to support legibility and wayfinding, enhance existing character and visually connect people to the natural setting of the Peninsula.	**Consistent** View corridors into and out of the Pyrmont peninsula have been considered in designing built form in this planning proposal. Existing view corridors established in the 1999 Urban Development Plan for the Ultimo-Pyrmont Precinct have been identified and protected. View corridors to the foreshore, to parks and to landmarks have informed the proposed areas of pedestrianised streets, through-site links, widened footpaths, deep soil areas and upper level setbacks. Multiple angles of view analysis has been provided for every site with proposed changes to built form controls.
6. Create new and maintain existing views to the sky from public open space, key streets and between new developments to protect amenity and ensure a diversity in scale and character in built form.	**Consistent** The proposed built form outcomes in this planning proposal have been developed with the priority of providing sky view to existing open space and new open space provided by through-site links, widened footpaths and pedestrianised areas, and deep soil areas. Prevailing street wall heights are maintained with any additional height set back from the street, protecting sky view from key streets. View analysis from key streets and existing open space is provided for every site with proposed changes to built form controls.
7. Protect the unique waterfront character of the Peninsula by ensuring new buildings and landscape reveal its topography and escarpments, heritage buildings and spaces, and the transition of buildings from north to south.	**Consistent** The view corridors provided in the proposed built form play an important role in revealing the waterfront character of the peninsula. Protected views ensure the waterfront on both sides are visible from the middle of the peninsula, and that heritage structures on top of the clifftop are visible from the bay below.

1.6 The Planning Proposal is consistent with the Peninsula height strategy contained in Part 3 of the Urban Design Report

Identifying sites suitable for uplift, and the allocation of heights on those sites, has been guided by the height strategy in the Urban Design Report. The heights proposed on sites identified for uplift in this planning proposal have been carefully designed to minimise overshadowing to existing dwellings and public open space, reinforce existing street walls, protect important view corridors, and respond to the noise and wind context to protect the amenity of new and existing residents.

Alignment to relevant provisions is provided at Table 8.

Table 8 Alignment of the planning proposal with the Height strategy in the Urban Design Report

3.1 Height strategy	Comment
General provisions	
1. New development should complement and enhance the existing character of escarpments, street scale and heritage fabric.	**Consistent** A guiding principle of reinforcing the street wall form of most buildings has been used in setting the proposed built form controls. Additional height is located behind upper level setbacks in order to maintain a street wall height established by heritage buildings, important corner sites and the prevailing character of a street.
2. Building heights should be varied across the Peninsula in accordance with the zones indicated in Figure 3.1.1.	**Consistent** The built form controls have been developed with reference to the overall vision of the distribution of building heights across the height zones in the Urban Design Report. More detail is provided under the height zone-specific objectives below.
3. Parameters for Key Sites are outlined under Chapter 10 'Framework for Key Sites' of the Pyrmont Peninsula Place Strategy (DPE 2020).	**Not applicable** This planning proposal does not cover any land identified as a Key Site in the Place Strategy. Where approved built form envelopes for the Key Sites are available, this planning proposal has used these envelopes to inform the proposed built form controls. These envelopes are included in the view analysis used in the urban design study.
4. Ensure that increases to existing building heights do not compromise the amenity of public open spaces identified as areas to be protected from additional overshadowing in the Peninsula.	**Consistent** Proposed built form outcomes on all identified sites have been thoroughly tested to minimise any overshadowing of public open space. This planning proposal introduces new solar access planes for Wentworth Park to ensure the existing open

3.1 Height strategy	Comment
	space is not overshadowed by new development during the hours of primary use. 46-48 Pyrmont Bridge Road: Delivers a net increase in solar access to Paradise Reserve 2 Edward Street, 60 Union Street and 1-27 Murray Street: Solar access to Harwood Place is maximised, and Pyrmont Bay Park is not affected. 1-33 Saunders Street & 140-148 Bank Street, and 26-38 Saunders Street: Overshadowing to new public space at Blackwattle Bay has been minimised, and there is no loss of solar access to the foreshore promenade. 48 Pirrama Road: Overshadowing to Pyrmont Bay Park and Metcalfe Park has been considered and minimised. 28-48 Wattle Street and 50-54 Wattle Street: No additional overshadowing to Wentworth Park. 383-389 Bulwara Road: Overshadowing to Mary Ann Street Park has been considered and minimised. 446-456 Wattle Street: Overshadowing to McKee Street Reserve has been considered and minimised.
5. New development should respect and respond to the lower building height along Harris Street and stepping down to the 'valley' of Darling Harbour and Blackwattle Bay.	**Consistent** The proposed built form outcomes on sites along Harris Street are sympathetic to the street wall heights in each vicinity, and have modest additional height respecting that it is the highly visible ridgeline of the Pyrmont peninsula. Additional height is located on sites in the low lying parts of the peninsula.
6. Street wall heights should reflect existing low scale context and maximise sunlight and daylight to streets, to encourage a cohesive street experience, support plant growth and support ground level activity within the footpath area.	**Consistent** Reinforcing the street wall form of most buildings, and responding to the prevailing street wall height of different streets and character areas, is a guiding principle for the proposed built form controls. Additional height is typically located behind upper level setbacks where a street wall is established, allowing views and light to the street level.
7. Building setbacks above the street wall are to mitigate wind impacts as per the City of Sydney's guidelines to ensure an appropriate and comfortable street environment for activity and pedestrian movement.	**Consistent** The proposed built form controls have been thoroughly tested against prevailing wind conditions in order to minimise the impacts of any additional height on ground level amenity. Stepped upper level setbacks are used for taller buildings to interrupt downdraft, and curved corners are proposed on sites that experience high winds to divert wind around the building.

3.1 Height strategy	Comment
8. That the impact of any increase to building heights will be supported by wind modelling to demonstrate a comfortable street environment for street activity and pedestrian movement at ground.	**Minor inconsistency** The City has developed the proposed built form controls with reference to prevailing wind conditions on a site by site basis, and included measures to ameliorate wind impacts. Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of this project is an update to the wind testing requirements. Development over 45m in height, or 55m inside the Central Sydney boundary, will be required to provide a quantitative wind effects report to demonstrate compliance with the appropriate wind safety standard for the relevant adjacent public place. Wind modelling is not included in this planning proposal package, as it is more appropriate this be provided on a site-by-site basis as part of a development application. This will allow a more detailed level of assessment with reference to specific design outcomes, and flexibility in meeting the objectives of the City's planning controls. The combination of careful allocation of heights and built forms with reference to wind conditions in the planning proposal, and specific testing and implementation of mitigation measures at development application stage, will result in an improved overall ability for development to meet this objective.
Within the Harbour Interface Zone	
9. New development should complement the existing heights, heritage buildings and topography.	**Consistent** This planning proposal has proposed a limited number of sites capable of change in the Harbour Interface Zone, in order to retain the low rise heritage waterfront character identified in the Urban Design Report. Sites near the state-approved tall building at The Star near Jones Bay Road have been identified for change. This area currently has a context of mixed heights established by the existing building at The Star and apartment buildings. 12 Pyrmont Street and 48 Pirrama Road have heights of 11 and 12 storeys proposed respectively, matching the podium height of the state-approved tall building at The Star. At 52m the proposed heights of the two buildings represent a gradual increase to the RL90m in the adjoining transition zone. The proposed built form of the two sites enable the delivery of deep soil area to protect and expand the John Street view corridor, enabling a continuous view to the water. The proposed deep soil area at 48

3.1 Height strategy	Comment
	Pirrama Road will also act as an effective extension of Metcalfe Park. The terraces at 79-93 John Street have been identified for change. The 5-7 storey proposed built form matches the height context established by existing built form on the other side of John Street, and forms an alignment with 12 Pyrmont Street, the state-approved tall building at The Star and 48 Pirrama Road along the John Street view corridor.
10. Street walls in proximity to the sandstone escarpment or visible against sandstone escarpments are to establish a strong relationship and alignment to the scale of the escarpment.	**Not applicable** This planning proposal does not include sites in the Harbour Interface Zone that are visible against sandstone escarpments. Sites in the Transition Zone that are close to the cliff walk have built form proposed that responds to the topography of the surrounding sites.
Within the Transition Zone	
11. Building heights that progressively transition the scale from an existing maximum height of RL90 at Distillery Hill up to heights limited by SAPs to support growth of the existing employment clusters and enable greater diversity in employment zones.	**Consistent** The Urban Design Report envisages heights transitioning smoothly from RL90m up to a SAP level at the edge of the transition zone. The proposed heights of buildings near Pyrmont Metro cluster transition from RL94m at Union Street down towards Pyrmont Bay. 26-38 Saunders Street, 1-33 Saunders Street, 140-148 Bank Street and 14 Quarry Master Drive have been identified for change~~, with heights up to RL 120m to match the Anzac Bridge pylons.~~ The proposed built form of this group of buildings has been carefully designed to respond to the topography of the site and proximity to the escarpment, noise and wind impacts of the Western Distributor, view corridors, the heights of Blackwattle Bay, and overshadowing of neighbouring properties. The heights are consistent with the overall vision of the Transition Zone, as the sites are closer to the SAP control zone boundary.
Within the Bay Interface Zone	
12. New buildings will provide an appropriate response to the character of Pyrmont's foreshore in a reinterpretation of the working harbour with a low scale podium reflective of historic maritime structures and warehouses.	**Not applicable** This planning proposal does not include any sites in the Bay Interface Zone.

3.1 Height strategy	Comment
13. New buildings and changes to existing buildings should ensure good solar access to the waterfront.	**Not applicable** This planning proposal does not include any sites in the Bay Interface Zone.
14. Taller buildings above podiums will provide adequate tower separation and building setbacks to ensure wind conditions at ground level support the future event, leisure and recreation uses.	**Not applicable** This planning proposal does not include any sites in the Bay Interface Zone.
Within the Open Space Sun Access Control Zone	
15. Ensure that any increase to building heights do not decrease the amenity of existing and planned open spaces within and around the Peninsula.	**Consistent** Proposed built form outcomes on all identified sites have been thoroughly tested to minimise any overshadowing of public open space. This analysis is shown in the City's Ultimo Pyrmont Urban Design Study.
16. New developments consider sunlight to public and open spaces in accordance with the requirements of Figure 3.2.1. New building heights demonstrate appropriate responses to the identified areas and levels of protection required such as no additional overshadowing, not protruding through the sun-access planes and/or merit based impact where noted.	**Consistent** Proposed built form outcomes on all identified sites have been thoroughly tested to minimise any overshadowing of public open space. This analysis is shown in the City's Ultimo Pyrmont Urban Design Study.

1.7 The Planning Proposal is consistent with the sub-precinct master plans contained in Part 4 of the Urban Design Report.

The proposed built form controls have been developed with reference to the sub-precinct master plans. Over time and as development occurs, the City in collaboration with the NSW Government will look at upgrading the streets, parks and public domain with reference to the sub-precinct master plans. This planning proposal is accompanied with a Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 to fund public domain upgrades, tree planting and dedicated cycleways to improve walking and cycling connectivity. Where possible, built form controls have been designed to enhance and expand on identified important view corridors, through-site links and publicly accessible open space where it aligns with the objectives of the sub-precinct master plans.

Alignment to relevant provisions is provided at Table 9.

Table 9 Alignment of the planning proposal with the Sub-precinct master plan objectives in the Urban Design Report

Sub-precinct master plan objectives	Comment
Pirrama sub-precinct	
This planning proposal has not identified any sites capable for change within the Pirrama sub-precinct, with the exception of part of 12 Pyrmont Street. The proposed controls have been developed in reference to the sub-precinct master plan, particularly along John Street where there are sites identified for change in the neighbouring sub-precinct.	
Enhance the local movement network	**Not applicable**
Enhance the harbour interface experience	**Not applicable**
Enhance and protect heritage and views	**Consistent** The John Street view corridor has been carefully preserved and expanded in the proposed built form controls for 12 Pyrmont Street, 48 Pirrama Road and 79-93 John Street. The scale and street wall character of John Street has been preserved and respected in the proposed built form controls for 79-93 John Street and 80-84 Harris Street.
Character area: John Street Square	**Not applicable**
Character area: Bowman Street	**Not applicable**
Darling Island sub-precinct	
Connect ridge to valley to view	**Consistent** The proposed built form controls for 2 Edward Street, 60 Union Street and 1-27 Murray Street will provide better legibility, access and view corridors between Union Street and the foreshore. The pedestrianised section of Harwood Street is proposed to be widened to become a more attractive and legible pedestrian link to the foreshore. The Edward Street connection to the foreshore is also proposed to be improved, with footpath widening on Edward Street, and upgrading the existing light rail overpass connecting Edward Street to the foreshore to be wider, safer, more legible and fully accessible. Proposed through-site links between Harris Street and Pyrmont Street on sites in the neighbouring Pyrmont Village sub-precinct will contribute to a fuller pedestrian network with connections from the middle of the peninsula to the foreshore through Darling

Sub-precinct master plan objectives	Comment
	Island sub-precinct, making any future links through The Star more connected.
Consolidate a harbour edge park	**Consistent** The proposed built form controls for 48 Pirrama Road will effectively expand Metcalfe Park with an area of adjoining publicly accessible open space, forming a crucial new section of the John Street view corridor. The proposed built form does not prevent the delivery of an improved waterfront connection between Pyrmont Bay Park and Metcalfe Park along its edge.
Enhance culture and identity	**Consistent** The proposed built form controls for 2 Edward Street & 60 Union Street, and 1-27 Murray Street, include generous upper level setbacks and street wall heights defined by the prominent corner heritage buildings. This is to ensure the frontage with Union Street respects the scale and character established by these heritage buildings, and lets sun into the future civic space. Active frontage controls ensure the ground floors of these sites will contribute to a lively and active precinct at the Pyrmont Bridge entrance to the peninsula. The proposed controls for 13A-29 Union Street and 69-72 Edward Street also establish an appropriate setting for heritage items on Union Street through the street wall height and gap provided by the through-site link. 12 Pyrmont Street is a heritage item, so additional built form has been carefully located away from Pyrmont Street in order to retain the street presence of the item. The siting of all height and built form protects the view of the top of the REVY to ensure the frontage with Union Street respects the from Pyrmont Bridge facing west. This distinctive and characteristic building is important to Pyrmont's waterfront identity.
Character area: Pyrmont Bay Park	**Not applicable**
Character area: Union Street	**Consistent** The proposed built form controls for 2 Edward Street & 60 Union Street, 1-27 Murray Street and 13A-29 Union Street & 69-72 Edward Street are compatible with the creation of a pedestrianised civic plaza on Union Street. Upper level setbacks and street wall heights have been established by the proposed future vision for the Union Street character area, ensuring daylight and sunlight access to this civic area.

Sub-precinct master plan objectives	Comment
Pyrmont Village sub-precinct This planning proposal has identified some sites capable of change in the Pyrmont Village sub-precinct.	
Intensified public space at intersections of key routes	**Not applicable**
Unlock a community infrastructure spine	**Not applicable**
Revitalise High Street	**Consistent** This planning proposal reinforces the “high street” character of Harris Street by identifying underused sites suitable for uplift and renewal so they may better contribute to the liveliness of the street. Where change is proposed the built form controls reflect the prevailing street wall height, typically established by a corner heritage building, in order to preserve the positive elements of the existing streetscape character.
Character area: Maybanke 2. Provide public through site links connecting Mount Street, Haris Street and Pyrmont Street that link to wider routes across the Peninsula 4. Improve access and permeability from Harris Street 5. Improve the setting and address of the heritage listed former CSR Manager’s house, enhancing visibility of the heritage building from Harris Street and through site links.	**Consistent** Through-site links proposed on 100 Harris Street and 86-92 Harris Street will increase the permeability of Harris Street at this location and improve access across the area. The proposed freestanding street wall for 86-92 Harris Street will improve the setting for heritage items on either side of Harris Street, including the former CSR Manager’s house opposite.
Character area: Elizabeth Healey Reserve 2. Upgrade of Pyrmont Bridge Road to facilitate pedestrian access between Pyrmont Metro Station, Blackwattle Bay and Darling Harbour including dedicated cycle link, increased footpaths and improved crossings.	**Consistent** The proposed controls for 46-48 Pyrmont Bridge Road include a footpath widening setback to remove a pinch point at Little Mount Street. This along with the reallocation of a disused bus stop bay for footpath widening will facilitate better pedestrian access between Pyrmont Metro and Blackwattle Bay.
Tumbalong Park sub-precinct This planning proposal has not included any within the Tumbalong Park sub-precinct. This area is largely under the responsibility of the NSW Government.	
Expanded and connected public domain	**Not applicable**

Sub-precinct master plan objectives	Comment
Multi modal transport network	**Not applicable**
Celebrate harbour and parkland	**Not applicable**
Character Area: Guardian Square	**Not applicable**
Character Area: Pyrmont Street Park	**Not applicable**

Ultimo sub-precinct

This planning proposal has identified some sites capable of change in the Ultimo sub-precinct. These sites are largely smaller sites and are envisaged to have a residential use. The objectives in the Urban Design Report speak to future plans for TAFE and UTS campuses, the Powerhouse Museum and the Goods Line. As these sites are under the control of NSW Government planning and public domain management, this planning proposal has responded to the proposed future character of this area but is not able to contribute to its delivery.

As outlined in Attachment A3 Sites Reviewed but Not Changing, this planning proposal does not introduce new planning controls for the UTS Broadway Campus or the TAFE NSW Ultimo Campus at this time. As outlined in the Attachment, no part of this planning proposal precludes growth on the UTS Broadway Campus or the TAFE NSW Ultimo Campus in the future.

Expanded campus commons	**Not applicable**
Enhanced creative clusters	**Not applicable**
A regionally connected transport network	**Not applicable**
Character Area: Goods Line South	**Not applicable**
Character Area: Goods Line North	**Not applicable**
Character Area: TAFE	**Not applicable**
Character Area: Powerhouse	**Not applicable**

Wentworth Park sub-precinct

This planning proposal has identified some sites capable of change in the Wentworth Park sub-precinct.

Green links connecting the high street to park	**Not applicable** Saunders Quarry (14-26 Wattle Street) was not included in this planning proposal as it has a concept DA approved. The planning proposal does not involve Wentworth Park. The proposed built form does not prevent the conversion of any area of Wentworth Park to public open space. The Draft Ultimo Pyrmont Local Infrastructure Contributions Plan, exhibited alongside this planning proposal, includes an allocation for capacity improvements to Wentworth Park in the schedule of

Sub-precinct master plan objectives	Comment
	proposed works. This will be delivered over time as development occurs.
Walking and cycling at the heart	**Consistent** The proposed built form controls for 28-48 Wattle Street include a fully accessible through-site link from Jones Street to Wattle Street, completing an important east-west accessible link from Tumbalong Park to Wentworth Park. Separate to this planning proposal, the approved concept DA for Saunders Quarry (14-26 Wattle Street) includes through-site links to improve access to Wentworth Park Light Rail stop and to connect Jones Street and Allen Street to Wattle Street.
Enhance mixed use character	**Consistent** The proposed planning controls for 28-48 and 50-54 Wattle Street require the preservation and restoration of heritage significant fabric while maximising floor space to ensure the warehouse buildings continue to provide for creative industries.
Character Area: Western Distributor	**Not applicable** This planning proposal does not involve the space under the Western Distributor Corridor. The proposed built form does not rely on the space or prevent its conversion to open space and community uses in future.
Character Area: Jones Street 1. Support expansion of employment uses targeting innovation and creative industries, including affordable employment and creative live/work spaces.	**Consistent** Planning for 28-48 and 50-54 Wattle Street have prioritised retention and expansion of its role as creative industries and affordable employment spaces. Separate to this planning proposal, the approved concept DA for Saunders Quarry (14-26 Wattle Street) includes commercial office space on the Jones Street side, contributing to an increased cluster of employment activity along Jones Street character area.
Blackwattle Bay sub-precinct This planning proposal does not cover sites subject to the Blackwattle Bay State Significant Precinct. The approved plans for the Blackwattle Bay SSP, including heights, built form, land uses and open space, were accounted for in the urban design studies for other sites in the sub-precinct.	
Open space that connects	**Consistent** The proposed controls for 1-33 Saunders Street and 140-148 Bank Street include publicly accessible deep soil areas and through-site links that will break up this

Sub-precinct master plan objectives	Comment
	large block, and introduce pedestrian connections through the site into Blackwattle Bay. A proposed through-site link as part of 14 Quarry Master Drive will connect to the existing pedestrian bridge over the light rail corridor to the Jones Street and the paths within the Jones Street pocket park.
Integrated into broader movement network	**Consistent** The proposed controls for 46-48 Pyrmont Bridge Road include a footpath widening setback to remove a pinch point at Little Mount Street. This, along with the reallocation of a disused bus stop bay for footpath widening, will facilitate better pedestrian access between Pyrmont Metro and Blackwattle Bay. The proposed through-site links at 1-33 Saunders Street and 140-148 Bank Street will connect the foreshore with existing and proposed pedestrian links.
Activated and connected harbour foreshore walk	**Not applicable**
Character Area: Pyrmont Bridge Road 2. Improving the pedestrian environment between Sydney Fish Markets, Blackwattle Bay and the Metro Station to support its important role as a primary pedestrian movement route through widened footpaths, increased tree canopy, greater amenity at intersections and a calmer traffic environment.	**Consistent** Footpath widening and a potential cycleway on Pyrmont Bridge Road to connect new Blackwattle Bay site with Pyrmont Metro have been planned for in the proposed built form controls for 46-48 Pyrmont Bridge Road, including providing a footpath widening setback, active frontage and awning.
Character Area: Carmichael Park	**Not applicable**
Character Area: Bank Street 3. Enhancing Bank Street as a pleasant walkable street that support the local business and media cluster linking the employment zones of Blackwattle Bay to Bays West including the extension of the walking and cycling loop between Jones Street and Bowman Street 6. Providing a new through site link between Carmichael Park and the waterfront along the Quarry Master Drive alignment.	**Consistent** The proposed through-site links at 1-33 Saunders Street & 140-148 Bank Street and 12 Quarry Master Drive will help connect Jones Street to Bowman Street via Saunders Street. The through-site links and deep soil areas within the 1-33 Saunders Street & 140-148 Bank Street block will act as a parallel pedestrian corridor along the part of Bank Street that is overshadowed and impacted by the Western Distributor. This pedestrian network will be better protected from the noise and pollution of the main road and have internally facing ground floor active frontages.

Sub-precinct master plan objectives	Comment
	The proposed through-site link alignment includes a path between Carmichael Park via Quarry Master Drive and onto Bank Street.

Appendix 4 - Consistency with Ministerial Direction 4.1 Flooding

Flood planning at the City of Sydney

Planning for flooding at the City of Sydney is guided by the Interim Floodplain Management Policy, which was prepared in accordance with the NSW Government Floodplain Development Manual 2005. In accordance with the interim policy, the City has prepared floodplain management plans covering eight local catchments, which are supported by publicly available detailed flood studies, which are updated regularly.

Also in accordance with the interim policy, development applications must comply with Section 3.7 'Water and Food Management' of Sydney Development Control Plan 2012 and clause 5.21 'Flood planning' of Sydney Local Environmental Plan 2012. These controls require certain development to prepare a site-specific flood study in accordance with the state government floodplain development guidelines, and may use the data contained in the City's detailed flood studies.

Separate to this planning proposal, the City is exhibiting an update to its general planning controls. Part of that project is an update to the water and flood management controls in the DCP. The proposed controls migrate the provisions of the interim policy into the DCP, along with updates to better manage heritage items and introduce criteria for design requirements, practical precautions and access arrangements for development at risk of flooding. The City has undertaken an assessment of the proposed controls against the updated NSW Flood Risk Management Manual and Flood Prone Land Policy and confirms they are compatible.

Flood planning for Planning Proposal: Ultimo Pyrmont

The area subject to this planning proposal is covered by the City's Blackwattle Bay catchment and Darling Harbour catchment flood studies.

Using this data, the City has undertaken internal analysis of flooding risk at the sites identified as capable for change as part of this planning proposal. Where appropriate, flood planning levels and freeboard levels have been factored into the urban design analysis and development of built form controls.

These levels are not explicitly expressed in this planning proposal, as it is more appropriate that a detailed flood study establish the levels at development application stage. This will allow a more detailed level of assessment, evidence gathering and flexibility in meeting the objectives of the planning controls. However, by assuming expected levels in the urban design analysis, the City can have better certainty that the proposed built form outcomes will be achievable when the flood planning levels are established at development application stage.

Appendix 5 - Consistency with Ministerial Direction 5.1 Transport and Infrastructure

The objectives of this direction are to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following:

d. improving access to housing, jobs and services by walking, cycling and public transport, and

e. increasing the choice of available transport and reducing dependence on cars, and

f. reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and

g. supporting the efficient and viable operation of public transport services, and

h. providing for the efficient movement of freight.

The provisions in these planning amendments will result in intensification of land uses in the Ultimo and Pyrmont Peninsula, however this intensification of land uses is consistent with that envisaged by the NSW Government's Pyrmont Peninsula Place Strategy and will not adversely affect the traffic conditions in Ultimo and Pyrmont as confirmed by a number of NSW Government transport strategies and assessments.

In addition, the proposed amendments are consistent with this Direction and would be likely to improve access to housing, jobs and services, have the potential to reduce travel demand and support the efficient and viable operation of public transport services by introducing intensified land uses close to proposed public transport upgrades (Pyrmont metro station).

The City's planning controls already include maximum car parking rates which promote public transport use. The City's Draft Ultimo Pyrmont Local Infrastructure Contributions Plan includes a number of projects focused on promoting walking and cycling as a mode of transport with footpath widening and cycleway works proposed.

Pyrmont Peninsula Place Strategy

The Pyrmont Peninsula Place Strategy, to which this planning proposal responds, was developed through the then Department of Planning, Industry and Environment in collaboration with State agencies including Transport for NSW. This planning proposal contributes towards the expected number of dwellings and jobs identified in the Place Strategy.

The Place Strategy was supported by a Transport Strategy, prepared by VIAE Consulting when the Place Strategy was endorsed by the NSW Government in December 2020 and supplemented by a Transport Assessment prepared by VIAE Consulting in November 2021 when sub-precinct master plans outlining growth expectations for each of Ultimo Pyrmont sub-precincts were endorsed by the NSW Government.

Pyrmont Ultimo Transport Plan

In 2023, Transport for NSW publicly exhibited their draft Pyrmont-Ultimo Transport Plan. The Pyrmont-Ultimo Transport Plan is said to support the delivery of the NSW Government's vision for Ultimo and Pyrmont. The Transport Plan provides an action plan for transforming how people, goods and services will travel to, from and within Ultimo Pyrmont. It is stated that the Transport Plan presents the coordinated transport strategy for how Transport for NSW will proactively respond to anticipated changes in land use, population, and travel demand.

> "With the anticipated growth in jobs and residents due to major State development and investment in the Precinct, the provision of attractive and efficient public and active transport options is crucial to ensuring sustainable, connected, safe and productive transport outcomes. The opening of the Sydney Metro West Pyrmont Station presents the foundational step-change for how people travel to and from the Precinct."

The draft Transport Plan articulates a clear transport plan to deliver a sustainable, multi-modal and safe transport network for all people and communities. It focuses on improved travel outcomes and mode choice.

Traffic Modelling

The City have discussed traffic modelling with Transport for NSW extensively over the last six to twelve months.

In November 2023 Transport for NSW confirmed that they had undertaken strategic modelling for the entire peninsula to input into SIDRA and VISSIM simulation modelling for Ultimo Pyrmont. Their modelling included committed, funded, and planned transport projects and a land use scenario consistent with that envisaged under the Pyrmont Peninsula Place Strategy. Car Driver, Car Passenger, Rail/Light Rail/Ferry, Bus-only, Bike, Walk, and Taxi were modelled with movements including from the area to elsewhere, to the area from elsewhere and within the area.

Transport for NSW's modelling has not been provided to the City. Any requirement for the City to undertake additional traffic modelling is considered to be unreasonable, onerous, unproductive and will significantly delay the delivery of much needed housing as envisaged under the Pyrmont Peninsula Place Strategy.

In line with their Pyrmont-Ultimo Transport Plan commitment to proactively respond to anticipated changes in land use, population, and travel demand, it is expected that if Transport for NSW believe that modelling should be made publicly available at public exhibition stage, they should release a suitable report based on their existing modelling which was used to support the Place Strategy.



Attachment C2

Amended Planning Proposal – Ultimo Pyrmont – LEP Maps

CITY OF SYDNEY

Sydney Local Environmental Plan 2012

Affordable Housing Map
- Sheet AFH_007

Affordable Housing

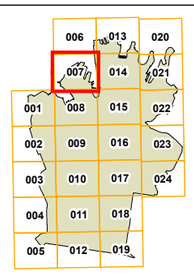
Refer to clause 7.13B

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Scale: 1:5,000 @ A3

Projection: GDA 2020
Zone 56

Map identification number:
7200_COM_AFH_007_005_20250714

INNER WEST LGA

INNER WEST LGA

INNER WEST LGA

INNER WEST LGA

Johnstons Bay

Darling Harbour

Area 3

Area 6

Area 7

Area 8

Area 9

Sydney Local Environmental Plan 2012

Affordable Housing Map
- Sheet AFH_008

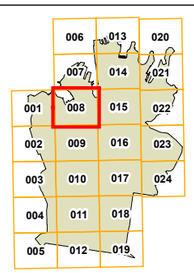
Affordable Housing

Refer to clause 7.13B

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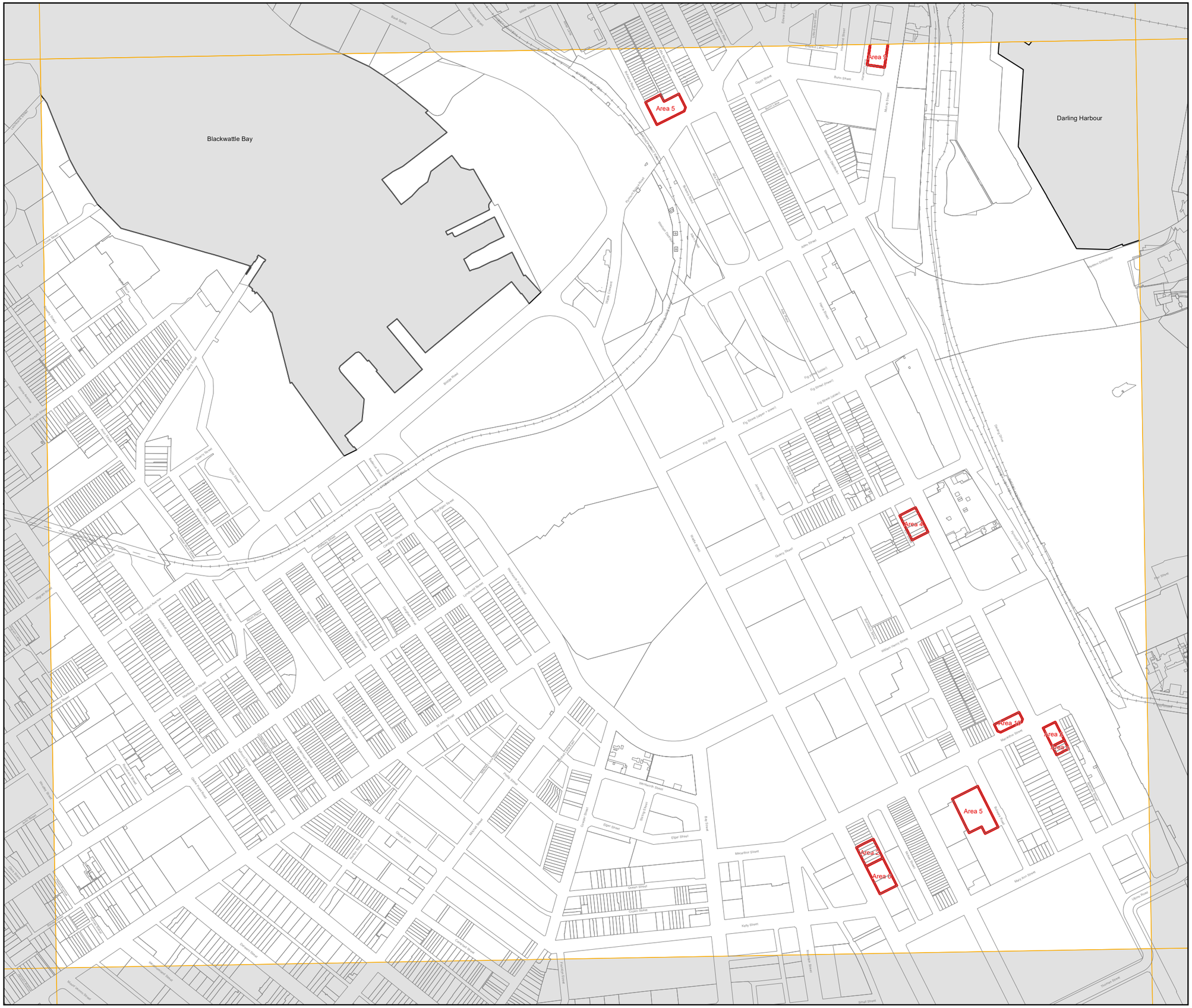
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Projection: GDA 2020
Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

Floor Space Ratio Map - Sheet FSR_007

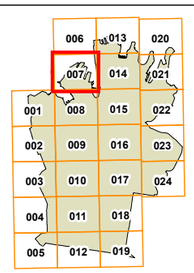
Maximum Floor Space Ratio (n:1)

S2	1.6
T1	2
U1	2.5
U5	2.65
U6	2.75
V1	3
V4	3.3
V5	3.41
W1	3.5
W3	3.61
W4	3.73
W5	3.75
X1	4
X4	4.22
Y5	4.83
Z1	5
AA3	6.5
AB1	7
AB3	7.7
AF	11

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Projection: GDA 2020 Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

Floor Space Ratio Map - Sheet FSR_008

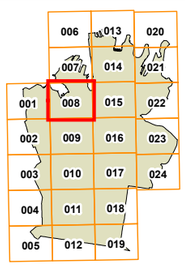
Maximum Floor Space Ratio (n:1)

S 2	1.6
T 1	2
U 1	2.5
U 5	2.65
U 6	2.75
V 1	3
V 4	3.3
V 5	3.41
W 1	3.5
W 3	3.61
W 4	3.73
W 5	3.75
X 1	4
X 4	4.22
Y 5	4.83
Z 1	5
A A 3	6.5
A B 1	7
A B 3	7.7
A F	11

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0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 2020 Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_007

Maximum Building Height (m)

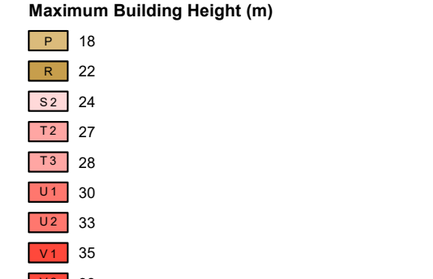
P	18
R	22
S2	24
T2	27
T3	28
U1	30
U2	33
V1	35
V2	38
W1	40
W2	42
X	45
Y	50
Z	55
AB2	85

Maximum Building Height (m)
Heights shown on map in RL (m)

	80 - 90
	90 - 100
	130 - 140 RL

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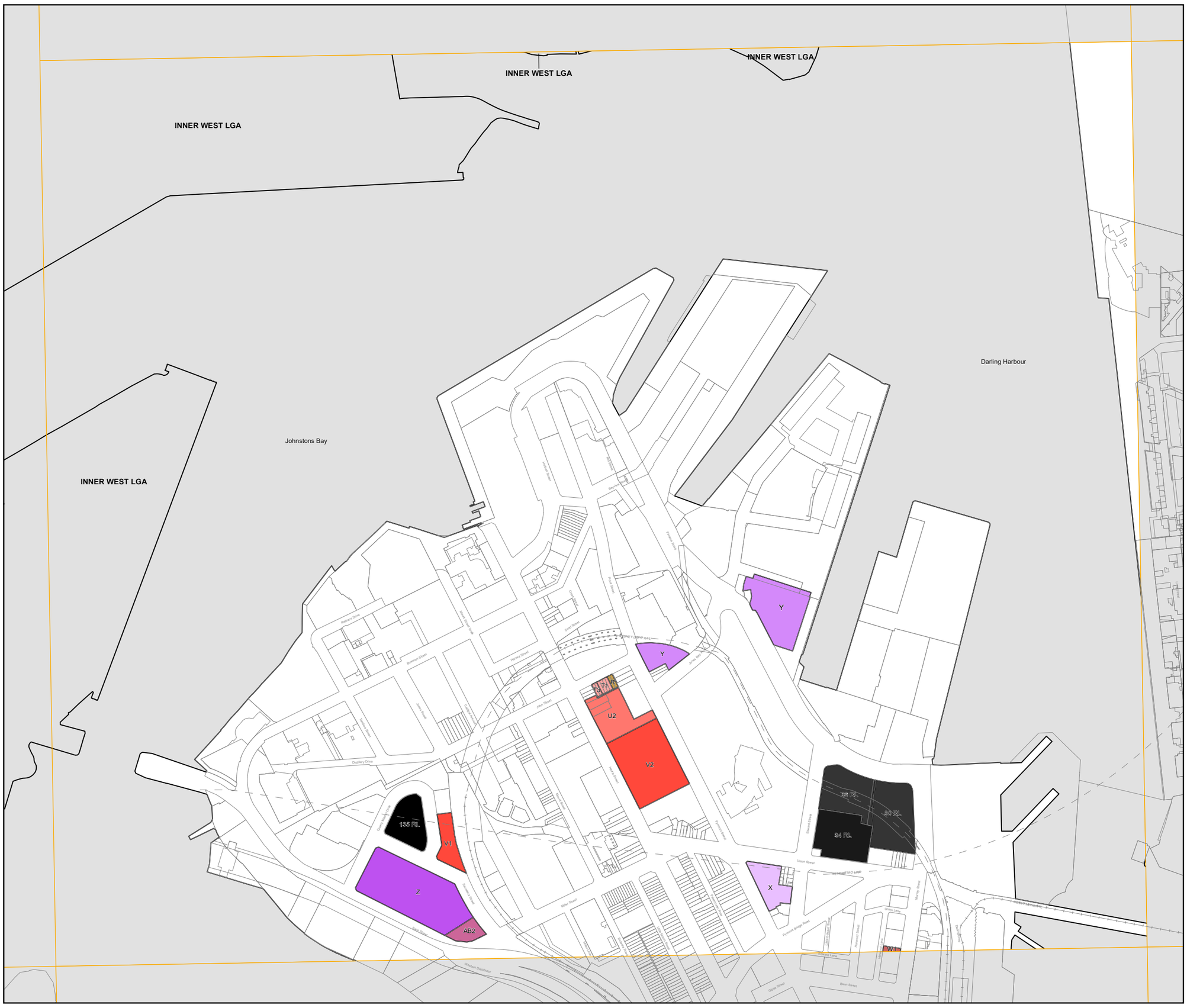
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Projection: GDA 2020 Zone 56

Map identification number:
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CITY OF SYDNEY

Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_008

Maximum Building Height (m)

P	18
R	22
S2	24
T2	27
T3	28
U1	30
U2	33
V1	35
V2	38
W1	40
W2	42
X	45
Y	50
Z	55
AB2	85

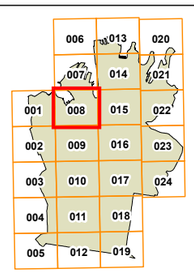
Maximum Building Height (m)
Heights shown on map in RL (m)

160

- 80 - 90
- 90 - 100
- 130 - 140 RL

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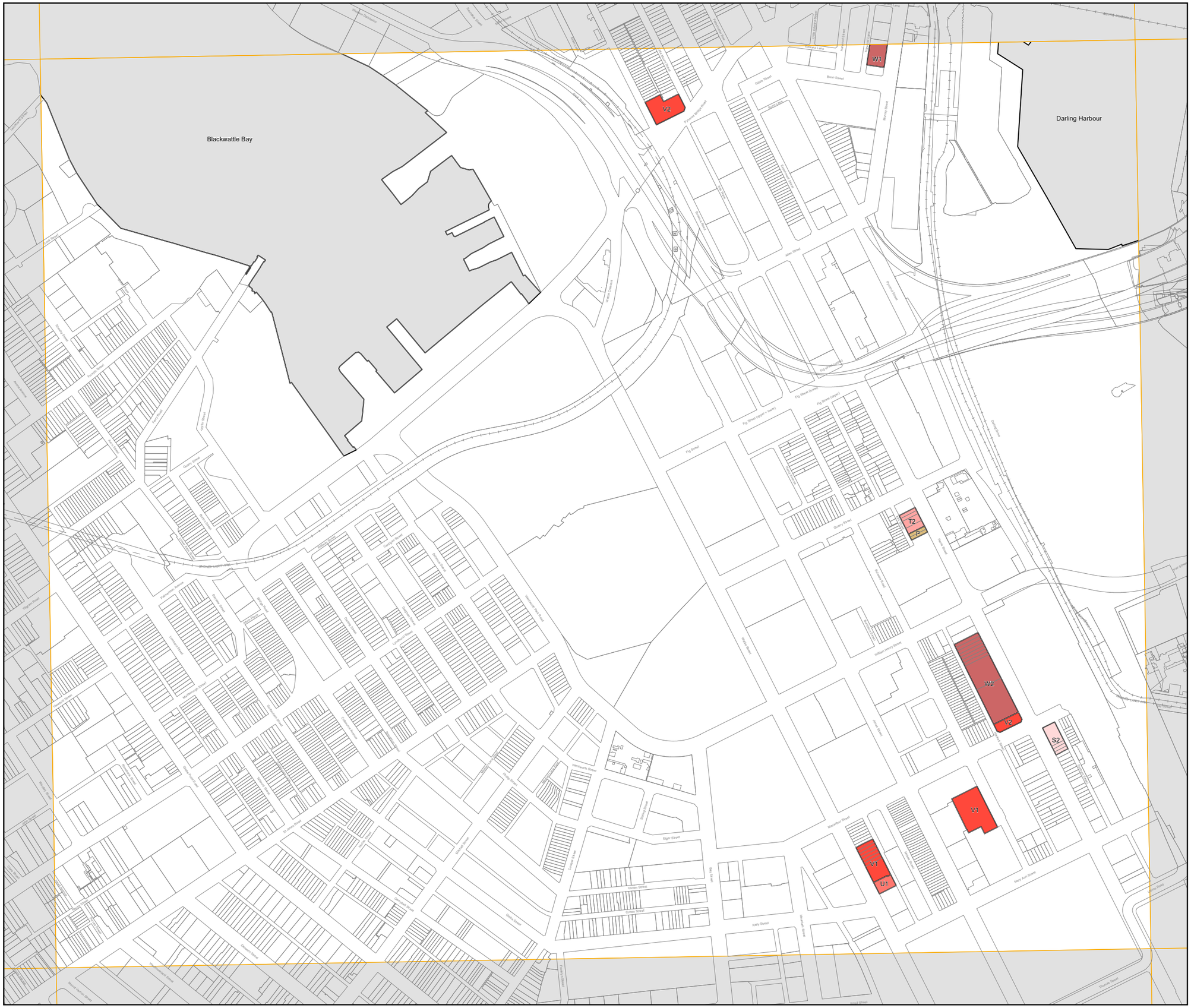
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Sydney Local Environmental Plan 2012

Alternative Floor Space Ratio Map - Sheet AFSR_007

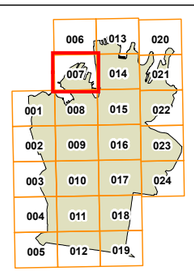
Alternative Maximum Floor Space Ratio (n:1)

R1	1.4
U1	2.5
W5	3.75
W6	3.9
X1	4
X2	4.1
Y1	4.5
Z3	5.7
AA3	6.5

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Scale: 1:5,000 @ A3

Projection: GDA 2020
Zone 56

Map identification number:
7200_COM_AFSR_007_005_20250714

INNER WEST LGA

INNER WEST LGA

INNER WEST LGA

INNER WEST LGA

Johnstons Bay

Darling Harbour

AA3

X1

Z3

R1

Sydney Local Environmental Plan 2012

Alternative Floor Space Ratio Map - Sheet AFSR_008

Alternative Maximum Floor Space Ratio (n:1)

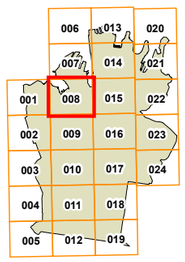
R1	1.4
U1	2.5
W5	3.75
W6	3.9
X1	4
X2	4.1
Y1	4.5
Z3	5.7
AA3	6.5

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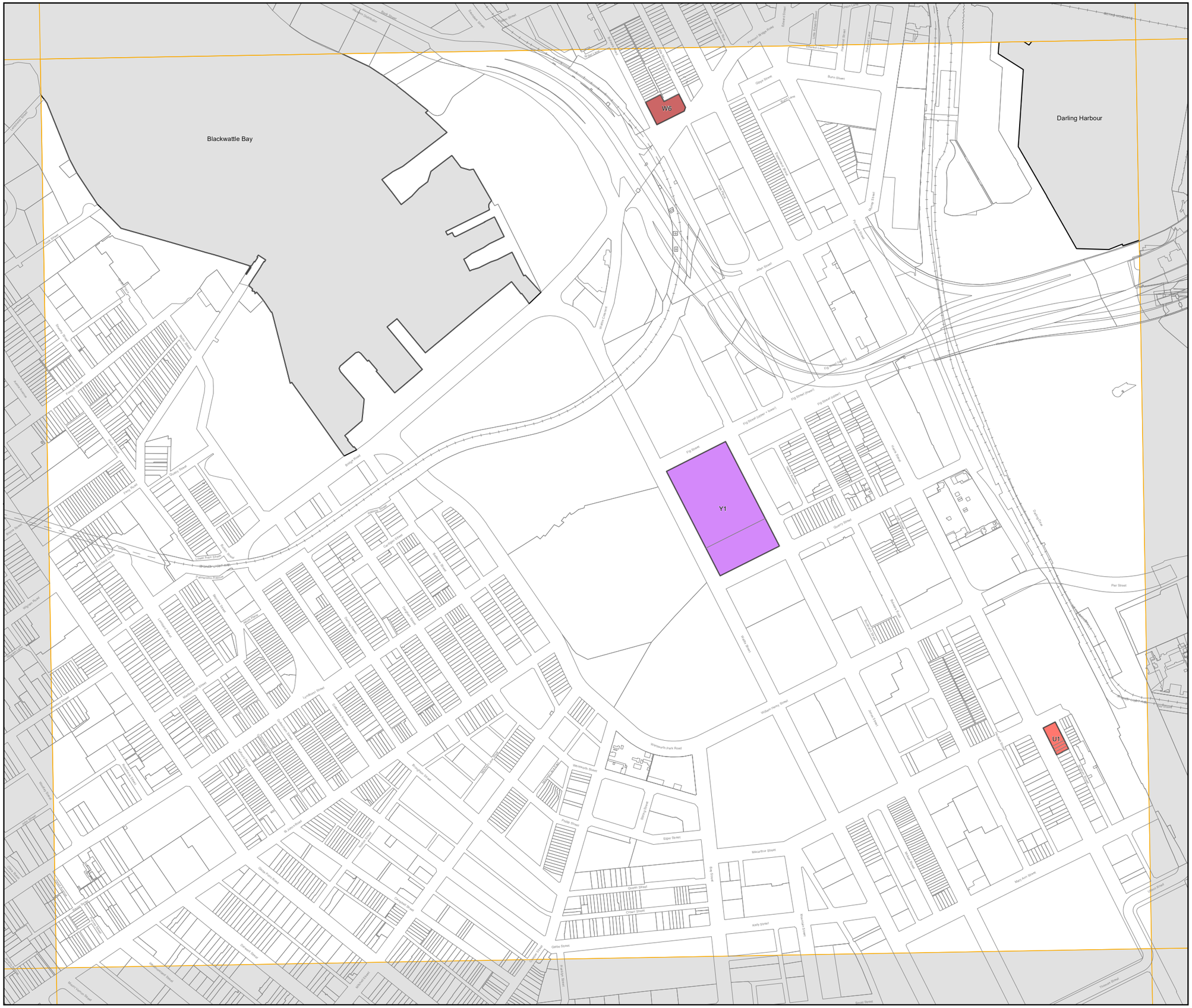
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Projection: GDA 2020 Zone 56

Map identification number:
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Sydney Local Environmental Plan 2012

Alternative Height of Buildings Map - Sheet AHOB_007

Maximum Building Height (m)

- O 15
- V2 38
- Y 50

Maximum Building Height (m)
Heights shown on map in RL (m)

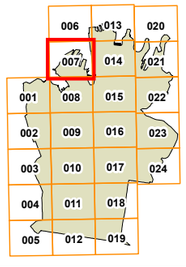
- 50 - 60
- 90 - 100

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0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 2020
Zone 56

Map identification number:
7200_COM_AHOB_007_005_20250714

INNER WEST LGA

INNER WEST LGA

INNER WEST LGA

INNER WEST LGA

Darling Harbour

Johnstons Bay

O

Y

V2

90 RL

Sydney Local Environmental Plan 2012

Alternative Height of Buildings Map - Sheet AHOB_008

Maximum Building Height (m)

- O 15
- V2 38
- Y 50

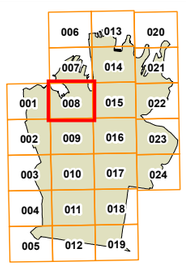
Maximum Building Height (m)
Heights shown on map in RL (m)

- 50 - 60
- 90 - 100

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0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 2020
Zone 56

Map identification number:
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CITY OF SYDNEY

Sydney Local Environmental Plan 2012

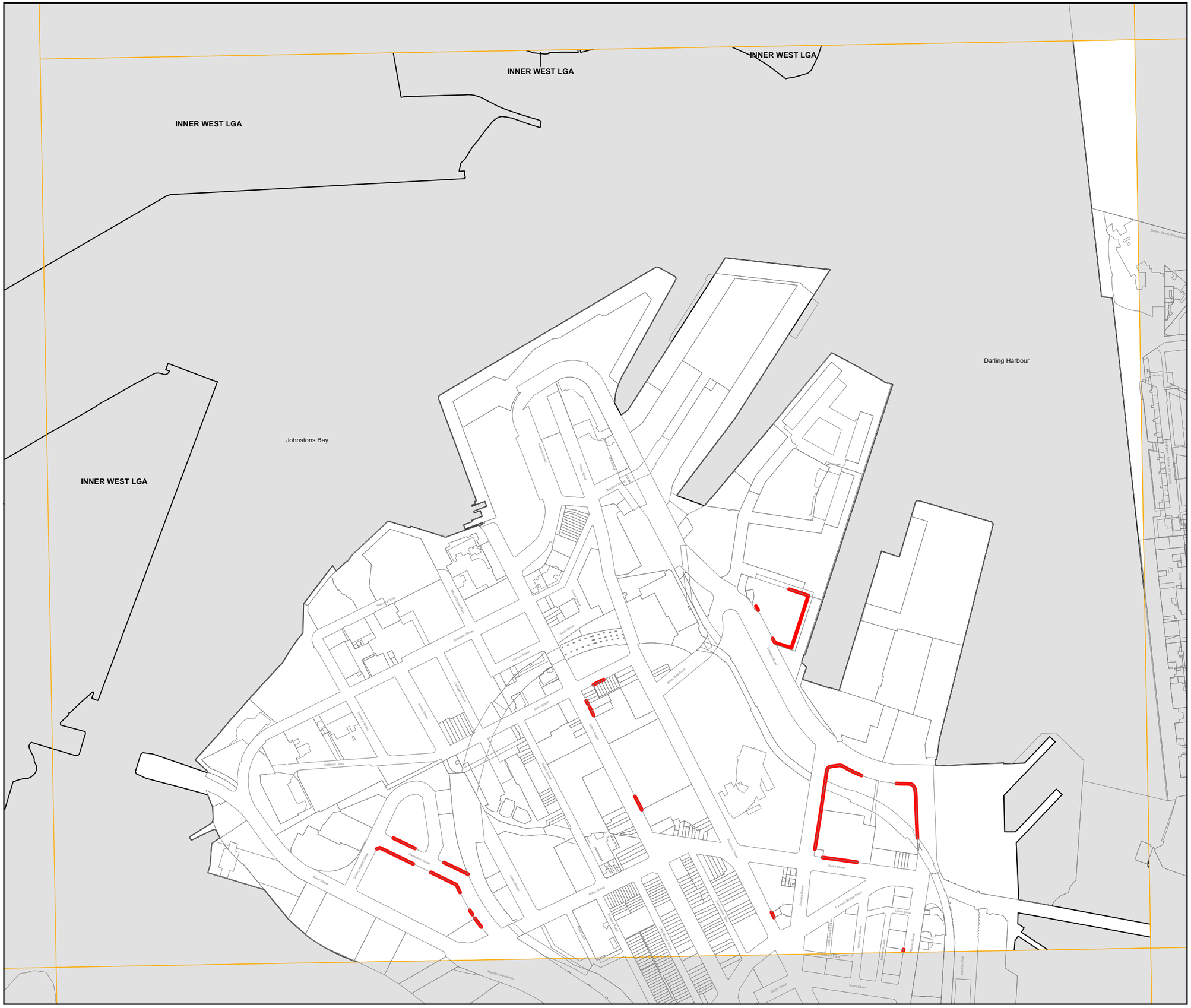
Active Street Frontages
- Sheet ASF_007

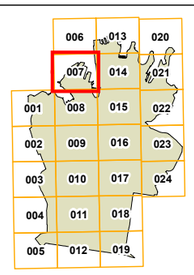
Active Street Frontages

Active Street Frontage

Cadastre

Cadastre 08/07/2025 © City of Sydney





N

0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 2020
Zone 56

Map identification number:
7200_COM_ASF_007_005_20250708

Sydney Local Environmental Plan 2012

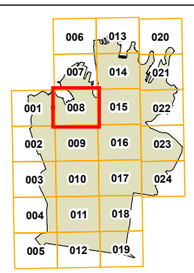
Active Street Frontages
- Sheet ASF_008

Active Street Frontages

Active Street Frontage

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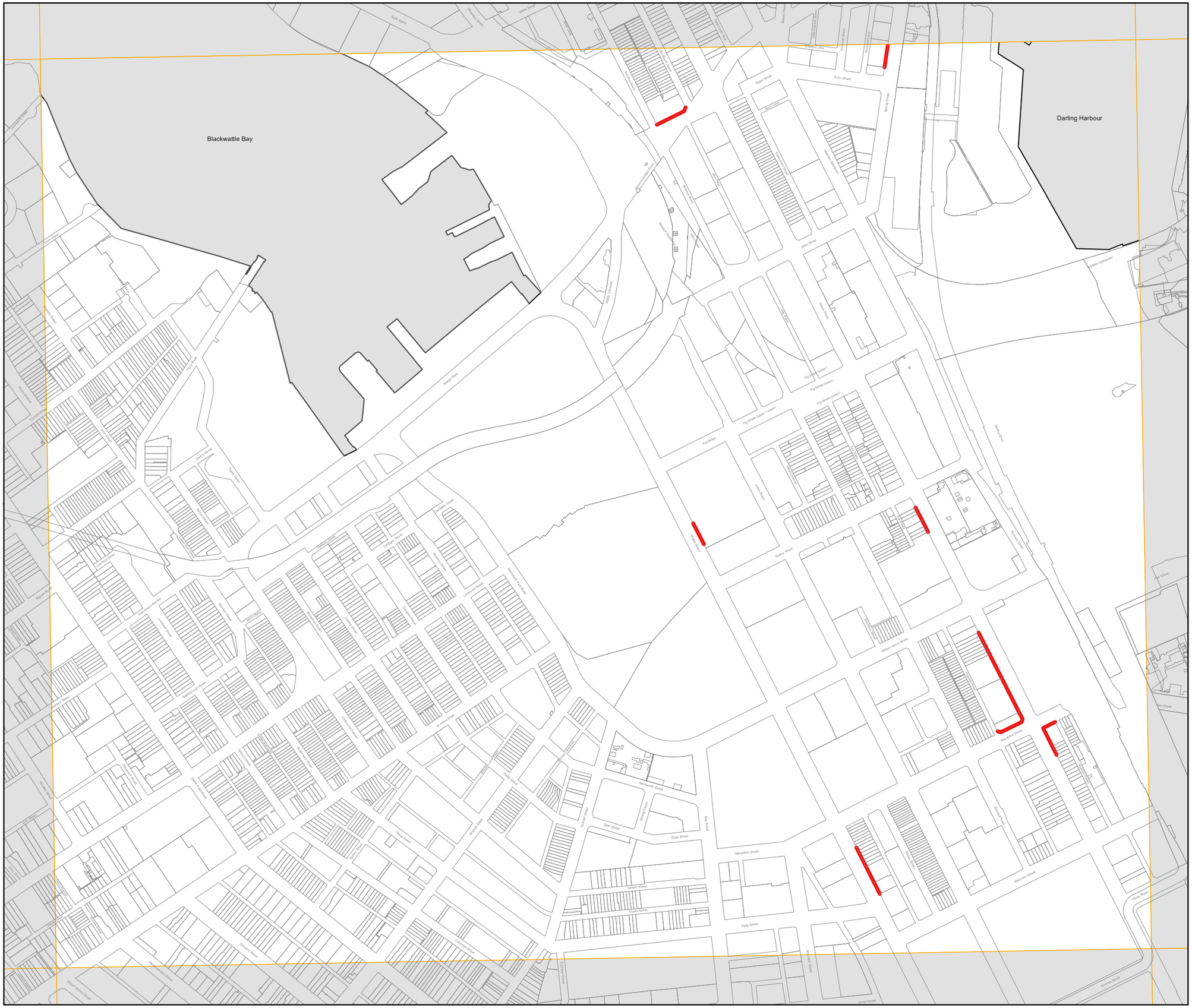
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Scale: 1:5,000 @ A3

Projection: GDA 2020
Zone 56

Map identification number:
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CITY OF SYDNEY

Sydney Local Environmental Plan 2012

Land Zoning Map - Sheet LZN_007

Zone

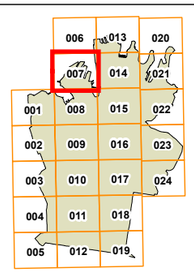
- E2 Commercial Centre
- MU1 Mixed Use

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- Cadastre 14/07/2025 © City of Sydney

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N

0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 2020
Zone 56

Map identification number:
7200_COM_LZN_007_005_20250714

INNER WEST LGA

INNER WEST LGA

INNER WEST LGA

INNER WEST LGA

Johnstons Bay

Darling Harbour

E2

MU1

MU1

MU1

Attachment D

Amended Draft Sydney Development Control Plan – Ultimo Pyrmont

CITY OF SYDNEY

Draft Sydney Development Control Plan 2012 – Ultimo-Pyrmont



The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

Post-exhibition amendments – explanatory note

This version has been amended in response to public exhibition.

Amendments are indicated throughout the document as follows:

- Red text indicates added text
- ~~Red strikethrough~~ indicates deleted text
- Red frame indicates a newly added map or diagram 
- Yellow frame indicates post-exhibition changes to a map or diagram 

Post-exhibition changes include:

- For clarity, DCP provisions and maps now differentiate where development does and does not utilise incentive building heights or FSR available under clause 6.60B of Sydney LEP 2012. This is largely a restructure of exhibited materials. This has resulted in:
    - Separate maps and provisions relating to height in storeys and upper-level setbacks for sites with alternative height or FSR.
    - Separate maps and provisions relating to publicly accessible open space, through-site links, deep soil, ground floor use, active frontage, and awnings and colonnades for 13A-29 Union Street.
- Site specific changes were made, including:
    - **26-38 Saunders Street**: amendments to the provisions and mapping to better manage wind impacts.
    - **86-92 Harris Street and 28-48 Wattle Street**: amendments to the mapping to accommodate a different built form.
    - **1-27 Murray Street, 46-48 Pyrmont Street and 13A-29 Union Street**: amendments to the provisions and mapping to support a mixed-use option, where development does not utilise incentive building heights or FSR available under clause 6.60B of Sydney LEP 2012.
    - **562-576 Harris Street:** amendments to the provisions and mapping to support a commercial option, where development does utilise incentive building heights or FSR available under clause 6.60B of Sydney LEP 2012.

Please see the report to Council for further explanation of these amendments.

Draft Sydney Development Control Plan 2012 – Ultimo-Pyrmont Precinct

The purpose of this draft Development Control Plan

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

The provisions guide future development within the area known as the Ultimo-Pyrmont identified within the City of Sydney Local Environmental Plan 2012.

Citation

This amendment may be referred to as Sydney Development Control Plan 2012 – Ultimo-Pyrmont.

Land covered by this plan

This plan applies to all land identified in the Ultimo-Pyrmont, shown in Figure 5.1 Specific Areas.

Relationship of this plan to Sydney Development Control Plan 2012

This plan amends the Sydney Development Control Plan 2012

Amendment to Sydney Development Control Plan 2012

1. Replace Figure 5.1 Specific areas map in accordance with the new map provided at Appendix 1.
2. Insert a new sub-section at the end of Section 5 in accordance with Appendix 2.
3. Amend DCP map sheets 7 and 8 in accordance with Figures provided in Appendix 2.

Appendix 1

Update Figure 5.1 to show the Figure provided below:

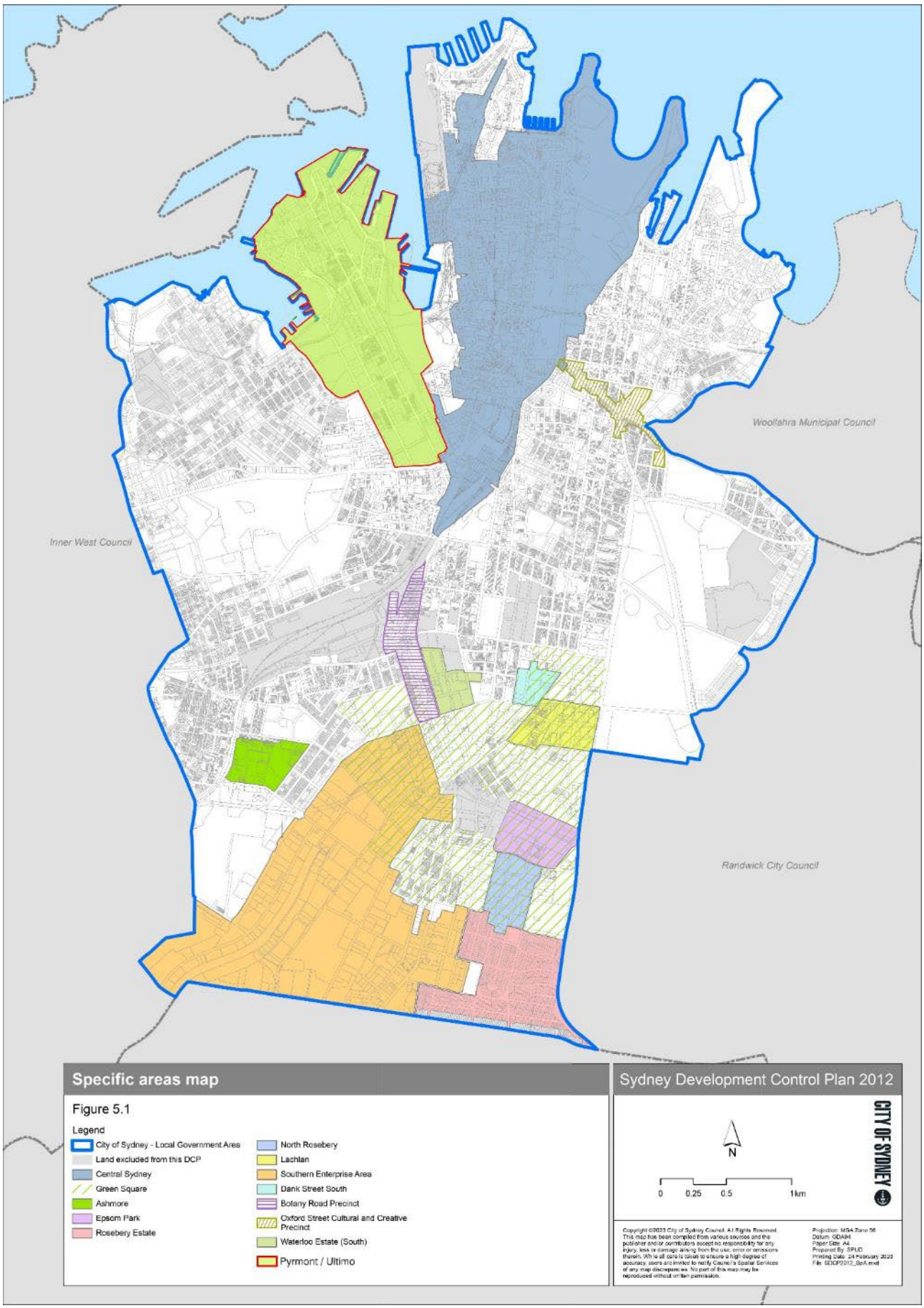


Figure 1 *Specific Areas Map*

Appendix 2

5.X Ultimo-Pyrmont

This section applies to the land identified as the Ultimo-Pyrmont in Figure 5.1 Specific Areas map. It should be read in conjunction with:

- other requirements of this DCP; and
- the locality statement and principles in Section 2.4 Harris Street Village.

The Ultimo-Pyrmont area has been divided into six groups for the purposes of this DCP, as outlined in Table 1 Sites included and

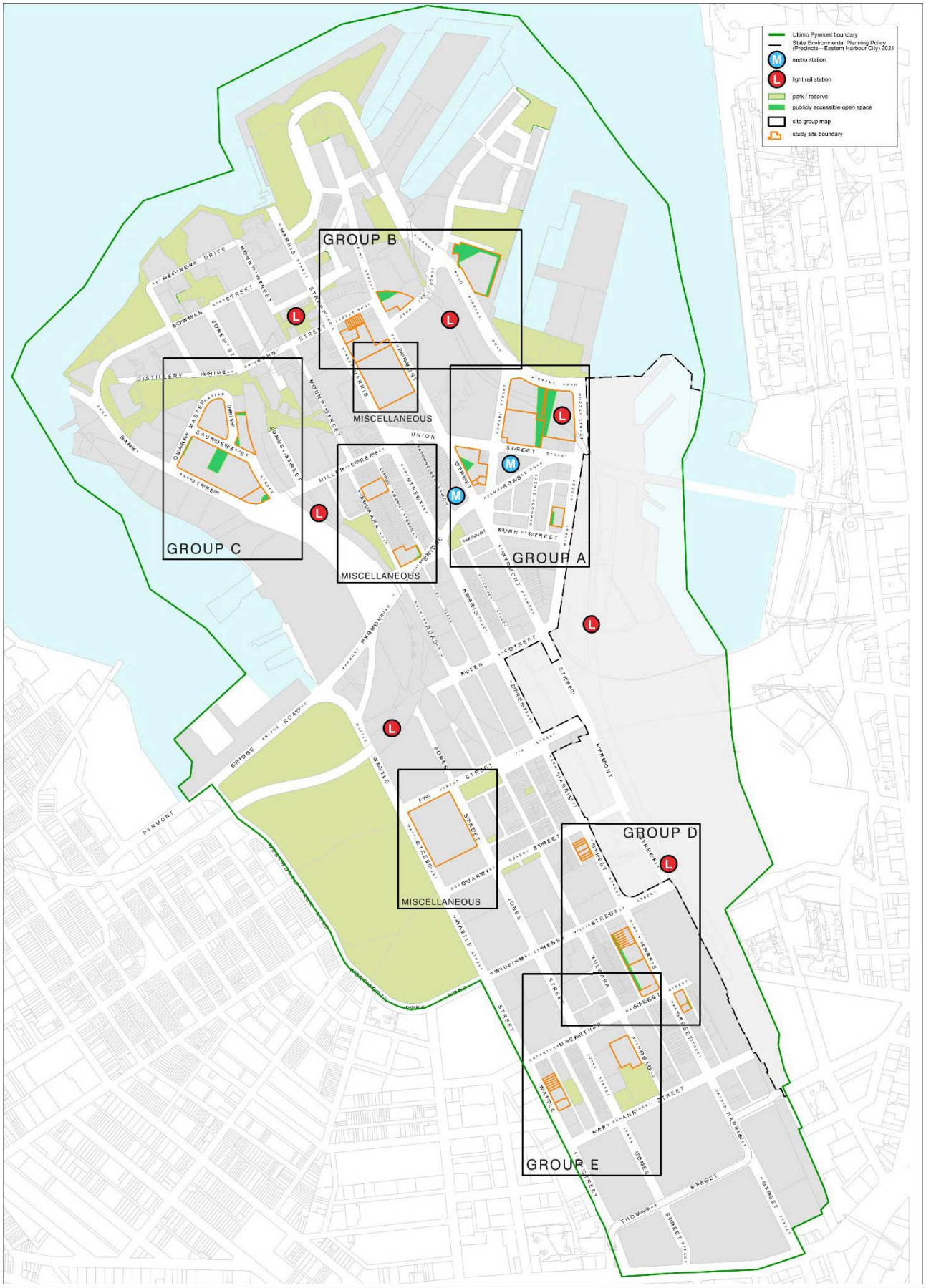


Figure 2 Groups of sites included

Clause XX [new clause] of the Sydney LEP 2012 incentivises development for employment generating uses on sites identified as Area A – Metro Station in

Figure *2* Groups of sites included. This section applies to development which utilises the incentive planning controls available under Clause XX of the Sydney LEP 2012. This section does not apply to development on sites identified as Area A – Metro Station which does not utilise incentive planning controls available under Clause XX of the Sydney LEP 2012.

Table 1 Sites included

Area	Sites
Group A – Metro Station	13A-29 Union Street Pyrmont 69-71 Edward Street Pyrmont 2 Edward Street Pyrmont 60 Union Street Pyrmont 1-27 Murray Street Pyrmont 55 Murray Street Pyrmont 102 Pyrmont Street Pyrmont
Group B - John Street	79-93 John Street Pyrmont 12 Pyrmont Street Pyrmont 14-18 Pyrmont Street Pyrmont 48 Pirrama Road Pyrmont 80-84 Harris Street Pyrmont 86-92 Harris Street Pyrmont
Group C - Saunders Street	26-38 Saunders Street Pyrmont 14 Quarry Master Drive Pyrmont 1-33 Saunders Street Pyrmont 140-148 Bank Street Pyrmont 20-28 Bulwara Road Pyrmont 46-48 Pyrmont Bridge Road Pyrmont
Group D - Harris Street Ultimo	469-471 Harris Street Ultimo 473-475 Harris Street Ultimo 477-479 Harris Street Ultimo 481-483 Harris Street Ultimo 535-547 Harris Street Ultimo 549-559 Harris Street Ultimo 561-577 Harris Street Ultimo 562-576 Harris Street Ultimo 383 -389 Bulwara Road Ultimo
Group E - Wattle Street	446-456 Wattle Street Ultimo 458-468 Wattle Street Ultimo 470 Wattle Street Ultimo
Miscellaneous sites	100 Harris Street Pyrmont 46-48 Pyrmont Bridge Road Pyrmont 20-28 Bulwara Road Pyrmont 28-48 Wattle Street Ultimo 50-54 Wattle Street Ultimo

5.X.1 General

Objectives

(a) Protect amenity for current and future residents.

(b) Protect the heritage character of Ultimo Pyrmont.

(c) Provide for deep soil planting provisions for new developments.

(d) Ensure that habitable rooms in existing residential dwellings maintain an appropriate level of sun access.

(e) Ensure that public spaces have an appropriate level of sun access.

(f) Protect and enhance identified public view corridors.

Provisions

(1) Development is to be in accordance with the locality statement at Section 2.4 Harris Street Village and supporting principles for the locality.

Development is to be in accordance with

(2) Figure 3 Ultimo-Pyrmont Urban Strategy Map

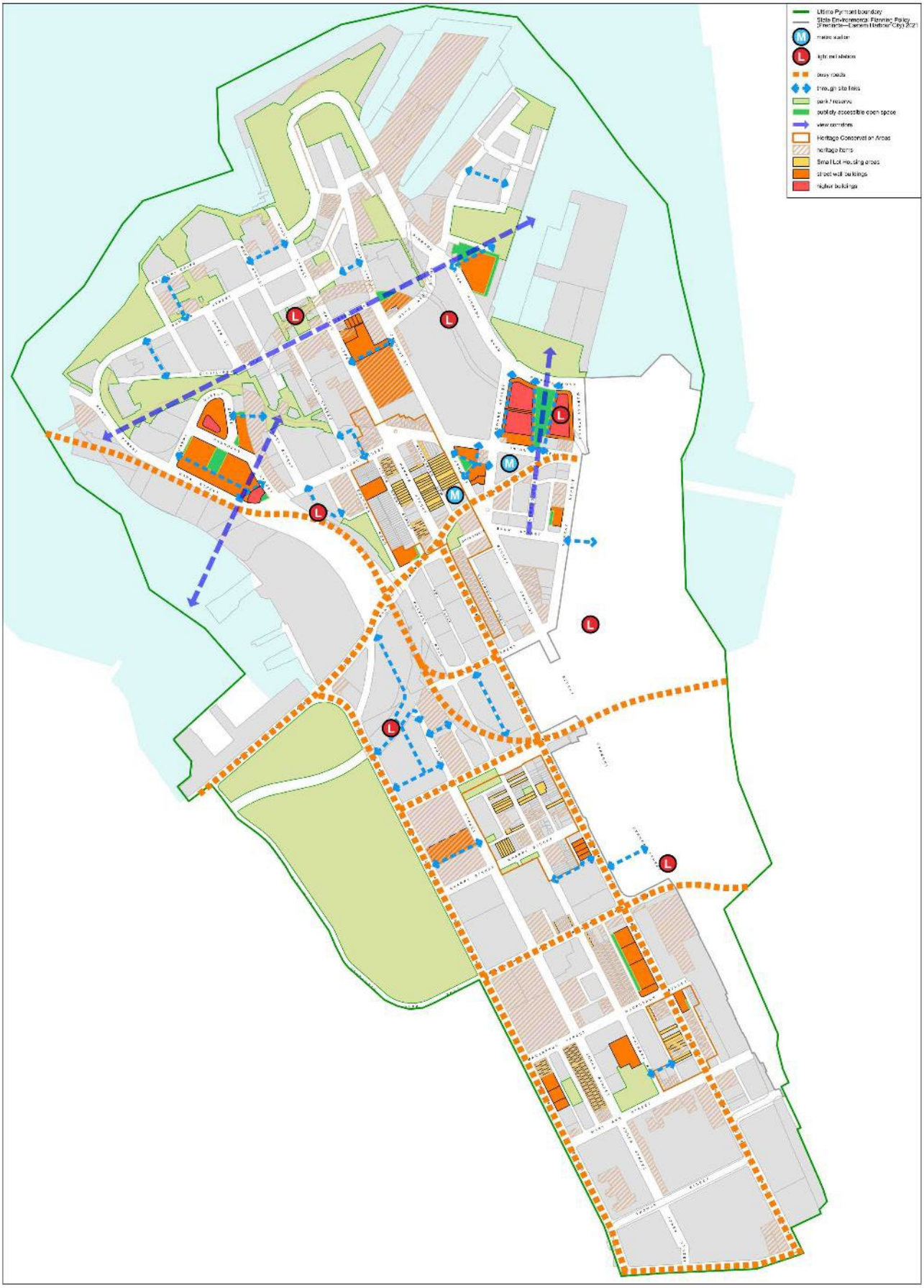


Figure 3 Ultimo-Pyrmont Urban Strategy Map

5.X.2 Movement and accessible open space

Objectives

(a) To ensure that appropriate publicly accessible spaces are provided as part of new developments.

(b) Improve pedestrian safety and amenity through the targeted widening of footpaths and increases in street setbacks on key sites.

(c) Create a walkable and pedestrian friendly network to improve through-site links within Ultimo Pyrmont and surrounds.

(d) Deliver tree canopy cover and greening within road corridors and reservations.

(e) Increase visibility of, and access to, key public transport nodes.

(f) Increase permeability of large street blocks and reduce walking distances to key destinations.

Provisions

(1) Where identified on Figures 4 to 9, buildings are to be set back to increase pedestrian safety and amenity.

(2) Development is to provide publicly accessible open space in accordance with Figures 10 to 15.

(3) Despite 5.X.2(2) where 13A-29 Union Street Pyrmont utilises incentive building heights or floor space ratios available under clause 6.60B of Sydney LEP 2012, development is to provide publicly accessible open space in accordance with Figure 75

(4) Where identified by Figures 10 to 15, accessible through-site links are to be provided to ensure unencumbered public pedestrian accessibility across Ultimo Pyrmont and surrounds.

(5) Despite 5.X.2(4) where 13A-29 Union Street Pyrmont utilises incentive building heights or floor space ratios available under clause 6.60B of Sydney LEP 2012, development is to provide through-site links are to be provided to ensure unencumbered public pedestrian accessibility in accordance with Figure 75.

(6) Where through-site links require a lift, the lift provided is to be exclusively for the through-site link.

(7) The through-site link at 60 Union Street Pyrmont and 2 Edward Street Pyrmont is to be in accordance with the elevations at Figures 16A and 16B.

(8) Building arrangement and through-site link at 28-48 Wattle Street Ultimo is to be in accordance with the sections at Figures 17A and 17B.

(9) Driveways and vehicle access points are only to be provided where shown on Figures 18 to 23.

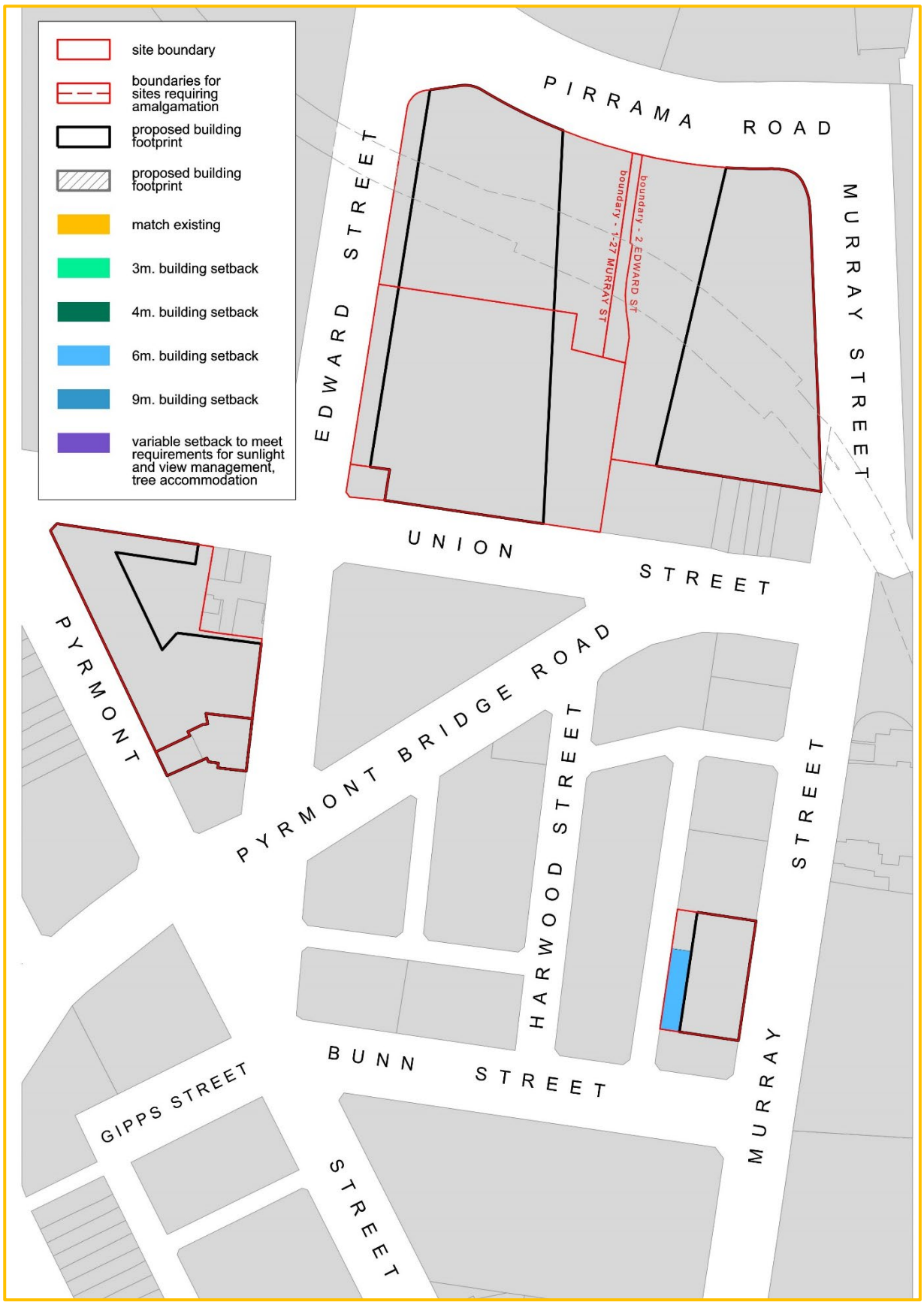


Figure 4 Group A – Metro Sites - Street Level Setbacks map

[Public exhibition note: Figure 5 Group B - John Street - Street Level Setbacks map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Setback and Alignment map*.]

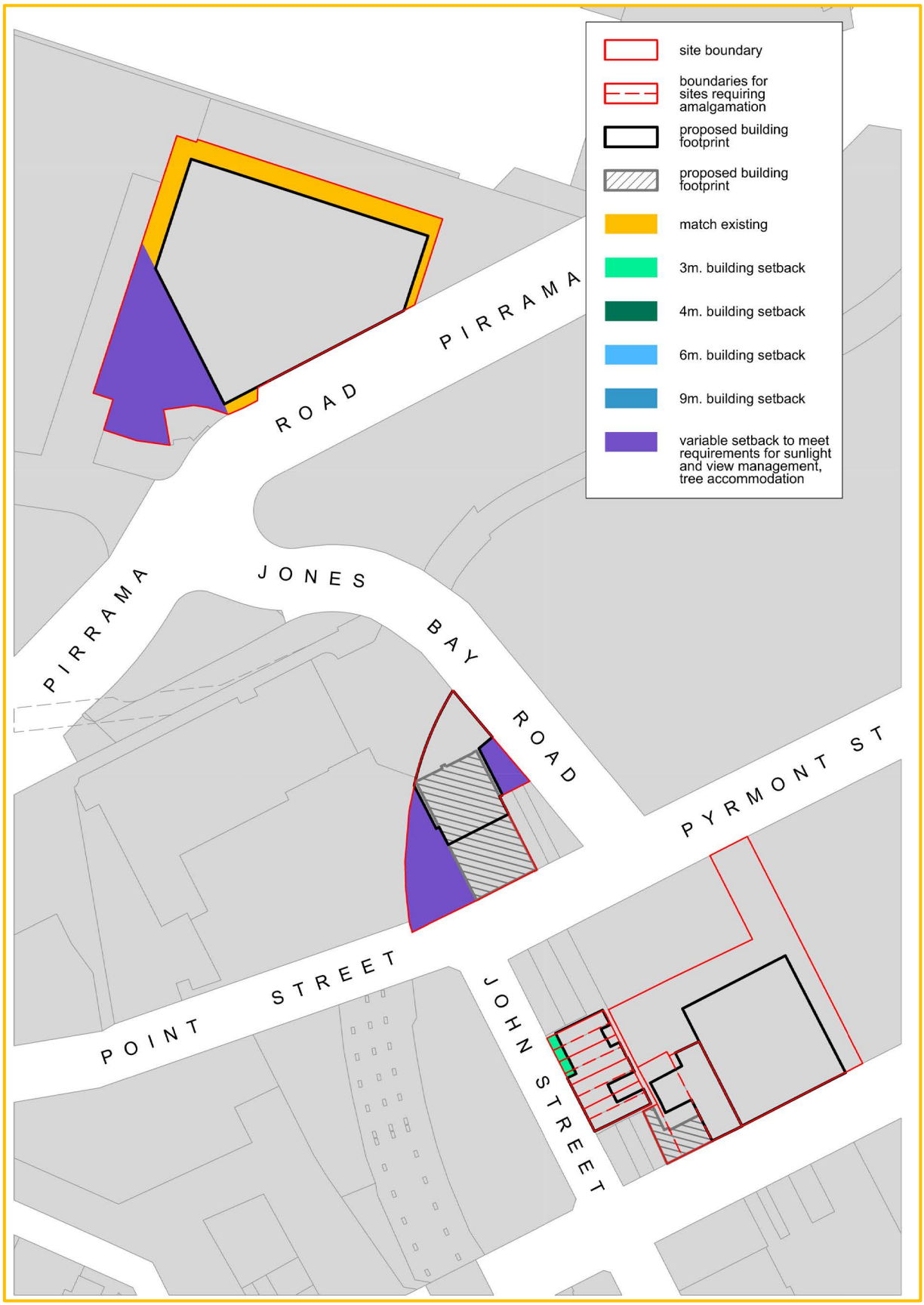


Figure 5 Group B - John Street - Street Level Setbacks map

[Public exhibition note: Figure 5 Group B - John Street - Street Level Setbacks map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Setback and Alignment map*.]

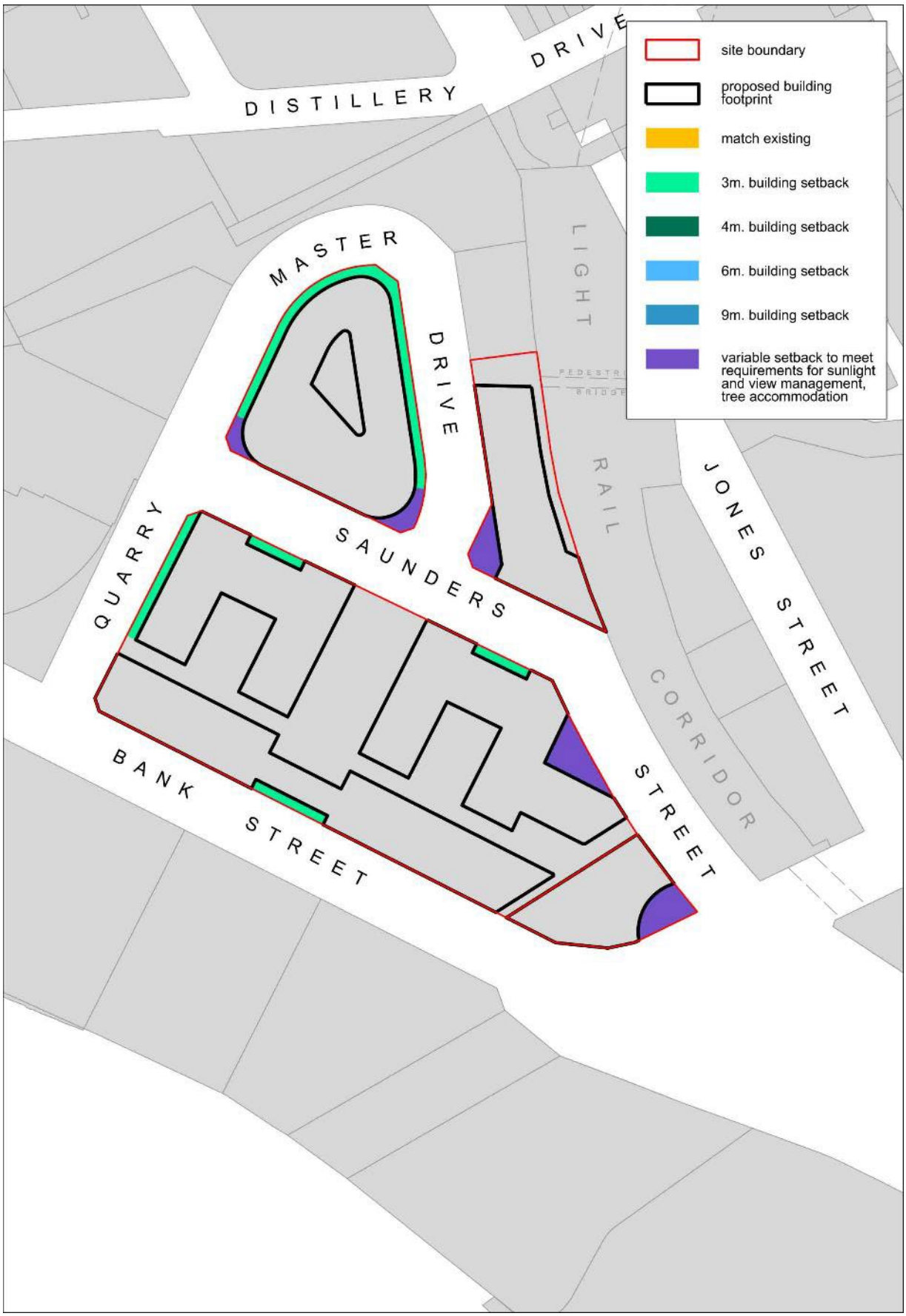


Figure 6 Group C - Saunders Street - Street Level Setbacks map

[Public exhibition note: Figure 6 Group C - Saunders Street - Street Level Setbacks map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Setback and Alignment map*.]

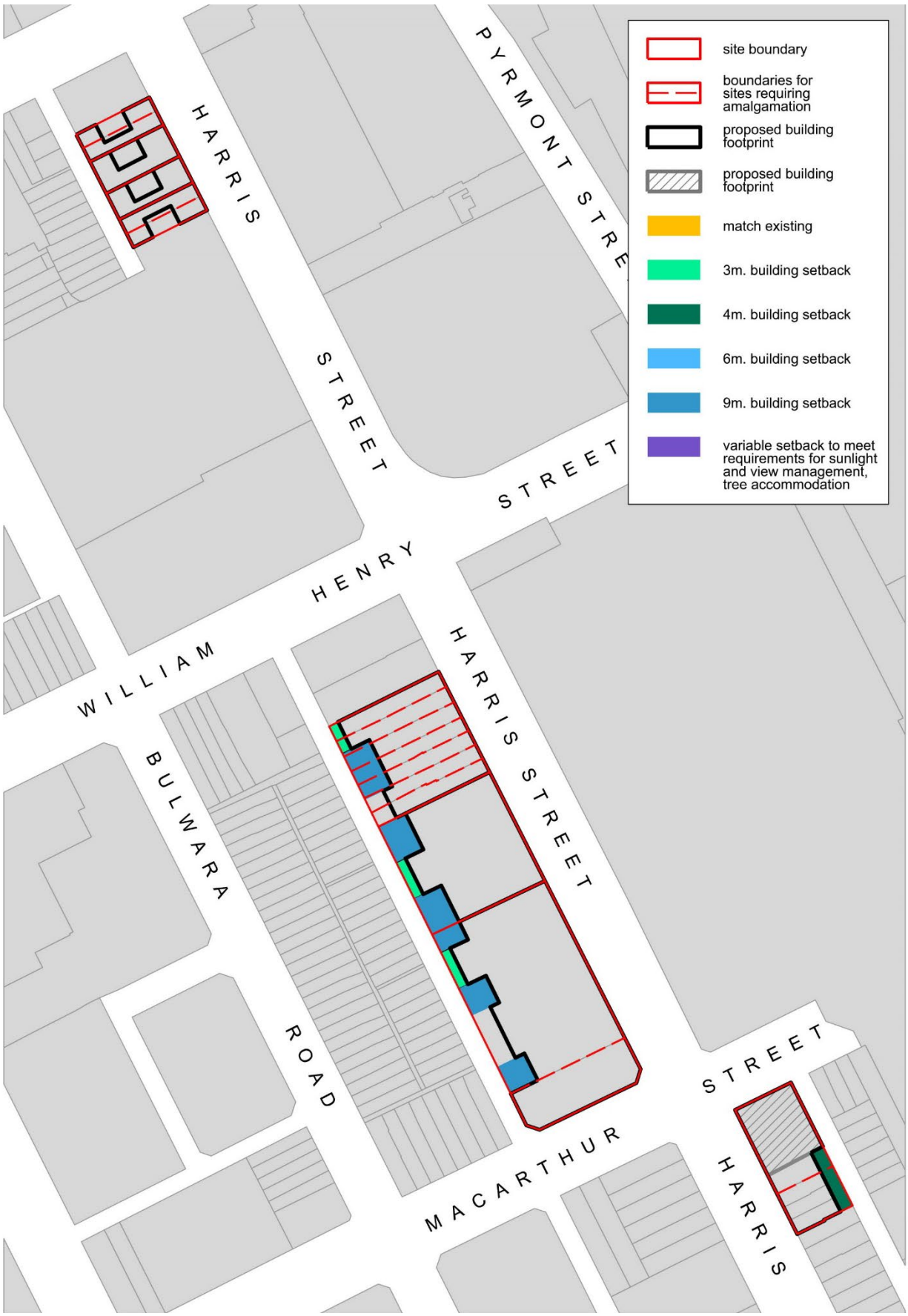


Figure 7 Group D - Harris Street Ultimo - Street Level Setbacks map

[Public exhibition note: Figure 7 Group D - Harris Street Ultimo - Street Level Setbacks map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Setback and Alignment map.*]



Figure 8 Group E - Wattle Street - Street Level Setbacks map

[Public exhibition note: Figure 8 Group E - Wattle Street - Street Level Setbacks map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Setback and Alignment map*.]



Figure 9 Miscellaneous Sites - Street Level Setbacks map

Public exhibition note: Figure 9 Miscellaneous Sites - Street Level Setbacks map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Setback and Alignment map*.]

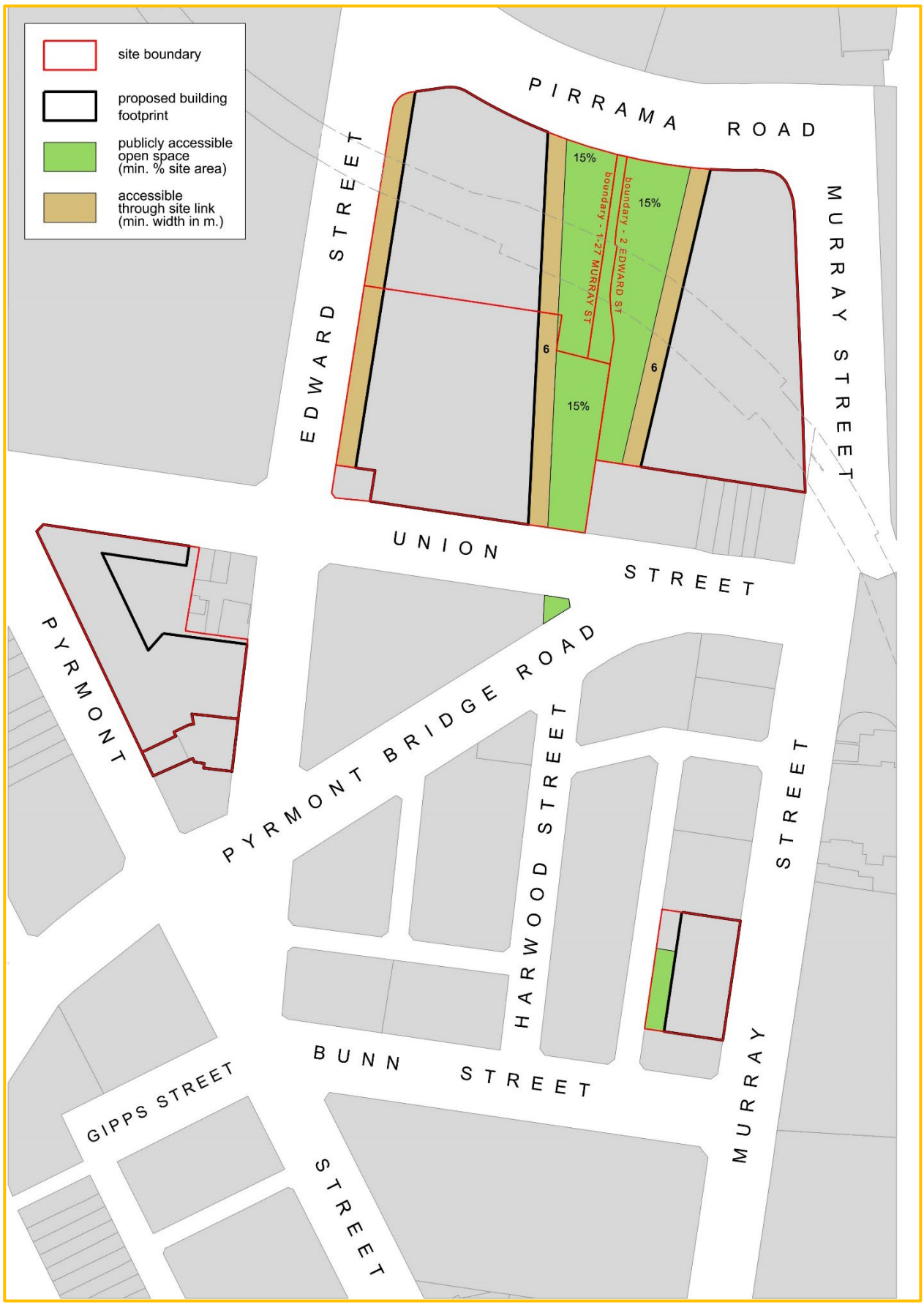


Figure 10 Group A – Metro Sites - Pedestrian Accessibility Map

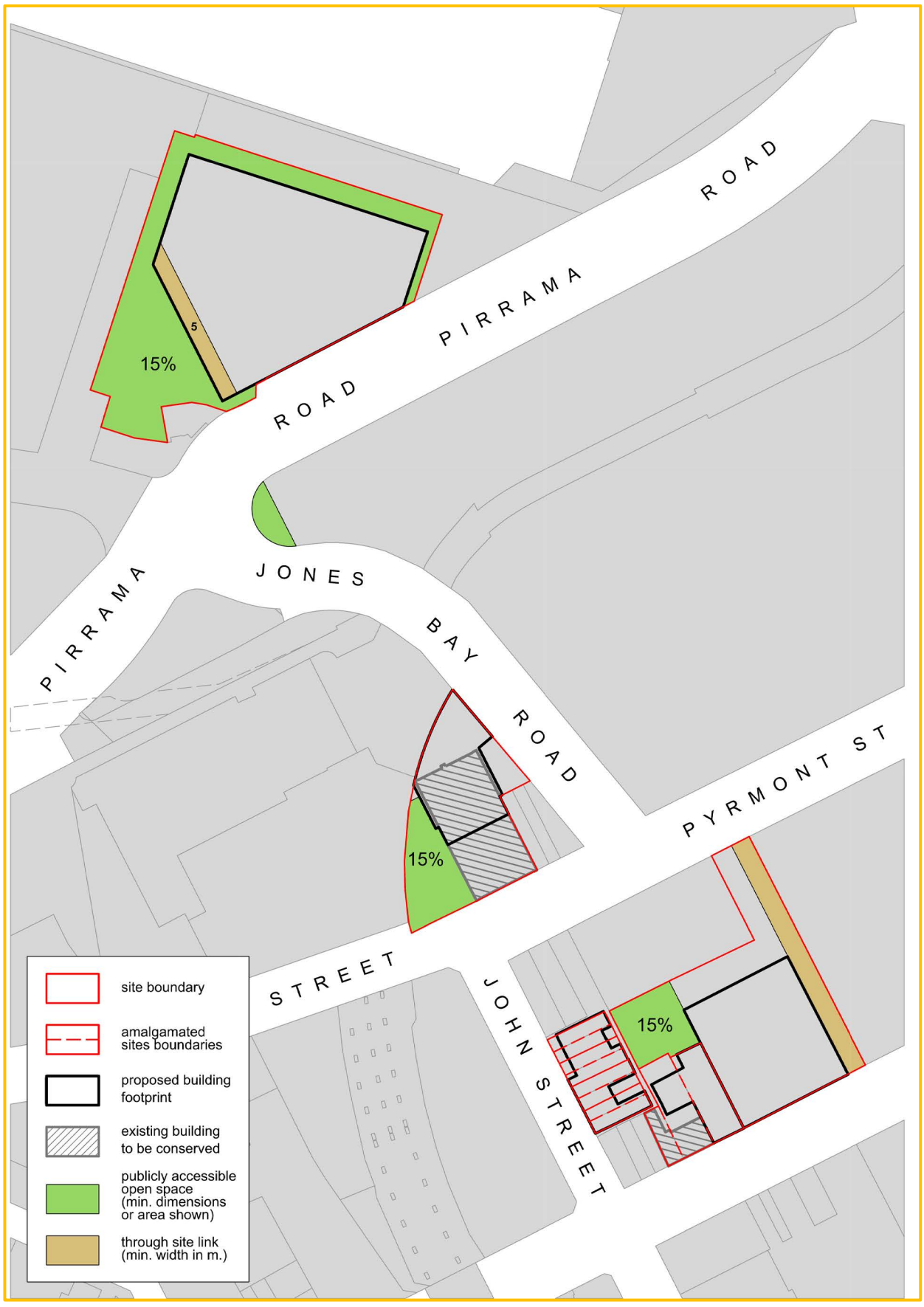


Figure 11 Group B - John Street - Pedestrian Accessibility Map



Figure 12 Group C - Saunders Street - Pedestrian Accessibility Map

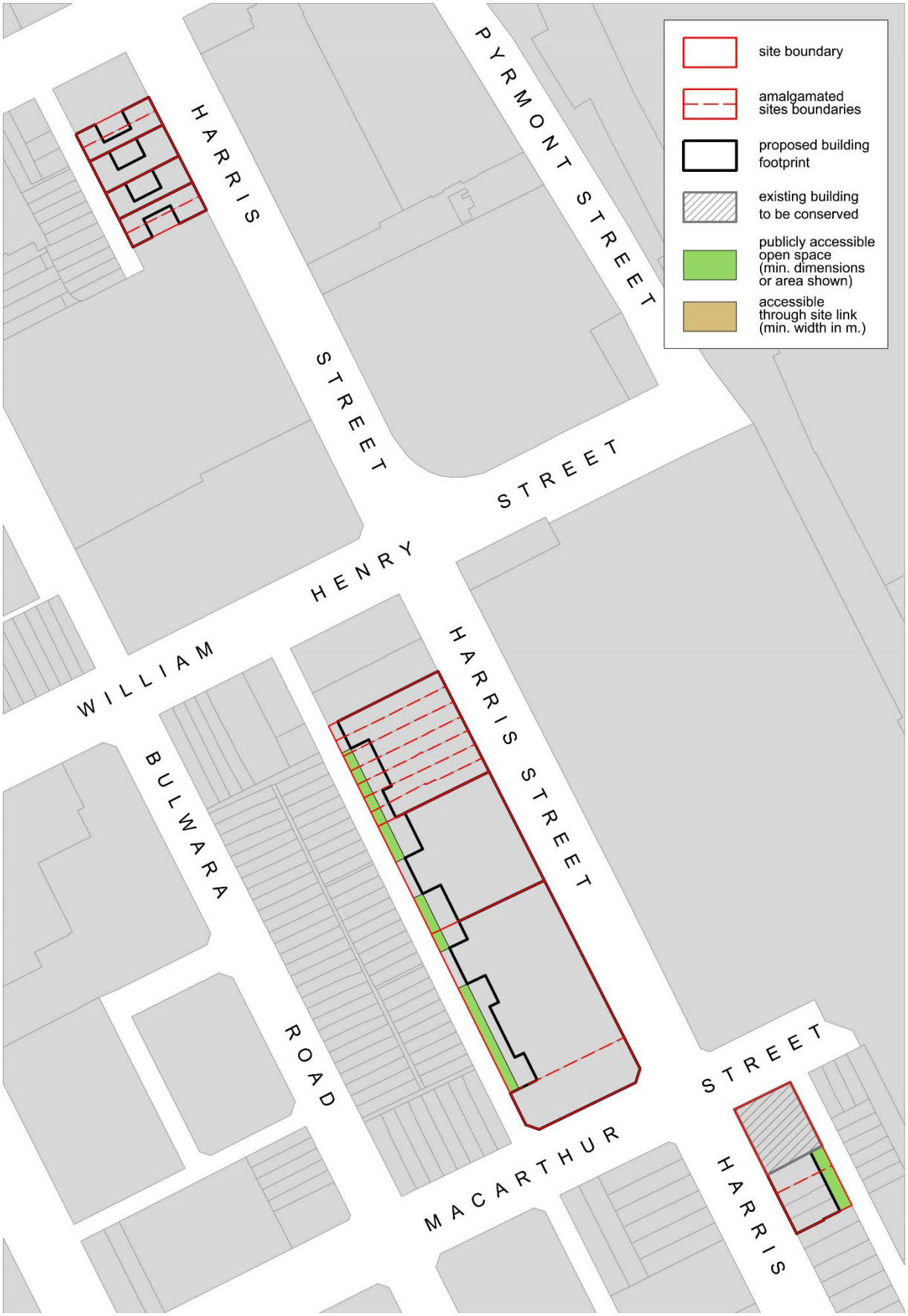


Figure 13 Group D - Harris Street - Pedestrian Accessibility Map

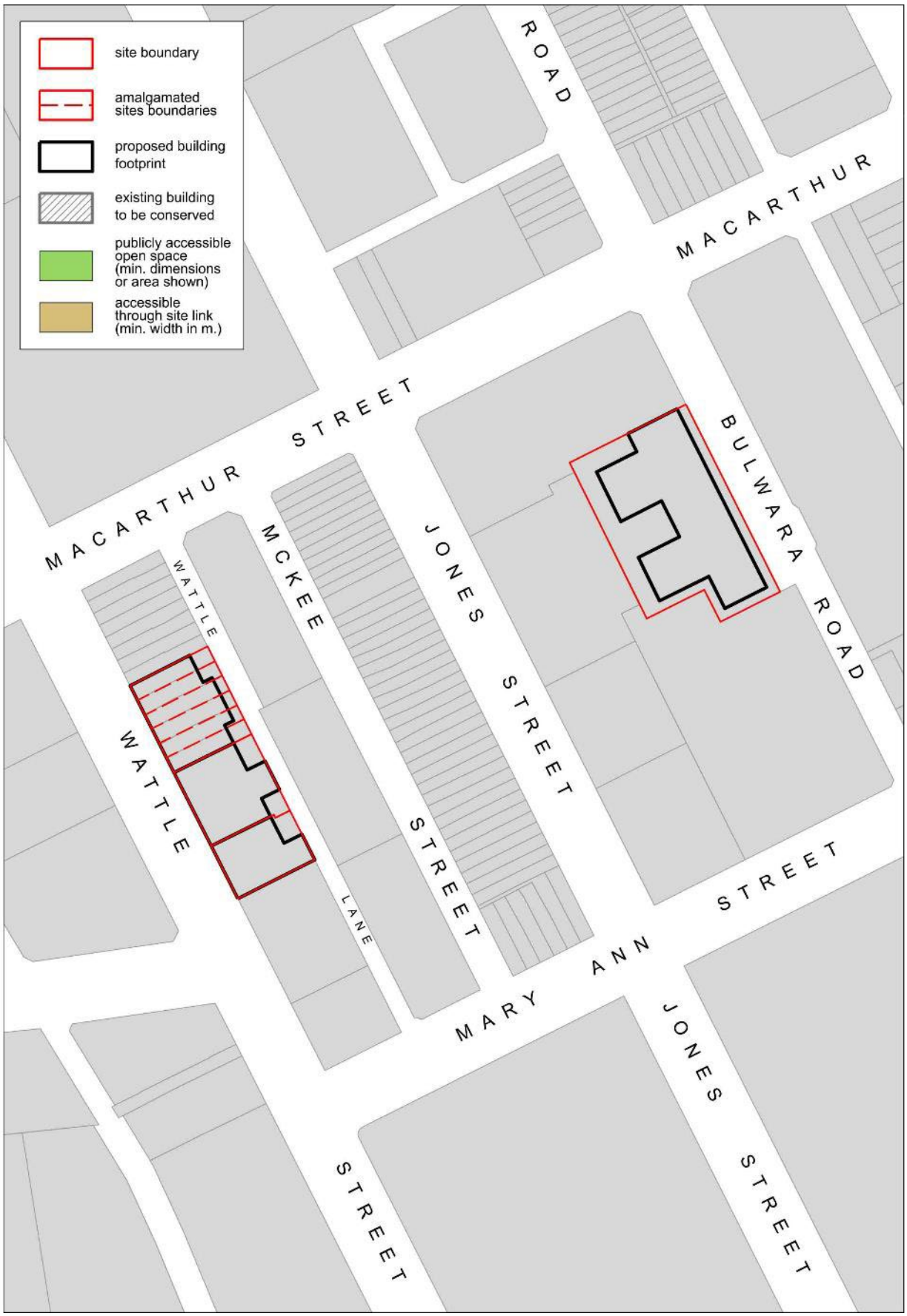


Figure 14 Group E - Wattle Street - Pedestrian Accessibility Map

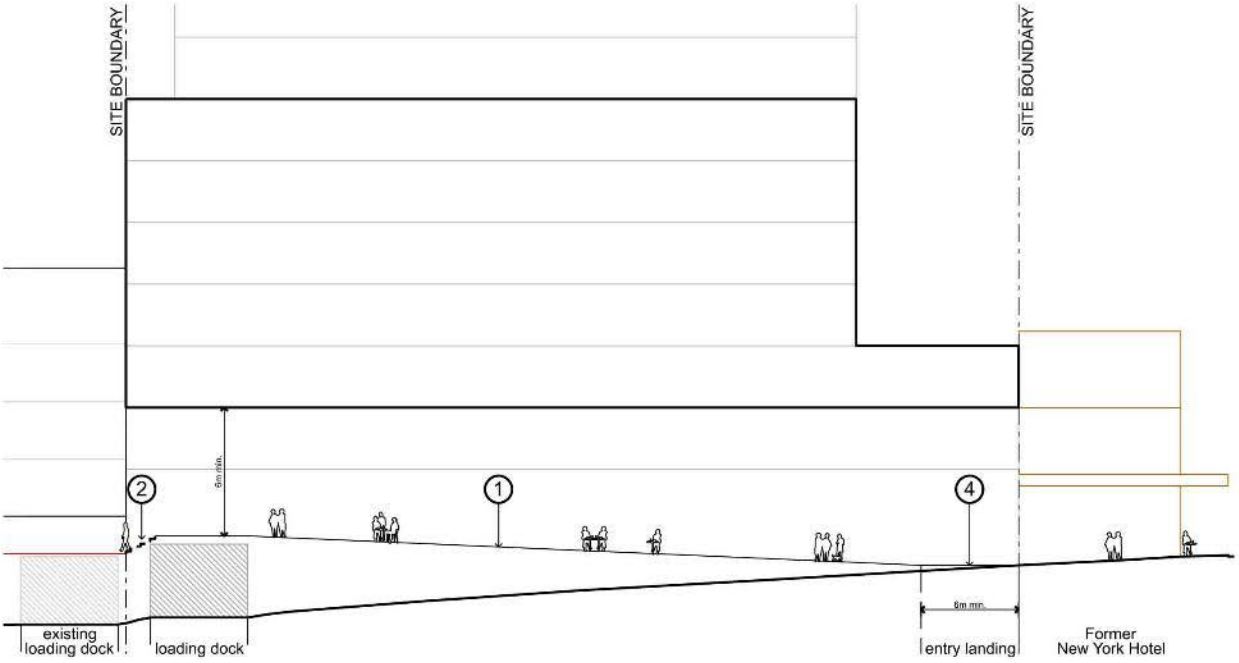


Figure 15 Miscellaneous Sites - Pedestrian Accessibility Map

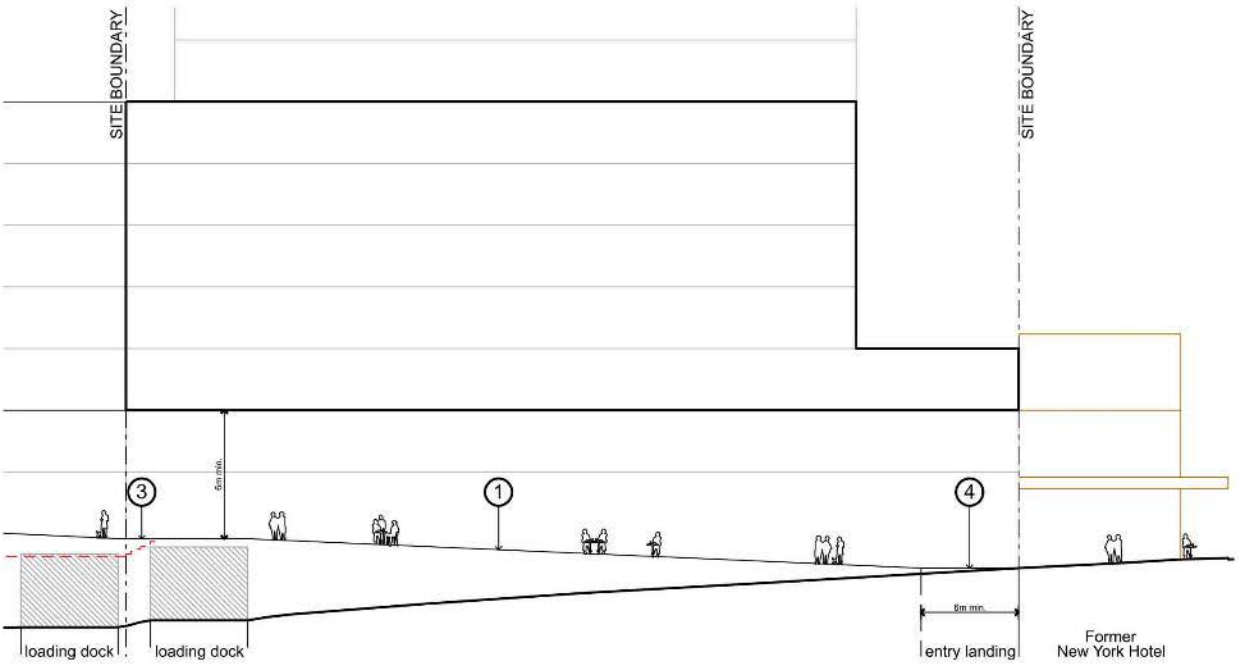
LEGEND

1. public accessible light rail over bridge (min. min 6m width and fully covered for weather protection), provides a connection for all people from Union Street to Pirrama Road
2. stairs provides an interim solution to connect to existing 2 Edward Street pedestrian link
3. connection future-proofed for integration with redevelopment of 2 Edward Street
4. pedestrian link meets Edward Street next to heritage listed New York Hotel building (min. 6m entry width)

NOTE: all ramps, stairs, lifts, handrails, etc., are to comply with AS 1428 .1, .2, .3, and .4



Edward Street light rail crossing at 60 Union Street –
interim integration with existing 2 Edward Street development



Edward Street light rail crossing at 60 Union Street –
future integration with 2 Edward Street when redevelopment

Figure 16A Elevation showing Edward Street light rail crossing at 60 Union Street – interim and future integration with 60 Union Street

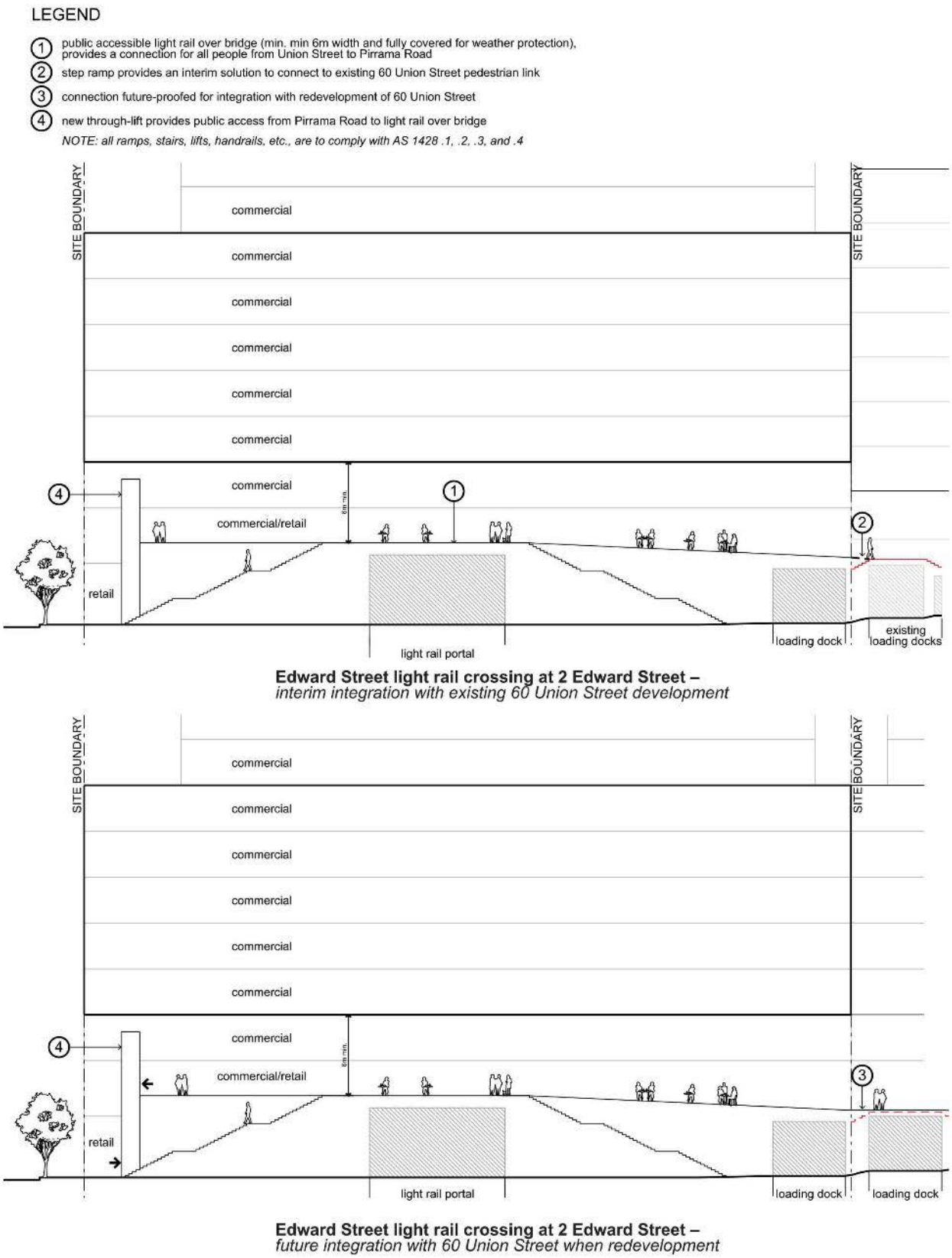


Figure 16B Elevation showing Edward Street light rail crossing at 2 Edward Street – interim and future integration with 60 Union Street

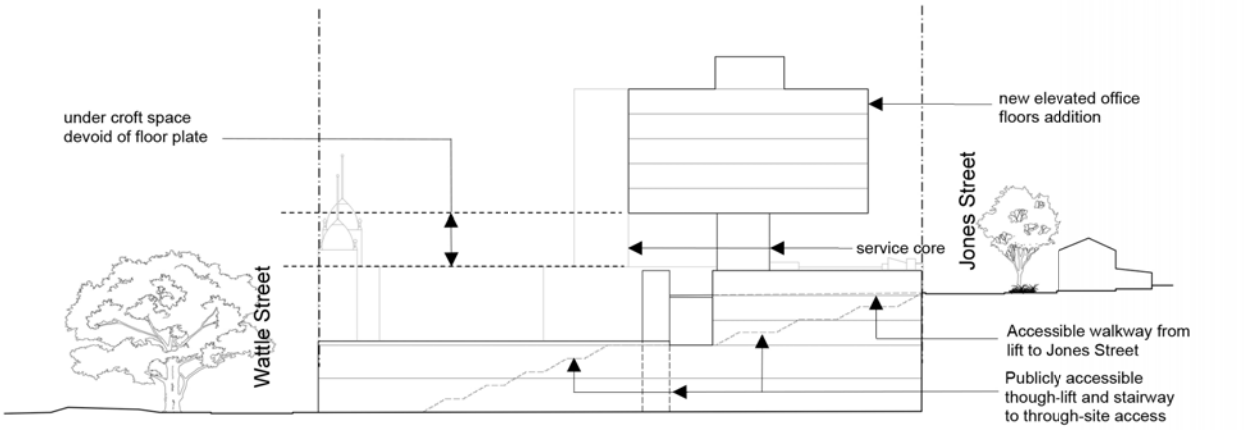


Figure 17A Section of the building arrangement and through-site link at 28-48 Wattle Street Ultimo.

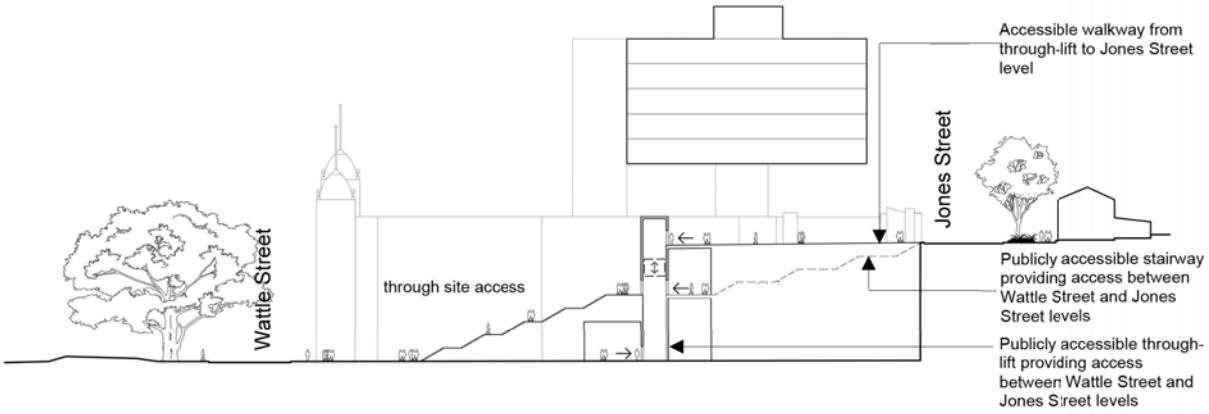


Figure 17B Section of the through-site link at 28-48 Wattle Street Ultimo.

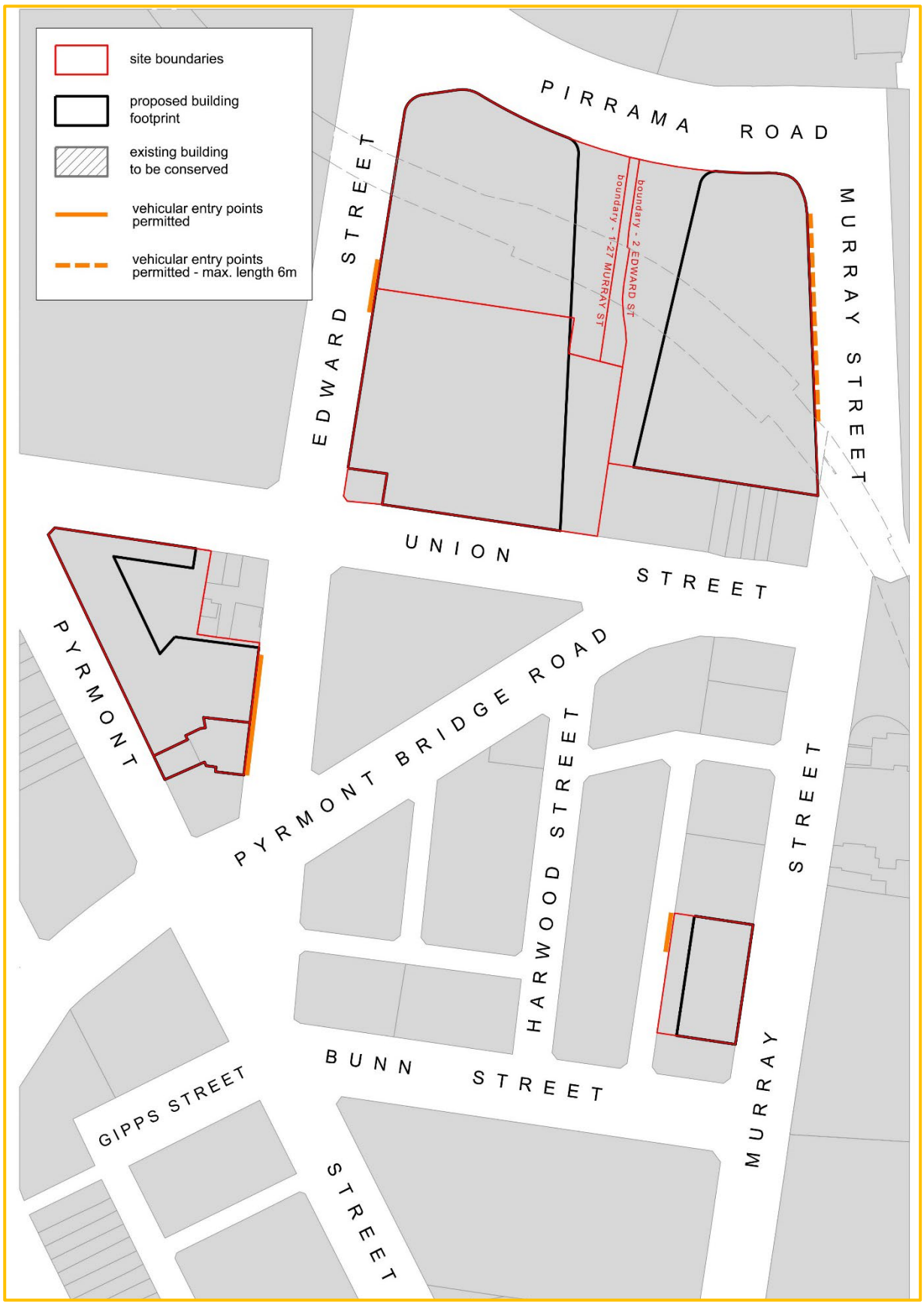


Figure 18 Group A - Metro Station Vehicle Entry Locations Map

[Public exhibition note: Figure 19 Group B - John Street Vehicle Entry Locations Map is provided for public exhibition purposes only, and shows where this draft DCP will amend the *Pedestrian Priority map.]*

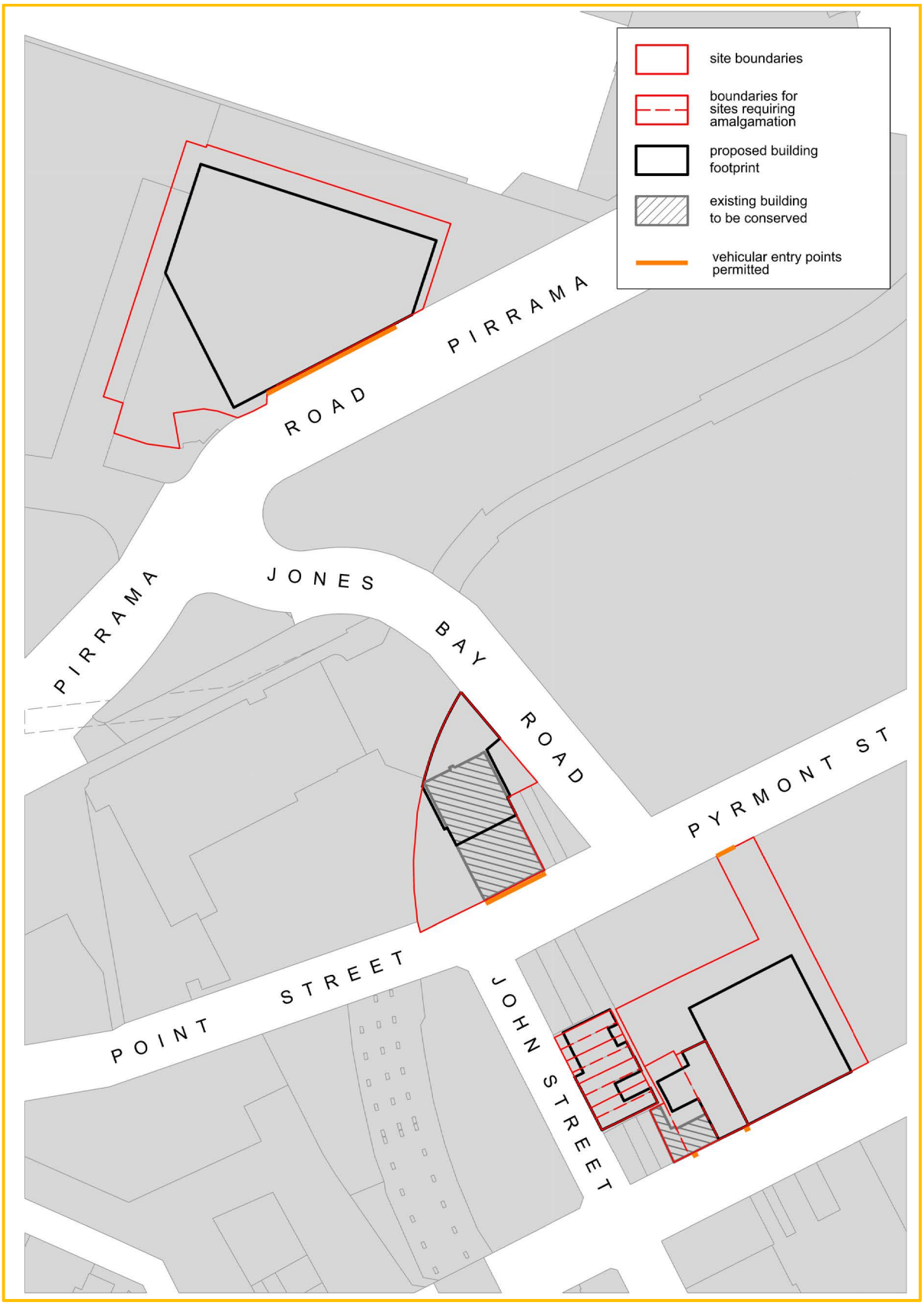


Figure 19 Group B - John Street Vehicle Entry Locations Map

[Public exhibition note: Figure 19 Group B - John Street Vehicle Entry Locations Map is provided for public exhibition purposes only, and shows where this draft DCP will amend the *Pedestrian Priority map.]*

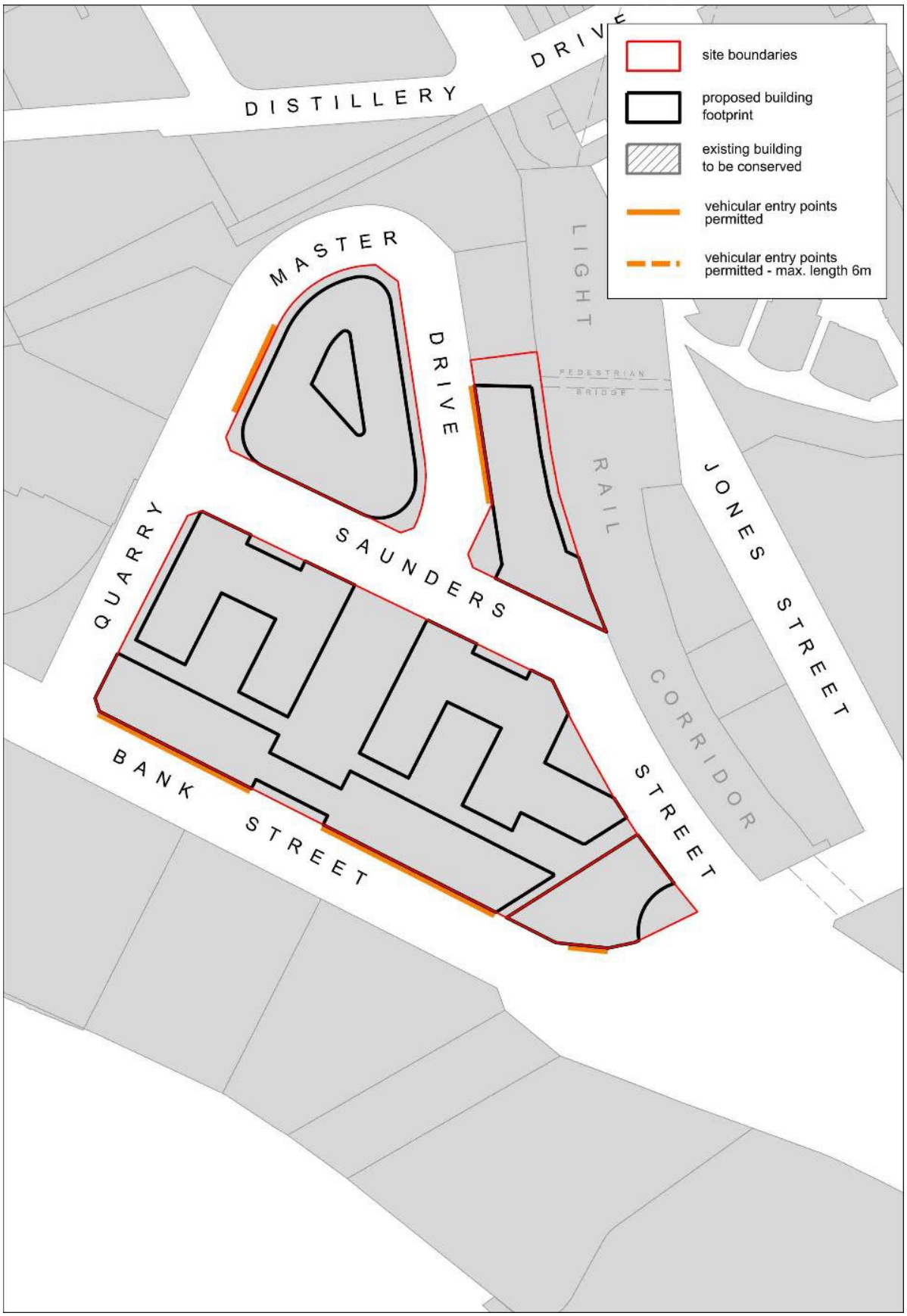


Figure 20 Group C - Saunders Street Vehicle Entry Locations Map

[Public exhibition note: Figure 20 Group C - Saunders Street Vehicle Entry Locations Map is provided for public exhibition purposes only and shows where this draft DCP will amend the *Pedestrian Priority map.]*

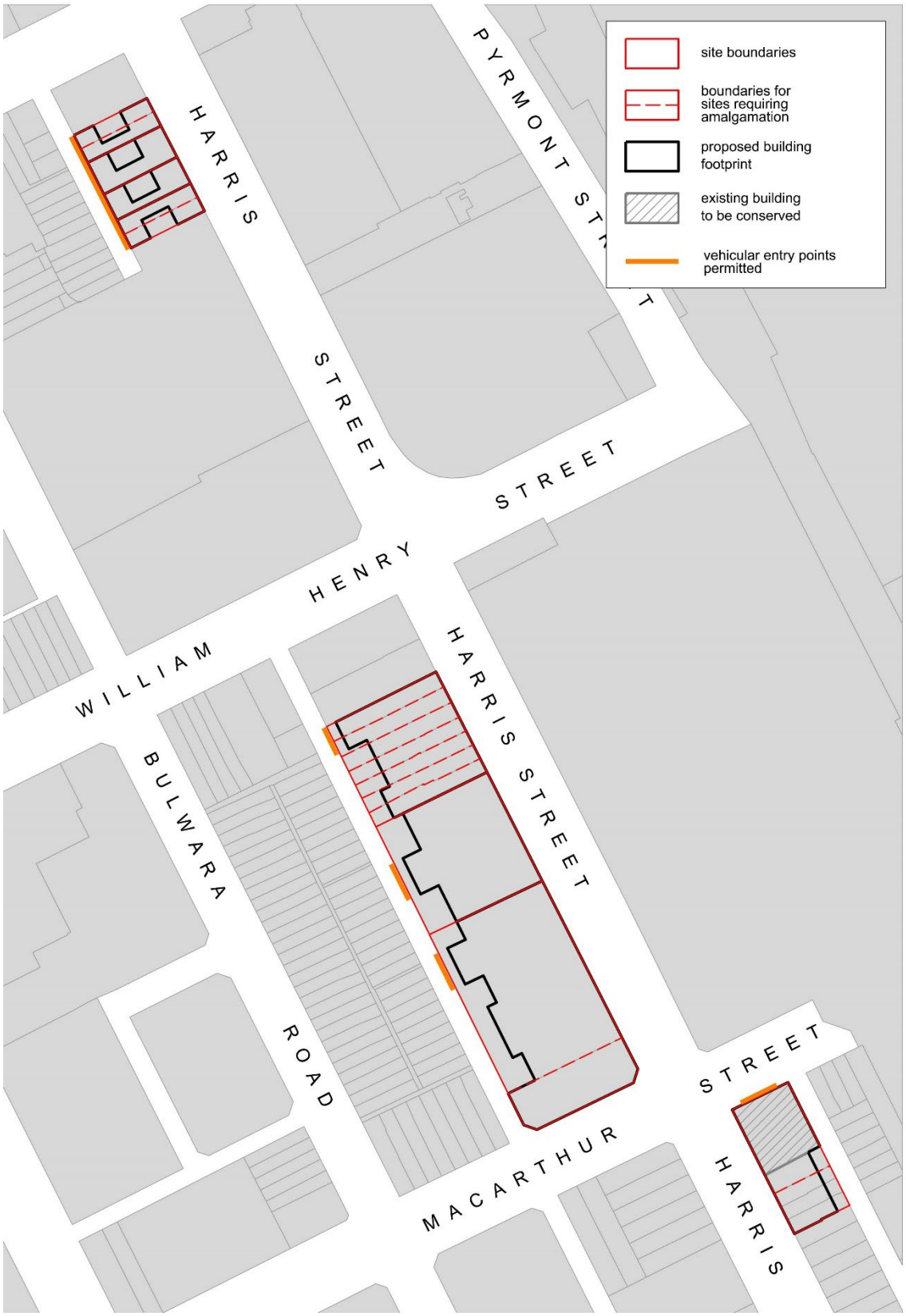


Figure 21 Group D - Harris Street Ultimo Vehicle Entry Locations Map

[Public exhibition note: Figure 21 Group D - Harris Street Ultimo Vehicle Entry Locations Map is provided for public exhibition purposes only and shows where this draft DCP will amend the *Pedestrian Priority map.]*

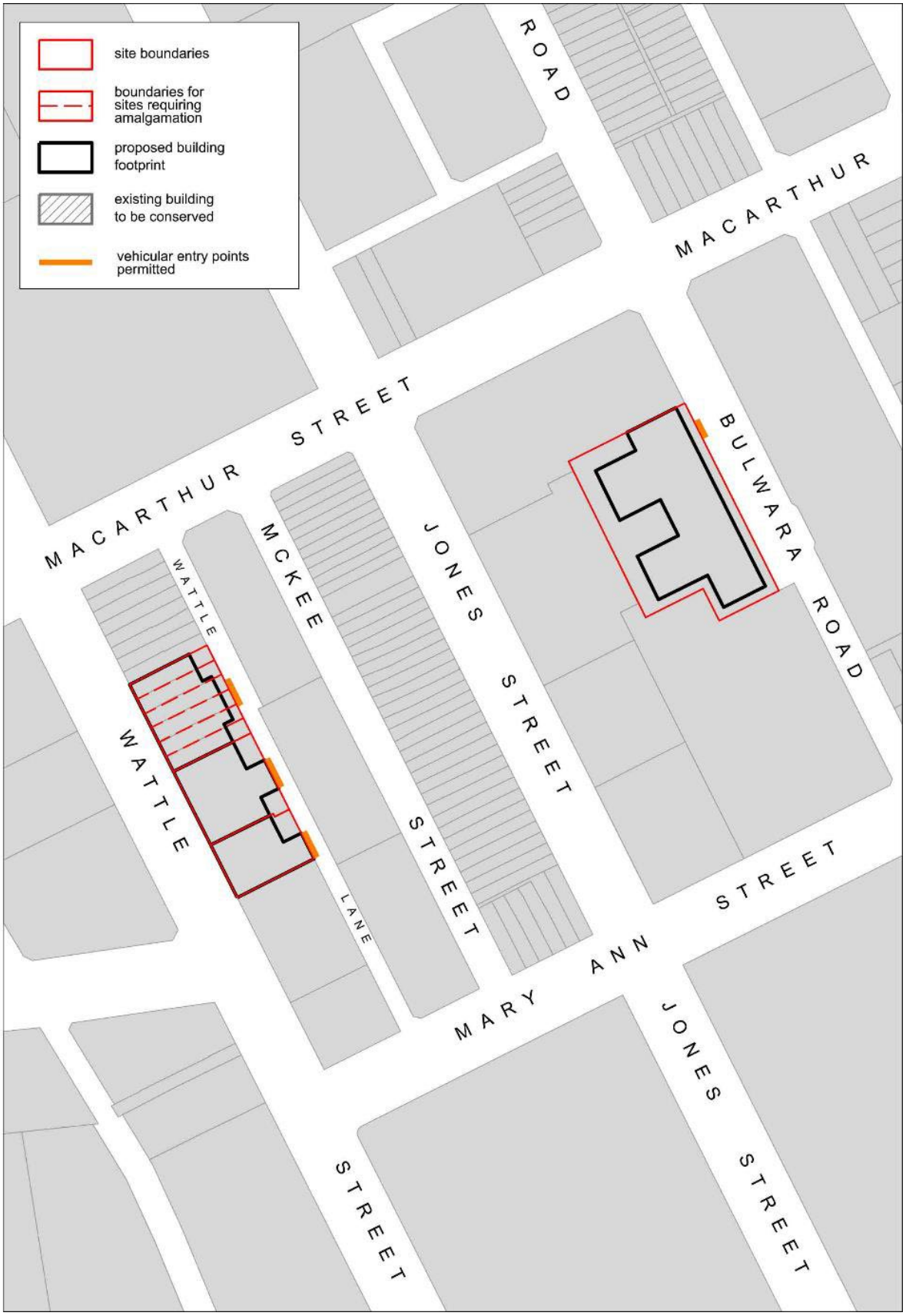


Figure 22 Group E - Wattle Street Vehicle Entry Locations Map

[Public exhibition note: Figure 22 Group E - Wattle Street Vehicle Entry Locations Map is provided for public exhibition purposes only and shows where this draft DCP will amend the *Pedestrian Priority map.*



Figure 23 Miscellaneous Sites - Vehicle Entry Locations Map

[Public exhibition note: Figure 23 Miscellaneous Sites - Vehicle Entry Locations Map is provided for public exhibition purposes only and shows where this draft DCP will amend the *Pedestrian Priority map.*

5.X.3 Deep soil and landscaping

Objectives

(a) Ensure appropriate deep soil areas are provided for in new developments.

(b) Increase tree canopy to limit the impacts of heat and increase amenity and wellbeing.

Provisions

(1) Unless otherwise identified, new developments are to provide for a minimum 15% Deep Soil zone.

(2) Development is to provide areas of deep soil in accordance with Figures 24 to 29.

(3) Despite 5.X.3(2) where 13A-29 Union Street Pyrmont utilises incentive building heights or floor space ratios available under clause 6.60B of Sydney LEP 2012, development is to areas of deep soil in accordance with Figure 75.

(4) Street tree plantings to be provided in accordance with the City of Sydney Street Tree Planting Masterplan.

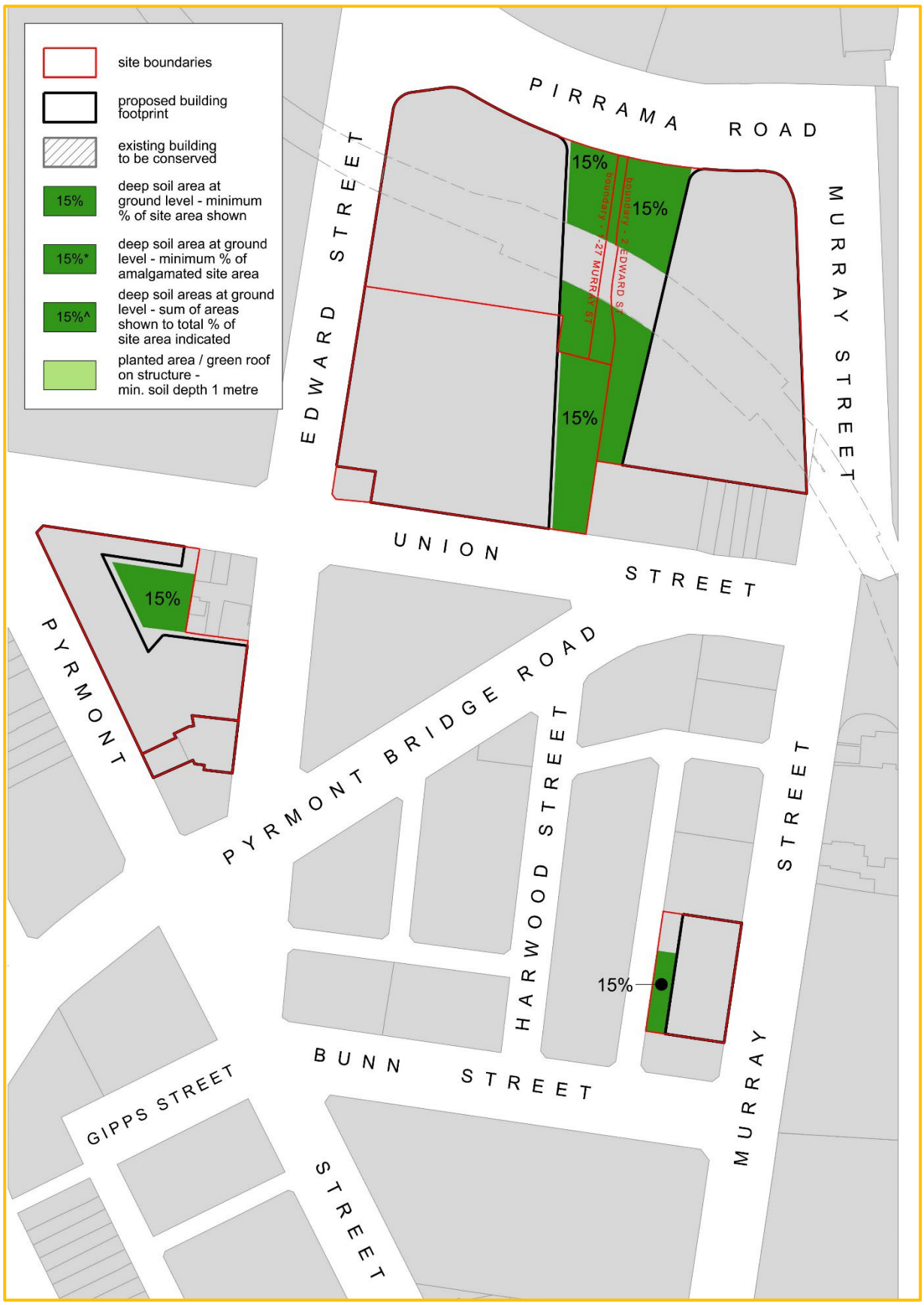


Figure 24 Group A - Metro Station - Deep Soil Areas Map

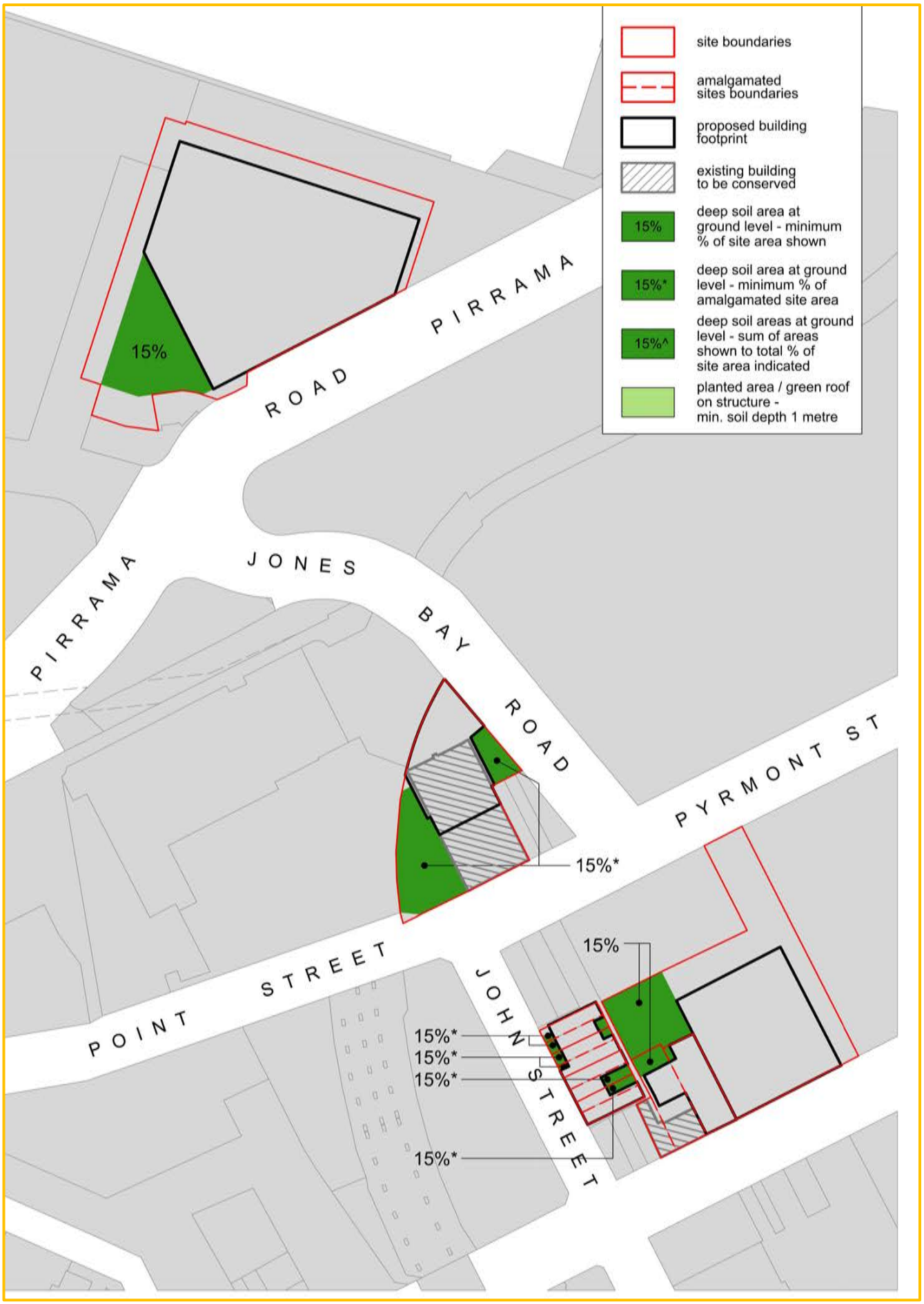


Figure 25 Group B - John Street - Deep Soil Areas Map

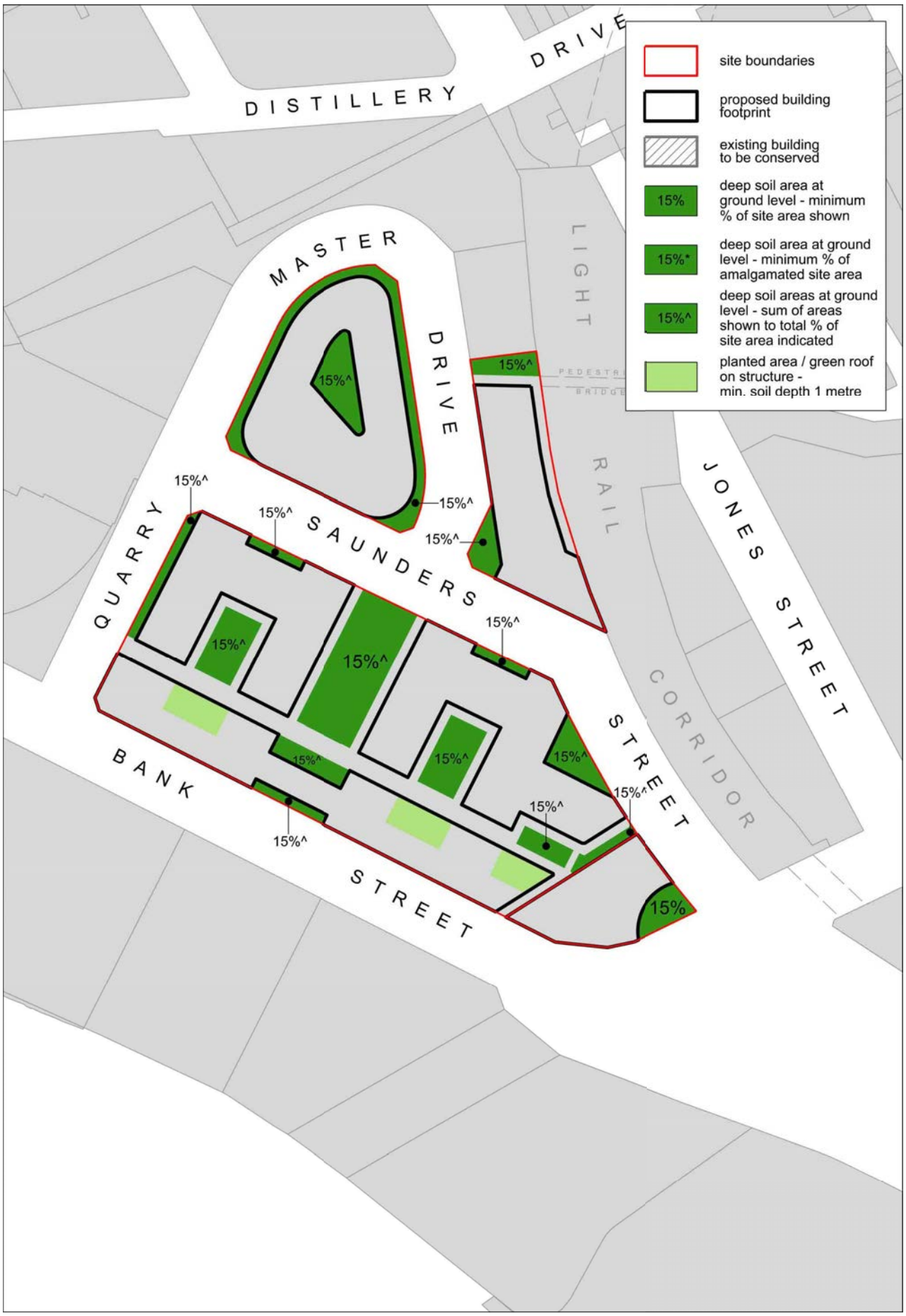


Figure 26 Group C - Saunders Street - Deep Soil Areas Map



Figure 27 Group D - Harris Street Ultimo - Deep Soil Areas Map

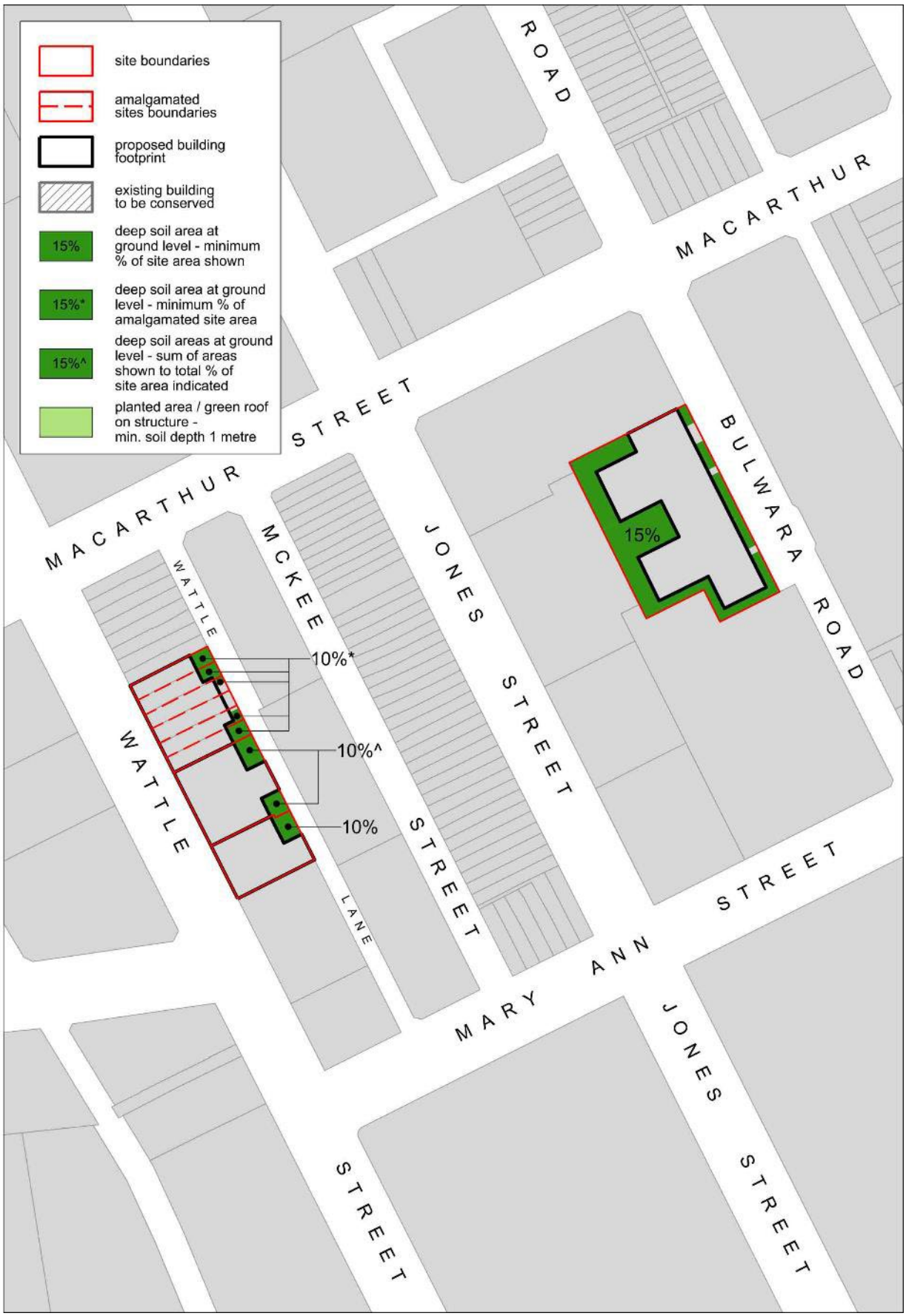


Figure 28 Group E - Wattle Street - Deep Soil Areas Map



Figure 29 Miscellaneous Sites - Deep Soil Areas Map

5.X.4 Building form, setbacks, layout and design

Objectives

(a) Incentivise provision of employment floor space in well located areas.

(b) Ensure a high level of amenity to streets, parks and public spaces with sunlight and a comfortable and safe wind environment.

(c) Establish appropriate street wall heights and horizontal articulation.

(d) Ensure setbacks are provided to transition to nearby heritage items and heritage conservation areas.

(e) Provision of flexible and adaptable spaces for diverse businesses and other non-residential activities.

(f) Ensure existing parks and open space are protected from excessive overshadowing from new development.

(g) Ensure the amenity of future residents is protected through appropriate design controls.

(h) Locate uses more capable of absorbing noise closer to noise generating activities.

Provisions

(1) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012 the maximum height in storeys of development is to be in accordance with Figures 30 to 35

(2) Where development does not utilise incentive building heights available under clause 6.60B of Sydney LEP 2012 upper level setbacks are to be provided in accordance with Figures 36 to 41.

(3) Where upper level setbacks are not identified in (2), buildings are to present a consistent street wall, with no upper level setback to the street frontage.

(4) Where development utilises incentive building heights or FSR available under clause 6.60B of Sydney LEP 2012 maximum height in storeys are to be in accordance with Figure 42 to 44 Alternative Height in Storeys.

(5) Where development utilises incentive building heights or FSR available under clause 6.60B of Sydney LEP 2012 upper level setback to the street frontage are to be in accordance with Figures 45 to 46 Alternative Upper Level Setbacks.

(6) Buildings are to preserve view corridors in accordance with Figures 4~~2~~7 to ~~46~~51.

(7) Street cross sections, including building depth and arrangement of internal spaces to attenuate noise, are to be generally in accordance with Figures ~~47~~52 to ~~49~~54.

(8) Buildings elevations are to be generally in accordance with Figures 5~~0~~5 to 5~~1~~6.

(9) Further to (1), (2) and (~~5~~7), building layouts may be varied through the competitive design process required for each site provided the building layout demonstrates better amenity for the development, neighbouring developments and the public domain.

(10) Sun shading devices to glazing on walls at the street alignment are permitted to project up to 0.6 metres beyond the building line subject to any required approval under the Roads Act 1997.

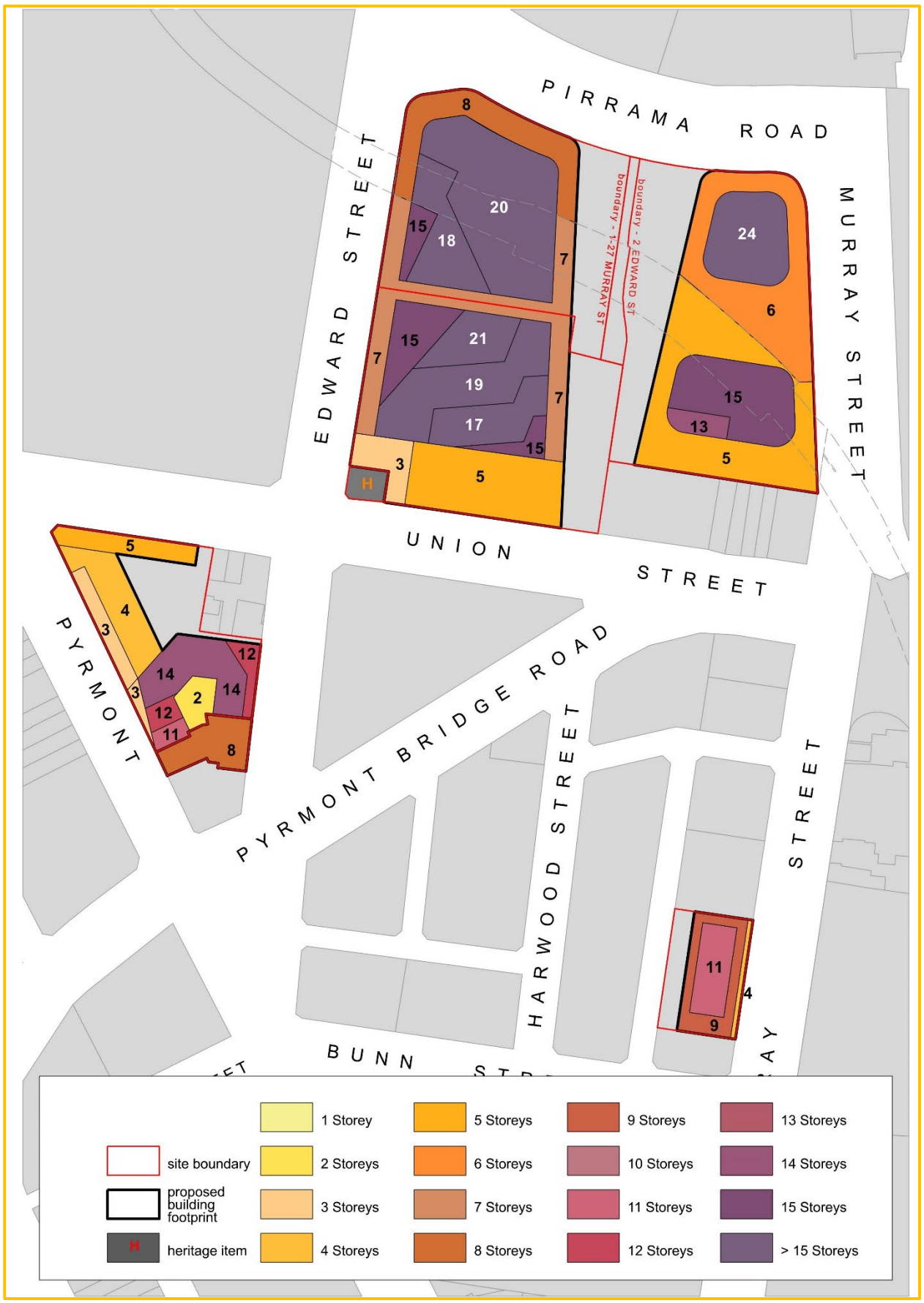


Figure 30 Group A - Metro Station - Height in Storeys Map

[Public exhibition note: Figure 31 Group B - John Street - Height in Storeys Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Height in Storeys map.]*

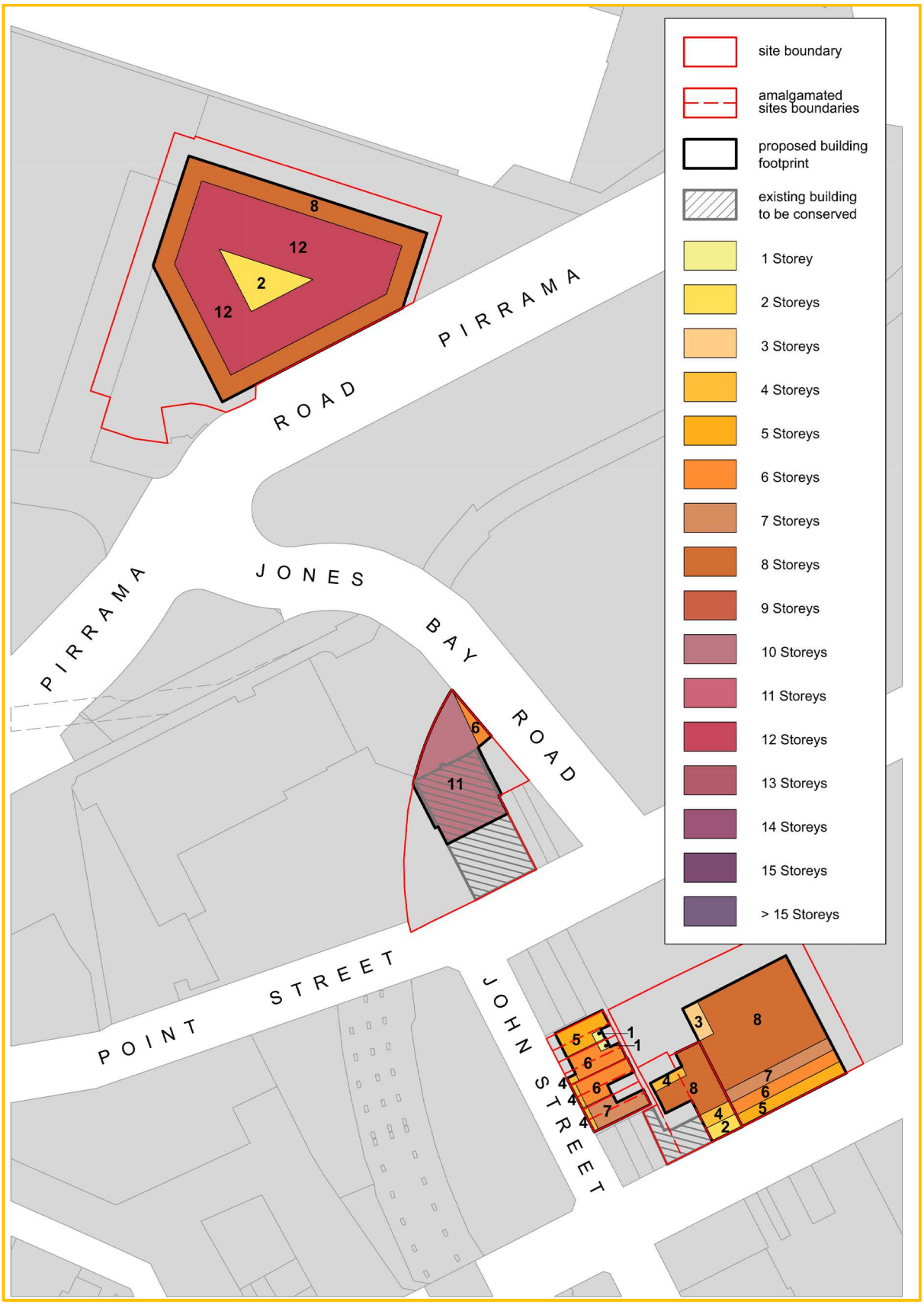


Figure 31 Group B - John Street - Height in Storeys Map

[Public exhibition note: Figure 31 Group B - John Street - Height in Storeys Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Height in Storeys map.]*

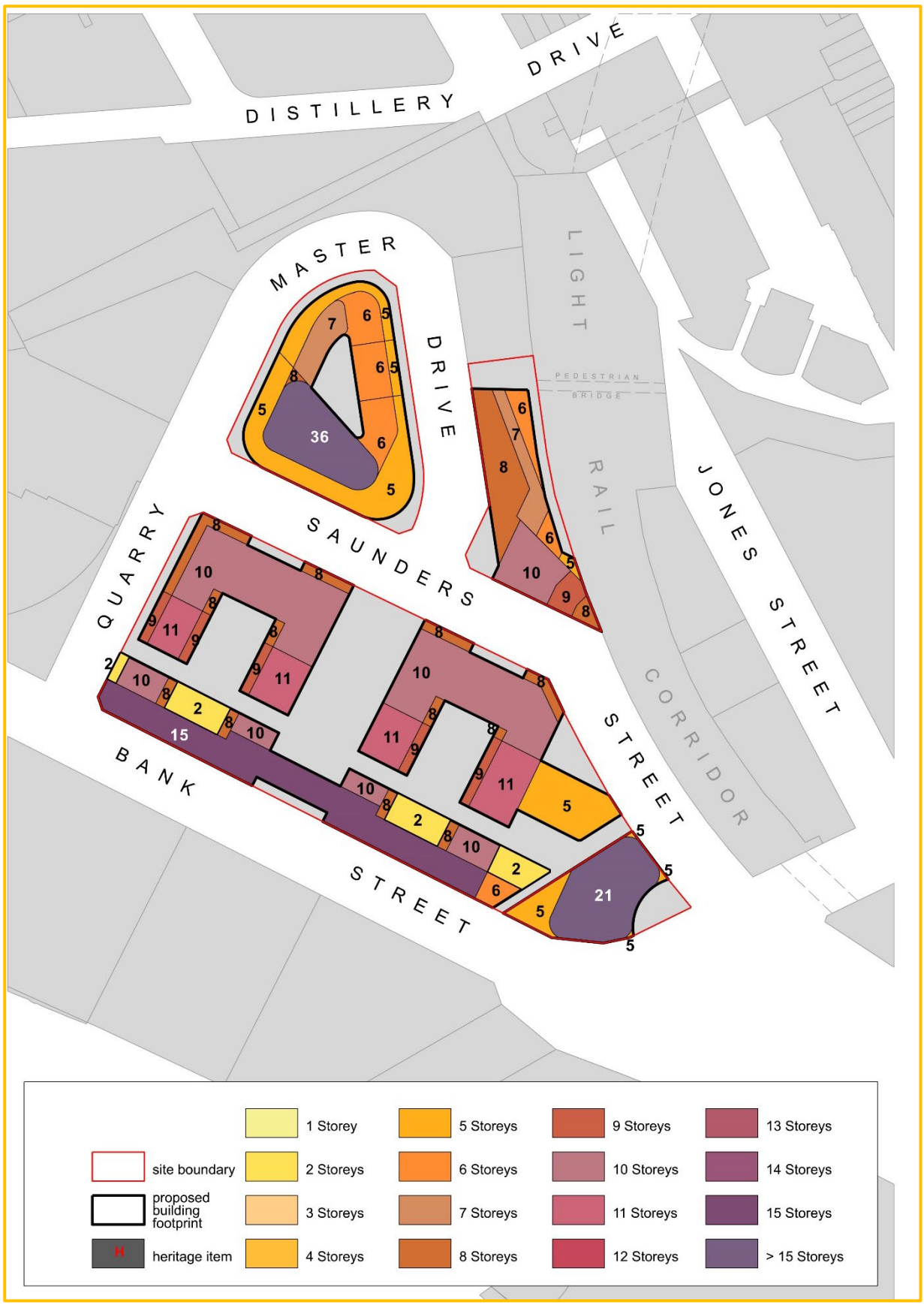


Figure 32 Group C - Saunders Street - Height in Storeys Map

[Public exhibition note: Figure 32 Group C - Saunders Street - Height in Storeys Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Height in Storeys map.]*

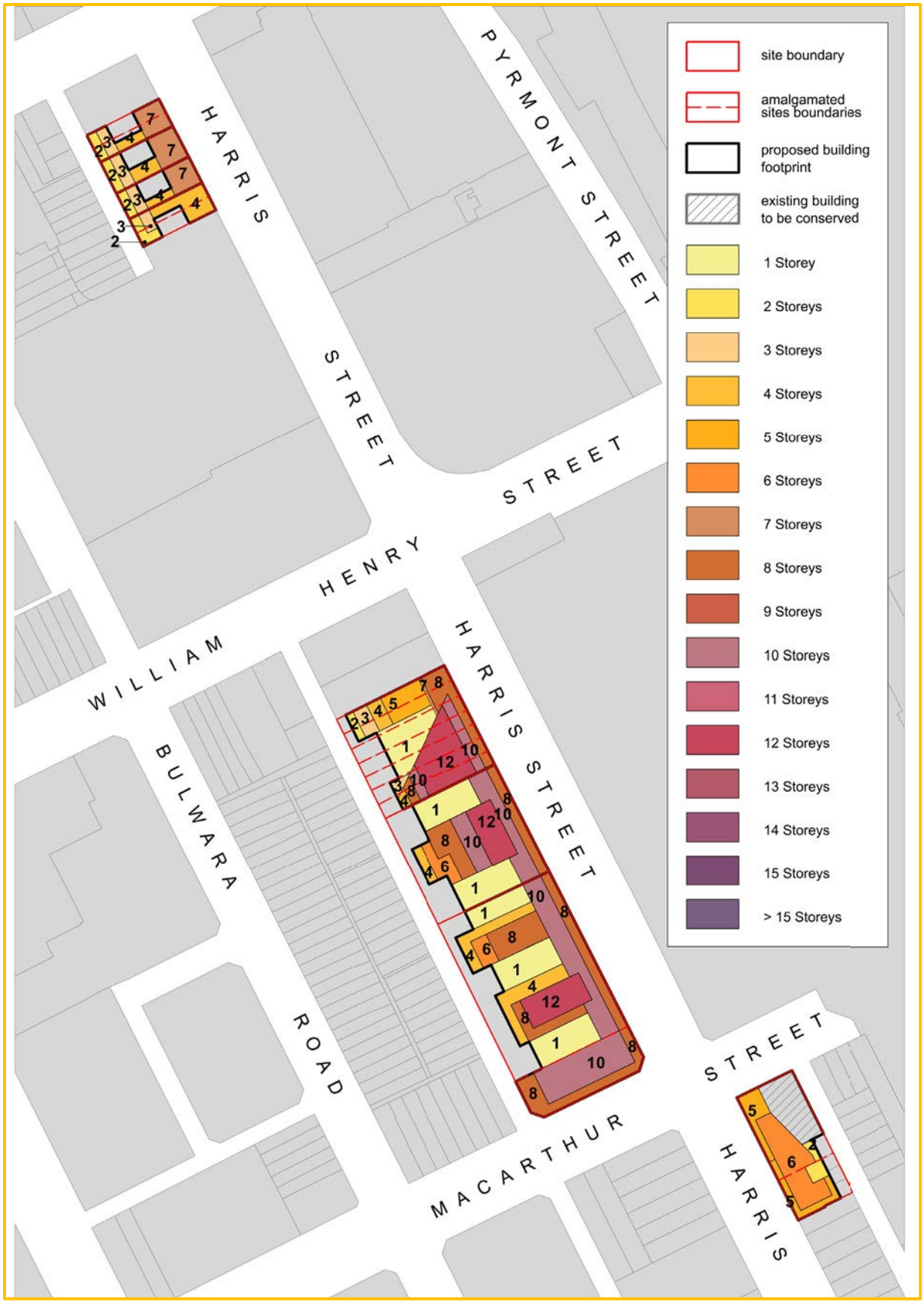


Figure 33 Group D - Harris Street Ultimo - Height in Storeys Map

[Public exhibition note: Figure 33 Group D - Harris Street Ultimo - Height in Storeys Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Height in Storeys map.]*



Figure 34 Group E - Wattle Street - Height in Storeys Map

[Public exhibition note: Figure 34 Group E - Wattle Street - Height in Storeys Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Height in Storeys map.]*

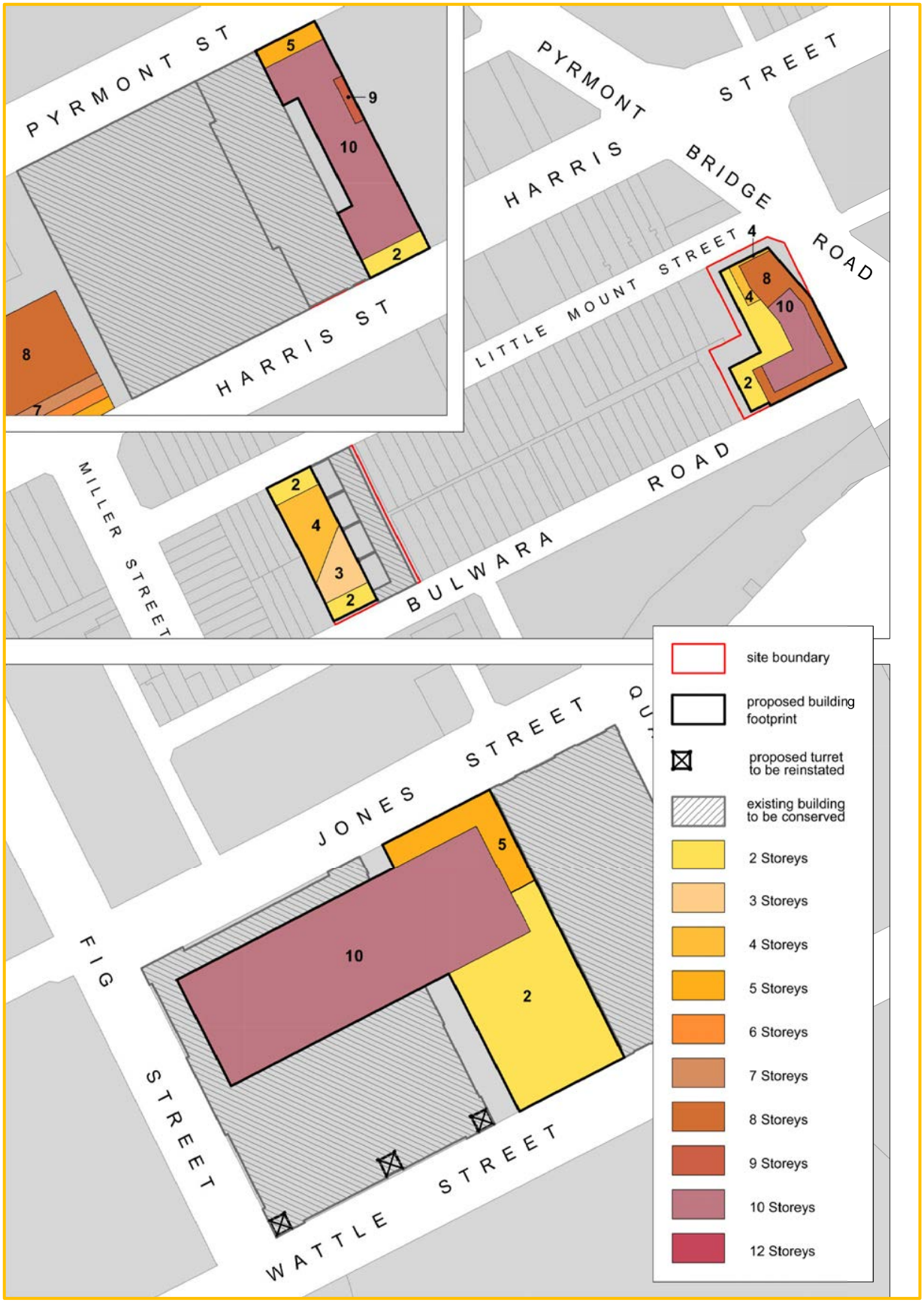


Figure 35 Miscellaneous Sites Height in Storeys Map

[Public exhibition note: Figure 35 Miscellaneous Sites Height in Storeys Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Height in Storeys map.]*

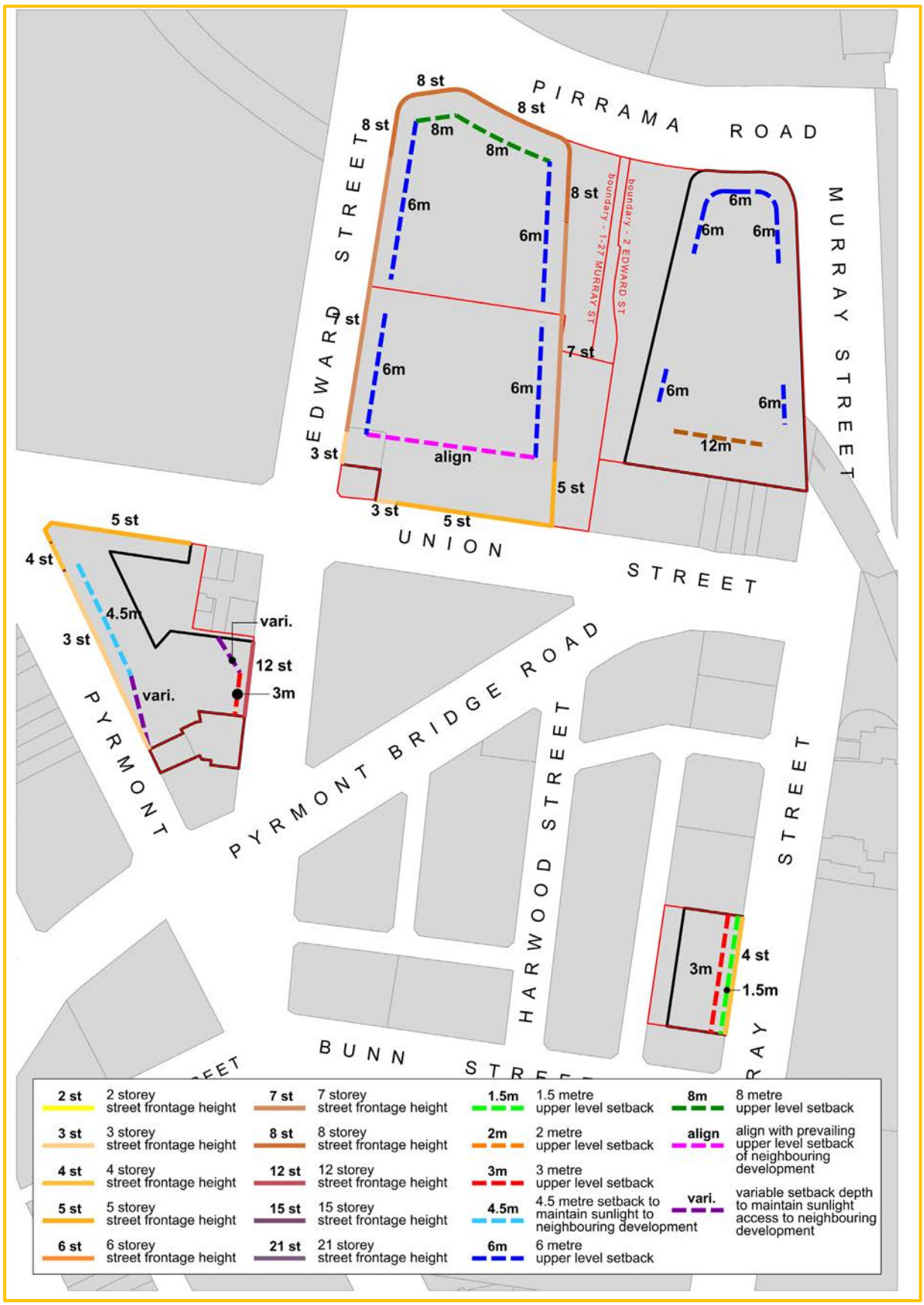


Figure 36 Group A - Metro Station Upper Level Setbacks Map

[Public exhibition note: Figure 37 Group B - John Street - Upper Level Setbacks is provided for public exhibition purposes only, and shows sites where this draft DCP will amend the *Building Setback and Alignment map* and *Building Street Frontage Height in Storeys map.*]

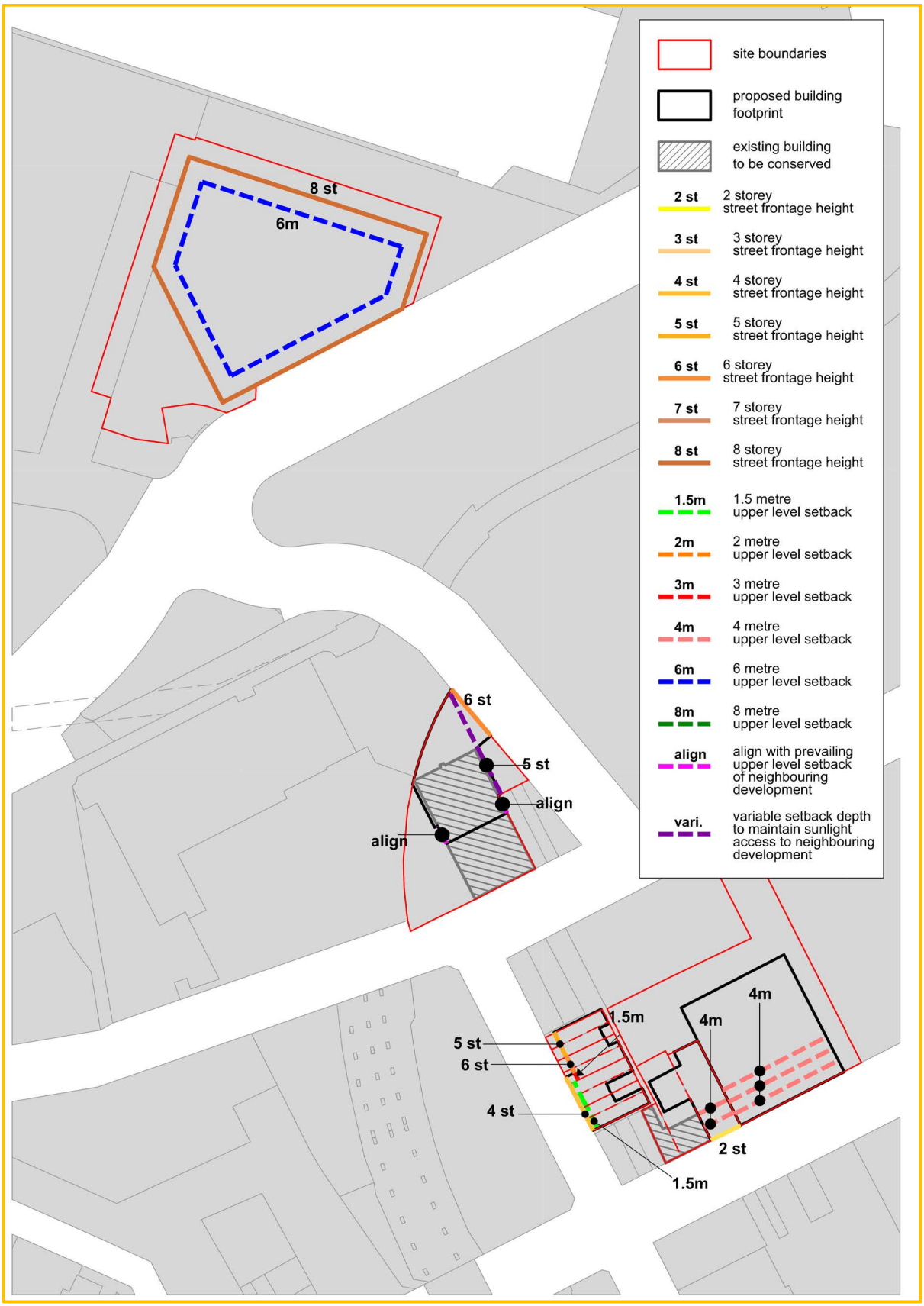


Figure 37 Group B - John Street - Upper Level Setbacks Map

[Public exhibition note: Figure 37 Group B - John Street - Upper Level Setbacks is provided for public exhibition purposes only, and shows sites where this draft DCP will amend the *Building Setback and Alignment map* and *Building Street Frontage Height in Storeys map.*]

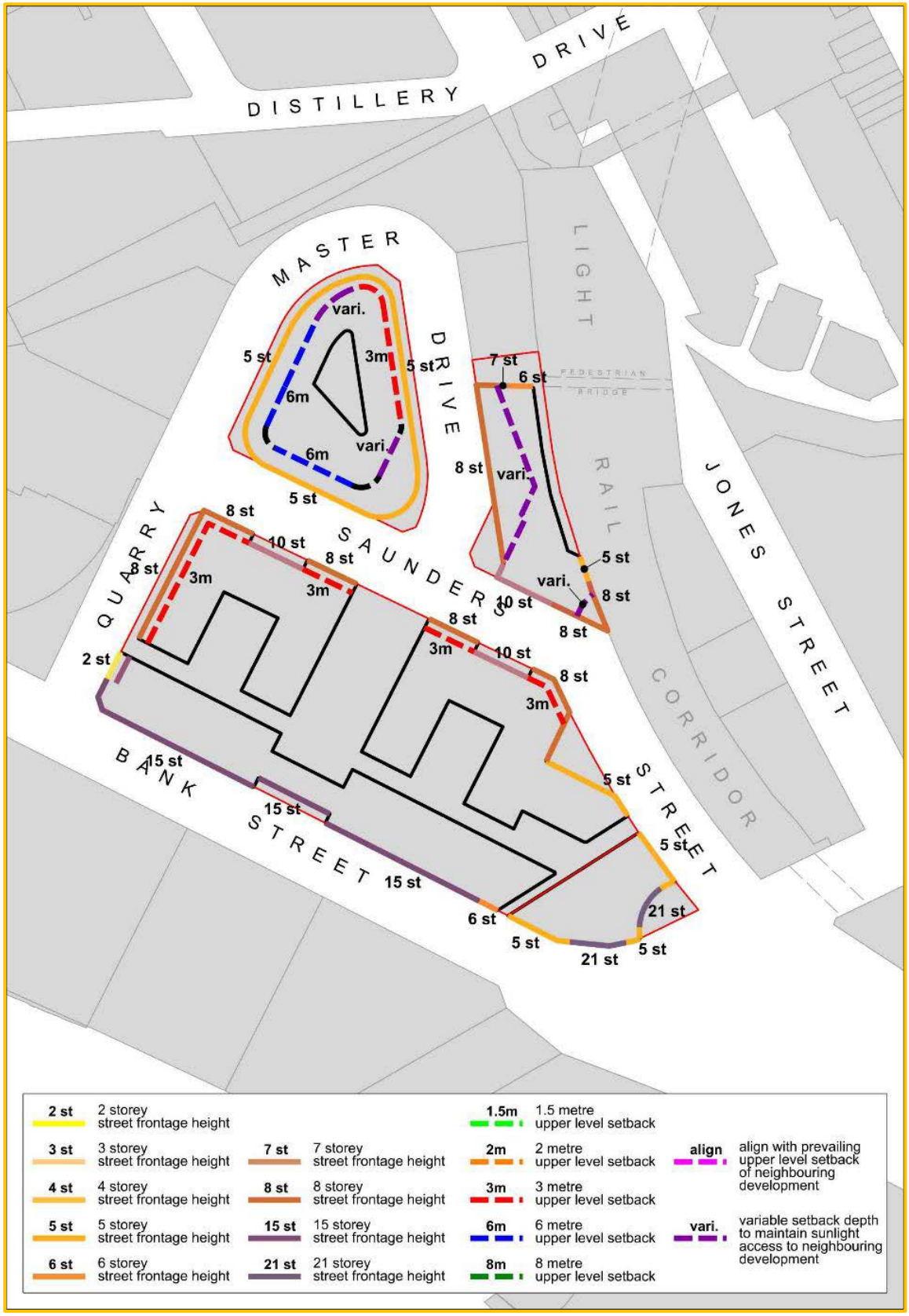


Figure 38 Group C - Saunders Street - Upper Level Setbacks Map

[Public exhibition note: Figure 38 Group C - Saunders Street - Upper Level Setbacks Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Building Setback and Alignment map* and *Building Street Frontage Height in Storeys map.*]

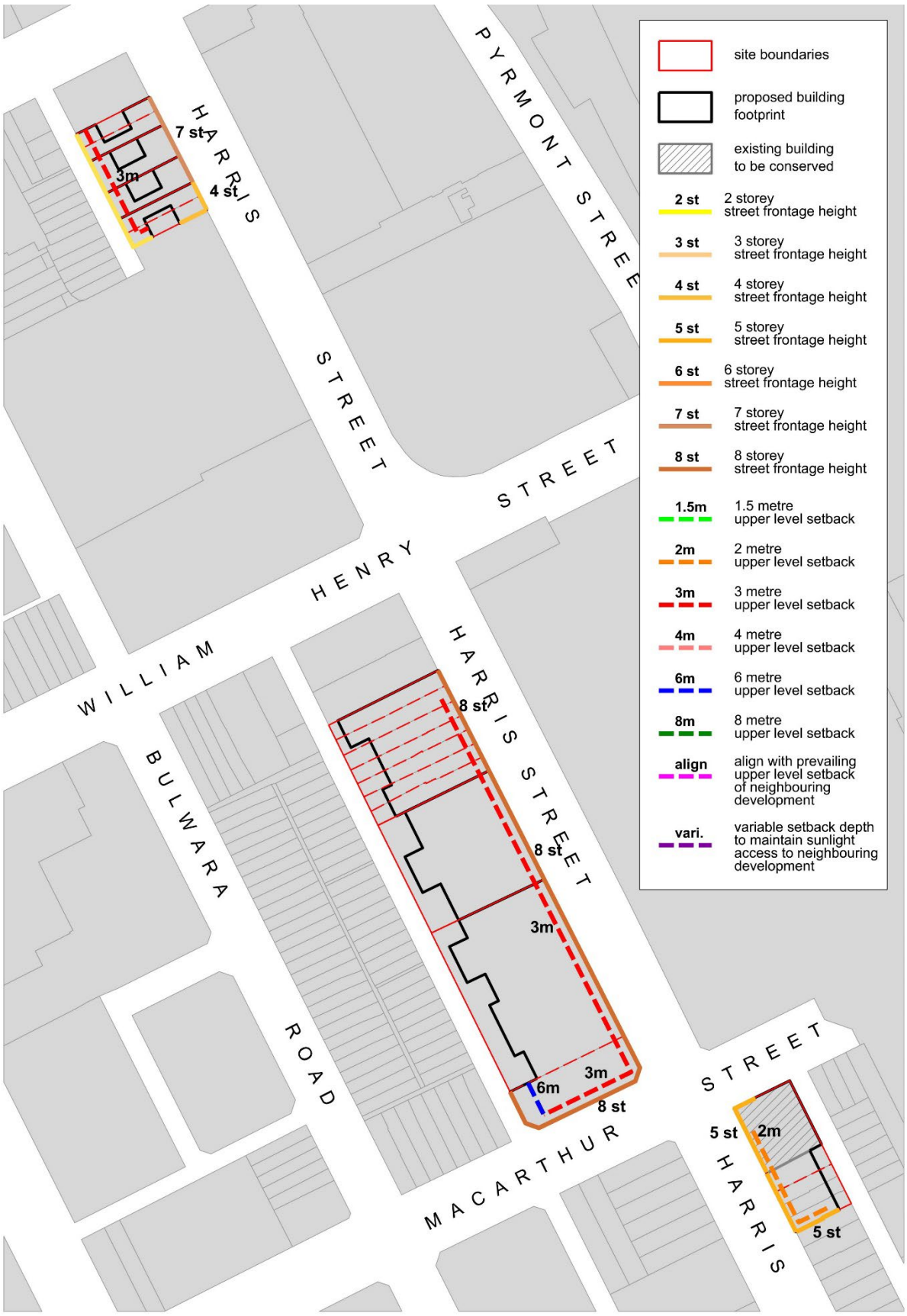


Figure 39 Group D - Harris Street Ultimo - Upper Level Setbacks Map

[Public exhibition note: Figure 39 Group D - Harris Street Ultimo - Upper Level Setbacks Map is provided for public exhibition purposes only, and shows sites where this draft DCP will amend the *Building Setback and Alignment map* and *Building Street Frontage Height in Storeys map.*]

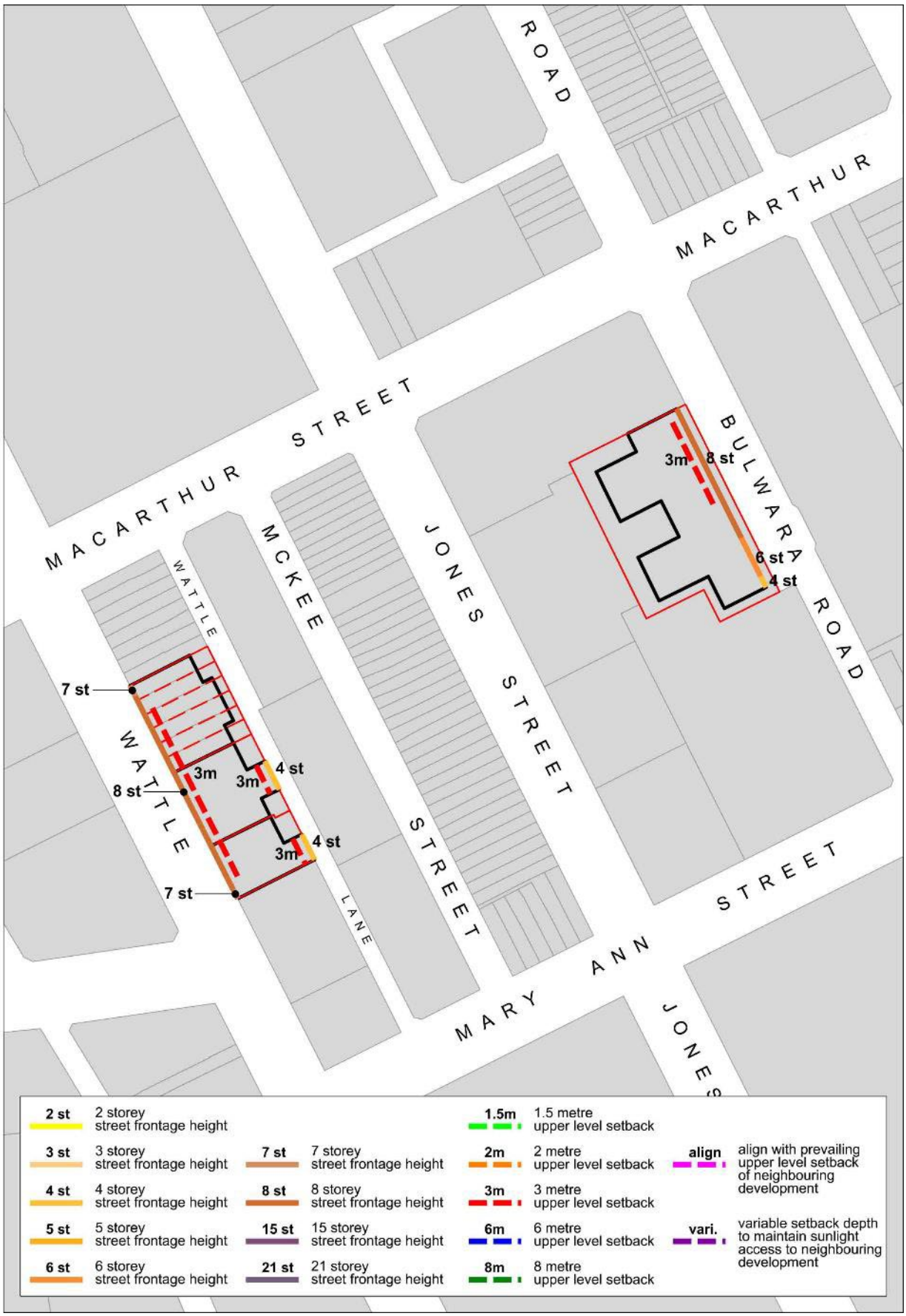


Figure 40 Group E - Wattle Street - Upper Level Setbacks Map

[Public exhibition note: Figure 40 Group E - Wattle Street - Upper Level Setbacks is provided for public exhibition purposes only, and shows sites where this draft DCP will amend the *Building Setback and Alignment map* and *Building Street Frontage Height in Storeys map.*]

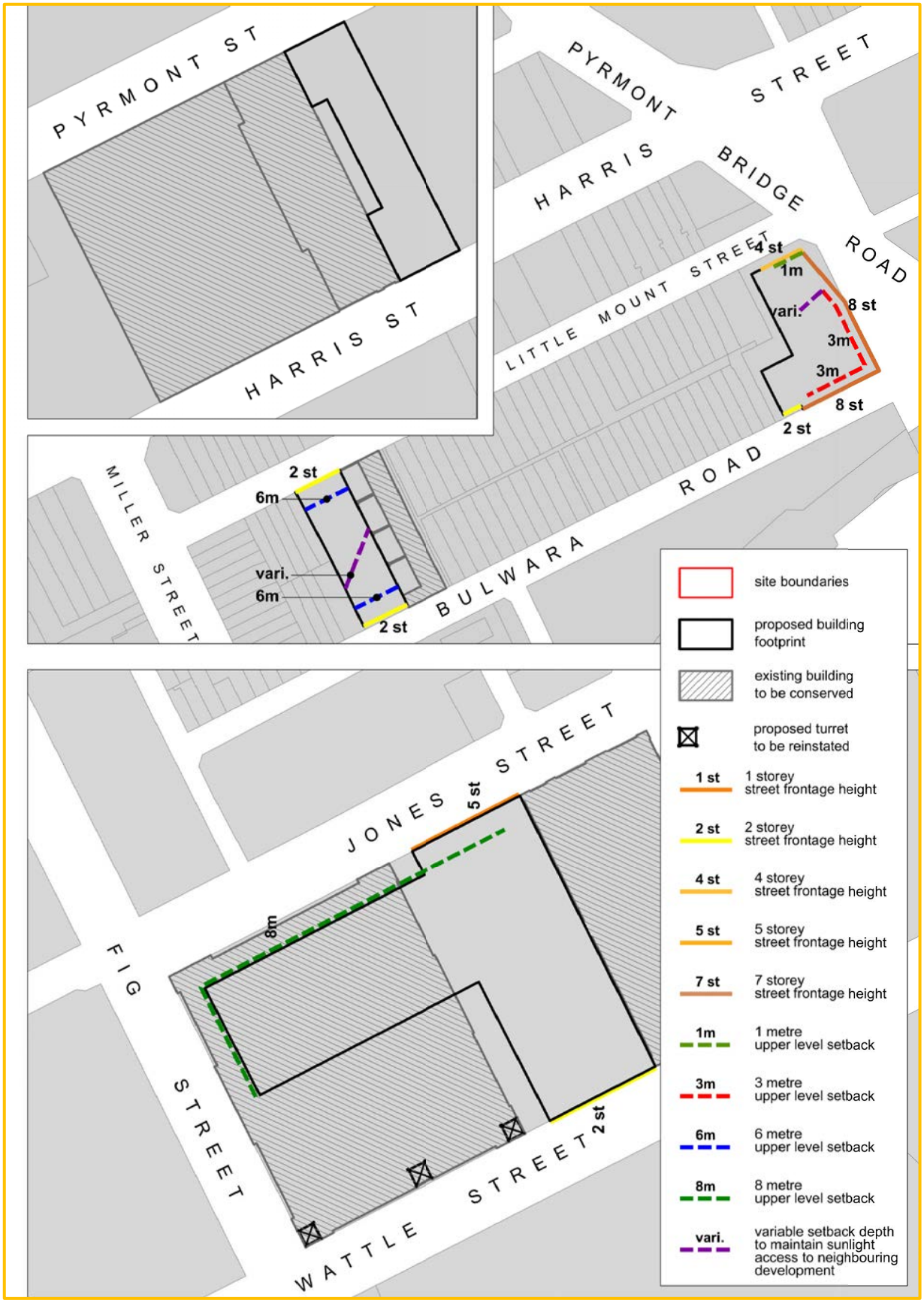


Figure 41 Miscellaneous Sites - Upper Level Setbacks Map

[Public exhibition note: Figure 41 Miscellaneous Sites - Upper Level Setbacks Map is provided for public exhibition purposes only, and shows sites where this draft DCP will amend the *Building Setback and Alignment map* and *Building Street Frontage Height in Storeys map*.]

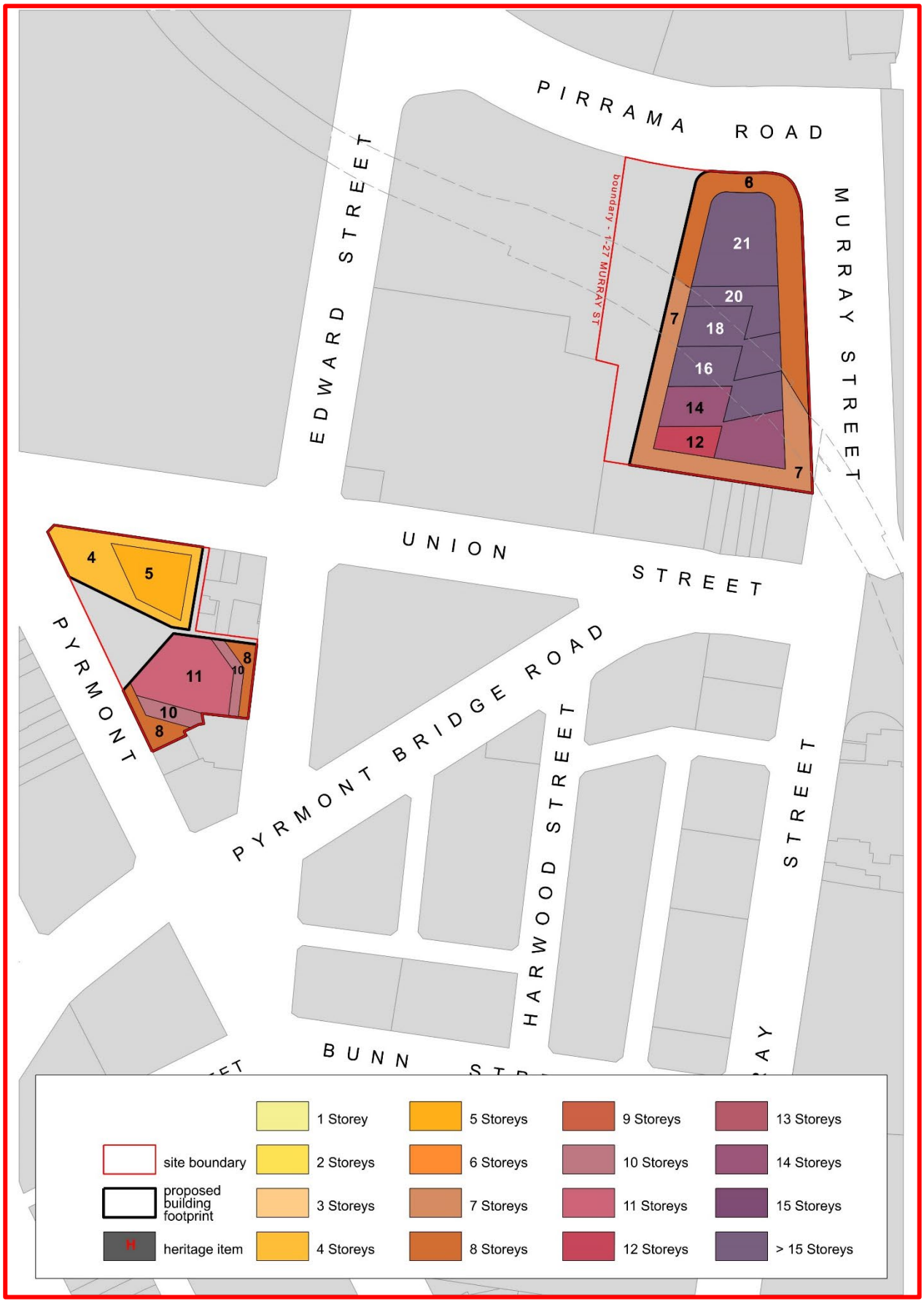


Figure 42 Group A - Metro Station – Alternative Height in Storeys Map

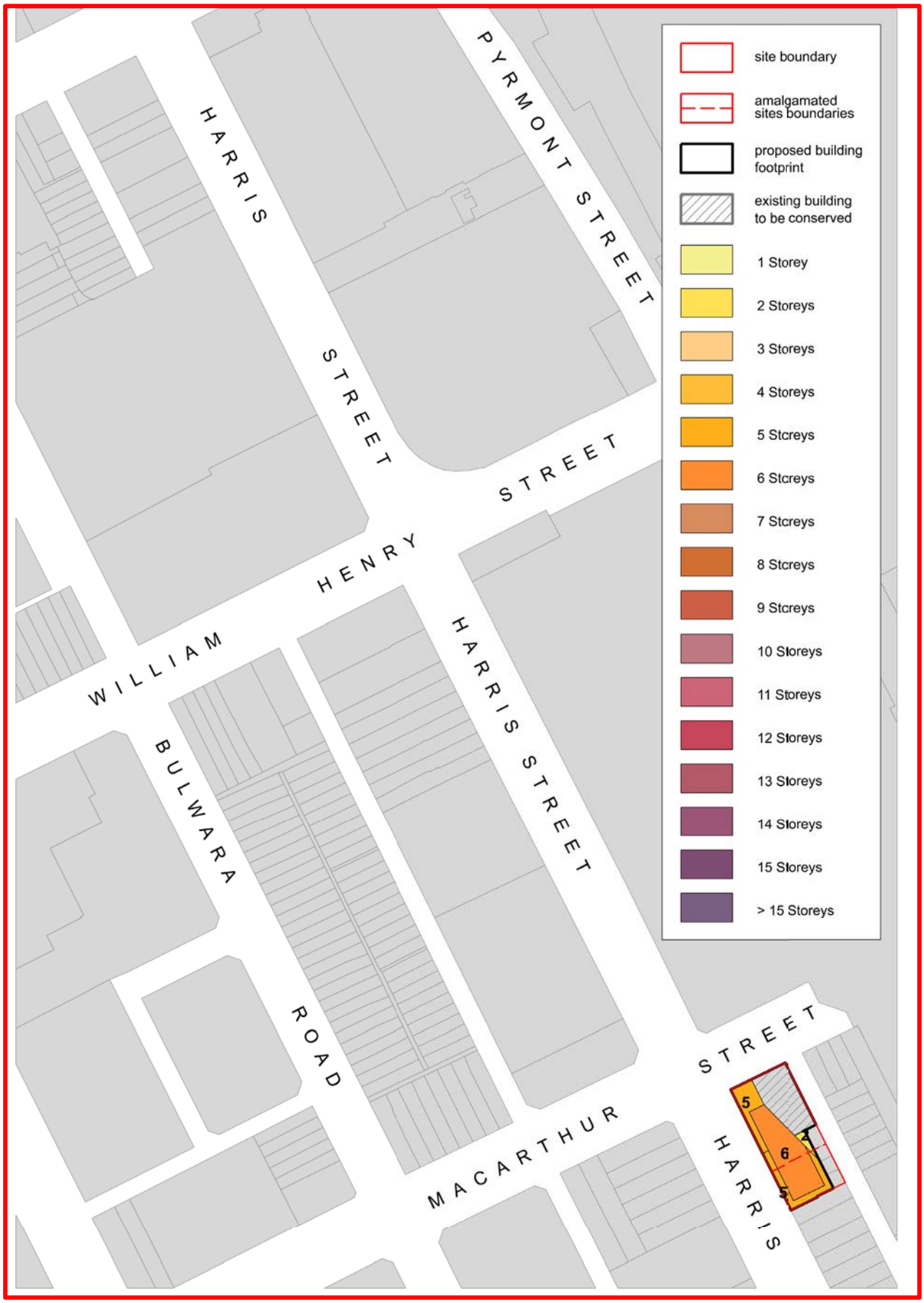


Figure 43 Group D – Harris Street Ultimo – Alternative Height in Storeys Map

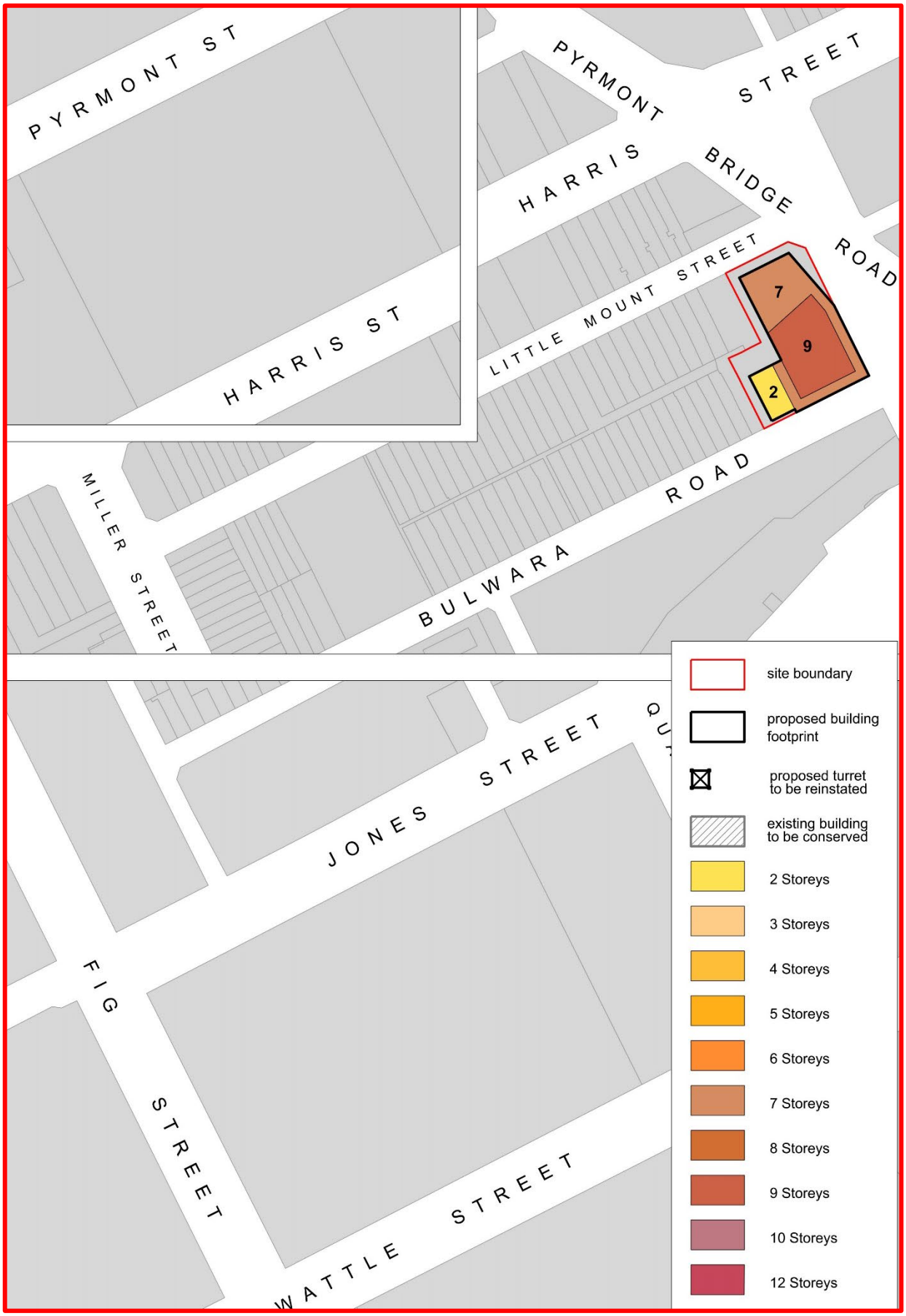


Figure 44 Miscellaneous Sites – Alternative Height in Storeys Map

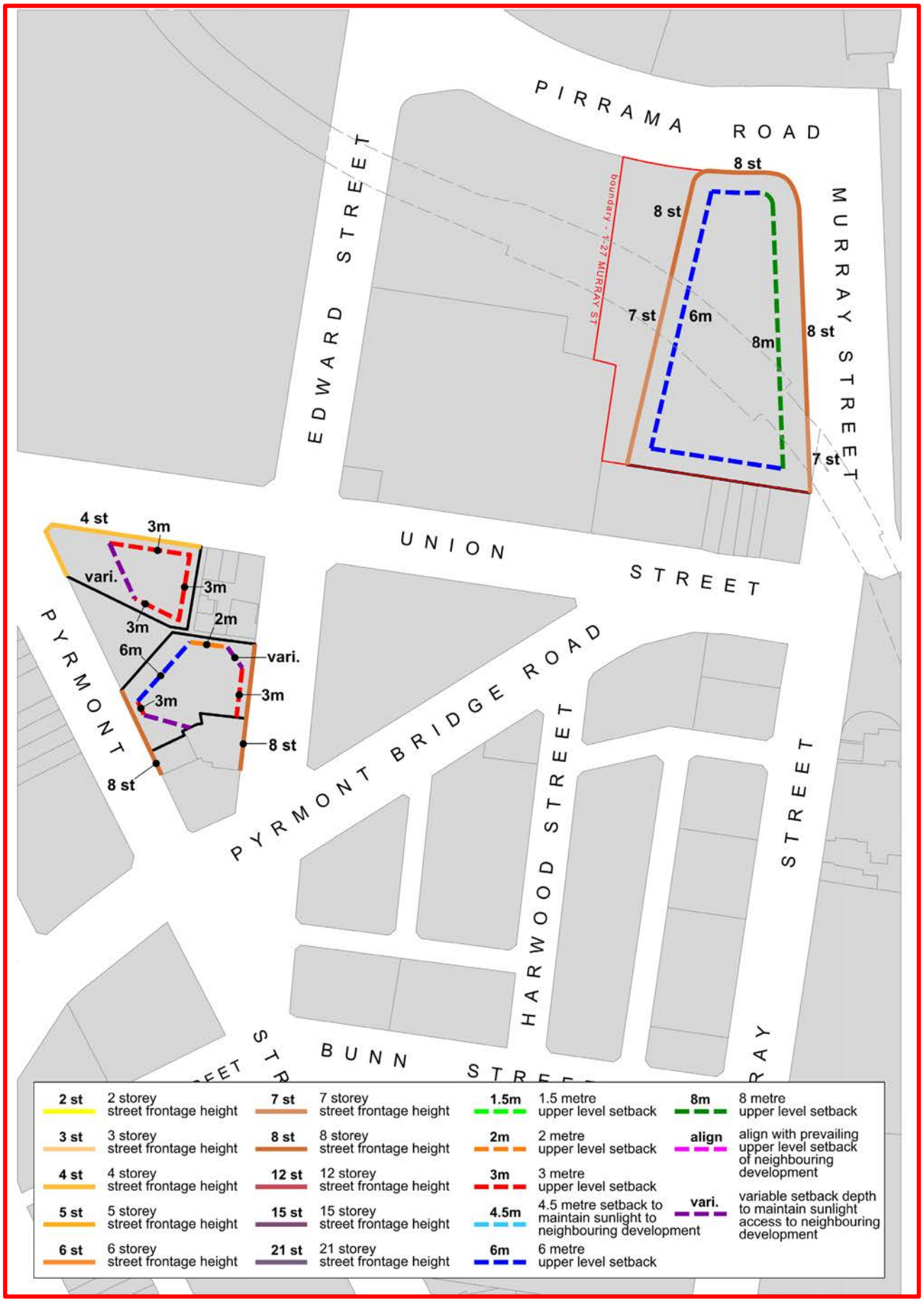


Figure 45 Group A Metro Area - Alternative Upper Level Setbacks

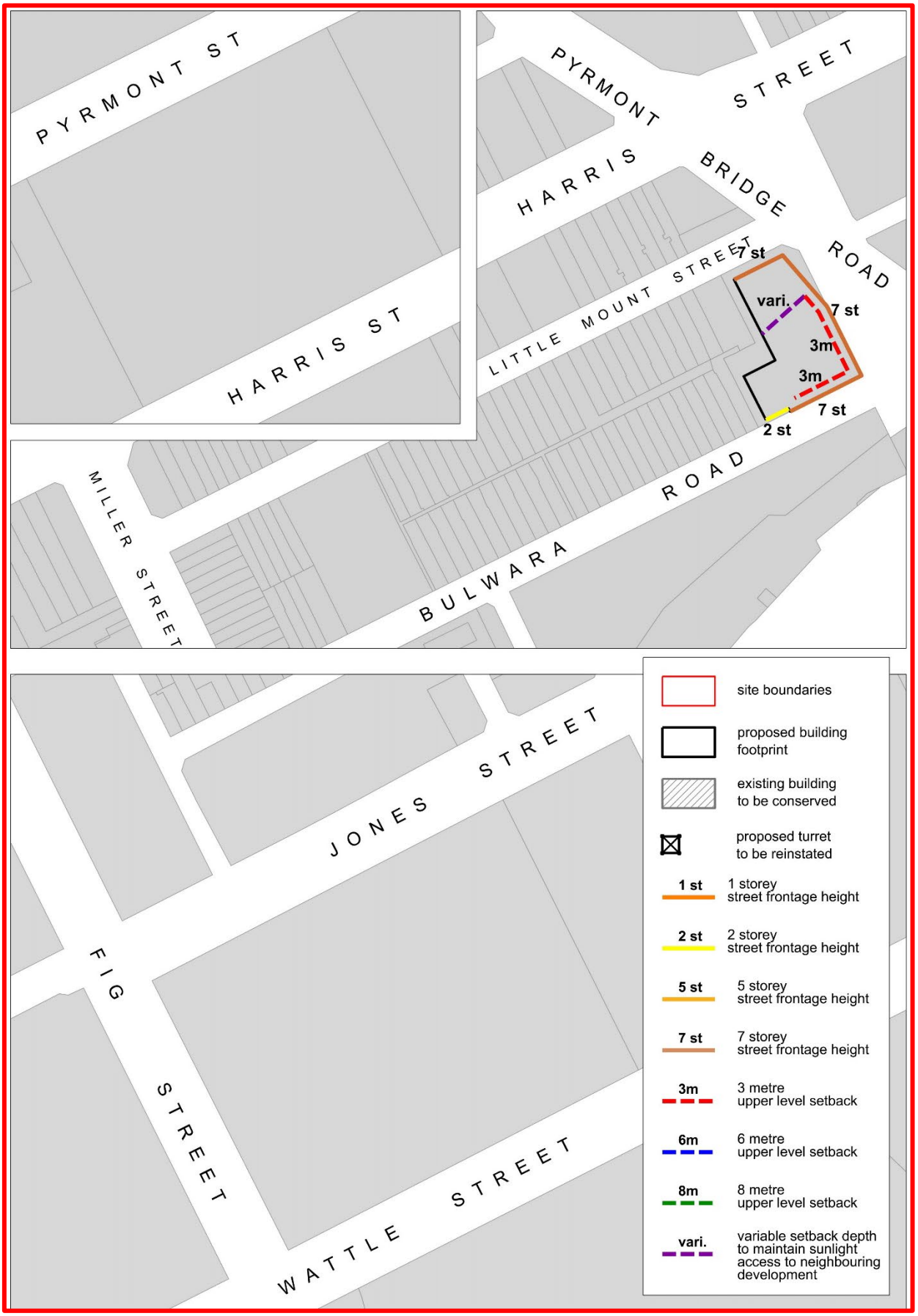


Figure 46 Miscellaneous - Alternative Upper Level Setbacks

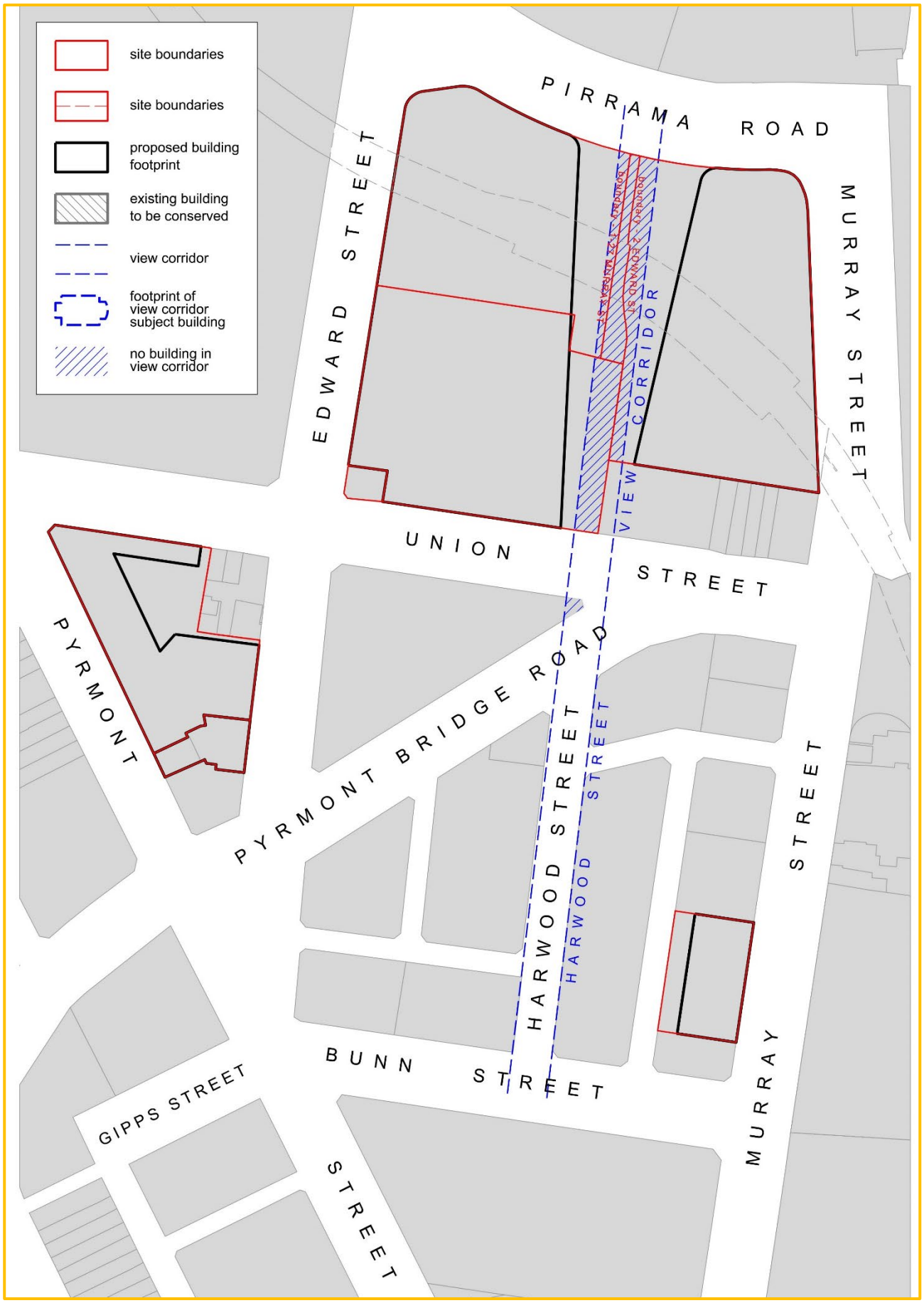


Figure 47 Group A - Metro Station - View Corridors

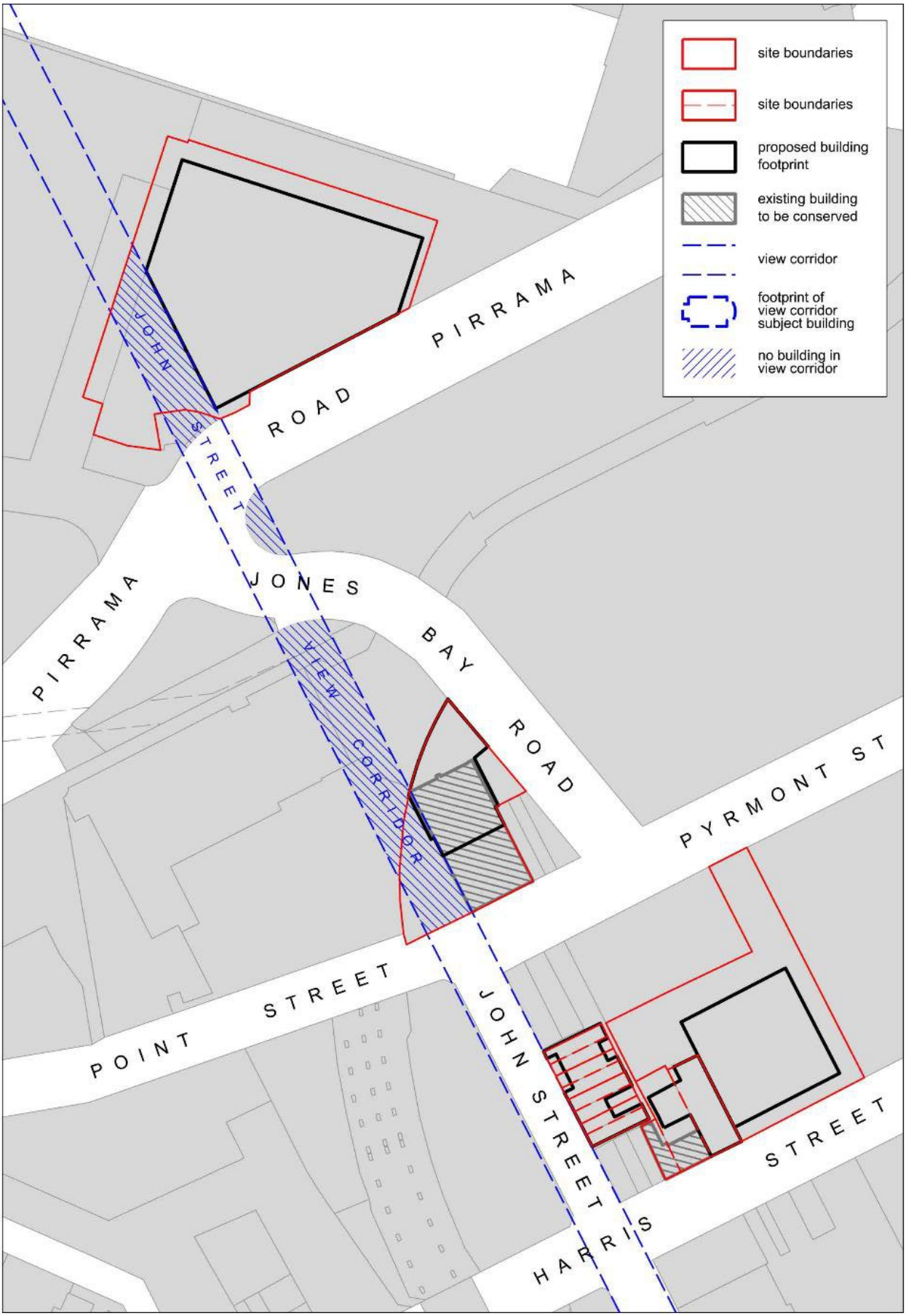


Figure 48 Group B - John Street - View Corridors

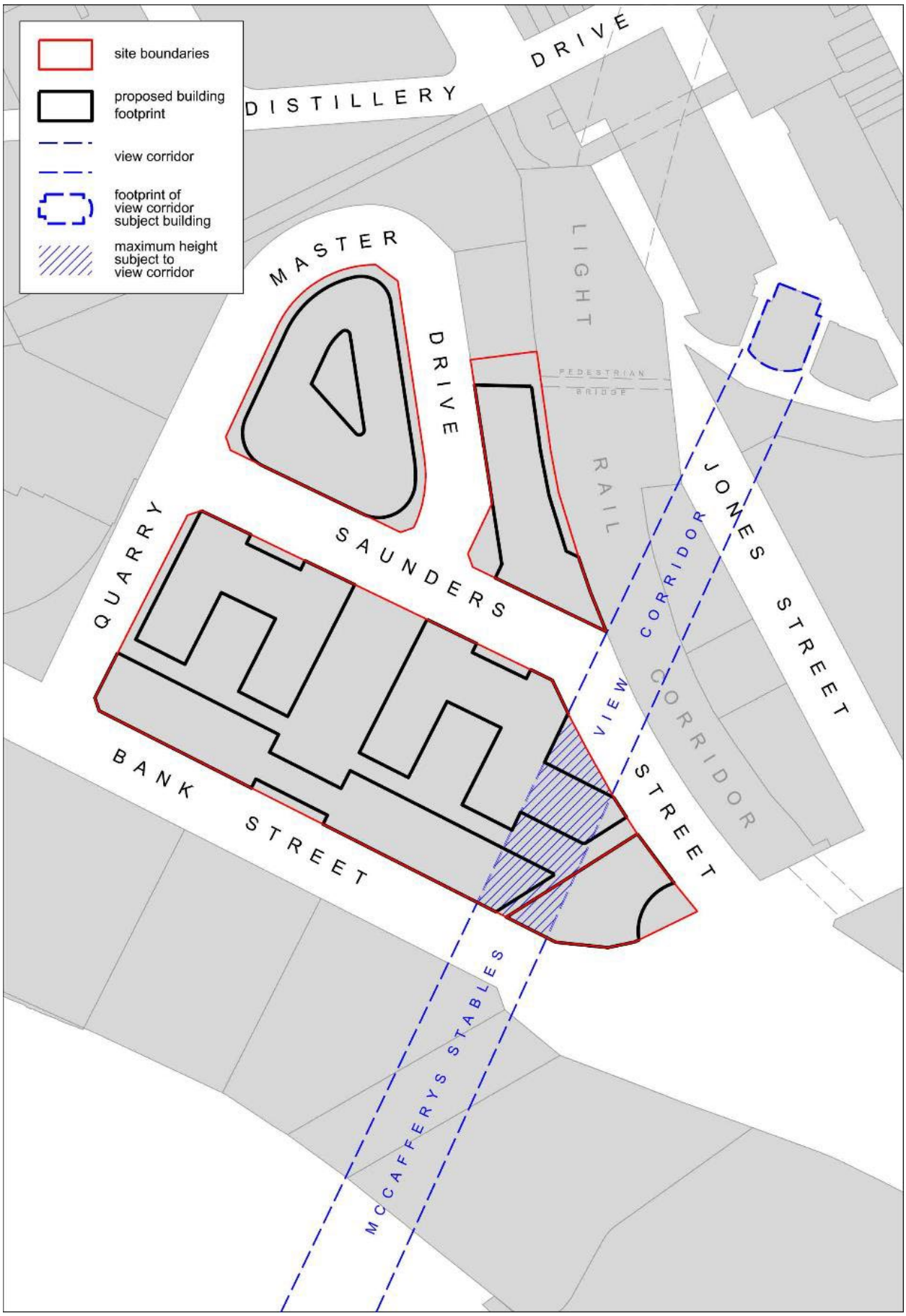


Figure 49 Group C - Saunders Street - View Corridors

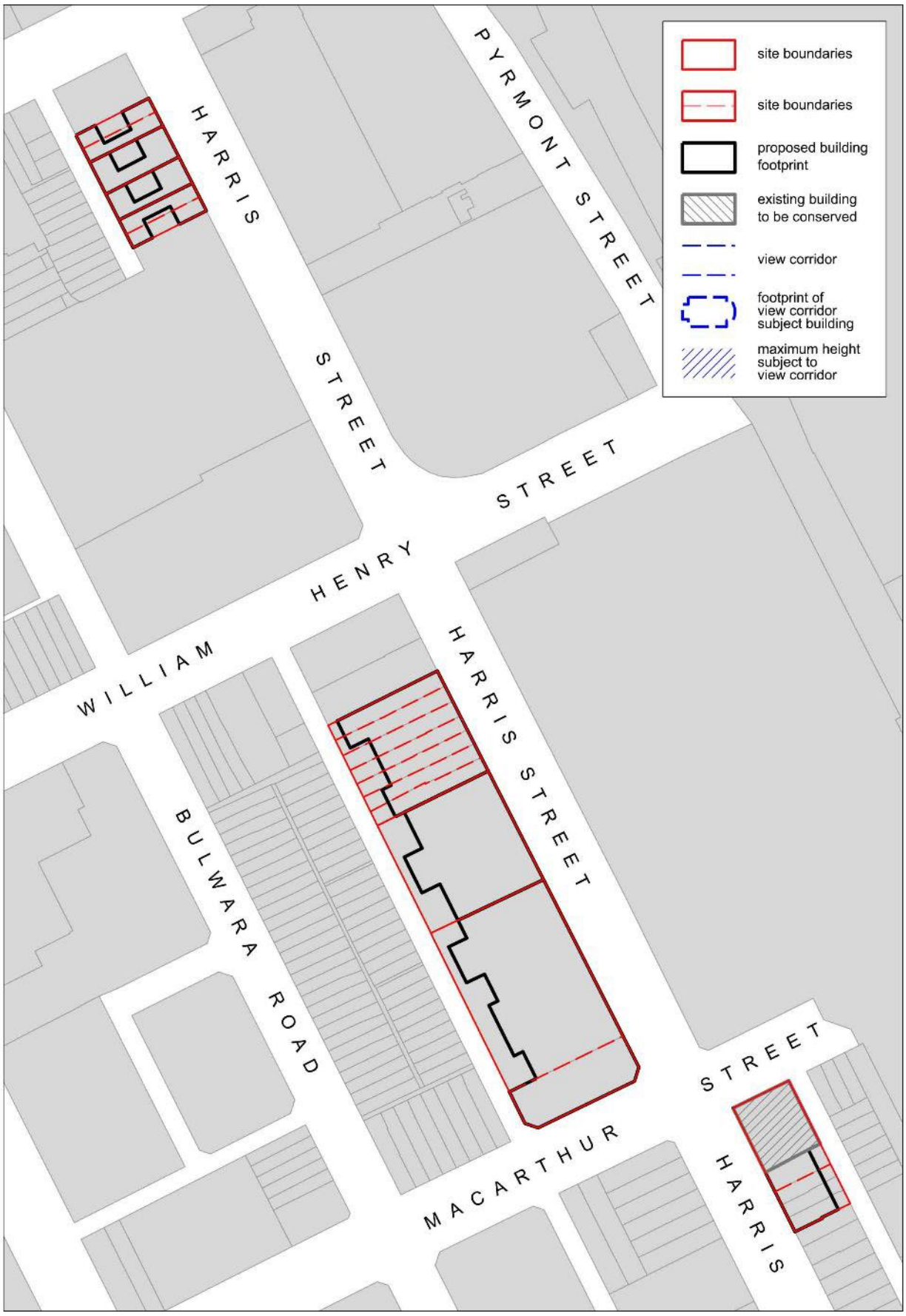


Figure 50 Group D - Harris Street - View Corridors

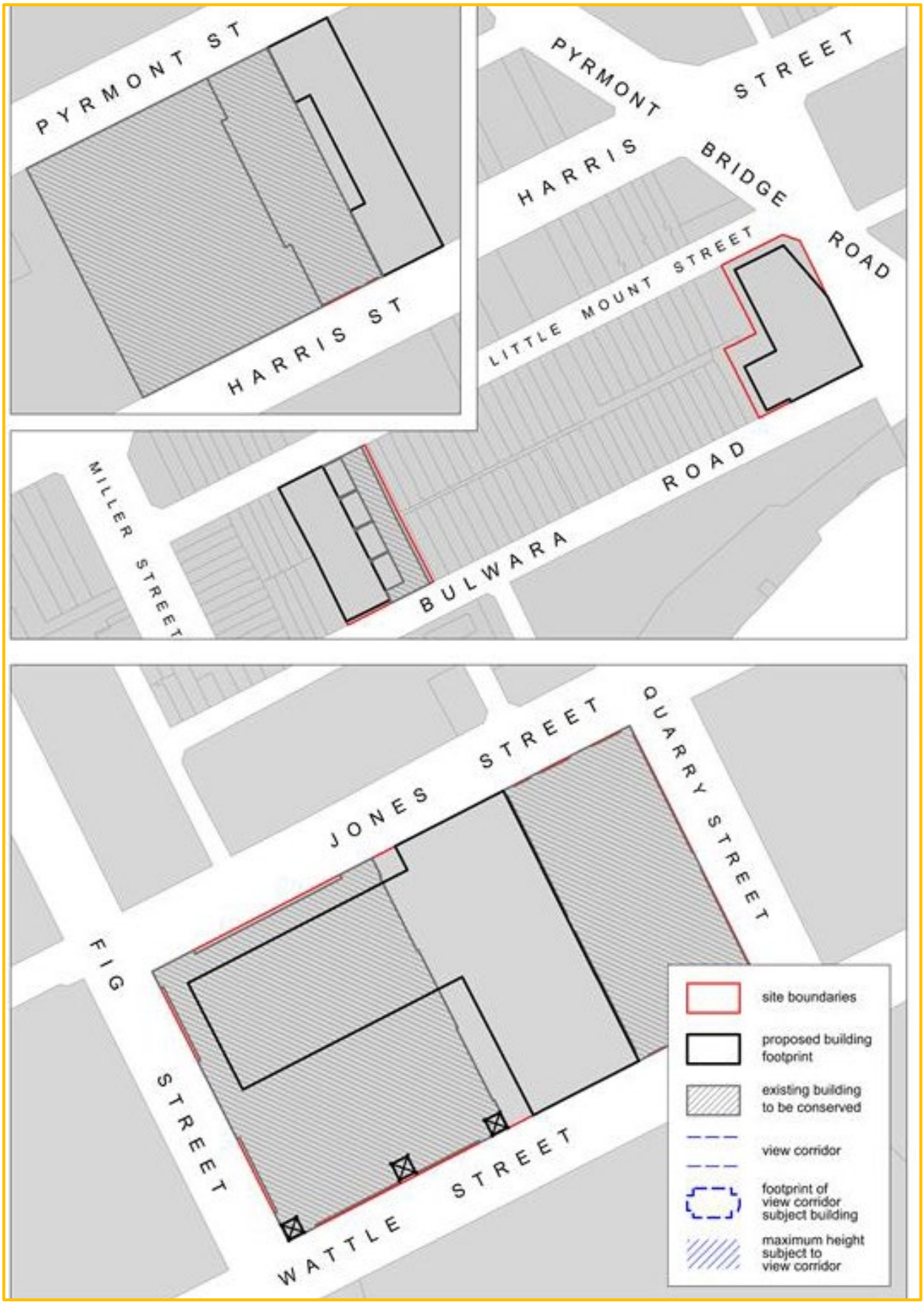


Figure 51 Miscellaneous Sites - View Corridors

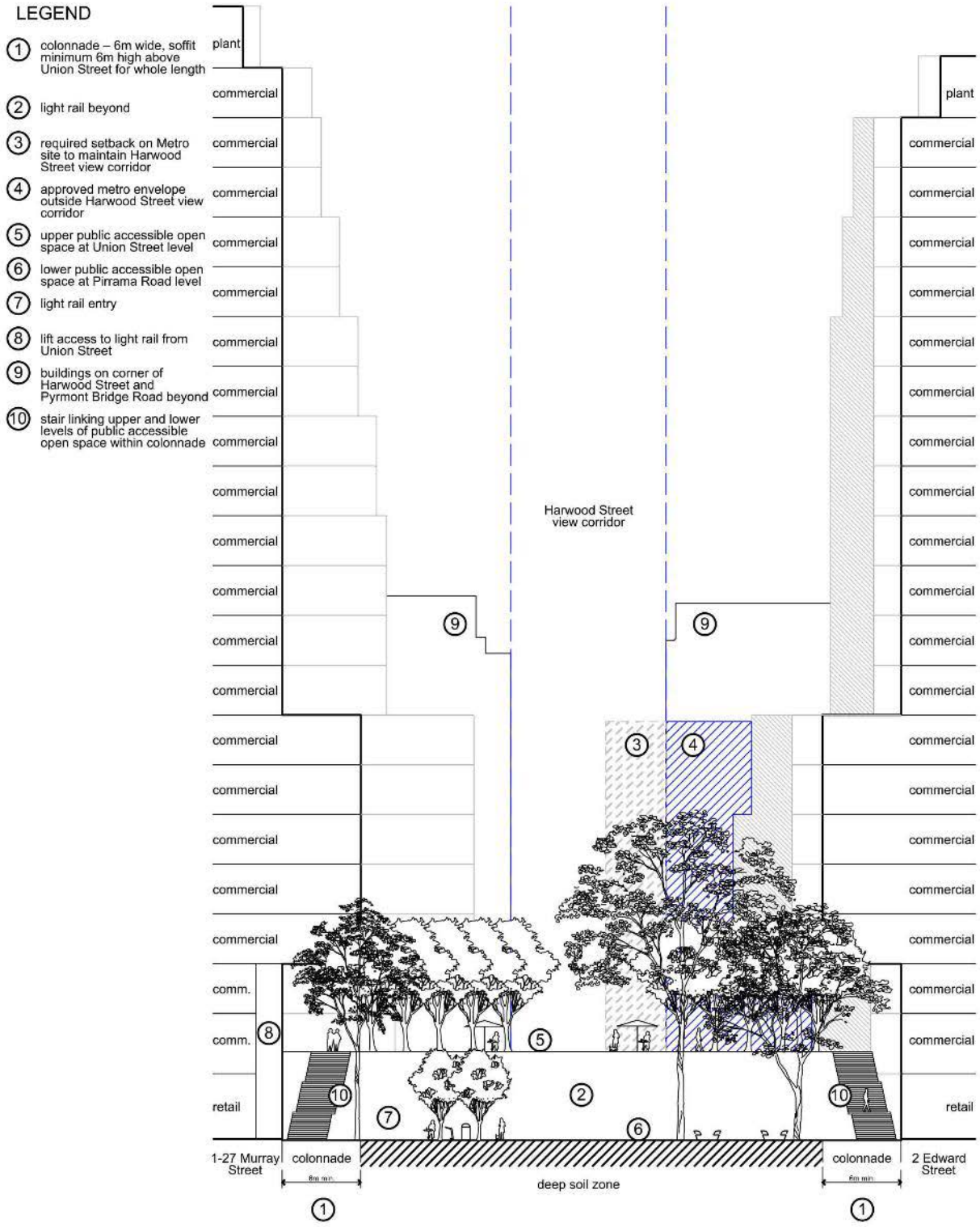


Figure 52 Harwood Place typical section

LEGEND

1. public accessible open space, provides an improved connection from Quarry Master Drive to John Street Pocket Park
2. additional deep soil, for more cool, green places for people to gather
3. minimum setback of 3m to Quarry Master Drive

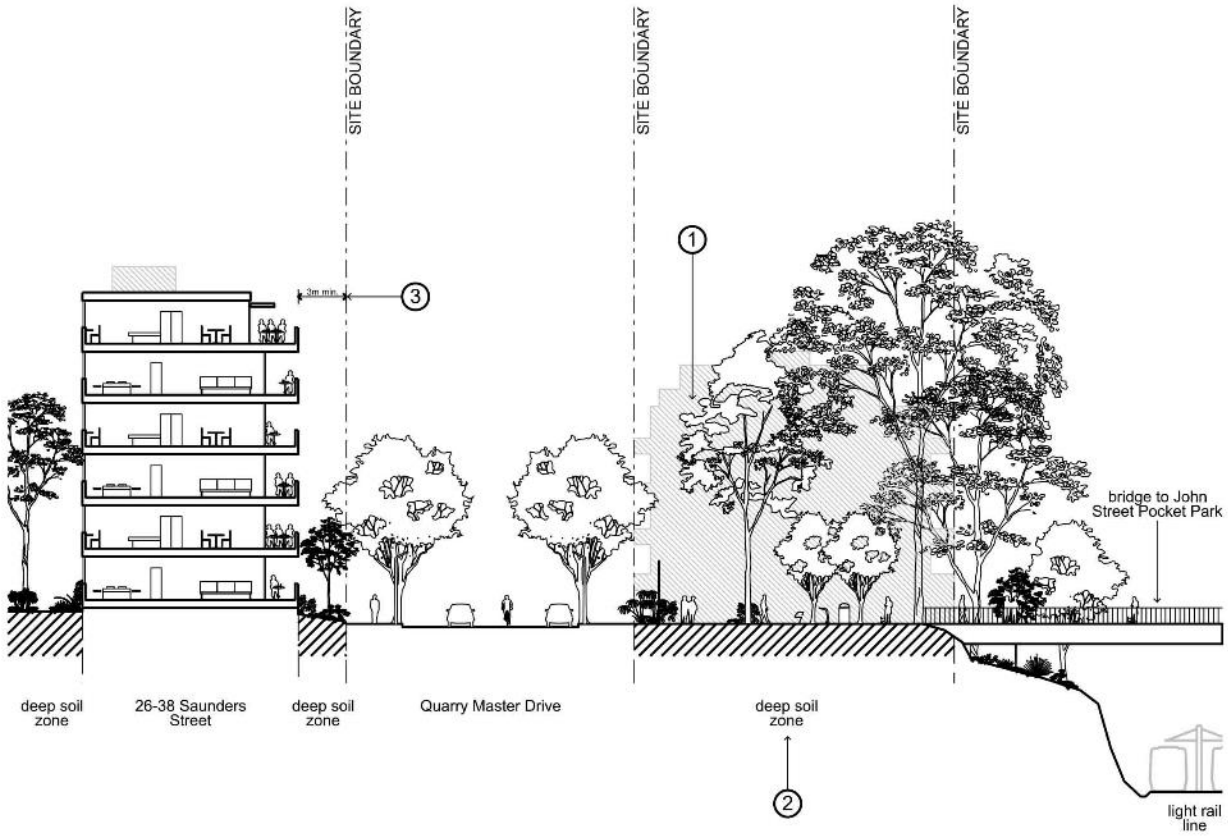


Figure 53 Street Cross Section - Quarry Master Drive

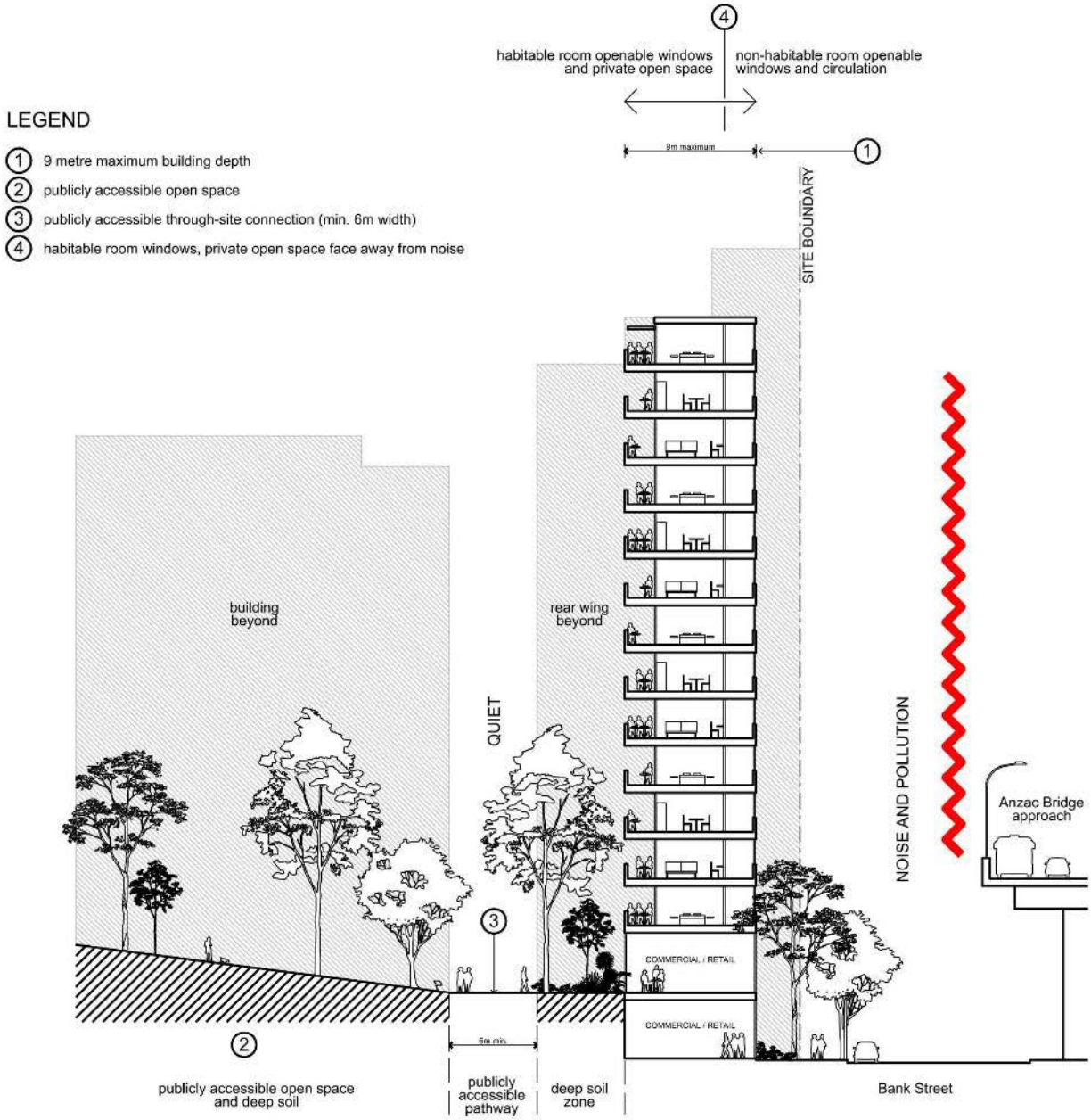


Figure 2c: Residential buildings fronting Bank Street

Figure 54 Street Cross Section - residential buildings fronting Bank Street

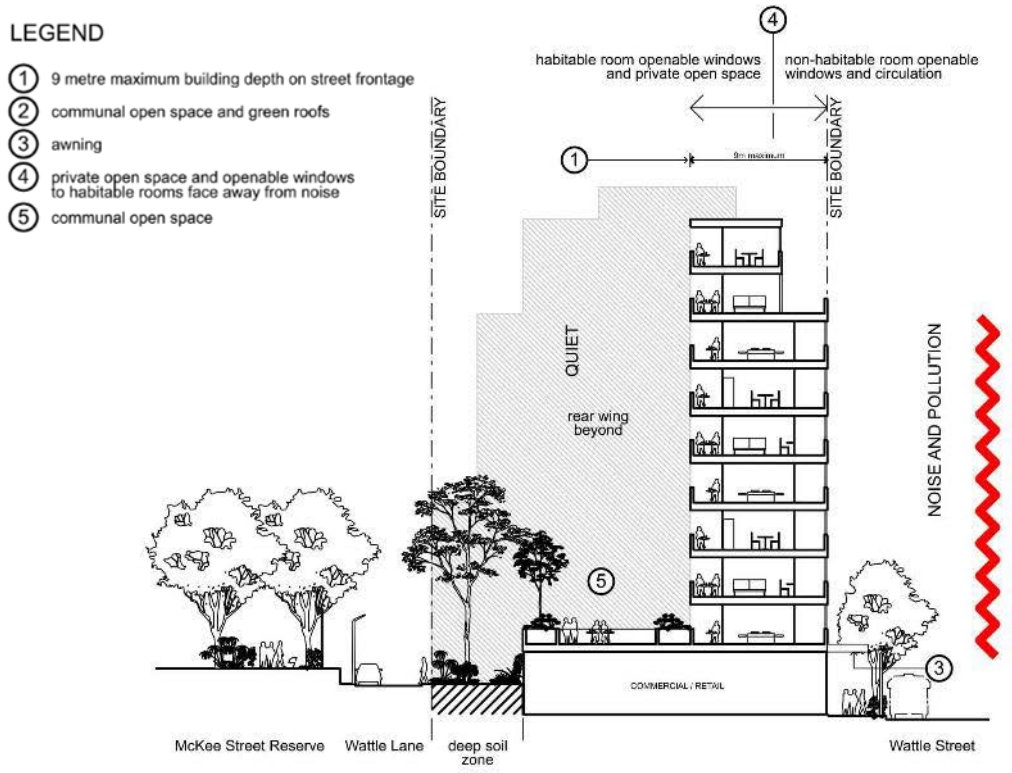


Figure 55 Street Cross Section - residential buildings between Wattle Street and Wattle Lane; residential buildings between Harris Street and Hacket Street and Harris Street and Systrum Street are similar

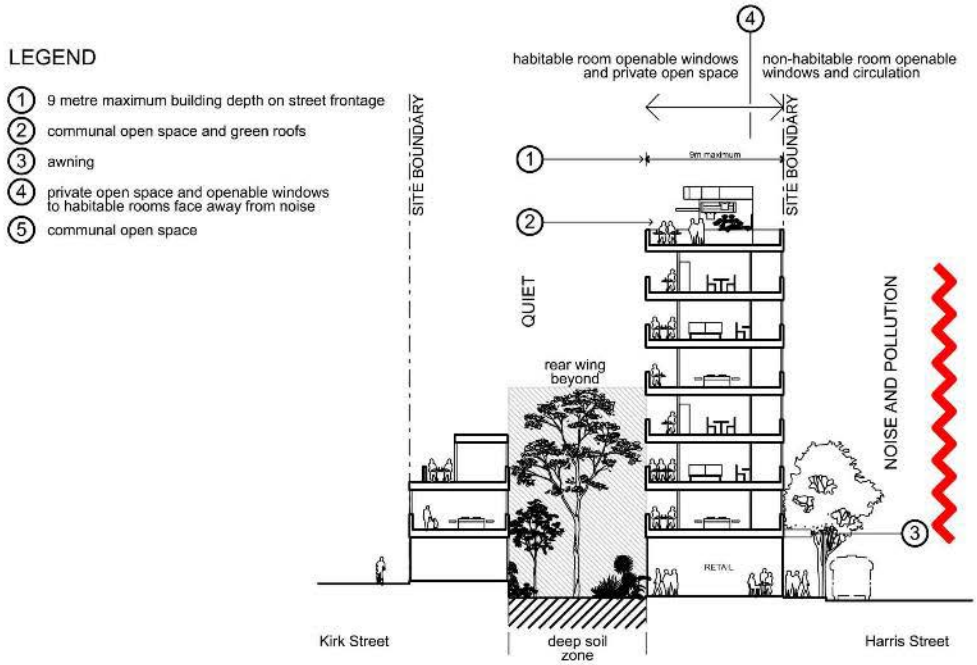


Figure 56 Street Cross Section – residential buildings between Harris Street and Kirk Street

5.X.4.2 Ground and first floor uses, active frontages and awnings

This section is to be read in conjunction with the provisions in section 3.2.3 Active frontages and section 2.3.4 Awnings of this DCP.

Objectives

(a) Ensure street frontages are active and create interest at the street level.

(b) Ensure the needs of workers are met with supporting retail, services and food and drink premises.

(c) Facilitate safe and comfortable pedestrian environments, including protection from direct sun, rain and wind, and passive surveillance.

Provisions

(1) Ground floor uses are to be in accordance with Figures 5~~2~~7 to ~~57~~62.

(2) Despite 5.X.4.2(1) here 13A-29 Union Street Pyrmont utilises incentive building heights or floor space ratios available under clause 6.60B of Sydney LEP 2012, ground floor uses are to be in accordance with Figure 75

(3) Ground floor uses fronting Harris St and Wattle Street are to provide windows and entrances to provide passive surveillance of the public domain and indirect lighting at night time.

(4) Sites identified in the Active street frontages maps Figures ~~58~~63 to ~~63~~68 must give consideration to managing flooding and stormwater impacts while maintaining an active frontage with minimal setbacks and direct street access.

(5) Despite 5.X.4.2(4) where 13A-29 Union Street Pyrmont utilises incentive building heights or floor space ratios available under clause 6.60B of Sydney LEP 2012, development is to maintain an active frontage with minimal setbacks and direct street access, while giving consideration to managing flooding and stormwater impacts in accordance with Figure 75

(6) Provide continuous awnings and colonnades in accordance with Figures ~~64~~69 to ~~69~~74.

(7) Despite 5.X.4.2(6) where 13A-29 Union Street Pyrmont utilises incentive building heights or floor space ratios available under clause 6.60B of Sydney LEP 2012, development is to provide continuous awnings and colonnades in accordance with Figure 76.

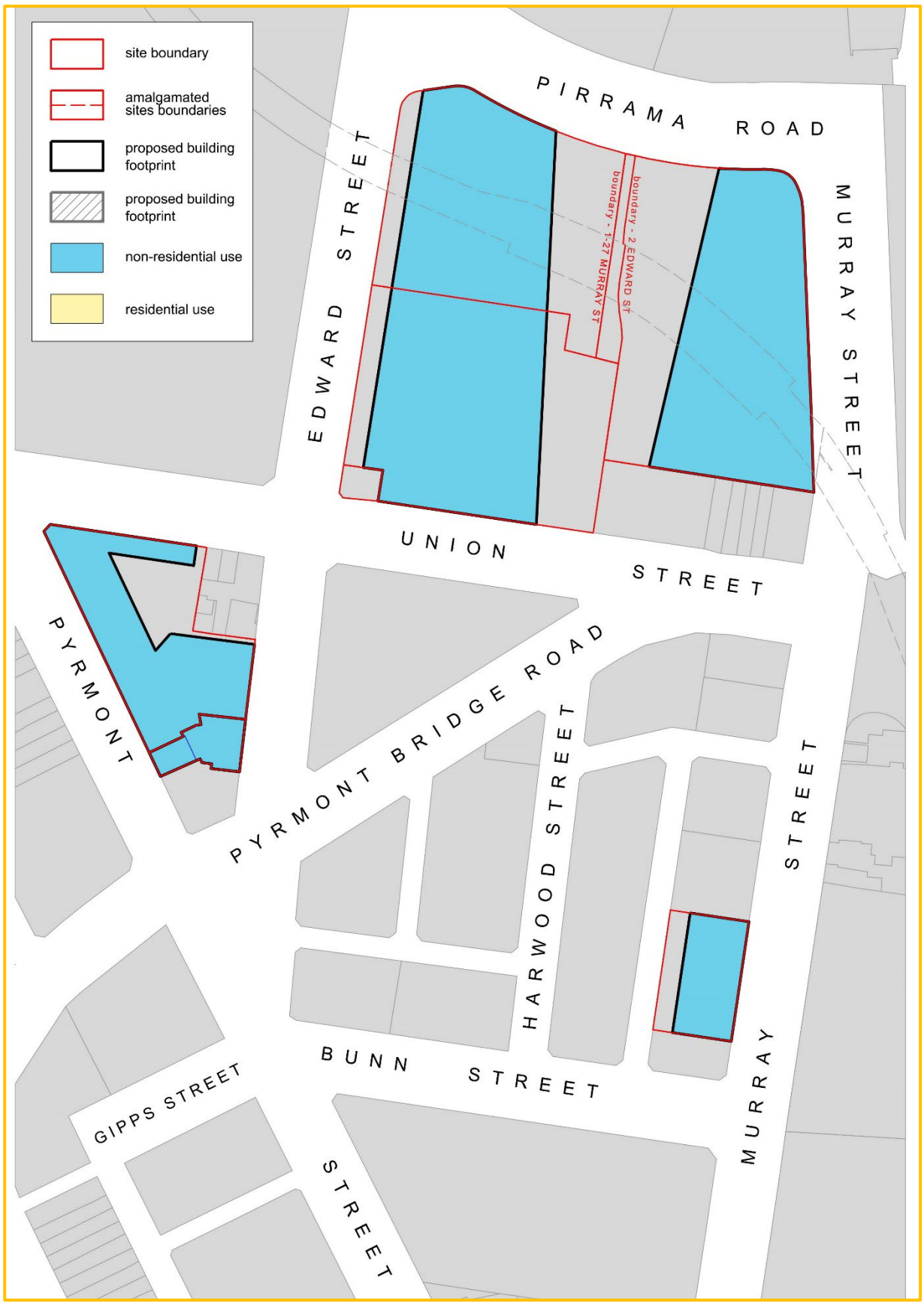


Figure 57 Group A - Metro Station - Street Level Land Use

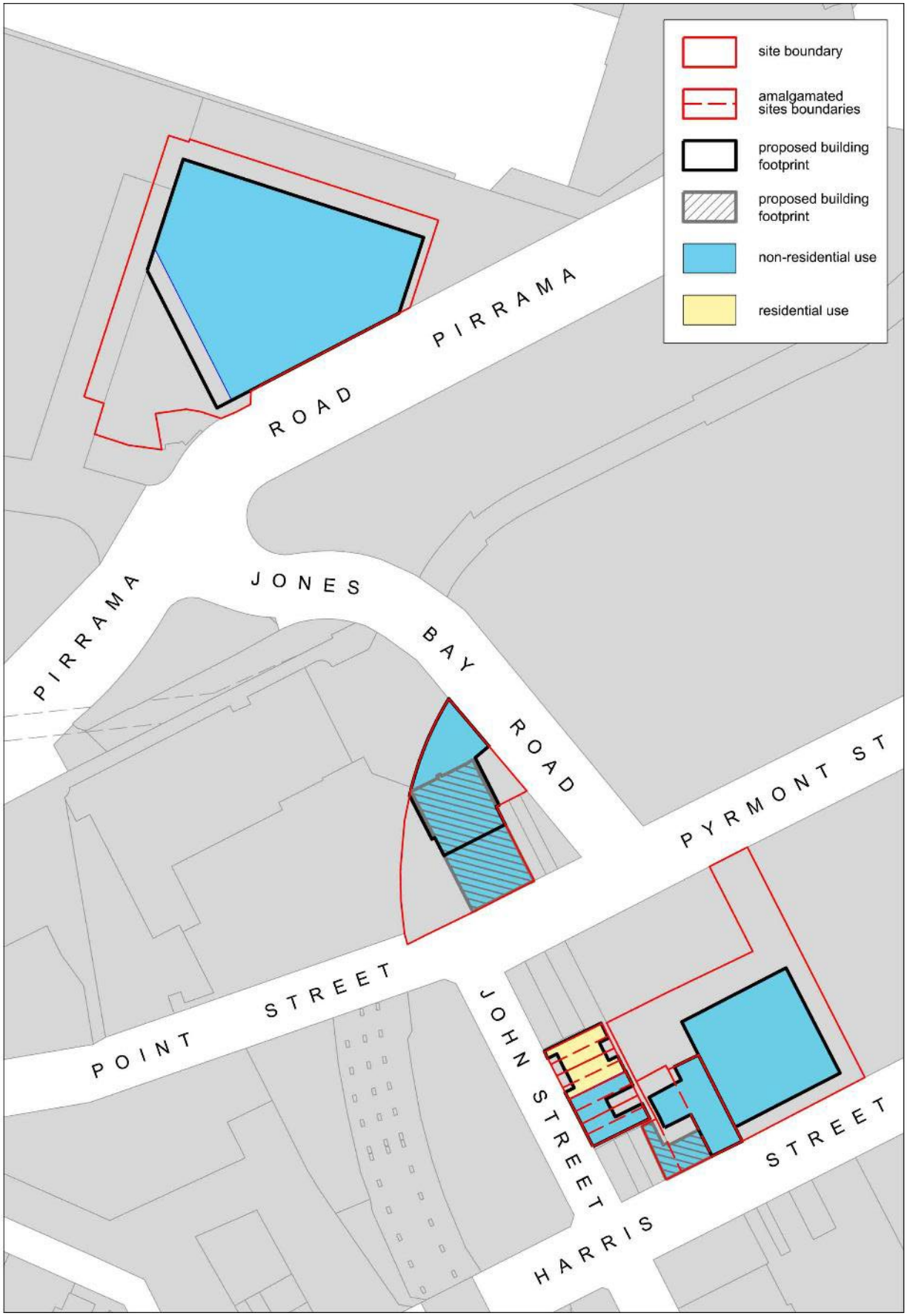


Figure 58 Group B - John Street - Street Level Land Use

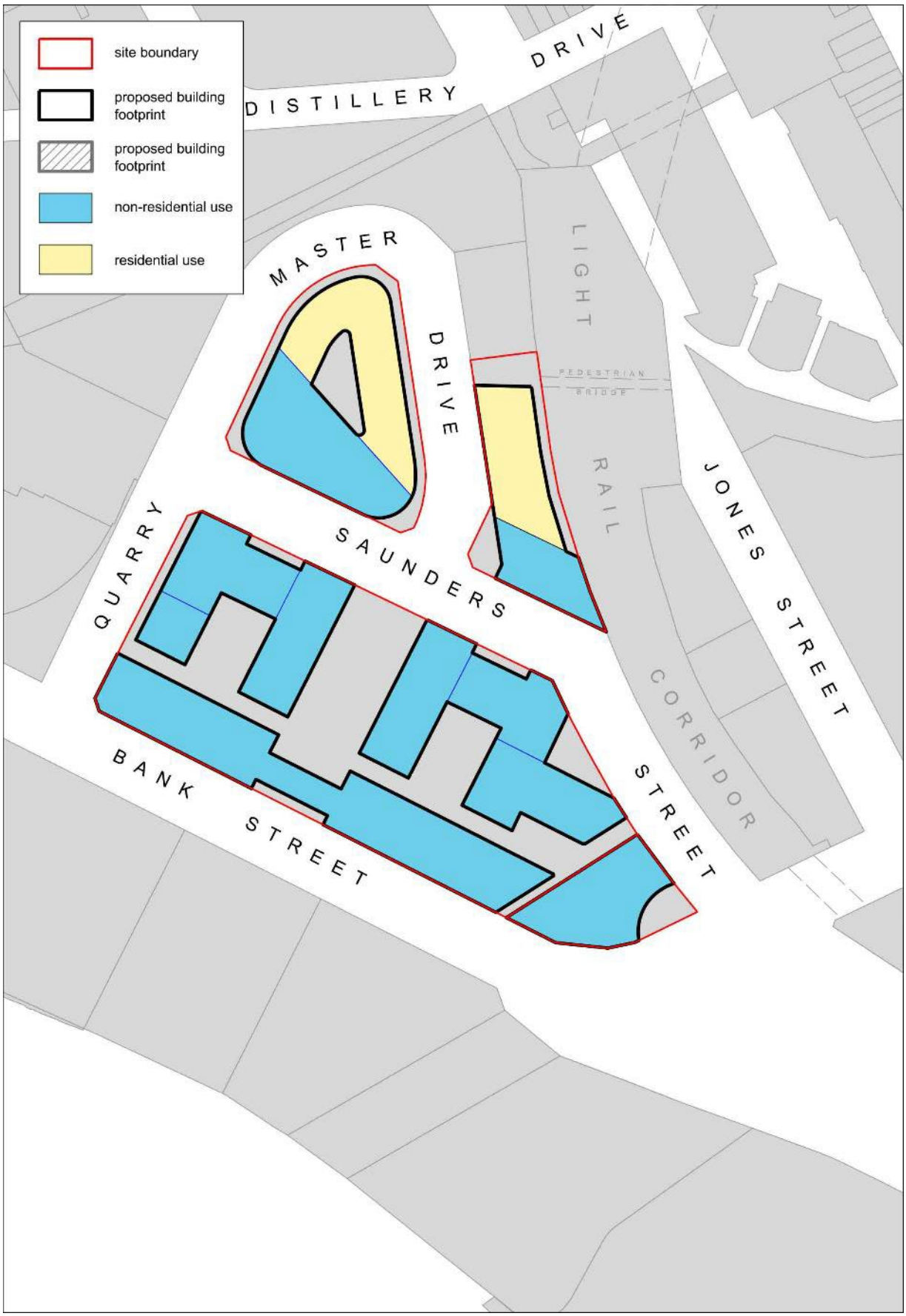


Figure 59 Group C - Saunders Street - Street Level Land Use

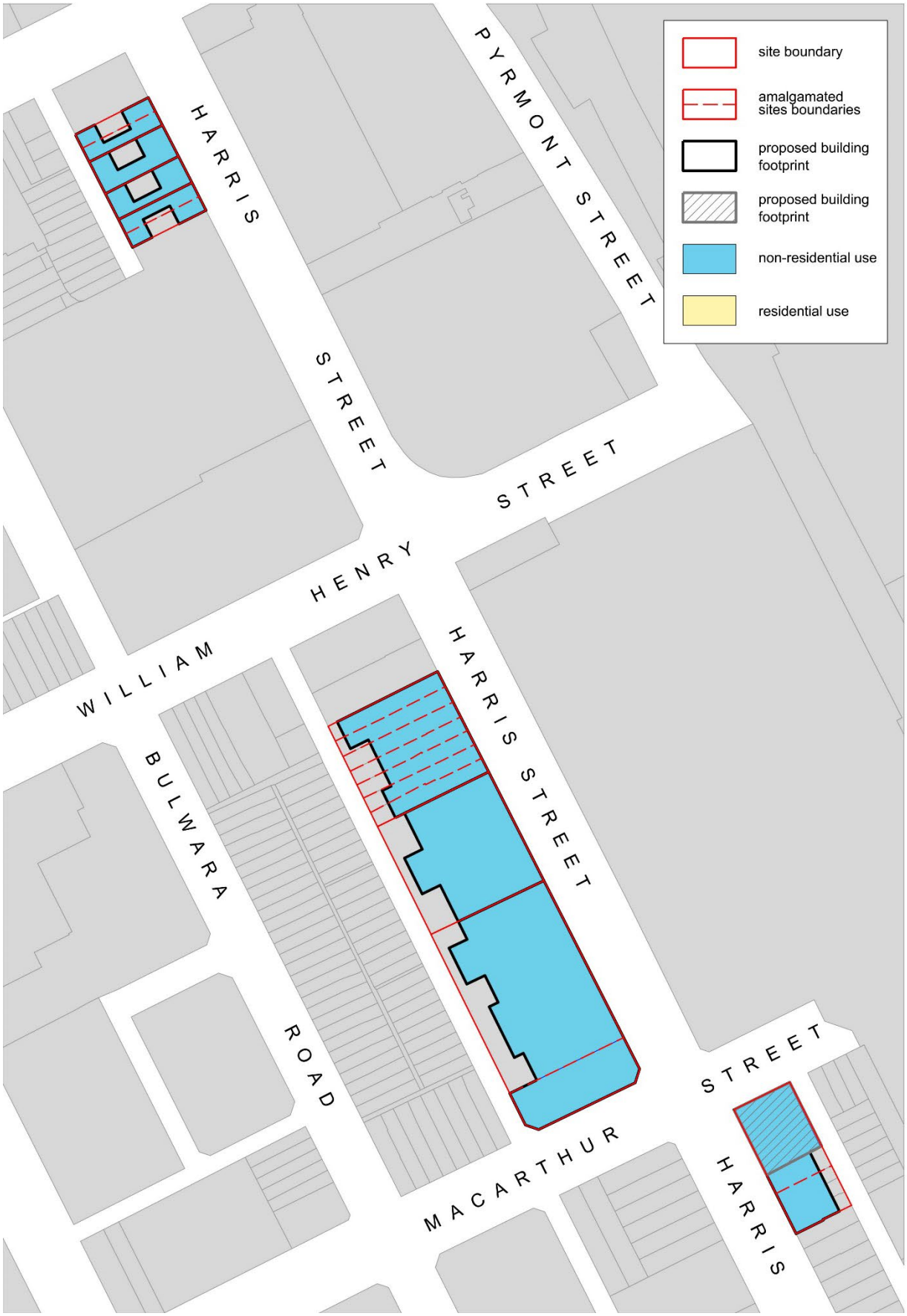


Figure 60 Group D - Harris Street Ultimo - Street Level Land Use

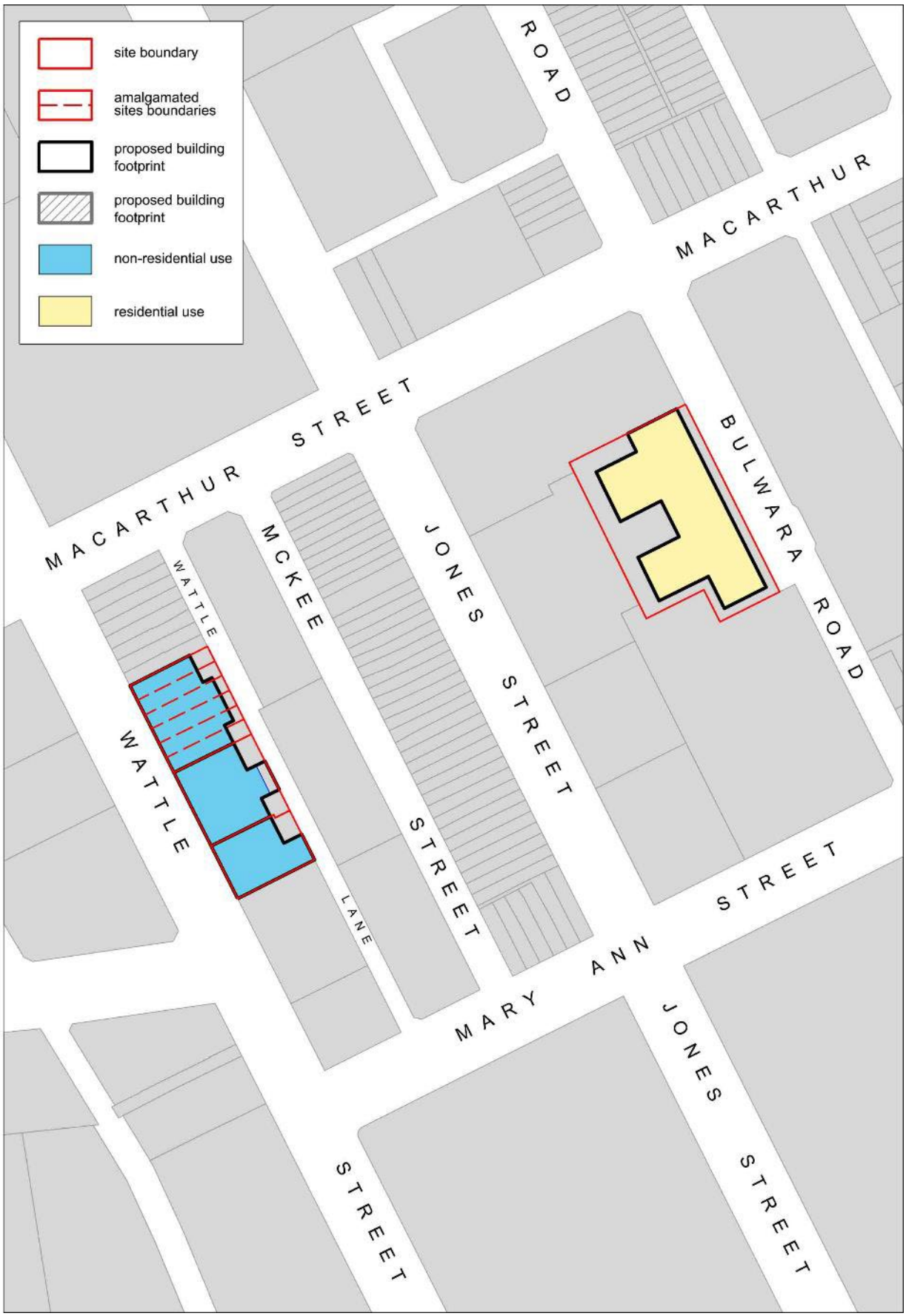


Figure 61 Group E - Wattle Street - Street Level Land Use



Figure 62 Miscellaneous sites - Street Level Land Use

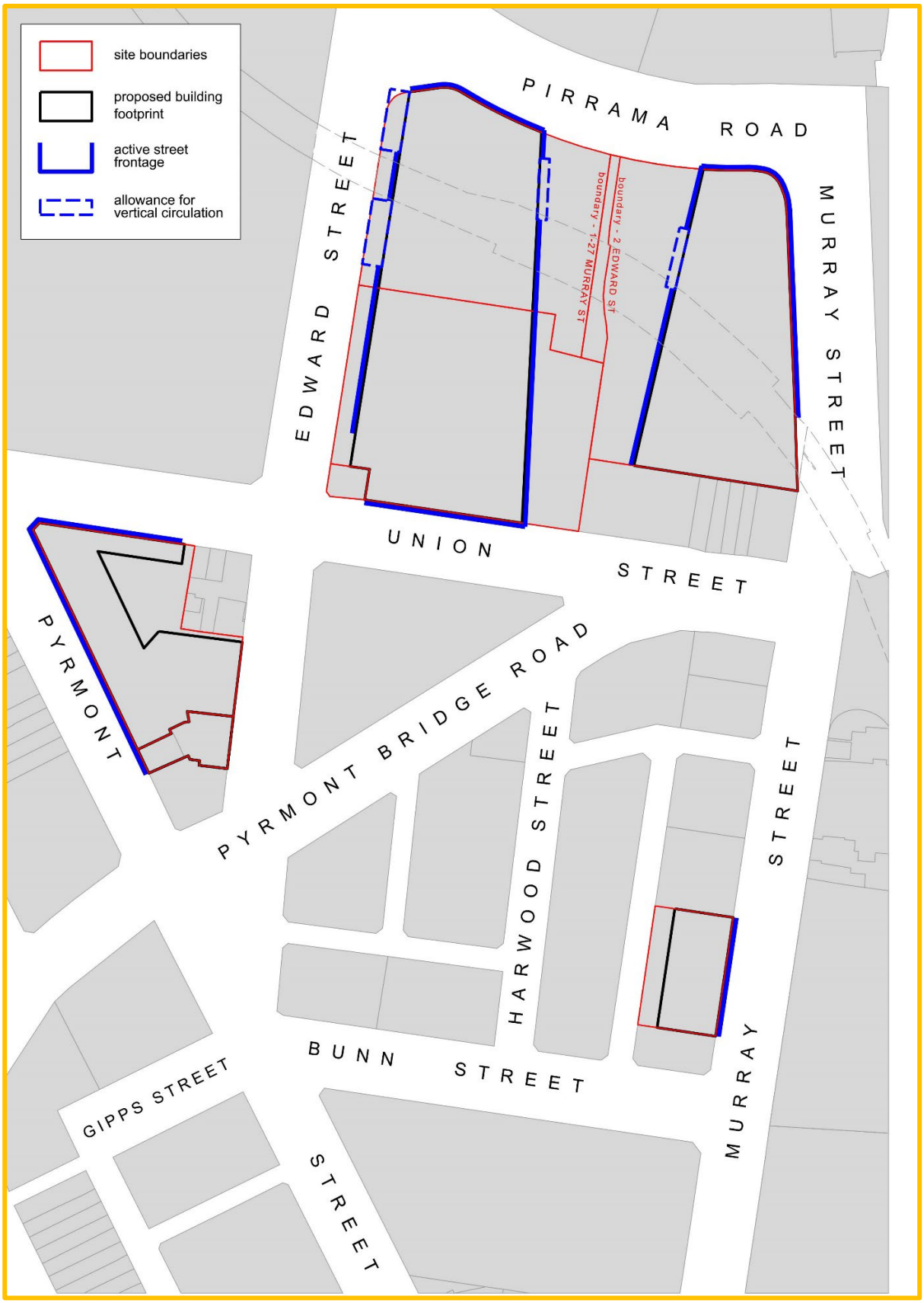


Figure 63 Group A - Metro Station - Active Street Frontages Map

[Public exhibition note: Figure 64 Group B - John Street - Active Street Frontages Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend *the Active Street Frontages map*.]

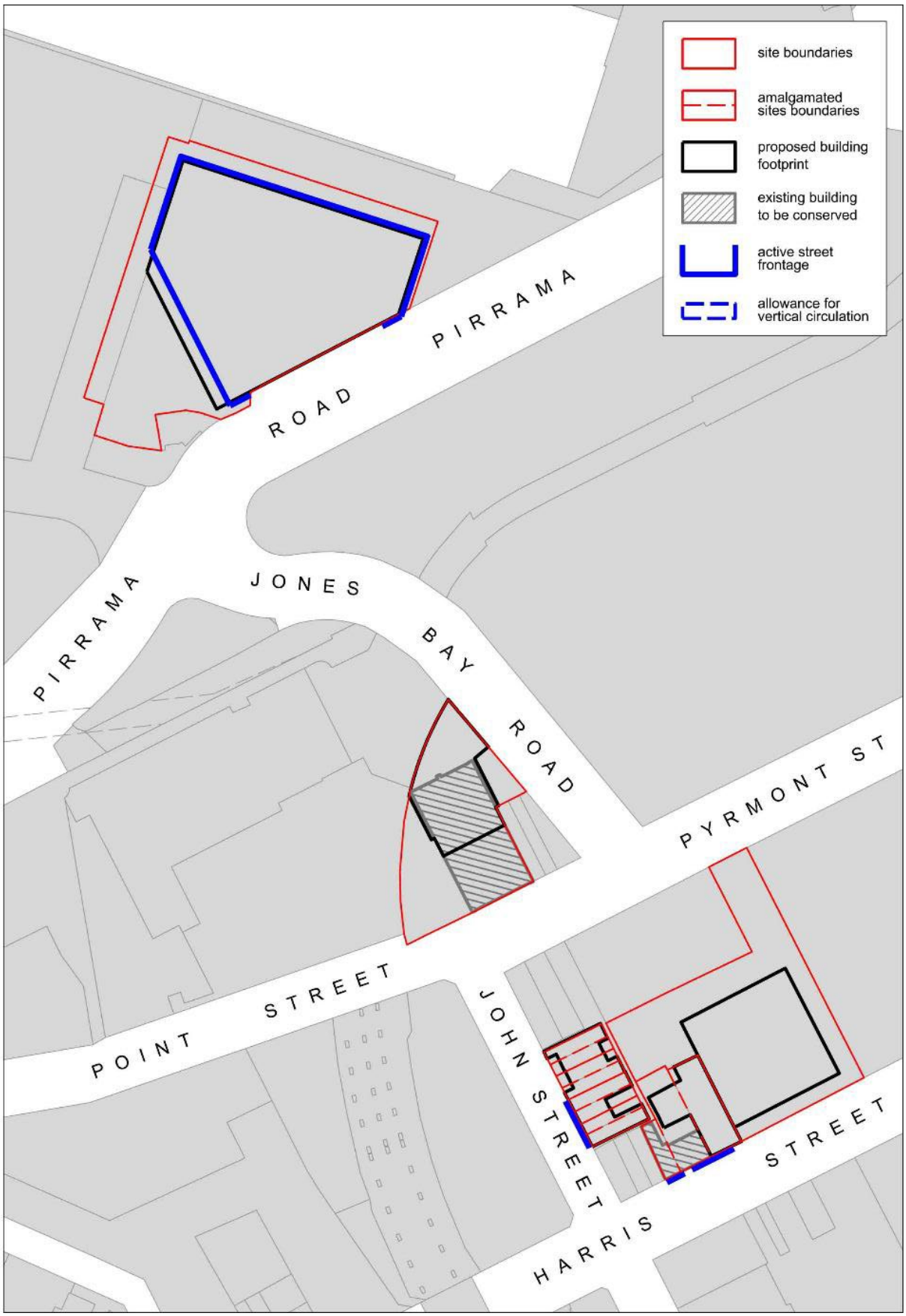


Figure 64 Group B - John Street - Active Street Frontages Map

[Public exhibition note: Figure 64 Group B - John Street - Active Street Frontages Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend *the Active Street Frontages map*.]

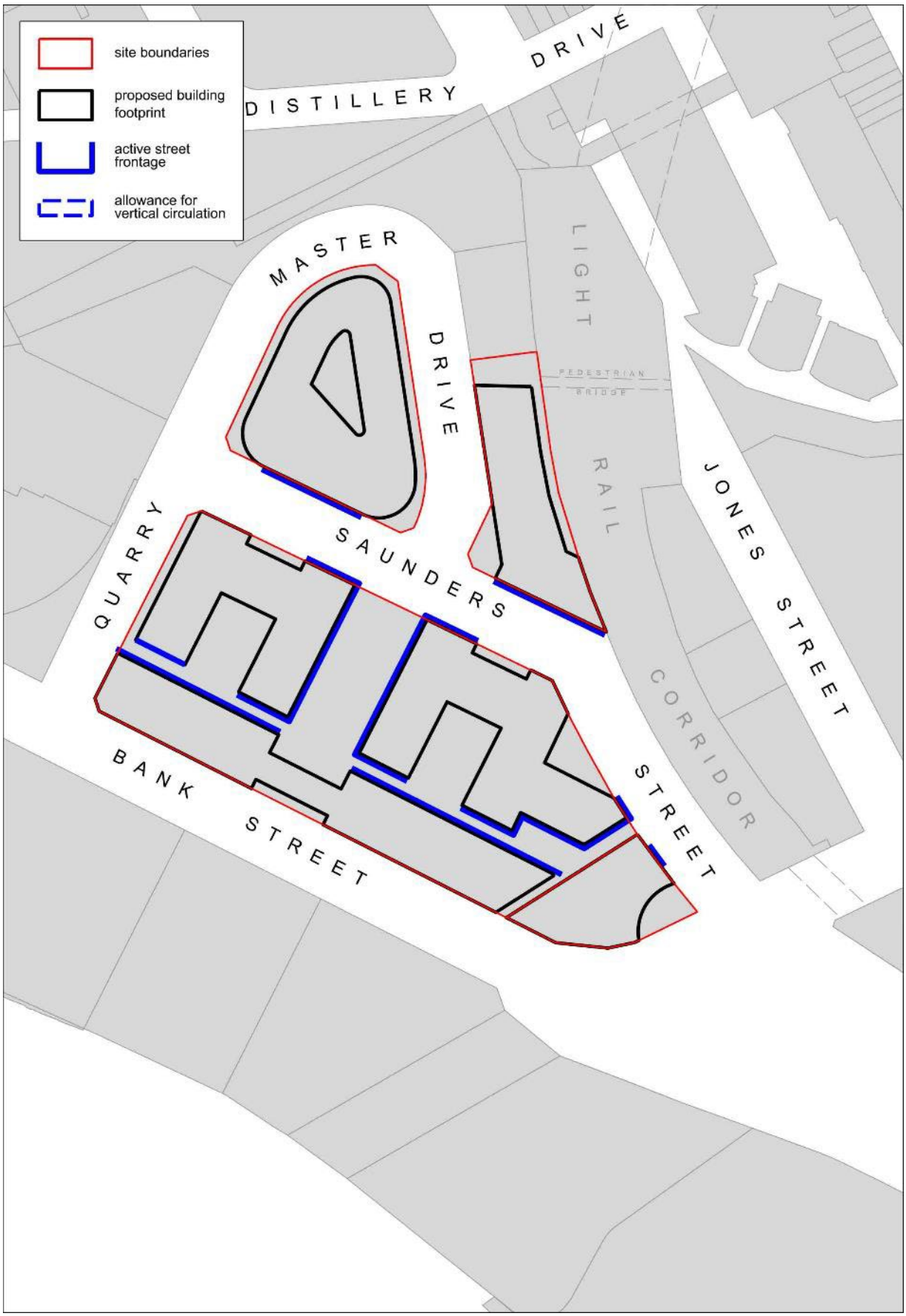


Figure 65 Group C - Saunders Street - Active Street Frontages Map

[Public exhibition note: Figure 65 Group C - Saunders Street - Active Street Frontages Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Active Street Frontages map*.]

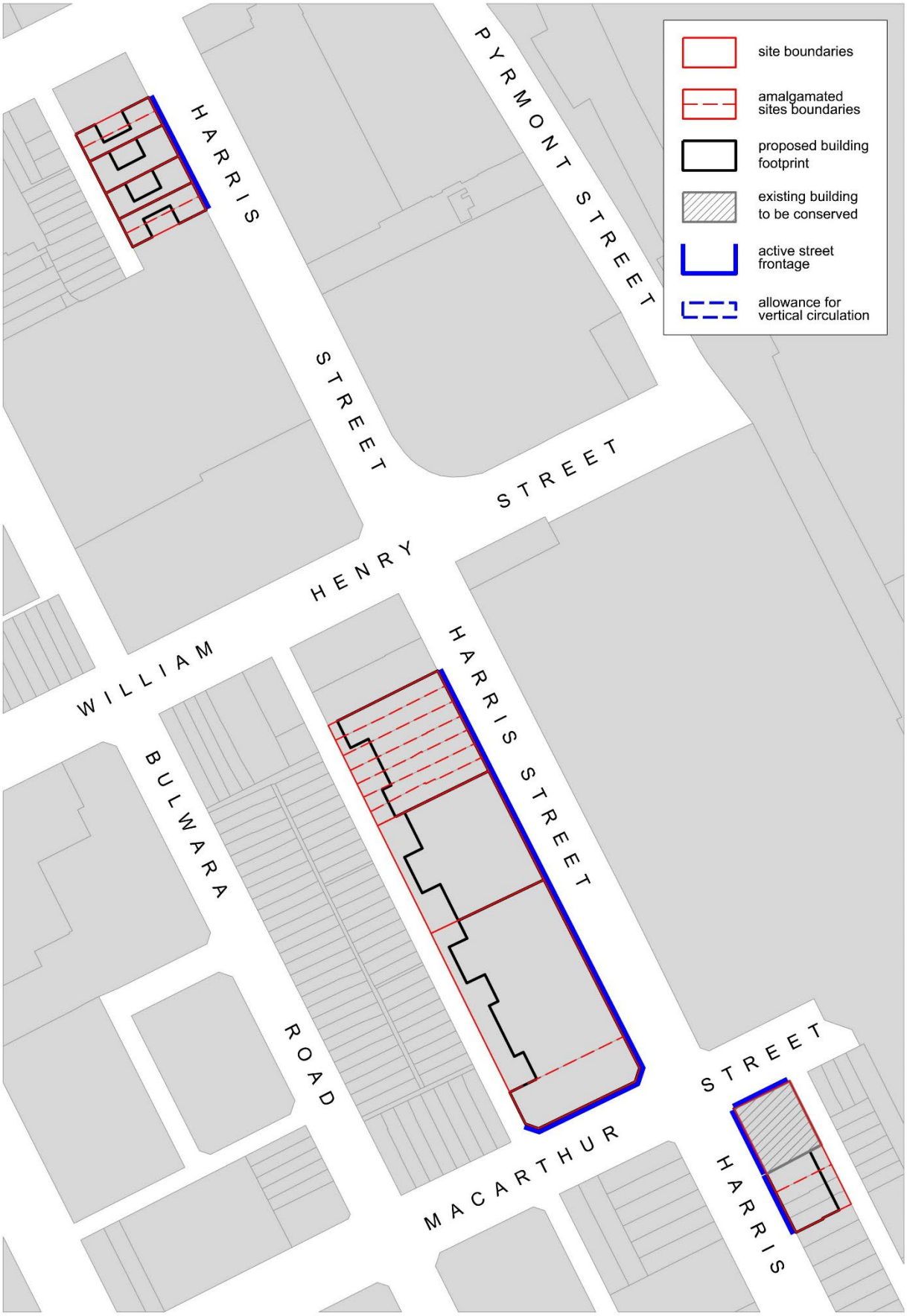


Figure 66 Group D - Harris Street Ultimo - Active Street Frontages Map

[Public exhibition note: Figure 66 Group D - Harris Street Ultimo - Active Street Frontages Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Active Street Frontages map*.]

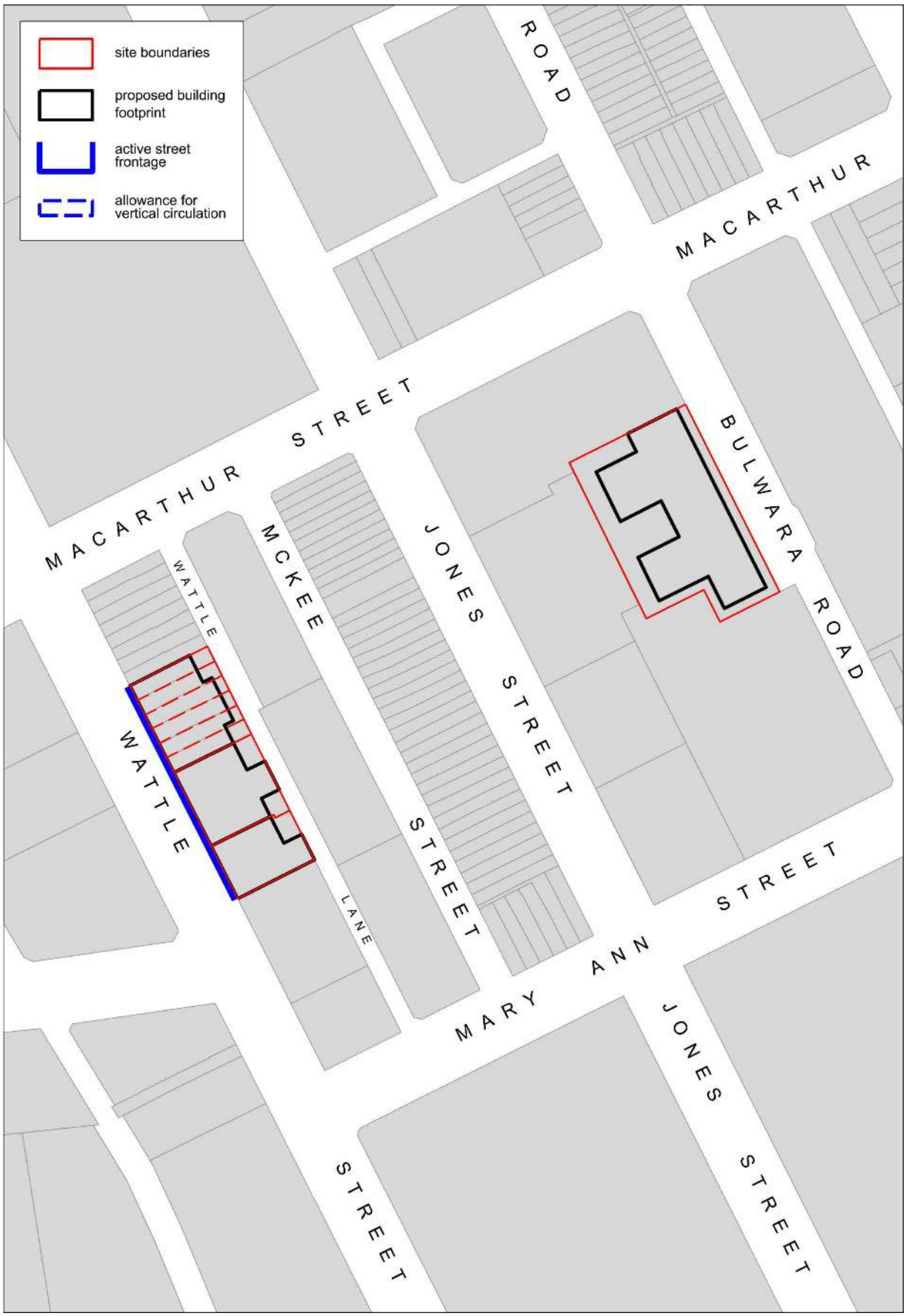


Figure 67 Group E - Wattle Street - Active Street Frontages Map

[Public exhibition note: Figure 67 Group E - Wattle Street - Active Street Frontages is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Active Street Frontages map*.]



Figure 68 Miscellaneous sites - Active Street Frontages Map

[Public exhibition note: Figure 67 Group E - Wattle Street - Active Street Frontages is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Active Street Frontages map*.]

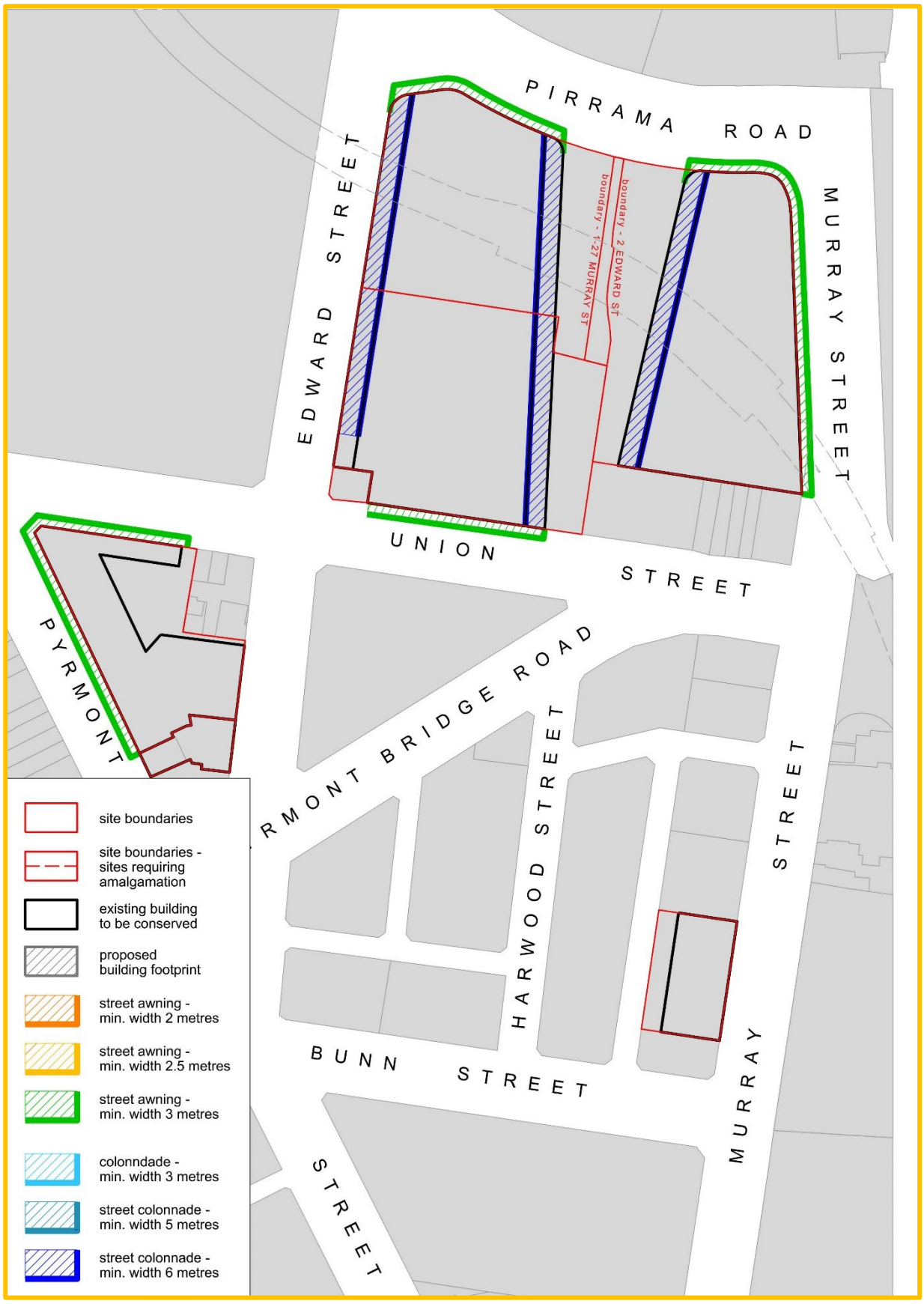


Figure 69 Group A - Metro Station - Awnings and Colonnades Map

[Public exhibition note: Figure 70 Group B - John Street - Awnings and Colonnades Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Footpath*, *Awnings and Colonnades map.]*

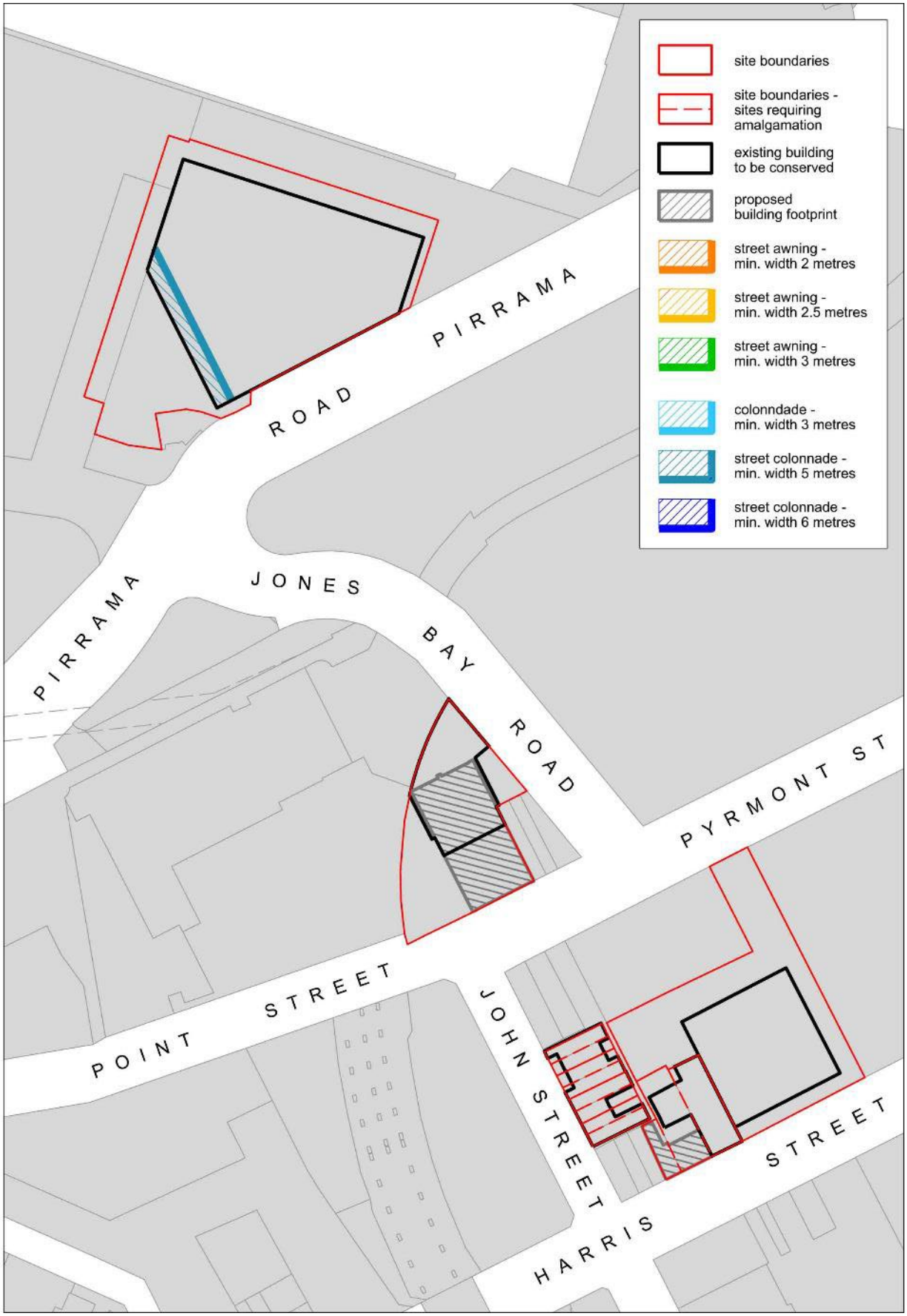


Figure 70 Group B - John Street - Awnings and Colonnades Map

[Public exhibition note: Figure 70 Group B - John Street - Awnings and Colonnades Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Footpath*, *Awnings and Colonnades map.]*

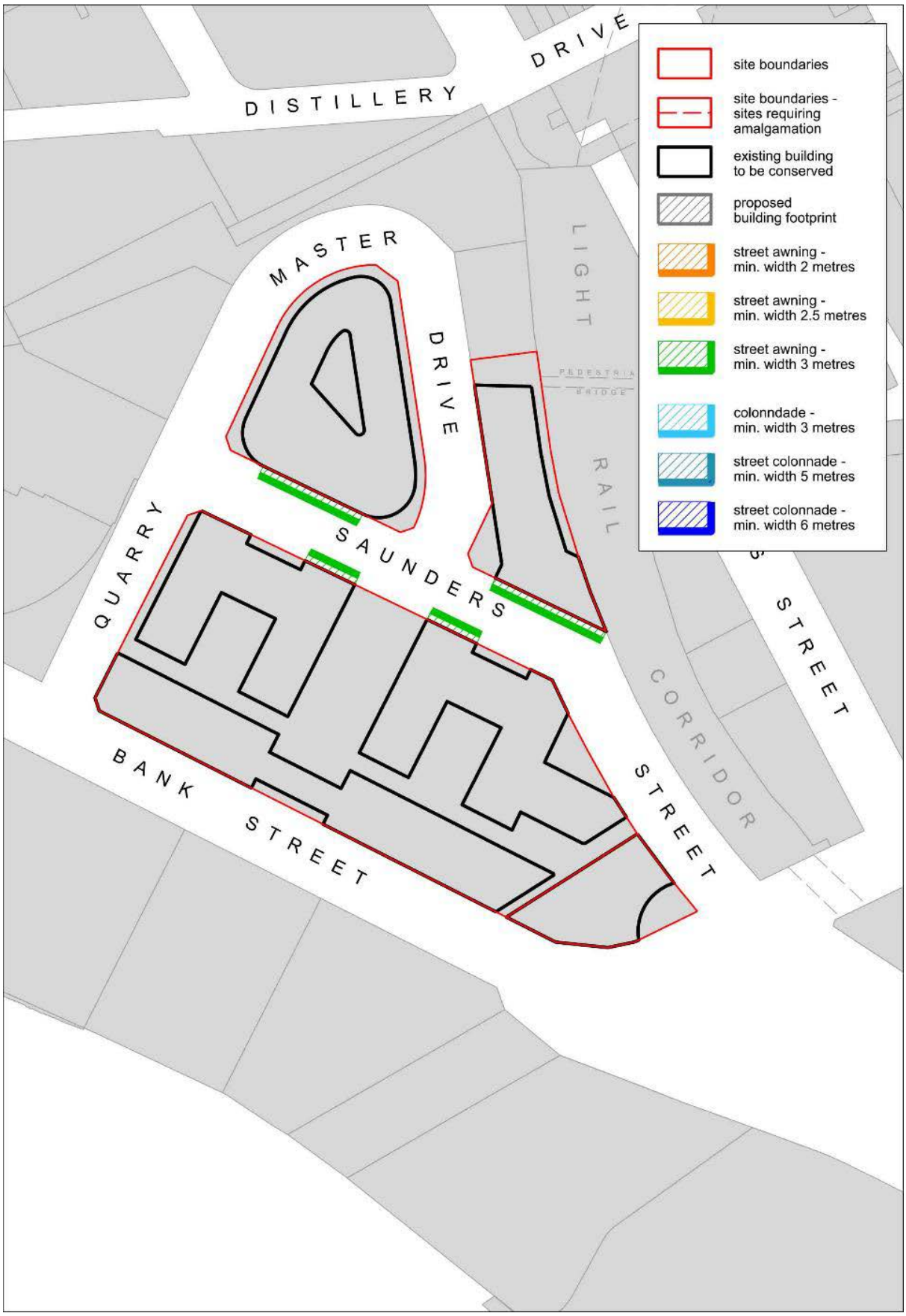


Figure 71 Group C - Saunders Street - Awnings and Colonnades Map

[Public exhibition note: Figure 71 is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Footpath, Awnings and Colonnades map.]*

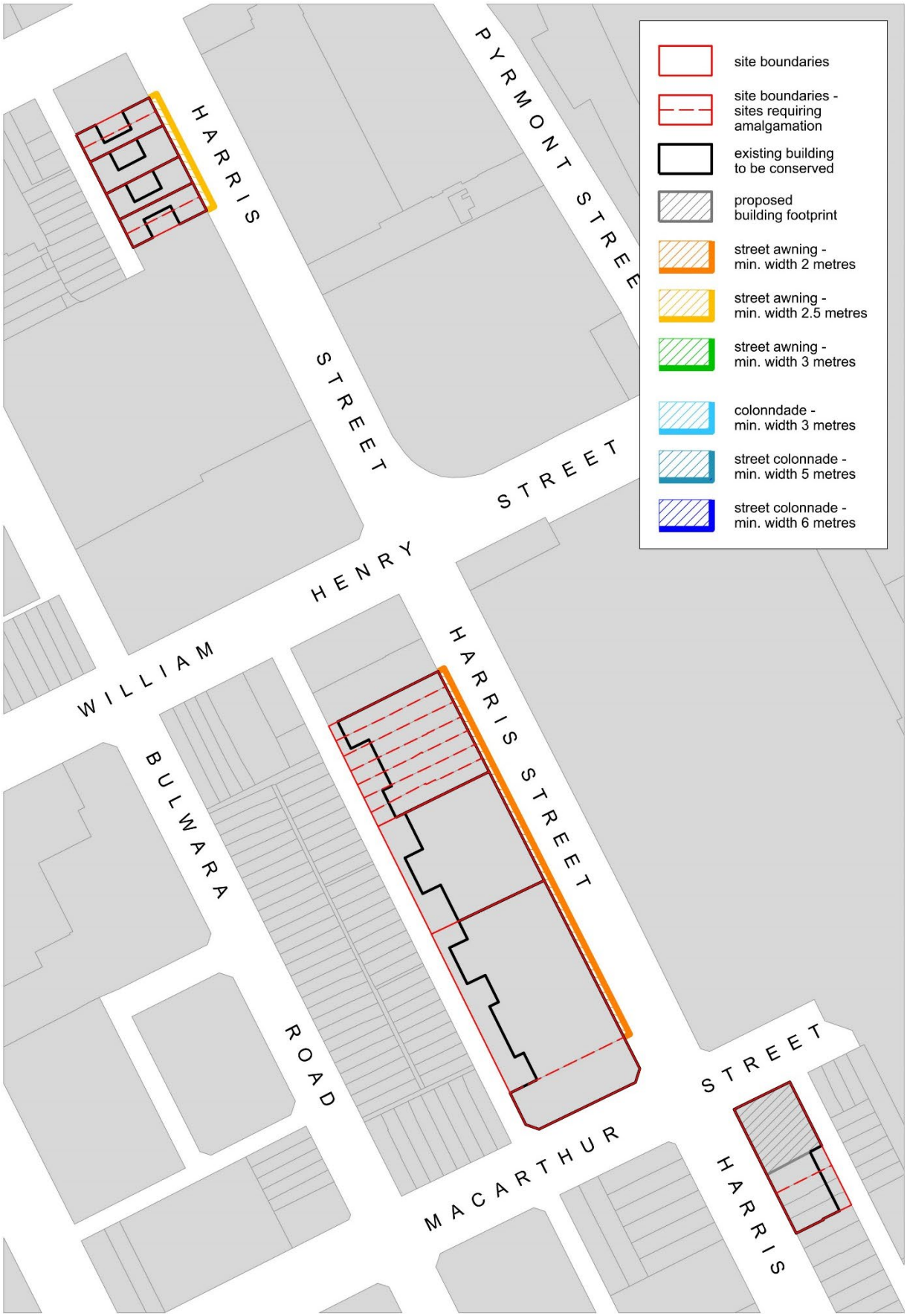


Figure 72 Group D - Harris Street Ultimo - Awnings and Colonnades Map

[Public exhibition note: Figure 72 Group D - Harris Street Ultimo - Awnings and Colonnades Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Footpath, Awnings and Colonnades map.]*

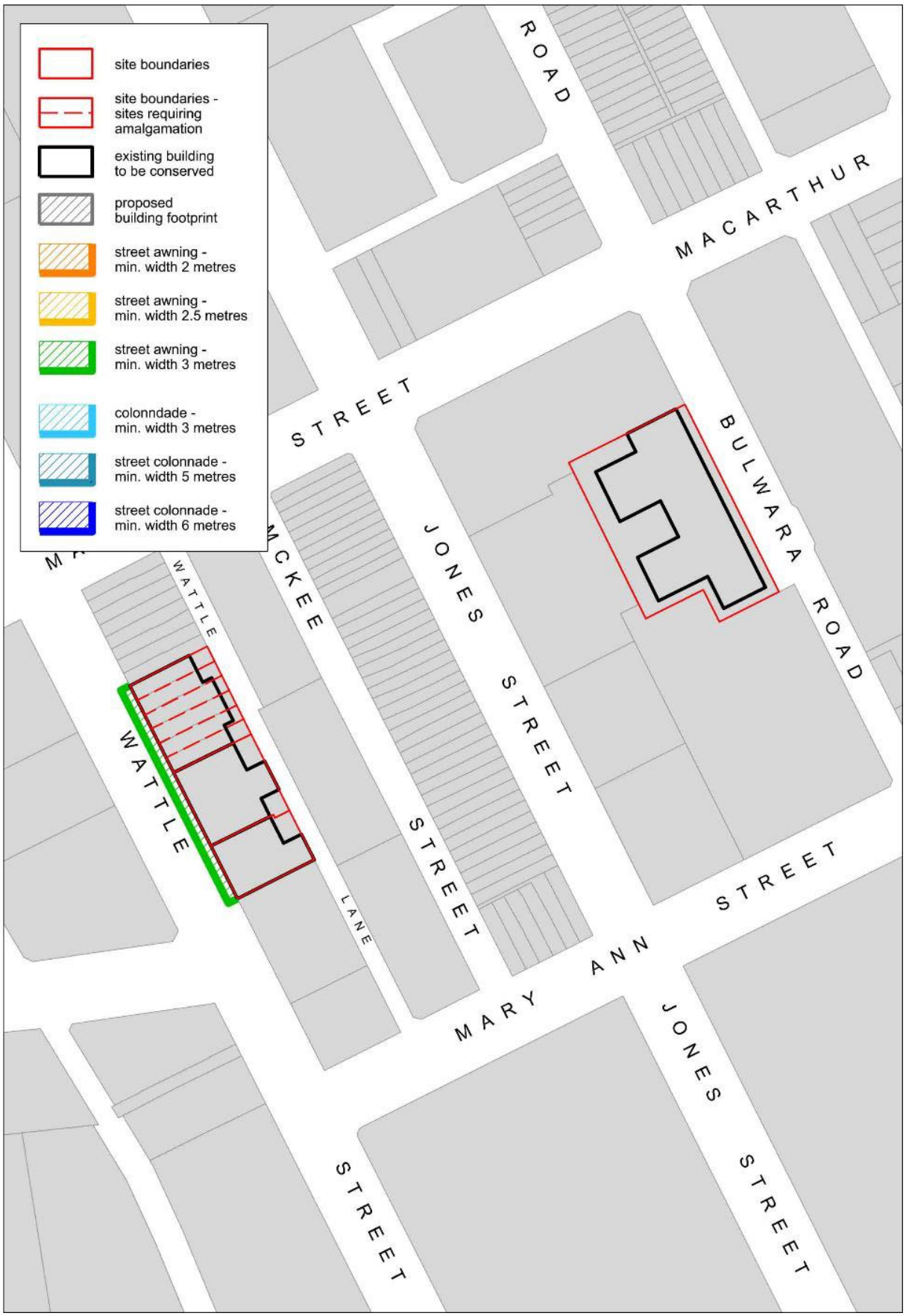


Figure 73 Group E - Wattle Street - Awnings and Colonnades Map

[Public exhibition note: Figure 73 Group E - Wattle Street - Awnings and Colonnades Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Footpath, Awnings and Colonnades map.]*



Figure 74 Miscellaneous sites - Awnings and Colonnades Map

[Public exhibition note: Miscellaneous sites - Awnings and Colonnades Map is provided for public exhibition purposes only and shows sites where this draft DCP will amend the *Footpath, Awnings and Colonnades map.]*

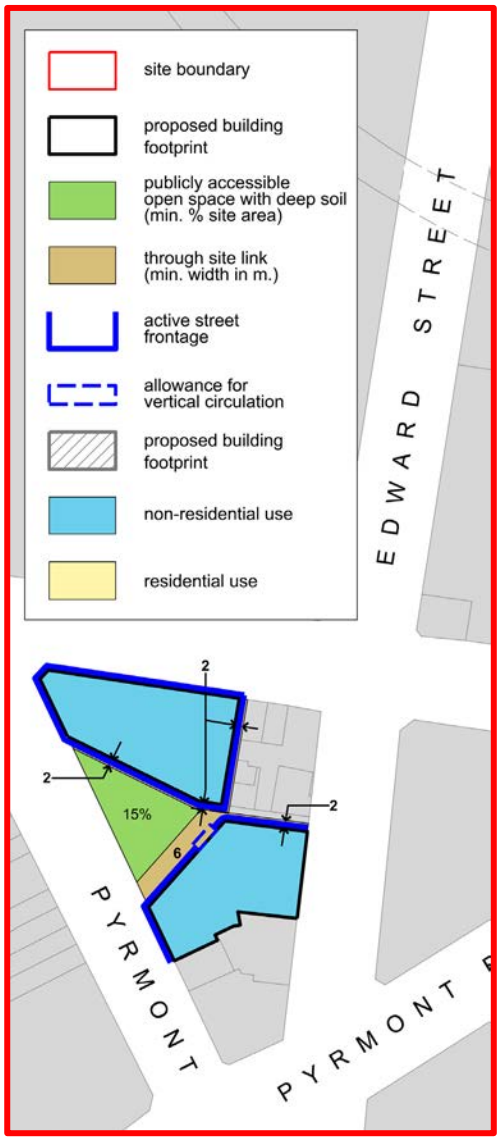


Figure 75 13A-29 Union Street – Alternative controls ground plane map

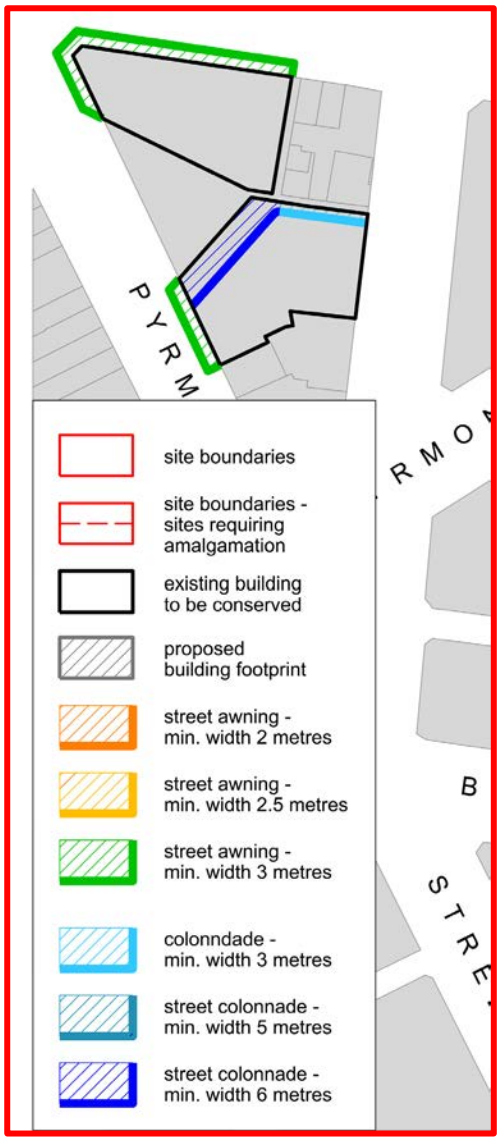


Figure 76 13A-29 Union Street – Alternative awnings and colonnades map

5.X.6 Land amalgamation

Objectives

(a) To facilitate the planned built form in efficient buildings and with high amenity.

Provisions

(1) The maximum Floor Space Ratio and Height of Building applicable to sites identified in Figures 707 to ~~73~~80 may only be achieved when landholdings are amalgamated in accordance with Figures 707 to ~~73~~80.

(2) Any alternative land amalgamation scheme must be supported by an urban design study and will be assessed on its merits.

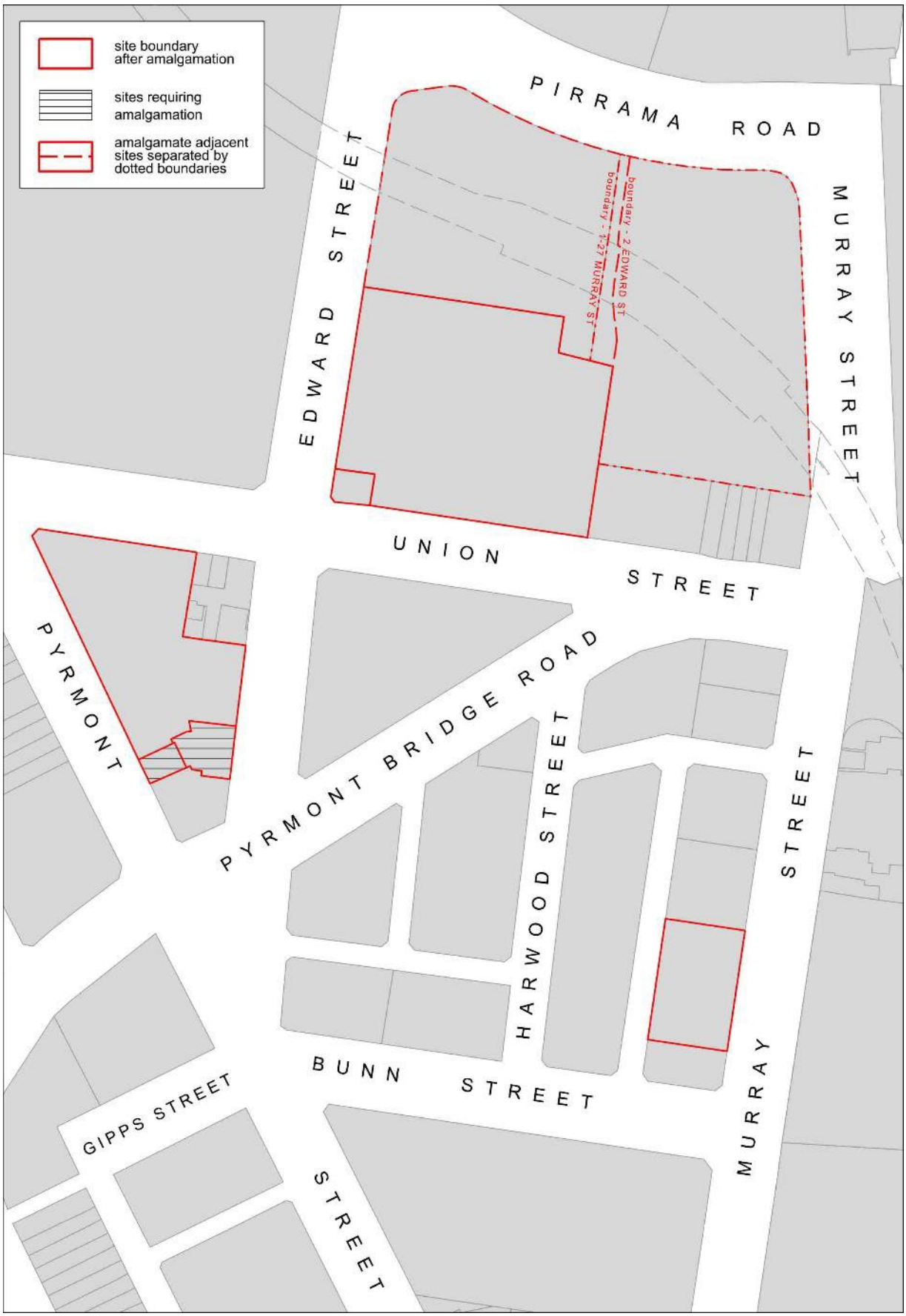


Figure 77 Group A - Metro Station - Required Land Amalgamation Map

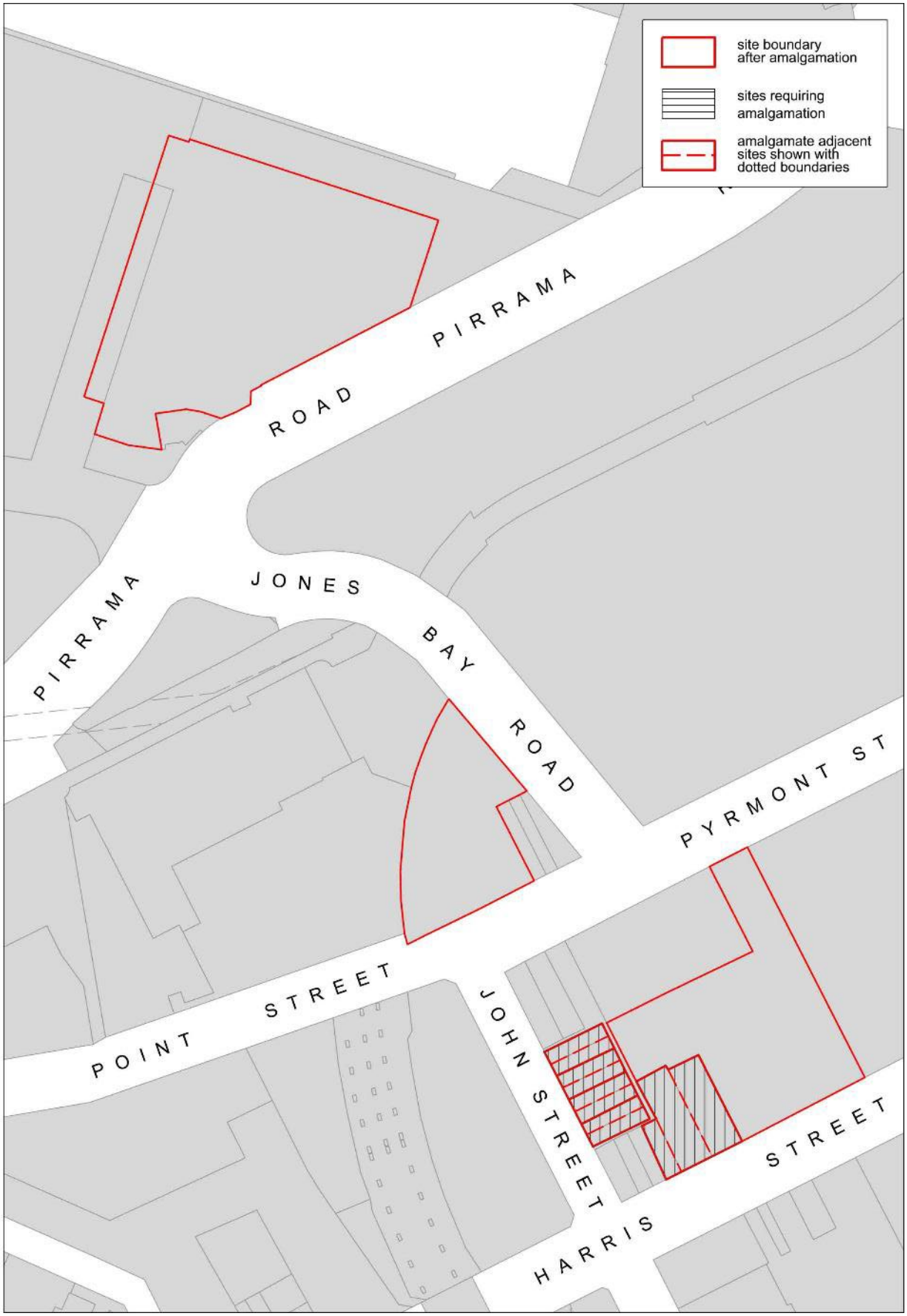


Figure 78 Group B - John Street - Required Land Amalgamation Map

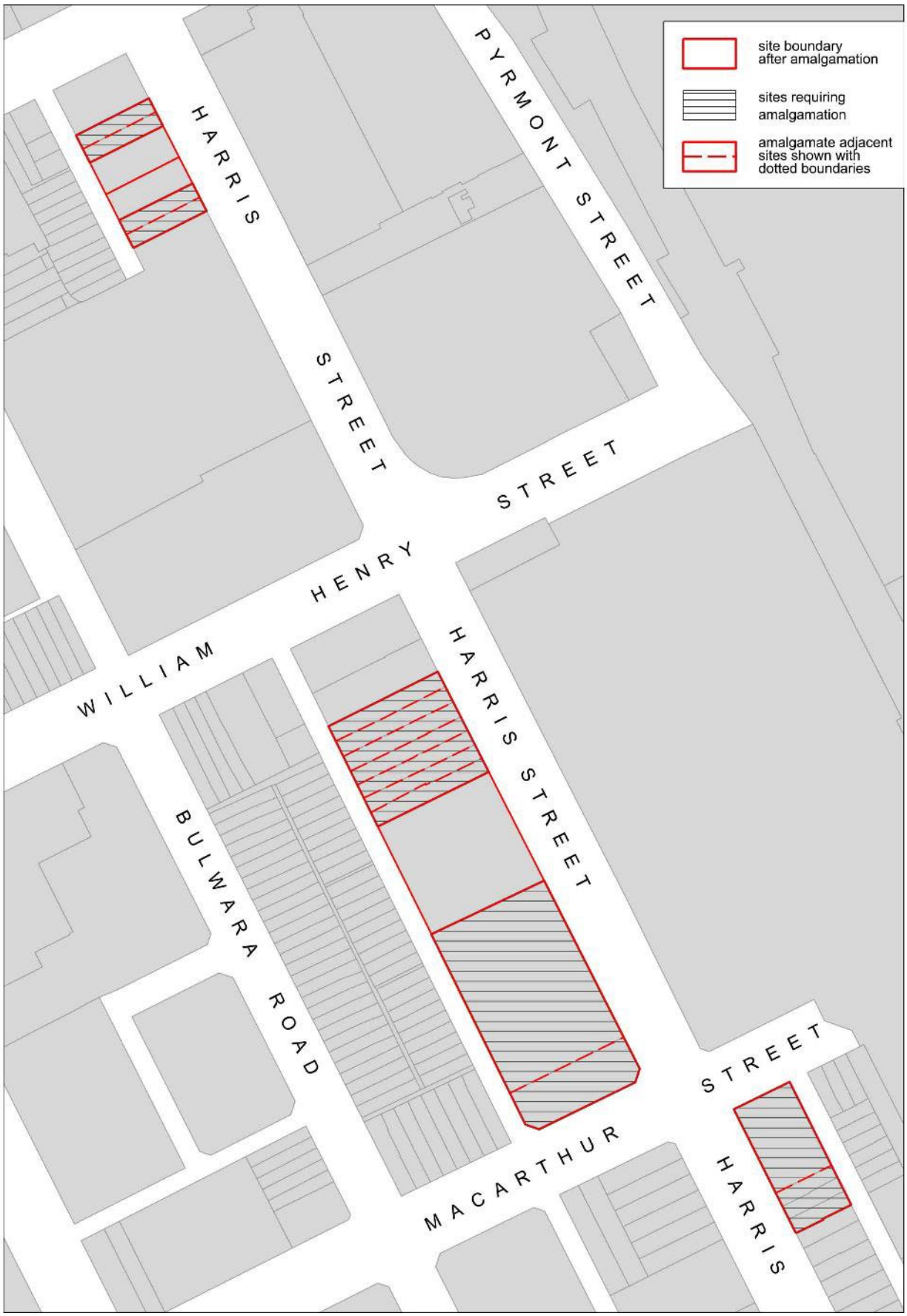


Figure 79 Group D - Harris Street - Required Land Amalgamation Map

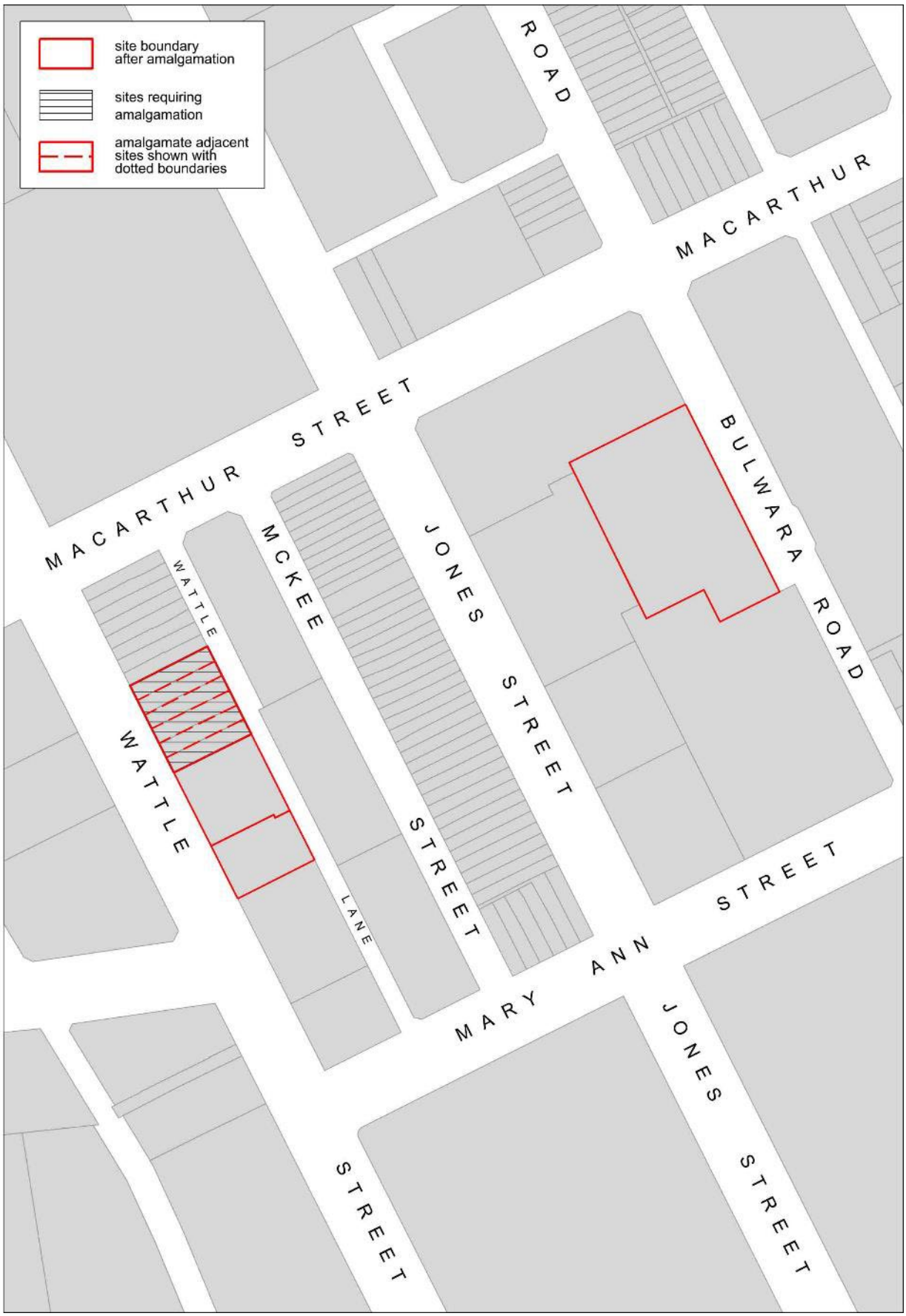


Figure 80 Group E - Wattle Street - Required Land Amalgamation Map

~~**5.X.7. Design excellence strategy**~~

~~This section applies to the land identified in Figure 2 Groups of sites included.~~

~~Objectives~~

~~(a) To ensure that the building design is the result of an architectural design competition to achieve design excellence.~~

~~Provisions~~

~~(1) Separate competitive design processes are to be undertaken for each competitive design process site in accordance with Clause 6.21D of Sydney LEP 2012 and the City of Sydney Competitive Design Policy.~~

~~(2) For each competitive design process site, a minimum of three architectural firms, including at least one emerging architectural firm, must participate.~~

~~(3) The selection panel is to comprise a total of four (4) members. The proponent is to nominate two (2) panel members and the City of Sydney is to nominate two (2) panel members.~~

~~(4) No additional height is to be awarded as a result of a competitive design process.~~

5.X.8. Managing wind impacts

Objectives

(a) To ensure the safety and comfort of people in streets and publicly accessible areas

Provisions

(1) Provisions relating to wind in Sydney DCP 2012 apply to Ultimo Pyrmont.

(2) Publicly accessible open space is to be considered a public place for the purposes of Table 3.9 Relevant wind safety standards and criteria for adjacent public place uses.

(3) Development is to provide wind tunnel testing that demonstrates that publicly accessible open space complies with the following wind standard:

a) Wind Comfort Standard for Walking for any active use areas; and

b) Wind Comfort Standard for Sitting for all other areas.

(4) At least 50 per cent of a site's publicly accessible open space must be suitable for sitting.

(5) Development is to provide wind tunnel testing that demonstrates that through-site links comply with the Wind Comfort Standard for Walking.

(6) Recommendations from wind experts as a result of the testing required at (2) above are to be implemented to ensure safe and comfortable conditions for walking in all the surrounding public space and publicly accessible open space.

(7) Building corners are to be curved and the profile shaped, including additional setbacks, to minimise wind downdraft as shown in Figures 30 and 32.

(8) A minimum 6 metre setback above street wall height is to be provided to arrest wind downdraft as shown in Figure ~~34~~32 and Figure ~~36~~38.

(9) Where a taller tower structure is proposed, such as that at 26-38 Saunders Street, provide a clear horizontal break in the building form as illustrated in Figure 81, that:

a) is located at least above the level of any upper level setback to the building podium;

b) is a minimum of 9 metres in height to minimise wind downdraft at street level;

c) allows access only for maintenance; and

d) minimises physical elements in the break other than vertical circulation, structural columns, and plant equipment

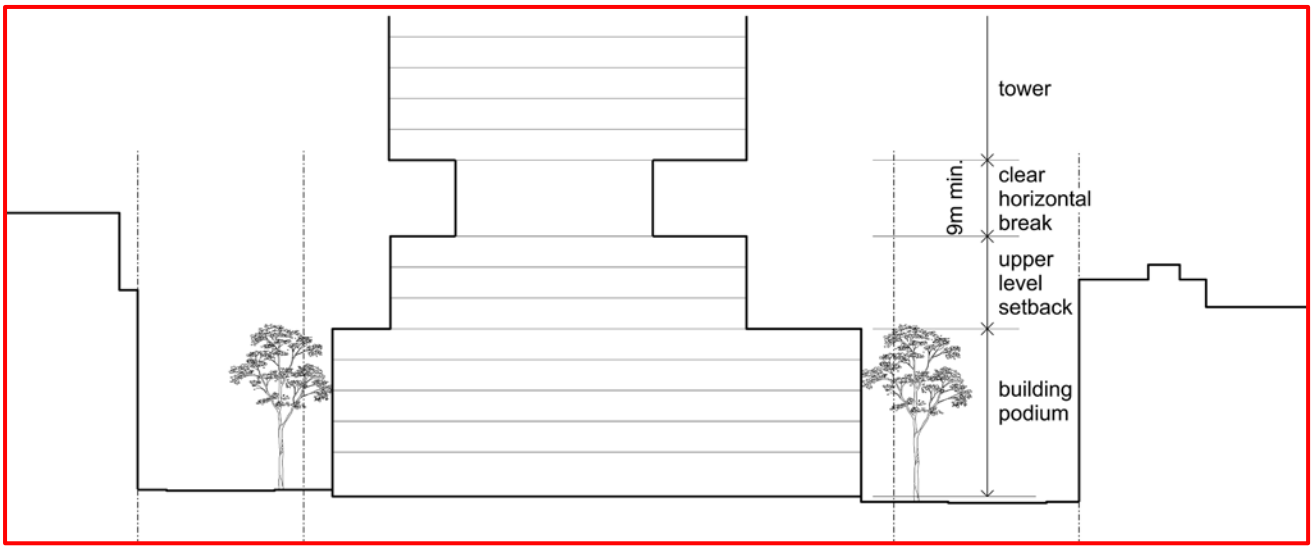


Figure 81 Clear horizontal breaks in tower structures to manage wind impacts

5.X.9. Noise and ventilation

This Section must be read in conjunction with the NSW Apartment Design Guide objectives for noise and ventilation.

Objectives

(a) To ensure appropriate natural ventilation and comfort for people living in apartments.

(b) Ensure appropriate facade design to maximise internal amenity in apartments.

Provisions

(1) Provisions relating to environmental noise in Sydney DCP 2012 apply to Ultimo Pyrmont.

(2) Street cross sections, including residential building depth and arrangement of internal spaces to attenuate noise, are to be generally in accordance with section 5.X.4, including the provision of continuous, unbroken buildings along busy roads to act as noise barriers.

(3) Residentail buildings fronting busy roads are to be no more than 9 metres deep inclusive of all built elements.

(4) Habitable rooms are to be located so that windows required for ventilation face away from busy roads.

(5) Non-habitable rooms, vertical circulation and common access corridors may be located on the busy road side of the building. Habitable rooms are only permitted to have a frontage to busy roads where they also have a frontage to which they can be naturally ventilated.

(6) Any windows facing busy roads are to provide appropriate noise protection and are not to be used for ventilating habitable rooms.

(7) Windows to habitable rooms on the ends of buildings perpendicular to busy roads are to be minimised.

(8) Windows to habitable rooms in these locations are to have external projecting noise shields with a projection of 0.6-1m that may extend into the primary ground level setback, publicly accessible open space and the street reservation.

Note: In Ultimo Pyrmont, busy roads include Wattle Street, the Western Distributor, Harris Street (south of Pyrmont Bridge Road), Pyrmont Bridge Road and William Henry Street as shown in Figure 3.

(9) Buildings with ground floor non-residential premises are to provide for appropriate exhaust ventilation to accommodate food and beverage services that avoid noise and air quality impacts to residential premises.

5.X.10 Ultimo-Pyrmont small lot housing

This section applies to sites identified as Small lot housing in the Sydney LEP 2012.

Clause XX [new clause] of the Sydney LEP 2012 provides for the subdivision of identified sites and construction of small lot housing, a new small dwelling similar in size to a studio to increase housing diversity and improve the amenity of small streets. The subdivision of land is a requirement for this development type.

The height in storeys control limits these buildings to two storeys to ensure development relates to the character of a neighbourhood and streetscape. The Sydney LEP 2012 maximum height in metres allows for roof plantings, roof terraces and access to the roof terrace.

Objectives

(a) Provide for a diverse range of housing options within identified areas of Ultimo-Pyrmont.

(b) To create small lot houses fronting rear streets that are attractive, liveable and usable.

(c) Ensure that appropriate private open space is provided for existing and new dwellings.

(d) Ensure that appropriate sun access to private open space is provided.

(e) That any small lot housing developments are accompanied by the subdivision of land.

(f) Encourage the use of public and active transportation over private vehicle use.

(g) Support pedestrian focussed streets by reducing the amount of driveway crossovers.

(h) Increase tree canopy to limit the impacts of heat and increase amenity and wellbeing.

(i) To minimise impacts on adjoining properties.

5.X.10.1 Subdivision

(1) The existing lot (the lot containing the existing dwelling after subdivision) is to have:

Description	Control
Minimum lot size	N/A
Minimum lot width	N/A
Minimum lot dimension	N/A
Open Space	Consolidated 16m² with a minimum 3m width

(2) The proposed lot (the lot containing the new small lot dwelling after subdivision) is to:

a. have a frontage to a street with a minimum width of 6m; and

b. be capable of accommodating a small lot dwelling which meets the requirements in Section 5.X.10.3 Building layout, form, design and open space.

(3) A development application for subdivision must include the development of a small lot dwelling.

5.X.10.2 Car parking, vehicle crossings and street trees

(1) Car parking is prohibited under this development type, for both the existing and proposed lot.

(2) Where the subdivision of land and construction of small lot housing is carried out:

a. a street tree must be planted;

b. any existing vehicle crossing is to be removed; and

c. any footpath reinstated.

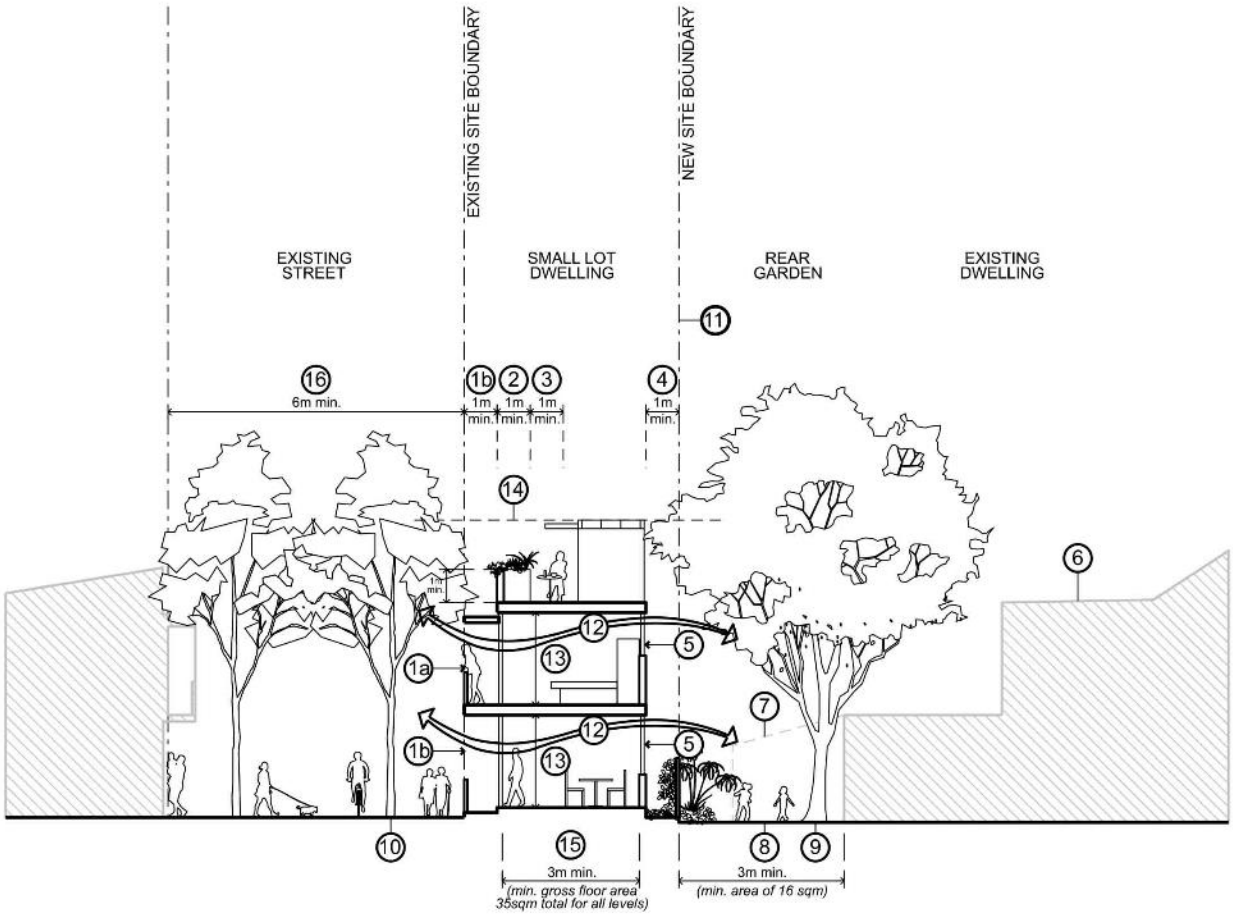
(3) Any street tree planting is to be carried out in accordance with the City of Sydney Street Tree Masterplan, Street Tree Masterplan Precinct Plan and Street Tree Masterplan Technical Guidelines.

5.X.10.3 Building layout, form, design and open space

(1) A small lot dwelling is to meet the following standards:

Standard	Control
Minimum street width	6m
Front setback	0m
Side setback	0m
Minimum rear setback from new lot boundary	1m (excluding any privacy screens)
Height in storeys	2 (excluding any access to roof terrace)
Minimum Gross Floor Area (excluding any stairwell)	35m²
Minimum internal width and depth of internal habitable rooms	3m
Minimum floor to ceiling heights for habitable rooms	2.7m
Minimum solar access	2 hours direct sunlight on winter solstice to 1m² of a living room window 2 hours direct sunlight on winter solstice to 1m² of private open space
Cross ventilation	Natural cross ventilation required on each level
Minimum front balcony depth	1m
Rooftop terrace	4m² minimum area 1m minimum depth 2m front setback
Roof garden	1m minimum soil depth 1m minimum dimension and to extend the full width of the site 1m front setback

(2) A small lot dwelling is to be in accordance with Figure 82.



LEGEND

1a front balcony overlooks street (min. depth 1m)

1b front balcony for privacy and utility requirements (min. depth 1m)

2 roof garden (min. soil depth 1m, min. dimension 1m, min. setback 1m from street)

3 private open space on roof (min. dimension 1m, min. area 4sqm)

4 rear setback (min. 1m) allows for windows, natural cross-ventilation

5 design windows to provide privacy to existing neighbouring private open space and windows, privacy devices allowed in rear setback zone

6 retain original dwelling and original rear wing in heritage conservation areas and for heritage items

7 remove non-original structures if required

8 private open space to original dwelling

9 retain existing trees

10 new street tree

11 new boundary

12 natural cross ventilation to each level

13 2.7m minimum floor to ceiling height

14 9 metre maximum height

15 3 metre minimum internal width and depth

16 existing street minimum width 6m

Figure 82 Small Lot Houses Typical Section



Attachment E

Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 (as amended following public exhibition)



Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023

October 2025
(Amendments following public exhibition shown in red)

CITY OF SYDNEY

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Cover photo: Wentworth Park

Summary

Growth requires infrastructure

By 2041, Ultimo and Pyrmont are forecast[1] to grow by approximately:

- 4,100 new dwellings
- 8,700 new residents
- 20,000 – 27,000 new workers.

This growing population will require additional or improved infrastructure to keep Ultimo and Pyrmont attractive, efficient and appealing for our existing community and to continue attracting jobs, visitors and investment.

This Plan enables the City to levy a contribution on new development to generate approximately $148M in contributions towards infrastructure in Ultimo and Pyrmont to 2041. It is appropriate that new development contribute its fair share towards the cost of new and improved infrastructure from which it will benefit.

Levy rate under this Plan

To fund new infrastructure through contributions, this Plan applies the following levy rates as permitted under Section 209(1) of the Environmental Planning & Assessment Regulation 2021:

Development cost * *** Refer to Section 2.3 of this Plan 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%

Facilities funded by this Plan levy

This Plan funds a variety of infrastructure, services and amenities including:

- **Open space** – such as capacity improvements to Wentworth Park;
- **Public domain improvements** – such as the Harris Street Living Green Network Priority Route;
- **Community facilities** – such as upgrades and capacity improvements to existing community centres;
- **Roads, traffic and transport facilities** – such as cycleway extensions;
- **Sustainability measures** – such as tree planting in parks and streets to increase canopy cover; and
- **Stormwater** - such as drainage upgrades.

These works are programmed for delivery in the timeframes described in the Schedule of Works at Appendix B to this Plan.

[1] City of Sydney forecast as at December 2023.

Development affected by this Plan

This Plan applies to development that:

- is located within Ultimo and Pyrmont, as shown in Figure 1 of this Plan;
- needs consent (including complying development);
- has a development cost of more than $250,000; and
- is not excluded under Section 2.2 of this Plan.

If approval is granted to a development subject to this Plan, a condition of consent will be imposed requiring the applicant to pay a monetary contribution ('the levy'), towards the cost of local infrastructure.

This levy is calculated at a rate of 1%, 2% or 3%, depending on the development cost.

This Plan provides transitional arrangements, information on how to calculate the development cost and what development may be excluded.

Life of this Plan

This Plan will operate until:

(i) all of the contributions for works items listed in Appendix B of this Plan have been collected from relevant development approvals; or

(ii) the time the Plan is repealed by the Council;

whichever occurs first.

Key steps for applicants

Applicant estimates the development cost – before obtaining a construction certificate or commencing works authorised by a complying development certificate, the applicant provides information to the City about the development cost in accordance with requirements in this Plan together with copies of construction certificate or complying development certificate plans and details of any claimed exclusions from the development cost under Section 2.3 of this Plan.

The City determines the development cost, any exclusions, and the levy – the City reviews the information provided by the applicant and issues the applicant with a letter confirming the correct levy amount payable.

Applicant pays the levy – the applicant pays the levy to the City and obtains a receipt. If the applicant does not pay the levy within 3 months from the date the City calculates the levy, the applicant must provide an updated cost of works to the City, which will be used by the City to recalculate the levy.

Applicant provides payment receipt to certifier – the applicant provides the accredited certifier (the City or a private certifier) with the City's letter and levy payment receipt to obtain a construction certificate or prior to the commencement of any works authorised by a complying development certificate.

Further information

Further information on development contributions is also available on the City's website at www.cityofsydney.nsw.gov.au.



Union Square, Pyrmont

Background

1.1 Name of this Plan

This plan is called the Draft Ultimo Pyrmont Local Infrastructure Contributions Plan 2023 (or 'this Plan').

1.2 Legislation enabling this Plan

This Plan has been prepared in accordance with Section 7.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act).

Under this Plan, if a consent authority imposes a condition of consent upon development requiring a contribution under Section 7.12 of the EP&A Act, the consent authority cannot impose a condition of consent on the same development requiring a contribution under Section 7.11 of the EP&A Act.

1.3 Purpose of this Plan

The purpose of this Plan is to enable the City to apply a levy upon development to be applied towards public amenities and public services to meet the needs of the growing residential, workforce and visitor populations in Ultimo and Pyrmont.

The Plan will assist in achieving the objectives and directions of key City of Sydney and New South Wales Government planning strategies including:

- the Greater Cities Commission's *A Metropolis of Three Cities – the Greater Sydney Region Plan;*
- the Greater Cities Commission's *Eastern City District Plan;*
- the Department of Planning and Environment's *Pyrmont Peninsula Place Strategy;*
- the Department of Planning and Environment's *Pyrmont Peninsula Infrastructure Delivery Plan;*
- the City's *Sustainable Sydney 2030 – 2050 Continuing the Vision;* and
- the City's *Local Strategic Planning Statement.*

The population growth generating demand for enhanced public amenities and public services over the life of this Plan is outlined in Appendix A, while the Schedule of Works in Appendix B identifies the public amenities and public services to be funded or recouped by the City using the levy. Appendix C provides a dictionary of terms used in this Plan.

1.4 The land where this Plan applies

This Plan applies to land in Ultimo and Pyrmont, as shown in Figure 1.

1.5 Relationship between the expected types of development in the area to which the Plan applies and the demand for additional public amenities and services related to that development

This relationship is described at Appendix A: Basis for the levy and the Strategic Framework.

1.6 The percentage of the Section 7.12 levy and quarterly updating or indexing of the proposed cost of development

The percentage of the Section 7.12 levy is determined by the development cost, as per the following table:

Development cost * *** Refer to Section 2.3 of this Plan 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%

The process for quarterly updating or indexing the cost of development is described in Section 2.4 of this Plan.

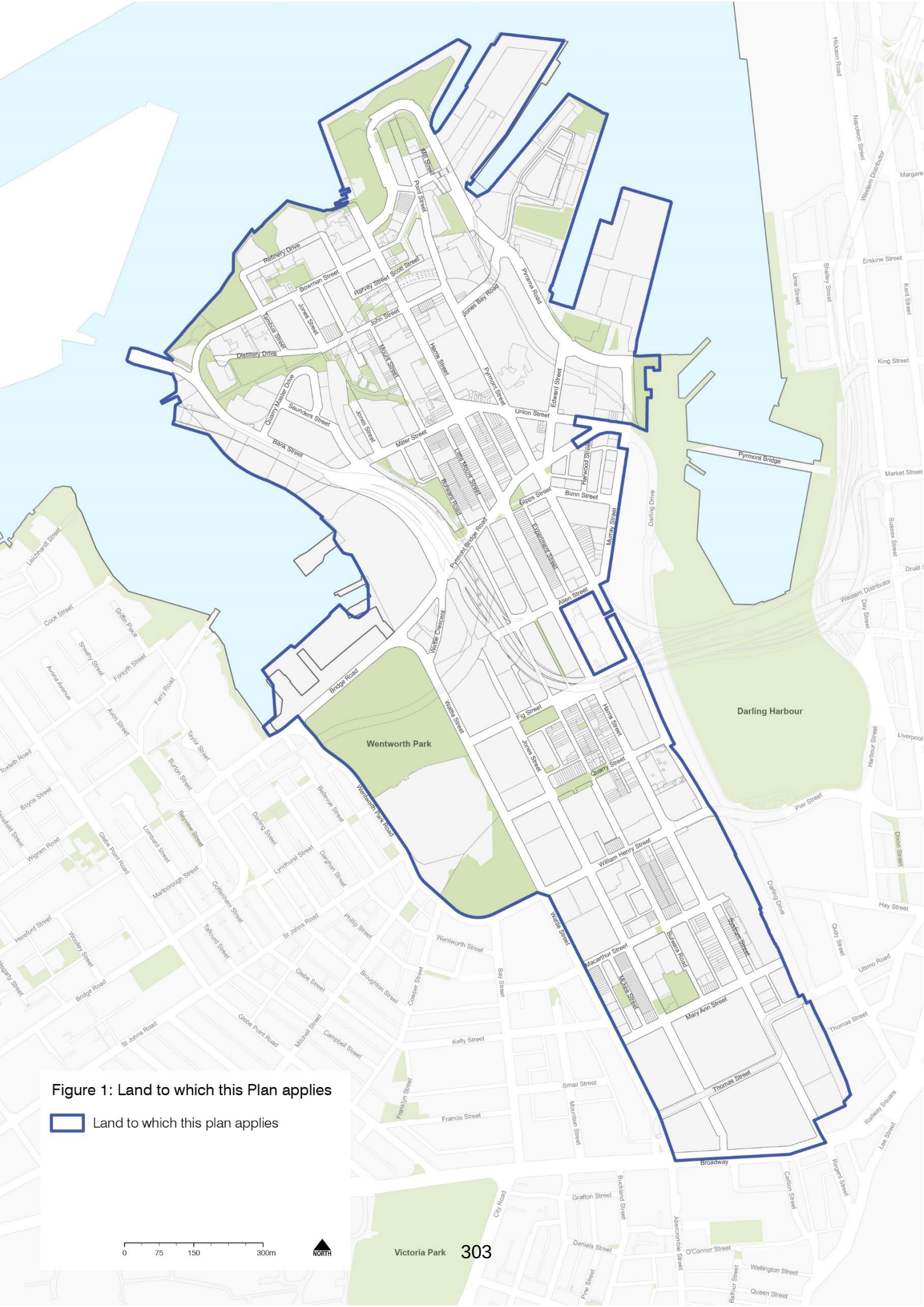


Figure 1: Land to which this Plan applies

Land to which this plan applies

1.7 Payment of section 7.12 levies and deferred or periodic payment of levies

Section 2.4 of this Plan describes the requirements for the payment of levies under this Plan and the conditions that allow deferred or periodic payment of the levy.

1.8 Map showing the specific public amenities and services proposed to be provided by the City

A map showing the specific public amenities and services proposed to be funded in part or whole through contributions under this Plan is shown at Figure 2 in Appendix B to this Plan. A works schedule that contains an estimate of their cost and staging of delivery is at Appendix B to this Plan.

1.9 Pooling of levy payments

To assist in the delivery of works items in the Plan, the City may pool levy payments and apply the pooled levy funds to selected projects in the Schedule of Works.

The City is satisfied that the pooling and progressive application of the money paid will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

1.10 Complying development

This Plan makes provision for the imposition of conditions of consent under Section 7.12 of the EP&A Act in relation to the issue of complying development certificates.

The payment of monetary Section 7.12 levies in accordance with those conditions is to be made before commencement of any building work or subdivision work authorised by a complying development certificate.

1.11 Commencement date for operation of this Plan

This Plan was adopted by Council on XXXXX and Section 209(1) of the Environmental Planning and Assessment Regulation 2021 was amended by the Minister for Planning and Public Spaces on XXXXX.

This Plan commenced operation on XXXXX.

1.12 Transitional arrangements

This section of the Plan describes the arrangements for development applications and applications for complying development certificates made before, and after, the commencement of this Plan. It explains arrangements for modification applications. It also sets out arrangements for development consents that existed before the commencement of this Plan.

This Plan replaces and repeals the *City of Sydney Development Contributions Plan 2015* ('the 2015 Predecessor Plan') for development applications on land identified in this Plan at Figure 1 which are made on or after the date of commencement of this Plan, being XXX, as well as for applications to modify consents granted to those development applications.

This Plan applies to development applications or applications for a complying development certificate made on or after the date this Plan commenced.

This Plan does not apply to development applications or applications for a complying development certificate which were made before the date of commencement of this Plan. For those applications, the contributions plan in force on the date the application was made applies.

For applications to modify a consent under Division 4.9 of Part 4 of the EP&A Act, the contributions plan that applied to the original development consent will apply.

For development consents that existed before the commencement of this Plan, this Plan does not affect any conditions of consent referring to the 2015 Predecessor Plan or any earlier Plans. Any monies that were paid, or are required to be paid, under the 2015 Predecessor Plan for development on land where this Plan applies may be pooled with contributions under this Plan and applied to the Schedule of Works in this Plan.

1.13 Life of this Plan, accountability, review and status of elements

a) Life of this Plan

This Plan operates until all of the contributions for works projects listed in Appendix B of this Plan have been collected from relevant development approvals, or the time the Plan is repealed by the Council, whichever occurs first.

b) Accountability

The City is accountable for the administration of this Plan in the following ways:

- maintaining public access to a contributions register and a planning agreements register;
- maintaining public access to accounting records for levy receipts and expenditure;
- annual financial reporting of contributions; and
- maintaining public access to this Plan and supporting information.

As required by the EP&A Regulation 2021, these documents must be made publicly available on the NSW Planning Portal and the City's website.

The City will also periodically review this Plan and seek public input as part of the review.

c) Review of this Plan

The City will review this Plan five years from the date it comes into force, to ensure the Plan addresses community needs, contemporary strategic planning directions and priorities, integrated community facilities planning, the City's capital works program and legislative requirements.

d) Status of selected Plan elements

The appendices to this Plan form part of the Plan.

The Summary in this Plan is provided for guidance and does not form part of the Plan.



Pirrama Park, Pyrmont



Union Street, Pyrmont

How to use this plan

2.1 Calculating the levy

As permitted under Section 209(1) of the Environmental Planning & Assessment Regulation 2021, this Plan applies the following levy rates to development:

Development cost * * Refer to Section 2.3 of this Plan 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%

For development with a development cost of more than $250K, the levy payable will be:

Development cost x corresponding levy rate

Examples:

- A new development has a cost of $300K. The levy payable will be $300K x 1% = $3,000.
- A new development has a cost of $750K. The levy payable will be $750K x 2% = $15,000.
- A new development has a cost of $2.4M. The levy payable will be $2.4M x 3% = $72,000.

Development covered by this Plan and information about determining the development cost is provided in Sections 2.2 and 2.3 of this Plan.

2.2 Development subject to the levy

This Plan applies to any development that:

- is located on land within Ultimo and Pyrmont, as shown in Figure 1;
- needs development consent, including complying development;
- has a development cost of more than $250,000; and
- is not excluded in accordance with subsection 2.2(b) below.

a) Complying development

This Plan applies to complying development. For complying development where this Plan applies, the accredited certifier, including any private certifier, must, subject to the provisions of this Plan, impose a condition pursuant to s7.12 of the EP&A Act requiring payment of the levy in accordance with Section 2.1 of this Plan.

The levy must be paid in accordance with the provisions of Section 2.4 of this Plan.

b) Development excluded from the levy

Development excluded from the need to pay a contribution is listed in the following table. Applicants should describe how their development is consistent with the relevant exclusion in their development application. If the City is satisfied the development is consistent with the relevant exclusion, it will exclude the development from the need to pay a contribution.

For complying development, the City must first verify any exclusions in writing, following submission of relevant details on the nature of the proposal.

Where the proposal includes a range of works or a mix of land uses, only the works or uses excluded under this Plan will be excluded from the need to pay a contribution. All other works and uses are to be levied with development contributions in accordance with this Plan.

A development application seeking a partial exclusion must identify the spaces, works and costs relevant to the land use said to be the subject of the exclusion.

Development excluded from the need to pay a contribution
1. Places of public worship provided by or on behalf of a charity or not for profit organisation*
2. Emergency services facilities (fire stations, police stations and ambulance stations)
3. Development excluded from contributions by a Ministerial Direction under section 7.17 of the EP&A Act
4. Government schools (established under the *Education Act 1990* by the Minister for Education)
5. Affordable housing* or social housing* – development for the purpose of providing affordable housing or social housing by a social housing provider. (For the avoidance of doubt, development to which Chapter 3, Part 4 of the State Environmental Planning Policy (Housing) 2021 applies is not development excluded from the need to pay a contribution)
6. Alterations and additions to an existing: - dwelling house; - attached dwelling; or - dual occupancy
7. Temporary development* of no more than 90 days from the start of set up to the completion of clean up
8. Monuments, memorials, sculptures and art installations on public land
9. City of Sydney development – development undertaken by or on behalf of the City of Sydney. Notes: (a) this is limited to those works costs associated with delivering only the City asset, not any costs associated with a wider structure or space; and (b) works costs undertaken by tenants of City-leased buildings are subject to contributions
10. Development listed in Appendix B to this Plan

Notes

* Definitions of terms described in this table are provided in the Dictionary at Appendix C.

c) State significant development and Critical state significant infrastructure development and contributions

The Plan applies to State significant development.

For Critical state significant infrastructure (CSSI) development, the City will assess the public services and public amenities needs of any ancillary land uses or works not directly associated with the operation of the CSSI (e.g. retail or commercial uses), in providing advice to the Department of Planning, Housing and ~~Environment~~ Infrastructure regarding the levying of contributions.

2.3 Determining the development cost

This section must be read in conjunction with Section 208 of the Environmental Planning and Assessment Regulation 2021, which sets out provisions for the determination of development cost for the purpose of calculating contributions pursuant to section 7.12 of the EP&A Act.

The proposed cost of carrying out development must be determined by the consent authority. The applicant must provide the City with information on the proposed development cost prior to the City issuing a written Statement of Contributions Owing. The City will review the estimated development cost submitted and if considered necessary, carry out independent cost verification. The City will issue the applicant with a letter confirming the levy amount payable for the proposed development. This requirement also applies to complying development and any modification application (where relevant).

a) Items to include or exclude from the development cost

The proposed development cost generally includes:

- any costs and expenses associated with carrying out the proposed development; and
- any costs and expenses incurred that are necessary to make the site, building, or premise suitable for its intended use.

When determining the development cost, a project is considered in its entirety, irrespective of whether an individual component or components may not require development consent. Examples of items to include and exclude in the development cost are listed in the following tables.

If an applicant seeks an exclusion for any of the works listed in Section 2.3 of this Plan, the applicant should still include the cost of the item in the development cost. This is to permit the City to determine the appropriate value of the exclusion if made, or, if the City does not exclude the works from the levy, to include the development cost without the need to request a further cost estimate from the applicant.

Examples of items to include in the development cost
1. Preliminaries, e.g., scaffolding, hoarding, fencing, site sheds, delivery of materials, waste management
2. Internal fit out, e.g., flooring, wall finishing, fittings, fixtures, bathrooms and equipment
3. Demolition works including cost of removal from the site and disposal
4. Professional fees as part of the design e.g., architects and consultant fees
5. Site preparation, e.g., clearing vegetation, decontamination or remediation
6. Excavation or dredging including shoring, tanking, filling and waterproofing
7. Internal services, e.g., plumbing, electrics, air conditioning, mechanical, fire protection, plant, lifts
8. External services, e.g., gas, telecommunications, water, sewerage, drains, electricity to mains
9. Building construction and engineering, e.g., concrete, brickwork, plastering, steelwork / metal works, carpentry / joinery, windows and doors, roofing
10. Other structures, e.g., landscaping, retaining walls, driveways, parking, boating facilities, loading area, pools
11. GST Charges
12. Other related work including any other items not expressly excluded
13. If the development involves a change of use of land – the costs of or incidental to doing anything necessary to enable use of the land to be changed
14. If the development involves the subdivision of land – the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights

Items to exclude from the development cost - (Section 208(4) of the EP&A Regulation 2021)
1. The cost of the land on which the development will be carried out
2. The costs of repairs to a building or works on the land that will be kept in connection with the development
3. The costs associated with marketing or financing the development, including interest on loans
4. The costs associated with legal work carried out, or to be carried out, in connection with the development
5. Project management costs associated with the development
6. The cost of building insurance for the development
7. The costs of fittings and furnishings, including refitting or refurbishing, associated with the development, except if the development involves an enlargement, expansion or intensification of a current use of land
8. The costs of commercial stock inventory
9. The taxes, levies or charges, excluding GST, paid or payable in connection with the development by or under a law
10. The costs of enabling access by people with disability to the development
11. The costs of energy and water efficiency measures associated with the development
12. The costs of development that is provided as affordable housing
13. The costs of development that is the adaptive reuse of a heritage item

b) What information must applicants provide?

Applicants must provide the City with the following information to assist it determine the development cost and contributions levy:

- **a cost summary report** – this sets out all the costs and expenses that have or will be incurred by the applicant to carry out the development. Applicants must use the template cost summary reports provided by the City to provide information on the development cost – further information on this is provided below;
- **plans** – copies of plans accompanying the construction certificate /subdivision works certificate or complying development certificate application; and
- **claimed exclusions** – in instances where an applicant seeks to exclude certain costs and expenses from the development cost under section 208(4) of the Environmental Planning and Assessment Regulation 2021, the City will require evidence in relation to the proposed exclusion.

In providing information on the development cost, the cost summary report to be used will depend on the cost of the proposed development:

- **More than $3,000,000** – a AIQS[2] Certified Quantity Surveyor or a RICS[3] Chartered Quantity Surveyor must provide a completed City of Sydney *Quantity Surveyor's Detailed Cost Report*;
- **More than $250,000 and up to and including $3,000,000** – a suitably qualified person such as the Project Architect or Project Manager must provide a completed City of Sydney *Cost Summary Report*;
- **Below $250,000** – a cost summary report will not usually be required, but the City reserves the right to request that a suitably qualified person such as the Project Architect or Project Manager provide a completed City of Sydney *Cost Summary Report*.

Electronic copies of the *Quantity Surveyor's Detailed Cost Report* and the *Cost Summary Report* are available from the City's website at www.cityofsydney.nsw.gov.au.

The City will use the information provided in the cost summary report, plans and any supporting evidence to determine the cost of carrying out the development and the amount of monetary contribution payable. The City may seek the services of an independent qualified person to assist with determining the development cost.

2.4 Paying the levy

a) When is the levy payable?

In cases where a Construction Certificate or Subdivision Works Certificate is required, the levy must be paid prior to the issue of those certificates.

In cases where a complying development certificate is required, the levy must be paid before the commencement of any building work or subdivision work authorised by the certificate.

In any other situation, the levy must be paid before the commencement of that use or activity.

The levy is to be paid within three months from the date that the City issues the applicant with a written Statement of Contributions Owing. The applicant must make an application to the City for a written Statement of Contributions Owing prior to the payment of the levy.

b) How will the levy be adjusted?

If the levy is not paid within three months from the date that the City issues the applicant with a written Statement of Contributions Owing, then the applicant must provide the City with a revised development cost for the works. The City will then provide the applicant with a revised Statement of Contributions Owing.

The development cost for the works may, at the City's discretion as an alternative to submission of revised development cost, be adjusted to reflect the quarterly variations issued by the Australian Bureau of Statistics of the Consumer Price Index ~~(CPI)~~(All Groups Index) for Sydney, between the date from when the Statement of Contributions Owing was issued to the date when the revised Statement of Contributions Owing was issued.

c) Payment methods

Once an applicant receives the City's written Statement of Contributions Owing, applicants should pay the levy to the City. When paying the levy, applicants must include the City's written advice confirming the levy amount payable. Payments may be made by EFTPOS (debit card only), cash (up to $5,000 only), credit card (up to $300,000 only) or bank cheque made payable to the City of Sydney

[2] Australian Institute of Quantity Surveyors

[3] Royal Institution of Chartered Surveyors

council. Payments by direct bank transfer may be made only in consultation with the City. Direct debit, personal cheques and company cheques will not be accepted. Once payment has been made, the City will provide a receipt which the applicant must use to obtain a construction certificate or as proof of payment for complying development.

d) Deferred payment

An applicant for non-residential development that has a development cost of $50 million or more may apply to the City in writing – through an application under Section 4.55 or 4.56 of the EP&A Act – to defer payment of up to 50% of the levy from the first construction certificate/subdivision works certificate until prior to the issue of an occupation certificate.

Non-residential development includes:

- **commercial development** – such as retail and office space;
- **tourist accommodation** – including serviced apartments, motels and hotels; and
- **community facilities and amenities** – such as theatres and cinemas.

If the City allows a payment to be deferred, the deferred payment must be secured by an unconditional Performance Bond (such as a Bank Guarantee or Insurance Bond), issued by institutions regulated by APRA, and which complies with the City's Performance Bonds Policy and is unlimited in time for the value of the deferred payment. The applicant must provide the Performance Bond to the City prior to obtaining a construction certificate or commencing works authorised by a complying development certificate.

The deferred amount will be indexed quarterly for inflation from the date the Statement of Contributions Owing was issued and in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney, issued by the Australian Bureau of Statistics. The applicant should obtain the City's written advice regarding the indexation amount immediately prior to making a deferred payment.

Notwithstanding the value of the Performance Bond, any modification to the development made under Section 4.55 or 4.56 of the EP&A Act may result in changes to the value of the levy. If the levy is greater because of the modification, the Performance Bond must be replaced to reflect the revised value. A supplementary Performance Bond for the additional amount will not be accepted. The City will release the Performance Bond held upon acceptable submission of the replacement. The applicant shall meet all the costs of preparing any Performance Bond and their replacements.

Where an applicant offers to provide Works-In-Kind, dedicate land or provide other material public benefits through a planning agreement in accordance with Section 2.5 of this Plan, any provisions in the Planning Agreement relating to the provision of guarantees and timing for the provision of Works-In-Kind, material public benefits or monetary payments prevail over the provisions in this subsection.

e) Payment by instalment/periodic payments

Requests for payment by multiple instalments will not be granted.

f) Payment for concept development applications

Notwithstanding Section 2.4(e) of this Plan, where a development site has been the subject of a concept development approval for a number of discrete buildings, the City may consider accepting staged payment of the levy for each building.

g) Refunds

Councils are not obligated under legislation to refund a development contributions payment. Refunds are at the City's discretion. Nevertheless, the City may consider refunding a development contribution payment in the following circumstances:

- If a development is modified by virtue of Section 4.17(5) or Section 4.63 of the EP&A Act or an application is modified under Section 4.55 or 4.56 of the EP&A Act, the levy will be based on the development cost of the modified development.
- If a development is modified and the levy increases but the applicant has previously paid the levy, credit will be given for the previous levy payment with only the difference needing to be paid. If the levy decreases, the applicant may apply for a refund for the difference, subject to the requirements for refunds described in this subsection of the Plan.
- The applicant has not commenced the development and decides not to proceed with the consent (i.e., a development consent or complying development certificate), including cases where the consent has lapsed. In this case, the applicant will need to surrender the development consent or complying development certificate to the City in accordance with Section 4.63 of the EP&A Act.

- The extent of works and associated cost of works is reduced under a complying development certificate. In this instance a new complying development certificate, limited to the revised works area and cost must be issued and the previous complying development certificate must be cancelled/surrendered and the City be notified of the cancellation and the City's records amended.

Refunds will only be considered where:

- the applicant has applied to the City for the refund in writing within 12 months of paying the contribution for which the refund is sought. Refund requests made after 12 months of payment will only be considered in exceptional circumstances;
- the development to which consent has been granted has not commenced; and
- where relevant, the applicant surrenders the development consent, or the complying development certificate to the City.

The City will not refund a levy payment if the levy payment has been committed to works under recoupment or to works scheduled in this Plan to be delivered.

Information to be submitted with refund applications

The following information must be submitted with any application for a refund of contribution payments:

- Written request for a refund, including the basis of the request;
- A receipt relating to the contributions payment made;
- Where a development is not proceeding, a notice of voluntary surrender of the consent (see Section 4.63 of the EP&A Act) addressing matters in section 68 of the EP&A Regulation 2021; and
- Payment details to permit electronic funds transfer if approved by the City, namely
  - The name of the payee (Note: Payment is made to the person/company indicated on the original contributions payment receipt)
  - Account name;
  - Bank name;
  - BSB number; and
  - Account number.

2.5 Alternatives to the levy

a) Works-In-Kind, land dedication and material public benefits

The City prefers that any levy under this Plan be settled through monetary payment to fund the items in the Schedule of Works at Appendix B.

The City may consider an offer by an applicant to enter into a planning agreement to provide Works-In-Kind (WIK), dedication of land, or other material public benefit (see definitions in Appendix C). Offers to provide items listed in the Schedule of Works at Appendix B will be given more weight than offers of other infrastructure items not listed in this Plan.

The City may accept an offer by an applicant to enter into a planning agreement to provide Works-In-Kind (WIK), dedication of land or other material public benefit but is not obliged to do so. Where an applicant intends to offer Works-In-Kind, dedication of land or a material public benefit, the applicant should discuss the likely acceptability of the offer with the City before lodging the development application. Any offer must be accompanied by a detailed scope of works, design, cost summary, and timing for delivery.

Where an applicant offers to provide works listed in the Schedule of Works to this Plan and the City supports the offer, the City may agree but is not obliged to offset the value of the public benefits against the contribution payable under this Plan.

The City will generally not agree to offset against the contributions payable under this Plan in instances where the land and works will not be dedicated to the City.

b) Planning Agreements

Any offer by an applicant to provide Works-In-Kind, dedication of land or a material public benefit must be formalised through a planning agreement prepared in accordance with the EP&A Act. The draft planning agreement must be publicly notified, preferably as part of the development application exhibition. The City's Planning Agreement Guidelines are available on the City's website at www.cityofsydney.nsw.gov.au. Further information regarding Works-In-Kind, dedication of land, material public benefits and planning agreements is contained in the Department of Planning, Housing and Infrastructure's ~~Environment's~~ *Planning Agreements Practice Note* ~~(February 2021)~~ available at www.planningportal.nsw.gov.au.



Cyclists riding along Pyrmont cycleways

Appendix A Basis for the levy and the Strategic Framework

This Plan enables the City to impose a levy on new development to contribute to the cost of new, extended or augmented public facilities, amenities and services to support the growth and development of Ultimo and Pyrmont.

Ultimo and Pyrmont are a primary focus for economic activity within the City of Sydney and greater metropolitan Sydney. Substantial growth in employment, services and housing in Ultimo and Pyrmont is expected.

New residents, workers and visitors to Ultimo and Pyrmont will have inadequate levels of service if the City does not provide new or improved public amenities and infrastructure. The levels of service for the existing residential population and workforce will also decline without adequate public investment.

The City will invest approximately $148M in contributions in Ultimo and Pyrmont over the life of this Plan for new and improved public facilities, amenities and services to ensure that adequate service levels are maintained and improved. As new development will be a key beneficiary of this investment, it is reasonable that some of the costs of this investment are recouped through payment of the levy under this Plan. Additional finance for the infrastructure items listed in the Schedule of Works in this Plan may also come from Council's general fund.

Information about forecast population growth, floor space demand and strategic planning initiatives is provided in the subsections below.

A.1 Population growth

This Plan is expected to apply for the period between 2023 and 2041, inclusive. As set out in the Pyrmont Peninsula Place Strategy, significant resident and worker population growth is expected in Ultimo and Pyrmont over this period. The Eastern City District Plan – the metropolitan Sydney planning framework within which this Plan sits, also assumes considerable growth for the City of Sydney.

Resident and dwelling growth

The source of residential population growth forecasts is the Pyrmont Peninsula Place Strategy. A twenty-year framework identifies the areas that can accommodate growth. The Strategy estimates 4,000 new dwellings and approximately 8,500 new residents to 2041[4].

Worker growth

The Pyrmont Peninsula Place Strategy forecasts an additional 23,000 workers to 2041. The work force growth is expected to be mainly commercial and some retail floorspace.

[4] Forecast as at December 2020.

A.2 Projected Plan contributions income

Approximately $148M in development contributions are expected to be collected under this Plan. Final Plan income will be dependent on the rate, nature and value of development which occurs over the life of the Plan. Contributions levied under this Plan will be received over time, as there is a lag between when contributions are conditioned in consents, whether consents are activated and when payment occurs.

A.3 Strategic Planning Framework

This Plan is prepared within a wider strategic planning framework. The Plan plays its role in giving effect to the Greater Sydney Region Plan, the Eastern City District Plan and the Pyrmont Peninsula Place Strategy. It is also informed by the City's Local Strategic Planning Statement, the directions in Sustainable Sydney 2030 – 2050 Continuing the Vision as well as local characteristics and opportunities.

The following provides a summary of these plans and strategies:

a) A Metropolis of Three Cities – the Greater Sydney Region Plan

A Metropolis of Three Cities – the Greater Sydney Region Plan (the Region Plan), published by the Greater Sydney Commission in March 2018, is the overarching plan for the Greater Sydney Region.

The Region 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, cultural and environmental matters;
- informs district and local plans and the assessment of planning proposals;
- assists infrastructure agencies to plan and deliver for growth and change and to align their infrastructure plans to place-based outcomes; and
- informs the private sector and the wider community of the growth management and infrastructure investment intentions of government.

The Region Plan is guided by a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. Ultimo and Pyrmont lie within the established Eastern Harbour City. The Region Plan builds on the Eastern Harbour City's recognised economic strength and addresses livability and sustainability through a framework for development.

b) Eastern City District Plan

The Eastern City District Plan (the District Plan) was published by the Greater Sydney Commission in March 2018. It is a guide for implementing the Region Plan at a district level and is a bridge between regional and local planning. It recognises the important role of infrastructure in shaping and supporting growth. It asks the City of Sydney to:

- demonstrate how it will contribute to 5 and 10 year dwelling targets for the local government area;
- identify the capacity to contribute to the 20 year dwelling target of 157,500 for the Eastern City District;
- plan for and contribute to the 20 year jobs target for the Eastern Harbour CBD of between 662,000 and 732,000 jobs; and
- align forecast growth with infrastructure provision and adapt infrastructure to meet future needs.

The District Plan seeks to support the Harbour CBD become stronger and more competitive with an emerging Innovation Corridor on its western edge which extends through Ultimo and Pyrmont. The Innovation Corridor contains knowledge intensive, creative and start-up industries as well as health, education and research services that contribute to global competitiveness. Infrastructure should support connections between places within the precincts and allow for high levels of accessibility.

c) Pyrmont Peninsula Place Strategy

The NSW Government finalised the Pyrmont Peninsula Place Strategy (the Place Strategy) in December 2020. The provision of a Metro Station at Pyrmont is considered a key catalyst for public transport connectivity and a key enabler for residential and jobs growth in the Peninsula. The Place Strategy is designed to bring together the economic, environmental, public domain and urban design aspirations for Ultimo and Pyrmont in the one strategy. It seeks to guide the location and type of new development to balance the creation of new jobs and homes with maintaining the existing qualities of Ultimo and Pyrmont.

The Strategy recognises that the City will play a key role in delivering local infrastructure in the Ultimo and Pyrmont. Other infrastructure needed to support growth will need alternate funding and delivery mechanisms.

d) Pyrmont Peninsula Infrastructure Delivery Plan

The NSW Department of Planning and Environment published the final Pyrmont Peninsula Infrastructure Delivery Plan in July 2022. The purpose of the Infrastructure Delivery Plan is to set out what infrastructure is needed, who could deliver it and what mechanisms are available to deliver it. The Infrastructure Delivery Plan does not commit to the funding or delivery of infrastructure items. Rather, it identifies projects for further investigation to establish the scope and business case.

A draft infrastructure schedule is included at Appendix A to the Infrastructure Delivery Plan. This schedule includes many local infrastructure items that are now listed in the Schedule of Works for this Plan.

e) Sustainable Sydney 2030 – 2050 Continuing the Vision

The City's long term vision for Sydney, *Sustainable Sydney 2030 – 2050 Continuing the Vision*, was endorsed by Council in June 2022.

It envisions a City that is:

- environmentally, economically, socially and culturally sustainable;
- planned so that housing, transport, facilities, infrastructure and open space allow people to be close to their jobs and what is needed for daily life;
- greener with more trees canopy cover to provide shade and reduce temperatures on the ground;
- socially connected with distinctive local neighbourhoods with strong focal points for community life;
- physically connected with more active transport (walking and bike park networks); and
- inviting, with public spaces and streets that have their own distinctive characters.

The works program funded by this Plan will deliver infrastructure and facilities that address these issues.

f) Local Strategic Planning Statement 2019

The City's Local Strategic Planning Statement (the Planning Statement) reinforces the links between the New South Wales Government's strategic plans, region and district plans, and the City's community strategic plan, Sustainable Sydney 2030 – 2050 Continuing the Vision, and the planning controls that guide development in our city. The Planning Statement also informs the review of planning tools, such as this Plan, to ensure that local facilities are provided as the community's needs change.

In responding to the requirements of the District Plan's growth targets, the Planning Statement is informed by the technical studies and analyses that have informed the growth projections described in this Plan.

This Plan is therefore consistent with the growth requirements of the District Plan and the response to those requirements outlined in the Planning Statement.

A.4 Floor space growth and development

Significant additional floor space is likely to be generated in Ultimo and Pyrmont to meet the population growth outlined in A.1 above.

Commercial Floor space growth

The Pyrmont Peninsula Place Strategy forecasts an increase of 23,000 jobs between 2021 and 2041.The City's planning control changes will provide capacity for an additional 20,000 – 27,000 workers in approximately 600,000 sqm of non-residential floor space created over the life of this Plan.

Residential Floor space growth

The Pyrmont Peninsula Place Strategy forecasts an increase of 4,000 dwellings between 2021 and 2041.The City's planning control changes will provide capacity for an additional 4,100 dwellings in approximately 330,000 sqm of residential floor space created over the life of this Plan.

Projected additional floor space 2021 - 41 (inclusive)

Land Use	Floor space growth 2021-41 (inclusive)
Non-residential/ Commercial	600,000 m^2
Residential	330,000 m^2

A.5 Contribution to broader capital works program

Contributions received under this Plan will help fund the delivery of infrastructure provided by the City to ensure adequate service levels are provided for the growing residential and workforce populations envisaged in the strategies outlined above.

Contributions levied under this Plan on new development in Ultimo and Pyrmont are forecast to fund approximately $148.1M of new or renewed infrastructure, services and amenities, to meet the needs of the growing residential and non-residential population.

The facilities and services funded by this Plan will include open space capacity improvements, public domain improvements, community facilities upgrades, cycleway extensions, tree planting and stormwater drainage upgrades.

Further information is contained in the Schedule of Works in Appendix B.



The Maybanke Community Centre, Pyrmont

Appendix B Schedule of works

B.1 Completed works under recoupment and proposed works

The schedule describes:

- works already delivered by the City, the costs of which are now being recouped from development through payment of the levy; and
- works anticipated to be delivered over the life of this Plan, including those from the City's 10-year capital works program and other long-term projects, and which are to be funded wholly or partly through the payment of the levy.

The works provide additional or enhanced local infrastructure which will benefit the additional residential and worker populations forecast for Ultimo and Pyrmont from the commencement of this Plan to 2041. The works are subject to the budgeting and operating resources of Council.

Works item no.	Works item description	Estimated cost ($2023)	Estimated delivery timeframe
	Open Space		
1.	Wentworth Park South – capacity improvements	$20,000,000	2023-2027
2.	Wentworth Park North – capacity improvements	$40,000,000	2028-2035
	Sub Total	**$60,000,000** (40% of total)	
	Community Facilities		
3.	Pyrmont Community Centre Upgrade	$10,500,000	2023-2027 Recoupment
4.	Ultimo Community Centre Upgrade	$12,000,000	2028-2035
5.	Maybanke Recreation Facility – capacity improvements	$9,100,000	2036-2041

Works item no.	Works item description	Estimated cost ($2023)	Estimated delivery timeframe
	Sub Total	**$31,600,000** (21% of total)	
	Public Domain Improvements		
6.	Pyrmont North Public Domain and Foreshore improvements	$7,000,000	2036-2041
7.	Harris Street - Living Green Network Priority Route improvements	$23,000,000	2028-2035
8.	Streetscape improvements to small streets	$5,000,000	2028-2035
	Sub Total	**$35,000,000** (24% of total)	
	Roads, Traffic and Transport facilities		
9.	Forest Lodge to City South Bike Network Link	$7,200,000	2023-2027 Recoupment
	Sub Total	**$7,200,000** (5% of total)	
	Stormwater		
10.	Drainage Upgrade Pyrmont Street to Outlet	$4,500,000	2036-2041
	Sub Total	**$4,500,000** (3% of total)	
	Sustainability		
11.	Greening Sydney Increased Canopy: Park tree planting	$1,600,000	2023-2027
12.	Greening Sydney Increased Canopy: Inroad Street Tree Planting	$6,500,000	2028-2035
13.	Water Quality Improvements: GPTs to existing lines	$1,700,000	2023-2027
	Sub Total	**$9,800,000** (7% of total)	
	Grand Total	**$148,100,000**	



Figure 2: Works item locations

- Land to which this plan applies
- Open Space works
- Community Facilities works
- Public Domain works
- Transport + Traffic works
- Stormwater works
- Sustainability works

Works item No. described in the Schedule of Works in Appendix B of this Plan.

Note: Items 6, 8, 11 & 12 not shown (due to multiple locations or locations to be determined)

0 75 150 300m

NORTH

B.2 Substitution of works items

This City may amend this Plan to alter, remove or substitute items in the Schedule of Works to reflect relevant changes such as population forecasts, demand, and strategic initiatives at a local or state level.

The City can only allocate levy funds to works if they are listed in the Schedule of Works. If the City allocates levy funds to a works item that is subsequently removed from the Schedule of Works, the City will reallocate funds to the amended Schedule of Works.

Any alteration, removal or substitution of an item from the Schedule of Works does not affect an applicant's liability to pay the applicable levy, or require the City to provide a refund to the applicant.

B.3 Commitment of levy funds

The City will commit income from the levy to the works completed (and under recoupment) and anticipated future works described in the Schedule of Works.

The City may spend more or less on a works item than the amount specified in the Schedule of Works. For example, the City may modify the scope of a particular works item with an associated cost increase or decrease.

If the cost increases, the City will fund the cost increase through other sources. If the cost of the works item decreases, the City will allocate the excess funds to other items in the Schedule of Works rather than refund the difference between the actual cost and the amount specified in this Plan.

B.4 Pooling of levy payments

To assist in the delivery of works items in this Plan, the City may pool levy payments and apply the pooled levy funds to selected projects in the Schedule of Works. Council is satisfied that the pooling and progressive application of the money paid will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

B.5 Prioritising expenditure of pooled funds

Expenditure of pooled levy payments will be prioritised generally towards completed projects under recoupment then to projects that have relevant approvals.

The indicative timeframe for each works item is subject to change as it is influenced by:

- rate of development and contributions received;
- pooling of funds;
- updates to the City's capital works program each year; and
- relationship between the works and other events, including but not limited to, approvals, NSW Government infrastructure delivery and development of adjoining lands.

Appendix C Dictionary

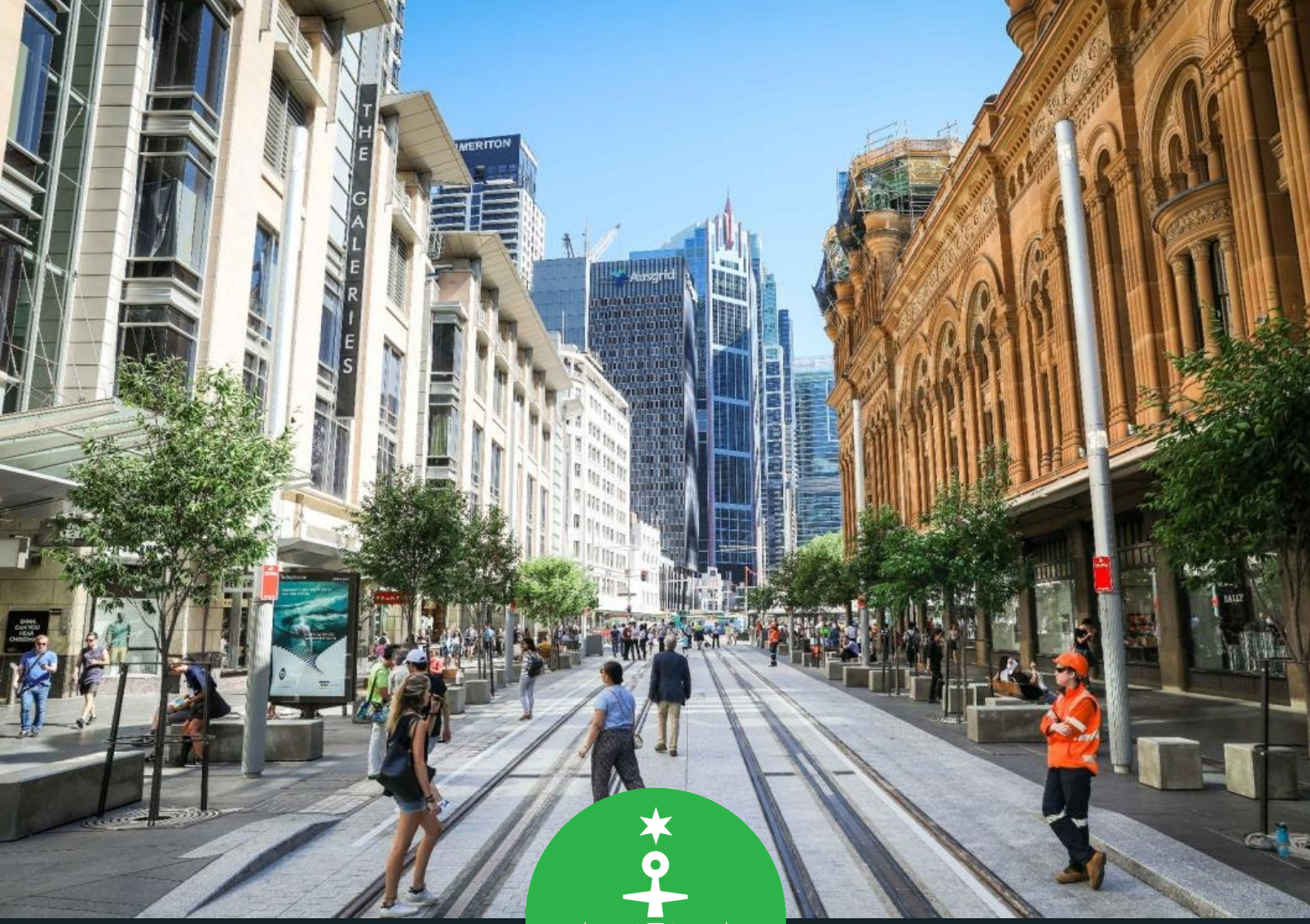
Adaptive reuse	Means the modification of a heritage item to a new use that conserves its heritage values. The new use must not be for the original use or an existing or previous use.
Affordable housing	Has the same meaning as contained in Section 1.4 of the EP&A Act. Note: At the time of publication of this Plan, Section 1.4 of the EP&A Act defines affordable housing as 'housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument'.
Charity or Not-for-profit organisation	Means an organisation registered with the Australian Charities and Not-for-profits Commission
Complying development	Has the same meaning as contained in Section 1.4 of the EP&A Act. Note: At the time of publication of this Plan, Section 1.4 of the EP&A Act defines complying development as 'development for which provision is made as referred to in Section 4.2(5)'.
Concept development	Means a development that is carried out in accordance with Division 4.4 of the EP&A Act and is defined under Section 4.22 of the EP&A Act as 'a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications'.
Development cost	Means the cost of the development as determined at Section 2.3 of this Plan.
Material public benefit	Means the provision of public amenities or services which are not works listed in the Schedule of Works (see Appendix B) of this Plan. Material public benefit does not include the cost or value of works or dedication of land which is required as a condition of consent and these consent-conditioned works may include, but are not limited to: • the provision of public art • public domain improvements to frontages of the site e.g. footpath upgrade provision of smart poles, planting of street trees • minor land dedications e.g. splay corners and land excess to the development • land dedications and embellishments required by the planning controls • the provision of through site links and associated easements. Note: also see 'Works-In-Kind' in this Dictionary.

Planning authority	Has the same meaning as contained in Section 7.1 of the EP&A Act. Note: At the time of publication of this Plan, Section 7.1 of the EP&A Act defines a planning authority as any of the following: • a council • the Minister • the Planning Ministerial Corporation* • a development corporation (within the meaning of the Growth Centres (Development Corporations) Act 1974) • a public authority declared by the regulations to be a planning authority for the purposes of this Division. *Central Sydney Planning Committee is deemed a Corporation pursuant to Section 33 of the City of Sydney Act 1988.
Social housing	Means the provision of housing undertaken by a 'social housing provider'.
Social housing provider	Has the same meaning as in *State Environmental Planning Policy (Housing) 2021*
Temporary development	Means development of the following types which are in place for no more than 90 days from start of set up to the completion of clean up: • events • art installations • seasonal decorations • lighting.
Works-in-kind	Means the provision of physical works listed in the Schedule of Works to this Plan. Note: see also 'Material public benefit' in this Dictionary.



Attachment F

Draft amendments to Central Sydney Development Contributions Plan 2020 (as amended following public exhibition)



Central Sydney Development Contributions Plan 2020

December 2020

Draft Amendments September 2024

Amendments following public exhibition shown in blue text

CITY OF SYDNEY

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COVID-19

The growth forecasts and income projections in this Contributions Plan were produced prior to the COVID-19 pandemic. COVID-19 has had significant social and economic implications. It is difficult to predict the impact on development activity and the timeframes for economic recovery. While there may be some short term contraction, the prospects for development activity in Central Sydney remain positive over the longer term. For these reasons, the forecasts and income projections in this Plan remain unaltered.

Draft amendments to this Plan (September 2024) are indicated as follows:
- deletions: red text with strikethrough; and
- additions: red text.

Amendments following public exhibition shown in blue text.

Summary

Growth requires infrastructure

In the 6 years from 2020-2025 (inclusive) Central Sydney is forecast to grow by:

- almost 5,550 dwellings;
- over 11,800 residents; and
- almost 29,000 workers.

This growing population will require additional or improved infrastructure to keep Central Sydney attractive, efficient and appealing for our existing community and to continue attracting jobs, visitors and investment.

This Plan enables the City to levy a contribution on new development to generate approximately $251M in contributions towards infrastructure in Central Sydney to 2025. It is appropriate that new development contribute its fair share towards the cost of new and improved infrastructure from which it will benefit.

Levy rate under this Plan

To fund new infrastructure through contributions, this Plan applies the following levy rates as permitted under ~~clause 25K~~ Section 209(1) of the Environmental Planning & Assessment Regulation ~~2000~~ 2021:

Development cost * * Refer to Section 2.3 of this Plan 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%

Facilities funded by this Plan levy

This Plan funds a variety of infrastructure, services and amenities including:

- Open space – such as children's playgrounds, and upgrades to Hyde Park and Belmore Park;
- Public Domain improvements – such as George Street public domain enhancements associated with the Light Rail, laneway improvements and public toilets;
- Community Facilities – such as Prince Alfred Park pool, the City of Sydney Creative Studios fitout (Bathurst Street) and new Darling Square library fitout; and
- Roads, Traffic and Transport facilities – such as city centre cycleways, street upgrades and pedestrian crossings.

These works are programmed for delivery in the timeframes described in the Schedule of Works at Appendix B to this Plan.

Development affected by this Plan

This Plan applies to development that:

- is located within Central Sydney, as shown in Figure 1 of this Plan,
- needs consent (including complying development);
- has a development cost of more than $250,000; and
- is not excluded under Section 2.2 of this Plan.

If approval is granted to a development subject to this Plan, a condition of consent will be imposed requiring the applicant to pay a monetary contribution ('the levy'), towards the cost of local infrastructure. This levy is calculated at a rate of 1%, 2% or 3%, depending on the development cost. The Plan provides transitional arrangements, information on how to calculate the development cost and what development may be excluded.

Life of this Plan

This Plan will operate until all of the contributions for works projects listed in Appendix B of this Plan have been collected from relevant development approvals, or, the time the Plan is repealed by the Council, whichever occurs first.

Key steps for applicants

Applicant estimates the development cost – before obtaining a construction certificate or commencing works authorised by a complying development certificate, the applicant provides information to the City about the development cost in accordance with requirements in this Plan together with copies of construction certificate or complying development certificate plans and details of any claimed exclusions from the development cost under Section ~~2.2~~ 2.3 of this Plan.

The City determines the development cost, any exclusions, and the levy – the City reviews the information provided by the applicant and issues the applicant with a letter confirming the correct levy amount payable.

Applicant pays the levy – the applicant pays the levy to the City and obtains a receipt. If the applicant does not pay the levy within 3 months from the date the City calculates the levy, the applicant must provide an updated cost of works to the City, which will be used by the City to recalculate the levy.

Applicant provides payment receipt to certifier – the applicant provides the accredited certifier (the City or a private certifier) with the City's letter and levy payment receipt to obtain a construction certificate or prior to the commencement of any works authorised by a complying development certificate.

~~Applicants may also offer Works-In-Kind, dedication of land or a material public benefit as an alternative to a monetary payment. Council has sole discretion on whether these alternatives are accepted.~~

Further information

Further information on development contributions is also available on the City's website at www.cityofsydney.nsw.gov.au.



Cyclists riding along the CBD cycleways

Background

1.1 Name of this Plan

This plan is called the Central Sydney Development Contributions Plan 2020 (or 'this Plan').

1.2 Legislation enabling this Plan

This Plan has been prepared in accordance with Section 7.18 of the Environmental Planning & Assessment Act 1979 (EP&A Act).

Under this Plan, if a consent authority imposes a condition of consent upon development requiring a contribution under Section 7.12 of the EP&A Act, the consent authority cannot impose a condition of consent on the same development requiring a contribution under Section 7.11 of the EP&A Act.

1.3 Purpose of this Plan

The purpose of this Plan is to enable the City to apply a levy upon development to be applied towards public amenities and public services to meet the needs of the growing residential, workforce and visitor population within Central Sydney.

The Plan will assist in achieving the objectives and directions of key City of Sydney and New South Wales Government planning strategies including:

- the Greater Sydney Commission's *A Metropolis of Three Cities – the Greater Sydney Region Plan*;
- the Greater Sydney Commission's *Eastern City District Plan;*
- the City's *Sustainable Sydney 2030* ~~*and Sustainable Sydney 2050 (draft)*~~ *– 2050: Continuing the Vision;* and
- the City's *Local Strategic Planning Statement*.

The population growth generating demand for enhanced public amenities and public services over the life of this Plan is outlined in Appendix A, while the Schedule of Works in Appendix B identifies the public amenities and public services to be funded or recouped by the City using the levy. Appendix C provides a dictionary of terms used in this Plan.

1.4 The land where this Plan applies

This Plan applies to Central Sydney, being the land shown in Figure 1.

1.5 Relationship between the expected types of development in the area to which the Plan applies and the demand for additional public amenities and services related to that development

This relationship is described at Appendix A: Basis for the levy and the Strategic Framework.

1.6 The percentage of the Section 7.12 levy and quarterly updating or indexing of the proposed cost of development

The percentage of the Section 7.12 levy is determined by the development cost, as per the following table:

Development cost * * Refer to Section 2.3 of this Plan 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%

The process for quarterly updating or indexing the cost of development is described in Section 2.4 of this Plan.


MILLERS POINT
THE ROCKS
BARANGAROO
Bridge St
Margaret St
Macquarie St
Botanic Gardens
Garden Island
The Domain
SYDNEY
George St
Market St
Hyde Park
College St
WOOLLOOMOOLOO
Macleay St
POTTS POINT
Bathurst St
William St
Darling Harbour
Pyrmont St
DARLINGHURST
Darlinghurst Rd
Goulburn St
Boundary St
Riley St
ULTIMO
Campbell St
Belmore Park
Flinders St
Mary St
Crown St
Oxford St
Anzac Pde
CHIPPENDALE
eland St
Prince Alfred Park
Chalmers St
SURRY HILLS
Moore Park
REDFERN
FOX
Figure 1: Land to which this Plan applies
Land to which this plan applies
0
250
500m
NORTH

1.7 Payment of section 7.12 levies and deferred or periodic payment of levies

Section 2.4 of this Plan describes the requirements for the payment of levies under this Plan and the conditions that allow deferred or periodic payment of the levy.

1.8 Map showing the specific public amenities and services proposed to be provided by the City

A map showing the specific public amenities and services proposed to be funded in part or whole through contributions under this Plan, supported by a works schedule that contains an estimate of their cost and staging of delivery, is shown at Figure 2 in Appendix B to this Plan.

1.9 Pooling of levy payments

To assist in the delivery of works items in the Plan, the City may pool levy payments and apply the pooled levy funds to selected projects in the Schedule of Works. The City is satisfied that the pooling and progressive application of the money paid will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

1.10 Complying development

This Plan makes provision for the imposition of conditions of consent under Section 7.12 of the EP&A Act in relation to the issue of complying development certificates. The payment of monetary Section 7.12 levies in accordance with those conditions is to be made before commencement of any building work or subdivision work authorised by a complying development certificate.

1.11 Commencement date for operation of this Plan

This Plan was adopted by Council on 14 December 2020 and clause 25K of the Environmental Planning and Assessment Regulation 2000 was amended by the Minister for Planning and Public Places on 26 November 2021. Clause 25K of the Environmental Planning and Assessment Regulation 2000 has since been repealed and replaced by Section 209 of the Environmental Planning and Assessment Regulation 2021. This Plan commenced operation on 26 November 2021.

The September 2024 amendments to this Plan and amendments following public exhibition were adopted by Council on XXXX and commenced operation on XX XXX XX.

1.12 Transitional arrangements for existing development consents and applications

This section of the Plan describes the arrangements for development applications, consents and complying development which existed before the commencement of this Plan.

This Plan replaces and repeals the *Central Sydney Development Contributions Plan 2013* ('the 2013 Predecessor Plan') from the date of commencement of this Plan, which occurred on 26 November 2021. This Plan does not affect any conditions of consent referring to the 2013 Predecessor Plan or any earlier Plans.

Any monies that were paid and required to be paid under the 2013 Predecessor Plan may be pooled with contributions under this Plan and applied to the Schedule of Works in this Plan.

This Plan applies to any applications to:

- carry out development under Part 4 of the EP&A Act, including development applications and complying development certificates, and
- modify consents

which are made on or after the date of commencement of this Plan. This Plan applies to modification applications that effect the proposed cost of carrying out development. Any development cost increases associated with modification applications will attract the levy rate in force on the day the modification application is made.

This Plan does not apply to any applications to:

- carry out development under Part 4 of the EP&A Act, including development applications and complying development certificates, and
- modify consents

which were made before the date of commencement of this Plan. For those proposals, the relevant contributions plan operating at the date the application was made applies. This includes applications where consent has been granted that includes a condition requiring the applicant to pay a development contribution under another development contributions plan but the applicant is yet to pay the contribution.

1.13 Life of this Plan, accountability, review and status of elements

a) Life of this Plan

This Plan operates until all of the contributions for works projects listed in Appendix B of this Plan have been collected from relevant development approvals, or the time the Plan is repealed by the Council, whichever occurs first.

b) Accountability

The City is accountable for the administration of this Plan in the following ways:

- maintaining public access to a contributions register and a planning agreements register;
- maintaining public access to accounting records for levy receipts and expenditure;
- annual financial reporting of contributions; and
- maintaining public access to this Plan and supporting information.~~; and~~

As required by the EP&A Regulation 2021, these documents must be made publicly available on the NSW Planning Portal and the City's website.

The City will also periodically review~~ing~~ this Plan and seek~~ing~~ public input as part of the review.

c) Review of this Plan

The City will review this Plan 5 years from its commencement, to ensure the Plan addresses community needs, contemporary strategic planning directions and priorities, integrated community facilities planning, the City's capital works program and legislative requirements.

d) Status of selected Plan elements

The appendices to this Plan form part of the Plan.

The Summary in this Plan is provided for guidance and does not form part of the Plan.



City centre public art in laneways, Angel Place



George Street Public Domain upgrade, Sydney

How to use this Plan

2.1 Calculating the levy

As permitted under ~~clause 25K~~ Section 209(1) of the Environmental Planning & Assessment Regulation ~~2000~~ 2021, this Plan applies the following levy rates to development:

Development cost * * Refer to Section 2.3 of this Plan 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%

For development with a development cost of more than $250K, the levy payable will be:

Development cost x corresponding levy rate

Examples:

- A new development has a cost of $300K. The levy payable will be $300K x 1% = $3,000.
- A new development has a cost of $750K. The levy payable will be $750K x 2% = $15,000.
- A new development has a cost of $2.4M. The levy payable will be $2.4M x 3% = $72,000.

Development covered by this Plan and information about determining the development cost is provided in Sections 2.2 and 2.3 of this Plan.

2.2 Development subject to the levy

This Plan applies to any development that:

- is located within Central Sydney (see Figure 1);
- needs development consent, including complying development;
- has a development cost of more than $250,000; and
- is not excluded in accordance with subsection~~s~~ 2.2(b) ~~or 2.3(a)~~ below.

a) Complying development

This Plan applies to complying development. For complying development where this Plan applies, ~~T~~the accredited certifier, including any private certifier, ~~is responsible for ensuring that the~~ must, subject to the provisions of this Plan, impose a condition pursuant to s7.12 of the EP&A Act requiring payment of the levy ~~has been imposed prior to issuing the complying development certificate. The condition is to calculate the levy ,~~ in accordance with Section 2.1 of this Plan.

The levy must be paid ~~before the commencement of any building work or subdivision work authorised by the certificate.~~ in accordance with the provisions of Section 2.4 of this Plan.

b) Development excluded from the levy

Development excluded from the need to pay a contribution is listed in the following table. Applicants should describe how their development is consistent with the relevant exclusion in their development application. If the City is satisfied the development is consistent with the relevant exclusion, it will exclude the development from the need to pay a contribution.

For complying development, the ~~c~~City must first verify any exclusions in writing, following submission of relevant details on the nature of the proposal.

Where the proposal includes a range of works or a mix of land uses, only the works or uses excluded

under this Plan will be excluded from the need to pay a contribution. All other works and uses are to be levied with development contributions in accordance with this Plan. A development application seeking a partial exclusion must identify the spaces, works and costs relevant to the land use said to be the subject of the exclusion.

Development excluded from the need to pay a contribution
1. Places of public worship provided by or on behalf of a charity or not for profit organisation*
2. Emergency services facilities (fire stations, police stations and ambulance stations)
3. Development excluded from contributions by a Ministerial Direction under section 7.17 of the EP&A Act
4. Government schools (established under the *Education Act 1990* by the Minister for Education)
5. Affordable housing* or social housing* – development for the ~~sole~~ purpose of providing affordable housing or social housing by a social housing provider. (For the avoidance of doubt, development to which Chapter 3, Part 4 of the State Environmental Planning Policy (Housing) 2021 applies is not development excluded from the need to pay a contribution).
6. Temporary development* of no more than 90 days from the start of set up to the completion of clean up.
7. Monuments, memorials, sculptures and art installations on public land
~~6.~~ ~~7.~~ 8. City of Sydney development – development undertaken by or on behalf of the City of Sydney. Notes: (a) this is limited to those works costs associated with delivering only the City~~-owned~~ asset, not any costs associated with a wider structure or space; and (b) works costs undertaken by tenants of City-leased buildings are subject to contributions
~~7.~~ ~~8.~~ 9. Development listed in Appendix B to this Plan

Notes

* Definitions of terms described in this table are provided in the Dictionary at Appendix C.

c) State significant development and Critical state significant infrastructure development and contributions

The Plan applies to State significant development. For Critical state significant infrastructure (CSSI) development, the City will assess the public services and public amenities needs of any ancillary land uses or works not directly associated with the operation of the CSSI (e.g. retail or commercial uses), in providing advice to the Department of Planning, ~~Industry and Environment~~ Housing and Infrastructure regarding the levying of contributions.

2.3 Determining the development cost

~~Clause 25J~~ This section must be read in conjunction with Section 208 of the EP&A Regulation 2021 ~~provides further guidance on~~ which sets out provisions for the determination of development cost for the purpose of calculating contributions ~~under~~ pursuant to section 7.12 ~~contributions plans~~ of the EP&A Act.

The proposed cost of carrying out development must be determined by the consent authority. The applicant must provide the City with information on the proposed development cost prior to the City issuing written Statement of Contributions Owing. The City will review the estimated development cost~~s~~ submitted and if considered necessary, carry out independent cost verification. The City will issue the applicant with a letter confirming the levy amount payable for the proposed development. This requirement also applies to complying development and any modification application (where relevant).

a) Items to include or exclude from the development cost

The proposed development cost generally includes:

- any costs and expenses associated with carrying out the proposed development; and
- any costs and expenses incurred that are necessary to make the site, building, or premise suitable for its intended use.

When determining the development cost, a project is considered in its entirety, irrespective of whether an individual component or components may not require development consent. Examples of items to include and exclude in the development cost are listed in the following tables.

If an applicant seeks an exclusion for any of the works listed in Section ~~2.2(b)~~ 2.3 of this Plan, the

applicant should still include the cost of the item in the development cost. This is to permit the City to determine the appropriate value of the exclusion if made, or, if the City does not exclude the works from the levy, to include the development cost without the need to request a further cost estimate from the applicant.

Examples of items to include in the development cost	Items to exclude from the development cost - (~~clause 25J(3)~~ Section 208(4) of the EP&A Regulation 2021)
1. Preliminaries, e.g. scaffolding, hoarding, fencing, site sheds, delivery of materials, waste management	1. The cost of the land on which the development ~~is to~~ will be carried out
2. Internal fit out, e.g. flooring, wall finishing, fittings, fixtures, bathrooms and equipment	2. The costs of ~~any~~ repairs to a~~ny~~ building or works on the land that ~~are to be retained~~ will be kept in connection with the development
3. Demolition works including cost of removal from the site and disposal	3. The costs associated with marketing or financing the development, ~~(~~including interest on ~~any~~ loans~~)~~
4. Professional fees as part of the design e.g. architects and consultant fees	4. The costs associated with legal work carried out, or to be carried out, in connection with the development
5. Site preparation, e.g. clearing vegetation, decontamination or remediation	5. Project management costs associated with the development
6. Excavation or dredging including shoring, tanking, filling and waterproofing	6. The cost of building insurance ~~in respect of~~ for the development
7. Internal services, e.g. plumbing, electrics, air conditioning, mechanical, fire protection, plant, lifts	7. The costs of fittings and furnishings, including ~~any~~ refitting or refurbishing, associated with the development, ~~(~~except ~~where~~ if the development involves an enlargement, expansion or intensification of a current use of land~~)~~
8. External services, e.g. gas, telecommunications, water, sewerage, drains, electricity to mains	8. The costs of commercial stock inventory
9. Building construction and engineering, e.g. concrete, brickwork, plastering, steelwork / metal works, carpentry / joinery, windows and doors, roofing	9. ~~Any~~ The taxes, levies or charges, ~~(other than~~ excluding GST~~)~~ , paid or payable in connection with the development by or under a~~ny~~ law
10. Other structures, e.g. landscaping, retaining walls, driveways, parking, boating facilities, loading area, pools	10. The costs of enabling access by ~~disabled persons in respect of~~ people with disability to the development
11. GST Charges	11. The costs of energy and water efficiency measures associated with the development
12. Other related work including any other items not expressly excluded	~~11.~~ 12. The costs of ~~that part of any~~ development that is provided as affordable housing
13. If the development involves a change of use of land – the costs of or incidental to doing anything necessary to enable use of the land to be changed	~~12.~~ 13. The costs of ~~any~~ development that is the adaptive reuse of a heritage item
14. If the development involves the subdivision of land – the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights	



Chinatown, Thomas Street, Haymarket

b) What information must applicants provide?

Applicants must provide the City with the following information to assist it determine the development cost and contributions levy:

- ~~Development~~ a cost summary report – this sets out all the costs and expenses that have or will be incurred by the applicant to carry out the development. Applicants must use the template cost summary reports provided by the City to provide information ~~about~~ on the development cost – further information on this is provided below; ~~and~~
- ~~P~~plans – copies of plans accompanying the construction certificate /subdivision works certificate or complying development certificate application~~.~~; and
- claimed exclusions - in instances where an applicant seeks to exclude certain costs and expenses from the development cost under section 208(4) of the Environmental Planning and Assessment Regulation 2021, the City will require evidence in relation to the proposed exclusion.

In providing information on the development cost, there are two levels of information provision depending on the cost of the proposed development:

- More than $3,000,000 – a AIQS Certified[1] Quantity Surveyor ~~registered with the Australian Institute of Quantity Surveyors~~ or a ~~person who can demonstrate an equivalent qualification~~ RICS[2] Chartered Quantity Surveyor must provide a completed City of Sydney ~~*Registered*~~ *Quantity Surveyor's Detailed Cost Report*;
- ~~Between~~ More than $250,000 and up to and including $3,000,000 – a suitably qualified person such as the Project Architect or Project Manager must provide a completed City of Sydney *Cost Summary Report*; or
- Below $250,000 – a cost summary report will not usually be required, but the City reserves the right to request that a suitably qualified person such as the Project Architect or Project Manager provide a completed City of Sydney *Cost Summary Report*.

Electronic copies of the ~~*Cost Summary Report* and *Registered*~~ *Quantity Surveyor's Detailed Cost Report* and the *Cost Summary Report* are available from the City's website at www.cityofsydney.nsw.gov.au.

The City will use the information provided in the cost summary report, plans and any supporting evidence to determine the cost of carrying out the development and the amount of monetary contribution payable. The City may seek the services of an independent qualified person to assist with determining the development cost.

2.4 Paying the levy

a) When is the levy payable?

In cases where a Construction Certificate or Subdivision Works Certificate is required, the levy must be paid prior to the issue of those certificates.

In cases where a complying development certificate is required, the levy must be paid before the commencement of any building work or subdivision work authorised by the certificate.

In any other situation, the levy must be paid before the commencement of that use or activity.

The levy is to be paid within 3 months from the date that the City issues the applicant with a written Statement of Contributions Owing. The applicant must make an application to the City for a written Statement of Contributions Owing prior to the payment of the levy.

b) How will the levy be adjusted?

If the levy is not paid within three months from the date that the City issues the applicant with a written Statement of Contributions Owing, then the applicant must provide the City with a revised development cost for the works. The City will then provide the applicant with a revised Statement of Contributions Owing.

The development cost for the works may, at the City's discretion as an alternative to submission of revised development cost, be adjusted to reflect the quarterly variations issued by the Australian Bureau of Statistics of the Consumer Price Index ~~(CPI)~~ (All Groups Index) for Sydney, between the date from when the Statement of Contributions Owing was issued to the date when the revised Statement of Contributions Owing was issued.

c) Payment methods

Once an applicant receives the City's written Statement of Contributions Owing, applicants should pay the levy to the City. When paying the levy, applicants must include the City's written advice confirming the levy amount payable. Payments may be made by EFTPOS (debit card only), cash (up to

[1] Australian Institute of Quantity Surveyors

[2] Royal Institution of Chartered Surveyors

$5,000 only), credit card (up to $300,000 only) or ~~a~~ bank cheque made payable to the City of Sydney council. ~~When paying the levy, applicants must include the City's written advice confirming the levy amount payable.~~ Payments by direct bank transfer may be made only in consultation with the City. Direct debit, personal cheques and company cheques will not be accepted. Once payment has been made, ~~T~~the City will ~~then~~ provide a receipt which the applicant must use to obtain a construction certificate or as proof of payment for ~~a~~ complying development ~~certificate~~.

d) Deferred payment

An applicant for non-residential development that has a development cost of $50 million or more may apply to the City in writing – through an application under Section 4.55 or 4.56 of the EP&A Act - to defer payment of up to 50% of the levy from the first construction certificate/subdivision works certificate until prior to the issue of an occupation certificate.

Non-residential development includes:

- commercial development – such as retail and office space~~; or~~
- tourist accommodation – including serviced apartments, motels and hotels~~; or~~ and
- community facilities and amenities – such as theatres, and cinemas.

If the City allows a payment to be deferred, the deferred payment must be secured by an unconditional Performance Bond (such as a Bank Guarantee or Insurance Bond), issued by institutions regulated by APRA, and which complies with the City's Performance Bonds Policy and is unlimited in time for the value of the deferred payment. The applicant must provide the Performance Bond to the City prior to obtaining a construction certificate or commencing works authorised by a complying development certificate.

The deferred amount will be indexed quarterly for inflation from the date the Statement of Contributions Owing was issued and in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney, issued by the Australian Bureau of Statistics. The applicant should obtain the City's written advice regarding the indexation amount immediately prior to making a deferred payment.

Notwithstanding the value of the Performance Bond, any modification to the development made under Section 4.55 or 4.56 of the EP&A Act may result in changes to the value of the levy. If the levy is greater because of the modification, the Performance Bond must be replaced to reflect the revised value. A supplementary Performance Bond for the additional amount will not be accepted. The City will release the Performance Bond held upon acceptable submission of the replacement. The applicant shall meet all the costs of preparing any Performance Bond and their replacements.

Where an applicant offers to provide Works-In-Kind, dedicate land or provide other material public benefits through a planning agreement in accordance with Section 2.5 of this Plan, any provisions in the Planning Agreement relating to the provision of guarantees and timing for the provision of Works-In-Kind, material public benefits or monetary payments prevail over the provisions in this subsection.

e) Payment by instalment/periodic payments

Requests for payment by multiple instalments will not be granted.

f) Payment where there is concept development approval

Notwithstanding Section 2.4(e) of this Plan, where a development site has been the subject of a concept development approval for a number of discrete buildings, the City may consider accepting staged payment of the levy for each building.

g) Refunds

Councils are not obligated under legislation to refund a development contributions payment. Refunds are at the City's discretion. Nevertheless, the City may consider refunding a development contribution payment in the following circumstances:

- If a development is modified by virtue of Section 4.17(5) or Section 4.63 of the EP&A Act or an application is modified under Section 4.55 or 4.56 of the EP&A Act, the levy will be based on the development cost of the modified development.
- If a development is modified and the levy increases but the applicant has previously paid the levy, credit will be given for the previous levy payment with only the difference needing to be paid. If the levy decreases, the applicant may apply for a refund for the difference, subject to the requirements for refunds described in this subsection of the Plan.
- The applicant has not commenced the development and decides not to proceed with the consent (i.e. a development consent or complying development certificate), including cases where the consent has lapsed. In this case, the applicant will need to surrender the development consent or complying development certificate to the City in accordance with Section 4.63 of the EP&A Act.
- The extent of works and associated cost of works is reduced under a complying development certificate. In this instance a new complying development certificate, limited to the revised works area and cost must be issued and the previous complying development certificate must be cancelled/surrendered and the City be notified of the cancellation and the City's records amended.

Refunds will only be considered where:

- the applicant has applied to the City for the refund in writing within 12 months of paying the contribution for which the refund is sought. Refund requests made after 12 months of payment will only be considered in exceptional circumstances;
- the development to which consent has been granted has not commenced; and
- where relevant, the applicant surrenders the development consent, or the complying development certificate to the City ~~in the same financial year as within 12 months of when the levy was paid~~.

~~The City commits levy payments received to Schedule of Works items (Appendix B) at the end of each financial year. An applicant seeking a refund on a surrendered consent must apply in writing to the City.~~ The City will not refund a levy payment if the levy payment has been committed to works under recoupment or to works scheduled in this Plan to be delivered.

~~Material~~ Information to be submitted with refund applications

The following ~~material~~ information must be submitted with any application for a refund of contribution payments:

- Written request for a refund, including the basis of the request;
- A receipt relating to the contributions payment made;
- Where a development is not proceeding, a notice of voluntary surrender of the consent (see Section~~s~~ 4.63 of the EP&A Act) addressing matters in ~~clause 97(3)~~ Section 68 of the EP&A Regulation 2021; and
- Payment details to permit electronic funds transfer if approved by the City, namely
  - The name of the payee (Note: Payment is made to the person/company indicated on the original contributions payment receipt);
  - Account name;
  - Bank name;
  - BSB number; and
  - Account number.

2.5 Alternatives to the levy

a) Works-In-Kind, land dedication and material public benefits

The City prefers that any levy under this Plan be settled through monetary payment to fund the items in the Schedule of Works at Appendix B.

~~By exception, t~~The City may consider an offer by an applicant to enter into a planning agreement to provide ~~either~~ Works-In-Kind (WIK), dedication of land, or ~~a~~ other material public benefit (see definitions in Appendix C) ~~as an alternative to monetary payment of a levy under this Plan, either in part or in full~~. Offers to provide items listed in the Schedule of Works at Appendix B will be given more weight than offers of other infrastructure items not listed in this Plan.

The City may accept an~~y such~~ offer by an applicant to enter into a planning agreement to provide Works-In-Kind (WIK), dedication of land or ~~a~~ other material public benefit but is not obliged to do so. Where an applicant intends to offer Works-In-Kind, dedication of land or a material public benefit, the applicant should discuss the likely acceptability of the offer with the City before lodging the development application. Any offer must be accompanied by a detailed scope of works, design, cost summary, and timing for delivery.

Where an applicant offers to provide works listed in the Schedule of Works to this Plan and the City supports the offer, the City may agree but is not obliged to offset the value of the public benefits against the contribution payable under this Plan.

The City will generally not agree to offset against the contributions payable under this Plan in instances where the land and works will not be dedicated to the City.

b) Planning Agreements

Any offer by an applicant to provide Works-In-Kind, dedication of land or a material public benefit must be formalised through a planning agreement prepared in accordance with the EP&A Act. The draft planning agreement must be publicly ~~exhibited~~ notified, preferably as part of the development application exhibition. The City's Planning Agreement Guidelines are available on the City's website at www.cityofsydney.nsw.gov.au. Further information regarding Works-In-Kind, dedication of land, material public benefits and planning agreements is contained in the Department of Planning~~, Industry~~ Housing and Infrastructure's ~~Environment's~~ ~~(2005) *Development Contributions*~~ *Planning Agreements Practice Note* ~~(February 2021)~~ available at www.planningportal.nsw.gov.au.



The Exchange, Darling Square Library, Haymarket

Appendix A Basis for the levy and the Strategic Framework

This Plan enables the City to impose a levy on new development to contribute to the cost of new, extended or augmented public facilities, amenities and services in Central Sydney to support the growth and development of Central Sydney.

Central Sydney is a primary focus for economic activity within the City of Sydney, greater metropolitan Sydney, and New South Wales and substantial growth in employment, services and housing in Central Sydney is expected. New residents, workers and visitors to Central Sydney will have inadequate levels of service if the City does not provide new or improved public amenities and infrastructure. The levels of service for the existing residential population and workforce will also decline without adequate public investment.

The City has already spent or will be investing approximately $647M in Central Sydney over the life of the Plan for new and improved public facilities, amenities and services to ensure that adequate service levels are maintained and improved. As new development will be a key beneficiary of this investment, it is reasonable that some of the costs of this investment are recouped through payment of the levy under this Plan. Additional finance for the Schedule of Works in this Plan will also come from Council's general fund.

Information about forecast population growth, floor space demand and strategic planning initiatives is provided in the subsections below.

A.1 Population growth

This Plan is expected to apply for at least 6 years between the period 2020 and 2025, inclusive. Significant resident and worker population growth is expected in Central Sydney over this period and across the next 15 years.

The Eastern City District Plan – the metropolitan Sydney planning framework within which this Plan sits, also assumes considerable growth for the City of Sydney, as described further below.

This Plan's forecasts for Central Sydney apply to the Census villages/precincts of:

- CBD and Harbour;
- Chinatown CBD South;
- 15% of the area of Crown Street-Baptist Street and Oxford Street villages – based on the extent of those villages within Central Sydney; and
- none of the Redfern Street precinct (as that portion of it within Central Sydney has been largely occupied by the Central Park development, and Regent Street is effectively fully developed).

Resident and dwelling growth

The City's official source of residential population growth forecasts by *i.d. Consulting*, suggests that in the next 15 years, the period 2020-2025 (inclusive) is likely to see the most intense period of residential growth. This expectation is based on the greater availability of development sites during this period, resulting in an estimated 5,496 "total additional dwellings" (comprising private and non-private dwellings) accommodating a forecast further 11,836 residents. Over the longer term, almost 9,000 dwellings and about 17,000 dwellings are forecast between 2021 and 2036.

Worker growth

For the purpose of worker growth projection in this Plan, the New South Wales Government's Bureau of Transport Statistics Travel Zone (BTS Travel Zone) projections are applied. The BTS Travel Zone projections have been reconciled to the Central Sydney village area boundaries described above. This material has been applied to calculate growth forecasts for 2020-25 based on the following methodology:

- 1 years average growth projected within the 2016-20 period (@ 6,090 jobs per year); plus
- 5 years growth within the 2021-26 period (@ 4,548 jobs per year).

The BTS Travel Zone forecast of 28,830 additional workers from 2020-2025 (inclusive). Over the longer term, almost 80,000 additional workers are forecast between 2021 and 2036.

Central Sydney Growth Projections 2020-2025

Growth	Projected growth 2020-25		
Predictor source	**Dwellings**	**Residents**	**Jobs**
i.d. Consulting Forecast Feb 2019	5,496 dwellings	11,836 residents	NA
Bureau of Transport Statistics Travel Zone projections April 2019	NA	NA	28,830 workers

A.2 Projected Plan contributions income

Approximately $251M in development contributions are expected to be collected under this Plan over the 6 years from 2020-2025 (inclusive). This forecast is based on the average annual income over the previous 10 years with a 1% levy under s61 of the City of Sydney Act (approx. $14.5M per year). Final Plan income will be dependent on the rate, nature and value of development which occurs from 2020-2025 inclusive. Not all contributions levied under this Plan will be paid between 2020-2025, as there is a lag between when contributions are conditioned in consents, whether consents are activated and when payment occurs.

A.3 Strategic Planning Framework

This Plan is prepared within a wider strategic planning framework for not only Central Sydney and the City but metropolitan Sydney more broadly. The Plan plays its role in giving effect to the Eastern City District Plan and is informed by our local characteristics and opportunities, the directions in Sustainable Sydney 2030, the City's community strategic plan, and various local plans and strategies. The following provides a summary of these plans and strategies:

a) A Metropolis of Three Cities – the Greater Sydney Region Plan

A Metropolis of Three Cities – the Greater Sydney Region Plan (the Region Plan), released by the Greater Sydney Commission in March 2018, is the overarching plan for the Greater Sydney Region.

The Region 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, cultural and environmental matters
- informs district and local plans and the assessment of planning proposals
- assists infrastructure agencies to plan and deliver for growth and change and to align their infrastructure plans to place-based outcomes
- informs the private sector and the wider community of the growth management and infrastructure investment intentions of government.

The Region Plan is guided by a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. Central Sydney lies within the established Eastern Harbour City. ~~– for which t~~The Region Plan builds on ~~it's~~ the Eastern Harbour City's recognised economic strength and addresses livability and sustainability through a framework for ~~the~~ development ~~and success of an emerging new city~~.

b) Eastern City District Plan

The Eastern City District Plan (District Plan) requires the City of Sydney to:

- demonstrate how it will deliver the 0–5 year target of 18,300 dwellings (2016–2021) for the local government area
- develop, agree and demonstrate delivery of a 6–10 year dwelling target for the local government area
- identify the capacity to contribute to an 11–20 year dwelling target of 157,500 for the Eastern City District
- plan for and deliver at least 169,260 new jobs by 2036 in the Harbour CBD and Green Square-Mascot strategic centres, with a higher aspirational target of 244,260 by 2036.

c) Local Strategic Planning Statement 2019

The Local Strategic Planning Statement reinforces the links between the New South Wales Government's strategic plans, region and district plans, and the City's community strategic plan, Sustainable Sydney 2030, and the planning controls that guide development in our city. The Planning Statement also informs the review of planning tools, such as this Plan, to ensure that local facilities are provided as the community's needs change.

In responding to the requirements of the District Plan's growth targets~~,~~ ~~–~~ (including for the Central Sydney area to which this Plan applies) ~~–~~Council's Planning Statement~~,~~ is informed by the Central Sydney Planning Strategy 2016-2036 and the technical studies and analyses that have informed the growth projections described in this Plan.

This Plan is therefore consistent with achievement of the growth requirements of the *Eastern City District Plan* and the response to those requirements outlined in the Planning Statement.

d) Sustainable Sydney 2030 ~~and~~ – 2050 Continuing the Vision

~~During the preparation of this Plan in 2019, the City's long term vision for Sydney, *Sustainable Sydney 2030*, was being updated to *Sustainable Sydney 2050*.~~

~~The Sydney *2050 Community Engagement Insights Report* revealed our community seeks a safe, sustainable, green and walkable city. Community session snapshots revealed aspirations for: a city with fewer cars and more active transport (walking and bike path networks); a city that is green with trees and plants, has quality public spaces, has active libraries and has safe spaces, better street lighting; and the capacity to support a growing population.~~

The City's long term vision for Sydney, *Sustainable Sydney 2030 -2050 Continuing the Vision,* was endorsed by Council in June 2022.

It envisions a City that is:

- environmentally, economically, socially and culturally sustainable;
- planned so that housing, transport, facilities, infrastructure and open space allow people to be close to their jobs and what is needed for daily life;
- greener with more trees canopy cover to provide shade and reduce temperatures on the ground;
- socially connected with distinctive local neighbourhoods with strong focal points for community life;
- physically connected with more active transport (walking and bike park networks); and
- inviting, with public spaces and streets that have their own distinctive characters.

The works program funded by this Plan will deliver facilities that address these issues.

A.4 Floor space growth and development

Significant additional floor space is likely to be generated in Central Sydney to meet the population growth outlined in A.1 above. In addition to the additional floor space and major refurbishment, the levy also applies to smaller scale floor space refurbishment work with a cost ~~exceeding~~ of more than $250,000.

Commercial Floor space growth

The City of Sydney Commercial Monitor (June 2019) describes expected additional floor space and major refurbishment (valued over $10m) and conversions (valued over $1m) projected to occur across the City of Sydney. The Monitor projects that across the four years from 2020-2024, the CBD Villages precincts will experience “completions and expected completions” of 670,088 sq.m, representing an average annual floor space growth or redevelopment rate of 167,522 sq.m. Applying this annual average growth across the six year period this Plan is likely to apply, suggests the CBD Villages precinct will grow by 1,005,132 sq.m by the end of 2025. More modest additional floor space growth (50,610 sq.m) is expected in the three surrounding villages partially within Central Sydney, namely Crown Street-Baptist Street, Oxford Street and Redfern Street. Averaging total completions and expected completions in Central Sydney across the six years from 2020-2025 (inclusive), suggests total commercial floor space growth will be 1,055,742 sq.m.

Residential Floor space growth

The projected increase of 5,496 dwellings from 2020-2025 (inclusive) described in A.1 above, suggests that, assuming an average dwelling size of 85sq.m, an additional 467,160 sq.m of residential floor space will be created over the life of this Plan.

Projected additional floor space 2020-25 (inclusive)

Land Use	Floor space growth 2020-25 (inclusive)
Non-residential/ Commercial	1.1 million sq.m
Residential	467,000 sq.m

A.5 Contribution to broader capital works program

Contributions received under this Plan will help fund delivery of infrastructure provided by the City to ensure adequate service levels are provided for the growing residential and workforce populations envisaged in the strategies outlined above. The Schedule of Works in this Plan is drawn from the City's *Resourcing Strategy 2019*, which outlines a 10 year capital works program allocating $1.66 billion for new and renewed infrastructure across the City. Other longer term works, such as the City's long-standing planning for the creation of two additional city squares in Central Sydney (located opposite Town Hall and Central Station (Railway Square)), are drawn from strategies such as Sustainable Sydney 2030 and the Central Sydney Planning Strategy.

New development in Central Sydney occurring from 2020-25 (inclusive) and levied under this Plan is forecast to fund approximately $251M of new or renewed infrastructure, services and amenities, to meet the needs of the growing residential and non-residential population. The facilities and services funded by the Plan will include streetscape upgrades associated with the new light rail line, parks' improvements (e.g. Hyde Park and Belmore Park), library facilities (e.g. Darling Square library) and extension of the cycleway network. Where these works have been completed in advance of demand and already delivered by Council, this Plan will recoup the costs associated with the works.



Prince Alfred Park Pool, Surry Hills

Appendix B Schedule of Works

B.1 Completed works under recoupment and proposed works

The schedule describes:

- works already delivered by the City, the costs of which are now being recouped from development through payment of the levy; and
- works anticipated to be delivered over the life of this Plan, including those from the 10 year capital works program and other long-term projects, and which are to be funded wholly or partly through the payment of the levy.

The works provide additional or enhanced local infrastructure which will benefit the additional residential and worker populations forecast for Central Sydney from 2020-2025 (inclusive). The proposed works are subject to the budgeting and operating resources of Council.

Works item no.	Works item description	Estimated cost ($2020)	Estimated delivery timeframe
	Open Space		
1.	Cook and Phillip Park, Children's all abilities inclusive playground with indigenous narrative	$6,280,000	2020-2025
2.	Hyde Park upgrade	$20,000,000	Recoupment and ongoing to 2025
3.	Belmore Park upgrade	$10,358,000	2020-2025
4.	Observatory Hill Park upgrades	$3,400,000	2020-2025
	Sub Total	**$40,038,000 (6% of total)**	

Works item no.	Works item description	Estimated cost ($2020)	Estimated delivery timeframe
	Public Domain Improvements		
5.	City Centre pedestrian improvements including Bent Street precinct, Loftus Street, George Street	$43,500,000	2020-2030
6.	Chinatown Public Domain improvement - Thomas and Hay Streets	$7,615,328	Recoupment – completed 2017-2018
7.	City Centre Laneways upgrades, including Wynyard Lane, York Lane and Reiby Place	$15,470,000	2020-2025
8.	Regimental Square upgrade	$700,000	Recoupment – completed 2018-2019
9.	Chinatown Public Domain improvements including Quay Street	$6,200,000	2020-2025
10.	Argyle Street upgrade - Lower Fort Street to Kent Street	$4,520,687	Recoupment – completed 2018-2019
11.	Light Rail-related George Street public domain upgrade and ancillary works - CBD to South East	$224,000,000	Recoupment – completed 2019-2020
12.	Public Toilets City Centre	$5,000,000	2020-2025
13.	Crowded Place Protection - Central Sydney, including George Street, Martin Pace, Alfred Street and Hyde Park	$3,000,000	2020-2025
14.	Public space upgrades City Centre and North including, but not limited to, Queen's Square/Phillip Street, Barrack Street, Richard Johnson Square and Shakespeare Place	$12,483,000	2020-2025
15.	Martin Place Master Plan implementation	$10,000,000	2020-2025
16.	Town Hall Square land acquisition	$145,000,000	Recoupment and ongoing to 2030
17.	Railway Square ancillary works	$10,000,000	2024-2030
18.	Eora Journey public art, including Harbour Walk, Bara and Yininmadyemi	$4,370,000	2020-2025
19.	City centre granite paving and smart poles	$10,000,000	2020-2025
	Sub Total	**$501,859,015 (78% of total)**	

Works item no.	Works item description	Estimated cost ($2020)	Estimated delivery timeframe
	Community Facilities		
20.	Prince Alfred Park and Pool redevelopment	$21,183,938	Recoupment – completed 2018-2019
21.	Sydney Town Hall and Sydney Square accessibility upgrade	$15,000,000	2020-2030
22.	City Centre Permanent Public Art “The Distance of Your Heart”	$1,900,000	Recoupment – completed 2019-2020
23.	Lance Preschool & Childcare centre - Landscaping playground, 37 High Street, Millers Point	$563,000	Recoupment – completed 2018-2019
24.	Customs House lift upgrade	$900,000	2020-2025
25.	New Darling Square Library - Fitout works	$10,000,000	2020-2025
26.	Cook & Phillip Aquatic and Fitness Centre - Works package	$4,150,000	2020-2025
27.	New City of Sydney Creative Studios fitout works (Bathurst Street)	$3,332,000	2020-2025
28.	Customs House Acquisition	$27,000,000	Recoupment – acquired 2019
	Sub Total	**$84,028,938 (13% of total)**	
	Roads, Traffic and Transport facilities		
29.	Cowper Wharf Road upgrade, Woolloomooloo	$840,000	2020-2025
30.	Liverpool Street Cycleway	$9,182,532	Recoupment – completed 2017
31.	Observatory Towers/ Kent Street pedestrian crossing improvements	$1,600,000	2020-2025
32.	Cycleway - Castlereagh Street, Central and South	$9,870,674	Recoupment – completed 2017
	Sub Total	**$21,493,206 (3% of total)**	
	Grand Total	**$647,419,159**	


The Rocks
Barangaroo
Botanic Gardens
Garden Island
The Domain
Hyde Park
Darling Harbour
Belmore Park
Prince Alfred Park
Moore Park
TAFE
UTS
Margaret St
Bridge St
Macquarie St
George St
Market St
Bathurst St
Goulburn St
Campbell St
College St
William St
Macleay St
Darlinghurst Rd
Boundary St
Riley St
Flinders St
Crown St
Mary St
Chalmers St
Anzac Pde
Pyrmont St
Elizabeth St
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Figure 2: Works item locations
Land to which this Plan applies
Public domain improvement works
Community facilities works
Open space works
Roads, traffic and transport works
1 - Works item No. described in the Schedule of Works in Appendix B of this Plan
Items not shown (due to multiple locations or locations to be determined):
- Public domain improvements: 12, 19
- Community facilities: 22
0
250
500m
NORTH

B.2 Substitution of works items

This City may amend this Plan to alter, remove or substitute items in the Schedule of Works ~~to this Plan~~ to reflect relevant changes such as population forecasts, demand, and strategic initiatives at a local or state level. The City can only allocate levy funds to works if they are listed in the Schedule of Works. If the City allocates levy funds to a works item that is subsequently removed from the Schedule of Works, the City will reallocate funds to the amended Schedule of Works. Any alteration, removal or substitution of an item from the Schedule of Works does not affect an applicant's liability to pay the applicable levy, and require the City to provide a refund to the applicant.

B.3 Commitment of levy funds

The City will commit income from the levy to the works completed (and under recoupment) and anticipated future works described in the Schedule of Works. The City may spend more or less on a works item than the amount specified in the Schedule of Works. For example, the City may modify the scope of a particular works item with an associated cost increase or decrease. If the cost increases, the City will fund the cost increase through other sources. If the cost of the works item decreases, the City will allocate the excess funds to other items in the Schedule of Works rather than refund the difference between the actual cost and the amount specified in this Plan.

B.4 Pooling of levy payments

To assist in the delivery of works items in this Plan, the City may pool levy payments and apply the pooled levy funds to selected projects in the Schedule of Works. Council is satisfied that the pooling and progressive application of the money paid will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

B.5 Prioritising expenditure of pooled funds

Expenditure of pooled levy payments will be prioritised generally towards completed projects under recoupment then to projects that have relevant approvals.

The indicative timeframe for each works item is subject to change as it is influenced by:

- rate of development and contributions received
- pooling of funds
- updates to the City's capital works program each year
- relationship between the works and other events, including but not limited to, approvals, NSW Government infrastructure delivery and development of adjoining lands.

Appendix C Dictionary

Adaptive reuse	Means the modification of a listed heritage item to a new use that conserves its heritage values. The new use must not be for the original use or an existing or a previous use.
Affordable housing	Has the same meaning as contained in Section 1.4 of the EP&A Act. Note: At the time of publication of this Plan, Section 1.4 of the EP&A Act defines affordable housing as 'housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument'.
Charity or Not-for-profit organisation	Means an organisation registered with the Australian Charities and Not-for-profits Commission
Complying development	Has the same meaning as contained in Section 1.4 of the EP&A Act. Note: At the time of publication of this Plan, Section 1.4 of the EP&A Act defines complying development as 'development for which provision is made as referred to in Section 4.2(5)'.
Concept development	Means a development that is carried out in accordance with Division 4.4 of the EP&A Act and is defined under Section 4.22 of the EP&A Act as 'a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications'.
Development cost	Means the cost of the development as determined at Section 2.3 of this Plan.
Laneway	Means a public road with a width less than six metres.
Material public benefit	Means ~~settlement or part settlement of the levy through~~ the provision of public amenities or services which are not works listed in the Schedule of Works (see Appendix B) of this Plan. Material public benefit does not include the cost or value of works or dedication of land which is required as a condition of consent and these consent-conditioned works may include, but are not limited to: • the provision of public art, • public domain improvements to frontages of the site (e.g. footpath upgrade, provision of smart poles, planting of street trees), • minor land dedications (e.g. splay corners and land excess to the development), • land dedications and embellishments required by the planning controls, and • the provision of through site links and associated easements. Note: also see 'Works-In-Kind' in this Dictionary.

~~Non-potable use~~	~~In the case of water, means any purpose other than drinking, cooking or washing; and includes, but is not limited to: watering plants and landscaped areas, flushing toilets, or use in cooling towers.~~
Planning authority	Has the same meaning as contained in Section 7.1 of the EP&A Act. Note: At the time of publication of this Plan, Section 7.1 of the EP&A Act defines a planning authority as: • a council, or • the Minister, or • the Planning Ministerial Corporation*, or • a development corporation (within the meaning of the Growth Centres (Development Corporations) Act 1974), or • a public authority declared by the regulations to be a planning authority for the purposes of this Division. * Central Sydney Planning Committee is deemed a Corporation pursuant to Section 33 of the City of Sydney Act 1988.
Social housing	Means the provision of housing undertaken by a social housing provider. ~~Note: 'social housing provider' has the same meaning as contained in Clause 4 of the State Environmental Planning Policy (Affordable Rental Housing) 2009.~~
Social housing provider	Has the same meaning as in *State Environmental Planning Policy ~~(Affordable Rental Housing) 2009~~ (Housing) 2021*.
Temporary development	Means development of the following types which are in place for no more than 90 days from start of set up to the completion of clean up: • events • art installations • seasonal decorations • lighting.
Works-In-Kind	Means ~~settlement or part settlement of a levy through~~ the provision of physical works listed in the Schedule of Works to this Plan. Note: see also 'Material public benefit' in this Dictionary.

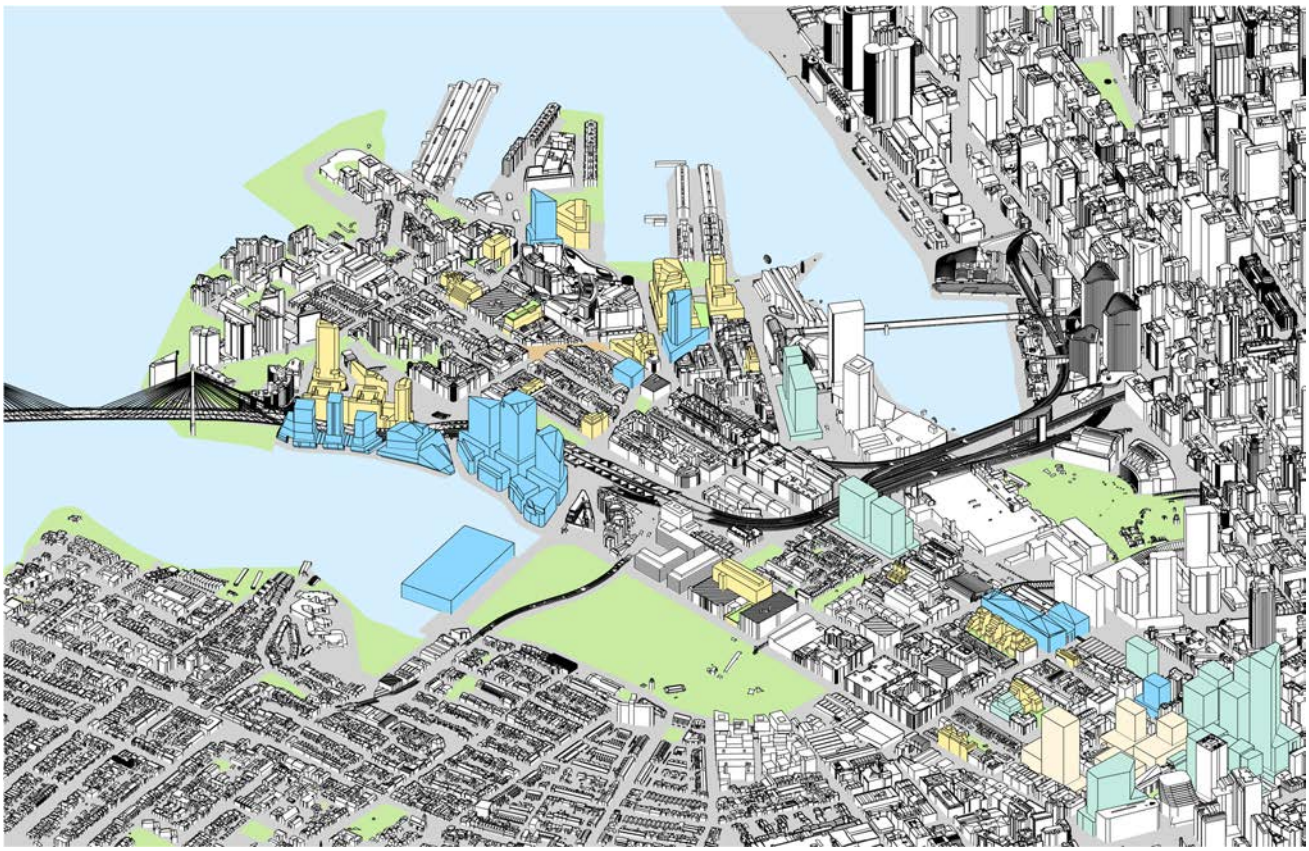


Attachment G1

Amended Ultimo Pyrmont Urban Design Study – Part 1

CITY OF SYDNEY

Ultimo Pyrmont Urban Design Study



September 2025

The City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area.

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Responding to the Place Strategy and the community's submissions

Urban design principles

The individual characteristics of each site are particular, and the application of the principles results in a variety of built form, height and floor space ratios. The variety is consistent with the existing variety of built form in the peninsula.

1. More deep soil for **more trees** and cool green spaces

   Each development site will contain designated deep soil areas for tree planting. The size and location of the areas is subject to the sites' size, shape and orientation. Deep soil areas are concentrated in locations that optimise access to winter sunlight to assist tree health and growth. Where practical they are placed adjacent to streets to maximise the extent of tree canopy over streets, contributing to a greener character to the public spaces of Ultimo Pyrmont. In total, space is provided for an additional 250+ trees across the peninsula.

2. **More public space** for more people – streets and open spaces

   The co-location of deep soil areas and streets makes it possible for the open spaces on private lots to be accessible to the public, extending areas for passive enjoyment, sitting, and walking, throughout the peninsula. In particular, a series of open spaces and through site links radiate from the metro station, so more people can access the station more easily and people arriving by metro can easily find their way to their destinations in comfort. In other places, arranging open spaces alongside streets increases their apparent width, with increased light and air, and space for trees and greening. On Saunders Street a new sunlit square. On small streets and lanes deep soil, landscaped setbacks extend the street space. Some sites are too small, and/or on sites where the maintenance of active frontages on streets is more important, to provide publicly accessible open space.

3. **Minimise overshadowing** of existing residential properties

   Ultimo Pyrmont are densely occupied by a variety of housing. The amenity of many dwellings is given by their access to sunlight, and new built form can unfairly limit the access to sunlight if not well designed and planned. Minimum criteria are described in the State Government's Apartment Design Guide and the City's Development Control Plan.

These criteria give form to new development, ensuring it minimises overshadowing to existing residential properties while enabling increased height and floorspace.

4. Reinforce **'street wall' form** of most buildings

   Ultimo Pyrmont are generally characterised by a continuous street wall form of building with zero front and side setbacks. This characteristic is followed for new building forms to maintain and extend the existing character of the area. New building forms have street walls that fit to their local context or establish a new street wall context similar to other parts of the peninsula. In some cases a tower form is more appropriate, particularly when this form of development allows increased sunlight into streets.

5. Conserve **heritage** values

   There are three Heritage Conservation Areas and numerous heritage items in Ultimo Pyrmont. Where new development is enabled the conservation of the existing significance of the areas and items is the primary consideration.

6. Good **design for wind and noise**

   Generally, the street wall character means that winds that cause poor comfort or compromise safety on surrounding streets and parks are avoided. Where taller buildings are possible upper-level setbacks to arrest downdraft and curved corners to assist continuous wind flow past new buildings are included.

   Many streets in Ultimo Pyrmont are busy and noisy having the potential to expose residents to the poor health effects that can result from long term exposure to noise. Where the potential exists, along Wattle and Harris streets in Ultimo and near the Anzac Bridge approach in Pyrmont the building form is narrower and continuous so windows to habitable rooms can open for ventilation away from the noise source. The continuity contributing to protecting the neighbourhood from the noise.

7. Match **land use** to place

   The new Metro station will provide employers access to employees across the Sydney metropolitan area accessed by the rail network. This area currently contains predominately employment uses and is at the centre of employment areas to the north and northeast. Continuing this use with additional floorspace will consolidate the productivity of employment uses in Pyrmont into the future and contribute to increased patronage on the metro line.
   Away from the metro station, but still within walking distance to the station residential uses are located.

8. Consider **views** to and from public places

   Views identified by the PPPS are generally along streets that run from Harris Street on the ridge to the harbour. Two additional view corridors, identified in various studies in previous urban design and planning studies are added to these. Where the view corridors cross over private land the position and shape of open space, or limited building height maintains them.

9. **Maximise** development **within constraints**

Within the constraints of other principles the development potential of each site is maximised.

Site studies

Sites with changing planning controls

The urban design investigations that underly the proposed planning changes in Ultimo Pyrmont are described in this study for the sites listed below.

Where there has been a change or an alternative approach developed for a site in response to the exhibition process, that site appears in bold text below. All other sites remain unchanged.

1. **46-48 Pyrmont Bridge Road**
2. 20-28 Bulwara Road
3. 2 Edward Street
4. 60 Union Street
5. **1-27 Murray Street**
6. **13A-29 Union Street**
7. 69-71 Edward & 102 Pyrmont Street
8. 55-65 Murray Street
9. 1-33 Quarry Master Drive
10. 140-148 Bank Street
11. **26-38 Saunders Street**
12. 14 Quarry Master Drive
13. 80-84 Harris Street
14. 79-93 John Street
15. 12 & 14-18 Pyrmont Street
16. 48 Pirrama Road
17. 100 Harris Street
18. **28-48 Wattle Street** & 50-54 Wattle Street
19. 469-483 Harris Street
20. 535-547 Harris Street
21. 549-559 Harris Street
22. 561-577 Harris Street
23. **562-576 Harris Street**
24. 383-389 Bulwara Road
25. 446-456 Wattle Street
26. 458-468 Wattle Street
27. 470 Wattle Street
28. **86-92 Harris Street**



Figure 1 – sites studied

46-48 Pyrmont Bridge Road

Overview

68-48 Pyrmont Bridge Road (Lot 1 DP 800148) is located between Bulwara Road and Little Mount Street, bordering the Pyrmont Heritage Conservation Area (refer Figure 3 and Figure 2).



Figure 3 – location plan of 46-48 Pyrmont Bridge Road



Figure 2 – oblique aerial of 46-48 Pyrmont Bridge Road

Background

46-48 Pyrmont Bridge Road was included in the Department of Planning's initial study. In this review it was amalgamated with an adjoining site within the Pyrmont HCA (63 Little Mount Street; Lot 1 DP 235536) and given an FSR of 6.0:1, a height of eight storeys was required to achieve this with zero setbacks to all sides, as shown in Figure 4. These controls can be seen in Table 1 below.

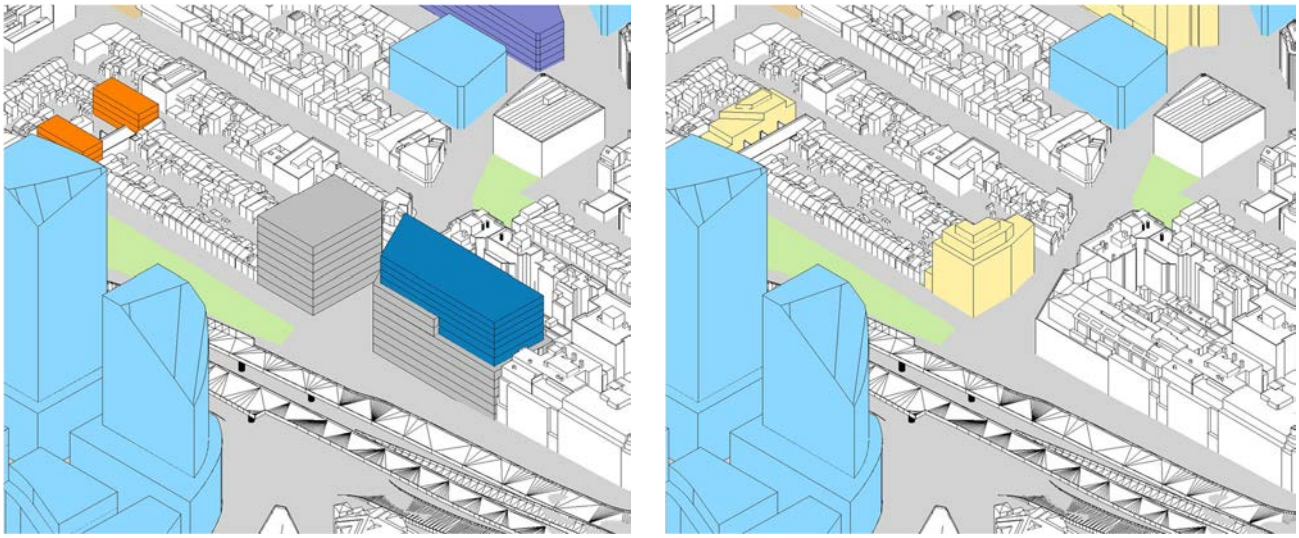


Figure 4 – comparison of Department of Planning's initial study, left in grey, and City of Sydney's study for a mixed use outcome, right in yellow, at 46-48 Pyrmont Bridge Road

The Department of Planning's initial study

Requiring amalgamation can slow and add cost to development unnecessarily. The proposed envelope without setbacks would overshadow neighbouring residential properties to the south, and Paradise Reserve to the west. An unrelieved window less wall was likely on the northern face. The narrow footpath to Pyrmont Bridge Road was not addressed. No deep soil area for tree planting was provided. Too little allowance was made between the volume of the envelope and the floor area resulting in little if any façade articulation and difficulty for a future application to achieve design excellence and the maximum allowable floor area within the height, complicating and slowing future application and approval times.

Table 1 – Department of Planning's initial study for 46-48 Pyrmont Bridge Road

Department of Planning's initial study		Proposed controls	Alternative controls
Gross floor area	8,112 sqm*	5,060 sqm	5,815 sqm
Floor space ratio	6	3.40 + DesEx	3.91 + DesEx
Height of building	35m	37m	37m
Height in storeys	8 *(HiS not specified)*	10^	9^
Deep soil	0%	15%	15%
*Department of Planning's initial study included an adjoining site within the Pyrmont Heritage Conservation Area			

Existing controls

46-48 Pyrmont Bridge Road is currently occupied by a two-storey commercial building, with zero setbacks and 100% site cover, the existing conditions and existing planning controls are summarised in Table 2 below. The layout and position of the site can be seen in Figure 5.

Table 2 – existing building and existing planning controls for 46-48 Pyrmont Bridge Road

	Existing building	Existing controls
Land use & zoning	Commercial	B4 - MU
Floor space ratio	1.61 approx.	2.0
Height of building	12m	12m
Height in storeys	2	3
Deep soil	0%	10%



Figure 5 – existing site plan for 46-48 Pyrmont Bridge Road

Urban design principles

More deep soil for **more trees** and cool green spaces –

Rear setbacks of sufficient width, three metres, for deep soil and tree planting are provided to the northern side boundaries including a consolidated area of 100 square metres that coincides with the rear gardens of the dwellings in the lots to the north. Trees in this area will shade the future building and provide privacy to existing rear gardens to the north of the site.

More public space for more people – streets and open spaces –

The building envelope is setback 6.5 metres from the kerb of Pyrmont Bridge Road to widen the existing narrow footpath, the main future walking route between the Metro Station and the Fish Market and from Glebe to the City. The narrow footpath on Little Mount Street is widened by 3 metres to increase pedestrian amenity.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of apartments at 209 Harris Street has been minimised, following the design guidance of the Apartment Design Guide (refer Figure 6).

Reinforce **'street wall' form** of most buildings –

The building envelope raises to seven floors on most of the street frontages to complement the street wall form of the majority of buildings on Pyrmont Bridge Road. The upper levels are setback to ensure the street wall is consistent, while allowing additional height where possible within the constructed sun access planes that minimise overshadowing to neighbouring properties.

Conserve **heritage** values –

The property adjoins the Pyrmont Heritage Conservation Area to the north. The building form is adjusted to fit this context by; a lower building height on Bulwara Road, two storeys, and setback to match the existing setback of the neighbouring property to the north.

Good **design for wind and noise** –

The site is subject to noise from the Anzac Bridge approach and Pyrmont Bridge Road, a busy road. The commercial use allows for artificial ventilation where residential use would not. The street wall design, the location, and surrounding building forms mean that wind is not likely to be a limiting issue on this site.

For reidential use the building envelope I limited to 12 metres in depth forming a courtyard. The courtyard enables the windows from habitble ensure that habitable rooms

Match **land use** to place –

The existing commercial use is well suited to its location on a busy road, within a short walk of the metro station, and at the junction of the motorway access. The surrounding noisy environment limits the site's suitability for residential use. Consequently, commercial use is proposed.

Consider **views** to and from public places –

The site is not constrained by view corridors.

Other issues –

Solar access to Paradise Reserve has been protected, with the proposed planning controls delivering a net increase in solar access (refer **Error! Reference source not found.**):

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

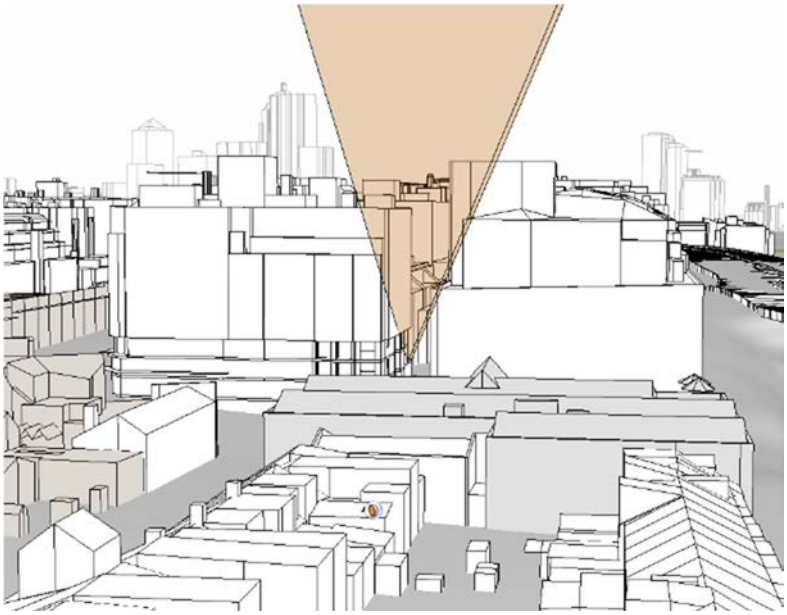


Figure 6 – solar access to 209 Harris Street

Proposed controls

For 46-48 Pyrmont Bridge Road, changes to controls are proposed to support two possible outcomes for floor space use. The existing mixed use provisions have been reviewed to provide uplift in floor space and height to provide for more residential floor space. In addition, an alternative set of controls allows for a solely non-residential floor space outcome. The alternative controls were exhibited in late 2024. The uplift for this approach is greater than that for mixed use as the building envelope for non-residential uses can accommodate floor space more efficiently.

Controls for mixed use development

Changes to the existing mixed use controls for this site provide for residential floor space above street level commercial floor space uses. This allows for an FSR of 3.4:1 with a Design Excellence bonus, height limits of 37 metres and 10 storeys; and a deep soil requirement for at least 15% of the site area, as shown in Table 3 below. Street wall height, site layout requirements, and streetscape improvements proposed are similar to those of the commercial option. Street-level and upper-level setbacks are designed to respond to the amenity requirements set out by the Apartment Design Guide (ADG). Details of site layout are shown in Figure 7 and Figure 8.

Table 3 – proposed changes to planning controls for mixed use development at 46-48 Pyrmont Bridge Road

	Existing building	Existing controls	Proposed controls
Land use & zoning	Commercial	MU1	MU1
Floor space ratio	1.61 approx.	2.0	3.40 + DesEx
Height of building	12m	12m	37m
Height in storeys	2	3	10
Deep soil	0%	10%	15%

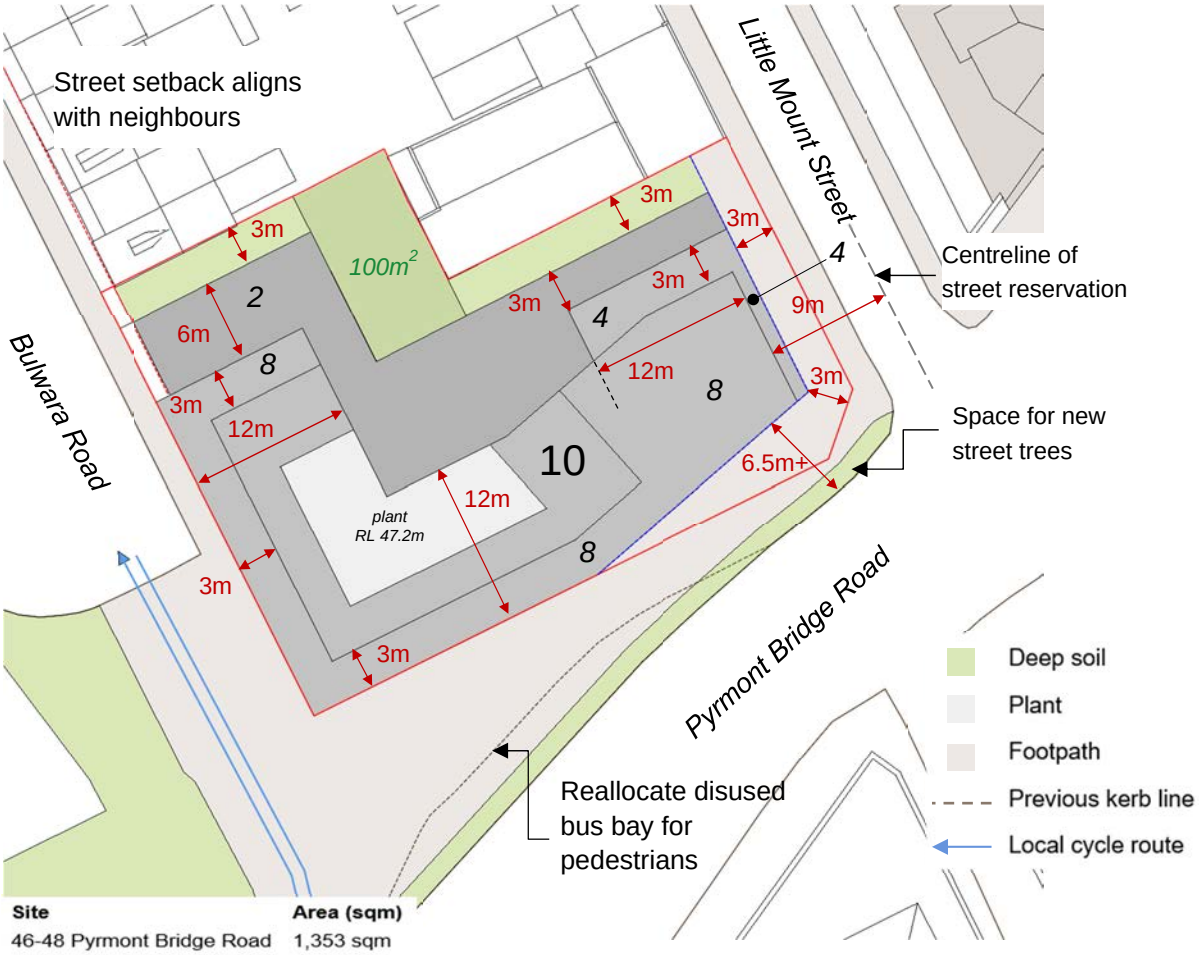


Figure 7 - site plan showing mixed use scheme for 46-48 Pyrmont Bridge Road

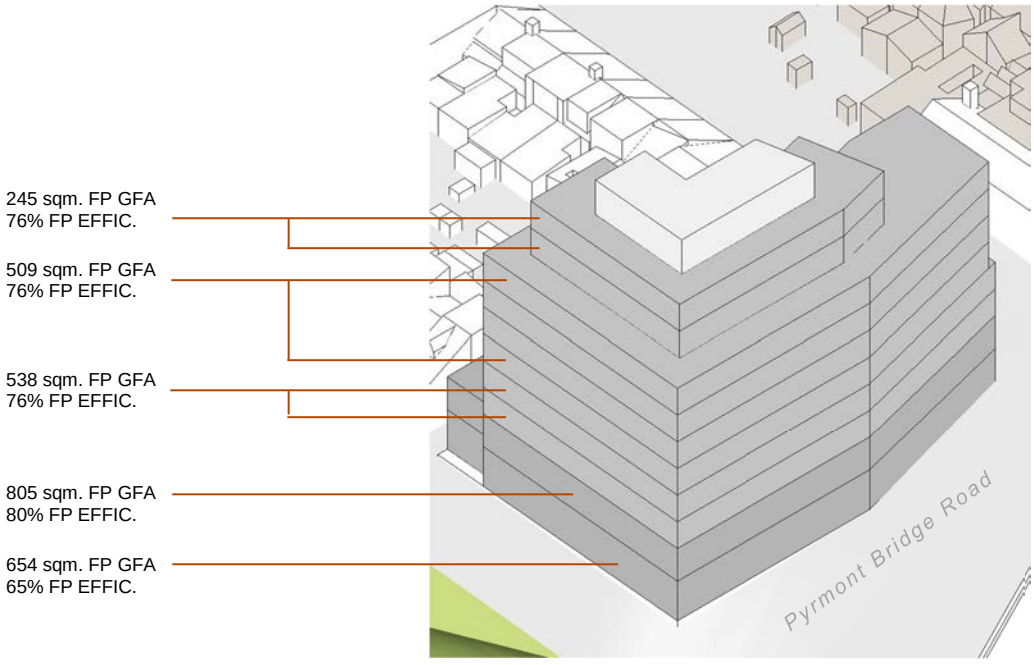


Figure 8 – isometric of mixed use scheme for 46-48 Pyrmont Bridge Road

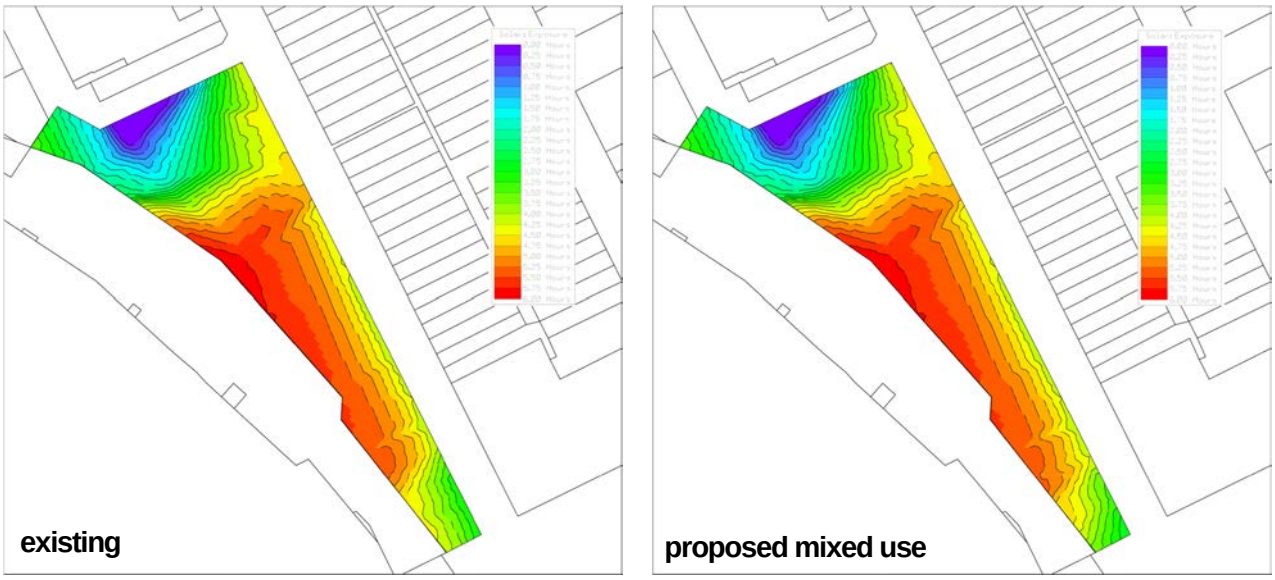


Figure 9 – diagrams showing sunlight to Paradise Reserve at the winter equinox, 9am – 3pm

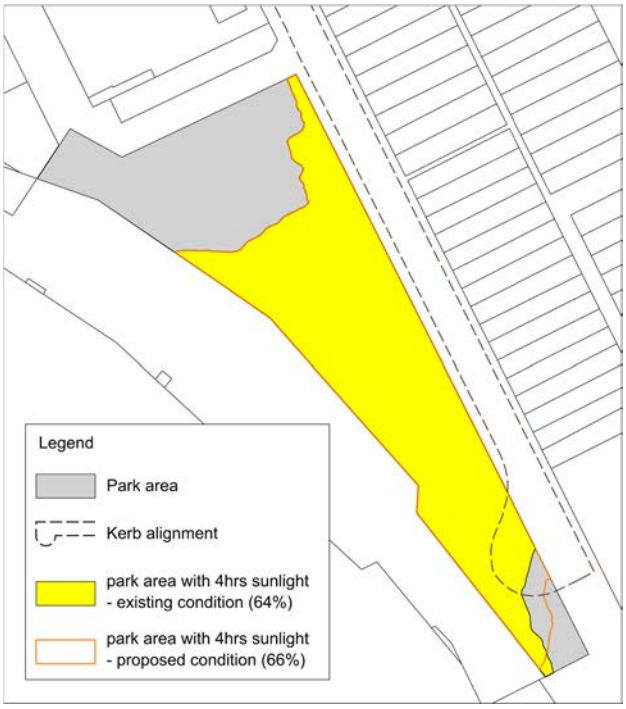


Figure 10 – diagram showing change in available sunlight to Paradise Reserve at the winter equinox that results from proposed mixed use controls at 46-48 Pyrmont Bridge Road

Alternative controls for non-residential development

The alternative set of controls (exhibited in late 2024) allow for an outcome of solely commercial floor space use. These include an uplift in FSR of 3.91:1 with a Design Excellence bonus; height limits of 37 metres and 9 storeys; and a deep soil requirement for at least 15% of the site area, as shown in Table 4**Error! Reference source not found.** below. The various street and upper-level setbacks, street wall height, site layout requirements, and streetscape improvements proposed are shown in Figure 11 and Figure 12.

Table 4 – proposed planning controls for 46-48 Pyrmont Bridge Road

	Existing building	Existing controls	Proposed controls
Land use & zoning	Commercial	MU1	MU1
Floor space ratio	1.61 approx.	2.0	3.91 + DesEx
Height of building	12m	12m	37m
Height in storeys	2	3	9
D0eep soil	0%	10%	15%



Figure 11 – proposed site plan for 46-48 Pyrmont Bridge Road

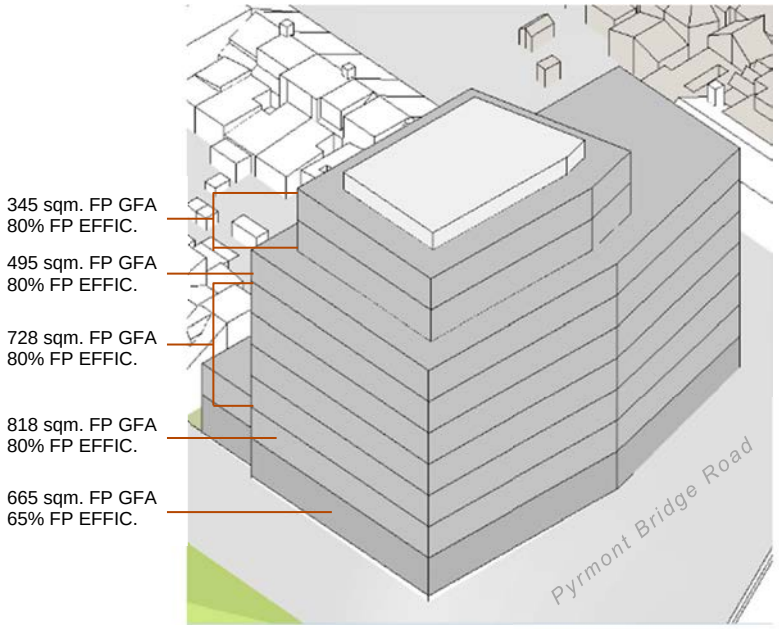


Figure 12 – isometric of proposed building envelope for 46-48 Pyrmont Bridge Road

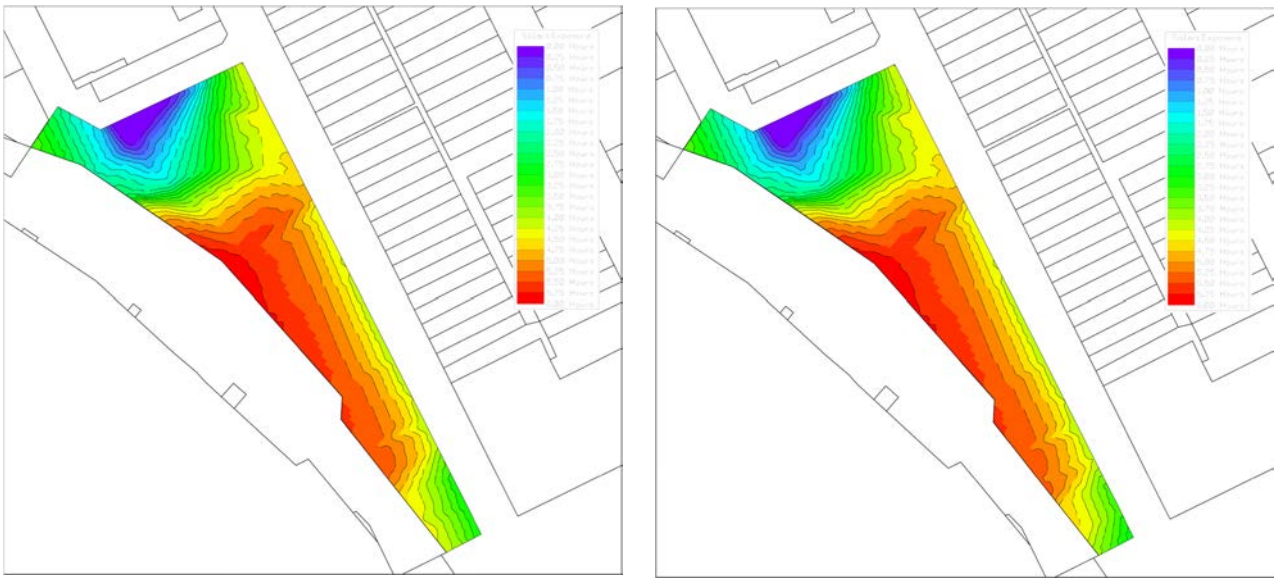


Figure 13 – diagrams showing sunlight to Paradise Reserve at the winter equinox, 9am – 3pm

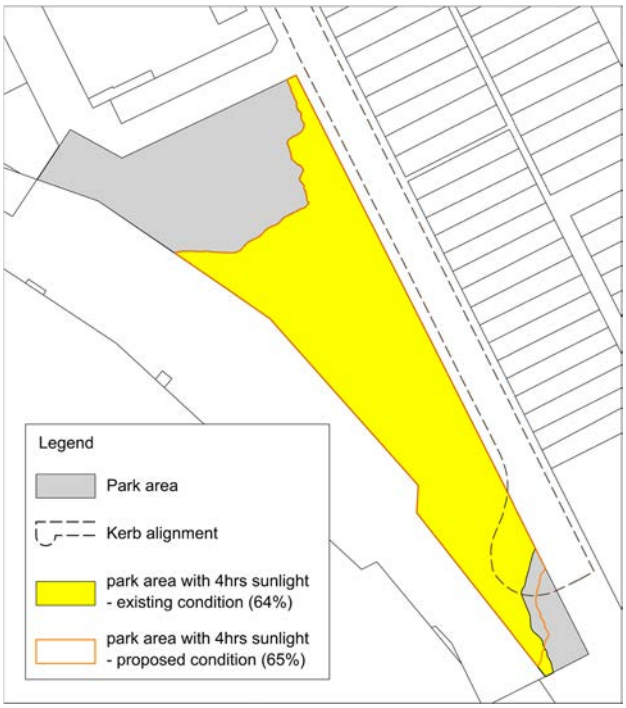


Figure 14 – diagram showing change in available sunlight to Paradise Reserve at the winter equinox that results from alternative non-residential controls at 46-48 Pyrmont Bridge Road

Visualisation



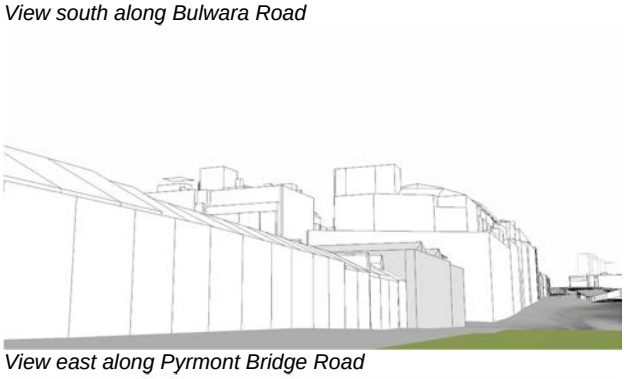
Figure 15 – view locations

Existing

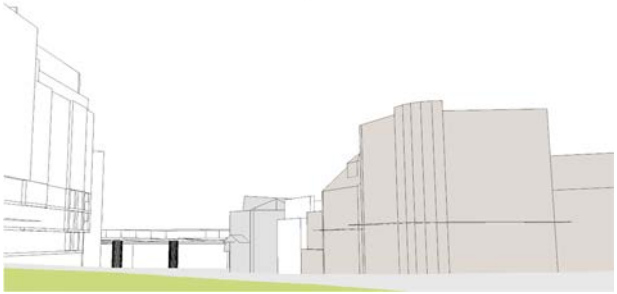
View south along Little Mount Street



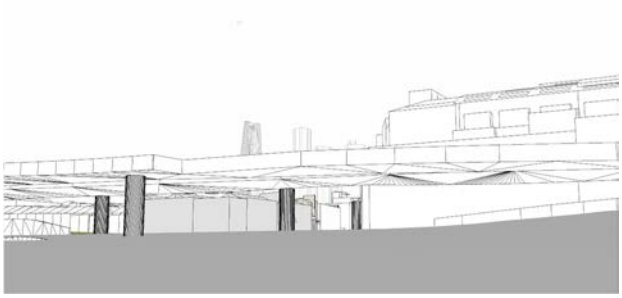
View south along Bulwara Road



View west from Elizabeth Healey Reserve



View east along Pyrmont Bridge Road

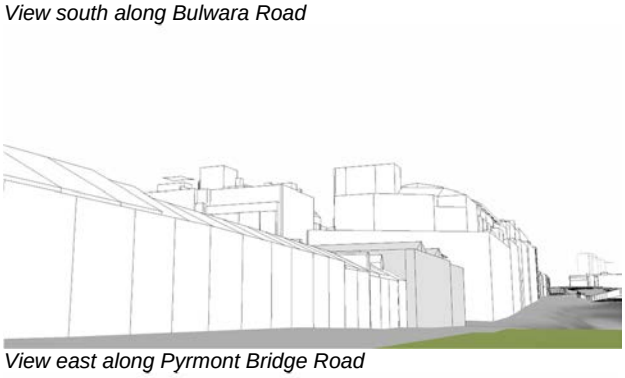


Existing + Approved

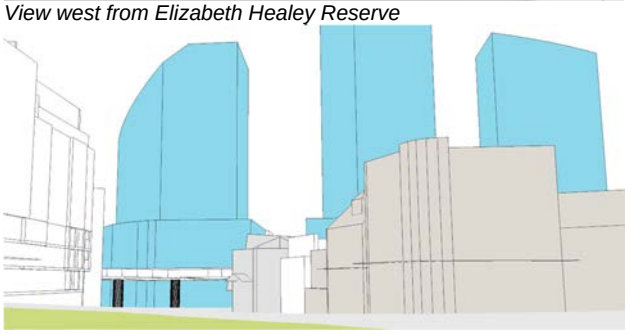
View south along Little Mount Street



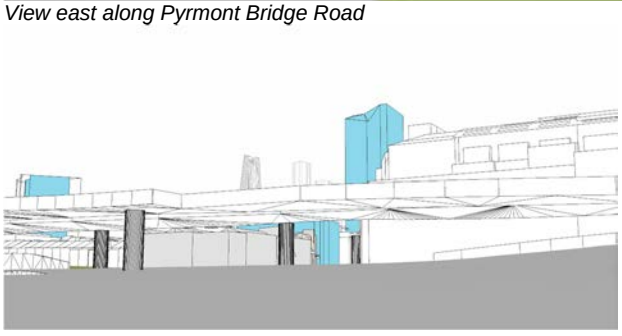
View south along Bulwara Road



View west from Elizabeth Healey Reserve



View east along Pyrmont Bridge Road

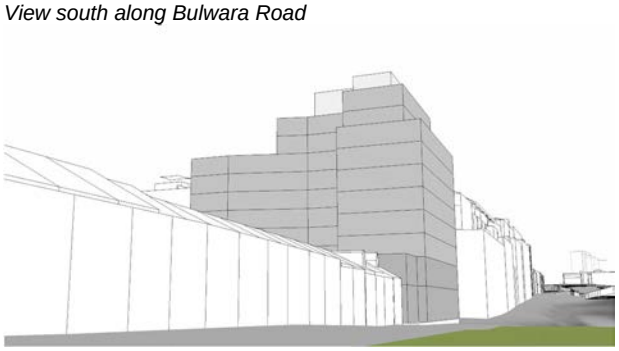


Controls for mixed use development

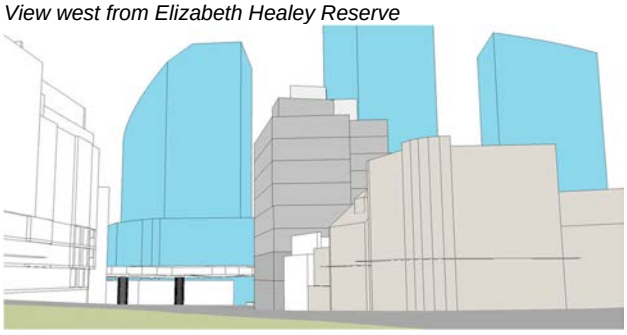
View south along Little Mount Street



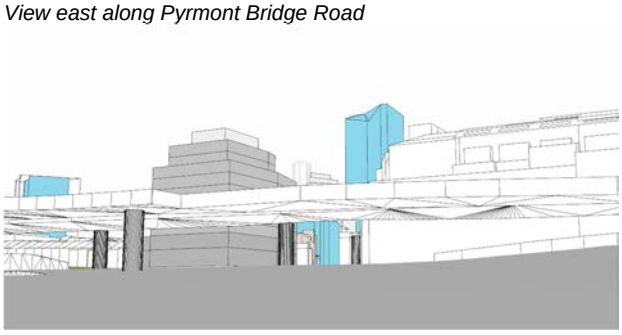
View south along Bulwara Road



View west from Elizabeth Healey Reserve



View east along Pyrmont Bridge Road

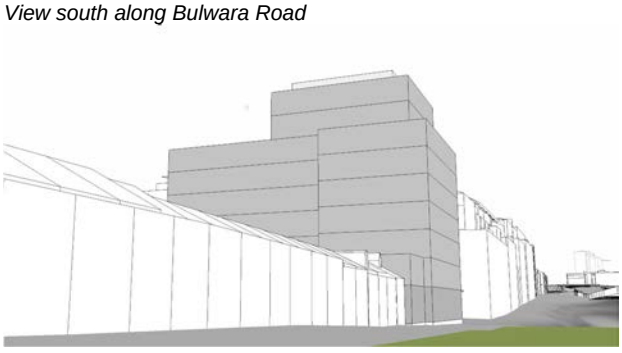


Alternative controls for commercial development (exhibited)

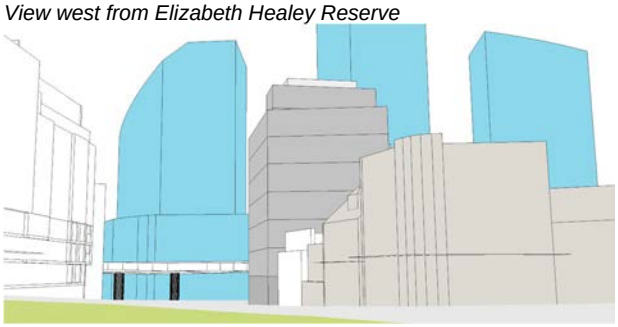
View south along Little Mount Street



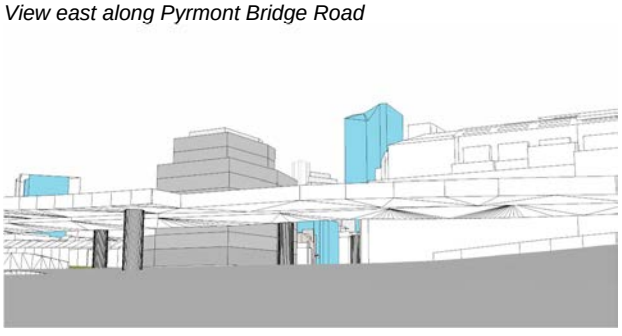
View south along Bulwara Road



View west from Elizabeth Healey Reserve



View east along Pyrmont Bridge Road



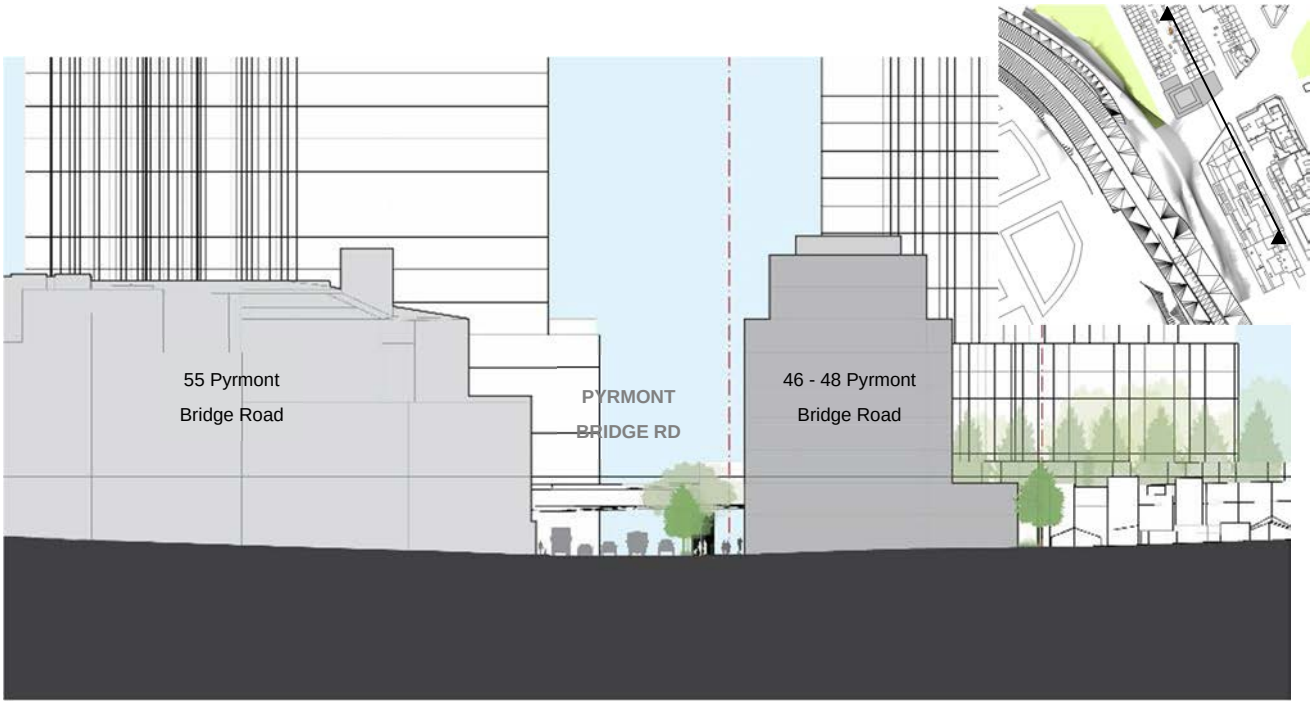


Figure 16 – section of 46-48 Pyrmont Bridge Road, looking west; showing alternative controls for commercial development (exhibited late 2024)

20-28 Bulwara Road

Overview

20-28 Bulwara Road (Lot 1 DP 433177) is located between Bulwara Road and Little Mount Street, it is within the Pyrmont Heritage Conservation Area (refer Figure 17 and Figure 18).



Figure 17 – location plan of 20-28 Bulwara Road



Figure 18 – oblique aerial of 20-28 Bulwara Road

Background

20-28 Bulwara Road was included in the Department of Planning's initial study. In this review it was given an FSR of 3.5:1, a height of four storeys, and zero setbacks to all sides, as shown in Figure 19. The heritage values of the Heritage Conservation Area were not considered. These controls can be seen in Table 5 below.

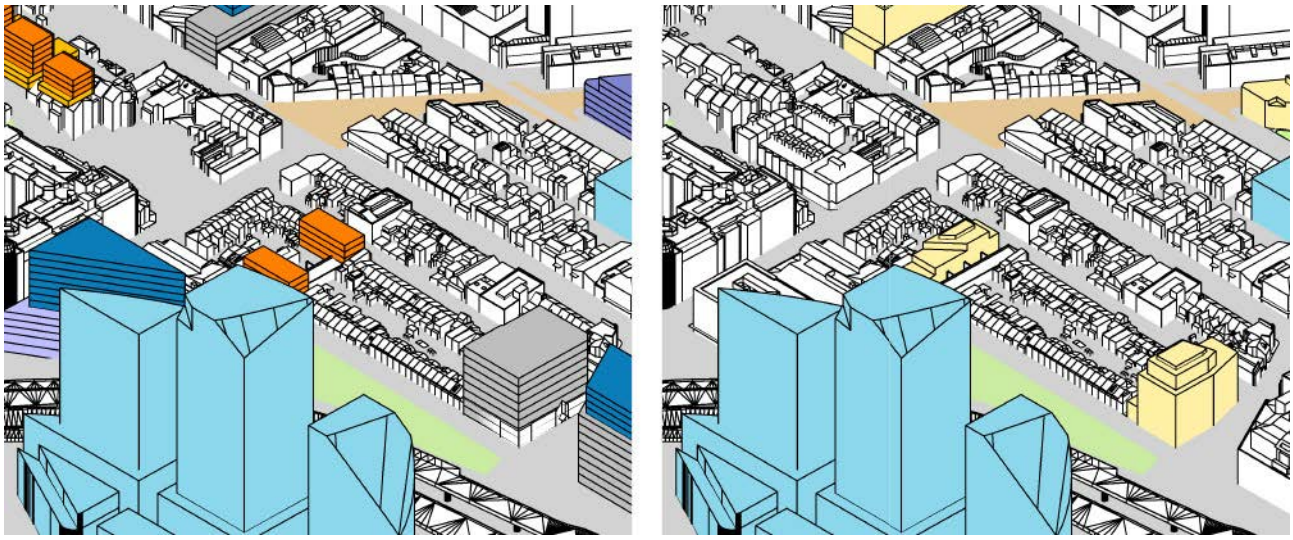


Figure 19 – comparison of Department of Planning's initial study and City of Sydney's study for 20-28 Bulwara Road

Table 5 – Department of Planning's initial study for 20-28 Bulwara Road

	Department of Planning's initial study	City of Sydney's study
Gross floor area	4,602 sqm*	1,861 sqm
Floor space ratio	3.5*	1.4
Height of building	Not specified	14m
Height in storeys	4 *(HiS not specified)*	4^
Deep soil	10%	15%
Model shown represents GFA of approx.* ***2,140 sqm (FSR 1.62)**, not the controls proposed*		

Existing controls

20-28 Bulwara Road is currently occupied by a substation, the existing buildings' characteristics and current planning controls can be seen in Table 6 below. The layout and position of the site can be seen in Figure 20.

Table 6 – existing building and existing planning controls

	Existing buildings	Existing controls
Land use & zoning	Substation	R1 – GR
Floor space ratio	<0.2 approx.	1.0
Height of building	8m	9m
Height in storeys	2	2
Deep soil	0%	10%

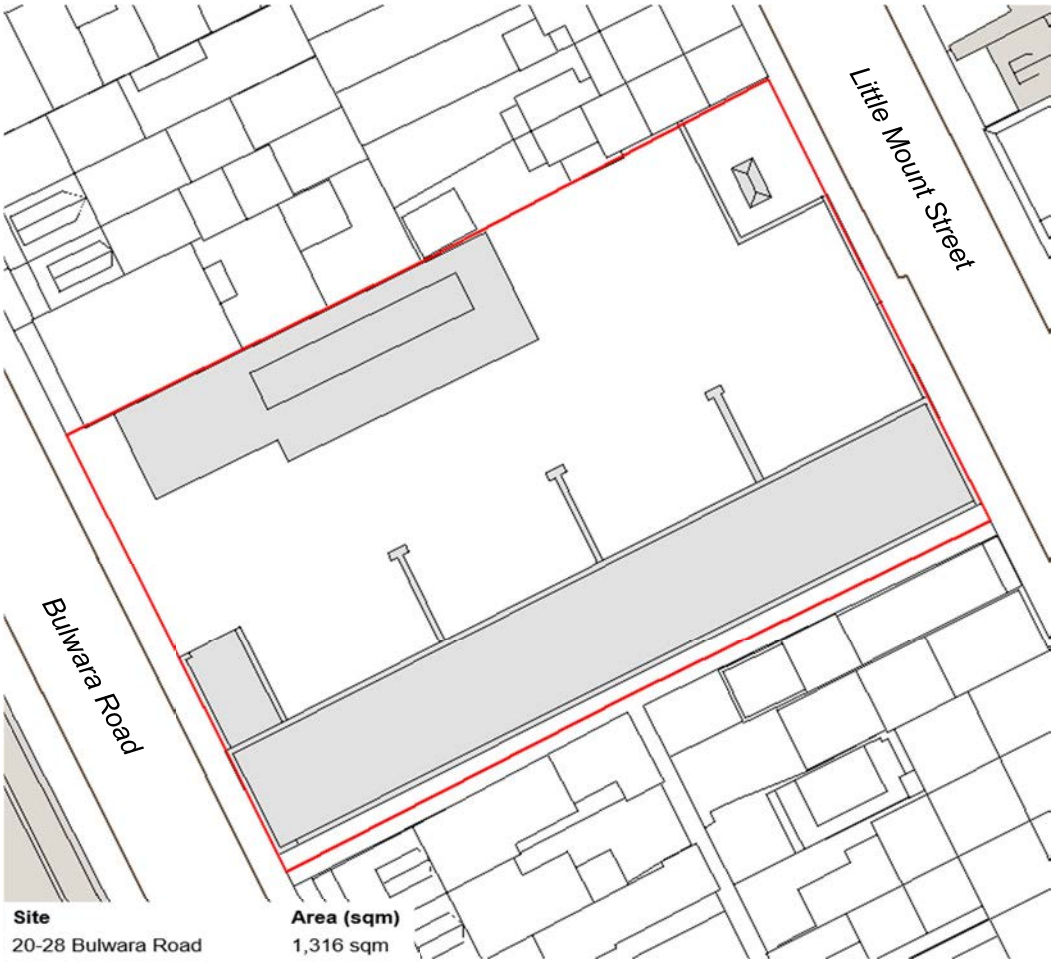


Figure 20 – existing site plan for 20-28 Bulwara Road

Urban design principles

More deep soil for **more trees** and cool green spaces –

Within the former yards of the substation deep soil areas of sufficient width, three metres, for tree planting are provided, enabling 15% of the site area to have deep soil.

More public space for more people – streets and open spaces –

The conservation of the significant fabric of the existing southern section of the building and maintaining the street alignment of these in the new envelope consistent with the street walls in the local Heritage Conservation Area context has meant that on this relatively small site no additional public space is provided.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the City's Development Control Plan (refer Figure 21).

Reinforce **'street wall' form** of most buildings –

A street wall height of two storeys with setbacks set by the adjoining properties continues the existing street wall on both street frontages.

Conserve **heritage** values –

The property is within the Pyrmont Heritage Conservation Area. The building form and height is carefully modelled to be a good fit to these surroundings; with six-metre upper-level setbacks to the upper levels of the northern building and the height of the conserved southern building maintained as is.

Good **design for wind and noise** –

The site and the relative low building envelope are not exposed to wind or noise.

Match **land use** to place –

The existing commercial use is well suited to its location opposite other commercial uses, within a short walk of the metro station, and for the conservation of the fabric of the southern building. The site's size, configuration, orientation, likely contamination due to its existing substation use, and conservation of the southern building make residential uses difficult to accommodate. Consequently, a commercial use is proposed.

Consider **views** to and from public places –

The site is not constrained by view corridors.

Other issues –

– Solar access to Paradise Reserve has been protected, with the proposed planning controls resulting in no changes to solar access (refer Figure 22).

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.



Figure 21 – solar access to adjoining residential properties

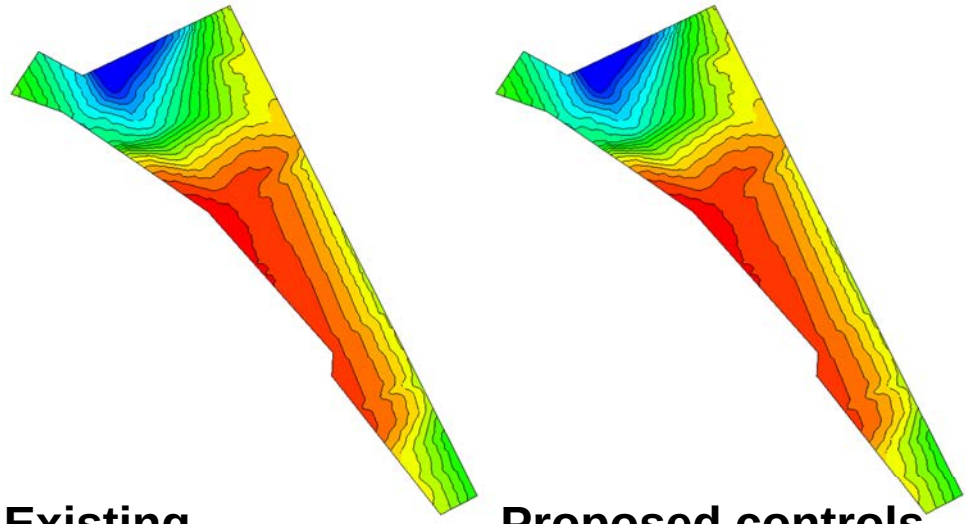


Figure 22 – solar insolation to Paradise Reserve at the winter equinox

Proposed controls

For 20-28 Bulwara Road, the proposed controls are for a commercial use with an FSR of 1.4:1; a height limit of 14 metres and 4 storeys; and a deep soil requirement for at least 15% of the site area, as shown in Table 7 below. The proposed site layout is shown in Figure 23.

Table 7 – proposed planning controls

	Existing building	Existing controls	Proposed controls
Land use & zoning	Substation	R1 – GR	Commercial
Floor space ratio	<0.2	1.0	1.4
Height of building	8m	9m	14m
Height in storeys	2	2	4^
Deep soil	0%	10%	15%



** excludes the ground floor located below the level of Little Mount Street

Figure 23 – proposed site plan for 20-28 Bulwara Road

Visualisation

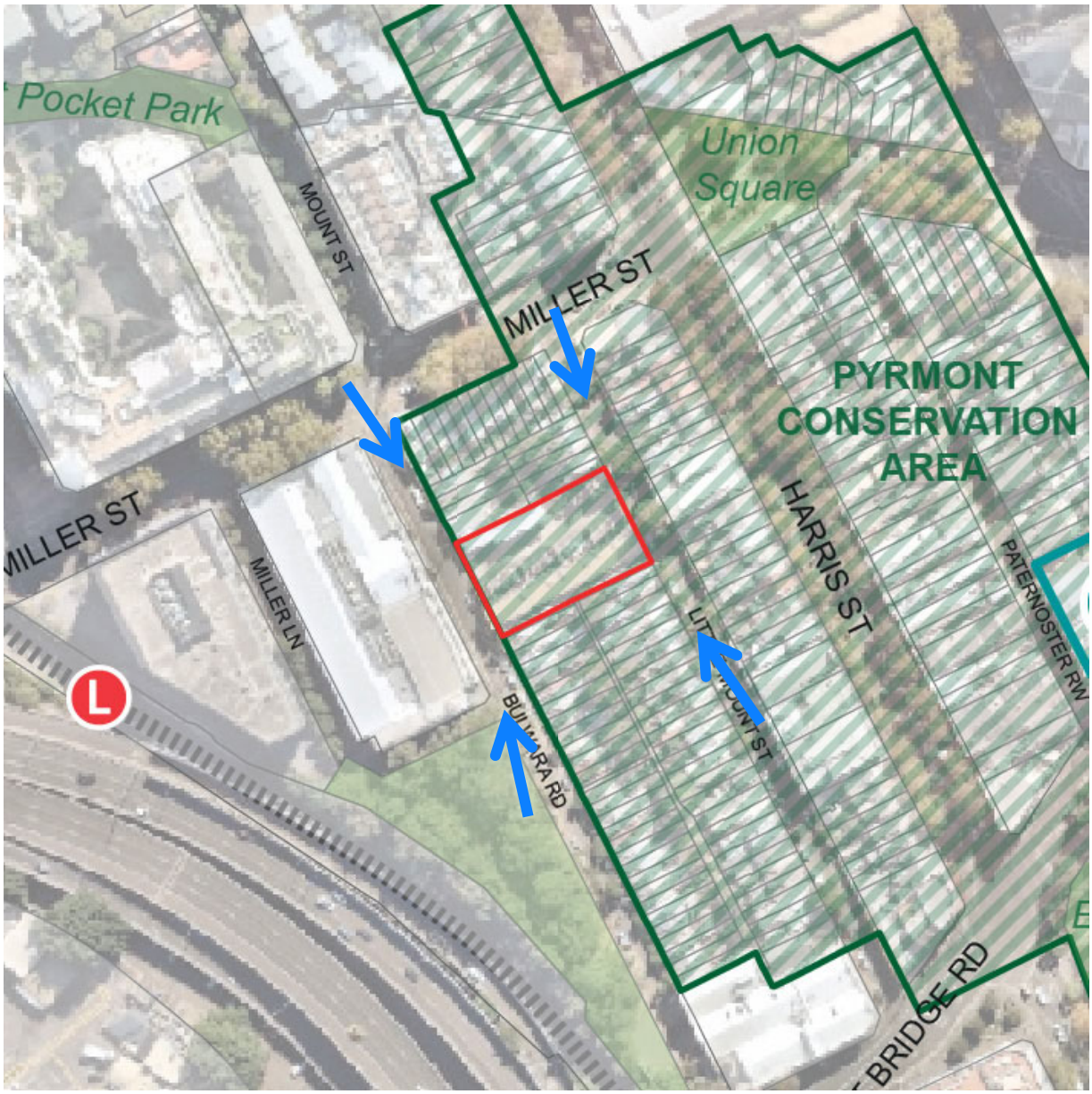


Figure 24 – view locations

Existing

View south along Little Mount Street



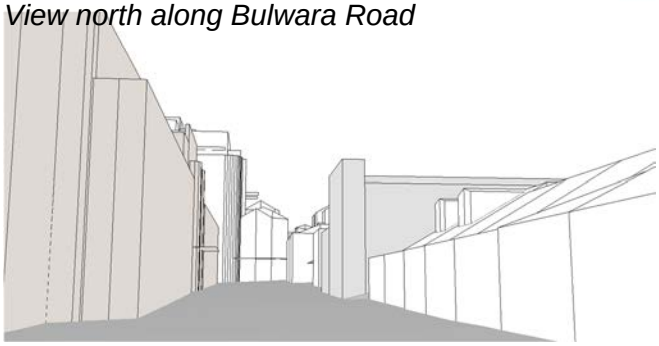
View south along Bulwara Road



View north along Little Mount Street



View north along Bulwara Road



Proposed

View south along Little Mount Street



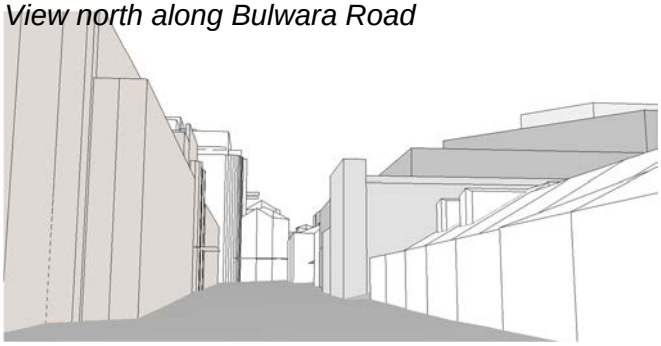
View south along Bulwara Road



View north along Little Mount Street



View north along Bulwara Road



2 Edward Street and 60 Union Street

Overview

2 Edward Street (Lot 21 DP 1000905) and 60 Union Street (Lot 2004 DP 1103434) are located immediately north of the eastern site of the proposed Pyrmont Metro on Union Street. Together they are bound by (clockwise) Edward Street to the west, Pirrama Road to the north, Harwood Place to the east, and Union Street to the south, as shown in Figure 25 and Figure 26 below.

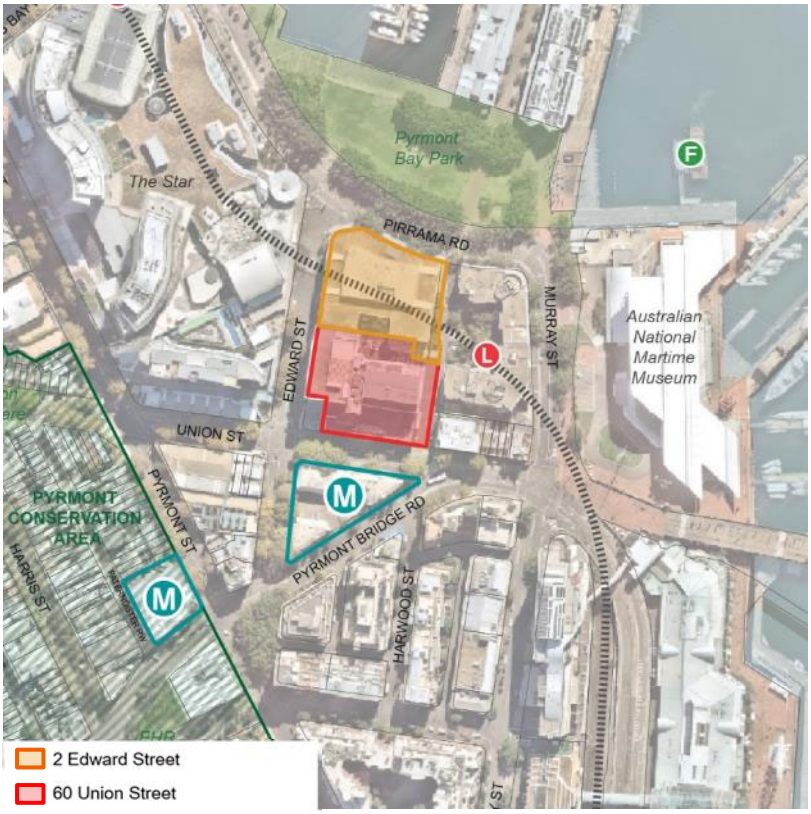


Figure 25 – location plan of 2 Edward Street & 60 Union Street



Figure 26 – oblique aerial of 2 Edward Street & 60 Union Street

Background

2 Edward Street and 60 Union Street were both included in the Department of Planning's initial study. In this review both sites were given an FSR of 7.0, with heights of RL 90 for 2 Edward Street, increasing to RL 130m for 60 Union Street. As shown in Figure 27 below, these envelopes would have had podia to the same extent as the existing buildings to the three street frontages and along Harwood Place, above which two tall tower envelopes would sit, reaching RL 130m, 10 metres above the approved Pyrmont Metro OSD envelope. The study did not consider good design for wind, the poor amenity offered by the open space to the east of the sites, the existing poor connections from Union Street to Pirrama Road, and effects of sunlight on surrounding sites. The preliminary controls can be seen in **Error! Reference source not found.** below.

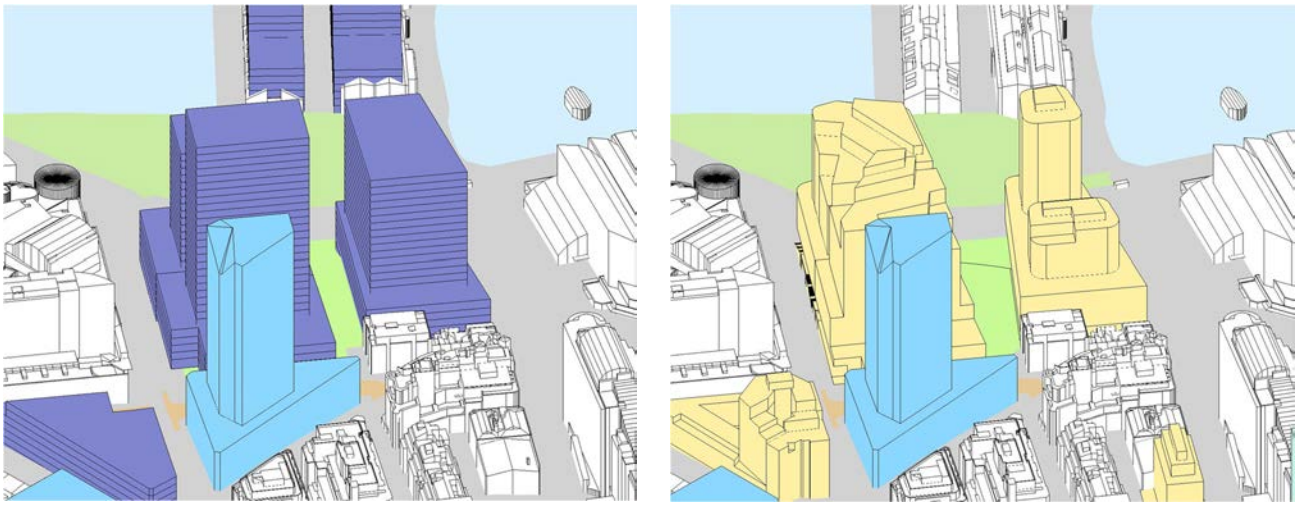


Figure 27 – comparison of Department of Planning's initial study and City of Sydney's study for 2 Edward Street & 60 Union Street

Existing controls

2 Edward Street and 60 Union Street are both currently zoned for commercial uses, these existing uses, along with the existing controls can be seen in Table 8 below. 2 Edward Street is currently occupied by a six-storey commercial building, with zero setbacks to Edward Street, Pirrama Road and Harwood Place, with no upper-level setbacks. 60 Union Street contains multiple retail uses on the lower level (below the level of Harwood Place), with commercial uses above. There are zero setbacks to Edward Street, Union Street and Harwood Place, with upper-level setbacks above. The layout and position of the site can be seen in Figure 28, overleaf.

Table 8 – existing building and existing planning controls for 2 Edward Street & 60 Union Street

	Existing building	Existing controls
2 Edward Street		
Land use & zoning	*Commercial*	B3 - CC
Floor space ratio	*4.12*	4.0
Height of building	*25.5m*	24m
Height in storeys	*6*	5
Deep soil	*0%*	10%
60 Union Street		
Land use & zoning	*Commercial*	B3 - CC
Floor space ratio	*4.67*	4.0
Height of building	*38m*	33m
Height in storeys	*9*	8
Deep soil	*0%*	10%

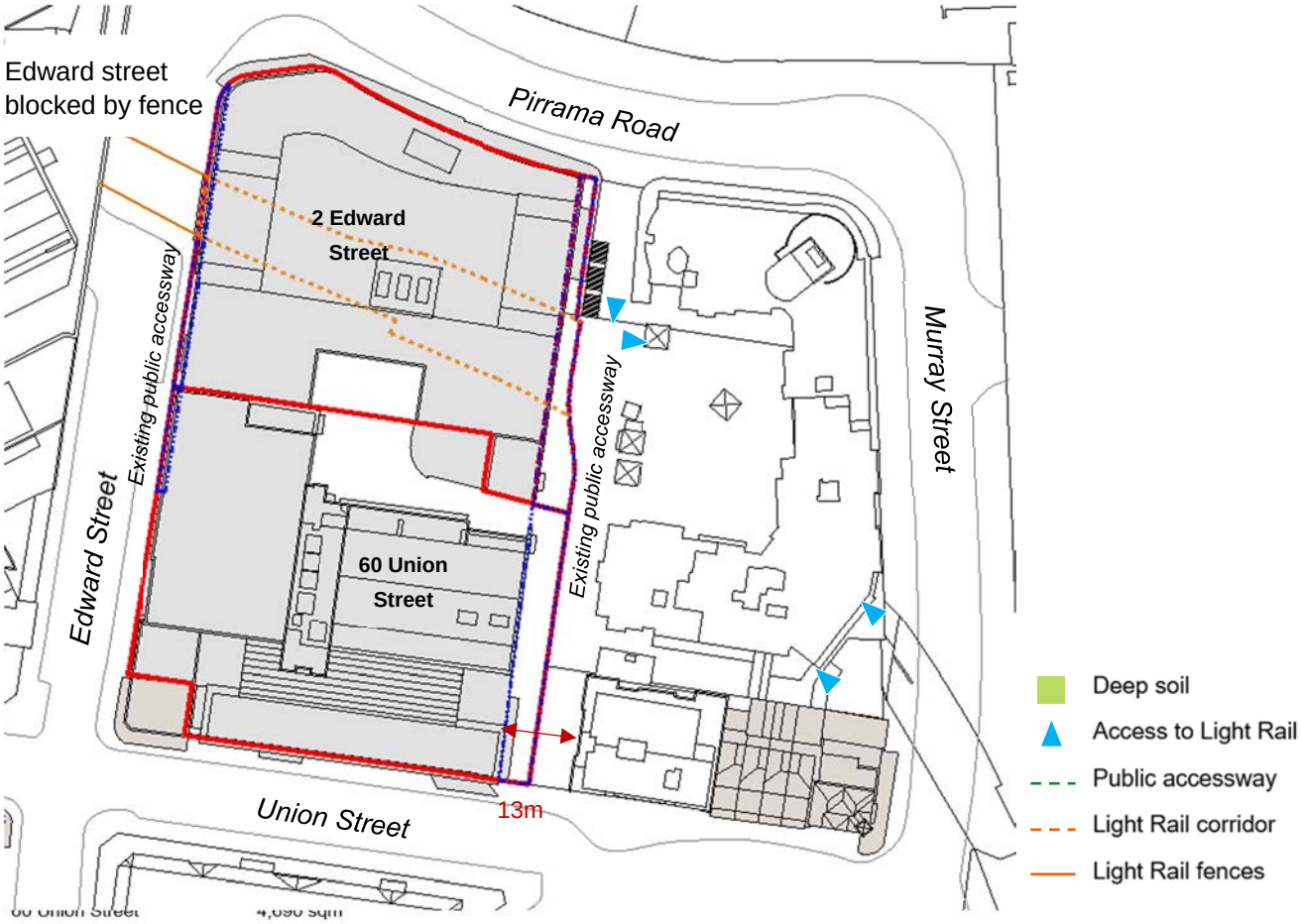


Figure 28 – existing site plan for 2 Edward Street & 60 Union Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

On the eastern side of both sites, either side of the light rail corridor, areas of deep soil are required within the new publicly accessible open space, of the site area of both sites at least 15% is to be deep soil. This will provide for a substantial combined area of new tree planting.

More public space for more people – streets and open spaces –

Around the extended alignment of Harwood Street (Harwood Place) a, larger than existing, area of publicly accessible open space is formed in a wedge shape opening from Union Street in the south, towards Pyrmont Bay Park in the north. The open space is bounded by a colonnade continuous from Union Street to Pirrama Road, on its western edge it contains a stairway that links the higher Union Street level to the lower Pirrama Road level north of the light rail line. The level change is accessible to everyone by use of the existing, or renewed lift access to the light rail station. This space is a seamless, accessible, easily navigable link for people going to and from the metro station, light rail station, ferry stop and the surrounding areas. It increases the visibility and accessibility of the metro station, extends the openness and amenity of Pyrmont Bay Park opposite, and accommodates the recreational needs of workers in new buildings on these and surrounding sites. Its shape and split level are distinctive and memorable, opening up Union Street to the northern sunlight and harbour.

On Edward Street a new light rail overpass is contained within the podium of both buildings. Compared to the existing overpass the new passage is wider, a total of 6 metres deep, more open, at least 6 metres clear height, and more visible from Edward Street, and accessible to everyone with ramps to the south and a public lift to the north at Pirrama Road (refer Figure 29). Careful, cooperative arrangements are anticipated to ensure the staged completion of the overpass while maintaining the existing access.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 30).

Reinforce **'street wall' form** of most buildings –

A street wall height as proposed in the Pyrmont Peninsula Sub-precinct Masterplan for the area on Pirrama Road sets the podium wall height for the buildings.

Conserve **heritage** values –

On Union Street the tower height is setback by 20 metres above a two-storey street wall height to accord with the existing setbacks to Union Street, allowing light into the street and setting an appropriate street wall height for the nearby heritage items on the north side of Union Street.

Good **design for wind and noise** –

The site is exposed to winds, particularly to the northeast. The minimum 6 metre podium setback, curved corners, and the splayed shape of the open space with non-parallel sides, are included in the building envelopes to minimise uncomfortable and unsafe winds on the accessible ground levels area. These may require supplementing or modifying following wind tunnel testing and wind expert advice.

The site is exposed to noise from the harbour and nearby late-night entertainment areas. The commercial use ensures that nuisance does not result from this noise and the nearby uses can continue unaffected.

Match **land use** to place –

The existing commercial use is well suited to its location opposite the metro station, surrounded by existing commercial uses and close to Central Sydney. The combined floor area of a consolidated

commercial area that these sites are central to produces a critical mass of commercial floor space. This concentration potential increases productivity due to agglomeration effects and will increase patronage on the west metro line. Consequently, commercial use is proposed.

Consider **views** to and from public places –

The site maintains and opens up the Harwood Street view corridor, identified and made in the late twentieth century in previous agreed plans for the sites. The view corridor would be partly obstructed by any construction within the eastern *nose* of the metro site. This area should not be developed, and the envelope adjusted accordingly.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.



Existing – from Pirrama Road

Proposed – from Pirrama Road

Figure 29 – improved public access on Edward Street over light rail

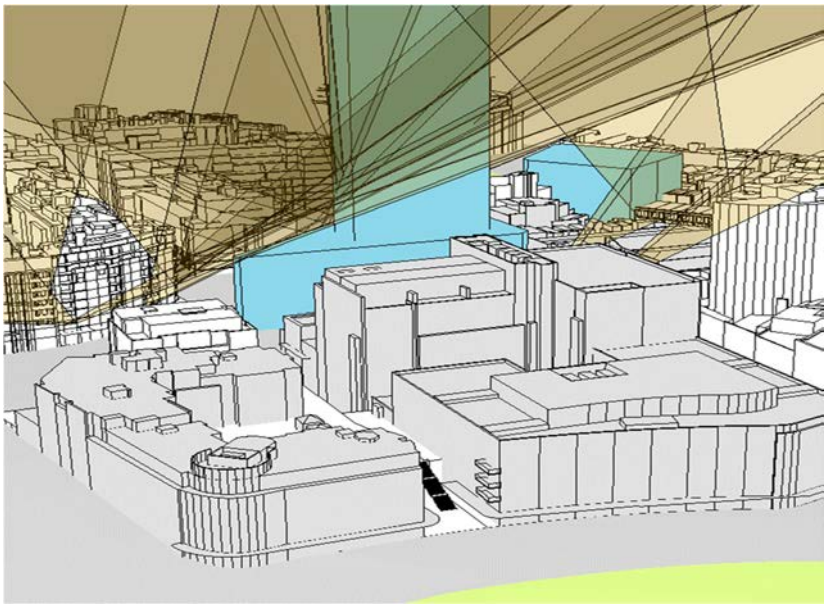


Figure 30 – solar access to adjoining residential properties

Harwood Street view corridor

The 1999 Urban Development Plan for the Ultimo-Pyrmont Precinct identified several important view corridors across the peninsula. As shown in Figure 31 below, these were supported by key development controls to ensure the long-term protection of view to and from public places. These view corridors, including the Harwood Street view corridor can be seen in Figure 32, overleaf.

3.4 Views, Vistas and Siting

3.4.1 Views and vistas from the public domain

PRINCIPLE:

The siting and form of development must have regard to the creation, retention and enhancement of significant views and vistas from public places. This includes views into, out of and within the precinct and to significant buildings.

CONTROLS:

- Major existing views and vistas out from the precinct and to the precinct, should be maintained and new vistas and views should be opened up through the urban fabric, as indicated on **Map 10.**
- The sense of dramatic entry into the precinct should be heightened by development which maintains and enhances the views and vistas from the approaches and which frames them. These should include approaches by ferry and by light rail as well as pedestrian and vehicular routes.
- Development should provide for continuous views of the Harbour from the proposed waterfront promenade.
- Views and vistas along streets and from public places to buildings and places of architectural, streetscape or heritage significance should be maintained.
- Views of and to significant heritage items and buildings and conservation areas must be considered and maintained.
- The visibility of major cliff faces from public places and the water should be maintained.
- Important views and vistas should be enhanced by the form and treatment of buildings along the view corridor.
- Pedestrian over bridges are generally considered inappropriate in the Pyrmont Ultimo area, and they must not be introduced where they will impede significant views or vistas.
- Views and vistas must not be obstructed by advertising signs or other structures.
- The western and north-western slopes of Distillery Hill and the upper part of Pyrmont Point should be maintained and enhanced as an important viewing area and for public recreation.

Figure 31 – development controls for view corridors within the 1999 Urban Development Plan for the Ultimo-Pyrmont Precinct [p. 33]

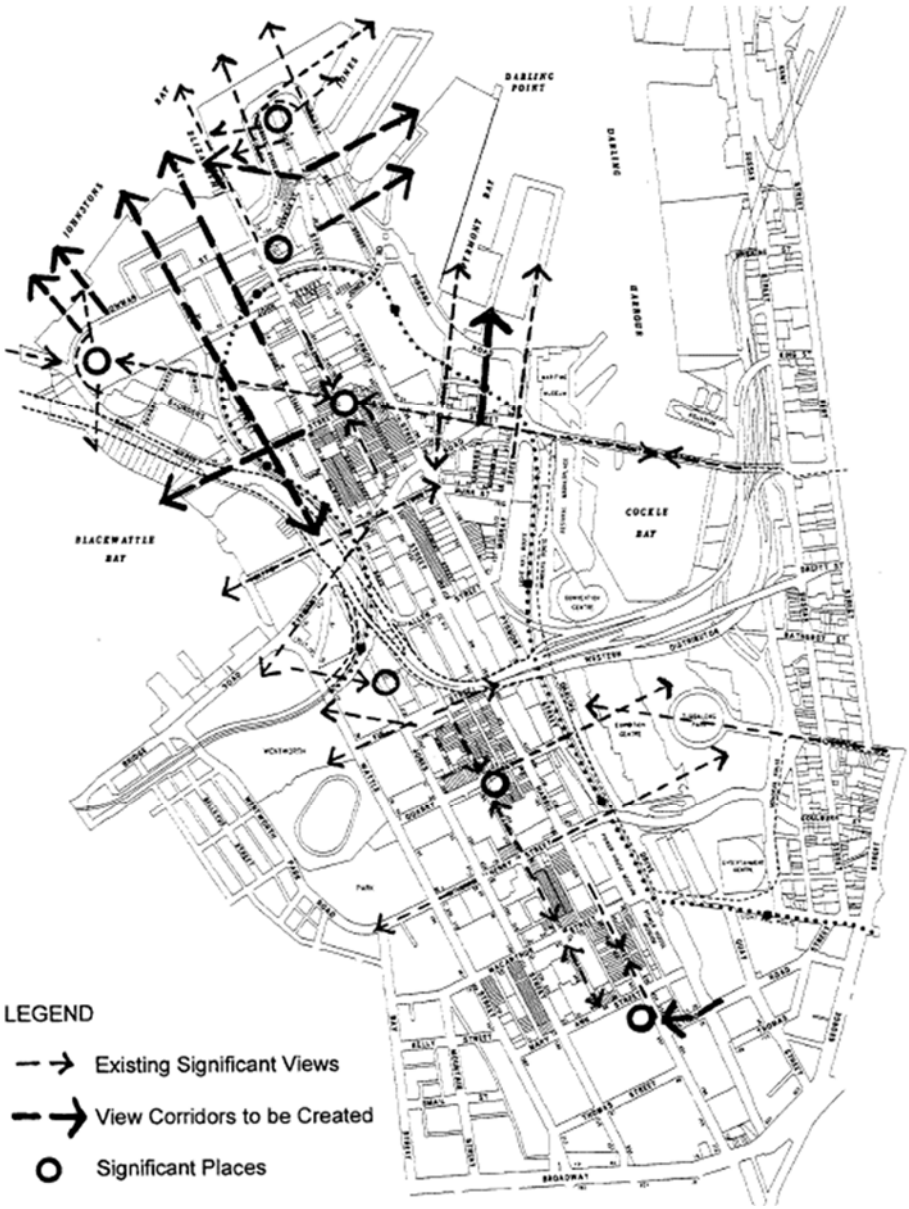


Figure 32 – 'Significant Places and View Corridors' identified in the 1999 Urban Development Plan for the Ultimo-Pyrmont Precinct [p. 32]

Previous development applications for 60 Union Street and 2 Edward Street both created setbacks to maintain the Harwood Street view corridor, as shown in Figure 33 below.



Figure 33 – Harwood Street view corridor
[source: Approved Plans for 60 Union Street (previously 50-72 Union) – R2004/00011-02]

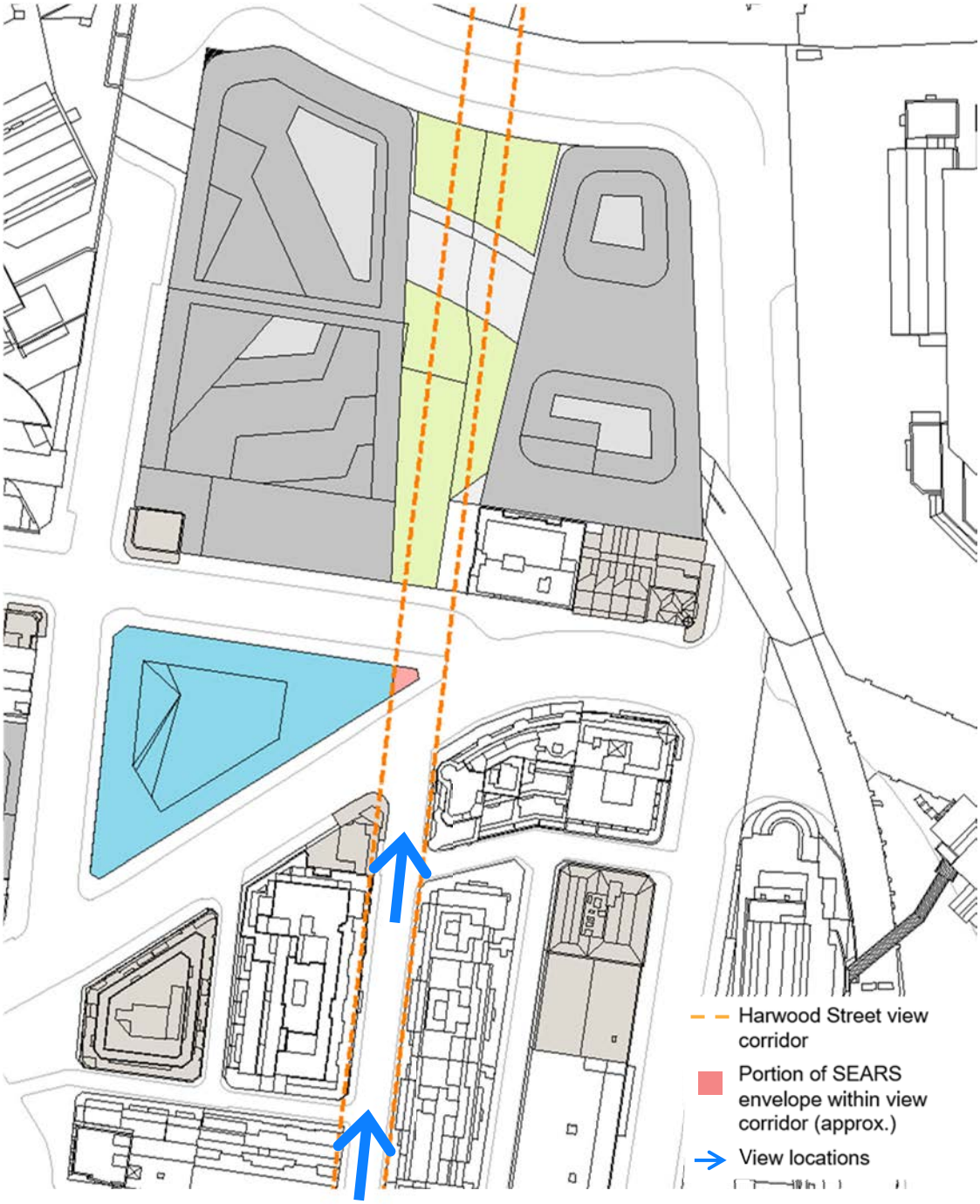


Figure 34 – Harwood Street view corridor shown through along Harwood Place

View north down Harwood Street – existing



View north down Harwood Street – per draft controls



View north down Harwood Street – current OSD envelope



Figure 35 – looking north along Harwood Street, from the intersection of Pyrmont Bridge Road

View north down Harwood Street – existing



View north down Harwood Street – per draft controls



View north down Harwood Street – current OSD envelope



Figure 36 – looking north along Harwood Street, from the intersection of Bunn Street

Proposed controls

For 2 Edward Street and 60 Union Street, the proposed controls are for a commercial use on both sites. 2 Edward Street is to have an FSR of 7.70:1 with a Design Excellence clause; a height limit of RL86 metres and 20 storeys; and a deep soil requirement for at least 15% of the site. 60 Union Street is to have an FSR of 7.08:1 with a Design Excellence clause; a height limit of RL94 metres and 21 storeys; and a deep soil requirement for at least 15% of the site. These controls can both be seen in Table 9.

In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, access improvements, and streetscape improvements proposed for both sites, as can be seen in Figure 37, Figure 38 and Figure 39.

Table 9 – proposed planning controls for 2 Edward Street & 60 Union Street

	Existing building	Existing controls	Proposed controls
2 Edward Street			
Land use & zoning	*Commercial*	B3 - CC	Commercial
Floor space ratio	*4.12*	4.0	7.7 + DesEx
Height of building	*25.5m*	24m	RL86
Height in storeys	*6*	5	20^
Deep soil	*0%*	10%	15%
60 Union Street			
Land use & zoning	*Commercial*	B3 - CC	Commercial
Floor space ratio	*4.67*	4.0	7.08 + DesEx
Height of building	*38m*	33m	RL94
Height in storeys	*9*	8	21^
Deep soil	*0%*	10%	15%

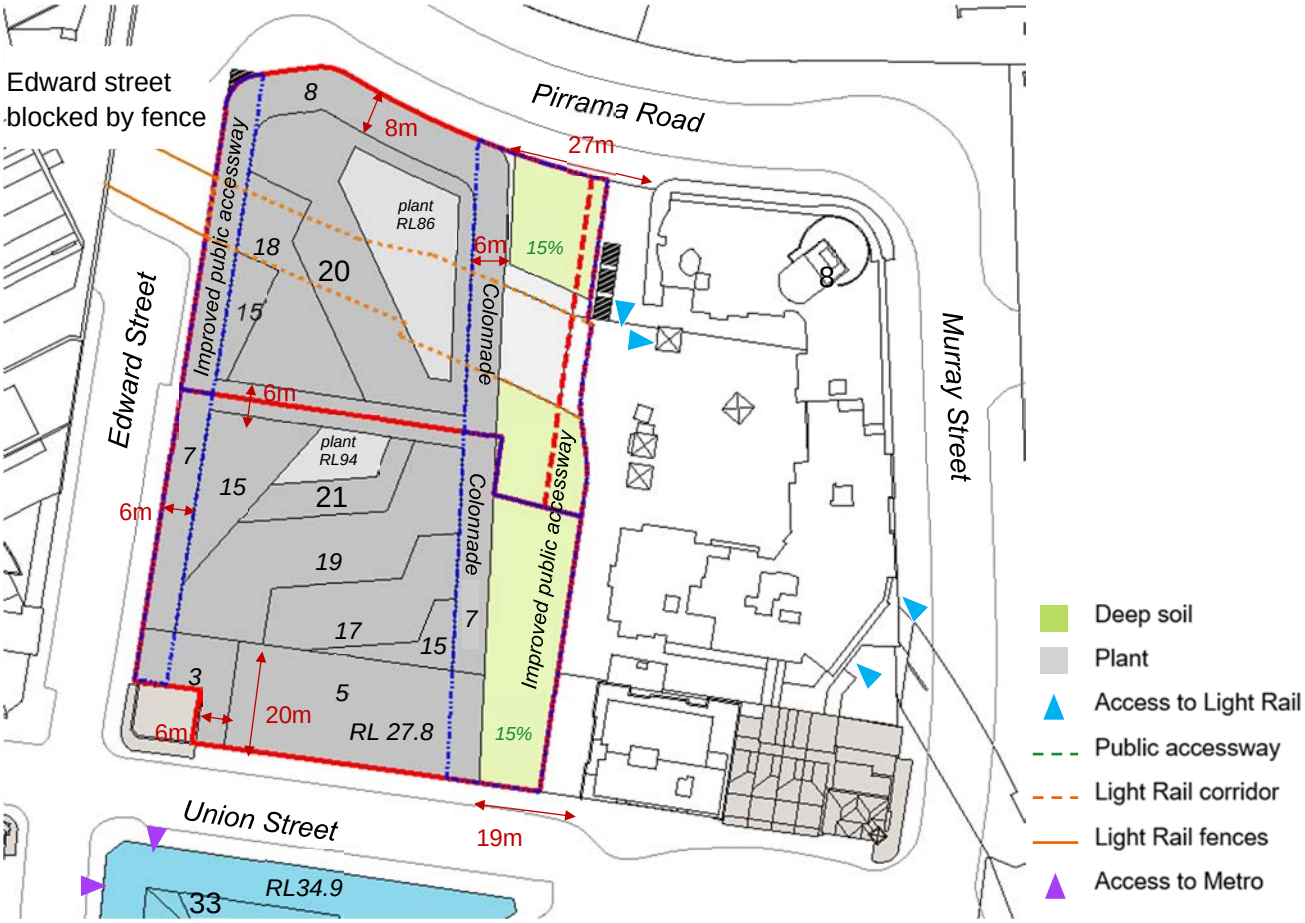


Figure 37 – proposed site plan for 2 Edward Street & 60 Union Street

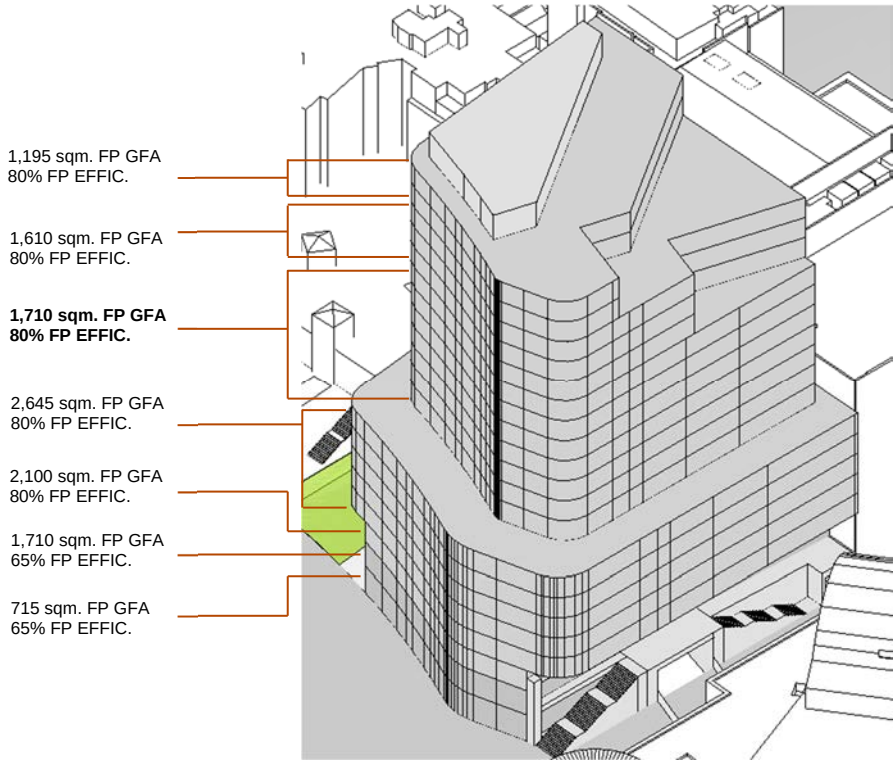


Figure 38 – floorplate diagram for 2 Edward Street

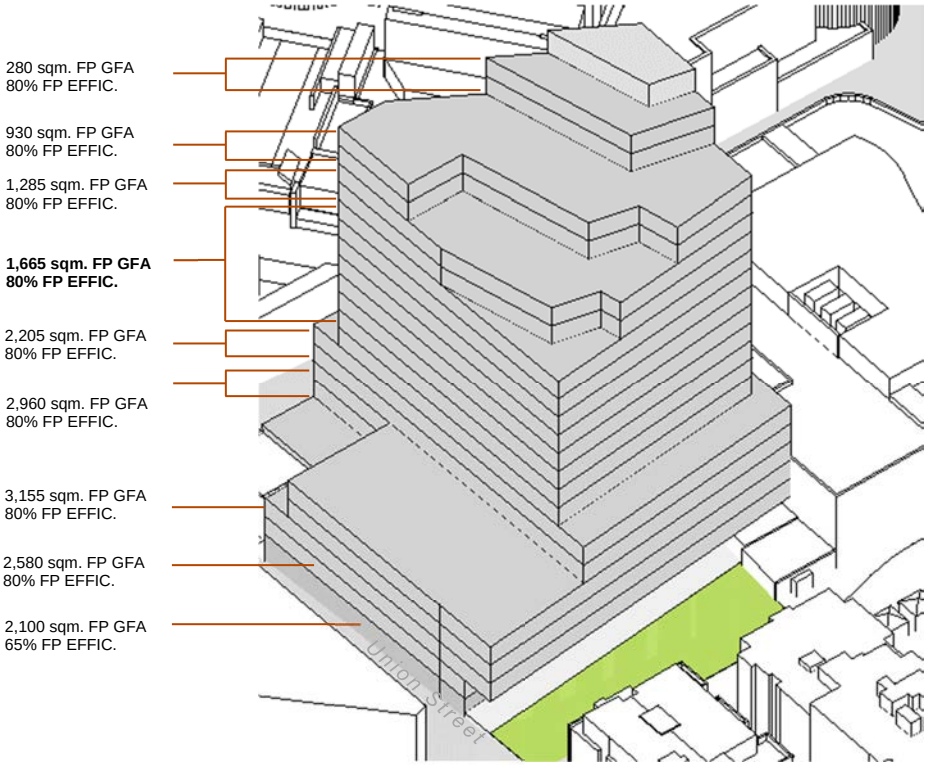


Figure 39 – floorplate diagram for 60 Union Street

Visualisation

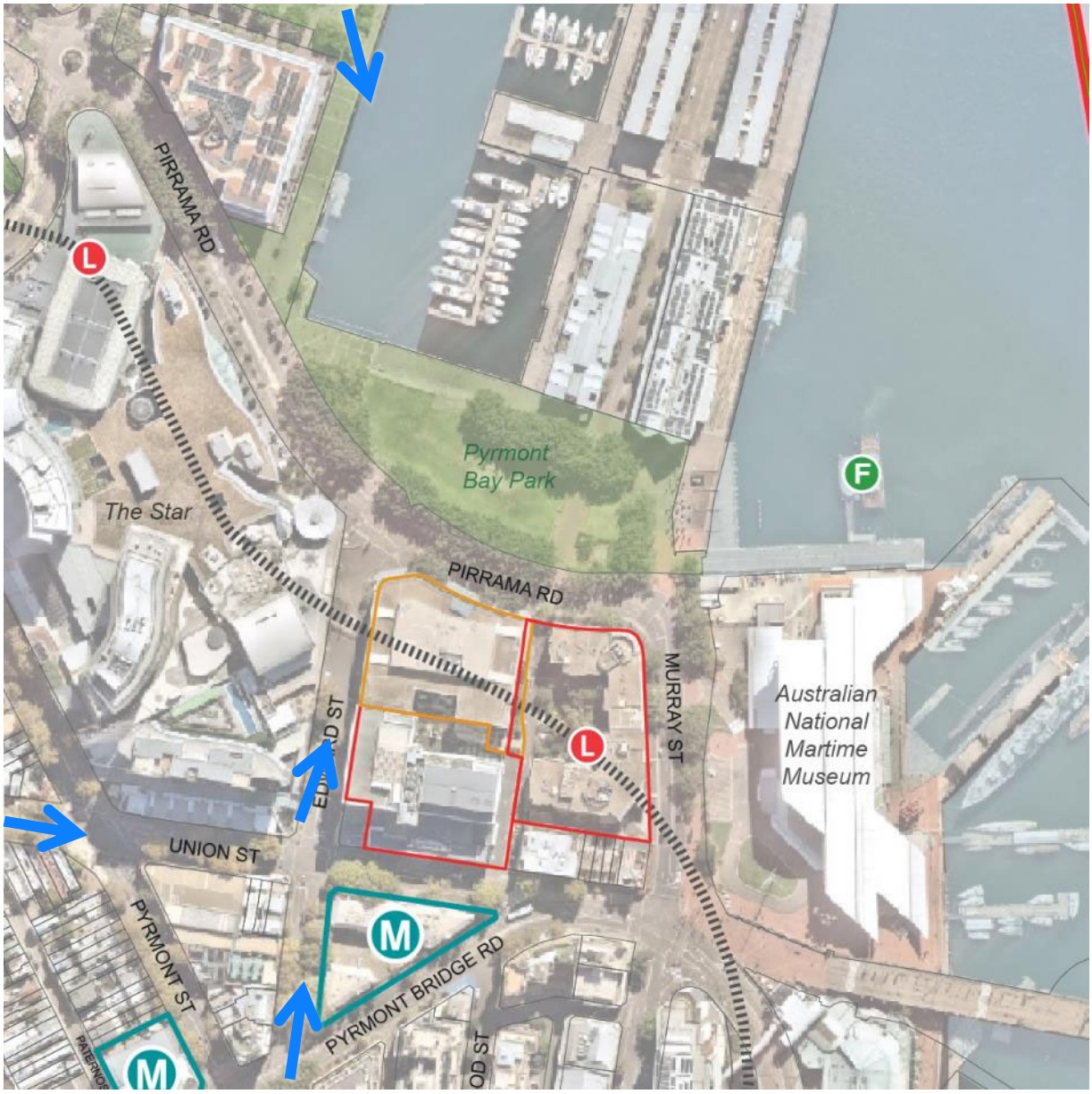
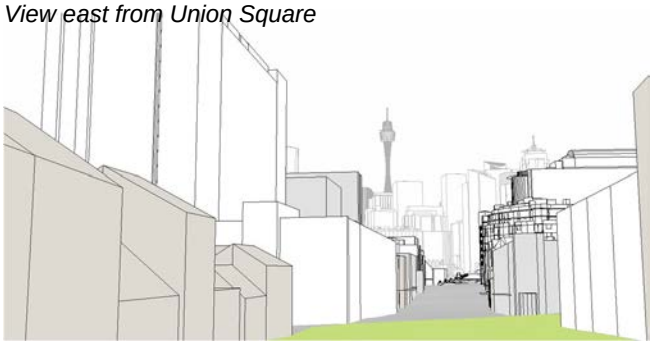


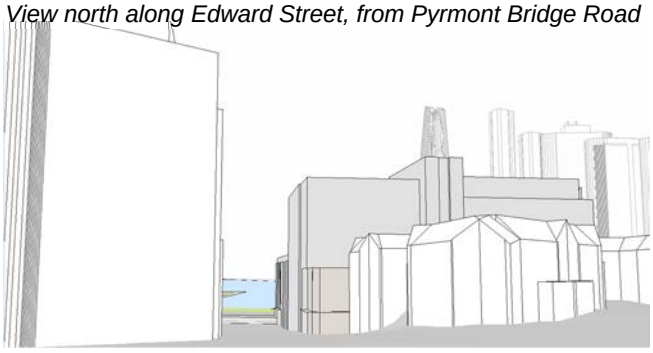
Figure 40 – view locations

Existing

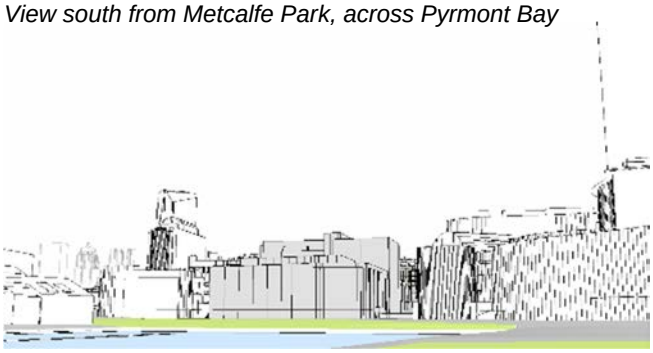
View east from Union Square



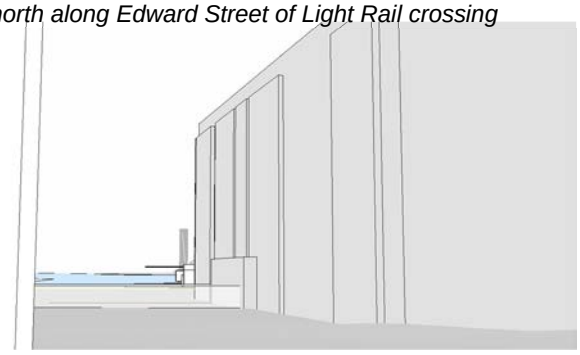
View north along Edward Street, from Pyrmont Bridge Road



View south from Metcalfe Park, across Pyrmont Bay

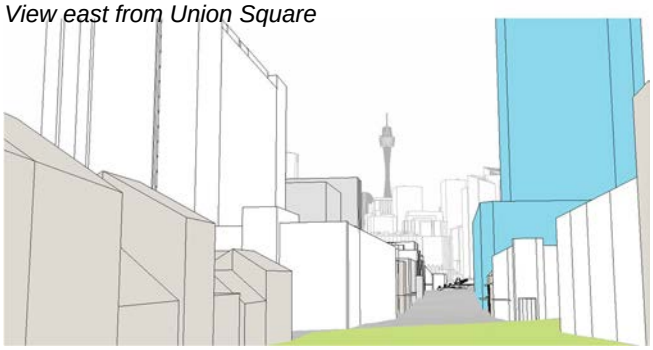


View north along Edward Street of Light Rail crossing

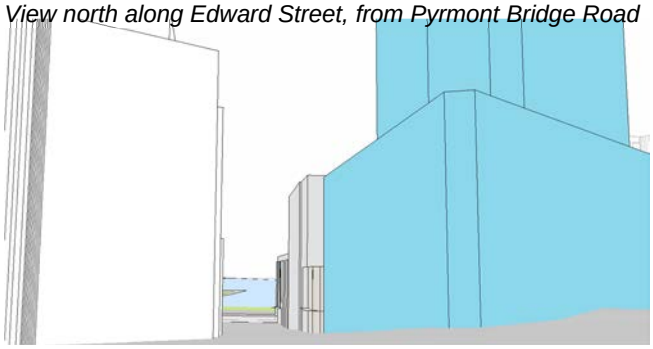


Existing + approved

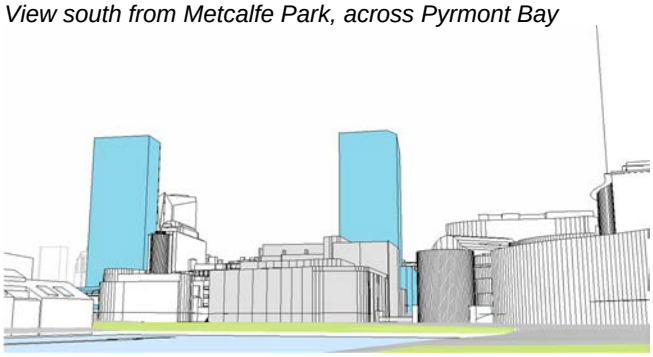
View east from Union Square



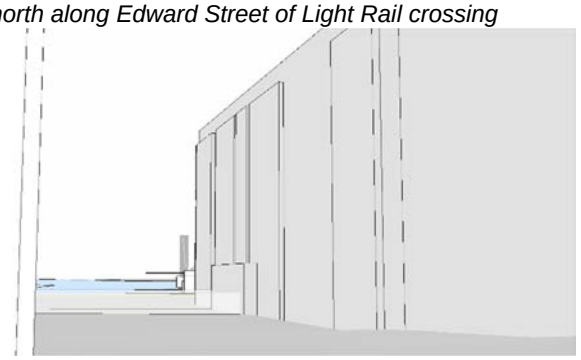
View north along Edward Street, from Pyrmont Bridge Road



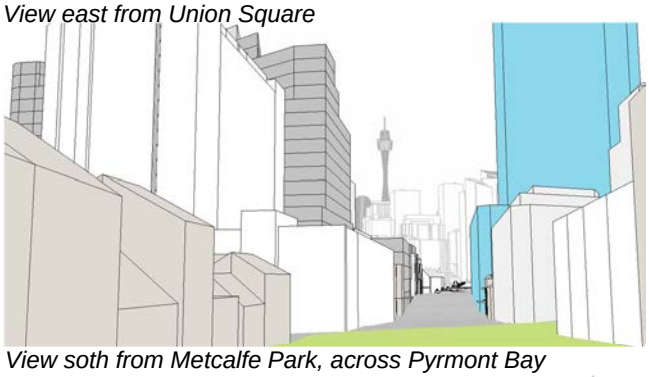
View south from Metcalfe Park, across Pyrmont Bay



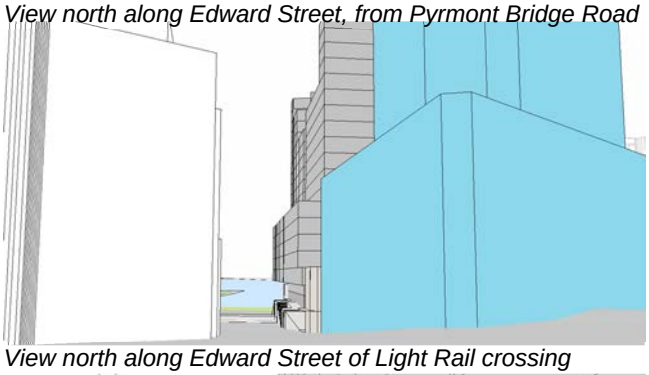
View north along Edward Street of Light Rail crossing



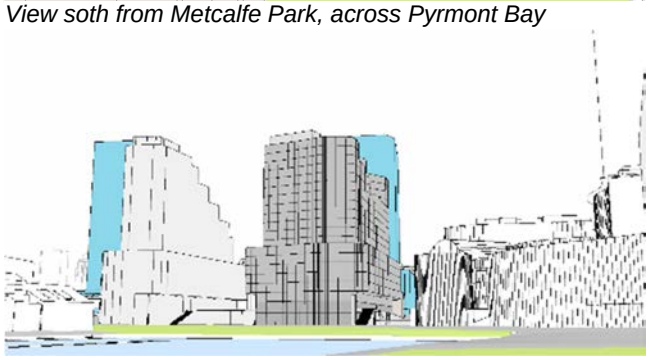
View east from Union Square



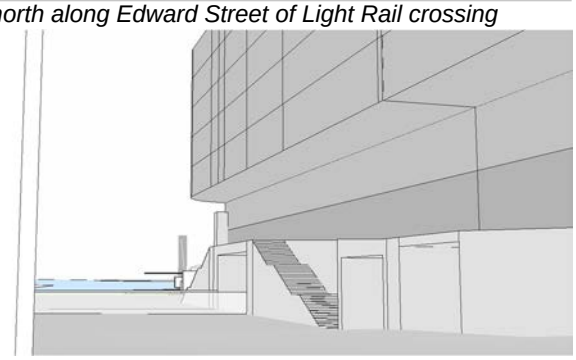
View north along Edward Street, from Pyrmont Bridge Road



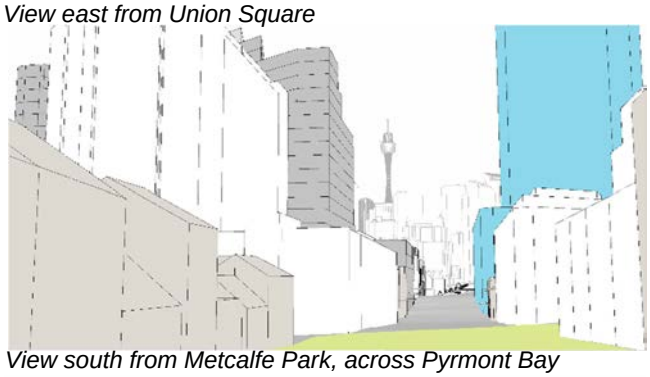
View soth from Metcalfe Park, across Pyrmont Bay



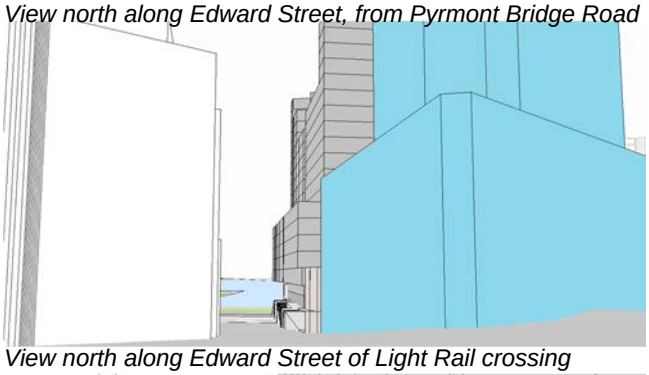
View north along Edward Street of Light Rail crossing



View east from Union Square



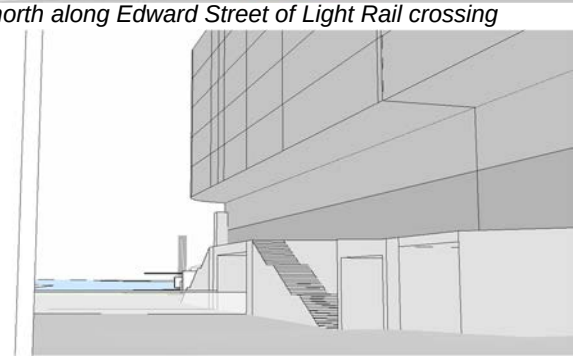
View north along Edward Street, from Pyrmont Bridge Road



View south from Metcalfe Park, across Pyrmont Bay



View north along Edward Street of Light Rail crossing



1-27 Murray Street

Overview

1-27 Murray Street (Lot 22 DP 1000905, Lots 1-133 SP 60306) is located northeast of the eastern portal of the proposed Pyrmont Metro on Union Street. The building has three frontages; (clockwise) Harwood Place to the west, Pirrama Road to the north, and Murray Street to the east, as shown in Figure 41 and Figure 42 below.

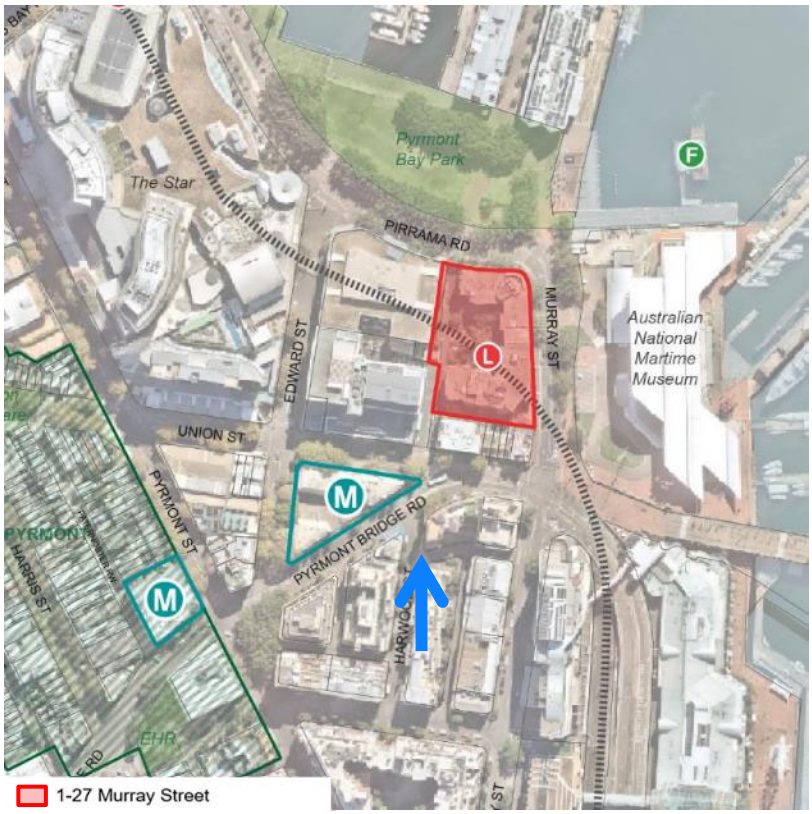


Figure 41 – location plan of 1-27 Murray Street



Figure 42 – oblique aerial of 1-27 Murray Street

Background

1-27 Murray Street was included in the Department of Planning's initial study. In this review it was given an FSR of 7.0 and a height of RL90m as shown in Figure 43. The study did not consider good design for wind, the poor amenity offered by the open space to the east of the sites, the existing poor connections from Union Street to Pirrama Road, and effects of sunlight on surrounding sites. These controls can be seen in Table 10 below.

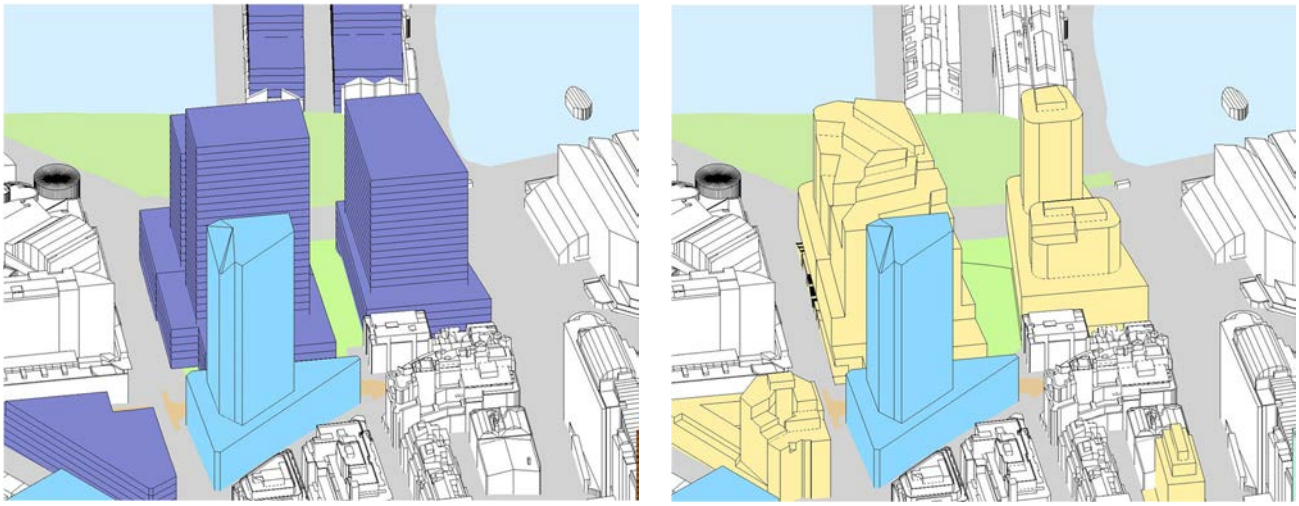


Figure 43 – comparison of Department of Planning's initial study and City of Sydney's study for a mixed use outcome at 1-27 Murray Street

Table 10 – Department of Planning's initial study for 1-27 Murray Street

Department of Planning's initial study		Proposed controls	Alternative controls
Gross floor area	35,140 sqm	30,100 sqm.	40,294 sqm
Floor space ratio	7.0	4.9 + Des Ex.	6.55 + Des Ex.
Height of building	RL90	RL90	RL90
Height in storeys	22 *(HiS not specified)*	24	21^
Deep soil	0%	15%	15%

Existing controls

1-27 Murray Street is currently occupied by a seven-storey mixed use building; with ground floor retail uses and six levels of residential units above, held in a strata. The existing building generally has zero setbacks to Pirrama Road and Murray Street, except for a small forecourt to the Murray Street light rail entrance, owing to the residential use of the site there is also a central courtyard located above carparking and the light rail line, mostly utilised by communal open space. This existing layout can be seen in Figure 44, while the existing building and existing controls can be seen in Table 11.

Table 11 – existing building and existing planning controls for 1-27 Murray Street

	Existing building	Existing controls
Land use & zoning	Residential	MU1
Floor space ratio	2.74 approx.	2.5
Height of building	22.5m	30m
Height in storeys	7	8
Deep soil	0%	10%



Figure 44 – existing site plan for 1-27 Murray Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

On the western side of the site either side of the light rail corridor an area of deep soil is required within the new publicly accessible space, of at least 15% of the site area. This will provide for a substantial area of new tree planting, adjacent to the deep soil provided on the adjoining sites to the west.

More public space for more people – streets and open spaces –

Around the extended alignment of Harwood Street a, larger than existing, area of publicly accessible open space is formed in a wedge shape opening from Union Street in the south, towards Pyrmont Bay Park in the north. The open space is bounded by a colonnade, continuous from Pirrama Road towards Union Street, on its eastern edge. It contains a stairway that links the higher Union Street level to the lower Pirrama Road level north of the light rail line. The level change is accessible to everyone by use of the existing, or renewed lift access to the light rail station. This space is a seamless, accessible, easily navigable link for people going to and from the metro station, light rail station, ferry stop and the surrounding areas. It increases the visibility and accessibility of the metro station, it extends the openness and amenity of Pyrmont Bay Park opposite, and accommodates the recreational needs of workers in new buildings on these and surrounding sites. Its shape and split level are distinctive and memorable, opening up Union Street to the northern sunlight and harbour.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 45).

Reinforce **'street wall' form** of most buildings –

A street wall height as proposed in the Pyrmont Peninsula Sub-precinct Masterplan for the area on Pirrama Road sets the podium wall height for the buildings.

Conserve **heritage** values –

Behind the heritage items on Union Street the upper podium setback is six metres; an appropriate street wall height for the nearby heritage items on the north side of Union Street.

Good **design for wind and noise** –

The site is exposed to winds, particularly to the northeast. The minimum 6 metre podium setback, curved corners, and the splayed shape of the open space are included in the building envelopes to minimise uncomfortable and unsafe winds on the accessible ground level areas. These may require supplementing or modifying following wind tunnel testing and wind expert advice.

The site is exposed to noise from the harbour and nearby late-night entertainment areas. The commercial use ensures that nuisance does not result from this noise and the nearby uses can continue unaffected.

Match **land use** to place –

The existing commercial use is well suited to its location opposite the metro station, surrounded by existing commercial uses and close to Central Sydney. The combined floor area of a consolidated commercial area that these sites are central to produces a critical mass of commercial floor space. This concentration potential increases productivity due to agglomeration effects and will increase patronage on the west metro line. Consequently, commercial use is proposed.

Consider **views** to and from public places –

The site maintains and opens up the Harwood Street view corridor identified and made in the late twentieth century in previous agreed plans for the sites.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

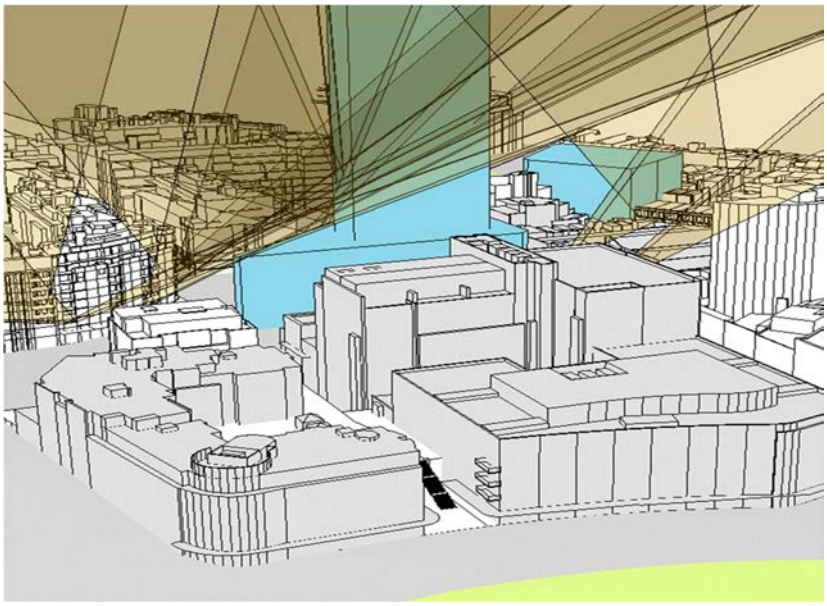


Figure 45 – solar access to adjoining residential properties

Proposed controls

For 1-27 Murray Street, changes to controls are proposed to support two possible outcomes for floor space use. The existing mixed use controls have been reviewed to support provision of some additional commercial and residential floor space through an uplift in FSR and height. Alternative controls (as exhibited late 2024) incentivise a solely non-residential outcome.. The uplift in FSR is greater for the non-residential alternative as the building envelope can accommodate floor space more efficiently.

Controls for mixed use development

Changes to the existing controls for mixed use development are proposed that provide for an uplift in FSR and height while maintaining the existing land use. They allow for an FSR of 4.9:1 with a Design Excellence bonus, height limit set at RL90.0 (AHD) for 24 storeys; and a deep soil requirement for at least 15% of the site area. The proposed changes are summarised in Table 12 below. In addition to these changes there are various street and upper-level setbacks, street wall height, site layout requirements, access improvements, and streetscape improvements proposed to complement proposed changes at 60 Union Street and 2 Edward St. Upper level setbacks and floor plates are designed to meet the amenity requirements for residential development in the ADG and good design for wind. Refer to Figure 47 and Figure 48.

Table 12 – alternative planning controls for mixed use at 1-27 Murray Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	Residential	MU1 – Mixed use	MU1 - Mixed use
Floor space ratio	2.74 approx.	2.5	4.9 + DesEx
Height of building	22.5m	30m	RL90
Height in storeys	7	8	24^
Deep soil	0%	10%	15%

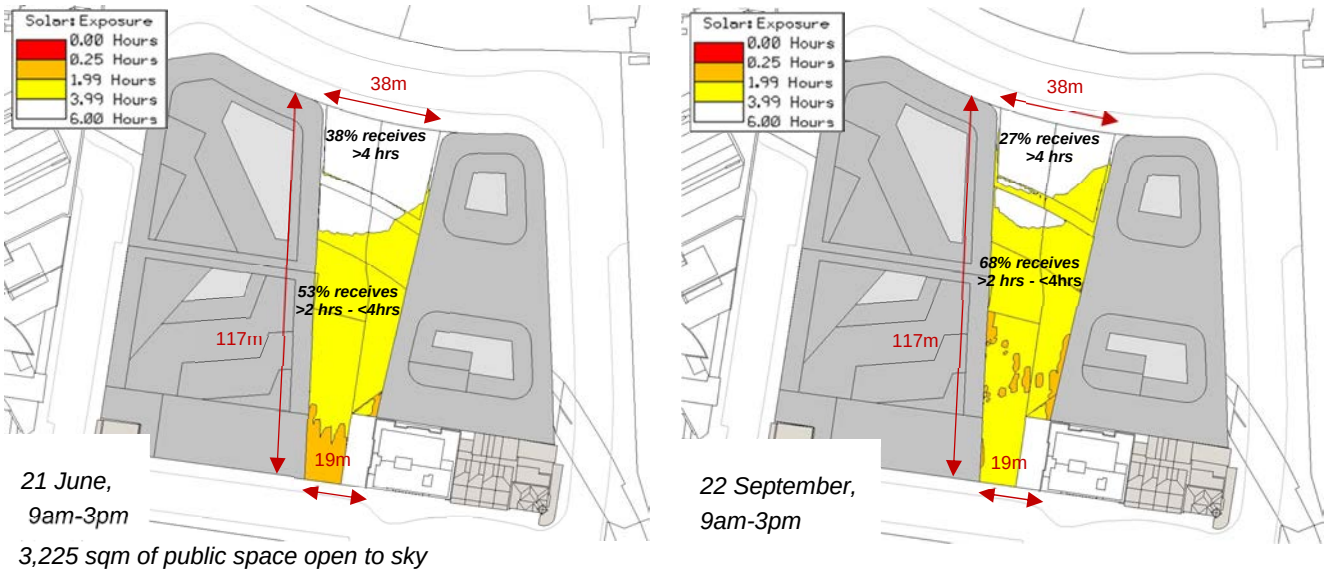


Figure 46 – solar insolation to public space resulting from proposed mixed use controls

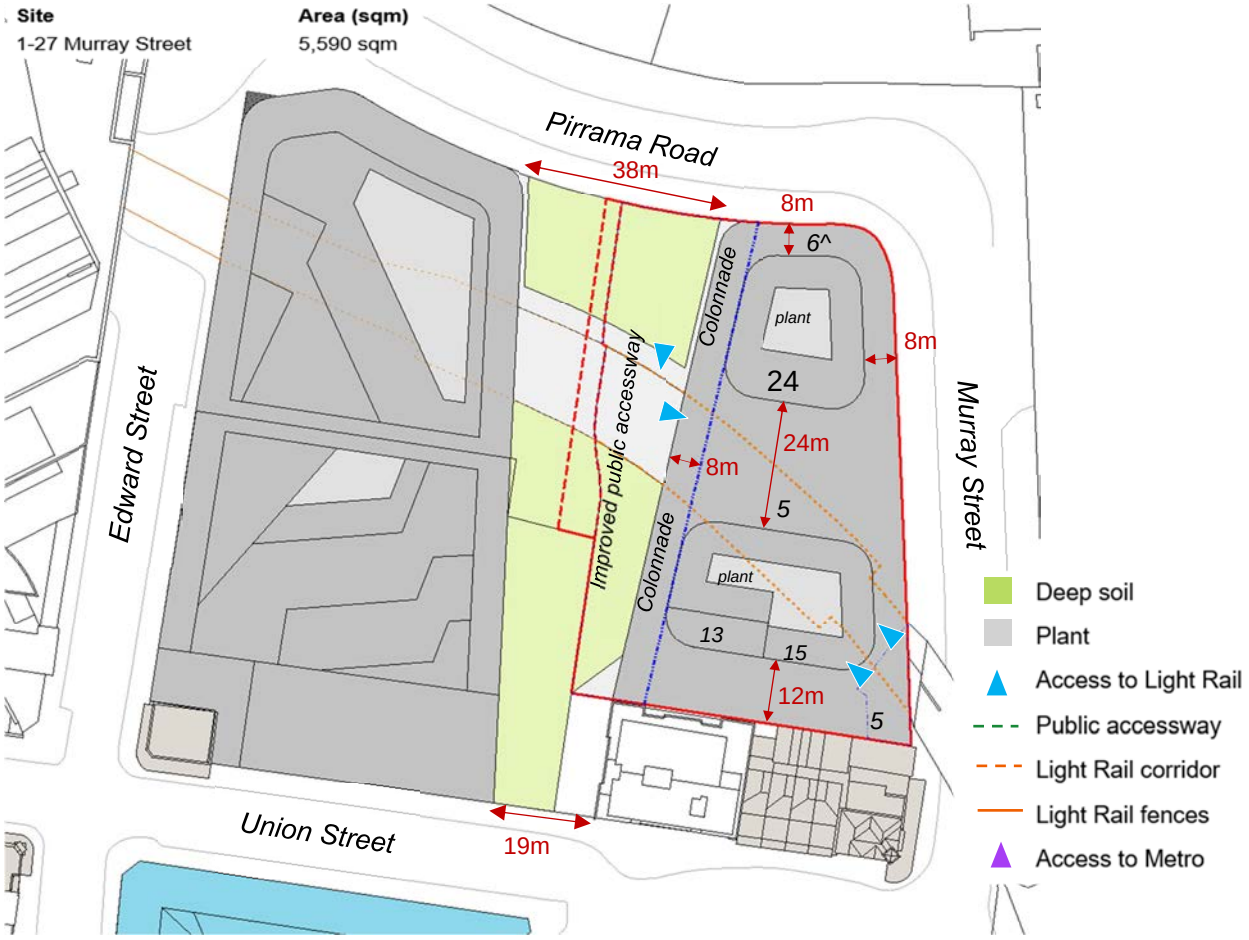


Figure 47 – site plan showing proposed controls for mixed use development at 1-27 Murray Street

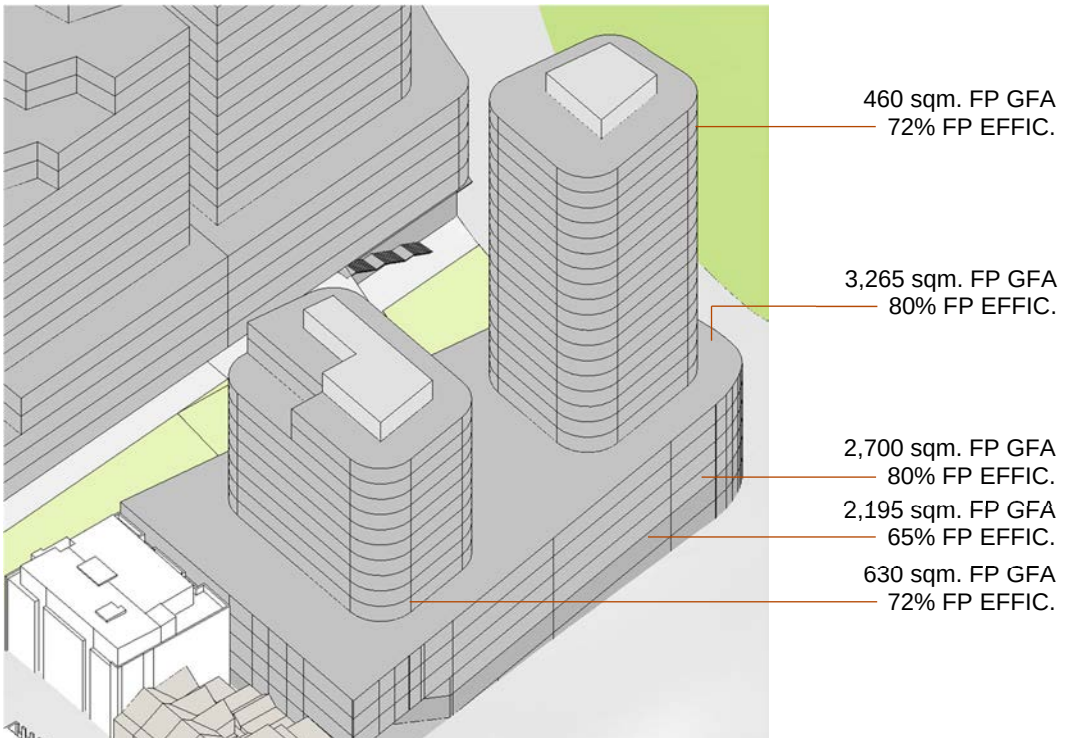


Figure 48 – aerial view showing proposed controls for mixed use development at 1-27 Murray Street

Alternative controls for non-residential development

The below controls for 1-27 Murray Street that were exhibited in late 2024 encourage a non-residential land use outcome. They provide for commercial floor space only with an FSR of 6.55:1 and a Design Excellence clause; a height limit of RL90 metres and 21 storeys; and a deep soil requirement for at least 15% of the site. The proposed controls are summarised in Table 13 – alternative planning controls for commercial use at 1-27 Murray StreetTable 13**Error! Reference source not found.**. Various street and upper-level setbacks, street wall height, site layout requirements, access improvements, and streetscape improvements are also proposed, as illustrated in Figure 49 and Figure 50.

Table 13 – alternative planning controls for commercial use at 1-27 Murray Street

	Existing building	Existing controls	Proposed alternative controls – non-residential use
Land use & zoning	Residential	MU1 – Mixed use	E2 – Commercial centre
Floor space ratio	2.74 approx.	2.5	6.55 + DesEx
Height of building	22.5m	30m	RL90
Height in storeys	7	8	21^
Deep soil	0%	10%	15%

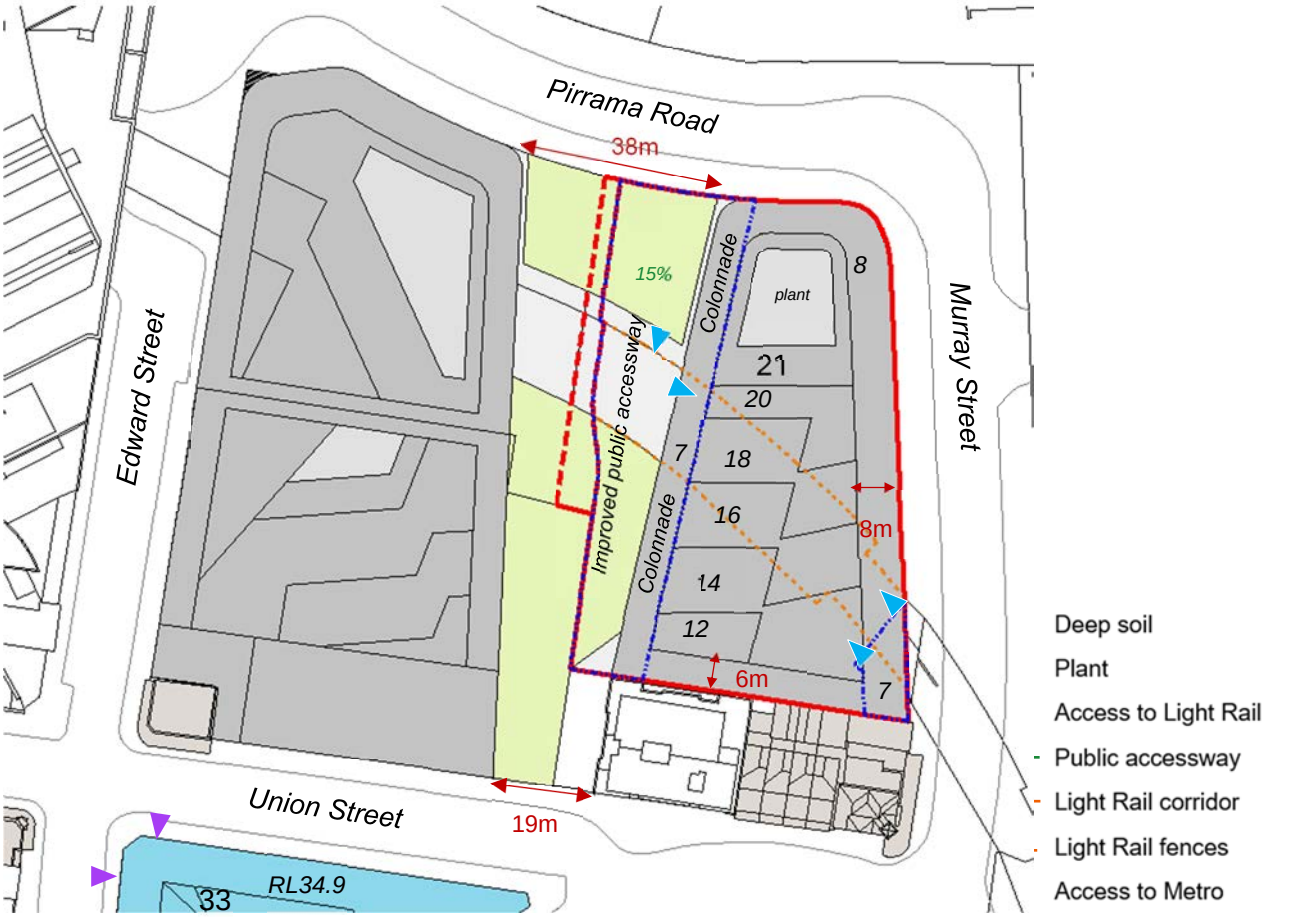


Figure 49 –site plan showing proposed controls for mixed use at 1-27 Murray Street

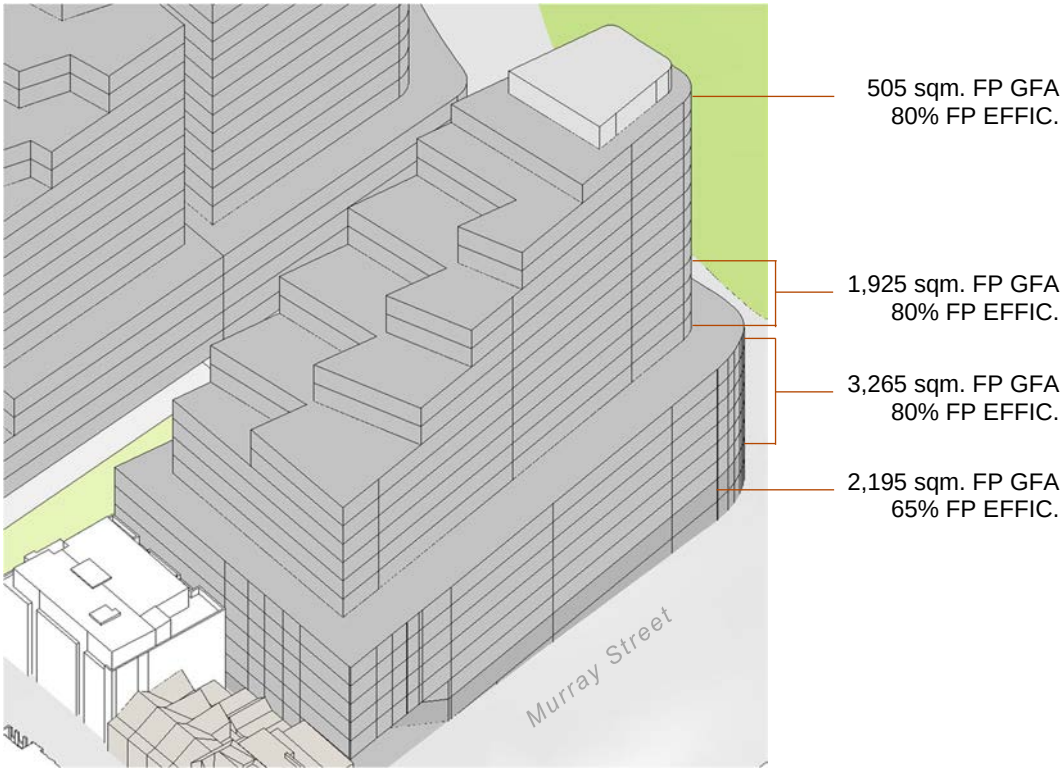


Figure 50 – floorplate diagram for 1-27 Murray Street showing alternative non-residential controls

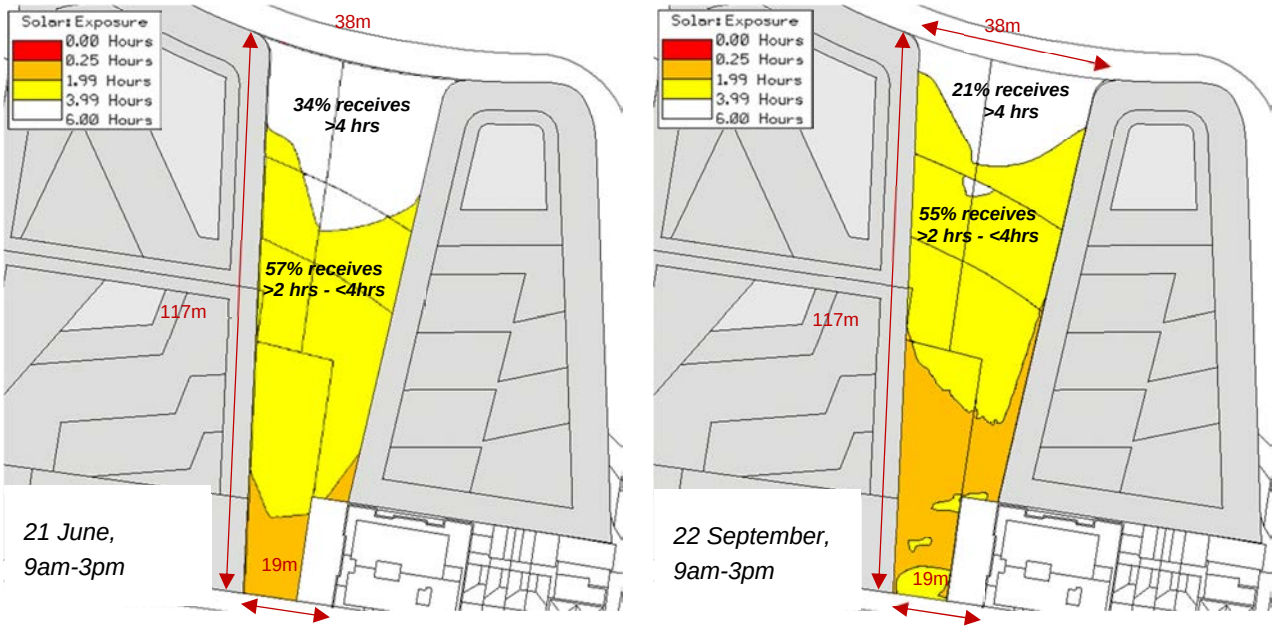


Figure 51 - solar insolation to public space resulting from alternative non-residential controls

Visualisation

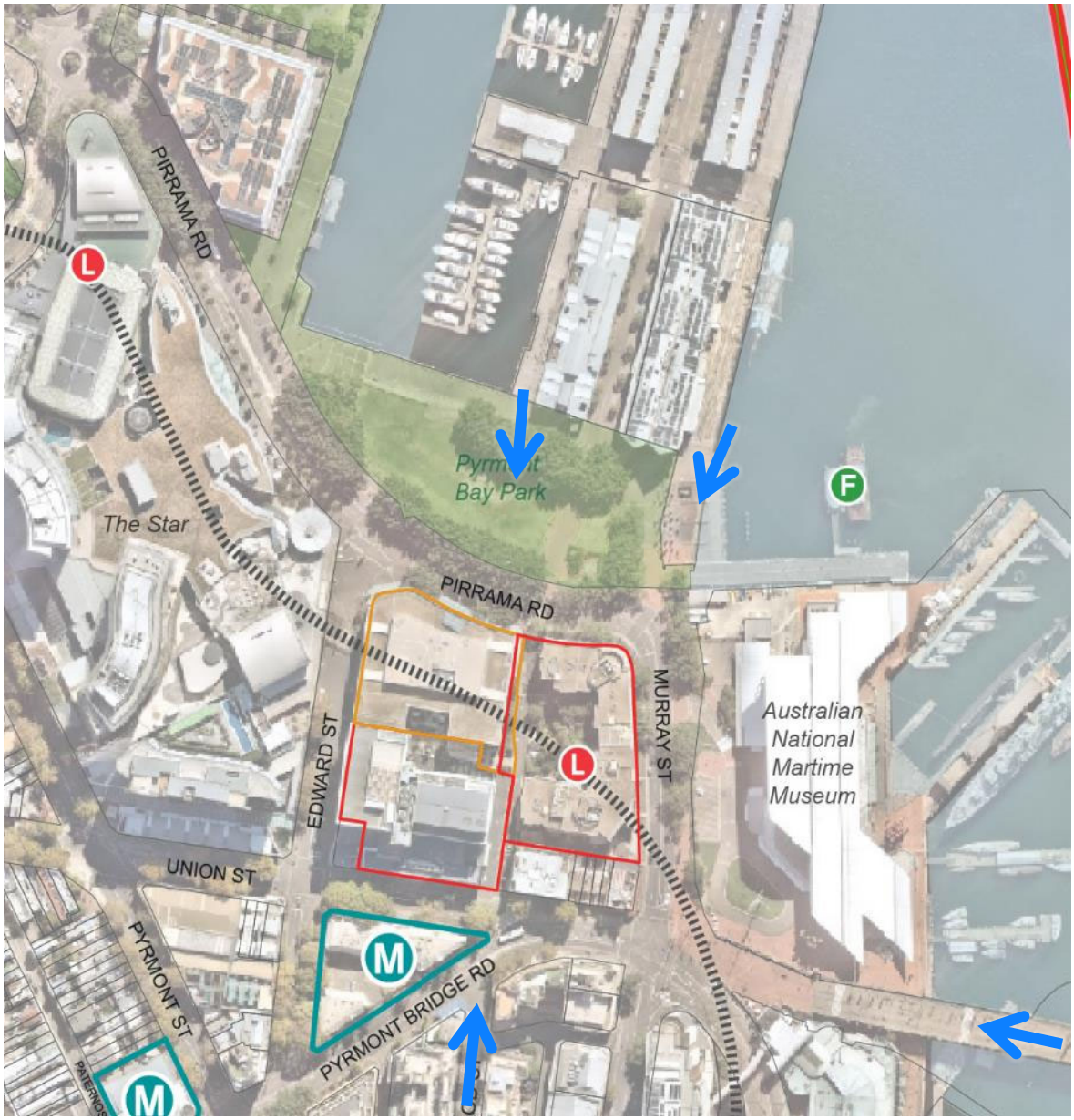
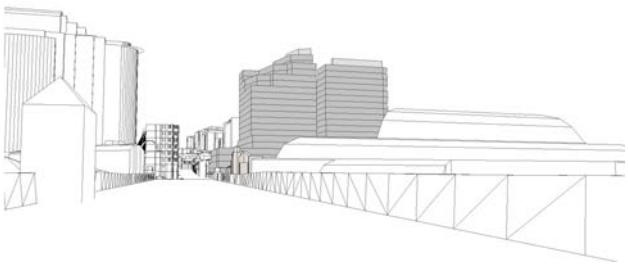


Figure 52 – view locations

Existing

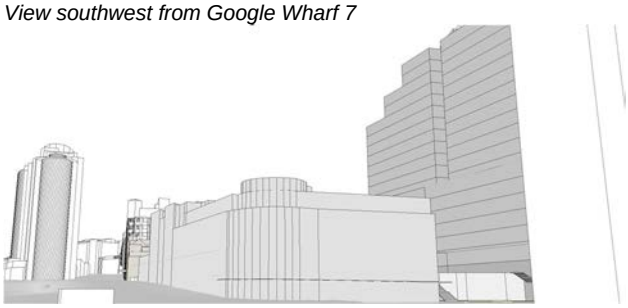
View west from centre of Pyrmont Bridge



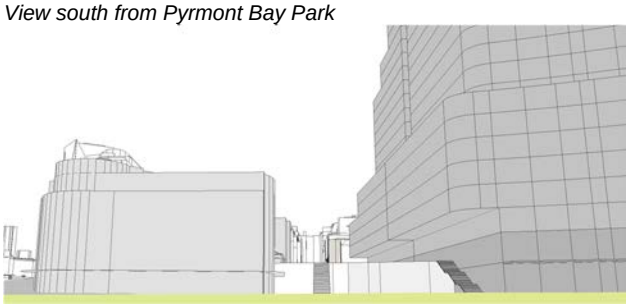
View north down Harwood Street



View southwest from Google Wharf 7

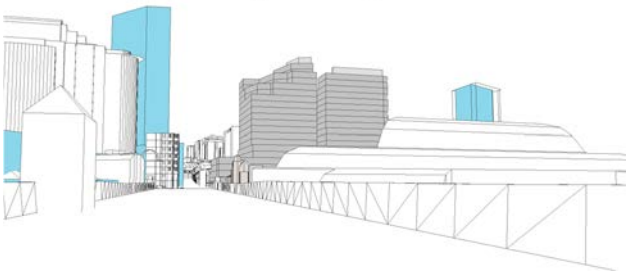


View south from Pyrmont Bay Park



Existing + approved

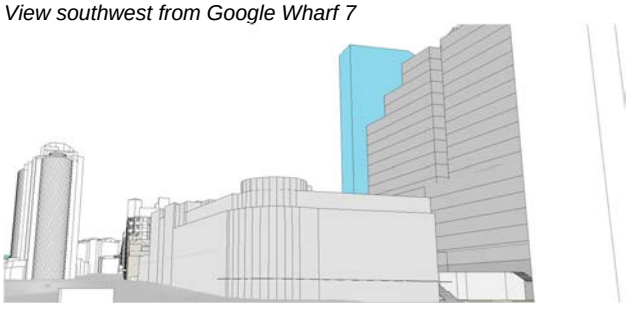
View west from centre of Pyrmont Bridge



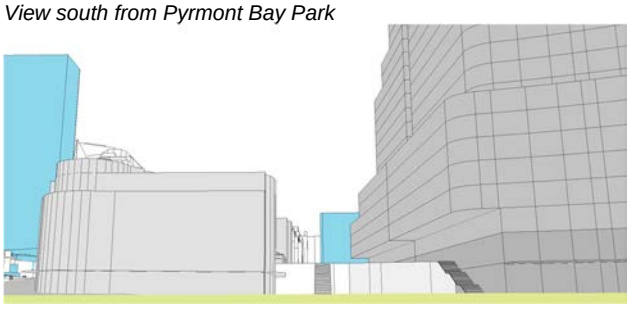
View north down Harwood Street



View southwest from Google Wharf 7

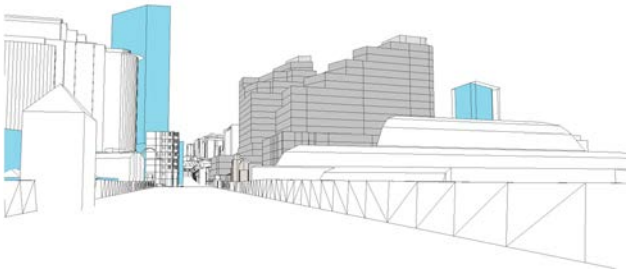


View south from Pyrmont Bay Park



Alternative controls for commercial development

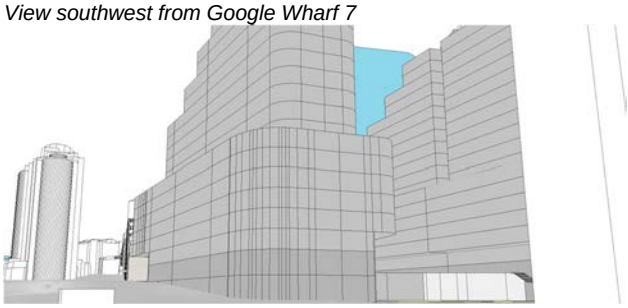
View west from centre of Pyrmont Bridge



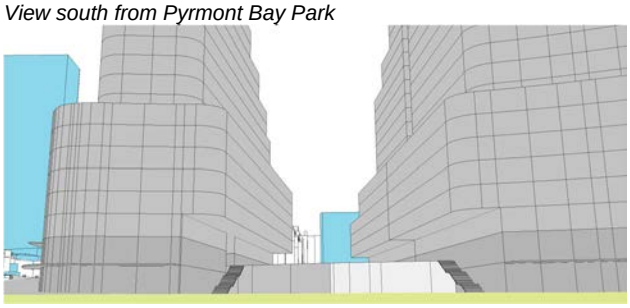
View north down Harwood Street



View southwest from Google Wharf 7

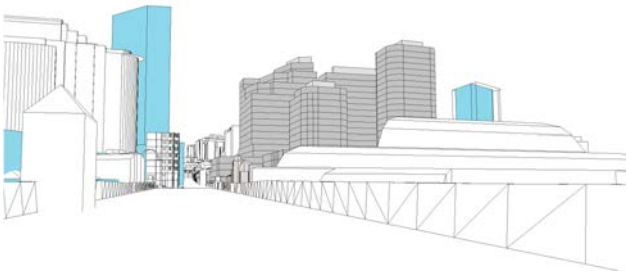


View south from Pyrmont Bay Park

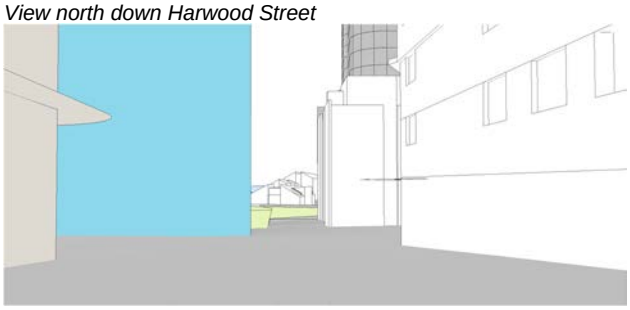


Proposed controls for mixed use development

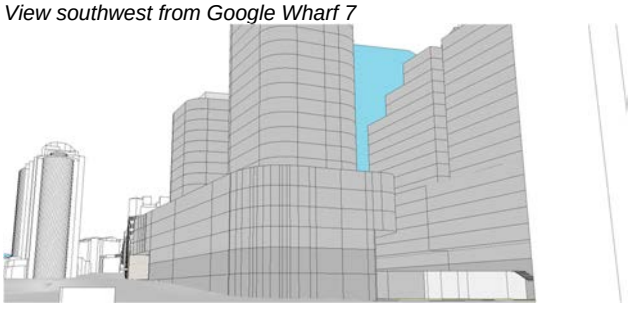
View west from centre of Pyrmont Bridge



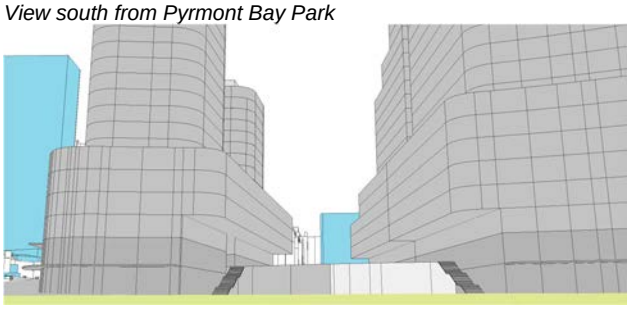
View north down Harwood Street



View southwest from Google Wharf 7



View south from Pyrmont Bay Park



13A-29 Union Street & 69-71 Edward Street

Overview

13A-29 Union Street & 69-71 Edward Street (Lot 1 DP 119654; and Lot 1 and Lot 2 DP 1076300) are located between (clockwise) Pyrmont Street, Union Street and Edward Street (refer Figure 53 and Figure 54).



Figure 53 – location plan of 13A-29 Union Street & 69-71 Edward Street



Figure 54 – oblique aerial of 13A-29 Union Street & 69-71 Edward Street

Background

13A-29 Union Street & 69-71 Edward Street were in the Department of Planning's initial study, along with the adjoining 102 Pyrmont Street. In this review they were given a blanket control of FSR 5.0, with a seven storey and 60m height limit, as can be seen in Figure 55. The study did not consider increasing deep soil, trees or open space, improving connections to the metro station, and effects of sunlight on surrounding sites. These controls can be seen in **Error! Reference source not found.** below.

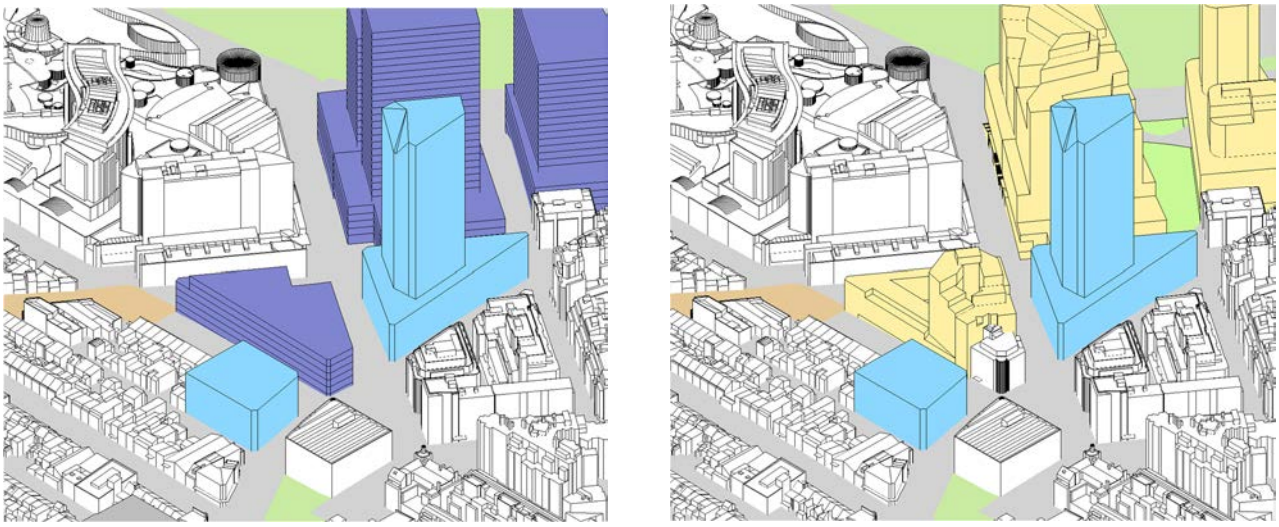


Figure 55 – comparison of Department of Planning's initial study and City of Sydney's study for mixed use at 13A-29 Union Street & non-residential use at 69-72 Edward Street

Table 14 – Department of Planning's initial study for 13A-29 Union Street & 69-71 Edward Street

Department of Planning's initial study			City of Sydney's study – mixed use	
	13A-29 Union	**69-71 Edward**	**13A-29 Union**	**69-71 Edward**
Gross floor area	11,955 sqm	1,384 sqm	9,710 sqm	2,070 sqm
Floor space ratio	5.0	5.0	3.73 + DesEx	5.67 + DesEx
Height of building	60m	60m	45m	38m
Height in storeys	7 *(HiS not specified)*	7 *(HiS not specified)*	14^	8^
Deep soil	0%	0%	15%	0%

Existing controls

13A-29 Union Street & 69-71 Edward Street are currently occupied by commercial uses. 13A-29 Union Street is a two-storey former warehouse with zero setbacks to its three street frontages, the building is currently used as a commercial office space. 69-72 Edwards Street is a four-storey commercial building, with zero setbacks to either Pyrmont or Edward Streets, these existing uses and controls can be seen in Table 15 below. The layout and position of the site can be seen in Figure 56.

Table 15 – existing building and existing planning controls for 13A-29 Union Street & 69-71 Edward Street

	Existing building	Existing controls
13A-29 Union Street		
Land use & zoning	*Commercial*	B4 – MU
Floor space ratio	*0.45 approx.*	3.5
Height of building	*11.5m*	24m
Height in storeys	*2*	5
Deep soil	*0%*	10%
69-71 Edward Street		
Land use & zoning	*Commercial*	B4 – MU
Floor space ratio	*3.18 approx.*	4.0
Height of building	*19m*	24m
Height in storeys	*4*	5
Deep soil	*0%*	10%

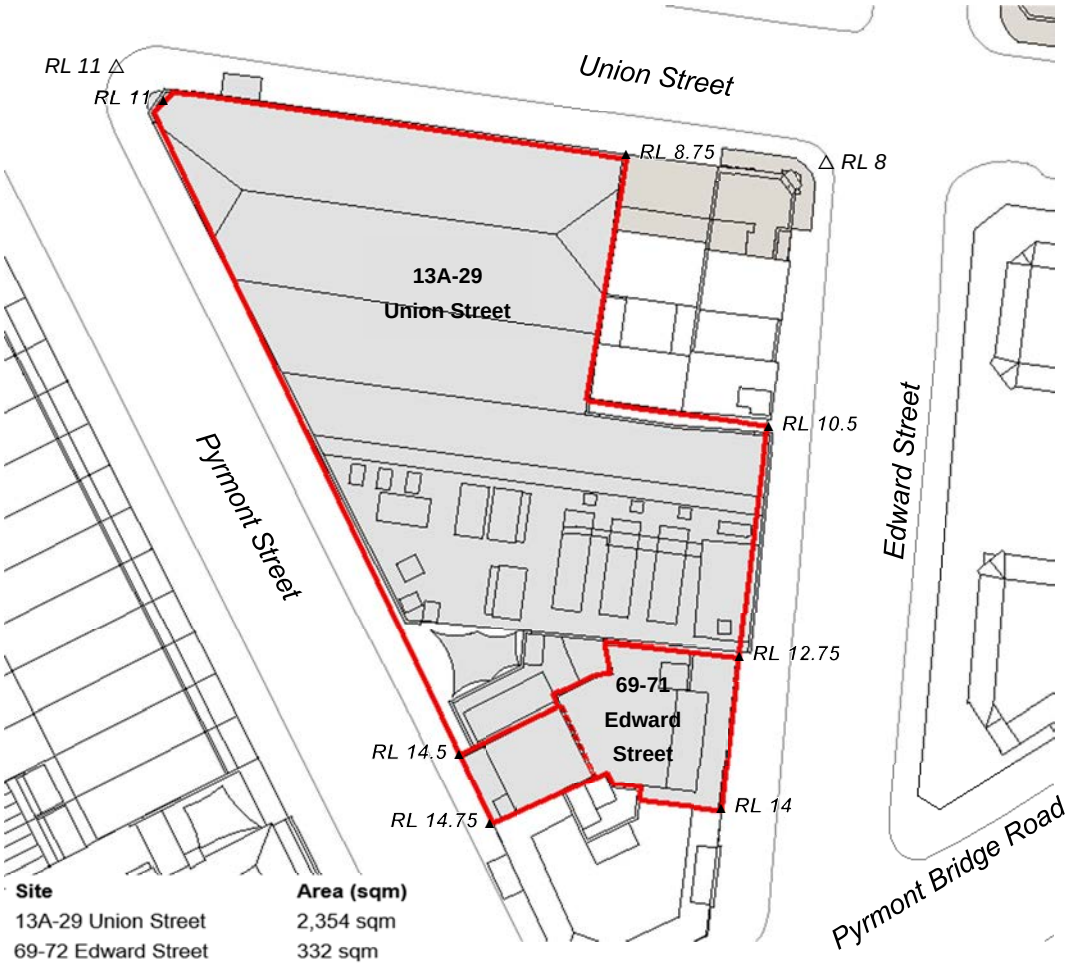


Figure 56 – existing site plan for 13A-29 Union Street & 69-71 Edward Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

On Pyrmont Street an area of deep soil of at least 15% of the site area is placed within the new publicly accessible space. This provides a substantial area of new tree planting.

More public space for more people – streets and open spaces –

On Pyrmont Street, at the least steep part of the street frontage is a triangular publicly accessible open space, its hypotenuse on the street side with an area at least 15% of the site area. On the other two sides of the triangle, through site links extend to Union and Edward Streets so that all people can pass through the site from each street to each of the other streets. The through site links enable better connections to and from the metro station entries and the surrounding areas.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 21).

Reinforce **'street wall' form** of most buildings –

The street wall height varies on each street frontage. Lower on Union Street there is general alignment with the buildings opposite and close to the height of the neighbouring heritage items. A higher street frontage on Pyrmont and Edward Streets fits with the surrounding buildings on these street frontages.

Conserve **heritage** values –

On Union Street the podium setback height and the gap for the through site link provides an appropriate setting for the neighbouring heritage items.

Good **design for wind and noise** –

The site is generally protected from winds by neighbouring developments.

The site is exposed to noise from the nearby late night entertainment areas. The commercial use ensures that nuisance does not result from this noise and the nearby uses can continue unaffected.

Match **land use** to place –

The existing commercial use is well suited to its location opposite the metro station, surrounded by existing commercial uses and close to Central Sydney. The combined floor area of a consolidated commercial area that these sites are central to, produces a critical mass of commercial floor space. This concentration potential increases productivity due to agglomeration effects and will increase patronage on the west metro line. Consequently, commercial use is proposed.

Consider **views** to and from public places –

The site is not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

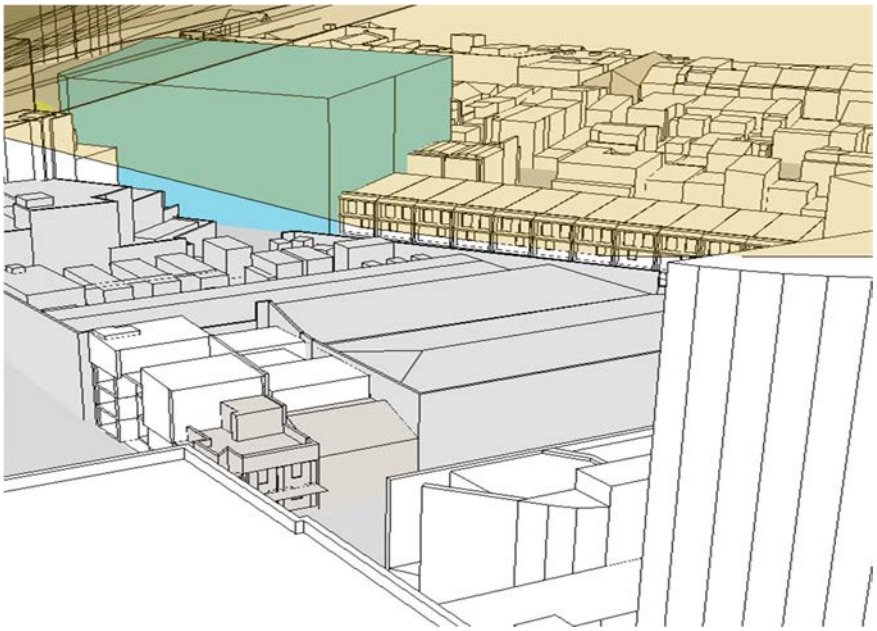


Figure 57 – solar access to adjoining residential properties

Proposed controls

For 13A-29 Union Street, changes to controls are proposed to support two possible outcomes for floor space use. The existing mixed use controls have been reviewed to support provision of commercial and residential floor space through an uplift in FSR and height. Alternative controls (as exhibited late 2024) incentivise a solely non-residential outcome.. The uplift in FSR is greater for the non-residential alternative as the building envelope can accommodate floor space more efficiently.

For 69-71 Edward Street, the alternative controls exhibited in late 2024 will also incentivise a non-residential outcome through an uplift in FSR and height on this site. The existing mixed use provisions that apply to this site remain unchanged.

Mixed use controls

Changes to the existing controls for mixed use development apply to the site at 13A-29 Union Street only, supporting growth for residential floor space.

These controls propose an FSR of 3.73:1 with a Design Excellence clause, a height limit of 45 metres and 14 storeys, and a deep soil requirement of at least 15% of the site. Refer to Table 16 below. Street wall heights, upper level setbacks, and site layout requirements are designed to meet the requirements of the ADG. These are illustrated in Figure 58, Figure 59, and Figure 60.

Table 16 – proposed planning controls for 13A-29 Union Street & 69-71 Edward Street

	Existing building	Existing controls	Proposed controls
13A-29 Union Street			
Land use & zoning	*Commercial*	B4 – MU	Mixed use
Floor space ratio	*0.45 approx.*	3.5	3.73 + Des. Ex.
Height of building	*11.5m*	24m	45m
Height in storeys	*2*	5	14^
Deep soil	*0%*	10%	15%



Figure 58 – floorplate diagram for a mixed use outcomes at 13a-29 Union Street

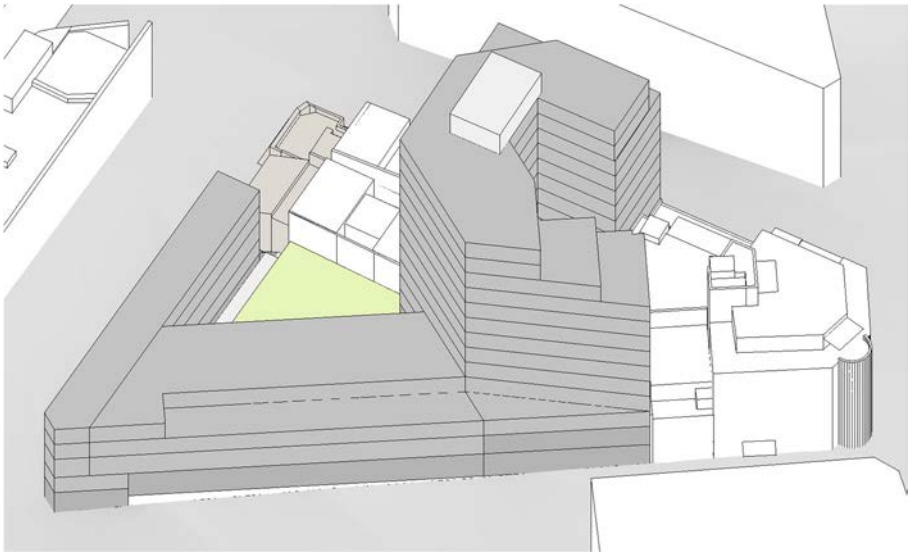


Figure 59 – aerial view from west of alternative mixed use scheme at 13a-29 Union Street

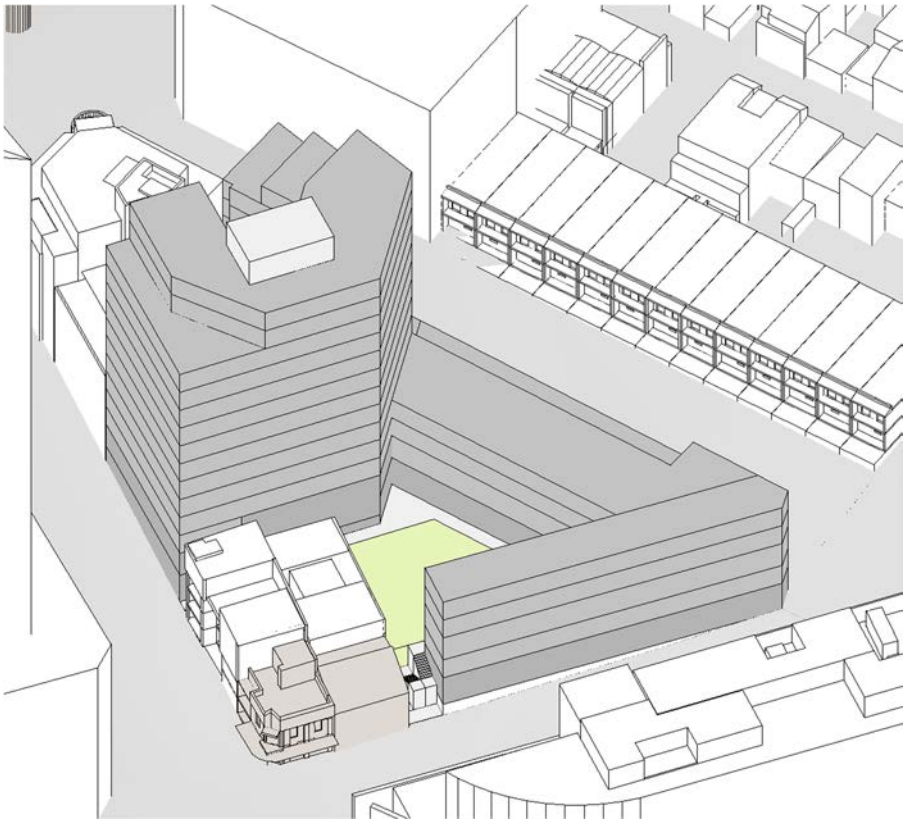


Figure 60 – aerial view from north of alternative mixed use scheme at 13a-29 Union Street

Alternative controls for non-residential development

The alternative controls that were exhibited in late 2024 encourage non-residential uses on both sites. 13A-29 Union Street is to have an FSR of 3.75:1 with a Design Excellence clause; a height limit of 45 metres and 10 storeys; and a deep soil requirement for at least 15% of the site. 69-71 Edward Street is to have an FSR of 5.67:1 with a Design Excellence clause; and a height limit of 38 metres and 8 storeys. These controls can both be seen in Table 17.

In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, access improvements, and streetscape improvements proposed for both sites, as can be seen in Figure 61, Figure 62 and Figure 63.

Table 17 – proposed alternative controls for 13A-29 Union Street & 69-71 Edward Street

	Existing building	**Existing controls**	**Proposed alternative controls – non-residential use**
13A-29 Union Street			
Land use & zoning	*Commercial*	MU1 – Mixed use	commercial
Floor space ratio	*0.45 approx.*	3.5	4.0 + Des. Ex.
Height of building	*11.5m*	24m	50m
Height in storeys	*2*	5	11^
Deep soil	*0%*	10%	15%
69-71 Edward Street			
Land use & zoning	*Commercial*	MU1 – mixed use	E2 - Commercial
Floor space ratio	*3.18 approx.*	4.0	5.67 + DesEx
Height of building	*19m*	24m	38m
Height in storeys	*4*	5	8^
Deep soil	*0%*	10%	n/a

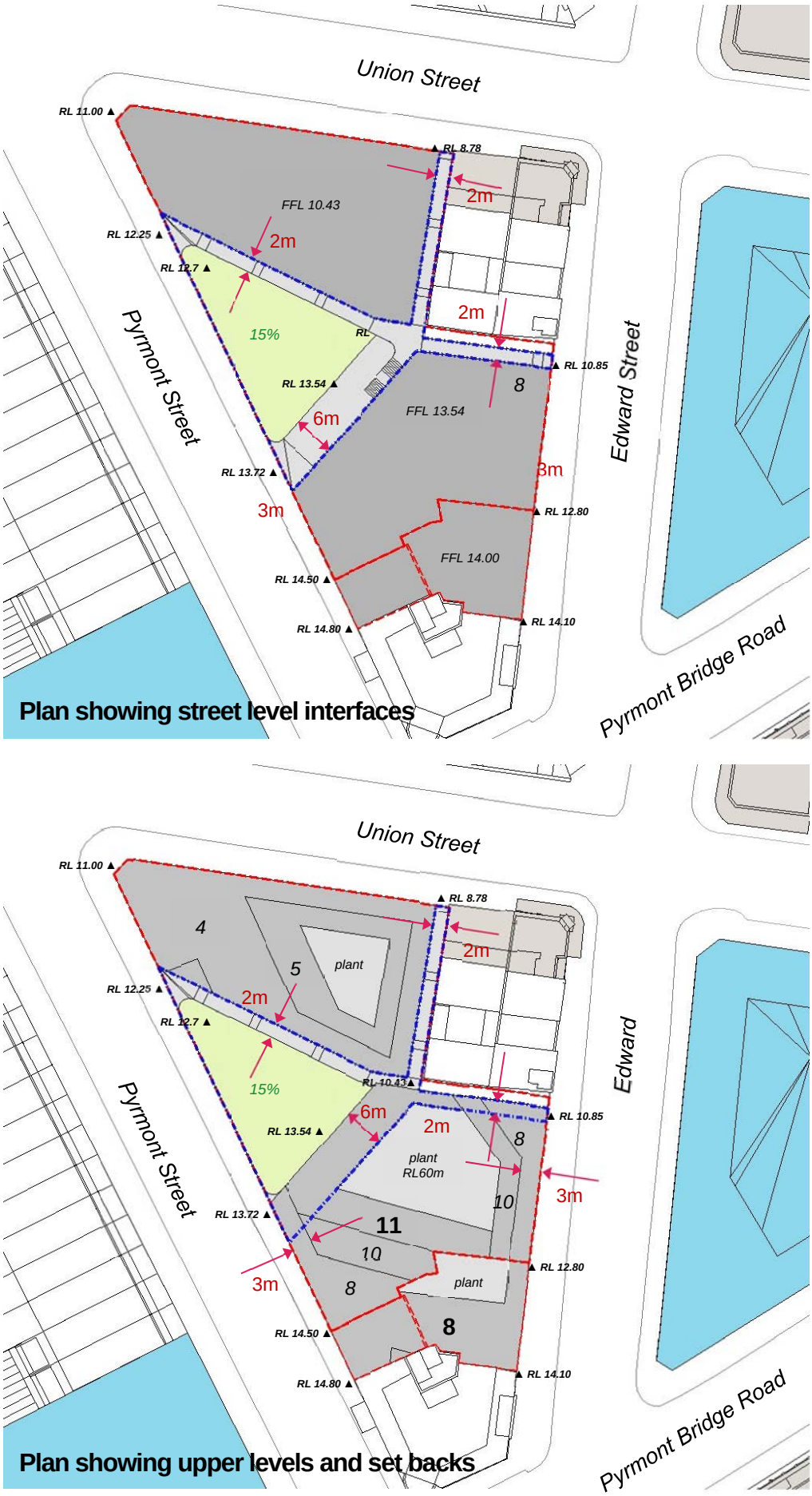


Figure 61 – proposed site plan for 13A-29 Union Street & 69-72 Edward Street

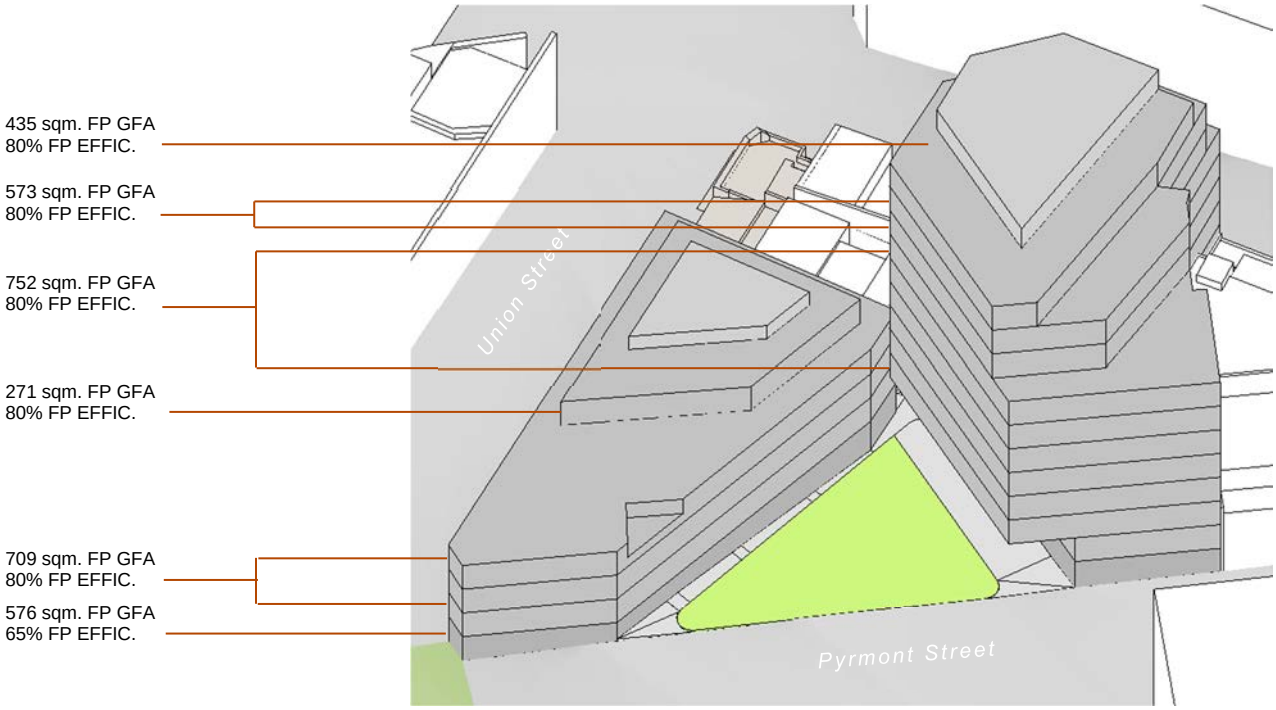


Figure 62 – floorplate diagram for 13A-29 Union Street

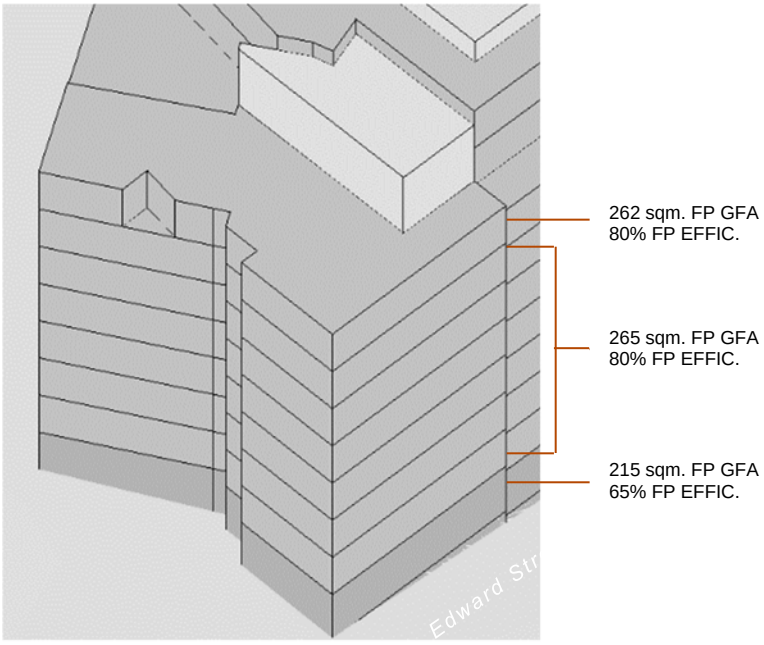
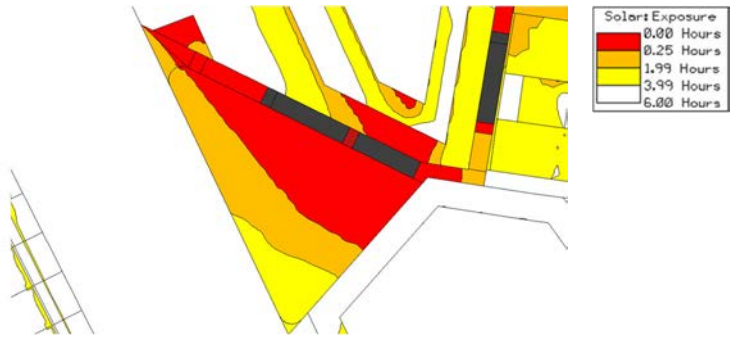


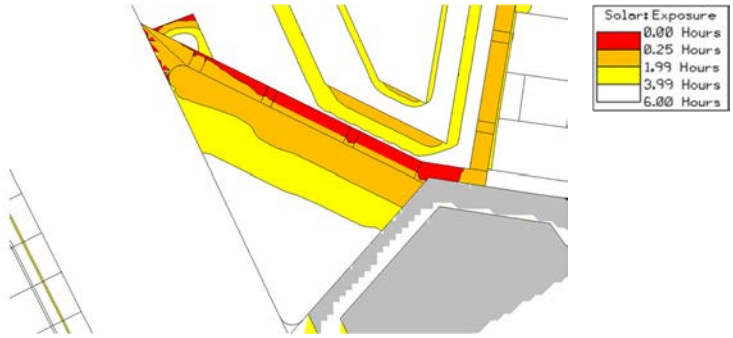
Figure 63 – floorplate diagram for 69-72 Edward Street

21 June, 9am-3pm



4 hrs+	2 hrs +
0%	14.9%

22 September, 9am-3pm



4 hrs+	2 hrs +
43.8%	72.7%

Figure 64 – solar insolation to publicly accessible open space in the scheme for non-residential floor space use at 13a-29 Union Street

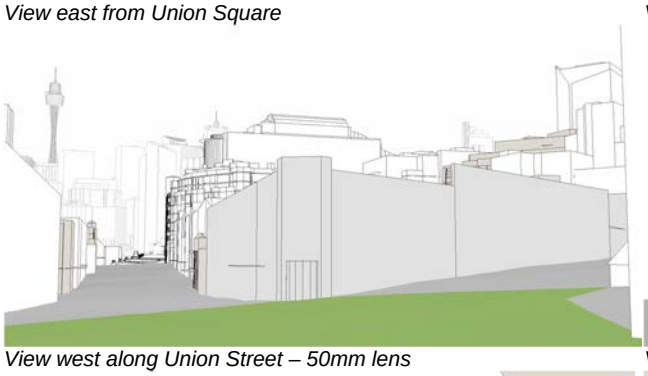
Visualisation



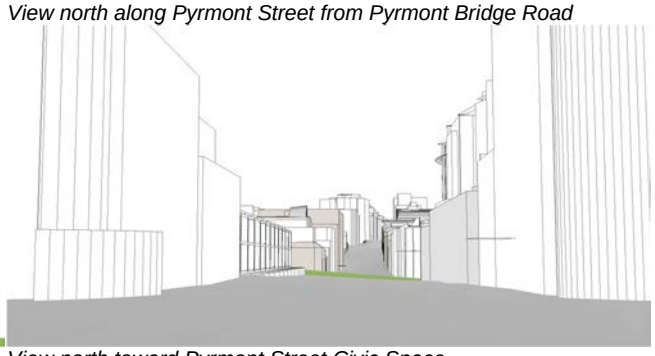
Figure 65 – view locations for 13A-29 Union Street & 69-72 Edward Street

Existing

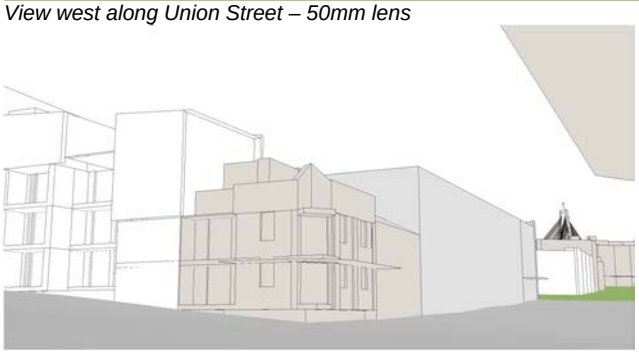
View east from Union Square



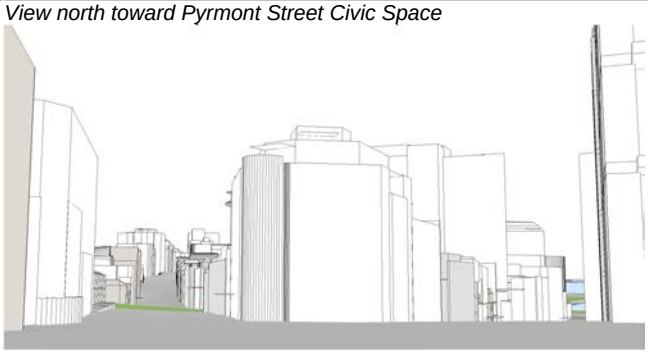
View north along Pyrmont Street from Pyrmont Bridge Road



View west along Union Street – 50mm lens

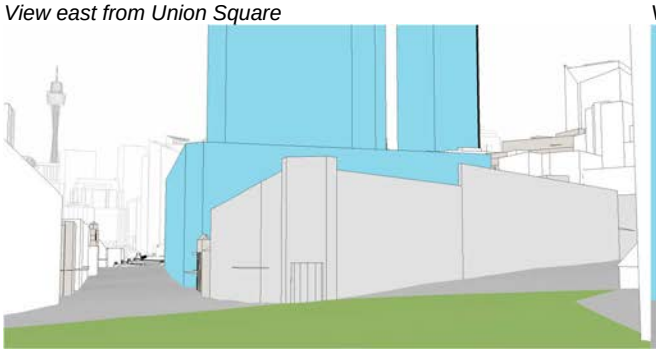


View north toward Pyrmont Street Civic Space

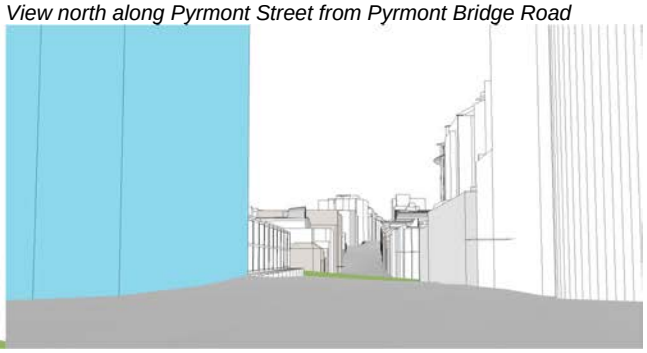


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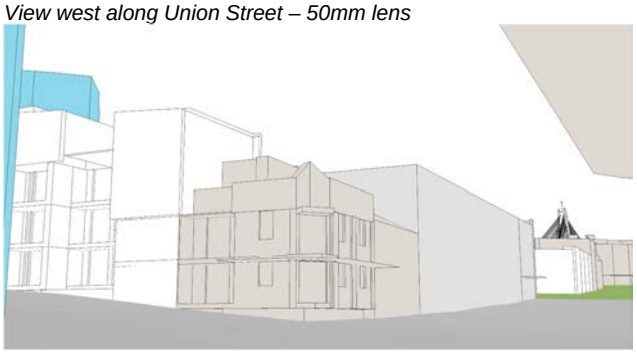
View east from Union Square



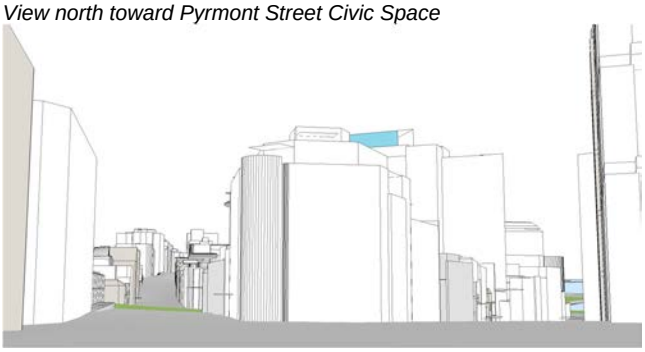
View north along Pyrmont Street from Pyrmont Bridge Road



View west along Union Street – 50mm lens

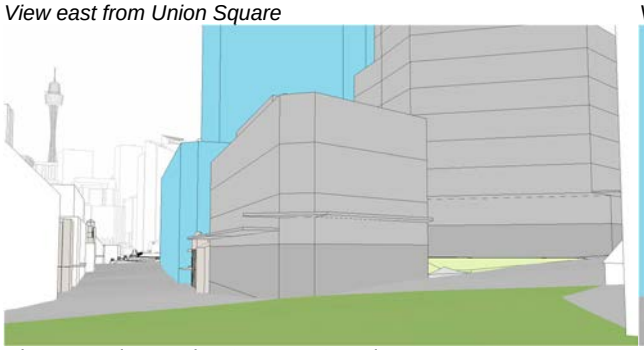


View north toward Pyrmont Street Civic Space

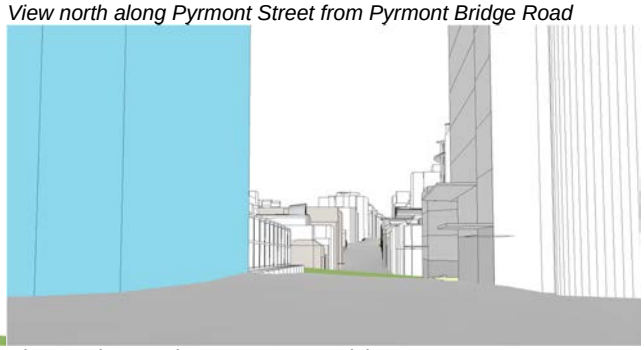


Alternative controls for non-residential development

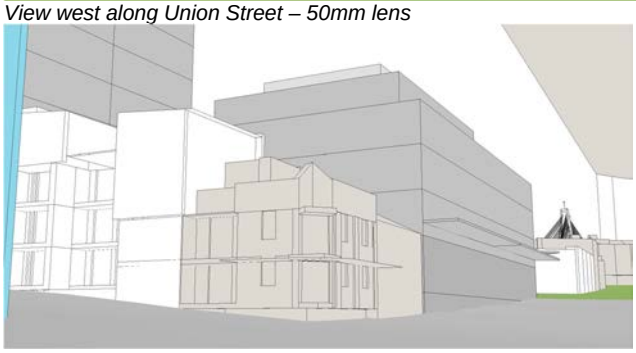
View east from Union Square



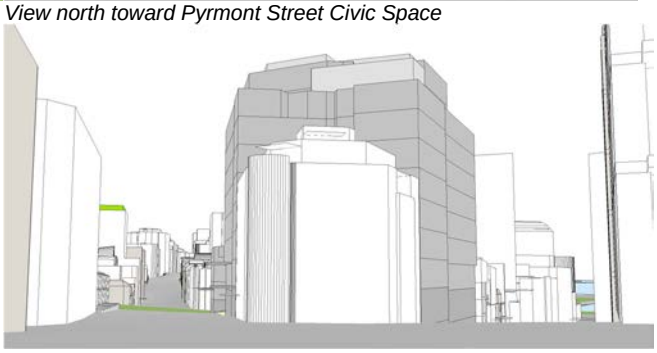
View north along Pyrmont Street from Pyrmont Bridge Road



View west along Union Street – 50mm lens

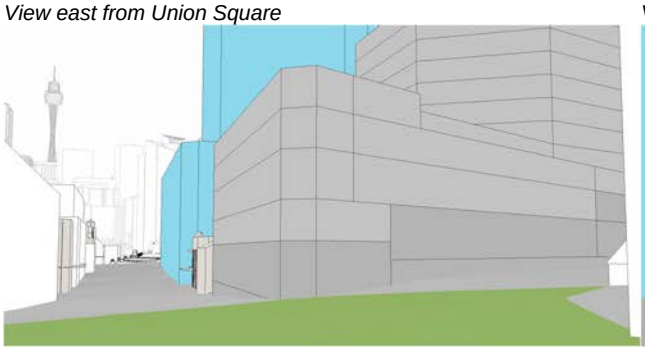


View north toward Pyrmont Street Civic Space

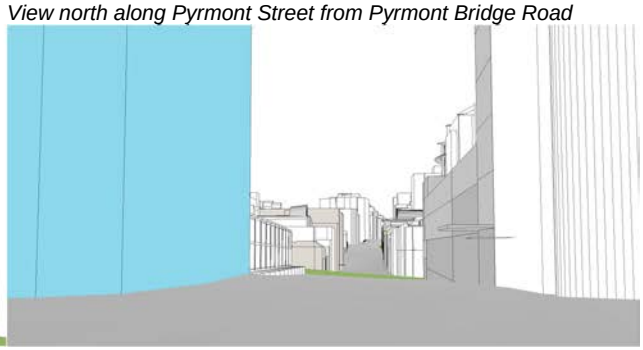


Proposed controls for mixed use development

View east from Union Square



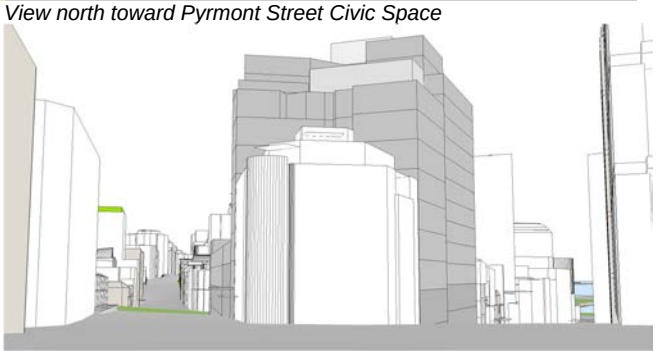
View north along Pyrmont Street from Pyrmont Bridge Road



View west along Union Street – 50mm lens



View north toward Pyrmont Street Civic Space



55-65 Murray Street

Overview

55-65 Murray Street (Lot 14 DP 32575, Lot 15 DP 32575, Lot 16 DP 32575) is located between Murray Street and Harwood Lane, a short distance from the proposed Pyrmont Metro (refer Figure 67 and Figure 66).

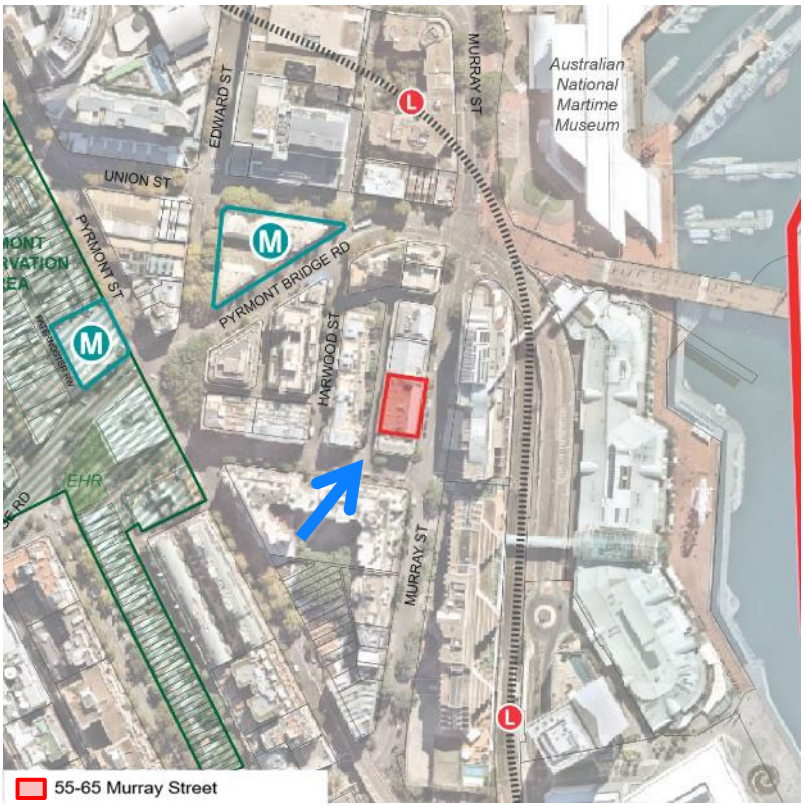


Figure 67 – location plan of 55-65 Murray Street



Figure 66 – oblique aerial of 55-65 Murray Street

Background

55-65 Murray Street was not included in the Department of Planning's initial study. Subsequently, the City reviewed all of the sites in the peninsula and 55-65 Murray Street was identified as a site capable of change.

Existing controls

55-65 Murray Street is currently occupied by a four-storey commercial building, with zero setbacks to either street frontage. The existing controls can be seen in Table 18, while the layout and position of the site can be seen in Figure 68.

Table 18 – existing building and existing planning controls for 55-65 Murray Street

	Existing building	Existing controls
Land use & zoning	*Commercial*	MU1 – MU
Floor space ratio	*<3.46 approx.*	4.0
Height of building	*18m*	30m
Height in storeys	*4*	8
Deep soil	*0%*	10%



Figure 68 – existing site plan for 55-65 Murray Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

On the western side of the site Harwood Lane is narrow without trees adjacent to the site. A six-metre deep soil strip alongside the lane will accommodate a row of trees to improve the street.

More public space for more people – streets and open spaces –

The strip of deep soil is open to and extends the publicly accessible open space of the street.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 69).

Reinforce **'street wall' form** of most buildings –

The height of the street wall to Murray Street matches the existing building to its north, with setbacks for the upper levels.

Conserve **heritage** values –

The street wall and building form fits well amongst the neighbouring heritage items.

Good **design for wind and noise** –

The site is protected from winds by the surrounding development. The site is not exposed to noise being in a quiet street.

Match **land use** to place –

The residential use extends the neighbouring residential areas to the south and west.

Consider **views** to and from public places –

The site is not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

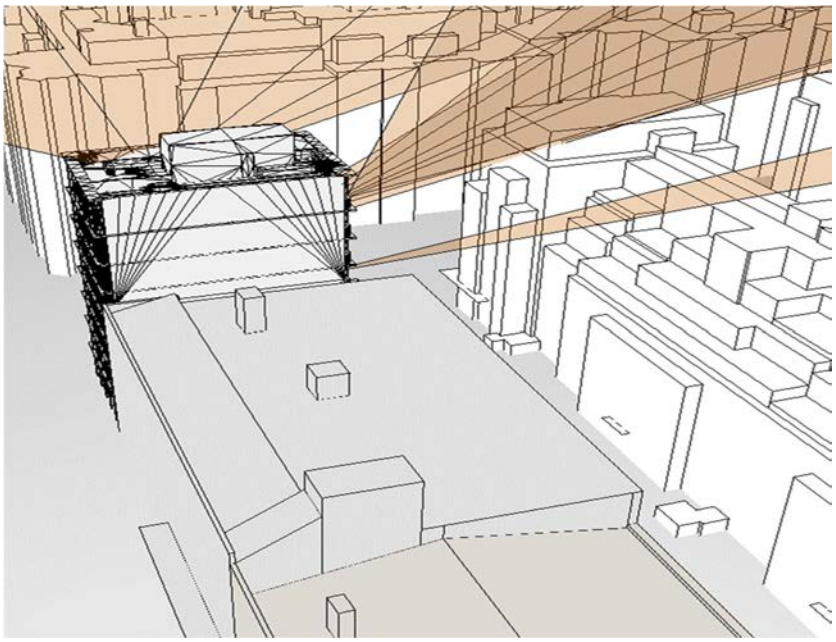


Figure 69 – solar access to adjoining residential properties

Proposed controls

For 55-65 Murray Street, the proposed controls are for a residential use, with ground floor retail uses to Murray Street. The site is to have an FSR of 4.83:1 with a Design Excellence clause; a height limit of 39 metres and 11 storeys; and a deep soil requirement for at least 15% of the site, as shown in Table 19 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 70.

Table 19 – proposed planning controls for 55-65 Murray Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Commercial*	MU1 - MU	Residential
Floor space ratio	*<3.46 approx.*	4.0	4.83 + DesEx
Height of building	*18m*	30m	39m
Height in storeys	*4*	8	11^
Deep soil	*0%*	10%	15%

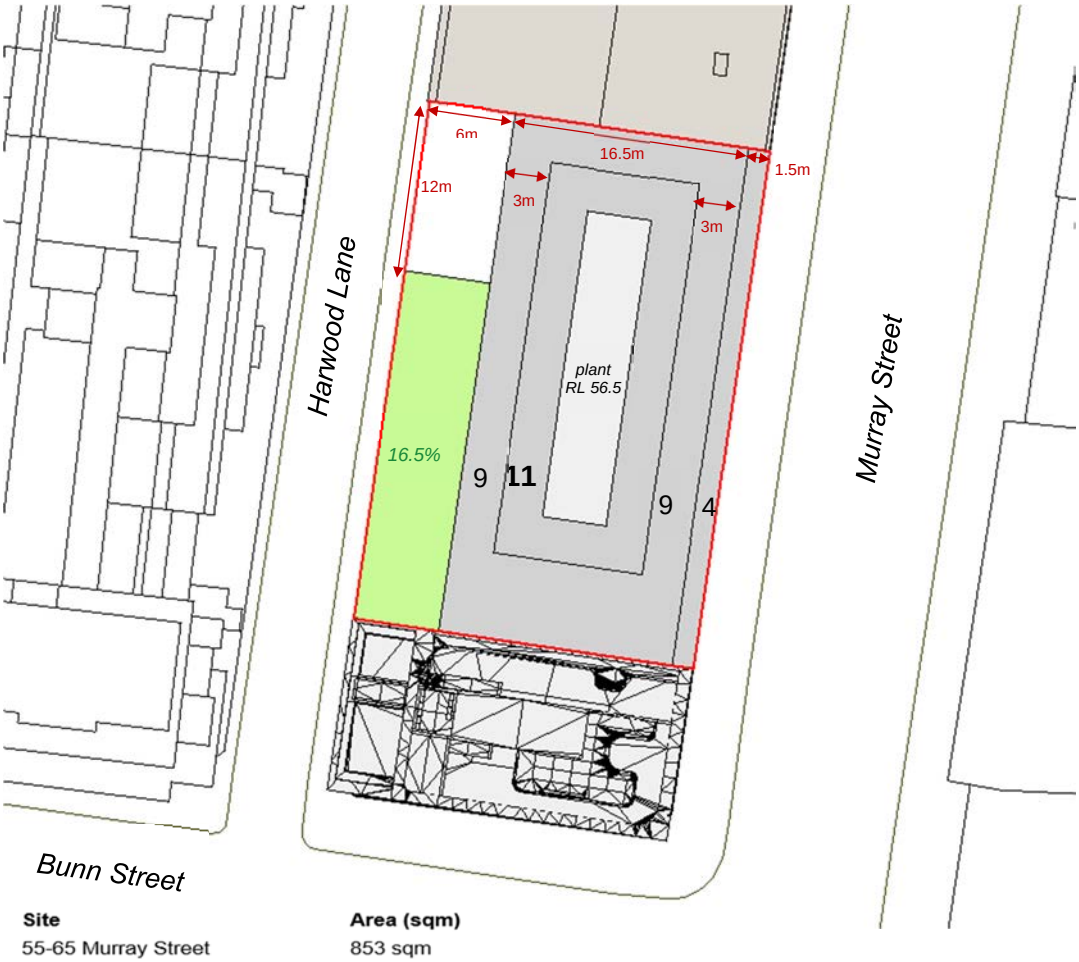


Figure 70 – proposed site plan for 55-65 Murray Street

Visualisation

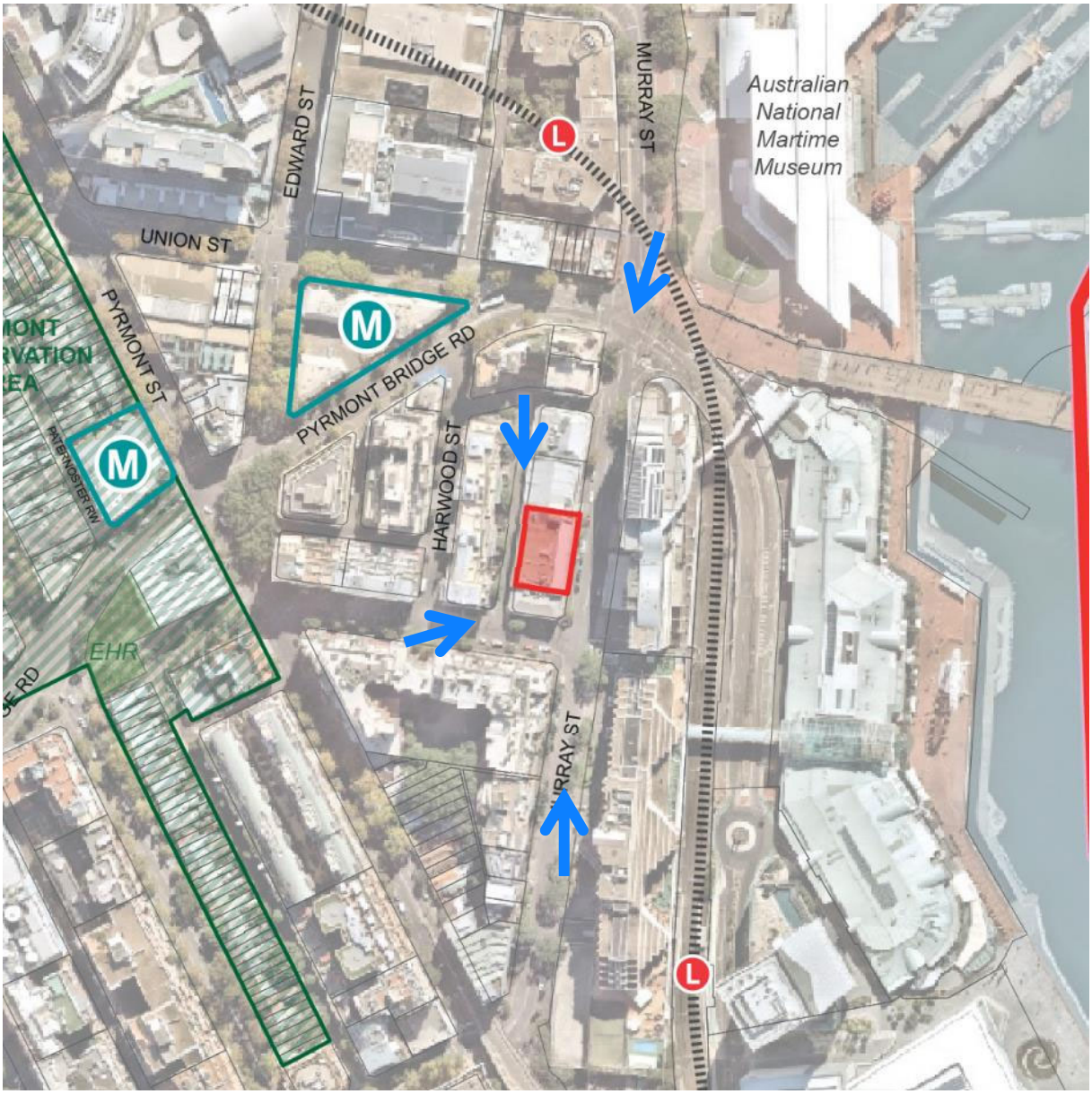


Figure 71 – view locations

Existing

View south along Murray Street



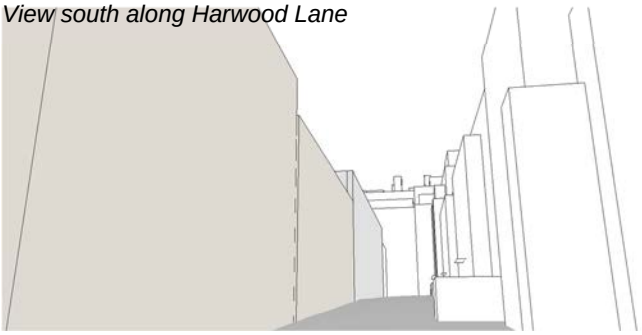
View north along Murray Street



View east along Bunn Street

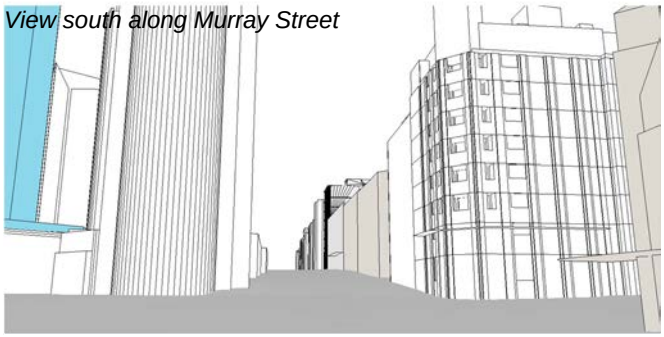


View south along Harwood Lane



Existing + approved

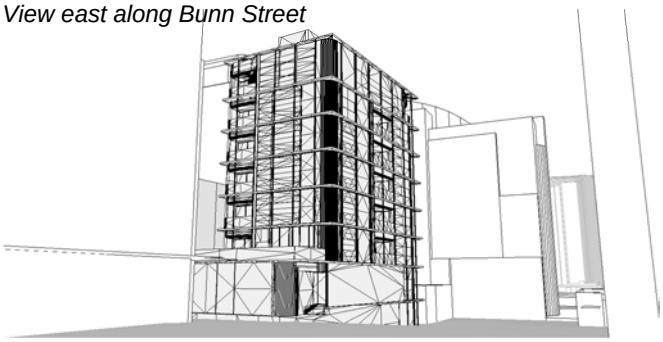
View south along Murray Street



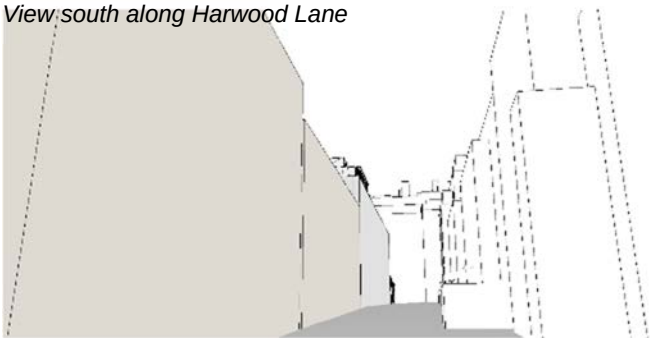
View north along Murray Street



View east along Bunn Street

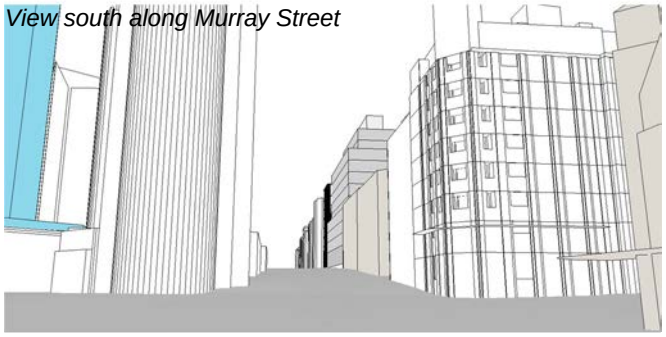


View south along Harwood Lane



Proposed

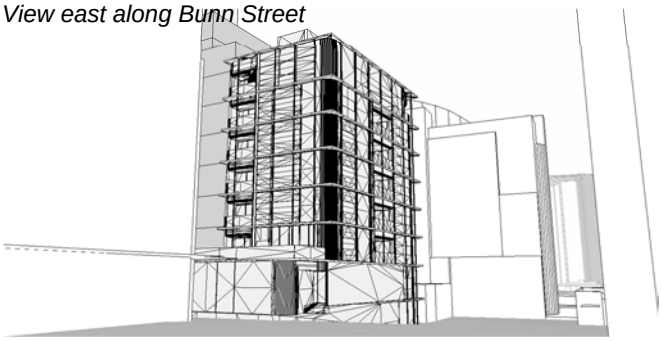
View south along Murray Street



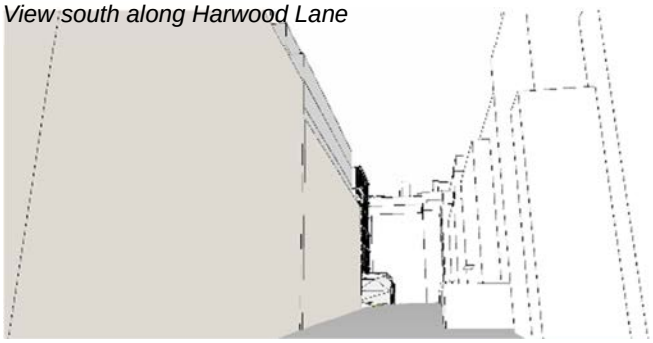
View north along Murray Street



View east along Bunn Street



View south along Harwood Lane



1-33 Saunders Street & 140-148 Bank Street

Overview

1-33 Saunders Street (Lot 101 DP 853704, Lot 102 DP 853704) & 140-148 Bank Street (Lot 1 DP 8205) are located adjacent the Anzac Bridge approach/Western Distributor, immediately north of the Blackwattle Bay SSP. The two sites are bound by (clockwise) Bank Street to the South, Quarry Master Drive to the west, Saunders Street to the north and a small section of Miller Street to the east (refer Figure 72 and Figure 73).



Figure 72 – location plan of 1-33 Saunders Street & 140-148 Bank Street

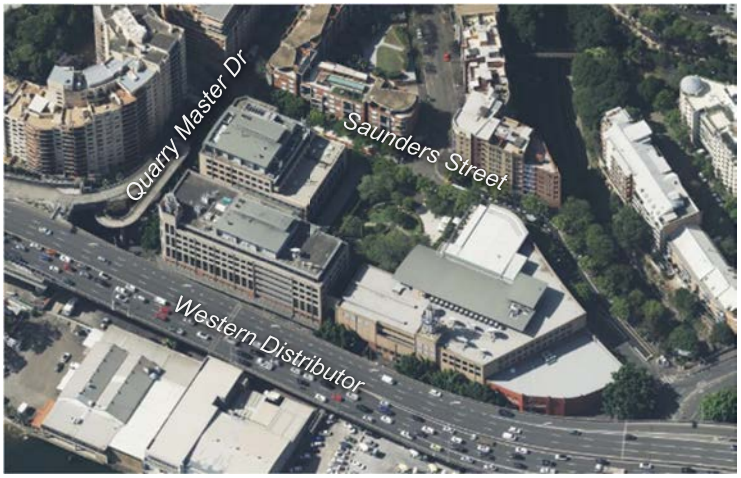


Figure 73 – oblique aerial of 1-33 Saunders Street & 140-148 Bank Street

Background

1-33 Saunders Street & 140-148 Bank Street were both included in the Department of Planning's initial study. In this review they were both given an FSR of 8.0 and an 85m height limit, though as shown in Figure 74 below, the envelopes produced do not match the height controls for 140-148 Bank Street. The study did not consider good design for wind and noise, the poor amenity of the existing streets and open space of the sites, the existing poor connections from across the sites, and effects of sunlight on surrounding sites. These controls can be seen in Table 20 below.

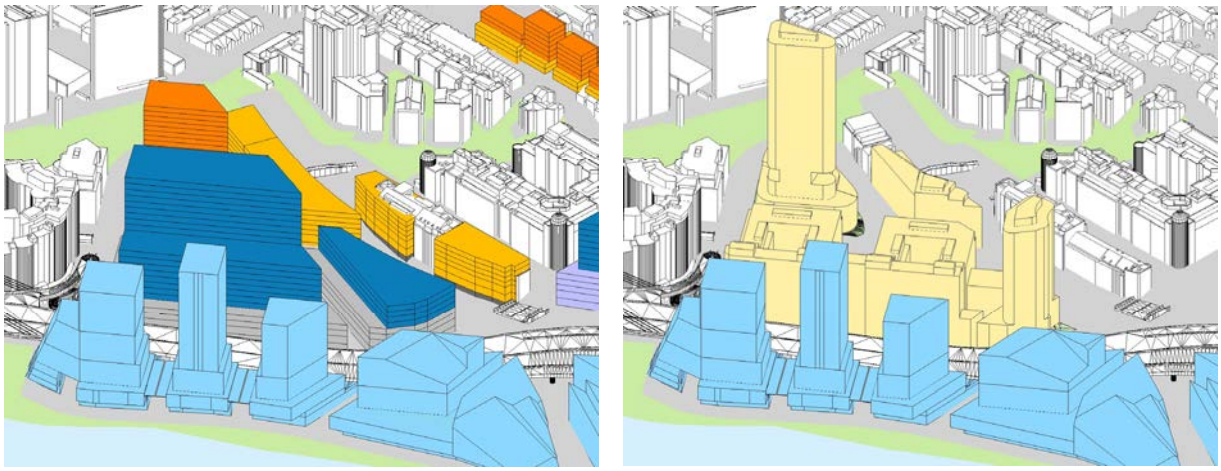


Figure 74 – comparison of Department of Planning's initial study and City of Sydney's study for 1-33 Saunders Street & 140-148 Bank Street

Table 20 – Department of Planning's initial study for 1-33 Saunders Street & 140-148 Bank Street

	Department of Planning's initial study		City of Sydney's study	
	1-33 Saunders	**140-148 Bank**	**1-33 Saunders**	**140-148 Bank**
Gross floor area	79,744 sqm	8,128 sqm	46,602 sqm	12,304 sqm
Floor space ratio	8.0	8.0	4.21 + DesEx	10.9 + DesEx
Height of building	85 m	85 m	54m	85m
Height in storeys	21 *(HiS not specified)*	8 *(HiS not specified)*	15^	21^
Deep soil	*n/a*	*n/a*	15%	15%

Existing controls

1-33 Saunders Street and 140-148 bank Street are both currently used for commercial uses. 1-33 Saunders Street contains the 'City West' office park, a complex of three interconnected buildings up to nine-storeys in height, surrounding a central courtyard, fronting Saunders Street. Beyond the courtyard there are zero setbacks to the remainder of the three street frontages. 140-148 Bank Street is currently occupied by a two-storey commercial building with zero street setbacks. These controls can be seen in Table 21 below. The layout and position of the site can be seen in Figure 75.

Table 21 – existing building and existing planning controls for 1-33 Saunders Street & 140-148 Bank Street

	Existing building	Existing controls
1-33 Saunders Street		
Land use & zoning	*Commercial*	B3 – CC
Floor space ratio	*2.61 approx.*	4.0
Height of building	*35m*	33m
Height in storeys	*8*	9
Deep soil	*TBC*	10%
140-148 Bank Street		
Land use & zoning	*Commercial*	B3 – CC
Floor space ratio	*1.81 approx.*	4.0
Height of building	*11m*	33m
Height in storeys	*2*	9
Deep soil	*0%*	10%

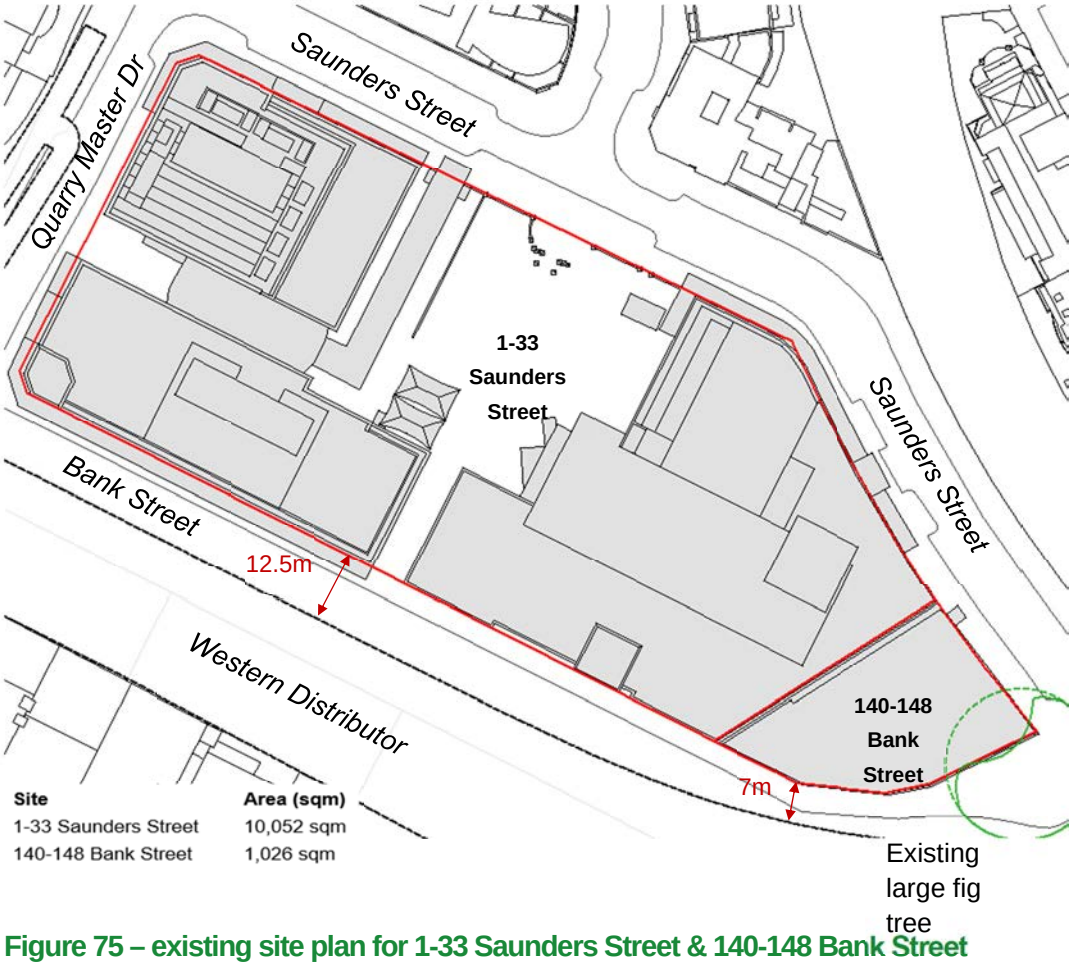


Figure 75 – existing site plan for 1-33 Saunders Street & 140-148 Bank Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

On the corner of Bank, Miller, and Saunders Streets is a large existing tree. The building form is setback around the existing tree to allow it to remain.

On Saunders Street, opposite the eastern leg of Quarry Master Drive, a square of deep soil can support a copse of trees and deep soil setbacks extend the width of the western leg of Quarry Master Drive, and alongside Saunders Street will support street planting to extend its canopy.

More public space for more people – streets and open spaces –

The square is a publicly accessible open space at the centre of the local area. It receives sunlight throughout the year and will be surrounded by active frontages, overlooked by apartments, protected from noise from the Anzac Bridge approach, and winds from the west and south.

Parallel to Bank and Saunders Streets is a six metre wide walkway that runs from Quarry Master Drive to Saunders Street near Miller Street. At the Miller Street end, accessible ramps connect Saunders Street to Bank Street. The walkway is lined with active frontages and is protected from noise and wind.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties, including the approved Blackwattle Bay planning envelopes, have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 79).

Reinforce **'street wall' form** of most buildings –

The height of the continuous street wall to Bank Street protects the area from noise from the Anzac Bridge approach and nearby concrete batching plant. The street wall form of the residential buildings form the square on Saunders Street. On the corner of Miller and Bank Streets the shape and size of the site does not suit a street wall form and instead a tower form is proposed.

Conserve **heritage** values –

There are no heritage items in the vicinity of these sites.

Good **design for wind and noise** –

The site is exposed to winds from the west, southwest, and south. The continuous building along Bank Street protects the local area from winds.

It is narrow and comb shaped in plan to allow apartment planning with habitable room openable windows to face away from the noise from the Anzac Bridge approach and concrete batching plant.

The commercial tower building is shaped with curved corners to minimise wind downdraft,

Match **land use** to place –

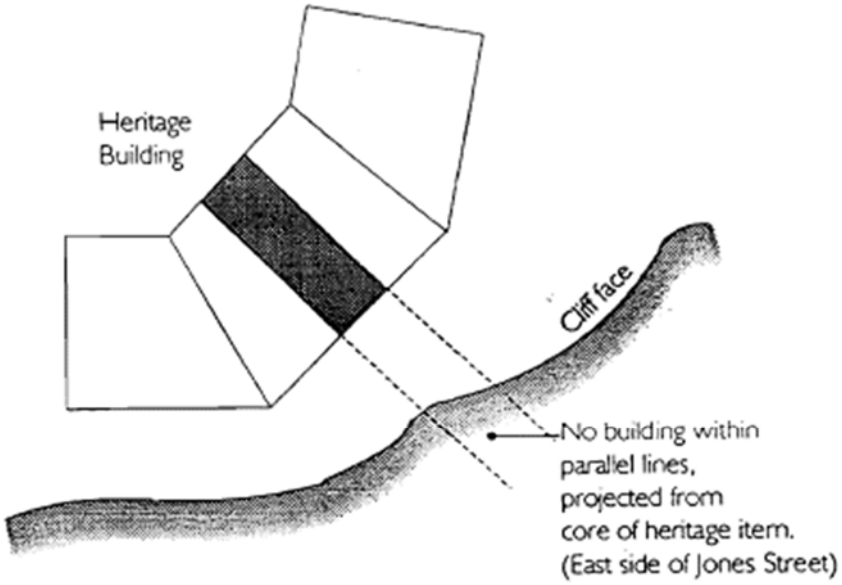
The residential use extends the neighbouring residential area to the north and east.

Consider **views** to and from public places –

A view corridor of the former CSR McCaffrey's building first found in planning controls late last century intersects the site and building heights and form is adjusted to maintain this view corridor (refer Figure 76 and Figure 77).

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.



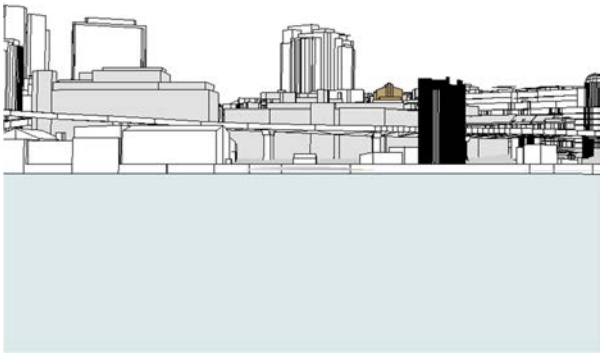
b) Development in respect of Heritage Building

To enable unobstructed views back to the central section of the heritage stables building on the cliff top, no building form (down to ground level on the eastern side of Jones Street) is to encroach into a direct line projected from the building. This view line also applies to the western side of Jones Street but a building form is permissible provided that it demonstrates an ability to maintain distant views from the cliff top walk. See **Figure 9b**.

Figure 76 – view corridor identified in the Ultimo-Pyrmont Precinct Urban Development Plan to the 'Former CSR McCaffery's Building'
Source: Ultimo-Pyrmont Precinct Urban Development Plan 1999 Update; Fig. 9. b)' Development in respect of heritage Building', Page 93-94

Existing





Draft BWB LEP instrument

Draft BWB LEP instrument &
140-148 Bank Street & 1-33 Saunders Street



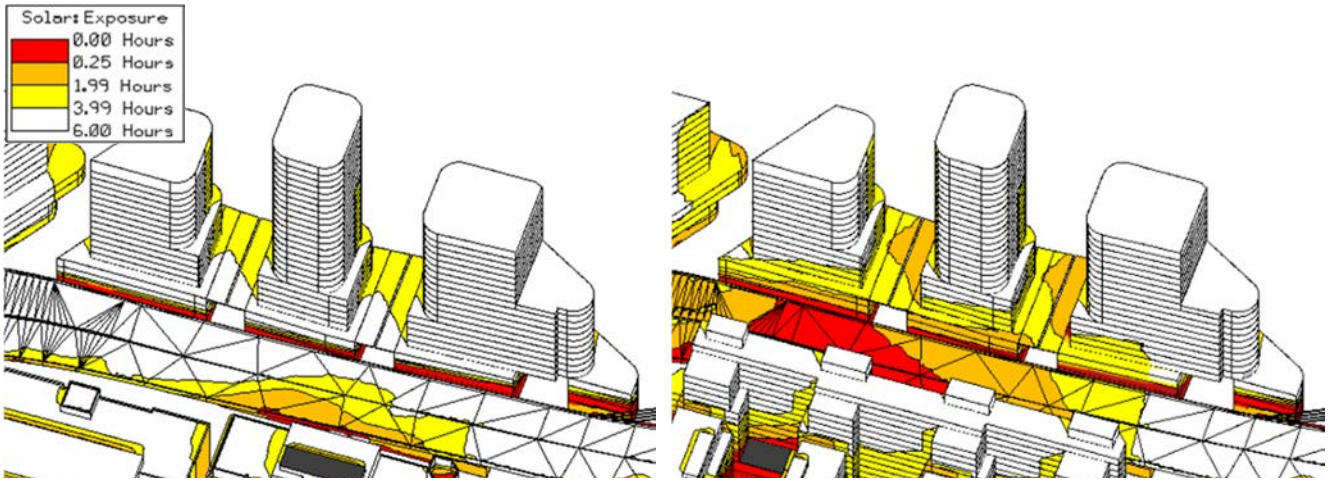


Figure 77 – view across Blackwattle Bay from the Glebe Foreshore Walk (Stage 5)



21 June, 9am-3pm *22 September, 9am-3pm*

Figure 78 – solar access to public deep soil

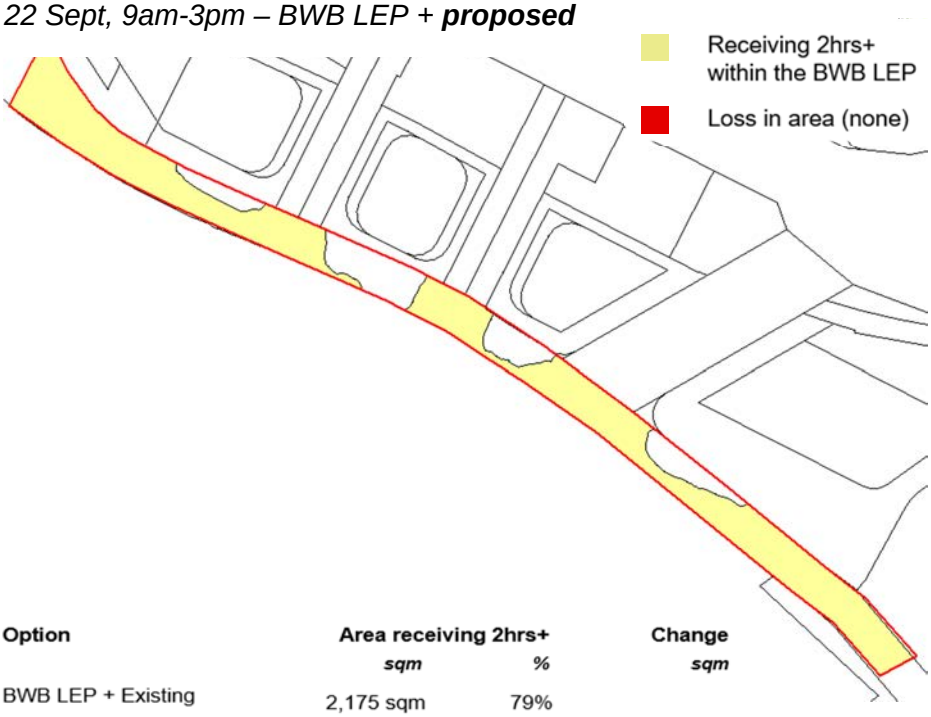


21 June, 9am-3pm – BWB LEP *21 June, 9am-3pm – BWB LEP + **proposed***

Figure 79 – solar access to Blackwattle Bay LEP planning envelopes

The Blackwattle Bay Design Guidelines specify that a "*minimum of two hours sunlight at equinox is to be provided to **70%** of the northern foreshore promenade between 8am and 4pm…"* (S3.3.3, p.25). As shown in Figure 80, the proposed controls for 1-33 Saunders Street and

*22 Sept, 9am-3pm – BWB LEP + **proposed***



Option	Area receiving 2hrs+		Change
	sqm	*%*	*sqm*
BWB LEP + Existing	2,175 sqm	79%	
BWB LEP + Proposed	2,175 sqm	79%	***no change***

Figure 80 – solar insolation to the Blackwattle Bay northern foreshore promenade

Proposed controls

For 1-33 Saunders Street the proposed controls are for mixed use; with ground floor commercial and retail uses and residential uses above. The site is to have an FSR of 4.21:1 with a Design Excellence clause; a height limit of 54 metres and 15 storeys; and a deep soil requirement for at least 15% of the site. For 140-148 Bank Street the proposed controls are for commercial with an FSR of 10.9:1 with a Design Excellence clause; and a height limit of 85 metres and 21 storeys. These controls can both be seen in Table 22.

In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, access improvements, and streetscape improvements proposed for both sites, as can be seen in Figure 81.

Table 22 – proposed planning controls for 1-33 Saunders Street & 140-148 Bank Street

	Existing building	Existing controls	Proposed controls
1-33 Saunders Street			
Land use & zoning	*Commercial*	B3 – CC	Mixed use
Floor space ratio	*2.61 approx.*	4.0	4.21 + DesEx *4.14 resi* *0.49 non-res*
Height of building	*35m*	33m	54m
Height in storeys	*8*	9	15^
Deep soil	*0%*	10%	15%
140-148 Bank Street			
Land use & zoning	*Commercial*	B3 – CC	Commercial
Floor space ratio	*1.81 approx.*	4.0	10.9 + DesEx
Height of building	*11m*	33m	85m
Height in storeys	*2*	9	21^
Deep soil	*0%*	10%	15%

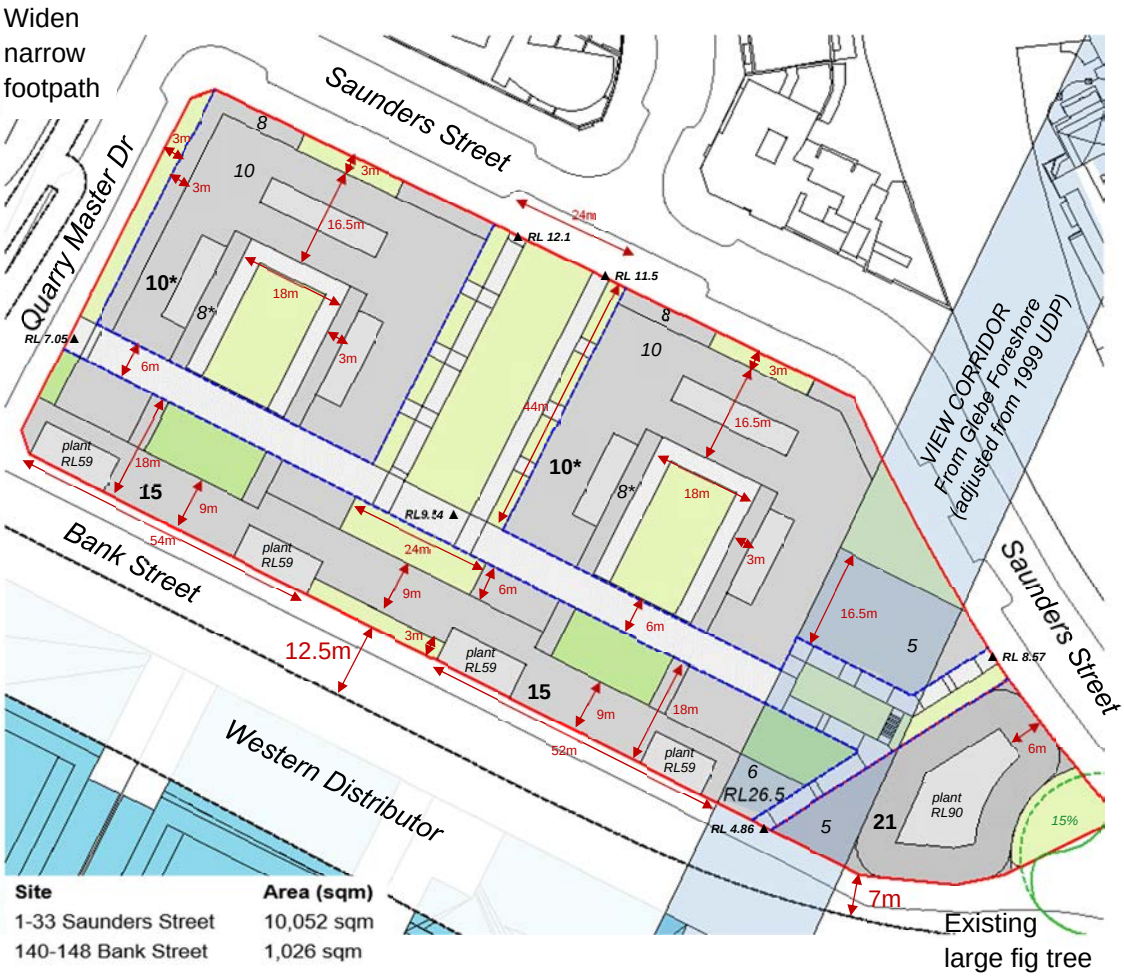


Figure 81 – proposed site plan for 1-33 Saunders Street & 140-148 Bank Street

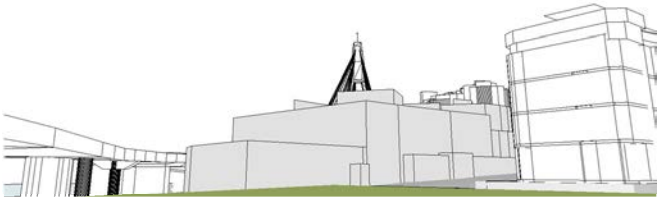
Visualisation



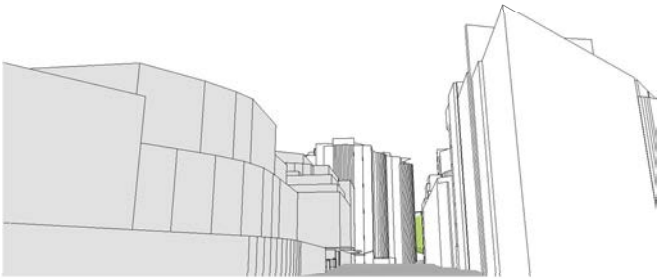
Figure 82 – view locations

Existing (35mm lens)

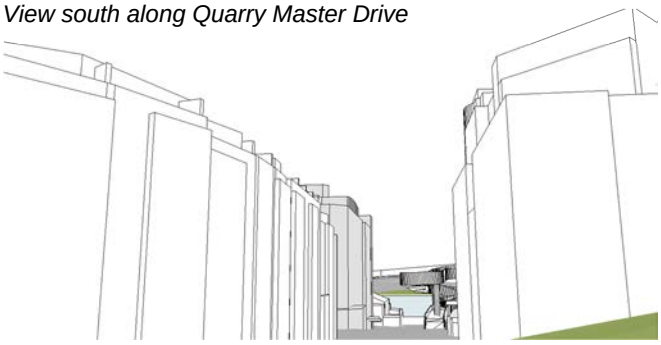
View west from Miller Street Civic Space



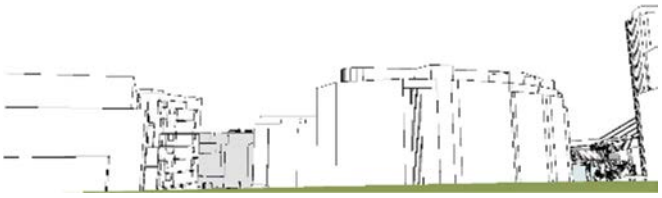
View west along Saunders Street



View south along Quarry Master Drive

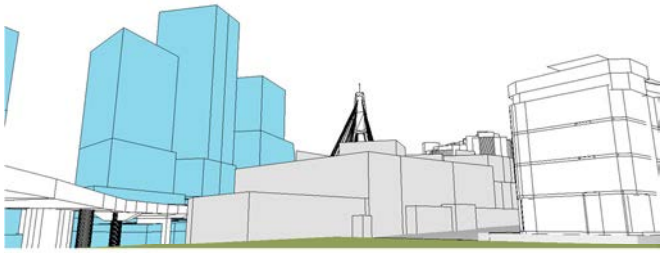


View south from Carmichael Park

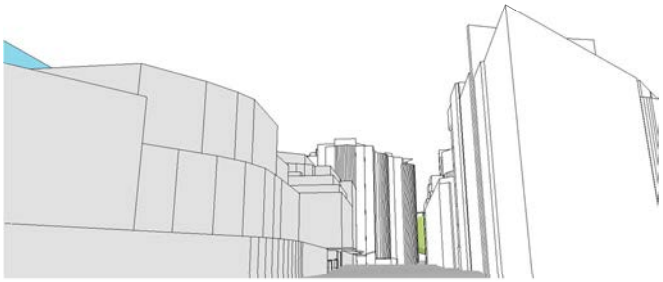


Existing + approved (35mm lens)

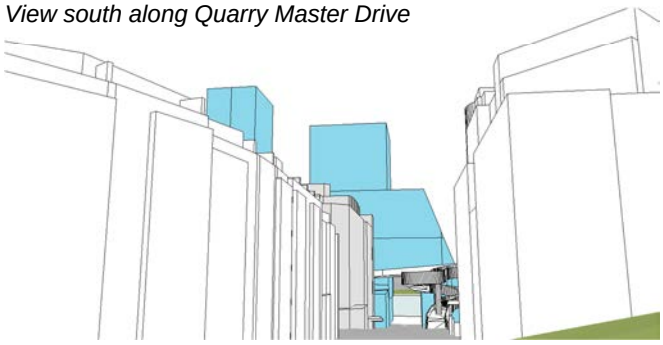
View west from Miller Street Civic Space



View west along Saunders Street



View south along Quarry Master Drive



View south from Carmichael Park



Proposed (35mm lens)

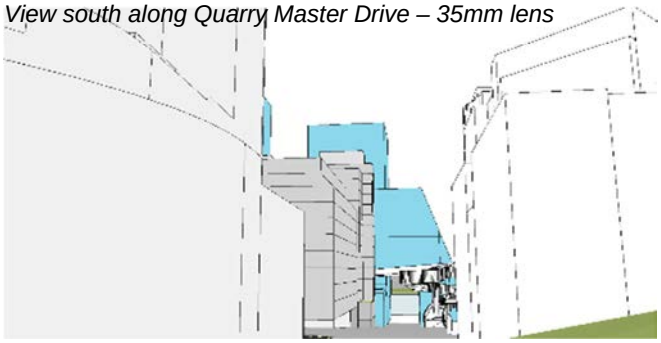
View west from Miller Street Civic Space



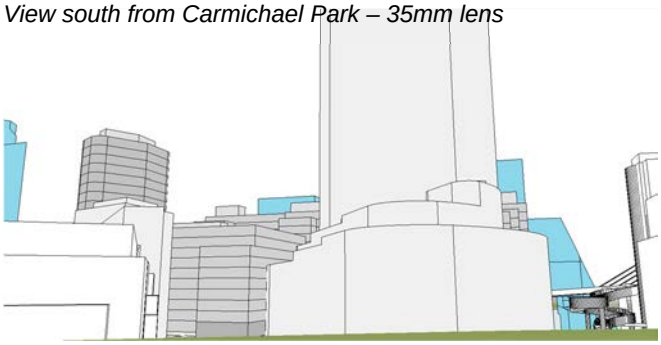
View west along Saunders Street

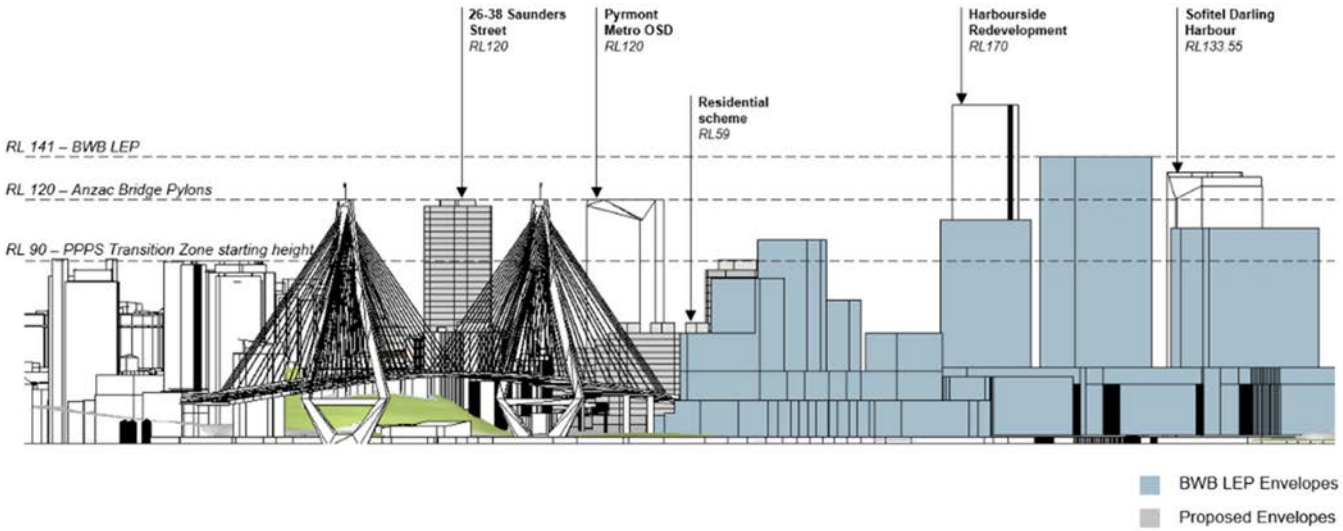


View south along Quarry Master Drive – 35mm lens



View south from Carmichael Park – 35mm lens





Elevation – looking east

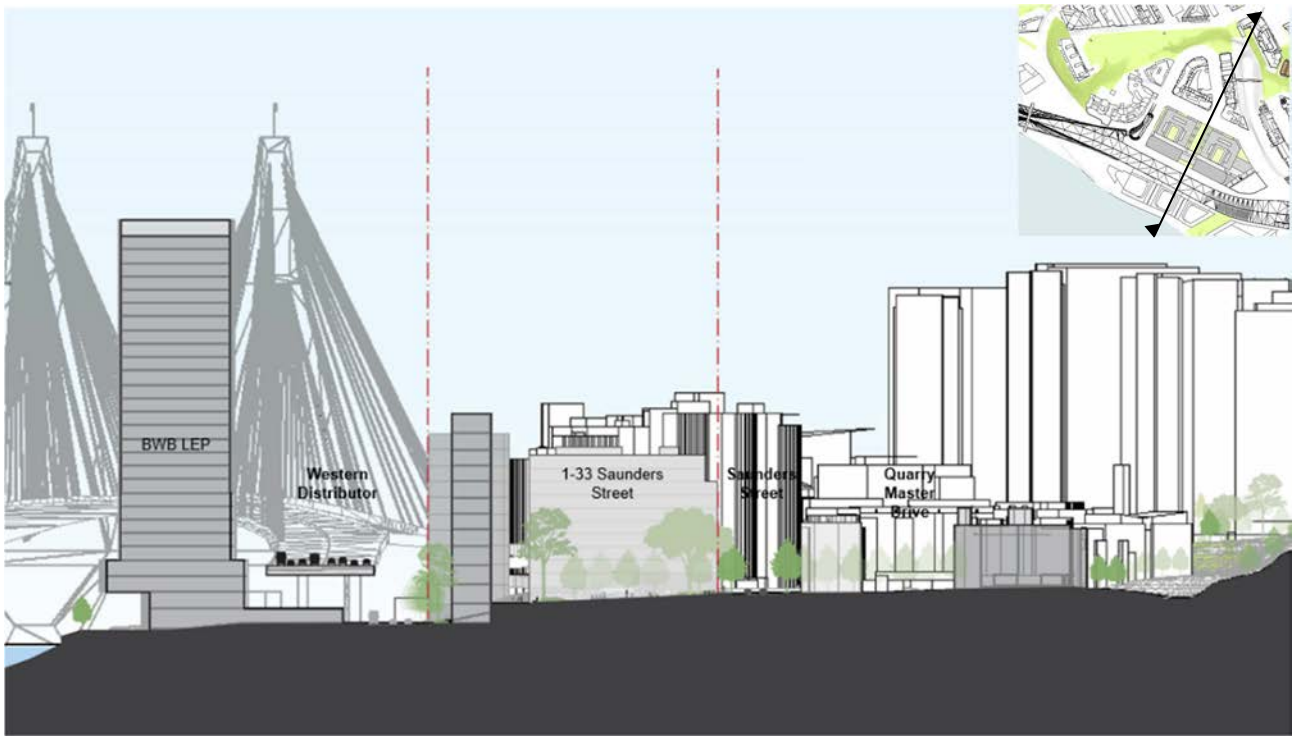


Figure 83 – Section of 1-33 Saunders Street and the Blackwattle Bay planning envelopes, looking west

Attachment G2

Amended Ultimo Pyrmont Urban Design Study – Part 2

26-38 Saunders Street

Overview

26-38 Saunders Street (Lot 31 DP 859243, Lot 20 SP 61725, Lots 1-18 SP 61725, Lots 22-33 SP 61725, Lots 35-64 SP 62121, Lots 65-66 SP 65131) is located between Distillery Hill/Jacksons Landing to the north and the Blackwattle Bay SSP to the south. It is bound by Saunders Street to the south, with Quarry Master Drive encircling the west, north and east of the site (refer Figure 84 and Figure 85).



Figure 84 – location plan of 26-38 Saunders Street

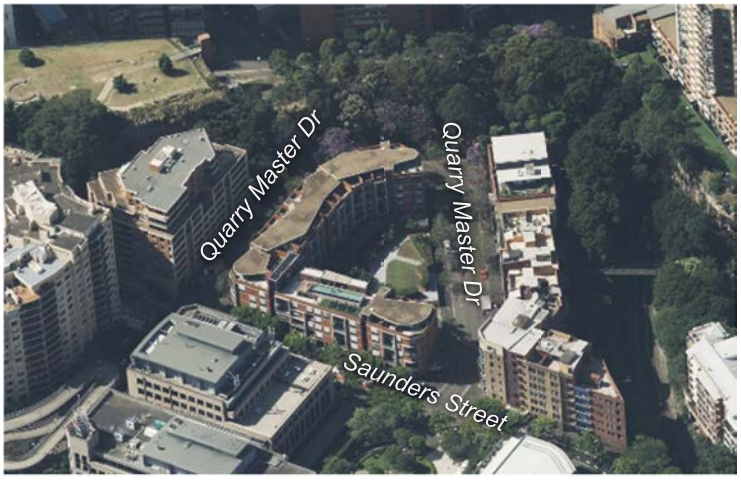


Figure 85 – oblique aerial of 26-38 Saunders Street

Background

26-38 Saunders Street was included in the Department of Planning's initial study. In this review it was given an FSR of 6.50 and a height of approximately 77m (measured off of the model), as shown in Figure 86. The study did not consider good design for wind, the poor amenity of the surrounding streets, and effects of sunlight on surrounding sites. These controls can be seen.

In response to feedback from the exhibition process, the City of Sydney modified its scheme for 26-38 Saunders Street to further account for wind challenges. The image at right in Figure 86 shows the modified tower form. Table 23 below summarises these modifications and detailed discussion is provided further on in this section.

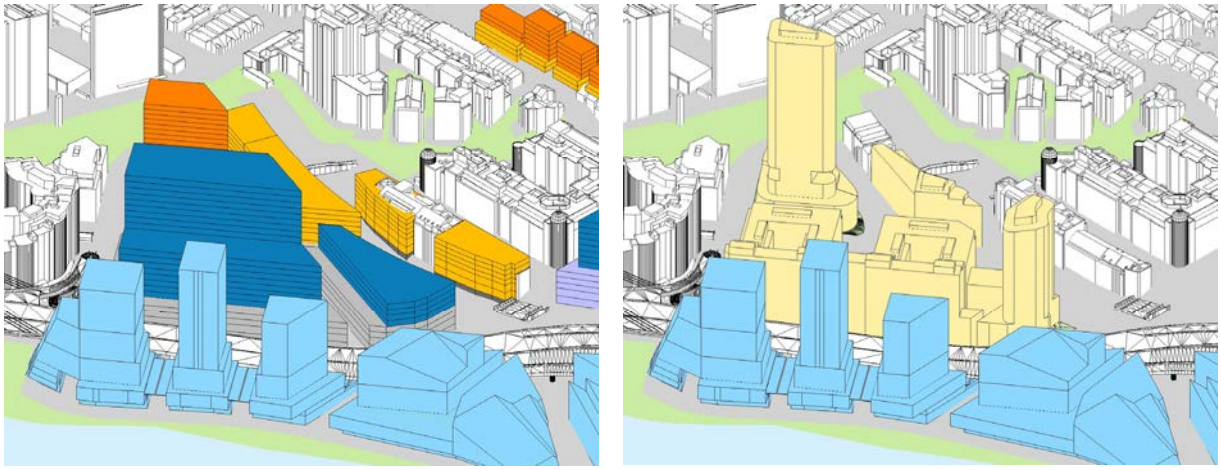


Figure 86 – comparison of Department of Planning's initial study and City of Sydney's updated study for 26-38 Saunders Street

Table 23 – Department of Planning's initial study for 26-38 Saunders Street

	Department of Planning's initial study	Proposed form
Gross floor area	20,254 sqm	23,100 sqm
Floor space ratio	6.5	7.0 + Des. Ex.
Height of building	77m *(HoB not specified & plant excl.)*	108m
Height in storeys	23 *(HiS not specified)*	36^
Deep soil	0%	15%

Existing controls

26-38 Saunders Street is currently occupied by a strata residential building. The building is generally built to the street frontage along Saunders Street and to the western and north frontages along Quarry Master Drive, with small sections of articulation. Along the eastern frontage to Quarry Master Drive is a central courtyard, primarily occupied by communal open space. The existing controls can be seen in Table 24 below. The layout and position of the site can be seen in Figure 87.

Table 24 – existing building and existing planning controls for 26-38 Saunders Street

	Existing building	Existing controls
Land use & zoning	*Residential*	R1 – GR
Floor space ratio	*2.56 approx.*	3.0
Height of building	*19.5m*	24m
Height in storeys	*6*	7
Deep soil	*TBC*	10%



Figure 87 – existing site plan for 26-38 Saunders Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

The building envelope is setback three metres from Quarry Master Drive with a deep soil area that provides for additional street tree canopy and plantings.

More public space for more people – streets and open spaces –

The strip of deep soil is open to the street and extends the publicly accessible area of Quarry Master Drive.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 88).

Reinforce **'street wall' form** of most buildings –

Along with the street setback, the height of the street wall to Quarry Master Drive provides additional sunlight into the street. Keeping the street wall low and setback for better street conditions results in the additional floor area being located in a tower form.

Conserve **heritage** values –

There are no heritage items in the vicinity.

Good **design for wind and noise** –

The site is exposed to winds from several directions. Curved corners, and podium setbacks seek to minimise the effects of downdrafts. Further study is required, and the building form may require further adjustments to ensure safety and comfort on surrounding footpaths and publicly accessible open space.

The site is not exposed to noise, being protected by buildings between Saunders and Bank streets from the noise of the Anzac Bridge approach.

Match **land use** to place –

The residential use is maintained on this site.

Consider **views** to and from public places

The site is not affected by view corridors.

More light into the streets –

The street setbacks and tower placement have been carefully placed to allow more sunlight and light into the streets, see Figure 89, so that more than half the surrounding streets will now receive more than 2 hours sunlight in midwinter.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

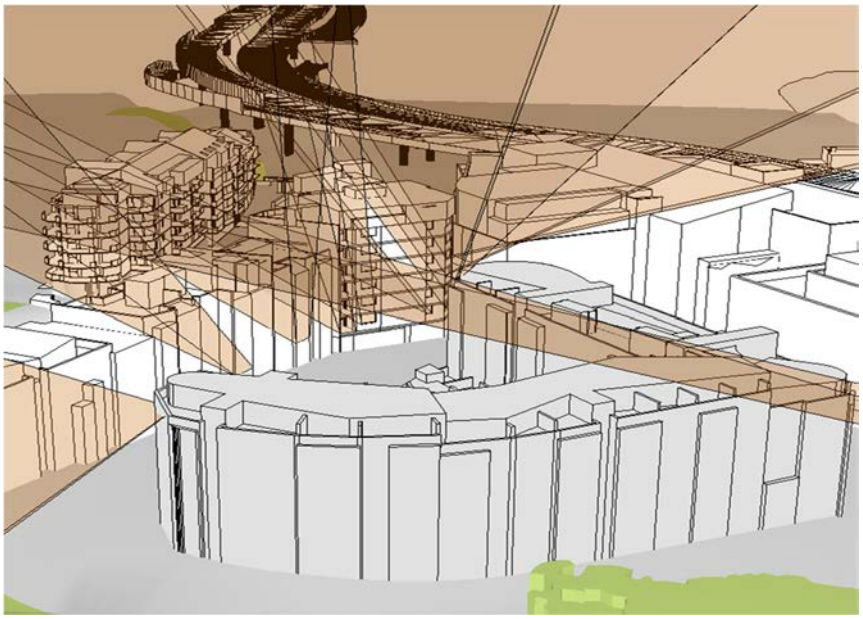
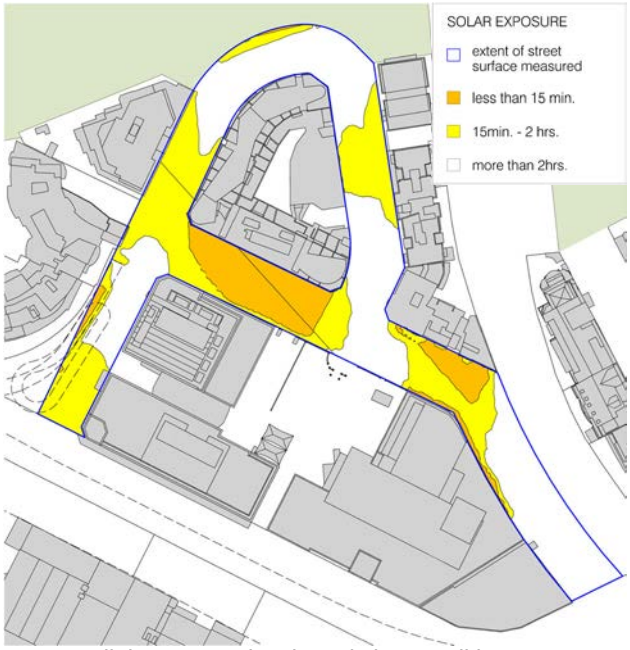
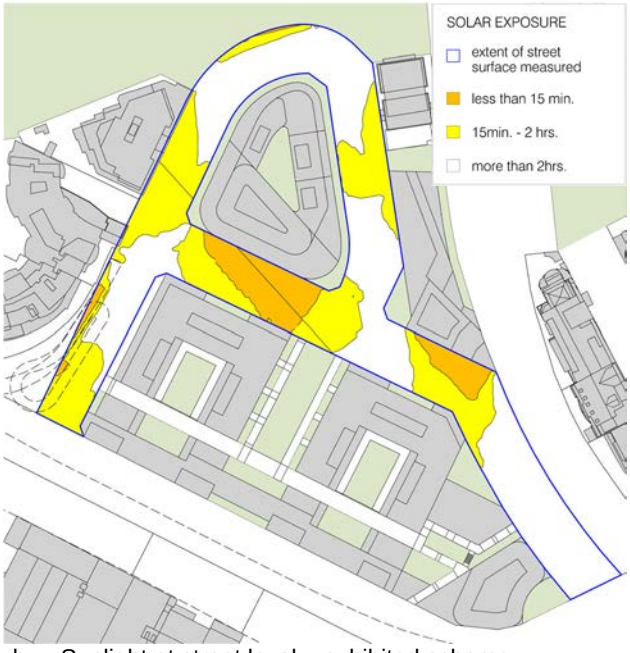


Figure 88 – solar access to adjoining residential properties



a. Sunlight at street level – existing condition



b. Sunlight at street level – exhibited scheme



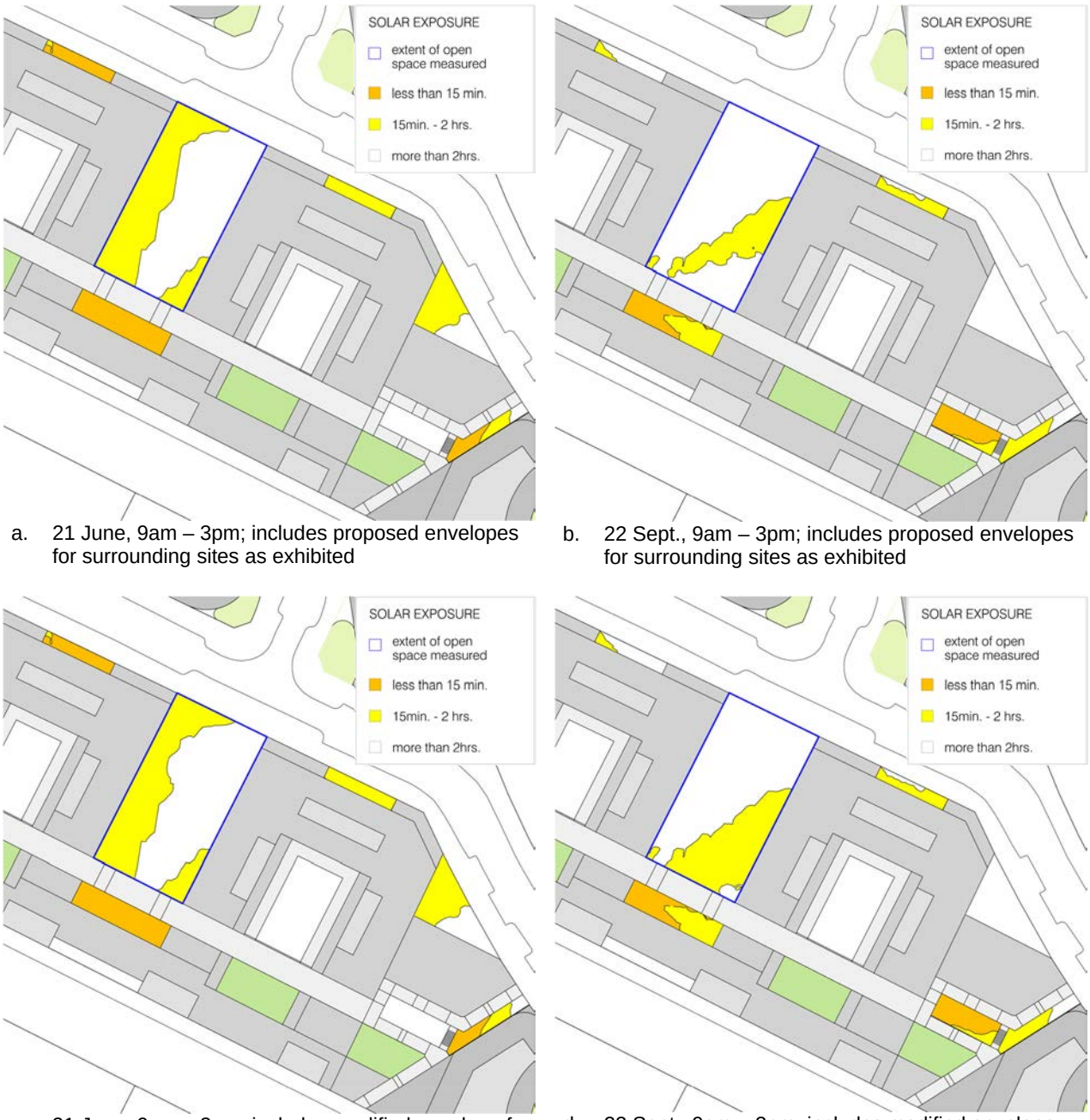
c. Sunlight at street level - exhibited scheme, showing changes to available sunlight



d. Sunlight at street level -modified scheme (post-exhibition) for 26-38 Saunders Street, showing changes to available sunlight

Area of street surface receiving	less than 15 min	15min-2hrs	more than 2 hrs
Existing condition	15%	35%	51%
Exhibited scheme	11%	35%	54%
Modified scheme	11%	36%	53%

Figure 89 – solar access to streets around 26-38 Saunders Street, from 9am – 3pm, June 21



a. 21 June, 9am – 3pm; includes proposed envelopes for surrounding sites as exhibited

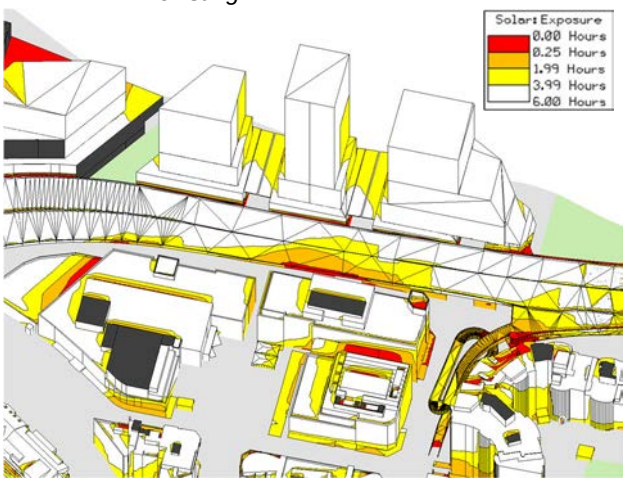
b. 22 Sept., 9am – 3pm; includes proposed envelopes for surrounding sites as exhibited

c. 21 June, 9am – 3pm; includes modified envelope for 26-38 Saunders St., and other surrounding sites as exhibited

d. 22 Sept., 9am – 3pm; includes modified envelope (post-exhibition) for 26-38 Saunders St., and other surrounding sites as exhibited

Figure 90 – solar access to square at 1-33 Saunders Street

BWB LEP + existing



BWB LEP + 26-38 Saunders Street, 1-33 Saunders Street & 140-148 Bank Street



Figure 91 – Solar access to Blackwattle Bay planning envelopes, 21 June, 9am – 3pm

Proposed controls

The building form for this site comprises a podium with upper level setbacks to a tower form above. These setbacks are intended to ameliorate the impacts of wind at street level. Feedback received during the exhibition process indicated that despite these setbacks, wind speeds would continue to be a challenge in the vicinity.

In response, modifications to the tower form are proposed to address these challenges. They include adding a 'wind void' level above the podium at the base of the tower. The footprint of the floor plate at this level is recessed to allow relief from down wash effects of wind hitting the tower and affecting conditions at the street level.

Changes to the proposed controls include an FSR of 7:1 with a Design Excellence clause; a height limit of 123 metres (RL 135 m) and 36 storeys. The requirements for deep soil, setbacks at street level and upper levels, and street wall heights around the podium remain unchanged. The modified controls are summarised in Table 25 below. Details of heights, setbacks, etc. are indicated in Figure 92 and Figure 93.

Table 25 – proposed planning controls for 26-38 Saunders Street

	Existing building	**Existing controls**	**Proposed controls**
Land use & zoning	*Residential*	R1 – GR	Mixed Use
Floor space ratio	*2.56 approx.*	3.0	7.0+ Des. Ex.
Height of building	*19.5m*	24m	123m *(RL135m)*
Height in storeys	*6*	7	36^
Deep soil	*n/a*	10%	15%

Details of the 'wind void' storey at the base of the tower are illustrated in Figure 93 below. This 'wind void' storey must provide a clear horizontal break in the building form that:

a) is located at least above the level of any upper level setback to the building podium;
b) is a minimum of 9 metres in height to minimise wind downdraft at street level;
c) allows access only for maintenance; and
d) minimises physical elements in the break other than vertical circulation, structural columns, and plant equipment.



Figure 92 – site plan of modifications to proposed controls for 26-38 Saunders Street

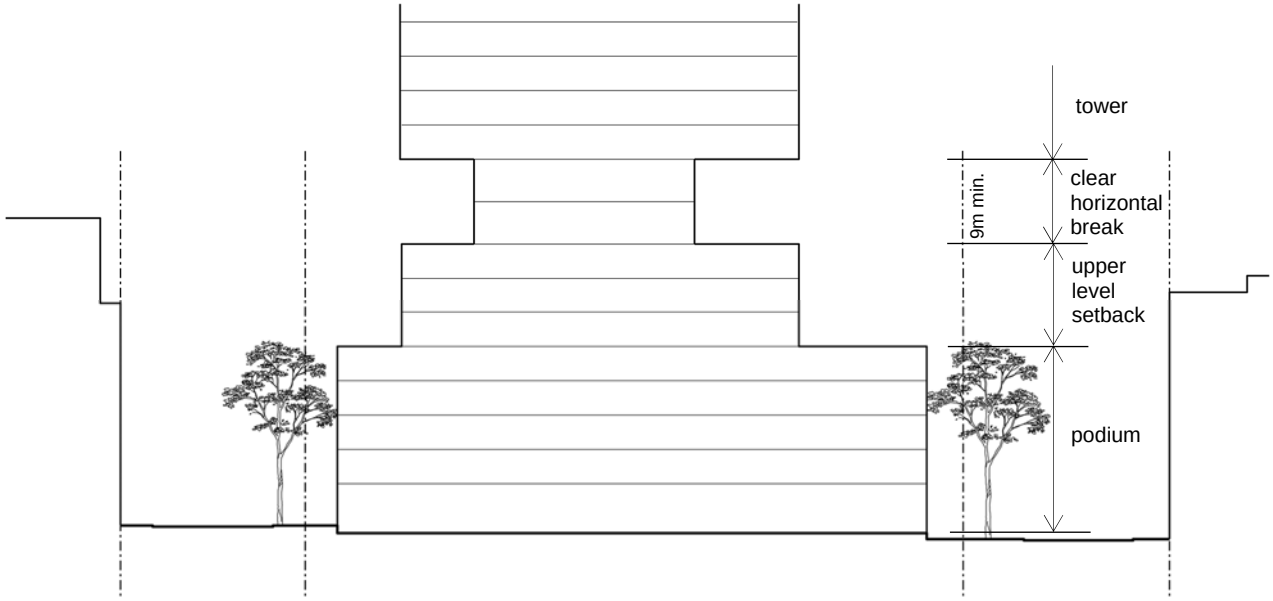


Figure 93 – cross section showing the 'wind void' storey providing a clear horizontal break in the tower form to manage wind impacts

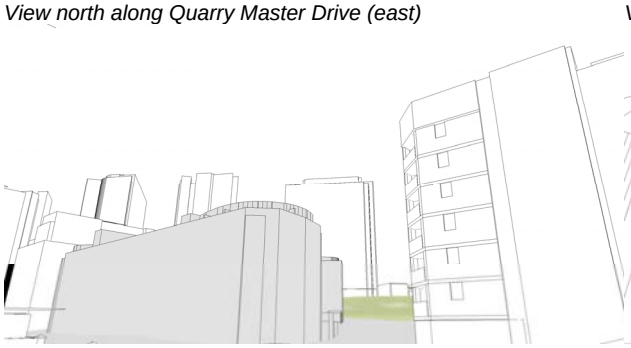
Visualisation



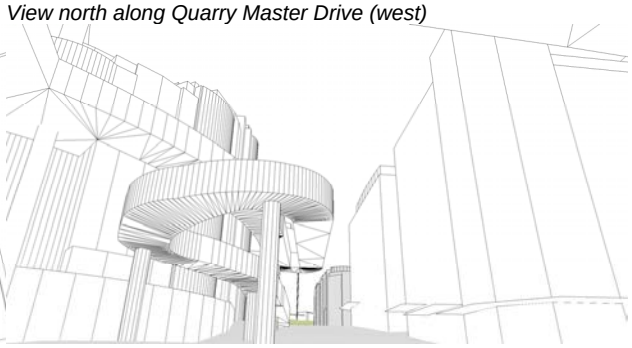
Figure 94 – view locations

Existing (28 mm lens - wide angle view)

View north along Quarry Master Drive (east)



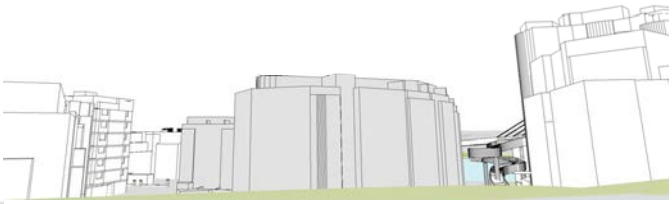
View north along Quarry Master Drive (west)



View west along Saunders Street

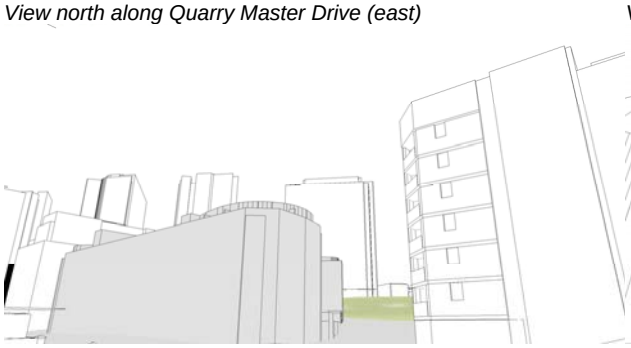


View south from Carmichael Park

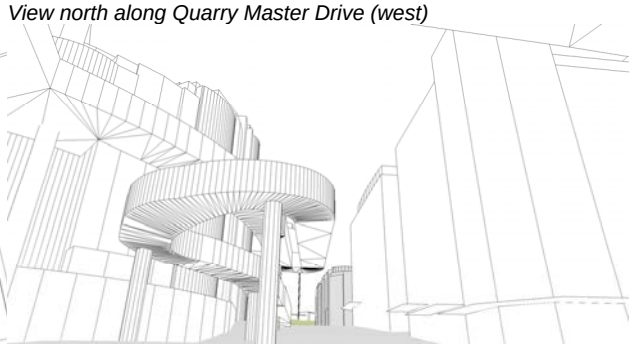


Existing + approved (28 mm lens - wide angle view)

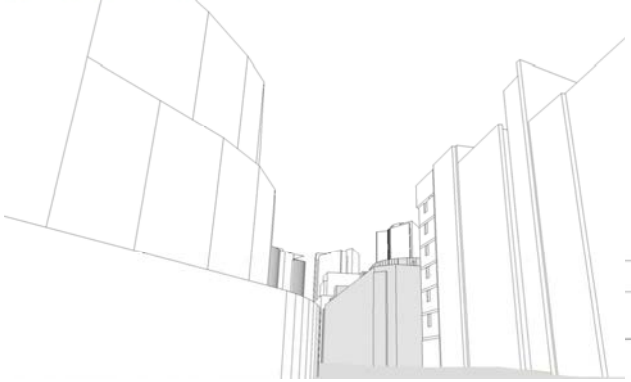
View north along Quarry Master Drive (east)



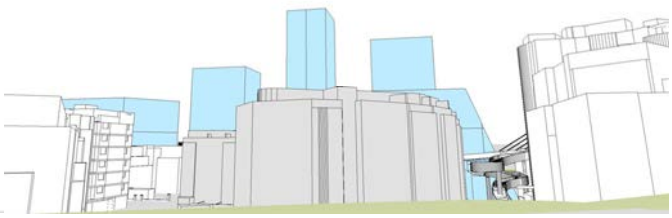
View north along Quarry Master Drive (west)



View west along Saunders Street

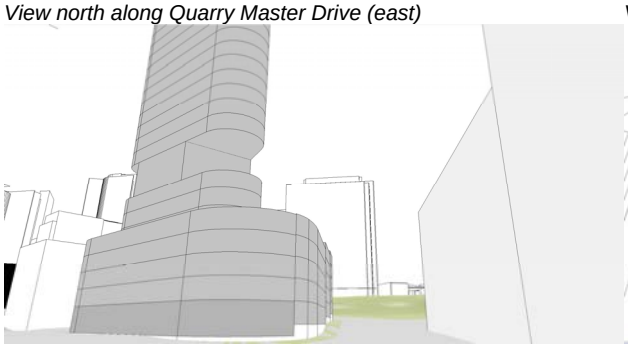


View south from Carmichael Park

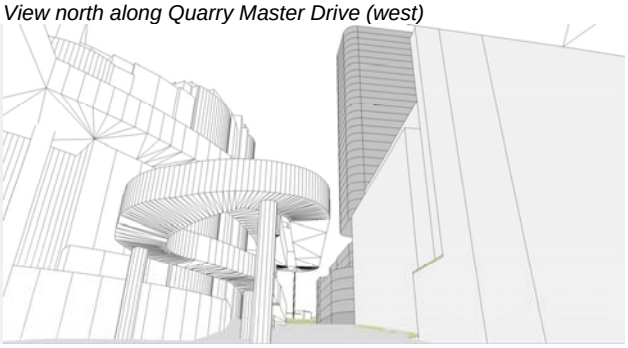


Proposed (28 mm lens - wide angle view)

View north along Quarry Master Drive (east)



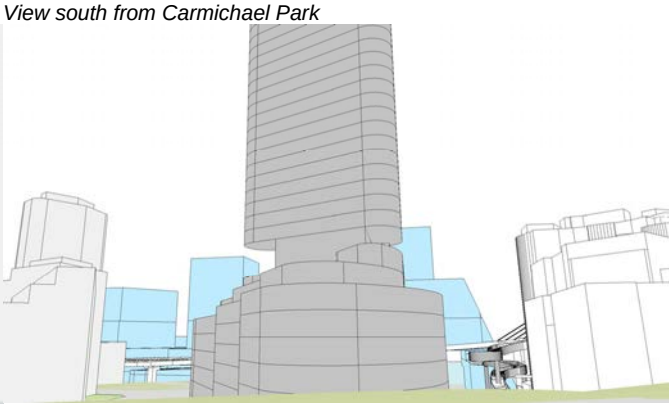
View north along Quarry Master Drive (west)



View west along Saunders Street



View south from Carmichael Park



Elevation – looking east

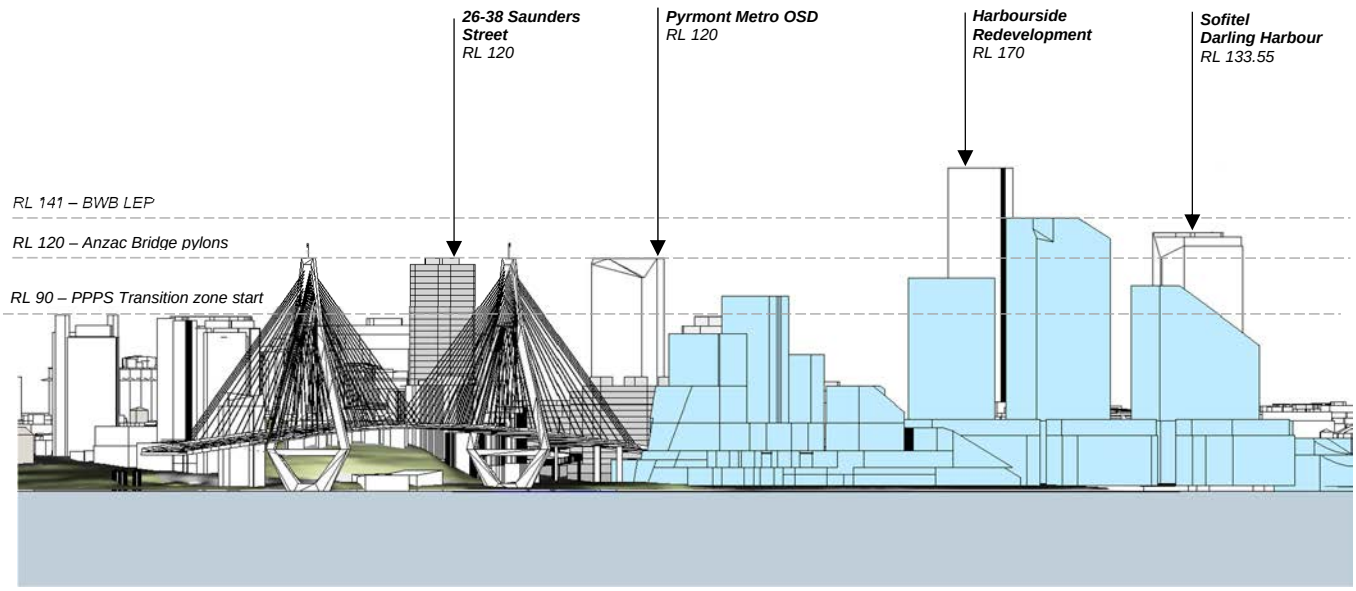


Figure 95 – building envelopes as exhibited late 2024

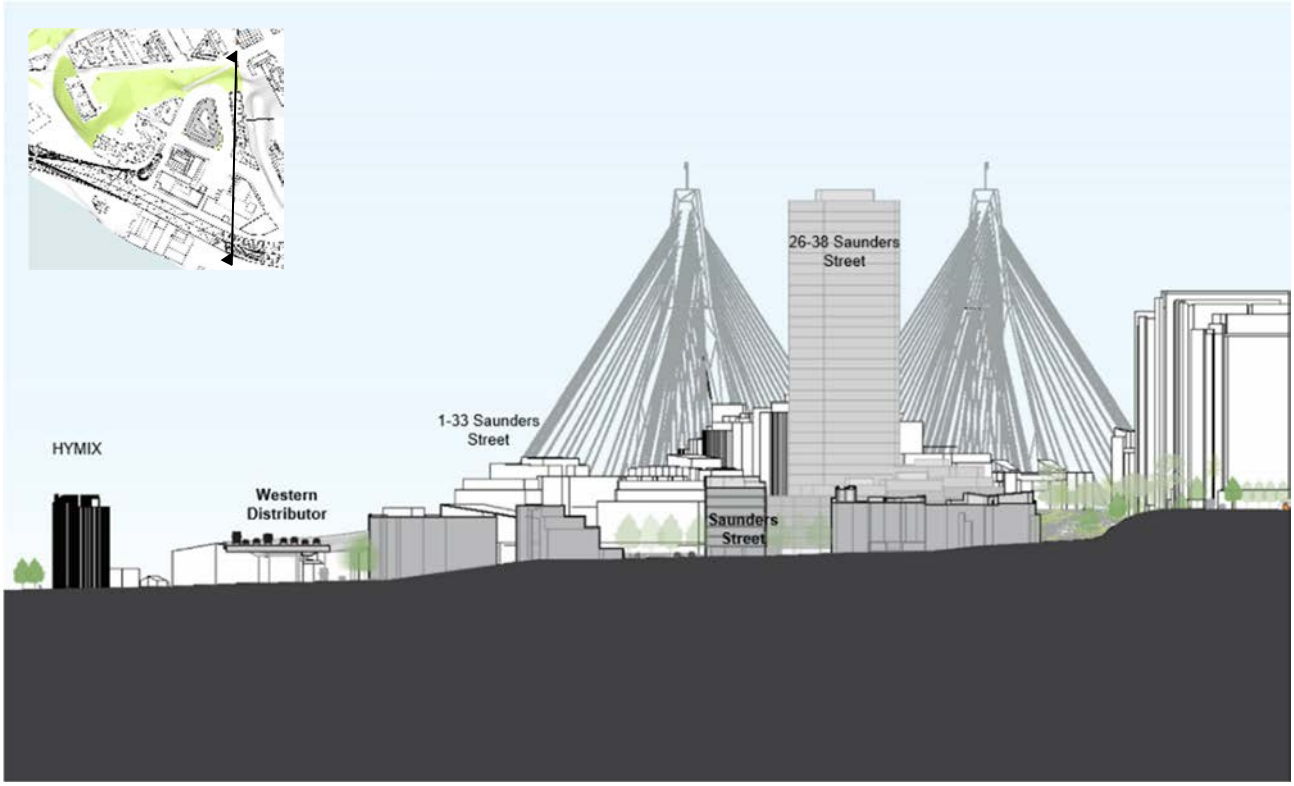


Figure 96 - cross section looking west showing 26-38 Saunders St envelope as exhibited late 2024

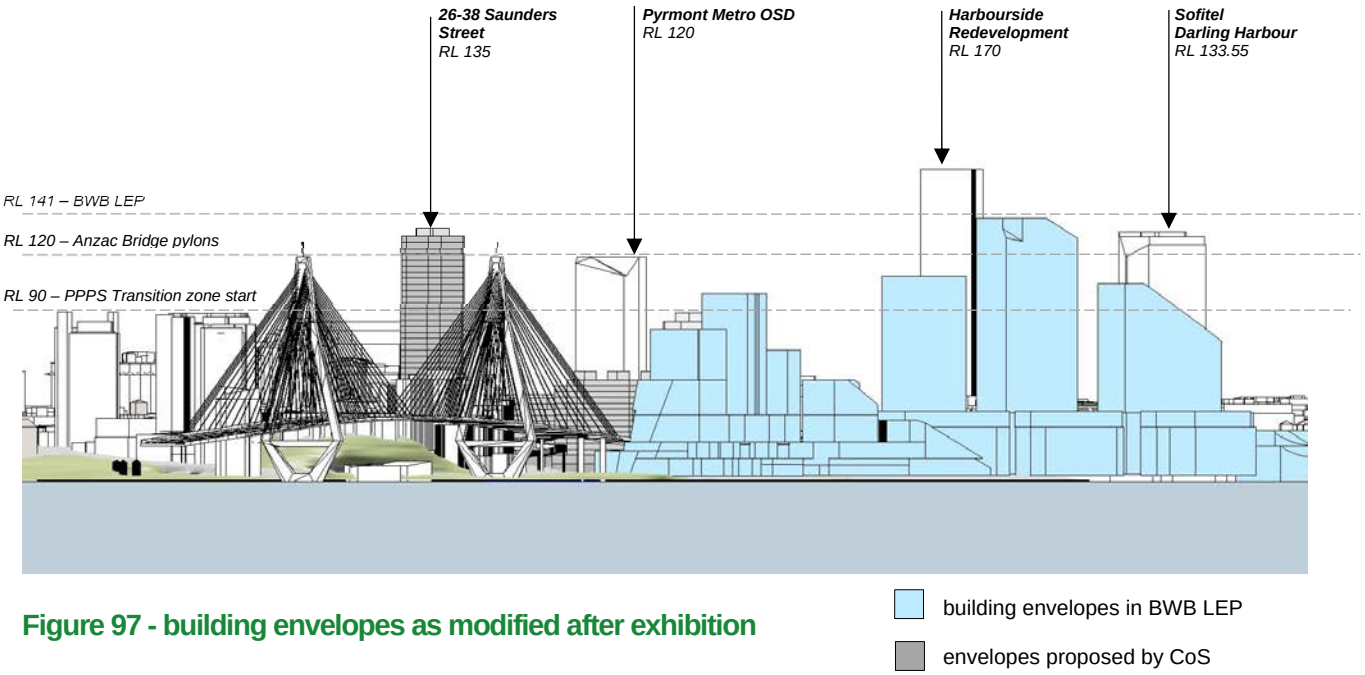


Figure 97 - building envelopes as modified after exhibition

14 Quarry Master Drive

Overview

14 Quarry Master Drive (Lot 98 DP 1013159, Lots 1-21 SP 70798, Lots 23-63 SP 71480) fronts (clockwise) Quarry Master Drive to the west, a light rail corridor to the east and Saunders Street to the south. Within the northern section of the site is a small pedestrian arcade that connects to a bridge across the light rail cutting, connecting to the Jones Street Pocket Park (refer Figure 98 and Figure 99).



Figure 98 – location plan of 14 Quarry Master Drive

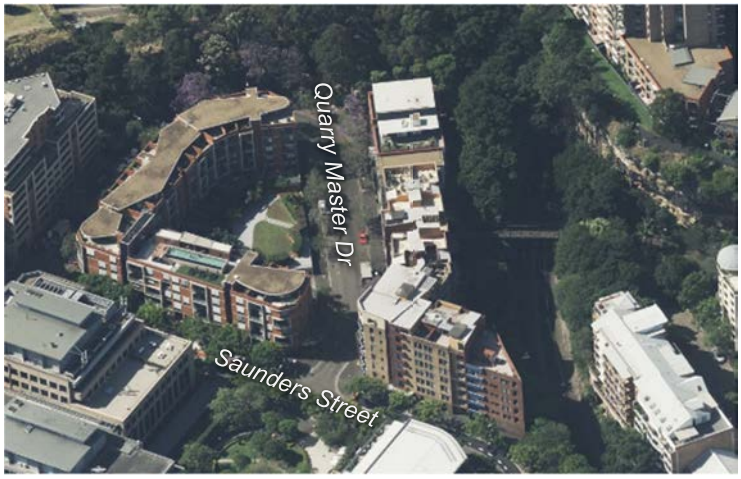


Figure 99 – oblique aerial of 14 Quarry Master Drive

Background

14 Quarry Master Drive was included in the Department of Planning's initial study. In this review it was given an FSR of 7.0 and a height of 35m. The study did not consider the poor connections to existing open space to the east of the site, the existing poor connections of the streets, and effects of sunlight on surrounding sites. These envelopes and corresponding controls can be seen in Figure 100 and Table 26, respectively.

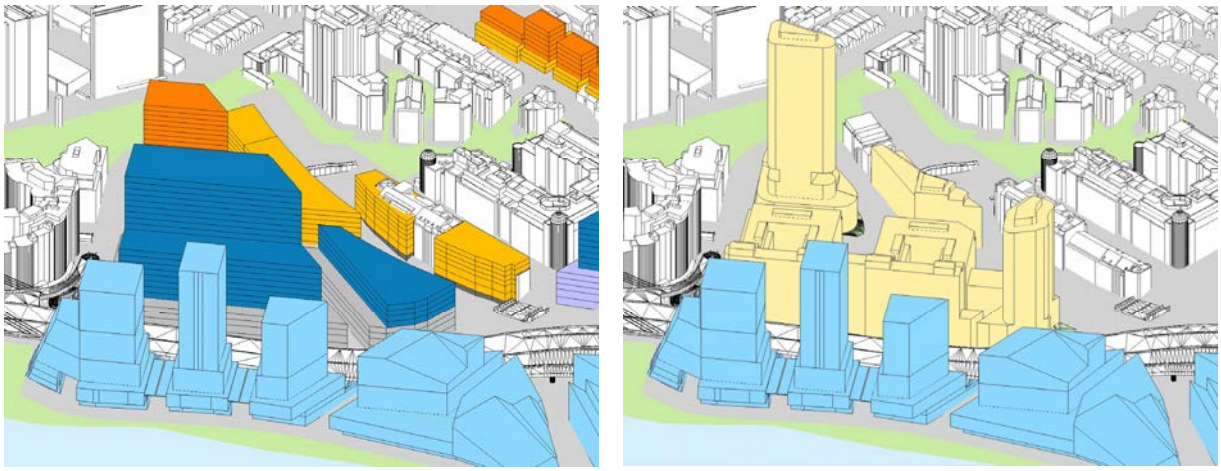


Figure 100 – comparison of Department of Planning's initial study and City of Sydney's study for 14 Quarry Master Drive

Table 26 – Department of Planning's initial study for 14 Quarry Master Drive

	Department of Planning's initial study	City of Sydney's study
Gross floor area	12,166 sqm	7,409 sqm
Floor space ratio	7.0	3.88 + DesEx
Height of building	35m	35m
Height in storeys	8 *(HiS not specified)*	10
Deep soil	7.5% *(DS not specified)*	15%

Existing controls

14 Quarry Master Drive is currently occupied by an eight-storey residential building, with a small retail use on the corner of Saunders Street and Quarry Master Drive. The building is generally built to the street frontages, with minor setbacks and areas of articulation, there is an approximately three metre setback to the light rail corridor. The existing controls and layout of the site can be seen in Table 27 and Figure 101, respectively.

Table 27 – existing building and existing planning controls for 14 Quarry Master Drive

	Existing building	Existing controls
Land use & zoning	*Residential*	R1 – GR
Floor space ratio	*TBC*	3.5
Height of building	*26.5m*	27m
Height in storeys	*8*	8
Deep soil	*TBC*	10%



Figure 101 – existing site plan for 14 Quarry Master Drive

Urban design principles

More deep soil for **more trees** and cool green spaces –

The building envelope is setback three metres from the light rail corridor; a larger setback on the corner of Quarry Master Drive and Saunders Street; and a wider, open to the sky, connection to the bridge over the light rail line; with deep soil areas that will accommodate additional street tree canopy and plantings.

More public space for more people – streets and open spaces –

The setback on the corner of Quarry Master Drive and Saunders Street; and the wider, open to the sky, connection to the bridge over the light rail line open to and extends the publicly accessible areas of the locale.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 102).

Reinforce **'street wall' form** of most buildings –

Along with the street setback, the height of the street wall to Quarry Master Drive provides additional sunlight into the street.

Conserve **heritage** values –

There are no heritage items in the vicinity.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is not exposed to noise being protected by buildings between Saunders and Bank streets from the noise of the Anzac bridge approach.

Match **land use** to place –

The residential use is maintained on this site.

Consider **views** to and from public places

The site is not affected by view corridors.

More light into the streets –

The street setbacks have been carefully placed to allow more sunlight and light into the streets, see figure 80, so that more than half the surrounding streets will now receive more than 2 hours sunlight in midwinter.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.



Figure 102 – solar access to adjoining residential properties

Proposed controls

For 14 Quarry Master Drive, the proposed controls are for a residential use, with ground floor retail fronting Saunders Street. There is an FSR of 3.88:1 with a Design Excellence clause; a height limit of 35 metres and 10 storeys; and a deep soil requirement for at least 15% of the site, as shown in Table 28 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, and streetscape improvements proposed, as can be seen in Figure 103.

Table 28 – proposed planning controls for 14 Quarry Master Drive

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Residential*	R1 – GR	Mixed Use
Floor space ratio	*TBC*	3.5	3.88 + DesEx
Height of building	*26.5m*	27m	35m
Height in storeys	*8*	8	10
Deep soil	*TBC*	10%	15%

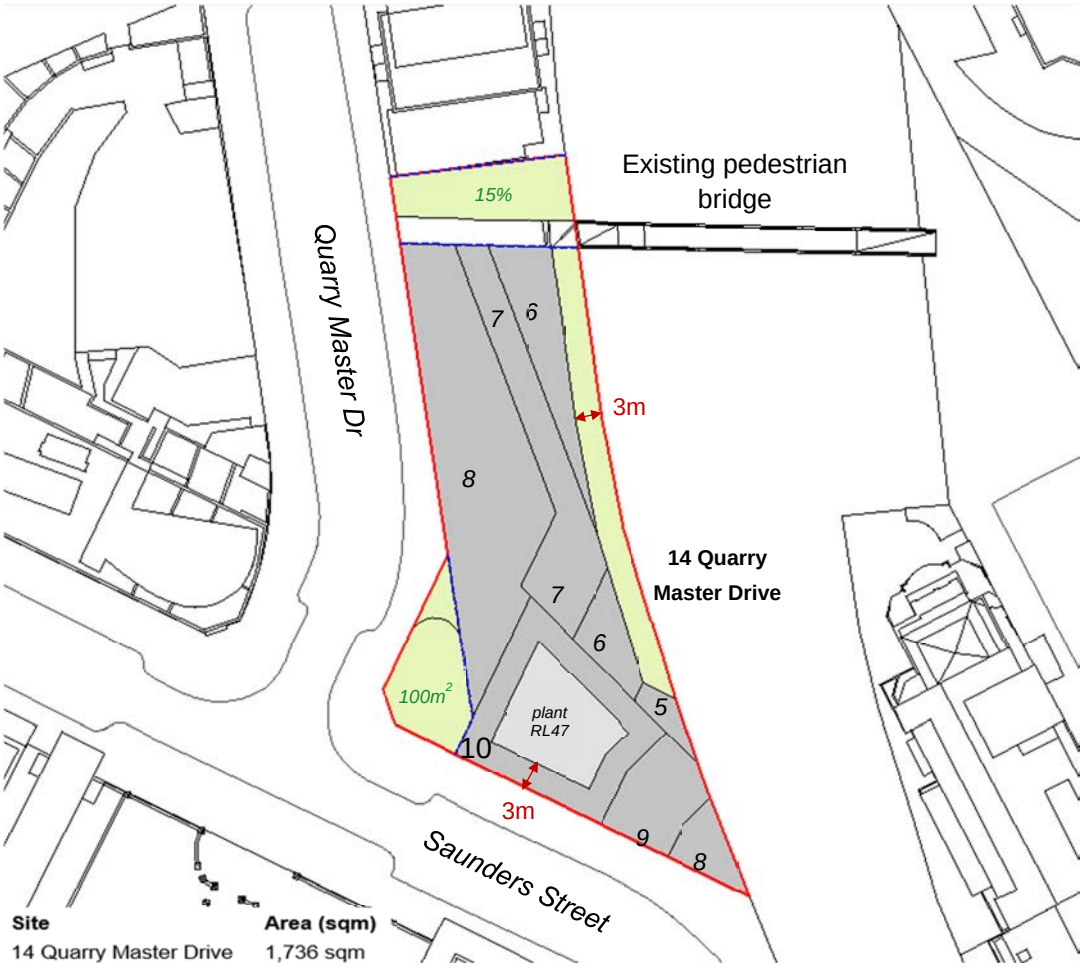


Figure 103 – proposed site plan for 14 Quarry Master Drive

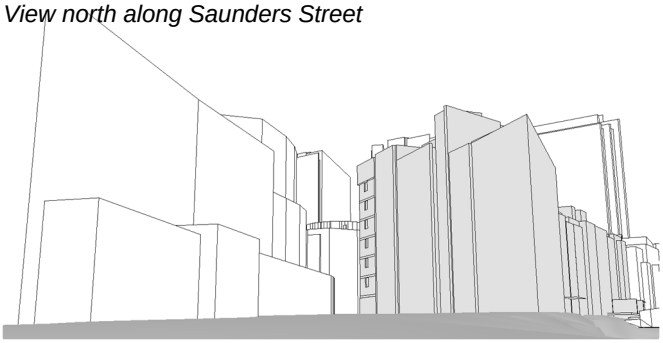
Visualisation



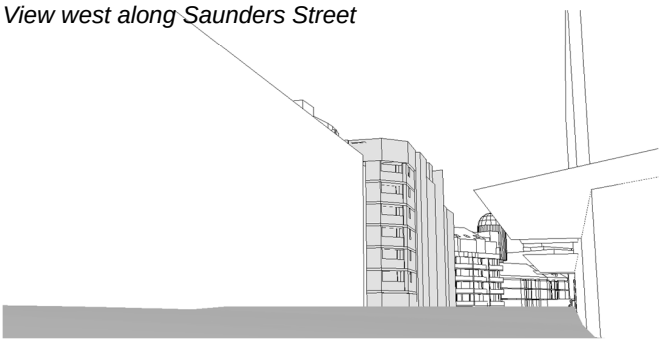
Figure 104 – view locations

Existing

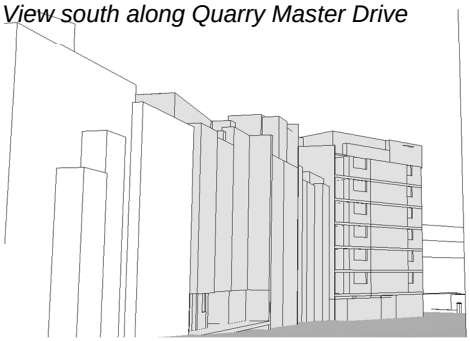
View north along Saunders Street



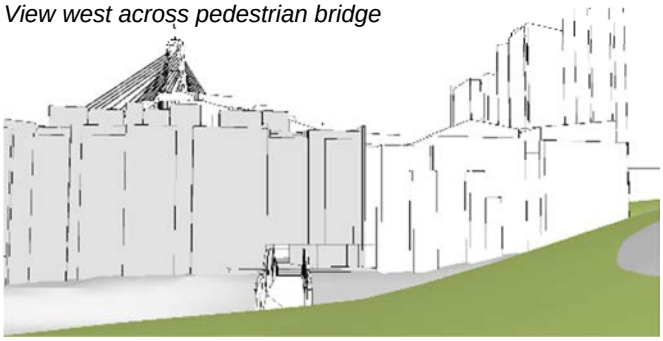
View west along Saunders Street



View south along Quarry Master Drive

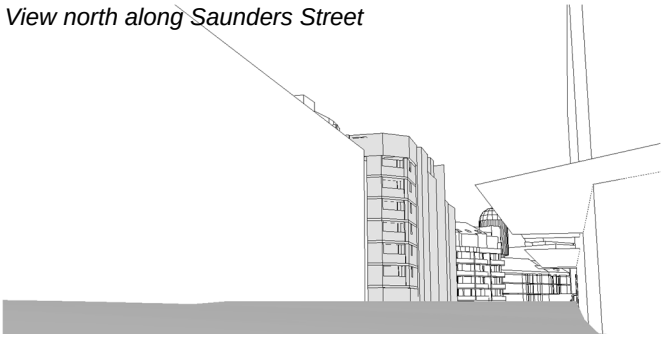


View west across pedestrian bridge

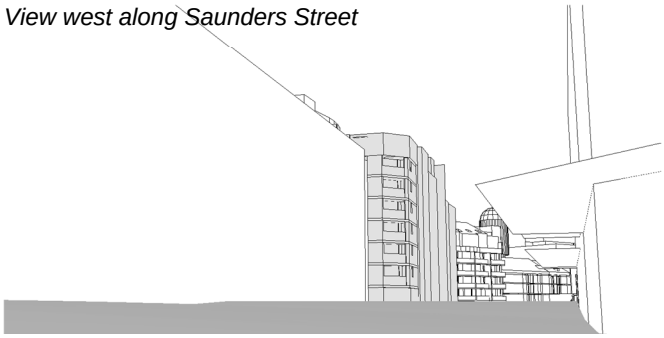


Existing + approved

View north along Saunders Street



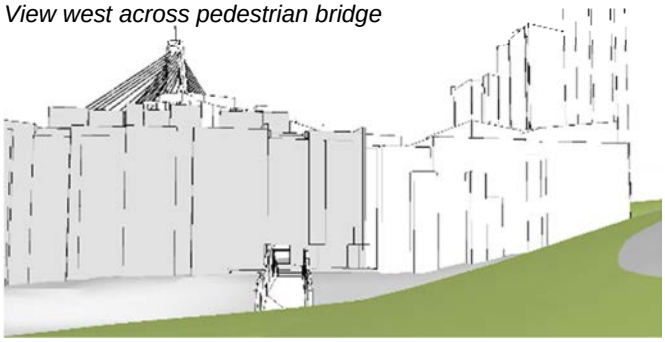
View west along Saunders Street



View south along Quarry Master Drive



View west across pedestrian bridge

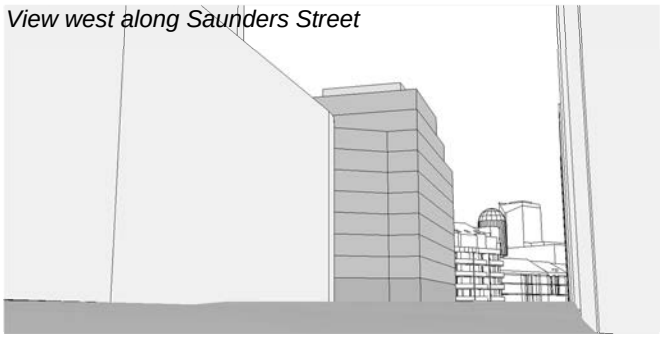


Proposed

View north along Saunders Street



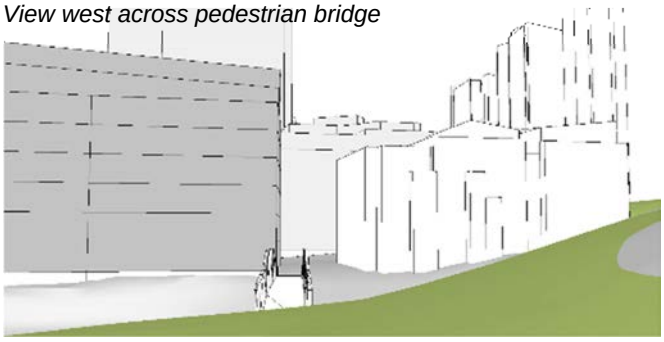
View west along Saunders Street



View south along Quarry Master Drive

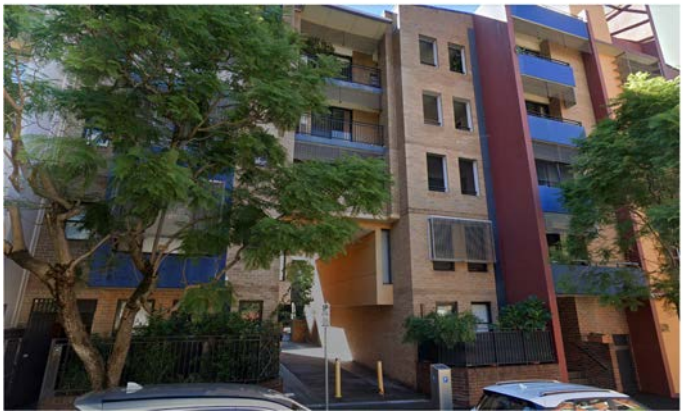


View west across pedestrian bridge

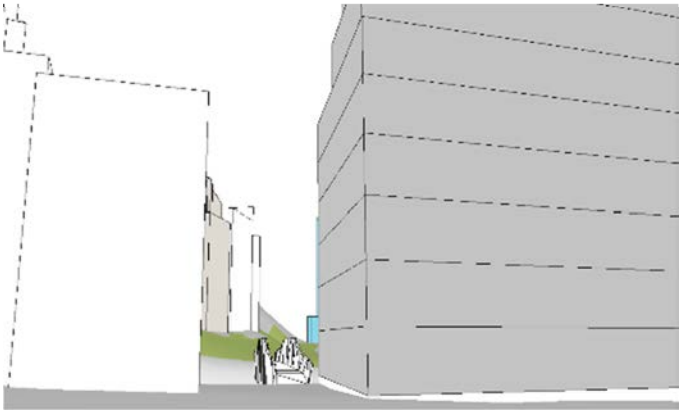


Proposed connection to light rail overbridge

Existing view east from Quarry Master Drive (35mm)



Proposed view east from Quarry Master Drive (35mm)



80-84 Harris Street

Overview

80-84 Harris Street ((Lot D DP 50010; Lot 1 DP 131342; and Lot 31 DP 1109942, Lots 1-10 SP 79258) are three adjoining sites located towards the northern end of Harris Street, in close proximity to the John Street Square light rail station (refer Figure 105 and Figure 106).



Figure 105 – location plan of 80-84 Harris Street



Figure 106 – oblique aerial of 80-84 Harris Street

Background

80-84 Harris Street was not included in the Department of Planning's initial study. Subsequently, the City reviewed all of the sites in the peninsula and 80-84 Harris Street was identified as a site capable of change.

Existing controls

80-84 Harris is currently occupied by three separate buildings. 80 Harris Street and 82 Harris Street both contain heritage listed two-storey commercial buildings, occupied by retail and commercial uses. 84 Harris Street contains a four-storey residential building with a ground floor retail tenancy, held in a strata. These controls and the layout and position of the site can be seen in Table 29 and Figure 107, respectively.

Table 29 – existing building and existing planning controls for 80-84 Harris Street

	Existing building	Existing controls
Land use & zoning	*Commercial & Residential*	*MU1 – MU*
Floor space ratio	*2.13 approx.*	*1.25*
Height of building	*15m*	*9m*
Height in storeys	*4^*	*2*
Deep soil	*TBC*	*10%*



Figure 107 – existing site plan for 80-84 Harris Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

The rear courtyard provides for a substantial piece of deep soil suitable for tree planting that will add shade to the interior of the block.

More public space for more people – streets and open spaces –

The conservation of heritage significant buildings and their street wall setting means that additional publicly accessible open space is not possible on this site.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 108).

Reinforce **'street wall' form** of most buildings –

The Harris Street street wall is maintained with the conserved and new buildings. The rear taller building is well setback from the street wall.

Conserve **heritage** values –

The buildings at 80 and 92 Harris Street are conserved. The new building at 84 Harris Street aligns with the existing heritage buildings to appropriate to their setting.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is not exposed to noise.

Match **land use** to place –

The residential use is maintained on this site.

Consider **views** to and from public places

The site is not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

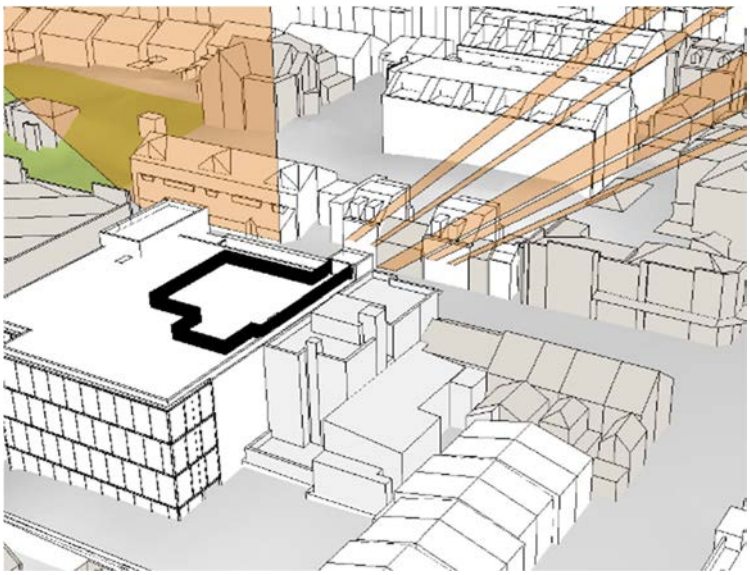


Figure 108 – solar access to adjoining residential properties

Proposed controls

For 80-84 Harris Street, the proposed controls are for a residential uses above lower-level retail and commercial uses with an FSR of 3.0:1; a height limit of 32 metres and 8 storeys; and a deep soil requirement for at least 10% of the site, as shown in Table 30 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, and streetscape improvements proposed, as can be seen in Figure 109.

Table 30 – proposed planning controls for 80-84 Harris Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Comm & Residential*	*MU1 – MU*	*Mixed use*
Floor space ratio	*2.13 approx.*	*1.25*	*3.0*
Height of building	*15m*	*9m*	*32m*
Height in storeys	*4^*	*2*	*8^*
Deep soil	*TBC*	*10%*	*10%*



Figure 109 – proposed site plan for 80-84 Harris Street

Visualisation



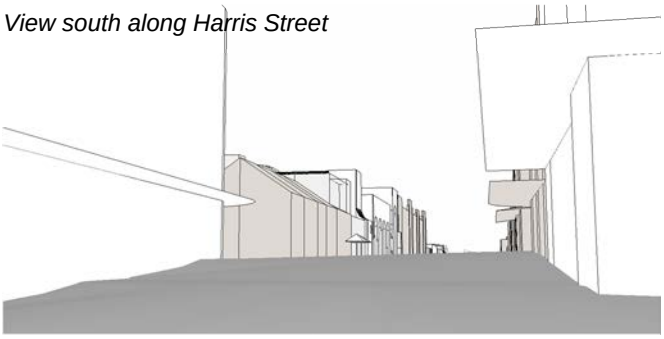
Figure 110 – view locations

Existing

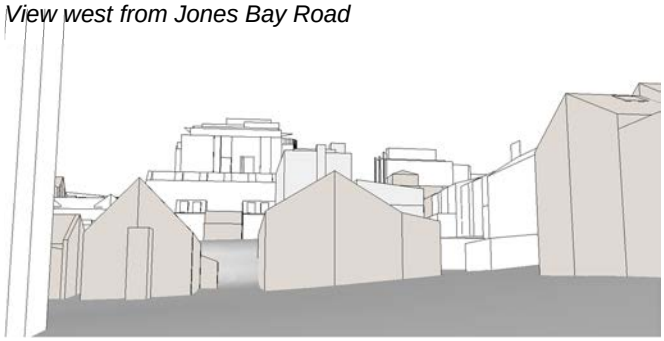
View north along Harris Street



View south along Harris Street



View west from Jones Bay Road



View east along John Street

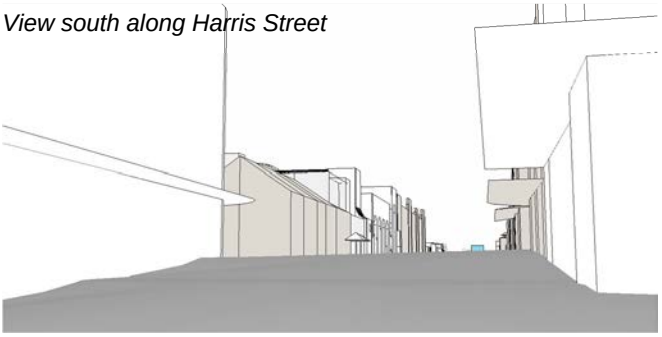


Existing + approved

View north along Harris Street



View south along Harris Street



View west from Jones Bay Road



View east along John Street

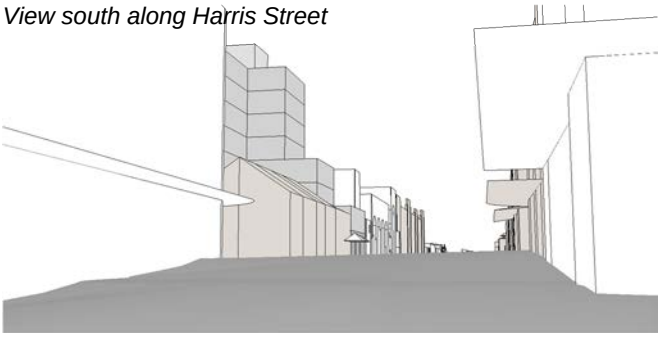


Proposed

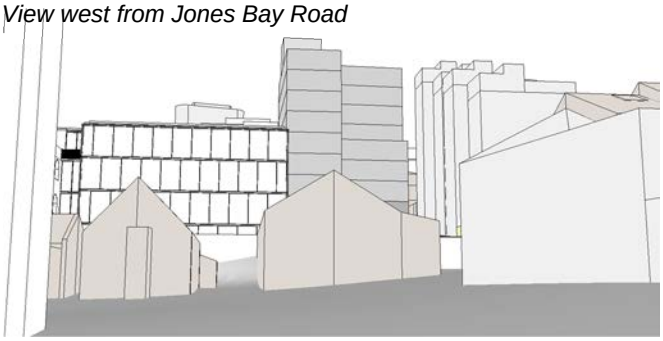
View north along Harris Street



View south along Harris Street



View west from Jones Bay Road



View east along John Street



79-93 John Street

Overview

79-93 John Street contain eight separate lots on the southern side of John Street, between Harris Street and Pyrmont Street, as follows:

– 79 John Street (Lot 11 DP 1007905)
– 81 John Street (Lot 10 DP 1007905)
– 83 John Street (Lot 1 DP 611040)
– 85 John Street (Lot 301 DP 232783)
– 87 John Street (Lot 1 DP 567806)
– 89 John Street (Lot 21 DP 1123226)
– 91 John Street (Lot 22 DP 1123226)
– 93 John Street (Lot 23 DP 1123226)

The location and existing buildings can be seen in Figure 111 and Figure 112 below.

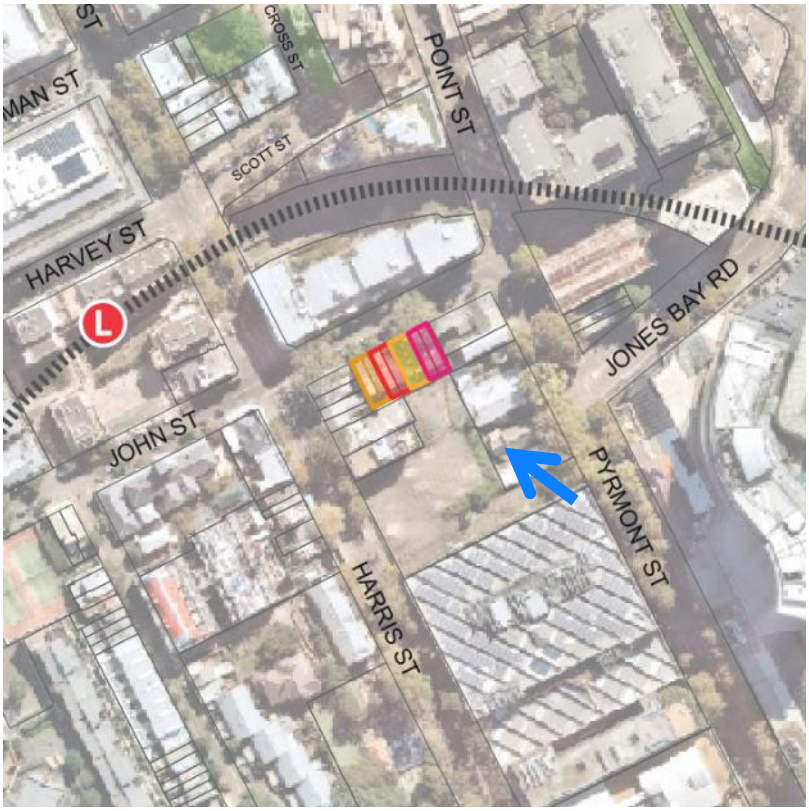


Figure 111 – location plan of 79-93 John Street



Figure 112 – oblique aerial of 79-93 John Street

Background

79-93 John Street was not included in the Department of Planning's initial study. Subsequently, the City reviewed all of the sites in the peninsula and 79-93 John Street was identified as a site capable of change.

Existing controls

79-93 John Street are currently occupied by eight terrace houses, formed in pairs of two. Each terrace was originally two storeys, however at least one has added a third level through an attic conversion. The existing site controls can be seen in Table 31 below, while the layout and position of the buildings can be seen in Figure 113.

Table 31 – existing building and existing planning controls for 79-93 John Street

	Existing building	Existing controls
79-81 John Street		
Land use & zoning	*Residential*	B4 – MU
Floor space ratio	*1.15*	1.25
Height of building	*8m*	9m
Height in storeys	*2*	2
Deep soil	-	16m^2 min.
83-85 John Street		
Land use & zoning	*Residential*	B4 – MU
Floor space ratio	*1.03*	1.25
Height of building	*8m*	9m
Height in storeys	*2*	2
Deep soil	-	16m^2 min.
87-89 John Street		
Land use & zoning	*Residential*	B4 – MU
Floor space ratio	*1.03*	1.25
Height of building	*9m*	9m
Height in storeys	*2*	2
Deep soil	-	16m^2 min.
91-93 John Street		
Land use & zoning	*Residential*	B4 – MU
Floor space ratio	*1.03*	1.25
Height of building	*9m*	9m
Height in storeys	*2*	2
Deep soil	-	16m^2 min.

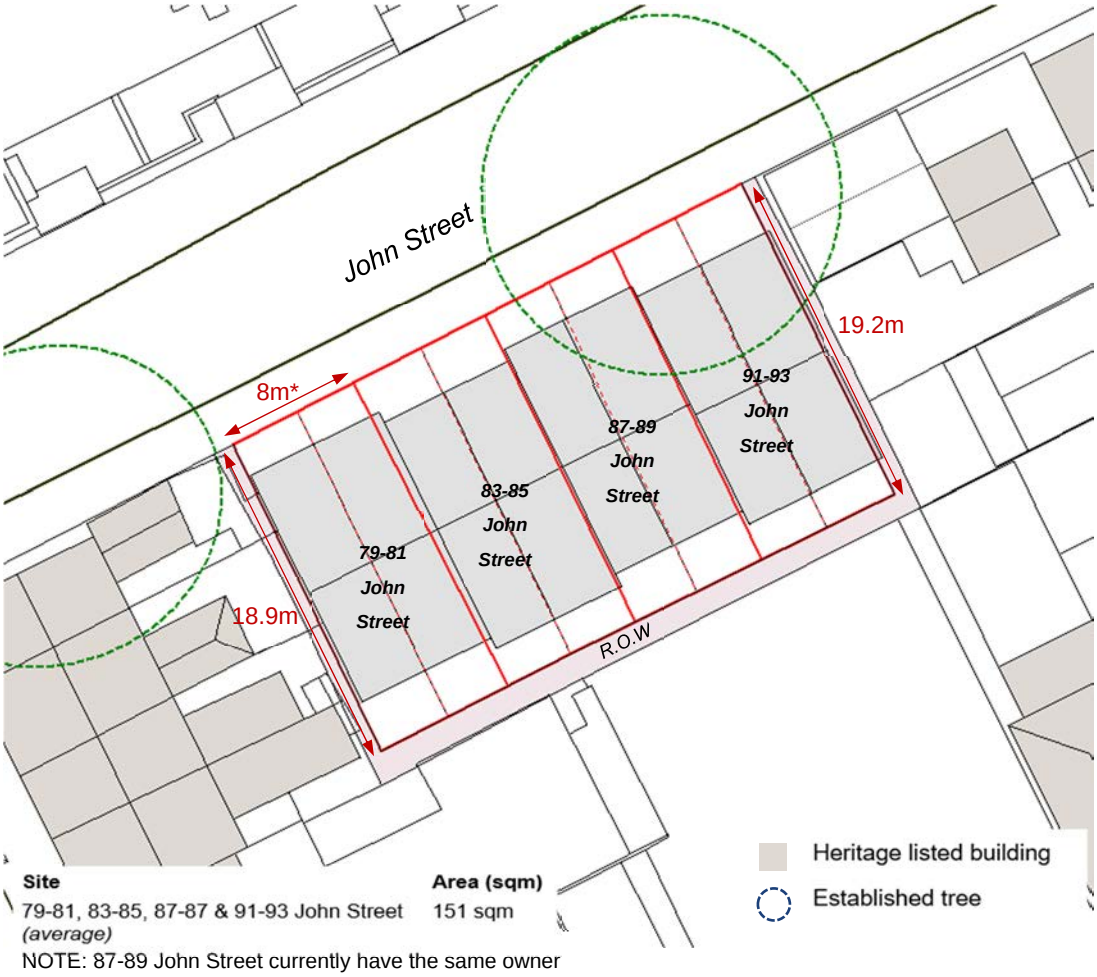


Figure 113 – existing site plan for 79-93 John Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

The small lots contain appropriately sized deep soil gardens at their rears and where there is existing substantial street trees setbacks protect their canopy and contain deep soil for additional planting.

More public space for more people – streets and open spaces –

The small lot frontage and setbacks mean that there is no opportunity to provide publicly accessible open space on these sites.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 114).

Reinforce **'street wall' form** of most buildings –

The buildings combine to form a street wall similar in height to the buildings opposite on John Street.

Conserve **heritage** values –

There are no heritage items in the vicinity.

Good **design for wind and noise** –

The sites are not exposed to winds as it is protected by surrounding development.

The sites are not exposed to noise.

Match **land use** to place –

The residential use is maintained on these sites.

Consider **views** to and from public places -

The site is not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.



Figure 114 – solar access to adjoining residential properties

Proposed controls

For 79-93 John Street, the proposed controls are for residential uses, with ground floor retail uses to John Street for79-81 and 83-85 John Street. As shown Table 32, a different FSR and height has been developed for each site; with all having a deep soil requirement for at least 15% of the site. In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, and streetscape improvements proposed, as can be seen in Figure 115

Table 32 – proposed planning controls for 79-93 John Street

	Existing building	Existing controls	Proposed controls
79-81 John Street			
Land use & zoning	*Residential*	B4 – MU	Mixed use
Floor space ratio	*1.15*	1.25	3.04
Height of building	*8m*	9m	28m
Height in storeys	*2*	2	7
Deep soil	-	$16m^2$ min.	15%
83-85 John Street			
Land use & zoning	*Residential*	B4 – MU	Mixed use
Floor space ratio	*1.03*	1.25	2.71
Height of building	*8m*	9m	25m
Height in storeys	*2*	2	6
Deep soil	-	$16m^2$ min.	15%
87-89 John Street			
Land use & zoning	*Residential*	B4 – MU	Residential
Floor space ratio	*1.03*	1.25	2.52
Height of building	*9m*	9m	25m
Height in storeys	*2*	2	6
Deep soil	-	$16m^2$ min.	15%
91-93 John Street			
Land use & zoning	*Residential*	B4 – MU	Residential
Floor space ratio	*1.03*	1.25	2.02
Height of building	*9m*	9m	22
Height in storeys	*2*	2	5
Deep soil	-	$16m^2$ min.	15%



NOTE: 87-89 John Street currently have the same owner

Figure 115 – proposed site plan for 79-93 John Street

Visualisation



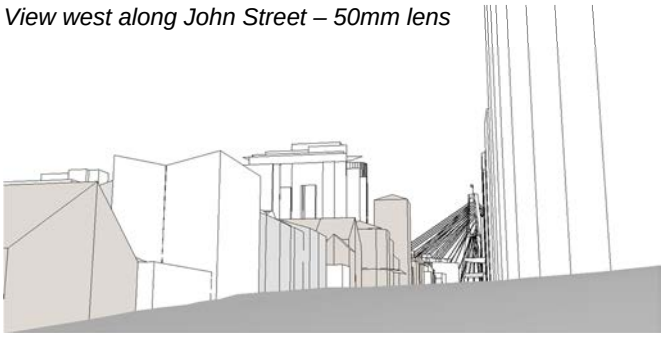
Figure 116 – view locations

Existing

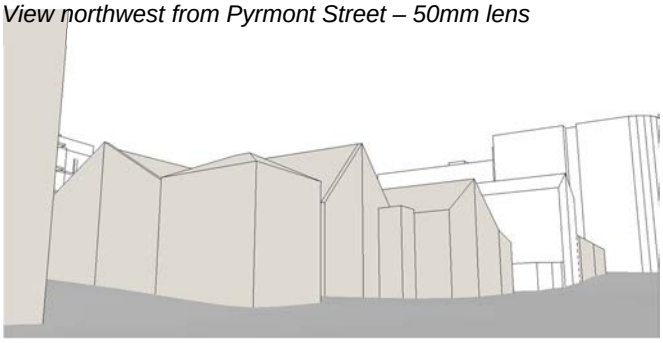
View east along John Street – 50mm lens



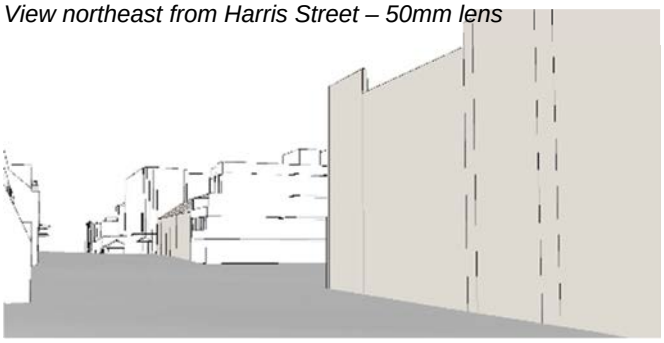
View west along John Street – 50mm lens



View northwest from Pyrmont Street – 50mm lens



View northeast from Harris Street – 50mm lens



Existing + approved

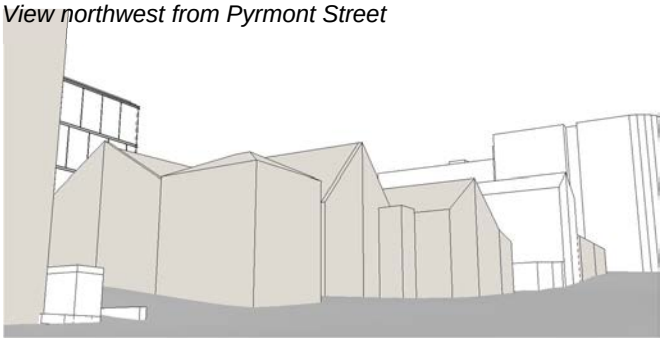
View east along John Street



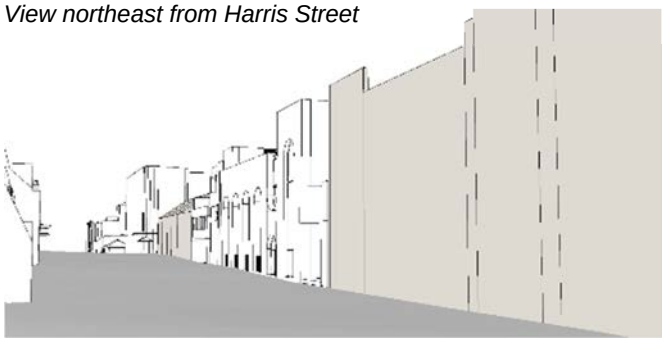
View west along John Street



View northwest from Pyrmont Street

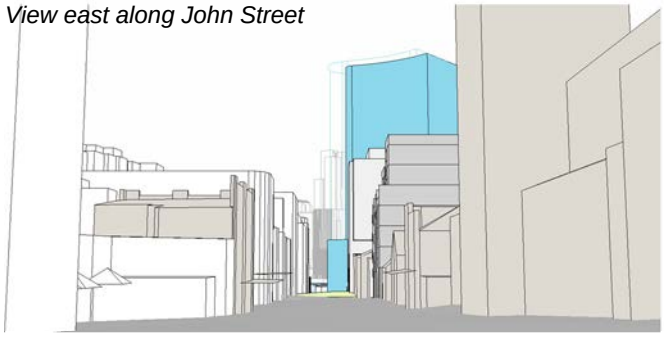


View northeast from Harris Street



Proposed

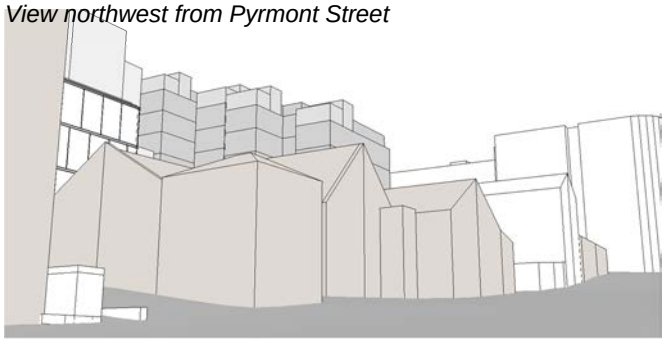
View east along John Street



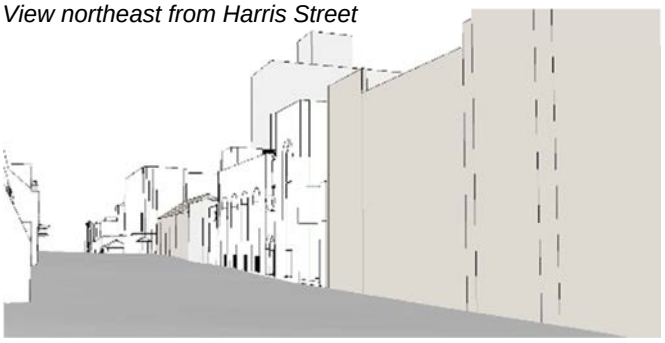
View west along John Street



View northwest from Pyrmont Street



View northeast from Harris Street



12 Pyrmont Street

Overview

12 Pyrmont Street (Lot 1 – 8 DP 1118495, and Lot 1 – 7 DP 4520) is located on the northern side of the junction of Pyrmont Street and Jones Bay Road. The site contains frontages to both streets, however, excludes the smaller corner sites which contain three heritage-listed terrace houses (refer Figure 118 and Figure 118).



Figure 117 – location plan of 12 Pyrmont Street

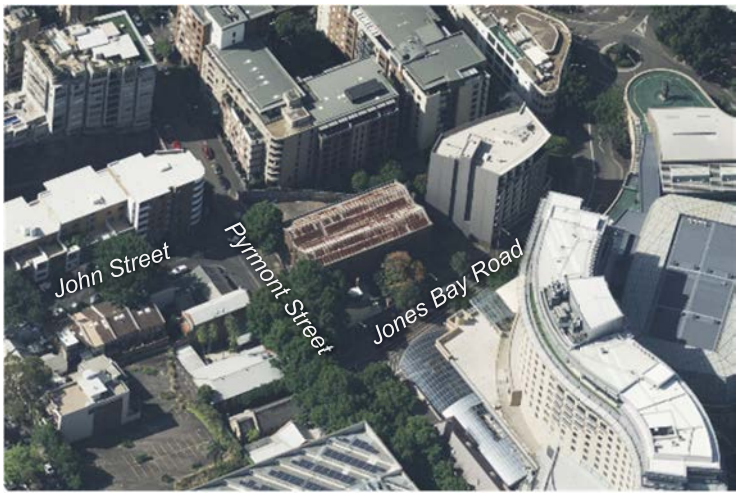


Figure 118 – oblique aerial of 12 Pyrmont Street

Background

12 Pyrmont Street was not included in the Department of Planning's initial study. Subsequently, the City reviewed all of the sites in the peninsula and 12 Pyrmont Street was identified as a site capable of change.

Existing controls

12 Pyrmont Street is currently occupied by the heritage listed ‘Slades Building’; a three storey Federation style warehouse. The building (predating the current site configuration), fronts Pyrmont Street with no setback, with two irregular parcels of land to its north along Pyrmont Street and south along Jones Bay Road. The building is presently vacant and in very poor condition. The existing controls and the layout and position of the site can be seen in Table 33 and Figure 119 respectively.

Table 33 – existing building and existing planning controls for 12 Pyrmont Street

	Existing building	Existing controls
Land use & zoning	*Unoccupied*	B3 – CC
Floor space ratio	*0*	1.75
Height of building	*17m*	22m
Height in storeys	*3*	-
Deep soil	*N/A*	10%



Figure 119 – existing site plan for 12 Pyrmont Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

An existing large tree near Jones Bay Road has a canopy that extends over the site and will be preserved with deep soil under it for additional planting (refer Figure 122). The John Street view corridor is maintained as deep soil and is available for tree planting.

More public space for more people – streets and open spaces –

The view corridor is publicly accessible open space extending the public space of John Street into the site, allowing for tree planting and the site for future heritage interpretation.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan

Reinforce **'street wall' form** of most buildings –

The height of the building along street wall along Jones Bay Road responds to and extends the existing street wall.

Conserve **heritage** values –

The existing heritage significant building on the site is conserved and careful built up to and above by new construction, its walls becoming a feature of the new interiors. Its form and material construction remain visible from the surrounding streets. The new building sits back from the street over the existing building in geometrical alignment with it.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is not exposed to noise.

Match **land use** to place –

The existing commercial land use is maintained.

Consider **views** to and from public places

The John Street view corridor extends through the site north of the heritage significant building. This area of the site was formerly part of John Street, and the maintenance of the view corridor assists the interpretation of the heritage building as a corner building as it was when originally constructed. Residential apartments north of the site are designed with the view corridor in place and have taken advantage of outlook and light from it based on the reasonable expectation that the view corridor will be maintained (refer Figure 120 and Figure 121). The view corridor opens up views from Darling Island to the Anzac Bridge and along John Street towards the harbour and city beyond.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

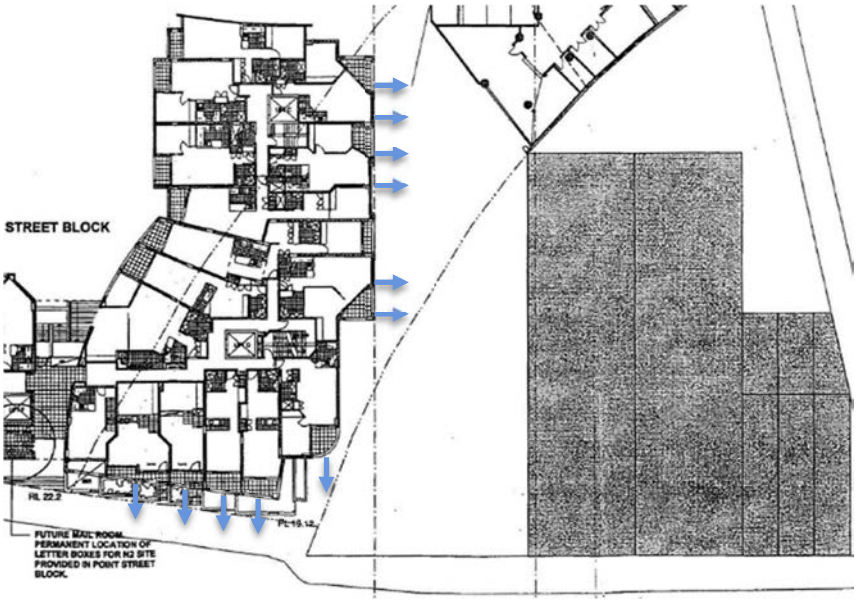


Figure 120 – Watermark Apartments at 26-28 Point Street are oriented towards the view corridor and Point Street (*Source: P2001/00306 - CS237006)*



Figure 121 – Watermark Apartments, overlooking the view corridor (source: Google StreetView)

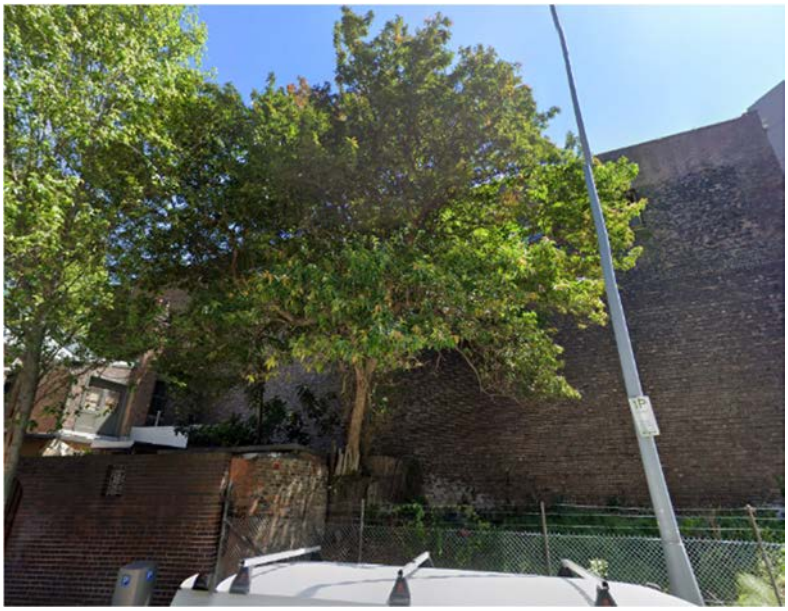


Figure 122 – Established tree at 16 Pyrmont Street (source: Google StreetView)

Proposed controls

For 12 Pyrmont Street, the proposed controls are for a commercial use with an FSR of 3.50:1 with a Design Excellence clause; a height limit of 52 metres and 11 storeys; and a deep soil requirement for at least 20% of the site, as shown in Table 34 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, and streetscape improvements proposed, as can be seen in Figure 123, Figure 124 and Figure 125.

Table 34 – proposed planning controls for 12 Pyrmont Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Unoccupied*	B3 – CC	Commercial
Floor space ratio	*0*	1.75	3.50 + DesEx
Height of building	*17m*	22m	52m
Height in storeys	*3*	-	11^
Deep soil	*TBC*	10%	Min. 20%



Figure 123 – proposed site plan for 12 Pyrmont Street

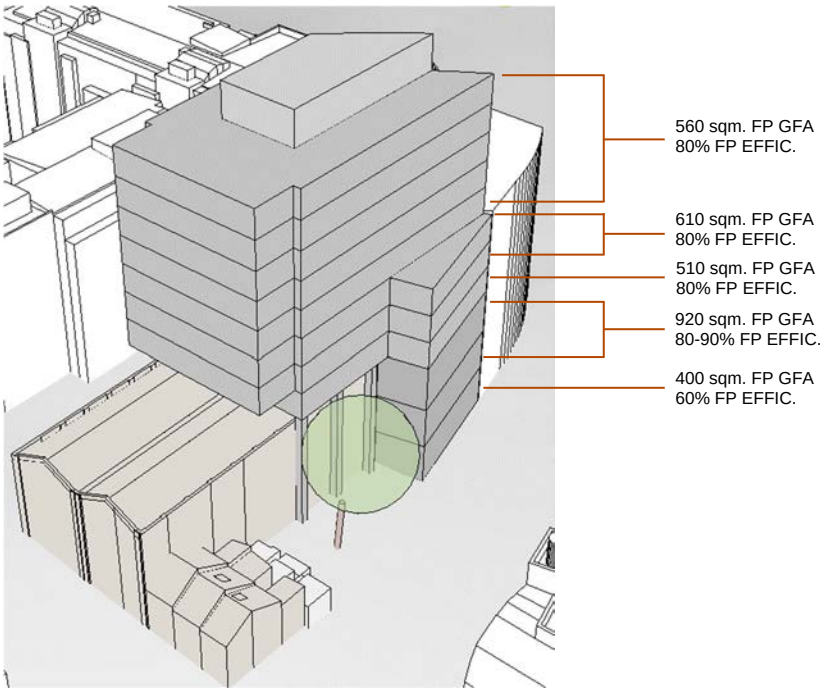


Figure 124 – floorplate diagram for 12 Pyrmont Street



Figure 125 – demolition plan for 12 Pyrmont Street

Visualisation

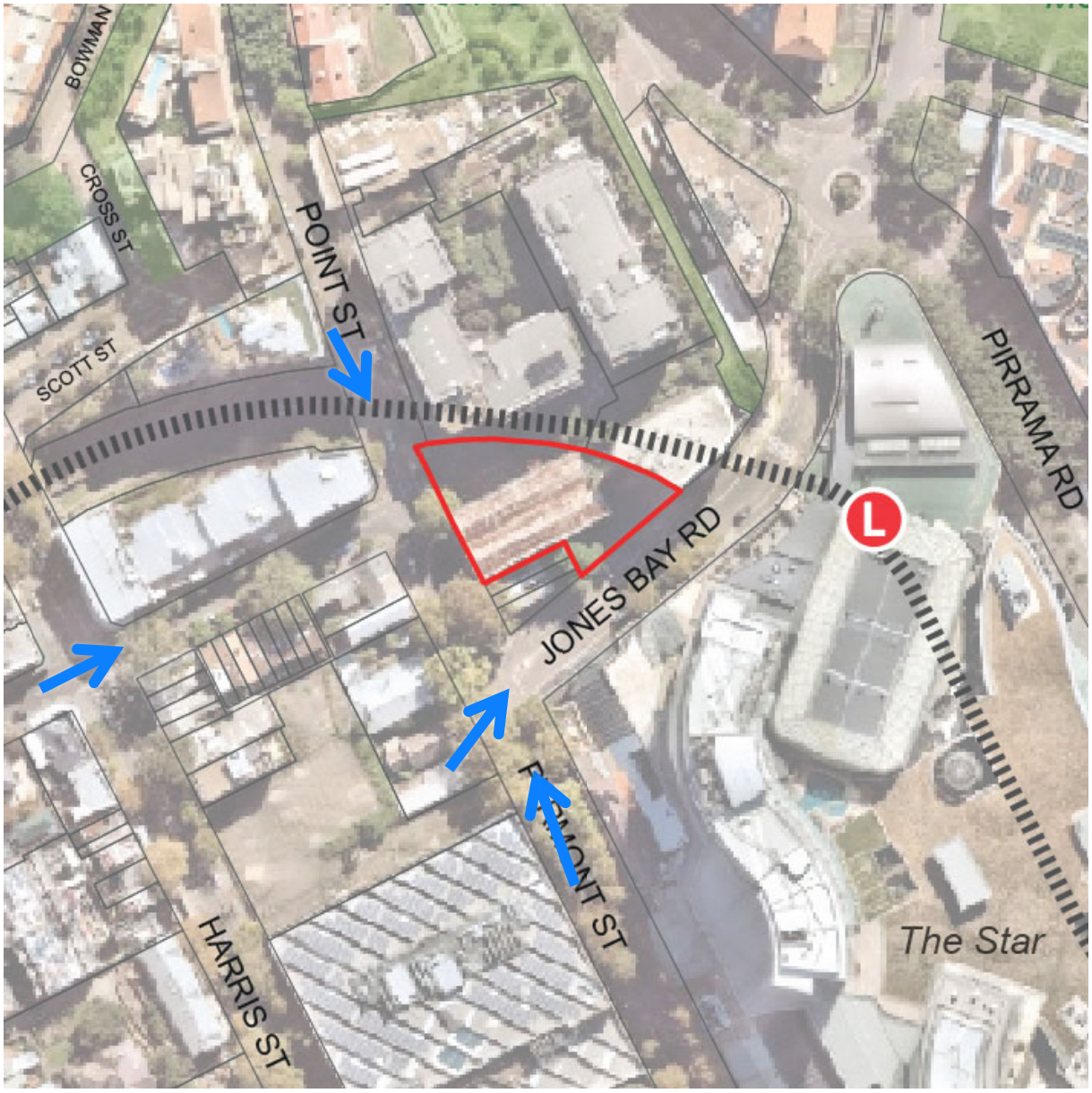
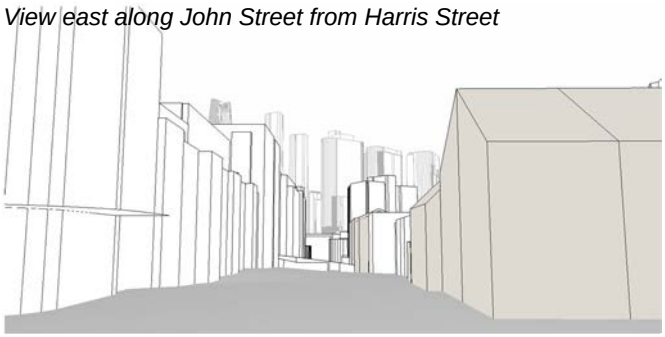


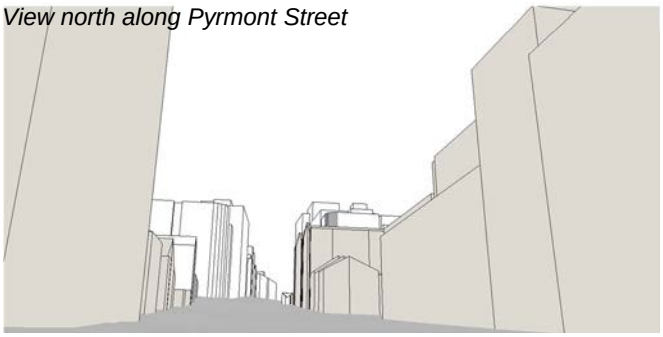
Figure 126 – view locations

Existing

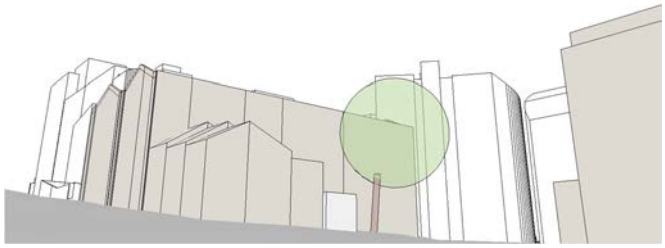
View east along John Street from Harris Street



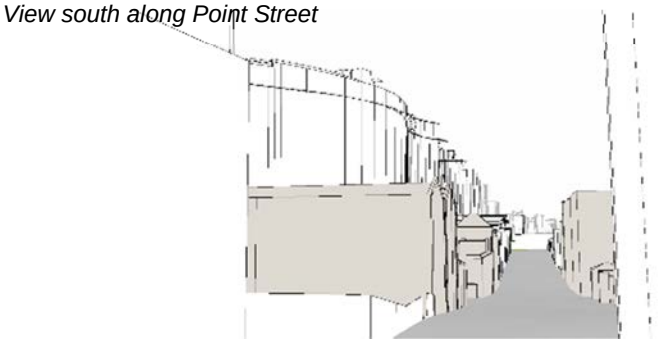
View north along Pyrmont Street



View east along Jones Bay Road

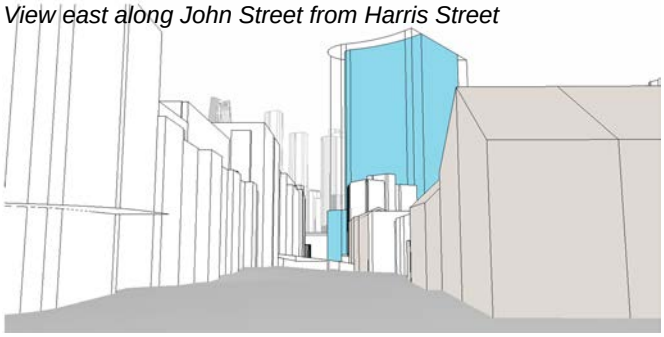


View south along Point Street

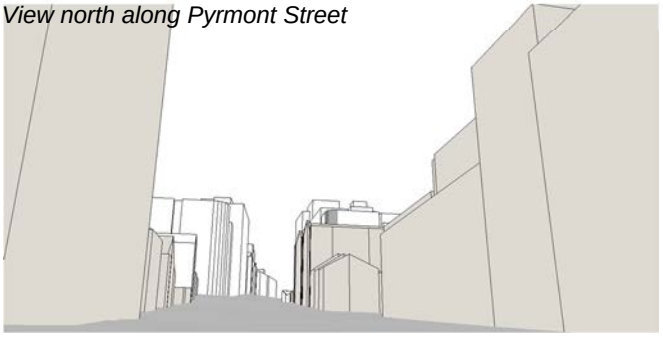


Existing + approved

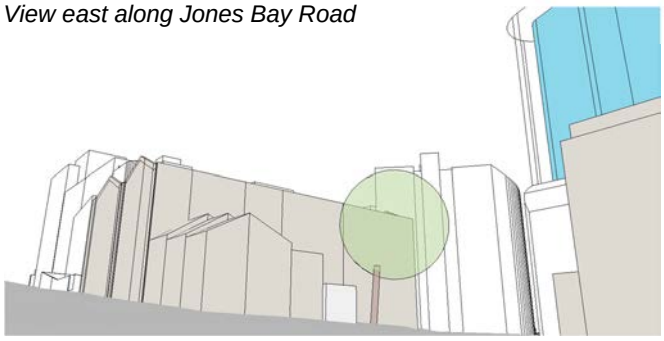
View east along John Street from Harris Street



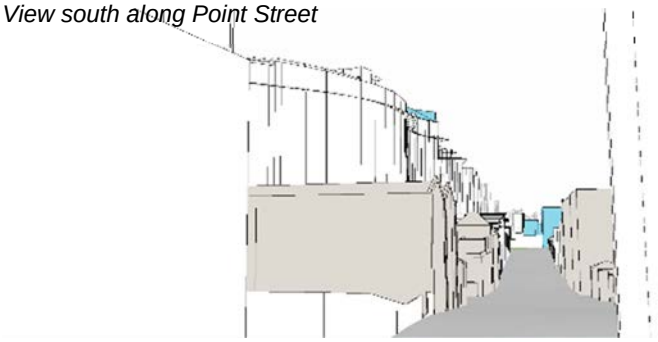
View north along Pyrmont Street



View east along Jones Bay Road



View south along Point Street

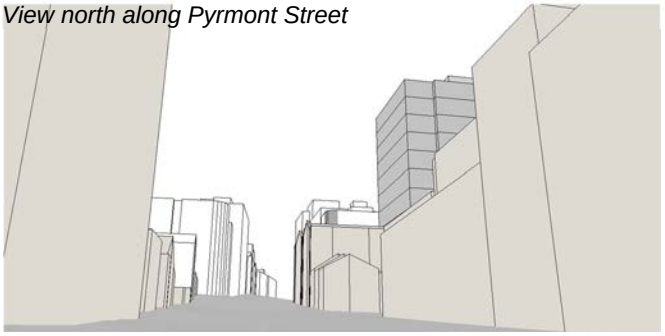


Proposed

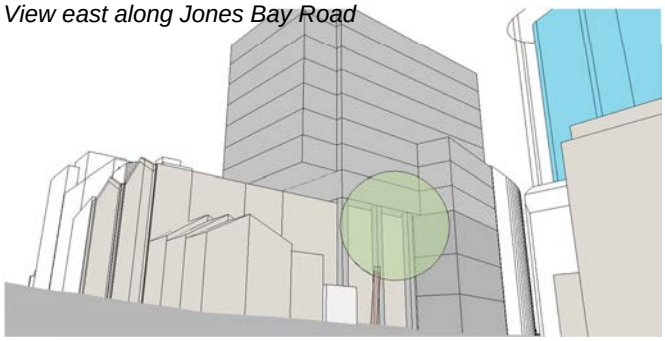
View east along John Street from Harris Street



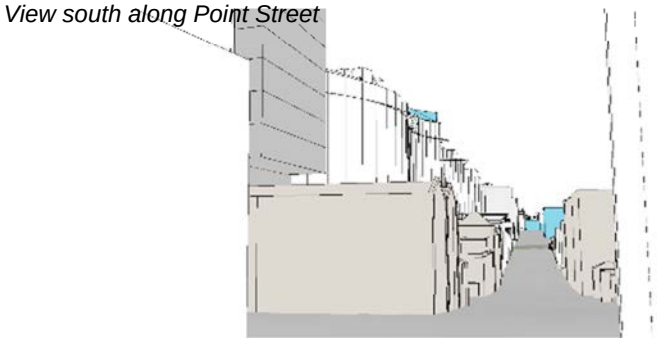
View north along Pyrmont Street



View east along Jones Bay Road



View south along Point Street



48 Pirrama Road

Overview
48 Pirrama Road (Lot 1012 DP 1145894) is located adjacent to the Star Casino, at the southern end of Darling Island. The site fronts (clockwise) Darling Island Road to the west, Trouton Place to the north, the Pyrmont Bay foreshore walk to the east and Pirrama Road to the south (refer Figure 127 and Figure 128).

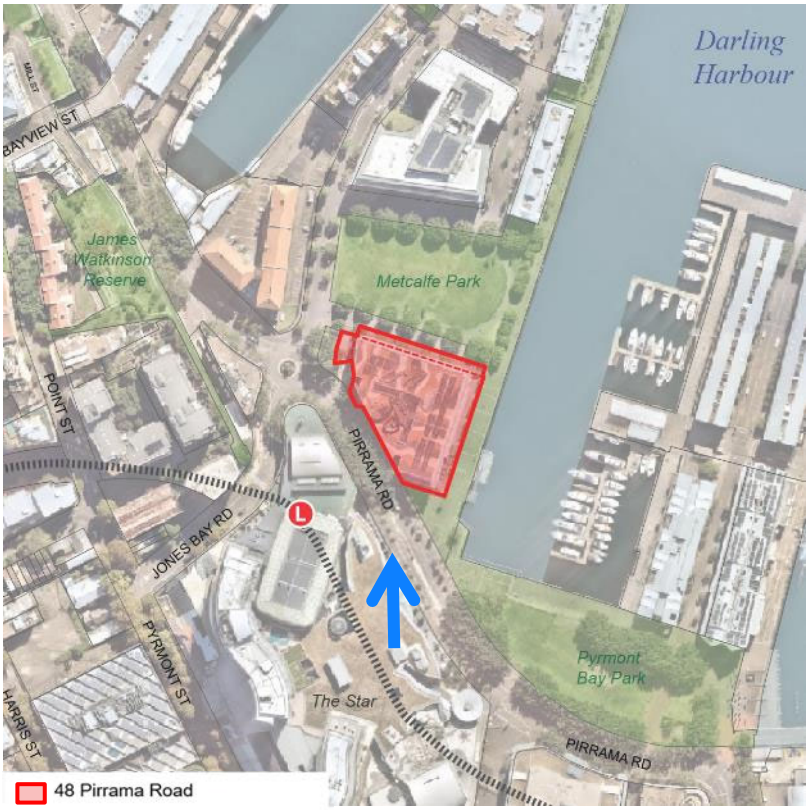


Figure 127 – location plan of 48 Pirrama Road

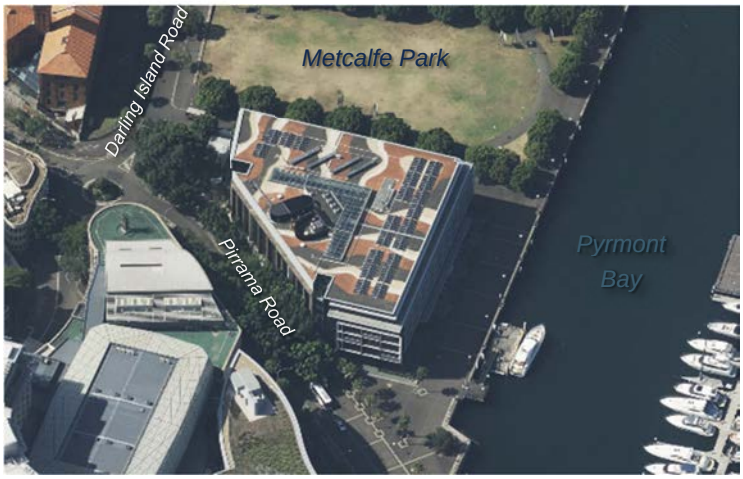


Figure 128 – oblique aerial of 48 Pirrama Road

Background

48 Pirrama Road was included in the Department of Planning's initial study. In this review it was given an FSR of 5.5:1 and a height of 60m, as shown in Figure 129. The study did not allow for an atrium or courtyard needed by deep floorplate buildings and did not consider the effects of the John Street view corridor on the site. The associated controls can be seen in Table 35 below.

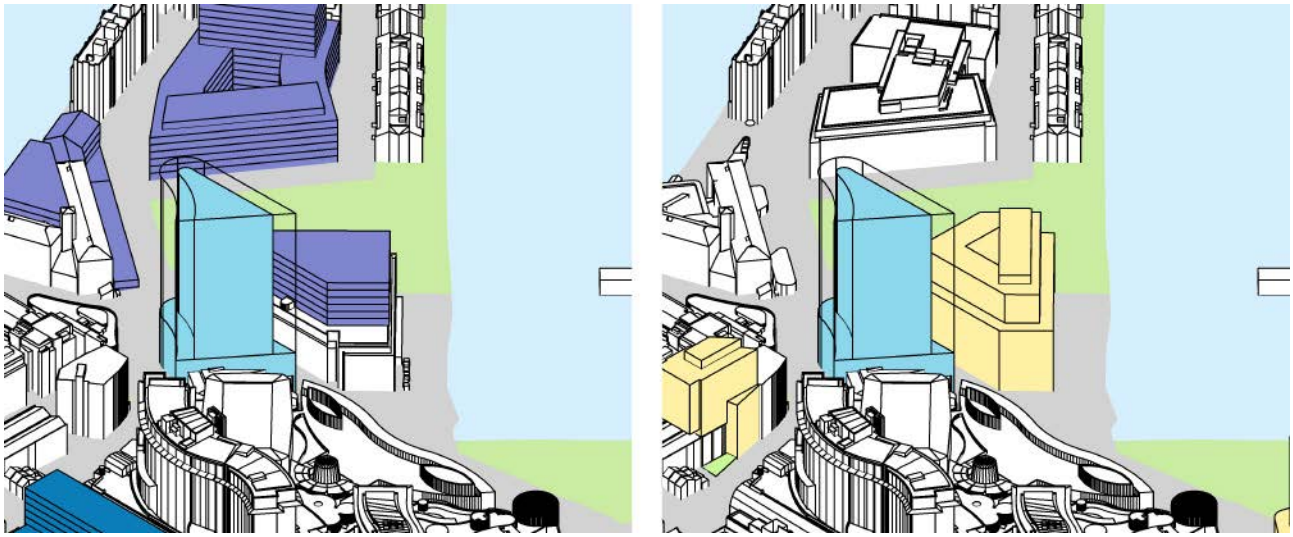


Figure 129 – comparison of Department of Planning's initial study and City of Sydney's study for 48 Pirrama Road

Table 35 – Department of Planning's initial study for 48 Pirrama Road

	Department of Planning's initial study	City of Sydney's study
Gross floor area	28,506 sqm	28,066 sqm
Floor space ratio	5.5	4.5 + DesEx
Height of building	60 m	52 m
Height in storeys	12 *(HiS not specified)*	12^
Deep soil	0%	15%

Existing controls

48 Pirrama Road is currently occupied by six storey commercial building. The building is built to the Pirrama Road frontage, and the easement line of the Trouton Place frontage, with setbacks to the Pyrmont Bay foreshore walk and small entry plaza at the southeast corner of the site. These controls, along with the layout and position of the site can be seen in Table 36 and Figure 130, respectively.

Table 36 – existing building and existing planning controls for 48 Pirrama Road

	Existing building	Existing controls
Land use & zoning	*Commercial*	*B3 – CC*
Floor space ratio	*3.66 approx.*	*4.5*
Height of building	*27m*	*24m*
Height in storeys	*6^*	*5^*
Deep soil	*0%*	10%

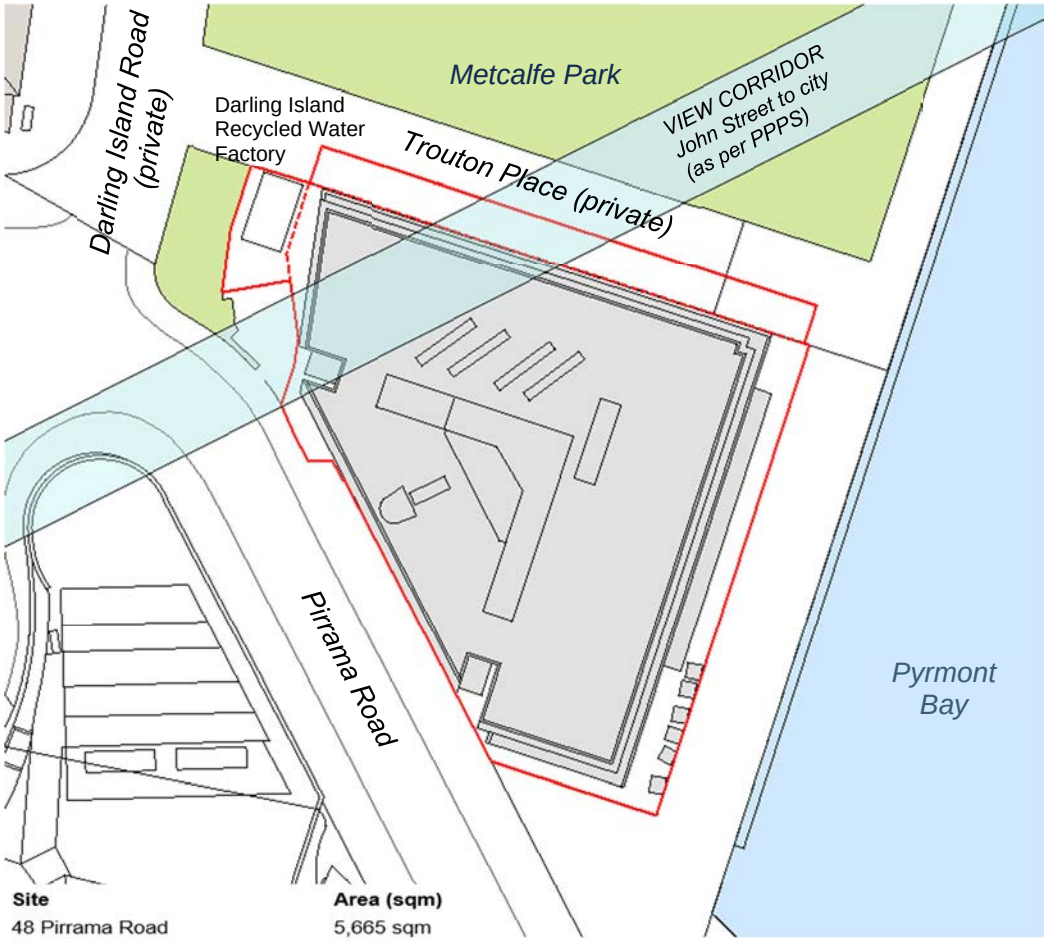


Figure 130 – existing site plan for 48 Pirrama Road

Urban design principles
More deep soil for **more trees** and cool green spaces –

The John Street view corridor is a deep soil extension to Metcalfe Park increasing the local tree planting.

More public space for more people – streets and open spaces –

The John Street view corridor is a publicly accessible open space addition to Metcalfe Park connecting it to and opening up views from Pirrama Road. The colonnade along its south side provides a weather protected open to sunlight space for outdoor dining overlooking the new park extension.

Minimise overshadowing of existing residential properties –

Additional overshadowing to nearby Pyrmont Bay and Metcalfe parks is minimised (refer Figure 131 and Figure 132).

Reinforce **'street wall' form** of most buildings –

The height of the building fits comfortably among the existing and proposed street wall height of buildings in the vicinity.

Conserve **heritage** values –

The building envelope is a comfortable fit to the height of nearby heritage items.

Good **design for wind and noise** –

The site is exposed to winds the relatively low height of the podium should not cause unsafe or uncomfortable winds on the surrounding public spaces, however further study and careful design may be required to ensure this.

The site is exposed to noise from the harbour and adjacent late night entertainment uses, the commercial use ensures that the noisy environment will not cause nuisance.

Match **land use** to place –

The residential use is maintained on this site.

Consider **views** to and from public places

The John Street view corridor extends through the north of the site. The view corridor opens up views from Darling Island to the Anzac bridge and along John Street towards the harbour and city beyond.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

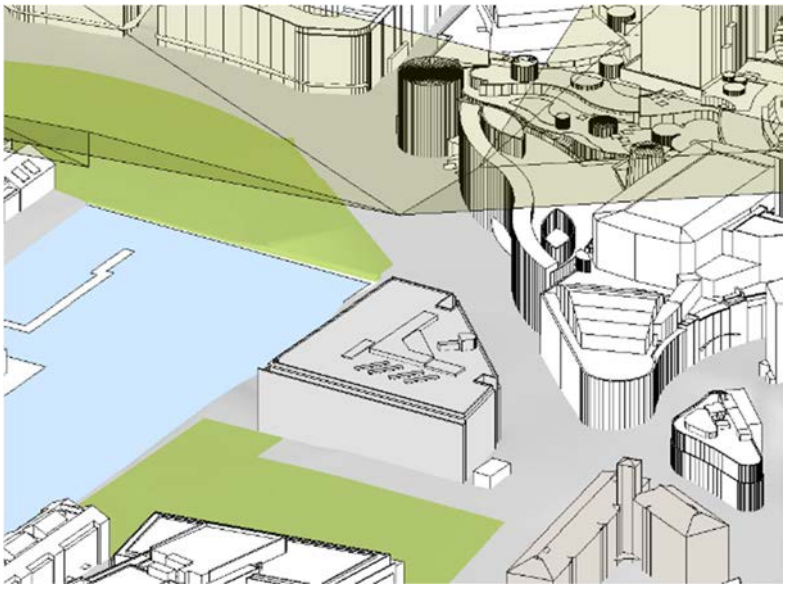


Figure 131 – solar access to Pyrmont Bay Park

21 June, 9am-3pm

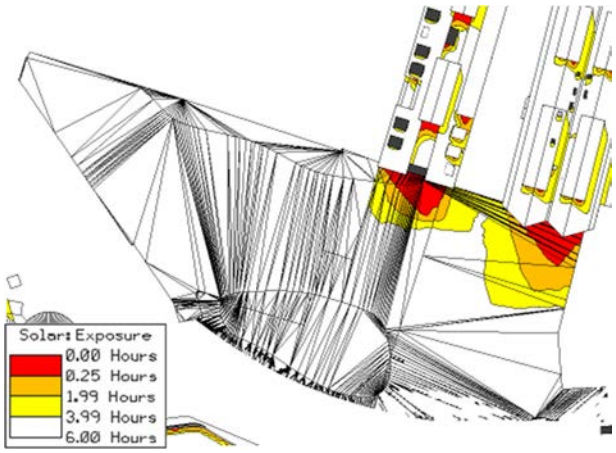


Figure 132 – No reduction in area receiving four or more hours of sunlight in Pyrmont Bay Park

Proposed controls

For 48 Pirrama Road, the proposed controls are for a commercial use with an FSR of 4.50:1 with a Design Excellence clause; a height limit of 52 metres and 12 storeys; and a deep soil requirement for at least 15% of the site, as shown in Table 37 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, and streetscape improvements proposed, as can be seen in Figure 133 and Figure 134.

Table 37 – proposed planning controls for 48 Pirrama Road

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Commercial*	B3 – CC	Commercial
Floor space ratio	*3.66 approx.*	4.5	4.5 + Des Ex
Height of building	*27m*	24m	52m *(RL 55)*
Height in storeys	*6*	5	12^
Deep soil	-	10%	15%

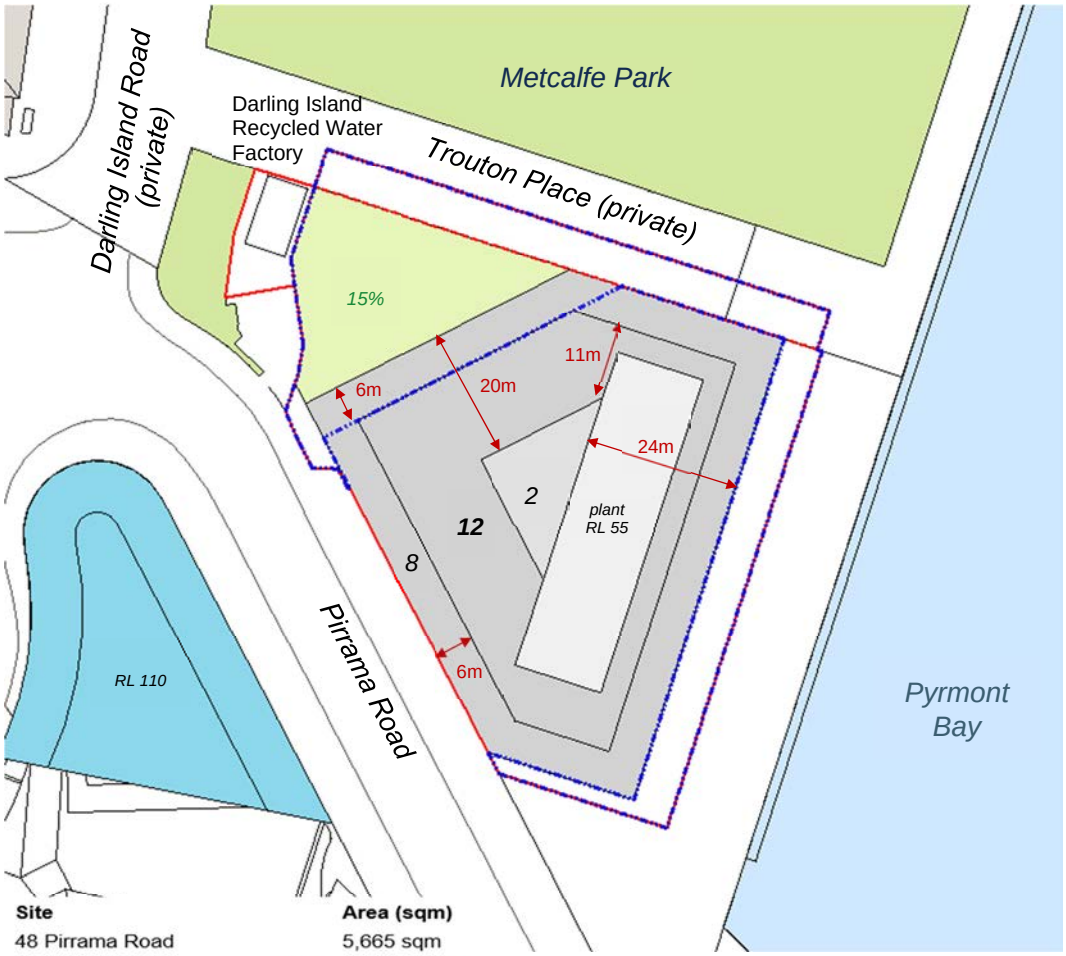


Figure 133 – proposed site plan for 48 Pirrama Road

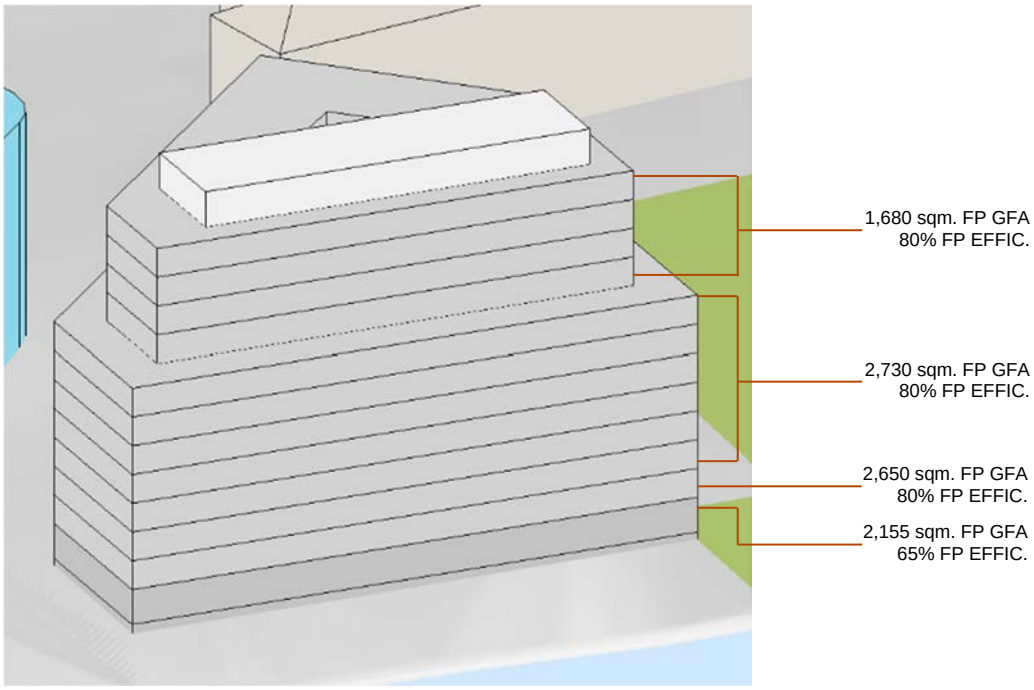


Figure 134 – floorplate diagram for 48 Pirrama Road

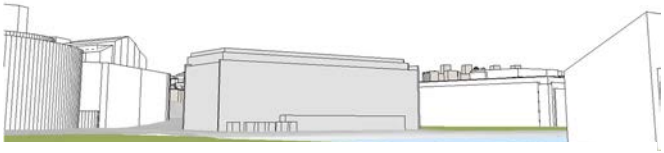
Visualisation



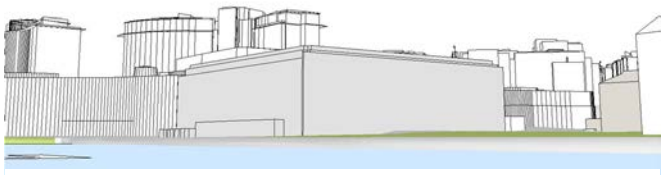
Figure 135 – view locations

Existing

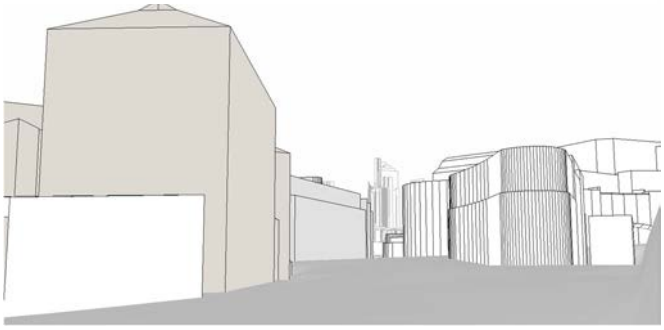
View west from Pyrmont Bay Park



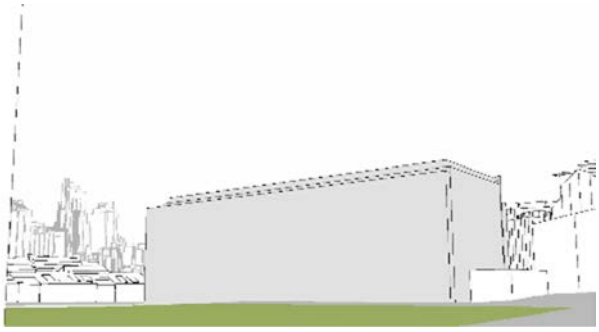
View southwest from Pyrmont Bay Wharf



View south along Pirrama Road

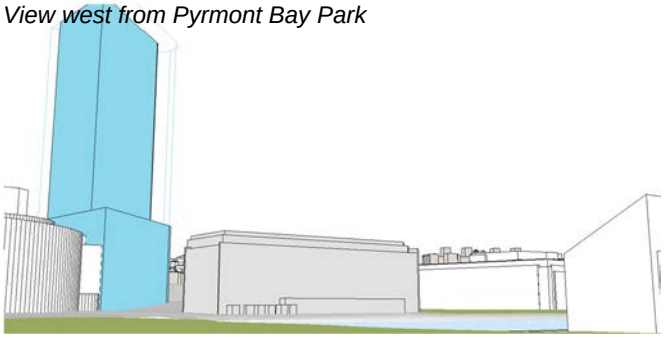


View southeast across Metcalfe Park

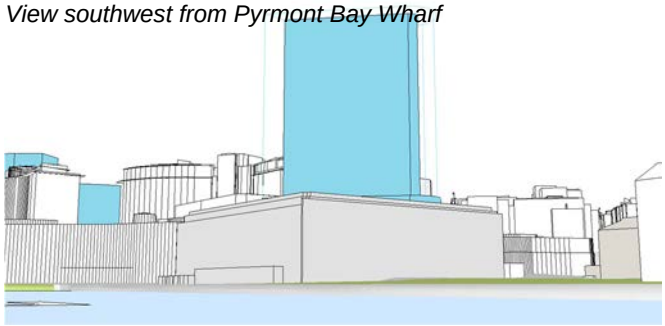


Existing + approved

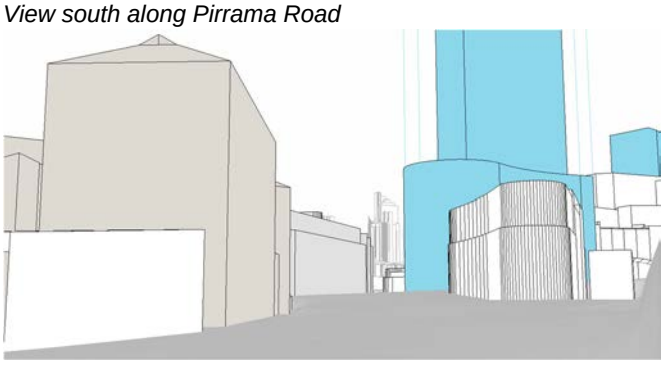
View west from Pyrmont Bay Park



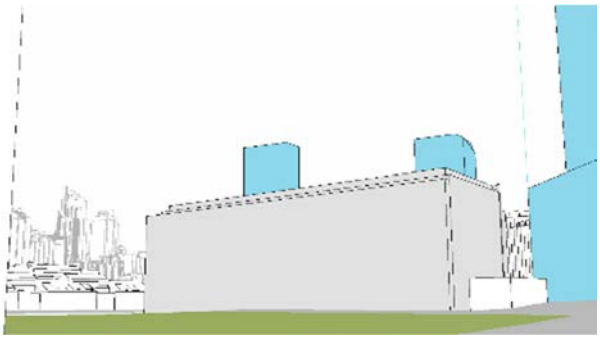
View southwest from Pyrmont Bay Wharf



View south along Pirrama Road

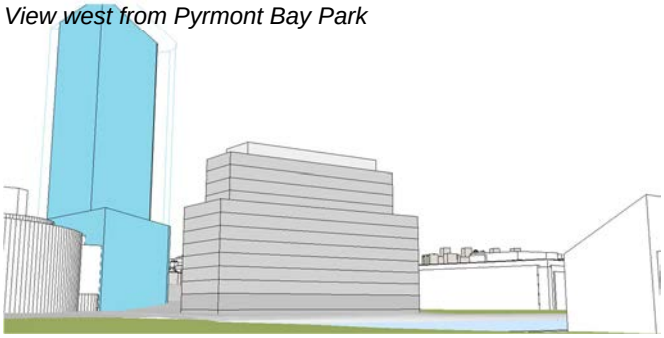


View southeast across Metcalfe Park

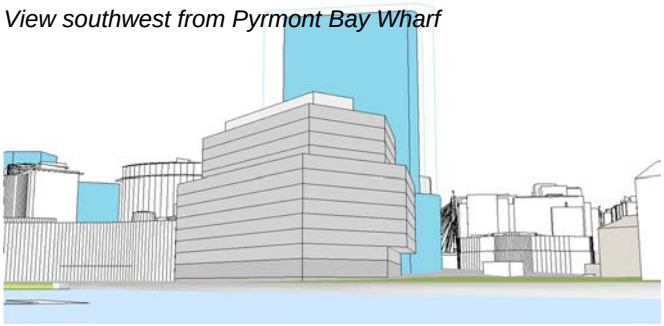


Proposed

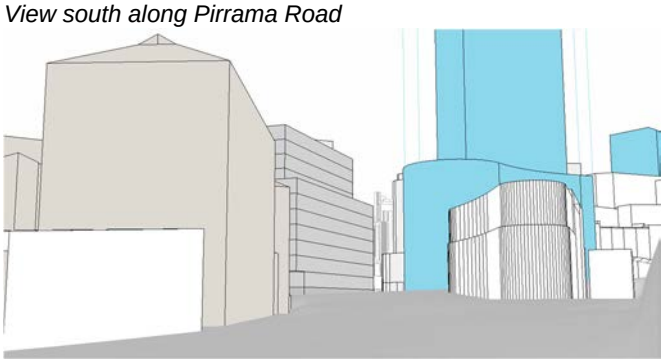
View west from Pyrmont Bay Park



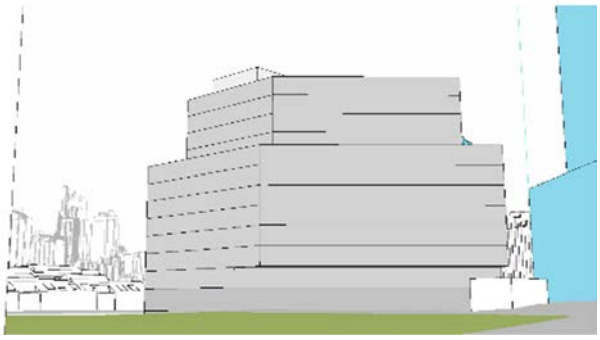
View southwest from Pyrmont Bay Wharf



View south along Pirrama Road



View southeast across Metcalfe Park



100 Harris Street

Overview

100 Harris Street (Lot 100 DP 1219280) is located between Harris Street and Pyrmont Street, north of Union Square, as can be seen in Figure 136 and Figure 137.



Figure 136 – location plan of 100 Harris Street



Figure 137 – oblique aerial of 100 Harris Street

Background
100 Harris Street was included in the Department of Planning's initial study. In this review it was given an FSR of 5.50:1, with heights limits only by the Solar Access Planes defined within the Pyrmont Peninsula Place Strategy, with the initial study indicating a 23-storey building envelope. This form and the associated study figures can be seen in Figure 138 and Table 38 below.

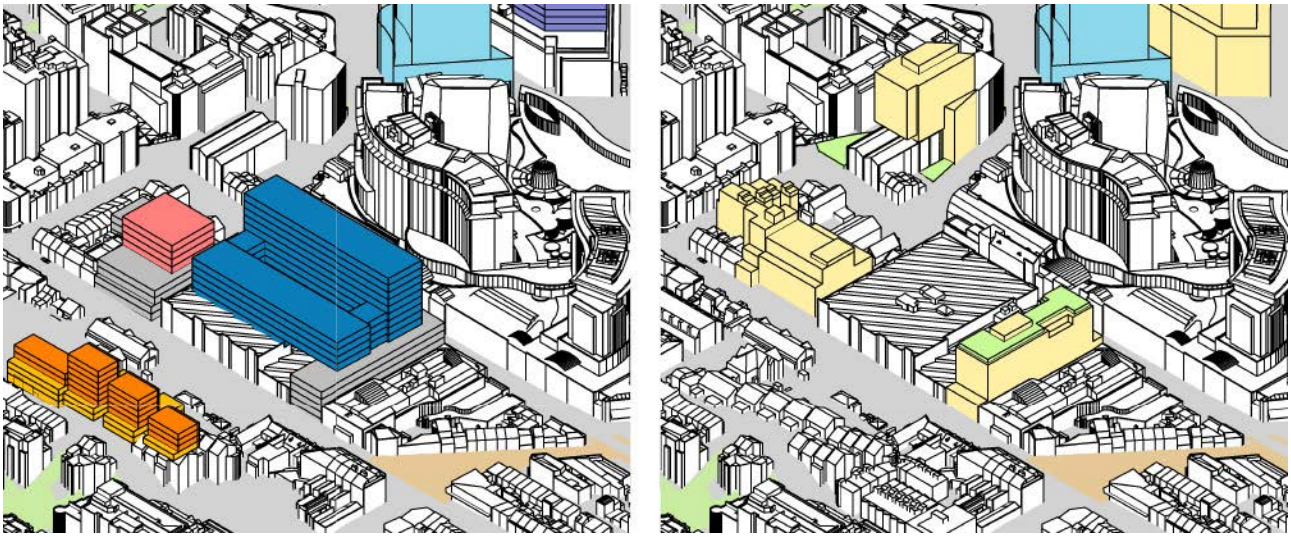


Figure 138 – comparison of Department of Planning's initial study and City of Sydney's study for 100 Harris Street

Table 38 – Department of Planning's initial study for 100 Harris Street

	Department of Planning's initial study	City of Sydney's study
Gross floor area	42,960 sqm	28,470 sqm *(includes 19,295 sqm of heritage listed warehouse)*
Floor space ratio	5.50	3.32 + DesEx
Height of building	To Solar Access Planes	39 m
Height in storeys	23 *(HiS not specified)*	10^
Deep soil	0%	600sqm of green roof

Existing controls

The majority of 100 Harris Street is currently occupied by the heritage-listed Federation Warehouse style former woolstore of “Schute, Bell, Badgery and Lumby Woolstore”. The former woolstore has been recently restored and refurbished as a commercial office space. To the south of the heritage building is a multi-storey carpark, with two levels of commercial above. This building occupies an area of approximately 1,551 sqm. The existing controls, along with the layout and position of the site can be seen in Table 39 and Figure 139, respectively.

Table 39 – existing building and existing planning controls for 100 Harris Street

	Existing building	Existing controls
Land use & zoning	*Commercial*	*E2 – CC*
Floor space ratio	*1.4 approx.*	*3.5*
Height of building	*26m*	*24m*
Height in storeys	*8*	*5*
Deep soil	*0%*	10%



Figure 139 – existing site plan for 100 Harris Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The setting among zero setback street wall heritage buildings and already excavated to rock site means that deep soil cannot be found on this site. Instead, green rooftops are proposed to add greenery and shade.

More public space for more people – streets and open spaces –

The setting among zero setback street wall heritage buildings means that new publicly accessible open space is not appropriate for this site.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 140).

Reinforce **'street wall' form** of most buildings –

The height of the building fits comfortably among the existing and proposed street wall height of buildings in the vicinity.

Conserve **heritage** values –

The southern wall and openings of the adjacent heritage items are conserved and remain open to the courtyard in the position of the existing courtyard on the site.

Good **design for wind and noise** –

The site is protected from winds surrounding development.

The site is exposed to noise from the adjacent late night entertainment uses, the commercial use ensures that the noisy environment will not cause nuisance.

Match **land use** to place –

The commercial use is maintained on the site.

Consider **views** to and from public places

The site is not effected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

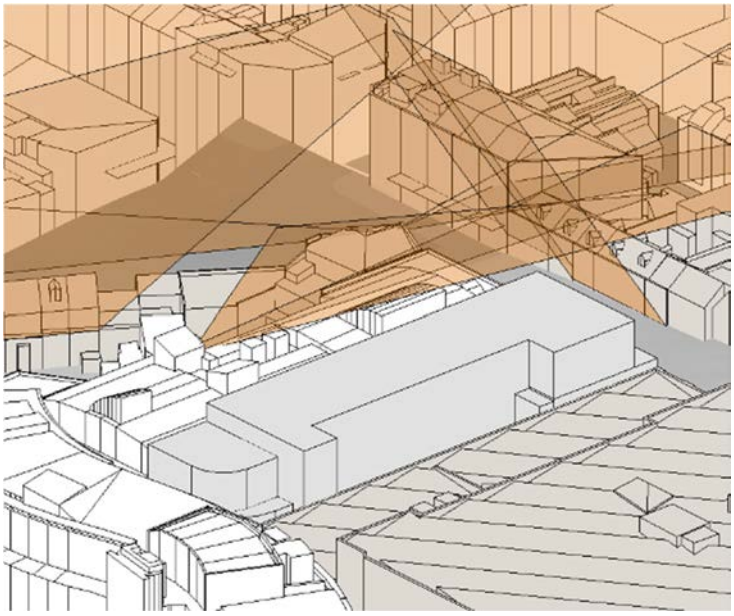


Figure 140 – solar access to neighbouring residential properties and Union Square

Proposed controls

For 100 Harris Street, the proposed controls are for a commercial use with an FSR of 3:32:1 with a Design Excellence clause; a height limit of 39 metres and 10 storeys; and 600 sqm of green roof, as shown in Table 40 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, and streetscape improvements proposed, as can be seen in Figure 141.

Table 40 – proposed planning controls for 100 Harris Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Commercial*	E2 – CC	Commercial
Floor space ratio	*1.4 approx.*	3.5	3.32 + DesEx
Height of building	*26m*	24m	39m *(RL 51)*
Height in storeys	*8*	5	10^
Deep soil	*0%*	10%	600sqm of green roof
NOTE: these controls and floor space ratio calculations only apply to the southern component of 100 Harris Street (all land south of the heritage listed 'Former Woolstore)			

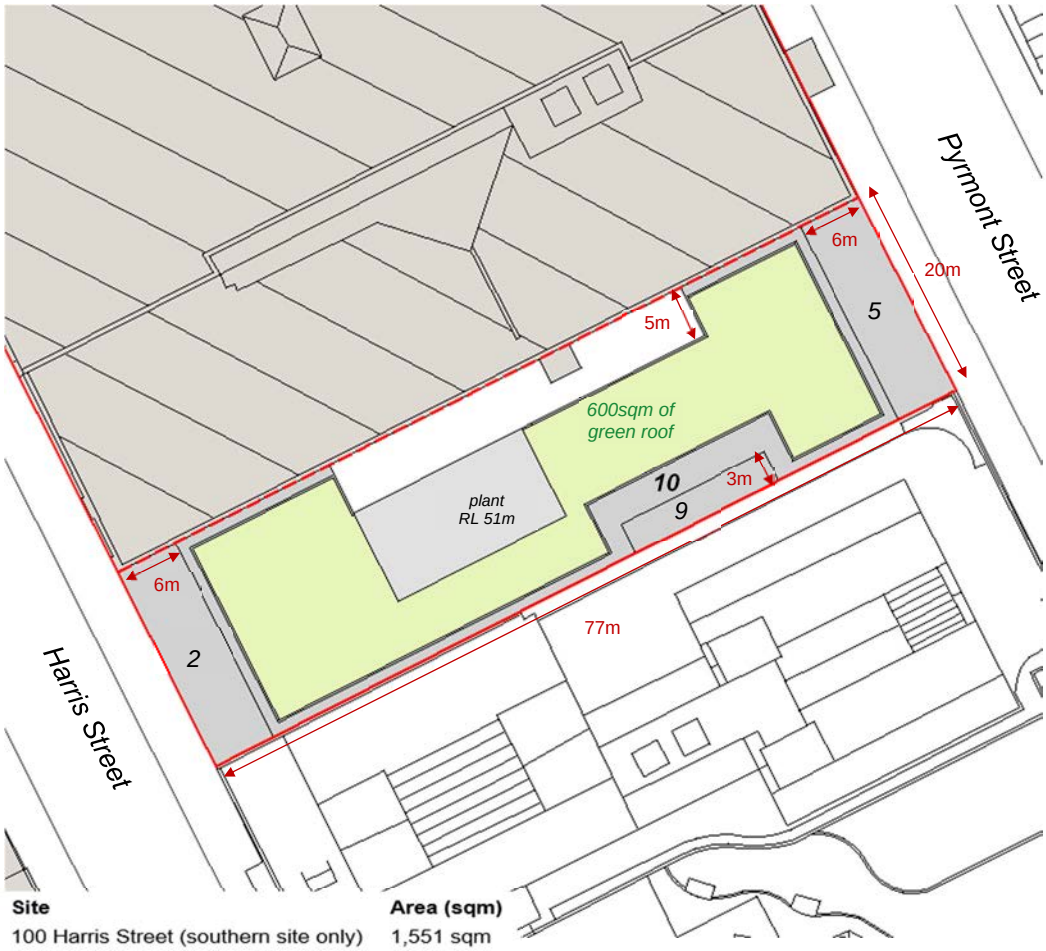


Figure 141 – proposed site plan for 100 Harris Street

Visualisation

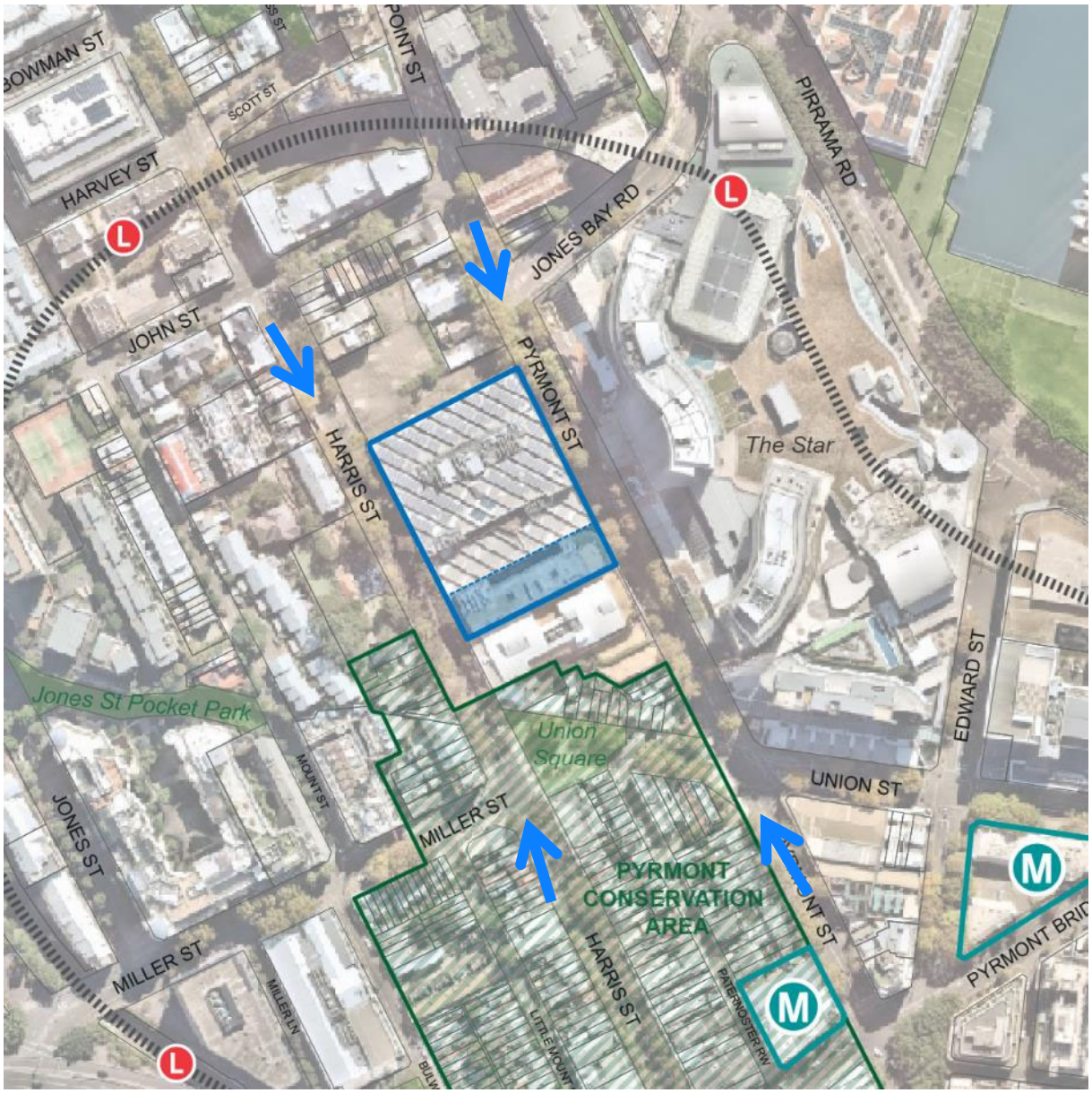
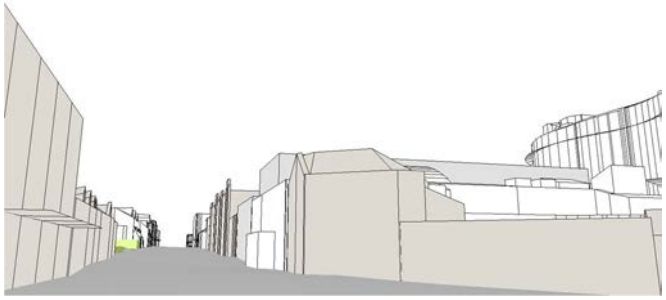


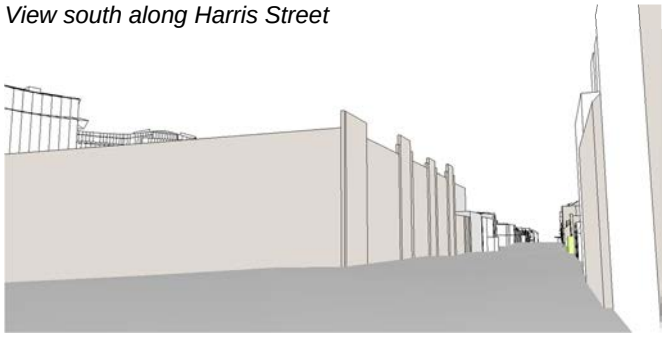
Figure 142 – view locations

Existing

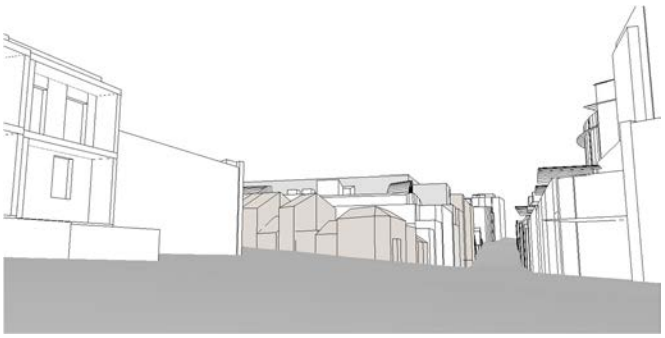
View north along Harris Street from Union Square



View south along Harris Street



View north along Pyrmont Street

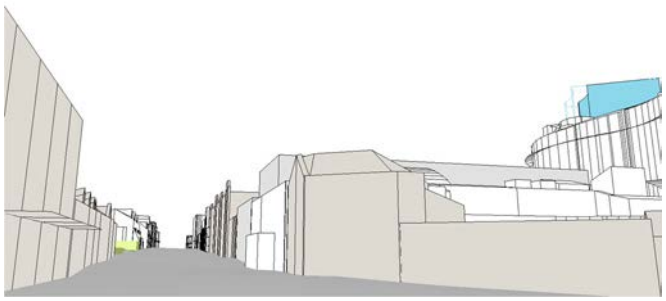


View south along Pyrmont Street



Existing + approved

View north along Harris Street from Union Square



View south along Harris Street



View north along Pyrmont Street

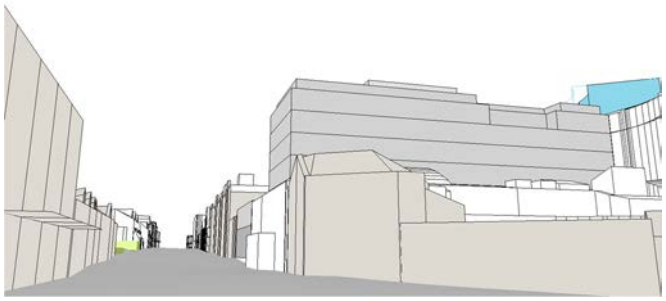


View southeast across Metcalfe Park



Proposed

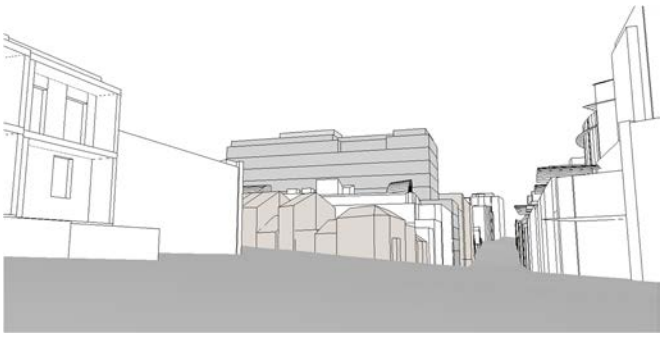
View north along Harris Street from Union Square



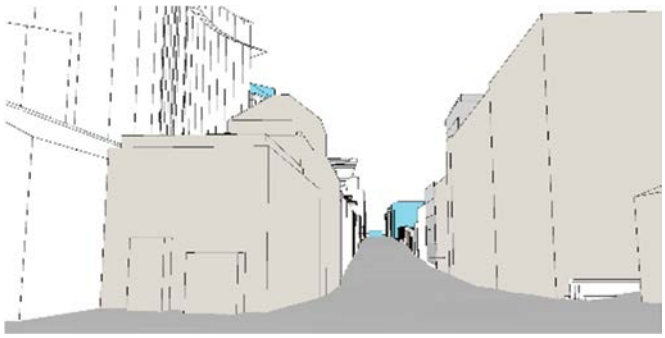
View south along Harris Street



View north along Pyrmont Street



View southeast across Metcalfe Park



28-48 Wattle Street

Overview

28-48 Wattle Street (Lot 1 DP 571484) is located between Wentworth Park and the Ultimo Heritage Conservation Area. The site has frontages (clockwise) to Wattle Street to the west, Fig Street to the north and Jones Street to the east (refer Figure 143 and Figure 144).



Figure 143 – location plan of 28-48 Wattle Street



Figure 144 – oblique aerial of 28-48 Wattle Street

Background

Department of Planning's initial study

28-48 Wattle Street was included in the Department of Planning's initial study. In this review it was given an FSR of 5.0:1, with the height limit set at the Solar Access Plane as defined within the Pyrmont Peninsula Place Strategy. The initial study indicated removal of the central building, along with significant alterations and additions to the heritage significant northern building. This form and the associated study figures can be seen in Figure 145 and Table 41 below.

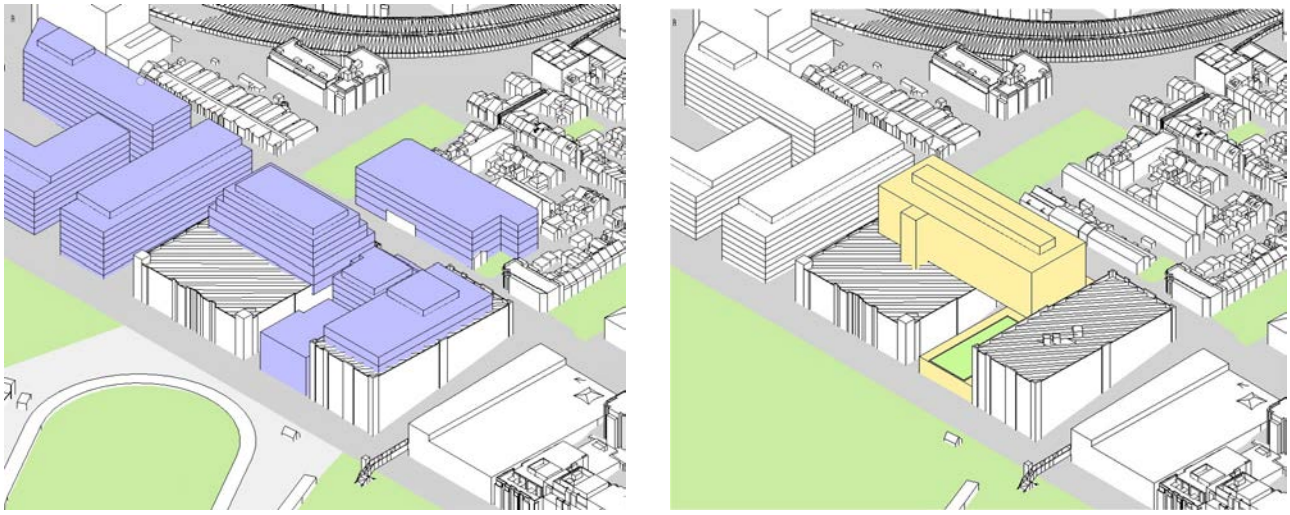


Figure 145 – comparison of Department of Planning's initial study and City of Sydney's study for 28-48 Wattle Street

In response to feedback from the exhibition process, the City of Sydney has modified the scheme exhibited in late 2024. The image at right in Figure 145 above and table Table 41 below explain the modifications and more detailed discussion is provided further on in this section.

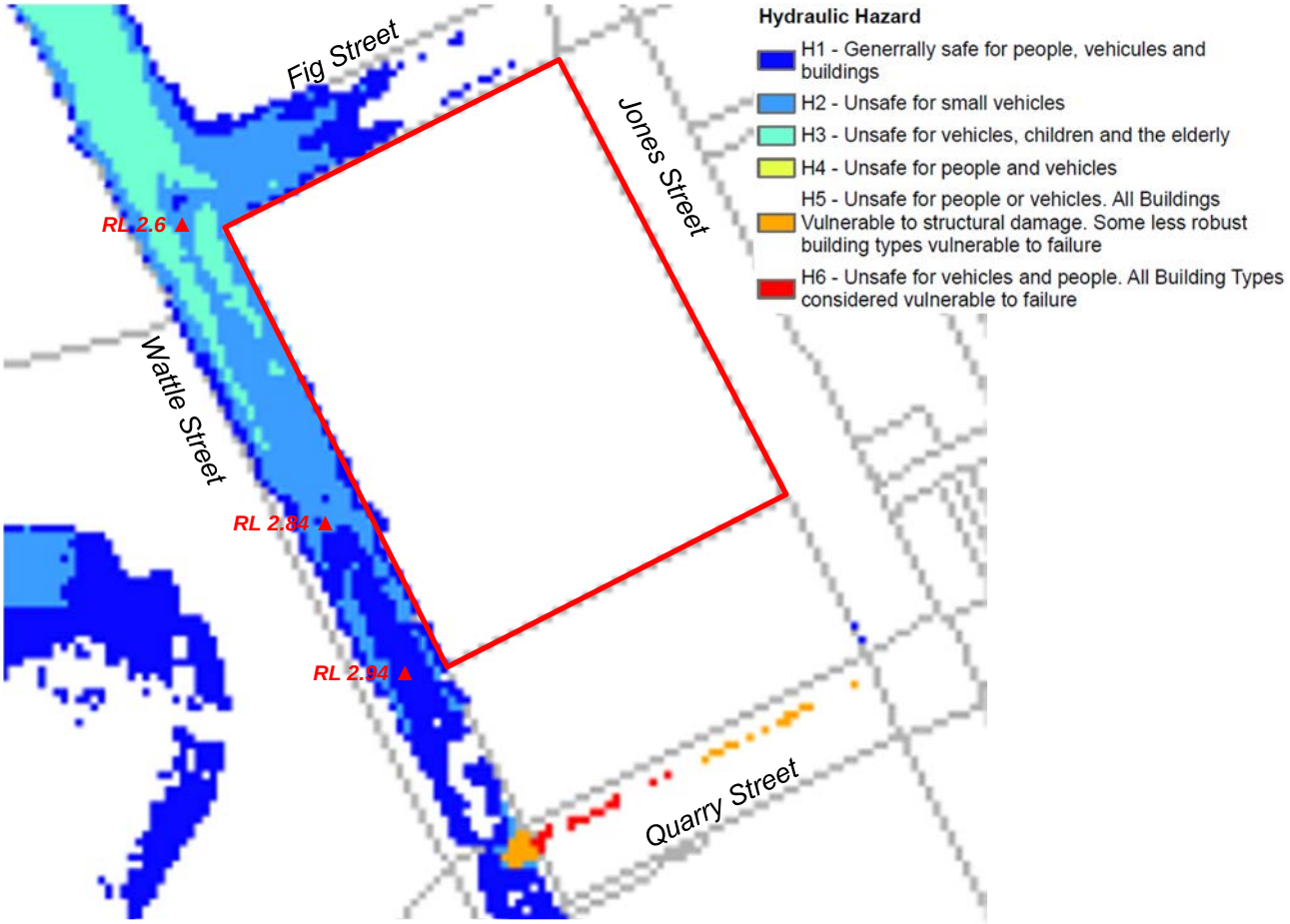
Table 41 – Department of Planning's initial study for 28-48 Wattle Street

	Department of Planning's initial study	Modifications to study exhibited by City of Sydney
Gross floor area	54,247 sqm *(reported numbers)*	53,370 sqm
Floor space ratio	5.0	4.5 + DesEx
Height of building	SAP	RL 56 m
Height in storeys	12 *(HiS not specified)*	10^ excluding plant level
Deep soil	0%	1,360 sqm of green roof

^ total number of habitable storeys above Wattle St street level. This does not include an 8m. high undercroft space above the existing *Winchcombe Carson Ltd* warehouse building and the new office building proposed above.

Flooding – Hydraulic Hazard

The 'Blackwattle Bay Catchment Flood Study Model Update (ARR2019 Hydrology)' identifies Wattle Street as experiencing significant levels of flooding, which – as can be seen Figure 146 – Blackwattle Bay Catchment Hydraulic Hazard (ADR) 1% AEP Event [Source: 'Blackwattle Bay catchment flood study Model Update – ARR2019 Hydrology', Figure C33]– create unsafe conditions for vehicles, children and the elderly during a 1% AEP event. The modelling indicates the AEP 1% level reaching RL 2.94m at the southwestern corner of the site, with a 0.5m freeboard allowance, this would indicate a minimum ground floor level of RL 3.44m for any new development to occur in this area. As the northern warehouse has a ground floor level of RL 2.68m, any



Source: Blackwattle Bay Catchment Floodplain Risk Management Plan – ARR2019

Figure 146 – Blackwattle Bay Catchment Hydraulic Hazard (ADR) 1% AEP Event [Source: 'Blackwattle Bay catchment flood study Model Update – ARR2019 Hydrology', Figure C33]

redevelopment of the building would also have to management the flood risk appropriately.

Site history

28-48 Wattle Street and 54 Wattle Street contain a series of interconnected building constructed between 1893 and 1919, as can be seen in Figure 147. At the southern and northern end of the sites are two heritage significant buildings, with a smaller building dating from 1919 in between.

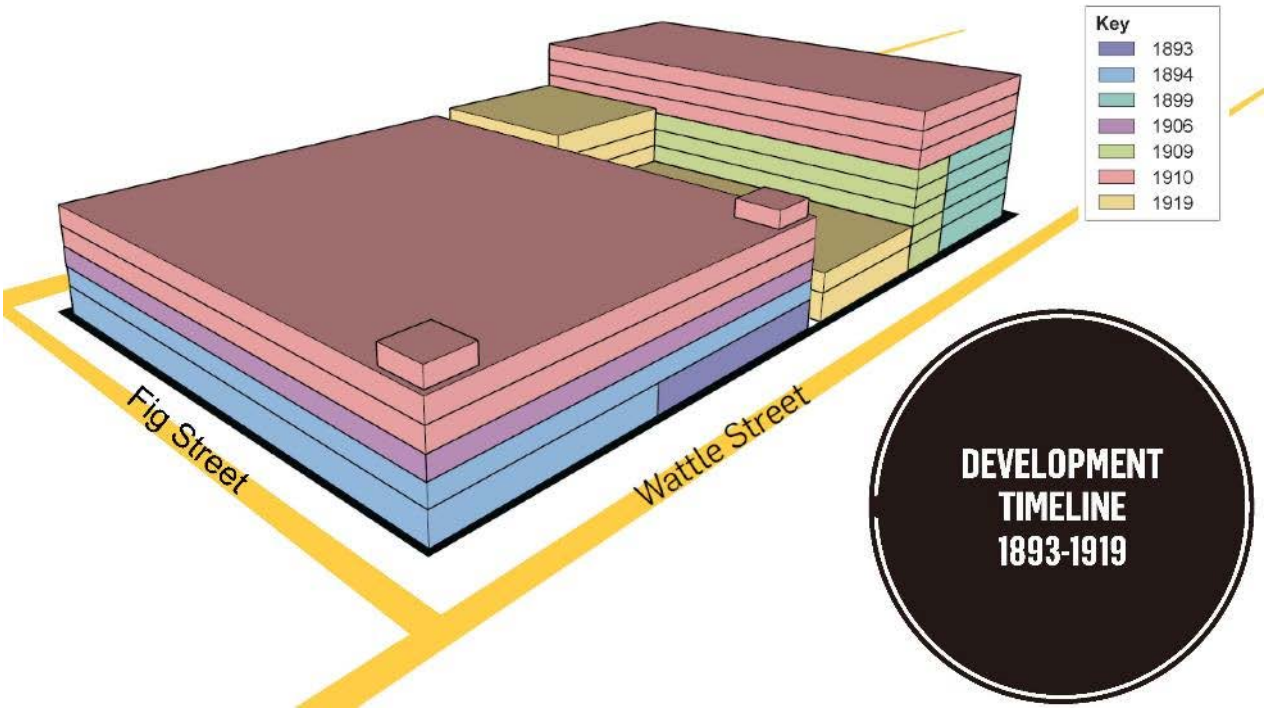


Figure 147 – development timeline of 28-48 Wattle Street and 54 Wattle Street [Source: prepared by Urbis for site owner (PDA/2020/99 – 2020/193150)]

Original structure

The original building northern building contained three cupola towers/turrets on the Wattle Street frontage. As shown in Figure 148 and Figure 149, these turrets were progressively removed with the central turret and supporting brick structure removed between c. 1910-1936, and the remaining two turrets removed between c. 1957-1962, with supporting structures kept.



Winchcombe, Carson & Co.'s wool store, Wattle Street , Pyrmont, 1910
Source: Sydney City Archives, NCSA CRS 28: 1910/1413 #8



View from Council Nursery, 1936
Source: Sydney City Archives, SRC2683

Figure 148 – c. 1910-1936: central turret and supporting brick structure removed



Winchcombe Carson Ltd and Wentworth Park in background, 2/12/1957
Source: Sydney City Archives, SRC13690



Winchcombe Carson Ltd and Wentworth Park in background, 27/07/1962 *Source: Sydney City Archives, NSCA CRS 48/2655*

Figure 149 – c. 1957-1962: the remaining two turrets removed, with supporting structures kept

Both warehouses at 28-48 Wattle Street were built with saw-tooth roof structures, which remain largely in-tact. The northern warehouse utilises a large amount of timber construction, typical of Federation-style warehouses of that era, while the central building (45 Jones Street) comprises a largely steel construction as shown in Figure 150 and Figure 151.



Top floor interior of 28-48 Wattle Street (Winchcombe Carson Ltd) c. 1901
Source: Museums of History NSW, NRS-4481-3-[7/16280]-St1455



Top floor interior of 28-48 Wattle Street (Winchcombe Carson Ltd) c. 1901
Source: Museums of History NSW, NRS-4481-3-[7/16281]-St1527

Figure 150 – top floor interior of 28-48 Wattle Street c. 1901



Top floor interior of 45 Jones Street (Ultimo Trade Centre) c. 2010
Source: OCP Architects P/L



Top floor interior of 45 Jones Street (Ultimo Trade Centre) c. 2010
Source: OCP Architects P/L

Figure 151 – top floor interior of 28-48 Wattle Street (45 Jones Street building) c. 2010

East-west connectivity

Currently there are no accessible connections that allow for all people to travel from on top of the ridge along Jones Street and Bulwara Road down to Wentworth Park between Mary Ann Street and Wentworth Park Light Rail Station (refer Figure 152). 28-48 Wattle Street is one of the few remaining places where an accessible connection for all people can be delivered in this area.

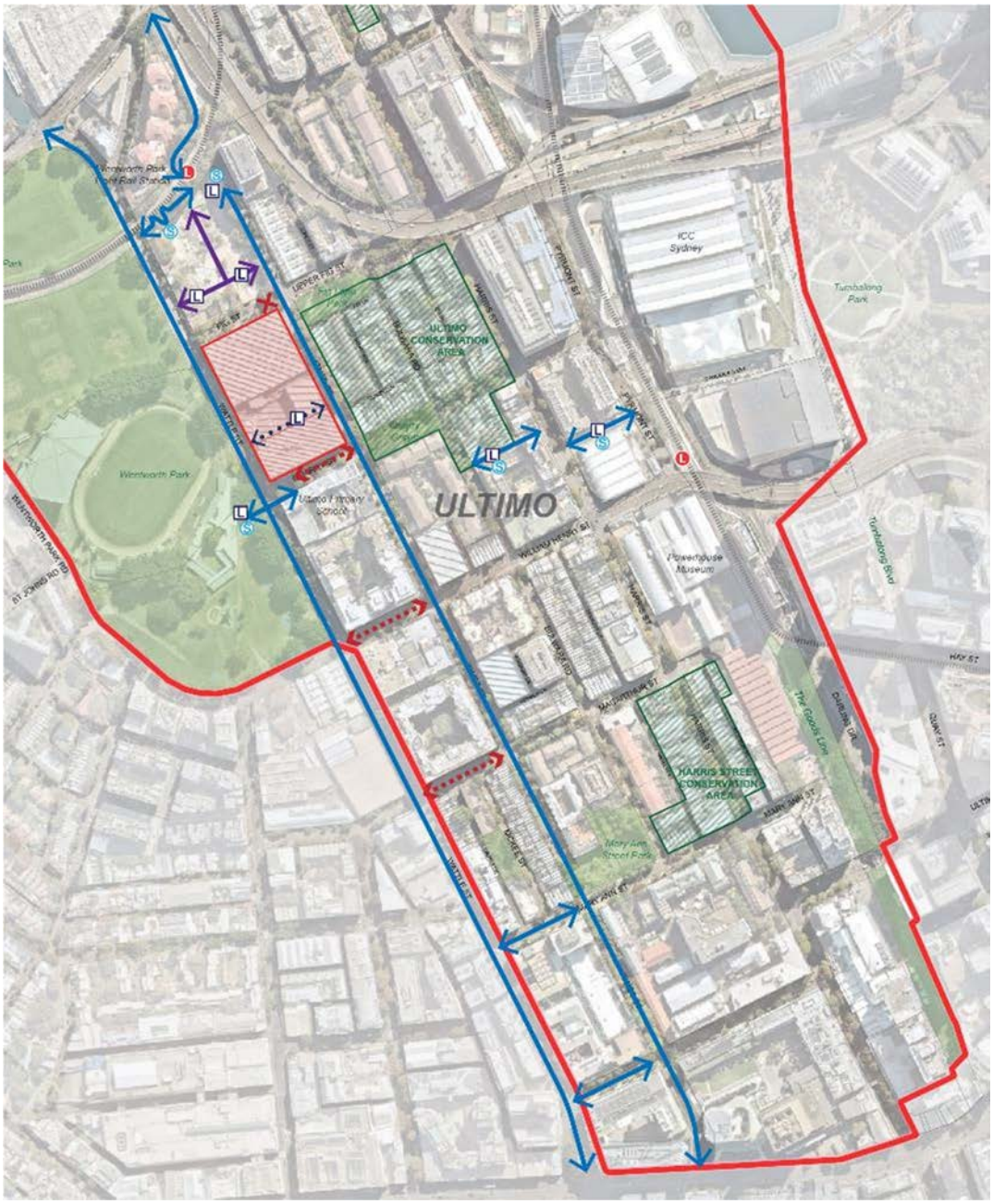


Figure 152 – connectivity across the peninsula, currently there are no connections for all people between the Wentworth Park Light Rail station and Mary Ann Street

Existing controls
28-48 Wattle Street is currently occupied by two connected Federation-style former Woodstore, presently used for a variety of non-residential uses. The existing controls, along with the layout and position of the site can be seen in Table 42 and Figure 153, respectively.

Table 42 – existing building and existing planning controls for 28-48 Wattle Street

	Existing building	Existing controls
Land use & zoning	*Mixed use*	*B4 – MU*
Floor space ratio	*3.18^*	*4.0*
Height of building	*24m**	*27m*
Height in storeys	*5*	*7*
Deep soil	*0%*	10%

NOTES:
^According to figures provided in PDA2020-99

*Reinstatement of turrets will increase height of warehouse



Figure 153 – existing site plan for 28-48 Wattle Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The site is cut to rock and occupied by heritage significant fabric. Deep soil cannot be located here, instead a green roof provides greenery and shade.

More public space for more people – streets and open spaces –

A publicly accessible through link is provided linking Jones Street to Wattle Street.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 154).

Reinforce **'street wall' form** of most buildings –

The height of the building along street wall along Wattle Street responds to and extends the existing street wall.

Conserve **heritage** values –

The existing heritage significant buildings on the site are conserved and a new building is placed where the least significant heritage fabric is located. This enables the conservation of the two large buildings on the site, including reconstructed of former domes and turrets on the northern building and the retention and conservation of the roof on the southern building.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is not exposed to noise.

Match **land use** to place –

The existing commercial land use is maintained.

Consider **views** to and from public places

The site is not affected by view corridors, nevertheless additional views to Wentworth Park from Jones Street are opened up by the new building form.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

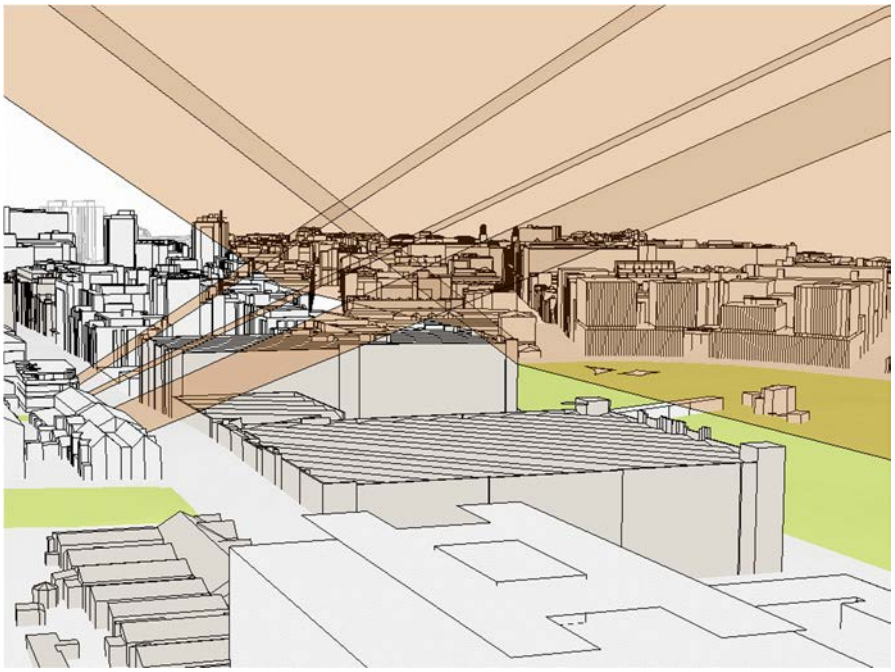


Figure 154 – solar access to neighbouring residential properties and Wentworth Park

Proposed controls

In response to the exhibition of the proposed controls, the landowner of this site made a submission to the City for an alternative scheme for the site. It maintains many of the features of the exhibited scheme, including the height controls, converting the main warehouse for commercial floor space and replacing the central building. The difference in the approach is a new structure of five levels elevated above the main warehouse and supported on service cores.

The resulting FSR is 4.5:1 with a Design Excellence clause and maintaining the proposed height limit of RL 56 AHD. There are a total of 10 habitable levels above Wattle Street level, with an 8m undercroft space above the warehouse that is devoid of floor area. Proposed green roof area on a new central building is 1,240 sqm. The new controls are summarised in Table 43 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, site layout requirements, and streetscape improvements proposed, as can be seen in Figure 155, Figure 156, Figure 157 and Figure 158.

Table 43 – proposed planning controls for 28-48 Wattle Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Mixed use*	*B4 – MU*	*Commercial*
Floor space ratio	*3.18*	*4.0*	*4.5 + DesEx*
Height of building	*24m* §	*27m*	*RL 56*
Height in storeys	*5^*	*7*	*10^ excluding plant*
Deep soil	*0%*	10%	1,240 sqm. green roof
North building	- Reconstruction of cupola towers - Refurbishment of warehouse for commercial - Car parking on ground level converted to GFA ◊		
South building	- Demolition of existing central building (c. 1919) - Option for basement car parking - Freestanding building		

NOTES:

* Potential controls are draft only and subject to further detailed study

§ Height to existing pediment, height of central cupola is approx. 35m

^ Excluding plant

† Green roof utilised as an alternative to deep soil given site constraints

‡ Green roof is calculated as the equivalent of approx. 27.2 medium trees (50sqm each) which would be required within the deep soil of the site (central site only, 4,084 sqm), doubled in area to 1,360 sqm to deliver comparable ecological outcomes.

◊ Equates to 4,100 sqm of GFA (at 65% efficiency)

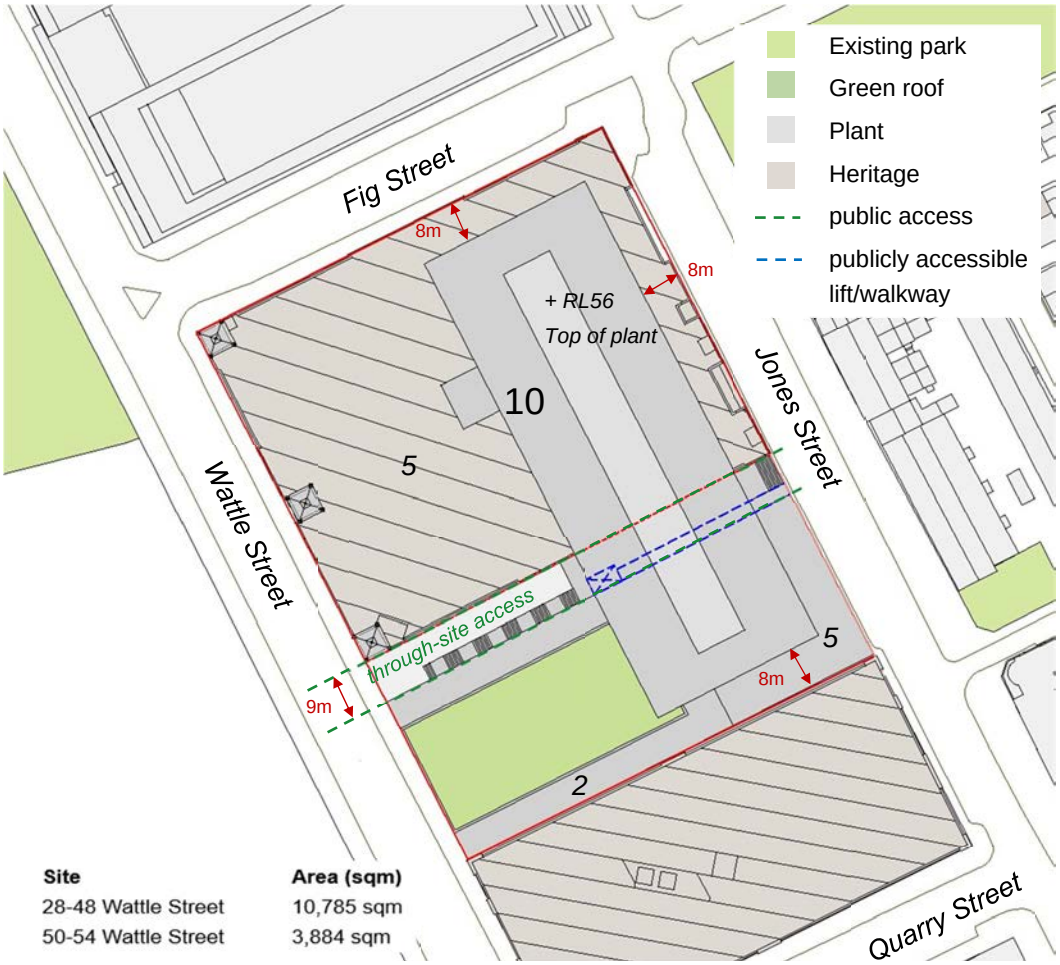


Figure 155 – modified site plan for 28-48 Wattle Street

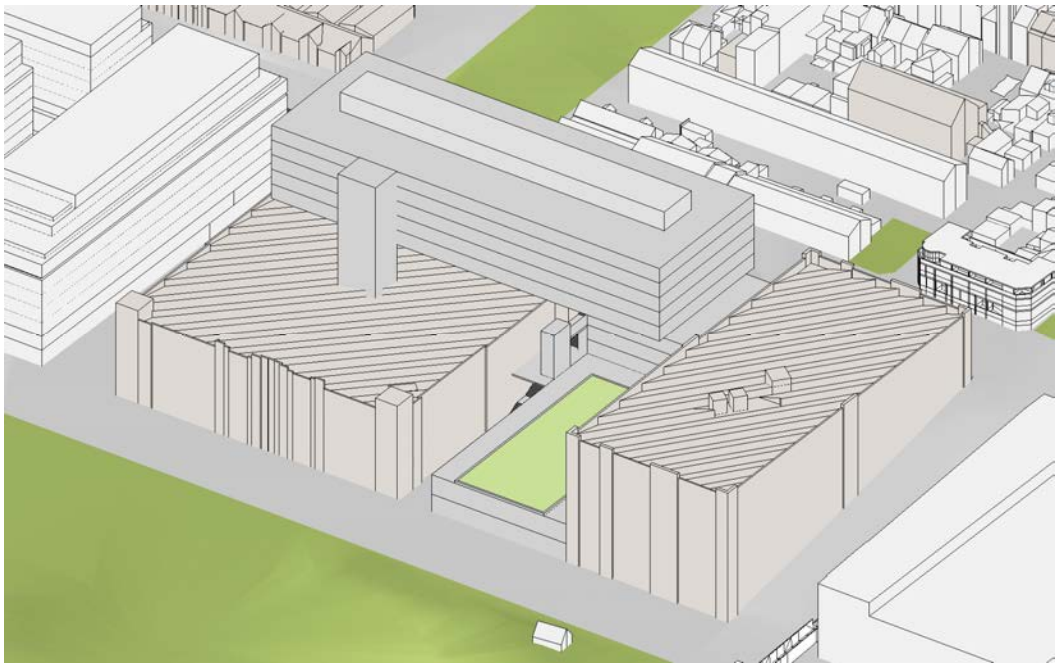


Figure 156 – aerial view of modified scheme for 28-48 Wattle Street

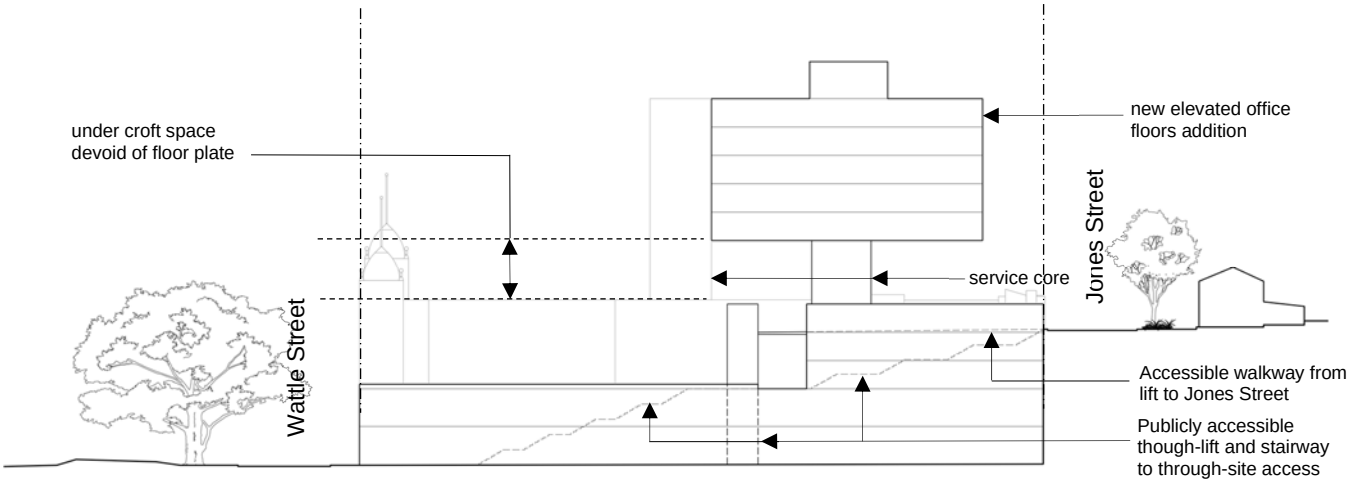


Figure 157 – cross section of modified scheme for 28-48 Wattle Street

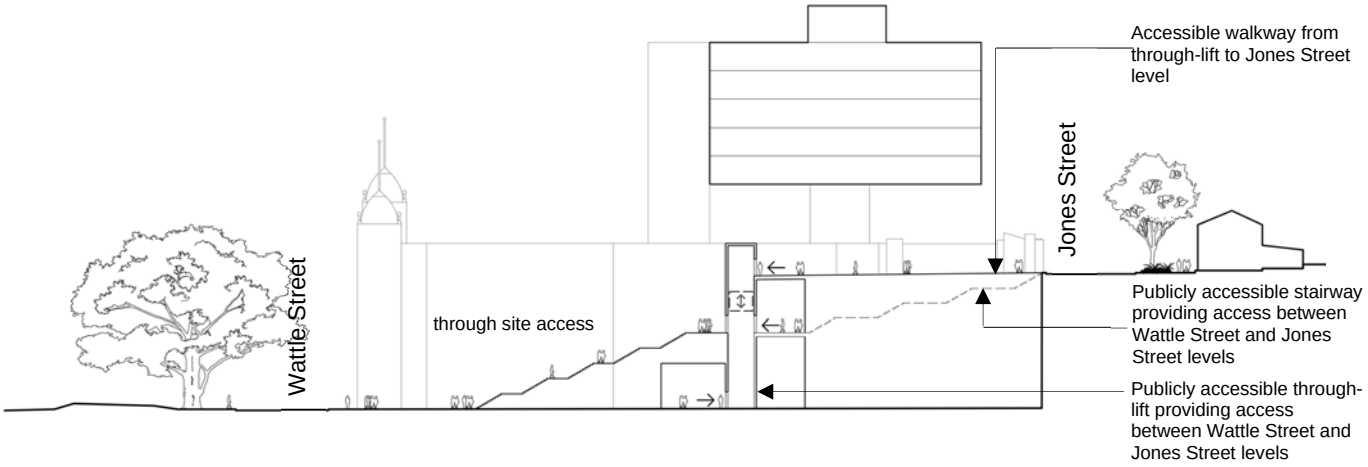


Figure 158 - cross section of through-site access for 28-48 Wattle Street

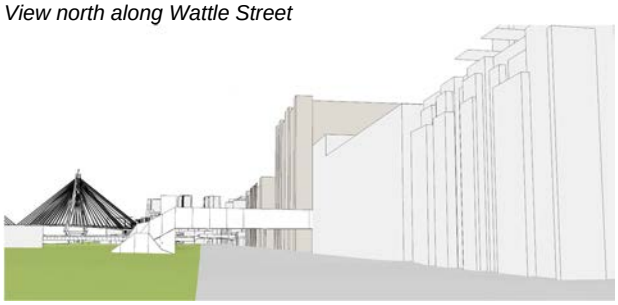
Visualisation



Figure 158 – view locations

Existing

View north along Wattle Street



View east across Wentworth Park



View south along Jones Street

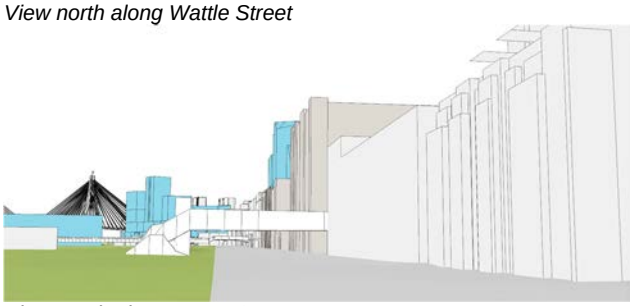


View north along Jones Street

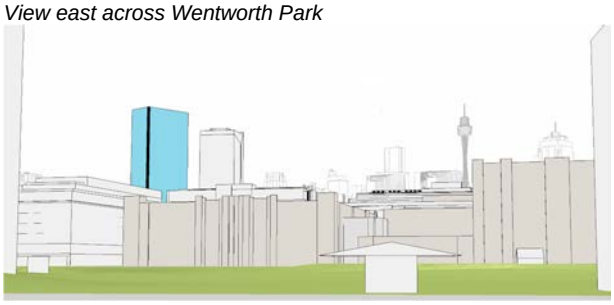


Existing + approved

View north along Wattle Street



View east across Wentworth Park



View south along Jones Street

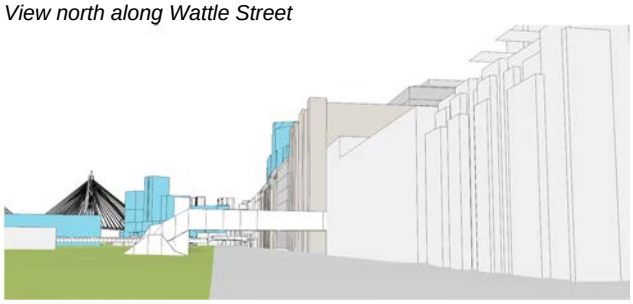


View north along Jones Street

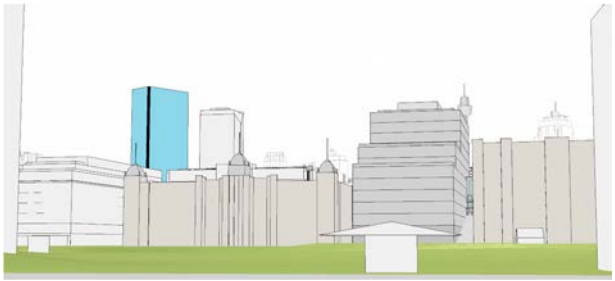


Exhibited controls

View north along Wattle Street



View east across Wentworth Park



View south along Jones Street

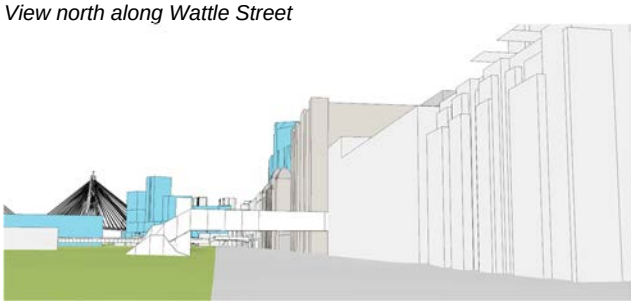


View north along Jones Street

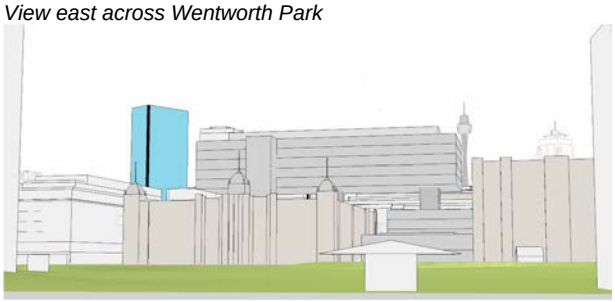


Proposed modified controls

View north along Wattle Street



View east across Wentworth Park



View south along Jones Street



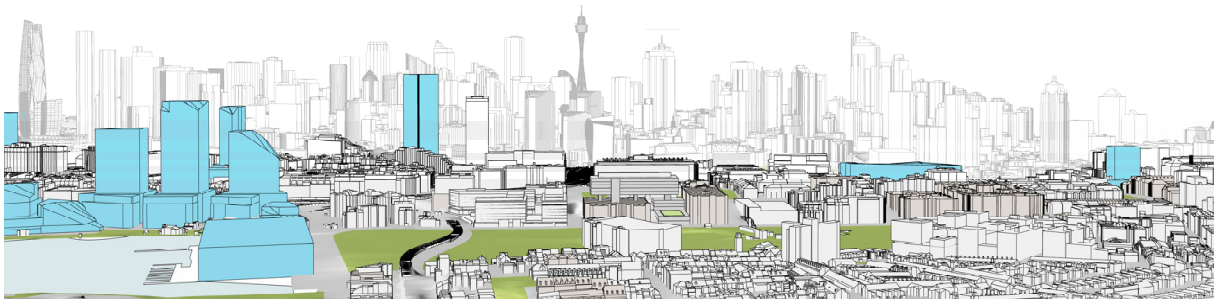
View north along Jones Street



Aerial view across Pyrmont and Ultimo, looking east – exhibited controls



Aerial view across Pyrmont and Ultimo, looking east – modified controls



Attachment G3

Amended Ultimo Pyrmont Urban Design Study – Part 3

50-54 Wattle Street

Overview

50-54 Wattle Street (Lot 1 DP 62297) is located between Wentworth Park and the Ultimo Heritage Conservation Area. The site has frontages (clockwise) to Wattle Street to the west, Jones Street to the east and Quarry Street to the south, as can be seen in Figure 159 and Figure 160.



Figure 159 – location plan of 50-54 Wattle Street



Figure 160 – oblique aerial of 50-54 Wattle Street

Background
50-54 Wattle Street was included in the Department of Planning's initial study. In this review it was given an FSR of 5.0:1, as shown in Figure 161, with the height limit to be set at the Solar Access Plane as defined within the Pyrmont Peninsula Place Strategy (refer Figure 162), however the envelope shown in Figure 161 protrudes into this plane. The study did not consider the significant heritage value of the existing sawtooth roof. These controls can be seen in Table 44 below.

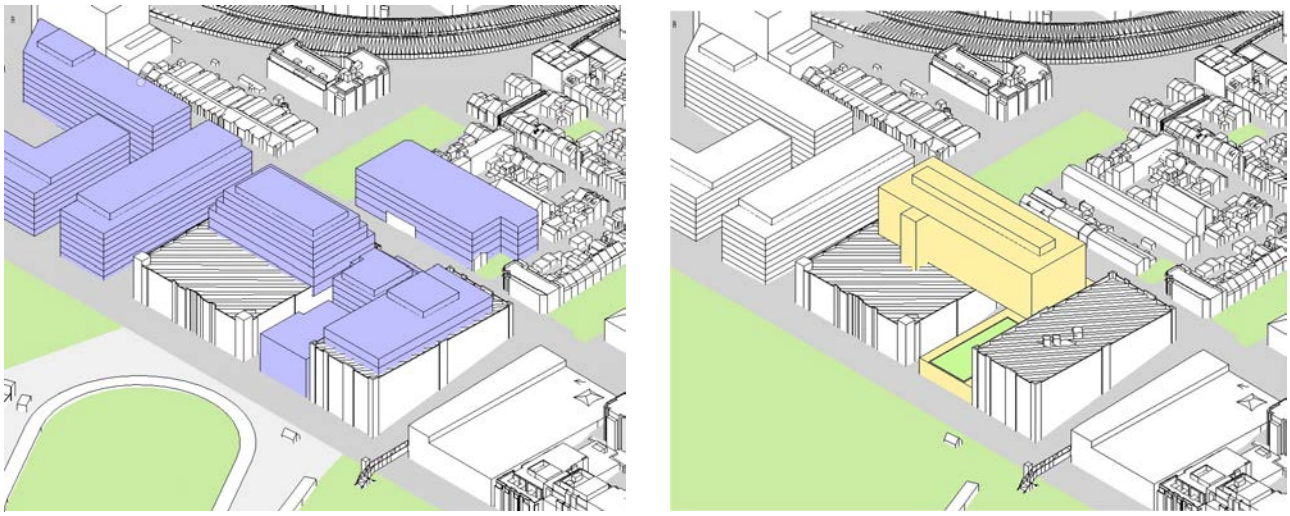


Figure 161 – comparison of Department of Planning's initial study and City of Sydney's study for 50-54 Wattle Street

Table 44 – Department of Planning's initial study for 50-54 Wattle Street

	Department of Planning's initial study	City of Sydney's study
Gross floor area	Commercial	Commercial
Floor space ratio	5.0	4.36 + DesEx** *(1.7 of 3 car park levels converted)*
Height of building	SAP	RL 36.5m *(unchanged)*
Height in storeys	9 *(HiS not specified)*	7^ *(unchanged)*
Notes	Creates additional Wentworth Park overshadowing	Potential for ground level car parking to be reconfigured to connect to central building/future basement

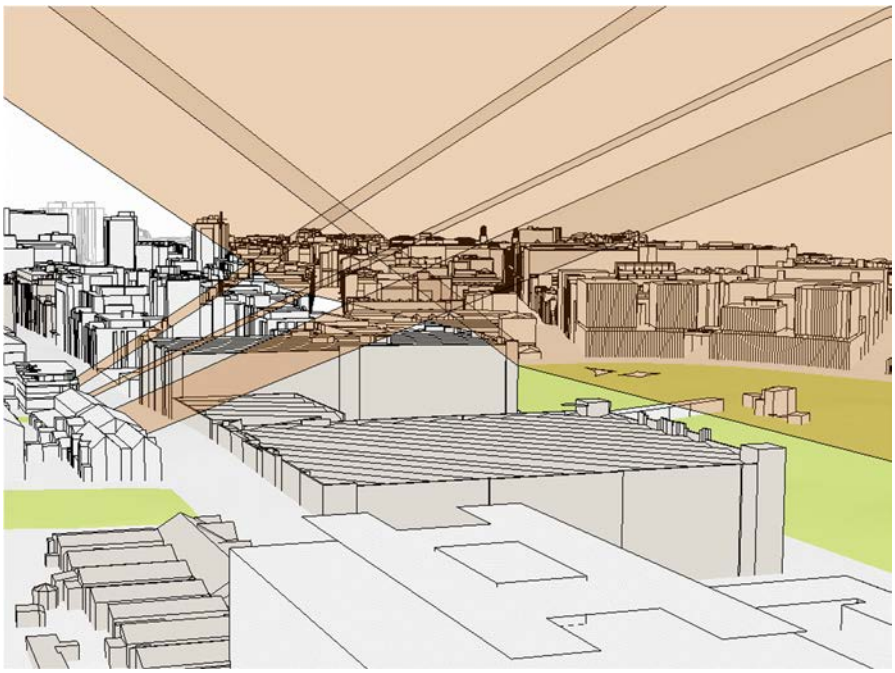


Figure 162 – solar access to neighbouring residential properties and Wentworth Park

Original structure

50-54 Wattle Street was originally built with a saw-tooth roof structure, which remains largely intact. The warehouse utilises a large amount of timber construction, typical of Federation-style warehouses of that era, as shown in Figure 163.

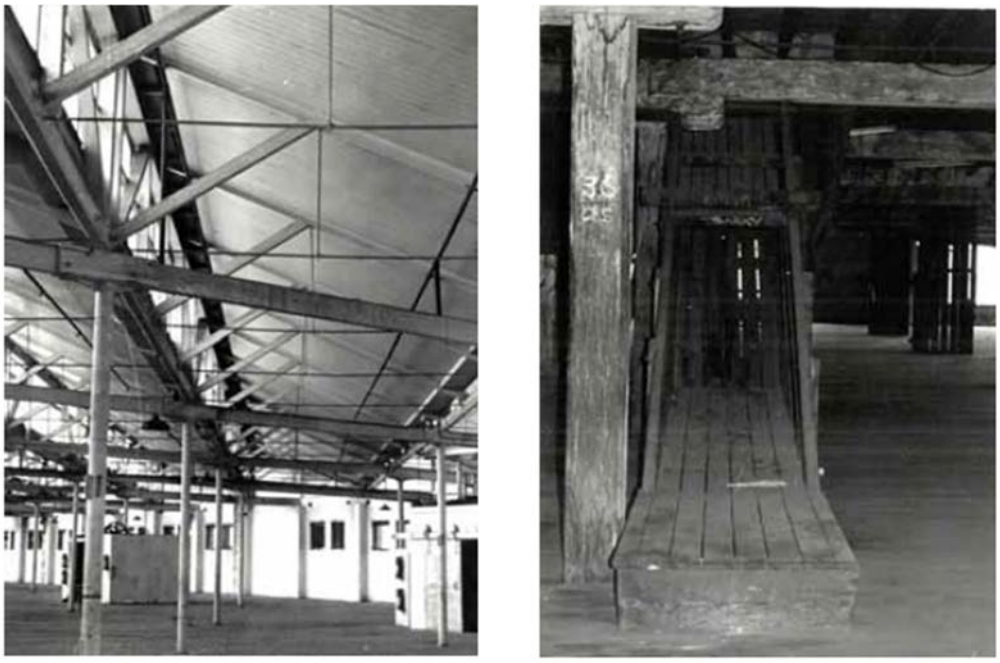


Figure 2-5: Interior of Level 7 and wool chute, photographed circa 1977 (Source: D Basden and others, Commonwealth Wool and Produce Store thesis, 1977).

Figure 163 – top floor interior of 54 Wattle Street c. 1977

Existing controls

50-54 Wattle Street is currently occupied by a seven storey Federation-style former Woodstore, with the lower three levels occupied by car parking and the upper four refurbished as commercial office space. These controls, along with the layout and position of the site can be seen in Table 45 and Figure 164, respectively.

Table 45 – existing building and existing planning controls for 50-54 Wattle Street

	Existing building	Existing controls
Land use & zoning	*Mixed use*	B4 – MU
Floor space ratio	*3.38***	4.0
Height of building	*34m**	33m
Height in storeys	*7*	8
Deep soil	*0%*	10%

NOTES:
***FSR based off figures provided in D/2011/2126 approval*
^Conversion of existing car parking space to GFA (commercial), could result in approx. additional GFA 9,755 sqm (FSR 2.51), bringing the total to 5.89 within the existing building
**Only Wattle Street pediment exceeds height limit*



Figure 164 – existing site plan for 50-54 Wattle Street

Proposed controls
For 50-54 Wattle Street, the proposed controls are to maintain the existing building height and exterior, but increase the FSR to 4:36:1 with a Design Excellence clause to allow refurbishment of existing car parking levels to other uses, as shown in Table 46 and Figure 165.

Table 46 – proposed planning controls for 50-54 Wattle Street

	Existing building	Existing controls	Proposed controls*
Land use & zoning	*Mixed use*	B4 – MU	Commercial
Floor space ratio	*3.38***	4.0	4.36 + DesEx** *(1.7 of 3 car park levels converted)*
Height of building	*34m**	33m	RL 36.5m *(unchanged)*
Height in storeys	*7*	8	7^ *(unchanged)*
Deep soil	*0%*	10%	10%

NOTES

**Relies on conversion of 1.7 levels of existing car parking space to GFA (commercial), resulting in approx. additional GFA 5,540 sqm (FSR 1.43). This would require a site specific car parking reduction provision (similar to Central Sydney), where the existing GFA calculation excludes car parking to allow any space that is converted to be bonus GFA.

*Potential controls are draft only and subject to further detailed study

^Excluding plant



Figure 165 – proposed site plan for 50-54 Wattle Street (exterior of building unchanged)

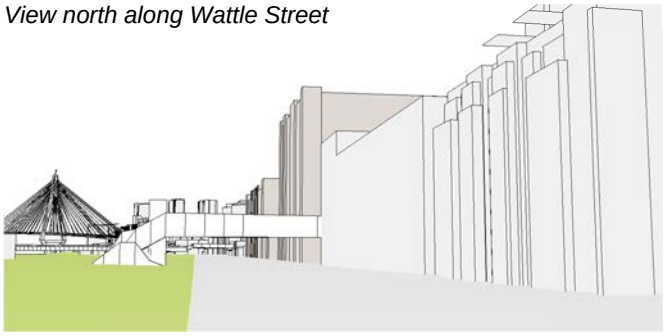
Visualisation



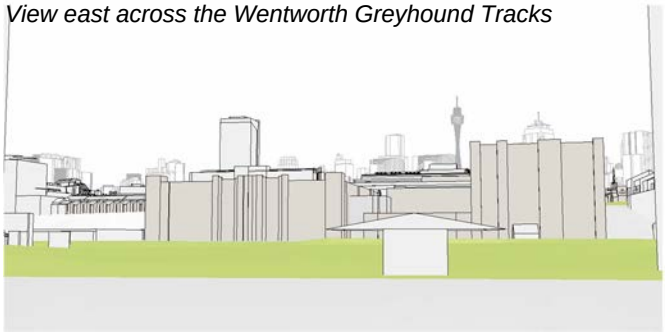
Figure 166 – view locations

Existing

View north along Wattle Street



View east across the Wentworth Greyhound Tracks



View south along Jones Street

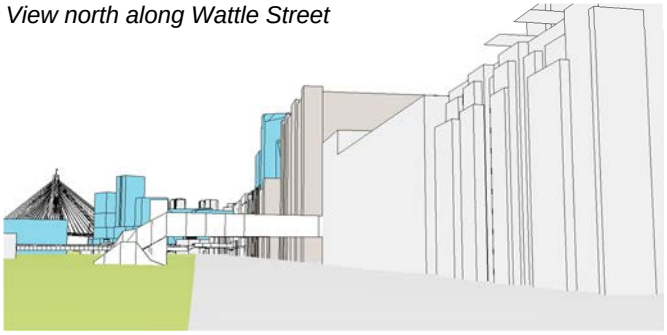


View north along Jones Street

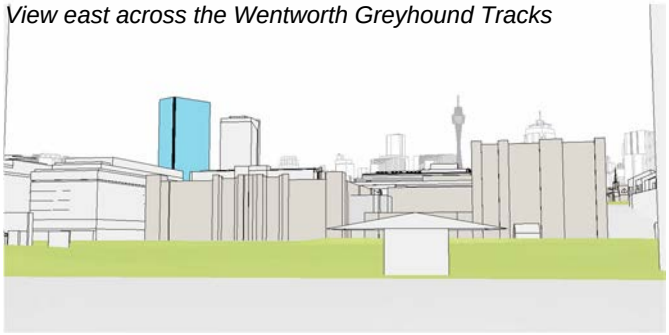


Existing + approved

View north along Wattle Street



View east across the Wentworth Greyhound Tracks



View south along Jones Street

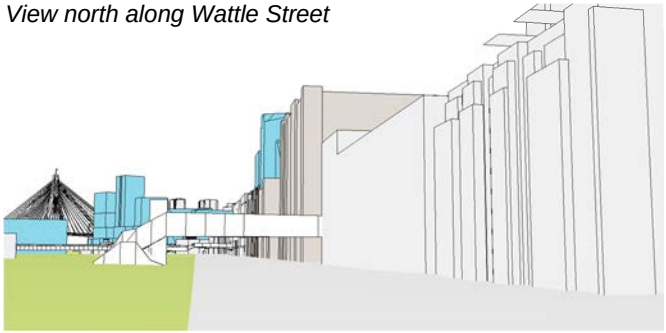


View north along Jones Street



Proposed (unchanged)

View north along Wattle Street



View east across the Wentworth Greyhound Tracks



View south along Jones Street



View north along Jones Street



469-483 Harris Street

Overview

469-483 Harris Street contains six separate lots on the western side of Harris Street, between Quarry Street and William Henry Street, as follows:

– 469 Harris Street (Lot 1 DP 69694)

– 471 Harris Street (Lot 1 DP 64212)

– 473-475 Harris Street (Lot 1 DP 64213)

– 477-479 Harris Street (Lot 1 DP 90991, and Lot 2 DP 90991)

– 481 Harris Street (Lot 3 DP 90991)

– 483 Harris Street (Lot 4 DP 90991)

469-483 have three frontages (clockwise); Kirk Street to the west, Harris Street to the east and Harrison Lane to the south. The location and existing buildings can be seen in Figure 167 and Figure 168.



Figure 167 – location plan of 469-483 Harris Street



Figure 168 – oblique aerial of 469-483 Harris Street

Background
469-483 Harris Street was not included in the Department of Planning's initial study. Subsequently, the City reviewed all of the sites in the peninsula and 469-483 Harris Street was identified as a site capable of change.

Existing controls
469-483 Harris Street are currently occupied by a mixture of two-storey commercial, retail and shop-top houses. These controls, along with the layout and position of the site can be seen in Table 47 and Figure 169, respectively.

Table 47 – existing building and existing planning controls for 469-483 Harris Street

	Existing buildings	Existing controls
469-471 Harris Street (amalgamated)		
Land use & zoning	*Commercial & residential*	MU1 – MU
Floor space ratio	*1.59 approx.*	1.5
Height of building	*8m*	9m
Height in storeys	*2*	2
Deep soil	-	10%
473-475 Harris Street		
Land use & zoning	*Commercial & residential*	MU1 – MU
Floor space ratio	*1.48 approx.*	1.5
Height of building	*7m*	9m
Height in storeys	*2*	2
Deep soil	-	10%
477-479 Harris Street		
Land use & zoning	*Commercial & residential*	MU1 – MU
Floor space ratio	*2.0 approx.*	1.5
Height of building	*8m*	9m
Height in storeys	*2*	2
Deep soil	-	10%
481-483 Harris Street (amalgamated)		
Land use & zoning	*Commercial & residential*	MU1 – MU
Floor space ratio	*1.75 approx.*	1.5
Height of building	*8m*	9m
Height in storeys	*2*	2
Deep soil	-	10%



Figure 169 – existing site plan for 469-483 Harris Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

Courtyards at the centre of the site provide deep soil for the planting of trees.

More public space for more people – streets and open spaces –

The street wall building form and small site sizes combine such that new public space on this site is not appropriate.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 170).

Reinforce **'street wall' form** of most buildings –

The height of the building along Harris Street responds to the existing heights of nearby buildings extending the existing street wall. Similarly on Kirk Street the building height responds to the heights of the existing buildings opposite.

Conserve **heritage** values –

The are no heritage items on the site.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is exposed to noise from Harris Street, a busy road. The building form is designed to be narrow in depth and continuous to Harris Street to form a barrier to noise. Larger rear wings combine with the narrow depth to enable openable windows to habitable rooms and private open space to face away from the noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

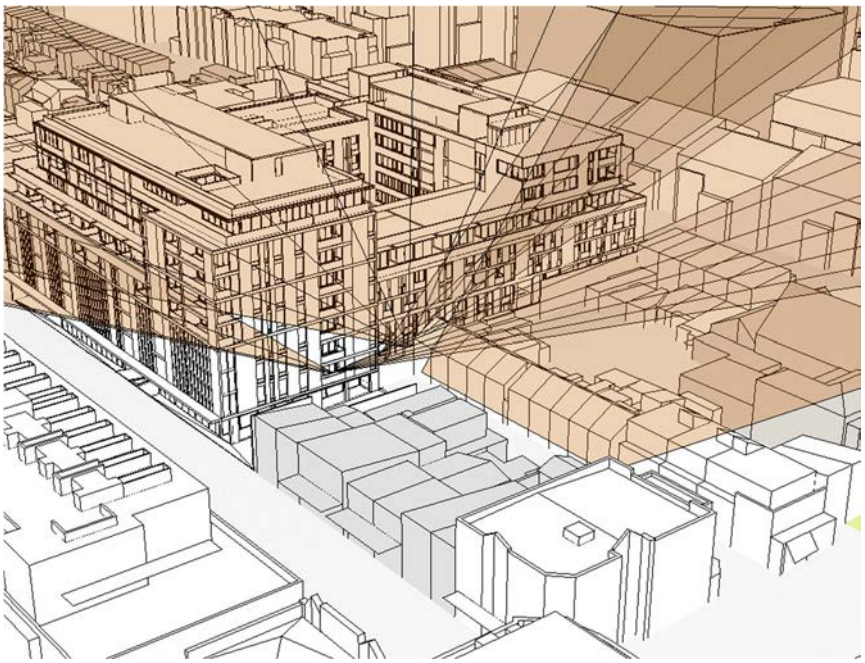


Figure 170 – solar access to neighbouring residential properties

Proposed controls

For 469-483 Harris Street, the proposed controls are for residential uses, with ground floor retail uses to Harris Street. As shown Table 48, a different FSR and height has been developed for each site; with all having a deep soil requirement for at least 15% of the site. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 171

Table 48 – proposed planning controls for 469-483 Harris Street

	Existing building	Existing controls	Proposed controls
469-471 Harris Street (amalgamated)			
Land use & zoning	*Commercial & residential*	MU1 – MU	Mixed use
Floor space ratio	*1.59 approx.*	1.5	2.65
Height of building	*8m*	9m	27m
Height in storeys	*2*	2	7
Deep soil	-	10%	15%
473-475 Harris Street			
Land use & zoning	*Commercial & residential*	MU1 – MU	Mixed use
Floor space ratio	*1.48 approx.*	1.5	2.65
Height of building	*7m*	9m	27m
Height in storeys	*2*	2	7
Deep soil	-	10%	15%
477-479 Harris Street			
Land use & zoning	*Commercial & residential*	MU1 – MU	Mixed use
Floor space ratio	*2.0 approx.*	1.5	2.65
Height of building	*8m*	9m	27m
Height in storeys	*2*	2	7
Deep soil	-	10%	15%
481-483 Harris Street (amalgamated)			
Land use & zoning	*Commercial & residential*	MU1 – MU	Mixed use
Floor space ratio	*1.75 approx.*	1.5	1.61
Height of building	*8m*	9m	18m
Height in storeys	*2*	2	4
Deep soil	-	10%	15%



Figure 171 – proposed site plan for 469-483 Harris Street

Visualisation

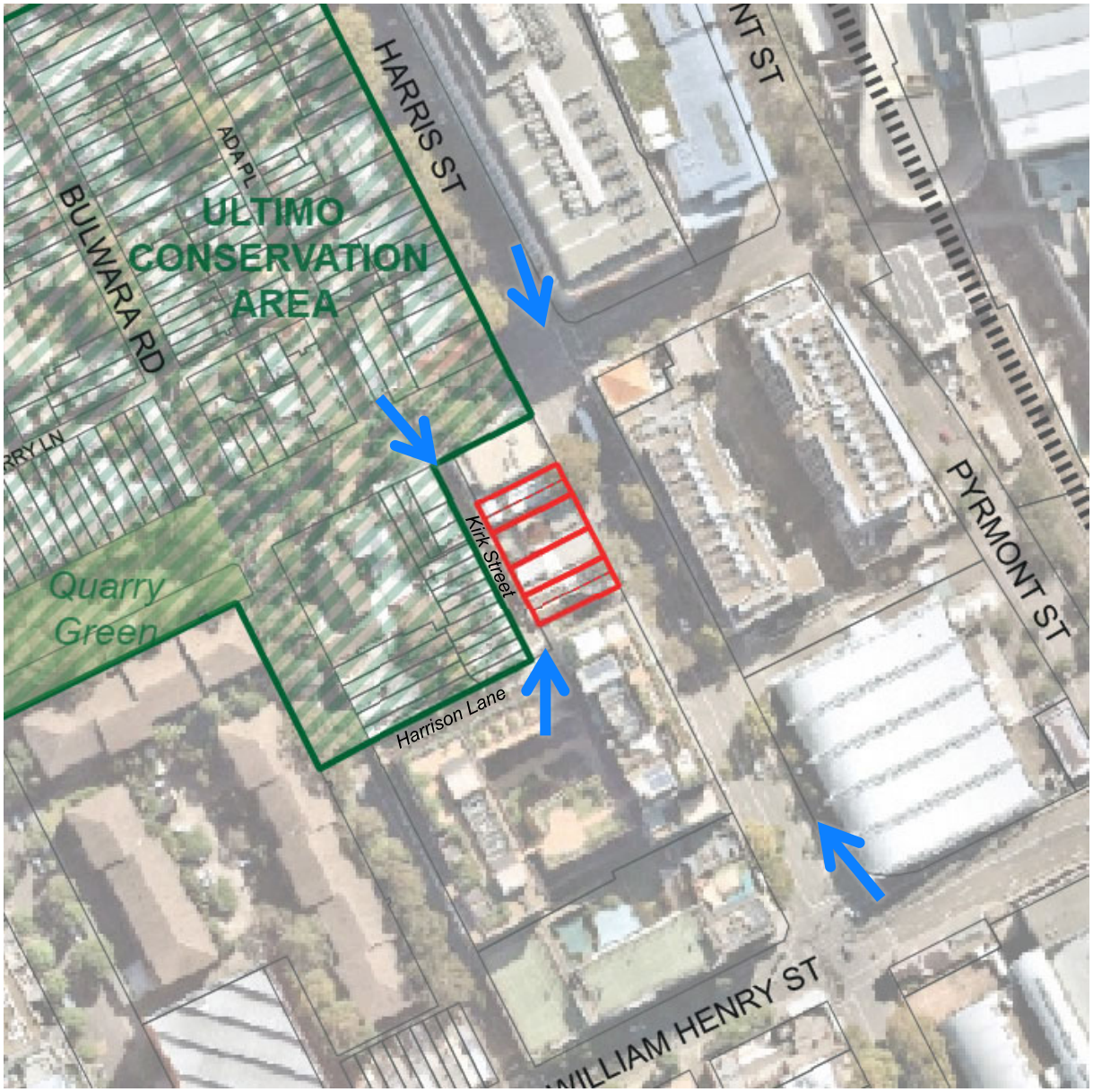


Figure 172 – view locations

Existing

View south along Harris Street



View north along Harris Street



View south along Kirk Street



View north along Kirk Street



Existing + approved

View south along Harris Street



View north along Harris Street



View south along Kirk Street



View north along Kirk Street



Proposed

View south along Harris Street



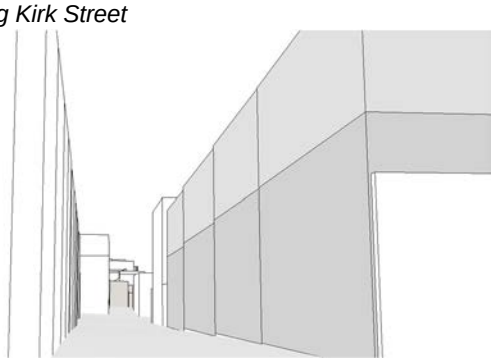
View north along Harris Street



View south along Kirk Street



View north along Kirk Street



535-547 Harris Street

Overview

535-547 Harris Street contains seven separate lots on the western side of Harris Street, between William Henry Street and Macarthur Street, as follows:

– 535 Harris Street (Lot 1 DP 928999)

– 537 Harris Street (Lot 2 DP 928999)

– 539 Harris Street (Lot 3 DP 928999)

– 541 Harris Street (Lot 4 DP 928999)

– 543 Harris Street (Lot 5 DP 928999)

– 545 Harris Street (Lot 6 DP 928999)

– 547 Harris Street (Lot 7 DP 928999)

535-547 has two frontages (clockwise); Hackett Street to the west, and Harris Street to the east. The location and existing buildings can be seen in Figure 173 and Figure 174.



Figure 173 – location plan of 535-547 Harris Street



Figure 174 – oblique aerial of 535-547 Harris Street

Background

535-547 Harris Street was not included in the Department of Planning's initial study. Subsequently, the City reviewed all of the sites in the peninsula and 535-547 Harris Street was identified as a site capable of change.

Existing controls

535-547 Harris Street are currently occupied by five two storey terrace houses across the northern five lots, with the southern two currently vacant. The existing controls, along with the layout and position of the site can be seen Table 49 and Figure 175, respectively.

Table 49 – existing building and existing planning controls for 535-547 Harris Street

	Existing buildings	Existing controls
Land use & zoning	*Vacant & residential*	B1 – NC
Floor space ratio	*varies*	3.5
Height of building	*6-7.5m*	22m
Height in storeys	*0-2*	5
Deep soil	*varies*	10%



Figure 175 – existing site plan for 535-547 Harris Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The rear setback provides deep soil for the planting of trees to Hackett Street.

More public space for more people – streets and open spaces –

The rear lane setback is publicly accessible open space that extends the public space of Hackett Street.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 176).

Reinforce **'street wall' form** of most buildings –

The height of the building along Harris Street responds to the existing heights of nearby buildings extending the existing street wall.

Conserve **heritage** values –

The are no heritage items on the site.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is exposed to noise from Harris Street, a busy road. The building form is designed to be narrow in depth and continuous to Harris Street to form a barrier to noise. Larger rear wings combine with the narrow depth to enable openable windows to habitable rooms and private open space to face away from the noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

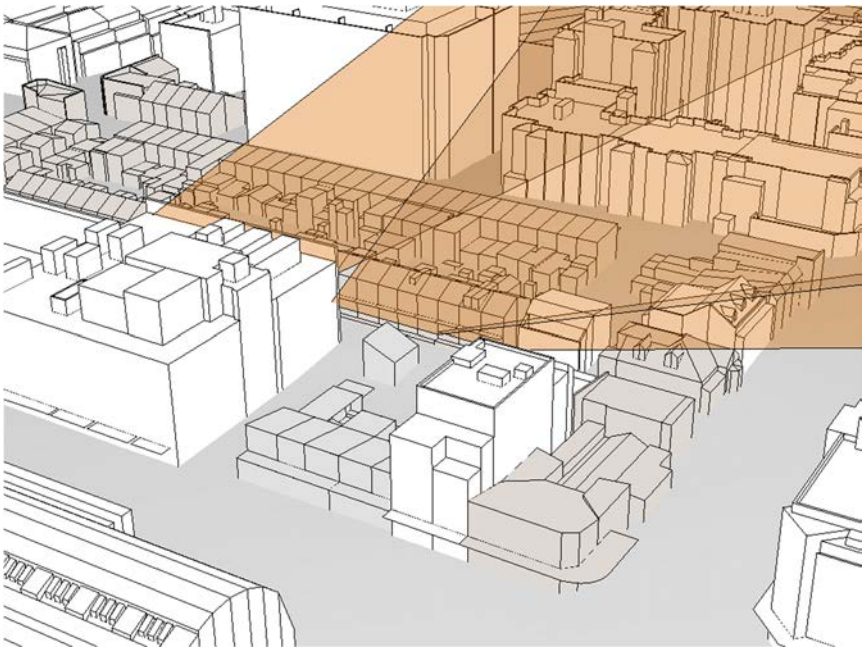


Figure 176 – solar access to adjoining residential properties

Proposed controls

For 535-547 Harris Street, the proposed controls are for a residential use, with ground floor retail uses to Harris Street. The site is to have an FSR of 3.33:1 with a Design Excellence clause; a height limit of 41.5 metres and 12 storeys; and a deep soil requirement for at least 15% of the site, as shown in Table 50 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 177.

Table 50 – proposed planning controls for 535-547 Harris Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	***Vacant & residential***	**B1 – NC**	**Mixed use**
Floor space ratio	*varies*	3.5	3.33 + DesEx *Comm = .53* *Res = 3.13*
Height of building	*6-7.5m*	22m	41.5m
Height in storeys	*0-2*	5	12^
Deep soil	*varies*	10%	10%



Figure 177 – proposed site plan for 535-547 Harris Street

Visualisation

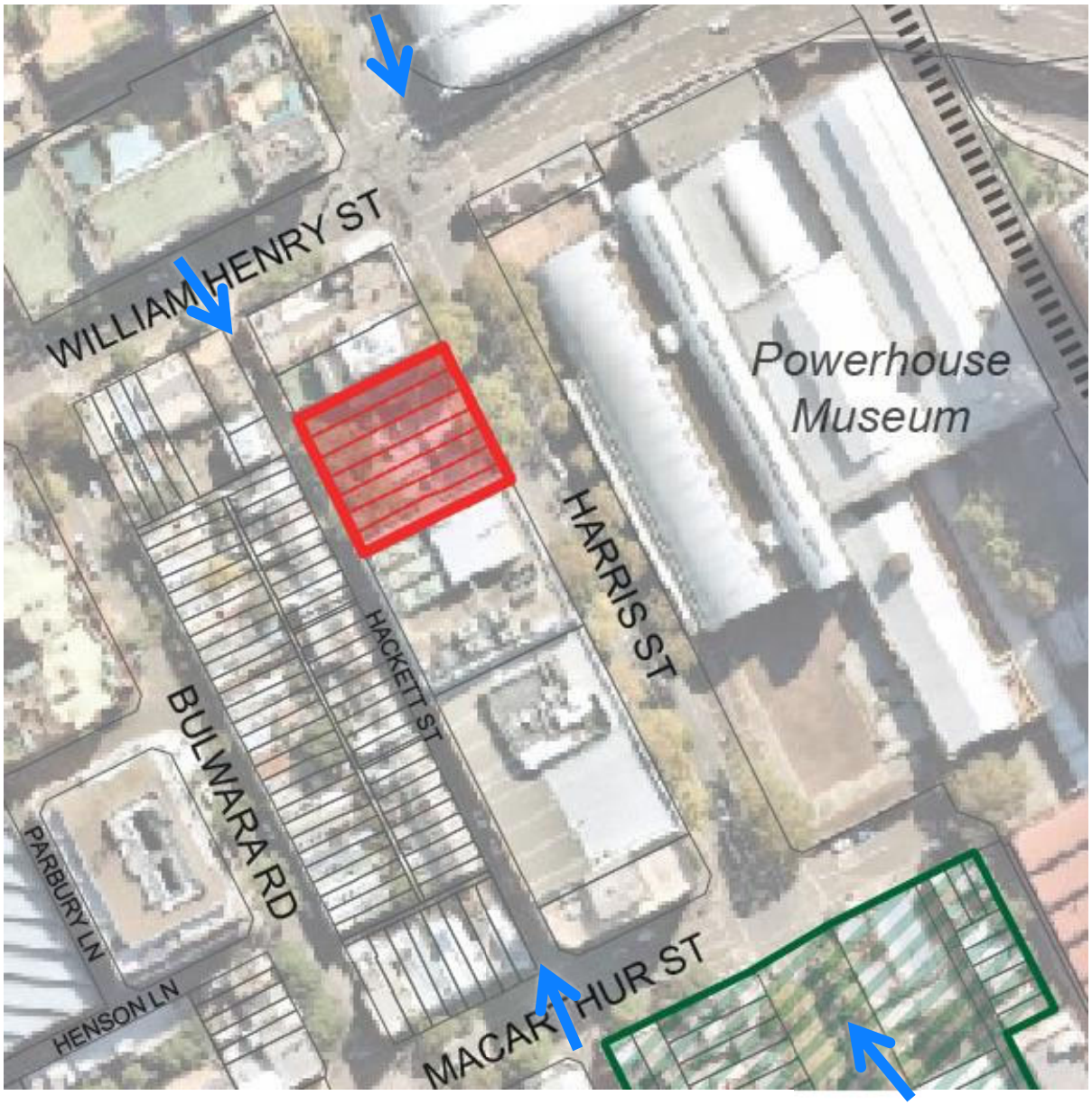


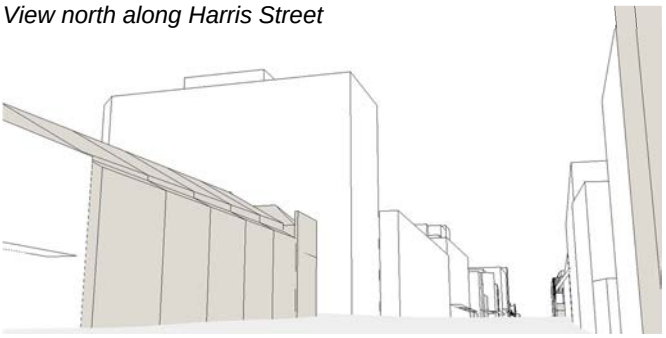
Figure 178 – view locations

Existing

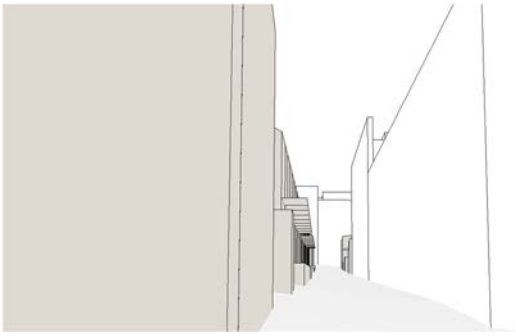
View south along Harris Street



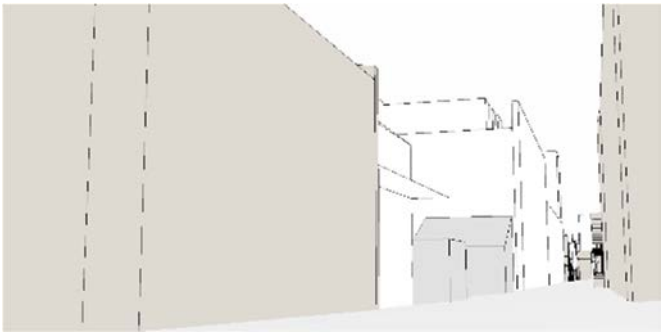
View north along Harris Street



View north along Hackett Street



View south along Hackett Street

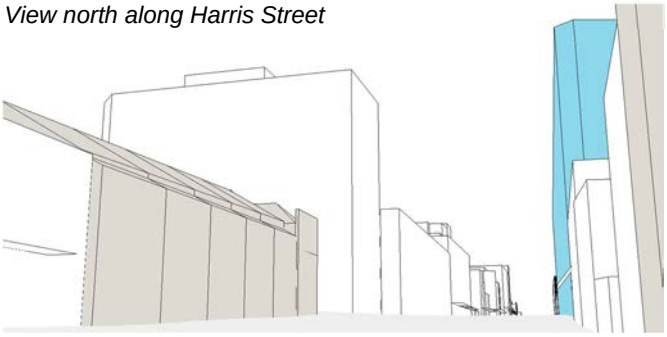


Existing + approved

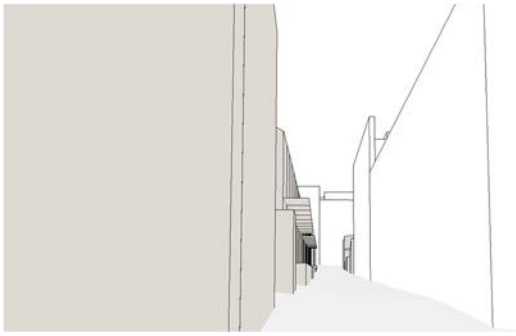
View south along Harris Street



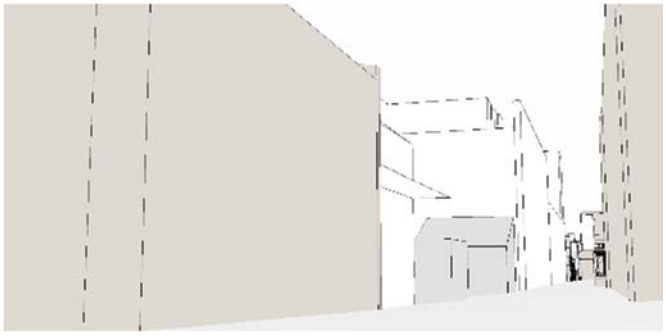
View north along Harris Street



View north along Hackett Street

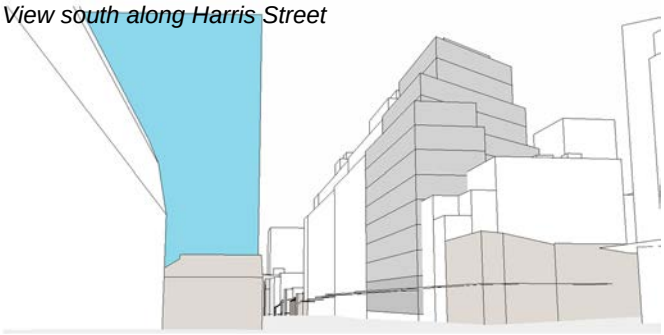


View south along Hackett Street

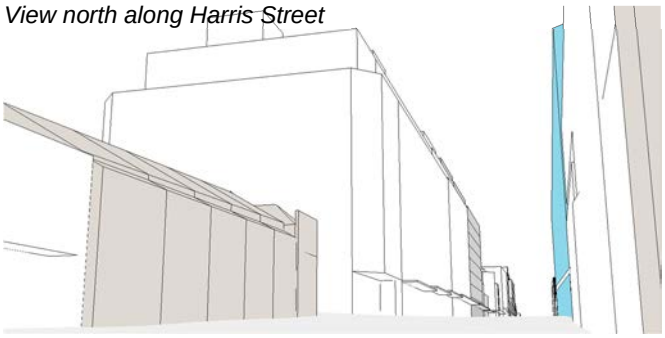


Proposed

View south along Harris Street



View north along Harris Street



View north along Hackett Street



View south along Hackett Street



549-559 Harris Street

Overview

549-559 Harris Street (Lot 1 DP 79179) is located on the western side of Harris Street, between William Henry Street and Macarthur Street. The site has two frontages (clockwise); Hackett Street to the west, and Harris Street to the east. The location and existing buildings can be seen in Figure 179 and Figure 180.



Figure 179 – location plan of 549-559 Harris Street

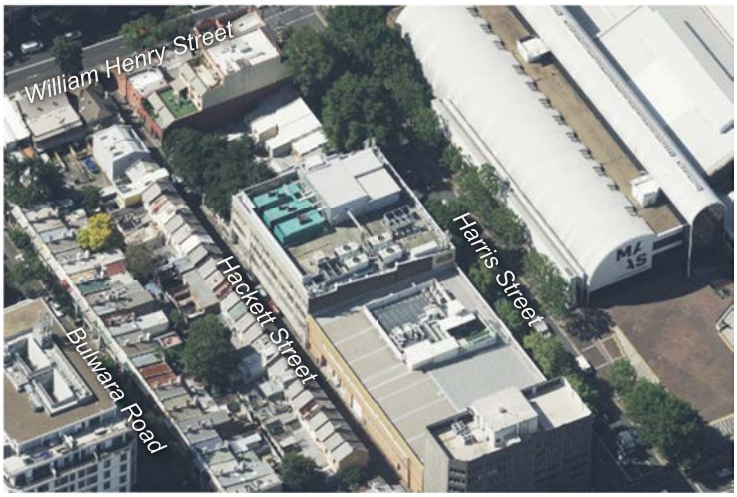


Figure 180 – oblique aerial of 549-559 Harris Street

Background
549-559 was included in the Department of Planning's initial study. In this review it was given an FSR of 5.0:1 and a height of 35m. The study did not consider good design for noise, the amenity of Hackett Street, the need for greening and more publicly accessible space, and effects of sunlight on surrounding sites. This form and the associated study figures can be seen in Figure 181 and Table 51.

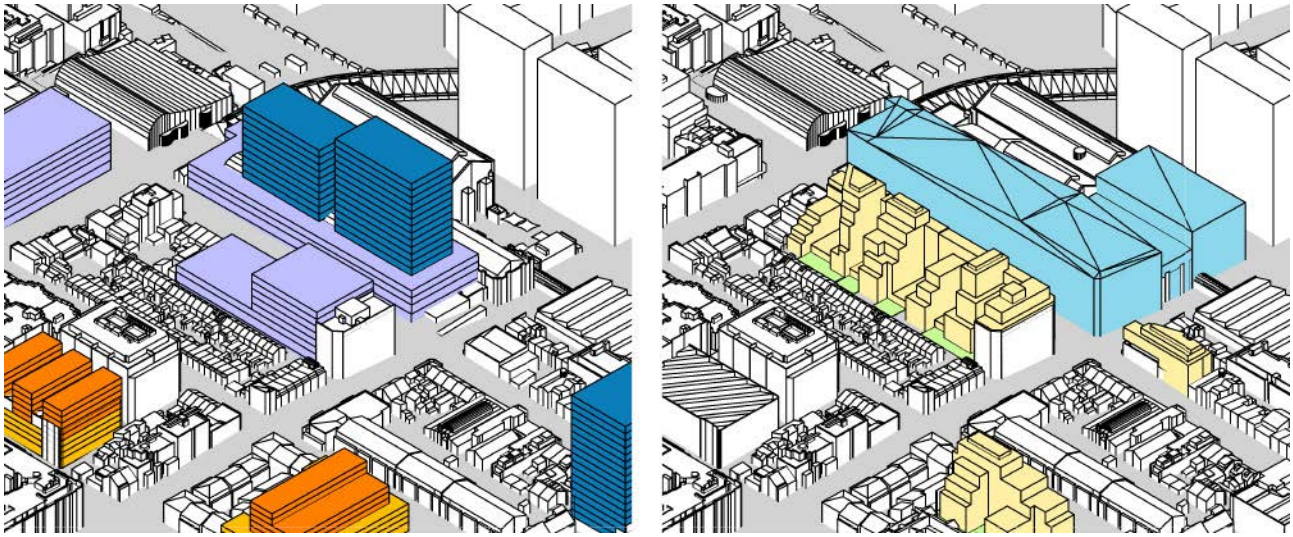


Figure 181 – comparison of Department of Planning's initial study and City of Sydney's study for 549-559 Harris Street

Table 51 – Department of Planning's initial study for 549-559 Harris Street

	Department of Planning's initial study	City of Sydney's study
Gross floor area	6,740 sqm*	5,365 sqm
Floor space ratio	5.0	3.62 + DesEx
Height of building	35 m	41.5m
Height in storeys	3 *(HiS not specified)*	12^
Deep soil	0%	10%

*Model shown represents GFA of approx. **2,786 sqm (FSR 2.06)** using the City of Sydney's building efficiencies, not the controls indicated above

Existing controls

549-559 Harris Street is currently occupied by a four-storey commercial/industrial building with zero setbacks to all sides. The existing controls, along with the layout and position of the site can be seen in Table 52 and Figure 182, respectively.

Table 52 – existing building and existing planning controls for 549-559 Harris Street

	Existing buildings	Existing controls
Land use & zoning	*Commercial / Industrial*	B1 – NC
Floor space ratio	*4.41 approx.*	4.0
Height of building	*22m*	22m
Height in storeys	*4*	5
Deep soil	*0%*	10%



Figure 182 – existing site plan for 549-559 Harris Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The rear setback provides deep soil for the planting of trees to Hackett Street.

More public space for more people – streets and open spaces –

The rear lane setback is publicly accessible open space that extends the public space of Hackett Street.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 183).

Reinforce **'street wall' form** of most buildings –

The height of the building along Harris Street responds to the existing heights of nearby buildings extending the existing street wall.

Conserve **heritage** values –

The are no heritage items on the site.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is exposed to noise from Harris Street, a busy road. The building form is designed to be narrow in depth and continuous to Harris Street to form a barrier to noise. Larger rear wings combine with the narrow depth to enable openable windows to habitable rooms and private open space to face away from the noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

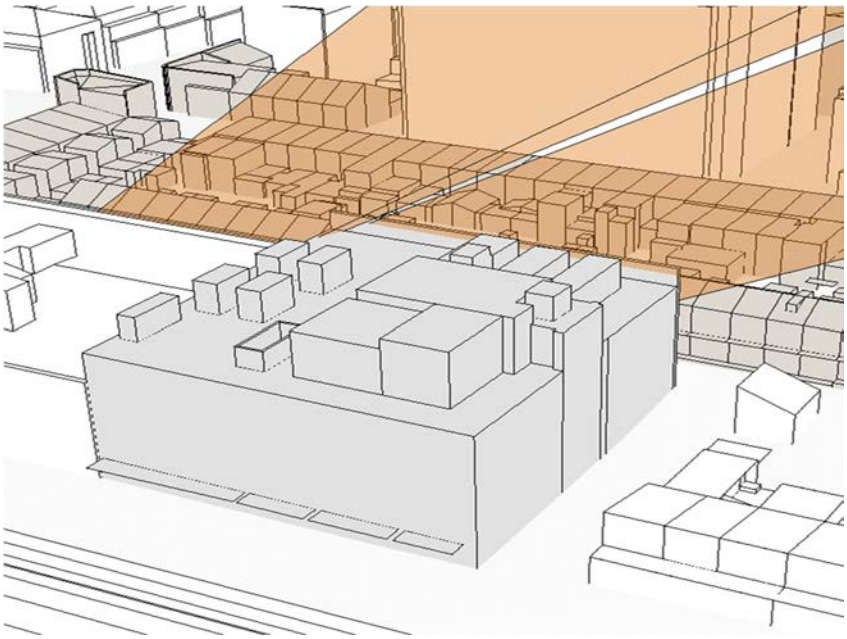


Figure 183 – solar access to adjoining residential properties

Proposed controls

For 549-559 Harris Street, the proposed controls are for a residential use, with ground floor retail uses to Harris Street. The site is to have an FSR of 3.62:1 with a Design Excellence clause; a height limit of 41.5 metres and 12 storeys; and a deep soil requirement for at least 15% of the site, as shown in Table 53 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 184.

Table 53 – proposed planning controls for 549-559 Harris Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Commercial / Industrial*	B1 – NC	Mixed use
Floor space ratio	*4.41 approx.*	4.0	3.62 + DesEx *Comm = 0.53* *Res = 3.45*
Height of building	*22m*	22m	41.5m
Height in storeys	*4*	5	12^
Deep soil	*0%*	10%	10%



Figure 184 – proposed site plan for 549-559 Harris Street

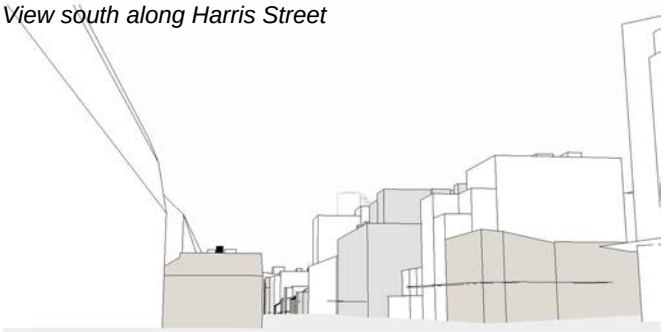
Visualisation



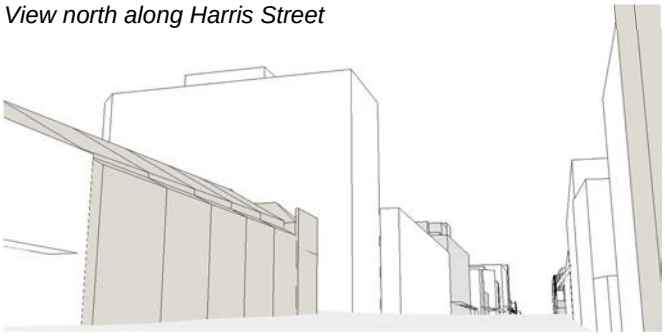
Figure 185 – view locations

Existing

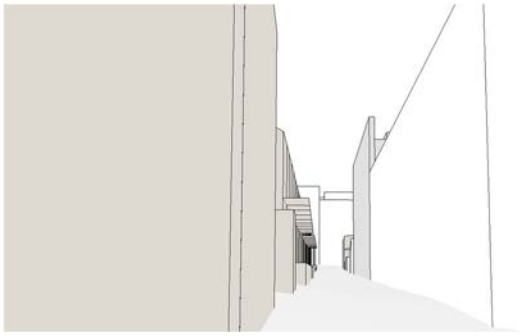
View south along Harris Street



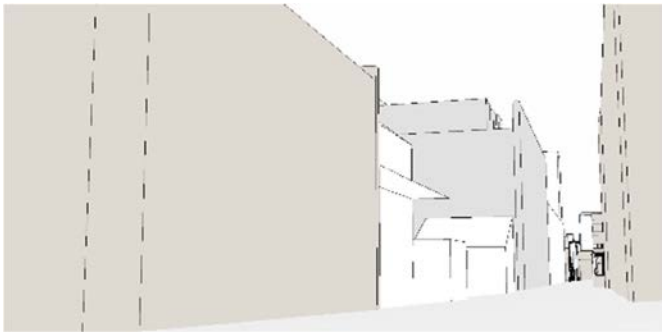
View north along Harris Street



View north along Hackett Street



View south along Hackett Street

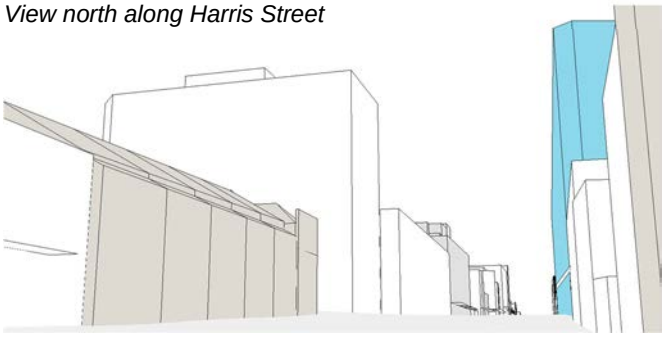


Existing + approved

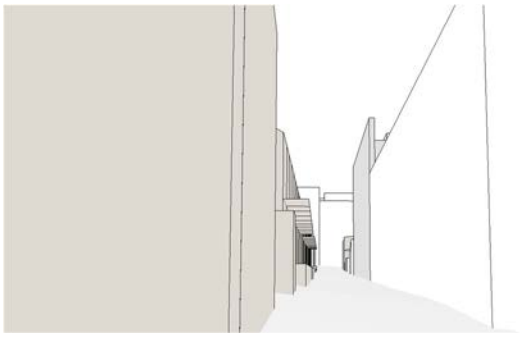
View south along Harris Street



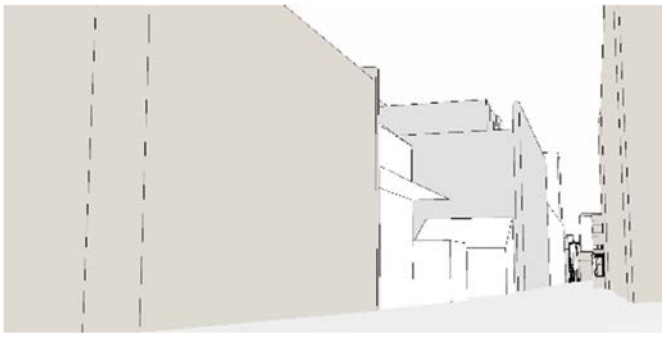
View north along Harris Street



View north along Hackett Street

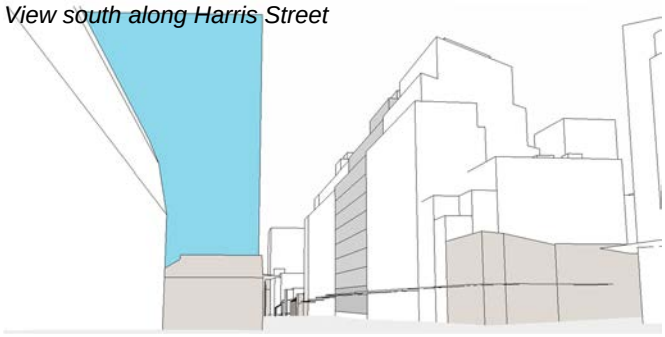


View south along Hackett Street

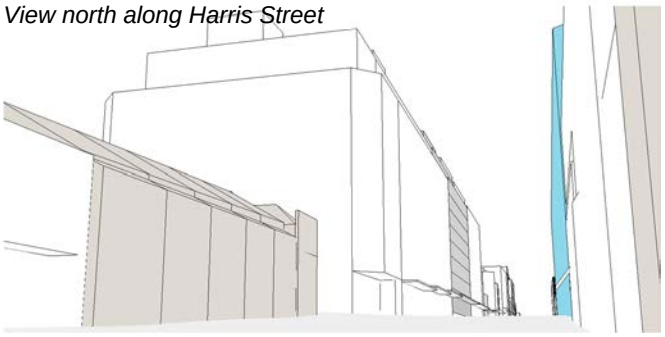


Proposed

View south along Harris Street



View north along Harris Street



View north along Hackett Street



View south along Hackett Street



561-577 & 579-583 Harris Street

Overview

561-577 & 579-583 Harris Street (Lot 1 DP 631356, Lot 1 DP 229201, Lot 2 DP 229201, Lot 1 DP 1102413) is located adjacent the Powerhouse Museum. The site has frontages (clockwise) to Harris Street to the east, Macarthur Street to the south and Hackett Street to the west (refer Figure 187 and Figure 186).



Figure 187 – location plan of 561-577 & 579-583 Harris Street



Figure 186 – aerial view of 561-577 & 579-583 Harris Street

Background
561-577 Harris Street was included in the Department of Planning's initial study (note, 579-583 Harris Street was not included in the Department's study). In this review it was given an FSR of 5.0:1 and a height of 35m. The study did not consider good design for noise, the amenity of Hackett Street, the need for greening and more publicly accessible space, and effects of sunlight on surrounding sites. This form and the associated study figures can be seen in Figure 188 and Table 54.

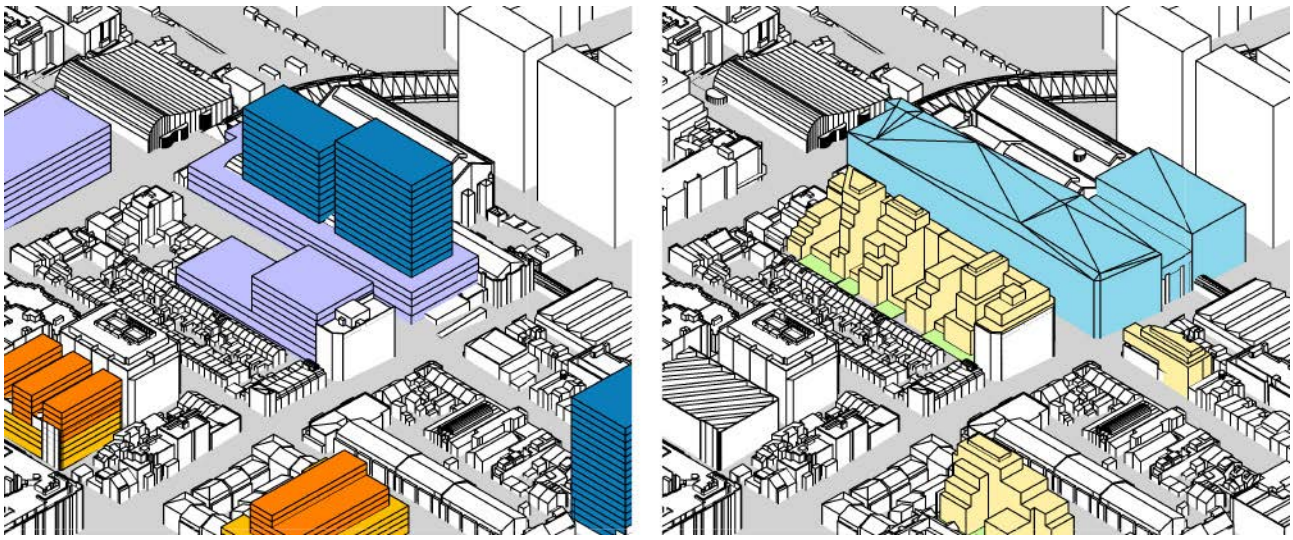


Figure 188 – comparison of Department of Planning's initial study and City of Sydney's study for 561-577 Harris Street

Table 54 – Department of Planning's initial study for 561-577 Harris Street

	Department of Planning's initial study	City of Sydney's study *(561-577 Harris Street only)*
Gross floor area	9,940 sqm	7,428 sqm
Floor space ratio	5.0	3.40 DesEx
Height of building	35 m	41.5m
Height in storeys	8 *(HiS not specified)*	12^
Deep soil	0%	15%

Existing controls

561-577 Harris Street is currently occupied by a three-storey commercial building with zero setbacks to all sides. 579-583 Harris Street is currently occupied by commercial building with seven levels of commercial office space above two levels of car parking. The existing controls, along with the layout and position of the site can be seen in Table 55 and Figure 189, respectively.

Table 55 – existing building and existing planning controls for 561-577 & 579-583 Harris Street

	Existing building	Existing controls
561-577 Harris Street		
Land use & zoning	*Commercial*	B1 – NC
Floor space ratio	*1.95 approx.*	4.0
Height of building	*17.5m*	22m
Height in storeys	*3*	5
Deep soil	*0%*	10%
579-583 Harris Street		
Land use & zoning	*Commercial*	B1 – NC
Floor space ratio	*6.47 approx.*	6.3
Height of building	*29m*	35m
Height in storeys	*7*	9
Deep soil	*0%*	10%

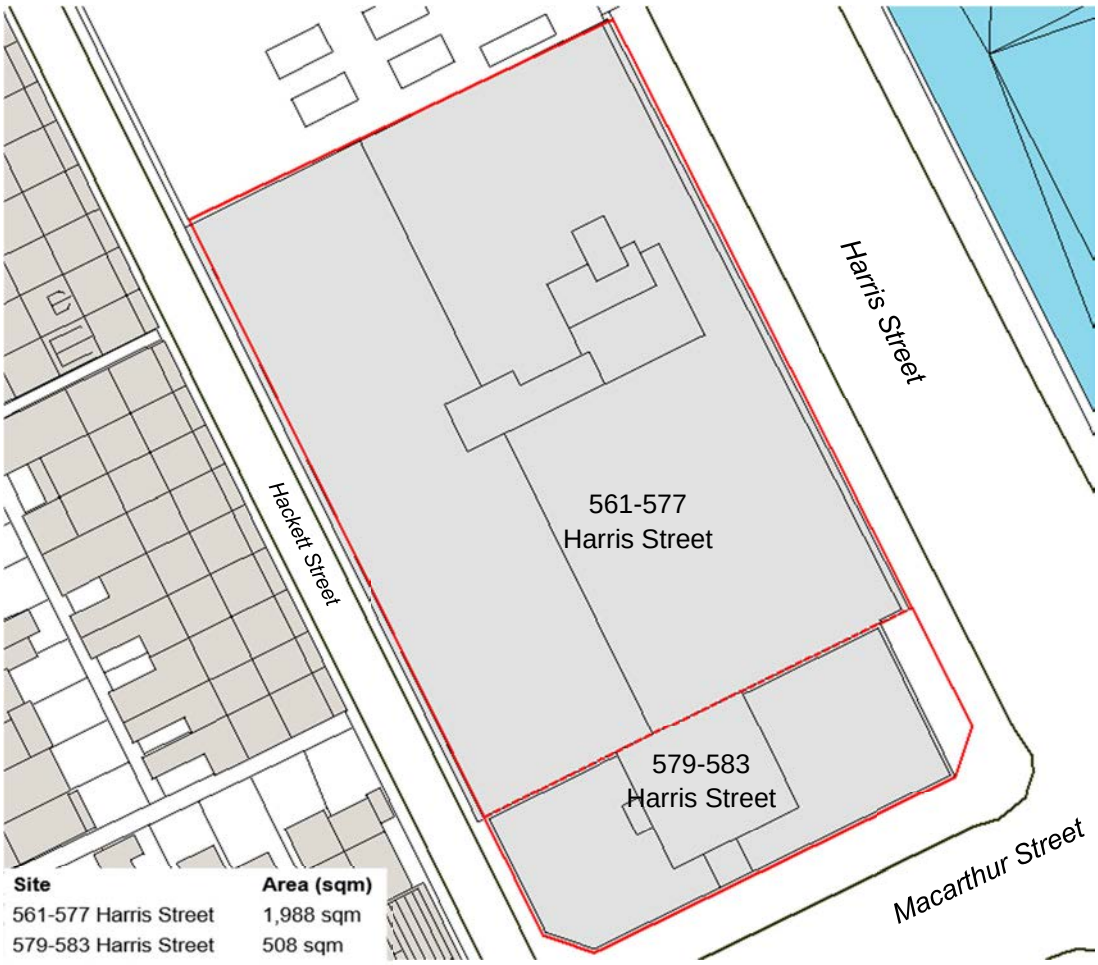


Figure 189 – existing site plan for 561-577 & 579-583 Harris Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The rear setback provides deep soil for the planting of trees to Hackett Street.

More public space for more people – streets and open spaces –

The rear lane setback is publicly accessible open space that extends the public space of Hackett Street.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 190).

Reinforce **'street wall' form** of most buildings –

The height of the building along Harris Street responds to the existing heights of nearby buildings extending the existing street wall.

Conserve **heritage** values –

The are no heritage items on the site.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is exposed to noise from Harris Street, a busy road. The building form is designed to be narrow in depth and continuous to Harris Street to form a barrier to noise. Larger rear wings combine with the narrow depth to enable openable windows to habitable rooms and private open space to face away from the noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.



Figure 190 – solar access to neighbouring residential properties

Proposed controls

For 561-577 Harris Street, the proposed controls are for a residential use, with ground floor retail uses to Harris Street. The site is to have an FSR of 3.62:1 with a Design Excellence clause; a height limit of 41.5 metres and 12 storeys; and a deep soil requirement for at least 15% of the site. For 579-583 Harris Street, the proposed controls are for a residential use, with ground floor retail uses to Harris and Macarthur Streets. The site is to have an FSR of 6.41:1 with a Design Excellence clause; and a height limit of 38 metres and 10 storeys. The controls for both sites can be seen in Table 56 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 191.

Table 56 – proposed planning controls for 561-577 & 579-583 Harris Street

	Existing building	Existing controls	Proposed controls
561-577 Harris Street			
Land use & zoning	*Commercial*	B1 – NC	Mixed use
Floor space ratio	*1.95 approx.*	4.0	3.40 + DesEx *Comm = 0.53* *Res = 3.20*
Height of building	*17.5m*	22m	41.5m
Height in storeys	*3*	5	12^
Deep soil	*0%*	10%	15%
579-583 Harris Street			
Land use & zoning	*Commercial*	B1 – NC	Mixed use
Floor space ratio	*6.47 approx.*	6.3	6.41 + DesEx *Comm = 0.80* *Res = 6.25*
Height of building	*29m*	35m	38.0m
Height in storeys	*7*	9	10^
Deep soil	*0%*	10%	-



Figure 191 – proposed site plan for 561-577 & 579-583 Harris Street

Visualisation



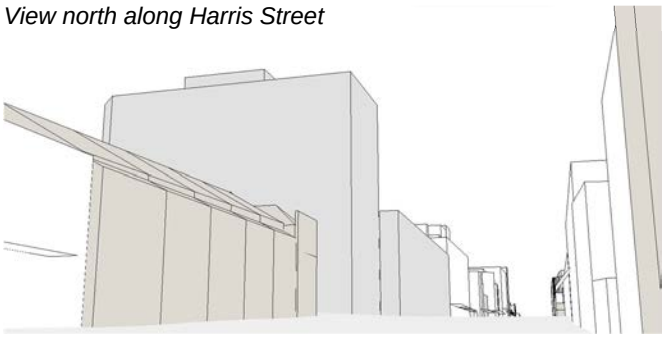
Figure 192 – view locations

Existing

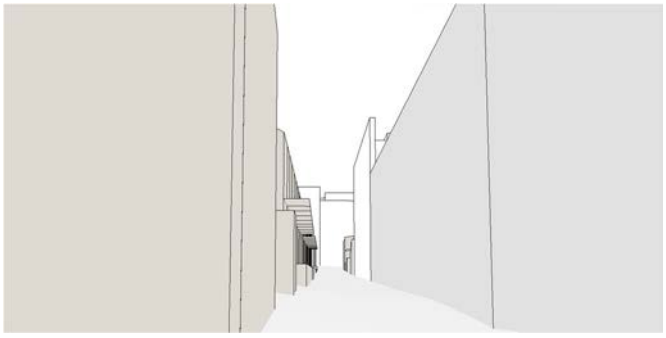
View south along Harris Street



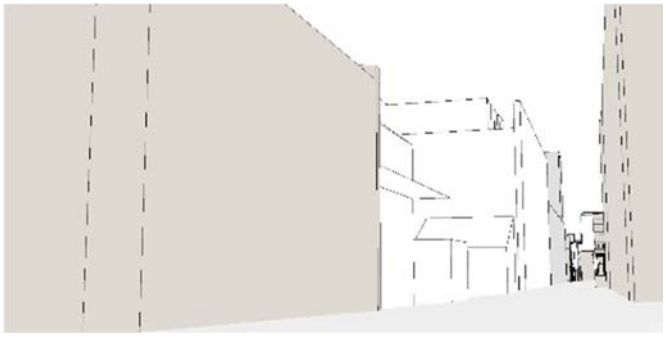
View north along Harris Street



View north along Hackett Street

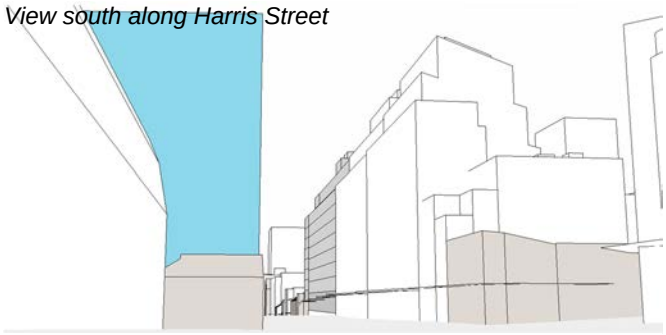


View south along Hackett Street

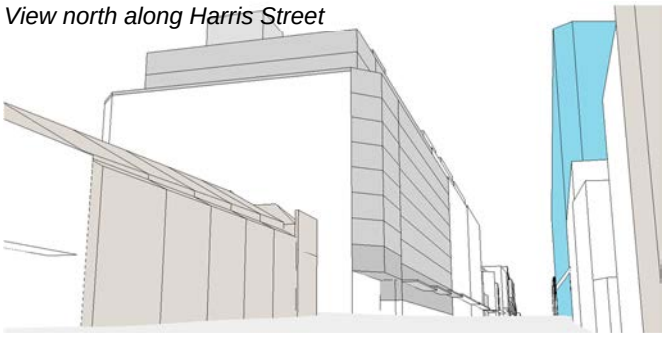


Existing + approved

View south along Harris Street



View north along Harris Street



View north along Hackett Street

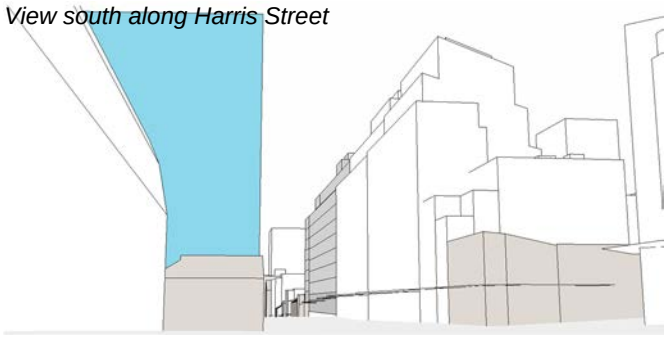


View south along Hackett Street

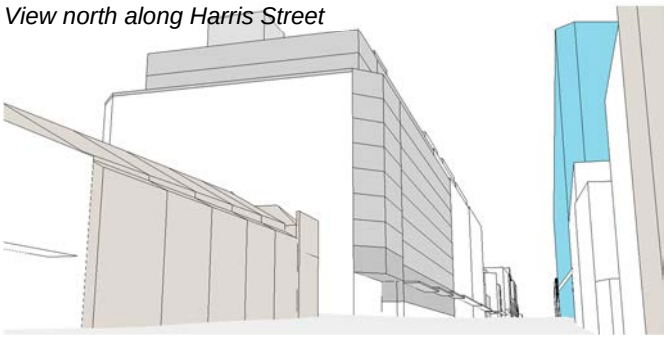


Proposed

View south along Harris Street



View north along Harris Street



View north along Hackett Street



View south along Hackett Street



562-576 Harris Street

Overview

562-570 Harris Street and 572-576 Harris Street (Lots 44-47 DP 868670) are located adjacent the Powerhouse Museum. The site group has frontages (clockwise) to Harris Street to the west, Macarthur Street to the north and Systrum Street to the east (refer Figure 193 and Figure 194).



Figure 193 – location plan of 562-576 Harris Street



Figure 194 – oblique aerial of 562-576 Harris Street

Background
562-570 Harris Street, and 572-576 Harris Street were not included in the Department of Planning's initial study. Subsequently, the City reviewed all of the sites in the peninsula and the sites from 562-576 Harris Street were identified as sites capable of change.

In 2023 a Pre-DA (PDA-2023/134) was submitted for 562-576 Harris Street. The submission proposed a scheme for visitor accommodation with an FSR of 2.34:1 (2.13:1 with a Design Excellence clause), as shown in Figure 195 and Table 57**Error! Reference source not found.**. The Pre-DA was subsequently withdrawn.

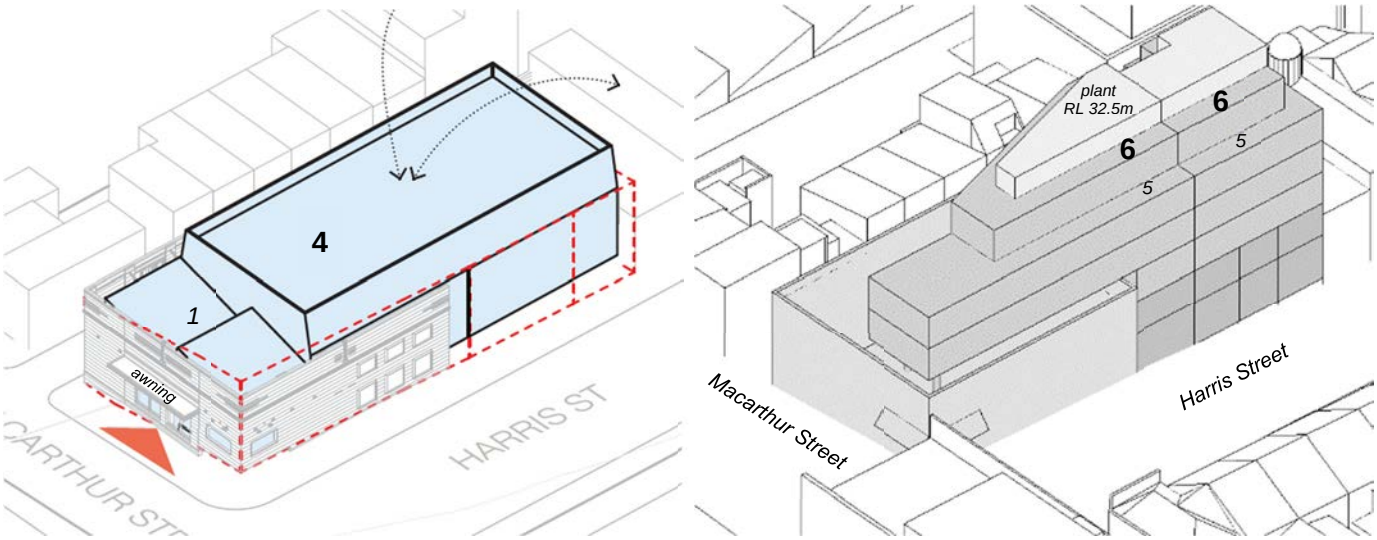


Figure 195 – comparison of proponent's scheme for 562-576 Harris Street and CoS urban design study

Table 57 – Proponent's proposed scheme for 562-576 Harris Street (PDA-2023/134)

	PDA-2023/134	CoS study	Alternative controls
Gross floor area	Visitor Accommodation	Residential (mixed use)	Non-residential use
Floor space ratio	2.34	1.98	2.75
Height of building	13.5m	23.5 m	23.5 m
Height in storeys	4^	6^	6^
Deep soil	0%	10%	10%

Existing controls
562-576 Harris Street is currently occupied by single storey warehouse fronting Macarthur Street. South of this is a small two storey annex and lean-to, the remainder of the site group is vacant. These controls, along with the layout and position of the site can be seen in Table 58**Error! Reference source not found.** and Figure 196 respectively.

Table 58 – existing building and existing planning controls for 562-576 Harris Street

	Existing building	Existing controls
Land use & zoning	*Commercial*	MU1 – MU
Floor space ratio	*0.61 approx.*	1.0 & 1.5
Height of building	*10m*	9m
Height in storeys	*2*	2
Deep soil	-	10%

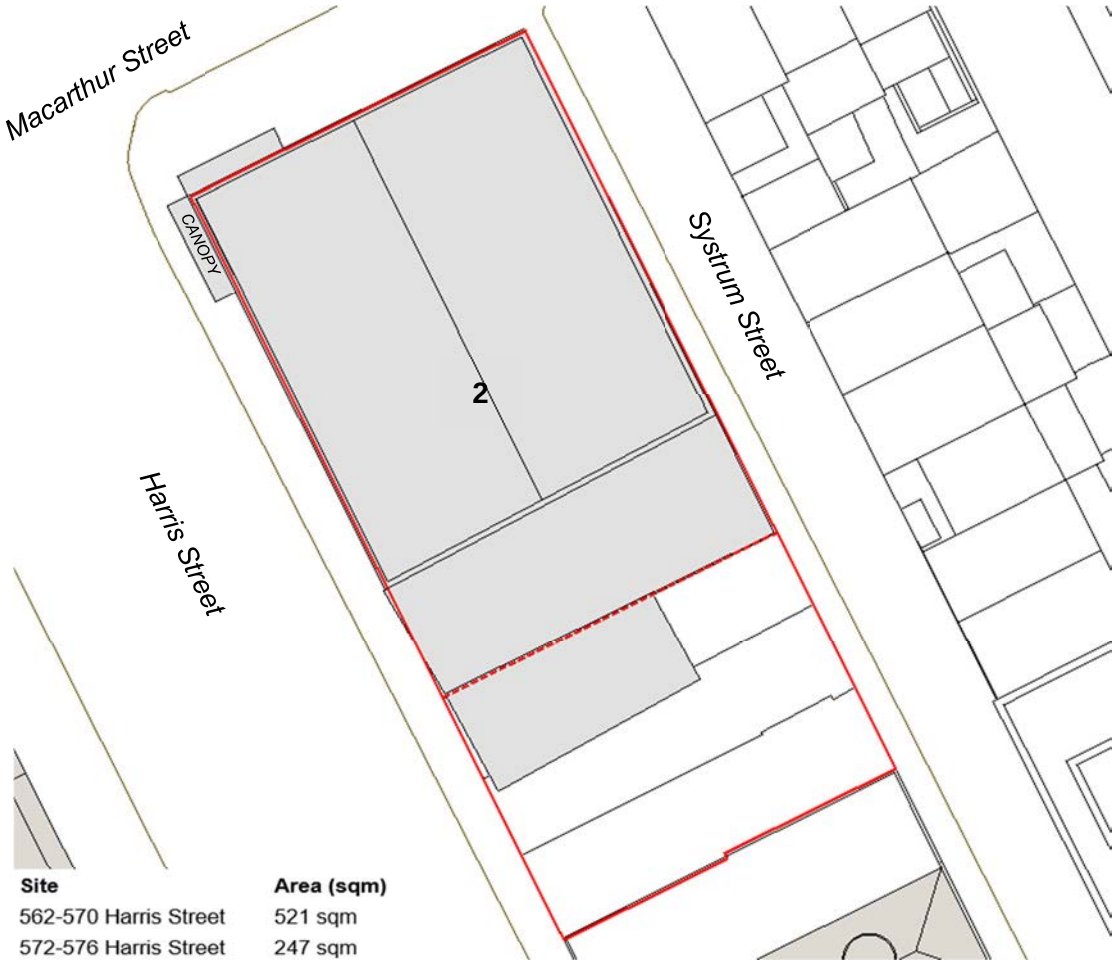


Figure 196 – existing site plan for 562-576 Harris Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The rear setback provides deep soil for the planting of trees to Systrum Street.

More public space for more people – streets and open spaces –

The rear lane setback is publicly accessible open space that extends the public space of Hackett Street.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 197).

Reinforce **'street wall' form** of most buildings –

The height of the building along Harris Street responds to the existing heights of nearby buildings extending the existing street wall.

Conserve **heritage** values –

The existing Hannah's Pies warehouse is conserved and carefully built over on part of the Harris Street frontage.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is exposed to noise from Harris Street, a busy road. The building form is designed to be narrow in depth and continuous to Harris Street to form a barrier to noise. Larger rear wings combine with the narrow depth to enable openable windows to habitable rooms and private open space to face away from the noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places –

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

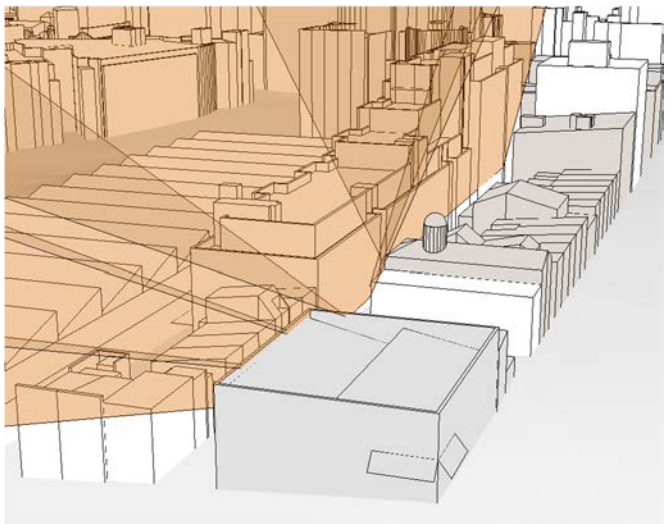


Figure 197 – solar access to neighbouring residential properties

Proposed controls
For 562-576 Harris Street, changes to controls are proposed to support two possible outcomes for floor space use. The mixed use provisions exhibited in late 2024 support street level commercial uses with residential floor space above. In response to feedback from the public exhibition, an alternative scheme is also proposed to incentivise a solely non-residential outcome.

Controls for mixed use development
The exhibited controls are for street level retail-commercial uses fronting Harris and Macarthur Streets with residential uses above. The combined sites would have an FSR of 2:1; a height limit of 23.5 metres and 6 storeys; and a deep soil requirement for at least 10% of the site, as shown in Table 59**Error! Reference source not found.** below. Additional requirements regarding street and upper-level setbacks, street wall height, and site layout requirements are shown in Figure 198.

Table 59 – controls for mixed use development at 562-576 Harris Street

	Existing building	**Existing controls**	**Proposed controls**
Land use & zoning	*Commercial*	MU1 - MU	Mixed use
Floor space ratio	*0.65 approx.*	1.0 & 1.5	2.0 *Comm = 0.86* *Res = 1.31*
Northern site	-	*1.0*	*1.66 + DesEx* *Comm = 0.73* *Res = 1.09*
Southern site	-	*1.5*	*2.67 + DesEx* *Comm = 1.14* *Res = 1.79*
Height of building	*10m*	9m	23.5m
Height in storeys	*2*	2	6^
Deep soil	-	10%	10%



Figure 198 – site plan showing controls for mixed use development at 562-576 Harris Street exhibited late 2024

Alternative controls for non-residential development
The alternative controls proposed for this site group support a solely non-residential approach.

The combined sites would have an FSR of 2.75:1; a height limit of 23.5 metres and 6 storeys; and a deep soil requirement for at least 10% of the site, as shown in Table 60**Error! Reference source not found.** below. Additional requirements regarding street and upper-level setbacks, street wall height, and site layout requirements are shown in Figure 199.

Table 60 – proposed alternative controls for commercial development at 562-576 Harris Street

	Existing building	**Existing controls**	**Proposed controls**
Land use & zoning	*Commercial*	MU1 - MU	Mixed use
Floor space ratio	*0.65 approx.*	1.0 & 1.5	2.75 *Comm = 1.0* *Accomm. = 1.70*
Northern site	-	*1.0*	*1.72 + DesEx* *Comm = 0.69* *Res = 1.06*
Southern site	-	*1.5*	*3.08 + DesEx* *Comm = 1.04* *Res = 2.04*
Height of building	*10m*	9m	23.5m
Height in storeys	*2*	2	6^
Deep soil	-	10%	10%



Figure 199 – proposed site plan for 562-560 Harris Street

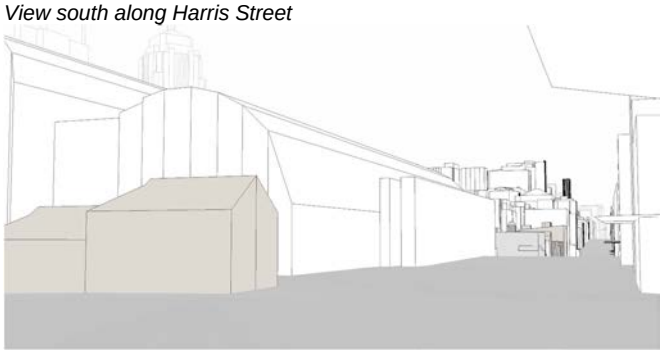
Visualisation



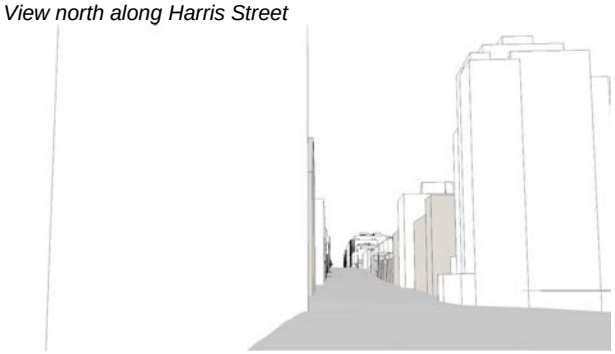
Figure 200 – view locations

Existing

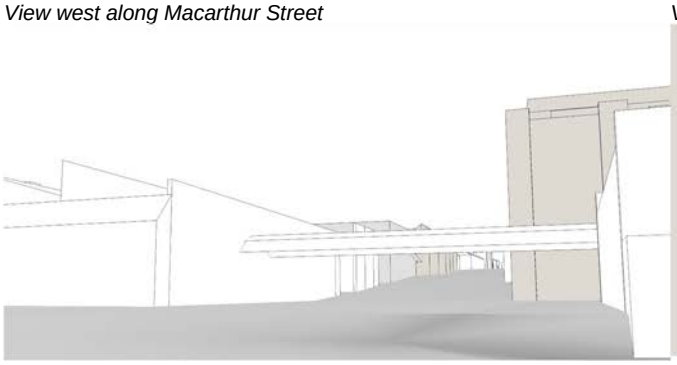
View south along Harris Street



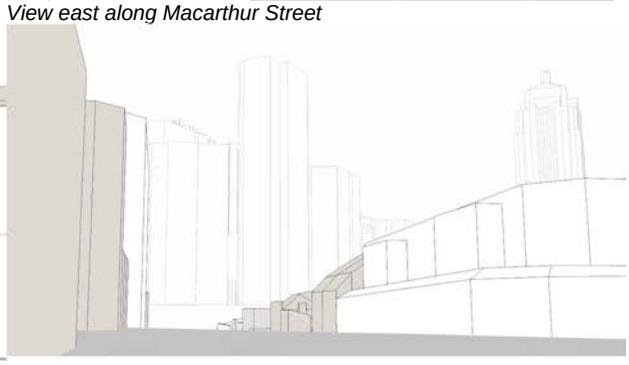
View north along Harris Street



View west along Macarthur Street

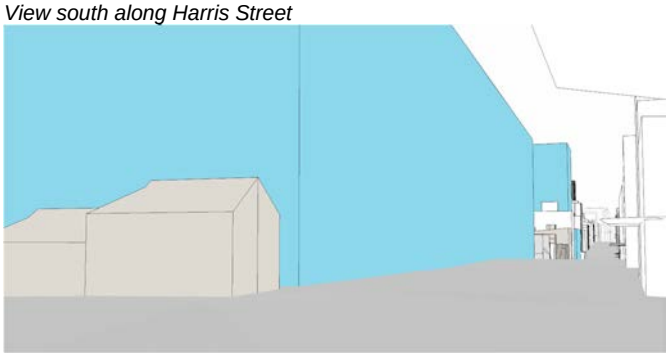


View east along Macarthur Street

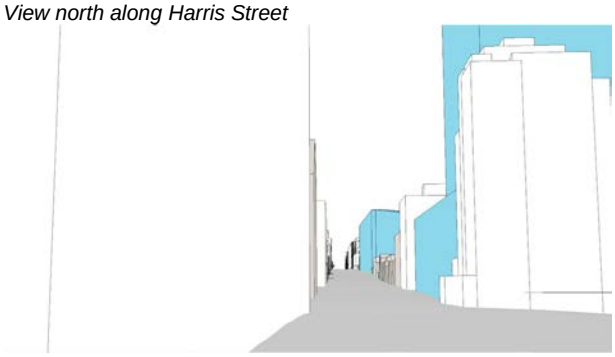


Existing + approved

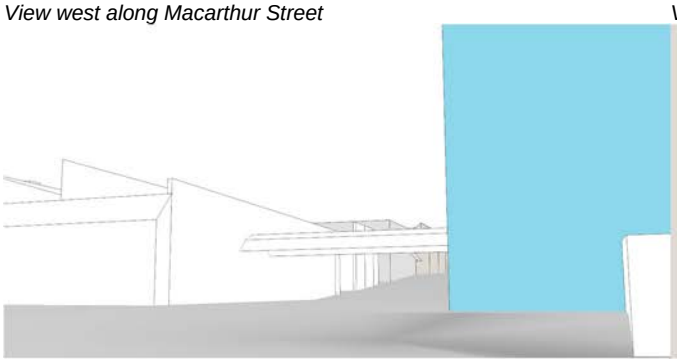
View south along Harris Street



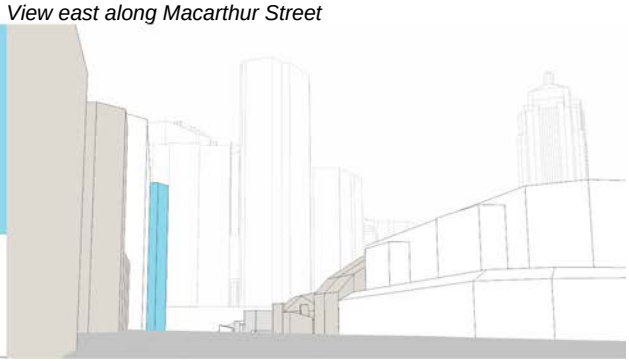
View north along Harris Street



View west along Macarthur Street

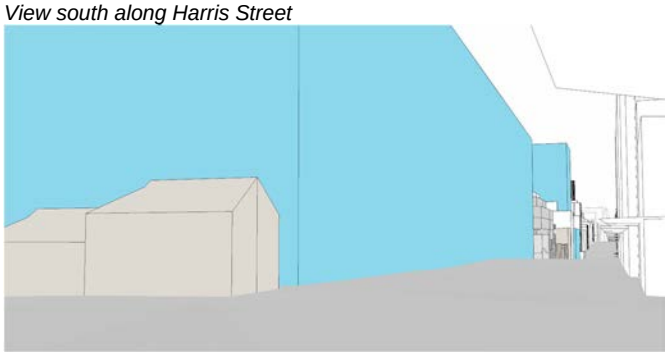


View east along Macarthur Street



Mixed use controls – exhibited late 2024

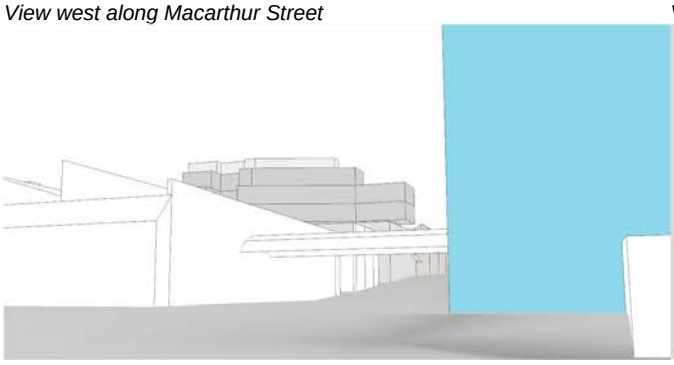
View south along Harris Street



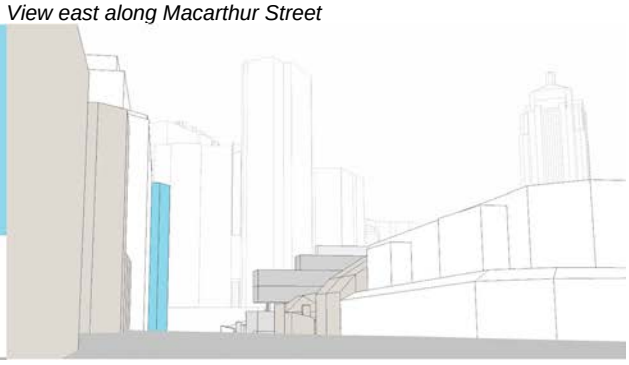
View north along Harris Street



View west along Macarthur Street

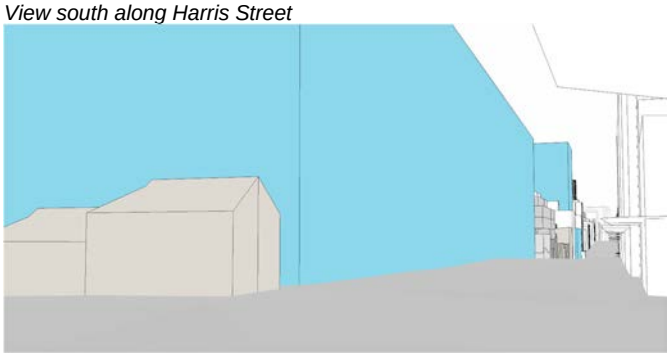


View east along Macarthur Street



Proposed alternative controls for commercial use

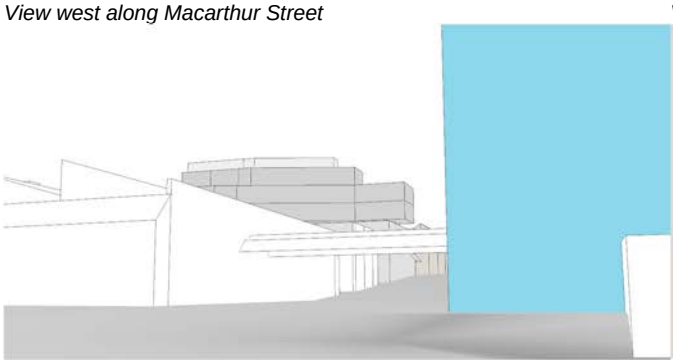
View south along Harris Street



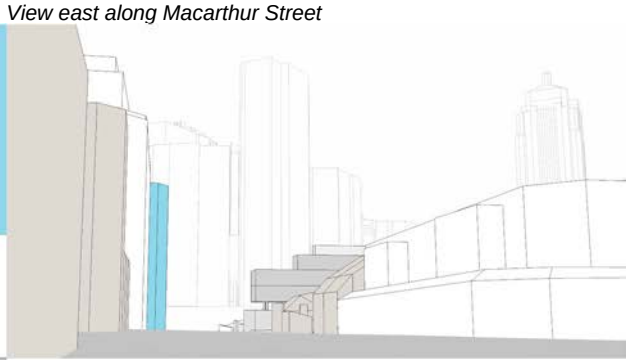
View north along Harris Street



View west along Macarthur Street



View east along Macarthur Street



383-389 Bulwara Road

Overview

383-389 Bulwara Road (Part Lot 1 DP 773656) is located immediately north of the Mary Ann Street Reserve on the western side of Bulwara Road (refer Figure 201 and Figure 202).



Figure 201 – location plan of 383-389 Bulwara Road



Figure 202 – oblique aerial of 383-389 Bulwara Road

Background

383-389 Bulwara Road was included in the Department of Planning's initial study. In this review it was given an FSR of 4.0:1 and a height of 32m and 9 storeys, as shown in Figure 203. The study did not consider the amenity of park, the difficulty of site amalgamation with a public authority, the need for greening and more publicly accessible space, and effects of sunlight on surrounding sites. These controls can be seen in Table 61 below.

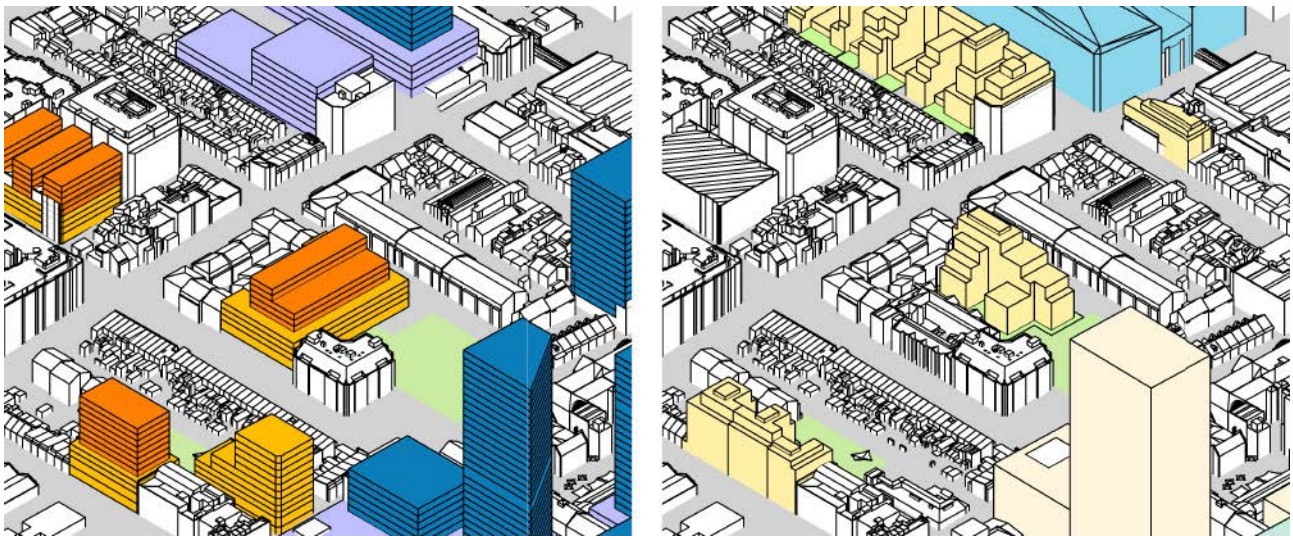


Figure 203 – comparison of Department of Planning's initial study and City of Sydney's study for 383-389 Bulwara Road

Table 61 – Department of Planning's initial study for 383-389 Bulwara Road

	Department of Planning's initial study	City of Sydney's study
Gross floor area	8,892 sqm	7,845 sqm
Floor space ratio	4.0	3.16 + DesEx
Height of building	32m *(HoB not specified)*	35m
Height in storeys	9 *(HiS not specified)*	10^
Deep soil	Not specified	15%

Existing controls

383-389 Bulwara Road is currently occupied by a five-storey hotel/visitor-accommodation, setback behind a porte-cochère on Bulwara Road. The existing controls, along with the layout and position of the site can be seen in Table 62 and Figure 204 respectively.

Table 62 – existing building and existing planning controls for 383-389 Bulwara Road

	Existing building	Existing controls
Land use & zoning	*Visitor accommodation*	R1 – GR
Floor space ratio	*1.86 approx.*	2.0
Height of building	*21m*	18m
Height in storeys	*5*	4
Deep soil	*TBC*	10%

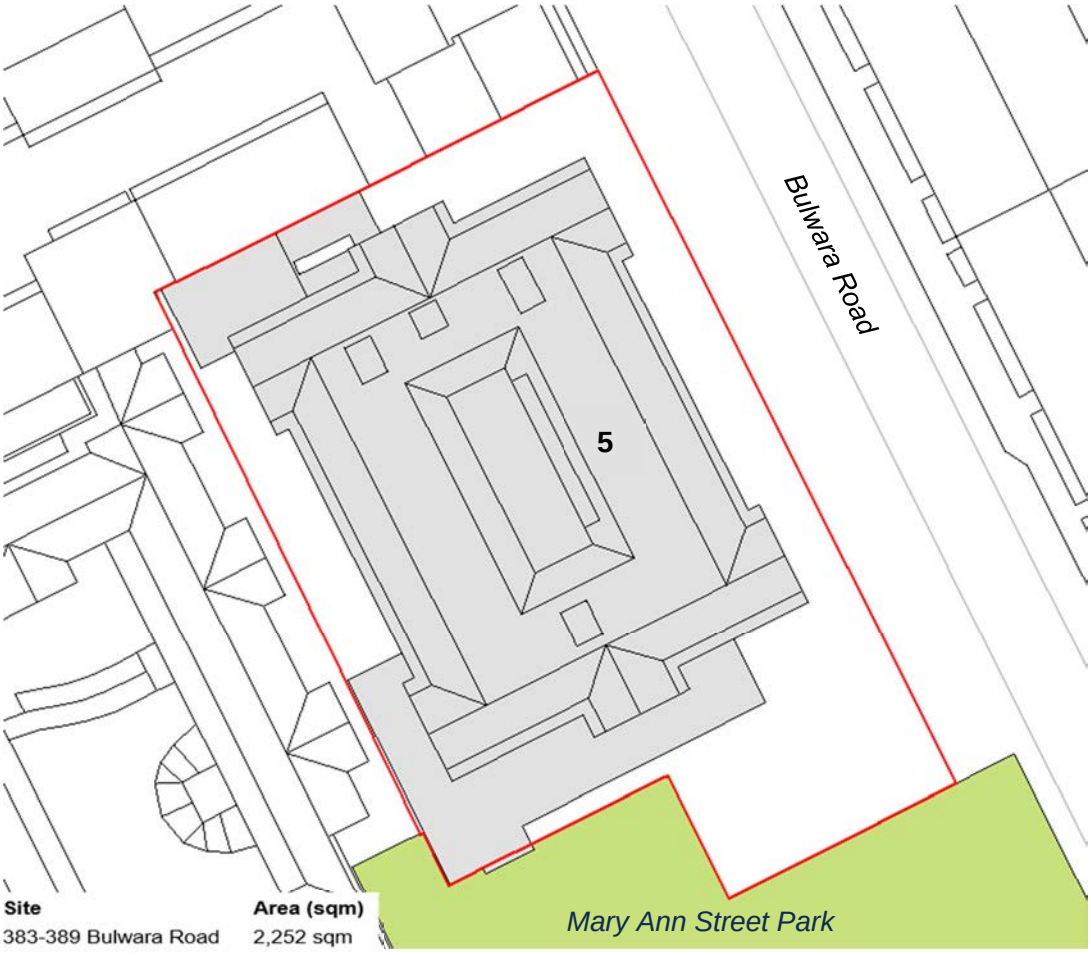


Figure 204 – existing site plan for 383-389 Bulwara Road

Urban design principles
More deep soil for **more trees** and cool green spaces –

The street setback, rear setback, and setback to the park provides deep soil for the planting of trees that extend the greenery of the park.

More public space for more people – streets and open spaces –

The street setback is publicly accessible open space that extends the public space of Bulwara Road.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 205). Additional overshadowing to neighbouring Mary Ann Street Park has also been minimised (refer Figure 206)

Reinforce **'street wall' form** of most buildings –

The height of the building along Bulwara Road responds to the existing heights of nearby buildings extending the existing street wall.

Conserve **heritage** values –

The are no heritage items on the site.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is not exposed to noise.

Match **land use** to place –

Residential land use extends the existing surrounding residential land use.

Consider **views** to and from public places

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

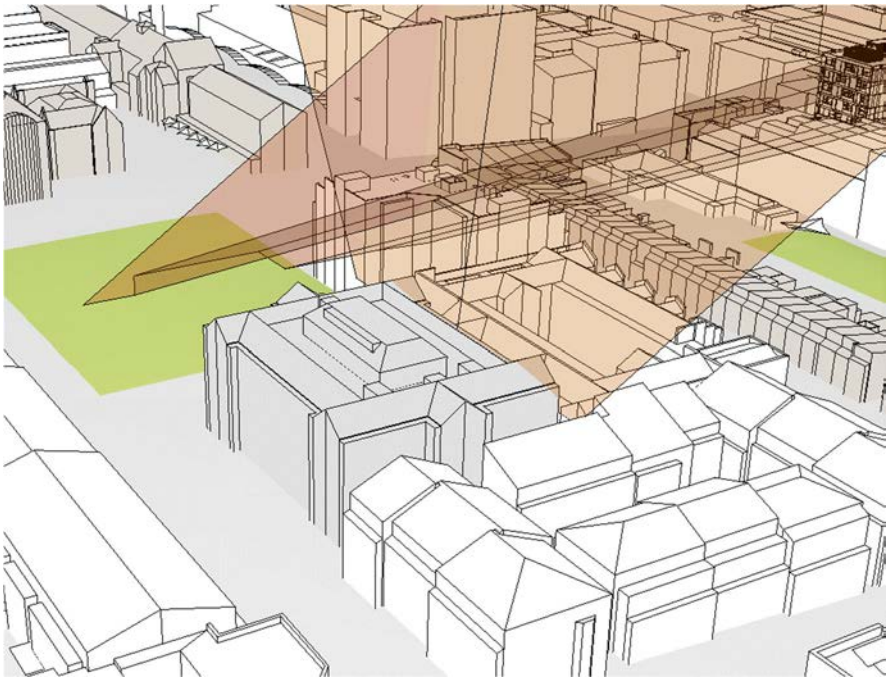


Figure 205 – solar access to adjoining residential properties and Mary Ann Street Park

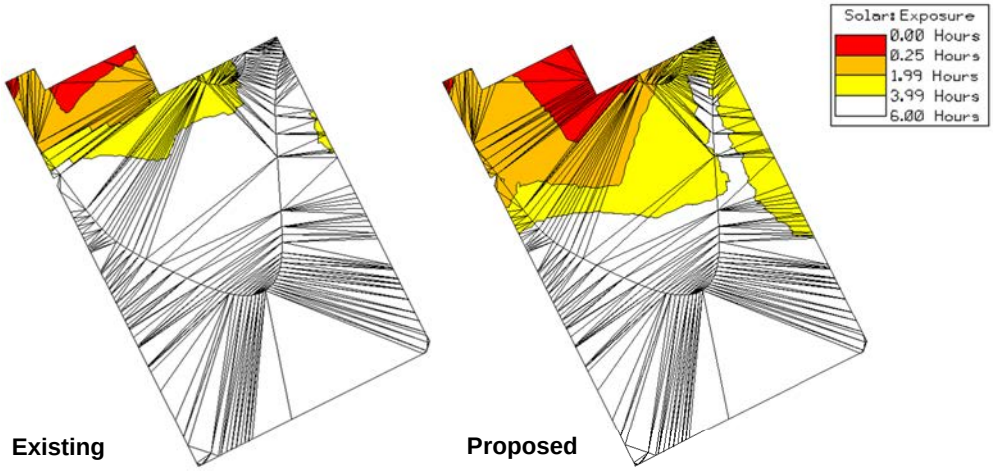


Figure 206 – solar insolation to Mary Ann Street Park

Proposed controls

For 383-389 Murray Street, the proposed controls are for a residential use. The site is to have an FSR of 3.05:1 with a Design Excellence clause; a height limit of 35 metres and 10 storeys; and a deep soil requirement for at least 15% of the site, as shown in Table 63 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 207.

Table 63 – proposed planning controls for 383-389 Bulwara Road

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Visitor accommodation*	R1 – GR	Residential
Floor space ratio	*1.86 approx.*	2.0	3.05 + DesEx
Height of building	*21m*	18m	35m
Height in storeys	*5*	4	10^
Deep soil	*TBC*	10%	15%



Figure 207 – proposed site plan for 383-389 Bulwara Road

Visualisation

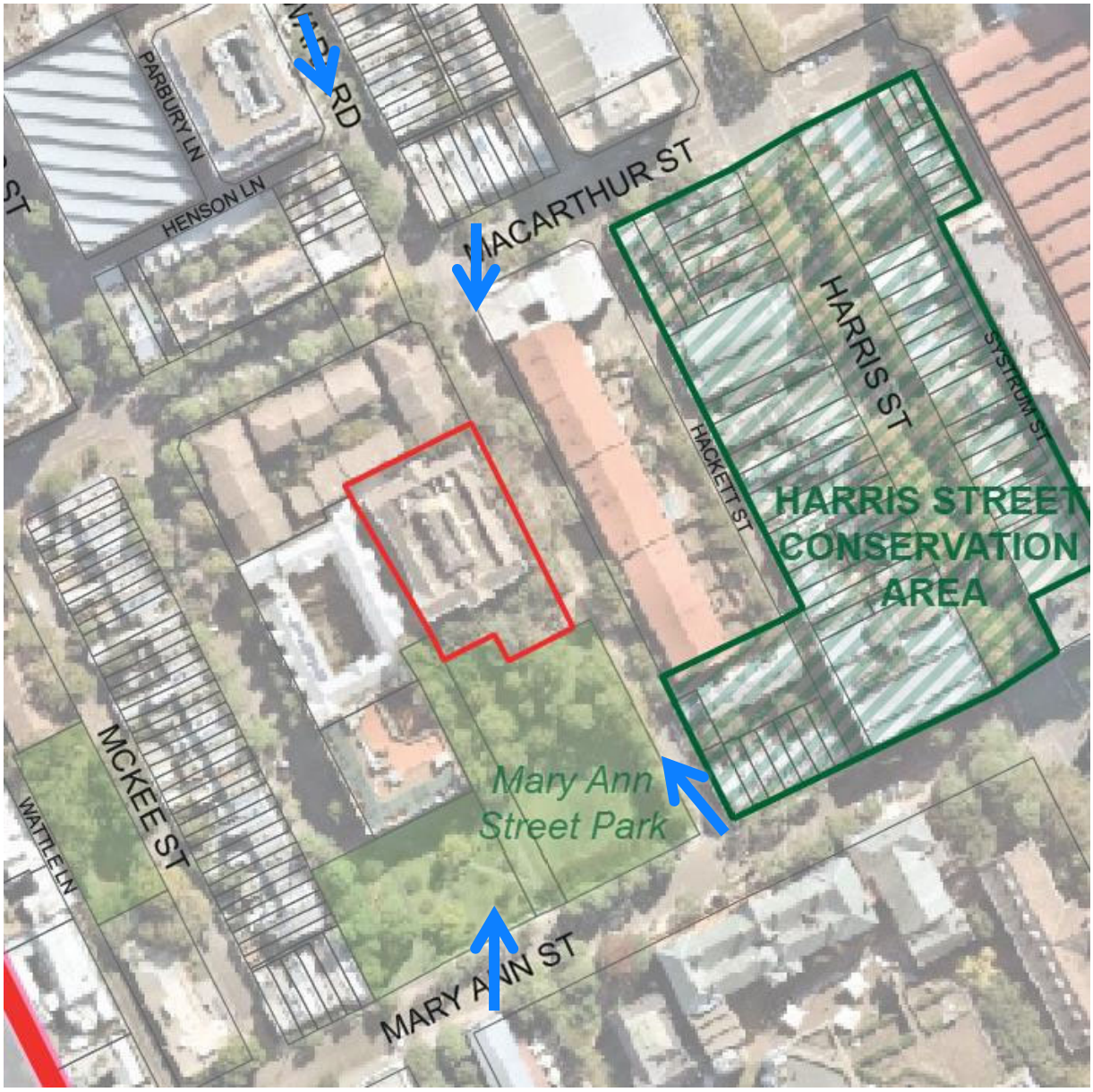
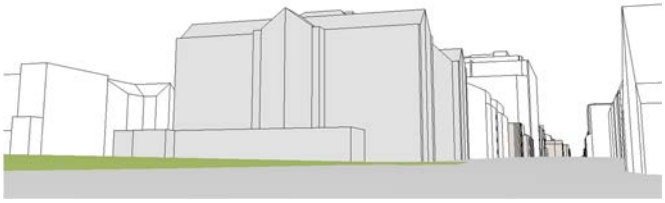


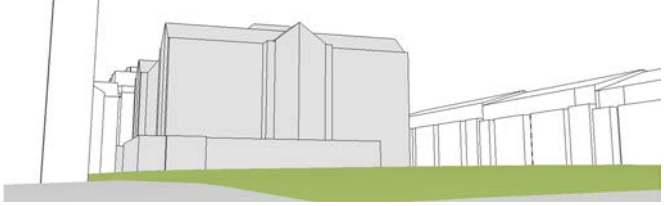
Figure 208 – view locations

Existing

View north along Bulwara Road



View north across Mary Ann Street Park



View southwest from Macarthur Street

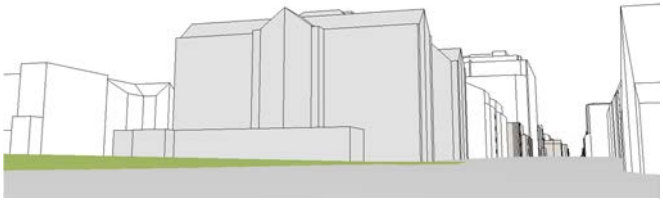


View south along Bulwara Road

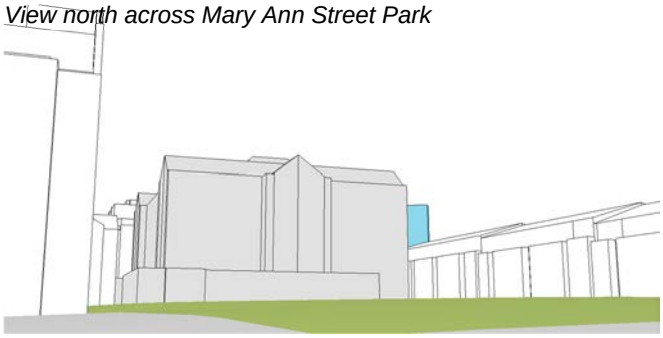


Existing + approved

View north along Bulwara Road



View north across Mary Ann Street Park



View southwest from Macarthur Street

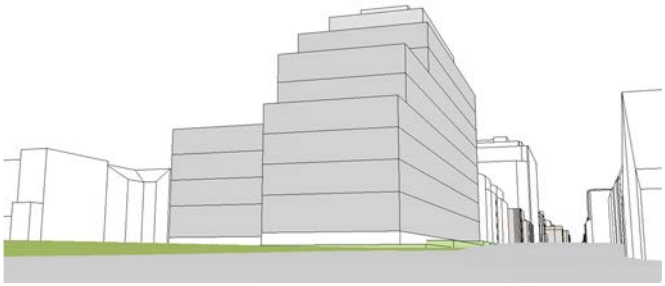


View south along Bulwara Road

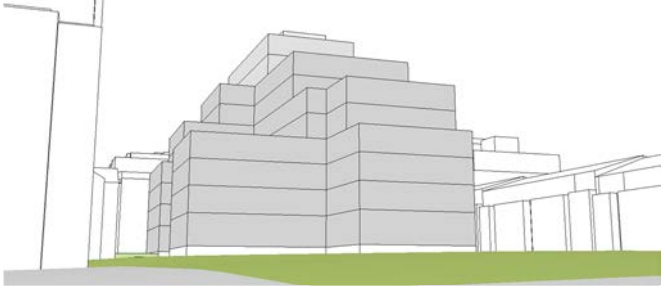


Proposed

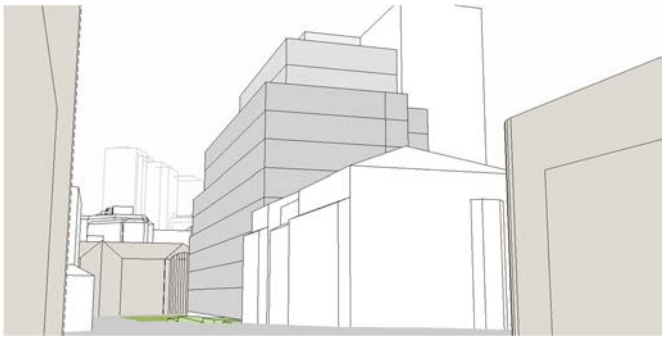
View north along Bulwara Road



View north across Mary Ann Street Park



View southwest from Macarthur Street



View south along Bulwara Road



446-456 Wattle Street

Overview

446-456 Wattle Street (Lot 9-14 DP 260374) is located on the eastern side of Wattle Street, between Macarthur Street and Mary Ann Street. The sites front Wattle Street to their west and Wattle Lane to their east (refer Figure 210 and Figure 209).



Figure 210 – location plan of 446-456 Wattle Street



Figure 209 – oblique aerial of 446-456 Wattle Street

Background

446-456 Wattle Street was not included in the Department of Planning's initial study. Subsequently, the City reviewed all of the sites in the peninsula and 446-456 Wattle Street was identified as a site capable of change.

Existing controls

446-456 Wattle Street (Lot 9-14 DP 260374) are currently occupied by six separate terrace houses, all fronting Wattle Street, with rear lane access from Wattle Lane. The existing controls and the layout and position of the sites can be seen in Table 64 and Figure 211, respectively.

Table 64 – existing building and existing planning controls for 446-456 Wattle Street

	Existing building	Existing controls
Land use & zoning	*Residential*	MU1 – MU
Floor space ratio	*1.07 approx.*	1.0
Height of building	*7.5m*	9m
Height in storeys	*2*	2
Deep soil	*n/a*	10%



Figure 211 – existing site plan for 446-456 Wattle Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The rear setback provides deep soil for the planting of trees to Wattle Lane.

More public space for more people – streets and open spaces –

The rear lane setback is publicly accessible open space that extends the public space of Wattle Lane.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan. Additional overshadowing to nearby Mckee Street Reserve has also been minimised (refer Figure 212)

Reinforce **'street wall' form** of most buildings –

The height of the building along Wattle Street responds to the existing heights of nearby buildings extending the existing street wall.

Conserve **heritage** values –

The are no heritage items on the site.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is exposed to noise from Wattle Street, a busy road. The building form is designed to be narrow in depth and continuous to Wattle Street to form a barrier to noise. Larger rear wings combine with the narrow depth to enable openable windows to habitable rooms and private open space to face away from the noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

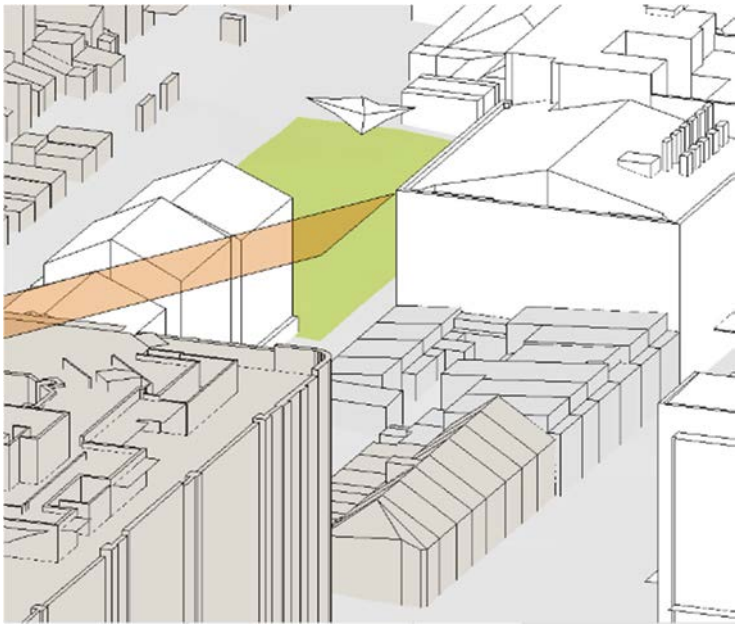


Figure 212 – solar access to McKee Street Reserve community gardens

Proposed controls

For 446-456 Wattle Street, the proposed controls are for a residential use, with ground floor retail uses to Wattle Street. The site is to have an FSR of 3.76:1 with a Design Excellence clause; a height limit of 36 metres and 10 storeys; and a deep soil requirement for at least 10% of the site, as shown in Table 65 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 213.

Table 65 – proposed planning controls for 446-456 Wattle Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Residential*	MU1 – MU	Mixed use
Floor space ratio	*1.07 approx.*	1.0	3.76 + DesEx
Height of building	*7.5m*	9m	36m
Height in storeys	*2*	2	10^
Deep soil	*n/a*	10%	10%



Figure 213 – proposed site plan for 446-456 Wattle Street

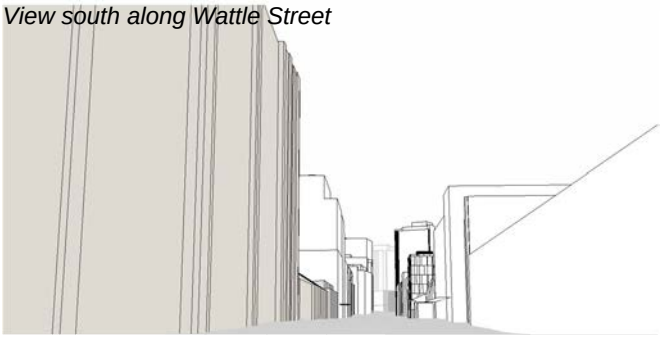
Visualisation



Figure 214 – view locations

Existing

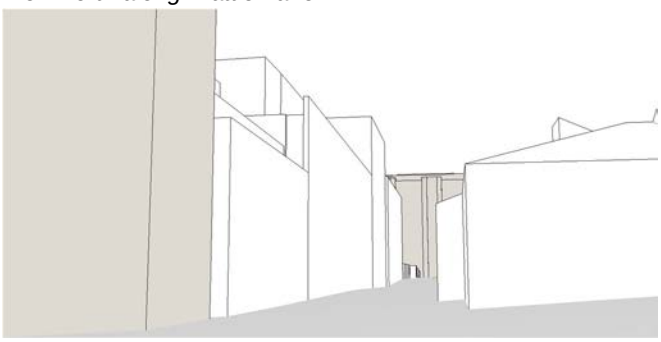
View south along Wattle Street



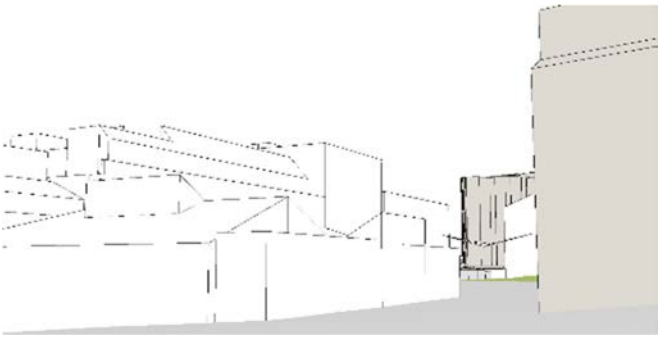
View north along Wattle Street



View north along Wattle Lane

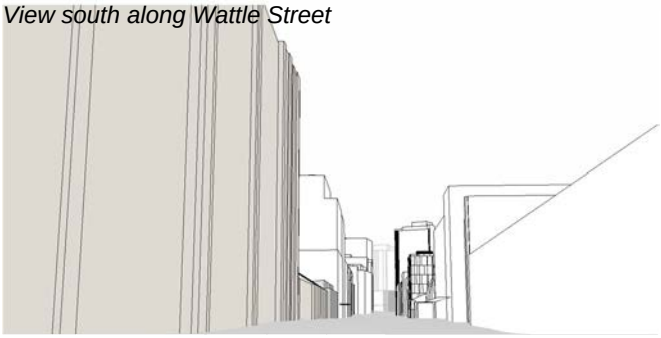


View west across McKee Street Reserve

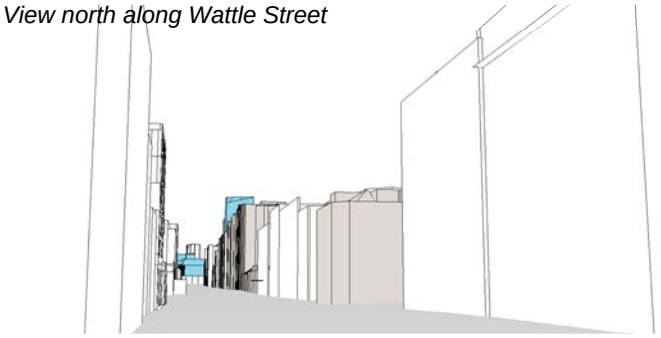


Existing + approved

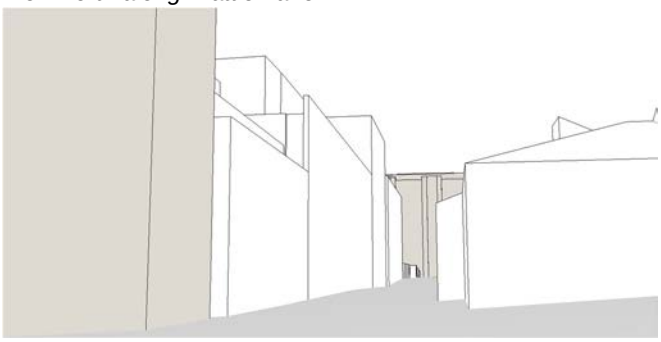
View south along Wattle Street



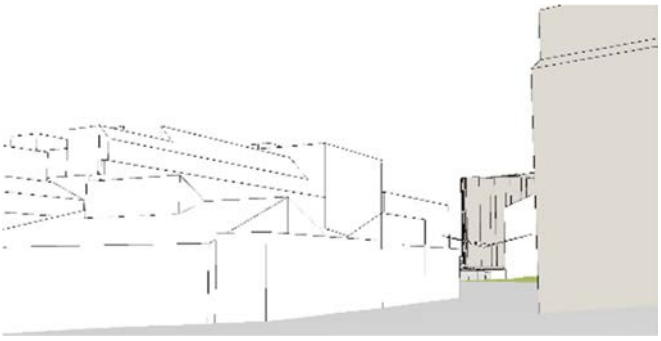
View north along Wattle Street



View north along Wattle Lane

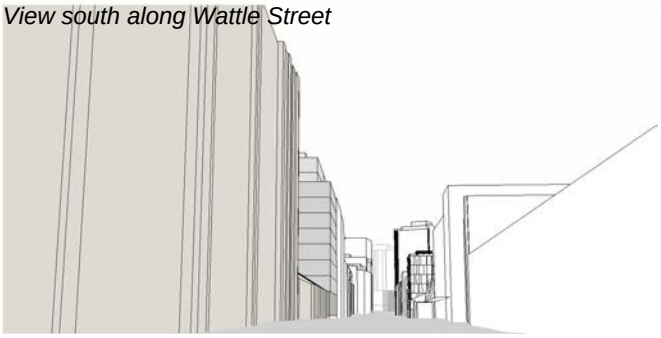


View west across McKee Street Reserve

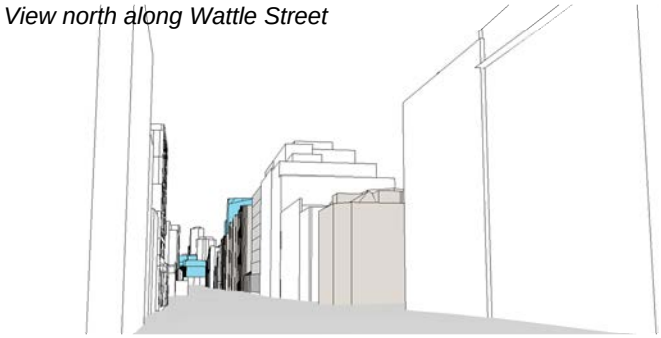


Proposed

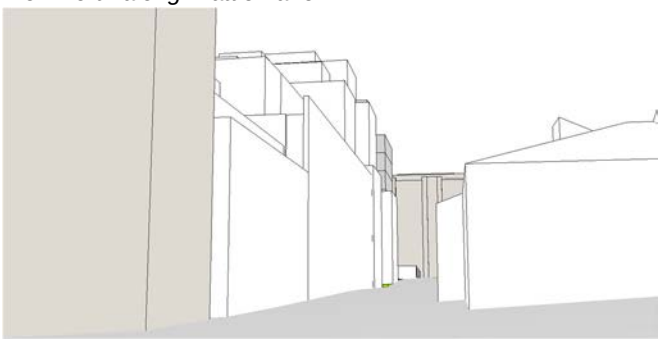
View south along Wattle Street



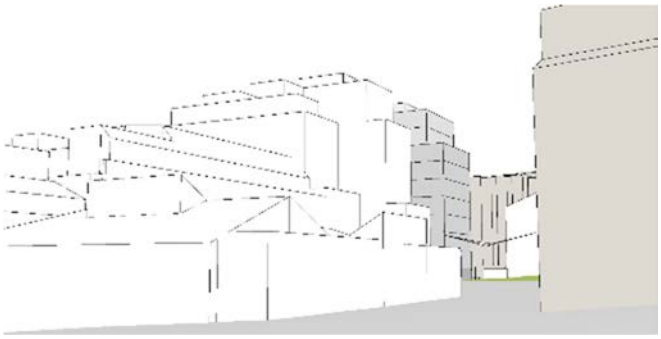
View north along Wattle Street



View north along Wattle Lane



View west across McKee Street Reserve



458-468 Wattle Street

Overview

458-468 Wattle Street (Lot 2 DP 209558, Lots 1-4 SP 65741) is located on the eastern side of Wattle Street, between Macarthur Street and Mary Ann Street. The site front Wattle Street to the west and Wattle Lane to the east (refer Figure 215 and Figure 216).



Figure 215 – location plan of 458-468 Wattle Street

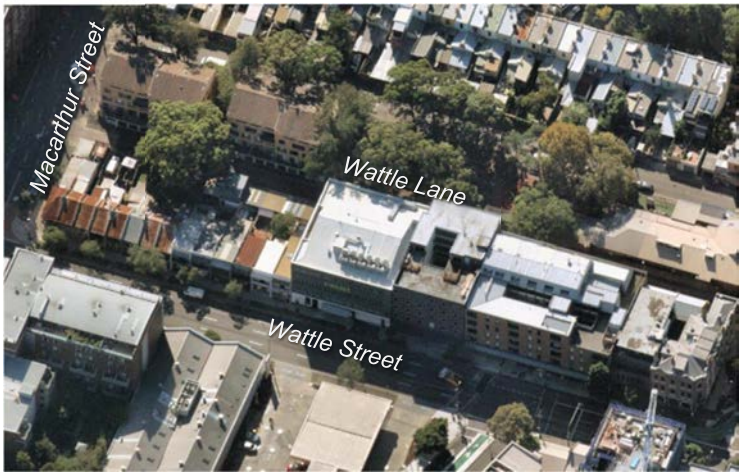


Figure 216 – oblique aerial of 458-468 Wattle Street

Background
458-468 Wattle Street was included in the Department of Planning's initial study. In this review it was given an FSR of 5.50:1 and a height of approximately 43 metres and 12 storeys, as shown in Figure 217. The study did not consider good design for noise, the amenity of Wattle Lane, the need for greening and more publicly accessible space, and effects of sunlight on surrounding sites. These controls can be seen in Table 66 below.

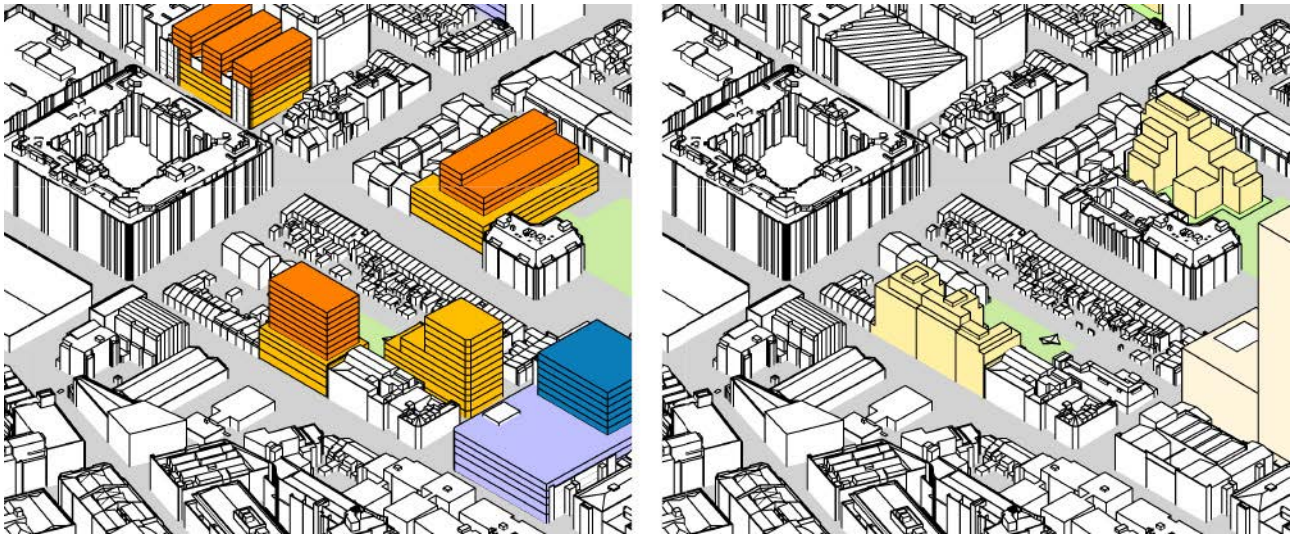


Figure 217 – comparison of Department of Planning's initial study and City of Sydney's study for 458-468 Wattle Street

Table 66 – Department of Planning's initial study for 458-468 Wattle Street

	DPE study	CoS study
Gross floor area	3,520 sqm*	2,693 sqm
Floor space ratio	5.50	3.82 + DesEx
Height of building	43m *(HoB not specified & plant excl.)*	36m
Height in storeys	12 *(HiS not specified)*	10^
Deep soil	Not specified	10%

*Site was amalgamated 470 Wattle Street in the Department of Planning's initial study; figures shown only represent 458-468 Wattle Street

Existing controls

458-468 Wattle Street is currently occupied by a four-storey commercial building, the existing building's characteristics and current planning controls can be seen in Table 67 below. The layout and position of the site can be seen in Figure 218.

Table 67 – existing building and existing planning controls for 458-468 Wattle Street

	Existing building	Existing controls
Land use & zoning	*Commercial*	MU1 – MU
Floor space ratio	*3.11 approx.*	2.5
Height of building	*18.5m*	15m
Height in storeys	*4*	3
Deep soil	*n/a*	10%

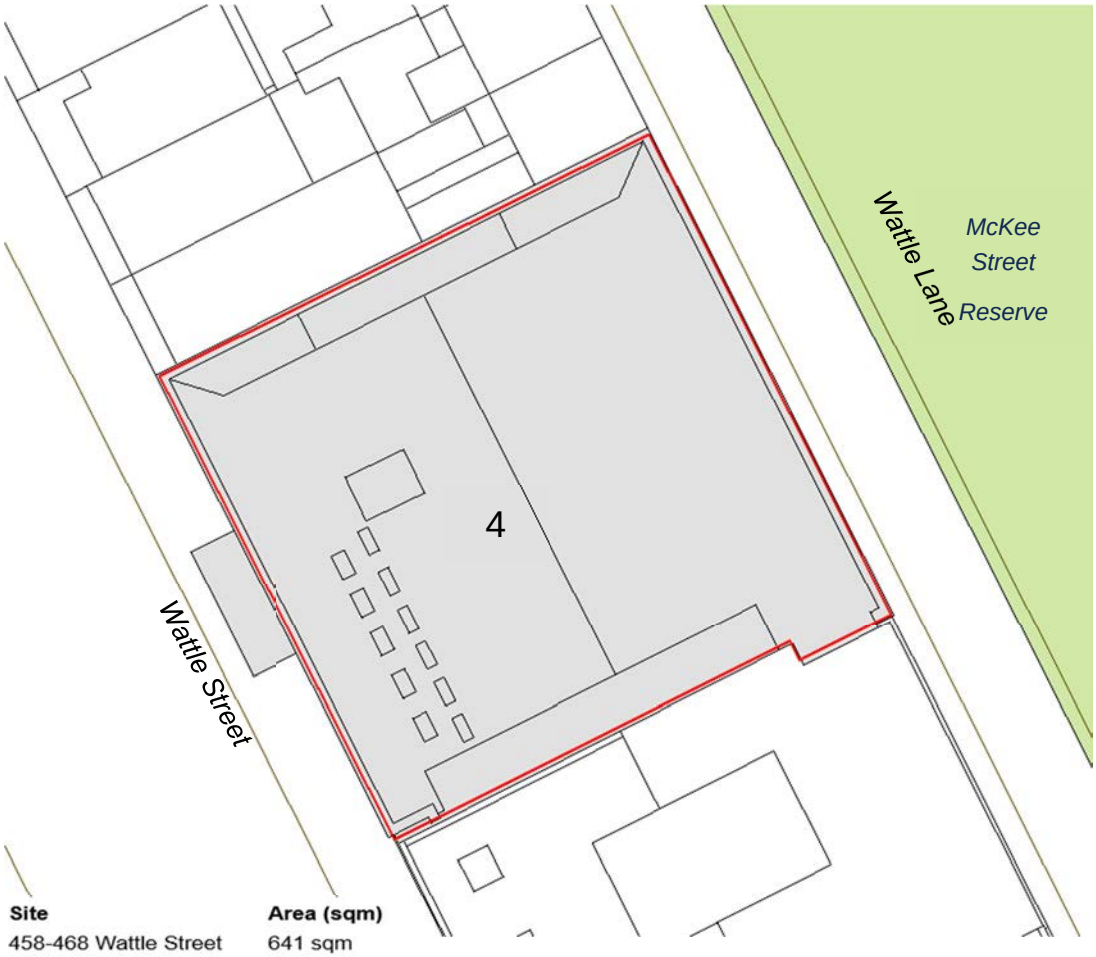


Figure 218 – existing site plan for 458-468 Wattle Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The rear setback provides deep soil for the planting of trees to Wattle Lane.

More public space for more people – streets and open spaces –

The rear lane setback is publicly accessible open space that extends the public space of Wattle Lane.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan.

Reinforce **'street wall' form** of most buildings –

The height of the building along Wattle Street responds to the existing heights of nearby buildings extending the existing street wall.

Conserve **heritage** values –

The are no heritage items on the site.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is exposed to noise from Wattle Street, a busy road. The building form is designed to be narrow in depth and continuous to Wattle Street to form a barrier to noise. Larger rear wings combine with the narrow depth to enable openable windows to habitable rooms and private open space to face away from the noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

Proposed controls

For 458-468 Wattle Street, the proposed controls are for a residential use, with ground floor retail uses to Wattle Street. The site is to have an FSR of 3.82:1 with a Design Excellence clause; a height limit of 36 metres and 10 storeys; and a deep soil requirement for at least 10% of the site, as shown in Table 68 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 219.

Table 68 – proposed planning controls for 458-468 Wattle Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Comm.*	MU1 – MU	Mixed use
Floor space ratio	*3.11 approx.*	2.5	3.82 + DesEx
Height of building	*18.5m*	15m	36m
Height in storeys	*4*	3	10^
Deep soil	*n/a*	10%	10%



Figure 219 – proposed site plan for 458-468 Wattle Street

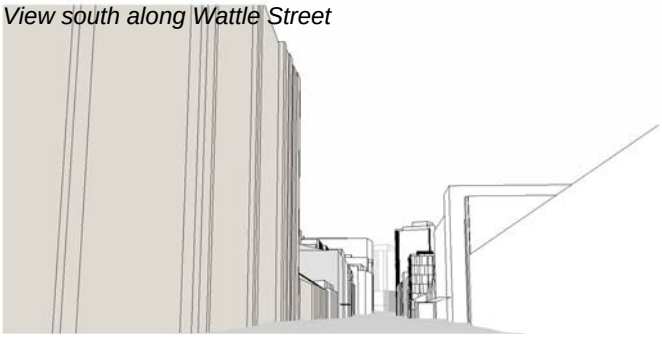
Visualisation



Figure 220 – view locations

Existing

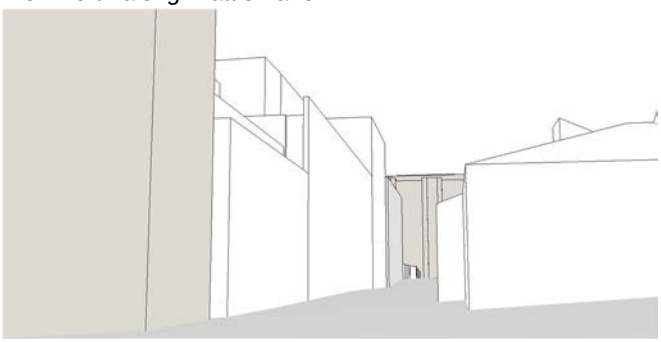
View south along Wattle Street



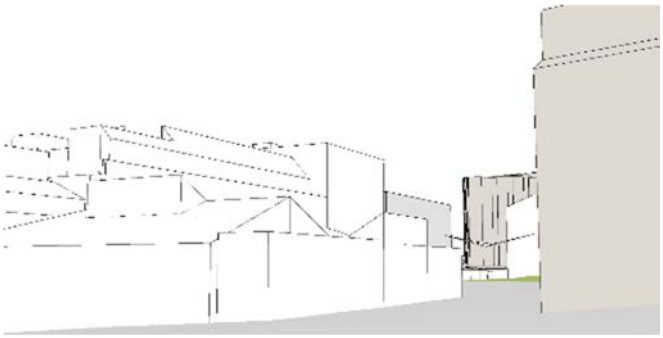
View north along Wattle Street



View north along Wattle Lane

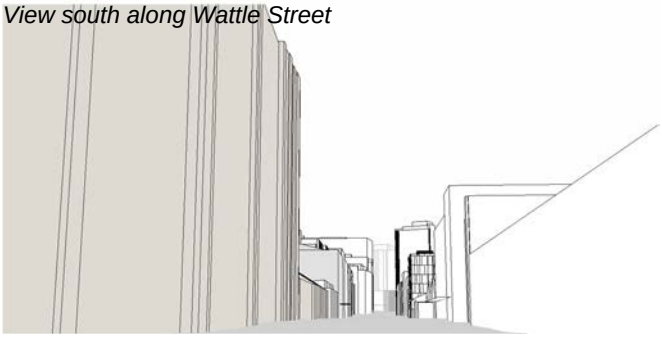


View west across McKee Street Reserve

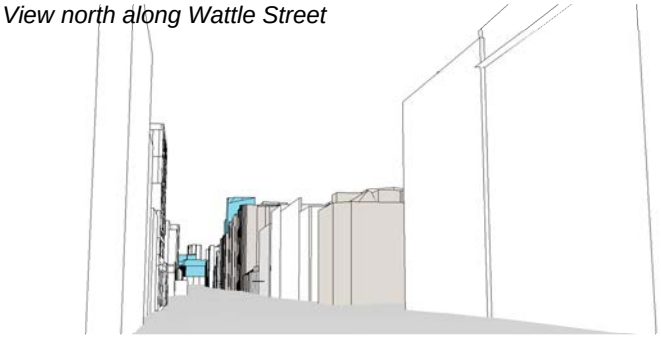


Existing + approved

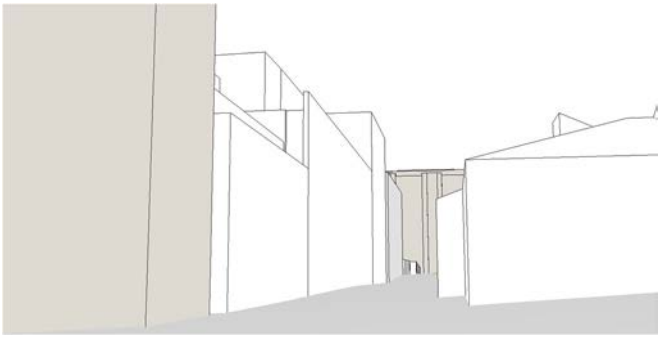
View south along Wattle Street



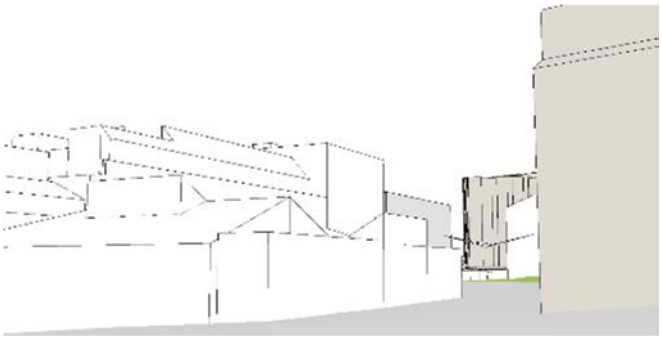
View north along Wattle Street



View north along Wattle Lane

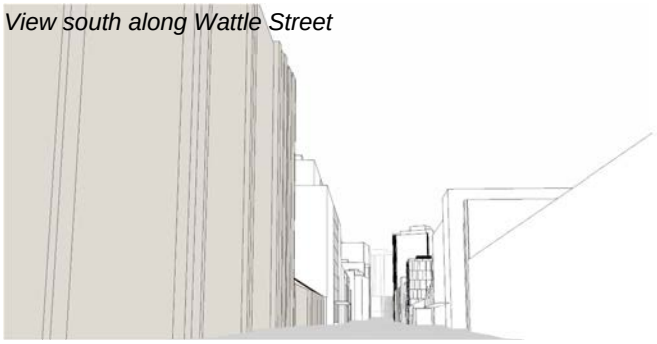


View west across McKee Street Reserve

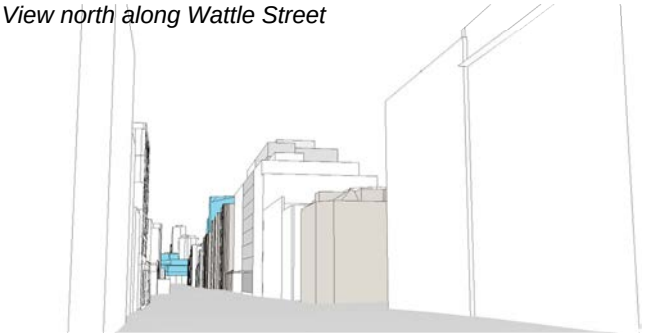


Proposed

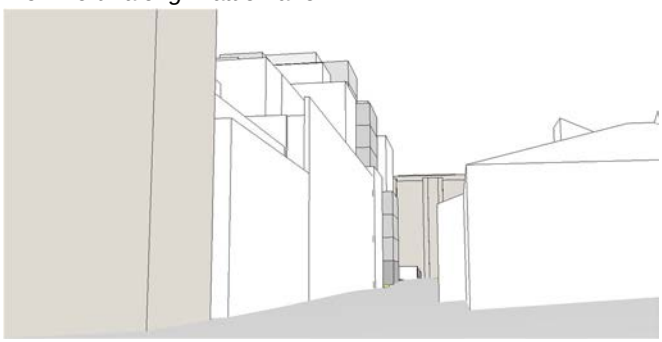
View south along Wattle Street



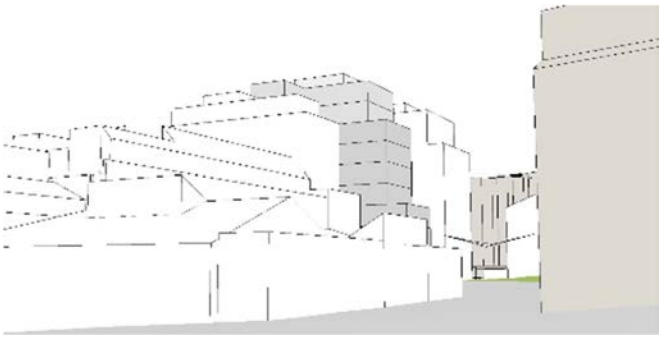
View north along Wattle Street



View north along Wattle Lane



View west across McKee Street Reserve



470 Wattle Street

Overview

470 Wattle Street (Lot 1 DP 209558) is located on the eastern side of Wattle Street, between Macarthur Street and Mary Ann Street. The site front Wattle Street to the west and Wattle Lane to the east (refer Figure 221 and Figure 222)



Figure 221 – location plan of 470 Wattle Street



Figure 222 – oblique aerial of 470 Wattle Street

Background

458-468 Wattle Street was included in the Department of Planning's initial study. In this review it was given an FSR of 5.50:1 and a height of approximately 43 metres and 12 storeys, as shown in Figure 223. The study did not consider good design for noise, the amenity of Wattle Lane, the need for greening and more publicly accessible space, and effects of sunlight on surrounding sites. These controls can be seen in Table 69 below.

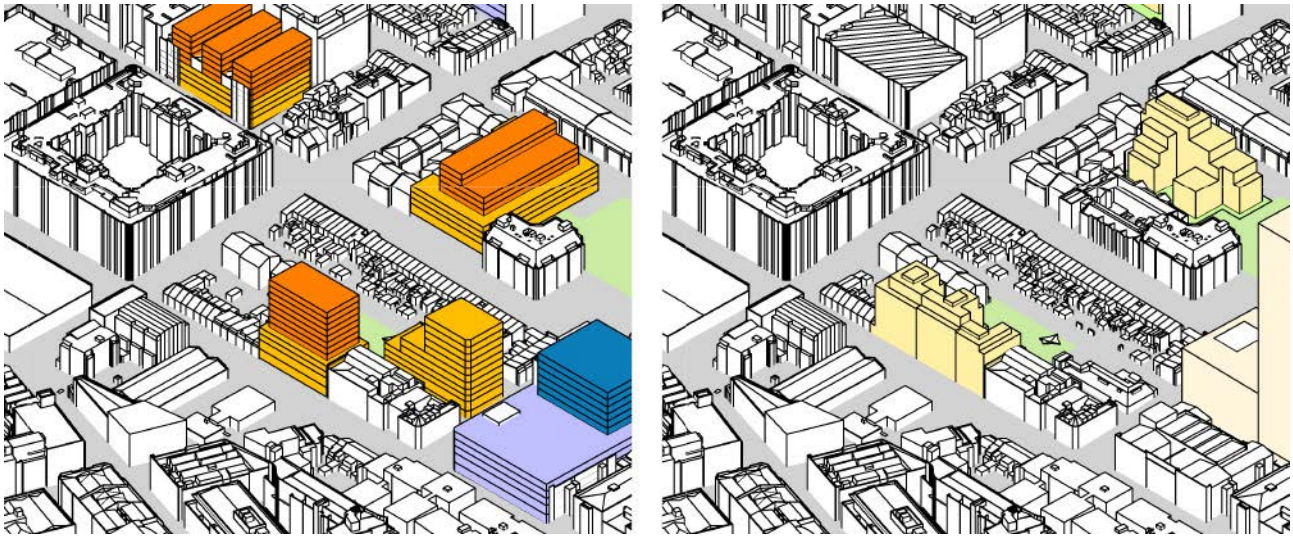


Figure 223 – comparison of Department of Planning's initial study and City of Sydney's study for 470 Wattle Street

Table 69 – Department of Planning's initial study for 470 Wattle Street

	DPE study	CoS study
Gross floor area	2,446 sqm*	1,731 sqm
Floor space ratio	5.50	3.50 + DesEx
Height of building	43m *(HoB not specified & plant excl.)*	30m
Height in storeys	12 *(HiS not specified)*	8^
Deep soil	Not specified	10%

*Site was amalgamated 458-468 Wattle Street in the Department of Planning's initial study; figures shown only represent 470 Wattle Street

Existing controls

470 Wattle Street is currently occupied by a five-storey mixed-use building, the existing building's characteristics and current planning controls can be seen in Table 70 below. The layout and position of the site can be seen in Figure 224.

Table 70 – existing building and existing planning controls for 470 Wattle Street

	Existing building	Existing controls
Land use & zoning	*Boarding Accommodation*	MU1 – MU
Floor space ratio	*4.09 approx.*	2.5
Height of building	*20m*	15m
Height in storeys	*6*	3
Deep soil	*n/a*	10%

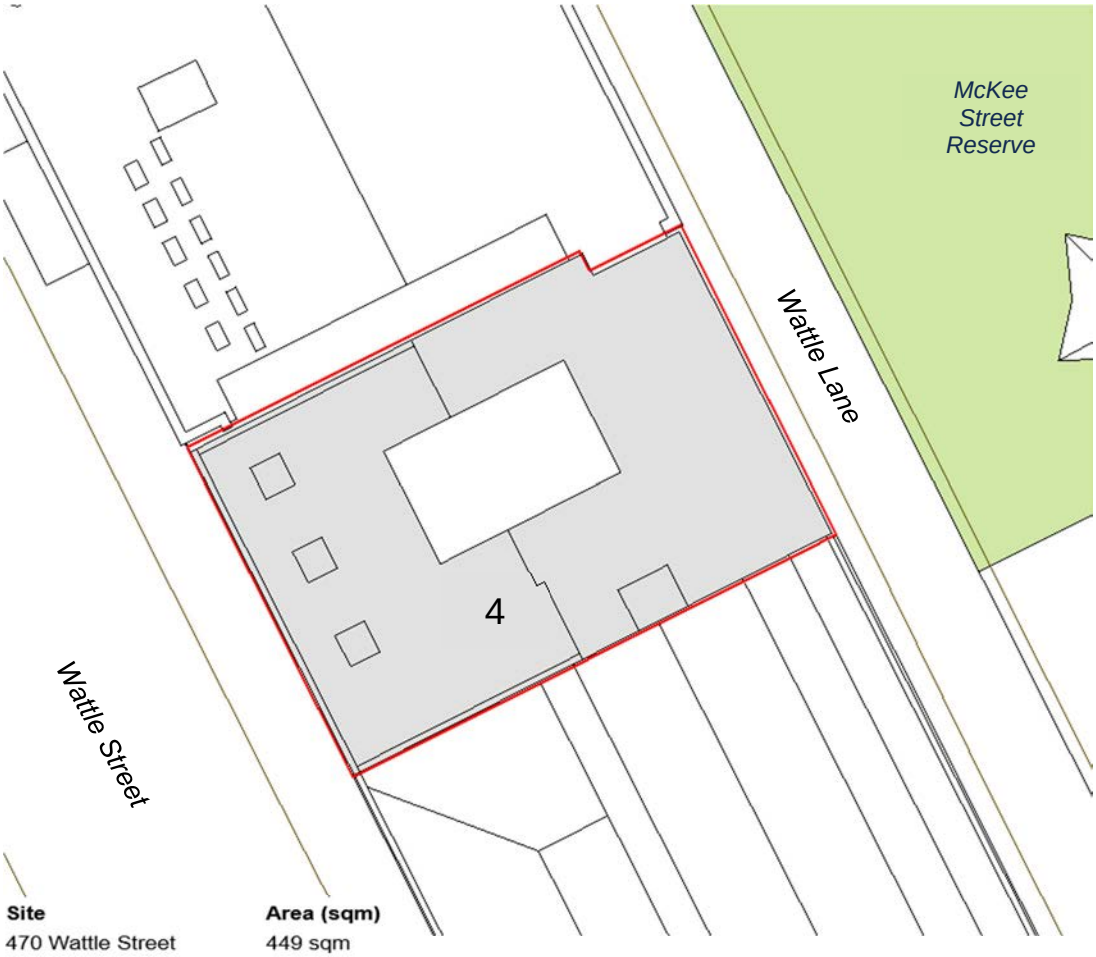


Figure 224 – existing site plan for 470 Wattle Street

Urban design principles
More deep soil for **more trees** and cool green spaces –

The rear setback provides deep soil for the planting of trees to Wattle Lane.

More public space for more people – streets and open spaces –

The rear lane setback is publicly accessible open space that extends the public space of Wattle Lane.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 225).

Reinforce **'street wall' form** of most buildings –

The height of the building along Wattle Street responds to the existing heights of nearby buildings extending the existing street wall.

Conserve **heritage** values –

The are no heritage items on the site.

Good **design for wind and noise** –

The site is not exposed to winds as it is protected by surrounding development.

The site is exposed to noise from Wattle Street, a busy road. The building form is designed to be narrow in depth and continuous to Wattle Street to form a barrier to noise. Larger rear wings combine with the narrow depth to enable openable windows to habitable rooms and private open space to face away from the noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

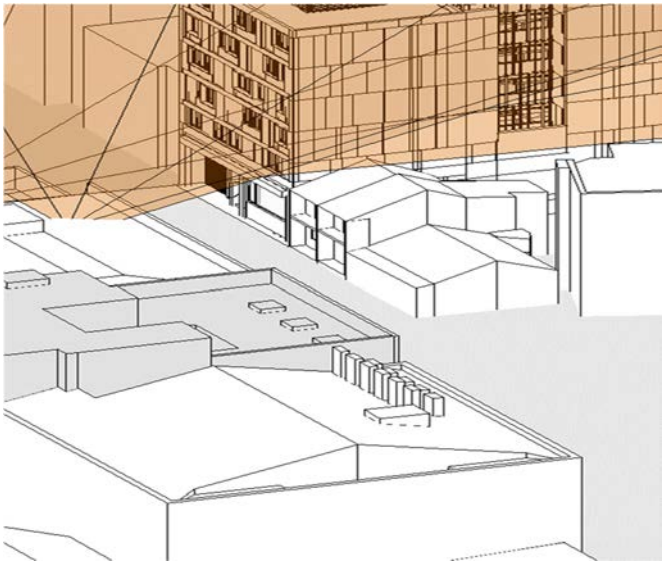


Figure 225 – solar access to adjoining residential properties

Proposed controls

For 470 Wattle Street, the proposed controls are for a residential use, with ground floor retail uses to Wattle Street. The site is to have an FSR of 3.50:1 with a Design Excellence clause; a height limit of 30 metres and 8 storeys; and a deep soil requirement for at least 10% of the site, as shown in Table 71 below. In addition to these planning controls there are various street and upper-level setbacks, street wall height, and site layout requirements, as can be seen in Figure 226.

Table 71 – proposed planning controls for 470 Wattle Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Boarding Accommodation*	MU1 – MU	Mixed use
Floor space ratio	*4.09 approx.*	2.5	3.50 + DesEx
Height of building	*20m*	15m	30m
Height in storeys	*6*	3	8^
Deep soil	*n/a*	10%	10%



Figure 226 – proposed site plan for 470 Wattle Street

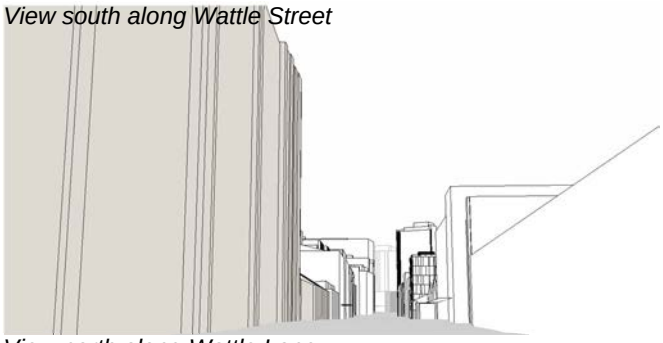
Visualisation



Figure 227 – view locations

Existing

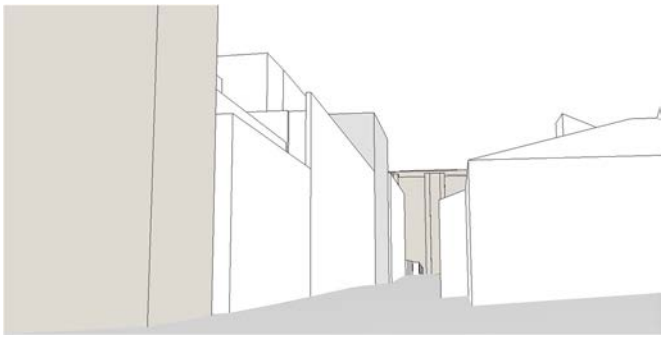
View south along Wattle Street



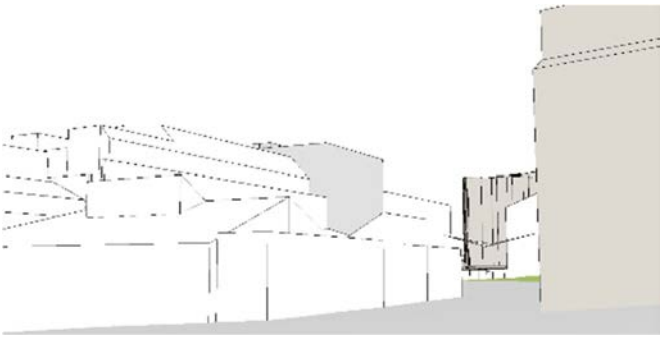
View north along Wattle Street



View north along Wattle Lane

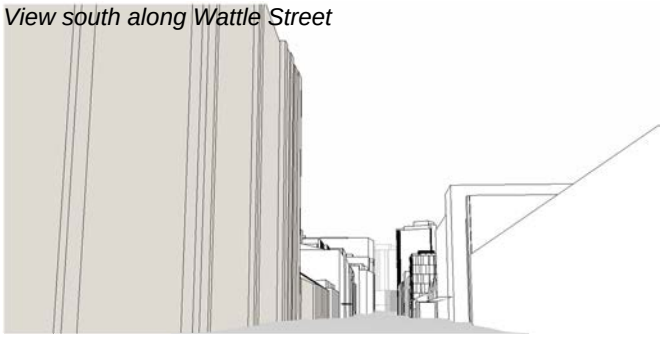


View west across McKee Street Reserve

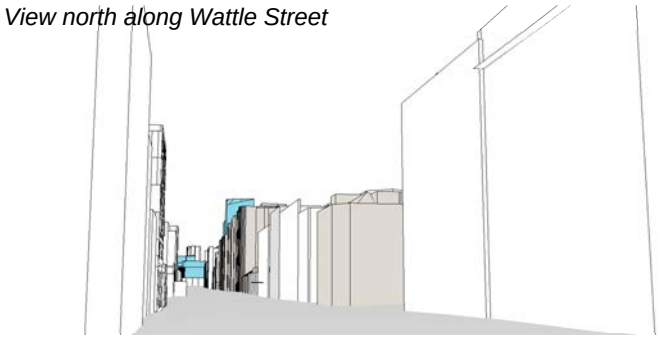


Existing + approved

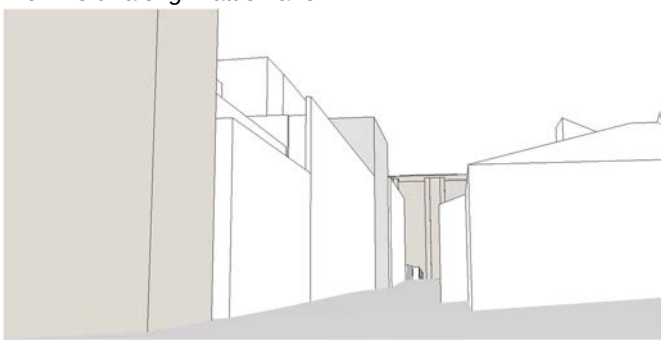
View south along Wattle Street



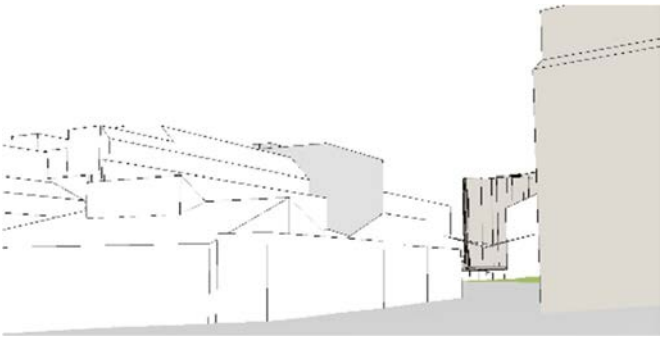
View north along Wattle Street



View north along Wattle Lane

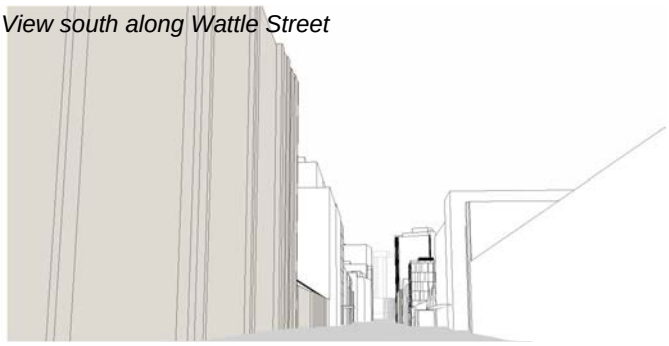


View west across McKee Street Reserve

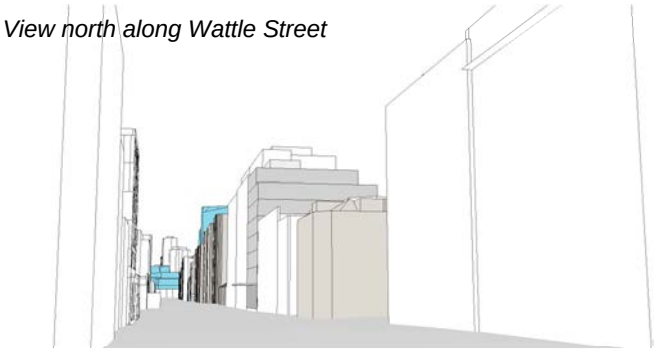


Proposed

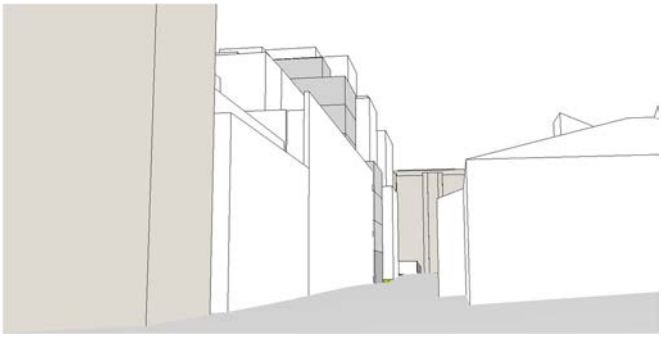
View south along Wattle Street



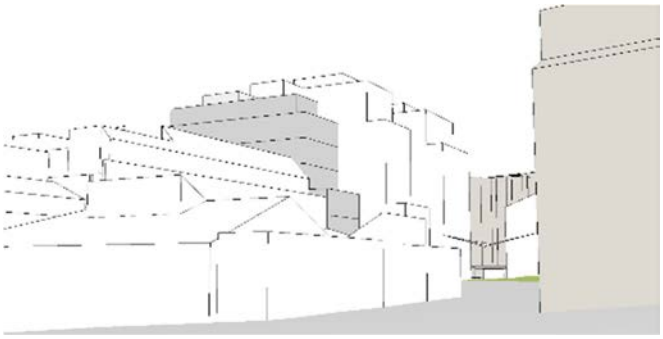
View north along Wattle Street



View north along Wattle Lane



View west across McKee Street Reserve



86-92 Harris Street

Overview

86-92 Harris Street (Lot 1 DP 791724) is located at the northern end of Harris Street, with a secondary frontage to Pyrmont Street, as can be seen in Figure 228 and Figure 229.



Figure 228 – location plan of 86-92 Harris Street



Figure 229 – oblique aerial of 86-92 Harris Street

Background

86-92 Harris Street was included in the Department of Planning's initial study. In this review it was given an FSR of 4.0:1, a height of 15 storeys, as shown in Figure 230. The initial study did not consider the sites context adjacent to heritage items to its south and east, opposite on Harris Street and nearby to the north. It did not consider minimising overshadowing of neighbouring residential buildings opposite on Harris Street, and the provision of deep soil. These controls can be seen in Table 72 below.

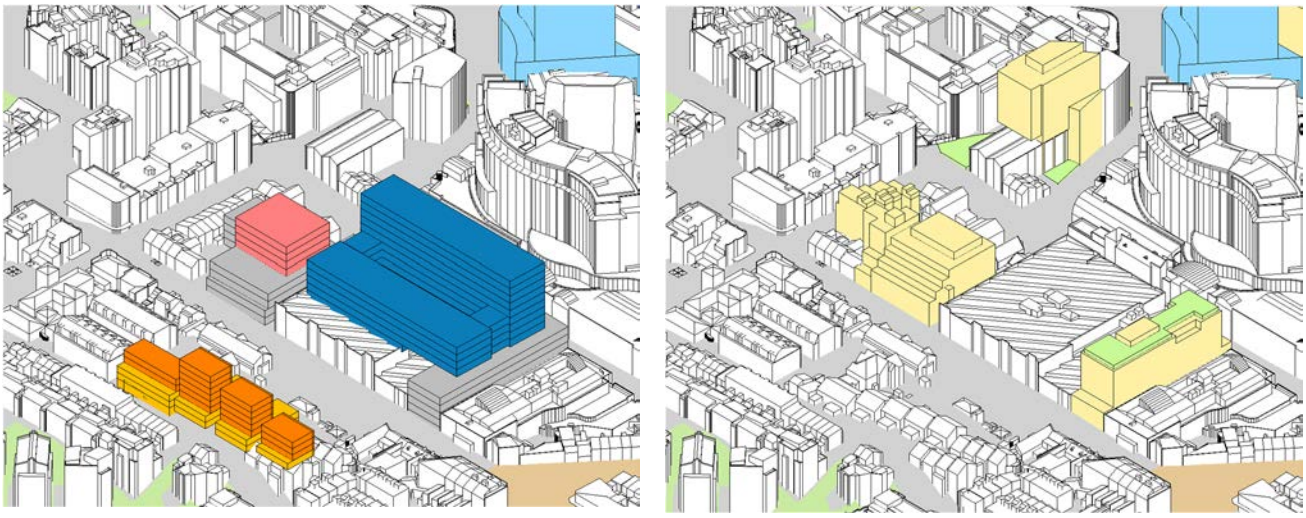


Figure 230 - comparison of Department of Planning's initial study and the proposed form for 86-92 Harris Street

Table 72 – Department of Planning's initial study for 86-92 Harris Street

	Department of Planning's initial study	Proposed form
Gross floor area	11,044 sqm	8,300 sqm
Floor space ratio	4.0	3.0
Height of building	To Solar Access Planes	27 m
Height in storeys	15	8^
Deep soil	*0%*	15%

Existing controls

86-92 Harris Street is currently vacant, however, was previously used as an at-grade carpark, with much of the infrastructure still present. The present site condition and existing planning controls are summarised in Table 73 below. The layout and position of the site can be seen in Figure 231.

Table 73 – existing building and existing planning controls for 86-92 Harris Street

	Existing building	Existing controls
Land use & zoning	*Vacant/carpark*	E2 – Commercial Centre
Floor space ratio	*0*	2.0
Height of building	*n/a*	15m
Height in storeys	*n/a*	3
Deep soil	*n/a*	10%



Figure 231 – existing site plan for 86-92 Harris Street

Urban design principles

More deep soil for **more trees** and cool green spaces –

Minimum of 15% deep soil is provided in the northern part of the site in a consolidated area that will enable the planting of a substantial bosque of trees contributing a green outlook to neighbouring sites and a cool oasis in the centre of the large block the site sits within.

More public space for more people – streets and open spaces –

The block bounded by Harris, John, Pyrmont and Union streets is long in the north south direction along Harris and Pyrmont streets. The site allows for a six-metre wide through site walkway linking these streets. The width allows for a pathway and tree planting to provide it with shade. The difference in elevation between the two street frontages requires a dedicated publicly accessible lift to ensure the walkway is accessible to all people.

Minimise overshadowing of existing residential properties –

Overshadowing to neighbouring residential properties is minimised as guided by the Apartment Design Guide and the City's Development Control Plan (refer Figure 232).

Reinforce **'street wall' form** of most buildings –

The site's slope is used to the development's advantage by locating two storeys below the Harris Street level behind an excavated area adjacent to the street to provide light and ventilation. To maintain the street wall on Harris Street a freestanding wall, like that previously approved, will be needed on the street frontage (refer Figure 233). The building height fits within streetscape and upper-level setbacks to accommodate additional storeys without disturbing the context.

Conserve **heritage** values –

On Pyrmont Street an open frontage without buildings provides the appropriate setting for the heritage items to the north and south. The freestanding wall on Harris Street completes the setting for the heritage items to the south and north. The walkway along the southern boundary allows the existing wall and windows to the heritage item adjacent to maintain its presence and outlook.

Good **design for wind and noise** –

The building's height and surrounding development means that unsafe or uncomfortable winds are not a likely to occur.

The site is not on a busy road and is relatively quiet.

Match **land use** to place –

The surrounding commercial uses to the south and west means that the existing commercial land use continues to be appropriate for this site.

Consider **views** to and from public places –

The site does not interrupt key views from public places.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.

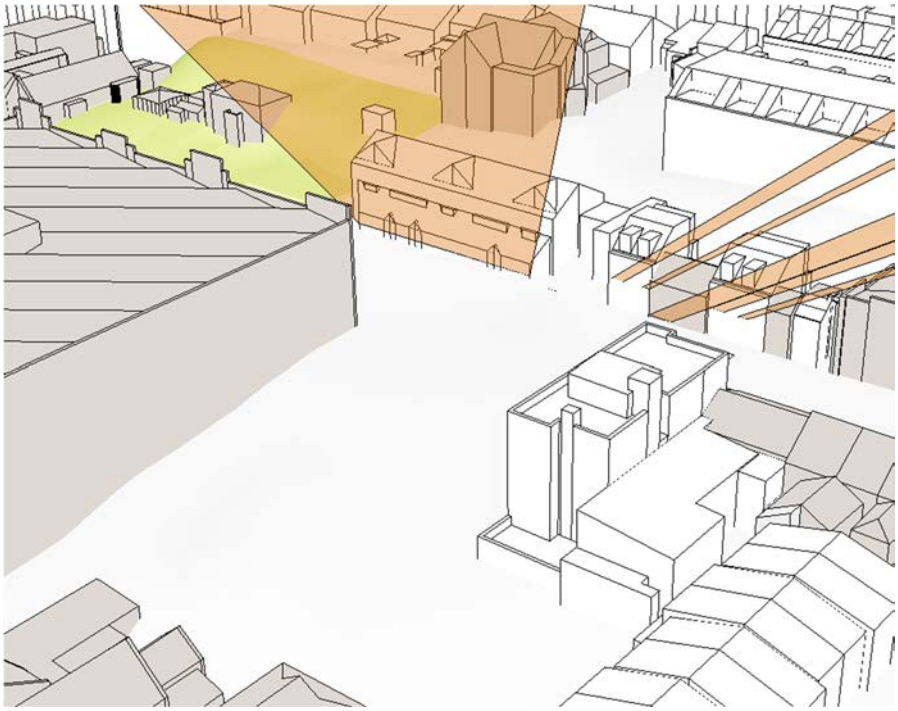


Figure 232 – minimise overshadowing of neighbouring residences and Maybanke Recreation Centre

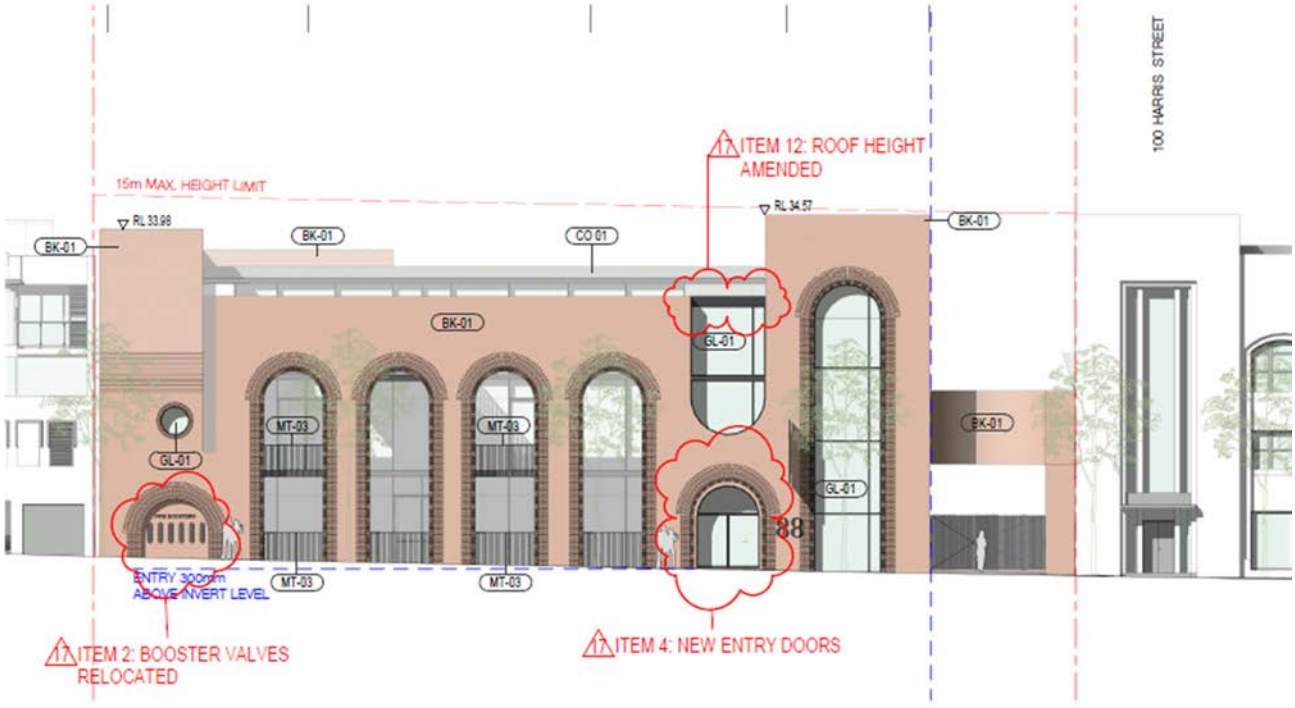


Figure 233 – The freestanding wall, previously approved for 86-92 Harris Street [D/2018/875/B]

Proposed controls

In response to the exhibited controls, the landowner of this site made a submission to the City for an alternative scheme on the site. The overall built form remains at 8 storeys, and the through site link and deep soil areas are also retained. The proposal differs in overall height in metres, floor space, street level setback and the presentation of the street wall form to the Harris Street frontage.

The resulting FSR is 3:1. The overall height limit is 33 metres and 8 storeys. The setback at the Harris Street frontage is now set at the site boundary with a 3-storey street wall height. The upper levels set back a further 4 metres at each level. The modified controls are summarised in Table 74**Error! Reference source not found.** below and details of site layout are shown in Figure 234.

Table 74 – modified planning controls for 86-92 Harris Street

	Existing building	Existing controls	Proposed controls
Land use & zoning	*Vacant/carpark*	E2 – CC	Commercial
Floor space ratio	*0*	2.0	3.0
Height of building	*n/a*	15m	33m
Height in storeys	*n/a*	3	8^
Deep soil	*n/a*	10%	15%

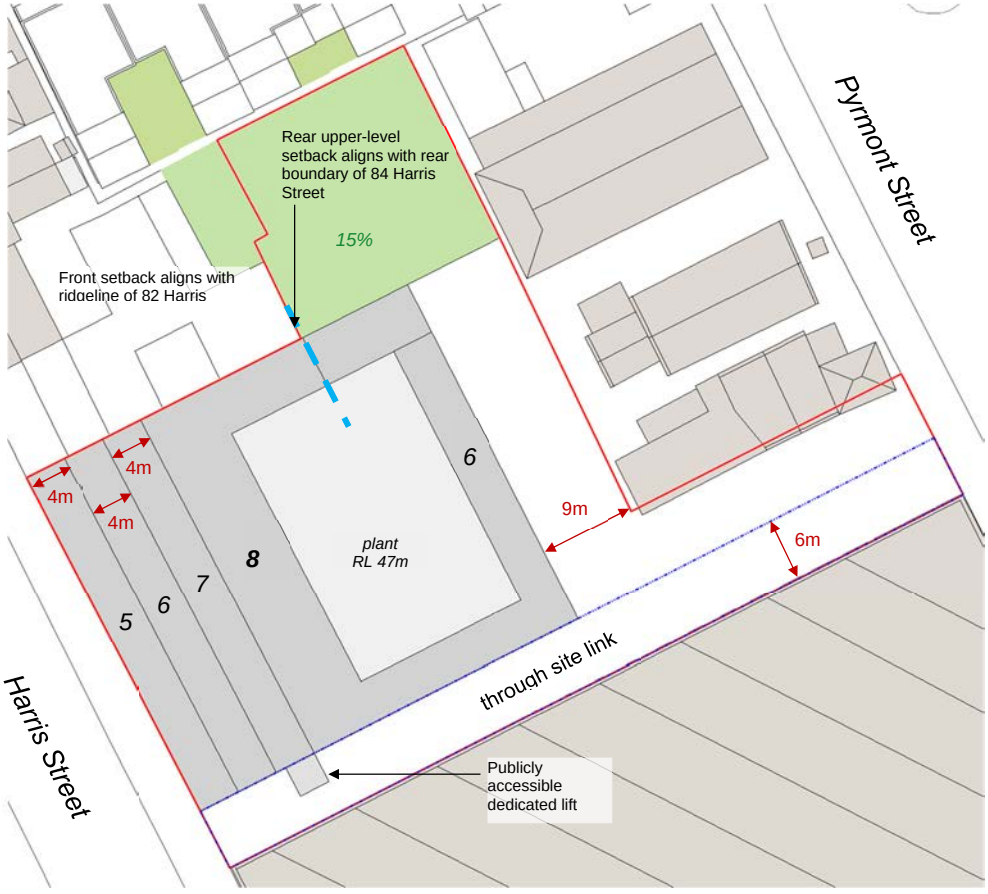


Figure 234 – modified site plan for 86-92 Harris Street

Visualisation



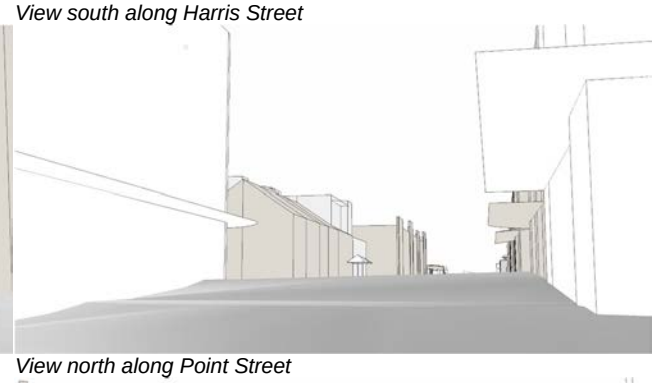
Figure 235 – view locations

Existing

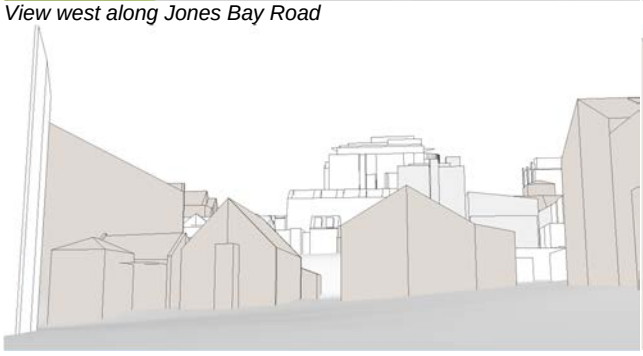
View north along Harris Street



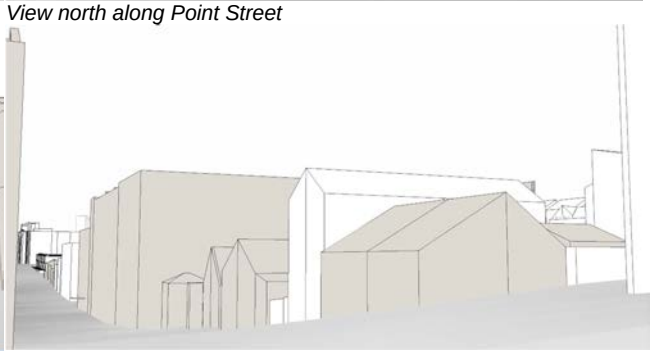
View south along Harris Street



View west along Jones Bay Road



View north along Point Street

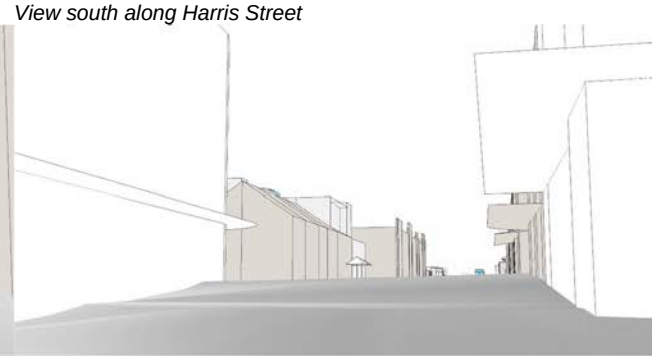


Existing + approved

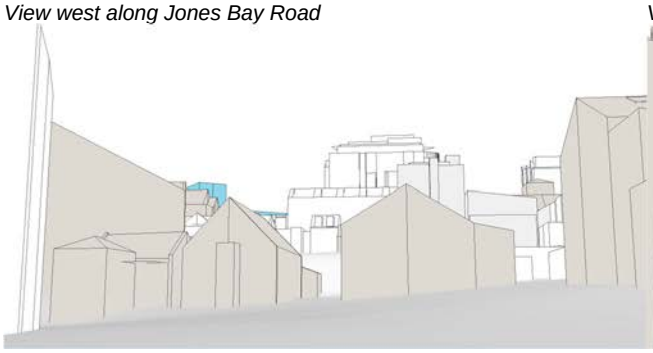
View north along Harris Street



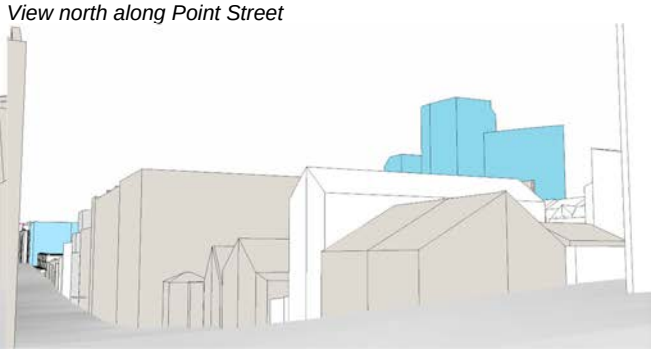
View south along Harris Street



View west along Jones Bay Road



View north along Point Street

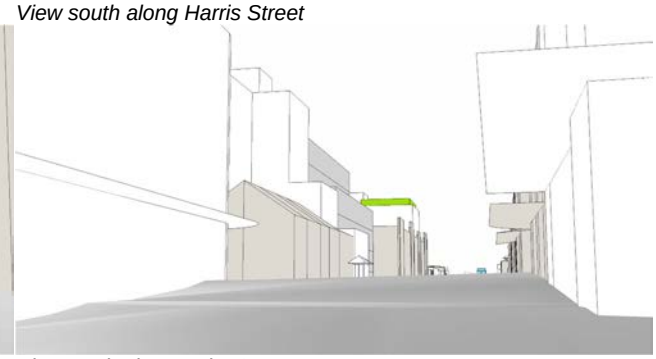


Exhibited controls

View north along Harris Street



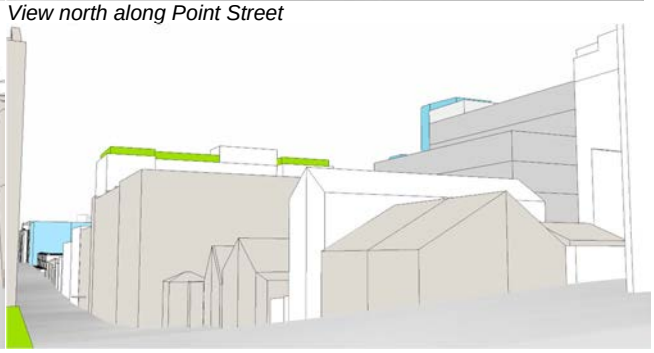
View south along Harris Street



View west along Jones Bay Road



View north along Point Street

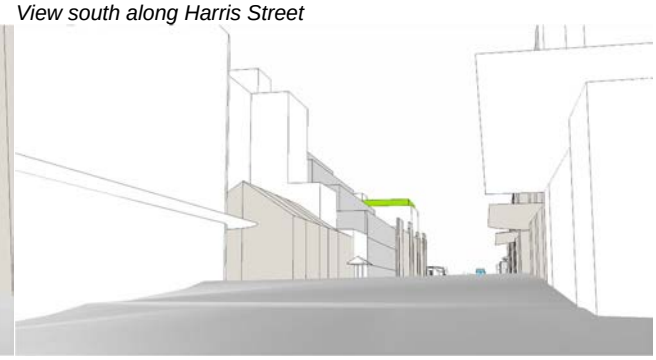


Modified controls

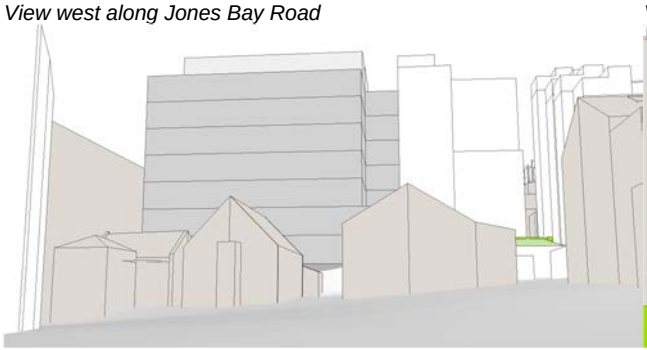
View north along Harris Street



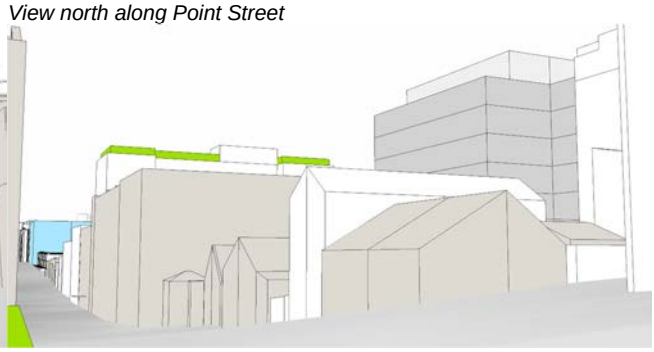
View south along Harris Street



View west along Jones Bay Road



View north along Point Street



Small Lot Houses

Overview

In Pyrmont and Ultimo there are some small streets of around 9 – 12 metre reservation width that are well liked by local residents. They contain a distinctive housing type that adds to housing diversity and choice in the area, and are, relatively, less expensive. These houses have a single frontage, zero side and front setbacks, are generally two stories high, are relatively small in size, and have small areas of private open space. they were generally created by subdivision of lots that in other cases run between a standard 20 metre wide street and a small street. The two lot types, single double frontage lots between street and small street and two single frontage lots, one facing a street the other facing a small street are intermixed.

Small streets with this housing type have less car parking and the lack of street crossings allow for more tree planting and safer more comfortable conditions for people walking or riding bicycles. They are overlooked by the small houses and have more people coming and going on the street by foot. Together these conditions produce the environment that local's understand, value and enjoy.

In recent decades, this pattern of development, unanticipated in, but not prevented by, the City's Development Control Plan has languished. Reviving it will increase the overall density of the peninsula while reinvigorating the small streets. It will reinforce rather than change the existing character of the area.

The new small lot houses are modelled on the existing houses in the small streets of Pyrmont, with some amenity criteria similar to the Apartment Design Guide criteria for studio apartments.

Like the existing small lot dwellings in Pyrmont and Ultimo there are no front or side setbacks, no car parking requirements, front porches and balconies, a setback area at the rear, and two storeys height. Like the apartment design guide there are criteria for: for natural cross ventilation – at each level, minimum internal floor area – 35 square metres, minimum habitable room dimension – three metres, minimum sun access for living rooms and private open space – one square metre for two hours between 9am and 3pm at mid-winter, minimum private open space, privacy screening and roof gardens. To ensure private open space amenity is easy to achieve roof terraces are suggested.

Urban design principles
More deep soil for **more trees** and cool green spaces –

The building type makes possible more street tree planting by eliminating the need for driveway cross overs. Roof planting adds to the overall greening.

More public space for more people – streets and open spaces –

The small lot sizes prevent the addition of more publicly accessible open space. The housing type reduces the need for vehicle access in the streets freeing up more space for people in the small streets in a slower speed street environment.

Minimise overshadowing of existing residential properties –

Additional overshadowing to the living rooms and private open space of adjoining residential properties have been minimised, as guided by the Apartment Design Guide and the City's Development Control Plan.

Reinforce **'street wall' form** of most buildings –

The small lot houses will infill the "missing teeth" of the existing two storey street wall on the small streets.

Conserve **heritage** values –

The reintroduction of a traditional housing type reinforces the existing character of Heritage Conservation Areas and is compatible with heritage items.

Good **design for wind and noise** –

The small scale of the small lot houses will not adversely affect wind conditions in the small streets.

Small streets are protected from noise.

Match **land use** to place –

The existing residential land use is maintained.

Consider **views** to and from public places –

The sites are not affected by view corridors.

Maximise development **within constraints** –

Within the limits set by other urban design principles described above the potential floor area is maximised.



Where driveways dominate, people do not



Small houses improve a small street

Figure 236 – 12 new small lot houses will make Paternoster Row a better place

Proposed controls

Table 75 – proposed planning controls for small lot houses

	Proposed controls
Access	frontage to a min 6m wide street [mostly 9m wide]
	no car parking [new and existing lots]
Size	min. GFA 35 sqm
	min. width and depth 3m [interior of habitable rooms]
	existing max. height [generally 9m]
Height	2 storeys; excluding stair and landing allowed for access to roof terrace
	2.7m minimum floor to ceiling height to habitable rooms
Setbacks	no street and side setbacks
	1m min. rear setback – excluding privacy devices for windows
Private open space	existing residential lot – 16 sqm courtyard, 3m min width (existing DCP controls)
	new lots must provide the following private open space - front balcony; 1m min depth - roof terrace; 4sqm min area, 1m min depth, setback 2m from the primary street frontage
Solar access and overshadowing	2 hrs midwinter sunlight to 1sqm of living room window
	2 hrs midwinter sunlight to 1sqm of private open space
	minimise overshadowing of existing living room windows and private open space
Natural cross ventilation	natural cross ventilation on each level
Deep soil and rooftop gardens	no deep soil requirement (no requirement in current & proposed DCP for lots <150sqm); rooftop garden to each new dwelling; setback 1m from the primary street, minimum width of 1m and minimum soil depth of 1m
Ecology	existing trees to be maintained (per tree definition with section 3.5-3 of the DCP); tree in the street in front of the new dwelling
Note: potential controls are draft only and subject to further detailed study	



Figure 237 – proposed controls for small lot houses, indicative layout along Paternoster Row



Figure 238 – proposed controls for small lot houses, indicative layout

Visualisation



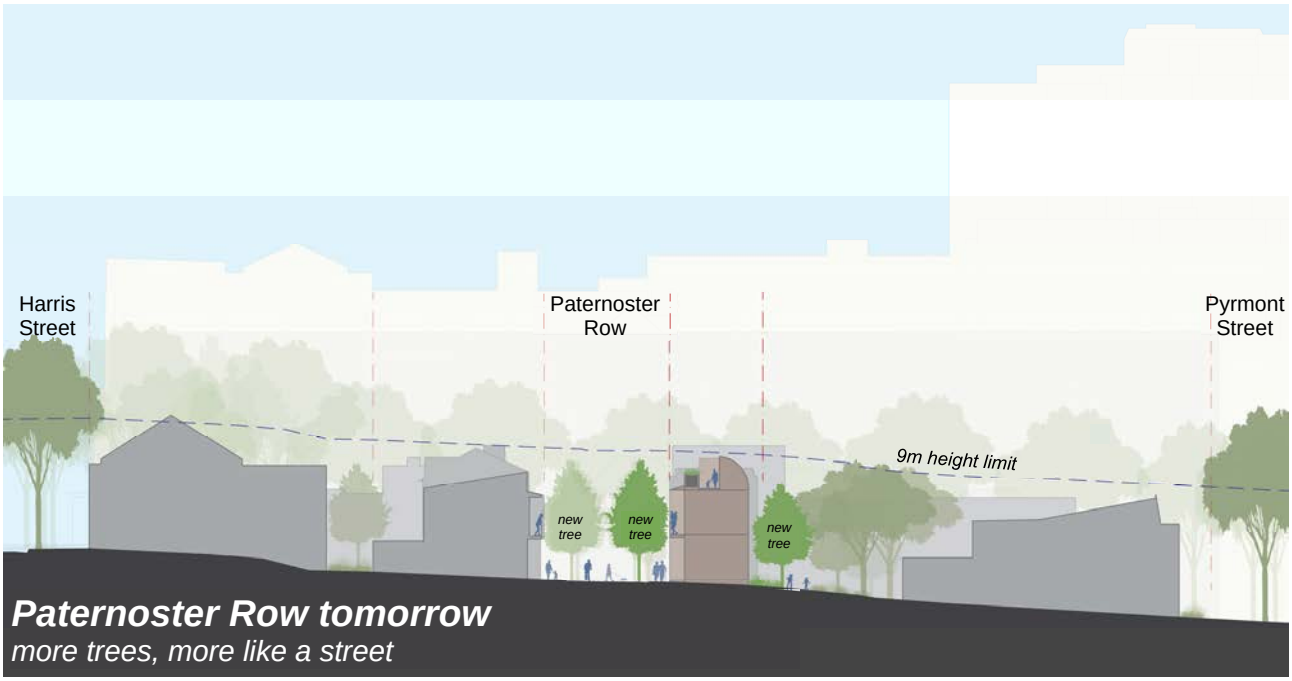


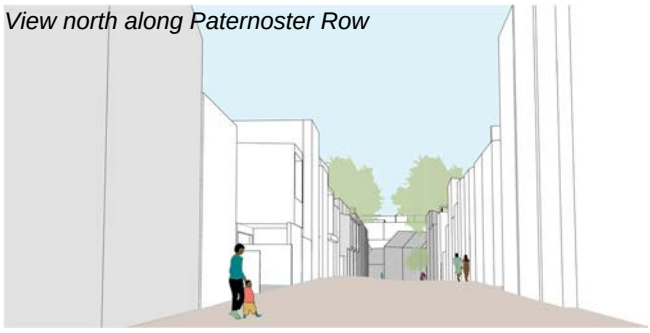
Figure 239 – cross section through Paternoster Row towards the north

Paternoster Row today – not enough trees, like a rear lane

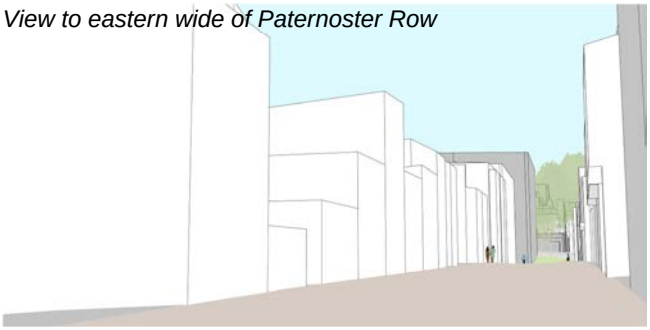
View south along Paternoster Row



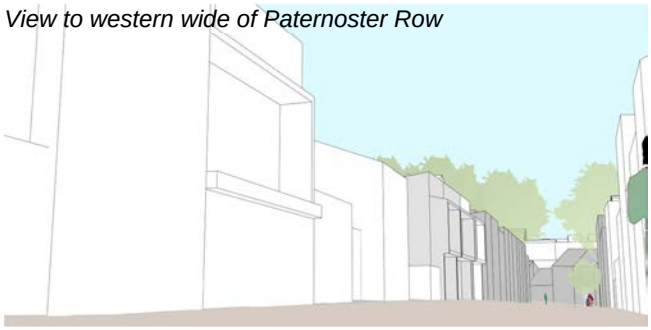
View north along Paternoster Row



View to eastern wide of Paternoster Row

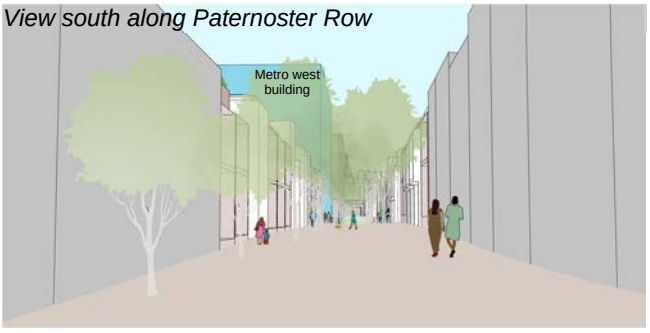


View to western wide of Paternoster Row

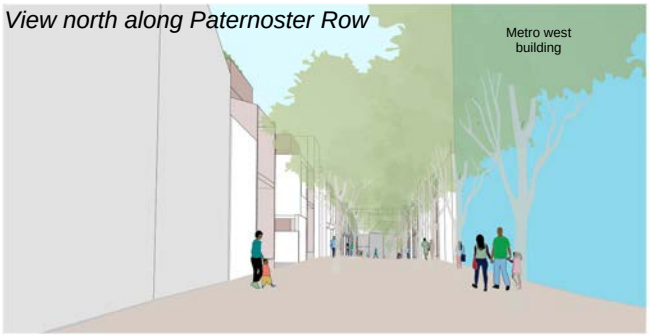


Paternoster Row tomorrow – more trees, like a street

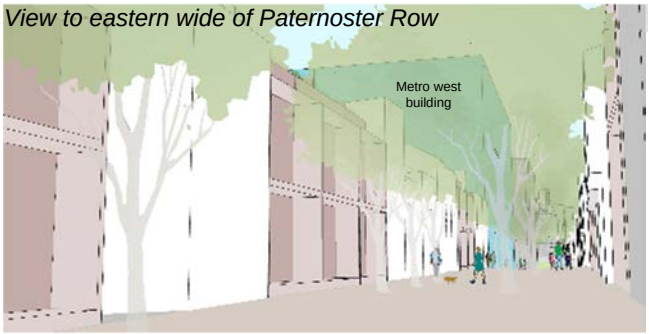
View south along Paternoster Row



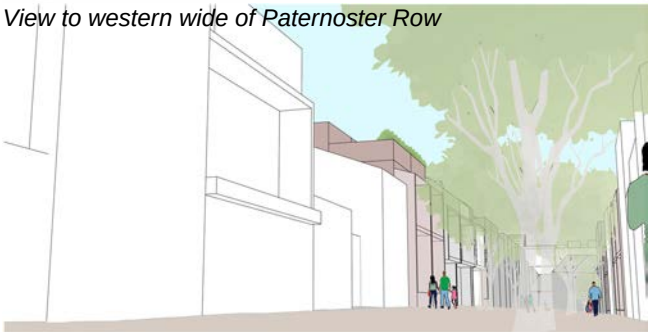
View north along Paternoster Row



View to eastern wide of Paternoster Row



View to western wide of Paternoster Row





Attachment H

Implementation of the Pyrmont Peninsula Place Strategy Ministerial Direction

1.15 Implementation of the Pyrmont Peninsula Place Strategy

Objective

The objectives of this direction are to:

(a) facilitate development within the Pyrmont Peninsula that is consistent with *the Pyrmont Peninsula Place Strategy* (Place Strategy) and the *Economic Development Strategy*,

(b) align the planning framework with the *Eastern City District Plan* Planning Priority E7 Growing a Stronger and More Competitive Harbour CBD and actively support the consistent delivery of objectives in the *Eastern City District Plan* and *Greater Sydney Region Plan*, and

(c) guide growth and change balanced with character, heritage and infrastructure considerations (amongst others) across the Peninsula under the Place Strategy.

Application

This direction applies when a planning proposal authority prepares a planning proposal within land subject to the *Pyrmont Peninsula Place Strategy* in the City of Sydney local government area as shown on Map LAP_001 Pyrmont Peninsula Place Strategy Ministerial Direction published on the Department of Planning and Environment website on 11 December 2020.

Direction 1.15

(1) A planning proposal authority must ensure that a planning proposal is consistent with the *Pyrmont Peninsula Place Strategy*, approved by the Minister for Planning and published on the Department of Planning and Environment website on 11 December 2020, including that it:

(a) gives effect to the objectives of this direction and the Vision (Part 5) of the *Pyrmont Peninsula Place Strategy*,

(b) is consistent with the 10 directions (Part 6) and Structure Plan (Part 8) in the *Pyrmont Peninsula Place Strategy*,

(c) delivers on envisaged future character for sub-precincts (Part 9), including relevant place priorities in the *Pyrmont Peninsula Place Strategy*, and

(d) supports the delivery of the Big Moves (Part 7) in the *Pyrmont Peninsula Place Strategy*.

(2) A planning proposal authority must ensure that a planning proposal is consistent with the *Pyrmont Peninsula Place Strategy - Urban Design Report (Vol. 3 Sub-precinct Master Planning)* published on the Department of Planning and Environment website on 29 July 2022 (Urban Design Report), including the:

(a) Peninsula wide objectives contained in Part 2 of the Urban Design Report,

(b) the Peninsula height strategy contained in Part 3 of the Urban Design Report, and

(c) the sub-precinct master plans contained in Part 4 of the Urban Design Report.

Consistency

A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee), that:

(a) the provisions of the planning proposal that are inconsistent are of minor significance, and

(b) the planning proposal achieves the overall intent of the *Pyrmont Peninsula Place Strategy* and Urban Design Report and does not undermine the achievement of the *Pyrmont Peninsula Place Strategy's* Vision, directions, Big Moves, sub-precinct Place Priorities, Framework for Key Sites and Key Infrastructure Opportunities.

Date commenced: 29 July 2022

Item 8.

Proposed Schedule of Central Sydney Planning Committee Meetings and Briefings for 2026, 2027 and 2028

File No: X116150

Summary

This report requests that the Central Sydney Planning Committee approve the draft Schedules of Central Sydney Planning Committee Meetings and Briefings for 2026, 2027 and 2028.

Recommendation

It is resolved that:

(A) the Central Sydney Planning Committee adopt the draft Schedules of Central Sydney Planning Committee Meetings and Briefings for 2026, 2027 and 2028 as shown at Attachments A, B and C to the subject report; and

(B) authority be delegated to the Lord Mayor to modify the schedules if needed, with Central Sydney Planning Committee Members to be notified as soon as practicable and the City's website to be updated accordingly.

Attachments

Attachment A. Draft Schedule of Central Sydney Planning Committee Meetings and Briefings for 2026

Attachment B. Draft Schedule of Central Sydney Planning Committee Meetings and Briefings for 2027

Attachment C. Draft Schedule of Central Sydney Planning Committee Meetings and Briefings for 2028

Background

1. Each year the Central Sydney Planning Committee (CSPC) considers a meeting schedule for the upcoming year.

2. The draft schedule proposes 10 meetings and 10 briefings for each calendar year.

3. CSPC meetings are generally scheduled in the same week as meetings of Council's Transport, Heritage and Planning Committee.

4. At its meeting of 22 September 2025, Council adopted meeting schedules for 2026, 2027 and 2028. Consequently, it is possible to schedule 3forward years of CSPC meetings.

5. It is possible the Lord Mayor may need to adjust the meeting dates for Council and Council Committees if any unforeseen issues arise.

6. Should this occur, the CSPC meeting dates will be amended accordingly, with CSPC Members to be notified as soon as practicable and the City's website updated accordingly.

Relevant Legislation

7. City of Sydney Act 1988.

8. Local Government Act 1993.

Critical Dates / Time Frames

9. The schedule follows the same pattern as previously approved by the Central Sydney Planning Committee. Meetings are generally scheduled in the same week as meetings of Council's Transport, Heritage and Planning Committee.

10. The commencement time for the public meeting of the Central Sydney Planning Committee will be 5.00pm.

11. Briefings are generally held the week prior to the Central Sydney Planning Committee meeting.

12. Following endorsement by the Central Sydney Planning Committee, meeting dates will be available on the City's website.

ERIN CASHMAN

Manager Office of the CEO

Eileen Leather, Committee Secretary

Attachment A

Draft Schedule of Central Sydney Planning Committee Meetings and Briefings for 2026

SCHEDULE OF CENTRAL SYDNEY PLANNING COMMITTEE MEETINGS AND BRIEFINGS FOR 2026

DATE	MEETING
THURSDAY 12 FEBRUARY	• CSPC BRIEFINGS
THURSDAY 19 FEBRUARY	• CSPC MEETING
THURSDAY 12 MARCH	• CSPC BRIEFINGS
THURSDAY 19 MARCH	• CSPC MEETING
THURSDAY 16 APRIL	• CSPC BRIEFINGS
THURSDAY 23 APRIL	• CSPC MEETING
THURSDAY 7 MAY	• CSPC BRIEFINGS
THURSDAY 14 MAY	• CSPC MEETING
THURSDAY 18 JUNE	• CSPC BRIEFINGS
THURSDAY 25 JUNE	• CSPC MEETING
THURSDAY 13 AUGUST	• CSPC BRIEFINGS
THURSDAY 20 AUGUST	• CSPC MEETING
THURSDAY 10 SEPTEMBER	• CSPC BRIEFINGS
THURSDAY 17 SEPTEMBER	• CSPC MEETING
THURSDAY 15 OCTOBER	• CSPC BRIEFINGS
THURSDAY 22 OCTOBER	• CSPC MEETING
THURSDAY 5 NOVEMBER	• CSPC BRIEFINGS
THURSDAY 12 NOVEMBER	• CSPC MEETING
THURSDAY 3 DECEMBER	• CSPC BRIEFINGS
THURSDAY 10 DECEMBER	• CSPC MEETING

Attachment B

Draft Schedule of Central Sydney Planning Committee Meetings and Briefings for 2027

SCHEDULE OF CENTRAL SYDNEY PLANNING COMMITTEE MEETINGS AND BRIEFINGS FOR 2027

DATE	MEETING
THURSDAY 11 FEBRUARY	• CSPC BRIEFINGS
THURSDAY 18 FEBRUARY	• CSPC MEETING
THURSDAY 11 MARCH	• CSPC BRIEFINGS
THURSDAY 18 MARCH	• CSPC MEETING
THURSDAY 1 APRIL	• CSPC BRIEFINGS
THURSDAY 8 APRIL	• CSPC MEETING
THURSDAY 6 MAY	• CSPC BRIEFINGS
THURSDAY 13 MAY	• CSPC MEETING
THURSDAY 17 JUNE	• CSPC BRIEFINGS
THURSDAY 24 JUNE	• CSPC MEETING
THURSDAY 12 AUGUST	• CSPC BRIEFINGS
THURSDAY 19 AUGUST	• CSPC MEETING
THURSDAY 9 SEPTEMBER	• CSPC BRIEFINGS
THURSDAY 16 SEPTEMBER	• CSPC MEETING
THURSDAY 14 OCTOBER	• CSPC BRIEFINGS
THURSDAY 21 OCTOBER	• CSPC MEETING
THURSDAY 4 NOVEMBER	• CSPC BRIEFINGS
THURSDAY 11 NOVEMBER	• CSPC MEETING
THURSDAY 2 DECEMBER	• CSPC BRIEFINGS
THURSDAY 9 DECEMBER	• CSPC MEETING

Attachment C

Draft Schedule of Central Sydney Planning Committee Meetings and Briefings for 2028

SCHEDULE OF CENTRAL SYDNEY PLANNING COMMITTEE MEETINGS AND BRIEFINGS FOR 2028

DATE	MEETING
THURSDAY 10 FEBRUARY	• CSPC BRIEFINGS
THURSDAY 17 FEBRUARY	• CSPC MEETING
THURSDAY 2 MARCH	• CSPC BRIEFINGS
THURSDAY 9 MARCH	• CSPC MEETING
THURSDAY 23 MARCH	• CSPC BRIEFINGS
THURSDAY 30 MARCH	• CSPC MEETING
THURSDAY 4 MAY	• CSPC BRIEFINGS
THURSDAY 11 MAY	• CSPC MEETING
THURSDAY 15 JUNE	• CSPC BRIEFINGS
THURSDAY 22 JUNE	• CSPC MEETING
THURSDAY 20 JULY	• CSPC BRIEFINGS
THURSDAY 27 JULY	• CSPC MEETING
THURSDAY 10 AUGUST	• CSPC BRIEFINGS
THURSDAY 17 AUGUST	• CSPC MEETING
THURSDAY 19 OCTOBER	• CSPC BRIEFINGS
THURSDAY 26 OCTOBER	• CSPC MEETING
THURSDAY 9 NOVEMBER	• CSPC BRIEFINGS
THURSDAY 16 NOVEMBER	• CSPC MEETING
THURSDAY 30 NOVEMBER	• CSPC BRIEFINGS
THURSDAY 7 DECEMBER	• CSPC MEETING