

8 April 2026

At 5.00 pm

Local Planning Panel



Agenda

- 1. Disclosures of Interest**
- 2. Confirmation of Minutes**
- 3. Section 8.2 Review of Determination: 212-214 King Street, Newtown - RD/2025/585/B**
- 4. Development Application: 98-106 Kippax Street, Surry Hills - D/2025/758**
- 5. Development Application: 21 Buckland Street, Alexandria - D/2025/1311**
- 6. Development Application: 553 Crown Street, Surry Hills - D/2026/49**
- 7. Development Application: 5-11 Bridge Street, Sydney – D/2025/1335**



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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 LPP 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 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 LPP 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 LPP meeting, the Chair may re-order agenda items so that those items with speakers can be dealt with first.

LPP reports are on line at www.cityofsydney.nsw.gov.au

Item 1.

Disclosures of Interest

In accordance with section 4.9 of the Code of Conduct for Local Planning Panel Members, all Panel members are required to sign a declaration of interest in relation to each matter on the agenda.

Pursuant to the provisions of Clause 15 of Schedule 4B of the Environmental Planning and Assessment Act 1979, members of the Local Planning Panel are required to disclose pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

Panel members are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

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

Item 2.

Confirmation of Minutes

Minutes of the following meeting of the Local Planning Panel, which have been endorsed by the Chair and Members of that meeting, are submitted for noting:

Meeting of 25 February 2026

Item 3.**Section 8.2 Review of Determination: 212-214 King Street, Newtown - RD/2025/585/B****File Number:** RD/2025/585/B**Summary****Date of Lodgement:** 21 January 2025**Application Type:** Division 8.2 review application**Date of original determination:** 15 October 2025**Required determination date:** 15 April 2026**Applicant:** SLR Consulting**Architect/Designer:** Richmond + Ross Consulting**Developer:** McDonald's Australia**Planning Consultant:** SLR Consulting**Heritage Consultant:** NRBS & Partners Pty Ltd**Cost of Works:** \$1,751,791.00**Zoning:** E1 Local Centre**Proposal Summary:** A request for a review of the determination of the development application D/2025/585 under the provisions of Section 8.2(1)(a) of the Environmental Planning and Assessment Act (EP&A Act) has been submitted.

The original development application was refused by the Local Planning Panel at its meeting on 15 October 2025. In accordance with the provisions under Section 8.2 of the Environmental Planning and Assessment Act 1979, the review of determination must also be determined by the Local Planning Panel.

The original development application sought consent for alterations and additions for use as a takeaway food and drink premises with associated signage, and operation for 24 hours, 7 days a week.

The application was refused for the following reasons:

- The proposal does not adequately demonstrate safe and practical pedestrian access to the site and along the footway, particularly considering the proposed servicing arrangements and food delivery riders expected to use the premises that will conflict with pedestrian flow on the footpath. The proposal does not provide on site parking spaces for delivery riders, which will likely result in parked bicycles or motorcycles obstructing the public domain.
- The proposal to operate 24 hours a day, 7 days a week does not comply with the late-night trading management objectives and provisions under section 3.15 of the Sydney Development Control Plan 2012 and would likely have a significant impact on the locality.
- The proposal does not comply with the design excellence provisions under Clause 6.21C of the Sydney Local Environmental Plan 2012 as it does not sufficiently respond to the suitability of the land for development, impact on the public domain and the pedestrian, cycle, service access and circulation requirements.
- The proposal does not comply with the relevant objectives and provisions of the Sydney Development Control Plan 2012, including controls relating to waste management, hours of operation, transport and parking, and the public domain.
- The proposal does not demonstrate proper management relating to public safety risks, crime prevention and other concerns raised by the NSW Police in their comment on the proposed development.
- Matters raised by internal and external referrals have not been addressed and are unresolved, particularly that the proposal does not provide onsite bicycle parking spaces and a loading zone. It is not possible to mitigate or minimise the unresolved impacts through conditions of approval.

- The development is unsatisfactory when assessed pursuant to the matters for consideration at section 4.15(1)(b)(c) and (e) of the Environmental Planning & Assessment Act, including that the proposed development is not in the public interest.

The applicant is requesting the Panel review the decision to refuse D/2025/585.

Notification and exhibition

The review application was notified and exhibited for a period of 21 days between 22 January and 13 February 2026. A total of 191 submissions were received, with the majority of the submissions in objection.

Assessment

The review application provides minor amendments and additional justification, including reduced trading hours and submission of a traffic impact assessment, amended crime prevention through environmental design assessment and a BCA compliance statement to address the reasons for refusal of original application.

The amendments and additional information is considered inadequate to address all the reasons for refusal and issues relating to waste management and adverse traffic impacts remain.

The proposed waste management arrangement does not comply with City's Guidelines for Waste Management in New Developments and the reliance on a 'no stopping' lane for daily waste collection is not supported under the NSW Road Rule 313A.

The site remains unsuitable for the proposed use as no data is provided to demonstrate that the existing public bike racks can accommodate food delivery demands during peak hours, and the proposed use of the time-limited, shared on-street loading zone does not guarantee consistent or reliable access for servicing vehicles, and will conflict with pedestrian flow on the footpath.

Summary Recommendation: This proposal is recommended for refusal.

Development Controls:

- (i) SEPP (Industry and Employment) 2021
- (ii) SEPP (Transport and Infrastructure) 2021
- (iii) Sydney Local Environmental Plan 2012
- (iv) Sydney Development Control Plan 2012

Attachments:

- A. Selected drawings
- B. Submissions
- C. Original Notice of Determination
- D. Original Development Assessment Report
- E. Original Drawings

Recommendation

It is resolved that consent be refused for Review of Determination Application number RD/2025/585/B.

Reasons for Recommendation

The review application is recommended for refusal for the following reasons:

- (A) The proposal does not demonstrate site suitability in accordance with section 4.15(1)(c) of the Environmental Planning and Assessment Act, 1979, as it does not adequately demonstrate safe and practical pedestrian access to the site and along the footway, particularly considering the proposed servicing arrangements and food delivery riders expected to use the premises that will conflict with pedestrian flow on the footpath. The proposal does not provide on-site parking spaces for delivery riders, which will likely result in parked bicycles or motorcycles obstructing the public domain.
- (B) The proposal does not comply with the design excellence provisions under Clause 6.21C of the Sydney Local Environmental Plan 2012 as it does not sufficiently respond to the suitability of the land for development, impact on the public domain and the pedestrian, cycle, service access and circulation requirements.
- (C) The proposal does not comply with the relevant objectives and provisions of the Sydney Development Control Plan 2012, including controls relating to waste management, transport and parking, and the public domain.
- (D) The proposal does not demonstrate proper management relating to pedestrian and road safety, and traffic related concerns raised by the NSW Police in their comment on the original proposed development.
- (E) Matters raised by internal and external referrals on the original development application are unresolved, particularly that the proposal does not provide onsite visitor bicycle parking spaces or onsite loading. It is not possible to mitigate or minimise the unresolved impacts through conditions of approval.
- (F) The development is unsatisfactory when assessed pursuant to the matters for consideration at section 4.15(1)(b)(c) and (e) of the Environmental Planning and Assessment Act, 1979 including that the proposed development is not in the public interest.

Background

The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the Local Planning Panel for determination as it is identified in Schedule 3 of the Local Planning Panels Direction of 3 March 2024 as being within the following category:
 - (a) Contentious Development
2. The review application falls within the category of Contentious Development as a total of 191 submissions were received, with most of the submissions in objection.
3. The original development application (D/2025/585) received a total number of 1,432 submissions with the majority of submissions in objection. It was refused by the Local Planning Panel at its meeting on 15 October 2025.
4. Also in accordance with the provisions under Section 8.2 of the Environmental Planning and Assessment Act 1979, the review of determination must also be determined by the Local Planning Panel.
5. Section 8.3(2) of the Act specifies that a determination or decision cannot be reviewed after the period within which any appeal may be made to the Court has expired if no appeal was made. That is, the subject application must be determined within 6 months of the date of the original decision (by 15 April 2026).

The Site and Surrounding Development

6. The site has a legal description of Lot 2 and Lot 3 DP 65247, known as 212-214 King Street, Newtown. It is rectangular in shape with an area of approximately 275 sqm. It has a primary street frontage of 8.99 metres to King Street and a rear street frontage of 9.03 metres to Brown Lane. The site is located close to the intersection of King Street and Brown Street.
7. The site contains a 2-storey building. A real estate office is currently occupying the ground floor premises on Lot 2, and a retail shop is currently occupying the ground floor premises on Lot 3. The upper floor office premises is currently vacant, as observed during a site inspection. The upper floor on Lot 2 and Lot 3 can be accessed through internal stairs off King Street or the external stairs along northern boundary at rear. Three carparking spaces are located at the rear of the site accessed via Brown Lane. Brown Lane provides rear access and is a no parking and no stopping area.
8. The surrounding area is characterised by a mixture of land uses, primarily being commercial uses including retail and food premises on ground floor along King Street, and residential uses including single to 2-storey terrace houses along Brown Street.
9. The site is not a heritage item but is identified as containing a contributory building located within the King Street heritage conservation area.
10. The site is located within the North Newtown locality.
11. A site visit was carried out during the assessment of the original development application. Photos of the site and surrounds are provided below.

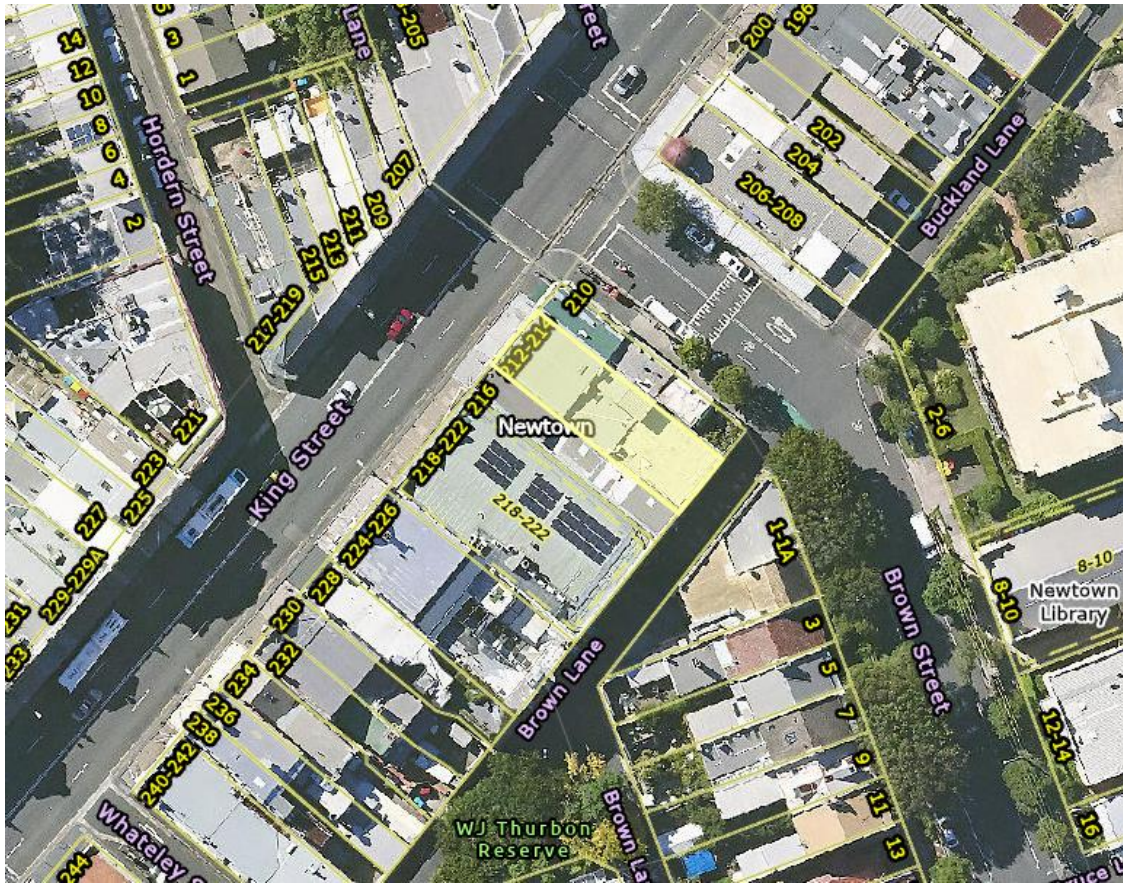


Figure 1: Aerial view of site and surrounds (site indicated in yellow)



Figure 2: Site viewed from King Street. Parking restrictions apply - times vary (subject premises outlined in red).



Figure 3: Site viewed from Brown Lane. No parking and no stopping restrictions apply at all times (subject premises outlined in red).

History Relevant to the Review Application

Development Application

12. The following application is relevant to the current proposal:

- **D/2025/585** – Development application was refused by the Local Planning Panel at its meeting on 15 October 2025 for the alterations and additions for use as takeaway food and drink premises with associated signage, trading for 24 hours, 7 days a week.

Proposed Review

13. The review application seeks development consent for the following:

- use of the ground floor premises as a take-away food and drink premises
- associated internal fitout works to include indoor service and dining area (approximately 25 sqm) with booth seating for approximately 12 persons, a kitchen and back of house area (approximately 225 sqm) and a mechanical ventilation system
- facade signage including:
 - one awning fascia sign (non-illuminated)
 - one shopfront decal (non-illuminated)
 - replacement of an existing projecting wall sign (illuminated) on first floor
 - replacement of 2 existing under-awning lightbox signs
- proposed trading hours between:
 - 7am and 11pm, Sundays to Thursdays
 - 7am and 2am, Fridays and Saturdays

14. Plans and elevations of the proposed development are provided below.

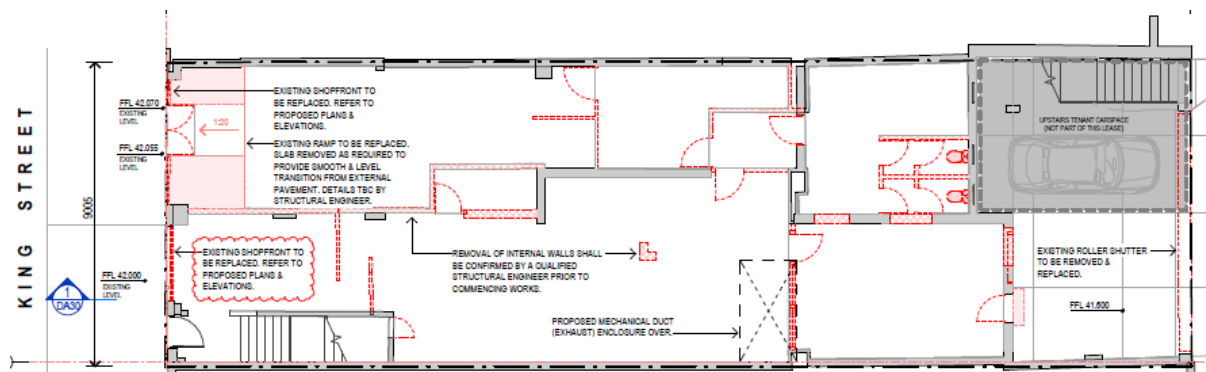


Figure 4: Proposed demolition floor plan

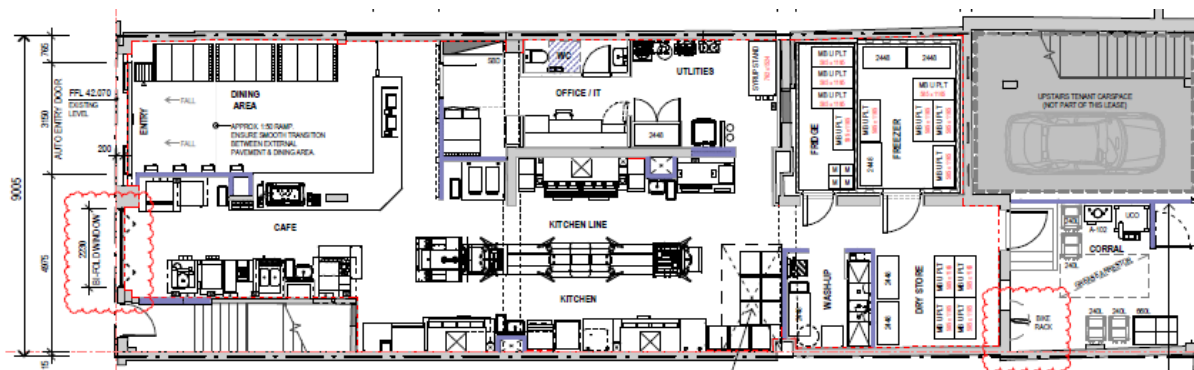


Figure 5: Proposed ground floor plan



Figure 6: Existing and proposed front and rear elevations

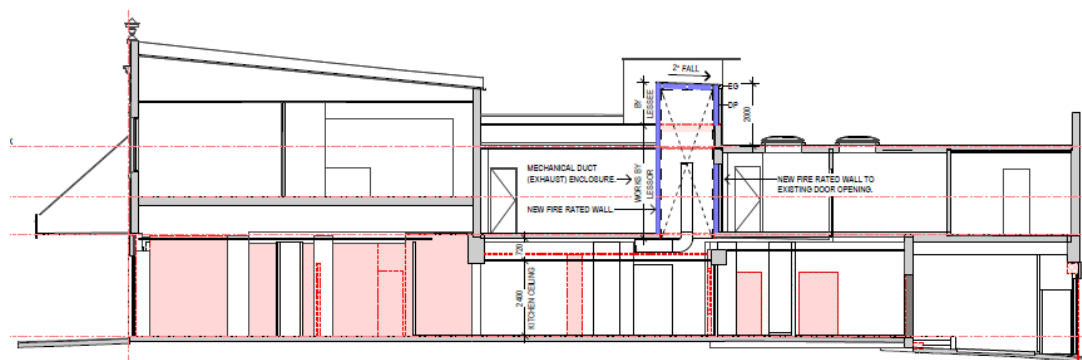


Figure 7: Proposed section

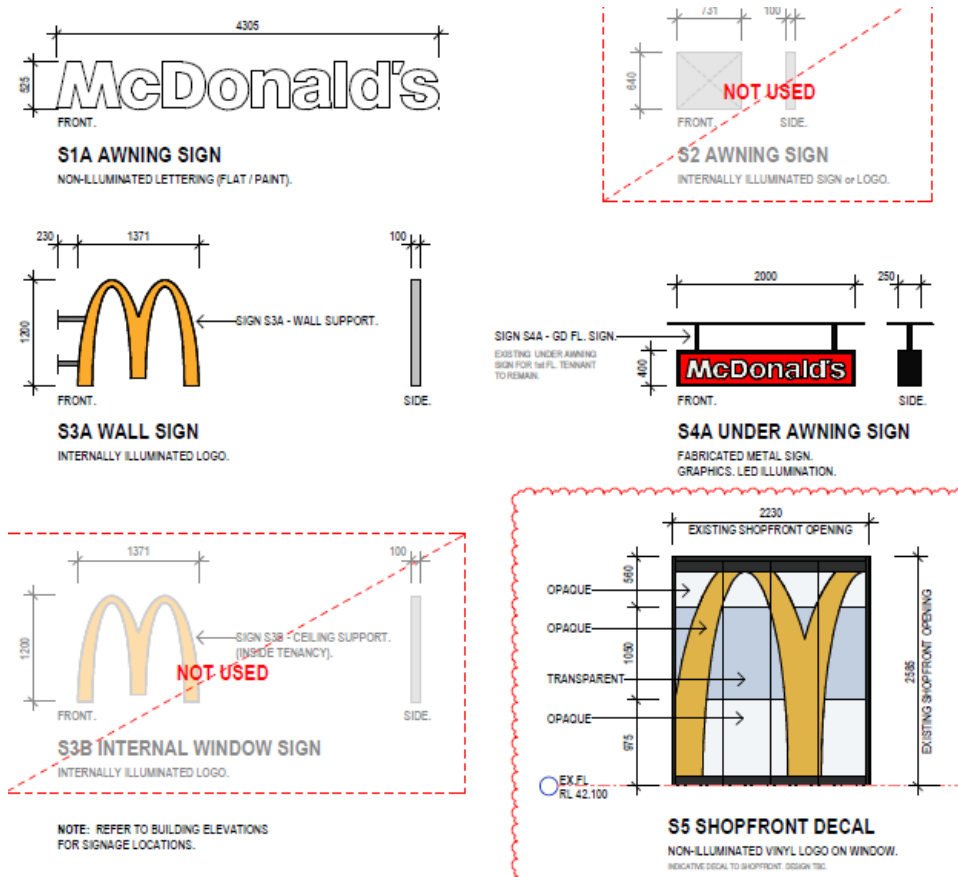


Figure 8: Proposed detailed facade signage

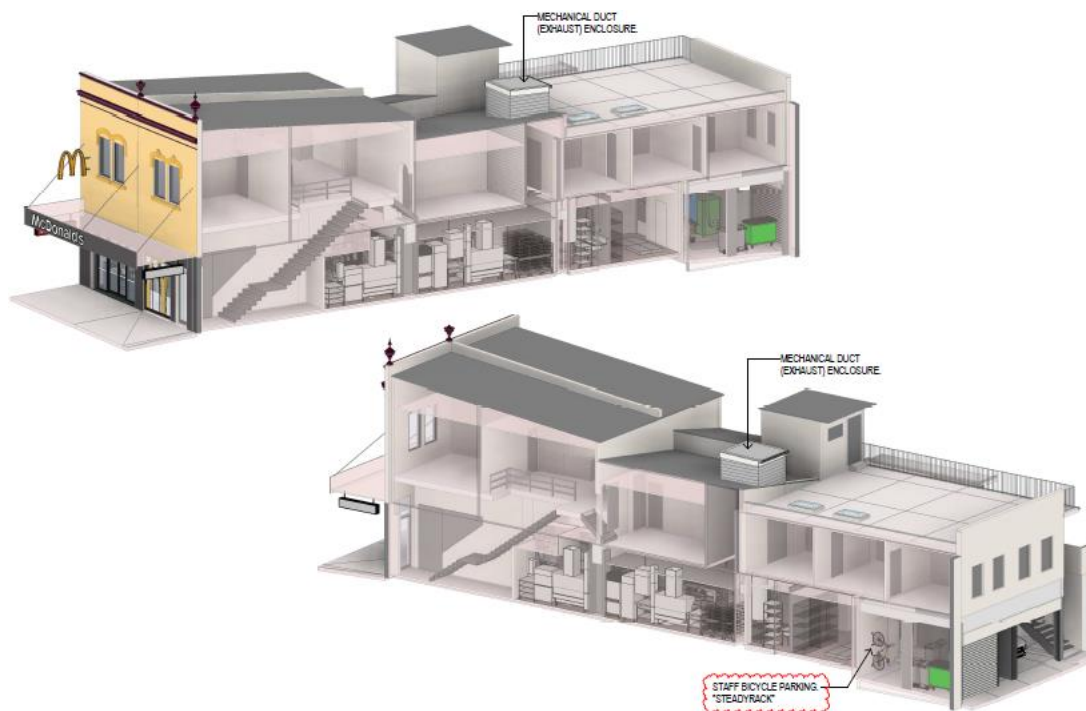


Figure 9: Photomontage

Assessment

15. A review of the 8.2(1)(a) application under Section 4.15 of the EP&A Act has been made, including consideration of the following matters.

State Environmental Planning Policies

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

16. 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.
17. The proposed signage has been considered against the objectives of the policy and an assessment against the provisions within the assessment criteria set out in Schedule 5 is provided in the table below.

Provision	Compliance	Comment
1. Character of the area	Yes	The proposed signage is generally consistent with the character of the area. North Newtown's character is defined by King Street as a retail and entertainment centre. King Street being the main street in Newtown is notably busy, given the high number and range of retail and professional services.
2. Special areas	Yes	The proposed signage does not detract from the amenity or visual quality of the locality or the heritage conservation area.
3. Views and vistas	Yes	The proposed signage does not obscure or compromise any important views. It does not dominate the skyline and has no impact on the viewing rights of other advertisers.
4. Streetscape, setting or landscape	Yes	The proposed signage is of an appropriate scale, proportion and form to the streetscape.
5. Site and building	Yes	The signage materiality is compatible with the finishes and colours of the building.

Provision	Compliance	Comment
6. Associated devices and logos	N/A	Not applicable.
7. Illumination	N/A	If the application were to be supported, conditions of consent would be recommended to ensure that the illumination does not result in unacceptable impacts.
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

18. The proposed signage is consistent with the objectives of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage as set out in Clause 3.1 and satisfies the assessment criteria specified in Schedule 5.

State Environmental Planning Policy (Transport and Infrastructure) 2021

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

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

Clause 2.119 – Development with frontage to classified road

20. The application is subject to Clause 2.119 of the SEPP as the site has frontage to King Street which is a classified road.
21. The proposed development does not demonstrate that safety, efficiency, and ongoing operation of the classified road will not be adversely affected by the development.
22. See further details in the Discussion and External Referrals sections below.

Local Environmental Plans

Sydney Local Environmental Plan 2012

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located within the E1 Local Centre zone. The proposed development is defined as a 'take-away

Provision	Compliance	Comment
		food and drink premises' and is permissible with consent in the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.4 Floor space ratio	Yes	A maximum floor space ratio of 1.75:1 or 481 sqm is permitted. A floor space ratio of 1.57:1 or 432.6 sqm is proposed and therefore complies with the maximum floor space ratio development standard.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is located within a heritage conservation area. The proposed appearance of the development will not have a detrimental impact on the significance of the heritage conservation area.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 Design excellence	No	The proposed development does not demonstrate design excellence. See further details in the Discussion section below.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.7 Retail premises	Yes	Currently the site provides 3 rear parking spaces for ground floor and first floor tenants.

Provision	Compliance	Comment
		One parking space for the first-floor tenant is proposed to be retained and the 2 parking spaces for the subject premises are proposed to be converted for waste management and storage. The proposal is to occupy the ground floor only and provides no onsite car parking for loading, deliveries and other users of the proposed use. This complies with the maximum parking spaces development standard. Refer to the Discussion section below for servicing of the premises.

Development Control Plans

Sydney Development Control Plan 2012

24. 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

25. The site is located within the North Newtown locality. The proposed development is in keeping with the unique character and the design principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain	No	King Street, being the main street in Newtown, is notably busy, with a high number and range of retail and professional services generating high pedestrian volumes. It is a significant public transport corridor within easy walking distance of Newtown train station and numerous bus stops servicing many bus routes. King Street also carries high vehicle traffic volumes for private and service vehicles including high volumes of point to point trips. At night time King Street is a recognised entertainment precinct due to a range of premises offering food and drink and entertainment services, which rely on safe and convenient pedestrian flows along King Street. Safe and convenient

Provision	Compliance	Comment
		pedestrian flows are critical in underpinning a perception of safety at night. The proposal does not provide bicycle or motorbike parking spaces, racks or rails for visitors or delivery riders. The generation of high volumes of delivery rider traffic on the footpath in this location is likely to exacerbate pedestrian congestion on the footpath and be detrimental to pedestrian safety and the perception of safety for pedestrians. See further details in the Discussion section below.
3.9 Heritage	Yes	The site is located within a heritage conservation area. The proposed development will not have any detrimental impact on the significance of the heritage conservation area
3.11 Transport and Parking	No	The review application continues to rely on existing public bike racks and the time-limited, shared on-street loading zone, and does not provide any onsite bicycle or motorcycle parking space, additional racks or rails for visitors or delivery riders. No parking and no stopping restrictions apply to Browns Lane (at all times) and King Street (various). See further details in the Discussion section below.
3.12 Accessible Design	Yes	The access report submitted with the application concludes that access requirements can be achieved, subject to further design development of the principal pedestrian entry to provide a compliant level transition from the street into the dining area. If the application were to be supported, conditions of consent would be recommended to ensure compliance

Provision	Compliance	Comment
		with the relevant BCA accessibility requirements.
3.13 Social and Environmental Responsibilities	No	Several concerns have been raised by NSW Police in their comment on the original development application. The review application provides additional justifications to address traffic impacts. However, the submitted information does not adequately address issues relating to pedestrian and road safety. Refer to further discussion under the External Referrals section below.
3.14 Waste	No	The proposed waste management arrangement does not comply with the City's Guidelines for Waste Management in New Developments. The reliance on a 'no stopping' lane for daily waste collection is not supported under the NSW Road Rule 313A. Refer to further discussion under the Discussion section below.
3.15 Late Night Trading Management	Yes	The premises is located in a Local Centre Area and the use is defined as a category B premises. The permitted indoor base trading hours are between 7am to 11pm, with possible extended trading hours between 11pm to midnight, subject to a trial period. Proposals for extended indoor trading hours up to 2am can be supported if entry and egress of all patrons will be onto a main street and not onto a laneway which abuts residential properties, or into a predominantly residential area. As part of the review application, the proposed trading hours have been reduced from 24 hour trading to between 7am and 11pm, Sundays to Thursdays, and between 7am and 2am, Fridays and

Provision	Compliance	Comment
		Saturdays. The amended application complies with the permitted indoor base and extended hours of operation. If this application were to be supported, condition of consent for extended trading hours subject to a trial period would be recommended.
3.16 Signage and Advertising	Yes	The proposed development includes the following façade signage: • one awning fascia sign (non-illuminated) • one shopfront decal (non-illuminated) • replacement of an existing projecting wall sign (illuminated) on first floor • replacement of 2 existing under-awning lightboxes The proposed signage generally satisfies the objectives and provisions of the development standards.

Review Test

26. The development is substantially the same as the development described in the original application.

Time Lapsing of Review Request

27. Section 8.3(2) of the Environmental Planning and Assessment Act 1979 specifies that a determination or decision cannot be reviewed after the period within which any appeal may be made to the Court has expired if no appeal was made. That is, the subject application must be determined within 6 months of the date of the original decision (by 15 April 2026).
28. As requested by the applicant, a meeting was held on 26 February 2026 between the applicant and Council officers for a discussion of the review application. The applicant was advised by Council officers that issues in relation to waste management, delivery riders and site servicing remain unresolved. The applicant was also been advised that the last opportunity for the Local Planning Panel to determine the review application

will be at its meeting on Wednesday 8 April 2026, and Council's internal report deadline is on 9 March 2026.

29. As requested by the applicant, a summary letter was issued on 27 February 2026 which outlines unresolved issues in relation to waste storage and collection, site servicing and parking for delivery riders. The letter also clearly stated that the review application will be assessed based on the information submitted to date, as insufficient time is available for Council officers to assess an amended application.
30. The applicant submitted some additional information on 5 March 2026, which is 3 days before Council's internal report deadline for the LPP meeting on 8 April 2026. Due to insufficient time for Council officers to review and assess the amended application, the review application has been assessed based on the information submitted with the application at the time of lodgement.

Discussion

Transport and access

31. The original development application was refused for the following reasons in relation to transport and access:
 - (a) failure to adequately demonstrate safe and practical pedestrian access to the site and along the footway, with particular concern raised in relation to servicing arrangements and food delivery riders
 - (b) lack of on-site bicycle parking spaces for delivery riders and staff
32. This review application does not change the internal layout as proposed under the original development application, except for the inclusion of one onsite staff bicycle parking space. Importantly, the review application does not provide an onsite loading area or visitor bicycle parking area.
33. The proposed floor plan shows an indoor dining area with booth seating for approximately 12 persons, and the rest of the floor area being a large kitchen and back of house (approximately 225 sqm or 90% of the premise's floor area). The predominant service kitchen and food preparation areas compared to the dining area signifies that the majority of food and drink will be consumed away from the site.
34. The proposed use is likely to generate a high volume of turnover given the scale of the kitchen with limited indoor seating. In this regard a high volume of take-away food delivery riders is expected to service the premises.
35. To address the reasons for refusal of original application, a Traffic Review Report and a Loading Service Management Plan have been submitted. These documents seek to justify the lack of onsite loading area, bicycle parking, and conflicts between delivery riders and pedestrian movements on King Street.

Site servicing / onsite loading

36. The submitted Traffic Review Report and Loading Service Management Plan provide that the proposal continues to rely on the time-limited, shared on-street loading zone on King Street. This loading zone is available between 8.00am and 3.00pm Monday to Friday and can accommodate an 8.8 metre long medium rigid truck. It is noted that the site has access to a rear lane and currently provides vehicle access, however site servicing is not proposed via the laneway under the review application.
37. The Traffic Review Report includes survey results of usage of the loading zone and concludes that the site can be practically serviced via the loading zone.
38. However, concerns remain that servicing for the site via the King Street loading zone will conflict with high volume of pedestrians. Further, as King Street is a State road, Council cannot guarantee that consistent or reliable access for servicing vehicles will continue to be provided in the future. As the site has access to a rear lane, the proposal should be designed to be self-sufficient in terms of servicing and loading arrangements.
39. Currently the site offers 2 rear parking spaces for the ground floor tenant, which could be utilised for servicing and loading for the proposed takeaway premises. However these 2 parking spaces are to be removed and converted into internal waste management and storage area.
40. Reliance on on-street loading zones indicates that the site cannot accommodate the operational needs of the proposed use and is unsuitable for the proposed use.

Bicycle parking and delivery riders

41. The amended review application includes one onsite bicycle parking space for staff, which complies with the DCP requirement for staff.
42. In accordance with the DCP, 4 onsite visitor bicycle parking spaces are required to be provided to accommodate visitors to the site. The review application does not incorporate any onsite visitor bicycle parking spaces and instead, seeks to rely on existing bicycle racks (8 spaces in 4 x 2 racks) located within the public domain along King Street within 20m of the premises.
43. The submitted Traffic Review Report notes that the existing 4 bicycle racks within the public domain have low utilisation, when observed for a one day period on a Monday (date not specified). The report also states that an additional bicycle rack could be provided next to the single rack located at the corner of King Street and Brown Street.
44. However, the Traffic Review Report does not provide any data to support the projected number of food orders and delivery riders expected to service the takeaway premises. Without the data, it cannot be demonstrated that the existing bike racks on King Street would be sufficient for the expected delivery demand during peaking dining hours, including evenings and weekends.
45. Further, whilst there are bike racks on King Street in proximity to the subject premises, these racks are for general use and should not be relied upon to support the operational needs of one business. This lack of onsite bicycle parking will result in parked bicycles on the King Street footpath that would obstruct the public domain, which contributes to the unsuitability of the site for the proposed development.

46. The proposal also does not explain how delivery bike parking would be appropriately managed in a worst-case scenario, such as when all existing bike racks are fully occupied during peak dining hours, and any alternative measures that can avoid obstructions to pedestrian safety and access on King Street.
47. The review application provides inadequate information to address the unresolved impacts from the lack of onsite bicycle parking and fails to demonstrate that pedestrian safety on the footpath would not be compromised by the high volumes of delivery rider traffic on the footpath during peak dining hours.

Waste Storage and Collection

48. The current waste storage room design and waste collection arrangement do not comply with the following requirements under the City's Guidelines for waste management in new developments ('waste requirements'):
 - (a) The proposed takeaway premises is a high intensity waste generator. The reliance on a narrow 'No Stopping' laneway for daily collection as currently proposed is not supported as NSW Road Rule 313A does not allow waste collection to be undertaken from a 'No Stopping' zone. Inadequate information has been provided to demonstrate how the waste will be collected as there is no space on Brown Lane to stop and empty the bins.
 - (b) The proposal does not provide an onsite bulky waste storage area, which is required based on the scale of development.
 - (c) Any food premises that generates more than 50L of meat/seafood waste per day to provide a refrigerated waste room, unless waste is removed daily. The proposal relies on 6 times a week collection strategy instead of providing a cold room. While daily collection is an alternative, the proposal does not show any contingency space for a refrigerator should collection frequency decrease.
 - (d) The proposal lacks details to provide waste storage area with 1.5m wide aisle for bin manoeuvring, 10cm gap between all bins, and bins to be stored no more than 2m deep.
 - (e) Any doorways, corridors, and gates used to transport bins must have a minimum clear width of 1800 mm to allow for the passage of large bins and staff. However, the proposal provides a waste access door that is significantly narrower than 1800 mm.
 - (f) The proposal does not demonstrate that it will not affect the waste storage and collection of the existing residential unit on the site.
 - (g) The proposal does not identify the location of skip bins, material storage areas (segregation), and the truck standing position during the demolition phase. There is no internal space for a skip, and Brown Lane is a 'No Stopping' zone. Without a designated loading area or internal waste room for demolition, the proposal cannot ensure safe and efficient management/collection of waste generated onsite.
49. The proposal fails to comply with City's waste requirements. These issues cannot be addressed through the imposition of conditions to this review application.

Design excellence

50. In accordance with Clause 6.21C of the Sydney Local Environmental Plan 2012 (LEP), the proposed development is required to exhibit design excellence.
51. As noted above, the proposed development does not adequately address or respond to the below matters:
 - (a) Clause 6.21C(2)(d)(i) the suitability of the land for development
 - (b) Clause 6.21C(2)(ix) pedestrian, cycle, vehicle and services access and circulation requirements, including permeability of any pedestrian network
 - (c) Clause 6.21C(2)(x) impact on public domain.

Consultation**Internal Referrals**

52. The review application was discussed with Council's:
 - (a) Construction and Building Unit
 - (b) Environmental Health Unit
 - (c) Late Night Management Unit
 - (d) Heritage and Urban Design Unit
 - (e) Transport and Access Unit
 - (f) Waste Management Unit
53. Matters raised by internal referrals have not been addressed and are unresolved. These issues are further explored in the Discussion section above.

External Referrals**NSW Police**

54. The review application was referred to NSW Police for comment.
55. No response was received.
56. However, the following concerns raised by the NSW Police on the original application have not been adequately addressed in the review application:
 - The area surrounding the proposed site has limited parking availability, which may exacerbate congestion and accessibility issues, and raises significant concerns regarding pedestrian and road safety.
 - The proposed venue is likely to result in increased crime reports, including traffic-related incidents.
57. These concerns are acknowledged by the City, and it is noted the application does not demonstrate these concerns can be addressed.

Transport for NSW

58. Pursuant to Section 2.119 of the SEPP (Transport and infrastructure) 2021, the application was referred to Transport for NSW (TfNSW) for comment.
59. Comments were received on 17 February 2026.
60. TfNSW advised that the proposed loading and servicing arrangements, including the implementation of the proposed Loading Service Management Plan, should be to the satisfaction of Council.
61. Under the original assessment, TfNSW raised concerns and advised that the use of on-street parking for loading purposes is generally not supported. Developments should be designed to be self-sufficient in terms of servicing and loading arrangements. Reliance on on-street loading zones further indicate that the site is unsuitable for the proposed use.
62. Matters raised are further explored in the Transport and Access Discussion section above.

Advertising and Notification

63. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified for a period of 21 days between 22 January 2026 and 13 February 2026.
64. A total of 193 properties were notified and 191 submissions were received, with majority of the submissions in objection.
65. The submissions raised the following issues:

- (a) **Issue:** The proposal will have negative impacts on residential amenity as the late trading hours will create noise and encourage anti-social behaviour.

Response: The review application has been amended to reduce the proposed hours of operation inline with DCP requirements. As assessed against the relevant late night trading provisions of the DCP, the proposed hours of operation are supportable. Condition of consent for extended trading hours subject to a trial period would be recommended if this application were to be recommended for approval.

- (b) **Issue:** The high volumes of delivery rider traffic on the footpath will negatively impact on pedestrian safety and access on King Street.

Response: The proposal does not provide bicycle or motorbike parking spaces, racks or rails for visitors or delivery riders. As outlined elsewhere in this report King Street being the main street in Newtown is notably busy and serves as a nighttime entertainment precinct for metropolitan Sydney. As an entertainment precinct it relies on safe and efficient pedestrian movements to connect patrons to from various private and public transport modes and venues. The proposed additional delivery riders would negatively impact on pedestrian safety and access.

- (c) **Issue:** The proposal will create environmental impacts including the increase in littering, attraction of vermin and odour from cooking.

Response: The proposed waste storage provision is considered insufficient for the proposed size, scale and use of the premises. No bulky waste area is indicated on the plans or in the Waste Management Plan. The submitted Waste Management Plan is inadequate and does not provide sufficient detail to demonstrate that waste can be appropriately stored, collected, or managed on the site. The proposed mechanical ventilation system has been assessed and considered acceptable.

- (d) **Issue:** The site is not suitable for McDonald's and is seen as incompatible with Newtown's unique character and impact on small and independent local businesses, and there are existing McDonald's outlets nearby.

Response: The proposed takeaway food and drink premises is permissible with consent in the E1 Local Centre Zone and generally meets the objectives of the zone. However, the proposal does not comply with the design excellence provisions under Clause 6.21C of the LEP, as it does not sufficiently respond to the suitability of the land for development and the impact on public domain.

- (e) **Issue:** The proposal fails to comply with relevant provisions under the DCP and is not in public interest.

Response: As assessed and discussed elsewhere in this report, the additional information is inadequate and the issues relating to waste management and traffic impacts remain, the site is not considered suitable for the proposed use.

- (f) **Issue:** McDonald's encourages increased access to unhealthy fast food and result in negative health impacts.

Response: These concerns are acknowledged by the City, however the proposed takeaway food and drink premises is a permitted use with consent in the E1 Local Centre zone under the Sydney Local Environmental Plan 2012. There is no development provision under the current planning instruments that restrict the number or density of fast-food premises in a locality.

Relevant Legislation

66. Environmental Planning and Assessment Act 1979.

Conclusion

67. The application has been assessed in accordance with section 4.15(1) of the Act. The proposed takeaway food and drink premises is not suitable for the site for the following reasons:
- (a) The proposal does not adequately demonstrate safe and practical pedestrian access to the site and along the footway, particularly considering the proposed servicing arrangements and food delivery riders expected to use the premises that will conflict with pedestrian flow on the footpath. The proposal does not provide on-site parking or loading spaces for delivery riders, which will likely result in parked bicycles or motorcycles obstructing the public domain.
 - (b) The proposal is not considered suitable for the site as it would be reliant upon on-street loading zone on King Street and the footpath for stock deliveries and take-away food delivery operators. Use of the loading zone at the front of the subject premises on King Street will conflict with high volumes of pedestrians on the footway and be detrimental to pedestrian safety.
68. The proposal does not comply with the design excellence provisions under Clause 6.21C of the LEP as it does not sufficiently respond to the suitability of the land for development, the impact on public domain, and the pedestrian, cycle, service access and circulation requirements.
69. The proposal does not comply with the relevant objectives and provisions of the DCP, including controls relating to waste management, transport and parking, and the public domain.
70. The proposal does not demonstrate proper management relating to public safety risks and other concerns raised by the NSW Police in their comment on the original proposed development.
71. Matters raised by internal and external referrals have not been addressed and are unresolved, particularly that the proposal does not provide onsite bicycle parking spaces and loading zone.
72. It is not possible to mitigate or minimise the unresolved impacts from inadequate on-site loading space and delivery bike/motor scooter access space through conditions of approval.
73. The application was notified in accordance with the requirements of City of Sydney Engagement Strategy and Community Participation Plan 2024. A total of 191 submissions were received, with the majority of submissions in objection.

ANDREW THOMAS

Executive Manager Planning and Development

Cissy Li, Planner

Attachment A

Selected Drawings

DA00

L

COVER SHEET

DA01

K

LOCATION PLAN

DA02

L

SITE PLAN

DA10

K

EXIST / DEMO GROUND FLOOR PLAN

DA11

K

PROPOSED GROUND FLOOR PLAN

DA12

L

1ST FLOOR PLAN

DA15

K

ROOF PLAN

DA20

K

ELEVATIONS

DA21

K

PROPOSED FINISHES SCHEDULE

DA30

K

SECTION A

DA40

K

3D VIEW

DA50

K

PROPOSED SIGNAGE

DA60

L

SHADOW DIAGRAM - JUNE 21 @9AM

DA61

L

SHADOW DIAGRAM - JUNE 21 @10AM

DA62

L

SHADOW DIAGRAM - JUNE 21 @11AM

DA63

L

SHADOW DIAGRAM - JUNE 21 @12PM

DA64

L

SHADOW DIAGRAM - JUNE 21 @1PM

DA65

L

SHADOW DIAGRAM - JUNE 21 @2PM

DA66

L

SHADOW DIAGRAM - JUNE 21 @3PM



ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT

DA ISSUE - JULY 2025

General Notes

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Consultants

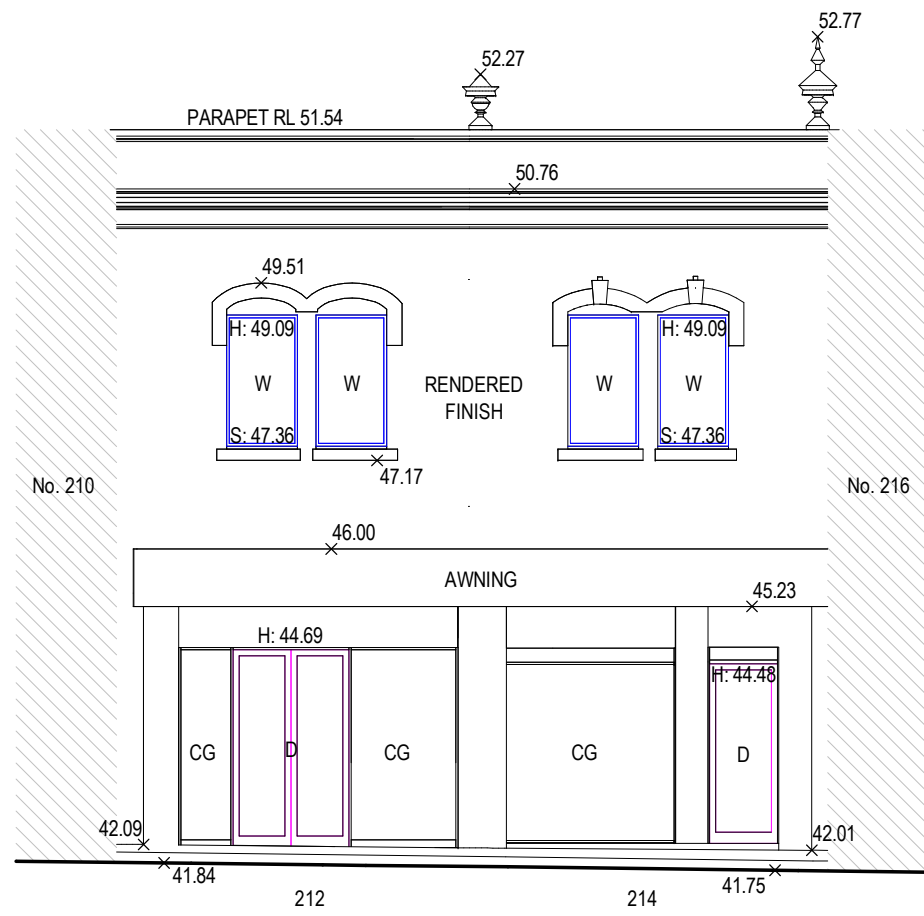
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Project

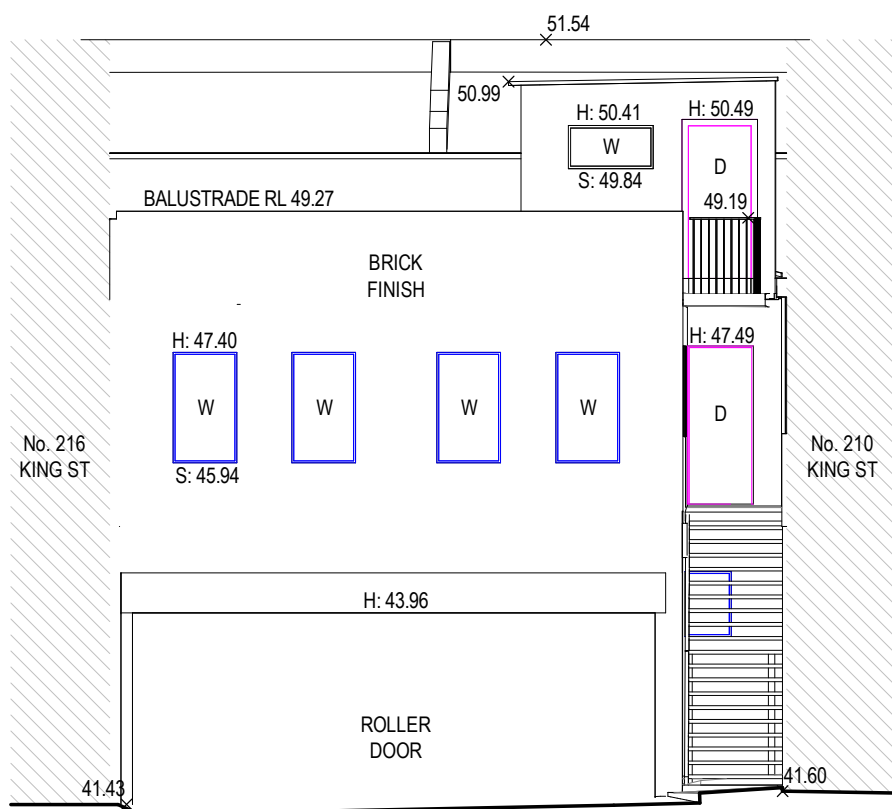
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD &
DRINK FITOUT
Location
212-214 KING STREET
NEWTOWN NSW 2042

COVER PAGE

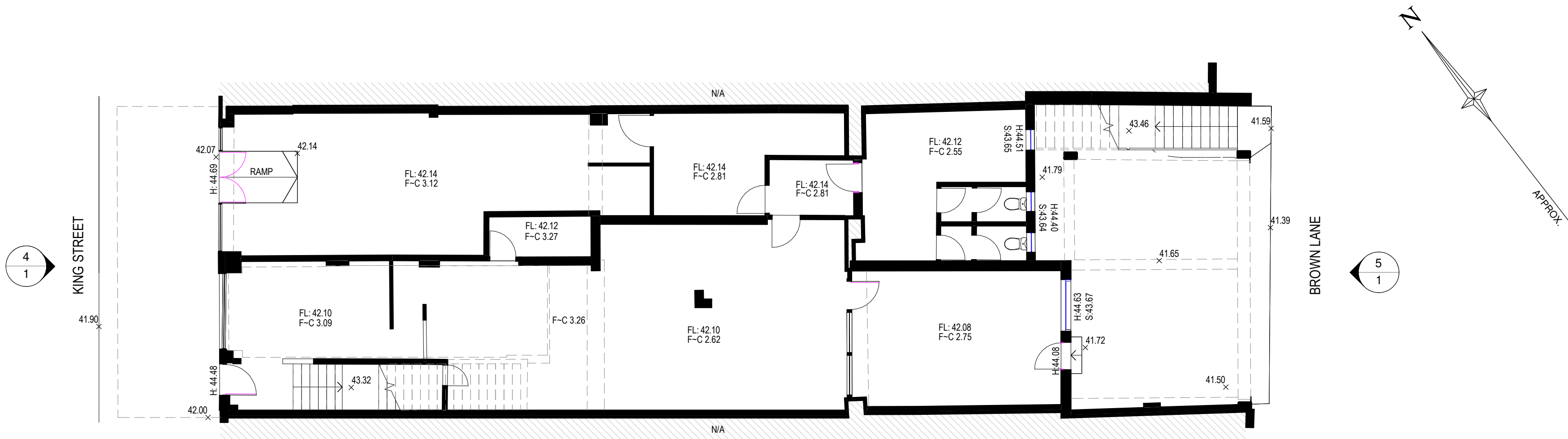
Project Number Drawing Number Issue
240158 DA00 L



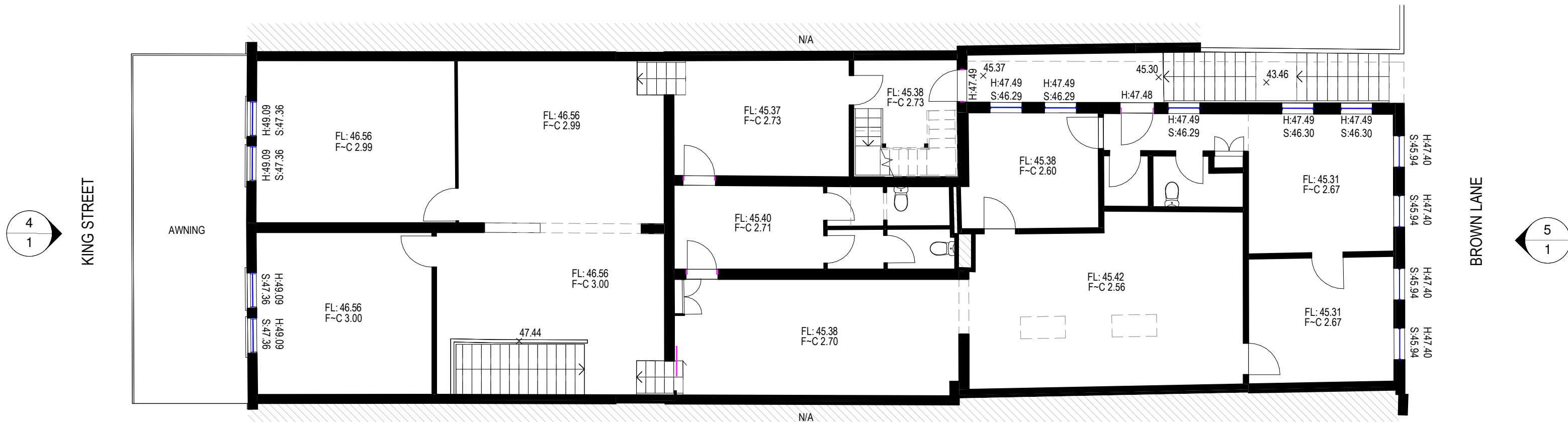
FRONT ELEVATION [NORTH-WEST]
KING STREET



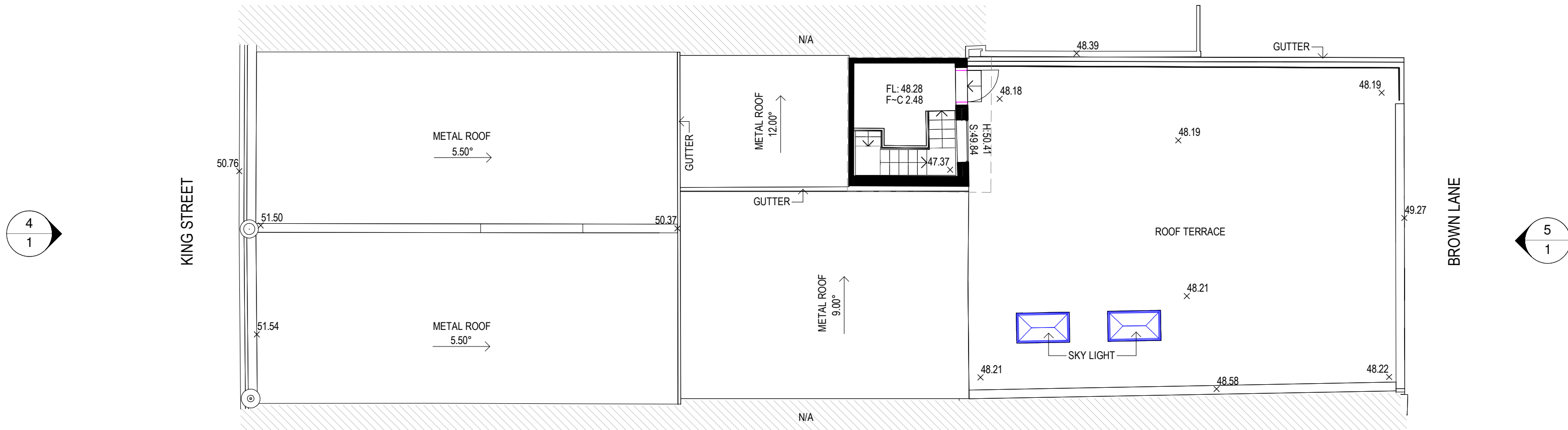
REAR ELEVATION [SOUTH-EAST]
BROWN LANE



L00 FLOOR PLAN



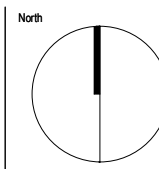
L01 FLOOR PLAN



ROOF PLAN

Revision	Date	Description	Reference	Revision	Date	Description	Reference

Revisions		General Notes			
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H	DA ISSUE	18.07.2025	SH	PK	
F	DA ISSUE	16.07.2025	SH	PK	
G	DA ISSUE	02.07.2025	SH	PK	
D	DA ISSUE	08.04.2025	SH	PK	
C	DA ISSUE	26.03.2025	SH	PK	
A	DA ISSUE	01.01.2025	SH	PK	
Issue	Description	Date	Chk	Int	

Drawing Notes

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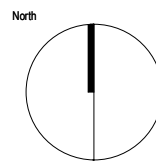
Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale	Series	
1:500 @ A3	REMODEL	
Drawing		
LOCATION PLAN		
Project Number	Drawing Number	Issue
240158	DA01	K

Revisions				General Notes			
							Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.
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G	DA ISSUE	16.07.2025	SH	PK			
F	DA ISSUE	02.07.2026	SH	PK			
Issue Description		Date	Chk	Int			



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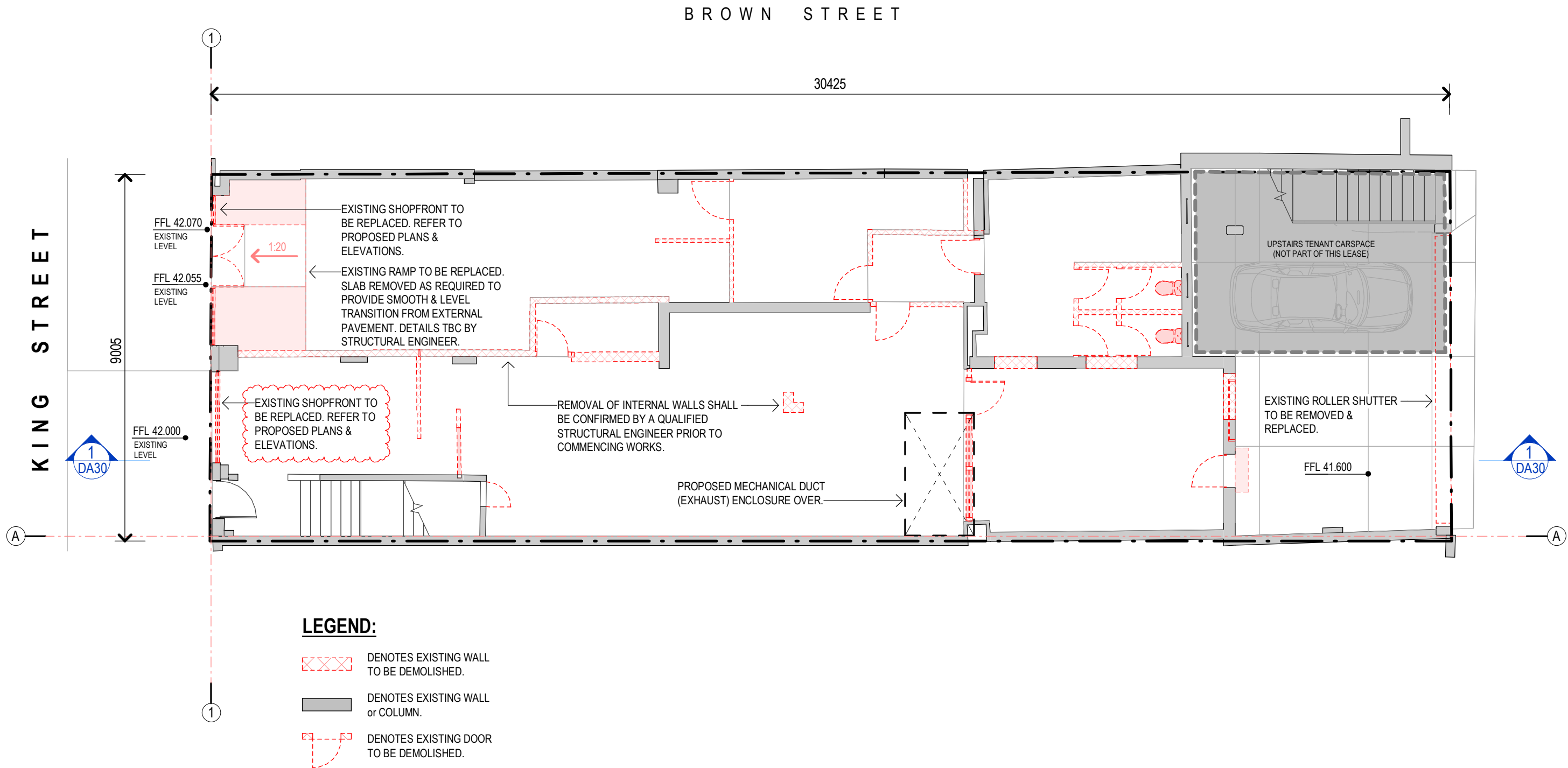
Suite 2.02 1 Chandos Street
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Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY

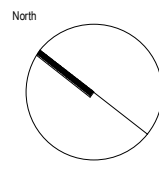
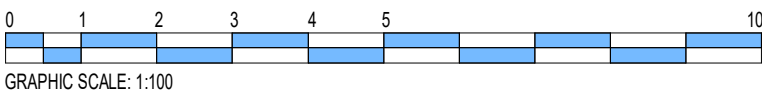
NOT TO BE USED DURING CONSTRUCTION



LEGEND:

- DENOTES EXISTING WALL TO BE DEMOLISHED.
- DENOTES EXISTING WALL or COLUMN.
- DENOTES EXISTING DOOR TO BE DEMOLISHED.

Revisions				General Notes			
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F	DA ISSUE	02.07.2025	SH	PK			
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C	DA ISSUE	26.03.2025	SH	PK			
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Project

ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT

Location

212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

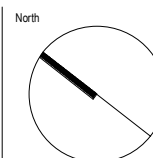
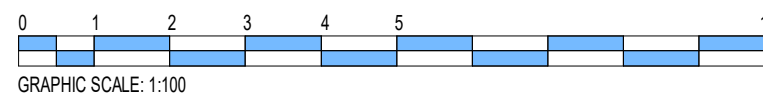
Scale	Series	
1:100 @ A3	REMODEL	
Drawing		
EXIST / DEMO GROUND FLOOR PLAN		
Project Number	Drawing Number	Issue
240158	DA10	K

-  DENOTES PROPOSED WALL.
-  DENOTES EXISTING WALL or COLUMN.
-  WALLS IN FOOD PREP AREAS TO BE FULLY SEALED TO SATISFY ALL FOOD PREMISES REQUIREMENTS.
-  **GROUND FL AREA: 199.487 SQ.M.**
DENOTES EXTENT OF GFA MEASURED FROM THE INTERNAL FACE OF THE EXTERNAL WALL.

MECHANICAL DUCT (EXHAUST)
ENCLOSURE OVER. _____

NEW WALL SHALL BE OF SOLID / —
SEALED CONTRUCTION TO
PREVENT ENTRY & HARBOURAGE
OF PESTS AND MINIMISE ODOURS.

Revisions				General Notes
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J	DA ISSUE	28.11.2025	SH	PK
H	DA ISSUE	18.07.2025	SH	PK
G	DA ISSUE	16.07.2025	SH	PK
F	DA ISSUE	02.07.2025	SH	PK
E	DA ISSUE	09.04.2025	SH	PK
D	DA ISSUE	08.04.2025	SH	PK
C	DA ISSUE	26.03.2025	SH	PK
B	DA ISSUE	18.03.2025	SH	PK
Issue Description		Date	Chk	Int

Drawing Notes

ABN 34 001 485 43

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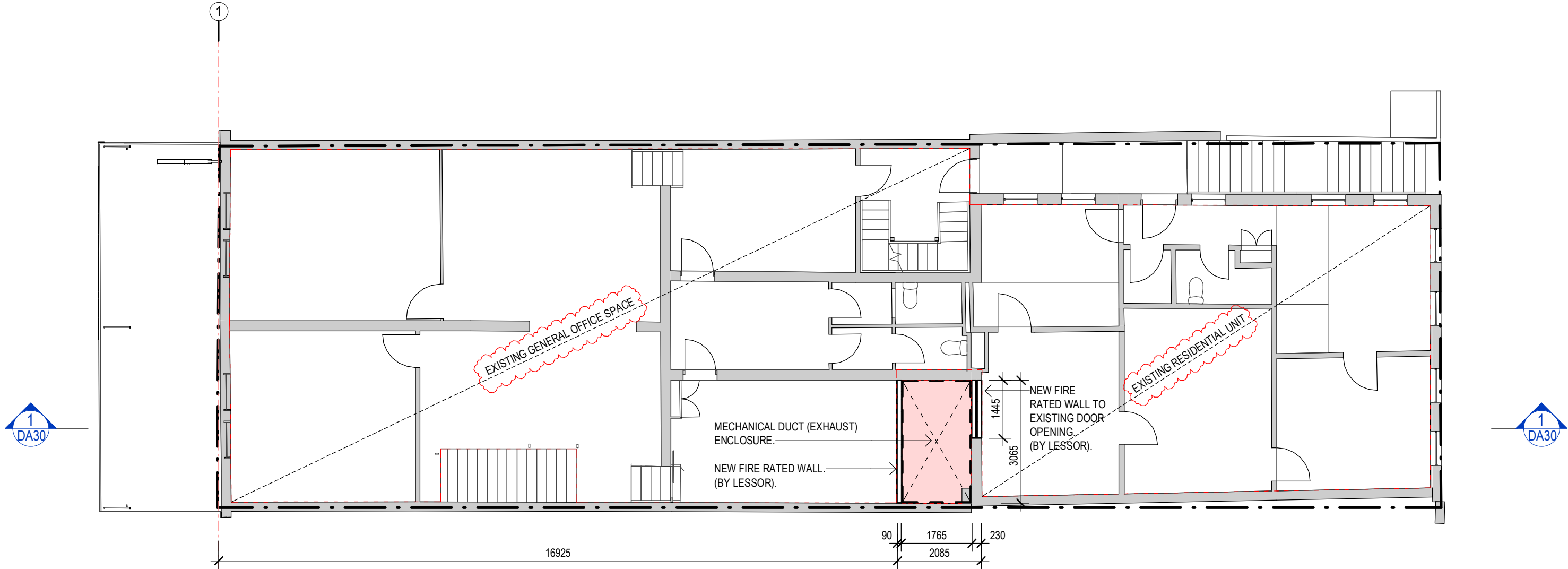
Nominated Architect Stuart Piper ARB NSW 12402

Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale	Series	
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Drawing		
PROPOSED GROUND FLOOR PLAN		
Project Number	Drawing Number	Issue
240158	DA11	K

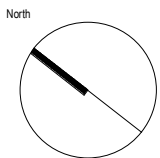
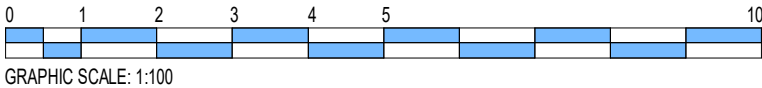


LEGEND:

 **1st FL AREA: 233.063 SQ.M.**
DENOTES EXTENT OF GFA
MEASURED FROM THE INTERNAL
FACE OF THE EXTERNAL WALL.

NOTE: EXISTING 1ST FL AREA
= 239.906

Revisions				General Notes				Drawing Notes				
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D	DA ISSUE	06.04.2025	SH	PK								
C	DA ISSUE	26.03.2025	SH	PK								
A	DA ISSUE	01.01.2025	SH	PK								
Issue Description		Date	Chk	Int								



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Project

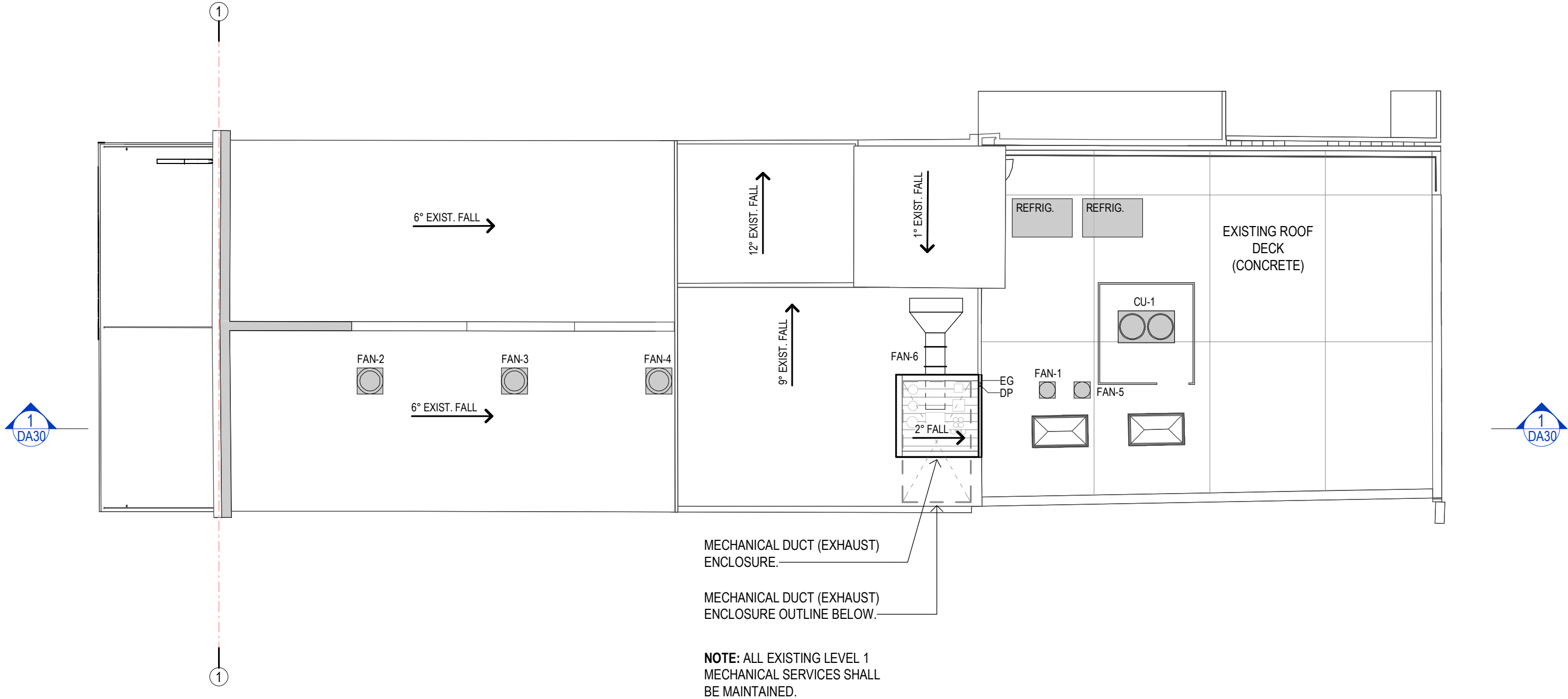
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

Location

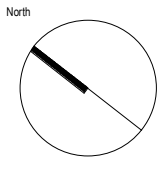
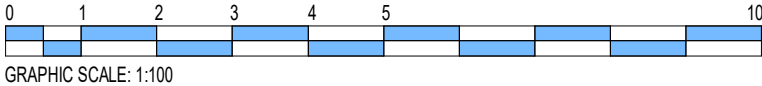
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale	Series	
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Drawing		
1ST FLOOR PLAN		
Project Number	Drawing Number	Issue
240158	DA12	L



Revisions				General Notes				Drawing Notes			
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F	DA ISSUE	02.07.2025	SH PK								
D	DA ISSUE	06.04.2025	SH PK								
C	DA ISSUE	26.03.2025	SH PK								
A	DA ISSUE	01.01.2025	SH PK								
Issue Description		Date	Chk Int.								



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Project

ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT

Location

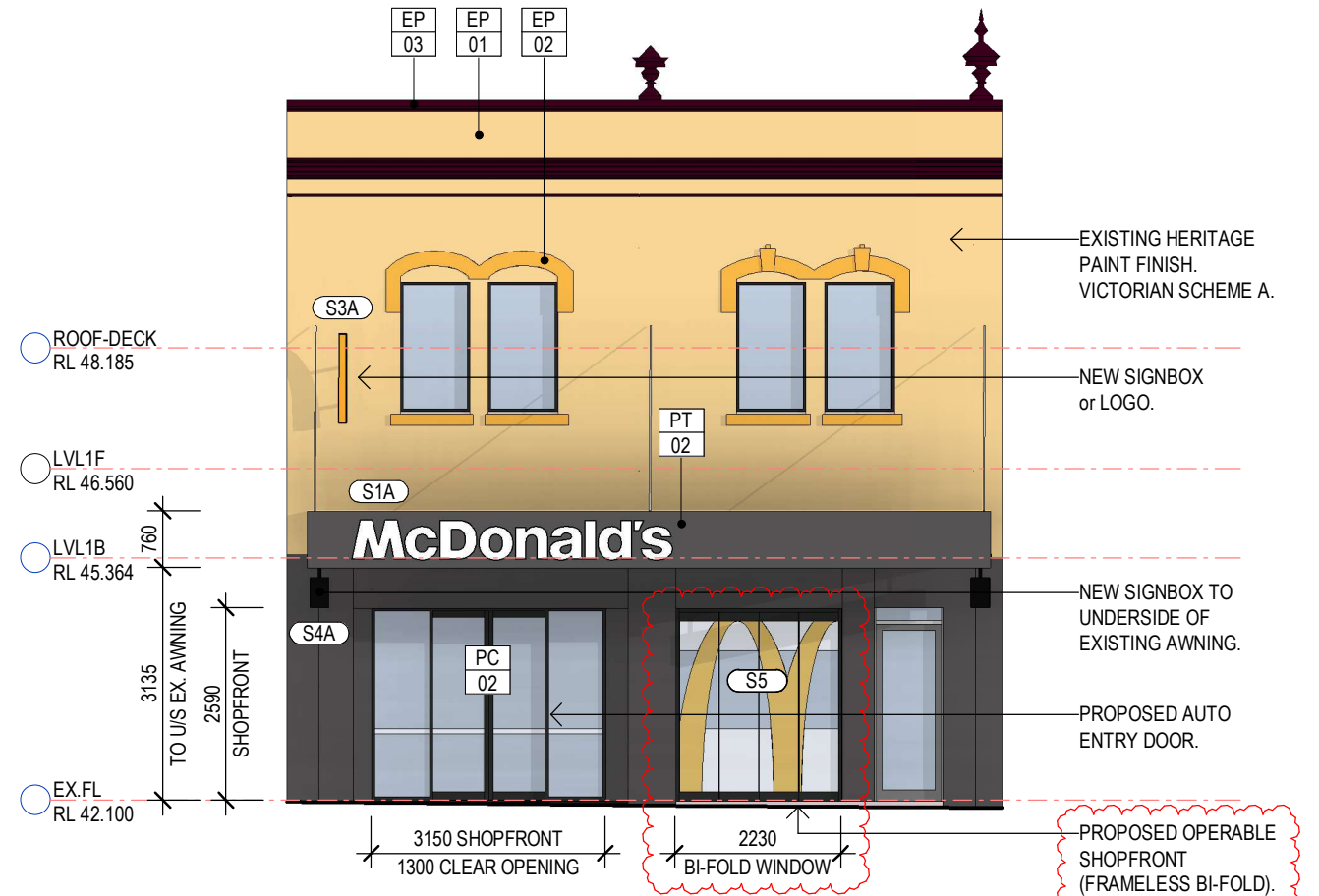
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

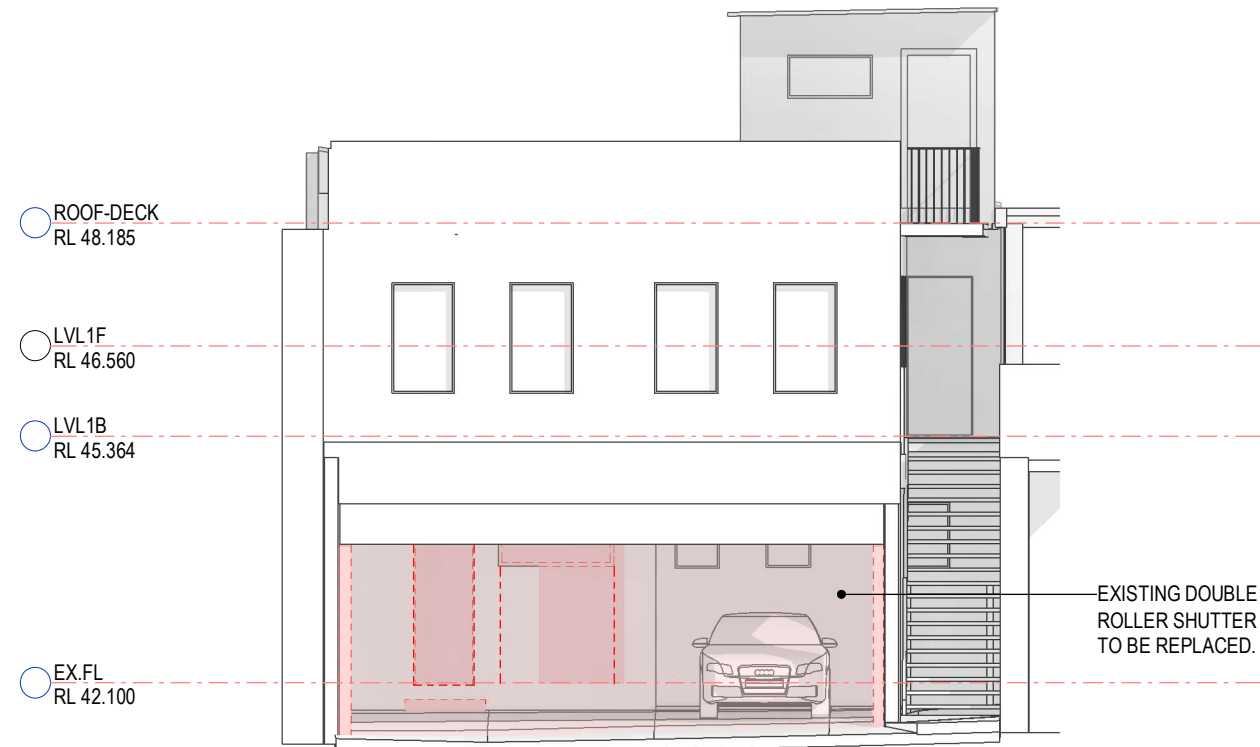
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Drawing		
ROOF PLAN		
Project Number	Drawing Number	Issue
240158	DA15	K



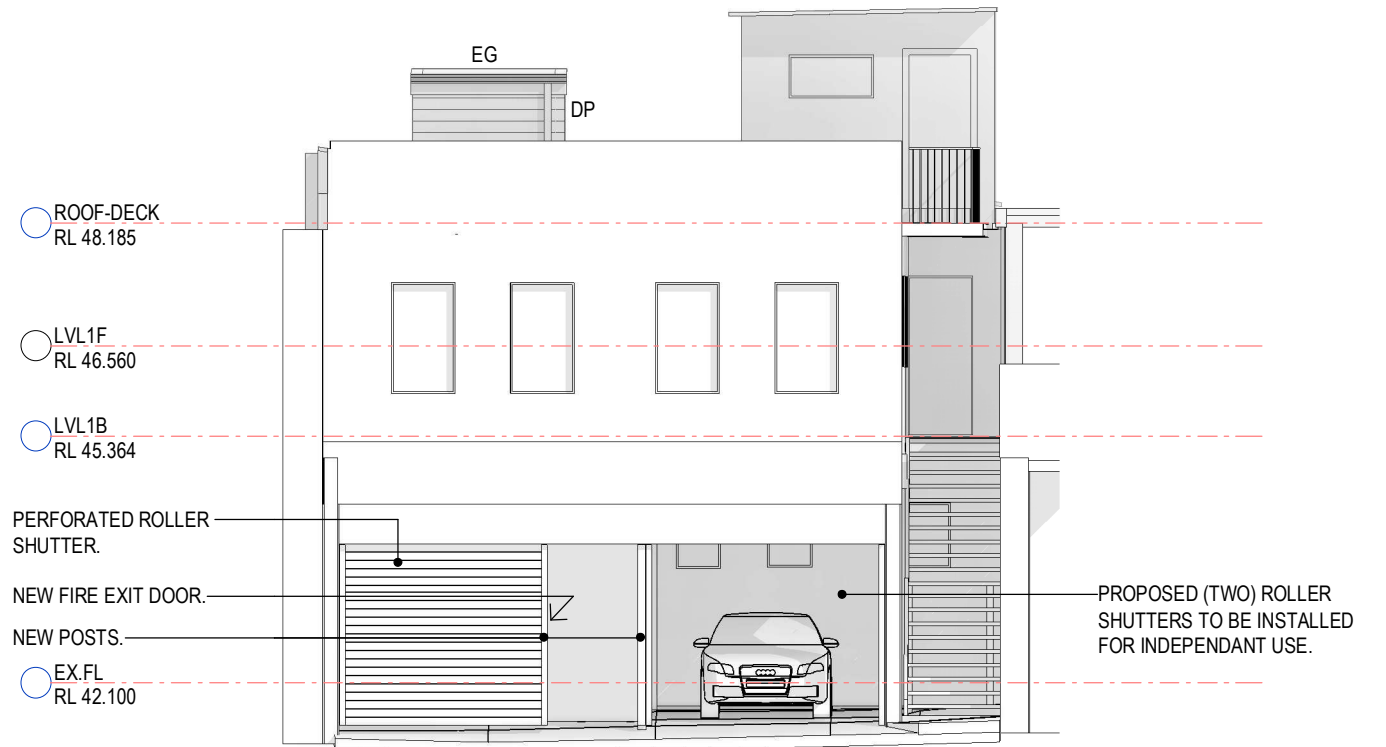
EXISTING ELEVATION - KING STREET
1: 100



1 PROPOSED ELEVATION - KING STREET
1: 100



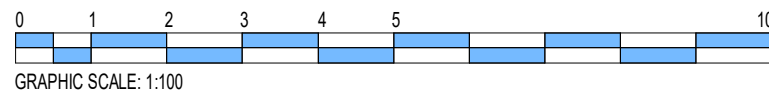
EXISTING ELEVATION - REAR
1: 100



2 PROPOSED ELEVATION - REAR
1: 100

Revisions				General Notes			
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F	DA ISSUE	02.07.2025	SH PK				
D	DA ISSUE	08.04.2025	SH PK				
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Issue Description		Date	Chk Int				

Drawing Notes



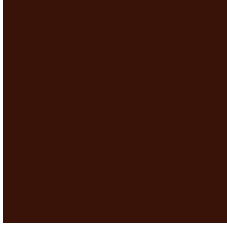
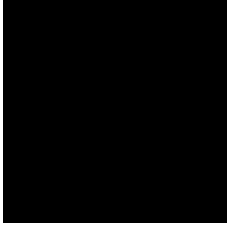
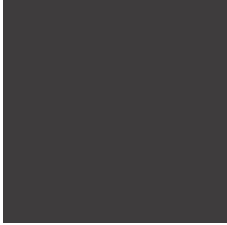
North



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Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT
Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION
Scale
1:100 @ A3
Series
REMODEL
Drawing
ELEVATIONS
Project Number
240158
Drawing Number
DA20
Issue
K

EXTERNAL FINISHES SCHEDULE						
CODE	No.	AREA	DESCRIPTION	MANUFACTURER	COLOUR	IMAGE
EP	01	EXISTING MAIN BUILDING WALLS	EXISTING PAINT FINISH. VICTORIAN SCHEME A - BUFF	WATTYL	BUFF	
EP	02	EXISTING MAIN BUILDING WALLS	EXISTING PAINT FINISH. VICTORIAN SCHEME A - LIGHT STONE	PASCOL	LIGHT STONE	
EP	03	EXISTING MAIN BUILDING WALLS	EXISTING PAINT FINISH. VICTORIAN SCHEME A - DEEP INDIAN RED	WATTYL	DEEP INDIAN RED	
PC	02	ALUMINIUM WINDOWS & DOOR FRAMES.	POWDERCOAT FINISH	DULUX DURATEC ZEUS	LUNAR ECLIPSE SATIN (BLACK)	
PT	02	MAIN BUILDING WALLS	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	WAYWARD GREY PG1G8	

Revisions		General Notes		Drawing Notes	
K DA ISSUE		11.12.2025 SH PK			
H DA ISSUE		18.07.2025 SH PK			
F DA ISSUE		02.07.2025 SH PK			
Issue Description		Date	Chk Int		

Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.

North



Client

Project Manager

McDonald's Australia Limited

ABN: 43 008 496 928

02 9875 6666



ABN 34 001 485 436

Richmond+Ross

CONSULTING ENGINEERS AND PROJECT LEADERS

Suite 2.02 1 Chandos Street

St Leonards NSW 2065

TEL: (02) 9490 9600

E-MAIL: info@richmondross.com.au

Nominated Architect Stuart Piper ARB NSW 12402

Project

ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT

Location

212-214 KING STREET

NEWTOWN NSW 2042

PRELIMINARY

NOT TO BE USED DURING CONSTRUCTION

Scale

@ A3

Series

REMODEL

Drawing

PROPOSED FINISHES SCHEDULE

Project Number

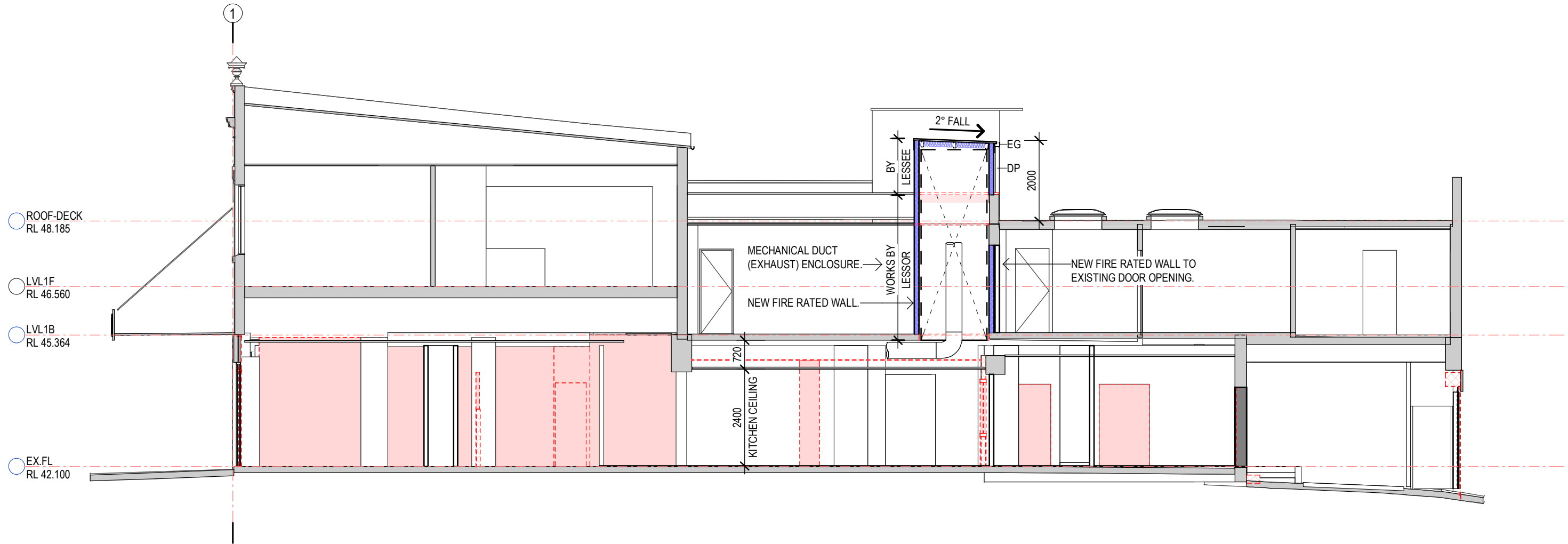
240158

Drawing Number

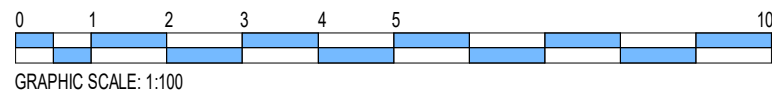
DA21

Issue

K



Revisions						General Notes						Drawing Notes	
						Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.							
K	DA	ISSUE	11.12.2025	SH	PK								
H	DA	ISSUE	18.07.2025	SH	PK								
F	DA	ISSUE	02.07.2025	SH	PK								
D	DA	ISSUE	06.04.2025	SH	PK								
C	DA	ISSUE	26.03.2025	SH	PK								
A	DA	ISSUE	01.01.2025	SH	PK								
Issue Description			Date	Chk	Int								



North



Client
McDonald's Australia Limited
ABN: 43 008 496 928
02 9875 6666



Project Manager

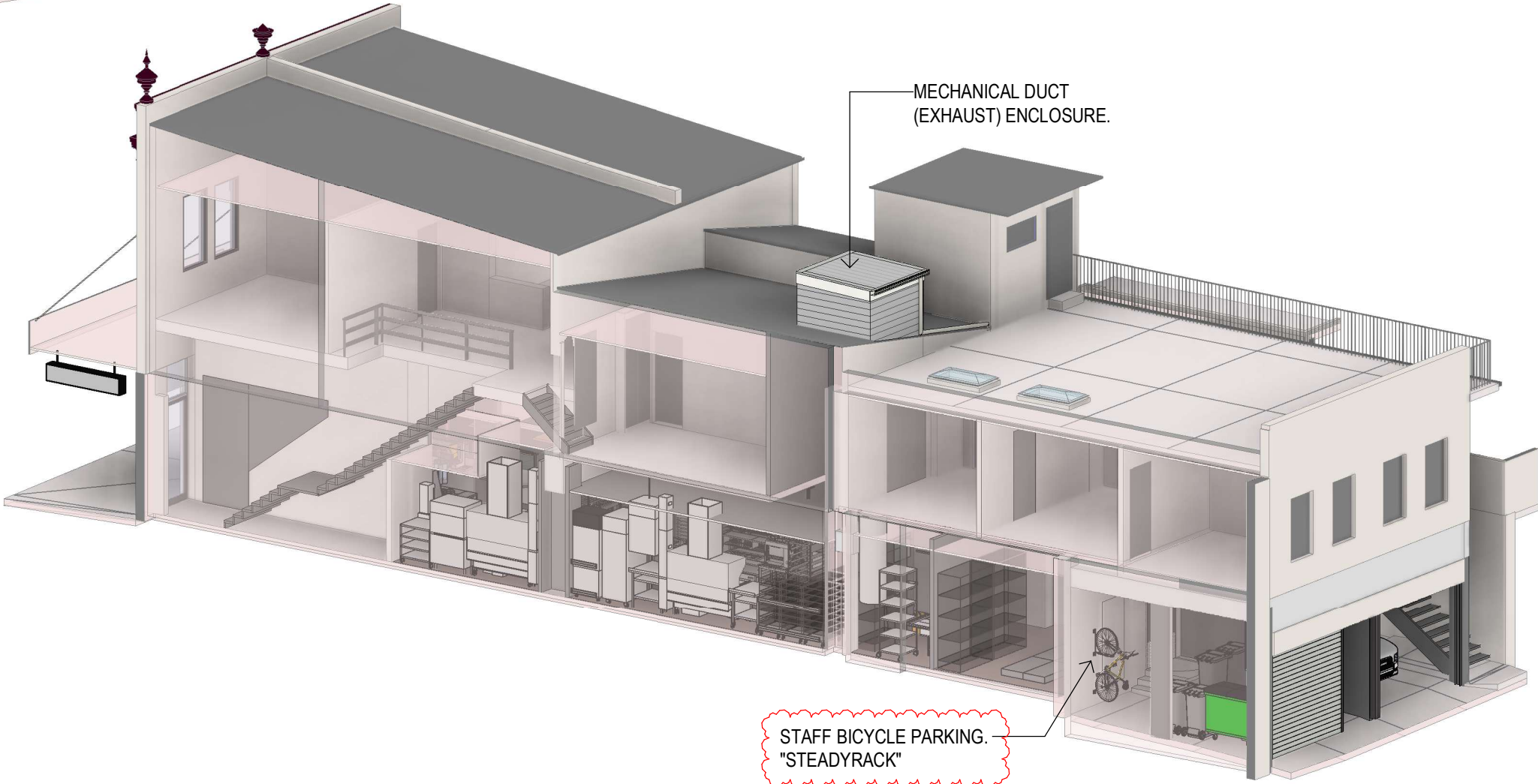
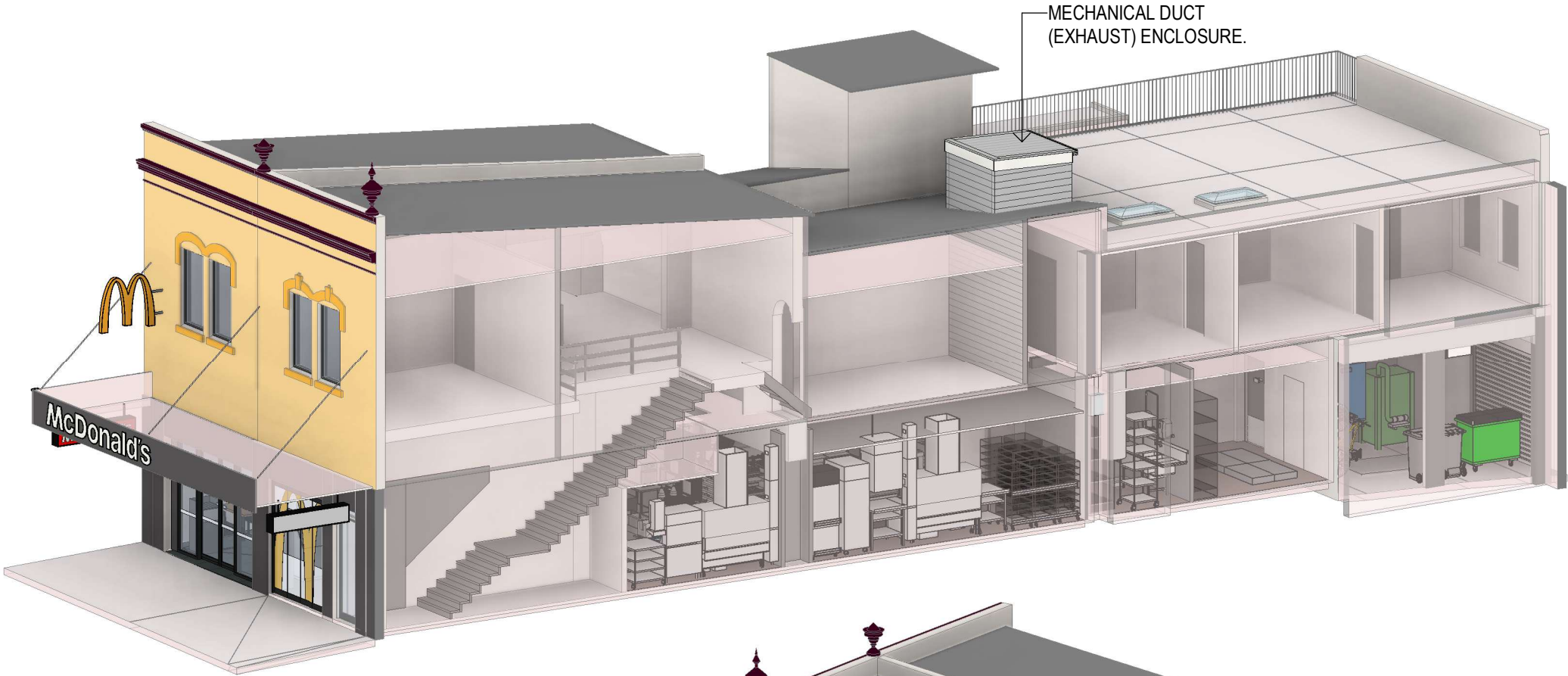
ABN 34 001 485 436

Richmond+Ross
CONSULTING ENGINEERS AND PROJECT LEADERS
Suite 2.02 1 Chandos Street
St Leonards NSW 2065
TEL: (02) 9490 9600
E-MAIL: info@richmondross.com.au
Nominated Architect Stuart Piper ARB NSW 12402

Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY		
NOT TO BE USED DURING CONSTRUCTION		
Scale	Series	
1 : 100 @ A3	REMODEL	
Drawing		
SECTION A		
Project Number	Drawing Number	Issue
240158	DA30	K



Revisions				General Notes				Drawing Notes			
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.							
K	DA ISSUE	11.12.2025	SH PK								
H	DA ISSUE	18.07.2025	SH PK								
F	DA ISSUE	02.07.2025	SH PK								
D	DA ISSUE	06.04.2025	SH PK								
C	DA ISSUE	26.03.2025	SH PK								
A	DA ISSUE	01.01.2025	SH PK								
Issue Description		Date	Chk	Int							

North

Client



Project Manager

McDonald's Australia Limited
ABN: 43 008 496 928
02 9875 6666



ABN 34 001 485 436

Richmond+Ross
CONSULTING ENGINEERS AND PROJECT LEADERS

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TEL: (02) 9490 9600
E-MAIL: info@richmondross.com.au
Nominated Architect Stuart Piper ARB NSW 12402

Project

ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

Location

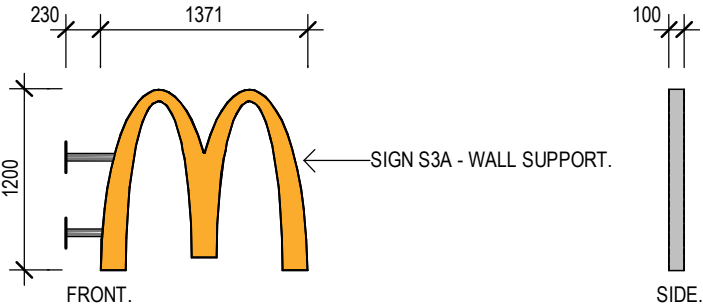
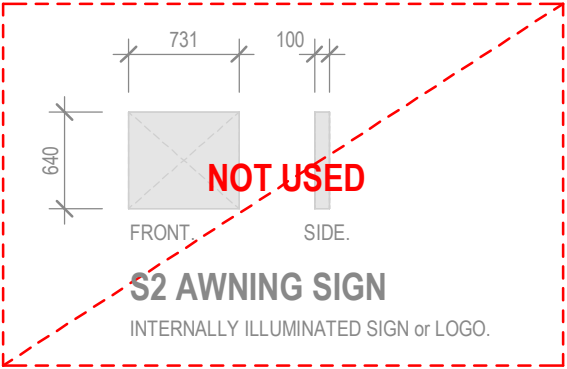
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

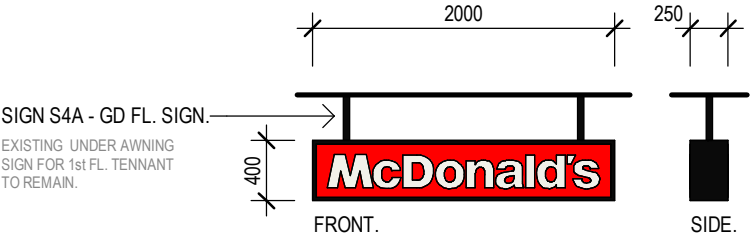
Scale	Series
@ A3	REMODEL
Drawing	
3D VIEW	
Project Number	Drawing Number
240158	DA40
Issue	
K	



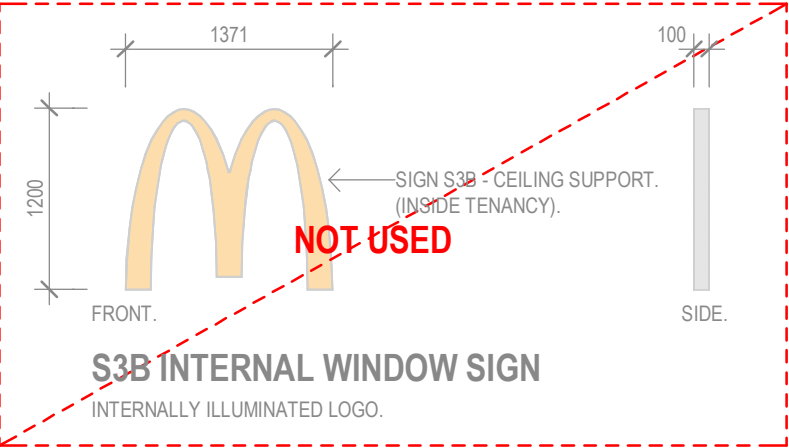
S1A AWNING SIGN
NON-ILLUMINATED LETTERING (FLAT / PAINT).



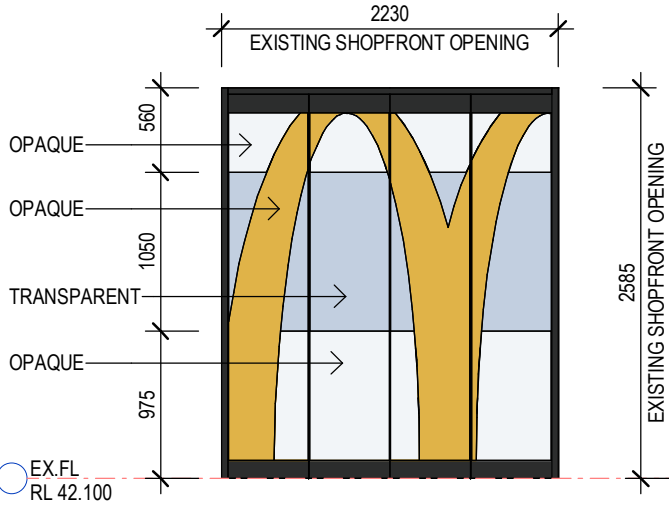
S3A WALL SIGN
INTERNALLY ILLUMINATED LOGO.



S4A UNDER AWNING SIGN
FABRICATED METAL SIGN.
GRAPHICS. LED ILLUMINATION.



S3B INTERNAL WINDOW SIGN
INTERNALLY ILLUMINATED LOGO.



S5 SHOPFRONT DECAL
NON-ILLUMINATED VINYL LOGO ON WINDOW.
INDICATIVE DECAL TO SHOPFRONT. DESIGN TBC.

Revisions				General Notes				Drawing Notes					
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.									
K	DA ISSUE	11.12.2025	SH	PK									
H	DA ISSUE	18.07.2025	SH	PK									
F	DA ISSUE	02.07.2025	SH	PK									
D	DA ISSUE	06.04.2025	SH	PK									
C	DA ISSUE	26.03.2025	SH	PK									
A	DA ISSUE	01.01.2025	SH	PK									
Issue Description				Date	Chk	Int							



North



Client
McDonald's Australia Limited
ABN: 43 008 496 928
02 9875 6666
Project Manager
National Development Group

ABN 34 001 485 436
Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT
Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION
Scale
1:50 @ A3
Series
REMODEL
Drawing
PROPOSED SIGNAGE
Project Number
240158
Drawing Number
DA50
Issue
K



EXISTING SHADOW STUDY - JUNE 21, 9AM
1:250

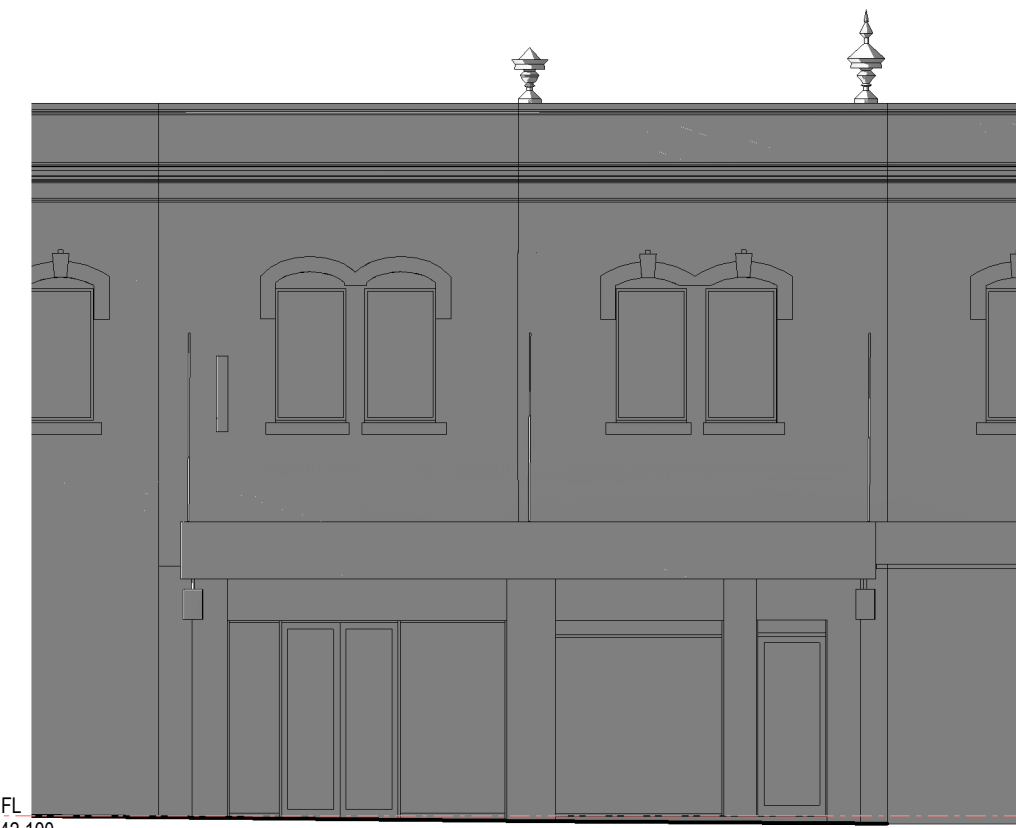
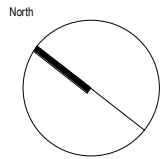


PROPOSED SHADOW STUDY - JUNE 21, 9AM
1:250

Revisions				General Notes				Drawing Notes			
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.							
L	DA ISSUE	07.01.2026	SH PK								
Issue Description		Date	Chk Int								

LEGEND

ADDITIONAL SHADOWING FROM PROPOSED WORKS.



EXISTING SHADOW STUDY - JUNE 21, 9AM
1:100



PROPOSED SHADOW STUDY - JUNE 21, 9AM
1:100

Client  McDonald's Australia Limited ABN: 43 008 496 928 02 9875 6666 Project Manager 	Richmond+Ross CONSULTING ENGINEERS AND PROJECT LEADERS Suite 2.02 1 Chandos Street St Leonards NSW 2065 TEL: (02) 9490 9600 E-MAIL: info@richmondross.com.au Nominated Architect Stuart Piper ARB NSW 12402	Project ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT Location 212-214 KING STREET NEWTOWN NSW 2042	PRELIMINARY NOT TO BE USED DURING CONSTRUCTION Scale As indicated @ A3 Series REMODEL Drawing SHADOW DIAGRAM - JUNE 21 @9AM Project Number 240158 Drawing Number DA60 Issue L
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EXISTING SHADOW STUDY - JUNE 21, 10AM
1:250

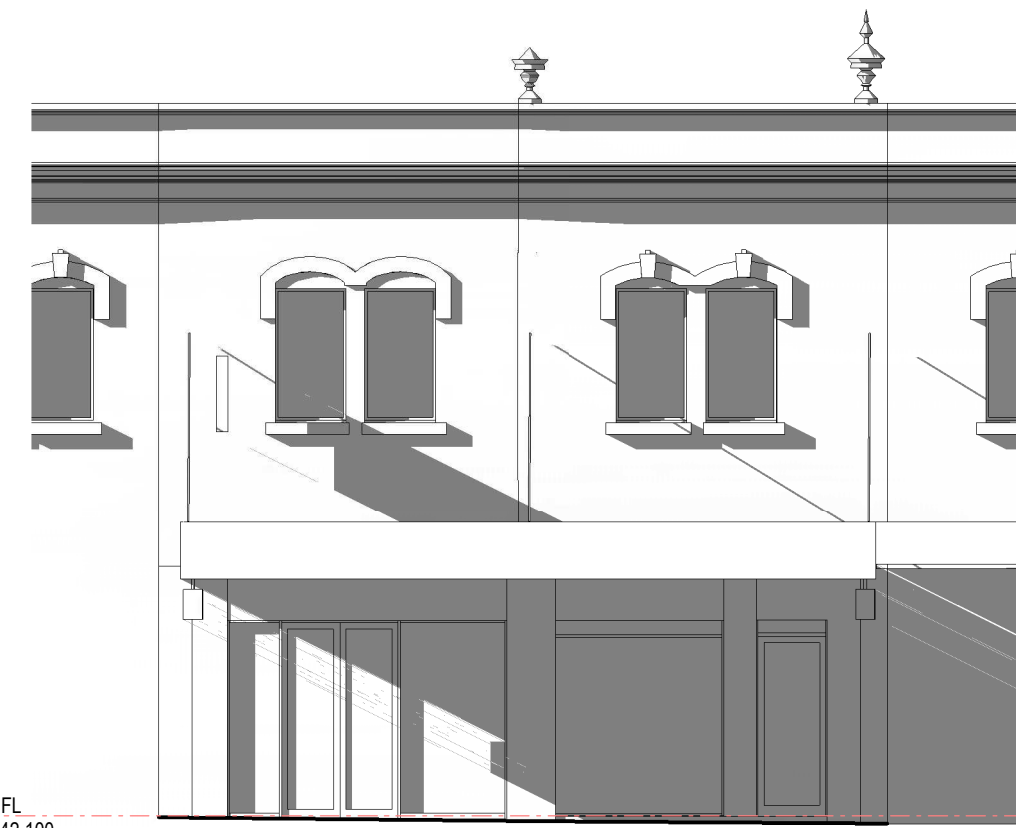
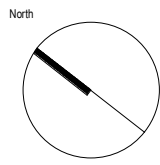


PROPOSED SHADOW STUDY - JUNE 21, 10AM
1:250

Revisions				General Notes				Drawing Notes					
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.									
L	DA ISSUE	07.01.2026	SH	PK									
Issue Description				Date	Chk	Int							

LEGEND

ADDITIONAL SHADOWING FROM PROPOSED WORKS.



EXISTING SHADOW STUDY - JUNE 21, 10AM
1:100



PROPOSED SHADOW STUDY - JUNE 21, 10AM
1:100

Client

McDonald's Australia Limited
ABN: 43 008 496 928
02 9875 6666

Project Manager

ABN 34 001 485 436

Richmond+Ross
CONSULTING ENGINEERS AND PROJECT LEADERS
Suite 2.02 1 Chandos Street
St Leonards NSW 2065
TEL: (02) 9490 9600
E-MAIL: info@richmondross.com.au
Nominated Architect Stuart Piper ARB NSW 12402

Project

ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT

Location

212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale	Series	
As indicated @ A3	REMODEL	
Drawing		
SHADOW DIAGRAM - JUNE 21 @10AM		
Project Number	Drawing Number	Issue
240158	DA61	L



EXISTING SHADOW STUDY - JUNE 21, 11AM
1:250

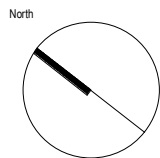


PROPOSED SHADOW STUDY - JUNE 21, 11AM
1:250

Revisions				General Notes				Drawing Notes					
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.									
L	DA ISSUE	07.01.2026	SH	PK									
Issue Description				Date	Chk	Int							

LEGEND

ADDITIONAL SHADOWING FROM PROPOSED WORKS.



EXISTING SHADOW STUDY - JUNE 21, 11AM
1:100



PROPOSED SHADOW STUDY - JUNE 21, 11AM
1:100

Client

McDonald's Australia Limited
ABN: 43 008 496 928
02 9875 6666

Project Manager

NATIONAL DEVELOPMENT GROUP

ABN 34 001 485 436

Richmond+Ross
CONSULTING ENGINEERS AND PROJECT LEADERS
Suite 2.02 1 Chandos Street
St Leonards NSW 2065
TEL: (02) 9490 9600
E-MAIL: info@richmondross.com.au
Nominated Architect Stuart Piper ARB NSW 12402

Project

ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT

Location

212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale Series

As indicated @ A3 REMODEL

Drawing

SHADOW DIAGRAM - JUNE 21 @11AM

Project Number Drawing Number Issue

240158 DA62 L



EXISTING SHADOW STUDY - JUNE 21, 12PM
1:250

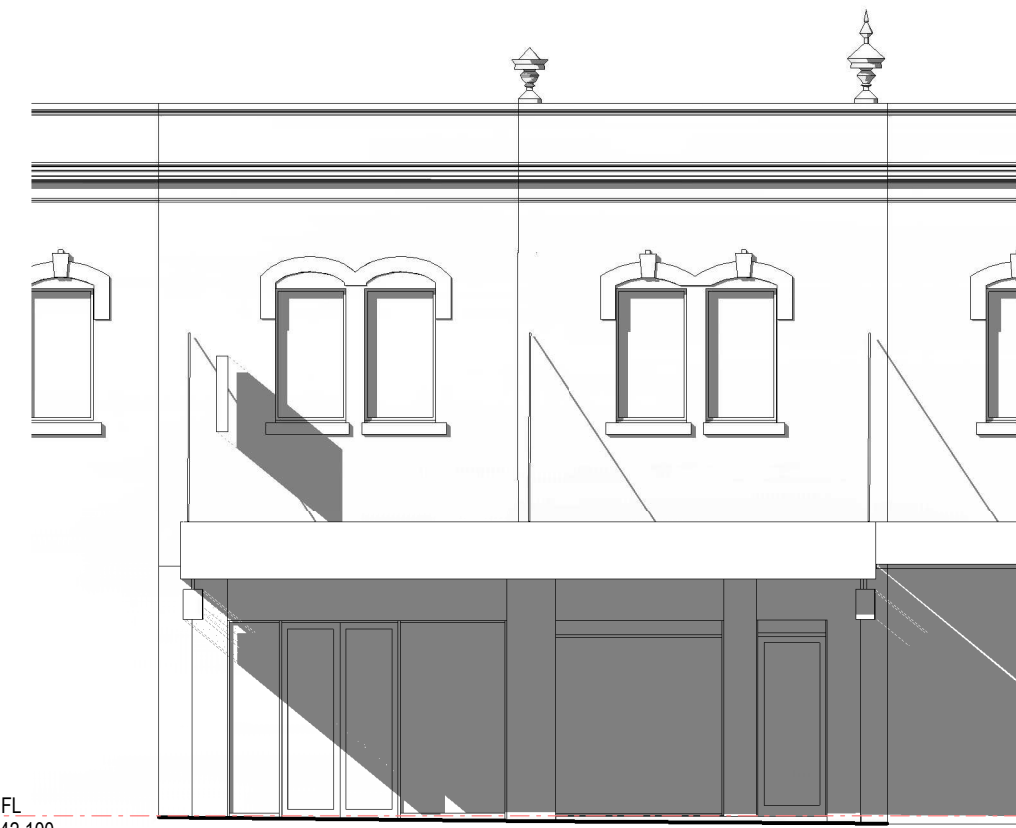
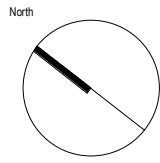


PROPOSED SHADOW STUDY - JUNE 21, 12PM
1:250

Revisions						General Notes						Drawing Notes		
						Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.								
L	DA ISSUE	07.01.2026	SH	PK										
Issue Description						Date	Chk	Int						

LEGEND

ADDITIONAL SHADOWING FROM PROPOSED WORKS.



EXISTING SHADOW STUDY - JUNE 21, 12PM
1:100



PROPOSED SHADOW STUDY - JUNE 21, 12PM
1:100

Client		Project		Preliminary	
McDonald's Australia Limited ABN: 43 008 496 928 02 9875 6666		ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT		NOT TO BE USED DURING CONSTRUCTION	
Project Manager		Richmond+Ross CONSULTING ENGINEERS AND PROJECT LEADERS Suite 2.02 1 Chandos Street St Leonards NSW 2065 TEL: (02) 9490 9600 E-MAIL: info@richmondross.com.au Nominated Architect Stuart Piper ARB NSW 12402		Scale	
				As indicated @ A3	
				Series	
				REMODEL	
				Drawing	
				SHADOW DIAGRAM - JUNE 21 @12PM	
				Location	
				212-214 KING STREET NEWTOWN NSW 2042	
				Project Number	
				240158	
				Drawing Number	
				DA63	
				Issue	
				L	



EXISTING SHADOW STUDY - JUNE 21, 1PM
1:250

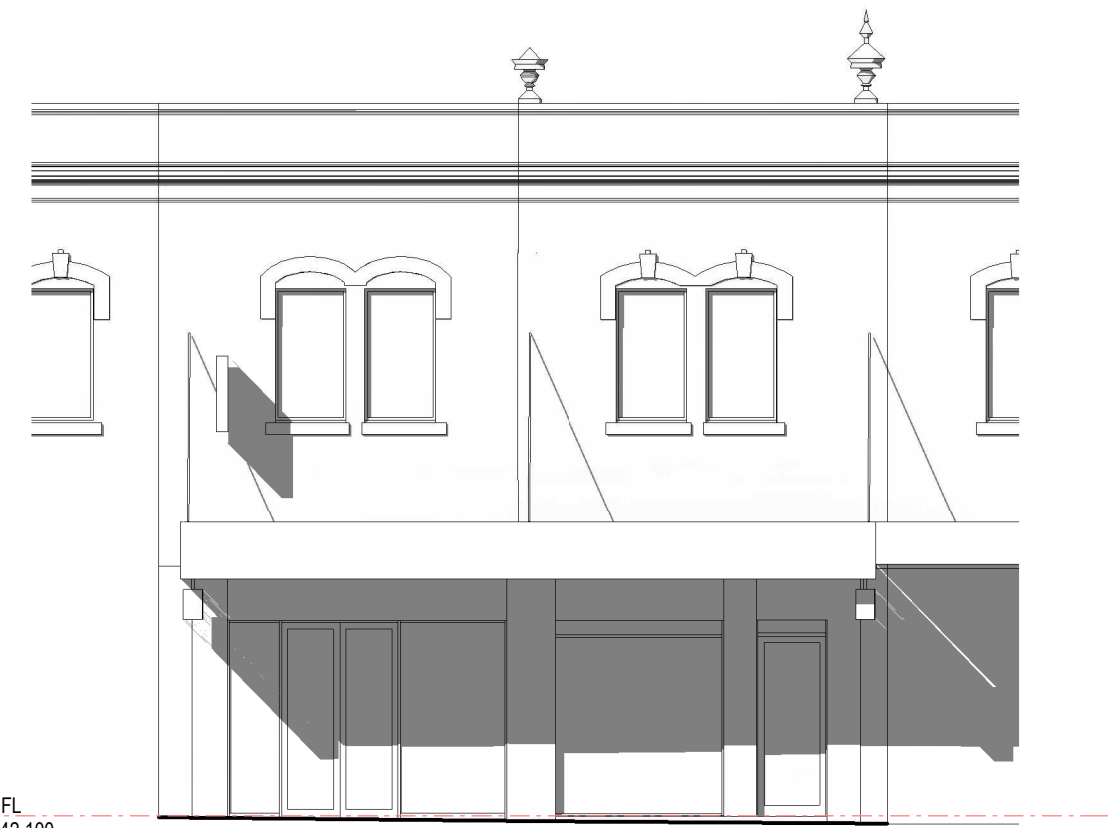
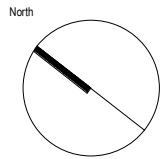


PROPOSED SHADOW STUDY - JUNE 21, 1PM
1:250

Revisions				General Notes				Drawing Notes					
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.									
L	DA ISSUE	07.01.2026	SH PK										
Issue Description				Date	Chk	Int							

LEGEND

 ADDITIONAL SHADOWING FROM PROPOSED WORKS.

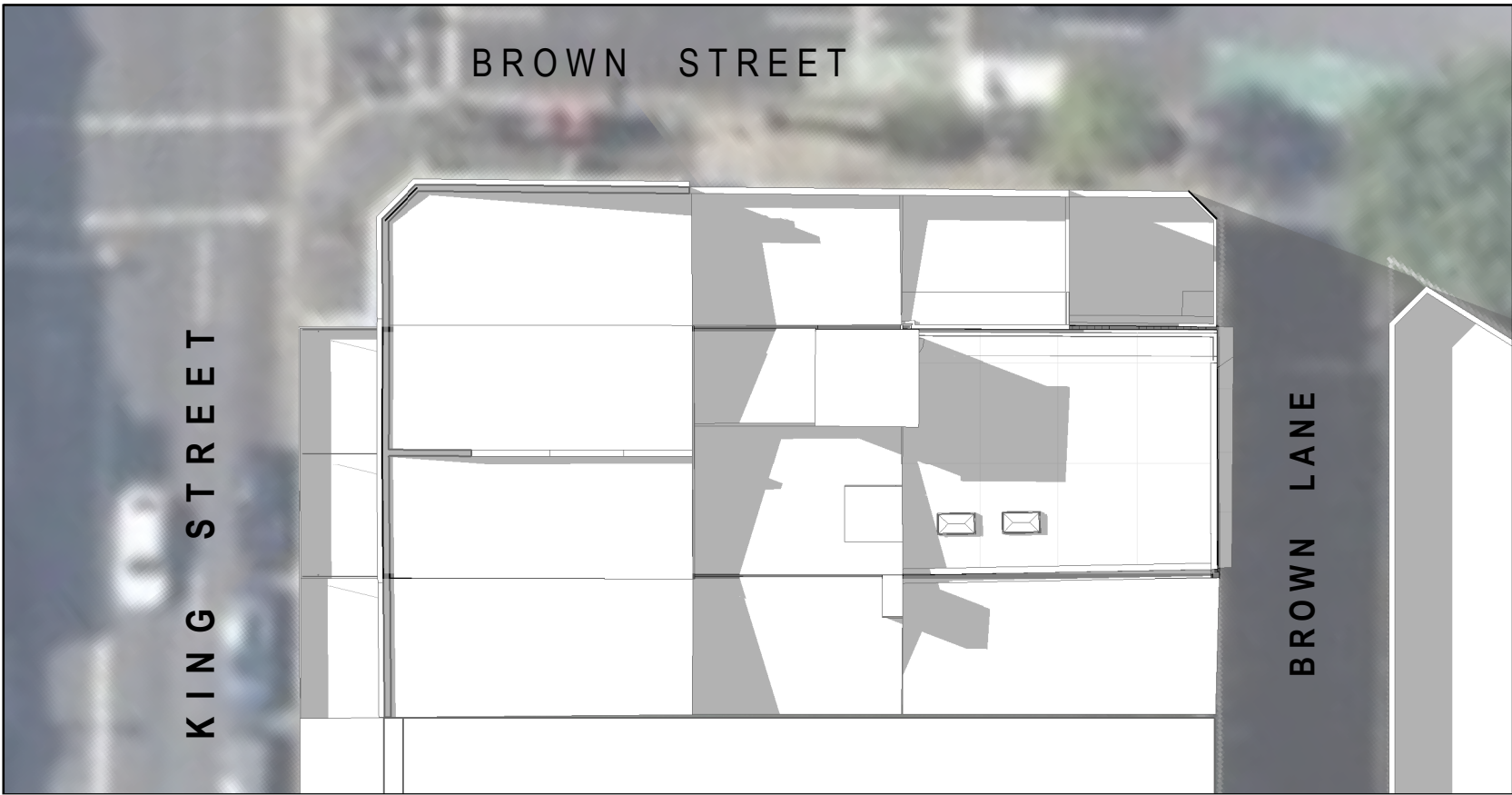


EXISTING SHADOW STUDY - JUNE 21, 1PM
1:100



PROPOSED SHADOW STUDY - JUNE 21, 1PM
1:100

Client  McDonald's Australia Limited ABN: 43 008 496 928 02 9875 6666 Project Manager 	Richmond+Ross CONSULTING ENGINEERS AND PROJECT LEADERS Suite 2.02 1 Chandos Street St Leonards NSW 2065 TEL: (02) 9490 9600 E-MAIL: info@richmondross.com.au Nominated Architect Stuart Piper ARB NSW 12402	Project ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT Location 212-214 KING STREET NEWTOWN NSW 2042	PRELIMINARY NOT TO BE USED DURING CONSTRUCTION Scale As indicated @ A3 Series REMODEL Drawing SHADOW DIAGRAM - JUNE 21 @1PM Project Number 240158 Drawing Number DA64 Issue L
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EXISTING SHADOW STUDY - JUNE 21, 2PM
1:250

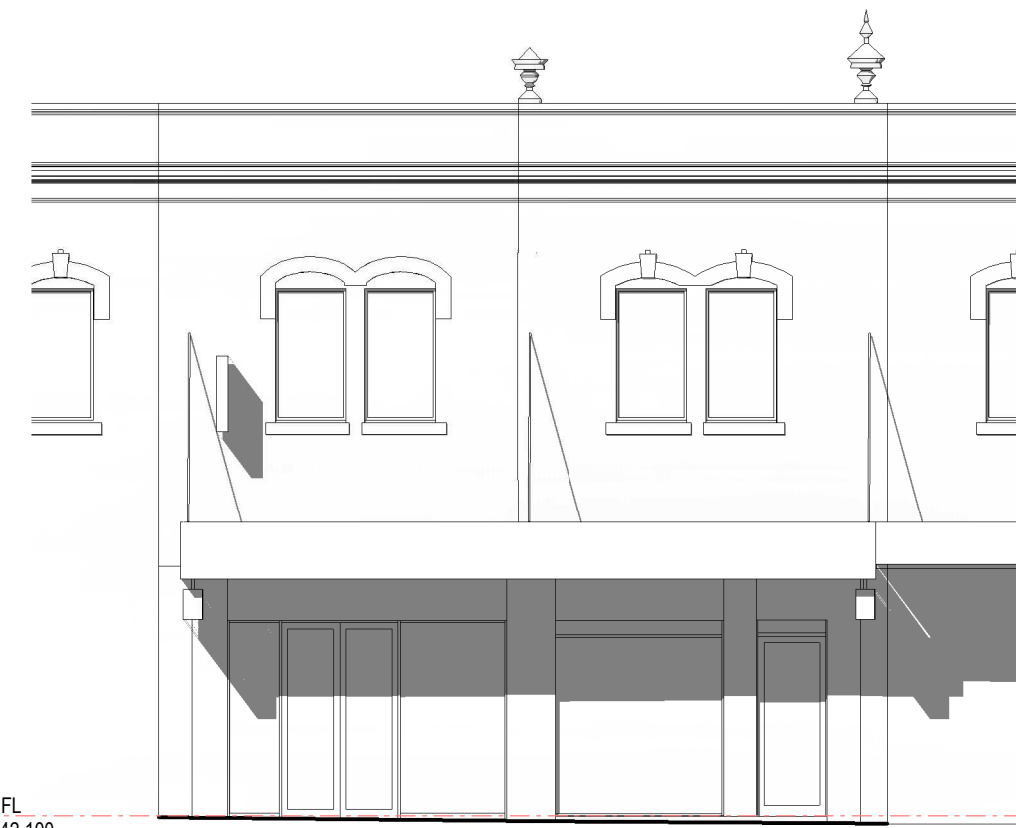
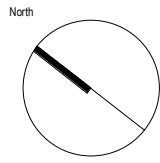


PROPOSED SHADOW STUDY - JUNE 21, 2PM
1:250

Revisions				General Notes				Drawing Notes					
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.									
L	DA ISSUE	07.01.2026	SH PK										
Issue Description				Date	Chk	Int							

LEGEND

ADDITIONAL SHADOWING FROM PROPOSED WORKS.



EXISTING SHADOW STUDY - JUNE 21, 2PM
1:100



PROPOSED SHADOW STUDY - JUNE 21, 2PM
1:100

Client  McDonald's Australia Limited ABN: 43 008 496 928 02 9875 6666 Project Manager 	Project ABN 34 001 485 436 ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT Location 212-214 KING STREET NEWTOWN NSW 2042	Richmond+Ross CONSULTING ENGINEERS AND PROJECT LEADERS Suite 2.02 1 Chandos Street St Leonards NSW 2065 TEL: (02) 9490 9600 E-MAIL: info@richmondross.com.au Nominated Architect Stuart Piper ARB NSW 12402	PRELIMINARY NOT TO BE USED DURING CONSTRUCTION Scale As indicated @ A3 Series REMODEL Drawing SHADOW DIAGRAM - JUNE 21 @2PM Project Number 240158 Drawing Number DA65 Issue L
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EXISTING SHADOW STUDY - JUNE 21, 3PM
1:250

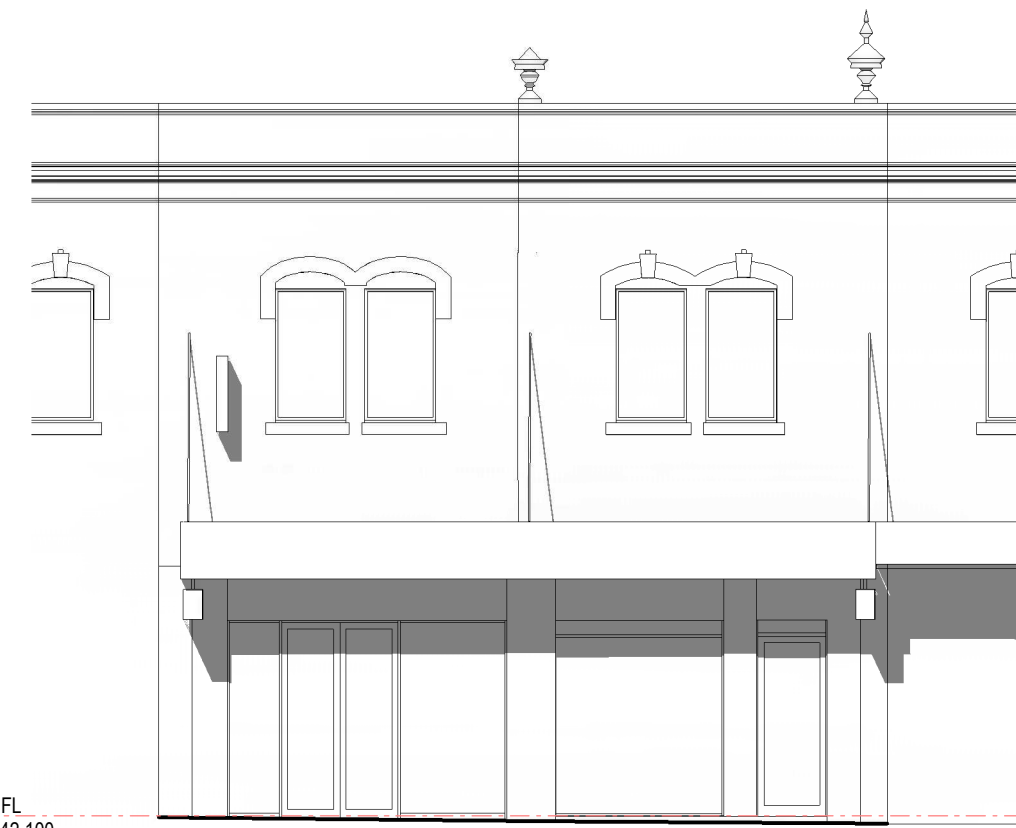
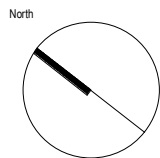


PROPOSED SHADOW STUDY - JUNE 21, 3PM
1:250

Revisions				General Notes				Drawing Notes					
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.									
L	DA ISSUE	07.01.2026	SH	PK									
Issue Description				Date	Chk	Int							

LEGEND

ADDITIONAL SHADOWING FROM PROPOSED WORKS.



EXISTING SHADOW STUDY - JUNE 21, 3PM
1:100



PROPOSED SHADOW STUDY - JUNE 21, 3PM
1:100

Client McDonald's Australia Limited ABN: 43 008 496 928 02 9875 6666 Project Manager	Richmond+Ross CONSULTING ENGINEERS AND PROJECT LEADERS Suite 2.02 1 Chandos Street St Leonards NSW 2065 TEL: (02) 9490 9600 E-MAIL: info@richmondross.com.au Nominated Architect Stuart Piper ARB NSW 12402	Project ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT Location 212-214 KING STREET NEWTOWN NSW 2042	PRELIMINARY NOT TO BE USED DURING CONSTRUCTION Scale As indicated @ A3 Series REMODEL Drawing SHADOW DIAGRAM - JUNE 21 @3PM Project Number 240158 Drawing Number DA66 Issue L
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Attachment B

Submissions

From: Bec Smith <[REDACTED]> on behalf of Bec Smith <[REDACTED]> <Bec Smith
<[REDACTED]>

Sent on: Thursday, January 22, 2026 12:20:13 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 submit the following comment on the abovementioned revised Development Application.

My residence looks down onto the rear laneway of this premises mentioned in the application.

I note the revised opening hours, however Friday and Saturday nights are still proposed to open until 2am - and on weekdays until 11pm, which is still much later than many other food premises in the area and still likely to lead to an increase in noise disturbance in the area, including foot traffic and loud conversations / people in the surrounding area and increased noise from delivery drivers and vehicles, particularly in the early morning hours. There are very few other food premises open until 11pm Sunday - Thursday, which again suggests a potential for increased foot traffic and noise disturbance during those opening hours.

Noise and disturbance

Other restaurants on the same strip already contribute to noise disturbance, especially in the evenings - whether this is staff entering and exiting the rear of the building or noise coming from recycling (both management and collection). I fear a takeaway food premises with little indoor dining space that is open until 2am Friday & Saturday and 11pm Sunday to Thursday (noting that few other takeaway food venues are open this late) would lead to an increase in noise disturbance in the area, including foot traffic and loud conversations / people in the surrounding area and increased noise from delivery drivers and vehicles, particularly in the early morning hours on weekends.

Litter

We are already seeing increased litter and food scraps left in nearby streets and parks with KFC opening up just 250m away, with food packaging and chicken bones etc littering the nearby laneways or being dumped in residential recycling bins leaving residents to sort out the mess. With McDonalds planning to open similar hours, I suspect this will only increase. This is not related to McDonalds waste removal, but to customers dumping rubbish after leaving the premises.

Safety

With this premises being one of the few late night takeaway options on weekends on King St, I fear it will become a hub for revellers leaving nearby bars and clubs and restaurants - leading to crowds and potential anti-social behaviour. There is already anti-social behaviour in the vicinity, my partner was assaulted last week by a group of teenagers "hanging out" in Brown Lane - having a late night takeaway premises in close proximity will only lead to more people hanging around the area - and on Friday & Saturday nights when alcohol is often involved, we do not need to give people another reason to loiter in the area. I will also feel less safe coming home by myself due to potential increase in drunk patrons frequenting the immediate area where I live.

Proximity to other similar takeaway premises

There is already a 24hr fast food restaurant less than 2km from this location which has more parking and space for dine in, as well as a KFC just up the road that is open until midnight most nights.

Local character

As a resident of Newtown for the last 25 years, I feel strongly that the opening of a McDonalds will adversely impact the unique local character Newtown has always been known for. I know many Newtown residents who remember the McDonalds that used to be on King St many years ago that closed down, as well as a McCafe on Carillon Ave that also closed down.

Based on all of the above, I would like to register my strong objection to the Development Application and ask Council to consider the above mentioned concerns when making a decision on this Application. I also believe these views are held by many in the broader Newtown community, especially those in close proximity to the premises.

From: Christine Graf <[REDACTED]> on behalf of Christine Graf
<[REDACTED]> <Christine Graf <[REDACTED]>

Sent on: Thursday, January 22, 2026 12:08:41 PM

To: council@cityofsydney.nsw.gov.au

Subject: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042

Caution: 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 regarding the application to establish a McDonald's restaurant at 212-214 King St Newtown (RD/2025/585/B).

I have lived and worked in the Newtown area for 15 years, and am well versed in the culture, the people, and the nature of the businesses that thrive in this location. A McDonald's is absolutely not welcome - such a business model is commercially focussed, mass-produced and follows practices that do not resonate with the people of Newtown. McDonald's does not belong in the inner west - and I am confident that if it were established in this location, the restaurant would experience extreme backlash from the community.

I note that the original application was rejected in July last year - this was a wise decision. I implore you to reject the revised application.

Regards,
Christine Graf

From: Georgina Bell <[REDACTED]> on behalf of Georgina Bell
<[REDACTED]> <Georgina Bell <[REDACTED]>

Sent on: Thursday, January 22, 2026 12:41:14 PM

To: council@cityofsydney.nsw.gov.au

Subject: RD/2025/585/B: Feedback

Caution: 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 writing as a local resident to Newtown, to express my concern and strong objection to RD/2025/585/B - this proposal to develop a fast food chain in Newtown.

This development would have significant negative impacts on our community and local businesses, is not needed and does not reflect the values of the local community.

The introduction of a large fast food outlet risks undermining small, locally owned food businesses that contribute to the unique character and economy of our area- there are plenty of locally owned fast food options that the community values. A global chain could harm our well loved community businesse, and takes the opportunity for development from something that we actually want - something that adds value and character -not a fast food chain.

It also raises concerns about increased traffic, litter, and the potential for reduced community health outcomes. The litter from fast food chains is a well documented issue around NSW and indeed the country. We do not want more of this in our local area. We already face litter issues from existing fast food chains such as Oporto - and we do not want another.

In addition, Mcdonalds is a target of the BDS boycott due to its links with genocide. This is deeply concerning, and goes against Inner West and Newtown values. We cannot have a genocide supporting buisness in our postcode.

I urge Council to consider the long-term social,ethical, economic, and environmental impacts of this proposal, and to prioritise development that supports local enterprise and strengthens community wellbeing.

I am also concerned that this development was already rejected due to large numbers of community objections, and is going back for another try when it is so clear that the community does not want it.

I strongly oppose the development .

Georgina Bell

Resident of Newtown 2042

--

Georgina Bell

*I pay respects to the Gadigal people on who's lands I live, work and play.
Sovereignty was never ceded, always was always will be Aboriginal Land.*

From: Zoe Hinman <[REDACTED]> on behalf of Zoe Hinman

<[REDACTED]> <Zoe Hinman <[REDACTED]>

Sent on: Thursday, January 22, 2026 12:57:29 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 a resident of Newtown for 30 years I am absolutely appalled that the council would allow another fast food chain on king st.

We as a community are against this and you as our council should listen to our concerns.

Regards,
Zoe

From: Mark Dadds <[REDACTED]> on behalf of Mark Dadds

<[REDACTED]> <Mark Dadds <[REDACTED]>

Sent on: Thursday, January 22, 2026 1:49:30 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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.

I write to add my voice to protest against the proposal for a MacDonalds on King St Newtown. The establishment of such a franchise would significantly detract from the neighbourhood amenity of Newtown and surrounding areas.

- 1) locals will not patronise this business (ie eat Macdonalds) and so the majority of customers will be via car traffic that this already jammed neighbourhood cannot accomodate;
- 2) their sales of take-away packaged food will significantly add to garbage and landfill in Newtown and Sydney;
- 3) their food is unhealthy and will add to healthcare burden on the population, especially children;
- 4) the wonderful neighbourhood character of Newtown, based largely on non-corporate, unique and bohemian culture, will be significantly degraded by its presence.

Thank you for considering this input.

Sincerely, Mark Dadds.

From: Steph R <[REDACTED]> on behalf of Steph R

<[REDACTED]> <Steph R <[REDACTED]>

Sent on: Thursday, January 22, 2026 11:48:49 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - 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.

I object to this proposal, McDonald's goes against all of the values of Newtown - community, health, supporting local business. Not to mention their ongoing ties to Israel which directly connects to the makeup of this beautiful anti-war and multicultural neighbourhood.

Please consider the impact this will have on local character and community and reject this proposal.

From: Chris Rolfe <[REDACTED]> on behalf of Chris Rolfe <[REDACTED]> <Chris Rolfe <[REDACTED]>

Sent on: Thursday, January 22, 2026 2:35:15 PM

To: council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

Subject: Objection to McDonalds RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

RD/2025/585/B - 212-214 King Street, NEWTOWN, NSW 2042

To the City of Sydney Council.

I strongly object to the DA proposal for a McDonalds on King Street.

I have lived in Newtown for 25 years and the special and unique character of King Street is based entirely on independent shops.

A McDonalds on King Street will:

Undermine the local character & Newtown's independent economy. Clem's chicken which is directly next door has been in business for 50 years, and the council should show the business some respect for the dedication this business has to its community and customers.

A McDonald's risks diluting King Street's unique, independent retail and hospitality mix, setting a precedent for further chain expansion that threatens the area's distinct cultural and small business ecosystem. There is already a KFC across the street. The Council will destroy King Street if these businesses are allowed to set a precedent.

Late-night anti-social behaviour & safety concerns. Does Newtown, the public and the local police need a late night fast food outlet – any benefit it is far outweighed by the litter, unsocial behaviour, lack of toilets, increased late night traffic etc.

The late trading hours will attract late-night loitering, noise, and intoxicated crowds, placing extra strain on local policing, security resources, and emergency services.

Fast food outlets generate significant packaging waste, especially with late-night takeaway. This puts pressure on council waste services and contributes to littering on streets already under strain from heavy foot traffic on King Street.

A McDonald's will attract additional vehicle traffic, and parking for take-aways, to a precinct designed for pedestrian flow and public transport, increasing congestion and reducing the safety and appeal of the street.

And finally, there is already a large McDonalds in Stanmore which is only a 3 min drive!

Chris Rolfe
58 Oxford Street, Newtown
[REDACTED]

From: Tegn Bond <[REDACTED]> on behalf of Tegn Bond <[REDACTED]> <Tegn Bond
<[REDACTED]>
Sent on: Thursday, January 22, 2026 11:53:35 AM
To: DASubmissions@cityofsydney.nsw.gov.au
Subject: NO MCDONALDS ON KING STREET

Caution: 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,

We don't want McDonalds in Newtown, not now not ever!

This will destroy the unique culture of Newtown, collapsing small businesses and the litter would be terrible for King Street and residents.

There would be increased crime for late night if it operates 24/7 - and threaten the safety of those in the community.

More delivery drivers in the area when there is already a McDonalds just one suburb away in Stanmore.. more accidents and deaths on KING street.

We DONT WANT IT - NO MCDONALDS IN NEWTOWN EVER PLEASE.

KEEP NEWTOWN WEIRD!!!

Tegn Bond

Sent from my iPhone

From: Gareth Clemens <[REDACTED]> on behalf of Gareth Clemens
<[REDACTED]> <Gareth.Clemens@[REDACTED]>

Sent on: Friday, January 23, 2026 1:40:26 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

I wish to object to the proposed McDonald's development at 212–214 King Street, Newtown.

The introduction of a large multinational fast-food chain at this location would significantly undermine the unique local character that defines Newtown. King Street is recognised for its independent businesses, diverse food offerings, and strong community identity. Allowing a McDonald's to operate here—particularly with extended late-night trading hours—would detract from the area's distinctive cultural fabric and erode the qualities that residents and visitors value.

In addition, the proposal risks diverting business away from longstanding local operators toward an American multibillion-dollar corporation. Newtown's economy depends heavily on small, independently owned cafés, restaurants, and shops. Approving this development would place unnecessary pressure on those businesses, many of which contribute far more to community cohesion, local employment diversity, and the precinct's character than a global chain ever could.

For these reasons, I do not support the proposed development and urge the City of Sydney to refuse the application.

Regards,

Gareth Clemens

From: Alexander Erskine <[REDACTED]> on behalf of Alexander Erskine
<[REDACTED]> <Alexander Erskine <[REDACTED]>

Sent on: Thursday, January 22, 2026 3:17:57 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 ignore the submissions from the nimbys in the area and approve this application.

Many thanks

From: Alexander Ozdowski <[REDACTED]> on behalf of Alexander Ozdowski
<[REDACTED]> <Alexander.Ozdowski@[REDACTED]>

Sent on: Thursday, January 22, 2026 2:55:36 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 support this application, we already have other fast food options why not let them exist and help create jobs.

Regards, Alex Ozdowski

From: michaela <[REDACTED]> on behalf of michaela
<[REDACTED]> <michaela <[REDACTED]>
Sent on: Thursday, January 22, 2026 4:31:27 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
CC: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li
Attachments: OBJECTION TO DEVELOPMENT APPLICATION D2025585.docx (48.99 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.

OBJECTION TO DEVELOPMENT APPLICATION D/2025/585 212-214 King Street, Newtown NSW 2042

To Whom It May Concern:

I object to this application as a psychologist working in the area and a local resident. The proposed McDonald's, trading until 2am on weekends in a dense residential area, will cause demonstrable harm that the application systematically misrepresents.

1. SLEEP DISRUPTION AND HEALTH IMPACTS

The WHO Environmental Noise Guidelines establish that night noise above 40 dB causes adverse health effects. The research is unequivocal: nocturnal noise fragments sleep architecture even when people don't fully wake (Basner et al., 2014). Chronic exposure activates stress pathways, increasing cortisol, blood pressure, and cardiovascular disease risk (Münzel et al., 2018). Environmental noise also increases psychiatric medication use and mental health service utilisation (Halperin, 2014).

This application proposes 2am closing on Friday and Saturday—when residents are sleeping. Patron dispersal, raised voices, vehicle movements, and mechanical plant will cause the intermittent, impulsive noise events proven to fragment sleep.

2. THE NOISE ASSESSMENT IS FLAWED

The Muller Acoustic Noise Assessment (TrimDownload_g1EzGkXt.PDF) manipulates classifications and excludes critical impacts to manufacture compliance.

2.1 "Urban Noise" Classification Normalises Harm

The report classifies all residential receivers as "Urban" (Table 9, p.21) to inflate allowable noise limits by 5 dB over suburban classification. This is a blunt misuse of the NPI.

The receivers include:

- Shop-top apartments
- Dwellings within the same building (PR01)
- Immediately adjacent residences

These are not abstract "urban receivers"—they are people sleeping above a fast-food venue operating until 2am on weekends.

High traffic noise doesn't eliminate sensitivity to discrete events—door slams, voices, waste trucks—that dominate late-night periods. The NPI requires amenity assessment based on actual use and sensitivity, not just traffic presence.

2.2 Background Noise Data Manipulation

Table C1 (Appendix C) shows the quietest nights measured 47 dBA (Monday/Tuesday) but these were excluded from the final calculation. The adopted Night RBL is 53 dBA—a 6 dB inflation that allows correspondingly higher project noise.

This is cherry-picking data to manufacture compliance. Lower RBL means stricter criteria means more protective assessment. By excluding quiet periods, the applicant increased allowable noise by 6 dB.

2.3 Assessment Averages Noise Over 15 Minutes

The assessment uses LAeq(15min) when individual events cause arousal and sleep fragmentation. Research shows maximum noise levels and event frequency predict sleep disturbance better than averaged metrics (Basner & McGuire, 2018).

Residents don't experience spreadsheets—they experience disruption. A door slam averaging to "compliance" over 15 minutes still wakes people up.

2.4 Human Behavioural Noise Completely Excluded

Table 2 (p.9) lists assessed noise sources:

- Pedestrian Customers
- Mechanical Plant
- Internal Trading
- Deliveries
- Waste Collection

What's excluded:

- Patron conversations and shouting (especially late-night)
- Queue noise on footpath
- Music from inside venue
- Delivery rider conversations and phone calls
- Loitering and antisocial behaviour
- Arguments and altercations
- Intoxicated patrons at 2am closing

Human voices are particularly intrusive due to speech intelligibility—they cannot be "tuned out" like traffic. McDonald's at 2am is a congregation point for intoxicated people leaving pubs and bars. The Plan of Management states no outdoor seating, meaning people congregate on the footpath.

This is deliberate omission of the most annoying noise source.

2.5 Maximum Noise Assessment Unrealistically Narrow

Table 18 (p.32) models sleep disturbance using only "door slams."

This excludes:

- Raised voices and group behaviour
- Multiple car doors repeatedly opening/closing
- Engine idling and acceleration
- Waste bin movements and metal impacts
- Mechanical plant cycling at night
- Delivery truck reversing alarms (100+ dBA at source)
- Waste truck compactors (95+ dBA)
- Glass bottle impacts in recycling bins
- Patron shouting at 2am closing

One door slam doesn't represent cumulative sleep disturbance from multiple events throughout the night. Where is assessment of patron dispersal noise at 2am?

2.6 Delivery and Waste Noise Understated

Table 16 (p.30) models one delivery event. But the Loading Service Management Plan shows:

- 3 main deliveries/week (40 minutes each)
- 4 bread deliveries/week (15 minutes each)
- 4 milk deliveries/week (15 minutes each)
- 2 oil replacements/month (30-60 minutes each)
- **Total: 13 deliveries per week**

What about cumulative impact? 40-minute deliveries with ramps, trolleys, and loading on King Street's pedestrian thoroughfare during 8am-3pm peak hours.

Table 17 (p.31) models one waste collection. But the Waste Management Plan shows 6 collections per week (garbage, food waste, recyclables x2 each). What about cumulative impact of daily waste truck activity on Brown Lane?

2.7 Modelling Assumes "Unlikely Coincidence" While Approving Worst-Case Operations

The report states (p.29):

"The coincidence of all plant occurring onsite simultaneously for an entire 15-minute period is unlikely."

Yet the application seeks approval for:

- Trading until 2am
- Continuous mechanical plant
- Late-night patron movement
- Waste collection into evening
- Daily deliveries

This is not hypothetical overlap—this is predictable operational pattern, especially on weekends. The assessment excludes cumulative impacts, averages noise over 15 minutes, and treats each activity as isolated.

This is how you technically comply while practically disturbing sleep.

2.8 Compliance Is Conditional on Unverified Mitigation

The conclusion (p.37) states compliance is achieved "once noise controls for the proposal are implemented."

The required "controls":

- AC plant "surrounded by impervious acoustic screen extending minimum 600mm above unit"
- Refrigeration units "screened to north and east"
- Screens "assumed to be constructed of materials with minimum density of 10kg/m²"

These acoustic screens are not shown in architectural plans DA15 (Roof Plan) or DA30 (Section). The assessment is based on "assumptions"—screens "assumed to be constructed."

This is hypothetical compliance: "it will comply IF we build screens we haven't designed yet."

2.9 Construction Noise Violations Admitted Then Dismissed

Table 19 (p.33) predicts:

- **Receiver PR01: 88 dBA** (management level: 66 dBA) = **22 dB exceedance**
- **Receiver R09: 83 dBA** (management level: 66 dBA) = **17 dB exceedance**
- **11 of 21 receivers exceed construction noise limits**

PR01 is the apartment in the same building owned by McDonald's landlord. If the landlord's own apartment experiences 88 dBA, what about other residents?

The response (Section 8, p.35) offers only generic "recommendations":

- "Toolbox and induction of personnel"
- "Where possible use mobile screens"
- "Selection of quietest suitable machinery"

These are aspirational wishes, not enforceable controls. A 22 dB exceedance cannot be mitigated through voluntary measures. Prolonged construction noise causes anxiety, cognitive impairment, and learned helplessness (Stansfeld & Matheson, 2003).

How can Council approve development that openly predicts unlawful construction noise impacts?

Every table ends with compliance ticks. But the NPI is explicit: meeting trigger levels does not mean impacts are acceptable.

Residual impacts must be considered, especially where:

- Hours extend to 2am when residents are sleeping
- Receivers are directly above or adjacent
- The use is discretionary commercial development, not essential infrastructure

A McDonald's trading until 2am is not a neutral land use in Newtown. The report equates technical compliance with planning merit, contrary to the NPI's intent and broader amenity considerations under the EP&A Act.

3. VULNERABLE POPULATIONS IGNORED

The surrounding area includes **families with children, elderly residents, and shift workers** requiring daytime sleep. Sleep disruption impairs children's cognitive development and emotional regulation (Astill et al., 2012). Elderly populations have increased noise sensitivity (Zepelin et al., 2005). Shift workers need protected daytime sleep—any disruption exacerbates health risks from circadian misalignment.

Environmental stressors don't occur in isolation. Residents already manage traffic, urban density, and commercial activity. Adding late-night fast-food operations with associated noise, loitering, and antisocial behaviour represents cumulative burden that exceeds adaptive capacity (Evans, 2003).

None of these vulnerabilities are considered in the application.

4. DCP COMPLIANCE TABLE - SYSTEMATIC MISREPRESENTATION

The DCP Compliance Table (TrimDownload_wlXVdTd3.PDF) contains pervasive false claims of compliance.

4.1 Site Amalgamation - Direct Violation Marked "Compliant"

DCP Section 2.3.3(j): "Discourage site amalgamation"

Applicant's response (p.2):

"The site requires the amalgamation of lots 2 and 3 of DP65247 to adequately fit the operations."

Compliance: Y

They openly admit amalgamating two lots, yet mark it "compliant" against a control that says "discourage." If amalgamation is required, the site is unsuitable. The DCP discourages amalgamation to prevent large-format commercial operations overwhelming small heritage shopfronts.

4.2 Bicycle Parking - Non-Compliance Disguised as "Justified"

DCP Section 3.11.3 requires:

- 1 staff space + 4 visitor spaces = **5 spaces total**

Applicant provides:

- 1 staff space inside building + 0 visitor spaces = **1 space total**
- **Compliance: N, Justified**

Their "justification" (p.10-11):

"The 8 existing bike parks on the adjoining footpath have minimal use and therefore can be used by customers"

Public footpath bike racks are not McDonald's on-site provision. The DCP explicitly requires **on-site** bicycle parking. "Minimal use" means those racks already serve other businesses. With delivery riders (Uber Eats, Menulog, DoorDash) expected to service this location, public racks will be fully occupied.

4.3 Waste Collection - On-Street Collection Marked "Compliant"

DCP Section 3.11.13 establishes order of preference:

1. In building's basement
2. At grade within building
3. Off-street within premises

Applicant's response (p.12-13):

"Waste collection...will be collected from Brown Lane"

Compliance: Y

Brown Lane is a public laneway, not within premises. The applicant admits using the least preferred option while marking it "compliant." The DCP states this option requires demonstrating why preferred options are "unreasonable." **The applicant has not demonstrated this.** This proves the site is inadequate.

4.4 Bulky Waste - False Claim of Zero Generation

DCP Section 3.14.3(4) (p.17):

"Development is to include separate space...for storage and management of bulky waste"

Applicant's response:

"No bulky waste will be generated by the proposed operation."

Compliance: NA

Every commercial operation generates bulky waste:

- Broken equipment (fryers, refrigerators, HVAC)

- Packaging materials (delivery crates, pallets)
- Renovation/maintenance waste
- Furniture replacement
- Failed signage

Claiming McDonald's generates zero bulky waste is demonstrably false. This is identical to the false claim in the Waste Management Plan. This is deliberate misrepresentation to avoid providing required space.

4.5 Multiple Signage Violations Marked "Justified"

Under-awning sign height (p.30):

- Required: 2.6m clearance
- Provided: 2.59m (1cm non-compliant)
- **Compliance: N, justified**
- "Justification": "consistent with other signage in the area"

Number of facade signs (p.35):

- **DCP:** "not to exceed one per premises"
- **Provided:** Multiple signs
- **Compliance: N, justified**
- "Justification": "Many buildings on King Street" have multiple signs

Heritage Colour Scheme (p.36):

- **DCP:** "Colours to complement Heritage Colour Scheme for King Street"
- **Provided:** McDonald's red and yellow
- **Compliance: N, justified**
- "Justification": "There are many surrounding sites that do not follow the Heritage Colour Scheme"

"Other people violate the rules" is not planning justification. McDonald's red and yellow golden arches are fundamentally incompatible with Victorian heritage colors. The Heritage Colour Scheme exists precisely to prevent corporate homogenisation.

Illuminated signage (p.33-34):

DCP 3.16.11(9) permits internally illuminated signage only where:

1. It reconstructs original significant sign, OR
2. Illumination is significant to heritage area, OR
3. It's low voltage through cut-out lettering in high quality metal

None of these criteria are met. The applicant's "justification" is circular: "The signage prescribed by the control would be inconsistent with the established character."

That's not how DCP controls work. You comply or you're non-compliant.

4.6 Existing Signage Replacement Loophole

Throughout signage sections (p.28, 30, 34, 35), the applicant claims:

"Existing signbox to be replaced. In accordance with Clause 3.16.3(1), approval is not required to replace the content of this signage."

DCP 3.16.2(1) applies to minor text changes to existing approved signs—not wholesale replacement with different corporate branding, size, illumination, and design. Replacing a Richardson & Wrench real estate sign

with McDonald's golden arches is **new signage requiring full assessment**, not "content change."

4.7 Missing Documents - Incomplete Application

I note that the following referenced document is missing from the publicly exhibited application at the time of writing this objection:

RD/2022/27 - Air Quality Assessment - Appendix H - Odour Assessment - 212-214 King Street, Newtown.pdf

This document is referenced in the application materials but has not been made available for public review. Odour assessment is critical for evaluating amenity impacts of commercial kitchen operations in dense residential areas. Kitchen exhaust, grease, and cooking odours are significant concerns for adjacent residents, particularly those in shop-top housing and the apartment within the same building.

Council cannot properly assess this application without all supporting documents being publicly exhibited. The absence of the Odour Assessment prevents meaningful community engagement and informed objection.

5. FLOOR PLAN - FUNDAMENTAL DESIGN FLAWS

The proposed ground floor plan (DA11) reveals spatial inadequacies proving site unsuitability.

5.1 Only One Toilet for High-Volume Restaurant

Plan DA10 shows no existing WC/toilet. The current tenancies are small-scale retail/office uses with minimal patron numbers.

Plan DA11 proposes to add ONE toilet (WC) in the back-of-house area to serve:

- 20 internal seats
- Takeaway customers
- Delivery riders
- Staff working 7am-2am shifts

One toilet is grossly inadequate and likely non-compliant with Building Code of Australia Table D3.2 which requires sanitary facilities based on floor area and occupancy type.

Moreover, the toilet is located in the back-of-house area with no clear customer access path shown. How do customers reach this toilet without walking through or past food preparation areas, violating Food Safety Standards 3.2.3 requiring separation of customer circulation and food preparation zones?

The applicant cannot claim this is an "existing building constraint"—they are creating a new use that triggers new requirements.

5.2 Kitchen Dominates Floor Space - Backwards Design

Dimensions from DA11:

- **KITCHEN: 11,855mm** (nearly 12 meters)
- **DINING AREA: 7,255mm** (just over 7 meters)
- **CAFÉ: 6,915mm** (just under 7 meters)

The kitchen occupies nearly half the ground floor. This is backwards for a restaurant and demonstrates the site is too small for McDonald's industrial-scale operations.

DCP Section 3.15.3(i) requires consideration of "size and patron capacity." This plan shows **kitchen-dominant, customer-minimal design**—proving the site cannot accommodate both food production and customer amenity.

5.3 Bi-Fold Window - Delivery Entrance Violates Food Safety

Plan shows:

- "BI-FOLD WINDOW 2230" at front of building
- "PROPOSED OPERABLE SHOPFRONT (FRAMELESS BI-FOLD)"

This is the delivery entrance that opens for 40-minute delivery periods. The Food Safety Compliance Report required **"tight-fitting solid self-closing doors"** to prevent pest entry.

How is a bi-fold window that stays open for 40 minutes "tight-fitting and self-closing"? This is a deliberate food safety violation disguised as an architectural feature.

5.4 Waste Bins Located Inside Premises

The plan shows:

- Four 240L bins inside premises near kitchen
- One 660L UCO (Used Cooking Oil) bin
- No separate waste storage room

DCP Section 3.14.3(4) requires "separate space...for storage and management of bulky waste." Waste bins should be in dedicated waste room, not inside kitchen/café. This creates odour, pest, and hygiene issues.

5.5 No Accessible Toilet Facilities Shown

The single WC appears standard size with no indication of:

- Accessible door width ($\geq 850\text{mm}$ clear)
- Circulation space for wheelchair ($\geq 1500\text{mm}$ turning circle)
- Accessible fixtures (grab rails, basin height)

How can a public restaurant in 2026 have only one non-accessible toilet? This violates Disability Discrimination Act requirements and BCA access provisions.

5.6 No Furniture Layout or Seating Plan

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Plan shows "FRIDGE" and "FREEZER" rooms at rear appearing to require walking through active kitchen prep area. Delivery staff bringing stock must walk through the kitchen during busy service periods—creating cross-contamination risk.

6. HERITAGE IMPACTS MINIMISED

The Heritage Impact Statement minimises impacts on the North Newtown Heritage Conservation Area.

6.1 Central Dividing Wall Demolition

Plan DA10 shows removal of the central dividing wall between two shop tenancies at 212 and 214 King Street. **The building was purpose-built as two separate shops in 1884-1885.** Demolishing this 140-year-old dividing wall destroys the historic layout and commercial configuration. The Heritage report claimed columns would be retained as "evidence"—but columns are not evidence if the wall is gone.

This is not the "reversible" alteration the Heritage report claimed.

6.2 Mechanical Exhaust Enclosure Not "Obscured"

The Heritage report claimed the rooftop mechanical exhaust enclosure would be "obscured from view along King Street, with only limited visibility."

Plans DA15 (Roof), DA30 (Section), and DA40 (3D View) prove otherwise:

- Enclosure is significantly taller than roof level
- Highly visible from multiple angles
- Visible from Brown Street where Heritage Item I961 (Marcus Clark warehouse) is located

Industrial kitchen exhaust for McDonald's will be substantial and visually intrusive on heritage streetscape.

6.3 Corporate Branding Incompatible with Heritage Character

McDonald's red and yellow golden arches, internally illuminated signage, and multiple facade signs are fundamentally incompatible with the Heritage Colour Scheme for King Street, which exists precisely to prevent such corporate homogenisation of Victorian streetscape character.

7. LATE-NIGHT TRADING AND CRIME IMPACTS

The applicant seeks 7am-2am trading Friday/Saturday in a dense residential area.

7.1 "Surveillance" Claim Reverses Cause and Effect

The DCP Compliance Table claims (p.21) the proposal will "contribute to the level of surveillance of the area throughout the day and late night trade period."

This reverses cause and effect. Late-night fast-food venues don't prevent crime—they attract it. NSW Bureau of Crime Statistics and Research data consistently shows:

- Fast-food venues operating past midnight are hotspots for assault, particularly Friday/Saturday 12am-3am
- Alcohol-related violence clusters around late-night food outlets where intoxicated people congregate
- "Passive surveillance" at 2am is not the same as "eyes on the street" during business hours

The application lists nearby venues (p.19):

- Broaster Chicken: 3am closing
- Grill Masterz: 5am closing
- KFC: 2am closing

This creates a late-night precinct where people move between venues, generating persistent foot traffic and congregation from 10pm-5am. This is not surveillance—it's concentration of alcohol-affected behaviour in a residential area.

Moreover:

- **No outdoor seating** (per Plan of Management) means patron congregation on public footpath
- **Surrounding businesses closed** at 2am—McDonald's creates isolated activity hub
- **Residential receivers** experience crime displacement: noise, loitering, property damage, intimidation
- **CCTV doesn't prevent crime**, it records it

The premise that McDonald's "enhances safety" through late trading is contradicted by crime data, policing experience, and Liquor & Gaming NSW documentation of late-night food outlet issues.

7.2 Concentration of Late-Night Venues

DCP 3.15.3(j) requires consideration of:

"impact of the premises on the mix, diversity and possible concentration of late night uses in the locality"

Rather than justifying late trading, the nearby venues demonstrate concentration of late-night uses—exactly what the DCP seeks to prevent. "Other operators do it" is not planning justification.

7.3 Trial Period Places Burden on Residents

Hours beyond base hours (11pm-2am Friday/Saturday) are subject to trial period (p.22).

Trial periods are meant for borderline cases in appropriate locations—not to test whether unsuitable developments cause predicted harm. If approved, residents must endure impacts during a 1-year trial before seeking review. This places burden of proof on affected residents rather than the applicant.

8. TRAFFIC, WASTE, AND SERVICE MANAGEMENT

8.1 Loading Zone on King Street - Peak Hour Conflicts

The Loading Service Management Plan proposes:

- 3 main deliveries/week (40 minutes each)
- 4 bread deliveries/week (15 minutes each)
- 4 milk deliveries/week (15 minutes each)
- **All using King Street loading zone 8am-3pm**

King Street during these hours is:

- High pedestrian traffic
- Bus route
- Cycling corridor
- Active commercial strip

40-minute deliveries with ramps, trolleys, and loading create:

- Footpath obstruction
- Pedestrian safety hazards
- Noise during business hours
- Traffic conflicts

8.2 Waste Collection on Brown Lane - Residential Impacts

Six waste collections per week on Brown Lane:

- 2 x general waste
- 2 x food/organic waste
- 2 x recycling

Brown Lane is:

- Narrow residential laneway
- Bounded by Heritage Item I961
- Access for existing residential properties
- Not designed for commercial waste operations

Waste truck access, reversing alarms, bin movements, and compactor noise will severely impact residents.

8.3 Delivery Riders - Unassessed Impact

The application is silent on delivery service aggregators (Uber Eats, Menulog, DoorDash). Modern McDonald's operations generate significant delivery rider traffic:

- Motorcycles and scooters idling
- Riders congregating on footpath
- Additional waste (packaging)
- Bicycle parking demand
- Late-night activity

None of this is assessed in traffic, noise, or amenity studies.

9. SITE FUNDAMENTALLY UNSUITABLE

The cumulative evidence proves **this site cannot accommodate McDonald's operations while meeting basic planning, amenity, and safety standards:**

Spatial Inadequacy

- Site area: 275.45m² (too small)
- Ground floor: 199.487m² (kitchen dominates at 11.8m)
- Required amalgamation of two heritage shops (DCP discourages)
- Only one toilet for high-volume restaurant
- No separate waste storage room
- Inadequate bicycle parking (1 of 5 required)
- No space for bulky waste storage

Food Safety Conflicts

- Bi-fold window delivery entrance violates tight-fitting door requirement
- Customer toilet access compromises food preparation separation
- Waste bins inside premises create hygiene risks
- Delivery traffic through active kitchen creates cross-contamination risk

Heritage Impacts

- Demolition of 140-year-old dividing wall destroys historic configuration
- Rooftop mechanical enclosure visually intrudes on streetscape
- Corporate signage incompatible with Heritage Colour Scheme
- Site amalgamation undermines small-scale heritage shopfront character

Amenity Impacts

- Construction noise: 88 dBA at residential receiver (22 dB over limit)
- Operational noise classification manipulated to inflate allowable limits
- Late-night trading until 2am in dense residential area
- Waste collection impacts on Brown Lane residents
- Deliveries on King Street footpath during peak hours
- Concentration of late-night venues in locality

10. CONCLUSION

From a health perspective: This proposal creates foreseeable harm through chronic sleep disruption, construction noise violations, cumulative stressors, and disproportionate impacts on vulnerable populations (children, elderly, shift workers). The acoustic assessment prioritises averaged compliance metrics over lived experience.

From a planning perspective: The application systematically misrepresents DCP compliance, the site is spatially inadequate (requiring amalgamation, lacking basic facilities), heritage impacts are understated, the floor plan reveals design incompatible with food safety and accessibility, and the crime/safety claims reverse cause and effect.

The acoustic assessment treats compliance as the same thing as acceptability. Meeting technical triggers doesn't mean impacts are tolerable—especially where hours extend to 2am, receivers are directly adjacent, and the use is discretionary commercial development, not essential infrastructure.

This is not a case of minor non-compliances that can be resolved. These are fundamental inadequacies proving the site cannot accommodate the proposed use while meeting statutory requirements.

I hope that Council will consider cumulative impacts of late-night venue concentration in this locality and refuse this application on grounds of residential amenity, heritage impacts, spatial inadequacy, and systematic misrepresentation. **This application should be refused.** The site cannot accommodate McDonald's operations while protecting residential amenity, heritage values, and public health.

Yours Sincerely,
Dr Michaela Davies
29 Hordern Street Newtown 2042
22/01/2026

REFERENCES

- Astill, R.G., Van der Heijden, K.B., Van IJzendoorn, M.H., & Van Someren, E.J. (2012). Sleep, cognition, and behavioral problems in school-age children: A century of research meta-analyzed. *Psychological Bulletin*, 138(6), 1109-1138.
- Basner, M., Babisch, W., Davis, A., Brink, M., Clark, C., Janssen, S., & Stansfeld, S. (2014). Auditory and non-auditory effects of noise on health. *The Lancet*, 383(9925), 1325-1332.
- Basner, M., & McGuire, S. (2018). WHO Environmental Noise Guidelines for the European Region: A systematic review on environmental noise and effects on sleep. *International Journal of Environmental Research and Public Health*, 15(3), 519.
- Evans, G.W. (2003). The built environment and mental health. *Journal of Urban Health*, 80(4), 536-555.
- Halperin, D. (2014). Environmental noise and sleep disturbances: A threat to health? *Sleep Science*, 7(4), 209-212.
- Münzel, T., Schmidt, F.P., Steven, S., Herzog, J., Daiber, A., & Sørensen, M. (2018). Environmental noise and the cardiovascular system. *Journal of the American College of Cardiology*, 71(6), 688-697.
- Stansfeld, S.A., & Matheson, M.P. (2003). Noise pollution: Non-auditory effects on health. *British Medical Bulletin*, 68(1), 243-257.
- World Health Organization. (2018). *Environmental Noise Guidelines for the European Region*. WHO Regional Office for Europe.
- Zepelin, H., McDonald, C.S., & Zammit, G.K. (2005). Effects of age on auditory awakening thresholds. *Journal of Gerontology*, 60(5), 601-606.

OBJECTION TO DEVELOPMENT APPLICATION D/2025/585

212-214 King Street, Newtown NSW 2042

To Whom It May Concern:

I object to this application as a psychologist working in the area and a local resident. The proposed McDonald's, trading until 2am on weekends in a dense residential area, will cause demonstrable harm that the application systematically misrepresents.

1. SLEEP DISRUPTION AND HEALTH IMPACTS

The WHO Environmental Noise Guidelines establish that night noise above 40 dB causes adverse health effects. The research is unequivocal: nocturnal noise fragments sleep architecture even when people don't fully wake (Basner et al., 2014). Chronic exposure activates stress pathways, increasing cortisol, blood pressure, and cardiovascular disease risk (Münzel et al., 2018). Environmental noise also increases psychiatric medication use and mental health service utilisation (Halperin, 2014).

This application proposes 2am closing on Friday and Saturday—when residents are sleeping. Patron dispersal, raised voices, vehicle movements, and mechanical plant will cause the intermittent, impulsive noise events proven to fragment sleep.

2. THE NOISE ASSESSMENT IS FLAWED

The Muller Acoustic Noise Assessment (TrimDownload_g1EzGkXt.PDF) manipulates classifications and excludes critical impacts to manufacture compliance.

2.1 "Urban Noise" Classification Normalizes Harm

The report classifies all residential receivers as "Urban" (Table 9, p.21) to inflate allowable noise limits by 5 dB over suburban classification. This is a blunt misuse of the NPI.

The receivers include:

- Shop-top apartments
- Dwellings within the same building (PR01)
- Immediately adjacent residences

These are not abstract "urban receivers"—they are people sleeping above a fast-food venue operating until 2am on weekends.

High traffic noise doesn't eliminate sensitivity to discrete events—door slams, voices, waste trucks—that dominate late-night periods. The NPI requires amenity assessment based on actual use and sensitivity, not just traffic presence.

2.2 Background Noise Data Manipulation

Table C1 (Appendix C) shows the quietest nights measured 47 dBA (Monday/Tuesday) but these were excluded from the final calculation. The adopted Night RBL is 53 dBA—a 6 dB inflation that allows correspondingly higher project noise.

This is cherry-picking data to manufacture compliance. Lower RBL means stricter criteria means more protective assessment. By excluding quiet periods, the applicant increased allowable noise by 6 dB.

2.3 Assessment Averages Noise Over 15 Minutes

The assessment uses LAeq(15min) when individual events cause arousal and sleep fragmentation. Research shows maximum noise levels and event frequency predict sleep disturbance better than averaged metrics (Basner & McGuire, 2018).

Residents don't experience spreadsheets—they experience disruption. A door slam averaging to "compliance" over 15 minutes still wakes people up.

2.4 Human Behavioural Noise Completely Excluded

Table 2 (p.9) lists assessed noise sources:

- Pedestrian Customers
- Mechanical Plant
- Internal Trading
- Deliveries
- Waste Collection

What's excluded:

- Patron conversations and shouting (especially late-night)
- Queue noise on footpath
- Music from inside venue
- Delivery rider conversations and phone calls
- Loitering and antisocial behaviour
- Arguments and altercations
- Intoxicated patrons at 2am closing

Human voices are particularly intrusive due to speech intelligibility—they cannot be "tuned out" like traffic. McDonald's at 2am is a congregation point for intoxicated people leaving pubs and bars. The Plan of Management states no outdoor seating, meaning people congregate on the footpath.

This is deliberate omission of the most annoying noise source.

2.5 Maximum Noise Assessment Unrealistically Narrow

Table 18 (p.32) models sleep disturbance using only "door slams."

This excludes:

- Raised voices and group behaviour
- Multiple car doors repeatedly opening/closing
- Engine idling and acceleration
- Waste bin movements and metal impacts
- Mechanical plant cycling at night
- Delivery truck reversing alarms (100+ dBA at source)
- Waste truck compactors (95+ dBA)
- Glass bottle impacts in recycling bins
- Patron shouting at 2am closing

One door slam doesn't represent cumulative sleep disturbance from multiple events throughout the night. Where is assessment of patron dispersal noise at 2am?

2.6 Delivery and Waste Noise Understated

Table 16 (p.30) models one delivery event. But the Loading Service Management Plan shows:

- 3 main deliveries/week (40 minutes each)
- 4 bread deliveries/week (15 minutes each)
- 4 milk deliveries/week (15 minutes each)
- 2 oil replacements/month (30-60 minutes each)
- **Total: 13 deliveries per week**

What about cumulative impact? 40-minute deliveries with ramps, trolleys, and loading on King Street's pedestrian thoroughfare during 8am-3pm peak hours.

Table 17 (p.31) models one waste collection. But the Waste Management Plan shows 6 collections per week (garbage, food waste, recyclables x2 each). What about cumulative impact of daily waste truck activity on Brown Lane?

2.7 Modelling Assumes "Unlikely Coincidence" While Approving Worst-Case Operations

The report states (p.29):

"The coincidence of all plant occurring onsite simultaneously for an entire 15-minute period is unlikely."

Yet the application seeks approval for:

- Trading until 2am
- Continuous mechanical plant

- Late-night patron movement
- Waste collection into evening
- Daily deliveries

This is not hypothetical overlap—this is predictable operational pattern, especially on weekends. The assessment excludes cumulative impacts, averages noise over 15 minutes, and treats each activity as isolated.

This is how you technically comply while practically disturbing sleep.

2.8 Compliance Is Conditional on Unverified Mitigation

The conclusion (p.37) states compliance is achieved "once noise controls for the proposal are implemented."

The required "controls":

- AC plant "surrounded by impervious acoustic screen extending minimum 600mm above unit"
- Refrigeration units "screened to north and east"
- Screens "assumed to be constructed of materials with minimum density of 10kg/m²"

These acoustic screens are not shown in architectural plans DA15 (Roof Plan) or DA30 (Section). The assessment is based on "assumptions"—screens "assumed to be constructed."

This is hypothetical compliance: "it will comply IF we build screens we haven't designed yet."

2.9 Construction Noise Violations Admitted Then Dismissed

Table 19 (p.33) predicts:

- **Receiver PR01: 88 dBA** (management level: 66 dBA) = **22 dB exceedance**
- **Receiver R09: 83 dBA** (management level: 66 dBA) = **17 dB exceedance**
- **11 of 21 receivers exceed construction noise limits**

PR01 is the apartment in the same building owned by McDonald's landlord. If the landlord's own apartment experiences 88 dBA, what about other residents?

The response (Section 8, p.35) offers only generic "recommendations":

- "Toolbox and induction of personnel"
- "Where possible use mobile screens"
- "Selection of quietest suitable machinery"

These are aspirational wishes, not enforceable controls. A 22 dB exceedance cannot be mitigated through voluntary measures. Prolonged construction noise causes anxiety, cognitive impairment, and learned helplessness (Stansfeld & Matheson, 2003).

How can Council approve development that openly predicts unlawful construction noise impacts?

Every table ends with compliance ticks. But the NPI is explicit: meeting trigger levels does not mean impacts are acceptable.

Residual impacts must be considered, especially where:

- Hours extend to 2am when residents are sleeping
- Receivers are directly above or adjacent
- The use is discretionary commercial development, not essential infrastructure

A McDonald's trading until 2am is not a neutral land use in Newtown. The report equates technical compliance with planning merit, contrary to the NPI's intent and broader amenity considerations under the EP&A Act.

3. VULNERABLE POPULATIONS IGNORED

The surrounding area includes **families with children, elderly residents, and shift workers** requiring daytime sleep. Sleep disruption impairs children's cognitive development and emotional regulation (Astill et al., 2012). Elderly populations have increased noise sensitivity (Zepelin et al., 2005). Shift workers need protected daytime sleep—any disruption exacerbates health risks from circadian misalignment.

Environmental stressors don't occur in isolation. Residents already manage traffic, urban density, and commercial activity. Adding late-night fast-food operations with associated noise, loitering, and antisocial behaviour represents cumulative burden that exceeds adaptive capacity (Evans, 2003).

None of these vulnerabilities are considered in the application.

4. DCP COMPLIANCE TABLE - SYSTEMATIC MISREPRESENTATION

The DCP Compliance Table (TrimDownload_wlXVdTd3.PDF) contains pervasive false claims of compliance.

4.1 Site Amalgamation - Direct Violation Marked "Compliant"

DCP Section 2.3.3(j): "Discourage site amalgamation"

Applicant's response (p.2):

"The site requires the amalgamation of lots 2 and 3 of DP65247 to adequately fit the operations."

Compliance: Y

They openly admit amalgamating two lots, yet mark it "compliant" against a control that says "discourage." If amalgamation is required, the site is unsuitable. The DCP discourages amalgamation to prevent large-format commercial operations overwhelming small heritage shopfronts.

4.2 Bicycle Parking - Non-Compliance Disguised as "Justified"

DCP Section 3.11.3 requires:

- 1 staff space + 4 visitor spaces = **5 spaces total**

Applicant provides:

- 1 staff space inside building + 0 visitor spaces = **1 space total**
- **Compliance: N, Justified**

Their "justification" (p.10-11):

"The 8 existing bike parks on the adjoining footpath have minimal use and therefore can be used by customers"

Public footpath bike racks are not McDonald's on-site provision. The DCP explicitly requires **on-site** bicycle parking. "Minimal use" means those racks already serve other businesses. With delivery riders (Uber Eats, Menulog, DoorDash) expected to service this location, public racks will be fully occupied.

4.3 Waste Collection - On-Street Collection Marked "Compliant"

DCP Section 3.11.13 establishes order of preference:

1. In building's basement
2. At grade within building
3. Off-street within premises

Applicant's response (p.12-13):

"Waste collection...will be collected from Brown Lane"

Compliance: Y

Brown Lane is a public laneway, not within premises. The applicant admits using the least preferred option while marking it "compliant." The DCP states this option requires demonstrating why preferred options are "unreasonable."

The applicant has not demonstrated this. This proves the site is inadequate.

4.4 Bulky Waste - False Claim of Zero Generation

DCP Section 3.14.3(4) (p.17):

"Development is to include separate space...for storage and management of bulky waste"

Applicant's response:

"No bulky waste will be generated by the proposed operation."

Compliance: NA

Every commercial operation generates bulky waste:

- Broken equipment (fryers, refrigerators, HVAC)
- Packaging materials (delivery crates, pallets)
- Renovation/maintenance waste
- Furniture replacement
- Failed signage

Claiming McDonald's generates zero bulky waste is demonstrably false. This is identical to the false claim in the Waste Management Plan. This is deliberate misrepresentation to avoid providing required space.

4.5 Multiple Signage Violations Marked "Justified"

Under-awning sign height (p.30):

- Required: 2.6m clearance
- Provided: 2.59m (1cm non-compliant)
- **Compliance: N, justified**
- "Justification": "consistent with other signage in the area"

Number of facade signs (p.35):

- **DCP:** "not to exceed one per premises"
- **Provided:** Multiple signs
- **Compliance: N, justified**
- "Justification": "Many buildings on King Street" have multiple signs

Heritage Colour Scheme (p.36):

- **DCP:** "Colours to complement Heritage Colour Scheme for King Street"
- **Provided:** McDonald's red and yellow
- **Compliance: N, justified**
- "Justification": "There are many surrounding sites that do not follow the Heritage Colour Scheme"

"Other people violate the rules" is not planning justification. McDonald's red and yellow golden arches are fundamentally incompatible with Victorian heritage colors. The Heritage Colour Scheme exists precisely to prevent corporate homogenisation.

Illuminated signage (p.33-34):

DCP 3.16.11(9) permits internally illuminated signage only where:

1. It reconstructs original significant sign, OR
2. Illumination is significant to heritage area, OR
3. It's low voltage through cut-out lettering in high quality metal

None of these criteria are met. The applicant's "justification" is circular: "The signage prescribed by the control would be inconsistent with the established character."

That's not how DCP controls work. You comply or you're non-compliant.

4.6 Existing Signage Replacement Loophole

Throughout signage sections (p.28, 30, 34, 35), the applicant claims:

"Existing signbox to be replaced. In accordance with Clause 3.16.3(1), approval is not required to replace the content of this signage."

DCP 3.16.2(1) applies to minor text changes to existing approved signs—not wholesale replacement with different corporate branding, size, illumination, and design. Replacing a Richardson & Wrench real estate sign with McDonald's golden arches is **new signage requiring full assessment**, not "content change."

4.7 Missing Documents - Incomplete Application

I note that the following referenced document is missing from the publicly exhibited application at the time of writing this objection:

RD/2022/27 - Air Quality Assessment - Appendix H - Odour Assessment - 212-214 King Street, Newtown.pdf

This document is referenced in the application materials but has not been made available for public review. Odour assessment is critical for evaluating amenity impacts of commercial kitchen operations in dense residential areas. Kitchen exhaust, grease, and cooking odours are significant concerns for adjacent residents, particularly those in shop-top housing and the apartment within the same building.

Council cannot properly assess this application without all supporting documents being publicly exhibited. The absence of the Odour Assessment prevents meaningful community engagement and informed objection.

5. FLOOR PLAN - FUNDAMENTAL DESIGN FLAWS

The proposed ground floor plan (DA11) reveals spatial inadequacies proving site unsuitability.

5.1 Only One Toilet for High-Volume Restaurant

Plan DA10 shows no existing WC/toilet. The current tenancies are small-scale retail/office uses with minimal patron numbers.

Plan DA11 proposes to add ONE toilet (WC) in the back-of-house area to serve:

- 20 internal seats
- Takeaway customers
- Delivery riders
- Staff working 7am-2am shifts

One toilet is grossly inadequate and likely non-compliant with Building Code of Australia Table D3.2 which requires sanitary facilities based on floor area and occupancy type.

Moreover, the toilet is located in the back-of-house area with no clear customer access path shown. How do customers reach this toilet without walking through or past food preparation areas, violating Food Safety Standards 3.2.3 requiring separation of customer circulation and food preparation zones?

The applicant cannot claim this is an "existing building constraint"—they are creating a new use that triggers new requirements.

5.2 Kitchen Dominates Floor Space - Backwards Design

Dimensions from DA11:

- **KITCHEN: 11,855mm** (nearly 12 meters)
- **DINING AREA: 7,255mm** (just over 7 meters)
- **CAFÉ: 6,915mm** (just under 7 meters)

The kitchen occupies nearly half the ground floor. This is backwards for a restaurant and demonstrates the site is too small for McDonald's industrial-scale operations.

DCP Section 3.15.3(i) requires consideration of "size and patron capacity." This plan shows **kitchen-dominant, customer-minimal design**—proving the site cannot accommodate both food production and customer amenity.

5.3 Bi-Fold Window - Delivery Entrance Violates Food Safety

Plan shows:

- "BI-FOLD WINDOW 2230" at front of building
- "PROPOSED OPERABLE SHOPFRONT (FRAMELESS BI-FOLD)"

This is the delivery entrance that opens for 40-minute delivery periods. The Food Safety Compliance Report required "**tight-fitting solid self-closing doors**" to prevent pest entry.

How is a bi-fold window that stays open for 40 minutes "tight-fitting and self-closing"?
This is a deliberate food safety violation disguised as an architectural feature.

5.4 Waste Bins Located Inside Premises

The plan shows:

- Four 240L bins inside premises near kitchen
- One 660L UCO (Used Cooking Oil) bin
- No separate waste storage room

DCP Section 3.14.3(4) requires "separate space...for storage and management of bulky waste." Waste bins should be in dedicated waste room, not inside kitchen/café. This creates odour, pest, and hygiene issues.

5.5 No Accessible Toilet Facilities Shown

The single WC appears standard size with no indication of:

- Accessible door width ($\geq 850\text{mm}$ clear)
- Circulation space for wheelchair ($\geq 1500\text{mm}$ turning circle)
- Accessible fixtures (grab rails, basin height)

How can a public restaurant in 2026 have only one non-accessible toilet? This violates Disability Discrimination Act requirements and BCA access provisions.

5.6 No Furniture Layout or Seating Plan

The DCP compliance claims "internal seating limited to 20 seats" (p.20), yet **the floor plan shows no furniture layout**. Where are the 20 seats? What is the "CAFÉ" area versus the "DINING AREA"? How is customer circulation separated from food preparation?

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- **Residential receivers** experience crime displacement: noise, loitering, property damage, intimidation
- **CCTV doesn't prevent crime**, it records it

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- Active commercial strip

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- Pedestrian safety hazards
- Noise during business hours
- Traffic conflicts

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- 2 x general waste
- 2 x food/organic waste
- 2 x recycling

Brown Lane is:

- Narrow residential laneway
- Bounded by Heritage Item I961
- Access for existing residential properties
- Not designed for commercial waste operations

Waste truck access, reversing alarms, bin movements, and compactor noise will severely impact residents.

8.3 Delivery Riders - Unassessed Impact

The application is silent on delivery service aggregators (Uber Eats, Menulog, DoorDash). Modern McDonald's operations generate significant delivery rider traffic:

- Motorcycles and scooters idling

- Riders congregating on footpath
- Additional waste (packaging)
- Bicycle parking demand
- Late-night activity

None of this is assessed in traffic, noise, or amenity studies.

9. SITE FUNDAMENTALLY UNSUITABLE

The cumulative evidence proves **this site cannot accommodate McDonald's operations while meeting basic planning, amenity, and safety standards:**

Spatial Inadequacy

- Site area: 275.45m² (too small)
- Ground floor: 199.487m² (kitchen dominates at 11.8m)
- Required amalgamation of two heritage shops (DCP discourages)
- Only one toilet for high-volume restaurant
- No separate waste storage room
- Inadequate bicycle parking (1 of 5 required)
- No space for bulky waste storage

Food Safety Conflicts

- Bi-fold window delivery entrance violates tight-fitting door requirement
- Customer toilet access compromises food preparation separation
- Waste bins inside premises create hygiene risks
- Delivery traffic through active kitchen creates cross-contamination risk

Heritage Impacts

- Demolition of 140-year-old dividing wall destroys historic configuration
- Rooftop mechanical enclosure visually intrudes on streetscape
- Corporate signage incompatible with Heritage Colour Scheme
- Site amalgamation undermines small-scale heritage shopfront character

Amenity Impacts

- Construction noise: 88 dBA at residential receiver (22 dB over limit)
- Operational noise classification manipulated to inflate allowable limits
- Late-night trading until 2am in dense residential area
- Waste collection impacts on Brown Lane residents
- Deliveries on King Street footpath during peak hours
- Concentration of late-night venues in locality

10. CONCLUSION

From a health perspective: This proposal creates foreseeable harm through chronic sleep disruption, construction noise violations, cumulative stressors, and disproportionate impacts on vulnerable populations (children, elderly, shift workers). The acoustic assessment prioritises averaged compliance metrics over lived experience.

From a planning perspective: The application systematically misrepresents DCP compliance, the site is spatially inadequate (requiring amalgamation, lacking basic facilities), heritage impacts are understated, the floor plan reveals design incompatible with food safety and accessibility, and the crime/safety claims reverse cause and effect.

The acoustic assessment treats compliance as the same thing as acceptability. Meeting technical triggers doesn't mean impacts are tolerable—especially where hours extend to 2am, receivers are directly adjacent, and the use is discretionary commercial development, not essential infrastructure.

This is not a case of minor non-compliances that can be conditioned. These are fundamental inadequacies proving the site cannot accommodate the proposed use while meeting statutory requirements.

I request that Council:

1. **Refuse this application** on grounds of residential amenity, heritage impacts, spatial inadequacy, and systematic misrepresentation
2. **Obtain independent assessment** from NSW Police and Liquor & Gaming NSW regarding crime impacts
3. **Require public exhibition of all supporting documents** including:
 - Crime Risk Assessment (Appendix D)
 - **Odour Assessment (RD/2022/27 - Appendix H)** - currently missing from public exhibition
 - Any other referenced documents not currently available
4. **Consider cumulative impacts** of late-night venue concentration in this locality
5. **Reject any application that relies on conditional compliance** ("will comply IF mitigation is implemented") rather than demonstrated compliance with designed and specified controls

This application should be refused. The site cannot accommodate McDonald's operations while protecting residential amenity, heritage values, and public health.

Yours Sincerely,

Dr Michaela Davies
29 Hordern Street Newtown 2042
22/1/2026

REFERENCES

- Astill, R.G., Van der Heijden, K.B., Van IJzendoorn, M.H., & Van Someren, E.J. (2012). Sleep, cognition, and behavioral problems in school-age children: A century of research meta-analyzed. *Psychological Bulletin*, 138(6), 1109-1138.
- Basner, M., Babisch, W., Davis, A., Brink, M., Clark, C., Janssen, S., & Stansfeld, S. (2014). Auditory and non-auditory effects of noise on health. *The Lancet*, 383(9925), 1325-1332.
- Basner, M., & McGuire, S. (2018). WHO Environmental Noise Guidelines for the European Region: A systematic review on environmental noise and effects on sleep. *International Journal of Environmental Research and Public Health*, 15(3), 519.
- Evans, G.W. (2003). The built environment and mental health. *Journal of Urban Health*, 80(4), 536-555.
- Halperin, D. (2014). Environmental noise and sleep disturbances: A threat to health? *Sleep Science*, 7(4), 209-212.
- Münzel, T., Schmidt, F.P., Steven, S., Herzog, J., Daiber, A., & Sørensen, M. (2018). Environmental noise and the cardiovascular system. *Journal of the American College of Cardiology*, 71(6), 688-697.
- Stansfeld, S.A., & Matheson, M.P. (2003). Noise pollution: Non-auditory effects on health. *British Medical Bulletin*, 68(1), 243-257.
- World Health Organization. (2018). *Environmental Noise Guidelines for the European Region*. WHO Regional Office for Europe.
- Zepelin, H., McDonald, C.S., & Zammit, G.K. (2005). Effects of age on auditory awakening thresholds. *Journal of Gerontology*, 60(5), 601-606.

From: Rodney McShanag <[REDACTED]> on behalf of Rodney McShanag <[REDACTED]> <Rodney McShanag <[REDACTED]>
Sent on: Thursday, January 22, 2026 9:15:06 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

No way should this application proceed , the main concern is the safety of the area plus the tendency to late night patrons to litter the area ...

Sent from my iPhone

From: Andrew Black <[REDACTED]> on behalf of Andrew Black
<[REDACTED]> <Andrew Black <[REDACTED]>

Sent on: Thursday, January 22, 2026 2:58:22 PM

To: council@cityofsydney.nsw.gov.au

Subject: We don't need a Newtown McDonald's

Caution: 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 want to express concerns of putting a McDonald's in the Newtown area, it doesn't suit the people here, we already have a fast food chain that shouldn't be here I can't understand why council would assume that we want another one, especially a McDonald's. Please keep the property for a local business owner like majority of shopfronts across our beautiful and unique Newtown

Thanks,
Andrew Black

From: <[REDACTED]>
Sent on: Thursday, January 22, 2026 3:10:14 PM
To: council@cityofsydney.nsw.gov.au
Subject: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 taking the time to read this. I am a local resident and strongly object to the proposed development of a 24/7 takeaway food and drink premises at 212-214 King Street, Newtown. The development proposed by SLR Consulting Australia threatens the character of our community, local businesses, and public wellbeing. I have read the application in detail and genuinely believe it to be deficient, and unworthy of support by the Council, for the reasons set out below.

King Street's Character must be Protected

Newtown is a unique and vibrant village with independent businesses, small bars and local restaurants. The proposed development would disrupt its character, replacing King Street's evolving identity with a standard corporate design that undermines our community. It would detract from the rich fabric of an historic and much loved precinct and the many people who find community within it.

Social and Community Impact

The Statement of Environmental Impact claims the proposed development will result in:

"a visually enhanced, efficient, and secure development which will contribute socially and economically in the local area".

This is an inflated claim for which the applicant has provided no genuine support. The implication that this development would provide a place for genuine community connection and contribute to the social fabric is both unsubstantiated and dismissive of the vibrant, existing networks that already serve this role authentically.

Introducing a McDonald's here would harm vulnerable community members, particularly school children, by promoting unhealthy dietary choices linked to fast food near schools.

The site is close to:

- Newtown Performing Arts High School
- Newtown North Primary School
- Australia Street Infants School
- Social housing areas

In the recently rejected application for a MacDonald's in Redfern, Snr Const Peter Langbein from the NSW Police identified concerns about noise and the potential for antisocial behaviour from people moving to or from other late-night premises.

Economic Impact and Market Saturation

The Statement of Environmental Impact that was submitted states:

"a large percent of patronage will come from people traveling through the area. This injects money into the local area having a widespread economic benefit."

The claim that this establishment will somehow "inject money" into a vibrant area and provide economic benefits that are widespread is disingenuous and insulting, as it would in fact divert money from established, independent businesses and threaten their viability.

This proposal threatens local businesses that contribute to Newtown's unique vibe, while operating in a harsh economic climate for small hospitality venues. There is no genuine need for this establishment at this location:

- Multiple local hamburger spots and fast food venues already nearby, with another multinational fast food corporation moving in only blocks away.
- An existing McDonald's is only 1.7 km away in Stanmore.
- McDonald's already delivers to the area via services like Uber Eats.

Environmental Concerns

McDonald's generates significant waste. The resulting mess would negatively impact the area's appearance and attract pests.

The waste management plan includes a recycling bin that is undersized for the expected volume of material. This is out of alignment with the City of Sydney Waste Strategy and Action Plan. The bin sizes also require daily collection, but the Statement of Environmental Effects says the frequency of waste will be determined once operational. There is also no distinction between business waste and customer waste, meaning customer waste will not be managed, and will lead to greatly increased waste issues in the local area.

Traffic and Amenity

The proposal does not include a location for Uber Eats delivery riders to safely park. Instead, they would be crowded on the pavement, blocking the footpath and creating hazards for pedestrians in a high footfall area, frequented by kids and elderly people. King Street is a clearway from 3pm to 7pm on the southbound side, meaning a high volume of traffic is moving through the area.

The development would:

- Increase vehicle traffic and delivery noise, especially late-night.
- Block pedestrian mobility in the local area.
- Cause parking issues in an already crowded area.

Alternative Suggestions

Rather than approving this development, I suggest:

- Supporting adaptive reuse for local, independent businesses.
- Encouraging businesses aligned with Newtown's unique and vibrant character.
- Prioritising diverse, community-focused enterprises.

Conclusion

This proposal conflicts with the community's interests and undermines the careful development of King Street. I respectfully urge the Council to reject the application.

Sincerely,

Regards

Alex Shean
Director
Shean & Partners Travel

[Redacted]
[Redacted] [W](#)

My working days are Monday - Thursday. For anything urgent outside of these days please contact our office at 02 [Redacted]. Otherwise, I will reply as soon as possible when I am back in the office.



 I acknowledge the **Gadigal Clan** of the **Eora Nation** as the Traditional Custodians of the land on which I work, live, and learn. I pay respect to the Elders, past, present, and future, for they hold the memories, the traditions, the culture, and the hopes of Aboriginal Australia.



From: Chris Rolfe <[REDACTED]> on behalf of Chris Rolfe <[REDACTED]> <Chris Rolfe <[REDACTED]>
Sent on: Thursday, January 22, 2026 2:35:15 PM
To: council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au
Subject: Objection to McDonalds RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

RD/2025/585/B - 212-214 King Street, NEWTOWN, NSW 2042

To the City of Sydney Council.

I strongly object to the DA proposal for a McDonalds on King Street.

I have lived in Newtown for 25 years and the special and unique character of King Street is based entirely on independent shops.

A McDonalds on King Street will:

Undermine the local character & Newtown's independent economy. Clem's chicken which is directly next door has been in business for 50 years, and the council should show the business some respect for the dedication this business has to its community and customers.

A McDonald's risks diluting King Street's unique, independent retail and hospitality mix, setting a precedent for further chain expansion that threatens the area's distinct cultural and small business ecosystem. There is already a KFC across the street. The Council will destroy King Street if these businesses are allowed to set a precedent.

Late-night anti-social behaviour & safety concerns. Does Newtown, the public and the local police need a late night fast food outlet – any benefit it is far outweighed by the litter, unsocial behaviour, lack of toilets, increased late night traffic etc.

The late trading hours will attract late-night loitering, noise, and intoxicated crowds, placing extra strain on local policing, security resources, and emergency services.

Fast food outlets generate significant packaging waste, especially with late-night takeaway. This puts pressure on council waste services and contributes to littering on streets already under strain from heavy foot traffic on King Street.

A McDonald's will attract additional vehicle traffic, and parking for take-aways, to a precinct designed for pedestrian flow and public transport, increasing congestion and reducing the safety and appeal of the street.

And finally, there is already a large McDonalds in Stanmore which is only a 3 min drive!

Chris Rolfe
58 Oxford Street, Newtown
[REDACTED]

From: Yzzi Elias <[REDACTED]> on behalf of Yzzi Elias <[REDACTED]> <Yzzi Elias <[REDACTED]>
Sent on: Thursday, January 22, 2026 3:35:08 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 a resident of this area and I strongly oppose a Mc Donald's being added to King St. There are enough fast food restaurants. McDonald's does not portray the people of newtown, nor will it benefit them. The food is terrible and the residents of the area have enough to chose from without a Mc Donald's being added to King St. King St is a place for quirky small businesses not big corporations.

Cheers.

Ysabella Schneider

From: Jessica Swanston <[REDACTED]> on behalf of Jessica Swanston
<[REDACTED]> <Jessica.Swanston@[REDACTED]>

Sent on: Thursday, January 22, 2026 11:34:26 PM

To: council@cityofsydney.nsw.gov.au

Subject: Submission opposing RD/2025/585/B - 212-214 King Street, Newtown

Caution: 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 Development Application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

While I acknowledge the amended proposed trading hours of 7.00am–2.00am on Fridays and Saturdays and 7.00am–11.00pm Sunday to Thursday, the development remains inappropriate for the site and fails to satisfy key planning controls.

1. Adverse Amenity Impacts – EP&A Act s4.15(1)(b)

The proposal will result in unacceptable impacts on the surrounding locality, including:

- Late-night noise and disturbance associated with extended weekend trading to 2.00am, including customer activity, delivery riders, waste handling and cleaning.
- Increased litter and waste accumulation during late-night periods when street servicing is reduced.
- Light spill and operational noise impacting nearby residential and mixed-use properties.

Even with reduced hours on weeknights, the 2.00am weekend closing time is excessive for this location and incompatible with the prevailing amenity of King Street and adjoining residential areas

2. Inconsistency with Zone Objectives – Sydney LEP 2012 (Clause 2.3)

The B2 Local Centre zone seeks to:

- Maintain and enhance the distinctive local character of centres.
- Support uses that respond to local needs and context.

A multinational fast-food franchise operating extended late-night hours does not align with the fine-grain, independent, and culturally distinctive character that defines King Street, Newtown.

Approval would contribute to the erosion of this character and undermine the strategic intent of the zone

3. Non-compliance with Sydney DCP 2012 – Late Night Trading

Section 3.15 – Late Night Trading Management

The DCP aims to balance economic activity with residential amenity, public safety and local character. The proposed hours place the premises in a late-night trading category that requires careful justification.

The application fails to adequately demonstrate that:

- Extended trading until 2.00am on weekends can operate without unacceptable noise, safety and amenity impacts.
- Patron dispersal, delivery rider activity and waste management can be effectively controlled late at night.
- The proposal will not intensify cumulative late-night impacts in an already highly active entertainment and hospitality strip.

As such, the proposal is inconsistent with the objectives of Section 3.15.

4. Traffic, Pedestrian Safety and Public Domain Impacts – Sydney DCP 2012

Sections 3.5 and 3.6

The development does not satisfactorily address:

- Increased delivery rider activity during late-night periods.
- Footpath congestion and informal queuing.
- Potential obstruction of pedestrian movement along King Street, particularly during peak evening and weekend periods.

The absence of adequate on-site loading and management arrangements shifts operational impacts into the public domain, contrary to DCP principles prioritising pedestrian safety and amenity.

5. Economic and Social Impact on Independent Businesses –

EP&A Act s4.15(1)(c)

King Street is characterised by a concentration of small, independent food and retail operators that collectively define the area's identity and economic resilience.

The introduction of a large multinational chain with extended trading hours risks:

- Undermining the viability of local operators.

- Accelerating commercial homogenisation.
- Weakening the social and cultural fabric of the precinct.

These outcomes are not in the broader public interest.

6. Public Interest –

EP&A Act s4.15(1)(e)

The strong level of community concern reflects a clear expectation that development in Newtown should:

- Respect local character.
- Support independent businesses.
- Avoid unnecessary late-night impacts.

Approval of this proposal would set an undesirable precedent for further corporate expansion inconsistent with Council's strategic planning objectives.

Conclusion

For the reasons outlined above, the proposed development:

- Is incompatible with the character and amenity of King Street.
- Fails to comply with key provisions of the Sydney LEP 2012 and Sydney DCP 2012.
- Does not adequately mitigate late-night, traffic or public domain impacts.
- Is not in the public interest under section 4.15 of the EP&A Act.

I respectfully request that Development Application RD/2025/585/B be refused.

Kind regards,

Jessica Swanston

From: David Stringfield <[REDACTED]> on behalf of David Stringfield
<[REDACTED]> <David Stringfield <[REDACTED]>

Sent on: Friday, January 23, 2026 8:59:28 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 oppose the development of a McDonald's on King Street for several reason.

1. It doesn't fit the community vibe and atmosphere of Newtown as it currently stands. I think it is important to support local businesses rather than large franchises. I don't think adding the franchise will have a positive effect on other small businesses in the area.
2. There is another McDonald's close by in Stanmore.
3. McDonald's will contribute to street rubbish. Based on my experiences near the Stanmore location, almost every morning there is trash on the street around the building and the surrounding streets. This in turn enter and damages the local environment. I don't know why this happens specifically with this restaurant, but I've seen it happen.
4. I am concerned about the location and the prevalence of ebike food riders who will attend the location. Newtown and the surrounding small businesses rely on foot traffic. Ebike delivery riders pose a risk to pedestrians and themselves. Suggesting that delivery riders use a site ON King Street footpath will drastically impact safety on this section of the footpath. I often walk my dog down King Street and it can be difficult to navigate already without extra food delivery riders. At the very least, this location should NOT be allowed to use delivery services with another location in Stanmore so close by.

Thanks,
David

From: Laneikka Denne <[REDACTED]> on behalf of Laneikka Denne

<[REDACTED]> <Laneikka Denne <[REDACTED]>

Sent on: Friday, January 23, 2026 9:27:49 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: RD/2025/585/B - McDonalds Newtown

Caution: 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 would like to oppose the McDonald's in Newtown proposal RD/2025/585/B for the following reasons...

- the new operating hours in the new proposal do not change that there will be increased crime in the area.
- there is not enough room for delivery drivers on king street (there would be hundreds of delivery drivers at a McDonald's it is such a hazard for pedestrians and cars in an already busy area)
- there is not enough room for delivery trucks to get into the laneway behind it and it would cause extreme congestion on the pathway for pedestrians and the laneway.

Finally.

Newtown is a local run area, a queer area where people feel safe to be who they are. This is why it is so expensive to live in Newtown because people love the vibe of the area.

McDonald's will destroy local businesses in the area which will eventually lead to house prices plummeting. The vibe of Newtown will be gone.

McDonald's will endanger queer people by the increased level of crime targeted towards queer and trans communities.

Thank you. I truly oppose this and I hope the council can think about the humans who live here, especially queer people who do not want this.

Laneikka Denne

From: Melinda Fatcher <MFatcher@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, January 23, 2026 9:41:48 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: NO MCDONALDS ON KING STREET

-----Original Message-----

From: Tegn Bond <[REDACTED]>
Sent: Thursday, 22 January 2026 11:54 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: NO MCDONALDS ON KING STREET

Caution: 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,

We don't want McDonalds in Newtown, not now not ever!

This will destroy the unique culture of Newtown, collapsing small businesses and the litter would be terrible for King Street and residents.

There would be increased crime for late night if it operates 24/7 - and threaten the safety of those in the community.

More delivery drivers in the area when there is already a McDonalds just one suburb away in Stanmore.. more accidents and deaths on KING street.

We DONT WANT IT - NO MCDONALDS IN NEWTOWN EVER PLEASE.

KEEP NEWTOWN WEIRD!!!

Tegn Bond

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, January 23, 2026 9:44:57 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

From: Phoenix Newling <[REDACTED]>
Sent: Thursday, 22 January 2026 3:56 PM
To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Re: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 application for McDonald's in Newtown hardly addresses any issues with having the store on king street. This was draw unwanted late night activities. It promotes unhealthy eating and does not diversify food options from that which already exists on the road. Moreover, supporting a multinational company over independent stores, which king street should priorities does not work within the community fabric or feel. This also does not add anything to the street or community.

On 22 Jan 2026, at 2:05 pm, Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> wrote:

Applicant name:
MCDONALD'S AUSTRALIA LIMITED

Reference number:
RD/2025/585/B

Site address:
212-214 King Street, NEWTOWN NSW 2042

Proposed development:
Division 8.2 Review of alterations and additions for use as a takeaway food and drink premises with associated signage. Proposed hours of operation are 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday.

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 **13 February 2026**. 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.

You can get guidance on preparing your comments and what happens next on the back of this letter, or by typing city.sydney/development-comment in the address bar on your browser.

For more information, contact us on 02 9265 9333.

Providing feedback on development proposals

1. If you would like to comment on the proposal, you can email your feedback before the closing date at ePlanning search - cityofsydney.nsw.gov.au/development-control-plans (preferable) or by posting to City of Sydney, GPO Box 1591, Sydney NSW 2001, including the relevant application number and address. If your feedback is an objection, your reasons should be clearly given. We would like to know about the issues that are important to you.
2. City of Sydney employees assess applications against planning criteria in local planning controls and state legislation. You can view the planning controls on our website at cityofsydney.nsw.gov.au/development-control-plans.
3. We will send you a letter or email confirming we have received your feedback and will carefully consider it as part of the assessment.
4. Any feedback about this development will **not** be kept confidential and will be made completely available on the City of Sydney's website as explained in the terms and conditions of making a submission in ePlanning search.
5. If you want some or all identifying information about you to be private, instead of using ePlanning search send your feedback to council@cityofsydney.nsw.gov.au. You must include the relevant application number, and the site address in your email. Tell us what identifying information you want kept private in the first paragraph of your feedback. We will still publish your feedback but with information which may identify you withheld.
6. Feedback is routinely placed on the NSW Planning Portal. Even when your privacy is requested, personal information within these copies will be available in the portal to applicants and external agencies.
7. If amendments are made to the application before determination and City of Sydney employees consider these to be minor or to reduce impacts, you will not be notified again. However, we will contact you if significant changes are made to the current proposal.
8. The Local Planning Panel or the Central Sydney Planning Committee will directly determine more significant or contentious applications. The committee deals with applications valued over \$50 million. Applications that involve minor development or less complex issues will ordinarily be determined under delegation of Council, by the Director of City Planning, Development & Transport.
9. If the application is to be determined by the Local Planning Panel, City of Sydney employees will contact people who provided feedback, wherever possible. Due to the short timeframe from when an agenda is published to the meeting taking place, it is not always practical to post a letter to people who commented. We ask you to include a daytime phone number or email address, so we can contact you quickly.
10. The Local Planning Panel generally meets every second Wednesday. The Central Sydney Planning Committee generally meets every 3 weeks on Thursday evenings. The public is welcome to attend these meetings, which are held in the Council Chambers at Sydney Town Hall, 483 George Street. Contact Secretarial on 02 9265 9333 to find out the dates and times of the next meetings. You can ask to speak at committee meetings, and if this is possible, you will have three minutes to present your issues.
11. Agendas and reports for committee are generally available one week before the meeting on the City of Sydney's website, meetings.cityofsydney.nsw.gov.au. Copies are also available free of charge from our customer service centre at Town Hall House and our neighbourhood service centres in Glebe, Green Square and Kings Cross.

12. When a final decision is made about an application, we will inform everyone who gave feedback about the outcome. For development proposals determined by the Local Planning Panel or Central Sydney Planning Committee, the minutes of meetings will be available on the City of Sydney's website.
13. Should you provide feedback, if you have given a gift or made a donation to a councillor, employee or approved contractor of the City of Sydney in the past 2 years, you must include a disclosure statement with your feedback (city.sydney/disclose-donation-gift). Failure to disclose relevant information is an offence under the *Environmental Planning and Assessment Act 1979*. It is also an offence to make a false disclosure statement.
14. City of Sydney employees are available to assist you. You can talk with City of Sydney planner dealing with the application about its progress, planning controls, the possible timing of consideration by committee (if applicable) and further information on anything that is not clear from the application documents.

_____ 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: Melinda Futchter <MFutchter@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, January 23, 2026 9:41:05 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: OBJECTION TO RD/2025/585/B

-----Original Message-----

From: Sarah Jane Urquhart <[REDACTED]>
Sent: Thursday, 22 January 2026 11:07 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: OBJECTION TO RD/2025/585/B

Caution: 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 long time resident of Newtown and unequivocally object to the development proposal lodged by McDonalds to open a store on King St.

I live very close to where the restaurant is being proposed. We already experience high levels of takeaway wrappers strewn on ours and surrounding streets. Let alone the stench that this proposed McDonalds will bring.

I was HORRIFIED when a KFC opened up in recent monthss. Firstly because these multinational restaurant chains have no place in Newtown, secondly we have SO MANY shops selling fried chicken. The lack of insight from the City of Sydney council, first for approving a KFC and now potentially a McDonalds?

Newtown, although slowly gentrifying, has always been about community, the character of that community, which is about being proudly different and diverse, and part of that diversity is small business, be it a vintage store, small bar or a food purveyor (need I point out the community love and support for CLEMS??). Take a look at the vibrancy of Enmore Road. Nearly every shopfront is a small business and the engagement and support from the community speaks volumes.

Why on earth are you entertaining a development application from McDonalds? It hardly matches the furniture of King St.

I implore you to reject this proposal. Please instead support a proposal that reflects the community and culture of King St and Newtown. We don't want and have no need for a McDonalds on our beloved King St.

--

Sarah Jane Urquhart

[REDACTED] // [REDACTED] <mailto:[REDACTED]>

From: Jed Hamilton <[REDACTED]> on behalf of Jed Hamilton <[REDACTED]> <Jed Hamilton <[REDACTED]>
Sent on: Friday, January 23, 2026 10:24:30 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Councillors and Planning Officers,

I am writing to formally object to the development application proposing a McDonald's restaurant on the main street of Newtown.

Newtown is widely recognised for its unique cultural identity, independent businesses, and strong local character. The introduction of a large, non-Australia multinational fast food outlet on the main street would fundamentally undermine this character and set an unwelcome precedent for further chain developments in the area and the loss of opportunity for Australian owned businesses to thrive.

My key concerns include:

- Loss of local character and identity

Newtown's main street is defined by small, locally owned businesses, diverse food offerings, and a strong creative community. A McDonald's is inconsistent with the established streetscape and would dilute what makes Newtown distinct.

- Traffic, congestion, and amenity impacts

A high-volume fast-food outlet is likely to increase pedestrian and delivery vehicle congestion, and litter. The impact of fast-food outlets on litter is already evident in Newtown. Since the opening of KFC, branded packaging is frequently found on footpaths, in gutters, and in nearby residential streets. Approving another high-volume fast-food outlet would almost certainly exacerbate this issue and place additional strain on public cleaning resources, as these businesses do not contribute to it.

Also, if late-night operation is involved, this raises further concerns regarding noise, antisocial behaviour, and safety.

- Impact on local businesses

Local hospitality venues already operate in a competitive environment. Allowing a large non-Australian corporation with vastly greater resources into this location risks displacing independent operators that contribute directly to the local economy and community.

- Inconsistency with planning objectives

The proposal appears contrary to planning principles that aim to preserve neighbourhood character, encourage diverse

local enterprise, and support walkable, human-scaled high streets.

Newtown's main street is not an appropriate location for this type of development. Once approved, the impact on the area would be difficult to reverse.

I respectfully request that Council refuse this application and prioritise developments that align with Newtown's established character and long-term community interests.

Thank you for considering my submission.

Kind regards,

Jed

Newtown, NSW

From: Karen Marsden <[REDACTED]> on behalf of Karen Marsden
<[REDACTED]> <Karen Marsden <[REDACTED]>

Sent on: Friday, January 23, 2026 11:05:41 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 would like to make an objection to the proposal of putting a McDonald's venue into King Street Newtown. There has already been a proposal for this venue to be established recently and that was rejected, so it concerns me as a local resident that we are going through this process again.

King St is a vibrant hub with a variety of shops, cafes, bars and restaurants and having another fast food outlet would detract from the uniqueness that is Newtown. We already have a Kentucky Fried Chicken outlet on King St, which is very sad and so having another one would certainly change the feel. Aside from that, the planned hours to open are extensive, and serving people until 2am in the morning could bring about issues and potential unacceptable behaviours which does not sit with the culture of Newtown and does not make me feel comfortable as a mature resident of the area who lives alone. McDonalds has outlets all over Sydney and I fail to see a reason why it is needed in Newtown, so I strongly object to this development.

Yours sincerely,
Karen Marsden

From: Melinda Fatcher <MFatcher@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, January 23, 2026 11:50:59 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Submission in Objection | Development Application: RD/2025/585/B | McDonald's | 212–214 King Street, Newtown

From: Jason Wegrzyn <[REDACTED]>

Sent: Thursday, 22 January 2026 2:44 PM

To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>

Subject: Submission in Objection | Development Application: RD/2025/585/B | McDonald's | 212–214 King Street, Newtown

Caution: 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 in Objection

Development Application: RD/2025/585/B

Applicant: McDonald's Australia Limited

Site: 212–214 King Street, Newtown NSW 2042

I object to the above development application on the following planning grounds.

1. Inconsistent late-night trading hours and amenity impacts

The proposed hours of operation, extending to **2.00am on Fridays and Saturdays**, are inconsistent with the protection of residential amenity in a mixed-use area with significant nearby residential accommodation.

Late-night takeaway food premises are well documented to generate elevated noise impacts associated with customer activity, vehicle movements, delivery and waste servicing, and congregation outside the premises. These impacts are most pronounced during late-night trading and are incompatible with reasonable expectations of acoustic amenity for surrounding residents.

The proposal fails to demonstrate that amenity impacts can be adequately mitigated during extended trading hours.

2. Unacceptable cumulative impacts on King Street, Newtown

King Street already accommodates a high concentration of late-trading food and drink premises and licensed venues. The City of Sydney is entitled to consider the **cumulative impact** of development when assessing whether a proposal results in adverse social, environmental, and amenity outcomes.

Approval of an additional late-trading, high-turnover takeaway food use will exacerbate existing pressures relating to noise, litter, congestion, and late-night management issues, rather than contributing to a balanced and diverse land-use mix.

3. Traffic, servicing and pedestrian safety concerns

The nature of the proposed use is likely to generate:

- Increased short-stay vehicle stopping and illegal parking
- Concentrated ride-share and delivery rider activity
- Frequent servicing and delivery movements, potentially outside core daytime hours

King Street is already heavily constrained by bus traffic, cyclists, pedestrians, and limited kerbside capacity. The proposal does not adequately address how these impacts will be managed, particularly during late-night trading when enforcement and oversight are reduced.

4. Waste, litter and public domain impacts

Fast-food premises are a consistent source of packaging litter extending well beyond the site boundary. Given the narrow footpaths, high pedestrian volumes, and existing waste pressures along King Street, the proposal is likely to result in a measurable decline in streetscape quality and increased maintenance burden on Council and the local community.

5. Incompatibility with local character and planning objectives

Newtown is characterised by a fine-grain, independent retail and hospitality environment that contributes strongly to local identity and cultural significance. A large-scale multinational fast-food operation with extended trading hours and prominent corporate branding is inconsistent with the established character objectives for the area and risks eroding local distinctiveness.

6. Lack of demonstrated net community benefit

The application does not demonstrate that the proposed development provides a clear net community benefit that outweighs its amenity, traffic, waste, and cumulative impacts. In particular, the proximity to young people and the extended late-night hours raise legitimate public health considerations that warrant careful scrutiny.

Conclusion

For the reasons outlined above, the proposal is inconsistent with the City of Sydney's planning objectives relating to residential amenity, cumulative impact management, local character, and public domain quality.

I respectfully request that the application be refused.

Jason Wegrzyn

Resident - 183 Wilson St, Newtown

JASON WEGRZYN

Head of Marketing

EMAIL: [REDACTED]

PHONE: [REDACTED]

Level 12, 117 York St, Sydney NSW 2000

PO Box Q116, Queen Victoria Building, Sydney NSW 1230



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From: Melinda Fitcher <MFitcher@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, January 23, 2026 11:49:29 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Development Application RD/2025/585/B – Proposed McDonald's, 212–214 King Street, Newtown

Urgent: High

From: [REDACTED] <[REDACTED]>

Sent: Friday, 23 January 2026 10:07 AM

To: City of Sydney <council@cityofsydney.nsw.gov.au>; Planning Systems Admin
<planningsystemsadmin@cityofsydney.nsw.gov.au>

Cc: M <[REDACTED]>

Subject: Development Application RD/2025/585/B – Proposed McDonald's, 212–214 King Street, Newtown

Importance: 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.

To: City of Sydney Council

Re: Development Application RD/2025/585/B – Proposed McDonald's, 212–214 King Street, Newtown

Dear Sir/Madam,

We write to lodge our strong objection to the revised application by McDonald's Australia Limited for alterations and additions to 212–214 King Street, Newtown, with proposed trading hours of 7.00am–2.00am Friday and Saturday and 7.00am–11.00pm Sunday to Thursday. We remain gravely concerned about the detrimental impacts this development would have on our neighbourhood.

Noise and Disturbance

Although the applicant has reduced the proposed hours from 24-hour operation, the extension to 2.00am on weekends still represents an unacceptable intrusion into residential amenity. Patrons leaving the premises late at night, combined with delivery vehicles and staff movements, will generate noise well beyond reasonable hours. For residents immediately adjacent, this is not a minor inconvenience but a direct and ongoing disruption to sleep and wellbeing.

Waste and Public Health Risks

Fast-food outlets are consistently associated with litter, food remnants, and packaging waste. These materials inevitably spill into surrounding streets and properties, attracting vermin and creating hygiene risks. The proposed signage and takeaway focus will encourage high turnover and off-site consumption, amplifying the waste problem in a densely populated residential area.

Traffic and Parking Pressure

King Street already suffers from congestion and limited parking availability. A late-night takeaway venue will exacerbate these issues, particularly with rideshare and delivery drivers idling or parking illegally. This creates safety hazards, obstructs access for residents, and worsens an already strained traffic environment.

Impact on Local Character

Newtown's identity is built on independent businesses and a distinctive cultural fabric. The introduction of a multinational fast-food chain operating until 2.00am undermines this character. It is inconsistent with planning principles that aim to preserve the individuality and sustainability of the suburb.

Residential Amenity

The premises provide minimal indoor seating, meaning patrons will congregate outside, increasing noise, litter, and antisocial behaviour. The fact that this venue would be the only takeaway food premises trading until 2.00am in Newtown highlights the disproportionate impact on nearby residents. The proposal fails to respect the balance

between commercial activity and residential amenity.

Planning Compliance Concerns

This application does not meet key planning objectives, including:

- Protecting residential amenity from unreasonable impact
- Preventing environmental and social harm
- Ensuring development aligns with the character and purpose of existing local zones

Conclusion

We urge Council to reject this application. The revised hours do not mitigate the fundamental issues of noise, waste, traffic, and erosion of local character. The proposal remains incompatible with the planning objectives of the City of Sydney and the wellbeing of Newtown residents.

Confidentiality Request

We request that our personal details, including address and phone number, be kept confidential and not disclosed publicly in any council documents, reports, or online materials.

Yours sincerely,

[Redacted Signature]

Newtown NSW 2042

Email:

[Redacted Email Address]

Phone:

[Redacted Phone Number]

From: Abby Andrews (Sydney LHD) <[REDACTED]> on behalf of Abby Andrews (Sydney LHD) <[REDACTED]> <Abby Andrews (Sydney LHD) <[REDACTED]>
Sent on: Friday, January 23, 2026 11:44:25 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 local community member, I strongly oppose the establishment of a McDonald's in Newtown. Its presence would undermine the area's longstanding, family-owned businesses that are deeply valued and supported by the community.

A McDonald's would cause significant disruption and does not support the local economy. There is a high risk it would divert trade away from existing independent food venues, while also contributing to unhealthy eating habits in a community already facing rising rates of obesity.

The community has rejected these development plans on numerous occasions. This sends a clear and consistent message: the community does not want a McDonald's in Newtown.

Kind regards,

Abby Andrews

This email is intended for the addressee named and may contain confidential information. If you are not the intended recipient, you must not disclose, copy or distribute this email. If you have received this email in error, please notify the sender immediately, delete it from your system and destroy any copies.

Views expressed in this message are those of the individual sender, and are not necessarily the views of NSW Health or any of its entities.

From: Peter McAllister <[REDACTED]> on behalf of Peter McAllister
<[REDACTED]> <Peter McAllister <[REDACTED]>

Sent on: Friday, January 23, 2026 12:36:55 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: RD/2025/585/B

Caution: 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 regard to the proposed McDonalds on King Street Newtown.

I strongly object to a McDonalds "restaurant" being introduced to Newtown. There is no need for it and I know, as a local community member, that the Newtown/Erskineville community is against it.

It's a hard no from me.

Regards

Peter McAllister

Bray St Erskineville

Sent from my iPhone

From: [redacted] <[redacted]> on behalf of [redacted] <[redacted]> <[redacted]>

Sent on: Friday, January 23, 2026 10:07:12 AM

To: City of Sydney <council@cityofsydney.nsw.gov.au>; Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>

CC: M <[redacted]>

Subject: Development Application RD/2025/585/B – Proposed McDonald's, 212–214 King Street, Newtown

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.

To: City of Sydney Council

Re: Development Application RD/2025/585/B – Proposed McDonald's, 212–214 King Street, Newtown

Dear Sir/Madam,

We write to lodge our strong objection to the revised application by McDonald's Australia Limited for alterations and additions to 212–214 King Street, Newtown, with proposed trading hours of 7.00am–2.00am Friday and Saturday and 7.00am–11.00pm Sunday to Thursday. We remain gravely concerned about the detrimental impacts this development would have on our neighbourhood.

Noise and Disturbance

Although the applicant has reduced the proposed hours from 24-hour operation, the extension to 2.00am on weekends still represents an unacceptable intrusion into residential amenity. Patrons leaving the premises late at night, combined with delivery vehicles and staff movements, will generate noise well beyond reasonable hours. For residents immediately adjacent, this is not a minor inconvenience but a direct and ongoing disruption to sleep and wellbeing.

Waste and Public Health Risks

Fast-food outlets are consistently associated with litter, food remnants, and packaging waste. These materials inevitably spill into surrounding streets and properties, attracting vermin and creating hygiene risks. The proposed signage and takeaway focus will encourage high turnover and off-site consumption, amplifying the waste problem in a densely populated residential area.

Traffic and Parking Pressure

King Street already suffers from congestion and limited parking availability. A late-night takeaway venue will exacerbate these issues, particularly with rideshare and delivery drivers idling or parking illegally. This creates safety hazards, obstructs access for residents, and worsens an already strained traffic environment.

Impact on Local Character

Newtown's identity is built on independent businesses and a distinctive cultural fabric. The introduction of a multinational fast-food chain operating until 2.00am undermines this character. It is inconsistent with planning principles that aim to preserve the individuality and sustainability of the suburb.

Residential Amenity

The premises provide minimal indoor seating, meaning patrons will congregate outside, increasing noise, litter, and antisocial behaviour. The fact that this venue would be the only takeaway food premises trading until 2.00am in Newtown highlights the disproportionate impact on nearby residents. The proposal fails to respect the balance between commercial activity and residential amenity.

Planning Compliance Concerns

This application does not meet key planning objectives, including:

- Protecting residential amenity from unreasonable impact
- Preventing environmental and social harm
- Ensuring development aligns with the character and purpose of existing local zones

Conclusion

We urge Council to reject this application. The revised hours do not mitigate the fundamental issues of noise, waste, traffic, and erosion of local character. The proposal remains incompatible with the planning objectives of the City of Sydney and the wellbeing of Newtown residents.

Confidentiality Request

We request that our personal details, including address and phone number, be kept confidential and not disclosed publicly in any council documents, reports, or online materials.

Yours sincerely,

[Redacted Signature]

Newtown NSW 2042

Email: [Redacted]

Phone: [Redacted]

From: Emily Cullen <[REDACTED]> on behalf of Emily Cullen <[REDACTED]> <Emily Cullen <[REDACTED]>
Sent on: Friday, January 23, 2026 11:54:26 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission in response to DA – Division 8.2 Review (McDonald's Australia Limited, Newtown)

Caution: 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 Li,

I am writing to lodge a submission in response to the Division 8.2 Review application by McDonald's Australia Limited for alterations and additions to operate as a takeaway food and drink premises with extended trading hours in Newtown.

I have a number of concerns regarding the proposal.

Newtown has a long-established identity as a queer, independent, and alternative neighbourhood, known for its diverse community, strong cultural life, and concentration of small, locally owned businesses. The precinct's character is defined by independent restaurants, cafés, and shops that contribute to a unique sense of place which is highly valued by residents and visitors alike. There are already issues with the number of tobacco shops that have been opening and pushing out small independent businesses, the introduction of a large multinational fast-food chain risks eroding the character and cultural fabric that distinguishes Newtown from other areas of Sydney.

The proposal is also likely to have a direct and detrimental impact on nearby independent businesses. Of particular concern is the proximity of Clems Chicken Shop, an established and well-known independent chicken and chip shop located directly adjacent to the proposed McDonald's site. Clems has been part of the local community for many years and contributes significantly to Newtown's identity as a hub for small, locally run food businesses. A high-volume, late-trading multinational operation next door would create disproportionate competitive pressure on an existing local business that cannot compete on scale, pricing, or operating hours.

Finally, the application does not sufficiently demonstrate how increased waste generation, litter management, and cleaning of the surrounding public domain will be addressed to an appropriate standard, particularly during late-night trading hours. The bins are already often overflowing and rubbish regularly ends up on the street.

For these reasons, I do not support the application in its current form and request that Council give careful consideration to the impacts on neighbourhood character, local independent businesses, residential amenity, and the cleanliness and quality of the public domain in Newtown.

Thank you for considering this submission.

Kind regards,
Emily Cullen

8/60 Brocks Lane Newtown
[REDACTED]

From: Dianne Balkizas <[REDACTED]> on behalf of Dianne Balkizas <[REDACTED]> <Dianne Balkizas <[REDACTED]>

Sent on: Sunday, January 25, 2026 12:15:09 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Councillors

My objection to a McDonalds opening in Newtown and next to an existing fast food family owned, stands. I have forwarded my initial list of reasons in the first application.

My reasons have not changed:

- Newtown has a particular charm in that the community support small business
- there are already many fast food small business open for a late night snack
- the hours they intend on opening Monday- Thursday - until 11pm - would allow people to linger and spill out to an already busy road causing unsavoury behaviour
- small business already struggle to sustain fast food places - why make it harder by allowing a corporation with endless cash to run our small operators out of our neighbourhood
- there is a McDonalds on Pmatta road at Stanmore already - anyone wanting this fast food already have access
- keep our small business alive! Diversity is a good thing and Newtown does this well. No big Corps - the unfortunate approval of KFC has very little support on the area. There are already too many eateries
- I live close to the parks that have a problem with graffiti, lack of bins and strewn rubbish - Maccas will promote people to eat in the park at all hours promoting increase rubbish and further chance of graffiti midweek

Thanks

Dianne Balkizas

19 Hopetoun street Camperdown

From: Declan Smith <[REDACTED]> on behalf of Declan Smith

<[REDACTED]> <Declan Smith <[REDACTED]>

Sent on: Sunday, January 25, 2026 4:02:45 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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,

This proposal has been rejected once by residents, neighbours and visitors in and around King Street. To consider this bid again is an affront to them.

We won once and we WILL win again

From: Charbel Salloum <[REDACTED]> on behalf of Charbel Salloum [REDACTED]
<[REDACTED]> <Charbel Salloum <[REDACTED]>
Sent on: Saturday, January 24, 2026 5:16:51 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: council@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 reject the proposal.

I live on Brown Street and I have the following concerns:

- Air pollution/bad smell from the business.
- Increased rubbish/waste on King street and surrounding streets.
- Safety concerns due to increased loitering, gathering and antisocial behaviour outside the premises.
- Increased traffic from food delivery vehicles on already congested King Street.

Thank you.

Kind regards,

Charbel.

From: [REDACTED] <[REDACTED]> on behalf of [REDACTED] <[REDACTED]>
Sent on: Monday, January 26, 2026 2:38:47 PM
To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>
Subject: Development Application - 212-214 King Street, Newtown - RD/2025/585/B
Attachments: Commercial Waste Collection Time Zones.pdf (159.39 KB), Trading Hours Policy.pdf (103.77 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.

Cissy,

I am writing to you in response to your letter dated 22 January 2026 concerning the above DA.

I have reviewed the relevant documents. I object to the proposed development for the following reasons:

1. King Street, Newtown is known nationally and internationally for its unique vibe and wide variety of eateries. The proposed McDonalds outlet is clearly incompatible with this and is already receiving wide media attention.
2. The SEE (Statement of Environmental Effects) at Section 3 states that: "The surrounding area is predominantly characterised by retail and commercial activities." This is patently untrue. The subject property is at 212-214 King Street. There are existing residential apartments within metres of this property at 216 King Street and 228 King Street (both accessible from Brown Lane) and then continuously heading westwards to 238 King Street. In addition, there are residences all along nearby Brown Street. The amenity of all of these residential properties stand to be affected by the proposed McDonalds outlet. It is fallacious to state that there will be no environmental or noise impacts to residents.
3. Council's own rules (refer attached) do not allow waste collection after 10pm and before 6am on weekdays and 8am on weekends and public holidays. This should be included in any consent conditions.
4. The proposed business does not cater to local residents (ratepayers). A previous McDonalds outlet was open in King Street from 1989 to 1998 and closed when residents voted with their feet.
5. Unlike suburban McDonalds outlets, there are no additional parking spaces to be provided, hence further adding to the already horrendous traffic congestion on King Street.
6. There is already a McDonalds outlet around the corner in Missenden Road.
7. The architectural drawing DA11 provided shows minimal seating is included in the development. The proposed business will supply take away food and drink. Past experience indicates that there will be an overflow of late-night customers occupying W J Thurbon Reserve which is in Brown Lane directly behind 230 King Street and directly in front of a block of 10 apartments at 1B Whateley Street, Newtown, the occupants of which would be greatly affected by these late-night activities and consequent rubbish left.
8. The height of the mechanical exhaust duct shown on architectural drawing DA30 would appear to be lower than some of the nearby residential apartments in Brown Lane, Brown Street and Whateley Street. This would likely lead to the unwanted drift of fumes and associated odours at all hours of the day.
9. Clause 3.2 of Council's Policy on Trading Hours for New and Existing premises (refer attached) states that: "Where residential uses are in close proximity, the consent authority may restrict trading hours accordingly." It is clear from item 2 above that there are many residential apartments in close proximity to the proposed development and hence any permissible trading hours should be restricted accordingly.

In view of the above, I believe that this proposal should be rejected by Council.

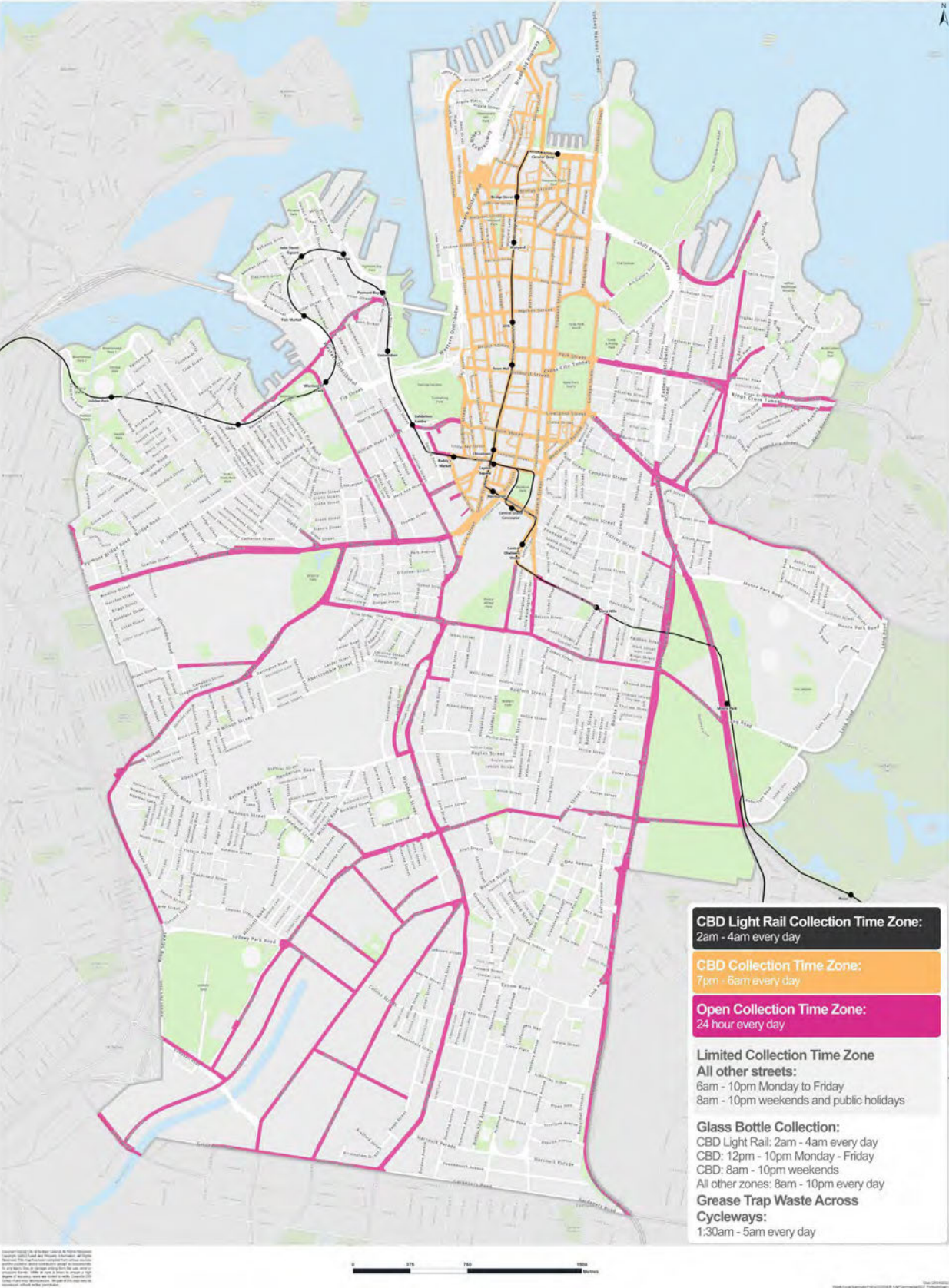
Please be advised that I wish to have all of my personal information or information which may identify me withheld from release.

Regards,

[REDACTED]
ph. [REDACTED]

Map 2: Commercial waste collection time zones

Commercial Waste Collection Time Zones
Waste Management Local Approvals Policy 2022



3.1

Definition

Non-licensed premises may include restaurants, cafes, retail (such as convenience stores and chemists) and medical centres. Some of these premises may also have a POPE licence and provide entertainment (eg restaurants with amplified or live music).

3.2

Hours**City Centre Zone**

Subject to all other aspects of the development being satisfactory, it is proposed that new non-licensed premises in the City Centre zone under *City of Sydney Local Environmental Plan 1996* shall be permitted to trade as follows:-

- > Standard hours: 8.00 a.m. - midnight 7 days a week;
- > 1 year trial hours: 24 hour operation 7 days a week; or
- > Where residential uses are in close proximity, the consent authority may restrict trial hours accordingly.

City Edge Zone

Subject to all other aspects of the development being satisfactory, it is proposed that new non-licensed premises in the City Edge and Residential zones under *City of Sydney Local Environmental Plan 1996* and in all areas covered by SREP 26 shall be permitted to trade as follows:-

- > Standard hours: 8.00 am to 11.00 pm Mondays to Saturdays and 10.00 am to 10.00 pm Sunday.
- > 1 year trial hours: 24 hour operation 7 days a weeks.
- > Where residential uses are in close proximity, the consent authority may restrict trial hours accordingly.

3.3

General Provisions**Applications for the extension or review of trial periods**

Applications for the extension or review of all trial periods shall be subject to public notification and referral to the local Police as to whether or not there have been any complaints or incidents connected with the premises in the trial year. If the premises has a POPE licence an Acoustic Report (as per the requirements for licensed premises) shall be required with the trial extension application.

If the premise's trial period is completed successfully a further trial period for up to 5 years may be granted.

From: Patty Nitchin <[REDACTED]> on behalf of Patty Nitchin <[REDACTED]> <Patty Nitchin <[REDACTED]>
Sent on: Sunday, January 25, 2026 7:16:55 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 said "No"to McDonald because I have been living in Newtown for 10 years. I think to open McDonald in Newtown could threaten the safety of people who live behind King st. Also it will increased opportunity for crimes for Newtown police. it is corner delivery riders will impact the pedestrians who crossing the road on the intersection. I suggested we should keep Newtown safe and be like 90s for tourists and residents.

Best regards
Patty Nitchin
Sent from my iPhone

From: Will Mears <[REDACTED]> on behalf of Will Mears <[REDACTED]> <Will Mears
<[REDACTED]>
Sent on: Saturday, January 24, 2026 1:04:29 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 proposal is a huge betrayal of the culture of Newtown and the inner west as a whole, and poses a massive risk to surrounding small businesses and the character of one of the most renowned suburbs in the world.

From: Charbel Salloum <[REDACTED]> on behalf of Charbel Salloum [REDACTED]
<[REDACTED]> <Charbel Salloum <[REDACTED]>
Sent on: Saturday, January 24, 2026 5:16:51 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

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Hi,

I would like to reject the proposal.

I live on Brown Street and I have the following concerns:

- Air pollution/bad smell from the business.
- Increased rubbish/waste on King street and surrounding streets.
- Safety concerns due to increased loitering, gathering and antisocial behaviour outside the premises.
- Increased traffic from food delivery vehicles on already congested King Street.

Thank you.

Kind regards,

Charbel.

From: Sobia Iqbal <[REDACTED]> on behalf of Sobia Iqbal

<[REDACTED]> <Sobia Iqbal <[REDACTED]>

Sent on: Thursday, January 22, 2026 8:25:58 PM

To: council@cityofsydney.nsw.gov.au

Subject: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 am writing regarding the proposed McDonald's opening directly near my shop in Newtown.

I am the owner of a small, family-owned chicken burger and chicken wrap shop that relies entirely on local customers and foot traffic. My family and I depend on this business as our sole source of income. The opening of a large multinational fast-food chain almost directly in front of our shop would have a severe and disproportionate impact on our livelihood and the sustainability of our family business.

Newtown is well known for its strong local identity, independent food outlets, and diverse small businesses that contribute to the character of the area. Allowing a global fast-food chain to open in such close proximity risks undermining this character and pushing out small, locally owned businesses that have invested in and supported the community.

I am also concerned about the broader planning impacts of this proposal, including increased traffic congestion, noise, waste generation, parking issues and delivery vehicle activity etc all of which may negatively affect nearby residents and existing businesses.

I respectfully request that Council carefully consider whether this development aligns with local planning objectives, community values, and the protection of small family-owned food businesses that form the backbone of Newtown's local economy.

At the end I want to Thank you for considering my objection. I would appreciate being informed of any further opportunities to provide input or attend consultation meetings regarding this proposal.

Regards,
Sobia Iqbal
[REDACTED]

From: razwan raza <[REDACTED]> on behalf of razwan raza

<[REDACTED]> <razwan.raza@cityofsydney.nsw.gov.au>

Sent on: Thursday, January 22, 2026 8:08:42 PM

To: council@cityofsydney.nsw.gov.au

Subject: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 Department,

I am writing to formally object to the proposed McDonald's development planned near my business in Newtown.

I am the owner of a small, independently run chicken shop that has been serving the local community for more than 8 years. My business relies heavily on local foot traffic and community support, and the introduction of a large multinational fast-food outlet in such close proximity would have a serious negative impact on small local businesses like mine.

Beyond the economic impact, I am concerned about the broader effects this development may have on the area, including increased traffic congestion, noise, waste, and extended operating hours that may affect nearby residents. Newtown is well known for its unique local character, independent businesses, and community-focused environment, and I believe this proposal risks undermining that identity.

I respectfully ask the Council to carefully consider whether this development aligns with local planning objectives, community interests, and the protection of small businesses that contribute to Newtown's character and economy.

Thank you for taking the time to consider my concerns. I would appreciate being kept informed of any decisions or opportunities to provide further input regarding this proposal.

Yours sincerely,

Razwan Raza

[REDACTED]

From: Erin McKay <[REDACTED]> on behalf of Erin McKay <[REDACTED]> <Erin McKay <[REDACTED]>>
Sent on: Thursday, January 22, 2026 11:13:21 AM
To: council@cityofsydney.nsw.gov.au
Subject: Objection to Proposed McDonald's Development: RD/2025/585/B 212-204 King St, Newtown

Caution: 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 **object to the proposed development** to build a McDonald's restaurant at the above site (RD/2025/585/B). My objection is based on the following concerns, which I believe represent legitimate planning and community impacts that should be addressed in the assessment of this application:

1. Waste and Rubbish Disposal Issues

The proposed development has the potential to generate a significant increase in rubbish, litter, and food waste in the surrounding area. Without a robust and enforceable waste management plan that demonstrates adequate on-site handling, storage, recycling and collection, there is a high risk of litter in public spaces, including streets, parks, footpaths and neighbouring properties. Subsidiary developments of a similar nature have previously been criticised in planning reviews for insufficient waste accommodation and reliance on public spaces for overflow, which undermines local amenity and cleanliness standards.

Specifically, concerns include:

- Lack of sufficient on-site bin capacity (particularly for recycling, compostable waste and public use),
- Potential for overflow of waste into surrounding streets,
- Increased reliance on council or local businesses to manage litter.

2. Impact on Local Community Amenity

The introduction of a major fast-food outlet can adversely affect the quality of life and community character in established neighbourhoods. Fast food developments are associated with increased noise, odours, vehicular access demands, and late-night foot traffic, which may disturb adjacent residential or business areas. This is especially true if operating hours extend into the night, increasing the likelihood of disturbances for nearby residents.

Disruptions to amenity may include:

- Excessive noise from patrons, deliveries, and waste collection activities,
- Smell from cooking and parking areas affecting neighbouring businesses and homes,
- Light pollution at night from business signage and operating areas.

3. Traffic, Pedestrian and Safety Concerns

A fast-food outlet with high turnover can contribute to increased traffic congestion, including delivery vehicles, ride-share and ride-hailing stops, and private vehicles stopping or parking near the site. If the current site layout does not

provide a dedicated loading dock or safe delivery area, this could lead to delivery vehicles stopping in public lanes, disrupting local traffic flow and increasing safety risks for pedestrians and cyclists.

Considerations include:

- Conflicts between pedestrians and delivery riders in busy areas,
 - Increased traffic around peak meal times congesting surrounding streets,
 - Whether current access arrangements adequately separate vehicle movements from pedestrian zones.
-

4. Impact on Local Character and Small Businesses

The introduction of a globally-branded fast food outlet can dilute local character and undermine the viability of existing small, independent food businesses that contribute to the unique identity of our neighbourhood. This is a genuine concern in areas with strong community identity and cultural heritage.

Supporting local business diversity is important for:

- Maintaining a variety of food and service options for residents,
 - Supporting local entrepreneurs and employment,
 - Preserving community and cultural character.
-

5. Broader Public Health and Social Considerations

Research and community consultations in other Sydney areas have referenced concerns about the clustering of fast-food outlets in neighbourhoods, particularly when located near schools or community services, and the potential impacts on public health outcomes. The proposal should be assessed in light of these broader social considerations, not merely economic factors.

Conclusion

In summary, I object to this proposed McDonald's development on the grounds that it jeopardises local amenity, creates potential waste and litter issues, increases traffic and safety risks, threatens small local businesses, and does not demonstrate how potential negative impacts will be mitigated to a satisfactory planning standard.

I request that Council considers these concerns carefully and that the application be refused or substantially revised to address the above issues.

Thank you for considering my objection.

Erin McKay
Newtown, 2042

From: Nate <[REDACTED]> on behalf of Nate <[REDACTED]> <Nate
<[REDACTED]>

Sent on: Thursday, January 22, 2026 12:23:49 PM

To: council@cityofsydney.nsw.gov.au

Subject: Objection to Development Proposal RD/2025/585/B – Proposed McDonald's on King Street, Newtown

Caution: 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 Development Proposal **RD/2025/585/B**, concerning the proposed establishment of a McDonald's on King Street, Newtown.

This proposal has been submitted previously and rejected, and the reasons for its rejection remain valid and pressing today.

Newtown is recognised for its unique cultural identity, independent retailers, and diverse small-business ecosystem. The introduction of a major international fast-food chain would significantly detract from the area's distinctive character, which is a key reason people choose to visit, shop, dine, and live in this suburb.

King Street's economy thrives on small, locally owned cafés, restaurants, and specialty food operators. Allowing another large multinational brand—particularly one with substantial market dominance—would create unfair competition and potentially displace long-established local operators who contribute far more to the community fabric, diversity, and local employment landscape.

Fast-food outlets of this scale typically generate increased foot traffic, late-night noise, and litter. King Street already experiences congestion, and the addition of a high-volume venue may worsen pedestrian crowding and reduce amenity for nearby residents and businesses.

Local sentiment has repeatedly demonstrated strong support for maintaining Newtown's independent retail culture. Previous rejections of similar proposals reflect this ongoing community priority. Approving this development would be inconsistent with established community feedback and the strategic vision for the neighbourhood.

In light of these concerns, I respectfully request that the City of Sydney reject Development Proposal RD/2025/585/B. Preserving the unique and vibrant identity of King Street is essential to maintaining the social, cultural, and economic wellbeing of the area.

Thank you for considering this submission. I would appreciate being kept informed as the matter progresses.

Kind regards,
Nathan Zhao
Resident of Newtown.

From: PlanningAlerts <[REDACTED]> on behalf of PlanningAlerts

<[REDACTED]> <PlanningAlerts <[REDACTED]>

Sent on: Sunday, January 25, 2026 11:43:02 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Comment on application RD/2025/585/B

Caution: 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: RD/2025/585/B

Address: 212-214 King Street Newtown NSW 2042

Description: Division 8.2 Review of alterations and additions for use as a takeaway food and drink premises with associated signage. Proposed hours of operation are 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday.

**Name of
commenter:** [REDACTED]

**Address of
commenter:** [REDACTED]

**Email of
commenter:** [REDACTED]

Comment

After Macca's tried to open a 24 hour venue here, which received over 1800 Complaints on many grounds, including Noise, safety, crime , smell, no space for delivery inwards nor riders outwards, no facilities, obvious litter and noise problems, they're back again to shove a Maccas where the locals don't wan one.

There are many local fast food businesses in the area and we don't need another one, particularlry not this crap.

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 RD/2025/585/B, 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: Alex Wain <[REDACTED]> on behalf of Alex Wain <[REDACTED]> <Alex Wain <[REDACTED]>

Sent on: Tuesday, January 27, 2026 10:03:00 AM

To: dasubmissions@cityofsydney.nsw.gov.au; CLi1@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy Li,

I hope you had a great long weekend :)

I am a long-term City of Sydney resident writing to formally object to the proposed McDonald's development on King Street, Newtown.

While I support a vibrant local economy, this proposal is fundamentally misaligned with the planning controls, desired future character, and amenity requirements of the Newtown precinct. It introduces avoidable social, environmental, and safety impacts to an area already under significant late-night pressure.

My objection is based on the following material planning grounds:

1. Adverse Amenity Impacts: Acoustics and Waste Management

King Street currently experiences high levels of noise and waste generation. Council's Late Night Trading Development Control Plan (DCP) requires that new venues do not degrade the amenity of the surrounding area.

Waste Generation: Fast-food packaging is unique in its volume and mobility. A 19-hour operation significantly increases the volume of single-use waste in the public domain. The application must demonstrate how it will mitigate litter migration into residential side streets, not just the immediate shopfront.

Acoustic Intrusion: A 19hr operation encourages loitering and "kerbside congregation" well past midnight. Unlike a bar where patrons are contained, fast-food outlets generate noise on the footpath. This creates acoustic disturbances that cannot be mitigated by internal soundproofing, negatively affecting nearby residents.

2. Safety and CPTED (Crime Prevention Through Environmental Design)

The proposal fails to adequately address Crime Prevention Through Environmental Design (CPTED) principles regarding the safety of staff and the public.

Target for Anti-Social Behaviour: Late-night fast-food outlets in nightlife precincts are documented "flashpoints" for anti-social behaviour, particularly involving intoxicated patrons leaving other venues.

Worker Vulnerability: The operational model relies on young staff working overnight shifts. The applicant must demonstrate how they will manage security without simply pushing the burden of policing onto local authorities or creating an unsafe environment for workers exiting the premises in the early hours.

3. Incompatibility with Local Character and Heritage

Newtown's economic resilience relies on its "fine-grain" retail mix - a diversity of small, independent operators rather than large-format multinational chains. We already have KFC.

Erosion of High Street Character: The introduction of a standard corporate franchise disrupts the unique, independent character that defines the King Street heritage conservation area.

Threat to Precinct Diversity: While trade competition is not a planning ground, the cumulative effect of replacing

culturally significant, long-standing independent institutions (such as the adjacent Clem's Chicken) with generic chains homogenises the streetscape. This degrades the unique "sense of place" that Council planning controls seek to preserve, ultimately making the precinct less attractive to visitors.

4. Cumulative Impact and Oversaturation

With the recent approval of a KFC nearby, the precinct is reaching a saturation point for high-impact, fast-food premises.

Cumulative Impact: Approving a second major multinational outlet creates a cluster of high-turnover, late-night venues. This fundamentally alters the nature of the precinct from a diverse cultural hub to a generic fast-food corridor.

Health and Wellbeing: At a time when Council strategies prioritise healthy, sustainable, and diverse food precincts, facilitating an over-concentration of fast-food outlets contradicts the strategic vision for a liveable city.

5. Lack of Public Benefit

This application fails to demonstrate a net community benefit. It offers a service already widely available, while imposing external costs on the community in the form of increased litter, noise complaints, and security risks.

I strongly urge Council to refuse this application on the grounds that it is inconsistent with the desired future character of Newtown and poses unacceptable amenity risks to the community.

Thank you for listening to our community,

Alex Wain

Alex Wain



From: Christina Collins <[REDACTED]> on behalf of Christina Collins
<[REDACTED]> <Christina.Collins@[REDACTED]>
Sent on: Tuesday, January 27, 2026 12:18:19 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 would like to note my objections to the DA - I do not believe it is in keeping with the area and I don't believe it will add value as there are a number of issues not addressed within the DA along with the anti social behaviour it is likely to attract.

Kind Regards,

Christina Collins

Sent from my iPhone

From: Adrian De Francesco <[REDACTED]> on behalf of Adrian De Francesco
<[REDACTED]> <Adrian.DeFrancesco@[REDACTED]>

Sent on: Tuesday, January 27, 2026 12:11:03 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Formal Objection and Request for Refusal – Revised DA for Proposed McDonald's, King Street Newtown

Caution: 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 Li,

I write to formally object to, and request refusal of, the revised Development Application for the proposed McDonald's premises on King Street, Newtown.

While I acknowledge that the applicant has lodged a revised DA following Council's earlier refusal, it is my view that the amended proposal does not satisfactorily address the key planning concerns previously identified by Council, nor does it demonstrate consistency with fundamental planning principles relating to amenity, land-use compatibility, pedestrian priority, and the orderly functioning of the public domain.

Amenity Impacts

The proposed trading hours of up to 2:00am on Fridays and Saturdays (and up to 11:00pm on other nights) remain incompatible with the mixed-use context of the site, particularly given the presence of residential and commercial uses directly above the premises. The proposal is likely to result in ongoing adverse amenity impacts, including noise, vibration, odour, waste management issues, and late-night activity associated with delivery riders and patrons. These impacts have not been adequately mitigated in the revised submission.

Land-Use Compatibility

The proposal continues to raise concerns regarding land-use compatibility within the Newtown town centre. A late-night, high-turnover fast-food use of this scale is not consistent with the fine-grain, pedestrian-oriented character of King Street, nor with Council's objectives to support diverse, small-scale, and culturally distinctive uses within the precinct. The revised DA does not demonstrate that the proposed use would integrate appropriately with surrounding businesses or residential uses.

Pedestrian Priority and Public Safety

The introduction of a service window fronting King Street for delivery riders directly undermines pedestrian priority on one of Sydney's busiest footpaths. King Street already experiences high pedestrian volumes, particularly during evenings and weekends. Concentrating delivery rider activity at the primary pedestrian frontage increases the likelihood of conflict, congestion, and safety risks, contrary to best-practice planning principles that prioritise pedestrians in active main streets.

Servicing, Deliveries, and Waste Management

The Plan of Management proposes limiting deliveries to between 8:00am and 3:00pm and requiring servicing exclusively from King Street, despite the availability of a rear lane traditionally used for such purposes. This approach appears inconsistent with sound planning practice and is likely to exacerbate pedestrian conflicts and disrupt the public domain.

Further, the provision of a bicycle rack within the rear garbage area for delivery riders is impractical and raises concerns regarding safety, hygiene, and compliance, with a high likelihood that riders will instead park informally along King Street.

Conclusion

Overall, the revised DA does not adequately resolve Council's previous grounds for refusal and remains inconsistent with the objectives of the planning framework relating to amenity protection, land-use compatibility, pedestrian safety, and the character of the Newtown precinct.

For these reasons, I respectfully but firmly request that Council refuse the revised Development Application.

Yours sincerely,
Adrian

From: [redacted] <[redacted]> on behalf of [redacted]
<[redacted]> <[redacted]>
Sent on: Tuesday, January 27, 2026 1:20:43 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy,

The application for McDonald's in Newtown will kill off local small businesses, increase antisocial behaviour and litter. There are McDonald's in Stanmore, Tempe and the Marrickville metro. All of which are able to deliver their food to anyone in the Newtown area, so there isn't a need for a global chain product to have a store in the area.

King Street, and the area of Newtown and Erskineville, are small pockets of Sydney that attract people due to their eclectic offerings in food and retail. People have put their life's work in building a reputation for great food and the more 'foreign owned food' sites, commonly referred to as junk food, will only disincentivise and decimate small businesses going forward.

Let's not forget that when McDonald's announced that it was doing away with plastic wrapping and straws etc, they proudly announced they were removing around 800 Tonnes of waste per year... What they actually implied was they produced that volume of rubbish every year and only government regulation stopped them.

In a time where there are a few international companies, like Uber, McDonald's, doordash and Deliveroo. Money is being cyphoned out of our economy at an increasing rate. It's time a Council, viewed local businesses and residents as valued communities, not wallets.

Regards
Steven.

From: Melinda Fatcher <MFatcher@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: Tuesday, January 27, 2026 2:04:51 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

From: Martelle Hammer <[REDACTED]>
Sent: Friday, 23 January 2026 3:39 PM
To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Re: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Application denied

On Thu, 22 Jan 2026 at 12:21 pm, Planning Systems Admin
<planningsystemsadmin@cityofsydney.nsw.gov.au> wrote:

Applicant name:
MCDONALD'S AUSTRALIA LIMITED

Reference number:
RD/2025/585/B

Site address:
212-214 King Street, NEWTOWN NSW 2042

Proposed development:
Division 8.2 Review of alterations and additions for use as a takeaway food and drink premises with associated signage. Proposed hours of operation are 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday.

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 **13 February 2026**. 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.

You can get guidance on preparing your comments and what happens next on the back of this letter, or by typing city.sydney/development-comment in the address bar on your browser.

For more information, contact us on 02 9265 9333.

Bill MacKay
Manager Planning Assessments

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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: Tuesday, January 27, 2026 2:57:10 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

-----Original Message-----

From: [REDACTED] <[REDACTED]>
Sent: Saturday, 24 January 2026 11:52 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 my objection to this proposal for the same reasons as objecting to the original proposal (attached).

Kind Regards, Tim

From: Ewan Patterson <[REDACTED]> on behalf of Ewan Patterson

<[REDACTED]> <Ewan Patterson <[REDACTED]>

Sent on: Tuesday, January 27, 2026 3:55:49 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 100% in favour of opening a McDonalds on King Street Newtown with the revised opening hours. It will bring new jobs and cheaper options to what is currently on offer. I agree a 24/7 restaurant would not be beneficial but these hours are the same as KFC up the road and should be approved.

Sent from my iPhone

From: Karen Godzik <[REDACTED]> on behalf of Karen Godzik

<[REDACTED]> <Karen Godzik <[REDACTED]>

Sent on: Tuesday, January 27, 2026 5:35:56 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 believe this application would be good for Newtown.

Cheers

Karen Godzik

19 Chelmsford street

Newtown 2042

[REDACTED]

Get [Outlook for Android](#)

From: Kelly Stewart <[REDACTED]> on behalf of Kelly Stewart
<[REDACTED]> <Kelly Stewart <[REDACTED]>

Sent on: Tuesday, January 27, 2026 7:03:20 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi team

Contrary to the majority of feedback that you will likely receive considering the proposal for MacDonalds is shared on local Facebook groups everyday! Many of us actually **support** the proposal, so just sharing my 2 cents for what it's worth.

Kind regards

Kelly
[REDACTED]

From: [REDACTED] <[REDACTED]> on behalf of [REDACTED]
<[REDACTED]> <[REDACTED]>

Sent on: Tuesday, January 27, 2026 3:07:45 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Objection - RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 Bill MacKay

I am writing to object to the development application D/2025/585 - 212-214 King street, Newtown 2042 for what I understand to be a McDonalds Fast Food outlet. The identifying information I want kept private about this objection is my name, residential and email addresses.

I object to the application for approval of a McDonalds Fast Food outlet on the following grounds and as previously stated in my original objection:

- The introduction of a McDonalds outlet on King street will have a major impact on the nature of the village of Newtown. It is proposed the outlet, even with reduced operating hours of 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday, will seriously disrupt the commercial nature of many of the cafes and restaurants on King street. King street has seen a major loss and turnover of small food businesses over the past five years and those that remain are doing it tough in the current economic environment. A major commercial outlet that is offering cheap food and coffee will take customers away from those existing outlets offering food and beverages who have remained loyal to the Newtown village where possible and reduce their viability. This in turn will reduce the uniqueness of King street as an interesting and diverse food centre.
- King street is world renown as a unique tourist destination offering a range of specialist shops, cafes and restaurants that bring people into the area to experience the distinctive nature of this part of Sydney. Tourists do not come to the area to experience fast food outlets than can be found in anywhere else in the world. They come to experience the neighbourhood and enjoy seeing what is not on offer in other parts of Sydney or the world.
- The ethos of the City of Sydney is to create unique villages within the council area. This has involved many years of planning, development and investment to deliver pockets of the inner city that are friendly, liveable and attractive neighbourhoods and spaces; places where people want to live and recreate, where people enjoy living without the encroachment of big business and corporate food chains and franchises. The introduction of McDonalds onto King street would change all this and reduce the unique nature of the neighbourhood. The opening of a KFC shop and a Priceline outlet had already seen the degradation of the strip and the beginning of a loss of what makes King street a popular visitor destination. We can't afford to lose out more to big corporate endeavours if we want to maintain the distinctive nature of this part of Sydney. As a resident I do not want to see King street stripped of its unique, enjoyable and liveable nature as has been the case for Oxford street and Parramatta road. Remember the costs City of Sydney has faced in its attempt to rejuvenate and revitalise Oxford street after it had its 'soul' ripped out.
- The introduction of this fast food outlet onto King street would likely increase the late night intoxicated and disruptive clientele visiting the area. We already have a range of 'visitors' to the area on Friday, Saturday and Sunday evenings who come into the area to party given the changes to the alcohol and late night licensing. These 'visitors' often show no respect to the locals who live here and are happy to be both disruptive in terms of noise and intoxication and leave their rubbish lying around from the existing take-away food venues and pubs they frequent. A McDonalds outlet would further extenuate these problems and lead to a more unsafe and unclean environment for those of us who actually live here and pay rates for such clean ups. And this is to say nothing of the parking challenges that exist for us residence in the area.
- As a rate payer I would prefer my rates to go towards paying for library or recreational facilities rather than cleaning up the mess and disruption made by patrons of this fast food venue. One only needs to visit to any of the surrounding streets one back from King street to see the rubbish that is strewn around on most days.

- With obesity and diabetes on the rise in Australia I am an advocate for making healthy food choices available to people. A McDonalds outlet runs counter to offering such healthy choices, as well document studies have proven, to people who wish to eat out in Newtown, taking valuable clientele away from outlets that do provide healthier food options.

Thank you for the opportunity to present my objections to the above proposed development application.

Regards



Newtown NSW 2042

From: Rodney McShanag <[REDACTED]> on behalf of Rodney McShanag <[REDACTED]> <Rodney McShanag <[REDACTED]>
Sent on: Tuesday, January 27, 2026 6:16:50 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 should not be allowed , I'm concerned about the safety of residents and people who visit , also there is a litter problem which will get worse

Rodney McShanag
Sent from my iPhone

From: Matt Smaller <[REDACTED]> on behalf of Matt Smaller

<[REDACTED]> <Matt Smaller <[REDACTED]>

Sent on: Wednesday, January 28, 2026 10:12:37 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

McDonald's on king st is not needed. There is a plethora of affordable food options.

McDonald's result in huge increases in rubbish, impact local businesses and will negatively impact the neighbourhood feel of the area.

From: Rebecca Mitchell <[REDACTED]> on behalf of Rebecca Mitchell

<[REDACTED]> <Rebecca Mitchell <[REDACTED]>

Sent on: Wednesday, January 28, 2026 11:55:40 AM

To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>

Subject: Feedback RD/2025/585/B

Caution: 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'm an Inner West Council resident, and writing to express an objection to the proposal outlined in RD/2025/585/B.

I don't believe the community would benefit from a McDonalds in this location, with negative consequences outweighing any benefits. My main concern is around housing and security. By opening a late-night McDonalds so close to residences, we threaten an already precious commodity in our area. My concerns include:

- Fewer quality residences in the immediate surrounds
- Higher insurance premiums for the greater area, potentially leading to higher rents
- Air pollution, impacting the air quality of surrounding residences
- Noise pollution
- Increase in crime
- Increase in foot traffic and loitering on surrounding residential streets
- The loss of livable residences above the McDonald's location
- Odour
- Anti-competition / predatory pricing violations for the neighbouring small takeaway business

Please consider rejecting the proposal for this location. It will negatively impact your residents and local businesses on all fronts, particularly in regard to their health, safety, financial position, security and peace.

Kind regards,
Rebecca Mitchell.

From: Melinda Futchter <MFutchter@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, January 28, 2026 12:14:40 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: RD/2025/585/B

-----Original Message-----

From: John Cox <[REDACTED]>
Sent: Wednesday, 28 January 2026 11:40 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: RD/2025/585/B

Caution: 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 Inner West Council.

I object to McDonalds application for a fast food venue, located next door to an Iconic chicken shop - Clems.

Additionally, King Street has character and diversity of food options, and the addition of a Global corporate undermines the uniqueness and character intrinsic to Newtown.

Given the late night trading 7 days a week, there will be noise, rubbish and security issues in the area, already previously outlined and considered with the prior rejected application. The concerns remain the same.

McDonalds already have an outlet less than 2 km's away in Stanmore.

Kind regards

John Cox

From: Julie Stafford <[REDACTED]> on behalf of Julie Stafford <[REDACTED]> <Julie Stafford <[REDACTED]>

Sent on: Wednesday, January 28, 2026 12:11:21 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 object to this development.

Please do not allow McDonalds to open in King St, Newtown.

I own an investment property in Brown St and previously lived there for 5 years. Newtown is a vibrant, diverse place designed for young people and independent shops and fooderies make it what it is.

It would be terrible for some long established private owners to have to compete with a multinational company who have significantly contributed to the poor diets and poor health of young people. This would significantly affect the look nd history of King St.

Please protect the independent owners. No to Mcdonlds.

Julie Stafford
Owner of 48/2-6 Brown St, Newtown

Julie Stafford
[REDACTED]
Sent from my iPad

From: Andrew C <[REDACTED]> on behalf of Andrew C
<[REDACTED]> <Andrew C <[REDACTED]>

Sent on: Wednesday, January 28, 2026 2:58:53 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy,

The proposed DA appears to have some fanciful expectations of human behaviour if we are to believe that delivery cyclists will use a space at the rear to park their bike, walk to the front, use a front-facing window, and then walk back behind the venue (around Clem's) and then ride off to make deliveries. Anyone who has been along King St in person regularly would laugh at this suggestion.

The far more likely option is food delivery riders going all over the footpaths, risking collision with pedestrians, clogging the path with their bikes, and using the front window.

In addition, how are Maccas going to be responsible for the litter their food outlet will generate? There are visible rats and mice around King St, and adding more littered food waste from a fast food store is hardly going to reduce that problem.

Sent from my iPhone

From: Doug O'Neil <[REDACTED]> on behalf of Doug O'Neil <[REDACTED]> <Doug O'Neil <[REDACTED]>

Sent on: Wednesday, January 28, 2026 5:32:34 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 against a McDonalds in King st competing with local businesses.

The 24 hour nature of the operation will bring extra traffic and rubbish to Newtown.

There is already a McDonalds in Stanmore 1.9km away surely people can access that one via uber if need be.

Too many businesses are struggling and competing with a global giant with discounted food is not going to help them out.

Also King st has a laid back feel and vibe. The addition of a McDonalds would be detrimental to all that makes King st special.

Regards

Doug O'Neil

King st resident

From: Felix Oppen <[REDACTED]> on behalf of Felix Oppen <[REDACTED]> <Felix Oppen <[REDACTED]>
Sent on: Thursday, January 29, 2026 3:01:59 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li
Attachments: Political Donations and Gifts Disclosure Statement.pdf (283.07 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Ms Li,

RE: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042

I am writing to lodge an objection to the above application by McDonald's Australia Pty Ltd.

Grounds

- I note that the previous application was denied and I can see no substantial changes in this application that would justify success this time around
- I recall that the previous application saw significant local community opposition to said application. There is no evidence that community attitudes have changed.
- Newtown and surrounds (Enmore, Erskineville and Darlington) is well served already by McDonald's outlets at Broadway, Stanmore and Marrickville Metro.
- Newtown and surrounds (Enmore, Erskineville and Darlington) is well served by other fast food outlets already established on King St, the vast majority of which are small businesses that are well integrated within the local community.
- It is known that large conglomerate companies through vast economies of scale tend to undercut small business competitors by artificially depressing prices making it impossible for small businesses to compete on an even playing field. The result is a loss in diversity in the local business community and loss of consumer choice thereby resulting in a loss of local community amenity.
- Because McDonald's does not use reusable food presentation (plates, cups etc) - even for on premises consumption - there is always an increase in street trash in the near vicinity. King street already struggles with an excess of garbage. And the cost of removal is never totally met by the food outlet and will inevitably lead to higher waste management costs for both Sydney and Inner West Councils.
- A successful application will result in an increase in the number of food delivery riders, already an issue/problem on King street that does not need to be further exacerbated.

I make this submission as an individual and long term resident of Newtown.

Kind regards
Felix Oppen

Political donations and gifts disclosure statement

About this form

You may use this form to make a political donations and gifts disclosure under Section 10.4(5) of the Environmental Planning Assessment Act 1979 for public submissions to a council.

Warning: A person is guilty of an offence under Section 10.4(11) of the Environmental Planning and Assessment Act 1979 in connection with the obligations under Section 10.4 only if the person fails to make a disclosure of a political donation or gift in accordance with Section 10.4 that the person knows, or ought reasonably to know, was made and is required to be disclosed under Section 10.4. The maximum penalty for any such offence is the maximum penalty under Part 6 of the Election Funding, Expenditures and Disclosures Act 1981 for making a false statement in a declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

How to complete this form

- 1: Ensure that all fields have been filled out correctly.
- 2: Please note that fields on this form marked with an * are mandatory and must be completed before submitting the application.
- 3: Read the explanatory information below.
- 4: Once completed, please attach the completed declaration with your submission.

Part 1: Explanatory information

Making a public submission to council

Under Section 10.4(5) of the Act a person who makes a relevant public submission to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing 2 years before the submission is made and ending when the application is determined.

- (a) all reportable political donations made to any local councillor of that council; and
- (b) all gifts made to any local councillor or employee of that council.

A reference in Sections 10.4(5) of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under Section 10.4 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made; or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under Section 10.4(9) for political donations and Section 10.4(10) for gifts.

Glossary of Terms

Please refer to Schedule 1 for a Glossary of Terms as defined under Section 10.4 of the Environmental Planning and Assessment Act 1979.

Office Use Only

Receiving Officer

DA / reference number

Date Received

Part 2: Person making this disclosure statement

Given Name/s *

Felix

Family Name *

Oppen

Position

N/A

Organisation

N/A

Home Number

Business Number

Mobile Number

Email Address

Part 3: Declaration of Interest

Planning application reference (e.g. DA number, planning application title or reference; property address or other description)

RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042

Part 4: Details of reportable political donations or gifts

1. State below any reportable political donations or gifts you have made over the relevant period. If the donation or gift was made by an entity (and not by you as an individual) include the Australian Business Number of that entity (ABN).
2. State below any reportable political donations or gifts that you know, or ought reasonably to know, were made by yourself or an associate.

Donation or Gift? (D / G)	Name of donor (also include ABN for an entity)	Residential / Registered Address	Party / Person to whom the gift/ donation was made	Date donation/ gift was made	Amount / value of donation or gift
☐	I have NOT made any political donations or gifts relevant to the above application				
☐					
☐					

If you require more space, please attach a separate sheet listing all details shown above for each donation/gift.
Tick here if you have attached a separate sheet or sheets ☐

Part 5: Declaration

By signing below, I / we hereby declare that all information contained within this statement is accurate at the time of signing, and if I / we become aware of any other donations or gifts that must be declared, we will immediately notify the Council.

Organisation (where applicable)

N/A

Position within organisation (where applicable)

N/a

Name

Signature *

Date

29/01/2026

Part 6: Lodgement Details

You should attach the completed disclosure statement when making a submission on ePlanning search <https://eplanning.cityofsydney.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?e=y>

This form should only be lodged as part of a submission about a specific matter to be considered by Council.

Part 7: Privacy & Personal Information Protection Notice

Purpose of collection: This information is being collected for the purpose of recording and publishing reportable political donations and their possible bearing on specific applications or submissions before council.

Intended recipients: City of Sydney employees. Any approved contractors required to provide this service.

Supply: The supply of this information is required by law. If you are unwilling to provide this information, the City of Sydney may be unable to provide access to City of Sydney services.

Access/Correction: Please contact Customer Service on 02 9265 9333 or at council@cityofsydney.nsw.gov.au to access or correct your personal information.

Storage: The City Planning, Development and Transport Unit at the City of Sydney, located at 456 Kent Street, Sydney NSW 2000, is collecting this information and the City of Sydney will store it securely.

Other uses: The City of Sydney will use your personal information for the purpose for which it was collected and may use it as is necessary for the exercise of other functions.

For further details on how the City of Sydney manages personal information, please refer to our Privacy Management Plan cityofsydney.nsw.gov.au/policies/privacy-management-plan.

Part 8: Glossary of Terms (under Section 10.4 of the Environmental Planning and Assessment Act 1979)

A full glossary of terms is contained in the Act - the most relevant terms are defined below.

Relevant planning application means:

- a) a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site; or
- b) a formal request to the Minister or the Director-General for development on a particular site to be made State Significant Development or State Significant Infrastructure declared a project to which Part 3A applies; or
- c) an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project); or
- d) an application for development consent under Part 4 (or for the modification of a development consent); or
- e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application;

Continued ...

Relevant planning application does not include:

- f) an application for (or for the modification of) a complying development certificate; or
- g) an application or request made by a public authority on its own behalf or made on behalf of a public authority; or
- h) any other application or request that is excluded from this definition by the regulations

Relevant period is the period commencing 2 years before the application or submission is made and ending when the application is determined.

Relevant public submission means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

Reportable political donation Is defined under Section 86 of the Election Funding, Expenditure and Disclosures Act 1981.

- (1) For the purposes of the Election Funding, Expenditures and Disclosures Act 1981 a reportable political donation is:
 - (a) in the case of disclosures under this Part by a party, elected member, group, candidate or third-party campaigner - a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group, candidate or third-party campaigner; or in the case of disclosures under this Part by a major political donor - a political donation of or exceeding \$1,000 made by the major political donor to or for the benefit of a party, elected member, group, candidate or third-party campaigner.
- (2) A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate, third-party campaigner or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- (3) A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- (4) For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

Financial interest a person has a financial interest in a relevant planning application if:

- a) the person is the applicant or the person on whose behalf the application is made; or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it; or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange); or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

Associated persons persons are associated with each other if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission); or
- b) they are related bodies corporate under the Corporations Act 2001 of the Commonwealth; or
- c) they are directors of the same body corporate, or they are directors of different bodies corporate that are related bodies corporate under the Corporations Act 2001 of the Commonwealth, or
- d) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation; or
- e) they have any other relationship prescribed by the regulations.

From: Melinda Fatcher <MFatcher@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, January 30, 2026 8:35:02 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

-----Original Message-----

From: Belle McIntyre <[REDACTED]>
Sent: Friday, 30 January 2026 2:58 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy Li,

I STRONGLY OPPOSE THE PROPOSAL FOR A GENOCIDE SUPPORTING MCDONALDS TO TAINT KING STREET!

King Street isn't just a street. It's one of Sydney's most unique and creative precincts!

It's FULL of independent businesses, late-night food spots, art, culture, and community. It's a place that brings people together and celebrates diversity!!!!

These kinds of developments put pressure on small local businesses that make Newtown what it is. They create more traffic, more noise, and make the area less safe for pedestrians especially at night when the street comes alive.

We don't need another generic chain fast food store here. We need to protect what we already have! A thriving, diverse, and locally-owned community that people actually want to be part of!!!! CLEMS IS RIGHT THERE AND A DELICIOUS LOCAL FAST FOOD RESTAURANT!

This isn't just about one shopfront. It's about keeping the spirit of King Street alive!!!!!!!!

I staunchly oppose the proposal!

regards,
Belle McIntyre
a concerned local

From: Karen Martin Rolfe <[REDACTED]> on behalf of Karen Martin Rolfe
<[REDACTED]> <Karen Martin Rolfe <[REDACTED]>
Sent on: Friday, January 30, 2026 12:23:42 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

RD/2025/585/B - [212-214 King Street, NEWTOWN, NSW](#) 2042

To the City of Sydney Council,

I am writing to note my strong objection to the DA proposal for a McDonalds at 212-214 King Street.

Having lived in Newtown for over 25 years I highly value the unique independent spirit of the suburb and strongly feel this McDonalds will undermine the local character and adversely affect the independent businesses in the area. The proposed location of this McDonald's right next to the longtime, much local business of Clem's Chicken, is particularly concerning.

Combined with the recent arrival of KFC, another American fast food chain, across the street, a McDonalds risks diluting King Street's unique, independent retail and hospitality mix, setting a precedent for further chain expansion that threatens the area's distinct cultural and small business ecosystem.

The late trading hours is likely to attract late-night loitering, littering, noise, and intoxicated crowds, combined with teens, a key market for fast food, resulting in safety issues, anti-social behaviour and extra strain on local policing and emergency services.

A McDonalds will add to traffic congestion and local parking strain, with the added likelihood of increased illegal parking while passerbys 'pop in' for familiar fast food, causing further negative impacts without any benefit whatsoever to the local community.

I do not believe the local community would gain any benefit from a McDonalds here and that most residents would feel it will have a negative impact and would object to this application if they were aware of it.

Kind regards
Karen Martin

From: Belle McIntyre <[REDACTED]> on behalf of Belle McIntyre

<[REDACTED]> <Belle McIntyre <[REDACTED]>

Sent on: Friday, January 30, 2026 2:57:31 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy Li,

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King Street isn't just a street. It's one of Sydney's most unique and creative precincts!

It's FULL of independent businesses, late-night food spots, art, culture, and community. It's a place that brings people together and celebrates diversity!!!!

These kinds of developments put pressure on small local businesses that make Newtown what it is. They create more traffic, more noise, and make the area less safe for pedestrians especially at night when the street comes alive.

We don't need another generic chain fast food store here. We need to protect what we already have! A thriving, diverse, and locally-owned community that people actually want to be part of!!!! CLEMS IS RIGHT THERE AND A DELICIOUS LOCAL FAST FOOD RESTAURANT!

This isn't just about one shopfront. It's about keeping the spirit of King Street alive!!!!!!!!

I staunchly oppose the proposal!

regards,
Belle McIntyre
a concerned local

From: James Khoo <[REDACTED]> on behalf of James Khoo <[REDACTED]> <James Khoo <[REDACTED]>
Sent on: Friday, January 30, 2026 9:50:58 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 to the City of Sydney Council – Objection to McDonald’s Proposal in Newtown

Re: Development Application RD/2025/585/B – Proposed McDonald’s Restaurant, King Street, Newtown

Dear Members of the City of Sydney Council,

I respectfully submit this objection to the proposed development application for a McDonald’s restaurant at King Street, Newtown. Based on the character of Newtown, community impact, and compliance with planning objectives, I believe this proposal is not suitable for the site and contrary to the public interest.

1. Incompatible with Newtown’s Local Character and Identity

Newtown is known for its vibrant, independent food scene and unique local culture — a place shaped by decades of small, locally-owned cafés, restaurants, and creative businesses. A major global fast-food chain such as McDonald’s would erode this identity by displacing the diversity and character that make Newtown distinctive and valued by residents and visitors alike. ([ABC](#))

The strength of local opposition — demonstrated by large volumes of public submissions against the previous application — reflects the community’s desire to protect this character. ([9News](#))

2. Unfair Competitive Impact on Local Businesses

Independent food operators in Newtown already face high rent, wages, and operating costs. A large corporate franchise benefiting from extensive marketing, lower supply costs, and economies of scale would create an uneven playing field. Small businesses may struggle to compete, potentially leading to closures and job losses in local enterprises. ([9News](#))

By contrast, the presence of diverse small eateries supports varied employment, locally sourced food, and a resilient economic ecosystem — outcomes that align with broader City of Sydney economic planning objectives.

3. Traffic, Safety, and Infrastructure Issues

Previous council assessments raised valid concerns about inadequate infrastructure associated with the proposal — including inadequate loading zones, reliance on footpaths for delivery movements, lack of toilets for customers, and limited parking — which could burden local streets and compromise pedestrian safety. ([9News](#))

Furthermore, NSW Police previously expressed concerns about possible increases in anti-social behaviour, noise, and traffic congestion resulting from extended trading hours, particularly if operations run late into the night. ([9News](#))

4. Unnecessary Redundancy and Public Health Considerations

King Street already hosts multiple takeaway food outlets, and there is no demonstrated community need for another large fast-food chain. Adding another high-volume fast food operator increases competition for what is already a saturated market. This duplication provides limited benefit, particularly given community interest in enhancing access to healthy, locally prepared food options. ([Change.org](#))

From a public health perspective, increasing the availability of low-nutritional fast food in environments where other healthy food options are available does not align with broader health objectives that councils increasingly adopt.

5. Negative Impacts on Amenity and Social Well-Being

A high-turnover, chain-style outlet — especially with late-night trading — can generate increased foot traffic and noise beyond the norms of King Street’s existing trading patterns. This activity risks undermining the amenity and liveability of the surrounding residential precinct, particularly for families, shift workers, and older residents who rely on peaceful streets at night. ([Sydney Meetings](#))

Additionally, evidence from previous proposals suggests concerns about litter, late-night congregation, and strains on waste management services if proper mitigation is not meaningfully addressed. ([Sydney Meetings](#))

Conclusion

In conclusion, the proposal for a McDonald’s restaurant in Newtown is inconsistent with the area’s unique character, puts local businesses at a competitive disadvantage, raises legitimate safety and infrastructure concerns, and does not demonstrate a community need. Based on these factors, I strongly urge the Council to **refuse** the development application in its current form.

Thank you for considering this submission.

Yours sincerely,
James

From: Lisa Gardner <[REDACTED]> on behalf of Lisa Gardner
<[REDACTED]> <Lisa Gardner <[REDACTED]>
Sent on: Friday, January 30, 2026 10:58:49 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li
Attachments: Delivery drivers outside 1 Watkin street in No Standing zone.pdf (99.25 KB), delivery drivers on Watkin street No Standing zone.pdf (167.82 KB), litter left by Uber Eats driver - witnessed dumping.pdf (189.39 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 Councillors,

I would like to object to the proposed development of a McDonalds at 212-214 King Street.

All the concerns raised in the previous application from this organisation still exist despite the minor modifications that have made to trading hours and their claim that the bike/footpath will be ok.

One of my main concerns is the impact on residents nearby, and in particular the uber eats or delivery bikes that are currently already a HUGE problem for residents that live in streets that come off King Street.

These bikes are mostly motorbikes that are loud and the drivers park in the No Standing zones on Watkin street on a daily basis and every night - where they are loud with their use of phones, their music playing and their bike engines idling. They also smoke and vape to the extent that this enters my home via door and window cracks. They also dump their own litter on the pavements and gutters - leaving mess and attracting rats.

This is currently having a huge environmental impact and is a health, waste and is safety and sanitary issue. The impact on residents is constant. This has escalated since covid and has never been addressed so has become worse as more and more of these delivery drivers operate around the increase in fast food outlets on King street that operate primarily for take away. If it is already not being managed surely a fast food outlet operating at late nights and early morning hours using more delivery drivers will be even worse.

I would like to request that the council puts up some signs similar to the No Stopping signs (which do n to stop them all gathering and parking for long periods on Watkin street anyway) to specifically state NO DELIVERY BIKE PARKING _ THIS IS A RESIDENTIAL ZONE.

Even with this - the problem will be difficult to manage.

My concern specifically relating to the McDonalds is that it will definitely generate more uber deliveries generating even more of the issues described above at hours where residents should surely be allowed to have some quiet and no their noise directly outside their homes, and it will also increase the other issue we have of people sitting on our pavements eating then leaving their litter. This take away has limited seating so we already have this issue and more take away with limited seating at late night means more people doing this.

The residents of Watkin street and other residential zones tolerate a lot of anti social behaviour with people drinking and yelling and fighting - and urinating - near our homes. I feel it is the responsibility to put measures in place to allow residents to feel safe and not have to continually deal with the impact of commercial premises. At 1 Watkin street I am separated from King street by one block - with Buckland lane. Can some form of limitation or boundary for people working with commercial premises by made at the lanes such as Buckland lane - to state that beyond that it is a

residential zone and requires quiet and no delivery driver parking. It would also be good to have no smoking and vaping directly outside homes such as is required in other buildings..

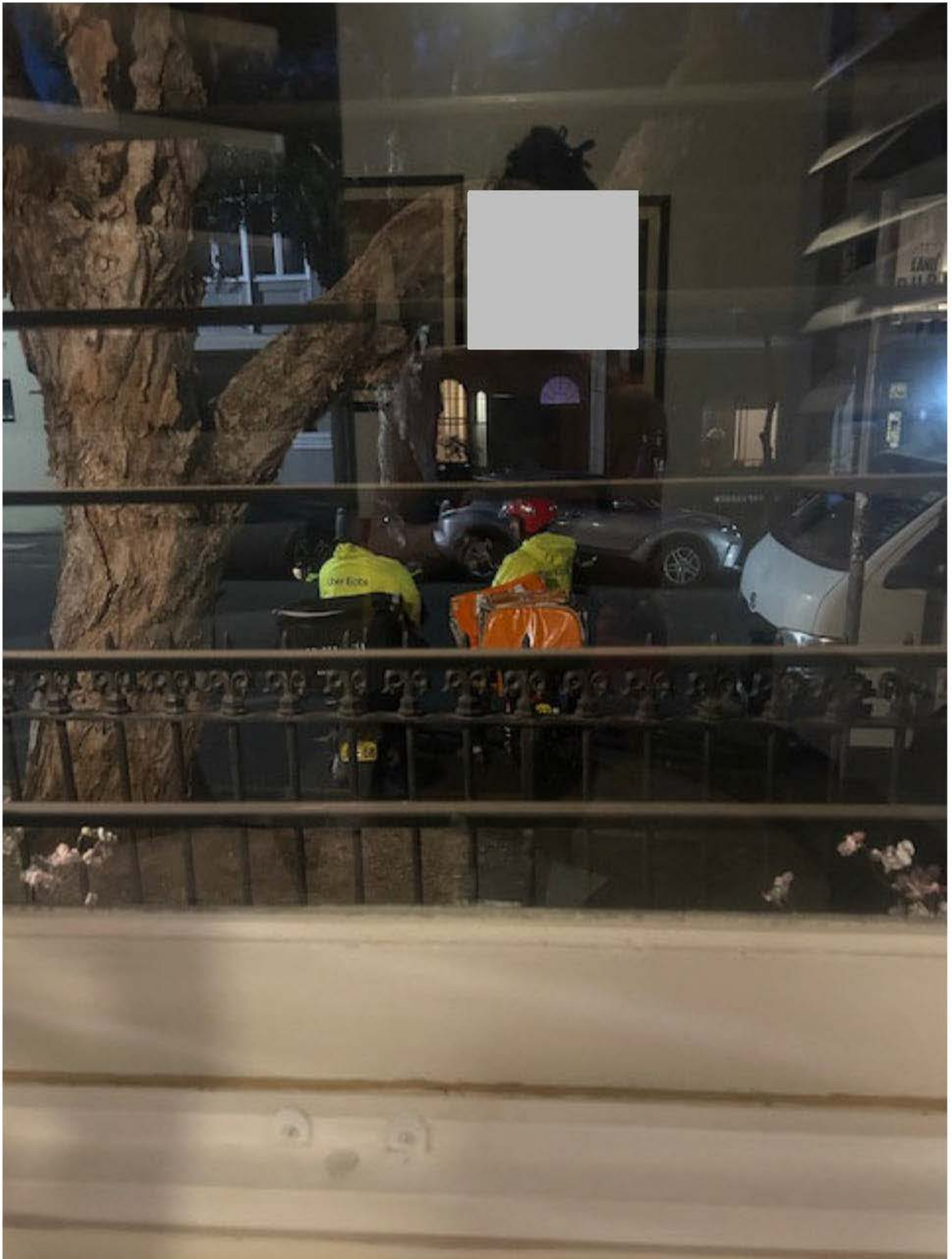
McDonalds cannot directly manage or control the impact of their late night trading and the behaviour of the delivery drivers or the public that purchase their take away and then eat it in the streets - so this is why they should not be allowed to open in the location. They are more suited to a commercial area that is not in the proximity of residential streets.

I have attached some pictures of delivery drivers parking in the No stopping zones, and the typical litter that is left by them. I could take photos all day and night - but don't as I am afraid of the reaction of the drivers. Sometimes the delivery drivers are also in cars that park in these No Stopping zones outside my home and it is the same ones most days - so clearly they are not getting tickets or they would stop doing this. It demonstrates that the problem is already difficult to manage and needs steps to stop this impact rather than adding to the problem with longer hours.

Kind regards
Lissa Gardner
1 Watkin street
Newtown

Lisa Gardner
Head of Performing Arts
Australian Performing Arts Grammar School









From: Anne Davarias <[REDACTED]> on behalf of Anne Davarias <[REDACTED]> <Anne Davarias
<[REDACTED]>
Sent on: Friday, January 30, 2026 7:10:13 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 do feel a take away operating until 2am is not appropriate with regards to noise levels and street waste management produced by customers. There are residential apartments above many of King Street & Brown Street buildings that would be affected by both noise and street waste.

The previous tenants have been businesses that do not generate street waste or noise. These have closed at a responsible hour.

I feel the pavement will become congested and blocked by online food delivery bikes and riders. This is already a hazard on the pavements now. Has any provision been made for this?

Please reconsider approval for the concerns raised above.

Regards,

Anne Davarias

Sent from Outlook for Android

Sent from [Outlook for Android](#)

From: <[REDACTED]>
Sent on: Monday, February 2, 2026 9:21:54 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li
Attachments: Letter of Objection to the Division 8.2 Review of Determination in respect of DA RD2025585B .pdf (59.76 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** a copy of my Letter of Objection to the Division 8.2 Review of Determination in respect of DA RD/2025/585/B

Regards,
Ben

City of Sydney Council
Town Hall House
456 Kent St
SYDNEY NSW 2000

2 February 2026

Re: Letter of Objection to the Division 8.2 Review of Determination in respect of DA RD/2025/585/B

To the Consent Authority,

I write to formally object to McDonald's Australia Limited's Division 8.2 Review of Determination in respect of DA RD/2025/585/B for alterations and additions for use as a takeaway food and drink premises with associated signage.

The Review material fails, again, to address fundamental and unresolved planning deficiencies. The proposal, as presented, remains wholly incapable of demonstrating that it can operate without unacceptable and unmitigated impacts on pedestrian safety, the public domain, and local residential amenity. These deficiencies are not minor or capable of being cured by conditions; they go to the core suitability of the site for the intensified use now sought.

1. Failure to Demonstrate Safe and Practical Pedestrian Access

The proposal does not adequately demonstrate safe and practical pedestrian access to and past the site, particularly having regard to the proposed servicing arrangements and the significant number of food delivery riders expected to use the premises.

The material provided fails to address how delivery riders, on bicycles and motorcycles, will interact with pedestrians within an already constrained footpath environment. The expectation that delivery riders will wait, congregate, manoeuvre, or park within the public footway is manifestly inappropriate and creates an obvious and foreseeable conflict with pedestrian movement.

No swept paths, rider management plans, footpath capacity analysis, or pedestrian safety assessments have been provided. The absence of this analysis is particularly concerning given the scale and intensity of modern app-based food delivery operations associated with premises of this nature.

In its current form, the proposal effectively externalises operational impacts into the public domain, contrary to basic principles of orderly and economic land use.

2. Absence of On-Site Parking for Delivery Riders

The proposal makes no provision for on-site parking or waiting spaces for delivery riders.

This omission will inevitably result in bicycles and motorcycles being parked on footpaths, against kerbs, or within pedestrian desire lines, obstructing the public domain and creating safety risks, particularly for people with mobility impairments, prams, and the visually impaired.

This outcome is entirely predictable and has been repeatedly observed at comparable premises. Yet the applicant has provided no credible strategy to avoid it.

The failure to accommodate delivery riders on-site is inconsistent with the objectives of the Sydney DCP 2012 relating to transport, parking, accessibility, and the protection of the public domain.

3. Non-Compliance with Sydney DCP 2012

The proposal does not comply with the relevant objectives and provisions of the Sydney DCP 2012, including but not limited to controls relating to:

- waste management and servicing,
- transport and parking,
- hours of operation,
- pedestrian safety and amenity, and
- protection of the public domain.

The Review submission does not meaningfully address these non-compliances, nor does it provide a justification demonstrating that the objectives of the controls are nonetheless achieved. A bare assertion that impacts can be managed through conditions is not a substitute for proper compliance or analysis.

4. Unresolved Internal and External Referral Issues

Matters raised by internal and external referrals remain unresolved. In particular, concerns regarding the absence of on-site bicycle parking and the lack of a dedicated loading zone have not been addressed.

Given the spatial constraints of the site, it is not credible to suggest that these impacts can be mitigated or minimised through conditions of consent. The physical limitations of the site mean that the impacts are inherent to the proposal itself.

Approving the development in the face of these unresolved issues would be inconsistent with the precautionary and orderly planning framework established under the Environmental Planning and Assessment Act 1979.

5. Inadequate Noise Assessment and Unacceptable Hours of Operation

The noise assessment report is plainly inadequate. It fails to meaningfully assess the cumulative impacts of extended trading hours, late-night servicing, delivery rider activity, and patron congregation associated with takeaway operations.

The proposed hours of operation are excessive and unreasonable in a context that directly interfaces with residential uses. The inevitable result will be sleep disturbance, loss of amenity, and ongoing conflict between the use and surrounding residents.

The suggestion that delivery riders will use the street footpath as an operational waiting and access area at late hours is, frankly, untenable. It demonstrates a complete disregard for both pedestrian amenity and residential impacts.

6. Unsuitability of the Site for the Intensified Use

Taken as a whole, the proposal demonstrates that the site is not suitable for the intensified takeaway and delivery-focused use now sought.

The applicant has failed to show that the development can operate:

- safely,

- without unreasonable impacts on pedestrians,
- without degradation of the public domain, and
- without unacceptable impacts on local residents.

These are not matters that can be deferred or conditioned away. They require substantive redesign or a refusal of consent.

7. Hours of Operation

The proposed hours of operation, 7.00am to 2.00am on Fridays and Saturdays and 7.00am to 11.00pm Sunday to Thursday, are wholly inappropriate for the site and entirely inconsistent with the protection of residential amenity required under section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*. Trading until 2.00am will inevitably result in late-night noise, loitering, delivery rider activity, servicing, and associated disturbance well beyond acceptable thresholds for a mixed-use or residentially proximate environment. The applicant has failed to demonstrate, through credible acoustic modelling or operational controls, that these impacts can be adequately managed or mitigated. In the absence of such evidence, the proposal effectively assumes that surrounding residents must bear the burden of a near-24-hour commercial operation. This is not a reasonable planning outcome and represents a clear and unacceptable overreach in operational intensity that the site is neither designed nor located to accommodate.

Conclusion

For the reasons set out above, the Division 8.2 Review should be refused. The proposal remains fundamentally deficient, non-compliant with applicable planning controls, and incapable of being conditioned to an acceptable standard.

To approve this development would be to knowingly sanction ongoing pedestrian conflict, public domain obstruction, and residential amenity impacts, contrary to the objectives of the planning framework.

Yours faithfully,



Ben Christoffel

From: Alice Williams <[REDACTED]> on behalf of Alice Williams
<[REDACTED]> <Alice Williams <[REDACTED]>
Sent on: Sunday, February 1, 2026 10:25:15 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy,

I'm writing to oppose the DA application on the basis of:

1. the poor cultural fit
2. damage to local business of this multinational on King St, Newtown.
3. It does not address safety concerns for pedestrians on King St with the volume of deliveries likely from the venue.
4. It is aesthetically out of keeping with suburb
5. It impacts the health of the community and environment negatively
6. and is a poor choice for fair employment
7. Smell and sound pollution

thank you for understanding these objections,

Alice Williams

From: Lulamay craufurd gormly <[REDACTED]> on behalf of Lulamay craufurd gormly
<[REDACTED]> <Lulamay craufurd gormly <[REDACTED]>

Sent on: Sunday, February 1, 2026 5:19:48 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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, please do not allow another McDonald's in the city of Sydney. There is one in just about every suburb and anyone in Newtown wishing to eat McDonald's can visit the 2 in Marrickville, Broadway, Annandale, st Peter's ... Or perhaps some of the many many small business vendors on king st itself.

I strongly reject this proposal as being good for the community in the slightest.

Lulamay, lifelong resident of the inner west of Sydney

From: Lachlan R. Dale <[REDACTED]> on behalf of Lachlan R. Dale
<[REDACTED]> <Lachlan.R.Dale@[REDACTED]>

Sent on: Sunday, February 1, 2026 2:23:06 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 in opposition to the Submission RD/2025/585/B at 212-214 King Street NEWTOWN NSW 2042.

Newtown is a thriving hub for independent and local businesses. Allowing McDonalds to move in will undermine the culture of the area, and its proud history of supporting local and independent business.

I also have concerns that we may see large crowds spilling out on the narrow pavement on King St, and that this will bring additional waste, congestion and noise.

I have lived in the area for 13 years now, and want to see the culture and history of the area maintained.

Thank you for your attention.

--

Lachlan Dale

Label Manager

Art As Catharsis + Worlds Within Worlds

From: nathan velt <[REDACTED]> on behalf of nathan velt <[REDACTED]> <nathan velt <[REDACTED]>

Sent on: Sunday, February 1, 2026 10:49:54 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

There's already enough McDonalds outlets in this country killing people. We don't need anymore.

Sent from my iPhone

From: Reuben <[REDACTED]> on behalf of Reuben <[REDACTED]> <Reuben <[REDACTED]>

Sent on: Saturday, January 31, 2026 6:09:53 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Systems Admin Planning <planningsystemsadmin@cityofsydney.nsw.gov.au>

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 support of the appeal against Development Application D/2025/585 for the proposed McDonald's at 212–214 King Street, Newtown.

While I do not live in Newtown itself, I live in a neighbouring suburb and spend the majority of my working and social time in Newtown. I work locally, meet clients and colleagues in the area, and regularly use King Street and its surrounding streets during both daytime and evening hours. As such, I experience Newtown not as a visitor, but as part of my daily routine and community life.

From this perspective, the proposed development raises serious concerns about cumulative impact, public health, and the ongoing erosion of what makes Newtown function as a distinctive and liveable place.

King Street is already a high-pressure environment. It carries heavy pedestrian traffic, significant vehicle movement, late-night activity, and a concentration of hospitality uses. Introducing a large-format, late-trading fast-food outlet into this context is not a minor change. It would further intensify congestion, noise, delivery traffic, litter, and crowding, particularly in the evening and late-night hours when the street is already operating at capacity.

Fast-food outlets of this scale have a well-documented tendency to externalise their impacts into the public realm. Queuing, loitering, delivery riders waiting on footpaths, idling vehicles, and discarded packaging all affect how the street is experienced by everyone who uses it, not just nearby residents. As someone who walks King Street frequently, I am concerned that this proposal would materially degrade the quality and safety of the public space.

There are also broader public health considerations that should not be dismissed. The site is located close to a local high school and along a major pedestrian route used daily by students. While the development is not directly adjacent to the school, its proximity means young people would be regularly exposed to the outlet before and after school. The concentration of fast-food outlets near schools and youth spaces is widely recognised as contributing to unhealthy food environments and poorer long-term health outcomes.

Planning decisions play a role in shaping the everyday choices people are nudged toward. Approving a major multinational fast-food outlet in this location sends a signal about what kinds of uses are prioritised in the heart of Newtown, and who the area is being shaped for.

I am also concerned about the consistency of this proposal with Newtown's established character. One of the reasons people from surrounding suburbs, including myself, are drawn to Newtown to work, socialise, and spend time is its fine-grain mix of independent businesses, cultural venues, and local services. The replacement of this diversity with large, standardised corporate formats risks turning King Street into something more generic and less resilient over time.

Finally, there is the issue of cumulative impact. Even if individual impacts are argued to be manageable in isolation, the combined effect of another late-trading, high-volume venue must be considered in the context of what already exists. From regular, lived experience of the area, it is difficult to see how this proposal would improve the functioning of King Street or serve the broader community that uses it daily.

For these reasons, I support the appeal and urge that Development Application D/2025/585 be refused. The proposal

does not represent a balanced or appropriate outcome for Newtown as a place of work, social life, and community.

Yours sincerely,

Reuben Alexander.



From: Ken Radford <[REDACTED]> on behalf of Ken Radford <[REDACTED]> <Ken Radford <[REDACTED]>
Sent on: Sunday, February 1, 2026 8:46:33 PM
To: council@cityofsydney.nsw.gov.au
Subject: Development Application RD/2025/585/B - 212-214 King Street, Newtown NSW 2042

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

In relation to the objections I am to make in regard to this development application I would like my name and address kept private.

I am objecting to the application on the following grounds, which are basically the same as my objections to the first application to use the site for a McDonalds' take away restaurant.

I appreciate that the revised application operating hours have been amended from 24 hour operation of the business but unfortunately can't comment on whether the new hours are similar to other food businesses in the area.

- I am still concerned that another fast food business will increase the number of Ebikes operated by home delivery companies, being ridden along the footpaths of King Street, Newtown. From what I observe there is no policing of the bike riders riding along the footpaths of King street now, making it dangerous at times to walk along the footpaths. At some food outlets there can be up to 5-6 bikes blocking the footpath. The revised application does not address this issue.

- The park known as the WJ Thurbon Reserve on Brown Lane is a popular spot for people who have bought takeaway food to sit and eat. Almost every morning the park is littered with garbage from these people even though there is a garbage bin on site. I believe another takeaway business, even with the change to operating hours, will increase the number of people using the reserve and increase the garbage left behind. The park also fronts a small apartment building, with residents already having problems with the noise from people using the reserve late at night. Recently a person, from premises adjacent to the said building, confronted people who were leaving the park late at night about the noise they were making and got hit over the head with a bottle. Police caught the culprit.

Regards

Ken Radford
5/1B Whateley Street,
Newtown NSW 2042

From: Anne B <[REDACTED]> on behalf of Anne B <[REDACTED]> <Anne B <[REDACTED]>
Sent on: Monday, February 2, 2026 11:41:48 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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've studied the revised application.

Below are a few issues that I've noted.

The architectural drawing for the front right of the store, (214) is noted as opening bi-fold windows - which suggests that it's a serving area for the cafe/coffee area. In fact it is opening bi-fold doors for access from the street front for deliveries. The doors are noted in the design notes but not the drawings.

The delivery solution of a palletised truck for large deliveries with a ramp or access platform will create a hazard for pedestrians. It narrows the footpath considerably for safe passage in front of the store.

The surveyed usage of the loading zone was conducted during the examination period for the University of Sydney. This is a period when most students aren't on campus or aren't wandering into Newtown to shop. This means that the loading zone could have been seriously under utilised for deliveries to all nearby retail outlets.

Brown Lane cannot be used for loading and unloading, however the grease arrestor/trap is located at the back of the building - Brown Lane. Upon research I've noted -

"Most grease traps need emptying twice a month. A typical restaurant can produce 2 litres of grease and sludge a day. In a 100 litre grease trap. So every two weeks is about right in that case. If the same application has a 200 litre grease trap then once a month is probably sufficient. That said, it depends on the number of meals per day and in many cases the type of food being served.

The process typically takes 30 minutes to an hour, depending on the size and condition of the grease trap."

This indicates that the area behind the store - with a 'No Stopping' sign in Brown Lane will be compromised for extended periods - this will increase any traffic congestion that is already occurring.

McDonald's has already opened and closed a store in Newtown - in 1989 - 1998 - it's location was closer to the station, which makes sense for pedestrian traffic. This store also had no public toilets, which is part of the expectation of customers as part of the McDonald's experience. Fabulous clean toilets to use after a meal or drink. My older sister was a manager at the Gladesville store and told me how important the toilets were for the customers. With seating for only 12 customers, this McDonald's is really not much more than many other hole in the wall takeaway outlet.

There are already several restaurants and takeaways along this stretch of King Street and no convenient stopping places for the Uber Eats and other delivery services. One restaurant even has a notice for the pick up people to stay outside - this increases issues for pedestrians, mothers and prams and older people try to navigate their way along the footpath.

There are approximately 10+ empty food outlets, take away businesses in King Street between Queen Street and Mary Street. One of the significant recent closures December/January is Big Daddy's Burger Bar - an American style burger joint at 227 King Street, diagonally opposite the proposed McDonald's site, that opened 10 years ago.

In my opinion and based on the above issues Newtown doesn't need a McDonald's outlet.

kind regards

From: [redacted] <[redacted]> on behalf of [redacted] <[redacted]>
[redacted] <[redacted]>
Sent on: Saturday, January 31, 2026 2:57:06 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 object to the above proposal.

Approving fast food multi nationals KFC and McDonald's is an impingement on the unique atmosphere of King St.

There are already in operation smaller 'burger' outlets which border on the junk food' category. The food sold at KFC and McDonald's promotes further unhealthy eating choices. The hours of the proposed operation are very long and could easily attract undesirable people hanging about late at night.

There are family run eating places such as Clem's which have loyally stayed for a very long time.

In my opinion, the unique atmosphere in King St is slowly going downhill with 'junky' tobacco stores and too many ice cream outlets.

yours sincerely

[redacted]
Camperdown

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, February 2, 2026 3:22:57 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Object to Submission RD/2025/585/B

From: Tanya Stevanovic <[REDACTED]>
Sent: Monday, 2 February 2026 3:22 PM
To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Object to Submission RD/2025/585/B

Caution: 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: I Object to Development Application RD/2025/585/B – 212-214 King Street, Newtown

The Displacement of Newtown's Unique Character.

To whom it may concern,

I'm writing again as a long-term Newtown retailer and resident to express deep concern over recent shifts in the area's retail makeup — particularly the replacement of unique, independent businesses by generic fast food outlets, and the resulting erosion of the very qualities that Council itself promotes as Newtown's defining character.

Newtown's success as a local and visitor destination has always been tied to its diversity, walkability, creative spirit, and distinctive, fine-grain retail offerings. This is not just a matter of pride — it's a deliberate point of promotion by Inner West Council. Newtown is celebrated as a place of vibrant culture, independent trade, and inclusive street life.

But that identity is now at risk.

Within 100 metres of my home, there are now so **many fast food outlets**, with more on the way. A McDonald's is set to open in a site previously home to a **fashion and jewellery** store — a telling example of how the "Newtown character" is being pushed out by retail types readily available in nearby centres like Broadway. This shift is not just aesthetic — it undermines the distinctiveness that draws people here in the first place.

This is a textbook example of planning decisions favouring **short-term convenience over long-term place value**. Encouraging the lowest-common-denominator retail — takeaway food, mass chains, and late-night-only uses — without protections for smaller, character-rich businesses is a dangerous path. It leads to monocultures that drive out residents, discourage diversity, and ultimately render once-thriving precincts sterile or unsafe.

We've seen this before. Kings Cross offers a cautionary tale: a vibrant area transformed over time into a late-night monoculture, its fine-grain retail and continental charm swept away by noise, alcohol, and over-saturation. What followed was a loss of community trust, increased crime, and eventual government intervention. It's a high price for poor planning.

Cities like **Paris** take a more strategic, character-focused approach. There, municipal authorities actively regulate business mix to ensure diversity — even **subsidising rent** when vital businesses (like a single neighbourhood bakery) are at risk of disappearing. This sort of **mixed-use resilience** ensures neighbourhoods remain liveable, attractive, and community-led.

Importantly, this isn't just an overseas ideal. The **NSW Government now provides clear placemaking guidelines** that explicitly encourage Councils to support:

- A diverse mix of land uses and business types
- Independent and local ownership
- Protection and enhancement of unique local identity
- Balanced, community-informed night-time economies

Council is also aware that this stretch of King Street **is not** part of a designated **Special Entertainment Precinct (SEP)**. Unlike Enmore Road (already designated as NSW's first SEP), King Street is not zoned to carry the associated burdens of extended late-night activity, noise, or food service clustering. Yet that's precisely what's occurring **184**rough planning by neglect rather than design.

A successful precinct — whether in Sydney, Paris or elsewhere — requires the **right mix of businesses, housing, and public uses**. Without this, we risk becoming just another oversaturated corridor of takeaway and noise, indistinct from Broadway, Parramatta Road, or any other fast-food strip.

I urge Council to consider:

- 1. Introducing planning controls to limit over-concentration of specific business types (e.g., fast food, alcohol, late-night takeaway)
 - 2. Actively protecting and promoting character-driven, independent retail through zoning, grants, and promotion
 - 3. Ensuring that the policy aligns with the placemaking principles already outlined by the NSW Government
 - 4. Publicly committing to maintaining and enhancing the unique identity of King Street, not eroding it through passive approvals
- Newtown is a place of **community, creativity and character**. But that didn't happen by accident — and it won't survive by accident either.

Yours sincerely,

Tanya Stevanovic



Tanya Stevanovic

Customer Service



[Discover New Arrivals](#) [Build Your Own Bundle & Save 20%](#)

From: Julie Baker <[REDACTED]> on behalf of Julie Baker <[REDACTED]> <Julie Baker
<[REDACTED]>

Sent on: Monday, February 2, 2026 6:55:11 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Fwd: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 was unable to submit feedback on this DA via the ePlanning search - city.sydney/find-da (preferable). The link kept presenting a blank page when I clicked on the Agree button.

I am writing to object to RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042.

My concerns are:

- Insufficient garbage bins both within the premises and along to King Street to manage all the rubbish that will be produced. It is not unusual for people to just drop their litter in the street once they have finished consuming whatever they purchased. This will be exacerbated by McDonalds which I expect would have a higher turnover of customers and thus produce more waste to be discarded on the street. This creates a health risk and generally makes King Street look untidy.
- Extended hours of operation on Fridays and Saturdays - I would like to see this reduced to 7am - midnight. In my opinion, longer hours are not necessary and will only disturb local residents.
- Additional delivery drivers trying to collect food, which creates further hazards for both through traffic and pedestrians.
- Potential traffic disturbances caused by delivery vans providing the produce, meat and other items needed by McDonalds to operate. Brown Lane is compact and King Street is a clearway on that side in the evenings.

My objections do not relate to whether we do or don't need another fast food operator on King Street, more the negative impact this operator will have on the functioning of King Street and the overall neighbourhood.

Thanks.
Julie Baker

Julie Baker
[REDACTED]
[REDACTED]

----- Forwarded message -----

From: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>

Date: Thu, 22 Jan 2026 at 14:05

Subject: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

To:

Applicant name:

MCDONALD'S AUSTRALIA LIMITED

Reference number:

RD/2025/585/B

Site address:

212-214 King Street, NEWTOWN NSW 2042

Proposed development:

Division 8.2 Review of alterations and additions for use as a takeaway food and drink premises with associated signage. Proposed hours of operation are 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday.

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 **13 February 2026**. 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 [cityofsydney/find-da](https://cityofsydney.nsw.gov.au/cityofsydney/find-da) in the address bar on your browser.

You can get guidance on preparing your comments and what happens next on the back of this letter, or by typing [cityofsydney/development-comment](https://cityofsydney.nsw.gov.au/cityofsydney/development-comment) in the address bar on your browser.

For more information, contact us on 02 9265 9333.

Bill MacKay
Manager Planning Assessments



cityofsydney.nsw.gov.au

Providing feedback on development proposals

1. If you would like to comment on the proposal, you can email your feedback before the closing date at ePlanning search - [cityofsydney/find-da](https://cityofsydney.nsw.gov.au/cityofsydney/find-da) (preferable) or by posting to City of Sydney, GPO Box 1591, Sydney NSW 2001, including the relevant application number and address. If your feedback is an objection, your reasons should be clearly given. We would like to know about the issues that are important to you.

2. City of Sydney employees assess applications against planning criteria in local planning

controls and state legislation. You can view the planning controls on our website at cityofsydney.nsw.gov.au/development-control-plans.

3. We will send you a letter or email confirming we have received your feedback and will carefully consider it as part of the assessment.
4. Any feedback about this development will **not** be kept confidential and will be made completely available on the City of Sydney's website as explained in the terms and conditions of making a submission in ePlanning search.
5. If you want some or all identifying information about you to be private, instead of using ePlanning search send your feedback to council@cityofsydney.nsw.gov.au. You must include the relevant application number, and the site address in your email. Tell us what identifying information you want kept private in the first paragraph of your feedback. We will still publish your feedback but with information which may identify you withheld.
6. Feedback is routinely placed on the NSW Planning Portal. Even when your privacy is requested, personal information within these copies will be available in the portal to applicants and external agencies.
7. If amendments are made to the application before determination and City of Sydney employees consider these to be minor or to reduce impacts, you will not be notified again. However, we will contact you if significant changes are made to the current proposal.
8. The Local Planning Panel or the Central Sydney Planning Committee will directly determine more significant or contentious applications. The committee deals with applications valued over \$50 million. Applications that involve minor development or less complex issues will ordinarily be determined under delegation of Council, by the Director of City Planning, Development & Transport.
9. If the application is to be determined by the Local Planning Panel, City of Sydney employees will contact people who provided feedback, wherever possible. Due to the short timeframe from when an agenda is published to the meeting taking place, it is not always practical to post a letter to people who commented. We ask you to include a daytime phone number or email address, so we can contact you quickly.
10. The Local Planning Panel generally meets every second Wednesday. The Central Sydney Planning Committee generally meets every 3 weeks on Thursday evenings. The public is welcome to attend these meetings, which are held in the Council Chambers at Sydney Town Hall, 483 George Street. Contact Secretarial on 02 9265 9333 to find out the dates and times of the next meetings. You can ask to speak at committee meetings, and if this is possible, you will have three minutes to present your issues.
11. Agendas and reports for committee are generally available one week before the meeting on the City of Sydney's website, meetings.cityofsydney.nsw.gov.au. Copies are also available free of charge from our customer service centre at Town Hall House and our neighbourhood service centres in Glebe, Green Square and Kings Cross.
12. When a final decision is made about an application, we will inform everyone who gave feedback about the outcome. For development proposals determined by the Local Planning Panel or Central Sydney Planning Committee, the minutes of meetings will be available on the City of

Sydney's website.

13. Should you provide feedback, if you have given a gift or made a donation to a councillor, employee or approved contractor of the City of Sydney in the past 2 years, you must include a disclosure statement with your feedback (city.sydney/disclose-donation-gift). Failure to disclose relevant information is an offence under the *Environmental Planning and Assessment Act 1979*. It is also an offence to make a false disclosure statement.

14. City of Sydney employees are available to assist you. You can talk with City of Sydney planner dealing with the application about its progress, planning controls, the possible timing of consideration by committee (if applicable) and further information on anything that is not clear from the application documents.

_ 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: Georgia Verkuylen <[REDACTED]> on behalf of Georgia Verkuylen
<[REDACTED]> <Georgia Verkuylen <[REDACTED]>
Sent on: Tuesday, February 3, 2026 9:49:33 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 Cissy and Sydney City Council,

As local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Best,

Georgia

From: Neva Frecheville <[REDACTED]> on behalf of Neva Frecheville
<[REDACTED]> <Neva Frecheville <[REDACTED]>

Sent on: Tuesday, February 3, 2026 7:43:39 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

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King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

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The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

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The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Kind regards,

Neva

From: Shannon Keogh <[REDACTED]> on behalf of Shannon Keogh
<[REDACTED]> <Shannon Keogh <[REDACTED]>

Sent on: Tuesday, February 3, 2026 10:36:33 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 Inner West residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

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The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

SHANNON KEOGH

[REDACTED]

From: Edwin O <[REDACTED]> on behalf of Edwin O <[REDACTED]> <Edwin O <[REDACTED]>

Sent on: Tuesday, February 3, 2026 12:10:48 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

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Dear Cissy

As local resident, I continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

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The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

I respectfully request the Council of Sydney refuse this application.

Yours sincerely,

Edwin Obando

Local resident

From: Davinder Mann <[REDACTED]> on behalf of Davinder Mann
<[REDACTED]> <Davinder Mann <[REDACTED]>
Sent on: Tuesday, February 3, 2026 11:52:04 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

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Dear Cissy

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The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

Kind regards

Davinder Mann

From: Samantha Donnelly <[REDACTED]> on behalf of Samantha Donnelly
<[REDACTED]> <Samantha.Donnelly@[REDACTED]>

Sent on: Tuesday, February 3, 2026 2:55:46 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: FW: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 Mr McKay and Planning Department

Thank you for the opportunity to comment on the proposed Development RD/2025/585/B for 212-214 King Street, NEWTOWN NSW 2042, for McDonalds Australia Ltd.

I urge Council to **reject** the proposed development on the following grounds:

1. The proposed development further increases the potential for crime in an area that already experiences twice the level of crime experienced in NSW (CPTED Report, p.3). The introduction of a fast-food outlet, in particular, McDonald's, automatically increases late night interaction with public exiting pubs and venues, and creates the conditions for increased levels of crime and violence. This area is adjacent a medium density residential area with many young families.
2. The proposed development increases the level of acoustic interference in the area, particularly late at night. The addition of exhaust fans, motors, air-conditioning systems, deliveries, rubbish collection, and general noise from public until 2am is not reasonable given the residential nature of this particular area of King Street.
3. The proposed development does not adequately address the mitigation of odours, negatively impacting the existing air quality in the area. The air quality report shows insufficient detail to address the population sensitivity and health impacts, refer to Air Quality report (p. 18), specifically the impacts of fast-food exhaust waste and the increased levels of grease and smoke in the atmosphere. The report suggests increased, regular waste collection which further decreases amenity for local residents with increased noise. Waste collection requires increased access to the rear lane, roller door access, also increasing the potential for crime.
4. The proposed development does not address the increased danger from delivery bikes and e-bikes left on the footpath, particularly when this site is adjacent a busy pedestrian intersection and traffic light crossing. Increased accidents and dangers are not adequately addressed in the Traffic Management Report.
5. The proposed development will increase the incidence of litter in the area. McDonald's is one of the most littered brands worldwide, and beyond recommendations that the site be 'regularly cleaned' there is no suitable solution to the enormous environmental problem of food and beverage packaging that surrounds all the existing McDonalds sites in Australia and internationally.

Council should seriously consider the social and political implications of welcoming a McDonalds franchise to Newtown which is an area renowned for its social diversity and cohesion. By supporting a multi-national, problematic franchise like this one in preference to an Australian creative, retail, hospitality organisations, Council is not following through on its Community Strategic Plan which states that Council is committed to: environmental sustainability, healthy food options, culturally diverse business, and safe, welcoming environments.

Thank you for your attention to this matter.

Kind regards

Dr Samantha Donnelly

Lecturer / Course Director
School of Interior Architecture
Faculty of Design and Society
University of Technology Sydney
Level 5, 702 -730 Harris Street, ULTIMO NSW 2007

E: [REDACTED]

ORCID: 0000-0001-8558-8285

Selected publications

Donnelly, S. (2025). "Unplanned Interiors As Care: Trauma-Informed Design and Everyday Spatial Practices in Women's Refuges". *Idea Journal* 22 (1):112–126. <https://doi.org/10.37113/ij.v22i1.617>

Donnelly, S. (2024) Women's refuges as workplaces: Design for care-practices in NSW (under embargo until 2026).

Donnelly, S. (2020). Design guide for refuge accommodation for women and children. UTS <https://doi.org/10.57956/68ZE-Z882>

Donnelly, S., Dyring, S, Kalms, N. and Stead, N. (2022). A design guide for older women's housing. (Monash University).

https://www.monash.edu/_data/assets/pdf_file/0012/2879553/A-Design-Guide-for-Older-Womens-Housing.pdf

UTS Stories 2025: <https://www.uts.edu.au/stories/designing-safety-shaping-policy>

From: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>

Date: Thursday, 22 January 2026 at 14:05

To:

Subject: [EXTERNAL] RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Applicant name:

MCDONALD'S AUSTRALIA LIMITED

Reference number:

RD/2025/585/B

Site address:

212-214 King Street, NEWTOWN NSW 2042

Proposed development:

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We are accepting comments on the proposal until **13 February 2026**. 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 [cityofsydney/find-da](https://cityofsydney.nsw.gov.au/cityofsydney/find-da) in the address bar on your browser.

You can get guidance on preparing your comments and what happens next on the back of this letter, or by typing [cityofsydney/development-comment](https://cityofsydney.nsw.gov.au/cityofsydney/development-comment) in the address bar on your browser.

For more information, contact us on 02 9265 9333.

Bill MacKay

Manager Planning Assessments



cityofsydney.nsw.gov.au

Providing feedback on development proposals

1. If you would like to comment on the proposal, you can email your feedback before the closing date at ePlanning search - [cityofsydney/find-da](https://cityofsydney.nsw.gov.au/cityofsydney/find-da) (preferable) or by posting to City of Sydney, GPO Box 1591, Sydney NSW 2001, including the relevant application number and address. If your feedback is an objection, your reasons should be clearly given. ~~2024~~ we would like to know about the issues that are

important to you.

2. City of Sydney employees assess applications against planning criteria in local planning controls and state legislation. You can view the planning controls on our website at cityofsydney.nsw.gov.au/development-control-plans.
3. We will send you a letter or email confirming we have received your feedback and will carefully consider it as part of the assessment.
4. Any feedback about this development will **not** be kept confidential and will be made completely available on the City of Sydney's website as explained in the terms and conditions of making a submission in ePlanning search.
5. If you want some or all identifying information about you to be private, instead of using ePlanning search send your feedback to council@cityofsydney.nsw.gov.au. You must include the relevant application number, and the site address in your email. Tell us what identifying information you want kept private in the first paragraph of your feedback. We will still publish your feedback but with information which may identify you withheld.
6. Feedback is routinely placed on the NSW Planning Portal. Even when your privacy is requested, personal information within these copies will be available in the portal to applicants and external agencies.
7. If amendments are made to the application before determination and City of Sydney employees consider these to be minor or to reduce impacts, you will not be notified again. However, we will contact you if significant changes are made to the current proposal.
8. The Local Planning Panel or the Central Sydney Planning Committee will directly determine more significant or contentious applications. The committee deals with applications valued over \$50 million. Applications that involve minor development or less complex issues will ordinarily be determined under delegation of Council, by the Director of City Planning, Development & Transport.
9. If the application is to be determined by the Local Planning Panel, City of Sydney employees will contact people who provided feedback, wherever possible. Due to the short timeframe from when an agenda is published to the meeting taking place, it is not always practical to post a letter to people who commented. We ask you to include a daytime phone number or email address, so we can contact you quickly.
10. The Local Planning Panel generally meets every second Wednesday. The Central Sydney Planning Committee generally meets every 3 weeks on Thursday evenings. The public is welcome to attend these meetings, which are held in the Council Chambers at Sydney Town Hall, 483 George Street. Contact Secretarial on 02 9265 9333 to find out the dates and times of the next meetings. You can ask to speak at committee meetings, and if this is possible, you will have three minutes to present your issues.
11. Agendas and reports for committee are generally available one week before the meeting on the City of Sydney's website, meetings.cityofsydney.nsw.gov.au. Copies are also available free of charge from our customer service centre at Town Hall House and our neighbourhood service centres in Glebe, Green Square and Kings Cross.
12. When a final decision is made about an application, we will inform everyone who gave feedback about the outcome. For development proposals determined by the Local Planning Panel or Central Sydney Planning Committee, the minutes of meetings will be available on the City of Sydney's website.
13. Should you provide feedback, if you have given a gift or made a donation to a councillor, employee or approved contractor of the City of Sydney in the past 2 years, you must include a disclosure statement with your feedback (cityofsydney.nsw.gov.au/disclose-donation-gift). Failure to disclose relevant information is an offence under the *Environmental Planning and Assessment Act 1979*. It is also an offence to make a false disclosure statement.
14. City of Sydney employees are available to assist you. You can talk with City of Sydney planner dealing with the application about its progress, planning controls, the possible timing of consideration by committee (if applicable) and further information on anything that is not clear from the

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.

UTS CRICOS Provider Code: 00099F DISCLAIMER: This email message and any accompanying attachments may contain confidential information. If you are not the intended recipient, do not read, use, disseminate, distribute or copy this message or attachments. If you have received this message in error, please notify the sender immediately and delete this message. Any views expressed in this message are those of the individual sender, except where the sender expressly, and with authority, states them to be the views of the University of Technology Sydney. Before opening any attachments, please check them for viruses and defects. Think. Green. Do. Please consider the environment before printing this email.

From: [redacted] <[redacted]> on behalf of [redacted]
<[redacted]> <[redacted]>

Sent on: Tuesday, February 3, 2026 9:39:09 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042

Caution: 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 Councillors,

My name is [redacted]. I reside at [redacted] and I do not consent to my name and address being printed in this submission.

I stand in strong opposition to the proposal. In 2025 the community was asked for feedback regarding their first application (D/2025/585) and it was refused. A variety of reasons were listed in the final Determination letter, but the most important element was that a "takeaway food and drink premises is not suitable for the site"

The applicants have tried to resubmit their application, but the bottom line is still the same. MacDonalds may be framed as a matter of convenience or commercial freedom, but the reality is that this move threatens the heart and soul of what makes Newtown unique—its thriving community of independent restaurants and local culture.

1. A Threat to Newtown's Local Business Ecosystem

Newtown is known across Sydney for its diverse, independent food offerings—from family-run Thai and Lebanese eateries to vegan cafés and craft burger joints. These businesses are deeply embedded in the community, reinvesting profits locally and providing meaningful employment. A multinational fast-food outlet undercuts these establishments. There is already a MacDonalds located in Stanmore, Ultimo, Green Square, Waterloo, St Peters and Marrickville. All locations are **under** 5km radius to the proposed location.

2. No Substantial Local Employment Benefit

This proposed McDonald's branch plans to operate with **minimal staff**, relying heavily on **automated kiosks and self-serve technology**. That means **little to no meaningful job creation for local residents**, especially compared to small restaurants in Newtown that employ chefs, waitstaff, cleaners, and suppliers. The idea that this development supports local employment simply doesn't hold up to scrutiny.

3. Misaligned with Community Values and Needs

McDonald's risks increasing late-night noise, litter, loitering, and antisocial behaviour—all of which place additional strain on local services and police. This would disrupt the lives of nearby residents and undermine the area's liveability. The use of e-bikes and delivery service drivers utilising existing bike racks will mean that our local community can not use them. While MacDonald's has noted in their Plan of Management, bikes "will be prohibited from parking on the footpath" who is going to monitor this?

4. A Dangerous Precedent for the Inner West

Approving this would set a precedent not just for Newtown, but across the Inner West. It opens the door for more large-scale franchises to push in, putting even more pressure on small businesses and gradually eroding the character of our high streets. This is the start of a slippery slope that could turn a creative, community-focused precinct into just another commercial strip.

Newtown isn't just a place to grab a quick meal—it's a community. It's a place built by locals, for locals, and shaped by independent thinkers and creators. A McDonald's does nothing to serve that community, and much to harm it.

We ask you to put Newtown's character, people, and small businesses first by rejecting this proposal outright.

Thank you.



--

"Don't wait until everything is just right. It will never be perfect. There will always be challenges, obstacles and less than perfect conditions. So what. Get started now." (M.V. Hansen)

From: [redacted] <[redacted]> on behalf of [redacted] [redacted]
[redacted] <[redacted]>

Sent on: Tuesday, February 3, 2026 9:38:29 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Attn: City of Sydney Planning Department

Re: RD/2025/585/B, Division 8.2 Review of alterations and additions for use as a takeaway food and drink premises with associated signage at 212-214 King Street NEWTOWN NSW 2042

As a resident of Newtown, I object to the revised development application for a McDonalds takeaway outlet at 212-214 King Street, Newtown. I request that all my identifying information be withheld from public disclosure for privacy reasons.

The proposed reduction of the premises' hours of operation (from 24/7 to 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday) and any other modifications included in the revised application do not address the concerns raised regarding the initial proposal.

My objections to the development continue to include:

Late-night disturbances: A late opening fast-food outlet will result in risks like noise, litter, and antisocial behaviour – these are acknowledged by the applicant in the DA. King Street is a shared space, not just a commercial zone, and its late-night culture should reflect the values of respect, safety, and connection that the Newtown community values.

Local character and culture: The Newtown community proudly supports its small businesses and quirky, creative culture. A McDonalds franchise does not reflect our values. Recent additions like KFC, Priceline, and too many tobacconists to mention are already filling our high street with garish lighting and signage. Please don't allow another addition to this disturbing trend.

Heritage significance: The branding, lighting, and design language of the McDonalds franchise is at odds with the historic character of Newtown. I disagree with the applicant's claim that the proposed development would have an "acceptable impact" on the heritage value of the area. The recent trend of approving the addition of chain retailers with brightly coloured signage on King Street (KFC, Priceline, Chemist Warehouse) is already damaging the aesthetic and cultural significance of the area, paving the way for the erosion of heritage protections across Sydney's historically rich and socially distinctive precincts.

Pedestrian and traffic safety: A high-volume business like McDonalds will add pressure to already congested footpaths and roads along King Street, creating risk for pedestrians and disrupting the flow of daily life in the area.

Independent ownership at risk: As a multinational chain McDonalds operates on a scale that allows it to undercut local food businesses on price, which will lead to the erosion of Newtown's independent food scene as small operators are priced out.

Health impacts: A McDonalds on King Street would encourage poor dietary habits, particularly among young people and community members who are financially vulnerable, and make it harder for the local community to promote and access healthier choices.

Oversupply of takeaway options: Newtown's takeaway food options represent an already saturated market. There is no gap that a McDonalds would be filling, apart from expanding the footprint of multinational chains at the expense of local and independent businesses.

I urge the Council to protect the cultural identity of Newtown and support local business owners by rejecting this application based on the negative long-term social and cultural impact of this development.

Sincerely,

[Redacted]

From: [REDACTED] <[REDACTED]> on behalf of [REDACTED]
<[REDACTED]> <[REDACTED]> <[REDACTED]>
Sent on: Tuesday, February 3, 2026 9:39:09 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042

Caution: 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 Councillors,

My name is [REDACTED]. I reside at [REDACTED] and I do not consent to my name and address being printed in this submission.

I stand in strong opposition to the proposal. In 2025 the community was asked for feedback regarding their first application (D/2025/585) and it was refused. A variety of reasons were listed in the final Determination letter, but the most important element was that a "takeaway food and drink premises is not suitable for the site"

The applicants have tried to resubmit their application, but the bottom line is still the same. MacDonalds may be framed as a matter of convenience or commercial freedom, but the reality is that this move threatens the heart and soul of what makes Newtown unique—its thriving community of independent restaurants and local culture.

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We ask you to put Newtown's character, people, and small businesses first by rejecting this proposal outright.

Thank you.



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"Don't wait until everything is just right. It will never be perfect. There will always be challenges, obstacles and less than perfect conditions. So what. Get started now." (M.V. Hansen)

From: [redacted]) <[redacted]> on behalf of [redacted])
<[redacted]> <[redacted]>) <[redacted]>

Sent on: Wednesday, February 4, 2026 11:20:23 AM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: [redacted]

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 local resident and would like to request that council refuse this application on the following grounds:-

1. McDonald's franchise is not in keeping with the local area
2. Increased Food delivery riders are dangerous to pedestrians and cause blockage of footpaths
3. 24 hour operation will increase noise pollution between midnight and 6am both from operations and noisy patrons
4. There is a McDonalds in Stanmore only 2km away

Thankyou

[redacted]

This email is intended for the addressee named and may contain confidential information. If you are not the intended recipient, you must not disclose, copy or distribute this email. If you have received this email in error, please notify the sender immediately, delete it from your system and destroy any copies.

Views expressed in this message are those of the individual sender, and are not necessarily the views of NSW Health or any of its entities.

From: [REDACTED] <[REDACTED]> on behalf of [REDACTED] <[REDACTED]> <[REDACTED]>
[REDACTED] <[REDACTED]>
Sent on: Thursday, February 5, 2026 2:38:33 PM
To: council@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/585B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy L
Attachments: Submission - D2025585B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy L.msg
(136 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.

From: [redacted] <[redacted]> on behalf of [redacted]
[redacted] y <[redacted]>
Sent on: Thursday, February 5, 2026 2:38:33 PM
To: council@cityofsydney.nsw.gov.au
Signed by: [redacted] on Thursday, February 5, 2026 2:38:22 PM
Subject: Submission - D/2025/585B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy L
Attachments: Nameless.txt (5.14 KB)

Dear Ms Li,

I wrote to you on 30/07/2025 to lodge my objection to this initial application. I have appreciated being kept informed regarding developments.

Please note that I do not consent to my name and address being published due to the nature of my employment [redacted]. **Publication of these details may place me and my family at risk.** Please redact my name or use a pseudonym to publish information.

I am a Newtown resident and live close to the proposed development above. As previously noted, my family and I love living in Newtown and our vibrant restaurant and nightlife, many of which are small businesses and provide a community feel that is unique. My children are proud Newtown residents and often comment on how lucky we are to live in an area that is so different to other places and where we have so many opportunities to eat good food.

As such, I continue to strongly object to the proposed McDonald's on King Street, Newtown.

The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the

independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Thank you for your ongoing consideration,

[Redacted signature]

[Redacted address]

From: [redacted] <[redacted]> on behalf of [redacted] <[redacted]>
<[redacted]>

Sent on: Thursday, February 5, 2026 3:00:29 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 submitting this objection to RD/2025/585/B as a local resident. Please exclude my name, email address, and phone number (if on file) be kept private.

As local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

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The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Sincerely,

[Redacted signature]

[Redacted address]

Redfern NSW 2016

From: ryan schiff <[REDACTED]> on behalf of ryan schiff <[REDACTED]> <ryan.schiff@[REDACTED]>
Sent on: Friday, February 6, 2026 11:45:33 AM
To: council@cityofsydney.nsw.gov.au
Subject: RD/2025/585/B objection
Attachments: McDonalds King St Newtown Objection.docx (18.98 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 there,

Please find attached an objection letter to the proposed development at 212-214 King St Newtown 2042.

--

Thanks
Regards
Ryan Schiff

To: City of Sydney Council

Re: DA for McDonald's, 212–214 King Street, Newtown

Reference Number: RD/2025/585/B

Dear City of Sydney Council,

I am writing to object to the proposed McDonald's at 212–214 King Street. My home backs directly onto Brown Lane, meaning I will be significantly affected by odour, noise, waste, and late-night disruption.

1. Odour impacts will be severe and unavoidable

We can already smell Clem's Chicken very clearly from our home — and that kitchen closes far earlier than the proposed McDonald's. McDonald's will operate until 2am on Fridays and Saturdays, meaning continuous deep-fryer and grill odours late into the night.

The Air Quality Assessment confirms:

- The primary odour sources are deep frying and grilling, producing strong VOCs.
- The exhaust fans are only ~3 m from the site boundary, not the recommended 6 m per AS1668.2.
- All exhaust fans are clustered within 3 m of each other, exceeding the threshold where discharges are considered “objectionable” under the Standard.

This means the project does not comply with key odour-control criteria and relies on assumptions rather than actual dispersion data. Even the assessment acknowledges residential receivers immediately behind the site and labels them “high sensitivity” receptors.

If Clem's is already potent, McDonald's — with larger fryers, more vapour, and much longer hours — will be dramatically worse.

2. Noise & late-night disruption

A 2am fast-food venue in this exact location will inevitably attract:

- intoxicated patrons,
- loitering on King St and Brown Lane,
- delivery rider clustering, engine noise and shouting,
- late-night waste movements and daily bin transfers documented in the Waste Plan.

Brown Lane is a narrow residential lane — this activity is incompatible.

Additionally, the proposed site sits directly beside WJ Thurbon Park, a small neighbourhood green space intended for local use, dog walking, and quiet recreation. The park contains only a few benches and a single bin and is not designed to support high-volume food consumption or late-night gathering. A McDonald's operating until 2am will inevitably draw patrons to sit and eat in the park, creating noise, litter, and late-night activity directly beneath the bedrooms of residents including mine that overlook the space.

The park is already in a poor state of maintenance with the grass long dead. It is simply not capable of accommodating the increased foot traffic, waste, and disturbances that this development would generate. Introducing a major fast-food outlet here would significantly degrade the amenity of both the park and the surrounding homes.

3. Waste & smell from bins directly behind homes

The Waste Management Plan confirms:

- Daily food waste, general waste and cardboard movements (7 days/week).
- Waste collection occurs from Brown Lane, directly behind residential backyards.
- This will increase noise, odour, and vermin risk far beyond the already-strained conditions residents experience.

4. Not in Keeping With Neighbourhood Character – Newtown Favors Small Local Businesses, Not Multinational Chains

The proposed McDonald's fundamentally conflicts with the character and planning objectives for this part of Newtown. The Sydney DCP 2012 explicitly emphasises retaining the "intimate scale" of North Newtown, discouraging site amalgamation, and protecting the established pattern of small, diverse independent businesses on King Street.

This DA would replace two small local tenancies with a single large multinational operator, which directly undermines that intention. Newtown's appeal is built on its independent food operators, music venues, bookstores, vintage shops, cafés, and local eateries. Introducing a major global chain:

- reduces business diversity,
- displaces local operators who contribute to the neighbourhood's identity,
- accelerates homogenisation of the high street,
- and erodes the distinctiveness of Newtown's heritage conservation area.

The applicant claims that the proposal "contributes to retail uses on King Street," but this misrepresents the intent of the DCP. The DCP specifically discourages large-scale standardised fit-outs and encourages development that aligns with the traditional building pattern, human scale, and fine-grain character of the strip.

A late-night McDonald's adds nothing to the local economy that small businesses are not already providing and instead risks pulling customers away from long-standing family-owned restaurants and takeaways who do not have the marketing scale or late-night delivery machine that a global corporation controls.

Newtown has fought hard to avoid the type of over-commercialisation and chain saturation seen in other Sydney precincts. Allowing a 2am McDonald's in this exact location would set a precedent for more large chains, permanently altering the balance of King Street away from the independent ecosystem that residents and visitors value.

For these reasons, a major multinational chain is incompatible with the intended character, scale, and community expectations for this part of Newtown, and should be refused.

Given the inadequate odour separation distances, objectionable exhaust classification, high-sensitivity residential location, late-night trading, and the already strong odours from existing food outlets, this development will seriously harm residential amenity and should be refused.

If a local business wishes to open on this premises, that would be far better.

Sincerely,

Ryan Schiff
1B Whateley Street, Newtown

From: Kate O'Donnell <[REDACTED]> on behalf of Kate O'Donnell <[REDACTED]> <Kate O'Donnell <[REDACTED]>
Sent on: Saturday, February 7, 2026 11:49:48 AM
To: dasubmissions@cityofsydney.nsw.gov.au; Amy Kersey <[REDACTED]>
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 Cissy,

As local residents, my wife Amy and I continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Thanks so much for your time.

Kate O'Donnell
Book editor

she/her 
Gadigal land

From: Joanne Khoo <[REDACTED]> on behalf of Joanne Khoo <[REDACTED]> <Joanne Khoo <[REDACTED]>
Sent on: Sunday, February 8, 2026 9:39:31 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

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OBJECTION TO AMENDED DEVELOPMENT APPLICATION (McDONALD'S, 212–214 KING STREET, NEWTOWN)

To: City of Sydney Council (**Council**)

Re: RD/2025/585/B Amended DA for McDonald's, 212–214 King Street, Newtown

I am writing as a long-term resident of Newtown to formally object to DA No. D/2025/585/B (**Amended DA**) being the proposed development of a McDonald's restaurant at 212-214 King Street, Newtown (the **Site**).

I strongly object to the revised proposal contained in the Amended DA and respectfully request that Council maintain its refusal. The amendment to the proposed trading hours (which are still non-compliant) do not address the fundamental planning, social, environmental, and public-interest concerns identified by Council, NSW Police, and the community. Furthermore, it is important to note that the grounds for council's rejection of the proposed McDonald's development in Redfern are equally relevant to this Newtown proposal, as both raise similar issues regarding local character, amenity, and public safety.

1. The proposal remains incompatible with Newtown's established character and local economy

Council previously concluded that the development was "not suitable for the site and not in the public interest," noting overwhelming public opposition (over 1,400 objections). The concerns remain unchanged in the Amended DA. Newtown is defined by independent businesses and diverse food culture, and inserting a multinational fast-food chain with extended trading hours would undermine this unique local character. Residents previously highlighted that "Newtown has a heart... and I would be so upset if a McDonald's can just come in here and take over, boot out all the small businesses" (from community statements).

2. Local business displacement and economic imbalance remains a major risk

The proposed location at the Site sits within a 170m radius that already includes six chicken shops on King Street (including Clem's immediately next door, Ogala directly opposite). Local small-business owners have raised fears of being unable to compete against a global corporation with substantial financial power. The Amended DA does not change this economic imbalance nor mitigate the likely acceleration of the rent-inflation pressures already pushing out long-term Newtown businesses. *This can only be addressed by Council maintaining its refusal of this application.*

3. The development still conflicts with the area's trading-hours pattern

The previously proposed 24/7 operation was found to be inconsistent with the trading hours of neighbouring businesses and incompatible with the mixed-use environment. The proposed amended trading hours remain fundamentally non-compliant with the City of Sydney's Late Night Trading Management policies and the specific requirements outlined in the initial rejection (Council Reasons for Refusal, 15 October 2025, DA Assessment Report). Instead, the extended trading hours at the Site (up to 2am on Friday and Saturday nights) would introduce late-night activity and disruption into a part of Newtown that is not planned or equipped for such intensity, causing unacceptable impacts on residential amenity, public safety, and the unique character of the local community. No other businesses in the immediate vicinity operate these extended hours. The DA documents (including the Traffic Review and Site Plans) do not provide any enforceable measures to mitigate the risks associated with late-night operation, such as increased noise, congregation of patrons, and antisocial behaviour—issues that were central to the Council's initial refusal. Without robust, site-specific management strategies and clear alignment with the Late Night Trading DCP controls, the proposed hours continue to pose unacceptable impacts on the Newtown precinct.

4. Public safety and antisocial-behaviour risks noted by NSW Police continue to apply

NSW Police raised concerns that a 24-hour McDonald's in Newtown (similar to the proposed McDonalds in

Redfern) would likely increase antisocial behaviour, worsen traffic congestion, and negatively impact both pedestrian and road safety. These are material safety concerns that the Amended DA cannot offset simply through design tweaks and reduced trading hours. The risk profile of late-night fast-food hotspots is well-established, and Newtown already faces weekend night-time pressures given its proximity to the Enmore Road Special Entertainment Precinct.

5. **Traffic, congestion, and pedestrian-safety impacts remain unresolved**

King Street is already heavily congested, with high pedestrian volumes and constrained vehicle movement. NSW Police and community members expressed concern that additional traffic and late-night queues will degrade safety and mobility. The Amended DA does not materially demonstrate how these impacts would be alleviated.

The claims made in the Applicant's traffic report and supporting documents (Traffic Review and Site Plan) do not adequately address the objections raised by council and the community regarding pedestrian safety, public domain amenity, and unmanaged delivery rider activity.

The Traffic Review claims that pedestrian and delivery rider impacts have been addressed through minimal on-site bicycle parking and reliance on existing public racks. However, these assertions are contradicted by both the operational realities of King Street and the requirements set out in the City of Sydney's DCP 2012 and council's refusal notice (Council Reasons for Refusal, 15 October 2025, DA Assessment Report):

- **Delivery Rider Volume and Behaviour:** The Traffic Review (Sections 8–10) proposes that delivery riders will use public bicycle racks located within 20 metres of the site, referencing “low utilisation” observations. These observations were not time references and were unlikely to have been taken during peak periods when King Street is already congested. As a local resident I already see excessive congestion with respect to delivery drivers outside of El Jannah during the evenings restricting pedestrian movement. I would expect that McDonalds would attract the same if not greater volumes in an even busier part of Newtown. However, the Site Plan shows only one dedicated staff bike rack at the rear, with no provision for delivery rider waiting or parking. Council's assessment (Refusal Notice, 15 October 2025) specifically highlights the absence of on-site parking for delivery riders and the likelihood of footpath obstruction, which the Amended DA fails to resolve.
- **Pedestrian Congestion:** The traffic report's summary (Section 17) claims “safe and practical servicing” based on loading zone surveys (Table 1, Section 13), but does not address the cumulative effect of increased pedestrian and delivery rider activity at the shopfront. The Proposed Ground Floor Plan (DA11 Issue K) reveals a small dining area (12 seats) and no drive-through, meaning most transactions will be walk-in or pick-up, intensifying footpath congestion. Council's DA Assessment Report and DCP 2012 controls require developments to “demonstrate safe and practical pedestrian access,” which remains unaddressed.
- **No Enforceable Management Plan:** The Loading Service Management Plan (LSMP) referenced in the traffic report is based on other fast-food outlets but does not include enforceable measures for delivery rider behaviour or pedestrian safety. Council's refusal notice and DCP 2012 objectives require clear, site-specific management strategies, which are absent from the Amended DA. An onsite manager noting incidents in a log book is not an enforceable measure to influence third party behaviours.

6. **Infrastructure issues (loading, waste, and servicing) remain unresolved**

Council's original assessment noted that the proposal relied on on-street loading zones and even the footpath for deliveries — an arrangement deemed unacceptable and non-compliant with public domain and waste-management requirements. Nothing in the Amended DA substantively fixes these issues. Relying on an exemption from No Stopping zones for garbage trucks is not a solution. Without dedicated loading, rubbish storage improvements, or realistic waste-collection solutions, the development continues to pose unacceptable impacts on pedestrian flow, amenity, and local operations.

7. **The proposal continues to fail key planning and policy requirements**

According to prior Council assessment, the proposal did not comply with requirements relating to:

- public domain
- waste management
- transport and parking
- environmental responsibilities

The Amended DA continues to fall short of the core planning and policy requirements established by Council and other relevant authorities. Despite the revisions presented, the Amended DA remains non-compliant with essential standards designed to safeguard the neighbourhood's unique character, amenity, and safety. Key issues previously raised by Council—such as trading hours, land use compatibility, and the protection of local identity—have not been adequately addressed. Notably, planning controls and policy frameworks, including the City of Sydney's Local Environmental Plan and Development Control Plan (DCP), require all developments to demonstrate compatibility with the established pattern of activity, minimise negative impacts on the surrounding area, and positively contribute to the public domain. As noted in Council's assessment and echoed in community submissions, this Amended DA continues to fail to meet these criteria and does not provide sufficient justification or amendments to overcome these policy-based objections.

Conclusion

The Amended DA does not remedy the core issues that rendered the original application unsuitable and not in the public interest. The proposed development remains incompatible with Newtown's character, threatens local businesses, exacerbates public-safety risks, conflicts with planning requirements, and lacks viable infrastructure solutions. I believe that there is irrefutable evidence for Council to maintain its refusal of the application as it remains inconsistent with the essential planning and policy benchmarks required for approval.

For these reasons, I respectfully urge Council to **maintain its refusal** of the amended development application.

Joanne Khoo

From: Joanne Khoo <[REDACTED]> on behalf of Joanne Khoo <[REDACTED]> <Joanne Khoo <[REDACTED]>
Sent on: Sunday, February 8, 2026 9:35:18 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

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To: City of Sydney Council (**Council**)

Re: RD/2025/585/B Amended DA for McDonald's, 212–214 King Street, Newtown

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I strongly object to the revised proposal contained in the Amended DA and respectfully request that Council maintain its refusal. The amendment to the proposed trading hours (which are still non-compliant) do not address the fundamental planning, social, environmental, and public-interest concerns identified by Council, NSW Police, and the community. Furthermore, it is important to note that the grounds for council's rejection of the proposed McDonald's development in Redfern are equally relevant to this Newtown proposal, as both raise similar issues regarding local character, amenity, and public safety.

1. The proposal remains incompatible with Newtown's established character and local economy

Council previously concluded that the development was "not suitable for the site and not in the public interest," noting overwhelming public opposition (over 1,400 objections). The concerns remain unchanged in the Amended DA. Newtown is defined by independent businesses and diverse food culture, and inserting a multinational fast-food chain with extended trading hours would undermine this unique local character. Residents previously highlighted that "Newtown has a heart... and I would be so upset if a McDonald's can just come in here and take over, boot out all the small businesses" (from community statements).

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NSW Police raised concerns that a 24-hour McDonald's in Newtown (similar to the proposed McDonalds in

Redfern) would likely increase antisocial behaviour, worsen traffic congestion, and negatively impact both pedestrian and road safety. These are material safety concerns that the Amended DA cannot offset simply through design tweaks and reduced trading hours. The risk profile of late-night fast-food hotspots is well-established, and Newtown already faces weekend night-time pressures given its proximity to the Enmore Road Special Entertainment Precinct.

5. **Traffic, congestion, and pedestrian-safety impacts remain unresolved**

King Street is already heavily congested, with high pedestrian volumes and constrained vehicle movement. NSW Police and community members expressed concern that additional traffic and late-night queues will degrade safety and mobility. The Amended DA does not materially demonstrate how these impacts would be alleviated.

The claims made in the Applicant's traffic report and supporting documents (Traffic Review and Site Plan) do not adequately address the objections raised by council and the community regarding pedestrian safety, public domain amenity, and unmanaged delivery rider activity.

The Traffic Review claims that pedestrian and delivery rider impacts have been addressed through minimal on-site bicycle parking and reliance on existing public racks. However, these assertions are contradicted by both the operational realities of King Street and the requirements set out in the City of Sydney's DCP 2012 and council's refusal notice (Council Reasons for Refusal, 15 October 2025, DA Assessment Report):

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- **Pedestrian Congestion:** The traffic report's summary (Section 17) claims “safe and practical servicing” based on loading zone surveys (Table 1, Section 13), but does not address the cumulative effect of increased pedestrian and delivery rider activity at the shopfront. The Proposed Ground Floor Plan (DA11 Issue K) reveals a small dining area (12 seats) and no drive-through, meaning most transactions will be walk-in or pick-up, intensifying footpath congestion. Council's DA Assessment Report and DCP 2012 controls require developments to “demonstrate safe and practical pedestrian access,” which remains unaddressed.
- **No Enforceable Management Plan:** The Loading Service Management Plan (LSMP) referenced in the traffic report is based on other fast-food outlets but does not include enforceable measures for delivery rider behaviour or pedestrian safety. Council's refusal notice and DCP 2012 objectives require clear, site-specific management strategies, which are absent from the Amended DA. An onsite manager noting incidents in a log book is not an enforceable measure to influence third party behaviours.

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Council's original assessment noted that the proposal relied on on-street loading zones and even the footpath for deliveries — an arrangement deemed unacceptable and non-compliant with public domain and waste-management requirements. Nothing in the Amended DA substantively fixes these issues. Relying on an exemption from No Stopping zones for garbage trucks is not a solution. Without dedicated loading, rubbish storage improvements, or realistic waste-collection solutions, the development continues to pose unacceptable impacts on pedestrian flow, amenity, and local operations.

7. **The proposal continues to fail key planning and policy requirements**

According to prior Council assessment, the proposal did not comply with requirements relating to:

- public domain
- waste management
- transport and parking
- environmental responsibilities

The Amended DA continues to fall short of the core planning and policy requirements established by Council and other relevant authorities. Despite the revisions presented, the Amended DA remains non-compliant with essential standards designed to safeguard the neighbourhood's unique character, amenity, and safety. Key issues previously raised by Council—such as trading hours, land use compatibility, and the protection of local identity—have not been adequately addressed. Notably, planning controls and policy frameworks, including the City of Sydney's Local Environmental Plan and Development Control Plan (DCP), require all developments to demonstrate compatibility with the established pattern of activity, minimise negative impacts on the surrounding area, and positively contribute to the public domain. As noted in Council's assessment and echoed in community submissions, this Amended DA continues to fail to meet these criteria and does not provide sufficient justification or amendments to overcome these policy-based objections.

Conclusion

The Amended DA does not remedy the core issues that rendered the original application unsuitable and not in the public interest. The proposed development remains incompatible with Newtown's character, threatens local businesses, exacerbates public-safety risks, conflicts with planning requirements, and lacks viable infrastructure solutions. I believe that there is irrefutable evidence for Council to maintain its refusal of the application as it remains inconsistent with the essential planning and policy benchmarks required for approval.

For these reasons, I respectfully urge Council to **maintain its refusal** of the amended development application.

Joanne Khoo

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, February 9, 2026 10:20:01 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Feedback: RD/2025/585/B (212-214 King Street NEWTOWN)

From: [REDACTED]
Sent: Saturday, 7 February 2026 2:41 PM
To: council@cityofsydney.nsw.gov.au
Subject: Feedback: RD/2025/585/B (212-214 King Street NEWTOWN)

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Hi,

Privacy

I'm sending feedback to this email address to ensure that identifying information is kept private, including my name, address, phone number and email.

Application

I'm writing regarding application RD/2025/585/B, available at <https://eplanning.cityofsydney.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=2630751>.

Feedback

After reviewing the revised application in detail, it does not sufficiently address concerns about the original proposal. In some areas, it even proposes solutions that are incomplete and inaccurate.

As a direct result, I remain very concerned about the negative impact of this venue on the residents and businesses nearby. My primary concerns are:

Increased traffic and parking issues, including delivery vehicles

This would be a crucial impact of this venue, yet it's understated and misrepresented throughout this proposal. That's particularly concerning because the venue design reveals that it would rely on delivery people to ensure sufficient revenue for their outlay. Yet the proposal assumes a very low volume of delivery people, and therefore minimal parking requirements and impact on footpath flow. It doesn't add up.

The immediate area around this venue is already congested, day and night, with both vehicles and pedestrians. We've seen first-hand with similar venues in our vicinity that this proposed venue will result in increased traffic volume, exacerbating existing problems with traffic congestion, footpath congestion, and already limited parking.

This is particularly important as it relates to delivery vehicles. This proposal does not provide a realistic assessment or proposal for the influx of delivery vehicles. This includes:

- The amount of available parking in the immediate vicinity;
- The typical behaviours of delivery people as a result, including cycling along the footpath, parking on the footpath, and risking public safety of pedestrians; and
- The typical routes that delivery vehicles use to avoid traffic on King Street.

This proposal includes statements such as, “McDonald’s will inform all delivery platform companies that their drivers are to always park in designated parking areas to ensure pedestrians are safe... Failure to comply may lead to the inability for McDonald’s to continue to partner with such operators.” This is an unrealistic approach on every front. It lacks credibility based on all available information about the operators, such as Uber Eats; the revenue reliance of McDonalds on those operators; and the real-life behaviours of delivery people along King Street.

In reality, the proposal doesn’t put forward realistic plans to keep both pedestrians and delivery people safe along the already busy footpath.

Finally, one important insight as a resident. Buckland Lane has become a preferred route for delivery vehicles. They park along Watkin Street in groups and zip along Buckland Lane to avoid King Street traffic congestion.

As a resident owner, this venue would increase the volume of delivery vehicles plus extend the hours of their presence, which will have an immediate impact on our quality of sleep. Our bedrooms directly face Buckland Lane, and the noise from delivery vehicles is already very disruptive.

The potential for damaging anti-social behaviours

The current proposal does not provide a realistic, viable plan for the range of likely antisocial behaviours that their venue will bring to the neighbourhood, including noise, littering and public toileting.

We’ve seen first-hand with similar venues that this venue will result in increased noise levels from customers and vehicles, including an increased volume of delivery cars, motorbikes and scooters arriving and departing.

On the littering front, the addition of each quick serve venue in our area has led to a significant increase in litter on the street. Beyond the visual issues, it then clogs up the gutter and the drains, and attracts seagulls and ibises that spread the leftover food all over the footpath and parked cars. The current plan doesn’t propose a reasonable solution to address the realistic scale of this issue as a highly popular take-away venue.

These issues would be exacerbated by the venue’s location, with close proximity to multiple bus stops and Newtown train station, as well as a volume of customers moving to and from other late-night venues nearby.

This venue would have extremely limited capacity for patrons. It is designed for patrons to generally eat elsewhere, have the food delivered to them, or go to the bathroom offsite. Given the popularity of McDonalds and central location of King St, there should be a plan in place to manage a significant influx of both delivery drivers and patrons with needs to find a place to eat and go to the bathroom. The revised plan still doesn’t account for that volume and scale of the issues.

The potential for crime and public safety risks

The current proposal still does not appear to provide a realistic plan to mitigate the risks of increased crime and public safety issues. This proposal should include plans that actively mitigate issues that occur both outside and inside the venue, assuming that the typical McDonald’s staff member would be ill-equipped to manage issues safely.

The proposal references the level of crime occurring in retail environments, while leaving out the other areas that would be directly and immediately involved: footpaths and nearby transport hubs. As a late-night takeaway-focused venue, it increases safety vulnerabilities in multiple areas in the local community. The proposal also fails to mention that the venue will likely attract people to visit that area late at night, which increases the volume of potential offenders.

As above, these issues are likely to be exacerbated by the venue’s location, with close proximity to multiple bus stops and Newtown train station, as well as a volume of customers moving to and from other late-night venues nearby.

The late night opening hours

I bought this house 15 years ago and I actively support our dynamic community, neighbourhood businesses, and vibrant nightlife. However, the proposed hours are out-of-step on every front.

By introducing the presence of McDonalds as a late-night venue, it immediately exacerbates every risk outlined above. The current proposal does not present a substantial case for the extended hours or a substantial proposal to mitigate the risks.

Impact on Newtown's unique character and local businesses

Newtown has been known for its unique independent spirit for decades, which has encouraged countless local businesses to thrive. So many food venues are a beloved part of the fabric of Newtown's community, including Clems located next door to this venue.

Between the extended hours and its competitive pricing, McDonalds will negatively impact local takeaway venues, cafes and restaurants - potentially leading to the closure of independent businesses.

Next steps

Please feel free to contact me via this email if you could use any further details.

Thanks



From: Marianne Khoo <[REDACTED]> on behalf of Marianne Khoo

<[REDACTED]> <Marianne Khoo <[REDACTED]>

Sent on: Monday, February 9, 2026 10:27:33 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Objection to Development Application RD/2025/585/B – Proposed McDonald's Restaurant, King Street, Newtown

Caution: 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 Members of the City of Sydney Council,

I write as an ex-resident and long term visitor of Newtown who has seen firsthand how the unique character of King Street has evolved. I strongly object to **DA RD/2025/585/B**, which seeks approval for a McDonald's takeaway food premises at 212-214 King Street.

Newtown is celebrated for its diverse, independent small businesses, its artistic culture, and its distinctive streetscape. The introduction of a large multinational fast-food outlet like McDonald's—backed by corporate branding and marketing—dilutes the eclectic nature of our local centre and shifts it toward generic commercialism.

King Street already supports a wide variety of local eateries, cafés and takeaway food outlets that contribute to the social fabric of Newtown. A McDonald's can undercut the prices of small operators, in an economic environment that already is seeing hospitality vendors struggling to maintain profitable business.

Newtown's food environment is unfortunately becoming increasingly saturated with unhealthy takeaway options, including fried chicken and burger shops. Residents are calling for more diverse, healthy and affordable food choices, not additional unhealthy outlets. A McDonald's does little to promote community health and wellbeing.

Approving this DA sets a precedent for further commercial homogenisation of King Street. Local planning decisions should support business diversity, community wellbeing and heritage, not pave the way for the expansion of global chain outlets at the expense of neighbourhood character.

For the above reasons, I respectfully urge the City of Sydney to **refuse** consent to **DA RD/2025/585/B**. I ask Council to prioritise the protection of **Newtown's** distinctive character, support small local businesses, and ensure future development aligns with community values and urban heritage.

Thank you for considering my submission.

Sincerely,
Marianne Khoo

From: Laura Berri <[REDACTED]> on behalf of Laura Berri <[REDACTED]> <Laura Berri <[REDACTED]>>
Sent on: Monday, February 9, 2026 12:57:57 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 formally object to the development application RD/2025/585/B lodged by McDonald's Australia Limited for a takeaway food and drink premises at 212–214 King Street, Newtown NSW 2042.

My objection is based on the significant negative impacts this proposal would have on public health and the unique cultural fabric of Newtown.

This location is close to several schools - including Newtown Performing Arts High School, Newtown North Primary School, and Australia Street Infants School - as well as social housing areas. Introducing another high-volume fast food outlet in such proximity promotes unhealthy eating habits among children and vulnerable community members at odds with broader public health objectives to reduce obesity and improve nutrition.

Newtown is a community that increasingly values healthy, sustainable food options and active lifestyles. Adding a McDonald's in this environment, especially when major chains already serve the area via delivery services, undermines community efforts to prioritise health over cheap, highly processed food.

Newtown's character is rooted in its diversity, creativity, and independent businesses. A global fast food chain such as McDonald's, especially one operating extended hours, is incompatible with the cultural fabric that distinguishes King Street from generic high streets elsewhere. It dilutes the local identity and diminishes the community-led ambience that residents and visitors cherish.

There are already numerous independent eateries and small food retailers in close proximity. A development backed by a multinational with extensive marketing and pricing power poses an unfair competitive threat that may force local businesses to close, eroding the local economy and reducing consumer choice.

Although this objection focuses on health and culture, it is important to highlight that the community's concerns extend into broader amenity impacts - including noise, waste management, pedestrian safety due to delivery traffic, and potential anti-social behaviour associated with late hours. These concerns have previously backed strong submissions from residents, NSW Police, and industry observers in response to past proposals.

For the above reasons, I respectfully urge the Council to **reject development application RD/2025/585/B** in its current form. Approving yet another high-volume fast food outlet would be at odds with public health goals and compromise the cultural integrity and wellbeing of Newtown's community.

Thank you for considering this submission.

Kind regards,

Laura

From: Beate Buckenmaier <[REDACTED]> on behalf of Beate Buckenmaier
<[REDACTED]> <Beate Buckenmaier <[REDACTED]>
Sent on: Monday, February 9, 2026 1:08:49 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li
Attachments: McDonalds second objection. Draft 2.pdf (6.04 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.

Hello

Please find attached my objections to the above submission.

Thank you
Beate

CoS DA 2025/585 /B

Applicant name:

MCDONALD'S AUSTRALIA LIMITED

Reference number:

RD/2025/585/B

Site address:

212-214 King Street, NEWTOWN NSW 2042

The development proposed is within the King Street Heritage Conservation Area and the Newtown Special Character Area. The increasing presence of unhealthy and wasteful global franchise fast food chains is threatening Newtown's unique character. With it's many small original creative businesses, shops and restaurants, Newtown has become a destination for Sydney residents and tourists. Indeed some businesses are STILL family run – such as the long established and cherished Clems Chicken which will be next door to the proposed development.

A McDonalds outlet will have a detrimental impact on surrounding individual businesses and residents alike. The operation could pose a heightened chance of anti-social behaviour, noise and will increase littering not only on King Street and neighbouring streets and back-lanes.

Can we be assured that ANY of the in-house copious food waste will be composted and not add to land fill?

McDonalds food has a high content of saturated fat, sodium, calories, plus low levels of fibre, vitamins, and other essential nutrients. Is this what we want for the general public?

While there is some of eat-in tables on the proposed premises, there no toilet facilities provided let alone a decent method of handwashing available for patrons. Disposable towelettes add to the waste problem.

Waste bins will be kept on site in the Corral area facing Brown Lane. The back perforated roller shutter will allow bin odours to escape and also attract vermin including rats and cockroaches.

Currently, non biodegradable take-away containers, some still with food, fill unsightly overflowing bins or are carelessly discarded on streets, back lanes and the ever popular Camperdown Memorial Park – adding significantly to vermin numbers and eventually going to land fill and thus creating plastic problems for generations and generations to come.

I attach pictures of the unsightly and smelly refuse problem we already have in Newtown.

From: Helen Liehne <[REDACTED]> on behalf of Helen Liehne <[REDACTED]> <Helen.Liehne@[REDACTED]>
Sent on: Monday, February 9, 2026 1:12:00 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

CoS DA 2025/585 /B

Applicant name:
MCDONALD'S AUSTRALIA LIMITED
Reference number:
RD/2025/585/B
Site address:
212-214 King Street, NEWTOWN NSW 2042

The development proposed is within the King Street Heritage Conservation Area and the Newtown Special Character Area.
The increasing presence of unhealthy and wasteful global franchise fast food chains is threatening Newtown's unique character.
With it's many small original creative businesses, shops and restaurants, Newtown has become a destination for Sydney residents and tourists.
Indeed some businesses are STILL family run - such as the long established and cherished Clems Chicken which will be next door to the proposed development.

A McDonalds outlet will have a detrimental impact on surrounding individual businesses and residents alike. The operation could pose a heightened chance of anti-social behaviour, noise and will increase littering not only on King Street and neighbouring streets and back-lanes.
Can we be assured that ANY of the in-house copious food waste will be composted and not add to land fill?
McDonalds food has a high content of saturated fat, sodium, calories, plus low levels of fibre, vitamins, and other essential nutrients. Is this what we want for the general public?
While there is some of eat-in tables on the proposed premises, there no toilet facilities provided let alone a decent method of handwashing available for patrons. Disposable towelettes add to the waste problem.

Waste bins will be kept on site in the Corral area facing Brown Lane. The back perforated roller shutter will allow bin odours to escape and also attract vermin including rats and cockroaches.

Currently, non biodegradable take-away containers, some still with food, FILL unsightly overflowing bins or are carelessly discarded on streets, back lanes and the ever popular Camperdown Memorial Park - adding significantly to VERMIN numbers and eventually going to land fill and thus creating plastic problems for generations and generations to come. While it is commendable that litter generated from McDonalds in street in front of proposed premises will be cleaned by staff, it is irrelevant as it is unlikely that patrons will stay in front to consume their burgers etc.
I attach pictures of the unsightly and smelly refuse problem we already have in Newtown.



There is an unrealistic confidence for the natural surveillance for security.
What is done for the consideration of surrounding streets, back-lanes and businesses?

There is no shortage of pubs, restaurants and cafes as well as takeaway food outlets to satisfy locals, tourists and workers.
The market is saturated in Newtown.
In St Peters (corner Bishop St and Princess Highway) there is a (24 hour) stand-alone McDonalds which has ample eat-in space and parking and it is only 8 minutes away. There is also a McDonalds in Waterloo and Stanmore.

I urge Council to refuse this second McDonalds application.

Thank you
Helen

From: Dave Openshaw <[REDACTED]> on behalf of Dave Openshaw

<[REDACTED]> <Dave Openshaw <[REDACTED]>

Sent on: Monday, February 9, 2026 1:18:56 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

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CoS DA 2025/585

Refer to Schedule 5, SLEP 2012

I am opposed to this development for the reasons outlined below.

Newtown is a destination for many Sydney residents and tourists and is known for its many small quirky, unique businesses, shops and restaurants. Many businesses are family owned and run.

It is said that 25% of the Sydney population will visit Newtown at least once every year to enjoy its unique character as it is unlike anywhere else in Sydney. That is just the local tourists!

Currently, there is no shortage of pubs, restaurants and cafes as well as takeaway food outlets to satisfy locals, tourists and workers. A McDonalds outlet will erode the unique contribution to urban culture of Sydney.

The proposed premises is within the King Street Heritage Conservation Area and the Newtown Special Character Area. A McDonalds outlet undermines the special character of King Street.

There is a small number of eat-in space on premises with no toilet or hand-wash facilities available for patrons. This will further impact surrounding residential laneways that are already used as urinals. Patrons will not be able to freely wash their hands - essential when consuming hamburger style food.

A general waste bin will be kept on site in the Corral to the rear property and will face Brown Lane with a perforated roller shutter. Indeed this will be smelly and also attract vermin such as rats and cockroaches.

There is a 24 hour stand-alone McDonalds in St Peters corner Bishop St and Princess Highway which has ample eat-in space and parking. It is 8 minutes away from Newtown by car. Other McDonald outlets are located in Stanmore and Waterloo. Surely the McDonald business franchise is already adequately accommodated in this part of Sydney.

Litter will increase.

Currently non biodegradable discarded take-away containers already fill overflowing bins.

These inundated bins are contributing to ever increasing problems with vermin and odour.

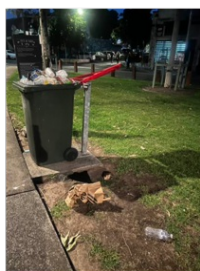
Containers will thus not be cleaned or recycled adding to land-fill plastic pollution creating a problem for generations.

Often containers, still with food in them, are discarded on our streets, back lanes and Camperdown Memorial Park which is very popular hangout - particularly on the weekends.

Clearly McDonalds ensuring that the adjoining footpath, gutter, building entry, and surrounds to its premises are clean and clear of litter at all times is not adequate.

There is an unrealistic reliance on natural surveillance.

What is done for the safety in surrounding streets and also for the welfare of those unfortunate people who sleep rough?





From: Chris Blogg <[REDACTED]> on behalf of Chris Blogg <[REDACTED]> <Chris Blogg <[REDACTED]>
Sent on: Monday, February 9, 2026 1:57:46 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: RD/2025/585/B

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

City of Sydney Council**

I write to object to the Development Application for a proposed McDonald's takeaway outlet in Newtown. I live one block from the site and am directly affected by the cumulative impacts of late-night takeaway premises in this area. My objection is based on the **Sydney Local Environmental Plan 2012 (LEP)**, the **Sydney Development Control Plan 2012 (DCP)**, and the **Environmental Planning and Assessment Act 1979 (EP&A Act)**.

1. Inconsistency with Zone Objectives – Sydney LEP 2012

The site is within the **B2 Local Centre** zone (typical for King Street). The **zone objectives** under **LEP 2012 – Part 2, Clause 2.3** include:

- *“To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.”*
- *“To encourage employment opportunities in accessible locations.”*
- *“To maintain the economic strength and diversity of centres.”*
- *“To ensure development is compatible with the desired future character of the area.”*

A large multinational fast-food chain:

- Does **not** contribute to economic diversity
- Does **not** align with the desired future character of Newtown, which is defined by independent operators
- Introduces a high-intensity, standardised use inconsistent with the fine-grain, small-business identity of King Street

The proposal therefore **fails to satisfy Clause 2.3(2)**.

2. Cumulative Impact – Sydney DCP 2012

The **DCP – Section 3.15 (Late Night Trading Premises)** requires Council to consider:

- **Cumulative impacts** of similar premises
- **Existing concentration** of late-night food and drink outlets
- **Impacts on residential amenity**
- **Potential for anti-social behaviour**

Newtown already contains a **high concentration of takeaway food premises**, including a recently opened KFC less than a block away. I have personally had to collect rubbish left by late-night patrons from that venue.

The proposed McDonald's would sit next to **Clem's Chicken**, a long-standing local institution operating for over 30 years. Adding another high-volume takeaway outlet directly adjacent to an existing one **intensifies an already saturated use category**.

Under **DCP 3.15.1.1**, Council must refuse proposals that contribute to unacceptable cumulative impacts. This

proposal clearly does.

3. Late-Night Trading to 2am – DCP 3.15 Non-Compliance

The applicant seeks trading hours to **2am on weekends**.

Under **DCP 3.15.1.2**, late-night trading premises must demonstrate:

- No unacceptable noise impacts
- No increase in anti-social behaviour
- No adverse effect on residential amenity
- No contribution to cumulative late-night activity

Newtown already experiences:

- High late-night pedestrian volumes
- Noise spillover
- Anti-social behaviour
- Rubbish accumulation
- Pressure on public cleaning services

A McDonald's operating until 2am will **extend peak activity**, increase loitering, and worsen noise and behavioural impacts.

The proposal **fails to satisfy DCP 3.15.1.2 and 3.15.1.3**.

4. Waste and Litter Impacts – DCP 3.11 (Waste Management)

DCP **Section 3.11.1** requires that development:

- Provide adequate waste storage
- Prevent littering
- Avoid adverse impacts on the public domain

As a resident one block away, I have already experienced significant waste impacts from the recently opened KFC. I regularly find discarded packaging, cups, and containers left by late-night patrons.

McDonald's is known for high-volume disposable packaging. The DA does not demonstrate adequate mitigation measures to prevent further littering.

The proposal **fails to meet DCP 3.11.1 and 3.11.2**.

5. Traffic, Delivery Drivers, and Pedestrian Safety – LEP & DCP

Even without a drive-through, McDonald's generates:

- High customer turnover
- Frequent short-stay vehicle movements
- Significant delivery driver activity (Uber Eats, DoorDash, etc.)

Under **LEP 2012 – Clause 7.13 (Transport and Parking)**, development must:

- Not adversely affect traffic efficiency
- Not compromise pedestrian safety

- Provide adequate loading and servicing arrangements

Under **DCP 3.11.3**, development must:

- Avoid creating traffic conflicts
- Manage delivery driver activity
- Ensure safe pedestrian movement

King Street is already heavily congested and pedestrian-oriented. Additional kerbside stopping and delivery driver clustering will worsen safety risks.

The proposal **does not satisfy LEP 7.13 or DCP 3.11.3**.

6. Incompatibility with Local Character – DCP 2.1 & 2.2

DCP **Section 2.1 (Urban Design)** and **2.2 (Local Character)** require that development:

- Reinforce the fine-grain character of local centres
- Respect the established identity of the area
- Avoid generic or standardised design that detracts from local character

Newtown's identity is built around:

- Independent businesses
- Small-scale operators
- A unique cultural and heritage character

A multinational chain with standardised branding and extended late-night trading is inconsistent with these principles.

The proposal **fails to satisfy DCP 2.1.1, 2.1.2, and 2.2.1**.

7. Public Interest – EP&A Act s4.15

Under **Section 4.15(1)(e)** of the EP&A Act, Council must consider whether a proposal is in the public interest.

Given:

- The over-concentration of takeaway premises
- The demonstrated waste and behaviour impacts
- The intensification of late-night activity
- The incompatibility with local character
- The traffic and safety concerns

The proposal is **not** in the public interest.

Conclusion

For the reasons outlined above — including non-compliance with the **Sydney LEP 2012**, **Sydney DCP 2012**, and the **EP&A Act** — I respectfully request that Council refuse this Development Application.

Please keep me informed of the progress of this application and any further opportunities to comment.

Yours sincerely, Christopher Blogg

From: Caroline Ryan <[REDACTED]> on behalf of Caroline Ryan <[REDACTED]> <Caroline Ryan <[REDACTED]>
Sent on: Monday, February 9, 2026 2:07:47 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 strongly object to this submission. Newtown has a national and international reputation as a diverse suburb. It attracts visitors who enjoy the various food and beverage offerings. Most of the offerings are small, family run businesses who are already suffering with higher rents and customers who are impacted from cost of living pressures.

A Macdonalds in this neighbourhood would negatively impact the Newtown reputation and force other restaurants out of the area. I think it would be a disaster for us and for them. The last time we had a Macdonalds, it closed down. Perhaps we are not the right area for them and they will ultimately close, but it would be very damaging in the meantime.

Please don't bow to corporate pressure. This is not the right location for an international business. We need to keep our offerings local.

Yours faithfully

Caroline Ryan
19 Pleasant ave
Erskineville NSW 2043

Sent from my iPad

From: Andrew McLaren <[REDACTED]> on behalf of Andrew McLaren
<[REDACTED]> <Andrew McLaren <[REDACTED]>

Sent on: Monday, February 9, 2026 3:46:33 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 proposal to open a McDonalds in King St is unacceptable. It must be rejected.

- Newtown already has a massive oversupply of fast food businesses. Multiple late-night and takeaway places already operate within a 25 metre radius of the proposed address. It can't be argued this is filling a need in the community. If anything, Newtown needs more normal retail shops; not more fast food and bars.
- There is no parking on King St near the location. Cars will inevitably flood into side streets, taking up very limited and contested parking spaces used by residents in Brown St, Whately St and Watkins St, and the adjacent laneways.
- The corner of Brown St and King St is already congested with delivery drivers and riders, picking up deliveries from the other nearby food places. A new takeaway establishment will only make this already severe congestion much worse.
- There's already a McDonalds just 7 minute's walking distance away, in Stanmore. Anyone who really wants a Big Mac can already get one by strolling down Australia Street. There are also nearby McDonalds in St Peters and Marrickville. No-one in Newtown is out of reach of McDonalds, if they want one.
- King St isn't a typical commercial area like a suburban shopping centre. It is very long and very thin, but only one-shop deep. The residential area starts immediately at the rear of the proposed premises, 2 metres across Brown Lane. A McDonalds will inevitably have a massive impact on long-established local residents who live very near the premises. Apart from foot traffic, parking, noise, litter and delivery drivers, the distinctive and unpleasant smell of a McDonalds will negatively affect the local area and reduce property values.
- The proposed location is immediately next door to Clem's, a much-loved and long-established chicken shop. It will inevitably interfere with Clem's business, earning the anger of Clem's many loyal local customers and fans.
- There is already too much late night foot traffic, noise, congestion and fighting in this part of King St, especially on weekend nights. The Newtown Hotel, about 90 metres along King Street, already generates unacceptable levels of noise, crowding and traffic in the area. Any increase would be unbearable for residents. Despite attempts to position Newtown as an 'entertainment district' the reality is there are a huge number of long-established residents in very densely populated terrace housing and apartment blocks, right next to the proposed development.
- Council will be subject to unrelenting and withering scorn, contempt, hostility and derision from residents and ratepayers if it chooses to allow this proposal, in the face of overwhelming opposition.

The application must be absolutely and utterly rejected, once and for all.

Thanks,

Andrew McLaren
Brown Street, Newtown 2042

From: Sharn <[REDACTED]> on behalf of Sharn <[REDACTED]> <Sharn
<[REDACTED]>

Sent on: Tuesday, February 10, 2026 7:44:03 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 a home owner & resident of Alice St I'm rather concerned about another McDonald's opening. There's already one in Marrickville Metro. There's Stanmore & St Peters within a stone's throw.

We don't need one on King St.

Kind regards,

Çağın Gökalp

From: Willa Zheng <[REDACTED]> on behalf of Willa Zheng <[REDACTED]> <Willa Zheng <[REDACTED]>
Sent on: Monday, February 9, 2026 9:11:30 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy, I'm emailing again to support McDonald's application. It will create jobs, lots of jobs for young people, and provide affordable meals for poor renters or mortgage strapped landlords. I expect it to be extremely popular when it opens. I have been waiting for Macca's to reopen on King St for 20 years!

Willa Zheng

Get [Outlook for Android](#)

From: <[REDACTED]>
Sent on: Monday, February 9, 2026 10:47:11 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Team,

I am writing to object to the proposed McDonald's development on King Street, Newtown.

This proposal would negatively impact local amenity, traffic conditions, and the unique character of Newtown. My key concerns are:

- **Traffic and congestion:** The area is already heavily congested and poorly suited to increased vehicle and delivery traffic, which this development would inevitably generate.
- **Extended operating hours:** Late or extended trading hours would increase noise, light pollution, and disruption for nearby residents in a mixed residential area.
- **Waste and environmental impact:** High volumes of takeaway packaging would contribute to increased litter, landfill, and pressure on local waste services.
- **Public health:** The increased availability of unhealthy fast food, particularly near families and young people, contributes to long-term health impacts.
- **Lack of need:** There are already McDonald's outlets in close proximity at St Peters, Marrickville Metro, and Alexandria, demonstrating no clear community need for an additional outlet.
- **Neighbourhood character:** Newtown's independent, non-corporate, and culturally distinctive character would be undermined by the introduction of a large multinational fast-food franchise.

For these reasons, I urge the authority to refuse this application.

Thank you for considering my submission.

Sincerely,

Meg

Sent from my iPhone

From: katie <[REDACTED]> on behalf of katie <[REDACTED]> <katie
<[REDACTED]>

Sent on: Monday, February 9, 2026 7:35:31 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission in Opposition to McDonald's Proposal RD/2025/585/B - King Street, Newtown

Caution: 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 Members,

I am writing to strongly oppose the proposal by McDonald's Australia to open a restaurant on King Street, Newtown.

Newtown's identity is built on its independent spirit and strong support for locally owned cafés, restaurants, and small businesses. Allowing a global corporate chain such as McDonald's into this precinct undermines the cultural character that makes Newtown unique. Multinational fast-food chains contribute little to local culture or community life while using their scale to outcompete independent operators.

Supporting local businesses keeps money circulating within the community and sustains the diversity that attracts people to Newtown. A corporate behemoth like McDonald's prioritises profit over place and does not align with the values many residents actively choose to support.

There are also clear sustainability and amenity concerns. Newtown already experiences significant litter and waste, particularly on weekend nights. Fast-food outlets generate high volumes of single-use packaging, which inevitably increases rubbish on streets and in surrounding residential areas. This directly conflicts with the City of Sydney's waste-reduction and environmental goals.

The recent approval of a KFC on King Street should be a warning. Rather than doubling down on multinational fast food, Council should be protecting the independent businesses that define the area and contribute to a cleaner, more distinctive precinct.

For these reasons, I urge the Council to reject this application and prioritise planning decisions that support local businesses, sustainability, and Newtown's unique character.

Thank you for considering my submission.

Sincerely,

Katie Ahearn

Newtown resident

From: <[REDACTED]>
Sent on: Monday, February 9, 2026 6:22:41 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: McDonalds's Newtown Objection

Caution: 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 Line: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Content of email:

Object to Amended DA for McDonald's, 212–214 King Street, Newtown

To: City of Sydney Council

Re: **DA No. D/2025/585/B – Amended Development Application (McDonald's Newtown)**

I'm writing as someone who has lived in Newtown my whole life and now works in a small business on King Street. This neighbourhood has shaped who I am, and I care deeply about the people and places that make it what it is. For these reasons, I strongly object to the amended DA for a McDonald's at 212–214 King Street.

Even with the recent changes, the proposal still doesn't reflect what this community needs or values.

• **Newtown's character matters to us.**

I grew up surrounded by independent cafés, family-run food places, and quirky shops that give this area its soul. A multinational chain like McDonald's doesn't fit in with the culture that locals have built over decades, and it risks pushing Newtown toward becoming just another generic high street.

• **Small businesses are already doing it tough.**

Working on King Street every day, I see how hard local owners work to stay afloat, especially with rising rents and competition. A global fast-food chain with huge buying power and long trading hours would add even more pressure to businesses that are part of the community's identity.

• **Safety and congestion are still real concerns.**

King Street is already a busy, often crowded corridor. Delivery riders, late-night foot traffic, and limited space mean that even small increases in activity can create issues. The amended proposal doesn't convincingly address pedestrian safety, waste management, loading zones, or late-night behaviour.

• **The community has been clear.**

Many of us raised these concerns during the earlier DA, and little has changed. People here care deeply about preserving what makes Newtown unique, and there is still strong community opposition for good reason.

Newtown is not just a place to me—it's home. I'm asking the Council to protect the character, safety, and small-business ecosystem that make this neighbourhood so special by refusing the amended DA.

Kind regards,

Thomas

Newtown resident & King Street worker

From: simon goldsworthy <[REDACTED]> on behalf of simon goldsworthy
<[REDACTED]> <simon goldsworthy <[REDACTED]>
Sent on: Monday, February 9, 2026 10:14:23 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: McDonalds Newtown

Caution: 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 responding to the resubmission of McDonalds for planning permission. The new application has not addressed the attendant issues of litter, traffic and noise with a small reduction in operating hours.
I include my submission from last time, which turns out to be salient, with this submission.

I am writing to you as a resident of the immediate area, just one block away. I have been here long enough to remember the old McDonalds on King St and the attendant problems with parking, litter and noise. A 24hr proposition seems like an ambient claim to get the business open. If it is 24hrs it is completely out of character with the adjacent densely populated residential area.
For these reasons I wanted to voice my objections.
Regards
Simon Goldsworthy
93 Wilson St Newtown

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: Tuesday, February 10, 2026 7:54:42 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: RD/2025/585/B

-----Original Message-----

From: Deanna McAsey <[REDACTED]>
Sent: Tuesday, 10 February 2026 7:52 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: RD/2025/585/B

Caution: 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 objecting to the revised McDonalds DA proposal due to previous concerns. This includes negative financial impacts to small local businesses nearby by a huge multi-national. It goes against the culture of diversity and small business appeal of Newtown which makes it so appealing to residents and visitors. There are also MacDonalDs at Broadway, Marrickville Metro and St Peter's and we don't need more in the area.

Regards
Deanna McAsey
12 Alice Street
Newtown

From: Marcus Sandmann <[REDACTED]> on behalf of Marcus Sandmann
<[REDACTED]> <Marcus Sandmann <[REDACTED]>

Sent on: Tuesday, February 10, 2026 8:18:01 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission against RD/2025/585/B revised McDonald's DA Application in Newtown

Caution: 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 against McDonald's revised development application in Newtown.

As a local resident, I strongly object to the revised McDonalds proposed development application on King Street Newtown. This plan posed significant risks, including public safety on King Street, public wellbeing and local business.

Impact on Local Business: Residents and business owners argue a multinational chain will threaten independent cafes and eateries.

Traffic and Safety: Concerns exist regarding increased traffic congestion, pedestrian safety, and illegal use of pavements by delivery riders.

Noise and Anti-social Behavior: The potential for this operation poses risks of excessive noise, graffiti, and anti-social behavior.

Character and Identity: Opponents argue a McDonald's contradicts the "Keep Newtown Weird" ethos and the suburb's character.

Excessive Fast Food: Critics note the high concentration of existing fast food, including six chicken shops within a 170-metre radius.

The McDonald's proposal conflicts with the community's interests. I respectfully urge the council to reject this application.

Regards
Marcus Sandmann
Alexandria NSW

From: Julie NY <[REDACTED]> on behalf of Julie NY <[REDACTED]> <Julie NY
<[REDACTED]>

Sent on: Tuesday, February 10, 2026 11:19:36 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Subject line: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 Cissi Li

As local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise

Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this 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: Tuesday, February 10, 2026 11:16:02 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li - APPROVE

-----Original Message-----

From: Martin Turner <[REDACTED]>
Sent: Tuesday, 10 February 2026 10:55 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>; Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li - APPROVE

Caution: 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 Approvers

Please allow McDonalds back to Newtown.

Ignore those people inciting "Shut it down" mindset.

Thanks

martin

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: Tuesday, February 10, 2026 12:07:30 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li - APPROVE

From: Martin Turner <[REDACTED]>
Sent: Tuesday, 10 February 2026 10:55 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>; Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li - APPROVE

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Dear DA Approvers

Please allow McDonalds back to Newtown.

Ignore those people inciting "Shut it down" mindset.

Thanks

martin

From: Matthew Boulton <[REDACTED]> on behalf of Matthew Boulton <[REDACTED]> <Matthew Boulton <[REDACTED]>
Sent on: Tuesday, February 10, 2026 11:05:33 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: DA D/2025/585/B - 212-214 King St NEWTOWN NSW 2042

Caution: 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 Li,

I am writing as a local resident to object to the proposed McDonald's development. I think it's unfortunate that McDonald's thinks that a couple of minor changes would alter the principle. I hope that the Council continues to respect the wishes of Newtown residents.

The level of community opposition to this proposal is already well established. That response reflects a clear and consistent community view that a McDonald's is not appropriate (or wanted) for King Street.

King Street's value lies in its distinctive character: a dense, walkable high street defined by independent businesses, cultural diversity and a vibrant but human-scale late-night economy. These qualities are explicitly protected through City of Sydney planning controls. A large, multinational fast-food outlet is fundamentally at odds with those objectives and risks further homogenising a precinct whose strength lies in its local identity. If I'd known KFC was also planning a shop here, I would have raised similar objections at the time.

The earlier DA was refused due to traffic and pedestrian safety risks, inadequate servicing and loading arrangements, and increased noise, litter, and environmental impacts. I don't see how the new application changes this.

The updated DA still fails to meaningfully address the impact of delivery riders on already congested footpaths. The inclusion of a single bicycle space for staff does not mitigate the foreseeable increase in delivery activity. I don't see how the application meaningfully changes things, and my previous objection stands.

The proposal conflicts with controls intended to protect King Street's independent and culturally distinctive character. No genuine economic or social impact assessment has been provided, despite the obvious risk of cumulative displacement effects on small local businesses. This runs counter to the Council's stated aim of supporting a locally distinctive, creative economy. King St is already suffering somewhat with an increase in empty shops and convenience stores – adding a McDonald's to this will not help the area.

The development would generate unacceptable cumulative impacts on noise, odour, waste servicing and delivery traffic, particularly given its proximity to residential uses. Reliance on minor laneways for servicing, limited rider facilities and the intensity of waste generation are huge problems.

In summary, the proposed McDonald's would undermine Newtown's local character, diminish residential amenity and conflict with City of Sydney planning controls designed to protect heritage, social diversity and environmental sustainability. The revised DA does little to address the concerns previously identified the community.

Warm regards,

Dr Matthew Boulton

Consultant Psychiatrist | FRANZCP, BMBS, BSc

Red Tree Practice | [Website](#) | [REDACTED]

Medicolegal work via Medirect | [Profile](#) | [REDACTED]

Member: EMDRAA | AADPA

I work part-time. Email is not monitored continuously and should not be used for urgent or emergency correspondence.

NSW Mental Health Access Line: 

From: Antonia Ross <[REDACTED]> on behalf of Antonia Ross <[REDACTED]> <Antonia Ross <[REDACTED]>
Sent on: Tuesday, February 10, 2026 11:02:40 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

From: Sarah Perini <[REDACTED]> on behalf of Sarah Perini <[REDACTED]> <Sarah Perini <[REDACTED]>>
Sent on: Tuesday, February 10, 2026 12:09:29 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The response to the previous application in August 2025 clearly showed how strongly the community feels, with 1,433 submissions opposing the proposal and only six in support.

King Street has a well-established heritage and character, shaped by its diverse community, independent businesses, and creative late-night economy. A large fast-food outlet like McDonald's does not align with local planning objectives that aim to protect the area's character, social diversity, and pedestrian-friendly environment.

As a community, we have made it very clear that we do not want a McDonald's in this location. It would put real pressure on the independent businesses and local culture that make Newtown what it is.

The previous application was rejected due to concerns about increased traffic, pedestrian safety risks, inadequate on-site loading, higher noise levels, and environmental impacts such as littering. These issues remain relevant. The current proposal is still inconsistent with City of Sydney planning objectives, particularly around amenity, local character, cumulative impact, sustainability, and pedestrian safety.

Public domain and pedestrian safety (DCP 3.1.1 & CPTED)

The updated DA does not adequately address the expected increase in delivery riders using the footpath. While the 2026 proposal includes a single bicycle space for staff, there are no meaningful measures to manage increased bike and rider activity in an already crowded pedestrian area.

Although the CPTED assessment acknowledges the social impacts of extended late-night trading, it does not resolve them. Concentrating fast-food delivery operations in this confined, high-traffic location will negatively affect pedestrian amenity, accessibility, and public safety.

Loss of local character and cultural identity (DCP 2012 Part 2.10.1)

The proposal is inconsistent with planning controls designed to protect the small-scale, independent and culturally distinctive nature of King Street. Approval would contribute to the gradual erosion of the heritage and cultural identity that underpins Newtown's local economy.

Economic and social impact on local businesses

The application does not include an economic or social impact assessment and fails to consider the cumulative effects on nearby independent businesses. This runs counter to Council's strategic goal of supporting small and creative enterprises that contribute to the city's distinctive local economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal would introduce unacceptable cumulative impacts, including increased noise, odours, waste collection, and service vehicle movements close to residential properties. Non-compliance with AS 1668.2 setbacks, reliance on narrow laneways for servicing, and the lack of rider parking do not meet the requirement to minimise disruption to local amenity under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The scale of waste and resource use associated with this proposal is inconsistent with Sustainable Sydney 2030 objectives, particularly those aimed at reducing waste collection frequency, transport emissions, and landfill reliance in dining precincts.

Character and heritage impact

Newtown has grown into a vibrant village known for its independent shops, small bars, and locally owned restaurants. Introducing a McDonald's would disrupt this character, replacing King Street's evolving identity with a standardised corporate presence that does not reflect the community.

Conclusion

The proposed McDonald's at 212–214 King Street would significantly undermine Newtown's small-scale cultural economy, reduce amenity for nearby residents, and conflict with City of Sydney planning controls intended to protect heritage character, social diversity, and environmental sustainability.

The Newtown community has consistently raised concerns about increased noise, antisocial behaviour, and litter, all of which would negatively affect the cultural and residential character of King Street. The updated DA does little to address or mitigate these issues.

For these reasons, we respectfully request that City of Sydney Council refuse this application.

Yours sincerely,

Sarah Perini

From: Joris Luijke <[REDACTED]> on behalf of Joris Luijke <[REDACTED]> <Joris Luijke <[REDACTED]>>
Sent on: Tuesday, February 10, 2026 10:48:17 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 members,

As locals, we strongly object to the proposed McDonald's at 212–214 King Street, Newtown. When a similar application was put forward in August 2025, the response from the community was crystal clear. There were 1,433 objections and just 6 submissions in support. That says everything about how people in Newtown feel about a McDonald's on King Street.

King Street is special because of its heritage, its diversity, and its independent businesses. It's a busy, walkable strip that works because it's human-scale and locally driven. A large fast-food chain simply does not fit with the character of the street or the planning goals that exist to protect pedestrian amenity, social diversity, and local identity.

As a community, we've been clear. We don't want a McDonald's here. It puts pressure on the independent businesses and the cultural character that make Newtown feel like home.

The previous application was refused due to traffic and pedestrian safety issues, poor loading arrangements, noise impacts, and environmental concerns such as litter. The updated proposal doesn't meaningfully fix these problems and still conflicts with City of Sydney planning objectives around amenity, safety, sustainability, and local character.

Pedestrian safety and the public space

The new DA still doesn't deal with the reality of delivery riders using already-crowded footpaths. Adding a single bike space for staff does nothing to manage the increase in bikes, scooters, and delivery traffic in a very tight, busy area. King Street already has heavy foot traffic, especially at night, and this will only make things worse.

While CPTED measures are mentioned, they don't resolve the impact of late-night fast-food activity in a spot where pedestrians, residents, and delivery riders are all competing for space. This proposal prioritises delivery volume over public safety and comfort.

Loss of local character

King Street's planning controls exist to protect its independent, small-scale, and culturally diverse feel. A McDonald's goes against that. Approving this would further erode the character that makes Newtown different from everywhere else.

Impact on local businesses

There's been no real assessment of the economic or social impact on nearby independent businesses. Ignoring the cumulative effect of large chains on small operators undermines Council's stated goal of supporting local and creative enterprises.

Amenity impacts

This proposal would increase noise, smells, waste collection, and delivery traffic right next to homes. Relying on narrow laneways for servicing, not properly addressing ventilation setbacks, and failing to provide rider parking all point to poor outcomes for residents and the street overall.

Sustainability and waste

The amount of waste and servicing this development would generate runs counter to the City's sustainability goals, including reducing waste, truck movements, and emissions in dense inner-city areas.

What this means for Newtown

Newtown has grown into a vibrant village of independent shops, small bars, and local eateries. A McDonald's would cut across that, replacing a unique and evolving street with a standard corporate fit-out that could be anywhere.

Conclusion

A McDonald's at 212–214 King Street would damage Newtown's local economy, reduce amenity for residents, and go against the planning controls designed to protect the area's character, diversity, and liveability.

The community has already been clear about concerns around noise, litter, antisocial behaviour, and the broader impact on King Street. The revised DA does little to address these issues.

For these reasons, we ask the City of Sydney to refuse this application.

regards,

Joris Luijke

2 Hennings Ln Newtown

From: ARORA, Nimita <[REDACTED]> on behalf of ARORA, Nimita <[REDACTED]>
Sent on: Tuesday, February 10, 2026 12:14:35 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li [SEC=UNOFFICIAL]

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

UNOFFICIAL

Dear Cissy,

As local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting. As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment. The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

For the reasons outlined below, the current proposal continues to be inconsistent with City of Sydney planning objectives. In particular, I note the restaurant only seats 12 people, meaning most of sales will be takeaway. This will inevitably lead to a lot of littering throughout the nearby areas. As a local government, we should also be aiming to minimise waste and encourage sustainability.

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement. The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14

and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts. In particular, I note the restaurant only seats 12 people, meaning most of sales will be takeaway. This will inevitably lead to a lot of littering throughout the nearby areas. As a local government, we should also be aiming to minimise waste and encourage sustainability.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behaviour and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

Kind regards,

Nimita Arora

Nimita Arora

Assistant Director - Economic Evaluation and Advice Section

Office of the Chief Health Economist Division | Strategy and First Nations Group
Australian Government Department of Health, Disability and Ageing
E: [REDACTED]

This email comes to you from Gadigal Country
Location: Level 10, 260 Elizabeth Street
Surry Hills NSW 2010, Australia

The Department of Health, Disability and Ageing acknowledges First Nations peoples as the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to all Elders both past and present.

UNOFFICIAL

"Important: This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you receive this transmission in error please notify the author immediately and delete all copies of this transmission."

From: Julia Frecheville <[REDACTED]> on behalf of Julia Frecheville

<[REDACTED]> <Julia.Frecheville@[REDACTED]>

Sent on: Tuesday, February 10, 2026 12:00:47 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 Li

As local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

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The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

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Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local

restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

From: Sebastian Danta <[REDACTED]> on behalf of Sebastian Danta
<[REDACTED]> <Sebastian Danta <[REDACTED]>

Sent on: Tuesday, February 10, 2026 10:38:38 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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,

As local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community has made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Many thanks,

Seb Danta

Sebastian Danta

Animator / Director / Illustrator / Motion Graphics Designer



From: Jean N'jeri allen <[REDACTED]> on behalf of Jean N'jeri allen
<[REDACTED]> <Jean N'jeri allen <[REDACTED]>
Sent on: Tuesday, February 10, 2026 2:12:09 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact

of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease

the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns. We respectfully request the Council of Sydney refuse this application.

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From: Wamla Mcia <[REDACTED]> on behalf of Wamla Mcia <[REDACTED]> <Wamla Mcia <[REDACTED]>
Sent on: Wednesday, February 11, 2026 6:13:49 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 to express my support for the development application for the proposed McDonald's on King Street, Newtown. King Street has long operated as one of Sydney's most active and well-known mixed-use precincts, accommodating a broad range of food, retail, and community-focused services that reflect the needs of a dense and diverse local population. The proposed development is consistent with this established role and should be assessed within the practical realities of how the street already functions.

Newtown has never been exclusively defined by small independent operators alone. Over many years, King Street has hosted a variety of national and international brands, including Bakers Delight, Subway, Domino's Pizza and a previous McDonald's, and currently includes businesses such as KFC, El Jannah and Broaster Chicken. These businesses have operated alongside local traders without eroding Newtown's identity. The continued presence of both independent and larger operators reflects the area's adaptability and its capacity to support a mix of offerings that serve different segments of the community.

The proposed McDonald's is designed as a small-format store, which is particularly appropriate for King Street's urban form. Recent developments, such as the new small-format KFC, demonstrate that this model integrates well into the streetscape, supports pedestrian activity, and avoids the scale-related issues often associated with traditional suburban outlets. A compact footprint allows the business to function efficiently while maintaining compatibility with surrounding uses and built form.

The proposal also includes clear commitments to local amenity. As part of its ownership agreement, McDonald's operates a 200-metre cleaning policy, under which staff are responsible for regular litter collection and cleanliness in the surrounding public domain. This contributes positively to the presentation and upkeep of King Street, delivering a tangible benefit not only to patrons but also to nearby residents, businesses, and visitors.

It is also important that the volume and nature of submissions received in relation to this application be understood in context. There has been a documented campaign of online misinformation and coordinated submission spamming, including participation from individuals with no local connection. While community input is essential, the integrity of the planning process relies on weighing genuine, locally grounded concerns rather than the scale of automated or internationally sourced responses.

Taken on its merits, this development represents a reasonable and appropriate use of a commercial site in a highly accessible location. It supports employment, enhances street-level activity, and provides a service that many in the local community already use and value. With appropriate conditions of consent, the proposal can operate responsibly and in harmony with its surroundings.

For these reasons, I support approval of the development application. There is no distinct tangible concern in this application which should restrict it moving forward.

Regards,

WI

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: Wednesday, February 11, 2026 7:02:57 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

-----Original Message-----

From: Murray Lee <[REDACTED]>
Sent: Tuesday, 10 February 2026 5:15 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>; Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy Li

I am writing to voice my opposition to the application of the above development application.

Newtown has a special place in the hearts and minds of Sydneysiders. It has historically been the site of countercultures and alternative lifestyles. It is a microcosm of culture at odds with the entire logic of McDonalds.

Not only that, but the site of the proposed development is inappropriate in many ways, and the new DA does little but re-state the case of the earlier application - with some minor adjustments. There will likely be problems of delivery riders in conflict with pedestrians, impact of waste, noise and cultural imperialism.

Best
Murray

From: June Chiew <[REDACTED]> on behalf of June Chiew <[REDACTED]> <June Chiew <[REDACTED]>

Sent on: Wednesday, February 11, 2026 8:44:26 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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,

The re-submission of McDonald's application to change their trading hours from 24 hours to 7am-2am does not address any of the previous objections from the previous application .

It does not answer the following:

- The current infrastructure cannot support its high waste streams
- The current infrastructure cannot support high frequency deliveries
- Residents in this area already suffer from high volume of noise from garbage trucks, delivery trucks and vagrant behaviours that occur at all hours of the day/night
- Parking/traffic in the locality cannot support this fast food restaurant, particularly with food delivery cyclists who are already a huge menace to the area
- Its vicinity to residential neighbourhood is not appropriate, it will increase anti-social behaviour and crime
- It will generate more rubbish in the area which is already a huge problem with the high frequency of illegal dumping
- It will reduce the amenity and safety of the neighbourhood

I hope that council will remain strong to object this re-application.

Thank you

Regards

JUNE CHIEW | Senior Project Manager, University Infrastructure
THE UNIVERSITY OF SYDNEY
Services Building G12 | 22 Codrington Street | Darlington | NSW | 2008

M [REDACTED]
E [REDACTED] | W [REDACTED]

CRICOS 00026A

This email plus any attachments to it are confidential. Any unauthorised use is strictly prohibited. If you receive this email in error, please delete it and any attachments.

Please think of our environment and only print this e-mail if necessary.

From: Eva Poon <[REDACTED]> on behalf of Eva Poon <[REDACTED]> <Eva Poon <[REDACTED]>

Sent on: Tuesday, February 10, 2026 10:14:39 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cassy,

As a resident in the neighbourhood, I object to the abovementioned submission with the following reasons:

1. . The Crime Risk Assessment has only provided measures to the King Street entrance but did not mention anything in relation to Brown Ln (the back of the shop). This raises concerns of safety in the neighbourhood as the shop will surely attract plenty of patrons. The crime prevention report did not take consideration of sufficient crime prevention on Brown Lane.
2. The proposed operation for attracts a high level of noise (the operation, delivery from ubereats and patrons) and smell from cooking in the late night which has a negative impact on the quiet and peaceful living environment for residents in the neighbourhood, especially sleep.
3. The poor management of garbage collection and bin situation on Brown Lane - the management of the garbage collection on Brown Ln is appalling with the common sighting of rats (both dead and alive). The proposal of a fast food takeaway will further deteriorate the situation.
4. There is insufficient parking for delivery management in the area and will further impact the traffic and road safety on King Street, Brown Street and Brown Lane.
5. The opening of McDonald's will destroy the authenticity of Newtown.

Yours Sincerely,
Eva Poon

From: Mick On <[REDACTED]> on behalf of Mick On <[REDACTED]> <Mick On <[REDACTED]>

Sent on: Wednesday, February 11, 2026 6:07:33 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 in support of the proposed development application for a McDonald's restaurant on King Street, Newtown. King Street has long functioned as a diverse, high-activity main street that brings together residents, workers, students, and visitors. The proposed development aligns with this role and reflects the street's established character as a place for food, gathering, and social interaction.

A key benefit of the proposal is its contribution to the local community through employment and skills development. The Newtown area has a large population of students and young people seeking flexible and accessible work. McDonald's has a well-established record of providing entry-level employment, structured training, and pathways for career development. These opportunities can have a meaningful positive impact on local residents by supporting financial independence, work experience, and long-term employability.

The proposal also supports community accessibility and inclusion. As a well-known and affordable food option, the restaurant would provide a casual meeting place for people from a wide range of backgrounds, including families, shift workers, and late-night patrons who already use King Street's services. This contributes to King Street's role as an active, inclusive public corridor where people feel comfortable at different times of the day and evening.

From a planning perspective, the development represents an appropriate and efficient use of an existing commercial site in a location that is well serviced by public transport, cycling infrastructure, and pedestrian access. This reduces car dependency and supports sustainable travel patterns. The scale and operation of the proposal are consistent with surrounding food and hospitality uses, many of which operate extended hours, and any potential impacts relating to noise, waste, or amenity can be effectively managed through standard conditions of consent.

Importantly, the introduction of a national brand does not undermine Newtown's identity. King Street already supports a broad mix of independent businesses and larger operators, and this diversity is part of its strength. The proposed development will add choice and activity without detracting from the area's cultural character.

Overall, the proposal offers clear social, economic, and community benefits and is consistent with the established use and vibrancy of King Street. For these reasons, I support approval of the development application.

From: Murray Lee <[REDACTED]> on behalf of Murray Lee <[REDACTED]> <Murray Lee <[REDACTED]>

Sent on: Tuesday, February 10, 2026 5:15:11 PM

To: dasubmissions@cityofsydney.nsw.gov.au; planningsystemsadmin@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy Li

I am writing to voice my opposition to the application of the above development application.

Newtown has a special place in the hearts and minds of Sydneysiders. It has historically been the site of countercultures and alternative lifestyles. It is a microcosm of culture at odds with the entire logic of McDonalds.

Not only that, but the site of the proposed development is inappropriate in many ways, and the new DA does little but re-state the case of the earlier application - with some minor adjustments. There will likely be problems of delivery riders in conflict with pedestrians, impact of waste, noise and cultural imperialism.

Best
Murray

From: Oscar Matta <[REDACTED]> on behalf of Oscar Matta <[REDACTED]> <Oscar Matta <[REDACTED]>
Sent on: Wednesday, February 11, 2026 11:01:48 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

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I wish for my details to be censored.

I acknowledge that the original proposal raised significant concerns within the community. However, I consider the revised application to be a more balanced and appropriate response to those concerns.

The reduction in operating hours is a positive and meaningful change. It allows for job creation and local economic activity by providing employment opportunities for youth and entry-level workers, while reducing the risk of late-night impacts on vulnerable members of the community. Importantly, the revised hours are likely to limit noise disturbances and late-night antisocial behaviour that were previously raised as key issues.

The activation of a currently vacant commercial site on King Street would improve passive surveillance and contribute positively to street vitality in a well-established activity corridor. An occupied and active site can enhance safety and support the ongoing use of the public domain.

I also note that the revised application includes changes aimed at reducing delivery rider congestion and improving waste management practices compared to the earlier proposal. These measures demonstrate a willingness by the applicant to respond to operational concerns and mitigate impacts on pedestrians and neighbouring properties.

Finally, the proposed development would add an affordable and accessible food option for local residents, visitors, and shift workers, complementing the diverse range of existing businesses in the area.

For these reasons, I support the revised development application and consider it an improved proposal that better aligns with community expectations and planning considerations.

From: Robert Bolton <[REDACTED]> on behalf of Robert Bolton <[REDACTED]> <Robert Bolton <[REDACTED]>
Sent on: Tuesday, February 10, 2026 5:56:44 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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,

Re Submission - RD/2025/585/B

I object to this development application on the following four grounds.

The proposed McDonalds will attract more food delivery e-bikes to the intersection of King street and Brown Street which is already difficult to navigate and dangerous for pedestrians, owing to the e-bike traffic.

Inevitably some customers will stop their cars in the street in order to do pick ups. The proposed business is right on the intersection of a major arterial road, the Princess Highway. The Princess Highway is already log jammed during peak hours.

The hours of trading will attract patrons leaving pubs late at night, adding to the night time public- safety risk of King street.

King street is in need of a more diverse range of commercial businesses. There are already a vast number of inexpensive take-away food outlets. Another such outlet is not in the interests of the residents of Newtown. The City of Sydney often points to the vibrancy of Newtown as a key example of good quality inner city life. What King Street needs is more diversity of business.

Yours sincerely,
Robert Bolton
20 Chalder st, Newtown, NSW2042.

[REDACTED]
[REDACTED] 5

From: Maska Mask <[REDACTED]> on behalf of Maska Mask <[REDACTED]> <Maska Mask <[REDACTED]>

Sent on: Wednesday, February 11, 2026 5:58:16 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 in support of the proposed development application for a McDonald's restaurant on King Street, Newtown. King Street is a well-established mixed-use corridor that already accommodates a wide range of hospitality, retail, and late-trading food businesses, and the proposed development is consistent with the existing character and function of the area.

The proposal will provide clear economic and social benefits to the local community. In particular, it will create new employment opportunities, including entry-level and flexible jobs well suited to students and young people, which aligns strongly with the demographic profile of Newtown. The ongoing operation of the business will also contribute to the local economy through increased activity, supply chains, and rates revenue.

From an urban planning perspective, the proposal represents an efficient use of an existing commercial site within a highly accessible location. King Street is well serviced by public transport and pedestrian infrastructure, reducing reliance on private vehicles and supporting broader strategic planning objectives for sustainable transport and walkable centres. The proposed hours of operation and traffic arrangements are comparable to other nearby food outlets and are unlikely to result in unreasonable impacts beyond what is already typical for this part of Newtown.

Concerns sometimes raised about large chains must be considered in context. King Street already supports a diverse mix of independent and national businesses, and this proposal will add to consumer choice without displacing existing character. With appropriate conditions relating to waste management, noise control, and signage, the development can operate responsibly and harmoniously within its surroundings.

Overall, the proposal is consistent with local planning controls, supports economic activity, and reflects the established commercial nature of King Street. For these reasons, I support approval of the development application.

From: Andrew Barrass <[REDACTED]> on behalf of Andrew Barrass
<[REDACTED]> <Andrew Barrass <[REDACTED]>
Sent on: Tuesday, February 10, 2026 5:28:31 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Resident Submission - RD/2025/585/B
Attachments: 260210_A Barrass_Letter re DA RD2025585B.pdf (65.34 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Ms. Li,

Please find attached comments I wish to submit for your consideration in response to Development Application RD/2025/585/B.

Thank you for taking the time to review my comments and I wish you a lovely week ahead.

Kind regards,

Andrew Edward Barrass
101 Burren St, Newtown NSW 2042
[REDACTED]

10th February 2026

Attention: Cissy Li
Department of Planning & Development
City of Sydney Council

SUBJECT: DA RD/2025/585/B - 212-214 KING STREET, NEWTOWN

Dear Ms. Li,

I am writing to you today as a local resident, and homeowner, in Newtown to formally submit my support for the approval of the amended development application for 212-214 King Street.

While I acknowledge the previous concerns raised, primarily focusing on the influence of multinational corporations, potential litter, and the preservation of the "King Street fabric", I believe these objections overlook the practical realities of our current high street and would like to offer the following points in favour of the application;

- **Safety & Street Activation**; A significant portion of King Street consists of retail tenancies that create large expanses of dark, unactivated shopfronts after 5.00pm and most restaurants currently close by 9.00pm leaving only bars and pubs open. This creates an environment that can feel unwelcoming or uncomfortable for residents & visitors, such as those leaving late night sessions at Dendy Cinema, who currently have no food options & must navigate stretches of the street populated by those under the influence. A late-trading McDonald's would provide essential eyes on the street.

- **Oversupply of Low-Utility Stores**; King Street is currently oversaturated with tobacco stores which contribute little to the cultural fabric. Conversely, there is an oversupply of chicken based outlets of which there is approx. 6 within a short radius. McDonald's offers an affordable, alternative menu that provides variety to the local food economy, particularly for the nearby university population.

- **Market Reality & Consumer Behaviour**; The argument that a multinational presence threatens local business is contradicted by the success of other large multinational style chains such as KFC, Guzman y Gomez & Oporto on this same stretch. Local residents are already consuming McDonald's either by driving to nearby restaurants, such as St Peters, or using delivery apps. Bringing this option to King St does not take away from independent dining; rather it captures a segment of the market that has already decided to eat elsewhere and therefore reducing delivery vehicle traffic and improving local accessibility particularly for those without a vehicle.

- **Preserving the Fabric through Diversity**; The true charm of Newtown is in its multiculturalism, eclecticism & variety. A healthy high street caters to all demographics & price points. The typical McDonald's consumer is often distinct from those seeking a premium, independent dining experience. The two can, & do, coexist in numerous examples of diverse urban centres.

Given the existing precedent for multinational franchises in the area, denying this application on the basis of corporate identity would be contradictory. I believe this development will lead to a safer, more active and accessible King Street. Thank you for your time & considering the perspective of a local resident.

Sincerely,

Andrew Barrass

From: Sarah O <[REDACTED]> on behalf of Sarah O <[REDACTED]> <Sarah O <[REDACTED]>

Sent on: Tuesday, February 10, 2026 4:12:18 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 Cissy,

As local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety.

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Thanks,

Sarah

Sarah O'Brien



From: Amelia Winter <[REDACTED]> on behalf of Amelia Winter <[REDACTED]> <Amelia Winter <[REDACTED]>

Sent on: Tuesday, February 10, 2026 4:15:10 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

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King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

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The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone.

Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

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Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning

controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns. We respectfully request the Council of Sydney refuse this application.

Thank you
Amelia Winter

From: Duncan Cook <[REDACTED]> on behalf of Duncan Cook

<[REDACTED]> <Duncan Cook <[REDACTED]>

Sent on: Wednesday, February 11, 2026 8:57:38 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

A 24 hr McDonalds is not needed and will attract undesirable people and trouble.

The Odour pollution will create an almighty stench forever changing the street and surrounding area.

There is no seating.. so people will buy walk out and dump rubbish on the street.

There are 5 McDonalds within spitting distance it is not needed or wanted.

Regards
Duncan

From: michaela <[REDACTED]> on behalf of michaela
<[REDACTED]> <michaela <[REDACTED]>

Sent on: Wednesday, February 11, 2026 6:34:28 PM

To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>;
dasubmissions@cityofsydney.nsw.gov.au

Subject: Re: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 DEVELOPMENT APPLICATION D/2025/585. ATTN Cissy Lee

212-214 King Street, Newtown NSW 2042

Dear Council Assessment Team,

I am writing as a local resident and worker in the area to formally object to the proposed McDonald's development at 212-214 King Street, Newtown. The cumulative evidence proves this site cannot accommodate McDonald's operations while meeting basic planning, safety standards, protecting residential amenity, heritage values, and public health.

SPATIAL INADEQUACY

- • Required amalgamation of two heritage shops (DCP discourages)
- • Only one toilet for high-volume restaurant
- • No separate waste storage room
- • Inadequate bicycle parking (1 of 5 required)
- • No space for bulky waste storage

FOOD SAFETY CONFLICTS

- • Bi-fold window delivery entrance violates tight-fitting door requirement
- • Customer toilet access compromises food preparation separation
- • Waste bins inside premises create hygiene risks
- • Delivery traffic through active kitchen creates cross-contamination risk

HERITAGE IMPACTS

- • Demolition of 140-year-old dividing wall destroys historic configuration
- • Rooftop mechanical enclosure visually intrudes on streetscape
- • Corporate signage incompatible with Heritage Colour Scheme
- • Site amalgamation undermines small-scale heritage shopfront character

AMENITY IMPACTS

- • Construction noise: 88 dBA at residential receiver (22 dB over limit)
- • Operational noise classification manipulated to inflate allowable limits
- • Late-night trading until 2am in dense residential area
- • Waste collection impacts on Brown Lane residents
- • Deliveries on King Street footpath during peak hours
- • Concentration of late-night venues in locality

KEY CONCERNS

Health Perspective: This proposal creates foreseeable harm through chronic sleep disruption, construction noise violations, cumulative stressors, and disproportionate impacts on vulnerable populations. The acoustic assessment prioritises averaged compliance metrics over lived experience.

Planning Perspective: The application systematically misrepresents DCP compliance. The site is spatially inadequate (requiring amalgamation, lacking basic facilities). Heritage impacts are understated. The floor plan reveals design incompatible with food safety and accessibility. Crime/safety claims reverse cause and effect.

Noise Assessment: The acoustic assessment treats compliance as the same thing as acceptability. Meeting technical triggers doesn't mean impacts are tolerable—especially where hours extend to 2am, receivers are directly adjacent, and the use is discretionary commercial development, not essential infrastructure.

DCP COMPLIANCE MISREPRESENTATIONS

Site Amalgamation: Applicant admits amalgamating two lots while marking it "compliant" against DCP Section 2.3.3(j) which states "Discourage site amalgamation." If amalgamation is required, the site is unsuitable.

Bicycle Parking: DCP requires 5 spaces total. Applicant provides 1 space and claims public footpath bike racks can be used by customers. Public racks are not on-site provision.

Waste Collection: Marked "compliant" despite using Brown Lane (public laneway) instead of preferred on-site options.

Bulky Waste: Applicant claims McDonald's will generate zero bulky waste. This is demonstrably false.

Signage Violations: Multiple non-compliances marked "justified" with reasoning that "other people violate the rules." McDonald's red and yellow golden arches are incompatible with the Heritage Colour Scheme.

NOISE ASSESSMENT FLAWS

"Urban Noise" Classification: The report classifies all residential receivers as "Urban" to inflate allowable noise limits by 5 dB. These are people sleeping above a fast-food venue operating until 2am, not abstract "urban receivers."

Data Manipulation: Quietest nights measured 47 dBA but were excluded. The adopted Night RBL is 53 dBA—a 6 dB inflation. This is cherry-picking data to manufacture compliance.

Human Behavioural Noise Excluded: The assessment excludes patron conversations, shouting, queue noise, delivery riders, loitering, antisocial behaviour, arguments, and intoxicated patrons at 2am closing. Human voices are particularly intrusive and cannot be "tuned out" like traffic.

Construction Noise: The report predicts 88 dBA at residential receiver—a 22 dB exceedance over the limit. Eleven of 21 receivers exceed construction noise limits. The response offers only generic recommendations with no enforceable controls.

CRIME AND SAFETY

The DCP Compliance Table claims the proposal will "contribute to surveillance." This reverses cause and effect. Late-night fast-food venues don't prevent crime—they attract it. NSW Bureau of Crime Statistics shows fast-food venues operating past midnight are hotspots for assault, particularly Friday/Saturday 12am-3am. With no outdoor seating, patrons will congregate on public footpath, creating noise, loitering, property damage, and intimidation.

TRAFFIC, WASTE, AND SERVICE MANAGEMENT

Loading Zone Conflicts: 11.5 deliveries per week (including 40-minute main deliveries) using King Street loading zone during peak hours creates footpath obstruction, pedestrian safety hazards, and traffic conflicts.

Waste Collection: Six waste collections per week on Brown Lane—a narrow residential laneway not designed for commercial waste operations. Waste truck access, reversing alarms, and compactor noise will severely impact residents.

Delivery Riders: The application is silent on delivery service aggregators. Modern McDonald's operations generate significant delivery rider traffic—motorcycles idling, riders congregating, additional waste, and bicycle parking demand. None of this is assessed.

CONCLUSION

This is not a case of minor non-compliances that can be conditioned. These are fundamental inadequacies proving the site cannot accommodate the proposed use while meeting requirements. The site is unsuitable.

I respectfully request that Council refuse this application on grounds of residential amenity, heritage impacts, spatial inadequacy, and systematic misrepresentation. The Cumulative impacts of late-night venue concentration in this locality need to be considered,

Yours sincerely,

Michaela Davies

Dr Michaela Davies
Psychologist | BA(hons I), MA, PhD



Pronouns: she/her
Learn about pronouns: <https://www.mypronouns.org>

AHPRA: PSY0001387494 | Medicare Provider Number: 4046433B |
Work Development Order Sponsor | PSS Provider | Accredited EMDR practitioner (EMDRAA) | ABN:
32708687485

I work part time and will answer emails and phone calls when available. If you require immediate attention, please reach out to:

- Emergency Services 000
- Mental Health Line 1800 011 511
- Lifeline 13 11 14
- Kids Helpline 1800 55 1800

I work on Gadigal land, always was and always will be

On Thu, Jan 22, 2026 at 10:36 AM Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> wrote:

22 January 2026

Applicant name:
MCDONALD'S AUSTRALIA LIMITED

Reference number:
RD/2025/585/B

Site address:
212-214 King Street, NEWTOWN NSW 2042

Proposed development:
Division 8.2 Review of alterations and additions for use as a takeaway food and drink premises with associated

signage. Proposed hours of operation are 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday.

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 **13 February 2026**. 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 [cityofsydney/find-da](https://cityofsydney.nsw.gov.au/cityofsydney/find-da) in the address bar on your browser.

You can get guidance on preparing your comments and what happens next on the back of this letter, or by typing [cityofsydney/development-comment](https://cityofsydney.nsw.gov.au/cityofsydney/development-comment) in the address bar on your browser.

For more information, contact us on 02 9265 9333.

Bill MacKay
Manager Planning Assessments



cityofsydney.nsw.gov.au

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From: naomi radom <[REDACTED]> on behalf of naomi radom <[REDACTED]> <naomi radom <[REDACTED]>>

Sent on: Wednesday, February 11, 2026 8:13:08 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: planningsystemsadmin@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 DEVELOPMENT APPLICATION RD/2025/585/B

212-214 King Street, Newtown NSW 2042

To Whom It May Concern,

I am a long-term Newtown resident living at 72 Hordern Street. I have two children, one of whom attends school nearby. I am writing to object to the proposed McDonald's development at 212–214 King Street, Newtown.

This proposal is for a large-scale fast-food outlet operating late into the night in a dense residential area and in close proximity to a local high school. In my view, it is fundamentally unsuitable for this location and will have unacceptable impacts on health, amenity, and the character of the neighbourhood.

The proximity of this development to a secondary school is deeply concerning. King Street is a daily walking route for students before and after school, and the proposed site will be directly within their immediate environment. It promotes unhealthy food choices for young people, particularly adolescents who are highly influenced by convenience, advertising, and price.

The detrimental health effects associated with frequent fast-food consumption are well established, including increased risk of obesity, diabetes, cardiovascular disease, and poor mental health outcomes. Councils have a responsibility to consider the broader public health implications of land-use decisions, particularly where children and young people are involved. Approving this development so close to a school runs counter to public health objectives and sends the wrong message to families.

The proposed trading hours until 2am on weekends are also of serious concern. Late-night fast-food venues generate a very specific type of noise that is not adequately addressed in technical reports. This includes raised voices, groups gathering on the footpath, delivery riders waiting and talking, engines idling, car doors slamming, and waste bins being moved. These intermittent noises are especially disruptive when people are sleeping.

Sleep disruption is not a minor inconvenience. It has well-documented impacts on physical and mental health, particularly for children and young people, including reduced concentration, behavioural issues, and impaired learning. Families in this area already live with traffic noise and general urban activity. Introducing a venue that actively attracts late-night crowds adds a new and avoidable source of disturbance at the most sensitive hours.

I am also concerned that the noise assessment relies heavily on averages and assumptions, rather than how noise is actually experienced by residents. People are not woken up by averaged measurements. They are woken up by repeated individual events throughout the night. The experience of residents, including those in shop-top apartments and adjacent buildings, has not been properly considered.

Waste and rubbish are another major concern. Fast-food outlets generate large amounts of disposable packaging, and experience shows that much of this ends up in surrounding streets rather than in bins. Brown Lane and nearby

residential streets already experience issues with litter and waste collection. The proposal relies on frequent waste collections in a narrow residential laneway, increasing noise, mess, and disruption.

Litter, food waste, and overflowing bins also attract vermin. This is not something families should have to accept, particularly in an area where children walk to and from school and residents use the streets daily.

The proposal places a heavy reliance on public space to support a private commercial operation, including on-street waste collection and surrounding footpaths. This shifts the burden of impacts onto local residents while offering no clear benefit to the community.

There are also broader concerns about the cumulative impact of late-night venues in this part of Newtown. The area already contains multiple businesses trading late into the night. Adding another high-volume fast-food outlet will further concentrate late-night activity, loitering, and associated antisocial behaviour.

Claims that late-night trading improves safety through increased “surveillance” do not reflect lived experience. In practice, late-night fast-food outlets attract crowds of intoxicated people and increase noise, conflict, and disturbance for nearby residents.

Finally, the proposed development requires significant alterations to a heritage building and combines two shopfronts to accommodate a large-format corporate operation. This undermines the fine-grain heritage character of King Street and is out of step with the established scale and use of the area.

For all of these reasons, I ask Council to refuse this application. The site is not suitable for a late-night fast-food restaurant, particularly given its proximity to a school and surrounding residential uses. The cumulative impacts on residential amenity, public health, waste management, and neighbourhood character are too great.

Yours sincerely,
Naomi Radom
72 Hordern Street
Newtown NSW 2042



From: Stephen Saines <[REDACTED]> on behalf of Stephen Saines <[REDACTED]> <Stephen Saines <[REDACTED]>

Sent on: Wednesday, February 11, 2026 6:06:55 PM

To: dasubmissions@cityofsydney.nsw.gov.au; planningsystemsadmin@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 DEVELOPMENT APPLICATION D/2025/585
212-214 King Street, Newtown NSW 2042

Spatial Inadequacy

- Site area: 275.45m² (too small)
- Ground floor: 199.487m² (kitchen dominates at 11.8m)
- Required amalgamation of two heritage shops (DCP discourages)
- Only one toilet for high-volume restaurant
- No separate waste storage room
- Inadequate bicycle parking (1 of 5 required)
- No space for bulky waste storage

Food Safety Conflicts

- Bi-fold window delivery entrance violates tight-fitting door requirement
- Customer toilet access compromises food preparation separation
- Waste bins inside premises create hygiene risks
- Delivery traffic through active kitchen creates cross-contamination risk

Heritage Impacts

- Demolition of 140-year-old dividing wall destroys historic configuration
- Rooftop mechanical enclosure visually intrudes on streetscape
- Corporate signage incompatible with Heritage Colour Scheme
- Site amalgamation undermines small-scale heritage shopfront character

Amenity Impacts

- Construction noise: 88 dBA at residential receiver (22 dB over limit)
- Operational noise classification manipulated to inflate allowable limits
- Late-night trading until 2am in dense residential area
- Waste collection impacts on Brown Lane residents
- Deliveries on King Street footpath during peak hours
- Concentration of late-night venues in locality

SITE FUNDAMENTALLY UNSUITABLE

The cumulative evidence proves this site cannot accommodate McDonald's operations while meeting basic planning, safety standards, protecting residential amenity, heritage values, and public health. From a health perspective: This proposal creates foreseeable harm through chronic sleep disruption, construction noise violations, cumulative stressors, and disproportionate impacts on vulnerable populations. The acoustic assessment prioritises averaged compliance metrics over lived experience.

From a planning perspective: The application systematically misrepresents DCP compliance, the site is spatially inadequate (requiring amalgamation, lacking basic facilities), heritage impacts are understated, the floor plan reveals design incompatible with food safety and accessibility, and the crime/safety claims reverse cause and effect.

The acoustic assessment treats compliance as the same thing as acceptability. Meeting technical triggers doesn't mean impacts are tolerable—especially where hours extend to

2am, receivers are directly adjacent, and the use is discretionary commercial development, not essential infrastructure.

Kind regards,
Stephen Saines

Get [Outlook for iOS](#)

From: Emma W <[REDACTED]> on behalf of Emma W <[REDACTED]> <Emma W <[REDACTED]>
Sent on: Wednesday, February 11, 2026 7:57:26 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi team

I ask that City of Sydney refuse the application for McDonalds.

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street.

Furthermore, the absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators.

The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy, and is out of step with governments (of all levels) approaches to supporting local businesses to thrive.

Thanks
Emma

Sent from [Outlook for Android](#)

From: Ellouise Davis <[REDACTED]> on behalf of Ellouise Davis
<[REDACTED]> <Ellouise Davis <[REDACTED]>

Sent on: Wednesday, February 11, 2026 9:51:17 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application

Thank you,

Ellouise Davis



From: Graham Moore <[REDACTED]> on behalf of Graham Moore

<[REDACTED]> <Graham Moore <[REDACTED]>

Sent on: Thursday, February 12, 2026 10:39:35 AM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: [REDACTED]

Subject: FULL SUPPORT - Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Li

We are writing to express our **FULL SUPPORT** for the development application formally (Review RD/2025/585/B) regarding the proposed McDonald's restaurant at 212-214 King Street, Newtown.

As Erskineville residents, we acknowledge the ongoing debate about this proposal and the earlier application; however, we believe this development application will be a net positive for the Newtown precinct. We encourage the Council to approve the application based on the following reasons:

1. **Creating Local Jobs and Boosting the Economy** - This project will create significant employment opportunities, especially for young people and students living in the inner west. McDonald's is a major provider of entry-level training and career development. In an area with a high student population (near USYD and TAFE), a large employer offering flexible shifts is a valuable asset. The construction phase will also provide immediate work for local tradespeople.
2. **Improving Local Amenity and Street Life** - The proposal aims to revitalise a site that could otherwise remain underused. A well-managed, modern quick-service restaurant adds vibrancy to the streetscape. Its well-lit, active presence improves passive surveillance on King Street, enhancing safety and security for evening pedestrians.
3. **Supporting the Night-Time Economy and Shift Workers** - Newtown is a key entertainment precinct, yet affordable late-night food options can be limited.
 - a. **Support for Essential Workers:** The site's proximity to Royal Prince Alfred (RPA) Hospital makes it convenient for healthcare workers, who often finish shifts at irregular hours and need accessible, safe, and reliable food options when other cafes are closed.
 - b. **Safe Nightlife:** A late-night food venue plays an important role in the night-time economy by offering a safe, alcohol-free environment for patrons leaving nearby licensed venues. This can help 'soak up' alcohol and disperse crowds peacefully, possibly reducing anti-social behaviour.
4. **Diversifying Food Choices and Affordability** - While Newtown is known for its boutique dining scene, there is a true need for affordable, consistent food options. In the current economic climate, affordable dining options are crucial for many residents and visitors. This proposal complements the high street's offerings without replacing the specialised menus of existing independent cafes.

Conclusion: We believe this proposal has addressed prior concerns and offers a practical, beneficial addition to King Street. It aligns with the Council's vision for a vibrant, safe, and economically diverse 24-hour city.

Thank you for considering our **full support** for this application.

Yours sincerely,

Graham Moore & Joseph Brayford
Residents - Erskineville

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, February 12, 2026 8:28:09 AM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: FW: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

-----Original Message-----

From: Duncan Cook <[REDACTED]>

Sent: Wednesday, 11 February 2026 8:58 PM

To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

A 24 hr McDonalds is not needed and will attract undesirable people and trouble.

The Odour pollution will create an almighty stench forever changing the street and surrounding area.

There is no seating.. so people will buy walk out and dump rubbish on the street.

There are 5 McDonalds within spitting distance it is not needed or wanted.

Regards
Duncan

From: Andrew Chuter <[REDACTED]> on behalf of Andrew Chuter <[REDACTED]> <Andrew Chuter <[REDACTED]>
Sent on: Thursday, February 12, 2026 9:41:42 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: RD/2025/585/B

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

I wish to lodge my objection to this DA.

The site is too constrained for a large volume fast food outlet. This would generate too much motor traffic and would adversely impact local heritage and small scale food businesses in the vicinity. In addition, this outlet would result in a large amount of litter in the area.

Andrew Chuter
60/20 Eve St
Erskineville NSW 2043
[REDACTED]

From: Ruth Law <[REDACTED]> on behalf of Ruth Law <[REDACTED]> <Ruth Law
<[REDACTED]>

Sent on: Thursday, February 12, 2026 2:11:51 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy Li,

I am concerned of the submission RD/2025/585/B - 212-214 King Street Newtown NSW 2042

This is also a Residential area, where the exhaust from the premises, will be smelly, and the fast food premises will be open until 2.00am on Friday and Saturday creating noise level, waste pollution on streets, as people discard the wrappings.

There are already more than enough Fast Food outlets on King Street Newtown.

This is right next door to Clem's Chicken, which has been there for many years.

Macdonald's is not welcome in Newtown.

They were on King Street some years ago, and went out of business.

I do not welcome the fast food outlet on King Street. We look for more healthy food than this.

I object for health reasons - of others, and I for one will NOT be entering the premises.

I object for signage pollution

I object to franchisees taking over

The Service Window will create chaos on the street for pedestrians, and on the road for cars, bikes and the like.

Plus noise and obstruction.

There will be night time deliveries, sound of industrial fryers, delivery trucks and the smell of Industrial fryers.

I am concerned of the waste - on our streets, and lanes, of the empty wrappers, styrofoam, abandoned cups in the gutters, and streets, containers with soggy chips, dispersed on the streets, in our neighbourhood.

This submission threatens the very fabric of Newtown, the safety elements, the traffic, the noise, and polluted smell, and rubbish from the amenity.

The reduced hours do not address the fundamental problem/

Thank you for taking this into serious consideration.

Ruth Law

From: Mitchell Patel <[REDACTED]> on behalf of Mitchell Patel
<[REDACTED]> <Mitchell Patel <[REDACTED]>

Sent on: Thursday, February 12, 2026 5:39:55 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Fwd: RD/2025/585/B McDonalds King 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.

Hi there,

I support this submission and think it would be a good low cost alternative to expensive food operators on king st.

Cost of living crisis is out of control.

Kind regards,

Mitchell Patel
31 Binning St
Erskineville NSW 2043
[REDACTED]

From: Michael Johnston <[REDACTED]> on behalf of Michael Johnston
<[REDACTED]> <Michael Johnston <[REDACTED]>

Sent on: Thursday, February 12, 2026 7:14:00 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Li

I am writing to lodge my objection to the amended Development Application by McDonald's.

As a resident who has lived, worked, and raised a family in Newtown for over two decades, I strongly object to the amended application.

While the applicant has shuffled their paperwork, the fundamental reality of this proposal remains unchanged: **it is a high-volume industrial kitchen attempting to squeeze into a fragile heritage ecosystem.**

1. Pedestrian Gridlock and Public Safety

Anyone who actually walks King Street daily knows that the "Newtown Shuffle" is already a challenge. The footpaths here are narrow, and this specific block is a major artery for people walking to the University, the station, and the hospital.

- **The Delivery Bottleneck:** The amended plan still fails to realistically manage delivery riders. We already struggle with e-bikes zooming on footpaths; placing a high-volume McDonald's here creates a permanent "staging zone" for dozens of riders.
- **Physical Obstruction:** Unlike other suburbs, we don't have wide plazas. If this goes ahead, the elderly and those with prams or mobility aids will be forced off the curb into King Street traffic to bypass the crowd of riders and late-night patrons.

2. Erosion of "Fine-Grain" Heritage Character

Newtown's soul is built on its "fine-grain" retail—small, independent, diverse shops that give our streetscape its rhythm.

- **The "McLandscape":** Introducing a massive corporate footprint contradicts the **Sydney DCP 2012** goals for the King Street Heritage Conservation Area.
- **Visual Impact:** Even with "subdued" signage, a McDonald's fundamentally changes the character of the North Newtown gateway. We don't need a homogenized corporate anchor that devalues the unique, independent brand that Newtown has spent decades building.

3. The "Dark Kitchen" Model & Lack of Amenity

The amended submission still feels like a "Dark Kitchen" masquerading as a restaurant.

- **No Public Toilets:** It is unacceptable for a multi-billion dollar corporation to propose a high-volume food outlet with **no patron toilets**. This cynically offloads the cost of sanitation onto local pubs and Council-maintained public facilities.
- **Lack of Seating:** By minimizing seating and maximizing the kitchen, the applicant is signaling that they aren't

interested in being a "community" space. This is a high-turnover extraction model that offers nothing back to the local street life.

4. Impact on Residential Amenity (Noise and Waste)

Living in Newtown, we accept a level of noise, but the "cumulative impact" of a late-night fast-food giant is a different beast.

- **Brown Lane Impact:** The residential units backing onto Brown Lane will bear the brunt of 24/7 (or late-night) noise, waste collection, and the smell of industrial-scale deep fryers.
- **Waste Management:** King Street already struggles with waste. Adding the volume of packaging generated by McDonald's will inevitably lead to increased litter in our parks and residential side streets.

Conclusion

Newtown has survived and thrived because it is *different*. This proposal isn't "progress"; it's a regression toward a sanitized, corporate high street that ignores the physical and social constraints of our neighborhood.

The minor tweaks in the amended submission do not address the **safety, heritage, or amenity concerns** that led to the initial pushback. I urge the Council to listen to the people who actually live here and reject this application once and for all.

Kind regards

Michael

From: [redacted] <[redacted]> on behalf of [redacted]
<[redacted]> <[redacted]>
Sent on: Thursday, February 12, 2026 10:50:47 PM
To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li
Attachments: Objection RD2025585B - 212-214 King Street, NEWTOWN NSW 2042.docx (20.72 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.

To Whom It May Concern,

Please find attached my submission regarding DA D/2025/585/B for 212-214 King Street NEWTOWN NSW 2042.

I would like my name, email and address to be removed from any public display of this comment against the application.

Kind regards,

[redacted]

To Whom It May Concern,

This submission objects to RD/2025/585/B on the basis that the amended proposal continues to fail to address the fundamental concerns identified by the Sydney Local Planning Panel in its refusal dated 15 October 2025.

The Panel previously determined that the development did not:

- Adequately demonstrate safe and practical pedestrian access, particularly having regard to servicing and delivery riders; or
- Comply with relevant objectives and provisions of the Sydney DCP 2012 relating to transport, parking, waste and the public domain;

The amended DA including the Traffic Review and CPTED report do not resolve the substantive reasons for refusal identified by the Local Planning Panel because it continues to rely on:

- Public loading zones rather than on-site servicing;
- Public bicycle racks rather than dedicated rider infrastructure;
- Reactive measure such as CCTV and lighting rather than behavioural mitigation to prevent crime and disturbance

The development fails to demonstrate:

- Safe and practical pedestrian access;
- Acceptable servicing arrangements;
- Adequate management of late-night amenity impacts;
- Compliance with relevant Sydney DCP 2012 objectives; and
- Satisfaction of the statutory tests under s4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

For these reasons, the application should be refused.

1. The application's reliance on on-street loading fails to demonstrate safe and practical servicing

The Traffic Review proposes servicing via the existing King Street loading zone between 8:00am–3:00pm weekdays with deliveries to include:

- 6–8 pallet truck (up to 8.8m long) – 3 times per week (40 minutes each)

- Bread and milk deliveries – 4 times per week each
- Waste collection – 6 collections per week for garbage, recyclables and food waste

The report concludes that because the loading zone has “spare capacity,” servicing is acceptable however, this analysis is fundamentally flawed because:

1. Spare time in a loading zone is not a safety assessment.
2. The survey measures duration of use only. It does not assess:
 - Pedestrian conflict (no pedestrian conflict modelling is provided)
 - Pallet jack movements across the footpath
 - Interaction with clearway transitions
 - Queuing or obstruction impacts
3. No assessment of cumulative impact with other tenancies relying on the same loading zone is provided.

The Traffic Report assumes idealised delivery clustering without modelling real-world operational variability.

This fails the requirement to demonstrate site suitability under the EP&A Act (s4.15(1)(c)) and the significant likely impacts of the development on the natural and built environments (s4.15(1)(b)).

The application does not adequately address provision for delivery riders

The amended DA provides:

- 1 on-site bicycle space for staff
- Reliance on existing public bicycle racks (8 spaces within 20m)

The DCP requirement is 5 spaces (1 staff, 4 visitors).

The report suggests casual cyclists and food delivery riders will use public racks. This approach is deficient because:

- Public bicycle racks are not dedicated commercial infrastructure.
- Rider dwell times differ from casual cyclists.
- No rider queuing area is provided.
- No modelling of peak UberEats/DoorDash accumulation is provided.

- No rider management plan accompanies the LSMP.

Given the 200m² tenancy with only 12 internal seats, the business model is predominantly takeaway and delivery.

The absence of on-site rider accommodation was specifically identified by the Panel as a concern in the previous refusal.

The continued reliance on public infrastructure demonstrates failure to address that concern and indicates non-compliance with the intent of Sydney DCP transport and public domain controls.

The application does not adequately address deficiencies in late night amenity and crime prevention

The proposal seeks trading until 2am Friday and Saturday.

The CPTED report acknowledges that assault rates more than double the NSW average in Newtown and 38% of non-domestic assaults occur on roads/streets/footpaths (pg. 3).

Despite this, no late-night management plan is provided and the design measures in CPTED are reactive, not preventative of congregation, including:

- Only 12 internal seats
- No external seating
- No security plan
- No post-midnight patron management strategy
- No rider behaviour controls

Given the adjacent residential interfaces, Brown Lane residential sensitivity, high pedestrian volumes and interaction with nearby licensed venues, the SEE and CPTED fail to adequately assess the likely impacts of 2am trading on noise, disturbance and anti-social behaviour.

This fails to comply with s4.15(1)(b) of the EP&A Act (likely environmental impacts) and s4.15(1)(d) (public interest).

In summary, the application is non-compliant with s4.15(1) EP&A Act

The amended proposal continues to fail key statutory tests under s.4.15 of the EP&A Act including

- s.4.15(1)(a)(iii) - Insufficient demonstration of compliance with Sydney DCP 2012 controls regarding servicing, transport and bicycle parking, public domain safety
- s.4.15(1)(b) - The significant likely impact on both the natural and built environments, and social and economic impacts in the locality because of inadequate assessment of rider congregation, footpath conflict, late night disturbance, brown land residential amenity
- s.4.15(1)(c) – The site is unsuitable because it is fully built to boundaries, without a loading dock (to minimise on-street loading), without rider holding space, located on a constrained main street and in proximity to residential uses.
- s4.15(1)(e) – The previous refusal and extensive community concern demonstrate that intensifying late-night takeaway and delivery activity in this location remains contrary to the public interest.

The amended documents do not resolve these structural constraints.

I respectfully urge the Council to reject this development application.

From: Alex Ozdowski <[REDACTED]> on behalf of Alex Ozdowski
<[REDACTED]> <Alex Ozdowski <[REDACTED]>

Sent on: Thursday, February 12, 2026 5:37:32 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 support this DA.

From: Andrew Keenan <[REDACTED]> on behalf of Andrew Keenan

<[REDACTED]> <Andrew Keenan <[REDACTED]>

Sent on: Thursday, February 12, 2026 6:59:45 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 is a worthwhile application in my view having been a resident of Newtown for some 30 years. I do not believe the restaurant will cause additional challenges given the existing nature of King st. My family and I support many of these venues - having one more choice is a good thing

Regards

Andrew Keenan

37 Gowrie Street Newtown

[REDACTED]

Sent from my iPhone

From: Ellana Costa <[REDACTED]> on behalf of Ellana Costa <[REDACTED]> <Ellana Costa <[REDACTED]>
Sent on: Thursday, February 12, 2026 8:18:50 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Councillors,

I am writing to oppose the proposed McDonald's development in Newtown.

Newtown is defined by its independent businesses, creative culture, and strong community identity. Another multinational fast-food chain does not reflect the ethos of the area and risks eroding the unique character that residents value and work hard to preserve.

I urge Council to reject this application in order to protect Newtown's distinct identity and support its local businesses.

Kind regards,
Ellana Costa

From: Alexander Lee <[REDACTED]> on behalf of Alexander Lee

<[REDACTED]> <Alexander Lee <[REDACTED]>

Sent on: Thursday, February 12, 2026 7:44:30 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 ignore the whinging minority of nimbys and let us return to a vibrant Newtown.

Too many empty shops, the maccas will help other businesses in the area survive, especially bars, theatres an other entertainment venues.

From: Cannis M <[REDACTED]> on behalf of Cannis M <[REDACTED]> <Cannis M <[REDACTED]>

Sent on: Thursday, February 12, 2026 9:21:15 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 proposed McDonald's Australia Limited at 212–214 King Street, Newtown

Dear Bill MacKay,

I am writing to formally object to the development application for a McDonald's takeaway outlet at 212–214 King Street, Newtown, including the proposed trading hours of 7:00am to 2:00am on Fridays and Saturdays, and 7:00am to 11:00pm from Sunday to Thursday.

This proposal raises significant concerns for local residents and the broader community:

1. Noise and late-night disturbance

Operating until 2:00am will increase noise from customers, delivery drivers, and late-night foot traffic. This part of King Street is surrounded by residential streets, and extended trading hours will disrupt the quiet expected at night.

2. Excess rubbish and waste management issues

Fast-food outlets generate large volumes of disposable packaging. Newtown already struggles with litter hotspots, and a high-volume takeaway venue will worsen rubbish on footpaths, in gutters, and around shopfronts. This places additional pressure on Council cleaning services.

3. No loading zone for deliveries

The site has no dedicated loading zone, meaning delivery trucks and supply vehicles will likely block traffic, use residential side streets, or stop illegally. This creates congestion, safety risks, and further noise impacts.

4. No public toilet

A late-night takeaway venue without public toilet facilities will inevitably push customers to use nearby laneways, doorways, and residential streets. This is a well-documented issue with late-trading fast-food outlets and would significantly affect local amenity.

5. Loss of Newtown's heritage character

Newtown's charm and identity come from its heritage streetscape and independent businesses. A large multinational chain at this location undermines the unique character of King Street and conflicts with the community's long-standing preference for small, diverse, locally owned shops.

6. Negative impact on local businesses

Independent eateries and small operators form the backbone of Newtown's economy. A major fast-food chain with extended hours will draw customers away from local businesses, many of which already operate on tight margins.

7. Anti-social behaviour

Late-night fast-food venues often attract loitering, noise, and disruptive behaviour, particularly around closing time. This raises safety concerns for residents and other businesses.

For these reasons, I respectfully request that Council reject the proposed development and trading hours at 212–214 King Street.

Thank you for considering my submission.

Kind regards,

Can

From: lexoparis.com <[REDACTED]> on behalf of lexoparis.com <[REDACTED]> <lexoparis.com <[REDACTED]>
Sent on: Thursday, February 12, 2026 10:13:25 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom It May Concern,

Re: Objection to Development Application D/2025/585/B – 212–214 King Street, Newtown

I write to formally object to Development Application D/2025/585/B for the proposed McDonald's restaurant at 212–214 King Street, Newtown.

The amended proposal raises significant concerns relating to public safety, pedestrian amenity, waste management, traffic obstruction, crime risk, environmental impact, and heritage character. The alterations and additions proposed under this application introduce greater risks than those identified in the original submission.

1. Loading Services Management Plan (LSMP)

The LSMP proposes that certain deliveries will occur via the King Street loading zone, with pallet jacks used to transport meat deliveries across the public footpath into the premises. These deliveries are expected to occur three times per week for approximately 40 minutes each (approximately two hours weekly) between 8:00am and 3:00pm.

King Street is one of the busiest pedestrian corridors in Sydney. The use of pallet jacks in this high-traffic environment presents a foreseeable risk of injury and pedestrian conflict.

McDonald's typically utilises CHEP pallets measuring approximately 1165mm x 1165mm, weighing around 40kg unloaded. When loaded, these pallets can exceed 1000kg. Manoeuvring loads of this size and weight across a public footpath — and up a ramp into the premises — creates a substantial hazard.

The proposal includes the use of a removable ramp extending onto the footpath. Any obstruction of a public footway poses both legal and safety concerns, particularly in a constrained, high-volume pedestrian environment.

SafeWork NSW guidance emphasises risk control and pedestrian separation when operating pallet jacks, including the use of barriers, exclusion zones, and clear separation from the public. The LSMP does not demonstrate how pedestrians will be effectively separated from delivery operations, nor does it provide adequate risk mitigation measures consistent with established safety requirements.

2. Waste Oil Handling

The LSMP indicates that waste oil will be pumped from a mobile unit positioned in the kerbside loading zone into a truck.

Using the public loading zone and footpath to handle liquid waste associated with a fast-food operation presents risks to public health and amenity, including potential spills, slip hazards, and offensive odours. Any spill could trigger environmental harm and raise issues under the Protection of the Environment Operations Act 1997 (NSW).

The proposal does not sufficiently demonstrate how risks of spillage, odour emission, or public exposure will be mitigated in a busy pedestrian setting.

3. Waste Collection and Brown Lane Impacts

The LSMP outlines 18 garbage collections per week. There is no detail provided regarding grease trap servicing frequency or methodology.

Waste collection is proposed to occur in Brown Lane, within a narrow rear laneway subject to “No Stopping” restrictions. While garbage vehicles may have certain exemptions, they must not unreasonably obstruct other road users.

Brown Lane is heavily relied upon by residents, service vehicles, and pedestrians. Its narrow width means that waste collection vehicles are likely to block access entirely during collection periods. The frequency of collections (averaging more than twice daily) would result in regular and unreasonable obstruction, contrary to Road Rules 2014 (NSW), which prohibit drivers from unreasonably obstructing the path of other drivers or pedestrians.

The cumulative impact on residential amenity and access has not been adequately addressed.

4. Crime Prevention Through Environmental Design (CPTED)

Recent studies and reporting in NSW have identified certain high-traffic, late-night fast-food outlets — including McDonald’s restaurants — as hotspots for antisocial behaviour, violence, and property crime.

The Crime Risk Assessment submitted with the original application (D/2025/585) acknowledges the potential for vandalism, graffiti, noise, and antisocial behaviour, particularly at night. However, the amended proposal does not demonstrate robust mitigation strategies extending beyond the premises boundary.

With seating limited to 12 patrons, the business model is clearly takeaway-oriented. The CPTED response primarily focuses on internal premises management and does not adequately address foreseeable impacts in surrounding public areas, including WJ Thurbon Reserve and nearby residential streets.

Given the site’s proximity to a park and residential properties, there is a reasonable likelihood of increased loitering, littering, and police call-outs. The broader community impact has not been meaningfully addressed.

5. Heritage and Character of the King Street Precinct

The King Street Heritage Precinct is valued for its distinctive character, diverse small businesses, and independent retailers. Replacing a long-standing retail fashion and jewellery tenancy with a multinational fast-food franchise is inconsistent with the planning intent to preserve and enhance the precinct’s unique identity.

The site is not within a designated Special Entertainment Precinct. State and local placemaking strategies emphasise development that strengthens local character and supports community well-being. A high-turnover FMCG fast-food outlet does not contribute positively to the heritage streetscape or fine-grain retail diversity that defines King Street.

6. Litter and Environmental Degradation

WJ Thurbon Reserve already experiences litter issues. The introduction of a major fast-food outlet adjacent to the reserve will foreseeably exacerbate this problem.

Experience in other suburbs demonstrates that takeaway packaging often extends beyond immediate premises, particularly where vehicle-based patrons are involved. The applicant’s proposed litter patrols are voluntary and discretionary, and therefore cannot be relied upon as an enforceable mitigation measure.

Increased litter would diminish the amenity of the reserve and surrounding residential environment.

Conclusion

The proposed development is inconsistent with the character and planning objectives of the King Street Heritage Precinct and raises substantial concerns regarding:

- Pedestrian and public safety
- Waste handling and environmental risk
- Traffic obstruction and access
- Crime and antisocial behaviour
- Heritage character and local identity
- Public amenity and environmental degradation

For these reasons, I respectfully urge Council to reject Development Application D/2025/585/B in the interests of protecting the safety, amenity, and character of the Newtown community.

Should further clarification be required, I am willing to provide additional information in support of this objection.

Yours faithfully

Alexis Parissis

5 Brown Street, Newtown, NSW 2042

[Redacted]

[Redacted]

From: Valerie Arsenova <[REDACTED]> on behalf of Valerie Arsenova
<[REDACTED]> <Valerie Arsenova <[REDACTED]>
Sent on: Thursday, February 12, 2026 8:46:55 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney Council,

I am writing to formally object to the proposed development of a McDonald's restaurant at 212-214 King Street. As a resident of Brown St, Newtown, that happens to be just around the corner from the proposed McDonald's, I am concerned that this proposal will negatively impact the amenity, safety, and character of our neighbourhood.

Fast-food chains are commonly associated with increased litter in surrounding streets and public spaces. Packaging waste frequently extends well beyond the site itself, affecting waterways and residential streets. While I acknowledge that King Street is a commercial corridor, I am concerned that this proposal would contribute to the ongoing erosion of Newtown's distinctive small-business character and economic diversity.

King Street has historically been characterised by independently owned businesses, small hospitality venues, and culturally diverse operators. This diversity is a defining feature of Newtown and a major contributor to its identity and attractiveness.

The introduction of a global fast-food chain of this scale risks accelerating:

- Displacement of smaller local operators
- Increased commercial rents due to perceived "anchor tenant" effects
- Homogenisation of the retail mix
- Reduced opportunities for independent businesses

Recent closures of long-standing small businesses on King Street demonstrate that the local commercial ecosystem is already under pressure. Approving another multinational chain risks further tipping that balance.

Approval may set a precedent encouraging further large-chain tenancies along King Street. KFC has already opened a store on King Street. Over time, this risks transforming the strip from a culturally distinctive high street into a more generic commercial corridor. Even without a drive-through, the brand presence and operational model differ significantly from surrounding small-scale operators.

Thank you for taking the time to consider my submission.

Sincerely,

Valerie Arsenova

From: Daniel Heppes <[REDACTED]> on behalf of Daniel Heppes <[REDACTED]> <Daniel Heppes <[REDACTED]>
Sent on: Thursday, February 12, 2026 5:55:56 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy,

As a relatively long-term resident of Newtown I can safely say that having a Macdonalds restaurant here is not in the interests of the neighbourhood.

A decision to allow this would be to fly in the face of long-standing commitments to support local businesses with unique local character, as opposed to unhealthy multinational junk food enterprises.

I strongly object to this DA and am encouraging many of my friends and neighbours (who feel exactly the same way) to submit similar applications.

Best regards,

Daniel Heppes

20 Pine St, Newtown NSW

From: Maeve Grant <[REDACTED]> on behalf of Maeve Grant

<[REDACTED]> <Maeve Grant <[REDACTED]>

Sent on: Thursday, February 12, 2026 4:31:06 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

My objection to the King Street McDonalds

Here are the key issues:

- Required amalgamation of two heritage shops (DCP discourages)
- Only one toilet for high-volume restaurant
- No separate waste storage room
- Inadequate bicycle parking (1 of 5 required)
- No space for bulky waste storage

Food Safety Conflicts

- Bi-fold window delivery entrance violates tight-fitting door requirement
- Customer toilet access compromises food preparation separation
- Waste bins inside premises create hygiene risks
- Delivery traffic through active kitchen creates cross-contamination risk
- Demolition of 140-year-old dividing wall destroys historic configuration
- Rooftop mechanical enclosure visually intrudes on streetscape
- Corporate signage incompatible with Heritage Colour Scheme
- Site amalgamation undermines small-scale heritage shopfront character
- Construction noise: 88 dBA at residential receiver (22 dB over limit)
- Operational noise classification manipulated to inflate allowable limits
- Late-night trading until 2am in dense residential area
- Waste collection impacts on Brown Lane residents
- Deliveries on King Street footpath during peak hours
- Concentration of late-night venues in locality

From: Liz Lyon <[REDACTED]> on behalf of Liz Lyon <[REDACTED]> <Liz Lyon
<[REDACTED]>

Sent on: Thursday, February 12, 2026 5:45:57 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 a City of Sydney resident, living in Newtown and I wish to OBJECT to the development proposal of a McDonalds on King St Newtown.

My reasons are:

- This would impact surrounding small businesses who are already struggling in a cost of living crisis and rising rents without the competition of multi billion dollar corporations.
- This would impact the culture/spirit of Newtown, which has long been a hub of creativity, new ideas, alternative culture and community spirit. McDonalds is not any of these things.
- Newtown is a progressive area and having a brand that supports the genocidal state of Israel (as McDonalds has supplied meals to the Israeli Defence Force for example) is not something I think many of us would agree with if more people were aware of this information.
- People have loved Newtown for its interesting and unique independent shops, all the vegan foods available at restaurants, and that it's not just a collection of massive retailers and fast food chains. If McDonalds and places like this continue to push smaller shops and restaurants out, it will be more and more like any other soulless suburb.

Please stop McDonalds from opening in Newtown!

Elizabeth Lyon
31/19-25 Queen St
Newtown

From: <[REDACTED]>
Sent on: Thursday, February 12, 2026 5:30:05 PM
To: [REDACTED]
Subject: RD/2025/585/B at 212-214 King Street, Newtown : OBJECTION SUBMISSION
Attachments: RD2025_585_B_Objection Submission.pdf (789.36 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.

For the attention of Cissy Li

Cover Note

Bill MacKay
Manager Planning Assessments
City of Sydney

Dear Bill

Please find my submission attached objecting to the McDonalds DA under RD/2025/585/B at 212-214 King Street, Newtown.

To protect my privacy, it is appreciated if you could remove any identifying information in the document for public publication (name, address, property ownership and email address).

Thanks & regards

[REDACTED]

Subject: Objection to proposed McDonald's development at 212-214 King Street in Newtown - RD/2025/585/B

Dear Members of the City of Sydney Council

We are writing to formally lodge our **strong objection** to the proposed Development Application RD/2025/585/B to operate a McDonald's fast-food outlet at 212-214 King Street, Newtown.

We are the property owner at [REDACTED], adjoining to the proposed development. Our property has a ground floor office being occupied by an employment, disability, and workplace services provider with front access from King Street and a rear access to the Brown Lane while the first-floor residential unit has its access from Brown Lane.

We are deeply concerned that the revised proposal, if approved, will still have substantial direct detrimental impacts on our adjoining property affecting the ground floor disability service and first floor residential occupants.

The revised long hours of operation (7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday) would have significant long-lasting negative and irreversible impacts on the local area, the neighbourhood businesses and residents, and the local community on multiple levels of critical undesirable nature.

This revised proposal does not address any of the concerns raised by neighbouring residents and its potential adverse impact on pedestrians / users with physical and/ mental disability. It still fails to alleviate directly on its wide-ranging significant adverse health, safety, environmental, footpath bicycle parking, deliveries associated traffic issues, as well as failing to address the broader social and economic concerns to the Newtown community.

Our key concerns and issues are detailed as follows :

1) Significant direct impacts to adjoining property ground floor business

1a) Safety, Anti-social and Traffic Concern

While the revised proposal proposed all loading / movement activities at the front of the shop, it is undeniable that these activities will add further strains to the pedestrians and vehicles movement on the main King Street. The shop's rear Brown Lane exit which has erected " NO STOPPING " sign will unavoidably be subjected to regular illegal loading / movement activities, including but not be limited to garbage bin collection, oil filling / disposal activities which need to be done at the rear exit given the location of these services shown in the site drawings.

The sudden and frequent influx of delivery riders/drivers and food patrons, generally on high volume turn-over during meal times when they are moving in /out of the proposed fast-food outlet will lead to overcrowding of the footpath along King Street frontage. This will be very confronting and potentially hazardous for the clients of disability employment office operating right next door to the proposed operation. They include those from First Nations, culturally diverse, and LGBTQIA+ communities, as well as people with physical and/ mental disability.

The bikes being left out at the front of the proposed site will increase safety hazards for the public and obstructing pedestrian access, while the riding of bikes on the foot path is a major safety concern particularly for young children, elderly, people with a disability and those requiring wider clearance wheel-chair accessibility.

Furthermore, delivery / food patron bikes with their annoying blipping sounds and flashing lights will be distressing and confronting for pedestrians and users who have neurodivergent condition

with sensory sensitivities. This will significantly reduce the footpath space in front of the proposed shopfront and the adjoining premises. It will adversely impact on the safety of normal foot traffic, as well as generating unpleasant and persistent noises / auditory impacts from the fast-food ordering counters being located in the front part of the proposed fast-food shop.

This will have direct safety and health impact with potential desirable hassles / discomfort to the mental health and well-being of the clients who need to visit the employment / disability services office on regular basis.

2) Significant direct Impacts to adjoining first floor residential unit

It is to be noted that the adjoining [REDACTED] property is still incorrectly identified as "EXISTING OFFICE SPACE & RETAIL STORE (1ST & GROUND FL)" in the revised "SITE PLAN - Drawing No DA02, Issue L". This revised proposal does not appear to address the concerns identified by the adjoining first floor residential unit as it has been treated in the nature as "office space and retail store".

From the revised DA submission, there is still no further information on technical details regarding its sizing, capacity and associated inherent noise level on any of the mechanical exhaust devices proposed. There is no noise assessment provided for the residents directly living in the adjoining unit during day time and night time, and its projected noise level on upto 19 hours (till 2am) of operation with all mechanical exhaust devices and air conditioning operating at the same time.

2a) Air Quality and Odour Concern

The proposed exhaust points and the main chimney would cause ventilation problem to our adjoining residential unit. All the cooking, deep frying, toilet exhausted air etc will be congregated and dispersed at the adjoining property roof level, and back-flowing to our unit roof space. Appendix 1, shows our existing roof profile which will unswervingly collect all of the exhausted odour / fumes for a substantial daily period (16 hrs/ day for 5 days and 19 hours/ day for 2 days during a week). This will directly feed into our openable windows and openable sky-lights and would impact adversely on the residents health from its inhalation.

The extent of exhausted air pollution from this proposed operation next door is further exacerbated by the higher roof wall building on the adjacent side at 218-222 King Street which in turn will act as a screen bouncing back and trapping the exhausted air back to our property roof space. This concentrated air and associated odour will have a detrimental impact on nearby residences.

In addition, these exhaust outlets will induce an increased noise level from all the contributing mechanical exhaust devices but no details are given in the proposal. There is compliance concern that it does not meet the property boundary clearance requirement defined in the AS 1668.2-2024, the use of ventilation and air-conditioning in buildings – Part 2: mechanical ventilation in buildings.

It is also unknown if any possible relocation of these exhaust service points will help to alleviate this apparent issue.

2b) Anti-social and Noise Concern

The operation of this proposed food outlet has real potential for anti-social behaviour by creating a gathering hot-spot where people would be drawn to the premises due to the long hours of operation [7am to 11pm (16 hours), Sunday to Thursday and 7am to 2am (19 hours) Friday & Saturday) of food

/ drinks]. This will generate increasing people and vehicle noise, potential for anti-social behaviour, bike theft, robberies, graffiti, malicious damage to human and property etc. Our property and the neighbourhood have been constantly subjected to graffiti, vandalism, plate glass damage, etc, in which many graffiti were of offensive nature [see Appendix 2 – photos of graffiti issues].

2c) Deliveries and Safety Concern

All product deliveries will need to use the existing King Street loading zone accordingly to this proposal. As stated in the Traffic Review Report, “If all deliveries were to occur on one day (excluding oil management) the loading zone would be required for a total of 70 minutes”. It is impossible to predict and expect that all these deliveries will be done in a staggered manner and in reality they will arrive at similar time of the day.

It is noted that there is only 1-car space loading zone in front of the proposed premises and another 5-car space loading zone located on 224-234 King Street, all to be shared among all the commercial vehicles for general loading / servicing in the area.

It is also expected that the parking in and driving out from the street parking spaces by these vehicles for the proposed operation, in combination with the food patron parking activities will inadvertently create heavy traffic congestion to this narrow single lane King Street. This will form a major safety hazard for normal vehicle movement as well as potential safety impact for pedestrians and residents.

3) Pedestrian Safety, Parking and Congestion Concern in Newtown

The proposed McDonald's outlet with extensive daily operation hours (16 hours daily for 5 days and 19 hours daily for 2 days) is expected to increase both vehicular and pedestrian traffic, exacerbating existing congestion issues along the 1-lane King Street main thoroughfare. The limited seating capacity on the proposed fast-food shop will induce more extensive and regular takeaway services, which could lead to increased short-term parking demands and illegal parking in the vicinity.

It is expected that the delivery bicycles, motor bikes and vehicles will increasingly be illegally placed / parked as well as food patrons queuing and hanging around for dine-in and take away food & drink in the vicinity of our property. The street parking in front of the proposed fast-food shop and in the vicinity is mainly classified as loading zone during week-day so in reality it will increase illegal parking and traffic congestion particularly from overflowing traffic on a 1-lane King Street and back-flowing into its overburdened busy intersection at Brown Street (just ~2m away). The rear Brown Lane surrounding the fast-food outlet will also be affected by increasing number of vehicles, motor bikes and bicycles moving in and out and on frequent basis, long hours, 7 days a week.

The significant induced activities on the footpath and road traffic from pedestrian, delivery riders, cyclists, motor bikes, patron & delivery vehicles from the proposed high-turnover, long trading hours fast food outlet that focussed with walk-in consumers (via walking / cycling / driving) and home delivery motor bike and push bike riders , have substantial implication which is not in line with the Sydney Development Control Plan 2012, Section 3. This will lead to un-manageable and heavily congested footpath and road traffic congestion jeopardising pedestrian accessibility and safety.

4) Environmental Concern

In addition to the waste and pollution associated with street loading activities of the proposed business operations, the production and use by McDonald's of disposable packaging causes litter. The potential for increased littering and waste management issues are of serious concerns which has significant adverse impact to the overall character of our community, particularly at the front footpath of King Street as well as the rear Brown Lane.

Due to the nature of this highly promoted fast-food chain, this proposed outlet will generate significant amounts of waste, outside their projections and most of the waste will ending up as litter in surrounding areas and particularly in the rear lane of the premises. It is evident from our experience that our rubbish bins being placed in the Brown Lane on the day of collection will always be filled by rubbish, food and packaging waste not belonging to us and many are left lying around on our door front. Undoubtedly this situation will exacerbate if this proposal is approved.

5) Heritage and Community Character Concern

While the revised proposal suggested their operation is in line with the local environmental planning guidelines, we believe that it does not really align with the fundamental standards and expectations for “heritage conservations” given that the site is located within a Heritage Conservation Area, namely, the King Street Conservation Area. It has high potential for generating non-compliance to law and order in this historical street and nurturing anti-social behaviour which will have adverse and detrimental impacts for the local community.

The composition of food and non-food facilities should also be a main factor to determine the final approval of his application, as it would affect the main street’s vibrance and future enrichment of the area. King Street commercial area is already over-supplied with fast food outlets. This should be balanced with other non-food / retails / professional offices, etc. as part of the main street commercial development composition.

In essence, the addition of a highly promoted fast-food chain like McDonald’s is creating a significant imbalance of fast-food outlets on the main King street which is undermining the overall historic character and fabric of the heritage conservation environment.

This proposal contradicts with the established community character and environment defined by the planning principles given in the Sydney Development Control Plan 2012.

This proposed McDonald long hours of operation (upto 19 hours/daily) will undermine the well-established and vibrant small business culture of Newtown. It will destabilise the residential tranquillity and commercial activity already existed with many established cafes, restaurants, take-aways, pub restaurants and supermarkets, mainly operated by local independent businesses.

This proposal, if approved, would set a catastrophic precedent that could lead to other businesses struggling in adopting similar long operating hours to compete for business. This will threaten the unique character of Newtown and disruptions to the local small businesses and the community.

It will alter the original character of the building to the detriment of streetscape and disrupting aesthetic and social fabric of this established area.

6) Threat to Local Businesses

Newtown is renowned for its cultural diversity and extensive family-owned, small, independent businesses including cafes, restaurants, fast food, pub food and retail outlets which collectively contribute to its unique vibrant character. The introduction of a McDonald’s will undermine viability of many well-established food businesses that contribute to the unique identity of Newtown.

Clem’s Chicken shop is located next door at 210 King Street and has been established since 1982. It offers healthy, freshly cooked food. It is not just a chicken shop but a real institution in Newtown - family run with friendly helpful local staff. The presence of a multinational fast-food chain with aggressive pricing strategies next door will dilute Clem’s customers away and threatening their long-term viability. It is also expected that many surrounding food businesses will struggle to compete that would inevitably lead to closures, reducing diversity and local employment opportunities.

The closure of independent eateries would jeopardise the unique cultural identity of Newtown as well as job losses in this local community. It is imperative that the local Council is seen to support local businesses which is critical for maintaining community spirit and economic diversity as these small independent businesses form an integral part of Newtown character.

7) Proximity to nearby and over-saturated McDonald's Locations

There are 7 existing McDonald's outlets within a short 2.5km radius from Newtown and 3 of them have drive-through, off-street parking and playland facilities. They are :

- 1) Marrickville at 241 Marrickville Road, Marrickville : 6am to 10pm.
- 2) Marrickville Metro at 34 Victoria Road, Marrickville : 7:30am to 9pm.
- 3) Stanmore , corner of Parramatta & Bridge Roads, Stanmore : 24 hours , Drive thru , Playland.
- 4) Green Square, 3905A Botany road, Zetland : 6am – midnight.
- 5) St Peters, corner of Princess Highway and Bishop St, St Peters : 24 hours , Drive thru , Playland.
- 6) Waterloo : 183 Botany Road, Waterloo : 6am – 2am, Drive thru , Playland.
- 7) Broadway : 863 George St, Railway Square : 24 hours.

It is evident that Newtown is already well served by these existing McDonald's outlets, mostly equipped with bigger seating capacity and protected playground for young children. Many of the outlets have off-street parking / drive through facility. The necessity of another McDonald's outlet in Newtown with limited facilities and non-dedicated parking is actually unjustified.

Conclusion

In light of the overwhelming adverse impacts of this proposal to the Newtown community and our strong objection on the direct negative consequences to our adjoining property as detailed in the foregoing, I urge the City of Sydney Council to **refuse** this revised development application for this proposed McDonald outlet at 212-214 King Street, Newtown under RD/2025/585/B.

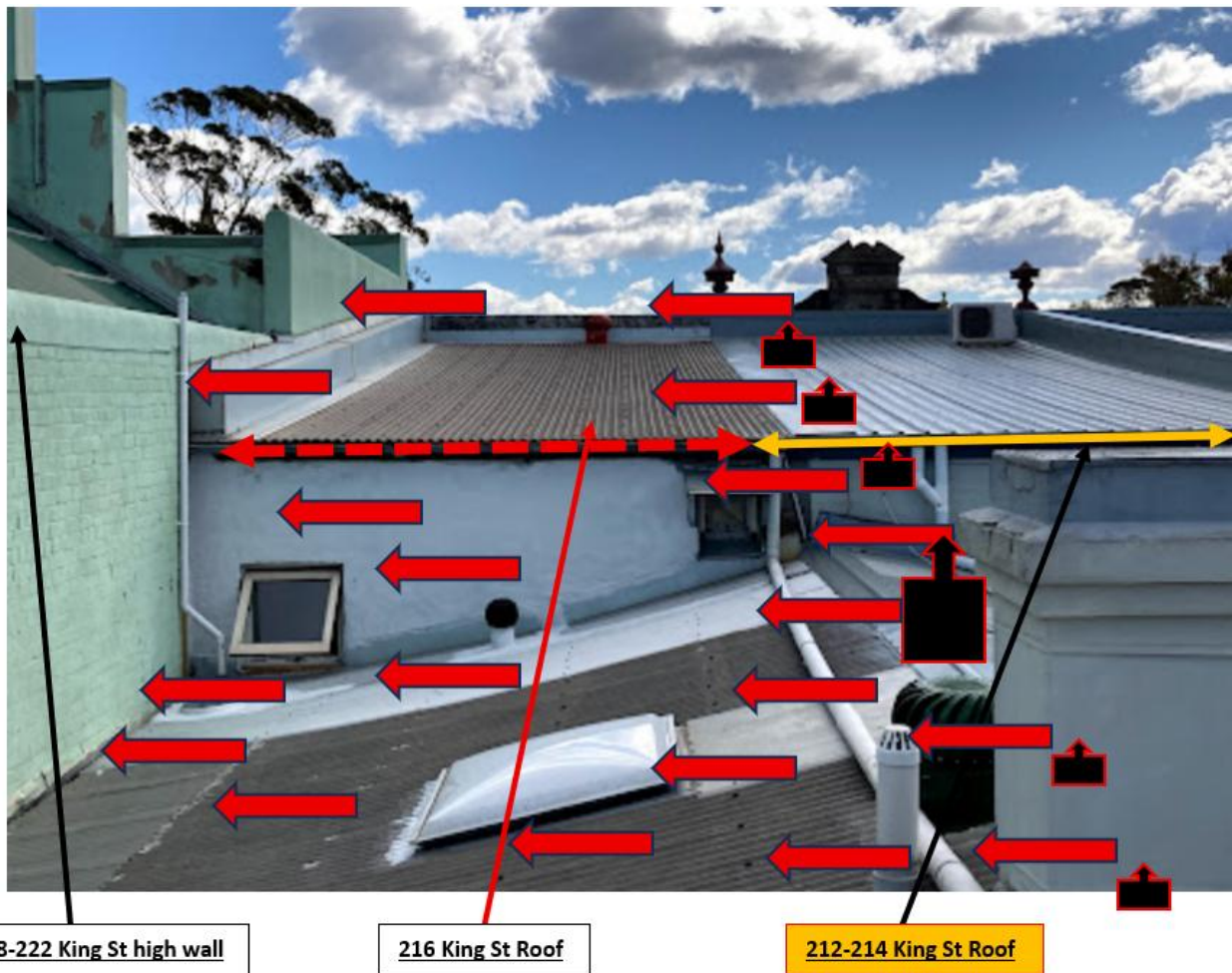
This revised proposal fails to address our concerns previously raised and does not meet the key objectives and principles outlined in the DCP 2012 and LEP 2012 which prioritise developments to support community well-being, local businesses, and to promote sustainable and balanced urban environments. There are also inconsistencies / incomplete information in various identified aspects of the submission which apparently are not in line with relevant technical standards. This development would be detrimental to the Newtown community and its businesses with long lasting, irreversible disruptive risks which included but not limited to noise, health, safety, traffic, environment and shop / resident well-being. The harm this development would cause far outweighs any perceived benefits and this would represent a major step backward for the Newtown community, undermining local businesses and the heritage.

Thank you for noting our strong objection to this proposal.

I trust that the council will make the right decision in the interest of the local community and its long-term well-being.

Kind regards





Page 6 of 7

Appendix 2 – Proliferation of graffiti issues and the neighbourhood



===== END OF DOCUMENT =====

From: Cannis M <[REDACTED]> on behalf of Cannis M <[REDACTED]> <Cannis M <[REDACTED]>

Sent on: Thursday, February 12, 2026 9:17:56 PM

To: council@cityofsydney.nsw.gov.au

Subject: Re: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Bill MacKay

Caution: 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 proposed McDonald's Australia Limited at 212–214 King Street, Newtown

Dear Inner West Council,

I am writing to formally object to the development application for a McDonald's takeaway outlet at 212–214 King Street, Newtown, including the proposed trading hours of 7:00am to 2:00am on Fridays and Saturdays, and 7:00am to 11:00pm from Sunday to Thursday.

This proposal raises significant concerns for local residents and the broader community:

1. Noise and late-night disturbance

Operating until 2:00am will increase noise from customers, delivery drivers, and late-night foot traffic. This part of King Street is surrounded by residential streets, and extended trading hours will disrupt the quiet expected at night.

2. Excess rubbish and waste management issues

Fast-food outlets generate large volumes of disposable packaging. Newtown already struggles with litter hotspots, and a high-volume takeaway venue will worsen rubbish on footpaths, in gutters, and around shopfronts. This places additional pressure on Council cleaning services.

3. No loading zone for deliveries

The site has no dedicated loading zone, meaning delivery trucks and supply vehicles will likely block traffic, use residential side streets, or stop illegally. This creates congestion, safety risks, and further noise impacts.

4. No public toilet

A late-night takeaway venue without public toilet facilities will inevitably push customers to use nearby laneways, doorways, and residential streets. This is a well-documented issue with late-trading fast-food outlets and would significantly affect local amenity.

5. Loss of Newtown's heritage character

Newtown's charm and identity come from its heritage streetscape and independent businesses. A large multinational chain at this location undermines the unique character of King Street and conflicts with the community's long-standing preference for small, diverse, locally owned shops.

6. Negative impact on local businesses

Independent eateries and small operators form the backbone of Newtown's economy. A major fast-food chain with extended hours will draw customers away from local businesses, many of which already operate on tight margins.

7. Anti-social behaviour

Late-night fast-food venues often attract loitering, noise, and disruptive behaviour, particularly around closing time. This raises safety concerns for residents and other businesses.

For these reasons, I respectfully request that Council reject the proposed development and trading hours at 212–214 King Street.

Thank you for considering my submission.

Kind regards,

Can

From: Cannis M <[REDACTED]>
Sent: Monday, 4 August 2025 11:54 PM
To: council@cityofsydney.nsw.gov.au <council@cityofsydney.nsw.gov.au>
Subject: D/2025/585 - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

To Cissy Li,

I am writing as a local resident of Newtown to express my strong objections to the development application submitted by SLR Consulting Australia Pty Ltd for a proposed 24-hour McDonald's at 212–214 King Street.

I have been living in Newtown since 1999, and I live just within a minute's walk from the site and know firsthand how the character of our neighbourhood thrives on its diverse, community-driven atmosphere. The proposed development raises several serious concerns for me:

- **Noise and Disturbance:** A 24-hour operation introduces the likelihood of noise and disruption during late-night hours, which is extremely concerning for those of us living nearby. As someone in such close proximity, I'm genuinely worried about how this will affect our ability to sleep peacefully and feel secure at night. I am also worried that the 24-nature of the operation will also attract potentially rowdy, drunken and unsavoury characters since it will be the only place that will be open throughout the wee hours of the night/morning.
- **Litter and Cleanliness:** High-volume food outlets tend to attract waste, and I fear an increase in packaging litter around our streets—especially overnight when cleaning services aren't readily available. Maintaining the cleanliness of our shared space is vital to preserving Newtown's charm and livability. There is also no public toilet facilities around the area, so with the increased number of people hanging around the 24-hour MacDonald's could cause more people to just urinate in the back laneways (which is already a problem in Newtown).
- **Traffic and Parking:** King Street already struggles with heavy traffic and limited parking. A 24-hour business would only compound these issues, making it harder for residents and small businesses to navigate and park in the area. There will also be an increase in the number of food delivery riders and people that will be parking/stopping on the limited space that is available on the pedestrian footpath in front of the restaurant.
- **Local Character:** Newtown isn't just another commercial hub—it's a place with heart and history. A round-the-clock fast food venue feels out of step with the kind of thoughtful, independent spirit this area is known for. It risks diluting the unique identity that locals deeply value. This will bring down the character that Newtown is so well know for, and affect the outlook of the existing business around there.

It's worth noting this would be the only 24-hour restaurant in the area, with limited indoor seating (or no seating at all, since it is to be used as mainly a takeaway premises). That raises additional concerns around loitering, noise, and public disturbance on the street late at night.

I sincerely urge City of Sydney Council to consider the long-term impact this development could have on our community and reject the proposal in its current form.

Thank you for taking the time to listen to my objections and also to the other local voices.

Warm regards,

Can

From: Jenniene Ashmore <[REDACTED]> on behalf of Jenniene Ashmore
<[REDACTED]> <Jenniene Ashmore <[REDACTED]>

Sent on: Friday, February 13, 2026 4:55:27 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Mcdonalds newtown proposal

Caution: 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 Team,

I am writing to object to the proposed McDonald's development on King Street, Newtown.

This proposal would negatively impact local amenity, traffic conditions, and the unique character of Newtown. My key concerns are:

- Traffic and congestion: The area is already heavily congested and poorly suited to increased vehicle and delivery traffic, which this development would inevitably generate.
- Extended operating hours: Late or extended trading hours would increase noise, light pollution, and disruption for nearby residents in a mixed residential area.
- Waste and environmental impact: High volumes of takeaway packaging would contribute to increased litter, landfill, and pressure on local waste services.
- Public health: The increased availability of unhealthy fast food, particularly near families and young people, contributes to long-term health impacts.
- Lack of need: There are already McDonald's outlets in close proximity at St Peters, Marrickville Metro, and Alexandria, demonstrating no clear community need for an additional outlet.
- Neighbourhood character: Newtown's independent, non-corporate, and culturally distinctive character would be undermined by the introduction of another large multinational fast-food franchise.

For these reasons, I urge the authority to refuse this application.

Thank you for considering my submission.

Sincerely,

From: Nick Baldas <[REDACTED]> on behalf of Nick Baldas

<[REDACTED]> <Nick Baldas <[REDACTED]>

Sent on: Friday, February 13, 2026 8:47:53 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: MacDonalds on King Street in Newtown RD/2025/585/B

Caution: 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 DA Friends.

Hi my name is Nick Baldas and I live in Erskineville which is just down the road from Newtown.

I have sent you this email to express my concerns and 'offocal' disapproval of the proposed MacDonalds planned for King Street. RD/2025/585/B

Official objections towards MacDonalds:

- MacDonalds is responsible for deforestation within Australia
- The food is known to be unhealthy
- Does not fit with the character of the neighborhood
- Limits the success of local businesses within the City Of Sydney
- Supports the genocide in Gaza

King Street Newtown is our local culinary street adventure. It is vibrant and multicultural. I feel it is probably the most food enticing street in Sydney? MacDonalds is not appropriate or welcome on King Street.

Thank you for your time

Kind regards

Nick Baldas
5 Septimus Street
Erskineville NSW 2043

From: Elise Wilson <[REDACTED]> on behalf of Elise Wilson <[REDACTED]> <Elise Wilson <[REDACTED]>
Sent on: Friday, February 13, 2026 10:12:14 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Objecting against McDonalds King Street Newtown

Caution: 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 submit my objection to the McDonalds application to open on King Street Newtown.

My concerns are the waste and culture change that the introduction of McDonalds will have and for the surrounding residents should this be open late.

--

Elise Wilson

From: Mark Dadds <[REDACTED]> on behalf of Mark Dadds

<[REDACTED]> <Mark Dadds <[REDACTED]>

Sent on: Friday, February 13, 2026 9:59:36 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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.

I write to add my voice to protest against the revised proposal for a MacDonalds on King St Newtown. The establishment of such a franchise would significantly detract from the neighbourhood amenity of Newtown and surrounding areas.

- 1) locals will not patronise this business (ie eat Macdonalds) and so the majority of customers will be via car traffic that this already jammed neighbourhood cannot accomodate;
- 2) their sales of take-away packaged food will significantly add to garbage and landfill in Newtown and Sydney;
- 3) their food is unhealthy and will add to healthcare burden on the population, especially children;
- 4) the wonderful neighbourhood character of Newtown, based largely on non-corporate, unique and bohemian culture, will be significantly degraded by its presence.

Thank you for considering this input.

Sincerely, Mark Dadds.

From: Anthony Fiddes <[REDACTED]> on behalf of Anthony Fiddes
<[REDACTED]> <Anthony.Fiddes <[REDACTED]>

Sent on: Friday, February 13, 2026 9:01:27 AM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Anthony Fiddes <[REDACTED]>

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

I wish to object to the application to establish a McDonalds in Newtown as it will:

- not fit with the local character of the area
- prevent a local small business from establishing itself
- encourage localised crowding

Please do not let our Newtown become another generic, corporatised suburb, let's continue to encourage its reputation as a centre of unique value.

Kind regards

Tony Fiddes

Sent from my iPhone

From: [redacted] <[redacted]> on behalf of [redacted]
<[redacted]> <[redacted]>
Sent on: Friday, February 13, 2026 10:32:44 AM
To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>
CC: [redacted] <[redacted]>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy

I'm writing to formally object to the revised development application for a McDonald's restaurant proposed at 212-214 King St, Newtown. I would appreciate it if no identifying information was made public, with the exception of my first name and the initial of my last name.

I note that:

- the previous development application for a McDonalds restaurant on the site (D/2025/585) received 1,433 submissions (the vast majority of which were in objection), including from NSW Police and Transport for NSW who raised concerns about the likely impact on crime and traffic/parking
- the previous application was refused at the time due to its reliance on an on-street loading zone and the footpath for deliveries, and inconsistent trading hours with other local businesses, and that it did not comply with the public domain, waste management, transport and parking and social and environmental responsibilities
- while the applicant has revised its application to respond to some of these concerns (e.g. to align with local late night trading requirements), most of the issues raised and noted in Council's previous assessment remain unresolved
- there is an existing 24-hours McDonalds operating 1.2km from the proposed development site (7 minutes drive or 23 minutes walk away) that already caters for local customers
- the proposed McDonalds (given its high name recognition) would not fill a gap in the local economy but likely cannibalise sales from existing fast-food businesses that already operate in the immediate area, including other multinationals (e.g. KFC) and independents (e.g. Clems).

As a local resident living almost directly behind the site (that is, within 50m of the back of the site), I have serious concerns about the impact such a development will have for myself and other local residents in relation to crime and anti-social behaviour, noise, rubbish, parking and Newtown's local character.

The proposed development will exacerbate the local crime and antisocial behavior in the neighbourhood

There is an existing issue in Newtown related to anti-social behaviour, public drunkenness, public urination, theft and assaults after dark, including significant numbers of people coming from out of area to access the many pubs, clubs and restaurants on King St. I note that my ex-partner was the victim of a violent assault as a result of drunken behaviour by a user of the WJ Thurbon Reserve (directly outside my apartment building) that was reported to NSW Police. In addition, we frequently have people publicly urinating in WJ Thurbon Reserve and, less frequently, defecating in the reserve, noting that the proposed McDonalds site does not include toilet facilities for customers and there are no public toilets in the immediate area. The operation of a late-night trading McDonalds will attract more people to the area until 2am Saturday and Sunday mornings and likely exacerbate these issues. The impact on crime was also raised in objections by local residents and NSW Police to the previous application and to a separate development application for a McDonalds in Redfern that was rejected by Council.

The proposed development will exacerbate noise issues for local residents

The operation of a late-night trading McDonalds would generate unacceptable levels of noise, particularly during late night and early morning hours. Vehicle movements, loud conversations, and the congregation and movement of delivery drivers are all likely to disrupt the peace of nearby residents. There is proposed to be only limited dining in the restaurant itself so most food and drinks will be consumed off the premises, particularly as a result of foot traffic. This will lead to increased use of the WJ Thurbon Reserve (the closest public area with seating) until late at night or early morning. The reserve has already been the subject of multiple noise and rubbish complaints to Council and NSW Police over the years. The proposed development will only exacerbate these issues.

The proposed development will exacerbate existing rubbish issues in the area

There will likely be increased rubbish in the form of takeaway packaging, drinks containers and food scraps that will be left in nearby streets, parks, and public areas, negatively impacting both the environment and the amenity of the area. There is an existing issue on Brown Lane behind the site where Council fails to enforce its own requirements on local restaurants to keep their commercial bins (which frequently overflow) secure and on their own premises, leading to rats and ibises having an uninterrupted and accessible food source. The proposed development will likely exacerbate this issue.

The proposed development will exacerbate traffic and parking issues in the area

There is already significant vehicle movement in and around the proposed site (e.g. King St, Brown St, Brown Lane and Whateley St) associated with existing food outlets, including customers picking-up orders, trucks delivering supplies and delivery drivers/riders taking orders. There is also already significant demand for limited parking in surrounding streets. The proposed development will increase vehicle movements and demand for parking, further displacing local residents and visitors from already limited on-street parking spaces, including illegal parking as customers pick-up orders.

The proposed development will negatively impact the local character and amenity of Newtown

The proposal is inconsistent with the local neighbourhood and is out of step with the area's built environment. The impact on the local character was also raised in objections by local residents to the previous application, as well as to the separate development application for a McDonalds in Redfern that was rejected by Council.

For the reasons outlined above, I urge Council to again reject this development application given the impact on local residents and neighbourhood, noting that the majority of the reasons Council relied on previously to reject the application remain valid.

Should the proposed development be approved, then Council will need to urgently increase its enforcement activities in the area in relation to noise, rubbish and parking, and work with NSW Police to mitigate the likely increase in crime and anti-social behaviour, and with Transport for NSW to mitigate the likely impact on local traffic and parking.

I respectfully request that the impacts on local residents be considered for this development application.

Regards,

[Redacted signature block]

From: [redacted] <[redacted]> on behalf of [redacted] <[redacted]>
<[redacted]>
Sent on: Friday, February 13, 2026 8:52:02 AM
To: council@cityofsydney.nsw.gov.au
Subject: Submission: Reference number: RD/2025/585/B Site address: 212-214 King Street, NEWTOWN NSW 2042

Caution: 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,

Please remove all identifying information from All published documents, keep my details private.

Re: RD/2025/585/B – Objection to Amended Proposal

This submission responds to the amended proposal for RD/2025/585/B. The amendments do not adequately address the original reasons for refusal. Despite minor changes, the fundamental issues relating to site suitability, public safety, amenity impacts, and the public interest remain unresolved.

Responding to Table 1 in SOEE: D/2025/585 Reasons for Refusal and Amendments.

Reason for Refusal A(i) has not been addressed. The applicant relies on the presence of nearby bicycle racks, despite acknowledging that these racks have minimal usage. In practice, delivery riders do not use them. Simply asserting their availability does not resolve the issue. No effective or enforceable management plan has been provided to prevent riders parking on footpaths or outside the premises, creating ongoing conflicts with pedestrians, traffic flow, and public safety.

Reason for Refusal C remains unresolved. The proposal continues to rely on surrounding public space and infrastructure to compensate for on-site deficiencies, demonstrating that the site is fundamentally unsuitable for the proposed use.

Reason for Refusal D has not been addressed. Reduced operating hours does not meaningfully mitigate anti-social behaviour identified by NSW Police, nor do they address pedestrian or road safety risks. The amendments fail to reduce the need for additional policing, instead compressing activity into peak periods and placing further strain on police resources. Community amenity impacts also remain unresolved. The venue continues to operate predominantly as a takeaway outlet, with inadequate waste and litter management. The proposed litter patrol schedule leaves extended periods during peak evening trading with no active monitoring or cleaning of surrounding public areas.

Reason for Refusal F has not been addressed. The amended proposal does not meaningfully respond to community submissions. The overwhelming majority of submissions oppose the development, and the broader public interest test has not been satisfied.

The proposed amendments, including changes to operating hours, delivery arrangements, waste management, and bicycle parking, do not address the core reasons for refusal or mitigate the identified impacts. The amended proposal remains unsuitable and should be refused by Council.

regards,

[redacted]

Note: This email is confidential and legally privileged. If you are not the intended addressee please delete this message. We take no responsibility for any changes made to this message or any attachment to it by any person or for the effect of those changes on the meaning of the message or the attachment.

From: Nic Seton <[REDACTED]> on behalf of Nic Seton <[REDACTED]> <Nic Seton <[REDACTED]>

Sent on: Friday, February 13, 2026 12:05:38 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission: Objection to Proposed McDonald's – 212–214 King Street, Newtown - RD/2025/585/B

Caution: 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 strongly object to the proposed McDonald's at 212–214 King Street.

The strength of community opposition has already been clearly demonstrated. In response to the previous application in August 2025, 1,433 submissions opposed the development and only 6 supported it. That level of engagement reflects deep and widespread concern about the appropriateness of this use in this location.

King Street has a distinctive heritage and social character. It is known for its independent businesses, creative culture, and diverse late-night economy within a compact, pedestrian-focused high street. This proposal undermines the core planning objectives that protect local character, social diversity, and pedestrian amenity.

Public domain and pedestrian safety

DCP 3.1.1 & CPTED Assessment

The updated DA still fails to adequately manage the impacts of increased delivery activity. The 2026 proposal includes only a single bicycle space for staff and provides no meaningful strategy to manage a likely concentration of delivery riders on already constrained footpaths.

While the CPTED assessment acknowledges potential social impacts of extended late-night trading, it does not resolve them. Concentrating fast-food and delivery operations in a high pedestrian conflict zone undermines accessibility, pedestrian safety, and public domain amenity.

Traffic, servicing and amenity impacts

The previous application was rejected due to increased traffic and pedestrian safety risks, inadequate on-site loading, and concerns regarding noise and litter. The current proposal does not meaningfully address these underlying issues.

The proposal generates cumulative impacts in close proximity to residential dwellings, including noise, odour, waste collection activity, and delivery traffic. Non-compliance with AS 1668.2 setbacks, reliance on narrow laneways for servicing, and the absence of proper rider parking do not meet the standard of “minimising disruption to amenity” under DCP 3.14 and the Noise Policy for Industry 2017.

Loss of local character and cultural identity

DCP 2012 Part 2.10.1

King Street's identity is built on small-scale, independent, and culturally distinctive enterprises. This proposal conflicts with the planning controls designed to protect that character.

Approval would contribute to the erosion of Newtown's heritage and cultural distinctiveness by inserting a standardised corporate fast-food format into one of Sydney's most recognisable village high streets.

Economic and social impact on local businesses

No adequate economic or social impact assessment has been provided. This disregards the cumulative displacement effects on small independent operators who define Newtown's economy.

The proposal runs counter to Council's strategic objectives to retain small, creative enterprises and support a locally distinctive economy.

Urban sustainability and waste

The proposal's resource intensity and packaging waste generation contradict the City's Sustainable Sydney 2030 objectives, particularly around waste reduction, transport emissions, and landfill dependency in dense dining precincts.

Conclusion

The proposed McDonald's would fundamentally undermine Newtown's small-scale cultural economy, reduce amenity for nearby residents, and conflict with City of Sydney planning controls relating to character, sustainability, cumulative impact, and pedestrian safety.

The community has clearly expressed concern about increased noise, antisocial behaviour, traffic conflict and litter. The revised DA does little to meaningfully mitigate these risks.

For these reasons, I respectfully request that the City of Sydney refuse this application.

Regards,

Nic Seton

From: [redacted] on behalf of [redacted]
<[redacted]> <[redacted]> <[redacted]>

Sent on: Friday, February 13, 2026 12:39:33 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Assessment Panel,

We are surrounded by McDonalds outlets, several of which are open 24 hours, all within a few minutes and a 2-3 km drive of the proposed outlet on King Street, Newtown. The proposal to install a further McDonalds outlet, this one on King Street Newtown, is against the wishes of locals and should be refused.

The impact of a McDonalds, as proposed:

- will see an increase in waste and associated impacts including more vermin;
- will make the area less safe due to the congregation of inebriated people, and more e-bikes in an already congested area verging on dangerous;
- a negative impact on the true local economy - our independent traders;
- will foster more crime not less;
- has no real local employment opportunities; and
- represents a critical endangering of the unique identity of Newtown.

The only beneficiary of this is McDonalds and their drive for market share and market positioning, whether local communities want that or not. They are not part of the community but rather disruptors seeking to destroy unique precincts and make them generic as this supports their business model.

I urge the City to turn down the proposal.

Please read the following for further comment:-

1. Newtown is a historically and culturally significant precinct, valued by both locals and those who travel to enjoy its uniqueness, for its independent businesses, and strong community identity. The introduction of another generic global fast-food chain producing mass-manufactured, nutritionally poor food represents a clear departure from the established and desired character of King Street and its surrounding residential areas.

The proposal offers no meaningful contribution to local distinctiveness. Instead, it introduces a standardised corporate format that undermines the heritage streetscape and erodes the independent, community-focused ethos that defines Newtown. Such enterprises (McDonalds that is), by their nature, prioritise volume, speed and turnover over place-making, social cohesion and long-term neighbourhood value.

2. The proposed operating hours of 7:00am to 2:00am are wholly inappropriate for a site in immediate proximity to residential dwellings and public reserves. These extended hours will exacerbate noise, disturbance and anti-social behaviour late into the night and early morning, well beyond what can reasonably be mitigated through on-site design measures.

Late-night fast-food outlets are well documented attractors of intoxicated patrons displaced from licensed venues. In this context, the proposal would function as a magnet for late-night congregation, compounding existing pressures on nearby streets, laneways and parks.

3. The proposal will generate substantial additional waste, including single-use packaging that contributes directly to landfill. This is not a theoretical concern but an existing and ongoing problem in the immediate area.

Rubbish is currently not adequately controlled by Council. Nearby residents already feel obligated to remove fast-food litter frequently branded from nearby KFC including cooked chicken bones, from the grass and gardens of Wilson Street Reserve #1, adjacent to our building. This occurs regularly and is necessary, among other reasons, to prevent pets from ingesting bones (which can be lethal) and to deter rats and scavenging birds.

Approving another fast-food outlet only 120 metres from an existing KFC will inevitably intensify this problem. The proposal relies on waste management assumptions that do not reflect on-the-ground reality, instead externalising the burden of cleaning, health risk and vigilance onto residents.

4. The development will significantly increase the number of delivery drivers operating on e-bikes, adding to already excessive numbers in King Street and surrounding laneways. Footpaths, narrow streets and shared zones are already congested, and further intensification will heighten the risk of pedestrian and traffic accidents.

5. I wish to address the Crime Prevention Through Environmental Design (CPTED) Assessment dated 19 December 2025, particularly where its conclusions diverge from lived experience.

Description of Proposal (Section 2.0):

The provision of only 12 seats ensures that once patron numbers exceed this limit, customers will be forced to consume food in nearby public reserves. This is not incidental; it is a predictable and unavoidable outcome of the proposal.

Crime Statistics (Section 3.3):

The report notes that unfavourable incidents are most common in residential areas, streets, footpaths and public transport, rather than retail premises. This occurs precisely because retail and licensed venues expel patrons once they become too intoxicated or disruptive.

The subsequent behaviour of these patrons once they are no longer tolerated by businesses plays out in residential streets and public spaces. This is the point at which residents bear the impact, and it is disingenuous to exclude this reality from assessment.

The front entrance of our building is opposite Wilson Street Reserve #1. My husband and I have recently started to avoid leaving our home on Friday and Saturday nights due to the increasing number of noticeably intoxicated people

occupying the reserve, speaking and arguing loudly and sometimes yelling. They consume takeaway food and alcohol in brown paper bags, discard bones, scraps and packaging, and behave in unpredictable and intimidating ways. The majority of the rubbish we see left behind, in recent months, is KFC branded

The nearby WJ Thurbon Reserve in Brown Lane is often worse, likely due to its more secluded layout and greater seating capacity. Residents whose apartments directly face this reserve experience even more acute impacts.

These individuals are not local residents. They are drawn to Newtown from other parts of Sydney by pubs, bars and nightclubs, and then use nearby reserves as toilets, and as places to continue drinking and eating once expelled from licensed venues.

6. Newtown's IRSAD ranking in the 93rd percentile reflects a highly advantaged area. While the proposal claims to offer community benefit through employment, the evidence pertaining to existing businesses is that, rather than local people, McDonald's staff are likely to be young workers who cannot afford to live locally and must travel long distances to and from work at late and potentially hazardous hours.

It is difficult to substantiate claims that this development will support the local community or improve social outcomes. It is equally plausible and in my view more likely that it will worsen existing issues, while offering minimal genuine local benefit. I am not sure McDonalds could substantiate their claims of localised economic impact. Fast food chains have moved to an automated ordering system which sees less employment than the majority of smaller/family owned and operated businesses.

The major economic impact will be on local businesses, most of these not part of a chain, impacted by the high turnover/lower yield per sale model of mass fast food chains. This business model is designed to take maximum market share at the direct cost of their competitors; these competitors are our community and make up the local economy. As I opened with: there are plenty of McDonalds outlets all around the proposed location. If someone wants a McDonalds meal they do not have to travel far as it is.

7. The CPTED assessment focuses almost exclusively on the internal operation of the premises and patron behaviour within its immediate visual envelope. It does not meaningfully address impacts once food is taken off-site, which is precisely when residents experience harm.

Thank you

[Redacted]

[Redacted]

Newtown

From: [redacted] <[redacted]> on behalf of [redacted]
<[redacted]> <[redacted]>

Sent on: Friday, February 13, 2026 12:39:30 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Assessment Panel,

I write to object to the proposed development of a McDonald's fast-food restaurant at 212–214 King Street, Newtown. From an urban planning, heritage, amenity and community wellbeing perspective, this proposal is fundamentally incompatible with the character, values and lived reality of the local neighbourhood, and its approval would result in significant and ongoing adverse impacts.

1. Heritage and Urban Design Impacts

Newtown is a historically and culturally significant precinct, valued for its independent businesses, and strong community identity. The introduction of a generic global fast-food chain producing mass-manufactured, nutritionally poor food represents a clear departure from the established and desired character of King Street and its surrounding residential areas.

The proposal offers no meaningful contribution to local distinctiveness. Instead, it introduces a standardised corporate format that undermines the heritage streetscape and erodes the independent, community-focused ethos that defines Newtown. Such uses, by their nature, prioritise volume, speed and turnover over placemaking, social cohesion and long-term neighbourhood value.

2. Operating Hours and Amenity Impacts

The proposed operating hours of 7:00am to 2:00am are wholly inappropriate for a site in immediate proximity to residential dwellings and public reserves. These extended hours will exacerbate noise, disturbance and anti-social behaviour late into the night and early morning, well beyond what can reasonably be mitigated through on-site design measures.

Late-night fast-food outlets are well documented attractors of intoxicated patrons displaced from licensed venues. In this context, the proposal would function as a magnet for late-night congregation, compounding existing pressures on nearby streets, laneways and parks.

3. Cleaning, Waste and Environmental Health

The proposal will generate substantial additional waste, including single-use packaging that contributes directly to landfill. This is not a theoretical concern but an existing and ongoing problem in the immediate area.

Rubbish is currently not adequately controlled by Council. Nearby residents are already required to remove fast-food litter — frequently KFC-branded from their nearby outlet — and cooked chicken bones from the grass and gardens of Wilson Street Reserve #1, adjacent to our building. This occurs regularly and is necessary to prevent pets from ingesting bones (which can be lethal) and to deter rats and scavenging birds.

Approving another fast-food outlet only 120 metres from an existing KFC will inevitably intensify this problem. The proposal relies on waste management assumptions that do not reflect on-the-ground reality, instead externalising the burden of cleaning, health risk and vigilance onto residents.

4. Safety and Movement Impacts

The development will significantly increase the number of delivery drivers operating on e-bikes, adding to already excessive numbers in King Street and surrounding laneways. Footpaths, narrow streets and shared zones are already congested, and further intensification will heighten the risk of pedestrian and traffic accidents.

In addition, the proposal will draw additional visitors from outside the local area, many of whom demonstrate little regard for residential amenity. Increased traffic, loitering and late-night movement through quiet streets will further degrade perceptions of safety for residents.

5. Crime and Behavioural Impacts

I wish to address the Crime Prevention Through Environmental Design (CPTED) Assessment dated 19 December 2025, particularly where its conclusions diverge from lived experience.

Description of Proposal (Section 2.0):

The provision of only 12 seats ensures that once patron numbers exceed this limit, customers will be forced to consume food in nearby public reserves. This is not incidental; it is a predictable and unavoidable outcome of the proposal.

Crime Statistics (Section 3.3):

The report notes that unfavourable incidents are most common in residential areas, streets, footpaths and public transport, rather than retail premises. This occurs precisely because retail and licensed venues expel patrons once they become too intoxicated or disruptive.

The subsequent behaviour of these patrons — once they are no longer tolerated by businesses — plays out in residential streets and public spaces. This is the point at which residents bear the impact, and it is disingenuous to exclude this reality from assessment.

The front entrance of our building is opposite Wilson Street Reserve #1. My husband and I actively avoid leaving our home on Friday and Saturday nights due to the number of noticeably intoxicated people occupying the reserve, speaking and arguing loudly and sometimes yelling. They consume takeaway food and alcohol in brown paper bags, discard bones, scraps and packaging, and behave in unpredictable and intimidating ways.

The nearby WJ Thurbon Reserve in Brown Lane is often worse, likely due to its more secluded layout and greater seating capacity. Residents whose apartments directly face this reserve experience even more acute impacts.

These individuals are not local residents. They are drawn to Newtown from other parts of Sydney by pubs, bars and nightclubs, and then use nearby reserves as places to continue drinking and eating once expelled from licensed venues.

6. Socio-Economic Claims

Newtown's IRSAD ranking in the 93rd percentile reflects a highly advantaged area. While the proposal claims to offer community benefit through employment, the evidence pertaining to existing businesses is that, rather than local people, McDonald's staff are likely to be young workers who cannot afford to live locally and must travel long distances to and from work at late and potentially hazardous hours.

It is difficult to substantiate claims that this development will support the local community or improve social outcomes. It is equally plausible — and in my view more likely — that it will worsen existing issues, while offering minimal genuine local benefit.

7. Limitations of CPTED Assessment

The CPTED assessment focuses almost exclusively on the internal operation of the premises and patron behaviour within its immediate visual envelope. It does not meaningfully address impacts once food is taken off-site, which is precisely when residents experience harm.

On our regular early morning walk to the gym we often have to sidestep vomit and takeaway refuse strewn in laneways and reserves. The smell is extremely unpleasant, it attracts vermin and scavenging birds, and it degrades the safety and amenity of the neighbourhood.

Conclusion

From a planning perspective, the proposed McDonald's development is unsuitable for this location. It conflicts with heritage and urban design objectives, exacerbates waste and public health issues, undermines residential amenity, increases safety risks, and fails to align with the values and needs of the local community.

For these reasons, I strongly recommend that the application be refused.

Yours sincerely,

[Redacted Signature]

[Redacted Name]

Newtown 2042

From: Anneke Harrison <[REDACTED]> on behalf of Anneke Harrison
<[REDACTED]> <Anneke Harrison <[REDACTED]>
Sent on: Friday, February 13, 2026 1:10:38 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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: Application for Proposed Development. Ref RD/2025/585/B

Dear City of Sydney

I am a Newtown resident of over 25 years and a taxpayer to City of Sydney. I am writing to strongly object to the above application.

Newtown has a distinct character which is enjoyed by the residents. Visitors from other suburbs of Sydney, statewide and interstate are drawn to Newtown for the vibe, restaurants, vintage shops, historic graveyard, iconic pubs, cafes, bookshops, music, entertainment venues, cinema, all supporting local independent businesses.

The City of Sydney website promotes Newtown as

Famous for its quirky, bohemian spirit, Newtown is where you'll find eclectic vintage shopping, iconic arts and theatre spaces, and a renowned dining and drinking scene. Adorned with beautifully restored 19th-century terrace houses and street art, this vibrant inner Sydney neighbourhood attracts artists and foodies alike.

The MacDonald's fast-food chain is not quirky, independent or unique. The addition of a MacDonalds outlet in Newtown will not enhance Newtown's reputation as a destination for multicultural dining. Nor will the proceeds of this enterprise benefit Newtown in the way local independent traders do.

From a public health perspective, it is widely researched that MacDonald's food is unhealthy, containing high levels of sodium and unsaturated fats and is of minimal nutritional value. City of Sydney should be actively encouraging our wonderful local restaurants to be able to stay open longer hours so those who are out and about late have better options for eating.

I urge the City of Sydney to preserve the delightful precinct of Newtown and reject this application on the grounds that it will degrade the cultural integrity of Newtown.

Yours

Anneke Harrison

From: Kate Read <[REDACTED]> on behalf of Kate Read <[REDACTED]> <Kate Read
<[REDACTED]>
Sent on: Friday, February 13, 2026 1:41:24 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Attn: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 Cissi

My son and I are long term residents of Newtown, and I write to strongly object to the proposed McDonald's on king street. Council cannot ignore the strength of community sentiment against this proposed development. I understand that opposing submissions now total well over 1500. We are understandably protective of Kings streets unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. What would be the point of planning as a discipline if it did not protect the exact unique local character, social diversity, and pedestrian amenity and high street environment that so many cities strive for.

I don't object to change per se. I am wholeheartedly supportive and grateful for council's sensitive and visionary planning for Ashmore estate, Harold Park, and Green Square. I accept that King street's economic mix will evolve over time. However a McDonald's proposal directly undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy. I respectfully request the Council of Sydney refuse this application.

Kathryn Read

23 Angel street Newtown

From: Claire Hargreave <[REDACTED]> on behalf of Claire Hargreave
<[REDACTED]> <Claire.Hargreave@[REDACTED]>
Sent on: Friday, February 13, 2026 12:59:45 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 local resident, I continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact

of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the

amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns. We respectfully request the Council of Sydney refuse this application.

Sent from my iPhone

From: Richard Stone <[REDACTED]> on behalf of Richard Stone
<[REDACTED]> <Richard Stone <[REDACTED]>
Sent on: Friday, February 13, 2026 2:39:01 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: Richard Stone <[REDACTED]>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Cissy,

I am an owner resident of 12 Brown Street, Newtown for the past 25 years.

I am writing to you to express deeply held misgivings over this Application.

We, as a group of residents, have previously protested this application due to;

- Added noise and crowding bleeding on to our street in the early hours.

We have had persons sitting on our steps late at night shouting and leaving garbage.
We already have to remove fast food garbage from our porch and garden beds.
This can only make it worse.

- The added danger presented by drunken youth on our street.
I and my elderly neighbour have on, separate occasions, already experienced interrupted sleep and abuse from persons coming into the neighbourhood on weekends.

Kind Regards,

Richard Stone
BARCH/MARCH 1994
CONSTRUCTION LEAD | **Place Studio**

M: [REDACTED]

Level 5 140 William St, Woolloomooloo

[REDACTED]
[REDACTED]
[REDACTED]

PLACE

S T U D I O

Nominated Architect | NSW Reg. No. 10535 James Alexander-Hatziplis

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From: Stephanie Partridge <[REDACTED]> on behalf of Stephanie Partridge
<[REDACTED]> <Stephanie.Partridge@[REDACTED]>

Sent on: Friday, February 13, 2026 3:28:17 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Sisi Jia <[REDACTED]> Alice Gibson <[REDACTED]> Rajshri
Roy <[REDACTED]> Margaret Allman-Farinelli <[REDACTED]>

Subject: Comment on Application RD/2025/585/B

Caution: 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 Cissy Li,

We are writing to provide a comment on application **RD/2025/585/B**.

We are public health nutrition and dietetic researchers at the University of Sydney. Our research focuses specifically on meal delivery apps and their impact on local food access.

We have concerns regarding the cumulative public health impacts of this proposal, particularly in relation to digital reach, late-night availability, and impacts on young people and students.

1. Expanded reach via meal delivery apps

Our research shows that fast-food outlets now extend their reach well beyond their immediate neighbourhood through meal delivery platforms (such as UberEats and MyMaccas' App). Our studies demonstrate that fast-food outlets commonly deliver within an average 3km radius, meaning this proposed outlet would influence food access across multiple surrounding suburbs in the City of Sydney and Inner West Local Council.

This digitally extended reach:

- significantly increases exposure to energy-dense, nutrient-poor foods offered by McDonalds
- expands the public health impact of a single outlet
- undermines traditional planning assumptions based on geographic proximity

This aligns with growing international evidence showing that digital food environments are reshaping access to fast food and contributing to unhealthy dietary patterns among young people, see:

<https://www.who.int/europe/publications/i/item/WHO-EURO-2021-4360-44123-62247>

Links to our research: [https://www.thelancet.com/journals/lanwpc/article/PIIS2666-6065\(25\)00041-0/fulltext](https://www.thelancet.com/journals/lanwpc/article/PIIS2666-6065(25)00041-0/fulltext) and <https://www.mdpi.com/2072-6643/12/10/3107>

2. Impacts on young people and university students

King Street is a major corridor for University of Sydney students.

Young people are particularly influenced by food environments shaped by convenience, price and availability. Emerging evidence shows that delivery platforms influence young people's food choices and exposure to unhealthy foods (see: <https://mhealth.jmir.org/2023/1/e49135/>)

We also know that food insecurity is common among university students in Australia, and improving access to healthy, affordable food should be a planning priority. Increasing the availability of unhealthy, fast foods risks further entrenching inequities in diet and health.

The City of Sydney's Community Strategic Plan recognises the importance of addressing cost of living

pressures, gentrification and access to adequate fresh and healthy food: <https://www.cityofsydney.nsw.gov.au/strategies-action-plans/community-strategic-plan>

6.7 A sustainable food system that provides access to safe and nutritious food	Everyone has access to fresh, nutritious and healthy food	City of Sydney residents who ran out of food at any point in the past year and could not afford to buy more
	Everyone is supported to live healthy, sustainable, and active lives	

For these reasons, we respectfully request that the City of Sydney carefully reconsider this proposal, particularly the cumulative impact of fast-food density, extended trading hours, and digitally expanded reach through delivery platforms, like MyMaccas App and third party couriers.

Thank you for considering our submission.

Kind regards,

A/Prof Stephanie Partridge, The University of Sydney
Dr Sisi Jia, The University of Sydney
Dr Alice Gibson, The University of Sydney
Dr Rajshri Roy, The University of Sydney
Professor Margaret Allman-Farinelli, The University of Sydney

We have nothing to disclose.

Associate Professor Stephanie Partridge (she/her)
Sydney Horizon Fellow | National Heart Foundation Future Leader Fellow
PhD, Dietitian (APD), BSc (Hons I)
Director [redacted]

The University of Sydney
Faculty of Medicine and Health | Susan Wakil School of Nursing and Midwifery
Level 8, Susan Wakil Health Building | Camperdown | NSW | 2006
Central Sydney (Patyegarang) Precinct
[redacted] | [redacted].
View my [redacted] | [redacted]

I acknowledge the Gadigal people of the Eora nation as the traditional custodians of the land on which the University of Sydney campus stands and pay my respects to Aboriginal and Torres Strait Islander elders past and present.

CRICOS 00026A | This email plus any attachments to it are confidential. Any unauthorised use is strictly prohibited. If you receive this email in error, please delete it and any attachments.

From: <[REDACTED]>

Sent on: Friday, February 13, 2026 3:41:11 PM

To: dasubmissions@cityofsydney.nsw.gov.au; planningsystemsadmin@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 City of Sydney,

I'm writing to object in the strongest terms to the proposed establishment of a McDonald's fast food outlet at 212-214 King St Newtown. This appears to be a re-submission (with very minor modifications) to an application they made last year, which was appropriately rejected on many grounds.

This proposal still offers nothing but harm for the district, its community and the businesses that serve it. King Street has a well-deserved reputation as a culinary centre for high-quality and affordable food that represents the diversity of Sydney's population. It fits perfectly with the character of Newtown as a hub of creativity and cultural innovation. McDonald's presents the very opposite of these values. It is a multinational corporation with a terrible history (and present) of some of the world's worst environmental and labour practices, and is well known for infiltrating and gradually dominating markets and neighbourhoods, stifling and homogenising the landscapes where it takes hold.

Aside from these issues, as a doctor who sees the effects of poor diet on so many of my patients, I am just as appalled by the proven connection between obesity rates and the local burden of fast food restaurants, specifically McDonald's, in a given area. Even worse, this effect is strongest in children. The cost to communities of diet-related harms such as obesity, diabetes and high blood pressure is massive. Why would the council take steps to make this *worse*?

Meanwhile, McDonald's has also been a very visible supporter of the Israeli army in its war against the people of Gaza, a war which the people of Sydney have recently shown so strongly that they do not support.

What is the case for approving this application? Newtown is already served by a vast number of authentic small businesses, selling healthy and interesting food, which cover pretty much all the hours when its community might need to eat. A late-night McDonald's means many hours a day of extra noise, litter (well-documented effects of McDonald's outlets), greater traffic, worse health, and diminished cultural amenity.

The question the City needs to answer is: Why approve an outlet selling low -quality, unhealthy and environmentally unsustainable food, owned/franchised by a foreign multinational that is basically a byword for standardisation and cultural degradation? There is no argument for a McDonald's, and especially not here in Newtown.

This application is not in keeping with the character of the area on any level, nor in its best interests, and should be firmly rejected.

Yours Sincerely,

Dr Brendan Phelan BA, MD

[REDACTED]

From: Phil Sutton <[REDACTED]> on behalf of Phil Sutton <[REDACTED]> <Phil Sutton <[REDACTED]>
Sent on: Friday, February 13, 2026 4:51:39 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: Phil Sutton <[REDACTED]>
Subject: RD/2025/585/B

Caution: 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 object to the latest McDonalds DA on King Street Newtown.

This small reduction of business hours, removes just one aspect of the impact this DA will have on Newtown.

The community objections go far further than cutting back a few hours of operation at this King Street site.

Add this to the list of objections the community is making too this objection.

PLUS

McDonalds outlets are long established and close by including Stanmore on Parramatta Road and in St Peter/ Tempe. Both are located well away from residential housing. Most McDonalds outlets contain their own large car parks. Parking is an issue in this very busy location.

This DA also has significant impacts on traffic and pedestrian traffic..

Buckland Lane at the rear of the proposed outlet, is extremely narrow and already has congestion issues.

Increasing the amount of delivery trucks to this site, will require significant traffic management in Brown Street.

This laneway becomes extremely congested with traffic, including a large number of delivery vehicles. Council must note, that this Laneway also carries a lot of pedestrian traffic. It's only a matter of time, before this busy laneway is the site of a serious incident.

Thanks for the second opportunity to object to this DA.

Regards,

Phillip Sutton
[REDACTED]

From: Phil Sutton <[REDACTED]> on behalf of Phil Sutton <[REDACTED]> <Phil Sutton <[REDACTED]>
Sent on: Friday, February 13, 2026 4:51:39 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: Phil Sutton <[REDACTED]>
Subject: RD/2025/585/B

Caution: 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 object to the latest McDonalds DA on King Street Newtown.

This small reduction of business hours, removes just one aspect of the impact this DA will have on Newtown.

The community objections go far further than cutting back a few hours of operation at this King Street site.

Add this to the list of objections the community is making too this objection.

PLUS

McDonalds outlets are long established and close by including Stanmore on Parramatta Road and in St Peter/ Tempe. Both are located well away from residential housing. Most McDonalds outlets contain their own large car parks. Parking is an issue in this very busy location.

This DA also has significant impacts on traffic and pedestrian traffic..

Buckland Lane at the rear of the proposed outlet, is extremely narrow and already has congestion issues.

Increasing the amount of delivery trucks to this site, will require significant traffic management in Brown Street.

This laneway becomes extremely congested with traffic, including a large number of delivery vehicles. Council must note, that this Laneway also carries a lot of pedestrian traffic. It's only a matter of time, before this busy laneway is the site of a serious incident.

Thanks for the second opportunity to object to this DA.

Regards,

Phillip Sutton
[REDACTED]

From: Walter Brindle <[REDACTED]> on behalf of Walter Brindle
<[REDACTED]> <Walter Brindle <[REDACTED]>
Sent on: Friday, February 13, 2026 5:00:29 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li
Attachments: RD-2025-585-B_OBJECTIOIN LETTER_WB.pdf (161.1 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.

To Whom it May Concern,
Please find attached submission letter for RD/2025/585/B

Regards,
Walter Brindle
Architect (NSW Reg 8810)
Adjunct Professor - UTS School of Architecture

Walter Brindle

Architect (NSW Reg 8810)
385 King Street
Newtown NSW 2042
Date: 13 February 2025

Cissy Lee

Assessment Officer
City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

**Re: Objection to Development Application RD/2025/585/B
212–214 King Street, Newtown NSW 2042
Proposed McDonald’s Restaurant**

Dear Ms Lee,

I am writing to lodge a formal objection to Development Application RD/2025/585/B for a proposed McDonald’s restaurant at 212–214 King Street, Newtown. I do so as a long-term Newtown resident, a registered architect with extensive experience in urban design and citymaking, and an Adjunct Professor of Architecture at the University of Technology Sydney.

While I support appropriate activation and diversity along King Street, this proposal raises several significant concerns that, in my professional opinion, would negatively impact the functioning, character, and amenity of the area.

1. Waste Generation and Public Domain Impacts

The proposal provides minimal dine-in capacity relative to the scale of the kitchen and operational footprint. This strongly indicates a high-volume takeaway model. Comparable McDonald’s outlets with similar operating hours generate substantial packaging waste, much of which ends up in the immediate public domain.

King Street and its adjoining laneways already experience pressure on waste infrastructure. The likely increase in single-use litter, particularly late at night, risks overwhelming existing council facilities and degrading the pedestrian environment. This is inconsistent with Council’s sustainability objectives and the desired high-quality public domain.

2. Misalignment with Newtown’s Established Street Life and Urban Character

Newtown’s vibrancy is built on venues that encourage lingering, social interaction, and a diversity of experiences. The proposed “grab-and-go” model runs counter to this established pattern.

A high-turnover takeaway outlet of this scale contributes little to the fine-grain, human-centred street life that defines King Street. Instead, it risks creating a transient, footpath-dominated consumption zone that diminishes the area’s cultural richness and undermines the established rhythm of active frontages.

3. Traffic and Servicing Impacts from 8.8m MRV Deliveries

The Traffic Report indicates reliance on 8.8-metre Medium Rigid Vehicles (MRVs) for deliveries. Local laneways in this part of Newtown are narrow, constrained, and not designed to accommodate vehicles of this size without blocking access.

An MRV occupying the laneway for the duration of deliveries would impede movement, create safety risks, and disrupt local businesses and residents. This represents an unreasonable burden on the surrounding street network and is inconsistent with best-practice urban servicing principles for dense, pedestrian-oriented centres.

4. Late-Night Operation and Potential for Anti-Social Behaviour

The combination of late trading hours and a predominantly takeaway model creates a focal point for congregation on the footpath. This increases the risk of anti-social behaviour, noise, and conflict, particularly during peak late-night periods when alcohol-related activity is already elevated.

Without adequate indoor seating or space for patrons to remain within the premises, the public footpath becomes the de facto dining area. This is incompatible with CPTED principles and undermines pedestrian comfort and safety.

5. Loss of Retail Diversity and Erosion of King Street's Mixed-Use Character

The proposal replaces a valuable retail tenancy with yet another fast-food outlet in a precinct already well served by food and beverage operators — many of which provide significantly more seating and contribute more meaningfully to the local character.

King Street's appeal relies on a balanced mix of retail, hospitality, and cultural uses. Converting a retail opportunity into a high-volume takeaway chain further shifts the area away from a 24-hour mixed-use environment toward a monoculture of food outlets. This diminishes the cultural intensity and economic diversity that make Newtown unique.

Conclusion

For the reasons outlined above, including waste impacts, misalignment with local character, servicing issues, late-night behavioural risks, and erosion of retail diversity, I respectfully request that Council refuse Development Application RD/2025/585/B.

Thank you for considering my submission.

Sincerely,



Walter Brindle
Architect (NSW Reg 8810)
Adjunct Professor, UTS School of Architecture

From: Joe Ortenzi <[REDACTED]> on behalf of Joe Ortenzi <[REDACTED]> <Joe Ortenzi <[REDACTED]>

Sent on: Friday, February 13, 2026 6:14:43 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 object to this McDonalds at this location for the following reasons.

I am writing to formally object to Development Application D/2025/585 for a McDonald's at 212-214 King Street, Newtown. The proposal is fundamentally inconsistent with the character and liveability of our community, and the provided supporting documents fail to adequately address its significant negative impacts. My opposition is based on a critical review of the applicant's own materials, including the Statement of Environmental Effects (SEE), the Heritage Impact Statement, and the Crime Risk Assessment.

My primary reasons for objection are as follows:

1. Unacceptable Noise and Disturbance, Despite Flawed Modelling

The Statement of Environmental Effects (SEE) claims that a noise assessment was conducted, concluding that operational noise will meet all Project Noise Trigger Levels (PNTL) and that sleep disturbance is "not anticipated." I strongly disagree with these findings and challenge their validity:

- **Reliance on Flawed Modelling:** The assessment is based on a theoretical model, not real-world conditions. A computer model cannot accurately predict the irregular and unpredictable noise from late-night customers, car doors slamming, shouting, and the constant flow of delivery trucks and vehicles at all hours.
- **Irreconcilable with Late hours Operation:** It is simply not credible to suggest that a late hour fast-food outlet, located in a dense residential area, will not cause sleep disturbance. The constant activity of kitchen equipment, staff, and especially customers in the late night and early morning is an undeniable source of noise that will significantly impact the amenity and quality of life for residents.

2. Inadequate Seating and Exacerbation of Existing Litter Issues

The development proposes only 20 internal seats, which is a clear indication that this is intended to be a high-turnover, takeaway-focused operation. This design fails to accommodate the likely volume of customers and will inevitably push patrons onto the street to consume their food.

The applicant's "Litter Management Strategy" is completely inadequate for this reality. It relies on passive measures like "litter patrols," which are a reactive approach to a problem that will be constant. This proposal would not be introducing a new litter problem, but rather significantly exacerbating an existing one. There is already a noticeable issue with fast-food packaging and waste from businesses like the nearby Yo-Chi, and a McDonald's will make this unmanageable.

3. Erosion of Heritage and Local Character

I strongly disagree with the Heritage Impact Statement's conclusion that the proposal will have "no adverse impact" on the King Street Heritage Conservation Area. This assertion is not credible:

- **Undermining Heritage Character:** Heritage is not just about the building's facade; it is about the cultural fabric and the type of businesses that define an area. The introduction of a major 24-hour global chain fundamentally alters the cultural landscape and erodes the unique, independent

character that defines King Street.

- **Dismissal of Paint Scheme Consistency:** The report's justification for the new paint scheme is flawed. It argues that because of "inconsistency of existing paint schemes," their chosen corporate color scheme is "acceptable." This is an unacceptable approach that uses existing flaws as a justification for further diminishing the area's heritage.
- **Visual Impact of Late Operation:** The report fails to address the adverse visual impact of a long term business. The bright, constant lighting and prominent corporate signage will be intrusive and inconsistent with the character of a heritage conservation area, particularly during nighttime hours. And let's not pretend they won't try to get a 24 h permit as soon as they can

4. Increased Crime Risk and Inadequate Prevention Measures

I am highly concerned by the Crime Risk Assessment (CPTED) report, which, despite acknowledging the "potential for increased opportunity for crimes or anti-social behaviour," concludes that the proposal is acceptable. The report's conclusion is based on generic design principles that are not a robust mitigation plan for a business that will attract late-night crowds in a residential area. A 24-hour fast-food outlet acts as a magnet for noise, loitering, and anti-social behaviour, and the reliance on "CCTV" and "clear sight lines" is not a substitute for a comprehensive strategy to manage these very real risks.

For these reasons, I urge the City of Sydney Council to refuse Development Application D/2025/585. This proposal does not serve the best interests of our community and will have a detrimental and irreversible impact on the liveability, unique character, and safety of Newtown.

Thank you for your consideration of my submission.

Yours sincerely,

Giuseppe "Joe" Ortenzi
76 Lennox Street, Newtown, NSW 2042

From: Fyn Ynplb <[REDACTED]> on behalf of Fyn Ynplb <[REDACTED]> <Fyn Ynplb <[REDACTED]>

Sent on: Friday, February 13, 2026 6:53:58 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Re: RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attn: Cissy Li

Caution: 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 residents of the local area, we are writing to express our strong opposition to the proposed McDonald's on King Street, Newtown. The overwhelming community response to the previous application in August 2025, with almost 1500 submissions against and less than 10 in favour, clearly demonstrated the strength of opposition to a McDonald's in Newtown.

King Street is renowned for its unique heritage and character, celebrated for its diverse community, independent businesses, and vibrant late-night economy. The proposed fast-food development contradicts the local planning objectives of preserving character, social diversity, and pedestrian amenity within a compact high street environment.

Our community has made it clear that we do not want a McDonald's here, as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected due to concerns about increased traffic and pedestrian safety risks, inadequate on-site loading, and increased noise and environmental degradation through littering.

The current proposal remains inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety.

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff, but there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale, and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, ~~371~~ ³⁷¹ noise on minor laneways for servicing, and absence of

rider parking fail the test of “minimising disruption to amenity” under DCP 3.14 and the Noise Policy for Industry 2017.

Urban sustainability and waste generation

The proposal’s resource and waste intensity contradicts Council’s Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions, and landfill dependency in the City’s dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars, and local restaurants. A McDonald's would disrupt this character, replacing King Street’s evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald’s at 212-214 King Street would fundamentally undermine Newtown’s distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community has made it clear that we are very concerned about increased noise, antisocial behavior, and littering, all of which would have a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Sincerely

Paul Frayns

From: Peter N. Flint <[REDACTED]> on behalf of Peter N. Flint <[REDACTED]> <Peter N. Flint <[REDACTED]>
Sent on: Friday, February 13, 2026 7:55:57 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 Team,

I am writing to object to the proposed McDonald's development on King Street, Newtown.

This proposal would negatively impact local amenity, traffic conditions, and the unique character of Newtown. My key concerns are:

- Traffic and congestion: The area is already heavily congested and poorly suited to increased vehicle and delivery traffic, which this development would inevitably generate.
- Extended operating hours: Late or extended trading hours would increase noise, light pollution, and disruption for nearby residents in a mixed residential area.
- Waste and environmental impact: High volumes of takeaway packaging would contribute to increased litter, landfill, and pressure on local waste services.
- Public health: The increased availability of unhealthy fast food, particularly near families and young people, contributes to long-term health impacts.
- Lack of need: There are already McDonald's outlets in close proximity at St Peters, Marrickville Metro, and Alexandria, demonstrating no clear community need for an additional outlet.
- Neighbourhood character: Newtown's independent, non-corporate, and culturally distinctive character would be undermined by the introduction of another large multinational fast-food franchise.

For these reasons, I urge the authority to refuse this application.

Thank you for considering my submission.

Sincerely,

Peter N. Flint
Direct Digital Solutions
Tel: [REDACTED] Mobile: [REDACTED]
Mail: PO Box 788, Newtown, NSW, 2042, Australia
Email: [REDACTED]

Web: [REDACTED]

From: A Frayns <[REDACTED]> on behalf of A Frayns <[REDACTED]> <A Frayns
<[REDACTED]>
Sent on: Friday, February 13, 2026 8:10:39 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission -RD/2025/252/B - 212-214 King St NEWTOWN 2024 - Attention: Cissy Li

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney Council,

I'm [REDACTED] and I live really close to 212 King Street Newtown, just about 50 metres away. McDonald's wants to open there and stay open really late. I really don't want a McDonald's in Newtown because:

McDonald's isn't like our community and it would make it harder for local shops that are already having a tough time.

It will be really noisy and kids like me won't be able to get to sleep properly.

There's already heaps of rubbish everywhere from El Janna and KFC, and if McDonald's comes there will be more mess.

There are always lots of bikes and it's hard to walk past all the bikes out front of El Janna. McDonald's will make it even more crowded.

The smell is already pretty bad from El Janna and if McDonald's opens it'll just make the smells worse.

Thanks for reading my letter. Please don't let McDonald's be built in Newtown.

Thank you,

Miss A Frayns

From: Kris Kringle <[REDACTED]> on behalf of Kris Kringle <[REDACTED]> <Kris Kringle <[REDACTED]>
Sent on: Friday, February 13, 2026 10:14:33 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Subject: Submission – RD/2025/585/B – 212–214 King Street, Newtown NSW 2042

Caution: 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: Cissy Li

Dear Council,

We write as local residents to strongly object to the proposed McDonald's development at 212–214 King Street, Newtown.

The community's position on this issue has already been made overwhelmingly clear. In response to the previous development application in August 2025, 1,433 submissions opposed the proposal, with only six in support. That level of opposition reflects the deep concern within our community about the impact a multinational fast-food outlet would have on King Street and on Newtown more broadly.

Newtown's Character and Planning Context

King Street is not a generic retail strip. It is a historically significant high street recognised for its independent businesses, diverse community, and creative late-night economy. Its character has evolved organically and is central to Newtown's cultural identity.

The proposed development undermines established City of Sydney planning objectives that seek to protect local character, social diversity, pedestrian amenity, and the vitality of small-scale enterprises in compact village environments. A corporate fast-food outlet of this scale and nature is fundamentally at odds with those objectives.

Failure to Address Previous Grounds for Refusal

The earlier application was rejected due to:

- Increased traffic and pedestrian safety risks
- Lack of appropriate on-site loading
- Noise impacts
- Environmental degradation, including litter

In our view, the revised proposal does not adequately resolve these concerns.

Specific Concerns with the Current Proposal

1. Service Window Facing King Street

We strongly object to the introduction of a "service window" facing King Street for delivery riders. This represents a significant change from the previously rejected application, which did not include an openable window.

This addition is likely to increase congestion and create conflict between pedestrians and delivery riders on an already narrow and heavily trafficked footpath. Concentrating pick-up activity at the street frontage will undermine pedestrian safety and amenity.

2. Bicycle Rack Located in Garbage Area

The proposed bicycle parking arrangement in the rear garbage area is impractical and unrealistic. Delivery riders are expected to park in the rear, then walk around to the King Street frontage to collect orders.

This arrangement:

- Is operationally inefficient and unlikely to be complied with
- Raises hygiene concerns due to proximity to waste storage
- Fails to recognise that delivery riders operate under time pressure

It is highly improbable that riders will use this rear location, which means bikes are likely to remain parked on the King Street footpath, exacerbating congestion and safety risks.

3. Delivery Plan of Management

The proposed Plan of Management restricts deliveries to between 8am and 3pm and to King Street only. It is unclear why deliveries would not utilise the rear lane, which would more appropriately accommodate service vehicles and reduce pedestrian conflict.

Restricting deliveries to King Street increases traffic pressure and negatively impacts pedestrian amenity in an already constrained environment.

Public Domain and Pedestrian Safety

DCP 3.1.1 & CPTED Assessment

The updated DA fails to meaningfully address the anticipated increase in delivery riders. While a single bicycle space for staff is now proposed, there are no practical measures to manage the broader influx of rider traffic.

The CPTED assessment acknowledges extended late-night activity but does not resolve the risks associated with concentrating fast-food operations and delivery activity in a high pedestrian conflict zone. This undermines accessibility, safety, and public domain objectives.

Loss of Local Character & Cultural Identity

DCP 2012 Part 2.10.1

The proposal conflicts with planning controls designed to preserve the independent, small-scale and culturally distinctive character of King Street.

Approval would contribute to the gradual erosion of Newtown's heritage value and distinctive local economy, replacing a unique streetscape with a standardised corporate model inconsistent with the area's identity.

Economic and Social Impact

No meaningful economic or social impact assessment has been provided. The absence of such evaluation disregards the cumulative effect on surrounding independent operators and the likely displacement pressures on small businesses.

This proposal is inconsistent with Council's strategic objective to support small, creative and locally distinctive enterprises.

Cumulative Amenity Impacts

(Noise, Air Quality, Waste and Traffic)

The development would generate unacceptable cumulative impacts, including:

- Increased noise from late-night trade and delivery activity
- Odour emissions
- Waste storage and collection impacts
- Additional traffic movements

The proposal's reliance on constrained laneways, non-compliance with AS 1668.2 setbacks, and lack of adequate rider parking fails to meet the requirement of minimising disruption to surrounding residential amenity under DCP 3.14 and the Noise Policy for Industry 2017.

Urban Sustainability and Waste Generation

The scale and operational model of the proposed development are inconsistent with the City's Sustainable Sydney 2030 objectives, particularly in relation to waste reduction, transport emissions, and landfill dependency within dense dining precincts.

Community Impact

Newtown has flourished as a vibrant village defined by independent businesses, small bars, live music venues and local restaurants. Introducing a multinational fast-food outlet would diminish this identity and accelerate the homogenisation of King Street.

Residents remain deeply concerned about increased noise, antisocial behaviour, and littering. The revised application does little to mitigate these risks.

Conclusion

The proposed McDonald's at 212–214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, reduce amenity for nearby residents, and conflict with City of Sydney planning controls designed to protect heritage character, pedestrian safety, and environmental sustainability.

For the reasons outlined above, we respectfully request that the City of Sydney Council refuse this application.

Yours sincerely,
Laura McIntosh

From: Elizabeth and Horst Maddox\Thiele <[REDACTED]> on behalf of Elizabeth and Horst Maddox\Thiele <[REDACTED]> <Elizabeth and Horst Maddox\Thiele <[REDACTED]>
Sent on: Sunday, February 15, 2026 7:36:57 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/585/B - 212-214 King St NEWTOWN NSW 2042 - Attention: Cissy Li

Caution: 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 local residents, we continue to strongly object to the proposed McDonald's on King Street, Newtown. The community response to the previous application in August 2025 demonstrated the strength of opposition to a McDonald's in Newtown, with 1,433 submissions opposing and only 6 supporting.

King Street has a unique heritage and character, recognised for its diverse community, independent businesses and creative late-night economy. The proposed fast-food development undermines the local planning objectives of protecting character, social diversity, and pedestrian amenity within a compact high street environment.

As a local community, we have clearly demonstrated that we do not want a McDonald's here as it will threaten the unique character and independent businesses that make Newtown our home.

The previous application was rejected on the grounds of increased traffic and pedestrian safety risks and a lack of appropriate on-site loading, as well as increased noise and environmental degradation through increased littering.

The current proposal continues to be inconsistent with City of Sydney planning objectives, including amenity, local character, cumulative impact, sustainability, and pedestrian safety

Public domain and pedestrian safety – DCP 3.1.1 & CPTED Assessment

The updated DA does not include provisions to manage an increased number of delivery riders on the pavement. The 2026 DA now includes a single bicycle space for staff - there are no other mitigations to manage increased bike traffic on the pavement.

The CPTED measures acknowledge but do not resolve the social impact of extended late-night activity in a high pedestrian conflict zone. Concentrating fast-food delivery operations in this confined location undermines pedestrian amenity, accessibility, and public safety objectives.

Loss of local character & cultural identity – DCP 2012 Part 2.10.1

The proposal is inconsistent with the heritage and social character planning controls that protect the independent, small-scale and culturally distinctive identity of King Street. Approval would contribute to the erosion of heritage value and cultural distinctiveness central to Newtown's local economy.

Economic and social impact on local businesses

The absence of an economic and social impact evaluation disregards the cumulative displacement effects on local independent operators. The proposal undermines Council's strategic goal to retain small and creative enterprises as part of the City's locally distinctive economy.

Cumulative impacts on amenity (noise, air, waste, traffic)

The proposal generates unacceptable cumulative noise, odour, and waste truck activity in close proximity to residential dwellings. The non-compliance with AS 1668.2 setbacks, reliance on minor laneways for servicing, and absence of rider parking fail the test of "minimising disruption to amenity" under DCP 3.14 and the Noise Policy for Industry 2017.

The proposal's resource and waste intensity contradicts Council's Sustainable Sydney 2030 strategic objectives to reduce waste collection frequency, transport emissions and landfill dependency in the City's dining precincts.

Character and heritage impact

Newtown has flourished into a unique and vibrant village with independent businesses, small bars and local restaurants. A McDonald's would disrupt this character, replacing King Street's evolving identity with a standard corporate design that undermines our community.

Conclusion

The proposed McDonald's at 212-214 King Street would fundamentally undermine Newtown's distinct small-scale cultural economy, decrease the amenity for adjacent residents, and contravene City of Sydney planning controls designed to safeguard heritage character, social diversity, and environmental sustainability.

The Newtown community have made it clear that we are very worried about increased noise, antisocial behavior and littering, with all of this resulting in a detrimental impact on the cultural and residential character of King Street. The updated DA does little to mitigate these concerns.

We respectfully request the Council of Sydney refuse this application.

Elizabeth Maddox and Horst Thiele

17 Hurlstone Ave, Hurlstone Park 2193

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, February 16, 2026 9:05:40 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

From: Louise Pellicano <[REDACTED]>
Sent: Sunday, 15 February 2026 6:39 PM
To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Re: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

Caution: 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 would like to provide feedback in relation to the proposed development on King Street.

I ask that you please kindly accept my submission- as I have been away - only returning today.

I am a local resident (I own and live on Bucknell St Newtown).

My concern is in relation to a few areas.

Firstly, the amount of additional waste and rubbish that this would bring to our streets and rear laneways. There is already a large amount of rats and mice in the area that has become out of control- and even though baits are placed in the streets - it's still a significant problem. I'm often disturbed at the mess in rear laneways and feel uncomfortable dodging rats when walking with my 7 year old son in the evening. How will this significant increase in waste be addressed?

Secondly, residents are facing a significant concern regarding the smells, vapour, smoke smells etc that are already omitted into our local streets. We already have given council feedback when El Jannah moved in the area. There are many weekends where I can't hang clothes in my own backyard without being worried about the smell of charcoal on my clothes. Are we continuing to add to this problem?

And finally, do the locals need another takeaway restaurant? I don't believe we catering for local residents here, as I'm not aware of this being a need in our local community.

There is a great concern around what impact this store will have on other local businesses, specifically Clems chicken. They have been supporting locals for decades (close to half a century), also providing free food for those locals in need. We need to support them before supporting multi conglomerates.

I'm also concerned at the crowds that will be present at 2am on weekends. Are the police prepared to and have adequate capacity to manage this ? I understand there are significant shortages in policing numbers in the area - and another 2am venue will only create even more policing capacity issues.

Please let me know if you need further information related to my feedback

Louise Lewis

Sent from my iPhone

On 22 Jan 2026, at 10:51 am, Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> wrote:

Applicant name:
MCDONALD'S AUSTRALIA LIMITED

Reference number:
RD/2025/585/B

Site address:

212-214 King Street, NEWTOWN NSW 2042

Proposed development:

Division 8.2 Review of alterations and additions for use as a takeaway food and drink premises with associated signage. Proposed hours of operation are 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday.

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 **13 February 2026**. 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 [cityofsydney/find-da](https://cityofsydney.nsw.gov.au/cityofsydney/find-da) in the address bar on your browser.

You can get guidance on preparing your comments and what happens next on the back of this letter, or by typing [cityofsydney/development-comment](https://cityofsydney.nsw.gov.au/cityofsydney/development-comment) in the address bar on your browser.

For more information, contact us on 02 9265 9333.

Bill MacKay
Manager Planning Assessments
cityofsydney.nsw.gov.au

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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, February 16, 2026 9:28:04 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

-----Original Message-----

From: Jenny <[REDACTED]>
Sent: Friday, 13 February 2026 7:12 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042 - Attention Cissy Li

Caution: 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 have lived in Newtown for most of my life and have grown up witnessing the many changes in the area. While change is inevitable, not all change benefits the community.

I strongly believe that introducing a McDonald's into Newtown would harm long-standing local businesses that have contributed to the character and identity of this suburb for many years. These small businesses are part of what makes Newtown unique. A large multinational corporation has the financial power to undercut and outcompete them, which risks pushing out the very places that give this area its culture and vibrancy.

We are already experiencing increased litter and waste as foot traffic grows, particularly since the opening of KFC. Adding another major fast-food outlet will likely worsen the garbage problem and place additional strain on public spaces.

There are also concerns about increased antisocial behaviour associated with large fast-food chains that attract late-night crowds. Newtown has always had strong character and a distinct community feel, but that character has been gradually eroded. Allowing another multinational chain into the heart of our suburb feels like the final step towards losing what makes this place special.

Newtown needs community-focused businesses that invest back into the area and reflect its identity. McDonald's does not represent the values or the spirit of this community

Kindest regard.
Jenny Bunyon

From: Newtown Residents <[REDACTED]> on behalf of Newtown Residents
<[REDACTED]> <Newtown Residents <[REDACTED]>
Sent on: Friday, February 13, 2026 6:49:36 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - RD/2025/252/B - 212-214 King St NEWTOWN 2024 - Attention: Cissy Li

Caution: 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 to the City of Sydney Council: Objection to Development Application by McDonald's

I am writing to formally object to the development application submitted by McDonald's to open a business nearby. The main differences in this new application compared to the previously rejected one are as follows:

1. **Service Window Facing King St** : I object to the provision of a 'service window' facing King St for delivery riders. This is a significant change from the earlier rejected DA, where no openable window existed. The introduction of this window could lead to increased congestion and conflicts between pedestrians and delivery riders on King St.
2. **Bike Rack in Garbage Area** : The proposed provision of a 'bike rack' in the garbage area at the rear is impractical. It is stated to be for delivery riders, with the expectation that they park their bikes in this space and then walk around to the King St frontage to collect their orders. This arrangement is not only impractical and inconvenient but also poses safety and hygiene concerns. It's highly unlikely that delivery riders would comply with any request to park their bikes in the rear. For delivery riders, time is money and more time to pick up costs them money.
3. **Delivery Plan of Management** : I object to the proposed plan of management that limits deliveries to between 8am and 3pm and only from King St. It is unclear why deliveries should be restricted to King St when the rear lane is available for such activities. Utilising the rear lane would reduce traffic congestion and minimize the impact on pedestrians.

In my view, this new development application does not adequately address the Council's earlier concerns regarding:

- Conflicts between pedestrians on King St and delivery riders
- The impact of waste on the surrounding streets
- Noise levels
- Cultural fit with the local community

I urge the Council to consider these points and reject the development application.

Regards,

Bill Murphy

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, February 16, 2026 12:54:47 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042
Attachments: McDonalds 2nd DA Application response Letter.pdf (137.93 KB)

From: Tim Cornish <[REDACTED]>
Sent: Monday, 16 February 2026 12:50 PM
To: Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Subject: Re: RD/2025/585/B - 212-214 King Street, NEWTOWN NSW 2042

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Dear Planning Department,

This is my response to DR/2025/585/B

Yours sincerely
Tim Cornish

On Thu, Jan 22, 2026 at 10:51 AM Planning Systems Admin
<planningsystemsadmin@cityofsydney.nsw.gov.au> wrote:

Applicant name:
MCDONALD'S AUSTRALIA LIMITED

Reference number:
RD/2025/585/B

Site address:
212-214 King Street, NEWTOWN NSW 2042

Proposed development:
Division 8.2 Review of alterations and additions for use as a takeaway food and drink premises with associated signage. Proposed hours of operation are 7.00am - 2.00am Friday and Saturday and 7.00am - 11.00pm Sunday to Thursday.

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 **13 February 2026**. 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.

You can get guidance on preparing your comments and what happens next on the back of this letter, or by typing city.sydney/development-comment in the address bar on your browser.

For more information, contact us on 02 9265 9333.

Bill MacKay
Manager Planning Assessments



cityofsydney.nsw.gov.au

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3 Fitzroy Street

Newtown 2042

Ph [REDACTED]

08/02/26

Dear Planning Officer,

Re: DA. RD/2025/585/B – Proposed McDonald's, King Street, Newtown

I write to object to the above development application for the following reasons:

Operating Hours and Community Impact

I oppose the proposed operating hours extending beyond midnight. The Crime Prevention Through Environmental Design (CPTED) report fails to adequately address how extended trading hours would contribute to antisocial behaviour in the broader neighbourhood. Late-night operation would attract King Street patrons and unsupervised young people, with impacts extending well beyond the immediately adjacent properties on Brown Lane and Brown Street and would affect the wider residential area within significant walking distance.

The CPTED report's dismissing of crime statistics as unreliable due to Newtown population size is unhelpful and suggests insufficient consultation with local police who could have provided more meaningful insights. The report focuses narrowly on the franchise's operations without properly considering the business's responsibilities to the surrounding community.

Economic and Social Considerations

The report claims the proposal would support economic redevelopment and employment. However, a McDonald's franchise is more likely to undermine existing family-owned restaurants and reduce overall employment opportunities in the area. This does not constitute genuine community benefit or improved social outcomes.

Design and Access Inconsistencies

Several significant inconsistencies appear across the submitted documents:

- The CPTED recommends a single entry point for security, yet mentions replacing window glazing with bifold doors. However, the ground floor plan shows only fixed clear glass (CG) on the front elevation with no bifold doors indicated
- Table 1 of the Sydney DCP 2012 Compliance Table references multiple entries
- The delivery schedule indicates bifold door access for approximately 4.5 hours for deliveries, with a temporary ramp on the footpath, raising safety concerns
- The car space mentioned in the CPTED does not appear in the Environmental Performance Report (listed for "other tenancy"). This space should be used more appropriately.
- The dismissal of any need for a bicycle rack would assist McDonalds with their King Street delivery plans and disregards the council's suggestion. Delivery bikes don't

need or use racks but will park out front regardless and may block the McDonalds delivery access. They also hinder access to the footpath and the premises. If McDonalds were to deter the delivery bikes from their footpath space, they will park in front of competing businesses instead, which would be entirely inappropriate.

Health Considerations

While the Food Plans Compliance Report addresses food protection and cleanliness standards, it ignores the well-documented health concerns associated with frequent fast-food consumption, as evidenced by medical and scientific research. This establishment would not contribute positively to community health outcomes.

Environmental Performance

The Environmental Performance Report demonstrates minimal commitment to Council's Environmental Performance Template, meeting only basic acceptable ratings for water fixtures and allowing for building material recycling.

The Air Quality Impact Statement indicates that the cooking fumes from the premises is too difficult to estimate but suggests it will sort it out after approval.

Site Inadequacy

The Site Plan (Appendix A) lacks critical information including:

- Service counter, seating, and table locations
- Patron toilet access (typically required for venues seating 20+ patrons)
- Disabled access to toilets
- Adequate delivery and oil waste management provisions

The absence of sufficient seating would result in patrons eating elsewhere and disposing of packaging on streets that lack adequate public bins. Overall, the double-frontage site appears inadequate for a 20 person seating area, proper delivery facilities or patron amenities.

Due Diligence Concerns

The Loading Service Management Plan (6.3) mentions ongoing consultation with local businesses, police, and community etc. As this is the second iteration of essentially the same application, basic details should have been thoroughly addressed and corrected.

Conclusion

The numerous inaccuracies and inconsistencies raise serious concerns about the applicant's commitment to adequate consultation and regulatory compliance and a complete disregard for the previous council decision.

Please also refer to my previous responses to D/2025/585 for McDonalds which remains relevant to this application, and the Special Entertainment Precinct Proposal response, which expresses concerns for hours of operation.

I commend Council for defending its previous decision and request to be kept informed of this application's progress.

Yours sincerely,

Tim Cornish

From: Philip Sutherland [REDACTED] > on behalf of Philip Sutherland
<[REDACTED]> <Philip Sutherland [REDACTED]>
Sent on: Tuesday, February 17, 2026 10:29:43 PM
To: Cissy Li <CLi1@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: RD/2025/585/B in relation to 212-214 King Street, Newtown, NSW 2042 - Please forward o Cissy Li
Urgent: High

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RD/2025/585/B in relation to 212-214 King Street, Newtown, NSW 2042

Attention: City of Sydney Council, Cissy Li

I write on behalf of my Wife, Angela Penklis, and myself. We reside at 4 Watkin Street, Newtown, NSW 2042, and we have done so for some 20 years.

We have read the application on exhibition in relation to 212-214 King Street, Newtown, NSW 2042; that is, RD/2025/585/B.

We object to it.

Our reasons include (without limitation):

- There is no parking for motor vehicles in King Street, nearby Brown Street and in this area. What will happen is that McDonald's customers will park in residential streets – and our particular concern is Watkin Street, one of the nearest residential streets to the premises – and their “toing and froing”, and loud talking at night and into early morning (and if this DA is approved, until at least 2am on some days), and littering, will adversely impact upon Watkin Street and sleeping patterns (including health and mental health of residents including children)
- Let McDonald's go down to the entertainment precinct in Enmore where there is less impact on residential areas including in this part of North Newtown
- Littering will “go bananas”. There are almost no bins provided by Council or anyone else. (Litter caste on the streets from El Jannah take-away on King Street is already “out of hand”)
- McDonald's may have adverse impact upon small businesses – for example, Clem's Chicken – which feed people “living on the streets” in this vicinity
- There are inadequate on-street and off-street loading zones for this property
- McDonald's is going to have adverse impact on well-established local businesses, which are part of the charm of this area of Newtown
- This residential area of North Newtown does not need to attract “the ne'er do wells” who are likely to gather around its shop late at night.

In short, there are, among other things, substantial waste management, transport and parking, and social and environmental reasons for rejecting McDonald's development

application.

Would you please acknowledge receiving this objection.

Thank you.

Yours faithfully
Philip Sutherland

M [REDACTED]
E [REDACTED]

Please consider the environment before printing this e-mail.

Penklis Lawyers acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

From: Cissy Li <CLi1@cityofsydney.nsw.gov.au> on behalf of Cissy Li
<CLi1@cityofsydney.nsw.gov.au> <Cissy Li <CLi1@cityofsydney.nsw.gov.au>>
Sent on: Thursday, February 26, 2026 9:17:23 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Query: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042

From: Justin Curnick [REDACTED]
Sent: Saturday, 14 February 2026 8:02 PM
To: Cissy Li <CLi1@cityofsydney.nsw.gov.au>
Subject: Query: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042

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Hi there,

I wrote to this matter objecting to this application and the below still stands.

Simply changing the operating hours does nothing to change the objections below.

Whom it may concern,

I am a lifelong resident of Newtown (Born in 1986, Resided in the locale since, and currently own my property at 9 Watkin St Newtown)

I wish to object to the application for the following reasons.

- It will bring NO cultural or social benefit to the area.
- Newtown has HAD McDonalds in the past, and it shut, leaving a empty shell for many years until it was re-leased.
- Currently, there are over 6 fast food chains within a few hundred metres, not to mention the dozens of independent restaurants
- There is already a safety issue with the sheer amount of e-bike delivery riders, I am almost being hit daily, let alone the accidents I am almost having whilst driving due to poor cyclists
- adding additional restaurants whose largely popular via ubereats style delivery, will add to this
- there is already multiple mcdonalds in the area - one as close as 5 minutes drive of the proposed location
- being a 24hr "restaurant" would encourage anti social behavior at anti social hours
- The sheer amount of waste that will be generated in the general vicinity

Please reconsider this request and I hope you will knock it back on these and the many other objections to it.

Kind regards

Justin

From: Cissy Li <CLi1@cityofsydney.nsw.gov.au> on behalf of Cissy Li
<CLi1@cityofsydney.nsw.gov.au> <Cissy Li <CLi1@cityofsydney.nsw.gov.au>>
Sent on: Thursday, February 26, 2026 9:36:14 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Query: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042- objection

-----Original Message-----

From: Sue Krajnik [REDACTED]
Sent: Friday, 20 February 2026 7:46 AM
To: Cissy Li <CLi1@cityofsydney.nsw.gov.au>
Subject: Query: RD/2025/585/B - 212-214 King Street NEWTOWN NSW 2042- objection

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To whom it may concern,

It is somewhat concerning and confusing that this DA request has already been rejected and yet allowed to reapply. As per my original objections, I believe that MacDonald's, a global corporation who puts profit over people does not represent the values of Newtown. Newtown has a global reputation for being a go to destination for tourists, due to its unique and varied array of business. Newtown has a large variety of cheap and healthy food offerings, that are run by family and/or individuals. We, as a community should continue to support these types of businesses, and as such I continue to object to this DA for a MacDonald's to be established in Newtown.

Kind regards
Sue Krajnik
Erskineville Resident

Sent from my iPad

Attachment C

Original Notice of Determination

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	D/2025/585 PAN-546889
Applicant	SLR CONSULTING AUSTRALIA PTY LTD PO BOX 907 HAMILTON NSW 2303
Description of development	Alterations and additions for use as takeaway food and drink premises with associated signage. Proposed operation for 24 hours, 7 days a week.
Property	212-214 King Street, NEWTOWN NSW 2042
Determination	Refused Consent Authority - Local Planning Panel
Date of determination	15 October 2025

Under section 4.18(1)(a) of the EP&A Act, notice is given that the above development application has been determined by refusing consent using the power in section 4.16(1)(b) of the EP&A Act, for the reasons specified below:

Reasons for refusal

- A. The application has been assessed in accordance with Section 4.15(1)(c) of the Environmental Planning and Assessment Act, 1979 ('the Act') and it is considered the proposed takeaway food and drink premises is not suitable for the site for the following reasons:
 - i. The proposal does not adequately demonstrate safe and practical pedestrian access to the site and along the footway, particularly considering the proposed servicing arrangements and food delivery riders expected to use the premises that will conflict with pedestrian flow on the footpath. The proposal does not provide on site parking spaces for delivery riders, which will likely result in parked bicycles or motorcycles obstructing the public domain.
 - ii. The proposal to operate 24 hours a day, 7 days a week does not comply with the late-night trading management objectives and provisions under section 3.15 of the Sydney Development Control Plan 2012 and would likely have a significant impact on the locality.
- B. The proposal does not comply with the design excellence provisions under Clause 6.21C of the Sydney Local Environmental Plan 2012 as it does not sufficiently respond to the suitability of the land for development, impact on the public domain and the pedestrian, cycle, service access and circulation requirements.

- C. The proposal does not comply with the relevant objectives and provisions of the Sydney Development Control Plan 2012, including controls relating to waste management, hours of operation, transport and parking, and the public domain.
- D. The proposal does not demonstrate proper management relating to public safety risks, crime prevention and other concerns raised by the NSW Police in their comment on the proposed development.
- E. Matters raised by internal and external referrals have not been addressed and are unresolved, particularly that the proposal does not provide onsite bicycle parking spaces and a loading zone. It is not possible to mitigate or minimise the unresolved impacts through conditions of approval.
- F. The development is unsatisfactory when assessed pursuant to the matters for consideration at section 4.15(1),(b),(c) and (e) of the Environmental Planning & Assessment Act, including that the proposed development is not in the public interest.

Right of appeal / request a review of the determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made, and reviewed, within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.



per

GRAHAM JAHN AM

Executive Director - City Planning, Development & Transport

Person on behalf of the consent authority

For further information, please contact **Cissy Li** ph. **02 9265 9730**, email **CLi1@cityofsydney.nsw.gov.au**.

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 D

Original Development Assessment Report

Item 3.**Development Application: 212-214 King Street, Newtown - D/2025/585****File Number:** D/2025/585**Summary**

Date of Submission:	8 July 2025
Applicant:	SLR Consulting
Architect/Designer:	Richmond + Ross Consulting
Developer:	McDonald's Australia
Planning Consultant:	SLR Consulting
Heritage Consultant:	NRBS & Partners Pty Ltd
Cost of Works:	1,751,791.00
Zoning:	E1 Local Centre
Proposal Summary:	The subject Development Application (DA) D/2025/585 seeks development consent for the use and fitout for a takeaway food and drink premises known as 'McDonald's' with associated signage and hours of operation for 24 hours a day, 7 days a week. The application is referred to the Local Planning Panel for determination as it represents contentious development, with receipt of over 25 unique submissions by way of objection.

Notification and exhibition

In accordance with the City of Sydney Engagement Strategy and Community Participation Plan 2024, the proposed development was notified and exhibited for a period of 21 days between 11 July and 7 August 2025. A total of 1,433 submissions were received, with majority of the submissions in objection.

Many of the objections received relate to the impacts of the proposed development on the local character of Newtown. Other issues raised include traffic and parking, amenity

concerns, social impacts and concerns relating to the proposed operation of 24 hours, 7 days a week.

Assessment

The proposed use is likely to generate a high volume of turnover given the scale of the kitchen and back of house area (approximately 225 sqm equating to 90% of the floor area). The proposal is not considered suitable for the site as it would be solely reliant upon an on-street loading zone on King Street for stock deliveries and the footpath for take-away food delivery operators. These issues cannot be addressed through the imposition of conditions or amendments to this application.

The proposed 24 hours a day, 7 days a week operation is also not consistent with the operational hours of late-night trading premises along King Street and would likely have a significant detrimental impact on the amenity of the locality.

Summary Recommendation: This proposal is recommended for refusal.

Development Controls:

- (i) SEPP (Industry and Employment) 2021
- (ii) SEPP (Transport and Infrastructure) 2021
- (iii) Sydney Local Environmental Plan 2012
- (iv) Sydney Development Control Plan 2012

Attachments:

- A. Selected Drawings
- B. Submissions

Recommendation

It is resolved that consent be refused for Development Application Number D/2025/585.

Reasons for Recommendation

The application is recommended for refusal for the following reasons:

- (A) The application has been assessed in accordance with Section 4.15(1)(c) of the Environmental Planning and Assessment Act, 1979 ('the Act') and it is considered the proposed takeaway food and drink premises is not suitable for the site for the following reasons:
 - (i) The proposal does not adequately demonstrate safe and practical pedestrian access to the site and along the footway, particularly considering the proposed servicing arrangements and food delivery riders expected to use the premises that will conflict with pedestrian flow on the footpath. The proposal does not provide on site parking spaces for delivery riders, which will likely result in parked bicycles or motorcycles obstructing the public domain.
 - (ii) The proposal to operate 24 hours a day, 7 days a week does not comply with the late-night trading management objectives and provisions under section 3.15 of the Sydney Development Control Plan 2012 and would likely have a significant impact on the locality.
- (B) The proposal does not comply with the design excellence provisions under Clause 6.21C of the Sydney Local Environmental Plan 2012 as it does not sufficiently respond to the suitability of the land for development, impact on the public domain and the pedestrian, cycle, service access and circulation requirements.
- (C) The proposal does not comply with the relevant objectives and provisions of the Sydney Development Control Plan 2012, including controls relating to waste management, hours of operation, transport and parking, and the public domain.
- (D) The proposal does not demonstrate proper management relating to public safety risks, crime prevention and other concerns raised by the NSW Police in their comment on the proposed development.
- (E) Matters raised by internal and external referrals have not been addressed and are unresolved, particularly that the proposal does not provide onsite bicycle parking spaces and a loading zone. It is not possible to mitigate or minimise the unresolved impacts through conditions of approval.
- (F) The development is unsatisfactory when assessed pursuant to the matters for consideration at section 4.15(1),(b),(c) and (e) of the Environmental Planning & Assessment Act, including that the proposed development is not in the public interest.

Background

The Site and Surrounding Development

1. The site has a legal description of Lot 2 and Lot 3 DP 65247, known as 212-214 King Street, Newtown. It is rectangular in shape with an area of approximately 275 square metres. It has a primary street frontage of 8.99 metres to King Street and a rear street frontage of 9.03 metres to Brown Lane. The site is located close to the intersection of King Street and Brown Street.
2. The site contains a two-storey building. A real estate office is currently occupying the ground floor premises on Lot 2, and a retail shop is currently occupying the ground floor premises on Lot 3. The upper floor office premises is currently vacant, as observed during a site inspection. The upper floor on Lot 2 and Lot 3 can be accessed through internal stairs off King Street or the external stairs along northern boundary at rear. Three carparking spaces are located at the rear of the site accessed via Brown Lane. Brown Lane provides rear access and is a no parking and no stopping area.
3. The surrounding area is characterised by a mixture of land uses, primarily being commercial uses including retail and food premises on ground floor along King Street, and residential uses including single to two storey terrace houses along Brown Street.
4. The site is not a heritage item but is identified as containing a contributory building located within the King Street heritage conservation area.
5. The site is located within the North Newtown locality.
6. A site visit was carried out on 14 August 2025. Photos of the site and surrounds are provided below.

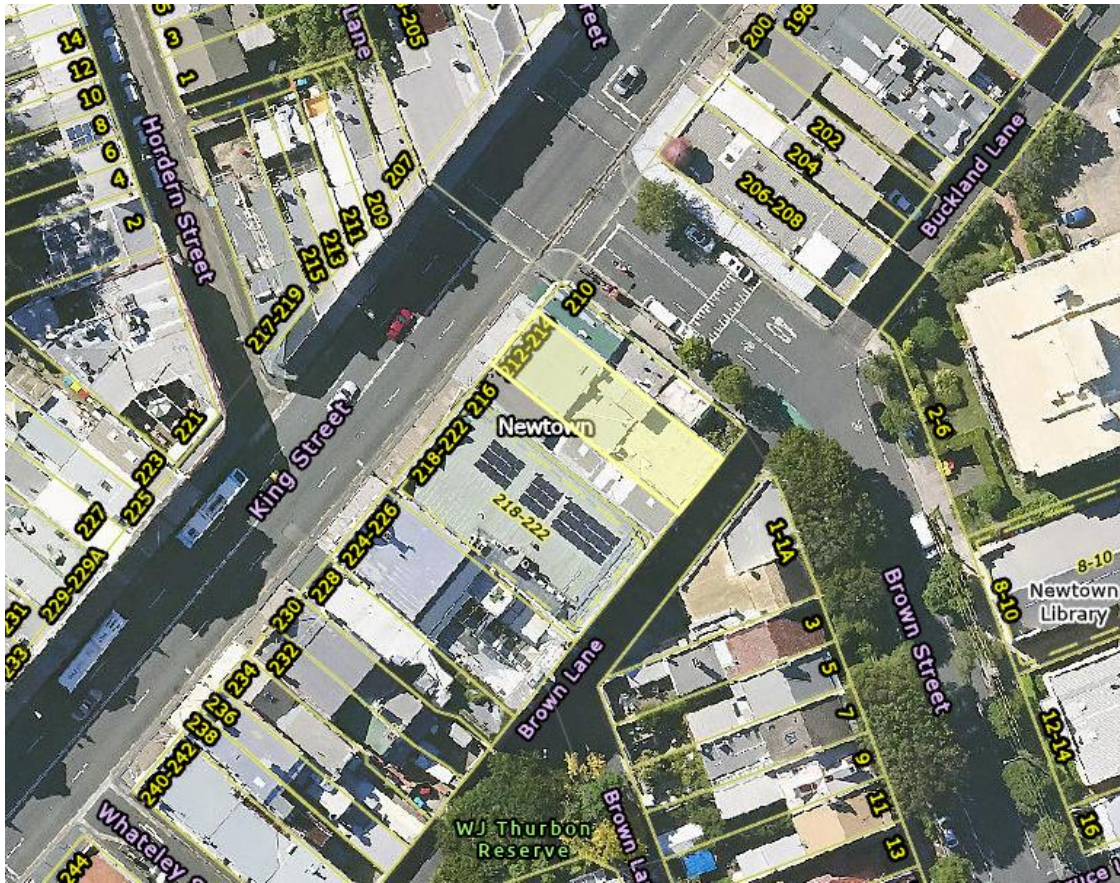


Figure 1: Aerial view of site and surrounds (site indicated in yellow)



Figure 2: Site viewed from King Street. Parking restrictions apply - times vary (subject premises outlined in red)



Figure 3: Site viewed from Brown Lane. No parking and no stopping restrictions apply at all times (subject premises outlined in red).

History Relevant to the Development Application

Amendments

7. Following a preliminary assessment of the proposed development by Council Officers, requests for additional information and clarification were sent to the applicant on 11, 14 and 16 July 2025.
8. The applicant was requested to submit floor space ratio (FSR) calculation drawings, detailed facade signage drawings and to clarify the future operator of the take-away food and drink premises.
9. It was confirmed on 17 July 2025 that McDonald's is the proposed operator.
10. The requested FSR drawings and signage drawings were submitted on 30 July 2025.

Proposed Development

11. The application seeks development consent for the following works:
 - use of the ground floor premises as a take-away food and drink premises
 - associated internal fitout works to include indoor service and dining area (approximately 25 sqm) with booth seating for approximately 12 persons, a large kitchen and back of house area (approximately 225 sqm) and a mechanical ventilation system
 - facade signage including:
 - one awning fascia sign (non-illuminated)
 - one internal window sign (illuminated)
 - replacement of an existing projecting wall sign (illuminated) on first floor
 - replacement of two existing under awning lightbox signs
 - proposed 24 hours' operation, 7 days a week

12. Plans and elevations of the proposed development are provided below.

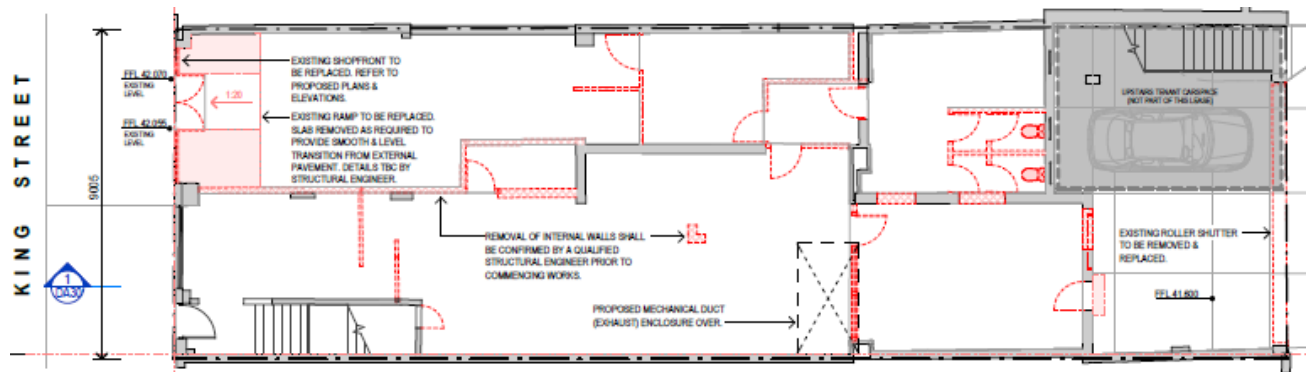


Figure 4: Proposed demolition plan

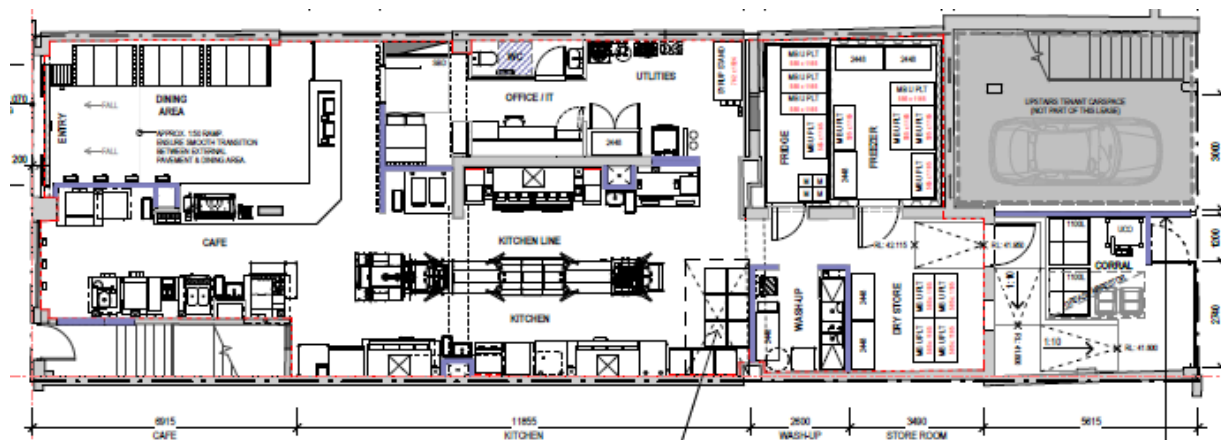


Figure 5: Proposed ground floor plan



Figure 6: Existing and proposed front and rear elevations

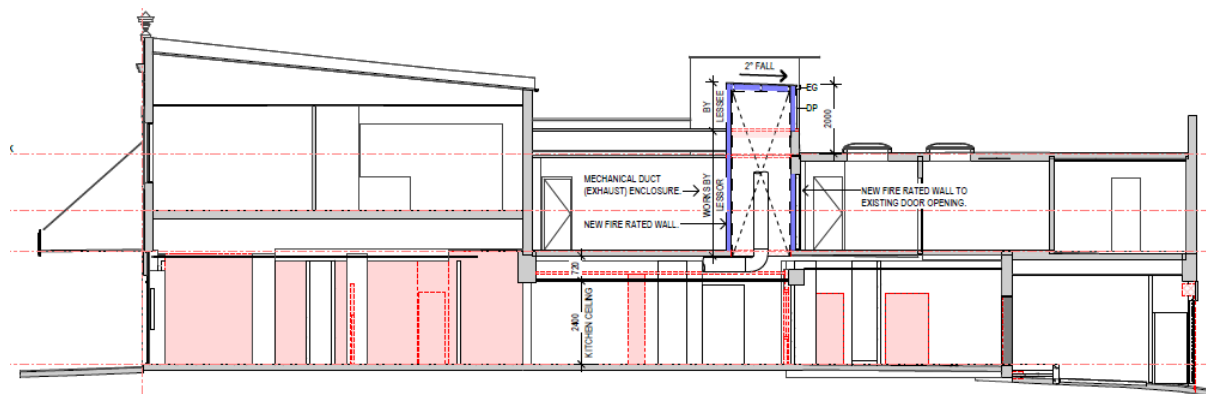
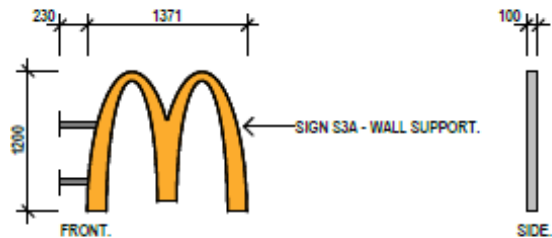


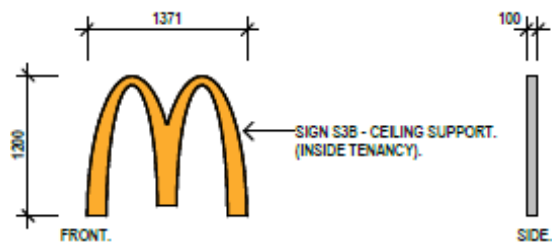
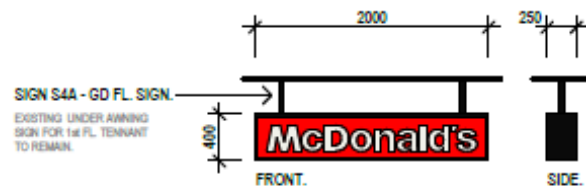
Figure 7: Proposed section

**S1A AWNING SIGN**

NON-ILLUMINATED LETTERING (FLAT / PAINT).

**S3A WALL SIGN**

INTERNALLY ILLUMINATED LOGO.

**S3B INTERNAL WINDOW SIGN**

INTERNALLY ILLUMINATED LOGO.

Figure 8: Proposed detailed facade signage



Figure 9: Photomontage

Assessment

13. 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 (Industry and Employment) 2021 – Chapter 3

Advertising and Signage

14. 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.
15. The proposed signage has been considered against the objectives of the policy and an assessment against the provisions within the assessment criteria set out in Schedule 1 is provided in the table below.

Provision	Compliance	Comment
1. Character of the area	Yes	The proposed signage is generally consistent with the character of the area. North Newtown's character is defined by King Street as a retail and entertainment centre. King Street being the main street in Newtown is notably busy, given the high number and range of retail and professional services.
2. Special areas	Yes	The proposed signage does not detract from the amenity or visual quality of the locality or the heritage conservation area.
3. Views and vistas	Yes	The proposed signage does not obscure or compromise any important views. It does not dominate the skyline and has no impact on the viewing rights of other advertisers.
4. Streetscape, setting or landscape	Yes	The proposed signage is of an appropriate scale, proportion and form to the streetscape.
5. Site and building	Yes	The signage materiality is compatible with the finishes and colours of the building.
6. Associated devices and logos	N/A	Not applicable.
7. Illumination	N/A	If the application were to be supported, conditions of consent would be recommended to ensure that the illumination does not result in unacceptable impacts.
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

16. The proposed signage is consistent with the objectives of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage as set out in Clause 3.1 and satisfies the assessment criteria specified in Schedule 5.

State Environmental Planning Policy (Transport and Infrastructure) 2021

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

Division 17, Subdivision 2: Development in or adjacent to road corridors and road reservations**Clause 2.119 – Development with frontage to classified road**

18. The application is subject to Clause 2.119 of the SEPP as the site has frontage to King Street which is a classified road.
19. The proposed development does not demonstrate that safety, efficiency, and ongoing operation of the classified road will not be adversely affected by the development.
20. See further details in the 'Discussion' section below.

Local Environmental Plans**Sydney Local Environmental Plan 2012**

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located within the E1 Local Centre zone. The proposed development is defined as a 'take-away food and drink premises' and is permissible with consent in the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.4 Floor space ratio	Yes	A maximum floor space ratio of 1.75:1 or 481 sqm is permitted. A floor space ratio of 1.57:1 or 432.6 sqm is proposed and therefore complies with the maximum floor space ratio development standard.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is located within a heritage conservation area. The proposed appearance of the development will not

Provision	Compliance	Comment
		have a detrimental impact on the significance of the heritage conservation area.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 Design excellence	No	The proposed development does not demonstrate design excellence. See further details in the 'Discussion' section below.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.7 Retail premises	Yes	Currently the site provides three rear parking spaces for ground floor and first floor tenants. One parking space for the first-floor tenant is proposed to be retained and the two parking spaces for the subject premises are proposed to be converted for waste management and storage. The proposal is to occupy the ground floor only and provides no onsite car parking for loading, deliveries and other users of the proposed use. This complies with the maximum parking spaces development standard. Refer below for discussion on servicing of the premises.

Development Control Plans

Sydney Development Control Plan 2012

22. 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

23. The site is located within the North Newtown locality. The proposed development is in keeping with the unique character and the design principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain	No	King Street, being the main street in Newtown is notably busy, with a high number and range of retail and professional services generating high pedestrian volumes. It is a significant public transport corridor within easy walking distance of Newtown train station and numerous bus stops servicing many bus routes. King Street also carries high vehicle traffic volumes for private and service vehicles including high volumes of point to point trips. At night time King Street is a recognised entertainment precinct due to a range of premises offering food and drink and entertainment services, which rely on safe and convenient pedestrian flows along King Street. Safe and convenient pedestrian flows are critical in underpinning a perception of safety at night. The proposal does not provide bicycle or motorbike parking spaces, racks or rails for visitors or delivery riders. The generation of high volumes of delivery rider traffic on the footpath in this location is likely to exacerbate pedestrian congestion on the footpath and be detrimental to pedestrian safety and the perception of safety for pedestrians. These issues cannot be addressed through the imposition of conditions or amendments to this application. See further details in the 'Discussion' section below.
3.9 Heritage	Yes	The site is located within a heritage conservation area. The proposed development will not have any

Provision	Compliance	Comment
		detrimental impact on the significance of the heritage conservation area.
3.11 Transport and Parking	No	The proposal does not provide bicycle or motorcycle parking space, racks or rails for visitors or delivery riders. No onsite loading is possible or provided under the proposed arrangement. The nearest loading zone on King Street is time limited and cannot guarantee consistent or reliable access for servicing vehicles. The proposal is reliant upon an on-street loading zone on King Street for stock deliveries and the footpath for take-away food delivery operators which is inadequate to safely service the site. No parking and no stopping restrictions apply to Browns Lane (at all times) and King Street (various). See further details in the 'Discussion' section below.
3.12 Accessible Design	Yes	The access report submitted with the application concluded that access requirements can be achieved, subject to further design development of the principal pedestrian entry to provide a compliant level transition from the street into the dining area. If the application were to be supported, conditions of consent would be recommended to ensure compliance with the relevant BCA accessibility requirements.
3.13 Social and Environmental Responsibilities	No	Several concerns have been raised by NSW Police in their comment on the development. Refer to further discussion under the 'External Referrals' section below. In addition, the proposed 24 hours' trading may result in increased noise and anti-social behaviour which would negatively impact the neighbourhood.

Provision	Compliance	Comment
3.14 Waste	No	The application proposes 2 bins within the back of house area. This is insufficient for the size and scale of the premises. No bulky waste storage area is indicated on the plans or in the Waste Management Plan. If this application were to be supported, condition of consent for additional waste storage areas would be recommended.
3.15 Late Night Trading Management	No	The premises is located in a Local Centre Area and the use is defined as a category B premises. The permitted indoor base trading hours are between 7am to 11pm, with possible extended trading hours between 11pm to midnight, subject to a trial period. The proposed trading hours of 24 hours a day, 7 days a week do not comply with the controls and would likely have a significant impact on the locality. See further details in the 'Discussion' section below.
3.16 Signage and Advertising	Yes	The proposed development includes the following façade signage: • one awning fascia sign (non-illuminated) • one internal window sign (illuminated) • replacement of an existing projecting wall sign (illuminated) on first floor • replacement of two existing under awning lightbox The proposed signage generally satisfies the objectives and provisions of the development standards.

Discussion

Design Excellence

24. In accordance with Clause 6.21C of the Sydney Local Environmental Plan 2012 (LEP), the proposed development is required to exhibit design excellence.
25. The proposed development does not adequately address or respond to the below matters, as discussed further in the following sections:
 - (a) Clause 6.21C(2)(d)(i) the suitability of the land for development
 - (b) Clause 6.21C(2)(ix) pedestrian, cycle, vehicle and services access and circulation requirements, including permeability of any pedestrian network
 - (c) Clause 6.21C(2)(x) impact on public domain.

Transport and access

Large kitchen with limited indoor seating

26. The proposed floor plan below shows an indoor dining area with booth seating for approximately 12 persons (outlined in red) and the rest of the floor area being a large kitchen and back of house (approximately 225 sqm or 90% of the premise's floor area). No toilets are provided for customers using the indoor dining area. Toilets are required under the NCC when there are more than 20 patrons. Only one toilet is provided for staff use which is located within the office beyond the café and kitchen. It is not clear if the toilet would be made available to delivery riders who will be regularly servicing the site.
27. The predominant service kitchen and food preparation areas compared to the dining area signifies that the majority of food and drink will be consumed away from the site. This issue cannot be addressed through the imposition of conditions or amendments to this application.

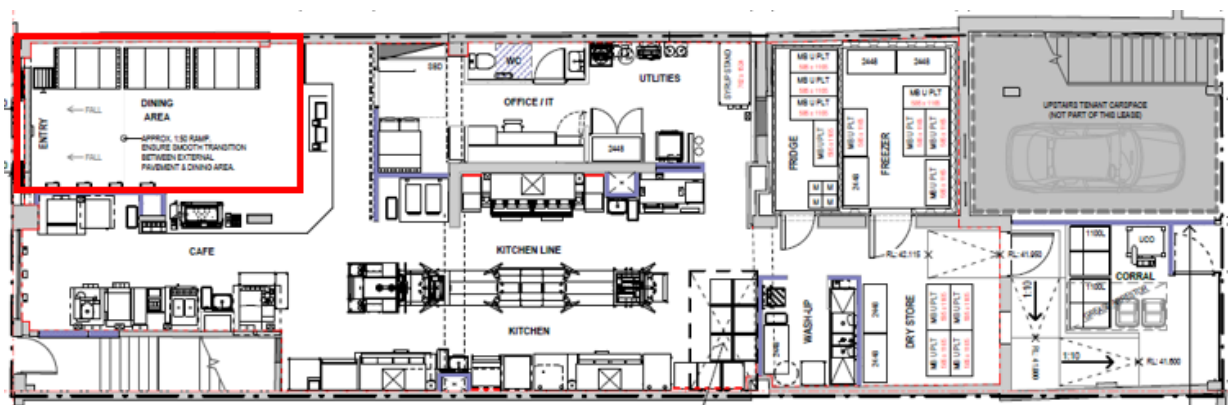


Figure 10: Proposed floor plan (indoor dining seating area outlined in red)

No onsite bicycle parking area

28. The proposed use is likely to generate a high volume of turnover given the scale of the kitchen with limited indoor seating. In this regard a high volume of take-away food delivery riders are expected to service the premises.

29. Two existing rear parking spaces on ground floor, which could be repurposed for servicing, are proposed to be removed. Access to and from the site for delivery riders is proposed via the King Street pedestrian footpath, which is approximately 3.48 metres wide in this location.
30. The proposal does not provide onsite bicycle or motorcycle parking spaces for food delivery riders, and no racks or rails are provided for visitors. This lack of bicycle parking will result in parked bicycles or motorcycles on King Street that would obstruct the public domain.
31. Under the Road Rules (Clause 197, Part 12), bicycles must be parked at designated racks or rails. Parking bicycles directly in front of the building entry on the footpath is unlawful and unsafe, obstructing pedestrian movement and impeding the public domain.
32. Whilst there are bike hoops on King Street in proximity to the subject premises, these racks are for general use and should not be relied upon to support the operational needs of one business.
33. This part of King Street is identified as a cycle conflict hotspot. In recognition of current conflicts between pedestrians and food delivery riders, the City's Transport and Access Unit has installed 'Walk Your Bike' signage along the King Street footpath to encourage riders to dismount (see Figure 11 below).



Figure 11: 'Walk Your Bike' signage installed on King Street 110m (one minute's walk) from the subject site, to encourage delivery riders to dismount

34. The application does not demonstrate that bike hoops on King Street are to be used appropriately or are sufficient to service the expected capacity. The lack of on-site bicycle parking will increase pedestrian and food delivery rider conflicts and diminish pedestrian safety. The lack of on-site bicycle parking contributes to the unsuitability of the site for the proposed development. This issue cannot be addressed through the imposition of conditions or amendments to this application.

No onsite loading area

35. The proposal is not considered suitable for the site as no onsite loading is provided. The proposal will generate daily deliveries, to ensure a supply of fresh food, and seeks to rely on an existing on-street loading zone on King Street and the footpath for stock deliveries between 7am and 3pm, Mondays to Fridays. Outside of these hours, stock deliveries are to occur at the rear of the building on Brown Lane or on Brown Street.
36. Use of the loading zone at the front of the subject premises on King Street is not ideal as it will conflict with high volumes of pedestrians on the footway. Further, the loading zone on King Street and the on-street parking area on Brown Street are time limited. The loading zone on King Street allows for short-term stops between 8.30am and 3pm, Mondays to Friday. The loading zone is also shared with other premises (being public access), and as such consistent or reliable access for servicing vehicles cannot be provided.
37. Transport for NSW have reviewed the application and advise that the use of on-street parking for loading purposes is generally not supported. Developments should be designed to be self-sufficient in terms of servicing and loading arrangements. Reliance on on-street loading zones further indicate that the site is unsuitable for the proposed use.
38. The proposed development does not demonstrate that stock deliveries at the rear of the building on Brown Lane is practical. Two existing parking spaces accessed off Brown Lane, which could be repurposed for servicing, are proposed to be removed and converted for waste management and storage. Further, the area of Brown Lane directly adjacent to the site is currently signposted as 'No Stopping'.



Figure 12: No Stopping and No Parking signage along Brown Lane adjacent to the subject site (outlined in red)

39. The proposed development does not provide an appropriate or safe servicing solution and the application has not demonstrated that the site is suitable for the proposed use. This issue cannot be addressed through the imposition of conditions or amendments to this application.

Hours of Operation

40. The premises is located in a Local Centre Area and the use is defined as a category B premises.
41. The DCP permitted base indoor trading hours are between 7am to 11pm, with possible extended trading hours between 11pm to midnight, subject to a trial period.
42. The proposed 24 hours' trading may create unacceptable noise impacts to the surrounding streets that are predominantly residential area, especially when patrons entering or leaving the premises in midnight or early hours in the morning.
43. The submitted Plan of Management does not adequately outline how the operation of the business could be effectively managed.
44. Several concerns have been raised by NSW Police in their comment to the development. Refer to further discussion under the 'External Referrals' section below.

Fire Safety Compliance

45. The submitted documentation does not adequately address fire safety related upgrades that may be required as a result of the proposed change of use.

Consultation**Internal Referrals**

46. The application was discussed with Council's:
- (a) Heritage and Urban Design Unit;
 - (b) Construction and Building Unit;
 - (c) Transport and Access Unit;
 - (d) Waste Management Unit;
 - (e) Environmental Health Unit.
47. Matters raised by internal referrals have not been addressed and are unresolved. These issues are further explored in the 'Discussion' section above.

External Referrals**NSW Police**

48. The application was referred to NSW Police for comment.
49. A response was received raising the following concerns to the proposed development:
- There is documented evidence of anti-social behaviour occurring in and around 24-hour food outlets, particularly those situated near transport hubs and licensed premises.
 - The area surrounding the proposed site has limited parking availability, which may exacerbate congestion and accessibility issues, and raises significant concerns regarding pedestrian and road safety.
 - The proposed venue is likely to result in increased crime reports, including traffic-related incidents.
50. These concerns are acknowledged by the City and we note the application does not demonstrate these concerns can be addressed.

Transport for NSW

51. Pursuant to Clause 2.119 of the SEPP (Transport and infrastructure) 2021, the application was referred to Transport for NSW for comment.
52. Comments were received on 15 September 2025.

53. Matters raised are further explored in the Transport and Access 'Discussion' section above.

Advertising and Notification

54. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified and advertised for a period of 21 days between 8 July 2025 and 7 August 2025.

55. A total of 193 properties were notified and 1,432 submissions were received, with majority of the submissions in objection.

56. The submissions raised the following issues:

- (a) **Issue:** McDonald's seen as incompatible with Newtown's unique character and impact on small and independent local businesses.

Response: The proposed takeaway food and drink premises is permissible with consent in the E1 Local Centre Zone and generally meets the objectives of the zone. However, the proposal does not comply with the design excellence provisions under Clause 6.21C of the LEP, as it does not sufficiently respond to the suitability of the land for development and the impact on public domain.

- (b) **Issue:** The proposed 24/7 operation will create noise and encourage anti-social behaviour.

Response: The proposed 24/7 hours of operation do not comply with the DCP and are not supported. In addition, several concerns have been raised by NSW Police in their submission to the development, including concerns related to anti-social behaviour occurring around 24-hour food outlets, pedestrian and road safety and the potential increase in crime reports and traffic related incidents. The submitted Plan of Management does not adequately outline how the operation of the business could be effectively managed.

- (c) **Issue:** The traffic from delivery riders and short-stay parking will create footpath crowding and impact traffic flows on King Street.

Response: The proposal does not provide bicycle or motorbike parking spaces, racks or rails for visitors or delivery riders. As outlined elsewhere in this report King Street being the main street in Newtown is notably busy and serves as a nighttime entertainment precinct for metropolitan Sydney. As an entertainment precinct it relies on safe and efficient pedestrian movements to connect patrons to from various private and public transport modes and venues. The proposed additional delivery riders would negatively impact on pedestrian safety and access.

- (d) **Issue:** The proposal will create environmental impacts including the increase in littering, attraction of vermin and odour from cooking.

Response: The proposed waste storage provision is considered insufficient for the proposed size, scale and use of the premises. No bulky waste area is indicated on the plans or in the Waste Management Plan. The submitted Waste Management Plan is inadequate and does not provide sufficient detail to demonstrate that waste can be appropriately stored, collected, or managed on the site. The proposed mechanical ventilation system has been assessed and considered acceptable.

- (e) **Issue:** The proposed operator (McDonald's) was not disclosed in the development description during the public notification period.

Response: The development application has been notified in accordance with the requirements of the City's Engagement Strategy and Community Participation Plan 2024. If this application were to be supported, the development consent would be associated with the subject premises and use, and would not be limited to an individual take-away food and drink operator.

- (f) **Issue:** The development will have negative impacts on local small business and there are existing McDonald's outlets nearby.

Response: The proposed 'take away food and drink premises' is a type of retail premises, which is permissible in the zones that front King Street. There is no planning legislation that can limit the concentration of take away food and drinks premises. Market forces dictate the type and success of individual businesses.

- (g) **Issue:** The development does not provide public toilet facilities.

Response: As the development is defined as a 'take away food and drink premises' and has limited seating, the provision of toilets within the premises is not required under the National Construction Code.

- (h) **Issue:** Light pollution and visual clutter from proposed signage.

Response: The proposed facade signage complies with the relevant provisions and development controls under the State Environmental Planning Policy (Industry and Employment) 2021 and Sydney DCP 2012. If this application were to be supported, conditions of consent would be recommended to ensure that the signage illumination does not result in unacceptable glare and affect safety.

Relevant Legislation

57. Environmental Planning and Assessment Act 1979.

Conclusion

58. The application has been assessed in accordance with section 4.15(1) of the Act. The proposed takeaway food and drink premises is not suitable for the site for the following reasons:
- (a) The proposal does not adequately demonstrate safe and practical pedestrian access to the site and along the footway, particularly considering the proposed servicing arrangements and food delivery riders expected to use the premises that will conflict with pedestrian flow on the footpath. The proposal does not provide on-site parking or loading spaces for delivery riders, which will likely result in parked bicycles or motorcycles obstructing the public domain.
 - (b) The proposal is not considered suitable for the site as it would be reliant upon on-street loading zone on King Street and the footpath for stock deliveries and take-away food delivery operators. Use of the loading zone at the front of the subject premises on King Street will conflict with high volumes of pedestrians on the footway and be detrimental to pedestrian safety.
 - (c) The proposal to operate 24 hours a day, 7 days a week does not comply with the late-night trading management objectives and provisions of the DCP and would likely have a significant impact on the locality.
 - (d) The submitted documentation does adequately address fire safety related upgrades that may be required as a result of the proposed change of use.
59. The proposal does not comply with the design excellence provisions under Clause 6.21C of the LEP as it does not sufficiently respond to the suitability of the land for development, the impact on public domain, and the pedestrian, cycle, service access and circulation requirements.
60. The proposal does not comply with the relevant objectives and provisions of the DCP, including controls relating to waste management, hours of operation, transport and parking, and the public domain.
61. The proposal does not demonstrate proper management relating to public safety risks, crime prevention and other concerns raised by the NSW Police in their comment on the proposed development.
62. Matters raised by internal and external referrals have not been addressed and are unresolved, particularly that the proposal does not provide onsite bicycle parking spaces and loading zone.
63. It is not possible to mitigate or minimise the unresolved impacts from inadequate on-site loading space and delivery bike/motor scooter access space through conditions of approval.
64. The application was notified in accordance with the requirements of City of Sydney Engagement Strategy and Community Participation Plan 2024. A total of 1,432 submissions were received, with the majority of submissions in objection.

- 65. It is therefore concluded that the proposal is not suitable for the site and is not in the public interest.
- 66. The application is recommended for refusal.

ANDREW THOMAS

Executive Manager Planning and Development

Cissy Li, Planner

Attachment E

Original Drawings

ARCHITECTURAL DRAWINGS

DA00	H	COVER SHEET
DA01	H	LOCATION PLAN
DA02	H	SITE PLAN
DA10	H	EXIST / DEMO GROUND FLOOR PLAN
DA11	H	PROPOSED GROUND FLOOR PLAN
DA12	H	1ST FLOOR PLAN
DA15	H	ROOF PLAN
DA20	H	ELEVATIONS
DA21	H	PROPOSED FINISHES SCHEDULE
DA30	H	SECTION A
DA40	H	3D VIEW
DA50	H	PROPOSED SIGNAGE



ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT
DA ISSUE - JULY 2025

General Notes

The information contained in this document is copyright and may not be used or reproduced for any other project or purpose. Do not scale drawings. The drawings show design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. These are computer generated drawings. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.

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Architect

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Consultants

Project

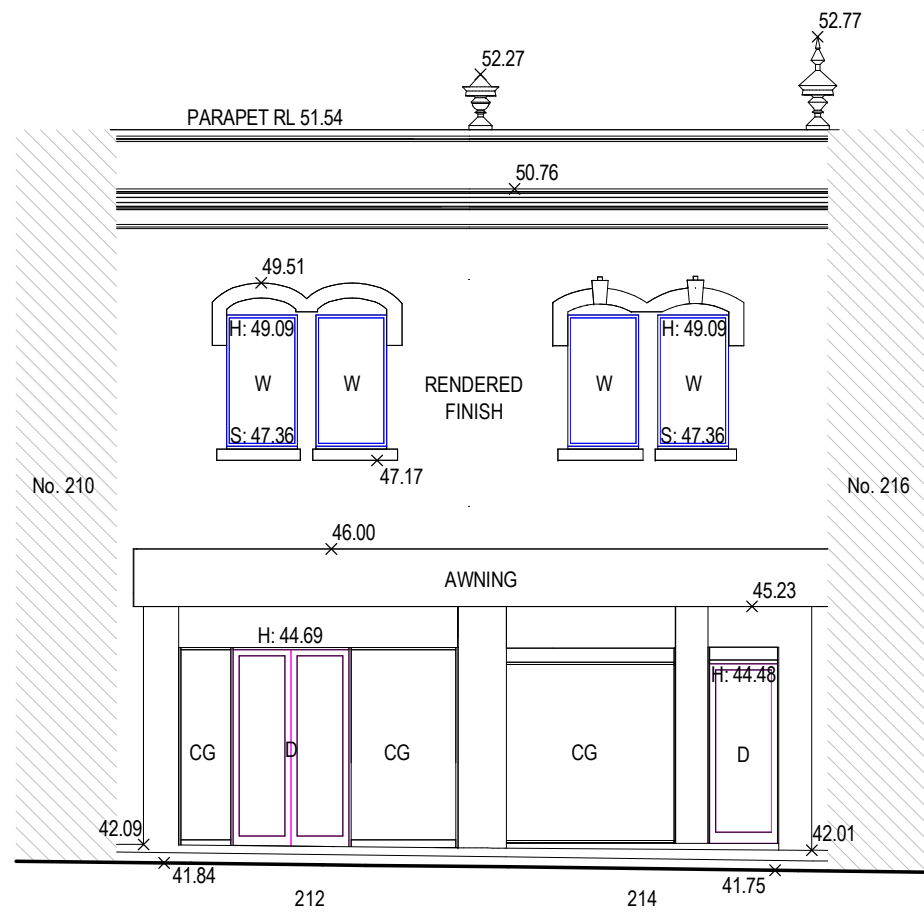
ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT

Location

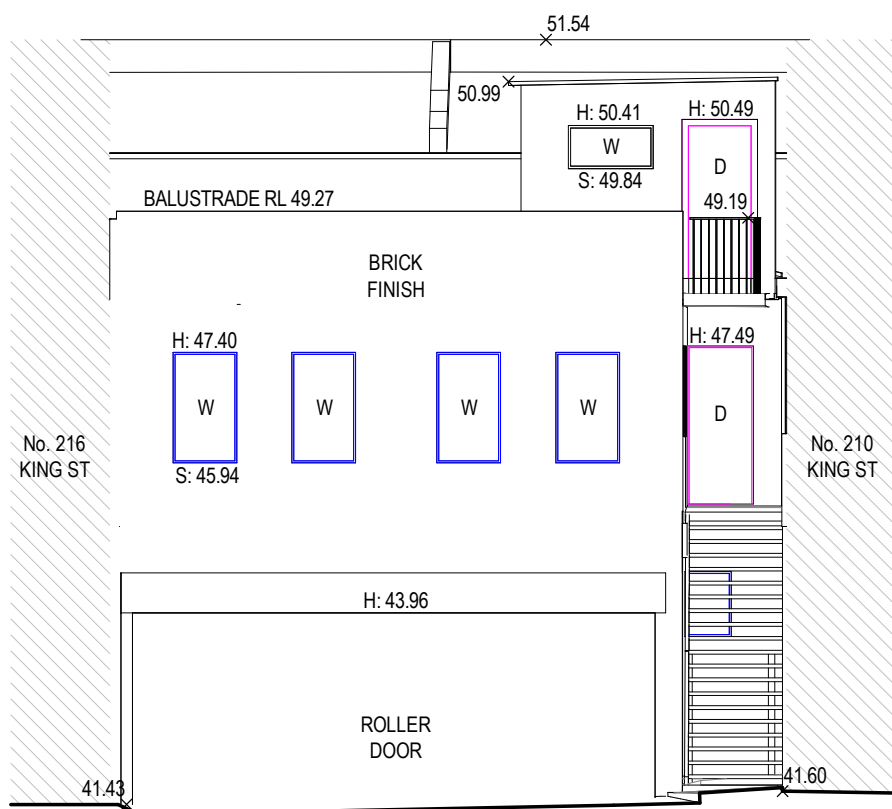
212-214 KING STREET
NEWTOWN NSW 2042

COVER PAGE

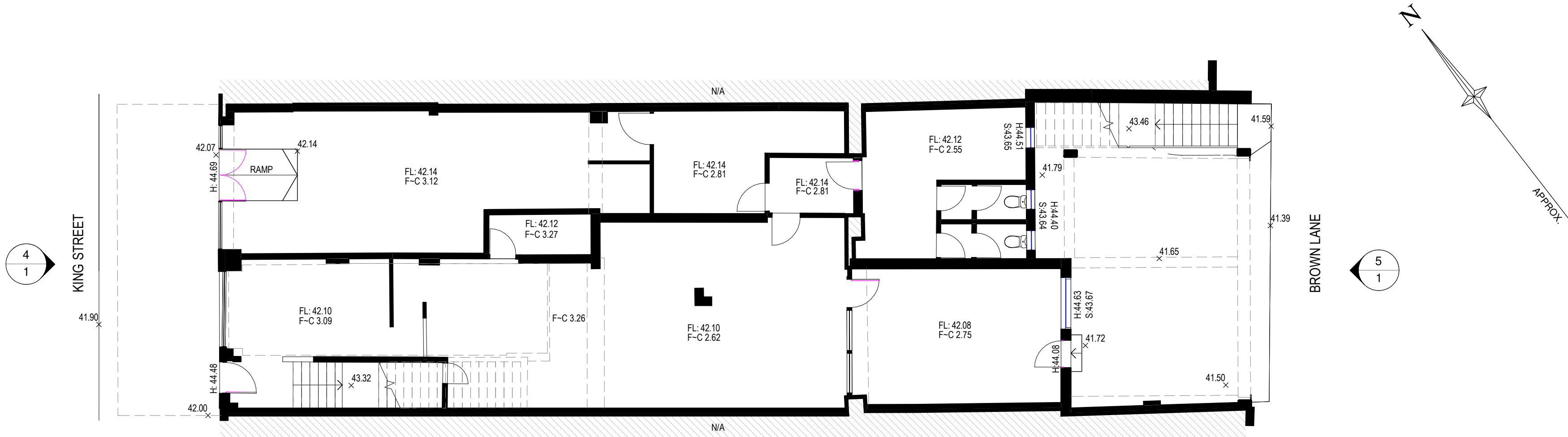
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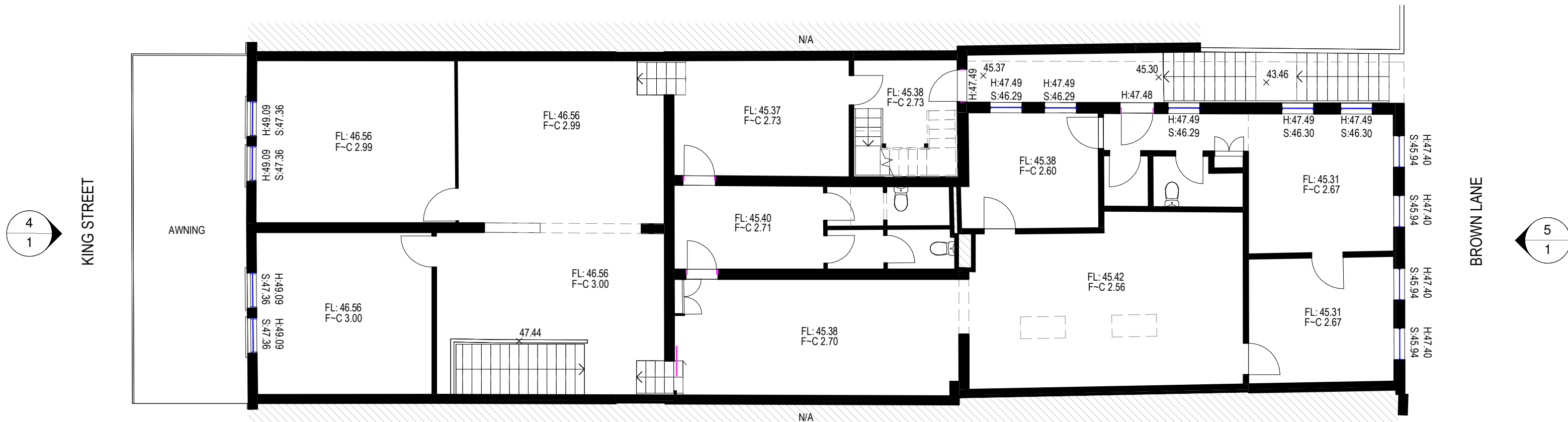
FRONT ELEVATION [NORTH-WEST]
KING STREET



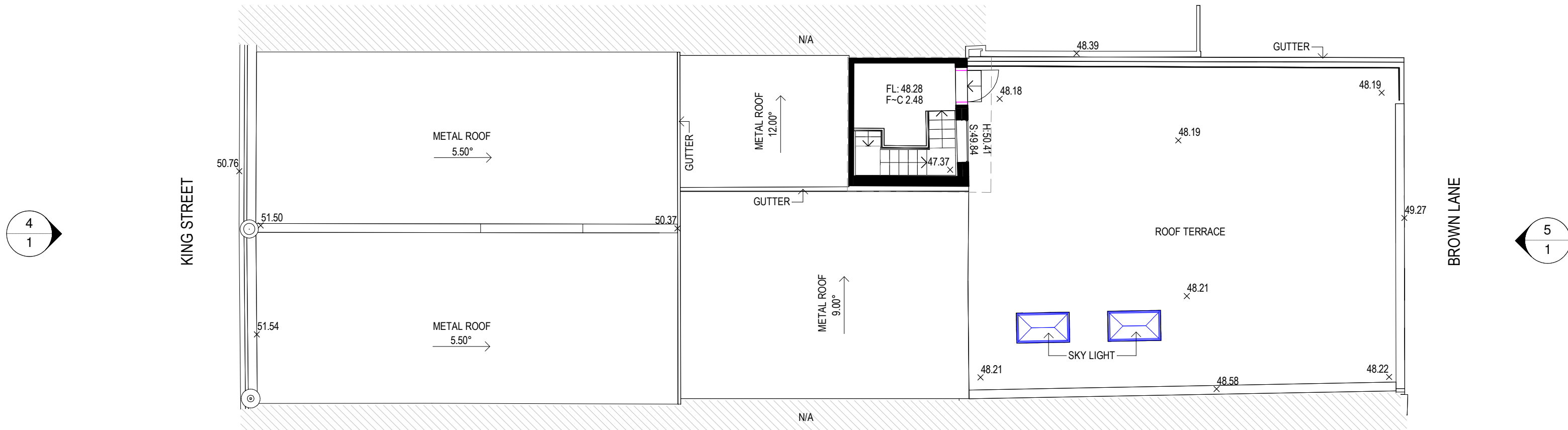
REAR ELEVATION [SOUTH-EAST]
BROWN LANE



L00 FLOOR PLAN



L01 FLOOR PLAN

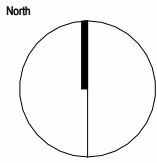


ROOF PLAN

Revision	Date	Description	Reference	Revision	Date	Description	Reference



Revisions			General Notes			
			Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.			
H	DA ISSUE	18.07.2025	SH	PK		
G	DA ISSUE	16.07.2025	SH	PK		
F	DA ISSUE	02.07.2025	SH	PK		
D	DA ISSUE	08.04.2025	SH	PK		
C	DA ISSUE	26.03.2025	SH	PK		
A	DA ISSUE	01.01.2025	SH	PK		
Issue Description			Date	Chk	Int	



Client

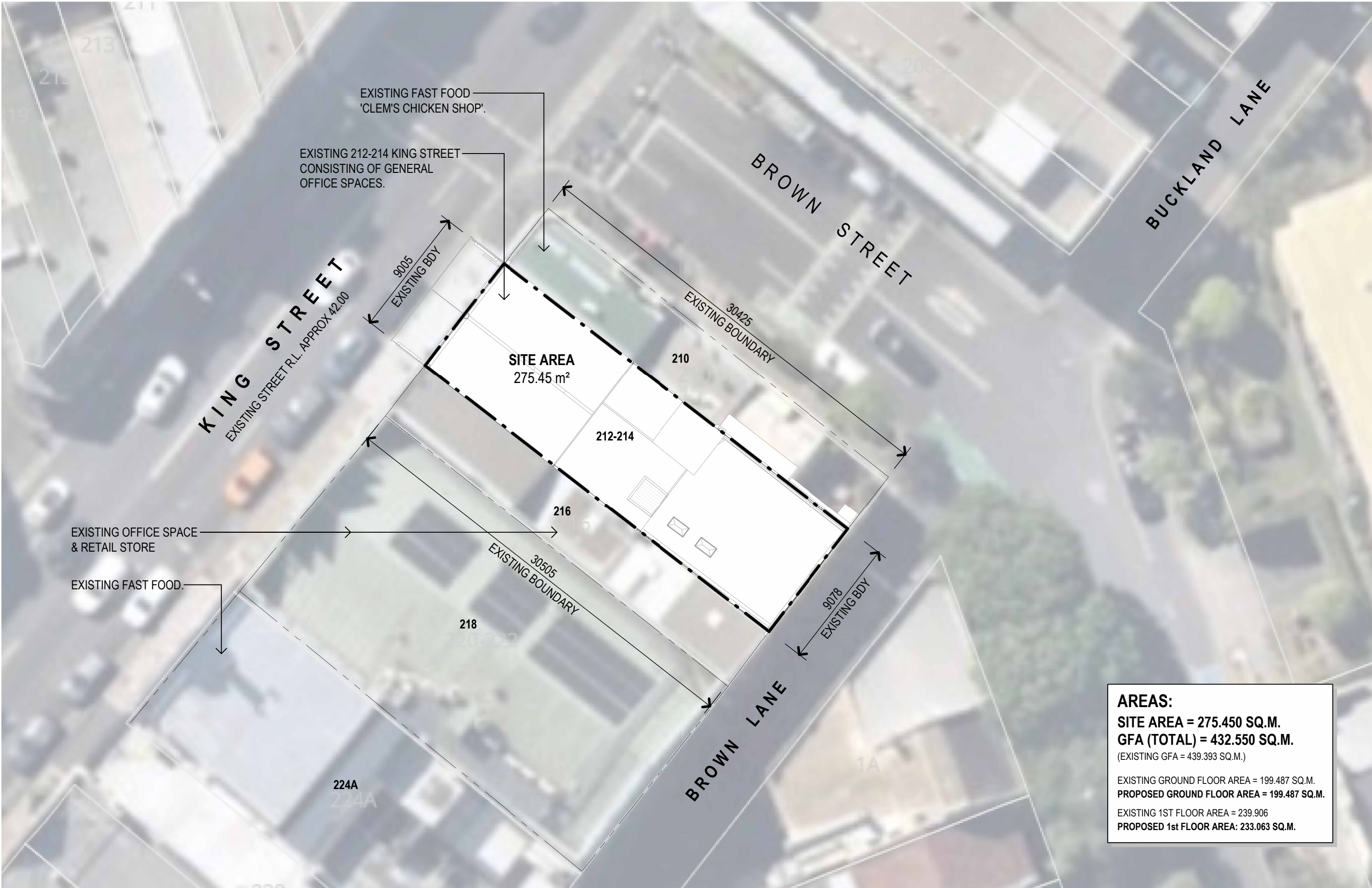
Project Manager

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Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY NOT TO BE USED DURING CONSTRUCTION		
Scale	Series	
1 : 500 @ A3	REMODEL	
Drawing		
LOCATION PLAN		
Project Number	Drawing Number	Is
240158	DA01	H



Revisions

H	DA ISSUE	18.07.2025	SH	PK
G	DA ISSUE	16.07.2025	SH	PK
F	DA ISSUE	02.07.2025	SH	PK
Issue Description				

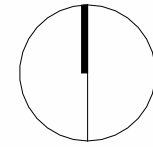
General Notes

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Drawing Notes



North



Client

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Project

ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

Location

212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale

1 : 250 @ A3

Series

REMODEL

Drawing

SITE PLAN

Project Number

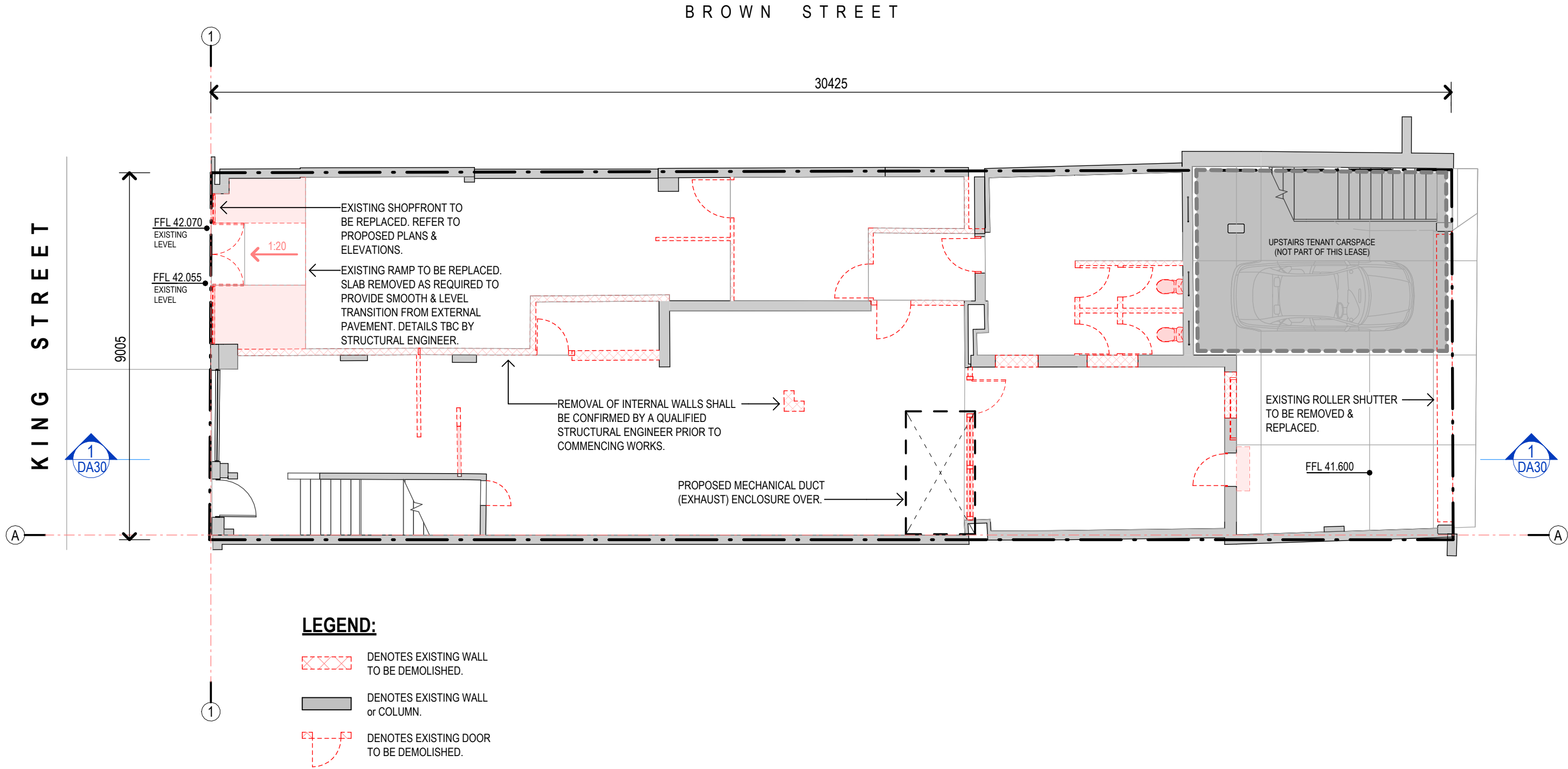
240158

Drawing Number

DA02

Issue

H



Revisions

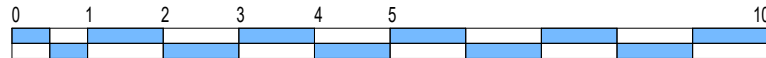
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B	DA ISSUE	16.03.2025	SH	PK
A	DA ISSUE	01.01.2025	SH	PK

Issue Description

General Notes

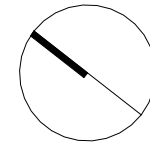
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Drawing Notes



GRAPHIC SCALE: 1:100

North



Client

Project Manager

Richmond+Ross
CONSULTING ENGINEERS AND PROJECT LEADERS
Suite 2.02, 1 Chandos Street St Leonards NSW 2065
TEL: (02) 9490 9600 FAX: (02) 94361224
Consultants

Project

ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT

Location

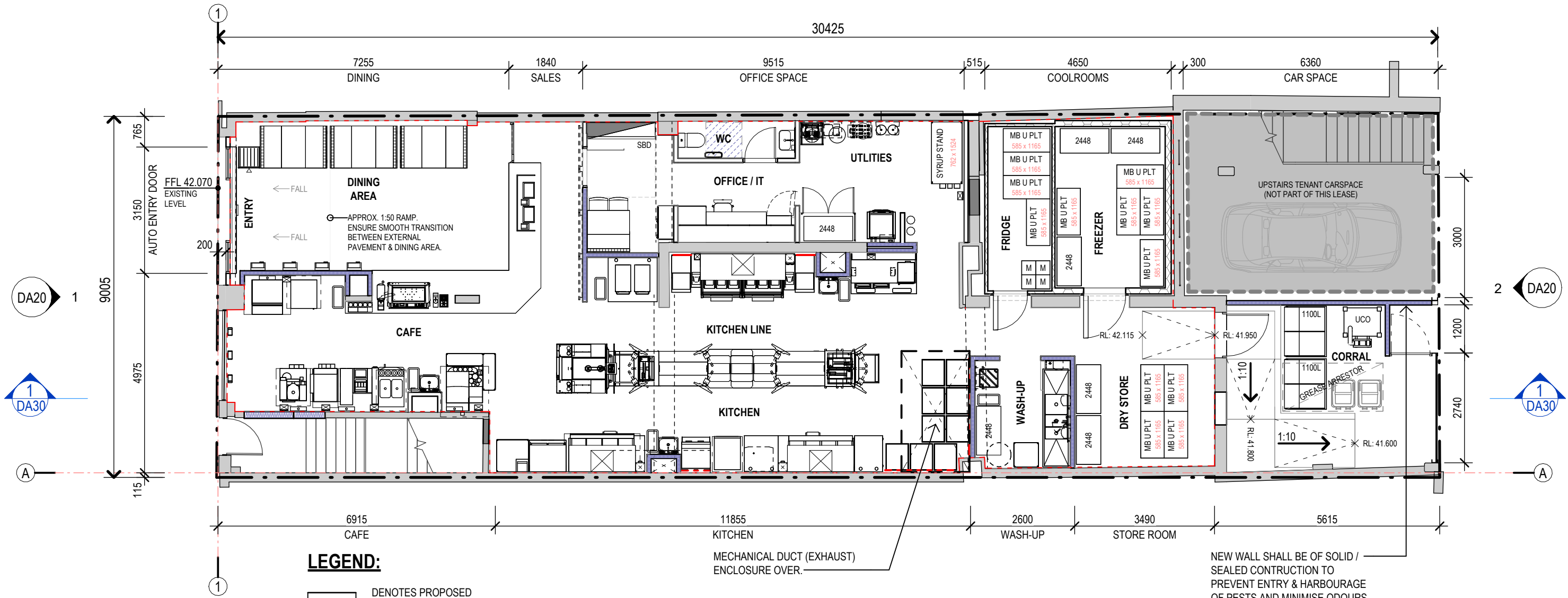
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

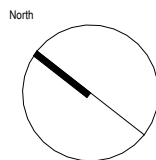
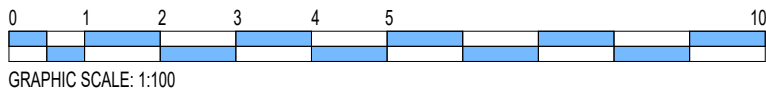
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Series REMODEL

Drawing
EXIST / DEMO GROUND FLOOR PLAN

Project Number 240158
Drawing Number DA10
Issue H



Revisions				General Notes				
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G	DA ISSUE	16.07.2025	SH PK					
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Issue Description		Date	Chk					Int



Client

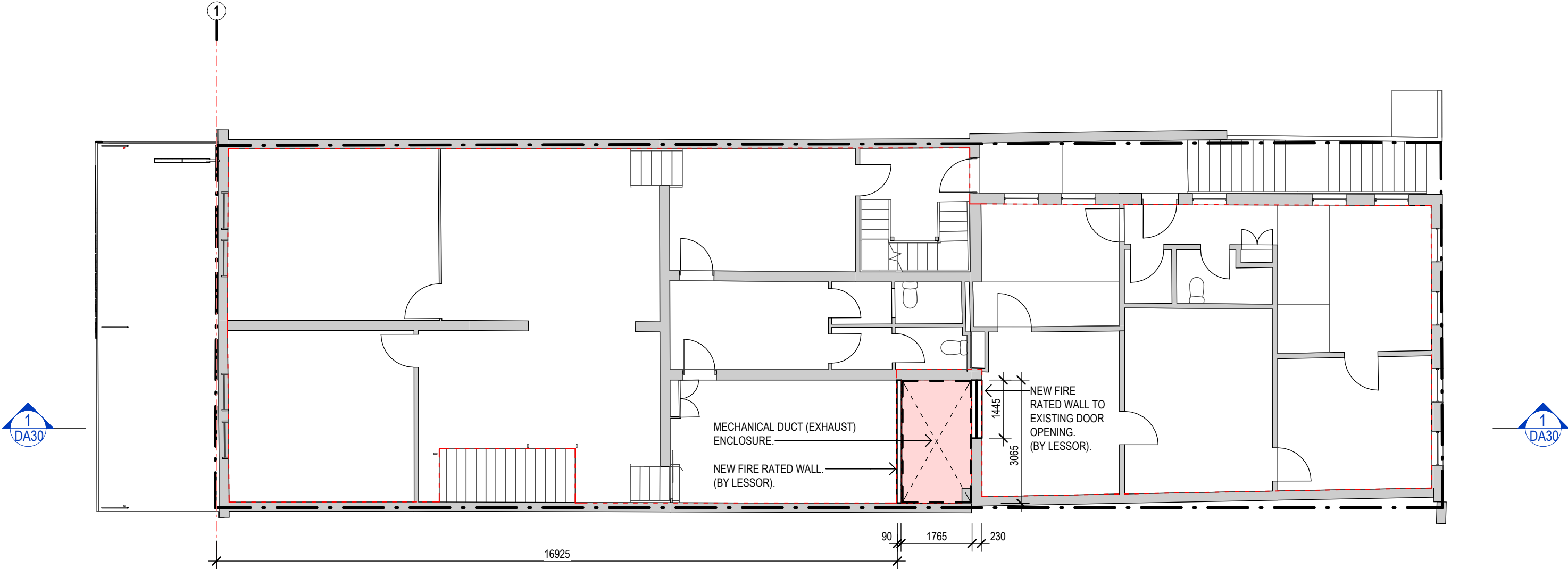
Project Manager

Richmond+Ross
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TEL: (02) 9490 9600 FAX: (02) 94361224
Consultants

Project
ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT
Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale	Series
1:100 @ A3	REMODEL
Drawing	
PROPOSED GROUND FLOOR PLAN	
Project Number	Drawing Number
240158	DA11
Issue	
H	



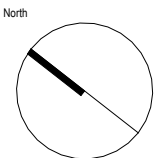
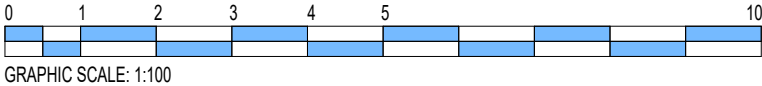
LEGEND:



1st FL AREA: 233.063 SQ.M.
DENOTES EXTENT OF GFA
MEASURED FROM THE INTERNAL
FACE OF THE EXTERNAL WALL.

NOTE: EXISTING 1ST FL AREA
= 239.906

Revisions				General Notes			
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.			
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F	DA ISSUE	02.07.2025	SH PK				
D	DA ISSUE	08.04.2025	SH PK				
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A	DA ISSUE	01.01.2025	SH PK				
Issue Description		Date	Chk	Int			



Client

Project Manager

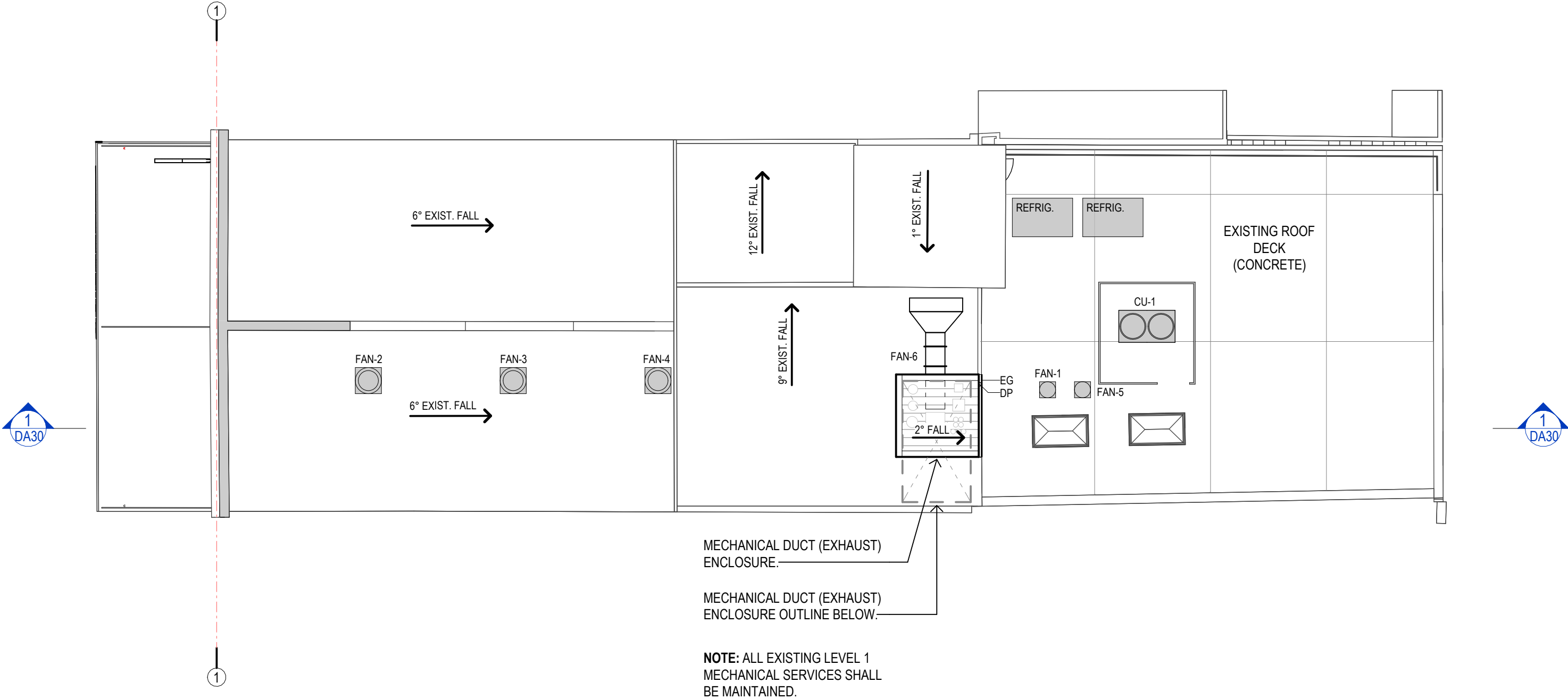
Richmond+Ross
CONSULTING ENGINEERS AND PROJECT LEADERS
Suite 2.02, 1 Chandos Street St Leonards NSW 2065
TEL: (02) 9490 9600 FAX: (02) 94361224
Consultants

Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

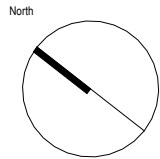
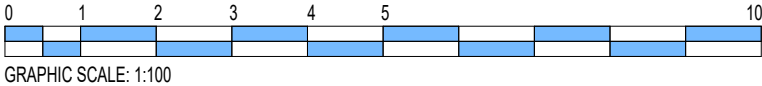
Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

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Drawing		
1ST FLOOR PLAN		
Project Number	Drawing Number	Issue
240158	DA12	H



Revisions					General Notes					Drawing Notes
					Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.					
H	DA ISSUE	18.07.2025	SH	PK						
F	DA ISSUE	02.07.2025	SH	PK						
D	DA ISSUE	08.04.2025	SH	PK						
C	DA ISSUE	26.03.2025	SH	PK						
A	DA ISSUE	01.01.2025	SH	PK						
Issue Description		Date	Chk	Int						



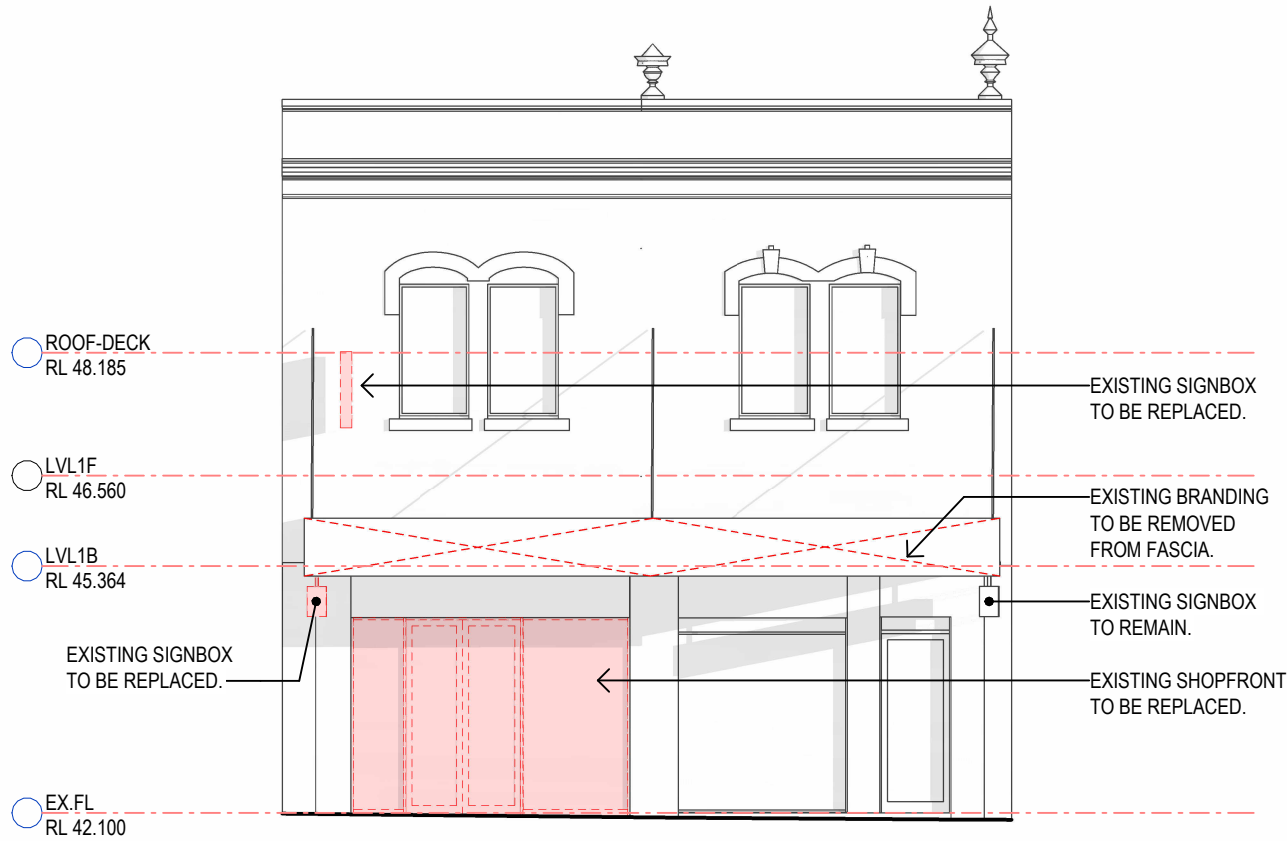
Client

Project Manager

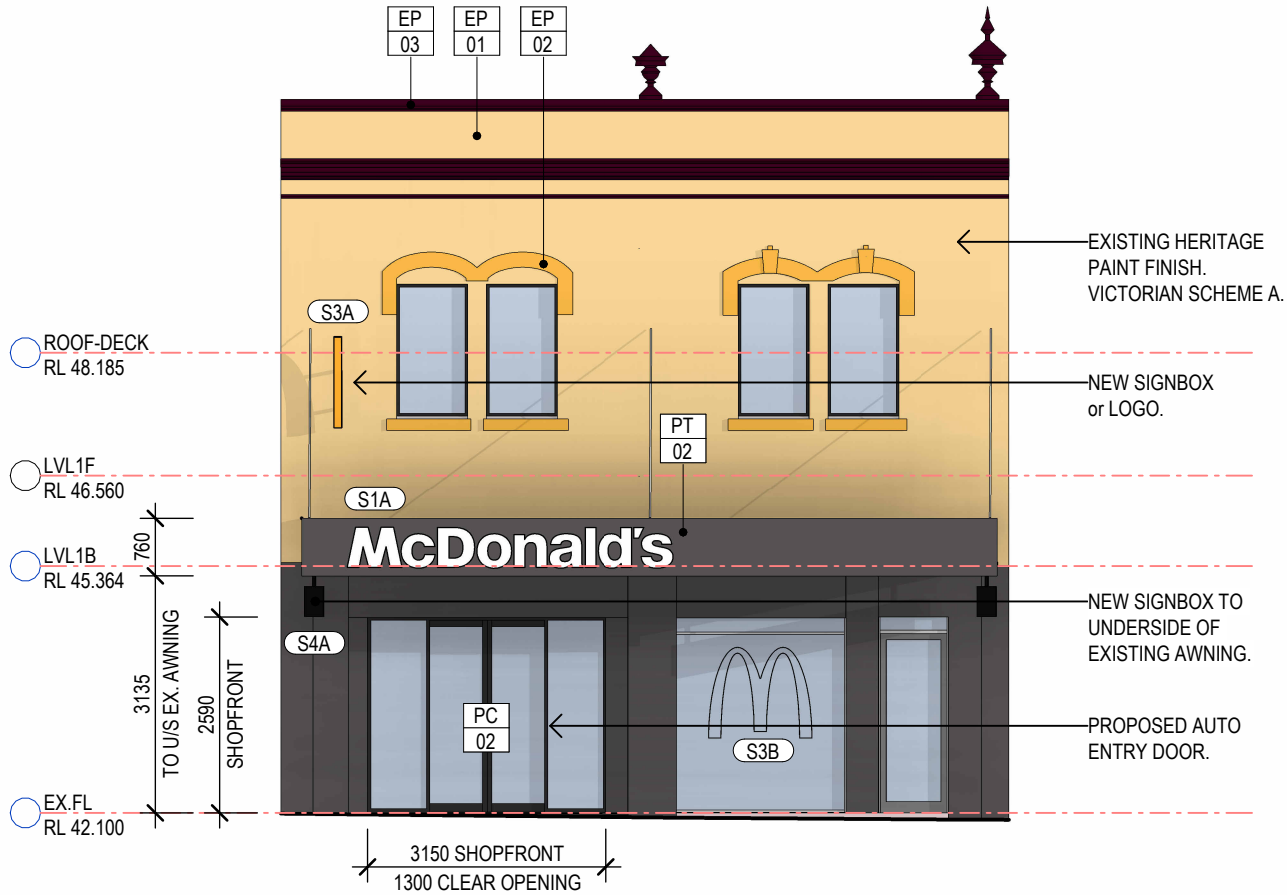
Richmond+Ross
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TEL: (02) 9490 9600 FAX: (02) 94361224
Consultants

Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT
Location
212-214 KING STREET
NEWTOWN NSW 2042

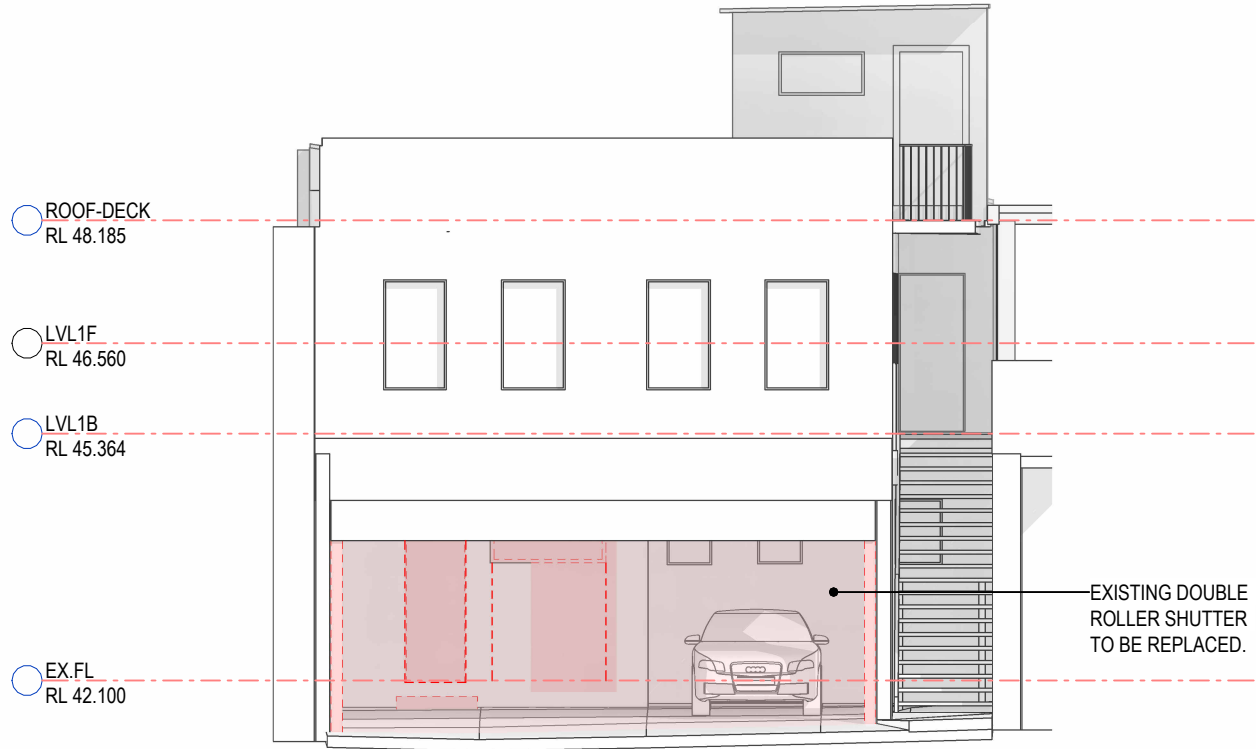
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NOT TO BE USED DURING CONSTRUCTION		
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Drawing		
ROOF PLAN		
Project Number	Drawing Number	Is
240158	DA15	I



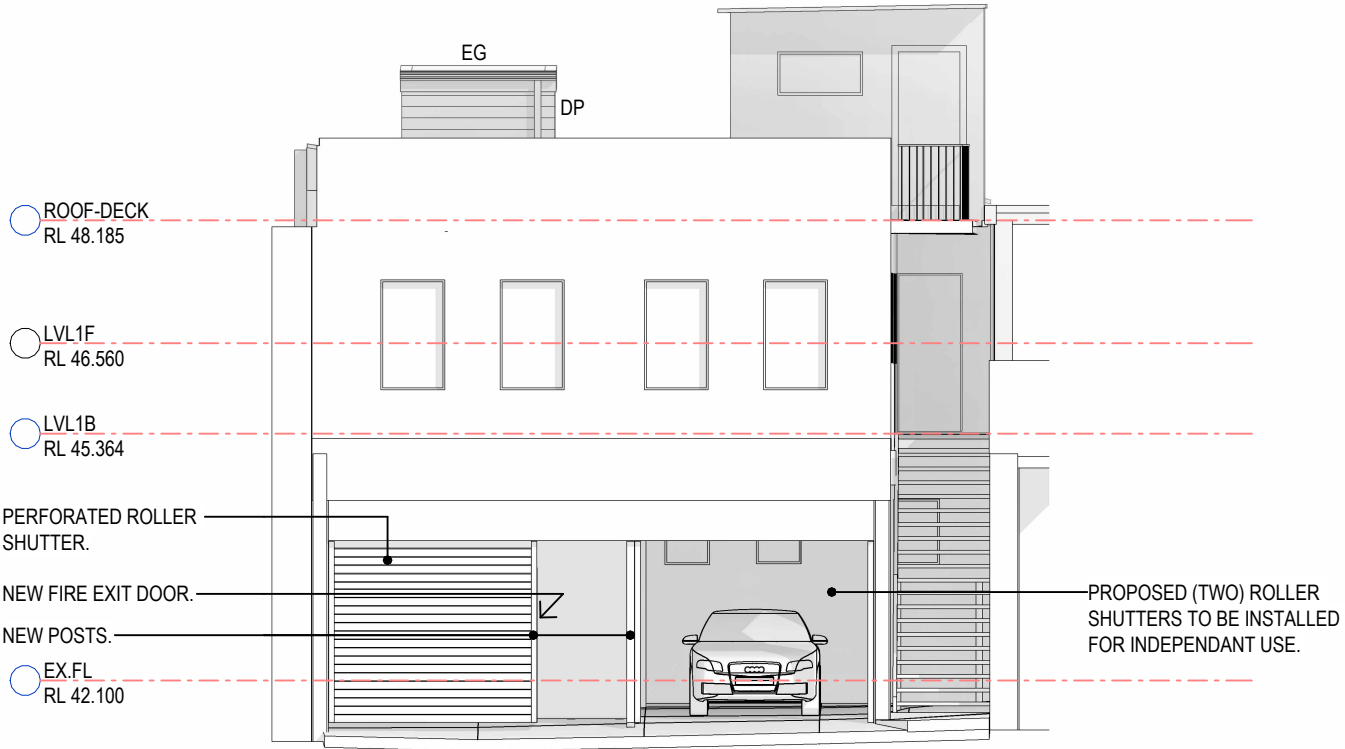
EXISTING ELEVATION - KING STREET
1: 100



1 PROPOSED ELEVATION - KING STREET
1: 100

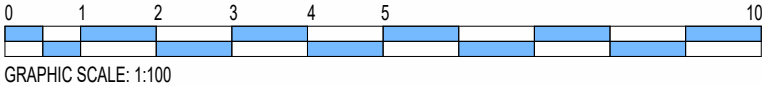


EXISTING ELEVATION - REAR
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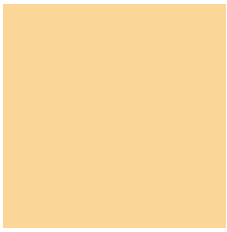
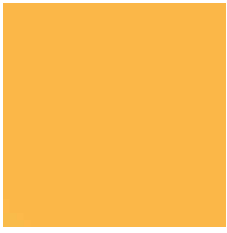
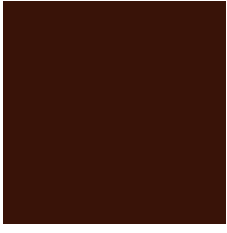
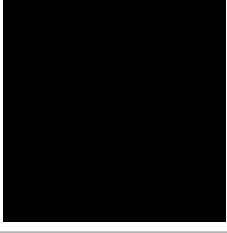
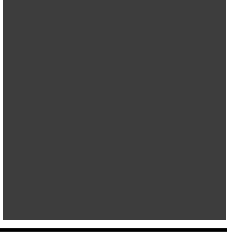


2 PROPOSED ELEVATION - REAR
1: 100

Revisions				General Notes			
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.			
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F	DA ISSUE	02.07.2025	SH PK				
D	DA ISSUE	08.04.2025	SH PK				
C	DA ISSUE	26.03.2025	SH PK				
B	DA ISSUE	18.03.2025	SH PK				
A	DA ISSUE	01.01.2025	SH PK				
Issue Description		Date	Chk	Int			



North		Client		Project Manager		Richmond+Ross CONSULTING ENGINEERS AND PROJECT LEADERS Suite 2.02, 1 Chandos Street TEL: (02) 9490 9600 Consultants		Project ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT Location 212-214 KING STREET NEWTOWN NSW 2042		PRELIMINARY NOT TO BE USED DURING CONSTRUCTION	
Scale 1: 100 @ A3		Series REMODEL		Drawing ELEVATIONS		Project Number 240158		Drawing Number DA20		Issue H	

EXTERNAL FINISHES SCHEDULE						
CODE	No.	AREA	DESCRIPTION	MANUFACTURER	COLOUR	IMAGE
EP	01	EXISTING MAIN BUILDING WALLS	EXISTING PAINT FINISH. VICTORIAN SCHEME A - BUFF	WATTYL	BUFF	
EP	02	EXISTING MAIN BUILDING WALLS	EXISTING PAINT FINISH. VICTORIAN SCHEME A - LIGHT STONE	PASCOL	LIGHT STONE	
EP	03	EXISTING MAIN BUILDING WALLS	EXISTING PAINT FINISH. VICTORIAN SCHEME A - DEEP INDIAN RED	WATTYL	DEEP INDIAN RED	
PC	02	ALUMINIUM WINDOWS & DOOR FRAMES.	POWDERCOAT FINISH	DULUX DURATEC ZEUS	LUNAR ECLIPSE SATIN (BLACK)	
PT	02	MAIN BUILDING WALLS	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	WAYWARD GREY PG1G8	

Revisions				General Notes					
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.					
H	DA	ISSUE	18.07.2025					SH	PK
F	DA	ISSUE	02.07.2025					SH	PK
Issue Description			Date					Chk	Int

North

Client

Project Manager

Richmond+Ross
CONSULTING ENGINEERS AND PROJECT LEADERS
Suite 2.02, 1 Chandos Street
TEL: (02) 9490 9600
Consultants

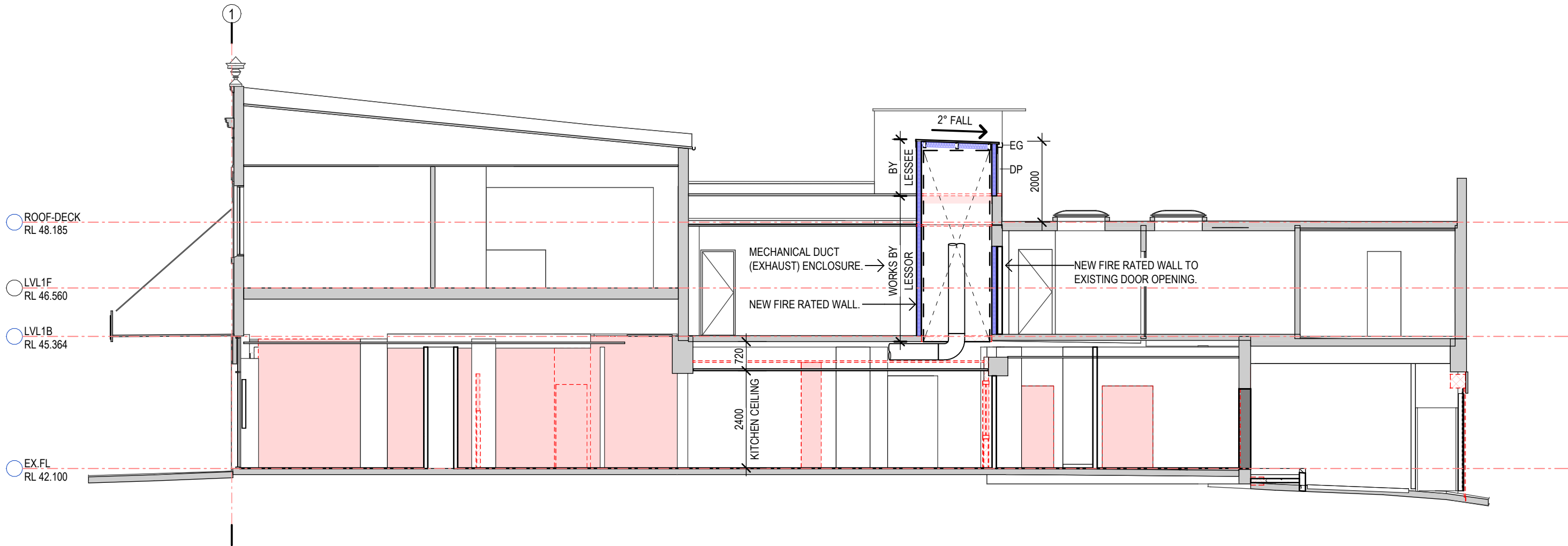
ABN 34 001 485 436
St Leonards NSW 2065
FAX: (02) 94361224

Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT

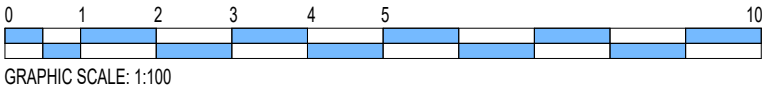
Location
212-214 KING STREET
NEWTOWN NSW 2042

PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale @ A3	Series REMODEL	
Drawing PROPOSED FINISHES SCHEDULE		
Project Number 240158	Drawing Number DA21	Issue H



Revisions				General Notes			
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.			
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F	DA ISSUE	02.07.2025	SH PK				
D	DA ISSUE	08.04.2025	SH PK				
C	DA ISSUE	26.03.2025	SH PK				
A	DA ISSUE	01.01.2025	SH PK				
Issue Description		Date	Chk Int				



North

Client

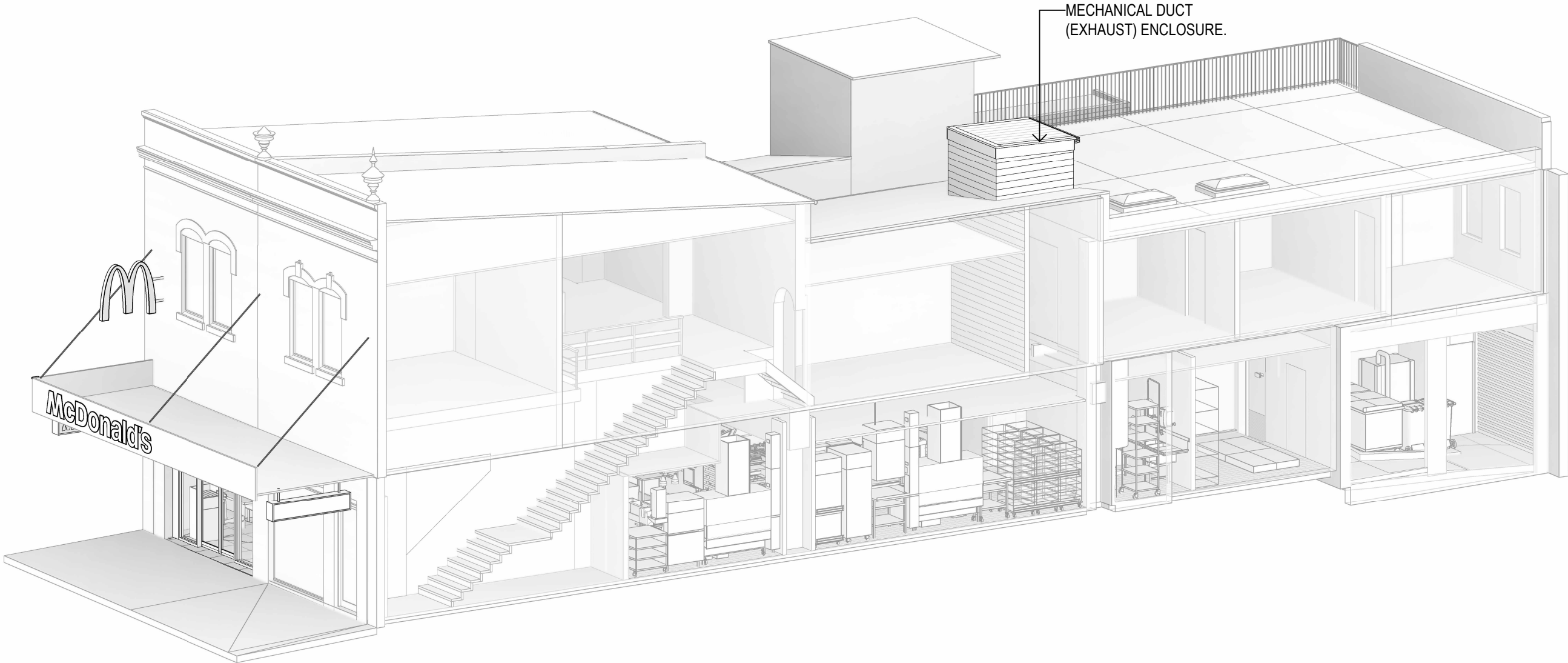
Project Manager

Richmond+Ross
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 Suite 2.02, 1 Chandos Street St Leonards NSW 2065
 TEL: (02) 9490 9600 FAX: (02) 94361224
 Consultants

Project
 ALTERATIONS & ADDITIONS TO
 EXISTING PREMISES - FOOD & DRINK
 FITOUT
 Location
 212-214 KING STREET
 NEWTOWN NSW 2042

PRELIMINARY
 NOT TO BE USED DURING CONSTRUCTION

Scale	Series
1:100 @ A3	REMODEL
Drawing	
SECTION A	
Project Number	Drawing Number
240158	DA30
	Issue
	H



Revisions				General Notes				
				Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor/manufacturer. This is a computer generated drawing. Do not amend by hand. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear. All dimensions are in millimeters. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.				
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F	DA ISSUE	02.07.2025	SH					PK
D	DA ISSUE	08.04.2025	SH					PK
C	DA ISSUE	26.03.2025	SH					PK
A	DA ISSUE	01.01.2025	SH					PK
Issue Description		Date	Chk	Int				

North

Client

Project Manager

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TEL: (02) 9490 9600 FAX: (02) 94361224
Consultants

Project
ALTERATIONS & ADDITIONS TO
EXISTING PREMISES - FOOD & DRINK
FITOUT
Location
212-214 KING STREET
NEWTOWN NSW 2042

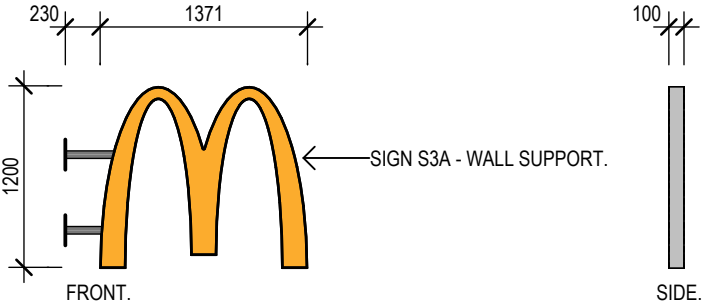
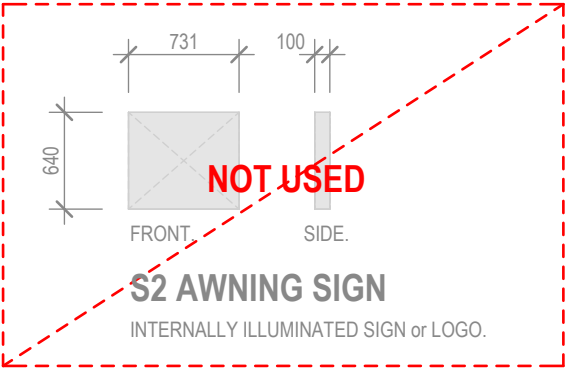
PRELIMINARY
NOT TO BE USED DURING CONSTRUCTION

Scale	Series		
@ A3	REMODEL		
Drawing			
3D VIEW			
Project Number	Drawing Number	Issue	
240158	DA40	H	



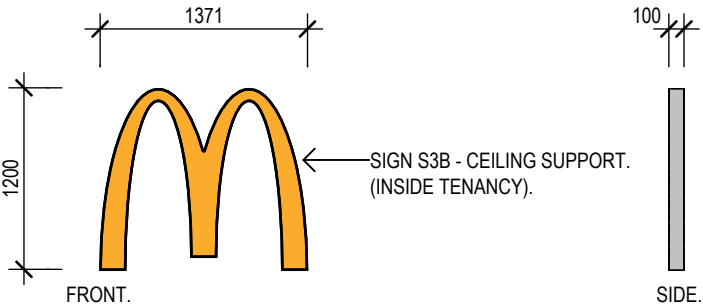
S1A AWNING SIGN

NON-ILLUMINATED LETTERING (FLAT / PAINT).



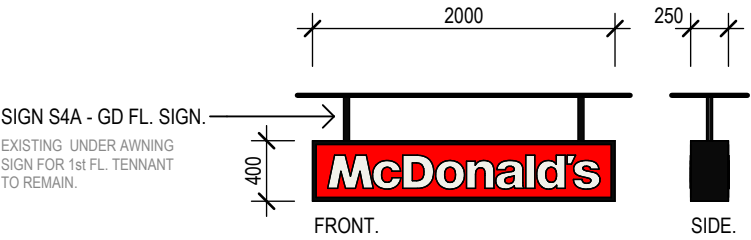
S3A WALL SIGN

INTERNALLY ILLUMINATED LOGO.



S3B INTERNAL WINDOW SIGN

INTERNALLY ILLUMINATED LOGO.

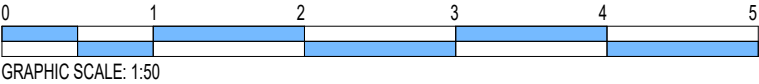


S4A UNDER AWNING SIGN

FABRICATED METAL SIGN.
GRAPHICS. LED ILLUMINATION.

NOTE: REFER TO BUILDING ELEVATIONS
FOR SIGNAGE LOCATIONS.

Revisions				General Notes				Drawing Notes				
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H	DA ISSUE	18.07.2025	SH					PK				
F	DA ISSUE	02.07.2025	SH					PK				
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C	DA ISSUE	26.03.2025	SH					PK				
A	DA ISSUE	01.01.2025	SH					PK				
Issue Description				Date	Chk	Int						



North		Client		Project		Richmond+Ross		PRELIMINARY	
Project Manager		CONSULTING ENGINEERS AND PROJECT LEADERS		ALTERATIONS & ADDITIONS TO EXISTING PREMISES - FOOD & DRINK FITOUT		Suite 2.02, 1 Chandos Street St Leonards NSW 2065		NOT TO BE USED DURING CONSTRUCTION	
		TEL: (02) 9490 9600		Location		212-214 KING STREET NEWTOWN NSW 2042		Scale	
		FAX: (02) 94361224		Series		1:50 @ A3		Drawing	
				Project Number		240158		Drawing Number	
				Issue		DA50		H	

Item 4.**Development Application 98-106 Kippax Street, Surry Hills - D/2025/758****File Number:** D/2025/758**Summary**

Date of Submission:	18 August 2025 Final amended plans received on 16 March, 2026
Applicant:	Joshua Brandon
Architect/Designer:	DKO Architecture
Owner:	Isaac Solomon, Sara Cooper and Elizabeth Oxman
Planning Consultant:	The Planning Studio
Heritage Consultant:	NBRS and Partners
Cost of Works:	\$27,804,746.79
Zoning:	The site is located within the MU1 - Mixed Use zone. The use is defined as a "residential flat building", with "retail premises", and is permissible with consent within the zone.
Proposal Summary:	Approval is sought for the substantial demolition of the existing building, retention of some built form elements including a former horse stables, and construction of an 8-storey mixed-use development comprising retail tenancies on the lower levels, basement carparking, 42 residential apartments with affordable housing units and associated rooftop common open space and landscaping. The application is being reported to the Local Planning Panel for determination as the development is for a new residential flat building and does not comply with the minimum car space and the minimum landscaped area development standards under the State Environmental Planning Policy (Housing) 2021(Housing SEPP) by more than 10%. A minimum of 30 car spaces are required for the residential component of the development under Section 19(2)(e) and (f) of the Housing SEPP. The proposal provides a total of 20 car spaces, which represents a

shortfall of 34% below the control. The application seeks a variation to the minimum car spaces control under clause 4.6. The proposed variation to the development standard has merit and is supported.

A minimum of the lesser of 30% of the site or 35 sqm per dwelling for landscaped area is required under Section 19(2)(b) of the Housing SEPP. The proposal does not provide any landscaping which meets the definition of "landscaped area" under the SEPP, and therefore amounts to a shortfall of 100% below the control. However roof top communal open space with landscaping including trees is proposed. The application seeks a variation to the minimum landscaped area control under clause 4.6. The proposed variation to the development standard has merit and is supported.

The application also seeks a variation to the maximum building height development standard under the Sydney Local Environmental Plan 2012. A maximum building height of 28.6m is permitted under clause 4.3 of the Sydney Local Environmental Plan 2012. A maximum height of 29.04m is proposed for the development, which represents an exceedance of 1.9% over the control. The application seeks a variation to the height control under clause 4.6. The proposed variation to the development standard has merit and is supported.

The requirement under Clause 6.21D of the Sydney Local Environmental Plan 2012 requiring a competitive design process is recommended to be waived on the basis that it is unreasonable or unnecessary in the circumstances, given the proportion of the building which exceeds the 25m threshold of the control is limited to part of the upper level and roof terrace, the proposal achieves design excellence, is of a scale and form appropriate within context of the site, and that amendments to the LEP which raise the minimum threshold for requiring a site specific DCP or Competitive Design process to 35m have been endorsed by Council and received Gateway approval.

The proposal was presented to the City's Design Advisory Panel Residential Subcommittee on 7 October 2025.

Following a preliminary review of the application and comments and recommendations provided by DAPRS, the applicant amended the proposal to improve the integration of the retained stables building with the new building, redesign the upper level apartments to achieve improved amenity and cross-ventilation, increase the upper level separation distance from Sophia Street at the north-western portion of the building by deleting voids and planters, and provide additional canopy trees to the rooftop communal open space.

Amended plans and updated consultant reports were submitted 9 January 2026, with the last amendments submitted on 16 March, 2026. Amendments to the proposal include reconfiguring the layout of the upper level apartments to achieve a greater proportion of natural cross-ventilation, deleting the upper level voids and planters to the north-western apartments facing Sophia Street, redesigning the roof terrace landscaping, and retaining the existing western return wall to Sophia Street. Further amendments were made on 16 March 2026, comprising minor reconfiguration of the rooftop landscaping to address wind impacts.

The application was notified for a period of 21 days from 21 August 2025 to 11 September 2025. The amended plans submitted on 9 January 2026 were not re-notified, as the amendments to the design, which were generally requested by Council, did not result in any significant increases to the proposed building envelope, and did not result in any significant additional environmental impacts, or significantly intensify the proposed use of the site. Eleven submissions were received which raised concerns relating to the bulk and scale of the proposal, retention of the stables building, and adverse impacts to the amenity of surrounding buildings including loss of outlook and privacy impacts.

The bulk and scale of the proposal responds satisfactorily to surrounding development context, does not result in any unreasonable adverse amenity impacts, provides affordable housing helping meet the needs of the community and is consistent with the desired future character of the area. The proposal is in the public interest.

The proposal is generally consistent with the relevant objectives and provisions of the Sydney LEP 2012, as well as the Housing SEPP and Apartment Design Guide.

Subject to the recommended conditions at Attachment A, the development application is recommended for approval.

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

Development Controls:

- (i) SEPP (Housing) 2021
- (ii) SEPP (Resilience and Hazards) 2021
- (iii) SEPP (Transport and Infrastructure) 2021
- (iv) SEPP (Industry and Employment) 2021
- (v) SEPP (Biodiversity and Conservation) 2021

- (vi) SEPP (Sustainability) 2022
- (vii) Sydney Local Environmental Plan 2012
- (viii) Sydney Development Control Plan 2012

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Clause 4.6 Variation Request - Height of Buildings
- D. Clause 4.6 Variation Request - Minimum Landscaped Area
- E. Clause 4.6 Variation Request - Minimum Car Spaces
- F. Submissions

Recommendation

It is resolved that:

- (A) the variation requested to Clause 4.3 (Height of Buildings) in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (B) the variation requested to Section 19(2)(b) for the minimum landscaped area of the State Environmental Planning Policy (Housing) 2021, in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (C) the variation requested to Section 19(2)(e) and (f) for minimum car parking spaces of the State Environmental Planning Policy (Housing) 2021, in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (D) the requirement under Clause 6.21 of the Sydney Local Environmental Plan 2012 requiring a competitive design process is unreasonable or unnecessary in the circumstances; and
- (E) consent be granted to Development Application Number D/2025/758 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 proposed development is consistent with the objectives of the MU1 Mixed Use zone.
- (B) The proposed development generally satisfies the relevant provisions of the State Environmental Planning Policy (Housing) 2021, notwithstanding the request to vary the minimum car space and minimum landscaped area controls , and is generally consistent with the Apartment Design Guide.
- (C) The proposed development satisfies the relevant objectives and provisions of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (D) Having considered the matters in Clause 6.21 of the Sydney LEP 2012, the proposal displays design excellence.
- (E) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that:
 - (i) the applicant has demonstrated that compliance with the height of buildings development standard in clause 4.3 of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient planning grounds to justify contravention of the development standard in accordance with the requirements of clause 4.6(3) of the Sydney LEP 2012;

- (ii) the applicant has demonstrated that compliance with the minimum landscaped area, and minimum car parking spaces development standards in clauses 19(2)(b)(e) and (f) of the SEPP (Housing) 2021 are unreasonable or unnecessary in the circumstances and that there are sufficient planning grounds to justify contravention of the development standards in accordance with the requirements of clause 4.6(3) of the Sydney LEP 2012; and
- (iii) the proposal is in the public interest because it is consistent with the objectives of the MU1 Mixed Use zone and the height of buildings, and the SEPP (Housing) 2021 development standards.

Background

The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the Local Planning Panel for determination as it is identified in Schedule 3 of the Local Planning Panels Direction of 6 March 2024 as being within the following category(s):
 - (a) Departure from Development Standards; and
 - (b) Sensitive Development.
2. The development application falls within the category of Departure from Development Standard as the proposal is for purposes other than a "dwelling house", "dual occupancy" or "attached dwelling", and contravenes the "minimum car spaces" and minimum landscaping" development standards imposed by the *State Environmental Planning Policy (Housing) 2021*, by more than 10%.
3. The development application falls within the category of Sensitive Development as it is development to which *State Environmental Planning Policy (Housing) 2021*, Chapter 4 (Design of residential apartment) applies and is 4 or more storeys in height.

The Site and Surrounding Development

4. The site has a legal description of Lot 1 in DP 68499, and Lots 45-47 in DP 111211, known as 98-106 Kippax Street, Surry Hills. It is rectangular in shape with area of approximately 789 sqm. It has a primary street frontage of 31m to Kippax Street and secondary street frontages of 24.7m to Waterloo Street, and 33m to Sophia Street. Levels on the site fall by approximately 3.4m from the Waterloo Street frontage (east) to the western boundary.
5. The site contains several attached buildings that were constructed during different eras. At the Kippax Street frontage are three distinct buildings including a three-storey commercial warehouse building at the western end of the site, a two storey commercial building and a three storey Victorian building at the corner of Kippax Street and Waterloo Street. At the Waterloo Street frontage are two distinct buildings including a three storey Victorian building at the corner of Kippax Street and Waterloo Street and a three storey former stable building at the corner of Waterloo Street and Sophia Street. The Sophia Street frontage contains the rear elevations of the above-mentioned buildings that have frontages to Kippax Street.
6. The surrounding area is characterised by a mixture of land uses, primarily being commercial and residential. To the south of the site on the opposite side of Kippax Street are two to seven storey commercial buildings. To the east of the site on the opposite side of Waterloo Street is an eight storey commercial building at 110-120 Kippax Street. To the north of the site on the opposite side of Sophia Street are located four to six storey buildings containing commercial and residential uses, including residential apartments at 81 Foveaux Street.
7. The site is not identified as a heritage item and is not located within a heritage conservation area.
8. The site is located within the Surry Hills Central locality and is not identified as being subject to a high risk of flooding.

9. A site visit was carried out on 2 September 2025. Photos of the site and surrounds are provided below:
10. Photos of the site and surrounds are provided below.

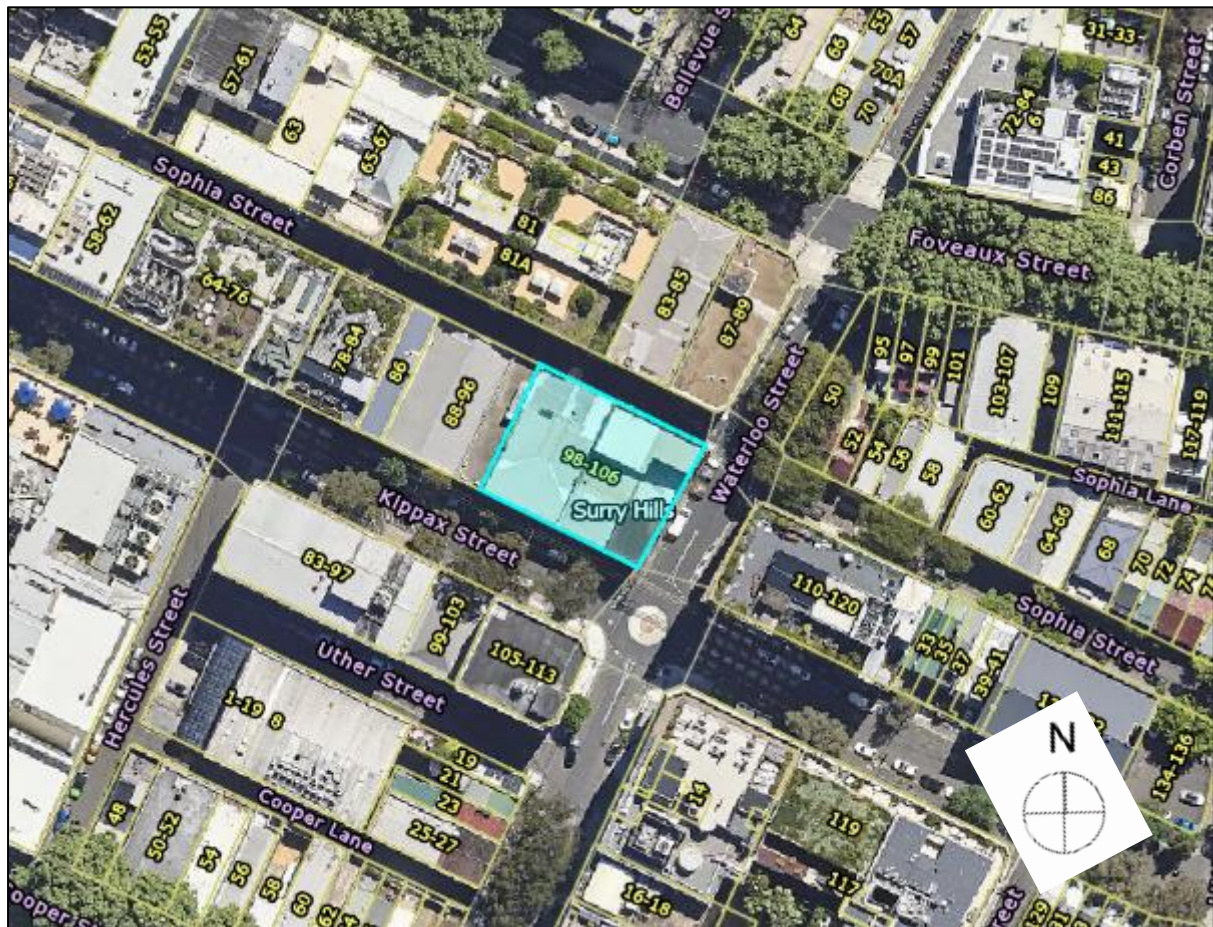


Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from Kippax Street



Figure 3: Site viewed from Waterloo Street

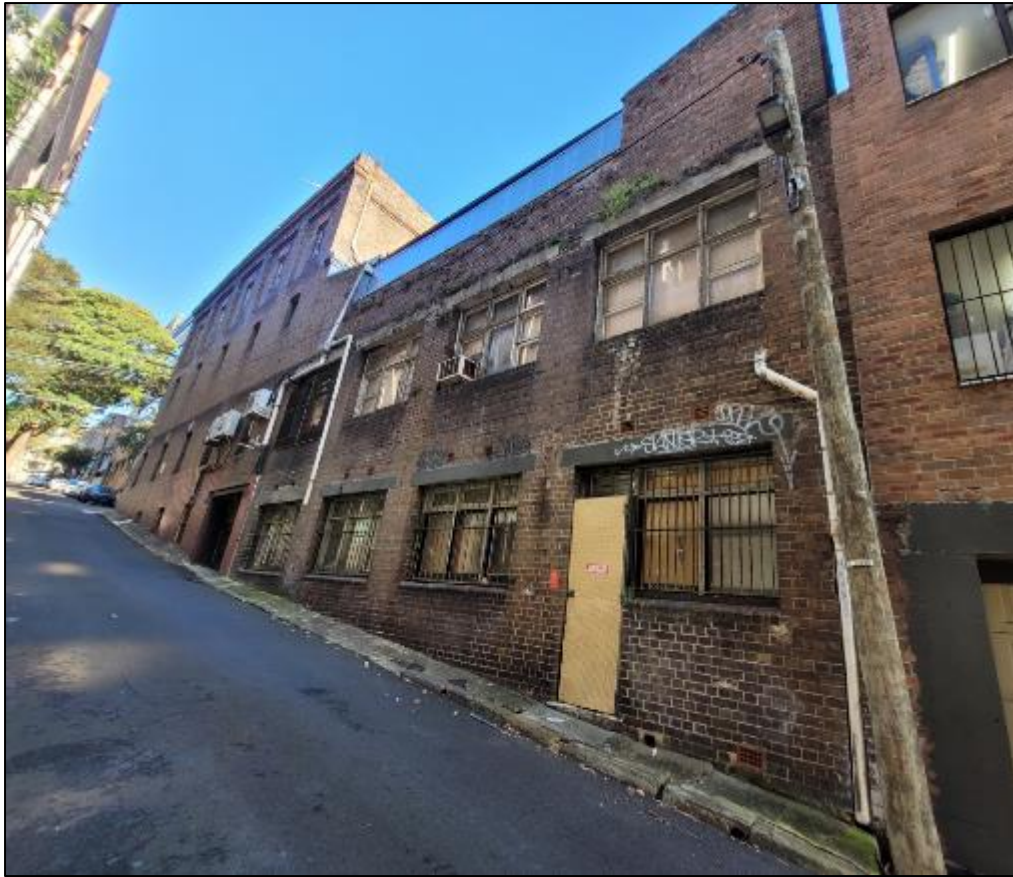


Figure 4: Site viewed from Sophia Street



Figure 5: Site viewed from the corner of Waterloo Street and Sophia Street



Figure 6: Internal view of the horse ramp and first floor enclosed courtyard



Figure 7: Existing loading dock



Figure 8: Existing arched vaults in the ground floor retail tenancy



Figure 9: View of the parapet of the looking south-east towards Waterloo Street

History Relevant to the Development Application

Development Applications

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

- **DI/2017/225** – Development consent was granted on 11 April 2018 by the Local Planning Panel for the demolition of all existing buildings, construction of a 6 storey mixed use building comprising with basement carparking, ground floor retail tenancies, 27 residential apartments and a communal roof top terrace. This consent was not activated and has subsequently lapsed.

Amendments

12. Following a preliminary assessment of the proposed development by Council Officers, a request for additional information and amendments was sent to the applicant on 21 October 2025. The following additional information and amendments were requested:

- a detailed Structural Report to demonstrate that the retained structure can support the additional loads of the new building
- retention of a greater extent of the existing Waterloo Street façade and the western return wall to Sophia Street frontage
- clarification as to how the retained internal horse ramp will be interpreted
- reconsider the location of the breezeway to the upper levels to better integrate with the retained facade and provide a visual separation between the retained and new portions of the building
- clearer view from the sun diagrams to demonstrate the amount of solar access received
- amend the design so that a greater proportion of apartments receive genuine cross-ventilation without relying on the breezeway
- delete the planters and voids to the upper level apartments in the north-western corner of the building fronting Sophia Street, to lower the street frontage height to Level 2 and improve the amenity to the upper level apartments
- redesign Unit 101 to delete the snorkel bedroom
- reconsider the designation of affordable housing units so that they achieve equivalent amenity to market value units
- delete the void above the private balcony of Unit 301B to ensure privacy for that unit
- provide a CI 4.6 written variation to the minimum car parking standard of the Housing SEPP, noting that Council generally supports fewer car spaces
- redesign the basement car parking layout so that two tandem or stacked car spaces are not allocated to two bedroom, one bedroom or studio apartments, and reduce the driveway width to comply with the DCP controls

- provide a Traffic Management Strategy to address the traffic management at the car lift entry and waiting bay operation
 - minor amendments to the waste storage areas to achieve compliance with Council's Waste Management Guidelines, and clarify waste service arrangements
 - minor amendments to the submitted Flood Report, and consider incorporating a driveway layback to the vehicle entrance to achieve a higher FFL to address flood levels
 - amend the roof terrace landscaping to provide adequate canopy trees, clarify how the elevated planters will be maintained, and amend the submitted Wind Report to provide a quantitative analysis based on testing, and incorporate the recommendations of the Wind Report into the architectural plans
 - provide a pruning schedule to illustrate the extent of pruning required to the street tree on Kippax Street to facilitate the proposed awning above the building entrance
13. The applicant responded to the request on 2 February 2026, and submitted revised architectural and landscaping plans, a CI4.6 written variation to the minimum car parking space standard of the Housing SEPP, a Structural Report, and updated consultant reports including updated Flood Report, updated Waste Management Plan, Wind Report, and updated Traffic Report. The submitted amendments and additional information generally address Council's concerns. The following amendments to the design were made:
- retention of the return wall to Sophia Street, and a façade indentation has been provided along with a reduction of height of the brick podium to provide a clearer visual separation between the retained and new portions of the building
 - the concrete finish to the base facade on the corner of Kippax Street and Waterloo Street has been revised to be brick base to better tie in with adjacent brick podiums, and the height of the brick podium on Kippax Street has been increased to reduce the horizontal shadow line
 - amendments to the configuration of apartments to improve the proportion of apartments that receive natural cross-ventilation and reconfigure Unit 101 to delete the snorkel bedroom
 - redistribution of affordable housing units to provide units with improved amenity
 - reconfiguration of the basement car spaces to delete the tandem car spaces and replace them with double stacker parking spaces
 - minor reconfiguration to the waste storage areas
 - revised landscape design to the roof terrace, including six canopy trees

Proposed Development

14. The application seeks consent for the substantial demolition of the existing building and construction of an 8-storey mixed-use development comprising retail tenancies on the lower levels, basement carparking, 42 residential apartments with affordable housing units and associated rooftop common open space and landscaping. The proposed development consists of:

Basement Level

- 18 car spaces including two accessible spaces, seven double stackers, and a car lift to Sophia Street

Lower Ground Level

- Two separate retail tenancies (one fronting Sophia Street and one fronting Kippax Street)
- Residential and commercial waste storage areas, building services, and 42 bike parking spaces
- Loading dock with vehicle access from Sophia Street

Ground Level

- One retail tenancy, with entrances from Waterloo Street
- Main residential lobby to Kippax Street

Level 1

- Three residential apartments comprising 1 x one bedroom unit, and 2 x two bedroom units

Level 2

- Eight residential apartments comprising 3 x studio apartments, 3 x one bedroom units and 2 x two bedroom units

Level 3

- Eight residential apartments comprising 3 x studio apartments, 3 x one bedroom units and 2 x two bedroom units

Level 4

- Seven residential apartments comprising 2 x studio apartments, 3 x one bedroom units and 2 x two bedroom units

Level 5

- Six residential apartments comprising 1 x studio apartment, 2 x one bedroom units and 3 x two bedroom units

Level 6

- Six residential apartments comprising 1 x studio apartment, 3 x one bedroom units, 1 x two bedroom unit and 1 x three bedroom units

Level 7

- Four residential apartments comprising 1 x two bedroom unit and 3 x three bedroom units

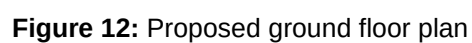
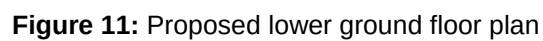
Rooftop Level

- Outdoor communal open space with associated landscaping
- Rooftop mechanical plant

15. Plans and elevations of the proposed development are provided below.



Figure 10: Proposed basement floor plan



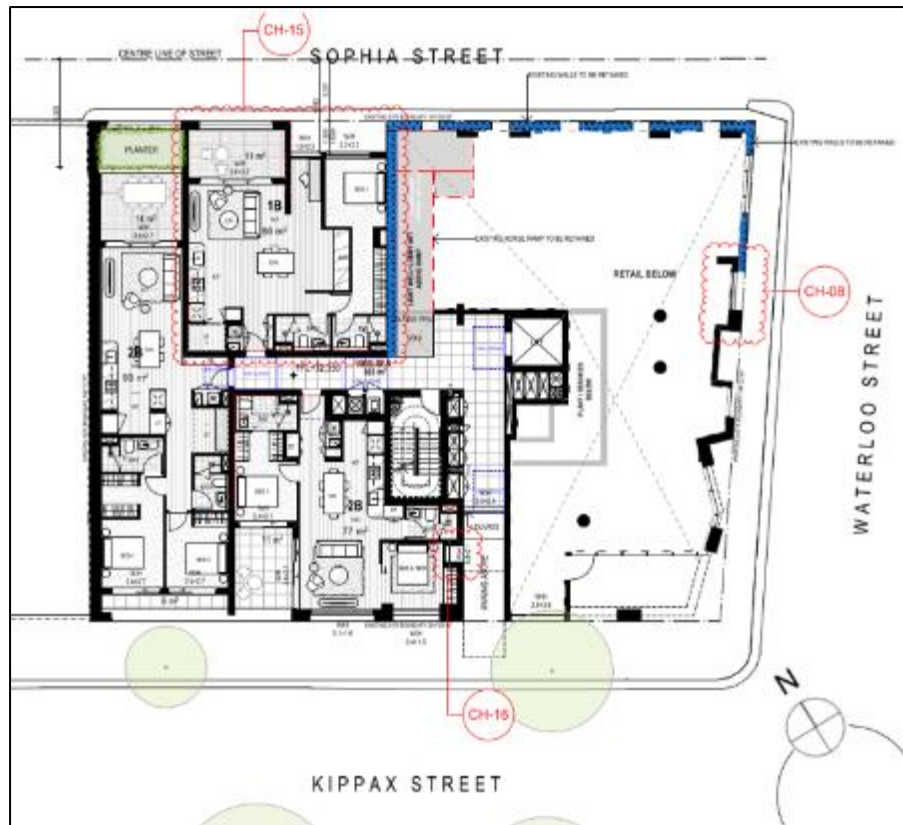


Figure 13: Proposed Level 1 floor plan

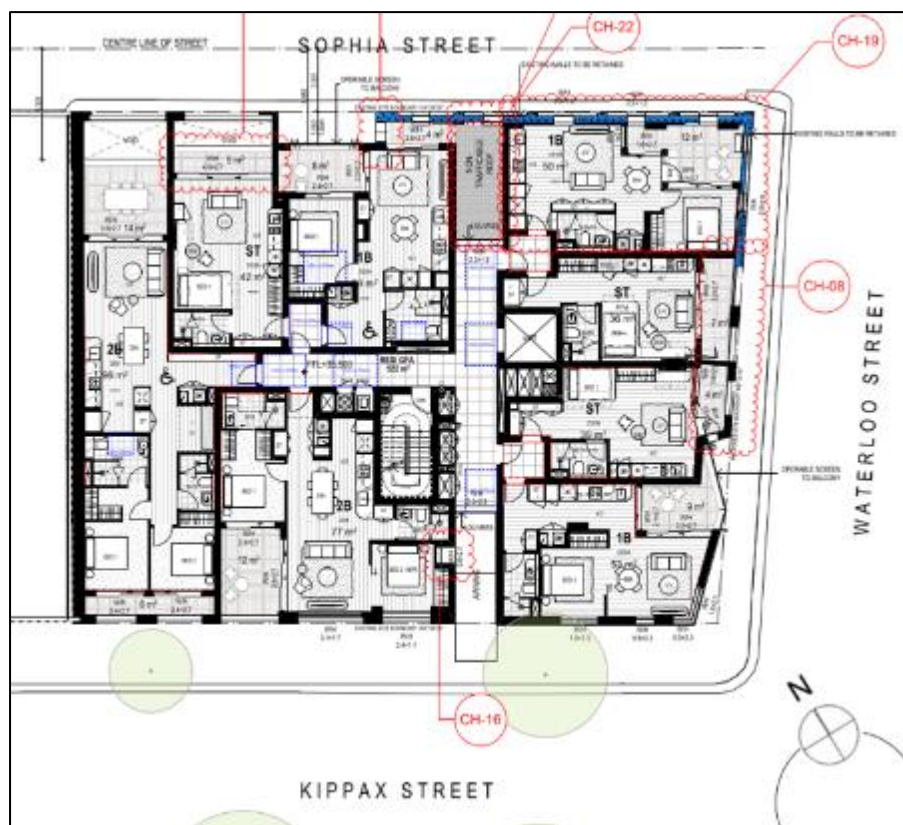


Figure 14: Proposed Level 2 floor plan

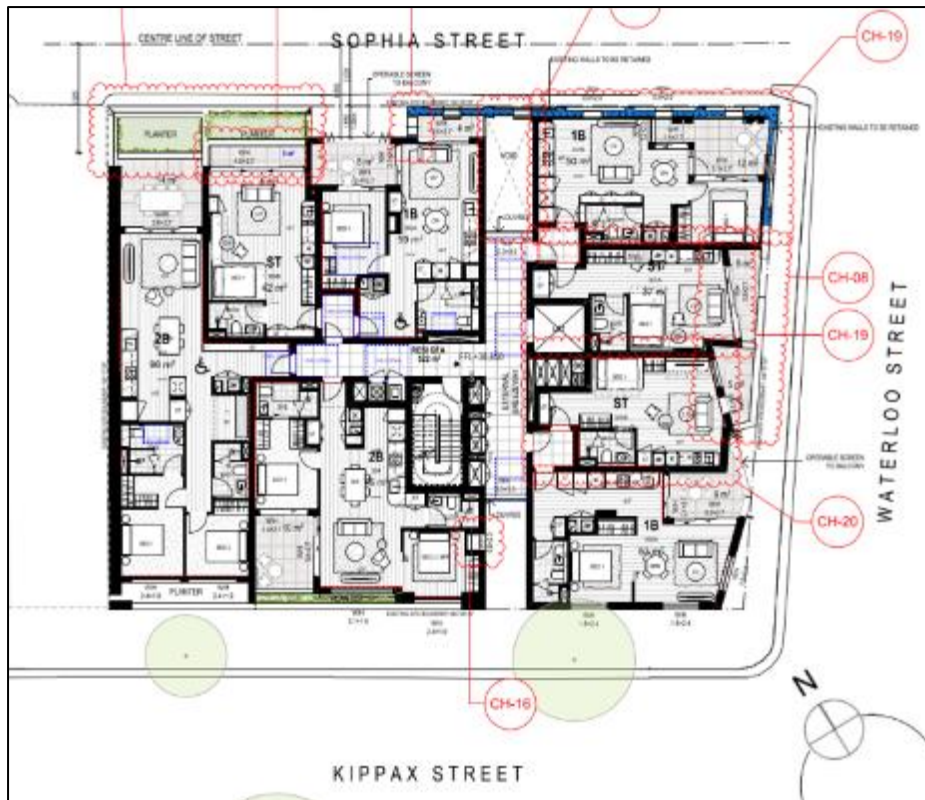


Figure 15: Proposed Level 3 floor plan



Figure 16: Proposed Level 4 floor plan

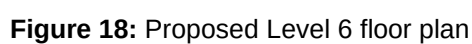
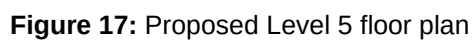




Figure 19: Proposed Level 7 floor plan

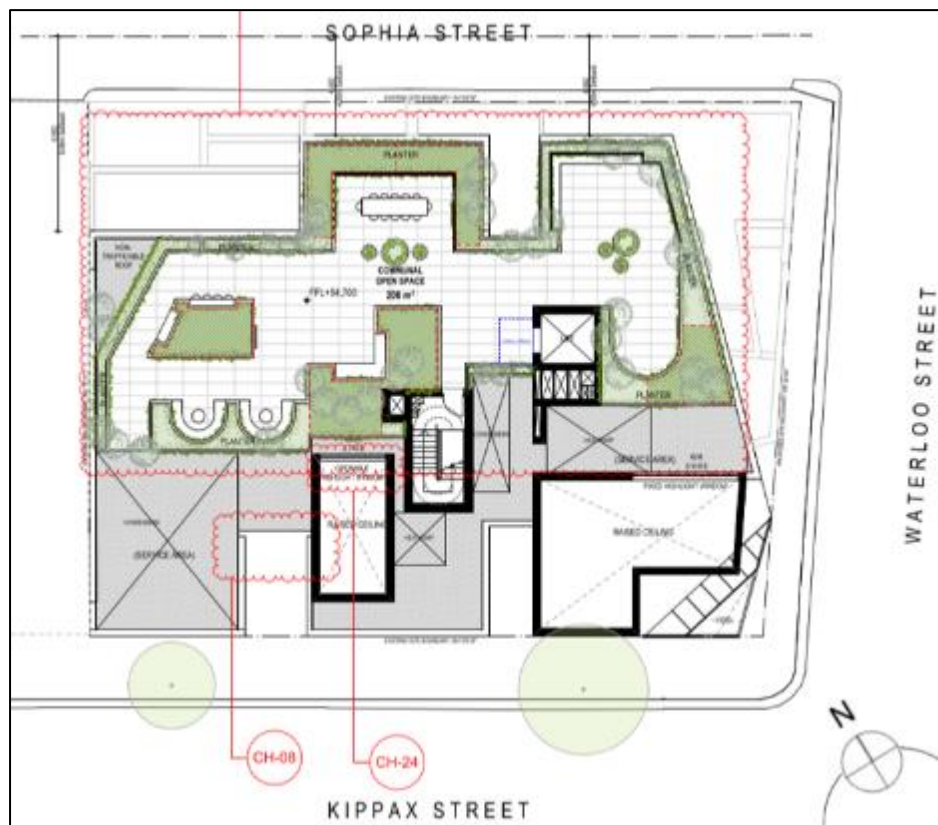


Figure 20: Proposed Roof Terrace floor plan



Figure 21: Proposed south (Kippax Street) elevation



Figure 22: Proposed east (Waterloo Street) elevation

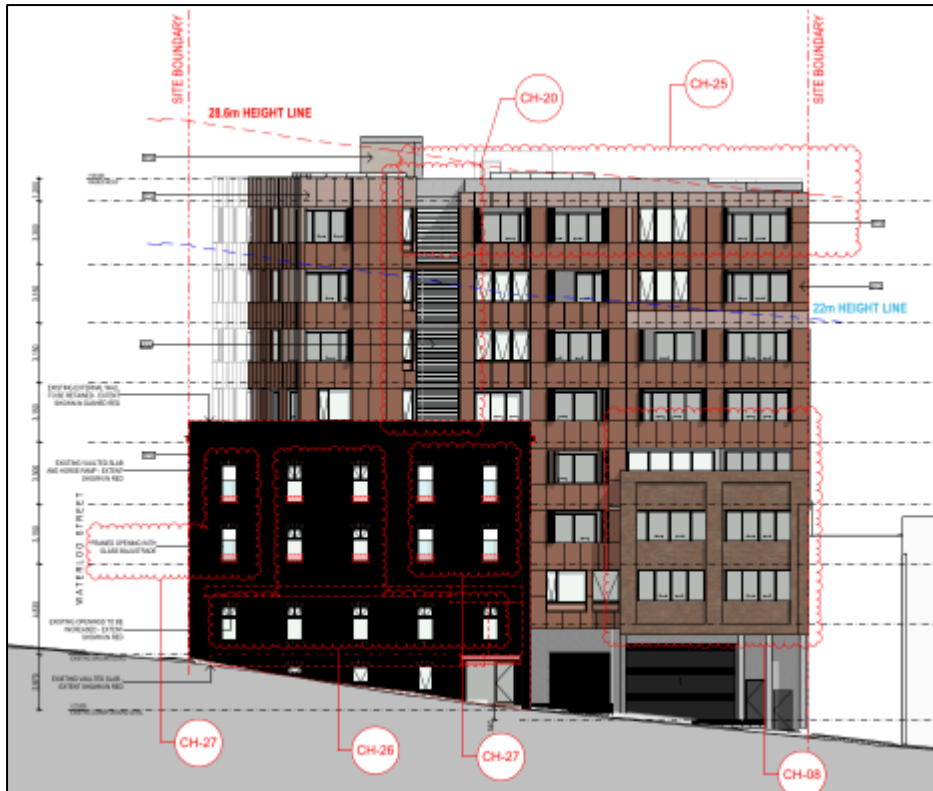


Figure 23: Proposed north (Sophia Street) elevation

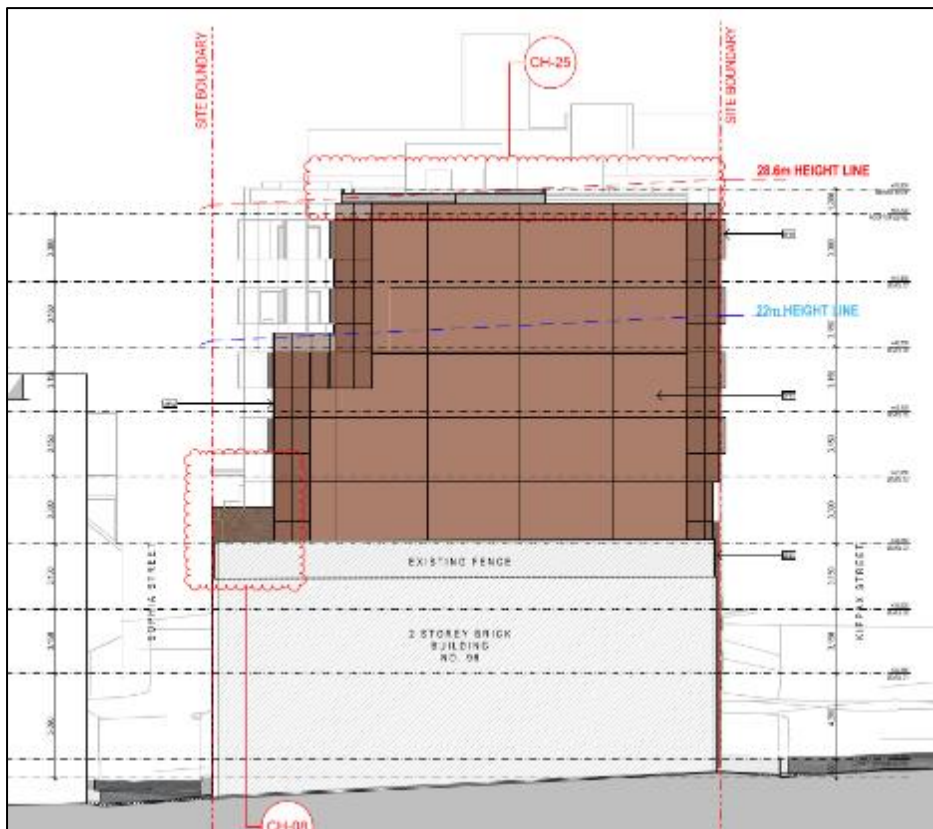


Figure 24: Proposed west elevation

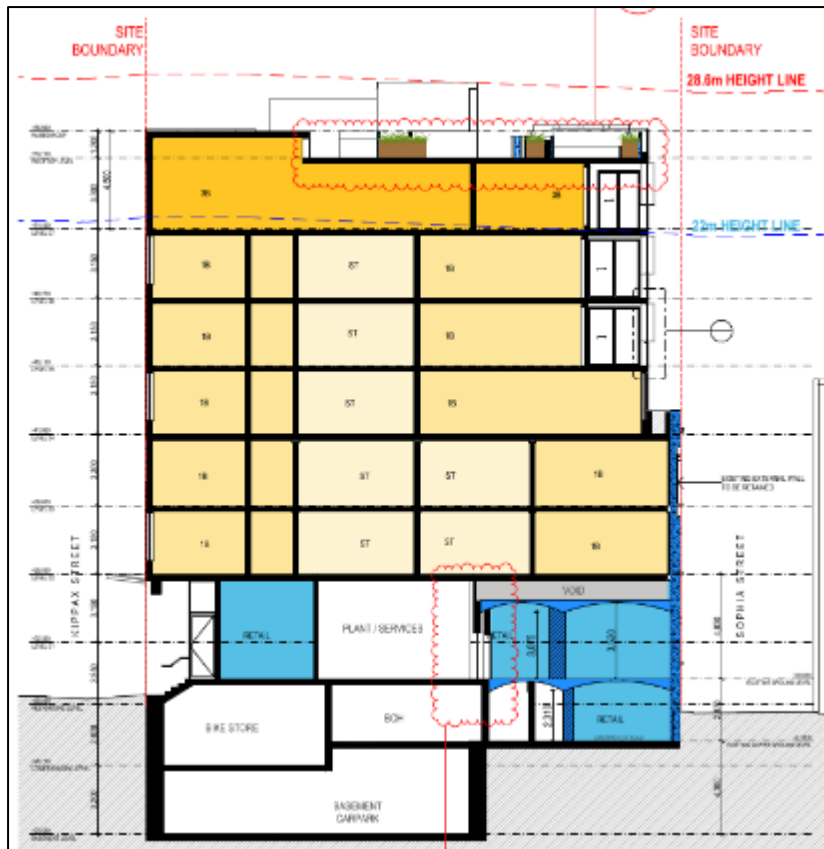


Figure 25: Proposed section plan



Figure 26: 3D perspective of the proposed development looking north from the corner of Kippax Street and Waterloo Street



Figure 27: 3D perspective of the proposed development looking south from the corner of Waterloo Street and Sophia Street

Assessment

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

Water Management Act 2000

17. The subject application has not been nominated as integrated development. The application was referred to WaterNSW, who responded, advising that the proposed development requires separate approval for dewatering under Section 60 of the Water Management Act 2000. Therefore, conditions of consent are recommended to ensure that the relevant dewatering approvals are obtained from WaterNSW prior to construction works commencing.

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. A Preliminary Site Inspection (PSI) Report has been submitted which provides a comprehensive assessment of the site's environmental condition in accordance with the requirements of the SEPP and relevant guidelines, and concludes that the site does not pose an unacceptable risk to human health without further investigations.
34. The Council's Health Unit has reviewed the information provided and is satisfied that the site can be made suitable for the proposed uses subject to recommended conditions of consent.
35. Standard conditions of consent are recommended to mitigate potential risks of contamination as a result of the proposed works, including requiring all imported fill to be validated, and for Council to be notified of any new evidence of contamination during building works.
36. 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 (Housing) 2021

37. The aim of SEPP (Housing) 2021 is to provide a consistent planning regime for the provision and maintenance of affordable rental housing and to facilitate the delivery of new affordable rental housing.
38. 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.
39. 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 in residual lands being land outside of the Central Sydney, Ultimo-Pyrmont, and Green Square areas where an affordable housing contribution also applies.
40. This matter is discussed in further detail under the heading Financial Contributions below.

Chapter 2 Affordable Housing

Part 2 Development for affordable housing

Part 2 Division 1: In-fill affordable housing

41. 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.
42. 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 and height

43. Clause 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 a proportion of the development.

44. 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.
45. The proposed development allocates a total of 10 apartments comprising four apartments on Level 2 (Units 201B, 201A, 205B and 205A), five apartments on Level 3 (Units 301A, 301B, 303, 305A and 305B), and one apartment on Level 4 (Unit 406) as affordable housing, which equates to 575.4 sqm of GFA or 16% of the development.
46. 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%.
47. 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. The practice note also states that affordable housing units should achieve equivalent amenity as the market units in the same development. Out of the 10 affordable housing units, 70% (seven units) achieve compliant solar access, and 50% (five units) achieve compliant cross-ventilation in accordance with the requirements of the Apartment Design Guide (ADG). This is consistent with the proportion of apartments in the development as a whole that achieve solar access and cross-ventilation in accordance with the ADG requirements.
48. The proposed affordable housing is proposed to be operated by EchoRealty which is a Tier 2 Community Housing Provider. A letter from EchoRealty has been submitted to confirm that they have been engaged and agree to manage the affordable housing component for a period of no less than 15 years in accordance with Clause 21 of the SEPP. A condition of consent is recommended to require a restriction, under s88 E of the Conveyancing Act, to be registered on the Title of the building restricting the use of the building consistent with the affordable housing terms under the SEPP for a period of at least 15 years.
49. 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 would be subject to a separate development application.

Clause 19 – Non-discretionary development standards

50. Under Clause 19, compliance with any of the following standards must not be used to refuse consent for in-fill affordable housing. If the following non-discretionary development standards are complied with the consent authority cannot require more onerous standards for the matters.
51. An assessment of the proposal house against each standard is provided in the table below.

Standards that cannot be used to refuse in-fill affordable housing

Provision	Compliance	Comment
Site area A minimum site area of 450 sqm.	Yes	The site has an area of 788.5 sqm.

Provision	Compliance	Comment
Landscaping A minimum landscaped area that is the lesser of either 35 sqm per dwelling or 30% of the site.	No	While the development provides 129.1 sqm of landscaping within the roof terrace and to private balconies, representing 16.37% of the site area, the definition for landscaped area under the Housing SEPP excludes part of the site that is occupied by a building, and therefore the proposal does not provide any landscaped area as defined by the SEPP. A request to vary the minimum landscaped area development standard in accordance with Clause 4.6 has been submitted and is supported. Refer to "discussion" section for details.
Deep soil A deep soil zone of at least 15% of the site area.	Yes	Not applicable, as Chapter 4 "Design of residential apartment development" applies.
Solar Access at least 3 hours of solar access will be provided between 9.00am and 3.00pm at mid-winter to living rooms and private open space in at least 70% of the dwellings	Yes	Not applicable, as Chapter 4 "Design of residential apartment development" applies.
Parking For dwellings used for affordable housing, the following minimum number of parking spaces is required: 0.4 parking spaces for 1 bedroom units, 0.5 parking spaces for 2 bedroom units, 1 parking space for 3 or more bedroom units, For dwellings not used for affordable housing, the	No	The proposal requires a total of 30 car spaces (4 car spaces for affordable units and 26 car spaces for non-affordable units). 18 car spaces are proposed within the basement level, with 16 of the car spaces being dedicated to the residential component of the development. This represents a shortfall of 46% to the development standard. A request to vary the minimum car parking space development standard in accordance with Clause 4.6 has been submitted and is supported. Refer to "discussion" section for details.

Provision	Compliance	Comment
following minimum number of parking spaces is required: • 0.5 parking spaces for 1 bedroom units, • 1 parking space for 2 bedroom units, • 1.5 parking spaces for 3 or more bedroom units		
Minimum internal area The minimum internal area as specified in the Apartment Design Guide	Yes	The development complies with the minimum internal area requirements for residential apartment development in the ADG. See below ADG compliance table.

Chapter 4 - Design of Residential Apartment Development

52. The aim of Chapter 4 is to improve the design quality of residential apartment development in New South Wales.
53. 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.
54. The applicant has submitted a design verification statement and design report prepared by Nicholas Byrne of DKO Architects, registration number: 7806 (NSW), with the application, addressing the design quality principles and the objectives of parts 3 and 4 of the Apartment Design Guide. The statement is deemed to satisfy Clause 29 of the Environmental Planning and Assessment Regulation 2021.
55. 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 Surry Hills Central locality. In considering the context and neighbourhood character the current need for additional housing, in particular affordable housing, is relevant to context, not just within Surry Hills but more broadly. The development is largely consistent with the scale of immediately surrounding six to eight storey residential and commercial 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 and modulation of the new building seeks to maximise internal amenity while responding to various constraints of the site, including the retention of part of the original stable building on the corner of Waterloo Street and Sophia Street.

(c) Principle 3: Density

The proposed development provides additional diverse and affordable housing options within the locality and is generally consistent with density permitted by the relevant development controls for the site. The dwelling mix provides housing options, including one, two and three bedroom apartments.

Notwithstanding the increased density, the proposed development achieves reasonable amenity and is further maximised through the provision of shared communal facilities and open space.

(d) Principle 4: Sustainability

The proposed development provides adequate internal residential amenity. Natural cross ventilation has been maximised where possible whilst natural ventilation has been achieved to all apartments. A central breezeway is provided to the upper residential levels to provide additional natural ventilation opportunities where strict cross-ventilation cannot be achieved.

The orientation of the upper levels has been designed to maximise solar access to habitable rooms and private balconies of the apartments.

The partial retention of the fabric of the original stables building provides opportunities for adaptive reuse which is central to sustainable design.

(e) Principle 5: Landscape

Opportunities for meaningful landscaping are constrained by site conditions and retention of existing structures, which limit the potential for deep soil zones and ground level planting.

Notwithstanding these limitations, the proposal provides sufficient planting on structures, including rooftop landscaping and canopy trees which contribute to urban greening, offering an improvement over the existing development on the site which provides no landscaping.

(f) Principle 6: Amenity

The proposed development provides diverse apartments typologies. The internal layouts have been designed to provide flexibility and maximise amenity having regard to the retention of original fabric of the existing stables building.

The proposed development achieves reasonable levels of residential amenity, having regard to the design guidance in the ADG and considerations for Affordable Housing in the SEPP, and is further maximised through the provision of shared rooftop communal facilities and open space.

(g) Principle 7: Safety

The development has been designed to appropriately separate residential and commercial uses. The proposed development minimises the opportunity for crime through principles of passive surveillance and active retail frontages at ground level.

Private open space, living areas and retail frontages are generally located at ground level. Separate retail and residential entrances are provided and are clearly identified along the building frontages. All apartments have secure lift access.

(h) Principle 8: Housing Diversity and Social Interaction

The development includes a mix of one, two and three bedroom apartments, and 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 external appearance of the building is largely informed by the retention of original fabric of the stables building, and as a result, presents two distinct architectural forms with varying scales and heights, resulting in a visually engaging facade that offers interest and balances retention of original fabric with residential amenity.

56. 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.

3D Communal and Public Open Space	Consistency	Comment
Communal open space has a minimum area equal to 25% of the site.	Yes	The proposal provides 274.5 sqm of communal open space on the roof, which equates to 34.8% of the site area and complies.
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two (2) hours between 9am and 3pm on 21 June (midwinter).	Yes	The development achieves over 2 hours of direct sunlight to at least 50% of the usable areas of communal open space on 21 June and complies.

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 3m	No	The proposed development and existing buildings provide near full site coverage. The proposal retains part of the existing stables building and the new building occupies the entire site and therefore no deep soil zones are provided. It is noted that due to the location of the retained portion of the stables building in the north-eastern portion of the site, and required service vehicle access from the northern Sophia Street frontage, any deep soil zone would likely be required to be located in the southern portion of the site and would not be subject of adequate sunlight to facilitate new tree growth, as the deep soil zone would be entirely overshadowed by the new building envelope. To offset the lack of ground level deep soil area, sufficient landscaping and canopy trees are proposed to the communal roof terrace area, which is considered an acceptable outcome as it meets the objective of this section of the ADG, which is "allow for and support healthy plant growth" and improve residential amenity.

3F Visual Privacy	Consistency	Comment
Up to 4 storeys (12 metres): 6m between habitable rooms / balconies 3m between non-habitable rooms 5 to 8 storeys (25 metres): 9m between habitable rooms / balconies 4.5m between non-habitable rooms	Partial	The residential component of the development is up to eight storeys and provides separation distances between 3-9m to the centre of Sophia Street, between 6-12m to the centre of Waterloo Street, and approximately 8m to the centre of Kippax Street. Measures to mitigate visual privacy impacts have been incorporated into the design of the new building. Refer to "discussion" section of this report, for detailed assessment of visual privacy impacts and separation distance.

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.	Yes	Apartment configuration provides appropriate separation between private habitable rooms and circulation spaces. Only secondary recessed windows to bedrooms are located within the external area of the upper level breezeway in the southern portion of the building, and these windows do not directly face the circulation corridors of the breezeway.

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.	Yes	30 of 42 (71.4%) of apartments achieve the minimum 2 hours' direct sunlight at midwinter to living rooms and private open spaces.
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	Yes	6 of 42 (14.3%) apartments receive no direct sunlight at mid-winter.

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	Only 21 of 42 (50%) apartments are naturally cross-ventilated. It is noted that the layout and location of dual aspect apartments is somewhat constrained by the retention of part of the stables building on the lower three storeys. The north-south breezeway on the upper levels provides additional natural ventilation to some of the single aspect apartments as a resilience measure to improve the residential amenity. Refer to "discussion" section of this report for detailed assessment of the residential amenity.

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.	Yes	No dual aspect apartment exceeds 18m in depth.

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m Non-habitable rooms: 2.4m	Yes	A floor-to-floor height of 3.15-3.3m is proposed which can accommodate a floor to ceiling height of 2.7m.
If located in mixed use areas – 3.3m for ground and first floor to promote future flexibility of use.	Partial	The site is zoned MU1 Mixed-Use. A floor-to-floor height of 3m is provided for the ground floor retail space, and 3.52m for the first floor retail space within the stables building. The ground floor ceiling height is considered acceptable as it is informed by the retention of the existing slab and arched vaults of the stables building. The retail tenancy fronting Kippax Street has a floor to ceiling height of approximately 4.5m.

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.	Yes	All apartment sizes are compliant with the minimum unit size requirements of the ADG.

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.	Yes	All habitable rooms are naturally ventilated.
Habitable room depths are to be no more than 2.5 x the ceiling height.	Yes	All habitable rooms other than open plan layouts meet the minimum room depth requirement based on 3.15-3.3m ceiling heights.
8m maximum depth for open plan layouts.	Partial	It is noted that the open plan living/dining/kitchen area of the cross-through apartments (Units 03) on Levels 1-5 (5 apartments total) have depths of approximately 9m. This minor inconsistency with the ADG requirements is considered acceptable as the inconsistency with the ADG requirement is relatively minor, and due to their configuration, the subject apartments receive adequate cross ventilation and solar access and therefore meet the objective of the control which is to provide a high standard of internal amenity.
Minimum area for bedrooms (excluding wardrobes): • master bedroom: 10sqm • all other bedrooms: 9sqm Minimum dimension of any bedroom is 3m (excluding wardrobes).	Yes	All bedrooms are compliant with the minimum room size and minimum dimension requirements.
Living and living/dining rooms minimum widths:	Yes	All living room and dining room areas are compliant with the minimum room width requirements.

4D Apartment Size and Layout	Consistency	Comment
- Studio and one-bedroom: 3.6m 2-bedroom or more: 4m		
4m minimum width for cross over and cross through apartments.	Yes	All dual aspect apartments have minimum widths greater than 4m.

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.	Yes	All apartments comply with the minimum balcony size requirements in terms of overall area and depths.

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is 8.	Yes	No more than eight apartments are provided at each level, served by the central circulation core.
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	Yes	Appropriate separation is generally provided between bedroom and living room windows and common circulation areas. While Unit 04 on each level features bedroom windows that face the external

4F Common Circulation and Spaces	Consistency	Comment
rooms should be carefully controlled.		breezeway, these windows are secondary windows and are offset from the internal breezeway circulation corridor, and are recessed. As such, they are provided as a resilience measure to provide additional natural ventilation to these apartments which are single aspect, and are operable to mitigate any noise or visual privacy impacts.
Daylight and natural ventilation are provided to all common circulation spaces.	Yes	Operable louvers are provided to the northern and southern ends of the breezeway circulation corridors to allow for natural light and ventilation.

4G Storage	Consistency	Comment
Minimum storage provision facilities: • Studio: 4m³ • 1 bed: 6m³ • 2 bed: 8m³ • 3 bed: 10m³ (Minimum 50% storage area located within unit)	Yes	Adequate storage space is provided in each apartment, in addition to extra storage cages being provided within the basement car parking area.

4J Noise and Pollution	Consistency	Comment
Have noise and pollution been adequately considered and addressed through careful siting and layout of buildings?	Yes	The site is not located on a noisy road and is not significantly affected by vehicle noise and pollution. An acoustic report submitted with the application concludes that internal noise levels can be met provided acoustic treatment is provided to windows. This treatment forms part of the recommended conditions of consent.

State Environmental Planning Policy (Sustainable Buildings) 2022

57. 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 2 Standards for residential development - BASIX

58. A NatHERS Certificate (HR-RJXLEH-02) and BASIX Certificate have been submitted with the development application (1805542M_02).
59. The BASIX and NatHERS certificates lists measures to satisfy BASIX and energy efficiency requirements which have been incorporated into the proposal. The final set of architectural plans has also been stamped by the NatHERS assessor and achieves a 7.5 thermal performance star rating. A condition of consent is recommended ensuring the measures detailed in the BASIX certificate are implemented.

Chapter 3 Standards for non-residential development

60. 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

61. 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.

62. With regard to the above matters 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. This includes the retention of existing fabric and structures, and the installation of energy efficient appliances.

63. 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.

State Environmental Planning Policy (Transport and Infrastructure) 2021

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

Division 5, Subdivision 2: Development likely to affect an electricity transmission or distribution network

Clause 2.48 Determination of development applications – other development

65. The application is subject to Clause 2.48 of the SEPP as the development will be carried out within 5m of an exposed overhead electricity power line.

66. As such, the application was referred to Ausgrid for a period of 21 days and a response was received, which noted that further detailed design information would be required to install a substation to service the site. The proposal includes spatial provision for a chamber substation fronting Kippax Street. Separate approval from Ausgrid will be required for any new substation prior to issue of a construction certificate.

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

67. The site 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.

68. The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SEPP are not applicable to the proposed development.
69. The proposal is not anticipated to have any adverse impacts on stormwater quality and runoff from the site, subject to appropriate conditions of consent for erosion and sediment control measures to be implemented during building works, and for the stormwater drainage system to be designed in accordance with Council's Stormwater Drainage Manual.

Local Environmental Plans

Sydney Local Environmental Plan 2012

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the MU1 Mixed Use zone. The proposed development is defined as a mixed-use development comprising a "residential flat building" and "retail premises" and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	No	A maximum building height of 22m plus an additional 30% for the purposes of affordable housing under CI 16(3) of the SEPP (Housing) 2021 (28.6m) is permitted. A maximum height of 29.14m is proposed to the top of the lift overrun. The proposed development does not comply with the maximum height of buildings development standard. A request to vary the height of buildings development standard in accordance with Clause 4.6 has been submitted. See further details in the 'Discussion' section below.

Provision	Compliance	Comment
4.4 Floor space ratio	Yes	A maximum floor space ratio of 3.5:1 plus an additional 30% for the purposes of affordable housing under Cl 16 of the SEPP (Housing) 2021 (4.55:1 or 3587.5 sqm) is permitted. A floor space ratio of 4.55:1 or 3580.1 sqm is proposed. The proposed development complies with the maximum floor space ratio development standard.
4.6 Exceptions to development standards	Yes	The proposed development seeks to vary the development standard prescribed under Clause 4.3 "Height of Buildings", and Clause 19(2)(b)(e) & (f) of the SEPP (Housing) 2021. A Clause 4.6 variation request has been submitted with the application. See further details in the 'Discussion' section below.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is not identified as a heritage item and is not located within a heritage conservation area. However, the proposal involves demolishing existing warehouse buildings older than 50 years, and retaining fabric and features of an original stables building associated with the "Former Schweppes Building" which is identified as a local heritage item (I1550), located at No.65-67 Foveaux Street. See further details in the 'Discussion' section below.
5.21 Flood planning	Yes	The site is identified as being subject to 1% Annual Exceedance Probability (AEP) flooding. The application proposes development at or below the flood planning level. A flood report accompanies the application demonstrating that the development is able to comply with the City's Interim

Provision	Compliance	Comment
		Floodplain Management Policy, satisfies the provisions of the standard and suitably address flood risk and mitigation for the site. Whilst it is recommended that the loading entrance to Sophia Street be raised to 300mm above the adjacent gutter (RL27.25), given the constraints of the site and required gradient for the loading dock ramp, the proposed entrance level being 210mm above the gutter is considered acceptable by Council's Public Domain team, subject to a recommended condition of consent requiring design verification for the entrance levels of the proposal prior to issue of a construction certificate. Pursuant to CI 5.21 of the LEP, the proposal will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood and incorporates appropriate measures to manage risk to life in the event of a flood.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 Design excellence	Yes	Under cl 6.21D a competitive design process is required as the proposal exceeds 25m in height and is located outside Central Sydney. The applicant has requested that the consent authority waive the requirement for a competitive design process on the grounds that this would be unreasonable or unnecessary in the circumstances. Under the circumstances, this request is supported, for the following reasons: Due to the sloping topography of the site, the proposal has a

Provision	Compliance	Comment
		maximum height of 29.14m for the lift overrun, and only the roof terrace and part of Level 7 exceed 25m in height. • The proposal is of an appropriate massing and form, responds to the constraints and conditions of the site, and provides a high level of architectural detailing whilst providing a suitable level of amenity to future occupants. • A competitive design process in this instance is not considered to add any significant value to understanding the site constraints or informing a suitable building envelope and is therefore considered unnecessary. Furthermore, The City has noted that it is unreasonable or unnecessary for developments such as this to be subject to the creation of a site specific DCP or a competitive design process, and as such an amendment to the relevant Clauses of the LEP has been endorsed by Council. This amendment involves the relevant development trigger, being development in respect of a building that had a height above ground level of 25 metres on any other land, is to be amended to 35 metres per the Policy and Housekeeping Amendments 2023 (PP-2024-709) which received Gateway approval in October 2024, pending Gazettal. 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 proposal has been designed around the retention of part of the original stables building (external façade, vaulted arches, horse ramp and floor slabs) in the north-east portion of the

Provision	Compliance	Comment
		site, and responds to the site constraints while providing an appropriate form and massing with a high level of architectural design and detailing, that is considered to provide sufficient amenity to the proposed residential apartments whilst adequately mitigating any adverse impacts to the surrounding properties. The development achieves the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.7 Retail premises	Yes	A maximum of two car spaces is permitted for the retail component of the development. The car parking requirements under the SEPP (Housing) 2021 prevail over the SLEP regarding car spaces for residential apartments. The proposal provides a total of 18 car spaces within the basement level, with two of those car spaces being dedicated to the retail uses. Refer to "discussion" section for detailed assessment against the car parking requirements under Section 19(2)(e)&(f) of the SEPP (Housing) 2021.
Division 3 Affordable housing		
7.13 Contribution for affordable housing	Yes	The site is identified as being on 'residual lands' under this clause. Clause 7.13(1) of the LEP advises that where there is a change of use of

Provision	Compliance	Comment
		existing floor area from other than residential accommodation to residential accommodation, or for alterations and additions to an existing building that result in the creation of more than 200 sqm of GFA for residential accommodation, a contribution is required to be made for the purpose of affordable housing. The proposal involves the creation of over 200 sqm of GFA for the purpose of residential accommodation. As such, a contribution is required under this clause. See "financial contributions" section of this report below for details as to how the contribution is calculated.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The site is located on land with class 5 Acid Sulfate Soils. The submitted Geotechnical Report identifies that there is an extremely low probability of ASS occurrence on the site, and that proposed development would not result in lowering of groundwater levels. Therefore, the proposed works do not require the preparation of an Acid Sulfate Soils Management Plan.
7.20 Development requiring or authorising preparation of a development control plan	Yes	As the proposal results in a building that exceeds 25m in height and is located outside Central Sydney, a site specific development control plan is required under the control. In this instance the preparation of a site specific development control plan is considered unreasonable and unnecessary in the circumstances. Refer to assessment against CI 6.21 of the SLEP above.

Provision	Compliance	Comment
7.26 Public art	Yes	Refer to Section 3.1 of the SDCP compliance table below.

Development Control Plans

Sydney Development Control Plan 2012

71. 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

72. The site is located within the Surry Hills Central locality. The proposed development is in keeping with the unique character and the design principles of the Surry Hills Central locality. The proposed development reinforces the distinct retail character along Kippax Street, by continuing to provide ground level retail tenancies with active frontages, and the retention of part of the original stables building on-site assists in retaining the warehouse style character along Kippax and Foveaux Streets.

Section 3 – General Provisions

Provision	Compliance	Comment
3.1 Public Domain Elements	Yes	<i>Public Art:</i> As the estimated cost of works exceeds \$10 million, public art is required to be provided in accordance with the City of Sydney Guidelines for Public Art in Private Development and the Public Art Policy. A Preliminary Public Art Plan prepared by Artscape has been submitted and identifies opportunities for public art on the Kippax Street and Waterloo Street facades of the new building, as well as the prominent retail entrance at the corner of Kippax and Waterloo Streets. The potential public art opportunities include integrated artwork into the metal panelling of the façade of the new building, bas relief designs into concrete surfaces, and applying sculptural elements. The preliminary public art plan is supported by Council's Public Art team subject to appropriate conditions requiring a detailed public art plan be submitted to and approved by Council

Provision	Compliance	Comment
		prior to issue of a construction certificate.
3.2. Defining the Public Domain	Partial compliance	The Kippax Street frontage of the site is identified as requiring an active frontage under the DCP controls. The proposal provides active retail uses to all three street frontages with sperate entrances from Kippax St, Waterloo St and Sophia St. A separate entry lobby to the residential portion of the development is provided to Kippax Street. An awning is proposed above the residential lobby, however the awning is not supported, as it is located too high above the entrance to provide adequate weather protection, would require substantial pruning of the nearby street tree, and does not comply with the DCP controls. Refer to "discussion" section of this report. The proposal is supported by Council's Public Domain team subject to recommended conditions of consent to ensure the public domain is appropriately protected and upgraded in accordance with Council's Public Domain Policies and technical specifications, to improve pedestrian and public access and remove hazards.
3.3 Design Excellence and Competitive Design Processes	Yes	Under clause 6.21D of the SLEP a competitive design process is required as the proposal exceeds 25m in height and is located outside Central Sydney. The applicant has requested that Council waive the requirement for a competitive design process, and this waiver is supported on the grounds that this would be unreasonable or unnecessary in the circumstances. Refer to assessment against Cl 6.21 of the SLEP in the SLEP compliance table above.
3.5 Urban Ecology	No	Substantial pruning of a street tree along Kippax Street is required to facilitate a proposed awning above the entrance to the residential lobby to Kippax Street.

Provision	Compliance	Comment
		Council's Tree Management team do not support the extent of tree pruning that would be required to facilitate an awning above the Kippax Street lobby entrance at a sufficient height above the footpath. Refer to "discussion" section of this report. Appropriate conditions of consent are recommended to ensure the protection and retention of the existing street trees along the Kippax Street frontage from any adverse impacts as a result of construction activities.
3.6 Ecologically Sustainable Development	Yes	A BASIX and NatHERS certificates, NABERS Embodied Emissions Materials, and Section J Report have been submitted as part of the application to demonstrate compliance with the relevant energy performance requirements of BASIX and the National Construction Code under Section J. The proposal satisfies BASIX and environmental requirements of the SEPP (Sustainable Buildings), as well as the DCP controls. In addition, the proposal includes several positive measures relating to sustainability, including the retention of existing structures, and the installation of energy efficient appliances. Council's Environmental Projects team supports the proposal, noting that the development represents a positive outcome with respect to embodied emissions. Consent conditions are recommended to ensure that the development incorporates energy and water efficient appliances, and for the final architectural drawings to be stamped by the NatHERS assessor to ensure all the stated sustainability commitments are met. Refer to SEPP (Sustainable Buildings) above.
3.7 Water and Flood Management	Yes	The site is identified as being on flood prone land. See discussion under CI 5.21 of the LEP compliance table above.

Provision	Compliance	Comment
3.8 Subdivision, Strata Subdivision and Consolidation	Yes	The proposal does not involve subdivision or site consolidation. A separate application is required for any future strata subdivision of the development.
3.9 Heritage	Yes	The site is not identified as a heritage item and is not located within a heritage conservation area.
3.10 Significant Architectural Building Types	Yes	Although the proposal includes the demolition of warehouse buildings older than 50 years, as the subject buildings are not heritage items on Schedule 5 of the Sydney Local Environmental Plan 2012, draft heritage items or located within a Heritage Conservation Area, the provisions of Section 3.10 of the SDCP do not strictly apply.
3.11 Transport and Parking	Partial compliance	<i>Bike parking</i> The DCP requires a minimum of 46 bike spaces for the residential component (42 spaces for residents and 4 spaces for visitors), and 7 bike spaces for the retail uses (2 spaces for employees and 5 spaces for customers) for a total of 53 bike spaces to be provided. Personal lockers are required as well as shower and change facilities. A total of 42 bike spaces are provided for the development (35 spaces for the residential component and 7 spaces for the retail component), within a consolidated space on the lower ground floor with adjacent end of trip facilities, accessed internally with lift access, from the loading dock and from the retail tenancy to Sophia Street. Two motorbike spaces are also provided within the basement car parking level and are considered acceptable. The configuration of the bike storage areas suggests that there is sufficient space to accommodate the required additional 11 bike spaces to achieve DCP compliance by converting the designated residential storage spaces into bike spaces. Additional residential

Provision	Compliance	Comment
		storage spaces are provided in the basement level which satisfy the ADG requirements for residential storage. Given that the storage spaces on the lower ground floor are in excess of what's required by the ADG, a consent condition is recommended for the lower ground storage to be converted into bike spaces. <i>Car parking and loading</i> It is noted that the DCP requires that stacked car spaces are attached to the same strata title and that there are more stackers (14 car spaces) than three-bedroom apartments. Generally allocating more than one car space to any single or two bedroom apartment is not supported. However, detailed sections have been submitted to demonstrate that each stacker car space can be accessed individually, and therefore more than one apartment can use each stacker. The proposed development provides a loading dock with access from Sophia Street, able to accommodate a Small Rigid Service vehicle (SRV) to service the retail portion of the development. Council's Transport and Access team support the proposed development subject to recommended conditions to manage the operation of the loading dock and car lift, including requiring traffic signals to be installed, a Loading Dock Management Plan to be submitted and approved by Council prior to issue of an occupation certificate.
3.12 Accessible Design	Yes	Accessible design requirements must be complied with at the certification stages. An Access Report prepared by Vista Access Architects has been submitted to demonstrate that the proposal can comply with the accessibility requirements of the Disability Discrimination Act 1992 (DDA), National Construction Code, and Australian Standards.

Provision	Compliance	Comment
		Appropriate accessible facilities are provided within the development including accessible car spaces, as well as five adaptable apartments. This satisfactorily addresses this control.
3.13 Social and Environmental Responsibilities	Yes	The proposal includes active retail uses to Kippax Street, Waterloo Street and Sophia Street frontages, which include large glazed entrance doors and shopfront windows to ensure passive surveillance to the street. The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	A Waste Management Plan (WMP) has been submitted in accordance with Council requirements. The proposal includes suitably sized separate waste storage areas for the residential and retail components of the development (including bulky waste storage), within the lower ground floor with direct back of house access to the bin holding area within the loading dock. The proposal has been reviewed by Council's Cleansing and Waste team, who generally support the proposal, noting that the proposed kerbside "wheel-out/wheel-in" collection methodology is considered acceptable given that the proposed bin storage areas and collection point exceeds 10m and onsite waste collection using a standard 10.6m Council truck would require reversing which is considered unsafe and does not meet operational requirements. Consent conditions are recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development. A condition is also recommended for the WMP to be updated to specify a Food Organics (FO) bin on each residential level as required by the <i>Protection of the Environment Legislation Amendment</i>

Provision	Compliance	Comment
		<i>(FOGO Recycling) Act 2025</i> (Part 5A.2, Section 170E).
3.15 Late Night Trading Management	Yes	No proposed trading hours are provided for the retail tenancies. The site is not located within a late-night trading area under the DCP. The DCP permits base indoor trading hours between 7am to 10pm for Category B low impact premises, and between 7am to 12am midnight for Category C (unlicensed retail) premises. As no specific use is proposed for the retail tenancies, a condition of consent is recommended to clarify that consent is not given or implied for the specific use and operation of the retail tenancies, and that separate future development applications or complying development certificates (if applicable) for the fit out and use of the retail tenancies will be required. It is noted that the standard operating hours for a commercial premises under complying development are between 7am to 10pm, Monday to Saturday, and 7am to 8pm on Sunday and public holidays.
3.16 Signage and Advertising	Yes	Signage has not been proposed as part of this application. As the proposal includes three separate commercial tenancies, a condition of consent is recommended to require a signage strategy to be submitted and approved by Council prior to issue of a construction certificate.
3.17 Contamination	Yes	The proposal is not considered to result in any significant risk of contamination subject to appropriate conditions of consent. Refer to above discussion under SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.

Provision	Compliance	Comment
3.18 Acoustic Amenity	Yes	The proposal involves new residential accommodation, and the site is on land identified as "Sensitive receivers - Radius 2" on the Entertainment Sound Management Map. However, the site does not have uninterrupted exposure (direct line of site) to any mapped "existing live music and performance venue", the closest of which are located to the north and north-west along the northern side of Foveaux Street. Therefore, the provisions of this section of the DCP do not apply.

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	No	The site is subject of a six storey building height control. The site is not subject to a street frontage height control. The proposed development is eight storeys in height and does not comply with the height in storeys control. The height of the proposed development is generally consistent with neighbouring multi-storey buildings in the surrounding area, including 8-9 storey commercial and residential flat buildings on the opposite side of Waterloo Street to the south-east, and 7-8 storey mixed-use buildings directly to the west in the same street block and along Kippax Street. The existing mixed-use buildings to the north along Foveaux Street also range from 3-8 storeys. The proposed development also does not give rise to any unreasonable amenity impacts to surrounding

Provision	Compliance	Comment
		properties, as a result of the bulk and scale. The proposal achieves the objectives of the control, which is to reinforce the existing or future neighbourhood character, and within the context of the site the non-compliance with the height in storeys control is therefore considered acceptable. See further details under the 'Discussion' section below, relating to clause 4.6 variation to the LEP height control.
4.2.1.2 Floor to ceiling heights and floor to floor heights	Partial compliance	The proposed development achieves the minimum floor to floor height of 4.5m for the ground level retail tenancies fronting Kippax Street and Waterloo Street. Although the lower ground floor retail tenancy fronting Sophia Street provides a floor to floor of 2.87m, this is a consequence of the sloping topography of the site along the Sophia Street frontage and the retention of the existing slab and floor levels of the existing stables building, and is acceptable. Residential apartments are provided with minimum 3.15m floor to floor heights that will achieve 2.7m ceiling heights in accordance with the ADG and DCP controls. Refer to ADG compliance table under SEPP (Housing) 2021, above.
4.2.2 Building setbacks	Yes	The site is not identified as requiring specific setbacks as shown on the "Building Setbacks and alignment map" under the DCP. The DCP specifies that "(1) where no setback or alignment is shown on the map, the setback and alignment must be consistent with adjoining buildings".

Provision	Compliance	Comment
		The proposed development has a nil setbacks to all street frontages on the lower levels, which is consistent with the existing building on the site and with the existing setback pattern in the immediate surrounding area. The proposed development provides upper level setbacks (Level 4 onwards) to the Waterloo Street and Sophia Street frontages, which is consistent with objective of the control to "(b) Establish the street frontage setback of the upper levels of residential flat buildings".
4.2.3 Amenity		
4.2.3.1 Solar access	Yes	Shadow diagrams submitted with the application have been assessed against and meets the provisions of the ADG regarding achieving adequate solar access to the residential apartments and communal open space area. The proposed development does not result in any unreasonable overshadowing to neighbouring properties, noting that additional overshadowing from the proposal falls onto commercial buildings to the south along Kippax and Waterloo Streets from 9am to 3pm mid-winter. The proposal is acceptable in that adequate solar access and natural light will be provided to the subject site and adjoining sites. Refer to ADG compliance table under SEPP (Housing) 2021, above.
4.2.3.3 Internal common areas	Yes	Corridors and lift lobbies have access to natural daylight via operable glass louvers at the northern and southern ends of the circulation breezeway. The proposal achieves the minimum 2m requirement for corridor widths in front of lifts.

Provision	Compliance	Comment
4.2.3.5 Landscaping	Yes	The proposed development incorporates extensive landscaping to the communal roof terrace, including planters and canopy trees, as well as additional planters to Levels 1, 3 and 4. The landscaping elements of the proposal are generally supported by Council's Landscape team, subject to recommended conditions of consent for the recommendations of the submitted Wind Report to be incorporated into the rooftop landscaping, and additional details of the planters (including maintenance strategy, and structural and waterproofing certification) to be submitted to and approved by the Certifier prior to issue of a construction certificate.
4.2.3.6 Deep Soil	Yes	The deep soil requirements of the SEPP (Housing) 2021 and ADG prevail over the DCP controls. Due to the proposed development and retained structures occupying almost the entire site, there is no opportunity to provide genuine deep soil areas. The proposed development provides adequate canopy trees and landscaping on structures, and is considered acceptable within the context of the site. Refer to ADG compliance table under SEPP (Housing) 2021, above.
4.2.3.7 Private open space and balconies	Yes	All apartments are provided with private open space that meets the minimum requirements of the ADG. The private open spaces are directly accessible from the living areas of the dwellings. Refer to ADG compliance table under SEPP (Housing) 2021, above.
4.2.3.8 Common open space	Yes	A total area of approximately 274.5 sqm (inclusive of landscaping) of communal open space is provided on the Roof Level with a usable area of 205.6 sqm,

Provision	Compliance	Comment
		equating to 34.8% of the site area in accordance with the ADG requirements. The communal open space is orientated to the north to achieve sufficient direct solar access, and addresses visual and acoustic privacy by providing sufficient setbacks from the street frontages. A Wind Report has been submitted to demonstrate that the roof terrace can meet the standing comfort criteria with a combination of wind protection glass screens and landscaping which have been incorporated into the architectural drawings. A condition of consent is recommended to ensure that the recommendations of the Wind Report are implemented for the roof top landscaping. Refer to ADG compliance table under SEPP (Housing) 2021, above.
4.2.3.9 Ventilation	Yes	All apartments are naturally ventilated, and 50% of apartments are cross-ventilated, with a north-south breezeway provided as a resilience measure to provide additional natural ventilation. Refer to ADG compliance table under SEPP (Housing) 2021, above, and "discussion" section below.
4.2.3.10 Outlook	Yes	All apartments are provided with a reasonable outlook. The development is not considered to result in any unreasonable impacts to outlook from any of the neighbouring apartments to the north-east across Sophia Street at No.81 Foveaux Street.
4.2.3.11 Acoustic privacy	Yes	An acoustic report prepared by Pulse White Noise Acoustics has been submitted to demonstrate that the proposed development can achieve compliance with the noise criteria outlined in Section 4.2.3.11 of the DCP,

Provision	Compliance	Comment
		as well as Council's noise policy (NSW EPA Noise Policy for Industry 2017), subject to recommend acoustic treatment to glazing, and external wall specifications. The acoustic report also includes recommendations for the proposed car lift to incorporate vibration isolation to mitigate to potential noise impacts as a result of its operation. Whilst it is noted that the specifications for the rooftop mechanical plant have not been selected, it is noted that based on the proposed location of the mechanical plant area on the roof, potential noise mitigation measures including acoustic screening and treatment can be implemented to achieve compliance with the required noise criteria. It should be noted that any future acoustic screening to the rooftop plant is unlikely to be visible from the public domain or significantly contribute to the bulk and scale of the development. Whilst it is noted that the acoustic report does not include operational details of the use of the communal roof terrace, the DCP controls do not require operation restrictions on the use of communal open space associated with residential flat buildings. It also noted that the operation of the roof terrace will be managed by the Strata Corporation. The acoustic report has been peer reviewed by Council's Environmental Health Officer team, who advised that the noise assessment is generally satisfactory. Standard noise conditions are recommended to ensure compliance with Council's noise policy, and for the recommendations of the acoustic report to be implemented.

Provision	Compliance	Comment
4.2.3.12 Flexible housing and dwelling mix	Partial compliance	The development provides a range of dwelling types, comprising ten x studio apartments (24%), fifteen x 1 bedroom apartments (36%), thirteen x 2 bedroom apartments (31%), and four x 3 bedroom apartments (10%). While the proposal provides a higher proportion of studio and one bedroom apartments than the DCP stipulates, the proposed dwelling mixture is considered acceptable given that a proportion of the apartments are designated as affordable housing units, and the proposal incorporates a number of dual key apartments and five adaptable apartments to facilitate a greater mix and number of affordable housing dwellings.
4.2.4 Fine grain, architectural diversity and articulation	Yes	The development provides appropriate articulation through the use of varying street wall heights to the brick podium, façade indentations, and the use of metal panelling, face brick and concrete to distinguish between the retained portion of the stables building, and the new building. The scale, modulation and façade articulation of the development responds suitably to its context.
4.2.6 Waste and recycling Management	Yes	All apartments have adequate space to manage waste, and residential and commercial waste storage areas are separated. A suitably sized separate bulky waste storage area is also provided. Refer to Section 3.14 above of the DCP compliance table. 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.

Provision	Compliance	Comment
4.2.7 Heating and cooling infrastructure	Yes	The mechanical plant and services are generally located within consolidated areas on the roof terrace level. Standard consent conditions are recommended for the operation of the mechanical plant equipment to comply with the City's Noise Policy.
4.2.8 Letterboxes	Yes	The letterboxes are provided within the residential lobby of the building and a condition has been recommended to ensure that they are installed with non-master key locks for security.
4.2.9 Non-residential development in the B4 Mixed Uses Zone	Yes	The site is located within the MU1 Mixed Use zone, which is equivalent to the former B4 Mixed Use zone. Subject to conditions, the development will not adversely impact the amenity of neighbouring residential properties.

Discussion

Clause 4.6 Request to Vary a Development Standard - Building Height

73. The site is subject to a maximum height control of 28.6m inclusive of 30% bonus to the 22m SLEP height control, for the purpose of affordable housing under the SEPP (Housing) 2021.
74. The proposed development exceeds the height control, with a maximum height of 29.14m above existing ground level to the top of the lift overrun, resulting in a variation of 540mm or 1.9% from the development standard.



Figure 28: 3D perspective of the proposal showing the 28.6m height plane

75. Pursuant to the requirements of Regulation 35B of the Environmental Planning and Assessment Regulation 2021, the application has been accompanied by a document setting out the grounds on which the applicant seeks to demonstrate:
- (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 regulation 35B document

76. The applicant seeks to justify the contravention of the building height 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 proposal meets the objectives of the building height standard in that the only elements proposed above the building height control is the roof area of the lift overrun and stairway. These breaching elements have a substantive setback from all the property boundaries and will not be readily visible from the public domain. The development is surrounded by seven (7) and nine (9) storey forms within the immediate vicinity and it is considered that the proposed eight (8) storey form is consistent with the

height of the surrounding context, and that the minor height breach will not have any impacts on the sharing of views for the surrounding properties.

- (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The development amounts to a minor breach due to the roof area of the lift overrun and stairway provided only for the purpose of access to a communal rooftop area. These elements have a substantive setback from all the property boundaries and will not be readily visible from the public domain. In addition will not result in any adverse environmental amenity impacts.
 - (ii) The proposal is compliant with the FSR development standard, and no portion of the height variation is attributable to gross floor area.
 - (iii) The City of Sydney Council has recently exhibited and then endorsed draft amendments to the SLEP 2012 (Housekeeping Amendment), to permit variations to building height controls where they only relate to granting access to rooftop communal and green spaces. It is anticipated that this draft LEP will be gazetted close to the determination of this application, which is a particular environmental planning ground relevant to the proposal that supports a breach to the standard.
- 77. Precondition to granting consent where a development standard has been contravened Development consent must not be granted unless the consent authority is satisfied that the applicant has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.
- 78. The applicant has demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the standard for the following reasons:
 - (a) The height of the proposal is appropriate within the context of the site and surrounding development (including the eight storey commercial building at No.110-120 Kippax Street directly to the east, and the nine storey mixed-use building at No.14 Waterloo Street directly to the south-east) which generally varies in height between 3-9 storeys as shown in the below figure.

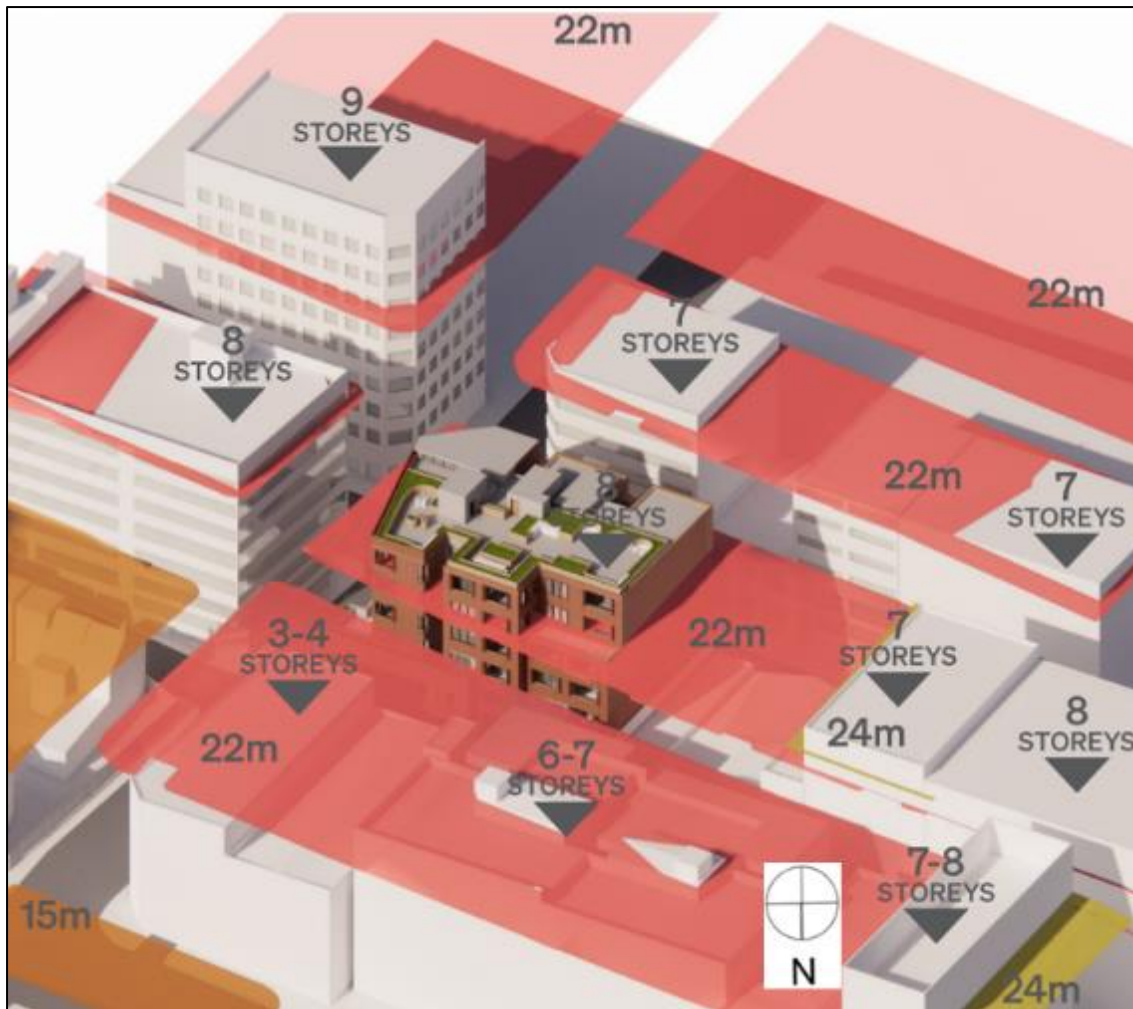


Figure 29: 3D perspective of the proposal showing a comparison with the height of surrounding development

- (b) The proposal does not obstruct any significant views. See below assessment of impact to views and outlook from surrounding properties.
- (c) The extent of the breach to the height control is relatively minor, being limited to the top of the lift overrun and fire stairs which are over the height control by less than 550mm and resulting in a breach of less than 5% to the development standard.
- (d) The portion of the development which breaches the height control does not comprise any gross floor area, will not be visible from the public domain, and does not result in any unreasonable overshadowing or visual privacy impacts to surrounding properties.
- (e) The breaches to the height control are consistent with recent proposed amendments to the SLEP 2012 (Policy and Housekeeping Amendments 2023), which have been endorsed by Council and received Gateway approval in October 2024, pending Gazettal. These amendments include a new clause in the SLEP 2012 to allow structures associated with green roofs and rooftop communal open space to exceed the building height control where these structures provide roof access, thereby removing a disincentive for green roofs.

- (f) The proposal is in keeping with the objectives of the MU1 Mixed Use Zone, as it will provide residential accommodation with ancillary retail uses within an accessible area. The proposal will also provide desired affordable housing to the area.
- (g) The proposal is of an appropriate bulk and scale within the context of the site and surrounding development and complies with maximum permitted FSR for the site.

Conclusion

79. For the reasons provided above the variation to the height of buildings development standard is supported as the applicant has demonstrated the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012.

Clause 4.6 Request to Vary a Development Standard - Minimum Landscaped Area

80. Under Cl 19 (2)(b) of the State Environmental Planning Policy (Housing) 2021, the minimum required landscaped area is 235.66 sqm (30% of the site). The SEPP Housing defines "landscaped area" as *"part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool or open-air recreation facility, but does not include a part used or intended to be used for a driveway or parking area"*.
81. Although the proposal provides 129.1 sqm of landscaping on structures, given that definition for landscaped area under the SEPP Housing excludes the area of the site occupied by a building, none of the proposed landscaping meets the definition of landscaped area, and therefore the proposal provides nil landscaped area, which results in a variation of 100%. The majority of landscaping on site is provided within the rooftop communal terrace with additional planters provided adjacent private balconies on Levels 1, 2, 3 and 4, as shown in the below figures.

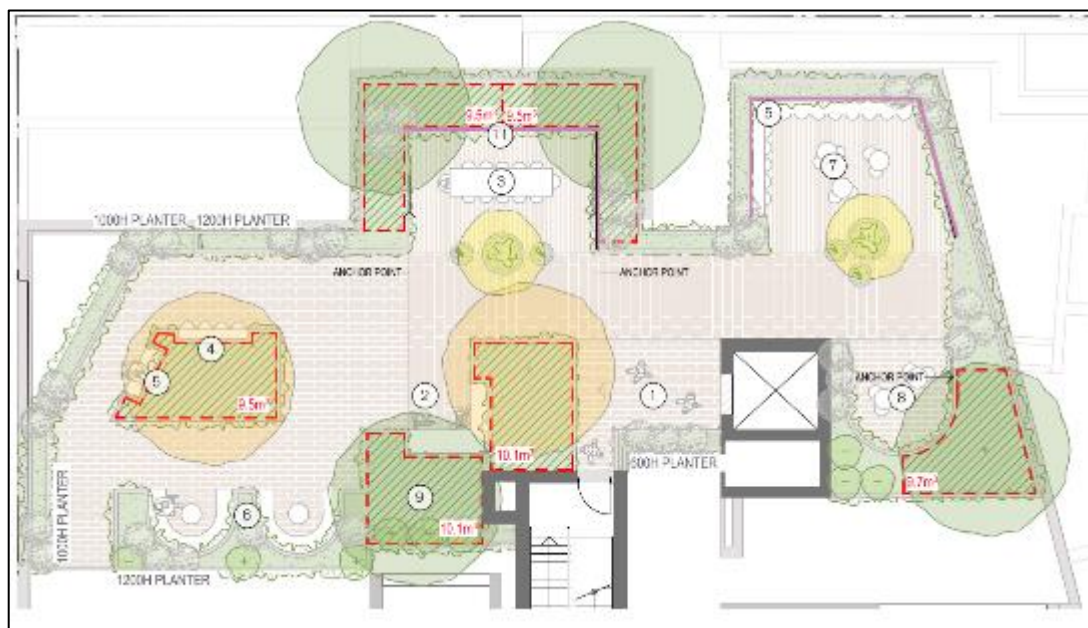


Figure 30: Rooftop landscaping as per the submitted Landscape Plans prepared by DKO Landscape



Figure 31: Proposed landscaping on Levels 1, 2, 3, and 4, as per the submitted Landscape Plans prepared by DKO Landscape

82. Pursuant to the requirements of Regulation 35B of the Environmental Planning and Assessment Regulation 2021, the application has been accompanied by a document setting out the grounds on which the applicant seeks to demonstrate:
- (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 regulation 35B document

83. The applicant seeks to justify the contravention of the minimum landscaped area 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 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 proposed development will facilitate an increase in housing diversity and the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households within the Sydney City local government area. The non-compliance with the landscaped area non-discretionary development standard should not prevent the provision of affordable housing within the area.
 - (ii) Notwithstanding the strict non-compliance with the development standard, the proposal meets the objectives with the MU1 Mixed Use zone in that the retail tenancies would generate employment opportunities and provide active frontages, the scale, use and built form are compatible with both the mixed-use and commercial character of the area, the proposal will support and enhance the viability of nearby centres by delivering additional retail opportunities, increasing local patronage through new housing, and the development integrates complementary land uses in a highly accessible location, maximising public transport patronage and promoting active, sustainable modes of travel.
 - (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) the development provides a total green planting area of 129.1m², amounting to 16.4% of the site area which includes rooftop soft landscaping, and planters on the upper floors which is considered to meet the purpose of landscaping and greenery in a highly dense urban environment. This is consistent with design guidance provided within the ADG regarding deep soil areas, which recognises that strict compliance with the deep soil requirement may not be possible on some sites located in high density areas which have a 100% site coverage and contain non-residential uses on the ground floor, which is how this site is characterised.
 - (ii) The development provides a rooftop communal open space amounting to 274.5m² (amounting to 34.8% of the site) of which 84.5m² is soft landscaping consistent with the communal open space requirements of the ADG.
 - (iii) Given the site's high-density location, and the proposal's aim to retain significant building elements of the existing building, including the stables building, it is not possible to achieve landscaped area not affected by building structures, as the SEPP 'landscaped area' definition requires. Rather, the proposed design has grasses, plants and small trees at all levels of the building, which is a particular environmental planning ground relevant to the site and its high-density location. This also achieves an improved urban heat island reduction than a development that strictly complied with the Housing SEPP definition.

- (iv) Despite the non-compliance with the SEPP landscape area definition, the development is considered to provide a high-quality outcome that will deliver much needed affordable housing for the local area with high quality living environment for residents by maximising solar amenity, visual and acoustic privacy and diverse landscaping features whilst encouraging growth of the local economy with lower ground / ground floor retail uses.
- (v) The alternative soft landscape features contribute to the overall amenity of the building, enhance the landscape setting of the existing site within the streetscape, and contribute to the overall environmental performance of the building from a sustainability perspective.

Precondition to granting consent where a development standard has been contravened

- 84. Development consent must not be granted unless the consent authority is satisfied that the applicant has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.
- 85. The applicant has demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the standard for the following reasons:
 - (a) The proposed development facilitates the delivery of new in-fill affordable housing, in that it provides a total of 10 apartments (equating 16% of the overall GFA of the development) designated as affordable housing, and evidence has been submitted to demonstrate that a registered social housing provider has been engaged to manage the affordable housing component in accordance with the requirements of the SEPP Housing.
 - (b) Within the context of the subject site, it is not considered desirable to provide 30% of the site area as landscaped area in accordance with definition of landscaped area under the SEPP Housing, as given the retention of part of the stables building and providing vehicle access from Sophia Street to the north, and deep soil landscaped area would need to be located within the southern portion of the site and would therefore not provide ideal growing conditions, as it would be overshadowed by the proposed built form.
 - (c) The full site coverage of the proposed building envelope is consistent with warehouse character of this part of Surry Hills, with building envelopes that cover entire lots.
 - (d) The development standard requiring minimum landscaped area under CI 19 (2)(b) of the SEPP Housing, is triggered by the proposal providing at least 10% affordable housing component. It is noted that the landscaped area requirement under CI 19 (2)(b) is more onerous than the ADG requirement for 7% of the site area to comprise deep soil zones. While the proposed development does not provide any genuine deep soil area, it does provide sufficient canopy trees to the roof terrace, which meets the intent of Part 3E of the ADG, which is to provide shade trees and amenity for residents that can be co-located with communal open space. In addition, the proposed development provides sufficient canopy coverage to comply with the DCP controls (15% canopy coverage of the site).

- (e) The proposed landscaping on structures, while not strictly defined as "landscaped area" under the SEPP Housing, contribute to the amenity of the rooftop communal open space area, which meets both the ADG and DCP requirements in terms of minimum area and proportion of landscaping. Furthermore, the rooftop landscaping meets the intentions of the proposed amendments to the SLEP 2012 (Policy and Housekeeping Amendments 2023), which encourages green roofs through the inclusion of a new clause in the SLEP 2012 to allow structures associated with green roofs and rooftop communal open space to exceed the building height control where these structures provide roof access, thereby removing a disincentive for green roofs.

Conclusion

- 86. For the reasons provided above the variation to the minimum landscaped area development standard is supported as the applicant has demonstrated the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012.

Clause 4.6 Request to Vary a Development Standard - Minimum Car Spaces

- 87. Under Cl 19 (2)(e) and (f) of the State Environmental Planning Policy (Housing) 2021, a minimum of 30 car spaces are required for the residential component of the development (4 car spaces for the affordable housing dwellings and 26 car spaces for the non-affordable housing dwellings).
- 88. The proposal provides a total of 18 car spaces within the basement level, with 16 of the proposed car spaces being allocated to residential component of the development, and the other two spaces allocated to the retail component. This results in a variation of 14 car spaces or 46%.
- 89. Pursuant to the requirements of Regulation 35B of the Environmental Planning and Assessment Regulation 2021, the application has been accompanied by a document setting out the grounds on which the applicant seeks to demonstrate:
 - (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 regulation 35B document

- 90. The applicant seeks to justify the contravention of the minimum car parking 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 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 proposed development will facilitate an increase in housing diversity and the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households within the Sydney City local government area. The non-compliance with the car parking non-discretionary development standard should not prevent the provision of affordable housing within the area.

- (ii) The residential component of the proposed development generates a greater demand for car parking under the non-discretionary development standards of the Housing SEPP, with the requirement of 30 car spaces. As compared to the SLEP2012 requirements which generates a demand of 19 car spaces for the residential component. In this case, the LEP car parking provisions should be applied, as it minimises the amount of traffic generated by the development.
- (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The proposed car parking satisfies the numerical car parking requirements prescribed under SLEP.
 - (ii) The purpose of the Housing SEPP non-discretionary standard is to prevent Council requiring a more onerous standard. Given that SLEP2012 does not prescribe a more onerous standard, the LEP car parking requirements should be applied as it is more applicable to the site given its highly accessible location.
 - (iii) Given the site's high-density Surry Hills location and the proposal seeking to retain significant building elements of the stables building it is also not feasibly possible to achieve compliance with the Housing SEPP car parking non-discretionary standards. To achieve compliance, extensive excavated basement levels would be required that would compromise the current adaptive reuse outcome of the site.
 - (iv) Requiring strict compliance with the Housing SEPP provisions is also contrary to Council's Sustainable Transport Policy which focuses on creating a green, connected city by prioritising walking, cycling, and public transport over private cars. To uphold this vision, the development encourages other modes of transport with the provision of motorcycle and bicycle spaces in accordance with the requirements of SDCP 2012 along with the public transport modes available in the area.
 - (v) Despite the non-compliance with the SEPP the development is considered to provide a high-quality outcome that will deliver much needed affordable housing for the local area with high quality living environment for residents by maximising solar amenity, visual and acoustic privacy and diverse landscaping features whilst encourage growth of the local economy with ground floor retail uses.

Precondition to granting consent where a development standard has been contravened

91. 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.

92. The applicant has demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the standard for the following reasons:
- (a) The proposed development facilitates the delivery of new in-fill affordable housing, in that it provides a total of 10 apartments (equating 16% of the overall GFA of the development) designated as affordable housing, and evidence has been submitted to demonstrate that a registered social housing provider has been engaged to manage the affordable housing component in accordance with the requirements of the SEPP Housing.
 - (b) Given the area of the site (788.5 sqm) strict compliance with the minimum car parking standard is considered unreasonable and unnecessary as it would likely require either a second basement level, demolition of the remaining original structures of the stables building to provide additional area for car spaces, or both to accommodate an additional 14 car spaces, which would not be desirable from a planning perspective. The development standard requiring a minimum number of car spaces under Clause 19 (2)(e) and (f) of the SEPP Housing, is triggered by the proposal providing at least 10% affordable housing component. It is noted that the car parking requirements under CI 19 (2)(e) and (f) are more onerous than the car parking requirements under the ADG, which prescribes a lesser car parking requirement by Council, which would be the maximum permitted car parking requirement of 19 car spaces for the residential component under the SLEP 2012, which the proposal would comply with.
 - (c) Providing additional car spaces to meet the minimum car parking standard is contrary to the "Sustainable Sydney 2030-2050" Strategy, which outlines the need to provide alternative forms of travel to reduce car dependence, as well as the objectives of Section 3.11 of the SDCP, which include *"(a) ensure that the demand for transport generated by development is managed in a sustainable manner"*.
 - (d) The site is located within an accessible location that is well serviced by public transport, being within 600m of Central Station and light rail, and the proposal provides sufficient bike parking (42 spaces) and two motorbike spaces to meet the needs of future residents.

Conclusion

93. For the reasons provided above the variation to the minimum car parking development standard is supported as the applicant has demonstrated the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012.

Retention of the original Stables Building

94. The site is not identified as a heritage item and is not within a heritage conservation area. However, the site comprises an amalgamation of warehouse buildings from different time periods including the Former Schweppes Stables building on the north-eastern corner of the site. This building was purpose built in 1904 and features a unique multi storey design to accommodate draft horses used by Schweppes for transporting drinks, including an internal horse ramp. The associated Schweppes Buildings are located directly to the north-west of the site at No.63-67 Foveaux Street, and are identified as local heritage items (I1548 and I1550).



Figure 32: Aerial view showing the location of the heritage listed Schweppes Buildings in relation to the subject site

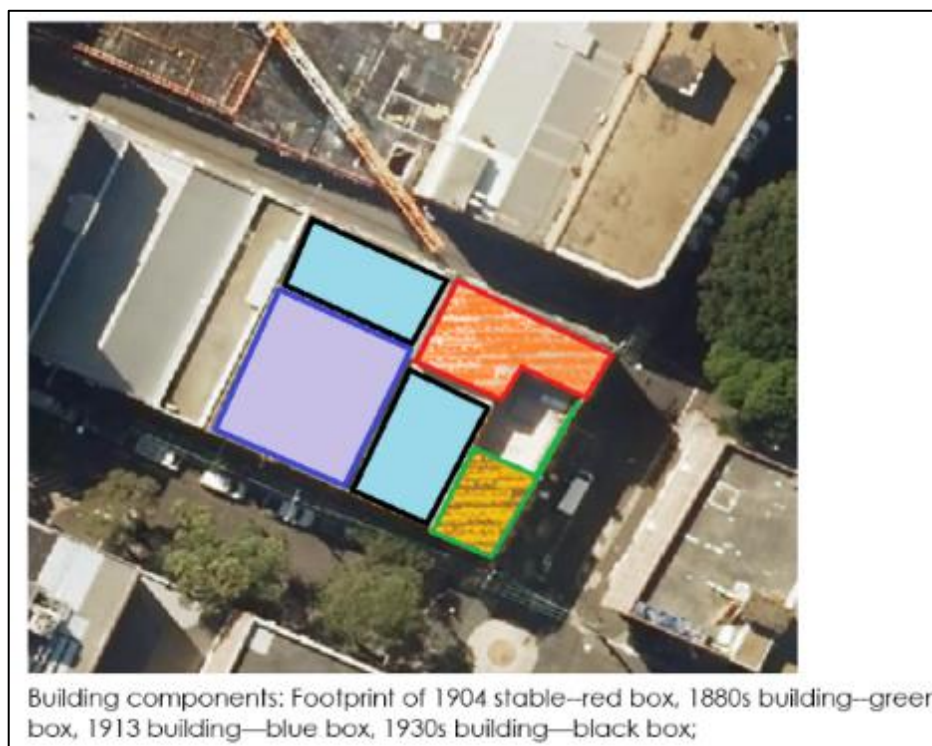


Figure 33: Mark-up showing the composition of buildings which comprise the subject site

95. It is noted that during the assessment of the previous development application for the site (D/2017/225), whilst the applicant investigated the option of retaining the former stables building at the corner of Waterloo Street and Sophia Street, the approved scheme involved the complete demolition of all existing buildings on site. This consent was not activated and has now lapsed.
96. The current scheme as part of the subject application includes the retention of original portion of the stables building, including the external facade to both Waterloo Street and Sophia Street, the original vaulted arches on the ground floor and Level 1, the floor slabs, and the internal horse ramp. The below figures outline the retained fabric.



Figure 34: 3D perspective view from the corner of Waterloo and Sophia St highlighting the retained facade of the stables building

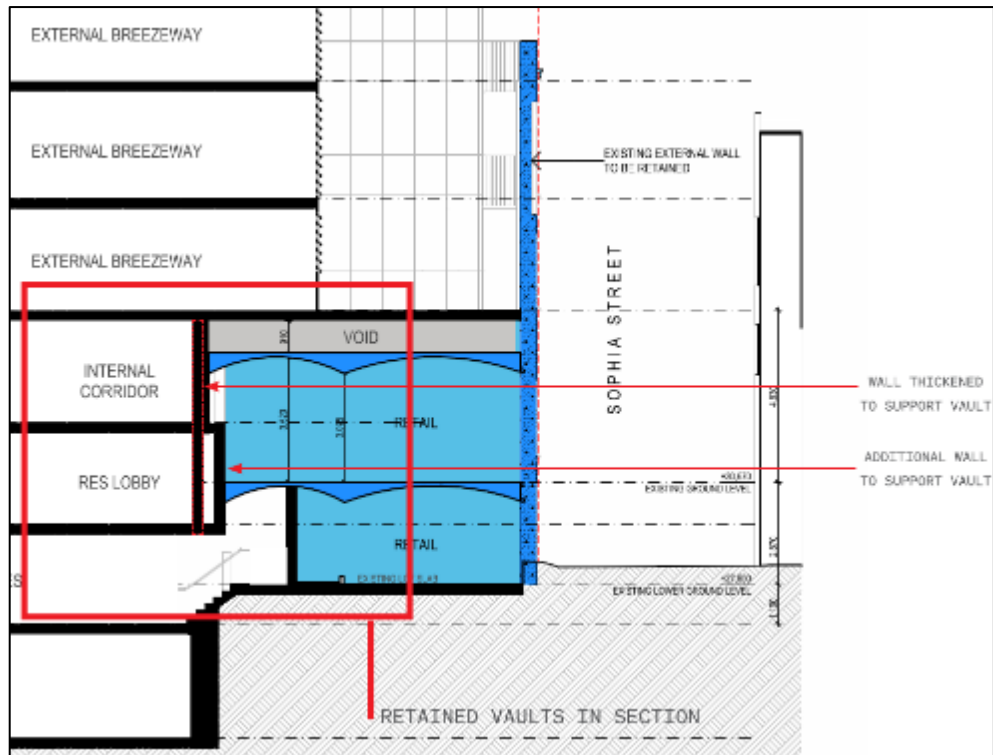


Figure 35: Proposed cross-section showing the retained arches and facade in blue

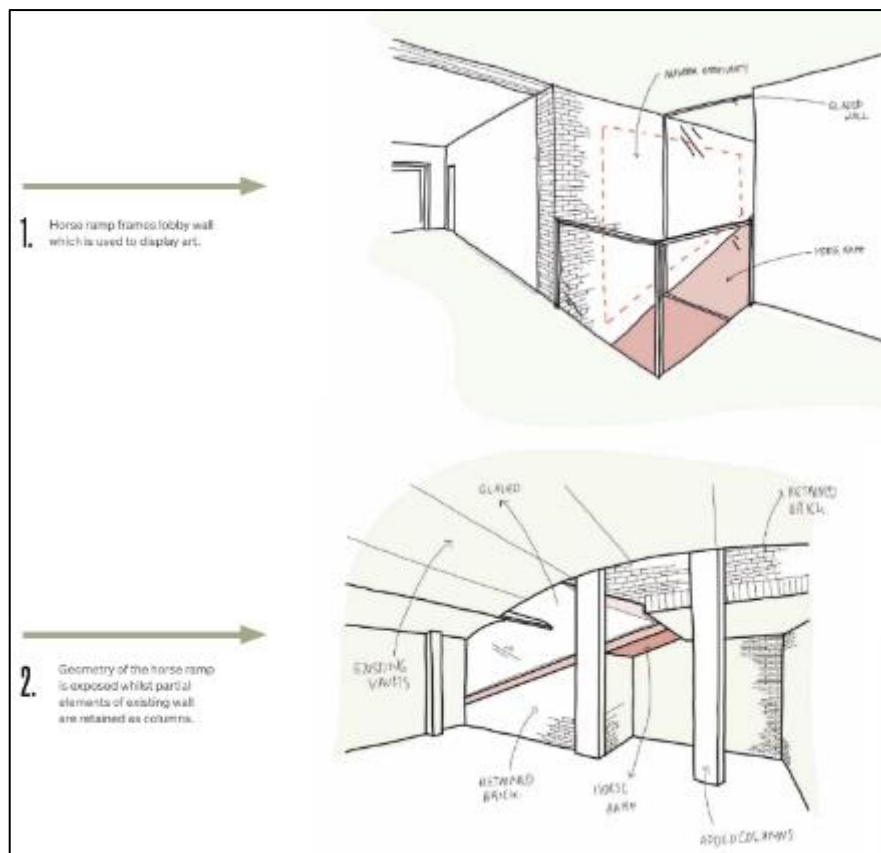


Figure 36: Design sketches showing how the retained horse ramp will be expressed internally

97. A Structural Statement from an appropriately qualified Structural Engineer has been submitted to confirm that the new building will not compromise the structural integrity of the retained elements, and additional structural support has been incorporated into the architectural drawings. A condition of consent is recommended to ensure that the recommendations of the Structural Report are adopted, including:
- Material testing to the brickwork and mortar be undertaken to determine approximate strength and identify where strengthening may be required (if any).
 - Structural engineer to develop and implement rectification/strengthening solutions with consideration of minimising visual impact (as appropriate).
 - Vibration and movement monitoring to the existing structure to be undertaken by the Contractor, with appropriate mitigation measure in place should monitoring limits be exceeded.
98. It is also noted that the datum of the brick addition to Waterloo Street is lower than the height of the retained façade in order to clearly differentiate and highlight the retained portion of the façade. The materiality of the main building entrance at the corner of Kippax and Waterloo Street has been revised from concrete to face brick in order to better suite the character of the area and improve the visual presentation.
99. Overall, the retention of original fabric of the stables building is considered to result in a positive outcome, and is appropriately expressed in the development through the use of articulation, varying street wall heights and changes in materiality to distinguish the original portion of the retained building from the new building.

Residential Amenity

Cross-Ventilation

100. The ADG requires that 100% of all habitable rooms within a development must be naturally ventilated and that at least 60% of all apartments must be naturally cross ventilated. The ADG describes natural cross ventilation as "*natural ventilation which allows air to flow between positive pressure on the windward side of the building to the negative pressure on the leeward side of the building providing a greater degree of comfort and amenity for occupants. The connection between these windows must provide a clear, unobstructed air flow path. For an apartment to be considered cross ventilated, the majority of the primary living space and n+1 bedrooms (where n is the number of bedrooms) should be on a ventilation path*".
101. The submitted drawings indicate that 50% of the apartments (21 units) are naturally cross-ventilated, noting that the single aspect Unit 703 on Level 7 incorporates an operable roof window to achieve cross ventilation. The proposal also incorporates a north-south breezeway to provide additional ventilation to five of the south facing single aspect apartments. While reliance on the breezeway for the single aspect apartment does not strictly meet the ADG definition of cross-ventilation it is considered suitable as a secondary measure to assist in providing adequate natural ventilation through the apartments. The use of the breezeway for additional ventilation is depicted in the below figure.

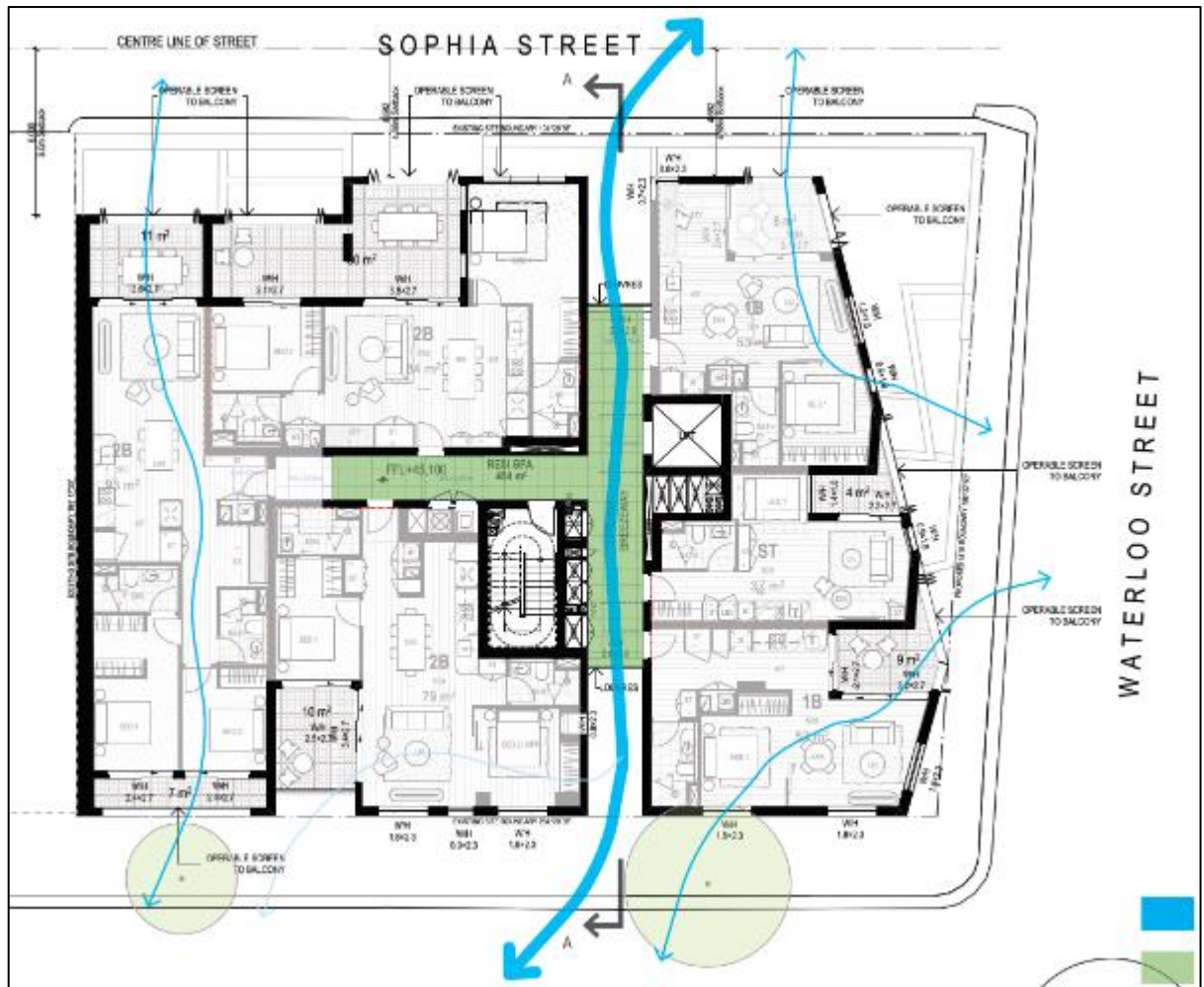


Figure 37: Cross-ventilation diagram from the submitted design report illustrating natural air flow through the breezeway

102. Given that Council is supportive of retaining original fabric and features of the stables building as well as providing an affordable housing component, achieving natural cross-ventilation to 50% of apartments with the breezeway providing cross-ventilation to an additional 5 apartments (for a total 62% of apartments receiving cross-ventilation) is considered an acceptable outcome, and is considered to meet the objective 4B-3 of the ADG, which is to maximize cross-ventilation to create a comfortable indoor environment for residents.
103. However, it is noted that the north facing Unit 602 is claimed to achieve natural cross-ventilation, however the submitted cross-ventilation diagram shows the air flow only travels through the north-western corner of the living room (less than 50% of the living area), and as such this unit does not appear to be strictly cross-ventilated as shown in the below figure.

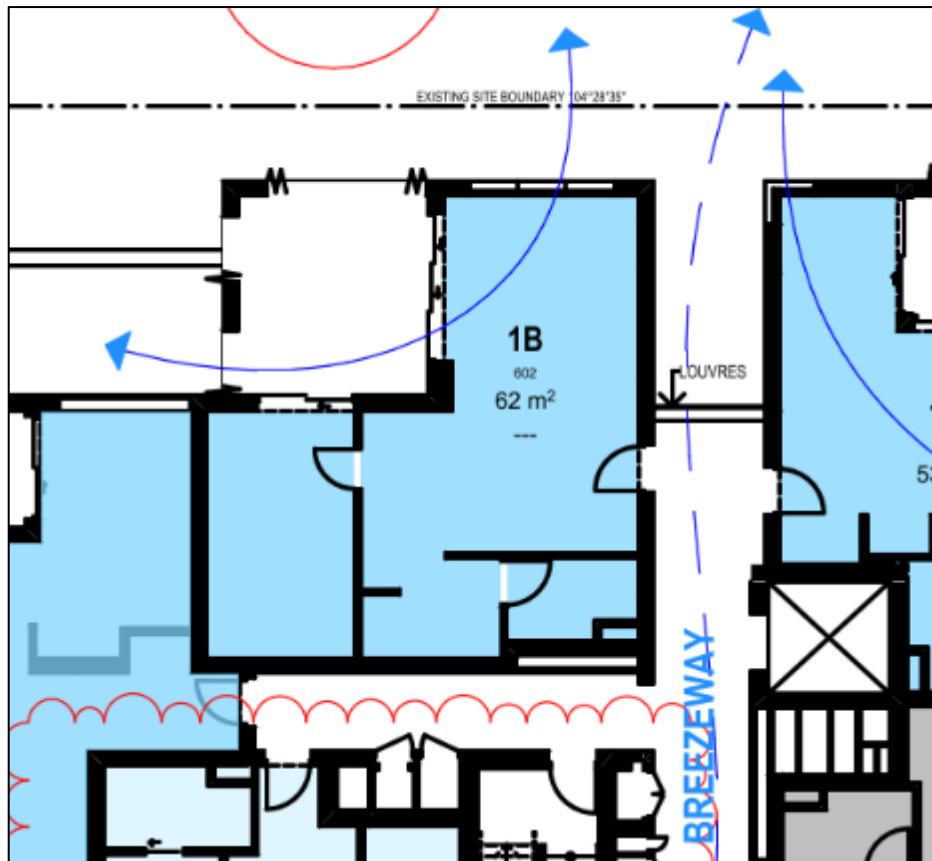


Figure 38: Claimed cross-ventilation through Unit 602

104. Therefore, a condition of consent is recommended for Unit 602 to incorporate an operable fanlight above the entrance door to provide additional cross-ventilation through the breezeway.

Building Separation

105. Parts 2F and 3F of the Apartment Design Guide (ADG) provide guidance in relation to building separation distances. Part 2F specifies building separation distances in relation to urban form, sunlight and daylight access, whereas Part 3F specifies building separation distances in relation to visual privacy. Part 3F (Visual Privacy) of the ADG specifies the following minimum separation distances:

- *"buildings up to 12m (4 storeys) - 6m to habitable rooms and balconies, and 3m to non-habitable rooms.*
- *"buildings up to 25m (5-8 storeys) - 9m to habitable rooms and balconies, and 4.5m to non-habitable rooms".*

The intent of the separation distance requirements is to ensure that visual privacy is achieved.

In addition, Part 2F (Building Separation) includes the following detailed setback requirements:

" Up to four storeys (approximately 12m):

- *12m between habitable rooms/balconies*
- *9m between habitable and non-habitable rooms*
- *6m between non-habitable rooms*

Five to eight storeys (approximately 25m):

- *18m between habitable rooms/balconies*
- *12m between habitable and non-habitable rooms*
- *9m between non-habitable rooms"*

106. The proposal provides the following minimum separation distances:

- Approximately 15m from habitable rooms and balconies of the south facing apartments to commercial development on the opposite side of Kippax Street.
- Approximately 12-16m from habitable rooms and balconies of the eastern apartments to the commercial building at No.110 Kippax Street on the opposite side of Waterloo Street as a result of a chamfered façade to address visual privacy.
- Approximately 6-9m from balconies of the northern apartments to the commercial and residential buildings on the opposite side of Sophia Street.

107. Whilst noting that the ADG provisions do not specifically address separation distances across streets or laneways, the proposed separation distances across both Kippax Street (south) and Waterloo Street (east) are consistent with ADG separation distance requirements for buildings up to four storeys. Although the proposal does not strictly meet the required 18m separation distance between habitable rooms for buildings five to eight storeys across Waterloo and Kippax St, the proposed separation distances are considered to be sufficient to appropriately mitigate potential visual privacy impacts within the context of the site.

108. For the Sophia Street (northern) frontage, the proposed development utilises a number of additional measures to mitigate visual privacy impacts, including solid balustrades and planters to balconies, and a stepped facade with increasing setbacks to upper levels along Sophia Street as illustrated in the below figure. It is also noted that the residential apartment building on the opposite side of Sophia Street (No. 81 Foveaux Street) features a nil setback to Sophia Street.

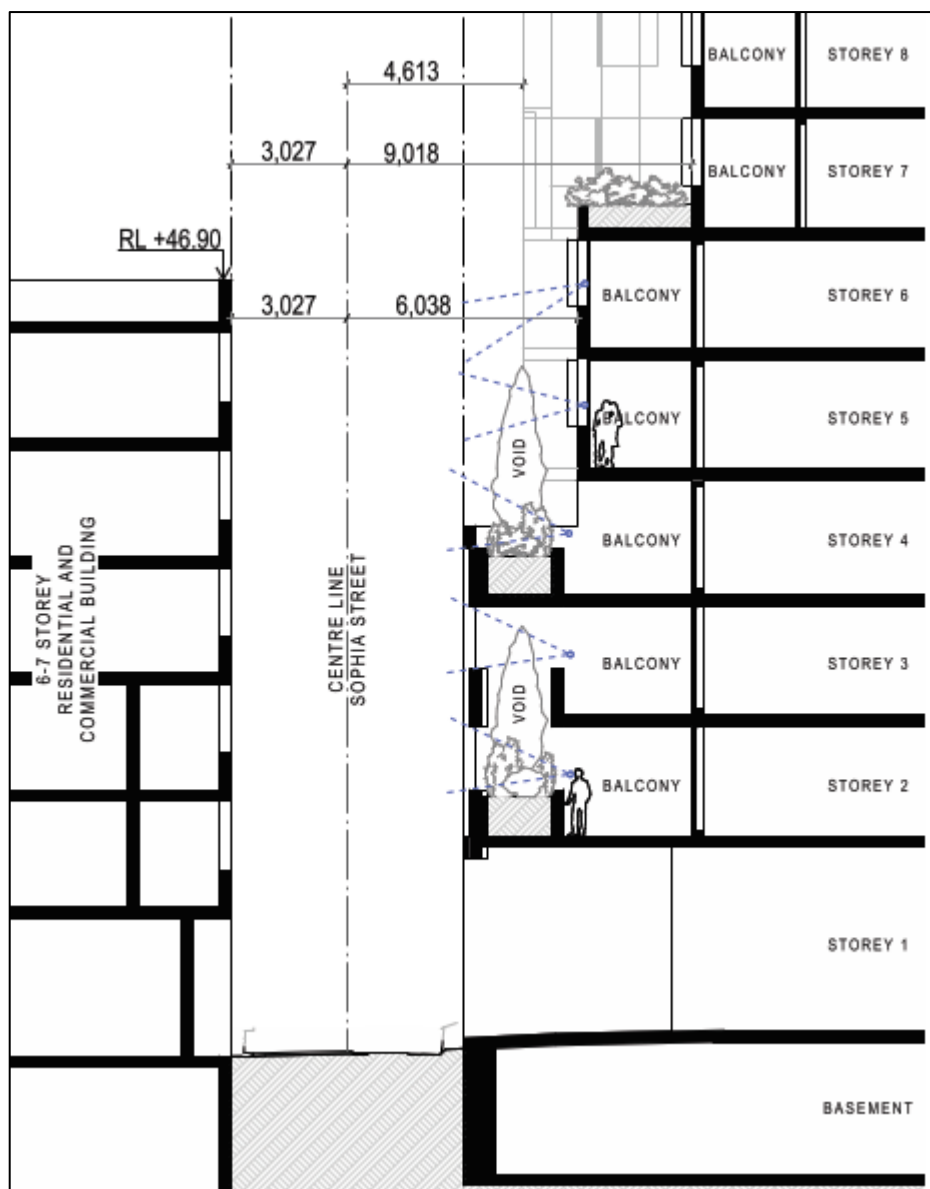


Figure 39: Cross-section through the Sophia Street interface

109. The proposed development also incorporates operable perforated screens to balconies along all three street frontages in order to mitigate visual privacy impacts as shown in the below image.



Figure 40: Close up 3D perspective of the operable privacy screens to the Sophia Street facing balconies

110. A condition of consent is recommended for a physical sample of the perforated metal demonstrating the density of the perforations and thickness to be submitted and approved by Council prior to issue of a construction certificate.
111. With the incorporation of the discussed mitigation measures, the proposed development adequately addresses visual privacy impacts as a result of the strict non-compliances with the minimum separation distances required by the ADG.

Entrance Awning

112. The proposal provides active retail uses to all three street frontages with separate entrances from Kippax St, Waterloo St and Sophia St. A separate entry lobby to the residential portion of the development is provided to Kippax Street.

113. The existing building does not feature any footpath awnings and none of the street frontages are identified as requiring footpath awnings or colonnades. The proposal includes a fixed awning over the entrance to the residential lobby along Kippax Street.
114. The architectural drawings indicate that the proposed awning is at Level 2 (RL 35.5), which due to the slope of the site along Kippax Street would place the awning at a height of between 5-6m above the footpath. This would not provide effective weather protection to the lobby entrance, and does not comply with the DCP controls which requires that footpath awnings are to be between ground and first floor levels between 3.2-4.2m above the footpath.

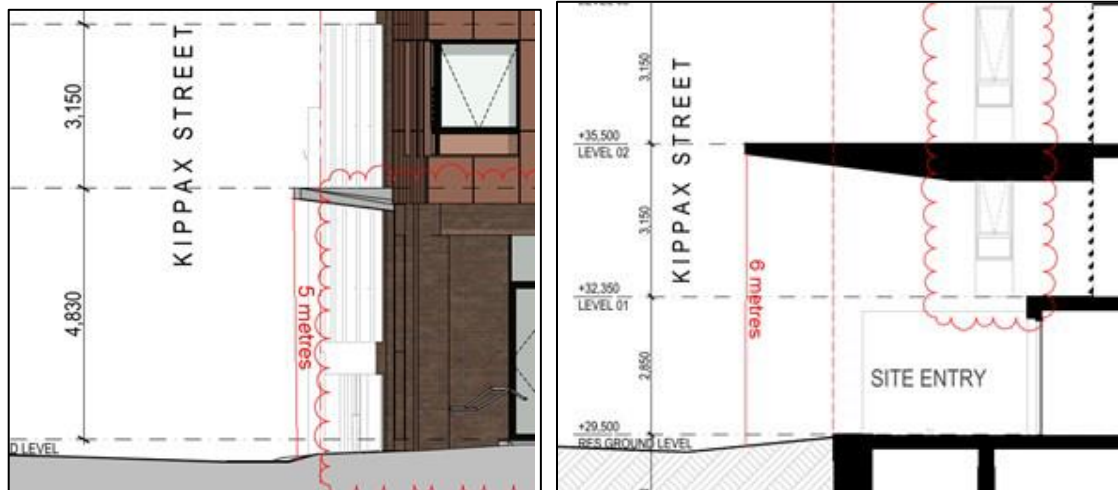


Figure 41: The proposed awning as depicted in side elevation and in cross-section

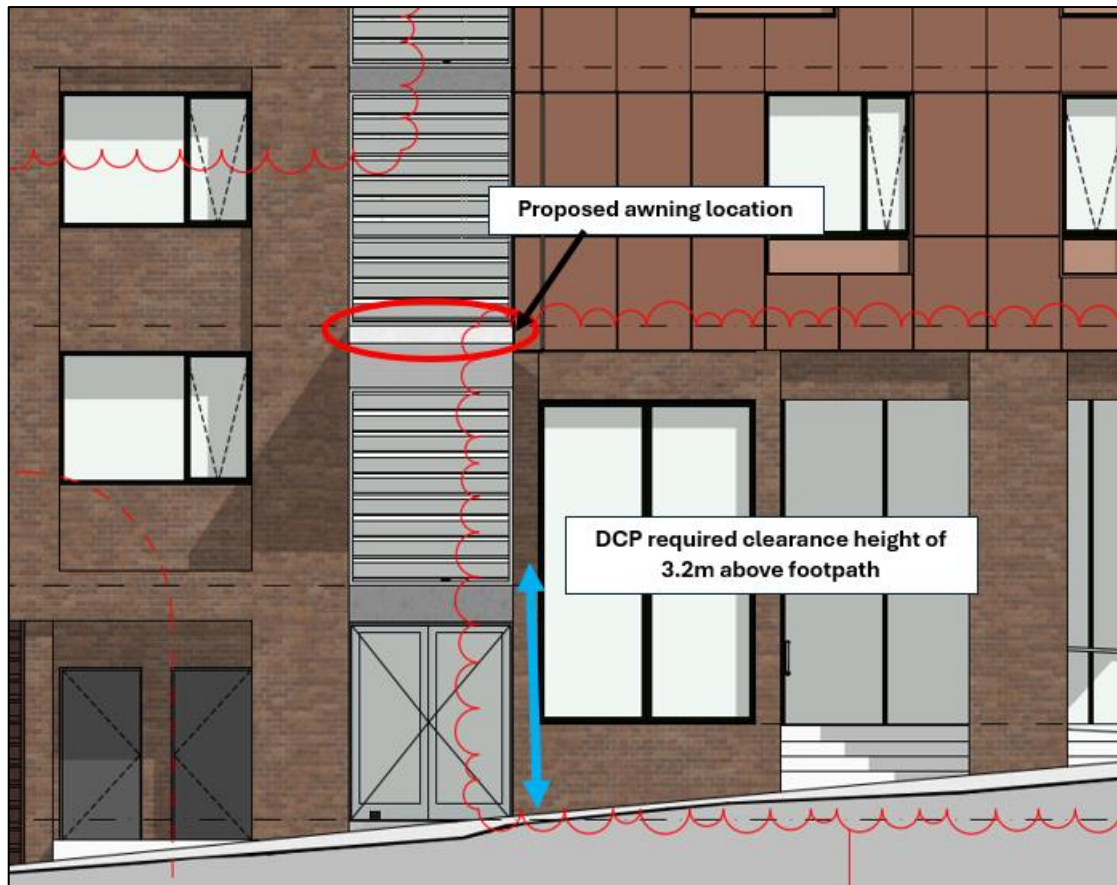


Figure 42: Location of the proposed entrance awning relative to the footpath on the Kippax St (south) elevation

115. It is also noted that lowering the awning to be comply with DCP controls (3.2-4.2m) would likely require substantial pruning of the nearby street tree, and Council's Tree Management Officer advised that based on measurements taken on-site, and the submitted pruning schedule, the extent of pruning required would result in the loss of a significant branch which would impact on the viability of the street tree.



Figure 43: The main branch of the street tree which would need to be removed to facilitate a DCP compliant awning (from the submitted pruning schedule)

116. It is also noted that the neighbouring properties along Kippax Street within the street block generally do not feature footpath awnings. Therefore, due to the likely adverse impacts to the street tree to provide an awning that provides sufficient clearance above the footpath and effective weather protection, a condition of consent is recommended for the awning to be deleted.

View Loss

117. View loss and impacts to outlook have been raised as an issue within public submissions received following the notification of the proposal to neighbouring properties. The applicant has submitted a view analysis conducted from the commercial building at No.110-201 Kippax Street directly to the east, and from Level 4 apartments at No.81 Foveaux Street directly to the north-west. The submitted view analysis has been verified by Council's Model Team against the submitted 3D model.

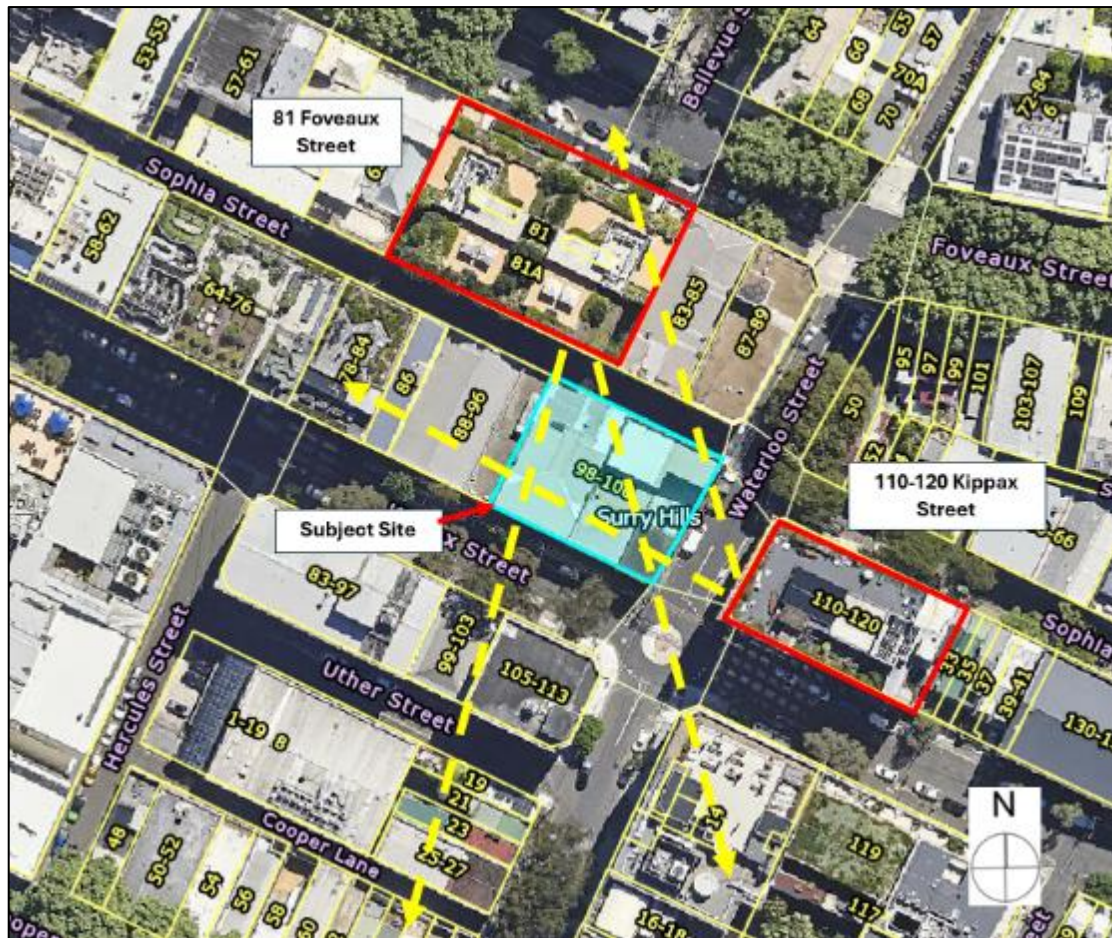


Figure 44: View lines from 110-120 Kippax Street and 81 Foveaux Street across the subject site

118. In order to assess the impact of the proposed development on existing views, an assessment has been made against the planning principles established by the Land and Environment Court decision of *Tenacity Consulting v Waringah [2004] NSWLEC 140* (Tenacity).

Views from 110-120 Kippax Street

119. The proposal's impacts upon the views from the commercial development at No.110 Kippax Street is assessed according to the four-step process established in *Tenacity* as follows:

1) What are the views to be affected?

Views from No.110-120 Kippax Street are land views of the city skyline to the north-west and include views of the Central Station Clocktower and Sydney Tower. Views of Sydney Tower are considered iconic. It should be noted that the provisions of CI 6.19 of the SLEP have the effect of protecting a view towards the Central Station Clock Tower from a location on Broadway at the corner or Regent Street. The SLEP describes this view as 'significant' (rather than iconic) and seeks to protect the view of the clock tower from public spaces only.



Figure 45: Views of the Central Station Clocktower looking north-west from the Level 7 roof terrace of 110-120 Kippax Street



Figure 46: Comparison of the existing views from the Level 7 roof terrace of 110-120 Kippax Street, and with the proposed building envelope



Figure 47: Views of the Central Station Clocktower looking north-west from the Level 6 commercial offices of 110-120 Kippax Street



Figure 48: Comparison of the existing views from the Level 6 commercial offices of 110-120 Kippax Street, and with the proposed building envelope

2) From what part of the property are the views obtained?

Existing views from 110-120 Kippax Street are from commercial offices on Levels 3-6, and from the Level 7 outdoor terrace, and are across a street facing secondary frontage.

3) What is the extent of the impact?

The extent of impacts is considered to be moderate given the views of Sydney Tower will not be obstructed as demonstrated by the above figures. Tenacity states that "*the impact of views from living areas is more significant than from bedrooms or service areas*". It should be noted that while *Tenacity* does not explicitly state that it only applies to residential uses, the wording of the principle does focus on impacts to private residential views, and is silent on views from commercial uses. Whilst *Tenacity* references residential rooms (living rooms, bedrooms, service areas and kitchens), it does not provide any similar gradations to assess commercial uses and spaces. Therefore, it can be inferred that view loss from commercial premises should be given less weight when considering the reasonableness of the impacts.

4) What is the reasonableness of the proposal causing the impact?

120. As noted elsewhere in the report, the proposal complies with the FSR development standard for the site, and is a form that is consistent with the built form controls and considered appropriate within the context of the subject site. Whilst the proposal exceeds the SLEP height in buildings development standard (inclusive of the 30% allowable uplift under the SEPP Housing), the non-compliance is limited to approximately 500mm for the top of the lift overrun and fire stairs, and the elements which breach the height control do not contribute to the view loss. It is also noted that the existing views from the lower levels of 110-120 Kippax Street would not be protected by any building that complies with the SLEP height in buildings development standard or any building that complies with the SDCP height in storeys control. Therefore, the impact on views from no.110-120 Kippax Street is considered acceptable.

Views from 81 Foveaux Street

As shown in the below figures, views from the upper level residential apartments at No.81 Foveaux Street looking south can be described as district views of the top of buildings, trees and open sky without icons or interface between land and water.



Figure 49: Views looking south from the Level 4 apartments of 81 Foveaux Street



Figure 50: Comparison view from the Level 4 apartments of 81 Foveaux Street with the proposed building envelope

According to *Tenacity*, this is an outlook rather than a view and is not rated as having a high value as it does not include icons or interface between land and water.

Existing views from No.81 Foveaux Street are from apartment balconies and bedrooms.

Applying the assessment steps in *Tenacity*, the extent of the impact is considered minor. As shown in the above figures, while the proposed development will partially obstruct the existing outlook of neighbouring buildings, there are no views as defined by this planning principle being impacted. There will still be views of the sky possible and a general district outlook of neighbouring buildings is retained. In addition, the proposed development has been amended to provide greater upper level setbacks to Sophia Street through the deletion of planters and voids from Level 4. As such, the proposed development is considered not to unreasonably obstruct the outlook of this neighbouring property.

121. Overall, it is considered that the impact of the subject development is acceptable in this instance, as per the principles set out in *Tenacity*.

Design Advisory Panel Residential Subcommittee

122. The proposed scheme was presented to the City's Design Advisory Panel Residential Subcommittee for review and comments on 7 October 2025. The panel was generally supportive of the proposed scheme and retention of historic elements of the stables building. Amendments were subsequently made to the proposed scheme which address and respond to the Panel's recommendations and comments, which are summarised as follows:

- (a) *While the Panel commends and supports the proposal to retain the historic elements (stables and horse ramps), their integration into the new design should be reviewed to achieve more meaningful interpretation. The Panel is concerned that the new structural columns may negatively affect the retained façade, potentially undermining its visual integrity.*

Response: As discussed elsewhere in this report, the retained horse ramp will be protected and expressed internally. Glazed walls will be incorporated into the retail tenancies to protect the ramp. Additional structural documentation has been submitted to confirm that the retained arched vaults and façade of the stables building will not be adversely impacted by the new structures.

- (b) *The Panel recommends that the western return wall (visible from Sophia Street) be retained as well so that the main frontage retains its three-dimensional quality and doesn't result in facadism.*

Response: The amended proposal retains the western return wall to Sophia Street, which will further provide a visual distinction between the retained and new portions of the building as shown in the below figure.



Figure 51: 3D perspective showing the retained portion of the return wall to Sophia Street

- (c) *The proposal retains glazing in some of the original façade openings and changes several windows to voids. Retaining or restoring the appropriated glazed detailing for all openings is preferred.*

Response: The amended design adequately responds to the original window detailing of the retained façade through retaining the appearance of glazing through the use of glass balustrades to the same height as the pre-existing window transoms, noting that some of the openings remain as voids in order to provide natural ventilation to the private open space of apartments.

- (d) *Resolution of the raised planter box within the stables envelope (L2) should be detailed in section to describe how it meets the opening. Maintenance for the planting will need to be considered without relying on access from the adjacent unit.*

Response: The Level 2 planter has been deleted and replaced with a non-trafficable roof. A condition of consent is recommended for additional details for the proposed landscaping, including maintenance strategies to be submitted to Council prior to issue of a construction certificate.

- (e) *Solar access appears to be less than 70%. This could be further adversely affected by future development to the north. It is noted that solar access must be received to both the living room window and the private open space. There also appears to be 21% of the lower apartments without sun.*

Response: Higher resolution view from the sun diagrams have been submitted to demonstrate that the proposed development achieves the required solar access to 70% of apartments in accordance with the ADG. A detailed table has also been submitted to quantitatively demonstrate that sufficient solar access is provided to living room windows and private open space.

- (f) *The proposed building separation on all three streets, and particularly Sophia Street, needs to be increased and should be reviewed against ADG requirements.*

Response: As discussed elsewhere in this report, the proposed staggered setbacks to Sophia Street and separation distance across Waterloo and Kippax Street in addition to incorporating operable privacy screens are considered sufficient to mitigate potential visual privacy and overlooking impacts.

- (g) *The affordable units are not achieving equivalent amenity thresholds. The affordable housing units must achieve the same degree of amenity as the market units, as outlined in the In-fill Affordable Housing Practice Note.*

Response: The designation of affordable housing units has been amended so that of the 10 units, 5 are naturally cross-ventilated (50%), and 6 receive compliant solar access (60%), which is consistent with proportion of non-affordable units that achieve compliant cross-ventilation and solar access.

- (h) *The use of metal cladding is supported however some of the perforated screens appear to impact access to light and ventilation. A detail showing the panel framing grid and its relationship to proposed graphic pattern should be provided.*

Response: Detailed cross sections through the connection of the metal cladding with the façade at a scale of 1:5 have been submitted to demonstrate that the metal cladding is appropriately integrated into the façade. A condition of consent is recommended requiring a physical sample of the metal cladding and perforated privacy screens to be submitted to Council prior to issue of a construction certificate.

- (i) *Units relying on a notched recess in the facade for natural cross ventilation are not considered to be naturally cross ventilated as this arrangement does not provide effective or functional cross ventilation.*

Response: As discussed elsewhere in this report, approximately 50% of the proposed apartments are dual aspect and considered to be naturally, while an additional five single aspect apartments (12%) receive additional natural ventilation through the breezeway, which is considered an acceptable level of amenity within context of the subject site. A Natural Ventilation Report by a qualified consultant has also been submitted to confirm that the breezeway will receive sufficient airflow.

- (j) *Snorkel bedrooms (unit 101), internal study areas and balconies deeper than they are wide are not consistent with ADG guidelines.*

Response: Unit 101 has been reconfigured from a two bedroom unit to a single bedroom unit to provide a bedroom with appropriate dimensions and external window. The depth of balconies has been reduced, and all primary private balconies are considered to have adequate widths.

- (k) *The design of the shared rooftop open space could be reviewed to reduce the amount of unprogrammed paved area. The plant selection could also be improved.*

Response: The design of the landscaped communal roof terrace has been amended to provide appropriate seating areas and plant selection which is supported by Council's Landscape Officer, subject to appropriate drainage details and maintenance strategy being submitted prior to issue of a construction certificate.

Consultation

Internal Referrals

123. The application was discussed with Council's:

- (a) Health and Building Unit
- (b) Heritage and Urban Design Unit
- (c) Public Domain Unit
- (d) Transport and Access Unit
- (e) Environmental Projects Unit
- (f) Landscaping Unit

- (g) Tree Management Unit
- (h) Cleansing and Waste Management Unit

124. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the recommendation.

External Referrals

Ausgrid

125. Pursuant to Section 2.48 of the SEPP (Transport and Infrastructure) 2021, the application was referred to Ausgrid for comment.
126. A response was received which noted that further detailed design information would be required to install a substation to service the site. The proposal includes spatial provision for a chamber substation fronting Kippax Street. Separate approval from Ausgrid will be required for any new substation prior to issue of a construction certificate.

Water NSW

127. Pursuant to Section 60 of the Water Management Act 2000, the application was referred to Water NSW for comment.
128. WaterNSW, advised that the proposed development requires separate approval for dewatering under Section 60 of the Water Management Act 2000. Therefore, conditions of consent are recommended to ensure that the relevant dewatering approvals are obtained from WaterNSW prior to construction works commencing. These advisory conditions have been included in the schedules within the recommended conditions of consent.

Advertising and Notification

129. In accordance with the City of Sydney Community Participation Plan 2024, the proposed development was notified for a period of 21 days between 21 August 2025 and 11 September 2025. A total of 146 properties were notified and eleven submissions were received including one submission which supported the provision of additional housing.
130. The submissions raised the following issues:
- (a) **Issue:** The proposed development is of an excessive bulk and scale and is out of character with the surrounding streetscape of Surry Hills.

Response: The proposed development is generally in keeping with the scale of surrounding seven to nine storey buildings, and results in only a minor exceedance (540mm) of the permitted 28.6m height control under the SLEP and SEPP Housing. Refer to assessment of the CI 4.6 variation to the height control, above.

- (b) **Issue:** The demolition of the existing warehouse buildings disregards local heritage values and is inconsistent with the heritage controls under the SLEP and SDCP.

Response: As discussed elsewhere in this report, the existing buildings on site are not identified as heritage items and are not within a heritage conservation area and are therefore not protected under the SLEP and SDCP, also noting that the demolition of all the existing structures on site was approved under the previous scheme (D/2017/225). Notwithstanding this, the proposed development retains original fabric and features of the stables building, which is considered to be a positive outcome in the locality.

- (c) **Issue:** The inclusion of basement car parking will encourage car use in a congested area, contrary to sustainable transport objectives, and create safety risks for pedestrians and cyclists.

Response: It is noted that proposed development provides far fewer car spaces than is required by the SEPP Housing (shortfall of 14 car spaces), and Council supports the provision of fewer car spaces. Furthermore, appropriate conditions of consent are recommended to ensure that appropriate measures are undertaken to mitigate traffic and pedestrian impacts from the use of the car lift to Sophia Street, including provision of traffic signals. Subject to appropriate conditions, the additional traffic generations as a result of the proposed 18 car spaces is not considered to result in any significant adverse impacts to pedestrians or neighbouring properties. Refer to assessment of the CI 4.6 variation to the minimum car parking standard of the SEPP Housing, above.

- (d) **Issue:** The proposal does not demonstrate how it will provide adequate communal open space for residents as required by the planning controls.

Response: The proposed development provides a landscaped communal open space area on the roof which is sufficiently sized and receives adequate sunlight to meet the requirements of the ADG and SDCP.

- (e) **Issue:** The proposal will result in significant overshadowing and overlooking to neighbouring properties.

Response: The submitted shadow diagrams demonstrate that additional overshadowing from the proposal will fall over commercial buildings to the south on the opposite side of Kippax Street, which are not protected under the planning controls. It is also noted that the relevant planning controls only protect loss of direct sunlight to residential properties at certain times of the year (mid-winter), and do not protect natural light. As discussed elsewhere in this report, the separation distance across all three street frontages is considered adequate within the context of the site and surrounding development which are built to boundaries, noting that a splayed setback is provided to Waterloo Street, a staggered setback is provided to the portion of Sophia Street which directly faces residential apartments at 81 Foveaux Street, and the proposal incorporates operable privacy screens to mitigate privacy impacts.

- (f) **Issue:** The proposal fails to demonstrate best practice in sustainable design, energy efficiency or green infrastructure by not prioritising adaptive reuse.

Response: The proposed development meets the requirements of the SEPP Sustainable Buildings with regard to energy efficiency, and incorporates sufficient sustainability measures, including the retention of part of the stables building, and the commitment to utilize energy efficient fixtures.

- (g) **Issue:** There is no guarantee on the tenure, delivery or management of the affordable housing units.

Response: Confirmation has been provided to demonstrate that a registered Social Housing Provider has been engaged to manage the affordable housing units. A condition of consent is recommended, requiring that a covenant be registered on title to endure that the affordable housing units remain as affordable housing for at least 15 years in accordance with the requirements of the SEPP Housing.

- (h) **Issue:** The demolition and construction works to facilitate the proposed development will result in unacceptable disruptions to the amenity of neighbouring properties.

Response: Appropriate conditions of consent are recommended to mitigate any adverse impacts as a result of construction works, including requiring an amended Construction Noise and Vibration Management Plan and Traffic Management Plan to be submitted and approved by Council prior to issue of a construction certificate, and for any construction works to be within the permitted hours permitted by the *City of Sydney Code of Practice for Construction Hours/Noise 1992*.

- (i) **Issue:** The submitted documentation does not adequately address issues such as structural impacts on retained fabric, waste collection, non-compliance with ADG and SDCP requirements.

Response: As discussed elsewhere in this report, sufficient additional information has been submitted to adequately address issues relating to structural support of the new building, waste management, and issues relating to inconsistencies with the ADG regarding building separation and cross-ventilation.

- (j) **Issue:** Potential impacts to the amenity and outlook of residential apartments at No.81 Foveaux Street, as a result of non-compliant building separations, building height and traffic conditions along Sophia Street. The objector requests appropriate conditions of consent be imposed to address construction related impacts and noise from the operation of the car lift.

Response: As discussed elsewhere in this report, adequate measures are incorporated into the design of the development (staggered setbacks, privacy screens) to mitigate potential impacts to the amenity of neighbouring apartments on the opposite side of Sophia Street. A view loss analysis has also been undertaken, and verified by Council's Model Team, which demonstrates that the proposal will not unreasonably obstruct any views from neighbouring properties. Appropriate conditions of consent are recommended to mitigate potential adverse impacts of the development, including requirements for dilapidation reports of adjoining properties to be prepared prior to construction works, and for the design of the car lift to incorporate noise mitigation measures in accordance with the recommendations of the submitted acoustic report.

- (k) **Issue:** The proposed development does not achieve design excellence, as it results in a number of departures from the ADG and DCP controls and objectives. Some of the submitted documentation is inadequate (solar diagrams and GFA plans in low resolutions).

Response: As demonstrated by the ADG and DCP compliance tables and assessment within this report, the proposed development as amended generally complies with the relevant planning controls, as discussed elsewhere in this report, the non-compliances are considered acceptable within the context of the subject site. The proposed development is of a high standard of architectural design, is of an appropriate bulk and scale, provides an appropriate mix of residential and commercial uses, and responds to environmental impacts. The submitted documentation is considered adequate to allow for a comprehensive assessment against the relevant planning controls.

- (l) **Issue:** The proposed development should consider noise impacts from the approved continued operation of the rooftop and ground level function centres at 110-120 Kippax Street.

Response: As discussed elsewhere in this report, the proposed development incorporates measures to mitigate potential noise impacts on future residents, as recommended by the submitted acoustic report (glazing and wall specifications, and operable privacy screens). Notwithstanding this, it is noted that the use of 110-120 Kippax Street is not identified as an "entertainment sound generating activity" or an "existing entertainment sound generating activity" under Section 3.18 of the DCP, which would require additional noise criteria to be addressed.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

131. 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.
132. Credits have been applied for the most recent past use of the site being retail uses of the lower ground and ground floors. It is noted that there are no recent approved uses for Levels 1 and 2, which are currently vacant.

133. A condition relating to this local infrastructure contribution has been included in the recommended conditions of consent in the Notice of Determination. The condition requires the contributions to be paid prior to the issue of a construction certificate.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

134. 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.
135. 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.
136. 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, 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.
137. The site is located within the residual lands affordable housing contribution area. As the proposed development includes the creation of more than 200 sqm of additional GFA for the purpose of residential accommodation, a contribution is required.
138. For the purpose of calculating affordable housing contributions, Total Floor Area (TFA) plans have been submitted by the applicant. TFA of 4796.4 sqm has been calculated for the development based on the definition of TFA contained in Clause 7.13 of the SLEP, noting that "the floor area used to provide affordable housing" is excluded from the definition.
139. 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

140. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2024.

141. The site is located with the Greater Sydney region, the development is a type of residential and commercial development to which the Housing and Productivity Contribution applies, and the development is not of a type that is exempt from paying a contribution.
142. A condition relating to the Housing and Productivity Contribution has been included in the recommended conditions of consent.

Relevant Legislation

143. Environmental Planning and Assessment Act 1979.

Conclusion

144. The application seeks approval for the substantial demolition of the existing building, part retention of the stables building, and construction of an 8-storey mixed-use development with retail tenancies on the lower levels, basement carparking, 42 residential apartments with affordable housing units and associated landscaping.
145. Non compliances with the building height development standard (Clause 4.3 of the Sydney LEP 2012), the minimum landscaped area and the minimum car parking development standards specified in the SEPP (Housing) 2021 are supported.
146. The proposed development is not considered to have any unreasonable adverse impact in terms of overshadowing or visual privacy and is of an appropriate bulk and scale within the context of the subject site and streetscape.
147. The proposed residential apartments are generally consistent with the Apartment Design Guide and are considered suitable within the context of the site and desired future character of the area and responds to the demand for housing.
148. The proposed development is considered to exhibit design excellence in accordance with the provisions of Clause 6.21C of the Sydney LEP 2012.
149. Subject to conditions, the development is in the public interest and recommended for approval.

ANDREW THOMAS

Executive Manager Planning and Development

Nick Reid, Specialist Planner

Attachment A

Recommended Conditions of Consent
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SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/758 dated 18 August 2025 and the following drawings prepared by DKO:

Drawing Number	Drawing Name	Date
DA102 Rev D	Demolition Site Plan	8/01/2026
DA103 Rev C	Demolition Floor Plan 1	26/05/2025
DA104 Rev D	Demolition Floor Plan 2	8/01/2026
DA105 Rev C	Demolition Elevations	26/05/2025
DA106 Rev F	Site Plan	8/01/2026
DA200 Rev G	Basement 01 Plan	8/01/2026
DA201 Rev H	Lower Ground Floor Plan	8/01/2026
DA202 Rev H	Ground Floor Plan	8/01/2026
DA203 Rev G	Level 1 Plan	8/01/2026
DA204 Rev G	Level 2 Plan	8/01/2026
DA205 Rev G	Level 3 Plan	8/01/2026
DA206 Rev G	Level 4 Plan	8/01/2026
DA207 Rev G	Level 5 Plan	8/01/2026
DA208 Rev G	Level 6 Plan	8/01/2026
DA209 Rev G	Level 7 Plan	8/01/2026
DA210 Rev G	Rooftop Plan	8/01/2026
DA211 Rev F	Roof Plan	8/01/2026
DA300 Rev G	North Elevation	8/01/2026
DA301 Rev G	East Elevation	8/01/2026
DA302 Rev E	South Elevation	8/01/2026
DA303 Rev C	West Elevation	8/01/2026

Drawing Number	Drawing Name	Date
DA306 Rev G	Typical Section 1	8/01/2026
DA307 Rev D	Typical Section 2	8/01/2026
DA308 Rev D	Typical Section 3	8/01/2026
DA311 Rev A	Section through Horse Ramp	8/01/2026
DA312 Rev A	Detail sections	8/01/2026
DA313 Rev A	Typical Wall Detail Section	8/01/2026
DA314 Rev A	Typical Wall Detail Section	8/01/2026
DA315 Rev A	Typical Wall Detail Section	8/01/2026
DA506 Rev D	Storage Plans	8/01/2026
DA508 Rev D	Adaptable Units	8/01/2026
DA509 Rev C	Livable Units	8/01/2026
DA510 Rev C	Affordable GFA	8/01/2026
DA511 Rev E	2B Pre and Post Adaptable and Liveable	8/01/2026
DA512 Rev E	2B Pre and Post Adaptable and Liveable	8/01/2026
DA513 Rev A	Chamber Substation	11/09/2025

And the following Landscape Plans prepared by DKO:

Drawing Number	Drawing Name	Date
-	Concept Plan - Rooftop	27.02.26
-	Concept Plan – Levels 1-4	27.02.26
-	Planting Strategy	27.02.26
-	Planting Plan - Rooftop	27.02.26
-	Planting Plans – Levels 1-4	27.02.26
-	Planting Selection	27.02.26

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) BUILDING HEIGHT

- (a) The height of the building must not exceed RL +57,850 (AHD) to the top of the lift overrun and RL +55,900 (AHD) to the raised roof.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved height.

(3) FLOOR SPACE RATIO

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio for the development must not exceed 4.55:1; and calculated in accordance with Sydney Local Environmental Plan 2012. For the purposes of the calculation of FSR, the total Gross Floor Area is 3587.5 sqm.
- (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.

(4) USE - SEPARATE DA REQUIRED

No consent is granted or implied for the fit out or specific use of retail tenancies located on the Lower Ground Floor and Ground Floor.

A development consent or Complying Development Certificate (as appropriate) is required to be obtained for the fit out and use of the retail tenancies prior to that fit out or use commencing.

Reason

To require separate consent to be obtained for a use.

(5) SIGNS - SEPARATE DA REQUIRED

A separate development application for any proposed signs (other than exempt or complying signs) must be submitted to and approved by Council prior to the erection or display of any such signs.

Reason

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

(6) LAND SUBDIVISION

Any proposal for land subdivision, including any stratum subdivision of the building to separate the commercial component of the building from the residential component, will require a separate application to Council to obtain development 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.

(7) STRATA SUBDIVISION – APPROVAL OF STRATA PLAN REQUIRED

A separate application must be made to Council or a Registered Strata Certifier to obtain approval of the Strata Plan and issue of a Strata Certificate under the Strata Schemes Development Act 2015.

A Building/Strata Management Statement should be prepared to adequately address the ongoing maintenance, upgrading, redevelopment and structural adequacy of the development to Council's satisfaction, and be submitted with any application for strata subdivision. The Building / Strata Management Statement must not prevail over any easement, restriction on the use of land, or positive covenant that benefits Council

Reason

To ensure separate approval is obtained for approval of the Strata Plan.

(8) RESTRICTION ON THE USE OF LAND – PARKING ON COMMON PROPERTY

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.

Reason

To prevent obstruction of common property areas.

(9) STRATA TITLE PARKING SPACES AND STORAGE AREAS

All parking spaces and storage areas other than visitor parking or service spaces must form part of a residential or commercial strata unit in any future strata subdivision. No parking spaces or storage spaces are to have their own individual strata title.

Reason

To ensure the on-site storage spaces are not to be used other than by an occupant of tenant of the building and form part of a tenancy and prevent individual sale.

(10) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 6.4m.

Reason

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

(11) 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.

(12) VEHICLE ACCESS

All cars are to enter and depart the site travelling in a forward direction. Any service vehicle is to enter by reversing in and depart the site travelling in a forward direction.

Reason

To increase pedestrian safety at the site access.

(13) 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.

(14) RETAINED FABRIC & FEATURES

- (a) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures including those to the horse ramp and the concrete segmented arches, are to be specified in the construction management plan.
- (b) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.
- (c) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the works relating to the retained fabric.

- (d) The retained face brickwork must not be rendered, painted or coated.
- (e) Retain visibility of the horse ramp and segmented/vaulted arches as much as possible.
- (f) Where internal partitions meet external walls they must abut window mullions, columns or other such building elements and not glazing.
- (g) Where new partition walls abut existing structures, such as the vaulted/segmented ceilings and the horse ramp, the addition of a 20-25mm thick spacer block will assist in clearly distinguishing new partitioning from original fabric.

Reason

To ensure that the development does not result in adverse impacts to retained fabric.

(15) REPAIRS AND WORKS FOR MAKING GOOD

All new repairs and works for making good of existing building fabric are to be carried out on a like for like basis and match the existing in terms of materials, colours, finishes, sizes, profile and properties.

Reason

To ensure repairs and works for making good are appropriate.

(16) 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.

(17) 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.

(18) 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.

(19) 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.

(20) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of the proposed structure shall encroach onto the adjoining properties.

Reason

To protect neighbouring properties.

(21) 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. 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 protect the public way.

(22) TREES THAT MUST BE RETAINED

- (a) The tree(s) detailed in Table 1 below must be retained and protected in accordance with the conditions throughout development works.
- (b) Approval is NOT granted for the removal of the tree(s) detailed in the table below, which Council has determined to be prominent landscape elements:

Table 1 – Tree Retention:

Tree No	Species:	Location
1	<i>Melaleuca quinquenervia</i> (Broad Leaf Paperbark)	Front of 98-106 Kippax Street (Street Tree)
2	<i>Tristaniopsis laurina</i> (Water Gum)	Front of 98-106 Kippax Street (Street Tree)

Reason

To identify the trees that cannot be removed, must be retained and protected.

(23) USE OF COMMON AREAS AND FACILITIES

The roof top terrace must be available for the use all residents of the building and must be designated as common property on any strata subdivision of the site, with no exclusive use rights.

Reason

To ensure designated areas within the residential development are maintained as common property.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(24) 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 \$1,501,652.42 (indexed at 11 March 2026). This is calculated by establishing the sum of the equivalent monetary contribution \$11,223.28 multiplied by 1% of the total floor area for non-residential development (504.7 sqm) and the equivalent monetary contribution \$11,223.28 multiplied by 3% of the total floor area for residential development (4,291.7 sqm).
- (c) If the contribution is paid after the indexation period in which the consent is granted, being March 2026 to February 2027 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 = $C \times \text{MDP2} / \text{MDP1}$, 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 2026 to February 2027.

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.

(25) SECTION 7.11 CONTRIBUTIONS PAYABLE - CONTRIBUTION TOWARDS PUBLIC AMENITIES – CITY OF SYDNEY DEVELOPMENT CONTRIBUTIONS PLAN 2015 – EAST 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.

<u>Contribution Category</u>	<u>Amount</u>
Open Space	\$458,517.51
Community Facilities	\$212,314.14
Traffic and Transport	\$11,012.92
Stormwater Drainage	\$0.00
Total	\$681,844.57

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

$$C_{\text{payment}} = C_{\text{consent}} \times (CPI_{\text{payment}} \div CPI_{\text{consent}})$$

Where:

C_{payment} = Is the contribution at time of payment;

C_{consent} = Is the contribution at the time of consent, as shown above;

CPI_{payment} = 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

CPI_{consent} = Is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being – 143.9 for the December 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.

(26) HOUSING AND PRODUCTIVITY CONTRIBUTION

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

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$423,360.83
Total housing and productivity contribution	\$423,360.83

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.

(27) UNIT 602 DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) An operable louvered fanlight is to be incorporated above the entrance door of Unit 602 to achieve natural cross-ventilation.

Detailed drawings are to be submitted to and approved by Council's Director City Planning, Development and Transport prior to the issue of a Construction Certificate.

Reason

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

(28) OTHER DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) The footpath awning above the residential lobby entrance to Kippax Street is not approved, and is to be deleted.
- (b) 11 additional bicycle spaces are to be provided in the bike storage area on the lower ground floor to provide a total of 53 bicycle spaces in accordance with the condition titled "Bicycle Parking and End of Trip Facilities" of this consent. The Lower Ground Floor storage spaces can be converted to bicycle parking to achieve this.

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

Reason

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

(29) ROOF TERRACE LANDSCAPING

The design of the landscaped roof terrace must be modified as follows:

- (a) The design of planters on the western end of the level 8 roof terrace must be amended to reflect the recommendations in Image 10 of the Pedestrian Wind Assessment Report by RWDI Australia, Version B dated 13 March 2026.
- (b) The glass screens around the roof terrace must be amended to sit on the outer planter wall to allow perimeter planters to be maintained by a person standing within the roof terrace.
- (c) *Lagerstroemia indicas* must be replaced with an evergreen, densely foliated tree species from the City of Sydney's Tree Species List to ensure the tested wind comfort conditions are achieved year-round.

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

Reason

To ensure that proposed wind mitigation measures are reflected in the design.

(30) MATERIALS AND SAMPLES BOARD

A physical material sample board which specifies all proposed materials, finishes and colours, (including privacy screens, visible rainwater goods and services) keyed to each building elevation must be submitted to and approved by Area Planning Manager or Director City Planning, Development and Transport prior to a Construction Certificate being issued.

The materials and samples board is to include but not limited to the glazing for the ground level retail and the apartments (including their specifications for VLT, shading coefficient and Uvalue), the perforated metal and the density of the perforations and thickness, and new bricks, concrete etc. The materials and samples board must not include generic material or colour descriptions or use terminology such as 'or similar'.

Reason

To require the submission of a materials and samples board following assessment of the development.

(31) SIGNAGE STRATEGY

A signage strategy for the building is to be submitted to and approved by Council's Area Planning Manager prior to issue of a Construction Certificate. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building. All signage must comply with the relevant requirements of Section 3.16 of the Sydney Development Control Plan 2012.

Reason

To require a signage strategy.

(32) SIGNAL SYSTEM

A system of traffic lights and/or mirrors must be installed at the ends of any single lane ramp(s) or car lift, to indicate traffic movement on the ramp(s) and car lift. This system must be detailed in the application for a construction certificate. Any system using traffic light signals must maintain a green signal to entering vehicles at the point of entry and must maintain a red signal when an exiting vehicle is detected upon the ramp or driveway.

The traffic light must be installed within the site boundary and be clearly visible from the public road. Details must be submitted to, and approved by, the registered certifier before a Construction Certificate is issued.

Reason

To maintain the orderly operation of vehicle parking areas.

(33) MECHANICAL PARKING FACILITIES

The following details of the car lift and car stacker must be submitted to and approved by the Registered Certifying Authority prior to the issue of a Construction Certificate:

- a) A comprehensive review of the proposed installation of the car lift and car stacker by the manufacturer, ensuring its suitability for implementation according to the manufacturer's specifications. This includes, but is not limited to, compliance with the Preliminary Design Principles outlined in Part 2.3.1 and Part 3.5 of AS/NZS 2890.1 2004.

- b) Implementation of mechanisms to address potential safety concerns, including but not limited to:
 - Noise and vibration levels as received by occupiers of the building including references to relevant Standards;
 - The potential for queuing and the need for on-site waiting spaces. Note that one parallel waiting bay has proposed at street level.
 - The trip hazard posed by platforms to pedestrians within the car parking areas.
- c) The lift must remain at street level by default to allow immediate entry, ensuring incoming vehicles do not wait on the public road.
- d) Management of the use and operation of the car stacker and car lift, covering:
 - During periods of vehicle queuing and /or when the lift is occupied.
 - During any system failure.
 - Consistency with the manufacturer's specifications.
 - Manufacturer's documentation, including information on service rates.
 - Any induction training required prior to use.
- e) Any further information requested by the Registered Certifying Authority.

Reason

To ensure that the car lift and stacker are designed in accordance with the Australian Standards.

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

Prior to the issue of a relevant construction certificate, 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 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 prepared by PWNA, dated 7 May 2025, ref i240761, titled Noise impact assessment, (Council Ref: 2025/487620) 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 plans comply with the relevant standards in the approved acoustic report.

(35) 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 ($L_{A90, 15 \text{ minute}}$) 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.

(36) 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 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.

(37) 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.

(38) ALLOCATION OF PARKING

The number of car parking spaces to be provided for the development must comply with the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.

Car Parking Type	Number
Residential spaces	14
Accessible residential spaces	2
Retail staff parking	2
Subtotal	18
Motorcycle parking	2
Small Rigid Vehicle loading dock(s) (can accommodate MRV subject to supervision and a loading dock management plan)	1
Service vehicle spaces (B99)	1
Total	22

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(39) BICYCLE PARKING AND END OF TRIP FACILITIES

- (a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Residential	42	Spaces must be a class 2 bicycle facilities
Residential visitor	4	Spaces must be Class 3 bicycle rails
Non-residential staff/employee	2	Spaces must be Class 2 bicycle facilities
Non-residential visitor	5	Spaces must be Class 3 bicycle rails
End of Trip Facility Type	Number	
Showers with change area	1	
Personal lockers	2	

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

Notes:

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

Reason

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

(40) INTERPRETATION PLAN

- (a) An interpretation plan for the Former Schweppes Stables Building 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 Former Schweppes Stables Building, including the horse ramp, will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the 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 occupation certificate being issued the approved interpretation plan must be implemented to the satisfaction of Council's Urban Design and Heritage Manager / Area Planning Manager.

Reason

To ensure that the original features of the site are appropriately interpreted and incorporated into the development.

(41) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION

Prior to a Construction Certificate being issued, an archival photographic recording of the Former Schweppes Stable Building is to be prepared to Council's satisfaction. The recording is to be in digital form and prepared in accordance with the NSW Heritage Division guidelines titled 'Photographic Recording of Heritage Items using Film or Digital Capture'. One digital copy of the record is to be submitted to Council.

The form of the recording is to be as follows:

- (a) The Development Application number must be noted on the submitted information.
- (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) 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.
- (d) The report is to be submitted via digital file transfer in PDF/A format, (created directly from the digital original), with the digital catalogue of images containing the following data for each location, image subject/description and date.
- (e) The electronic images are to be 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.

Reason

To ensure appropriate archival documentation of the building.

(42) STRUCTURAL AND WATERPROOFING CERTIFICATION OF LANDSCAPE WORKS

Prior to the issue of a Construction Certificate, structural and waterproofing certification for the design of all landscaping on structure and green roofs are to be submitted to and approved by the Principal Certifying Authority.

Reason

To ensure that structural and waterproofing designs associated for approved landscape works have been completed prior to construction commencement.

(43) LANDSCAPE MAINTENANCE PLAN

Prior to the issue of a Construction Certificate, a detailed Landscape Maintenance Plan shall be submitted to and approved by the Certifying Authority. The Landscape Maintenance Plan must address the long term, ongoing maintenance landscape works in the development and not be limited to the post-construction plant establishment period.

The Landscape Maintenance Plan must include, but not be limited to, the following:

- (a) a maintenance schedule detailing the frequency and type of maintenance activities
- (b) identification of landscape areas subject to maintenance
- (c) a description of how each area will be safely accessed for regular and ongoing maintenance
- (d) identification of any specialist safety systems required to facilitate safe access, including but not limited to anchor points, ladders, walkways, or fall-arrest systems

The landscape maintenance plan is to be complied with during occupation of the property.

Reason

To ensure that a comprehensive and practical maintenance strategy is in place to support the long-term success of all proposed landscape works.

(44) DESIGN FOR ENVIRONMENTAL PERFORMANCE

- (a) Prior to the issue of any Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the approved Design for Environmental Performance report prepared by Ian Fry dated Thursday, July 24, 2025 (Council Ref: 2025/487678) are incorporated into the relevant construction plans and accompanying documentation:

- (i) Section 3 – BASIX

A copy of the required completed BASIX certificate(s) accepted as part of this consent/as amended above must be lodged with an application for a construction certificate and the items nominated as part of the subject BASIX certificate(s) must be specified on the plans submitted with the Construction Certificate application.

Note: Any requirement detailed in the accompanying BASIX Certificate must be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Division 1 of Part 6 of the EP&A Regulation, 2021.

- (ii) Section 4 – Energy Efficiency and Greenhouse Gas Emissions Abatement
 - (iii) Section 5 – Passive Design for Thermal Performance – Building Envelope Design
 - (iv) Section 6 – On site Renewable Energy Generation and Storage
 - (v) Section 7 – Design for Resilience to Climate Change

- (vi) Section 8 – Designing for mains potable water savings and water efficiency
 - (vii) Section 9 – Storm water quality
 - (viii) Section 10 – City Greening
 - (ix) Section 11 – Promoting Active Transport and Reducing Transport Emissions
 - (x) Section 12 – Materials, Embodied Carbon and Circularity
 - (xi) Section 13 – Waste Management and Resource Recovery
 - (xii) Section 14 – Third Party Certification and Design, Construction or Technology Innovations
- (c) Changes to any commitments as listed in the approved Design for Environmental Performance report must be submitted to and approved by Council's Area Planning Manager/Coordinator prior to the issue of any relevant Construction Certificate.

Reason

To ensure the environmental performance of the development.

(45) PUBLIC DOMAIN DAMAGE BOND

- (a) A Public Domain Damage Deposit calculated on the basis of 174 square metres of asphalt and 24 square metres of concrete site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The bond must be provided as security for repairing any damage to the public domain in the vicinity of the site.
- (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 is lodged with the City.

Reason

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

(46) 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.

(47) 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.

(48) 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 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.

(49) STORMWATER DRAINAGE DESIGN

Prior to issue of any Construction Certificate a detailed stormwater management plan prepared by suitable qualified and experienced professionals must be submitted to and approved by the City's Public Domain Unit and must include:

- (i) Council's Sydney Streets Technical Specifications, Part A4 Drainage Design;
- (ii) Council's Sydney Streets Technical Specifications, Standard Drawings;
- (iii) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage Construction;
- (iv) Council's Stormwater Drainage Manual; and
- (v) All relevant Australian Standards.

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.

(50) STORMWATER ON-SITE DETENTION

The requirements of Sydney Water with regard to the on-site detention (OSD) of stormwater must be ascertained and complied with. Evidence of the approval must be submitted to Council prior to issue of any Construction Certificate other than demolition.

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.

(51) FLOOD PLANNING LEVELS

- (a) The development must be constructed to comply with the recommended flood planning levels for entry locations W1, W2, W3, K1, K2, K3, S1, S3 and S4 indicated in Table 3.2 of the report titled 98-106 Kippax Street, Surry Hills-Flood Assessment statement prepared by Jacqueline Woodlock of WMS, Ref: 20320-L01-FloodAssessment_0 dated 26 November 2025 (Council ref: 2026/049086).
- (b) The Sophia Street building entry and loading dock (S2), as identified in the Flood Assessment Statement (Ref: 20320-L01-FloodAssessment_0), must be constructed with finished floor levels (FFLs) no less than 0.3 m above the surrounding ground levels or gutter invert levels whichever is higher. The proposed FFLs must be clearly shown on the Ground Floor Plan included in the Public Domain Levels and Gradients submission. These levels must be approved by the City's Public Domain team prior to the issue of any Construction Certificate.

Details must be submitted to the Registered Certifier prior to the issue of any Construction Certificate demonstrating that the development will comply with the recommended flood planning levels.

Reason

To ensure the development complies with the recommended flood planning levels.

(52) PUBLIC DOMAIN LIGHTING UPGRADE

Prior to issue of any Construction Certificate for excavation, civil construction, drainage or building work (whichever is earlier), a concept Public Domain Lighting Upgrade Plan for pedestrian and street lighting in the public domain must be submitted 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 Kippax, Waterloo and Sophia Streets and must be designed to include the following requirements:

- Upgrade existing Ausgrid streetlights using Ausgrid network standard LED luminaires to achieve the lighting compliance and consider installing suitable glare shields to avoid glare issues for neighbouring properties (if required)
- Kippax St: Lighting shall comply with requirement of AS 1158.3.1 Category PR1 on the roadway and PP2 on the footways
- Waterloo St: Lighting shall comply with requirement of AS 1158.3.1 Category PR1 on the roadway and PP2 on the footways
- Sophia St: Lighting shall comply with requirement of AS 1158.3.1 Category PR2

- Obtrusive lighting assessment shall comply with requirement of AS 4282

Notes:

- Lighting designs must be certified by a suitably qualified practicing lighting engineer and must consist of two parts: illumination design and electrical supply reticulation design. City of Sydney (CoS) shall review electrical reticulation design once receiving final illumination designs.
- Lighting design submission requirements are specified in "Sydney Streets Technical Specifications - A5: Street Lighting Design". Notes:
 - Plans should show calculation points as per Australian Standards.
 - Plans plot scale should not be smaller than 1:250 @ A1
 - Provide a Calculation Summary table showing all relevant light technical parameters and compliance, including Maximum lux levels
 - Highlight all areas of non-compliance
- All works shall comply with the requirements of all applicable standards and guidelines, including (but not limited to) AS1158, AS4282, and the City of Sydney's A5, B8 and Ausgrid NS119 documents.

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.

(53) 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.

(54) STORMWATER DRAINAGE DESIGN FOR STATE ROADS/OTHER AUTHORITIES

A detailed stormwater management plan prepared by suitably qualified and experienced professional and complying with Council's Sydney Streets Technical Specifications, Part A4 Stormwater Drainage Design must be submitted to and approved by Sydney Water prior to issue of any Construction Certificate other than demolition. Evidence of this approval must be submitted to Council.

Reason

To ensure stormwater drainage design complies with owner's requirements.

(55) WASTE AND RECYCLING MANAGEMENT

The Operational Waste Management Plan accompanying this Development Application has not been approved by this consent. An Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery unit and approved by Council's Area Planning Manager prior to the issue of a **Construction Certificate**. The plan must comply with Council's Development Control Plan and *Guidelines for Waste Management in New Developments*. The plan must address:

Commercial waste

- (a) 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.
- (b) Scheduled collections and waste management arrangements of the development/tenancy is the responsibility of the business owner or property manager. 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) collection is to occur from within the property boundary.

Residential waste

- (c) All nominated waste and recycling storage areas must be constructed to meet the relevant conditions required by Council's *Guidelines for Waste Management in New Developments 2018*.
- (d) The path of travel between the bin storage areas/bulky waste storage areas and the designated waste/recycling collection point does not exceed 10m or otherwise bin tug or mechanical devices should be provided by the building manager.

UPON COMPLETION OF THE DEVELOPMENT

- (e) Prior to any Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifier must obtain Council's approval of the waste and recycling management facilities provided in the development and ensure arrangements are in place for domestic waste collection by Council.

Reason

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

(56) WASTE INFRASTRUCTURE

Prior to the issue of **Construction Certificate**, detailed plans, and specifications for the construction of waste management facilities must be submitted for review by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager. The waste management facilities to be provided responsive to Council's controls, policies, and guidelines, including but not limited to:

- (a) Waste and recycling stream(s) storage area(s) to be designed and constructed in accordance with Reference D of *Council's Guidelines for Waste Management in New Developments*. Floors to be waterproofed across all intersections that extend a minimum 1200mm high on the walls.
- (b) Waste chute system to be designed in accordance with Section B and Reference E of the City of Sydney Guidelines for Waste Management in New Developments.

Reason

To allow for the safe and hygienic storage of waste and recycling and support provision of a safe and efficient waste collection service.

(57) LETTERBOXES

- (a) Details of the location and design of all letterboxes are to be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of a 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.

BEFORE BUILDING WORK COMMENCES

(58) DILAPIDATION REPORT – MAJOR EXCAVATION/DEMOLITION

- (a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of adjoining properties (and any other properties identified by the qualified structural engineer engaged to undertake the report) are to be prepared by an appropriately qualified structural engineer prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Registered Certifier and the Council prior to the issue of a Construction Certificate.

UPON COMPLETION OF EXCAVATION/DEMOLITION

- (b) A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifier and the Council prior to the issue of any Occupation Certificate.

Any damage to buildings, structures, lawns, trees, sheds, gardens and the like must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner must advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information must be submitted to Council.

Reason

To ensure that dilapidation reports are prepared and to identify damage to adjoining/nearby properties resulting from building work on the development site.

(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) 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 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, including building facades vaulted/segmented ceilings and horse ramp of the Former Schweppes Stables Building are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed. The report is to also outline a methodology for:

- (a) Material testing to the brickwork and mortar be undertaken to determine approximate strength and identify where strengthening may be required (if any). The Structural engineer is to develop and implement rectification / strengthening solutions with consideration of minimising visual impact (as appropriate).
- (b) Vibration and movement monitoring to the existing structure to be undertaken by the Contractor, with appropriate mitigation measures in place should monitoring limits be exceeded.

b. vibration and movement monitoring to the existing structure to be undertaken by the Contractor, with appropriate mitigation measures in place should monitoring limits be exceeded.

Reason

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

(61) DISPOSAL OF SURPLUS SALVAGED MATERIALS

Salvaged traditional building materials surplus to the requirements of this project including stone, bricks, structural timber, staircases, and joinery are to be sold to an established dealer in second-hand heritage building materials. Documentation of the salvage methodology must be submitted for the approval of Council prior to the commencement of demolition.

Reason

To ensure the salvaging and reuse of traditional building materials.

(62) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

- (a) Prior to the commencement of demolition and/or excavation work 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.

(63) 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.

(64) TREE PROTECTION ZONES (FOR STREET TREES)

- (a) Tree Protection Zone(s) (TPZs) must be established in accordance with Australian Standard 4970 'Protection of trees on development sites' before the commencement of and until completion of the development works.
- (b) The TPZ's are to be established in the locations as outlined in the following table:

Table 2 – Tree Protection Zones

Tree No.	Species	Tree Location	Tree protection Zone (TPZ) radius(m) from trunk	Structural Root Zone (SRZ) radius (m) from trunk
1	<i>Melaleuca quinquenervia</i> (Broad Leaf Paperbark)	Front of 98-106 Kippax Street (Street Tree)	4.2	2.1
2	<i>Tristaniopsis laurina</i> (Water Gum)	Front of 98-106 Kippax Street (Street Tree)	2.1	1.6

- (c) Tree trunk and major branch protection must be installed prior to the issuing of any Construction Certificate and maintained for the duration of all construction work, and must include:
 - (i) Tree trunk(s) and/or major branches to a height of two metres protected by wrapped thick underlay carpet or similar padding material to limit damage.

- (ii) Timber planks (50mm x 100mm) 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 carpet underlay or padding material and timber planks must not be fixed to the tree in any instance, or in any fashion.
 - (iii) Young street trees protected by the installation of 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.
 - (iv) Tree trunk and major branch protection must remain in place for the duration of the development works and be removed at the completion of the development works.
- (d) Materials or goods, including 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.
- (e) Temporary signs or any other items must not be fixed or attached to any street tree.
- (f) Where installed, 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 exposed tree roots.
- (g) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the City of Sydney Tree Team.
- (h) Any trenching works for services / hydraulics / drainage etc must not be undertaken within any Tree Protection Zone (TPZ). Alternative installation methods for services, such as directional boring/drilling, or redirection of services shall be employed.
- (i) Any damage sustained to street tree(s) as a result of any construction activities (including demolition), must be immediately reported to the City of Sydney Urban Forest Team 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.
- (j) Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by a qualified Arborist (minimum AQF Level 5).

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure the protection and ongoing health of the street trees.

DURING BUILDING WORK

(65) 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.

(66) PROTECTION OF STONE KERBS

- (a) The existing stone kerbs on the Sophia Street frontage 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.

(67) COMPLIANCE WITH DEMOLITION, EXCAVATION & 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 Demolition, Excavation and Construction Management Plan approved by Council.
- (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.

(68) 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 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.

(69) 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.

(70) 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.

(71) IMPORTED FILL MATERIALS

- (a) All fill material imported to the site must be certified and validated by a certified environmental consultant. It should be accompanied by documentation from the consultant that confirms its classification and suitability for the intended use. The fill must also be compatible with the existing soil characteristics to support site drainage.
- (b) Imported fill must be limited to the following:
 - (i) Virgin excavated natural material (VENM), classified in accordance with the Protection of the Environment Operations Act 1997.
 - (ii) Excavated natural material (ENM), certified in accordance with the Protection of the Environment Operations (Waste) Regulation 2014.
 - (iii) Waste-derived materials subject to a Resource Recovery Exemption under Clauses 91 and 92 of the Protection of the Environment Operations (Waste) Regulation 2014 and recognised by the NSW EPA as “fit for purpose” for the proposed development.
- (c) Any waste-derived material received under a resource recovery exemption must be accompanied by documentation from the NSW EPA confirming compliance with the exemption conditions. This documentation must be provided to the Certifier and Council:
 - (i) Upon request.
 - (ii) Before the commencement of works under the Protection of the Environment Operations Act.
 - (iii) Before the issue of a construction certificate or occupation certificate or
 - (iv) As part of the validation report for the remediation, as applicable.

- (d) All imported fill must be accompanied by certification from the supplier confirming the material is not contaminated, based on analysis of the source site's history and/or sampling and analysis must be conducted in accordance with the NSW EPA (2022) Sampling Design Guidelines.
- (e) Any existing soils proposed for reuse onsite must be analysed and classified by a suitably qualified and experienced environmental consultant. This assessment must follow the relevant NSW EPA guidelines and the National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended in 2013), to confirm suitability for the proposed land use. The results must be included in the validation report for the remediation

Reason

To ensure that imported fill is not contaminated.

(72) 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.

(73) STOCKPILES

- (a) Soil or other materials must not be stockpiled on footpaths or nature strips without prior written approval from Council.
- (b) All stockpiles must be managed to prevent contamination of the underlying soil.
- (c) Potentially contaminated soil must be stockpiled on a hardstand surface or over polyethylene sheeting.
- (d) Stockpiles must:
 - (i) Be bunded to prevent runoff of potentially contaminated materials.
 - (ii) Be stabilised through compaction and contouring to minimise wind exposure and allow access for water trucks.
 - (iii) Not exceed the height of perimeter fencing to assist in controlling dust and odour emissions.
 - (iv) Be clearly labelled with a unique identification number and include records of the soil's volume and origin to enable tracking from excavation to final disposal or reuse.

Reason

To ensure that stockpiles of soil or other materials are appropriately managed.

(74) DISCHARGE OF CONTAMINATED GROUNDWATER

- (a) Contaminated groundwater must not be discharged into the City's stormwater drainage system.
- (b) Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by an EPA NSW licensed liquid waste contractor and disposed of by transporter to an appropriate licensed waste treatment/processing facility.

Reason

To ensure that the discharge of ground water is appropriately managed.

(75) 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.

(76) 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.

(77) 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 requirements*. 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.

(78) 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.

(79) 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.

(80) 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.

(81) 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.

(82) 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.

(83) SURVEY SETOUT

Prior to the commencement of construction all footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor.

The building shall be sufficiently set back to ensure that no component of the building (such as the roof, guttering, or downpipes) encroach upon or overhang the boundaries of the site.

The registered surveyor shall provide a survey and report to the Principal Certifier indicating the position of the footings, walls and floor slabs in relation to the boundaries of the allotment.

Reason

To ensure the development does not encroach onto neighbouring properties.

(84) TREE SENSITIVE EXCAVATION

- (a) Excavation within the table below must be undertaken using tree sensitive methods (i.e hand/air spade/hydrovac) and supervised by a qualified Arborist (minimum AQF Level 5). To prevent root damage, low pressures (i.e. 900 maximum) must be used for hydrovac excavation with the bark remaining intact.

Table 3 – Tree Sensitive Excavation:

Tree No	Species	Tree Location	Tree Protection Zone (TPZ) radius (m) from trunk	Structural Root Zone (SRZ) radius (m) from trunk
1	<i>Melaleuca quinquenervia</i> (Broad Leaf Paperbark)	Front of 98-106 Kippax Street (Street Tree)	4.2	2.1

(b) Excavation must not occur within the SRZ. If excavation is proposed within this zone, the Council's Tree Management Officer must be contacted immediately, and the excavation must be carried out in accordance with Council's direction.

(c) Roots greater than 40mm must not be severed or damaged within the TPZ without written approval from the City of Sydney Tree Team, except for within the approved building footprint. As required, tree sensitive construction/installation methods (i.e. directional boring, redirection of services, pier and beam footings) must be used to ensure the retention and protection of roots greater than 40mm diameter.

Footings shall be relocated / realigned if any tree root greater than 40mm in diameter is encounter during excavations. A minimum of 150mm clearance shall be provided between the tree root and footing.

(d) Trenching must be backfilled as soon as possible, and exposed roots must be covered with mulch or a geotextile fabric and kept in a moist condition and prevented from drying out.

(e) Any approved root pruning must be carried out by a qualified Arborist (minimum AQF Level 5) in accordance with Australian Standard 4373 'Pruning of Amenity Trees'.

(f) Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by a qualified Arborist (minimum AQF Level 5).

Reason

To ensure that excavation works to trees are carried out in an appropriate manner.

(85) SITE SUPERVISION 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 undertake inspections every two months through the development works.

- (c) 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 building and services;
 - (v) Landscape works within the TPZs;
 - (vi) Other times as specified in the Arboricultural Impact Assessment Report, Tree Protection Specifications (TPS) and Tree Protection Plan (TPP) or these conditions.
- (d) 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 City of Sydney Urban Forest Team. 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.

Reason

To ensure the protection and ongoing health of trees on the site.

(86) TREE PRUNING – FURTHER APPROVAL REQUIRED

- (a) Consent from the City of Sydney Urban Forest Team must be obtained prior to undertaking the pruning of any tree to be retained, including trees roots greater than 40mm 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. Only minor pruning works will be approved by the City's Urban Forest Team.

- (c) Any approved pruning must be carried out by a qualified Arborist (minimum AQF Level 3) in accordance with Australian Standard 4373 'Pruning of Amenity Trees' and the SafeWork's Code of Practice - Amenity Tree Industry.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' and the 'Code of Practice: Construction related Temporary Structures On and Above Roads' for further information.

Reason

To ensure that pruning works to trees are carried out in an appropriate manner.

(87) SYDNEY WATER CERTIFICATE

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to any Occupation Certificate or subdivision/strata certificate being issued.

Reason

To ensure the requirements of Sydney Water are met.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(88) RESTRICTION ON AFFORDABLE HOUSING

At least 15% of the development must be used for the purpose of affordable housing in accordance with Chapter 2, Part 2, Division 1 the State Environmental Planning Policy (Housing) 2021, and as per the drawing titled “Affordable GFA” (DA510 Rev C) prepared by DKO as referred to in Condition 1 (Approved Development) of this consent.

Prior to the issue of any occupation certificate:

- (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;
- (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 submitted to and approved by Council’s Area Planning Manager.

It is a condition of the development consent that during the relevant period (15 years commencing from the date of issue of the occupation certificate):

- (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.

Reason

To ensure the affordable housing component of the development is delivered in accordance with the requirements of SEPP (Housing) 2021.

(89) PUBLIC ART

Public art must be installed to the City’s satisfaction prior to the issue of any Occupation Certificate.

- (a) The public artwork must be in accordance with Preliminary Public Art Plan, dated 10 November, 2025 (Council ref: 2026/049071), the *Sydney DCP 2012*, the *Public Art Policy*, and the *Interim Guidelines: Public art in private developments*.
- (b) A Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Director City Planning, Development and Transport prior to issue of any Construction Certificate for above ground works.

- (c) Public artwork must be installed to the City's satisfaction, inspected and approved and the Final Public Art Report submitted and approved by Council's Area Planning Manager prior to the issue of any Occupation Certificate.

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

(90) VERIFICATION OF ACOUSTIC REPORT PRIOR TO OCCUPATION CERTIFICATE

Prior to the issue of any occupation certificate, 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 prepared by PWNA, dated 7 May 2025, ref i240761, titled Noise impact assessment, (Council Ref: 2025/487620), 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.

(91) 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.

(92) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

- (a) Prior to the issue of an **Occupation Certificate**, Council's review and written approval of the as-built waste infrastructure, facilities, and vehicle access is required. The City Cleansing & Resource Recovery Unit of Council must be satisfied that:
 - (i) All waste management facilities, storage, and collection infrastructure comply with the stamped plans, approved Operational Waste Management Plan and Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.
 - (ii) All waste rooms, corridors, doors, and gates to be accessed by Council's collection contractor(s) are to be fitted and accessible via Council's master key system. Specifications of locks, barrels, and supporting infrastructure are to be submitted to Council's City Cleansing & Resource Recovery Unit.
- (b) Site inspections are to be conducted by Council's City Cleansing & Resource Recovery Unit to review the site on-site waste collection, storage and loading bay infrastructure prior to the issue of an **Occupation Certificate**. The inspections are to be conducted a minimum 6-months prior to projects anticipated construction completion. Prior to the inspection an electronic copy of the latest architectural plans are to be submitted.
- (c) An updated Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery Unit that aligns with the latest version of architectural plans and waste related updates identified during the site inspections. The plan is to be reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of an **Occupation Certificate**.
- (d) The developer is to enter into a formal agreement with the City of Sydney Council for the utilisation of Council's Waste Collection Service. A signed agreement is to be submitted to Council's City Cleansing & Resource Recovery unit prior to the issue of an **Occupation Certificate**.
- (e) The assigned strata manager for the development and direct contact details are to be provided to Council's City Cleansing & Resource Recovery Unit prior to the issue of an **Occupation Certificate**.

Reason

To ensure that facilities and arrangements are in place to enable the provision of a safe and efficient waste collection service responsive to Council's policies and contractual service provisions.

(93) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an **Occupation Certificate**, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved at the Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

(94) PUBLIC DOMAIN WORKS COMPLETION

The Public Domain works are to be constructed in accordance with the Public Domain Works Approval letter, stamped plans for Public Domain Levels and Gradients, Stormwater, Public Domain Lighting, the City's *Public Domain Manual*, *Stormwater Drainage Manual*, *Sydney Lights Design Code* and *Sydney Streets Technical Specification*.

The public domain work must be inspected and a Public Domain Work Letter of Completion Operational Acceptance must be issued by Council's Public Domain Officer prior to the issue of any Occupation Certificate or before the commencement of use, whichever is earlier.

Reason

To ensure the public domain works are completed in accordance with the approved documents and Council's requirements.

(95) 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.

(96) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT

Prior to the issue of any Occupation Certificate:

- (a) The Owner is required to enter into a Deed of Agreement (Stormwater Deed) with the City of Sydney and obtain registration of Title of a Positive Covenant for all proposed connections to the City's underground drainage system. The deed and positive covenant will contain terms reasonably required by the City and will be drafted by the City's Legal Services Unit at the cost of the applicant, in accordance with the City's Fees and Charges.
- (b) A Positive Covenant must be registered on the property title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection. The positive covenant will contain terms reasonably required by the City and will be drafted by the City's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges.

Reason

To protect underground drainage system.

(97) COMPLETION OF LANDSCAPE WORKS

Prior to the issue of an Occupation certificate, all landscaping on the site must be completed in accordance with the approved landscape plans.

Reason

To ensure that all approved landscape works are completed before occupation.

(98) LOADING DOCK MANAGEMENT PLAN

A Loading Dock Management Plan is to be prepared for distribution to relevant tenants outlining how the loading dock will be managed and used by all relevant tenants. The Plan must include, but is not limited to, management of deliveries to ensure vehicles are not waiting on public streets to enter the site.

The plan is to be prepared and submitted to and approved by Council's Area Planning Manager prior to issue of an Occupation Certificate.

Once approved, this management plan is to be provided to all relevant tenants and external users of the loading area.

Reason

To ensure that the loading dock is appropriately managed.

(99) PHYSICAL MODELS

- (a) Prior to the issue of any Occupation Certificate an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the City Model in Town Hall House.

Note:

- (i) The models must be constructed in accordance with the Model Specifications available online at <https://www.cityofsydney.nsw.gov.au/design-codes-technical-specifications/requirements-scale-models> 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.

(100) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

- (a) Prior to any Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.
- (b) The data required to be submitted within the surveyed location must include and identify:
 - (i) building design above and below ground in accordance with the development consent;
 - (ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;
 - (iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

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

- (c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at <https://www.cityofsydney.nsw.gov.au/design-codes-technical-specifications/requirements-scale-models> 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.

(101) ADVANCE TREE PLANTING

- (a) Tree planting within the property must be to satisfaction of the City of Sydney Urban Forest Team prior to the issuing of any Occupation Certificate and in accordance with the following:
 - (i) The planting locations, container size and species selection in the approved landscape as referenced in Condition 1 (Approved Development) and amended by Condition 26 (Roof Terrace Landscaping) are to be adhered to.
 - (ii) The new tree(s) must be planted at the completion of all construction works.
 - (iii) The tree(s) must be grown in accordance with Australian Standard 2303 'Trees stock for landscape use'.
 - (iv) The new tree(s) must be planted by a qualified Horticulturalist or Arborist (minimum AQF Level 3) and in such a manner as to promote good health during the establishment period, and must be maintained, as far as practicable to ensure tree growth into maturity.
 - (v) Prior to the issuing of any Occupation Certificate, suitable documentation (including a written statement and photographic evidence) is to be submitted to the City of Sydney for review and written confirmation is to be obtained from the City of Sydney Area Planning Coordinator or Area Planning Manager confirming all trees have been planted to their satisfaction (excluding tree maintenance).
 - (vi) Any newly planted tree(s) which fail to establish within 2 years of the initial planting date must be replaced with tree(s) of comparable qualities, and maintained until it reaches a minimum height of 5 metres.

Reason

To ensure the provision and maintenance of adequate tree planting on site.

(102) SITE SUPERVISION AND REPORTING

- (a) A final Tree Protection Compliance Certificate, prepared by a qualified Arborist (AQF Level 5) 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.

(103) RESTRICTION ON USE OF CAR SPACES

- (a) The on-site car parking spaces, exclusive of service, visitor and retail component car spaces, are not to be used other than by an occupant, tenant or resident of the subject building.
- (b) Prior to any Occupation Certificate being issued or the use commencing, whichever is earlier, a documentary Restriction on the Use of Land, is to be registered on the Title of the development site pursuant to Section 88E of the *Conveyancing Act 1919*, to the effect of (a) above. The Restriction is to be created to the benefit of Council, at no cost to and to the satisfaction of Council.
- (c) Any future strata subdivision shall provide for a Restriction on the use of Land to be registered of all 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.

A restriction burdening common property in a future strata plan only, shall not satisfy this condition.

Reason

To ensure the on-site car parking spaces are not to be used other than by an occupant, tenant or resident of the building.

(104) CAR PARKING STACKING SYSTEM – RESTRICTION AND COVENANT

Prior to issue of an Occupation Certificate:

- (a) A documentary Positive Covenant is to be created over the car stacker requiring that two car parking spaces must be provided within the car parking stacking system, at all times, for use by the residential lots within the development.

Reason

To ensure that the car stacker is appropriately managed.

(105) RESTRICTION ON RESIDENTIAL DEVELOPMENT

The following restriction applies to buildings approved for residential use:

- (a) The accommodation portion of the building must be used as permanent residential accommodation only and not for the purpose of a boarding house or hostel, hotel or motel accommodation, serviced apartments, tourist and visitor accommodation or any other use.

- (b) A Restriction on the Use of Land is to be registered on the title of the development site in the above terms and restricting any change of use of 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 type of Occupation Certificate being issued or the use commencing, whichever is earlier. The covenant restriction must contain terms reasonably required by Council and will be drafted by Council's solicitor, at the cost of the applicant, in accordance with the City's Fees and Charges, or included with a Section 88B Instrument for the future strata plan and burdening all residential strata lots where no subdivision will occur.
- (c) If a lot contains tenants, it must be subject to a residential tenancy agreement for a term of at least three months.
- (d) No person can advertise or organise the use of residential apartments approved under this consent for short term accommodation.

Reason

To ensure the residential accommodation portion of the site is used for permanent residential purposes.

(106) SURVEY CERTIFICATE PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

Prior to the issue of any type of Occupation Certificate for the building, a Final Identification Survey prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act 2002 must be submitted at the completion of the building work certifying the location of the building and showing offsets in relation to the boundaries of the allotment.

Any encroachments of the building including gutters and downpipes over the side boundaries or rear lane that are not approved in the DA must be removed, or where approved, appropriate easements under Section 88B of the Conveyancing Act 1919, with terms to the satisfaction of Council, must be lodged with the office of NSW Land Registry Services, and evidence of lodgement provided to the Principal Certifier prior to the issue of any type of Occupation Certificate. Encroachments upon public roads must, if supported, be approved by Council's Area Planning Manager prior to the issue of any type of Occupation Certificate.

Reason

To ensure that either the building does not encroach, or that any encroachments are formalised on title.

OCCUPATION AND ONGOING USE

(107) 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.

(108) MANAGING NOISE

The premises must be operated and managed in accordance with the approved acoustic report prepared by PWNA, dated 7 May 2025, ref i240761, titled Noise impact assessment, (Council Ref: 2025/487620) 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.

(109) COMMERCIAL AND INDUSTRIAL DEVELOPMENT NOISE

During ongoing use of the premises, the cumulative emission of noise from commercial and industrial activities must comply with Requirement 4 – *NOISE FROM COMMERCIAL AND INDUSTRIAL ACTIVITIES*, as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

Reason

To protect the acoustic amenity of surrounding properties.

(110) 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.

(111) SCHEDULED COLLECTIONS – COMMERCIAL

- (a) Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for *Managing Waste in Public Places*.
- (b) In accordance with the approved waste management plan, waste and recycling stream(s) bins must not be placed on the street for collection. Waste collection will occur within the site at all times. Unimpeded access must be provided to the waste and recycling stream(s) storage area(s) at all times.
- (c) Unobstructed access is to be provided for waste collection vehicles to set down within 10m of the waste storage and collection area(s) during zone collection times on collection days.
- (d) The collection of waste and recycling stream(s) is to only occur during designated zone collection times outlined within the Local Approvals Policy for *Managing Waste in Public Places* to minimise impacts to residential amenity.

Reason

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

(112) ONGOING WASTE MANAGEMENT – RESIDENTIAL

- (a) The ongoing use of development must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.
- (b) All general waste and recycling stream(s) materials emanating from the premises must be stored in the designated waste storage area(s) integrated within the built form and must not be stored outside the premises (including any public place) at any time.
- (c) The property manager is responsible for lodging requests for damaged/broken bins, managing the rotation of bins, ensuring the full allocation of relevant bins are available for scheduled collections, management of odour and the routine cleaning and maintenance of all waste storage areas.
- (d) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.
- (e) The property manager is responsible for the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney Council responsive to the approved Operational Waste Management plan.

- (f) Commercial waste and recycling stream(s) and supporting infrastructure to be stored in a separate lockable, enclosed, and walled area free from the residential waste and recycling stream(s) rooms. The residential rooms to have relevant locks to inhibit commercial tenants access to Councils residential waste streams.

Reason

To support the safe and efficient scheduled Council waste collection service and ensure the impacts of waste management on the public domain and public health are minimised.

(113) SCHEDULED COLLECTIONS - RESIDENTIAL

- (a) Scheduled collections and waste management arrangements of Council's residential waste stream(s) is to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan, the developments Conditions of Consent and the City's Local Approvals Policy Managing Waste in Public Spaces.
- (b) Council's Domestic Waste Charge is applied to all residential rate accommodation properties in accordance with section 496 of the *Local Government Act 1993*. Residential accommodation is defined in accordance with the *Sydney Local Environmental Plan 2012* dictionary.
- (c) Unobstructed access to be provided for Councils standard waste collection vehicles to access the waste and recycling storage area(s), loadings bays and supporting infrastructure between the hours 6am and 6pm on collection day(s) to support the provision of a safe and efficient waste collection service to the site.

Reason

To support the safe and efficient scheduled residential waste collection service and minimise the impacts on public amenity and safety.

(114) ONGOING WASTE MANAGEMENT – COMMERCIAL

- (a) The ongoing use of development/tenancy must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.
- (b) All general waste and recycling materials emanating from the premises must be stored in the designated waste storage area(s), must not be stored outside the premises (including the public domain) at any time.
- (c) All waste and recycling stream(s) storage area(s) are to only be used for the purposes of storing waste and recycling from the premises in accordance with the original consent and approved Operational Waste Management Plan and not be converted to a different use.

- (d) Scheduled collections and waste management arrangements of the development/tenancy is the responsibility of the business owner or property manager and are to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan and this consent. These arrangements include:
 - (i) arranging an adequate number of bins and the servicing regime matched to the needs of the premises.
 - (ii) actively managing waste streams and supporting infrastructure to ensure bins are not overflowing, damaged or leaking and lids are fully closed at all times.
 - (iii) routine cleaning and maintenance of waste storage area(s) to inhibit the permeation of odour and prevent litter and pests.
 - (iv) the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney.
- (e) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

Reason

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

(115) 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.

WaterNSW Conditions

The following conditions have been imposed by WaterNSW:

(116) CONSTRUCTION DEWATERING

Before undertaking construction dewatering, the following approvals must be obtained from WaterNSW:

- water supply work approval
- water access licence (WAL) - unless the project qualifies for an exemption
- water use approval - unless there is a development application from a local government authority

As part of the application process, the applicant will need to provide:

- a copy of the Development Consent
- written consent from Council or Sydney Water to discharge water into their stormwater system
- a dewatering management plan which includes the volume of water to be extracted & the duration of the water take for dewatering & method of measuring the water take and recording
- an Acid Sulphate Soil Management Plan (if relevant)
- and architectural plans and/or elevations

All applications are assessed in accordance with the Water Management Act 2000, Minimum requirements for building site groundwater investigations and reporting and associated Water Sharing Plans and are subject to rigorous impact assessments and if impacts are deemed to be greater than minimal the application may be refused as a result.

Ausgrid Conditions

The following conditions have been imposed by Ausgrid:

(117) AUSGRID CHAMBER SUBSTATION

Prior to issue of a construction certificate, separate approval is required from Ausgrid for the substation. The proposed substation design will need to comply with Ausgrid Network Standard document NS113: Site Selection and Construction Design Requirements for Chamber Substations. For the "adjacent allotment" positioned across Grafton Lane, the design must consider the separation of the building ventilation openings. Ausgrid will need to be advised if the stringline separation is less than 6 meters, as per NS113 Cl 9.6.8. Additionally, the design indicates that there is a fire stair just beyond the 3-meter clearance zone. The fire engineer must consider the tenability at the fire stair exit.

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 the above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment, or 120/120/120 where there is no oil filled equipment and be constructed of non-combustible material.

For further details on fire segregation requirements refer to Ausgrid's Network Standard 113.

(118) NEW OR MODIFIED CONNECTION

To apply to connect or modify a connection for 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>.

(119) PROXIMITY TO EXISTING NETWORK ASSETS

Safework NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and

operating of cranes and the location of any scaffolding.

The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website, www.ausgrid.com.au

Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost.

It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

(120) 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.

Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets - Clearances”. This document can be found by visiting the following Ausgrid website:

www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

SCHEDULE 2

PRESCRIBED CONDITIONS

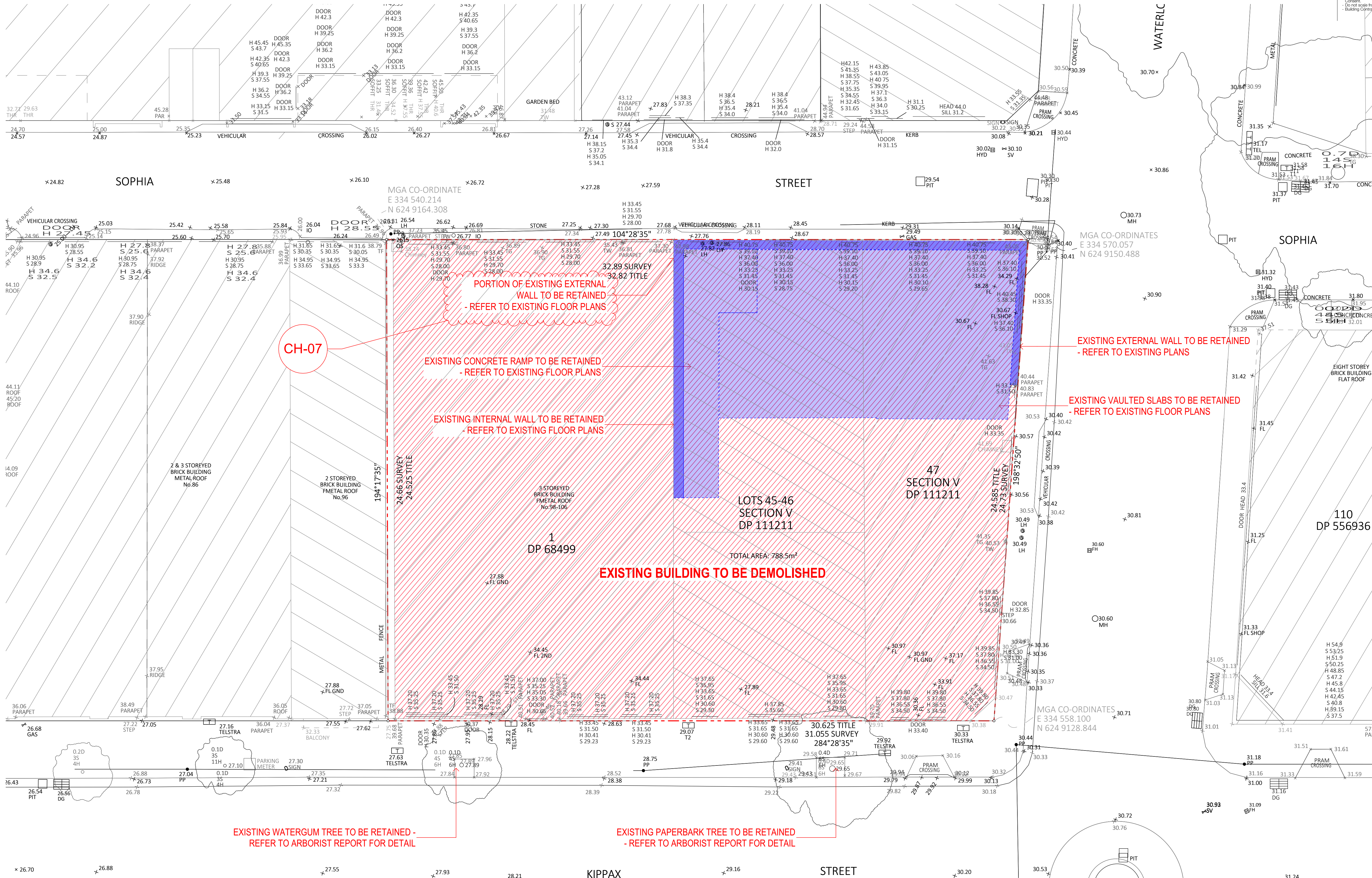
The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

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>

Attachment B

Selected Drawings

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arborist Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules, all specialist consultant documentation: BASIX, NatHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



Notes
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ALL DRAWINGS TO BE READ IN CONJUNCTION WITH:
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- ALL SPECIALIST CONSULTANTS DOCUMENTATION
- BASIX, NATHERS & SECTION J CERTIFICATES
MINOR CHANGES TO FORM & CONFIGURATION MAY BE REQUIRED AFTER DEVELOPMENT CONSENT WHEN DRAWINGS ARE PREPARED FOR CONSTRUCTION PURPOSES.

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
01	23/01/2025	ZZ		Issue for Coordination
A	17/03/2025	DK		DA Set
B	04/04/2025	DK		DA Set
C	26/05/2025	DK		DA Set
D	01/02/2026	DK	DK	Revised DA Set



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Project Number
Project Address
Country
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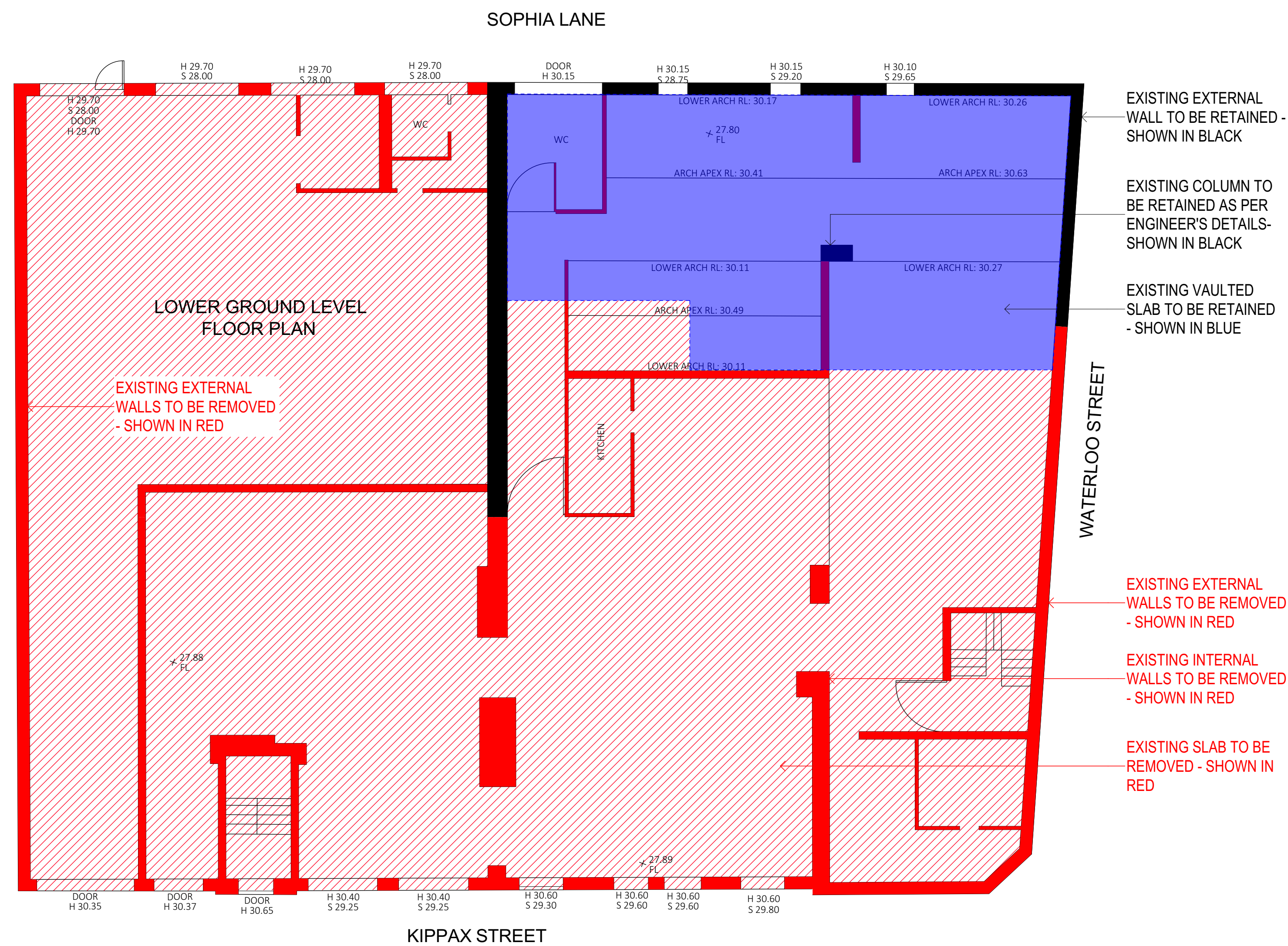
98-106 Kippax Street
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98-106 Kippax Street, Surry Hills
Sydney NSW 2000

Drawing Name
Demolition Site Plan

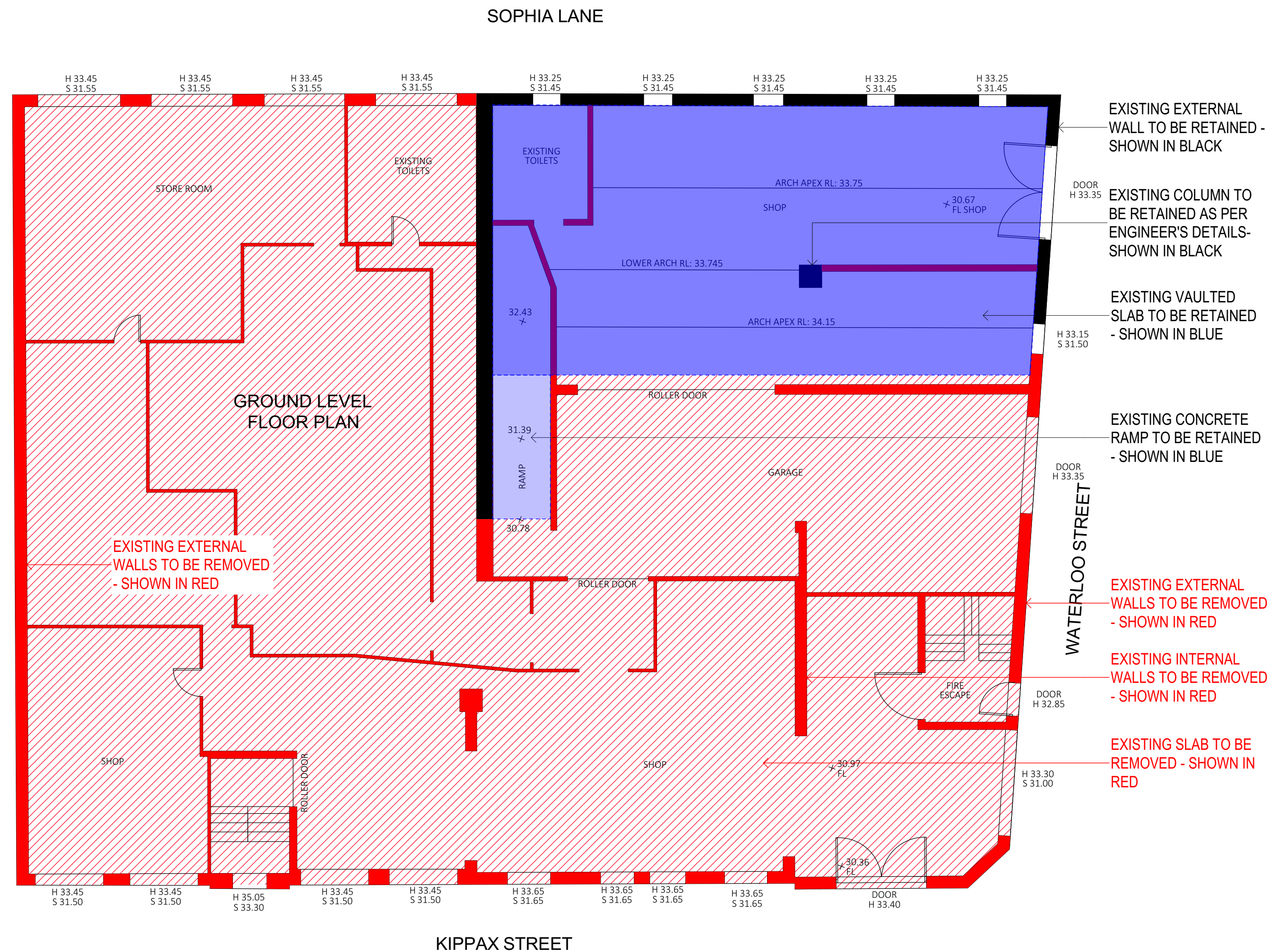
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DA102

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Revision
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- All works to be in accordance with authority & statutory approvals.
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 Demolition Plan - Lower Ground Level
Scale 1:100



Demolition Plan - Ground Level
Scale 1:100

Notes

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DEVELOPMENT APPLICATION

Drawing Name
Demolition Floor Plan 1

Drawing Scale

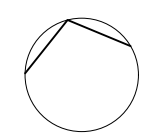
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Revision
C

Rev	Date	By	Chk	Description
A	17/03/2025	DK		Frozen Set
B	04/04/2025	DK		DA Set
C	28/05/2025	DK		DA Set

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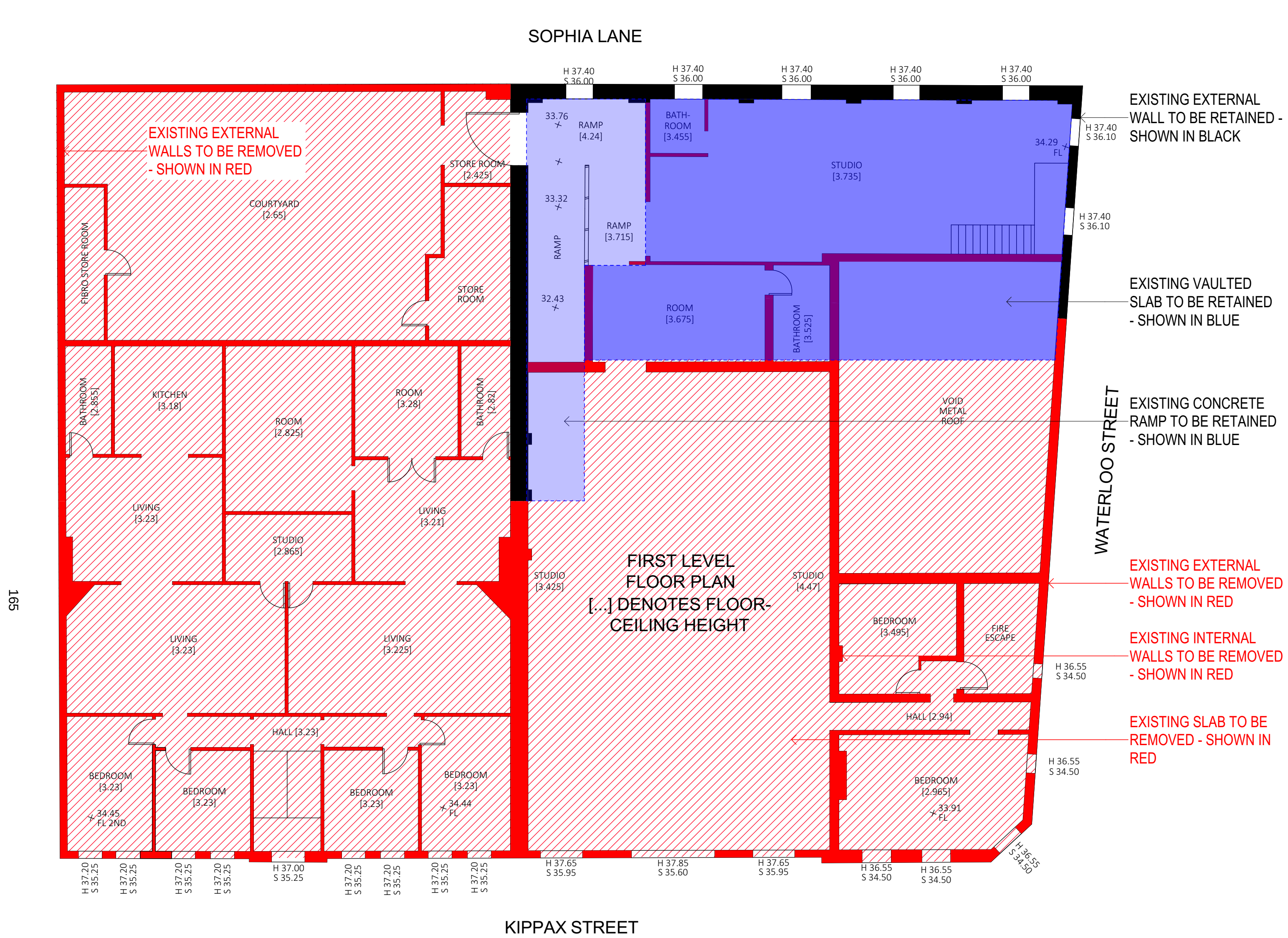
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Project Name
Project Number
Project Address

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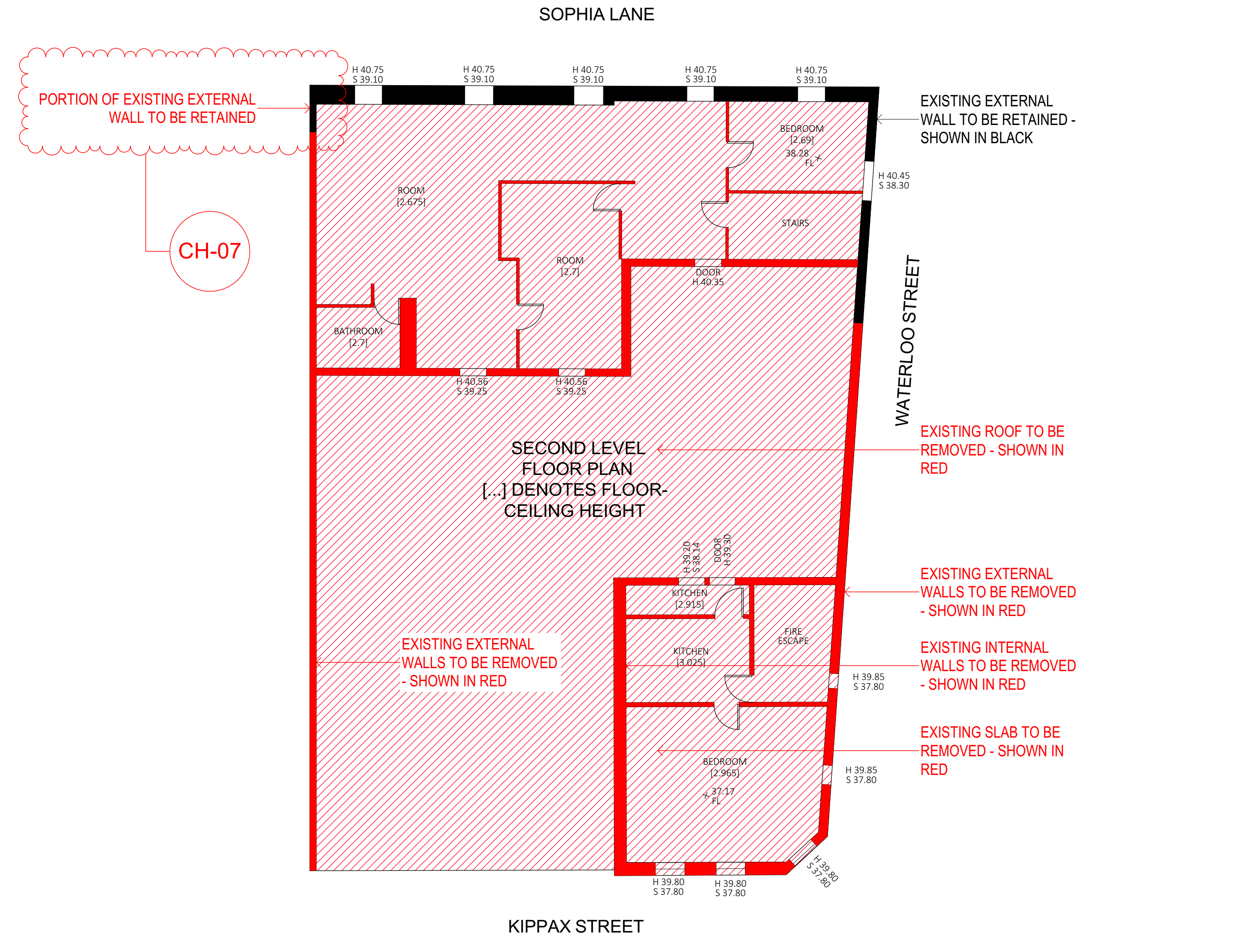
Gadigal

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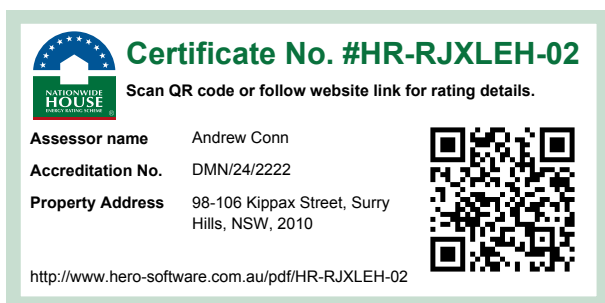
165

Demolition Plan - Level 1
Scale 1:100



Demolition Plan - Level 2
Scale 1:100

- KEY**
- Area to be Retained
 - Walls to be Retained
 - Existing Area to be demolished
 - Existing walls to be demolished



Notes
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Rev	Date	By	Chk	Description
A	17/03/2025	DK		Final Set
B	19/04/2025	DK		DA Set
C	26/05/2025	DK		DA Set
D	8/01/2026	DK	DK	Revised DA Set



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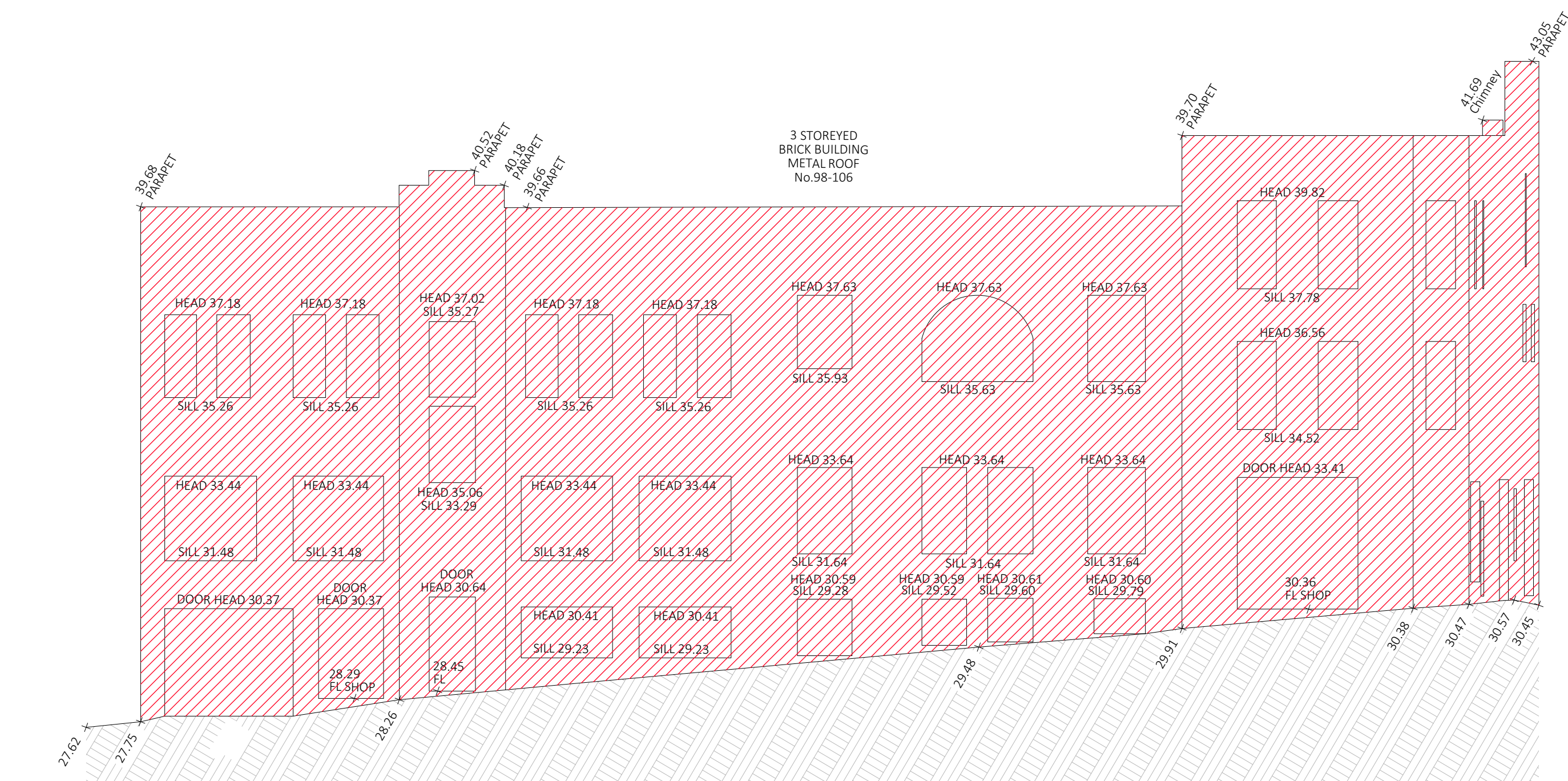
DEVELOPMENT APPLICATION

Drawing Name
Demolition Floor Plan 2

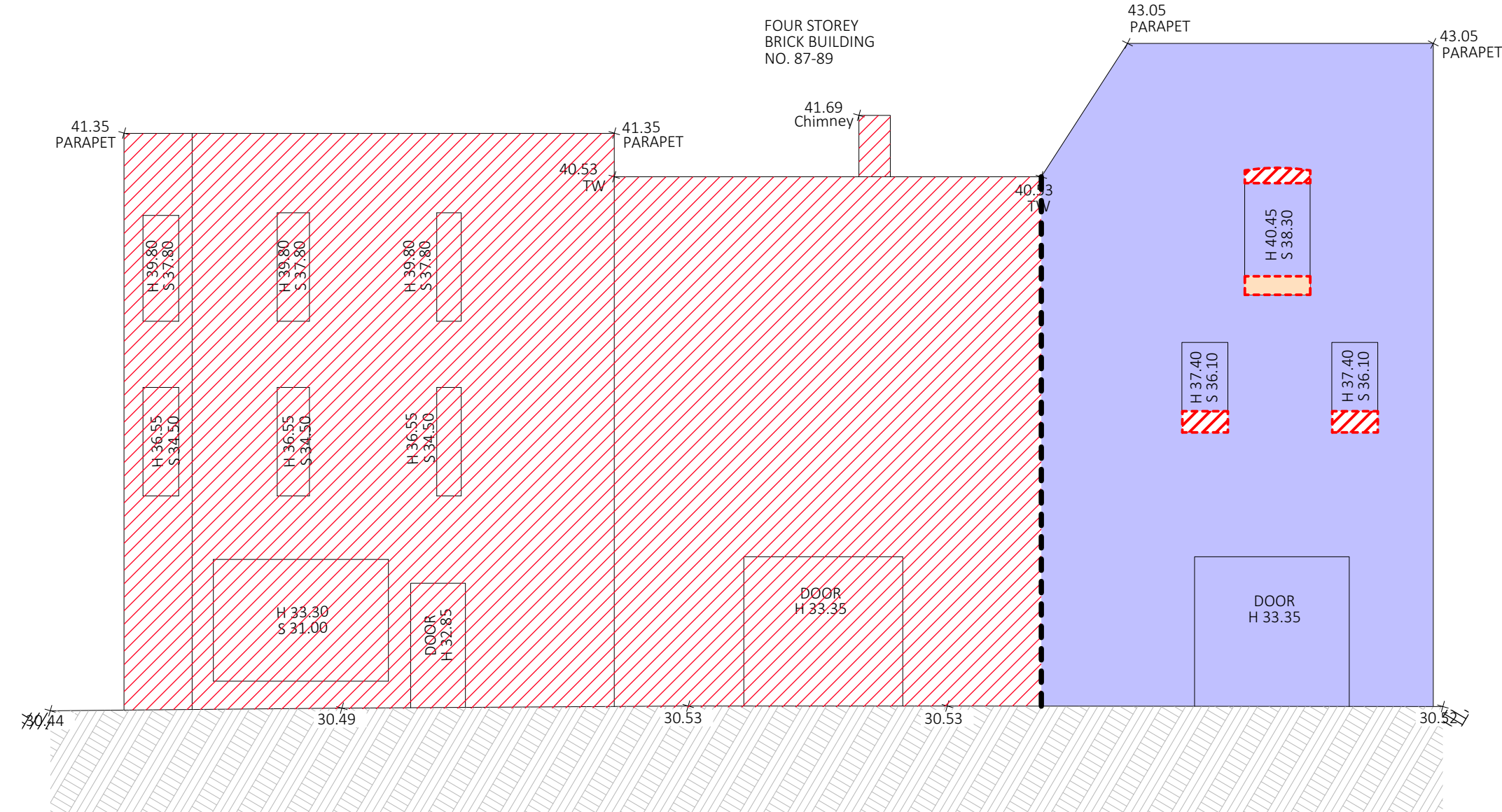
Drawing Scale
Drawing No.
DA104

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Revision
D

- All works to be in accordance with authority & statutory approvals.
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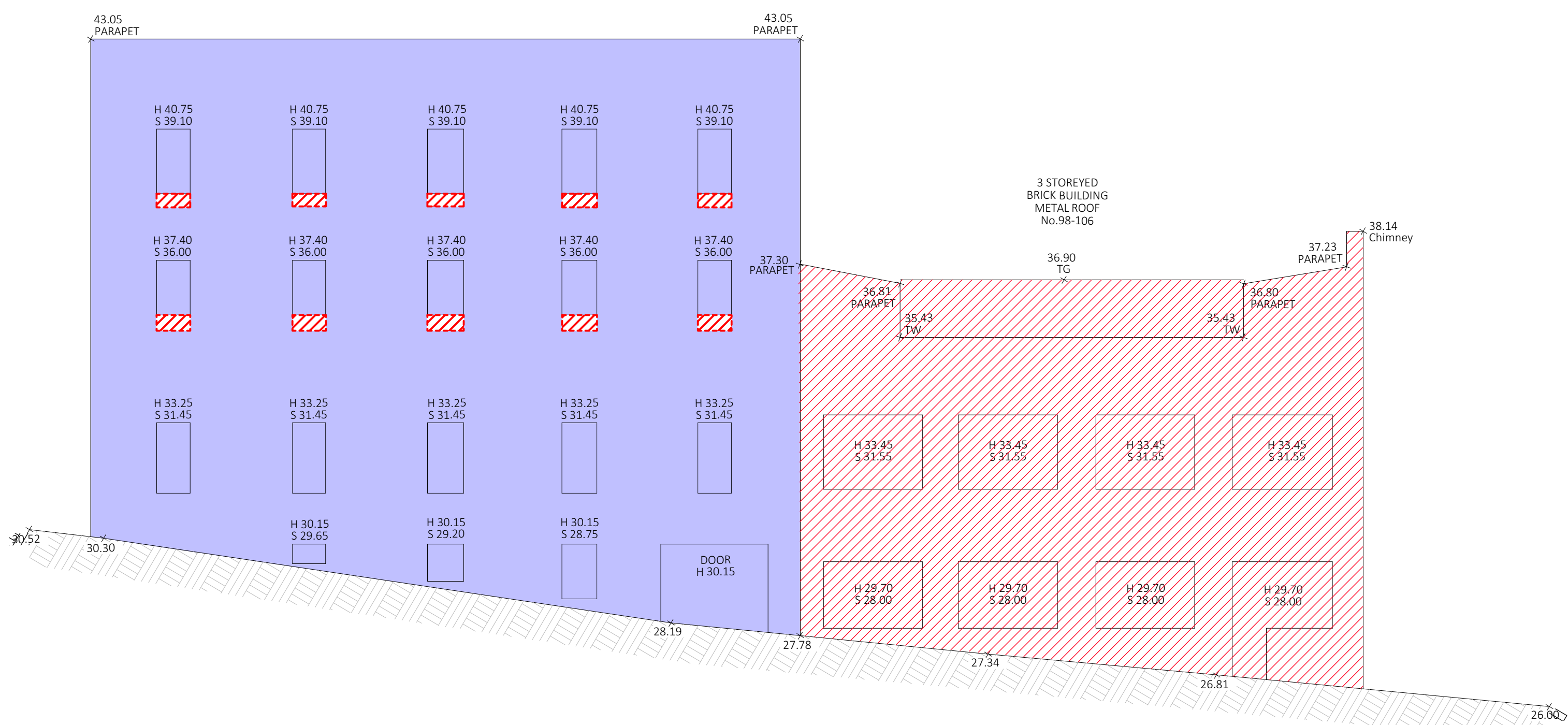


Demolition South Elevation - Kippax Street
Scale 1:100



EASTERN ELEVATION - WATERLOO STREET

Demolition East Elevation- Waterloo Street
Scale 1:100



Demolition North Elevation - Sophia Street
Scale 1:100

Notes

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DEVELOPMENT APPLICATION

Drawing Name
Demolition Elevations

Drawing Scale

Drawing No.
DA-1

Drawing No.
DA105

1:100 @ A1

Revision
CRevision
C

Rev	Date	By	Chk	Description
A	17/03/2025	DK		Frozen Set
B	04/04/2025	DK		DA Set
C	28/05/2025	DK		DA Set

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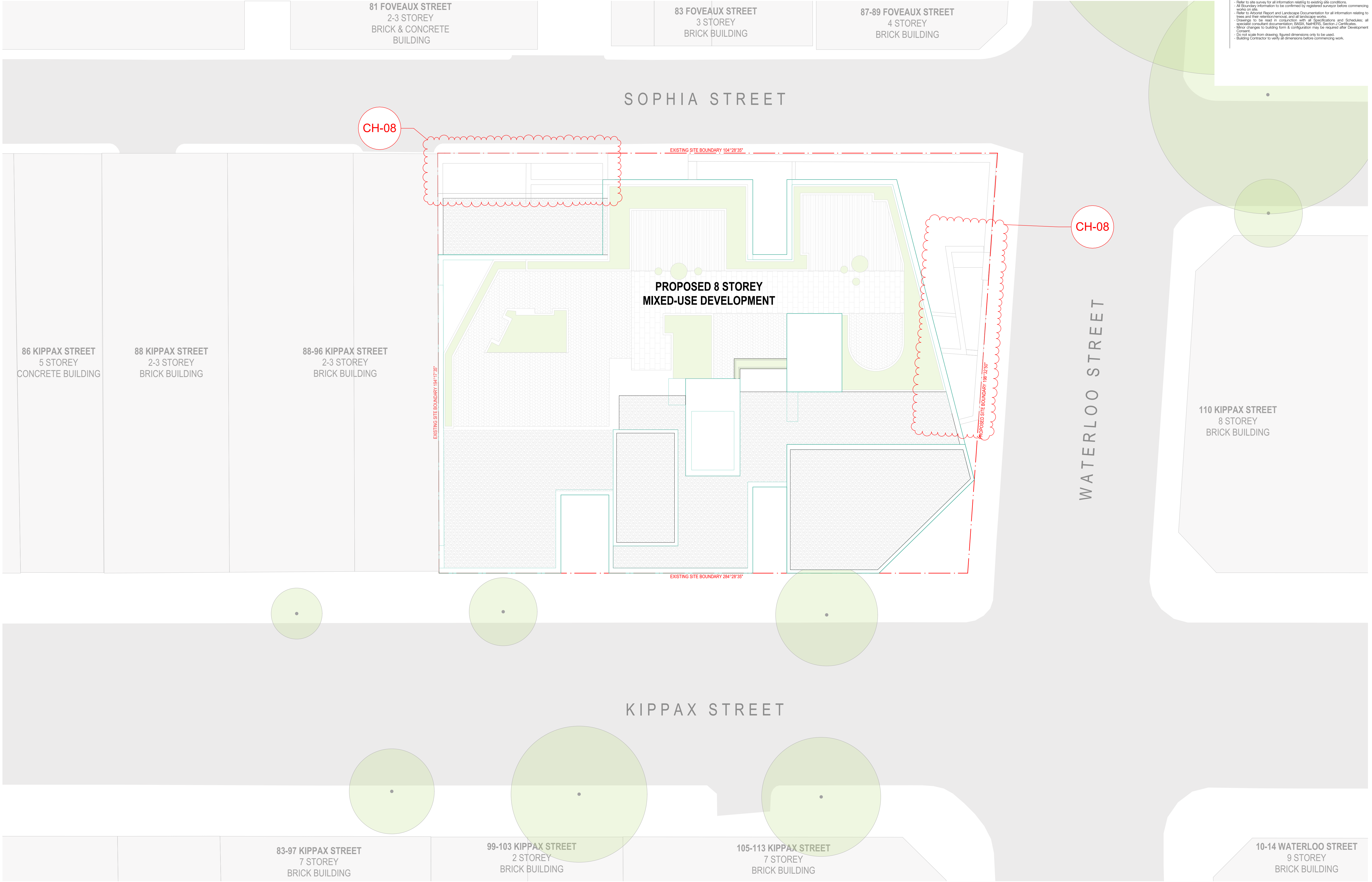
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Sydney NSW 2000

Gadigal

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Site Plan

Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	ZZ	DK	Issue for Coordination
B	23/01/2025	ZZ		Issue for Coordination
C	17/03/2025	KA		Frozen Set
D	9/04/2025	KA		DA Set
E	26/05/2025	KA		DA Set
F	8/01/2026	DK	DK	Revised DA Set

Certificate No. #HR-RJXLEH-02

Scan QR code or follow website link for rating details.

Assessor name

Andrew Conn

Accreditation No.

DMN/24/2222

Property Address

98-106 Kippax Street, Surry Hills, NSW, 2010

http://www.hero-software.com.au/pdf/HR-RJXLEH-02

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Project Name

98-106 Kippax Street

Project Number

13559

Project Address

98-106 Kippax Street, Surry Hills Sydney NSW 2000

Country

Gadigal

Development Application

Site Plan

Drawing Scale

1:100 @ A1

Drawing No.

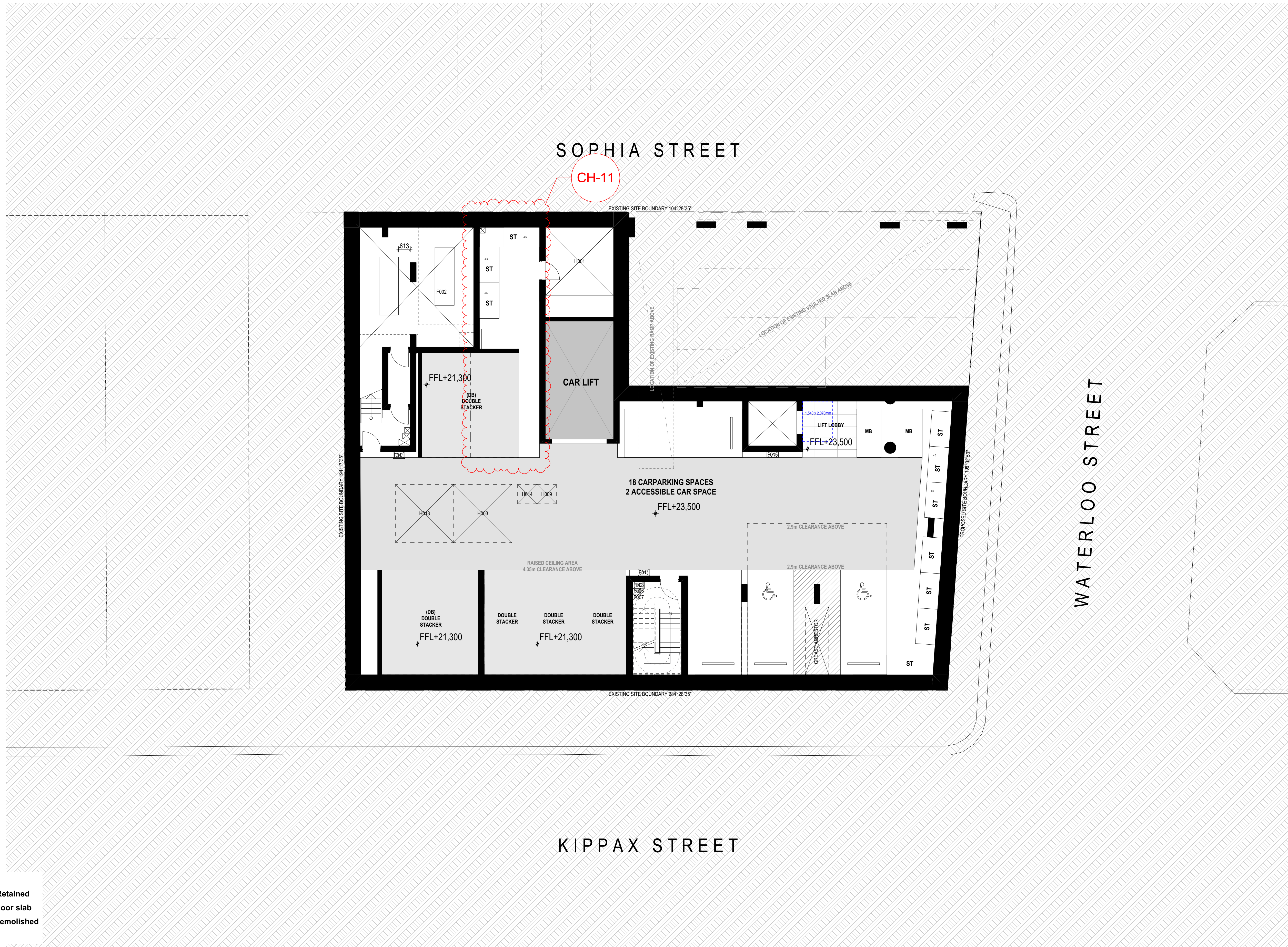
DA106

Revision

F

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168



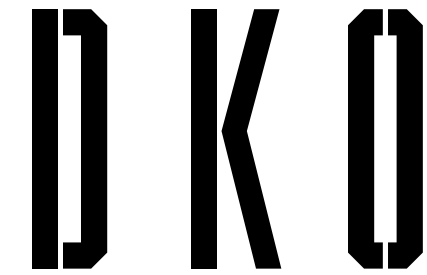
KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

-2- BASEMENT
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA	DK	Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA	DK	Issue for Coordination
E	18/04/2025	KA	DK	DA Set
F	26/05/2025	KA	DK	DA Set
G	01/02/2026	DK	DK	Revised DA Set

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DEVELOPMENT APPLICATION

Drawing Name
Basement 01 Plan

Drawing Scale
Drawing No.
DA200

1:100 @ A1
Revision
G

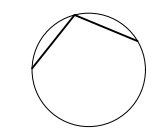
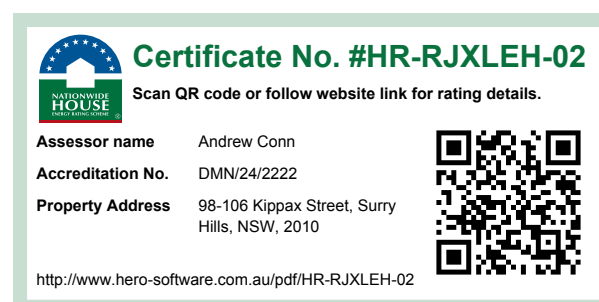


KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

1. LOWER GROUND FLOOR
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA		Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA		Final Set
E	06/04/2025	KA		DA Set
F	26/05/2025	KA	DK	DA Set - RFI Response
G	11/06/2025	KA	DK	DA Set - RFI Response
H	06/07/2025	DK	DK	Revised DA Set



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Project Name
Project Number
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Country

Gadigal

DEVELOPMENT APPLICATION

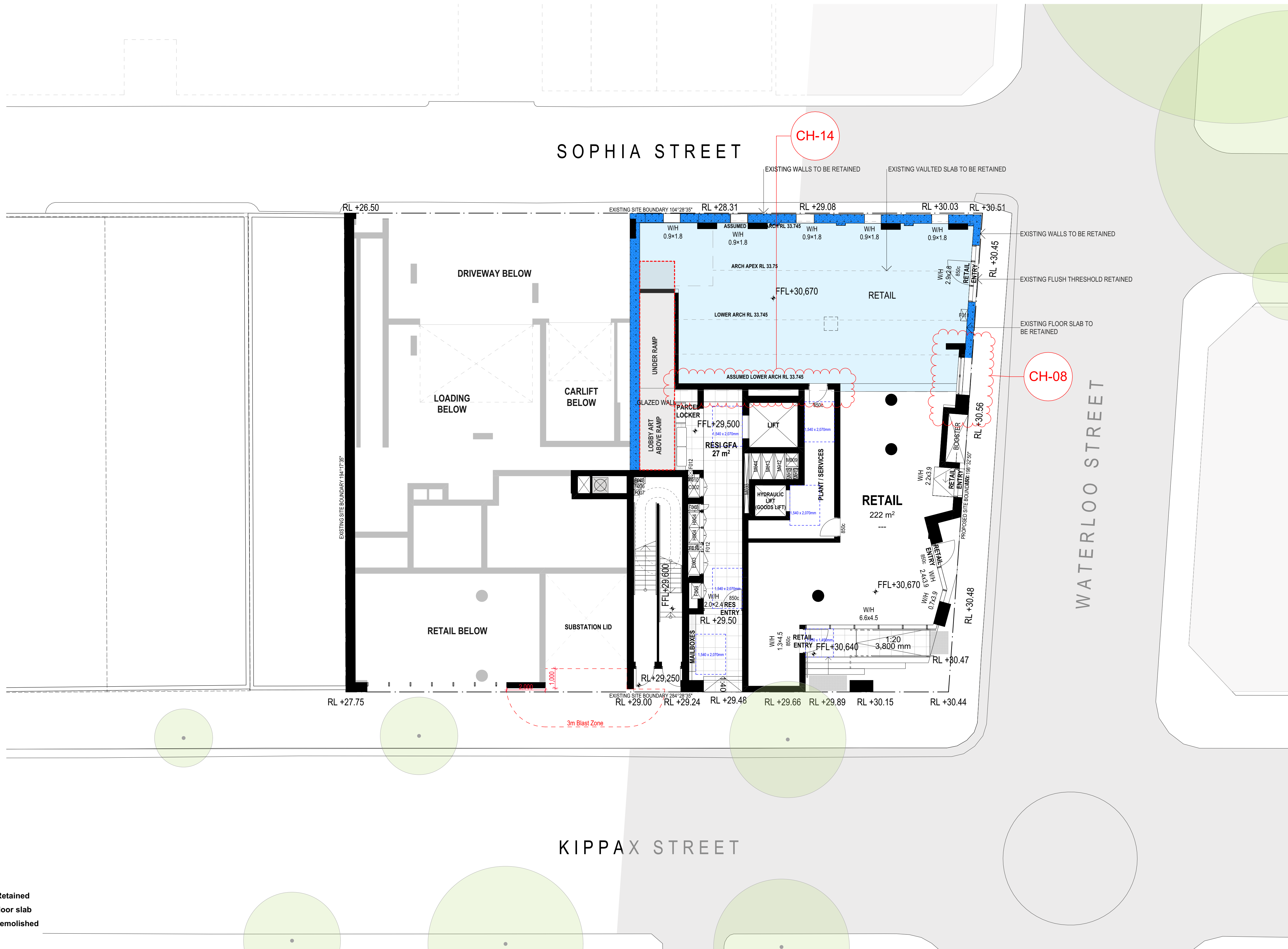
Drawing Name
Lower Ground Floor Plan

Drawing Scale
Drawing No.
DA201

1:100 @ A1
Revision
H

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be used in conjunction with all Specifications and Schedules, all specialist consultant documentation: BASIX, NatHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

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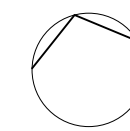
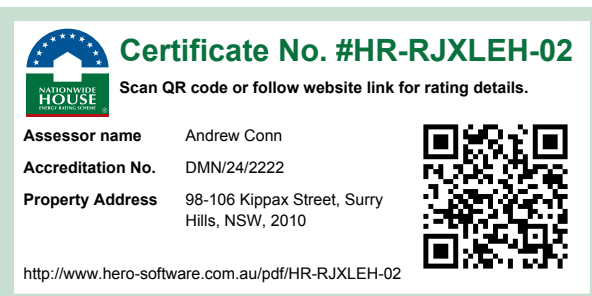
KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

0. GROUND LEVEL
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA		Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA		Final Set
E	06/04/2025	KA		DA Set
F	26/05/2025	KA	DK	DA Set
G	11/06/2025	KA	DK	DA Set - RFI Response
H	06/07/2025	DK	DK	Revised DA Set

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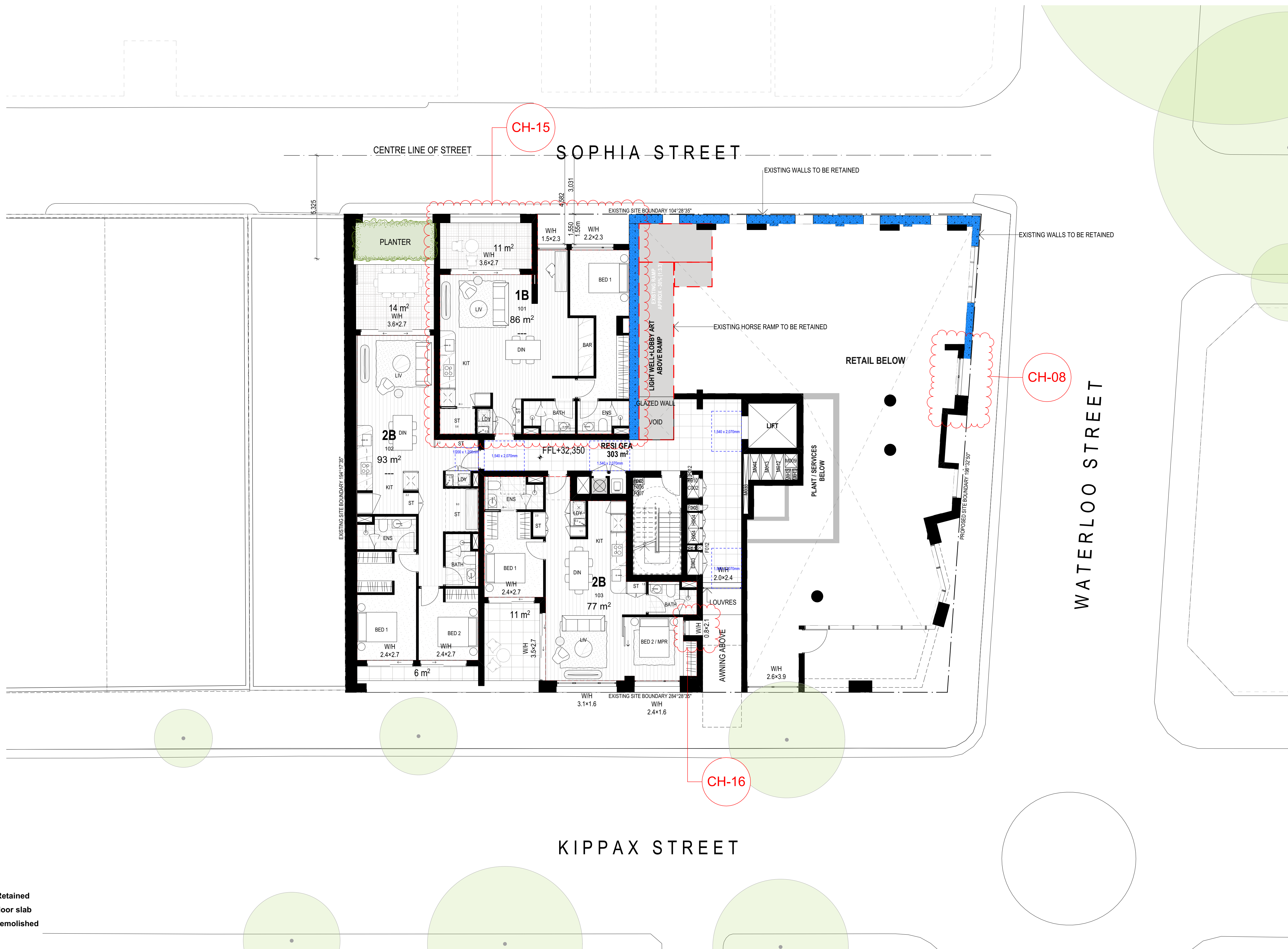
DEVELOPMENT APPLICATION

Drawing Name
Ground Floor Plan

Drawing Scale
Drawing No.
DA202

1:100 @ A1
Revision
H

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be used in conjunction with all Specifications and Schedules, all specialist consultant documentation: BASIX, NatHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



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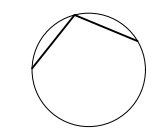
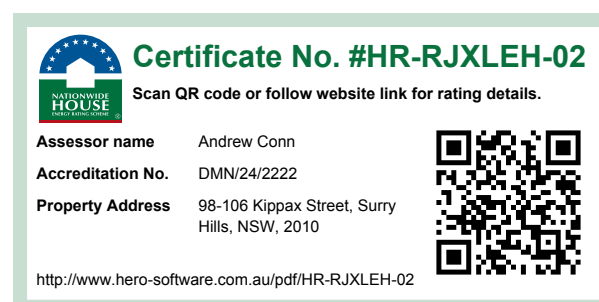
KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

1. LEVEL 01
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA		Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA		Final Set
E	18/03/2025	KA		DA Set
F	26/05/2025	KA		DA Set
G	8/01/2026	DK	DK	Revised DA Set

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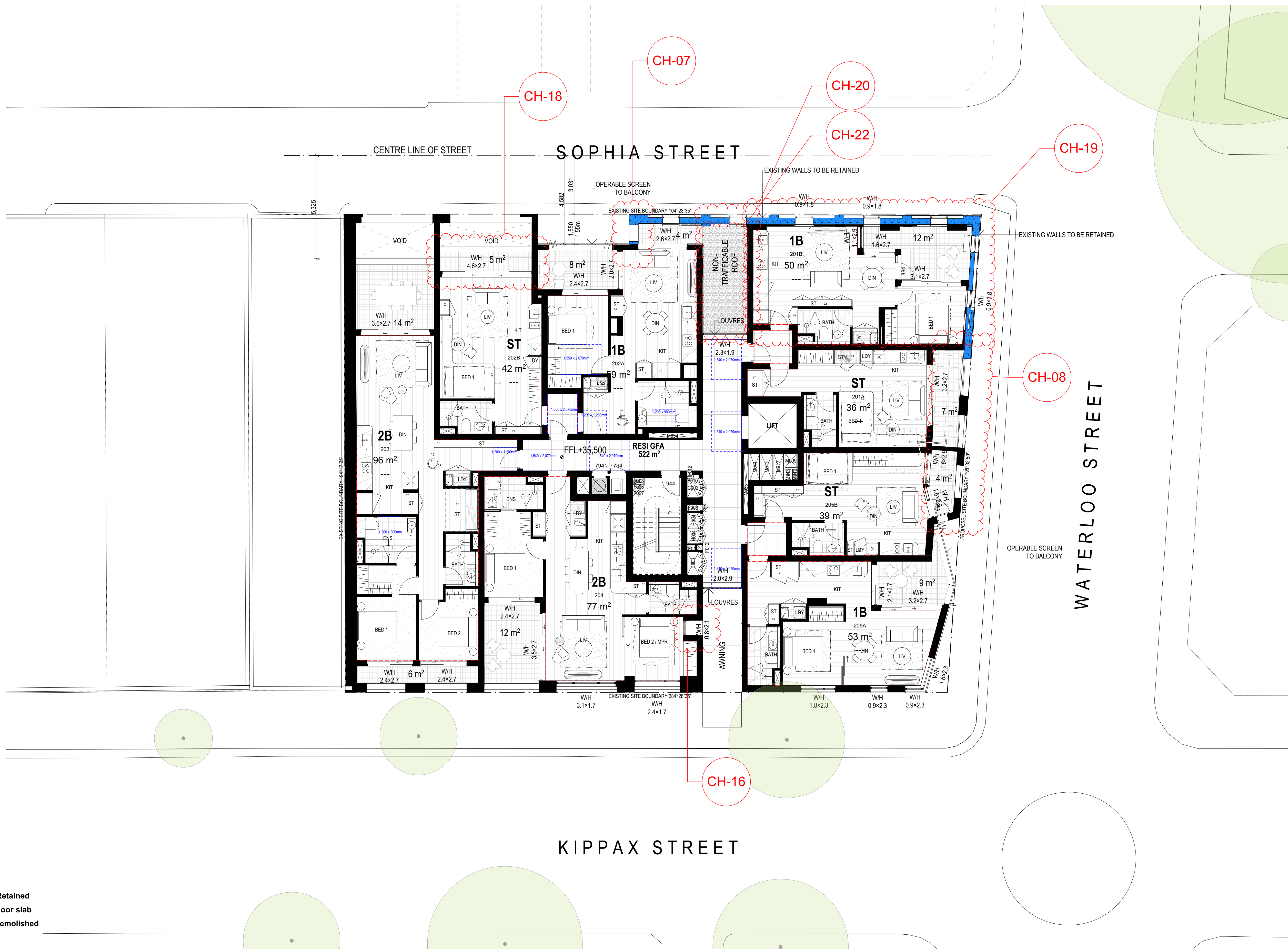
DEVELOPMENT APPLICATION

Drawing Name
Level 1 Plan

Drawing Scale
Drawing No.
DA203

1:100 @ A1
Revision
G

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Architect Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules, all specialist consultant documentation: BASIX, NatHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



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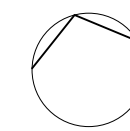
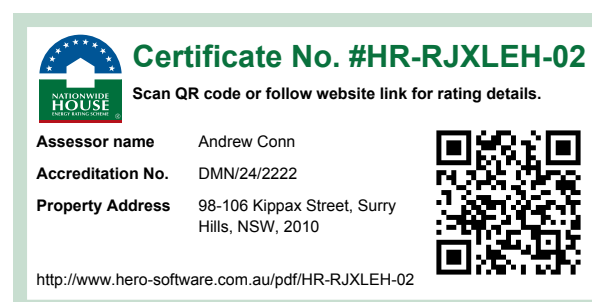
KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

2. LEVEL 02
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA		Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA		Frozen Set
E	18/04/2025	KA		DA Set
F	26/05/2025	KA		DA Set
G	8/01/2026	DK	DK	Revised DA Set

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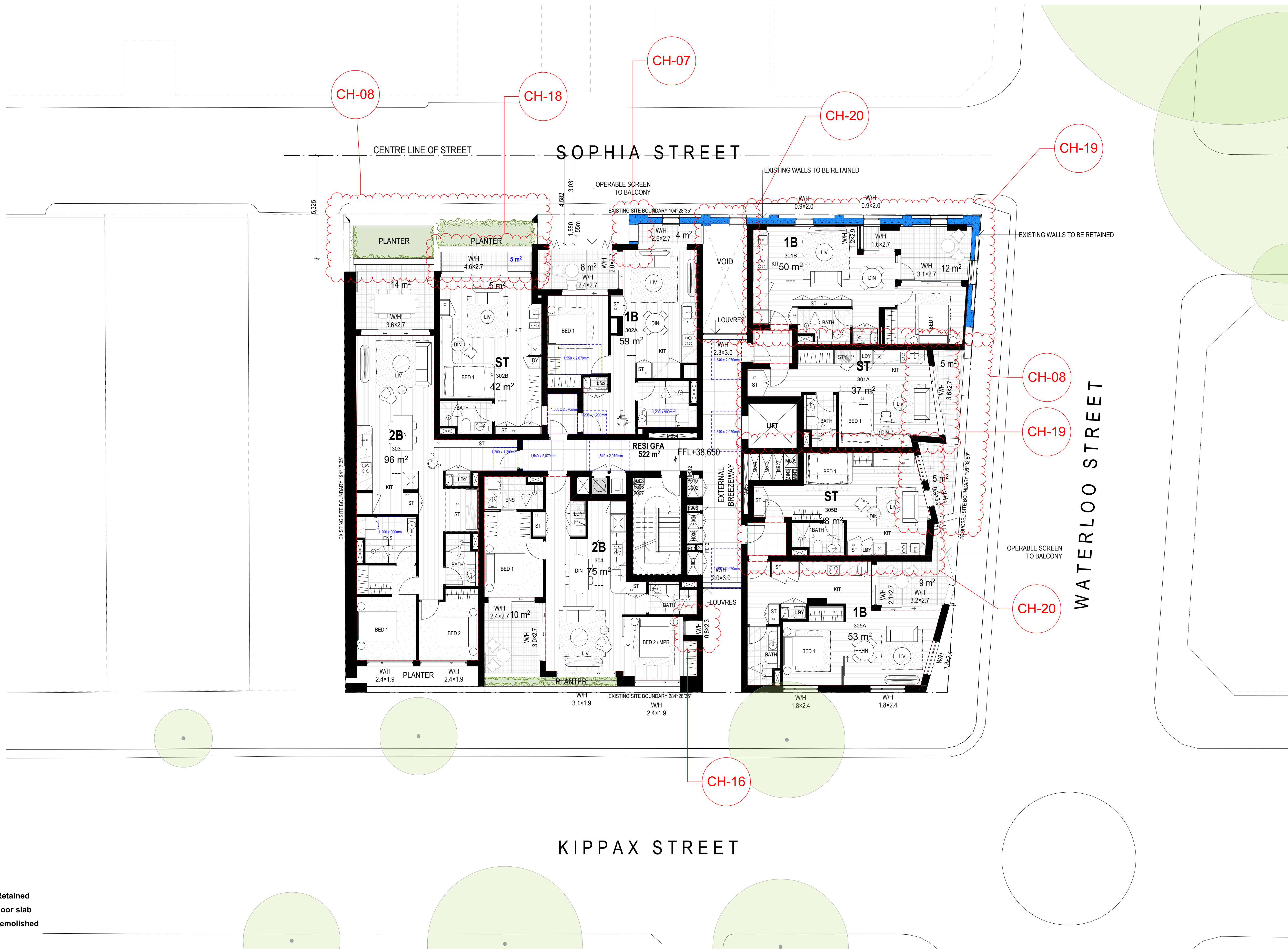
Gadigal

DEVELOPMENT APPLICATION

Drawing Name
Level 2 Plan

Drawing Scale
Drawing No.
DA204

1:100 @ A1
Revision
G



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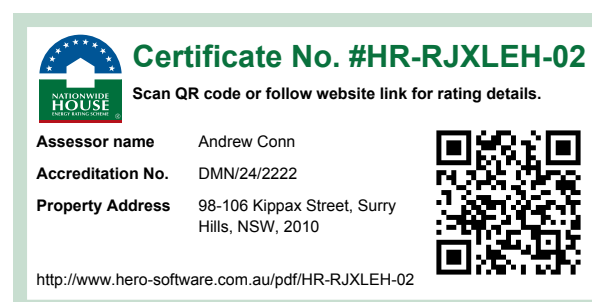
KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

3. LEVEL 03
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA	DK	Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA	DK	Final Set
E	18/04/2025	KA	DK	DA Set
F	26/05/2025	KA	DK	DA Set
G	8/01/2026	DK	DK	Revised DA Set

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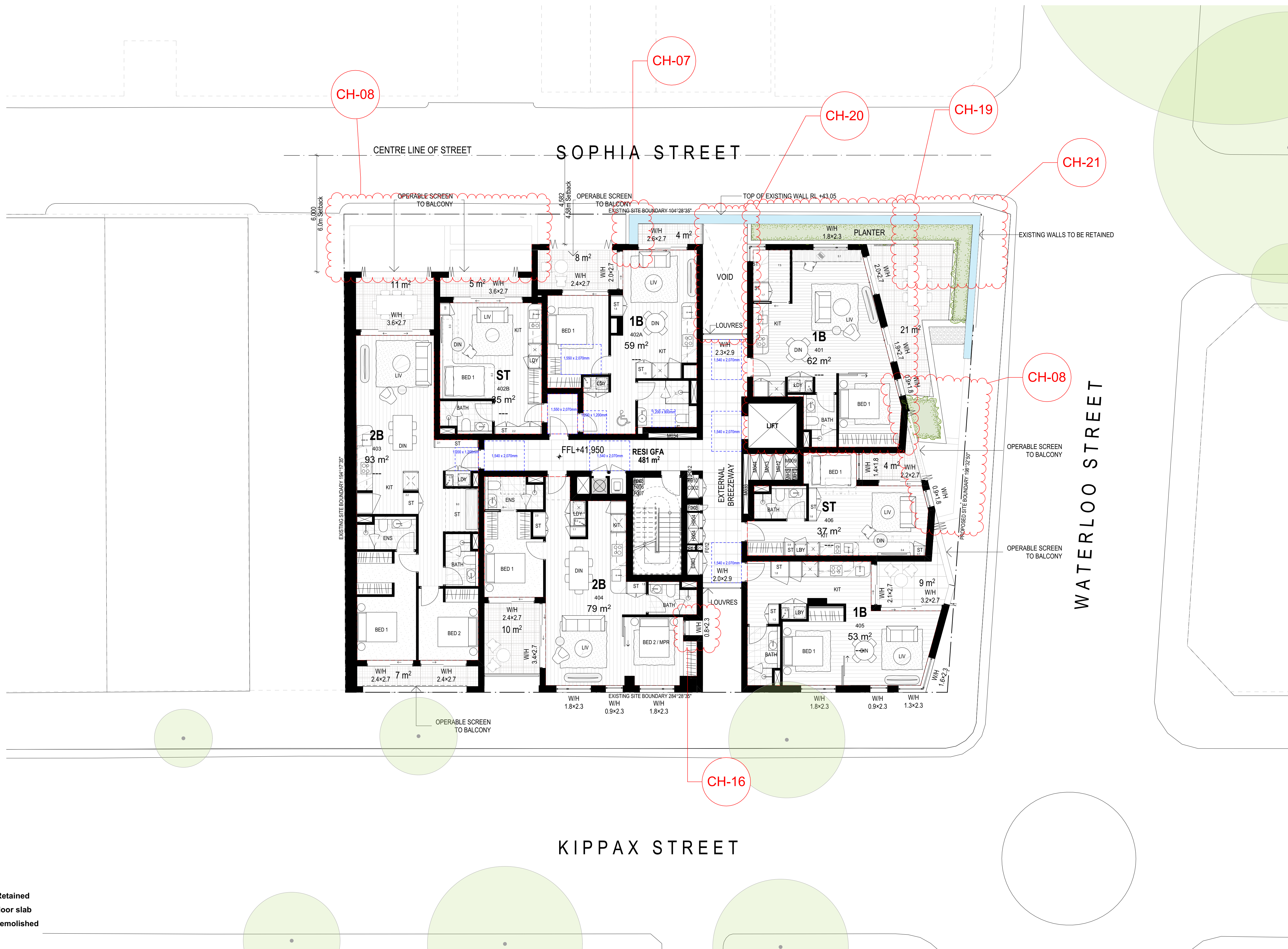
DEVELOPMENT APPLICATION

Drawing Name
Level 3 Plan

Drawing Scale
Drawing No.
DA205

1:100 @ A1
Revision
G

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Architect Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules, all specialist consultant documentation: BASIX, NatHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

4. LEVEL 04
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA		Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA		Final Set
E	18/03/2025	KA		DA Set
F	26/05/2025	KA		DA Set
G	8/01/2026	DK	DK	Revised DA Set

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DEVELOPMENT APPLICATION

Drawing Name
Level 4 Plan

Drawing Scale
Drawing No.
DA206

1:100 @ A1
Revision
G

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules, all specialist consultant documentation: BASIX, NatHERS, Section J Certificates.
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- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



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KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

5. LEVEL 05
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA	DK	Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA	DK	Final Set
E	18/04/2025	KA	DK	DA Set
F	26/05/2025	KA	DK	DA Set
G	06/12/2025	DK	DK	Revised DA Set

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Project Address

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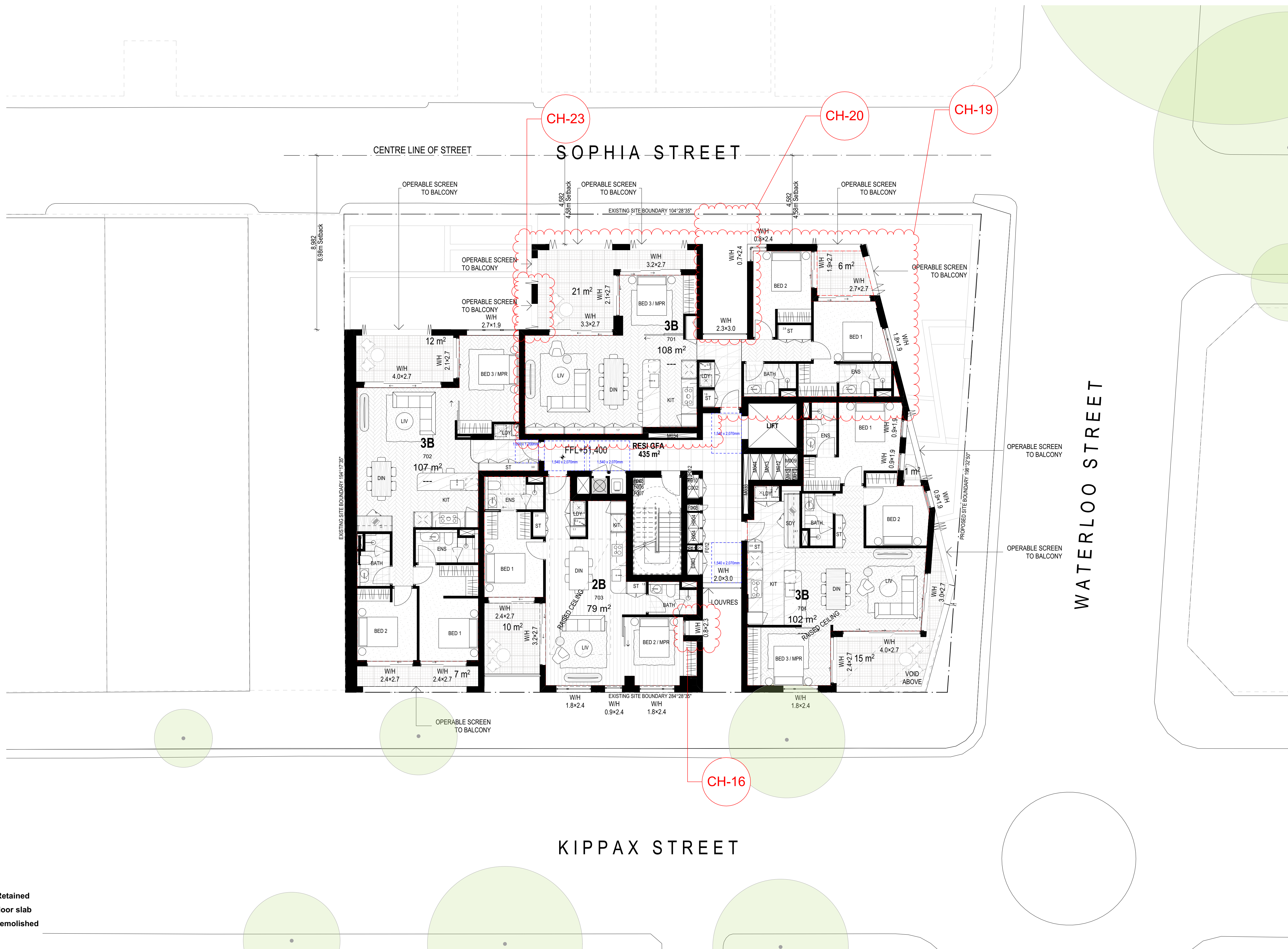
DEVELOPMENT APPLICATION

Drawing Name
Level 5 Plan

Drawing Scale
Drawing No.
DA207

1:100 @ A1
Revision
G

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
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- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



177

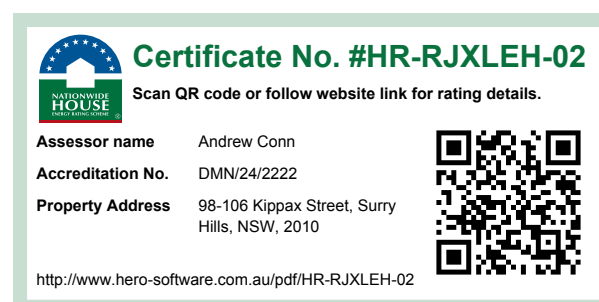
KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

7. LEVEL 07
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA	DK	Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA		Frozen Set
E	18/03/2025	KA		DA Set
F	26/05/2025	KA		DA Set
G	8/01/2026	DK	DK	Revised DA Set

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Project Address

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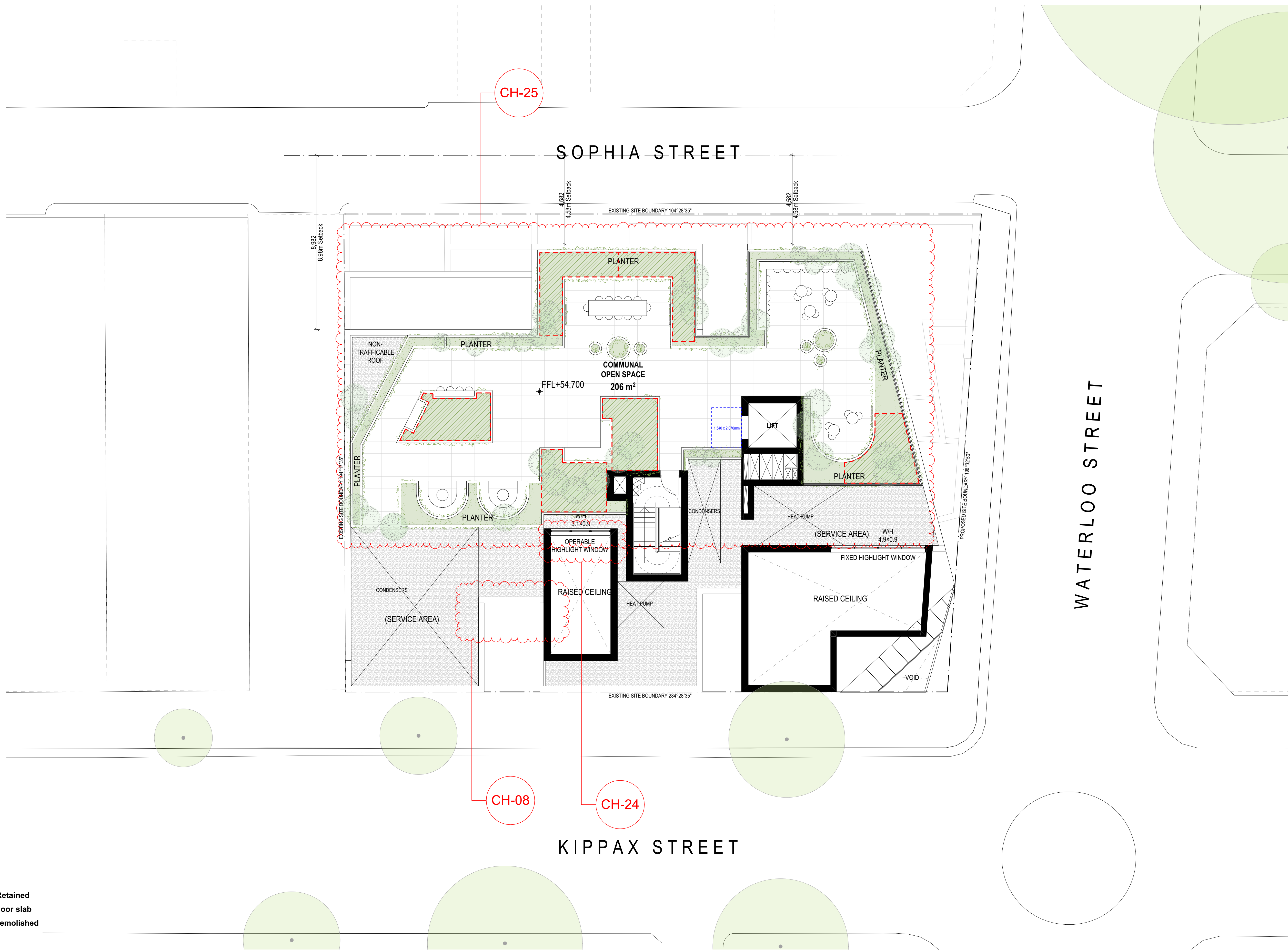
DEVELOPMENT APPLICATION

Drawing Name
Level 7 Plan

Drawing Scale
Drawing No.
DA209

1:100 @ A1
Revision
G

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
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- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



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- KEY**
- Existing structure Retained
 - Extent of Existing floor slab
 - Existing structure demolished

8. ROOFTOP LEVEL
Scale 1:100

Rev	Date	By	Chk	Description
A	5/12/2024	KA	DK	Issue for Coordination
B	23/01/2025	KA	DK	Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA	DK	Final Set
E	18/04/2025	KA	DK	DA Set
F	26/05/2025	KA	DK	DA Set
G	8/01/2026	DK	DK	Revised DA Set

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Certificate No. #HR-RJXLEH-02
Scan QR code or follow website link for rating details.

Assessor name Andrew Conn
Accreditation No. DMN/24/2222
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<http://www.hero-software.com.au/pdf/HR-RJXLEH-02>

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Project Name 98-106 Kippax Street
Project Number 13559
Project Address 98-106 Kippax Street, Surry Hills
Sydney NSW 2000

Country Gadigal

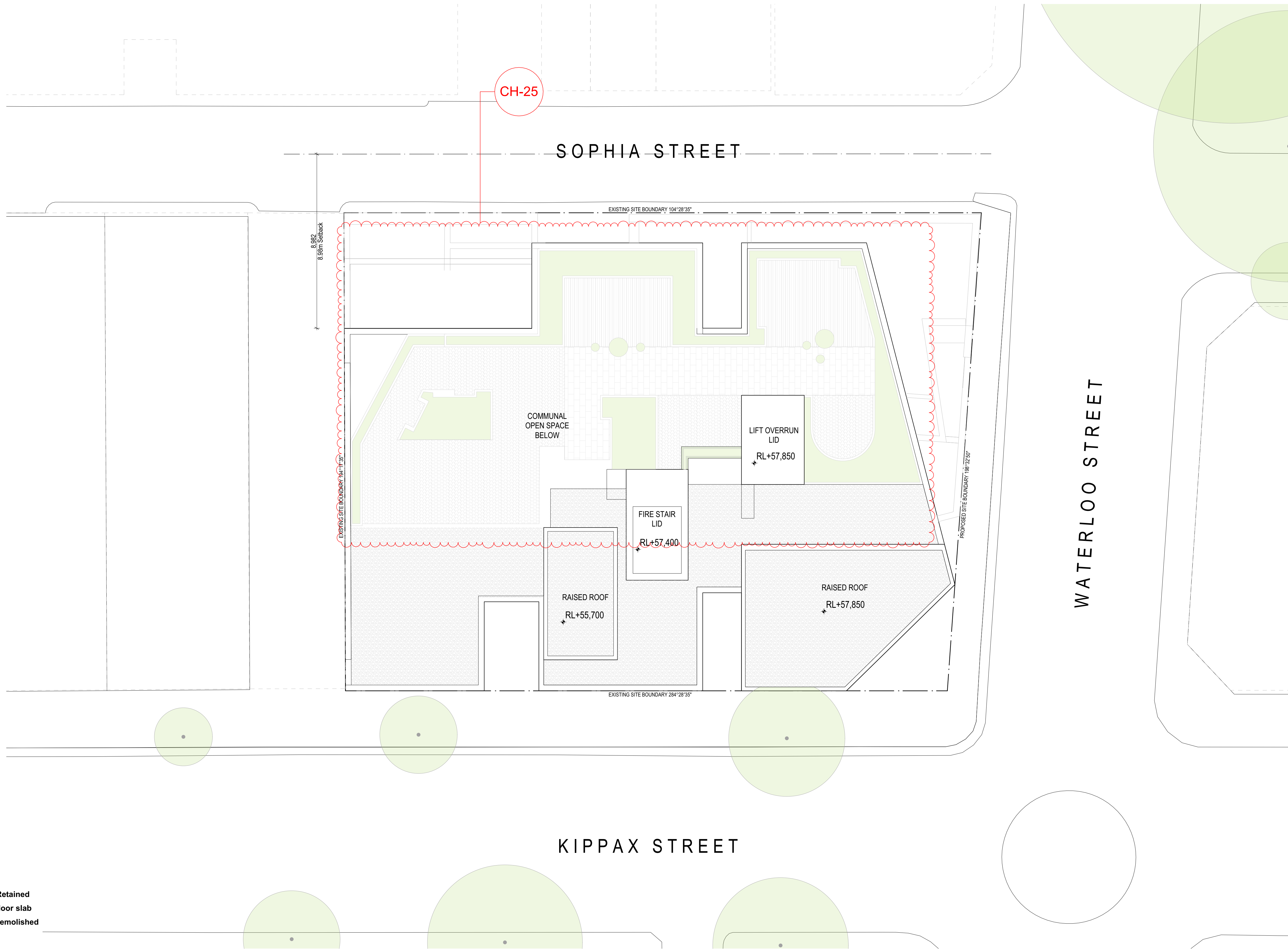
DEVELOPMENT APPLICATION

Drawing Name
Rooftop Plan

Drawing Scale
Drawing No.
DA210

1:100 @ A1
Revision
G

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
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- Building Contractor to verify all dimensions before commencing work.



1/79

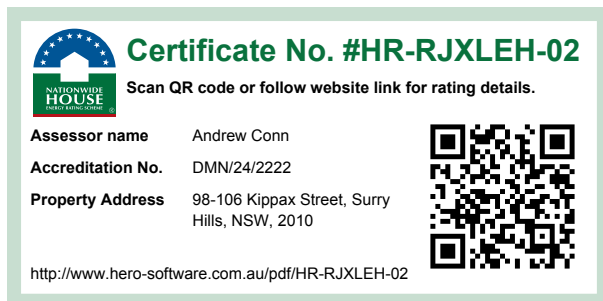
KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

9. ROOF
Scale 1:100

Rev	Date	By	Chk	Description
A	23/01/2025	KA	DK	Issue for Coordination
B	27/02/2025	KA	DK	Issue for Coordination
C	17/03/2025	KA	DK	Frozen Set
D	04/04/2025	KA	DK	DA Set
E	26/05/2025	KA	DK	DA Set
F	01/02/2026	DK	DK	Revised DA Set

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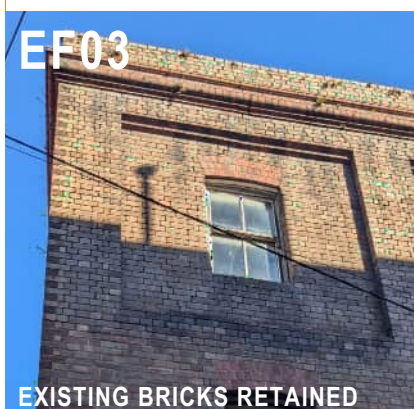
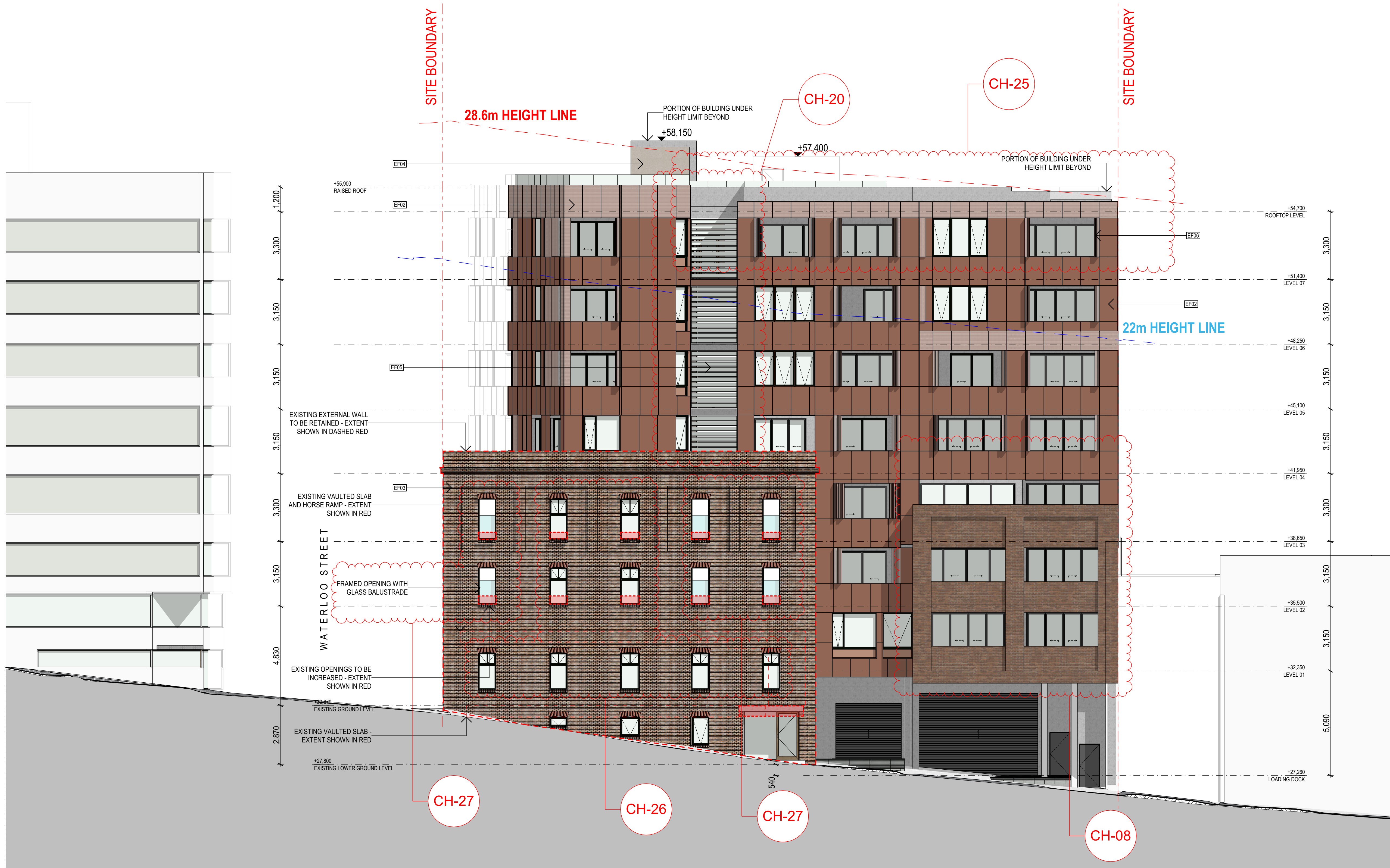
DEVELOPMENT APPLICATION

Drawing Name
Roof Plan

Drawing Scale
Drawing No.
DA211

1:100 @ A1
Revision
F

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be used in conjunction with all Specifications and Schedules, all specialist consultant documentation: BASIX, Nat-ERS, Section J Certificates.
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- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



E-03 North Elevation
Scale 1:100

- KEY**
- Existing structure Retained
 - Extent of Existing floor slab
 - Existing structure demolished

Rev	Date	By	Chk	Description
A	5/12/2024	ZZ	DK	Issue for Coordination
B	23/01/2025	ZZ	DK	Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA	DK	Final Set
E	18/04/2025	KA	DK	DA Set
F	26/05/2025	KA	DK	DA Set
G	8/01/2026	DK	DK	Revised DA Set

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DEVELOPMENT APPLICATION

Drawing Name
North Elevation

Drawing Scale
Drawing No.
DA300

1:100 @ A1
Revision
G

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
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- Minor changes to building form & configuration may be required after Development Consent.
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- Building Contractor to verify all dimensions before commencing work.



E-02 East Elevation
Scale 1:100

- KEY
- Existing structure Retained
 - Extent of Existing floor slab
 - Existing structure demolished

Rev	Date	By	Chk	Description
A	5/12/2024	ZZ	DK	Issue for Coordination
B	23/01/2025	ZZ	DK	Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA		Frozen Set
E	18/04/2025	KA		DA Set
F	26/05/2025	KA		DA Set
G	8/01/2026	DK	DK	Revised DA Set

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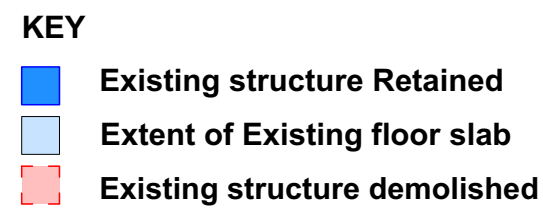
Country: Gadigal

DEVELOPMENT APPLICATION

Drawing Name
East Elevation

Drawing Scale
Drawing No.
DA301

1:100 @ A1
Revision
G



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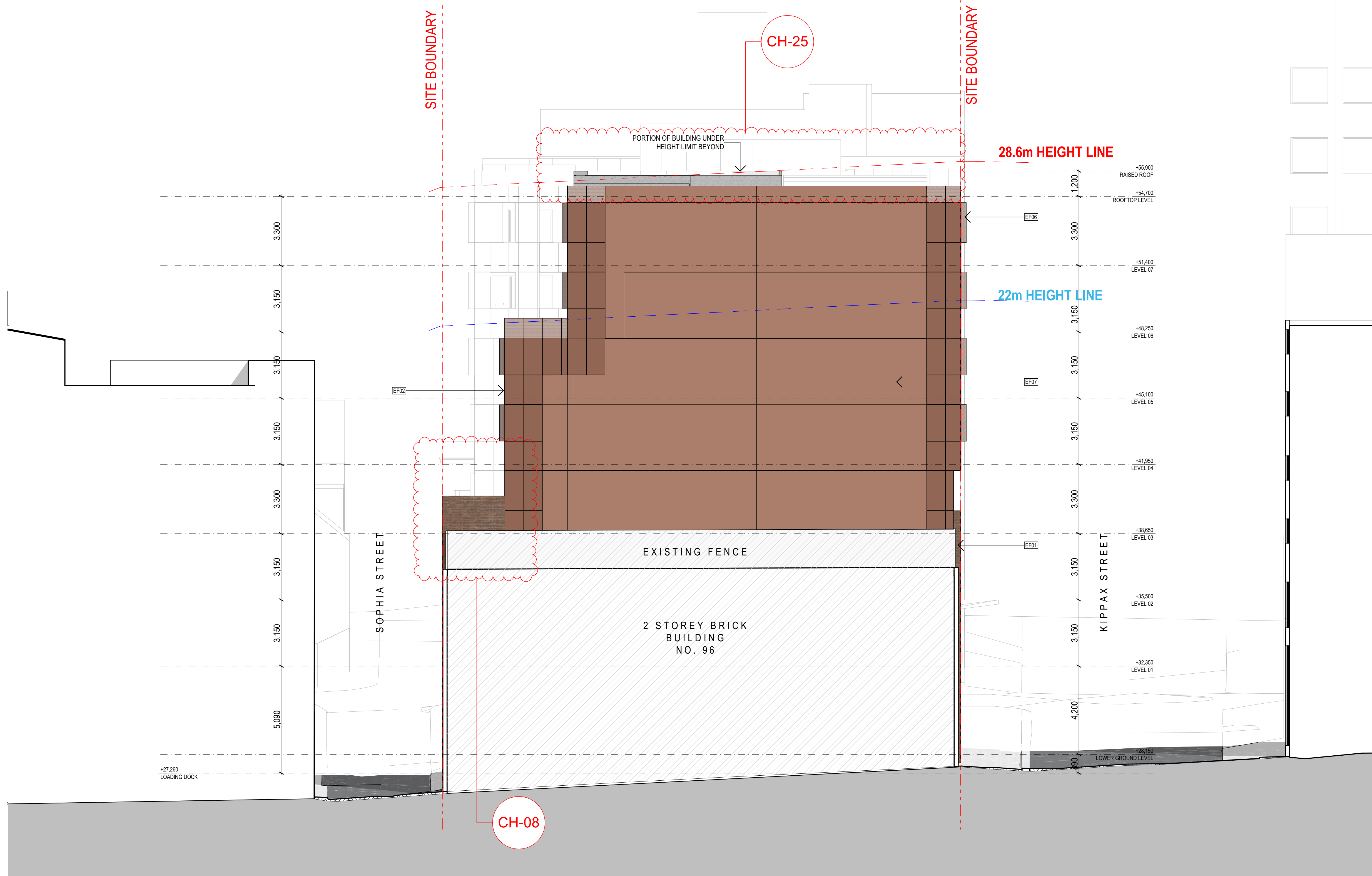
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98-106 Kippax Street
13559
98-106 Kippax Street, Surry Hills
Sydney NSW 2000
Gadigal

Country Gadigal

1:100 @ A1
Revision
E

- All works to be in accordance with authority & statutory approvals.
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E-04 West Elevation
Scale 1:100

- KEY**
- Existing structure Retained
 - Extent of Existing floor slab
 - Existing structure demolished

Rev	Date	By	Chk	Description
01	23/01/2025	ZZ	DK	Issue for Coordination
02	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA		Frozen Set
A	9/04/2025	KA		DA Set
B	26/05/2025	KA		DA Set
C	8/01/2026	DK	DK	Revised DA Set

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Project Number
Project Address

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Sydney NSW 2000

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Gadigal

DEVELOPMENT APPLICATION

Drawing Name
West Elevation

Drawing Scale
Drawing No.
DA303

1:100 @ A1
Revision
C



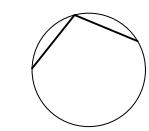
S01 Section 01
Scale 1:100

KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

Rev	Date	By	Chk	Description
A	5/12/2024	ZZ	DK	Issue for Coordination
B	23/01/2025	ZZ	DK	Issue for Coordination
C	27/02/2025	KA	DK	Issue for Coordination
D	17/03/2025	KA	DK	Issue for Coordination
E	18/04/2025	KA	DK	Issue for Coordination
F	26/05/2025	KA	DK	Issue for Coordination
G	06/12/2025	DK	DK	Revised DA Set

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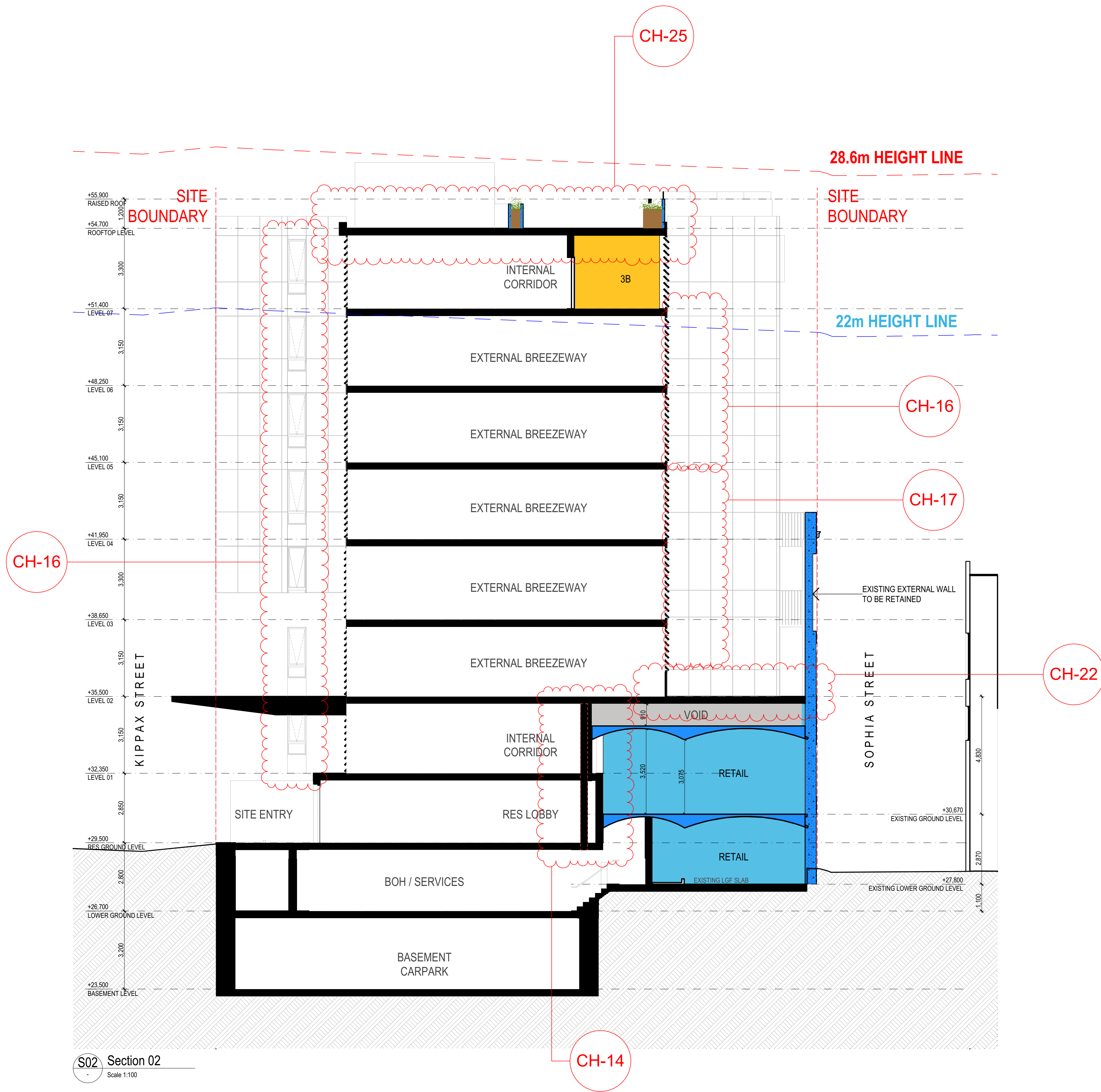
Country
Gadigal

DEVELOPMENT APPLICATION

Drawing Name
Typical Section 1

Drawing Scale
Drawing No.
DA306

1:100 @ A1
Revision
G



KEY

- Existing structure Retained
- Extent of Existing floor slab
- Existing structure demolished

Rev	Date	By	Chk	Description
01	23/01/2025	ZZ	DK	Issue for Coordination
02	27/02/2025	KA	DK	Issue for Coordination
C	17/03/2025	KA	DK	Frozen Set
A	04/04/2025	KA	DK	DA Set
B	26/05/2025	KA	DK	DA Set
D	01/02/2026	DK	DK	Revised DA Set



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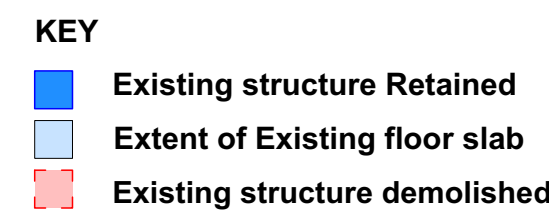
Gadigal

DEVELOPMENT APPLICATION

Drawing Name
Typical Section 2

Drawing Scale
Drawing No.
DA307

1:100 @ A1
Revision
D

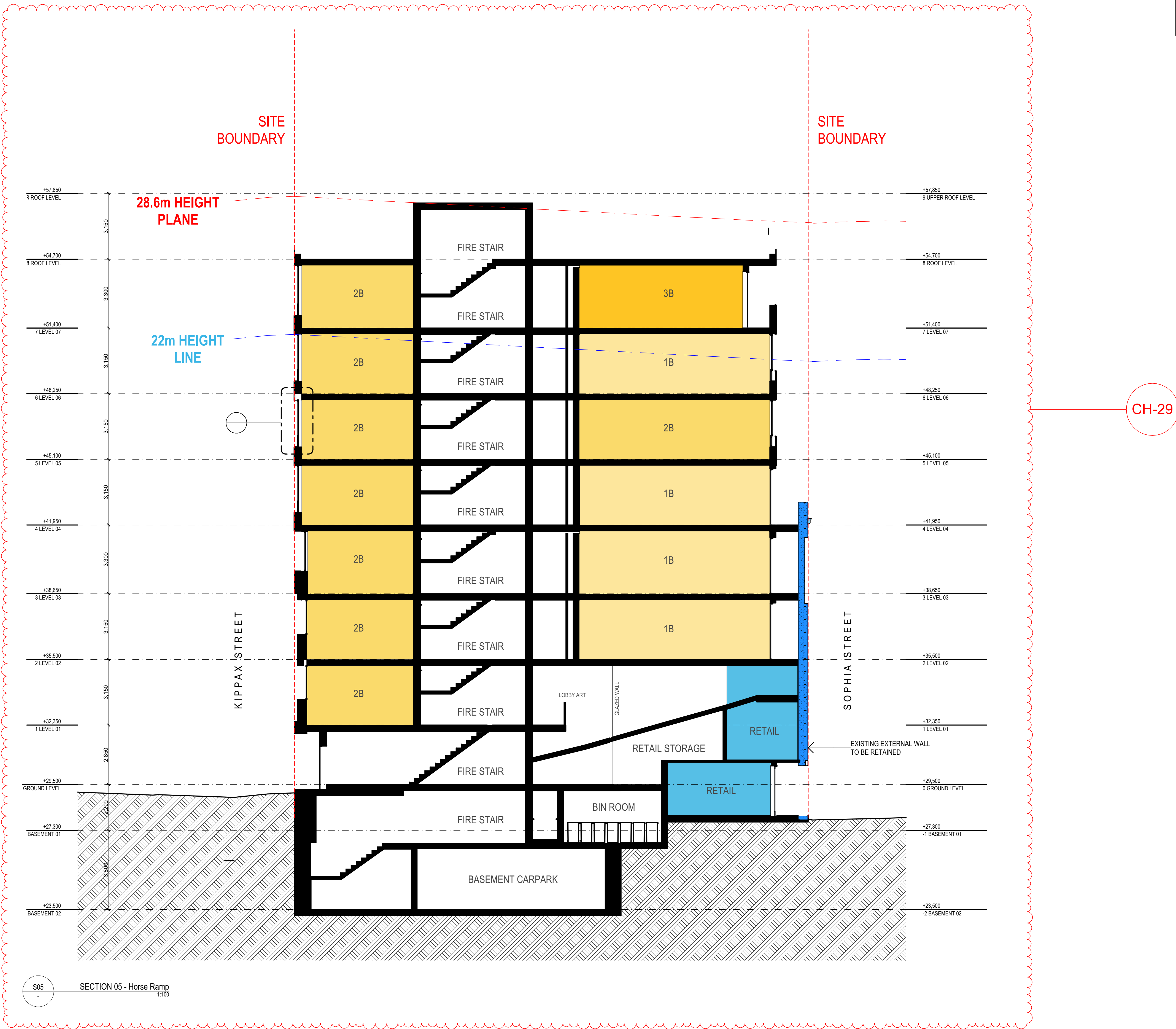


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Country	Gadigal

- All works to be in accordance with authority & statutory approvals.
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Project Number
Project Address

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13559
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Gadigal

DEVELOPMENT APPLICATION

Drawing Name
Section through Horse Ramp

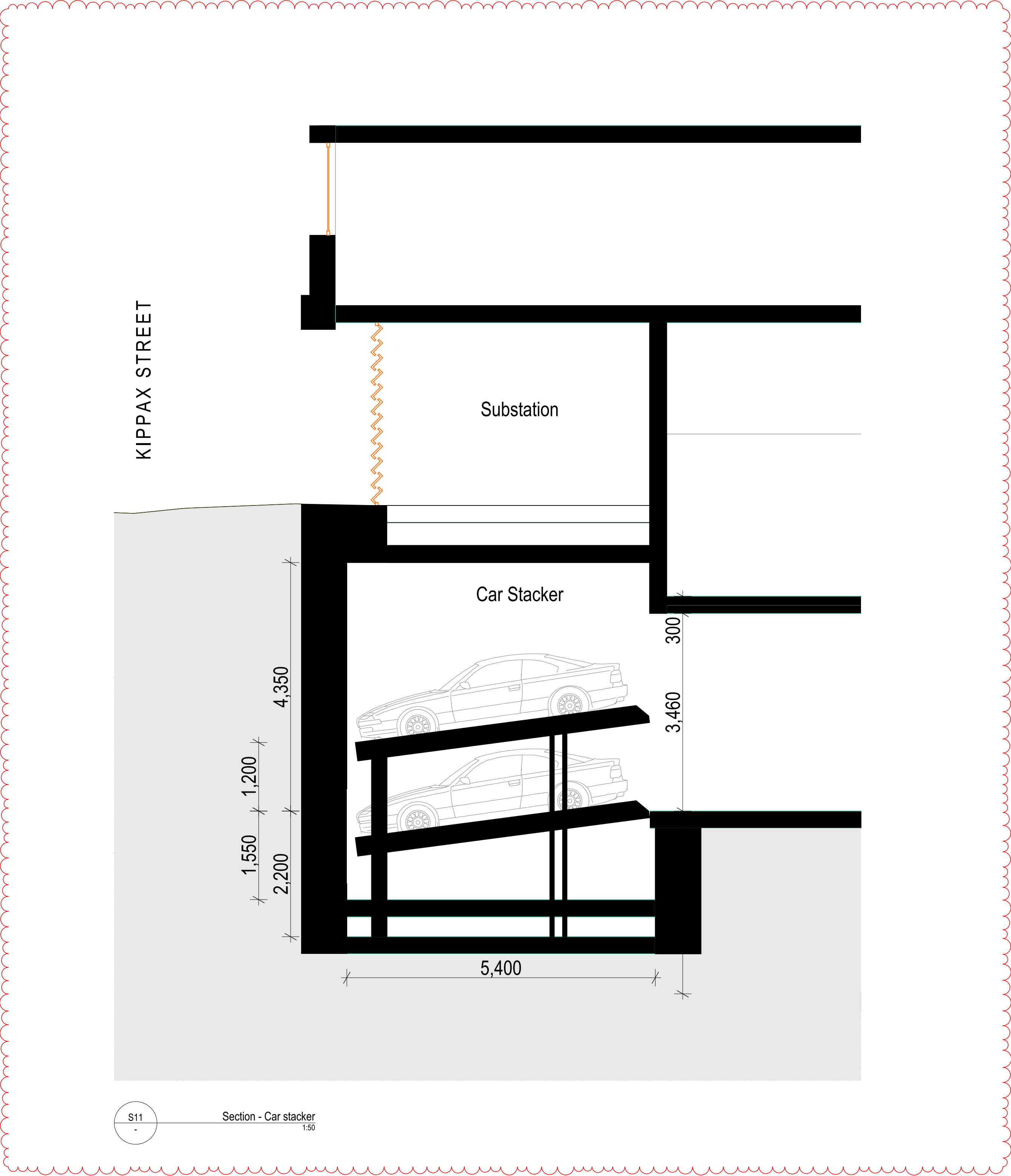
Drawing Scale
Drawing No.
DA311

1:100 @ A1
Revision
A

Rev	Date	By	Chk	Description
A	8/01/2025	DK	DK	Revised DA Set

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S11
Section - Car stacker
1:50



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DEVELOPMENT APPLICATION

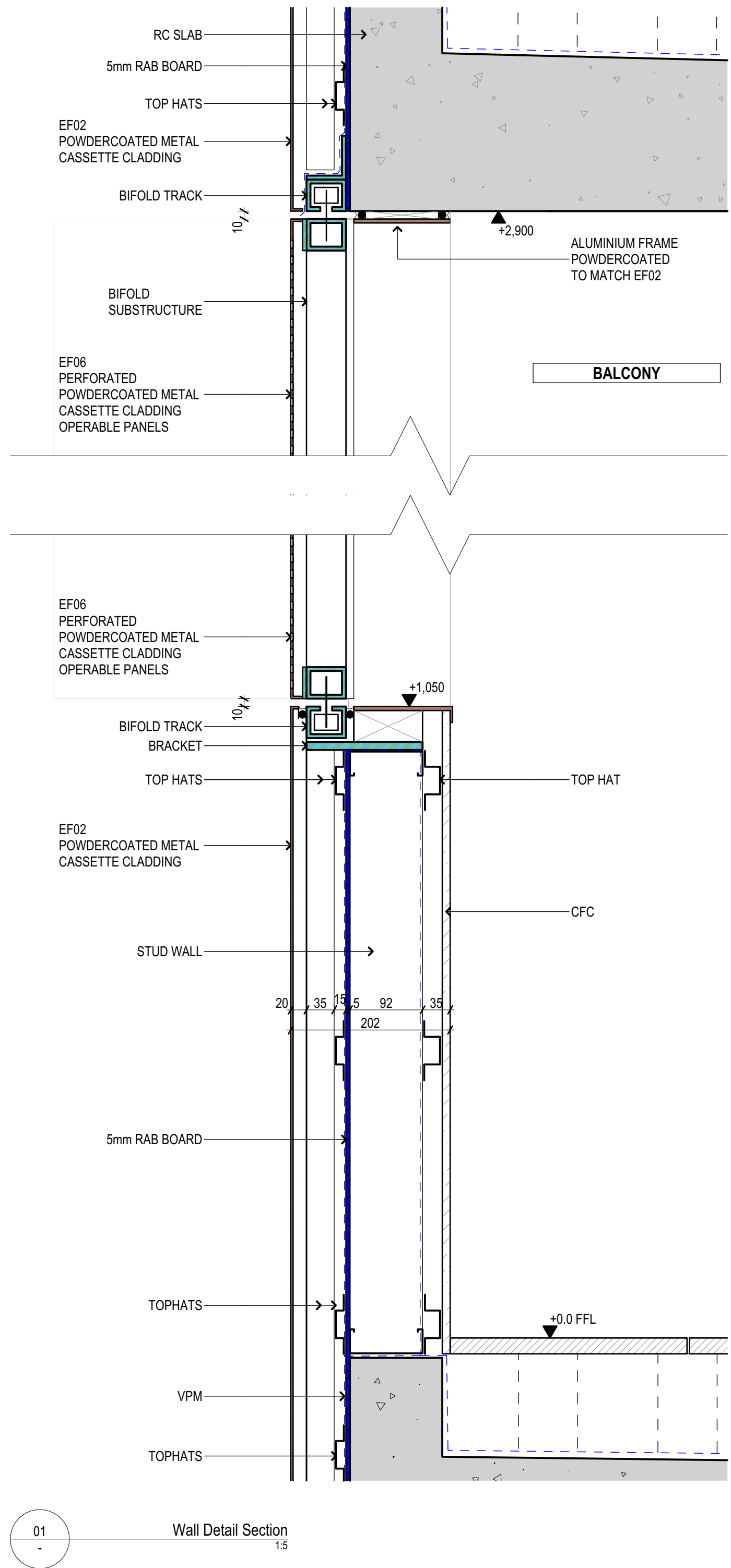
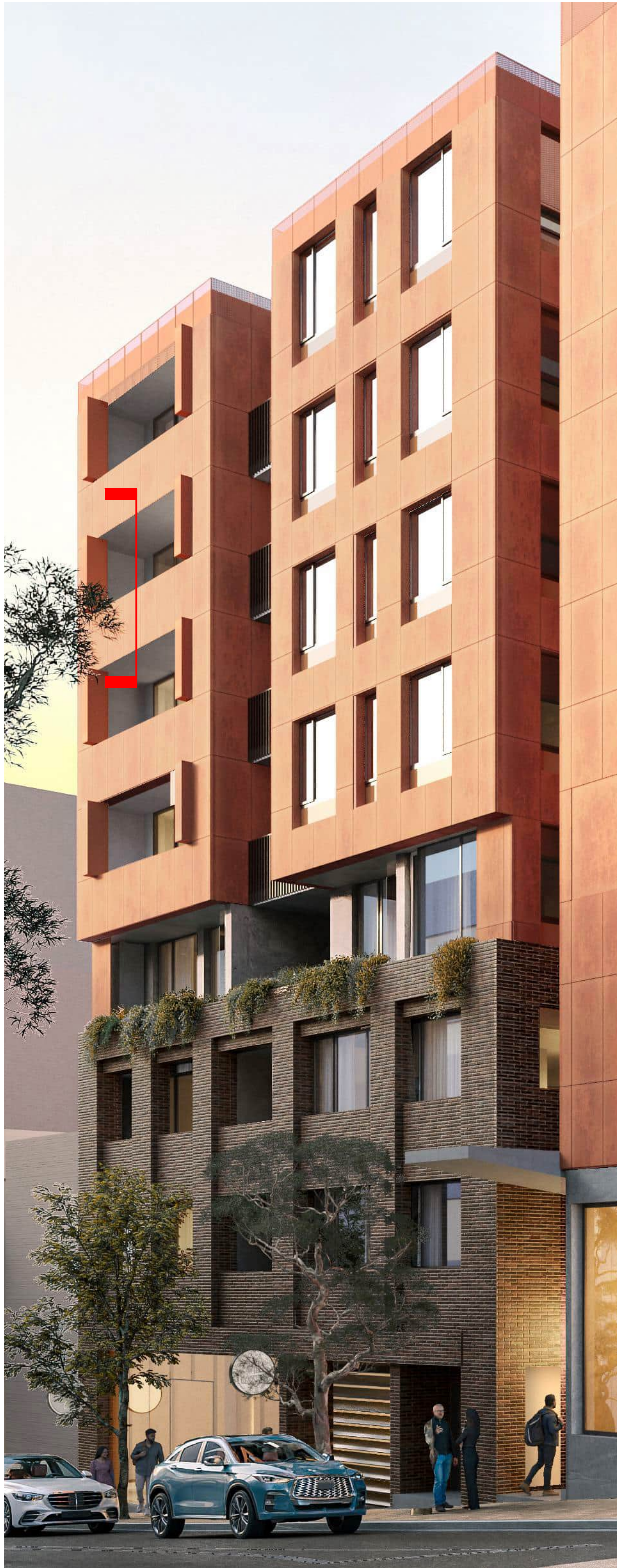
Drawing Name
Detail sections

Drawing Scale
Drawing No.
DA312

1:50 @ A1
Revision
A

Rev	Date	By	Chk	Description
A	8/01/2025	DK	DK	Revised DA Set

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CH-29

Rev	Date	By	Chk	Description
A	8/01/2026	DK	DK	Revised DA Set

**Certificate No. #HR-RJXLEH-02**
Scan QR code or follow website link for rating details.

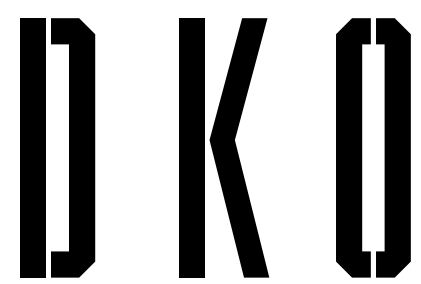
Assessor name Andrew Conn
Accreditation No. DMN/24/2222
Property Address 98-106 Kippax Street, Surry Hills, NSW, 2010



<http://www.hero-software.com.au/pdf/HR-RJXLEH-02>

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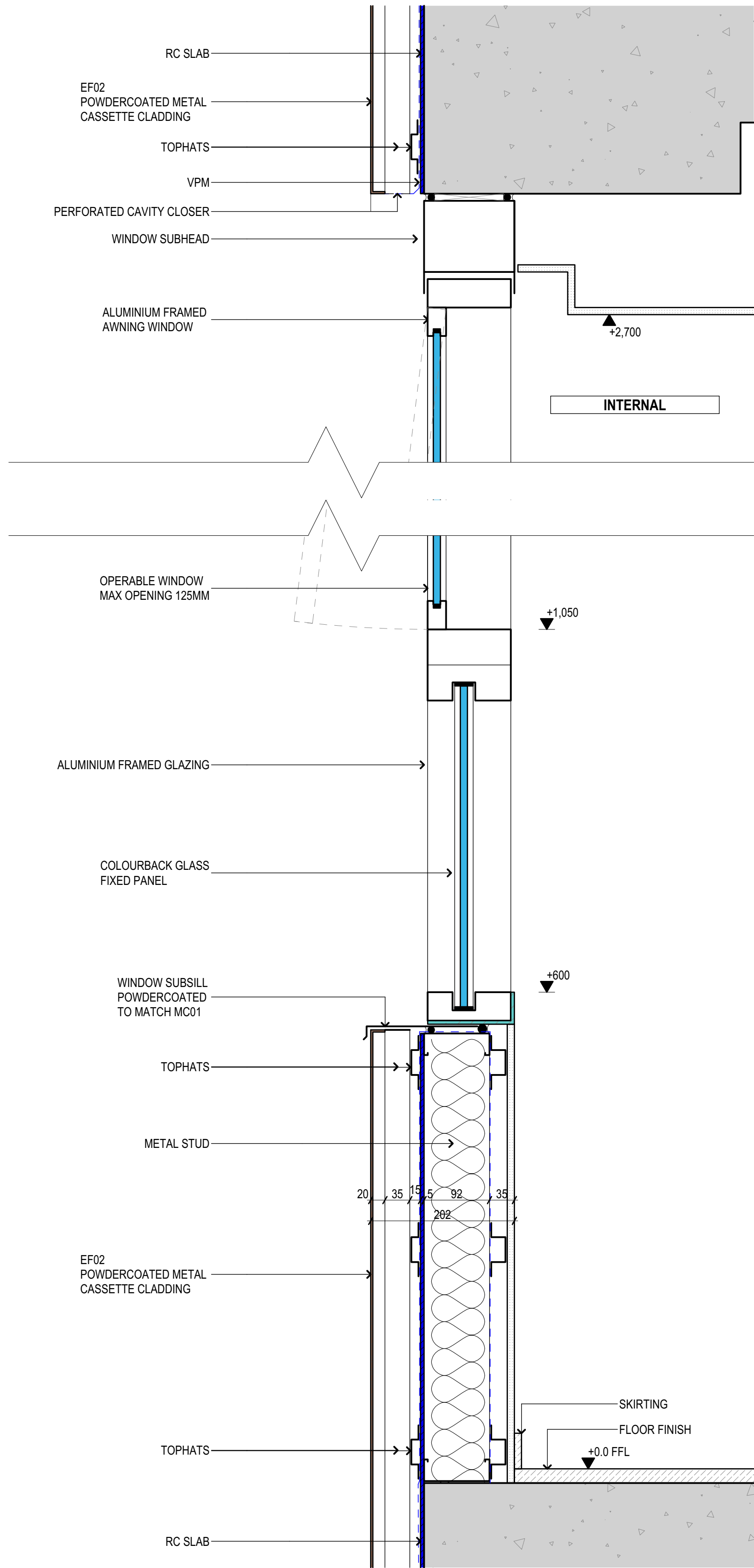
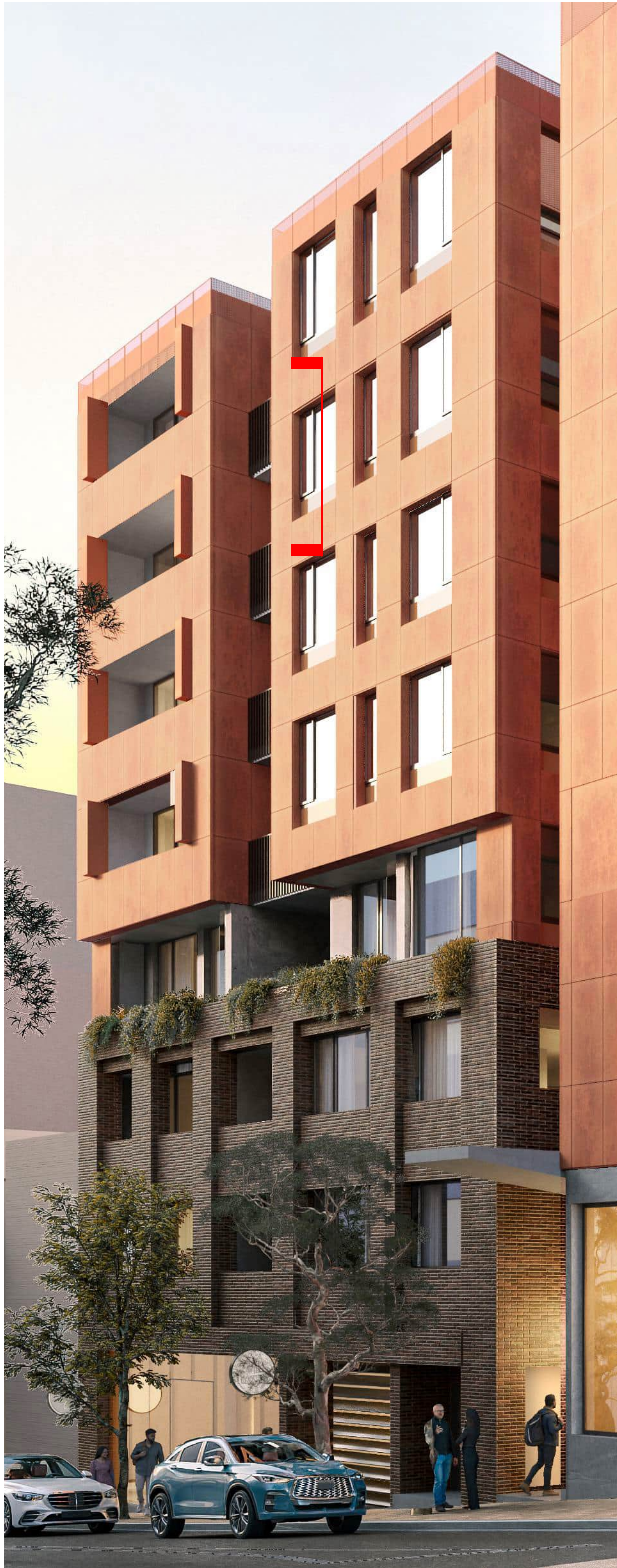
Gadigal

Drawing Name
Typical Wall Detail Section

Drawing Scale
Drawing No.
DA313

1:5 @ A1
Revision
A

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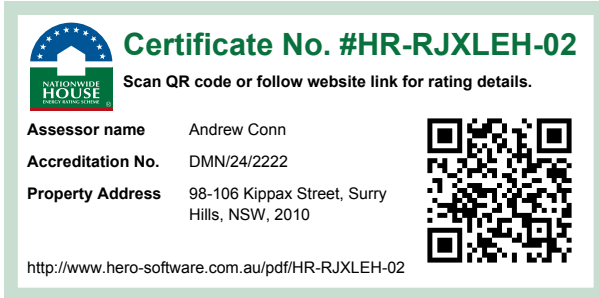


CH-29

02
Wall Detail Section
1:5

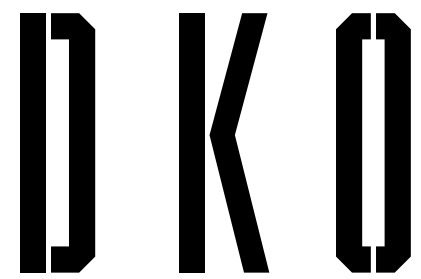
Rev	Date	By	Chk	Description
A	8/01/2026	DK	DK	Revised DA Set

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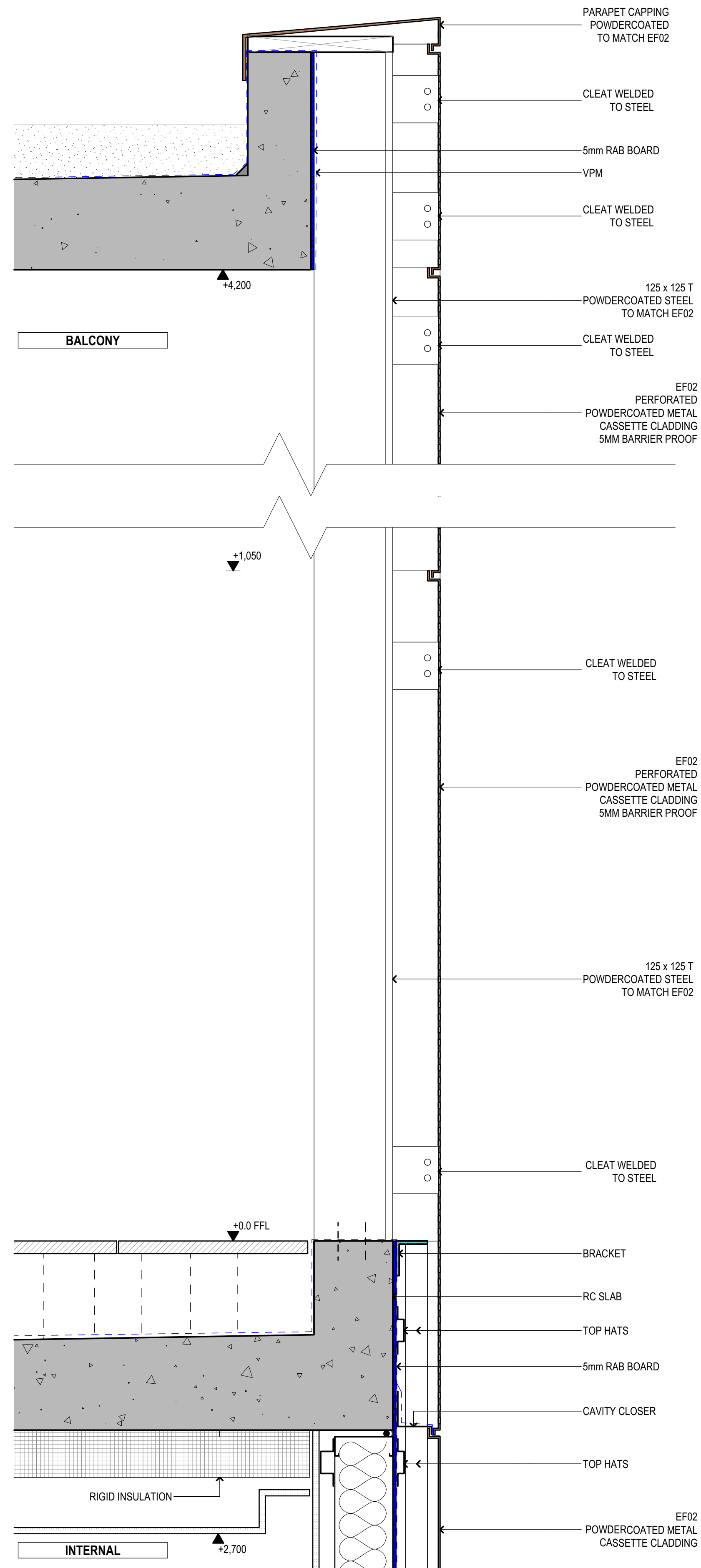
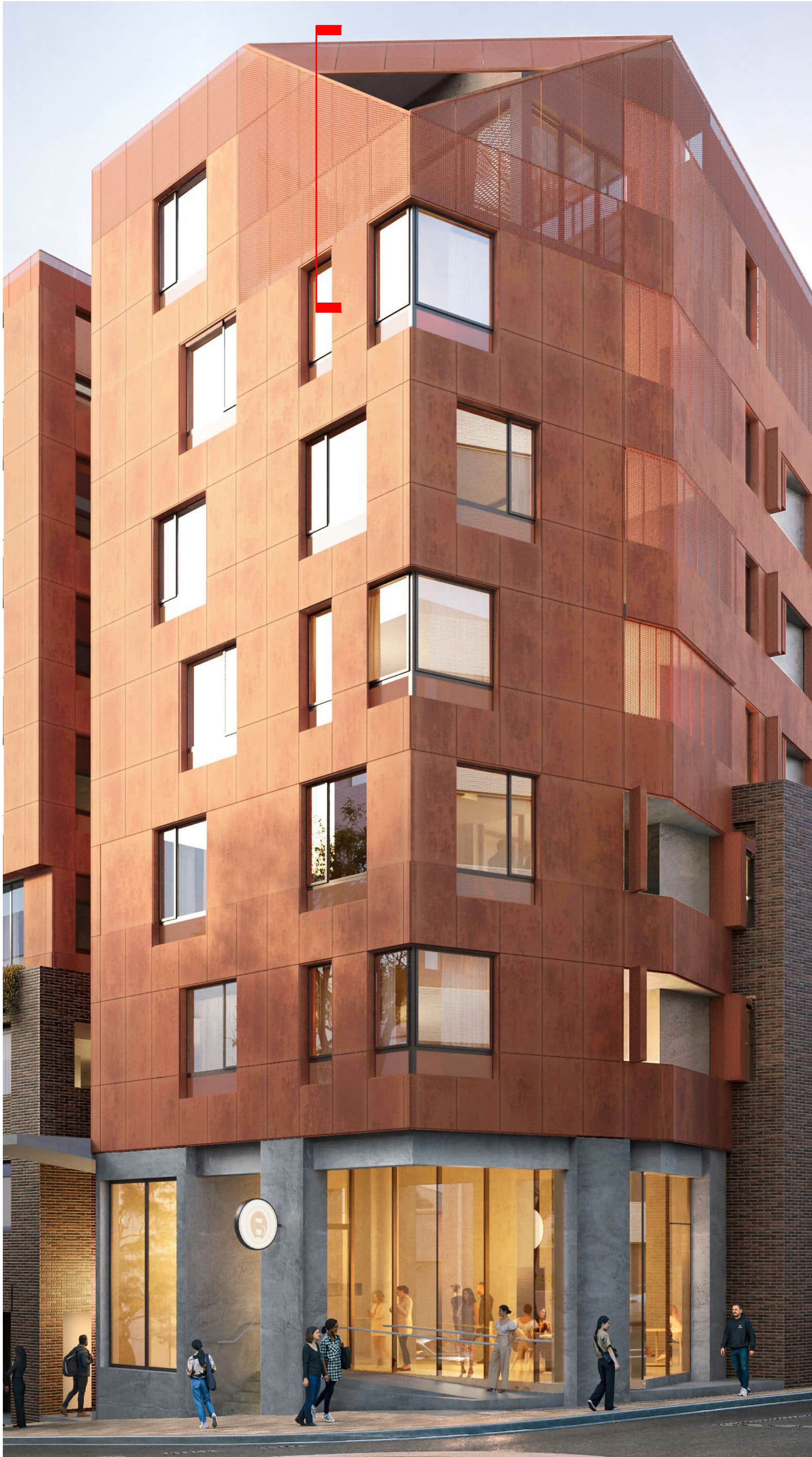
Country

Gadigal

Drawing Name
Typical Wall Detail Section

Drawing Scale
Drawing No.
DA314

1:5 @ A1
Revision
A



CH-29



Rev	Date	By	Chk	Description
A	8/01/2025	DK	DK	Revised DA Set

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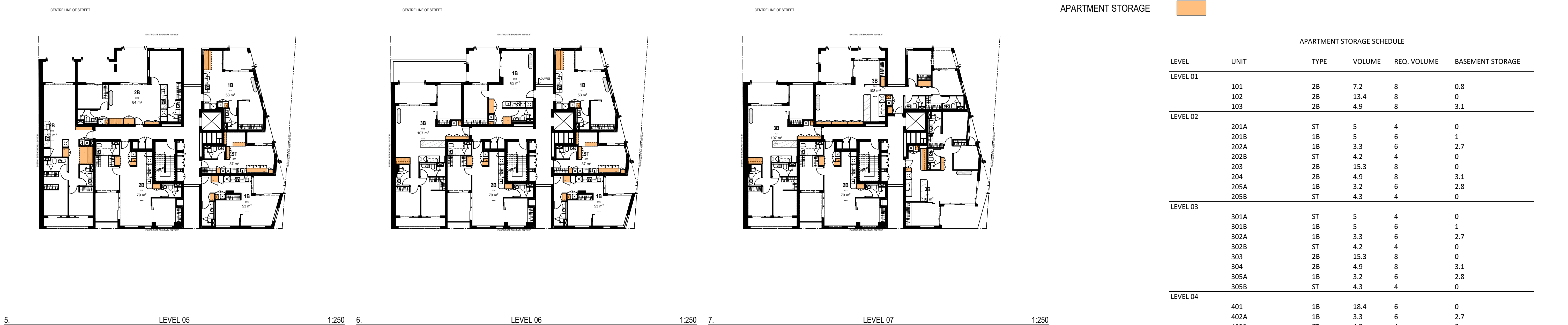
DKO

Project Name 98-106 Kippax Street
Project Number 13559
Project Address 98-106 Kippax Street, Surry Hills, NSW 2010
Country Gadigal

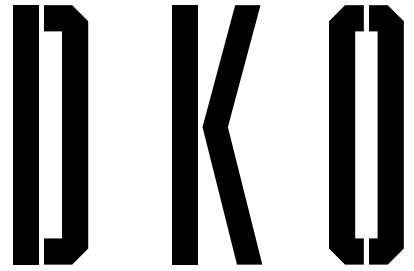
Drawing Name
Typical Wall Detail Section

Drawing Scale
Drawing No.
DA315

1:5 @ A1
Revision
A



Rev	Date	By	Chk	Description
01	23/01/2025	ZZ		Issue for Coordination
A	17/03/2025	KA		Final Set
B	9/04/2025	KA		DA Set
C	26/05/2025	KA		DA Set
D	6/01/2026	DK	DK	Revised DA Set

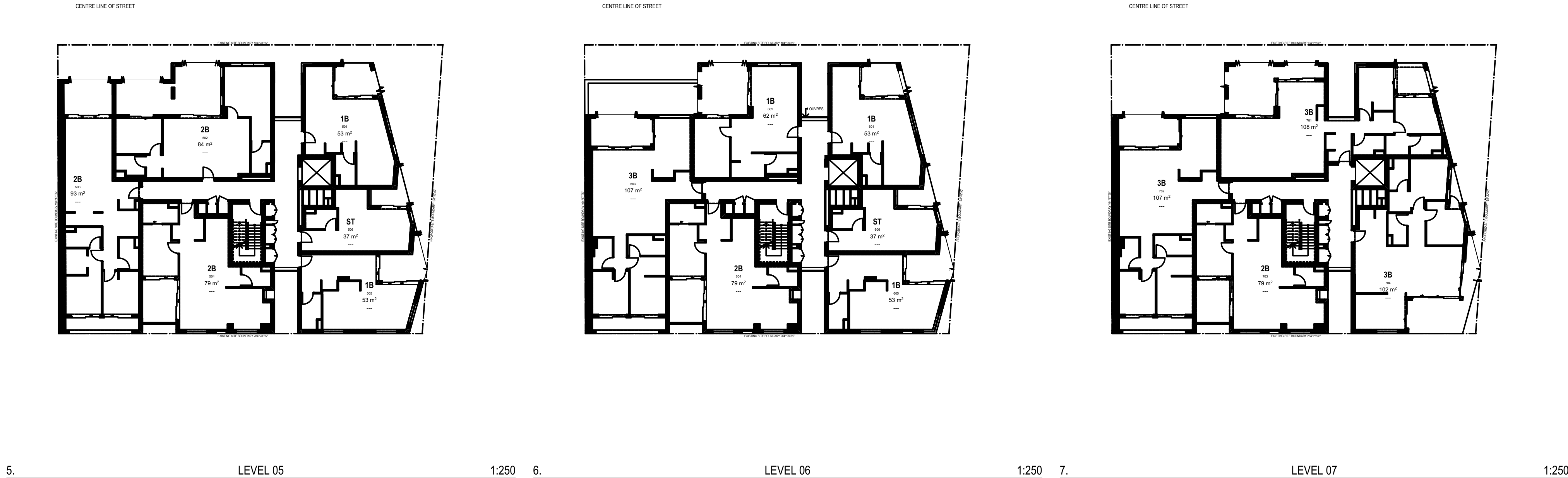
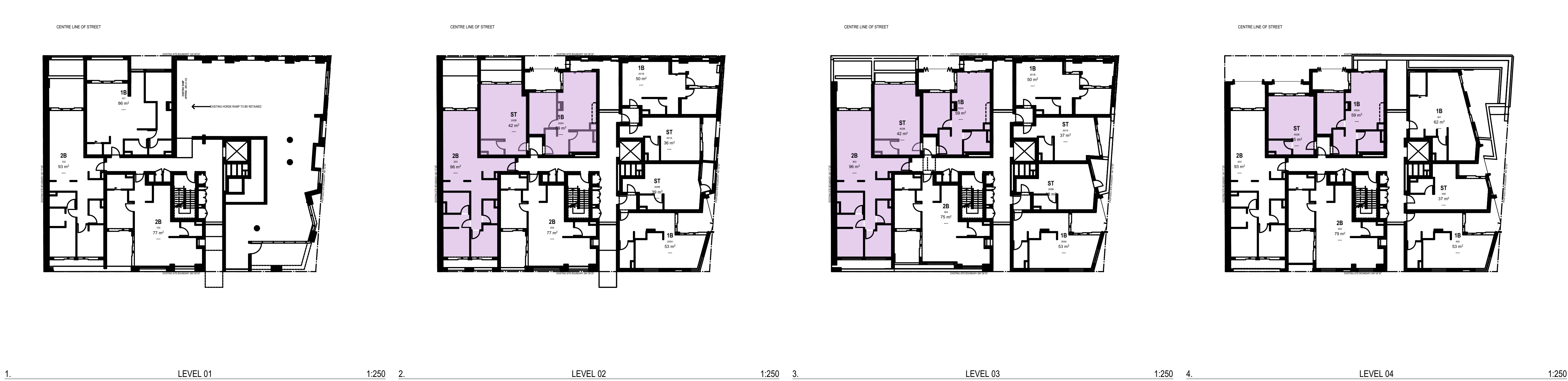


DEVELOPMENT APPLICATION

Drawing Name
Storage Plans

Drawing Scale
Drawing No.
DA506

1:250 @ A1
Revision
D



- All works to be in accordance with authority & statutory approvals.
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ADAPTABLE UNITS
UNITS REQ: 15%
5.25 UNITS

ADAPTABLE APARTMENTS	
TYPE	COUNT
1B	3
2B	2
	5 14.3 %

Rev	Date	By	Chk	Description
01	23/01/2025	ZZ		Issue for Coordination
A	17/03/2025	KA		Final Set
B	9/04/2025	KA		DA Set
C	26/05/2025	KA		DA Set
D	8/01/2026	DK	DK	Revised DA Set



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Country

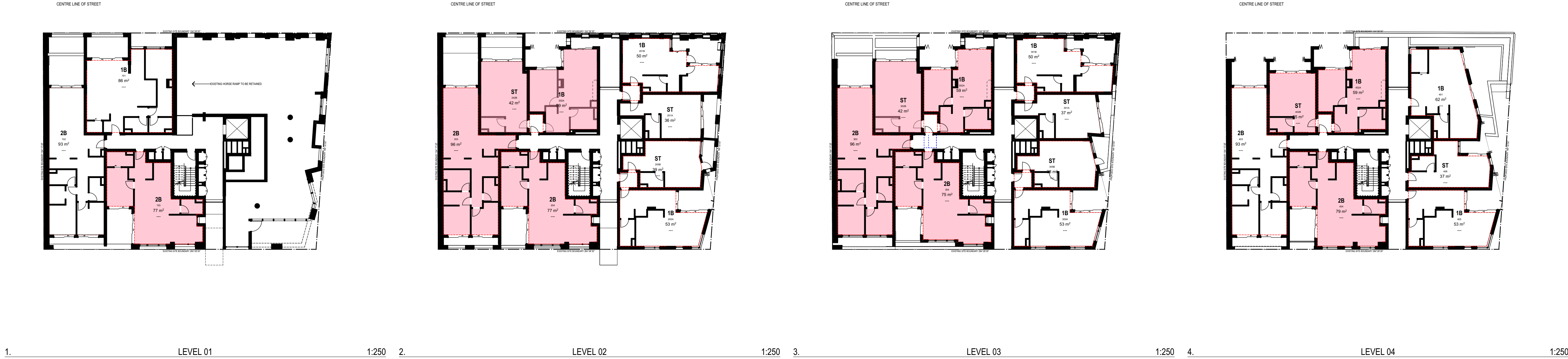
98-106 Kippax Street
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DEVELOPMENT APPLICATION

Drawing Name
Adaptable Units

Drawing Scale
Drawing No.
DA508

1:250 @ A1
Revision
D



LIVABLE UNITS

LIVABLE APARTMENTS	
TYPE	COUNT
1B	3
2B	9
	12 34%

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Rev	Date	By	Chk	Description
01	23/01/2025	ZZ		Issue for Coordination
A	19/04/2025	KA		DA Set
B	26/05/2025	KA		DA Set
C	8/01/2026	DK	DK	Revised DA Set

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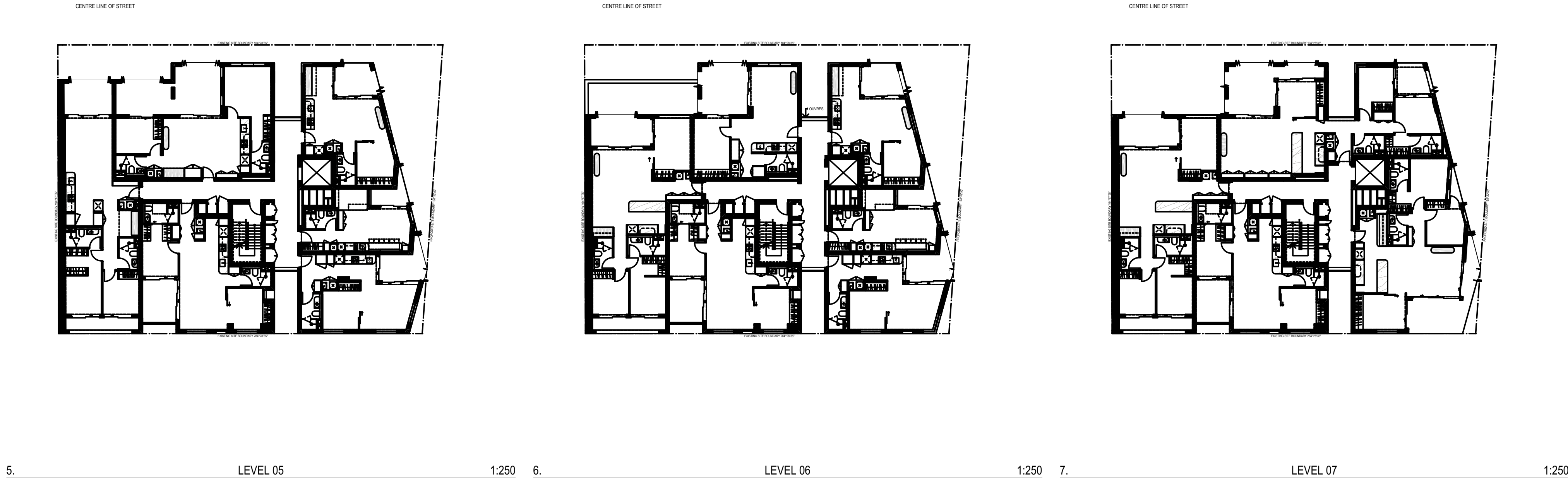
Gadigal

DEVELOPMENT APPLICATION

Drawing Name
Livable Units

Drawing Scale
Drawing No.
DA509

1:250 @ A1
Revision
C



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AFFORDABLE GFA
CROSS VENT UNIT
SOLAR ACCESS UNIT

GFA REQ: 15%
537.02 m²

AREA SCHEDULE - AFFORDABLE GFA

LEVEL	AREA
LEVEL 02	215.7
LEVEL 03	320.1
LEVEL 04	39.6
	575.4 m²
	16%

AFFORDABLE UNIT YIELD 10
TOTAL SOLAR UNITS 7 (70%)
TOTAL CV UNITS 5 (50%)

Rev	Date	By	Chk	Description
A	9/04/2025	KA		DA Set
B	28/05/2025	KA		DA Set
C	8/01/2026	DK	DK	Revised DA Set



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Project Number 13559
Project Address 98-106 Kippax Street, Surry Hills
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Country Gadigal

DEVELOPMENT APPLICATION

Drawing Name
Affordable GFA

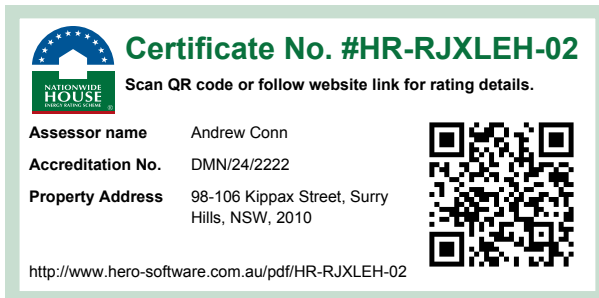
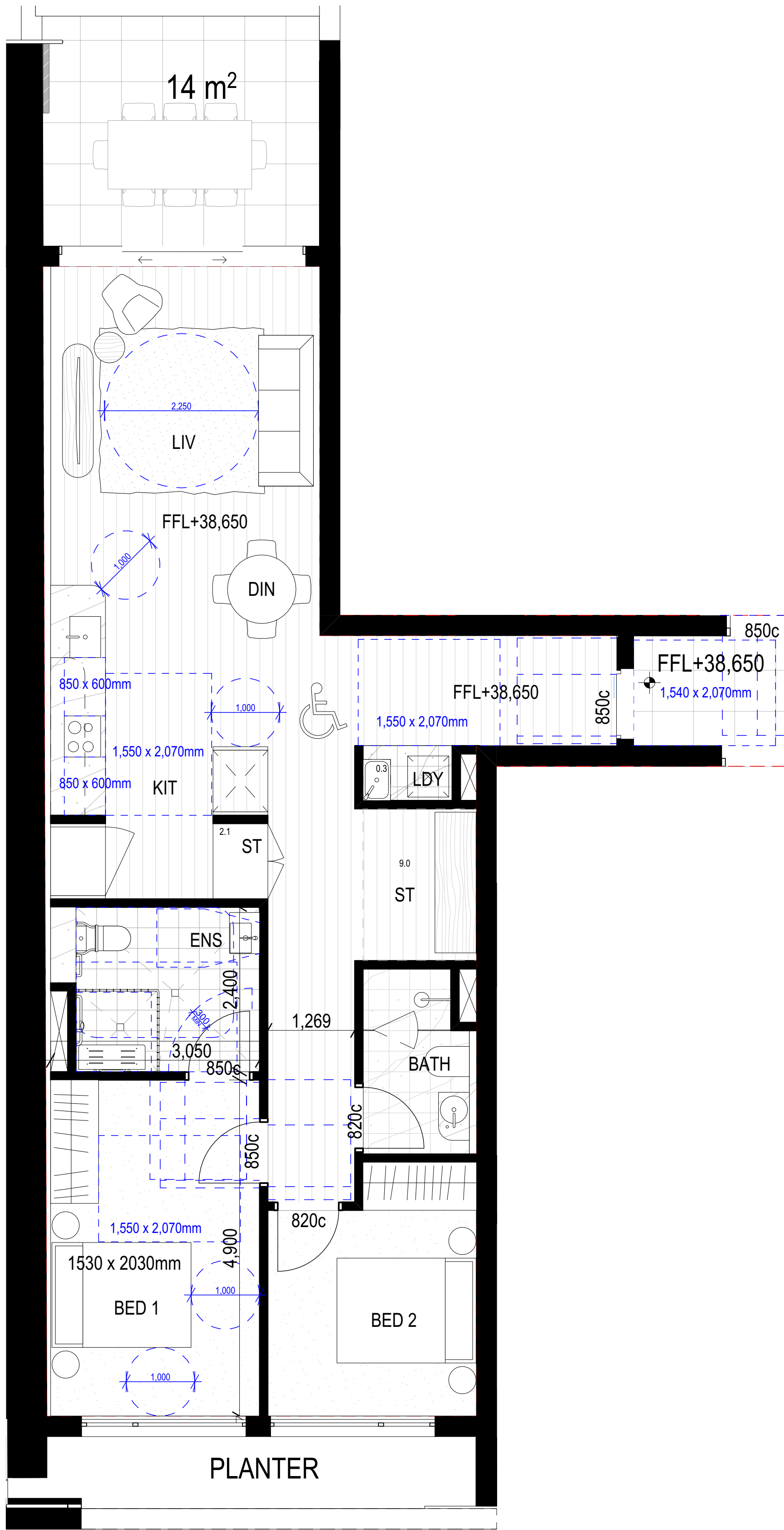
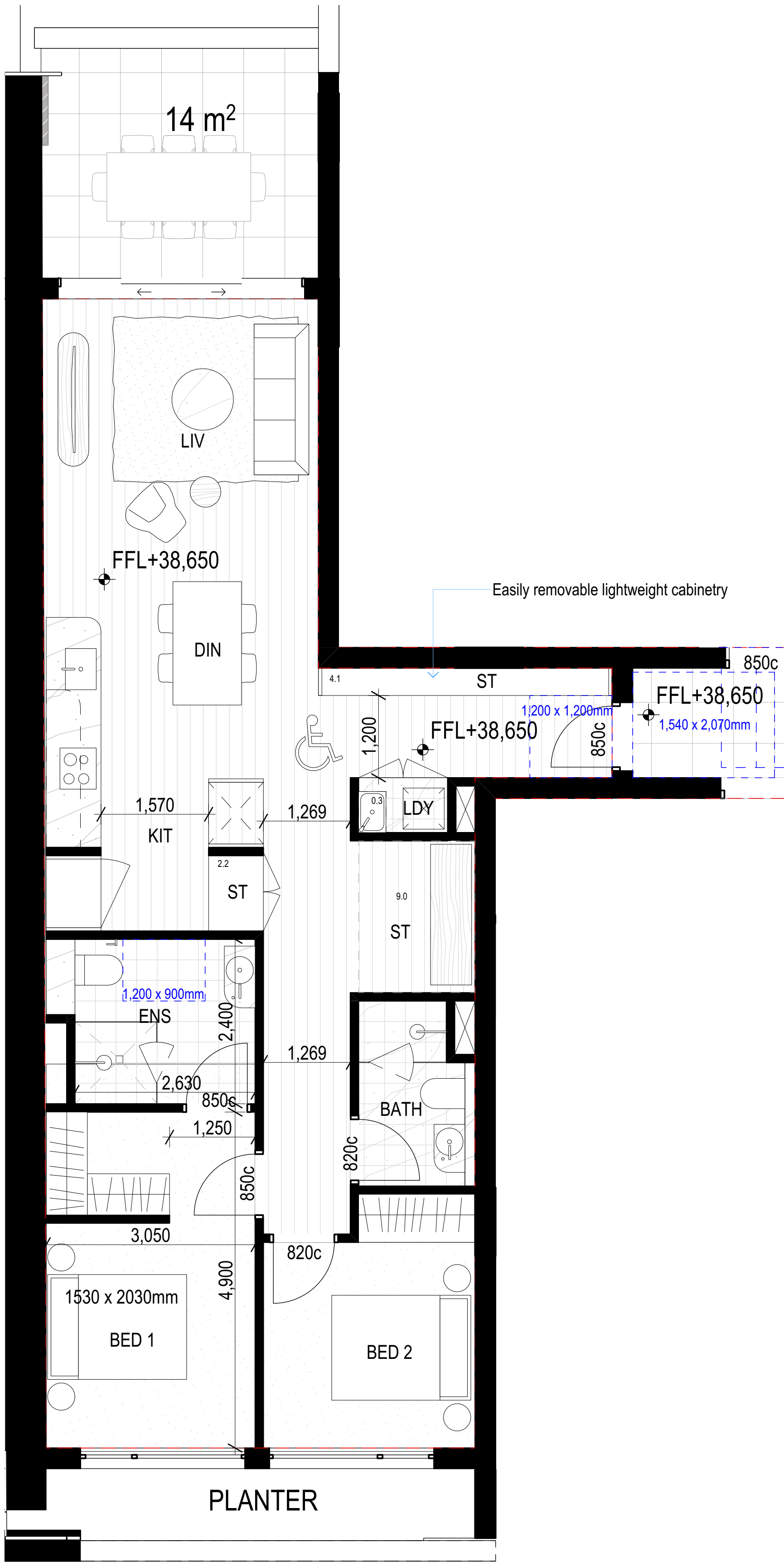
Drawing Scale
Drawing No.
DA510

1:250, 2:1 @
Revised
C

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LEGEND

850c = 850mm clear opening as per AS1428.1
820c = 820mm clear opening
Note: For silver level units ALL doors to be min 820c and ALL wet areas to be recessed to provide flush door thresholds



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Project Name
Project Number
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Country

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DEVELOPMENT APPLICATION

Drawing Name
Drawing No.
Drawing Scale
Revision

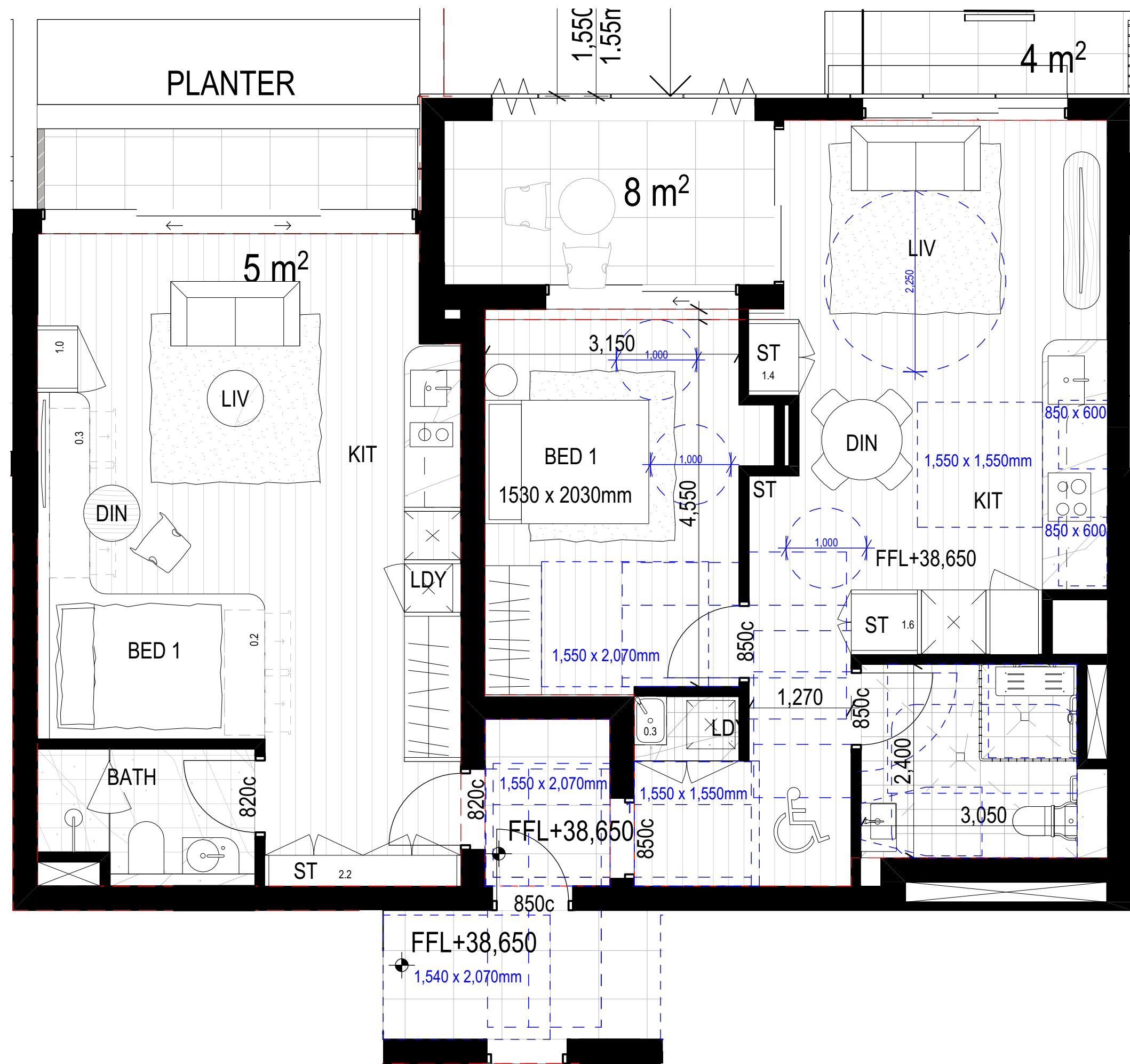
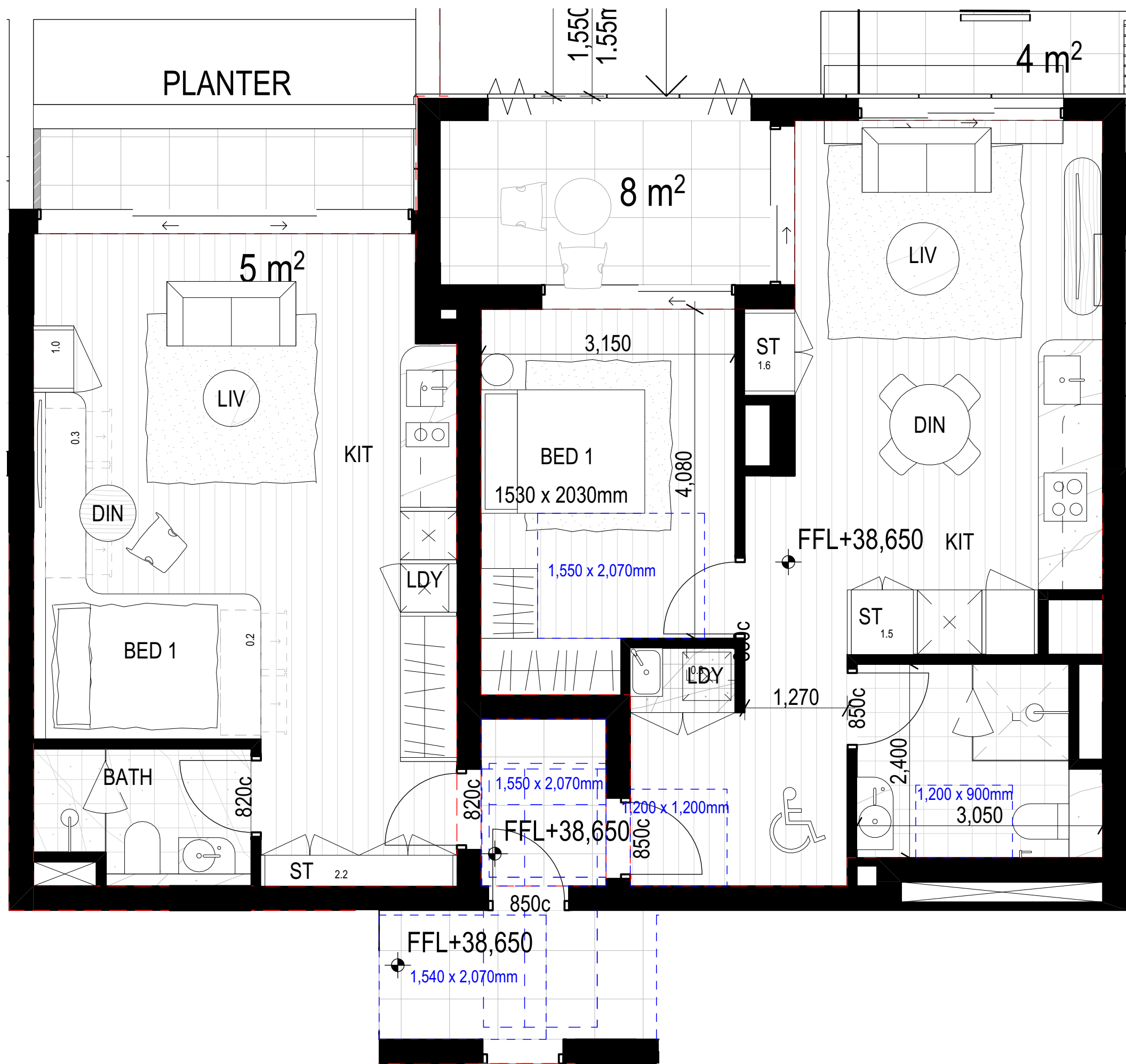
2B Pre and Post Adaptable
and Livable
DA511
1:50 @ A1
E

Rev	Date	By	Chk	Description
A	23/1/2025	KA		Issue for Coordination
B	17/3/2025	KA		From Set
C	9/04/2025	KA		DA Set
D	26/05/2025	KA		DA Set
E	8/01/2026	DK	DK	Revised DA Set

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Note: For silver level units ALL doors to be min 820c and ALL wet areas to be recessed to provide flush door thresholds

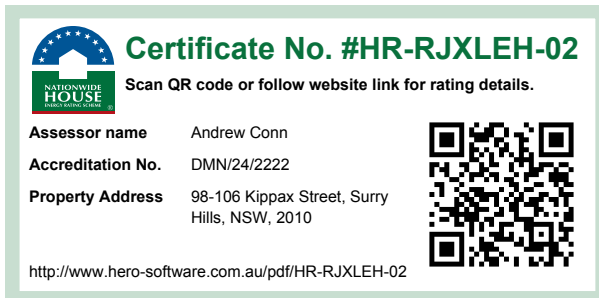


P.01 ADAPTABLE AND LIVABLE APARTMENTS (202, 302 & 402) _PRE- ADAPTABLE PLAN 1:50

P.01 ADAPTABLE AND LIVABLE APARTMENTS (202, 302 & 402) _POST- ADAPTABLE PLAN 1:50

Rev	Date	By	Chk	Description
A	23/1/2025	KA		Issue for Coordination
B	17/3/2025	KA		Final Set
C	9/4/2025	KA		DA Set
D	26/5/2025	KA		DA Set
E	4/6/2025	DK	DK	Revised DA Set

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13559
98-106 Kippax Street, Surry Hills
Sydney NSW 2000

DEVELOPMENT APPLICATION

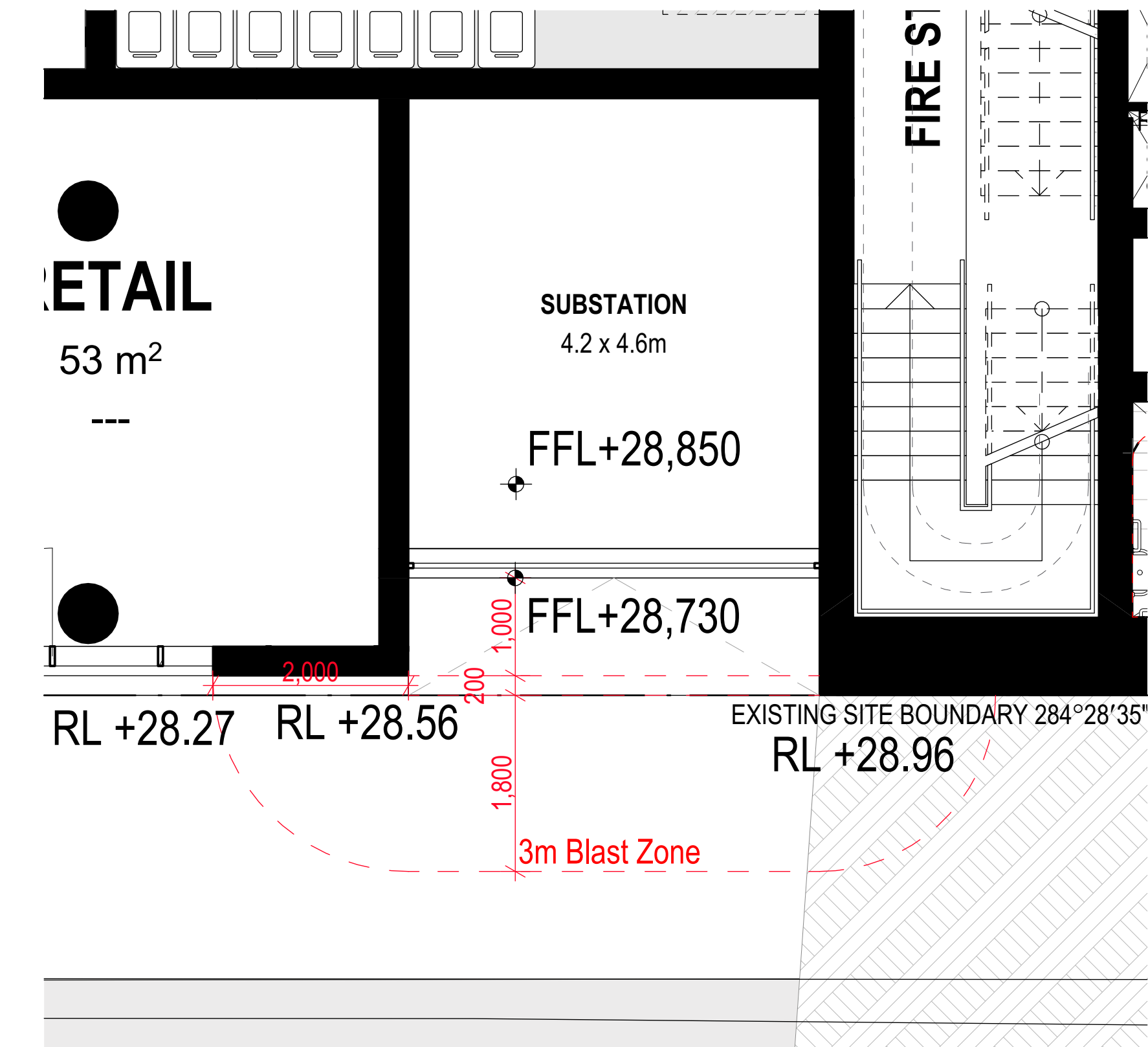
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Drawing Scale
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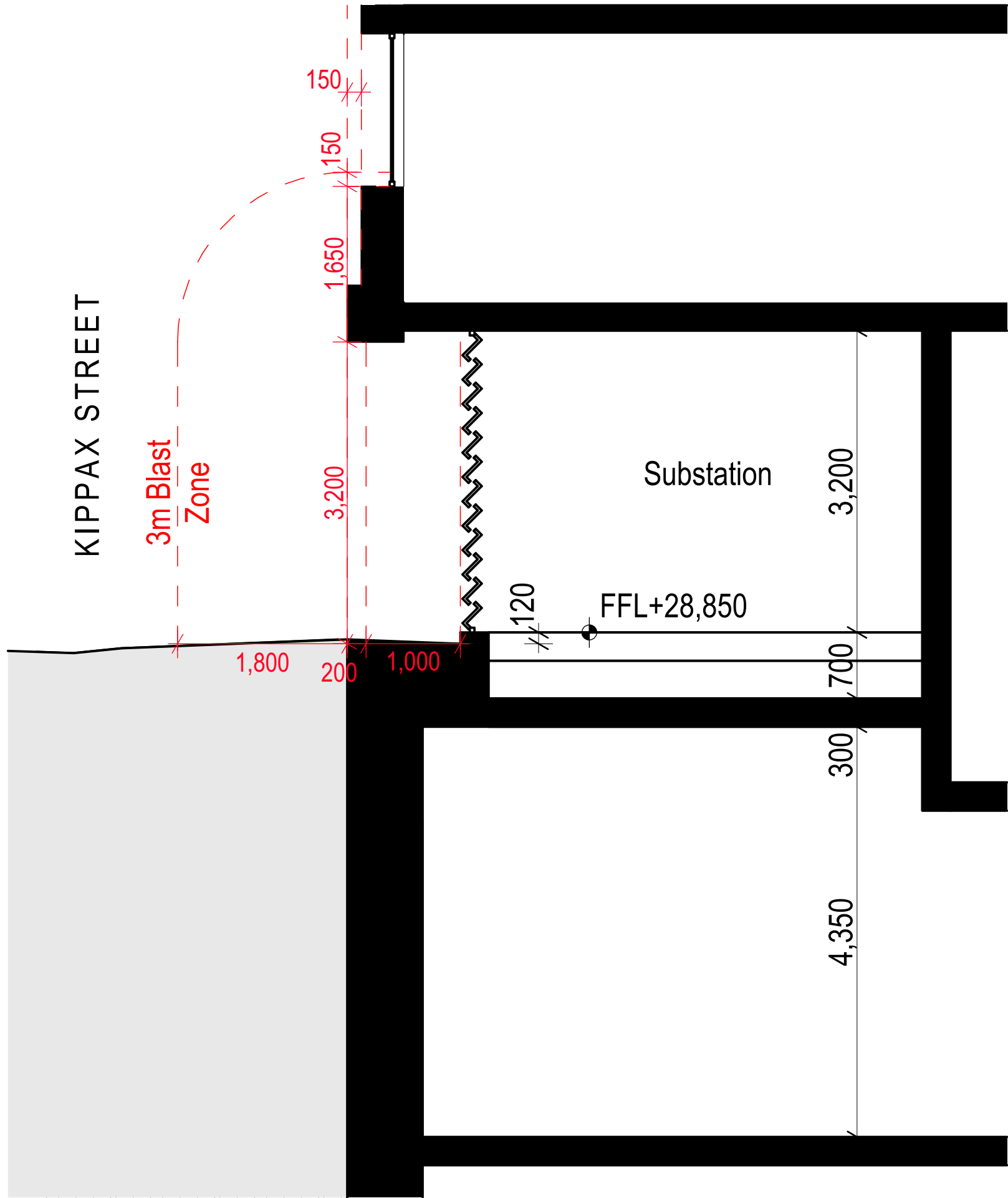
1:50 @ A1
Revision
E



E-01
South Elevation
1:50



-1.
LOWER GROUND FLOOR
1:50



S01
Section 01 Substation
1:50



Project Name
Project Number
Project Address
Country

98-106 Kippax Street
13559
98-106 Kippax Street, Surry Hills
Sydney NSW 2000
Gadigal

DEVELOPMENT APPLICATION

Drawing Name
Chamber Substation

Drawing Scale
Drawing No.
DA513

1:50 @ A1
Revision
A

Rev	Date	By	Chk	Description
A	11/09/2025	KA	DK	DA Set - RFI Response

CONCEPT PLAN - ROOFTOP

LEGEND

- ① Welcome Moment
- ② BBQ & Prep Area
- ③ Dining Terrace
- ④ Working Desk
- ⑤ Sitting Area with Views to The City
- ⑥ Quiet Nooks
- ⑦ Morning Terrace
- ⑧ Lounge Retreat
- ⑨ Herb Garden

— Glass Screen
 Deep Soil Area



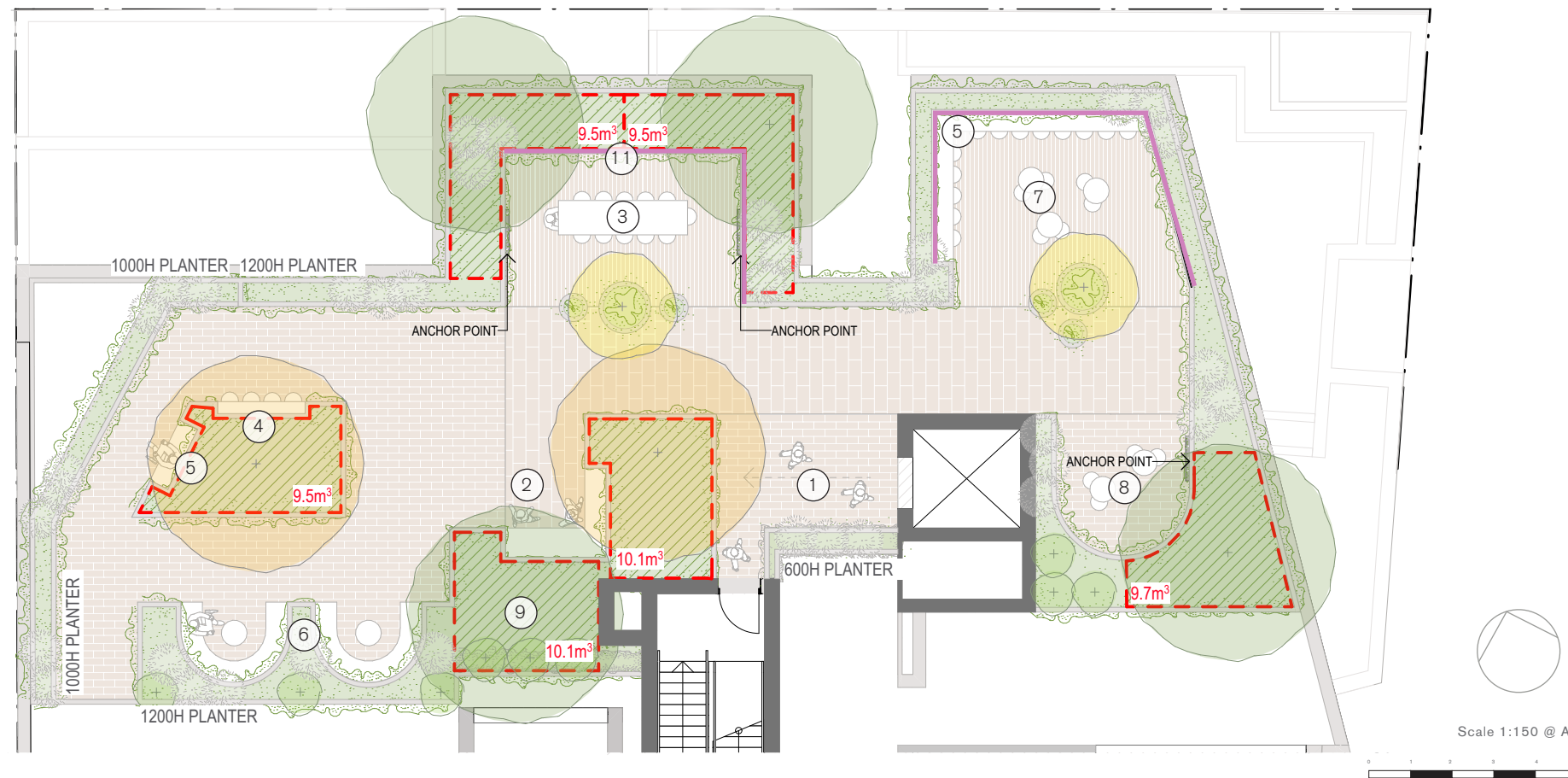
Welcome moment



BBQ and herb garden behind



Generous dining table with view to the city



Clusters of pots



Flexi-space



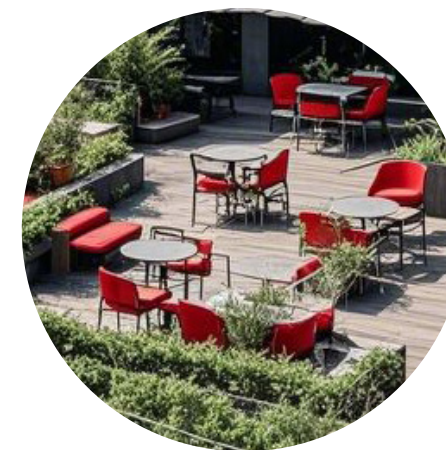
Open pergola with climbing plants



Bar and benches



Lush lounge retreat



Morning terrace



Quiet nodes

CONCEPT PLAN - LEVELS 1-4

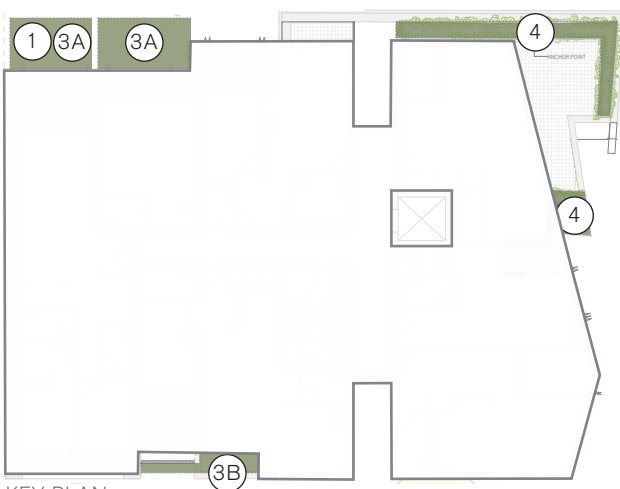


*Planting for privacy
and to soften facade*

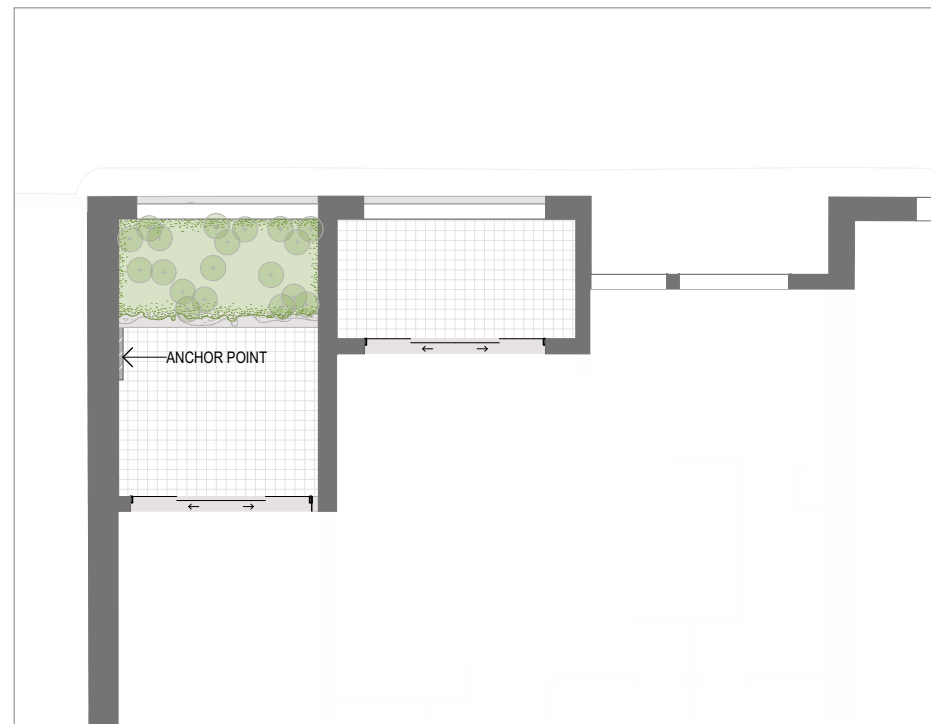


*Softening edges,
enhancing the indoor
and outdoor connection*

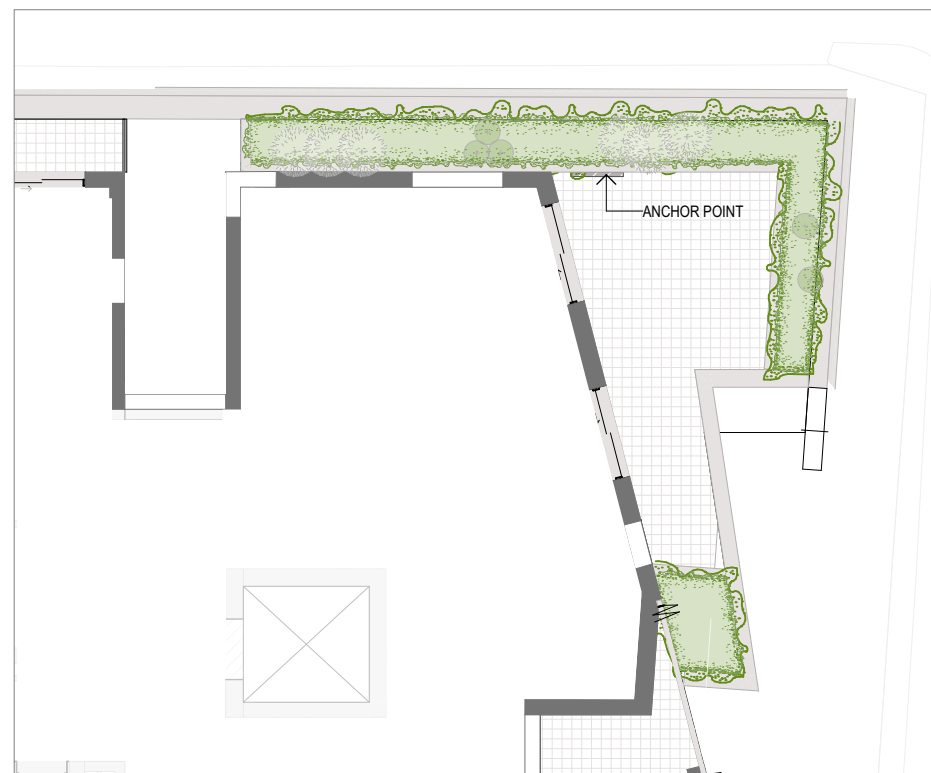
*Enhancing the
connection to nature*



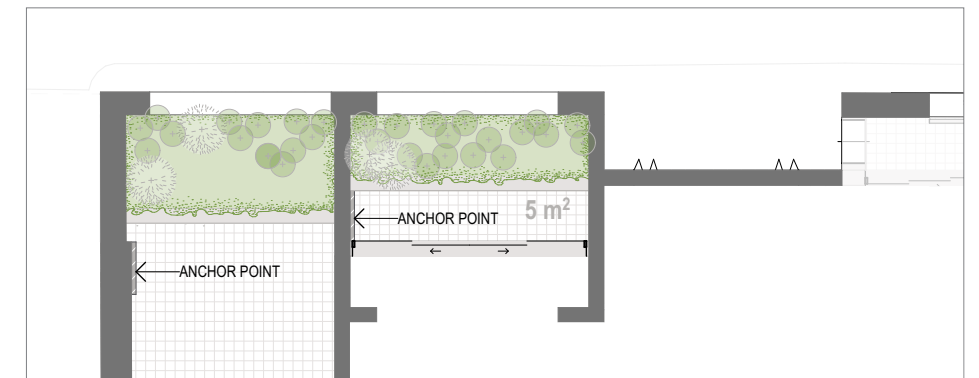
KEY PLAN



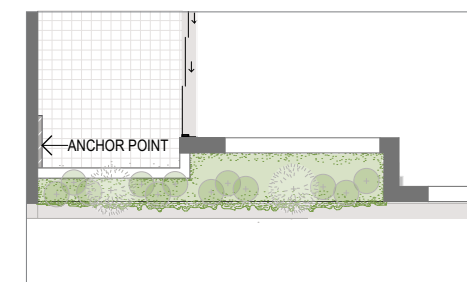
1: LEVEL 1 CONCEPT PLAN 1:150 @A3



4: LEVEL 4 CONCEPT PLAN 1:150 @A3



3A: LEVEL 3 NORTH CONCEPT PLAN 1:150 @A3



3B: LEVEL 3 SOUTH CONCEPT PLAN 1:150 @A3



ANCHOR POINT

PLANTING STRATEGY

We work with form, scale, texture, fragrance, colour, and seasonality to create evocative and immersive environments.

As well as designing with plants to enhance the user experience, we work carefully within the site conditions, considering strong integration with the built form, the context and micro-climates within the site, promoting hardy low maintenance, climate appropriate planting.

This planting strategy celebrates different micro-climates within the rooftop garden and balcony gardens, the varied plant selection creating a diversity of spaces and experiences. This includes sun-filled exposed areas, more sheltered areas, planting for privacy and screening and more protected areas.

Planter Beds

Perimeter planters are proposed to be 1200mm high, forming the balustrade to the rooftop landscape. These elements are coordinated with and reflected on the approved architectural plans.

201 Trees in Planters

Canopy cover across the site is 15%

Raised planter beds accommodate six (6) canopy trees, each tree with a minimum of 9 cubic meters of soil volume, to achieve the minimum canopy coverage requirement of 15% of the site, in accordance with the applicable DCP controls. Further small trees including Lilly Pilly trees and Lemon trees are proposed, as indicated on the drawings.

Tree species selection is in accordance with the City of Sydney Tree Species List, comprising:

- 2 × Lagerstroemia ‘Natchez’
 - 4 × Laurus nobilis
 - 9 × Syzygium australe
 - 2 × Citrus limon (in pots)

Maintenance Access

Safe maintenance access to planter beds on Rooftop, Levels 3 and 4 will be facilitated via a tether and anchor point provided to each apartment, as indicated on the drawings. All maintenance works are to be undertaken by appropriately licensed contractors.

Furniture

Furniture within the rooftop landscape will be predominantly fixed. Loose furniture is limited to bar stools and dining chairs only. Bar tables are integrated into the 1200mm high perimeter planter beds. Seating nooks incorporate built-in tables and bench seating, and all other tables are fixed. Loose bar stools and dining chairs are proposed to support flexible use of these areas.

Wind Mitigation

Wind mitigation is achieved through a combination of 1500mm high glass screening, 1200mm high perimeter planter beds, and layered planting. The sheltered seating area located in the north-east corner of the rooftop, identified as the most wind-exposed zone, is protected by a 1500mm high glass screen. Other areas of the rooftop are protected by a continuous 1.2mH perimeter planter from east to north, with a small section of 1mH planter to the west. Planting is up to 1000mm high, with select areas of lower planting (minimum 200–400mm high) to maintain targeted view opportunities.

Trees are strategically located to provide additional shade and shelter. Collectively, these measures provide effective wind protection to primary seating areas while supporting a diversity of spaces and experiences across the rooftop landscape.

	Area	%		Quantity
Total Site Area	786m ²	/	Total Number of Trees	17
Canopy Cover	117.8m ²	15%	Pot Planters	6
COS	214m ²	27%		



Clusters of
lightweight pots



Creating
visual interest



Feature tree and
low planting



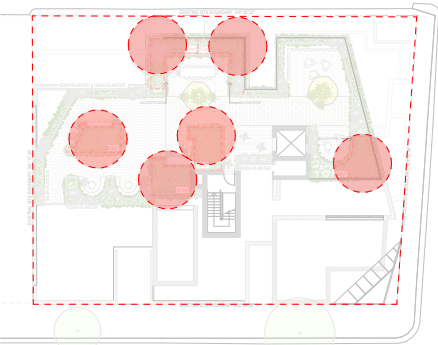
Layered understorey
planting



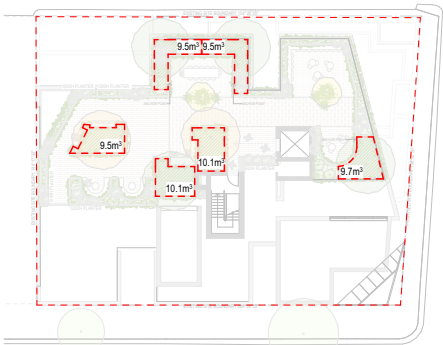
Cascading plants
to soften facade



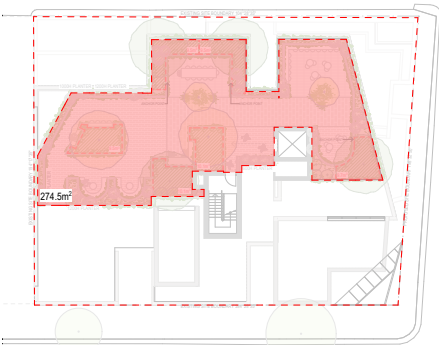
Low maintenance,
climate appropriate
planting



Canopy Cover



Deep Soil Area for Canopy Tree



COS Area Count

CODE	QTY	BOTANICAL NAME	COMMON NAME	POT SIZE	MATURE HEIGHT	MATURE SPREAD
		Tree				
CLI	2	Citrus limon (in pots)	Lemon Tree	100 L	2.0m - 3.0m	2.0m - 3.0m
LNA	2	Lagerstroemia indica x fauriei 'Natchez'	Creepe Myrtle Tree (white)	100 L	7.0m - 8.0m	4.0m - 5.0m
LNO	4	Laurus nobilis	Bay Tree	100 L	7.0m - 8.0m	4.0m - 5.0m
SST	9	Syzygium australe 'Straight and Narrow'	Fastigiate Lilly Pilly	100 L	3.0m - 5.0m	0.5m - 1.0m
		Shrub				
AMI	10	Acacia cognata 'Mini Cog'	Dwarf River Wattle	200 mm	0.5m - 1.0m	0.5m - 1.0m
CBA	12	Correa alba 'Ball'	White Correa Alba Topiary Ball	200 mm	0.5m - 1.0m	0.5m - 1.0m
CRE	8	Correa reflexa	Native Fuchsia	200 mm	0.5m - 1.0m	0.5m - 1.0m
SLE	6	Salvia leucantha	Mexican Sage	200 mm	0.5m - 1.0m	0.5m - 1.0m
		Strappy				
DBA	12	Dianella 'Baby Breeze'	Blue flax lily	140 mm	0.3m - 0.5m	0.3m - 0.5m
DEM	6	Dianella tasmanica 'Emerald Arch'	Emerald Arch Tasman Flax-lily	140 mm	0.3m - 0.5m	0.3m - 0.5m
LLC	35	Lomandra confertifolia 'Little Con'	Dwarf Mat Rush	140 mm	0.3m - 0.5m	0.3m - 0.5m
LTA	19	Lomandra longifolia 'Tanika'	Tanika Mat Rush	140 mm	0.5m - 1.0m	0.5m - 1.0m
		Groundcovers & Climbers				
CCI	TBC	Casuarina glauca 'Cousin IT'	Cousin It Casuarina	140 mm	<0.3m	1.0m - 2.0m
CMB	TBC	Convolvulus sabatius 'Moroccan Beauty'	Blue Morning Glory	140 mm	<0.3m	0.3m - 0.5m
DRE	TBC	Dichondra repens	Kidney Weed	140 mm	<0.3m	0.5m - 1.0m
MBL	TBC	Myoporum parvifolium 'Broad Leaf'	Creeping Boobialla	140 mm	<0.3m	0.5m - 1.0m
RHC	TBC	Rosmarinus officinalis 'Herb Cottage'	Herb Cottage	140 mm	1.0m - 2.0m	0.5m - 1.0m
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TAL	TBC	Thymus serpyllum 'Alba'	White Creeping Thyme	140 mm	<0.3m	0.3m - 0.5m

	CMB
	CCI
	DRE
	MBL
	RPR
	RHC
	TAL
	DEEP SOIL AREA



A horizontal scale bar with markings at 0, 1, 2, 3, 4, and 5m.

PLANTING PLANS - LEVELS 1-4

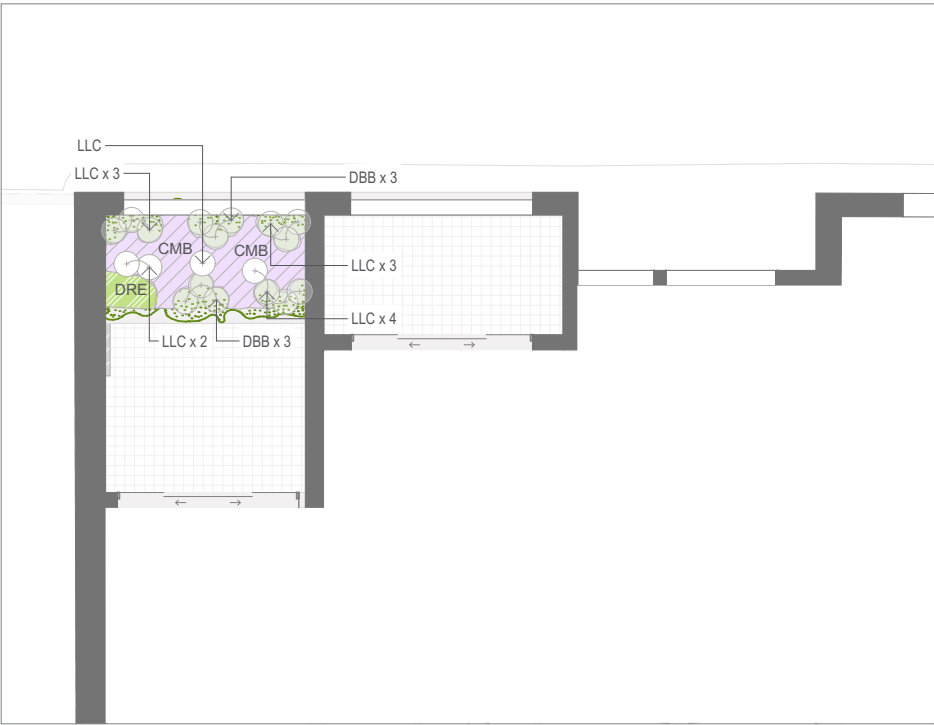
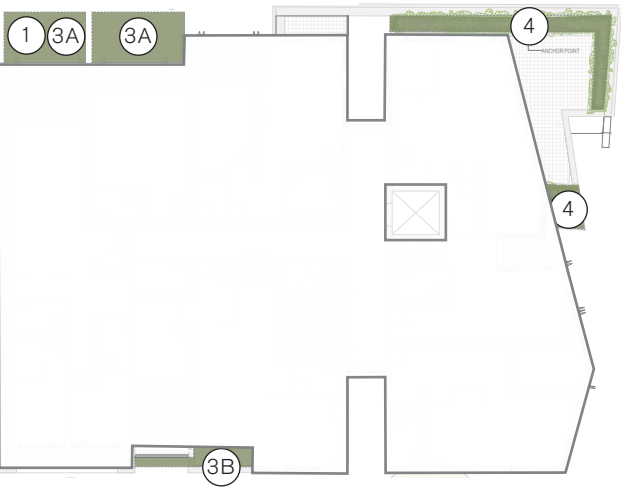
PLANTING SCHEDULE

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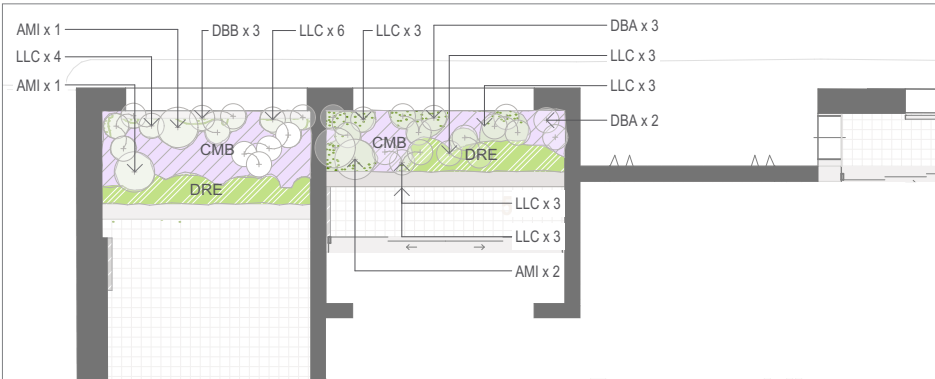
LEGEND

- 203
- CMB
- CCI
- DRE

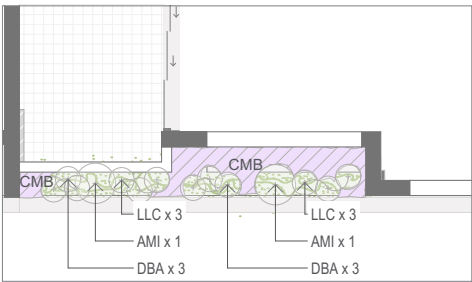
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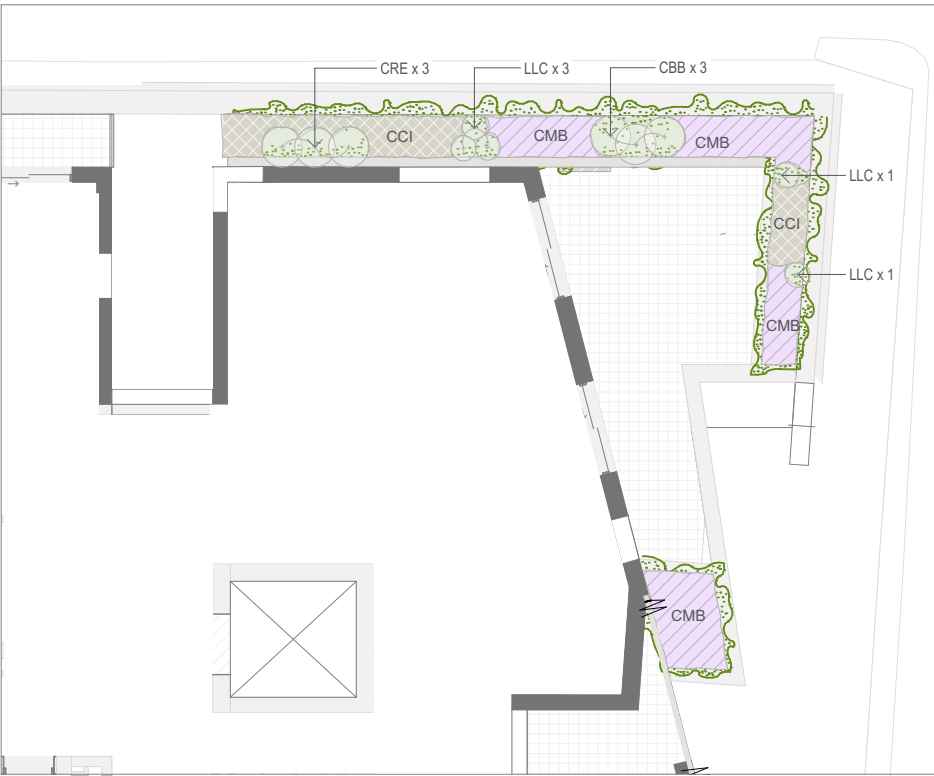
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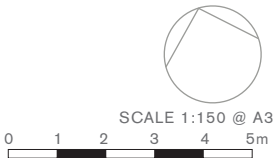
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3B: LEVEL 3 SOUTH PLANTING PLAN 1:150 @A3



4: LEVEL 4 PLANTING PLAN 1:150 @A3

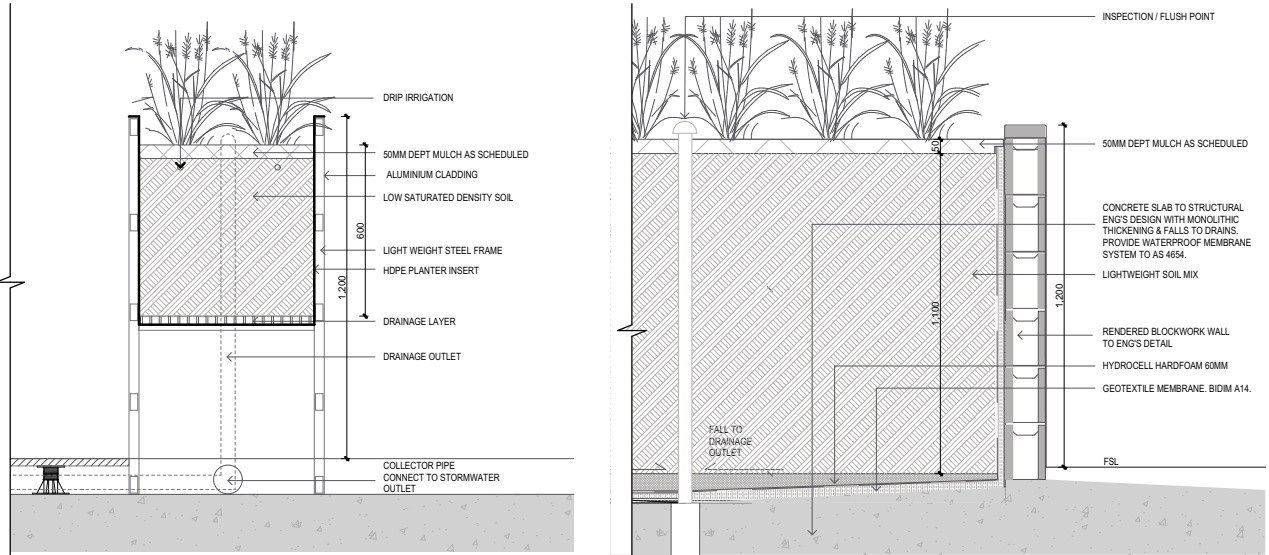


PLANTING SELECTION

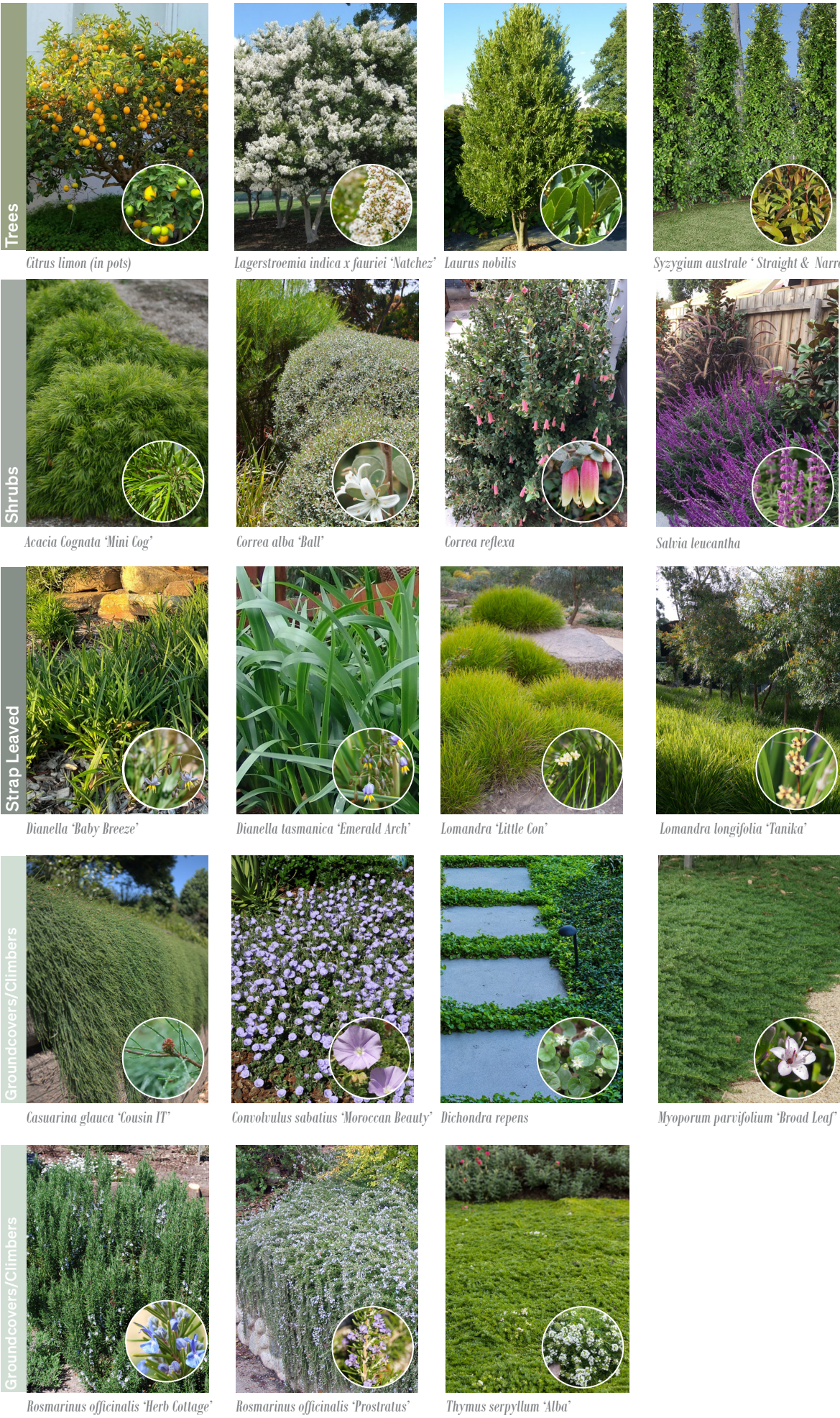
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204

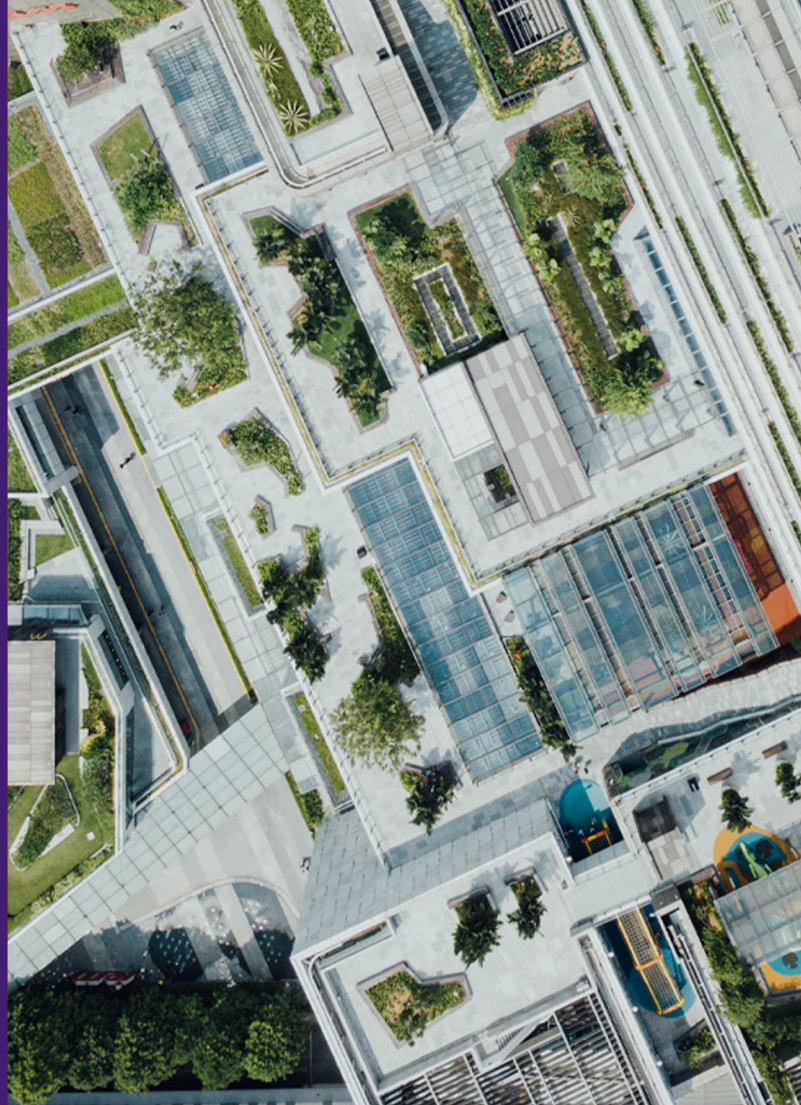


LIGHTWEIGHT PLANTER BOX DETAIL SCALE 1:25@A3 PLANTER BOX DETAIL SCALE 1:25@A3



Attachment C

Clause 4.6 Variation Request – Height of Buildings
--



98-106 Kippax Street, Surry Hills NSW 2010

Clause 4.6 Variation Request – Building Height

On behalf of ISL Property
Investments Management Pty Ltd

29 July 2025

The Planning Studio acknowledges the traditional custodians of the lands + waters of Australia, particularly the Gadigal People on whose traditional lands our office is located, and pay our respects to Elders past, present + emerging. We deeply respect the enduring Connection to Country + culture of Aboriginal and Torres Strait Islander peoples and are committed to walk alongside, listen + learn with community as we plan for equitable, sustainable, generous, and connected places. Always was, Always will be.

Project Director

Kate Bartlett

Contributors

Kate Bartlett (Director)

Harjeet Spence (Associate Director)

Revision	Revision Date	Status	Authorised	
			Name	Signature
V1	14 July 2025	Draft	Kate Bartlett	
V2	29 July 2025	Final	Kate Bartlett	

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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Sydney, NSW 2000
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1 Introduction

This Clause 4.6 Variation Request seeks to allow a variation to the Height of Buildings development standard associated with the Development Application at 98-106 Kippax Street, Surry Hills NSW 2010 (the site). The DA seeks approval for the partial retention of the existing contributory commercial building and construction of an 8-storey shop top housing development with retail tenancies on the ground floor levels, one level of basement carparking, 35 residential units (including 7 dual key units) with affordable housing units and associated landscaping, specifically:

- Partial retention of the existing contributory commercial building occupying the site. The existing external walls, vaulted slabs, columns and ground level ramp on Sophia Street and Waterloo Street will be retained across the lower ground floor / ground floor / first floor level;
- Excavation of the site to accommodate one basement level;
- The basement level will comprise of:
 - 18 spaces, including six (6) double car stackers, two (2) tandem car spaces, two (2) accessible spaces and two (2) standard spaces;
 - Car lift;
 - Two (2) motorcycle spaces;
 - Residential storage area; and
 - Building services.
- Lower ground floor level to include one retail tenancy, loading dock, car lift, substation, bicycle storage, residential storage, waste storage and plant rooms;
- Ground floor level includes one retail tenancy, residential lobby entry and building services.
- Levels 1 - 7 comprise 35 residential units:
 - 3 x studio;
 - 7 x 1-bedroom;
 - 21 x 2-bedrooms (including 7 dual key units); and
 - 4 x 3-bedrooms.
- Rooftop communal open space with landscaping and plant equipment

The development is seeking to utilise the affordable housing provisions under Chapter 2, Part 2, Division 1 (In-fill affordable housing) under State Environmental Planning Policy (Housing) 2021 (Housing SEPP), which can deliver up to an additional 30% of Floor Space Ratio (FSR) and Building Height, subject to delivery of affordable housing dwellings for a minimum of 15 years.

The Clause 4.6 Variation Request seeks to vary the maximum Building Height development standard under Clause 16 of the Housing SEPP.

This Clause 4.6 Variation Request demonstrates that, notwithstanding the non-compliances, the proposed development:

- Demonstrates that strict compliance with the standard is unreasonable or unnecessary as the development achieves the objectives of the height of building



development standard in Clause 4.3 of Sydney Local Environmental Plan (SLEP) 2012, despite the non-compliance with the numerical standard under Clause 16 of the Housing SEPP; and

- Will deliver a development that is appropriate for its context, despite the numerical breach to development standard in Clause 16 of the Housing SEPP and therefore has sufficient environmental planning grounds to permit the variation.

As a result, the DA may be approved as proposed in accordance with the flexibility afforded under Clause 4.6 of the SLEP 2012 and Clause 16 of the Housing SEPP.

2 Clause 4.6 Exceptions to Development Standards

Clause 4.6 of the SLEP 2012 aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

The SLEP2012 Clause 4.6 Exceptions to development standards of the reads as follows:

1. *The objectives of this clause are as follows—*
 - a. *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - b. *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
2. *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
3. *Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*
 - a. *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
 - b. *there are sufficient environmental planning grounds to justify the contravention of the development standard.*
4. *The consent authority must keep a record of its assessment carried out under subclause (3).*

3 The Development Standard to be varied

This Clause 4.6 Variation Request has been prepared in a written format, seeking to justify the variation to the following development standards.

3.1 Sydney LEP 2012

Clause 4.3 (Height of Buildings) permits a maximum Height of Buildings of 22m. Refer to the Figure below.



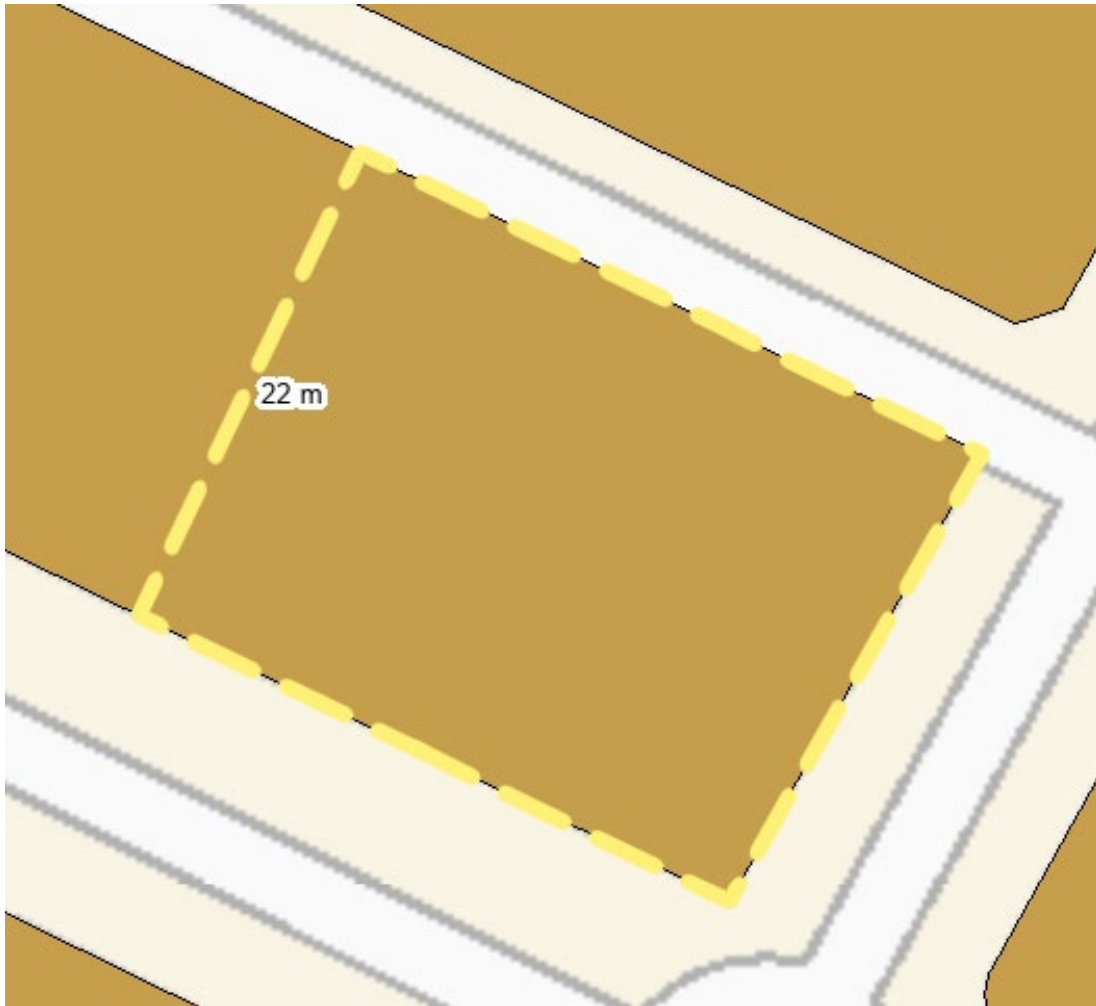


Figure 1: Height of Buildings SLEP 2012 map extract (NSW Planning Spatial Viewer)

4.3 Height of buildings

- 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.
- 2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

3.2 Housing SEPP 2021 – Clause 16

In addition, the site is eligible to utilise the affordable housing provisions under Chapter 2, Part 2, Division 1 (In-fill affordable housing), which can deliver up to an additional 30% of FSR and Building Height, subject to delivery of affordable housing dwellings for a minimum of 15 years. The development proposes five (5) units of the 35 dual key residential units to be allocated as affordable housing. The affordable housing component amounts to a total of 539m², which amounts to 15% of the overall gross floor area of the development.

As a consequence of these provisions, the maximum Building Height permitted on the site is 28.6m specifically through Clause 16 of the Housing SEPP.

4 Extent of Variation to the Development Standard

The subject application proposes a maximum building height of 28.6m for the bulk of the building with only the roof area of the lift overrun amounting to 29.14m and the roof area of the stairway amounting to 29.04m provided only for the purpose of access to a landscaped communal rooftop area. This proposal amounts to a maximum breach of 540mm or 1.9% from the building height permitted by the Housing SEPP.



Figure 2: Proposed Height Plane Diagram (DKO Architecture)



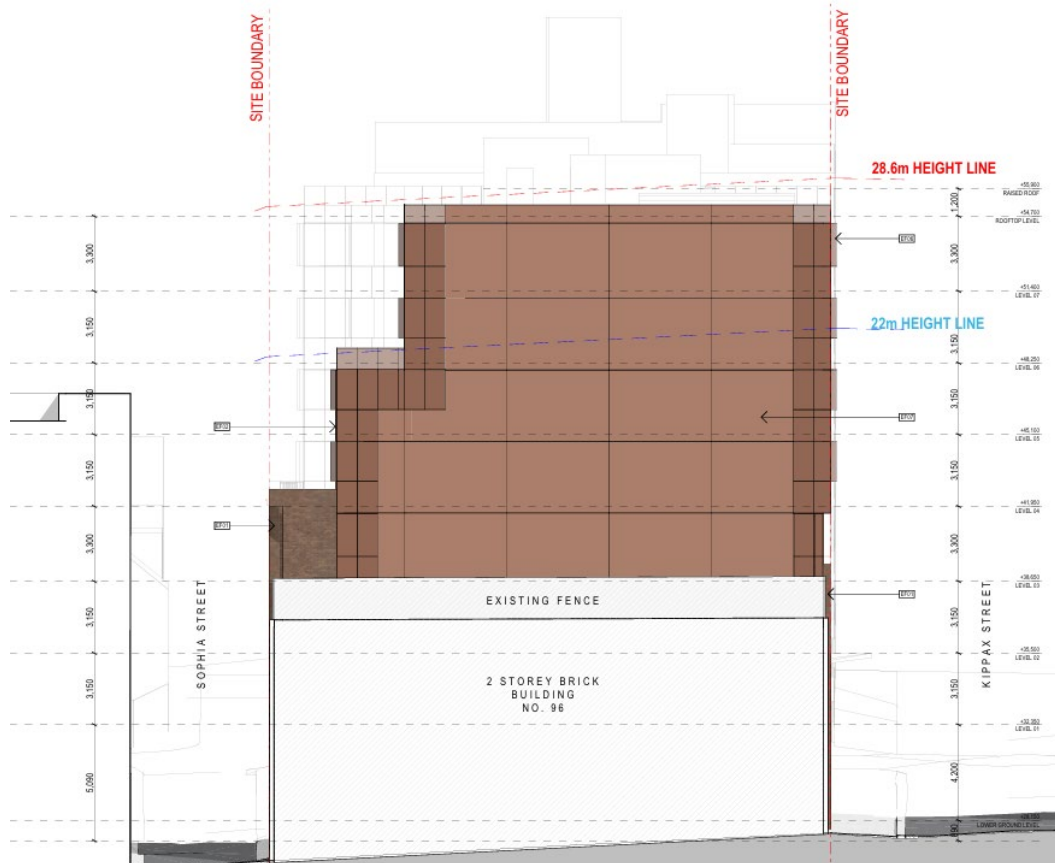
Figure 3: Proposed South Elevation - Kippax Street (DKO Architecture)



Figure 4: Proposed North Elevation - Sophia Street (DKO Architecture)



Figure 5: Proposed East Elevation - Waterloo Street (DKO Architecture)



- Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

These five ways to demonstrate that compliance is unreasonable or unnecessary are not exhaustive, and it may be sufficient to establish only one way.

With respect to the subject application, we consider that the proposed development meets the requirements of Wehbe Test #1 and therefore compliance with the development standard is unreasonable and unnecessary when considered holistically with the development outcome being sought.

5.2 Objectives of the standard are achieved notwithstanding non-compliance with the standard (Wehbe#1)

5.2.1 Wehbe Test 1 – Objectives of the Standard are achieved

The proposal will be in the public interest as it meets the objectives of the building height development standard as follows:

Objective (a) to ensure the height of development is appropriate to the condition of the site and its context,

The proposed development has been carefully designed to deliver a contextually appropriate built form that preserves the environmental amenity of neighbouring properties and public spaces. Almost all of the built form is located below the building height allowable under proposal once the Housing SEPP uplift is applied. The only elements proposed above the building height control is the roof area of the lift overrun and stairway (provided only for the purpose of access to a communal rooftop area) which have a substantive setback from all the property boundaries and will not be readily visible from the public domain. In addition will not result in any adverse environmental amenity impacts.

The development is surrounded by seven (7) and nine (9) storey forms within the immediate vicinity and it is considered that the proposed eight (8) storey form is consistent with the height of the surrounding context.

Further, Council's draft LEP (Housekeeping Amendment) that was recently endorsed by Council post exhibition, specifically proposes to include an amendment to Clause 4.3 of the LEP to permit additional height to buildings where it is only for the purpose of access to a communal or green rooftop area.

Objective (b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,

The site is not identified as a heritage item or located within a heritage conservation area (HCA). The site is located adjacent the Little Riley Street HCA and the following heritage items:

- 63 Foveaux Street, Surry Hills, Former "Schweppes Building" including interior, l1548;
- 65–67 Foveaux Street, Surry Hills, Former "Schweppes Building" (65–67 Foveaux Street) including interior, l1550; and
- 119–127 Kippax Street, Surry Hills, Former Ford Sherington Trunk Factory including interior, l1563A



The site is occupied by a contributory building as it is identified as a warehouse building older than 50 years in accordance with SDCP. The proposed development seeks to undertake an adaptive reuse of the existing building for the purposes of shop top housing with affordable housing. NBRIS has prepared a Heritage Impact Statement (HIS) which undertook an assessment of the proposal against the relevant provisions of SLEP and SDCP. The Statement concluded that the development will have a neutral impact on the heritage significance of the Little Riley Street Conservation Area and those heritage items in the vicinity noted above.

The design of the proposal has been carefully considered and responds to the current planning controls and the existing character of this precinct in Surry Hills which has retained a number of multi storied buildings demonstrating similar development over a number of decades.

All existing views to and from the heritage items in the vicinity, and the character of adjoining Conservation Area will be retained and conserved.

Objective (c) to promote the sharing of views outside Central Sydney,

The subject application proposes a maximum building height of 28.6m for the bulk of the building consistent with Clause 16 of the Housing SEPP. The development proposes a minor departure with only the roof area of the lift overrun and stairway provided only for the purpose of access to a communal rooftop area. This proposal amounts to a minor breach of 540mm or 1.9% from the building height permitted by the Housing SEPP.

This minor height breach will not have any impacts on the sharing of views for the surrounding properties.

Objective (d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,

Not applicable.

Objective (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.**

Not applicable

5.3 Clause 4.6(3)(b) - There are sufficient Environmental Planning Grounds to Justify Contravening the Development Standard

Clause 4.6(3)(b) of the WLEP 2012 requires that the consent authority be satisfied that the applicant's written request has adequately demonstrated that:

There are sufficient environmental planning grounds to justify contravening the development standard.

The environmental planning grounds relied on in the written request under Clause 4.6 must be sufficient to justify contravening the development standard. The focus is on the aspect of the development that contravenes the development standard, not the development as a whole. Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (*Turland v Wingecarribee Shire Council*



[2018] NSWLEC 1511 and Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118), also 'Rebel MH' and 'Baron' (2019).

The environmental planning grounds relied upon to justify the exceedance of the development standard in the circumstances of the proposal are considered sufficient and specific to the site and the proposed contravention.

As confirmed by Section 5 of the report the development amounts to a minor breach due to the roof area of the lift overrun and stairway provided only for the purpose of access to a communal rooftop area. These elements have a substantive setback from all the property boundaries and will not be readily visible from the public domain. In addition will not result in any adverse environmental amenity impacts.

The proposal is compliant with the FSR development standard, and no portion of the height variation is attributable to gross floor area.

It is also noted that the City of Sydney Council has recently exhibited and then endorsed draft amendments to the SLEP2012 (Housekeeping Amendment), to permit variations to building height controls where they only relate to granting access to rooftop communal and green spaces. It is anticipated that this draft LEP will be gazetted prior to the determination of this application, which is a particular environmental planning ground relevant to the proposal that supports a breach to the standard.

For the reasons discussed above, it is contended that there are sufficient environmental planning grounds to justify the contravention to the development standard in the circumstances of the case.

6 Conclusion

The assessment above confirms that compliance with the maximum height limit permitted under Clause 16 of SEPP Housing is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the contravention to the development standard.

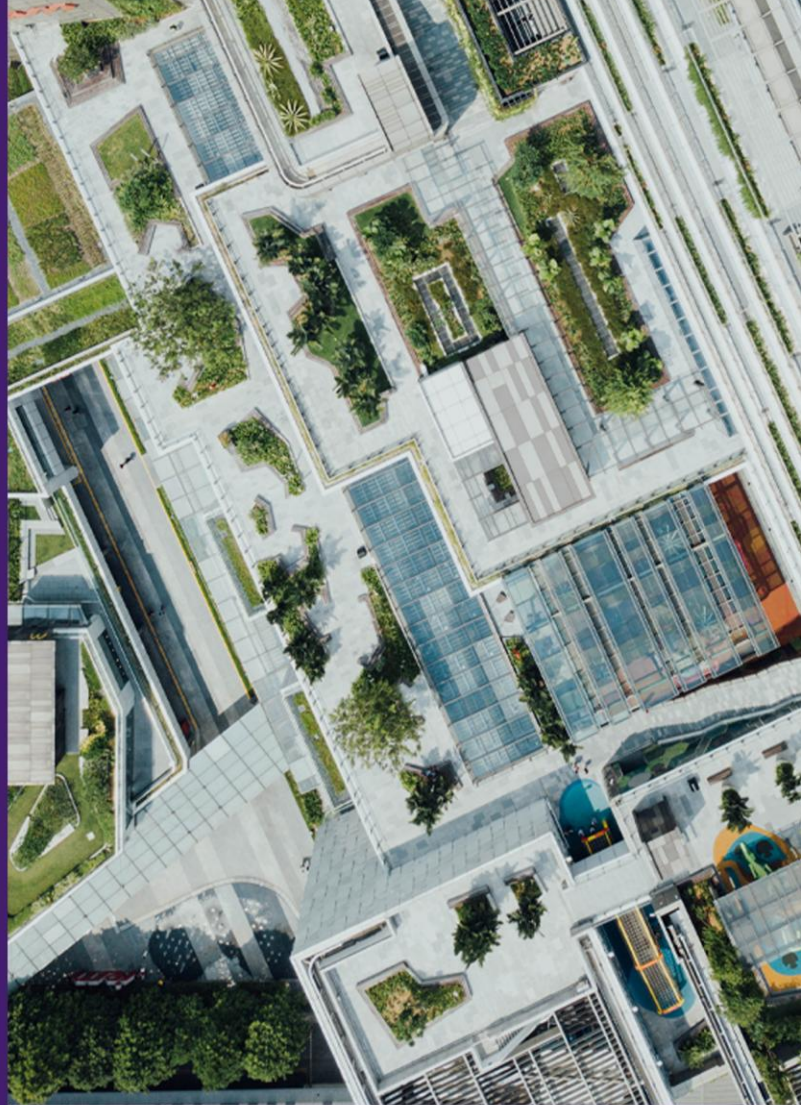
This Clause 4.6 variation request demonstrates that notwithstanding the non-compliance with the Height of Buildings development standard, the proposal:

- Achieves the objectives of the development standard in Clause 4.3 of SLEP 2012;
- Delivers a development that is appropriate for its context despite the breaches to development standards, and therefore has sufficient environmental planning grounds to permit the variation; and
- Compliance with the development standard is unreasonable or unnecessary in the circumstances of this proposal.



Attachment D

Clause 4.6 Variation Request – Minimum Landscaped Area
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98-106 Kippax Street, Surry Hills NSW 2010

Clause 4.6 Variation Request – Landscaped Area

On behalf of I.S.L Property
Investments Management Pty Ltd

3 March 2026

The Planning Studio acknowledges the traditional custodians of the lands + waters of Australia, particularly the Gadigal People on whose traditional lands our office is located, and pay our respects to Elders past, present + emerging. We deeply respect the enduring Connection to Country + culture of Aboriginal and Torres Strait Islander peoples and are committed to walk alongside, listen + learn with community as we plan for equitable, sustainable, generous, and connected places. Always was, Always will be.

Project Director

Harjeet Spence

Contributors

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Revision	Revision Date	Status	Authorised	
			Name	Signature
V1	27 February 2026	Draft	Harjeet Spence	
V2	3 March 2026	Final	Harjeet Spence	

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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1 Introduction

This precautionary Clause 4.6 Variation Request seeks to allow a variation to the Landscaped Area non-discretionary development standard associated with the Development Application (DA) at 98-106 Kippax Street, Surry Hills NSW 2010 (the site).

The DA seeks approval for the partial retention of the existing contributory commercial building and construction of an 8-storey shop top housing development with retail tenancies on the ground floor levels, one level of basement carparking, 35 residential units (including 7 dual key units) with affordable housing units and associated landscaping, specifically:

- Partial retention of the existing contributory commercial building occupying the site. Components of the existing external walls, vaulted slabs, columns and ground level ramp on Sophia Street and Waterloo Street will be retained across the lower ground floor / ground floor / first floor level;
- Excavation of the site to accommodate one basement level;
- The basement level will comprise of:
 - 18 spaces, including seven (7) double car stackers, two (2) accessible spaces and two (2) standard spaces;
 - Car lift;
 - Two (2) motorcycle spaces;
 - Residential storage area; and
 - Building services.
- Lower ground floor level to include two (2) retail tenancies, loading dock, car lift, substation, bicycle storage, residential storage, waste storage and plant rooms;
- Ground floor level includes one retail tenancy, residential lobby entry and building services.
- Levels 1 - 7 comprise 35 residential units (including 7 dual key units) of which six (6) dual key units will be allocated as affordable housing for a period of 15 years:
 - 3 x studio;
 - 8 x 1-bedroom;
 - 20 x 2-bedrooms (including 7 dual key units); and
 - 4 x 3-bedrooms.
- Rooftop communal open space with landscaping and plant equipment

The development is seeking to utilise the affordable housing provisions under Chapter 2, Part 2, Division 1 (In-fill affordable housing) under State Environmental Planning Policy (Housing) 2021 (Housing SEPP), which can deliver up to an additional 30% of Floor Space Ratio (FSR) and Building Height, subject to delivery of affordable housing dwellings for a minimum of 15 years.

This Clause 4.6 Variation Request is submitted to accompany an amended development proposal submitted to Council in response to Council's RFI request issued on 21 October 2025 and 25 February 2026.



The Clause 4.6 Variation Request seeks to vary the minimum Landscape Area non-discretionary development standard under Clause 19 of the Housing SEPP. It is noted that this Clause 4.6 Variation Request has been prepared on the request of Council as a precaution. However, it is noted that a non-discretionary standard within the SEPP allows the Council, as a consent authority, to exercise its discretion on how they administer the non-discretionary standard. Section 4.15(3) does not prevent development consent being granted if a non-discretionary development standard is not complied with.

This Clause 4.6 Variation Request demonstrates that, notwithstanding the landscaped area not meeting the minimum standard within the SEPP, the proposed development:

- Demonstrates that strict compliance with the standard is unreasonable or unnecessary as the development satisfies the in-fill affordable housing objectives within Chapter 2, Part 2, Division 1, Clause 15A of the Housing SEPP and zone objectives within Sydney Local Environmental Plan (SLEP) 2012 as the Housing SEPP does not prescribe development standard objectives; and
- Will deliver a development that is appropriate for its context and achieves compliance with the communal open space requirements which includes soft landscaping under the Apartment Design Guide (ADG) despite the numerical breach to the non-discretionary development standard in Clause 19 of the Housing SEPP; and
- Therefore, has sufficient environmental planning grounds to permit the variation.

As a result, the DA may be approved as proposed in accordance with the flexibility afforded under Clause 4.6 of the SLEP 2012 and Clause 19 of the Housing SEPP.



2 Clause 4.6 Exceptions to Development Standards

Clause 4.6 of the SLEP 2012 aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

The SLEP2012 Clause 4.6 Exceptions to development standards of the reads as follows:

1. *The objectives of this clause are as follows—*
 - a. *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - b. *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
2. *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
3. *Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*
 - a. *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
 - b. *there are sufficient environmental planning grounds to justify the contravention of the development standard.*
4. *The consent authority must keep a record of its assessment carried out under subclause (3).*



3 The Development Standard to be varied

This Clause 4.6 Variation Request has been prepared in a written format, seeking to justify the variation to the following non-discretionary development standard.

3.1 Housing SEPP 2021 – Clause 19

Clause 19(1) of Housing SEPP prescribes minimum non-discretionary standards for infill affordable housing, if complied with, prevent the consent authority from requiring more onerous standards. The standards must not necessarily be achieved in all cases but rather they provide thresholds that, if met, cannot be used as reasons to refuse an application.

Clause 19(2)(b) of the Housing SEPP prescribes the following non-discretionary landscape area for the proposed development:

"(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—...

(b) a minimum landscaped area that is the lesser of—

(i) 35m² per dwelling, or

(ii) 30% of the site area,"

In accordance with Schedule 10 of the Housing SEPP, landscaped area is defined as:

"the part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool or open-air recreation facility, but does not include a part used or intended to be used for a driveway or parking area."

Based on the above definition and SEPP requirements, the proposed development is required to provide a landscaped area of 236.55m² (30% of the site area – 788.5m²).

The landscaped area definition contained within the Housing SEPP is considered to be akin to deep soil area which is defined as follows under Schedule 10 of the Housing SEPP:

"a landscaped area with no buildings or structures above or below the ground."

Part 3E of the ADG prescribes developments to provide a minimum of 7% of the site area in deep soil planting, equivalent of 55.2m² (based on a site area of 788.5m²). Despite this requirement, the ADG advises that compliance with this requirement may not be possible on some sites located in high density areas which have a 100% site coverage and contain non-residential uses on the ground floor, which is how this site is characterised.

In addition to the above, it should also be noted that Part 3D of the ADG prescribes a common open space requirement of 25% of the site area and is to include the provision of soft landscaping that could be located on rooftop areas within business zones and in high density areas. Based on these requirements the proposed development is required to provide a communal open space area of 197.1m² (25% of the site area – 788.5m²), which is broadly met in the subject development.



4 Extent of Variation to the Development Standard

The development does not provide landscaped area (including deep soil planting) that is not occupied by a building or structure in accordance with the Housing SEPP definition, which therefore results in a 100% variation (equivalent of 236.55m²).

Despite the above, the development provides a total green planting area of 129.1m², amounting to 16.4% of the site area which includes rooftop soft landscaping, and planters on the upper floors which is considered to meet the purpose of landscaping and greenery in a highly dense urban environment and the design guidance provided within Part 3D and 3E of the ADG.

To enhance the quality of open space areas in high density environments; the development is required to provide 197.1m² (25% of the site area – 788.5m²) of communal open space under the ADG that includes soft landscaping of which can be located on the rooftop in business zones. The development provides a rooftop communal open space amounting to 274.5m² (amounting to 34.8%) of which 84.5m² is soft landscaping consistent with the communal open space requirements of the ADG. The rooftop communal open space amounts to 39% above the ADG requirement.

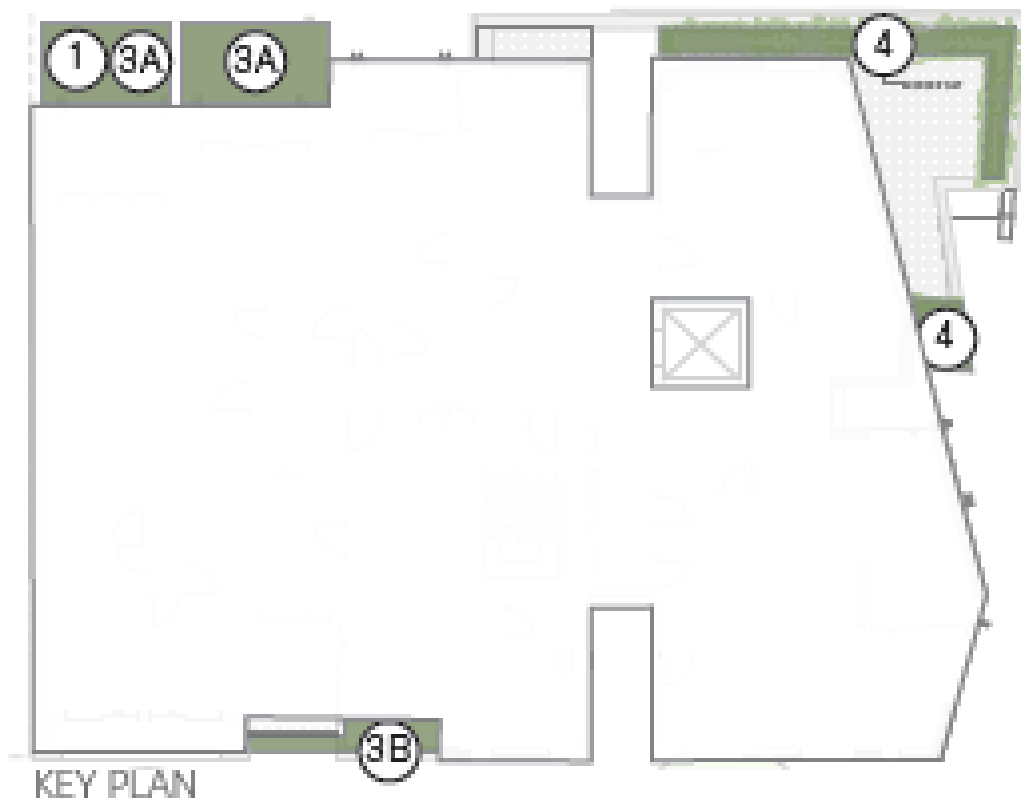
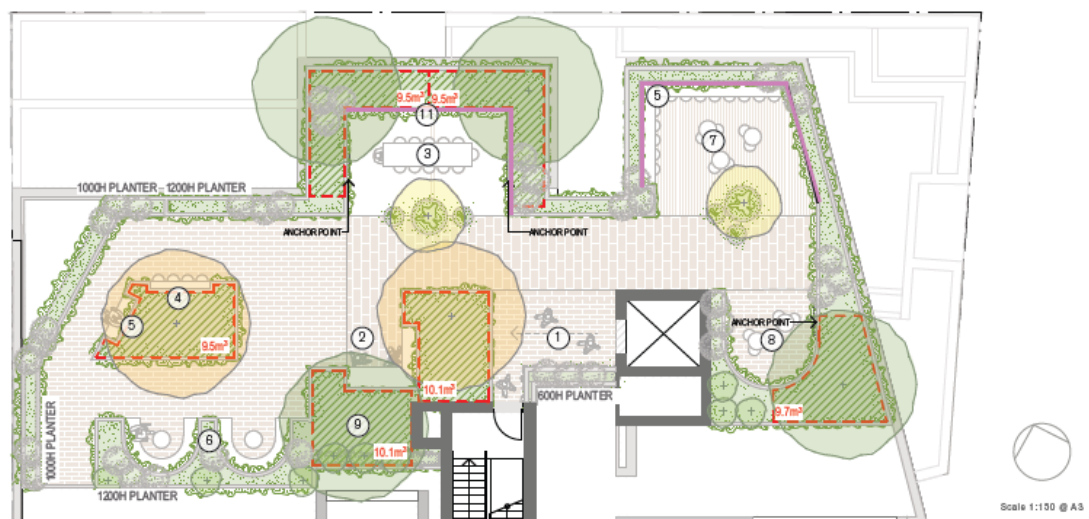
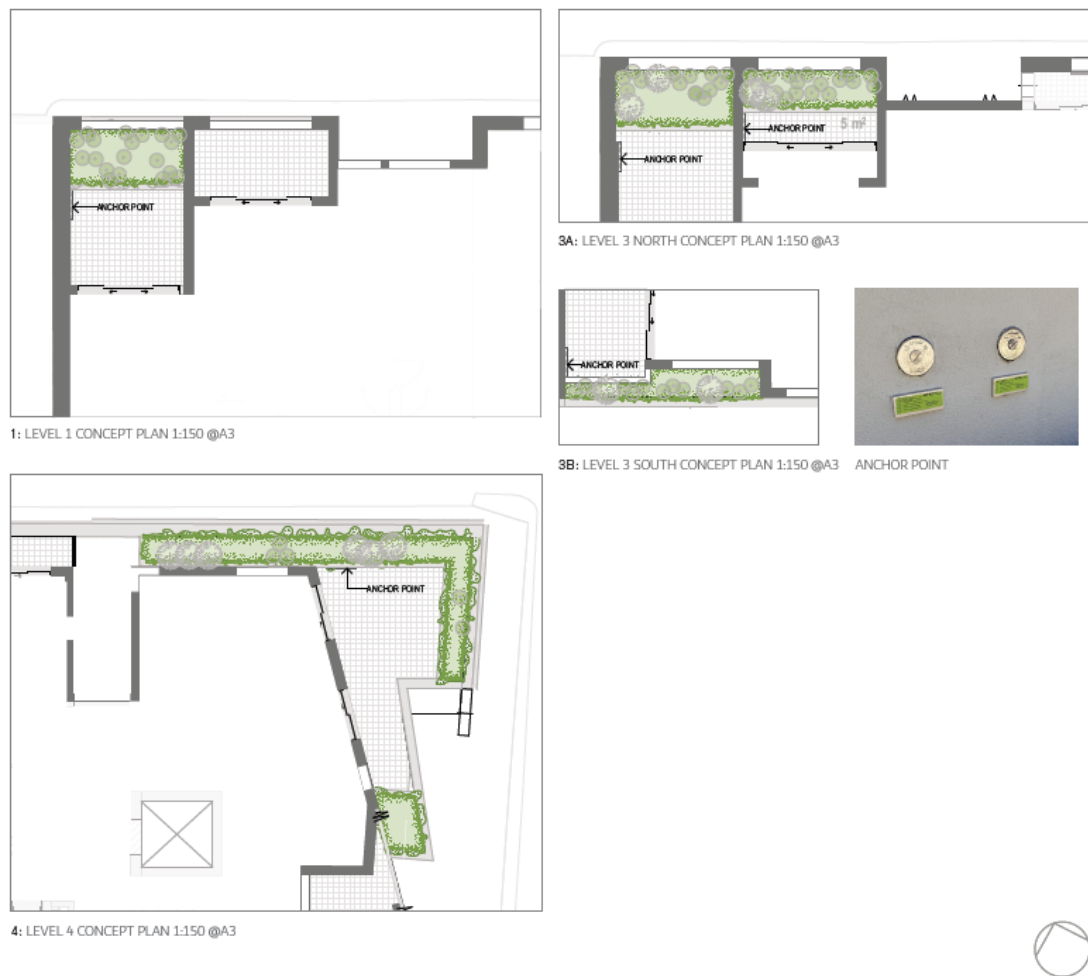


Figure 1: Proposed Landscape Key Plan of planters on the upper floors (DKO Landscape)



5 Assessment

5.1 Clause 4.6(3)(a) – compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

Compliance with the landscaped area non-discretionary development standard is unreasonable and unnecessary as the development achieves compliance with in-fill affordable housing division objectives within Chapter 2, Part 2, Division 1, Clause 15A of the Housing SEPP and the MU1 – Mixed Use zone objectives applying to the land under SLEP 2012 notwithstanding non-compliance with the numerical standard under the Housing SEPP (Wehbe 1# test).

In this instance the in-fill affordable housing objectives within Division 1 of the Housing SEPP and zone objectives are considered as the Housing SEPP does not prescribe objectives for the Landscaped Area non-discretionary development standard.

As detailed in *Williams v Ku-ring-gai Municipal Council [2017] NSWLEC 1098*, *Wehbe v Pittwater Council [2007] NSWLEC 827* at [44]–[48], a number of approaches could be used to establish that compliance with a development standard is unreasonable or unnecessary.

Furthermore, *Preston CJ in Wehbe v Pittwater Council (2007) 156 LGERA 446 [42]–[51]* outlined five common ways in which an applicant might demonstrate that compliance with a development standard is unreasonable and unnecessary which are summarised below:

- Test 1: The objectives of the standard are achieved notwithstanding non-compliance with the standard;
- Test 2: The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
- Test 3: The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
- Test 4: The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; or
- Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

These five ways to demonstrate that compliance is unreasonable or unnecessary are not exhaustive, and it may be sufficient to establish only one way.

With respect to the subject application, we consider that the proposed development meets the requirements of Wehbe Test #1 and therefore compliance with the development standard is unreasonable and unnecessary when considered holistically with the development outcome being sought.

5.2 Objectives of the standard are achieved notwithstanding non-compliance with the standard (Wehbe#1)

The Housing SEPP does not prescribe objectives for the non-discretionary development standard, and in the absence of objectives for the standard, the in-fill affordable housing



objectives within Division 1 of the Housing SEPP and the MU1 – Mixed Use zone objectives applying to the land under SLEP 2012 are to be considered.

5.2.1 Division 1 - Infill Affordable Housing Objectives of the Housing SEPP

The proposal will be in the public interest as it meets the infill affordable housing division objectives within Division 1, Clause 15A of the SEPP as follows:

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 development proposes the construction of a shop top housing development, which contains 35 residential units (including 7 dual key units) of which six (6) dual key units will be allocated as affordable housing for a period of 15 years. The affordable housing component amounts to a total of 575.4m², which amounts to 16% of the overall GFA, that exceeds the Housing SEPP requirement of 15%.

The affordable housing component will be managed and operated by EchoRealty, a registered community housing provider based in Parramatta with operations in New South Wales, Australian Capital Territory and Victoria. It is the largest provider of affordable housing in Australia and forms part of the Evolve Housing Group, who boasts a successful track record in managing community housing assets for over 30 years.

The proposed development will facilitate an increase in housing diversity and the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households within the Sydney City local government area. The non-compliance with the landscaped area non-discretionary development standard should not prevent the provision of affordable housing within the area.

5.2.2 Zone Objectives under SLEP 2012

The proposal will be in the public interest as it meets the MU1 – Mixed Use zone objectives as follows:

Objective (a) to encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.

The development proposes a shop top housing development with three (3) lower ground / ground floor retail tenancies and residential units (including affordable housing units) above. The proposal enables the urban renewal of the site which will provide employment during the construction and operational stages of the development. The proposed retail tenancies are of varying sizes to attract a variety of commercial and cultural uses and generate employment opportunities. In addition, the retail tenancies would serve the needs of the residents within the proposed building and broader community providing greater activation of the area.

Objective (b) 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 proposed development has been designed to deliver an active and engaging street frontage that contributes positively to the vibrancy, diversity and functionality of the public domain. The adaptive reuse of the existing contributory building for shop-top housing, including affordable housing, retains the established streetscape character while introducing new activity and occupation at street level.



The proposed lower ground / ground floor retail tenancies are oriented to the primary street frontages of Kippax Street, Waterloo Street and Sophia Street and are designed to maximise visual connection between internal spaces and the public domain through active frontages and frequent entry points. This will encourage pedestrian interaction, increase passive surveillance and enhance the overall safety and vitality of the street.

The provision of new retail floorspace will generate additional business opportunities and employment, strengthen the local economy and reinforce the role of the corner site within the local centre. The introduction of new residential uses above the ground floor will increase population density and extend activity beyond business hours, supporting a more vibrant and functional streetscape throughout the day and evening.

Overall, the proposal facilitates the urban renewal of the corner site in a manner that activates the street, attracts pedestrian movement and contributes to the creation of a lively and diverse public realm consistent with Objective (b).

Objective (c) to minimise conflict between land uses within this zone and land uses within adjoining zones.

The site is zoned MU1 – Mixed Use under SLEP, within which shop top housing is a permissible land use. The surrounding area is characterised by MU1 – Mixed Use zoning, with the nearest R1 – General Residential zoned land located some distance from the site and separated by intervening mixed-use and commercial development. The proposed development responds appropriately to this zoning context through the adaptive reuse of the existing contributory building and the delivery of a mixed-use form that is consistent with the established building typology and scale of development in the area and revitalise the corner of Kippax Street, Waterloo Street and Sophia Street.

The proposal utilises the affordable housing provisions under the Housing SEPP, which permit an increase in FSR and building height in exchange for the delivery of affordable housing for a minimum period of 15 years. In accordance with these provisions, the development achieves an FSR of 4.55:1 and a height that largely complies with the 28.6m requirement, resulting in a density that is consistent with the intended planning framework for the zone.

While the proposal includes a minor height variation of 540mm (1.9%) associated with the lift overrun and stairway, this variation is acceptable as the overall built form remains consistent with the prevailing seven (7) and nine (9) storey development within the immediate vicinity. Also, the minor departure will not result in adverse environmental impacts or generate land use conflict with adjoining properties and is supported by a Clause 4.6 Variation Request prepared by The Planning Studio.

The development is also not able to provide landscaped area in accordance with the definition prescribed by the Housing SEPP, due to the dense urban location of the site and the proposal seeking to retain significant building elements of the contributory building. As such the development proposes alternative landscaping features (rooftop soft landscaping and planters on the upper floor) consistent with the surrounding building topology. In addition, the development proposes rooftop communal area that includes soft landscaping that exceeds the ADG numerical area requirements.

It is considered that the proposed development will not prejudice the orderly and economic redevelopment of surrounding land or adjoining zones. The scale, use and built form are compatible with both the mixed-use and commercial character of the area and the nearby residential interface, thereby minimising potential conflict between land uses and achieving an appropriate transition between zones in accordance with Objective (c).



Objective (d) To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

The development proposes non-residential uses at the lower ground and ground floor levels in the form of three (3) retail tenancies, with residential accommodation located above. This configuration reinforces the intended mixed-use character of the land use zone and ensures that active commercial uses are concentrated at street level which revitalise the corner of Kippax Street, Waterloo Street and Sophia Street.

The retail tenancies are provided in varying sizes to accommodate a range of commercial, cultural and community-oriented uses, supporting flexibility in tenancy occupation and encouraging a diverse mix of retail and service activities. This approach promotes economic vitality and strengthens the role of the site within the local centre.

The ground floor layout has been designed to maximise interaction with the public domain through active frontages, clear pedestrian entry points and strong visual connectivity between internal commercial spaces and the street. This will contribute to a lively and functional streetscape, encourage pedestrian movement and enhance the overall vibrancy of the area.

Accordingly, the proposal encourages business, retail and other non-residential land uses at ground level in a manner consistent with this objective.

Objective (e) to ensure land uses support the viability of nearby centres.

The proposed development supports the viability of nearby centres by reinforcing the established mixed-use and commercial character of the locality and strengthening the role of the corner site as part of the broader Surry Hills commercial and activity precinct. The site is zoned MU1 – Mixed Use under SLEP, within which shop top housing is a permissible land use, and approval is sought for the partial retention of the existing contributory building and the construction of an 8-storey shop top housing development comprising retail tenancies at the lower ground / ground floor levels and residential accommodation above, including affordable housing.

The provision of ground floor retail tenancies will contribute directly to the local economy by accommodating new businesses and services that complement existing commercial activity within nearby centres. These uses will enhance day-to-day amenity for workers, residents and visitors, encouraging pedestrian movement and supporting the continued vitality of surrounding retail and commercial precincts.

The introduction of 35 residential units (including 7 dual key units), including affordable housing, will increase the local population within walking distance of established centres, generating ongoing demand for shops, services and community facilities. This concentration of residents in close proximity to employment, public transport and amenities promotes sustainable patterns of growth and reinforces the economic resilience of nearby centres.

The development has been designed to integrate sensitively with its evolving urban context, retaining the contributory building and responding to the prevailing seven (7) to nine (9) storey built form through a compact footprint, narrow setbacks and articulated facades. This approach ensures the proposal complements rather than competes with surrounding centres, while contributing to urban renewal in a manner that strengthens the commercial and social fabric of the area.

Accordingly, the proposal will support and enhance the viability of nearby centres by delivering additional retail opportunities, increasing local patronage through new housing,



and reinforcing the mixed-use / commercial function of the precinct in accordance with this objective.

Objective (f) 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 proposed development is seeking the adaptive reuse of the existing contributory building and the construction of a shop top housing development has been carefully designed to integrate both non-residential and residential components of the development to successfully revive the corner site and the immediate locality.

As mentioned in the above objectives, the proposed retail tenancies have been designed to accommodate a diversity of commercial and cultural uses, generate local employment opportunities, and serve both residents and the wider community. Concentrating active non-residential uses at street level reinforces the mixed-use / commercial character of the area, enhances the streetscape, and encourages pedestrian activity.

Residential accommodation above is designed to maximise solar access, visual and acoustic privacy, and amenity through thoughtfully integrated landscaping features, including rooftop communal areas with soft landscaping and upper-floor planters. While the compact, boundary-to-boundary footprint limits traditional landscaping in accordance with the definition of the Housing SEPP, the adaptive reuse approach respects the existing building form and high-density environment of the area and is consistent with the surrounding commercial and mixed-use context.

The site's location supports high levels of accessibility and sustainable transport use. Central Station and Central Chalmers Tram Stop are approximately 300 metres to the east, and multiple bus routes along Foveaux and Elizabeth Streets provide convenient connections to the CBD and surrounding centres. The proximity of these transport nodes encourages residents, employees, and visitors to walk, cycle, and utilise public transport, reducing reliance on private vehicles and enhancing the functionality of the mixed-use precinct.

Overall, the development integrates complementary land uses in a highly accessible location, maximising public transport patronage and promoting active, sustainable modes of travel in line with Objective (f).

5.3 Clause 4.6(3)(b) - There are sufficient Environmental Planning Grounds to Justify Contravening the Development Standard

Clause 4.6(3)(b) of the SLEP 2012 requires that the consent authority be satisfied that the applicant's written request has adequately demonstrated that:

There are sufficient environmental planning grounds to justify contravening the development standard.

The environmental planning grounds relied on in the written request under Clause 4.6 must be sufficient to justify contravening the development standard. The focus is on the aspect of the development that contravenes the development standard, not the development as a whole. Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (*Turland v Wingecarribee Shire Council [2018] NSWLEC 1511* and *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118*), also 'Rebel MH' and 'Baron' (2019).



The environmental planning grounds relied upon to justify the exceedance of the development standard in the circumstances of the proposal are considered sufficient and specific to the site and the proposed contravention.

As confirmed in Section 3 of this report, the Housing SEPP prescribes a landscape area numerical requirement (30% of site area). The definition of landscaped area under the SEPP does not permit landscaping on structures or occupied by buildings and does not require any form of actual landscaping or planting to meet the definition. The development does not provide landscaped area that is not occupied by a building or structure in accordance with the Housing SEPP definition, which results in a 100% variation (equivalent of 236.55m²).

Notwithstanding this, the development provides a total green planting area of 129.1m², amounting to 16.4% of the site area which includes rooftop soft landscaping, and planters on the upper floors which is considered to meet the purpose of landscaping and greenery in a highly dense urban environment. This is consistent with design guidance provided within the ADG, which recognises that strict compliance with this requirement may not be possible on some sites located in high density areas which have a 100% site coverage and contain non-residential uses on the ground floor, which is how this site is characterised.

To enhance the quality of open space areas in high density environments; the development is required to provide 197.1m² (25% of the site area – 788.5m²) of communal open space under the ADG that includes soft landscaping of which can be located on the rooftop in business zones. The development provides a rooftop communal open space amounting to 274.5m² (amounting to 34.8%) of which 84.5m² is soft landscaping consistent with the communal open space requirements of the ADG. The rooftop communal open space amounts to 39% above the ADG requirement.

Given the site's high-density, City Edge, Surry Hills location, and the proposal's aim to retain significant building elements of the contributory building, it is not possible to achieve landscaped area not affected by building structures, as the SEPP 'landscaped area' definition requires. Rather, the proposed design has grasses, plants and small trees at all levels of the building, which is a particular environmental planning ground relevant to the site and its high-density location. This also achieves an improved urban heat island reduction than a development that strictly complied with the Housing SEPP definition.

Despite the non-compliance with the SEPP landscape area definition, the development is considered to provide a high-quality outcome that will deliver much needed affordable housing for the local area with high quality living environment for residents by maximising solar amenity, visual and acoustic privacy and diverse landscaping features whilst encourage growth of the local economy with lower ground / ground floor retail uses.

The alternative soft landscape features contribute to the overall amenity of the building, enhance the landscape setting of the existing site within the streetscape, and contribute to the overall environmental performance of the building from a sustainability perspective.

The proposed built form seeks to respect the diverse building typology of the surrounding locality and is consistent with landscaped area typical to an employment / mixed use land use zone for mixed use buildings. In addition, the proposed building footprint and landscaped areas (consisting of roof top planting and upper floor planters) are consistent to the previously approved shop top housing development on the site under D/2017/225 approved by the City of Sydney Local Planning Panel on 11 April 2018.

For the reasons discussed above, it is contended that there are sufficient environmental planning grounds to justify the contravention to the development standard in the circumstances of the case.



6 Conclusion

The assessment above confirms that compliance with the Landscape Area for the non-discretionary development standard under Clause 19 of Housing SEPP is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the contravention to the development standard.

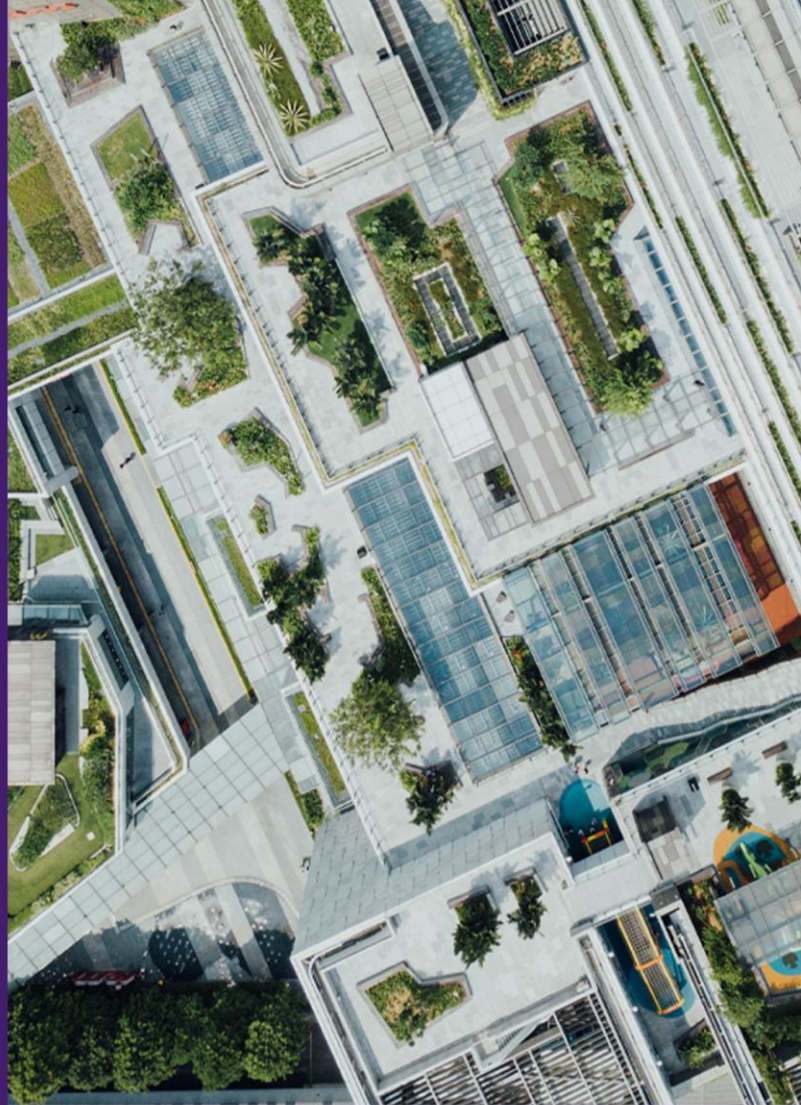
This Clause 4.6 variation request demonstrates that notwithstanding the non-compliance with the Landscaped Area non-discretionary development standard, the proposal:

- Achieves the In-fill affordable housing division objectives within Chapter 2, Part 2, Division 1, Clause 15A of the Housing SEPP in the absence of the development standard objectives under the SEPP;
- Achieves the objectives of the of the MU1 – Mixed Use zone in the absence of the development standard objectives under the Housing SEPP;
- Delivers a development that is appropriate for its context and achieves compliance with the communal open space requirements under the ADG therefore has sufficient environmental planning grounds to permit the variation;
- Are consistent to the previously approved shop top housing development on the site under D/2017/225 approved by the City of Sydney Local Planning Panel on 11 April 2018; and therefore
- Compliance with the development standard is unreasonable or unnecessary in the circumstances of this proposal.



Attachment E

Clause 4.6 Variation Request – Minimum Car Spaces



98-106 Kippax Street, Surry Hills NSW 2010

Clause 4.6 Variation Request – Car Parking

On behalf of ISL Property
Investments Management Pty Ltd

23 January 2026

The Planning Studio acknowledges the traditional custodians of the lands + waters of Australia, particularly the Gadigal People on whose traditional lands our office is located, and pay our respects to Elders past, present + emerging. We deeply respect the enduring Connection to Country + culture of Aboriginal and Torres Strait Islander peoples and are committed to walk alongside, listen + learn with community as we plan for equitable, sustainable, generous, and connected places. Always was, Always will be.

Project Director

Harjeet Spence

Contributors

Kate Bartlett (Director)

Harjeet Spence (Associate Director)

Revision	Revision Date	Status	Authorised	
			Name	Signature
V1	13 January 2026	Draft	Harjeet Spence	
V2	23 January 2026	Final	Harjeet Spence	

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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1 Introduction

This precautionary Clause 4.6 Variation Request seeks to allow a variation to the car parking non-discretionary development standard in SEPP (Housing) 2021 associated with the Development Application at 98-106 Kippax Street, Surry Hills NSW 2010 (the site).

The DA seeks approval for the partial retention of the existing contributory commercial building and construction of an 8-storey shop top housing development with retail tenancies on the ground floor levels, one level of basement carparking, 35 residential units (including 7 dual key units) with affordable housing units and associated landscaping, specifically:

- Partial retention of the existing contributory commercial building occupying the site. The existing external walls, vaulted slabs, columns and ground level ramp on Sophia Street and Waterloo Street will be retained across the lower ground floor / ground floor / first floor level;
- Excavation of the site to accommodate one basement level;
- The basement level will comprise of:
 - 18 spaces, including seven (7) double car stackers, two (2) accessible spaces and two (2) standard spaces;
 - Car lift;
 - Two (2) motorcycle spaces;
 - Residential storage area; and
 - Building services.
- Lower ground floor level to include two (2) retail tenancies, loading dock, car lift, substation, bicycle storage, residential storage, waste storage and plant rooms;
- Ground floor level includes one retail tenancy, residential lobby entry and building services.
- Levels 1 - 7 comprise 35 residential units (six (6) dual key units being allocated to affordable housing):
 - 3 x studio;
 - 8 x 1-bedroom;
 - 20 x 2-bedrooms (including 7 dual key units); and
 - 4 x 3-bedrooms.
- Rooftop communal open space with landscaping and plant equipment

The development is seeking to utilise the affordable housing provisions under Chapter 2, Part 2, Division 1 (In-fill affordable housing) under State Environmental Planning Policy (Housing) 2021 (Housing SEPP), which can deliver up to an additional 30% of Floor Space Ratio (FSR) and Building Height, subject to delivery of affordable housing dwellings for a minimum of 15 years.

This Clause 4.6 Variation Request is submitted to accompany an amended development proposal submitted to Council in response to Council's RFI request issued on 21 October 2025.



The Clause 4.6 Variation Request seeks to vary the car parking non-discretionary development standard under Clause 19 of the Housing SEPP. It is noted that this Clause 4.6 Variation Request has been prepared on the request of Council as a precaution. However, it is noted that a non-discretionary standard within the SEPP allows the Council, as a consent authority, to exercise its discretion on how they administer the non-discretionary standard.

This Clause 4.6 Variation Request demonstrates that, notwithstanding the car parking not meeting the minimum standard within the SEPP, the proposed development:

- Demonstrates that strict compliance with the standard is unreasonable or unnecessary as the development satisfies the in-fill affordable housing objectives within Chapter 2, Part 2, Division 1, Clause 15A of the Housing SEPP and car parking objectives within Sydney Local Environmental Plan 2012 (SLEP), as the Housing SEPP does not prescribe development standard objectives; and
- Will deliver a development that is appropriate for its context and achieves compliance with the car parking requirements prescribed under SLEP 2012, despite the numerical breach to the non-discretionary development standard in Clause 19 of the Housing SEPP; and
- Therefore, has sufficient environmental planning grounds to permit the variation.

As a result, the DA may be approved as proposed in accordance with the flexibility afforded under Clause 4.6 of the SLEP 2012 and Clause 19 of the Housing SEPP.

2 Clause 4.6 Exceptions to Development Standards

Clause 4.6 of the SLEP 2012 aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

The SLEP2012 Clause 4.6 Exceptions to development standards of the reads as follows:

1. *The objectives of this clause are as follows—*
 - a. *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - b. *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*
2. *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
3. *Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*
 - a. *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
 - b. *there are sufficient environmental planning grounds to justify the contravention of the development standard.*
4. *The consent authority must keep a record of its assessment carried out under subclause (3).*



3 The Development Standard to be varied

This Clause 4.6 Variation Request has been prepared in a written format, seeking to justify the variation to the following non-discretionary development standard.

3.1 Housing SEPP 2021 – Clause 19

Clause 19(1) of Housing SEPP prescribes minimum non-discretionary standards for infill affordable housing, if complied with, prevent the consent authority from requiring more onerous standards. The standards must not necessarily be achieved in all cases but rather they provide thresholds that, if met, cannot be used as reasons to refuse an application.

Clause 19(2)(e)&(f) of the Housing SEPP prescribes the following non-discretionary car parking requirements for the proposed development:

"(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—...

(e) the following number of parking spaces for dwellings used for affordable housing—

(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces,

(ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,

(iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,

(f) the following number of parking spaces for dwellings not used for affordable housing—

(i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,

(ii) for each dwelling containing 2 bedrooms—at least 1 parking space,

(iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces."

Based on the above SEPP requirements, the proposal is required to provide 30 car spaces for the residential component (4 car spaces for the affordable units and 26 car spaces for the non-affordable units). The SEPP does not prescribe requirements for the retail component.

In addition to the above, it should also be noted that Part 7, Division 1, Clause 7.5 of SLEP 2012 also prescribes the following car parking requirements for the residential component:

*(1) The **maximum (emphasis added)** number of car parking spaces for residential flat buildings, dual occupancies and multi dwelling housing is as follows—*

"(a) on land in category A—

(i) for each studio dwelling—0.1 spaces, and

(ii) for each 1 bedroom dwelling—0.3 spaces, and

(iii) for each 2 bedroom dwelling—0.7 spaces, and

(iv) for each 3 or more bedroom dwelling—1 space,"

Part 7, Division 1, Clause 7.7 of SLEP 2012 also prescribes the following car parking requirements for the retail component:

"(2) The maximum number of car parking spaces for a building used for the purposes of retail premises is as follows—



(d) if the building is on land in category D and has a floor space ratio greater than 3.5:1, the following formula is to be used—

$$M = (G \times A) \div (50 \times T)$$

where—

M is the maximum number of parking spaces, and

G is the gross floor area of all retail premises in the building in square metres, and

A is the site area in square metres, and

T is the total gross floor area of all buildings on the site in square metres”

Based on the above requirements, the development is permitted to provide 19 car spaces for the residential component and two (2) spaces for the retail component, totalling 21 car spaces. However, Council’s long-standing LEP parking controls operate as a maximum (not a minimum), with an applicant theoretically being permitted to provide 0 parking spaces should they choose.

The purpose of the Housing SEPP non-discretionary standard is to prevent Council requiring a more onerous standard on the development. Given that SLEP2012 does not prescribe a more onerous standard, the SLEP2012 standard should be applied.

It is also noted that Part 3.11 of Sydney Development Control Plan (SDCP) 2012 prescribes that the development provide 2 motorcycle car spaces and 35 bicycle spaces for the residential component.

4 Extent of Variation to the Development Standard

The development provides 18 car spaces within a basement level consisting of 16 car spaces for the residential component and two (2) car spaces for the retail component. The development amounts to a non-compliance of 14 car spaces or 46% with the Housing SEPP car parking requirements for the residential component.

Despite the above, the development complies with the SLEP 2012 car parking maximums and proposes 2 motorcycle spaces and 35 bicycle spaces for the residential component in accordance with SDCP.

5 Assessment

5.1 Clause 4.6(3)(a) – compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

Compliance with the car parking non-discretionary development standard is unreasonable and unnecessary as the development achieves compliance with in-fill affordable housing division objectives within Chapter 2, Part 2, Division 1, Clause 15A of the Housing SEPP and the car parking objectives, and standards, applying to the land under Part 7, Division 1, Clause 7.1 of SLEP 2012, notwithstanding non-compliance with the numerical standard under the Housing SEPP (Wehbe 1# test).

In this instance the in-fill affordable housing objectives within Division 1 of the Housing SEPP and car parking objectives contained in Part 7 of SLEP are considered as the Housing SEPP does not prescribe objectives for the car parking non-discretionary development standard.



As detailed in *Williams v Ku-ring-gai Municipal Council [2017] NSWLEC 1098*, *Wehbe v Pittwater Council [2007] NSWLEC 827* at [44]–[48], a number of approaches could be used to establish that compliance with a development standard is unreasonable or unnecessary.

Furthermore, *Preston CJ in Wehbe v Pittwater Council (2007) 156 LGERA 446 [42]–[51]* outlined five common ways in which an applicant might demonstrate that compliance with a development standard is unreasonable and unnecessary which are summarised below:

- Test 1: The objectives of the standard are achieved notwithstanding non-compliance with the standard;
- Test 2: The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
- Test 3: The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
- Test 4: The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; or
- Test 5: The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

These five ways to demonstrate that compliance is unreasonable or unnecessary are not exhaustive, and it may be sufficient to establish only one way.

With respect to the subject application, we consider that the proposed development meets the requirements of Wehbe Test #1 and therefore compliance with the development standard is unreasonable and unnecessary when considered holistically with the development outcome being sought.

5.2 Objectives of the standard are achieved notwithstanding non-compliance with the standard (Wehbe#1)

The Housing SEPP does not prescribe objectives for the non-discretionary development standard, and in the absence of objectives for the standard, the in-fill affordable housing objectives within Division 1 of the Housing SEPP and the car parking objectives contained in Part 7 of SLEP are to be considered.

5.2.1 Division 1 - Infill Affordable Housing Objectives of the Housing SEPP

The proposal will be in the public interest as it meets the infill affordable housing division objectives within Division 1, Clause 15A of the SEPP as follows:

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 development proposes the construction of a shop top housing development which contains 35 residential units (including 7 dual key units) of which six (6) dual key units will be allocated as affordable housing for a period of 15 years. The affordable housing component amounts to a total of 575.4m², which amounts to 16% of the overall GFA, consistent with the Housing SEPP.



The affordable housing component will be managed and operated by EchoRealty, a registered community housing provider based in Parramatta with operations in New South Wales, Australian Capital Territory and Victoria. It is the largest provider of affordable housing in Australia and forms part of the Evolve Housing Group, who boasts a successful track record in managing community housing assets for over 30 years.

The proposed development will facilitate an increase in housing diversity and the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households within the Sydney City local government area. The non-compliance with the car parking non-discretionary development standard should not prevent the provision of affordable housing within the area.

5.2.2 Car Parking Objectives under SLEP 2012

The proposal will be in the public interest as it meets the car parking objectives as follows:

Objective (a) to identify the maximum number of car parking spaces that may be provided to service particular uses of land.

The development provides 18 car spaces within a basement level consisting of 16 car spaces for the residential component and two (2) car spaces for the retail component. The proposed car parking satisfies the numerical car parking maximums prescribed under SLEP2012. The development amounts to a 14 car spaces or 46% non-compliance with the Housing SEPP car parking requirements for the residential component. However, the Housing SEPP car parking requirements is a non-discretionary standard to prevent Council requiring a more onerous standard. Given that SLEP2012 does not prescribe a more onerous standard, the LEP maximum standard should be applied, consistent with this objective.

Objective (b) to minimise the amount of vehicular traffic generated because of proposed development.

The residential component of the proposed development generates a greater demand for car parking under the non-discretionary development standards of the Housing SEPP, with the requirement of 30 car spaces. As compared to the SLEP2012 requirements which generates a demand of 19 car spaces for the residential component. In this case, the LEP car parking provisions should be applied, as it minimises the amount of traffic generated by the development.

The application of the SLEP2012 requirements (a lesser requirement) is also considered appropriate, as the site is located in a highly accessible area with Central Station and Central Chalmers Tram Stop approximately 300m to the east. There are also several bus routes on Foveaux Street and Elizabeth Street that service the area and provide connections to Central and CBD.

5.3 Clause 4.6(3)(b) - There are sufficient Environmental Planning Grounds to Justify Contravening the Development Standard

Clause 4.6(3)(b) of the SLEP 2012 requires that the consent authority be satisfied that the applicant's written request has adequately demonstrated that:

There are sufficient environmental planning grounds to justify contravening the development standard.

The environmental planning grounds relied on in the written request under Clause 4.6 must be sufficient to justify contravening the development standard. The focus is on the aspect



of the development that contravenes the development standard, not the development as a whole. Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (*Turland v Wingecarribee Shire Council [2018] NSWLEC 1511* and *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118*), also 'Rebel MH' and 'Baron' (2019).

The environmental planning grounds relied upon to justify the departure of the development standard in the circumstances of the proposal are considered sufficient and specific to the site and the proposed contravention.

The development provides 18 car spaces within a basement level consisting of 16 car spaces for the residential component and two (2) car spaces for the retail component. The proposed car parking satisfies the numerical car parking requirements prescribed under SLEP. Whilst the development amounts to a 14 car spaces or 46% non-compliance with the Housing SEPP car parking requirements for the residential component.

As confirmed in **Section 3** of this report, the Housing SEPP and SLEP2012 both prescribe car parking requirements for the residential component of the development. The purpose of the Housing SEPP non-discretionary standard is to prevent Council requiring a more onerous standard. Given that SLEP2012 does not prescribe a more onerous standard, the LEP car parking requirements should be applied as it is more applicable to the site given its highly accessible location.

Further, given the LEP maximums cannot be exceeded under Clause 4.6 of the SLEP2012, it is uncertain if the higher parking rate in the Housing SEPP could even be applied to the development given it would then cause an exceedance under another EPI (being the SLEP2012), that legally cannot be varied. This is a particular environmental planning ground relevant to the proposed parking variation from the Housing SEPP.

The site is in an ideal location for the scale and density of the proposed development, as it is located in close proximity to Central Station and the dynamic heart of Surry Hills, which offers ample public transport options and amenities. The proposed development is designed to integrate sensitively and intelligently with its immediate surroundings and evolving urban context of Surry Hills by partially retaining the existing contributory building and adaptively reusing it to provide a high standard of in-fill affordable housing within the area.

Given the site's high-density Surry Hills location and the proposal seeking to retain significant building elements of the contributory building it is also not feasibly possible to achieve compliance with the Housing SEPP car parking non-discretionary standards. To achieve compliance, extensive excavated basement levels would be required that would compromise the current adaptive reuse outcome of the site and contrary to the heritage objectives of SLEP and SDCP.

Requiring strict compliance with the Housing SEPP provisions is also contrary to Council's Sustainable Transport Policy which focuses on creating a green, connected city by prioritising walking, cycling, and public transport over private cars. To uphold this vision, the development encourages other modes of transport with the provision of motorcycle and bicycle spaces in accordance with the requirements of SDCP 2012 along with the public transport modes available in the area.

Despite the non-compliance with the SEPP the development is considered to provide a high-quality outcome that will deliver much needed affordable housing for the local area with high quality living environment for residents by maximising solar amenity, visual and



acoustic privacy and diverse landscaping features whilst encourage growth of the local economy with ground floor retail uses.

For the reasons discussed above, it is contended that there are sufficient environmental planning grounds to justify the contravention to the development standard in the circumstances of the case.

6 Conclusion

The assessment above confirms that compliance with the car parking for the non-discretionary development standard under Clause 19 of Housing SEPP is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the contravention to the development standard.

This Clause 4.6 variation request demonstrates that notwithstanding the non-compliance with the car parking non-discretionary development standard, the proposal:

- Achieves the In-fill affordable housing division objectives within Chapter 2, Part 2, Division 1, Clause 15A of the Housing SEPP in the absence of the development standard objectives under the SEPP;
- Achieves the car parking objectives within Part 7 of SLEP2012 in the absence of the development standard objectives under the Housing SEPP;
- Delivers a development that is appropriate for its context being high density accessible area and achieves compliance with the car parking provisions of SLEP therefore has sufficient environmental planning grounds to permit the variation; and
- Compliance with the development standard is unreasonable or unnecessary in the circumstances of this proposal.



Attachment F

Submissions

From: Nick Reid <NReid@cityofsydney.nsw.gov.au> on behalf of Nick Reid
<NReid@cityofsydney.nsw.gov.au> <Nick Reid <NReid@cityofsydney.nsw.gov.au>>
Sent on: Tuesday, August 26, 2025 10:46:31 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Objection to Development Proposal D/2025/758 – 98–106 Kippax Street, Surry Hills

From: [REDACTED]
Sent: Tuesday, 26 August 2025 10:42 AM
To: Nick Reid <NReid@cityofsydney.nsw.gov.au>
Subject: Fw: Objection to Development Proposal D/2025/758 – 98–106 Kippax Street, Surry Hills

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

From: [REDACTED]
Sent: Tuesday, 26 August 2025 9:54 AM
To: council@cityofsydney.nsw.gov.au <council@cityofsydney.nsw.gov.au>
Subject: Objection to Development Proposal D/2025/758 – 98–106 Kippax Street, Surry Hills

Dear Bill Mackay and the City of Sydney Planning Team,

I am writing to strongly oppose the proposed development at 98–106 Kippax Street, Surry Hills (Reference D/2025/758). After reviewing the proposal and considering its impacts on the community, I believe it is fundamentally inappropriate for this location and should not be approved. My objections are outlined below:

1. Height, Scale and Character

- An 8-storey development is completely out of character with the surrounding streetscape of Surry Hills, which is defined by heritage terraces, warehouses and mid-rise buildings.
- The excessive bulk and scale will dominate the street, overshadow neighbouring properties, and erode the unique character that planning controls seek to preserve.

2. Heritage and Neighbourhood Character

- Surry Hills is a recognised heritage and conservation area. Demolishing the existing building disregards local heritage values.
- The proposal conflicts with the City of Sydney Local Environmental Plan (LEP) and Development Control Plan (DCP), both of which require new development to respect heritage context.

3. Traffic, Parking and Safety

- The inclusion of basement parking will encourage car use in an already congested area, contrary to sustainable transport objectives.
- Kippax Street and surrounding laneways are narrow and already face heavy traffic and loading pressures. Additional vehicle movements will create safety risks for pedestrians and cyclists.

4. Overdevelopment and Density

- 35 apartments on such a constrained site constitutes overdevelopment. It will place unreasonable pressure

on local infrastructure, public transport, and amenities.

- The proposal does not demonstrate how it will provide adequate communal or open space for residents, as required under planning controls.

5. Amenity Impacts on Neighbours

- Increased height will result in significant overshadowing of nearby properties, reducing natural light and residential amenity.
- Privacy impacts from balconies and windows will overlook adjacent homes and businesses, in breach of DCP separation standards.
- Noise and disruption during construction and ongoing retail use are not properly addressed.

6. Environmental and Sustainability Concerns

- The demolition of the existing structure undermines sustainability principles by generating unnecessary waste. Adaptive reuse should be prioritised in line with Council's own sustainability commitments.
- The proposal fails to demonstrate best practice in sustainable design, energy efficiency or green infrastructure.

7. Affordable Housing Claim

- While the inclusion of some "affordable housing" units is noted, there is no guarantee on tenure, delivery, or management. This appears tokenistic and does not outweigh the significant adverse impacts of the development.

8. Non-Compliance with Planning Objectives

- The proposal does not satisfy the objectives of the City of Sydney LEP regarding heritage conservation, appropriate built form, and protection of amenity.
- It is inconsistent with State planning policies encouraging genuine sustainability, protection of character areas, and prioritisation of public over private interest.

For these reasons, I urge Council to refuse the application in its current form. The development is an overreach that would irreparably damage the character, liveability, and sustainability of Surry Hills.

I request that this objection be recorded in full and given due weight in Council's assessment of the application.

Sincerely,
Abigail Dawson

From: Jana M [REDACTED] on behalf of Jana M <[REDACTED]> <Jana M [REDACTED]>

Sent on: Tuesday, August 26, 2025 10:38:53 AM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: NReid@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/758 - 98-106 Kippax Street SURRY HILLS NSW 2010 - Attention: Nick Reid

Caution: 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 Department and Nick Reid,

I am writing to formally and emphatically oppose Development Application D/2025/758, submitted by I.S.L. Property Investments Management Pty Ltd, proposing an 8-storey mixed-use building at 98-106 Kippax Street, Surry Hills. As a resident of 81 Foveaux Street (rear), living directly opposite the proposed development on Sophia Street, I urge the City of Sydney to reject this application on the basis that it is excessive, incompatible with the local character, dangerous, and deeply damaging to residential amenity.

1. Grossly Out-of-Scale and Out-of-Character

The proposed eight-storey structure is completely out of context with the surrounding buildings on Sophia Street and Kippax Street. The current built form in this area is predominantly low-rise, and the proposed height will dominate and overshadow the entire street. It is a blunt, profit-driven overdevelopment that shows no architectural sensitivity or regard for local planning controls, streetscape rhythm, or human scale.

2. Overbearing Shadowing and Loss of Natural Light

Given the exceptionally narrow width of Sophia Street, an eight-storey building will create deep and lasting shadows across the properties opposite, including mine at the back of 81 Foveaux Street. It's easy to focus on the frontage along Kippax Street and overlook these impacts, but what about those of us living at the back? This will result in a substantial and permanent loss of natural light to every residence at the rear of 81 Foveaux Street, all of which have bedrooms directly facing the proposed development site. This degradation of sunlight is not a minor inconvenience, it represents a significant decline in liveability, impacting sleep, wellbeing, and the overall quality of life for all affected residents.

3. Privacy Violations

The height and massing of the development will result in numerous windows, balconies, and communal areas directly overlooking private residences. This constitutes a serious invasion of privacy. Sophia Street simply does not offer the spatial separation to accommodate this scale of development without severely compromising the privacy of neighbouring homes. I urge you to go and have a look yourself.

4. Toxic Exposure for Residents at 81 Foveaux Street

The balconies of 81 Foveaux Street, including mine, are located directly across from the proposed site and are the primary source of fresh air and natural ventilation for many units. These balconies will now be subjected to a constant onslaught of engine fumes, diesel exhaust, dust, and debris both during the prolonged demolition and construction phases and afterward, as traffic increases permanently. This raises serious public health concerns and could lead to respiratory issues, particularly for children, elderly residents, or those with pre-existing conditions. It is deeply irresponsible to allow such toxic exposure so close to residential apartments.

5. Prolonged Noise and Major Construction Disruption

The application proposes "major demolition" which inherently means months, if not years, of heavy machinery,

jackhammering, excavation, and dust. This level of disruption on such a narrow street is unacceptable and will destroy the peaceful residential nature of this area. It will cause enormous stress and mental health strain on the residents who are forced to live through it.

6. Traffic Chaos and Dangerous Congestion on Sophia Street

Sophia Street is a single-lane, one-way residential street already under strain from daily garbage trucks, delivery vans, and local service vehicles. Introducing additional traffic to access basement parking for 35 residential units will result in complete traffic gridlock, frequent horn honking, and exhaust emissions at close proximity to homes.

This street is simply not designed to accommodate high-frequency vehicle entry and exit, and the proposal would introduce unacceptable safety risks for pedestrians and cyclists, and will turn what is currently a quiet street into a congested thoroughfare.

7. Loss of Architectural Heritage

The proposal involves the full demolition of buildings that contribute to the historic character and visual identity of Surry Hills. Once removed, these heritage structures are gone forever, replaced by a sterile and oversized building that offers no character.

8. Unclear Definition and Implications of “Affordable Housing”

The proposal makes vague reference to an “affordable housing” component, yet offers no detail on what this actually entails. I request urgent clarification from Council and the applicant on this point:

- What specifically is meant by “affordable housing” in this context?
- Will any portion of this development be allocated to public or social housing tenants (i.e. Housing Commission)?
- What criteria will determine eligibility for these units?

If this is in fact government-subsidised or Housing Commission housing, this has direct implications for the nature and use of the development, traffic volumes, social services, and broader community impact and should be explicitly detailed and open to community consultation. The absence of transparency on this issue is unacceptable.

9. Profit Before People

This proposal is not a thoughtful or appropriate addition to our community. It is a blunt overreach that places developer profit over the wellbeing of residents. It threatens the health, privacy, safety, and liveability of existing homes, and delivers none of the infrastructure improvements or green space that the area desperately needs.

It’s so easy to approve a development like this from behind a desk. But if it were being built directly across from your home, blocking your light, invading your privacy, filling your air with dust and fumes, and subjecting you to constant noise, you’d be objecting too. Please don’t pretend otherwise.

I strongly urge the Council to reject this development in its current form. I request confirmation that this objection has been received and considered as part of the formal assessment process.

Yours sincerely,

Jana Malos

109/81 Foveaux Street, Surry Hills NSW 2010

From: john keyser [REDACTED] on behalf of john keyser

[REDACTED] <john keyser [REDACTED]>

Sent on: Monday, September 1, 2025 4:23:20 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: DA /2025/758 - Objection

Caution: 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 General Manager

City of Sydney Council

GPO Box 1591

Sydney NSW 2001

Re: Objection to Development Application DA/2025/758 – 98–106 Kippax Street, Surry Hills (Former Schweppes Factory Stable Building, 1913)

Dear Sir/Madam,

I am writing to formally object to the above development application.

1. Heritage Significance

The former Schweppes stable, designed by T.W. Hodgson in 1913, is a rare industrial relic in Surry Hills—among the earliest structures in Australia to utilize reinforced concrete slabs. Its historical fabric, including the ramped levels for horses and storage functions, is invaluable and must be preserved.

2. Community Opposition

The proposal has sparked strong community backlash on the *Sydney Explained* Instagram feed, highlighting the deep value people place on this heritage asset. Representative comments include:

- “The redevelopment is a chaotic, asymmetrical dog’s breakfast. Leave Australia’s significant cultural heritage alone & stop erasing it.”
- “They need to do better. The proposed building is ugly. Old stables are increasingly rare and architecturally have merit.”
- “This is going to be a scar on the neighbourhood.”
- “It’s a demo not an adaptation.”
- “Replacing it with a homogeneous design you can see anywhere in the world.”
- “Sydney has an ugly apartment building problem ... this is depressing and uninspiring.”

These are not isolated opinions—they reflect a widespread and passionate community concern which should carry weight in your assessment.

For direct access to the feed and these comments, see the Instagram post here: https://www.instagram.com/p/DN6XLxrk1HA/?img_index=1

3. Expert Insight

Mr. David Zabell—a former Senior Strategic Planner at City of Sydney Council, with extensive experience reviewing similar applications—has also voiced his concern:

“It’ll be interesting to see if Council requires more facade retention, particularly on the corner. I suspect they will, based on my experience with similar DAs in Surry Hills.”

This expert commentary reinforces that the current façade retention strategy is inadequate in light of established planning precedents.

4. Urban Design Concerns

The proposed eight-storey structure, compounded atop retained elements, presents a jarring disconnect from Surry Hills’ fine-grained heritage streetscape. The design has been consistently labelled “ugly,” “uninspiring,” and “out of place.” It fails to respect the cultural character and contextual scale of the locale.

5. Requested Actions

I respectfully request that DA/2025/758 be **refused in its current form**. Should the proposal proceed, I urge Council to require a revised scheme that:

- Preserves and adaptively reuses the full façade, particularly on the prominent corner elevations;
- Aligns height and massing more sympathetically with surrounding heritage buildings; and
- Delivers a thoughtful design that honors the enduring significance of Surry Hills’ architectural history.

Thank you for considering this objection.

Yours faithfully,

John Keyser

From: Matt Arkell [REDACTED] on behalf of Matt Arkell [REDACTED] <Matt Arkell [REDACTED]>

Sent on: Tuesday, September 9, 2025 9:41:39 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/758 - 98-106 Kippax Street SURRY HILLS NSW 2010 - Attention Nick Reid

Caution: 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 Nick,

I urge the City of Sydney to approve this development application. With Sydney in a housing crisis, we must prioritise the delivery of new housing wherever we can. This project is well located in a highly desirable area, and will deliver an uplift in housing provision in a highly sought after area.

The Statement of Environmental Effects notes a number of minor areas where the development does not strictly comply. These issues must not be the cause of rejection.

This includes building height. The zoned building heights in Surry Hills are already too low, and a 540 mm departure should not be the cause of rejection. As the SEE and variation request notes, the penetrations through the maximum height plane are small, and facilitate the use of the rooftop as communal space.

While out of scope for this DA, the council should seriously consider allowing significantly greater height across Surry Hills and the wide City of Sydney area.

Regards
Matt Arkell
9/96-102 Buckingham St
Surry Hills

Sent with [REDACTED] secure email.

From: John Frilingos <[REDACTED]> on behalf of John Frilingos
<[REDACTED]> <John Frilingos [REDACTED]>
Sent on: Tuesday, September 9, 2025 5:02:56 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: George Karageorge [REDACTED]
Subject: Online Submission - D/2025/758
Attachments: 4071_001.pdf (211.27 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/ Madam

Please find attached our letter of submission for the proposed development at 98-106 Kippax Street, Surry Hills - D/2025/758

regards

john frilingos

D/2025/758

Address

98-106 Kippax Street SURRY HILLS NSW 2010

Applicant

I.S.L. PROPERTY INVESTMENTS MANAGEMENT PTY LTD

Description

Substantial demolition of the existing building and construction of an 8-storey mixed-use development with retail tenancies on the lower levels, basement carparking, 35 residential apartments with affordable housing units and associated landscaping.

City of Sydney contact

Nick Reid

Estimated cost

\$27,573,919.00

Lodged date

18/08/2025

Status

Being assessed

Exhibition period

20/08/2025 to 11/09/2025

STASIA HOLDINGS PTY. LIMITED.

151 Campbell Street, Surry Hills, NSW, 2010 | T: [REDACTED] | E: [REDACTED] | ACN: 158 283 160

Date: 9 September 2025

To:
Manager Planning Assessments
City of Sydney Council
GPO Box 1591
Sydney NSW 2001

By Email / Online Submission

Re: Objection to Development Application D/2025/758

Site Address: 98–106 Kippax Street, Surry Hills NSW 2010

Applicant: I.S.L. Property Investments Management Pty Ltd

Dear Sir/Madam,

We write on behalf of Stasia Holdings Pty Ltd, the registered owner of multiple adjoining properties in Surry Hills, to lodge a formal objection to Development Application D/2025/758 for the proposed substantial demolition and construction of an 8-storey mixed-use development at 98–106 Kippax Street. Our concerns are summarised below:

1. HERITAGE & STRUCTURAL CONCERNS

- Drawings (DA306, DA001) appear to show unsupported heritage structures, with disclaimers noting the absence of structural or services engineering input.
- The structural impact on the existing warehouse fabric has not been addressed and requires review by a qualified heritage structural engineer.

2. WASTE MANAGEMENT & TRAFFIC

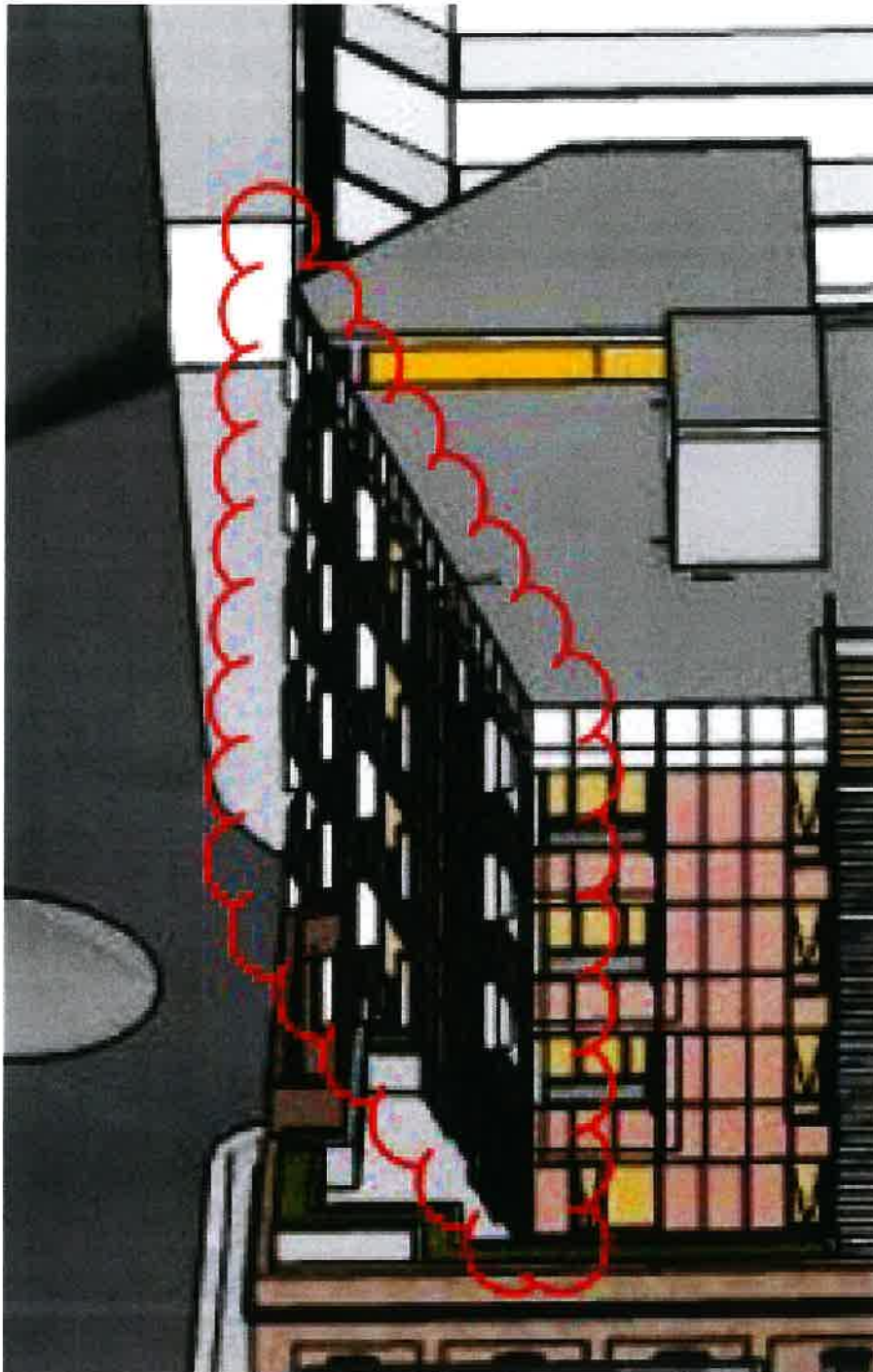
- The SEE asserts that on-site waste collection is not possible, yet this is not adequately demonstrated in the Waste or Traffic Reports.
- Off-site collection in this constrained street will create congestion and amenity impacts.

3. NON-COMPLIANCE WITH DCP & ADG STANDARDS

- Bicycle Parking – Only 35 spaces are provided, short of the required 42 (1 per unit, including dual-key units).
- Setback Bedrooms – Unit 101 includes a “snorkel” window arrangement that fails ADG and DCP requirements for light, ventilation, and amenity.

- Natural Ventilation – Only 45.2% of units achieve compliant cross-ventilation (well below ADG standards).

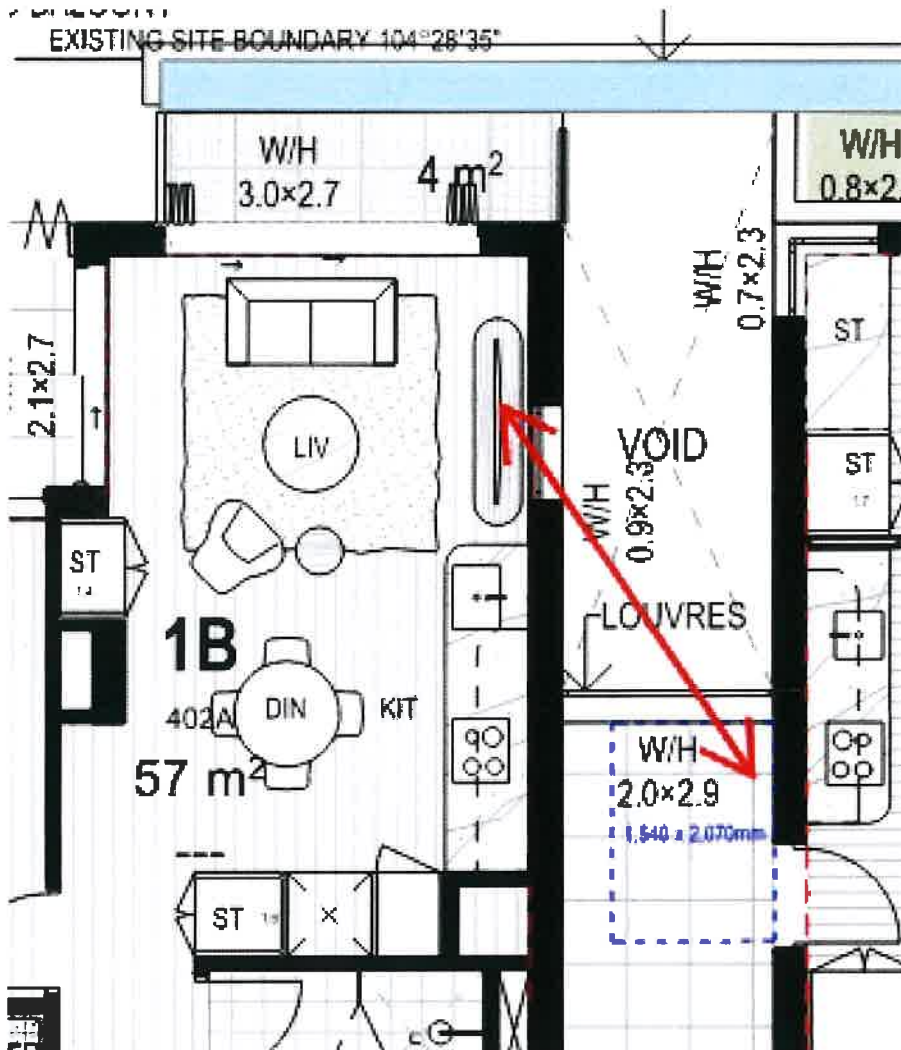
Diagram 1 – Cross Ventilation



- Solar Access – Drawings (DA402) are of insufficient resolution to demonstrate compliance, particularly for unit stacks 05 and 06.

- Visual & Acoustic Privacy – Proposed building separation distances are below ADG minimums, causing loss of privacy and increased acoustic impacts.

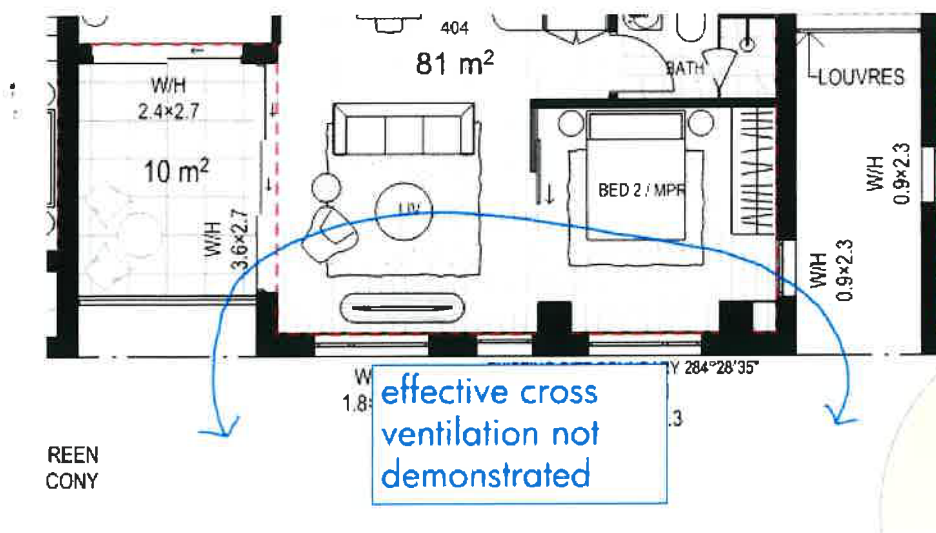
Diagram 2 – Overlooking between common areas and living areas



4. HEIGHT, BULK & VIEW IMPACTS

- The proposed 8-storey height exceeds acceptable bulk for this heritage precinct.
- The new structure would block existing standing views toward the CBD and Anzac Bridge currently enjoyed from 110–120 Kippax Street (levels 3–6).
- A compliant height envelope would mitigate these impacts, yet no view impact study has been provided.

Diagram 3 – Solar Access (DA402 Sun Eye View diagrams)



5. AFFORDABLE HOUSING CALCULATION & SUBSTATION DESIGN

- Drawings (DA510) incorrectly include common lobby areas in the GFA calculation for affordable housing, inflating compliance.
- Substation design does not meet Ausgrid standards (height approx. 2.7–3m), likely requiring further external alterations.

CONCLUSION

In its current form, the proposed development fails to satisfy multiple provisions of the Sydney DCP, SEPP Housing, and ADG, and will result in unacceptable adverse impacts on heritage, amenity, and neighbouring properties.

We respectfully request that Council refuse DA/2025/758 unless the applicant substantially amends the proposal to address the issues identified above.

Yours faithfully,

John Frilingos
Project Manager
Stasia Holdings Pty Ltd

From: David Milliken <[REDACTED]> on behalf of David Milliken [REDACTED]
<David Milliken [REDACTED]>
Sent on: Wednesday, September 10, 2025 10:23:01 AM
To: "\"dasubmissions@cityofsydney.nsw.gov.au\" <\"dasubmissions@cityofsydney.nsw.gov.au\">
Subject: Submission - D/2025/758 - 98-106 Kippax Street SURRY HILLS NSW 2010 - Attention Nick Reid
Attachments: 20250910 to CityofSydney re D-2025-758 Submission.pdf (260.58 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 Nick,
Please see a submission attached in relation to D/2025/758 on behalf of the owner's corporation of SP95023 (69-81 Foveaux Street).
Please advise of next steps in due course.
The owners would like to thank the City for the opportunity to comment on this DA.
Warm regards,

David Milliken
Director
Strategic Perception

ph. [REDACTED]
e. [REDACTED]
www. [REDACTED]
visit Workclub Global, South Eveleigh, NSW



10 September 2025

Mr Bill Mackay
Manager Planning Assessments
City of Sydney
By email to dasubmissions@cityofsydney.nsw.gov.au

Attn: Nick Read

Dear Bill,

D/2025/758
DA SUBMISSION IN RELATION TO 98-106 KIPPAX STREET, SURRY HILLS

Strategic Perception has been appointed by the owners of SP95023, 69-81 Foveaux Street, Surry Hills, which is located immediately across Sophia Street (the laneway) to the north of the subject site, to review the proposal and provide this submission on their behalf. At the outset, the owners thank the City for the opportunity to provide comment on the proposal and do so acknowledging that development on the site is expected and with the intention of mitigating impacts on their existing complex.

The owners of SP95023 have a range of concerns relating to the proposed development including building height, impacts on outlook, natural light, natural airflow, noise from traffic and waste management and reflectivity. In order to mitigate impacts on their complex the owners have four main considerations they wish to raise in this submission:

1. Compliance with Building Separation Requirements
2. Compliance with maximum building height requirements
3. Direction of Sophia Street Laneway
4. Proposed conditions to be placed on any approval

Building Separation Requirements

The owners of SP95023 are particularly concerned that the proposed development will detrimentally impact their access to views, natural light, natural airflow, will dominate their outlook and will have noise-related impacts upon their complex. These concerns arise from, and are exacerbated by, the proposed building not meeting the minimum separation requirements as outlined in the Apartment Design Guide (ADG). Table 1 of page 27 of the ADG outlines the following minimum building separation requirements:

Table 1 Minimum building separation increases proportionally to the building height	
Building height	Separation distance
9 storeys and above	12-24m
Up to 8 storeys	9-18m
Up to 4 storeys	6-12m



85 676 471 739 ABN



The same page of the ADG also provides further guidance for considerations for building separations, as shown to the right.

The proposed building is over 25m in height, and therefore should have a minimum separation between habitable rooms and balconies of 24m. Both the existing building and the proposed building face each other with a combination of habitable rooms and balconies.

The Plans show the buildings being separated as follows:

Floor (proposed building)	Proposed Separation
Ground	6m (width of laneway)
1-3	6m (width of laneway)
4	6m – increasing to 9m towards the western end
5-7	7.582m increasing to 9m towards the western end

It is clear that the proposed building does not meet the minimum building separation requirement of 24m. To do so it would need to be setback 18m from the Sophia Street boundary.

The ADG does allow for some dispensation for buildings on adjacent sites where the separation can be shared. This dispensation would measure 12m (half of 24m) from the midpoint of the Sophia Street laneway and require the laneway setback to be 9m (12m less half the laneway width). Even with this dispensation the 12m separation requirement is not met.

Furthermore, the ADG considers that building separation may need to be increased on sloping sites to achieve adequate sunlight. Rather than increasing separation on this sloping site, the proposed development reduces separation.

Additionally, the proponent has declared the full existing height of the wall facing Sophia Street as ‘contributory,’ which has the effect of extending the building line to the boundary. The wall is not heritage-listed and there is no need for it to be retained, particularly above than the ground floor wall where the wall could not be considered in any way to be contributory. At best, the ground floor of the wall only carries any scope to be considered contributory.

The owners of SP95023 consider that the proposed development should be redesigned to achieve the building separation distances required under the ADG, with the building (with the exception of the ground floor wall) being setback a minimum of 9m from the Sophia Street boundary.

Considerations in setting building separation controls

Design and test building separation controls in plan and section

Test building separation controls for sunlight and daylight access to buildings and open spaces

Minimum separation distances for buildings are:

Up to four storeys (approximately 12m):

- 12m between habitable rooms/balconies
- 9m between habitable and non-habitable rooms
- 6m between non-habitable rooms

Five to eight storeys (approximately 25m):

- 18m between habitable rooms/balconies
- 12m between habitable and non-habitable rooms
- 9m between non-habitable rooms

Nine storeys and above (over 25m):

- 24m between habitable rooms/balconies
- 18m between habitable and non-habitable rooms
- 12m between non-habitable rooms

Building separation may need to be increased to achieve adequate sunlight access and enough open space on the site, for example on slopes

Increase building separation proportionally to the building height to achieve amenity and privacy for building occupants and a desirable urban form



Building Height

The owners would like it noted that both the site of their existing complex and the proposed development have the same LEP height limit of 22m, however the proposed site benefits from a 30% increase under the Affordable Housing provisions of the SEPP, increasing the height to 28.6m.

The owners reluctantly accept that 28.6m is the building height permitted and, subject to the building separation requirements being met, don't raise a strong objection to this. However the owners find it difficult to accept that a further 540mm variation is being requested on top of the 30% variation they are already afforded by the Housing SEPP. The owners consider that the entirety of the development should be within the 28.6m height limit.

Direction of Sophia Street Laneway

The owners would like Council to consider reversing the direction of the Sophia Street Laneway to that traffic direction is westerly and downhill, as opposed to the current arrangements of easterly and uphill. Traffic flowing downhill will mitigate noise associated with vehicle movement and waste management as vehicles will not need to power up the hill but can idle down it instead. This is particularly important given the proposed waste management procedures involving a waste truck in the laneway servicing the proposed development.

Proposed conditions to be placed on any approval.

The owners, firstly, would suggest amended plans are required in order to demonstrate compliance with the minimum building separation requirements. Should Council decide to grant approval for the proposed development (with or without amending the plans), the owners would like Council to consider applying conditions on any approval that address the following:

- to ensure appropriate mitigations are applied to the north façade in terms of reflectivity/glare, similar to the other facades
- Construction protections including dilapidation survey, monitoring and damage rectification
- Post installation noise test for the car-lift.

Thank you once again for the opportunity to comment on this proposed development, the owners look forward to the positive consideration of the points raised in this submission. Should you require any clarification or wish to discuss this matter further, please contact me on [REDACTED] or at [REDACTED]

Yours sincerely,

[REDACTED]

David Milliken

Director

Strategic Perception

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, September 11, 2025 9:07:25 AM
To: DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Submission - D/2025/758 - 98-106 Kippax Street SURRY HILLS NSW 2010 - Attention Nick Reid

-----Original Message-----

From: Elizabeth Findlay
Sent: Wednesday, 10 September 2025 5:08 PM
To: DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - D/2025/758 - 98-106 Kippax Street SURRY HILLS NSW 2010 - Attention Nick Reid

Caution: 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 Bill Mackay and Nick Reid

Thank you for the opportunity to provide comments in relation to the development proposal:

Reference number: D/2025/758

Site address 96-108 Kippax Street Surry Hills 2010

I am a resident of 69-81 Foveaux Street, Surry Hills 2010 (Unit 408). My apartment faces the rear of the building onto Sophia Street the laneway north of the subject site. My concerns are in relation to the immediate impact this big development will have on my apartment and all of this building's apartments facing the rear onto Sophia Street. I appreciate development is inevitable and providing additional housing in the current housing shortage market is desirable. I hope you will consider my concerns to lessen the impact on our apartments. The concerns for me are:

Height: The Proposed building Height is not compliant and breaches development standards. I would argue strongly against the stated: minor breach will not have any impacts on the sharing of views for the surrounding properties. (See document -The Planning Studio) The development will adversely impact on my outlook including access to views, natural airflow and natural light.

The height of the new building also prevents natural light bouncing off the surrounding buildings particularly the Canva Building on Waterloo Street and any buildings on Kippax Street. Sunlight bounces off their walls to the surrounding open areas which contributes to our light and in the area.

Outlook: my current outlook is over buildings and foliage on Kippax Street and beyond. This will now be reduced significantly by at least two thirds. That two thirds will now overlook the new building's back wall which appears to be a blank concrete wall.

Compliance with Building Separation requirements. The proposed building does not meet the minimum building separation requirement under The Apartment Design Guide. The proposed development should meet the separation distances required under ADG.

Noise from the car lift/stacker - residential traffic will have 24-hour access to where the car lift is accessed. This noise will be intrusive to my apartment along with all the apartments facing the rear of 81 Foveaux Street.

Noise: from air conditioning units, garbage collections, deliveries to retail all of these can occur at any time. Waterloo Street would seem a better option as there are no residential buildings.

Increased traffic at the rear lane from residential and retail/garbage will contribute to noise and pollution.

Currently exiting Sophia Street onto Waterloo Street is problematic due to restricted vision onto Waterloo Street, cars often parked. I hope this can be reviewed.

For the reasons described above I believe this development application will have significant impact on my apartment and including all the units in this apartment complex.

Thank you again for inviting comments from the surrounding community.

Regards

Elizabeth Findlay

Unit 408/81 Foveaux Street Surry Hills 2010

From:

on behalf of

Sent on: Thursday, September 11, 2025 2:24:29 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: D/2025/758 DA SUBMISSION IN RELATION TO 98-106 KIPPAX STREET, SURRY HILLS

Caution: 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:

We are residents of 69–81 Foveaux Street, directly opposite the proposed development across Sophia Street. While I understand that redevelopment of this site is expected, I am concerned about the significant impacts on our building and request that Council consider the following issues:

1. Building Separation

- The proposed building does not meet the Apartment Design Guide (ADG) requirement for a minimum 24m separation between facing habitable rooms/balconies in buildings over 25m high.
- Even with the ADG's shared separation allowance, the setback across Sophia Street should be at least 12m (not the 6–9m proposed).
- This lack of separation will severely affect residents' access to natural light, airflow, outlook, and amenity. The design should be revised to achieve a minimum 9m setback from Sophia Street.

2. Building Height

- The site already benefits from a 30% height bonus under the Housing SEPP, increasing the limit to 28.6m.
- The additional variation sought (another 540mm above this) is unreasonable. The development should remain within the 28.6m limit.

3. Laneway Direction and Noise

- The proposal includes waste collection from Sophia Street. Reversing the laneway direction (westbound, downhill) would reduce vehicle noise and disturbance for surrounding residents.

4. Conditions if Approved

- Controls on north façade reflectivity to reduce glare.
- Construction protections including dilapidation survey and monitoring.
- Post-installation noise testing of the car-lift system.

For these reasons, I ask Council to ensure that the development is amended to meet the ADG building separation standards and height limits, and that any approval includes the above mitigation conditions.

Thank you for considering this submission.

&



From: Glenn Rose [REDACTED]
[REDACTED]
Sent on: Thursday, September 11, 2025 3:57:02 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: D/2025/758 DA SUBMISSION IN RELATION TO 98-106 KIPPAX STREET, SURRY HILLS
Attachments: OBJECTION DA SUBMISSION IN RELATION TO 98-106 KIPPAX STREET SURRY HILLS.pdf (26.94 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 Bill,

Attn: Nick Read

Objections to proposed development attached.

Kind regards,
Glenn Rose

Mr Bill Mackay
Manager Planning Assessments
City of Sydney
By email to dasubmissions@cityofsydney.nsw.gov.au
Attn: Nick Read

Dear Bill,
D/2025/758
DA SUBMISSION IN RELATION TO 98-106 KIPPAX STREET, SURRY HILLS

As trustees for Unit 409, 81 Foveaux Street, Surry Hills we object to the proposed development citing the detailed work done by Strategic Perception for the owners of SP95023, 69-81 Foveaux Street, Surry Hills, which is located immediately across Sophia Street (the laneway) to the north of the subject site.

Our property faces onto Sophia Street (the laneway) and would be adversely impacted.

We have specific concerns relating to the proposed development including building height, impacts on outlook, access to views, natural light, natural airflow, noise from traffic and waste management and reflectivity.

Our specific concerns includes those raised by Strategic Perception:

1. Compliance with Building Separation Requirements
2. Compliance with maximum building height requirements
3. Direction of Sophia Street Laneway
4. Proposed conditions to be placed on any approval
5. High noise level from increased traffic
6. Fire risk associated with evacuating cars via a car lift
7. Increased congestion with car queued for car lift access

Please contact me on [REDACTED] or at [REDACTED]
Yours sincerely,
Trustees Jamjar Super Fund

From: Adam Haddow [REDACTED]
[REDACTED]

Sent on: Saturday, September 13, 2025 6:59:20 PM

To: NReid@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

CC: Michael Combs [REDACTED]

Subject: D/2025/758 - 98-106 Kippax Street, Surry Hills

Caution: 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 Development Application D/2025/758 // 98–106 Kippax Street, Surry Hills

Dear Nick,

I am the architect of 69–81 Foveaux Street and 19 Waterloo Street, and the owner and resident of 21 Uther Street Surry Hills. While I support the principle of redevelopment on this site, the current proposal does not adequately address the requirements of SEPP 65, the Apartment Design Guide (ADG), or the City of Sydney LEP and DCP.

I respectfully submit the following concerns:

Architectural Character and Design Excellence (LEP Clause 6.21, DCP Section 3)

– The podium-and-tower approach facing Kippax Street is inconsistent with the established character of the street, which is defined by continuous, vertically expressed façades. A consistent architectural expression across the height of the building would better reinforce the street's fine-grain character.

Materiality (DCP Section 3.11)

– The proposed lightweight metal screen is inconsistent with the prevailing masonry character of the area. If a screen is retained, it must be of high durability (zinc or copper) to avoid rapid degradation, consistent with the requirement for high-quality, enduring materials. The screen should be of a similar quality to Paramount House hotel on the corner of Commonwealth Street and Goulburn Lane.

Transport and Access (DCP Section 3.11.7)

– Given the site's proximity to public transport, the provision of basement parking via a single car lift is unnecessary and inconsistent with Council's objectives to reduce car dependency and promote sustainable transport. We suggest that a better outcome for the community would be the deletion of all private parking on site.

Solar Access and Ventilation (SEPP 65, ADG Objectives 4A-1 and 4B-1)

– The proposal inflates compliance figures for solar and cross ventilation, relying on dual-key units to boost percentages and inaccurate identification of the required hours of sunlight and cross ventilation. Actual compliance is materially lower, and the scheme fails to demonstrate design excellence in achieving genuine environmental performance. While we do not suggest that numerical compliance is necessarily required, the scheme should at least accurately calculate the proposal so that the consent authority are clear as to final amenity outcomes for future residents.

Building Services and Residential Amenity (ADG Objective 4D-2)

– A single lift for a building of this scale is insufficient. Given the number of proposed dwellings – when the dual key dwellings are considered, a second lift should be provided.

Overshadowing (ADG Objective 4A-1, DCP Section 3.9.2)

– Shadow studies are inadequate to assess winter impacts to our dwelling at 21 Uther Street. Current diagrams suggest unacceptable overshadowing of our house - removing winter solar access between 9–10am. More detailed analysis is required.

Visualisation (DCP Section 3.11.2)

– CGI imagery is misleading, depicting the building in an idealised rather than actual context. Accurate photomontages are essential for community understanding and clear assessment of the proposal.

Heritage and Demolition (LEP Clause 5.10, DCP Section 2.3)

– While outside the heritage conservation area, the extent of proposed demolition is regrettable. Greater retention of existing building fabric should be pursued. This could be facilitated through a reduction in the proposed basement excavation that is to accommodate private parking.

Roof Plant and Acoustic Amenity (DCP Section 3.12.1)

– Plant and equipment locations are not clearly articulated. A plan showing the extent, type and outline of plant and equipment should be provided. Further, visual and acoustic screening must be provided, particularly given the outlook impacts from our property.

Communal Open Space (ADG Objective 3D-1)

– While rooftop open space is supported, the design should provide deeper soil profiles to support canopy trees, reduce heat-island effects, and improve shading. It is important that greater planting areas are provided rather than the proposal for extensive hard paving. Further, better understanding of how the roof space will be used should be indicated and the provision of a fixed shade structure required.

Operational Amenity (DCP Section 3.9)

– Roof garden hours should be restricted to 6am–10pm to protect residential amenity.

GFA Calculations (LEP Clause 4.4)

– The submitted GFA figures lack clarity and must be resubmitted with accurate, high-resolution plans that clearly identify included and excluded areas.

In summary, while additional housing supply is supported, the proposal in its current form fails to achieve the standard of design excellence required under the LEP and SEPP 65. A more skilful design could deliver the intended density while respecting neighbourhood character,

ensuring amenity for future residents, and protecting the reasonable expectations of existing neighbours.

I urge Council to work with the applicant to address these issues before determining the application and look forward to hearing from you regarding my concerns.

Best Regards,
Adam Haddow
21 Uther Street, Surry Hills

From: Nada Trochilas [REDACTED]
Sent on: Monday, September 15, 2025 7:54:19 AM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: D/2025/758 SUBMISSION - CONSIDERATION OF CANVA'S COMMUNAL ROOFTOP

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Monica Barone
Chief Executive Officer
City of Sydney Council
456 Kent Street
Sydney NSW 2000

Attention: Nick Reid – Specialist Planner, Planning Assessments

Dear Nick,

D/2025/758 SUBMISSION - CONSIDERATION OF CANVA'S COMMUNAL ROOFTOP OPERATIONS AT 110-120 KIPPAX STREET, SURRY HILLS

Thank you for providing Canva the opportunity to make a submission on D/2025/758, which is understood to relate to the construction of an 8-storey mixed-use development, comprising 35 residential dwellings located above a level of retail uses.

On behalf of Canva I would like to first express our support in principle for the proposed development which welcomes the delivery of additional housing within an accessible, inner-city location.

This submission seeks to draw Council's attention to Canva's operational rooftop at our current headquarters located at 110-120 Kippax Street, Surry Hills which is located opposite the site subject to D/2025/758 and D/2021/645.

Canva is an international company of 5,000 + people, with offices in Australia, New Zealand, United States, United Kingdom, China, Austria, Philippines and Czech Republic. Our headquarters has been based in Surry Hills for the last over 10 years and we are planning on expanding into 8-24 Kippax Street, noting the recently approved Amending Development Application D/2025/133.

Our office at 110-120 Kippax Street is subject to D/2019/78 which was originally approved on 1st February 2019 for the alterations and additions to the rooftop to include a new pergola, BBQ area/outdoor servery, landscaping and acoustic treatment. It also approved the operation of the rooftop terrace between 8:00am and 8:00pm on Monday to Friday inclusive, and further operation between 8:00pm and 10:00pm on Thursdays and Fridays on a trial period basis. The DA has since been modified on two (2) occasions, with the most recent modification (D/2019/78/B) extending the continuation of the trial period until 7 July 2028.

Our office is also subject to D/2021/645 which was originally approved on 15 September 2021 for the change of use of the ground level as a function centre and associated food and drink premises. Council approved the change of use on a trial period basis. The DA has since been modified on two (2) occasions, with the most recent modification (D/2021/645/B) extending the continuation of the trial period until 15 August 2030.

It is Canva's intention to seek a further extension in order to continue the rooftop operations and use of the ground level as a function centre once each of the individual trial periods expire.

Noting the above, it is requested that Council consider the continued operation of the rooftop and ground level function centre in the context of D/2019/78/B and D/2021/645/B as part of their assessment of D/2025/758 and in particular consider the implementation of appropriate noise attenuation measures in the design of the building to protect the amenity of future residents within the area.

The communal rooftop terrace and ground level function centre provide significant value to Canva's workplace and commercial offering who are a valued, long-standing tenant and owner of Surry Hills. As noted above, it is Canva's intention to re-apply for an extension to the rooftop trial period upon its expiry in July 2028 and for the ground level function centre in August 2030, and would like to ensure that the proximity of the proposed mixed-use development does not inhibit the continued operation of each of the areas at 110-120 Kippax Street.

Once again, we thank Council for the opportunity to provide a submission on D/2025/758 and look forward to seeing our comments be considered in the assessment and determination of the proposal.

Your sincerely

Nada

[REDACTED]

[REDACTED] *People*

I acknowledge the Traditional Owners and Custodians of the lands on which I live and work, the Gadigal People of the Eora Nation, and pay my respect to Elders past, present and future.



Empowering the world to design

We're hiring, [apply here](#)! Check out the latest news and learnings from our team on the [Canva Newsroom](#).



Item 5.**Development Application: 21 Buckland Street, Alexandria - D/2025/1311****File Number: D/2025/1311****Summary****Date of Submission:** 5 January 2026, amended 2 March 2026**Applicant:** Smith and Tzannes**Owner:** Kat Hunt and Brendan Hunt**Architect:** Smith and Tzannes**Planning Consultant:** Smith and Tzannes**Cost of Works:** \$618,499.00**Zoning:** MU1 Mixed Use zone

The proposal involves alterations and additions to an existing residential dwelling and is permitted with consent in the zone.

Proposal Summary: The proposed development involves alterations and additions to the existing residential dwelling on the site, including a new 3-storey addition at the rear and minor landscaping works.

The application is referred to the Local Planning Panel for determination as the development contravenes the floor space ratio development standard by more than 25%.

The Clause 4.6 variation to the floor space ratio development standard is supported.

One submission was made during the public notification period, which related to requirements to provide dilapidation report and boundary surveys and address construction noise and hours.

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

Development Controls:

- (i) Sydney Local Environmental Plan 2012
- (ii) Sydney Development Control Plan 2012
- (iii) SEPP (Sustainable Buildings) 2022

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Clause 4.6 Variation - Floor Space Ratio
- D. Submissions

Recommendation

It is resolved that:

- (A) the variation requested to Clause 4.4 Floor space ratio in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (B) consent be granted to Development Application Number D/2025/1311 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 development is consistent with the objectives of the MU1 Mixed Use zone.
- (B) The proposal generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 and, subject to conditions, will not create adverse amenity impacts nor cause disturbance in the neighbourhood.
- (C) The proposal is consistent with the relevant objectives of the Sydney Development Control Plan 2012.
- (D) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that the applicant has demonstrated that compliance with the floor space ratio development standard in clause 4.4 of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of clause 4.6(3) of the Sydney LEP 2012.

Background

The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the Local Planning Panel for determination as it is identified in Schedule 3 of the Local Planning Panels Direction of 3 March 2024 as being within the following category(s):
 - (a) Departure from Development Standards
2. The development application falls within the category of Departure from Development Standard as the development involves a contravention of the floor space control by 60%, over the 25% threshold for Local Planning Panel delegation.

The Site and Surrounding Development

3. The site has a legal description of Lot 8 in DP 238882, known as 21 Buckland Street, Alexandria. It is rectangular in shape with area of approximately 83.3sqm. It has a primary street frontage of 4 metres to Buckland Street and a rear lane frontage of 2.6 metres to Wyndham Lane. The site is located close to the intersection of Buckland Street and Wyndham Street to the west.
4. The site contains an existing 2-storey terrace (dwelling house) and a small shed at the rear to Wyndham Lane.
5. The surrounding area is characterised by a mixture of land uses, primarily being residential dwellings on Buckland Street and Wyndham Street, and various commercial and light industrial uses located along Botany Road to the east.
6. The site is bounded by:
 - (a) Buckland Street to the south, with mixed use sites on the southern side of the Street;
 - (b) A residential cottage to the east which presents to Buckland Street as single storey and includes a rear-facing attic extension;
 - (c) A 2-storey mixed-use corner terrace to the west which is located at the intersection of Buckland Street and Wyndham Street; and
 - (d) Wyndham Lane to the rear with 2 and 3 storey residential terraces located across the Lane.
7. Alexandria Park is located directly to the southwest of the site across the intersection of Buckland and Wyndham Street, and Waterloo Metro Station is located approximately 275 metres walk to the northeast of the site.
8. The site is located within the Botany Road Precinct locality and within the Botany Road Precinct Opportunity Lands area.
9. A site visit was carried out on 4 February 2026. Photos of the site and surrounds are provided below:



Figure 1: Aerial view of site and surrounds



Figure 2: Site (centre) viewed from Buckland Street



Figure 3: Rear of site (maroon building and shed at rear) viewed from Wyndham Lane facing south



Figure 4: Site (left) viewed from down Buckland Street facing northwest



Figure 5: Site (only rear shed visible) viewed from across Wyndham Street facing southeast



Figure 6: South-facing view of rear yard and building



Figure 7: Rear yard viewed from existing first floor window

History Relevant to the Development Application

Development Applications

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

- **D/2010/1568** (subject site) – Development consent was granted on 30 November 2010 for alterations and additions to rear of terrace, and change of use from commercial to residential. While the approved works do not appear to have been carried out under this consent, internal records show that the site is currently a residential property.
- **U99-01051** (subject site) – Development consent was granted on 30 November 1999 for change of use from a residential dwelling to commercial offices. No structural works or major alterations were proposed.
- **D/2020/1366** (23 Buckland St) - Development consent was granted on 18 March 2021 for alterations and additions to the existing mixed-use building, including a third-storey addition. This approval relates to the building that adjoins the subject site to the west.

Amendments

11. Following a preliminary assessment of the proposed development by Council Officers, a request for additional information was sent to the applicant on 27 February 2026 requesting the following:
 - an amended Statement of Environmental Effects to address sections 4.1.4 and 4.1.7.2 of the Sydney DCP 2012
 - the existing Survey Plan noted in the Statement of Environmental Effects
 - clarification on the extent of works at the side boundaries
 - inclusion of the structure at the rear lane on the ground floor plan and floor area calculations
 - an amended Clause 4.6 Variation Request to reflect any change in the existing/proposed gross floor area
 - amended drawings to reflect approved extension to the existing building at 23 Buckland Street
 - comment on water runoff of the proposed new roof planes
12. The applicant responded to the request on 2 March 2026, and submitted:
 - amended drawings in accordance with the above points, and clarified that at the rear yard a 1.8 metre fence is proposed at the boundary to 23 Buckland Street and most of the boundary to 19 Buckland Street
 - the Survey Plan and amended Clause 4.6 Variation Request were provided and it was clarified that the proposed works do not encroach any boundaries

Proposed Development

13. The application seeks consent for alterations and additions to the existing 2-storey residential terrace on the site, including an additional storey at the rear. The proposed works involve the following:
 - (a) demolition of the existing rear extension at the ground floor, including the kitchen, bathroom, as well as part of the existing roof of the primary building at the first floor
 - (b) construction of a new 3-storey addition at the rear, including a kitchen, living area, laundry and bathroom at the ground floor, bedroom and bathroom at the first floor, and a bedroom at the second floor
 - (c) minor landscaping works between the ground floor living area and boundary to 19 Buckland Street, and paving works at the rear to facilitate the proposed terrace
 - (d) at the front facade, the ground floor windows will be replaced with new double hung windows and the doors/windows at the first floor will be replaced and involve minor demolition works to facilitate the new doors

14. The proposal involves an increase to the gross floor area (GFA) on the site, from 76sqm to 107sqm, resulting in a floor space ratio (FSR) change from 0.91:1 to 1.28:1. The existing FSR exceeds the 0.8:1 FSR control by 13.75% and the proposal involves a variation of 60%.
15. A building height of 9.1 metres is proposed, which is compliant with the maximum height of building control of 12 metres.
16. Plans and elevations of the proposed development are provided below.

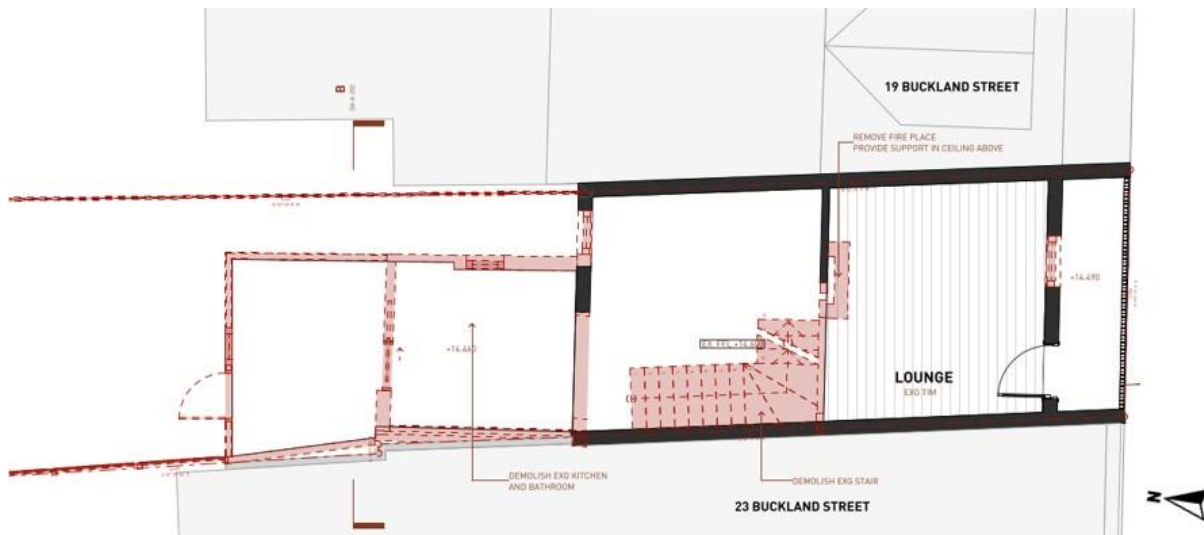


Figure 8: Proposed ground floor demolition plan

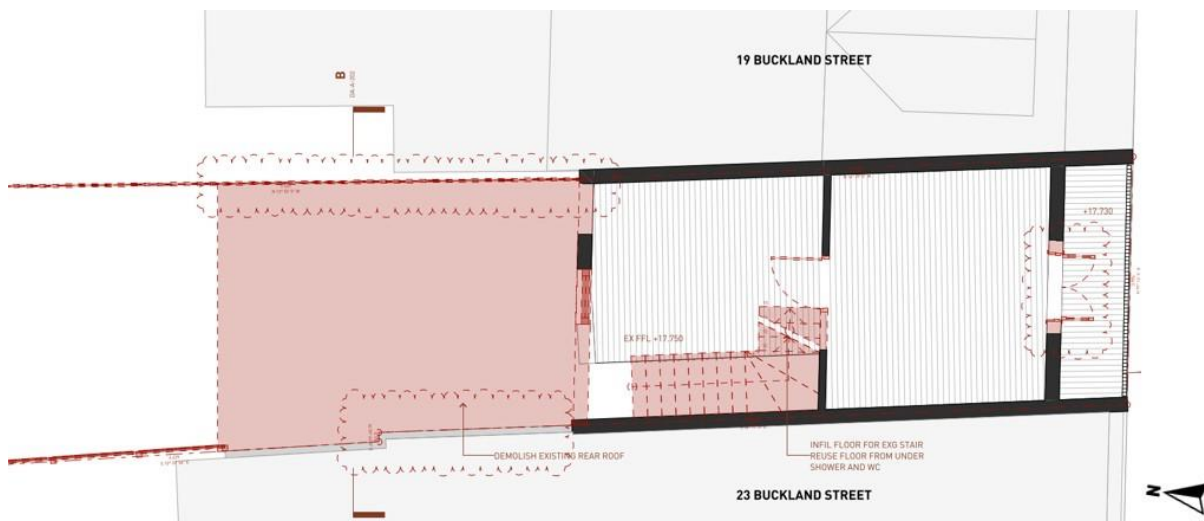


Figure 9: Proposed first floor demolition plan



Figure 10: Proposed second floor demolition plan



Figure 11: Proposed ground floor plan

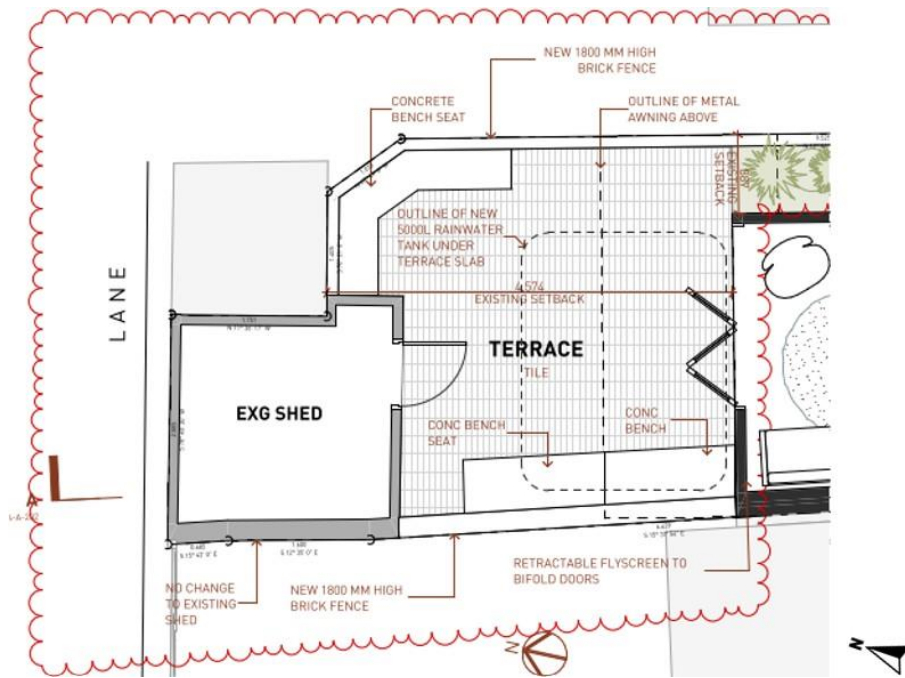


Figure 12: Proposed garden terrace plan (ground floor)

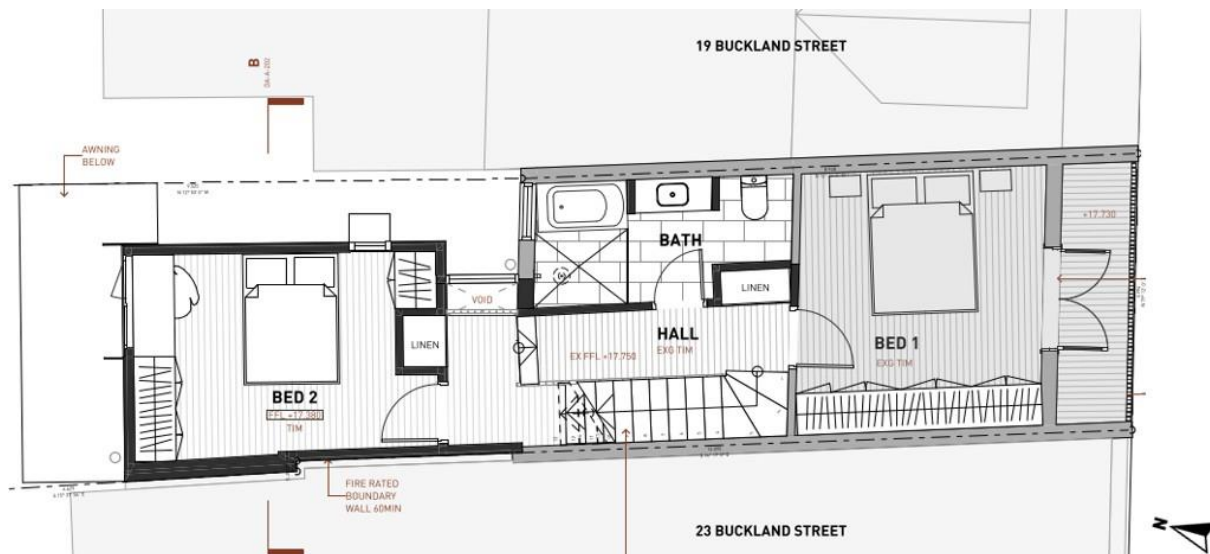


Figure 13: Proposed first floor plan

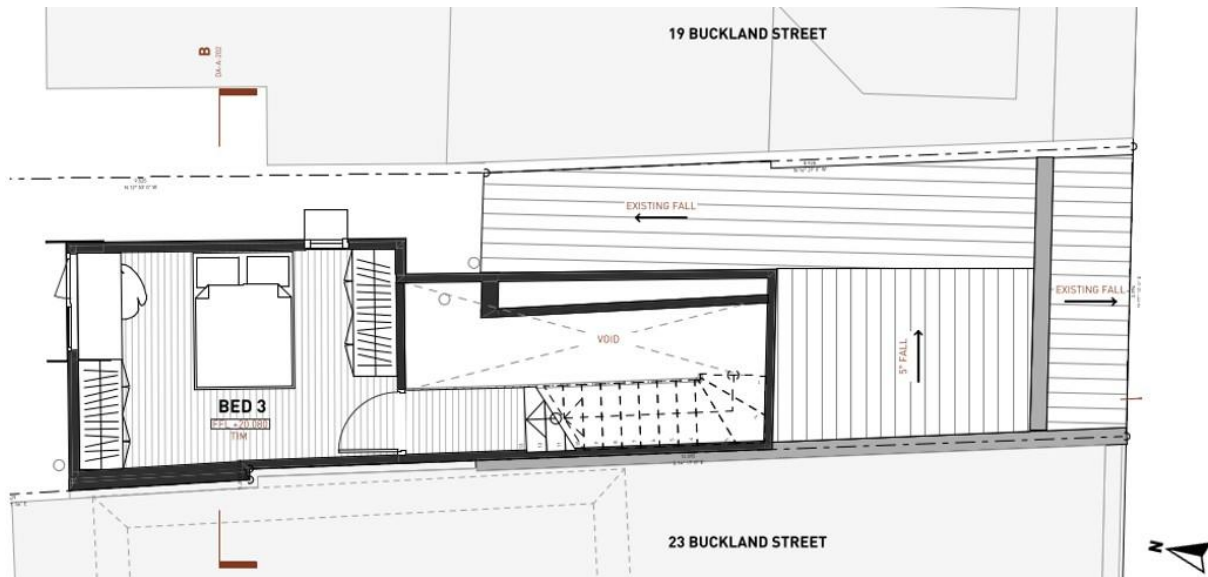


Figure 14: Proposed second floor plan

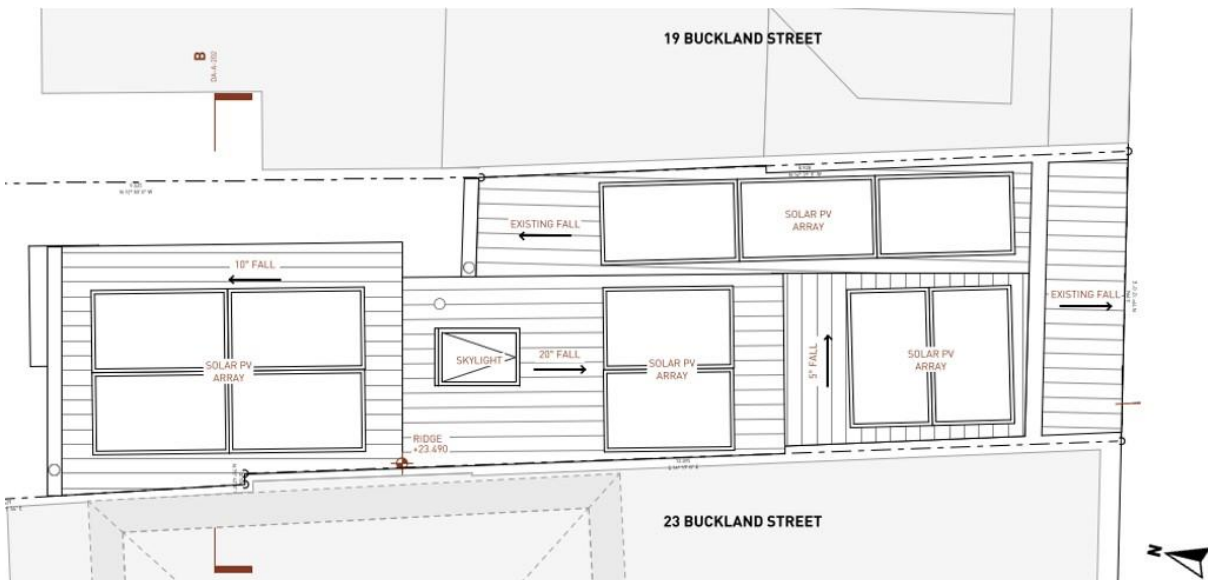
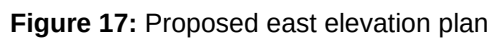
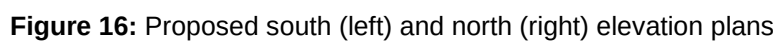
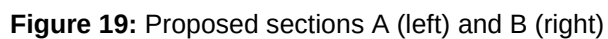
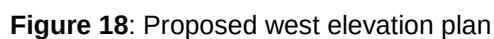


Figure 15: Proposed roof plan





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

State Environmental Planning Policy (Sustainable Buildings) 2022

- 15

- (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 2 Standards for residential development - BASIX

19. A BASIX Certificate has been submitted with the development application, with reference number 'A1825084'.
20. The BASIX certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A condition of consent is recommended ensuring the measures detailed in the BASIX certificate are implemented.

Local Environmental Plans

Sydney Local Environmental Plan 2012

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the MU1 Mixed Use zone. The proposed development is defined as alterations and additions to a dwelling house and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	A maximum building height of 12 metres is permitted. A height of 9.1 metres is proposed.
4.4 Floor space ratio	No	A maximum floor space ratio of 0.8:1 or 66.65sqm is permitted. The existing floor space ratio of the site is 0.91:1 (76sqm) and a floor space ratio of 1.28:1 (107sqm) is proposed.

Provision	Compliance	Comment
		The proposed development does not comply with the maximum floor space ratio development standard. A variation to the floor space ratio development standard in accordance with Clause 4.6 has been submitted. See further details in the 'Discussion' section below.
4.6 Exceptions to development standards	Yes	The proposed development seeks to vary the development standard prescribed under Clause 4.4. A Clause 4.6 variation has been submitted with the application. See further details in the 'Discussion' section below.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.21 Flood planning	Yes	The site is identified as being potentially subject to flooding. The proposed development benefits from the concession available under Section 3.2 of the City's Interim Floodplain Management Policy as it is considered to have minimal impact on the floodplain and will not present an unmanageable risk to life.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 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 the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the

Provision	Compliance	Comment
		surrounding area and future occupants. The development therefore achieves design excellence.
Division 5 Site specific provisions		
6.60B Botany Road Precinct Opportunity Land	N/A	The site is within the Botany Road Precinct Opportunity Land area. However, as the proposal involves alterations and additions to residential accommodation (dwelling house), the development does not benefit from the FSR concessions under this section.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.4 Dwelling houses, attached dwellings and semi-detached dwellings	Yes	A maximum of 2 car parking spaces are permitted. The proposed development includes no car parking spaces.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The 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.

Development Control Plans

Sydney Development Control Plan 2012

22. 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

23. The site is located within the Botany Road Precinct locality. The proposed development is in keeping with the unique character and the design principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
3.5 Urban Ecology	Yes	The proposed development does not involve the removal of any trees and will not have any adverse impact on the local urban ecology.
3.14 Waste	Yes	A condition has been recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.

Section 4 – Development Types**4.1 Single Dwellings, Terraces and Dual Occupancies**

Provision	Compliance	Comment
4.1.1 Building height	Yes	The site is permitted a maximum building height of 3 storeys generally and a maximum of 2 storeys at the street frontage. The proposed development is 3 storeys in height at the rear and the existing 2 storey terrace is retained at the street frontage. Therefore, the proposal complies with this section.
4.1.2 Building setbacks	Yes	The proposed development relates to the existing setback patterns along the street and respects the predominant rear building line of 19 Buckland Street and 23 Buckland Street, as well the cottages along Buckland Street to the east. No setback is proposed to the western boundary, while setbacks of between 887mm and 1,375mm are proposed to the eastern boundary. The zero setback to the west is acceptable as this matches the adjoining building, while the setbacks to the east are supported to reduce the imposition of the proposal on the adjoining site.
4.1.3 Residential amenity As demonstrated below, the proposed development will have acceptable residential amenity and will not have unreasonable impacts on the residential amenity of neighbouring properties.		

Provision	Compliance	Comment
4.1.3.1 Solar access	Yes	The development provides a minimum of 2 hours of solar access to the proposed living areas and rear private open space of the subject site and the adjoining site to the east, and results in only minor additional overshadowing of a first floor room at the adjoining site.
4.1.3.2 Solar collectors	Yes	The proposed solar panels at the roof level are located appropriately and are acceptable, subject to conditions. The proposed development will not overshadow any neighbouring solar panels.
4.1.3.3 Landscaping	Yes	The proposal involves minor landscaping works between the boundary to 19 Buckland Street and the proposed ground floor living area. The existing Frangipani tree at the rear will be retained and the proposal is generally in accordance with this section.
4.1.3.4 Deep soil planting	Yes	The site is less than 150sqm in size and therefore deep soil planting is not required. Notwithstanding, the existing tree will be retained.
4.1.3.5 Private open space	Yes	With consideration to the terrace proposed at the rear and the landscaped area adjacent to the ground floor living area, 19sqm of private open space is provided and is directly accessible from the living area.
4.1.3.6 Visual privacy	Yes	The proposal includes high sill heights for the small east-facing windows at the first and second levels, as well as privacy blades at the first and second levels which obscure views from bedrooms 2 and 3 to the rear yards of 19 Buckland Street and 23 Buckland Street.
4.1.4 Alterations and additions		
4.1.4.1 General	Yes	The proposed development does not remove significant building elements as seen from Buckland Street and respects the form, scale and setbacks of the dwelling and nearby sites.

Provision	Compliance	Comment
4.1.4.6 Additional storeys	Yes	The additional bulk proposed at the rear of the dwelling respects the existing built form and has considered how the frontage presents to Buckland Street. See further details in the 'Discussion' section below.
4.1.7.1 Front fences	Yes	The proposed front fence is 1.2 metres in height and maintains passive surveillance. It is constructed of metal in a palisade style and is in keeping with the character of the area.
4.1.7.2 Side and rear fences	Yes	The side fence to the boundary with 23 Buckland Street will be 1.8 metres in height and therefore complies. The side fence to the boundary with 19 Buckland Street will be predominantly 1.8 metres in height. A portion of the fence adjacent to the landscaped area and ground floor living area will be 3 metres in height to match the height of the bifold doors to the living area. In this instance, this is acceptable because the additional fence height will provide appropriate visual and acoustic screening between the ground floor living area the adjoining property. Further, this portion of the wall will structurally support the proposed timber pergola.

Section 5 – Specific Areas

Provision	Compliance	Comment
5.10 Botany Road Precinct	Yes	With consideration to the Botany Road Precinct being an area in transition and the site being in close proximity to Alexandria Park to the southwest, Botany Road to the west and Waterloo Metro Station about 275 metres to the northwest, the proposal aligns with the objectives of the Precinct and the intended future character of the locality.

Discussion

Bulk and scale

24. While the development exceeds the FSR control by 60%, in this case it is considered to be acceptable as the proposed design is otherwise in accordance with the relevant controls that apply to the site, as well as the desired future character of the section of Buckland Street where the site is located, and the Botany Road Precinct locality.
25. It is noted that the existing building typology on the subject site is most closely related to the adjoining building to the west at 23 Buckland Street. Further, the height of building development standard that applies to the site also relates to the adjoining site to the west, rather than those to the east.
26. The subject site and 23 Buckland Street are terraces that currently present as 2-storey buildings to the public domain, while the neighbouring sites to the east between 7 and 19 Buckland Street are single storey cottages. The proposed 3-storey addition at the rear can not be seen from Buckland Street
27. Figures 20 and 21 below illustrate that the development standards that apply to 23 Buckland Street and the cottages at 7 to 19 Buckland Street reflect the existing character of these sites, while there is a mismatch between what is permitted under the FSR development standard on the subject site and what is permitted under the height of building development standard.
28. 23 Buckland Street, which adjoins the site to the west, was granted approval for a third storey addition at the rear under consent D/2020/1366. The proposed 3-storey extension at the subject site will be built to the western boundary, while including setbacks to the eastern boundary of between 887mm and 1,375mm. This respects the bulk and scale of the adjoining properties and appropriately considers the different FSR, height and amenity controls set out for the block in the SLEP 2012 and SDCP 2012.

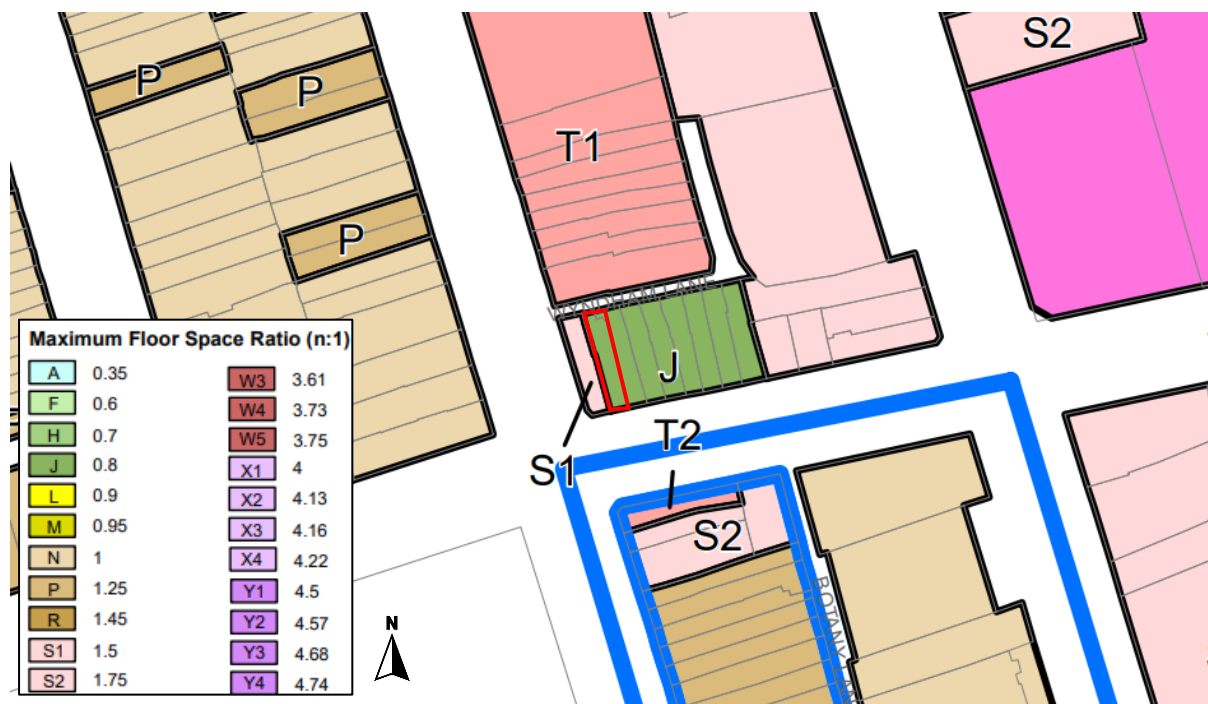


Figure 20: Sydney LEP 2012 - Floor space ratio map (subject site in red)



Figure 21: Sydney LEP 2012 - height of buildings map (subject site in red)

Contravention of a development standard pursuant to Clause 4.6 of the Sydney LEP

29. The site is subject to a maximum FSR control of 0.8:1. The proposed development has an FSR of 1.28:1.
30. Pursuant to the requirements of Regulation 35B of the Environmental Planning and Assessment Regulation 2021, the application has been accompanied by a document setting out the grounds on which the applicant seeks to demonstrate:
 - (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 regulation 35B document

31. The applicant seeks to justify the contravention of the FSR 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 scale of the proposed development is reasonable in its context.
 - (i) The existing dwelling lacks amenity. Under the current controls, the site is mapped with an FSR of 0.8:1. Given the site area of 83.31sqm, this yields a maximum GFA of just 66.6sqm. This is insufficient for a functional 2-bedroom dwelling and falls below the minimum 70sqm benchmark applied to 2-bedroom apartments.

- (ii) The existing building has an FSR of 0.91:1. This exceeds the FSR standard that applies to the land (0.8:1) by 13.75% and does not currently result in any adverse environmental impact upon the adjoining sites or locality.
 - (iii) The proposal involves an additional 31sqm of floor area and restructures the internal layout to separate circulation from the primary rooms while introducing a third bedroom and an additional water closet, delivering an improved level of amenity. The proposal improves useability of the rear yard and retains the existing rear building line. The amenity of the site will be improved while having no substantial impact upon the adjoining sites or locality.
 - (iv) The design maintains a compact footprint, adding only 31sqm of new GFA. This results in a total GFA of 107sqm for a 3-bedroom dwelling. While this represents a further exceedance above the mapped permissible GFA, the outcome still constitutes a modest 3-bedroom home by contemporary standards and is proportionate to the site's functional needs.
 - (ii) The floor space ratio development standard does not align with the height of building development standard and the DCP controls.
 - (i) A review of the applicable DCP and LEP controls, alongside an assessment of the prevailing built form, demonstrates that the FSR mapped to the site is misaligned with the intended urban character and the established development pattern. The control does not reflect the strategic built form outcomes sought for the precinct and sits outside the scale envisioned in the surrounding planning framework. This disconnect indicates that the assigned FSR is not an accurate expression of the desired future character and further highlights that strict compliance with the mapped FSR would be unreasonable and unnecessary.
 - (ii) With reference to the height of building map, FSR map, DCP building height in stories map, and the DCP street frontage height map, the site is consistently identified for a larger 3-storey built form, aligning with the intended scale of 23 Buckland Street and 1–3 Buckland Street. The existing streetscape reinforces this expectation, with a prevailing larger typology clearly existing at numbers 23, 21 & 1, 3 Buckland Street while numbers 7-19 have a clear smaller 2 storey form. The FSR mapping is the sole outlier, creating an inconsistency between the built form controls and both the desired and existing spatial outcomes for the site.
 - (iii) The proposed development is consistent with the objectives of the zone, as detailed further in section (b) below.
 - (iv) Therefore, it would be unreasonable to require the proposed development to comply with the development standard.
- (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
- (i) The proposed development is consistent with the objectives of Clause 4.4 of the LEP as detailed in items (ii) to (v) below.

- (ii) To provide sufficient floor space to meet anticipated development needs for the foreseeable future:
 - (i) The proposed development seeks an increase in FSR which anticipates the future needs of the area for additional residential space. Additional residential space is an anticipated need for the future of development as Alexandria moves towards higher density living. Affordable dwelling houses for family living are not well provided for in the Alexandria area.
- (iii) To regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic:
 - (i) The proposal is of a bulk and scale that is consistent with development nearby and consistent with the DCP. The existing footprint of the building is maintained and there is no proposed increase in traffic as a result of carrying out the development as the dwelling remains a single family home.
- (iv) To provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure:
 - (i) The proposed development is within the capacity of existing and planned infrastructure of the location. The proximity of the development to both Waterloo Metro station and Alexandria Park means the locality is able to facilitate the proposed increase in residential floor space.
- (v) To ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of that locality.
 - (i) The proposal reflects the desired character of Alexandria and is consistent with the scale of several nearby developments. The proposed increase in FSR has been considered with a design that is sensitive to the surrounding neighbourhood ensuring little to no adverse impacts on the amenity of the locality. The adjacent building was granted consent for 3 stories, and the proposed development is consistent with the height of this development and the permissible height in the LEP and DCP.
- (vi) The proposed development will not result in any unreasonable amenity impacts to adjoining properties, with overshadowing and privacy outcomes remaining within acceptable limits and compliant with the relevant provisions.

Precondition to granting consent where a development standard has been contravened

- 32. Development consent must not be granted unless the consent authority is satisfied that the applicant has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.
- 33. The applicant has demonstrated that compliance with the floor space ratio 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 for the following reasons.

34. The applicant has demonstrated that the proposed development achieves the objectives of the development standard. With consideration to the non-compliance of the existing building on the site, the height of building development standard that applies to the site and the relevant provisions set out in the SDCP 2012, the proposed development is consistent with the desired future character of the locality and it would be unreasonable to refuse the proposal on the basis of non-compliance with the FSR development standard alone.
35. Subject to the appropriate conditions, the development will not result in any significant adverse impact upon the site and surrounds as the proposed design is otherwise in accordance with the relevant amenity controls.

Conclusion

36. For the reasons provided above the variation to the FSR development standard is supported as the applicant has demonstrated the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012.

Consultation

Internal Referrals

37. The application was discussed with Council's:
 - (a) Urban Design Unit; and
 - (b) Tree Management Unit.
38. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

Advertising and Notification

39. In accordance with the City of Sydney Community Participation Plan 2025, the proposed development was notified for a period of 14 days between 13 February 2026 and 27 February 2026. A total of 19 properties were notified and one submission was received.
40. The submissions raised the following issues:
 - (a) **Issue:** A dilapidation report and potential damage to adjoining property
Response: Conditions are recommended to be included in the Notice of Determination to ensure that a Dilapidation Report is prepared by an appropriately qualified structural engineer and submitted for the approval of the Registered Certifier prior to the issue of a construction certification.
 - (b) **Issue:** A boundary survey should be carried out

Response: Conditions are recommended to be included in the Notice of Determination to ensure that the appropriate surveys are carried out.

- (c) **Issue:** Noise and construction hours

Response: Conditions are recommended to be included in the Notice of Determination to ensure that the works are carried out in accordance with the standard permitted construction hours for sites outside the central business district.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

41. The City of Sydney Development Contributions Plan 2015 applies to the site. However, the development is for alterations and additions to an existing dwellings house, being a type of development listed in Table 2 of the Plan which is excluded from the need to pay a contribution.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

42. As the development is development for the purposes of residential accommodation that will result in the creation of less than 200 square metres of gross floor area, the development is excluded and is not subject to a Section 7.13 affordable housing contribution.

Housing and Productivity Contribution

43. The development is not subject to a Housing and Productivity Contribution under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.
44. While the site is located within the Greater Sydney region, the development is not a type of residential development to which the Housing and Productivity Contribution applies.

Relevant Legislation

45. Environmental Planning and Assessment Act 1979.

Conclusion

46. The proposed development involves alterations and additions to the existing residential dwelling on the site, including a new 3-storey addition at the rear and minor landscaping works.
47. The proposal generally satisfies the relevant provisions of the City's controls. The development is consistent with the objectives of the MU1 Mixed Use zone.

48. The proposed development is consistent with the objectives of FSR development standard and the consent authority is satisfied that compliance with the development standard would be unreasonable and unnecessary in this instance.
49. Subject to the imposition of conditions set out in Attachment A, the proposed development will not result in any unacceptable adverse impacts and will facilitate the continued need for residential accommodation in the locality. Therefore, the proposal is recommended for approval.

ANDREW THOMAS

Executive Manager Planning and Development

Callum Byrnes-Krickl, Planner

Attachment A

Recommended Conditions of Consent
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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

PART A - GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/1311 dated 5 January 2026 and the following drawings:

Drawing Number	Drawing Name	Date
24_043DA-A-011 – Rev A	Demolition – Level 0	4/12/2025
24_043DA-A-012 – Rev C	Demolition – Level 1	5/03/2026
24_043DA-A-013 – Rev B	Demolition – Level 2	2/03/2026
24_043DA-A-100 – Rev B	Level 0	2/03/2026
24_043DA-A-101 – Rev A	Level 1	4/12/2025
24_043DA-A-102 – Rev A	Level 2	4/12/2025
24_043DA-A-103 – Rev A	Roof	4/12/2025
24_043DA-A-104 – Rev A	Garden Terrace Plan	2/03/2026
24_043DA-A-200 – Rev B	Elevations	2/03/2026
24_043DA-A-2001– Rev B	Elevations	2/03/2026
24_043DA-A-202 – Rev B	Sections	2/03/2026

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) EXTERNAL COLOUR SCHEME (HOUSES)

The external colour scheme is to comprise predominantly earthy tones in keeping with the overall character of the building and/or character of the Heritage Conservation Area. A schedule of colours is to be submitted to and approved by Council's Urban Design and Heritage Manager or Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of any Construction Certificate. The documentation must show the distribution of the colours on the elevation drawings, specify paint types and include colour swatches/colour names and codes.

It is recommended that reference be made to the book "Colour Schemes for Old Australian Houses" by Ian Evans, Clive Lucas and Ian Stapleton.

Reason

To ensure a colour scheme is used that results in an appropriate heritage/streetscape outcome.

(3) NO STRUCTURES ON STREET-FACING ROOF PLANE

No solar hot water heater storage tanks, ventilators, air conditioning units, satellite dishes and antennae or the like are to be placed on the street-facing roof plane of the building.

Reason

To ensure an appropriate heritage/streetscape outcome.

(4) 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.

(5) TREES THAT MUST BE RETAINED

- (a) The tree(s) detailed in the table below must be retained and protected in accordance with the conditions throughout development works.
- (b) Approval is NOT granted for the removal of the tree(s) detailed in the table below, which Council has determined to be prominent landscape elements

Tree No	Species:	Location
1	Plumberia acutifolia (Frangipani)	Rear yard

Reason

To identify the trees that cannot be removed, must be retained and protected.

PART B - BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(6) DILAPIDATION REPORT – MINOR

Subject to the receipt of permission of the affected landowner, dilapidation report/s of adjoining buildings are to be prepared by an appropriately qualified practising structural engineer and submitted for the approval of the Registered Certifier prior to the issue of a construction certification.

Reason

To ensure that dilapidation reports are prepared and to identify damage to for adjoining/nearby properties resulting from building work on the development site.

(7) 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.

The requirements of Sydney Water regarding the on-site detention (OSD) of stormwater must be ascertained and complied with. Evidence of the on-site detention (OSD) approval must be submitted to City's Public Domain Unit prior to issue of any Construction Certificate other than demolition.

Reason

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

(8) BASIX CERTIFICATE – DETAILS TO BE LODGED WITH A CC

A copy of the required completed BASIX certificate accepted as part of this Development Consent with respect to the proposed residential building works, must be lodged with an application for a construction certificate and the items nominated as part of the subject BASIX certificate must be specified on the plans submitted with the construction certificate application. – See Note.

IMPORTANT NOTE:

Any requirement detailed in the accompanying BASIX Certificate, MUST be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Part 3 of Schedule 1 of the EP&A Regulation, 2021.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 EP&A Regulation, 2021).

(9) STRUCTURAL CERTIFICATION FOR DESIGN – BUILDING CODE OF AUSTRALIA (ALL BUILDING CLASSES)

Prior to the issue of a Construction Certificate, structural details and a structural certificate for design by a qualified practising structural engineer and in accordance with Clause A5G3(1)(e) of the *Building Code of Australia* must be submitted to the satisfaction of the Registered Certifier.

Reason

To ensure structural certification is undertaken.

PART C - BEFORE THE COMMENCEMENT OF BUILDING WORK

(10) 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.

(11) TREE PROTECTION DURING CONSTRUCTION (FOR PRIVATE/PROPERTY TREES)

Before the commencement of the development works, Tree Protection Zone(s) (TPZs) must be established for any tree to be retained in accordance with Australian Standard 4970 'Protection of trees on development sites' and as follows:

- (a) Stockpiling, storage or mixing of materials, washing of equipment, vehicle parking, disposal of liquids, machinery repairs and refuelling, disposal of building materials such as cement slurry, siting of offices or sheds and the lighting of fires, must not occur within within TPZs of any tree to be retained including trees within adjoining properties.
- (b) Excavation must not occur within the SRZ. If excavation is proposed within this zone, Council's Tree Management Officer must be contacted immediately, and the excavation must be carried out in accordance with Council's direction.

- (c) Roots greater than 40mm must not be severed or damaged within the TPZ without written approval from the City of Sydney Tree Team. As required, tree sensitive excavation (i.e hand/air space/hydrovac) and tree sensitive construction/installation methods (i.e. directional boring, redirection of services, pier and beam footings) must be used to ensure the retention and protection of roots greater than 40mm diameter. If hydrovac excavation is used, the works must be supervised by a qualified Arborist (minimum AQF Level 5).
- (d) Tree trunk and major branch protection must be installed prior to the commencement of the development works and be removed at the completion of the project. Tree trunk and major branch protection must include:
 - (i) Tree trunk(s) and/or major branches to 2 metres protected by wrapped thick underlay carpet or similar padding material to limit damage;
 - (ii) Timber planks (50mm x 100mm must be placed around tree trunk(s). The timber planks must be spaced at 100mm intervals, and must be fixed against the trunk with tie wire, or strapping. The hessian and timber planks must not be fixed to the tree in any instance, or in any fashion.
- (e) Consent from Council's Tree Management Officer must be obtained prior to the undertaking of any tree pruning works, including tree roots greater than 40mm in diameter. Only minor pruning works will be approved by Council.

Reason

To ensure the protection and ongoing health of trees.

PART D - WHILE BUILDING WORK IS BEING CARRIED OUT

(12) 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.

(13) FLASHINGS TO BOUNDARY WALLS

A flashing must be provided to prevent water entering between the proposed and existing external boundary walls of the adjoining properties.

Note: Attachments or connections to party walls may require the consent of the adjoining property owner/s.

Reason

To prevent water entering between the walls of adjoining properties

(14) 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.

(15) SURVEY SETOUT

Prior to the commencement of construction all footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor.

The building shall be sufficiently set back to ensure that no component of the building (such as the roof, guttering, or downpipes) encroach upon or overhang the boundaries of the site.

The registered surveyor shall provide a survey and report to the Principal Certifier indicating the position of the footings, walls and floor slabs in relation to the boundaries of the allotment.

Reason

To ensure the development does not encroach onto neighbouring properties.

(16) 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.

(17) 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.

(18) TREE PRUNING – FURTHER APPROVAL REQUIRED

- (a) Consent from Council's Tree Management Officer must be obtained prior to undertaking the pruning of any tree to be retained, including tree roots greater than 40mm 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. Only minor pruning works will be approved.
- (c) Any approved pruning must be carried out by a qualified Arborist (minimum AQF Level 3) in accordance with Australian Standard 4373 'Pruning of Amenity Trees' and the SafeWork's Code of Practice - Amenity Tree Industry.

Reason

To ensure that pruning works to trees are carried out in an appropriate manner.

(19) TREE SENSITIVE EXCAVATION

- (a) Excavation within the Tree Protection Zone(s) (TPZs) as detailed in the table below must be undertaken using tree sensitive methods (i.e. hand/ air space/hydrovac) and supervised by a qualified Arborist (minimum AQF level 5). To prevent root damage, low pressures must be used for hydrovac excavation with the bark remaining intact.

Tree (Root) Protection Zone Schedule:

Tree No	Species	Tree Location	TPZ Radius (m) from Trunk	SRZ (m) from Trunk
1	<i>Plumberia acutifolia</i> (Frangipani)	Rear Yard	2.5	1.8

- (b) Excavation must not occur within the SRZ. If excavation is proposed within this zone, the Council's Tree Management Officer must be contacted immediately, and the excavation must be carried out in accordance with Council's direction.
- (c) Roots greater than 40mm must not be severed or damaged within the TPZ without written approval from the City of Sydney Tree Team. As required, tree sensitive construction/installation methods (i.e. directional boring, redirection of services, pier and beam footings) must be used to ensure the retention and protection of roots greater than 40mm diameter.
- (d) Trenching must be backfilled as soon as possible, and exposed roots must be covered with mulch or a geotextile fabric and kept in a moist condition and prevented from drying out.
- (e) Any approved root pruning must be carried out by a qualified Arborist (minimum AQF Level 5) in accordance with Australian Standard 4373 'Pruning of Amenity Trees'.
- (f) Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by a qualified Arborist (minimum AQF Level 5).

Reason

To ensure that excavation works to trees are carried out in an appropriate manner.

PART E – BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(20) SURVEY CERTIFICATE PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

Prior to the issue of any type of Occupation Certificate for the building, a Final Identification Survey prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act 2002 must be submitted at the completion of the building work certifying the location of the building and showing offsets in relation to the boundaries of the allotment.

Any encroachments of the building including gutters and downpipes over the side boundaries or rear lane that are not approved in the DA must be removed, or where approved, appropriate easements under Section 88B of the Conveyancing Act 1919, with terms to the satisfaction of Council, must be lodged with the office of NSW Land Registry Services, and evidence of lodgement provided to the Principal Certifier prior to the issue of any type of Occupation Certificate. Encroachments upon public roads must, if supported, be approved by Council's Area Planning Manager prior to the issue of any type of Occupation Certificate.

Reason

To ensure that either the building does not encroach, or that any encroachments are formalised on title.

PART F – OCCUPATION AND ONGOING USE

(21) 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>

Attachment B

Selected Drawings

DRAWING SCHEDULE

DRAWING No.	DESCRIPTION	STATUS	REV & DATE
DA-A-000	TITLE	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-001	NOTES	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-010	SITE PLAN	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-011	DEMOLITION - LEVEL 0	DEVELOPMENT APPLICATION	A - 04-12-2025
DA-A-012	DEMOLITION - LEVEL 1	DEVELOPMENT APPLICATION	C - 05-03-2026
DA-A-013	DEMOLITION - LEVEL 2	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-100	LEVEL 0	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-101	LEVEL 1	DEVELOPMENT APPLICATION	A - 04-12-2025
DA-A-102	LEVEL 2	DEVELOPMENT APPLICATION	A - 04-12-2025
DA-A-103	ROOF	DEVELOPMENT APPLICATION	A - 04-12-2025
DA-A-104	GARDEN TERRACE PLAN	DEVELOPMENT APPLICATION	A - 02-03-2026
DA-A-200	ELEVATIONS	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-201	ELEVATIONS	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-202	SECTIONS	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-800	AREA CALCULATIONS	DEVELOPMENT APPLICATION	B - 02-03-2026
DA-A-850	SHADOWS - WINTER SOLSTICE	DEVELOPMENT APPLICATION	A - 04-12-2025
DA-A-851	SHADOWS - WINTER SOLSTICE	DEVELOPMENT APPLICATION	A - 04-12-2025
DA-A-852	SHADOWS - VIEWS FROM THE SUN	DEVELOPMENT APPLICATION	A - 04-12-2025

BASIX COMMITMENTS

HOT WATER: electric heat pump system

WATER RATING FOR FIXTURES:
Showerheads: flow rate no greater than 9 litres per minute or 3 star water rating
Toilet flushing systems: flow rate no greater than 4 litres per average flush or 3 star water rating
Kitchen taps: flow rate no greater than 9 litres per minute or minimum 3 star water rating
Bathroom taps: flow rate no greater than 9 litres per minute or minimum 3 star water rating

LIGHTING
A minimum of 40% of new or altered light fixtures are to be fitted with fluorescent, compact fluorescent, or light emitting-diode (LED) lamps.

INSULATION REQUIREMENTS

Concrete slab on ground floor:
nil

Floor above existing dwelling or building
nil

External wall:framed (weatherboard, fibro, metal clad)
R1.30 (or R1.70 including construction)

Raked ceiling, pitched/skillion roof: framed
ceiling: nil (up), roof: foil backed blanket (100 mm)

REFER TO ACCOMPANYING BASIX CERTIFICATE FOR FURTHER INFORMATION

SYMBOL LEGEND

RL+00.000	EXISTING SPOT LEVEL
RL+00.000	PROPOSED SPOT LEVEL
RL+00.000	EXISTING AREA LEVEL
RL+00.000	PROPOSED AREA LEVEL
D01	DOOR TAG. REFER TO DOOR SCHEDULE FOR TYPE
W01	WINDOW TAG. REFER TO WINDOW SCHEDULE FOR TYPE
	AREA NOT INCLUDED IN SCOPE OF WORKS

LEGEND

AW	ALUMINIUM FRAME WINDOW
AD	ALUMINIUM FRAME DOOR
TW	TIMBER FRAME WINDOW
TD	TIMBER FRAME DOOR
BAL	BALUSTRADE
PF#	PAINT FINISH
STN	STONE
TIM	TIMBER

VERSION	DEVELOPMENT APPLICATION
REV B - 02-03-2026	MODEL 24_043 Model-DD
DOCUMENT	NOTES
STAGE	DEVELOPMENT APPLICATION
PROJECT	HUNT DWELLING
	BUCKLAND STREET ALEXANDRIA KAT AND BRENDAN HUNT

0						10m - 1:200 5.0m - 1:100 2.5m - 1:50 1.25m - 1:25
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LEGEND

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NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS

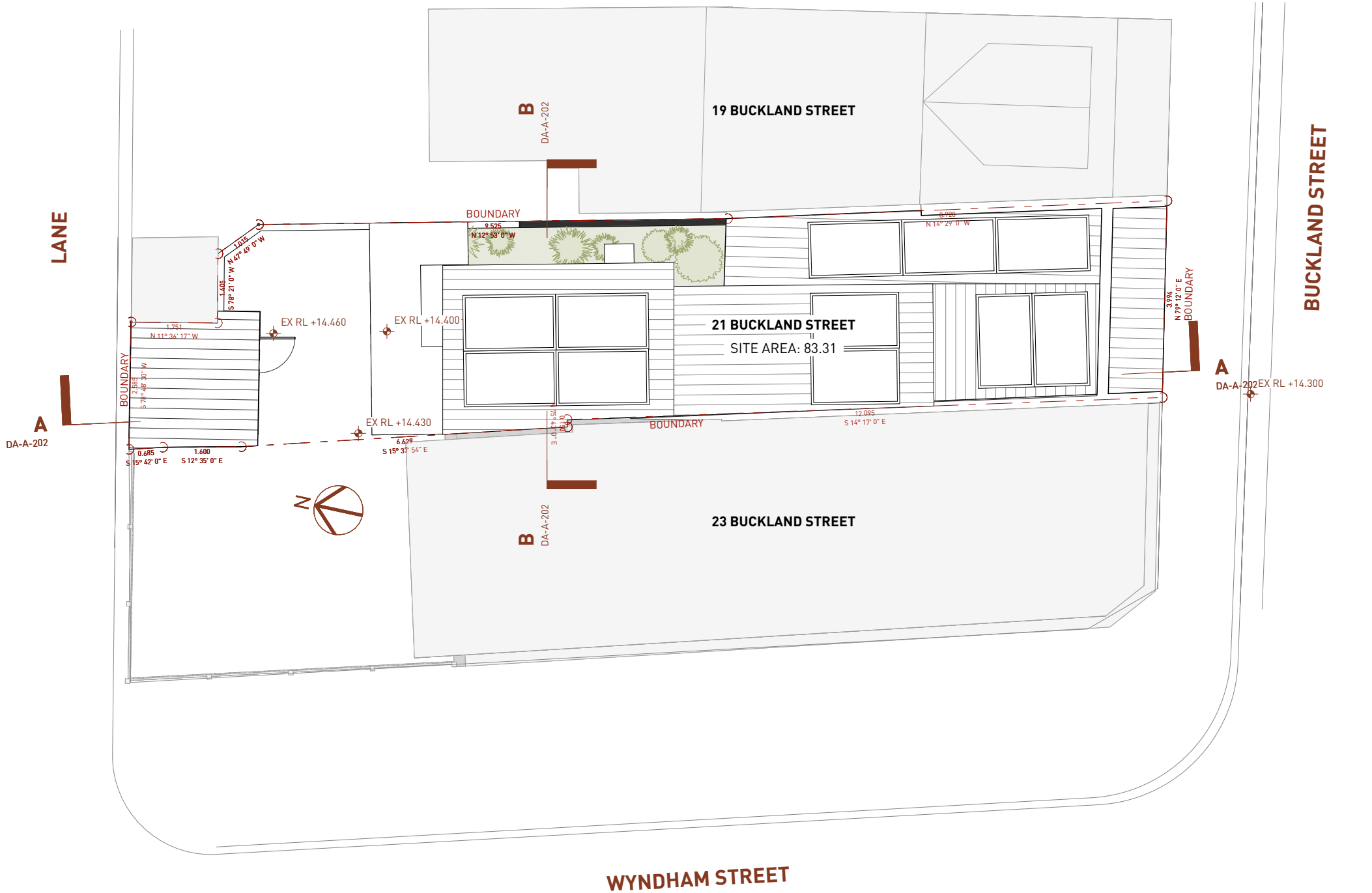
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ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022 E email@smithtzannes.com.au
smithtzannes.com.au
Nominated Architect: Peter Smith (Reg 7024)



1 SITE PLAN
1:100



VERSION	DEVELOPMENT APPLICATION
REV B - 02-03-2026	MODEL 24_043 Model-DD
DOCUMENT	SITE PLAN
STAGE	DEVELOPMENT APPLICATION
PROJECT	HUNT DWELLING
BUCKLAND STREET	ALEXANDRIA
KAT AND BRENDAN HUNT	

ARCHITECTURE URBAN PLANNING	M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022	E email@smithtzannes.com.au
smithtzannes.com.au	Nominated Architect: Peter Smith (Reg 7024)
SMITH & TZANNES	

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0	10m - 1:200
	5.0m - 1:100
	2.5m - 1:50
	1.25m - 1:25

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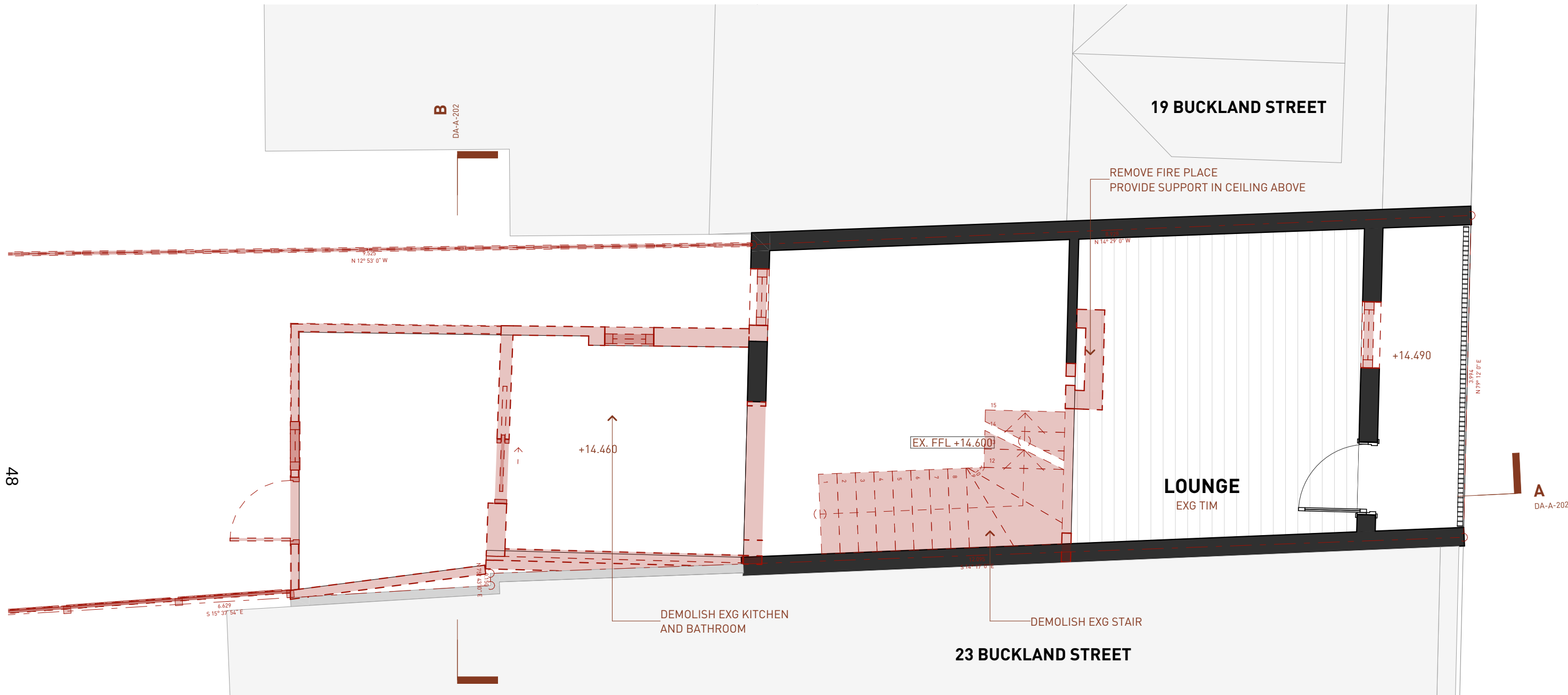
LEGEND

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1 DEMO - LEVEL 0
1:50

VERSION	DEVELOPMENT APPLICATION
REV A - 04-12-2025	MODEL 24_043 Model-DD
DOCUMENT	DEMOLITION - LEVEL 0
STAGE	DEVELOPMENT APPLICATION
PROJECT	HUNT DWELLING
BUCKLAND STREET ALEXANDRIA KAT AND BRENDAN HUNT	



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0	10m - 1:200
	5.0m - 1:100
	2.5m - 1:50
	1.25m - 1:25

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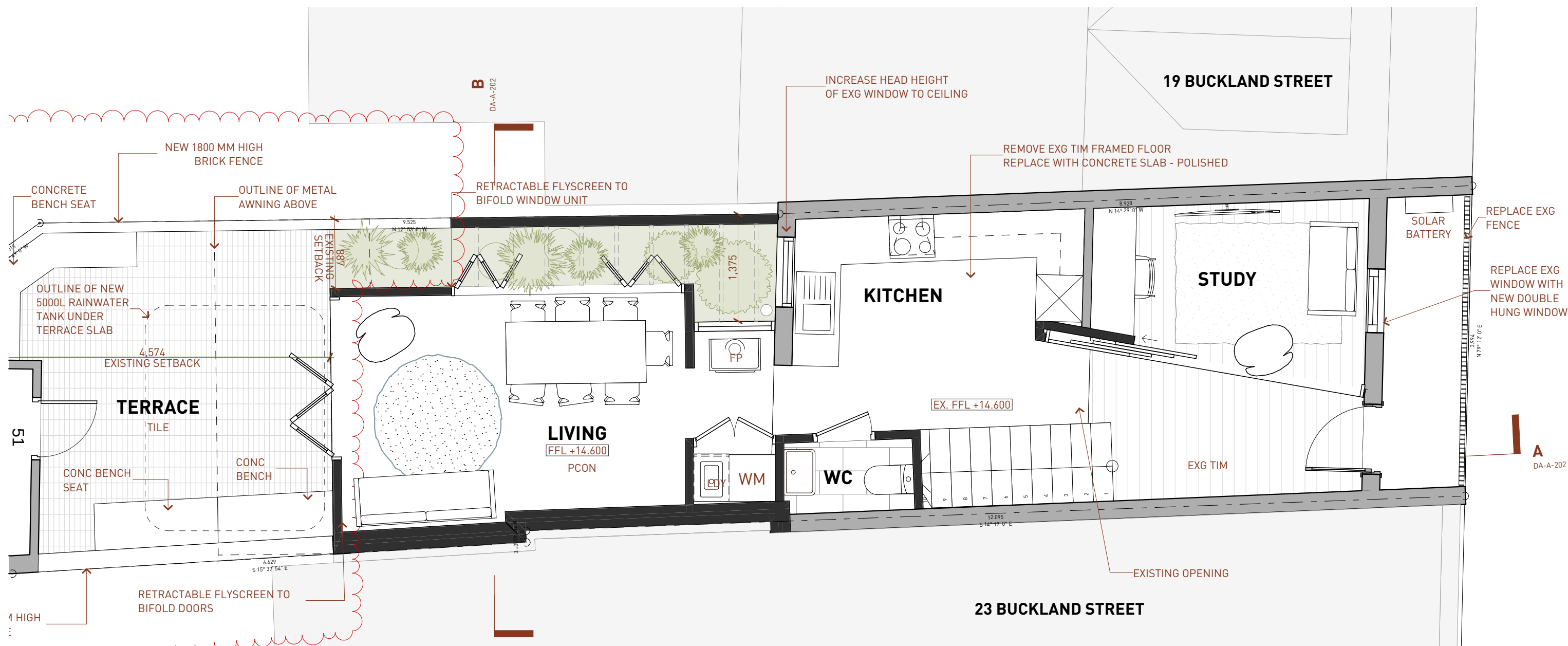
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ARCHITECTURE URBAN PLANNING
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24_043 DA-A-011



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24 043 DA-A-100

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0					10m - 1:200
					5.0m - 1:100
					2.5m - 1:50
					1.25m - 1:25

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VERSION
DEVELOPMENT APPLICATION

REV A - 04-12-2025 MODEL 24_043 Model-DD

DOCUMENT
LEVEL 1

STAGE
DEVELOPMENT APPLICATION

PROJECT

HUNT DWELLING

BUCKLAND STREET
ALEXANDRIA
KAT AND BRENDAN HUNT

ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022 **E** email@smithtzannes.com.au
smithtzannes.com.au
Nominated Architect: Peter Smith (Reg 7024)



1:50



10m - 1:200
5.0m - 1:100
2.5m - 1:50
1.25m - 1:25

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VERSION
DEVELOPMENT APPLICATION

REV A - 04-12-2025

MODEL 24_043 Model-DD

DOCUMENT
LEVEL 2

STAGE
DEVELOPMENT APPLICATION

PROJECT

HUNT DWELLING

BUCKLAND STREET
ALEXANDRIA
KAT AND BRENDAN HUNT

ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022 **E** email@smithtannes.com.au
smithtannes.com.au
Nominated Architect: Peter Smith (Reg 7024)



1 ROOF
1:50



- NOTES**
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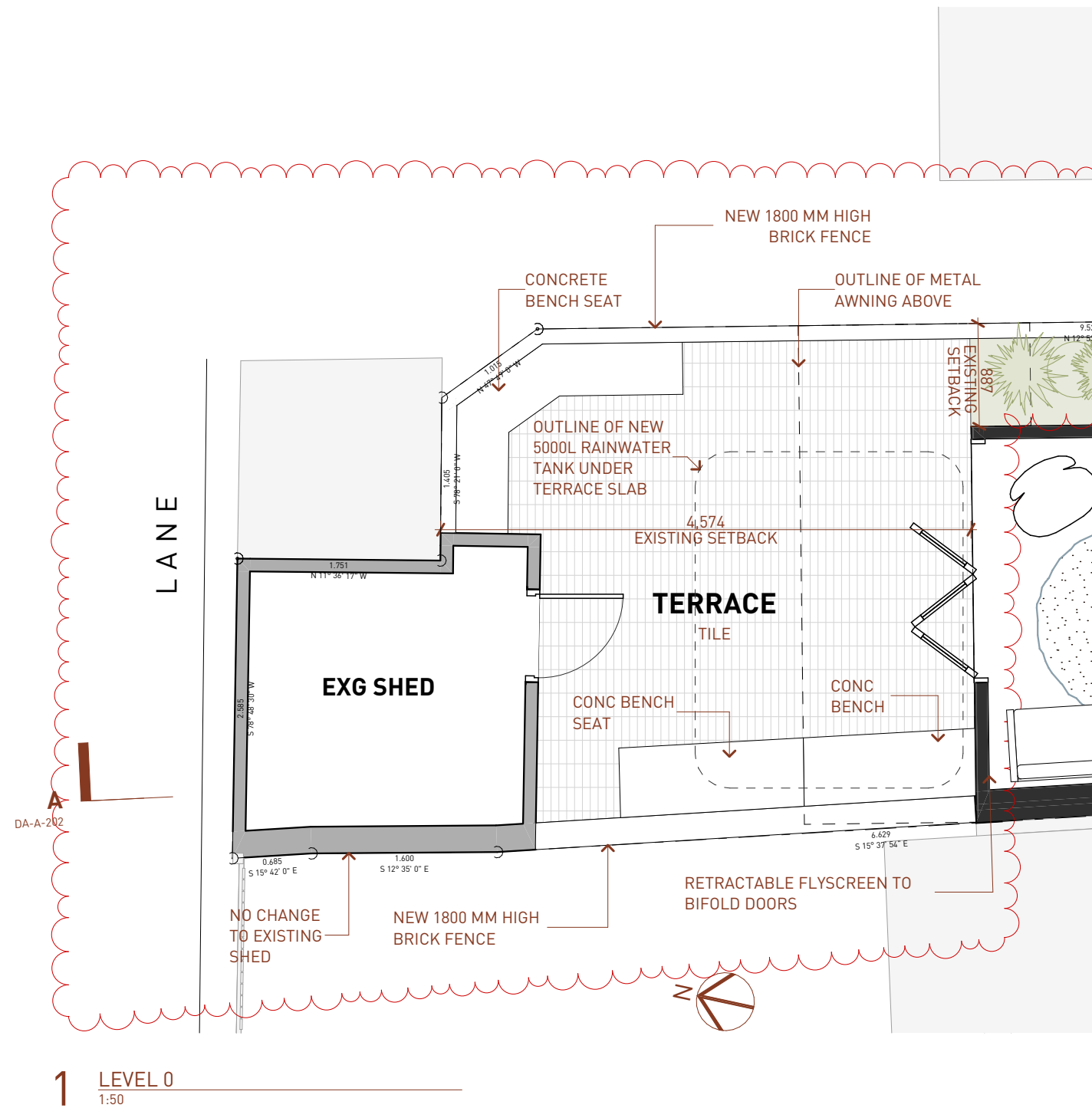
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VERSION	DEVELOPMENT APPLICATION
REV A - 04-12-2025	MODEL 24_043 Model-DD
DOCUMENT	ROOF
STAGE	DEVELOPMENT APPLICATION
PROJECT	HUNT DWELLING
	BUCKLAND STREET ALEXANDRIA KAT AND BRENDAN HUNT

ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022 E email@smithtzannes.com.au
smithtzannes.com.au
Nominated Architect: Peter Smith (Reg 7024)





VERSION
DEVELOPMENT APPLICATION

REV A - 02-03-2026

DOCUMENT
GARDEN TERRACE PLAN

STAGE
DEVELOPMENT APPLICATION

PROJECT

HUNT DWELLING

BUCKLAND STREET
ALEXANDRIA
KAT AND BRENDAN HUNT

ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
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24_043DA-A-104

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0					10m - 1:200
					5.0m - 1:100
					2.5m - 1:50
					1.25m - 1:25

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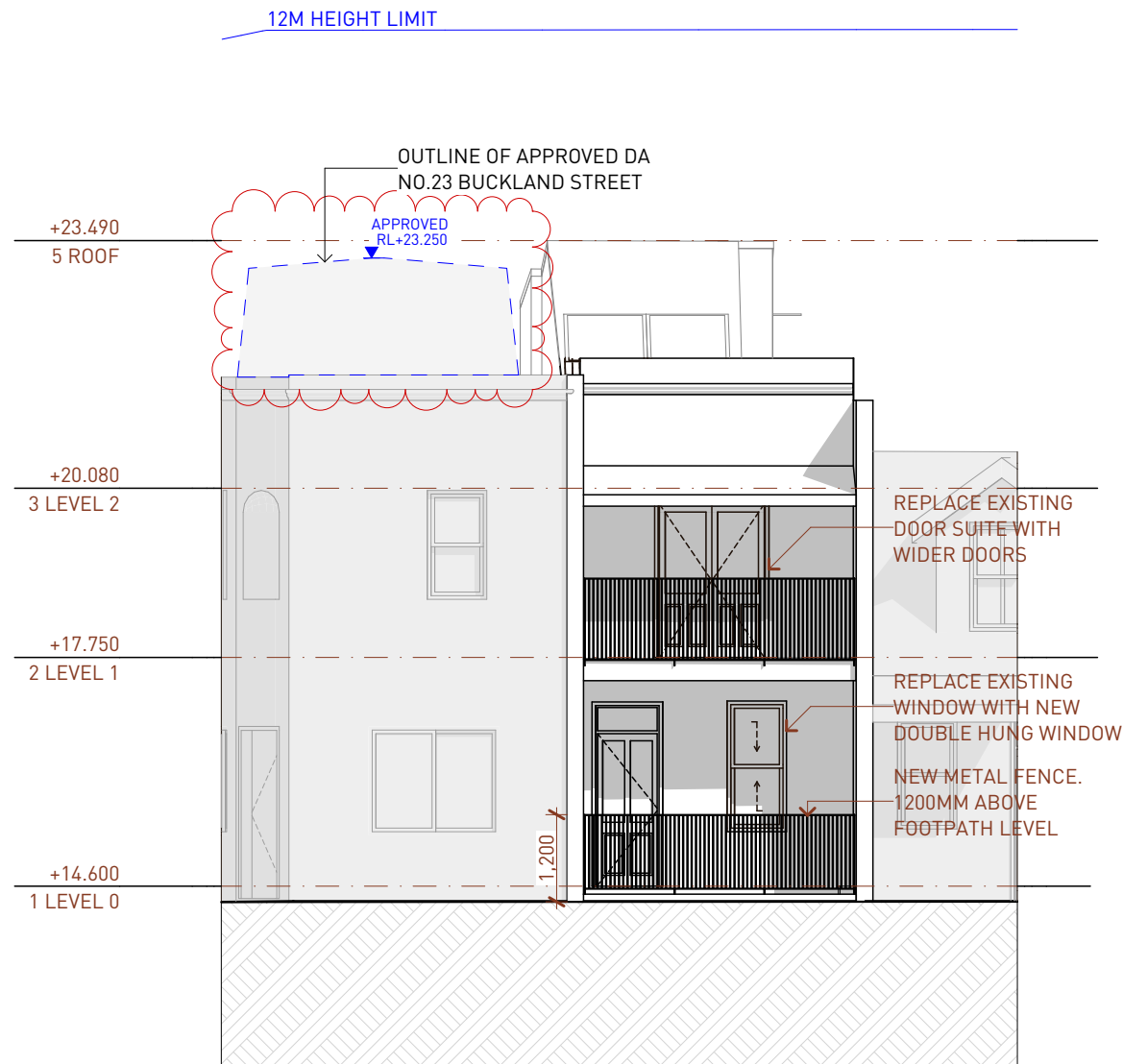
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A close-up photograph of the building's roof, showing the texture of the corrugated metal. The roof is light blue-grey and has shadows cast across it by trees and the building's structure. Below the roofline, a portion of a glass door or window is visible on the left side.

56



12M HEIGHT LIMIT

NEW ROOF

AL POWERCOATED WINDOW HOOD

NEW AL AWNING

1,800

TW

TD

CLD-1

CLD-2

CLD-2

AW

AW

TD

TIMBER BIFOLD DOOR

OUTLINE OF APPROVED DA NO.23 BUCKLAND STREET

APPROVED RL+23.250

+23.490

+23.490

5 ROOF

+20.080

3 LEVEL 2

+17.750

2 LEVEL 1

+14.600

1 LEVEL 0

VERSION
DEVELOPMENT APPLICATION

REV B - 02-03-2026

MODEL 24_043 Model-DD

DOCUMENT
ELEVATIONS

STAGE
DEVELOPMENT APPLICATION

PROJECT
HUNT DWELLING

BUCKLAND STREET
ALEXANDRIA
KAT AND BRENDAN HUNT

0					10m - 1:200
					5.0m - 1:100
					2.5m - 1:50
					1.25m - 1:25

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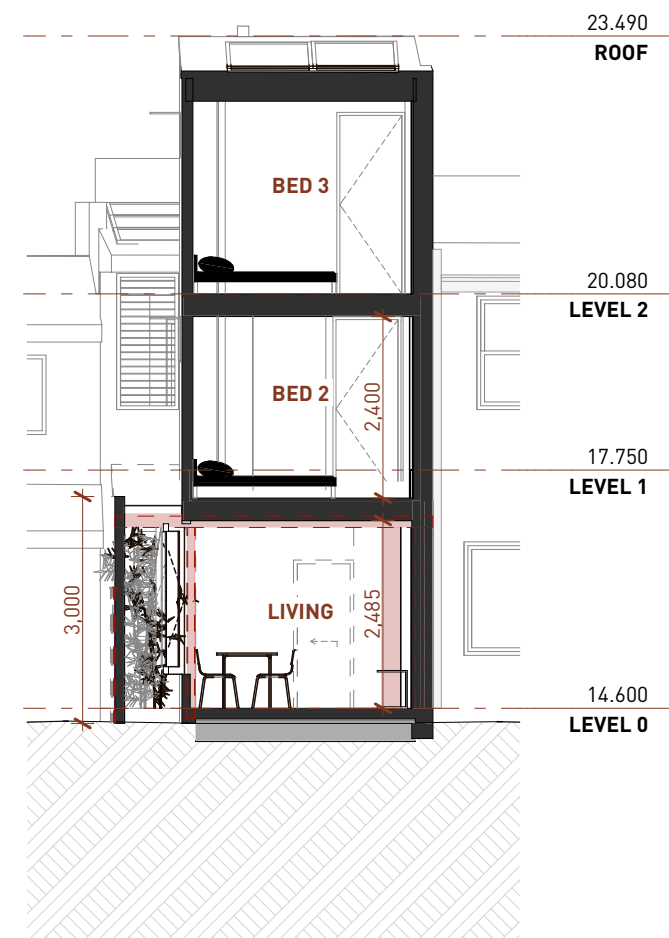


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24_043DA-A-200



1 SECTION A



2 SECTION B

REV B - 02-03-2026 MODEL 24_043 Model-DD

BUCKLAND STREET
ALEXANDRIA
KAT AND BRENDAN HUNT



SMITH & TZANNES

0					10m - 1:200
					5.0m - 1:100
					2.5m - 1:50
					1.25m - 1:25

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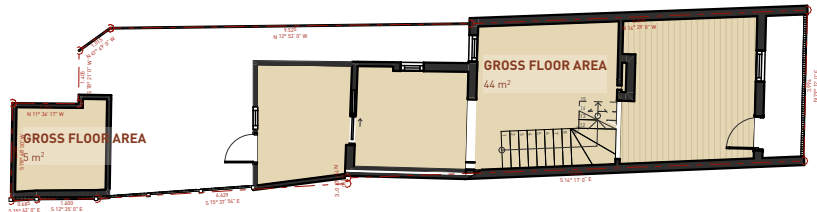
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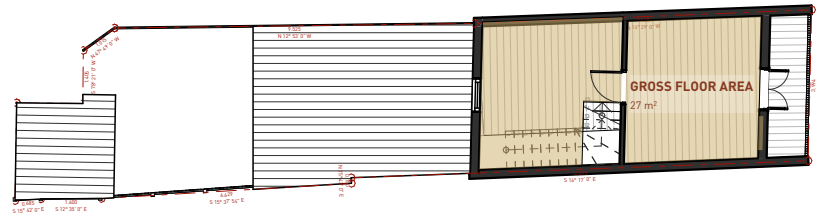
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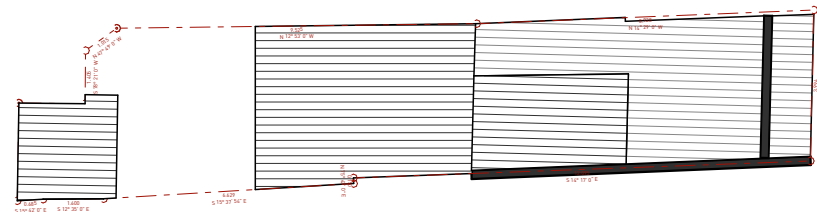
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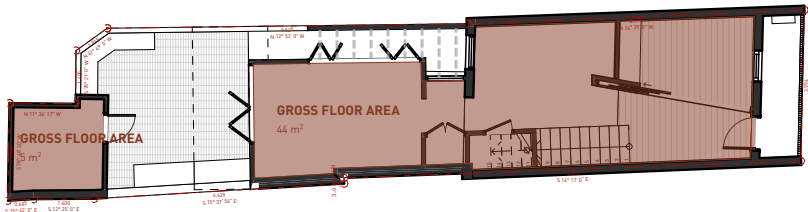
1 EX. GROSS FLOOR AREA - LEVEL 0
1:200



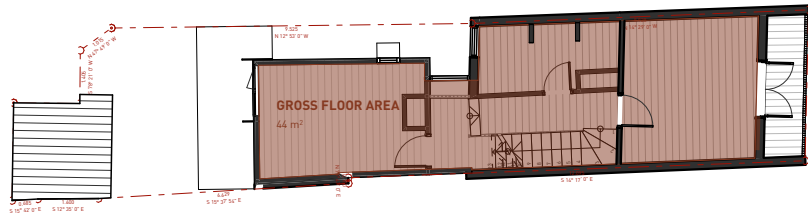
2 EX. GROSS FLOOR AREA - LEVEL 1
1:200



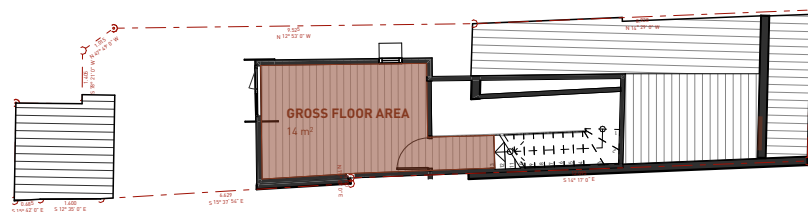
3 EX. GROSS FLOOR AREA - LEVEL 2
1:200



1 GROSS FLOOR AREA - LEVEL 0
1:200



2 GROSS FLOOR AREA - LEVEL 1
1:200



3 GROSS FLOOR AREA - LEVEL 2
1:200

DEVELOPMENT STATISTICS

SITE AREA	83.31 m ²	
EXISTING GFA	76 m ²	FSR 0.91:1
PROPOSED GFA	107 m ²	FSR 1.28:1
FSR = 0.8:1	-	

AREA SCHEDULES

TYPE	LEVEL	AREA
GROSS FLOOR AREA		
	LEVEL 0	49
	LEVEL 1	44
	LEVEL 2	14
		107 m ²

VERSION
DEVELOPMENT APPLICATION

REV B - 02-03-2026 MODEL 24_043 Model-DD

DOCUMENT
AREA CALCULATIONS

STAGE
DEVELOPMENT APPLICATION

PROJECT
HUNT DWELLING

BUCKLAND STREET
ALEXANDRIA
KAT AND BRENDAN HUNT

ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022 E email@smithtzannes.com.au
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0					10m - 1:200
					5.0m - 1:100
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A hand-drawn architectural sketch of a building facade. The drawing shows a multi-story structure with various window arrangements. A large, irregular area on the ground floor is highlighted in blue. The sketch is done in black lines on a white background, with some grey shading for depth.

A hand-drawn architectural sketch of a building facade. The building is composed of several rectangular volumes. The central part features a large window with a grid pattern. To the right, there is a smaller window with a triangular opening. The foreground shows a blue-shaded area, possibly a pool or a paved plaza, with a white outline. The drawing is done in a simple, sketchy style with black lines and grey shading.

A hand-drawn architectural sketch of a building facade. The building is composed of several rectangular volumes. The central part features a large window with a grid pattern. To the right, there is a smaller window with a blue highlight. The foreground shows a blue highlighted area, possibly representing a pool or a paved plaza. The drawing is done in black lines on a white background, with some grey shading for depth.

This sketch shows a building facade with a large, white, rectangular volume on the right. To its left is a smaller structure with a grey roof and a white wall. The main white volume has a large, multi-paned window on the left and a smaller, single-paned window on the right. A blue line indicates a vertical element, possibly a door or a narrow window, between the two main window sections. The building is set against a grey background, and a blue line suggests a path or a boundary in the foreground.



ADDITIONAL SHADOWS FROM PROPOSED DEVELOPMENT

MODEL 24_043 Model-DD

ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022 **E** email@smithtannes.com.au
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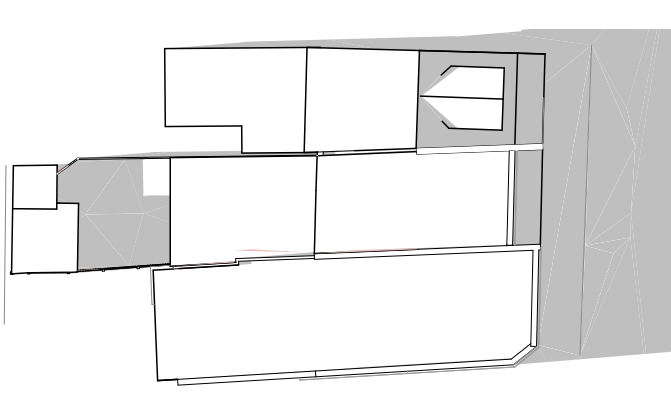
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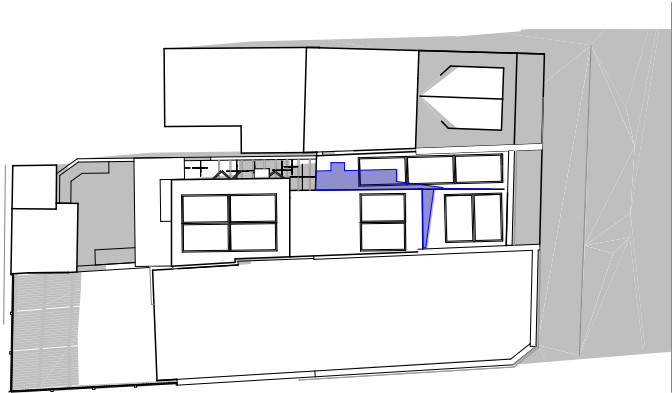
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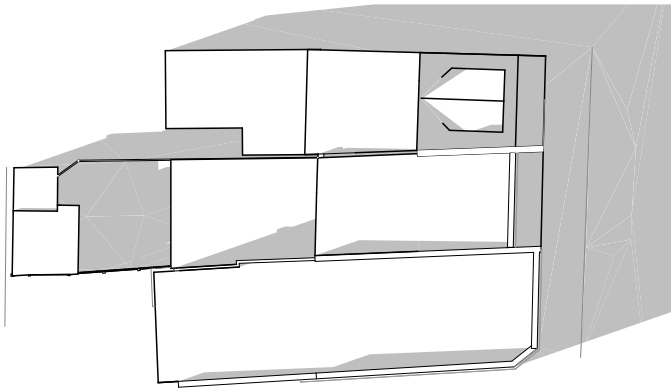
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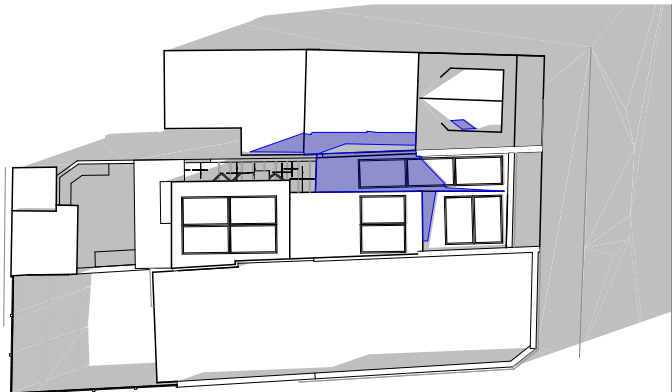
9 1 PM - 21 JUNE - EXISTING
1:300



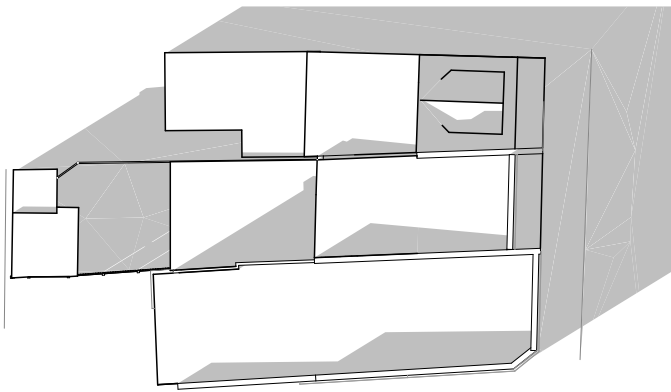
10 1 PM - 21 JUNE - PROPOSED
1:300



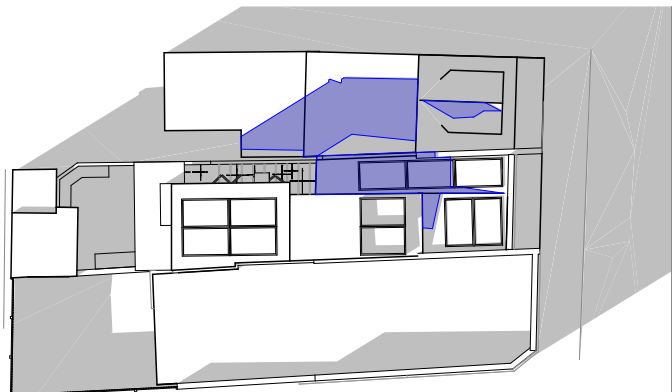
17 2 PM - 21 JUNE - EXISTING
1:300



12 2 PM - 21 JUNE - PROPOSED
1:300



13 3 PM - 21 JUNE - EXISTING
1:300



14 3 PM - 21 JUNE - PROPOSED
1:300

EXISTING SHADOWS

ADDITIONAL SHADOWS FROM PROPOSED DEVELOPMENT



VERSION	DEVELOPMENT APPLICATION
REV A - 04-12-2025	MODEL 24_043 Model-DD
DOCUMENT	SHADOWS - WINTER SOLSTICE
STAGE	DEVELOPMENT APPLICATION
PROJECT	HUNT DWELLING
BUCKLAND STREET ALEXANDRIA KAT AND BRENDAN HUNT	

0						10m - 1:200
						5.0m - 1:100
						2.5m - 1:50
						1.25m - 1:25

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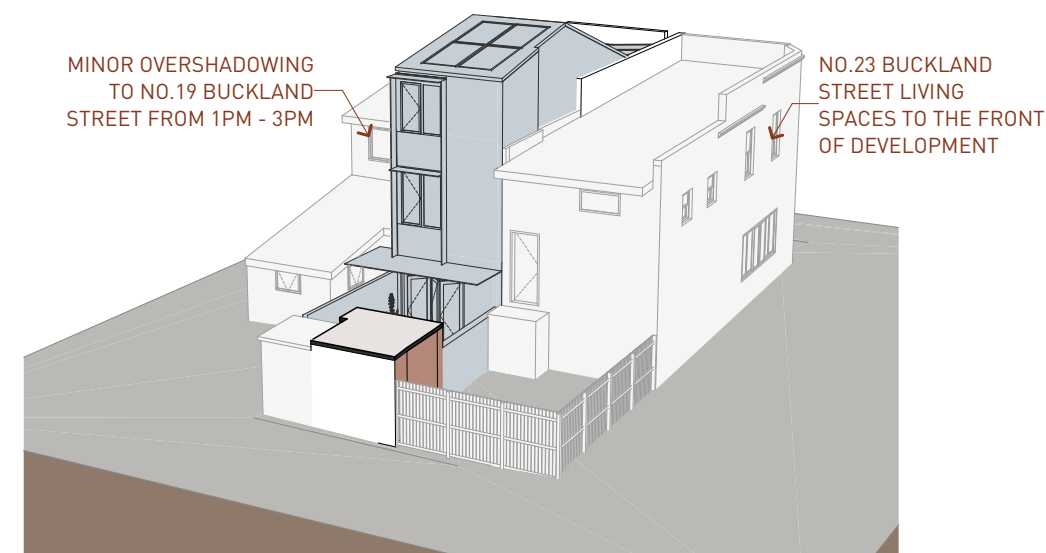
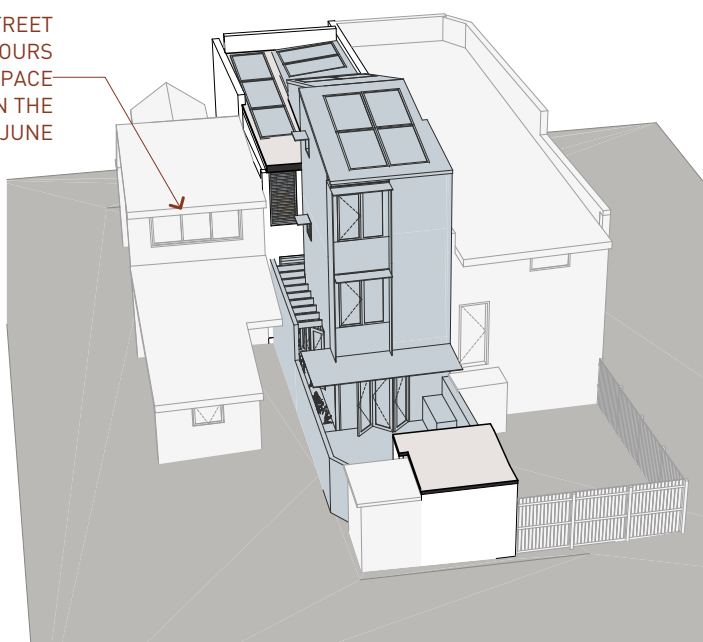
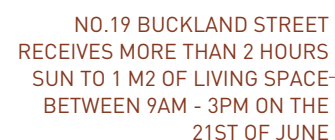
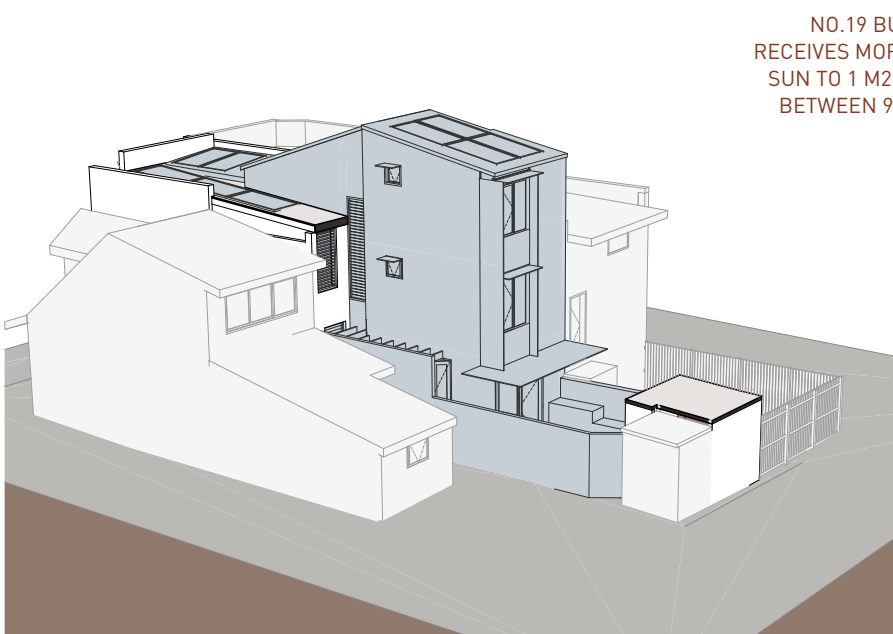
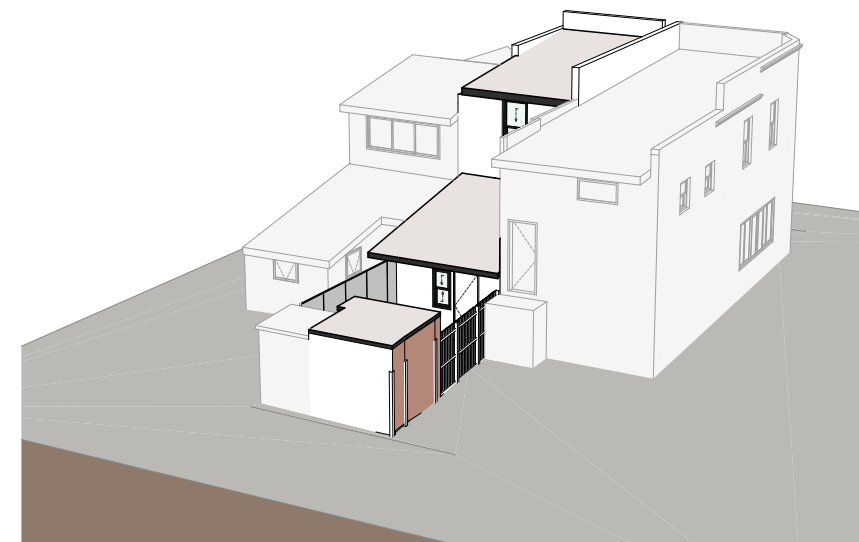
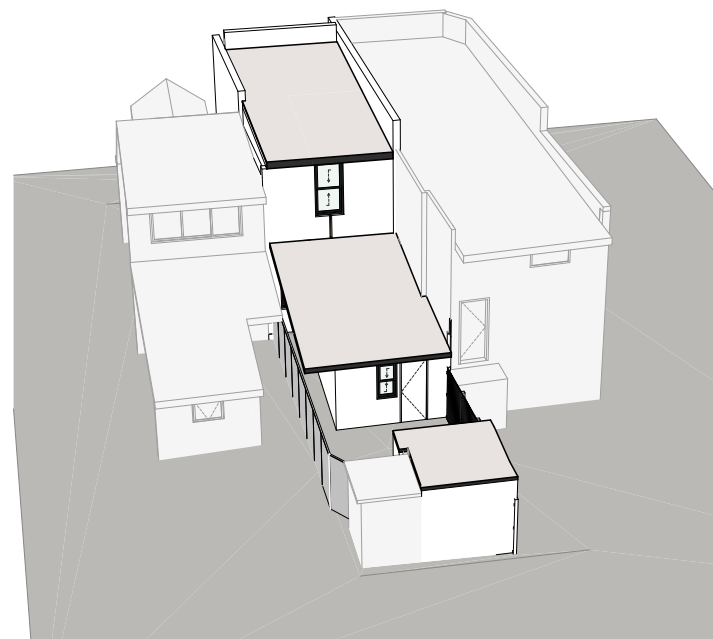
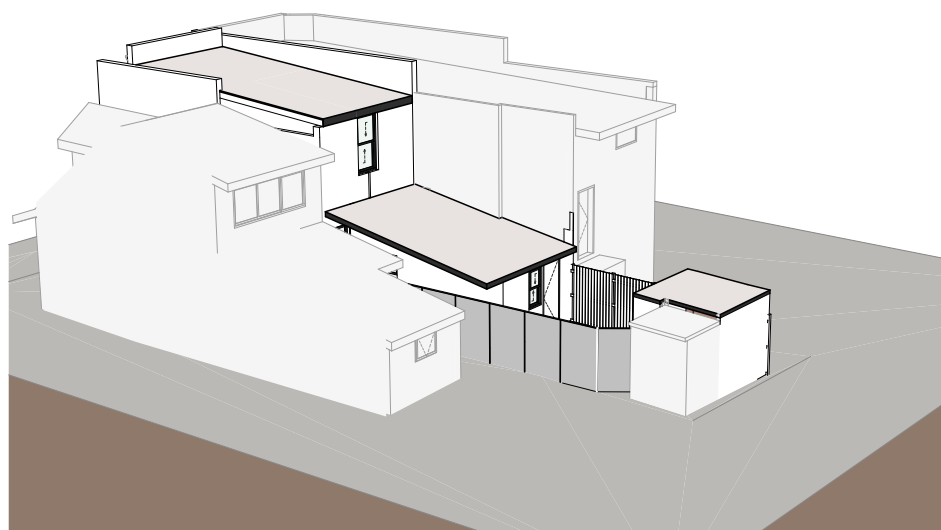
NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS

Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

The design is not in a form suitable for use in connection with building work.

ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022 E email@smithtzannes.com.au
smithtzannes.com.au
Nominated Architect: Peter Smith (Reg 7024)





MINOR OVERSHADOWING
TO NO.19 BUCKLAND
STREET FROM 1PM - 3PM

NO.23 BUCKLAND STREET LIVING SPACES TO THE FRONT OF DEVELOPMENT

VERSION
DEVELOPMENT APPLICATION

REV A - 04-12-2025

MODEL 24 043 Model-DD

DOCUMENT
SHADOWS - VIEWS FROM THE SUN

STAGE	DEVELOPMENT APPLICATION
-------	-------------------------

PROJECT
HUNT DWELLING

BUCKLAND STREET
ALEXANDRIA
KAT AND BRENDAN HUNT

ARCHITECTURE URBAN PLANNING
M1/147 McEvoy Street Alexandria NSW 2015
P 02 9516 2022 E email@smithtzannes.com.au
smithtzannes.com.au
Nominated Architect: Peter Smith (Reg 7024)



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0					10m - 1:200
					5.0m - 1:100
					2.5m - 1:50
					1.25m - 1:25

NOTES

1. NEVER scale off drawings, use figured dimensions only.
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.
3. Drawings describe scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary

4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction unless designated.

LEGEND

Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.

NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS

Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

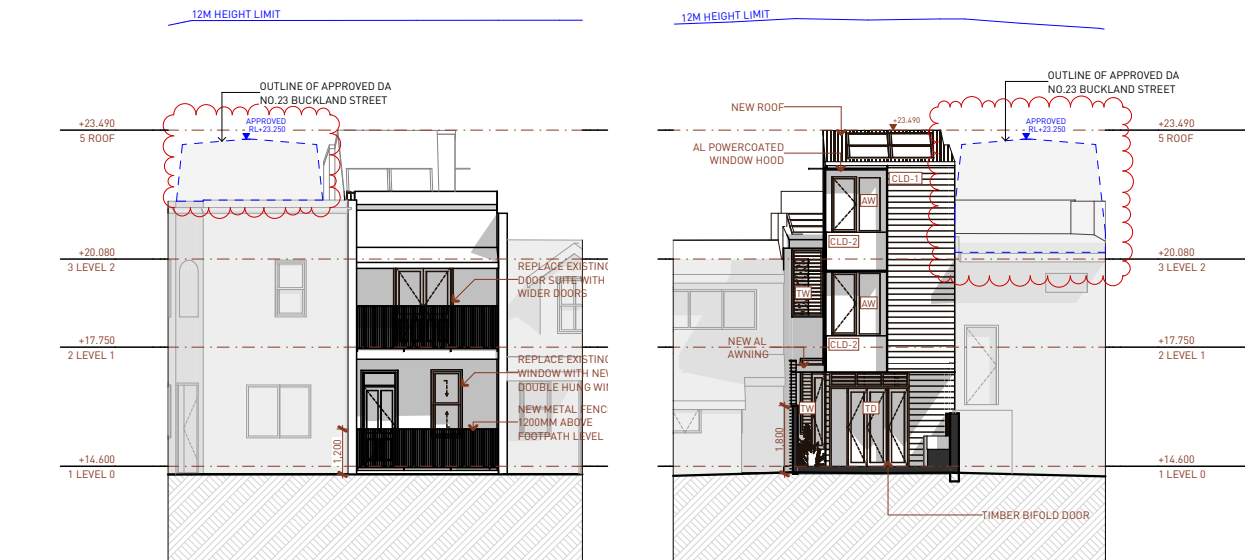
The design is not in a form suitable for use in connection with building work.

62

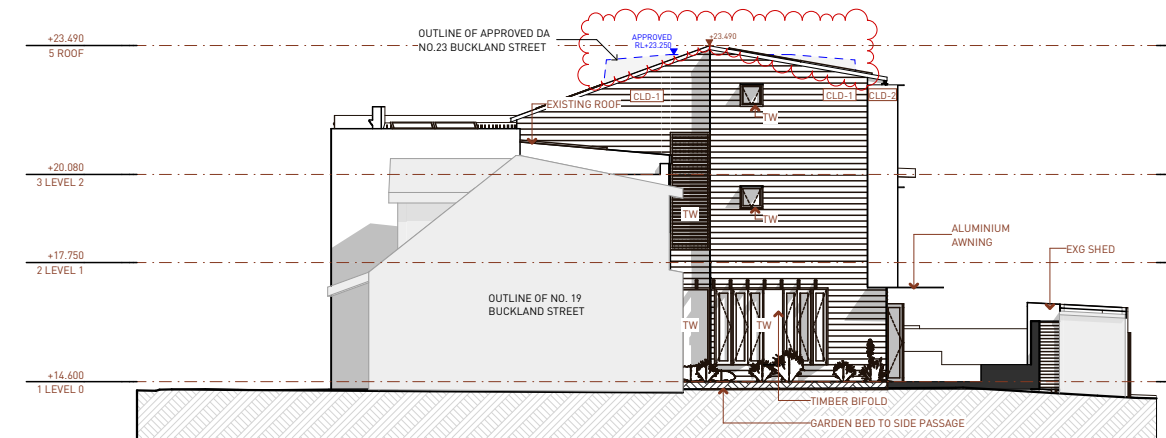
24 043 DA-A-852



HUNT DWELLING
24_043
REV A - 04-12-2025



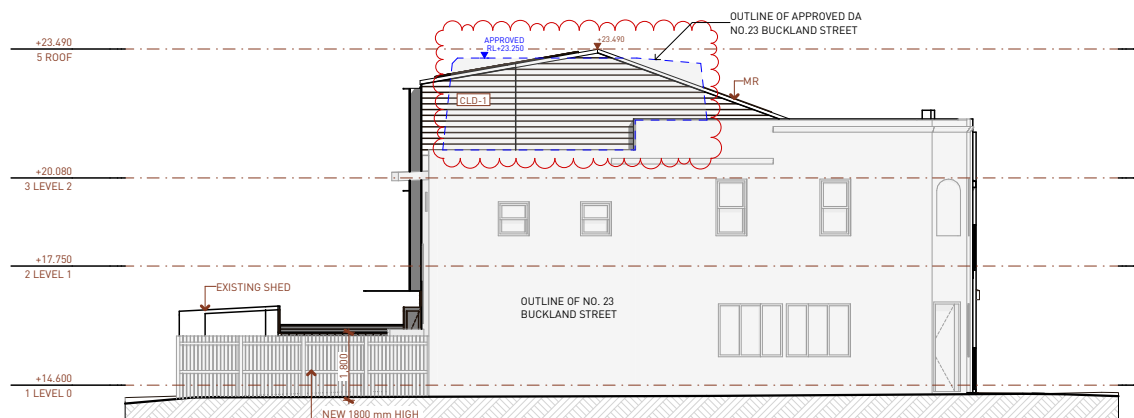
1 SOUTH (FRONT) ELEVATION 1:200



1 EAST ELEVATION

1:200

12M HEIGHT LIMIT



2 WEST ELEVATION

Attachment C

Clause 4.6 Variation - Floor Space Ratio

4-6 VARIATION - FSR

21 BUCKLAND ST ALEXANDRIA - HUNT DWELLING

REV C - 16-03-2026

SMITH & TZANNES

TITLE	4-6 Variation - FSR
PROJECT	21 Buckland St ALEXANDRIA - HUNT DWELLING [24_043]
CLIENT	Kat & Brendan Hunt
PRINCIPAL AUTHOR	Peter Smith [Reg. No 7024] psmith@st-tz.com.au
REVISION & DATE	REV C- 16-03-2026
STATUS	DEVELOPMENT APPLICATION

Smith & Tzannes acknowledges that we are on the land of the Gadigal, Bidjigal and Cammeraygal people within the Eora Nation, the traditional custodians of the land. We recognise and respect their continuing connection to land, waters and community. We pay our respects to Elders past, present and emerging.

DISCLAIMER

While every reasonable effort has been made to ensure that this document is correct at the time of publication, Smith and Tzannes Pty Ltd, and its employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance up on the whole or any part of this document.

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1. PURPOSE

This report has been prepared by Smith & Tzannes on behalf of the applicant and landowner Kat and Brendan Hunt to support a Development Application for alterations to an existing dwelling house at 21 Buckland Street Alexandria. The report details the request to the consent authority to vary the development standards for this application.

In this request we demonstrate that:

- a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and
- b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

This variation statement is to be read in conjunction with the Statement of Environmental Effects and other drawing submitted as part of the application

2. VARIATION TO DEVELOPMENT STANDARD (CLAUSE 4.6)

Clause 4.6 of Sydney Local Environmental Plan (LEP) allows Council (the consent authority) to grant consent for development even though the development contravenes a development standard contained in the LEP. The clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better development outcomes.

3. STANDARD TO BE VARIED

Clause 4.4 - Maximum Floor Space Ratio where the development standard requires a maximum floor space ratio of 0.8:1 – as indicated on the map.



FIGURE 1: SYDNEY LEP FSR MAP

THE VARIATION

The proposed development has a Floor Space ratio of 1.28:1.

4. JUSTIFICATION – COMPLIANCE IS UNNECESSARY OR UNREASONABLE

When considering whether a development standard is appropriate and or necessary, the consent authority must take into account the nature of the proposed variation, the site specific context and the design of the proposed development. In this instance it is considered unnecessary to require strict compliance with the standard as:¹

- the proposal achieves the objectives of the standard notwithstanding the non-compliance (Wehbe 1)
- the particular context and circumstances of the site and arrangement of the plan that provides a superior amenity outcome.
- The proposal provides for a built form that is consistent with that anticipated by the DCP controls.

The existing building has an FSR of 0.91:1. This exceeds the FSR standard that applies to land (0.8:1) It is unreasonable and unnecessary for the proposed development to comply with the development standard as the existing 2 bedroom dwelling house already exceeds the development standard. Further reasons compliance is deemed unnecessary or unreasonable are discussed below.

CONSISTENT WITH OBJECTIVES OF CLAUSE 4.4

Despite the non-compliance with the development standard the proposed development is consistent with the objectives of cl. 4.4 In particular:

- **to provide sufficient floor space to meet anticipated development needs for the foreseeable future,**

The proposed development seeks an increase in floor space area to allow for a third bedroom to be added to the existing home. The proposed FSR is reflective of this development and intends to provide for the future reasonable needs of the occupants into the foreseeable future. The existing dwelling remains largely in the original configuration. Additional residential space is considered to be an anticipated need for the future of development as Alexandria moves towards

¹ In *Wehbe V Pittwater Council* [2007] NSW LEC 827 Preston CJ sets out ways five different ways in which an objection may be considered unreasonable or unnecessary:

1. *The objectives of the standard are achieved notwithstanding non-compliance with the standard;*
2. *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*
3. *The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*
4. *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;*
5. *The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard that would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.*

higher density living. Affordable dwelling houses for family living are not well provided for in the Alexandria area. The additional floor space is consistent with the objective in that it allows an additional bedroom meeting the needs of families for the foreseeable future. The proposed FSR is considered consistent with this objective of the clause.

- **to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic,**

The bulk and scale of the proposal are consistent with the established character of the surrounding area and align with the expectations of the DCP. Numerous nearby developments provide a clear precedent for a similar built form, including:

- The neighbouring property at 23 Buckland Street, which has an approved three-storey form (DA/2020/1366).
- The development directly opposite the site at 118 Wyndham Street, which presents a three-storey-built form.
- The existing developments at 1 Buckland Street and 3 Buckland Street, which also contribute to a consistent pattern 3 storey buildings in the locality.

The proposed works retain the existing building footprint and remain well below the 12-metre height limit. The DCP anticipates a mix of two to three storeys on the site, and the proposal comfortably fits within this intended scale.

Importantly, the development does not intensify land-use activity. The dwelling will continue to operate as a single-family home, and no increase in traffic generation—vehicular or pedestrian—is expected as a result of the works.

Overall, the proposal is compatible with the surrounding built form, aligns with the planning controls that shape the area, and does not give rise to any additional impacts on traffic, amenity, or neighbourhood character.

- **to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure,**

The proposed development is consistent with the SLEP objectives of the zone. It is within the capacity of existing and planned infrastructure of the location. The proximity of the development to both Waterloo Metro station and Alexandria Park lends itself to additional residential space.

- **to ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of that locality.**

The proposal aims to enhance the desired character of the locality by providing additional residential area to a well serviced existing dwelling. It reflects the desired character of Alexandria and is similar to many other developments in the local area. The proposed increase in FSR has been considered with a design that is sensitive to the surrounding neighbourhood ensuring little to no adverse impacts on the amenity of the locality. The adjacent building has consent for 3 stories, and the proposed development is consistent with the height of this development and the height in the DCP.

FSR CONTROL DOES NOT ALIGN WITH HEIGHT AND DCP CONTROLS

A review of the applicable DCP and LEP controls, alongside an assessment of the prevailing built form, demonstrates that the FSR mapped to the site is misaligned with the intended urban character and the established development pattern. The

control does not reflect the strategic built form outcomes sought for the precinct and sits outside the scale envisioned in the surrounding planning framework. This disconnect indicates that the assigned FSR is not an accurate expression of the desired future character and further highlights that strict compliance with the mapped FSR would be unreasonable and unnecessary.

Below are snapshots of the *FSR map* and *Height of Buildings* map from the Sydney Local environmental plan 2012 as well as the *Building Height in Stories* map and the *Building Street Frontage Height in Storeys* map from the City of Sydney DCP 2012.



FIGURE 2: SYDNEY LEP HEIGHT OF BUILDING MAP



FIGURE 3: SYDNEY LEP FSR MAP



FIGURE 4: DCP BUILDING HEIGHT IN STORIES MAP



FIGURE 5: DCP BUILDING STREET FRONTAGE HEIGHT (ORANGE LINE REFERS TO TWO STOREY STREET WALL)

Across all mapped controls referenced above—excluding the FSR map—the site is consistently identified for a larger three-storey built form, aligning with the intended scale of 23 Buckland Street and 1–3 Buckland Street. The existing streetscape reinforces this expectation, with a prevailing larger typology clearly existing at numbers 23, 21 & 1, 3 Buckland Street while numbers 7–19 have a clear smaller two storey form. This can be seen in the street views below. The FSR mapping is the sole outlier, creating an inconsistency between the built form controls and both the desired and existing spatial outcomes for the site.



FIGURE 6: NO. 23 & NO. 21 BUCKLAND STREET



FIGURE 7: NO. 3 & NO. 1 BUCKLAND STREET

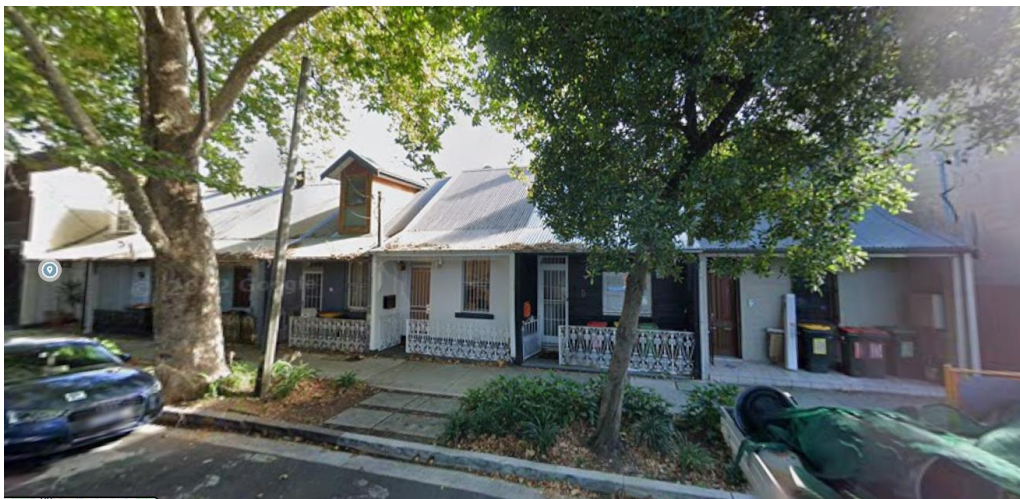


FIGURE 8: EXISTING DEVELOPMENT AT NO. 19 - NO. 7 BUCKLAND STREET SHOWN TO BE A MUCH SMALLER SCALE.

THE SCALE OF PROPOSED DEVELOPMENT IS CONSIDERED REASONABLE IN ITS CONTEXT

The existing dwelling is a compact two-bedroom house occupied by a family of four. It lacks essential residential amenity, with undersized bedrooms, constrained circulation, and only one shared bathroom. Under the current controls, the site is mapped with an FSR of 0.8:1. Given the site area of 83.31 m², this yields a maximum GFA of just 66.6 m². This is insufficient for a functional two-bedroom dwelling and falls below even the minimum 70 m² benchmark applied to two-bedroom apartments. The dwelling currently has 76 m² of floor space with an FSR exceedance of 13.75%.

The proposed development restructures the internal layout to separate circulation from the primary rooms while introducing a third bedroom and an additional WC, delivering the level of amenity the family requires. The design maintains a compact footprint, adding only 31 m² of new GFA. This results in a total GFA of 107 m² for a

three-bedroom dwelling. While this represents a further 46.25% exceedance above the mapped permissible GFA, the outcome still constitutes a modest three-bedroom home by contemporary standards and is proportionate to the site's functional needs.

5. ENVIRONMENTAL PLANNING GROUNDS

SITE AND CONTEXT

Site context is a key consideration when determining the appropriateness and necessity of a development standard. The site is located in an area of Alexandria currently undergoing a period of change with the completion of the new Waterloo Metro Station. The area is seeing a greater demand for increased residential space for families to be provided in a well serviced and desired area. This proposal maintains the desired character of the locality with the proposed development concentrated to the rear of the site. It increases the residential space provided on this site and the proposed FSR increase provides sufficient floorspace to meet development needs for the foreseeable future.

The existing dwelling house contains 2 bedrooms and is small in area, but exceeds the floor space ratio standard. The consent of the additional floor space enabling the provision of an additional bedroom ensures accommodation can be utilised for family housing in an affordable way – in an area where dwellings on larger lots are mostly unaffordable for the average young family household.

SITE CONSTRAINTS

The site is extremely small at only 83.31 m², which makes compliance with the 0.8:1 FSR standard very difficult. As the land area is so limited, the existing dwelling already exceeds the maximum FSR. While the proposal does increase the FSR and results in some additional bulk and scale, the increase is modest and remains consistent with the surrounding pattern of development, where 2–3 storey forms are common. On a site of this size, even minor extensions or functional improvements lead to a measurable change in FSR, and strict compliance could only be achieved by removing substantial parts of the existing dwelling. This would not deliver any planning benefit and would compromise the reasonable use of the land. Given the site constraints and the small scale of the additional built form, the proposed increase in FSR is considered acceptable and will not result in unreasonable impacts on neighbouring properties.

NO ADVERSE AMENITY IMPACTS ON NEIGHBOURS

The proposed development will not result in any unreasonable amenity impacts to adjoining properties, with overshadowing and privacy outcomes remaining well within acceptable limits. No. 19 Buckland Street receives no additional overshadowing from the proposal between 9am and 1pm, and only minimal shading to a single first-floor bedroom window between 1pm and 3pm. This dwelling continues to receive well in excess of the required two hours of direct sunlight between 9am and 3pm on 21 June. Similarly, the alignment and form of the proposal ensure that overshadowing to No. 23 Buckland Street is largely confined to the roof,

with the rear façade—containing minimal windows—maintaining ample solar access throughout the day.

The proposed window design further protects neighbouring privacy, with openings oriented obliquely rather than directly toward adjoining properties. Where appropriate, walls are built to the boundary with no windows, and upper-level windows on the eastern façade are both setback and reduced in size to avoid overlooking. These measures collectively ensure that the proposal does not generate any adverse overshadowing or privacy impacts

IMPROVED DESIGN OUTCOMES

The proposal provides an additional bedroom on a highly constrained 83.31 m² site through a compact and carefully resolved design that maintains an appropriate built form outcome. The new upper-level volume is recessive and located to the rear, minimising visual bulk and preserving the established streetscape character anticipated by the DCP. Openings and boundary treatments are designed to manage privacy, overlooking and solar access, ensuring no adverse amenity impacts. The works increase the dwelling's functionality and internal amenity while supporting the area's need for modest, well-located residential density in proximity to high-capacity public transport. Overall, the proposal delivers a considered and site-responsive design that accommodates an additional room without compromising neighbourhood character or amenity.

ALLOW FOR THE RETENTION OF EXISTING DWELLING

While the site is not within a heritage conservation area, the applicant has chosen to retain the existing terrace house including the majority of the structure that comprises the original structure. While demolition of the existing dwelling and reconstruction may enable construction of a 3 bedroom dwelling that is more space efficient and would comply with the planning controls, the retention of the existing structure retains valuable character elements in the streetscape, reduces waste and embodied emissions and maximises the use of existing resources.

CONSISTENT AND COMPATIBLE BUILT FORM OUTCOME

The proposal provides for a dwelling house that is consistent in scale and form to the adjacent building with similar rear alignment to the adjacent building. The front rooms of the terrace are retained in almost original condition providing a sensitive response to the streetscape.

The site is provided with a maximum height of building standard that permits a 12m height limit. The proposed development is well below the maximum height standard for the site.

The proposal is permissible within the R1 General Residential zone and is consistent with the relevant zone objective, which is to provide for the housing needs of the community. The proposal retains the existing residential use of the site and provides a dwelling addition consistent with the objectives for the zone. This will contribute to meeting the demand for housing in the area. The proposal is well designed and will represent an attractive and sympathetic presentation, by way of bulk, scale, design and materials.

The Proposal generally complies with the DCP and contextually is an appropriate fit in the area and considered a positive contribution to the character of the area. Strict compliance with the development standard is not considered to achieve any tangible planning benefit. The additional floor space provide accommodation for and the maintenance of housing consistent with the Objects of the Act.

Accordingly, in our opinion, the non-compliance will be consistent with existing and future planning objectives for the locality, is unlikely to have adverse amenity impacts and is in the public interest.

For these reasons, it is our opinion that there are sufficient environmental planning grounds to justify contravening the development standard in this circumstance

PLANNING CONTROLS DO NOT ALIGN

To the east, the land supports 1-storey terraces. The planning controls there match this lower-scale character. Yet the subject site is given the same FSR as these smaller buildings.

This FSR control conflicts with the intent of the broader planning framework that applies to the land.

6. SUMMARY

It is considered that compliance with the standard is unnecessary in these particular circumstances as

- the proposed development is consistent with the objectives of the standard
- the existing dwelling house already exceeds the development standard
- the proposed development is consistent with the built form anticipated by the DCP controls

The environmental planning grounds are that the approval for the minor departure from the development standard will not be detrimental to the amenity or character of the surrounding area and results in a better planning outcome for the site through a more functional and considered floorplan and an increase in supply of needed residential space. The proposed development is consistent with the intended built form outcomes as expressed in the DCP.

Attachment D

Submissions

From: [REDACTED] on behalf of [REDACTED]
<[REDACTED]>
Sent on: Sunday, February 1, 2026 8:48:23 PM
To: Callum Byrnes-Krickl <CBymesKrickl@cityofsydney.nsw.gov.au>
Subject: Ref No: D/2025/1311

Caution: 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 Callum,

Ref No: D/2025/1311

Site Address: 21 Buckland Street Alexandria 2015

Proposed Development: Alterations and additions to residential development

Thank you very much for allowing me an extra week to provide my feedback on this development application due to me only receiving the Letter of Notice on 20 January 2026. During our phone conversation on 20 January, you said I could have the time extended until 3 February to provide you with my feedback.

[REDACTED] Buckland Street, Alexandria.

My comments on the application are as follows.

Dilapidation Reports:

Prior to commencement of work, it is imperative that the applicant undertakes a dilapidation report of the property at [REDACTED] Buckland Street by a qualified Structural Engineer and provides it to the owner of [REDACTED] Buckland Street. The report should only be undertaken in the presence of the owner of [REDACTED] Buckland Street.

Another dilapidation report of [REDACTED] Buckland Street by a qualified Structural Engineer will need to be undertaken at the completion of all work and provided to the owner of [REDACTED] Buckland Street. Again, the report should only be undertaken in the presence of the owner of [REDACTED] Buckland Street.

The cost of the two dilapidation reports will be borne by the owner of 21 Buckland Street.

Damage to neighbouring property:

Any damage that occurs to the property at [REDACTED] Buckland Street during the construction of the development at 21 Buckland Street will need to be rectified immediately by the owner of 21 Buckland Street and at their cost.

Noise and Working Hours of Construction:

Due to the common wall between [REDACTED] and 21 Buckland Street being only single brick, the noise from the construction will be very intrusive on the neighbouring property. All noise is amplified in this small built-up area and resonates through the neighbouring properties that are just simple, small workmen's cottages built in the late 1800's.

Therefore, there should not be any construction on the development site at 21 Buckland Street at all on weekends. Work should be restricted to 7.30am to 5.30pm Monday to Friday. This is required so as not to affect the amenity and quality of life of the neighbouring residents in a negative way.

Boundary Surveys:

Prior to the commencement of any work, it will be imperative that a survey of the boundary between [REDACTED] and 21 Buckland Street is carried out by a qualified surveyor. A copy of this survey should be provided to the owner of [REDACTED] Buckland Street.

At the completion of the construction, it will also be necessary for the owners to have an Identification Survey carried out by a qualified surveyor. The footprint of the property at [REDACTED] Buckland Street is small and it is essential that no land is lost as a result of the new development at 21 Buckland Street.

The cost of the two surveys will be borne by the owner of 21 Buckland Street.

North Direction on Plans:

While the North direction indicated on the plans for the new development at 21 Buckland Street may be correct, the responsibility should lie with the Council to make sure that it is indeed correct. If the north direction is not drafted correctly then the associated shadow drawings are then false and misleading. Decisions based on any incorrect diagrams would possibly impact the amenity of neighbours and the quality of their lives due to overshadowing not being correctly identified.

Yours faithfully,

[REDACTED]
[REDACTED]

Item 6.**Development Application: 553 Crown Street, Surry Hills - D/2026/49****File Number: D/2026/49****Summary****Date of Submission:** 23 January 2026

Amended plans received 19 February 2026

Applicant: CONSUME PTY LIMITED**Architect/Designer:** studioplusthree**Owner:** Imbert Wai Lun Kong**Planning Consultant:** CONSUME PTY LIMITED**Heritage Consultant:** Ruth Daniel**Cost of Works:** \$995,500**Zoning:** The site is located within the E1 - Local Centre zone. The use is defined as a "Health Services Facility" and is permissible with consent within the zone.**Proposal Summary:** Proposed change of use to a Health Services Facility (Dentistry Practice) with associated alterations and additions, signage and hours of operation.

The application is referred to the Local Planning Panel as the proposal seeks a variation of the floor space ratio development standard within the Sydney Local Environmental Plan 2012 by more than 10%.

The application was notified between 27 January 2026 and 11 February 2026 and one submission was received.

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

- (i) SEPP (Resilience and Hazards) 2021
- (ii) SEPP (Industry and Employment) 2021

- (iii) SEPP (Transport and Infrastructure) 2021
- (iv) SEPP (Biodiversity and Conservation) 2021
- (v) Sydney Local Environmental Plan 2012
- (vi) Sydney Development Control Plan 2012

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Clause 4.6 Variation Request - Floor Space Ratio
- D. Submission

Recommendation

It is resolved that:

- (A) consent be granted to Development Application Number D/2026/49 subject to the conditions set out in Attachment A to the subject report; and
- (B) the variation requested to Clause 4.4 of the Sydney LEP 2012 in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The proposed development is consistent with the objectives of the E1 Local Centre zone.
- (B) The proposed development satisfies the relevant objectives, provisions and aims of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (C) Having considered the matters in Clause 6.21 of the Sydney LEP 2012, the proposal exhibits design excellence.
- (D) Based upon the material available to the Panel when determining this application, the Panel is satisfied that the applicant has demonstrated that compliance with the floor space ratio development standard in Clause 4.4 of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of Clause 4.6(3) of the Sydney LEP 2012.
- (E) The proposal is in the public interest because it is consistent with the objectives of the E1 Local Centre zone and the floor space ratio development standard.

Background

The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the Local Planning Panel for determination as it is identified in Schedule 3 of the Local Planning Panels Direction of 3 March 2024 as being within the following category:
 - (a) Departure from Development Standards
2. The development application falls within the category of Departure from Development Standard as the floor space ratio development standard within the Sydney Local Environmental Plan is proposed to be varied by 11.6%.

The Site and Surrounding Development

3. The site has a legal description of Lot B in DP220130, known as 553 Crown Street, Surry Hills. It is rectangular in shape with area of approximately 66.8sqm. It has a primary street frontage of 4 metres to Crown Street with a secondary street frontage of 4 metres to a privately owned laneway. The site is located close to the intersection of Crown and Cleveland Streets. Levels on the site fall by 1m from west to east.
4. The site contains a 2 storey Victorian shop with dwelling above with a splayed, recessed entrance, intact decorative mouldings, and concrete tile roof.
5. The surrounding area is characterised by a mixture of land uses, primarily being commercial, mixed use and residential. Development adjoining the site includes:
 - (a) to the west on the other side of the private lane is 547-549 Crown Street, a 3 and 4 storey residential flat building that fronts Cleveland Avenue and Crown Street
 - (b) to the east of the site on the other side of Crown Street is 636 and 638 Crown Street, a pair of 3 storey terrace buildings currently used as shop-top housing
 - (c) to the north and south are 551 Crown street and 555 Crown Street, which form a row with the subject site. 555 Crown Street is used as a restaurant and 551 is used as a commercial office with first floor dwelling.
6. The site is located within the High Holborn Street heritage conservation area C64 and is identified as a contributing building. To the east of the site is Heritage Item: I1515 - Terrace group at 636 and 638 Crown Street.
7. The site is located within the Surry Hills South locality and is identified as being subject to flooding.
8. A site visit was carried out on 13 February 2026. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from Crown Street facing west



Figure 3: External view facing south showing private rear lane



Figure 4: Internal view facing east to Crown Street



Figure 5: Internal site view facing northwest



Figure 6: External view facing east showing rear wall of terrace building and party wall between 551 and 553 Crown Street

History Relevant to the Development Application

Development Applications

9. The following applications are relevant to the current proposal:
- **D/2002/298** – Development consent was granted on 16 May 2002 for internal alterations and use of premises as a beauty salon, operating between 8am-8pm Mon, Tues, Wed, Fri and Sat; 8am to 9pm Thursdays and 10am to 5pm Sundays.

Amendments

10. Following a preliminary assessment of the proposed development by Council Officers, a request for amendments was sent to the applicant on 17 February 2026 to update the Gross Floor Area drawings to include the storage space contained underneath the stairs.
11. The applicant responded to the request on 19 February 2026, and submitted an updated Statement of Environmental Effects, updated Gross Floor Area diagram and 4.6 variation request.

Proposed Development

12. Development approval is sought for the following:
- Change of use to a health services facility (dentistry practice) with hours of operation of 6:00am to 10:00pm, 7 days a week.
 - Removal of internal flooring, stair, internal fireplaces, internal and external walls to rear kitchen, dining and living room, first floor terrace and roofing, front balcony flooring.
 - Construction of rear wing addition and internal fit out for the use as a dentistry practice including 4 treatment rooms, reception and waiting area, accessible bathroom, staff room and sterilisation room.
 - Restoration of shopfront façade and first floor front balcony.
 - Signage including projecting wall sign and window sign.
 - Installation of photovoltaic panels, heat pump, air conditioner condenser and skylights to roof.
13. Plans and elevations of the proposed development are provided below.

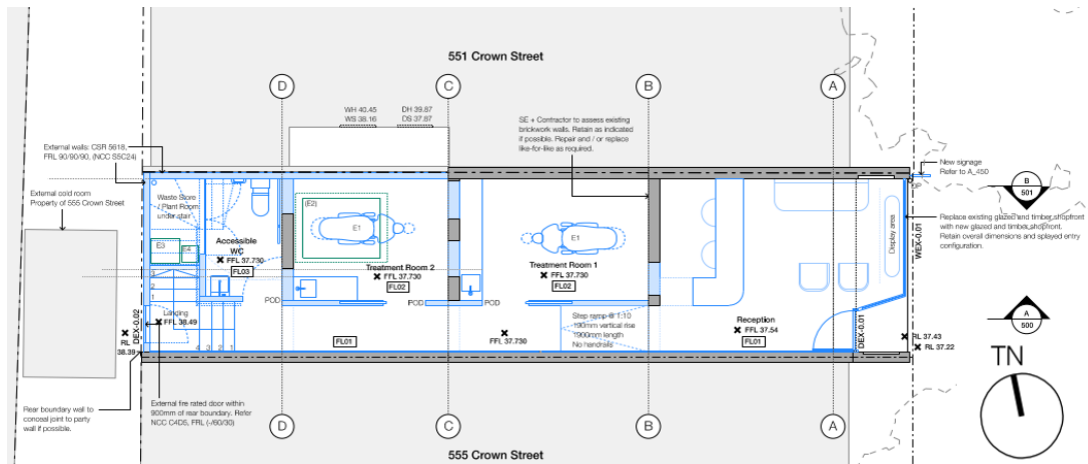


Figure 7: Proposed ground floor plan

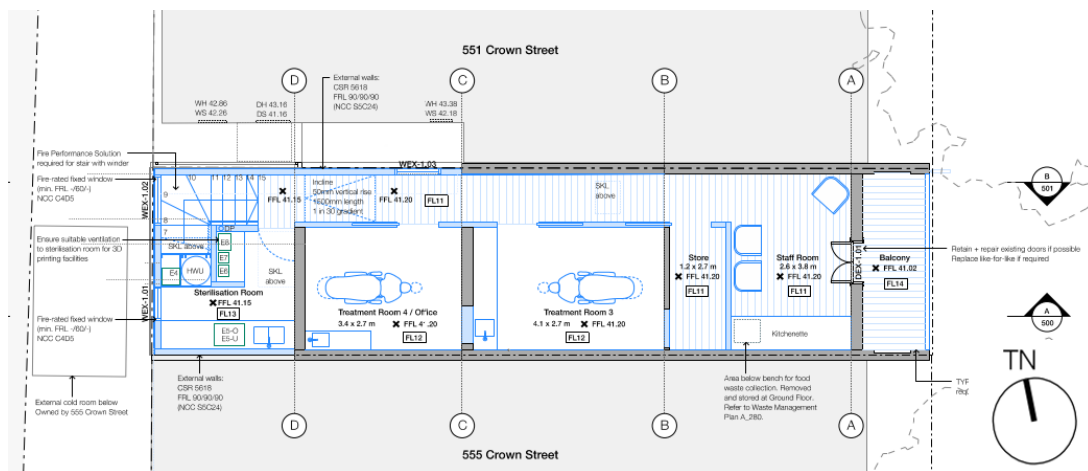


Figure 8: Proposed first floor plan

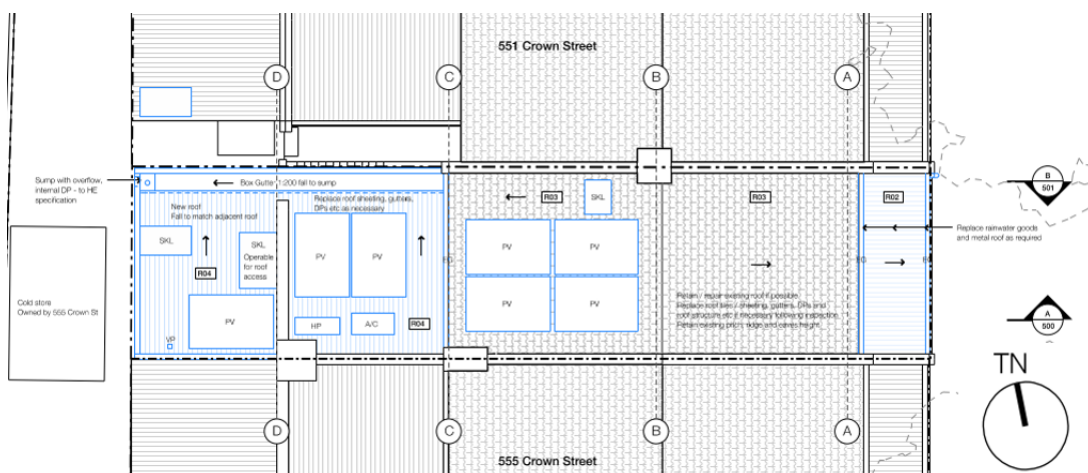


Figure 9: Proposed roof plan

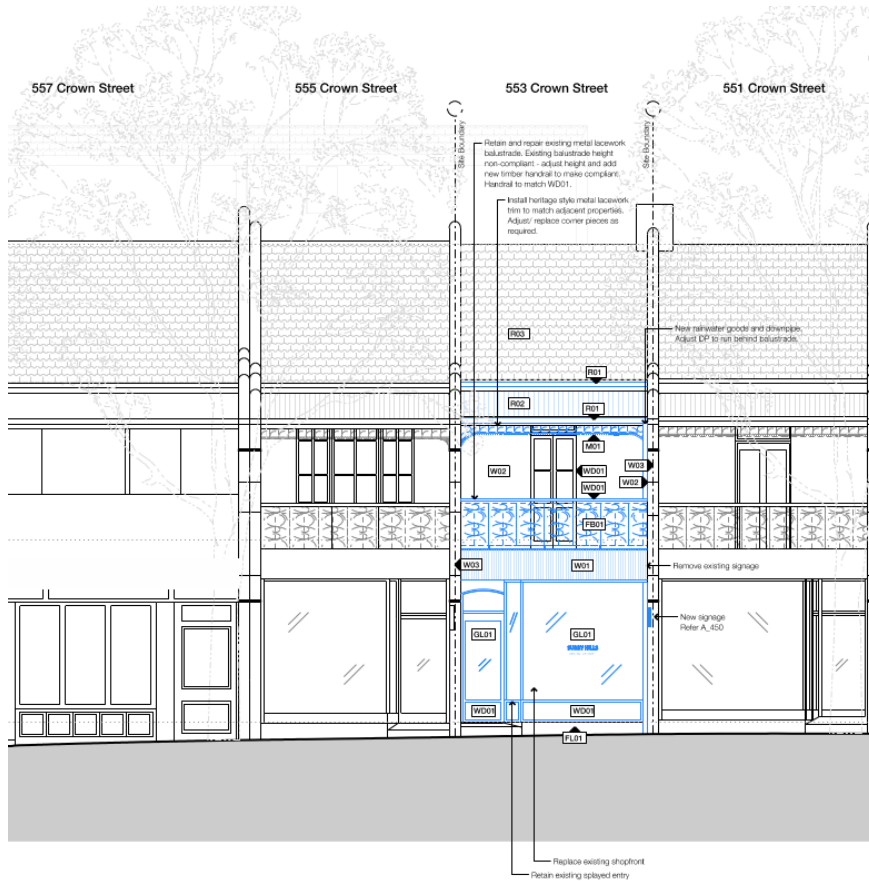


Figure 10: Proposed eastern (street) elevation

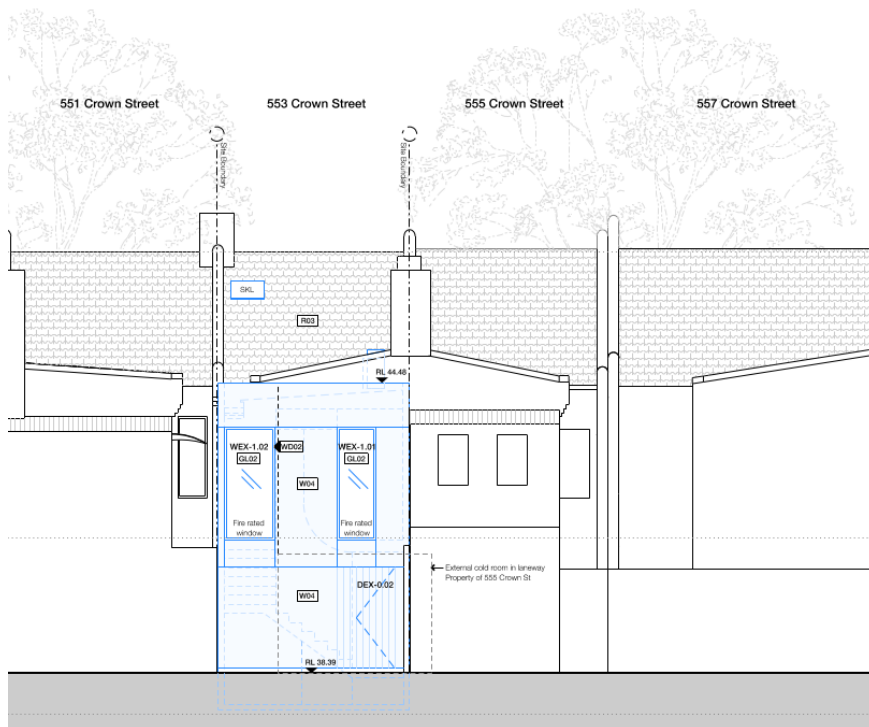


Figure 11: Proposed western elevation

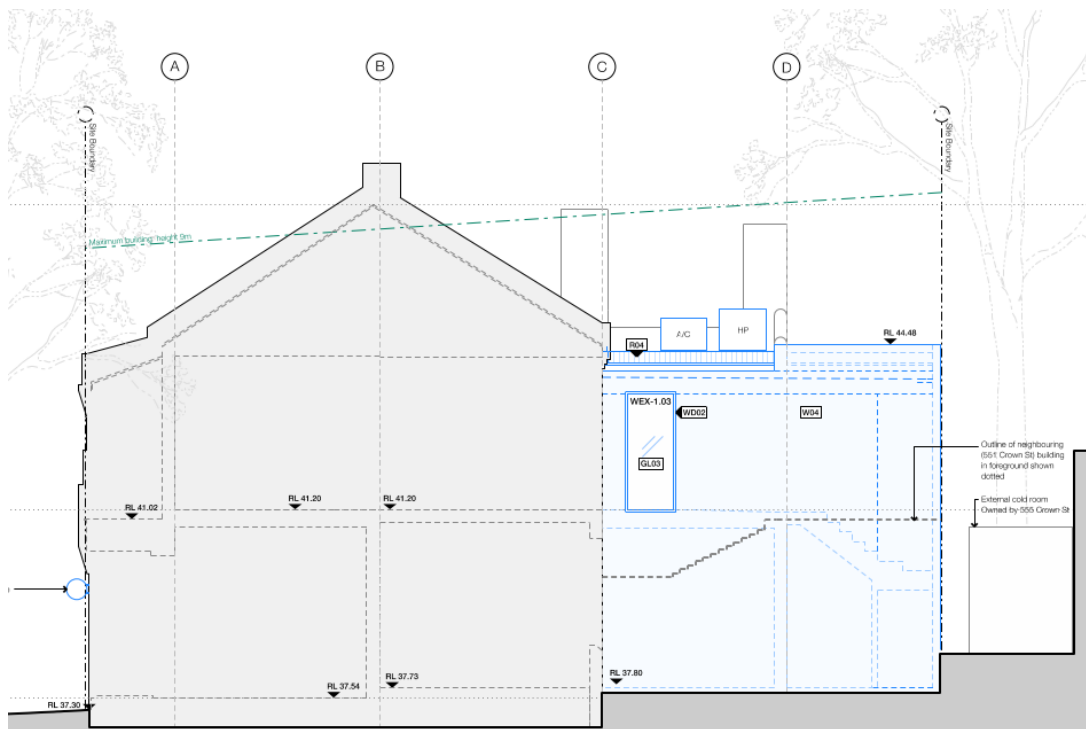


Figure 12: Proposed northern elevation

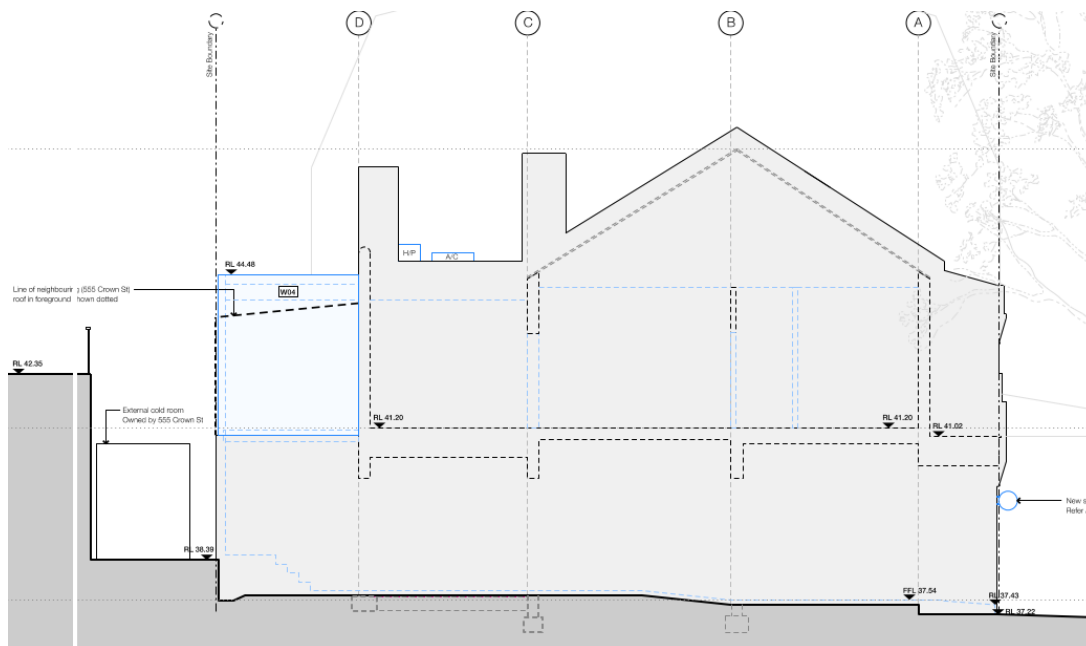


Figure 13: Proposed southern elevation



Figure 14: Proposed photomontage

Assessment

14. 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. Clause 4.6(1) of the SEPP requires the consent authority to consider whether land is contaminated prior to the consent of development on that land. Given that the long term use of the site has been commercial, it is unlikely that the site is contaminated, and further investigation is not considered necessary.

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

34. 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.
35. The proposed signage has been considered against the objectives of the policy and an assessment against the provisions within the assessment criteria set out in Schedule 5 is provided in the table below.

Provision	Compliance	Comment
1. Character of the area	Yes	The proposed signage is generally consistent with the character of the area, subject to conditions.
2. Special areas	Yes	The proposed signage does not detract from the amenity or visual quality of the locality or the Bourke Street South Heritage Conservation area, subject to conditions.
3. Views and vistas	Yes	The proposed signage does not obscure or compromise any important views. It does not dominate the skyline and has no impact on the viewing rights of other advertisers.
4. Streetscape, setting or landscape	Yes	The proposed signage is of an appropriate scale, proportion and form and provides a positive contribution to the streetscape and setting of the area.
5. Site and building	Yes	The scale, proportion and positioning of the proposed signage is acceptable and the materiality is compatible with the finishes and colours of the building.
6. Associated devices and logos	Yes	The logo has been designed as an integral part of the signage or structure on which it is to be displayed.
7. Illumination	Yes	Conditions of consent are recommended to ensure that the illumination does not result in unacceptable glare, affect safety or detract from the amenity of any residential accommodation.

Provision	Compliance	Comment
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

36. The proposed signage is consistent with the objectives of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage as set out in Clause 3.1 and satisfies the assessment criteria specified in Schedule 5.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 2 (Vegetation in Non Rural Areas) 2017

37. No removal of vegetation is proposed, and the application is consistent with the aims of Chapter 2.

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

38. The site 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.
39. The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SEPP are not applicable to the proposed development.

Local Environmental Plans

Sydney Local Environmental Plan 2012

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the E1 Local Centre zone. The proposed development is defined as Health Services Facility (Dentistry Practice) and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	A maximum building height of 9m is permitted. A height of 6.61m is proposed. The proposed development complies with the maximum height of buildings development standard.
4.4 Floor space ratio	No	A maximum floor space ratio of 1.5:1 or 100.2sqm is permitted. A floor space ratio of 1.67:1 or 111.8sqm is proposed. The proposed development does not comply with the maximum floor space ratio development standard. A variation to the floor space ratio development standard in accordance with Clause 4.6 has been submitted. See further details in the 'Discussion' section below.
4.6 Exceptions to development standards	Yes	The proposed development seeks to vary the development standard prescribed under Clause 4.4. A Clause 4.6 variation has been submitted with the application. See further details in the 'Discussion' section below.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is located within the High Holborn Street heritage conservation area C64 and is adjacent to Heritage item I515 - 'Terrace houses including interiors', at 636-638 Crown Street, directly opposite the site on the eastern side of Crown Street. Conditions of consent 2. b-d have been requested for the balustrade to have a separated hand rail, detail of rainwater services and detail of the entryway floor

Provision	Compliance	Comment
		treatment to be specified within the materials and samples schedule. A condition for the front balcony to be reinstated is has also been recommended as condition 13. The proposed development will not have detrimental impact on the heritage significance of the heritage conservation area subject to conditions.
5.21 Flood planning	Yes	The site is identified as being subject to flooding at the 1% Annual Exceedance Probability event. The application benefits from concessions contained within 3.2 (a) (ii) within the city's Interim Floodplain Management Policy as it is additions to an existing commercial building of less than 20% of the existing gross floor area of the building.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 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 the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	The contribution for affordable housing does not apply to the proposal.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The 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.

Development Control Plans**Sydney Development Control Plan 2012**

41. 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

42. The site is located within the Surry Hills South locality. The proposed development is in keeping with the unique character and the design principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
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.
3.7 Water and Flood Management	Yes	The site is identified as being on flood prone land. See discussion under section 5.21 in part 5 - miscellaneous provisions table above.
3.9 Heritage	Yes	Refer to discussion under 5.10 of the LEP compliance table above.
3.12 Accessible Design	Yes	The BCA assessment report and access report provided with the application outlines compliance with relevant standards and legislated requirements

Provision	Compliance	Comment
3.14 Waste	Yes	A condition has been recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.
3.15 Late Night Trading Management	Yes	Hours of 6:00am to 10:00pm, Monday to Sunday are proposed. The hours of operation for a Category C retail or business premises within a Local Centre Area is limited to between 7:00am to 2:00am per table 3.8 within the DCP. The site is to be used for the purpose of a dentist practice with limited expected noise impacts to the immediate surrounds.
3.16 Signage and Advertising	Yes	The proposed development includes the provision of one projecting wall sign and one window sign. The site is contained within a Village Main Street control area as shown on the City's Signage Precincts Map contained within the DCP and accords with controls contained within 3.16.12.15. Subject to recommended conditions for footpath clearance and illumination, detail for signage materials and for the sign to be above the wall mouldings to have greater clearance from the footpath, the signs are able to exhibit design excellence and are supported. The requirement for a signage strategy can be waived as the signage proposed is minor in nature and satisfies the objectives of the DCP in relation to signage.

Section 4 – Development Types

4.2 Residential Flat, Commercial and Mixed Use Developments

Provision	Compliance	Comment
4.2.1 Building height		
4.2.1.1 Height in storeys and street frontage height in storeys	Yes	The site is permitted a maximum building height of 2 storeys. The proposed development is 2 storeys in height and does not alter the street frontage height.
4.2.2 Building setbacks	Yes	The rear building alignment contains a nil setback. This matches the rear first floor alignment of 555 Crown Street adjacent to the south and is only 0.2-0.3 metres greater than the adjacent northern first floor setback to 551 Crown Street, which also retains a breezeway on its southern elevation.
4.2.3 Amenity		
4.2.3.1 Solar access	Yes	The solar analysis diagrams provided with the application indicate the addition does not result in any loss of solar access to habitable room windows or private open spaces during midwinter.
4.2.6 Waste and recycling Management	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.

Discussion

Contravention of a development standard pursuant to clause 4.6 of the Sydney LEP

43. The site is subject to a maximum Floor Space Ratio (FSR) standard of 1.5:1 or 100.2sqm of gross floor area. The proposed development has a FSR of 1.67:1 (variation of 11.6%) or 111.8.sqm of gross floor area.
44. Pursuant to the requirements of Regulation 35B of the Environmental Planning and Assessment Regulation 2021, the application has been accompanied by a document setting out the grounds on which the applicant seeks to demonstrate:

- (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 regulation 35B document

45. The applicant seeks to justify the contravention of the floor space ratio development standard on the following basis:

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) By modestly increasing the available floor space within an existing commercial building, the development will better meet the functional needs of its intended use (a dental clinic) and contribute to the supply of commercial floor space in the local centre. Strict compliance with the 1.5:1 FSR standard would unreasonably limit the floor space available for the clinic, given the site's very small land area. Requiring compliance would necessitate forgoing approximately 11.6 square metres of usable floor area that is needed for the clinic's operations, restricting serviceability to the community. This would undermine Objective (a), rather than serve it, as it would frustrate the site's capacity to provide adequate floor space for a viable commercial use on this site. By allowing a slight exceedance, the development optimises the use of an existing building in a location where additional commercial floor space is beneficial to serve the local community's needs.
 - (ii) The proposal will maintain a built form and density that is in harmony with the surrounding context, thereby upholding the intent of Objective (b). The minor increase in floor space equates to a negligible change in density and will not perceptibly alter the building's external bulk or scale..
 - (iii) The proposed FSR variation will not exceed the capacity of the infrastructure available to the site. The additional floor space above the FSR standard will not place any discernible extra demand on utilities or infrastructure. Public transport capacity along Crown Street and nearby Cleveland Street, and the light rail and Central Station within walking distance, is more than sufficient to accommodate the negligible increase in patronage or employees associated with the expanded clinic floor area. Likewise, other utilities have existing capacity for the small increase in floor space and associated usage. As such, the development's intensity remains commensurate with infrastructure capacity, satisfying Objective (c) notwithstanding the numerical FSR exceedance.
 - (iv) The proposal is carefully designed to respect the existing character of the South Surry Hills locality and to avoid adverse amenity impacts, thereby fulfilling Objective (d) despite the FSR non-compliance. The minor additions are located to the side and rear of the building and within an area already built-up to a 2-storey form, so there is no change to the Crown Street streetscape or to the heritage character when viewed from public domains. In terms of amenity impacts, detailed analysis confirms there will be no adverse overshadowing on key sensitive areas.

- (v) Based on the above assessment, the proposal satisfies the First Method in *Wehbe v Pittwater Council* [2007] NSWLEC 827; the objectives of the FSR development standard are achieved regardless of the non-compliance. The underlying planning intentions of the 1.5:1 FSR control are met in this case through a development that remains in character, causes no adverse impacts, and provides needed floor space for the site's use. Moreover, as noted earlier, elements of the Fourth Method in *Wehbe* are also relevant: the numerical standard in this historic terrace context is somewhat arbitrary, given that many buildings were constructed prior to the imposition of current FSR limits. The minor nature of the non-compliance (11.6%) in a setting where a rigid application of the standard is not critical to achieving planning objectives further supports the conclusion that strict compliance is unreasonable and unnecessary.
- (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The exceedance is 11.6 m², or 11.6%, which is minor in magnitude. This small amount of extra floor space is virtually indiscernible externally and does not manifest in any appreciable difference in building bulk, scale or height. In practical terms, the streetscape presentation and urban form outcome of a compliant scheme (FSR 1.5:1) versus the proposed scheme (FSR 1.67:1) would be effectively identical. This indicates that the objectives and impacts tied to the FSR control are not compromised by the small variation.
 - (ii) The ground-floor breezeway and external staircase currently represent under-utilised space in the building. By enclosing the breezeway and internalising the stair, the development recovers floor area within the existing footprint, enhancing the functionality and usability of the premises without extending beyond the overall building's envelope. Allowing the infill and associated FSR exceedance is therefore justified as it leads to a more rational and beneficial use of the space on environmental planning grounds. The FSR variation is justified by the site-specific context, yielding a better design that aligns with their surroundings. These design improvements are possible only with the FSR flexibility and constitute sound planning grounds for the variation.
 - (iii) In this heritage conservation area context, the preferable approach to adding floor space is to utilise and extend the existing building in a sympathetic manner, rather than to contemplate more intensive redevelopment. The 11.6 m² of extra space is achieved through minor additions that preserve the heritage fabric and aesthetic of the contributory item. The submitted Heritage Impact Statement confirms that the additions have no adverse heritage impact.
 - (iv) Detailed analysis has shown that the extra floor area will not cause any negative environmental impacts: there is no material change in shadowing, privacy, traffic, or demand on infrastructure attributable to the additional 11.6 m². The site remains compliant with all other applicable controls, including height, setbacks, heritage considerations, and land use. The absence of adverse impacts is an important site-specific circumstance here, demonstrating that the objectives of the zone and the development standards are upheld despite the variation. This aligns with the intent of

Clause 4.6 to allow flexibility where strict adherence to a numerical standard is unwarranted in light of the proposal's planning merits.

- (v) In light of the above, it is evident that compelling environmental planning grounds exist to justify the proposed contravention of the FSR development standard. Conversely, there are no overriding planning grounds that would necessitate strict compliance with the 1.5:1 standard in this case. Enforcing the standard would be an unnecessary impediment to an otherwise acceptable development. The request has therefore demonstrated full satisfaction of Clause 4.6(3)(b). The contravention is justified by site-specific circumstances and results in a development outcome that aligns with the objectives of the standard and the zone, consistent with the intent of Clause 4.6 of the LEP.

Precondition to granting consent where a development standard has been contravened (3)

- 46. Development consent must not be granted unless the consent authority is satisfied that the applicant has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.
- 47. The applicant's has demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances as the proposal is compliant with the relevant objectives of the standard, notwithstanding the numerical noncompliance.
- 48. The applicant has demonstrated that there are sufficient environmental planning grounds to justify contravening the standard. The design proposed is a rationalised, well-considered design with bulk and scale commensurate with neighbouring developments in the immediate vicinity and does not result in an adverse environmental impact.
- 49. The proposal is in keeping with the objectives of the E1 Local Centre Zone.

Conclusion

- 50. For the reasons provided above the variation to the floor space ratio is supported as the applicant has demonstrated the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012.

Visual Privacy

- 51. A condition of consent has been recommended for Windows WEX-1.02 and WEX-1.01 on the western or rear elevation be translucent to minimise the loss of visual privacy/ overlooking to the residential apartments on the other side of the private lane. Although not required by the DCP, this request is considered reasonable as it mitigates the likely impact of the proposed development as specified within the aims of plan and design excellence clauses of the SLEP 2012 contained at 1.3 and 6.21C respectively.

Boundary Windows

- 52. The proposed development includes boundary windows at the rear (western) boundary to the private lane.
- 53. The proposed windows along the western boundary relate to the stair and sterilisation rooms which have skylights.

54. A condition is recommended requiring that the windows be sealed, bricked up or otherwise enclosed prior to the construction of any building abutting, adjoining or adjacent to the windows. A positive covenant is required to be registered on the title of the property.
55. This will ensure that the constructed development does not inhibit the future redevelopment of adjoining sites.

Consultation

Internal Referrals

56. The application was discussed with Council's:
 - (a) Construction and Building Unit
 - (b) Heritage and Urban Design Unit
 - (c) Tree Management Unit
57. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

External Referrals

58. No external referrals were required.

Advertising and Notification

59. In accordance with the City of Sydney Community Participation Plan 2025, the proposed development was notified for a period of 14 days between 27 January 2026 and 11 February 2026. A total of 122 properties were notified and one submission was received.
60. The submission raised the following issues:
 - (a) **Issue:** Parking

Response: The Sydney DCP and LEP do not require the site to provide off-street parking. Whilst the proposal may generate additional on-street parking demand, on-site parking is not possible given the physical constraints of the site. The site is easily accessed by public transport, cycling or walking.
 - (b) **Issue:** Disabled access

Response: The access report identifies that step-free access is not possible from the street as site is within a Heritage Conservation Area, and step-free access would require alterations to the presentation of the building to the street. A performance solution, such as a temporary and portable ramp may be an acceptable solution and will be addressed as part of the construction certificate by the certifier.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

61. The City of Sydney Development Contributions Plan 2015 applies to the site. The development is not subject to a section 7.11 local infrastructure contribution under this Plan as the change in use results in a net worker population decrease.

Housing and Productivity Contribution

62. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.
63. The site is located within the Greater Sydney region, the development is a type of commercial development to which the Housing and Productivity Contribution applies, and the development is not of a type that is exempt from paying a contribution.
64. A condition relating to the Housing and Productivity Contribution has been included in the recommended conditions of consent.

Relevant Legislation

65. Environmental Planning and Assessment Act 1979.

Conclusion

66. The application seeks approval for the change of use to a health services facility including alterations and additions, and new signage.
67. The variation requested to Clause 4.4 Floor Space Ratio in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld.
68. The proposal will not result in unreasonable adverse impact in terms of overshadowing or visual privacy subject to recommended conditions and is of an appropriate bulk and scale within the context of the subject site and streetscape.
69. The proposed health services facility use is suitable within the context of the site and desired future character of the area.

70. The proposed development exhibits design excellence in accordance with the provisions of Clause 6.21C of the Sydney LEP 2012.
71. Subject to conditions, the development is in the public interest and recommended for approval

ANDREW THOMAS

Executive Manager Planning and Development

Max Di Rosario, Planner

Attachment A

Recommended Conditions of Consent
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SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2026/49 dated 23 January 2026 and the following drawings prepared by studioplusthree:

Drawing Number	Drawing Name	Date
A_190	Ground Floor Demolition Plan	18 December 2025
A_191	First Floor Demolition Plan (Opt 03)	18 December 2025
A-199	Site Plan	18 December 2025
A_200	Ground Floor Plan	18 December 2025
A_201	First Floor Plan	18 December 2025
A_202	Roof Plan	18 December 2025
A_280	Waste Management Plan + Ground Floor	18 December 2025
A_400	Elevation – East	18 December 2025
A_401	Elevation - West	18 December 2025
A_402	Elevation - North	18 December 2025
A_403	Elevation – South	18 December 2025
A_450	Signage Detail	18 December 2025
A_500	Section AA	18 December 2025

Drawing Number	Drawing Name	Date
A_501	Section BB	18 December 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) Windows WEX-1.02 and WEX-1.01 on the western elevation are to contain translucent glass treatments to improve visual privacy.
- (b) The proposed projecting wall sign is to have a minimum clearance of 2.6m measured from the existing ground level of the footway immediately below the underside of the sign.
- (c) The balustrade to the first-floor balcony on the eastern elevation should be a separated handrail with a gap above the iron work.
- (d) The materials and samples schedule is to be amended to detail all rainwater services including downpipes, gutters, rainwater heads and spreaders visible from the public domain as metal.
- (e) The materials and samples schedule is to be amended to detail the floor treatment to the entryway.

The modifications are to be submitted to and approved by Council's Area Coordinator Planning Assessments or 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) HOUSING AND PRODUCTIVITY CONTRIBUTION

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

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$512.51
Transport project component	\$0.00
Total housing and productivity contribution	\$512.51

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.

(4) 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.
- (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) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.
- (d) 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.

- (e) The new windows and doors on the existing building must match the original material, which is timber joinery.

Reason

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

(5) AIR CONDITIONERS GENERALLY

No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring must:

- (a) Not be located on awnings or attached to the face of the building
- (b) Not be located on roofs in such a way that it is visible from any street, footpath or park
- (c) Be visually screened if located 1.8 metres above ground level in other locations
- (d) Wiring must be fully concealed.

Reason

To ensure the visual impact of air conditioners is minimised.

(6) 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.

(7) ERECTION OF SIGN

The sign is to be erected in a secure manner to ensure safety and its installation is not to involve measures that would cause irreversible damage to the building.

Reason

To ensure signage installed does not cause irreversible damage to the building.

(8) SIGN ILLUMINATION

- (a) At no time is the intensity, period of intermittency and hours of illumination of the sign to cause objectionable glare or injury to the amenity of the neighbourhood and as such must be designed, installed and used in accordance with the latest edition of AS/NZS 4282.
- (b) The sign(s) must not flash. Signs with flashing, chasing, pulsating or flickering lights are not permitted.
- (c) The maximum night time luminance of any sign is not to exceed 300 cd/sqm.

- (d) Signage is only permitted to be illuminated while a premises is open.
- (e) Upward facing light sources onto the signage is not permitted.

Reason

To ensure signage illumination is designed in accordance with the Australian Standards and Council's DCP.

(9) SIGNAGE GENERAL REQUIREMENTS

The design of the approved signage must comply with the following:-

- (a) The signage is not to contain highly reflective materials, colours and finishes.
- (b) The signage is not to incorporate sound, vibration, odour and other emissions.

Reason

To ensure signage is designed in accordance with Council's DCP.

(10) SIGNS/GOODS IN THE PUBLIC WAY

No signs or goods are to be placed on the footway or roadway adjacent to the property.

Reason

To ensure the public domain is kept free from physical obstructions.

(11) WASTE AND RECYCLING MANAGEMENT - GENERAL

The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's *Guidelines for Waste Management in New Developments 2018*, which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

Reason

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

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(12) MATERIALS AND SAMPLES SCHEDULE

A detailed material, colours and finishes schedule (including visible rainwater goods and services) keyed to each building elevation must be submitted to and approved by Council's Area Coordinator Planning Assessments or Area Planning Manager prior to a Construction Certificate being issued.

The materials and samples schedule/board must not include generic material or colour descriptions or use terminology such as 'or similar'.

Reason

To require the submission of a materials and samples board following assessment of the development.

(13) REINSTATEMENT OF FRONT BALCONIES

The first floor front balcony must be reinstated to its original form and style and decorated with appropriate balustrade panels reflecting the traditional patterns, colour and details.

Details of the proposed reinstatement (drawings at a 1:50 and/or 1:20 scale) must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of any Construction Certificate. Details must include the use of traditional materials, size of structural elements, chamfered details where appropriate, size and type of timber floorboards.

Reason

To ensure an appropriate heritage and streetscape outcome.

(14) 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.

(15) WASTE AND RECYCLING MANAGEMENT – COMMERCIAL

The Operational Waste Management Plan dated 15 December 2025 accompanying the Development Application has been approved by this consent responsive to architectural plans dated 18 December 2025. Should the architectural plans be updated, an updated Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of a **Construction Certificate**.

Reason

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

(16) 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.

(17) STRUCTURAL CERTIFICATION FOR PARTY WALLS

Prior to a Construction Certificate being issued, a certificate from a qualified practising structural engineer in accordance with Clause A5G3(1)(e) of the *Building Code of Australia* must be submitted to the satisfaction of the Registered Certifier. The Certificate must verify that the structural integrity of the existing 'Party Wall(s)' will not be adversely affected as a consequence of the development and that the structural design complies with the Structural Provisions of Part B1 (Vol 1) and Part 2.1 (Vol 2) of the Building Code of Australia.

Reason

To ensure the structural integrity of the existing party wall/s is verified.

(18) DILAPIDATION REPORT – MINOR

Subject to the receipt of permission of the affected landowner, dilapidation report/s of adjoining buildings are to be prepared by an appropriately qualified practising structural engineer and submitted for the approval of the Registered Certifier prior to the issue of a construction certification.

Reason

To ensure that dilapidation reports are prepared and to identify damage to for adjoining/nearby properties resulting from building work on the development site.

(19) BOUNDARY WINDOWS COVENANT

All windows adjacent to the western boundary of the site must be sealed, bricked up or otherwise enclosed, prior to the construction of any building abutting, adjoining or adjacent to such windows. A positive covenant is to be registered on the Titles of all units/tenancies facing the affected boundary and is to be created appurtenant to Council, containing terms reasonably required by Council and will be drafted by Council's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges. Evidence of the registration of the positive covenant is to be submitted to and acknowledged by Council prior to the issue of any Construction Certificate.

Reason

To ensure the constructed development does not inhibit the future redevelopment of adjoining sites.

(20) INSTALLATION OF DUAL-FLUSH TOILETS

All toilets installed within the development must be of water efficient dual-flush or other water-saving capacity with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the approval of the Registered Certifier, prior to a Construction Certificate being issued.

Reason

To ensure the provision of water efficient toilets.

(21) INSTALLATION OF WATER EFFICIENT TAPS

All taps installed must be water efficient with at least a 5-star rating under the Water Efficiency and Labelling Scheme (WELS). The details are to be submitted for the approval of the Registered Certifier, prior to any Occupation Certificate being issued.

Reason

To ensure the provision of water efficient taps.

BEFORE BUILDING WORK COMMENCES

(22) 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.

DURING BUILDING WORK

(23) 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.

(24) EROSION AND SEDIMENT CONTROL - LESS THAN 250SQM

Where less than 250 square metres are being disturbed, no formal plan is required however, the site is to be provided with sediment control measures and these must be implemented so that sediment, including soil, excavated material, building material or other materials cannot fall, descend, percolate, be pumped, drained, washed or allowed to flow to the street, stormwater system or waterways.

Reason

To ensure that appropriate erosion and sediment control measures are put in place during construction to protect the environment.

(25) 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.

(26) VEHICLE CLEANSING

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

Reason

To ensure sediment is not tracked onto the roadway.

(27) SYDNEY WATER CERTIFICATE

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to any Occupation Certificate or subdivision/strata certificate being issued.

Reason

To ensure the requirements of Sydney Water are met.

(28) 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.

(29) 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.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(30) 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.

(31) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an **Occupation Certificate**, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved at the Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

OCCUPATION AND ONGOING USE

(32) TRADING HOURS

The trading hours are restricted to between 6:00am and 10:00pm Monday to Sunday.

Reason

To ensure the premises trades within the approved hours of operation.

(33) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of the proposed structure shall encroach onto the adjoining properties.

Reason

To protect neighbouring properties.

(34) ENCROACHMENTS – PUBLIC WAY

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

Reason

To protect the public way.

(35) 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.

(36) SHARPS WASTE DISPOSAL EQUIPMENT

A sharps container is to be provided in each treatment area for the disposal of sharps waste including lancets, syringes, needles, disposable ear piercing equipment etc. immediately after use. Sharps must be disposed into a clearly labelled puncture-resistant sharps container which must comply with the requirements:

- (a) Australian Standard 4261-1994 Re-useable containers for the collection of sharp items used in human and animal medical applications, or
- (b) Australian Standard 4031-1992 Non re-useable containers for the collection of sharp medical items used in health care areas.

Reason

To ensure sharps waste is disposed of appropriately.

(37) SHARPS WASTE MANAGEMENT CONTRACT

The operator must have a contract for the disposal of the sharps waste from the premises which:

- (a) identifies that the waste contractor is licensed to dispose of sharps waste; and
- (b) provides evidence that sharps waste has been disposed.

Receipts/invoices for sharps waste collection must be kept on site and presented to Council when required.

A copy of this contract must be retained on the premises at all times and produced to Council upon request.

Reason

To ensure the disposal of sharps waste is managed appropriately.

(38) SHARPS WASTE MANAGEMENT PLAN

- (a) Procedures for sharps waste disposal and responding to needlestick injury must be included in the plan of management, displayed in a staff area, and displayed in a designated sharps waste storage space, and;
- (b) The operator must maintain, and provide to Council upon request, evidence that key staff (receptionist or manager) are trained in sharps disposal and needlestick injury procedures.

Reason

To ensure the disposal of sharps waste is managed and documented appropriately.

(39) SHARPS WASTE STORAGE

Premises must provide a designated storage space for sharps waste disposal equipment which contains at least:

- (a) 1 sharps disposal bin;
- (b) 1 set of tongs;
- (c) gloves;
- (d) safe disposal procedural information, and;
- (e) needle stick injury procedural information.

Reason

To ensure adequate storage space for sharps waste disposal is provided.

(40) HEALTH FACILITIES

Appropriately coloured and signed waste containers with securely fitting lids must be kept on the property for the storage of any clinical, or related waste prior to final disposal of the material at a facility approved by the NSW EPA.

A licensed clinical waste contractor must be engaged to collect and dispose of all clinical waste generated on site and their contact details produced to Council upon request. Receipts of service must be kept on site specifying the volume collected and the dates of service.

Reason

To ensure that clinical waste is appropriately managed.

(41) ONGOING WASTE MANAGEMENT – COMMERCIAL

- (a) The ongoing use of development/tenancy must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.
- (b) All general waste and recycling materials emanating from the premises must be stored in the designated waste storage area(s), must not be stored outside the premises (including the public domain) at any time.
- (c) All waste and recycling stream(s) storage area(s) are to only be used for the purposes of storing waste and recycling from the premises in accordance with the original consent and approved Operational Waste Management Plan and not be converted to a different use.
- (d) Scheduled collections and waste management arrangements of the development/tenancy is the responsibility of the business owner or property manager and are to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan and this consent. These arrangements include:
 - (i) arranging an adequate number of bins and the servicing regime matched to the needs of the premises.
 - (ii) actively managing waste streams and supporting infrastructure to ensure bins are not overflowing, damaged or leaking and lids are fully closed at all times.
 - (iii) routine cleaning and maintenance of waste storage area(s) to inhibit the permeation of odour and prevent litter and pests.
 - (iv) the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney.

- (e) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

Reason

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

(42) SCHEDULED COLLECTIONS – COMMERCIAL

- (a) Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for *Managing Waste in Public Places*.
- (b) Waste and recycling stream(s) bins must not be placed at the nominated collection point more than half an hour before the scheduled collection time. Bins and containers are to be removed from the street within half an hour of collection occurring.
- (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.

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>

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). <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.

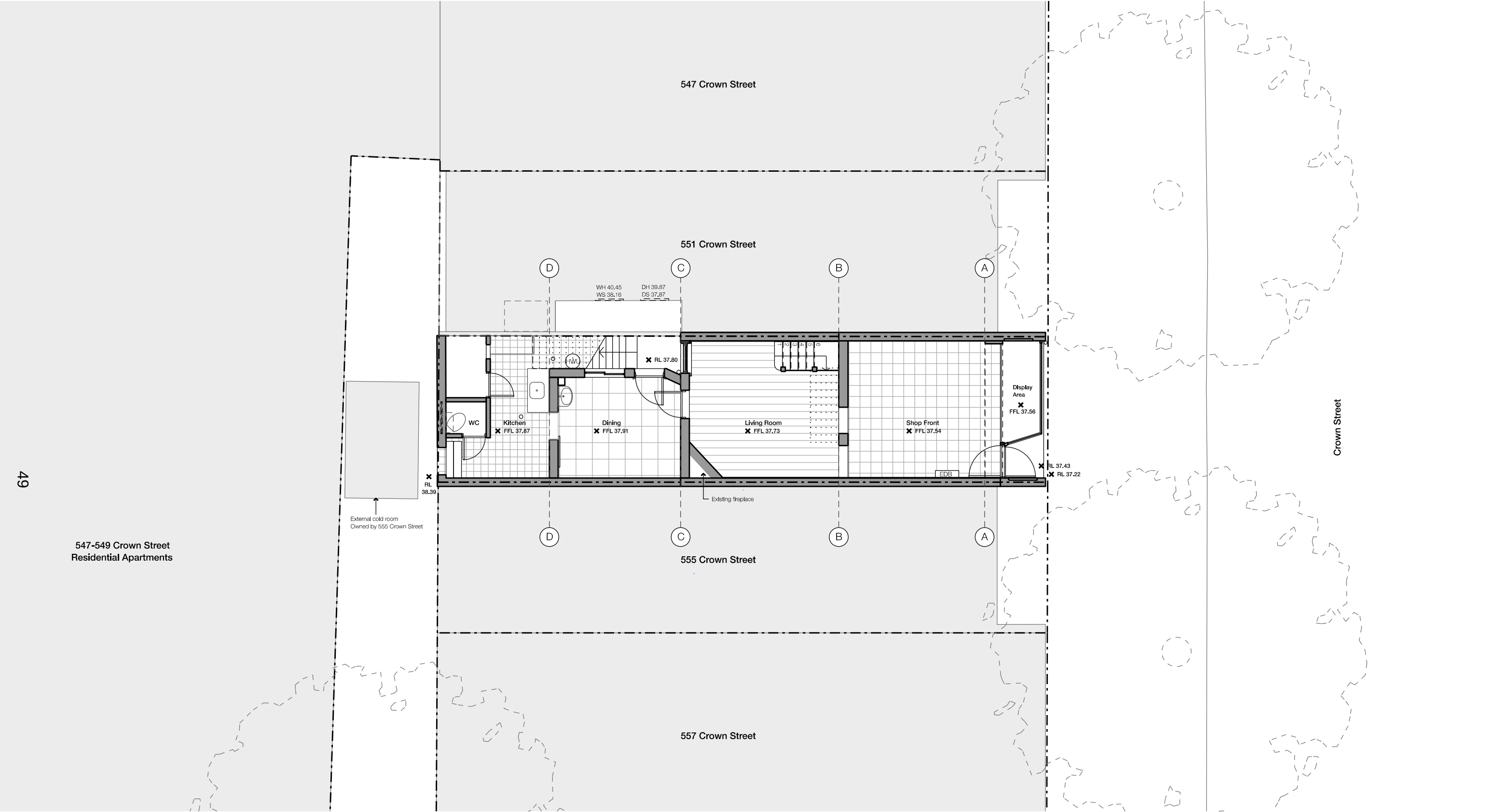
Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

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.

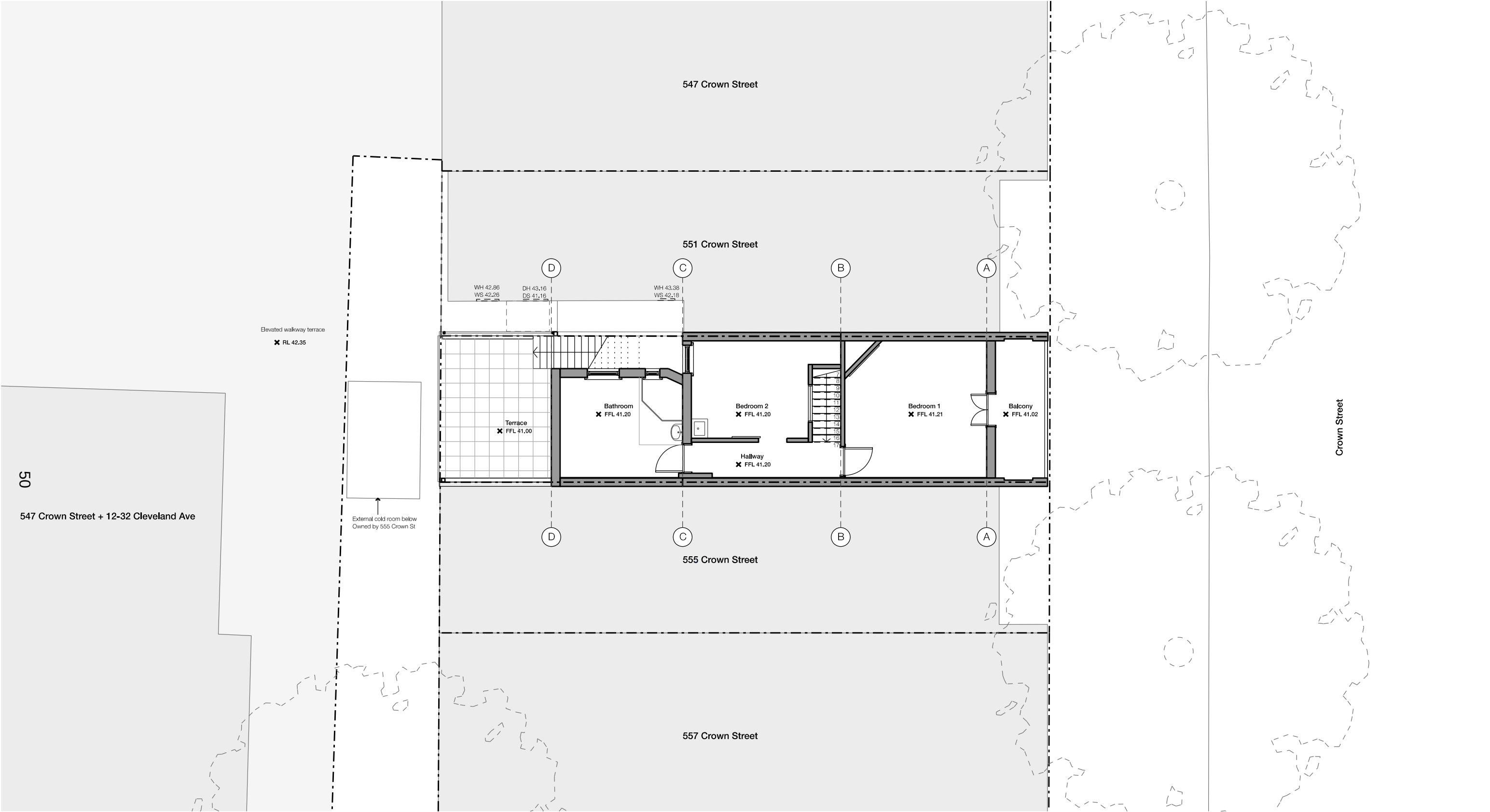
Attachment B

Selected Drawings



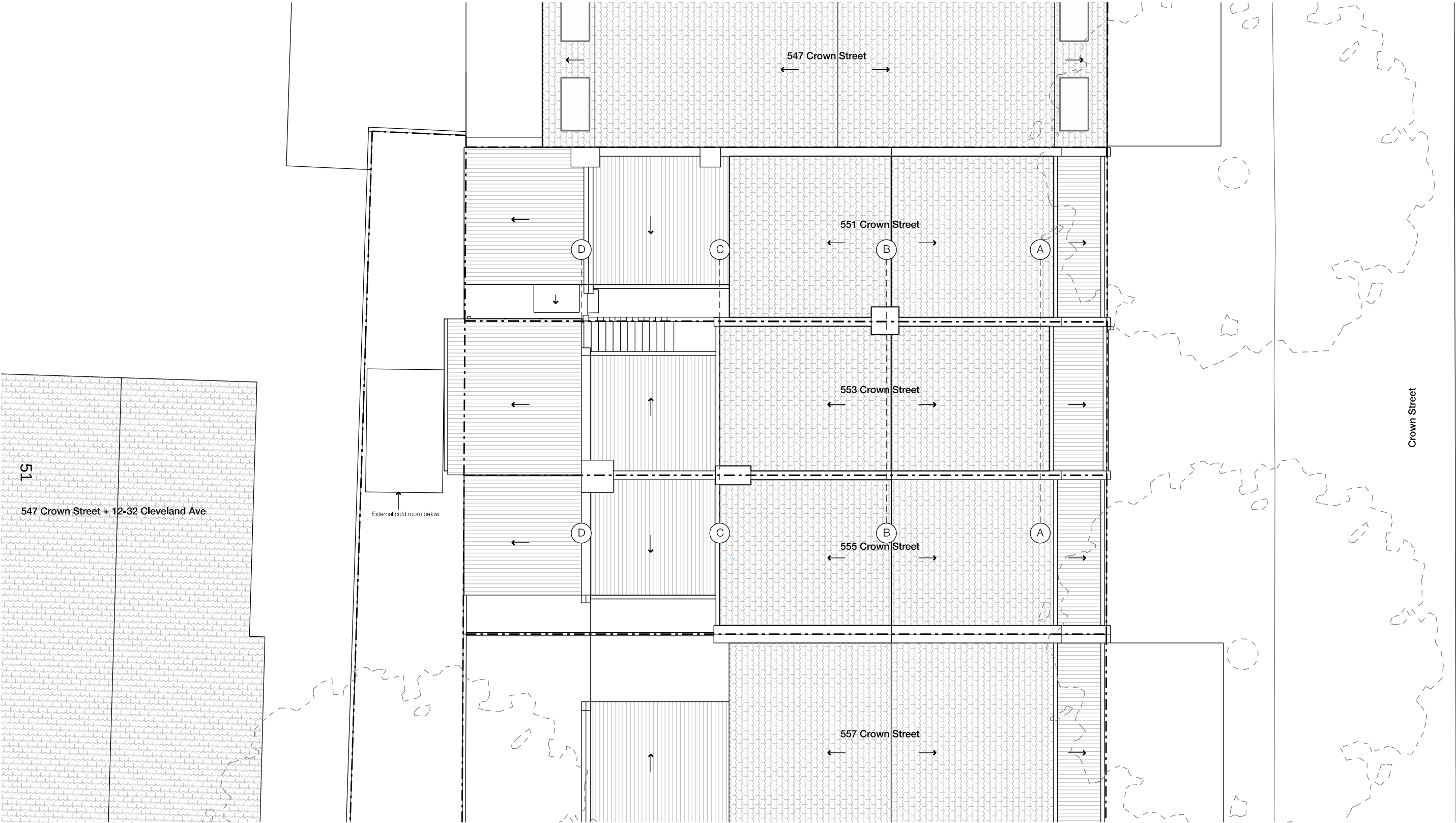
NOT FOR CONSTRUCTION

Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
-	18.12.2025	Issued for DA	1) Do not scale from drawing, use marked dimensions and levels. To be read in conjunction with all consultants' documentation. 2) Notify the architect of any discrepancies. 3) Contractor to verify all dimensions and coordinate services and components prior to commencement of site work or off-site fabrication and installation. 4) All construction must be built to requirements of the NCC / BCA and relevant Australian Standards. 5) Copyright on this drawing and design retained by the architect. 6) Any existing materials or structures found to be deficient during construction to be repaired / replaced as required.	1:100 @ A3 TN 0123M	Existing Proposed Demolition Abbreviations SEStructural Engineer CH+0000Ceiling Height (from slab level) COSCheck On Site NOM / TYPNominal / Typical	Structural Engineer Andrew Debridge, AD Consulting andrew@adconsultingengineers.com.au - 02 8026 0175 BCA Consultant Greg Murrow - Murrow Consulting greg@murrowconsulting.com.au - 02 8386 0737 Hydraulic Engineer Paul McDonald - InLine Hydraulics paul@inlinehs.com.au - 02 9526 1923 Access Consultant Monique Lucas - Purity Access monique@purityaccess.com.au - 0448 882 675	Planning Consultant Josh Roach - Consume Planning joshua@consumeplanning.com.au - 02 8067 8428 Heritage Consultant Ruth Daniell rdaniell@hug.com.au - 0408649854 Heritage Consultant Stephen McCormack - Geo-Environmental Engineering stephen@geoenvironmental.com.au - 0431 480 980	Architect studioplusthree Suite 65, Level 6 61 Marlborough St, Surry Hills NSW 2010 Telephone +61 2 8283 2730 Email info@studioplusthree.com.au Nominated Architects Simon Rochowski NSW 11521 Julie Ang NSW 11471	Project 553 Crown Street 553 Crown Street Surry Hills NSW 2010 Client Josephine Ha and Imbert Kong 3 / 140 Alexander Street Crows Nest NSW 2065	Drawing Existing Ground Floor Plan Project Number A2436 Drawing Number A_100 Stage DA Revision -



NOT FOR CONSTRUCTION

Rev	Date	Notes	General Notes		Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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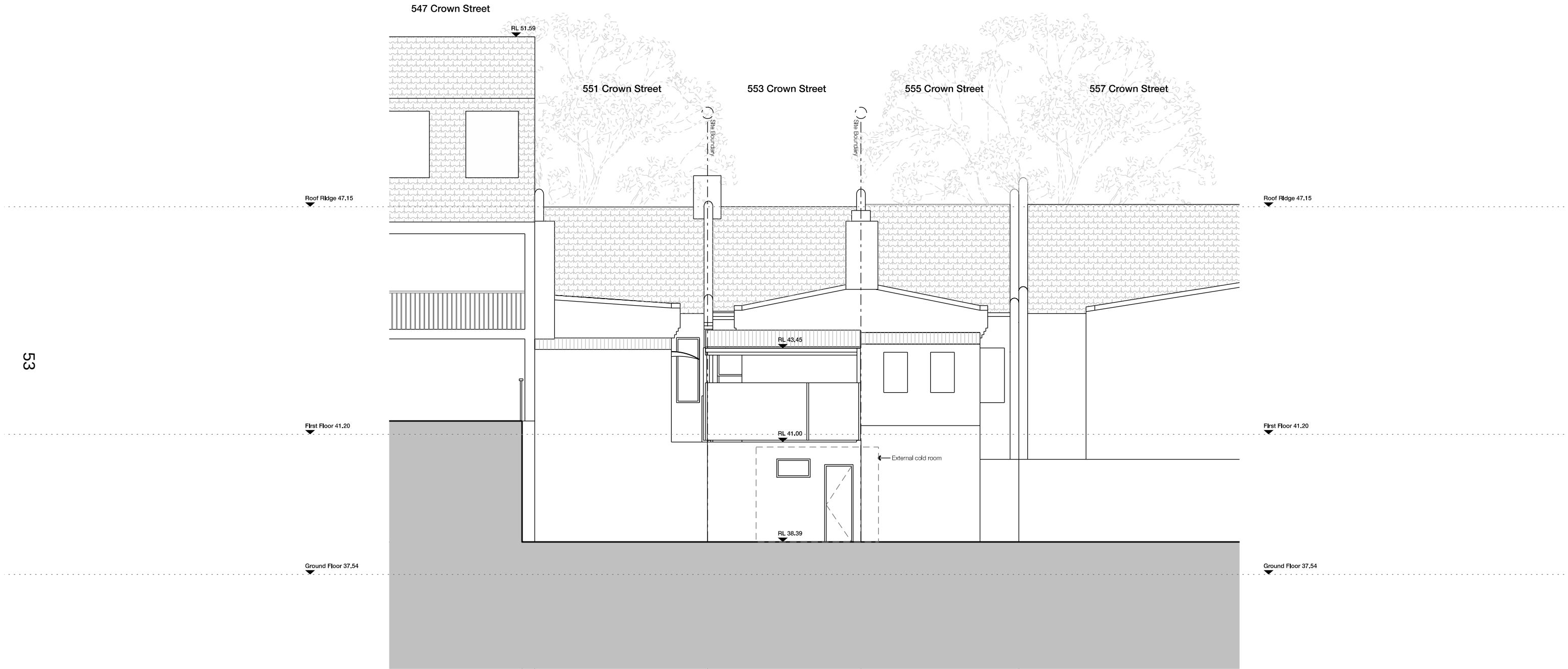
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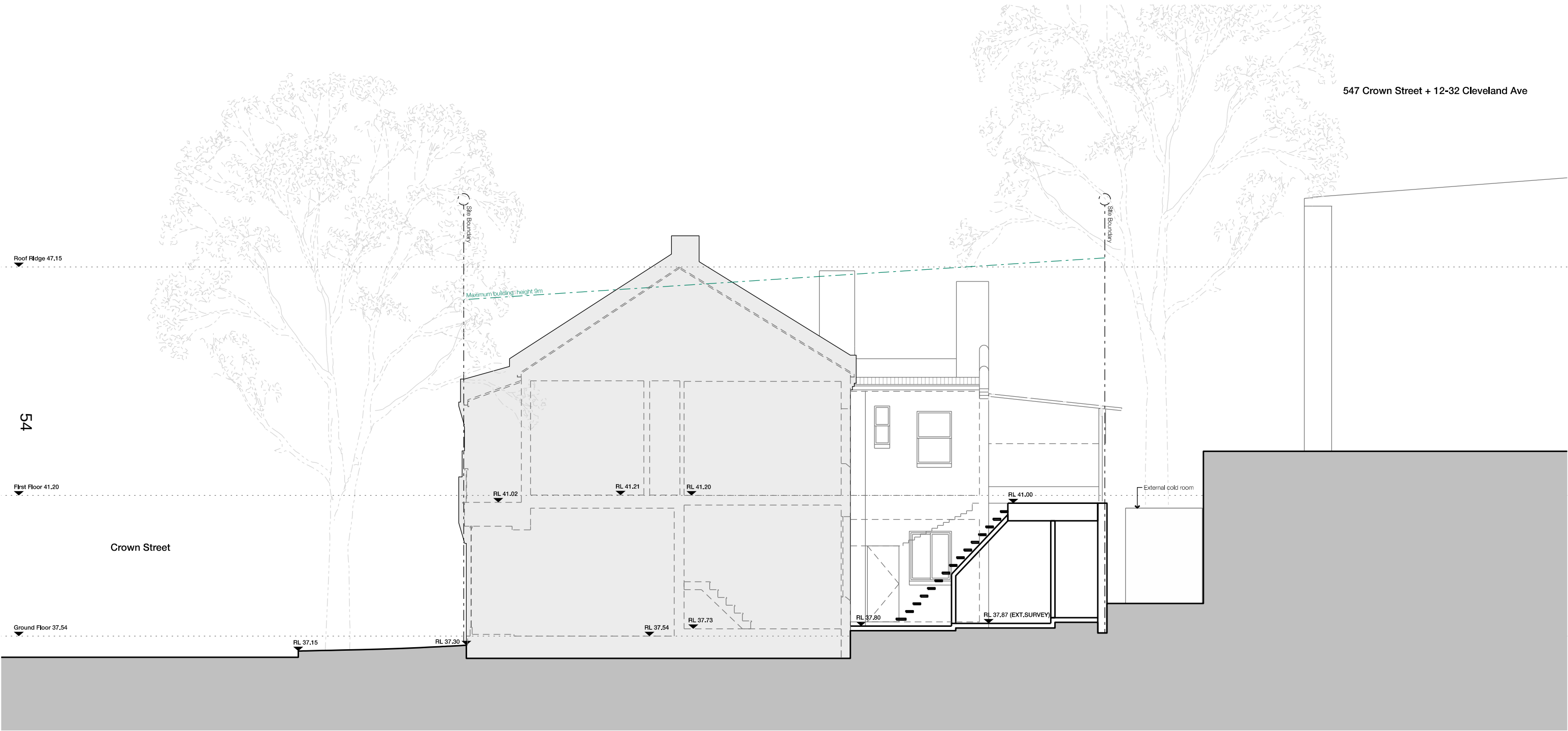
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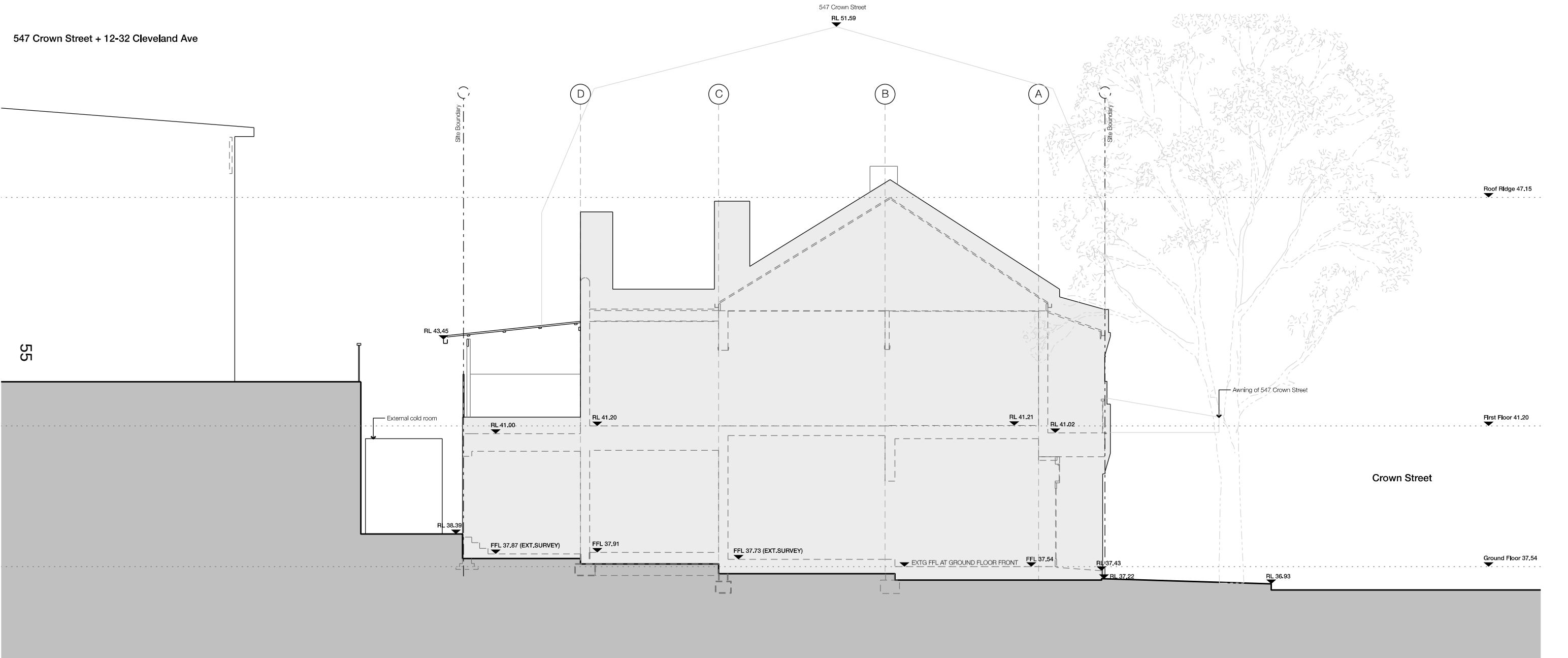
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Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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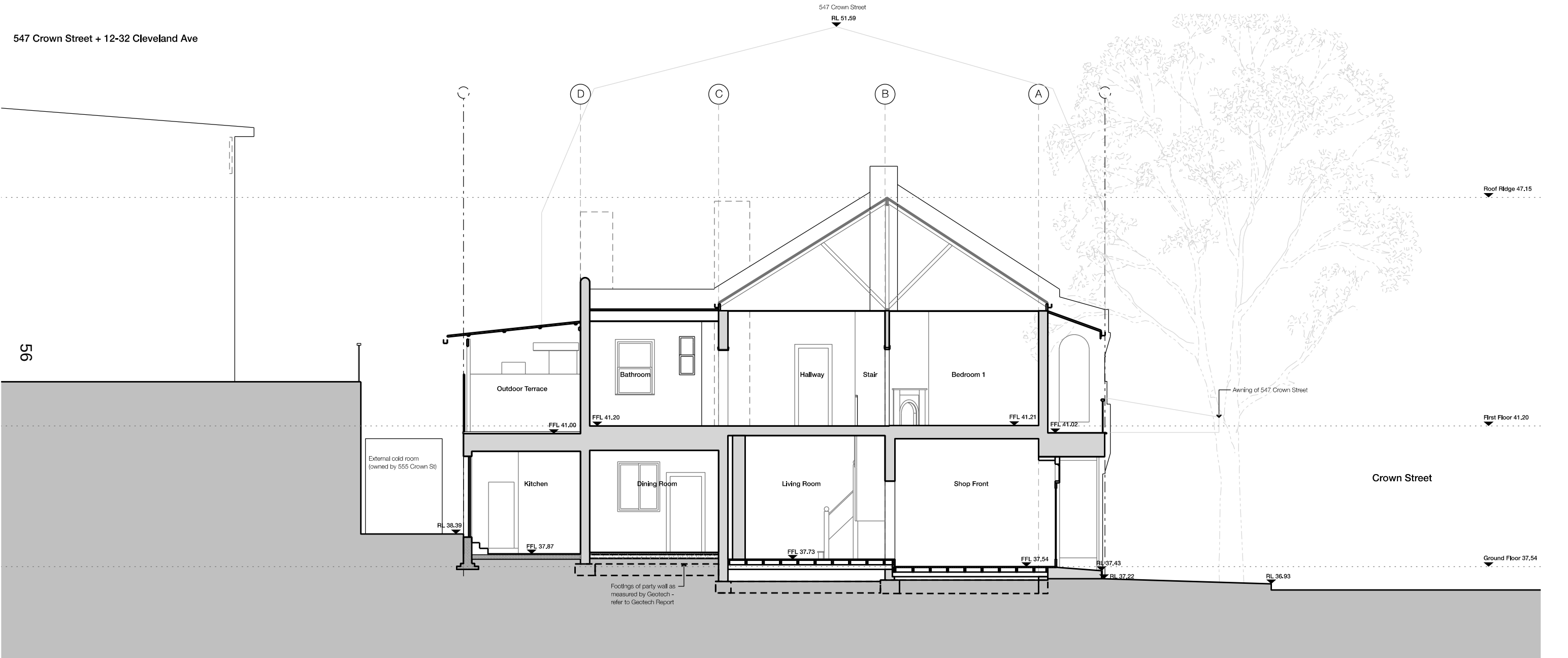
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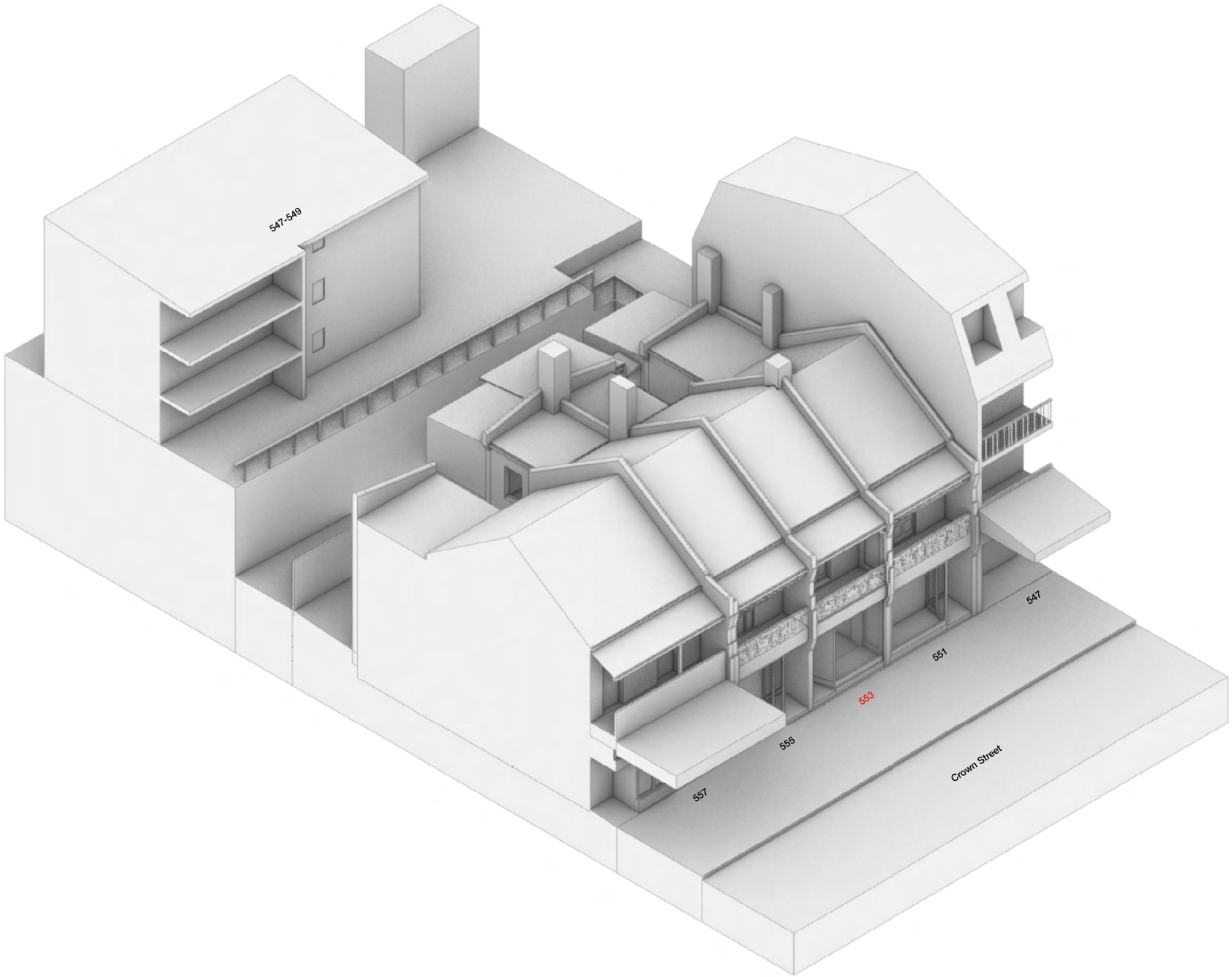
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Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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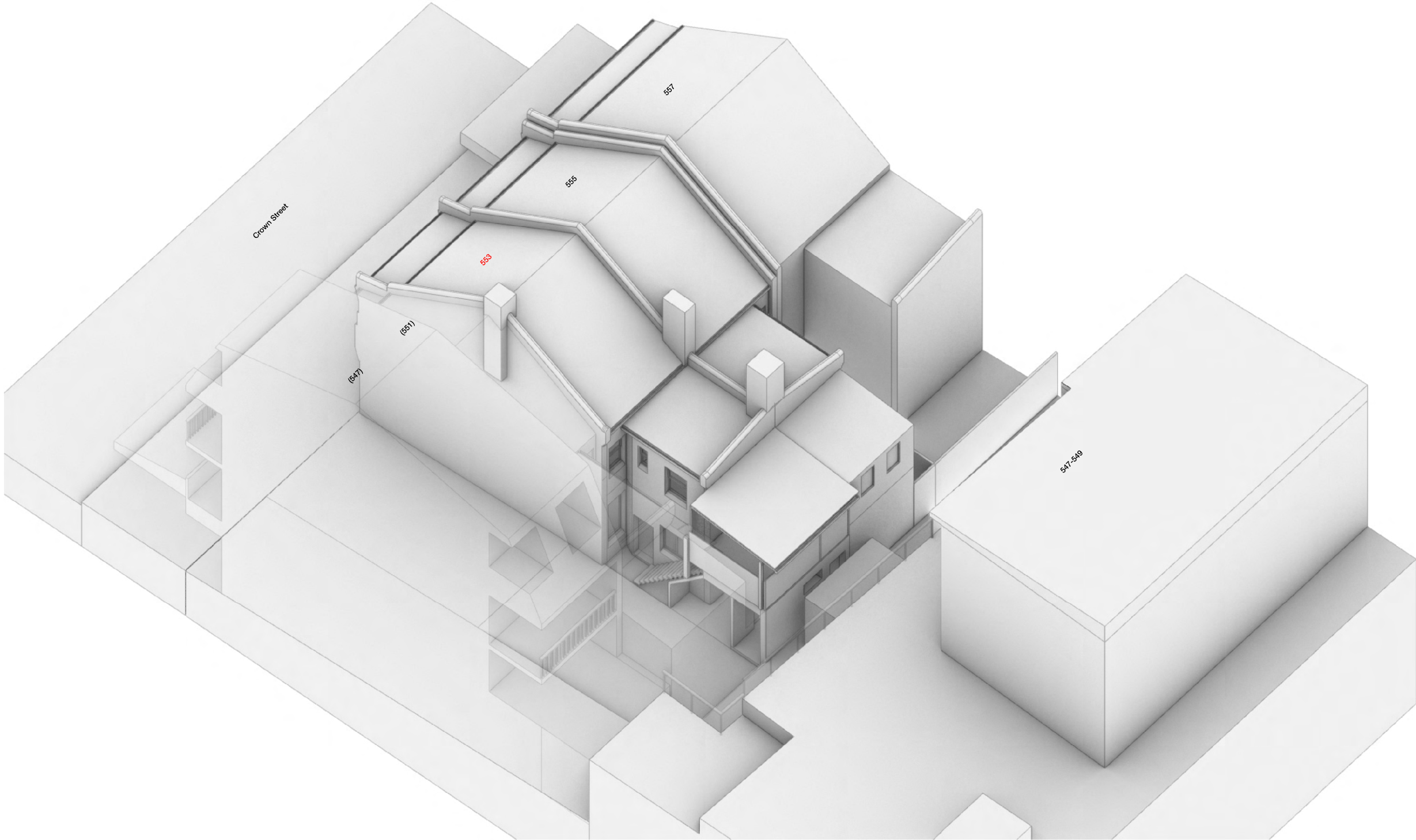
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Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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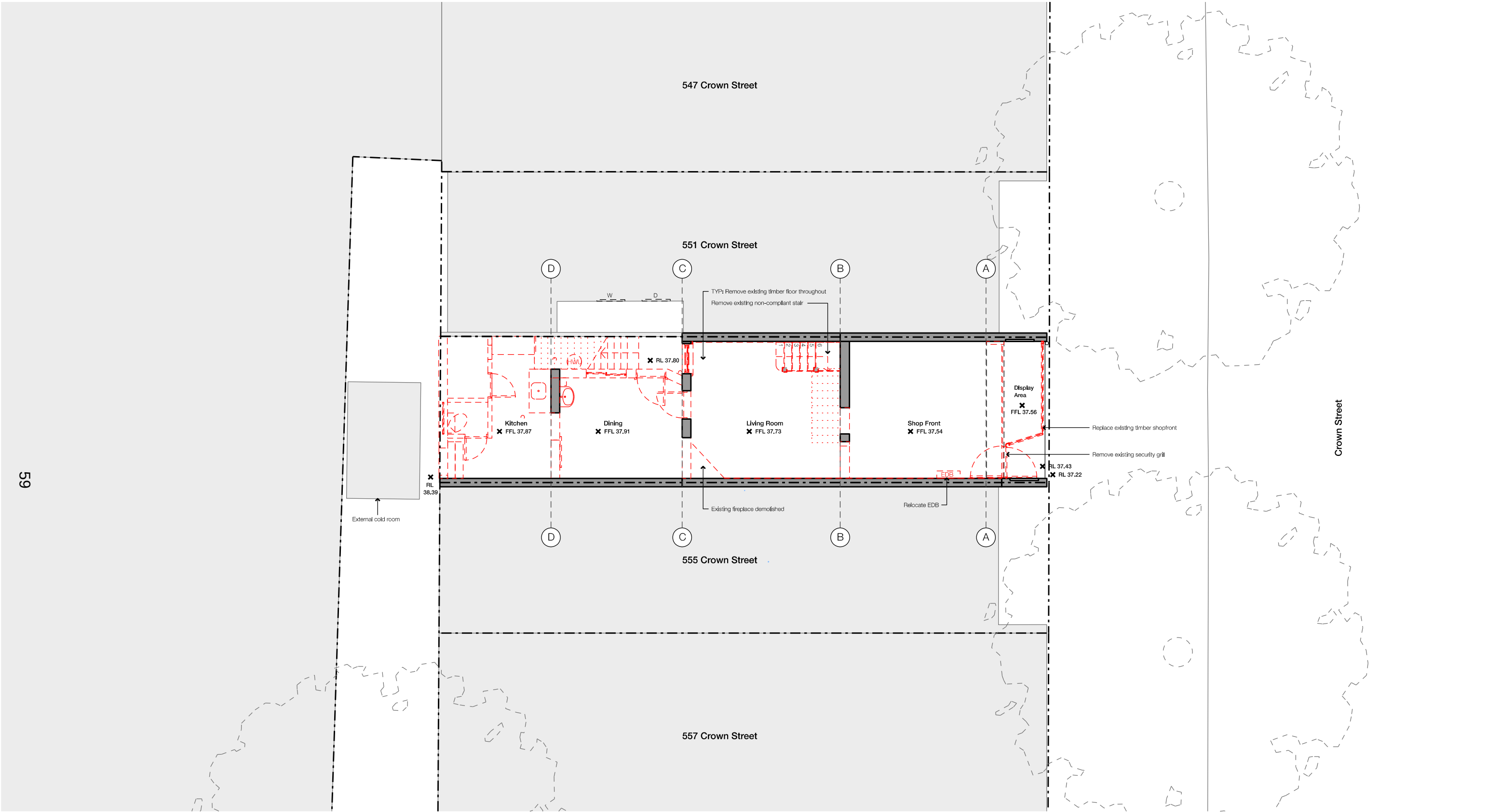
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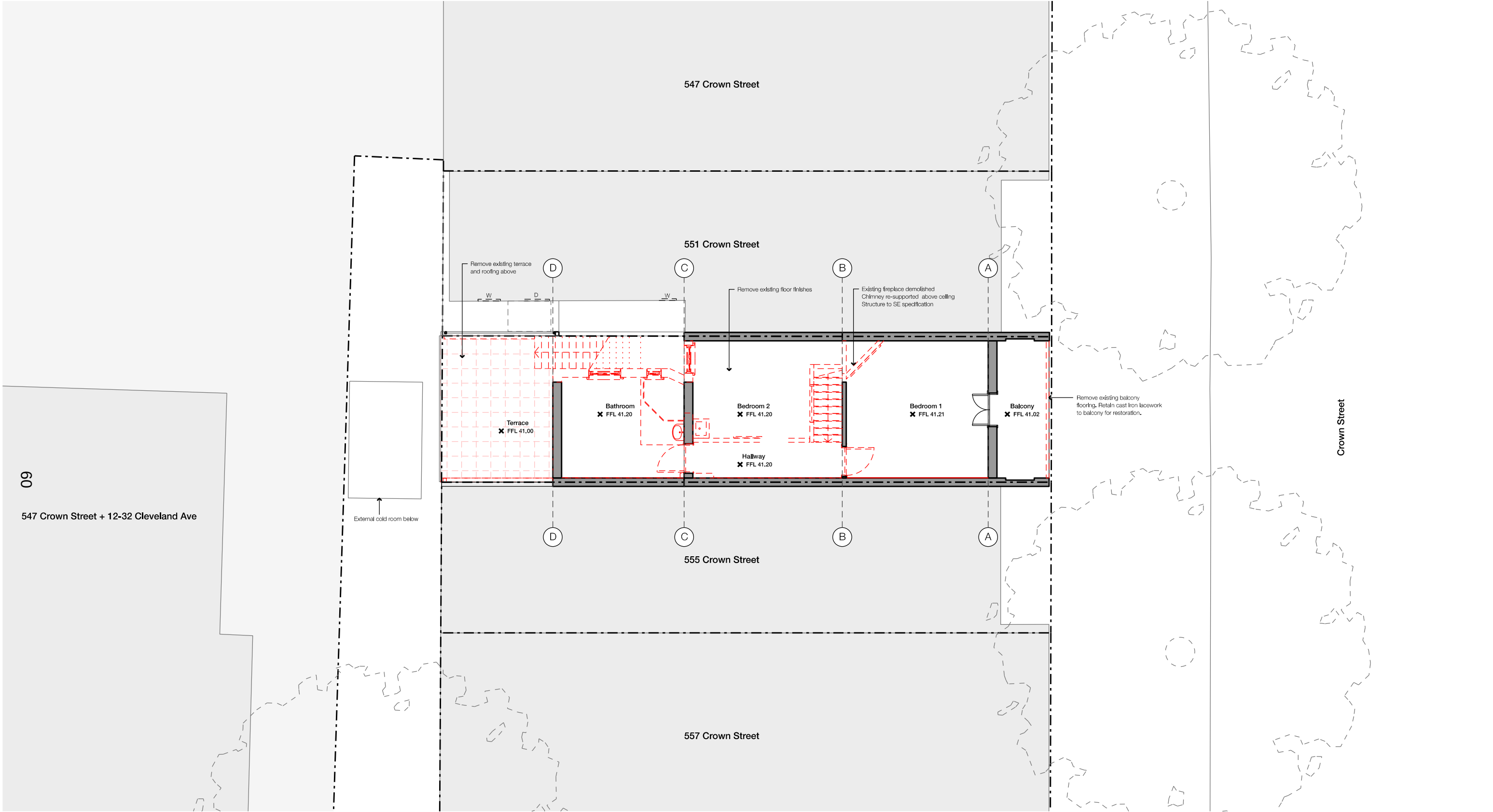
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Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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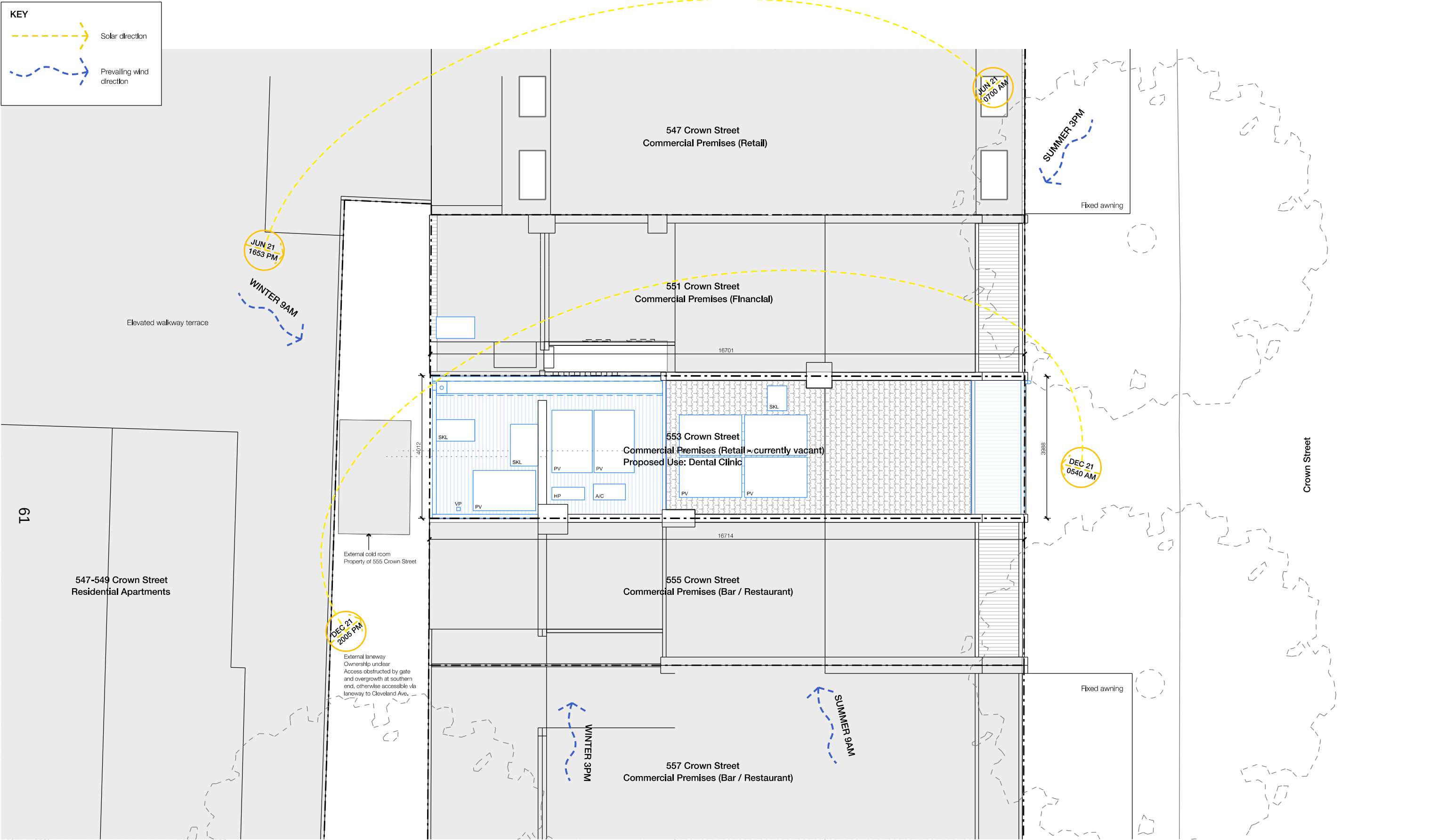
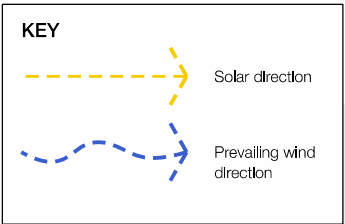
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Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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GENERAL NOTES

1. Contractor to refer to FF&E Schedule for all Dental Equipment labelled E1, E2, etc.

- E1 Adec 411 chair
1791 W x 660 D x 1715 H
- E2 CS9600 CBCT Scanner
1284 W x 1669 D x 2526 H
Required space: 1500 W x 2000 D x 2200 H (stool installed on left)
- E3 Cattani AC300 Compressor (ground floor only)
620 W x 520 D x 750 H
- E4 Cattani Micro Smart Suction (assumes one per floor)
380 W x 350 D x 600 H
- E5 Melag Vaculave 318 Autoclave
470 W x 640 D x 500 H
- E6 Phrozen Sonic Mini 4K 3D Printer
230 W x 230 D x 340 H
- E7 AnyCubic Wash and Cure Machine
225 W x 235 D x 365 H
- E8 Ackuretta CuriePlus Curing Machine
366 W x 260 D x 234 H

General Notes

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Scale / North Point

1:100@ A3

TN



0 1 2 3M

Key

	Existing
	Proposed
	Demolition

Abbreviations

SE	Structural Engineer
CH + 0000	Ceiling Height (from slab level)
COS	Check On Site
NOM / TYP	Nominal / Typical
POD	Power Operated Door

Structural Engineer

Andrew Dietbridge, AD Consulting
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BCA Consultant

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Nominated Architects:
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Project

553 Crown Street
553 Crown Street
Surry Hills NSW 2010

Client

Josephine Ha and Imbert Kong
3 / 140 Alexander Street
Crows Nest NSW 2065

Drawing

Ground Floor Plan

Project Number
A2436

Drawing Number

A_200

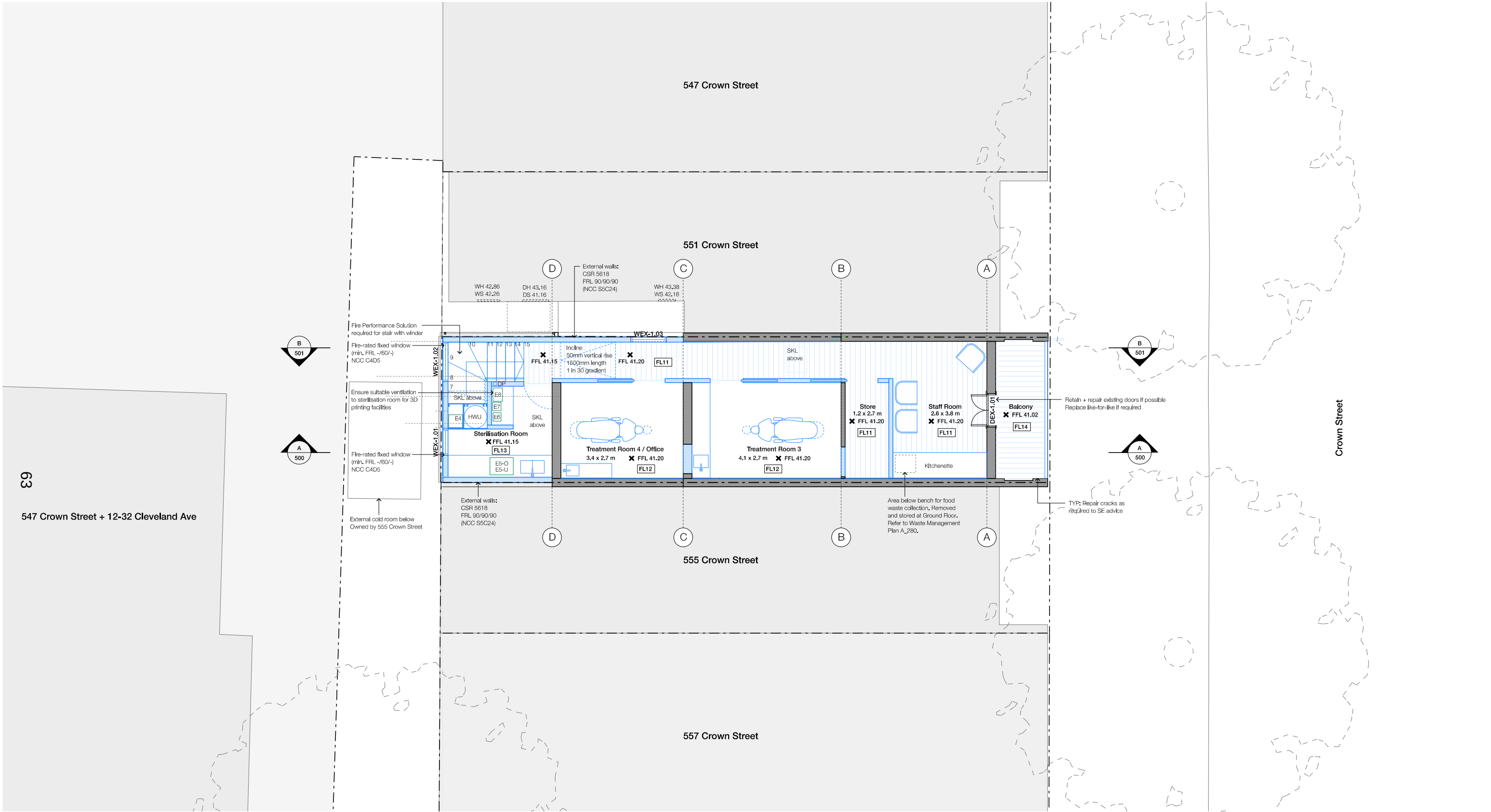
Stage

DA

Revision

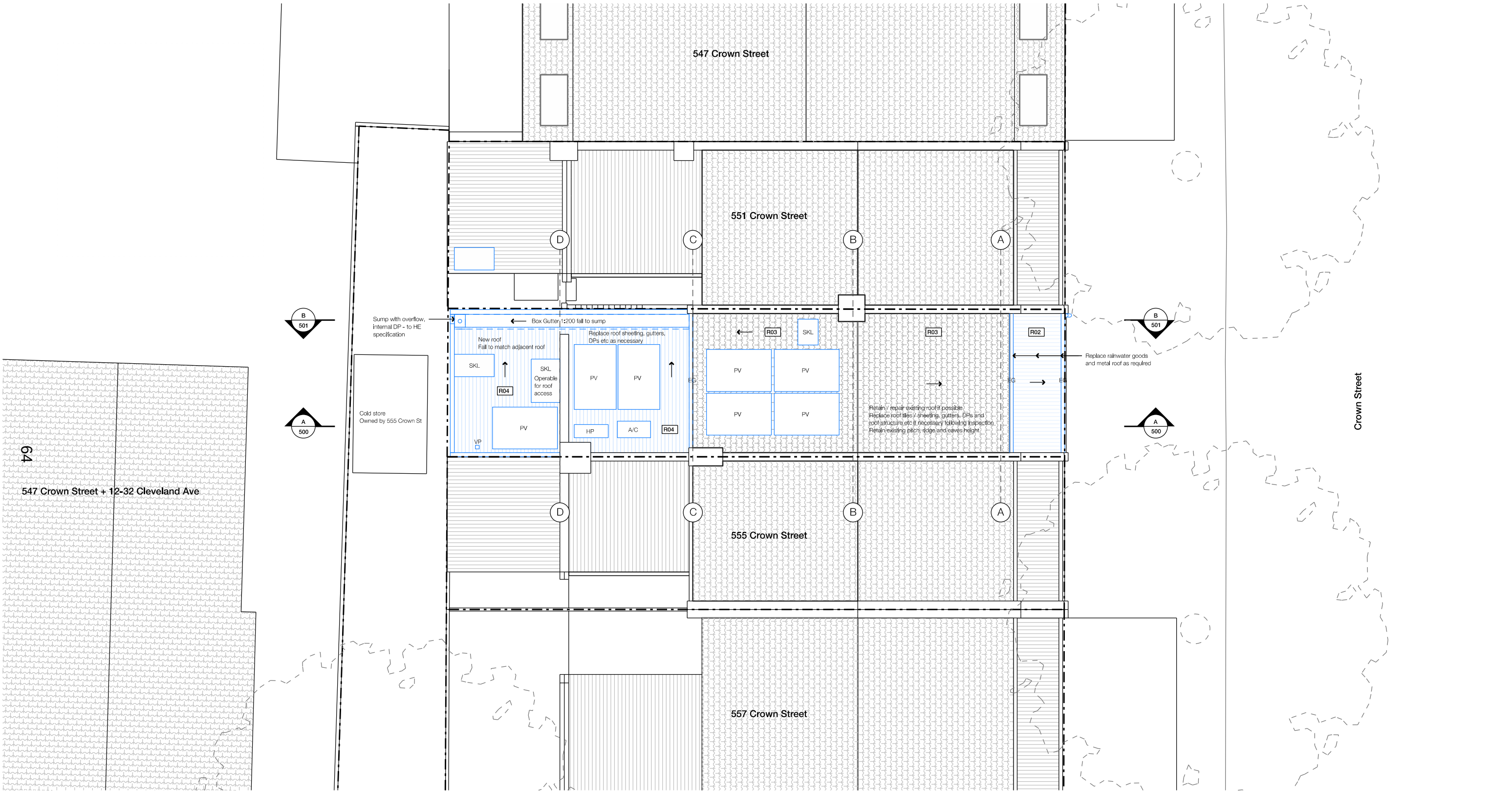
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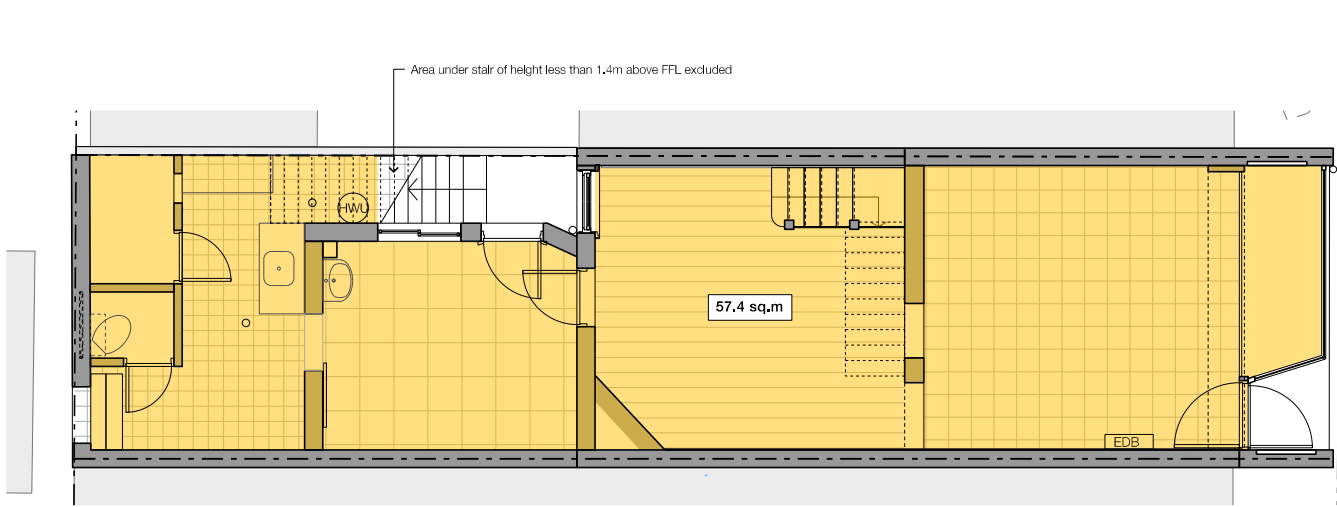
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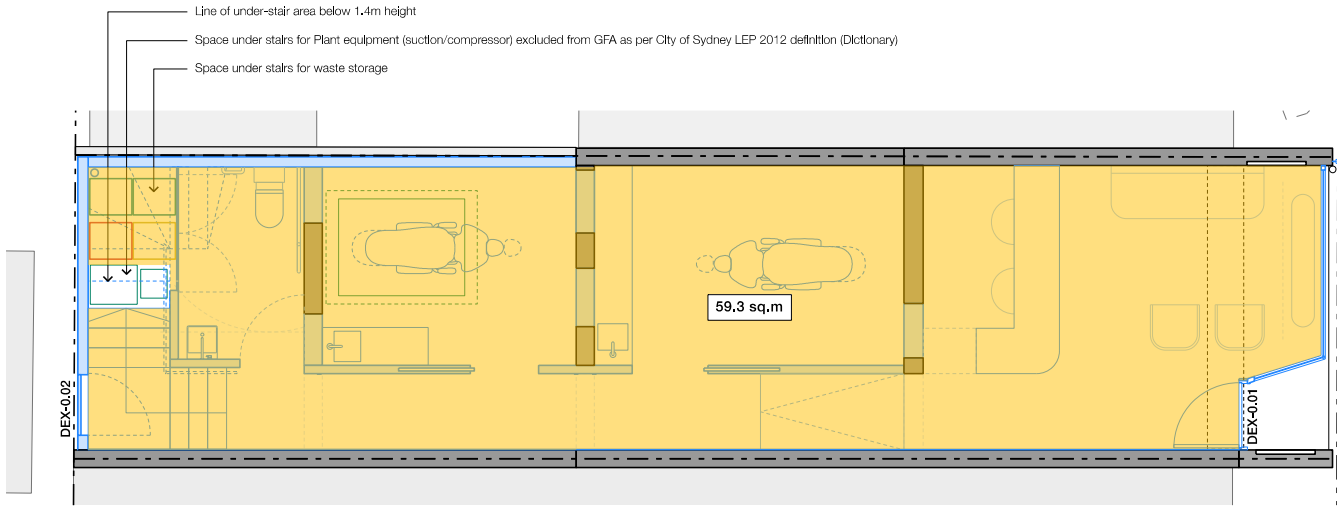


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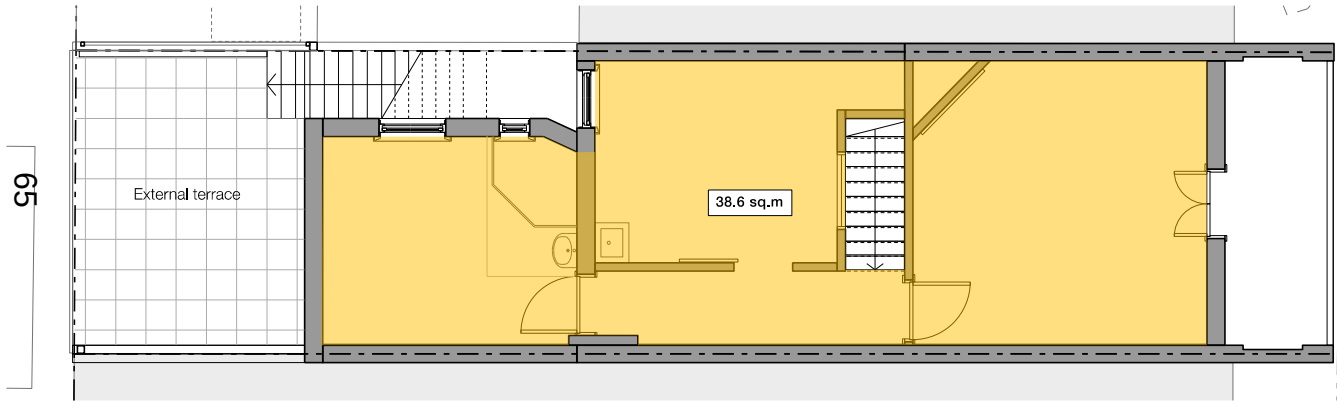
Rev	Date	Notes	General Notes		Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
-	18.12.2025	Issued for DA	1) Do not scale from drawing, use marked dimensions and levels. To be read in conjunction with all consultants' documentation. 2) Notify the architect of any discrepancies. 3) Contractor to verify all dimensions and coordinate services and components prior to commencement of site work or off-site fabrication and installation. 4) All construction must be built to requirements of the NCC / BCA and relevant Australian Standards. 5) Copyright on this drawing and design retained by the architect. 6) Any existing materials or structures found to be deficient during construction to be repaired / replaced as required.		1:100@ A3 TN 0 1 2 3M	Existing Proposed Demolition Abbreviations SE Structural Engineer CH +0000 Ceiling Height (from slab level) COS Check On Site NOM / TYP Nominal / Typical BG / EG Box Gutter / Eaves Gutter	Structural Engineer Andrew Derbridge, AD Consulting andrew@adconsulting.com.au - 02 8026 0175 Heritage Consultant Ruth Daniell rdaniell@hug.com.au - 0408649854 Heritage Consultant Stephen McCormack - Geo-Environmental Engineering stephen@geoenvironmental.com.au - 0431 480 980 Access Consultant Monique Lucas - Purity Access monique@purityaccess.com.au - 0448 882 675	Planning Consultant Josh Roach - Consume Planning joshua@consumeplanning.com.au - 02 8067 8428 Heritage Consultant Ruth Daniell rdaniell@hug.com.au - 0408649854 Heritage Consultant Stephen McCormack - Geo-Environmental Engineering stephen@geoenvironmental.com.au - 0431 480 980	Architect studioplusthree Suite 65, Level 6 61 Marlborough St, Surry Hills NSW 2010 Telephone +61 2 8283 2730 Email info@studioplusthree.com.au Nominated Architects Simon Rochowski NSW 11521 Julia Ang NSW 11471	Project 553 Crown Street 553 Crown Street Surry Hills NSW 2010 Client Josephine Ha and Imbert Kong 3 / 140 Alexander Street Crows Nest NSW 2065	Drawing Roof Plan Project Number A2436 Drawing Number A_202 Stage DA Revision -



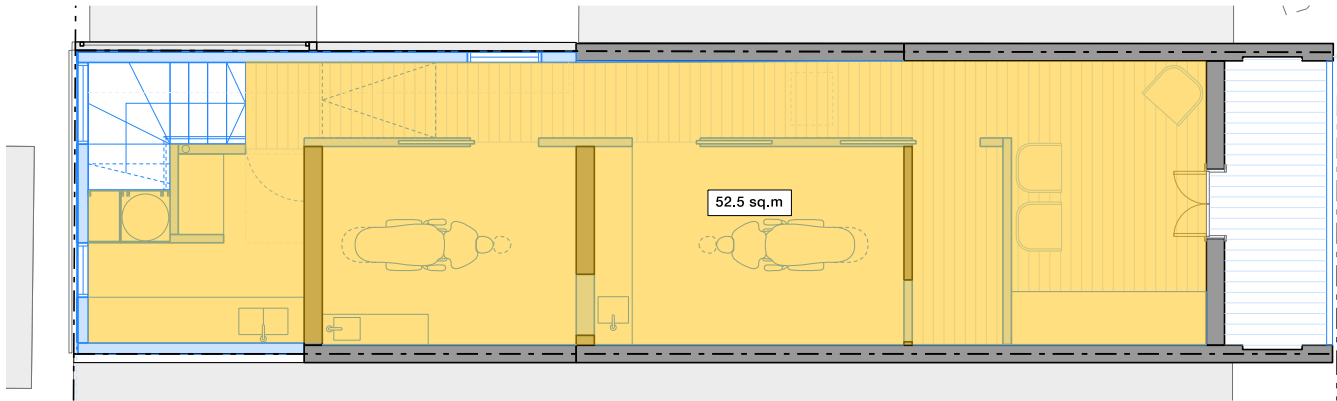
01 EXISTING GROUND FLOOR GFA
SCALE: 1:100 @ A3



03 PROPOSED GROUND FLOOR GFA
SCALE: 1:100 @ A3



02 EXISTING FIRST FLOOR GFA
SCALE: 1:100 @ A3



04 PROPOSED FIRST FLOOR GFA
SCALE: 1:100 @ A3

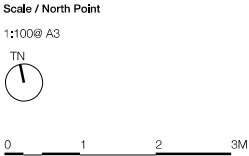
AREA CALCULATIONS	
Existing GFA (Total)	96.0 sqm (57.4 GF + 38.6 FF)
Proposed GFA (Total)	111.8 sqm (59.3 GF + 52.5 FF)
Total Site Area	66.8sqm by Survey (63.2sqm by Title) Survey figure used
Maximum FSR (SLEP 2012)	1.5 : 1 (66.8 x 1.5 = 100.2 sqm)
Existing FSR	1.44 : 1 (GFA 96 : Site Area 66.8)
Proposed FSR	1.67 : 1 (GFA 111.8 : Site Area 66.8)

NOT FOR CONSTRUCTION

Rev	Date	Notes
-	18.12.2025	Issued for DA
A	16.02.2026	Amended GFA calculation
B	17.02.2026	Amended GFA calculation

General Notes

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Key	
	Existing
	Proposed
	Demolition
Abbreviations	
SE	Structural Engineer
CH + +0000	Ceiling Height (from slab level)
COS	Check On Site
NOM / TYP	Nominal / Typical

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Greg Murrow - Murrow Consulting
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Nominated Architects
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553 Crown Street
Surry Hills NSW 2010

Client
Josephine Ha and Imbert Kong
3 / 140 Alexander Street
Crows Nest NSW 2065

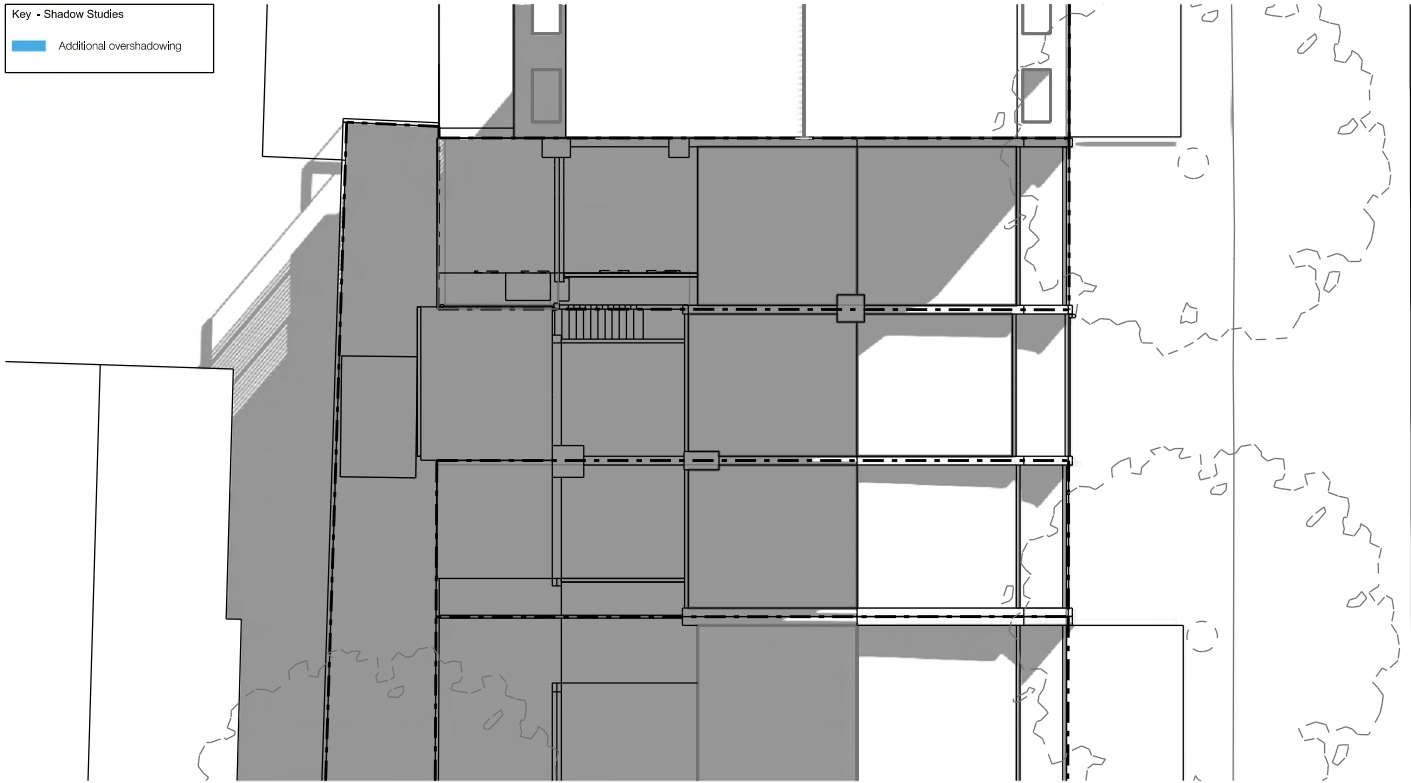
Drawing
Area Diagrams - GFA

Project Number
A2436

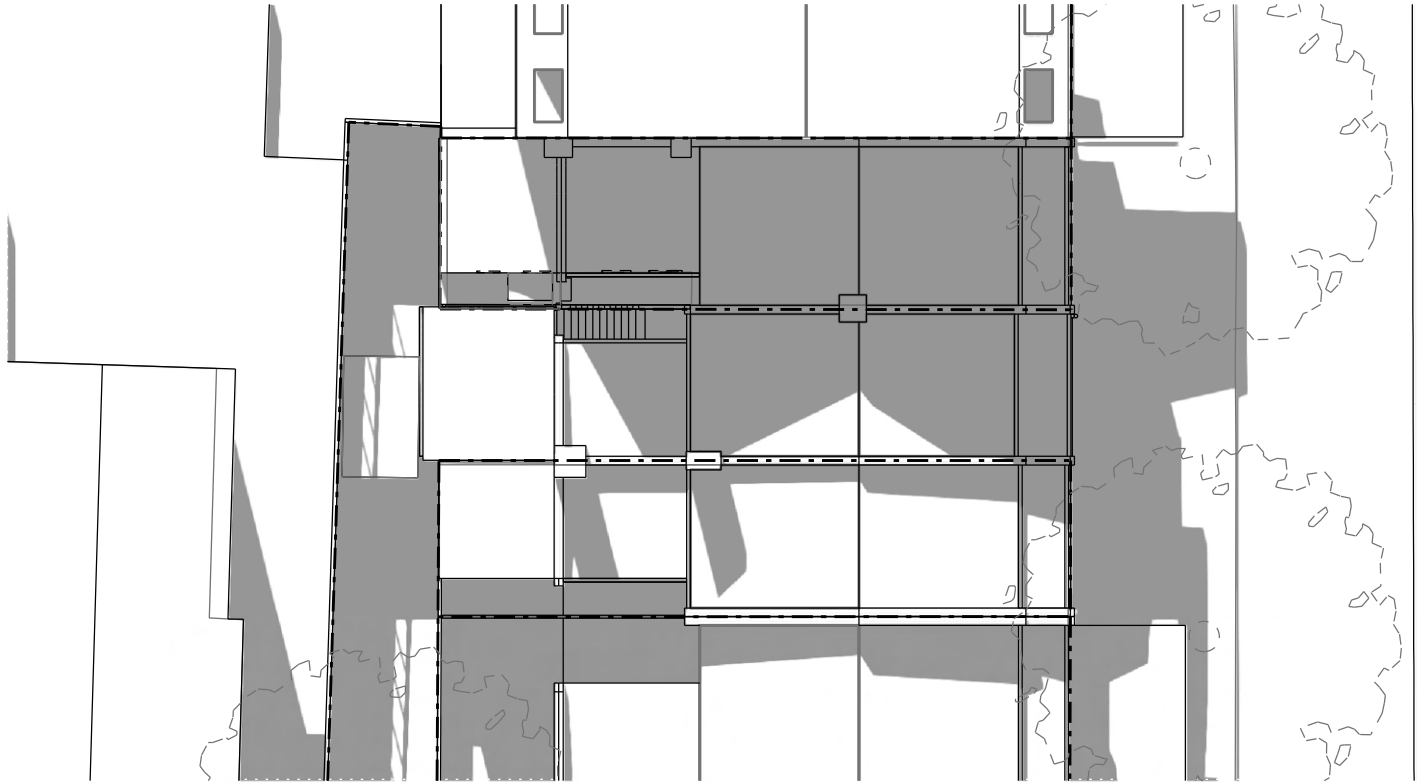
Drawing Number
A_260

Stage
DA

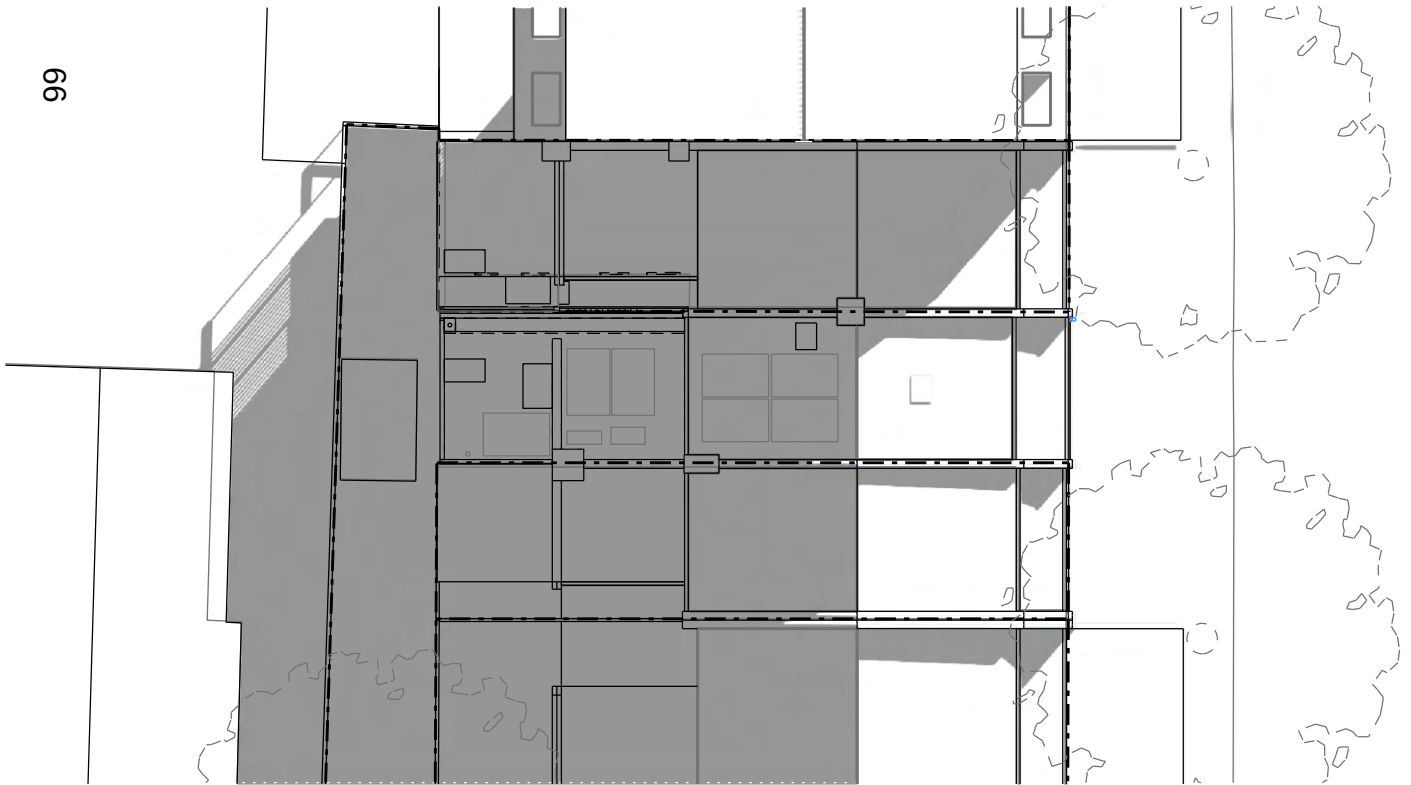
Revision
B



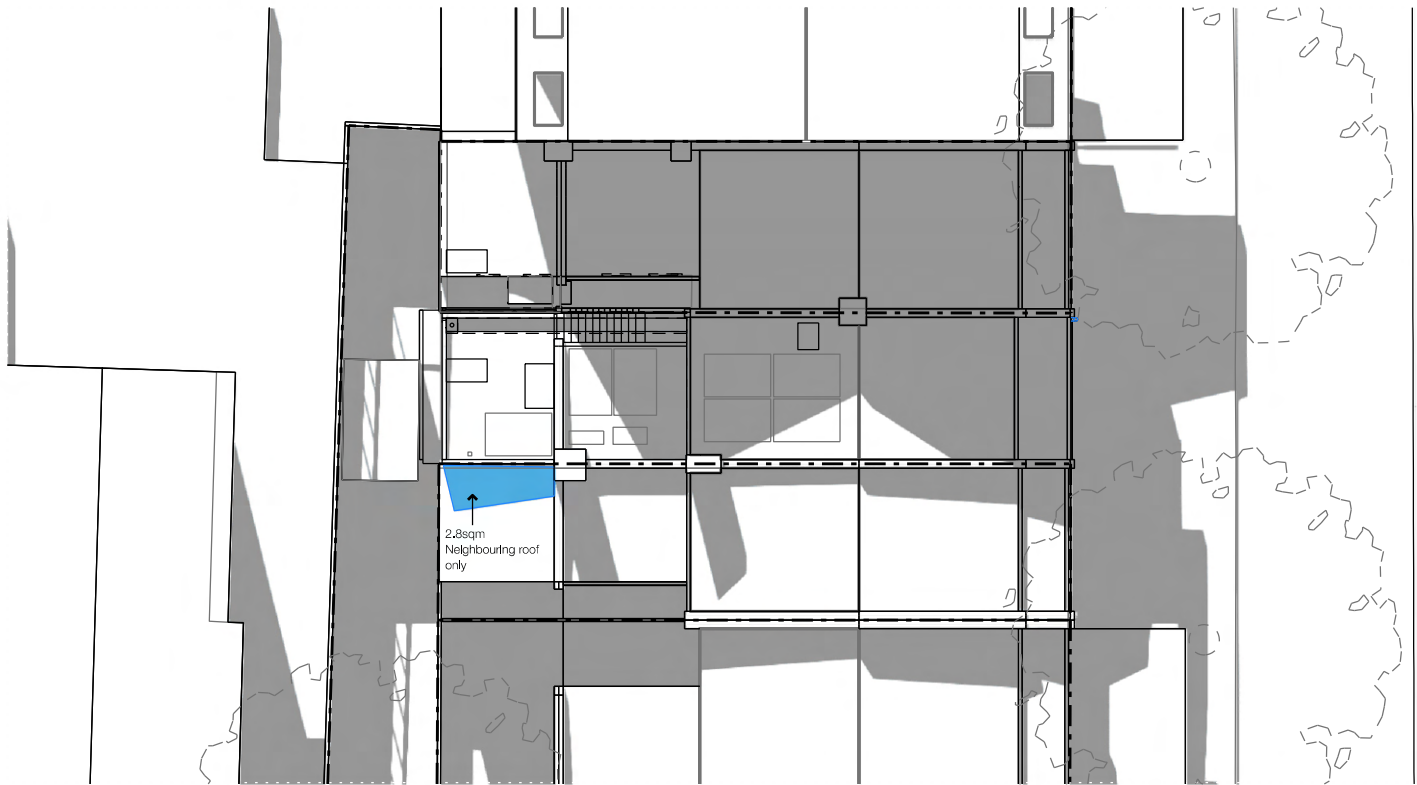
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SCALE: 1:200 @ A3



03 EXISTING: JUNE 21 - 12pm
SCALE: 1:200 @ A3



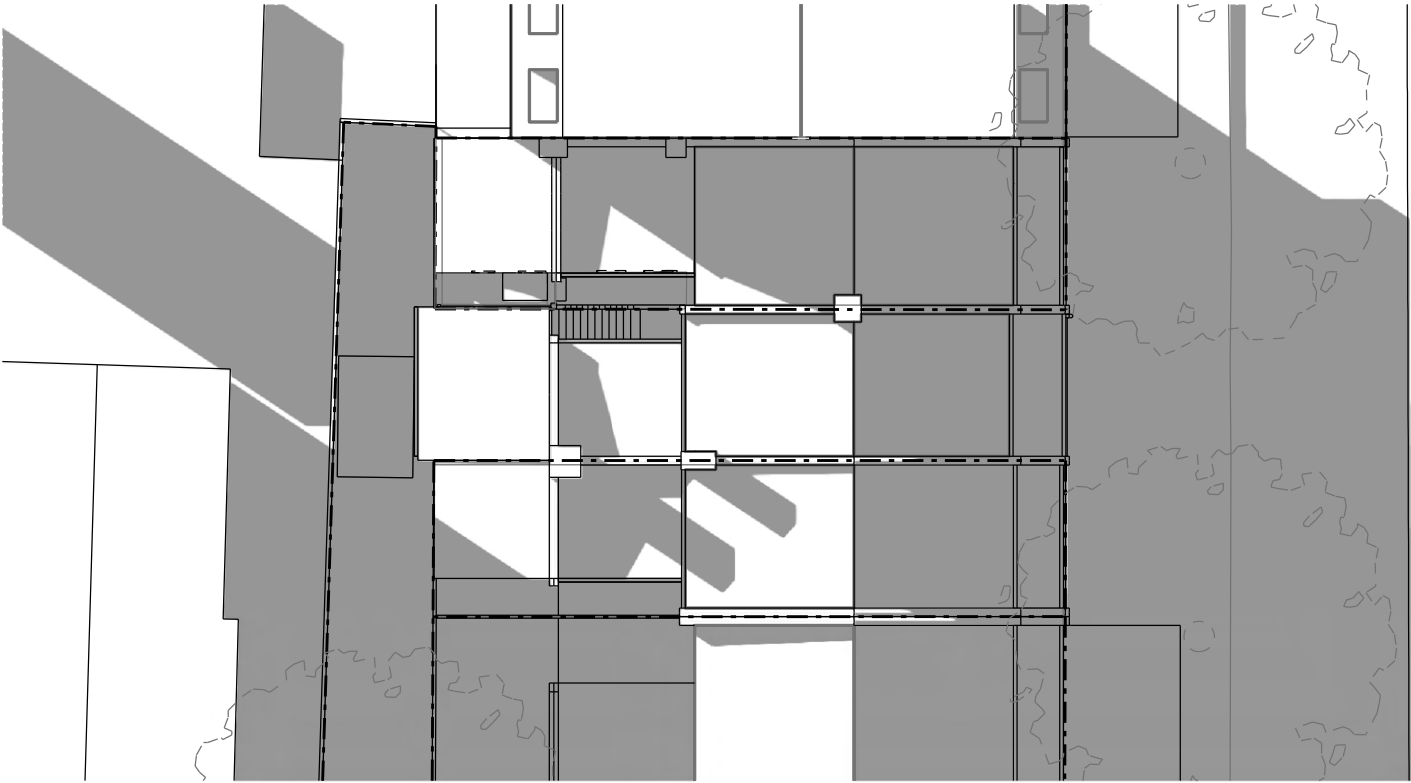
02 PROPOSED: JUNE 21 - 9am
SCALE: 1:200 @ A3



04 PROPOSED: JUNE 21 - 12pm
SCALE: 1:200 @ A3

NOT FOR CONSTRUCTION

Rev	Date	Notes	General Notes	Scale / North Point	Key - General	Structural Engineer	Planning Consultant	Architect	Project	Drawing
-	18.12.2025	Issued for DA	1) Do not scale from drawing, use marked dimensions and levels. To be read in conjunction with all consultants' documentation. 2) Notify the architect of any discrepancies. 3) Contractor to verify all dimensions and coordinate services and components prior to commencement of site work or off-site fabrication and installation. 4) All construction must be built to requirements of the NCC / BCA and relevant Australian Standards. 5) Copyright on this drawing and design retained by the architect. 6) Any existing materials or structures found to be deficient during construction to be repaired / replaced as required.	1:200 @ A3 TN	Existing Proposed Demolition Abbreviations SE Structural Engineer CH = +0000 Ceiling Height (from slab level) COS Check On Site NOM / TYP Nominal / Typical	Structural Engineer Andrew Diebridge, AD Consulting andrew@adconsultingengineers.com.au - 02 8028 0175 BCA Consultant Greg Murrow - Murrow Consulting greg@murrowconsulting.com.au - 02 8386 0737 Hydraulic Engineer Paul McDonald - InLine Hydraulics paul@inlinehs.com.au - 02 9526 1923 Access Consultant Monique Lucas - Purity Access monique@purityaccess.com.au - 0448 882 675	Planning Consultant Josh Roach - Consume Planning joshua@consumeplanning.com.au - 02 8067 8428 Heritage Consultant Ruth Daniell rdaniell@hug.com.au - 0408649854 Heritage Consultant Stephen McCormack - Geo-Environmental Engineering stephen@geoenvironmental.com.au - 0431 480 980	Architect studioplusthree Suite 65, Level 6 61 Marlborough St, Surry Hills NSW 2010 Telephone +61 2 8283 2730 Email info@studioplusthree.com.au Nominated Architects Simon Rochowski NSW 11521 Julia Ang NSW 11471	Project 553 Crown Street 553 Crown Street Surry Hills NSW 2010 Client Josephine Ha and Imbert Kong 3 / 140 Alexander Street Crows Nest NSW 2065	Drawing Shadow Studies - Existing and Proposed June 21 - 9am, 12pm Project Number A2436 Drawing Number A_270 Stage DA Revision -



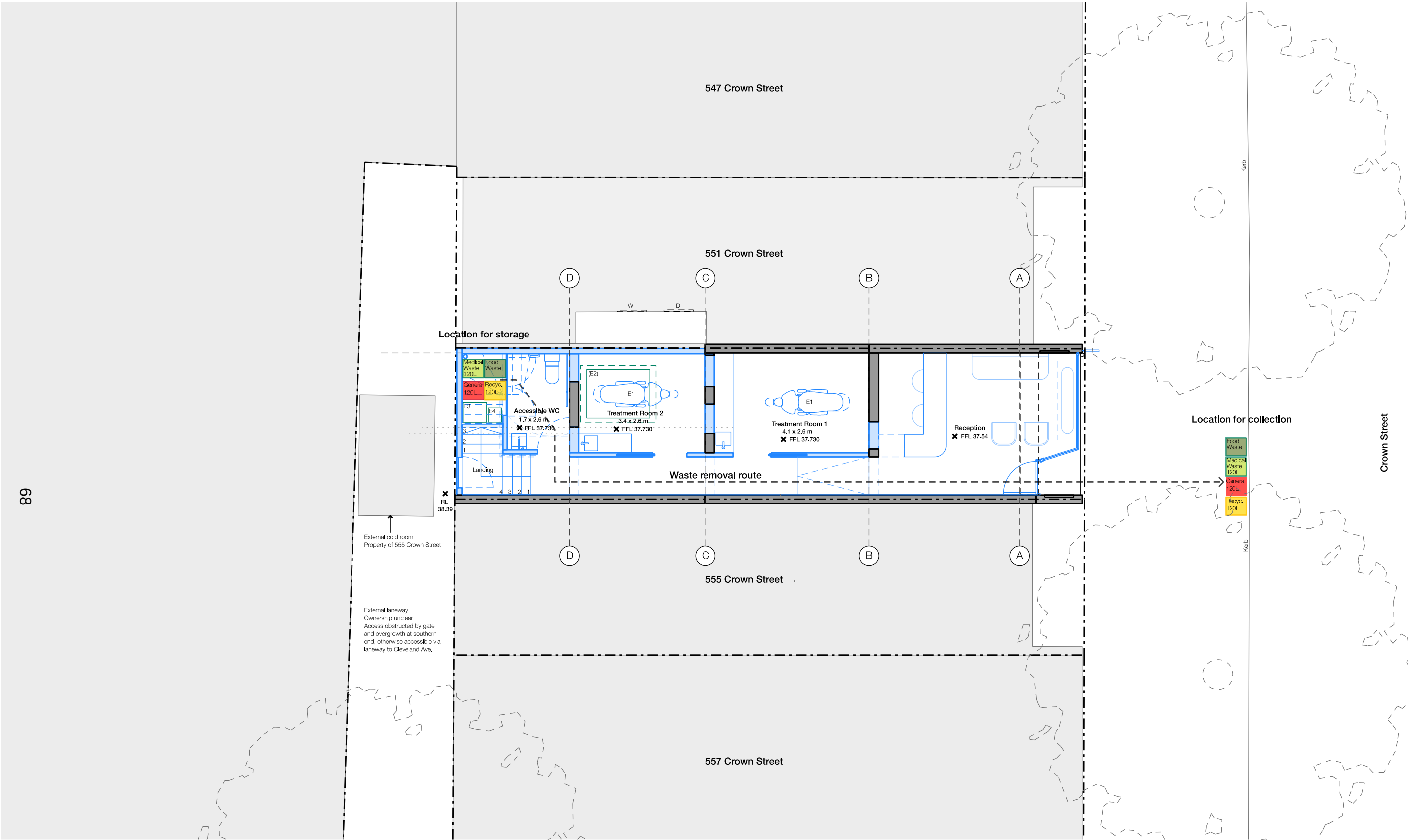
01 EXISTING: JUNE 21 - 3pm
SCALE: 1:200 @ A3



02 PROPOSED: JUNE 21 - 3pm
SCALE: 1:200 @ A3

NOT FOR CONSTRUCTION

Rev	Date	Notes	General Notes	Scale / North Point	Key - General	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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NOT FOR CONSTRUCTION

Rev	Date	Notes	General Notes		Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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W01 Fluted timber fascia, painted to match W02



W02 Traditional soft lime render, render/paint finish



W03 Painted brick to match W02



W04 Fibre Cement Sheet - rendered/paint finish to future selection to meet requirements for fire-rated wall



WD01 Timber windows / doors



WD02 Steel window framing, painted - burnt umber or similar



GL01 Clear glass

GL02 Clear glass in fire-rated window



GL03 Frosted / obscure glazing in fire rated window



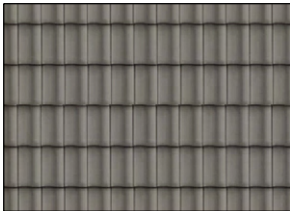
FB01 White metal lacework



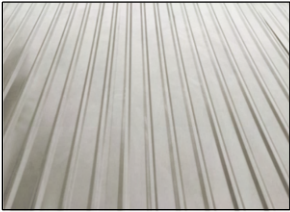
R01 Rainwater goods - Dulux Surfmlst or similar



R02 Metal Custom Orb roof - Dulux Surfmlst or similar



R03 Existing tiled roof



R04 Metal roof - low-pitched eg Kliplok or similar. Colour: Dulux Surfmlst or similar

Internal floor finishes:

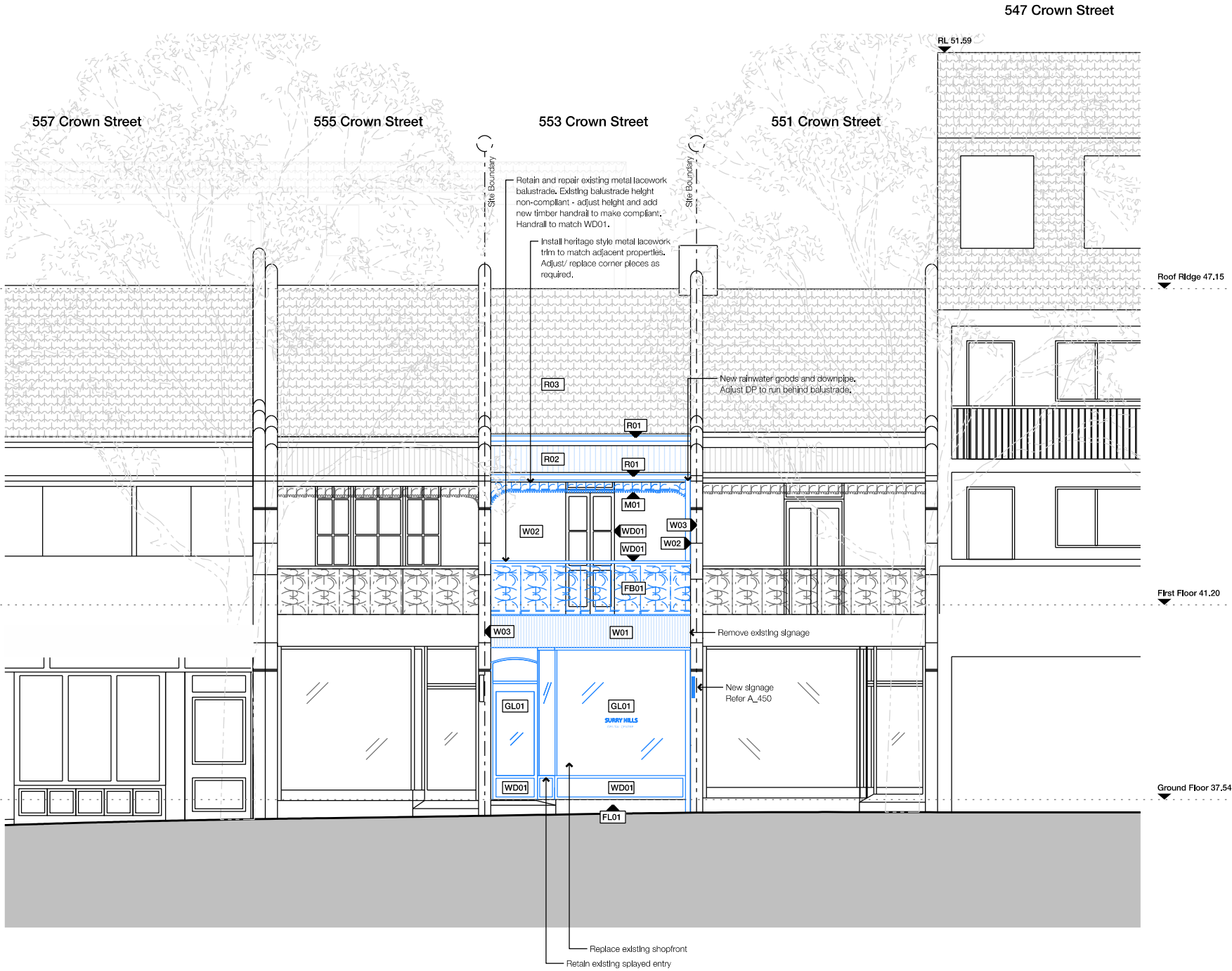
FL01: Polished concrete floor finish to future selection

FL02: Floor finish to meet requirements for dental treatment room - to future selection. Laid on concrete slab.

FL11: Timber floor - direction to be confirmed dependent on structure

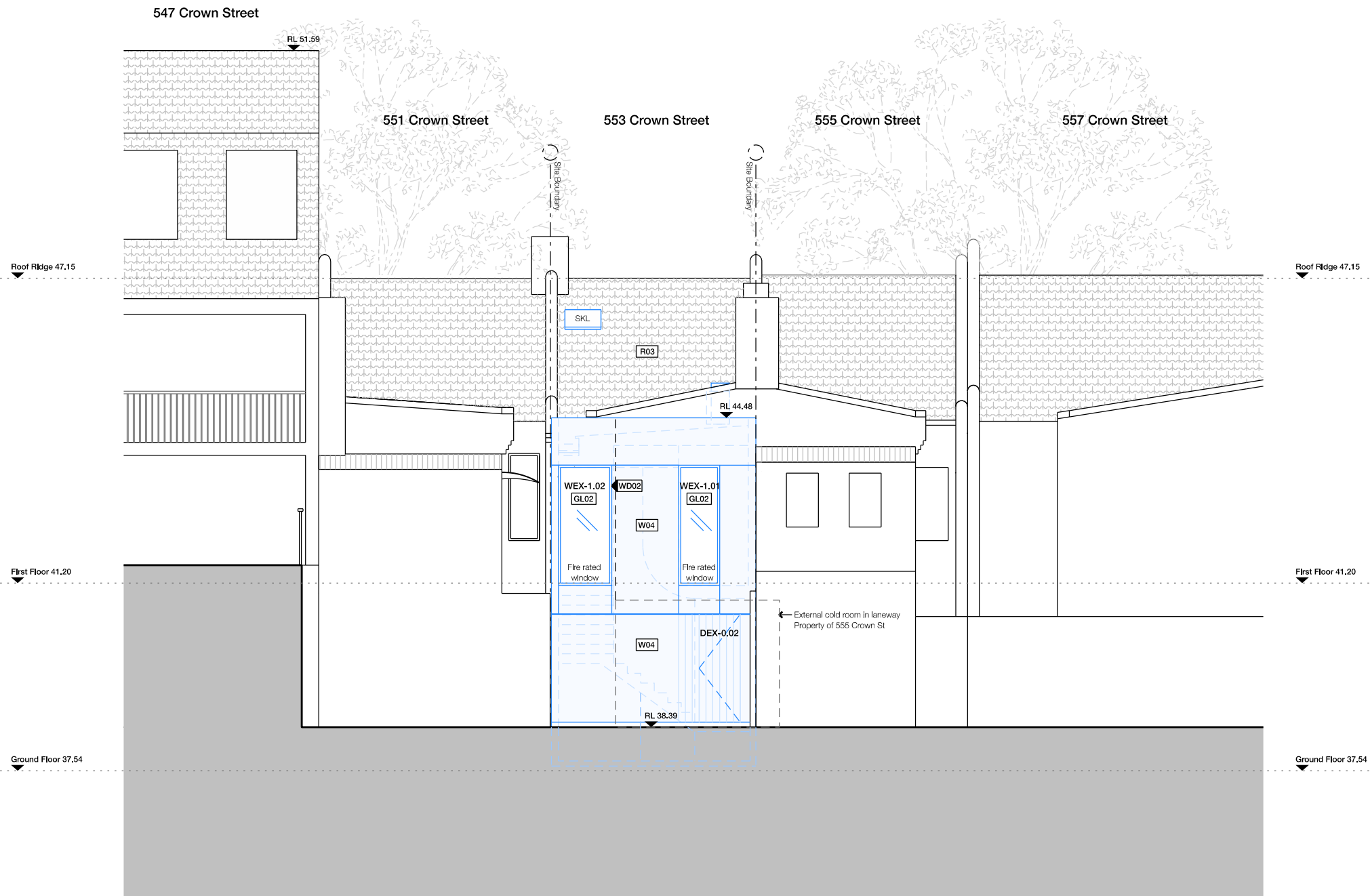
FL12: Floor finish to meet requirements for dental treatment room - to future selection. On lightweight structure.

FL14: Timber decking to Balcony



NOT FOR CONSTRUCTION

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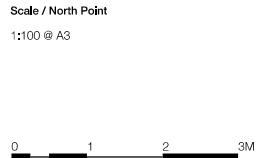


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Rev	Date	Notes
-	18.12.2025	Issued for DA

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COS	Check On Site
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Surry Hills NSW 2010

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Crows Nest NSW 2065

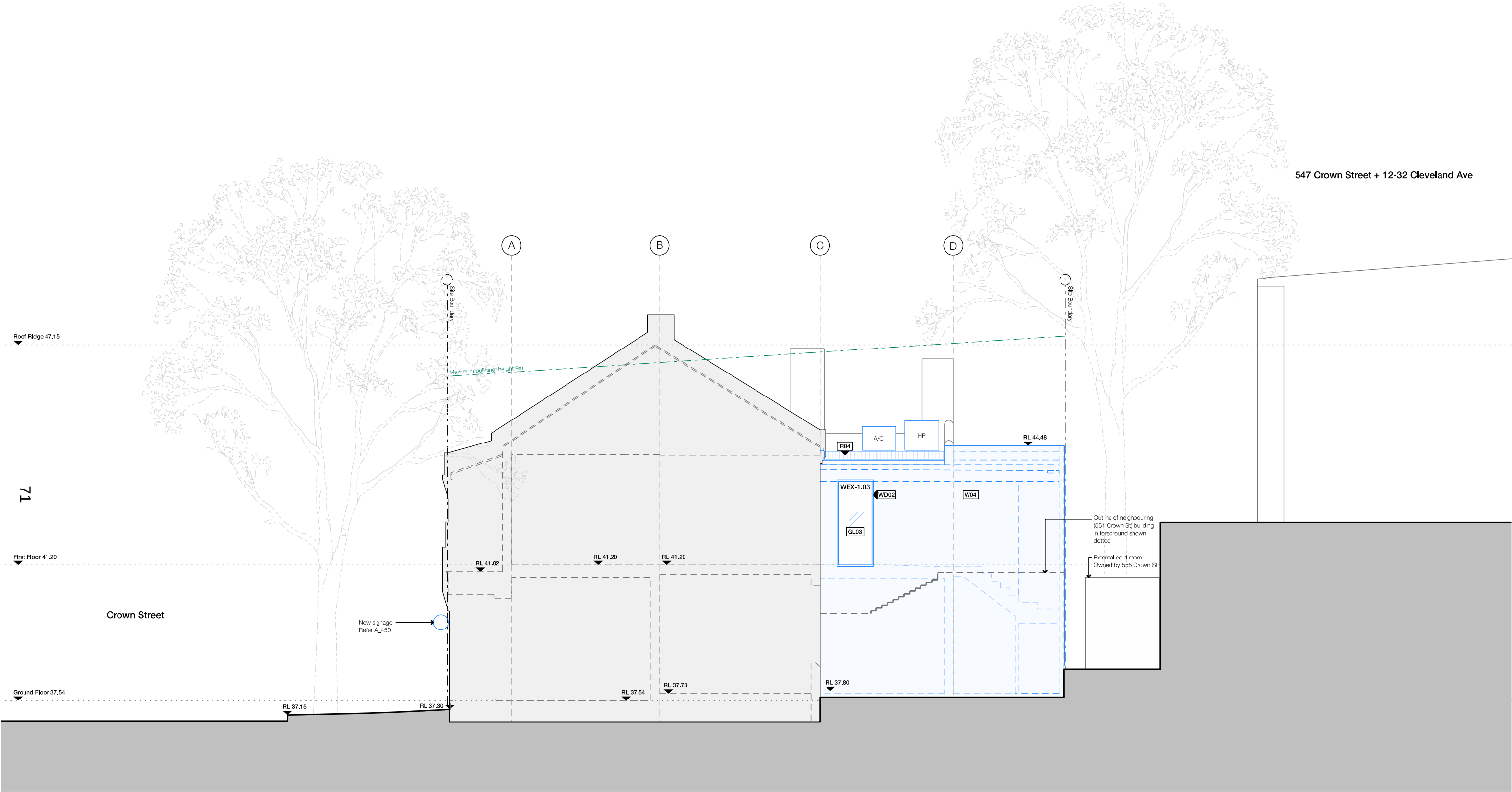
Drawing
Elevation - West

Project Number
A2436

Drawing Number
A_401

Stage
DA

Revision
-



NOT FOR CONSTRUCTION

Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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Rev	Date	Notes
-	18.12.2025	Issued for DA

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Scale / North Point
1:100 @ A3


Key

Abbreviations
SE Structural Engineer CH = +0000 Ceiling Height (from slab level) COS Check On Site NOM / TYP Nominal / Typical

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Telephone + 61 2 8283 2730 Email info@studioplusthree.com.au
Nominated Architects: Simon Rochowski NSW 11521 Jullin Ann NSW 11471

Project
553 Crown Street 553 Crown Street Surry Hills NSW 2010
Cient Josephine Ha and Imbert Kong 3 / 140 Alexander Street Crows Nest NSW 2065

Drawing
Elevation - South
Project Number A2436
Drawing Number A_403
Stage DA
Revision -

557 Crown Street

555 Crown Street

553 Crown Street

551 Crown Street

547 Crown Street



Crown Street

NOTE: This sketch image has been supplied as general information / illustration only.
For all detailed information refer to drawing set.

NOT FOR CONSTRUCTION

Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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547 Crown Street

551 Crown Street

553 Crown Street

555 Crown Street

557 Crown Street

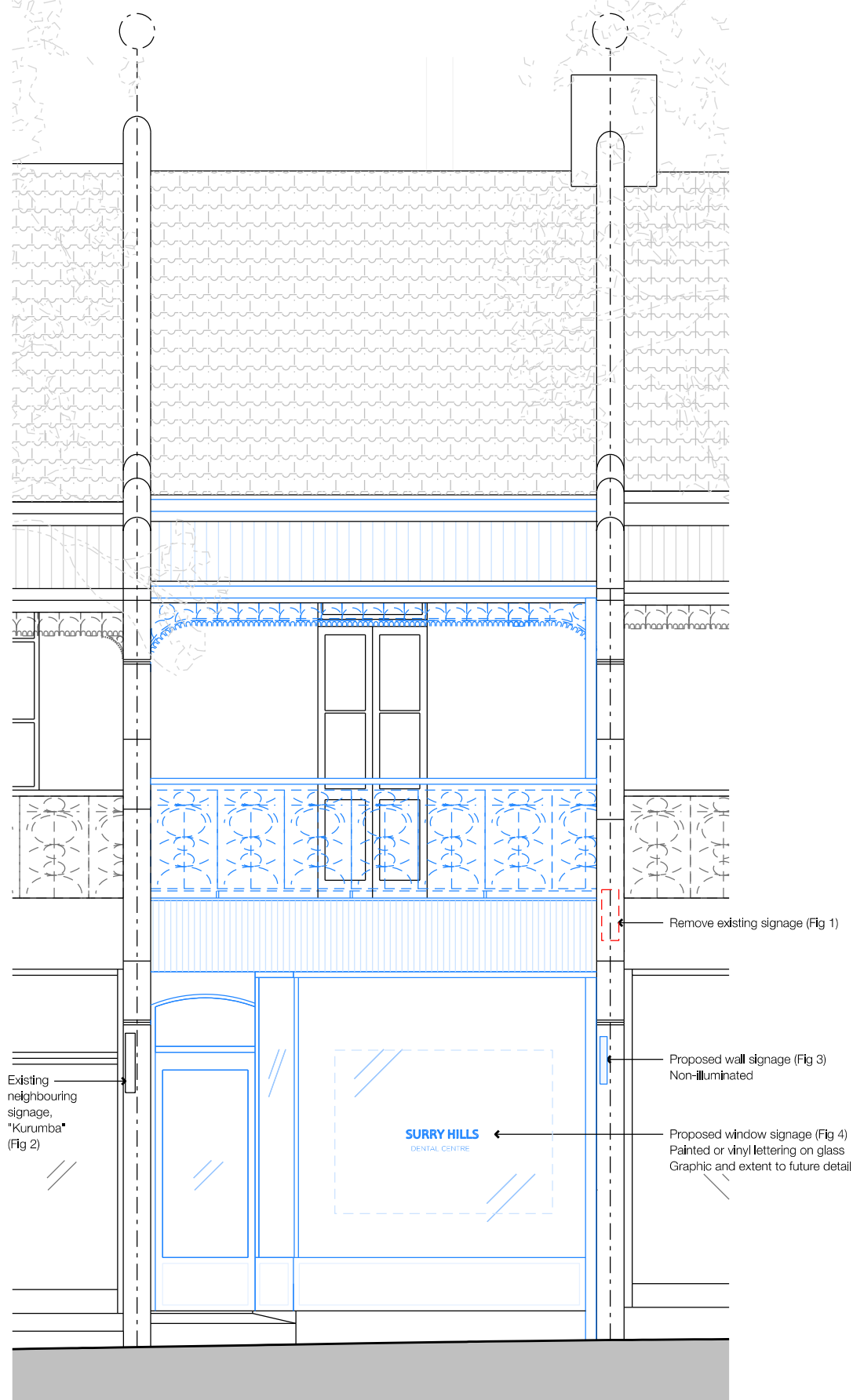


Rear laneway (inaccessible)

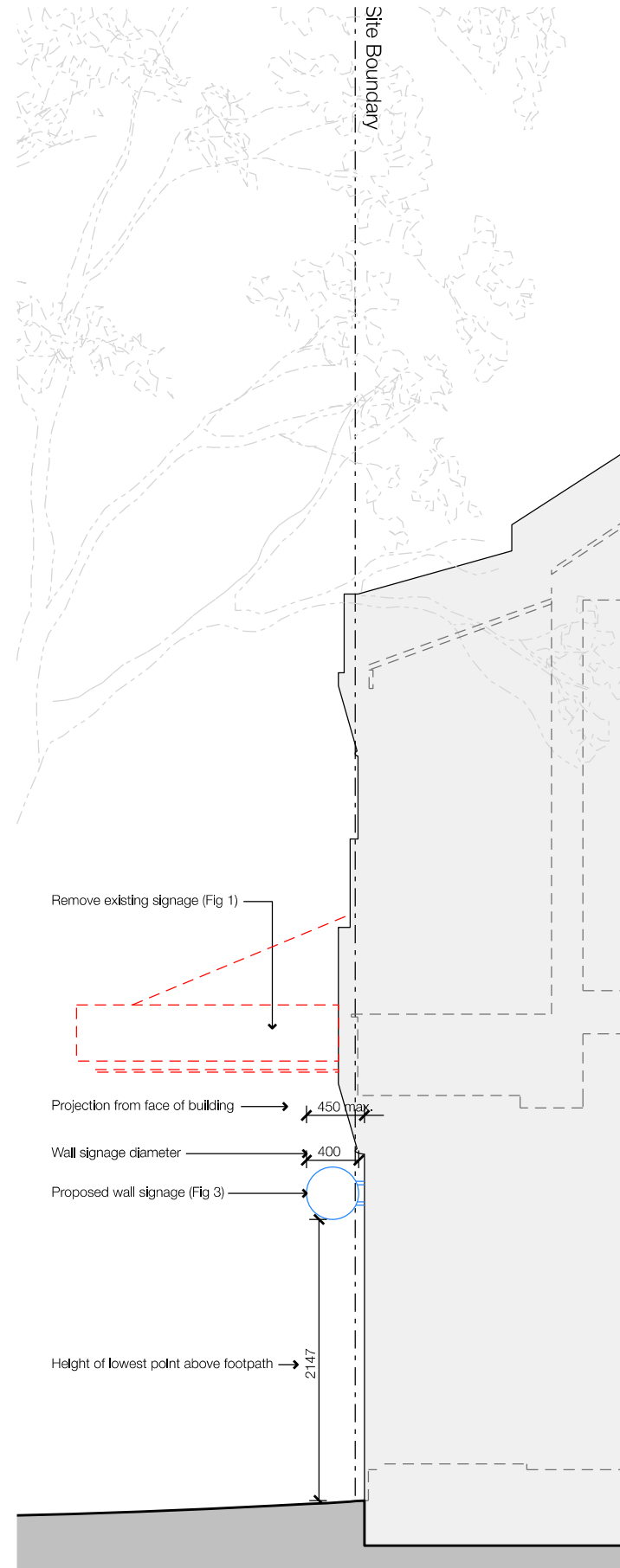
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NOT FOR CONSTRUCTION

Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
-	18.12.2025	Issued for DA	1) Do not scale from drawing, use marked dimensions and levels. To be read in conjunction with all consultants' documentation. 2) Notify the architect of any discrepancies. 3) Contractor to verify all dimensions and coordinate services and components prior to commencement of site work or off-site fabrication and installation. 4) All construction must be built to requirements of the NCC / BCA and relevant Australian Standards. 5) Copyright on this drawing and design retained by the architect. 6) Any existing materials or structures found to be deficient during construction to be repaired / replaced as required.	NTS	Existing Proposed Demolition Abbreviations SE Structural Engineer CH +0000 Ceiling Height (from slab level) COS Check On Site NOM / TYP Nominal / Typical	Structural Engineer Andrew Diebridge, AD Consulting andrew@adconsultingengineers.com.au - 02 8026 0175 BCA Consultant Greg Murrow - Murrow Consulting greg@murrowconsulting.com.au - 02 8386 0737 Hydraulic Engineer Paul McDonald - InLine Hydraulics paul@inlinehs.com.au - 02 9526 1923 Access Consultant Monique Lucas - Purity Access monique@purityaccess.com.au - 0448 882 675	Planning Consultant Josh Roach - Consume Planning joshua@consumeplanning.com.au - 02 8067 8428 Heritage Consultant Ruth Daniell rdaniell@ihug.com.au - 0408649854 Heritage Consultant Stephen McCormack - Geo-Environmental Engineering stephen@geoenvironmental.com.au - 0431 480 980	Architect studioplusthree Suite 65, Level 6 61 Marlborough St, Surry Hills NSW 2010 Telephone +61 2 8283 2730 Email info@studioplusthree.com.au Nominated Architects Simon Rochowski NSW 11521 Julie Ang NSW 11471	Project 553 Crown Street 553 Crown Street Surry Hills NSW 2010 Client Josephine Ha and Imbert Kong 3 / 140 Alexander Street Crows Nest NSW 2065	Drawing Sketch Image - Rear Elevation (West) Project Number A2436 Drawing Number A_411 Stage DA Revision -



01 SIGNAGE DETAIL - EAST ELEVATION
SCALE: 1:50 @ A3



02 SIGNAGE DETAIL - NORTH ELEVATION
SCALE: 1:50 @ A3



Fig. 1: Existing "Crown Chakra" signage (to be removed)



Fig. 2: Existing neighbouring signage - "Kurumba"



Fig. 3: Proposed wall signage
Graphic to future detail



Fig. 3: Proposed window signage
Graphic to future detail

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Rev	Date	Notes
-	15.12.2025	Issued for DA

General Notes

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- 6) Any existing materials or structures found to be deficient during construction to be repaired / replaced as required.

Scale / North Point
1:50 @ A3

0 0.5 1 1.5m

Key

Existing
Proposed
Demolition

Abbreviations

SE Structural Engineer
CH +0000 Ceiling Height (from slab level)
COS Check On Site
NOM / TYP Nominal / Typical

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553 Crown Street
Surry Hills NSW 2010

Client
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Crowe Nest NSW 2065

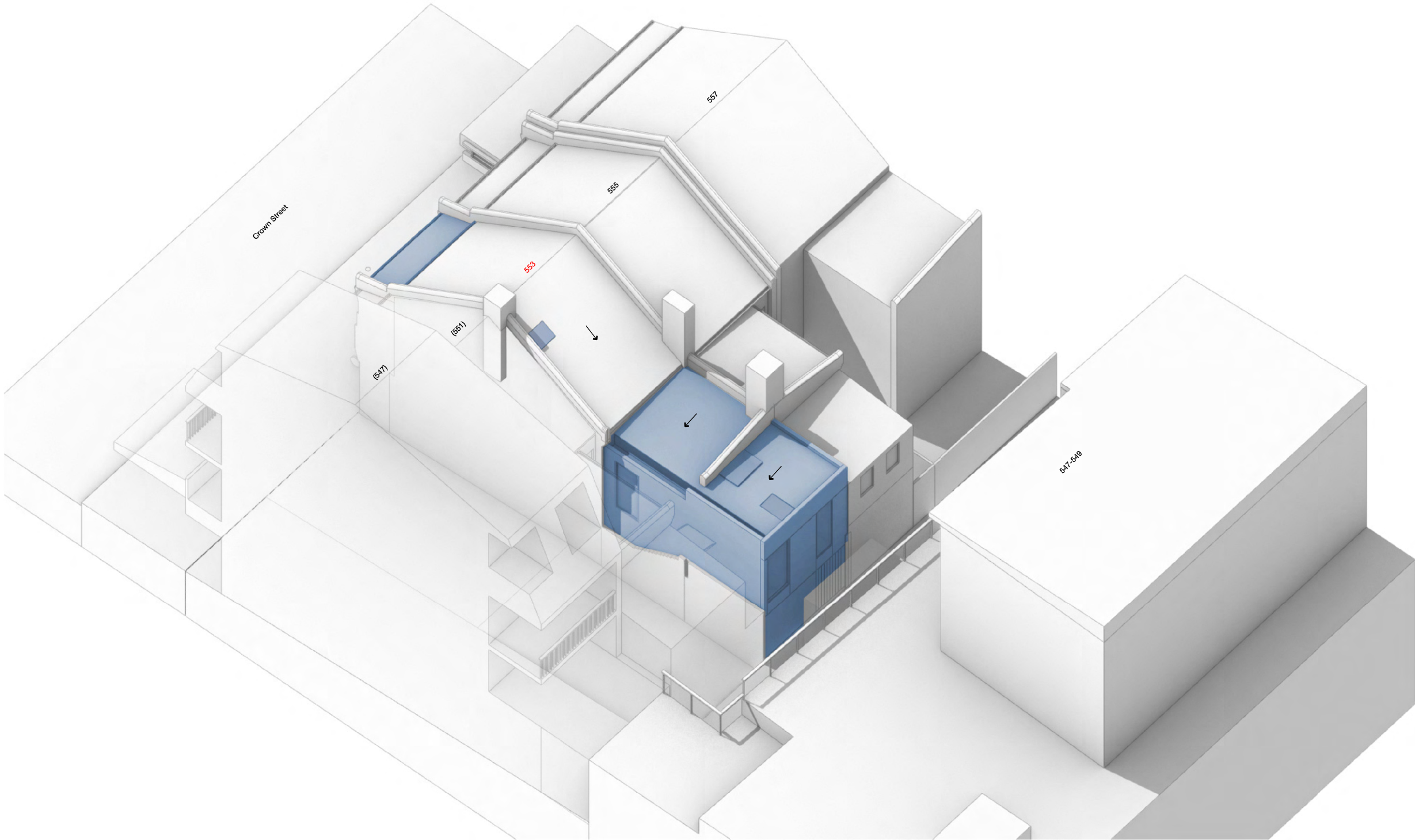
Drawing
Signage Detail

Project Number
A2436

Drawing Number
A_450

Stage
DA

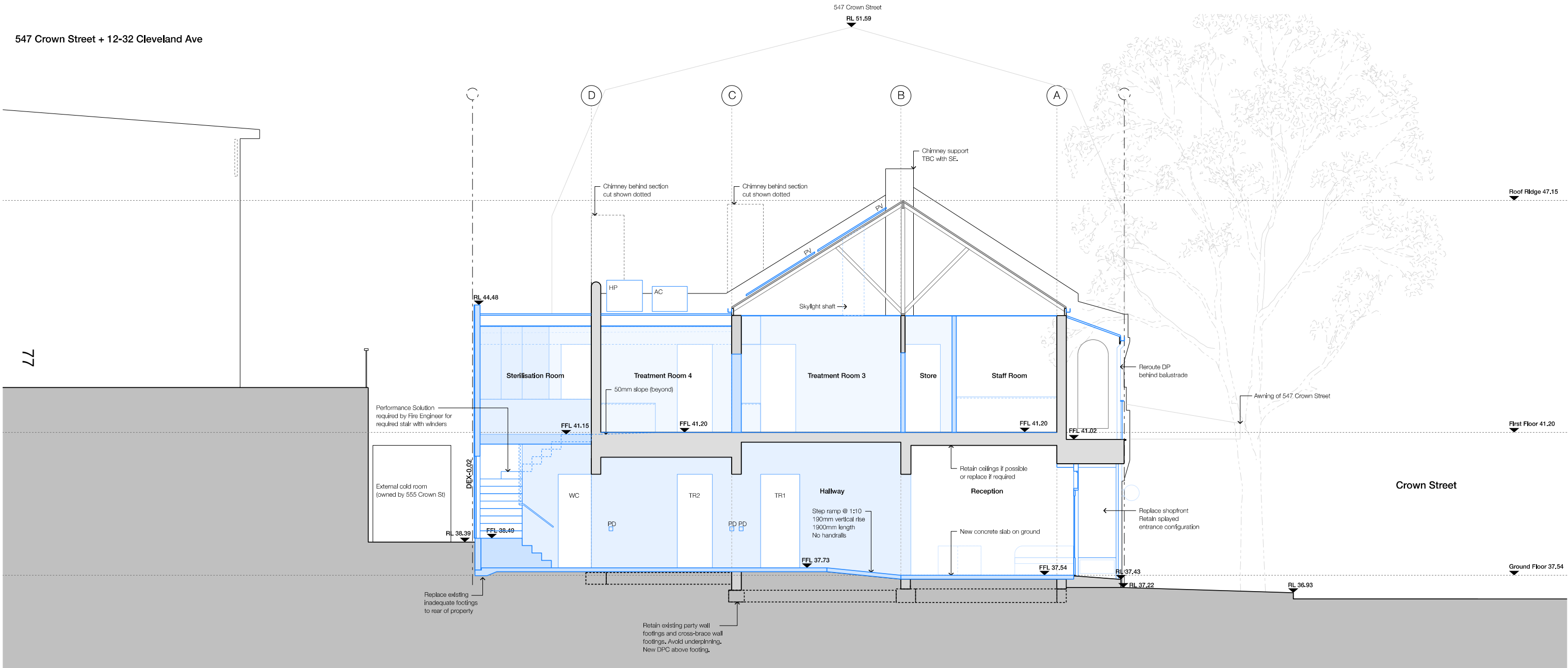
Revision
-



NOT FOR CONSTRUCTION

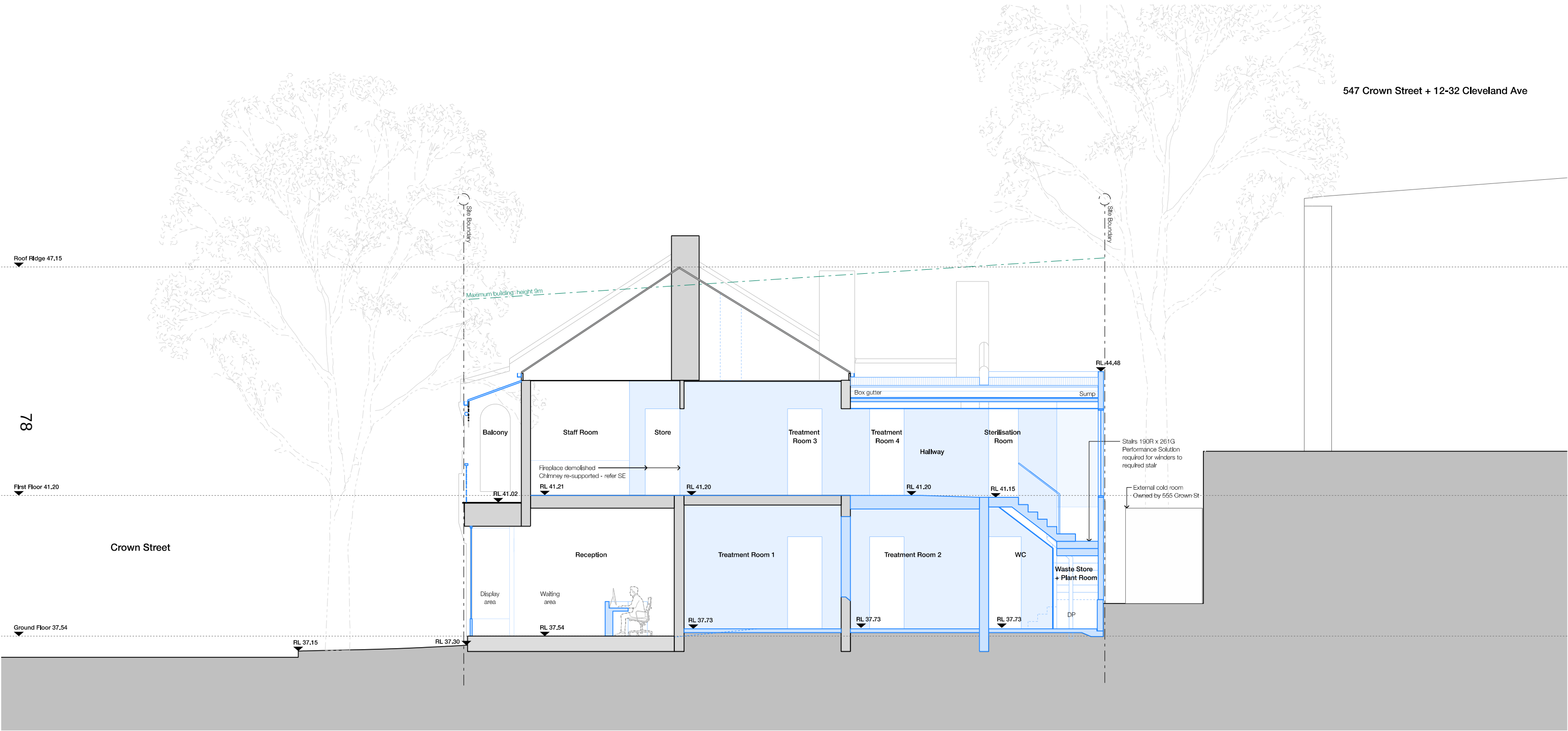
Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
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547 Crown Street + 12-32 Cleveland Ave



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Rev	Date	Notes	General Notes	Scale / North Point	Key	Structural Engineer	Planning Consultant	Architect	Project	Drawing
-	15.12.2025	Issued for DA	1) Do not scale from drawing, use marked dimensions and levels. To be read in conjunction with all consultants' documentation. 2) Notify the architect of any discrepancies. 3) Contractor to verify all dimensions and coordinate services and components prior to commencement of site work or off-site fabrication and installation. 4) All construction must be built to requirements of the NCC / BCA and relevant Australian Standards. 5) Copyright on this drawing and design retained by the architect. 6) Any existing materials or structures found to be deficient during construction to be repaired / replaced as required.	1:100 @ A3 0 1 2 3M	Existing Proposed Demolition Abbreviations SE Structural Engineer CH +0000 Ceiling Height (from slab level) COS Check On Site NOM / TYP Nominal / Typical	Structural Engineer Andrew Diebridge, AD Consulting andrew@adconsultingengineers.com.au - 02 8026 0175 BCA Consultant Greg Murrow - Murrow Consulting greg@murrowconsulting.com.au - 02 8386 0737 Hydraulic Engineer Paul McDonald - InLine Hydraulics paul@inlinehs.com.au - 02 9526 1923 Access Consultant Monique Lucas - Purity Access monique@purityaccess.com.au - 0448 882 675	Planning Consultant Josh Roach - Consume Planning joshua@consumeplanning.com.au - 02 8067 8428 Heritage Consultant Ruth Daniell rdaniell@hug.com.au - 0408649854 Heritage Consultant Stephen McCormack - Geo-Environmental Engineering stephen@geoenvironmental.com.au - 0431 480 980	Architect studioplusthree Suite 65, Level 6 61 Marlborough St, Surry Hills NSW 2010 Telephone +61 2 8283 2730 Email info@studioplusthree.com.au Nominated Architects Simon Rochowski NSW 11521 Julia Ang NSW 11471	Project 553 Crown Street 553 Crown Street Surry Hills NSW 2010 Client Josephine Ha and Imbert Kong 3 / 140 Alexander Street Crowe Nest NSW 2065	Drawing Section BB Project Number A2436 Drawing Number A_501 Stage DA Revision -

Attachment C

Clause 4.6 Variation Request - Floor Space Ratio
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6.1.8 CLAUSE 4.6 VARIATION – FLOOR SPACE RATIO (FSR)

This request seeks a variation under Clause 4.6 of the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) to permit a minor exceedance of the floor space ratio (FSR) development standard for a proposed addition at 553 Crown Street, Surry Hills. The site is a two-storey terrace within a Heritage Conservation Area (contributory item) and is subject to an FSR control of 1.5:1 under Clause 4.4 of Sydney LEP 2012.

The proposed works will result in an FSR of 1.65:1, representing a 10.2 m² (10.2%) increase over the permissible gross floor area (GFA). The proposal includes the infill of an existing ground-floor breezeway and external stairs, and a first-floor rear addition that aligns with the established rear building line of adjoining properties. Importantly, the proposal remains below the 9 m height limit and does not expand the building footprint toward Crown Street.

A Heritage Impact Statement accompanies the application, confirming that the contribution of the item to the conservation area will be preserved. Solar access analysis demonstrates that the additional floor area no overs does not result in adverse overshadowing of any adjoining residential private open space or habitable room windows, with new shadows cast only onto the roof of the commercial neighbour at 555 Crown Street. The rear of the site adjoins a decommissioned laneway, providing a buffer to the residential property further west. The locality is an inner-city mixed-use precinct, characterised by closely-built commercial terraces to the north and south and a mix of commercial and residential uses to the east and west. In this context, the proposal's modest intensification is in keeping with the established urban character and will not detract from neighbouring amenity or heritage values. The table below summarises the applicable FSR standard, the proposed development metrics, and the extent of variation sought:

TABLE 4

FLOOR SPACE RATIO (FSR) TABLE					
Control (FSR)	Site Area	Permissible GFA	Proposed GFA	Proposed FSR	Variation
FSR 1.5:1 (Clause 4.4)	66.8 m ²	100.2 m ²	110.4 m ²	1.65:1	+10.2 m ² (+0.15:1, 10.2%)

6.1.8.1 CLAUSE 4.6 STATUTORY FRAMEWORK AND RELEVANT CASE LAW

Clause 4.6 of Sydney LEP 2012 is an “exceptions to development standards” provision that empowers the consent authority to grant consent for a development that contravenes a numerical standard, provided certain tests are met. Under the current Clause 4.6(3), the written request must demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention. The consent authority must be satisfied that these matters are adequately addressed before it can consider granting the exception. This request also has regard to relevant planning principles established by the NSW Land and Environment Court in:

- *Wehbe v Pittwater Council* [2007] NSWLEC 827
- *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 and [2015] NSWCA 248
- *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118

With respect to Clause 4.6(3)(b), the following sections address Clause 4.6(3)(a) and (3)(b) in turn. The justification draws on the objectives of the FSR standard in Clause 4.4 of Sydney LEP 2012, relevant planning considerations for the site, and the guidance from case law to establish a robust case for the variation.

6.1.8.2 CLAUSE 4.6(3)(A): COMPLIANCE IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES

Strict compliance with the 1.5:1 FSR development standard is considered unreasonable or unnecessary in the circumstances of this case, as the proposal can achieve the underlying objectives of the FSR control, with a 10.2% numerical exceedance. In effect, the proposal's outcomes align with what the FSR standard seeks to achieve, such that enforcing the precise numeric limit would serve no useful purpose.

The objectives of Clause 4.4 of Sydney LEP 2012 are:

- (1) *The objectives of this clause are as follows—*
 - (a) *to provide sufficient floor space to meet anticipated development needs for the foreseeable future,*
 - (b) *to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic,*
 - (c) *to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure,*
 - (d) *to ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of that locality.*

The proposed development satisfies these objectives, as detailed below:

Objective (a) – “to provide sufficient floor space to meet anticipated development needs for the foreseeable future”: The proposal is consistent with this objective. By modestly increasing the available floor space within an existing commercial building, the development will better meet the functional needs of its intended use (a dental clinic) and contribute to the supply of commercial floor space in the local centre. Strict compliance with the 1.5:1 FSR standard would unreasonably limit the floor space available for the clinic, given the site's very small land area. In fact, requiring compliance would necessitate forgoing approximately 10 m² of usable floor area that is needed for the clinic's operations, restricting serviceability to the community. This would undermine Objective (a), rather than serve it, as it would frustrate the site's capacity to provide adequate floor space for a viable commercial use on this site. By allowing a slight exceedance, the development optimises the use of an existing building in a location where additional commercial floor space is beneficial to serve the local community's needs.

Objective (b) – “to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic”: The proposal will maintain a built form and density that is in harmony with the surrounding context, thereby upholding the intent of Objective (b). The minor increase in floor space (10.2 m²) equates to a negligible change in density and will not perceptibly alter the building's external bulk or scale. The building remains a two-storey terrace, comparable in scale to others along Crown Street. The first-floor addition simply squares off the rear of the building to match its neighbours, and the ground-floor infill occupies an existing external stairwell. Because there is no increase in the general footprint or height, the resultant density and built form remain well within the environmental capacity of the site and locality. In terms of traffic and pedestrian generation, the proposed variation has no material impact. The use of the building as a dental clinic is permissible and appropriate in the E1 zone and will not generate significant increases in traffic. Crucially, no on-site parking is proposed, which is consistent with the current situation, so the development will not encourage additional vehicle traffic. The site is well-served by public transport and pedestrian access, and the slight increase in floor space does not alter those dynamics in any meaningful way. Therefore, even with the FSR non-compliance, the intensity of development remains effectively regulated and in line with Council's planning parameters for this local centre.

Objective (c) – “to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure”: The proposed FSR variation will not exceed the capacity of the infrastructure available to the site. The subject site is located in an inner-city area with established infrastructure and services including water, sewer, energy, roads and public transport. The additional 10.2m² of floor space above the FSR standard will not place any discernible extra demand on utilities or infrastructure. Public transport capacity along Crown Street and nearby Cleveland Street, and the light rail and Central Station within walking distance, is more than sufficient to accommodate the negligible increase in patronage or employees associated with the expanded clinic floor area. Likewise, other utilities have existing capacity for the small increase in floor space and associated usage. As such, the development’s intensity remains commensurate with infrastructure capacity, satisfying Objective (c) notwithstanding the numerical FSR exceedance. Strict compliance is unnecessary in this regard, as it would not yield any tangible infrastructure benefit; it would simply remove floor area that could otherwise be utilised beneficially without impact.

Objective (d) – “to ensure that new development reflects the desired character of the locality ... and minimises adverse impacts on the amenity of that locality”: The proposal is carefully designed to respect the existing character of the South Surry Hills locality and to avoid adverse amenity impacts, thereby fulfilling Objective (d) despite the FSR non-compliance. The minor additions are located to the side and rear of the building and within an area already built-up to a two-storey form, so there is no change to the Crown Street streetscape or to the heritage character when viewed from public domains. The desired character of the area, which is a vibrant mixed-use inner-city village with heritage shopfronts and terrace buildings, is maintained; in fact, the infill and addition make the subject building more consistent with its neighbours. In terms of amenity impacts, detailed analysis confirms there will be no adverse overshadowing on key sensitive areas. The only adjacent residential property potentially affected is to the west (rear), but it is separated by a disused lane and oriented such that its main habitable rooms and open spaces will not receive any additional shadowing during mid-winter from the modest first-floor addition.

The proposed rear-facing windows are associated with the internal stairwell and are not associated with an area of congregation and will not cause privacy intrusion into neighbouring dwellings; the addition is enclosed and oriented in a manner consistent with the existing building. In summary, the character of the locality is upheld and amenity preserved. The objectives of the FSR standard in this regard are achieved notwithstanding the minor numerical non-compliance, so insisting on full compliance would not yield any appreciable benefit to character or amenity.

Based on the above assessment, the proposal satisfies the First Method in *Wehbe v Pittwater Council* [2007] NSWLEC 827; the objectives of the FSR development standard are achieved regardless of the non-compliance. The underlying planning intentions of the 1.5:1 FSR control are met in this case through a development that remains in character, causes no adverse impacts, and provides needed floor space for the site’s use. Moreover, as noted earlier, elements of the Fourth Method in *Wehbe* are also relevant: the numerical standard in this historic terrace context is somewhat arbitrary, given that many buildings were constructed prior to the imposition of current FSR limits. The minor nature of the non-compliance (10.2%) in a setting where a rigid application of the standard is not critical to achieving planning objectives further supports the conclusion that strict compliance is unreasonable and unnecessary.

For the reasons outlined above, it is demonstrated that compliance with the 1.5:1 FSR development standard is unreasonable and unnecessary in the circumstances of this case. In particular, the development achieves the aims and objectives of the standard notwithstanding the non-compliance, and nothing would be gained (in terms of planning outcomes) by enforcing strict compliance. The first limb of Clause 4.6(3) is therefore satisfied.

6.1.8.3 CLAUSE 4.6(3)(B): THERE ARE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS TO JUSTIFY CONTRAVENING THE DEVELOPMENT STANDARD

Clause 4.6(3)(b) of the Sydney LEP 2012 requires that the applicant’s written request demonstrate “sufficient environmental planning grounds” to justify the contravention of the development standard. The focus of this assessment is on the specific

aspect of the development that contravenes the standard, rather than the merits of the development as a whole. In other words, the justification under limb (b) must show why allowing an FSR in excess of 1.5:1 (in the amount proposed) is warranted in this particular case, beyond just the general benefits of the project as clarified in *Initial Action Pty Ltd v Woollahra Municipal Council* at [24] and *Turland v Wingecarribee Shire Council* at [42]. Furthermore, the environmental planning grounds advanced must be specific to the circumstances of the proposed development on this site, not simply broad or generic reasons. The Court in *Four2Five* emphasised that the rationale for the variation should stem from features unique to the site and proposal, demonstrating why this departure from the standard produces a better outcome in planning terms.

Having regard to the above principles, the following environmental planning grounds are put forward to justify the contravention of the FSR standard in this case:

- The numerical extent of the variation is minor and inconsequential in planning terms.** The exceedance is only 0.15:1 (10.2 m²), or 10.2%, which is minor in magnitude. This small amount of extra floor space is virtually indiscernible externally and does not manifest in any appreciable difference in building bulk, scale or height. In practical terms, the streetscape presentation and urban form outcome of a compliant scheme (FSR 1.5:1) versus the proposed scheme (FSR 1.65:1) would be effectively identical. This indicates that the objectives and impacts tied to the FSR control are not compromised by the small variation. The minor nature of the non-compliance is an environmental planning ground in itself, as it demonstrates that the purpose of the standard is not defeated by the proposal – the standard’s aims are met and any theoretical benefit of strict compliance would be negligible.
- The variation facilitates a superior design and planning outcome by making better use of existing built form.** The ground-floor breezeway and external staircase currently represent under-utilised space in the building. By enclosing the breezeway and internalising the stair, the development recovers floor area within the existing footprint, enhancing the functionality and usability of the premises without extending beyond the overall building’s envelope. This is a positive planning outcome because it promotes the orderly and economic use of land, which is a key objective of the Environmental Planning and Assessment Act 1979 and aligns with sustainability principles by avoiding the need for outward expansion. If the FSR standard were strictly enforced, that ground-floor void would remain unusable and the building would operate less efficiently. Allowing the infill and associated FSR exceedance is therefore justified as it leads to a more rational and beneficial use of the space on environmental planning grounds. Similarly, by extending the first floor to the rear boundary, the proposal achieves a unified rear building line with adjoining properties, which are already built to the rear. The contravention of the FSR standard is thus partly driven by a response to the existing built form context. Aligning the addition with the neighbours not only respects the pattern of development but also maximises the site’s constrained area. This results in a more coherent and integrated built form, thereby enhancing the overall urban design outcome. The additional floor space enables a contextually appropriate design solution. The FSR variation is justified by the site-specific context, yielding a better design that aligns with their surroundings. These design improvements are possible only with the FSR flexibility and constitute sound planning grounds for the variation.
- The contravention enables development that better respects the site’s context (heritage and urban form) than a strictly compliant alternative.** In this heritage conservation area context, the preferable approach to adding floor space is to utilise and extend the existing building in a sympathetic manner, rather than to contemplate more intensive redevelopment. The 10.2 m² of extra space is achieved through minor additions that preserve the heritage fabric and aesthetic of the contributory item. A strictly compliant scheme might require awkward design compromises which could actually appear incongruous or less sympathetic to the historic terrace form. By contrast, the proposed infill and addition follow the form of the neighbouring terraces, resulting in a more cohesive row of buildings. This respectful approach is an environmental planning ground supporting the variation: the heritage and urban design outcomes are improved by allowing the small exceedance, whereas adhering literally to the FSR limit could hinder achieving the best heritage outcome. The submitted Heritage Impact Statement confirms that the additions have no adverse heritage

impact, and indeed, ensuring the building's ongoing viable use helps secure its long-term conservation, and is in the public's interest.

- **No public disbenefit or adverse environmental impact will result from the FSR variation.** It is a fundamental planning consideration that a development standard can be flexibly applied where doing so does not compromise environmental or amenity outcomes. In this case, detailed analysis has shown that the extra floor area will not cause any negative environmental impacts: there is no material change in shadowing, privacy, traffic, or demand on infrastructure attributable to the additional 10 m². The site remains compliant with all other applicable controls, including height, setbacks, heritage considerations, and land use. The proposal will have a positive impact on the community by receiving better-utilised local service with improved facilities. The absence of adverse impacts is an important site-specific circumstance here, demonstrating that the objectives of the zone and the development standards are upheld despite the variation. This aligns with the intent of Clause 4.6 to allow flexibility where strict adherence to a numerical standard is unwarranted in light of the proposal's planning merits. In view of the above points, it is clear that there are sufficient environmental planning grounds to justify the FSR contravention in this instance. Each ground is particular to the site and the proposed development: the extremely small and controlled nature of the exceedance, the design efficiencies gained within the existing building form, the heritage-sensitive outcome, and the neutral or positive environmental impacts all combine to form a compelling justification. Enforcing the 1.5:1 standard in this case would serve no useful town planning purpose, whereas allowing the variation enables a better planning outcome overall. This satisfies the second limb of Clause 4.6(3).

In light of the above, it is evident that compelling environmental planning grounds exist to justify the proposed contravention of the FSR development standard. Conversely, there are no overriding planning grounds that would necessitate strict compliance with the 1.5:1 standard in this case – enforcing the standard would be an unnecessary impediment to an otherwise acceptable development. The written request has therefore demonstrated full satisfaction of Clause 4.6(3)(b). The contravention is justified by site-specific circumstances and results in a development outcome that aligns with the objectives of the standard and the zone, consistent with the intent of Clause 4.6 of the LEP.

6.1.8.4 CONCLUSION

The assessment above demonstrates that compliance with the maximum FSR development standard implemented under Clause 4.4 of Sydney LEP 2012 is unreasonable and unnecessary in the circumstances of this proposal, and that there are sufficient environmental planning grounds to justify the contravention. The justification for the FSR variation is well-founded and supported by both the particulars of the development and relevant planning principles. Allowing the proposed FSR 1.65:1 in lieu of 1.5:1 will facilitate the orderly and economic use of the land in an appropriate manner and enable a better design and heritage outcome than a strictly compliant scheme. Importantly, the resultant development remains entirely in character with its surroundings and does not cause adverse impacts, fulfilling the core purposes behind the development standard.

This Clause 4.6 variation request has demonstrated that, notwithstanding the minor non-compliance with the FSR standard, the proposed development is acceptable and in the public interest as:

- The built form will largely remain consistent with the existing building's bulk and scale, as well as the established pattern of development along Crown Street. The additions are minor and sympathetic, ensuring the visual appearance and scale of the building continue to complement the streetscape and locality.
- Compliance with the FSR development standard is unreasonable and unnecessary in this case because the objectives of the standard are achieved notwithstanding the non-compliance. The proposal meets all the objectives of Clause 4.4 including appropriate floor space provision, controlled density, infrastructure alignment, and maintained local character/amenity even though it slightly exceeds the numeric limit.

- There are sufficient environmental planning grounds to justify the contravention of the standard, as detailed in this request, given that:
 - *Consistency with Clause 4.6's first objective:* The variation is consistent with the first objective of Clause 4.6 of the LEP, which is to provide an appropriate degree of flexibility in the application of development standards. In this instance, flexibility in applying the FSR control is appropriate and warranted to accommodate the minor additions that lead to a superior outcome.
 - *Consistency with Clause 4.6's second objective:* The variation is consistent with the second objective of Clause 4.6, in that it enables the achievement of a better planning outcome for this development. The additional floor space allows a functional and improved design (including internal circulation improvements and enhanced amenity for the building's users) and supports the adaptive re-use of a heritage building, which together represent a better outcome than strict compliance would produce.
 - *Contextual merit:* The proposal is in harmony with the built form and land use intensity of its context in Surry Hills. It optimises the use of a small inner-city site located in a designated local centre, maximising commercial floor space in close proximity to public transport and services. The variation does not push the development beyond what the locality can comfortably sustain; rather, it fits neatly within the envelope of existing development in the area.

Therefore, Council can be satisfied that there is sufficient planning justification to support the proposed variation to the FSR development standard. The DA may be approved with the FSR as proposed (1.65:1) under the flexibility afforded by Clause 4.6 of the Sydney LEP 2012, confident that the objectives of the standard and the broader planning objectives for the site will be met.

Attachment D

Submission

From: Surry Hills Family Medical Centre <[REDACTED]> on behalf of Surry Hills Family Medical Centre
[REDACTED] <[REDACTED]>
Sent on: Monday, February 2, 2026 12:24:56 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>
CC: Dr Naidur [REDACTED]
Subject: Objection to Proposed Health Services Development – 553 Crown Street, Surry Hills Reference Number D/2026/49

Caution: 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 Bill,

I refer to your letter dated 27 January 2026 regarding the proposed development of a health services facility at 553 Crown Street, Surry Hills.

We wish to formally object to the proposal due to its potential impact on the Surry Hills Family Medical Centre located at 573 Crown Street, where we have been operating since 1996.

Our primary concerns are as follows:

1. **Parking**

Parking in the area is already extremely limited and has been a constant issue for many years. Any additional development is likely to significantly worsen access for our patients and staff.

2. **Disabled Access**

Adequate disabled toilet access from street level is essential. Current access is difficult, and there must be a suitable and practical option to ensure compliance and accessibility for patients with disabilities.

We respectfully request that these concerns be carefully considered as part of the assessment process.

Thank you for your attention to this matter.

Kind regards,
Dr Rad Naidu
Surry Hills Family Medical Centre

Item 7.**Development Application: 5-11 Bridge Street, Sydney – D/2025/1335****File Number:** D/2025/1335**Summary**

Date of Submission:	5 January 2026
Applicant:	Giovanni Cirillo
Architect/Designer:	Design Madgwick
Owner:	I-FUND PTY LTD ATF I-FUND DISCRETIONARY TRUST
Planning Consultant:	Planning Lab
Heritage Consultant:	Urbis
Cost of Works:	\$2,469,500.00
Zoning:	SP5 - Metropolitan Centre zone. The proposal is defined as a 'pub' and is permissible in the zone subject to development consent.
Proposal Summary:	This application seeks development consent for the internal fit out to part of the state-listed heritage item (Burns Philp Building) with an associated change of use from a restaurant to a pub operating with a hotel (general bar) licence. The proposed trading hours will be between 10.00am and 2.00am (the following day), Mondays to Sundays, inclusive. The premises will have a maximum patron capacity of 160 people and 16 staff members. The tenancy this application relates to is located on the eastern portion of the ground and mezzanine levels. The premises is currently vacant and was previously used as a licensed restaurant. This application has been referred to the Local Planning Panel as the proposal is for a new licensed premises that will require a hotel (general bar) licence under the Liquor Act 2007.

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

Development Controls:

- (i) Environmental Planning and Assessment Act 1979
- (ii) Environmental Planning and Assessment Regulation 2021
- (iii) Heritage Act 1977
- (iv) SEPP (Industry and Employment) 2021
- (v) SEPP (Biodiversity and Conservation) 2021
- (vi) Sydney Local Environmental Plan 2012
- (vii) Sydney Development Control Plan 2012
- (viii) Central Sydney Development Contributions Plan 2020

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Plan of Management

Recommendation

It is resolved that consent be granted to Development Application Number D/2025/1335 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 development, subject to conditions, is consistent with the objectives of the SP5 Metropolitan Centre Zone.
- (B) The proposal exhibits design excellence and generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012, subject to conditions.
- (C) The proposal is consistent with the relevant objectives of the Sydney Development Control Plan 2012, subject to conditions.
- (D) Subject to the recommended conditions of consent, the proposed development has acceptable impacts on the heritage significance of the site.
- (E) Subject to the recommended conditions of consent, the proposed development will have an acceptable impact on the amenity of the site locality and will not result in unreasonable adverse environmental impacts to adjoining sites. Conditions of consent are recommended to ensure the premises are managed in accordance with the endorsed Plan of Management and relevant standards.

Background

The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the Local Planning Panel for determination as it is identified in Schedule 3 of the Local Planning Panels Direction of 3 March 2024 as being within the following category:
 - (a) Sensitive Development
2. The development application falls within the category of Sensitive Development as the development is for the purposes of a new licensed premises that will require a hotel (general bar) licence under the Liquor Act 2007.

The Site and Surrounding Development

3. The site has a legal description of Lot 100 in DP 876814, and Lots 1-15 in SP 57011, and is known as 5-11 Bridge Street, Sydney. It is irregular in shape with area of approximately 887 sqm. It has a primary street frontage of 33 metres to Bridge Street and a secondary street frontage of 57 metres to Bridge Lane on the west and south. The site is located close to the intersection of Bridge Street and George Street.
4. The site contains a 3-storey sandstone commercial building with a basement level, originally completed in c.1901.
5. The tenancy this application relates to is located on the eastern portion of the ground and mezzanine levels. This tenancy is currently accessible to pedestrians by an individual entry stair from Bridge Street. The premises is currently vacant and contains existing fit out originally approved under development consent D/2022/30 for its previous use as a restaurant.
6. The surrounding area is characterised by a mixture of land uses, primarily being commercial office buildings with ground floor and basement level retail uses. A hotel accommodation premises and a multi-storey residential apartment building are located close to the site. The residential apartment building is located approximately 30 metres to the north-west of the site at 4 Bridge Street.
7. The site, known as the Burns Philp Building, is identified as a heritage item of state significance on the Sydney Local Environmental Plan 2012 (item no. LEP #I1679) and under the Heritage Act 1977 (SHR #00347). The site is also adjoined by two heritage items of state significance, the Metropolitan Hotel (SHR #00663) to the west and Liner House (SHR #00589) to the east. Several heritage items of local significance also surround the site to the north and south-east.
8. The site is located within the Central Sydney locality and is part of the Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The building facade and Bridge Street frontage are included in the Bridge Street signage precinct. The site is not identified as being subject to flooding.
9. A site visit was carried out on 28 January 2026. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: The site viewed from Bridge Street. The approximate extent of the subject tenancy is outlined in red.



Figure 3: The step entrance of the tenancy from Bridge Street (left). The vestibule space of the entrance (right). A new neon business identification sign is being proposed on the eastern-side blank wall of the vestibule space.

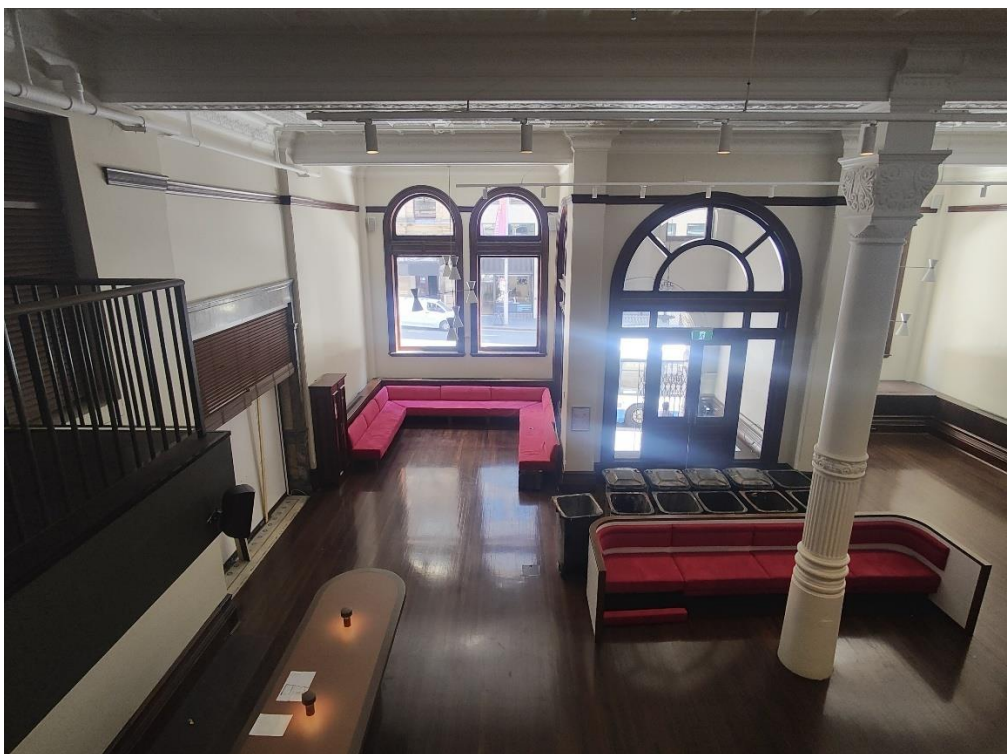


Figure 4: The internal space of the tenancy viewed from the mezzanine level facing north towards Bridge Street



Figure 5: The existing fit out on the ground floor level of the subject tenancy facing west



Figure 6: The existing kitchen fit out on the ground floor level of the subject tenancy



Figure 7: The existing staircase to be retained connecting the ground and mezzanine levels



Figure 8: The existing fit out on the mezzanine level of the subject tenancy facing north-west

History Relevant to the Development Application

Development Applications

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

- **D/2013/1514** – Development consent was granted on 30 October 2013 for the continued use of the ground floor and mezzanine levels as a licensed restaurant for 120 patrons, including the fit-out of a new commercial kitchen.
- **HWC/2017/131** – Heritage works (exemption from development consent) was granted on 18 May 2017 for alterations and additions comprising a cosmetic refurbishment to the existing approved restaurant.
- **HWC/2021/300** – Heritage works (exemption from development consent) was partially granted on 21 October 2021 for heritage works relating to the alterations of a restaurant to replace the previous tenancy fit-out. The remainder of the works for which consent was not granted under this application were lodged under the subsequent development application D/2022/30.
- **D/2022/30** - Development consent was granted on 25 January 2022 for internal alterations to the existing licensed restaurant.

Compliance Action

11. The site has previously been subject to a compliance action that was relevant to the subject application. On 13 March 2026, Council officers were informed that unauthorised works were being undertaken at 5-11 Bridge Street based on noises emanating from the tenancy. This matter was referred to the Council's Health and Building Unit for investigation. The outcome was finalised on the 17 March 2026, and no further action was undertaken.

Amendments

12. Following a preliminary assessment of the proposed development by Council officers, a request for amendments was sent to the applicant on 6 February 2026. This application was referred to the City's Licensed Premises Unit who had no objections to the application, subject to amendments to the Plan of Management to address the requirements of the Sydney Development Control Plan 2012, Schedule 3, Section 3.2.
13. The applicant responded to the request on 11 February 2026, and submitted an updated Plan of Management via the NSW Planning Portal.

Proposed Development

14. The application seeks consent for the following:

- the change of use from a restaurant to a pub operating with a hotel (general bar) licence

- proposed trading hours will be between 10.00am and 2.00am (the following day), Mondays to Sundays, inclusive
- a maximum patron capacity of 160 people and 16 staff members
- internal fit out works to the tenancy as shown in the architectural drawings, including:
 - the removal of non-heritage elements including partitions, finishes, fittings, and mechanical housings
 - new bars with associated shelving and fixtures, to the ground floor and mezzanine levels
 - new joinery, partitions, flooring, finishes and decorative treatments
 - alterations to the dining area including raised dining plinths to part of the ground floor level
 - new kitchen counters, including the installation of a solid fuel grill and associated exhaust ventilation
 - new lighting and audiovisual fixtures
 - new balustrade to the mezzanine level
- ceiling hung wall mounted neon signage located in the entry vestibule
- four (4) new window decal signs located in the windows facing Bridge Street and one (1) new window decal sign in the window to the entry vestibule
- two (2) new wall plaque signage on both sides of the tenancy entryway to replace the existing plaques

15. Plans and elevations of the proposed development are provided below.

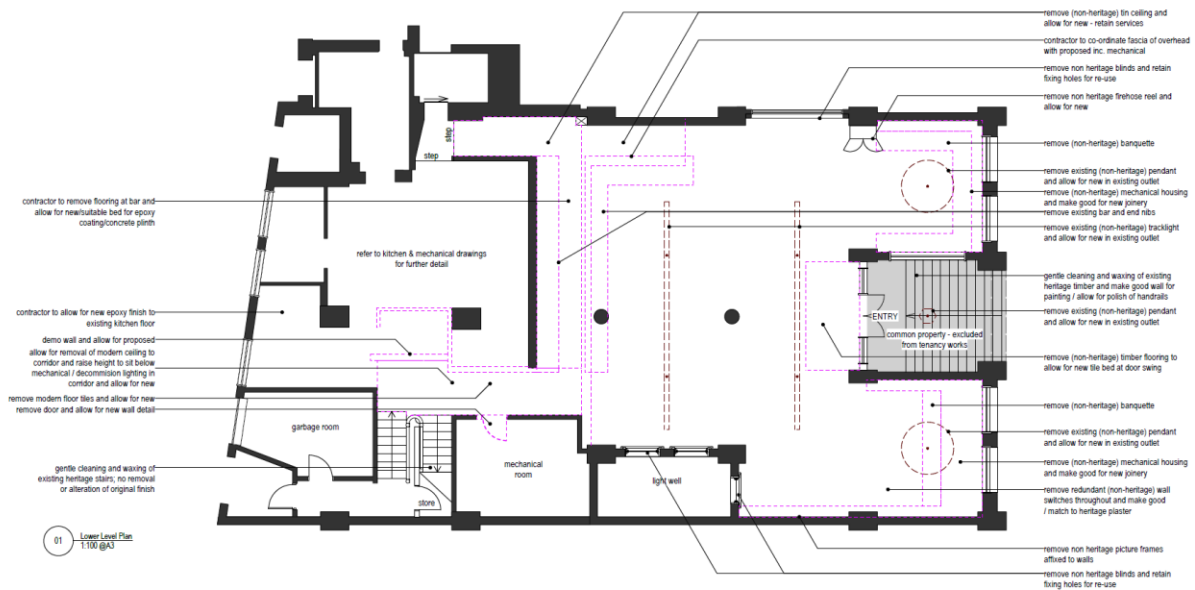


Figure 9: Proposed ground floor demolition plan

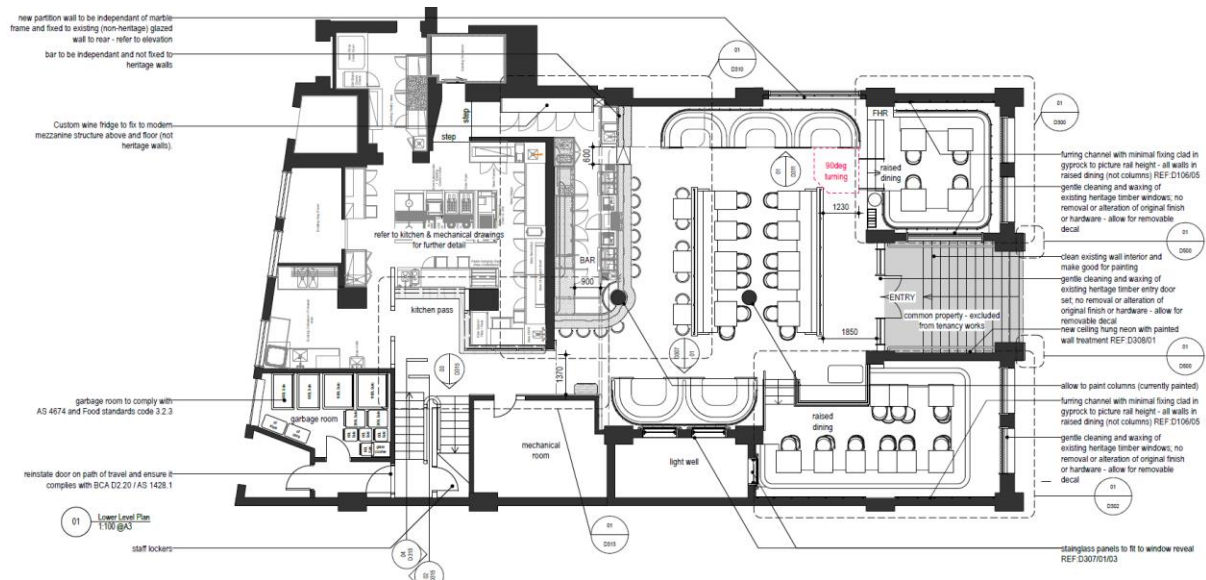


Figure 10: Proposed ground floor layout plan

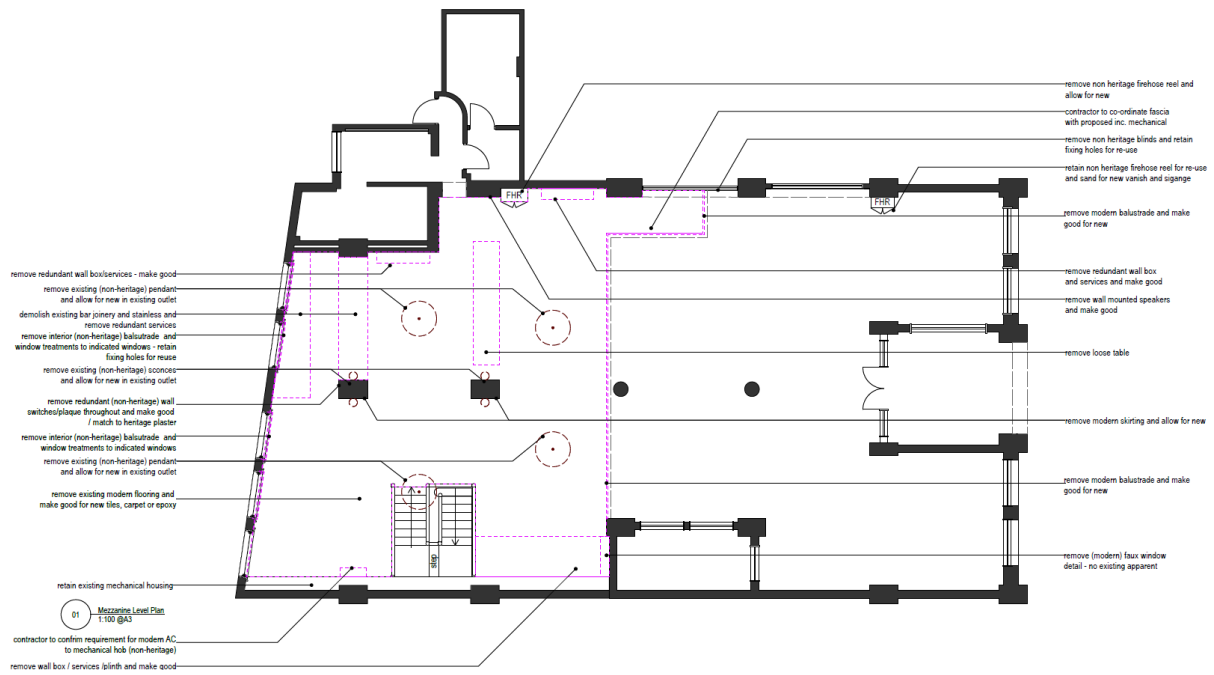


Figure 11: Proposed mezzanine level demolition plan

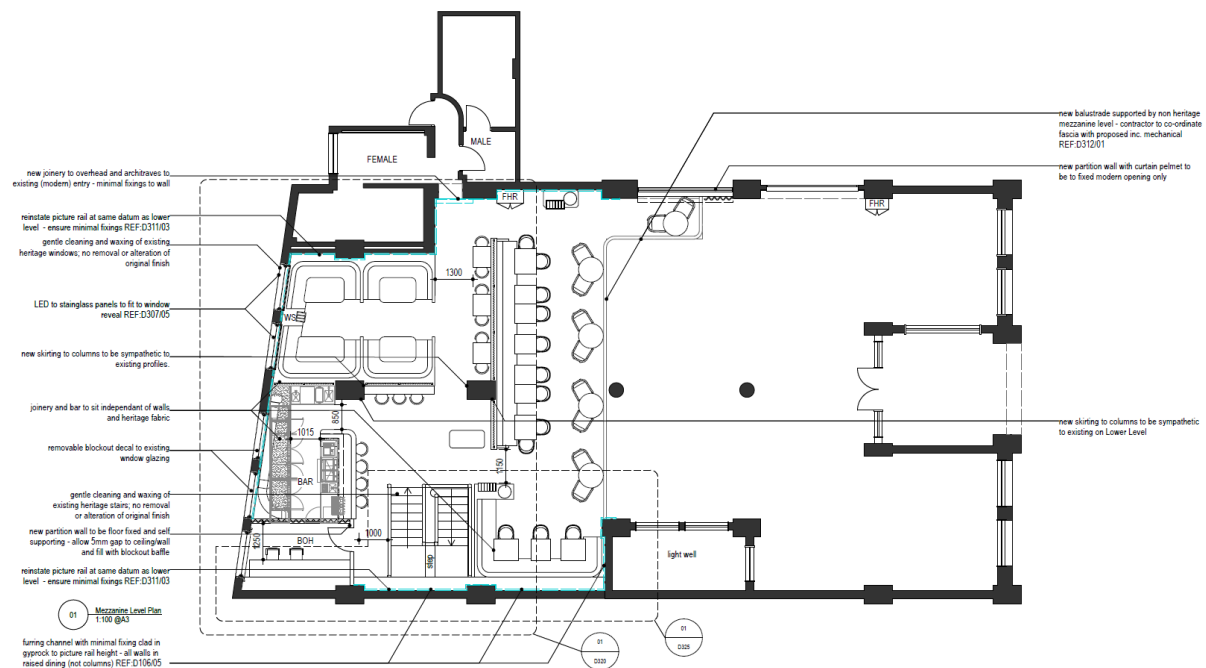


Figure 12: Proposed mezzanine level layout plan

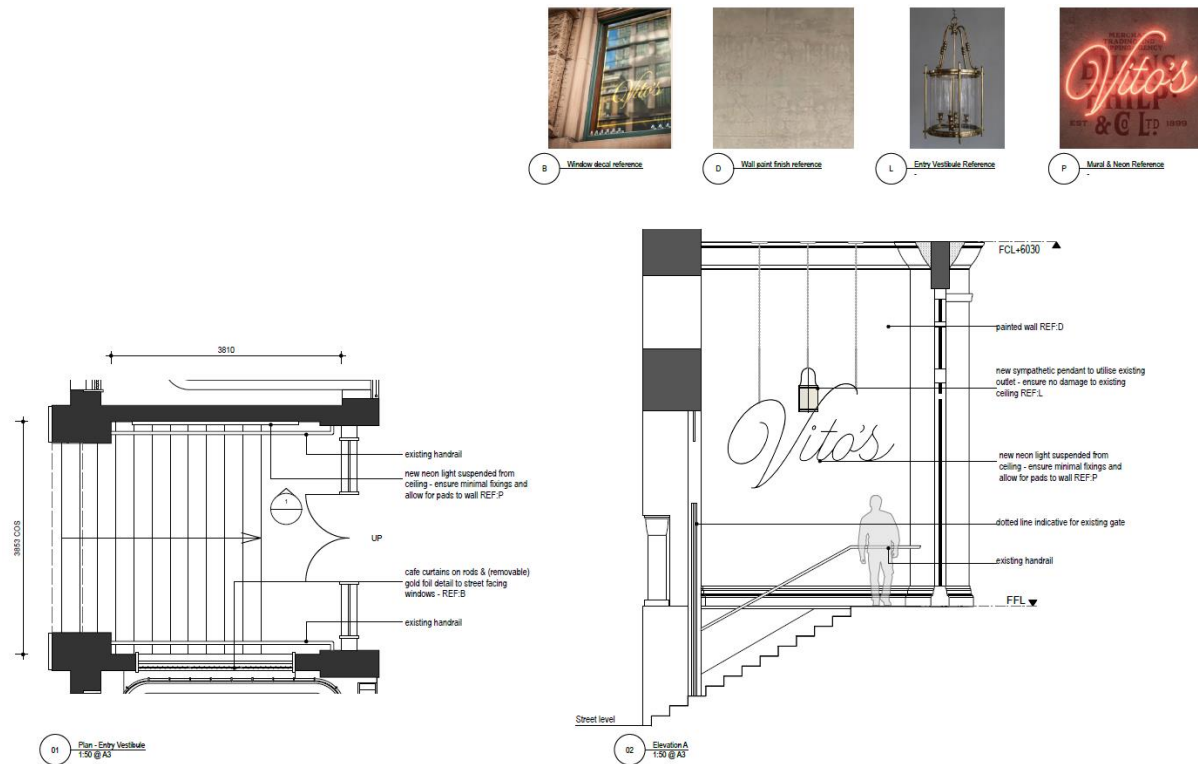


Figure 13: Proposed ceiling hung wall mounted neon signage located in the entry vestibule



Figure 14: Proposed plaque and window decal signage

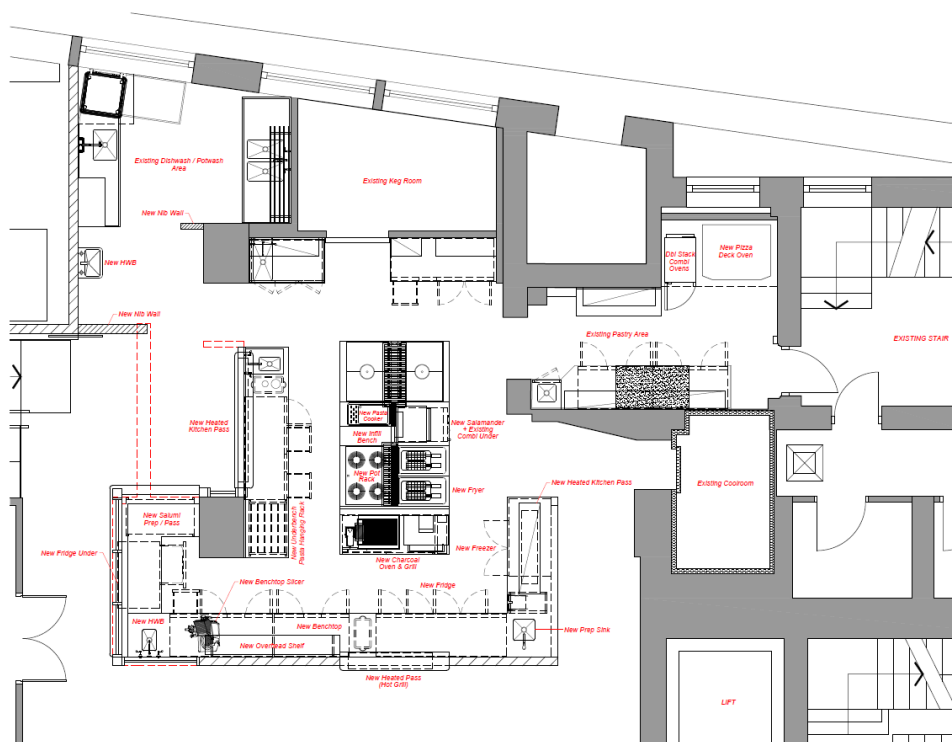


Figure 15: Proposed ground level kitchen floorplan

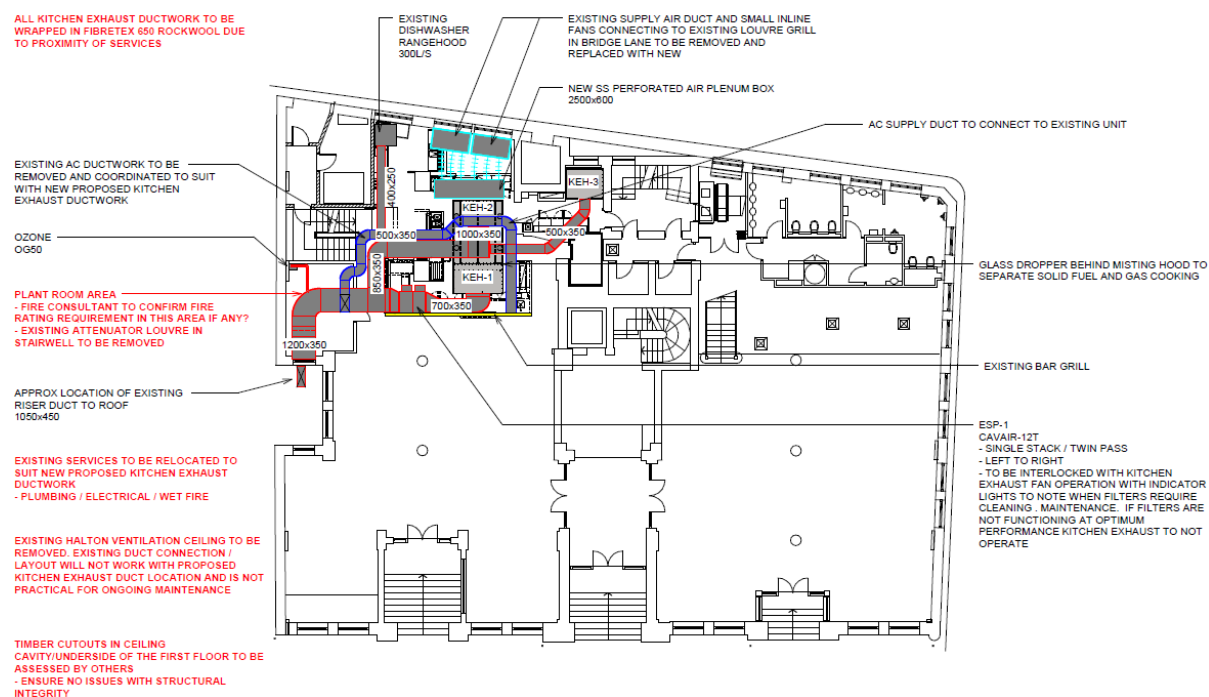


Figure 16: Proposed ventilation system for ground level kitchen

Assessment

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

Heritage Act 1977

17. The subject site is listed as an item known as the 'Burns Philp Building' on the State Heritage Register under the Heritage Act 1977 (SHR #00347).
18. An existing Conservation Management Plan has been prepared for 5-11 Bridge Street, dated January 2000, and prepared by Conybeare Morrison and Partners.
19. As integrated development requiring approval under the Heritage Act 1977, a copy of the application was referred to the Heritage Council on 12 January 2026 in accordance with Clause 42 of the Environmental Planning and Assessment Regulation 2021. In correspondence dated 10 February 2026, the Heritage Council advised that it would be appropriate for the City of Sydney's Heritage Specialist to use its delegation to issue the General Terms of Approval as the proposal would not have a major adverse impact to the site's heritage value.
20. A copy of the application was referred to the City of Sydney's Heritage Specialist as a delegate of the Heritage Council on 10 February 2026. In correspondence dated 20 February 2026, the City of Sydney's Heritage Specialist was advised that the exhibition period had been completed and that no submissions were received.
21. On 20 February 2026, the City of Sydney's Heritage Specialist as a delegate of the Heritage Council of NSW, issued the General Terms of Approval subject to recommended conditions which are included in Attachment A. See further details under the sub-heading Heritage in the 'Discussion' section below.

State Environmental Planning Policies

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

Advertising and Signage

22. 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.
23. The proposed signage has been considered against the objectives of the policy and an assessment against the provisions within the assessment criteria set out in Schedule 5 is provided in the table below.

Provision	Compliance	Comment
1. Character of the area	Yes	The proposed signage is generally consistent with the character of the area, subject to conditions. The proposed signage is also consistent with the provisions of the Bridge Street signage precinct in Section 3.16.12.3 of the Sydney Development Control Plan 2012.
2. Special areas	Yes	The proposed signage does not detract from the amenity or visual quality of the locality, subject to conditions.
3. Views and vistas	Yes	The proposed signage does not obscure or compromise any important views. It does not dominate the skyline and has no impact on the viewing rights of other advertisers.
4. Streetscape, setting or landscape	Yes	The proposed signage is of an appropriate scale, proportion and form and provides a positive contribution to the streetscape and setting of the area.
5. Site and building	Yes	The scale, proportion and positioning of the proposed signage is acceptable, and the materiality is compatible with the finishes and colours of the building.
6. Associated devices and logos	Yes	Not applicable.
7. Illumination	Yes	Conditions of consent are recommended to ensure that the illumination does not result in unacceptable glare, affect safety or detract from the amenity of any residential accommodation.
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

24. The proposed signage is consistent with the objectives of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage as set out in Clause 3.1 and satisfies the assessment criteria specified in Schedule 5.

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

25. The site 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.
26. The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, apart from 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

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the SP5 Metropolitan Centre zone. The proposed development is defined as a 'pub' and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	A maximum building height of 55m is permitted. The proposed development does not alter the existing height of the building.
4.4 Floor space ratio	Yes	A maximum floor space ratio of 8:1 is permitted. The proposed development does not alter the existing floor space ratio of the building.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is a state heritage item Burns Philp Building (SHR #00347). The site is also adjacent to the state heritage items Metropolitan Hotel (SHR #00663) and Liner House (SHR #00589). The proposed development will not have detrimental impacts on the heritage significance of the heritage items. Refer to the discussion section below.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 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 the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.

Part 7 Local provisions – general

Provision	Compliance	Comment
7.14 Acid Sulfate Soils	Yes	The 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.

Development Control Plans

Sydney Development Control Plan 2012

28. 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

29. The site is located within the Central Sydney locality and the Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The proposed development is in keeping with the unique character and the design principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain	Yes	The subject site is identified in the Active Frontages map as Category 2, requiring at least 70% of the ground floor frontage to be transparent glazing. The proposed window signage will maintain over 70% clear glazing and the proposed internal works at the ground floor will not obstruct views into and out of the premises, subject to conditions. The existing building façade will remain substantially unchanged under the proposed development.
3.9 Heritage	Yes	The site is a state heritage item Burns Philp Building (SHR #00347). The site is also adjacent to the state heritage items Metropolitan Hotel (SHR #00663) and Liner House (SHR #00589). The proposed development will not have detrimental impacts on the heritage significance of the heritage items. Refer to discussion section below.
3.12 Accessible Design	Yes	No changes are being proposed to the existing stepped entryway for the tenancy, and no changes are proposed for the existing internal staircase connecting the ground floor and mezzanine levels. As such there is no requirement to make the tenancy wheelchair accessible under the scope of works for this application. A condition is recommended to ensure that both levels comply with the BCA

Provision	Compliance	Comment
		through the relevant compliance pathways prior to the issue of any Construction Certificate.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	A condition has been recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.
3.15 Late Night Trading Management	Yes	The premises is located in a Late Night Management Area and the use is defined as a category A premises. The proposed trading hours are between 10.00am and 2.00am (the following day), Mondays to Sundays, and the patron capacity is 160 people. Refer to the discussion section below.
3.16 Signage and Advertising	Yes	The proposed development includes the provision of: - One (1) ceiling hung wall mounted neon signage located in the entry vestibule. - Four (4) new window decal signs located in the windows facing Bridge Street and one (1) new window decal sign in the window to the entry vestibule. - Two (2) new wall plaque signage on both sides of the tenancy entryway to replace the existing plaques. The proposed neon signage is not located on the facade of the building, and is not directly visible from the street frontage, being located within the entry vestibule. Business identification signs are generally not permitted on the facades

Provision	Compliance	Comment
		of buildings located within the Bridge Street signage precinct. However, the proposed window decal signs are considered acceptable in this instance as they will retain views into the tenancy and are similar in scale and position to the signs of previous occupants. The new wall plaque signs are classified as changing the content of existing approved signage. As such the requirement of a signage strategy for this heritage building has been waived as the proposed signage to the tenancy is minor in nature and satisfies the objectives of Section 3.16 of the DCP and the Bridge Street signage precinct.
3.18 Acoustic Amenity	Yes	The acoustic report submitted with this application demonstrates the proposal is capable of compliance with the relevant acoustic criteria. Conditions of consent have been recommended to ensure noise emissions are in accordance with the Council's controls.

Discussion

Heritage

30. As detailed above, the proposed development consists of works within the curtilage of the state heritage item, Burns Philp Building (SHR #00347). The site is also adjacent to the state heritage items Metropolitan Hotel (SHR #00663) and Liner House (SHR #00589). Several heritage items of local significance also surround the site. The proposed alterations to the tenancy will not have any impact on surrounding heritage items.
31. In its assessment, the City of Sydney's Heritage Specialist identified several significant heritage elements which will need to be protected and/or retained. These elements are as follows:
 - (a) Original timber floorboards under the existing floating floor
 - (i) The original timber flooring remains under the current timber flooring. The raised dining plinths and the new tiled flooring to be overlayed over the original timber floorboards are not to cause damage to this significant fabric.

- (b) Wall skirting joinery
 - (i) All existing wall skirting joinery is to be retained. The existing skirting on the mechanical enclosure joinery at the northern part of the interior is to be salvaged and reused for new wall skirting.
 - (c) The separation of the mezzanine level
 - (i) The existing mezzanine level is separate from the rear windows and has balustrades at the gaps. The separation at the mezzanine level is to be retained so that the windows and their architraves which extend to the ground floor are not affected.
 - (d) The southern (currently blocked out) window of the light-well
 - (i) The submitted architectural plans (Drawing D121) suggested that this window is a modern faux window. However, the 2000 Conservation Management Plan indicates the original windows are generally intact with obscure glass or leadlight detailing. An on-site inspection by the City's Heritage Specialist identified that its architrave details matched other light-well windows, and they believed it was original. As such this element should be retained.
32. A condition of consent is recommended that the above heritage elements are to be retained.

Late Night Trading

33. The premises is classified as a Category A - High Impact Premises in accordance with Section 3.15 of the Sydney Development Control Plan (DCP) 2012 and is located within a Late-Night Management Area. The DCP permits indoor base trading hours for the area between 6.00am and 12.00am midnight, with extended indoor trading up to 24 hours permitted on a trial basis.
34. The proposed trading hours are between 10.00am and 2.00am (the following day), Mondays to Sundays, inclusive.
- (a) The hours between 10.00am and 12.00am midnight are recommended to be permanent.
 - (b) The extended hours between 12.00am midnight and 2.00am are recommended to be subject to an initial 2-year trial period.

Noise

35. The proposal is accompanied by an acoustic report titled 'Licensed Venue, 11 Bridge Street, Sydney - Acoustic Impact Assessment', prepared by PWNA, reference 250607, and dated 16 October 2025.
36. The site is predominantly surrounded by commercial and retail premises. The acoustic report identified two sensitive noise receivers located in the vicinity of the venue:
- (a) The hotel accommodation premises, 'Establishment Hotel' located approximately 30 metres to the south-east of the site at 5 Bridge Lane.

- (b) The multi-storey 'Cliveden' residential apartment building located approximately 30 metres to the north-west of the site at 4 Bridge Street.
37. The acoustic assessment in the report has been based on the predicted noise levels of the premises. The predicted noise levels were made with the assumptions that amplified music was being played in the internal area, and that the premises was at maximum occupancy during the hours of 7.00am to 2.00am to cover the proposed trading hours between 10.00am and 2.00am (the following day).
38. The acoustic report made the following recommendations:
- (a) The premises must adhere to the maximum patron capacity of 160 people (not including staff members) at any one time.
 - (b) Background music can be played in the dining area with a maximum noise level of 85dBAL_{Aeq} (15-minute) within the venue.
 - (c) Removal of glass or waste should be done internally and must not be taken after 10:00pm and before 7:00am.
 - (d) A contact number must be displayed for the purposes of receiving any complaints if they arrive.
 - (e) Signs must be displayed at all exits reminding patrons to be mindful of noise when leaving the premises.
39. The acoustic report and proposal as detailed in the statement of environmental effects has been reviewed by the Council's Environmental Health Officer. Upon review of the application, the requirements of the City's acoustic criteria, and the NSW Environmental Protection Authority's Noise Policy for Industry (2017) have been addressed.
40. The proposal is able to comply with the criteria, subject to the conditions of consent. A condition of consent is recommended to ensure that the premises operates in accordance with the approved acoustic report.

Mechanical Ventilation

41. The proposal seeks to install a new solid-fuel grill with an associated exhaust ventilation system. The applicant provided plans for the proposed kitchen layout and the proposed ventilation system. This application was referred to the Council's Environmental Health Officer who raised no objections to the proposal.
42. Conditions of consent are recommended to ensure that odour management, and the cleaning and maintenance of the proposed mechanical ventilation system is appropriately managed.

Consultation

Internal Referrals

43. The application was discussed with Council's:
- (a) Environmental Health Unit

- (b) Licenced Premises Unit
 - (c) Heritage and Urban Design Unit
 - (d) Waste Management Unit
44. 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

NSW Heritage Council

45. Pursuant to the Heritage Act 1977, the application was referred to the NSW Heritage Council on 12 January 2026 for concurrence. In correspondence dated 10 February 2026, the Heritage Council advised that it would be appropriate for the City of Sydney's Heritage Specialist to use its delegation to issue the General Terms of Approval. A copy of the application was referred to the City of Sydney's Heritage Specialist as a delegate of the Heritage Council on 10 February 2026.
46. In correspondence dated 20 February 2026, the City of Sydney's Heritage Specialist was advised that the exhibition period had been completed and that no submissions were received.
47. General Terms of Approval were issued by City of Sydney's Heritage Specialist as a delegate of the Heritage Council on 20 February 2026 and have been included in the schedules within the recommended conditions of consent.

NSW Police

48. The application was referred to NSW Police for comment.
49. NSW Police provided a response to this referral on the 24 March 2026, indicating that they had no objection to the proposal. In this response they suggested the inclusion of several conditions to ensure public safety. These conditions related to the use of surveillance cameras, incident recording, neighbourhood amenity, onsite availability of consent and management documents, adherence to the Plan of Management, and queuing procedures. All the measures outlined in these conditions have already been included in the approved Plan of Management and are not considered necessary to be included in the recommended conditions of consent.

Advertising and Notification

50. In accordance with the City of Sydney Community Participation Plan 2025, the proposed development was notified for a period of 28 days between 12 January 2026 and 10 February 2026. A total of 520 properties were notified and no submissions were received.

Financial Contributions

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

51. 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 s7.12 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

52. The site is located within the Central Sydney affordable housing contribution area. As the development is not creating more than 100sqm of gross floor area and is not for a change of use to residential or visitor/tourist accommodation, the development is excluded and is not subject to a Section 7.13 contribution.

Housing and Productivity Contribution

53. The development is not subject to a Housing and Productivity Contribution under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2024.
54. While the site is located with the Greater Sydney region, the development is not a type of commercial development to which the Housing and Productivity Contribution applies, consisting of the refurbishment of an existing commercial tenancy with no change to its gross floor area.

Relevant Legislation

55. Environmental Planning and Assessment Act 1979.
56. Heritage Act 1977.

Conclusion

57. This application seeks development consent for the internal fit out to part of the state-listed heritage item (Burns Philp Building) with an associated change of use from a restaurant to a 'pub' operating with a hotel (general bar) licence.
58. The proposed development consists of works within the curtilage of the state heritage item, Burns Philp Building (SHR #00347). Subject to the recommended conditions of consent, the proposed alterations to the tenancy will have an acceptable impact on the heritage significance of the site.

59. The development is located within a Late-Night Management Area. The proposed hours of operation are consistent with the planning controls, subject to management and operational conditions recommended to protect the amenity of the surrounding area. Any extended hours after 12.00am midnight are recommended to be subject to an initial 2-year trial period.
60. The proposed development has been assessed as being consistent with the applicable planning controls and is supported subject to the imposition of conditions in Attachment A.

ANDREW THOMAS

Executive Manager Planning and Development

Anthony Kwee Kartawardana, Cadet Planner

Attachment A

Recommended Conditions of Consent
--

Terms and Reasons for Conditions

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

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/1335 dated 05/01/2026 and the following drawings prepared by Design Madgwick:

Drawing Number	Drawing Name	Date
D101	Lower level – Demolition Plan	22/10/25
D102	Lower Level – Heritage Conservation Plan	22/10/25
D103	Lower Level – Proposed Plan	22/10/25
D105	Lower Level – Floor Finish Plan	22/10/25
D106	Lower Level -RCP Inc AV	22/10/25
D121	Mezzanine – Demolition Plan	22/10/25
D122	Mezzanine – Heritage Conservation Plan	22/10/25
D123	Mezzanine Level – Proposed Plan	22/10/25
D125	Mezzanine Level – Floor Finish Plan	22/10/25
D126	Mezzanine Level – RCP Inc AV	22/10/25
D300	Part Plan – Raised Dining West 01	22/10/25
D301	Part Plan – Raised Dining West 02	22/10/25

Drawing Number	Drawing Name	Date
D302	Part Plan – Raised Dining East 01	22/10/25
D303	Part Plan – Raised Dining East 02	22/10/25
D304	Part Plan – Raised Dining East 03	22/10/25
D306	Part Plan – Stained Glass to Lightwell	22/10/25
D307	Part Plan – Stained Glass Detail	22/10/25
D308	Part Plan – Entry Vestibule	22/10/25
D310	Part Plan – Lower Bar 01	22/10/25
D311	Part Plan – Lower Bar 02	22/10/25
D312	Part Plan – Lower Bar Balustrade	22/10/25
D313	Part Plan – Corridor & Kitchen Pass	22/10/25
D315	Part Plan - Stairwell	22/10/25
D320	Part Plan – Mezzanine 01	22/10/25
D321	Part Plan – Mezzanine 02	22/10/25
D322	Part Plan – Mezzanine 03	22/10/25
D325	Part Plan – Mezzanine 04	22/10/25
D500	Schedule - Signage	22/10/25

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) 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 *	Levy
* Refer to Section 2.3 of the <i>Central Sydney Development Contributions Plan 2020</i> for information on determining the development cost.	
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.

(3) 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.
- (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) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.

- (d) New services are to be installed with minimal impact to heritage fabric and significant spaces. Where possible new services are to use existing service runs.
- (e) Appropriately qualified tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.

Reason

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

(4) REPAIRS AND WORKS FOR MAKING GOOD

All new repairs and works for making good of existing building fabric are to be carried out on a like for like basis and match the existing in terms of materials, colours, finishes, sizes, profile and properties.

Reason

To ensure repairs and works for making good are appropriate.

(5) SIGNAGE GENERAL REQUIREMENTS

The design of the approved signage must comply with the following:

- (a) The signage is not to contain highly reflective materials, colours and finishes.
- (b) The signage is not to incorporate sound, vibration, odour and other emissions.

Reason

To ensure signage is designed in accordance with Council's DCP.

(6) ERECTION OF SIGNAGE

The signage is to be erected in a secure manner to ensure safety and its installation is not to involve measures that would cause irreversible damage to the building.

Reason

To ensure signage installed does not cause irreversible damage to the building.

(7) SIGN ILLUMINATION

- (a) At no time is the intensity, period of intermittency and hours of illumination of the sign to cause objectionable glare or injury to the amenity of the neighbourhood and as such must be designed, installed and used in accordance with the latest edition of AS/NZS 4282.
- (b) The sign(s) must not flash. Signs with flashing, chasing, pulsating or flickering lights are not permitted.

- (c) The maximum night-time luminance of any sign is not to exceed 300 cd/sqm.
- (d) Upward facing light sources onto the signage is not permitted.

Reason

To ensure signage illumination is designed in accordance with the Australian Standards and Council's DCP.

(8) WASTE AND RECYCLING MANAGEMENT - GENERAL

The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's *Guidelines for Waste Management in New Developments 2018*, which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

Reason

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

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(9) APPROVED ACOUSTIC REPORT

The PWNA Report dated 16 October 2025, ref 250607, titled Licensed Venue, 11 Bridge Street Sydney, Acoustic Report (Council TRIM Ref: 2025/777637) is approved.

Where there is a conflict between the approved acoustic report and this development consent, this consent prevails.

Reason

To specify an acoustic report for reference in other noise control conditions.

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

Any building works required to ensure compliance with the NCC (previously known as BCA) or new building standards not specified in the submitted/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 submitted and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to issue of any Construction Certificate.

Reason

To ensure an appropriate heritage outcome.

(11) HERITAGE CONSERVATION WORKS – OTHER BUILDING

- (a) Prior to the issue of the Construction Certificate, a schedule of conservation works to be undertaken concurrently 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 work to heritage fabric in the proposed fitout area, including the cleaning and repainting of existing door and window joinery, wall skirtings, ceilings and cast iron columns and the retention and protection of the original timber floorboards, picture rails and skirting.
- (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) 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.

Reason

To ensure the carrying out of appropriate heritage conservation works.

(12) PREPARATION OF CONSTRUCTION AND FIT OUT PLANS FOR FOOD AND DRINK PREMISES

- (a) Prior to the issue of a Construction Certificate, detailed plans of all food and beverage preparation, serving and storage areas (including for perishable stock, waste, chemicals and personal belongings) must be prepared by a suitably qualified person in accordance with the following and submitted to and approved by Council:
 - (i) Food Standards Code (Australia) and Food Safety Standard 3.2.3 – Food Premises and Equipment.
 - (ii) Food Act 2003 and Food Regulation 2015.
 - (iii) Australian Standard 4674 - 2004 – Design, Construction and Fit-out of Food Premises.
 - (iv) Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage.
 - (v) Sydney Water commercial trade wastewater requirements for food premises, and
 - (vi) Any relevant Water Services Association of Australia codes of practice guidelines, policies and requirements.

Note: Codes, standards, regulations and requirement listed above must refer to editions in force on the date of determination.

Reason

To ensure detailed construction and fit out plans are submitted which comply with the relevant standards prior to the issue of a Construction Certificate.

(13) MECHANICAL VENTILATION

- (a) The premises must be ventilated in accordance with the *Building Code of Australia* and *AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings*.

- (b) Details of any mechanical ventilation and/or air conditioning system complying with *AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings*, the *Building Code of Australia* and relevant Australian Standards must be prepared and certified in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.
- (c) Prior to issue of any Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, must be submitted to the Principal Certifier.

Reason

To ensure the ventilation complies with relevant standards.

(14) MECHANICAL VENTILATION – ADDITIONAL ODOUR AND SMOKE CONTROLS

A Professional Engineer (as defined in Volume One of the National Construction Code) (previously known as Building Code of Australia) must:

- (a) Prior to the issue of a Construction Certificate, specify filtration and odour control systems as part of the proposed mechanical ventilation design and drawings (including specifications of the proposed mechanical kitchen exhaust ventilation system) to ensure that exhaust air can be discharged to the atmosphere in accordance with *AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings – Mechanical Ventilation in Buildings*, and will not cause a danger or a nuisance to occupants within the building, occupants of neighbouring buildings or members of the public; and
- (b) Certify the design in accordance with the *National Construction Code (previously known as Building Code of Australia)* and *AS1668.2 - The Use of Mechanical Ventilation and Air conditioning in Buildings*; and
- (c) Prior to the issue of any Occupation Certificate inspect the mechanical ventilation and filtration/odour control systems and certify that the system/s have been installed to the approved design; and
- (d) Certify the satisfactory performance of the installed system/s.

Reason

To protect the amenity of the surrounding area.

(15) WASTE AND RECYCLING MANAGEMENT – COMMERCIAL

The Operational Waste Management Plan dated 11 November 2025 (Council TRIM Ref: 2025/777671) accompanying the Development Application has been approved by this consent responsive to architectural plans Issue A and dated 22/10/2025. Should the architectural plans be updated with a change in the Gross Floor Area or modifications to the waste storage area/layout, an updated Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of a **Construction Certificate**.

Reason

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

(16) WASTE INFRASTRUCTURE – COMMERCIAL

- (a) Prior to the issue of **Construction Certificate**, detailed plans, and specifications for the construction of waste management facilities must be submitted for review by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager. The waste management facilities to be provided are to be responsive to Council's controls, policies, and guidelines, including but not limited to:
 - (i) Waste and recycling stream(s) storage area(s) to be designed and constructed in accordance with Reference D of *Council's Guidelines for Waste Management in New Developments*. Floors to be waterproofed across all intersections that extend a minimum of 1200mm high on the walls.

Reason

To allow for the safe and hygienic storage and collection of waste and recycling from the use of the building.

DURING BUILDING WORK

(17) USE OF HERITAGE CONSULTANT – MINOR DEVELOPMENT

- (a) A heritage consultant experienced in heritage restoration and renovation works is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project. Evidence and details of the above commission on the above terms are to be submitted to Council's Area Coordinator Planning Assessments / Area Planning Manager prior to commencement of work on site.
- (b) The heritage consultant must sign off the completed project and submit a final report to Council's Area Coordinator Planning Assessments / Area Planning Manager specifying how the heritage conditions are satisfied prior to the issue of any Occupation Certificate or the commencement of the use, whichever is earlier.

Reason

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

(18) 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 (e.g. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am 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*.

Note: Refer also to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To protect the amenity of the surrounding area.

(19) 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.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information and requirements.

Reason

To ensure loads are managed appropriately and do not impact local amenity.

(20) 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.

Note: Refer also to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To protect the amenity of the public domain.

(21) 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.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To protect the amenity of the public domain.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(22) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an **Occupation Certificate**, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved at the Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

(23) NOTIFICATION OF CONDUCT OF FOOD BUSINESS

Prior to the issue of an Occupation Certificate, Council must be notified of the food business in accordance with the NSW Food Act 2003 and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements.

Reason

To enable Council to ensure compliance with the consent when the business is operating.

OCCUPATION AND ONGOING USE

(24) 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.

(25) TRADING HOURS - SENSITIVE USES

The trading hours are regulated as follows:

- (a) The permitted trading hours are restricted to between 10.00am and 12.00am midnight, Monday to Sunday.
- (b) Notwithstanding (a) above, the premises may trade between 12.00am midnight and 2.00am (the following day) for a trial period of two (2) years from the date of issue of the Occupation Certificate.
- (c) Should the operator seek to continue the extended operating hours outlined in (b) above, an application must be lodged with Council within 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.

(26) MAXIMUM CAPACITY OF PERSONS

- (a) The maximum number of persons (including staff, patrons and performers) permitted in the premises at any one time is 160 persons.
- (b) The manager is responsible for ensuring that the number of persons in the premises does not exceed that specified above.
- (c) A sign in letters not less than 25mm in height must be fixed at the main entry point to the premises stating the maximum number of persons, as specified in the development consent, that are permitted in the premises.

Reason

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

(27) PLAN OF MANAGEMENT

The use must always be operated / managed in accordance with the Plan of Management prepared by Planning Lab, dated 12 January 2026, Version 2, titled 'Plan of Management Licensed Bar, 5-11 Bridge Street, Sydney' (Council TRIM Ref: 2026/069936). In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

The Plan of Management can be revised at any time through the submission of a Section 4.55 modification application.

Reason

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

(28) 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.

(29) 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.

(30) NOISE FROM ENTERTAINMENT ACTIVITIES

During ongoing use of the premises, the cumulative emission of noise from any entertainment activities must comply with Requirement 3, *NOISE FROM ENTERTAINMENT ACTIVITIES*, as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

Reason

To protect the acoustic amenity of surrounding properties.

(31) COMMERCIAL AND INDUSTRIAL DEVELOPMENT NOISE

During ongoing use of the premises, the cumulative emission of noise from commercial and industrial activities must comply with Requirement 4 – *NOISE FROM COMMERCIAL AND INDUSTRIAL ACTIVITIES*, as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

Reason

To protect the acoustic amenity of surrounding properties.

(32) 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.

(33) GLASS CRUSHER

All glass bottles and other glass waste must be reduced to glass shards (by way of a glass crusher located inside the premises) prior to the removal of such waste from the premises.

Reason

To safeguard the amenity of the surrounding neighbourhood.

(34) SCHEDULED COLLECTIONS – COMMERCIAL

- (a) Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for *Managing Waste in Public Places*.
- (b) In accordance with the approved waste management plan, waste and recycling stream(s) bins must not be placed on the street for collection. Waste collection will occur within the site at all times. Unimpeded access must be provided to the waste and recycling stream(s) storage area(s) at all times.
- (c) Unobstructed access is to be provided for waste collection vehicles to set down within 10m of the waste storage and collection area(s) during zone collection times on collection days.
- (d) The collection of waste and recycling stream(s) is to only occur during designated zone collection times outlined within the Local Approvals Policy for *Managing Waste in Public Places* to minimise impacts to residential amenity.

Reason

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

(35) MECHANICAL VENTILATION – CLEANING AND MAINTENANCE PLAN

The operation of any mechanical ventilation system that has incorporated pollution control equipment for the purpose of treating air impurities, including smoke and odour emissions must comply with the following:

- (a) A Cleaning and Maintenance Plan is to be provided to and approved by Council in writing prior to implementation.
- (b) The approved Cleaning and Maintenance Plan of Management must be implemented during use of the premises.
- (c) All pollution control equipment must be cleaned and maintained in good working order and good repair and in accordance with any manufacturer's instructions.

Changes to the approved Cleaning and Maintenance Plan of Management can be made in consultation with Council and must be approved by Council in writing prior to implementation.

Reason

To ensure the mechanical ventilation complies with relevant standards and to protect the amenity of the surrounding area.

SCHEDULE 2

GENERAL TERMS OF APPROVAL

The General Terms of Approval for Integrated Development as advised by the delegate of the Heritage Council of NSW (the Heritage Council), are as follows:

(36) APPROVED DEVELOPMENT

Development must be in accordance with:

- (a) Architectural drawings *Vito's 5-11 Bridge Street*, prepared by *Design Madgwick*, as listed in the table below:

Drawing No.	Description	Date	Rev
D101	Lower level – Demolition Plan	22/10/25	A
D102	Lower Level – Heritage Conservation Plan	22/10/25	A
D103	Lower Level – Proposed Plan	22/10/25	A
D105	Lower Level – Floor Finish Plan	22/10/25	A
D106	Lower Level -RCP Inc AV	22/10/25	A
D121	Mezzanine – Demolition Plan	22/10/25	A
D122	Mezzanine – Heritage Conservation Plan	22/10/25	A
D123	Mezzanine Level – Proposed Plan	22/10/25	A
D125	Mezzanine Level – Floor Finish Plan	22/10/25	A
D126	Mezzanine Level – RCP Inc AV	22/10/25	A
D300	Part Plan – Raised Dining West 01	22/10/25	A
D301	Part Plan – Raised Dining West 02	22/10/25	A
D302	Part Plan – Raised Dining East 01	22/10/25	A
D303	Part Plan – Raised Dining East 02	22/10/25	A
D304	Part Plan – Raised Dining East 03	22/10/25	A
D306	Part Plan – Stained Glass to Lightwell	22/10/25	A
D307	Part Plan – Stained Glass Detail	22/10/25	A
D308	Part Plan – Entry Vestibule	22/10/25	A
D310	Part Plan – Lower Bar 01	22/10/25	A
D311	Part Plan – Lower Bar 02	22/10/25	A
D312	Part Plan – Lower Bar Balustrade	22/10/25	A
D313	Part Plan – Corridor & Kitchen Pass	22/10/25	A
D315	Part Plan - Stairwell	22/10/25	A
D320	Part Plan – Mezzanine 01	22/10/25	A
D321	Part Plan – Mezzanine 02	22/10/25	A
D322	Part Plan – Mezzanine 03	22/10/25	A

D325	Part Plan – Mezzanine 04	22/10/25	A
D500	Schedule - Signage	22/10/25	A

- (b) *Heritage Impact Statement 7-11 Bridge Street Sydney* prepared by Urbis dated November 2025.

EXCEPT AS AMENDED by the following conditions of this approval

(37) HERITAGE DETAILS

- (a) Raised floors at the ground floor dining area

The structure/framing of the raised floor must be of lightweight construction by using timber or metal. Original timber floorboards under the existing floating floor must be retained and not damaged by the addition.

- (b) New tiled flooring

Original timber floorboards under the existing floating floor must be retained and not damaged by the addition.

- (c) Wall skirting

All existing wall skirting joinery must be retained, including those on the wall to be concealed in the raised floor areas. Existing skirting on the mechanical housing joinery at the northern part of the interior is to be salvaged and reused for new wall skirting.

- (d) Separation of the mezzanine level from the rear windows

The existing separation of the mezzanine floor's southern edge from the rear (south facing) windows must be retained and not infilled.

- (e) Southern window of the light-well

The existing southern window at the eastern lightwell, including its architraves must be retained, though stained coloured glazing or plasterboard lining may be added.

Above details are to be specified or annotated on the plans in the follow-up S60 application.

Reason

To ensure significant fabric is retained and not damaged.

(38) MINIMISING HERITAGE IMPACT

The proposed works including new services are to be designed and carried out in a manner that minimizes demolition, alterations, and new penetrations/fixings to the significant fabric of the existing heritage building. New services are to be installed with minimal impact on heritage fabric and significant spaces. Where possible new services are to use existing service runs. Repairs and materials for making good are to match existing materials and details.

Reason

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

(39) PHOTOGRAPHIC ARCHIVAL RECORDING

A photographic archival recording of the tenancy space in particular the heritage fabric and features within must be prepared prior to the commencement of works/ during works/ at the completion of works. This recording must be in accordance with the Department of Climate Change, Energy, the Environment and Water publication "*Guidelines for preparing recordings of heritage items as a condition of consent (2025)*." The digital copy of the archival record must be provided to the City of Sydney prior to the issue of an Occupation Certificate.

Reason

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

(40) 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 appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

(41) 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.

(42) SITE PROTECTION

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

Reason

To ensure significant fabric including vegetation is protected during construction.

(43) 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 the conditions of consent.

Reason

To ensure that the proposed works are completed as approved.

(44) SECTION 60 APPLICATION

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

Reason

To meet legislative requirements.

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.

SCHEDULE 3

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:

- Clause 69 Compliance with National Construction Code (previously known as Building Code of Australia) and insurance requirements under the Home Building Act 1989
- Clause 70 Erection of signs
- Clause 71 Notification of Home Building Act 1989 requirements
- Clause 72 Conditions relating to entertainment venues
- Clause 73 Conditions relating to maximum capacity signage
- Clause 74 Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under 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>

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). <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.

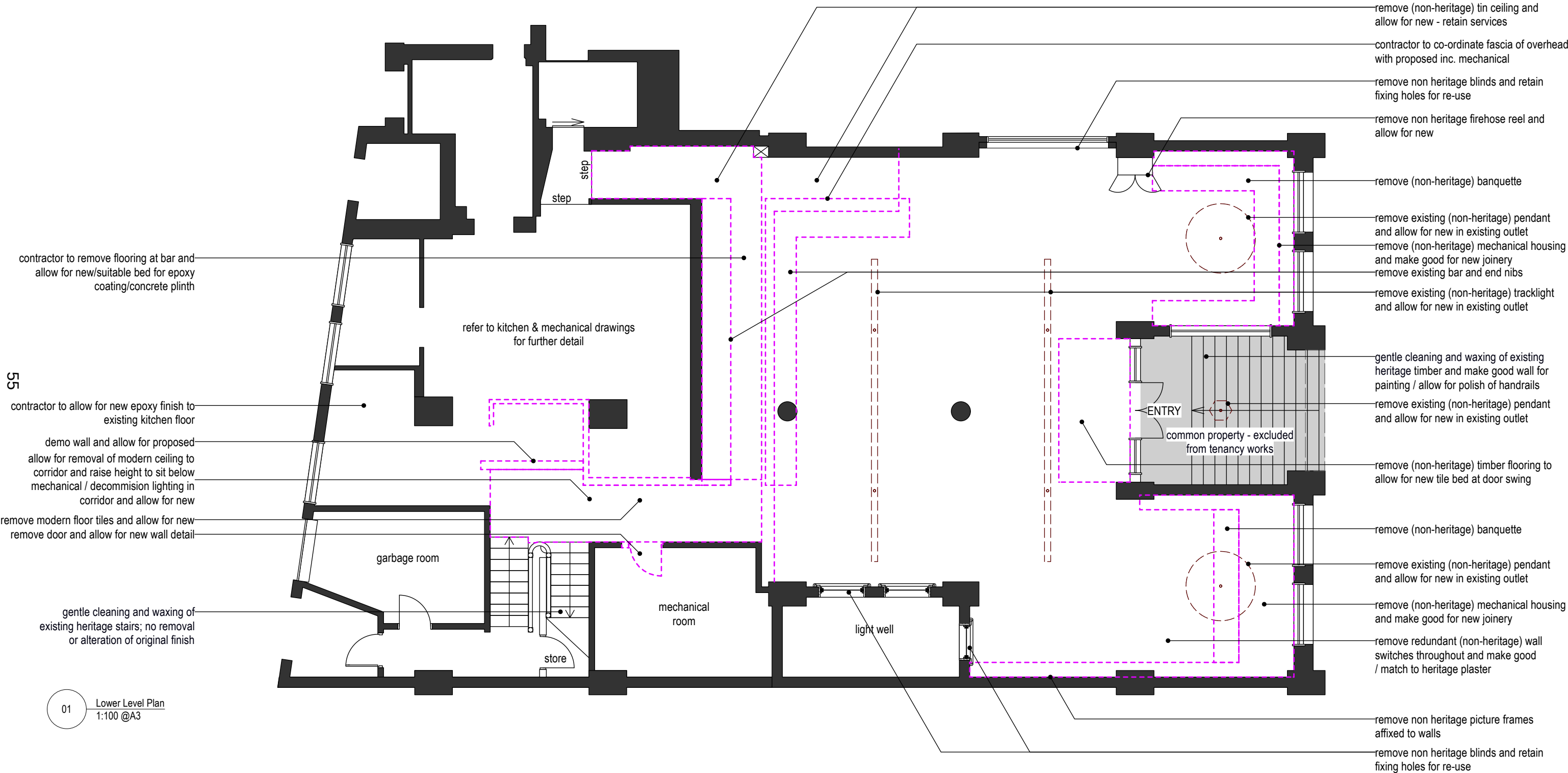
Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

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 B

Selected Drawings

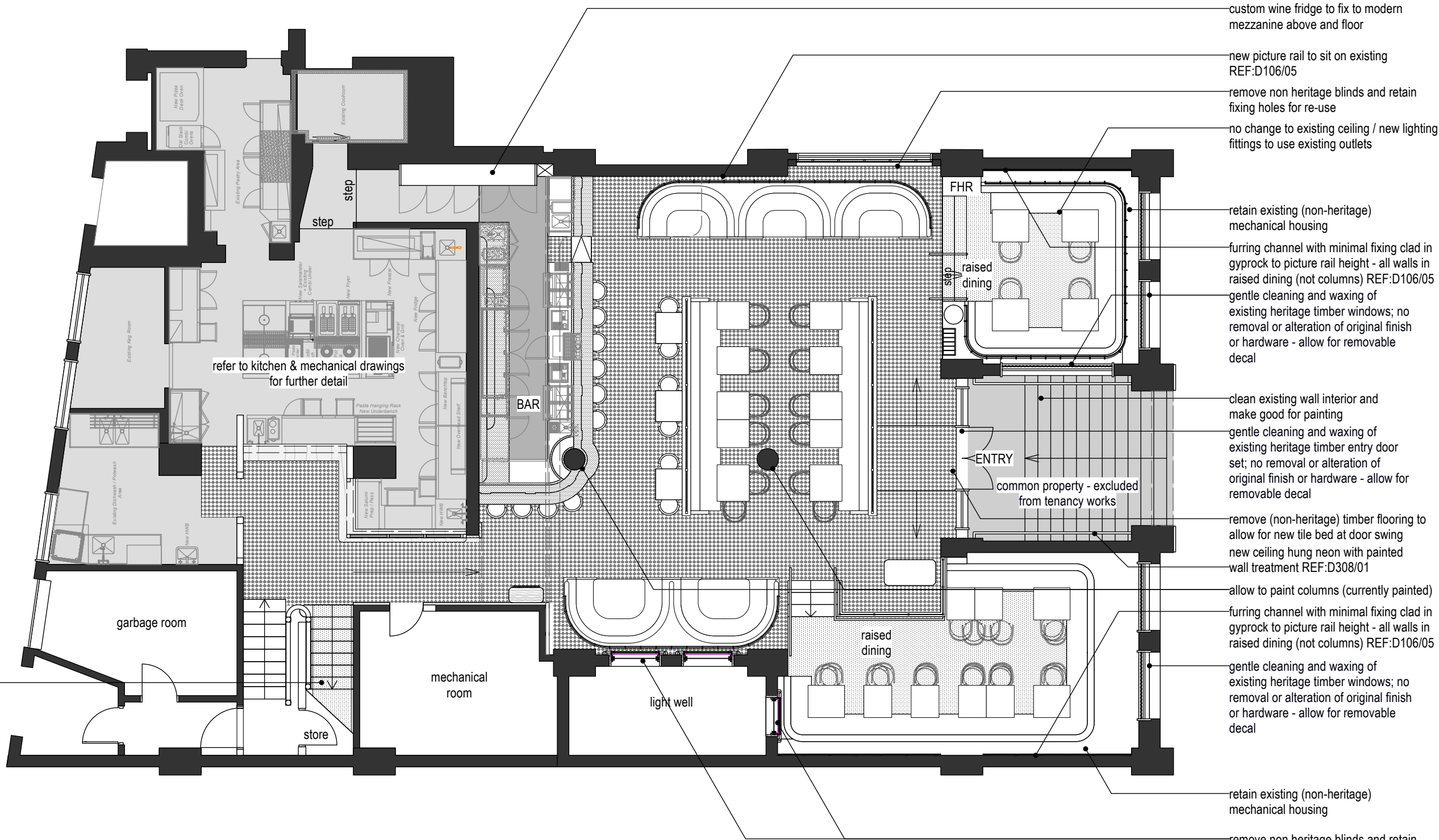
55



01 Lower Level Plan
1:100 @A3

FOR DEVELOPMENT APPLICATION ONLY

01 Lower Level Plan
1:100 @A3



All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric

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ISSUE
A

DATE
22/10/25

AMENDMENT
FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

Sunday Co

Lower Level - Heritage Consideration Plan

DATE:
14/10/2025

SCALE:
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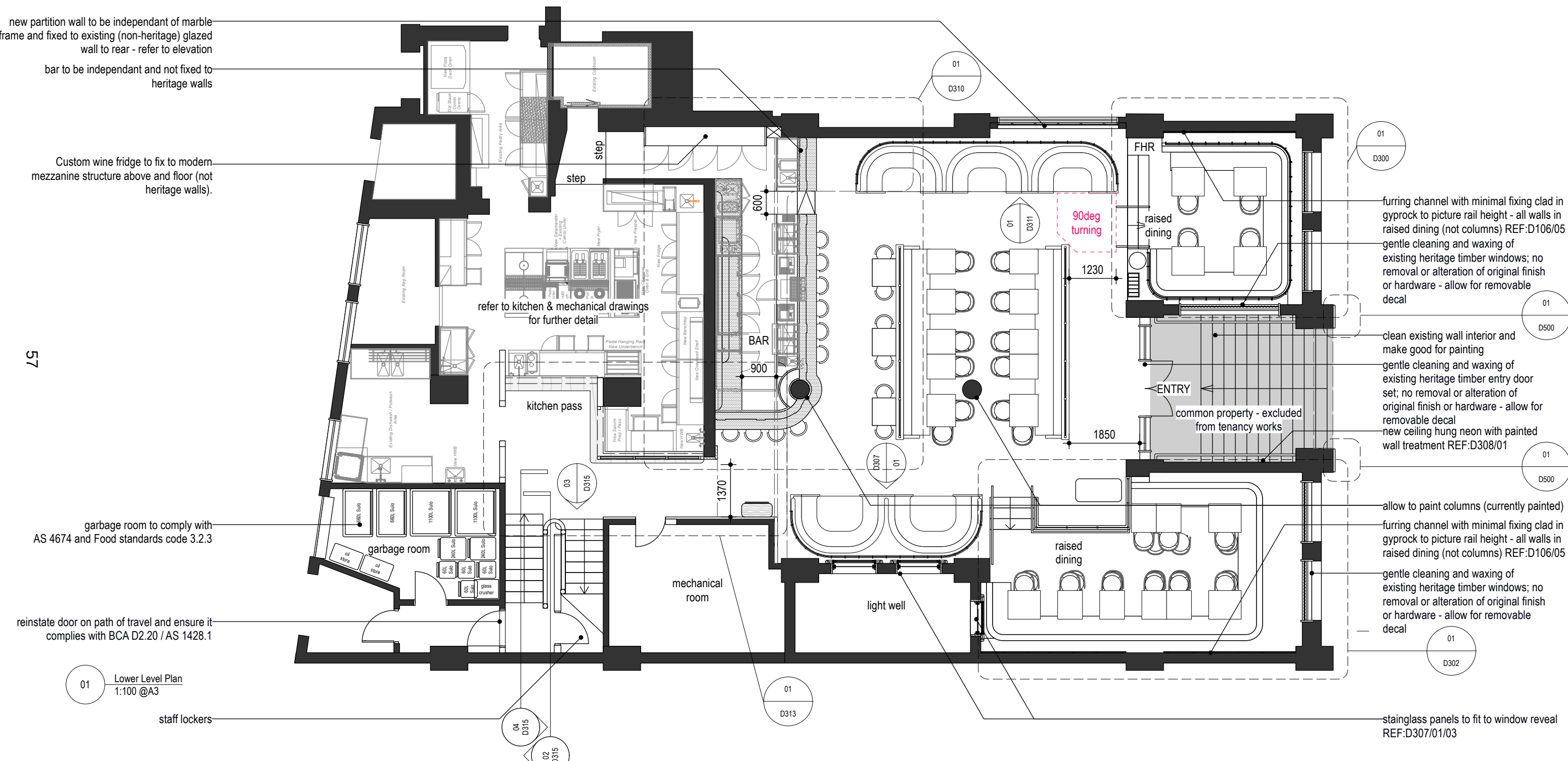
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DRAWING NO.
D102

REVISION
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Note: Loose furniture/joinery is greyed out



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ISSUE

A

DATE

22/10/25

AMENDMENT

FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street

Sydney

Sunday Co

Lower Level - Proposed Plan

DATE:

25/09/2025

SCALE:

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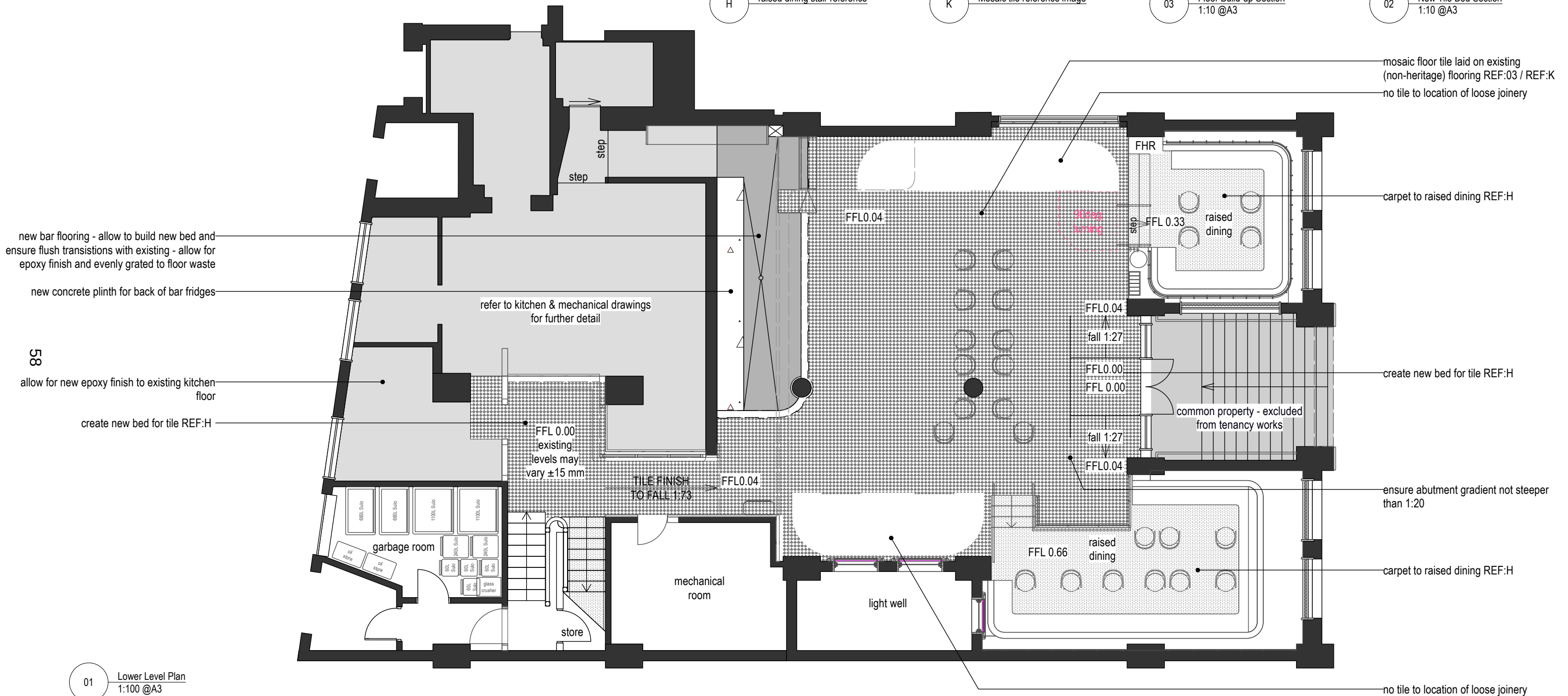
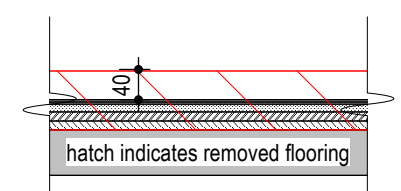
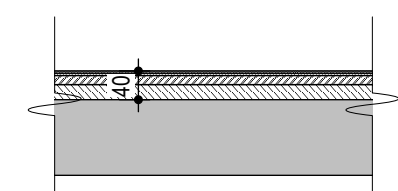


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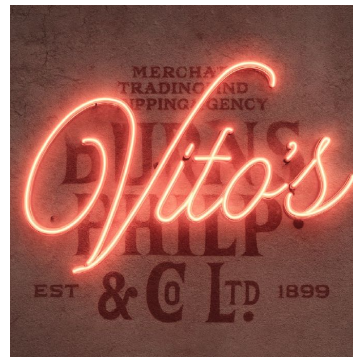
REVISION

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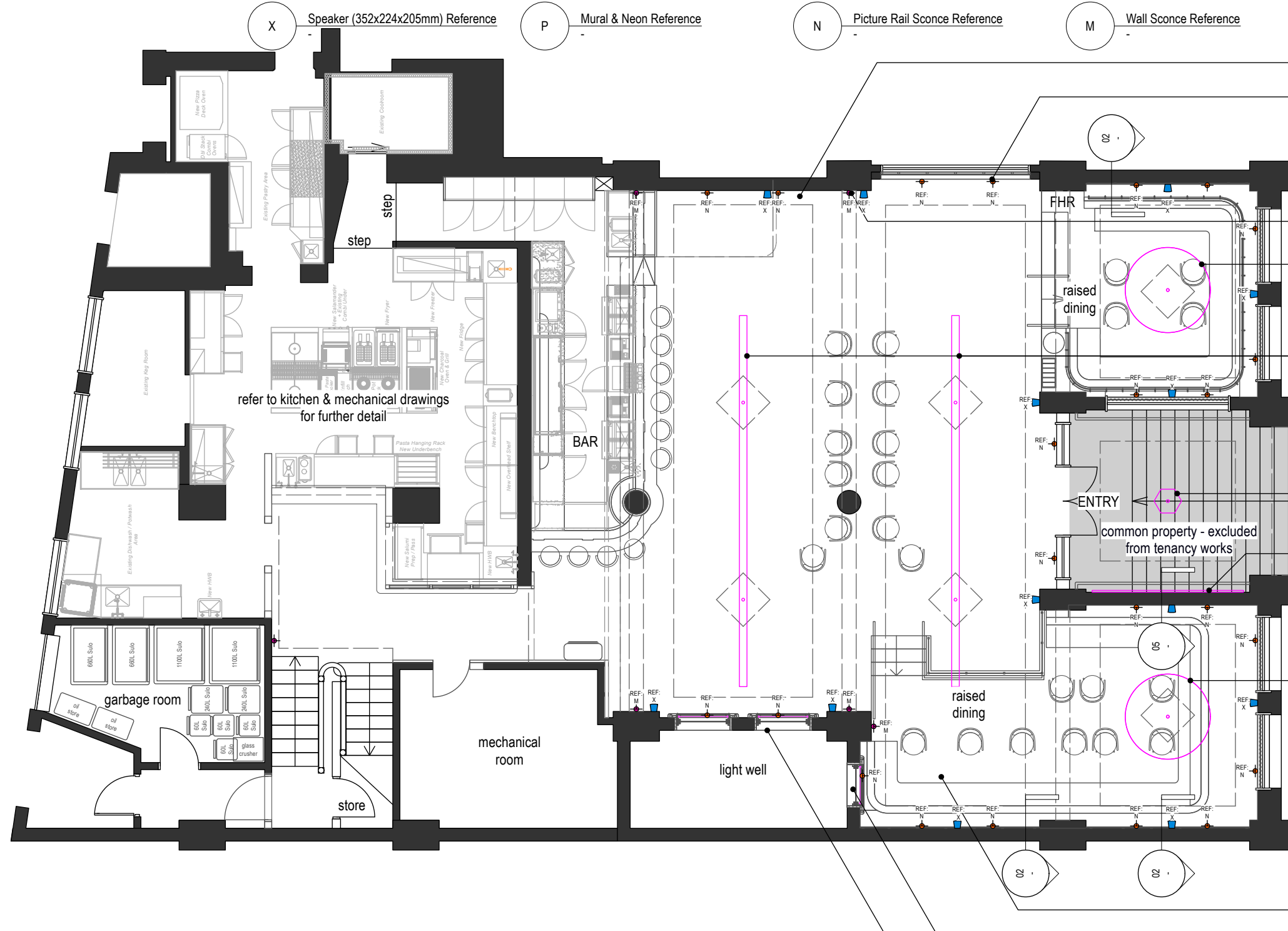
Speaker (352x224x205mm) Reference

P Mural & Neon Reference

N Picture Rail Sconce Reference

M Wall Sconce Reference

Entry Vestibule Reference



- new high level picture rail throughout to sit on existing REF:D301/03
- new sconces throughout to proposed picture rail to light ceiling REF:N

new wall sconces indicated to fix to
wall with exposed flex to avoid
chasing fabric REF:M

- new chandelier to utilise existing outlet - ensure no damage to existing ceiling

- new suspendend fitting to utilise existing outlet - ensure no damage to existing ceiling

—new sympathetic pendant to utilise existing outlet - ensure no damage to existing ceiling REF:L

—new ceiling hung neon REF:P

- new chandelier to utilise existing outlet - ensure no damage to existing ceiling

- no change to ceiling - existing paint retained
- LED to stained glass panels REF:D307/01/03

NOTE: Lighting shown relates to areas within the heritage curtilage of the building only
FOR DEVELOPMENT APPLICATION ONLY

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ISSUE	DATE	AMENDMENT
A	22/10/25	FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

Sunday Co

Lower Level - RCP Inc AV

DATE:	SCALE:	DRAWN:
25/09/2025	1:100	CM

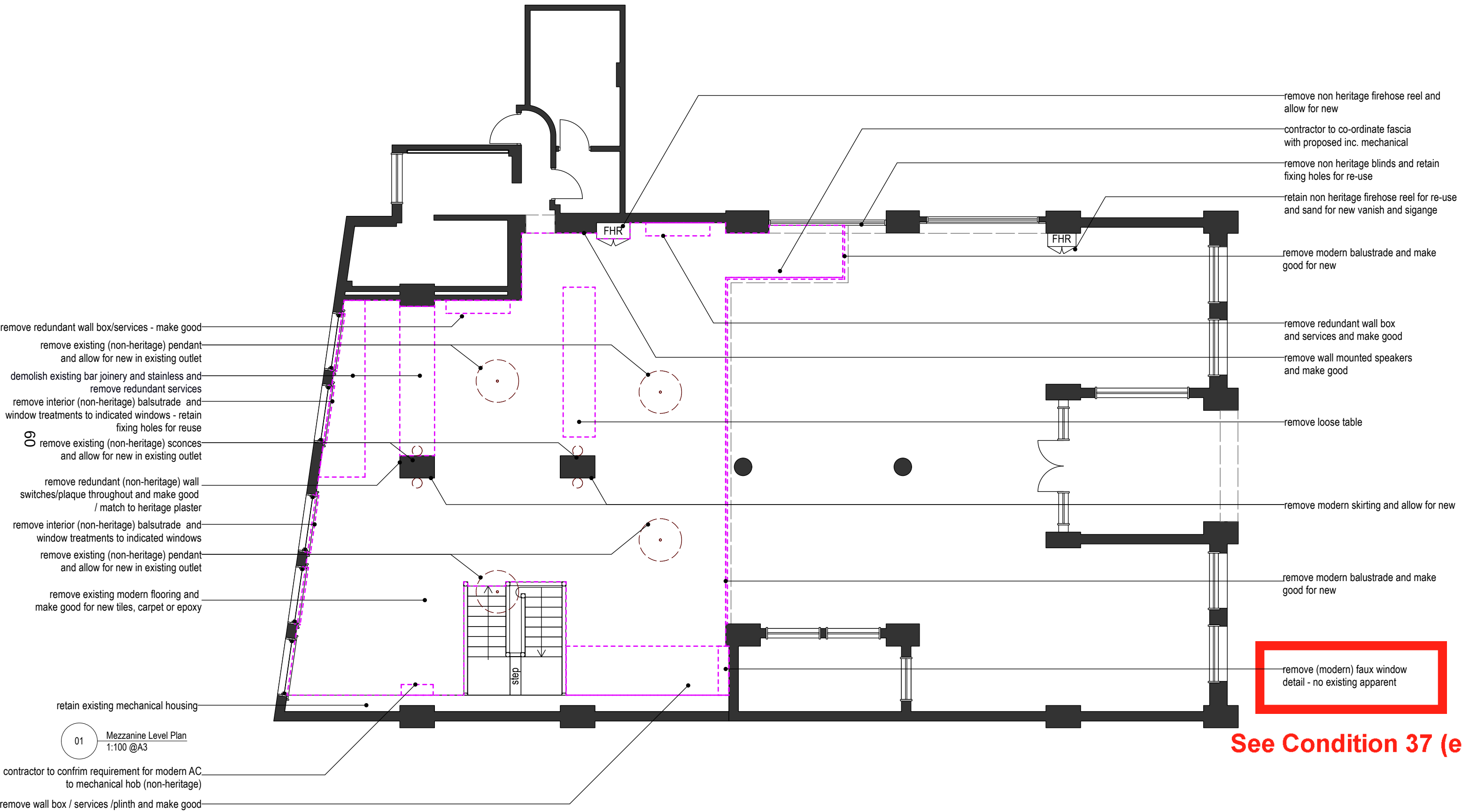
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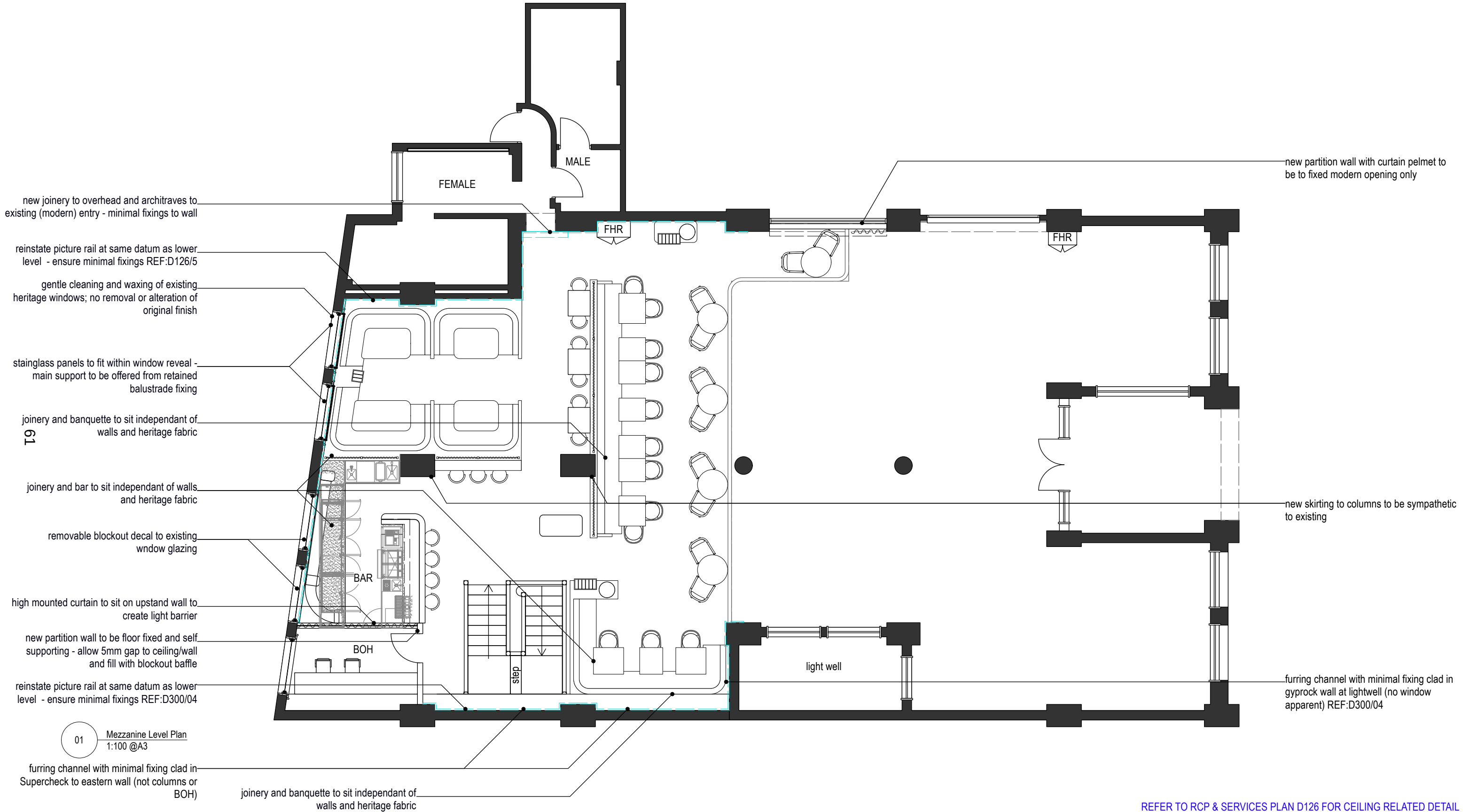
REVISION

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See Condition 37 (e)

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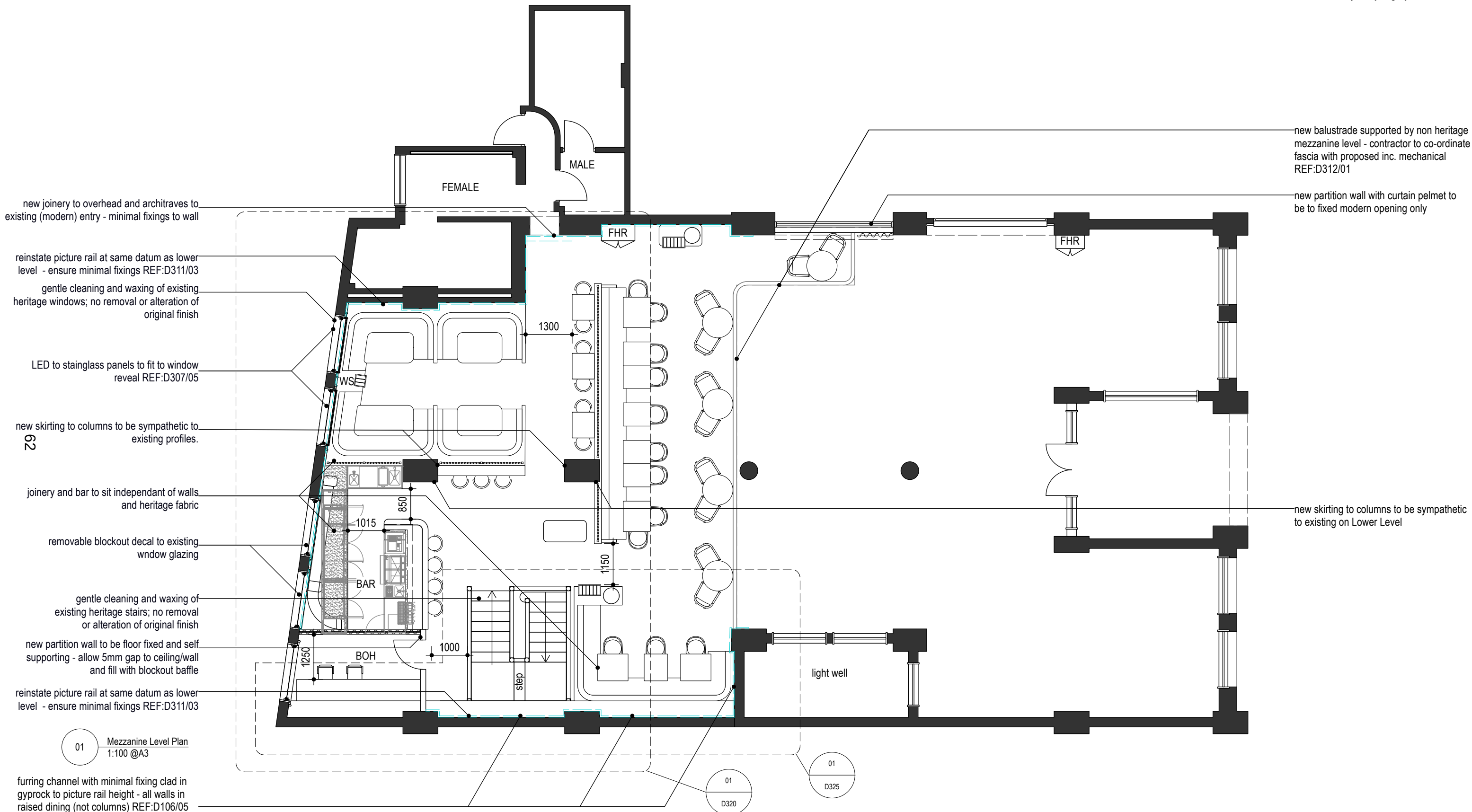


01 Mezzanine Level Plan
1:100 @A3

All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric

REFER TO RCP & SERVICES PLAN D126 FOR CEILING RELATED DETAIL
FOR DEVELOPMENT APPLICATION ONLY

Note: Loose furniture/joinery is greyed out



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63

- new carpet to replace existing modern floor finish
- new floor tile to replace existing modern floor finish
- allow for epoxy flooring and new waste
- new concrete plinth for back of bar fridges

BAR

BOH

FEMALE

MALE

FHR

FHR

light well

step

01

Mezzanine Level Plan
1:100 @A3

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ISSUE	DATE	AMENDMENT
A	22/10/25	FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

Sunday Co

Mezzanine Level - Floor Finishes Plan

DATE:	SCALE:	DRAWN:
25/09/2025	1:100	CM

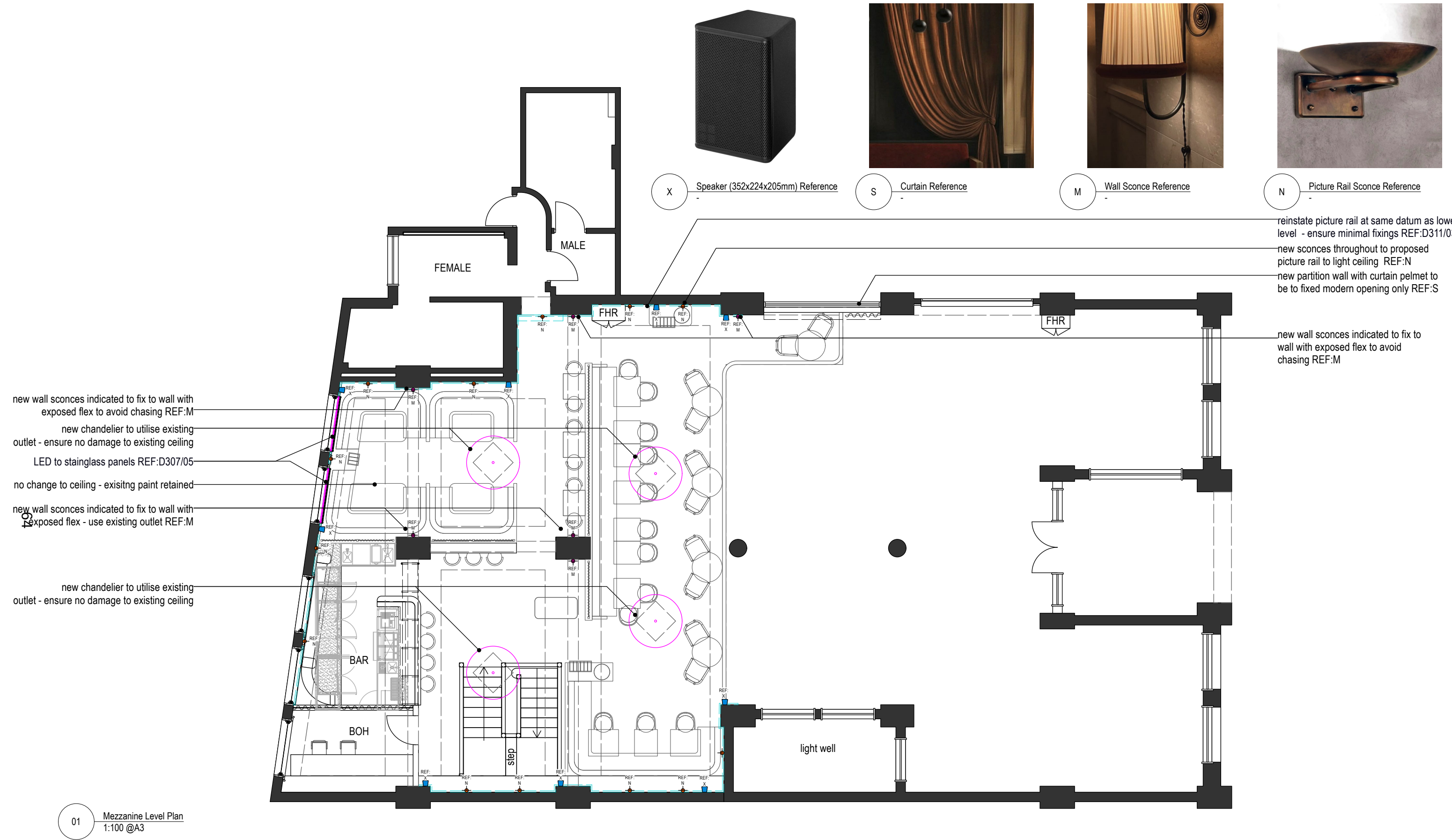
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D125

REVISION

A



All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric

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ISSUE
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DATE
22/10/25

AMENDMENT
FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

Sunday Co

Mezzanine Level - RCP Inc AV

DATE:
25/09/2025

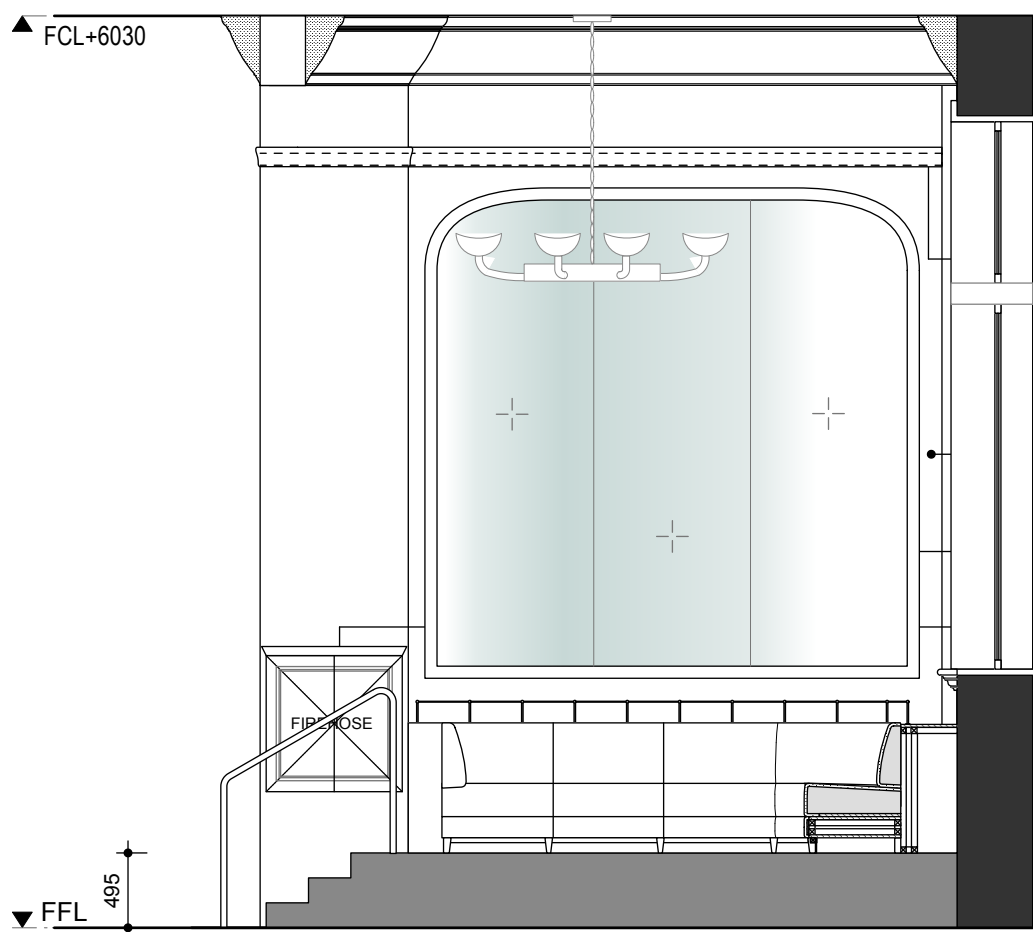
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D126

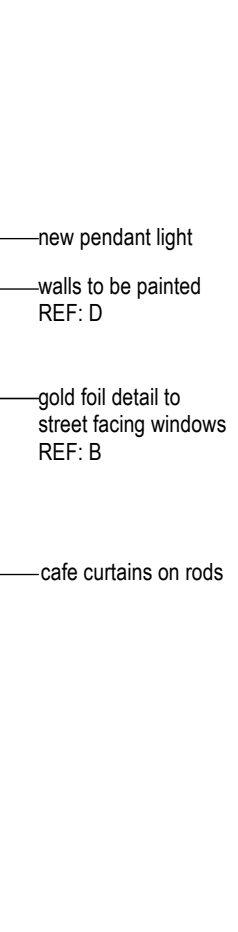
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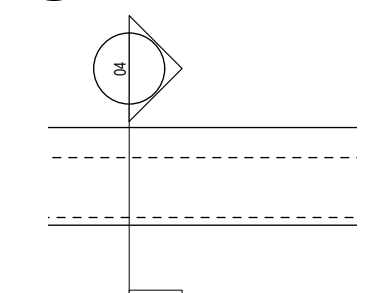
02 Elevation A
1:50 @ A3



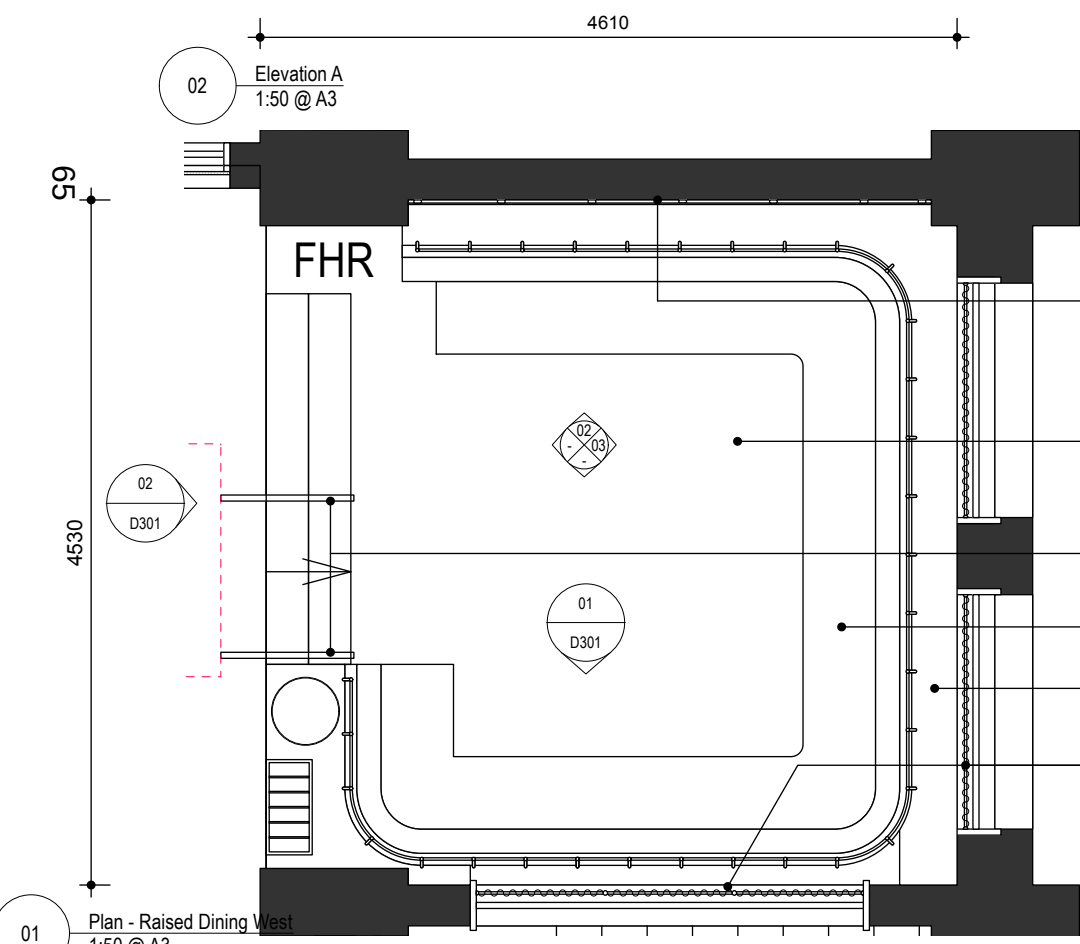
03 Elevation B
1:50 @ A3



04 Typical Picture rail / furring channel detail
1:10 @ A3

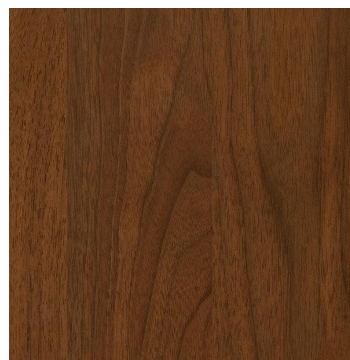


05 Typical Picture rail detail
1:10 @ A3



01 Plan - Raised Dining West
1:50 @ A3

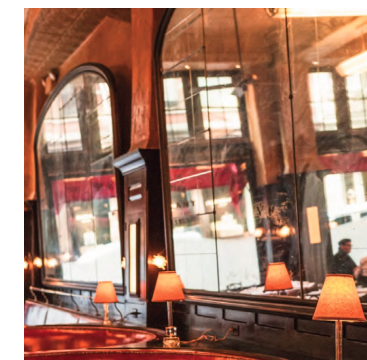
- wall to be clad in new Supercheck or similar to datum of existing picture rails and fixed with shallow profile furring channel to reduce wall fixing requirement REF:04
- new joinery, raised platform & steps to sit independent of heritage fabric
- brass handrail
- new banquettes
- new mechanical grills to integrate with joinery / new mechanical ducting required
- cafe curtains on rods & (removable) gold foil detail to street facing windows REF:B



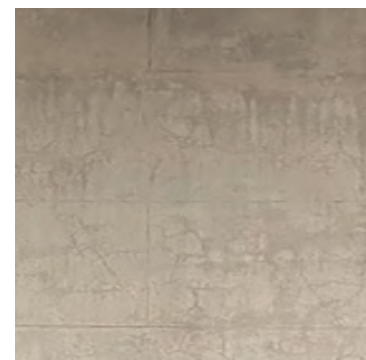
A Timber stain reference



B Window decal reference



C Light weight mirror reference



D Wall paint finish reference

All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric

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A

DATE
22/10/25

AMENDMENT
FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

Sunday Co

Part Plan - Raised Dining West 01

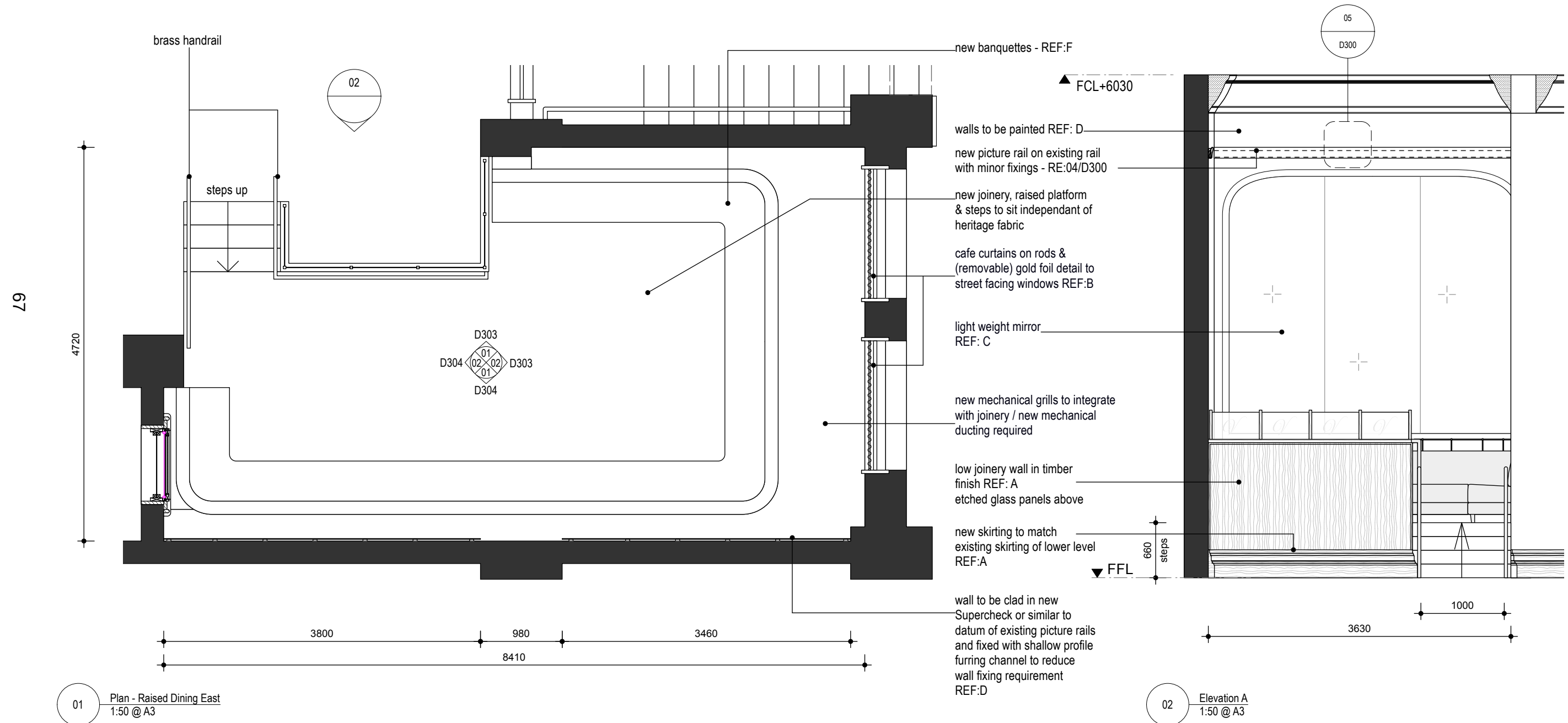
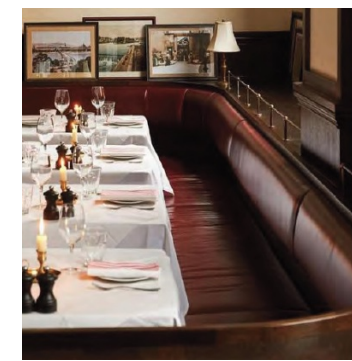
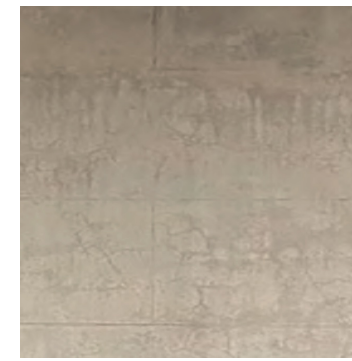
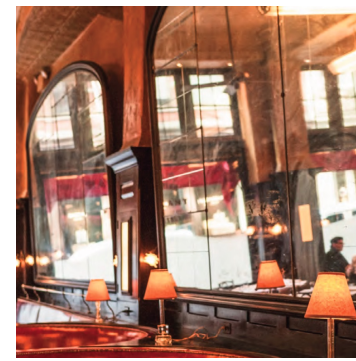
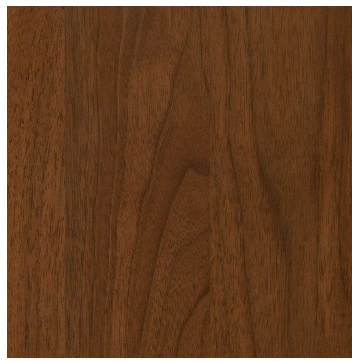
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D300

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ISSUE	DATE	AMENDMENT
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Vito's

5-11 Bridge Street
Sydney

Sunday Co

Part Plan - Raised Dining East 01

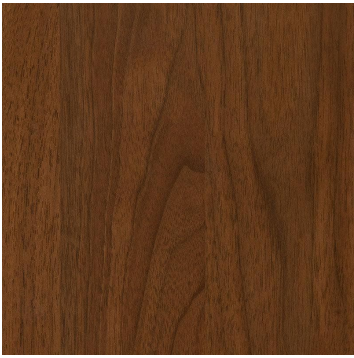
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G Picture frame arrangement reference



A Timber stain reference



B Window decal reference



C Light weight mirror reference



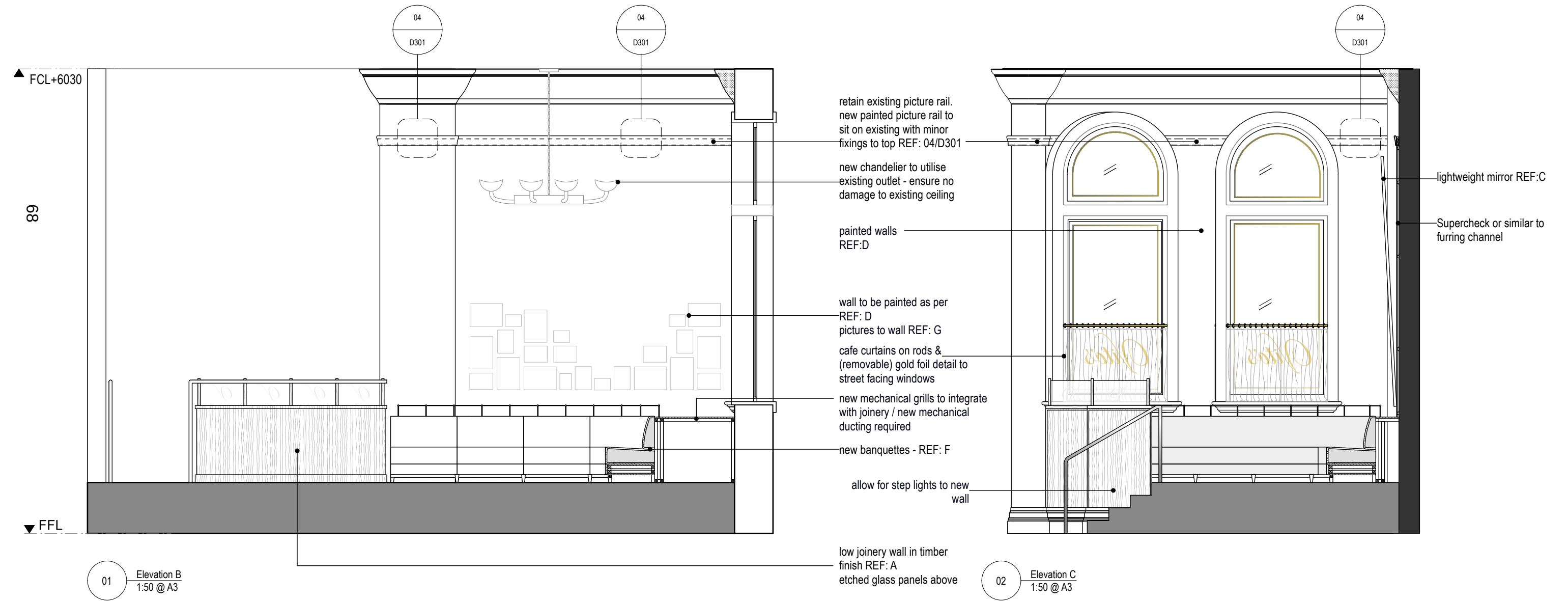
D Wall paint finish reference



F raised banquette reference



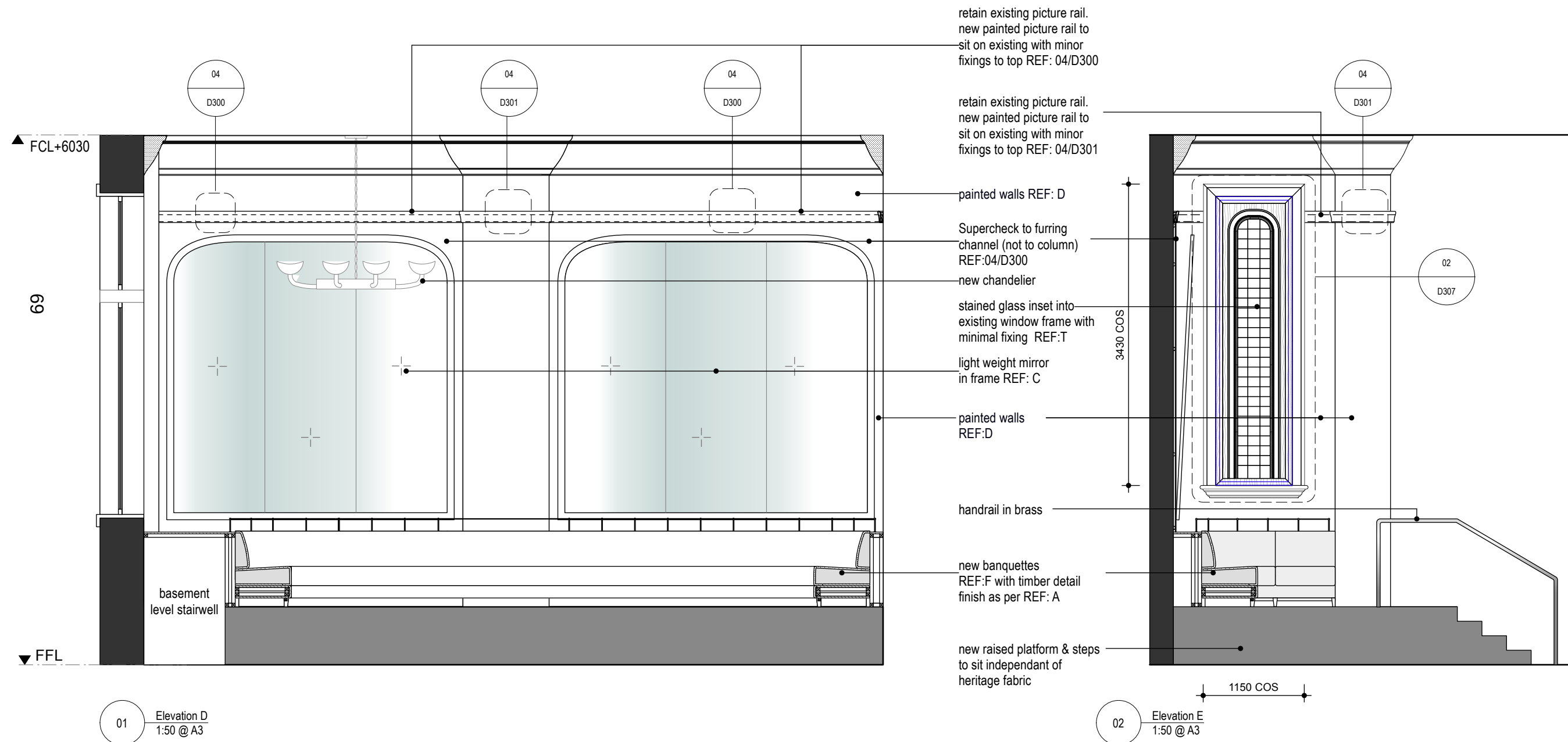
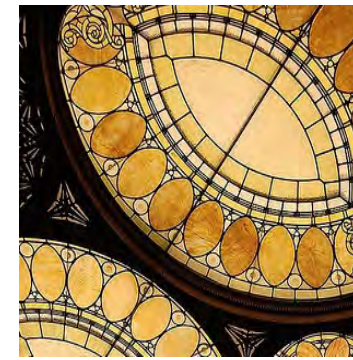
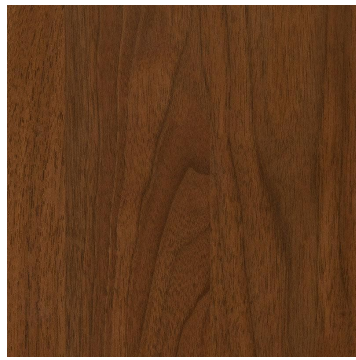
G Picture frame arrangement reference



All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric

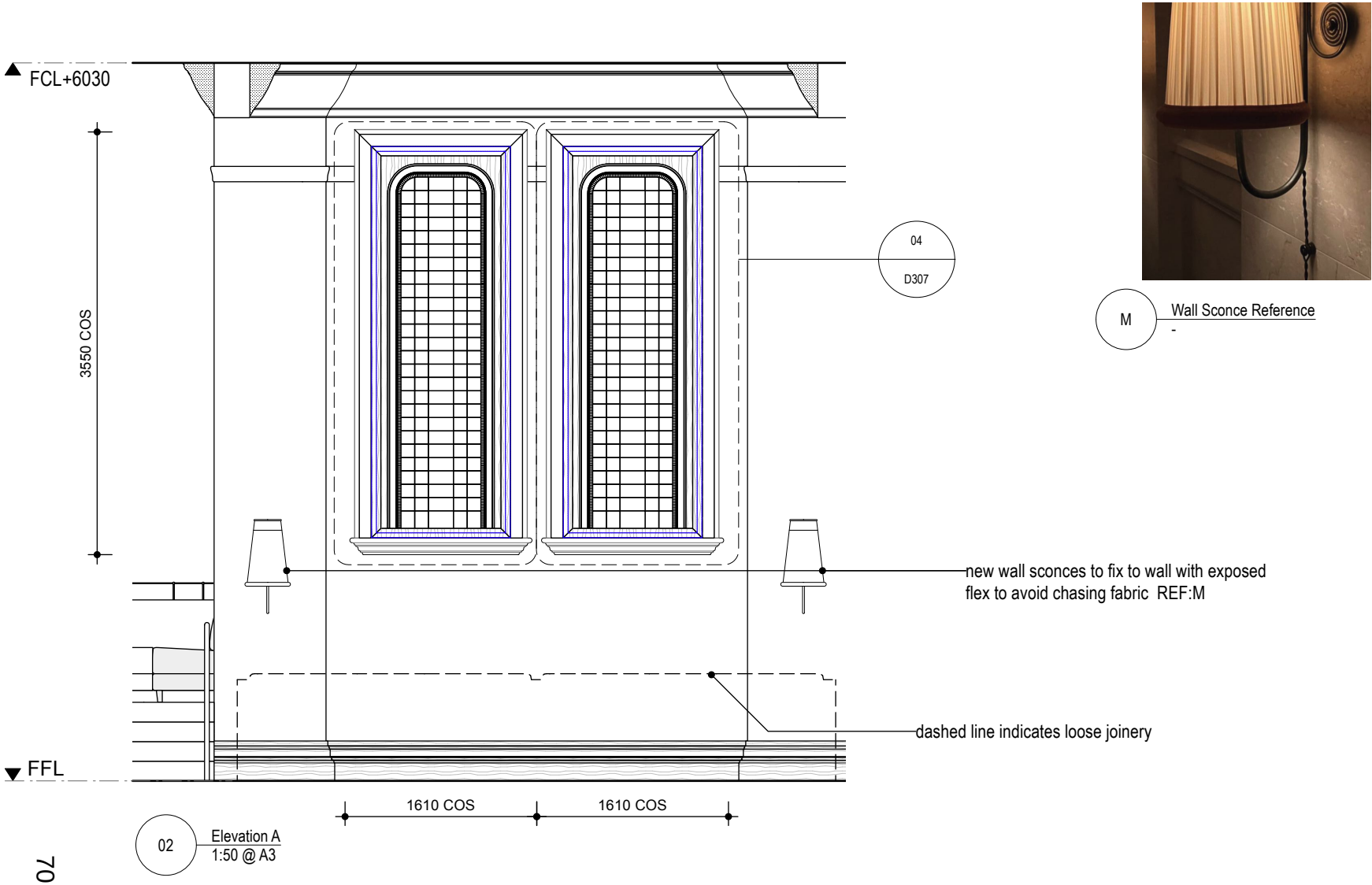
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							DATE:	SCALE:	DRAWN:	
							14/10/25	1:50	IR	

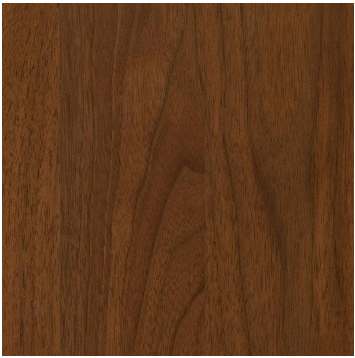


All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric.

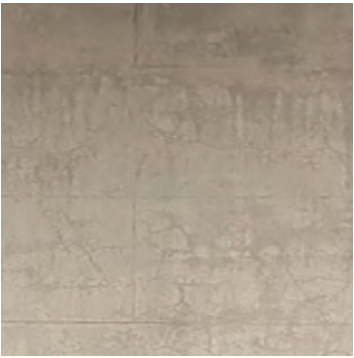
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M Wall Sconce Reference



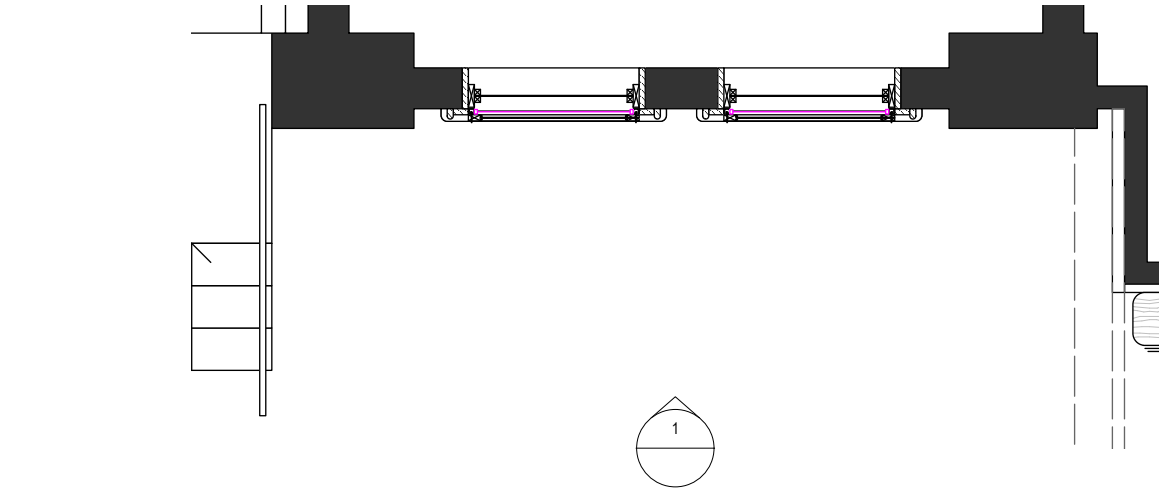
A Timber stain reference



D Wall paint finish reference



T Stained glass reference image

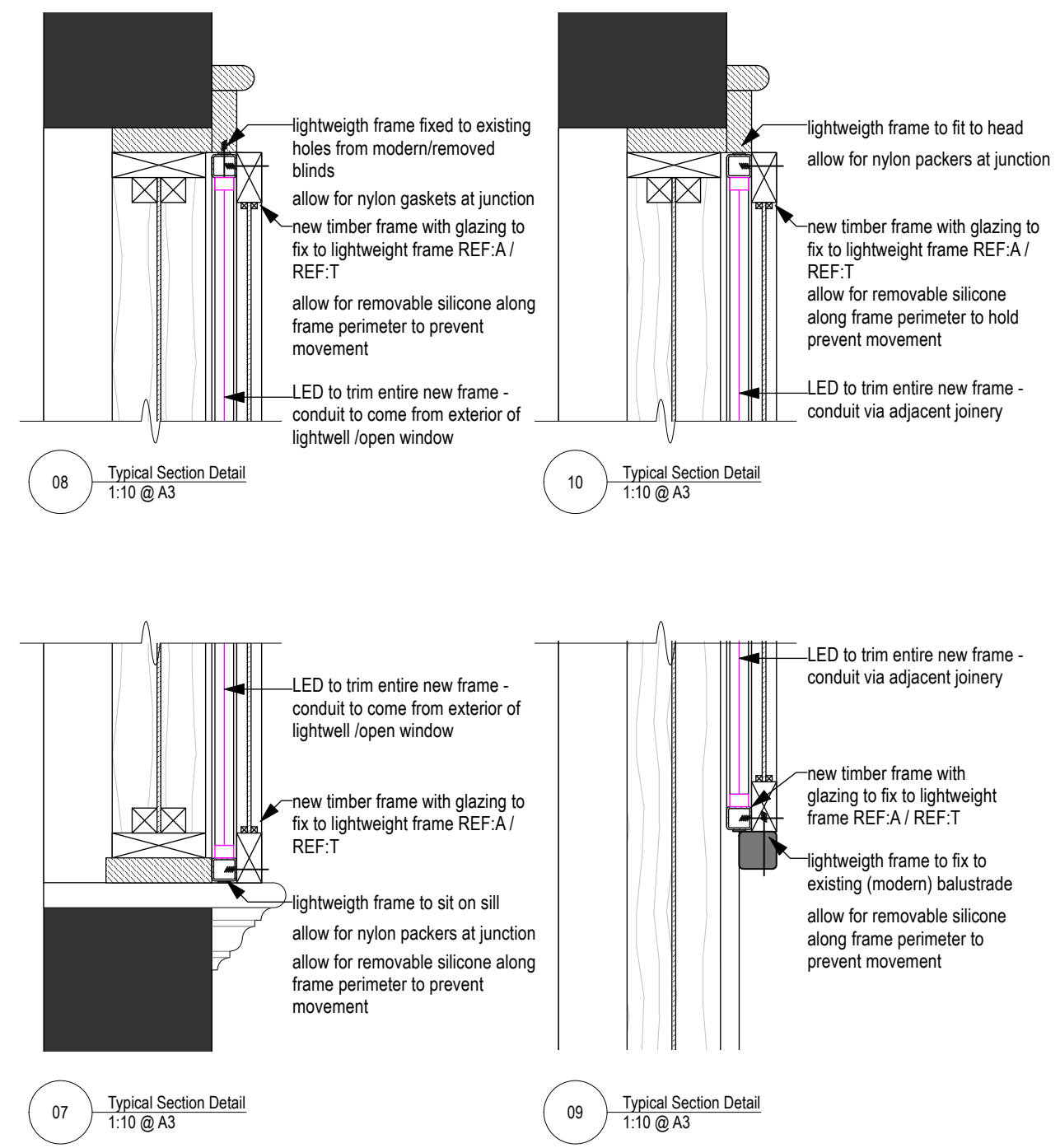
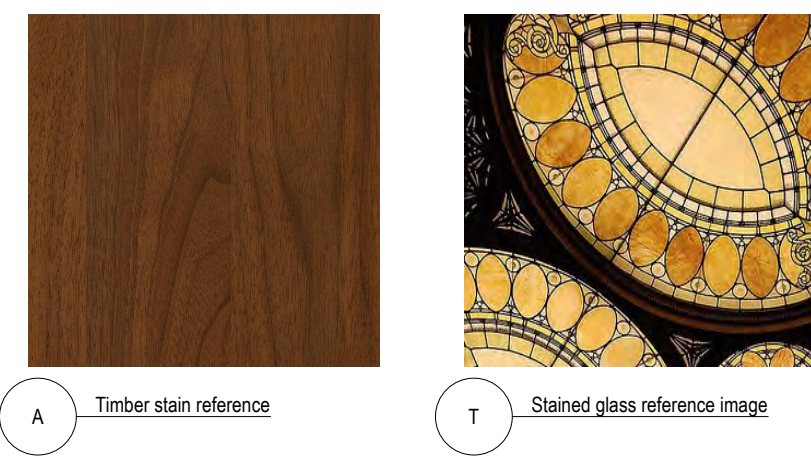
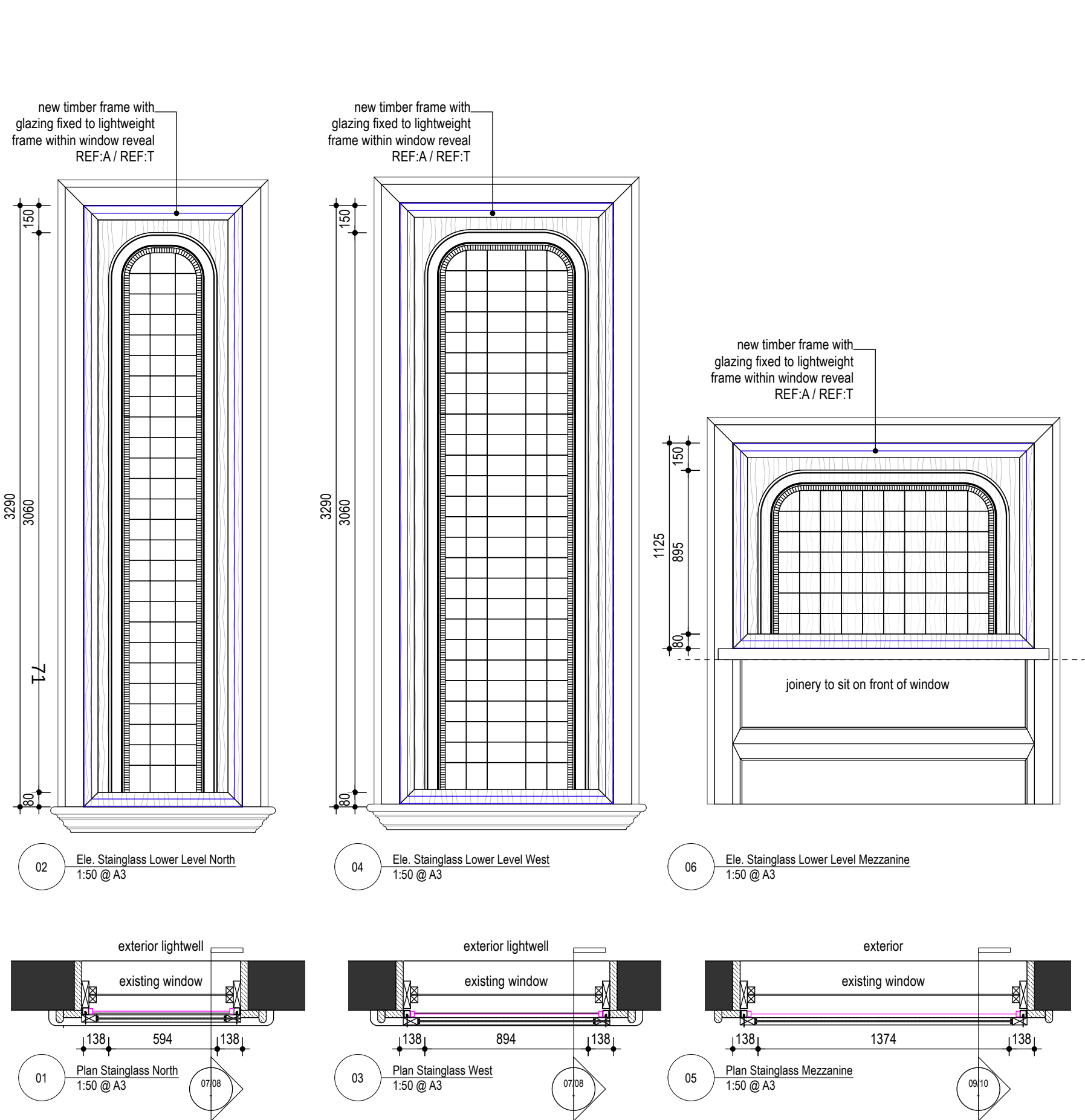


01 Plan Lightwell - East
1:50 @ A3

All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric

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					DATE:	SCALE:	DRAWN:	
					14/10/25	1:50	IR	





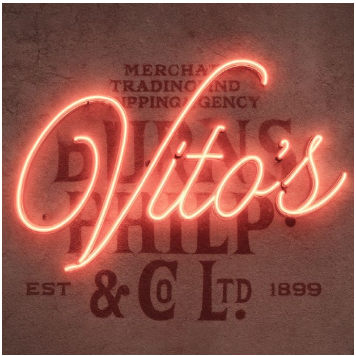
B Window decal reference



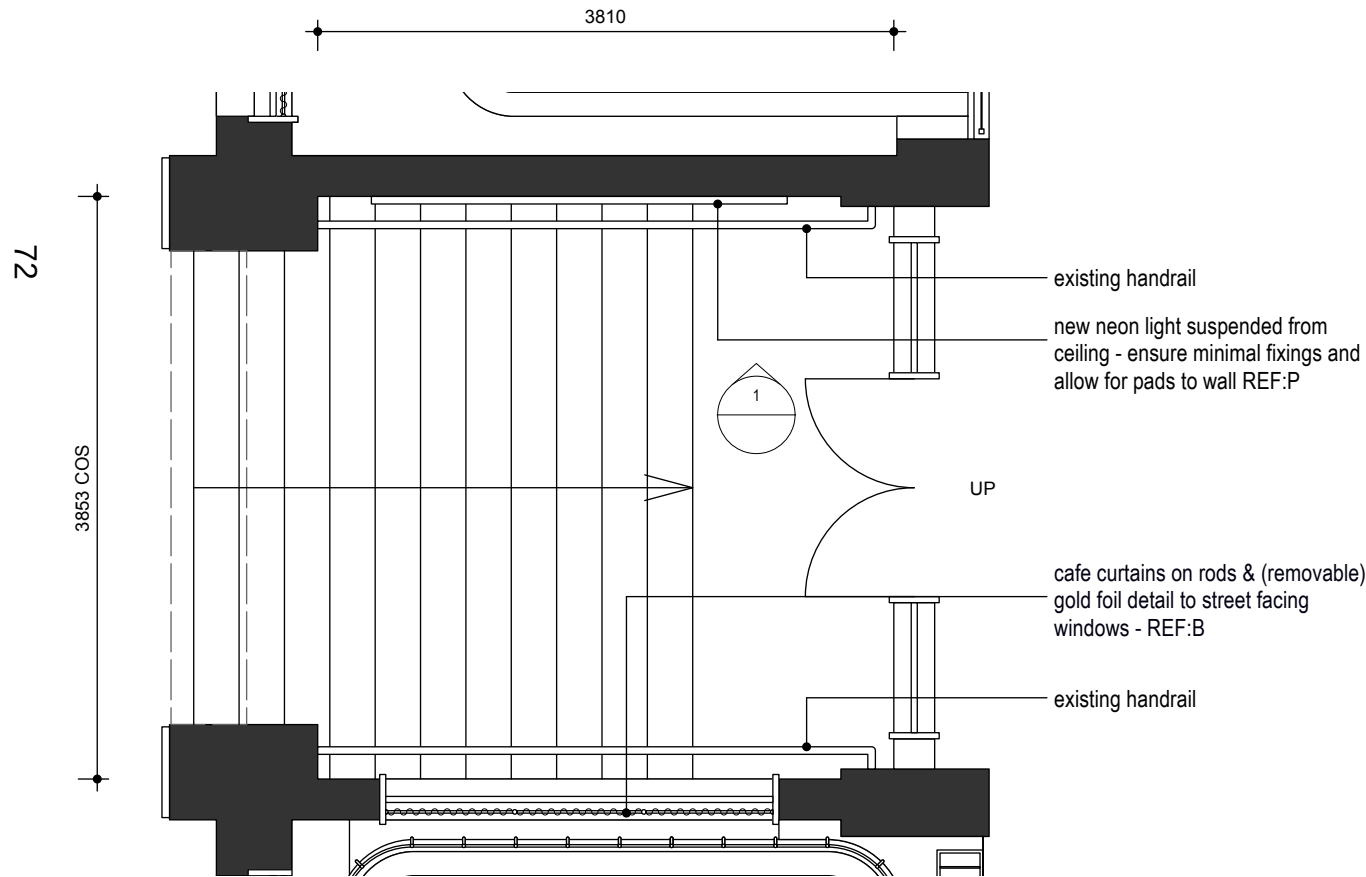
D Wall paint finish reference



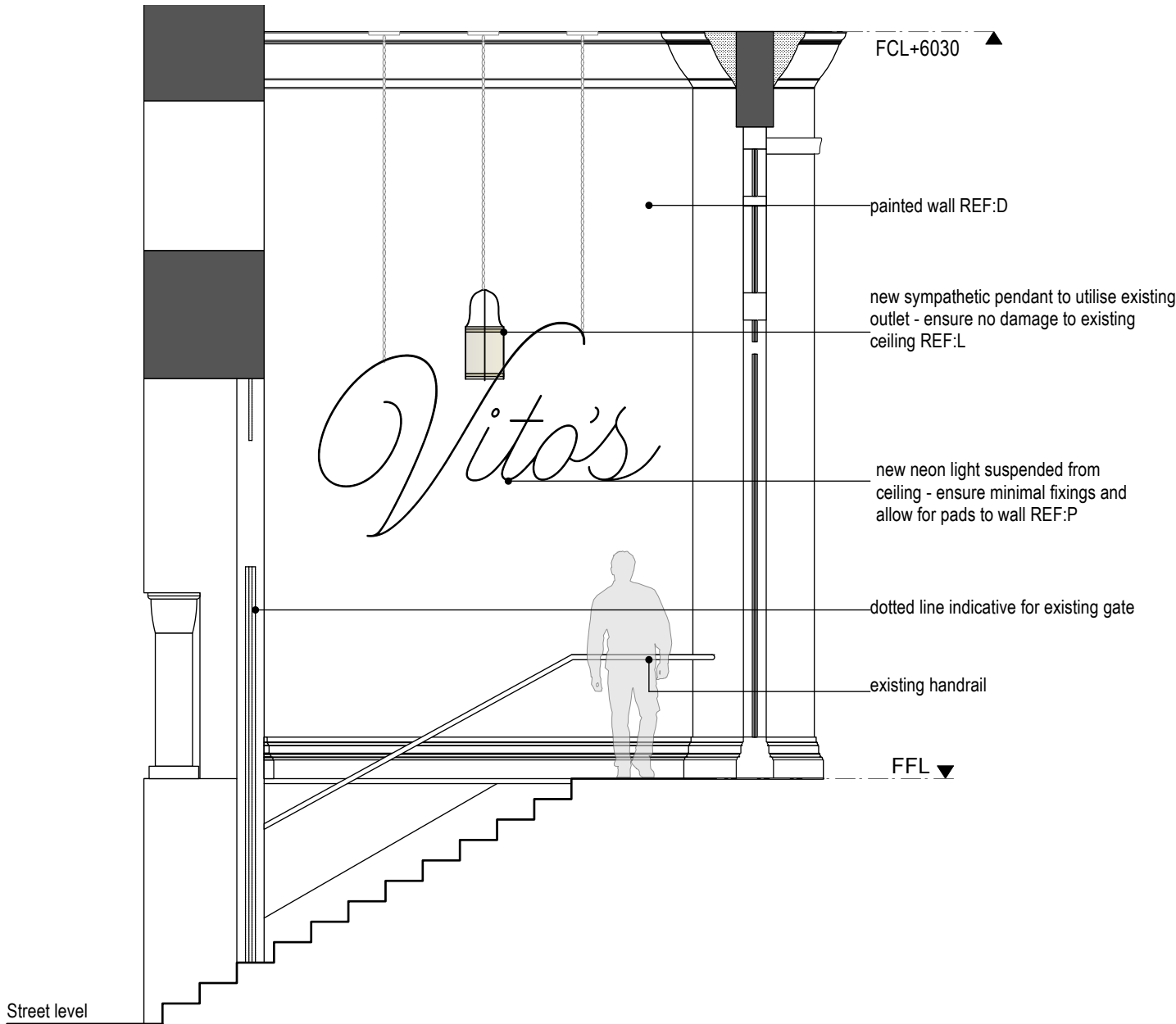
L Entry Vestibule Reference



P Mural & Neon Reference



01 Plan - Entry Vestibule
1:50 @ A3



02 Elevation A
1:50 @ A3

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ISSUE	DATE	AMENDMENT
A	22/10/25	FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

Sunday Co

Part Plan - Entry Vestibule

DATE:
14/10/25

SCALE:
1:50

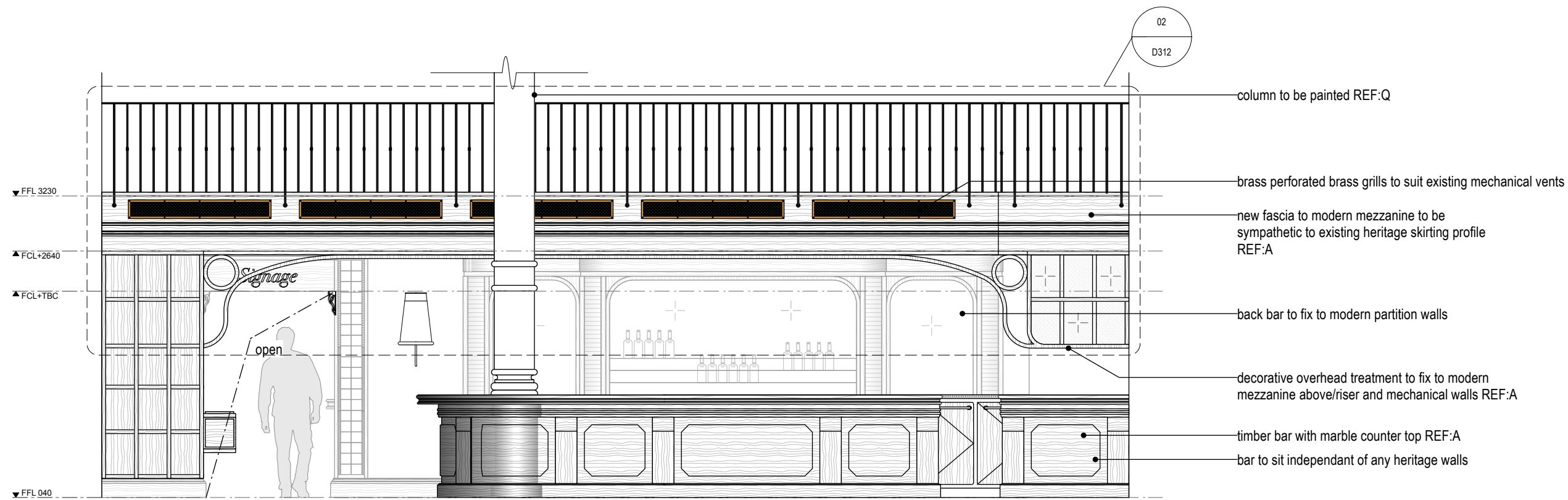
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DRAWING NO.

D308

REVISION

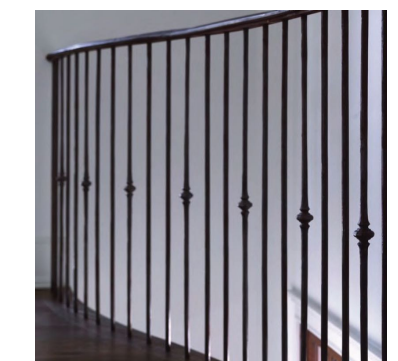
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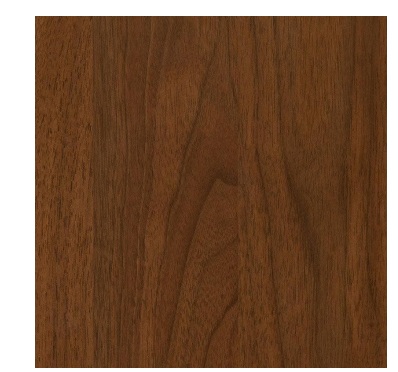
02 Elevation - Lower Bar
1:50



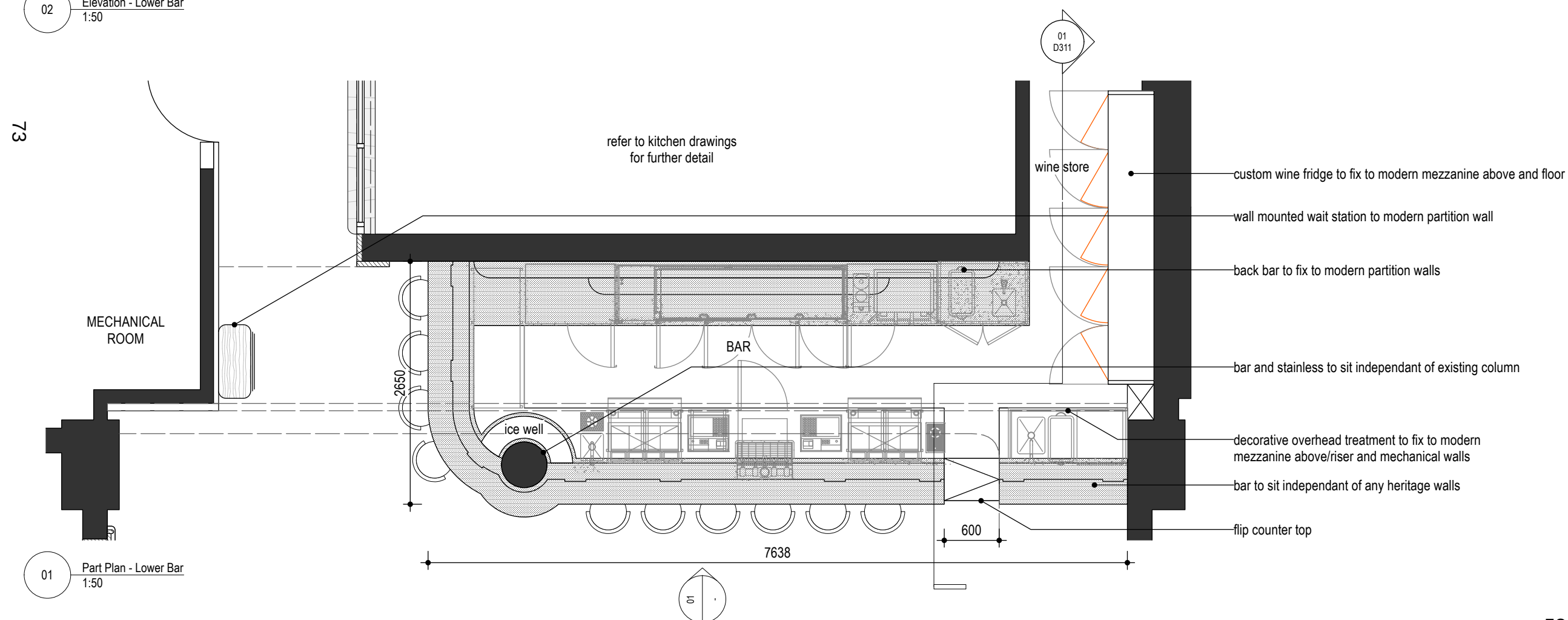
Q Painted Column
-



R Balustrade reference
-



A Timber stain reference
-



01 Part Plan - Lower Bar
1:50

All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric

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ISSUE	DATE	AMENDMENT
A	22/10/25	FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

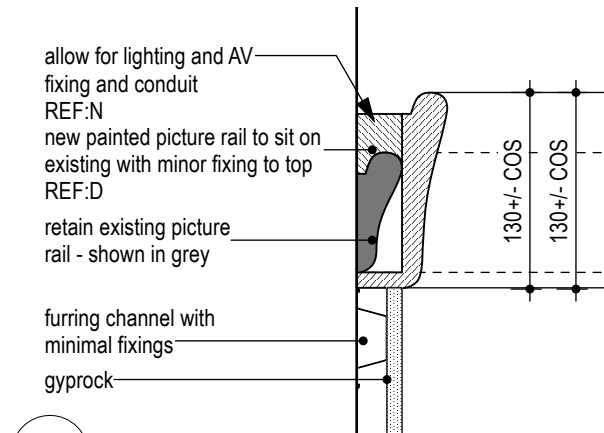
Sunday Co

Part Plan - Lower Bar 01

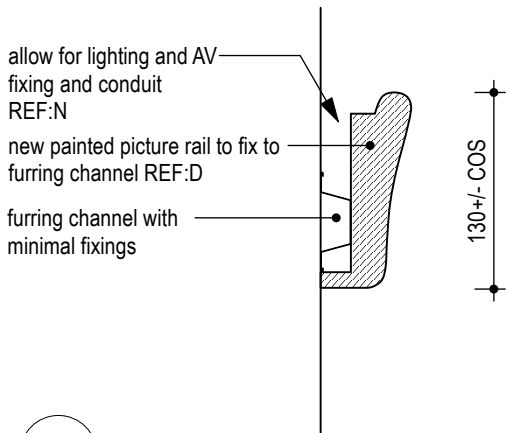
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DRAWING NO.
D310

REVISION
A



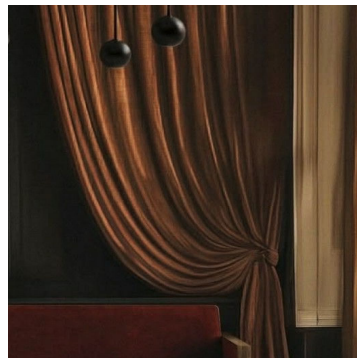
02 Picture Rail Over Existing Section
1:5 @A3



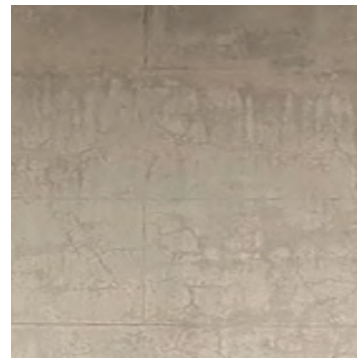
03 New Picture Rail
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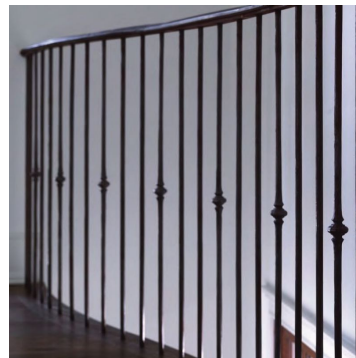
N Picture Rail Sconce Reference



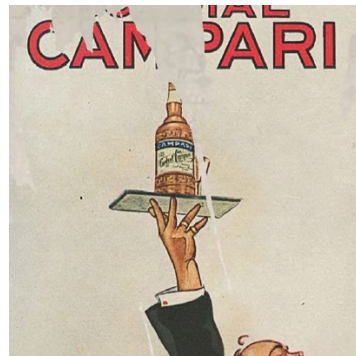
S Curtain Reference



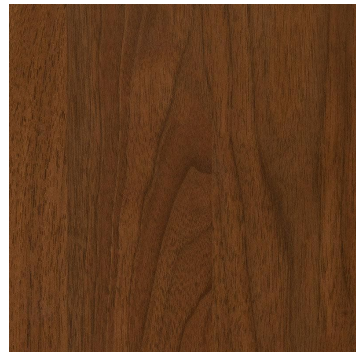
D Wall paint finish reference



R Balustrade reference



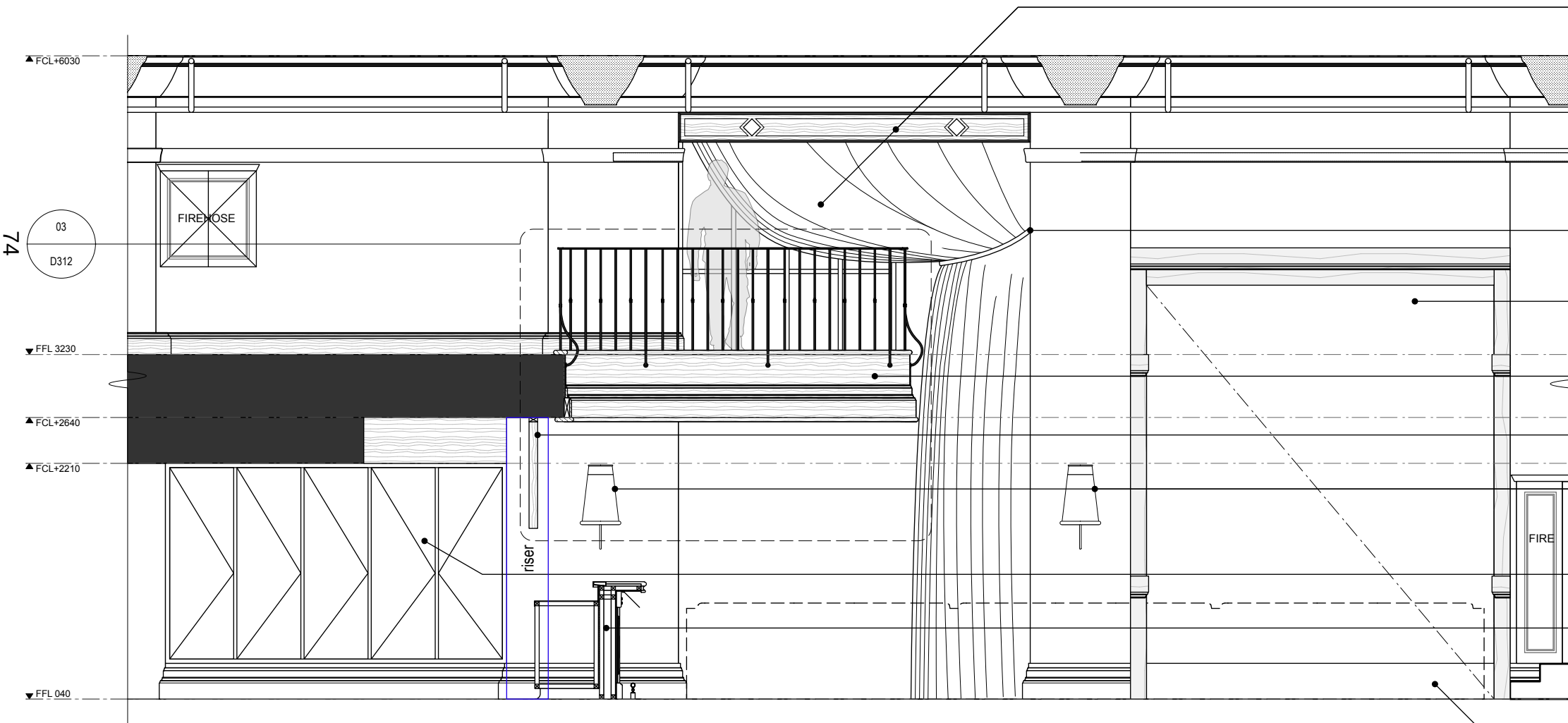
J Mural Reference



A Timber stain reference



M Wall Sconce Reference



01 Elevation - Lower Bar
1:50

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ISSUE	DATE	AMENDMENT
A	22/10/25	FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

Sunday Co

Part Plan - Lower Bar 02

DATE:
14/10/25

SCALE:
1:50

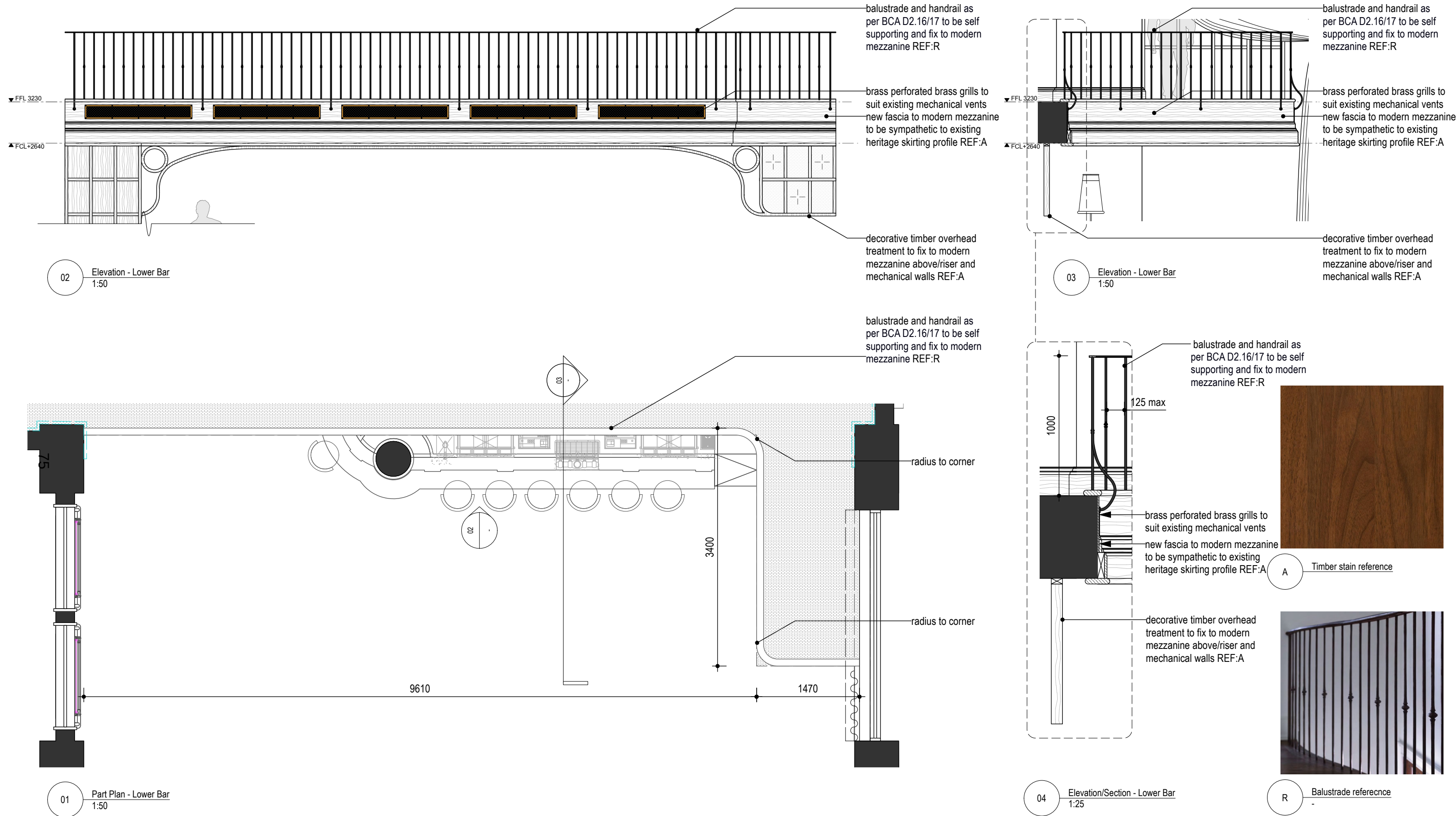
DRAWN:
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DRAWING NO.

D311

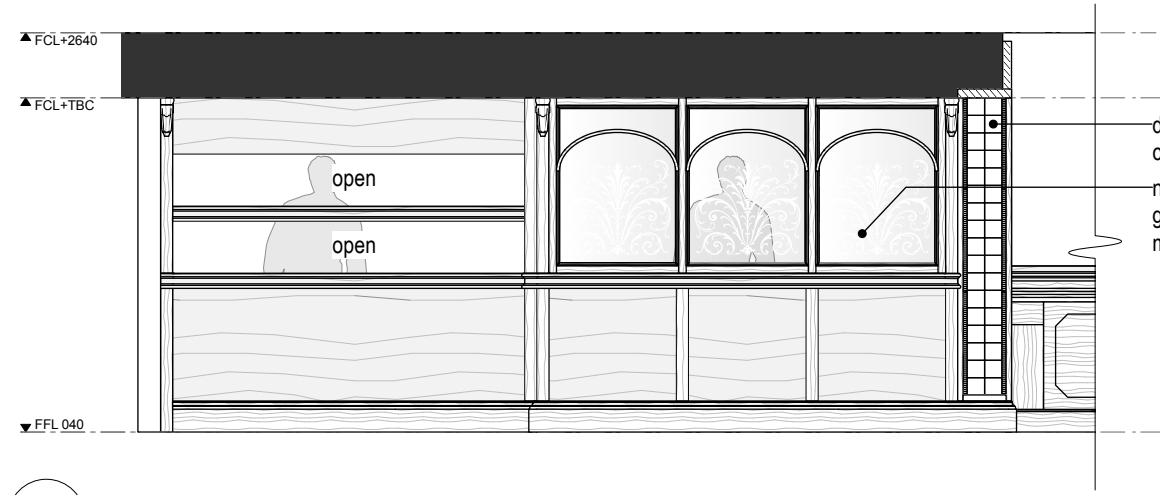
REVISION

A

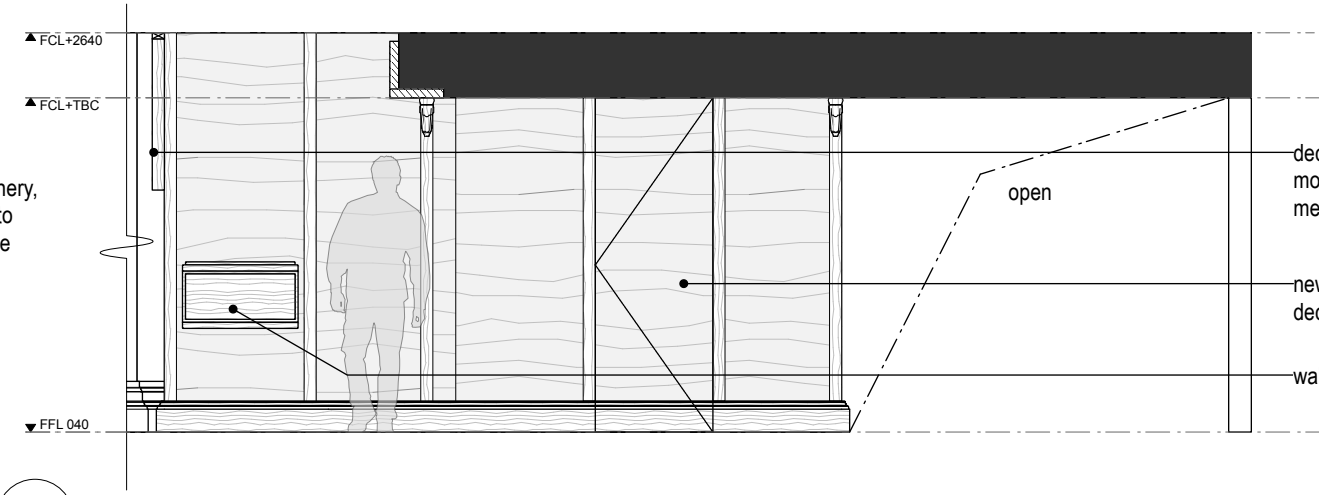


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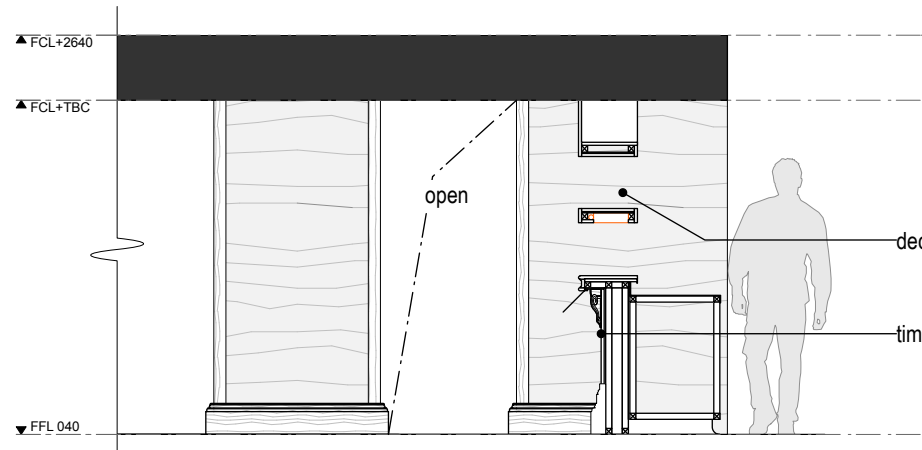
FOR DEVELOPMENT APPLICATION ONLY



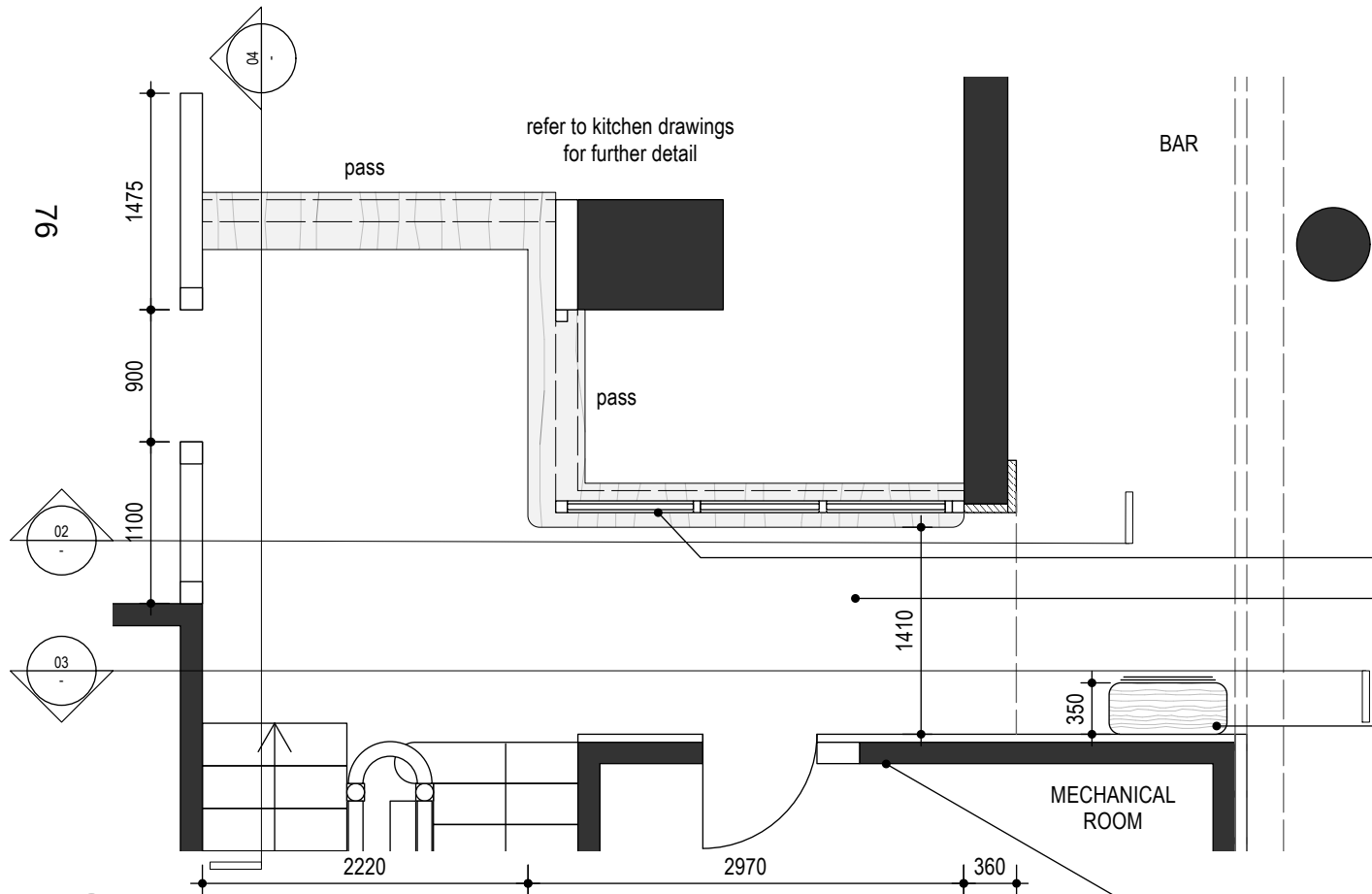
02 Elevation - Corridor & Kitchen Pass
1:50



03 Elevation - Corridor & Kitchen Pass
1:50



04 Elevation - Corridor & Kitchen Pass
1:50



01 Part Plan - Lower Bar
1:50

- new kitchen pass joinery, glazing and counter to modern area of space
- dash indicated recessed ceiling lights
- wall mounted wait station
- new door location and wall decorative wall treatment

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ISSUE	DATE	AMENDMENT
A	22/10/25	FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

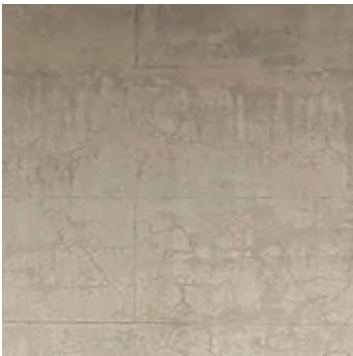
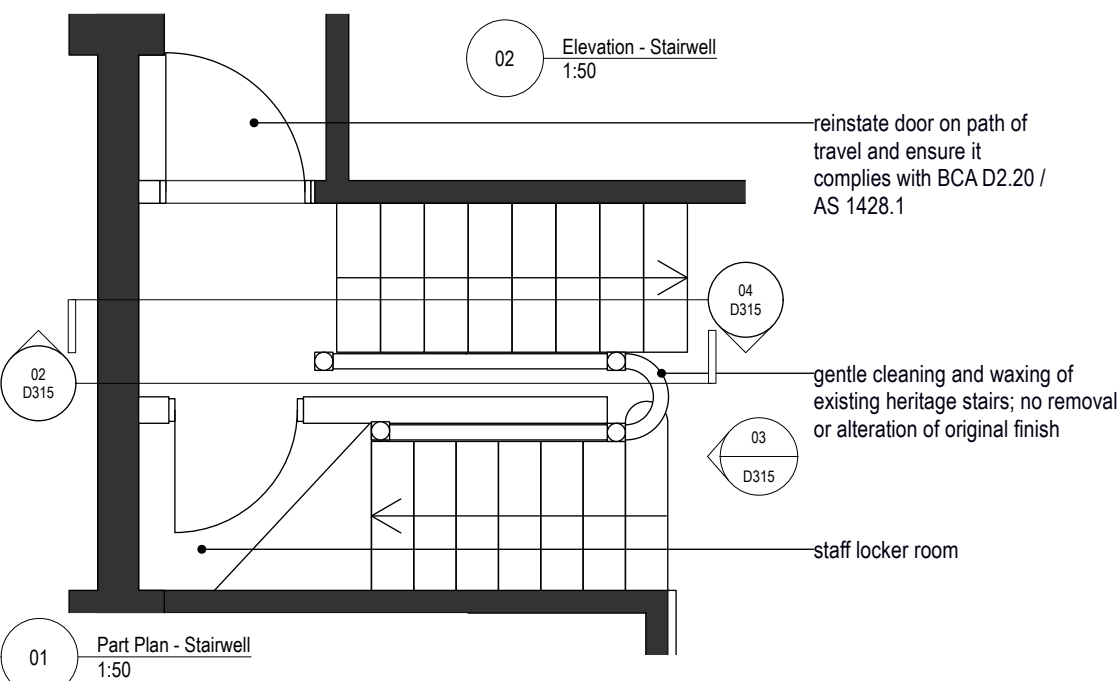
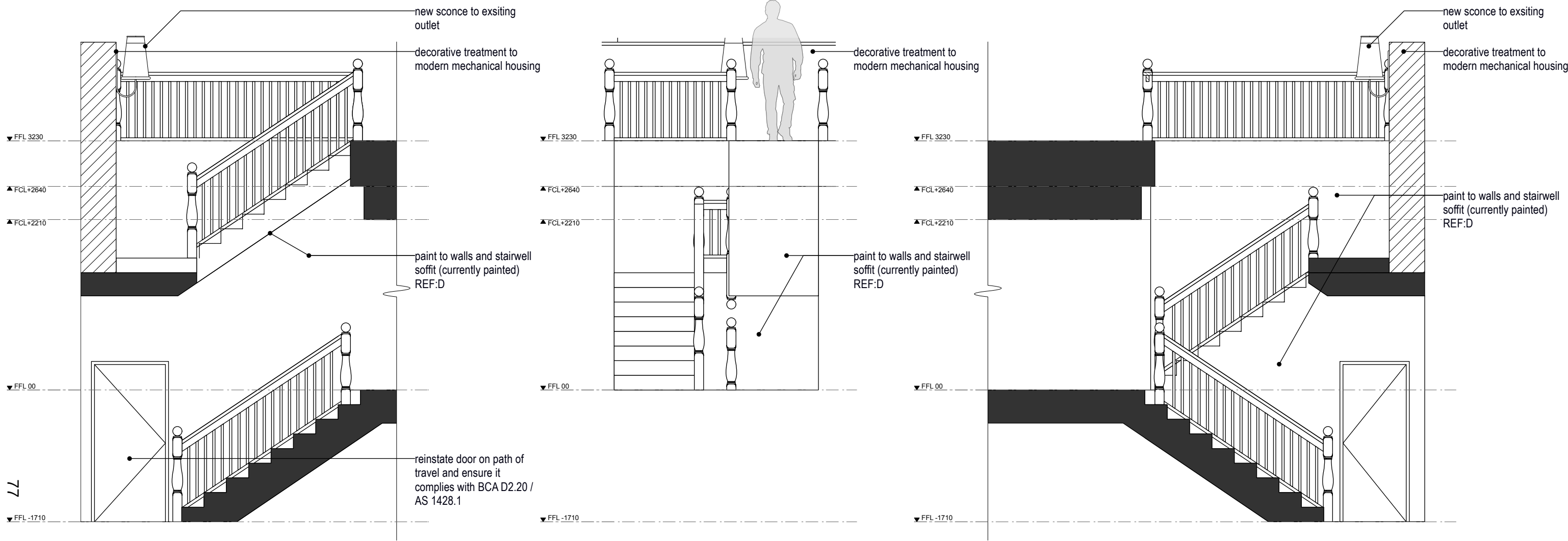
Sunday Co

Part Plan - Corridor & Kitchen Pass

DATE: 14/10/25
SCALE: 1:50
DRAWN: IR

DRAWING NO.
D313

REVISION
A

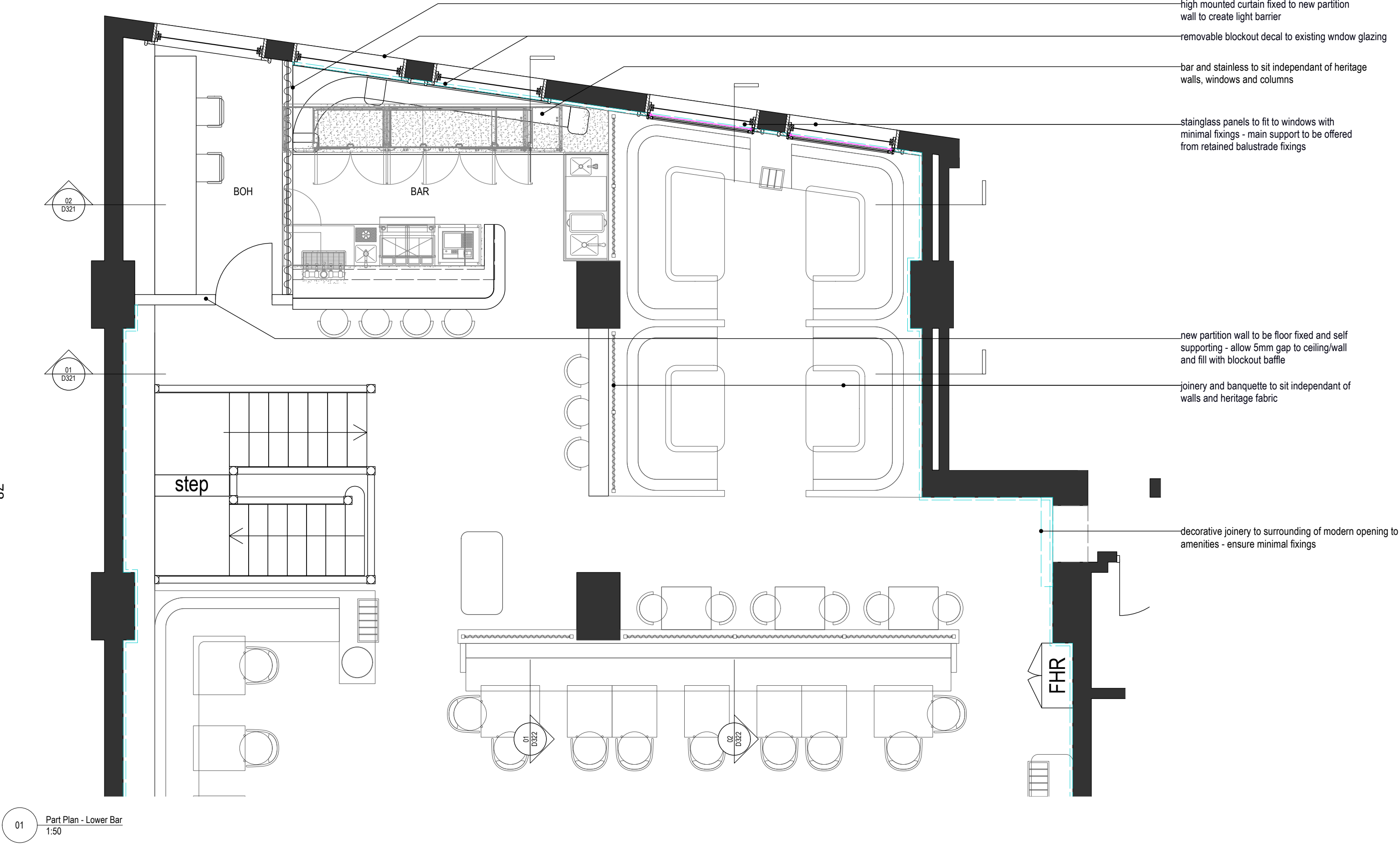


D Wall paint finish reference

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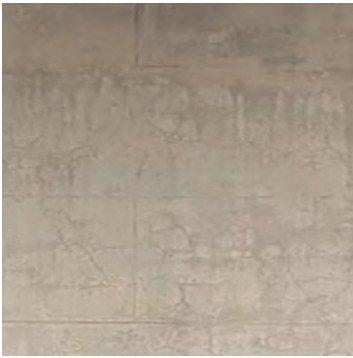
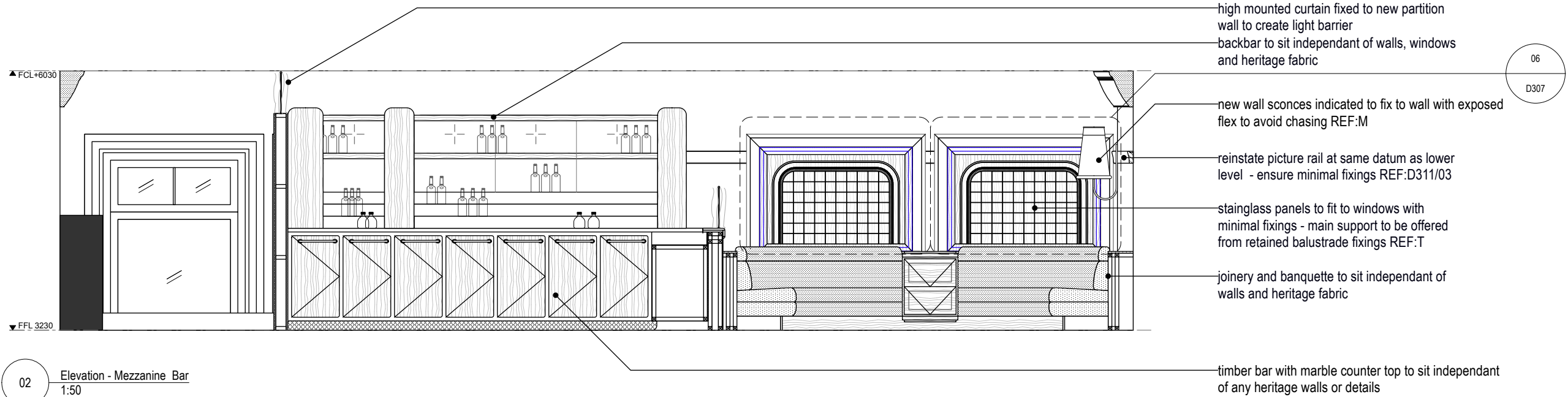
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							DATE:	SCALE:	DRAWN:	
							14/10/25	1:50	IR	



01 Part Plan - Lower Bar
1:50

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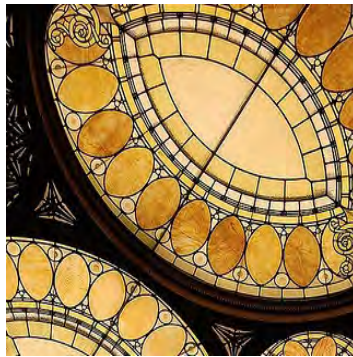
FOR DEVELOPMENT APPLICATION ONLY



D Wall paint finish reference



M Wall Sconce Reference

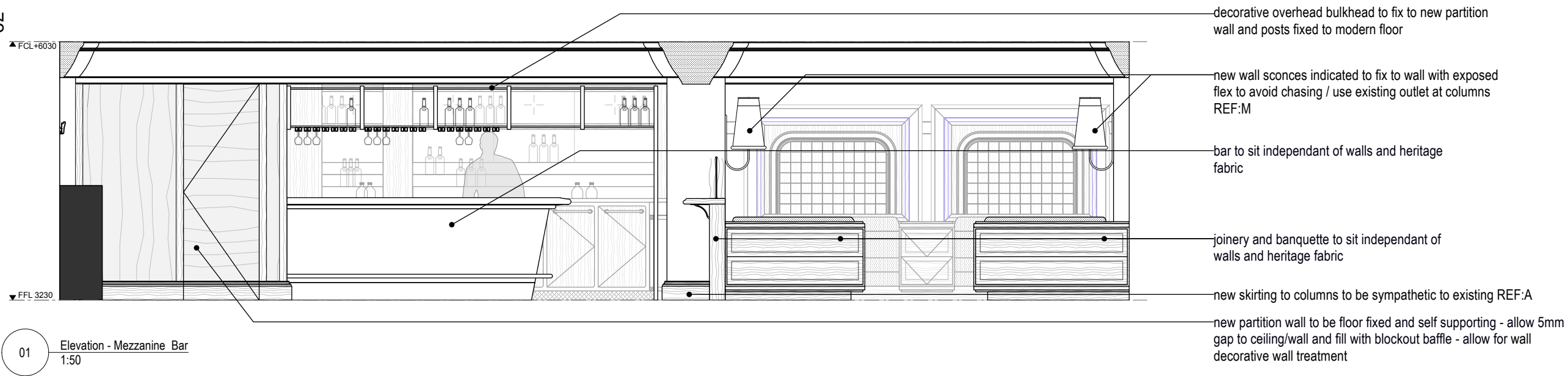


T Stained glass reference image



N Picture Rail Sconce Reference

79



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ISSUE	DATE	AMENDMENT
A	22/10/25	FOR DEVELOPMENT APPLICATION

Vito's

5-11 Bridge Street
Sydney

Sunday Co

Part Plan - Mezzanine 02

DATE:
14/10/25

SCALE:
1:50

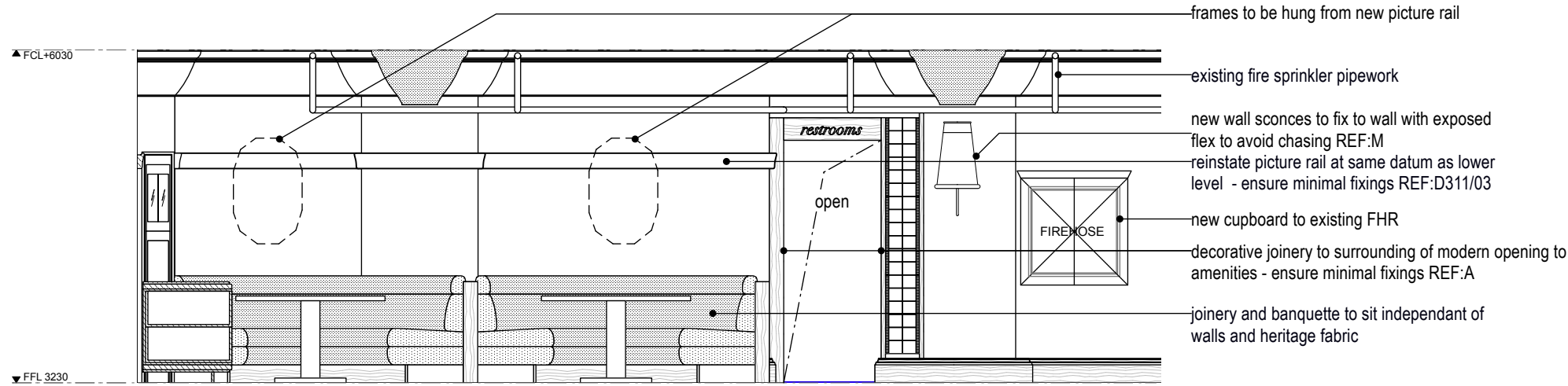
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DRAWING NO.

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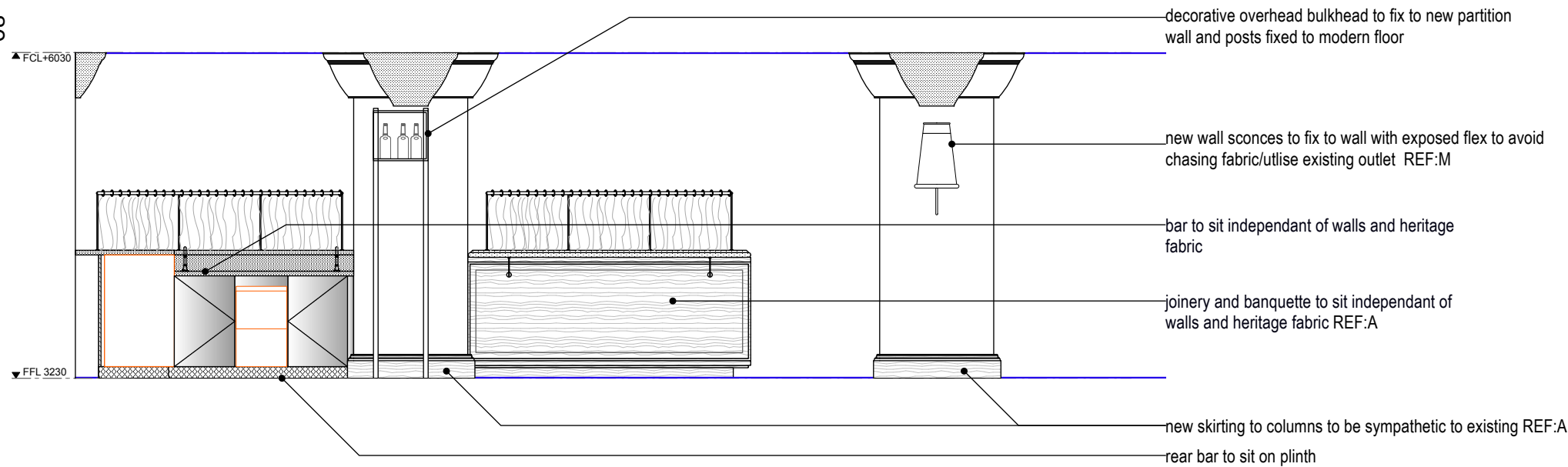
REVISION

A

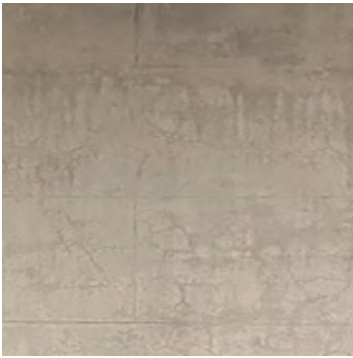


02 Elevation - Lower Bar
1:50

08



01 Part Plan - Lower Bar
1:50



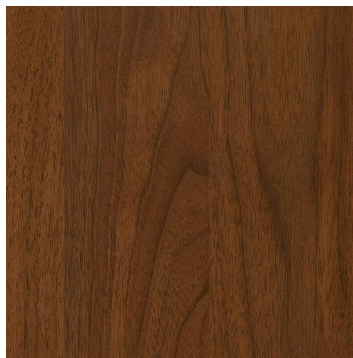
D Wall paint finish reference



M Wall Sconce Reference



N Picture Rail Sconce Reference

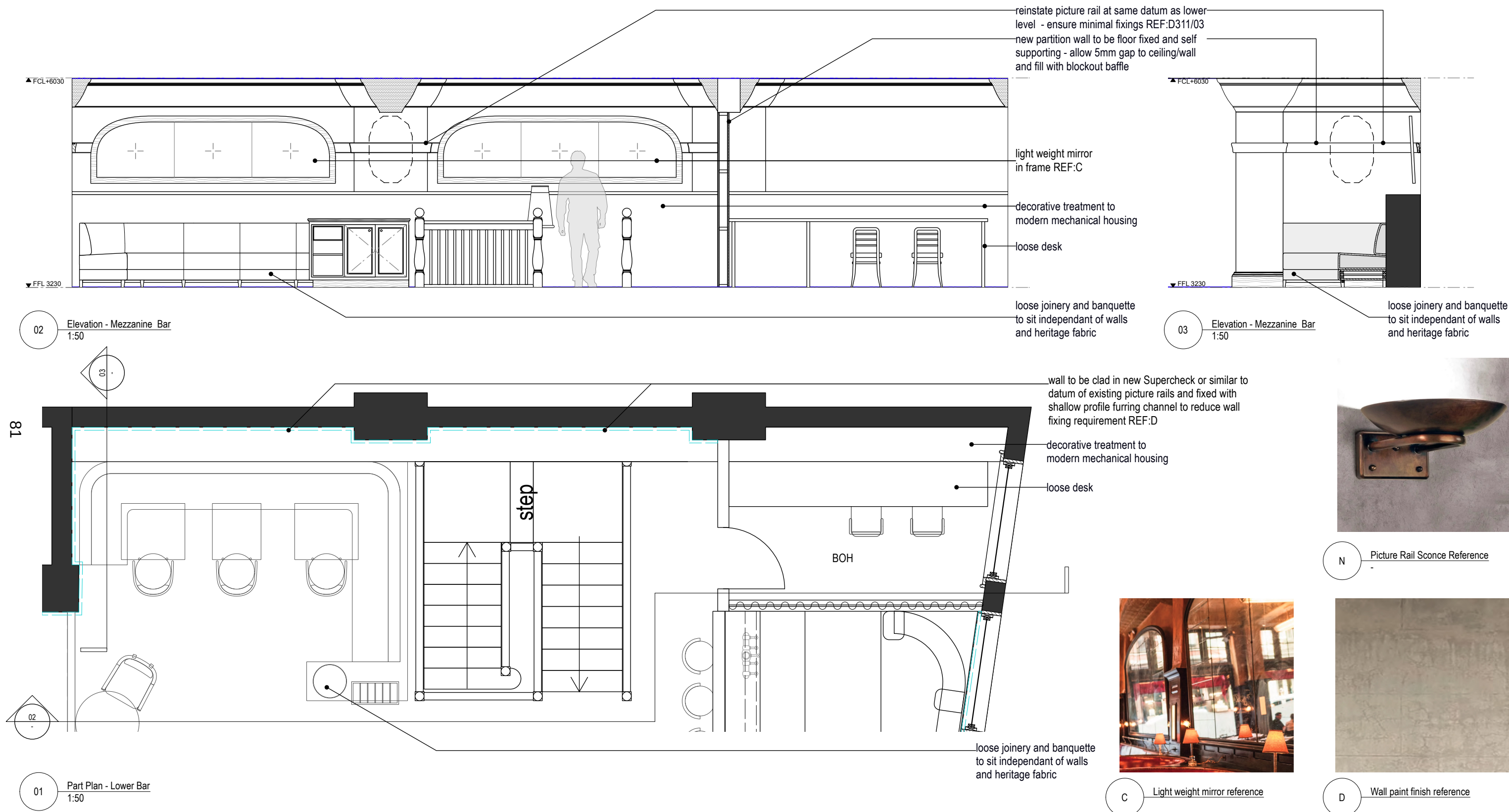


A Timber stain reference

All new flooring, joinery and partitions are to include insulation in line with the acoustic consultant's specifications, where permissible within the heritage fabric

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							DATE:	SCALE:	DRAWN:	
							14/10/25	1:50	IR	



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	ISSUE	DATE	AMENDMENT											
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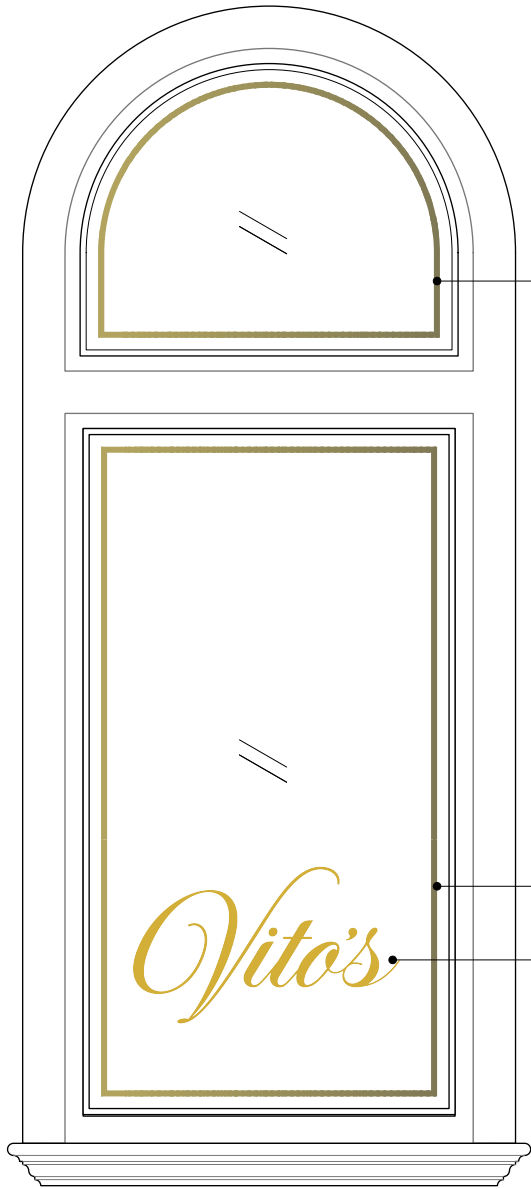
02 Outdoor signage on stone pillar
NTS



B Window decal reference



new wall plaque to both sides of entry to replace existing / no change to size - allow for new bolt dome caps



Removable gold leaf keyline detail to glazing on street facing windows - REF: B

Removable gold leaf keyline detail to glazing on street facing windows & Gold leaf branding REF: B

03 Typical window signage
1:25

01 Outdoor signage on stone pillar
NTS

Attachment C

Plan of Management

Plan of Management
Licensed Bar
5-11 Bridge Street, Sydney

Prepared by Planning Lab
Issued 12 January 2026

planninglab.com.au

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The current document Version 2, 11 January 2026



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1 Purpose

- 1.1 The Plan of Management (POM) has been prepared to accompany a development application proposing additions and alterations to, and use of, the lower and mezzanine floor tenancy of 5-11 Bridge Street, Sydney as a licensed bar.
- 1.2 The purpose of this POM is to implement and effectively maintain the highest standards of responsible service of alcohol (RSA) and operational procedures to ensure staff, patron, and community safety, with regard to the relevant matters under the Environmental Planning and Assessment Act 1979, the Liquor Act 2007, and the Sydney Development Control Plan 2012.

2 Use of the Plan of Management

- 2.1 All staff involved in the sale and supply of alcohol shall be made familiar with the POM with a copy of the plan made available on site at all times in the venue's Compliance Folder.

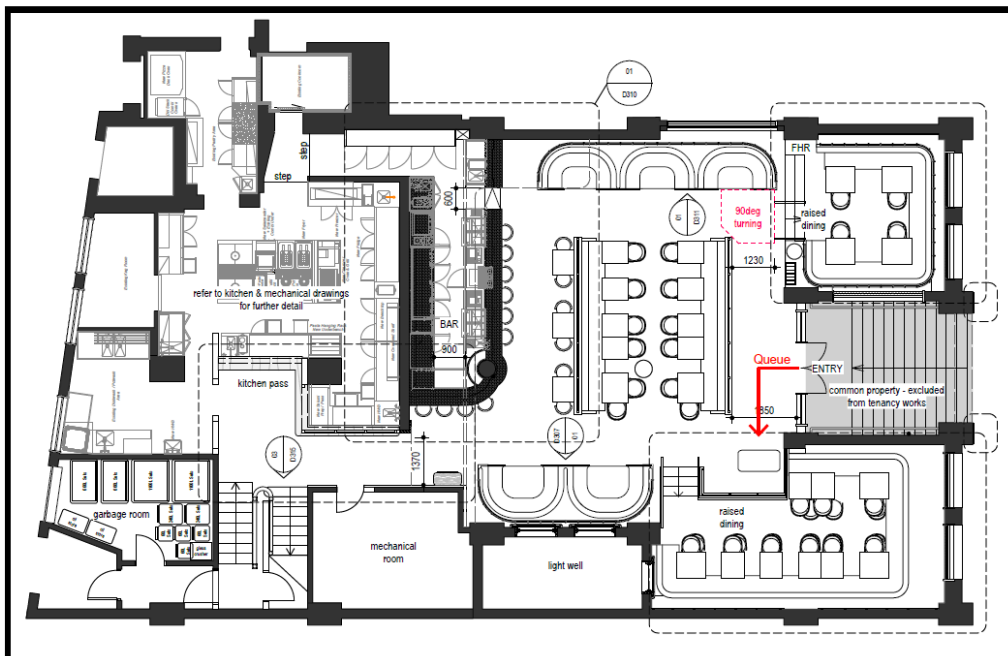
A full and current copy of the development consent, Plan of Management and Licence for the operation of the Venue must be kept on-site and made available to Police, Council officers, or special inspectors upon request. The Licensee will ensure the implementation and adherence to the provisions of the POM throughout trading hours.

3 Site and Locality Details

- 3.1 A floor plan is provided below indicating the layout of the premises, as well as the location for patron queuing between the external stairs and reception desk.

Patron Queue Diagram

Plan of Management 5-11 Bridge Street Sydney



4 Hours of Operation

4.1 The Venue may operate during the following hours:

- 10am until 2am, 7 days per week, for a trial period of 2 years from date of approval.
- 10am until 12am, 7 days per week, if the trial period is revoked or expired without renewal.

4.2 Consumption on Premises:

- Monday to Sunday: 10:00am to 02:00am (the following day)

4.3 Takeaway:

- Monday to Saturday: 10:00am to 12:00pm midnight
- Sunday: 10:00am to 10:00pm

5 Capacity and Access

5.1 The maximum number of patrons permitted within the Venue at any one time is 160 persons (excluding staff). Patron numbers are to be monitored by management staff to ensure the Venue never exceeds the maximum number of patrons permitted at any time.

5.2 The number of staff for the venue is 16. This is comprised of:

- 5 Kitchen Staff
- 3 Bar Staff
- 6 Floor staff
- 2 Security staff

5.3 Accessibility requirements and performance solutions are discussed in the Access Report provided by ABE Consulting.

6 Signage

6.1 All signage required under the Liquor Act 2007 shall be displayed in the appropriate places:

- 6.1.1 Signage stating the number of allowed patrons, Licensee Name, and license number;
- 6.1.2 Signage at exits informing patrons of the need to leave the licensed premises and vicinity quickly and quietly;
- 6.1.3 Signage at the principal entrance to the premises and in a prominent position on each floor indicating the use of CCTV.



- 6.1.4 Approved Responsible Service of Alcohol signage will be clearly displayed at the venue entrance and in clear view in all bar areas.
- 6.2 No signs, including banners, shall be displayed on the building or its curtilage without prior

7 Complaint Handling

- 7.1 In the situation where a complaint about the operation of the premises is received, staff will effectively deal with such complaints in a polite and sympathetic manner and where reasonably possible to take immediate action to address such complaints and recurrence.
- 7.2 All complaints are to be recorded within a Complaints Register for future reference noting the details of the complaint, the complainant, and the response taken.
- 7.3 CCTV recording discs or hard drive recordings shall be retained for 28 days before being reused, destroyed, or deleted. Time and date are to be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD, USB or other appropriate digital copy of recorded footage on demand of Council or Police Officers within 12 hours of them making a request. Copy discs are to be handed to Council, Police Officers or Special Inspectors as required.
- 7.4 CCTV surveillance cameras shall be installed, operated and maintained throughout the premises with particular coverage to entrances, exits, staircases, and the 10m radius outside public entrances.
- 7.5 If it is discovered at any time that the equipment is not in full operating order, all reasonable steps must be taken to repair the system as soon as reasonably practicable.
- 7.6 The licensee shall ensure that all essential services installed at the venue and the CCTV surveillance system are certified annually and shall ensure that they remain in good working order.

8 Fire Safety and Other Emergencies

- 8.1 A list of the contact details for all relevant emergency services shall be kept in a readily accessible location.
- 8.2 All staff shall be made aware of fire safety requirements and procedures to be followed in case of an emergency.
- 8.3 All fire safety services are to be maintained in accordance with the relevant Standard of Performance nominated within the fire safety schedule.
- 8.4 Any item that is required to maintained as part of fire safety procedures will be clearly identified, and maintenance requirements will be clearly specified.



9 Operational Details

- 9.1 The premises will operate pursuant to a hotel licence in accordance with the requirements of the Liquor Act 2007 and Liquor Regulation 2008.
- 9.2 The Licensee and Approved Manager is responsible for ensuring compliance with regulatory controls and staff matters. At any time that the Approved Manager is absent from the premises, a manager who is appropriately qualified to perform that role is required to be present on the premises to perform the functions of the licensee.
- 9.3 The managers are responsible for the general operation of the hotel and report to the Licensee and Approved Manager. Some of the specific responsibilities of managers are as follows:
 - 9.3.1 Provide support to management in an operational capacity;
 - 9.3.2 Ensure that a copy of the hotel licence and conditions are correctly enforced;
 - 9.3.3 Monitor intoxication and responsible service of alcohol;
 - 9.3.4 Instruct and direct staff members and security to perform duties;
 - 9.3.5 Handle complaints from customers and any other person in accordance with the procedures of the hotel;
 - 9.3.6 Reinforce hotel policies to staff members in relation to procedures such as responsible service of alcohol, checking of identification and evacuation;
 - 9.3.7 Customer relations;
 - 9.3.8 Monetary control; and,
 - 9.3.9 Evaluate performance of staff and security on a weekly basis.
- 9.4 Bar attendants are engaged at the hotel in numbers necessary to meet the customer demand from time to time. The primary role of bar attendants is customer service. Bar attendants are responsible to ensure that alcohol is served responsibly and intoxication is prevented.
- 9.5 The hotel will become a member of the Local Licensing Accord, and the Licensee or Approved Manager or supervisors will attend Accord meetings when available.
- 9.6 Waste is to be managed in accordance with the supplied Operational Waste Management Plan. A copy of the Plan is to be kept on-site.
- 9.7 All staff will be familiarised with public transport options surrounding the Venue, including the bus stop immediately outside the premises, and will advise patrons of transport options whenever requested or otherwise required. Staff will also be available to assist patrons in calling a taxi if required.



10 Security

- 10.1 There is no need for mandatory security guards given the focus of the venue is as a premium restaurant style dining experience, with seated table-service only (and no entertainment, standing patrons or general bar service areas).
- 10.2 When licensed security guards are engaged, they shall ensure the safety of patrons inside and outside the premises and maintain the quiet and good order of the area surrounding the premises, ensuring that patrons do not linger or loiter within the licensed premise or cause annoyance to the neighbourhood. These obligations shall extend to the orderly dispersal of patrons from the premises.
- 10.3 All security guards should have been trained in the essential requirements of licensed premises; intoxication rules and policies; acceptable identification; crowd control; eviction procedures; and how to deal with noise complaints.
- 10.4 All licensed security personnel engaged at the hotel are to have successfully completed a Liquor & Gaming NSW approved Responsible Service of Alcohol course.
- 10.5 The specific duties of security guards engaged at the hotel include the following:
 - 10.5.1 Security guards checking identification shall thoroughly check the document to ensure that the photograph corresponds to the person producing the document and to check for signs of damage and manipulation as well as distinguishing legitimate features such as a watermark or hologram.
 - 10.5.2 Security guards will monitor patrons to screen for any patron who appears to be intoxicated. Patrons who appear intoxicated will not be permitted to enter or remain on the premises.
 - 10.5.3 Security guards shall conduct visual surveillance along the perimeter of the hotel.
- 10.6 When security are engaged, they shall remain until the last person has left to monitor and control patrons leaving the Hotel, with the following duties:
 - 10.6.1 Ensure that patrons do not linger or loiter in the area or cause nuisance or annoyance to the neighbourhood.
 - 10.6.2 Monitor and control the behaviour of patrons leaving the Hotel and limit the noise emitted from the premises.
- 10.7 Security may be engaged on an as-required basis, primarily for events, the hours of which will vary depending on the type and duration of the event.
- 10.8 A complaints register will record:
 - Complaint date and time



- Complainant name, contact and address details
- Nature of complaint
- Name of staff on duty
- Action taken by premises to resolve the complaint
- Follow-up
- Outcome

10.9 Security guards are to ensure compliance with all the conditions of the licence and all regulations.

10.10 Security guards are to ensure that they shall accurately record incidents after they occur into the Incident Register which is to be overseen by managers.

10.11 The following matters are examples of matters to be noted by security:

- Refusal of admission of patrons due to intoxication or due to absence of identification or defective identification.
- Requesting patrons to leave premises due to intoxication, violent or anti-social and inappropriate behaviour.
- Detection of drugs or weapons on patrons or inside the premises.
- Any assaults inside the premises or outside the premises witnessed by security, whether or not patrons of the premises are involved.
- Results of regular patrols.
- Police attendances on site.

10.12 Each security officer must ensure that their license is always displayed (within reason) and shall ensure that they have their earpieces and radios operational if required.

11 Crime Scene Preservation Guidelines

11.1 Immediately after the person in charge of the licensed premises or a staff member becomes aware of any incident involving an act of violence causing injury to a person on the premises, the person in charge of the licensed premises and/or staff member must:

- 11.1.1 render first aid,
- 11.1.2 take all practical steps to preserve and keep intact the area where the act of violence occurred,
- 11.1.3 retain all material and implements associated with the act of violence in accordance with the crime scene preservation guidelines issued by NSW Police, as published from time to



time on the Liquor & Gaming NSW website,

- 11.1.4 make direct and personal contact with the NSW Police Local Area Commander or his/her delegate, and advise the Commander or delegate of the incident, and
- 11.1.5 Comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.
- 11.1.6 "Staff" means any person employed by, or acting on behalf of, the licensee of the premises, and includes any person who is employed to carry on security activities (e.g. crowd controller or bouncer) on or about the premises.

12 CCTV

- 12.1 The licensee must maintain a closed-circuit television (CCTV) system on the premises in accordance with the following requirements:
 - 12.1.1 the system must record continuously from opening time until one hour after the premises is required to close),
 - 12.1.2 recordings must be in digital format and at a minimum of six (6) frames per second,
 - 12.1.3 any recorded image must specify the time and date of the recorded image,
 - 12.1.4 the system's cameras must cover the following areas:
 - 12.1.5 all entry and exit points on the premises,
 - 12.1.6 the footpath immediately adjacent to the premises, and
 - 12.1.7 all publicly accessible areas (other than toilets) within the licensed area.
- 12.2 The licensee must also:
 - 12.2.1 keep all recordings made by the CCTV system for at least 30 days,
 - 12.2.2 ensure that at least one member of staff is on the premises at all times the system is operating who is able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and
 - 12.2.3 provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector within 24 hours of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.

13 Alcohol Management

- 13.1 The hotel shall take all reasonable steps to prohibit or restrict activities (such as promotions or discounting) that could encourage misuse or abuse of liquor (such as binge drinking or excessive



consumption).

- 13.2 The hotel shall not apply extreme discounts to liquor as part of any promotion.
- 13.3 Each staff member employed at the hotel and each security officer engaged from time to time at the hotel shall have completed an approved course of instruction in the Responsible Service of Alcohol.
- 13.4 Each staff member employed at the hotel are required to carry and make available to police upon request, their competency cards at all times.
- 13.5 The hotel shall apply house policies and practices on harm minimisation and responsible service of alcohol.
- 13.6 The hotel shall ensure that notices relating to its policy and the law regarding intoxication are prominently displayed in the premises, and at each public entrance way to the premises notices relating to its policy and the law regarding the requirement to produce evidence of age.
- 13.7 The hotel has adopted and endorses the Liquor Industry Code of Practice for the Responsible Promotion of Alcohol Products and the Director General of Liquor and Gaming Guidelines on Intoxication and shall continue to implement the initiatives of same.
- 13.8 Alcohol served by staff at the hotel is to be by way of standard measures only.
- 13.9 No packaged liquor is to be sold at the premises for consumption away from the premises after 12.00am.
- 13.10 The hotel shall ensure that free drinking water is made available as well as non-alcoholic beverages (for sale or complimentary) to patrons at all times that alcohol is available for sale and consumption.
- 13.11 Low alcohol beer and non-alcoholic beverages are to be available at all times when full strength liquor is available.
- 13.12 Food service is available at the hotel at all times that alcohol is sold and supplied at the premises and also during any periods that the premises is open for trade, but not serving alcohol, as part of the harm minimisation strategy, so as to ensure that the effects of alcohol may be mitigated.
- 13.13 The hotel shall ensure that the conditions of the hotel licence and statutory provisions applying to the hotel are complied with. The Manager shall be responsible for maintaining statutory compliance and shall cause compliance audits to be performed by management to ensure that statutory signage is correctly displayed and other requirements are met so as to assist with harm minimisation.
- 13.14 The hotel shall prevent patrons from becoming intoxicated to unacceptable levels and shall not admit patrons into the premises who exhibit signs of intoxication. Any patrons exhibiting signs of intoxication within the premises are to be further assessed by security or management and if deemed to be reasonably impaired in mental or bodily functions, as a result of alcohol consumption, shall



not be permitted to remain on the premises. Any patron requested to leave the premises shall be escorted out of the Hotel and safe transport options arranged.

- 13.15 The Licensee shall incorporate into monthly staff meetings topics on the responsible service of alcohol including signs of intoxication and preventing potential harm from alcohol use.
- 13.16 All staff members at commencement of employment shall be reminded of their responsibilities relating to responsible sale and supply of alcohol.
- 13.17 The hotel shall take all reasonable steps to prohibit or restrict activities (such as promotions or discounting) that could encourage misuse or abuse of liquor (such as binge drinking).

14 Noise Management and Control

- 14.1 The hotel recognises that there is some potential for noise impacts upon neighbouring premises as a result of the operation of the premises during late hours.
- 14.2 Due to the nature of the construction of the premises and the proposed mode and style of operation, potential noise disturbances from inside the hotel shall be limited.
- 14.3 Entertainment in the form of bands or DJs shall not be conducted in the hotel during late trading hours, however background music may be played from time to time.

15 Patron Management

- 15.1 It is acknowledged that operators of premises have some control over patron behaviour whilst patrons are on the premises, however there are limitations as to control after patrons leave the premises.
- 15.2 The hotel shall consider the amenity of neighbours and shall take all reasonable measures to ensure that there is a minimal adverse impact to the surrounding area in terms of disturbance and anti-social behaviour caused by patrons.
- 15.3 The hotel shall ensure that practices relating to alcohol management are maintained so as to reduce the potential for patrons to become intoxicated and therefore less likely to participate in anti-social, inappropriate or noisy behaviour after leaving the hotel.
- 15.4 The closing procedures at the hotel are designed to allow a staggered departure of patrons. Management and/or security are to request patrons to depart the premises quietly and to consider the neighbours. If security guards are stationed at the front of the premises, they are to direct patrons to move on and away from the vicinity of the premises.
- 15.5 The hotel shall cause signage to be displayed at the entry/exit of the premises alerting patrons to ensure that they leave quickly and quietly without disturbing the neighbours.
- 15.6 The hotel shall maintain an approved Liquor & Gaming NSW Incident



Register and complete Parts A & B as applicable in the incident register, which is to include brief reports of incidents occurring within the hotel or in the vicinity. The Security Manager is to provide the Security Incident Diary and any other reports to the manager or licensee for inclusion in the Incident Register. In the event of the occurrence of an incident which is deemed by the licensee or manager to be a serious incident, reports are to be taken from each staff member and any patron witnesses, and a copy of the reports kept with the incident register.

- 15.7 All reports in the Incident Register are to contain the time and location of the incident and the name of the author of the report.
- 15.8 The hotel shall take all reasonable measures to ensure that the behaviour of staff and patrons when entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood, including but not limited to the following:
 - 15.8.1 Erecting signage within the premises and inside the entrance/exit advising patrons to leave the premises in a quiet and orderly manner.
 - 15.8.2 Regularly patrolling the perimeter of the hotel.
 - 15.8.3 Verbally encouraging patrons to disperse from the area quickly and quietly, and not to congregate outside the premises.
 - 15.8.4 Diligent and accurate recording of incidents.
 - 15.8.5 Security guards are to use all reasonable steps to prevent people from loitering outside the premises and in the vicinity of the premises.
 - 15.8.6 Maintaining high quality digital surveillance and CCTV system both inside and outside the venue to ensure that any anti-social behaviour displayed in the public, regardless of its source may be monitored, reported and dealt with by the appropriate authorities;
 - 15.8.7 Maintaining a close working relationship with the Local Area Command and implementing reasonable strategies suggested by its officers.
 - 15.8.8 Strictly enforcing the responsible service of alcohol and the provisions of the licensing legislation to ensure that patrons do not become intoxicated to the point where anti-social behaviour may result and also refusing entry to the premises of those persons who appear to be intoxicated or under the influence of illicit substances.

16 Amendment to Plan of Management

- 16.1 Where experience shows that it is reasonable or desirable to modify any provision of the POM for the improved management of the Venue, modification to the POM may be made if the approval of the City of Sydney Council is obtained. This does not apply to license conditions which may only be varied in accordance with the Liquor Regulations.





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