

29 April 2026

At 5.00 pm

Local Planning Panel



Agenda

- 1. Disclosures of Interest**
- 2. Confirmation of Minutes**
- 3. Development Application: 158-160 Abercrombie Street, Redfern - D/2025/1210**
- 4. Development Application: 431 Glebe Point Road, Glebe - D/2025/1006**
- 5. Development Application: 183-187 Harris Street, Pyrmont - D/2025/1163**



As part of our democratic process, the City invites members of the community to speak directly to Members of the Local Planning Panel (LPP) about items on a meeting agenda.

Webcast

In accordance with the *Environmental Planning and Assessment Act 1979* and the *City of Sydney Local Planning Panel Operational Procedures*, LPP meetings are audio visually recorded and webcast live on the City of Sydney website at www.cityofsydney.nsw.gov.au.

Members of the public attending a LPP meeting may have their image, voice and personal information (including name and address) recorded, publicly broadcast and archived.

Consent

By attending a LPP meeting, members of the public consent to this use of their image, voice and personal information.

Disclaimer

Statements made by individuals at a LPP meeting, and which may be contained in a live stream or recording of the meeting are those of the individuals making them, and not of the City/LPP. To be clear, unless set out in a resolution, the City/LPP does not endorse or support such statements.

The City/LPP does not accept any liability for statements made or actions taken by individuals during LPP meetings that may be contrary to law, including discriminatory, defamatory or offensive comments. Such statements or actions are not protected by privilege and may be the subject of legal proceedings and potential liability, for which the City/LPP takes no responsibility.

To enable the LPP to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at meetings to:

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 Panel Members and Chair of that meeting, are submitted for noting:

Meeting of 8 April 2026

Item 3.**Development Application: 158-160 Abercrombie Street, Redfern - D/2025/1210****File Number: D/2025/1210****Summary****Date of Submission:** 5 December 2025**Applicant / Owner:** The Eveleigh Hotel Pty Ltd**Zoning:** The site is located in in the R1 General Residential zone. The use is defined as a pub and is permitted with consent in the zone.**Proposal Summary:** The application seeks consent to change the use of part of the first floor from a 'managers residence' to expand the pub known as 'The Eveleigh Hotel'. The application proposes to increase the maximum patron capacity to 200 patrons. Proposed hours of operation are 10.00am - 12.00 midnight Monday to Sunday, inclusive.

The subject premises currently has development consent to operate on the ground floor and part of the first floor, with a maximum patron capacity of 110 patrons. Approved hours of operation are 10.00am - 12.00 midnight Monday to Sunday.

The subject premises has also received approval for outdoor dining on the Abercrombie Street footpath and Vine Street roadway reallocation adjacent to the pub. The proposal does not seek to amend current outdoor dining consents.

In accordance with the City of Sydney Engagement Strategy and Community Participation Plan 2024, the proposed development was notified and exhibited from 11 December 2025 to 23 January 2026. A total of 114 properties were notified. 45 submissions were received in objection and 31 submissions were received in support. Issues raised in the objections include acoustic amenity impacts, late night trading compatibility, poor venue management and patron behaviour and outdoor dining non-compliances.

The application is referred to the Local Planning Panel for determination as it represents contentious development, with receipt of over 25 submissions by way of objection.

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

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Acoustic Report
- D. Plan of Management
- E. Submissions

Recommendation

It is resolved that consent be granted to Development Application Number D/2025/1210 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 R1 - General Residential zone.
- (B) The development, subject to conditions, is consistent with the objectives and provisions of the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012.
- (C) Issues raised in the submissions have been considered in the assessment and conditions of consent have been included to address these concerns.
- (D) The development, subject to conditions, is unlikely to result in significant adverse environmental or amenity impacts on the surrounding locality.

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 development application falls within the category of Contentious Development as it has received more than 25 unique submissions by way of objection.

The Site and Surrounding Development

3. The site has a legal description of Lot 11 in DP 778166, known as 158-160 Abercrombie Street, Redfern. It is generally rectangular in shape with area of approximately 283sqm. It has a primary street frontage to Abercrombie Street and a secondary street frontage to Vine Street.
4. The site contains a two storey pub known as 'The Eveleigh Hotel'. The subject application relates to part of the first floor of the pub that is currently unused, with a historic use being described as 'manager's residence'.
5. The surrounding area is characterised by a mixture of land uses, primarily being residential and commercial. To the north, across Vine Street are commercial properties including cafes and restaurants. To the east of the site is the Hugo and Vine Reserve, with residential dwellings beyond that along Hugo Street. To the south and west across Abercrombie Street are residential dwellings.
6. The site is not a heritage item but is located within the Darlington heritage conservation area. The site is identified as a contributing building.
7. A site visit was carried out on 20 January 2026. Photos of the site and surrounds are provided below:

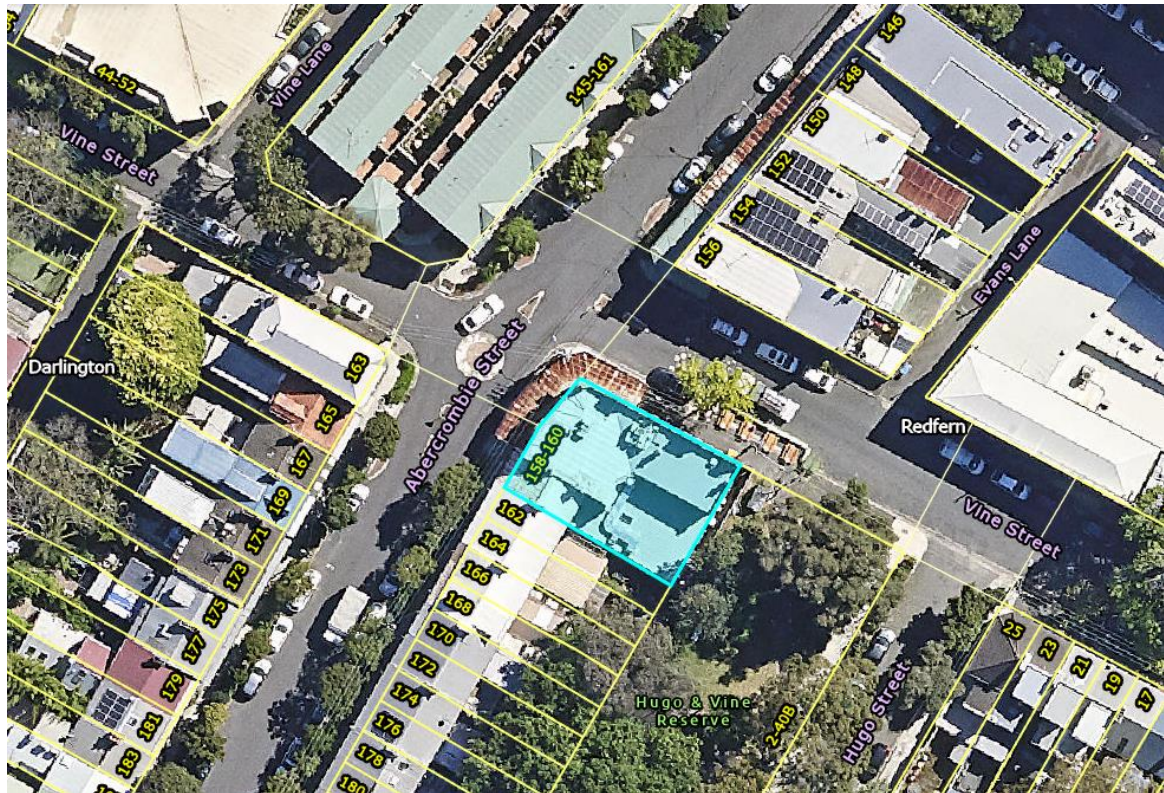


Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from the corner of Abercrombie Street and Vine Street



Figure 3: Site viewed from Abercrombie Street



Figure 4: Site viewed from Vine Street



Figure 5: Part of the first floor area subject of this application, viewed towards the corner of Abercrombie Street and Vine Street. The space has recently been renovated under a Complying Development certificate.

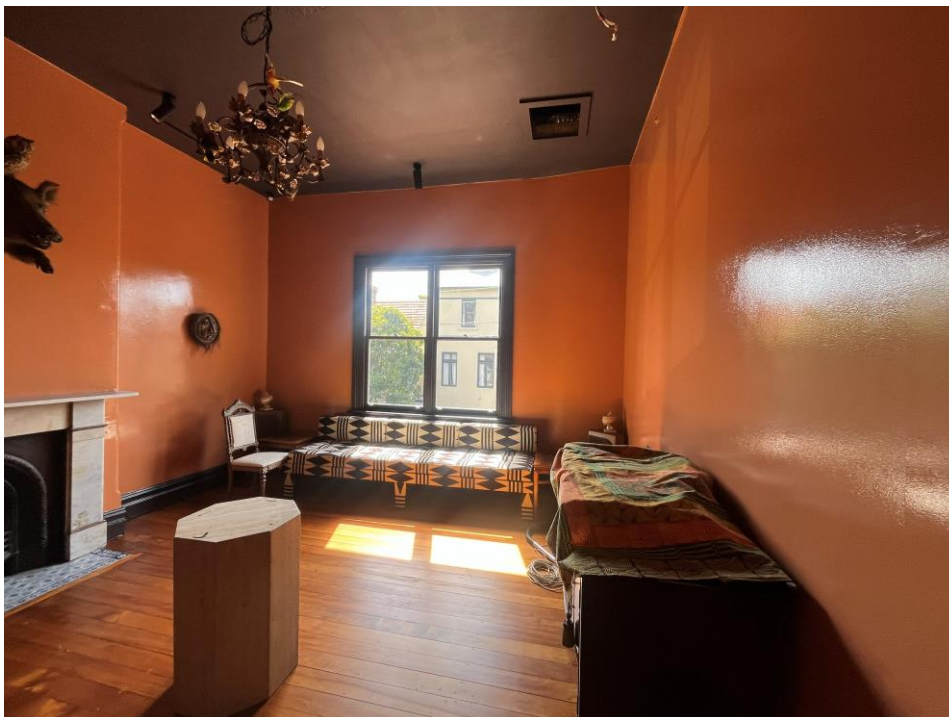


Figure 6: Part of the first floor area subject of this application, viewed towards Abercrombie Street. The space has recently been renovated under a Complying Development certificate.

History Relevant to the Development Application

Development Applications

8. The following applications are relevant to the current proposal:
- Alterations and additions to the existing pub were approved as early as 1952 (1629/52) with the pub having been in existence prior to this.
 - **U96/01098** – Development consent was granted on 18 December 1996 for the change of use of three hotel rooms on the first floor to a restaurant accommodating 60 seats. The approved hours of operation under this consent are 10.00am to 12.00 midnight Monday to Sunday.
 - **D/2017/388** – Development consent was granted on 28 November 2017 for alterations to the ground floor of 'The Eveleigh Hotel'. The approved hours of operation under this consent are 10.00am to 12.00 midnight Monday to Sunday. The maximum patron capacity permitted on the premises is 110 persons (including staff, patrons and performers).
 - **P/2024/1396** – A complying development certificate was granted on 12 August 2024 by a registered certifier for internal building alterations to first floor of the premises.

Footway and Roadway Usage Applications

9. The subject premises has received a number of consents for outdoor dining on the footway and roadway adjacent to the site, dating back to 2015. The most recent active consents include the following:
- **FA/2025/455** - Consent was granted on 8 December 2025 for the use of the footway on Abercrombie Street for outdoor dining. Approved hours of operation for the outdoor dining area are restricted to between 10.00am and 10.00pm Monday to Sunday. The approval is for a period of 2 years, lapsing on 8 December 2027.
 - **FA/2025/166** - Consent was granted on 8 July 2025 for the use of the reallocated roadway on Vine Street for outdoor dining. Approved hours of operation for the outdoor dining area are restricted to between 10.00am and 10.00pm Monday to Sunday. The approval is for a one year period, lapsing 8 July 2026.

Compliance Action

10. The site is subject to an ongoing compliance action which is still being investigated at the time of writing this report. The investigation began when complaints were made regarding the outdoor dining area. Concerns were raised that furniture associated with the outdoor dining areas was being left outside overnight, and patrons were utilising the outdoor area beyond the permitted hours of use (10.00pm). The investigation does not extend into the indoor portion of the pub.

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 January 2026, requesting an Acoustic Report and amendments to the BCA Compliance report and Fire Engineering Report.
12. The applicant responded to the request on 13 March 2026, and submitted the requested information.

Proposed Development

13. The application seeks consent for the following:
 - Change of use of part of the first floor from 'manager's residence' to pub, to allow full use of the first floor to function as part of the pub. This includes the provision of amplified music.
 - Increase in patron capacity from 110 patrons to 200 patrons, including a maximum of 100 patrons on the first floor.
 - Proposed hours of operation of the expanded first floor area are 10.00am - 12.00 midnight Monday to Sunday, inclusive. This is consistent with the existing hours of the pub of 10.00am to 12.00 midnight Monday to Sunday, inclusive.
 - No building work is proposed.
 - The proposal does not include modifications to the existing footway outdoor dining approval.
14. Plans and elevations of the proposed development are provided below.

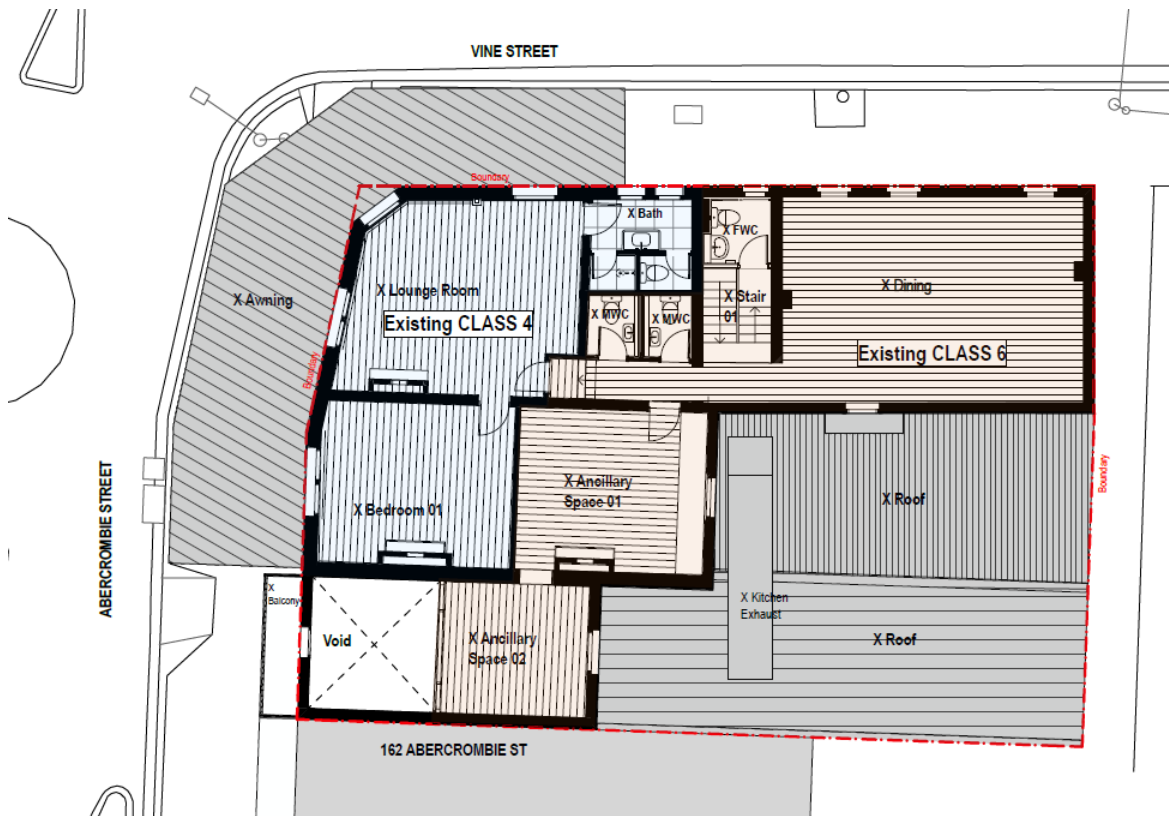


Figure 7: Existing first floor plan

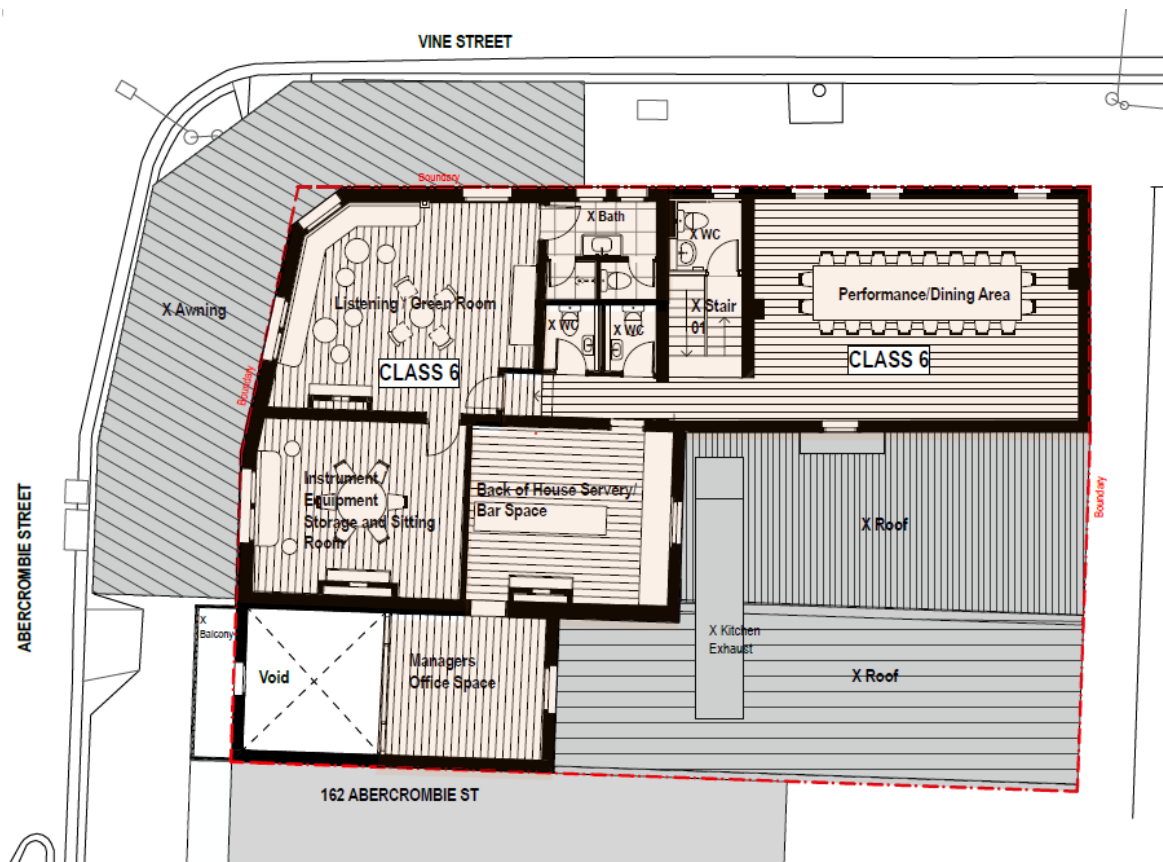


Figure 8: Proposed first floor plan

Assessment

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

Local Environmental Plans

Sydney Local Environmental Plan 2012

16. 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 R1 General Residential 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	The proposal does not seek to increase the existing height of the building.
4.4 Floor space ratio	Yes	The proposal does not seek to increase the existing floor space ratio of the site.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is not a heritage item but is located within the Darlington heritage conservation area. The proposed development will not have detrimental impact on the heritage significance of the heritage conservation area.
5.20 Standards that cannot be used to refuse consent - playing and performing music	Yes	Council's assessment does not rely on prohibiting the playing or performance of music. Conditions of consent are recommended to ensure noise from music is sufficiently managed.

Development Control Plans

Sydney Development Control Plan 2012

17. 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

18. The site is located within the Darlington and West Redfern locality. The proposed development is generally in keeping with the unique character and the design principles of the locality. The proposal retains an existing small-scale commercial use (a pub) and its intensification may support positive neighbourhood activation, subject to recommended conditions.

Section 3 – General Provisions

Provision	Compliance	Comment
3.9 Heritage	Yes	The site is identified as a contributing building located within the Darlington heritage conservation area. The proposal will not adversely impact the heritage conservation area.
3.11 Transport and Parking	Yes	The proposal does not trigger additional parking requirements and is consistent with the objectives of this section.
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 not located within a late night trading area and the use is defined as a category A premises. The proposed trading hours of the expanded first floor are 10.00am - 12:00 midnight, Monday to Sunday which is consistent with the existing hours of operation of the pub. Refer to the 'Discussion' section of this report.

Provision	Compliance	Comment
3.18 Acoustic Amenity	Yes	An Acoustic Report has been submitted which demonstrates the proposal is capable of compliance with the relevant acoustic criteria. Conditions of Consent are recommended to ensure noise emissions are in accordance with Council's controls. Refer to further assessment in the 'Discussion' section of this report.

Discussion

Acoustic Amenity

19. Following lodgement of the application, Council staff requested acoustic testing to assess potential impacts of the increase in patron capacity on nearby sensitive receivers.
20. An Acoustic Assessment prepared by VMS Australia has been submitted and reviewed by Council officers and is considered satisfactory. The report assesses noise impacts associated with amplified music, patron presence and circulation, and first floor operation during late night hours, having regard to the City of Sydney Noise Technical Criteria. The report demonstrates that compliance with the City's noise criteria is achievable, subject to the implementation of recommended mitigation measures, including the installation of additional acoustic shutters to first floor windows, improved isolation of speakers from the building structure, and the installation of acoustic seals to the Vine Street access door. Operational recommendations include windows and doors to be closed after 10pm and this has been included in the Plan of Management. It's noted that the premises has an air-conditioning system to maintain staff and patron comfort whilst windows and doors are closed.
21. Conditions are recommended requiring compliance with the Acoustic Report and to require a suitably qualified acoustic consultant to verify compliance with the Acoustic Report requirements prior to the issue of an Occupation Certificate. Additional recommended conditions including the installation and ongoing operation of sound limiting equipment controlling amplified music and ongoing compliance with the City's criteria. A condition is recommended to provide final details of the acoustic attenuation measures to council for approval.

Late night trading

22. The proposed trading hours are 10.00am to 12:00 midnight. This is consistent with the existing trading hours of the pub approved under DA consent D/2017/388 and U96/01098.

23. The site is not located in a late night trading area and the use as a pub is identified as a 'Category A - high impact premises'. In accordance with Section 3.15 of the Sydney DCP 2012, Category A premises indoors are permitted base hours of 10.00am - 10.00pm with extended hours of 10.00am - 12:00 midnight. Trading hours beyond base hours are generally subject to trial periods.
24. The application was referred to Council's Late Night Trading Management unit, who raised no objection to the proposed trading hours. The Plan of Management is considered adequate and has sufficiently addressed the requirements identified in Schedule 3 of the Sydney DCP 2012.
25. A review of Council's customer service and complaints records indicates that no complaints have been recorded in relation to the indoor operation of the hotel. It is noted that more recent complaints relate to footway use, which do not form part of this application and are being addressed separately through Council's regulatory processes.
26. While the premises already benefits from approved trading hours of 10.00am–12.00 midnight, the application introduces a new use of part of the first floor and a substantial increase in maximum patron capacity to 200 patrons. This represents an intensification of the site with potential amenity impacts, particularly in relation to noise, patron behaviour and dispersal. Consistent with Section 3.15 of the Sydney DCP 2012, which supports trial periods for extended or intensified late night trading, it is recommended to introduce a 2 year trial period for the first floor trading hours for the hours between 10.00pm and 12:00 midnight. The trial period will allow Council to monitor impacts and ensure the operation functions satisfactorily without adverse effect on surrounding residential amenity.

Patron Capacity

27. The applicant has submitted a Building Code of Australia (BCA) Report and a Fire Engineering Strategy Report demonstrating that the existing 2 storey building is capable of accommodating an increased maximum capacity of 200 patrons.
28. Council's Building and Construction team has reviewed the documentation and raises no objection, subject to conditions requiring a building upgrade relating to the provision of fire isolated stair elements, upgraded smoke detection and early warning systems, and improved visibility and exit signage. Subject to these conditions, the proposal is considered acceptable in terms of building code compliance and fire safety for the purposes of development consent.

Consultation

Internal Referrals

29. The application was discussed with Council's:
 - (a) Construction and Building Unit;
 - (b) Environmental Health Unit;
 - (c) Licenced Premises Unit;

30. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

External Referrals

NSW Police

31. The application was referred to NSW Police for comment.
32. A response was received raising no objection to the proposed change of use of the first floor, however, raised an objection to the increase in patron capacity. It was requested that should a patron capacity increase be supported, security guards should be employed in the afternoons/evenings on Fridays, Saturdays and Sundays. It was also requested that a patron limit be placed on the Vine Street outdoor dining area.
33. Council staff have considered the comments provided by the NSW Police. It is recommended that permanent security guards are not warranted for this venue at this time. The management plan does address security, stating that from time to time on busier periods the venue may engage security guards, but not on a permanent basis. City staff support this approach. The requirement to provide security guards is generally a matter for the liquor Licence. Standard conditions for licensed premises were reviewed in 2025 and the requirement for permanent security guards was removed as a standard condition to better align with the NSW Government's vision for the late night economy and recognises the significant financial burden on operators. Liquor and Gaming also have the authority to require security guards through the liquor licence. In line with Council's outdoor dining guidelines, patron capacity limits are not applied to outdoor dining areas.

Advertising and Notification

34. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified and exhibited from 11 December 2025 to 23 January 2026. A total of 114 properties were notified. 45 submissions were received in objection, and 31 submissions were received in support.
35. The submissions in objection raised the following issues:
- (a) **Issue:** Noise and amenity impact from increased music and events on the first floor, which already emits high noise pollution. Additional patrons will exacerbate noise impacts. There is insufficient acoustic reporting provided with the application to support the change of use and additional patrons. Acoustic reporting should assess high decibel noise and low-frequency bass noise.

Response: Acoustic amenity has been considered in Council's Assessment. A detailed Acoustic Report prepared by VMS Australia was submitted at the request of Council staff. The report specifically assesses high decibel amplified music, low frequency bass noise, and patron activity associated with a maximum capacity of 200 patrons across both floors. The assessment identifies potential impacts but demonstrates that compliance with the City of Sydney's noise criteria can be achieved through building upgrades, sound limiters, and operational

controls, which will be enforced through conditions of consent to ensure residential amenity is protected.

- (b) **Issue:** The proposal to extend the hours until 12 midnight, 7 days a week is incompatible with the residential area.

Response: The proposed trading hours of 10.00am to 12.00 midnight are consistent with the premises' existing approved hours. Given the proposed intensification of the site, it is recommended to introduce a two year trial period for the first floor between the hours of 10.00pm and 12:00 midnight. The trial period will allow Council to monitor impacts and ensure the operation functions satisfactorily without adverse effect on surrounding residential amenity.

- (c) **Issue:** History of poor venue management. The current hotel management does not sufficiently manage patron behaviour, particularly when leaving the venue at night. Patrons remain outside the premises beyond the permitted trading hours and the neighbourhood is congested with patrons drinking alcohol, smoking and vaping on the footpath. The submitted plan of management is insufficient. Intensification will exacerbate negative impacts on the locality.

Response: Concerns regarding past venue management are noted. Council's Late Night Trading Management team has raised no objection to the proposal and did not identify any concerns with the performance of the venue management in the last few years. They reviewed the submitted Plan of Management and considers it adequate to address patron behaviour, dispersal, and late-night management. The proposal is recommended for approval subject to conditions including compliance with this Plan of Management, with ongoing enforcement available should any breaches occur.

- (d) **Issue:** History of non-compliances with the footway outdoor dining consents. Patrons often stand along Abercrombie and Vine Street drinking, extend beyond the permitted area and use the area beyond the permitted hours. Furniture is often left out overnight. Extending the outdoor dining until 12 midnight will negatively impact the surrounding neighbourhood.

Response: The concerns regarding outdoor dining compliance are noted; however, the application does not seek to extend outdoor trading hours, and outdoor dining remains subject to separate approvals and regulatory controls which are limited to 10.00pm. The venue's indoor operations, including first floor use and patron capacity, will be managed through recommended conditions of consent and an endorsed Plan of Management. Council is currently investigating any non-compliance relating to footpath use, patron behaviour or furniture storage.

- (e) **Issue:** The premises does not have sufficient toilet facilities to cater for the increase in patron capacity.

Response: The submitted BCA report has assessed toilet facilities concluding that the existing premises is capable of complying with the BCA and existing facilities can accommodate the proposed 200 patrons.

- (f) **Issue:** Lack of security guards at the venue. The increased patronage should be accompanied by compulsory security guards to ensure patrons are not lingering on footpaths at night.

Response: The issue of security has been considered as part of the assessment. The provision of security guards is a matter for L&G NSW when considering detailed operational requirements of a future liquor license. The City's current approach is to not duplicate the role of L&G NSW and therefore does not recommend permanent security guards. This approach is consistent with the NSW government's vibrancy reforms.

- (h) **Issue:** Additional patrons at the venue will result in further public nuisance, litter, smoking and anti-social behaviour from patrons causing an unsafe neighbourhood.

Response: The increase in patron capacity will be managed through the conditions of consent requiring compliance with the endorsed Plan of Management and Acoustic mitigation measures. Ongoing monitoring and enforcement mechanisms are available should any issues arise.

- (j) **Issue:** Additional patron capacity will result in traffic congestion and parking issues.

Response: The proposal does not trigger additional parking requirements under the applicable planning controls. In addition, the site is well located within an inner-city area with numerous public transport and access options.

- (k) **Issue:** Lack of community consultation

Response: The application was notified to the public after lodgement in accordance with the City of Sydney Engagement Strategy and Community Participation Plan 2024. The applicant was not required to consult the community prior to lodging a development application.

- (l) **Issue:** Inaccurate and misleading information provided in the statement of environmental effects, relating to the description of the surrounding area and the application history

Response: Council has undertaken a complete assessment of the proposal, including site analysis and verification of the planning history. The assessment relies on Council's verified information rather than solely on the applicant's description, ensuring that the recommendation and conditions are based on accurate and complete facts.

- (m) **Issue:** The proposal is not consistent with the objectives of the R1 general residential zone or the locality statement for Darlington/West Redfern

Response: Council has undertaken an assessment of the proposal considering the objectives of the R1 zone and the Darlington/West Redfern locality. The proposal is considered to be consistent with the objectives subject to recommended conditions.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

36. The City of Sydney Development Contributions Plan 2015 applies to the site. However, the change of use does not trigger a monetary contribution in this instance.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

37. As the development is development for purposes other than residential accommodation that will result in the creation of less than 60 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

38. While the site is located within the Greater Sydney region, the development is not a type of commercial development to which the Housing and Productivity Contribution applies.

Relevant Legislation

39. Environmental Planning and Assessment Act 1979.

Conclusion

40. The application proposes to change the use of part of the first floor from the historic use as a manager's residence to function as part of the pub. This includes increasing the patron capacity from 110 to 200 patrons.
41. The proposal has been assessed against the relevant planning controls for the site. The proposal is generally consistent with the objectives of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
42. Issues raised in submissions have been considered in the Assessment and conditions of consent have been included in Attachment A to address these issues.
43. Subject to recommended conditions, the proposal will not result in significant adverse impacts on the surrounding area and is recommended for approval.

ANDREW THOMAS

Executive Manager Planning and Development

Christina Robinson, Specialist Planner

Attachment A

Recommended Conditions of Consent
--

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/1210 dated 5 December 2025 and the following drawings prepared by Atoma Design Pty Ltd:

Drawing Number	Drawing Name	Date
DA02	Site Plan	20/11/2025
DA03	Existing Plan – Ground Floor	20/11/2025
DA04	Existing Plan – First Floor	20/11/2025
DA05	Proposed – First Floor	20/11/2025

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) ACOUSTIC ATTENUATION MEASURES – ADDITIONAL DETAILS REQUIRED

Additional details of the acoustic attenuation measures required as per the approved Acoustic Report is to be provided as follows:

- (a) illustrate the attenuation measures on the plans;
- (b) provide further documentation demonstrating the type, design and location of the required attenuation measures.

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

Reason

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

(3) 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

(4) APPROVED ACOUSTIC REPORT

The Acoustic Report, prepared by “VMS Australia”, Ref: 26017.1.1.R1R1, Rev 1, dated 13 March 2026, 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.

(5) 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 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.

(6) NATIONAL CONSTRUCTION CODE COMPLIANCE - CHANGE OF USE/CLASSIFICATION (NO BUILDING WORK PROPOSED)

Pursuant to Section 62 of the Environmental Planning and Assessment Regulation 2021, the building must comply with:

- (a) the Category 1 fire safety provisions in the Regulation;
- (b) the fire protection and structural capacity requirements as defined in the Regulation, and
- (c) Section 14 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Prior to a Construction Certificate / any Occupation Certificate being issued for the new use, documentation detailing compliance with this condition including the performance requirements of the *Building Code of Australia* as prescribed below must be submitted to and be approved by the Registered Certifier or Principal Certifier.

- (i) Fire isolated stair shafts – Part C2;
- (ii) Fire isolated stair construction – Part D3;
- (iii) Visibility in an emergency, exit signs and warning systems – Part E4;
- (iv) Upgrade of the existing smoke detection system to an Early Warning Detection System as a Performance Requirement – AS 1670.1 – 2018 – Part E – Specs.

Note: The obligations under this condition to comply with the Category 1 fire safety provisions * and fire safety and structural adequacy requirements may require building work to be carried out even though none is proposed or required in this consent. A Construction Certificate must therefore be obtained prior to work commencing for any building work required to be undertaken.

* *Category 1 fire safety provisions* are the following provisions of the *Building Code of Australia*, namely, E1P3, E1P4, E1P6, E2P1, E2P2 and E3P2 in Volume One of the Code and H3P2 in Volume Two of the Code.

Reason

To ensure the building and approved use affords adequate fire safety in accordance with the Building Code of Australia.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(7) 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, 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.

OCCUPATION AND ONGOING USE

(8) 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.

(9) TRADING HOURS - SENSITIVE USES

The trading hours are regulated as follows:

- (a) The permitted trading hours on the ground floor are restricted to between 10.00am and 12.00 midnight Monday to Sunday.
- (b) The permitted trading hours on the first floor are restricted to between 10.00am and 10.00pm Monday to Sunday.
- (b) Notwithstanding (a) above, the premises may trade between 10.00pm and 12:00 midnight for a trial period of two years from the date 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.

(10) MAXIMUM CAPACITY OF PERSONS

- (a) The maximum number of persons (including staff, patrons and performers) permitted in the premises at any one time is 200 persons, with a maximum capacity of 100 persons on the first floor level.
- (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.

(11) PLAN OF MANAGEMENT

The use must always be operated / managed in accordance with the Plan of Management titled The Eveleigh Hotel Plan of Management, dated 25 November 2025, signed by Todd Buncome. 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.

(12) COPIES OF CONSENTS AND MANAGEMENT PLANS

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

Reason

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

(13) 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.

(14) 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.

(15) VENTILATION MINOR WORKS

The premises must be ventilated in accordance with the *National Construction Code (previously known as Building Code of Australia)* and AS1668.1-1998 and AS1668.2-1991.

Reason

To ensure the ventilation complies with relevant standards.

SCHEDULE 2

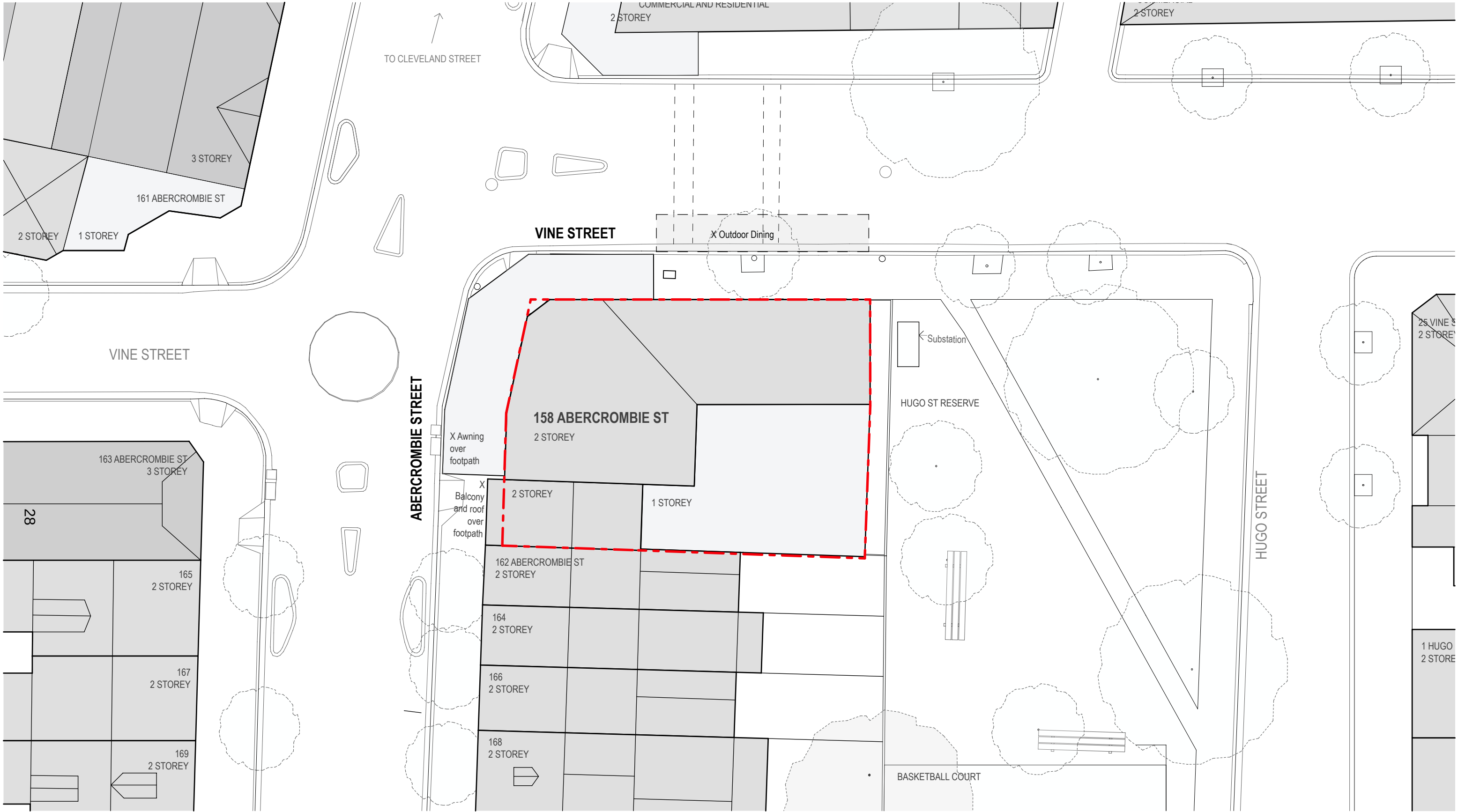
PRESCRIBED CONDITIONS

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



1 SITE PLAN
1:200



COPYRIGHT:
These designs, plans, specifications and the copyright therein are the intellectual property of Atoma Design Pty Ltd, and must not be reproduced or copied wholly or in part without written permission of Atoma Design. Rights to this document are subject to payment in full of all Atoma Designs' fees. This document may only be used for the express purpose for which it has been created and any unauthorised use or changes is at the user's sole risk and without limiting Atomas' rights the user releases and indemnifies Atoma from and against all loss so arising.

GENERAL NOTES:
Do not scale off drawings. Use figured dimensions only. All dimensions are to be checked on site prior to commencement of work. Report any discrepancies immediately to the architect prior to commencement of work. Allow for adjustments to suit discrepancies. Comply with relevant authorities requirements. Comply with Building Code of Australia requirements. Comply with relevant Australian standards for materials and construction practice. Comply with Basix Certificate. Atoma Design makes no warranties of fitness for any purpose.

DATE	REV	DESCRIPTION:
17/10/2025	01	DRAFT DA SUBMISSION
31/10/2025	02	REVISED DRAFT DA SUBMISSION
20/11/2025	03	DA SUBMISSION

ARCHITECT:
ATOMA DESIGN PTY LTD
Level 3 101-111 William St
Darlinghurst NSW 2010
ABN: 61 612 588 977

0411 797 669
belinda@atomadesign.com.au

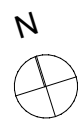
NOMINATED ARCHITECT:
Belinda Pajkovic
NSW Registration #9786

CLIENT:
TPD Projects

PROJECT
THE EVELEIGH

PROJECT NO.
23007

ADDRESS
158 Abercrombie Street Redern
Sydney NSW 2009 Australia



DRAWING
DA - 02
SITE PLAN

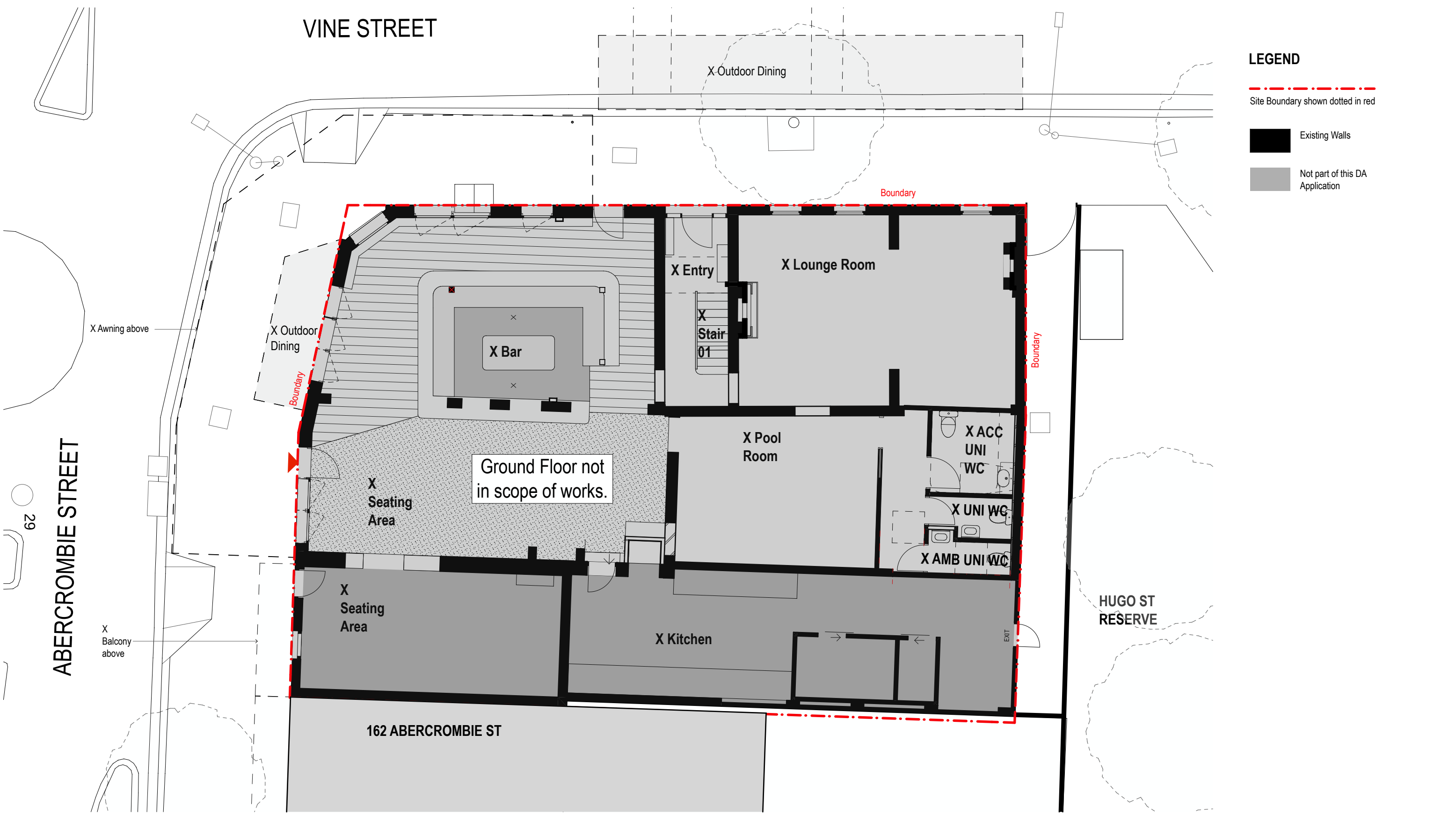
SCALE
Scale 1:200 @A3

STATUS
DA

DRAWN BY TI
CHECKED BP

REVISION NO.
03

DA SUBMISSION 20/11/2025



1

GROUND FLOOR PROPOSED PLAN
1:100



COPYRIGHT:
These designs, plans, specifications and the copyright therein are the intellectual property of Atoma Design Pty Ltd, and must not be reproduced or copied wholly or in part without written permission of Atoma Design. Rights to this document are subject to payment in full of all Atoma Designs' fees. This document may only be used for the express purpose for which it has been created and any unauthorised use or changes is at the user's sole risk and without limiting Atomas' rights the user releases and indemnifies Atoma from and against all loss so arising.

GENERAL NOTES:
Do not scale off drawings. Use figured dimensions only. All dimensions are to be checked on site prior to commencement of work. Report any discrepancies immediately to the architect prior to commencement of work. Allow for adjustments to suit discrepancies. Comply with relevant authorities requirements. Comply with Building Code of Australia requirements. Comply with relevant Australian standards for materials and construction practice. Comply with Basix Certificate. Atoma Design makes no warranties of fitness for any purpose.

DATE	REV	DESCRIPTION:
17/10/2025	01	DRAFT DA SUBMISSION
31/10/2025	02	REVISED DRAFT DA SUBMISSION
20/11/2025	03	DA SUBMISSION

ARCHITECT:
ATOMA DESIGN PTY LTD
Level 3 101-111 William St
Darlinghurst NSW 2010
ABN: 61 612 588 977

0411 797 669
belinda@atomadesign.com.au

NOMINATED ARCHITECT:
Belinda Pajkovic
NSW Registration #9786

CLIENT:
TPD Projects

PROJECT
THE EVELEIGH

PROJECT NO.
23007

ADDRESS
158 Abercrombie Street Redern
Sydney NSW 2009 Australia

DRAWING
DA - 03
EXISTING PLAN - GROUND FLOOR

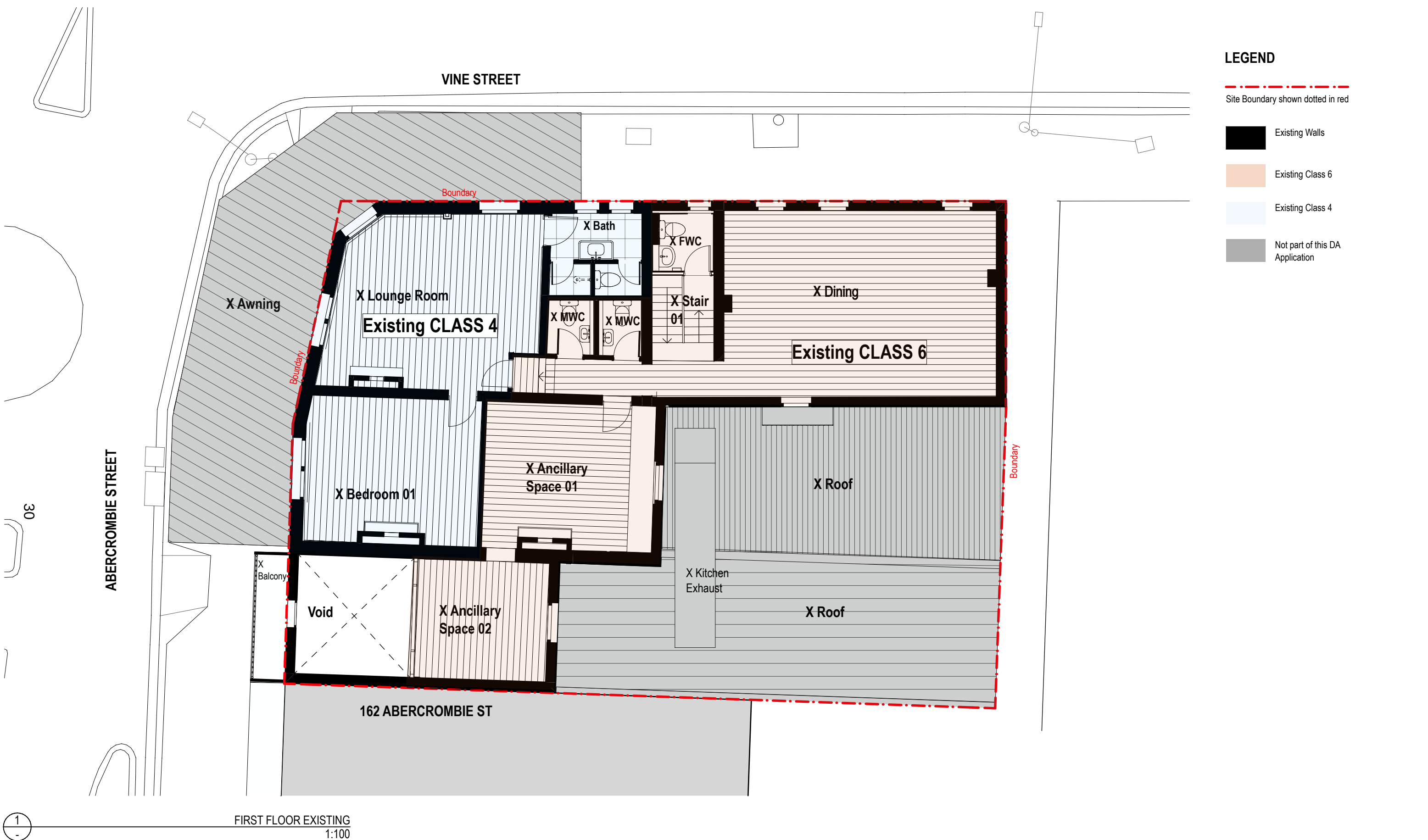
SCALE
Scale 1:100 @A3

STATUS
DA

DA SUBMISSION 20/11/2025

DRAWN BY TI
CHECKED BP

REVISION NO.
03



1

FIRST FLOOR EXISTING
1:100



COPYRIGHT:
These designs, plans, specifications and the copyright therein are the intellectual property of Atoma Design Pty Ltd, and must not be reproduced or copied wholly or in part without written permission of Atoma Design. Rights to this document are subject to payment in full of all Atoma Designs' fees. This document may only be used for the express purpose for which it has been created and any unauthorised use or changes is at the user's sole risk and without limiting Atomas' rights the user releases and indemnifies Atoma from and against all loss so arising.

GENERAL NOTES:
Do not scale off drawings. Use figured dimensions only. All dimensions are to be checked on site prior to commencement of work. Report any discrepancies immediately to the architect prior to commencement of work. Allow for adjustments to suit discrepancies. Comply with relevant authorities requirements. Comply with Building Code of Australia requirements. Comply with relevant Australian standards for materials and construction practice. Comply with Basix Certificate. Atoma Design makes no warranties of fitness for any purpose.

DATE	REV	DESCRIPTION:
17/10/2025	01	DRAFT DA SUBMISSION
31/10/2025	02	REVISED DRAFT DA SUBMISSION
20/11/2025	03	DA SUBMISSION

ARCHITECT:
ATOMA DESIGN PTY LTD
Level 3 101-111 William St
Darlinghurst NSW 2010
ABN: 61 612 588 977

0411 797 669
belinda@atomadesign.com.au

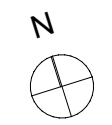
NOMINATED ARCHITECT:
Belinda Pajkovic
NSW Registration #9786

CLIENT:
TPD Projects

PROJECT
THE EVELEIGH

PROJECT NO.
23007

ADDRESS
158 Abercrombie Street Redern
Sydney NSW 2009 Australia



DA SUBMISSION 20/11/2025

DRAWING
DA - 04
EXISTING PLAN - FIRST FLOOR

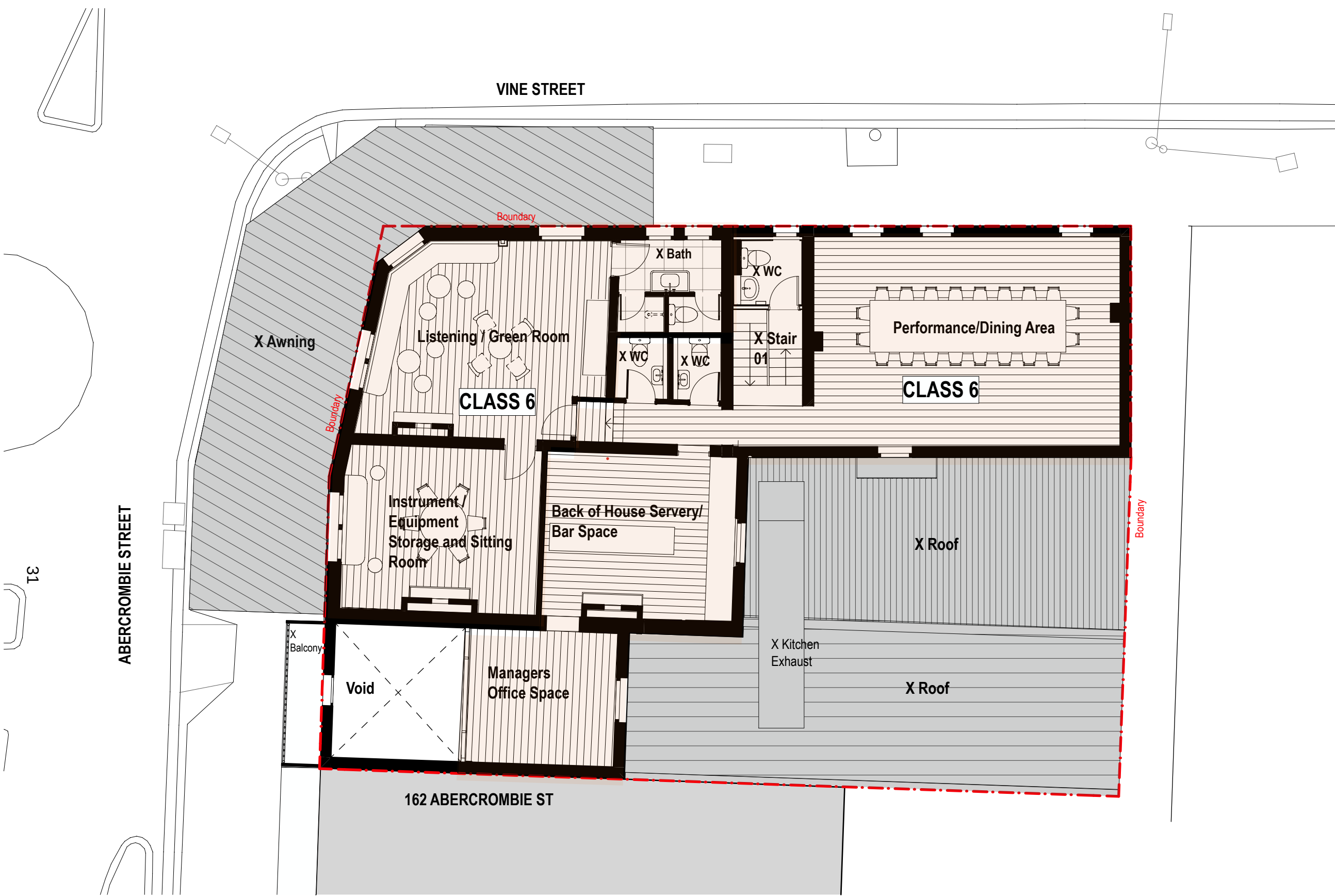
SCALE
Scale 1:100 @A3

STATUS
DA

DRAWN BY
TI

CHECKED
BP

REVISION NO.
03



LEGEND

- Site Boundary shown dotted in red
- Existing Walls
Masonry Walls
- CLASS 6
- Not part of this DA
Application

1
-
FIRST FLOOR PROPOSED PLAN
1:100

COPYRIGHT:
These designs, plans, specifications and the copyright therein are the intellectual property of Atoma Design Pty Ltd, and must not be reproduced or copied wholly or in part without written permission of Atoma Design. Rights to this document are subject to payment in full of all Atoma Designs' fees. This document may only be used for the express purpose for which it has been created and any unauthorised use or changes is at the user's sole risk and without limiting Atomas' rights the user releases and indemnifies Atoma from and against all loss so arising.

GENERAL NOTES:
Do not scale off drawings. Use figured dimensions only. All dimensions are to be checked on site prior to commencement of work. Report any discrepancies immediately to the architect prior to commencement of work. Allow for adjustments to suit discrepancies. Comply with relevant authorities requirements. Comply with Building Code of Australia requirements. Comply with relevant Australian standards for materials and construction practice. Comply with Basix Certificate. Atoma Design makes no warranties of fitness for any purpose.

DATE	REV	DESCRIPTION:
17/10/2025	01	DRAFT DA SUBMISSION
31/10/2025	02	REVISED DRAFT DA SUBMISSION
20/11/2025	03	DA SUBMISSION

ARCHITECT:
ATOMA DESIGN PTY LTD
Level 3 101-111 William St
Darlinghurst NSW 2010
ABN: 61 612 588 977

0411 797 669
belinda@atomadesign.com.au

NOMINATED ARCHITECT:
Belinda Pajkovic
NSW Registration #9786

CLIENT:
TPD Projects

PROJECT
THE EVELEIGH

PROJECT NO.
23007

ADDRESS
158 Abercrombie Street Redern
Sydney NSW 2009 Australia



DA SUBMISSION 20/11/2025

DRAWING
DA - 05
PROPOSED - FIRST FLOOR

SCALE
Scale 1:100 @A3

STATUS
DA

DRAWN BY **CHECKED**
TI BP

REVISION NO.
03

Attachment C

Acoustic Report



DA Acoustic Assessment

The Eveleigh Hotel

158-160 Abercrombie Street, Redfern NSW 2016

TPD Projects Pty Ltd

75 Myrtle Street
CHIPPENDALE NSW 2008

Reference: 26017.1.1.R1R1

Issue Date: 13 March 2026



1800 867 000



Unit 45, 45 Green Street
BANKSMEADOW NSW 2019
ABN: 52 168 418 013



vms.com.au



info@vms.com.au

Quality Management

Status	Date	Prepared	Checked	Authorised	Comments
Revision 0	5 March 2026	Feras Ahmed	Sam Demasi	Sam Demasi	For Review
Revision 1	13 March 2026	Feras Ahmed	Sam Demasi	Sam Demasi	Additional Site Investigations

This Report by VMS Australia Pty Ltd is prepared for TPD Projects Pty Ltd and is based on the objective, scope, conditions and limitations as agreed. The Report presents only the information that VMS Australia Pty Ltd believes, in its professional opinion, is relevant and necessary to describe the issues involved. The Report should not be used for anything other than the intended purpose. All surveys, forecasts, projections, and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to VMS Australia Pty Ltd at the date of this report, and upon which VMS Australia Pty Ltd relied.

This report in its finalised version has been prepared and authorised by suitably qualified and experienced personnel from VMS Australia Pty Ltd, who are members of the Australian Acoustical Society (AAS). Draft versions of this report may not be subject to this qualification.

VMS Australia Pty Ltd does not accept any liability or responsibility to any party with respect to the information and opinions contained in this report.

© VMS Australia Pty Ltd ABN 52 168 418 013 All Rights Reserved. No material or information shall be reproduced or assigned to a third party without prior written consent.

Table of Contents

1	Introduction	4
2	Site Locality	5
3	Existing Noise Environment	6
3.1	Monitoring Instrumentation	6
3.2	Unattended Monitoring Methodology and Results	6
4	City of Sydney Environmental Noise Technical Requirements 2025	8
4.1	Acoustic Provisions	8
4.2	Summary of Criteria	9
5	Assessment	10
5.1	Attended Noise Measurements	10
5.2	Compliance Assessment	12
5.3	Discussion and Recommendations	14
6	Conclusion	15

Tables

Table 1	Receiver Details	5
Table 2	Monitoring Instrumentation	6
Table 3	Existing Noise Environment	7
Table 4	Summary of Criteria	9
Table 5	Attended Noise Measurement Locations	10
Table 6	Measured Internal Average Spatial Noise Levels	11
Table 7	Exceedance of Criteria - Audio Type 1	12
Table 8	Exceedance of Criteria - Audio Type 2	13
Table 9	Exceedance of Criteria - Audio Type 3	13

Figures

Figure 1	Site Locality and Nearby Worst Noise-Affected Receivers	5
Figure 2	Unattended Noise Monitoring Locations	7
Figure 3	Attended Noise Measurement Locations	11

Appendices

Appendix A	Acoustic Terminology
Appendix B	Site Plan

1 Introduction

The Eveleigh Hotel (Hotel) (Project Site), located on 158-160 Abercrombie Street, Redfern, submitted a Development Application (DA) to City of Sydney (CoS) in November 2025 to extend the hours for the already approved and operating multi-function space on the first floor of the Hotel from 10.00 pm to 12.00 am. The application also seeks to increase the entire venue capacity from 110 to 200 people and change the use of the managers residence on the first floor to a listening/lounge room, which will fall under the same Class 6 classification as the remainder of the Hotel.

Following the submission, CoS requested additional information as follows:

“An acoustic report, prepared by a suitably qualified, is to be prepared to demonstrate compliance with the City of Sydney Environmental Noise Technical Requirements 2025. The report is to identify mitigation measures (as required) to protect nearby neighbours and other sensitive receivers.”

This report therefore provides an acoustic compliance assessment based on the following aspects:

- Extension of operating hours from 10.00 pm to 12.00 midnight
- Increase of maximum patron capacity across the entire Hotel from 110 to 200
- Change of classification to Class 6 and utilisation of the first floor

The following documents/information have been considered:

- City of Sydney (CoS) - Additional information/amended plans are requested, dated 27 January 2026, Development Application (DA) reference number: D/2025/1210
- City of Sydney (CoS) - Environmental Noise Technical Requirements (ENTR), dated October 2025, ref: TRIM 2025/451273-04
- Atoma Design Pty Ltd - Architectural Plans, dated 20 November 2025, revision 03 for DA submission, project number: 23007
- The Eveleigh Hotel (Hotel) - Plan of Management (PoM), 158-160 Abercrombie Street, Redfern NSW 2016, dated 25 November 2025
- Association of Australasian Acoustical Consultants (AAAC) - Licensed Premises and Patron Noise Assessment, Technical Guideline, Version 3.0, dated April 2023

2 Site Locality

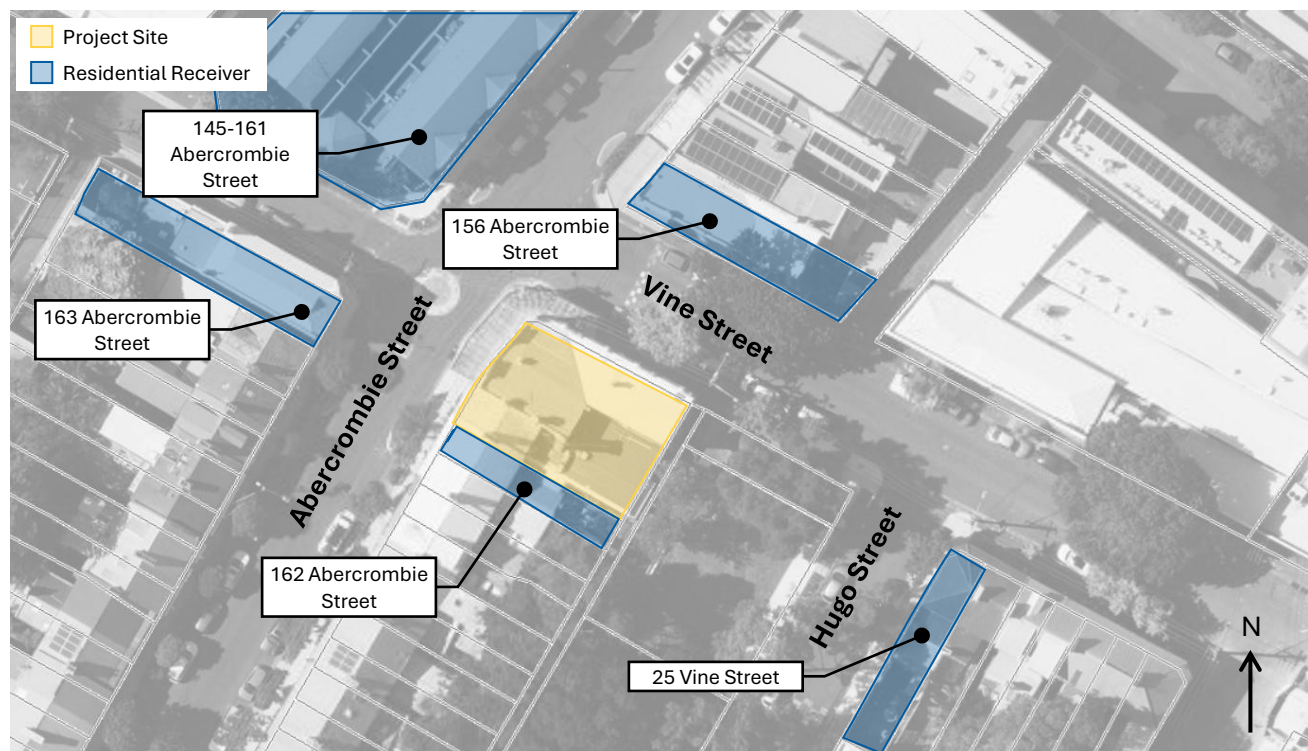
The Eveleigh Hotel is located on Abercrombie Street in Redfern within a dense inner-city urban environment. The surrounding land use is predominantly residential with some commercial and retail venues along Abercrombie and Vine Street. Road traffic along Abercrombie Street and surrounding roads mainly contributes to a consistent urban background noise environment, with additional sources such as rail operations, pedestrian activity and nearby venues influencing the background noise as well.

The site locality and residential receivers considered to be potentially worst noise affected by the operations of the Hotel are presented in **Figure 1**, and detailed in **Table 1**. A site plan is shown in **Appendix B**.

Table 1 Receiver Details

Address	Location	Description
162 Abercrombie Street	Adjoining the Project Site's south-western boundary	Double storey residential house, sharing a partition wall with the Project Site
163 Abercrombie Street	West of the Project Site, across Abercrombie Street	Three storey residential units
145-161 Abercrombie Street	North-West of the Project Site, across Abercrombie Street	Three storey residential units
156 Abercrombie Street	North-East of the Project Site, across Vine Street	Residential units on the upper storey of the ground floor commercial premise
25 Vine Street	East of the Project Site, across Hugo Street	Double storey residential house

Figure 1 Site Locality and Nearby Worst Noise-Affected Receivers



Source: Six Maps (as marked-up by VMS)

3 Existing Noise Environment

3.1 Monitoring Instrumentation

Noise monitoring was undertaken in accordance with the procedures documented in *Approved methods for the measurement and analysis of environmental noise in NSW*, prepared by NSW Environment Protection Authority (EPA), dated January 2022 (EPA's Approved Methods).

Noise monitoring was recorded over 15-minute sample intervals.

The instrumentation used during the monitoring complied with the requirements of the EPA's Approved Methods and is presented in **Table 2**.

Table 2 Monitoring Instrumentation

Instrumentation	Manufacturer	Model	Serial Number
Acoustic Analyser	NTi	XL3	A3A-01243-F0
Acoustic Analyser	NTi	XL3	A3A-01295-F0
Acoustic Calibrator	Svante	SV30A	10959

Both the sound level meter and acoustic calibrator are Class 1, as required by the EPA's Approved Methods and both hold current NATA or manufacturer calibration certificates (can be issued, if required).

A calibration check was undertaken using the acoustic calibrator, which emitted a 94 dB calibration tone at 1 kHz. The calibration check was conducted prior to and after the survey period, with no deviation beyond the acceptable range of ± 1 dB.

3.2 Unattended Monitoring Methodology and Results

Unattended noise monitoring was undertaken from 11 February to 17 February 2026 to establish the existing relevant background noise levels. Noise monitors were deployed in the locations presented in **Figure 2**. Location 1 is on the rear rooftop of the Hotel and is considered to be representative of the general external background noise. Location 2 is internally within the Hotel's management office at 16-30 Vine Street, Redfern, and is considered representative of the internal background noise levels for receivers in the vicinity. It is to be noted that for location 2, all external windows and doors remained closed during the monitoring period, and air conditioning was switched.

Table 3 provides the results of unattended noise monitoring.

Table 3 Existing Noise Environment

Date	Time Period	Monitoring Location	L _{A90(15-minute)} dBA ¹									Overall dBA
			31.5	63	125	250	500	1000	2000	4000	8000	
			Hz	Hz	Hz	Hz	Hz	Hz	Hz	Hz	Hz	
11 February 2026 to 17 February 2026	10.00 pm to 12.00 am	Location 1 - Externally on the Hotel's rear rooftop	8	17	31	36	36	35	31	27	19	42
		Location 2 - Internally within 16-30 Vine Street ²	0	11	17	22	26	25	22	16	10	31

Note 1: This is the 90th percentile of all L_{A90(15minute)} measurements undertaken daily between 10.00 pm to 12.00 am.

Note 2: Windows and doors were closed during the monitoring time period, as well as air conditioning/mechanical ventilation.

Figure 2 Unattended Noise Monitoring Locations

4 City of Sydney Environmental Noise Technical Requirements 2025

4.1 Acoustic Provisions

(3) NOISE FROM ENTERTAINMENT ACTIVITIES

- (a) Between 7:00am and 12:00 midnight, the LAeq, 15-minute noise level generated by the use must not exceed the background noise level (LA90, 15-minute) in any octave band (from 31.5 Hz to 8 kHz) by more than 5 dB, when measured at the boundary of any form of residential accommodation or tourist and visitor accommodation.
- (b) Between 12:00 midnight and 7:00am, the LAeq, 15-minute noise level from the use must not exceed the LA90, 15-minute background level in any octave band (31.5 Hz to 8 kHz) at the boundary of any residential or tourist and visitor accommodation.
- (c) Despite clause (a), between 7:00am and 12:00 midnight, the LAeq, 15-minute noise level from the use must not exceed the greater of the following inside any habitable room of residential or tourist accommodation, or at any time within an affected commercial premises:
 - (i) The existing internal LA90, 15-minute level (from external sources, excluding the entertainment use) in any octave band (31.5 Hz to 8 kHz); or
 - (ii) If the LZ90, 15-minute level in any octave band is below the hearing threshold curve (Tf) from Table 1 of ISO 226:2003, the lowest audible level (Lp) from the Tf curve in that band becomes the criterion for that octave's LZeq, 15-minute noise level.
- (d) Despite clause (b), between 12:00 midnight and 7:00am, the LA1, 15-minute noise level from the use either measured or modelled inside any habitable room of affected residential or tourist accommodation must not exceed the greater of the following:
 - (i) The existing internal LA90, 15-minute level (from external sources, excluding the use), minus 10 dB in any octave band (31.5 Hz to 8 kHz); or
 - (ii) If the adjusted LZ90, 15-minute minus 10 dB level is below the hearing threshold curve (Tf) from ISO 226:2003, then the lowest audible sound level (Lp) from the Tf curve in that band becomes the criterion for that octave's LZ1, 15-minute noise level.
- (e) For the purposes of this requirement and relevant conditions, "Entertainment Activities" are defined under Section 202A of the Local Government Act (NSW).

Notes:

- LAeq, LA1, LA90: Defined as per AS1055-2018, with 'A' weighting applied.
- Z-weighting: Indicates unweighted noise measurements.
- Internal LA90: Must be measured in the absence of any noise from the entertainment use, and must reflect a quiet, representative baseline for the receiver.
- External LA90: Must be determined using the long-term methodology in Fact Sheet B of the NSW Noise Policy for Industry (NPfI), unless otherwise agreed with the City's Area Planning Manager.

4.2 Summary of Criteria

In accordance with **Section 4.1**, the provision related to noise from entertainment activities (clause 3) is summarised in **Table 4** and forms the basis of this assessment within the proposed extension time period. It considers the existing noise environment detailed in **Section 3**.

Table 4 Summary of Criteria

Time Period	Location ¹	Criteria	L _{Aeq} (15-minute) dBA								
			31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
10.00 pm to 12.00 midnight	Boundary	L _{A90} (15minute) ² + 5 dB	13	22	36	41	41	40	36	32	24
	Internal	L _{A90} (15minute) ² + 0 dB	27 ³	17 ³	17	22	26	25	22	16	15 ³

Note 1: Residential or tourist and visitor accommodation only.

Note 2: Refer to **Table 3**.

Note 3: L_{Z90}(15-minute) level is below the hearing threshold curve (Tf) from Table 1 of ISO 226:2003, therefore, the lowest audible level (Lp) from the Tf curve in this band becomes the criterion.

5 Assessment

5.1 Attended Noise Measurements

VMS attended the Project Site on Wednesday 18 February 2026 between 9.00 am and 12.00 midday, which is out of the Hotel's trading hours, and undertook controlled attended noise emission measurements. The measurement methodology included the following:

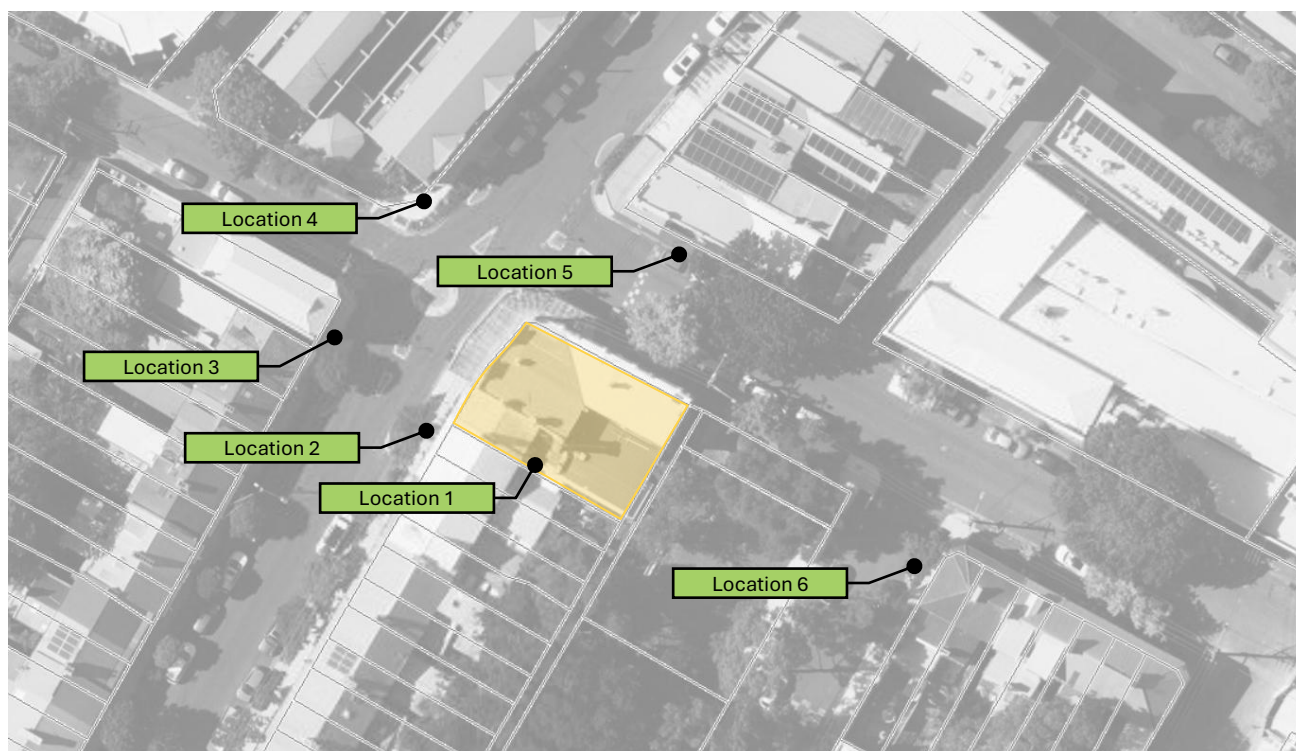
- Simultaneous short-term attended noise measurements internally (within the Hotel) and externally (at nearby receiver boundaries), instrumentation used is detailed in **Section 3.1**.
- Three (3) different sources of amplified audio playback, namely:
 - Significantly loud bass-heavy audio
 - Moderately loud bass-heavy audio
 - Acoustic style audio
- Audio playback was simultaneous at the ground floor and first floor of the Hotel, at the same input level (although due to difference in speaker types and their frequency response, different spaces in the Hotel had different output playback volume).
- All windows and doors of the hotel were closed shut (consistent with the Hotel's PoM after 10.00 pm).

External attended noise measurement locations are presented in **Figure 3**, and detailed in **Table 5**.

All internal attended noise measurements within the Hotel comprised of the average spatial $L_{Aeq(15\text{minute})}$ noise levels within each nominated space, the results of which are presented in **Table 6**. It is to be noted that internal noise measurements within receiver spaces was not undertaken during the time of testing due to access limitations.

Table 5 Attended Noise Measurement Locations

Location ID	Representative Address	Description
1	162 Abercrombie Street	Location representative of upper-level window facing the rear site rooftop area
2	162 Abercrombie Street	Approximately 1 m from the facade fronting Abercrombie Street
3	163 Abercrombie Street	Approximately 1 m from the facade fronting Abercrombie Street
4	145-161 Abercrombie Street	Approximately 1 m from the facade fronting Abercrombie Street
5	156 Abercrombie Street	Approximately 1 m from the facade fronting Vine Street
6	25 Vine Street	Approximately 1 m from the facade fronting Hugo Street

Figure 3 Attended Noise Measurement Locations**Table 6 Measured Internal Average Spatial Noise Levels**

Audio Type	Description	Space	L _{Aeq(15minute)} dBA									Overall dBA
			31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz	
1	Significantly Loud Bass-Heavy Audio	Ground Floor	51	68	77	78	77	75	76	74	67	84
		First Floor	78	94	91	92	91	93	91	87	82	100
2	Moderately Loud Bass-Heavy Audio	Ground Floor	44	59	71	74	70	66	68	66	61	78
		First Floor	74	86	84	83	83	86	84	79	74	93
3	Acoustic Style Audio	Ground Floor	34	55	72	76	74	68	68	62	54	80
		First Floor	63	81	82	87	86	85	82	74	66	92

5.2 Compliance Assessment

Based on the three (3) audio types and internal noise levels provided in **Section 5.1**, the following exceedances of the criteria nominated in **Table 4** were measured at locations 1-6 and shown in **Table 7** to **Table 9**.

It is to be noted that although only external boundary attended noise measurements were undertaken, internal noise levels were predicted based on the difference between the externally and internally monitored $L_{A90(15\text{minute})}$ shown in **Table 3**.

Patron speech noise was considered in the assessment, including the following factors:

- 200 patron capacity
- 1 out of 2 persons talking at any given time
- Distributed across the ground floor and first floor
- Vocal effort ranging from raised to loud at 66-77 dBA at 1 m (with reference to the spectra provided within the *AAAC Technical Guideline Table B2*)

Table 7 Exceedance of Criteria - Audio Type 1

Location	Receiver	Time Period	Location	Exceedance of Criteria $L_{Aeq(15\text{minute})}$ dB								
				31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
1	162 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	24	31	10	0	0	0	0	0	0
			Internal	0	30	15	1	1	3	1	1	0
2	162 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	19	25	20	11	0	0	0	1	5
			Internal	0	24	25	16	5	5	2	6	4
3	163 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	19	24	7	0	0	0	4	1	3
			Internal	0	23	12	3	5	5	9	6	3
4	145-161 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	20	29	10	0	0	0	3	2	0
			Internal	0	28	15	5	5	0	8	7	0
5	156 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	22	19	2	0	0	0	0	0	0
			Internal	0	18	7	0	0	0	2	0	0
6	25 Vine Street	10.00 pm to 12.00 midnight	Boundary	24	23	7	0	0	0	0	0	0
			Internal	0	22	12	3	5	0	0	1	0

Note: Shaded cell indicates exceedance of criteria.

Table 8 Exceedance of Criteria - Audio Type 2

Location	Receiver	Time Period	Location	Exceedance of Criteria $L_{Aeq(15\text{minute})}$ dB								
				31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
2	162 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	17	17	3	1	0	1	2	1	0
			Internal	0	16	8	6	3	6	7	6	0
3	163 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	6	6	0	0	0	0	0	5	3
			Internal	0	5	5	3	0	0	0	10	3
6	25 Vine Street	10.00 pm to 12.00 midnight	Boundary	17	13	0	0	0	0	0	0	0
			Internal	0	12	0	0	0	3	0	4	0

Note: Shaded cell indicates exceedance of criteria.

Table 9 Exceedance of Criteria - Audio Type 3

Location	Receiver	Time Period	Location	Exceedance of Criteria $L_{Aeq(15minute)}$ dB								
				31.5 Hz	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
4	145-161 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	3	7	0	0	0	0	0	0	0
			Internal	0	6	4	0	0	0	3	1	0
5	156 Abercrombie Street	10.00 pm to 12.00 midnight	Boundary	3	0	0	0	0	0	0	0	0
			Internal	0	0	0	0	1	2	4	3	0
6	25 Vine Street	10.00 pm to 12.00 midnight	Boundary	4	5	0	0	0	0	0	0	0
			Internal	0	4	0	0	0	0	1	4	0

Note: Shaded cell indicates exceedance of criteria.

5.3 Discussion and Recommendations

Considering the results shown in **Table 7** to **Table 9**, the following can be concluded:

- Noise emissions from the Hotel to nearby adjacent receivers are dominated by amplified audio, especially in the lower frequencies (125Hz and below). This was observed by VMS while on-site, based on the three audio types tested (refer to **Section 5.2**).
- Lower frequencies noise levels typically require more attention and detail to mitigate through trials and testing. This depends on various factors such as (but not limited to) structural connectivity, internal absorption, building envelope transmission loss, speaker location and directivity. Nevertheless, there are ample solutions that could be implemented to mitigate these noise emissions following a detailed noise mitigation assessment by a suitably qualified acoustic consultant prior to OC. These measures could include a combination of:
 - Isolation of speakers from the floor and/or wall.
 - Upgrade to the building envelope, especially the weakest noise transmission paths such as the windows/glazing which may require additional secondary windows or acoustic shutters.
 - Controlling speaker internal noise levels to further facilitate achieving compliance.
- Additionally, although the contribution from patron noise is minimal, the following is recommended between 10.00 pm and 12.00 midnight:
 - All patrons to remain indoors, with no allowance for outdoor seating/activities.
 - All external doors and windows are to be closed shut.
 - Patrons are to be advised not to gather outside the Hotel, and to enter and exit the Hotel with minimal noise disruptions.
 - The access door via Vine Street shall incorporate acoustic seals (perimeter and drop seals).

6 Conclusion

The Eveleigh Hotel (158-160 Abercrombie Street, Redfern) submitted a Development Application with the City of Sydney and received a request for additional information based on the provisions of the City of Sydney Environmental Noise Technical Requirements (ENTR) 2025. This report therefore provides an acoustic compliance assessment of the following aspects:

- Extension of operating hours from 10.00 pm to 12.00 midnight
- Increase of maximum patron capacity across the entire Hotel from 110 to 200
- Change of classification and utilisation of the first floor

As part of the assessment, controlled attended noise measurements were undertaken and exceedances dominated in the lower frequencies were observed and identified, controlled by amplified audio within the Hotel.

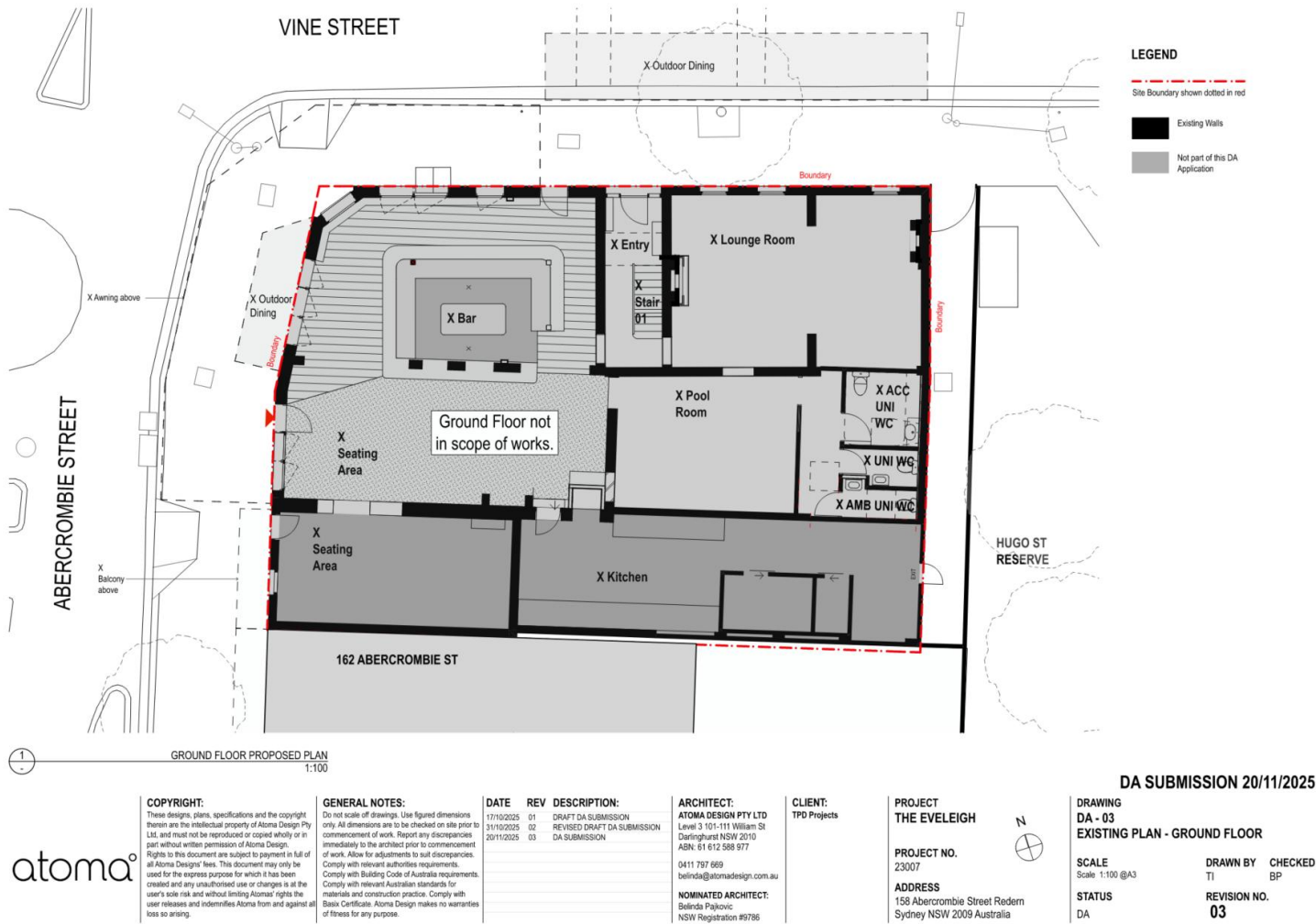
Based on the above, compliance can be achieved following a detailed noise mitigation assessment to be undertaken prior to OC, with consideration to the recommendations provided in **Section 5.3**.

Acoustic Terminology

Glossary of Noise and Vibration Terminology

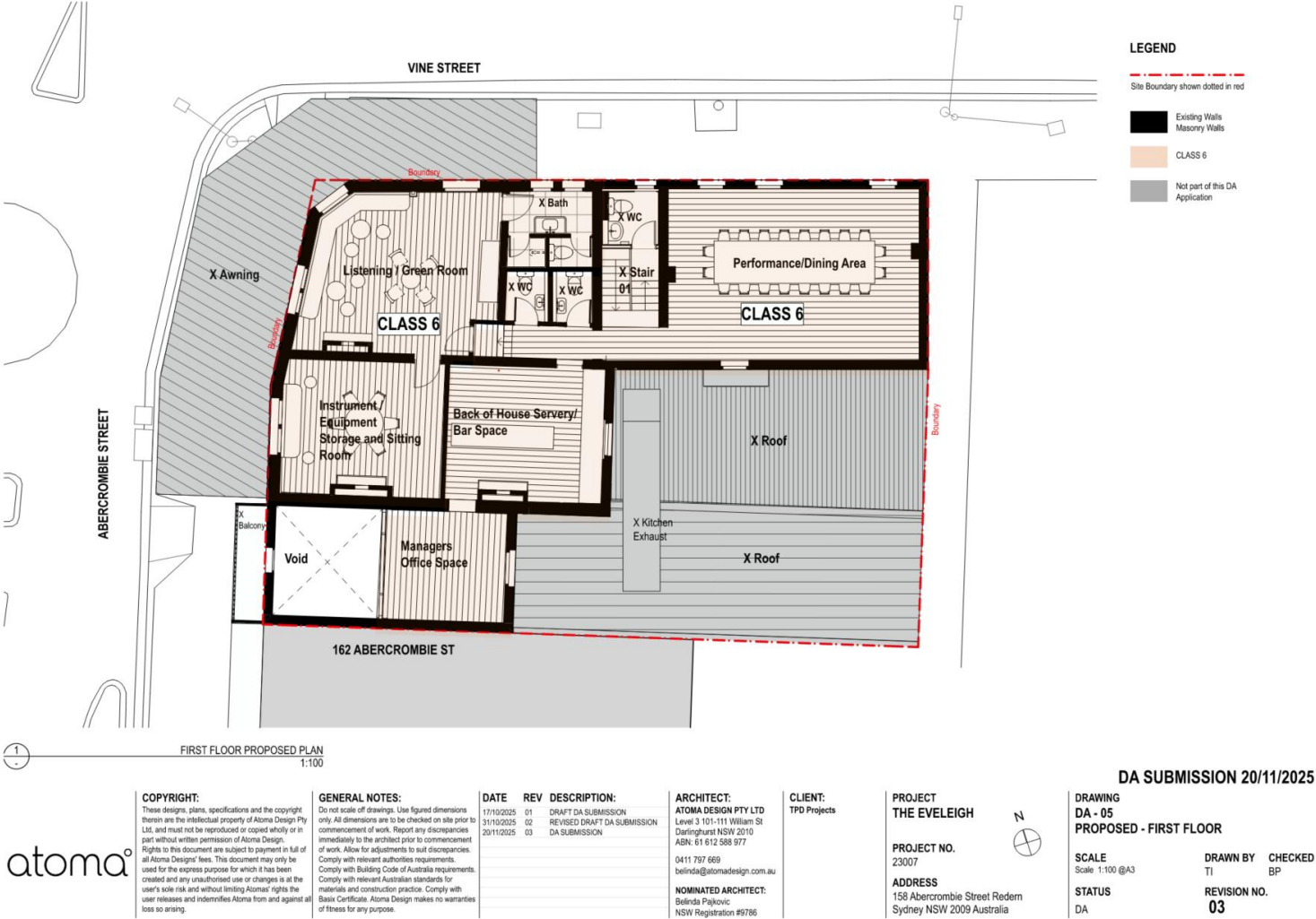
Sound Pressure	Sound, or sound pressure, is a fluctuation in air pressure over the static ambient pressure.
Sound Power	Sound power is the rate at which sound energy is emitted, reflected, transmitted, or received, per unit time. Unlike sound pressure, sound power is neither room-dependent nor distance-dependent.
Sound Pressure Level (SPL)	The sound level is the sound pressure relative to a standard reference pressure of 20µPa (20x10 ⁻⁶ Pascals) on a decibel scale.
Sound Power Level (SWL)	The Sound Power Level is the sound power relative to a standard reference pressure of 1pW (20x10 ⁻¹² Watts) on a decibel scale. The SWL of a simple point source may be used to calculate the SPL at a given distance (r) using the following formula: $SPL = SWL - 10 \log_{10}(4 \times \pi \times r^2)$. Note that the above formula is only valid for sound propagation in the free-field (see below).
Decibel (dB)	A scale for comparing the ratios of two quantities, including sound pressure and sound power. The difference in level between two sounds s1 and s2 is given by $20 \log_{10}(s1 / s2)$. The decibel can also be used to measure absolute quantities by specifying a reference value that fixes one point on the scale. For sound pressure, the reference value is 20µPa.
A-weighting (dBA)	The unit of sound level, weighted according to the A-scale, which takes into account the increased sensitivity of the human ear at some frequencies.
Noise Level Indices	Noise levels usually fluctuate over time, so it is often necessary to consider an average or statistical noise level. This can be done in several ways, so a number of different noise indices have been defined, according to how the averaging or statistics are carried out.
L _{eq,T}	A noise level index called the equivalent continuous noise level over the time period T. This is the level of a notional steady sound that would contain the same amount of sound energy as the actual, possibly fluctuating, sound that was recorded.
L _{max,T}	A noise level index defined as the maximum noise level during the period T. L _{max} is sometimes used for the assessment of occasional loud noises, which may have little effect on the overall L _{eq} noise level but will still affect the noise environment. Unless described otherwise, it is measured using the 'fast' sound level meter response.
L _{90,T}	A noise level index. The noise level exceeded for 90% of the time over the period T. L ₉₀ can be considered to be the "average minimum" noise level and is often used to describe the background noise.
L _{10,T}	A noise level index. The noise level exceeded for 10% of the time over the period T. L ₁₀ can be considered to be the "average maximum" noise level. Generally used to describe road traffic noise.
Free-Field	Far from the presence of sound reflecting objects (except the ground), usually taken to mean at least 3.5m.
Fast/Slow Time Weighting	Averaging times used in sound level meters.
Octave Band	A range of frequencies whose upper limit is twice the frequency of the lower limit.
D _{nT,w}	The single number quantity that characterises airborne sound insulation between rooms over a range of frequencies.
R _w	Single number quantity that characterises the airborne sound insulating properties of a material or building element over a range of frequencies.
Reverberation	The persistence of sound in a space after a sound source has been stopped.
Peak Particle Velocity (PPV)	The particles of a medium are displaced from their random motion in the presence of a vibration wave. The greatest instantaneous velocity of a particle during this displacement is called the Peak Particle Velocity (PPV) and is typically measured in the units of mm/s.
Hertz (Hz)	The unit of Frequency (or Pitch) of a sound or vibration. One hertz equals one cycle per second. 1 kHz = 1000 Hz, 2 kHz = 2000 Hz, etc.
Acceleration	Acceleration is defined as the rate of change of Velocity of a particle over a period of time and is typically measured in the units of m/sec ² .
Vibration Dose Value (VDV)	When assessing intermittent vibration, it is necessary to use the vibration dose value (VDV), a cumulative measurement of the vibration level received over an 8-hour or 16-hour period. The VDV formulae uses the RMS Acceleration raised to the fourth power and is known as the Root-mean-quad method. This technique ensures the VDV is more sensitive to the peaks in the acceleration levels. VDV's are typically measured in the units of m/s ^{1.75} .

Site Plan



158-160 Abercrombie Street, Redfern NSW 2016
The Eveleigh Hotel
26017.1.1.R1R1 DA Acoustic Assessment 20260313

Site Plan



158-160 Abercrombie Street, Redfern NSW 2016
The Eveleigh Hotel
26017.1.1.R1R1 DA Acoustic Assessment 20260313

Attachment D

Plan of Management



THE EVELEIGH HOTEL

PLAN OF MANAGEMENT

158-160 Abercrombie Street, Redfern NSW 2016

November 25, 2025

CONTENTS

A.	SITE AND LOCALITY DETAILS	1
1.	Introduction & Purpose	1
2.	Location	1
3.	Venue Particulars	1
B.	OPERATIONAL DETAILS	2
1.	Structure, Staffing and Operating Environment	2
2.	Mode & Style of Operation	3
3.	Trading Hours – Consumption on premises	3
4.	Entertainment	4
5.	Security	4
6.	Proof of Age Identification	5
7.	Capacity of Persons	6
8.	Sanitary Facilities	6
C.	MANAGEMENT MEASURES AND STRATEGIES	6
1.	General	6
2.	Alcohol Management	7
3.	Minimisation	7
4.	Licensing	8
5.	Noise Management & Control	8
6.	Patron Management	8
7.	Signage	9
8.	Complaint Management	9
9.	Minors	10
10.	Waste Management, Cleaning & Maintenance	11
11.	Commitment to Compliance	11
	ATTACHMENT No.01 - HOUSE POLICY	12
	ATTACHMENT No.02 - LICENSED AREAS (LIQUOR LICENCE)	13
	ATTACHMENT No.03 - FLOOR PLANS	14

A. SITE AND LOCALITY DETAILS

1. Introduction & Purpose

This Plan of Management (POM) outlines the operational framework, management strategies, and compliance measures for The Eveleigh Hotel ('the Hotel') in support of a Development Application (DA) to extend trading hours for the newly renovated first-floor dining & live music area and change of use of the first floor level managers residence (Class 4) to Class 6.

This PoM demonstrates the venue's commitment to responsible service of alcohol, noise control, patron safety, and neighborhood amenity.

2. Location

The hotel is located at 158-160 Abercrombie Street, Redfern NSW 2016 sometimes referred to as Chippendale as the Hotel is located along the common boundary between the two suburbs at the corner of Vine Street.

The area surrounding the hotel is generally residential with several commercial and retail premises within its proximity.



The site is located within the urban fringes of the City of Sydney and routes for passing taxis and public transport facilities along Cleveland Street.

3. Venue Particulars

The hotel is a traditional single bar venue, accessible from both Abercrombie and Vine Streets.

The hotel building comprises a ground floor and first-floor level, with a small sub-floor basement containing a cool room and cellar.

The **ground floor** houses the main bar, kitchen and serving zones, along with dining & general seating areas and sanitary facilities.

The **first floor** contains 'flexible' spaces including multi-use live music rooms, sitting and dining areas as well as a wet-bar server, back of house storage, manager's office and additional sanitary facilities. The first floor can be hired for 'private' events with the wet-bar and amenities independent to the Ground Floor.

Take away sales of liquor can take place over the counter however; there is to be no separate bottle shop.

No gaming in the form of poker machines, TAB or Keno, will be offered at the Hotel.

Use of the public footway on Abercrombie Street includes outdoor seating while a 'Temporary Outdoor Alfresco' area on Vine Street has been approved along with the current Liquor Licensing.

The primary use of the premises is the retail sale of liquor for consumption on the premises. Ancillary uses include food service and entertainment (live music).

B. OPERATIONAL DETAILS

1. Structure, Staffing and Operating Environment

The proprietor of the business and Licensee is Mr Todd Buncombe. The Hotel is managed as "owner operator".

Staffing of the hotel includes the following:

- Licensee
- Manager
- Duty Manager/s
- Bar Attendants
- Kitchen Staff

The Licensee is responsible for ensuring compliance with regulatory controls, administration, operations and staff matters. At any time, the Licensee is absent from the premises, a suitably qualified and experienced Manager is required to be present to perform the functions of the Licensee.

At least one Manager or Duty Manager is to be onsite at all times the Hotel trades.

Managers are responsible for the general operation of the Hotel and will report to the Licensee. Some of the specific responsibilities of managers are as follows:

- Staff supervision, direction and instruction;
- Customer service including service of food and beverage;

- Ensure that a copy of the Hotel licence and conditions are correctly displayed;
- Retain a personal copy of each the Hotel licence, Plan of Management and complaints procedures;
- Complete a legal checklist and Hotel floor checklist at the commencement of each shift to ensure that regulatory compliance is achieved, including mandatory signage displays;
- Monitor intoxication and responsible service of alcohol;
- Handle complaints from customers and any other person in accordance with the procedures of the Hotel;
- Reinforce Hotel policies to staff members in relation to procedures such as responsible service of alcohol, checking of identification and evacuation; and
- Evaluate performance of staff on a weekly basis.
- Ensuring that staff maintain cleanliness in the bar and the floor including the clearing of empty glasses, the mopping of any spills etc;
- Handling of money, including reconciling tills, and changing money.

Bar Attendants are engaged in numbers necessary to meet changing customer demand. At least one Bar Attendant is to be engaged while the hotel is open for trade. The primary role of Bar Attendants is customer service, this includes the responsibility to ensure that alcohol is served responsibly and intoxication is prevented.

At all times the License is active and operational, the Licensee shall be a member of the Liquor Accord, and the Licensee or Managers shall frequently attend Accord meetings and actively participate in the business of the Accord.

2. Mode & Style of Operation

The Hotel has historically traded as a traditional Hotel venue with a focus on liquor by retail sales for consumption on the premises. The Hotel now trades with a focus on meals, beverages and live music.

The Hotel is characterised as a local hotel, rather than a destination hotel. It caters to residents from the local area and its immediate surrounds. The focus on meals and beverages is to appeal to the increasingly gentrified demographic in particular, leisure and dining options for families.

Sales of packaged liquor can be made over the bar, with no separate bottle shop located in the Hotel. The packaged liquor sales are intended for patron convenience only and it is not intended that the premises will conduct high volumes of these sales.

3. Trading Hours – Consumption on premises

The Hotel **Ground Floor** trades within the following hours:

Monday	10:00am to 12:00 midnight
Tuesday	10:00am to 12:00 midnight
Wednesday	10:00am to 12:00 midnight

Thursday	10:00am to 12:00 midnight
Friday	10:00am to 12:00 midnight
Saturday	10:00am to 12:00 midnight
Sunday	10:00am to 12:00 midnight

The Hotel **First Floor** ‘proposed trading hours’ are as follows:

Monday	10:00am to 12:00 midnight
Tuesday	10:00am to 12:00 midnight
Wednesday	10:00am to 12:00 midnight
Thursday	10:00am to 12:00 midnight
Friday	10:00am to 12:00 midnight
Saturday	10:00am to 12:00 midnight
Sunday	10:00am to 12:00 midnight

The Hotel **Outdoor Licensed Area** including the **Temporary Outdoor (Alfresco) Area** extending along Abercrombie and Vine Streets, trade within the following hours:

Monday	10:00am to 8:00pm
Tuesday	10:00am to 8:00pm
Wednesday	10:00am to 8:00pm
Thursday	10:00am to 8:00pm
Friday	10:00am to 8:00pm
Saturday	10:00am to 8:00pm
Sunday	10:00am to 8:00pm

Under the City of Sydney Footway Usage Approval – FA/2025/105 temporary approval has been granted only to 30.06.2026.

The kitchen will generally operate daily between 12.00pm to 3.00pm for lunch and 5.00pm to 9.00pm for dinner. Food in the form of light meals and snacks shall be available for patrons at all times liquor is available for consumption at the Hotel.

4. Entertainment

The nature of entertainment provided at the Hotel includes live music performances, art exhibitions, trivia and the broadcast of major local and international sporting events reflective of the increasingly gentrified (local) demographic including families.

5. Security

Given the operational nature of the premises, employment of full-time security is not warranted.

Management may from time-to-time, engage security officers on busier evenings such as Fridays and Saturdays, or on days when larger events are programmed to assist with patron management and in particular vacating of the premises at the end of trading hours.

During all periods, staff members shall systematically patrol and monitor the premises and report back to the Hotel / Duty Manager.

All Bar Attendants and Managers engaged at the Hotel have completed an approved 'Responsible Service of Alcohol (RSA)' course and hold a valid competency card. This competency also includes training in the essential requirements of licensed premises; intoxication rules and policies; acceptable identification. Training will be ongoing and reviewed regularly by the Licensee & Hotel Manager.

The Hotel incorporates a strategically positioned closed circuit television (CCTV) system with 10 cameras to monitor patrons for security and safety purposes which best meet the expectations of management of the Eveleigh Hotel. Footage recorded is automatically deleted from the system after 28 days and in the unlikely event of an incident provided to NSW Police after any such request.

6. Proof of Age Identification

Staff stationed at the bar are to undertake a stringent screening process of patrons. All patrons who appear under the age of 25 years are to be asked for identification. Bar attendants are only permitted to accept the following forms of identification:

- A driver's or rider's license or permit, issued by an Australian State or Territory or any foreign country;
- Australian passport or a foreign passport issued by another country;
- NSW photo card (issued by Roads and Maritime Services NSW);
- Proof of age card issued by a public authority of the Commonwealth or of another State or Territory for the purpose of attesting to a person's identity and age;

When checking identification Staff shall:

- examine all ID in a well-lit area where alterations will be spotted more easily;
- not inspect an ID through the window face in a person's wallet - staff will ask them to remove it;
- take the ID from the patron and take their time examining it;
- make sure the ID includes a hologram or other security feature;
- compare the photo with the patron presenting the ID to ensure that they match by paying particular attention to distinguishing facial features;
- feel around the photo, birth date and edges of the card, especially a card enclosed in plastic (laminate) and identify any wrinkles, bumps and air bubbles which could mean the ID has been altered;
- calculate that the date of birth of the ID does in fact confirm the person is at least 18.

Bar Attendants and Managers will monitor patrons to screen for any patron who appears to be intoxicated. Patrons who appear intoxicated will not be permitted the service of any further alcohol.

Bar attendants and Managers are to ensure compliance with all the conditions of the licence and regulations.

Bar Attendants and Managers will report any incidents requiring police attention immediately.

7. Capacity of Persons

The combined capacity of both the Ground and First floors shall not exceed 200 persons at any given time including 10x staff, patrons and performers.

The First Floor is to be limited to a maximum of 100 persons including staff.

8. Sanitary Facilities

The whole of Hotel facilities have been designed to cater for 200 persons.

A 'Performance Solution' was prepared to permit 'shared unisex toilets across the entire hotel in lieu of dedicated Male & Female facilities.

C. MANAGEMENT MEASURES AND STRATEGIES

1. General

Each staff member employed at the Hotel shall have completed an approved course of instruction in the Responsible Service of Alcohol.

A register must be kept on the premises containing copies of valid RSA competency cards. This register must be made available for inspection upon request by NSW Police or an authorised inspector.

The Hotel shall continually apply the house policies and practices on harm minimisation and responsible service of alcohol. A copy of the 'House Policy' is to be maintained in the register in which the valid competency cards of the Responsible Service of Alcohol course are filed.

The Hotel must ensure that notices outlining its policy and the legal requirements regarding intoxication are prominently displayed within the venue. Additionally, signage regarding the requirement to produce acceptable proof of age must be clearly displayed at all public entrances.

The Hotel has adopted and endorses the following guidelines as currently published on the website of the Office of Liquor and Gaming:

- Anti-Discrimination Guidelines for the Hotel and Accommodation Industry;
- Crime scene preservation guidelines;
- Liquor promotion guidelines;
- Intoxication guidelines - fact sheet;

- Prevention of Intoxication on licensed premises guidelines;
- Refusal of Entry and Patron Bans/Barring guidelines.
- Alcohol served by staff at The Eveleigh Hotel is to be by way of standard measures.

2. Alcohol Management

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). The Hotel shall not apply extreme discounts to liquor as part of a promotion, if any.

The Hotel must ensure that 'free' drinking water is readily available to patrons, along with a range of non-alcoholic beverages for sale or provided complimentary, wherever alcohol is available for sale and consumption.

Low alcohol beer and non-alcoholic beverages are to be available at all times when full strength liquor is available. The pricing structure of low alcohol beverages is to reflect the lower wholesale cost of those beverages.

The Hotel shall prevent patrons from becoming intoxicated 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 management and if deemed to be reasonably impaired in mental or bodily functions, because of alcohol consumption, shall not be permitted to remain on the premises.

In the event a person is showing signs of intoxication on the premises, the licensee or the licensee's employees will:

- refuse to serve the person any alcohol after becoming aware that the person is showing signs of intoxication;
- ask the person to leave the premises and if necessary, assist or escort the person in the arrangement of a safe transport option; and
- if necessary, contact, or attempt to contact, a police officer for assistance in removing the person from the premises.

A responsible service of alcohol booklet is provided to all staff members to complete at commencement of employment and shall also be included in the staff hand book.

3. Minimisation

Food service is provided at the Hotel as part of the harm minimisation strategy so-as-to ensure that the effects of alcohol may be mitigated. The Hotel shall ensure that menus are displayed throughout the premises and are to be available at the bar upon request.

4. Licensing

The Hotel must ensure full compliance with the conditions of its license and all applicable statutory requirements. The licensee is responsible for maintaining this compliance and must direct management to conduct regular audits to verify that statutory signage is correctly displayed and all regulatory obligations are being met in support of harm minimisation.

A compliance check is to be completed by the Manager and/or Duty Manager/s at the start of each shift to confirm that all required signage is in place and any other compliance matters are addressed.

The Licensee shall incorporate into regular staff meetings and notices topics on the responsible service of alcohol including signs of intoxication and preventing potential harm from alcohol use.

5. Noise Management & Control

The Hotel must ensure that noise generated from its operations does not exceed the background noise level by more than 5dB in any habitable room of a nearby residential property between 7:00am and 12:00am daily.

All openable windows and doors to Vine Street and/or Abercrombie Street are to be closed at 10pm daily.

6. Patron Management

It is acknowledged that while the Hotel has a degree of control over patron behaviour while on the premises, its influence is limited once patrons leave the venue.

Alcohol management practices will be upheld to reduce the likelihood of patron intoxication, thereby lowering the risk of inappropriate, anti-social, or noisy behavior after patrons depart the premises.

Level 1 allows for a flexible ancillary use and environment at times the ground floor area of the hotel becomes crowded. This allows for general relief of staff and to reduce stress and/or anxieties that may be generated during busier times. This area also allows for private bookings separate from normal operations on the ground floor minimizing any potential conflict. The portable undercounter bar fridges allow patrons to order drinks while on Level 1.

Closing procedures are designed to support a calm, staggered departure of patrons beginning 30 minutes before closing time. During this period, bar service will cease, all music will be turned off, and house lights will be brought to full brightness. Staff and management will remind patrons to leave the venue quietly and respectfully in consideration of nearby residents.

The Hotel will take all reasonable measures to ensure that both staff and patrons conduct themselves appropriately and respectfully when arriving at or departing from the premises, in order to minimise disruption to the local community. This includes, but is not limited to, the following actions:

- Displaying clear signage within the venue and at all entrances/exits advising patrons to depart quietly and respectfully.
- Maintaining a high-quality digital surveillance and CCTV system, both inside and outside the venue, to monitor and assist in addressing any anti-social behaviour occurring in or around the premises.

- Maintaining a strong working relationship with the local Police Area Command and implementing any reasonable strategies recommended by its officers.
- Strictly enforcing the hotel house policy for the Responsible Service of Alcohol, the hotel door policy and the provisions of the licensing legislation to ensure that patrons do not become intoxicated, and also refusing entry to the premises of those persons who appear to be intoxicated or under the influence of illicit substances.

The Hotel is committed to protecting the amenity of neighboring residents and will take all reasonable measures to minimise disturbances and anti-social behavior by patrons in the surrounding area.

7. Signage

The Hotel will display signage at all entry and exit points reminding patrons to leave the premises promptly and quietly, out of respect for neighboring residents.

All signage associated with the Hotel will align with the aesthetic of the surrounding area and comply with liquor licensing laws. External signage will only be installed with the necessary consents or approvals in accordance with the Environmental Planning and Assessment Act 1979 and the Local Government Act 1993.

8. Complaint Management

Any complaints received about the operation of the Hotel are to be dealt with in accordance with these provisions.

As part of the overall training of staff and security, instructions on how to deal with any complaints made by residents or businesses in the area are to be provided by the licensee and management.

Any complaint received by a staff member from a resident or business is to be referred to the licensee of the Hotel to deal with the complaint. In the absence of the licensee the complaint is to be referred to the Manager or Duty Manager. In any event, all complaints shall be recorded in the Complaints Register.

The Licensee shall be the designated person to handle all complaints. In the absence of the Licensee the Manager will handle all complaints and a report is to be made to the Licensee as a matter of urgency to ensure the matter has been handled expeditiously and properly. All matters are referred to the Licensee of the hotel for their attention and follow up.

The Licensee shall when available, take all telephone calls, correspondence and visits in person from residents or business operators.

If the Licensee is unable to take the call or visit, the resident or business should be informed and a time advised as to when the call will be returned or a return visit scheduled. If the call or visit cannot be returned within an acceptable time frame, then the Manager will assume responsibility.

The Licensee is to deal with the resident or business in a sympathetic and sensitive manner. The Licensee is to ascertain the nature of the complaint with the complaint is to be logged into the Complaints Register.

The complainant is to be provided with a copy of the Complaints Lodgment Form and encouraged to particularise the complaint in written form.

The Licensee is to inform the resident or business of how the complaint will be resolved and be proactive by asking the resident or business if the solution offered to the complaint is satisfactory. Any solution offered by the resident or business as to how the complaint should be resolved should be discussed.

Where a complaint cannot be resolved over the telephone, the resident or business operator shall be offered the opportunity of arranging a meeting with the Licensee or the Manager with a view to resolving the complaint.

The Complaint Register is to be completed noting the solution offered to the complainant and whether it was to the resident or business satisfaction.

The Complaint Register is to have the following headings:

- Date;
- Time;
- Resident or business name, if volunteered;
- Resident or business telephone number, if volunteered;
- Nature of complaint;
- Solution to complaint; and
- Resident or business satisfaction.
- The Complaint Register is to be kept in the office.

The Licensee is to note in the Complaint Register the incident to ensure a true and proper history is recorded for future reference.

It is noted that in some instances, a resident or business complaint may need only be logged for reference purposes only.

9. Minors

Minors (under the age of 18 years) are authorized within the 'whole of licensed premises' under appropriate adult supervision excluding the Kitchen, Cellar and Cool Rooms.

10. Waste Management, Cleaning & Maintenance

Storage for waste disposal is located at the rear of the building.

All paper and cardboard waste is to be broken down into flat packs and stored inside the waste disposal area at the rear of the building. All glass waste is to be stored in the waste disposal area for collection.

The premises is subject to daily cleaning by dedicated cleaning staff out of hours. Regular cleaning by bar staff during operating hours is to be conducted as part of regular duties being subject of checking by the Manager and/or Duty manager.

A licensed contractor is engaged to remove all waste and materials suitable for recycling from the premises.

11. Commitment to Compliance

The Eveleigh Hotel is committed to:

- Adhering to all license conditions and relevant legislation.
- Maintaining strong ties with community stakeholders and authorities.
- Operating in a manner that supports the amenity of the surrounding neighborhood.

The Hotel may at any time update, add or delete from the Management Plan where circumstances and practices change.



Licensee Signature

TODD BUNCOMBE

Licensee Name

Date: **25 November 2025**

ATTACHMENT No.01 - HOUSE POLICY

1. The Hotel and its' employees will not engage, encourage, or permit in any liquor promotion that is likely to promote irresponsible service or the rapid consumption of liquor.
2. The Hotel will not serve alcohol to any person who is showing signs of intoxication and will refuse entry or further service to any such individual.
3. The Hotel will promote the service of non-alcoholic beverages and low alcohol products and ensure that free drinking water is made available.
4. In the event the kitchen is not open, light meals will always remain available when the Hotel is operating.
5. The Hotel will not permit intoxication or any indecent, violent, or quarrelsome conduct on the premises. Any person found to be showing signs of intoxication or engaging in such behavior will be refused service and asked to leave. Where appropriate, the Hotel will assist in arranging a safe means of transport for the individual. If necessary, the Hotel will contact — or attempt to contact — NSW Police for assistance in safely removing the person from the premises.
6. The Hotel will make arrangements for a taxi to be called when requested by patrons.
7. No person under the age of 18 years will be served liquor at the hotel and photographic identification will be required to be produced for anyone that looks under the age of 25 years. The only proof of age identification that is acceptable at the hotel are:
 - A driver's or rider's licence or permit (issued by an Australian State or Territory or any foreign country);
 - Australian passport or a foreign passport issued by another country;
 - NSW photo card (issued by Roads and Maritime Services NSW);
 - Proof of age card issued by a public authority of the Commonwealth or of another State or Territory for the purpose of attesting to a person's identity and age;
 - Key pass (over-18) identity card issued by Australia Post.



ATTACHMENT No.02 - LICENSED AREAS (LIQUOR LICENCE)



ATTACHMENT No.03 - FLOOR PLANS

Attachment E

Submissions

From: Joshua Steele [REDACTED]
Sent on: Sunday, December 21, 2025 9:47:10 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Christina,

I am writing as a local resident in support of the development application relating to The Eveleigh Hotel.

*D/2025/1210
158–160 Abercrombie Street, Redfern NSW 2016*

I am the Chairperson of the Strata Committee for a residential building that is within direct line of sight of the pub. This makes me one of the venue's most immediate neighbours, and I feel well placed to comment on its role within the local community.

I genuinely love The Eveleigh Hotel. It is one of the most vibrant and welcoming places in the neighbourhood and plays an important role in fostering a strong sense of community. It is a place where locals gather, where people run into neighbours and friends, and where the area feels active and alive.

The outdoor seating in particular is highly coveted and deeply loved, both by me personally and by the wider community. It contributes enormously to the character of the street and to the social life of the area. Seeing people enjoying the space adds to the sense that this is a lived-in, connected neighbourhood.

The venue's music offering is also very important to me. The programming enriches my experience of living here and adds cultural value to the neighbourhood. It is something I actively appreciate and seek out, and it meaningfully contributes to my enjoyment of the area.

Equally, the food offering at The Eveleigh Hotel matters a great deal to me. It is a place I regularly choose to eat, and having a reliable, high-quality local food option within walking distance has a real impact on my day-to-day quality of life.

As one of the venue's closest neighbours, I strongly support the proposal to change the use of the first floor and increase its capacity.

It is an asset to the community and an important part of what makes this area such a good place to live.

Thank you,
Josh Steele
44-52 Vine Street, Darlington

From: sean hickey [REDACTED]

Sent on: Tuesday, December 23, 2025 1:06:18 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Assessments Officer,

I am a long-term resident of the Redfern area (over 30 years) and live in close proximity to The Eveleigh Hotel on Abercrombie Street. I strongly object to the proposed development application D/2025/1210, particularly any extension to the hotel's hours of operation and increase of capacity

My objections are based on the following ongoing issues, which I believe would be significantly worsened by extended trading hours:

1. **Overcrowding of footpaths and pedestrian safety risks** Patrons regularly spill out onto the footpaths outside the hotel on both Abercrombie Street and Vine Street when the venue is busy. This forces pedestrians, including myself, to walk on the road to pass by, creating unsafe conditions, especially at night or during peak times.
2. **Noise disturbance and reduced amenity** When the hotel is busy, patrons (sometimes holding drinks) move away from the entrance along Abercrombie Street to make phone calls in a quieter area. This increases noise levels along the street, affecting my comfort and privacy. As a healthcare worker on shift work, I am particularly impacted by late-night noise from the venue, which regularly disturbs my sleep and overall well-being.
3. **Smoking and litter** Patrons frequently smoke along Abercrombie Street and discard cigarette butts on the footpath or into nearby garden beds, contributing to litter and an untidy street environment.

These issues have become more noticeable in recent years, despite my long residency in the area. Extending the hours of operation would intensify these problems, further impacting residential amenity, public safety, and the local environment in this mixed-use neighbourhood.

I request that the application be refused, or at minimum, that no extension to trading hours be approved.

Thank you for considering my submission. I am available to discuss my concerns further if required.

Yours sincerely,

Sean Hickey

170 Abercrombie St

Redfern 2016

From: Joe Lundy <[REDACTED]>
[REDACTED]
Sent on: Saturday, January 3, 2026 12:12:27 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 in support of the above development application. As a resident of Darlington and frequent patron of the Eveleigh Hotel I am fully supportive of the proposed change of use and increase in patron capacity.

In five years living in Darlington, I have observed the staff and owners of the Eveleigh to be responsible community members, adhering carefully to the security, patron, and noise management guidelines they have identified in their development application.

The Eveleigh Hotel is an important feature of the Darlington community and I support its application to expand and strengthen its ongoing viability.

Yours sincerely

Joe Lundy
Darlington Resident

From: Rachael F Frazer [REDACTED]
[REDACTED]
Sent on: Thursday, January 8, 2026 4:21:59 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

Good Afternoon DA submissions,

I live on the street behind the hotel, the place where I cop noise now from the street drinking portion, the place where I now cop noise from more drunk people then before, even when this suburb was markedly rougher.

The lack of security to ensure liquor licence compliance, is very disturbing, to have drunken idiots till midnight every night of the week for us shift workers is a slap in the face.

I'd like to encourage businesses, but watching unhindered adults drink in a public council park because staff aren't capable of ensuring patrons are compliant.

I don't see any information about noise reduction in the top floor with windows that face the terraces on Hugo street, the music currently held in the lower portion of the pub already infringes my joy of the place I reside in.

Let's add these issues to the non existent delivery zone and dangerous blocking of vine street to deliver beer to the pub, why was the loading zone removed?

I do have multiple occasions of non compliance on my doorbell camera, those street benches are used past appropriate times.

I look forward to some answers to these concerns

Regards,
Rachael Frazer
[REDACTED]

From: Betty Howe [REDACTED]
[REDACTED]

Sent on: Monday, January 12, 2026 2:42:09 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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 Christina Robinson,

I am writing to formally object to the proposed Change of use of the first floor residence, and the increase to patron capacity of The Eveleigh Hotel, located at 158-160 Abercrombie St, Redfern NSW 2016, as outlined in the recent application.

I am a local resident in close proximity to the premises, and I am concerned about the likely negative impact these changes would have on the surrounding area.

My objections are based on the following grounds:

- **Noise Disturbance**

An increase in operating hours and/or patron numbers is likely to result in increased noise levels, particularly during late evening and night-time hours. This includes noise from patrons leaving the premises, outdoor areas, and associated activities, which would significantly affect nearby residents' amenity and ability to enjoy peaceful use of their homes.

- **Public Nuisance and Antisocial Behaviour**

A higher capacity may lead to an increase in antisocial behaviour, including loud conversations, shouting, and disorderly conduct, especially after closing time. This has been an issue in the past and is likely to worsen if the proposed changes are approved.

- **Traffic and Parking Issues**

Increased patronage would place additional strain on already limited local parking and may lead to congestion, illegal parking, and safety concerns for pedestrians and residents.

- **Impact on Residential Amenity**

The proposed changes are not in keeping with the predominantly residential nature of the surrounding area and would negatively impact the overall quality of life for local residents.

Given these concerns, I respectfully request that the application be refused, or alternatively, that strict conditions be imposed to mitigate the impact on nearby residents, including limits on operating hours, patron numbers, and noise management.

Thank you for considering my objection. I would appreciate being kept informed of any decisions or hearings related to this application.

Yours faithfully,
Elizabeth Evans

202 Abercrombie St, Redfern NSW 2016



From: Rachael Frazer [REDACTED]
[REDACTED]
Sent on: Tuesday, January 13, 2026 7:14:41 PM
To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>
Subject: Eveleigh hotel expansion DA/2025/1210

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

Good evening Team,

I previously wrote in regard to this DA with questions and curiosity, then last weekend happened, I now am very strongly opposed to such a ridiculous idea in my formerly mostly quiet neighbourhood.

Last weekend, the noise from the top floor was ridiculous, even with my windows and doors closed, the footpaths were filled with people making use of public footpaths impossible, and I would be very surprised if the people sitting on the outdoor drinking area concrete fence have not been injured, traffic passes next to these idiots.

Hearing from my house that staff were struggling to keep the crowd under control gives me zero confidence in how this venue will be managed in future.

This small area is not at all appropriate as a large venue with official noise until midnight every night, those idiots on the weekend stared out in the street for hours waiting for ways home.

No thanks.

Regards,
Rachael Frazer

From: chris smith [REDACTED]
Sent on: Thursday, January 15, 2026 10:15:53 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Proposed Eveleigh Hotel Expansion (D/2025/1210)

Caution: 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 Christina Robinson

I am writing to oppose/refuse the expansion of the Eveleigh Hotel.

My reasons are as below:

Drug bags are left on the ground in the outside area after Thursday, Friday and Saturday nights.

Excess noise from intoxicated people walking up Hugo street late at night during the school week, [REDACTED]
[REDACTED]

Intoxicated people have been spilling out onto the road and not moving when attempting to drive along Vine street, and Abercrombie street, I have been abused and had beer thrown at my car from people who stood in front of my car on the road, [REDACTED]
[REDACTED]

The foot path is constantly blocked on Vine street and Abercrombie street by intoxicated people who are also smoking, this is not a healthy environment for local people and especially children to walk through.

I have noted this email and also sent a copy to my solicitor to file for future references.

I have lived in Hugo street for eleven years and I am anxious about sustaining an injury it even worse.

Yours sincerely

Local Resident

Sent from my iPhone

From: <young-sunh[REDACTED]>
Sent on: Thursday, January 15, 2026 10:13:02 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: PROPOSED EVELEIGH HOTEL EXPANSION (D/2025/1210)

Caution: 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: CHRISTINA ROBINSON

PLEASE DO NOT APPROVE THIS PROPOSAL.

I'm a resident across from the Eveleigh Hotel and it is already noisy and loud right now! I hate to think what the increased noise levels will be when they expand and have the capacity for more people - patrons at the moment are loud and when the pub closes, they linger on the streets to carry on conversations in a loud and disruptive manner and if they are intoxicated - think they are entitled to make as much noise as they wish when people are trying to sleep or have a quiet night in.

PLEASE DO NOT APPROVE THIS AS IT WILL FURTHER ENABLE INTOXICATED PEOPLE TO MAKE SO MUCH MORE NOISE THAN THEY CURRENTLY DO.

AND IF THEY WERE TO HAVE OTHER EVENTS/FUNCTIONS AT NIGHT, THIS WILL ONLY ADD TO THE NOISE POLLUTION FOR THE RESIDENTS.

PLEASE ACT WITH COMMON SENSE AND WISDOM AND REJECT THIS PROPOSAL FOR THE BENEFIT AND SANITY OF THE LOCAL RESIDENTS WHO HAVE TO LIVE HERE!!

Thank you
Young-Sun

From: kerrie Van Lambaart [REDACTED]
[REDACTED]
Sent on: Wednesday, January 14, 2026 10:31:28 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: kerrie Van Lambaart [REDACTED]; council@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

14th of January 2026

To Christina Robinson,

I am writing to express my strong support for the proposed change of use at The Eveleigh Hotel, specifically the conversion of the first-floor residence into part of the hotel, the increase in maximum patron capacity to 200, and the proposed hours of operation from 10.00 am to 12 midnight, Monday to Sunday. The Eveleigh Hotel is a valued and longstanding part of the local community. It contributes positively to the area's social, cultural, and economic life by providing a welcoming place for locals and visitors to gather, dine, and enjoy live entertainment in a well-managed, responsible environment.

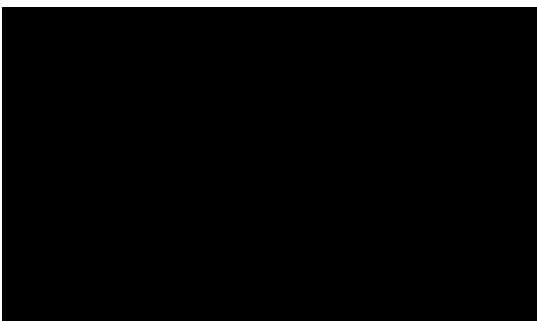
The proposed use of the first floor as part of the hotel is a practical and efficient way to use the existing building and will enable the venue to operate more cohesively. Increasing the patron capacity to 200 will support the business's ongoing viability while remaining suitable for the site and consistent with the area's character.

The proposed hours of operation are reasonable and align with typical hours for similar venues. The Eveleigh Hotel has a solid record of responsible management, and I am confident that it will continue to operate in a manner respectful of nearby residents and businesses.

Overall, I believe this proposal will strengthen The Eveleigh Hotel's role as a community asset, support local employment, and boost the neighbourhood's vibrancy. I fully endorse the approval of this application. Thank you for considering my submission.

Yours sincerely,

Kerrie Van Lambaart
181 Abercrombie Street
Darlington, NSW 2008



I acknowledge the traditional custodians of the land on which I live and work, the Gadigal people of the Eora Nation.

From: McColl, Georgi
Sent on: Thursday, January 15, 2026 4:28:42 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: D/2025/1210 Christina Robinson
Attachments: The Everleigh Hotel D 2025 1210.pdf (634.96 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 Christina,

Please find attached and below my formal objection to D/2025/1210.

I appreciate your support in rejecting this DA.

Thank you
Geordi

Georgina Maclean
163 Abercrombie Street
Darlington NSW 2008

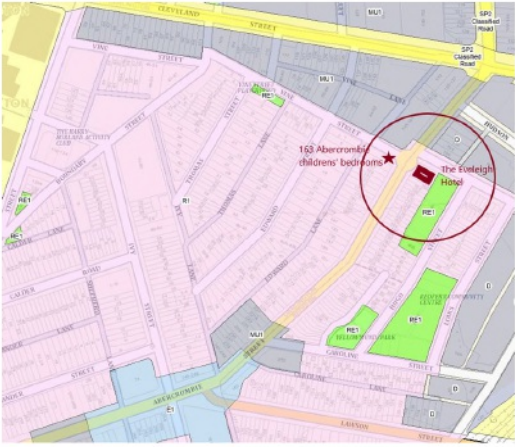
12 January 2025
City of Sydney
Department of Planning
GPO Box 1591
Sydney NSW 2001
Via email: dasubmissions@cityofsydney.nsw.gov.au
Attention: Christina Robinson

Objection to D/2025/1210 Change of use of the first-floor residence to function as part of The Everleigh Hotel and increase the maximum patron capacity to 200. Proposed hours of operation are 10:00am – 12:00 midnight Monday to Sunday. 158 – 160 Abercrombie Street REDFERN NSW 2016

Dear Christina,

I would like to formally advise you of my objection to the above licence application. Please take into consideration the following objections around this application.

As one of the closest neighbours (less than 50m) from the Everleigh Hotel I have a number of significant concerns that I do not believe have been adequately addressed in the development application.



1 | Page

Consultation

Given our proximity I am concerned that there has been no contact made with us regarding our apprehensions around the development application. The standard form for a community impact statement indicates applicants should consult with occupiers of neighbouring premises and respond to the outcomes of that consultation. Neighbouring premises are defined as any building situated on land within 100m of the boundary of the premises that the proposal relates. This would indicate community consultation should extend at least to the area indicated by the red circle on the map above.

I would like genuine community consultation to occur before the application is reviewed by the relevant authorising bodies.

Locational Context

A Statement of Environmental Effects has been produced by SKY planning. However, I believe a number of the statements in this do not clearly represent the community.

Section 2 of the report states:

The surrounding area comprises a mix of land uses, including residential, commercial, and light industrial activities, reflecting the historical evolution of Redfern as a vibrant and diverse urban precinct. The hotel itself is located amidst this mixed-use environment, contributing to the local entertainment and hospitality offering while coexisting with nearby residential and commercial properties. The surrounding context is characterised by low- to medium-density development with a combination of heritage and more contemporary buildings, creating a dynamic and active streetscape.

Although the area is designated a mixed use zone, the dominant character of the immediate area is clearly residential and zoned general residential.

The planning controls map above clearly indicates Darlington to be significantly dominated by residential dwellings. (Note the areas in grey adjacent to Louis Street, previously known as "The Block", are also residential apartments.) Diagonally opposite the venue is 40 apartment complex, and the area immediately to the south and west is almost entirely terrace houses, workers cottages, and apartments.

The tone of the environmental report minimises and is dismissive of the residential community, and the impacts of the proposed changes. The above statement is intentionally misleading reflecting the disregard of the applicant to the community.

Application History

In 2015 authorisation was granted for a trial of outdoor seating on Abercrombie Street. In 2019 this trial was extended to allow outdoor seating from 10:00am to 10:00pm Monday – Saturday, and 10:00am to 9:00pm Sunday.

This outdoor seating was strictly limited, and was somewhat regulated by the staff, following community backlash.

As stated in the Statement of Environmental Effects:

An outdoor dining application is currently under assessment by the City of Sydney for the use of 16.85m² of public footpath along Abercrombie Street and Vine Street for seating associated with the Everleigh Hotel. The proposed hours are 10:00am to 10:00pm, Monday to Sunday, and the application seeks to amend a previous approval.

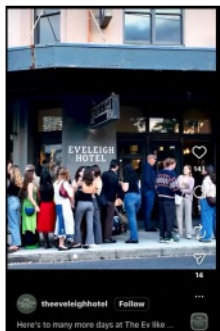
The outdoor dining capacity is currently on trial has proved to be exceedingly popular. The footpath is blocked most of the time during peak trading periods. The existing footpath in Vine Streets is simply not

2 | Page

wide enough to comply with guidelines for a clear path of travel of 2m. With Vine Street used as the 'smoking area' of the venue, and the outdoor dining in the street alongside the footpath (previously car spaces), pedestrian safety is compromised. Pedestrians, prams, mobility scooters and wheelchairs are forced onto the road. This is not an acceptable risk for the City of Sydney, or residents.

This area is rarely monitored by the hotel, and residents have had incidents of patrons being drunk and abusive, patrons being drunk on the road, and beer, and even a glass, being thrown at a resident and his son.

The following clip posted on the Everleigh Hotel's own Instagram page, highlights not only the existing approach to the outdoor areas, but also the intention to continue in this manner as often as possible.



The blatant disregard of the council guidelines; licencing requirements; and the local community during the current trial period of the 'outdoor seating area' has been extremely disappointing and clearly reflects the attitude of the management that the rules do not apply to them. This alone is a significant reason to deny the applications within D/2025/1210.

Hours of Operation

As noted above, the dominant character of the immediate area is residential and zoned general residential, almost entirely terrace houses, workers cottages, and apartments.

The Statement of Environmental Effects states the application seeks to:

- Change the use of the hotel residence (Class 4) to be considered as part of the pub (Class 6) as a listening, sitting, breakout room and equipment storage with use of adjoining bathrooms.
- Extension of hours of operation of the first-floor level from 10pm to midnight Monday to Sunday.
- Increase patrons across the entire premises from 110 to 200, including staff. The first-floor level alone can cater to a maximum of 100 people including staff.

3 | Page

The proposed change of use will continue to operate under the Hotel's established security framework, with additional patrons on Level 1 managed in the same manner as the existing licensed premises. Primary security staffing will remain at the ground floor entry points, while supplementary security can be deployed upstairs during busier periods or private events to ensure adequate supervision. All existing patron management procedures—including RSA compliance, staggered closing practices, and communication with local Police—will continue

to apply to the extended use of Level 1. As the Level 1 spaces will function as ancillary, lower-intensity sitting and breakout rooms, they are not expected to generate additional security risks beyond current operations.

To support safe and responsible management of the premises, the Hotel will continue to implement the following established measures:

- RSA compliance: Strict enforcement of responsible service of alcohol and refusal of service or entry where appropriate.
- Security presence: Ground floor security maintained as the primary control point, with additional staff available on Level 1 when required.
- CCTV monitoring: Full digital surveillance system covering internal and external areas to monitor patron behaviour.
- Clear patron messaging: Signage at all exits requesting patrons to depart quietly and respectfully in consideration of nearby residents.
- Staggered closing procedures: Ceasing bar service, turning lights on and lowering music prior to closing to encourage calm and orderly departures.
- Police liaison: Continued cooperation with the local Police Area Command and implementation of reasonable recommendations.
- Complaint management: Maintenance of the Hotel's complaint handling procedure, including a Complaints Register and escalation to the Licensee or Duty Manager as required.

This combination of measures ensures that the proposed increased use of Level 1 can be safely accommodated while protecting the amenity of the surrounding residential area.

While the above statements appear well intentioned they are a far removed from day-to-day reality experienced at the venue. The statement that the applicant 'has a degree of control over patron behaviour while on the premises, but this is limited once patrons have left the venue.' is a gross neglect of the applicant's responsibility to manage the broader impacts of their operations on the surrounding community.

Patron exit over busy periods is usually accompanied by loud chatter, rowdy farewells, and elevated street noise that carries through the streets and into homes. This is already a significant burden on the community, and extending operating hours seven days a week, and a doubling patron numbers will dramatically intensify these impacts.

5 | Page

A 12:00 midnight close, seven days a week, together with doubling of patron numbers is nauseatingly out of line with the existing neighbourhood and cannot fail to adversely impact the local community and residential amenity.

In addition to the implied impacts on noise and amenity; of community impact, of neighbourhood character, and on planning principles, I am disturbed by the impact of this change on risk and precedent. City of Sydney, NSW Planning, and Liquor and Gaming will recall application 1-6668308010 made by Chippo Mexicale. This application was rejected on the grounds of the detriment to the Darlington community. This precedent needs to be maintained, as the implications of any other outcome for the community are deeply concerning.

Noise Impact Assessment

I note that our house is specifically mentioned in the Noise Impact Assessment as "nearest potentially affected noise receivers". Despite this we have not been contacted by the applicant, but would anticipate as a significant stakeholder that they would have the courtesy to approach us to discuss the application. I would expect the applicant to have significant concerns around the internal layout of our home. Our children's bedrooms, guest rooms, and our office are in direct line of site of the proposed venue, with windows opening directly onto, Abercrombie and Vine Streets. Seating outside for 36 people (or more based on the clear intentions of the applicant) assumes a running conversation between at least 12 people, at midnight, outside my children's bedrooms, 7 days a week. This scenario is entirely incompatible with residential living and raises serious concerns about noise, privacy, and the overall amenity of our home.

Parking

The Statement of Environmental Effects states:

No off-street parking is provided on the site, consistent with both the existing approved operations of the Everleigh Hotel and the highly accessible inner-city location. The Hotel is well-served by frequent public transport, with Redfern Station located approximately 400 metres walking distance from the premises, providing regular train services across multiple lines. The site is also supported by several surrounding bus routes and an established pedestrian network, enabling patrons and staff to conveniently access the venue without reliance on private vehicles. As such, the proposed change of use does not generate any additional parking demand and remains entirely suitable within this well-connected urban location.

While the accessibility of the area is one of the wonderful advantages of our neighbourhood it is difficult to conceive that doubling patron numbers will not create a load on the already overburdened traffic control.

This is a complex problem, with no immediately apparent resolution, yet its impact on the community is undeniable. It is essential reviewing bodies recognise the significant burden this proposal would place on local traffic management, particularly in light of inebriated patrons spilling onto the road, and propelling abuse, beer, and receptacles at members of the community.

Patron Management

Patron management in a residential neighbourhood is an evocative issue, and one that the applicant to date has had little engagement with it. The Statement of Environmental Effects proposes:

4 | Page

Noise Management

The Statement of Environmental Effects states:

The proposed change of use is contained wholly within the envelope of the long-established Everleigh Hotel and does not introduce any new noise-generating activities beyond those already inherent to the licensed premises. It is noted that Council's records do not indicate any noise-related complaints associated with the existing first-floor dining areas, which have historically operated as part of the hotel.

Noise emissions from the premises will continue to comply with the requirements of the Hotel's Plan of Management (POM), which stipulates that operational noise must not exceed the background noise level by more than 5dB within any habitable room of a nearby residential property between 7:00am and 12:00am daily. These management measures align with the existing development consent conditions and the current licensing framework applying to the hotel.

Between 10:00pm and 12:00am, additional mitigation can be implemented through the closure of windows facing Abercrombie Street at the first-floor level. These first-floor rooms are intended to function as relaxed sitting and breakout areas and are not designed or intended for any high-noise-producing uses. Importantly, no new window openings or external alterations are proposed as part of this application.

Noise emissions will continue to comply with the requirement that sound from the licensed premises must not be audible within any habitable room of a residential property between 12:00am and 7:00am. As the proposal does not alter the Hotel's approved trading hours or intensify activities beyond existing operational parameters, the change of use will not result in any unreasonable noise impacts.

There are number of statements which are misleading in this passage.

The management of the venue's management have indicated their intention to host live music upstairs and to schedule events there as frequently as possible. It is highly improbable 200 patrons and staff leaving a live music event will exercise any greater vigilance minimising noise during a weeknight than the existing patrons. It is entirely untenable to claim that the proposal will not have a noise impact on the community.

Some standardised noise levels include:

Decibel Level	Noise Source
30	Quite rural area
40	Hushed library conversation
50	Quiet conversation at home
60	Conversation in a restaurant
70	Vacuum cleaner
120	Thunderclap
150	Eardrum rupture

The statement indicates that operational noise must not exceed background noise by more than 5dB. Based on the above standards it is extraordinarily unlikely that 200 patrons and staff, having just attended a live music event, will disperse with noise levels equivalent to a hushed library conversation.

Even under the most generous interpretation, the late night exit of up to 200 people, 7 days a week will inevitably disturb the sleeping community. At worst it risks escalation of the anti-social behaviour the community is already experiencing with the outdoor seating trial.

6 | Page

In summary:

- The changes being proposed are **NOT** the minor modifications the applicant would like the reviewers to believe.
- The changes create a **CUMULATIVE IMPACT** far greater than any single element alone.
- The applicant appears to be seeking the venue to be a high intensity venue which overwhelms our streets and homes and is a detriment to the local community.
- This application is not in the best interest of the local community and **CANNOT** be accommodated without adversely impacting the local community.
- I request that the application be **DENIED**.

Thank you for the opportunity to raise concerns about the proposed application. If you would like to discuss this further please don't hesitate to contact me on [REDACTED]

Yours Sincerely

Geordi Maclean

7 | Page

Geordi McColl

Financial Planning & Analysis Manager Asia Pacific

PO Box Q296, QVB NSW 1230

Level 7, 321 Kent Street, Sydney NSW 2000

Direct: [REDACTED] | Mobile: [REDACTED] | www.berkley.com



Explore Careers

CONFIDENTIALITY NOTICE: This e-mail and the transmitted documents contain private, privileged and confidential information belonging to the sender. The information therein is solely for the use of the addressee. If your receipt of this transmission has occurred as the result of an error, please immediately notify us so we can arrange for the return of the documents. In such circumstances, you are advised that you may not disclose, copy, distribute or take any other action in reliance on the information transmitted.

Please know that our company will never ask that you transfer money without verbal confirmation. If you receive an e-mail from our company or any third party purporting to represent our company requesting money be transferred, please report it to me immediately. Our company will only transfer money after receiving verbal confirmation.

From: <bobihayes[REDACTED]>
Sent on: Thursday, January 15, 2026 4:41:02 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Robinson,

I write concerning the proposed Eveleigh Hotel proposal (D/2025/1210).

To note, I have lived in the neighbourhood, Hugo St (opposite the basketball court) for over 20 years. I am and have been a patron of the Eveleigh Hotel during the period (even if less so over the past few months due to increased patronage).

Over the past number of months since the hotel reopened after renovations, the noise levels have been somewhat intrusive from my residence but more or less tolerable up to a few months ago. However, to note, the noise levels do appear to be steadily increasing, especially from patrons on the footpaths on and around Vine St (perhaps also Abercrombie St).

Further to be noted, in respect to the outdoor seating on Vine St, I believe one table should be removed (the last table east end) to allow for an unimpeded walking path diagonally through the Hugo St Reserve, crossing Vine St or from the opposite side (as the table is an obstacle for a direct cross over).

Further to:

- Increased trading hours would exacerbate an already increasing noise situation.
- Any increased outdoor seating with the outflow of patrons on either footpaths would further hinder foot traffic plus the obvious increase in noise.
- I note that the first floor is proposed to operate a live-music venue with a wet bar and private functions for up to 100 patrons, and that licensed footpath dining and drinking on Abercrombie and Vine Sts form part of the operation. Any proposal to further increase the number of patrons within the building as proposed would cause a further overflow onto the streets and beyond with the obvious ramifications.

I believe the Eveleigh Hotel is already operating at a maximum level and pushing the acceptable boundaries given its position within a largely residential precinct. I don't believe it should be given any further concessions for extending operating hours or patron increases.

Given the above points outlined, the only appropriate planning response is a refusal.

Your sincerely,

Robert Hayes
Email: [REDACTED]

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 16, 2026 7:42:07 AM

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

Subject: FW: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

From: lisa-marie lavocah [REDACTED]

Sent: Wednesday, 14 January 2026 3:36 PM

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

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

Refer: D/2025/1210

Dear Ms Robinson,

Confirming my objection to the Eveleigh Hotel's applications for; Longer trading hours 7 days a week up to 12:00 am Doubling of patrons indoors from a total on 100 patrons to 200 patrons over 2 floors 7 days a week.

The use of the footpaths on Vine and Abercrombie streets for patrons to stand and drink, smoke, and vape from 10 am to closing. This further increases noise and reduces safety and is extremely objectionable in a residential area.

The permanent approval of outdoor dining area and approved standing and drinking alcohol on the corner of Abercrombie and Vine Streets.

In the past twelve months the Hotel has obtained; Extended outdoor "dining areas" trading 7 days a week on Vine Street and against the wall on Abercrombie Street.

The facilities for "dining" outdoors on Vine Street has seating for up to 8 persons per table x 4 tables for up to 32 persons, and often exceeds that amount with persons also standing or sitting on the balustrades in that confined area. This exceeds the numbers in street designated areas on Redfern Street Redfern, Royal Hotel Darlington and The Rose in Chippendale; those venues had tables for 4.

Predominately drinking of alcohol occurs in the outdoor "dining area" on Vine Street. There is a management plan for the outdoor "dining area"; which is not actively acted upon. The Hotel management plan is not actively carried out by the staff; nor possibly are they able to deal with the congestion of patrons drinking alcohol, smoking and vaping on the footpath itself. The footpath can be so crowded making it difficult for residents to traverse, let alone the staff if they need to bring a rare meal order to the "outdoor dining area"

The Hotel patrons drink the alcohol purchased indoors and stand across the whole footpath which is not within the Hotel's licenced area, nor the temporary licence designated "dining area" on Vine Street. Crowding across the whole footpath outside the Abercrombie Street frontage also occurs, drinking and talking. Patrons even stand on Vine Street itself and outside of the café across from the hotel.

The application by the Eveleigh Hotel represents a substantial intensification of use with increased noise levels, reduced residential amenity and hard-to-manage street drinking on a large scale where pedestrians including wheelchairs or strollers are unable to pass through.

Vine and Abercrombie streets are not within an entertainment precinct. This is a residential area. The hotel had been a locals hotel till the current owners undertook its expansion to cater for 200 patrons plus inside and out.

The premises is not equipped for that number of people with 3 toilets downstairs and 2 upstairs to cater for the crowds it brings into the hotel. Males have utilised out park, the Ausgrid power box and gardens on Abercrombie Streets to relieve themselves for the lack of toilet facilities.

The current owners appear to be seeking the venue to be a high intensity venue which overwhelms our streets and homes and is to the detriment of the local community.

The changes the Eveleigh Hotel Pty Limited is proposing are NOT a minor modification. The application creates a CUMULATIVE IMPACT far greater than any single element alone.

The only appropriate planning response from the City of Sydney Council in regard to the scale of operation is a REFUSAL and NOT a conditional approval.

Yours sincerely,

Lisa-Marie

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 16, 2026 9:24:07 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: Attention: Christina Robinson

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

From: Chris [REDACTED]
Sent: Friday, 16 January 2026 8:43 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Attention: Christina Robinson

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

D/2025/1210

Dear Ms Robinson,

This submission raises planning concerns regarding the Eveleigh Hotel applications based on the scale, intensity and locational context of the proposal.

- The applications seek extended trading hours to midnight, increased indoor patron capacity to 200 persons, permanent outdoor trading approval, and ongoing use of adjoining footpaths for standing, drinking, smoking and vaping.
- When considered cumulatively with approvals granted within the past year, the proposal results in a significant escalation in operational intensity rather than a minor amendment to existing permissions.
- The Vine Street footpath currently accommodates a concentration of patrons disproportionate to its width and intended pedestrian function, with seating for up to 32 patrons and frequent standing congregation.
- The outdoor area operates primarily as an alcohol consumption space, generating sustained congregation and noise impacts inconsistent with a residential streetscape.
- Patron behaviour regularly extends beyond approved areas, obstructing pedestrian movement and affecting both Vine Street and Abercrombie Street.
- Patron activity regularly continues after closing, with street congregation, noise and smoking outside nearby residences, demonstrating inadequate control of patron dispersal. These impacts persist beyond trading hours and compound existing amenity impacts.
- The site is not located within an entertainment precinct, and the proposed intensity is incompatible with the established residential character of the surrounding area.
- The internal servicing capacity of the premises, including toilet provision, is insufficient for the patron numbers sought and contributes to secondary impacts in the public domain.

For these reasons, the proposal gives rise to unacceptable cumulative impacts and is not considered an appropriate planning outcome for this location. Refusal is supported.

Yours sincerely,
Christopher Dowell
164 Abercrombie Street

From: Jeff Masters [REDACTED]

Sent on: Friday, January 16, 2026 10:17:07 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

Hi there,

I live in the neighbourhood and am all for this change. It's a great venue which enriches our area. I am only writing this as there has been a letter drop campaign by concerned residents against it and I worry about a vocal minority drowning out the true local sentiment.

Kind regards,
Jeff Masters

Sent from my iPhone

From: Maclean, Chris [REDACTED]
[REDACTED]
[REDACTED]
Sent on: Friday, January 16, 2026 10:40:08 AM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: McColl, Geordi [REDACTED]; Maclean, Chris [REDACTED]
Subject: The Everleigh Hotel D_2025_1210 - Objection Notice
Urgent: High

Attachments: The Everleigh Hotel D_2025_1210.docx (4.49 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.

Hi Christina,
Please find attached my objection to the Everleigh Hotel's current DA.

Kind regards,
Chris

Chris Maclean
Vice President, PFR Manager, NSW

Liberty Specialty Markets
Level 38, Governor Phillip Tower
1 Farrer Place, Sydney NSW 2000

 [Connect and join the Liberty conversation](#)

 [REDACTED]
 [REDACTED]
 [REDACTED]
 libertyspecialtymarkets.com.au
[+Find a NSW team member](#)



1/3 of the companies that protect themselves with our environmental insurance are **first-time** buyers

► [Find out more](#)

Sanction Notice: Please [click here](#).
Privacy Notice: If you are providing Liberty Specialty Markets (Liberty) with Personal Information [click here](#) for our Privacy Notice. Note that Liberty may transfer your Personal Information outside of Australia if it is reasonably necessary in order to provide you with our products or services, to process claims, or otherwise conduct our business. Absent any written indication to the contrary (by you to us), you consent to all reasonably necessary cross-border transfers of and access to your Personal Information as noted in the [Privacy Policy](#). If you are providing Personal Information to Liberty on behalf of another individual, Liberty relies on you to provide our Privacy Notice to them. If you have not done this, you must tell Liberty before you provide the relevant information.

16 January 2026

City of Sydney
Department of Planning
GPO Box 1591
Sydney NSW 2001

Via email: dasubmissions@cityofsydney.nsw.gov.au
Attention: Christina Robinson

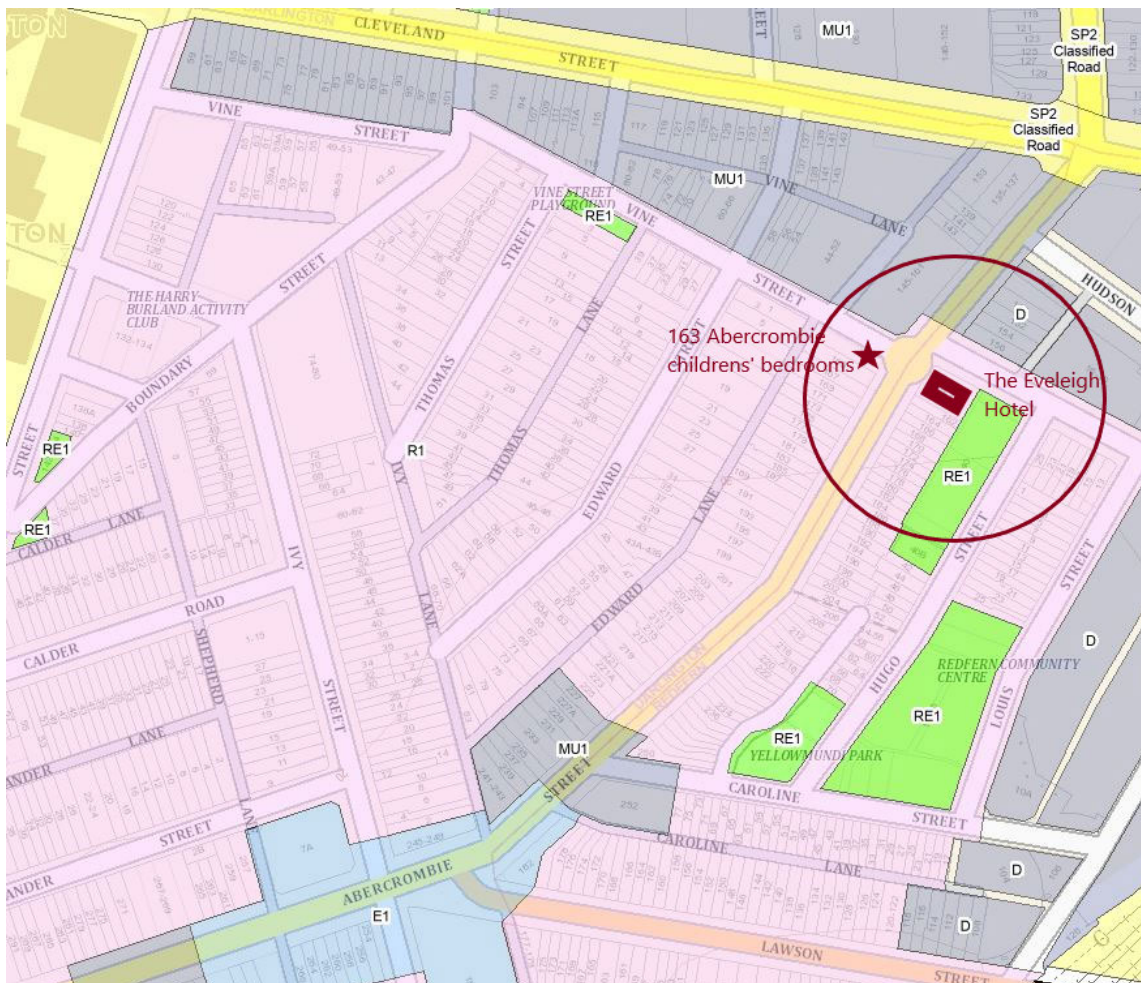
Objection to D/2025/1210 Change of use of the first floor residence to function as part of The Everleigh Hotel and increase the maximum patron capacity to 200. Proposed hours of operation are 10:00am – 12:00 midnight Monday to Sunday.

158 – 160 Abercrombie Street REDFERN NSW 2016

Dear Christina,

I would like to formally advise you of my objection to the above licence application. Please take into consideration the following objections around this application.

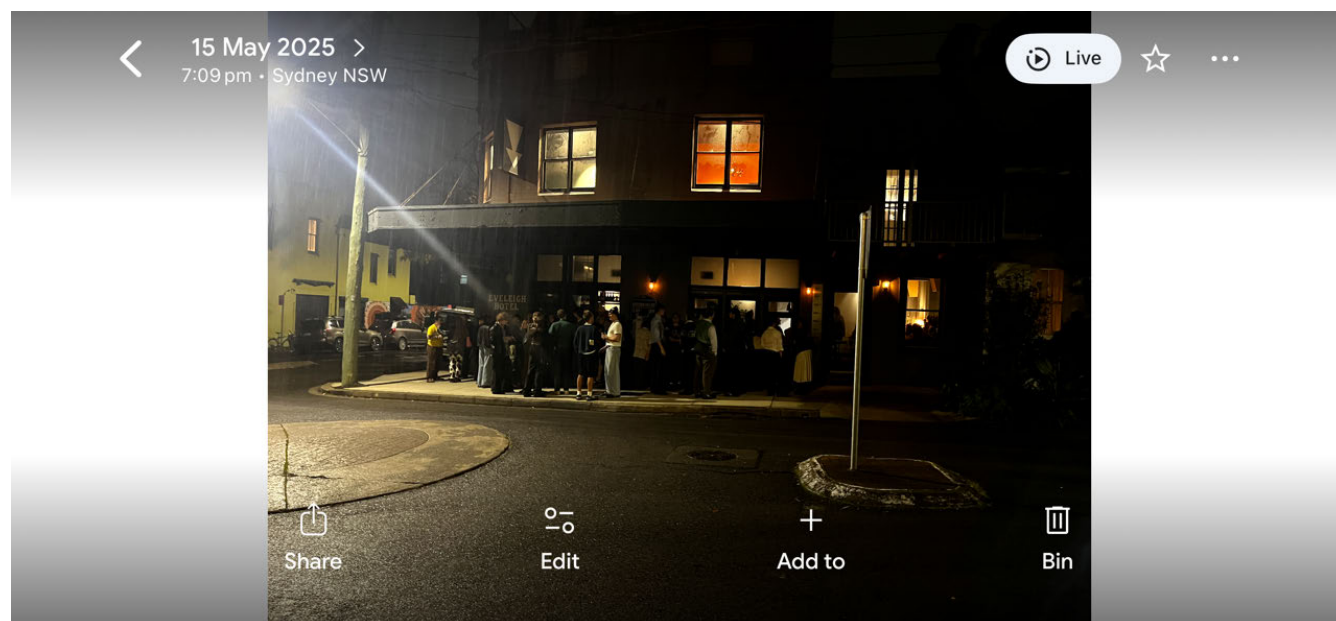
As one of the closest neighbours (less than 50m) from the Everleigh Hotel I have a number of significant concerns that I do not believe have been adequately addressed in the development application.



The Current Situation

Follow council's recent approval to allow the operators to increase the outside seating there has been a significant increase in noise and complaints to the operators. While they have responded, so far there has been no improvement. Doubling the patrons at the venue is not going to address this issue either.

I took the below photo from our front door. At the time this photo was taken, they Everleigh was supposed to have no more than 8 patrons seated outside. As you can see, they clearly aren't managing or complying with that council requirement.



Consultation

Given our proximity I am concerned that there has been no contact made with us regarding our apprehensions around the development application. The standard form for a community impact statement indicates applicants should consult with occupiers of neighbouring premises and respond to the outcomes of that consultation. Neighbouring premises are defined as any building situated on land within 100m of the boundary of the premises that the proposal relates. This would indicate community consultation should extend at least to the area indicated by the red circle on the map above.

I would like genuine community consultation to occur before the application is reviewed by the relevant authorising bodies.

Locational Context

This application is out of step with all the other local pubs in size, operating hours and in relation to outside seating.

Glengarry Castle Hotel	10:00am to 12:00midnight
Chippo Hotel	12:00noon to 11:00pm Mon to Wed; to 11:30pm Thu; 12:00midnight Fri – Sat; and 10:00pm Sunday
Rose Hotel	10:00am to 12:00midnight; 10:00pm Sunday
The Duck Inn	11:00am to 11:00pm; 10:00pm Sunday
The New Britannia	5:00pm to 12:00 midnight Tue to Sat; Plus 12:00 noon to 3:00pm on Friday; 5:00pm to 10:00pm Sunday

None of these pubs have outside seating. An additional concern is, if council approves the Everley will be used as a precedent to apply for extended hours and outside seating.

A Statement of Environmental Effects has been produced by SKY planning. However, I believe a number of the statements in this do not clearly represent the community.

Section 2 of the report states:

The surrounding area comprises a mix of land uses, including residential, commercial, and light industrial activities, reflecting the historical evolution of Redfern as a vibrant and diverse urban precinct. The hotel itself is located amidst this mixed-use environment, contributing to the local entertainment and hospitality offering while coexisting with nearby residential and commercial properties. The surrounding context is characterised by low- to medium-density development with a combination of heritage and more contemporary buildings, creating a dynamic and active streetscape.

Although the area is designated a mixed use zone, the dominant character of the immediate area is clearly residential and zoned general residential.

The planning controls map above clearly indicates Darlington to be significantly dominated by residential dwellings. (Note the areas in grey adjacent to Louis Street, previously known as “The Block”, are also residential apartments.) Diagonally opposite the venue is 40 apartment complex, and the area immediately to the south and west is almost entirely terrace houses, workers cottages, and apartments.

The tone of the environmental report minimises and is dismissive of the residential community, and the impacts of the proposed changes. The above statement is intentionally misleading reflecting the disregard of the applicant to the community.

Application History

In 2015 authorisation was granted for a trial of outdoor seating on Abercrombie Street. In 2019 this trial was extended to allow outdoor seating from 10:00am to 10:00pm Monday – Saturday, and 10:00am to 9:00pm Sunday.

This outdoor seating was strictly limited, and was somewhat regulated by the staff, following community backlash.

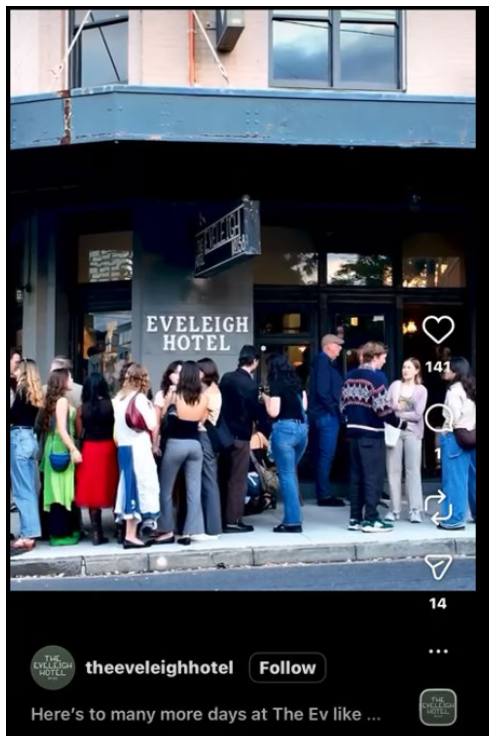
As stated in the Statement of Environmental Effects:

An outdoor dining application is currently under assessment by the City of Sydney for the use of 16.85m² of public footpath along Abercrombie Street and Vine Street for seating associated with the Eveleigh Hotel. The proposed hours are 10:00am to 10:00pm, Monday to Sunday, and the application seeks to amend a previous approval.

The outdoor dining capacity is currently on trial has proved to be exceedingly popular. The footpath is blocked most of the time during peak trading periods. The existing footpath in Vine Streets is simply not wide enough to comply with guidelines for a clear path of travel of 2m. With Vine Street used as the ‘smoking area’ of the venue, and the outdoor dining in the street alongside the footpath (previously car spaces), pedestrian safety is compromised. Pedestrians, prams, mobility scooters and wheelchairs are forced onto the road. This is not an acceptable risk for the City of Sydney, or residents.

This area is rarely monitored by the hotel, and residents have had incidents of patrons being drunk and abusive, patrons being drunk on the road, and beer, and even a glass, being thrown at a resident and his son.

The following clip posted on the Everleigh Hotel’s own Instagram page, highlights not only the existing approach to the outdoor areas, but also the intention to continue in this manner as often as possible.



The blatant disregard of the council guidelines; licencing requirements; and the local community during the current trial period of the 'outdoor seating area' has been extremely disappointing and clearly reflects the attitude of the management that the rules do not apply to them. This alone is a significant reason to deny the applications within D/2025/1210.

Hours of Operation

As noted above, the dominant character of the immediate area is residential and zoned general residential, almost entirely terrace houses, workers cottages, and apartments.

The Statement of Environmental Effects states the application seeks to:

- Change the use of the hotel residence (Class 4) to be considered as part of the pub (Class 6) as a listening, sitting, breakout room and equipment storage with use of adjoining bathrooms.
- Extension of hours of operation of the first-floor level from 10pm to midnight Monday to Sunday.
- Increase patrons across the entire premises from 110 to 200, including staff. The first-floor level alone can cater to a maximum of 100 people including staff.

A 12:00 midnight close, seven days a week, , together with doubling of patron numbers is nauseatingly out of line with the existing neighbourhood and cannot fail to adversely impact the local community and residential amenity.

In addition to the implied impacts on noise and amenity; of community impact, of neighbourhood character, and on planning principles, I am disturbed by the impact of this change on risk and precedent. City of Sydney, NSW Planning, and Liquor and Gaming will recall application 1-6668308010 made by Chipppo Mexicale. This application was rejected on the grounds of the detriment to the Darlington community. This precedent needs to be maintained, as the implications of any other outcome for the community are deeply concerning.

Hours of Operation

I note that our house is specifically mentioned in the Noise Impact Assessment as “nearest potentially affected noise receivers”. Despite this we have not been contacted by the applicant, but would anticipate as a significant stakeholder that they would have the courtesy to approach us to discuss the application. I would expect the applicant to have significant concerns around the internal layout of our home. Our children’s bedrooms, guest rooms, and our office are in direct line of site of the proposed venue, with windows opening directly onto, Abercrombie and Vine Streets. Seating outside for 36 people (or more based on the clear intentions of the applicant) assumes a running conversation between at least 12 people, at midnight, outside my children’s bedrooms, 7 days a week. This scenario is entirely incompatible with residential living and raises serious concerns about noise, privacy, and the overall amenity of our home.

Parking

The Statement of Environmental Effects states:

No off-street parking is provided on the site, consistent with both the existing approved operations of the Eveleigh Hotel and the highly accessible inner-city location. The Hotel is well-served by frequent public transport, with Redfern Station located approximately 400 metres walking distance from the premises, providing regular train services across multiple lines. The site is also supported by several surrounding bus routes and an established pedestrian network, enabling patrons and staff to conveniently access the venue without reliance on private vehicles. As such, the proposed change of use does not generate any additional parking demand and remains entirely suitable within this well-connected urban location.

While the accessibility of the area is one of the wonderful advantages of our neighbourhood it is difficult to conceive that doubling patron numbers will not create a load on the already overburdened traffic control.

This is a complex problem, with no immediately apparent resolution, yet its impact on the community is undeniable. It is essential reviewing bodies recognise the significant burden this proposal would place on local traffic management, particularly in light of inebriated patrons spilling onto the road, and propelling abuse, beer, and receptacles at members of the community.

Patron Management

Patron management in a residential neighbourhood is an evocative issue, and one that the applicant to date has had little engagement with it. The Statement of Environmental Effects proposes:

The proposed change of use will continue to operate under the Hotel's established security framework, with additional patrons on Level 1 managed in the same manner as the existing licensed premises. Primary security staffing will remain at the ground floor entry points, while supplementary security can be deployed upstairs during busier periods or private events to ensure adequate supervision. All existing patron management procedures—including RSA compliance, staggered closing practices, and communication with local Police—will continue

to apply to the extended use of Level 1. As the Level 1 spaces will function as ancillary, lower-intensity sitting and breakout rooms, they are not expected to generate additional security risks beyond current operations.

To support safe and responsible management of the premises, the Hotel will continue to implement the following established measures:

- RSA compliance: Strict enforcement of responsible service of alcohol and refusal of service or entry where appropriate.
- Security presence: Ground floor security maintained as the primary control point, with additional staff available on Level 1 when required.
- CCTV monitoring: Full digital surveillance system covering internal and external areas to monitor patron behaviour.
- Clear patron messaging: Signage at all exits requesting patrons to depart quietly and respectfully in consideration of nearby residents.
- Staggered closing procedures: Ceasing bar service, turning lights on and lowering music prior to closing to encourage calm and orderly departures.
- Police liaison: Continued cooperation with the local Police Area Command and implementation of reasonable recommendations.
- Complaint management: Maintenance of the Hotel's complaint handling procedure, including a Complaints Register and escalation to the Licensee or Duty Manager as required.

This combination of measures ensures that the proposed increased use of Level 1 can be safely accommodated while protecting the amenity of the surrounding residential area.

While the above statements appear well intentioned they are a far removed from day-to-day reality experienced at the venue. The statement that the applicant 'has a degree of control over patron behaviour while on the premises, but this is limited once patrons have left the venue.' is a gross neglect of the applicant's responsibility to manage the broader impacts of their operations on the surrounding community.

Patron exit over busy periods is usually accompanied by loud chatter, rowdy farewells, and elevated street noise that carries through the streets and into homes. This is already a significant burden on the community, and extending operating hours seven days a week, and a doubling patron numbers will dramatically intensify these impacts.

Noise Management

The Statement of Environmental Effects states:

The proposed change of use is contained wholly within the envelope of the long-established Eveleigh Hotel and does not introduce any new noise-generating activities beyond those already inherent to the licensed premises. It is noted that Council's records do not indicate any noise-related complaints associated with the existing first-floor dining areas, which have historically operated as part of the hotel.

Noise emissions from the premises will continue to comply with the requirements of the Hotel's Plan of Management (POM), which stipulates that operational noise must not exceed the background noise level by more than 5dB within any habitable room of a nearby residential property between 7:00am and 12:00am daily. These management measures align with the existing development consent conditions and the current licensing framework applying to the hotel.

Between 10:00pm and 12:00am, additional mitigation can be implemented through the closure of windows facing Abercrombie Street at the first-floor level. These first-floor rooms are intended to function as relaxed sitting and breakout areas and are not designed or intended for any high-noise-producing uses. Importantly, no new window openings or external alterations are proposed as part of this application.

Noise emissions will continue to comply with the requirement that sound from the licensed premises must not be audible within any habitable room of a residential property between 12:00am and 7:00am. As the proposal does not alter the Hotel's approved trading hours or intensify activities beyond existing operational parameters, the change of use will not result in any unreasonable noise impacts.

There are number of statements which are misleading in this passage.

The management of the venue's management have indicated their intention to host live music upstairs and to schedule events there as frequently as possible. It is highly improbable 200 patrons and staff leaving a live music event will exercise any greater vigilance minimising noise during a weeknight than the existing patrons. It is entirely untenable to claim that the proposal will not have a noise impact on the community.

Some standardised noise levels include:

<i>Decibel Level</i>	<i>Noise Source</i>
30	Quite rural area
40	Hushed library conversation
50	Quiet conversation at home
60	Conversation in a restaurant
70	Vacuum cleaner
120	Thunderclap
150	Eardrum rupture

The statement indicates that operational noise must not exceed background noise by more than 5dB. Based on the above standards it is extraordinarily unlikely that 200 patrons and staff, having just attended a live music event, will disperse with noise levels equivalent to a hushed library conversation.

Even under the most generous interpretation, the late night exit of up to 200 people, 7 days a week will inevitably disturb the sleeping community. At worst it risks escalation of the anti-social behaviour the community is already experiencing with the outdoor seating trial.

In summary:

- ***The changes being proposed are NOT the minor modifications the applicant would like the reviewers to believe.***
- ***The changes create a CUMULATIVE IMPACT far greater than any single element alone.***
- ***The applicant appears to be seeking the venue to be a high intensity venue which overwhelms our streets and homes and is a detriment to the local community.***
- ***This application is not in the best interest of the local community and CANNOT be accommodated without adversely impacting the local community.***
- ***I request that the application be DENIED.***

Thank you for the opportunity to raise concerns about the proposed application. If you would like to discuss this further please don't hesitate to contact me on [REDACTED].

Yours Sincerely

Chris Maclean

From: Nick Lonie [REDACTED]
Sent on: Friday, January 16, 2026 1:28:32 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: D/2025/1210 - Feedback on Development Application

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

To whom it may concern,

I am a long-time resident of Abercrombie Street and wish to lodge this submission in strong support of proposed application D/2025/1210 at the Eveleigh Hotel.

The Eveleigh Hotel is an important and valued part of the local community. It is our regular meeting place for socialising with neighbours and friends, and the management and staff have consistently maintained a positive, respectful relationship with local residents. In my experience, the hotel is well run, professionally managed and operates with a strong sense of responsibility to its surroundings.

The hotel's increasing popularity reflects its success as a community venue that is not reliant on poker machines. The proposal is a reasonable and proportionate response to this demand and will allow the venue to continue to serve both long-standing locals and its broader customer base in a more functional and managed way.

I have reviewed the submitted Plan of Management and consider it to be comprehensive, appropriate and fit for purpose. The operational controls proposed provide confidence that the venue will continue to be managed in a way that minimises impacts on surrounding residents while supporting a vibrant local hospitality offering.

It is also important to recognise that the Eveleigh Hotel predates much of the surrounding residential development. In that context, objections to its ongoing operation and modest expansion are difficult to reconcile with the established character and long-standing use of the site.

The proposal aligns with the City of Sydney's objectives to support vibrant local centres, social infrastructure and the night-time economy. Importantly, the comprehensive Plan of Management and the venue's strong record of compliance provide confidence that amenity impacts will continue to be appropriately managed.

In all my years living on Abercrombie Street, I have not once witnessed antisocial behaviour associated with the hotel. Staff consistently and proactively comply with their obligations in a friendly, calm and reasonable manner.

Inner-city living necessarily involves a balance between residential amenity and established hospitality uses. In that context, objections to the ongoing operation and expanded capacity (within the existing building envelope) of a long-standing pub that sits such as the Eveleigh Hotel are difficult to reconcile with the planning intent for the area.

For these reasons, I strongly support the approval of this development application and believe it will positively contribute to the local area.

Regards,

Nick

From: Alex Womersley [REDACTED]
Sent on: Friday, January 16, 2026 1:58:41 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: D/2025/1210 - Feedback on Development Application

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

To whom it may concern,

I am a long-time resident of Abercrombie Street and wish to lodge this submission in strong support of proposed application D/2025/1210 at the Eveleigh Hotel.

The Eveleigh Hotel is an important and valued part of the local community. It is our regular meeting place for socialising with neighbours and friends, and the management and staff have consistently maintained a positive, respectful relationship with local residents. In my experience, the hotel is well run, professionally managed and operates with a strong sense of responsibility to its surroundings.

The hotel's increasing popularity reflects its success as a community venue that is not reliant on poker machines. The proposal is a reasonable and proportionate response to this demand and will allow the venue to continue to serve both long-standing locals and its broader customer base in a more functional and managed way.

I have reviewed the submitted Plan of Management and consider it to be comprehensive, appropriate and fit for purpose. The operational controls proposed provide confidence that the venue will continue to be managed in a way that minimises impacts on surrounding residents while supporting a vibrant local hospitality offering.

It is also important to recognise that the Eveleigh Hotel predates much of the surrounding residential development. In that context, objections to its ongoing operation and modest expansion are difficult to reconcile with the established character and long-standing use of the site.

The proposal aligns with the City of Sydney's objectives to support vibrant local centres, social infrastructure and the night-time economy. Importantly, the comprehensive Plan of Management and the venue's strong record of compliance provide confidence that amenity impacts will continue to be appropriately managed.

In all my years living on Abercrombie Street, I have not once witnessed antisocial behaviour associated with the hotel. Staff consistently and proactively comply with their obligations in a friendly, calm and reasonable manner.

Inner-city living necessarily involves a balance between residential amenity and established hospitality uses. In that context, objections to the ongoing operation and expanded capacity (within the existing building envelope) of a long-standing pub that sits such as the Eveleigh Hotel are difficult to reconcile with the planning intent for the area.

For these reasons, I strongly support the approval of this development application and believe it will positively contribute to the local area.

Regards,

Alex

From: [REDACTED]

Sent on: Friday, January 16, 2026 4:55:03 PM

To: council@cityofsydney.nsw.gov.au

Subject: Comments on Proposed Development, Ref. # D/2025/1210

Caution: 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 Planners,

I am the landlord, at present, of [REDACTED] Hugo Street, Redfern - intending to live there in the future - and do not want my name and status to be available for public viewing in relation to my comments, or for any other purpose. I value my privacy.

The following are my comments on the proposed development at the Eveleigh Hotel at 158-160 Abercrombie Street, Redfern NSW 2016.

The current operating hours and capacity at the hotel already have an impact on the noise levels and resident parking availability. I am opposed to all the changes the hotel is seeking.

Parking:

My tenants are typical of the type in many of the surrounding rental dwellings: 3 separated individuals, each with a car. I have frequently been informed that resident parking is extremely difficult to find during the day, and that it is increasingly unavailable in the evenings. The proposed increase in capacity at the hotel, would only exacerbate this situation.

Noise and disturbances in the areas close to the hotel:

Additionally, an increase in patronage, overall, the earlier starting time of 10am, and the later midnight closing time sought for the Sunday will all have a far greater adverse affect on the noise levels and general, often drunken, foot traffic in and around the location. It is a relief for locals to have a slightly earlier closing time on the Sunday, and the relatively quieter morning hours.

In my opinion, there is no reason to encourage drinking earlier in the day than lunchtime; and, extending operating hours usually involves more drinking and greater drunken behaviour and rowdiness at night. When people are gathered in a pub and drinking, they tend to raise their voices in competition with others; this has the effect of a higher level of noise carrying over to nearby residents, which can be very disturbing, especially in the later hours of the evening when people are trying to sleep. At least leave the Sunday hours as they are for a little respite for locals.

As a landlord, I am concerned that the proposed changes will cause my property to be less desirable for the above outlined reasons. As a future resident, I will have to reconsider my options if the hotel is successful in their application because I will have the same impact on my wellbeing as my tenants.

I trust the council planners will take into serious consideration the objections I and other locals have put forward.

Kind regards,
[REDACTED]

From: Eleonora Pasti [REDACTED]
Sent on: Friday, January 16, 2026 6:59:53 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Eveleigh Hotel Expansion D/2025/1210

Caution: 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 Christina Robinson,

I am writing to express my concerns regarding the proposed expansion of the Eveleigh Hotel located on Abercrombie street, Redfern 2016. As a resident of Redfern, I am deeply concerned about the potential impacts on our community.

The proposed changes include extended outdoor trading hours, increased outdoor seating, a larger licensed area, and a doubling of indoor capacity. While these modifications may benefit the venue, they pose significant challenges for our neighborhood.

Firstly, the increased patronage and extended hours are likely to lead to higher noise levels, disturbing the quiet residential environment that we currently enjoy. Additionally, there is a concern about street drinking, which can compromise safety and increase the risk of anti-social behavior.

Moreover, this expansion represents more than just a minor modification. The cumulative impact will likely alter the character of the area permanently, making it challenging to reverse these changes in the future.

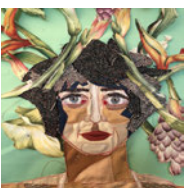
In light of these concerns, I urge the City of Sydney Council to carefully consider the impact on the local community and to prioritize the residents' quality of life.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

Eleonora Pasti

31, Caroline st, 2016 Redfern



From: [REDACTED]
Sent on: Saturday, January 17, 2026 10:28:47 AM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: [REDACTED]
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Christina,

I wish to formally object to the proposed development of the Eveleigh Hotel, increasing capacity to 200 patrons and extending trading hours to 12midnight.

My family and I reside in close proximity to the site, and we are a family with a young child. We are deeply concerned that the proposed changes will have a significant and negative impact on our daily life, safety, and amenity.

In particular, we object on the following grounds:

1. Noise Impacts

The proposal is likely to result in increased noise, particularly during evening and late-night hours. Noise from patrons, amplified music, deliveries, and dispersal at closing times would adversely affect nearby residents, especially families with young children who require a quiet and stable environment during night-time hours.

2. Increased Traffic and Parking Pressure

The development is expected to attract a higher volume of patrons, leading to increased traffic congestion and parking demand in surrounding residential streets. This will reduce safety for pedestrians and children, and place further strain on already limited local parking.

3. Alcohol-Related Social Impacts

An expansion or intensification of licensed premises raises concerns regarding alcohol-fuelled behaviour, including anti-social conduct, public intoxication, noise disturbances, and reduced perceptions of safety—particularly at night. These impacts disproportionately affect families and residents living nearby.

4. Impact on Residential Amenity and Liveability

The cumulative effect of increased noise, traffic, and late-night activity will undermine the residential character and liveability of the area. This proposal does not adequately balance commercial interests with the wellbeing of local residents.

Given these concerns, we do not believe the proposed development is appropriate for this location and request that Council refuse the application or, at minimum,

require substantial modifications to protect residential amenity—particularly for families and children living nearby.

Thank you for considering this submission.

Yours sincerely,

A solid black rectangular box used to redact a signature.

From: [REDACTED]

Sent on: Saturday, January 17, 2026 7:27:25 AM

To: council@cityofsydney.nsw.gov.au

Subject: Opposition to: Eveleigh Hotel Expansion (D/2025/1210)

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

Please keep all my personal details private. This includes my name, address, email and phone number.

At the attention of: :Christina Robinson

Dear Christina,

As one of the homeowner in Vine street, I vehemently oppose the proposed expansion of the Everleigh and its trading hours.

- unacceptable noise levels in a residential area
- Not to scale with its surroundings
- will exacerbate existing noise issues in Vine Street Playground

The proposed DA would generate unacceptable levels of noise and disturbance in a residential area. Residents wellbeing should be prioritised over businesses in this area.

The scale: doubling patrons, the terrace expansion, the extended trading hours will all contribute to making this area less liveable. It is not in keeping with what the current streets can absorb.

One specific example: The Vine street playground is already a place where adults congregate late at night/early hours.

The proposed expansion, shall it be approved , would exacerbate this issue as well as the general noise levels at night throughout the neighbourhood.

I don't refer here to the direct noise of the venue, which can probably be managed (although the terrasse remains an issue), but spill over noise from people going to and from late at night.

The venue is immediately adjacent to dozen of dwellings. Places where people have a right to live and sleep. It is not in keeping with the existing « vibrancy reforms » and should not be subject to an exception because of the residential nature of its environment.

We have seen a pattern of countless CoS approvals benefitting businesses at the detriment of local residents. In this case, not a struggling local business, but an unnecessary, noisy expansion.

All this genuinely makes Sydney a less attractive city to live in for the vast majority of people working by day and sleeping at night. I trust you will make the only sensible choice and reject this DA.

Best,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Jamey Oughton [REDACTED]
[REDACTED]
Sent on: Saturday, January 17, 2026 12:51:16 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: contact@theeveleighhotel.com.au
Subject: Attention: Christina Robinson - Ref D/2025/1210

Caution: 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 Christina,

My name is James Oughton, the occupant of 6 Edward St, Darlington since January 2017.

I write to you to express my position regarding the DA in process for The Eveleigh Hotel on Abercrombie St, Darlington.

I am fully in support of the DA & would like to see a business that wants to provide a community space & place of congregation for the locals, their guests & anyone else who wants to experience this small pocket of Sydney thrive both for their benefit & for that of the community. In my 9 years of being a resident I have only ever witnessed The Eveleigh contribute to the general culture & tone of our area while being respectful of the community around. I wish for them to continue doing so & having inspected the premises since their renovation & the addition of upstairs spaces, not to mention the character of the current manager Rhydeon, I believe their expansion will be a very positive development for our part of Sydney.

I fully endorse their DA & would like my voice added to that side of the conversation.

Thank you for your consideration on this matter.

Kind regards,

James Oughton
6 Edward St, Darlington

From: Matt Blackburn [REDACTED]
[REDACTED]
Sent on: Saturday, January 17, 2026 3:23:37 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: ATT: Christina Robinson REF D/2025/1210

Caution: 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 or Madam,

I am writing to express my strong support for the development application submitted by the Eveleigh Hotel in Redfern to increase its patron capacity to 200 persons.

The Eveleigh Hotel plays an important and positive role within the local community. It is a well-established venue that provides a welcoming space for residents, workers, and visitors to come together, and it contributes meaningfully to the cultural and social life of the area. Venues like the Eveleigh are increasingly rare, and their continued viability is vital to maintaining a diverse and vibrant neighbourhood.

I would also like to highlight the diligent and professional manner in which the Eveleigh Hotel is managed. The operators have consistently demonstrated a strong commitment to responsible venue management, including consideration for neighbouring residents, patron safety, and compliance with relevant regulations. In my experience, the venue is well run, orderly, and respectful of its surroundings.

An increase in capacity to 200 patrons would allow the Eveleigh Hotel to better serve its community, host a broader range of events, and remain economically sustainable, while continuing its proven approach to responsible operation.

For these reasons, I am fully supportive of this application and encourage the approving authority to give it favourable consideration.

Thank you for taking the time to consider my submission.

Kind regards

Matt Blackburn

From: Sol Ahumada [REDACTED]
Sent on: Saturday, January 17, 2026 3:42:45 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Objection to Eveleigh Hotel Development Application

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

Dear Ms Robinson,

I am writing to lodge a formal objection to the Eveleigh Hotel applications based on the ongoing and observed impacts of the venue's current operation on the surrounding neighbourhood.

The site is not located within a designated late-night or entertainment precinct, and Vine Street and Abercrombie Street are predominantly residential in character. Despite this, the venue already operates at an intensity that is inconsistent with the local context.

The proposed increase to 200 patrons, extended trading hours to midnight, and the introduction of permanent outdoor trading would further entrench this intensive pattern of use and exacerbate existing issues.

Footpaths along Vine Street and Abercrombie Street are frequently congested by patrons drinking alcohol, smoking, and vaping. Patrons regularly do not remain within designated areas and instead sit and drink directly in front of nearby houses. This obstructs pedestrian movement and creates accessibility and safety concerns, particularly for residents using prams or mobility aids.

Outdoor patron congregation generates ongoing noise impacts that exceed what would normally be expected in a residential street. Excessive noise is already present until 10:00 pm, which is particularly disruptive for residents who need to work early or have young children.

Patrons also routinely remain outside the premises beyond permitted trading hours. After closing, groups linger in the street, shouting and screaming, smoking outside nearby homes, and knocking over household bins as they leave the pub. This behaviour demonstrates a lack of effective management and control over patron conduct and dispersal.

As residents, we live with constant noise and repeated disturbances. The behaviour of patrons is often disrespectful toward the surrounding homes, significantly diminishing residential amenity.

The premises also appear to be inadequately serviced for the number of patrons generated, with insufficient toilet facilities contributing to inappropriate behaviour in surrounding public spaces.

Given these ongoing impacts, the proposed changes would further degrade residential amenity. For these reasons, the application should not be approved.

Yours sincerely,

Ana Soledad Ahumada

From: Zac Elmes [REDACTED]
[REDACTED]

Sent on: Saturday, January 17, 2026 3:52:11 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Eveleigh expansion

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

Hey, I am a resident 3 doors down at 166 Abercrombie, we would love this expansion to go ahead as it is a great venue and has some lovely owners, it would bring such a great vibes social aspect to the community.

From: William Berthelot [REDACTED]
[REDACTED]
Sent on: Saturday, January 17, 2026 4:53:05 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 write in support of this DA.

I am a local resident and live near the Eveleigh Hotel. I received a flyer from a concerned citizens group who think this DA is problematic and will increase noise, etc.

The Eveleigh is a very popular pub and this will only make it less cramped inside and much more manageable for the venue, with less people waiting outside. It will be better for locals who visit often. It is a relatively unobjectionable DA and generic letters you get from residents as a result of the campaign do not reflect the community's views as a whole.

William

William Berthelot

Email [REDACTED]

Phone [REDACTED]

From: Euan Harvey [REDACTED]
Sent on: Sunday, January 18, 2026 1:34:03 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Robinson,

I am a local resident writing to strongly object to Development Application D/2025/1210 relating to the Eveleigh Hotel.

I have lived in this neighbourhood for 10 years and reside approximately 50m from the hotel. I am concerned that this proposal represents a substantial intensification of use that is not appropriate for a quiet residential street and would have ongoing impacts on nearby homes.

While the notification describes the proposal as a change of use of the first floor and an increase in patron capacity to 200 people, the supporting documentation makes it clear that the first floor is intended to operate as a fully licensed bar, live-music and events venue. This includes a wet bar, dining areas and spaces for private functions, with capacity for up to 100 patrons on the first floor alone.

In effect, this would create a two-level entertainment venue rather than a modest neighbourhood pub. The first floor is capable of operating independently from the ground floor, resulting in two active licensed areas directly adjacent to surrounding residential properties.

The proposal also involves the removal of the last remaining residential accommodation on the site. Converting the first-floor dwelling into commercial pub space reduces housing stock within an R1 General Residential zone, where the primary objective is to preserve residential use and protect local amenity.

In addition, the applicant acknowledges that the footpaths along Abercrombie Street and Vine Street are already used for licensed outdoor seating, and that a further footway dining application (16.85m²) is currently under assessment. Although this is being considered separately, it is clear that the increased patron numbers and extended hours proposed under this DA rely heavily on outdoor areas to manage crowding and activity. There is already a significant number of days when there has been a large number of people drinking outside the venue's outdoor permitted areas. In fact, patrons have been seen sitting on neighbours doorsteps with the pub's glasses. It is obvious that the venue cannot control the current number of patrons outside, let alone the additional number that may end up outside if a further 100 are permitted to be at the venue.

Taken together—200 patrons, live music on the first floor, multiple bars, and outdoor drinking on residential footpaths—this development would result in a significant increase in:

- noise and general disturbance
- smoking unmanaged drinking and loitering near homes
- congestion and obstruction on local footpaths
- late-night impacts on nearby family residences
- Increased pressure on resident's street car parking spaces

Council has previously refused a nightclub-style licensed venue at 156 Abercrombie Street, immediately adjacent to the Eveleigh Hotel at 158–160 Abercrombie Street, on residential amenity grounds. Approving this proposal would

undermine that decision and set a clear precedent for similar high-intensity venues in this residential precinct

For these reasons, I strongly object to the proposed development and ask that its impacts on residential amenity be given serious consideration.

Kind regards,
Euan Harvey

From: Andy Morris [REDACTED]
[REDACTED]
Sent on: Sunday, January 18, 2026 7:00:12 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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: Christina Robinson
City of Sydney Council
dasubmissions@cityofsydney.nsw.gov.au

Re: D/2025/1210 – Eveleigh Hotel

Dear Ms Robinson,

We are young parents who have lived at 19 Vine Street, Redfern for the past two years. During this time, residential amenity has deteriorated significantly due to the increasing scale and intensity of operations at the Eveleigh Hotel. Noise after 8:00 pm regularly wakes our children, and this disturbance is overwhelmingly generated by patrons congregating outside approved areas — standing on footpaths, blocking access, vaping, smoking, and engaging in other anti-social behaviour late into the evening.

We formally object to the Eveleigh Hotel's application, particularly in relation to the following proposed changes:

- Doubling the number of indoor patrons from 100 to 200 across two floors, seven days a week
- Permitting the use of footpaths on Vine and Abercrombie Streets for patrons to stand, drink, smoke, and vape from 10:00 am until closing

These two elements, when considered together, create a substantial and unacceptable intensification of use that the site, streets, and surrounding residential area cannot accommodate.

Over the past twelve months, the Hotel has already expanded its operations through extended outdoor “dining areas” on Vine Street and along the Abercrombie Street frontage. The Vine Street area includes four tables seating up to eight patrons each (32 patrons total), however this number is frequently exceeded, with additional patrons standing or sitting on balustrades within an already constrained space.

In practice, the outdoor area is used predominantly for the consumption of alcohol rather than dining. While a management plan exists, it is not actively enforced. Staff appear unable to manage the existing number of patrons drinking, smoking, and vaping on the footpath. Increasing the indoor capacity to 200 patrons will inevitably push even more people onto the street, significantly worsening existing congestion, noise, and anti-social behaviour.

Patrons routinely exit the Hotel with drinks purchased indoors and stand across the full width of the footpath — well outside both the Hotel's licensed area and any approved outdoor dining zone. This regularly results in the complete obstruction of pedestrian access, making it difficult or impossible for residents, parents with prams, or people using wheelchairs to pass through. Patrons also congregate along the Abercrombie Street frontage, on Vine Street itself, and outside nearby properties, particularly later in the evening.

The proposal to formally permit standing, drinking, smoking, and vaping on public footpaths institutionalises behaviour that is already unmanageable at current patron levels. When combined with the proposed doubling of indoor capacity,

the impact on noise, safety, and residential amenity will be severe and ongoing.

Vine and Abercrombie Streets are not located within an entertainment precinct. They are residential streets. The Eveleigh Hotel historically operated as a local hotel, however under the current owners it has transitioned into a high-intensity venue that is incompatible with its surroundings.

The premises is also not equipped to support the increased patron numbers proposed. With only three toilets downstairs and two upstairs, facilities are clearly inadequate. As a result, patrons have urinated in nearby parkland, on the Ausgrid power box, and in residential garden areas along Abercrombie Street.

The proposed changes are not a minor modification. The combined increase in indoor patron numbers and the legitimisation of street-based drinking and smoking creates a cumulative impact far greater than any single element considered in isolation.

Accordingly, the only appropriate planning response by the City of Sydney Council is refusal of this application, not conditional approval.

Yours sincerely,

Andy Morris
19 Vine Street
Redfern NSW 2016

From: Paul Peterson [REDACTED]
[REDACTED]
Sent on: Monday, January 19, 2026 7:32:22 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission – D/2025/1210 – 158–160 Abercrombie Street, Redfern NSW 2016 – Attention Christina Robinson

Caution: 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 – DA Submissions
dasubmissions@cityofsydney.nsw.gov.au

From:
Paul Peterson
70 Hugo Street
Redfern NSW 2016
[REDACTED]
[REDACTED]

Date: 19 January 2026

Submission – Objection to DA D/2025/1210 (The Eveleigh Hotel)

I write to object to the approval of Development Application D/2025/1210 for 158–160 Abercrombie Street, Redfern, on the grounds that the proposal will materially and adversely impact residential amenity through increased street drinking, noise and late-night disturbance.

Street Drinking and Public Domain Impact

The proposed increase to 200 patrons and operation of the first floor until midnight, seven days a week, will inevitably increase the number of patrons congregating on the footpath and street, particularly smokers, people waiting for transport, and dispersing crowds. This creates a high likelihood of alcohol consumption in the public domain, despite any nominal limits on outdoor table service. Once patrons are outside, effective control is extremely difficult.

Noise and Amenity

Late-night street drinking leads to raised voices, shouting, arguments and general disturbance, particularly after 10 pm. This directly undermines the quiet enjoyment of nearby residences and is inconsistent with the City's planning objectives to protect residential amenity and manage the impacts of the night-time economy.

Cumulative and Permanent Intensification

The proposal converts a former residence to hotel use, doubles patron numbers and seeks to normalise activity until midnight every day. Temporary outdoor approvals currently in place would, in effect, become permanent in impact. This represents a substantial and irreversible intensification of use, with ongoing pressure on surrounding streets and footpaths.

Requested Outcome

I respectfully request that Council:

- Refuse the application; or
- At minimum, impose strict and enforceable conditions that:
 - Prohibit the consumption of alcohol in the public domain adjacent to the hotel;
 - Require active management of patron dispersal to prevent loitering and street drinking;
 - Restrict hours and capacity to levels that do not generate late-night crowd spill-out into surrounding residential streets.

The proposed development, as lodged, will increase street drinking and associated noise and disorder, and will cause ongoing loss of residential amenity for local residents. For these reasons, I urge Council not to approve the application in its current form.

Yours sincerely,

Paul Peterson
70 Hugo Street
Redfern NSW 2016

From: Joey Tuong [REDACTED]
[REDACTED]
Sent on: Sunday, January 18, 2026 10:53:47 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: D/2025/1210 - Letter of Support

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

To whom it may concern,

I am a local resident and homeowner writing in strong support of this development application, in particular as it seems there is a group calling themselves the "Far West Redfern Dwellers" letterboxing the local area to marshall opposition to this and any other development in the area. The proposed changes will help to revitalise the area, increase available amenities for local residents and visitors alike, and the Eveleigh Hotel and their patrons have been good local citizens that stay sensitive to the needs of the surrounding residents.

I urge the planning department to discard the sensationalist remarks of the "Far West Redfern Dwellers" as they are a small group that does not represent the interests of the local community, and are opposed to any proposed developments to the local area, even if they promise to improve the local amenities for residents.

Sincerely,
Joey Tuong

From: Emily Pettafor [REDACTED]
[REDACTED]
Sent on: Monday, January 19, 2026 11:08:58 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Reference: D/2025/1210 Eveleigh Hotel - attn Christina Robinson

Caution: 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 D/2025/1210 Eveleigh Hotel

Dear Ms Robinson,

I am a resident of Abercrombie Street and wish to convey my strong objection to Development Application D/2025/1210 for the Eveleigh Hotel.

I have lived in this area for 20 years and my home is on the same block as the hotel. I am writing because this proposal would significantly change the scale, intensity and impact of the venue in a residential street.

Although the notification letter describes this as a change of use of the first floor and an increase to 200 patrons, the applicant's own documents show that the first floor will operate as a licensed bar, live-music and event space with a wet bar, dining areas and private functions. Up to 100 people will be allowed on the first floor alone, contributing to a total capacity of 200 patrons across the building.

This will completely transform The Eveleigh, from a small local pub to a two-storey effectively a night club in a quiet residential street.

Even as it currently operates, with half the proposed number of patrons, The Eveleigh Hotel has become a very disrespectful neighbour.

My young daughter and myself must push past crowds of young people drinking and smoking on the footpath on both Vine and Abercrombie streets on Friday and Saturday evenings. These patrons often show no respect for passing pedestrians, blowing smoke and vape in our faces and effectively blocking the footpath on our own street.

The pub's staff and management have done nothing to address this. I have never seen a staff member outside, checking on the behaviour of their patrons. There are often more than 50 patrons standing on the street, chatting and laughing, getting progressively louder and drunker as the night goes on.

This gives me little hope that management will do anything to curb this antisocial behaviour should the venue double its capacity. Their current behaviour shows they do not respect our neighbourhood or care about our access to our own street.

Signs saying 'Please respect our neighbours' are completely worthless if the venue cannot enforce the rules of its own licence and this behaviour is a prime example of why I would hope Council would move to refuse this DA.

The first floor would be able to operate independently from the ground floor, meaning there will be two active licensed spaces within 20 metres of my home.

The applicant also confirms that Abercrombie Street and Vine Street footpaths are already used for licensed outdoor seating, and that a 16.85m² footway dining application is currently under assessment. Although this footpath approval is being assessed separately, this DA clearly relies on those outdoor areas to absorb the impacts of doubling patron numbers and extending late-night operation.

With up to 200 people, live music upstairs, two bars, and outdoor drinking on residential footpaths, this proposal will significantly increase:

- noise and disturbance
- smoking and loitering
- footpath crowding and obstruction
- late-night impacts on nearby homes

Council previously, and correctly, refused a nightclub-style licensed venue at 156 Abercrombie Street, immediately adjacent to the Eveleigh Hotel at 158–160 Abercrombie Street, on residential amenity grounds.

Approving The Eveleigh's proposal would undermine that decision and set a clear precedent for similar high-intensity

venues in my beloved residential precinct.

For these reasons, this proposal is not a minor change. It represents a major intensification of use that is incompatible with the zoning and the character of this wonderful neighbourhood.

I therefore request that Council refuse Development Application D/2025/1210.

Thank for you for your time and consideration.

Yours sincerely,

Emily Pettafor

Abercrombie Street, Redfern

From: Liz Crosby [REDACTED]
Sent on: Monday, January 19, 2026 2:48:16 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: D/2025/1210

Caution: 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: Christina Robinson
Reference: D/2025/1210

Dear Christina,

I wish to register my support for the above proposal. The Eveleigh is an excellent pub - a true community asset. The fact that it has a policy of no pokies and no screens speaks for the ethos of its management.

The proposal before Council is to allow for an increase of patrons, and this is because the first floor has been converted into a sound proofed venue.

Pubs that don't rely on pokies for profits need to be supported to survive, and increasing patronage to attend a music venue should be a win win for the community - musos being paid for their work and young people with a safe space to socialise.

As a long standing regular at the pub, I can attest to how well the pub is run, and am confident that the above proposal has been put together mindful to respect the values and comfort of the immediate neighbourhood. I would, however, point out that the pub has been in situ and operating for more than a century.

I support Council's initiatives towards a night time economy, and hope that it can approve this very reasonable and modest request.

best regards

--

Liz Crosby
[REDACTED]

From: Jess Lord [REDACTED]

Sent on: Tuesday, January 20, 2026 5:49:12 PM

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

Subject: In Support of The Eveleigh Hotel - D/2025/1210

Caution: 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 Christina,

I am writing to express my strong support for the Development Application for The Eveleigh Hotel.

Farewells, birthdays, nights out discovering new local music, dinners with my parents, I do it all at the Eveleigh and it's a true community hub that brings together a wide range of people.

Whilst I love the Ev, the one thing holding it back is the amount of regulations posed upon it; including early finishes to live music and reduced capacity. The proposed increase in capacity and the ability to host live music upstairs until later would significantly enhance what the venue already offers.

Supporting live music in particular is vital for local artists and for maintaining a vibrant cultural scene in our area.

Thanks for your time,
Jess.

PUSH

Jess Lord
[REDACTED]

From: Lauren Glozier [REDACTED]
[REDACTED]
Sent on: Tuesday, January 20, 2026 10:54:06 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Eveleigh Hotel Submission

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

Attention: Christina Robinson
Reference: D/2025/1210

Hi there,

Emailing to provide my support for the Eveleigh's revised opening hours and increased capacity. I've lived around the corner on Cleveland St for years now, and the Eveleigh is a hugely important institution for our community - any pushback is frankly ridiculous - this is an inner city suburb. The council claims to support local venues then does not allow them to expand! Keep it alive!!

Lauren, 139 Cleveland St

From: Sophie Read [REDACTED]
[REDACTED]

Sent on: Tuesday, January 20, 2026 7:04:17 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Attention: Christina Robinson Reference: D/2025/1210

Caution: 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 offer my voice in support of The Eveleigh Hotels proposal to expand their capacity. The venue is a catalyst for social connectedness in Redfern and conjoining suburbs. I feel that the addition of live music would enhance The Eveleighs appeal to an emerging arts scene.

Thank you for listening,
Sophie R

From: Arthur Little [REDACTED]
[REDACTED]

Sent on: Tuesday, January 20, 2026 10:52:55 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Reference: D/2025/1210

Caution: 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: Christina Robinson

This is a submission voicing my support.

I'm a local Redfern resident for many years and I would like to formally support the Eveleigh Hotel in the extension, longer trading hours and increase in venue capacity from 110 to 200

This increases the usability of the venue, providing more space inside for patrons and assists Eveleigh's continued contribution to the neighbourhood as a live music venue and local meeting place.

As the City of Sydney reviews DA. I kindly support the application to adjust the licensed capacity to match the updated use of the top floor as a multi-functional space.

Kind Regards,

Arthur Little - Redfern local

From: Brenden Johnson [REDACTED]

Sent on: Wednesday, January 21, 2026 11:35:10 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: D/2025/1210

Caution: 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 Christina,

I am writing to formally express my support for the Eveleigh Hotel's application to increase its seating capacity.

The Eveleigh Hotel has become a vital community hub, providing a welcoming, inclusive, and safe space for people from all walks of life. Over time, it has played an important role in strengthening local community spirit by fostering connection, creativity, and social interaction. The venue attracts a diverse cross-section of patrons, including local residents, artists, musicians and out-of-area visitors, all of whom contribute to the area's vibrancy.

Increased seating capacity will allow the venue to better accommodate patrons in a comfortable and orderly manner, reducing congestion and enhancing overall amenity. It will also support accessibility and inclusivity by ensuring more people can safely participate in community events and performances.

In my experience, the hotel operates with great respect for its neighbours while delivering clear social and cultural benefits. I strongly encourage the approval of this application and commend the Eveleigh Hotel for its ongoing contribution to our community.

Yours sincerely,

Brenden

BRENDEN JOHNSON
MANAGING DIRECTOR



[REDACTED] | 16-30 VINE ST, REDFERN

[WEBSITE](#) [INSTAGRAM](#)



VANDAL acknowledges the Gadigal people of the Eora Nation, the traditional custodians of this land. We pay our respects to the Elders both past and present.

This email message, including any attachments, is intended for the individual or entity to whom it is addressed and may contain confidential and/or privileged information. If you have received this email in error you must not disclose or use the information in it. Please delete the email and any copies and notify the sender immediately. Confidentiality and/or privilege are not waived or lost by reason of the mistaken delivery to you. Views expressed in this message are those of the individual sender, and are not necessarily the views of Frame Set & Match Pty Ltd t/a VANDAL. VANDAL accepts no liability for any loss or damage caused directly or indirectly from this email or any attachments due to viruses, interference, interception, corruption or unauthorised access.

From: [REDACTED]

Sent on: Wednesday, January 21, 2026 12:40:12 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Council,

I am writing to express my strong support for Development Application D/2025/1210 for The Eveleigh Hotel, located at 158–160 Abercrombie Street, Redfern.

I am a local resident living on Eveleigh Street and have lived in Redfern for the past eight years. I also work nearby in Chippendale. Throughout this time, The Eveleigh Hotel has consistently demonstrated itself to be a well-run and responsibly operated local venue, and a genuinely positive presence within the neighbourhood.

The venue operates in a manner that is clearly aligned with the character and values of the local community. It is consistently safe, friendly, and welcoming, and contributes meaningfully to the area's accessibility and sense of community.

Importantly, The Eveleigh plays a vital role in supporting live music, something that has become increasingly rare across Sydney. The absence of poker machines further reinforces its community-focused approach. Its contribution to Redfern's cultural life, as well as its support of local artists and the broader local economy, is significant and deserving of continued support from the City of Sydney. As a local resident, this is exactly the kind of venue I want to see sustained and encouraged in this area.

The proposed changes outlined in the application are modest, sensible, and entirely appropriate for a venue with such a strong track record of responsible operation.

I believe the application will further enhance the social and cultural fabric of the area, and I fully support its approval.

Kind regards,

[REDACTED]

From: lucia hamdorf [REDACTED]
Sent on: Wednesday, January 21, 2026 12:44:38 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: D/2025/1210 - 158-160 Abercrombie St, Redfern.

Caution: 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 CHRISTINA ROBINSON

Dear Christina,

I am witting in support for the current DA no D/2025/1210 relating to The Eveleigh Hotel at the aforementioned address. I am a town planner and local resident.

The Eveleigh Hotel is a fantastic example of a local institution, which services the local area and has a great track record in responding to local resident concerns.

The Eveleigh Hotel is a cherished local establishment, with a well established community who support a creative, interesting and vibrant Sydney.

The staff members at the Eveleigh are extremely vigilant in monitoring patron behaviour , and do their very best to ensure any impacts to surrounding residents are mitigated.

I strongly support the current DA, and trust that the efforts and strong and effective ongoing management systems of the staff at the Eveleigh clearly demonstrate the venue's respect for the neighbouring community.

Kind regards,

Lucia Hamdorf

From: William Job [REDACTED]
[REDACTED]
Sent on: Wednesday, January 21, 2026 1:20:04 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Christina,

I am writing in support of D/2025/1210 as submitted by The Everleigh Hotel. The Everleigh is a well run, trusted and beloved venue. As a former Redfern resident who now works in close proximity to The Everleigh, I have had the privilege of being a part of this community for many years.

The change of use of the first floor, increased capacity and extended operating hours would be a welcomed change. The Everleigh has been a strong community gathering place and local advocate for many years, and these proposed changes will allow for this to continue into the future.

Kind regards,
William

From: Simon Hills-Johnes [REDACTED]
Sent on: Wednesday, January 21, 2026 3:00:36 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission D/2025/1210 158-160 Abercrombie Street REDFERN NSW 2016 | ATTN: Christina Robinson

Caution: 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: Christina Robinson,

My name is Simon Hills-Johnes. The comment submission button wasn't working in my browser, so I have included my declaration and consents at the bottom of this comment. Please let me know if you need anything further.

I'm writing this comment to add my support to the Eveleigh Hotel's DA application (ref: D/2025/1210) and hopefully aid in their commitment to bringing more live music back into the city.

I've lived on the same street as the Eveleigh Hotel for over a decade now, so I can attest to the incredible difference that the current owners, Todd and Paris, have made in their changes to the venue since taking over the hotel, and the amazing work they've done to encourage more life and live music into the area.

Even on weeks I don't enter the pub, the soft sounds of jazz gently flowing down the street on a Sunday afternoon are a total joy. It creates the feeling of living in a vibrant, artistic, and safe neighbourhood.

You can step into the Eveleigh Hotel any time during the week, and you'll instantly experience the warm, welcoming, inclusive, and family-friendly culture that their venue manager, Rhydian, and his lovely team of ever-smiling and always neighbourly staff have fostered so wonderfully since the venue reopened. With this team in place and their connection to the community, I have no doubt that longer opening hours and more capacity will mean nothing more than a little more music and laughter in the neighbourhood.

And, in a neighbourhood where our late-night acoustic blessings include trucks on Cleveland Street, ambulance sirens around the clock, and the late-night screeches of itinerant methamphetamine enthusiasts; the beautiful sound of live music being played, and the life-affirming din of young people laughing, is likely the best thing you can hear in our little pocket of the city.

Many thanks for your time! Kindest regards, Simon Hills-Johnes
78 Vine Street, Darlington

I declare that:

- any submission, comment or attachment I make is my own and I own the copyright and any other relevant rights
- I have obtained the permission of all third parties who own copyright, moral rights or other intellectual property rights in any submission, comment or attachment that is not my original work
- I have obtained the consent of people where the submission, comment or attachment contains their personal information
- any submission, comment or attachment I make is not obscene, offensive or otherwise defamatory
- any attachments I have submitted comply with the City of Sydney's digital requirements.

I acknowledge and agree that the City of Sydney is not responsible for the content and accuracy of my submission,

comment or attachment.

I consent to:

- my submission, comment or attachment being made available to the public, exhibited on a public register, and placed on the City of Sydney's website, in line with the Government Information (Public Access) Act 2009 (GIPA Act)

Simon
Hills-
Johnes



From: Umi Graham [REDACTED]
[REDACTED]
Sent on: Wednesday, January 21, 2026 3:01:03 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission D/2025/1210 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 this may concern,

I'm writing in support of the proposed changes to The Eveleigh Hotel at 158-160 Abercrombie Street, Redfern. As a local resident that frequents the Eveleigh multiple times a week I can testify to the safe, welcoming, vibrant and unobtrusive atmosphere created and maintained by the venue's owners and staff. The corner pub is cherished by not only locals but also by many from neighbouring suburbs who come for the live jazz on Sundays, a quiet dinner, or to wind down after a long day. I have never experienced any disrespectful behaviour at the venue and believe this will not change if the hours and use of the venue are extended.

I strongly support the change of use of the 1f floor to a performance venue. The proposed small space for performances, of which Sydney is shamefully lacking, would add to the diversity of cultural offerings in the area and support local artists. I believe this change of use will only produce positive outcomes for the neighbourhood as well as for the wider arts and music community. I can testify to the ongoing care, respect and support The Eveleigh extends towards musicians, artists, music lovers and listeners.

The rejection of this application, in my view, would be a great shame for the city. Small, local pubs are the cornerstones of rich and vibrant neighbourhoods and cultures.

Kind regards,
Umi

From: Hugh Johnston [REDACTED]
[REDACTED]
Sent on: Thursday, January 22, 2026 7:54:44 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 wish to express my support for the proposed changes to the Eveleigh. Since re-opening the Eveleigh has been a cornerstone of the local community.

The expansion and alignment of operating hours offers additional space for music, events and functions. Intimate spaces like this are sorely missing in the inner city. Given the NSW government has recently admitted the significant reduction in small and medium cultural venues as a result of the lockdown laws, the proposed changes present an opportunity to right wrongs and expand the current offering for the local community. There is also significant strategic merit with the proposal aligning with the NSW vibrancy reforms by further encouraging community, music and culture to the venue.

Thanks,
Hugh Johnston
1/9-27 Moorgate Street, Chippendale

From: guy curd [REDACTED]
[REDACTED]
Sent on: Thursday, January 22, 2026 9:55:44 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

Development Application D/2025/1210 – Eveleigh Hotel

Dear Ms Robinson

I am writing to formally object to Development Application D/2025/1210 concerning the Eveleigh Hotel.

As someone who regularly comes to the area for work and to visit friends, I've observed a significant increase in parking difficulties on nearby streets since the hotel's renovation. There has also been a noticeable rise in footpath drinking and anti-social, intoxicated behaviour.

While the current situation is just manageable, the proposed expansion—doubling the venue's size and capacity, adding another liquor licence, and extending trading hours to midnight seven days a week—would push the area beyond its limits. This quiet residential pocket is already experiencing more noise and activity than before, and the proposed changes would exacerbate these issues considerably.

The scale and nature of the proposal resemble a destination-style entertainment venue, more suited to vibrant commercial areas such as King Street, Broadway, or Regent Street. It is incompatible with the character and amenity of this neighbourhood and should be firmly rejected.

Thank you for considering my submission.

Best wishes,

Guy Curd

From: [REDACTED]

Sent on: Wednesday, January 21, 2026 7:45:42 PM

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

Subject: Re: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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

Could I please request that the highlighted sections below are not publicly published.

Thank you

On Wed, 21 Jan 2026 at 19:39, [REDACTED] wrote:

Dear Christina,

RE: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016

I am writing as an arts worker and cultural programmer, living and working in Chippendale. Over the past 4 years, I have been a regular patron of The Eveleigh Hotel, a venue I believe approaches the platonic ideal of a 'third space' in the City of Sydney.

Since its change of ownership a couple of years ago, the Ev, as it is affectionately known among its clientele, has only enriched its contribution to the community.

To go to the Ev on a Friday afternoon is to fill up your cup — it's running into friends, it's hearing music played by independent artists, it's knowing that the people who own and run the venue are doing so with care, and competence. The proposed DA would further deepen and substantiate these qualities. To enjoy a beverage with your loved ones, late on a warm summer evening outside *should be possible*. The ability to serve patrons upstairs alongside presenting small live music performances is particularly important given the relentless closures of important cultural spaces in our fast-changed city, which is perceptibly muscling out artists and creatives.

Given my experience working within cultural institutions [REDACTED], I can confidently say that institutions such as The Eveleigh Hotel are ones that the council should be rallying for at every turn if it truly cares about the *possibility* of this city being as vibrant as it proclaims.

The Eveleigh Hotel is no Merivale monolith. It's exactly what this neighbourhood needs.

I wholeheartedly support their proposed development and would implore you to do the same.

Yours sincerely,
[REDACTED]

From: Raymond Doherty [REDACTED]
[REDACTED]
Sent on: Wednesday, January 21, 2026 11:25:41 PM
To: DASUBMISSIONS@cityofsydney.nsw.gov.au
Subject: Submission - OBJECTION - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 – Objection to DA D/2025/1210

Proposed Eveleigh Hotel Expansion - Hugo St Resident

I **object** to the proposed expansion of the Eveleigh Hotel on the grounds that it represents an unnecessary, excessive and permanent intensification of use that will significantly and unacceptably impact residential amenity, neighbourhood character, and public safety.

The Eveleigh Hotel already operates with very generous approved trading hours and capacity. Local residents have been consistently understanding, tolerant and cooperative of the hotel's current operations, despite ongoing noise, patron spill-over and late-night disturbance. The current application goes well beyond what can reasonably be expected of a residential community to absorb.

This proposal seeks longer outdoor trading hours, increased outdoor seating, a larger licensed first-floor area, and a doubling of indoor patron capacity from 100 to 200 patrons, with additional outdoor and street-adjacent drinking areas on Abercrombie Street, Vine Street and potentially surrounding streets. These changes are not minor and create a cumulative impact that far exceeds the existing approval.

Of particular concern is the scale of ownership and control the Eveleigh Hotel operators already hold in the immediate area. The owners control a substantial footprint of property surrounding the hotel, raising serious concerns that this proposal represents the beginning of a progressive expansion across Vine Street, Abercrombie Street and Hugo Street, effectively transforming a local hotel into a high-intensity, multi-street licensed precinct. This would fundamentally alter the character of the neighbourhood.

Key concerns include:

- Noise and disturbance from increased patron numbers, extended outdoor hours and street-based drinking.
- Loss of residential amenity in an area that includes homes immediately adjacent to the venue.
- Hard-to-manage street drinking, increasing safety risks, antisocial behaviour and pedestrian congestion.
- A permanent escalation of venue intensity that cannot realistically be reversed once approved.

- Precedent risk, enabling further expansion through surrounding properties already under common ownership.

Conditions of consent cannot adequately mitigate a proposal that is fundamentally oversized for its setting. The existing approvals already provide the Eveleigh Hotel with a viable and generous operating framework. Further expansion is neither necessary nor appropriate.

For these reasons, the application should be refused, not conditionally approved, in order to protect residential amenity, neighbourhood character, and the long-term liveability of the area.

R Doherty

From: [REDACTED]

Sent on: Wednesday, January 21, 2026 7:39:29 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Christina,

RE: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016

I am writing as an arts worker and cultural programmer, living and working in Chippendale. Over the past 4 years, I have been a regular patron of The Eveleigh Hotel, a venue I believe approaches the platonic ideal of a 'third space' in the City of Sydney.

Since its change of ownership a couple of years ago, the Ev, as it is affectionately known among its clientele, has only enriched its contribution to the community.

To go to the Ev on a Friday afternoon is to fill up your cup — it's running into friends, it's hearing music played by independent artists, it's knowing that the people who own and run the venue are doing so with care, and competence. The proposed DA would further deepen and substantiate these qualities. To enjoy a beverage with your loved ones, late on a warm summer evening outside *should be possible*. The ability to serve patrons upstairs alongside presenting small live music performances is particularly important given the relentless closures of important cultural spaces in our fast-changed city, which is perceptibly muscling out artists and creatives.

Given my experience working within cultural institutions [REDACTED], I can confidently say that institutions such as The Eveleigh Hotel are ones that the council should be rallying for at every turn if it truly cares about the *possibility* of this city being as vibrant as it proclaims.

The Eveleigh Hotel is no Merivale monolith. It's exactly what this neighbourhood needs.

I wholeheartedly support their proposed development and would implore you to do the same.

Yours sincerely,

[REDACTED]

[REDACTED]

From: Frances Neale [REDACTED]
[REDACTED]

Sent on: Wednesday, January 21, 2026 4:13:09 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street Redfern NSW 2016 ATTENTION: Christina Robinson

Caution: 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 Christina,

I wish to write a letter in support for the Submission - D/2025/1210 - 158-160 Abercrombie Street Redfern NSW 2016.

I am a resident who lives around the corner in Chippendale from the eveleigh pub. The eveleigh has long been a pillar for the local community to gather with friends and enjoy live music from local artists. The venue represents something that Sydney has lost over the years - it is supporting the growth and fostering of local artists and the community that comes with it. Since the renovations and change of management, I have seen firsthand the exceptional professionalism that the staff and management bring to running the venue, which has fostered a safe haven that many locals call home to listen to a great tune, catch up with friends or meet someone new. I personally have the privilege of living next door to jazz musicians who have been booked for gigs at the Eveleigh and regularly run into other neighbours there - all of us there to support the local talent. It is incredible to see a rare example of locals investing in local businesses and this being returned by the business itself through employment and opportunity.

I wanted to write to express my wholehearted support for this unique and important venue's DA submission to further their role in enriching a wonderful community through music, food and drink. It would be exceedingly disappointing to hear that this was rejected and the flow on effects that this would have to the community's ability to access the venue. I have every faith and give every support in this venue and their management to uphold an exceptional standard of business that serves the people of Sydney.

I hope you take this letter of support into consideration from a local member of the community who regularly attends the Eveleigh.

Kind regards,
Frances
[REDACTED]

From: [REDACTED]
[REDACTED]

Sent on: Thursday, January 22, 2026 10:19:06 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 hereby wish to make a submission regarding the above DA.

I live at 9 Hugo Street, Redfern which is approximately 50metres from the 158 - 160 Abercrombie St, Redfern property and have done so since the 1980s. When I first moved here this property housed a very nice Italian Restaurant on the Hugo Street side with residential and cooking facilities upstairs. It was a quiet place where I could take my mother for a meal and had a large clientele from the University and local community with tables extending into the outdoor garden area. Sadly the restaurant closed but then food and accompanying alcohol was still served on the Abercrombie side. There was also live music at times but it never ran late nor was it particularly noisy. I wish this business all the best and hope it flourishes.

This was never a venue where the service of alcohol was its main purpose (although obviously somewhat necessary as it is in any licensed premises to aid in making a profit) generally it has been no problem to live in close proximity to it. This has however changed recently. The seating on the Vine Street side is already an inconvenience - nothing drastic but as a disabled individual it prevents me taking the most direct route when waking towards Cleveland Street for coffee and shopping. As well as this the vehicles parking in the street in the evenings are causing more inconvenience forcing me to park further from my home when I come home later in the day. The patrons of the hotel at times have made it feel unsafe to walk past this property in the evening ie the nature of this business seems to have changed from a quiet place to eat and talk with friends to a 'pub' with all the numerous problems that brings.

I am most certainly against an increase in capacity. I most certainly oppose extensions of trading hours and its conversion into a pub. Whilst I generally approve of live music this is a residential area and is not an appropriate venue for loud music and certainly not for seven days a week till midnight. The noise laws should still apply.

We should be able to walk around the block in the evening without having to worry about inebriated individuals or dodging drinkers. I have been told that there has already been cause to eject individuals due to their behaviour. Where these individuals go after ejection is likely to be onto our streets and parks which are meant for the safe enjoyment of locals. Will I still be safe leaving my property in the evenings - I personally feel that I will not be able to. Any increase in capacity will obviously increase the problems already becoming apparent and the footpaths surrounding this venue are not large enough to absorb any further expansion. Neither is there enough street parking to cater for increased numbers nor am I particularly happy about individuals (drunk or sober) who haven't driven, wandering up Hugo Street, (the obvious route) to get to the train station at all hours of the night.

I live in what has always, as long as I have been in the area, a quiet, safe place to live. There were, in the past, some problems in some streets nearby but they did not often affect Hugo Street and those problems do not exist today. I feel that if this Submission is granted that it will no longer be peaceful or safe particularly in the evenings. Such an expansion to that property will bring traffic noise, parking problems, noise pollution, rowdy and drunk individuals (and the accompanying reduction in personal safety) into my quiet, peaceful street. As an elderly, disabled (TPI) individual that will turn my neighbourhood into a very unpleasant and unsafe place to live.

For these reasons I request that the Council refuse Development Application D/2025/1210

[REDACTED]
22 January 2025

Sent from my iPad

From: Dispicable Wombat [REDACTED]

Sent on: Friday, January 23, 2026 7:18:44 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Robinson,

I object to Development Application D/2025/1210 for the Eveleigh Hotel at 158–160 Abercrombie Street, Redfern.

I am a long-term resident of this neighbourhood and am familiar with both the historic operation of this hotel and the cumulative impacts of recent changes. I have reviewed the Statement of Environmental Effects and the Plan of Management in detail.

This application proposes to remove the first-floor residence (Class 4) and convert it into part of the licensed hotel, increase the maximum patron capacity to 200, and extend first-floor trading to midnight, seven days a week. The applicant's own documentation confirms that the first floor will operate as a bar, live-music and function space, capable of operating independently of the ground floor, with up to 100 patrons on that level alone.

This is not a minor internal reconfiguration. It creates a two-level licensed entertainment venue in a location zoned R1 General Residential, where residential amenity and housing retention are core planning objectives.

The proposal also removes the last remaining residential accommodation from the site. While the Statement of Environmental Effects claims that no dwellings are lost, this is incorrect in practical planning terms: an existing residential use is being permanently displaced to facilitate commercial expansion. This outcome is inconsistent with the objectives of the R1 zone.

The Statement of Environmental Effects further confirms that licensed outdoor seating operates on Abercrombie Street and Vine Street, and that an application for 16.85m² of footpath dining is currently under assessment. Although that footway application is technically separate, this DA clearly relies upon existing and pending outdoor approvals to absorb the impacts of doubling patron numbers and extending late-night operation. The assertion that the proposed development "will not affect the public domain" is therefore internally inconsistent with the applicant's own material.

I also refer Council to a video published by the Eveleigh Hotel on its own Instagram account (attached), which shows patrons congregating, drinking and occupying the Abercrombie/Vine Street footpath during trading hours. The accompanying caption states: "A great day at the EVE. Lets hope there are many more like this." This material demonstrates that use of the public footpath for patron congregation is not incidental or exceptional, but a promoted and recurring aspect of the venue's operation. When considered alongside the proposed increase to 200 patrons and the creation of a second bar and live-music space upstairs, this footage confirms that increased pressure on the public domain is foreseeable and integral to the operation of the venue.

The Plan of Management also acknowledges that control over patron behaviour is limited once patrons leave the venue. With two bars, live music, 200 patrons, and reliance on surrounding footpaths, the proposal will significantly intensify street-level impacts including noise, congregation, smoking, and obstruction of pedestrian movement. These impacts are cumulative and predictable.

Council has previously refused a nightclub-style licensed venue at 156 Abercrombie Street, immediately adjacent to this site, on residential amenity grounds. Approval of this application would undermine that decision and establish a clear precedent for further high-intensity licensed uses in this residential precinct.

For these reasons, the changes proposed at the Eveleigh Hotel are not a minor modification. They represent a major intensification of use and create a cumulative impact far greater than any single element alone, making the proposal incompatible with the zoning and the established residential character of the area.

The only appropriate planning response is refusal of Development Application D/2025/1210.

Yours sincerely, J.Adam

From: [REDACTED]

Sent on: Thursday, January 22, 2026 3:34:25 PM

To: council@cityofsydney.nsw.gov.au

Subject: Objection to D/2025/1210, 158–160 Abercrombie Street, Redfern NSW

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

Development Application: D/2025/1210

Applicant: The Eveleigh Hotel Pty Ltd

Property: 158–160 Abercrombie Street, Redfern NSW We would prefer that our names, address and email are kept confidential for this submission.

[REDACTED]
[REDACTED]

I am a nearby resident and wish to lodge a submission regarding Development Application D/2025/1210. I acknowledge the long-established presence of the Eveleigh Hotel and accept the role of licensed venues in an inner-city context. However, I have concerns that the proposed increase in patron capacity to 200 persons and extended late-night operation will result in unreasonable impacts on residential amenity, particularly in relation to noise and patron behaviour.

These concerns are not based on the technical capacity of the building itself, but rather on whether the proposed scale and intensity of use is appropriate in a predominantly residential setting.

Existing approved baseline and planning context

The lawful baseline for the operation of the Eveleigh Hotel is established by Development Consent **D/2017/388**, which explicitly limits the maximum number of persons permitted on the premises at any one time to **110 persons**, inclusive of staff, patrons, and performers. That consent imposed detailed noise and patron management conditions in recognition of the sensitive residential context, and explicitly noted that unrestricted consent would adversely affect environmental amenity and would not be in the public interest.

The current proposal therefore represents a substantial intensification of use, increasing patron capacity by approximately **82%**, and seeking to regularise a scale of operation that is materially different from what was previously assessed and approved for this location.

Recent operational changes and resident experience

Historically, the Eveleigh Hotel operated as a relatively quiet, local venue with modest attendance. Since refurbishment and recent operational changes, there has been a noticeable increase in patron numbers and activity levels.

Nearby residents have experienced repeated and ongoing amenity impacts, including:

-

Unmanaged patron congregation and drinking on footpaths outside approved outdoor dining areas

-

Loud patron behaviour audible well beyond the site boundary

-

Loitering and dispersal noise occurring well after outdoor dining closure times

These impacts have been documented by multiple residents across several dates in December 2025 and January 2026 and raised directly with the venue, NSW Police, and other authorities. This indicates that amenity impacts are already occurring under the existing approval framework and management controls.

Outdoor drinking approvals and operational reality

While subsequent footpath and outdoor dining approvals permit alcohol consumption in clearly defined outdoor areas and during specified hours, these approvals are limited in scope and subject to strict management requirements.

The Statement of Environmental Effects relies on assumptions that outdoor activity is limited and well-controlled; however, in practice, outdoor areas have been a key source of noise transmission. Patron movement between indoor and outdoor spaces—particularly around the 10:00pm transition—has contributed to increased noise and disturbance within the surrounding residential area.

The SEE does not adequately assess the proposal in the context of the cumulative impact of outdoor drinking approvals, increased patron numbers, and extended late-night operation.

Reliance on management controls

The SEE asserts that existing management controls and the Plan of Management are sufficient to mitigate impacts. While such controls may be workable at lower patron levels, they rely heavily on behavioural compliance and active supervision.

Evidence from residents indicates that these controls have not consistently prevented amenity impacts, even at current attendance levels. Increasing the overall patron capacity to 200 persons significantly raises the likelihood of

unmanaged behaviour, crowd noise, and late-night dispersal impacts, particularly in a quiet residential setting.

In this context, the issue is not whether controls exist, but whether they are proportionate and effective at the scale of operation now proposed.

Acoustic impacts

Despite the proposed increase in patron capacity and extended late-night operation, the application does not include a contemporary acoustic impact assessment. The SEE relies on existing Plan of Management limits, including a requirement that operational noise not exceed background levels by more than 5 dB.

This approach does not adequately address:

- The cumulative effect of a substantially larger patron population
- Human noise characteristics associated with crowd movement and dispersal
- The reduction in background noise levels after 10:00pm

Without site-specific assessment based on the proposed operating scenario, it is difficult to conclude that residential amenity will be adequately protected.

Identified residential receivers

Council has previously identified specific nearby residential properties as sensitive receivers of noise and patron activity associated with the Eveleigh Hotel. Documentation prepared in support of Development Consent

D/2017/388 clearly mapped and considered the impact of the hotel's operation on surrounding dwellings, which informed the imposition of strict patron limits and noise management conditions.

Importantly, that assessment was undertaken in the context of a maximum approved capacity of approximately 110 patrons and a more limited operational footprint. The current proposal seeks to substantially increase patron numbers and extend the scale of operation in circumstances where the same identified residential receivers remain directly affected.

In this context, it is unclear how the proposed increase in patron capacity to 200 persons can be reconciled with Council's earlier findings regarding residential sensitivity and the need for strict amenity protections.

Request to Council

In light of the above, I respectfully request that Council:

1.

Carefully consider whether a patron capacity of 200 persons is appropriate

for this location, given its residential context and planning history;

2.

Assess the cumulative amenity impacts

arising from increased patron numbers, outdoor drinking approvals, and extended late-night operation; and

3.

Consider

additional or modified conditions, such as:

Retaining the existing 110-person capacity, or applying a reduced patron capacity after 10:00pm;

o

Permitting live or amplified music earlier in the evening, but

requiring it to cease by 10:00pm;

o

Strengthening enforceable conditions relating to patron dispersal and prevention of footpath congregation.

Conclusion

While the building may be capable of accommodating higher patron numbers from a technical perspective, the proposed scale and intensity of operation raises legitimate concerns about residential amenity. In circumstances where impacts are already being experienced, it is not clear that the proposed increase to 200 patrons and later trading hours is appropriate or proportionate for this site.

Thank you for considering this submission. ----

From: [REDACTED]

Sent on: Thursday, January 22, 2026 10:57:31 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: OBJECTION TO DEVELOPMENT APPLICATION D/2025/1210

Caution: 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 Eveleigh Hotel, 158-160 Abercrombie Street, Redfern

Proposed Doubling of Capacity: Unmanageable and Incompatible with Residential Amenity

I would like all identifying information to be private, including email, name and so forth.

To whom it concerns I am writing with objection to the proposed increase in patron capacity from 100 to 200 patrons on the following grounds and the continued lack of appropriate community engagement.

1. Demonstrated Non-Compliance with Existing Conditions

The applicant has already breached temporary approvals granted for outdoor seating on public footpaths (FA/2025/105, valid only to 30.06.2026). Despite conditions requiring strict management, the venue has failed to adequately control patron behaviour. Rather than conducting proactive compliance monitoring, the Council has placed the burden of reporting and enforcement onto neighbouring residents, who must document and lodge complaints to highlight breaches. This reactive approach has allowed non-compliance to persist unchecked.

Council's own determination on the Vine Street outdoor dining application (FA/2025/105, June 2025) explicitly documents resident complaints including: noise from outdoor areas, live music heard after 11pm, patrons gathering outside for extended periods after closing, smoking outside residences with smoke entering homes, waste and broken gardens. The determination notes that Council's records "did not identify a history of substantiated complaints" in the previous 12 months—yet the very same determination records 6 submissions with 5 objections citing these exact issues. This demonstrates that Council's complaint recording systems are failing residents, not that complaints don't exist.

A 100% capacity increase cannot be granted to an operator with a documented history of non-compliance and a Council unwilling to actively enforce existing conditions.

2. Inadequate Patron Management Post-Departure

The Plan of Management explicitly acknowledges: "while the Hotel has a degree of control over patron behaviour while on the premises, its influence is limited once patrons leave the venue." This admission is critical. The document provides no meaningful strategy to manage the 100+ additional patrons who will congregate on surrounding streets for extended periods, smoking outside residential windows and doors, creating noise and disturbance for up to an hour after departure.

Council's determination on FA/2025/105 specifically raised this concern, noting: "There have been people gathering at the front of the pub in the past, even for a long time after closing. There were also smokers smoking in front of the hotel, smoke smells entering nearby residences and destroying locals front gardens and planters, sometimes leaving glasses and rubbish too." The determination also warned that "Potentially intoxicated patrons on the street are more likely to be louder and disruptive" and questioned whether the applicant had adequate plans to "protect the community from noise and maintain surveillance of patrons."

Doubling capacity will proportionally double these impacts.

3. Insufficient Security Measures

The PoM states: "employment of full-time security is not warranted" and security will only be engaged "from time-to-time" on busy evenings. This is inadequate for a 200-patron venue. Comparable Sydney venues with outdoor licensed

areas maintain dedicated security personnel to enforce patron management requirements. The applicant has chosen not to do so.

Again the Council's own assessment of the outdoor dining expansion (FA/2025/105) identified the lack of active patron management as a critical risk, specifically noting the concern that "The placement of the outdoor dining on Vine St removes the visibility of the dining patrons from the bar. Intoxicated patrons on the street have become infinitely louder and aggressively disruptive over the course of applications being approved for the Eveleigh Hotel. Council recommended that any approval be conditional on "a plan of management of how the operators intend to protect the community from noise and maintain surveillance of patrons." The current PoM fails to address this requirement adequately.

4. Residential Character and Existing Impacts

The area is predominantly small terrace houses and apartments—not a destination entertainment precinct. Over the past year, the existing 100-patron operation has already generated significant increases in noise, loitering, and waste. Doubling capacity will proportionally increase these impacts on a street corner already "taken over" by pub operations.

Council's determination on FA/2025/105 explicitly acknowledges the residential character of the area, noting: "The surrounding area is characterised by a mixture of land uses, primarily being residential uses including terraces houses and commercial uses." Residents raised concerns that "the hotel, being in an R1 residential area surrounded by terrace and apartment homes, has also been subject of many noise complaints." Council approved the outdoor expansion only on a **time-limited basis** specifically because of these risks to neighbourhood amenity.

5. Council Records Do Not Reflect Actual Complaint History

The applicant notes council records show no previous complaints. This is demonstrably inaccurate. Council's own determination on FA/2025/105 (June 2025) records 6 submissions with 5 objections citing noise, loitering, smoking, and waste impacts. The determination also references previous applications (e.g. FA/2022/37) where "extending the proposed hours from 8pm to 10pm was not supported because of complaints of excessive noise by neighbours."

There is documented evidence of previous applications, online news reports, and a well-established history of noise and disturbance complaints. Council's records appear incomplete and should not be relied upon to assess this application. The fact that Council's own systems failed to record these complaints is a failure of Council's administration, not evidence that complaints don't exist.

6. Noise Management Inadequacy and Escalation of Live Music Operations

The PoM commits to a noise limit of no more than 5dB above background noise in habitable rooms of nearby residential properties between 7:00am and 12:00am daily. This condition is farcical given the venue's transformation into an almost daily live music venue. Music is audible halfway down the street and clearly penetrates into residents' own rooms—a blatant breach of the stated 5dB limit that has gone unchecked by Council.

Council's determination on FA/2025/105 explicitly documents resident complaints of "noise caused by live music at the venue even after 11pm." The determination notes that residents raised concerns about "elevated noise levels in the vicinity" and that the hotel had been "subject of many noise complaints." Council responded by recommending reduced outdoor trading hours (to 8pm) to "alleviate the potential noise impact to the locality."

More significantly, the venue's use has fundamentally shifted. Council records show that the hotel had not been operating to its full approved hours (10am to midnight) until its recent renovation. The Live Music Minutes from Council sessions indicate that live music was previously limited (e.g., jazz finishing at 7pm on weekends). The applicant has now progressively ramped up live music to most days of the week, and the proposed conversion of the first floor to a dedicated live music venue represents a major escalation in the venue's character and impact.

While the PoM includes closing procedures and signage, these measures have already proven insufficient at current capacity. The proposed 100% increase will inevitably exacerbate noise breaches, particularly given the lack of active patron management once patrons leave the premises, the Council's demonstrated unwillingness to enforce existing noise conditions, and the venue's undisclosed shift toward daily live music operations.

7. Pattern of Incremental Expansion Without Adequate Management

Council's records show a pattern of incremental intensification of the venue's use of public space:

- FA/2023/534 (January 2024): Approval for 6 sqm of Abercrombie Street footpath for outdoor dining
- FA/2025/105 (June 2025): Approval for 10 sqm of Vine Street roadway for outdoor dining (time-limited to 30 June 2026)
- D/2025/1210 (current): Proposal to double patron capacity and convert first floor to live music venue

Each expansion has been approved with minimal community input and without corresponding increases in management, security, or compliance monitoring. Council approved the Vine Street outdoor dining only as a **temporary approval** with the explicit caveat that "if City decides to make it permanent, it will be consulted with the community in details. The outcome of this proposal will be monitored for future improvements."

The current DA represents a fundamental escalation beyond what has been tested or proven manageable. It should not be approved without a demonstrated 12-month track record of full compliance with all existing conditions.

Thankyou for your consideration.

Sincerely local Abercrombie resident.

From: Scott Hanrahan [REDACTED]
[REDACTED]
Sent on: Friday, January 23, 2026 11:35:12 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

Scott Hanrahan
183 Abercrombie Street, Darlington

I am writing to lodge an objection to the Proposed Eveleigh Hotel Expansion (D/2025/1210).

I support the venue in principle and believe that the Eveleigh Hotel is entitled to a license giving it the opportunity of operating a successful business. However the extent of the proposed changes are excessive and inconsistent with the character of the site.

My central objection is against trading hours being extended to midnight, seven days per week. I simply do not believe the venue can manage the increase in noise and foot traffic that will be created by patrons moving through residential streets as they exit the venue. This is true at the current capacity of 100 and will inevitably be worse if increased to 200 patrons.

Previous Amendments

- Last amendment to operation hours was 8/3/19 which extended trading to 10pm most days (2.3 Application History).
- No detail or substantive evidence has been provided to support extending those hours other than it suits the '*overall function of the premises and contributes to the activation of the building*' (2.4 Strategic Alignment).

Vibrant Nightlife + Neighbourhood Amenity

- The council must adopt an approach that begins with the goal of preserving neighbourhood amenity and applies the burden of proof that this will not be negatively affected on the venue seeking to increase the terms of its license.
- No amount of signage encouraging patrons to keep their voices down, will meaningfully address drinkers and foot traffic exiting the venue into the surrounding residential streets at 10-12pm.
- Patrons, foot traffic and e-bikes parked on footpaths already negatively impact access past the venue for neighbours and the public. The venue provides zero car or bike parking for its patrons (and the council has taken a 'hands off' approach to managing e-bikes making no effort to limit their negative effect on pedestrians).
- I would love to see a positive gesture from the venue by creating a dedicated e-bike parking space on Vine Street and encouraging patrons to use it. It would have a meaningful effect in reducing and managing congestion on surrounding footpaths

Character of the Location

- The Statement of Environmental Effects refers to the hotel being located in a mixed-use environment (2.1, 2.2 and 5.1) suggesting a balance needs to be struck between entertainment and residential usage. This misrepresents the character of the subject site and the potential for adverse effects on

neighbours by downplaying the changes to the license and the potential of noise and drinkers exiting the venue.

- A simple demonstration of this is the reality that most foot traffic will be in a south and south-easterly direction towards the Redfern station and King Street, Newtown (local features listed as virtues under 2.1 Location Context).

In contrast to a characterisation of the location as mixed-use, the impact of patrons leaving the venue will focus the negative effects onto the most sensitive residential areas adjacent to the site and away from commercial and light industrial precincts.

Extended Trading Hours

- As a neighbour who lives close enough to hear patrons talking at the front door or on the street outside the venue, it is my view that operating hours beyond 11pm are inconsistent with the location.
- I acknowledge that the venue has made efforts to manage this but there are limits to what the venue can meaningfully achieve regarding patron behaviour as they move beyond the boundaries of the site.
- This is the key reason why my position as a longtime resident is that the hours of operation should be limited to 11pm.

Living in the City

- I strongly support the City of Sydney objectives to balance vibrant nightlife with neighbourhood amenity. I also strongly support an approach that balances expectations of new neighbours and residential developments against the existing operation of long standing pubs and music venues.
- In the same way, expansion proposals that extend the license of venues like this proposal must be weighed against an assessment of the status quo and reasonable expectations of their longstanding neighbours.
- Residents in streets surrounding the Eveleigh Hotel have a reasonable expectation that the operation of the venue over past years (decades?) provides a fair and reliable indication of future applications.

From: Emily Long [REDACTED]

Sent on: Friday, January 23, 2026 11:38:52 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Robinson,

I am writing to strongly urge you to reject the Development Application D/2025/1210 at the Eveleigh Hotel.

I am a long-term local resident of almost 10 years residing approximately 50m from the Eveleigh Hotel. This proposal is incompatible with what has previously been a quiet residential area, and would have significant negative impacts on nearby homes.

Whilst I am generally supportive of live music and of local venues including the Eveleigh Hotel, this proposal to double the size of the venue and allow up to 200 patrons would be appropriate if the hotel were in an entertainment precinct such as King st, or on a busy road such as Broadway, Regent St, Redfern St, Cleveland st or City Road, but is completely inappropriate for this location where it is pretty much surrounded by residences.

The Eveleigh has become significantly busier since its renovation, and local residents are already facing issues with noise, public drinking and at times anti-social behaviour. Furthermore, an application for increased outdoor hours (until 10pm) has only very recently been approved and it is far too early to assess the full affect and management of this before approving yet another expansion. Recently there have been up to 25 people drinking outside on the pavement just on the Abercrombie st side, with more patrons out on Vine st. The hotel cannot manage the current crowds and popularity, let alone doubling the licensed capacity with multiple bars. The effect of this include:

- increased noise and disturbance (surrounding small terrace homes are right on the street, and so the impact of extra foot traffic, especially with drunken patrons talking loudly, is significant. Furthermore, none of these small homes can accomodate air conditioning, so especially in summer, many people leave front doors open to ventilate the house. This creates a great sense of community in our neighbourhood, but means that noise travels straight into bedrooms and living rooms. We obviously expect a certain amount of noise as its the inner city, but this proposal would be too much.
- loitering, unmanaged drinking and smoking near homes - a venue of this size and intensity is a "destination" entertainment venue, and patrons can't be prevented from continuing to smoke, drink and loiter as they exit the venue or wait for Ubers, sometimes sitting directly on doorsteps of nearby properties.
- difficulty in street parking which is already scarce in our area. Since the opening of the Vine st outdoor area (which I was very supportive of), we have already lost 3 parking spots. Nowadays parking is noticably more difficult in the evenings now, when the pub is at its most popular, and then frees up again after around 10pm when most patrons leave the area. A doubling in patrons would surely make it even more difficult for locals with resident permits to park anywhere near our homes.
- many families and now quite a few new babies live right near this venue. They have all lived here since before the pub desired to increase its capacity, intensity, and hours, and the impact on their family life and sleep would be significant and ongoing.

This is not a case of people moving in near a venue and then complaining about the noise. As long-term residents of many decades can attest, the Eveleigh Hotel has previously been a modest neighbourhood pub but is now seeking to change very substantially into a multi-level entertainment venue, and while I support live music etc, this is not the right location for a venue with multiple bars, and of this size and intensity.

Council has previously refused a nightclub-style licensed venue at 156 Abercrombie Street, immediately adjacent to the Eveleigh Hotel at 158–160 Abercrombie Street, on residential amenity grounds. Approving the Eveleigh Hotel's proposal would undermine that decision and set a clear precedent for similar high-intensity venues in this residential precinct.

For these reasons, I strongly object to the proposed development and ask that its impacts on residential amenity be given serious consideration.

Many thanks,

Emily Long

From: Keith Mulhall [REDACTED]
[REDACTED]
Sent on: Friday, January 23, 2026 12:15:43 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: The Eveleigh Hotel Pty Ltd

Caution: 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 support submission number D/2025/1210
Thanks, Keith.

From: Sarah Klissarov [REDACTED]
[REDACTED]
Sent on: Friday, January 23, 2026 11:59:25 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Ref: D/2015/1210 Att: Christine Robinson

Caution: 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 Christine,

My name is Sarah Klissarov and I reside at 141 Abercrombie Street Darlington with my daughter.

We both work and have very early starts. She starts work at 6 am and I start at 7 am.

As it is, the drunken people who go past our house when the pub closes keep us awake until late. They park their cars on the street near us. They stand there and talk for a long time and as they are drunk they do not realise how loud they are speaking and how much the noise travels at nighttime.

I own my house and do not have the option of uprooting myself and renting somewhere else to have a good night sleep.

On occasions that I have approached the drunken people to ask them to be quiet, they have not cared or most times they have become abusive.

Please refuse the pub the later hours as they have no control over their patrons that frequent their pub especially once they have left the pub no matter how much they would wish to be neighbourly.

Please keep me informed via email.

Kind regards,

Sarah Klissarov

From: FWRD [REDACTED]
[REDACTED]

Sent on: Friday, January 23, 2026 1:10:47 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Development Application D/2025/1210 – Eveleigh Hotel.

Caution: 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 Robinson,

This submission is made **on behalf of a group of nearby residents** who subscribe to a local community email list and have requested that a collective objection be lodged in relation to **Development Application D/2025/1210 – Eveleigh Hotel**.

Members of this group live in close proximity to the site and are directly affected by the operation of the venue, particularly during late-night hours.

We object to the proposal on the grounds that it represents an **unnecessary, excessive and permanent intensification of use** that will result in **unacceptable impacts on residential amenity, neighbourhood character and public safety**.

The Eveleigh Hotel already operates under **generous approved trading hours and patron capacity**. Local residents have, over time, been understanding and tolerant of the hotel's existing operations despite ongoing issues relating to noise, patron spill-over and late-night disturbance. The current application goes well beyond what can reasonably be expected of a residential neighbourhood to absorb.

The proposal seeks, among other things, to remove the first-floor residence and convert it into part of the licensed hotel, increase total patron capacity to **200 patrons**, expand the licensed first-floor area for bar, live-music and function use, and rely on surrounding streets and footpaths for patron congregation and dispersal. When considered collectively, these elements represent a **cumulative intensification of use** that significantly exceeds the scale of the existing approval. This is not a minor modification.

Of particular concern to residents is the **concentration of property ownership and control** held by the operators of the Eveleigh Hotel in the immediate area. The extent of this ownership raises a reasonable planning concern that approval of this application may facilitate **progressive, incremental expansion across multiple street frontages**, effectively transforming a local hotel into a **high-intensity, multi-street licensed venue** over time. Such an outcome would fundamentally alter the established residential character of the neighbourhood.

Residents have also experienced increasing reliance on surrounding streets and footpaths to manage patron overflow, including late-night congregation, street drinking, smoking and pedestrian congestion. These impacts are already evident and would be exacerbated by the proposed increase in capacity and extended operation.

Key concerns raised by residents include:

- Increased noise and disturbance associated with higher patron numbers and late-night operation
- Loss of residential amenity for homes located immediately adjacent to the venue
- Hard-to-manage street-based activity, resulting in pedestrian congestion and safety concerns
- A **permanent escalation in venue intensity** that would be difficult to reverse once approved
- Precedent risk, enabling further expansion facilitated by surrounding properties under common ownership

While conditions of consent are often relied upon to manage impacts, residents consider that conditions cannot adequately mitigate a proposal that is **fundamentally oversized for its residential setting**. The existing approvals already provide the hotel with a viable and generous operating framework. Further expansion is neither necessary nor appropriate in this location.

For these reasons, we respectfully submit that **Development Application D/2025/1210 should be refused rather than conditionally approved**, in order to protect residential amenity, neighbourhood character and the long-term liveability of the area.

Yours sincerely,



FWRD

Far West Redfern Dwellers

@FarRedfern

From: Peter Zurcher [REDACTED]
Sent on: Friday, January 23, 2026 1:49:00 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: DA Response D/2025/1210 The Eveleigh Hotel.

Caution: 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 Christina,

I am writing to formally lodge my objection to the development application for The Eveleigh Hotel (D/2025/1210). As a home owner on Abercrombie St in close proximity to the venue, I am personally affected by this proposal to intensify the hotel's operations.

When I moved into the neighborhood 4 years ago, it was much quieter and the Hotel was not a source of significant disruption it has recently become. While I support local businesses and wish to see the venue succeed, its growth must be balanced against the rights of the community to a peaceful residential amenity.

My specific objections, referenced against the venue's provided documentation, are as follows:

- **Inadequate Mitigation of noise:** The venue's Acoustic Report focuses heavily on decibel levels, but as a resident, my primary concern is the low-frequency bass noise. Bass frequencies carry further and penetrate solid residential walls in a way that standard acoustic glazing cannot fully address. This creates a vibrational hum from music inside homes that is impossible to escape (even when closing doors and windows) and prevents restful sleep.
- **Unreasonable Intensification (100 to 200 patrons):** The proposal to double the patron capacity represents a massive intensification of use. The venue's Plan of Management suggests that security and staff can manage this increase, but the "cocktail party effect" of 200 voices will inevitably lead to higher ambient noise and louder music to compensate. This transition from a local pub to a higher-capacity, 7 night a week operation essentially creates a nightclub environment in a residential zone.
- **Safety and Noise of Street/Footpath Drinking:** The application seeks expanded outdoor seating and street drinking areas. Managing the behavior and volume of increased outdoor patrons on a public footpath is notoriously difficult. This increase in street-side activity directly impacts my safety and peace, leading to increased loitering, litter, and noise directly outside residential windows.
- **Post-Closure Dispersal and Traffic Impact:** My home is located in the direct path of patron dispersal. An increase to 200 patrons will result in a significant surge in ride-share vehicles (Ubers/Taxis) arriving at closing time. The slamming of doors, idling of engines, and the noise of patrons shouting as they wait for transport are impacts that the venue's internal Plan of Management simply cannot control once patrons exit the premises.

I want The Eveleigh Hotel to be a successful part of our community, but the current proposal is out of step with the areas peaceful character which needs to be preserved and respected - a key reason why I chose to live in this area. Operating with this level of intensity 7 nights a week is inappropriate for this location. I urge the Council to protect the residential amenity and refuse the application for increased hours and capacity.

Yours sincerely,

Peter Zurcher

From: Alice Adam [REDACTED]
Sent on: Friday, January 23, 2026 2:12:01 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission – Objection to DA D/2025/1210 (Eveleigh Hotel)

Caution: 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 Robinson,

I am a long-term resident of Hugo Street, in close proximity to the Eveleigh Hotel. I object to Development Application **D/2025/1210** for the Eveleigh Hotel.

The proposal involves a substantial and irreversible increase in the scale and intensity of operations that is incompatible with the surrounding residential environment and cannot reasonably be characterised as a minor modification.

The DA proposes removal of the first-floor residence, its conversion to licensed hotel use, an increase in total patron capacity to 200 patrons, and operation of the first floor as a bar, live-music and function space trading until midnight, seven days a week. The applicant's own documents confirm that up to 100 patrons may occupy the first floor alone, creating a two-level licensed venue that significantly exceeds the site's existing approvals.

Taken together — increased patron numbers, extended operating hours upstairs, live music and functions, and reliance on surrounding streets and footpaths for patron congregation — the proposal represents an aggregate escalation in scale and impact, not a modest or incidental change.

The application also relies on the public domain to absorb impacts that should be contained within the site. Outdoor drinking and congregation on Vine Street and Abercrombie Street already result in footpath crowding, noise and spill-over activity. At peak times, the Vine Street footpath becomes difficult or unsafe to use as a through-route to the Darlington side of Abercrombie Street, forcing pedestrians into the roadway.

Vine Street is an important pedestrian connection and is regularly used by children from The Block travelling to and from The Settlement for after-school and holiday programs. Concentrated street drinking and crowding during afternoon and early evening periods creates an unsafe pedestrian environment that is incompatible with a residential setting.

Approval of this DA also raises concerns regarding incremental expansion, given the concentration of property ownership and control held by the operators in the immediate vicinity. This risks the progressive transformation of a local hotel into a higher-intensity, multi-street licensed venue, fundamentally altering neighbourhood character.

The site is located within an R1 General Residential zone, where the protection of residential amenity and pedestrian safety are core planning objectives. The impacts arising from this proposal are predictable, ongoing, and cannot be adequately mitigated through conditions of consent.

For these reasons, DA D/2025/1210 should be refused rather than conditionally approved.

Yours sincerely,

Mrs.A.R.Adam.

From: Janelle Woo [REDACTED]
Sent on: Friday, January 23, 2026 12:10:04 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

Hi there,

I'm writing to submit my support for this Development Application, as a resident on nearby Thomas St, Darlington.

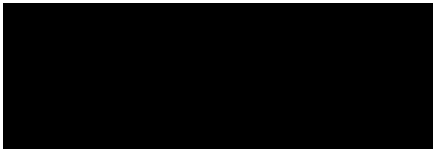
The Eveleigh Hotel is a wonderful local venue and an asset to the community. Not only do they provide a safe and vibrant space to meet with friends and neighbours, they support local arts and music through many wonderful events held, especially the jazz nights that so many people come to see.

Extra space is sorely needed to allow The Eveleigh to continue functioning as a community venue, and it would be sorely disappointing for this application to be rejected for a few complainants when we all benefit from living in a city full of life.

Thank you for your consideration.

Warmest,
Janelle

janelle woo (she/her)



From: Michael Wickens [REDACTED]
[REDACTED]

Sent on: Friday, January 23, 2026 4:20:16 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Attn: Christina Robinson RE: The Eveleigh Hotel

Caution: 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,

Im writing to show support of The Eveleigh Hotel's proposed application to increase patron capacity & extend operating hours.

As a local resident living approximately 1 minute away from this establishment, I have never had any qualms or concerns with the way in which The Eveleigh operates. For the past 8 months we have seen a growth in community engaging with each other and harvesting a positive and respectful culture within the suburbs of Redfern/Chippendale.

As a community member with over 15 year experience within the Music/Arts Industry, not only am I excited to see events presented here, but understand the importance of Live Performance venues of this scale within a city. They breed new talent, both on and off stage. As an experienced Live Sound Engineer, I started in venues just like this.

I hope with all my heart this application is not stopped, this establishment is a major asset and cultural venue within the Redfern community.

Thanks

Michael Wickens

From:

Sent on: Friday, January 23, 2026 10:43:54 PM

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

Subject: Refer: Development Application D/2025/1210 – Eveleigh Hotel - Attention: Christina Robinson

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

Refer: D/2025/1210

Dear Ms Robinson,

VHAG represents the residential community within the environs of Vine and Hugo Street, and have requested a collective objection be lodged in relation to **Development Application D/2025/1210 – Eveleigh Hotel**.

- Longer trading hours 7 days, with upstairs to 12:00 am 7 days a week.
- Doubling of patrons indoors from a total of 100 patrons to 200 patrons over 2 floors 7 days a week.
- The use of the footpaths on Vine and Abercrombie streets for patrons to stand and drink, smoke, and vape from 10 am to closing. This further increases noise and reduces safety and is extremely objectionable in a residential area.

In the past twelve months the Hotel has obtained;

- Longer outdoor “dining areas” trading 7 days a week on Vine Street and against the wall on Abercrombie Street.
- The facilities for “dining” outdoors on Vine Street has seating for up to 8 persons per table x 4 tables for up to 32 persons, and often exceeds that amount with patrons standing within the area or sitting on the balustrades. This exceeds the seating arrangements for “dining” in street designated areas on Redfern Street Redfern, Royal Hotel Darlington and The Rose in Chippendale of 4 people per table.

Predominantly drinking of alcohol occurs in the outdoor “dining area” and on Vine Street and is very managed poorly.

In addition, the Hotel does not manage the congestion of patrons drinking alcohol, smoking and vaping on the footpath itself. The footpath can be so crowded making it difficult for residents to traverse. The Hotel patrons have historically drunk the alcohol purchased indoors and stand on the footpath which is not within the Hotel's licenced area, nor the temporary licence designated “dining area” on Vine Street.

The application by the Eveleigh Hotel represents a substantial intensification of use with increased noise levels, reduced residential amenity and hard-to-manage street drinking on a large scale where pedestrians including wheelchairs or strollers, locals walking their pets are unable to pass.

VHAG's membership includes residents residing in proximity of the Eveleigh for over 35 years, and can attest that this Hotel has been a quiet local hotel throughout the various licenced owners and was also previously known as the Berkeley Hotel back through to at least the late 1980's. The Hotel closed after the sale of its licence. Then approximately 10 years ago Matthew Sweeney acquired the hotel and it reopened as the Eveleigh Hotel. The maximum outdoor seating for the establishment was 3 tables, 7 chairs.

Since the hotel was sold to the current and latest owner of the Eveleigh Hotel the owners have exponentially sought to increase its footprint on Abercrombie and Vine Streets at the demise of the neighbours living close (with 100 metres of the hotel) and the broader local community.

Of particular concern to residents is the **concentration of property ownership and control** held by the owners of the Eveleigh Hotel in the immediate area. The extent of this ownership raises a reasonable planning concern that approval of this application may facilitate **progressive, incremental expansion across multiple street frontages**, effectively transforming a local hotel into a **high-intensity, multi-street licensed venue** over time. Such an outcome would fundamentally alter the established residential character of the neighbourhood.

If we could be so bold as to suggest the owners of the hotel may have misunderstood the representation and mix of the local community that actually lives here. The submission ignores the local community; the only “community” referred to are predominantly visitors who do not live here; that will have a **CUMULATIVE IMPACT** if the hours are extended 7 days a week.

The Hotel is actively being marketed as a high intensity venue which overwhelms our streets and homes; the hotel's location is not fit for purpose as a high intensity venue, it is in a primarily residential area.

This is NOT an entertainment precinct, it is a residential area and requires to be treated and respected as such. The 8 pm outdoors dining area should NOT be extended to 10 pm. Outdoor dining is secondary to its actual use as for outdoor drinking. With outdoor drinking increasing the noise levels.

Whilst the Eveleigh Hotel application acknowledges it is a local neighbourhood hotel, the hotel application also refers to it

actively promoting; and has increased the number of clientele from outside the local area; who have little regard for the neighbourhood. The frequency of residents attending the venue who reside in close proximity to the Eveleigh is reducing overtime.

The management plan confirms there is no active management plan for the increasing numbers of visitors to the hotel crowding and standing on the footpath; drinking alcohol, smoking and vaping and at times extending through to our Hugo Street reserve. The reserve and gardens along Abercrombie Street are also utilised as a urinal for the lack of toilet facilities for 200 people (3 unisex toilets downstairs and 2 upstairs). Again visiting patrons disrespecting our neighbourhood.

The changes proposed at the Eveleigh Hotel are NOT a minor modification. The application creates a CUMULATIVE IMPACT far greater than any single element alone.

The only appropriate planning response from the City of Sydney Council in regard to the scale of operation is a **REFUSAL and NOT a conditional approval.**

Yours sincerely,

VHAG

c/-

[REDACTED]

From: Paul Michael Boulus [REDACTED]
[REDACTED]
Sent on: Friday, January 23, 2026 10:27:07 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: DA D/2025/1210

Caution: 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 Robinson,

I'm writing to support the development application for The Eveleigh (DA D/2025/1210).

I live locally and spend a lot of time in Redfern, and The Eveleigh is one of those places that genuinely feels part of the neighbourhood rather than something imposed on it. I've been there for live music, casual drinks and gatherings of friends, and it consistently feels well run and well considered.

From what I understand, the application is simply about bringing the licensed capacity into line with how the top floor is already being used as a flexible, multi-purpose space. That seems entirely reasonable. It improves how the venue functions internally and makes it more comfortable for patrons, without changing the building or expanding the venue.

In my experience, The Eveleigh is conscious of its surroundings and the people who live nearby. I haven't seen it operate in a way that creates unreasonable noise or amenity impacts, and I would expect that approach to continue if this application is approved.

For those reasons, I'm very much in favour of the proposal and hope the application is approved.

Kind regards,

Paul Boulus
[REDACTED]
[REDACTED]

From: Gracie Grew [REDACTED]
[REDACTED]
Sent on: Saturday, January 24, 2026 11:43:47 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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 Christina Robinson,

I am writing as a local resident in Darlington in support of the Eveleigh Hotel's current application. I live at 33 Thomas Street.

The Eveleigh is an important cultural and community space in our neighbourhood. It is a rare thing to have a pub in Sydney without the hum of pokies and sports screens. It has been recently been generously upgraded by the owners with additional acoustic and access requirements to support the growing local population near its site. It is both a pub and small music venue supporting local and emerging musicians. It is a multigenerational space enjoyed by young and old.

In a city where so many small music venues are closing due to financial pressure, the Eveleigh is a rare hybrid business that continues to support talent and provide creative community spaces to enjoy music, slow dance and a meal.

As the city grows it is important to provide both uplift to our housing stock whilst simultaneously providing increased amenity in the way of upgrade to community spaces, music venues and parks.

Thankyou

Gracie

From: Jason Leong [REDACTED]
Sent on: Friday, January 23, 2026 11:49:09 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson
Attachments: Objection to D 2025 1210.pdf (423.4 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 Christina,

Please find attached document outlining my objection to this proposal.

Thanks,
Jason

Dear Christina,

Thank you for the opportunity to comment on the proposed development regarding increase in patron capacity and extension of trading hours for The Eveleigh Hotel, D/2025/1210. I am writing to object to the proposal.

There are several reasons why the proposal should be refused:

1. History of poor management
2. Insufficient evidence of acoustic amenity
3. Insufficient Plan of Management
4. Not consistent with the objectives of the R1 General Residential zone
5. Not consistent with the locality statement for Darlington/West Redfern
6. Matters for consideration for Late Night Trading Management

Further information on each issue is discussed below.

1 History of poor management

There have been many issues with the management of The Eveleigh Hotel over the last year since the new licensee began operating the premises. These include:

- 1.1. Allowing drinking in not approved areas on the Vine St footpath
- 1.2. Allowing drinking in not approved area on the Abercrombie St footpath
- 1.3. Allowing smoking in smoke-free areas
- 1.4. Not taking noticeable action to resolve complaints

As the venue has demonstrated poor management of the currently approved 110 patrons and staff, it should not be allowed to increase the maximum patron capacity to 200 persons.

Further information on each example of poor management is discussed below.

1.1 Allowing drinking in not approved areas on the Vine St footpath

The venue has demonstrated poor management by allowing drinking in not approved areas on Vine St. Despite the stamped plan in FA/2025/455 and previous footway approvals clearly showing that the footway on Vine St was not approved, there is repeated photo evidence of patrons drinking in these areas on:

- 4 September 2025 (objection submission by Fran Tracey to FA/2025/455)¹
- 16 October 2025 (objection submission by Fran Tracey to FA/2025/455)¹
- 8 November 2025 (objection submission by Fran Tracey to FA/2025/455)¹
- 15 November 2025 (objection submission by Rachael Frazer to FA/2025/455)¹
- 20 November 2025 (objection submission by Jason Leong to FA/2025/455)¹
- 10 December 2025 (COS-CUS-512862)
- 11 December 2025 (COS-CUS-529401)
- 18 December 2025 (COS-CUS-519030)
- 8 January 2026 (COS-CUS-531295)
- 15 January 2026 (COS-CUS-538090)
- 17 January 2026 (observed by Sergeant Adam Cullen of the NSW Police South Sydney Police Area Command)

1.2 Allowing drinking in not approved areas on the Abercrombie St footpath

The venue has demonstrated poor management by allowing drinking in not approved areas on Abercrombie St. Despite the stamped plan in FA/2025/452 showing that the

¹ [Submissions FA/2025/455 28 November 2025 7:55 am](#)

outer footway and corner of Hugo Street is not approved, there is repeated photo evidence of patrons drinking in these areas on:

- 15 May 2025 (objection submission by Chris Maclean to FA/2025/455)¹
- 18 December 2025 (COS-CUS-519030)
- 8 January 2026 (COS-CUS-531295)
- 17 January 2026 (observed by Sergeant Adam Cullen of the NSW Police South Sydney Police Area Command)

1.3 Allowing smoking in smoke-free areas

The venue has demonstrated poor management by allowing smoking in smoke-free areas. Despite conditions in both FA/2025/455, FA/2025/452 and previous footway approvals prohibiting it, there is repeated photo evidence of patrons smoking in smoke-free areas on:

- 11 December 2025 (COS-CUS-529401)
- 8 January 2026 (COS-CUS-531295)
- 17 January 2026 (observed by Sergeant Adam Cullen of the NSW Police South Sydney Police Area Command)
- 22 January 2026 (COS-CUS-541539)

There is also testimonial of this occurring in responses to previous applications made by the current owner:

- 25 May 2025 (objection submission by anonymous to FA/2025/105):²
 - “much more could be done to discourage smokers from destroying locals front gardens and planters. There have been issues with punters not leaving quietly and particularly smoking in front of windows and doorwells, smoke smells entering our homes”
- 13 November 2025 (objection submission by anonymous to FA/2025/455):³
 - “there are regular instances where people stand, sit on, and damage front gardens (not part of the pub’s premises) to drink and smoke... We are unable to leave our windows or doors open as the smoke exposure in inhaled by our ... family. This is unacceptable. The 4 metre law under the Smoke-free Environment Act 2000 is not abided by. Smoking occurs daily within the four metres of the outdoor dining areas.”

Unfortunately, because Council does not have the power to enforce the Smoke-free Environment Act 2000, this issue is likely to be underreported to Council.

² [Submissions FA/2025/105 10 June 2025 9:03am](#) p. 4

³ [Submissions FA/2025/455 28 November 2025 7:55 am](#) p. 2

1.4 Ongoing noise complaints

The venue has also already received several complaints directly from at least 3 different residents about the noise in the past several months, but no noticeable action was taken until liquor licensing police attended on 17 January 2026 and made the licensee aware that the drinking in not approved areas on Vine St and Abercrombie St could be in breach of their liquor licence.

For example:

- 13 November 2025 (objection submission by anonymous to FA/2025/455):⁴
 - “Noise from the outdoor area is already clearly audible inside our home, often well beyond current hours. We have experienced multiple occasions where noise has regularly impacted our wellbeing. Some recurring instances include:
 - Patrons yelling and loitering outside disturbing rest and wellbeing.
 - Amplified music heard well past closing hours on the street and inside homes.
 - Staff playing music well past closing hours on weeknights such as to 12:30am.
 - ...
 - late-night noise affects my ability to rest and take care We are often woken by the disturbances.”
- 16 November 2025 (objection submission by Jason Leong to FA/2025/455):⁵
 - “the outdoor dining area causes considerable noise on what would otherwise be a quiet street. It is the only venue that trades late and is surrounded on all sides by residential. Just last Thursday, the loud noise from live music at the venue permeated through to the outdoors, causing outdoor dining patrons to make even more noise so that they can hear each other's conversations.”
- 20 November 2025 (objection submission by Rachael Frazer to FA/2025/455):⁶
 - “I live at 1 Hugo street, so my proximity to that public seating area means at times it's very [noisy]”
- 24 November 2025 (objection submission by Fran Tracey to FA/2025/455):⁷
 - “I should not have to put ear plugs in for quiet enjoyment with the confines of my home.”

On Thursday, 15 January 2026, I spoke to more than 5 residents in the neighbourhood, and they all agreed that the noise has unreasonably and seriously disturbed the quiet

⁴ [Submissions FA/2025/455 28 November 2025 7:55 am](#) p. 2

⁵ [Submissions FA/2025/455 28 November 2025 7:55 am](#) p. 3

⁶ [Submissions FA/2025/455 28 November 2025 7:55 am](#) p. 13

⁷ [Submissions FA/2025/455 28 November 2025 7:55 am](#) p. 21

and good order of the neighbourhood. I emailed the venue on 16 January 2026 but received no response. I would encourage Council to inspect the complaints register (required to be kept under the existing Plan of Management dated October 2017) and see what the ensuing action and resolution was made, as in my opinion there has not been any action or resolution to noise issues that the neighbourhood is currently experiencing.

Unfortunately, because Council does not have power to resolve noise issues related to licensed premises, this issue is likely to be underreported to Council.

1.5 Impact of the history of poor management

Relevant considerations under s4.15 *Environmental Planning and Assessment Act 1979* include:

Provision	Comment
s4.15(1)(b) the significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	It is significantly likely to cause social and economic detriment to the locality. This is because the venue is currently poorly managed, as demonstrated by: • Recurring issues • Issues occurring over several months • Multiple issues occurring • Multiple residents objecting Although previous planning decisions have stated, “A review of Council's records did not identify a history of substantiated complaints about the premises”, this is because Council does not have the authority to regulate liquor licensing complaints, noise complaints, or smoking complaints relating to a licensed premises. It’s unclear how Council intends to substantiate these complaints without regulatory authority. Council planners should take this into account when considering what the “significant likely impacts of the development” are. Increasing the allowed number of patrons would exacerbate existing issues and create new ones. It is significantly likely that environmental harms will exacerbate, such as: • Littering (improperly disposed cigarette butts) • Loss of park amenity value (noise affecting Hugo Street Reserve for diverse purposes such as reading, quiet reflection and enjoyment of nature)

	It is significantly likely that social harms will exacerbate, such as: • Anti-social behaviour (e.g. destroying gardens, yelling, disrupting sleep) • Reduced safety (public drunkenness) • Loss of dignified access to footways (obstruction to clear path of travel) • Harm to health from passive smoking (smoking near public entry/exits and outdoor dining areas) In contrast, the applicant was unable to articulate any beneficial social impacts in the Statement of Environmental Effects (p. 31). The social issues mean that it is significantly likely that economic harms will occur, particularly in devaluing surrounding residential properties due to loss of amenity.
s4.15(1)(d) any submissions made in accordance with this Act or the regulations	As stated above, multiple residents over a long period of time over multiple issues have made submissions to prior applications made to the venue. The increase in area and number of patrons is significantly likely to cause more harm than benefit.
s4.15(1)(e) the public interest	The development is not in the public interest when it is unlikely that the applicant would be capable of managing 200 patrons and following the associated conditions of consent, based on the existing poor management.

2 Insufficient evidence of acoustic amenity

The application should be rejected because it does not provide sufficient evidence that it can maintain acoustic amenity. As noted in the previous section, the venue is already subject to ongoing noise complaints. There are also further issues:

- 2.1. No noise impact assessment as required by the Sydney DCP 2012
- 2.2. No acoustic report as required by the City of Sydney
- 2.3. Patron noise impacts

2.1 No noise impact assessment as required by the Sydney DCP 2012

According to provision 3.18.1.1 “Development generating entertainment sound” of the Sydney DCP 2012:

- (1) This section applies to the following development:
 - (a) introducing a new entertainment sound generating activity;
 - ...
 - (c) increasing the patron capacity of an existing entertainment sound generating activity by more than a third of the existing patron capacity

2.1.1 New entertainment sound generating activity

The consent for the use of the first floor of the hotel was established in U96-01098.⁸ Consent was granted “to change the use of three hotel rooms on the first floor into a restaurant accommodating 60 seats”. There is no evidence that any development application has ever been prepared for the premises in relation to introducing a new entertainment sound generating activity for the first floor. Therefore, it should be assumed that this application falls under provision 3.18.1.1(1)(a) to introduce a new entertainment sound generating activity.

2.1.2 Increasing the patron capacity

Even if this is not a new entertainment sound generating activity, the development application proposes to increase the first floor capacity to 100 patrons. Therefore, this application falls under provision 3.18.1.1(1)(c) as it increases the patron capacity of an existing entertainment sound generating activity by more than a third (i.e. more than 80 patrons).

⁸ Scan of physical file [A-01136301]. City of Sydney Archives, accessed 22 Jan 2026.
<https://archives.cityofsydney.nsw.gov.au/nodes/view/1899004> p.47 of 121

For the above reasons, a Noise Impact Assessment prepared by a suitably qualified acoustic consultant is required.⁹

The development application does not include a Noise Impact Assessment and so should be rejected for not providing sufficient evidence that it can protect acoustic amenity.

2.2 No acoustic report as required by the City of Sydney

The [Check the document requirements for your planning application - City of Sydney](#) webpage states:¹⁰

Acoustic report

An acoustic report assesses the impact of noise from external sources on a proposed development or the impact of noise from proposed development to surrounding uses. An acoustic report should be prepared by a suitably qualified acoustical engineer for the following developments:

- Premises providing live performance, amplified music, large patron capacity or other entertainment likely to generate significant noise impact at other sensitive locations.

The SEE states the purpose of the development to:

- “Increase patrons across the entire premises from 110 to 200”¹¹
 - This meets the criteria for a “large patron capacity”. Were it not for the premises to already be considered a “Category A – High Impact Premises”, this increase in patron capacity would differentiate it from a “Category B – Low Impact Premises”.¹²
- “The conversion of the residence to be used as part of the pub/hotel provides flexible space including multi-use live music rooms and sitting areas.”¹³
 - This meets the criteria for a premise “providing live performance”

⁹ Sydney DCP 2012 Provision 3.18.1.1(2), p. 3.18-1

¹⁰ <https://www.cityofsydney.nsw.gov.au/development-applications/check-document-requirements-development-application>

¹¹ [Statement of Environmental Effects](#) p. 15

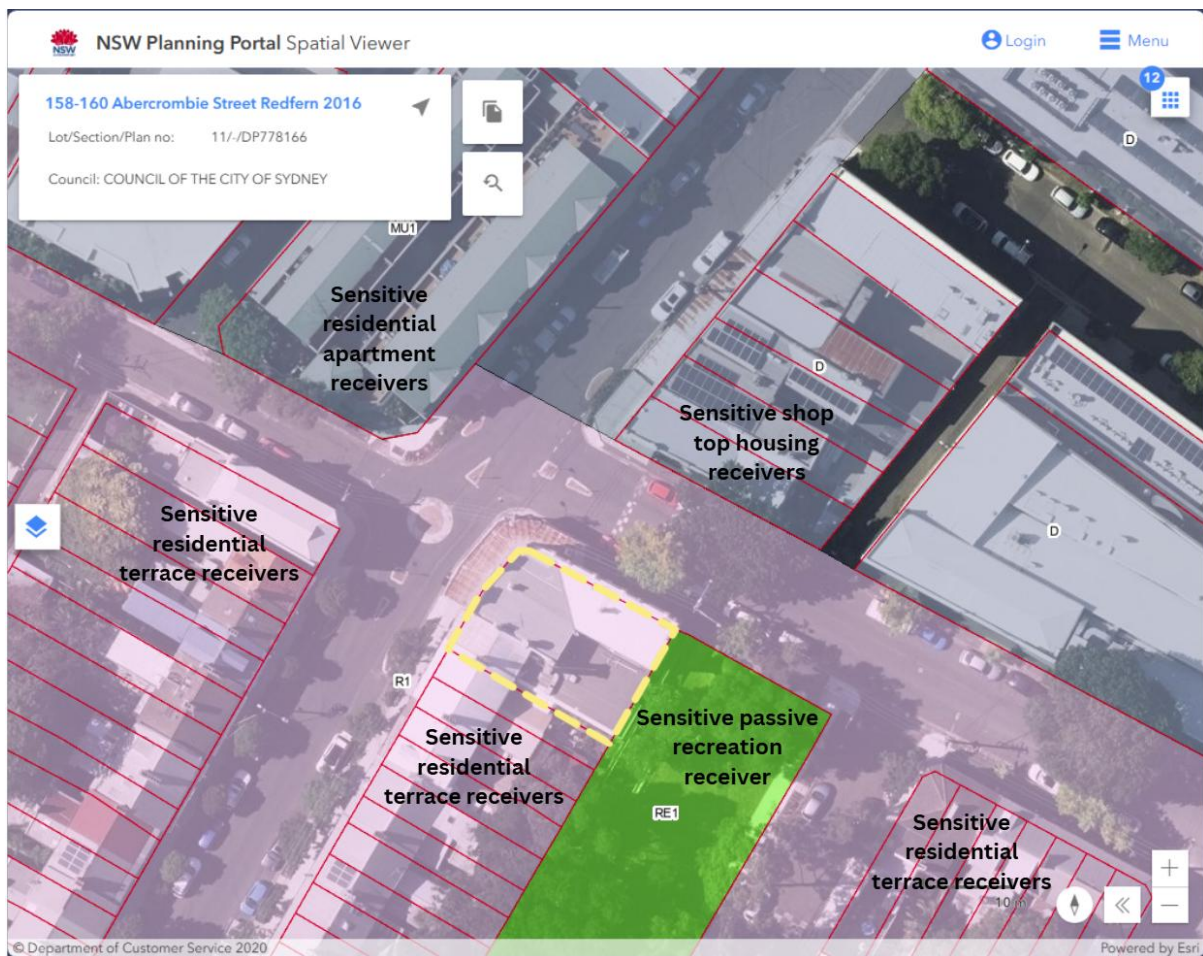
¹² Sydney DCP 2012 p. 3.15-2

¹³ [Statement of Environmental Effects](#) p. 14

It is also likely to generate significant noise impact at other sensitive locations because:

- it immediately neighbours terrace residences,
- it is located across the road from other terrace residences,
- it is located across the road from apartments,
- it is located across the road from shop-top housing, and
- it is located adjacent to a recreation area

Sensitive receivers (with subject site outlined in yellow) are shown in the following image:



Therefore, an acoustic report should have been submitted with the application.

The [Extending your trading hours – A guide for businesses](#) also states (emphasis added in bold on applicable statements):¹⁴

Noise impact assessment

You need to include a noise impact assessment if your proposal is likely to cause noise or the premises:

- **is a licensed premises trading after 10pm**
- is in a building containing residential apartments or **has a party wall with an adjoining residential building**
- **is near a sensitive receiver such as a residential apartment**, seniors housing or a school
- **puts on live or amplified music**
- is an outdoor space operating after 10pm
- involves a change in operations or introduction of a mechanical plant such as air conditioning, refrigeration or kitchen exhaust.

The assessment should describe the venue's operations and how you will manage operations and patrons. It should detail the proximity to residential and other premises, times and types of entertainment, the site and venue capacity.

The development application does not include an acoustic report and so should be rejected because for not providing sufficient evidence that it can protect acoustic amenity.

2.3 Patron noise impacts

The development application intends to “Increase patrons across the entire premises from 110 to 200”.¹¹ The SEE states it “does not introduce any noise-generating activities beyond those already inherent to the licensed premises” and “does not alter the Hotel’s approved trading hours or intensify activities beyond existing operational parameters”.¹⁵

There is no evidence from an acoustic expert to supports these statements.

An increase in the number of patrons will:

- increase noise from patron conversation – for example, in D/2022/1006/B, an increase in the small bar capacity from 20 patrons¹⁶ to 40 patrons resulted in a 3 db(A) noise increase.¹⁷

¹⁴ https://www.cityofsydney.nsw.gov.au/-/media/corporate/files/2020-07-migrated/files_1/15709-late-night-trading-guide-for-businesses-de4-accessible.pdf?download=true p. 13

¹⁵ [Statement of Environmental Effects](#) p. 18

¹⁶ [D/2022/1006 Acoustic Report](#) pp. 4-5

¹⁷ [D/2022/1006/B Acoustic Report](#) p. 4

- increase noise from outdoor dining areas – due to historically poor management, outdoor dining areas are likely to spill out with additional patrons and cause additional noise, as evidenced by complaints mentioned above in section 1.4 *Ongoing noise complaints*.
- increase noise from patrons leaving the venue – there is no path to exit the venue that can avoid passing sensitive receivers. Since there are more patrons that need to leave the venue, the likelihood of patrons disturbing neighbours will increase. I’ve spoken to neighbours who have already complained about the noise from patrons leaving the venue, as evidenced by complaints mentioned above in section 1.4 *Ongoing noise complaints*.
- increase noise closer to sensitive receivers – the proposed “listening room” and “sitting room” have windows that open out and directly face sensitive residential terrace receivers. Patrons closer to the windows would obviously make more noise that can be heard outside. According to the proposed Plan of Management, windows will only be closed at 10pm,¹⁸ allowing patron noise between 10am-10pm to carry unimpeded outside.

The development application should be rejected as there is real evidence that noise will increase with an increase in patron numbers, whilst the applicant’s standpoint that it will not intensify noise is not substantiated by an acoustic expert.

¹⁸ Plan of Management p. 8

3 Insufficient Plan of Management

Appropriate trading hours for late night premises will be determined by taking into account the submission of a plan of management that demonstrates a strong commitment to good management of the operation of the business, particularly in relation to managing potential impacts on adjoining and surrounding land uses and premises, as well as the public domain.¹⁹

The requirements for a plan of management are set out in Schedule 3.2 Sydney DCP 2012. The following table compares the submitted Plan of Management to the requirements set out in the schedule:

Requirement	Comment	Meets requirement?
(1)(i)(ii) Details of all noise and vibration attenuation measures related to the use and operation of the premises.	The only noise measure listed on the PoM is to close windows at 10pm daily. For example, D/2006/559/K²⁰ and D/2024/1224²¹ are venues of a similar patron size to that proposed and have incorporated noise perimeter seals and sound lock system on doors as recommended by the acoustic report. Those venues also do not have any operable windows to the outside that can leak noise. There is no supervision of patrons to ensure they leave in an orderly manner and do not loiter on the residential streets (e.g. within 50 metres). There is no policy to prevent queueing. The noise measures listed are inadequate for a venue with live music and a capacity for 200 patrons.	Inadequate

¹⁹ Sydney DCP 2012 Provision 3.15.3, pp. 3.15-5 – 3.15-6

²⁰ <https://eplanning.cityofsydney.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=2514133>

²¹ <https://eplanning.cityofsydney.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=2458015>

(1)(d)(iii) A statement outlining the premises' compliance with all relevant noise and vibration standards, guidelines and legislation (eg. Australian Standards, Protection of the Environment Operations Act 1997, EPA Industrial Noise Guidelines, etc.);	There is no reference to compliance to any noise and vibration standard, guideline or legislation.	No
(1)(d)(v) Details of any measures that will be taken to minimise noise from outdoor areas such as rooftops, courtyards, balconies or designated smoking areas etc;	There are no details in the PoM of any measure to minimise noise from the approved outdoor dining areas on Abercrombie Street and Vine Street.	No
(1)(d)(vi) Details of any noise limiting devices to be installed;	There are no noise limiting devices described. Given the nature of live music and the proximity to sensitive receivers, an acoustic expert should have been engaged to determine whether noise limiting devices should be installed in the venue.	Inadequate
(1)(di)(i) A description of any arrangements that will be made for the provision of security staff. This is to include (but is not limited to) the following: - any recommendations from Local Licensing Police regarding appropriate security provision and a statement outlining the extent of compliance with police recommendations; - the number of security personnel that will be patrolling inside and outside the premises including the frequency of security patrols; - Identification of the physical extent of any patrolled areas outside the premises;	The PoM states: "Management may from time-to-time, engage security officers" The Local Licensing Police verbally recommended security be implemented on their visit on 17 January 2026. A good ratio (as recommended by liquor licencing police) should be at least 1 security guard per 100 patrons. For example, D/2016/1071/B.²² The PoM is inadequate as does not meet this standard.	Inadequate

²² <https://eplanning.cityofsydney.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx?id=1466840>

- Hours that security personnel will be on duty (including the period after closing time); - Staff security training, weapons detection, and other security response methods		
(1)(f)(v) Details of methods that will increase patron awareness of responsible disposal of cigarette butts	There are no details in the PoM regarding cigarette disposal, despite smoking in smoke-free areas being a problem commonly reported by residents.	No
(1)(f)(i) Measures that will be taken by security personnel to ensure that the behaviour of staff and patrons when entering or leaving the premises will minimise disturbance to the neighbourhood.	The PoM states “its influence is limited once patrons leave the venue”. A good PoM would be to patrol the outside area regularly and ask patrons that are loitering outside the venue to leave quickly and quietly. This would be a reasonable measure to avoid the issues raised in complaints above.	Insufficient
(1)(f)(v) If queuing outside the premises is to occur, a description of any measures that will be taken to ensure that queuing is controlled in a manner that will not adversely impact the amenity of the neighbourhood and that the footpath will not be unreasonably impeded.	There is no policy to prevent queueing in the PoM.	No

The submitted plan of management does not demonstrate a strong commitment to good management as required under Sydney DCP 2012 Provision 3.15.3 and so the application should be refused.

4 Not consistent with the objectives of the R1 General Residential zone

The development proposal relates to a venue in an R1 General Residential zone. The stated objectives of this zone are considered below:²³

Objective	Comment	Meets objective?
To provide for the housing needs of the community.	This proposal is not consistent with this objective because it removes housing.	No
To provide for a variety of housing types and densities.	This proposal is not consistent with this objective because it removes a variety of housing offered by a hotel.	No
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	This proposal is not consistent with this objective because there is no day to day need from “residents” (as opposed to workers or visitors) ²⁴ for increased patron limits and extended hours. Instead, the proposal aims to cater to people working or visiting the area rather than residing in it.	No
To maintain the existing land use pattern of predominantly residential uses.	This proposal is not consistent with this objective because it removes a residential use rather than maintain predominantly residential use.	No

The objectives of the zone are not met and so development approval should be refused.

²³ Sydney LEP 2012 Land Use Table

²⁴ [Jeffrey v Canterbury Bankstown Council \[2021\] NSWLEC 73 \(12 July 2021\)](#) at [55].

5 Not meeting the locality statement for Darlington/West Redfern

The principles from the applicable Sydney DCP 2012 locality statement “Darlington/West Redfern” are considered below:

Principle	Comment	Compliance?
(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.	“This locality is a predominantly residential neighbourhood” so taking away residential uses and residential amenity is not consistent with the desired outcomes. It is not desirable for a residential area to have late trading hours or noise from late night patron dispersal. Perhaps one of the most important requirements of a residential area is the ability for residents to sleep at night.	No
(n) Maintain the existing pattern of retail and small scale commercial uses throughout the neighbourhood, particularly along Abercrombie Street.	The proposal cannot be considered “small scale commercial use”. Under Late Night Trading Management provisions, the increase in patron capacity over 120 patrons is reason alone to change the categorisation of a premises from “Category B – Low Impact Premises” to “Category A – High Impact Premises”. High impact is not consistent with small scale. Under liquor licensing, an example of small scale is a “small bar”, which is limited to 60 patrons. The extension of trading hours to midnight is also not consistent with small scale. The development changes the premises to a destination venue for visitors and workers rather than one for nearly local residents.	No

6 Matters for consideration for Late Night Trading Management

The matters for consideration for Late Night Trading Management under Sydney DCP 2012 3.15 are discussed below.

Consideration	Comment
3.15.3 “Once these factors are taken into consideration, late night trading hours may be permitted in appropriate circumstances, particularly in areas within the City that already exhibit a vibrant night-time character, as opposed to parts of the City that are predominantly residential in character where amenity impacts can be the greatest and most difficult to manage.”	The pub is located in a predominantly residential area so it is inappropriate for late night trading hours.
3.15.4 (3) Any hours that are beyond base hours will be subject to a trial period.	According to table 3.8, the applicable base late night trading hours for Category A Indoor in “all other areas” is “10am to 10pm”. Therefore, the proposal to extend trading hours to midnight should only be granted on a trial basis.
3.15.4 (6) Extended trading hours beyond base hours may be permitted at the initial application stage, but only where the Council has determined that the premises have been or will be well managed, including compliance with an approved Plan of Management	See the above discussion in “1 History of poor management”. Extended trading hours should not be permitted.

7 Summary

This submission objects to development application D/2025/1210 for The Eveleigh Hotel to increase patron capacity (from 110 to 200) and extend trading hours. The objection is based on:

- (1) a demonstrated history of poor venue management (including repeated instances of drinking and smoking in non-approved/smoke-free areas and a lack of effective response to neighbourhood complaints);
- (2) insufficient evidence that acoustic amenity can be maintained, noting ongoing noise impacts and the absence of the required noise impact assessment/acoustic report to substantiate the applicant's claims;
- (3) an inadequate Plan of Management that does not meet Sydney DCP 2012 requirements for noise controls, outdoor area management, security arrangements, queuing controls, and cigarette butt disposal;
- (4) inconsistency with the objectives of the R1 General Residential zone and the Darlington/West Redfern locality statement, given the predominantly residential character and the importance of maintaining residential amenity; and
- (5) late night trading considerations, arguing the location is not suitable for extended hours and that extended hours beyond base hours should not be supported without demonstrated strong management and compliance.

8 Conclusion

For the reasons outlined, Council should refuse the proposal. The venue has not demonstrated the management capability to responsibly operate at the proposed scale, and the application does not provide the technical and operational evidence needed to show that noise and amenity impacts can be avoided or adequately mitigated in a predominantly residential setting. The absence of a proper noise impact assessment/acoustic report, together with an insufficient Plan of Management, leaves Council without a reliable basis to conclude that increasing capacity and extending hours would not worsen existing impacts. Approval would be contrary to the public interest where foreseeable harm to residential amenity, neighbourhood quiet enjoyment, and public domain safety is likely to increase. Accordingly, Council should determine that the application fails to address key statutory and DCP considerations and should be refused.

I thank you in advance for your consideration of my objection.

Best regards,

Jason Leong

25 Vine St
REDFERN NSW 2016

From: Doon M [REDACTED]
Sent on: Friday, January 23, 2026 6:09:07 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Objection to the proposed change of use to The Eveleigh Hotel

Caution: 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 Christina,

I'm a 21 year old resident of 163 Abercrombie Street and I'm writing to voice my Objection to the proposed change of use to The Eveleigh Hotel's first floor. Specifically the increase in the maximum patron capacity to 200 and proposed hours of operation are 10:00am = 12:00 midnight Monday to Sunday.

The relation to the increase in the venue's capacity, The Eveleigh has been conducting a trial period with outdoor seating which has been increasingly popular. This has resulted in the foot path continuously being blocked (often by smokers as it is the designated smoking area) during peak trading hours. The foot path currently in place on Vine Street is simply not wide enough to accommodate so many people while complying with clear path of travel guidelines which require a minimum of 2m. This forces pedestrians, prams, mobility scooters and wheelchairs onto the road. This is not an acceptable solution for residents.

The outdoor space is not adequately monitored by workers resulting in incidents of patrons being drunk and abusive, patrons being drunk on the road, and beer, and even a glass, being thrown at a resident and his son.

The image below illustrates the current footpath conditions outside of The Eveleigh.



The proposed extension to operation hours poses an even larger issue in relation to anticipated noise impact. During the current trial period there has been a notable increase in noise disturbance which often negatively impacts my ability to sleep or complete work at home. My bedroom as well as my younger brothers who is currently in high school face into Abercrombie and Vine streets meaning we experience ALL noise created by the pub at all times. The proposed extension to opening hours is entirely incompatible with residential living and raises serious concerns about noise and privacy.

The current proposal does not align with the Darlington communities best interests and will no doubt negatively impact residents.

Thanks for your time and consideration,

Doon

From: Matteo [REDACTED]
[REDACTED]
Sent on: Friday, January 23, 2026 11:11:47 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

Caution: 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

Any increase of patronage must be accompanied by compulsory mitigating measures like security guards to ensure patrons are not lingering on footpaths at night.

I would object to the submission if mitigating measures are not in place.

Thank you.

Matteo Salval
[REDACTED]

From: Clair Moreau [REDACTED]
Sent on: Friday, January 23, 2026 11:35:00 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Objection to Development Application D/2025/1210
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.

Submission – Objection to Development Application

Development Application No: D/2025/1210

Council: City of Sydney

Property Address of Development: Licensed premises near Vine Street, Darlington NSW

Submitted by:

Name: Clair Moreau

Residential Address: Unit 3 / 44–52 Vine Street, Darlington NSW 2008

Unit: Ground-floor corner unit

I wish to formally object to the proposed development application for the expansion of the licensed premises located near my residence.

I am a resident of the **ground-floor corner unit** at Unit 3, 44–52 Vine Street, Darlington, and I am located in **thesecond building from the existing pub**. Due to my location—ground floor, corner position, and close proximity to the venue—I am**already disproportionately impacted** by existing patron noise, foot traffic, crowd behaviour, and late-night disturbance. I already struggle significantly with the current noise levels from the pub. Any expansion of trading hours, patron capacity, or use of additional areas will **significantly and unreasonably worsen these impacts**.

I am a **disabled and medically vulnerable person** with diagnosed hearing and balance disorders, including**bilateral vestibular loss, hyperacusis, chronic tinnitus, and a hypermobile tympanic membrane (eardrum)**. These conditions cause extreme sensitivity to noise, vibration, and sudden sound, painful and excessive movement of the eardrum in response to noise, constant ringing in my ears, and serious balance impairment. These symptoms substantially limit my ability to leave my home, making me effectively**housebound**.

I have lived at this property for approximately **20 years**, and I have **owned this unit for the majority of my adult life**. I am now**disabled and reliant on a disability pension**, and I live here **alone** following significant family loss. This is my only stable home, and I do not have the ability—financially, physically, or medically—to relocate or escape the impacts of increased noise and disturbance. I am already greatly struggling with the existing noise from the pub, including late-night patrons yelling, running, and congregating near my unit. The proposed expansion, with longer hours, increased patron numbers, and higher noise levels, would make my situation **intolerable** and cause serious deterioration to my health and quality of life.

Due to **long-standing mould issues caused by original building faults** in my unit, I have been instructed by building management to keep my windows open for ventilation. As a result, I**cannot mitigate noise impacts by closing windows**, even during peak pub trading hours. Increased noise, amplified sound, and patron activity would therefore directly enter my living space and**pose a serious and ongoing risk to my health**.

The proposed development would increase:

- Patron numbers and pedestrian traffic immediately adjacent to my unit
- Duration and intensity of noise, particularly during evening and night-time hours

- Crowd noise, voices, and disturbance near my ground-floor balcony and windows

These impacts are not hypothetical. They are already occurring under existing operations and would **besubstantially exacerbated** by the proposed expansion. Given my medical conditions, further increases in noise would **make my daily life unbearable and effectively turn my home into a place of constant distress**. Approval of this development would make my life **living hell**, as I already struggle to cope with the existing noise environment.

The development application fails to adequately consider:

- The **cumulative noise and amenity impact** on nearby ground-floor residences
- The presence of **disabled residents with heightened and abnormal sensitivity to noise**
- The inability of some residents to relocate or avoid exposure
- The real and ongoing impacts of extended hours and increased patron activity

NSW planning controls require that development **protect residential amenity** and avoid unreasonable impacts on surrounding residents. In my circumstances, approval of this proposal would result in **severe, ongoing, and unavoidable harm**, effectively depriving me of the reasonable use and enjoyment of my home.

For these reasons, I strongly object to the application and request that it be **refused**, or at a minimum that **significant and enforceable restrictions** be imposed, including reduced hours, strict noise controls, and firm limits on patron numbers and outdoor activity.

I request that this submission be given serious consideration in light of my **documented disability, health vulnerability, and inability to mitigate impacts through standard noise-reduction measures**.

Signed:

Clair Moreau

Date: 23 January 2026

Mobile: [REDACTED]

From: Hamish Clendinning [REDACTED]
[REDACTED]

Sent on: Friday, January 23, 2026 8:15:36 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

Refer: D/2025/1210

Dear Ms Robinson,

Confirming my objection to the Eveleigh Hotel's applications for;

Longer trading hours 7 days a week up to 12:00 am

Doubling of patrons indoors from a total on 100 patrons to 200 patrons over 2 floors 7 days a week.

The use of the footpaths on Vine and Abercrombie streets for patrons to stand and drink, smoke, and vape from 10 am to closing. This further increases noise and reduces safety and is extremely objectionable in a residential area.

The permanent approval of outdoor dining area and approved standing and drinking alcohol on the corner of Abercrombie and Vine Streets.

In the past twelve months the Hotel has obtained;

Extended outdoor "dining areas" trading 7 days a week on Vine Street and against the wall on Abercrombie Street.

The facilities for "dining" outdoors on Vine Street has seating for up to 8 persons per table x 4 tables for up to 32 persons, and often exceeds that amount with persons also standing or sitting on the balustrades in that confined area.

This exceeds the numbers in street designated areas on Redfern Street Redfern, Royal Hotel Darlington and The Rose in Chippendale; those venues had tables for 4.

Predominately drinking of alcohol occurs in the outdoor "dining area" on Vine Street. There is a management plan for the outdoor "dining area"; which is not actively acted upon. The Hotel management plan is not actively carried out by the staff; nor possibly are they able to deal with the congestion of patrons drinking alcohol, smoking and vaping on the footpath itself. The footpath can be so crowded making it difficult for residents to traverse, let alone the staff if they need to bring a rare meal order to the "outdoor dining area"

The Hotel patrons drink the alcohol purchased indoors and stand across the whole footpath which is not within the Hotel's licenced area, nor the temporary licence designated "dining area" on Vine Street. Crowding across the whole footpath outside the Abercrombie Street frontage also occurs, drinking and talking. Patrons even stand on Vine Street itself and outside of the café across from the hotel.

The application by the Eveleigh Hotel represents a substantial intensification of use with increased noise levels, reduced residential amenity and hard-to-manage street drinking on a large scale where pedestrians including wheelchairs or strollers are unable to pass through.

Vine and Abercrombie streets are not within an entertainment precinct. This is a residential area. The hotel had been a locals hotel till the current owners undertook its expansion to cater for 200 patrons plus inside and out.

The premises is not equipped for that number of people with 3 toilets downstairs and 2 upstairs to cater for the crowds it brings into the hotel. Males have utilised out park, the Ausgrid power box and gardens on Abercrombie Streets to relieve themselves for the lack of toilet facilities.

The current owners appear to be seeking the venue to be a high intensity venue which overwhelms our streets and homes and is to the detriment of the local community.

The changes the Eveleigh Hotel Pty Limited is proposing are NOT a minor modification. The application creates a CUMULATIVE IMPACT far greater than any single element alone.

The only appropriate planning response from the City of Sydney Council in regard to the scale of operation is a REFUSAL and NOT a conditional approval.

Yours sincerely,

Hamish Clendinning

From: Freya Vasylenko [REDACTED]

Sent on: Friday, January 23, 2026 10:43:51 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Attn: Christina Robinson D/2025/1210

Caution: 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 Robinson,

Confirming my objection to the Eveleigh Hotel's applications for;

- Longer trading hours 7 days a week to 12:00 am
- Doubling of patrons indoors from a total on 100 patrons to 200 patrons over 2 floors 7 days a week.
- The use of the footpaths on Vine and Abercrombie streets for patrons to stand and drink, smoke, and vape from 10 am to closing. This further increases noise and reduces safety and is extremely objectionable in a residential area.

In the past twelve months the Hotel has obtained;

- Longer outdoor "dining areas" trading 7 days a week on Vine Street and against the wall on Abercrombie Street.
- The facilities for "dining" outdoors on Vine Street has seating for up to 8 persons per table x 4 tables for up to 32 persons, and often exceeds that amount with patrons standing within the area or sitting on the balustrades. This exceeds the seating arrangements for "dining" in street designated areas on Redfern Street Redfern, Royal Hotel Darlington and The Rose in Chippendale.

Predominately drinking of alcohol occurs in the outdoor "dining area" on Vine Street and is managed poorly.

In addition, the Hotel does not manage the congestion of patrons drinking alcohol, smoking and vaping on the footpath itself. The footpath can be so crowded making it difficult for residents to traverse. The Hotel patrons drink the alcohol purchased indoors and stand on the footpath which is not within the Hotel's licenced area, nor the temporary licence designated "dining area" on Vine Street.

The application by the Eveleigh Hotel represents a substantial intensification of use with increased noise levels, reduced residential amenity and hard-to-manage street drinking on a large scale where pedestrians including wheelchairs or strollers, locals walking their pets are unable to pass through.

I have lived in this residential area for over 26 years, and can attest that this Hotel has been a quiet local hotel throughout the various licenced owners.

Since the hotel was sold to the current and latest owner of the Eveleigh Hotel the owners have exponentially sought to increase its footprint on Abercrombie and Vine Streets at the demise of the close vicinity of neighbours' homes and the local community. This is **NOT** an entertainment precinct, it is a residential area and requires to be treated and respected as such.

Whilst the Eveleigh Hotel application acknowledges it is a local neighbourhood hotel, the hotel application also refers to it actively promoting; and has increased the number of clientele from outside the local area; who have little regard for the neighbourhood. The number of locals actually frequenting this establishment has been reducing over time.

The management plan confirms that there is no active management plan for the increasing numbers of visitors to the hotel crowding and standing on the footpath; drinking alcohol, smoking and vaping and at times extending through to our Hugo Street reserve.

The Hotel is actively being marketed as a high intensity venue which overwhelms our streets and homes; the hotels location is not fit for purpose of a high intensity venue, it is in a primarily residential area.

The changes proposed at the Eveleigh Hotel are **NOT** a minor modification. The application creates a **CUMULATIVE IMPACT** far greater than any single element alone.

The only appropriate planning response from the City of Sydney Council in regard to the scale of operation is a **REFUSAL and NOT a conditional approval.**

Yours sincerely,
Freya Vasylenko

From: Kara [REDACTED]
[REDACTED]
Sent on: Friday, January 23, 2026 10:16:37 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Attn/ Christina Robinson City of Sydney Council

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

Refer: D/2025/1210

Dear Ms Robinson,

Confirming my objection to the Eveleigh Hotel's applications for;

- Longer trading hours 7 days a week to 12:00 am
- Doubling of patrons indoors from a total on 100 patrons to 200 patrons over 2 floors 7 days a week.
- The use of the footpaths on Vine and Abercrombie streets for patrons to stand and drink, smoke, and vape from 10 am to closing. This further increases noise and reduces safety and is extremely objectionable in a residential area.

In the past twelve months the Hotel has obtained;

- Longer outdoor "dining areas" trading 7 days a week on Vine Street and against the wall on Abercrombie Street.
- The facilities for "dining" outdoors on Vine Street has seating for up to 8 persons per table x 4 tables for up to 32 persons, and often exceeds that amount with patrons standing within the area or sitting on the balustrades. This exceeds the seating arrangements for "dining" in street designated areas on Redfern Street Redfern, Royal Hotel Darlington and The Rose in Chippendale.

Predominately drinking of alcohol occurs in the outdoor "dining area" on Vine Street and is managed poorly.

In addition, the Hotel does not manage the congestion of patrons drinking alcohol, smoking and vaping on the footpath itself. The footpath can be so crowded making it difficult for residents to traverse. The Hotel patrons drink the alcohol purchased indoors and stand on the footpath which is not within the Hotel's licenced area, nor the temporary licence designated "dining area" on Vine Street.

The application by the Eveleigh Hotel represents a substantial intensification of use with increased noise levels, reduced residential amenity and hard-to-manage street drinking on a large scale where pedestrians including wheelchairs or strollers, locals walking their pets are unable to pass through.

I have lived in this residential area for over 26 years, and can attest that this Hotel has been a quiet local hotel throughout the various licenced owners.

Since the hotel was sold to the current and latest owner of the Eveleigh Hotel the owners have exponentially sought to increase its footprint on Abercrombie and Vine Streets at the demise of the close vicinity of neighbours' homes and the local community. This is **NOT** an entertainment precinct, it is a residential area and requires to be treated and respected as such.

Whilst the Eveleigh Hotel application acknowledges it is a local neighbourhood hotel, the hotel application also refers to it actively promoting; and ~~has~~ increased the number of clientele from outside

the local area; who have little regard for the neighbourhood. The number of locals actually frequenting this establishment has been reducing over time.

The management plan confirms that there is no active management plan for the increasing numbers of visitors to the hotel crowding and standing on the footpath; drinking alcohol, smoking and vaping and at times extending through to our Hugo Street reserve.

The Hotel is actively being marketed as a high intensity venue which overwhelms our streets and homes; the hotels location is not fit for purpose of a high intensity venue, it is in a primarily residential area.

The changes proposed at the Eveleigh Hotel are **NOT** a minor modification. The application creates a **CUMULATIVE IMPACT** far greater than any single element alone.

The only appropriate planning response from the City of Sydney Council in regard to the scale of operation is a **REFUSAL and NOT a conditional approval.**

Yours sincerely,

Kara Vasylenko

From: Mikhaela Adam [REDACTED]
[REDACTED]

Sent on: Friday, January 23, 2026 8:16:32 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016 - Attention Christina Robinson

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

To Whom It May Concern,

As a frequenter to this area, I object to this application due to the increased foot traffic and noise. On top of this issues with parking are also a concern.

Regards,

M Adam

From: Vladimir Vasylenko [REDACTED]
[REDACTED]
Sent on: Saturday, January 24, 2026 12:20:48 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Objection to Eveleigh Hotel application D/2025/1210
Attachments: Objection - Eveleigh Hotel D-2025-1210 - VV.docx (14.08 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 refer to the attached document, which contains details of my objection to the application.

Yours sincerely,
Vladimir Vasylenko

23 January 2026

Dear Ms Robinson,

I object to the Eveleigh Hotel's application D/2025/1210 seeking:

- Conversion of the upstairs residence into part of the licensed area of the Eveleigh Hotel
- Longer trading hours 7 days a week to 12:00 am for the upstairs area
- Doubling of indoor patron numbers from 100 to 200 across two floors, 7 days a week
- Continued use of the footpaths on Vine and Abercrombie Streets for patrons to stand and drink, smoke, and vape from 10 am to closing. This further increases noise, reduces safety, and is extremely objectionable in a residential area.

The hotel's patrons are already making a lot of noise on certain nights, and this keeps us awake when we should be sleeping. This is affecting our health. The proposed application will most certainly result in a significant increase of noise at night, which will further deteriorate our physical and mental health.

It is understandable that the owner of the hotel and/or publican want to increase the patronage of their establishment, but this should not be done at the significant detriment to the lives of residents on Vine street that are within earshot of the hotel, which includes my house. Life is already tough for many of us, approval of the application will make life for residents of Vine street even more difficult and filled with suffering and misery.

Please unconditionally refuse the application D/2025/1210. If this is not done, there will be very bad consequences.

A lack of refusal will be understood by us to indicate that an illegal process was very likely followed in regard to the application, and I can assure you that we would then take great pains to get to the bottom of the matter and bring the perpetrators of any misdeeds to the attention of the NSW justice system.

Yours Sincerely,

Vladimir Vasylenko

Resident of Vine Street

From: [REDACTED]
Sent on: Friday, January 23, 2026 11:55:55 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Objection to D/2025/1210 - Eveleigh Hotel - Attention : Christina Robinson
Attachments: 260123 Objection - The Everleigh Hotel D_2025_1210.pdf (1.42 MB), Attachment A.pdf (2.35 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.

Hi Christina,

Please find attached my letter of objection attached in relation to the Eveleigh Hotel's application D/2025/1210.

Should you require to contact me please email [REDACTED], or on [REDACTED].

If you would not mind redacting my contact details and address within the letter submission.

Many thanks,

Kind regards,
[REDACTED]

12 January 2025

City of Sydney
Department of Planning
GPO Box 1591
Sydney NSW 2001

Via email: DASubmissions@cityofsydney.nsw.gov.au

Attention: Christina Robinson

Objection to D/2025/1210 Change of use of the first floor residence to function as part of The Everleigh Hotel and increase the maximum patrol capacity to 200. Proposed hours of operation are 10:00am = 12:00 midnight Monday to Sunday.

158 – 160 Abercrombie Street REDFERN NSW 2016

To whom it may concern,

As one of the closest neighbours (less than 100 from the Everleigh Hotel I have a number of significant concerns that I do not believe have been adequately addressed in the development application.

I am a resident of approximately 35 years, and can attest that the Hotel now known as the Eveleigh Hotel has been a quiet local hotel throughout the various licensee owners, and was also previously known as the Berkeley Hotel back through to at least the late 1980's. The Hotel closed after the sale of its license. Then approximately 10+ years ago Matthew Sweeney acquired it. In 2010 the maximum outdoor seating was 3 tables, 7 chairs.

Since the hotel was sold to the current and latest owner of the Eveleigh Hotel the owners have exponentially sought to increase its footprint on Abercrombie and Vine Streets at the demise of the close vicinity of neighbours' homes and the local community. This is **NOT** an entertainment precinct; it is a residential area and requires it to be treated and respected as such.

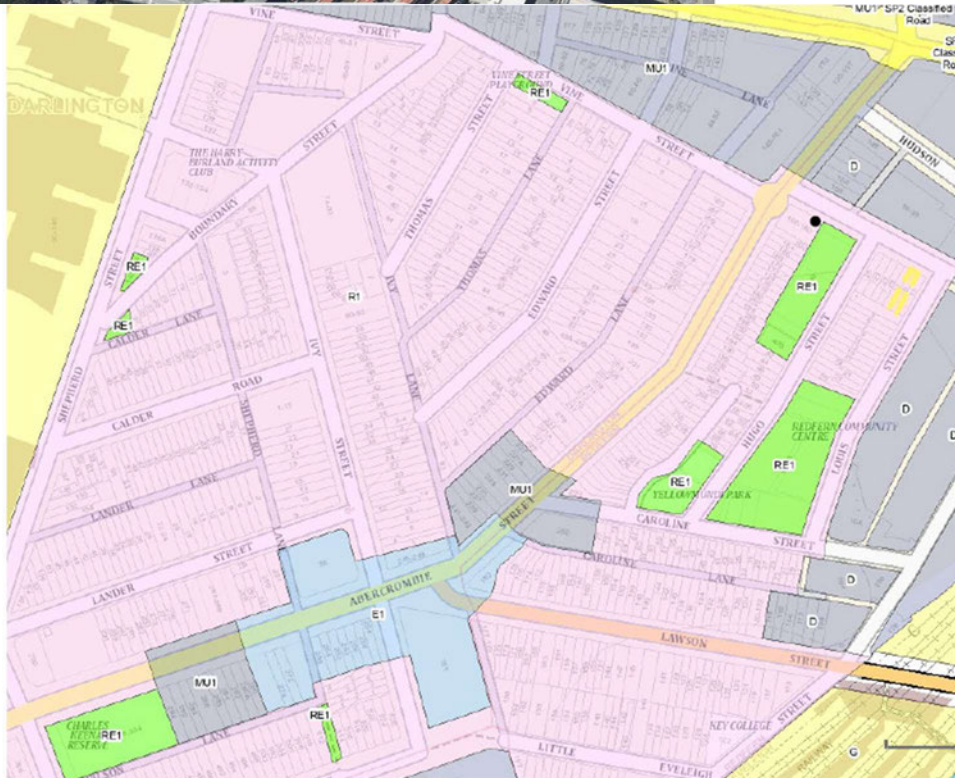
In addition, as a resident I am also aware and very concerned about the level of property ownership and control that the hotel owner/operators have accumulated in the immediate area. This raises a genuine planning issue: approving the current application may pave the way for staged expansion across several street frontages, gradually converting what is intended to be a local neighbourhood hotel into a large-scale, multi-street licensed venue. Such an outcome would significantly undermine the established residential character of the neighbourhood.

Please take into consideration my following objections around this application (**D/2025/1210**).

Consultation

Given my homes proximity I am concerned that there has been no contact made with myself or nearby neighbours regarding our apprehensions around the development application. The standard form for a community impact statement indicates applicants should consult with occupiers of neighbouring premises and respond to the outcomes of that consultation. Neighbouring premises are defined as any building situated on land within 100m of the boundary of the premises that the proposal relates. This would indicate community consultation should extend at least to the area indicated by the orange circle on the map below.

This aerial map shows a residential neighborhood in Vancouver, British Columbia. A blue double-headed arrow is positioned at the intersection of Vine Street and Abercrombie Street, indicating the location of the study site. The map includes labels for several streets: Cleveland Street, Vine Street, Abercrombie Street, Hudson Street, Hart Street, Douglas Street, Chippewa Street, Thomas Street, Eastman Street, West Street, Caroline Street, Lawson Street, and Eastlich Street. The area is characterized by a mix of residential buildings, trees, and a large body of water in the lower right corner.



A Statement of Environmental Effects has been produced by SKY planning. However, I believe a number of the statements in this do not clearly represent the community.

199

The surrounding area comprises a mix of land uses, including residential, commercial, and light industrial activities, reflecting the historical evolution of Redfern as a vibrant and diverse urban precinct. The hotel itself is located amidst this mixed-use environment, contributing to the local entertainment and hospitality offering while coexisting with nearby residential and commercial properties. The surrounding context is characterised by low- to medium-density development with a combination of heritage and more contemporary buildings, creating a dynamic and active streetscape.

Although the area is designated a mixed use zone, the dominant character of the immediate area is clearly residential and zoned general residential.

The planning controls map above clearly indicates Darlington to be significantly dominated by residential dwellings. (Note the areas in grey adjacent to Louis Street, previously known as “The Block”, are also residential apartments.) Diagonally opposite the venue is 40 apartment complex, and the area immediately to the south and west is almost entirely terrace houses, workers cottages, and apartments.

The tone of the environmental report minimises and is dismissive of the residential community, and the impacts of the proposed changes. The above statement is intentionally misleading reflecting the disregard of the applicant to the community.

Application History

In 2015 authorisation was granted for a trial of outdoor seating on Abercrombie Street. In 2019 this trial was extended to allow outdoor seating from 10:00am to 10:00pm Monday – Saturday, and 10:00am to 9:00pm Sunday.

This outdoor seating was strictly limited, and was somewhat regulated by the staff, following community backlash.

As stated in the Statement of Environmental Effects:

An outdoor dining application is currently under assessment by the City of Sydney for the use of 16.85m² of public footpath along Abercrombie Street and Vine Street for seating associated with the Eveleigh Hotel. The proposed hours are 10:00am to 10:00pm, Monday to Sunday, and the application seeks to amend a previous approval.

The outdoor dining capacity is currently on trial has proved to be exceedingly popular for predominately drinkers, not eaters. The footpath is blocked most of the time during peak trading periods. The existing footpath in Vine Streets is simply not wide enough to comply with guidelines for a clear path of travel of 2m. With Vine Street used as the ‘smoking area’ of the venue as well as drinking, and the outdoor dining in the street alongside the footpath (previously car spaces), pedestrian safety is compromised. Pedestrians, prams, mobility scooters and wheelchairs are forced onto the road. This is not an acceptable risk for the City of Sydney, or residents.

This area is rarely monitored by the hotel, and residents have had incidents of patrons being drunk and abusive, patrons being drunk on the road, and beer, and even a glass, being thrown at a resident and his son.

The following clip posted on the Everleigh Hotel’s own Instagram page, highlights not only the existing approach to the outdoor areas, but also the intention to continue in this manner as often as possible. This is not a one off instance with photos across a number of months demonstrating it is a pattern, refer **Attachment A**.



The blatant disregard of the council guidelines; licencing requirements; and the local community during the current trial period of the 'outdoor seating area' has been extremely disappointing and clearly reflects the attitude of the management that the rules do not apply to them. This alone is a significant reason to deny the applications within D/2025/1210.

Hours of Operation

As noted above, the dominant character of the immediate area is residential and zoned general residential, almost entirely terrace houses, workers cottages, and apartments.

The Statement of Environmental Effects states the application seeks to:

- Change the use of the hotel residence (Class 4) to be considered as part of the pub (Class 6) as a listening, sitting, breakout room and equipment storage with use of adjoining bathrooms.
- Extension of hours of operation of the first-floor level from 10pm to midnight Monday to Sunday.
- Increase patrons across the entire premises from 110 to 200, including staff. The first-floor level alone can cater to a maximum of 100 people including staff.

A 12:00 midnight close, seven days a week, , together with doubling of patron numbers is a substantial intensification of use with increased noise levels and is out of line with the existing neighbourhood and cannot fail to adversely impact the **local** community and residential amenity.

In addition to the implied impacts on noise and amenity; of community impact, of neighbourhood character, and on planning principles, I am disturbed by the impact of this change on risk and precedent. City of Sydney, NSW Planning, and Liquor and Gaming will recall application 1-6668308010 made by Chippo Mexicale. This application was rejected on the grounds of the detriment to the Darlington community. This precedent needs to be maintained, as the implications of any other outcome for the community are deeply concerning.

Hours of Operation

The applicant has not had the courtesy to make contact in regard to the development application, being a close proximity stakeholder to approach and discuss the application. The seating outside for 36 people (or more based on the clear intentions of the applicant) 7 days a week and the noise that travels down Vine Street to my living area and

bedroom facing on to the street. This scenario is entirely incompatible with residential living and raises serious concerns about noise, and the overall amenity of our home.

Parking

The Statement of Environmental Effects states:

No off-street parking is provided on the site, consistent with both the existing approved operations of the Eveleigh Hotel and the highly accessible inner-city location. The Hotel is well-served by frequent public transport, with Redfern Station located approximately 400 metres walking distance from the premises, providing regular train services across multiple lines. The site is also supported by several surrounding bus routes and an established pedestrian network, enabling patrons and staff to conveniently access the venue without reliance on private vehicles. As such, the proposed change of use does not generate any additional parking demand and remains entirely suitable within this well-connected urban location.

While the accessibility of the area is one of the wonderful advantages of our neighbourhood it is difficult to conceive that doubling patron numbers will not create a load on the already overburdened traffic control.

This is a complex problem, with no immediately apparent resolution, yet its impact on the community is undeniable. It is essential reviewing bodies recognise the significant burden this proposal would place on local traffic management, particularly in light of inebriated patrons spilling onto the road, and propelling abuse, beer, and receptacles at members of the community.

Patron Management

Patron management in a residential neighbourhood is an evocative issue, and one that the applicant to date has had little engagement with it. The Statement of Environmental Effects proposes:

to apply to the extended use of Level 1. As the Level 1 spaces will function as ancillary, lower-intensity sitting and breakout rooms, they are not expected to generate additional security risks beyond current operations.

To support safe and responsible management of the premises, the Hotel will continue to implement the following established measures:

- RSA compliance: Strict enforcement of responsible service of alcohol and refusal of service or entry where appropriate.
- Security presence: Ground floor security maintained as the primary control point, with additional staff available on Level 1 when required.
- CCTV monitoring: Full digital surveillance system covering internal and external areas to monitor patron behaviour.
- Clear patron messaging: Signage at all exits requesting patrons to depart quietly and respectfully in consideration of nearby residents.
- Staggered closing procedures: Ceasing bar service, turning lights on and lowering music prior to closing to encourage calm and orderly departures.
- Police liaison: Continued cooperation with the local Police Area Command and implementation of reasonable recommendations.
- Complaint management: Maintenance of the Hotel's complaint handling procedure, including a Complaints Register and escalation to the Licensee or Duty Manager as required.

This combination of measures ensures that the proposed increased use of Level 1 can be safely accommodated while protecting the amenity of the surrounding residential area.

The proposed change of use will continue to operate under the Hotel's established security framework, with additional patrons on Level 1 managed in the same manner as the existing licensed premises. Primary security staffing will remain at the ground floor entry points, while supplementary security can be deployed upstairs during busier periods or private events to ensure adequate supervision. All existing patron management procedures—including RSA compliance, staggered closing practices, and communication with local Police—will continue

While the above statements appear well intentioned they are a far removed from day-to-day reality experienced at the venue. The statement that the applicant 'has a degree of control over patron behaviour while on the premises, but this is limited once patrons have left the venue.' is a gross neglect of the applicant's responsibility to manage the broader impacts of their operations on the surrounding community.

Patron exit over busy periods is usually accompanied by loud chatter, rowdy farewells, and elevated street noise that carries through the streets and into homes. This is already a significant burden on the community, and extending operating hours seven days a week, and a doubling patron numbers will dramatically intensify these impacts.

Noise Management

The proposed change of use is contained wholly within the envelope of the long-established Eveleigh Hotel and does not introduce any new noise-generating activities beyond those already inherent to the licensed premises. It is noted that Council's records do not indicate any noise-related complaints associated with the existing first-floor dining areas, which have historically operated as part of the hotel.

Noise emissions from the premises will continue to comply with the requirements of the Hotel's Plan of Management (POM), which stipulates that operational noise must not exceed the background noise level by more than 5dB within any habitable room of a nearby residential property between 7:00am and 12:00am daily. These management measures align with the existing development consent conditions and the current licensing framework applying to the hotel.

Between 10:00pm and 12:00am, additional mitigation can be implemented through the closure of windows facing Abercrombie Street at the first-floor level. These first-floor rooms are intended to function as relaxed sitting and breakout areas and are not designed or intended for any high-noise-producing uses. Importantly, no new window openings or external alterations are proposed as part of this application.

Noise emissions will continue to comply with the requirement that sound from the licensed premises must not be audible within any habitable room of a residential property between 12:00am and 7:00am. As the proposal does not alter the Hotel's approved trading hours or intensify activities beyond existing operational parameters, the change of use will not result in any unreasonable noise impacts.

The Statement of Environmental Effects states:

There are number of statements which are misleading in this passage.

The management of the venue's management have indicated their intention to host live music upstairs and to schedule events there as frequently as possible. It is highly improbable 200 patrons and staff leaving a live music event will exercise any greater vigilance minimising noise during a weeknight than the existing patrons. It is entirely untenable to claim that the proposal will not have a noise impact on the community.

Some standardised noise levels include:

Decibel Level	Noise Source
30	Quite rural area
40	Hushed library conversation
50	Quiet conversation at home
60	Conversation in a restaurant
70	Vacuum cleaner
120	Thunderclap
150	Eardrum rupture

The statement indicates that operational noise must not exceed background noise by more than 5dB. Based on the above standards it is extraordinarily unlikely that 200 patrons and staff, having just attended a live music event, will disperse with noise levels equivalent to a hushed library conversation.

Even under the most generous interpretation , the late night exit of up to 200 people, 7 days a week will inevitably disturb the sleeping community. At worst it risks escalation of the anti-social behaviour the community is already experiencing with the outdoor seating trial.

In summary:

- ***The changes being proposed are NOT the minor modifications the applicant would like the reviewers to believe.***
- ***The changes create a CUMULATIVE IMPACT far greater than any single element alone.***
- ***The applicant appears to be seeking the venue to be a high intensity venue which overwhelms our streets and homes and is a detriment to the local community.***
- ***This application is not in the best interest of the local community, and CANNOT be accommodated without adversely impacting the local community.***

I request that the application be DENIED.

Yours Sincerely

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Attachment A

03/07/2025 Partial obstruction of Abercrombie Street



04/09/2025 Blocking upper Vine Street/Abercrombie Streets



16/10/2025 Patrons on Vine Street extending to usage of Hugo Street Reserve



16/10/2025 Patrons on Vine & Abercrombie Streets



17/10/2025 Vine Street obstructed by patrons, and drinking in Hugo Street Reserve



08/11/2025 Obstruction of Vine Street



23/11/2025 Patron on the Vine Street itself



Table use extended out on Abercrombie Street, seating not supposed to be corner of Vine Street



25/11/2025 Patrons sitting on bollards and standing on Vine Street.



27/11/2025 Obstruction of Vine Street and drinking in Hugo Street Reserve



18/12/2025 Patron across the Vine Street



18/12/2025 Patrons outside of designated area



18/12/2025 Patrons clogging up both Vine and Abercrombie Streets



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

Sent on: Wednesday, February 4, 2026 1:33:25 PM

To: DASubmissions@cityofsydney.nsw.gov.au

Subject: Additional information – DA D/2025/1210 (Eveleigh Hotel)

Caution: 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 Robinson,

Please accept the following as **additional information** in relation to **Development Application D/2025/1210** on behalf of *Far West Redfern Dwellers*.

Additional information for consideration:

It is generally accepted that purchasers who choose to live adjacent to an established high-intensity venue cannot reasonably expect that venue to reduce its scale or operating impacts. The converse principle also applies: where a venue has historically operated as a low-intensity local hotel within a residential area, nearby residents are entitled to rely on that established character. A proposal to transform such a venue into a significantly more intensive entertainment use represents a material change to the expectations of the surrounding residential community and should be assessed accordingly.

This information is provided to assist Council in its consideration of neighbourhood character, reasonable residential expectations, and the cumulative impact of the proposal.

Kind regards,

Far West Redfern Dwellers

(local residents)

for



FWRD

Far West Redfern Dwellers

@FarRedfern

From: spase petkovski [REDACTED]
[REDACTED]

Sent on: Monday, February 23, 2026 9:21:57 PM

To: council@cityofsydney.nsw.gov.au; Joanne Farah [REDACTED]; jenny.pinkihar [REDACTED]

Subject: ref:D/2025/1210 158-160 Abercrombie st Redfern

Caution: 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 an owner of property directly opposite the proposed development (145-161 Abercrombie st). While I support the upgrading and improvement of properties in the area, I do have some concerns.

An additional 200 patrons on what is already a relatively small street could lead to congestion and traffic issues. Furthermore, operating from 10am to midnight, seven days a week, may cause disruption in what is currently a quiet street.

I kindly ask that consideration be given to the residents living in the surrounding area and the potential impact this development may have on their amenity and quality of life.

Regards
Liliana Petkovska

From: [Jason Leong](#)
To: [Christina Robinson](#)
Subject: Query: D/2025/1210 - 158-160 Abercrombie Street REDFERN NSW 2016
Date: Wednesday, 25 February 2026 10:10:02 PM

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

Dear Christina,

I hope you're well.

I wanted to provide a further submission regarding The Eveleigh Hotel's proposal D/2025/1210 to increase patron capacity and hours of operation, specifically in regards to the history of poor management.

Yesterday, I received a call from a council ranger that confirmed that The Eveleigh Hotel was not operating in compliance with their existing footway application (FA/2025/452). You can find the details in COS-CUS-570533, COS-CUS-567060 and in my query to the planner responsible for the footway application that I have forwarded below. In summary, the Hotel was leaving the outdoor furniture out overnight and using furniture that extended outside the approved area. This enabled antisocial behaviour around the Hotel.

This is in addition to:

- continuing, unresolved issues with noise
- continuing smoking in areas not permitted by smokefree legislation
- previous confirmed lack of compliance with keeping the footway clear
- previous confirmed lack of compliance with drinking in not approved areas

I have spoken to more than 10 neighbours that agree that the current situation has been the worst it has ever been. Some neighbours who are renting have expressed that they rather move out than deal with the ongoing issues with the pub. I have been raising these issues directly with the Hotel but no action is taken by them unless council or police intervene. I believe this demonstrates a history of poor management and that approval with conditions of consent would not be in the public interest because any conditions are unlikely to be followed. Therefore, the application should be refused.

I also understand that an acoustic report is being commissioned by the Hotel. If you are still considering the possibility of approving this application, then as a matter of procedural fairness I respectfully request that you renotify this development application and inform everybody that has made a submission, as the Statement of Environmental Effects should be changed to take into account the result of the acoustic report. The public should have the opportunity to comment on whether the acoustic report and SEE would be consistent with the actual environmental impact of the application.

Thank you,
Jason Leong

From: Hannah Yung <HYung@cityofsydney.nsw.gov.au>
Sent: Tuesday, February 24, 2026 12:32
To: Jason Leong [REDACTED]
Subject: RE: Query: FA/2025/452 - 158-160 Abercrombie Street REDFERN NSW 2016

Hi Jason,

Thanks for your email

I had a look at Council's internal system for you and your complaints are currently being investigated by our rangers. I have asked them to provide you an update.

Thank you very much.

Regards,

Hannah Yung
Cadet Planner
Planning Assessments



Telephone: [+612 9246 4516](tel:+61292464516)
cityofsydney.nsw.gov.au



The City of Sydney acknowledges the Gadigal of the
Eora nation as the Traditional Custodians of our local area.

From: Jason Leong [REDACTED]
Sent: Monday, 23 February 2026 8:14 PM
To: Hannah Yung <HYung@cityofsydney.nsw.gov.au>
Subject: Query: FA/2025/452 - 158-160 Abercrombie Street REDFERN NSW 2016

Caution: 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 Hannah,

I hope this email finds you well.

I am writing to enquire about The Eveleigh Hotel's outdoor dining area on Vine St, as approved by you in FA/2025/452. In particular, I would like to understand what action can be taken to ensure that the Hotel complies with their [conditions of approval](#).

I wrote to the council on 10 February 2026 using the "General enquiry or feedback" form, reference COS-CUS-557465 but I did not receive any response, and there has been no change to the operation of the outdoor dining area.

I have included the text of my complaint below.

Could you please assess whether the Hotel is complying with their conditions of approval and if any action would be taken to ensure the Hotel complies with the conditions of approval?

Thank you,
Jason Leong

I would like Council compliance officers to check whether The Eveleigh Hotel is in compliance with the conditions of consent of FA/2025/452 and for this complaint to be considered by council planners when reviewing further applications by The Eveleigh Hotel. The operator is keeping the Vine St outdoor furniture (chairs and tables) left out overnight. The operator has disregarded the conditions by placing heavy benches and tables that were not disclosed in any application and extend out of the approved dining area, onto the footpath. This causes amenity issues as people use the outdoor furniture outside of the approved hours.

For example:

- Incident 1: At 1:00am on 10 February 2026, I was woken due to three people drinking alcohol at the tables causing disturbance. They were shouting and playing loud music using a portable amplified speaker.
- Incident 2: At 10:30pm on 5 February 2026, I was unable to sleep because multiple groups of patrons continued to sit in the outdoor dining area having conversations and carrying on.
- Incident 3: At 11:30pm on 15 January 2026, I was unable to sleep again for the same issues due to at least five patrons congregating in the outdoor dining area having conversations and carrying on.

I can provide additional photos and videos of these incidents if required.

These incidents demonstrate a sustained pattern of non-compliance with the following:

- [A] FA/2025/452 Notice of Determination conditions 6(j), 6(m), 6(t), 7, 8
- [B] Outdoor Dining Guidelines June 2025, Provision 5.2 and Provision 5.4
- [C] 2017 Plan of Management Page 10: "The outdoor dining furniture is to be moved indoors immediately after the outdoor area has closed"

The operator never followed these conditions of consent nor the plan of management since the use of the footway was approved in June 2025.

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: frances tracey [REDACTED]
Sent on: Monday, March 16, 2026 12:27:59 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: Re: Objection to D/2025/1210 - Eveleigh Hotel - Attention : Christina Robinson - addition to my submission

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

Hi Christina,

Since the reopening of the Eveleigh after its renovations the noise levels generated from the hotel; and its extension of the dining area to Vine Street; are the worst noise levels I have experienced from the hotel in thirty or more years.

The current tables for groups of up to eight, or can be more people drinking outdoors at the Eveleigh (Vine Street) has created high-intensity social groups; which when at capacity have demonstrated behaviours associated with being part of large, and anonymous-feeling group(s) in a public space. The Eveleigh patrons with the social lubricant of alcohol purchased from the Eveleigh have increased noise levels.

It's herd mentality.

It's the psychological behaviour of allowing large groups to come together. Council and Government also takes that into consideration, and plans community spaces based on this for safety purposes.

Noting this is with the current licensing levels of patrons allowable under the Eveleigh's licence. An increase in patrons is very likely to exacerbate and increase noise levels; and behaviours of patrons to the detriment of our community.

The hotel's choice was to install large tables, rather than tables of four to create a more "intimate" dining experience outdoors, which can be removed, similar for example as businesses in Crown Street Surry Hills when the licence time has ceased.

This is not King Street, this is not Crown Street or City Road; Vine Street and the surrounding area are residential, and neighbours should be able to enjoy their homes and parks without unreasonable disturbance.

In my experience, the hotel interferes with neighbours' quiet enjoyment on a regular basis.

Sincerely,
Fran Tracey

Item 4.**Development Application: 431 Glebe Point Road, Glebe - D/2025/1006****File Number:** D/2025/1006**Summary****Date of Submission:** 6 November 2025, amended plans 6 February 2026, 6 March 2026**Applicant:** The Trustee for Drivas Family Trust No. 2**Architect:** TKD Architects**Owner:** G & J Drivas Pty Ltd**Planning Consultant:** BBC Consulting Planners**Heritage Consultant:** John Oultran Heritage & Design**Cost of Works:** \$25,575,059.00**Zoning:** R1 General Residential, proposal permissible with consent

Proposal Summary: Alterations and additions to an existing commercial building for adaptive reuse as a residential flat building. The building is the locally listed heritage item Former industrial building "Sterling Pharmaceutical Co" and is located within the Glebe Point Road Heritage Conservation Area.

The application is referred to the Local Planning Panel for consideration as the proposal includes a requests to vary the height of buildings and floor space ratio development standards by more than 10% and is a sensitive development to which Chapter 4 of SEPP Housing 2021 applies.

The existing building currently exceeds both the SLEP 2012 height of buildings and floor space ratio development standards, and the proposed additions will increase the building height. The existing building is built to a height of 23.4m and additions are proposed to a height of 24.9m, which represents a variation of 107.5% to the height standard of 12m.

The existing building has an FSR of 2.51:1, and the proposal has an FSR of 2.46:1 representing a variation of 146%. The applicant has submitted requests to vary the standards pursuant to clause 4.6 of SLEP 2012. The variations are supported in the circumstances of the application.

The application was notified for 28 days between 10 November 2025 and 9 December 2025. 420 properties were notified and 10 submissions were received, 3 in support or comments, and 7 objecting to the proposal. The issues raised in submissions include objections to car parking and servicing, privacy, noise, dwelling mix, and construction impacts. The issues raised have been considered within the report.

The application was reviewed by the Design Advisory Panel Residential Subcommittee on 2 December 2025. The panel provided recommendations for improving the internal planning of the proposal. Council staff also requested amendments to improve the heritage impacts of the proposal.

The applicant responded to this feedback and requests with amended plans and further information on 6 February 2026 and 6 March 2026. The proposal as amended has addressed the raised items and is supported for approval.

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 (Resilience and Hazards) 2021
- (iv) SEPP (Industry and Employment) 2021
- (v) SEPP (Transport and Infrastructure) 2021
- (vi) SEPP (Biodiversity and Conservation) 2021
- (vii) SEPP (Precincts – Eastern Harbour City) 2021

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Clause 4.6 Request - Height of Buildings
- D. Clause 4.6 Request - Floor Space Ratio

E. Submissions

Recommendation

It is resolved that:

- (A) the variation requested to Clause 4.3 Height of buildings development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld;
- (B) 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
- (C) consent be granted to Development Application Number D/2025/1006 subject to the reasons below and 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) 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 Local Environmental Plan 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 Local Environmental Plan 2012.
 - (ii) the applicant has demonstrated that compliance with the floor space ratio development standard in Clause 4.4 of the Sydney Local Environmental Plan 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 Local Environmental Plan 2012.
- (B) The proposal exhibits design excellence in accordance with the requirements contained in Clause 6.21C of Sydney Local Environmental Plan 2012.
- (C) The proposal retains the heritage significance of the site being a local heritage item.
- (D) The proposal retains the heritage significance of heritage items in proximity of the site and the Glebe Point Road Heritage conservation Area.
- (E) The proposal is generally consistent with the relevant objectives and provisions of Sydney Development Control Plan 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
 - (b) Sensitive Development
2. The development application falls within the category of Departure from Development Standard as the proposal includes a request to contravene the height of buildings development standard by more than 10%. The existing building is built to a height of 23.4m and additions are proposed to a height of 24.9m, which represents a variation of 107.5% to the height standard of 12m.
3. The existing building has an FSR of 2.51:1, and the proposal has an FSR of 2.46:1 which represents a variation of 146% to the FSR standard of 1:1.
4. The development application also falls within the category of Sensitive development being a development to which SEPP (Housing) 2021 Chapter 4 (Design of residential apartment development) applies.

The Site and Surrounding Development

5. The site is identified as Lot 2 in DP 181698 and is located at 431 Glebe Point Road, Glebe. The site is located on the southeastern side of the intersection of Glebe Point Road and Leichhardt Street. The site is irregular in shape. It has a primary frontage of 43m to Glebe Point Road, a combined side and rear frontage of 80.4m to Leichhardt Street and a site area of 2,415sqm. Levels on the site fall by approximately 1.1m from west to east.
6. The site contains two joined former industrial buildings: a part four storey Inter-War brick building at the rear built in 1927, and a six storey functionalist style building fronting Glebe Point Road built in 1948. The building includes a one level basement concurrently containing 40 car parking spaces. The site contains 28 trees around the building perimeter.
7. The surrounding area is characterised as residential. To the north of the site at 433 Glebe Point Road is a local heritage-listed terrace house "Gaza House". To the south, the site adjoins a terrace style dwelling at 429 Glebe Point Road, and a detached dwelling at 2 Leichhardt Street. To the east across Leichhardt Street is Stewart Street Glebe Reserve. To the west across Glebe Point Road is a residential flat building and large manor home.
8. The site is listed as local heritage item 'Former industrial building "Sterling Pharmaceutical Co" including interior, former tram shelter and front fence' (I773). The site is located within the Glebe Point Road Heritage Conservation Area (C29). The site is identified as a 'detracting' building within the conservation area.
9. The site is located within the Glebe Point locality and is not identified as being subject to flooding.
10. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Aerial view of site



Figure 3: Site viewed from Glebe Point Road



Figure 4: Site viewed from Glebe Point Road



Figure 5: Site viewed from Leichhardt Street looking south



Figure 6: Site viewed from Leichhardt Street looking south



Figure 7: Site viewed from Stewart Street looking west



Figure 8: Site viewed from Leichhardt Street looking west



Figure 9: View along rear southern boundary



Figure 10: Internal view of strip out works



Figure 11: Mushroom column within basement

History Relevant to the Development Application

Development Applications

11. The following applications are relevant to the current proposal:
 - **D/2024/1011** – Development consent was granted on 18 December 2024 for Internal alterations to office premises (basement to level 6). This approval included the strip out of internal fixtures of the previous use of the site as a medical research centre.

Amendments

12. Following a preliminary assessment of the proposed development by Council Officers and the Design Advisory Subcommittee Residential, a request for additional information and amendments was sent to the applicant on 22 December 2025.
13. The applicant responded to the request on 6 February 2026 and 6 March 2026. See further discussion below on under the heading 'Discussion'.

Proposed Development

14. The application seeks consent for the following alterations and additions to the existing commercial building for the change of use to a residential flat building:
 - Alterations and partial internal and external demolition works.
 - Construction of thirty residential apartments including 1 x two bedroom apartment, 25 x three bedroom apartments, and 4 x four bedroom apartments.

- Alterations to basement including provision of 37 car parking spaces.
- New rooftop additions for private open space areas for apartments below.
- Conservation works to existing building.
- Removal of 11 trees, retention of 17 trees and planting of 4 new trees.

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

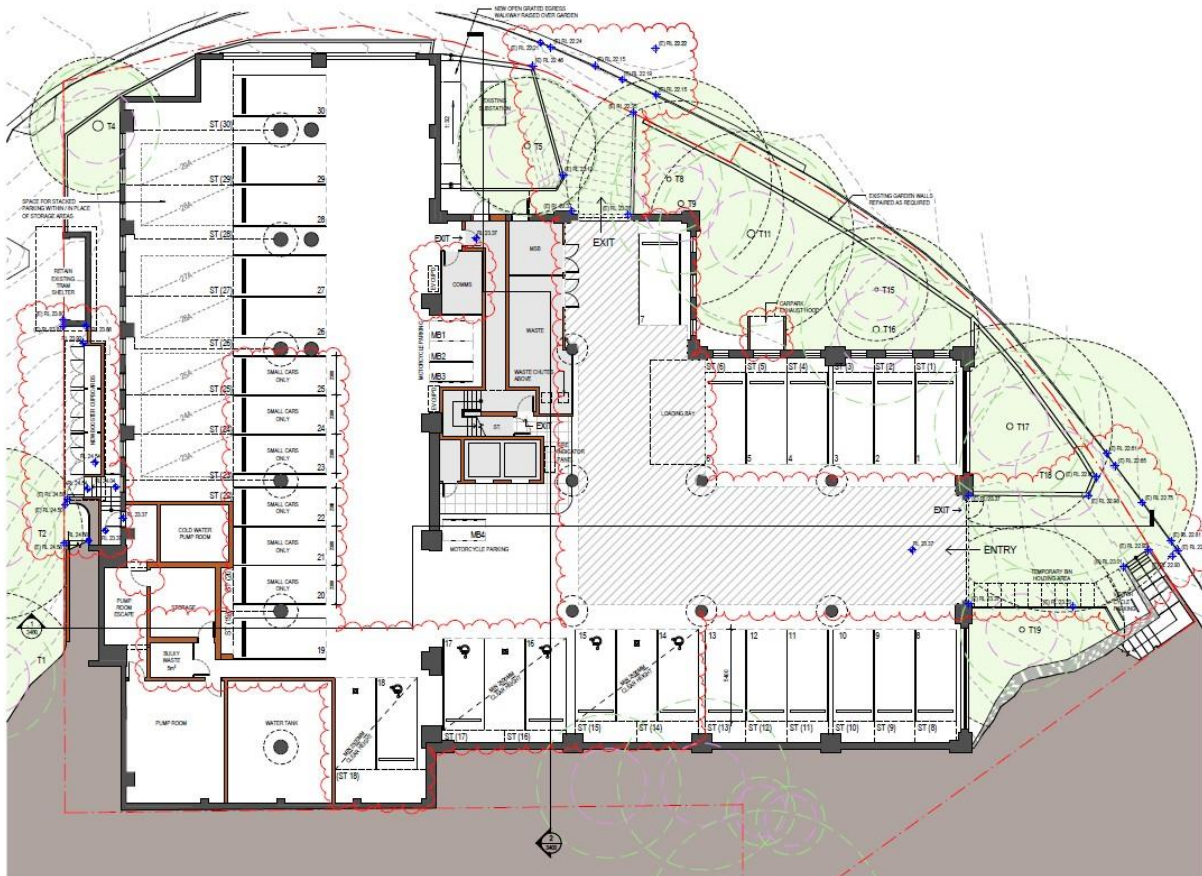


Figure 12: Basement plan

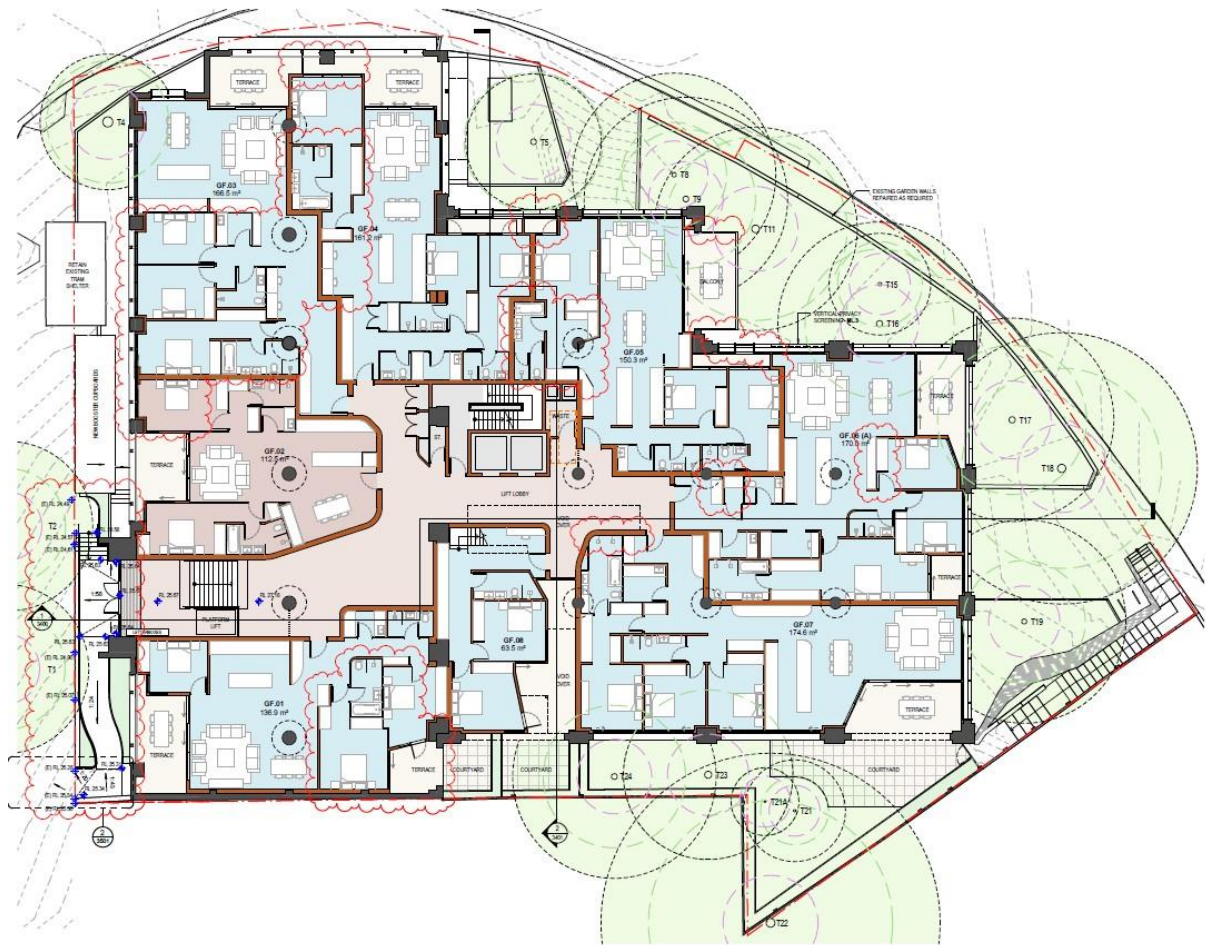


Figure 13: Ground level floorplan

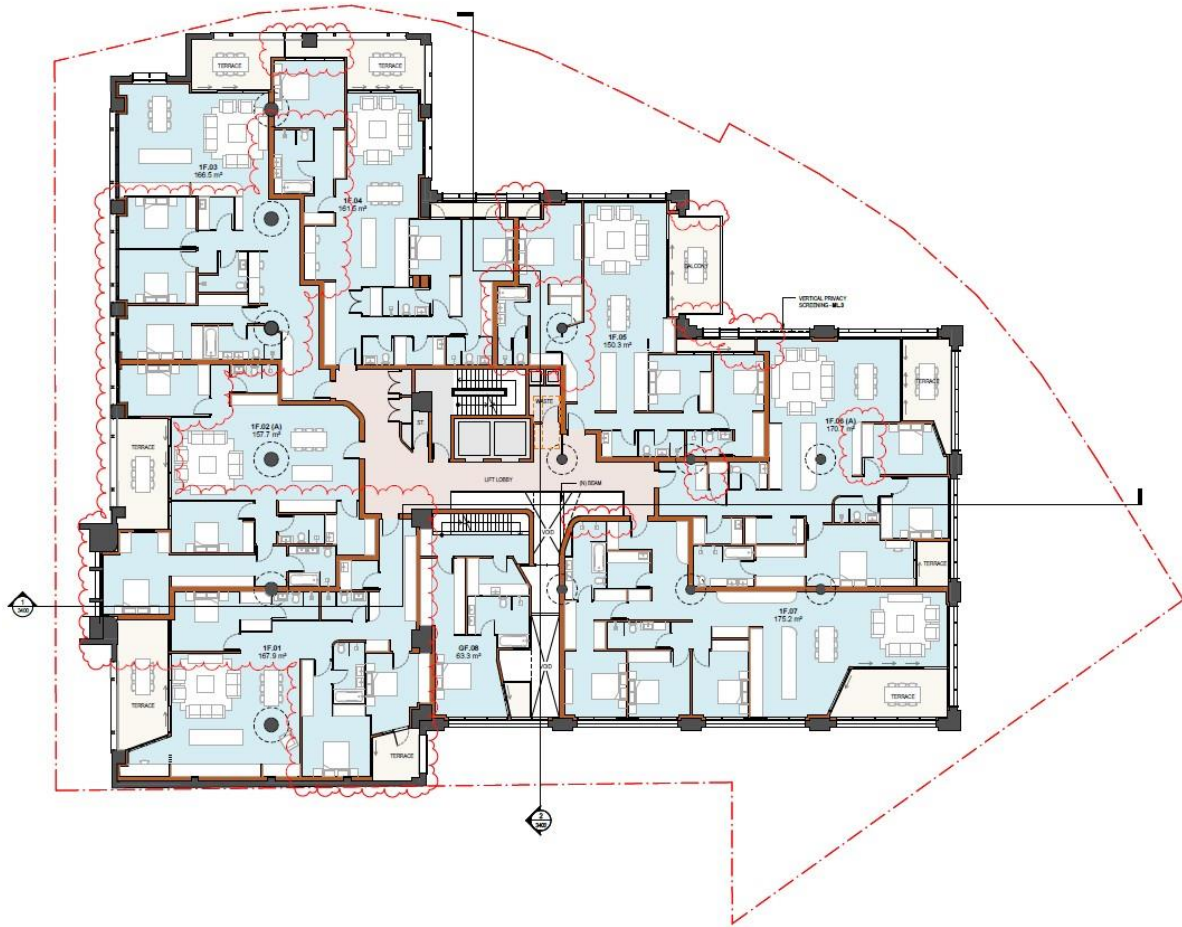


Figure 14: Level 1 floorplan

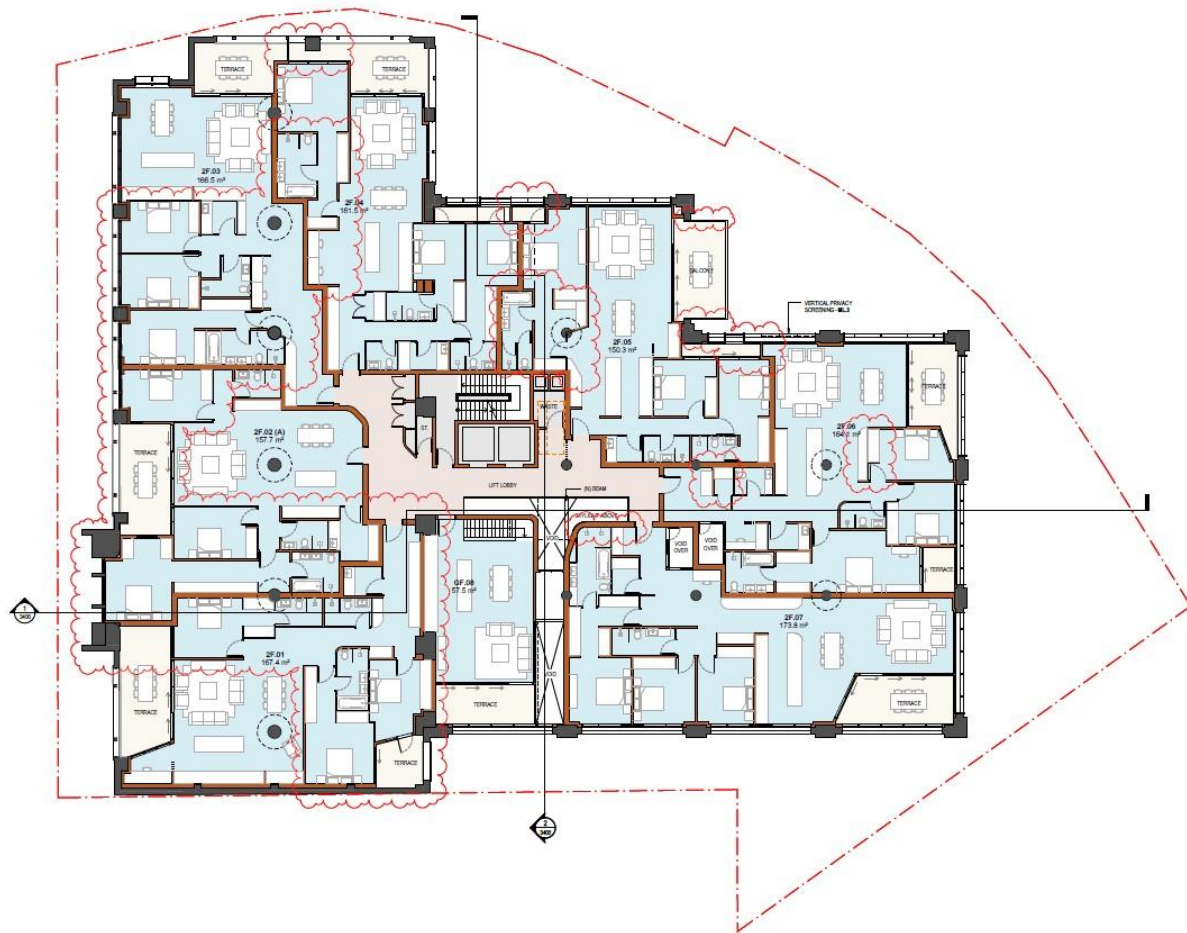


Figure 15: Level 2 floorplan

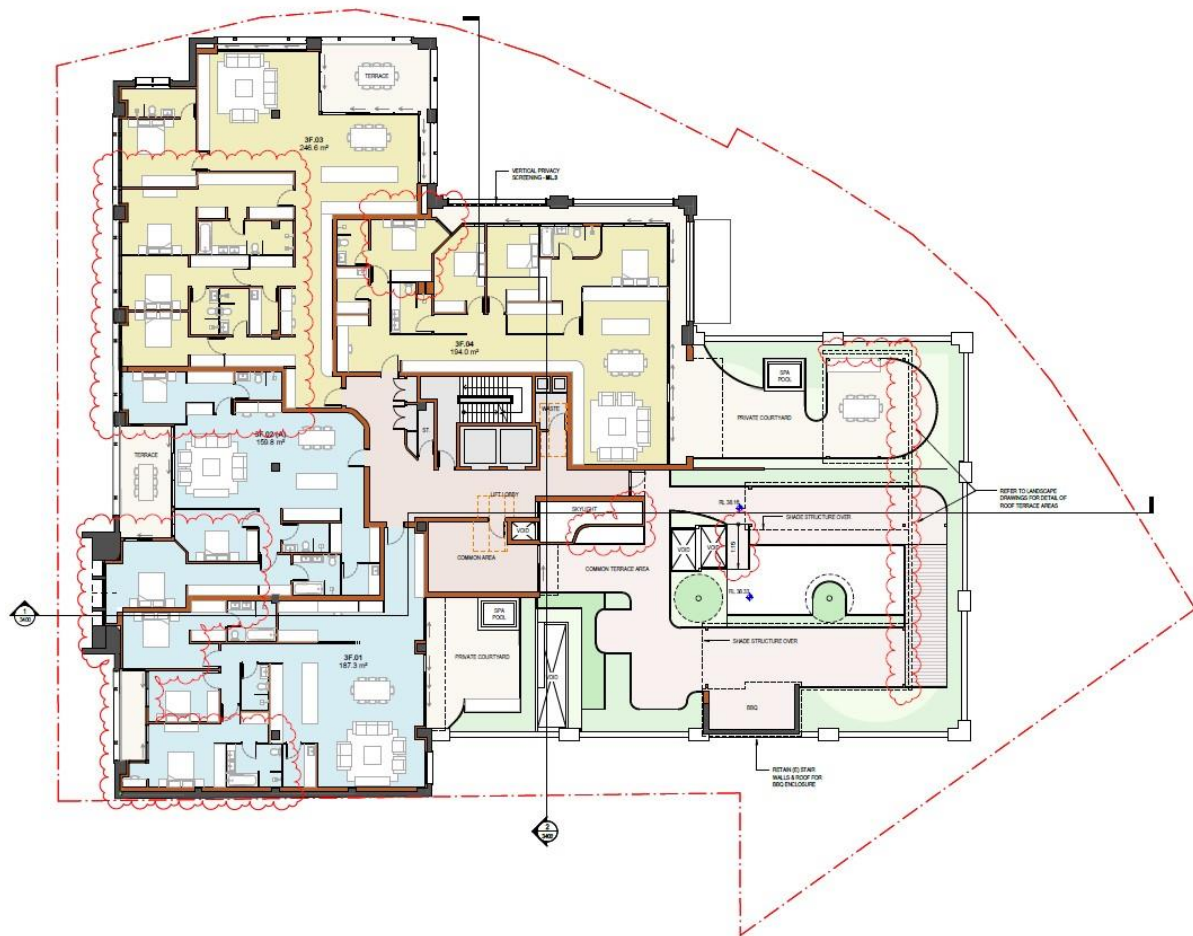


Figure 16: Level 3 floorplan

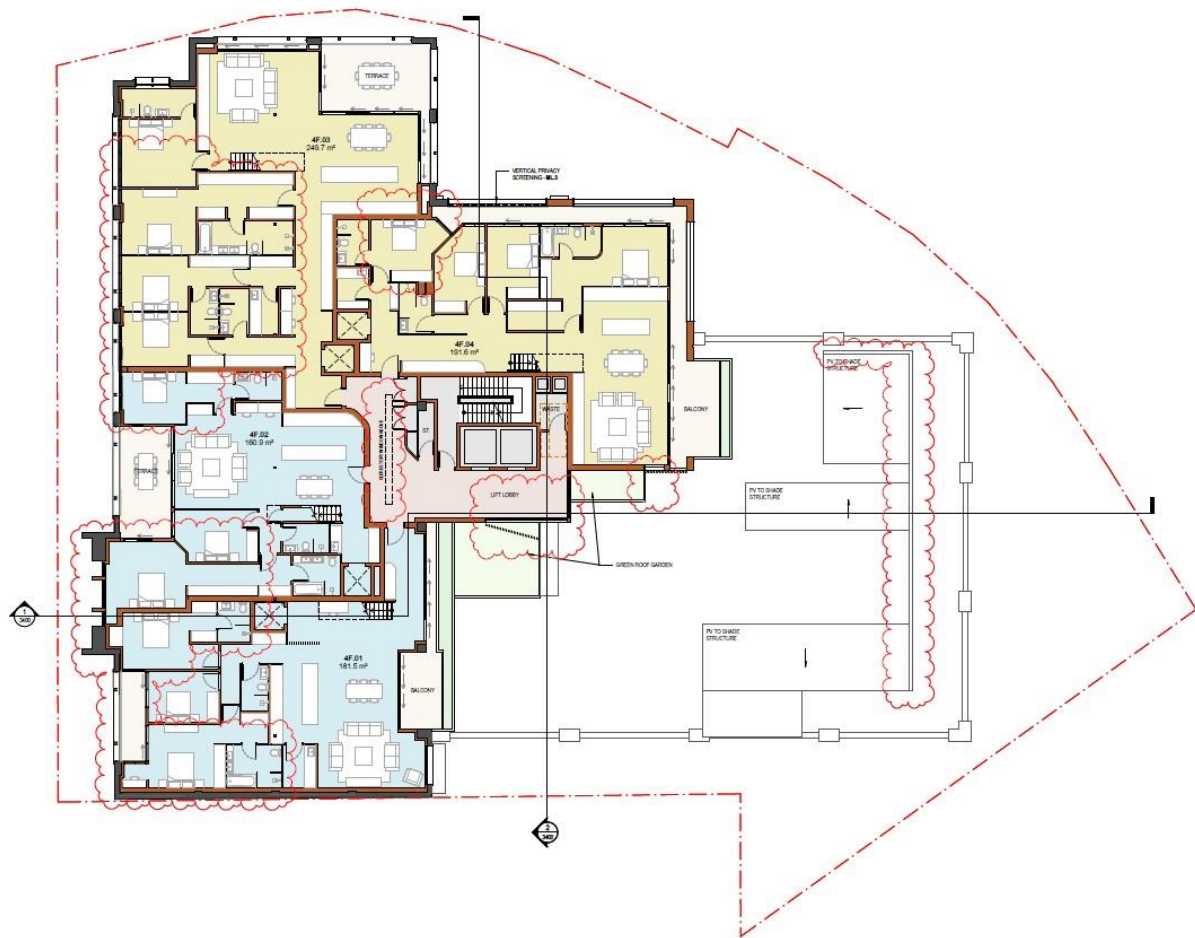


Figure 17: Level 4 floorplan

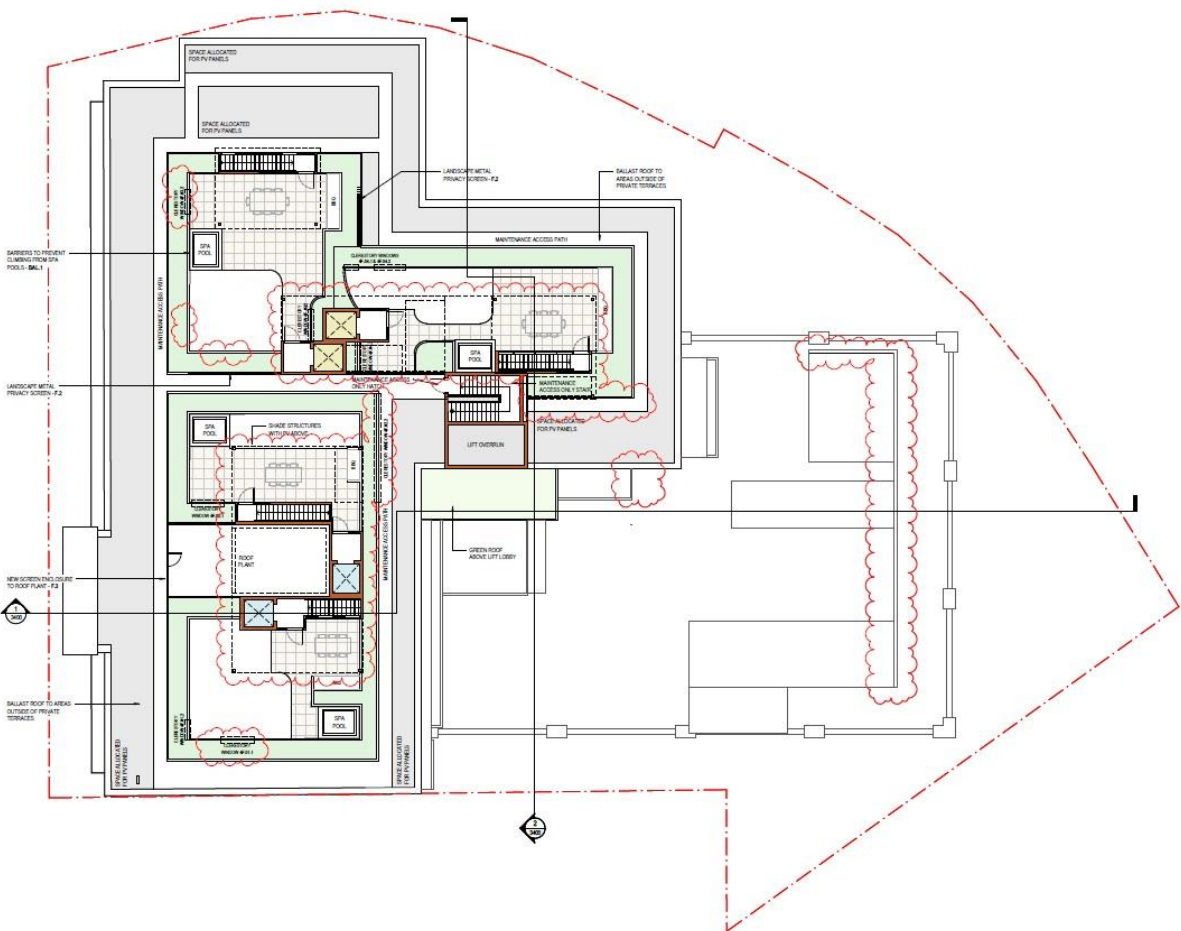


Figure 18: Roof top level floorplan

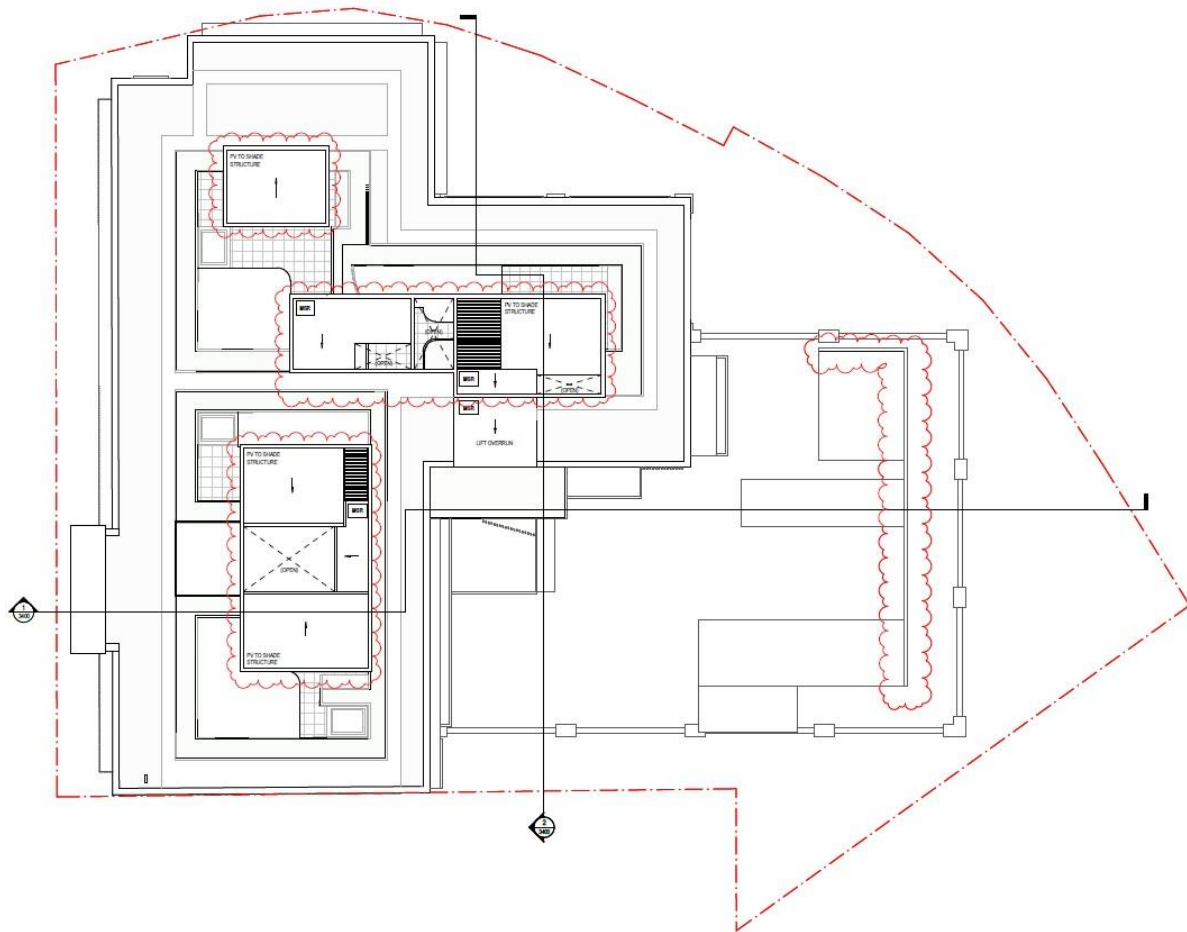


Figure 19: Roof level plan

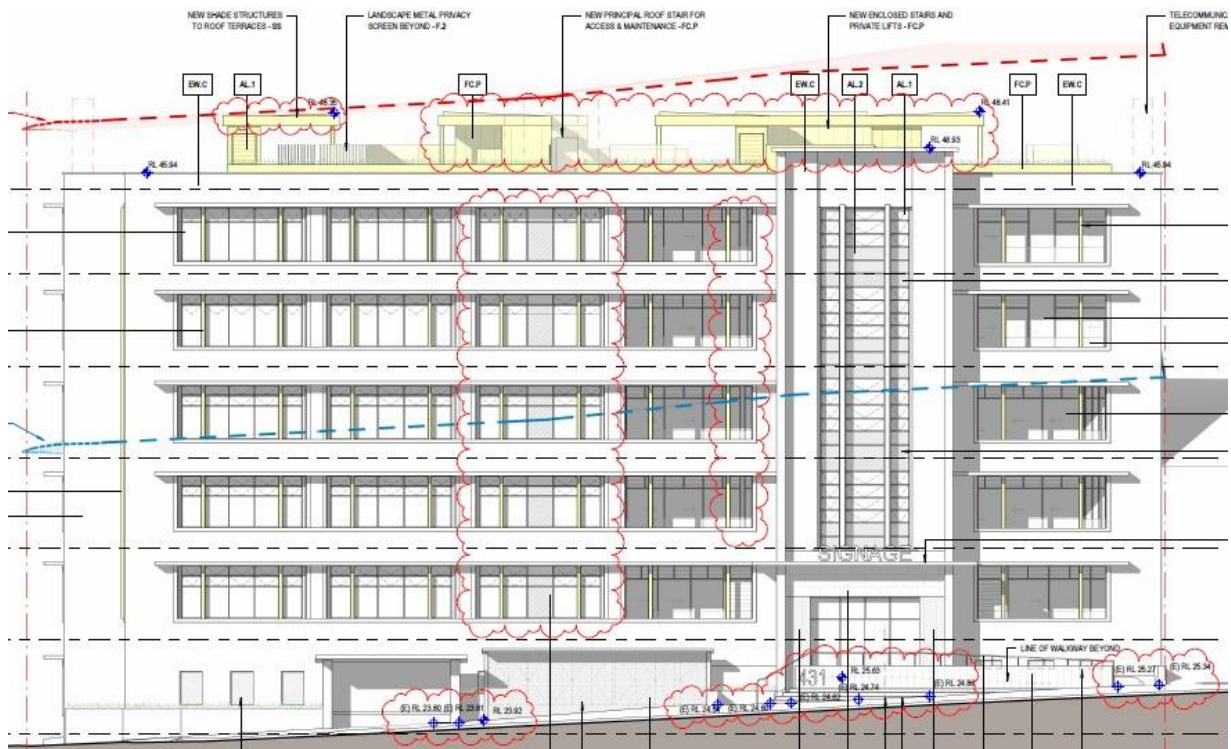


Figure 20: Glebe Point Road (west) elevation

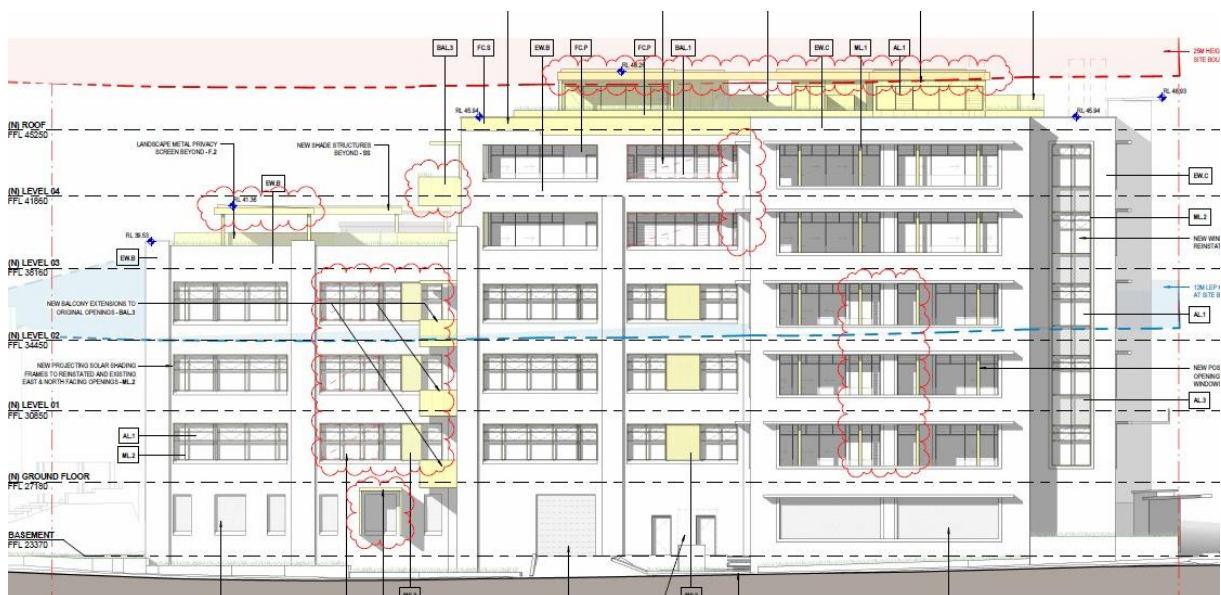
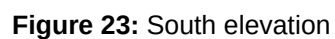
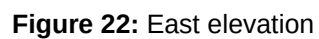


Figure 21: North elevation



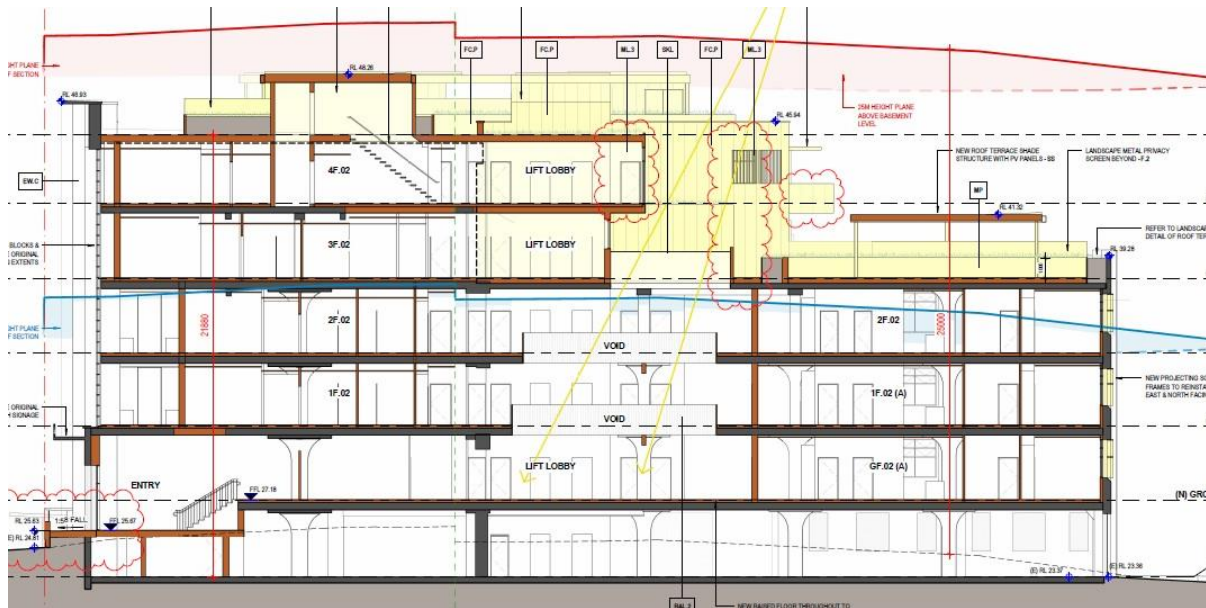


Figure 24: Section 1



Figure 25: Section 2



Figure 26: Perspective view from Glebe Point Road



Figure 27: Perspective view from Glebe Point Road

Assessment

16. 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. The application included the submission of a preliminary site investigation (PSI) including laboratory analysis of samples. The conclusion and recommendations of the PSI are that the site is suitable in its current condition for the proposed residential use.
34. The submitted PSI was reviewed by Council's Health Unit and the conclusions and recommendations are endorsed.

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

Advertising and Signage

35. 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.
36. The proposal includes an indicative location for building name signage at the front entry awning sized approximately 0.6m x 3.7m (2.2sqm).
37. 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 Glebe Point Road 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

Provision	Compliance	Comment
		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, subject to conditions.
6. Associated devices and logos	N/A	Not applicable.
7. Illumination	N/A	Not applicable
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

38. 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 (Housing) 2021

39. 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.
40. 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.
41. 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.
42. This matter is discussed in further detail under the heading Financial Contributions below.

Chapter 4 - Design of Residential Apartment Development

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

44. 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.
45. The applicant has submitted a design verification statement and design report prepared by a registered architect 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.
46. An assessment of the proposal against the design quality is provided as follows:
 - (a) Principle 1: Context and Neighbourhood Character

The proposal which retains the existing heritage building and includes heritage restoration works will respond to the site and neighbourhood context.
 - (b) Principle 2: Built Form and Scale

The proposal retains the form and scale of the existing building, with minor alterations and additions that are appropriate to the proportions of the existing building and its context.
 - (c) Principle 3: Density

The proposal provides good amenity for residents in an area that is served by a range of transport options and services.
 - (d) Principle 4: Sustainability

The proposed adaptive reuse of the existing building demonstrates a sustainable outcome, with other relevant sustainability targets also achieved.
 - (e) Principle 5: Landscape

The proposal includes the retention of existing deep soil areas and retention of the majority of existing trees on site. Proposed upper level garden areas contribute additional landscaping to the site.
 - (f) Principle 6: Amenity

The proposal provides good amenity for residents with generous floor areas, private open space areas, and pleasant outlooks.
 - (g) Principle 7: Safety

The proposal provides good safety and security with secure entries and clearly defined public/private spaces.
 - (h) Principle 8: Housing Diversity and Social Interaction

The proposal provides for a range of apartment types with both private open spaces and a shared common open space terrace area.

(i) Principle 9: Aesthetics

The proposal includes the retention of the existing heritage item, with sensitive alterations and additions that include heritage restoration works.

47. 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.
48. A detailed assessment of the proposal against the ADG is provided below.

2E Building Depth	Consistency	Comment
12-18m (glass to glass)	Partial	Within the existing building, 83% of apartments have a glass to glass depth not exceeding 18m.

2F Building Separation	Consistency	Comment
Up to 4 storeys (approximately 12 metres): 12m between habitable rooms / balconies 9m between habitable and non-habitable rooms 6m between non-habitable rooms	Partial	To the east, north and west the proposal provides adequate separation. To the south the site has a zero setback to the terrace at No. 429 Glebe Point Road, which is also built to boundary. At the rear to the south, there is a separation of approximately 3.2m to the dwelling at No. 2 Leichhardt Street. See further discussion under privacy and solar access controls.
5 to 8 storeys (approximately 25 metres): 18m between habitable rooms / balconies 12m between habitable and non-habitable rooms 9m between non-habitable rooms	Partial	The fifth storey towards Glebe Point Road is adequately separated to the east, north and west. To the south the site has a zero setback to the terrace at No. 429 Glebe Point Road, which is also built to boundary. See further discussion under privacy and solar access controls.

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 25% site area as communal open space.
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	Principle area at Level 3 garden terrace receives more than 2 hours of sunlight midwinter.

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	Yes	11% of site area retained as deep soil with 3m dimension.

3F Visual Privacy	Consistency	Comment
Up to 4 storeys (12 metres): 6m between habitable rooms / balconies 3m between non-habitable rooms	Partial	To the east, north and west the proposal provides adequate separation. To the south the site has a zero setback to the terrace at No. 429 Glebe Point Road, which is also built to boundary with a blank wall. At the rear to the south, there is a separation of approximately 3.2m to the dwelling at No. 2 Leichhardt Street. At the ground level the site is below the ground level of No. 2 Leichhardt Street. At levels 1 & 2 obscure glazing is positioned to direct views from corner apartments to the east away from No. 2 Leichhardt Street. The south facing terrace on Level 2 faces towards the side boundary wall of No. 429 Glebe Point Road.

3F Visual Privacy	Consistency	Comment
		The usable space of common terrace area on Level 3 is setback from the building façade with a landscape buffer.
5 to 8 storeys (25 metres): 9m between habitable rooms / balconies 4.5m between non-habitable rooms	Partial	The fifth storey towards Glebe Point Road is adequately separated to the east, north and west. To the south the site has a zero setback to the terrace at No. 429 Glebe Point Road, which is also built to boundary. The orientation of balconies and windows orientates views away from adjoining dwellings and does not result in unacceptable impacts. The more desirable views are orientated to the east of the site.

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	70% of apartments receive minimum of 2 hours sunlight midwinter.
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	Yes	7% of apartments will not receive direct sunlight midwinter.

4B Natural Ventilation	Consistency	Comment
All habitable rooms are naturally ventilated.	Yes	All habitable rooms naturally ventilated.
Minimum 60% of apartments in the first 9 storeys of the building are naturally cross ventilated.	Yes	83% of apartments naturally cross ventilated.
Overall depth of a cross-over or cross-through apartment	Yes	Depths do not exceed 18m.

4B Natural Ventilation	Consistency	Comment
does not exceed 18m, measured glass line to glass line.		

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m	Yes	Ceilings between 2.7m - 3m.
Non-habitable rooms: 2.4m	Yes	Ceilings minimum of 2.4m.

4D Apartment Size and Layout	Consistency	Comment
Minimum unit sizes: • Studio: 35sqm • 1 bed: 50sqm • 2 bed: 70sqm • 3 bed: 90sqm The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12sqm each.	Yes	Apartments sized: 2 bed: 112.5sqm 3 bed: 150sqm - 187sqm 4 bed: 191sqm - 249.7sqm
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	Habitable rooms have window in external wall with minimum total glass area minimum of 10% of room floor area.
Habitable room depths are to be no more than 2.5 x the ceiling height.	Partial	Non-compliance for one apartment.

4D Apartment Size and Layout	Consistency	Comment
8m maximum depth for open plan layouts.	Partial	Non-compliance for 8 apartments. Most of the non-compliances with 3m ceiling heights are within the same allowable proportional depths for 2.7m ceilings and sufficient amenity is provided. On ground, Levels 1, 2 & 3 layouts are also positioned to maximise the preservation of mushroom columns.
Minimum area for bedrooms (excluding wardrobes): • master bedroom: 10sqm • all other bedrooms: 9sqm Minimum dimension of any bedroom is 3m (excluding wardrobes).	Yes	Master bedrooms at least 10sqm. Other bedrooms at least 9sqm.
Living and living/dining rooms minimum widths: • Studio and one-bedroom: 3.6m • 2-bedroom or more: 4m	Yes	All living/dining rooms have minimum width of 4m.
4m minimum width for cross over and cross through apartments.	Yes	Cross through apartments at least 4m wide.

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.	Yes	Balconies sized: 2 bed: 12.6sqm 3 bed: 14.9sqm - 88sqm 4 bed: 29sqm - 115sqm

4E Private Open Space and Balconies	Consistency	Comment
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.		

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is 8.	Yes	The maximum number of apartments off lift is eight on the ground level.
Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled.	Yes	Appropriate visual separation and privacy provided.
Daylight and natural ventilation are provided to all common circulation spaces.	Yes	Natural light and ventilation provided.

4G Storage	Consistency	Comment
Minimum storage provision facilities: • Studio: 4m³ • 1 bed: 6m³ • 2 bed: 8m³ • 3 bed: 10m³	Yes	Storage space provided within apartments and basement level.

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

4J Noise and Pollution	Consistency	Comment
Have noise and pollution been adequately considered and addressed through careful siting and layout of buildings?	Yes	The submitted acoustic report demonstrates apartments will achieve relevant acoustic requirements.

State Environmental Planning Policy (Sustainable Buildings) 2022

49. 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

50. A BASIX Certificate has been submitted with the development application

51. The BASIX certificate lists measures to satisfy BASIX requirements which have been incorporated in to the proposal. A condition of consent is recommended ensuring the measures detailed in the BASIX certificate are implemented.

State Environmental Planning Policy (Transport and Infrastructure) 2021

52. 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

53. 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.

54. As such, the application was referred to Ausgrid for a period of 21 days and no objection was raised.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 2 (Vegetation in Non Rural Areas) 2017

55. The proposal includes the clearing of vegetation in a non-rural area and as such is subject to this SEPP.
56. The SEPP states that the Council must not grant consent for the removal of vegetation within heritage sites or heritage conservation areas unless Council is satisfied that the activity is minor in nature and would not impact the heritage significance of the site.
57. The proposal includes the removal of 11 trees, the retention of 17 trees and planting of 4 new trees. The proposal has been reviewed by both Council's Heritage and Urban Design Unit and Tree Management Unit and the proposed tree removal and replacement plantings are supported as minor in nature and will not negatively impact upon the heritage significance of the site.

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

58. 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.
59. 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.
60. The development is considered to satisfy the relevant matters for consideration.

Local Environmental Plans

Sydney Local Environmental Plan 2012

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the R1 General Residential zone. The proposed development is defined as a residential flat building 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, cl 4.6 submitted	A maximum building height of 12m is permitted. A height of 24.9m is proposed (23.4m existing). 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.
4.4 Floor space ratio	No, cl 4.6 submitted	A maximum floor space ratio of 1:1 is permitted. A floor space ratio of 2.46:1 is proposed (2.51:1 existing) A request to vary 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 standards prescribed under Clause 4.3 Height of buildings and Clause 4.4 Floor space ratio. Clause 4.6 variation requests have 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 listed as local heritage item 'Former industrial building "Sterling Pharmaceutical Co" including interior, former tram shelter and front fence' (I773). The site is located within the Glebe Point Road Heritage Conservation Area (C29). Subject to conditions, the proposed development will not have detrimental impact on the heritage significance of

Provision	Compliance	Comment
		the heritage conservation area and the heritage item. See further details in the 'Discussion' section below.
5.21 Flood planning	Yes	The site is not identified as being subject to flooding.

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 heritage listed building and its context within the heritage conservation 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 1 Car parking ancillary to other development		
7.5 Residential flat buildings, dual occupancies and multi dwelling housing	Yes	A maximum of 42 car parking spaces are permitted. The proposed development includes 37 car parking spaces and complies with the relevant development standards.
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	A contribution is applicable. Refer to contributions discussion in this report below.
Division 4 Miscellaneous		

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

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

Section 2 – Locality Statements

63. The site is located within the Glebe Point locality. The proposed development is in keeping with the unique character and the design principles of the locality. The proposal for an adaptive reuse of a heritage item responds to the heritage significance of the item and conservation area.

Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain	Yes	The proposal includes the retention of the heritage listed tram shelter which forms part of the public domain. Accessible access is provided for the building lobby.
3.5 Urban Ecology	Yes	The proposed development includes the removal of 11 trees, retention of 17 trees and planting of 4 new trees. Council's Tree Management Unit has reviewed the proposed tree removal and is supportive of the proposal subject to conditions.
3.6 Ecologically Sustainable Development	Yes	The proposal satisfies BASIX and environmental requirements. Refer to SEPP (Sustainable Buildings) and discussion section.
3.8 Subdivision, Strata Subdivision and Consolidation	N/A	Subdivision is not proposed as part of application.
3.9 Heritage	Yes	While the site is listed as a local heritage item, the existing building is noted as a detracting item within the conservation area.

Provision	Compliance	Comment
		Subject to conditions, the proposed development will not have detrimental impact on the heritage significance of the heritage conservation area and the heritage item. See further details in the 'Discussion' section below.
3.10 Significant Architectural Building Types	Yes	The proposal is for an adaptive reuse of a heritage listed former industrial building that is over 50 years old. As noted above, the alterations and additions will not have an adverse heritage impact on the item, subject to conditions.
3.11 Transport and Parking	Yes	Traffic Impact assessment included with application. Council's Transport Unit support proposal which includes retention of heritage item and basement car parking and access, noting some existing non-compliances and restrictions.
3.12 Accessible Design	Yes	The submitted access design report outlines compliance with relevant standards and legislation.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	The proposed waste arrangements have been reviewed by the City's Waste Unit and are satisfactory subject to conditions taking into consideration the adaptive reuse of the heritage listed building.
3.16 Signage and Advertising	Yes	The proposal includes the location for one building name sign to the building lobby awning sized approximately 0.6m x 3.7m (2.2sqm). Subject to further details of the design, the proposed signage location is suitable.

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	A building height in storeys control of 3 storeys applies to the site. The existing building is up to five storeys in height with additional rooftop additions proposed. Consideration of the proposal's height is contained below under the request to vary the height of buildings standard.
4.2.1.2 Floor to ceiling heights and floor to floor heights	Yes	The existing building floor to floor heights allow for habitable floor to ceilings heights between 2.7m - 3m and non-habitable floor ceiling heights of minimum of 2.4m achieving the objectives of the control.
4.2.2 Building setbacks	Yes	The proposed development retains the existing setback pattern of the site.
4.2.3 Amenity		
4.2.3.1 Solar access	Yes	Proposal does not result in additional overshadowing to neighbouring dwellings (No. 429 Glebe Point Road) that do not receive 2 hours sunlight midwinter. Dwellings at No. 417 Glebe Point Road will continue to receive more than 2 hours sunlight midwinter.
4.2.3.2 Lightwells	Yes	Lightwells are utilised to provide natural light to lobby areas only.
4.2.3.3 Internal common areas	Yes	Common room are provided off the Level 3 terrace with access to light and outlook.
4.2.3.4 Design features to manage solar access	Yes	Shading devices and landscaping provided.

Provision	Compliance	Comment
4.2.3.5 Landscaping	Yes	A landscaping plan prepared by a landscape architect has been submitted. Subject to conditions, the proposal is supported by City's Landscaping Unit.
4.2.3.6 Deep Soil	Yes	11% of site provided as deep soil for landscaping.
4.2.3.7 Private open space and balconies	Yes	Private open space (POS) provided in accordance with both ADG and DCP.
4.2.3.8 Common open space	Yes	Common open space provided in accordance with ADG and DCP at ground and Level 3 terrace.
4.2.3.9 Ventilation	Yes	Cross ventilation provided in accordance with ADG. Natural ventilation provided for all apartments.
4.2.3.10 Outlook	Yes	Outlook available to all apartments.
4.2.3.11 Acoustic privacy	Yes	Submitted acoustic report demonstrates apartments will achieve acoustic requirements.
4.2.3.12 Flexible housing and dwelling mix	Yes	The proposal includes 1 x two bedroom apartment (3%), 25 x three bedroom apartments (83%), 4 x four bedroom apartments (13%).
4.2.3.14 Apartments with setback bedrooms	Yes	Amendments made in response to feedback, so bedrooms are not setback.
4.2.4 Fine grain, architectural diversity and articulation	Yes	The existing building has street frontage approximately 41.8m wide. Building retains the key points of articulation with restoration works proposed.
4.2.6 Waste and recycling Management	Yes	The proposed waste arrangements have been reviewed by the City's Waste Unit and are satisfactory subject to conditions taking into consideration the adaptive reuse of the heritage listed building.

Provision	Compliance	Comment
4.2.7 Heating and cooling infrastructure	Yes	Centralised location for mechanical plant on roof.
4.2.8 Letterboxes	Yes	The letterboxes are provided within the lobby of the building.

Discussion

Heritage and Design

64. As noted above, the site is listed as a local heritage item under the SLEP 2012 and is listed as a detracting building under the SDCP 2012. The proposal as lodged was reviewed by the Design Advisory Panel Subcommittee Residential (DAPRS) on 2 December 2025. Feedback provided by DAPRS and Council's Heritage and Urban Design Unit included the following items for amendments to the design:

- (a) Internal layout to better consider and integrate with the existing building structure.
- (b) Better reading and exposing of mushroom columns.
- (c) Further consideration of light and ventilation to common areas.
- (d) Consistency of treatment and depth of window openings, particularly to the Glebe Point Road frontage where multiple depths are proposed.
- (e) Impacts to the glazed stairwell window to Glebe Point Road with the sharing of individual 'sun room' areas.
- (f) Design of rooftop areas to be rationalised with a unified design that responds to the existing building architecture.
- (g) Privacy impacts of new balconies and windows to north of building to all dwellings within 433 Glebe Point Road to be assessed.
- (h) New balconies to 'punchout' from the dimensions of existing openings.
- (i) Form of minor additions to relate to the rectilinear nature of the building.

65. The applicant responded to this feedback with amended plans and further information on 6 February 2026 and 6 March 2026. Key changes with respect to the feedback provided include:

- (a) Amended internal layouts to expose the mushroom columns within the floorplan and better relate to the existing building features.
- (b) A consistent glazing line provided to Glebe Point Road with adjustments to wall and balcony positions.
- (c) Void to internal common areas increased.

- (d) Glazed stairwell window assigned to one unit only.
 - (e) Rooftop elements amended and rationalised.
 - (f) Balcony designs and proportions amended.
 - (g) Design of other minor additions amended to better relate to the building.
66. A comparison between part of the proposed Level 1 plan as lodged and as amended is shown below (similar changes repeated on other levels). These plans show:
- (a) the better exposure of mushroom column in apartment 1F.03
 - (b) the glazing line amended with amendments to the balcony designs in apartments 1F.03 and 1F.02
 - (c) adjustments to the wall and column intersections to the northern building elevation in apartments 1F.04 and 1F0.4, and
 - (d) and the glazed stairwell assigned to apartment 1F.02.



Figure 28: Level 1 plan as lodged



Figure 29: Level 1 plan amended

67. A comparison between a montage image of the proposal as lodged and a perspective view of the proposal as amended is shown below.
68. These images show the amendments to the glazing to Glebe Point Road with a more consistent glazing line in the amended design, which is a key feature of the existing building.



Figure 30: Montage image of proposal as lodged



Figure 31: Perspective drawing of proposal as amended

69. The design as amended has substantially addressed the items raised by DAPRS and Council's Heritage and Urban Design Unit and is supported subject to conditions.

Clause 4.6 Request to Vary a Development Standard - Height

70. The site is subject to a maximum height of buildings standard of 12m. The proposed development has a maximum height of 24.9m (existing building 23.4m). The proposed contravention represents a variation of 107.5% to the standard (existing variation 95%).

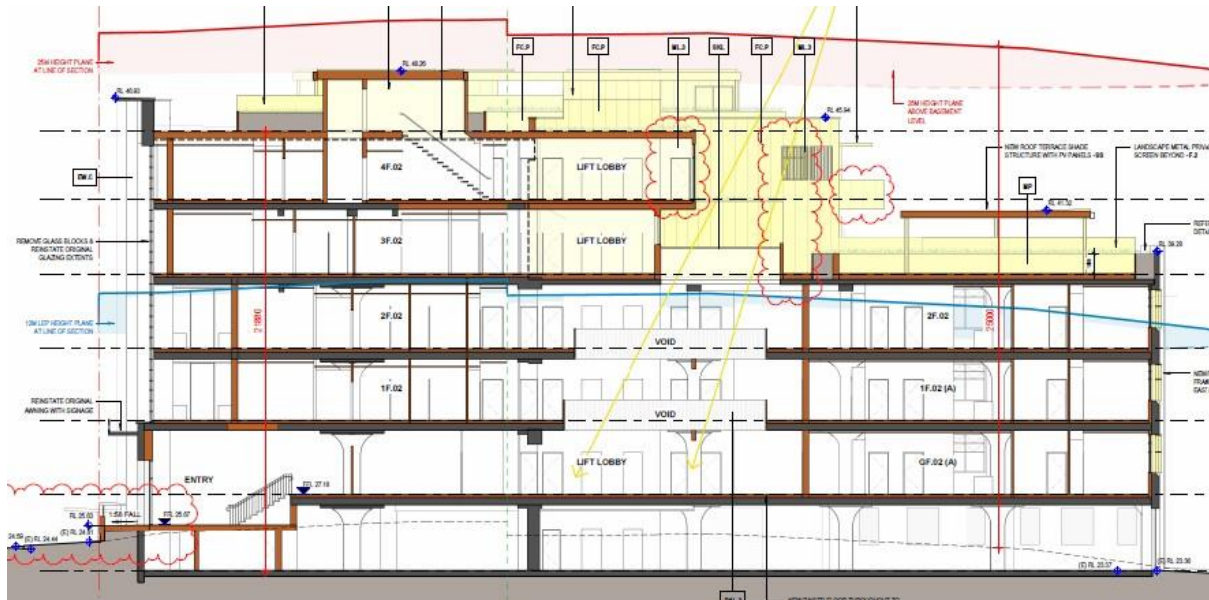


Figure 32: Section plan showing 12m height standard (blue line) in relation to existing building and proposed additions at roof level.

71. A request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the development standard by demonstrating:
- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
 - (b) That there are sufficient environmental planning grounds to justify contravening the standard;

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

72. The applicant seeks to justify the contravention of the height of buildings 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 objectives of the standard are achieved notwithstanding the non-compliance.
 - (ii) The proposed additional height additions relate to roof access and shade structures to enable roof top outdoor spaces to Levels 3 & 4. The additions are set back from the existing building parapet and site boundaries.

- (iii) The proposed additions are discrete and do not add additional bulk to the existing building form.
- (iv) The proposed additions are not apparent from the street view.
- (v) The proposed additions do not result in heritage impacts to the existing building or the heritage conservation area.
- (vi) The proposed additions do not result in loss of significant views.
- (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The existing building currently exceeds the height standard of 12m by 10.6m, the proposed additions are a modest increase to the overall scale of the building.
 - (ii) The proposed additions do not result in adverse amenity impacts.
 - (iii) The proposed additions are setback from the building elevations and do not result in unacceptable shadowing impacts.
 - (iv) The proposed additions are setback so as to not be visible from the public domain and will not add bulk and scale to the existing building form.
 - (v) The proposed additions do not result in unacceptable heritage impacts to the existing building.

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

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

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

74. The applicant has satisfactorily demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the proposal. The applicant has demonstrated that the objectives of the height of buildings development standard are achieved despite the non-compliance.
75. The relevant objectives of the height of buildings development standard are:
- (a) To ensure the height of development is appropriate to the condition for the site and its context.
 - (b) To ensure appropriate height 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

76. The Applicant demonstrates that the height of the development is appropriate to the site and its context, having regard to the SLEP 2012 and SDCP 2012 built form controls. The building elements that exceed the control do not have adverse impacts with regard to the relevant controls.
77. The proposal promotes the sharing of views in the site context. The proposal does not adversely impact on views to nearby development or the public domain.
78. The proposed built form provides an appropriate transition from Central Sydney to adjoining areas.

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

79. The applicant has satisfactorily demonstrated that there are sufficient environmental planning grounds to justify contravening the standard.
80. The proposal represents an adaptive re-use of an existing heritage item that currently exceeds the height of buildings standard. The proposed additions that add height will improve the amenity for the residential use of the building without resulting in unreasonable impacts to the heritage item, heritage conservation area, or the amenity of surrounding neighbours.
81. The proposed rooftop private open space areas and structures are centrally located on the rooftop to minimise visibility and impacts to adjoining neighbours, with landscaping providing both greening and privacy.
82. The proposed Level 3 landscaped common open space and private open space areas provide space for landscaping that contributes to tree plantings and privacy measures.

Conclusion

83. For the reasons provided above the requested variation to the height of buildings standard is supported as the applicant's request has adequately addressed 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 - Floor Space Ratio

84. The site is subject to a maximum floor space ratio (FSR) control of 1:1. The proposed development has a floor space ratio of 2.46:1 (existing building 2.51:1) which represents a variation of 146% to the control (existing variation 151%).
85. A request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the development standard by demonstrating:
 - (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
 - (b) That there are sufficient environmental planning grounds to justify contravening the standard;

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

86. 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) The proposed development is consistent with the objectives of the FSR standard despite the non-compliance.
 - (ii) The proposed development decreases the gross floor area (GFA) of the building by 119sqm resulting in a decrease of FSR, resulting in a decrease in density of development.
 - (iii) The proposal largely retains the built of form and massing of the existing building.
 - (iv) The proposed change of use decreases the intensity of the use of the site from the existing commercial use in terms of building occupants.
 - (v) The proposed development will not have adverse impacts in terms of bulk and scale in the context having regard to the existing built form and setbacks. Additions are positioned to have limited impact and not be visible from the public domain.
 - (vi) The proposal does not result in the loss of significant views.
 - (vii) The proposal does not result in impacts in terms of loss of privacy.
 - (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The existing building already exceeds the maximum FSR standard.
 - (ii) The proposal will result in a reduction in GFA and FSR as compared to the existing building.
 - (iii) The existing building built form is largely retained.
 - (iv) The proposal does not result in unacceptable amenity impacts.

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

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

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

88. The applicant has satisfactorily demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the proposal. The applicant has demonstrated that the objectives of the floor space ratio development standard are achieved despite the non-compliance. The objectives of the floor space ratio development standard 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.
89. The proposal is an adaptive re-use of an existing heritage building that currently exceeds the FSR control, and the proposed adaptive re-use will result in a reduced FSR. The proposal is of an appropriate density for the location having regard to vehicle, pedestrian traffic generation and infrastructure. The proposal will reflect the desired character of the locality and heritage conservation area in which the site is located. The proposal will retain the heritage significance of the heritage listed building.

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

90. The application has demonstrated that there are sufficient environmental planning grounds to justify contravening the FSR development standard in the circumstances of the application.
91. The proposal results in a reduced building FSR as compared to the existing building. The proposed alterations to the building do not result in unacceptable heritage impacts to the heritage listed building, subject to conditions, and include heritage conservation works to the building façade include the restoration of windows to the building's northern elevation. The proposed adaptive reuse of the building for residential use is compatible with the character of the locality.

Conclusion

92. For the reasons provided above the requested variation to the floor space ratio development standard is supported as the applicant's request has adequately addressed the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012.

Consultation

Internal Referrals

93. The application was discussed with Council's:
- (a) Building Services Unit;
 - (b) Environmental Health Unit;
 - (c) Heritage and Urban Design Unit;
 - (d) Public Domain Unit;
 - (e) Transport and Access Unit;
 - (f) Landscape Unit;

- (g) Tree Management Unit; and
- (h) Waste Management Unit.

94. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

External Referrals

Ausgrid

95. Pursuant to Section 2.48 of the SEPP (Transport and Infrastructure) 2021, the application was referred to Ausgrid for comment.
96. A response was received raising no objections to the proposed development.

Advertising and Notification

97. The application was notified for 28 days between 10 November 2025 and 9 December 2025. A total of 420 properties were notified and 10 submissions were received, 3 in support or comments and 7 objecting to the proposal. The issues raised in submissions include:

Issue	Response
Provision of affordable housing	The proposal does not include the provision of affordable housing, but is subject to the consideration of affordable housing contributions.
Dwelling mix	The proposal complies with the dwelling mix controls contained within SDCP 2012.
Car parking impacts - over provision of car parking	The proposal provides parking in accordance with the maximum rates contained within SLEP 2012 and is an adaptive reuse of an existing car parking basement.
Car parking impacts - an under provision of car parking	The proposal provides parking in accordance with the maximum rates contained within SLEP 2012 and includes the adaptive reuse of an existing car parking basement.
Traffic impacts - safety	The proposed parking and traffic arrangements have been reviewed by the City's Transport Unit and are considered satisfactory subject to conditions.

Issue	Response
Overdevelopment of site	The proposed adaptive reuse has been considered on its merits, with consideration of the proposal in relation to the relevant planning controls, including the proposed variations to height and floor space ratio controls.
Structural impact of additions to building	The proposal includes a structural assessment of the existing building in relation to the proposed works.
Impacts on light rail tunnel	The site is located approximately 225m from the light rail tunnel.
Solar compliance of proposed apartments	The proposal complies with the ADG solar controls.
Privacy impacts	The proposal does not result in unreasonable privacy impacts. New balconies to the northeast of the building are setback from the boundary and located across the street from surrounding sites.
Rooftop pool additions - noise impacts	The proposed rooftop spa pool additions are modest in size and are not expected to generate unacceptable noise impacts.
Level 3 common open space terrace - noise impacts	The proposal includes an acoustic assessment of the proposal, including the use of the Level 3 common open space terrace. The proposal was reviewed by the City's Health Unit and is considered to be satisfactory with respect to the generation of noise.
Waste pickup arrangements	The proposed waste arrangements including kerbside collection have been reviewed by the City's Waste Unit and are considered satisfactory taking into consideration the adaptive reuse of the heritage listed building
Construction impacts	Construction impacts are to be managed through standard conditions of consent for the management of noise, traffic and dilapidation reports.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

98. 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.
99. Credits have been applied for the most recent past use of the site as an office for medical research. After the application of credits, a contribution is not payable.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

100. The site is located within the residual area affordable housing contribution area. As the proposed development includes a change of use of existing floor area from other than residential accommodation to residential accommodation, a contribution is required at a rate of \$11,223.28 per 3% of square metre of total residential floor area 7,157sqm totalling \$2,409,750.45. A condition of consent is recommended requiring payment prior to the issue of a construction certificate.
101. 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.
102. 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.
103. 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.
104. 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

105. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.
106. The site is located with the Greater Sydney region, the development is a type of residential development to which the Housing and Productivity Contribution applies, and the development is not of a type that is exempt from paying a contribution.
107. A condition relating to the Housing and Productivity Contribution has been included in the recommended conditions of consent.

Relevant Legislation

108. Environmental Planning and Assessment Act 1979.

Conclusion

109. The application for alterations and additions to an existing commercial building for an adaptive reuse as a residential building has been assessed against the relevant planning controls. Requests have been submitted pursuant to clause 4.6 seeking to vary the height of buildings and floor space ratio standards under SLEP 2012.
110. The application is referred to the Local Planning Panel for consideration as the requests seek to vary the height of buildings and floor space ratio development standards by more than 10% and is a Sensitive development. The existing building currently exceeds both the SLEP 2012 height of buildings and floor space ratio development standards, and the proposed additions will increase the building height. The submitted requests have adequately demonstrated that there is sufficient justification to vary the standards in the circumstances of the application.
111. The application was notified for 28 days between 10 November 2025 and 9 December 2025. 420 properties were notified and 10 submissions were received, 3 in support or comments, and 7 objecting to the proposal. The issues raised in submissions include objections to car parking and servicing, privacy, noise, dwelling mix, and construction impacts. The issues raised have been considered within the report and have been addressed satisfactorily by the application.
112. The application was amended in response to feedback provided by the Design Advisory Panel Residential Subcommittee and Council Officers. The proposal as amended has addressed the items raised and is supported for approval subject to the conditions as included in Attachment A.

ANDREW THOMAS

Executive Manager Planning and Development

Shannon Rickersey, Senior Planner

Attachment A

Recommended Conditions of Consent
--

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/1006 dated 6 November 2025 and the following drawings prepared by TKD Architects:

Drawing Number	Drawing Name	Date
AR DA 1000 Rev C	Proposed site plan	05.03.26
AR DA 1500 Rev B	Basement demolition plan	03.11.25
AR DA 1501 Rev B	Ground floor demolition plan	03.11.25
AR DA 1502 Rev B	First floor demolition plan	03.11.25
AR DA 1503 Rev B	Second floor demolition plan	03.11.25
AR DA 1504 Rev B	Third floor demolition plan	03.11.25
AR DA 1505 Rev B	Fourth floor demolition plan	03.11.25
AR DA 1506 Rev B	Roof demolition plan	03.11.25
AR DA 2000 Rev C	Proposed basement plan	05.03.26
AR DA 2001 Rev C	Proposed ground floor plan	05.03.26
AR DA 2002 Rev C	Proposed first floor plan	05.03.26
AR DA 2003 Rev C	Proposed second floor plan	05.03.26
AR DA 2004 Rev C	Proposed third floor plan	05.03.26
AR DA 2005 Rev C	Proposed fourth floor plan	05.03.26
AR DA 2006 Rev C	Proposed roof terrace plan	05.03.26
AR DA 2007 Rev C	Proposed roof plan	05.03.26

Drawing Number	Drawing Name	Date
AR DA 2100 Rev B	Adaptable apartment plans	05.03.26
AR DA 3100 Rev C	Proposed west elevation	05.03.26
AR DA 3101 Rev C	Proposed north elevation	05.03.26
AR DA 3102 Rev C	Proposed east elevation	05.03.26
AR DA 3103 Rev C	Proposed south elevation	05.03.26
AR DA 3400 Rev C	Building Section Sheet 1	05.03.26
AR DA 3401 Rev C	Building Section Sheet 2	05.03.26
AR DA 3402 Rev B	Building Section Sheet 3	05.03.26
AR DA 3500 Rev B	Façade sections	05.03.26
AR DA 3501 Rev B	Entrance arrangement	05.03.26
AR DA 3600 Rev A	Typical window sections	02.10.25
AR DA 4300 Rev B	Proposed materials and finishes	05.03.26

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) 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)	\$127,925.46

Housing and productivity contribution	Amount
Transport project component	-
Total housing and productivity contribution	\$127,925.46

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.

(3) 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 \$2,409,750 (indexed at 31 March 2026). This is calculated by establishing the sum of the equivalent monetary contribution \$11,223.28 multiplied by 3% of the total floor area for residential development (7,157sqm).
- (c) If the contribution is paid after the indexation period in which the consent is granted, being 1 March 2026 to 28 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 1 March 2026 to 28 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.

(4) BUILDING HEIGHT

- (a) The height of the building must not exceed RL 48.26 (AHD) to the top of the new building additions.
- (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.

(5) FLOOR SPACE RATIO - ALL OTHER AREAS

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio for the business use must not exceed 2.46:1.
- (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.

(6) SIGNAGE REQUIREMENTS

The design of the approved building name signage must comply with the following:-

- (a) Details of the building name sign are to be submitted for approval prior to the installation of any building name signage as shown on the approved plans.

- (b) The signage is not to contain highly reflective materials, colours and finishes.
- (c) The signage is not to incorporate sound, vibration, odour and other emissions.

Reason

To ensure signage is designed in accordance with Council's DCP.

(7) ALLOCATION OF ACCESSIBLE CAR PARKING SPACES

For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the accessible car spaces and any storage spaces must form part of the adaptable strata lot in any future strata subdivision of the building.

Reason

To ensure accessible vehicle parking spaces are allocated to adaptable units.

(8) SIGNS AT EGRESS

The following signs must be provided and maintained within the site at the point(s) of vehicle egress:

- (a) Compelling drivers to stop before proceeding onto the public way
- (b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

Reason

To ensure the safety of surrounding pedestrians and cyclists.

(9) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 6.4m and a maximum height of 2.2m.

Reason

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

(10) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".

Reason

To ensure all roadway works are designed and constructed in accordance with Council requirements.

(11) VEHICLE ACCESS

All vehicles are to enter and depart the site travelling in a forward direction.

Reason

To increase pedestrian safety at the site access.

(12) SMALL CAR PARKING SPACES

- (a) The design and layout of all off-street small car parking spaces must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The details must be submitted to and approved by the Principal Certifying Authority prior to a Construction Certificate being issued.
- (b) All small car spaces must be clearly marked and identifiable as small car spaces. The signs or line markings must be in place and approved by the Principal Certifying Authority prior to an Occupation Certificate being issued and must be maintained in good order at all times.

Reason

To ensure all parking areas are designed in accordance with the requirements of the Australian Standards and Council requirements.

(13) SWINGING DOORS OVER PUBLIC WAY

Any access doors to enclosures housing building services and facilities, such as hydrant and sprinkler booster assemblies or the like, must not open over the footway/roadway.

Reason

To ensure no element of the development obstructs the use of the public way.

(14) 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.
- (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 (as appropriate) 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.

(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) TREE(S) APPROVED FOR REMOVAL

- (a) The tree(s) detailed in Table below are approved for removal. Tree removal must not occur until the Construction Certificate has been issued.

Table 1 – Tree Removal:

Tree Number	Species:	Location
3	Elaeocarpus reticulatus (Blueberry Ash)	SW corner boundary
6	Banksia integrifolia (Coastal Banksia)	Northern boundary - Leichhardt St
7	Banksia integrifolia (Coastal Banksia)	Northern boundary - Leichhardt St

10	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St
12	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St
13	Melaleuca bracteata (Black Tea Tree)	Northern boundary - Leichhardt St
14	Melaleuca bracteata (Black Tea Tree)	Northern boundary - Leichhardt St
20	Banksia integrifolia (Coastal Banksia)	Southern boundary
20A	Acacia sp. (Wattle)	Southern boundary
24	Jacaranda mimosifolia (Jacaranda)	Southern boundary
25	Corymbia cirtiodora (Lemon-scented Gum)	Southern boundary

- (b) Tree removal works must be carried out by a qualified Arborist (minimum AQF Level 3) and in accordance with SafeWork's Code of Practice - Amenity Tree Industry.

Reason

To identify the trees that can be removed.

(18) TREE(S) 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 the City of Sydney has determined to be important landscape elements.

Table 2 – Tree Retention:

Tree Number	Species:	Location
1	Populus simonii (Simon's Poplar)	Street Tree Glebe Point Rd

2	<i>Populus simonii</i> (Simon's Poplar)	Street Tree Glebe Point Rd
4	<i>Callistomen viminalis</i> (Weeping Bottlebrush)	NW corner boundary
5	<i>Eucalyptus robusta</i> (Swamp Mahogany)	Northern boundary - Leichhardt St
8	<i>Corymbia cirtiodora</i> (Lemon-scented Gum)	Northern boundary - Leichhardt St
9	<i>Sapium sebiferum</i> (Chinese Tallowood)	Northern boundary - Leichhardt St
11	<i>Casuarina glauca</i> (Swamp Sheoak)	Northern boundary - Leichhardt St
15	<i>Eucalyptus paniculata</i> (Grey Iron Bark)	Northern boundary - Leichhardt St
16	<i>Corymbia cirtiodora</i> (Lemon-scented Gum)	Northern boundary - Leichhardt St
17	<i>Eucalyptus paniculata</i> (Grey Iron Bark)	Northern boundary - Leichhardt St
18	<i>Corymbia cirtiodora</i> (Lemon-scented Gum)	Northern boundary - Leichhardt St
19	<i>Corymbia cirtiodora</i> (Lemon-scented Gum)	NE boundary - Leichhardt St
21	<i>Banksia integrifolia</i> (Coastal Banksia)	Southern boundary
21A	<i>Banksia integrifolia</i> (Coastal Banksia)	Southern boundary
22	<i>Jacaranda mimosifolia</i> (Jacaranda)	Southern boundary
23	<i>Corymbia cirtiodora</i> (Lemon-scented Gum)	Southern boundary
24	<i>Jacaranda mimosifolia</i> (Jacaranda)	Southern boundary

Reason

To identify the trees that cannot be removed and must be retained and protected.

(19) 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.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(20) APPROVED ACOUSTIC REPORT

The report 'Acoustics Report – 431 Glebe Point Road, Glebe' prepared by West and Associates Pty Ltd dated 9 September 2025, ref 2294/8 Issue B 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.

(21) 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 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.

(22) 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.

(23) 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.

(24) 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	23
Residential small car spaces	9
Accessible residential spaces	5
Service vehicle spaces	1

Car Parking Type	Number
Motorcycle parking	1

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(25) 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	30	Spaces must be a class 1 bicycle locker [1]
Residential visitor	3	Spaces must be Class 3 bicycle rails

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.

(26) HERITAGE INTERPRETATION PLAN

- (a) An interpretation plan for the site must be submitted to and approved by Council's Urban Design and Heritage Manager / Area Planning Manager prior to a Construction Certificate being issued. 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 site will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used.
- (c) The plan must specify the location, type, making materials and contents of the interpretation device being proposed.
- (d) Prior to an Occupation Certificate being issued the approved interpretation plan must be implemented to the satisfaction of Council's Urban Design and Heritage Manager / Area Planning Manager.

Reason

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

(27) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MAJOR WORKS)

Prior to a Construction Certificate being issued, an archival photographic recording of the site is to be prepared to Council's satisfaction. The recording is to be in digital form, prepared in accordance with the Guidelines for 'Photographic Recording of Heritage Sites, Buildings and Structures', published by Department of Climate Change, Energy, the Environment and Water in April 2025. One digital copy of the record is to be submitted to Council.

Procedure

For buildings or structures with heritage significance, the archival documentation, and the number and type of selected enlarged photographs required will be determined by the significance and quality of the building or structure. For a scope of work, refer to Council's Heritage Specialist to determine the particular architectural/design features of the building/site that may need to be recorded.

For buildings or structures with no heritage significance the archival documentation requirements are less comprehensive and may just be limited to contextual and exterior photographs only. However, this will depend upon the type, complexity and significance of the building, and should be confirmed with Council's Area Coordinator Planning Assessments / Area Planning Manager.

Because significant fabric may remain concealed and only be exposed during construction works, the archival recording is to be undertaken in stages, prior to the removal of any significant building fabric or furnishings from the site, during the removal of fabric on site that exposes significant building fabric or furnishings, and after work has been completed on site, as considered appropriate by the conservation architect commissioned for the project, and submitted as two parts as follows.

- (a) The first submission of the archival recording of significant building fabric or furnishings is to be prior to the removal of any significant building fabric or furnishings from the site and must be submitted to

and approved by Council prior to the commencement of any work on site and prior to a Construction Certificate being issued.

- (b) The second submission of the archival recording is of significant building fabric or furnishings that is exposed during demolition or construction and after work has been completed on site and must be submitted to Council prior to any Occupation Certificate being issued.

The form of recording is to be a photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s) photographed, where appropriate, using a camera/lens capable of 'perspective correction'.

- (c) For each of the two submissions listed above in (a) and (b), the digital form of the recording is to be as follows:
 - (i) The Development Application number and the Condition of Consent number must be noted.
 - (ii) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
 - (iii) The electronic images are to be 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.
 - (iv) 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.
 - (v) The report is to be submitted via digital file transfer in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each location, image subject/description and date.

Reason

To ensure appropriate archival documentation of the building. Guidelines for preparing archival recordings of heritage items as a condition of consent.

(28) 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.

(29) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- (a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.
- (b) The approved plan must be complied with during any demolition and/or construction work.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure that the impacts of construction traffic is appropriately managed.

(30) 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.

(31) LANDSCAPE OF THE SITE

- (a) A detailed landscape design including plans and details drawn to scale, and technical specification, by a registered landscape architect must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of a Construction Certificate. These documents must include:
 - (i) Location of existing and proposed planting on the site including existing and proposed trees, planting in natural ground, and planting on structure.
 - (ii) Location and details of existing and proposed structures on the site including, but not limited to, paving, walls, services, furniture, shade structures, lighting and other features.
 - (iii) Details of earthworks and soil depths including finished levels and any mounding. The minimum soil depths for planting on structure must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers.

- (iv) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity. Note: Substitution of the *Banksia serrata* (Old Man Banksia) is to be made for a more reliable species. The City of Sydney Tree Species List should be used as guide when selecting an appropriate species.
 - (v) Details of drainage, waterproofing and watering systems.
 - (vi) Landscape maintenance plan. This plan is to be complied with during occupation of the property.
- (b) Relevant drawings cross referenced in the landscape package, such as architectural details, stormwater and hydraulic plans etc, should also be submitted to demonstrate a fully coordinated design.
 - (c) All landscaping in the approved plan is to be complete prior to any Occupation Certificate being issued.
 - (d) The landscape maintenance plan is to be complied with during occupation of the property.

Reason

To ensure the development is supported by a good quality, buildable landscape scheme that meets the City's controls.

(32) SPECIAL CONDITION – UPDATED ARCHITECTURAL PLANS

The Architectural Plans must be updated, submitted and approved by City of Sydney Urban Forest Team prior to the issue of any Construction Certificate. The updated plans must show:

- (a) Existing levels are to be retained within the proposed court yard area within the TPZ of Trees 21, 21A, 23 and 24.
- (b) The court yard area in this vicinity is to be constructed on or above grade.

A qualified Arborist (minimum AQF Level 5) must assess the design prior to the updated plans being submitted to the City of Sydney.

(33) DESIGN FOR ENVIRONMENTAL PERFORMANCE

- (b) Prior to the issue of any Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the approved Design for Environmental Performance report are incorporated into the relevant construction plans and accompanying documentation:

- (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.

Reason

To ensure the environmental performance of the development.

(34) PUBLIC DOMAIN DAMAGE BOND

- (a) A Public Domain Damage Deposit calculated on the basis of 215 square metres of asphalt Glebe Point Road, and 60 square metres of asphalt and concrete Leichhardt Street 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.

(35) PROTECTION OF STONE KERBS

- (a) The existing stone kerbs on the Glebe Point Road and Leichhardt Street frontages of the site are to be retained and properly protected during demolition, excavation and construction works.
- (b) To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled.
- (c) Note the following:
 - (i) all costs associated with the works are to be borne by the developer.

- (ii) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.
- (iii) Where new vehicle crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
- (iv) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers.
- (v) Council approval is required before kerbs are removed.
- (vi) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.
- (vii) Stone kerbs and gutters may be bonded in accordance with the City of Sydney's adopted Schedule of Fees and Charges. If so, this will be included with the Public Domain Damage Bond.
- (viii) Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure the protection of stone kerbs.

(36) 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.

Note: Refer to Clause 4.7 in the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure the preservation of existing survey infrastructure.

(37) 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.

(38) PUBLIC DOMAIN LEVELS AND GRADIENTS

The Public Domain Levels and Gradients submission prepared by TKD Architects, Issue Date Sep 2025 provided with the Development Application is approved in principle.

If a *Public Domain Plan Detailed Documentation For Construction* condition applies to the development consent and or changes to the development entrances / floor levels occur after approval has been issued, a Public Domain Levels and Gradients submission 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* prior to an approval being issued for the construction of public domain work.

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.

Reason

To ensure public domain levels and gradients comply with Council's requirements.

(39) 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.

(40) 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 Leichhardt Street and Glebe Point Road and shall 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 glareshields to avoid glare issues for neighbouring properties (if required).
- Leichhardt Street: Lighting shall comply with requirement of AS 1158.3.1 Category PR2 on the roadway and PP2 on the footways
- Glebe Point Road: Lighting shall comply with requirement of AS 1158.3.1 Category PR1 on the roadway and PP2 on the footways
- Obtrusive lighting assessment shall comply with requirement of AS 4282

Dedicated Cyclist Way:

- Lighting shall comply with requirement of AS1158.3.1 Category PP2 + 0.7lux (minimum vertical illuminance)

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.

(41) 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.

Reason

To ensure the ventilation complies with relevant standards.

(42) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

The Operational Waste Management Plan accompanying this Development Application has not been approved by this consent. An Operational Waste Management Plan is to be submitted to and reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of 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:

- (a) Include a note confirming that building management staff will be available during waste collection to assist with bin transfer as requested by the City of Sydney or its contractors.
- (b) Confirm provision of ride on bin moving equipment and flat trailer to support bin management and movement to collection point.
- (c) Waste and recycling stream(s) bins must not be placed on the street for collection. The waste contractor must wheel the bins from the waste

storage area of the property to the waste collection vehicle upon arrival and return them to the waste storage area following collection. Unimpeded access must be provided to the waste and recycling storage area(s) at all times.

- (d) 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.

Reason

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

(43) WASTE INFRASTRUCTURE – RESIDENTIAL

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.

BEFORE BUILDING WORK COMMENCES

(44) DEMOLITION 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 SafeWork NSW. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
 - (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 construction related temporary structures placed on and/or above roads used in connection with the development.

Note: Construction related temporary structures, including hoardings and scaffolding, proposed for erection on and/or above City-owned and controlled land (footways and roadways), and other activities, must comply with Council's Code of Practice: Construction related Temporary Structures On and Above Roads and the Code of Practice: Hoisting and Construction Activities On and Above Roads including obtaining all required approvals from 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.

(45) RUN-OFF, EROSION AND SEDIMENT CONTROL

- (a) Before the commencement of any works, all sediment and erosion controls must be implemented and maintained in accordance with the document titled Managing Urban Stormwater Soils & Construction Volume 1 (Landcom, 2004).
- (b) Sediment control structures must be maintained throughout remediation works to prevent runoff of any potentially contaminated water or soil to the surrounding environment.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

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

(46) TREE PROTECTION ZONES (FOR PRIVATE/PROPERTY TREES)

- (a) Tree protection zones (s) (TPZs) must be established in accordance with the Australian Standard 4970 'Protection of trees on development sites' before the commencement of and until completion of the development works.

Table 3- Tree Protection Zones

Tree No.	Species	Location	Radius (m) from trunk
4	Callistomen viminalis (Weeping Bottlebrush)	NW corner boundary	3.6
5	Eucalyptus robusta (Swamp Mahogany)	Northern boundary - Leichhardt St	4.1

Tree No.	Species	Location	Radius (m) from trunk
8	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St	3.1
9	Sapium sebiferum (Chinese Tallowood)	Northern boundary - Leichhardt St	4.1
11	Casuarina glauca (Swamp Sheoak)	Northern boundary - Leichhardt St	5.4
15	Eucalyptus paniculata (Grey Iron Bark)	Northern boundary - Leichhardt St	2.5
16	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St	4.4
17	Eucalyptus paniculata (Grey Iron Bark)	Northern boundary - Leichhardt St	4.4
18	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St	5.9
19	Corymbia cirtiodora (Lemon-scented Gum)	NE boundary - Leichhardt St	3.6
21	Banksia integrifolia (Coastal Banksia)	Southern boundary	2.0
21A	Banksia integrifolia (Coastal Banksia)	Southern boundary	2.0
22	Jacaranda mimosifolia (Jacaranda)	Southern boundary	7.2
23	Corymbia cirtiodora (Lemon-scented Gum)	Southern boundary	5.0
24	Jacaranda mimosifolia (Jacaranda)	Southern boundary	4.2

(b) The following works must be excluded from within any TPZs:

- (i) Soil cultivation, disturbance or compaction.
 - (ii) Stockpiling, storage or mixing of materials, washing and repairing of tools.
 - (iii) The parking (except existing on street parking) of vehicles, equipment and machinery.
 - (iv) The disposal of liquids and refuelling.
 - (v) The disposal of building materials.
 - (vi) Any action leading to an impact on tree health or structure.
- (c) Tree protection fencing (1.8m steel mesh fencing, secured and fastened to prevent movement) must be installed at the perimeter of the TPZs or as per the approved Tree Protection Plan and Tree Protection Specification prior to the commencement of the development works. Roots must not be damaged during the establishment or maintenance of the fencing.
 - (d) Where tree protection fencing (or sections of) cannot be installed due to site constraints, written approval must be obtained from a qualified Arborist (minimum AQF Level 5) and trunk and ground protection installed as per AS4970. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.
 - (e) Tree protection fencing must not be moved or relocated unless written approval is obtained from a qualified Arborist (minimum AQF Level 5) and alternate protection measures are installed to ensure the trees the viability of the tree(s) is not impacted. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.
 - (f) Where site sheds cannot be installed outside of the TPZs due to site constraints, written approval must be obtained from a qualified Arborist (minimum AQF Level 5) and appropriate tree protection measures installed as per AS4970. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.
 - (g) Signage identifying the TPZs must be attached to the tree protection fencing. Signage must be placed in a visible position in remain in place throughout the development works.
 - (h) Ground protection in accordance with AS4970 must be installed if construction access is required within the TPZs. Existing pavements and hard stand areas can be used as ground protection.
 - (i) All approved work undertaken within the TPZs must be supervised by a qualified Arborist (minimum AQF Level 5).

Note: The work within the TPZ and installation of tree protection measures is only applicable within the subject development site.

Reason

To ensure the protection and ongoing health of trees for the duration of the development.

(47) STREET TREE PRUNING AND REMOVAL

- (a) The consent from Council's Tree Management Officer must be obtained prior to the undertaking of any street tree pruning works including tree roots greater than 40mm diameter. Only minor pruning works will be approved by Council.
- (b) Any pruning that has been approved by Council, must be carried out by an arborist with a minimum AQF Level 3 qualification in arboriculture and must be in accordance with AS4373 Australian Standards 'Pruning of Amenity Trees'.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure that approval is obtained for any pruning works to, or removal of, street trees and that such works are carried out in an appropriate manner.

(48) 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.

Tree No.	Species	Tree Location	TPZ radius(m) from trunk	SRZ radius (m) from trunk
1	<i>Populus simonii</i> (Simon's Poplar)	Street Tree Glebe Point Rd	3.6	2.1
2	<i>Populus simonii</i> (Simon's Poplar)	Street Tree Glebe Point Rd	3.4	2.0

- (b) 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 2 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.
- (c) 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.
- (d) Temporary signs or any other items must not be fixed or attached to any street tree.
- (e) 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.
- (f) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the City of Sydney Tree Team.
- (g) 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.
- (h) 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.
- (i) 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.

(49) 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.

DURING BUILDING WORK

(50) COMPLIANCE WITH DEMOLITION, CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

- (a) All works conducted on site which form part of this development must be carried out in accordance with the approved Demolition, Excavation and Construction Management Plan.
- (b) Where all such control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels. (Use where respite periods not specified under the approved DEC NMP)

Such periods must be set and agreed to by Council's Health and Building Unit.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

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

(51) 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.

(52) 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.

(53) 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.

(54) NOTIFICATION – NEW CONTAMINATION EVIDENCE

- (a) Council and the Certifier 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.

(55) 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.

(56) 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.

(57) 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.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure that stockpiles of soil or other materials are appropriately managed.

(58) COMPLIANCE WITH ARBORIST'S REPORT

- (a) All recommendations, Tree Protection Specifications (TPS), Tree Protection Plan (TPP) and Methodology Statements contained in the approved Arboricultural Report prepared by Tree Wise Me., Dated 4 July 2025, must be implemented during the demolition, construction and use of the development.

Reason

To ensure that works affecting trees are carried out in an appropriate manner and in accordance with the approved arborist's report.

(59) 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 2 monthly inspections 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. The demolition of stairs and walling within the TPZ of Trees 1 and 2, demolition of the concrete paving within the TPZ of Trees 19, 21, 21A, 23 and 24;
 - (iii) Excavation and trenching within the TPZs, (including stormwater within TPZ of Trees 11, 15 and 16);
 - (iv) Construction of stormwater within TPZ of Trees 11, 15 and 16.
 - (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.
- (e) A final Tree Protection Compliance Certificate demonstrating that all Tree Protection Compliance Reports have been submitted at each scheduled inspection and key milestone listed above must be submitted and approved by the City of Sydney Area Planning Manager prior to the issue of any Occupational Certificate.

Reason

To ensure the protection and ongoing health of trees on the site.

(60) 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.

(61) PROTECTION OF NATIVE WILDLIFE IN TREES

- (a) In the event that wildlife is found during the course of tree removal works, work must stop until a trained wildlife handler attends the site or the animal relocates itself. In regards to tree pruning, works may only proceed if the animals will not come into direct harm.

- (b) In the event that the tree(s) have nesting birds or native animals, works must be delayed until after the nesting period has been completed, unless in the event of an emergency.

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 wildlife is adequately protected during tree removal / pruning works.

(62) 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.

(63) 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.

(64) 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.

(65) 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.

(66) 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.

(67) PUBLIC DOMAIN LIGHTING RETICULATION

Prior to the issue of any relevant approval for the construction of public domain works, a detailed Public Domain Lighting Reticulation Plan for pedestrian and street lighting in the public domain must be submitted to and approved by the City's Public Domain Unit in accordance with the City's *Sydney Lights Design Code*, *Sydney Streets Code*, *Sydney Streets Technical Specification* and *Public Domain Manual*.

The Public Domain Manual and all other relevant documents are available for download from Council's website at

<https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works>.

If applicable, this public domain lighting documentation must include pole footing locations and structural details, location and details of underground electrical reticulation including connections and conduits, pit cabling and certifications as described in the City's *Public Domain Manual*. The public domain lighting is to be superimposed on the public domain plan to show any conflicts between lighting and the proposed landscape design.

Reason

To ensure the public domain lighting documentation complies with Council requirements.

(68) 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*.

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.

(69) EROSION AND SEDIMENT CONTROL

The Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been approved by the Principal Certifier must be implemented in full during the construction period.

During the construction period:-

- (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and
- (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure no substance other than rainwater enters the stormwater system and waterways.

(70) HAZARDOUS AND INDUSTRIAL WASTE

Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority pursuant to the provisions of the following:

- (a) *Protection of the Environment Operations Act 1997*
- (b) *Protection of the Environment Operations (Waste) Regulation 2005*
- (c) *Waste Avoidance and Resource Recovery Act 2001*
- (d) *Work Health and Safety Act 2011*
- (e) *Work Health and Safety Regulation 2017.*

Reason

To ensure hazardous/ industrial waste is managed appropriately.

(71) 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.

(72) 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.

(73) 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

(74) PHYSICAL MODELS

- (a) Prior to the issue of any Occupation Certificate an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the City Model in Town Hall House.

Note:

- (i) The models must be constructed in accordance with the Model Specifications available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's modellers must be consulted prior to construction of the model.
- (ii) The models are to comply with all of the conditions of the Development Consent.
- (iii) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the *Environmental Planning and Assessment Act*) that affect the external appearance of the building.

Reason

To ensure the provision of an appropriate physical model of the development.

(75) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

- (a) Prior to any Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.
- (b) The data required to be submitted within the surveyed location must include and identify:
 - (i) building design above and below ground in accordance with the development consent;
 - (ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;
 - (iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

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

- (c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

Reason

To ensure the provision of an appropriate electronic model of the development.

(76) 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.

(77) 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) A minimum of 4 tree(s) with a minimum container size of 100 litres must be planted. The tree species must have a minimum mature height of 6 metres and canopy spread classification of 4m. The City of Sydney Tree Species List must be used for referencing tree heights and canopy spread classifications, with further consideration of the other list attributes such as the reliability and recommended usage for urban forest, in order to select species appropriate for the site. Palms and fruit trees will only be accepted in constrained locations.
 - (iii) Tree selection must include a diverse range of species selected from the City of Sydney Tree Species List.
 - (iv) The new tree(s) must be planted in natural ground with adequate soil volumes to allow maturity to be achieved. Planter boxes will not be accepted for tree planting.
 - (v) The new tree(s) must be appropriately located away from existing buildings and structures to allow maturity to be achieved without restriction.
 - (vii) The new tree(s) must be planted at the completion of all construction works.
 - (viii) The tree(s) must be grown in accordance with Australian Standard 2303 'Trees stock for landscape use'.
 - (ix) 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.
 - (x) 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).

- (xi) 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.

(78) 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.

(79) 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.

OCCUPATION AND ONGOING USE

(80) 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.

(81) 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.

(82) STACKED PARKING EMPLOYEES OR TENANTS ONLY

Any stacked parking spaces (maximum 2 spaces, nose to tail) must be attached to the same strata title comprising a single dwelling unit or commercial/retail tenancy, subject to the maximum parking limit applying. The stacked parking spaces must be designated (with appropriate signage) for employee or tenant parking only (not visitor parking), prior to any Occupation Certificate being issued. The moving of stacked vehicles must occur wholly within the property.

Reason

To maintain the orderly operation of vehicle parking areas.

(83) LOADING DOCK SCHEDULE/REGISTER

The on-site small rigid vehicle loading bay space is also to be available for all residents for use by removal vehicles, bulky good deliveries and similar. This shall be managed either by a schedule showing residents when they can use the dock, or by a register managed on site to allow residents to reserve a time period for their deliveries.

The size of vehicles accessing this loading bay must be a maximum length of 6.4m and maximum height of 2.2m.

This information is to be made available to all residents/tenants of the building.

Reason

To ensure that the loading bay space is appropriately managed.

(84) 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.

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.

(85) MAINTENANCE OF TREES ON SITE

- (a) Tree maintenance must be implemented and complied with immediately following the tree planting, and until the tree reaches the required minimum height limit of 5 metres in height and 3 metres canopy width.
- (b) The newly planted tree on site must be appropriately maintained on an on-going basis.
- (c) Maintenance includes watering, weeding, removal of rubbish from tree bases, pruning (in accordance with AS4373), fertilizing, pest and disease control and any other operations required to maintain a healthy robust tree.
- (d) If the newly planted tree fails to establish or does not reach a height of 5 metres and canopy width of 3 metres it must be replaced with a tree of comparable qualities and container size of 100 litres.
- (e) The conditions of this consent will apply to all replacement trees, including the maintenance and reporting which re-starts at each replanting event.

Reason

To ensure the ongoing maintenance of trees planted on the site.

(86) 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.

(87) CAR PARK VENTILATION

The car park must be ventilated in accordance with the *National Construction Code (previously known as Building Code of Australia)* and, where necessary, Australian Standard AS1668, Parts 1 and 2. Ventilation must be controlled by carbon monoxide monitoring sensors to ensure compliance with occupant health requirements.

Reason

To ensure car park ventilation complies with relevant standards.

(88) 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.

Attachment B

Selected Drawings



NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT

431 GLEBE POINT ROAD
GLEBE NSW 1530

Proposed Site Plan

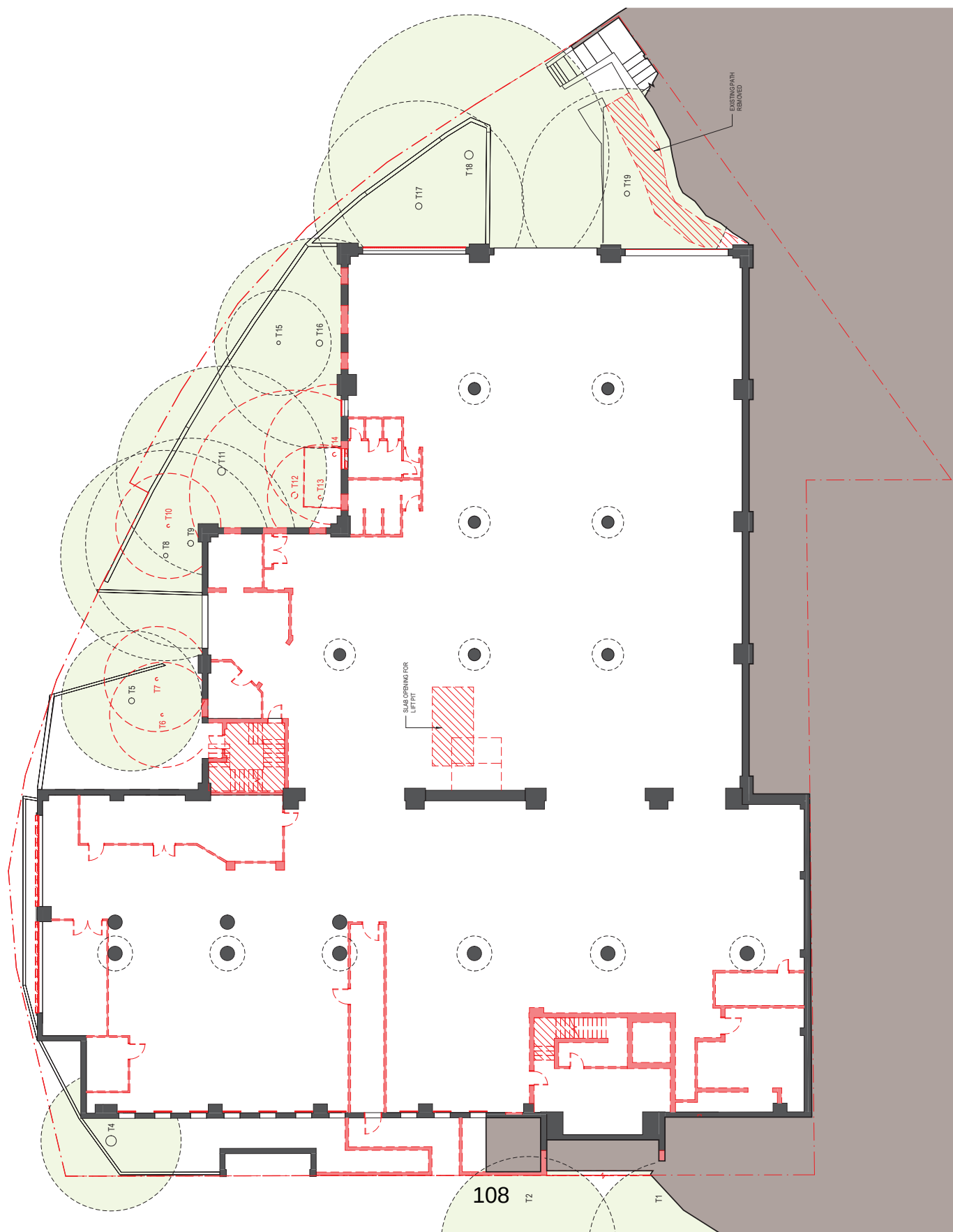
Project Dir Prog Arch Drawn Sheet
AK DE AE A1

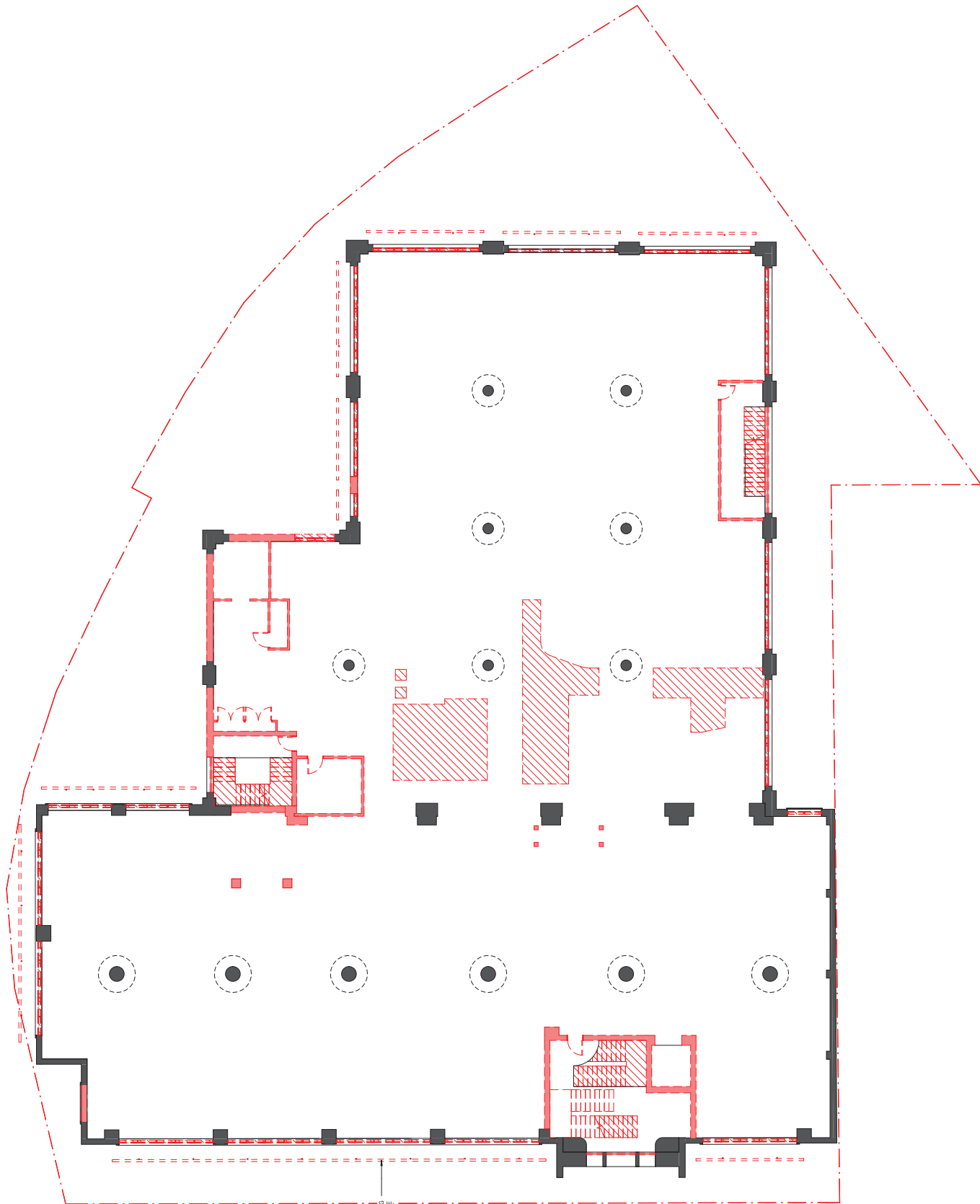
Job No. Date Scale
240058 Sep 25 1:200

Drawing No. Review
AR DA 1000 C

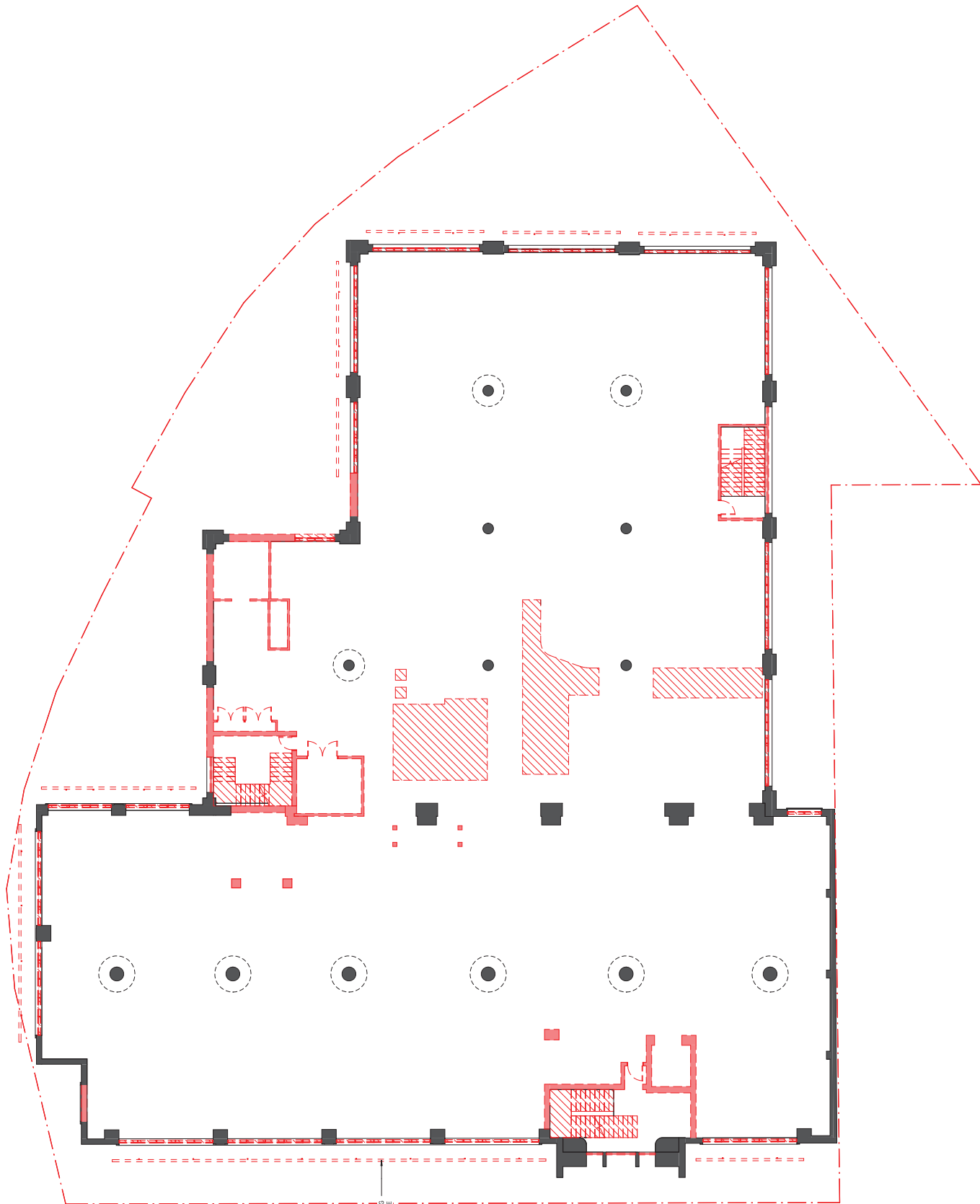
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

TKDArchitects
Tanner Kibble Denton





SOLAR SHADING
SCREENS TO BE
REMOVED



SOLAR SHADING
SCREENS TO BE
REMOVED

LEGEND	
	EXISTING TO BE RETAINED
	DEMOLISHED

NOTES:
1. Refer to the attached site plan for the location of the proposed development.
2. Do not make changes to the site plan without the written approval of the architect.
3. All dimensions are in metres unless otherwise stated.
4. All dimensions are to the centre of the wall unless otherwise stated.
5. All dimensions are to the finished floor level unless otherwise stated.
6. All dimensions are to the finished floor level unless otherwise stated.
7. All dimensions are to the finished floor level unless otherwise stated.
8. All dimensions are to the finished floor level unless otherwise stated.
9. All dimensions are to the finished floor level unless otherwise stated.
10. All dimensions are to the finished floor level unless otherwise stated.

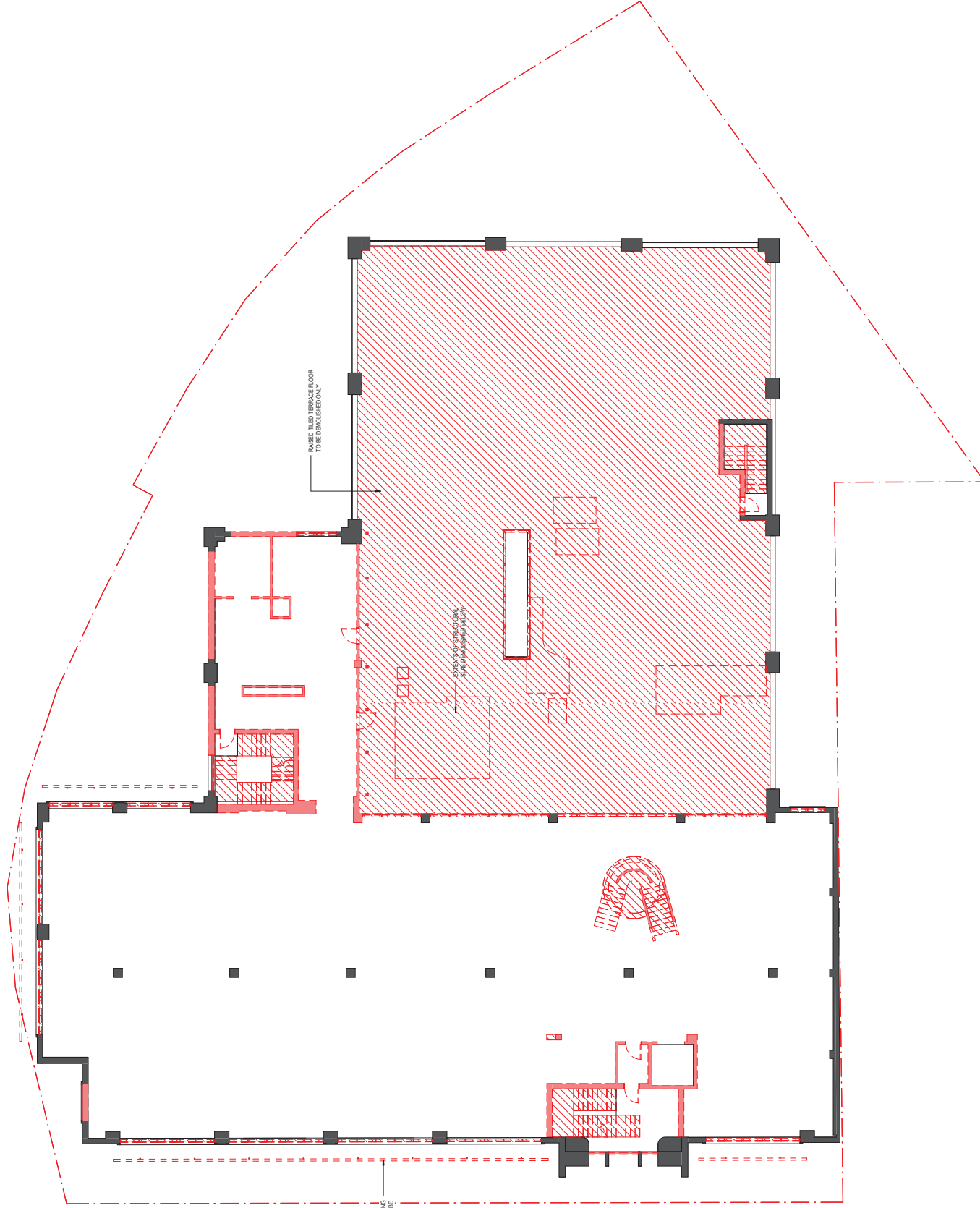
NOT FOR CONSTRUCTION

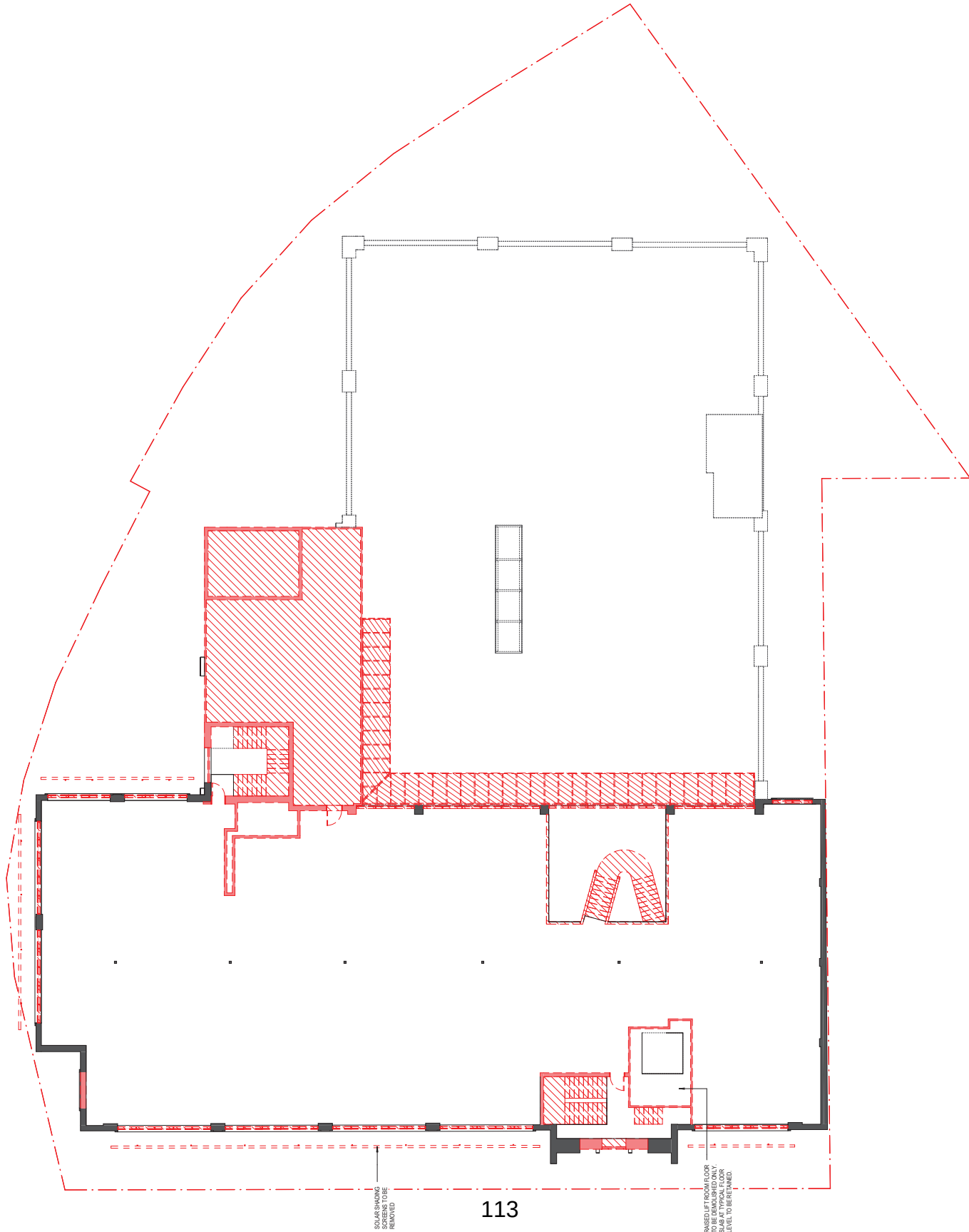
Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 1530
Drawing No.
THIRD FLOOR DEMOLITION PLAN

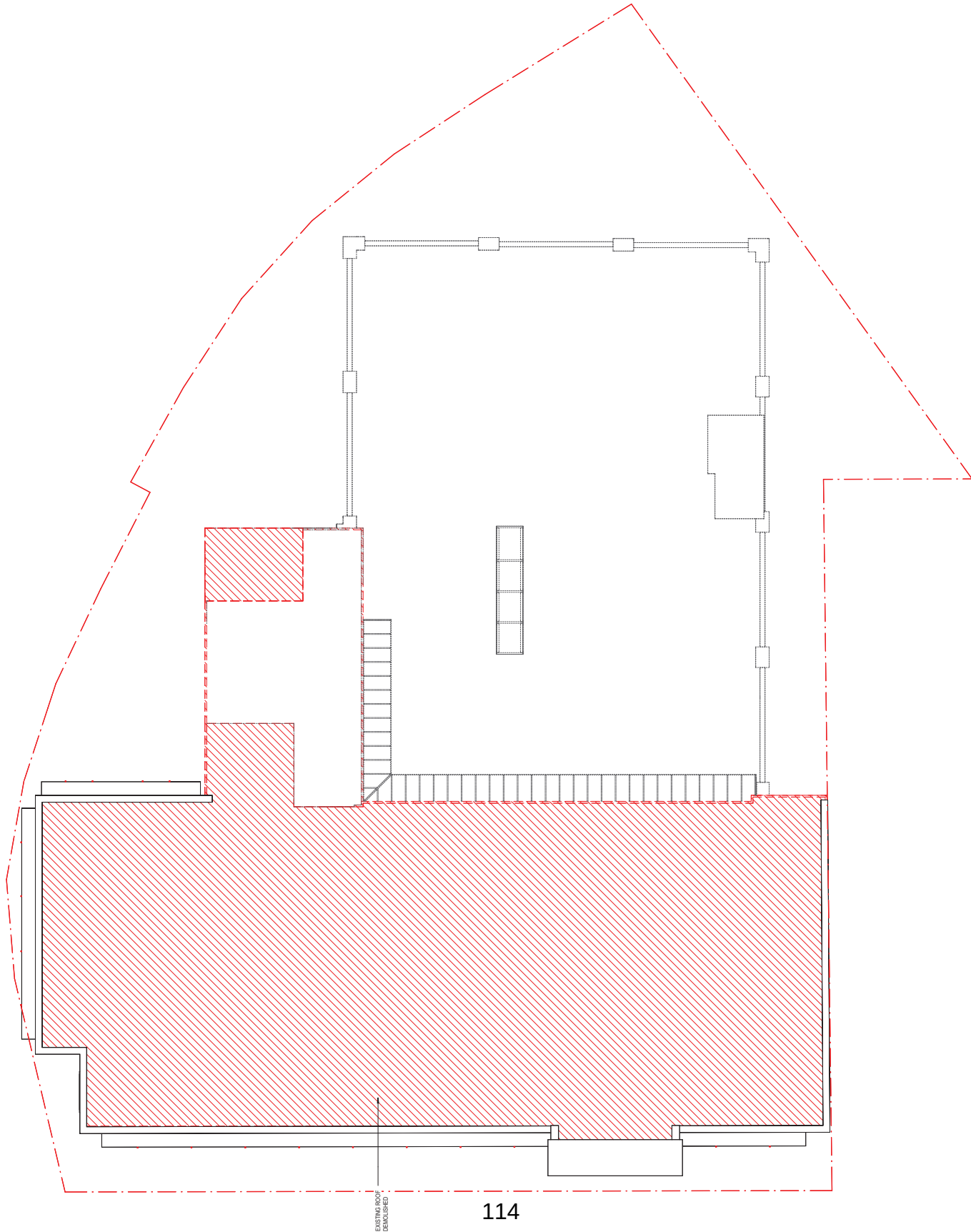
Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	
240058	Sep 25	1 : 100	
Drawing No.	Revision		
AR DA 1504	B		

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

TKDArchitects
Tanner Kibble Denton







LEGEND

- EXISTING
- PROPOSED
- 2 BED APARTMENT
- 3 BED APARTMENT
- 4 BED APARTMENT
- (P) TREE
- STRUCTURAL ROOT ZONE
- TREE PROTECTION ZONE

INSULATION NOTES:

ALL EXTERNAL WALLS TO INCLUDE R2.5 INSULATION
ALL NEW EXTERNAL WALLS TO INCLUDE R2.5 INSULATION
AND R0.2 THERMAL BREAK STRIPS

Notes: 1. All dimensions are in millimetres unless otherwise stated.
2. Do not make drawings. Verify all dimensions on the field and/or all dimensions.
3. All dimensions are in millimetres unless otherwise stated.
4. All dimensions are in millimetres unless otherwise stated.
5. All dimensions are in millimetres unless otherwise stated.
6. All dimensions are in millimetres unless otherwise stated.
7. All dimensions are in millimetres unless otherwise stated.
8. All dimensions are in millimetres unless otherwise stated.
9. All dimensions are in millimetres unless otherwise stated.
10. All dimensions are in millimetres unless otherwise stated.

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 1530
Drawing No. 240058

PROPOSED GROUND FLOOR PLAN

Proj. Dir. Prof. Arch. Drawn. Sheet
AK DE AE/MS A1

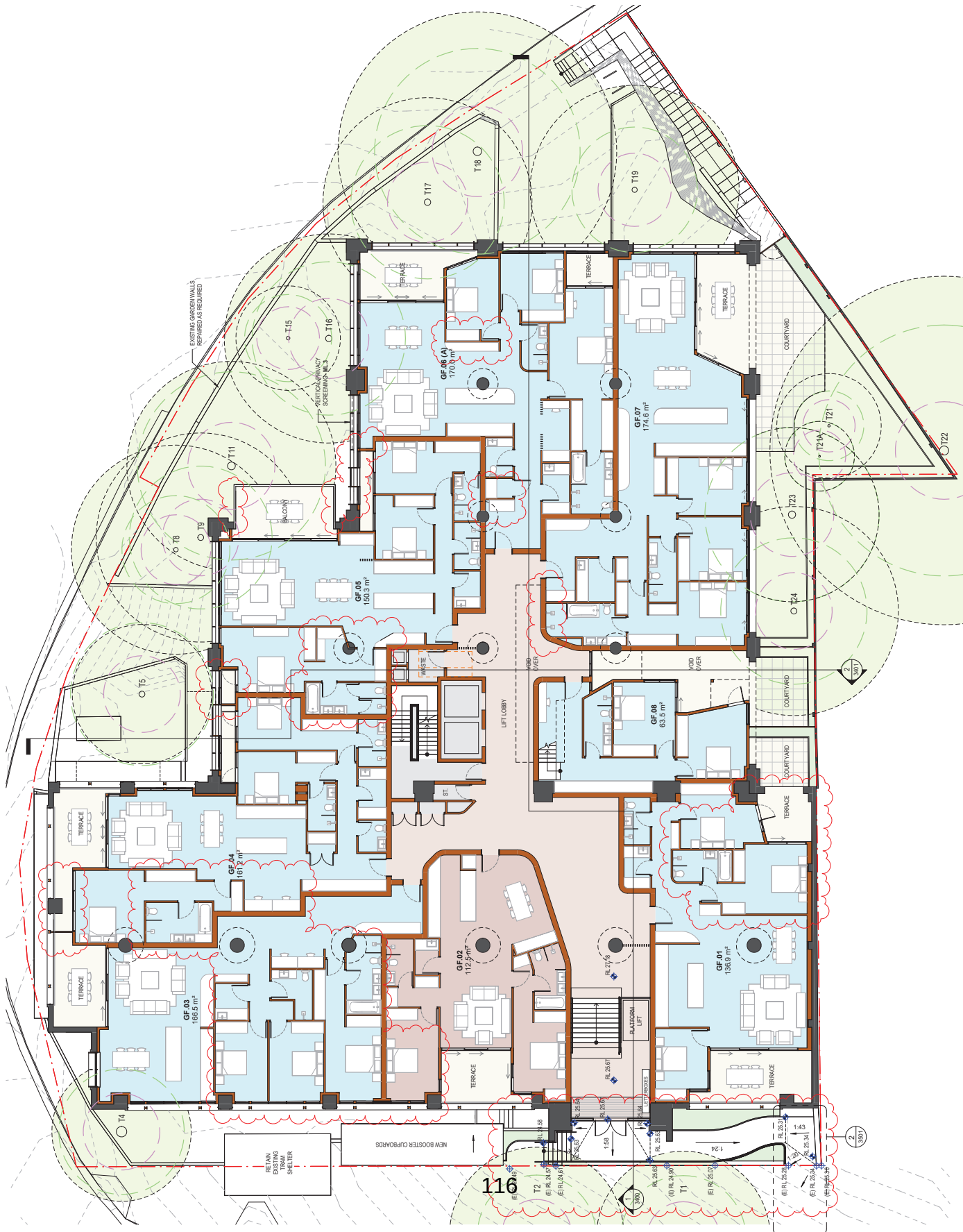
Job No. Date Scale
240058 Sep 25 1 : 100

Drawing No. Revision

AR DA 2001 C

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9381 4399
www.tkd.com.au

TKDArchitects
Tanner Kibble Denton



LEGEND	
	EXISTING
	PROPOSED
	2 BED APARTMENT
	3 BED APARTMENT
	4 BED APARTMENT

INSULATION NOTES:
ALL EXTERNAL WALLS TO INCLUDE R2.3 INSULATION.
ALL NEW EXTERNAL WALLS TO INCLUDE R2.3 INSULATION
AND R2.1 THERMAL BREAK STRIPS.

Notes: 1. All dimensions are in metres unless otherwise stated.
2. All dimensions are to the centre of the wall unless otherwise stated.
3. All dimensions are to the centre of the wall unless otherwise stated.
4. All dimensions are to the centre of the wall unless otherwise stated.
5. All dimensions are to the centre of the wall unless otherwise stated.
6. All dimensions are to the centre of the wall unless otherwise stated.
7. All dimensions are to the centre of the wall unless otherwise stated.
8. All dimensions are to the centre of the wall unless otherwise stated.
9. All dimensions are to the centre of the wall unless otherwise stated.
10. All dimensions are to the centre of the wall unless otherwise stated.

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 1530
Drawing No. AR DA 2003

PROPOSED SECOND FLOOR PLAN

Proj. Dir. Prof. Arch. Drawn. Sheet
AK DE AE/MS A1

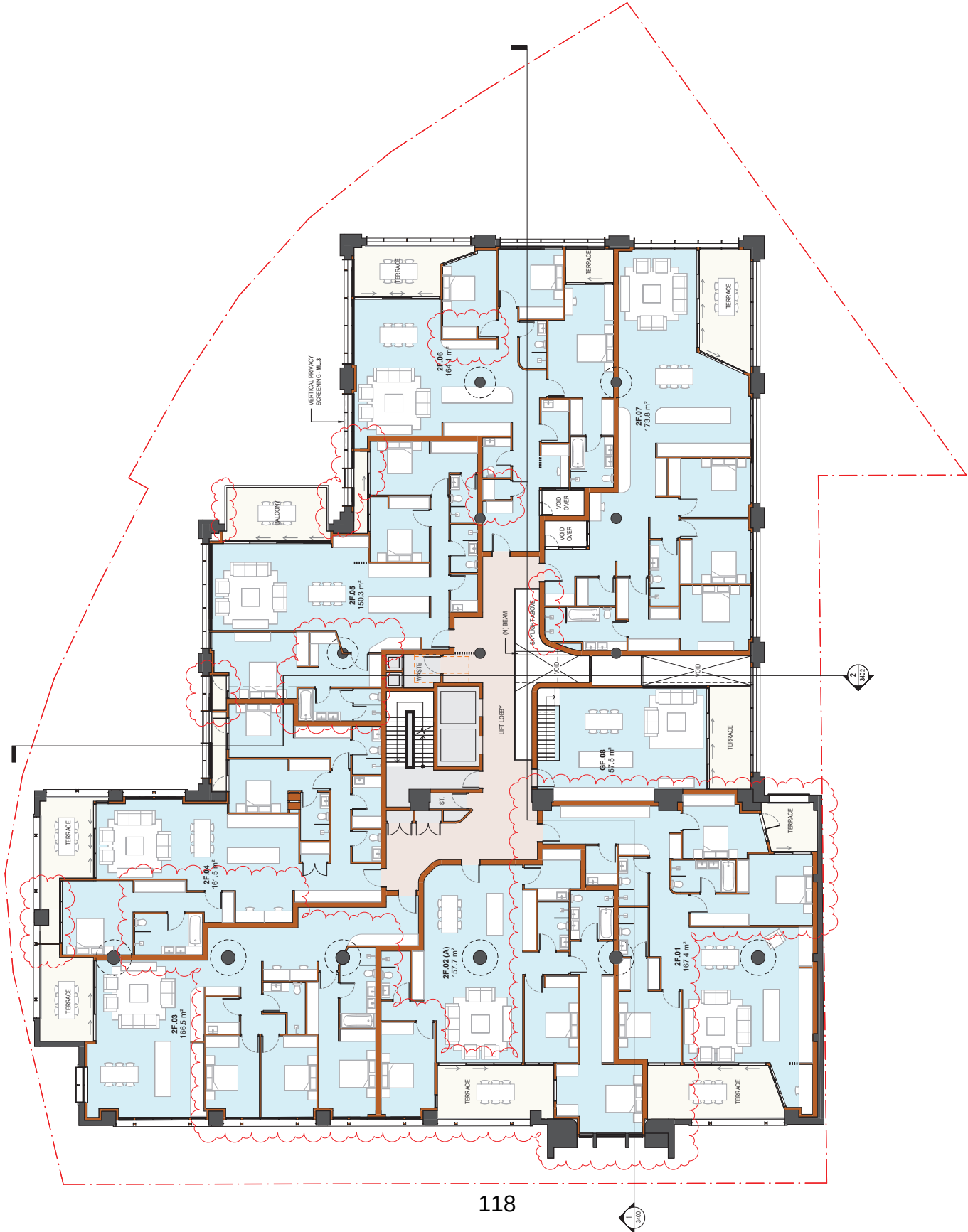
Job No. Date Scale
240058 Sep 25 1 : 100

Drawing No. Revision

AR DA 2003 C

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

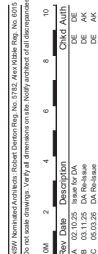
TKDArchitects
Tanner Kibble Denton



EXISTING
PROPOSED
2 BED APARTMENT
3 BED APARTMENT
4 BED APARTMENT

INSULATION NOTES:

ALL EXTERNAL WALLS TO INCLUDE R2.5 INSULATION



NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 Glebe Point Road
Glebe, NSW 2037

Drawing Title
PROPOSED THIRD FLOOR PLAN

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE/MS	A1

Job No.	Date	Scale
240058	Sep '25	1 : 100

Drawing No.

AR DA 2004

Tanner Kibble Denton Architects Pty Ltd
Gardical Country

Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399

TKD Architects
Tanner Kibble Denton



LEGEND

- EXISTING
- PROPOSED
- 2 BED APARTMENT
- 3 BED APARTMENT
- 4 BED APARTMENT

INSULATION NOTES:

ALL EXTERNAL WALLS TO INCLUDE R2.3 INSULATION.
ALL NEW EXTERNAL WALLS TO INCLUDE R2.3 INSULATION
AND R2.1 THERMAL BREAK STRIPS.

PIVOT NOTES:

PIVOT PANELS EXIST AS SHOWN UNLESS OTHERWISE DESIGNATED
FOR COMMON HOUSE USE. ALL ADDITIONAL PANELS
BEYOND THIS FOR RESIDENT USE. ALLOCATION TBC.

NOTES:
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 1530

PROPOSED FOURTH FLOOR PLAN

Proj. Dir. Prog. Arch. Drawn. Sheet
AK DE AE/MS A1

Job No. Date Scale
240058 Sep 25 1:100

Drawing No. Revision
AR DA 2005 C

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 155 Macquarie Street
Sydney NSW 2000 Australia
T +61 2 9281 4399
www.tkd.com.au

TKD Architects
Tanner Kibble Denton



LEGEND

- EXISTING
- PROPOSED
- 2 BED APARTMENT
- 3 BED APARTMENT
- 4 BED APARTMENT

INSULATION NOTES:

ALL EXTERNAL WALLS TO INCLUDE R23 INSULATION.
ALL NEW EXTERNAL WALLS TO INCLUDE R23 INSULATION
AND R2.1 THERMAL BREAK STRIPS.

PV NOTES:

PV PANEL EXTENT AS SHOWN. MINIMUM 50MM DESIGNATED
FOR COMMON HOUSE USE. ALL ADDITIONAL PANELS
BEYOND THIS FOR RESIDENT USE. ALLOCATION TBC.

NOTES:
1. ALL WORK TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA (BCA) 2019.
2. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS (NBR) 2019.
3. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL REGULATIONS (NER) 2019.
4. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL PLUMBING REGULATIONS (NPR) 2019.
5. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL MECHANICAL REGULATIONS (NMR) 2019.
6. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL FIRE REGULATIONS (NFR) 2019.
7. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL SAFETY REGULATIONS (NSR) 2019.
8. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL REGULATIONS (NER) 2019.
9. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL HEALTH REGULATIONS (NHR) 2019.
10. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL EDUCATION REGULATIONS (NER) 2019.

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 1530
Drawing No. AR DA 2006

PROPOSED ROOF TERRACE PLAN

Proj. Dir. DE
AK DE
AE/MS A1

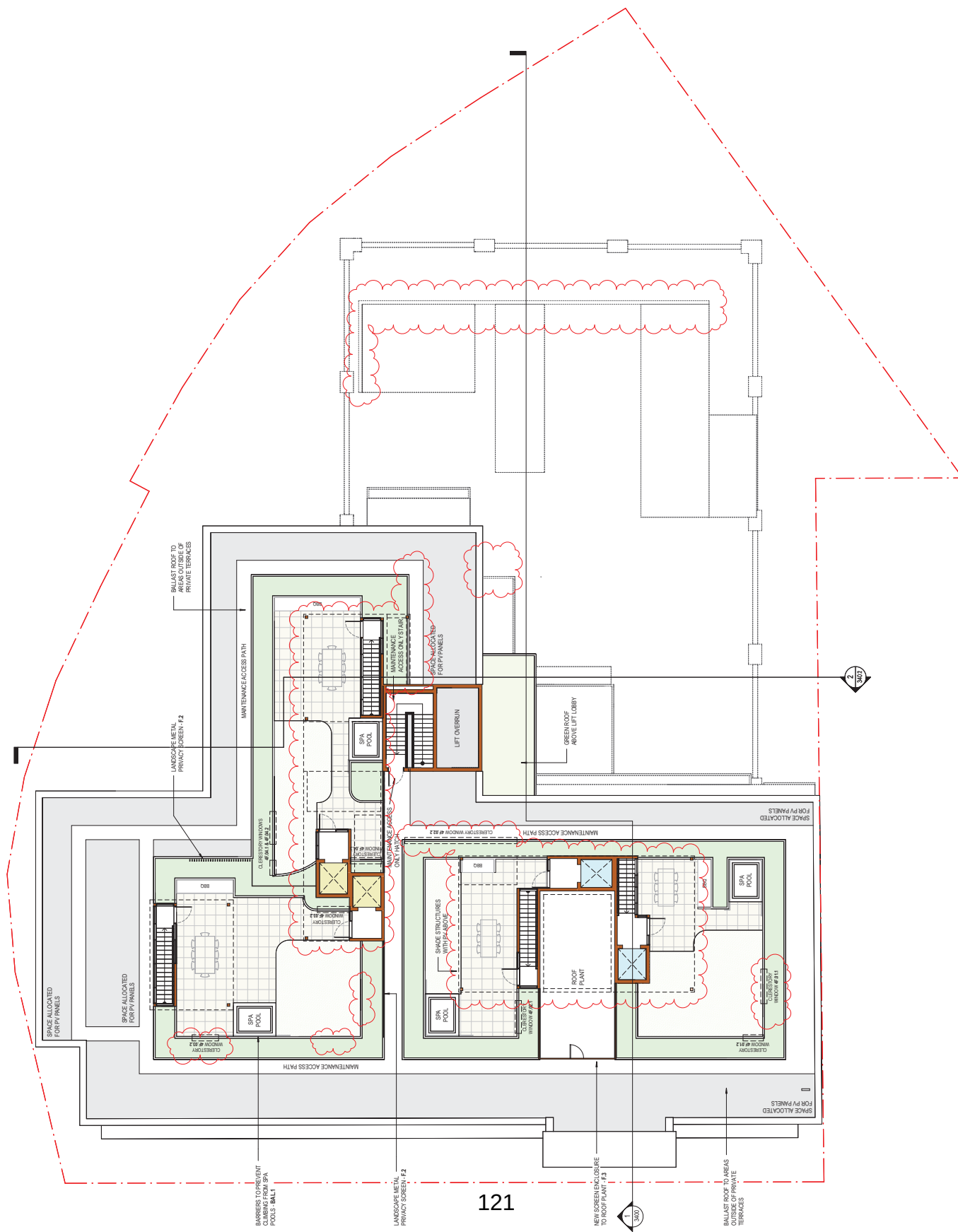
Job No. 240058
Date Sep 25
Scale 1 : 100

Revision No. C

AR DA 2006

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

TKD Architects
Tanner Kibble Denton



LEGEND	
	EXISTING
	PROPOSED
	2 BED APARTMENT
	3 BED APARTMENT
	4 BED APARTMENT

INSULATION NOTES:
ALL EXTERNAL WALLS TO INCLUDE R2.3 INSULATION.
ALL NEW EXTERNAL WALLS TO INCLUDE R2.3 INSULATION
AND R2.1 THERMAL BREAK STRIPS.

PV NOTES:
PV PANEL EXTENT AS SHOWN MINIMUM 10% DESIGNATED
FOR COMMON HOUSE USE. ALL ADDITIONAL PANELS
BEYOND THIS FOR RESIDENT USE. ALLOCATION TBC.

NOTES: New and Existing, Robert Denton Pty Ltd, No. 4312, Ave. Drive, No. 4312	
Do not make changes. Verify all dimensions on the field and/or all dimensions.	
0M	1 2 3 4 5 6 7 8 9 10
A	00.00.00
B	00.11.25
C	00.00.00
D	00.00.00
E	00.00.00
F	00.00.00
G	00.00.00
H	00.00.00
I	00.00.00
J	00.00.00
K	00.00.00
L	00.00.00
M	00.00.00
N	00.00.00
O	00.00.00
P	00.00.00
Q	00.00.00
R	00.00.00
S	00.00.00
T	00.00.00
U	00.00.00
V	00.00.00
W	00.00.00
X	00.00.00
Y	00.00.00
Z	00.00.00

NOT FOR CONSTRUCTION

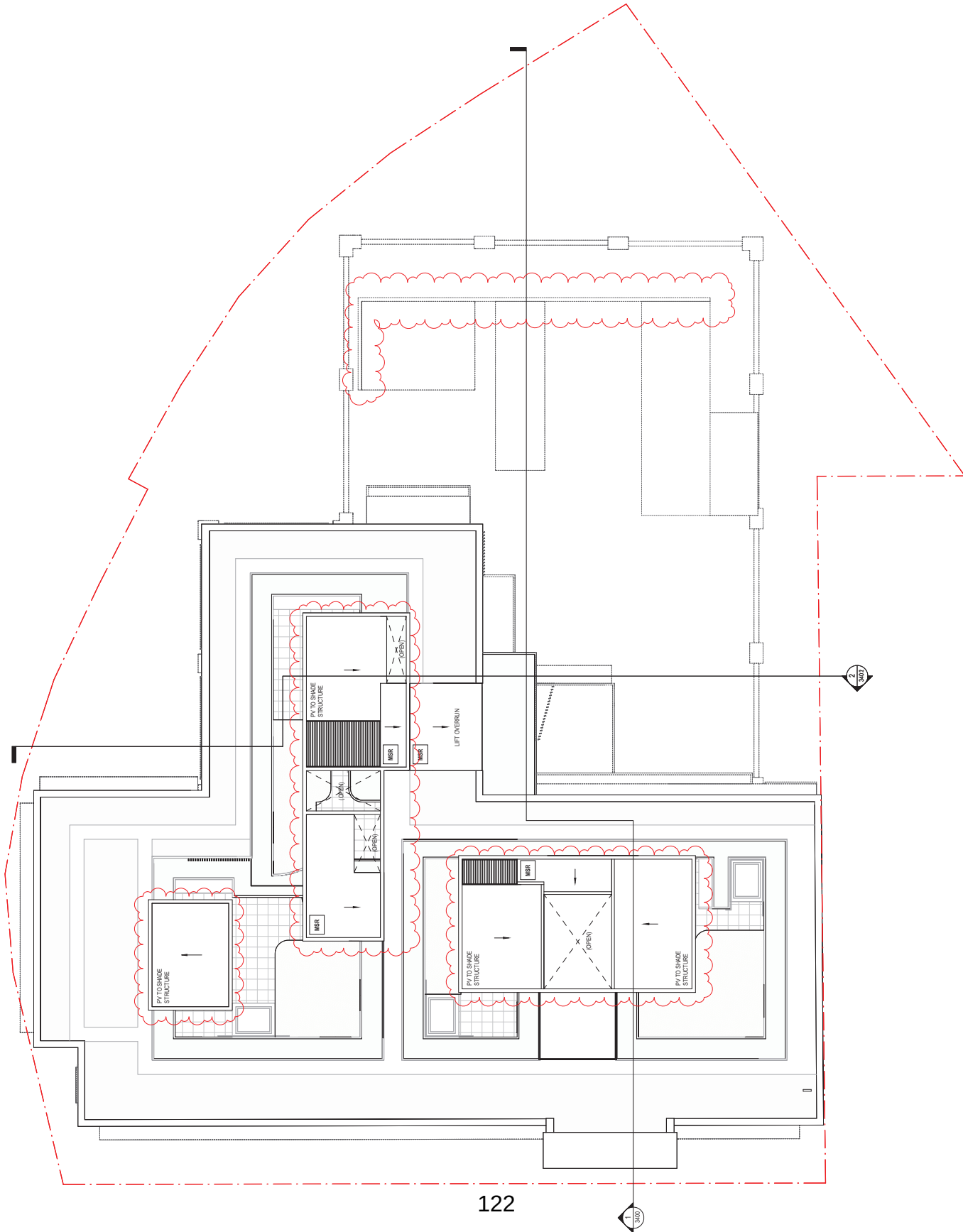
Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 1530
Drawing No. AR DA 2007

PROPOSED ROOF PLAN

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE/MS	A1
Job No.	Date	Scale	
240058	Sep 25	1 : 100	
Drawing No.	Revision		
AR DA 2007	C		

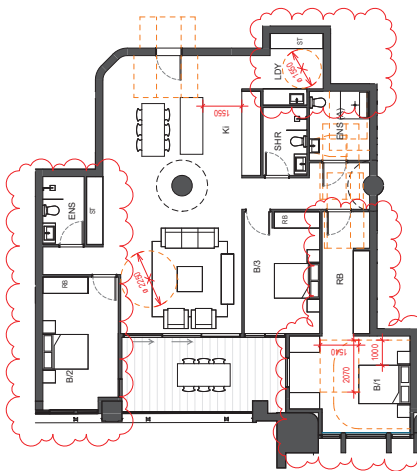
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

TKDArchitects
Tanner Kibble Denton

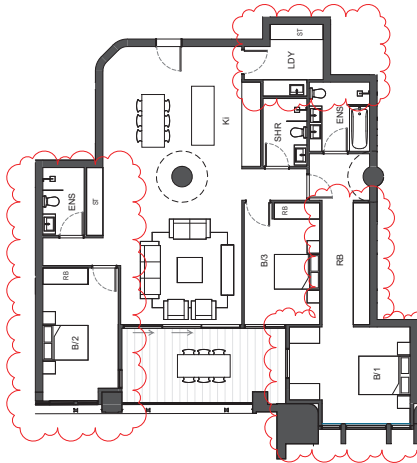


LEGEND

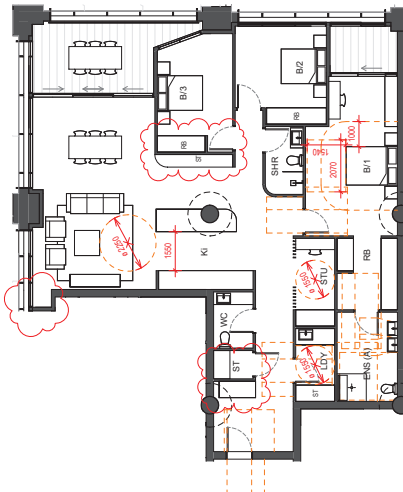
B1	BEDROOM 1	KI	KITCHEN
B2	BEDROOM 2	BA	BATHROOM
B3	BEDROOM 3	ST	STORAGE
ENS	ENSUITE	STU	STUDY



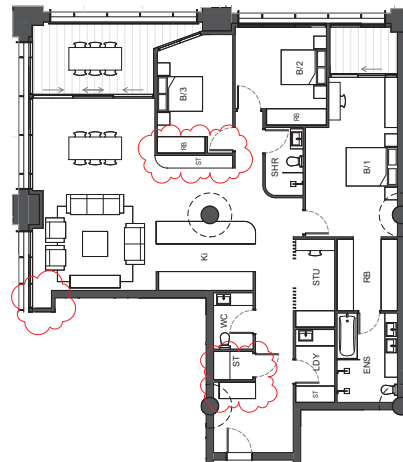
ADAPTED APARTMENT - 1F.02, 2F.02 & 3F.02



ADAPTABLE APARTMENT - 1F.06 & 1F.06



ADAPTED APARTMENT - GF.06 & 1F.06



ADAPTABLE APARTMENT - GF.06 & 1F.06

Notes: Not to scale. All dimensions are approximate. Do not make drawings. Verify all dimensions on the field and/or all dimensions.
A 02.10.2018 Issue 1.0
B 05.03.2018 DA Release

0M 2 4 6 8 10
A 02.10.2018 Issue 1.0
B 05.03.2018 DA Release

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 2037

ADAPTABLE APARTMENT PLANS

Proj. Dir. Prog. Arch. Drawn. Sheet
AK DE AE A1

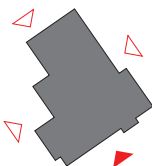
Job No. Date Scale
240058 Sep 25 1 : 100

Drawing No. Revision

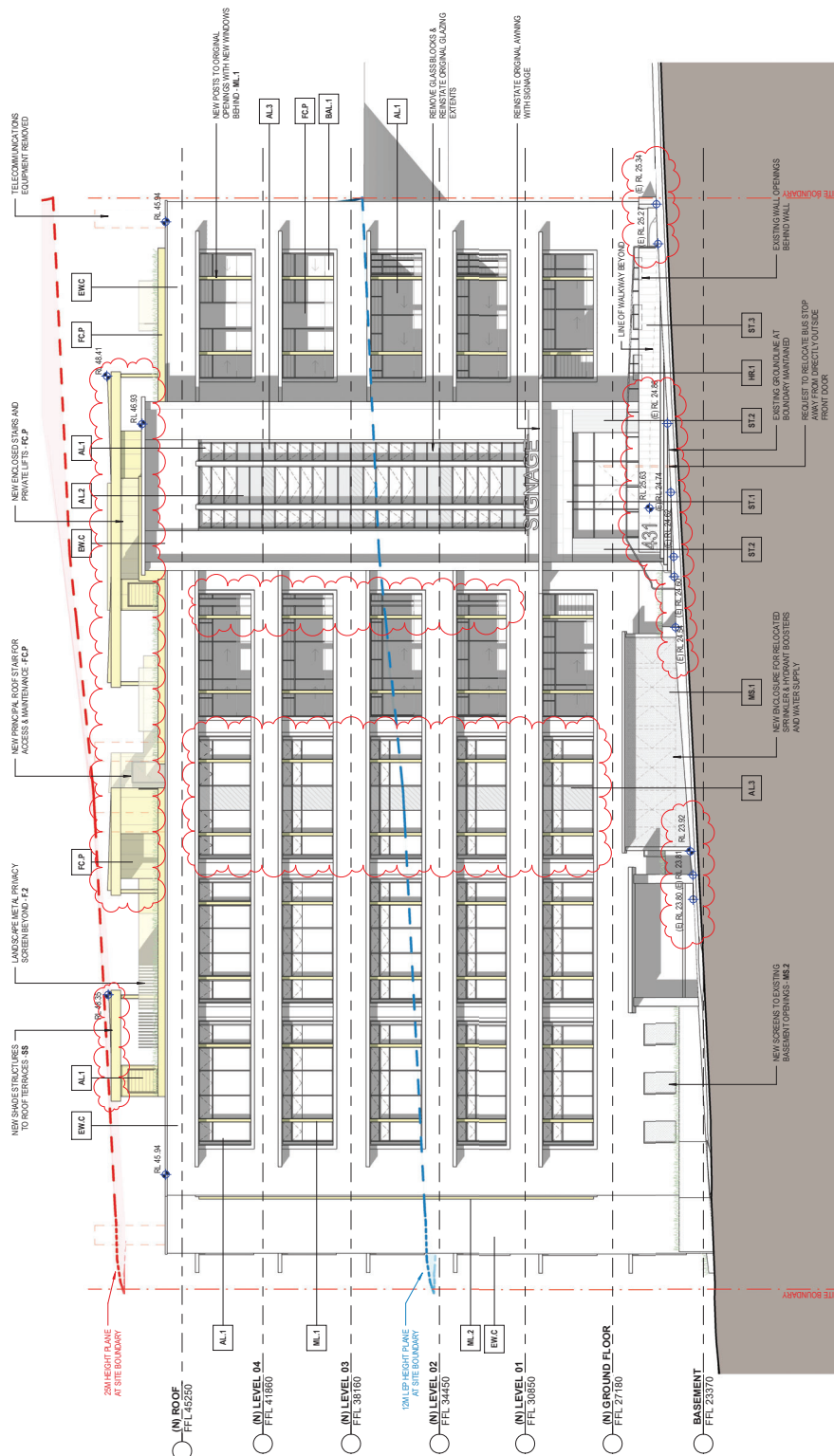
AR DA 2100 B

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

TKDArchitects
Tanner Kibble Denton



LEGEND

EXTENSIONS BEYOND EXISTING BUILDING
FABRIC[illegible]

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 Glebe Point Road
Glebe, NSW 2037

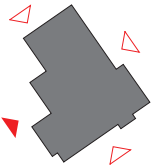
Drawing Title
PROPOSED WEST ELEVATION

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	
2240058	Sep '25	1 : 100	
Drawing No.	Revision		
AR DA 3100	C		

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au



MATERIAL LEGEND			
BWC	(B) WALL - (P) CONCRETE COLOUR 1	MS3	PREFER METAL SCREEN COLOUR TO MATCH ADJACENT WALL
BWB	(B) WALL - (P) BRICK COLOUR 1	ML1	PF METAL FINS - 1st BUILDING, PAIRED VERTICAL FINS (P) FINISH
FCS	CLADDING - (P) SET COLOUR TO MATCH WALL BRICK	ML2	PF METAL FINS - 2nd BUILDING, VERTICAL & HORIZONTAL FINES (P) FINISH
FCP	CLADDING - (P) PT. CEMENT BAKESTONE	ML3	PF METAL FINES - 3rd BUILDING, VERTICAL & HORIZONTAL FINES (P) FINISH
S11	CLADDING - SANDSTONE SWAIN FINISH	BAL1	P/ METAL LOWNERS - POWDERCOATED ALUMINIUM
S12	CLADDING - SANDSTONE FINE LINEN	BAL2	FIXED GLASS BALUSTRADE PANEL FIXED TO INSIDE OF WALL (UNCOLOURED)
S13	CLADDING - SANDSTONE SCLOPED	BAL3	VERTICAL STEEL BALUSTRADE, (P) FINISH
MS1	PREFER METAL SCREEN COLOUR TO C	HR1	SOLID BALUSTRADE PANEL, (P) PREFINISHED METAL
MS2	PREFER METAL SCREEN COLOUR TO C		



LEGEND

EXTENSIONS BEYOND EXISTING BUILDING
FABRIC



NOT FOR CONSTRUCTION
Project
431 GLEBE POINT ROAD
REDEVELOPMENT
Drawing No.
240058
Date
240058
Scale
1:100
Drawing No.
AR DA 3101
Revision
C
Tanner Kibble Denton Architects Pty Ltd
Gladigal Country
Level 11, 115 Bridge Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

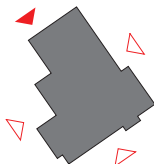
PROPOSED NORTH ELEVATION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
Drawing No.
240058
Date
240058
Scale
1:100
Drawing No.
AR DA 3101
Revision
C
Tanner Kibble Denton Architects Pty Ltd
Gladigal Country
Level 11, 115 Bridge Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

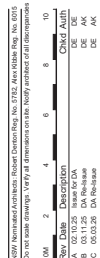
MATERIAL LEGEND

EW.C	(E) WALL - (P) CONCRETE COLOUR 1	MS.3	PPPER METAL SCREEN COLOUR TO MATCH ADJACENT WALL	AL.3	PICCOLA FRAMED WINDOW / DOOR OBUQUE GLASS DARK BRONZE FRAME
EW.B	(E) WALL - (P) BRICK COLOUR 1	ML.1	PP METAL FINISH - 1M7 BUILDING PAIRED VERTICAL PANEL (P) FINISH	AL.3	PICCOLA FRAMED WINDOW / DOOR OBUQUE GLASS SOLID BRONZE FRAME
FC.S	CLADDING - (P) FC SET COLOUR TO MATCH WALL BELOW	ML.2	PP METAL FINISH - 1M7 BUILDING VERTICAL & HORIZONTAL FINISH HOODS (P) FINISH	SNL	SOLAR PANELS ON STEEL FRAME (P) FINISH, COLOUR TBC
FC.P	CLADDING - FC, FC CEMENTEL BARESTONE	ML.3	PP METAL LOUVER - POWERCOATED ALUMINUM (P) FINISH	MP	COLOUR TBC
ST.1	CLADDING - SANDSTONE SAINTFINISH	BAL.1	PP METAL LOUVER - POWERCOATED ALUMINUM (P) FINISH	F.1	BAGGED & (P) PROFFENCE COLOUR TBC
ST.2	CLADDING - SANDSTONE FINE LINED	BAL.2	VERTICAL STEEL BALUSTRADE (P) FINISH	F.2	VERTICAL METAL PRIVACY SCREEN (P) FINISH COLOUR TBC
ST.3	CLADDING - SANDSTONE SCALLOPED	BAL.3	PP METAL STEEL BALUSTRADE PANEL (P) / PREFINISHED METAL	F.3	ACOUSTIC PLANT AREA SCREEN
MS.1	PPPER METAL SCREEN COLOUR TBC	HR.1	PPPER METAL SCREEN COLOUR TBC		
MS.2	PPPER METAL SCREEN COLOUR TBC	AL.1	PICCOLA FRAMED WINDOW / DOOR CLEAR GLASS DARK BRONZE FRAME		





LEGEND

EXTENSIONS BEYOND EXISTING BUILDING
FABRIC

NOT FOR CONSTRUCTION

Project
**431 GLEBE POINT ROAD
REDEVELOPMENT**
431 Glebe Point Road
Glebe, NSW 2037

Drawing Title
PROPOSED EAST ELEVATION

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	
2240058	Sep '25	1 : 100	

Revision
 C



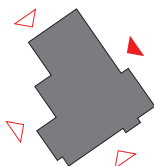
AR DA 3102

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

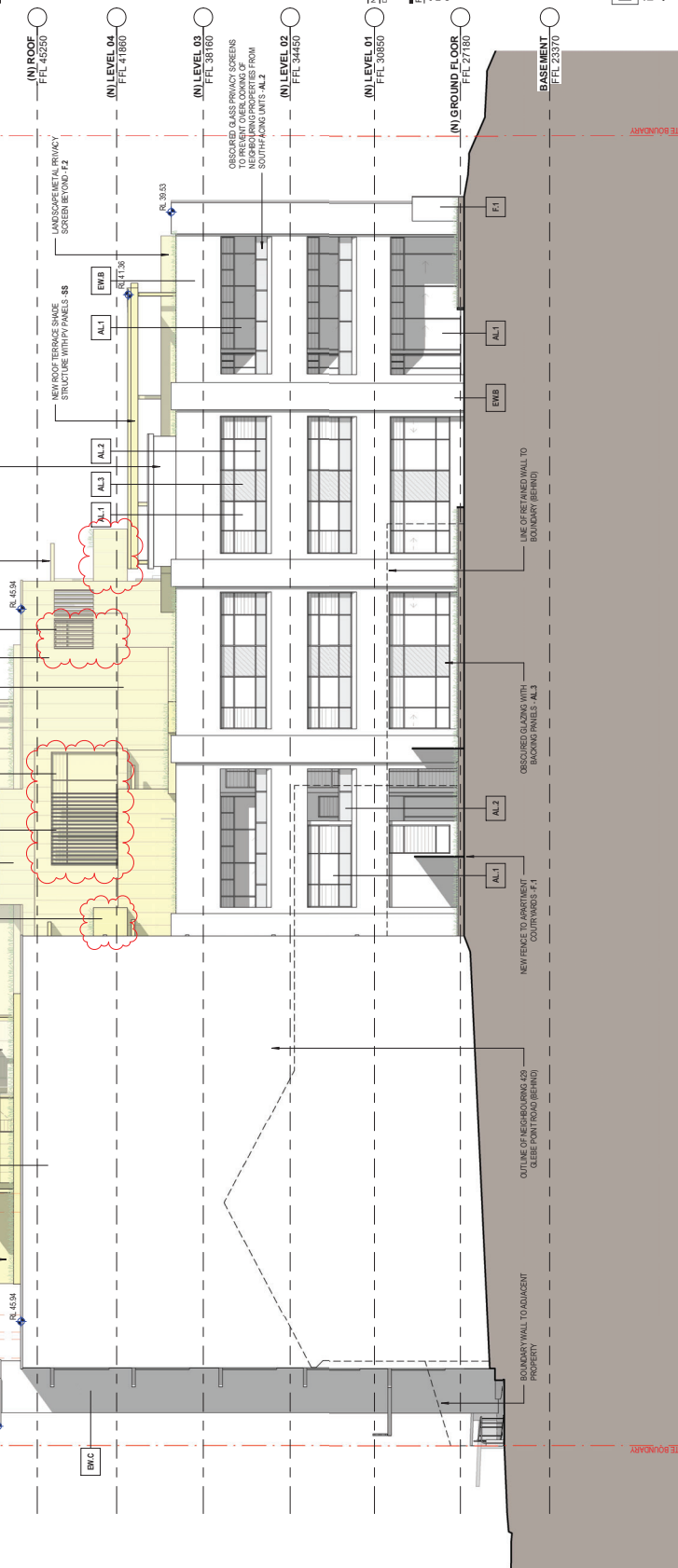


MATERIAL LEGEND

[illegible]



LEGEND



NSW Nominated Architects: Robert Derton Reg. No. 5782, Alex Kibble Reg. No. 6015

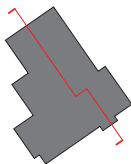
Rev	Date	Description	Chkd	Auth
A	02/10/25	Issued for DA	DE	DE
B	03/11/25	DA Re-issuance	DE	AK
C	05/03/26	DA Re-issuance	DE	AK

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 Glebe Point Road

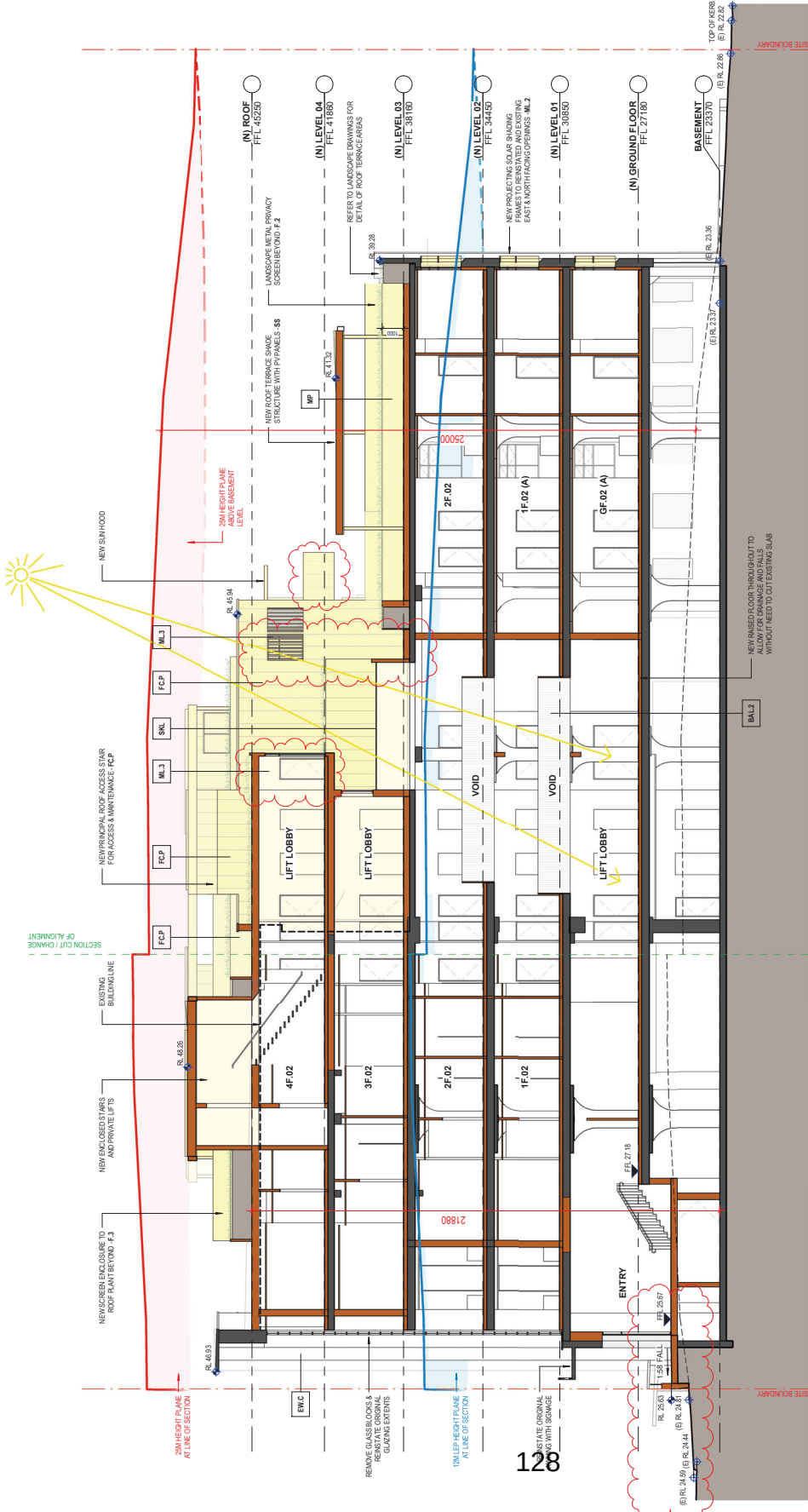
Drawing Title
PROPOSED SOUTH ELEVATION

[illegible]



LEGEND

- EXISTING
- PROPOSED
- EXTENSIONS BEYOND EXISTING BUILDING FABRIC



NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 2007
Drawing Title
BUILDING SECTIONS SHEET 1

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	
240058	Sep 25	1 : 100	

Drawing No.
AR DA 3400

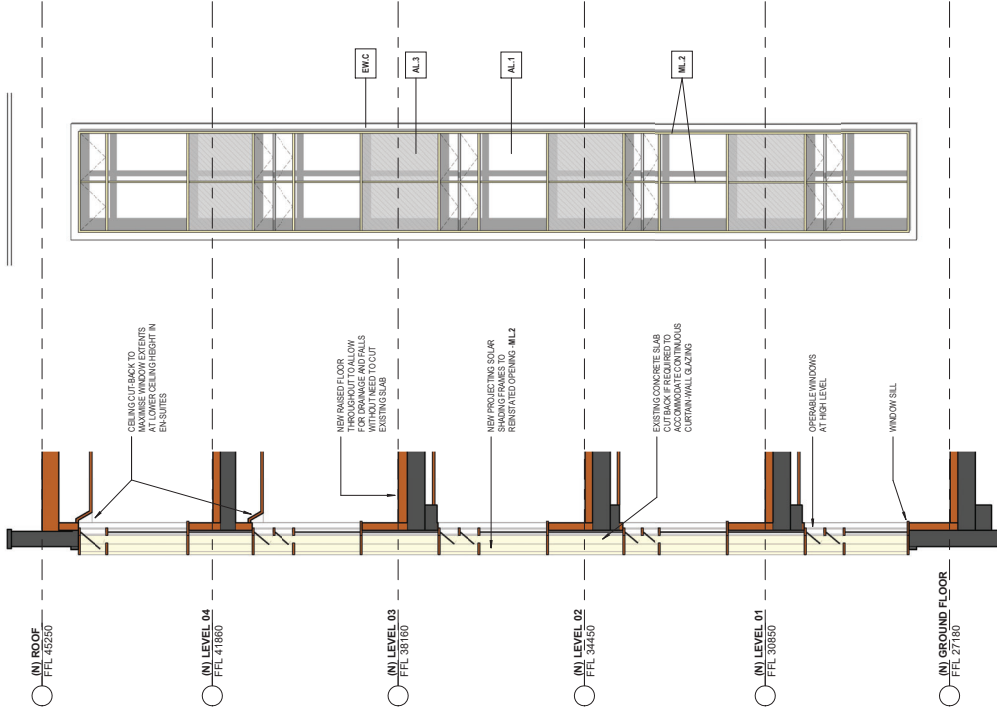
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 155 Macquarie Street
Sydney NSW 2000 Australia
T +61 2 9281 4399
www.tkd.com.au



MATERIAL LEGEND

BWC	(B) WALL - (P) CONCRETE COLOUR 1	MS.3	PPPER METAL SCREEN COLOUR TO MATCH ADJACENT WALL	AL.3	PICCOLA FRAMED WINDOW / DOOR OSCURITE GLASS, DARK BRONZE FRAME
BWB	(B) WALL - (P) BRICK COLOUR 1	ML.1	PP METAL FINISH - 100% BUILDING PAIRED VERTICAL PANEL (P) FINISH	AL.3	PICCOLA FRAMED WINDOW / DOOR OSCURITE GLASS, SOLID BACKPANEL, DARK BRONZE FRAME
FCB	CLADDING - (P) FC SET COLOUR TO MATCH WALL BELOW	ML.2	PP METAL FINISH - 100% BUILDING PAIRED VERTICAL & HORIZONTAL FINISH HOODS (P) FINISH	SKL	SOLAR PANELS ON STEEL FRAME, (P) FINISH, COLOUR TBC
FCP	CLADDING - FC, FC CEMENTEL BARESTONE	ML.3	PP METAL LOUVERES - POWDERCOATED ALUMINIUM	SKL	SOLAR PANELS ON STEEL FRAME, (P) FINISH, COLOUR TBC
ST1	CLADDING - SANDSTONE SAWNT FINISH	BAL.1	PP METAL LOUVERES - POWDERCOATED ALUMINIUM	MP	COLOUR TBC
ST2	CLADDING - SANDSTONE FINE LINED	BAL.2	PP METAL LOUVERES - POWDERCOATED ALUMINIUM	F1	BAGGED & (P) PROFFENCE, COLOUR TBC
ST3	CLADDING - SANDSTONE SCALLOPED	BAL.3	PP METAL LOUVERES - POWDERCOATED ALUMINIUM	F2	VERTICAL METAL PRIVACY SCREEN, (P) FINISH, COLOUR TBC
MS.1	PPPER METAL SCREEN COLOUR TBC	HR.1	(P) STEEL HANDRAIL	F3	ACOUSTIC PLANT AREA SCREEN
MS.2	PPPER METAL SCREEN COLOUR TBC	AL.1	PICCOLA FRAMED WINDOW / DOOR, CLEAR GLASS, DARK BRONZE FRAME		REFER TO PROPOSED MATERIALS AND FINISHES SCHEDULE

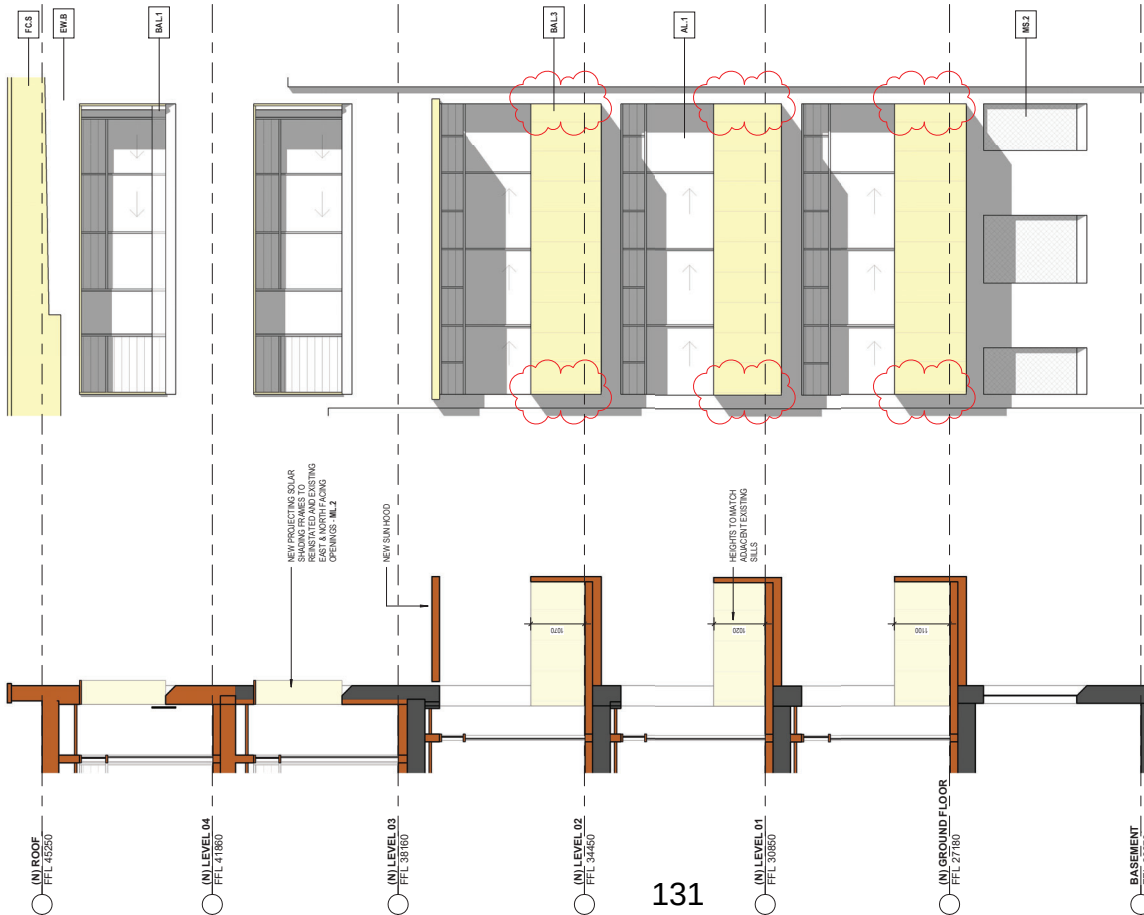
LEGEND



REINSTATED VERTICAL STRIP WINDOW

MATERIAL LEGEND

BWC	(B) WALL - (P) CONCRETE COLOUR 1	PPFPER METAL SCREEN COLOUR TO MATCH ADJACENT WALL	AL.3	PICCOLA FRAMED WINDOW / DOOR OSCURE GLASS, DARK BRONZE FRAME
BWB	(B) WALL - (P) BRICK COLOUR 1	PPF METAL FINISH - INSET BUILDING, PAIRED VERTICAL, PNL (P) FINISH	AL.3	PICCOLA FRAMED WINDOW / DOOR OSCURE GLASS, SOLID BRONZE FRAME
FCS	CLADDING - (P) FC SET COLOUR TO MATCH WALL BELOW	PPF METAL FINISH - INSET BUILDING, VERTICAL & HORIZONTAL FINISH HOODS (P) FINISH	SKL	SOLAR PANELS ON STEEL FRAME (P) FINISH, COLOUR TBC
FCS	CLADDING - FC, FC CEMENT BARESTONE	PPF METAL LOUVRES - POWDERCOATED ALUMINIUM	SKL	SOLAR PANELS ON STEEL FRAME (P) FINISH, COLOUR TBC
ST1	CLADDING - SANDSTONE SAINT FINISH	PPF METAL LOUVRES - POWDERCOATED ALUMINIUM	MP	COLOUR TBC
ST2	CLADDING - SANDSTONE FINE LINED	PPF METAL LOUVRES - POWDERCOATED ALUMINIUM	F1	BAGGED & (P) PROFFENCE, COLOUR TBC
ST3	CLADDING - SANDSTONE SCALLOPED	PPF METAL LOUVRES - POWDERCOATED ALUMINIUM	F2	VERTICAL METAL PRIVACY SCREEN (P) FINISH, COLOUR TBC
MS.1	PPFPER METAL SCREEN COLOUR TBC	PPF METAL LOUVRES - POWDERCOATED ALUMINIUM	F3	ACOUSTIC PLANT AREA SCREEN
MS.2	PPFPER METAL SCREEN COLOUR TBC	PPF METAL LOUVRES - POWDERCOATED ALUMINIUM		REFER TO PROPOSED MATERIALS AND FINISHES SCHEDULE



NEW PROJECTING BALCONIES

NOT FOR CONSTRUCTION

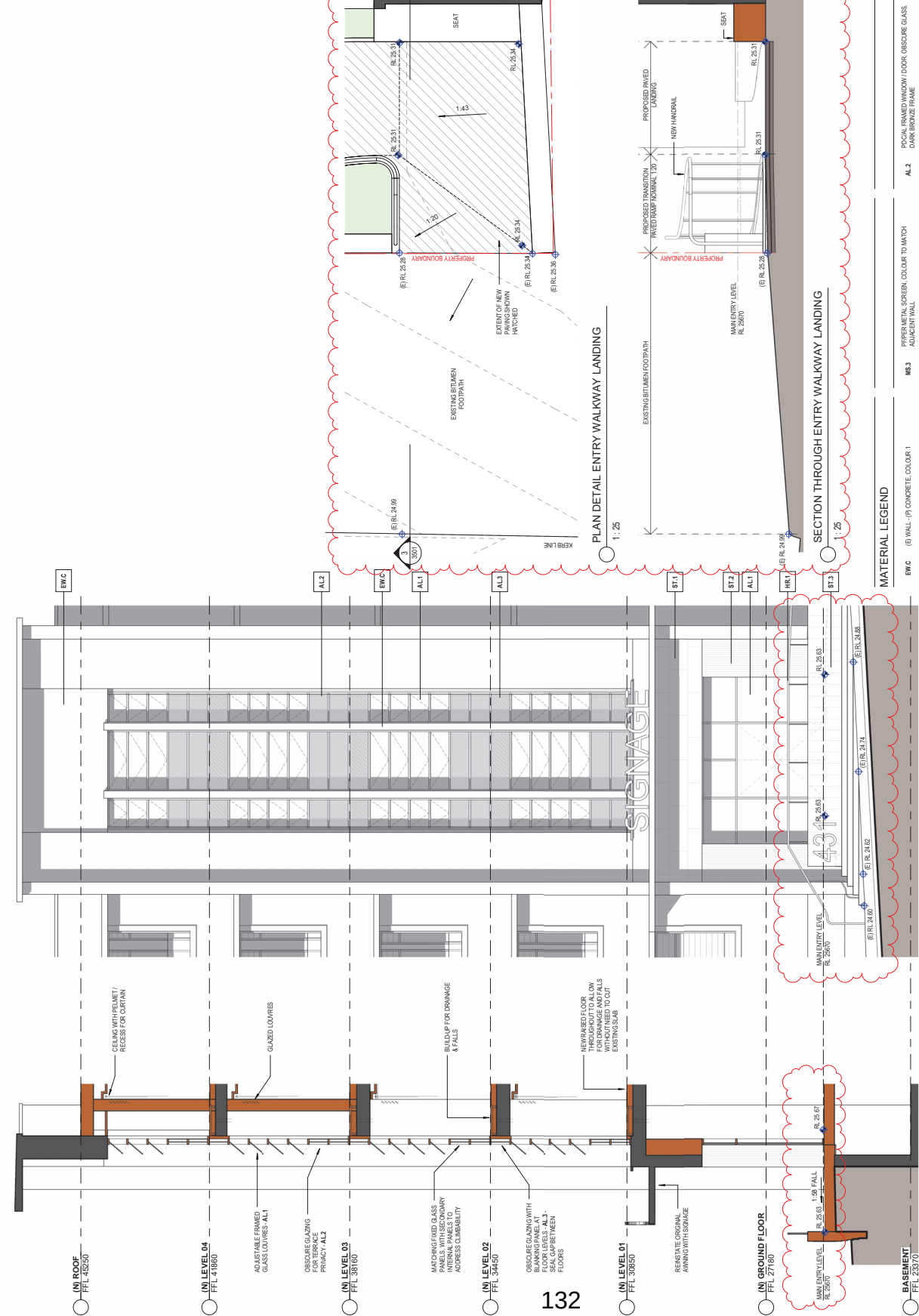
Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 2037
Drawing No.
240058

FACADE SECTIONS

Proj. Dir	Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	
240058	Sep 25	1:50	
Drawing No.			
AR DA 3500			B

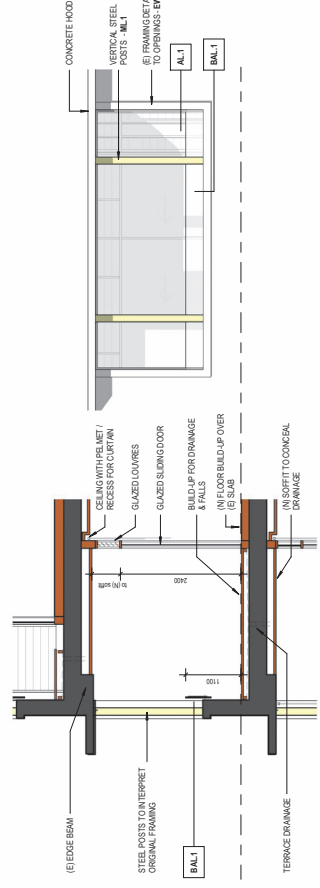
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au



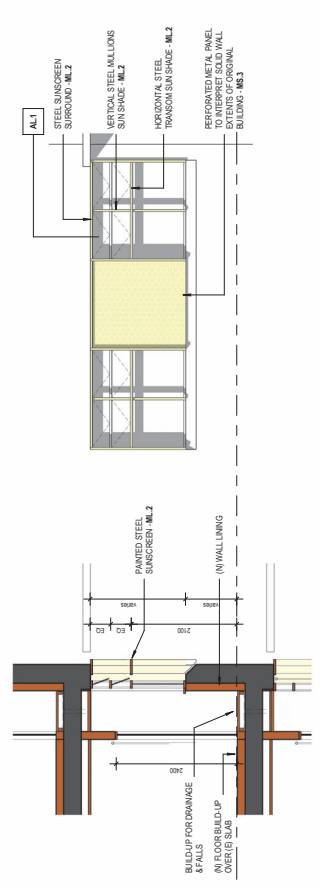


MATERIAL LEGEND			
EW/C	(E) WALL - (P) CONCRETE COLOUR 1	MS/3	PPF/METAL SCREEN COLOUR TO MATCH ADJACENT WALL
EW/B	(E) WALL - (P) BRICK COLOUR 1	ML/1	PPF/METAL FINISH - 1/4" BUILDING PAIRED VERTICAL PANEL (P) FINISH
FC/3	CLADDING - (P) FC SET COLOUR TO MATCH WALL BELOW	ML/2	PPF/METAL FINISH - 1/4" BUILDING VERTICAL & HORIZONTAL FINISH HOODS (P) FINISH
FC/P	CLADDING - FC, PFC CEMENTEL BARESTONE	ML/3	PPF/METAL LOUVER - POWDERCOATED ALUMINUM
ST/1	CLADDING - SANDSTONE SAINTFINISH	BAL/1	PPF/METAL BALUSTRADE PANEL FIXED TO INSIDE OF WALL (GARDEN BED)
ST/2	CLADDING - SANDSTONE FINE LINED	BAL/2	VERTICAL STEEL BALUSTRADE (P) FINISH
ST/3	CLADDING - SANDSTONE SCALLOPED	BAL/3	SOLID BALUSTRADE PANEL (P) / PREFINISHED METAL
MS/1	PPF/METAL SCREEN COLOUR TBC	HR/1	(P) STEEL HANDRAIL
MS/2	PPF/METAL SCREEN COLOUR TBC	AL/1	PPF/METAL FRAMED WINDOW / DOOR CLEAR GLASS, DARK BRONZE FRAME

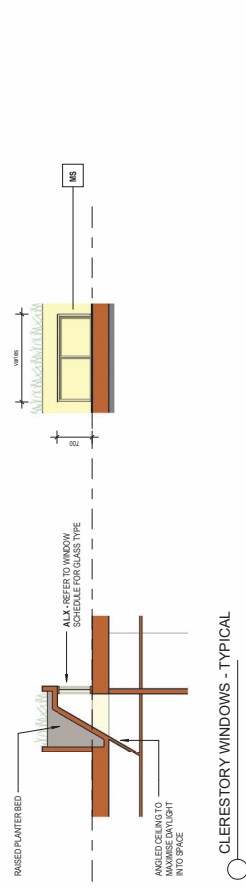
ENTRANCE ARRANGEMENT			
AL/3	PPF/METAL FRAMED WINDOW / DOOR OBSCURE GLASS, DARK BRONZE FRAME	AL/3	PPF/METAL FRAMED WINDOW / DOOR OBSCURE GLASS, DARK BRONZE FRAME
AL/3	SOLID BALUSTRADE PANEL (P) FINISH	AL/3	SOLID BALUSTRADE PANEL (P) FINISH
BR	BRONZE FRAME	BR	BRONZE FRAME
SL	SOLAR PANELS ON STEEL FRAME (P) FINISH, COLOUR TBC	SL	SOLAR PANELS ON STEEL FRAME (P) FINISH, COLOUR TBC
MP	COLOUR TBC	MP	COLOUR TBC
F/1	BAGGED & (P) PROFFENCE COLOUR TBC	F/1	BAGGED & (P) PROFFENCE COLOUR TBC
F/2	VERTICAL METAL PRIVACY SCREEN (P) FINISH COLOUR TBC	F/2	VERTICAL METAL PRIVACY SCREEN (P) FINISH COLOUR TBC
F/3	ACOUSTIC PLANT AREA SCREEN	F/3	ACOUSTIC PLANT AREA SCREEN



SET BACK WINDOWS / TERRACE - 1940s BUILDING



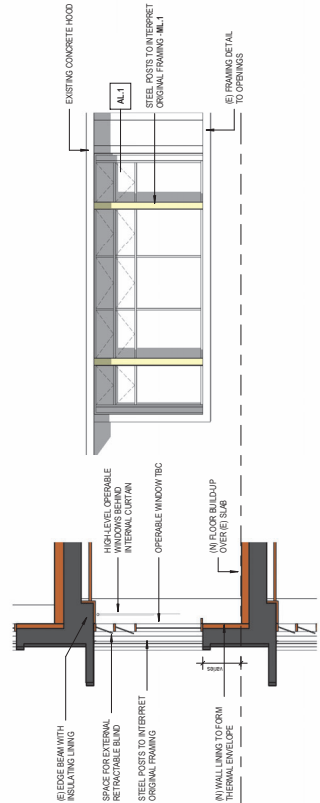
FAÇADE WINDOWS W/ TERRACE - 1920s BUILDING



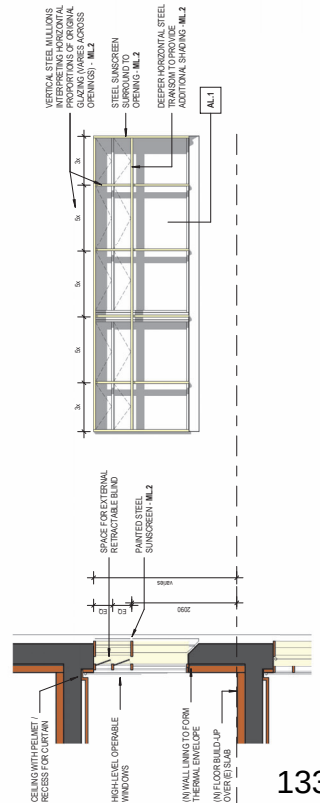
CLERESTORY WINDOWS - TYPICAL

MATERIAL LEGEND

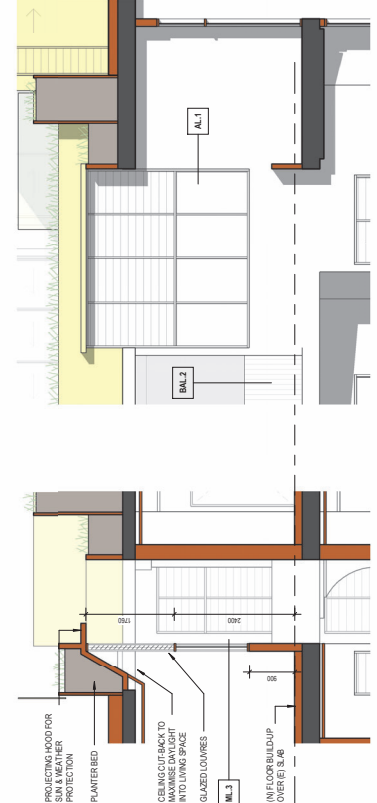
EW.C	(E) WALL - (P) CONCRETE COLOUR 1	MS.3	PPF METAL SCREEN COLOUR TO MATCH ADJACENT WALL	AL.3	PICCOLA FRAMED WINDOW / DOOR OSCURE GLASS, DARK BRONZE FRAME
EW.B	(E) WALL - (P) BRICK COLOUR 1	ML.1	PPF METAL FINISH - 1940 BUILDING PAIRED VERTICAL PANEL (P) FINISH	AL.3	PICCOLA FRAMED WINDOW / DOOR OSCURE GLASS, SOLID BRONZE FRAME
FC.B	CLADDING - (P) FC SET COLOUR TO MATCH WALL BELOW	ML.2	PPF METAL FINISH - 1940 BUILDING VERTICAL & HORIZONTAL FINISH HOODS (P) FINISH	SNL	SOLAR PANEL DARK BRONZE FRAME, DARK BRONZE GLASS
FC.P	CLADDING - FC, FC CEMENT BARESTONE	ML.3	PPF METAL LOUVRES - POWDERCOATED ALUMINUM	S8	SOLAR PANELS ON STEEL FRAME (P) FINISH, COLOUR TBC
ST.1	CLADDING - SANDSTONE FINE LINED	BAL.1	PPF METAL BALUSTRADE PANEL FIXED TO INSIDE OF WALL / GARDEN BED	MP	PPF METAL PRIVACY SCREEN (P) FINISH, COLOUR TBC
ST.2	CLADDING - SANDSTONE FINE LINED	BAL.2	VERTICAL STEEL BALUSTRADE (P) FINISH	F.1	BAGGED & (P) PROVENCE COLOUR TBC
ST.3	CLADDING - SANDSTONE SCALLOPED	BAL.3	SOLID BALUSTRADE PANEL (P) / PREFINISHED METAL	F.2	VERTICAL METAL PRIVACY SCREEN (P) FINISH COLOUR TBC
MS.1	PPF METAL SCREEN COLOUR TBC	HL.1	(P) STEEL HANDRAIL	F.3	ACOUSTIC PLANT AREA SCREEN
MS.2	PPF METAL SCREEN COLOUR TBC	AL.1	PICCOLA FRAMED WINDOW / DOOR, CLEAR GLASS, DARK BRONZE FRAME		REFER TO PROPOSED MATERIALS AND FINISHES SCHEDULE



FAÇADE WINDOWS - 1940s BUILDING



FAÇADE WINDOWS - 1920s BUILDING



VOID WINDOW - GF. 08 LIVING SPACE

NOT FOR CONSTRUCTION

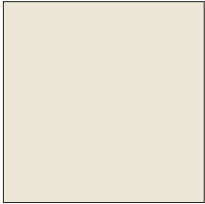
Project
431 GLEBE POINT ROAD
REDEVELOPMENT
Drawing No. 240058
Date 240058 Sep 25
Scale 1:50
Drawing No. AR DA 3600
Revision A

TYPICAL WINDOW SECTIONS

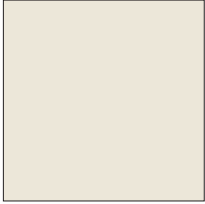
Proj. Dir. Prof. Arch. Drawn. Sheet
AK DE AE A1
Job No. Date
240058 Sep 25 1:50
Drawing No. AR DA 3600
Revision A

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 11, 115 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

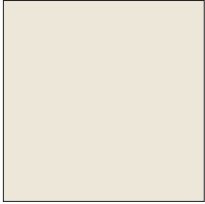
TKD Architects
Tanner Kibble Denton



EW.B.x
EXISTING WALL - NEW PAINT
COLOUR A



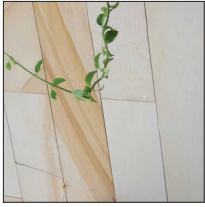
EW.C.x
EXISTING WALL - CONCRETE - NEW PAINT
COLOUR X



FC.S.x
NEW CLADDING - SANDSTONE - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



FC.P.1
NEW CLADDING - SANDSTONE - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



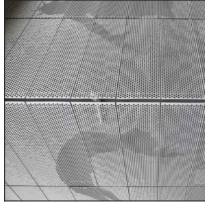
ST.1
NEW CLADDING - SANDSTONE - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



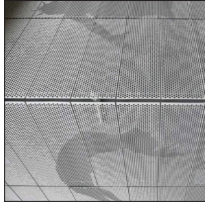
ST.2
NEW CLADDING - SANDSTONE - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



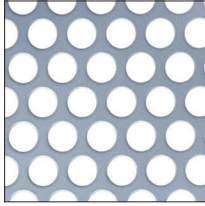
ST.3
NEW CLADDING - SANDSTONE - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



MS.1
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



MS.2
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



MS.3
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



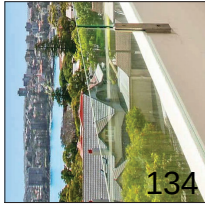
ML.1.x
NEW PREFABRICATED METAL LOUVERS - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



ML.2.x
NEW PREFABRICATED METAL LOUVERS - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



ML.3
NEW PREFABRICATED METAL LOUVERS - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



BAL.1
NEW GLASS BALUSTRADE - FIXED TO INSIDE
EDGE - NEW PAINT COLOUR TO MATCH WALL
BELOW / ADJACENT



BAL.2
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



BAL.3
NEW SOLID BALUSTRADE PANEL - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



HR.x
NEW PAINTED STEEL HANDRAIL - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



AL.1
POWDER COATED ALUMINIUM FRAMED WINDOW - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



AL.2
POWDER COATED ALUMINIUM FRAMED WINDOW - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



AL.3
POWDER COATED ALUMINIUM FRAMED WINDOW - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



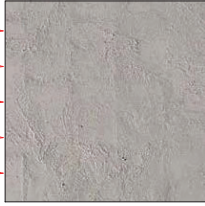
SKL
POWDER COATED ALUMINIUM FRAMED WINDOW - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



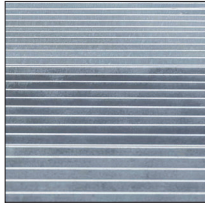
SS.x
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



MP.x
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



F.1.x
NEW PAINTED STEEL HANDRAIL - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



F.2.x
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



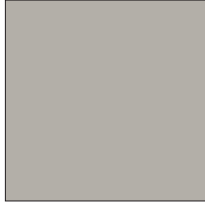
F.3
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



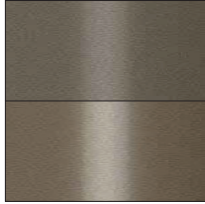
F.4
NEW VERTICAL METAL SCREEN - NEW PAINT
COLOUR TO MATCH WALL BELOW / ADJACENT



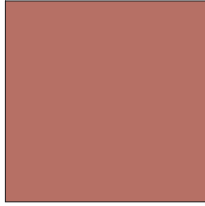
COLOUR 1
DULUX STONE WHITE



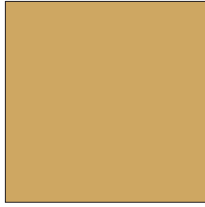
COLOUR 2
DULUX WINTER FOG



COLOUR 3
DULUX SPITTING CHAMELEON



COLOUR 4
DULUX NORFOLK



COLOUR 5
DULUX CASPER GREY

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 GLEBE POINT ROAD
GLEBE NSW 2037
Drawing No.

PROPOSED MATERIALS & FINISHES

Proj. Dir. Prog. Arch. Drawn. Sheet
AK DE AE A1
Job No. Date Scale
240058 Sep 25 NA
Drawing No.

Revision
AR DA 4300 B

Tanner Kibble Denton Architects Pty Ltd
Gladig Country
Level 11, 115-117 Kent Street
Sydney NSW 2010 Australia
T +61 2 9281 4399
www.tkd.com.au

TKDArchitects
Tanner Kibble Denton

Attachment C

Clause 4.6 Variation Request – Height of Buildings
--



CLAUSE 4.6 VARIATION REQUEST

SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

CLAUSE 4.3 - HEIGHT OF BUILDINGS

DEVELOPMENT APPLICATION FOR ALTERATIONS AND ADDITIONS TO AN EXISTING INDUSTRIAL BUILDING AND CHANGE OF USE TO RESIDENTIAL FLAT BUILDING WITH ASSOCIATED PARKING, LANDSCAPING AND SERVICES UPGRADES

THE FORMER WOOLCOCK INSTITUTE OF MEDICAL RESEARCH BUILDING

No. 431 GLEBE POINT ROAD, GLEBE

Prepared for
SDHA & Associates

On Behalf of
G & J Drivas Pty Limited

Prepared by
BBC Consulting Planners

Job No. 24-106
Clause 4.6 Report - Building Height
October 2025

Table of Contents

1.	INTRODUCTION	1
1.1	Purpose of this document	1
1.2	The Proposal	1
1.3	Site, Zoning, Zone Objectives and Permissibility	3
1.4	The Building Height Standard in SLEP 2012	3
1.5	Context.....	3
1.6	Principles and relevant authorities	4
2.	RELEVANT DEVELOPMENT STANDARD	5
3.	EXCEPTIONS TO DEVELOPMENT STANDARDS (CLAUSE 4.6)	6
3.1	Clause 4.6 of Sydney LEP 2012.....	6
3.2	Section 35B of Environmental Planning and Assessment Regulation 2021.....	8
4.	COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE.....	9
4.1	Extent of non-compliance.....	9
4.2	Objectives of the Standard	9
4.3	Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.....	10
4.3.1	The objectives of the standards are achieved notwithstanding non- compliance with the standard.....	11
4.3.2	The extent of non-compliance is acceptable and reasonable.....	12
4.3.3	There is a lack of adverse amenity impact.....	13
5.	THERE ARE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS TO JUSTIFY THE CONTRAVENTION OF THE DEVELOPMENT STANDARD.....	15
6.	CONCLUSION.....	17

FIGURES

- Figure 1: Location
- Figure 2: Site
- Figure 3A: Aerial Photograph – Detail
- Figure 3B: Aerial Photograph – Surrounding Context
- Figure 3C: Aerial Photograph – Wider Area
- Figure 4A: Zoning Map – Sydney LEP 2012
- Figure 4B: Height of Building Map – Sydney LEP 2012
- Figure 4C: Floor Space Ratio Map – Sydney LEP 2012
- Figure 4D: Heritage Map – Sydney LEP 2012
- Figure 4E: Acid Sulphate Soils Map – Sydney LEP 2012
- Figure 4F: Land Use and Transport Integration Map – Sydney LEP 2012
- Figure 4G: Locality and Site Identification Map – Sydney LEP 2012
- Figure 4H: Public Transport and Accessibility Level Map – Sydney LEP 2012
- Figure 5A: Height in Storeys Map – Sydney DCP 2012
- Figure 5B: Buildings Contributions Map – Sydney DCP 2012

ATTACHMENTS

- Attachment 1: Building elevations and sections
- Attachment 2: 12 metre height blanket diagram

1. INTRODUCTION

1.1 Purpose of this document

This document has been prepared to accompany a Development Application (“DA”) for the redevelopment of an existing building comprising internal alterations and additions and a change of use to a residential flat building to provide five (5) levels of residential accommodation and thirty (30) dwellings with associated parking, landscaping and services upgrades (“the proposal”) at No. 431 Glebe Point Road, Glebe (“the site”). The development contravenes Clause 4.3(2) of Sydney Local Environmental Plan (“SLEP”) 2012 relating to building height. In accordance with Clause 4.6 of SLEP 2012 and Section 35B of the Environmental Planning and Assessment Regulation 2021 (“EP&A Regulation”), this document sets out the grounds on which the applicant seeks to 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.

1.2 The Proposal

The objective of the proposal is to repurpose an existing, dormant, local heritage listed building whilst providing a high quality, well-designed residential flat building that will positively contribute to the streetscape character of Glebe Point Road and improve housing supply within a well located inner-city suburb.

The proposal represents a balanced planning outcome, having regard to the existing controls, the constraints and opportunities of the site, existing development in the locality and the need to consider the amenity of neighbouring residential properties. The proposal will provide excellent amenity for future residents without unreasonably affecting the amenity of existing residents in the immediate vicinity of the site.

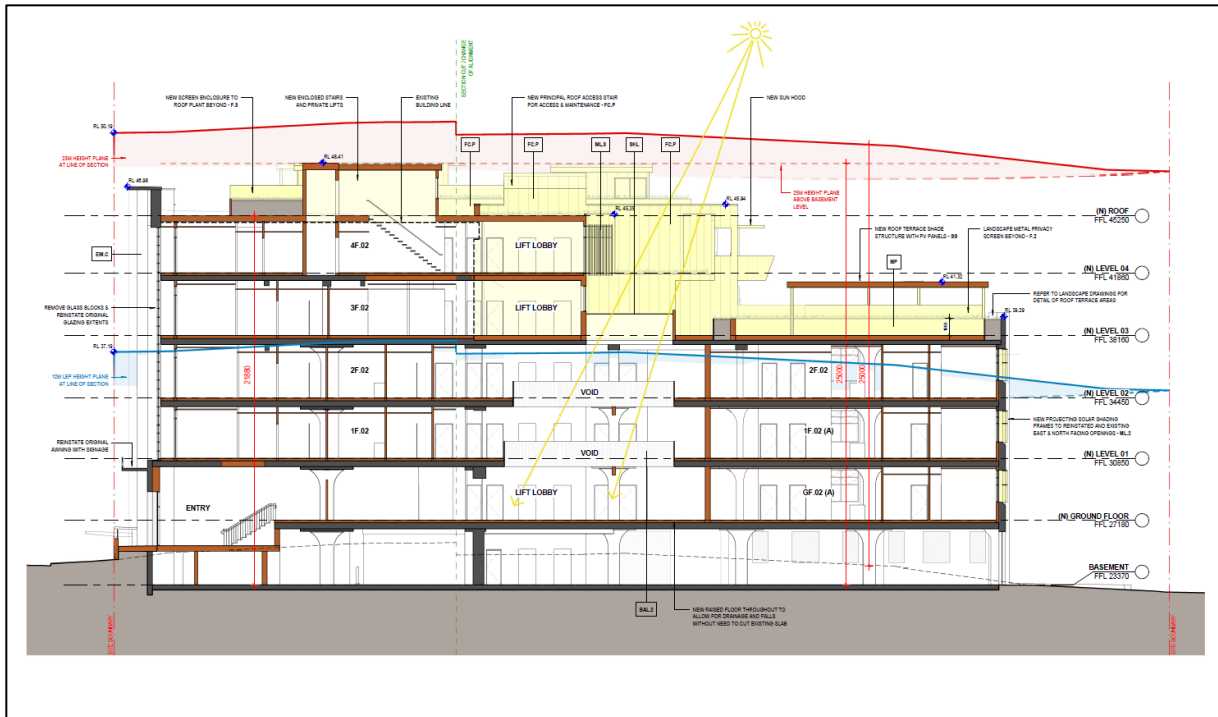
The location and boundaries of the site are identified on the set of illustrative figures which forms part of this document.

All relevant aspects of the proposal are described and assessed in the Statement of Environmental Effects (“SEE”) and accompanying documents.

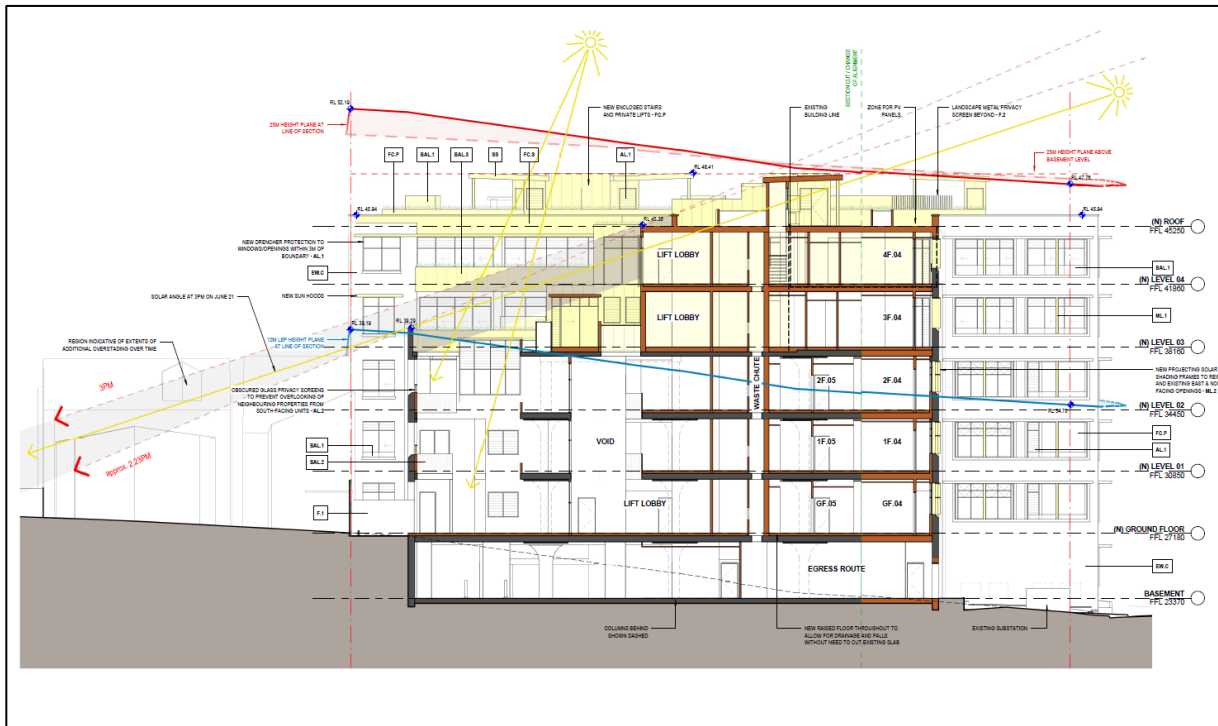
Pursuant to Clause 4.3(2) of SLEP 2012, the maximum height of a building on land in the R1 General Residential Zone is 12 metres. The existing building exceeds the maximum height of building control when measured in accordance with the definition of “building height” in SLEP 2012 and taking the existing basement level as ground level (existing). The building currently has a maximum building height of 22.57 metres. The proposed maximum height of building will be 25 metres (increase of 2.47 metres over existing) which exceeds the height control in SLEP 2012 by up to 13 metres (see **Extract 01** – **Extract 02** below).

Provided in **Attachment 1** are the architect’s elevations and sections which show the 12 metre height limit and the extent of non-compliance which arises from the proposed development.

Provided in **Attachment 2** is a height blanket diagram showing the extent to which the proposal breaches the height limit.



Extract 01: Building section north-east to south-west



Extract 02: Building section north-west to south-east

1.3 Site, Zoning, Zone Objectives and Permissibility

The location and boundaries of the site are identified on **Figure 1** and **Figure 2** respectively. The immediate and wider contexts of the site are shown on **Figures 3A – 3C**.

The site is zoned R1 General Residential (see **Figure 4A**), the objectives of which are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain the existing land use pattern of predominantly residential uses.”*

The proposal is consistent with the above objectives.

Residential flat buildings are permissible with consent in the R1 General Residential zone pursuant to SLEP 2012.

1.4 The Building Height Standard in SLEP 2012

Clause 4.3(2) of SLEP 2012 provides that the maximum height of a building should not exceed 12 metres on land in Zone R1 General Residential. “Building height” is defined in SLEP 2012 to mean:

“building height (or height of building) means—

(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or

(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.”

“Existing ground level” is defined in SLEP 2012 as:

“ground level (existing) means the existing level of a site at any point.”

Clause 4.6 of SLEP 2012 allows approval to be granted to a DA, even though the proposal contravenes a development standard in SLEP 2012, including the maximum building height standard in Clause 4.3.

This document addresses the requirements of Clause 4.6 of SLEP 2012 and Section 35B of the EP&A Regulation.

1.5 Context

The site comprises No. 431 Glebe Point Road. It forms part of the Glebe Point Road Heritage Conservation Area (reference: C29) and is a locally listed heritage item (reference: I773) (see **Figure 4D**). A Heritage Impact Statement has been submitted with the DA.

The site is located on the corner of Glebe Point Road and Leichhardt Street in the suburb of Glebe (see **Figure 1**). The site is located in a predominately low and mid-rise residential area

and enjoys excellent access to local amenities including Bicentennial Park, Blackwattle Bay, Jubilee Park Light Rail Station, The Tramsheds (retail and food hub), private and public schools, Glebe Point Road local shopping centre, Sydney Fish Markets and public transport networks.

Surrounding land uses predominantly comprise residential commercial and mixed-use buildings. The context of the site, in relation to other residential dwellings and their relationship with Glebe Point Road and the surrounding area in Glebe is evident from the aerial images in **Figures 3A – 3C**.

1.6 Principles and relevant authorities

The principles and relevant authorities which have been considered in the preparation of this Clause 4.6 variation request are those found in:

- Winten Property Group Limited v North Sydney Council [2001] NSWLEC 46;
- Wehbe v Pittwater Council [2007] NSWLEC 827 (“Wehbe”);
- Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009 (“Four2Five No 1”);
- Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 (“Four2Five No 2”);
- Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 248 (“Four2Five No 3”);
- Micaul Holdings Pty Limited v Randwick City Council [2015] NSWLEC 1386;
- Randwick City Council v Micaul Holdings Pty Ltd [2016] NSWLEC 7;
- Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC118;
- Al Maha Pty Ltd v Huajun Investments Pty Ltd [2018] NSWCA 245;
- Baron Corporation Pty Limited v Council of the City of Sydney [2019] NSWLEC 61; and
- Rebel MH Neutral Bay Pty Limited v North Sydney Council [2019] NSWCA 130.

2. RELEVANT DEVELOPMENT STANDARD

This document addresses non-compliance with the maximum building height control in Clause 4.3 of SLEP 2012 which states:

“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.

Note.

No maximum height is shown for land in Area 3 on the Height of Buildings Map. The maximum height for buildings on this land are determined by the sun access planes that are taken to extend over the land by clause 6.17.

(2A) Despite any other provision of this Plan, the maximum height of a building on land shown as Area 1 or Area 2 on the Height of Buildings Map is the height of the building on the land as at the commencement of this Plan.”

3. EXCEPTIONS TO DEVELOPMENT STANDARDS (CLAUSE 4.6)

3.1 Clause 4.6 of Sydney LEP 2012

Clause 4.6 of SLEP 2012 permits consent to be granted for a development application even though the development proposed in the development application would contravene a development standard imposed by SLEP 2012.

Clause 4.6 of SLEP 2012 states:

“(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.

Note—

The Environmental Planning and Assessment Regulation 2021 requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).

(4) The consent authority must keep a record of its assessment carried out under subclause (3).

(5) (Repealed)

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

(7) (Repealed)

(8) This clause does not allow development consent to be granted for development that would contravene any of the following—

- (a) a development standard for complying development,*
- (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
- (c) clause 5.4,*
- (caa) clause 5.5,*
- (ca) clause 4.3 (Height of buildings), but only in relation to land shown as being in Area 1 or Area 2 on the Height of Buildings Map,*
- (cab) clause 4.5A (Balconies on certain residential flat buildings),*
- (cb) clause 5.3A (Development below ground level in Zone RE1),*
- (cc) clause 6.10 (Heritage floor space),*
- (cd) clause 6.11 (Utilisation of certain additional floor space requires allocation of heritage floor space),*
- (cda) clause 6.11A (Temporary alternative heritage arrangements in relation to allocation of heritage floor space),*
- (cdb) clause 6.16 (Erection of tall buildings in Central Sydney),*
- (ce) clause 6.17 (Sun access planes),*
- (cf) clause 6.18 (Overshadowing of certain public places), unless the additional overshadowing is caused by playground equipment, a shade structure, an awning, a sculpture or artwork, a community notice or a public information sign,*
- (cg) clause 6.19 (View planes), except in relation to the Martin Place View of western sky view protection plane,*
- (cga) clause 6.26 (AMP Circular Quay precinct),*
- (cgb) clause 6.29 (58–60 Martin Place, Sydney),*
- (cgc) clause 6.33 (230–238 Sussex Street, Sydney),*
- (cgd) clause 6.35 (45 Murray Street, Pyrmont), but only if the development is an alteration or addition to an existing building,*
- (cge) clause 6.36 (12–20 Rosebery Avenue, 22–40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery),*
- (cgf) clause 6.37 (296–298 Botany Road and 284 Wyndham Street, Alexandria),*
- (cgg) clause 6.41 (7–15 Randle Street, Surry Hills),*
- (cgh) clause 6.42 (102–106 Dunning Avenue, Rosebery),*
- (cgi) clause 6.40 (2–32 Junction Street, Forest Lodge),*
- (cgj) clause 6.43 (Danks Street South Precinct),*
- (cgk) clause 6.52 (1–11 Oxford Street, Paddington),*
- (cgl) clause 6.55—4–22 Wentworth Avenue, Surry Hills,*

- (cgm) clause 6.56—24–40 Wentworth Avenue, Surry Hills,*
- (cgn) clause 6.58—187–189 Thomas Street, Haymarket,*
- (ch) Division 1 of Part 7 (Car parking ancillary to other development),*
- (ci) clause 6.19A (Views of Sydney Harbour),*
- (cj) clause 6.21E(2) and (5) (Tower cluster areas),*
- (ck) clause 6.60C—2 Chifley Square, Sydney,*
- (cl) clause 6.60D—Oxford Street Cultural and Creative Precinct,*
- (cm) clause 6.60E—Flinders Street and Oxford Street,*
- (cn) clause 6.60G—15–23 Hunter Street and 103–107 Pitt Street, Sydney,*
- (co) clause 6.60H—Hunter Street Metro Station,*
- (cp) clause 6.60I—85–93 Commonwealth Street, Surry Hills.”*

Accordingly, Clause 4.6 can be used to vary (to the extent required) the 12 metre maximum height standard in Clause 4.3(2) of SLEP 2012 in respect of a non-compliance with the building height limit.

3.2 Section 35B of Environmental Planning and Assessment Regulation 2021

Section 35B of the EP&A Regulation states:

“35B Additional requirements for development applications involving contravention of development standards

(1) This section applies to a development application that proposes, in accordance with a relevant EPI provision, development that contravenes a development standard imposed by any environmental planning instrument.

(2) The development application must be accompanied by a document that sets out the grounds on which the applicant seeks to 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.

(3) In this section—

relevant EPI provision means—

(a) clause 4.6 of a local environmental plan that adopts the provisions of the Standard Instrument, or

(b) an equivalent provision of another environmental planning instrument.”

This document has been prepared for this purpose.

4. COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE

4.1 Extent of non-compliance

The existing building is built to, or close to the boundaries of the site on the western, part northern and part southern elevations of the site. The building has a part excavated basement to the Glebe Point Road frontage and to the southern boundary. The elevations of the proposed development (Drawings DA3100 to DA3103) show the ground level at the boundary of the site and the maximum building height on the boundary. The sections of the proposed development (Drawings DA3400 and DA3401) show an interpolated ground level (existing) at the section point and the maximum building height above that interpolated ground level (existing). The basement level occupies most of the building footprint is constructed to RL23.37m. To the extent that this is considered ground level (existing) it provides a defined level from which to measure building height and is the measure used in this clause 4.6 report.

The existing building on the site has a height of 22.6 metres measured to the top of the parapet wall on the western and northern elevations above the level of the basement below the parapet. This exceeds the maximum permitted building height for the site under SLEP 2012 by 10.6 metres.

The proposal includes new structures above this parapet level such as shade structures and roof access points. These are set back from the building parapet and have a maximum building height of 25 metres measured from the existing basement level to the top of the shade structure which is 2.47 metres above the height of the parapet or 13 metres above the maximum permitted building height for the site under SLEP 2012.

Minor envelope additions to part of the rear lower building at levels three and four retain the same building parapet line and have a maximum building height at this point of 24.9 metres.

The extent of non-compliance of the proposal is shown on the elevations and sections of the existing and proposed buildings included as **Attachment 1** and on the height blanket diagram in **Attachment 2**.

For reasons set out in Section 4.3.3 of this Clause 4.6 variation request, no significant or unreasonable adverse impacts arise from this non-compliance noting that the existing building already significantly exceeds the maximum building height.

4.2 Objectives of the Standard

The objectives of the maximum height of buildings standard are set out as follows in Clause 4.3(1) of the SLEP 2012:

“(1) The objectives of this clause are as follows—

(a) to ensure the height of development is appropriate to the condition of the site and its context,

(b) 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”.*

The proposed development is consistent with these objectives notwithstanding the non-compliances with the 12 metre building height standard in Clause 4.3 of SLEP 2012.

4.3 Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

This section sets out grounds demonstrating that compliance with the development standards is unreasonable or unnecessary in the circumstance of the case.

In *Wehbe*, Chief Justice Preston set out five non-exhaustive ways in which it may be established that compliance with the development standard is unreasonable or unnecessary in the circumstance of the case:

- “1. the objectives of the standard are achieved notwithstanding noncompliance 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 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.”*

In Initial Action, the Chief Judge clarified that an applicant does not need to establish all of the five elements above. In this regard, the Chief Judge said [paragraph 22]:

These five ways are not exhaustive of the ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary; they are merely the most commonly invoked ways. An applicant does not need to establish all of the ways. It may be sufficient to establish only one way, although if more ways are applicable, an applicant can demonstrate that compliance is unreasonable or unnecessary in more than one way.

4.3.1 The objectives of the standards are achieved notwithstanding non-compliance with the standard

The proposal is consistent with the stated objectives of the height standard in Clause 4.3(1) of SLEP 2012 outlined above for the following reasons:

(a) to ensure the height of development is appropriate to the condition of the site and its context,

- The proposed development increases the building height from 22.57 metres to 25 metres. The additional building structures include roof access and shade structures to enable roof top outdoor spaces for both private and communal use and roof top landscaping elements to take advantage of the building's existing height and context. These elements are setback from the existing building parapets so as to not be visible from the surrounding public domain.
- The additional building envelope to the east of the main building and behind the northern facade at levels 3 and 4 is set well back from the northern and eastern boundaries and is set back from the existing building parapet. This addition is discrete and subservient to the main building form with no significant change to the existing condition of the site or its context.
- The proposed alterations and additions to the building will not be readily discernible from the primary Glebe Point Road street frontage with additional building discretely located behind the existing building parapets and to the north-east corner of the building.

(b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservations areas or special character areas,

- The site is listed as a local heritage item (reference: I773) pursuant to Schedule 5 of *Sydney Local Environmental Plan 2012* ("SLEP") and is described as "*former industrial building 'Sterling Pharmaceutical Co' including interior, former tram shelter and front fence*". The site is located within the Glebe Point Road Heritage Conservation Area (reference: C29) (see **Figure 4D**). The site is identified as a "detracting" building on the (heritage) Building Contributions Map (see **Figure 5B**).
- The proposal is a well-considered design response to the significance of the place and will revitalise the main heritage component at the site while providing for the removal of intrusive elements and a more sympathetic treatment to the elevations with modest additions that will have little impact on the overall form and detail of the building.
- The proposed residential use is a compatible and adaptive reuse of the building and meets good conservation practice, the relevant heritage provisions of the planning controls in SLEP and SDCP and the conservation policies in the CMP.
- The proposal will have no significant impact on the outlook from heritage items in the vicinity of the site, no impact on the surrounding conservation area and is in line with the heritage objectives and controls.
- The proposed development will have no significant adverse impacts in terms of bulk and scale. The existing scale, setbacks, form and massing of the building would largely be unchanged with alterations and additions to the building envelope being carefully located away from street frontages and behind the main building facades to the west

and north. These additions have been positioned so as to have limited impact and to not be visible from the public domain at the primary street frontage. The height and massing of the proposed additions to the building envelope has been designed so as to be consistent with the primary facades and parapets of the exiting building. The additional levels to the rear of the building are set well back from site boundaries and from adjoining and adjacent development, adjoin the higher elements of the building and retain the lower built form to the east away from Glebe Point Road.

(c) to promote the sharing of views outside Central Sydney,

- The proposal will not result in the loss of any significant views. The existing building is larger in height and scale when compared with immediate neighbouring buildings and this relationship will not change to any significant extent. There will be a modest increase in the maximum building height with these new elements set behind the building parapet. The proposed development will not interfere with any existing views or vistas.

(d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,

- The site is approximately 2 kilometres from Central Sydney to the surrounding neighbourhoods. The proposal responds to the varying character of the area by integrating built form, articulation and façade treatments that soften the visual impact of the development and maintain a respectful relationship with adjoining properties.

(e) in respect of Green Square –

(i) to ensure the amenity of the public domain by restricting taller buildings to only part of a site and

(ii) to ensure the built form contributes to the physical definition of the street network and public spaces.

- The site is not located within the vicinity of Green Square.

4.3.2 The extent of non-compliance is acceptable and reasonable

The non-compliance with the 12 metre maximum height limit standard in Clause 4.3(2) of the SLEP 2012 which applies to the site is acceptable and reasonable in the circumstances of the case for the following reasons:

- the existing building already exceeds the maximum building height by 10.6 metres.
- no adverse or significant environmental impacts arise from the proposed height non-compliance;
- the height of the proposal, notwithstanding the requested variation to the height standard, is appropriate for the conditions of the site and its context;
- the built form, bulk and scale of the proposal are appropriate in its context;
- the non-compliance will have no significant adverse amenity impacts;
- the proposal is consistent with the objectives of the height controls;

- the proposal, with the non-compliant height, is still consistent with the overall planning intent for the site and for the surrounding R1 General Residential area;
- the proposal, with the non-compliant height, is still consistent with the desired future character for the Glebe Point Road Heritage Conservation Area (C29); and
- there are no amenity or other impacts as detailed in Section 4.3.3.

4.3.3 There is a lack of adverse amenity impact

4.3.3.1 Initial Action Pty Ltd v Woollahra Municipal Council

There is a lack of any adverse amenity impact associated with the non-compliance for the reasons set out above in 4.3.2 above. In this regard, in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, Preston CJ **expressly** held that “...one way of demonstrating consistency with the objectives of a development standard is to show a lack of adverse amenity impacts (see *Randwick City Council v Micaul Holdings Pty Ltd* at [34]”).

The amenity impacts of the proposal are addressed below.

4.3.3.2 View Impacts

The proposal will not result in the loss of any significant views. The existing building is significantly larger in height and scale when compared with immediate neighbouring buildings. There will be a modest increase in the maximum building height (2.47 metres) and the building footprint will remain as is, therefore, the proposed development will not interfere with any existing views or vistas.

4.3.3.3 Privacy Impacts

The proposed redevelopment has been sensitively designed so as to minimise any negative impacts associated with overlooking of neighbouring dwellings and a resulting loss of privacy. The northern and southern elevations of the building (where possible) have limited additional window openings.

Windows on Level 1 and 2 of the southern façade have the potential to overlook adjoining properties to the south. There are currently windows on this façade which will be replaced with new windows and, in some cases, balconies within the building footprint. An existing stair well will be removed and three new windows installed. Window openings will be (as required) obscure glazing to a height of 1500mm above finished floor level. Other materials including obscure glazing, louvres and screens will reduce the impacts of overlooking to/ from the site. Existing mature landscaping will be retained and embellished.

The eastern elevation is partly oriented towards Leichhardt Street and over the front of the dwelling at No 2 Leichhardt Street with no significant impact on privacy of this dwelling house.

The eastern, northern and western facades address public roads which provide separation between the development and adjacent residential properties.

At the roof levels, setbacks and a perimeter planting bed is proposed which will provide sufficient separation from the edge of the existing parapet to the common open space area minimising overlooking.

The fenestration of the existing building largely remains unchanged as a result of the proposed development.

4.3.3.4 Overshadowing Impacts

The bulk and scale of the building largely remains unchanged. The maximum height of the building will be increased by 2.47 metres with the higher elements well set back from the building edge. This results in some minor additional overshadowing in the afternoons. The development results in no additional overshadowing until approximately 2.00pm in the afternoon in mid-winter. At this time there is minor additional overshadowing of the roof of No. 429 Glebe Point Road and of the side wall of the existing building at No. 417 Glebe Point Road currently under renovation. At 3.00pm there will be minor additional overshadowing of the new townhouse development at No. 417 Glebe Point Road with the additional shadow falling primarily on the Level 1 balustrade and pergola to the ground floor awning. This will have no significant impact on the amenity of these future dwellings. The shadow impacts of the proposal are reasonable.

4.3.3.5 Bulk and Scale Impacts

The proposed development will not have any significant, adverse impacts in terms of bulk and scale. The existing scale, setbacks, form and massing of the building would largely be unchanged with alterations and additions to the building envelope being confined to the northeast of the site at third and fourth floor levels. These additions have been positioned so as to have limited impact and to not be visible from the public domain at the primary street frontage. The height and massing of the proposed additions to the building envelope has been designed so as to be consistent with the primary facades and parapets of the existing building. The additional levels to the rear of the building are set well back from the site boundaries and from adjoining and adjacent development, adjoin the higher elements of the building and retain the lower built form to the east away from Glebe Point Road.

5. THERE ARE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS TO JUSTIFY THE CONTRAVENTION OF THE DEVELOPMENT STANDARD

This section demonstrates that there are sufficient environmental planning grounds to justify the contravention of the development standard.

The focus is to be on the elements of the development that contravenes the development standard, in this case the height of elements of the building. The contravention of the building height development standard is justified on environmental planning grounds specific to this development for the following reasons (and for the reasons outlined in 4.3 above):

- The height of the proposed development is influenced by the existing height of the building which also exceeds the maximum building height development standard.
- The additional elements above the maximum building height of the existing building include access to the roof via stairs and lifts to private and communal facilities for residents and associated landscaping.
- The additional building envelope to the east of the main building behind the northern facade at levels 3 and 4 is set well back from the northern and eastern boundaries and is set back from the existing building parapet. This addition is discrete and subservient to the main building form.
- The additional building height has no significant impact on the heritage significance of the heritage item on the site, nearby heritage items or the conservation area within which the site is located.
- The existing building and the additional building elements provide residential accommodation and associated facilities and services including outdoor spaces and landscaping consistent with the surrounding residential land uses and the intended future character of the area.
- The additional elements above the maximum building height of the existing building do not obstruct any existing views and have no significant impacts on the scenic quality of the building or locality or views or vistas to the area.
- The extent to which the buildings exceed the maximum building height does not change the relationship of the development to adjoining land to any significant extent.
- There will be no significant adverse amenity impacts arising from the extent to which the buildings exceed the maximum building height development standard in relation to overlooking, overshadowing, obstruction of light or air, obstruction of views or any other such impacts on nearby existing or future residential properties as a result of the height of the buildings.
- The proposal will have no adverse impact on the existing streetscape character of Glebe Point Road and is highly consistent with the character of the surrounding locality. The proposed development will enhance the streetscape, repurposing the existing, dormant heritage building. The proposal will retain high value heritage fabric throughout the building and reinstate original design features including the awning and original stairwell to Glebe Point Road. Additions to the built form will be sympathetic in nature

and will offer a contemporary contrast to the more traditional painted brick finish of the existing building. The additions to the building envelope have been designed to be subservient to the existing building and will largely, not be visible from the surrounding street network.

- The proposed development will be complimented by significant landscaping which will include the removal of low value trees that are in poor condition and the re-planting of four (4) new trees. Low level shrub planting and groundcovers are proposed at ground floor level providing verdant, common open space for future residents whilst improving the presentation of the site to its street frontages. Given the significant history of the site and its previous industrial/commercial uses, there are opportunities for heritage interpretation which will create interest in the building and the surrounding locality.
- As outlined at section 4.3.1 above, the proposed alterations and additions remain consistent with the objectives of the building height development standard under the SLEP 2012 by demonstrating a lack of adverse amenity impacts – due to its design, placement and its private residential use (see *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC 7 at [34]).

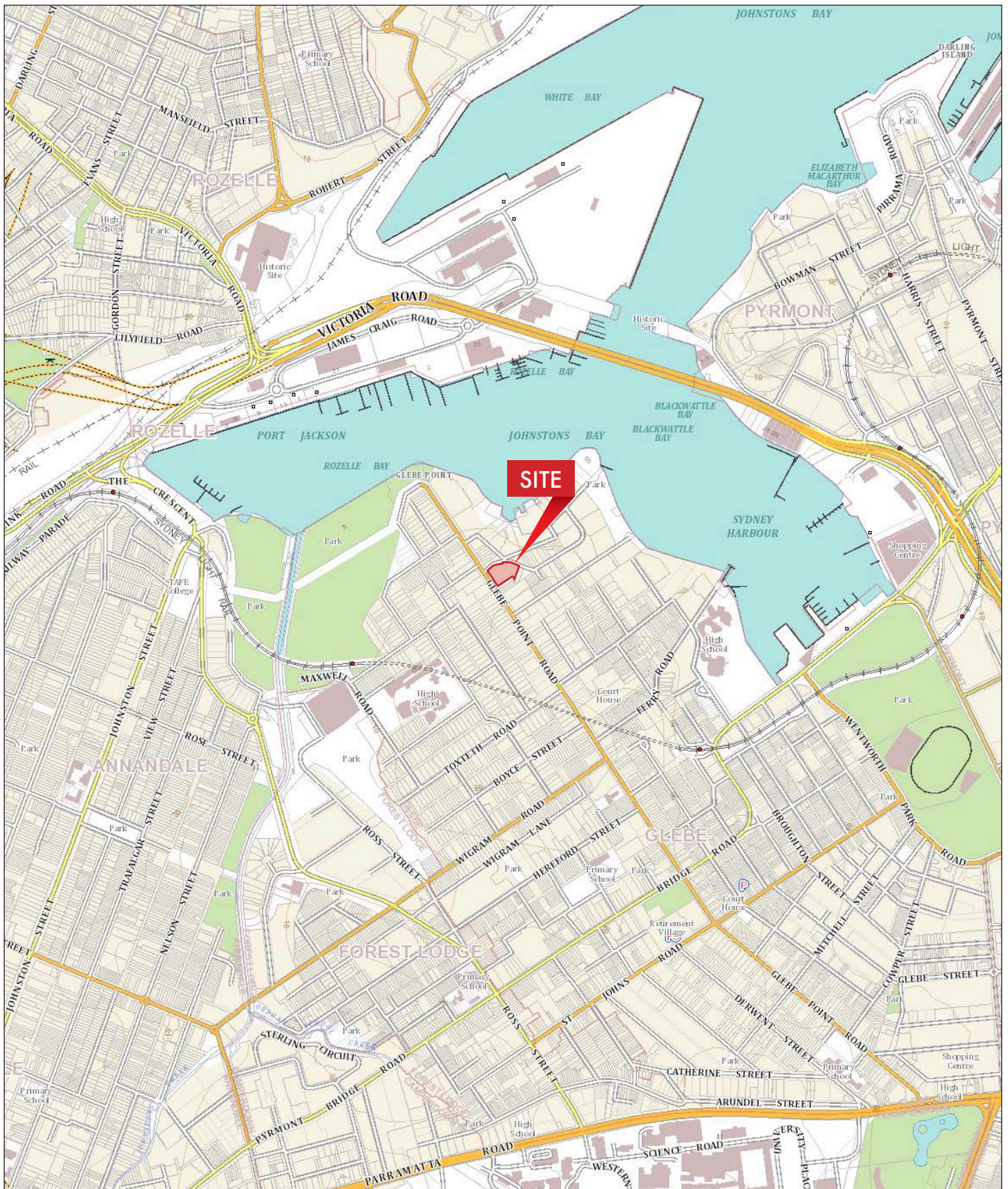
6. CONCLUSION

It can be concluded that strict compliance with the 12 metre maximum building height standard in Clause 4.3(2) of SLEP 2012 is unreasonable and unnecessary in the circumstances of the case, that there are sufficient environmental planning grounds to justify the requested variation, and there is an absence of any significant or unreasonable environmental impact.

The proposal will result in additional residential accommodation and a high-quality design outcome responsive to the heritage qualities of the building as envisaged for the site by its zoning and development controls. It will achieve the desired built form and amenity outcomes for the site and is consistent with the objectives both of the building height standard and of the R1 General Residential zone in the SLEP 2012.

The Clause 4.6 variation request is well founded and should therefore be supported.

FIGURES



Source: <http://maps.six.nsw.gov.au/>



STATEMENT OF ENVIRONMENTAL EFFECTS 431 Glebe Point Road, Glebe

FIGURE 1
Location

Prepared For - SDHA





Source: <http://maps.six.nsw.gov.au/>

STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 2
Site

Prepared For - SDHA



Source: NearMap 28 May 2025

STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 3A
Aerial Photo – Detail

Prepared For - SDHA

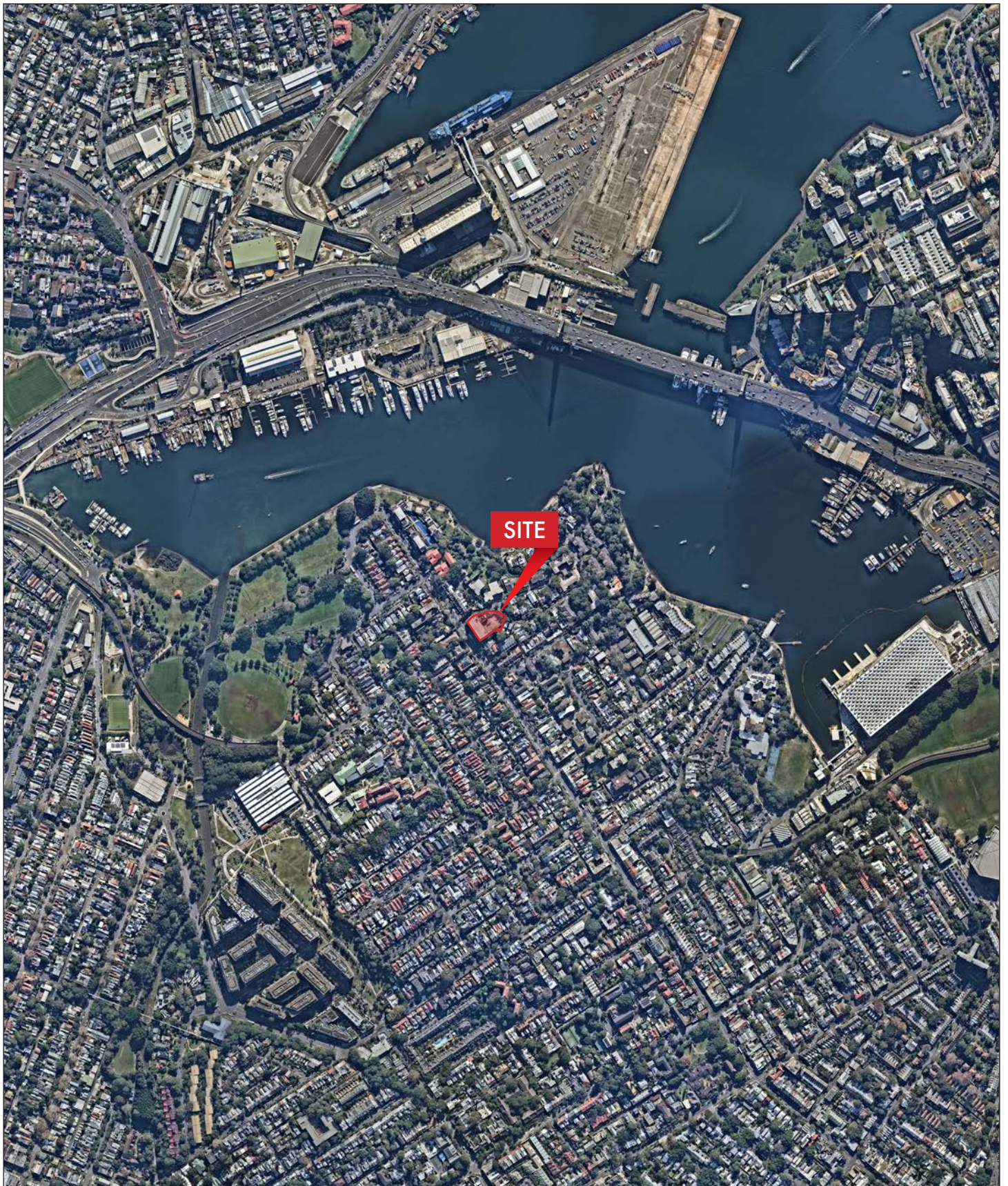


Source: NearMap 28 May 2025

STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 3B
Aerial Photo – Surrounding Context

Prepared For - SDHA

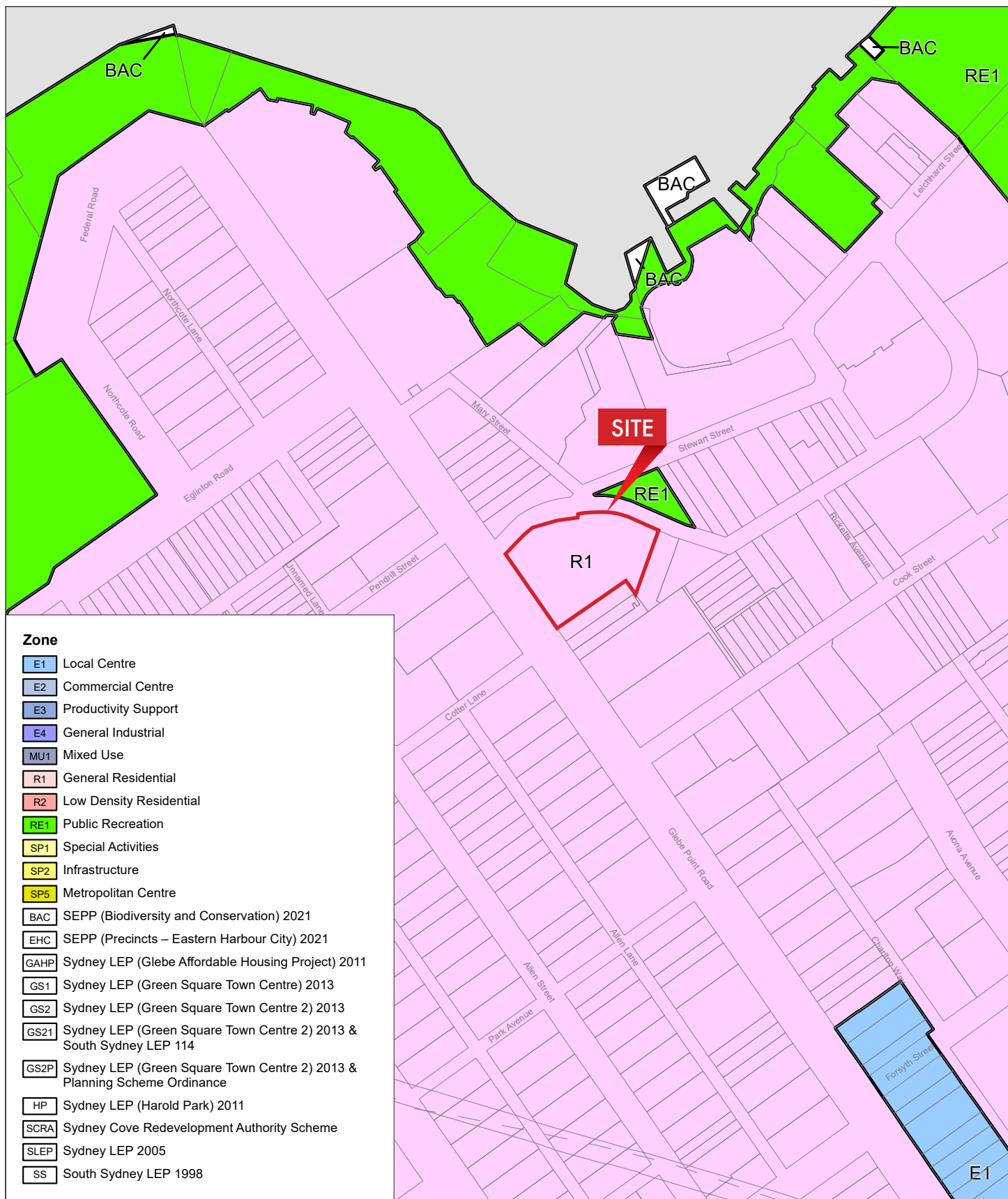


Source: NearMap 28 May 2025

STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 3C
Aerial Photo – Wider Area

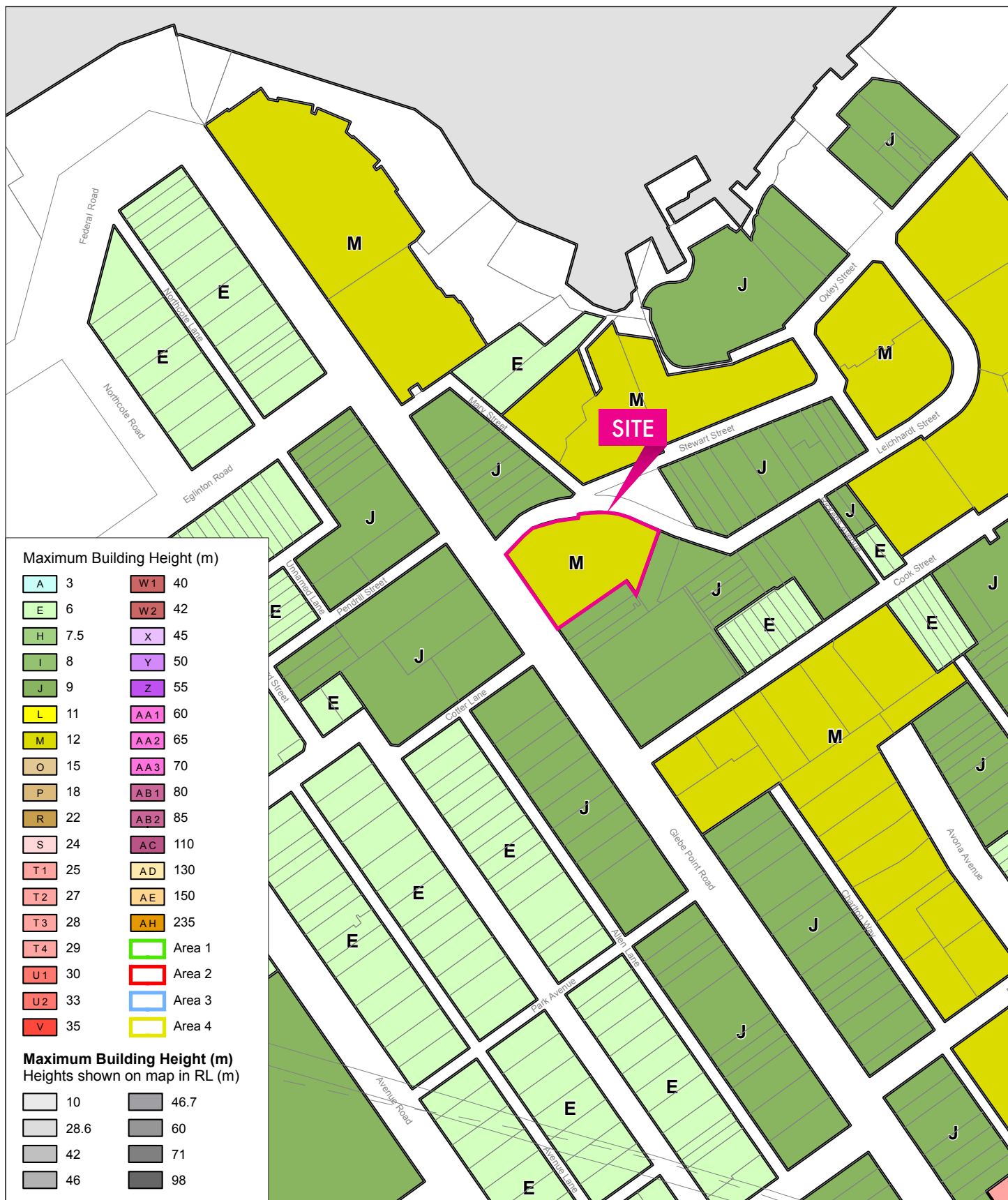
Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4A
Zoning Map – Sydney LEP 2012

Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4B
Height of Buildings Map – Sydney LEP 2012

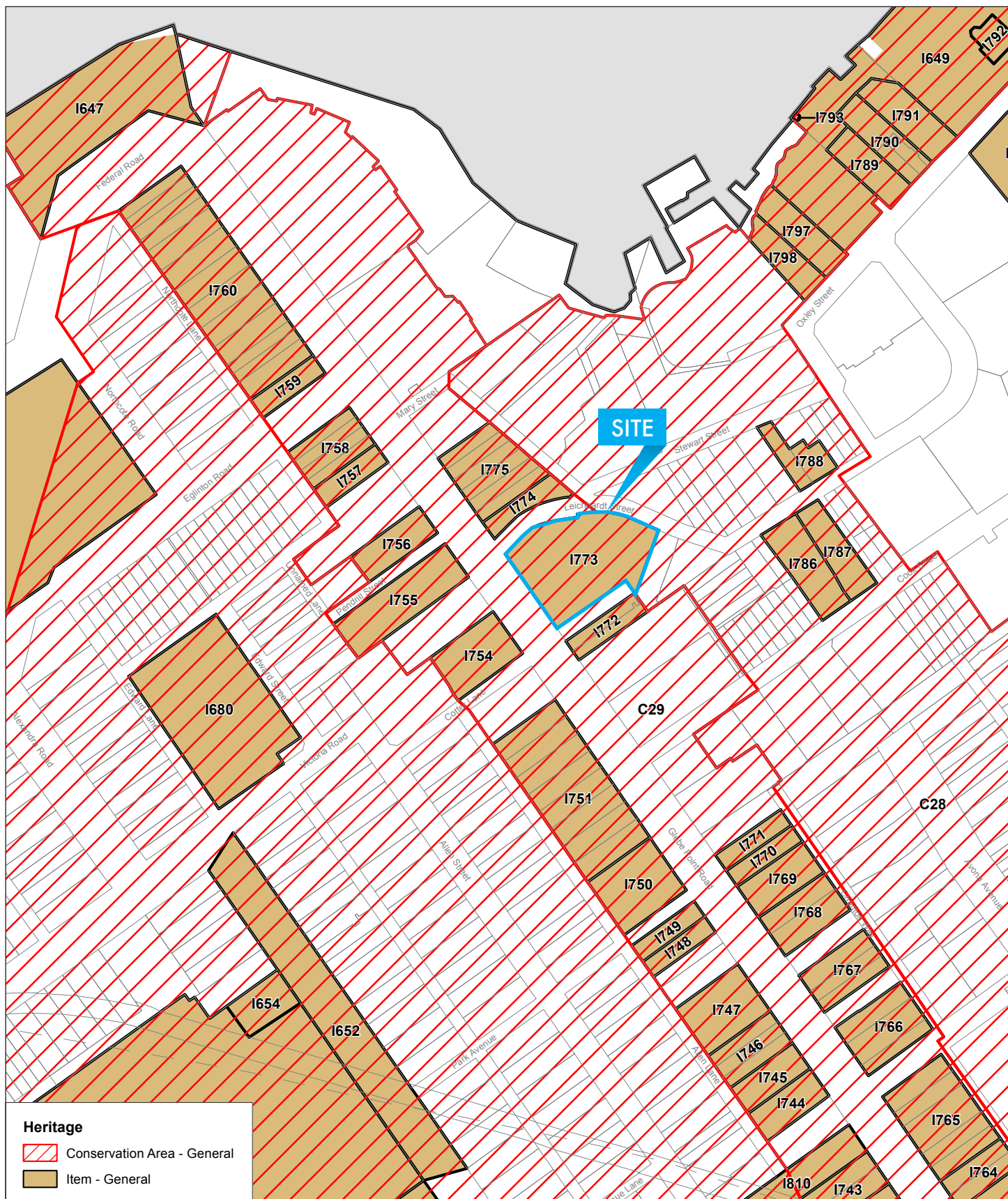
Prepared For - SDHA

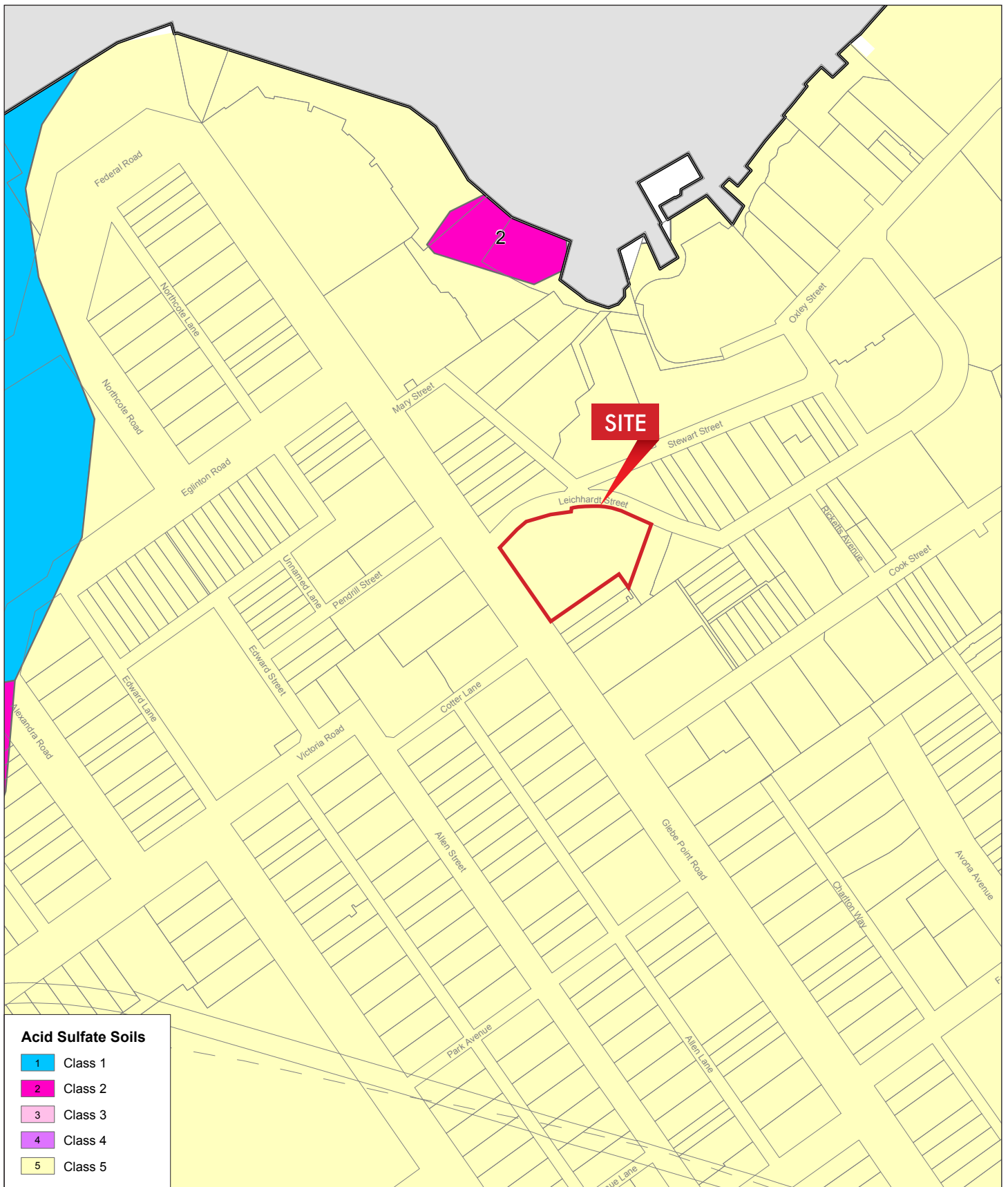


STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4C
Floor Space Ratio Map – Sydney LEP 2012

Prepared For - SDHA





STATEMENT OF ENVIRONMENTAL EFFECTS

431 Glebe Point Road, Glebe

FIGURE 4E

Acid Sulfate Soils Map – Sydney LEP 2012

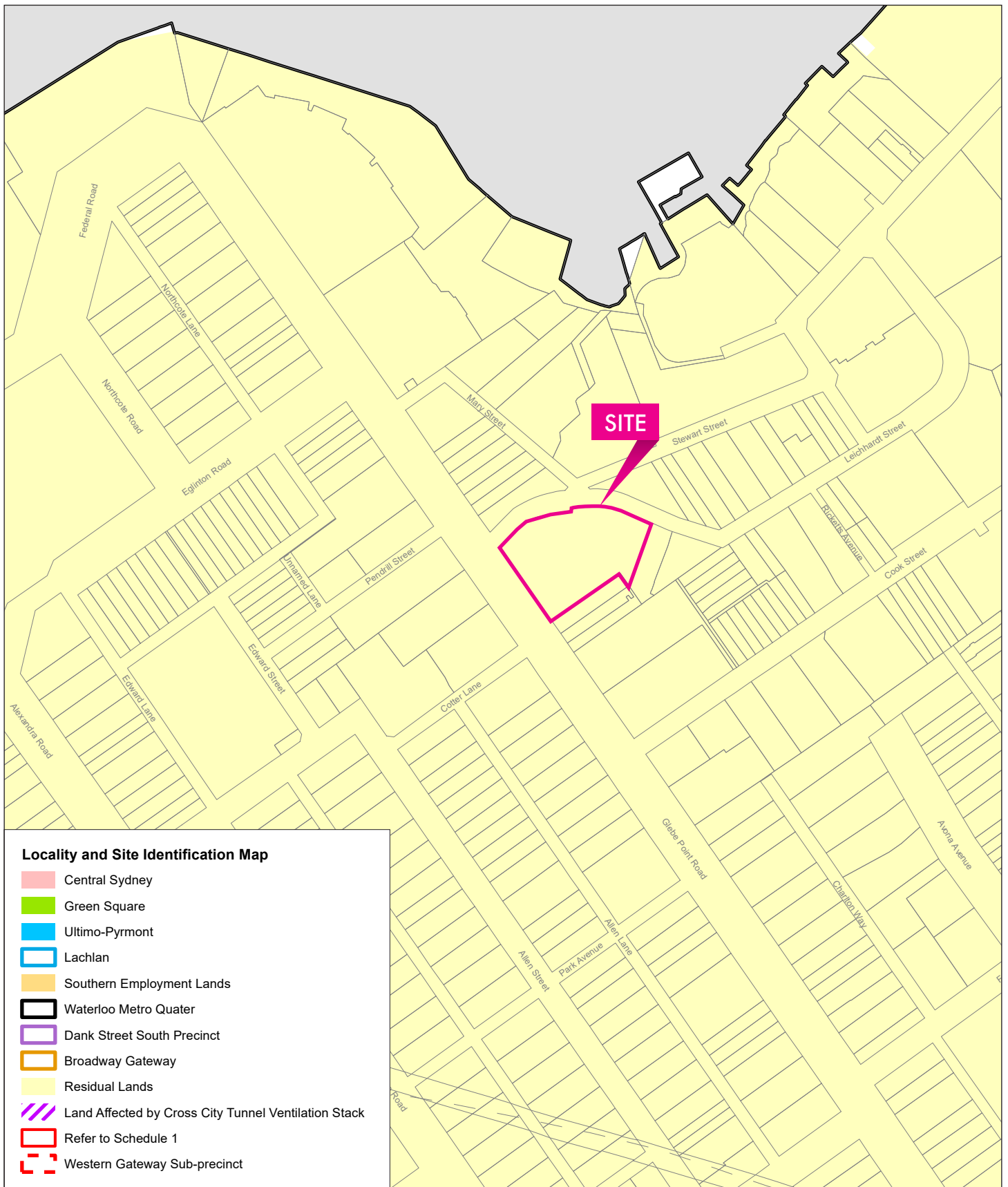
Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4F
Land Use and Transport Integration Map – Sydney LEP 2012

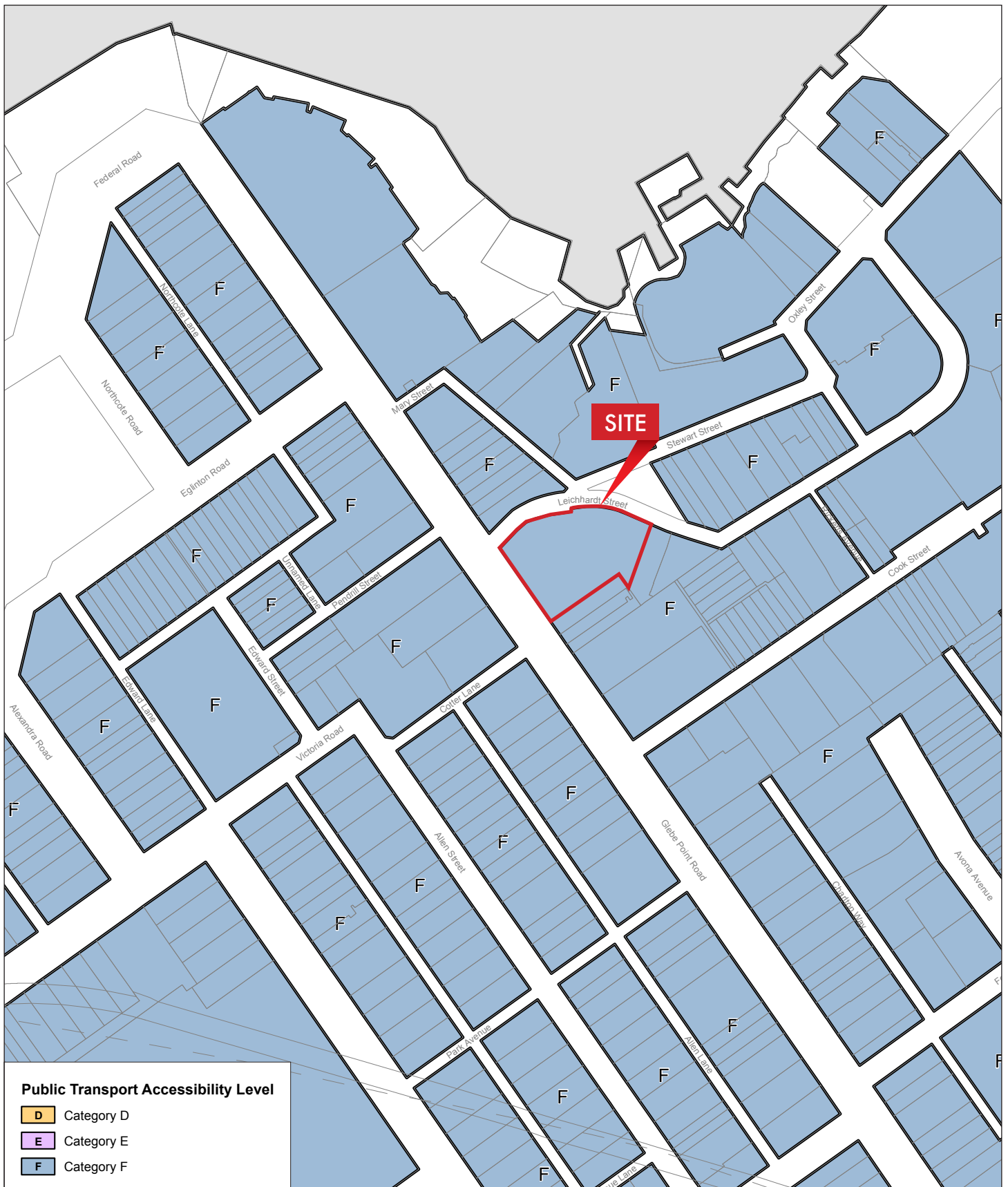
Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4G
Locality and Site Identification Map – Sydney LEP 2012

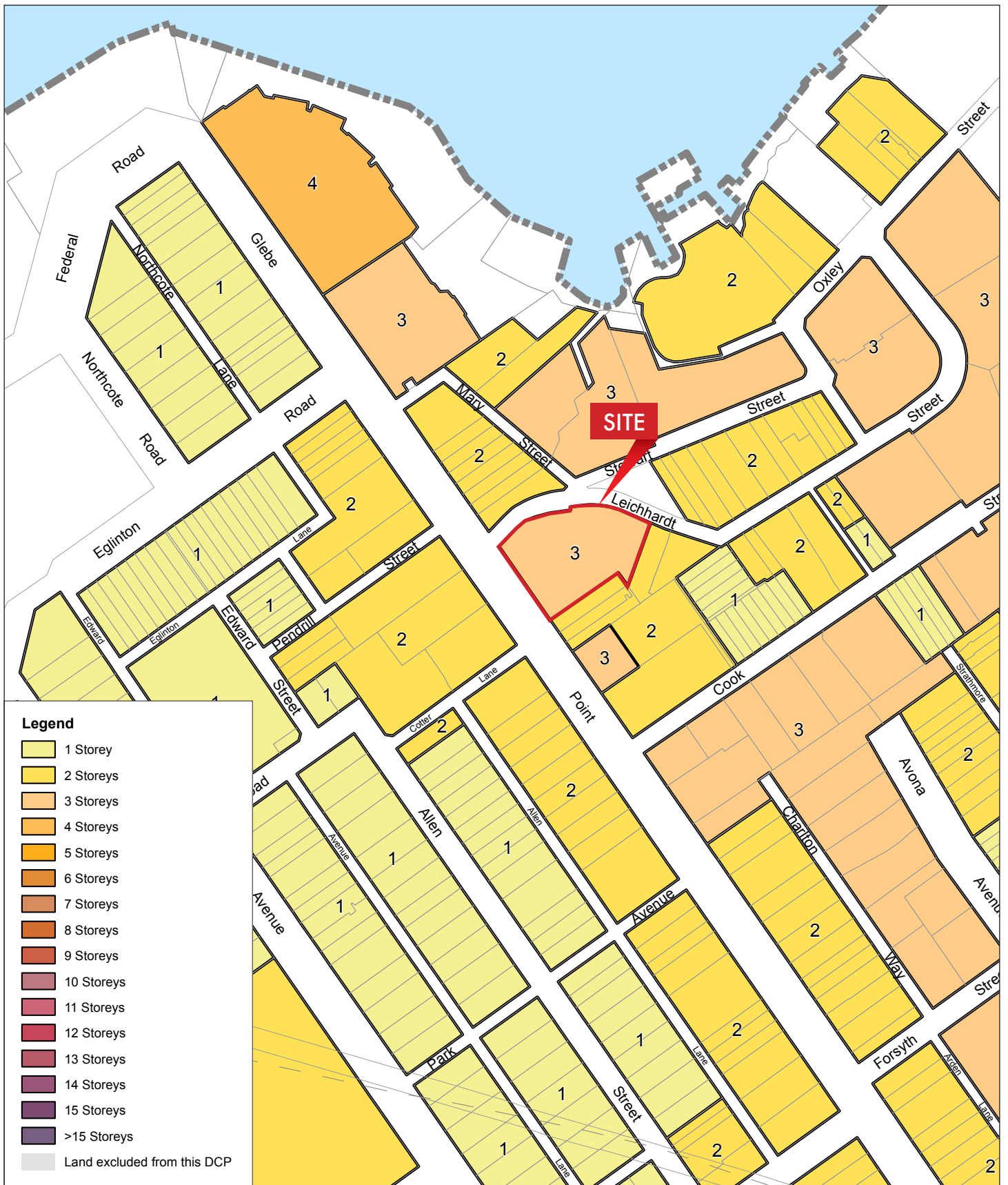
Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4H
Public Transport Accessibility Level Map – Sydney LEP 2012

Prepared For - SDHA



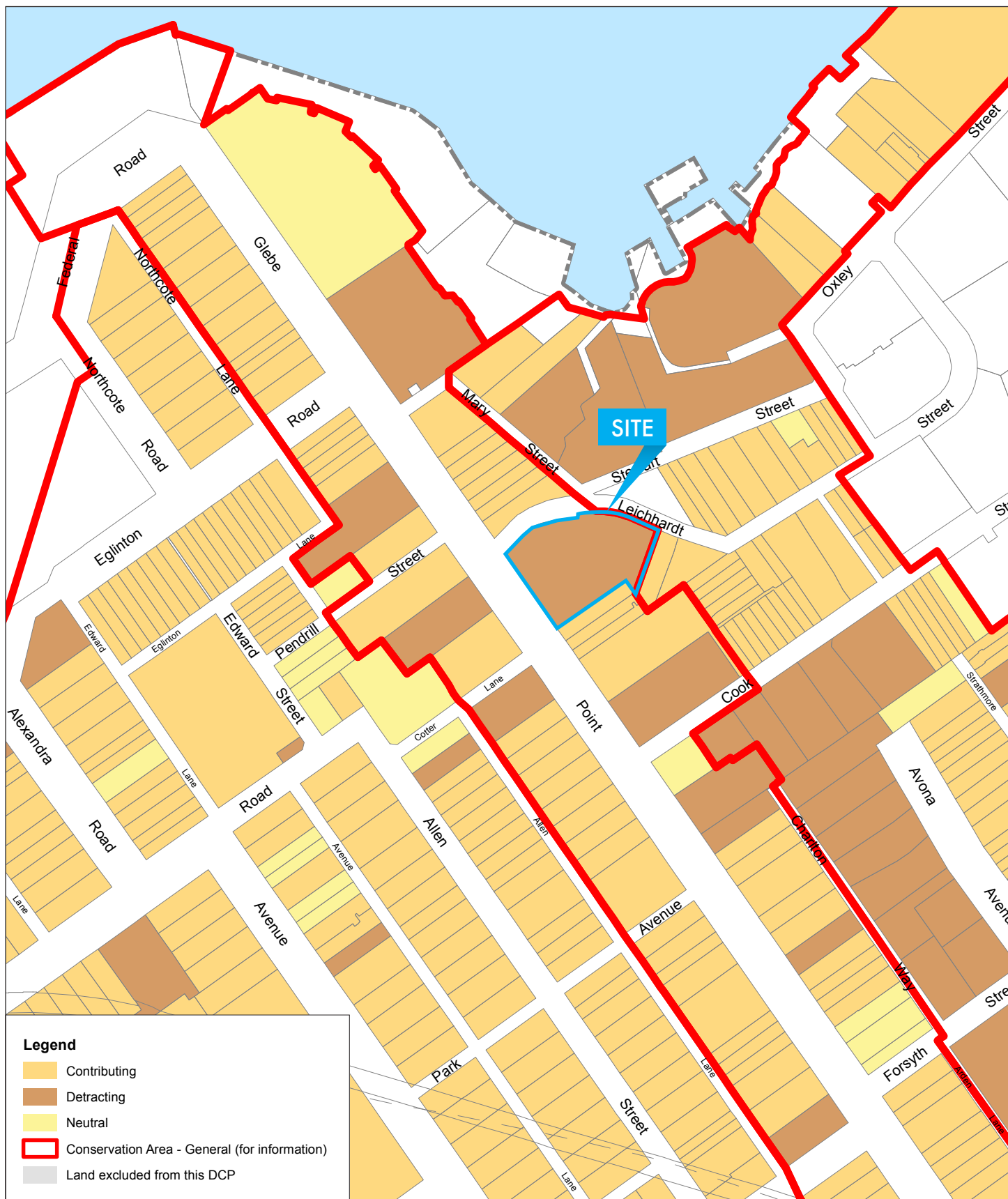
STATEMENT OF ENVIRONMENTAL EFFECTS

431 Glebe Point Road, Glebe

FIGURE 5A

Height in Storeys Map – Sydney DCP 2012

Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS

431 Glebe Point Road, Glebe

FIGURE 5B

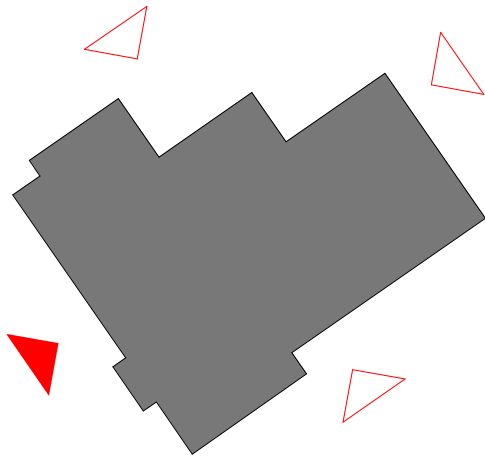
Building Contributions Map – Sydney DCP 2012

Prepared For - SDHA

ATTACHMENTS

ATTACHMENT 1

KEY PLAN (NTS)



LEGEND

EXTENSIONS BEYOND EXISTING BUILDING FABRIC

NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

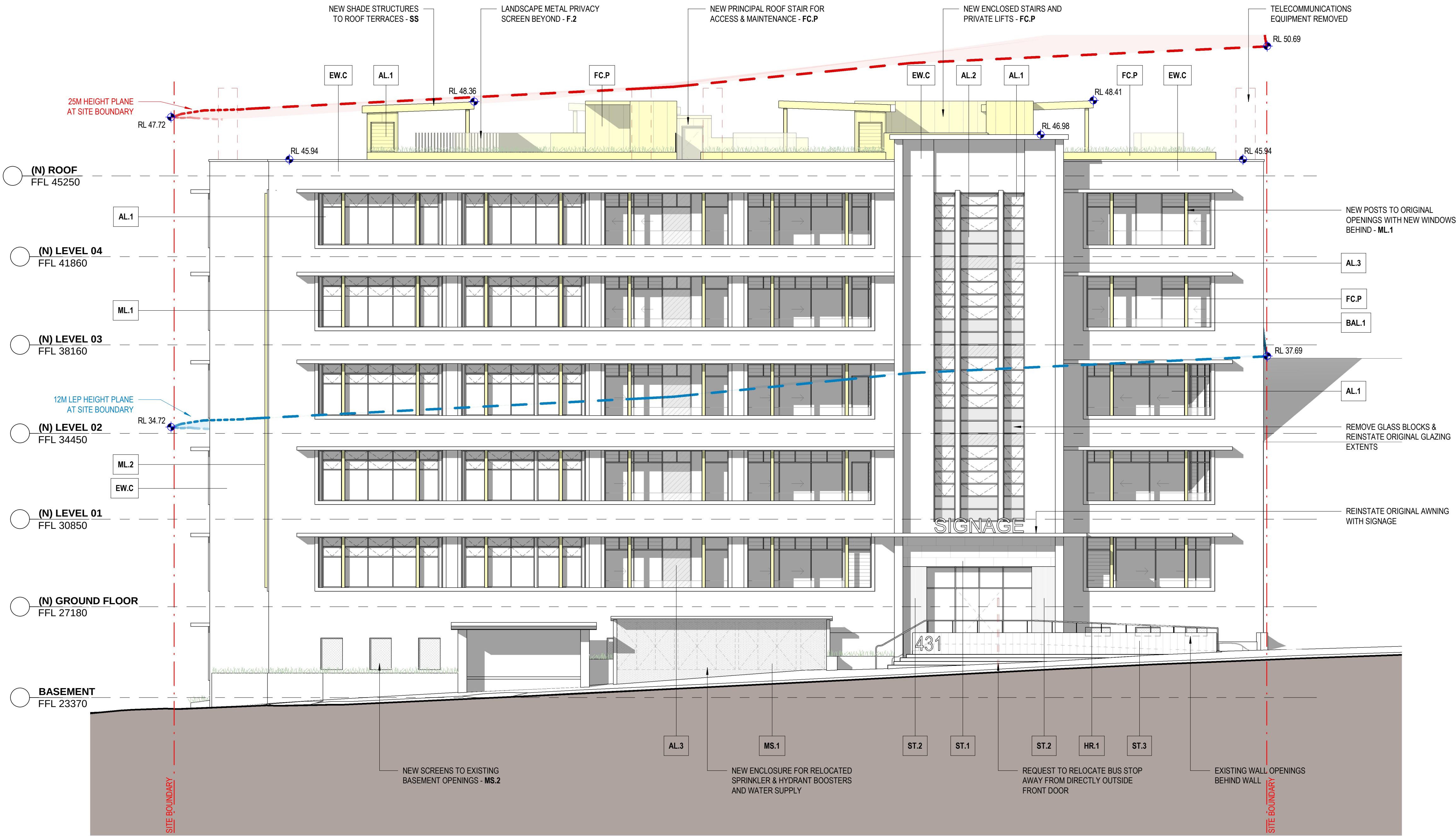
NOT FOR CONSTRUCTION

Project
**431 GLEBE POINT ROAD
REDEVELOPMENT**
431 Glebe Point Road
Glebe, NSW 2037
Drawing Title
PROPOSED WEST ELEVATION

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	Revision
240058	Sep '25	1 : 100	

AR DA 3100 A

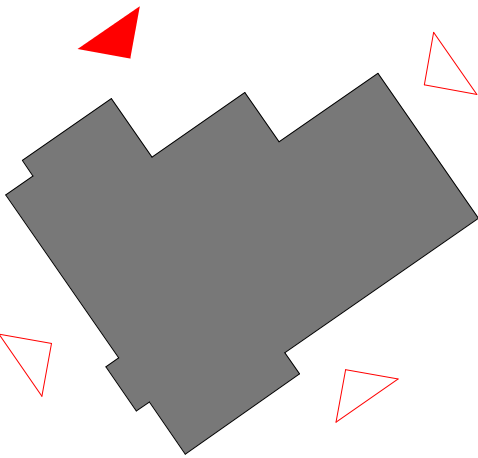
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkda.com.au



MATERIAL LEGEND

EW.C	(E) WALL - (P) CONCRETE, COLOUR 1	MS.3	PF/PER METAL SCREEN, COLOUR TO MATCH ADJACENT WALL	AL.2	PD/CAL FRAMED WINDOW / DOOR, OBSCURE GLASS, DARK BRONZE FRAME
EW.B	(E) WALL - (P) BRICK, COLOUR 1	ML.1	PF METAL FINS - 1947 BUILDING, PAIRED VERTICAL FINS, (P) FINISH	AL.3	PD/CAL FRAMED WINDOW / DOOR, OBSCURE GLASS, SOLID BACKPANEL, DARK BRONZE FRAME
FC.S	CLADDING - (P) FC SET, COLOUR TO MATCH WALL BELOW	ML.2	PF METAL FINS - 1927 BUILDING, VERTICAL & HORIZONTAL FINS / HOODS, (P) FINISH	SKL	PD/CAL FRAMED SKYLIGHT, CLEAR GLASS, DARK BRONZE FRAME
FC.P	CLADDING - FC, PF, CEMINTEL BARESTONE	ML.3	PF METAL LOUVRES - POWDERCOATED ALUMINIUM	SS	SOLAR PANELS ON STEEL FRAME, (P) FINISH, COLOUR TBC
ST.1	CLADDING - SANDSTONE, SAWN FINISH	BAL.1	FIXED GLASS BALUSTRADE PANEL FIXED TO INSIDE OF WALL / GARDEN BED	MP	PLATE STEEL / RENDERED MASONRY, (P) FINISH, COLOUR TBC
ST.2	CLADDING - SANDSTONE, FINE LINED	BAL.2	VERTICAL STEEL BALUSTRADE, (P) FINISH	F.1	BAGGED & (P) BRICK FENCE, COLOUR TBC
ST.3	CLADDING - SANDSTONE, SCALLOPED	BAL.3	SOLID BALUSTRADE PANEL, (P) / PREFINISHED METAL	F.2	VERTICAL METAL PRIVACY SCREEN, (P) FINISH, COLOUR TBC
MS.1	PF/PER METAL SCREEN, COLOUR TBC	HR.1	(P) STEEL HANDRAIL	F.3	ACOUSTIC PLANT AREA SCREEN
MS.2	PF/PER METAL SCREEN, COLOUR TBC	AL.1	PD/CAL FRAMED WINDOW / DOOR, CLEAR GLASS, DARK BRONZE FRAME		REFER TO PROPOSED MATERIALS AND FINISHES SCHEDULE.

KEY PLAN (NTS)



LEGEND

EXTENSIONS BEYOND EXISTING BUILDING FABRIC

NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT

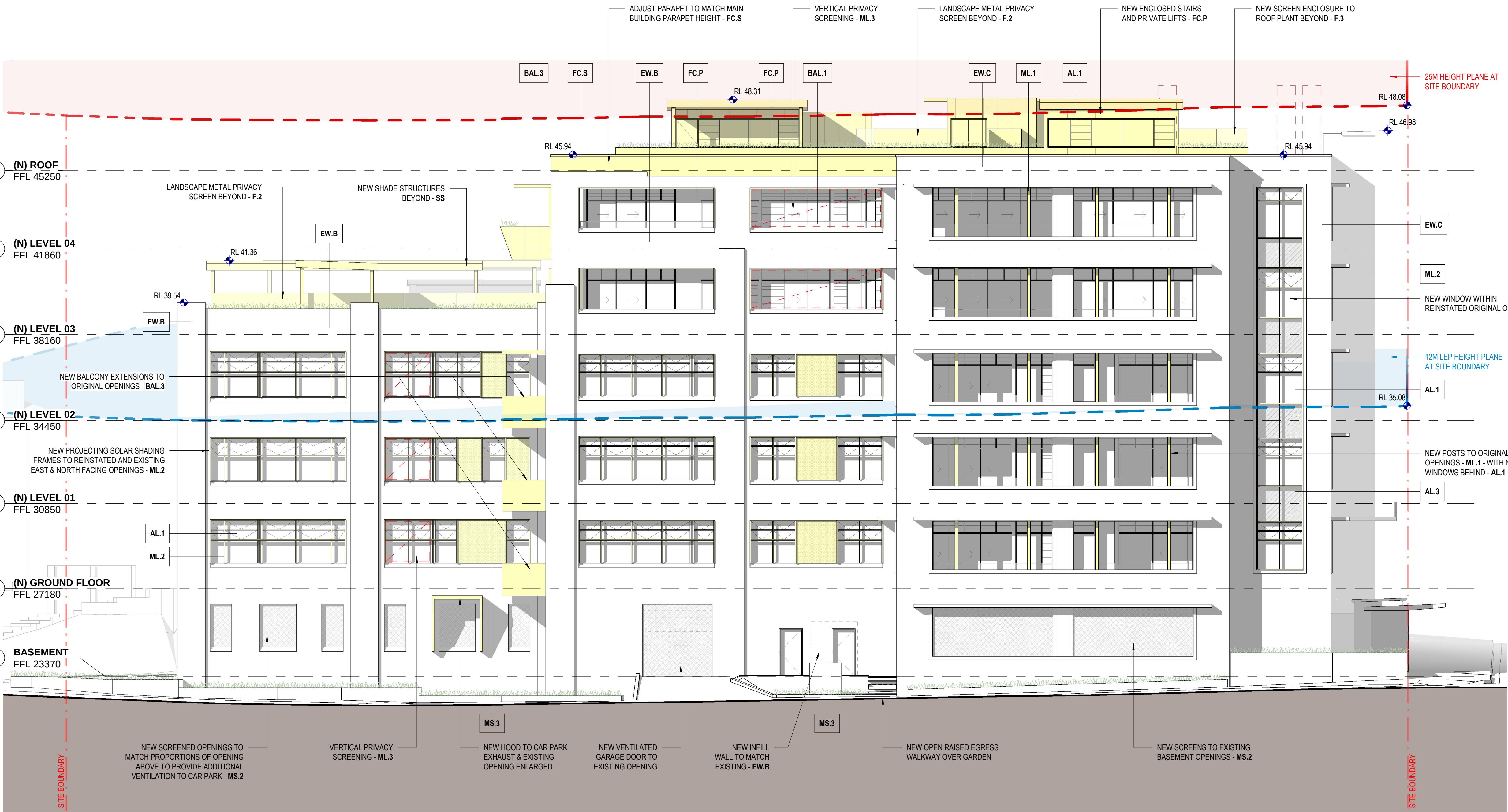
431 Glebe Point Road
Glebe, NSW 2037

Drawing Title
PROPOSED NORTH ELEVATION

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	
240058	Sep '25	1 : 100	

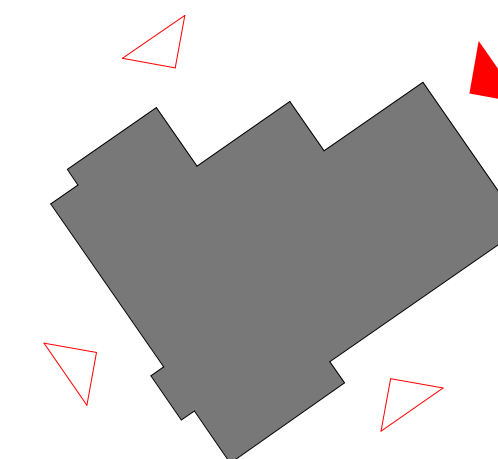
Drawing No.
AR DA 3101

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkda.com.au



MATERIAL LEGEND

EW.C	(E) WALL - (P) CONCRETE, COLOUR 1	MS.3	PF/PER METAL SCREEN, COLOUR TO MATCH ADJACENT WALL	AL.2	PD/CAL FRAMED WINDOW / DOOR, OBSCURE GLASS, DARK BRONZE FRAME
EW.B	(E) WALL - (P) BRICK, COLOUR 1	ML.1	PF METAL FINS - 1947 BUILDING, PAIRED VERTICAL FINS, (P) FINISH	AL.3	PD/CAL FRAMED WINDOW / DOOR, OBSCURE GLASS, SOLID BACKPANEL, DARK BRONZE FRAME
FC.S	CLADDING - (P) FC SET, COLOUR TO MATCH WALL BELOW	ML.2	PF METAL FINS - 1927 BUILDING, VERTICAL & HORIZONTAL FINS / HOODS, (P) FINISH	SKL	PD/CAL FRAMED SKYLIGHT, CLEAR GLASS, DARK BRONZE FRAME
FC.P	CLADDING - FC, PF, CEMENTEL BARESTONE	ML.3	PF METAL LOUVRES - POWDERCOATED ALUMINIUM	SS	SOLAR PANELS ON STEEL FRAME, (P) FINISH, COLOUR TBC
ST.1	CLADDING - SANDSTONE, SAWN FINISH	BAL.1	FIXED GLASS BALUSTRADE PANEL FIXED TO INSIDE OF WALL / GARDEN BED	MP	PLATE STEEL / RENDERED MASONRY, (P) FINISH, COLOUR TBC
ST.2	CLADDING - SANDSTONE, FINE LINED	BAL.2	VERTICAL STEEL BALUSTRADE, (P) FINISH	F.1	BAGGED & (P) BRICK FENCE, COLOUR TBC
ST.3	CLADDING - SANDSTONE, SCALLOPED	BAL.3	SOLID BALUSTRADE PANEL, (P) / PREFINISHED METAL	F.2	VERTICAL METAL PRIVACY SCREEN, (P) FINISH, COLOUR TBC
MS.1	PF/PER METAL SCREEN, COLOUR TBC	HR.1	(P) STEEL HANDRAIL	F.3	ACOUSTIC PLANT AREA SCREEN
MS.2	PF/PER METAL SCREEN, COLOUR TBC	AL.1	PD/CAL FRAMED WINDOW / DOOR, CLEAR GLASS, DARK BRONZE FRAME		REFER TO PROPOSED MATERIALS AND FINISHES SCHEDULE.

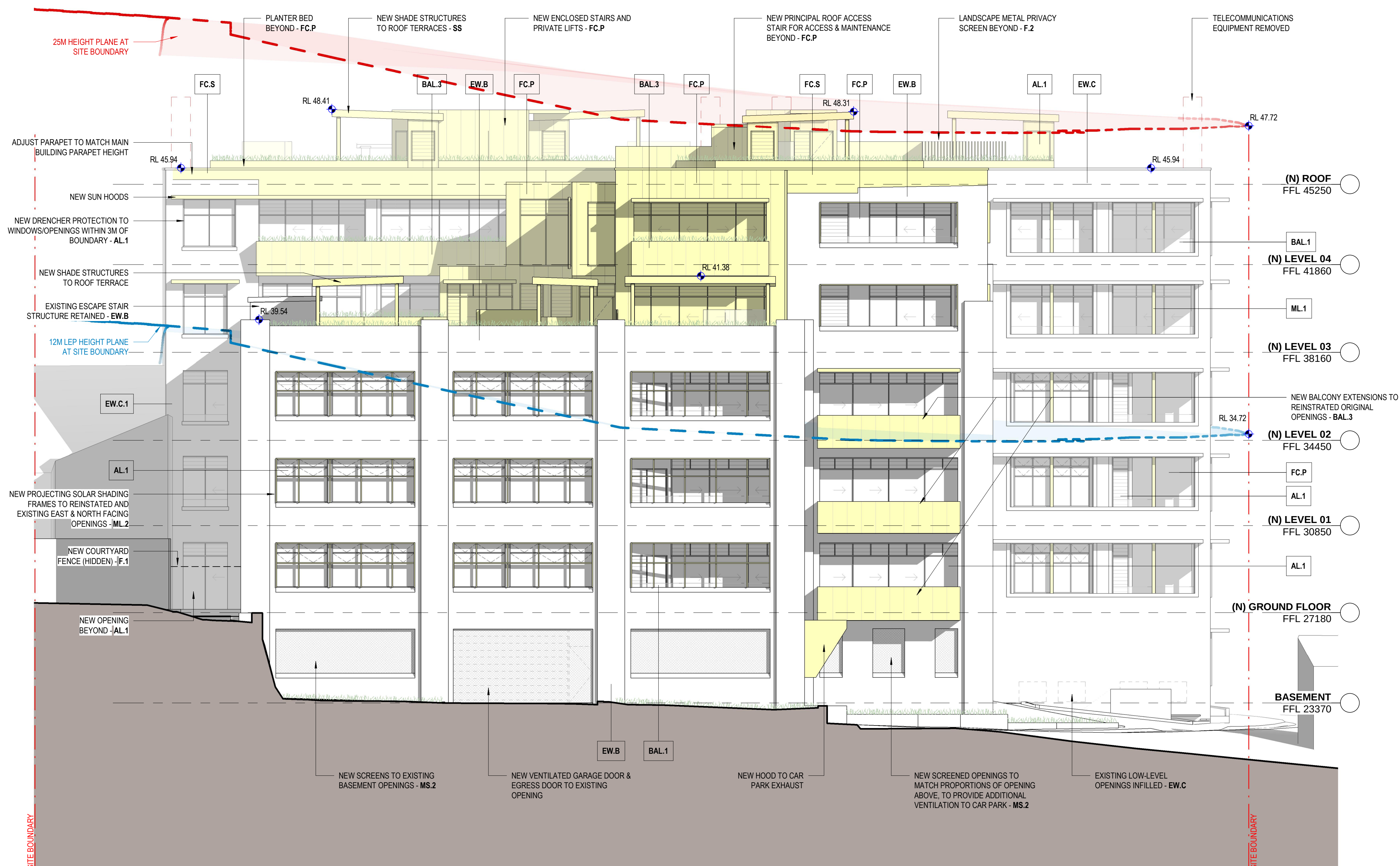


EXTENSIONS BEYOND EXISTING BUILDING FABRIC

Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

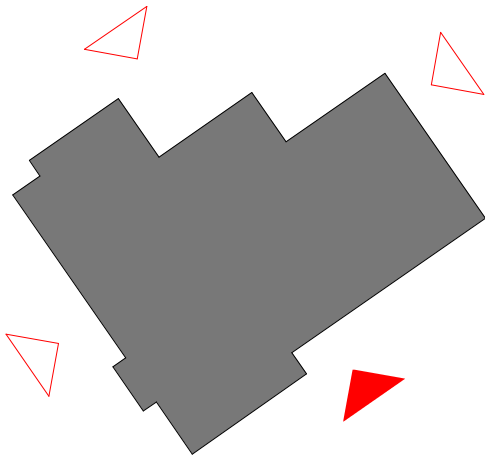


TKDArchitects
Tanner Kibble Denton



AL.1 DARK BRONZE FRAME

KEY PLAN (NTS)



LEGEND

EXTENSIONS BEYOND EXISTING BUILDING FABRIC

NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

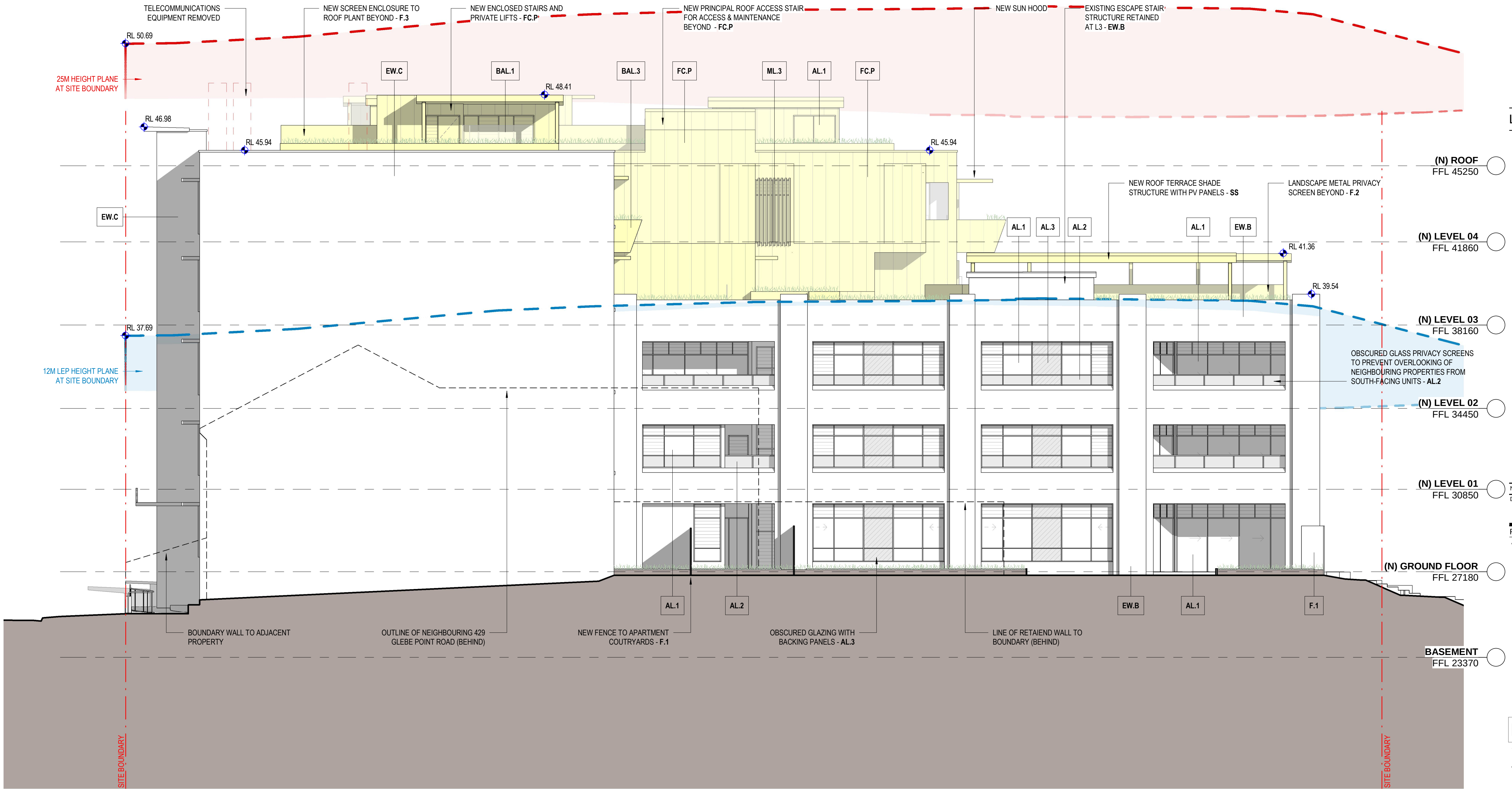
NOT FOR CONSTRUCTION

Project
**431 GLEBE POINT ROAD
REDEVELOPMENT**
431 Glebe Point Road
Glebe, NSW 2037
Drawing Title
PROPOSED SOUTH ELEVATION

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	Revision
240058	Sep '25	1 : 100	

AR DA 3103 A

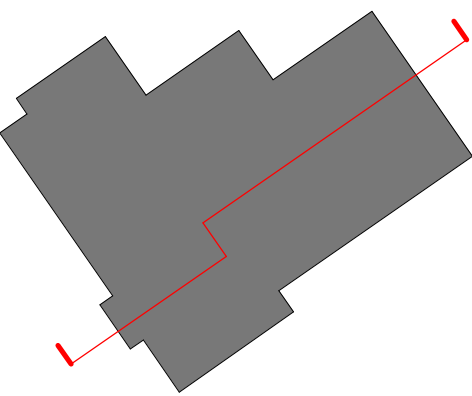
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkda.com.au



MATERIAL LEGEND

EW.C	(E) WALL - (P) CONCRETE, COLOUR 1	MS.3	PF/PER METAL SCREEN, COLOUR TO MATCH ADJACENT WALL	AL.2	PDC/AL FRAMED WINDOW / DOOR, OBSCURE GLASS, DARK BRONZE FRAME
EW.B	(E) WALL - (P) BRICK, COLOUR 1	ML.1	PF METAL FINS - 1947 BUILDING, PAIRED VERTICAL FINS, (P) FINISH	AL.3	PDC/AL FRAMED WINDOW / DOOR, OBSCURE GLASS, SOLID BACKPANEL, DARK BRONZE FRAME
FC.S	CLADDING - (P) FC SET, COLOUR TO MATCH WALL BELOW	ML.2	PF METAL FINS - 1927 BUILDING, VERTICAL & HORIZONTAL FINS / HOODS, (P) FINISH	SKL	PDC/AL FRAMED SKYLIGHT, CLEAR GLASS, DARK BRONZE FRAME
FC.P	CLADDING - FC, PF, CEMINTEL BARESTONE	ML.3	PF METAL LOUVRES - POWDERCOATED ALUMINIUM	SS	SOLAR PANELS ON STEEL FRAME, (P) FINISH, COLOUR TBC
ST.1	CLADDING - SANDSTONE, SAWN FINISH	BAL.1	FIXED GLASS BALUSTRADE PANEL FIXED TO INSIDE OF WALL / GARDEN BED	MP	PLATE STEEL / RENDERED MASONRY, (P) FINISH, COLOUR TBC
ST.2	CLADDING - SANDSTONE, FINE LINED	BAL.2	VERTICAL STEEL BALUSTRADE, (P) FINISH	F.1	BAGGED & (P) BRICK FENCE, COLOUR TBC
ST.3	CLADDING - SANDSTONE, SCALLOPED	BAL.3	SOLID BALUSTRADE PANEL, (P) / PREFINISHED METAL	F.2	VERTICAL METAL PRIVACY SCREEN, (P) FINISH, COLOUR TBC
MS.1	PF/PER METAL SCREEN, COLOUR TBC	HR.1	(P) STEEL HANDRAIL	F.3	ACOUSTIC PLANT AREA SCREEN
MS.2	PF/PER METAL SCREEN, COLOUR TBC	AL.1	PDC/AL FRAMED WINDOW / DOOR, CLEAR GLASS, DARK BRONZE FRAME	REFER TO PROPOSED MATERIALS AND FINISHES SCHEDULE.	

KEY PLAN (NTS)



LEGEND

- EXISTING
PROPOSED
EXTENSIONS BEYOND EXISTING BUILDING FABRIC

NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

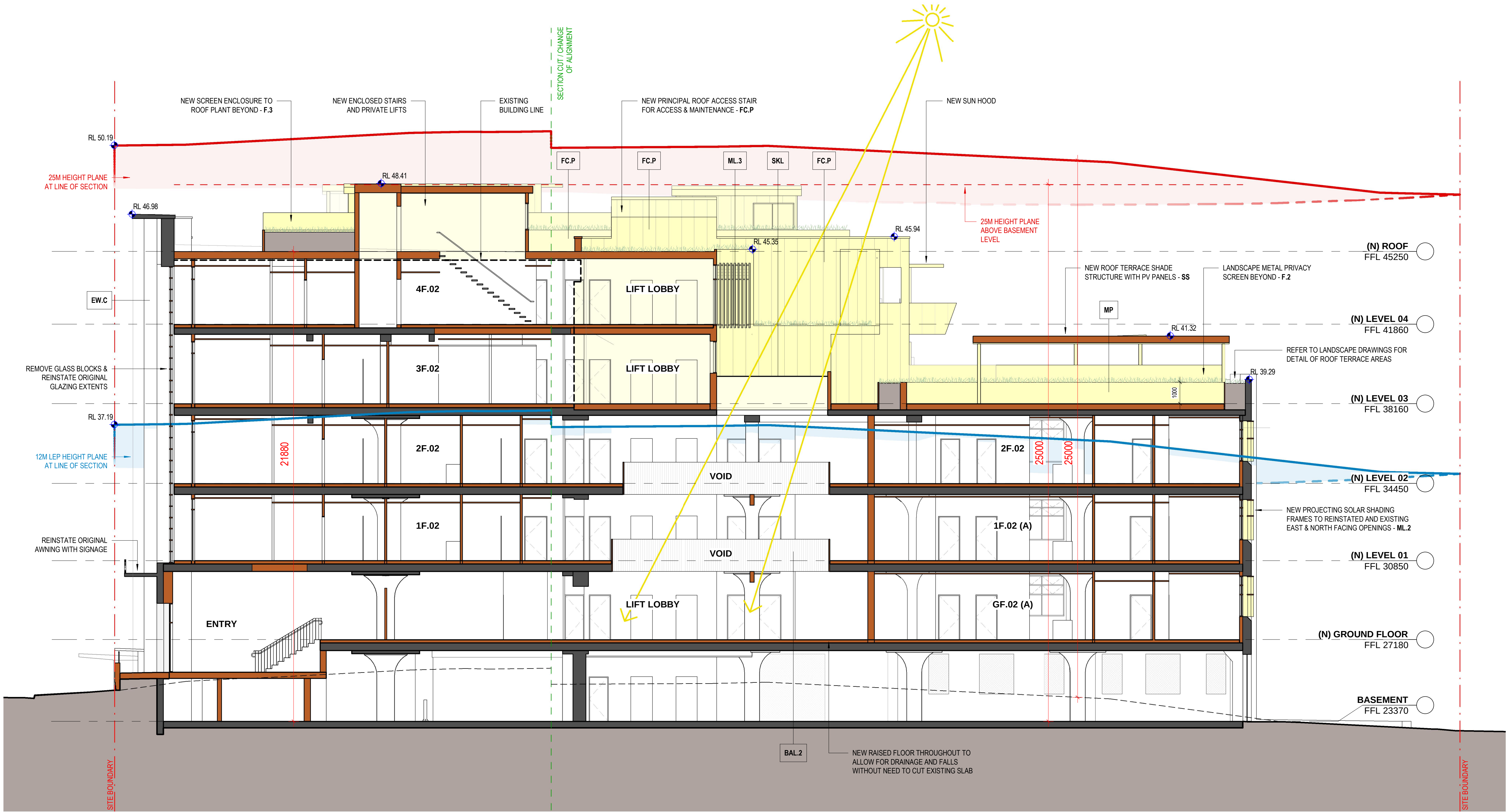
Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 Glebe Point Road
Glebe, NSW 2037
Drawing Title
BUILDING SECTIONS SHEET 1

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	Revision
240058	Sep '25	1 : 100	A

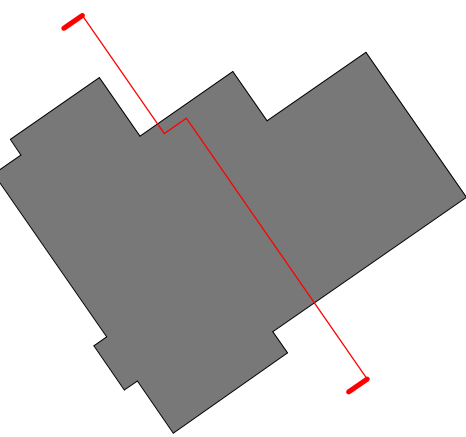
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkda.com.au
TKDArchitects
Tanner Kibble Denton



MATERIAL LEGEND

EW.C	(E) WALL - (P) CONCRETE, COLOUR 1	MS.3	PF/PER METAL SCREEN, COLOUR TO MATCH ADJACENT WALL	AL.2	PD/CAL FRAMED WINDOW / DOOR, OBSCURE GLASS, DARK BRONZE FRAME
EW.B	(E) WALL - (P) BRICK, COLOUR 1	ML.1	PF METAL FINS - 1947 BUILDING, PAIRED VERTICAL FINS, (P) FINISH	AL.3	PD/CAL FRAMED WINDOW / DOOR, OBSCURE GLASS, SOLID BACKPANEL, DARK BRONZE FRAME
FC.S	CLADDING - (P) FC SET, COLOUR TO MATCH WALL BELOW	ML.2	PF METAL FINS - 1927 BUILDING, VERTICAL & HORIZONTAL FINS / HOODS, (P) FINISH	SKL	PD/CAL FRAMED SKYLIGHT, CLEAR GLASS, DARK BRONZE FRAME
FC.P	CLADDING - FC, PF, CEMINTEL BARESTONE	ML.3	PF METAL LOUVRES - POWDERCOATED ALUMINIUM	SS	SOLAR PANELS ON STEEL FRAME, (P) FINISH, COLOUR TBC
ST.1	CLADDING - SANDSTONE, SAWN FINISH	BAL.1	FIXED GLASS BALUSTRADE PANEL FIXED TO INSIDE OF WALL / GARDEN BED	MP	PLATE STEEL / RENDERED MASONRY, (P) FINISH, COLOUR TBC
ST.2	CLADDING - SANDSTONE, FINE LINED	BAL.2	VERTICAL STEEL BALUSTRADE, (P) FINISH	F.1	BAGGED & (P) BRICK FENCE, COLOUR TBC
ST.3	CLADDING - SANDSTONE, SCALLOPED	BAL.3	SOLID BALUSTRADE PANEL, (P) / PREFINISHED METAL	F.2	VERTICAL METAL PRIVACY SCREEN, (P) FINISH, COLOUR TBC
MS.1	PF/PER METAL SCREEN, COLOUR TBC	HR.1	(P) STEEL HANDRAIL	F.3	ACOUSTIC PLANT AREA SCREEN
MS.2	PF/PER METAL SCREEN, COLOUR TBC	AL.1	PD/CAL FRAMED WINDOW / DOOR, CLEAR GLASS, DARK BRONZE FRAME	REFER TO PROPOSED MATERIALS AND FINISHES SCHEDULE.	

KEY PLAN (NTS)



LEGEND

EXTENSIONS BEYOND EXISTING BUILDING FABRIC

NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT

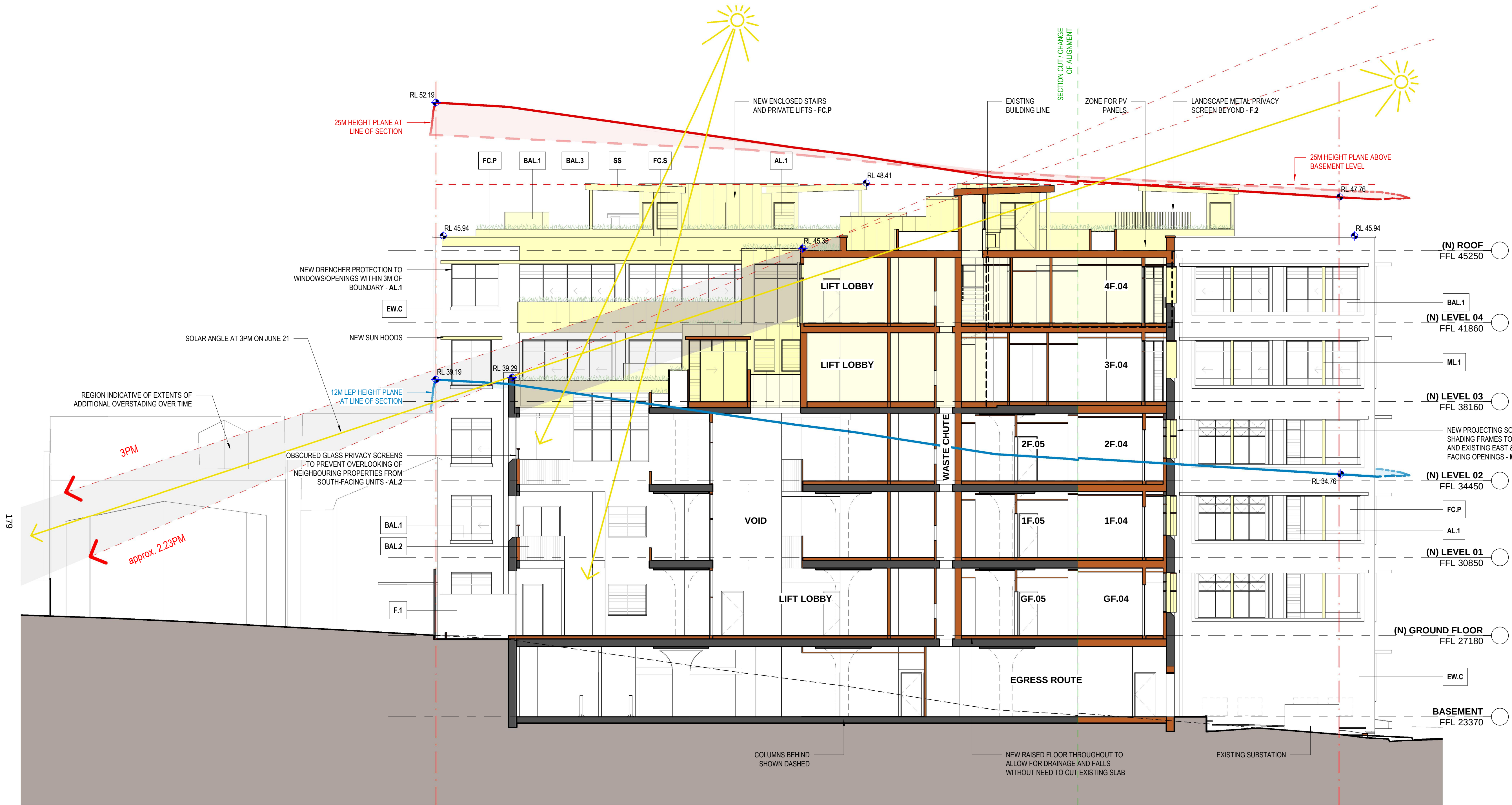
431 Glebe Point Road
Glebe, NSW 2037

Drawing Title
BUILDING SECTIONS SHEET 2

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	
240058	Sep '25	1 : 100	

Drawing No. AR DA 3401 Revision A

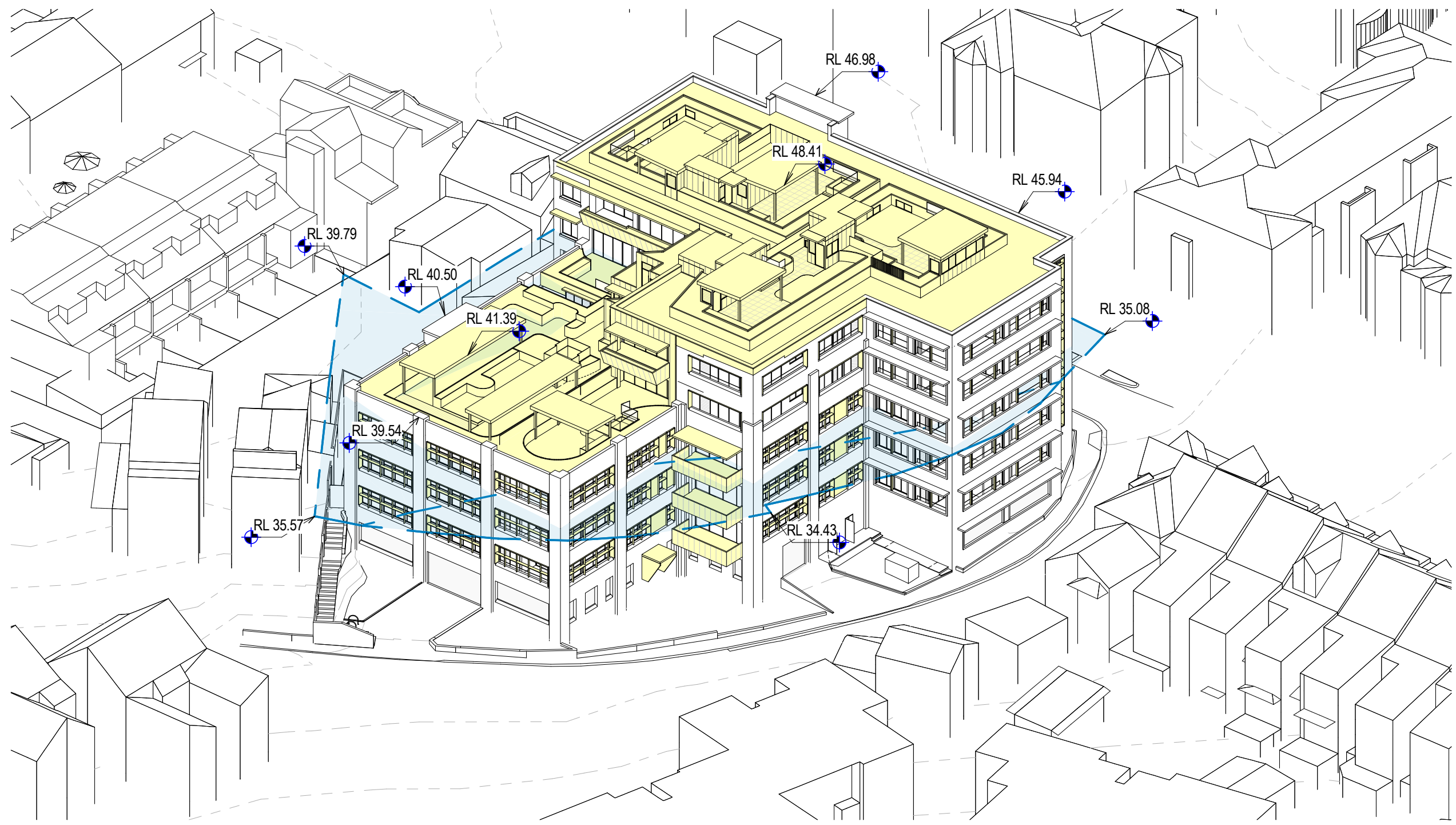
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkda.com.au



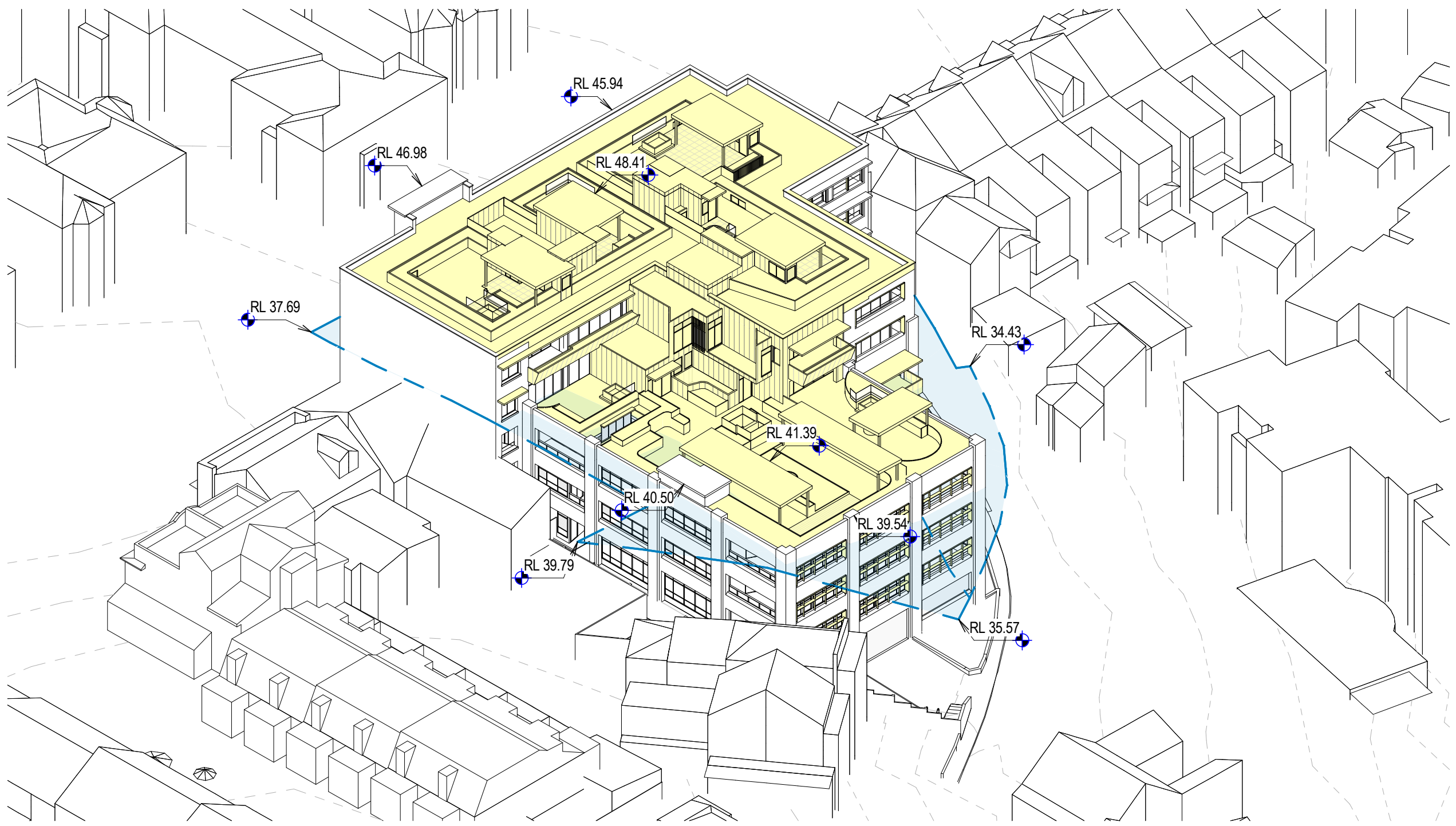
MATERIAL LEGEND

EW.C	(E) WALL - (P) CONCRETE, COLOUR 1	MS.3	PF/PER METAL SCREEN, COLOUR TO MATCH ADJACENT WALL	AL.2	PD/CAL FRAMED WINDOW / DOOR, OBSCURE GLASS, DARK BRONZE FRAME
EW.B	(E) WALL - (P) BRICK, COLOUR 1	ML.1	PF METAL FINES - 1947 BUILDING, PAIRED VERTICAL FINES, (P) FINISH	AL.3	PD/CAL FRAMED WINDOW / DOOR, OBSCURE GLASS, SOLID BACKPANEL, DARK BRONZE FRAME
FC.S	CLADDING - (P) FC SET, COLOUR TO MATCH WALL BELOW	ML.2	PF METAL FINES - 1927 BUILDING, VERTICAL & HORIZONTAL FINES / HOODS, (P) FINISH	SKL	PD/CAL FRAMED SKYLIGHT, CLEAR GLASS, DARK BRONZE FRAME
FC.P	CLADDING - FC, PF, CEMINTEL BARESTONE	ML.3	PF METAL LOUVRES - POWDERCOATED ALUMINIUM	SS	SOLAR PANELS ON STEEL FRAME, (P) FINISH, COLOUR TBC
ST.1	CLADDING - SANDSTONE, SAWN FINISH	BAL.1	FIXED GLASS BALUSTRADE PANEL FIXED TO INSIDE OF WALL / GARDEN BED	MP	PLATE STEEL / RENDERED MASONRY, (P) FINISH, COLOUR TBC
ST.2	CLADDING - SANDSTONE, FINE LINED	BAL.2	VERTICAL STEEL BALUSTRADE, (P) FINISH	F.1	BAGGED & (P) BRICK FENCE, COLOUR TBC
ST.3	CLADDING - SANDSTONE, SCALLOPED	BAL.3	SOLID BALUSTRADE PANEL, (P) / PREFINISHED METAL	F.2	VERTICAL METAL PRIVACY SCREEN, (P) FINISH, COLOUR TBC
MS.1	PF/PER METAL SCREEN, COLOUR TBC	HR.1	(P) STEEL HANDRAIL	F.3	ACOUSTIC PLANT AREA SCREEN
MS.2	PF/PER METAL SCREEN, COLOUR TBC	AL.1	PD/CAL FRAMED WINDOW / DOOR, CLEAR GLASS, DARK BRONZE FRAME		REFER TO PROPOSED MATERIALS AND FINISHES SCHEDULE.

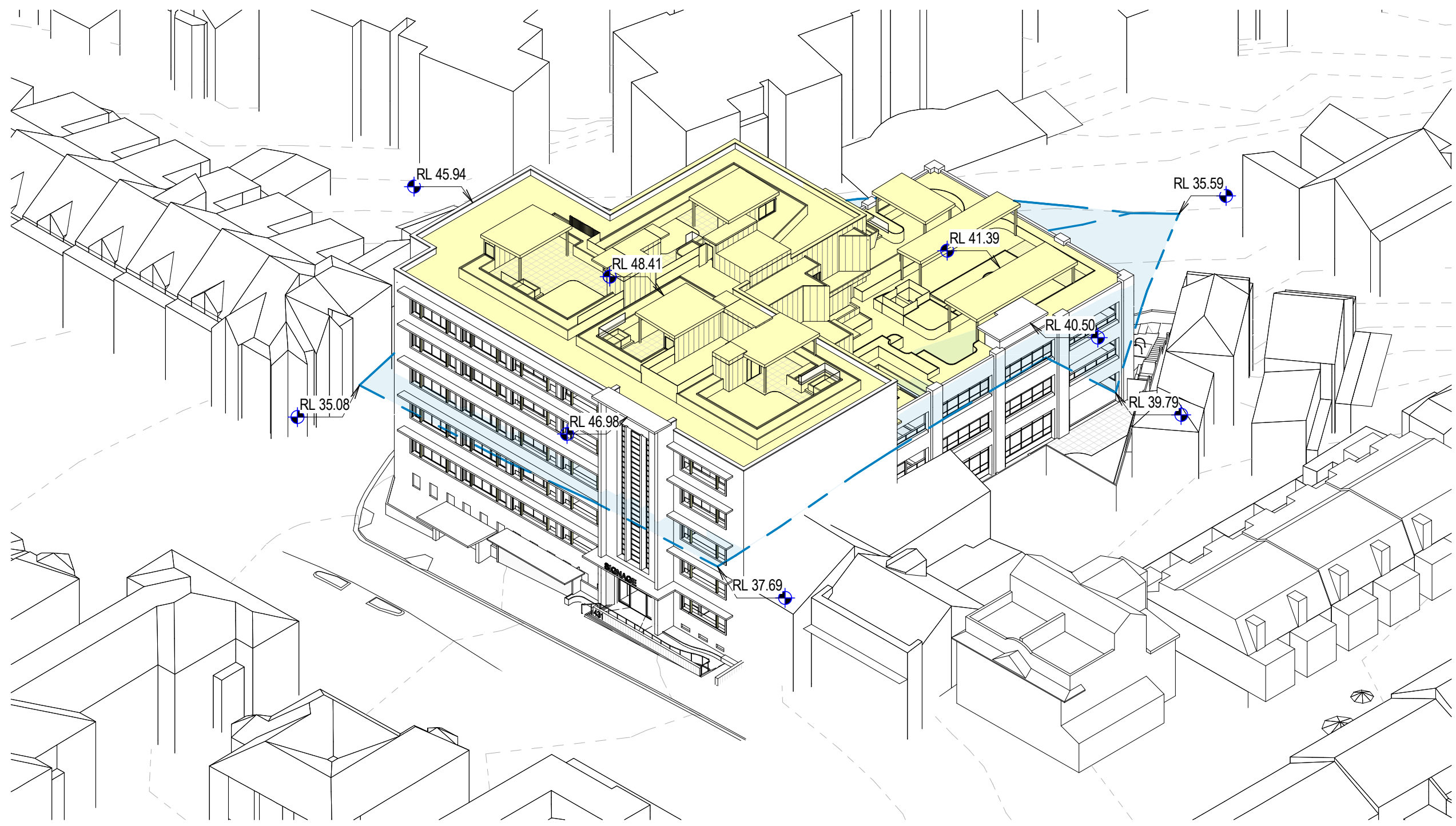
ATTACHMENT 2



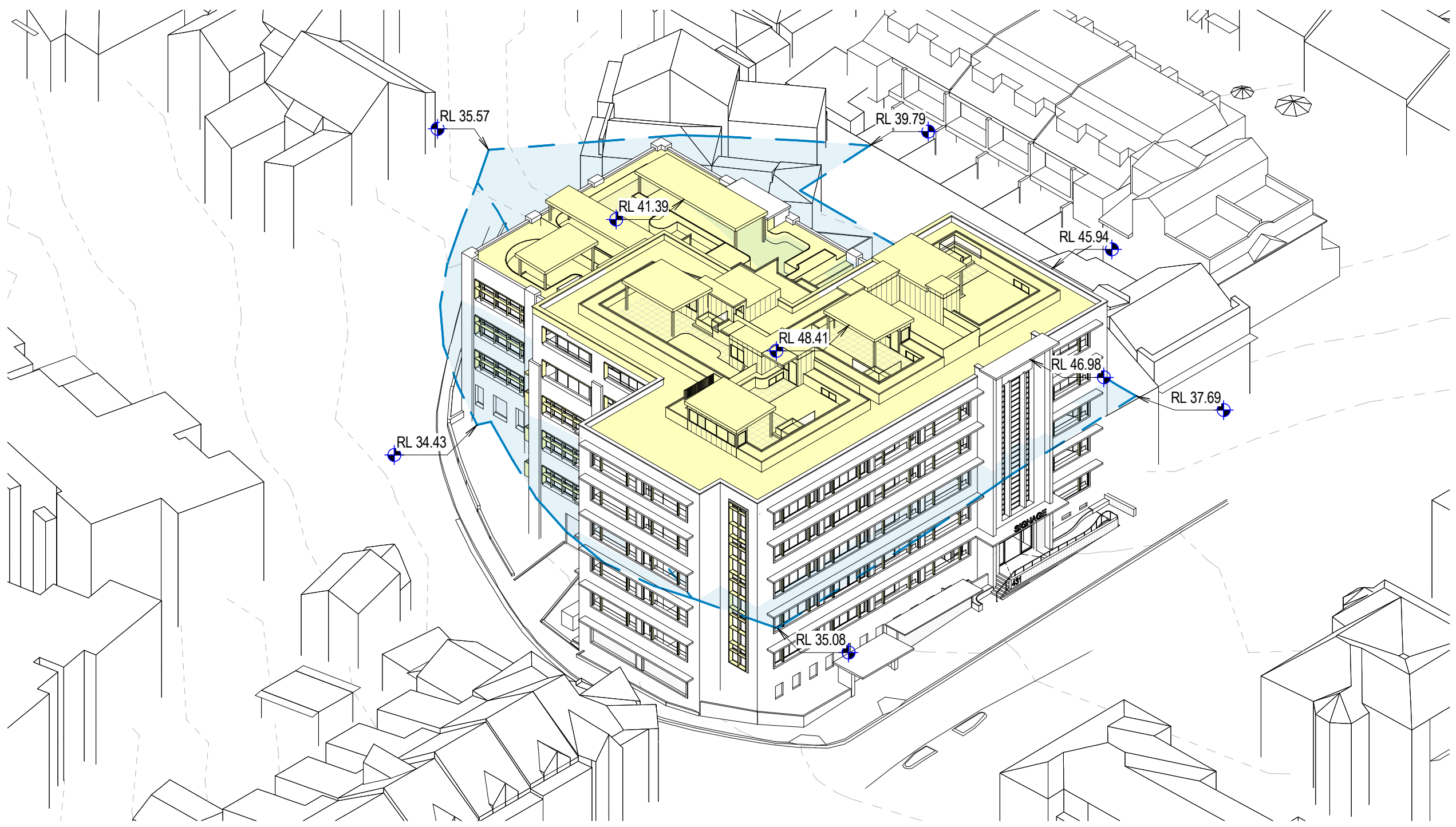
NORTH



EAST



SOUTH



WEST

NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

NOT FOR CONSTRUCTION

Project
**431 GLEBE POINT ROAD
REDEVELOPMENT**
431 Glebe Point Road
Glebe, NSW 2037
Drawing Title
HEIGHT PLANE ANALYSIS

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	JT	A1

Job No.	Date	Scale
240058	Sep '25	1 : 250

Drawing No.	Revision
-------------	----------

AR DA 8540 **A**

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkda.com.au



Attachment D

Clause 4.6 Variation Request – Floor Space Ratio
--



CLAUSE 4.6 VARIATION REQUEST

SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

CLAUSE 4.4 – FLOOR SPACE RATIO

DEVELOPMENT APPLICATION FOR ALTERATIONS AND ADDITIONS TO AN EXISTING INDUSTRIAL BUILDING AND CHANGE OF USE TO RESIDENTIAL FLAT BUILDING WITH ASSOCIATED PARKING, LANDSCAPING AND SERVICES UPGRADES

THE FORMER WOOLCOCK INSTITUTE OF MEDICAL RESEARCH BUILDING

No. 431 GLEBE POINT ROAD, GLEBE

Prepared for
SDHA & Associates

On Behalf of
G & J Drivas Pty Limited

Prepared by
BBC Consulting Planners

Job No. 24-106
Clause 4.6 Report - FSR
October 2025

Table of Contents

1.	INTRODUCTION	1
1.1	Purpose of this document	1
1.2	The Proposal	1
1.3	Site, Zoning, Zone Objectives and Permissibility	2
1.4	The Floor Space Ratio Standard in SLEP 2012	2
1.5	Context.....	3
1.6	Principles and relevant authorities	3
2.	RELEVANT DEVELOPMENT STANDARD	4
3.	EXCEPTIONS TO DEVELOPMENT STANDARDS (CLAUSE 4.6)	5
3.1	Clause 4.6 of Sydney LEP 2012.....	5
3.2	Section 35B of Environmental Planning and Assessment Regulation 2021.....	7
4.	COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE.....	8
4.1	Extent of non-compliance.....	8
4.2	Objectives of the Standard	8
4.3	Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.....	9
4.3.1	The objectives of the standards are achieved notwithstanding non- compliance with the standard.....	9
4.3.2	The extent of non-compliance is acceptable and reasonable.....	11
4.3.3	There is a lack of adverse amenity impact.....	11
5.	THERE ARE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS TO JUSTIFY THE CONTRAVENTION OF THE DEVELOPMENT STANDARD.....	13
6.	CONCLUSION.....	15

FIGURES

- Figure 1: Location
- Figure 2: Site
- Figure 3A: Aerial Photograph – Detail
- Figure 3B: Aerial Photograph – Surrounding Context
- Figure 3C: Aerial Photograph – Wider Area
- Figure 4A: Zoning Map – Sydney LEP 2012
- Figure 4B: Height of Building Map – Sydney LEP 2012
- Figure 4C: Floor Space Ratio Map – Sydney LEP 2012
- Figure 4D: Heritage Map – Sydney LEP 2012
- Figure 4E: Acid Sulphate Soils Map – Sydney LEP 2012
- Figure 4F: Land Use and Transport Integration Map – Sydney LEP 2012
- Figure 4G: Locality and Site Identification Map – Sydney LEP 2012
- Figure 4H: Public Transport and Accessibility Level Map – Sydney LEP 2012
- Figure 5A: Height in Storeys Map – Sydney DCP 2012
- Figure 5B: Buildings Contributions Map – Sydney DCP 2012

ATTACHMENTS

- Attachment 1: Existing GFA Calculations
- Attachment 2: Proposed GFA Calculations

1. INTRODUCTION

1.1 Purpose of this document

This document has been prepared to accompany a Development Application (“DA”) for the redevelopment of an existing building comprising internal alterations and additions and a change of use to a residential flat building to provide five (5) levels of residential accommodation and thirty (30) dwellings with associated parking, landscaping and services upgrades (“the proposal”) at No. 431 Glebe Point Road, Glebe (“the site”). The development contravenes Clause 4.4(2) of Sydney Local Environmental Plan (“SLEP”) 2012 relating to maximum floor space ratio (“FSR”). In accordance with Clause 4.6 of SLEP 2012 and Section 35B of the Environmental Planning and Assessment Regulation 2021 (“EP&A Regulation”), this document sets out the grounds on which the applicant seeks to 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.

1.2 The Proposal

The objective of the proposal is to repurpose an existing, dormant, local heritage listed building whilst providing a high quality, well-designed residential flat building that will positively contribute to the streetscape character of Glebe Point Road and improve housing supply within a well located inner-city suburb.

The proposal represents a balanced planning outcome, having regard to the existing controls, the constraints and opportunities of the site, existing development in the locality and the need to consider the amenity of neighbouring residential properties. The proposal will provide excellent amenity for future residents without unreasonably affecting the amenity of existing residents in the immediate vicinity of the site.

The location and boundaries of the site are identified on the set of illustrative figures which forms part of this document.

All relevant aspects of the proposal are described and assessed in the Statement of Environmental Effects (“SEE”) and accompanying documents.

Pursuant to Clause 4.4(2) of SLEP 2012, the maximum FSR for the site, which is located in the R1 General Residential Zone is 1:1. The existing building exceeds the maximum FSR control when measured in accordance with the definition of “gross floor area” in SLEP 2012. The existing building currently has a total Gross Floor Area (“GFA”) of 6,060m² equating to a maximum FSR of 2.51:1. The proposed building has a total GFA of 5,941m². The proposed FSR of building will be 2.46:1 which exceeds the FSR control in SLEP 2012 of 1:1. Provided in **Attachment 1** are the architect’s existing FSR calculations. Provided in **Attachment 2** are the proposed FSR calculations.

1.3 Site, Zoning, Zone Objectives and Permissibility

The location and boundaries of the site are identified on **Figure 1** and **Figure 2** respectively. The immediate and wider contexts of the site are shown on **Figures 3A – 3C**.

The site is zoned R1 General Residential (see **Figure 4A**), the objectives of which are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain the existing land use pattern of predominantly residential uses.”*

The proposal is consistent with the above objectives.

Residential flat buildings are permissible with consent in the R1 General Residential zone pursuant to SLEP 2012.

1.4 The Floor Space Ratio Standard in SLEP 2012

Clause 4.4(2) of SLEP 2012 provides that the maximum FSR should not exceed 1:1 on the site, which is located in the R1 General Residential Zone. “Floor Space Ratio” is defined in Clause 4.5 of SLEP 2012 to mean:

“Definition of “floor space ratio” The **floor space ratio** of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.”

Gross Floor Area is defined in SLEP 2012 to mean:

“gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes—
 - (d) any area for common vertical circulation, such as lifts and stairs, and
 - (e) any basement—
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
 - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
 - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and

- (h) any space used for the loading or unloading of goods (including access to it), and*
- (i) terraces and balconies with outer walls less than 1.4 metres high, and*
- (j) voids above a floor at the level of a storey or storey above.”*

Clause 4.6 of SLEP 2012 allows approval to be granted to a DA, even though the proposal contravenes a development standard in SLEP 2012, including the maximum FSR standard in Clause 4.4.

This document addresses the requirements of Clause 4.6 of SLEP 2012 and Section 35B of the EP&A Regulation.

1.5 Context

The site comprises No. 431 Glebe Point Road. It forms part of the Glebe Point Road Heritage Conservation Area (reference: C29) and is a locally listed heritage item (reference: 1773) (see **Figure 4D**). A Heritage Impact Statement has been submitted with the DA.

The site is located on the corner of Glebe Point Road and Leichhardt Street in the suburb of Glebe (see **Figure 1**). The site is located in a predominately low and mid-rise residential area and enjoys excellent access to local amenities including Bicentennial Park, Blackwattle Bay, Jubilee Park Light Rail Station, The Tramsheds (retail and food hub), private and public schools, Glebe Point Road local shopping centre, Sydney Fish Markets and public transport networks.

Surrounding land uses predominantly comprise residential commercial and mixed-use buildings. The context of the site, in relation to other residential dwellings and their relationship with Glebe Point Road and the surrounding area in Glebe is evident from the aerial images in **Figures 3A – 3C**.

1.6 Principles and relevant authorities

The principles and relevant authorities which have been considered in the preparation of this Clause 4.6 variation request are those found in:

- Winten Property Group Limited v North Sydney Council [2001] NSWLEC 46;
- Wehbe v Pittwater Council [2007] NSWLEC 827 (“Wehbe”);
- Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009 (“Four2Five No 1”);
- Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 (“Four2Five No 2”);
- Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 248 (“Four2Five No 3”);
- Micaul Holdings Pty Limited v Randwick City Council [2015] NSWLEC 1386;
- Randwick City Council v Micaul Holdings Pty Ltd [2016] NSWLEC 7;
- Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC118;
- Al Maha Pty Ltd v Huajun Investments Pty Ltd [2018] NSWCA 245;
- Baron Corporation Pty Limited v Council of the City of Sydney [2019] NSWLEC 61; and
- Rebel MH Neutral Bay Pty Limited v North Sydney Council [2019] NSWCA 130.

2. RELEVANT DEVELOPMENT STANDARD

This document addresses non-compliance with the maximum FSR control in Clause 4.4 of SLEP 2012 which states:

“4.4 Floor space ratio

(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.*

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.”

3. EXCEPTIONS TO DEVELOPMENT STANDARDS (CLAUSE 4.6)

3.1 Clause 4.6 of Sydney LEP 2012

Clause 4.6 of SLEP 2012 permits consent to be granted for a development application even though the development proposed in the development application would contravene a development standard imposed by SLEP 2012.

Clause 4.6 of SLEP 2012 states:

“(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.

Note—

The Environmental Planning and Assessment Regulation 2021 requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).

(4) The consent authority must keep a record of its assessment carried out under subclause (3).

(5) (Repealed)

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

(7) (Repealed)

(8) This clause does not allow development consent to be granted for development that would contravene any of the following—

- (a) a development standard for complying development,*
- (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
- (c) clause 5.4,*
- (caa) clause 5.5,*
- (ca) clause 4.3 (Height of buildings), but only in relation to land shown as being in Area 1 or Area 2 on the Height of Buildings Map,*
- (cab) clause 4.5A (Balconies on certain residential flat buildings),*
- (cb) clause 5.3A (Development below ground level in Zone RE1),*
- (cc) clause 6.10 (Heritage floor space),*
- (cd) clause 6.11 (Utilisation of certain additional floor space requires allocation of heritage floor space),*
- (cda) clause 6.11A (Temporary alternative heritage arrangements in relation to allocation of heritage floor space),*
- (cdb) clause 6.16 (Erection of tall buildings in Central Sydney),*
- (ce) clause 6.17 (Sun access planes),*
- (cf) clause 6.18 (Overshadowing of certain public places), unless the additional overshadowing is caused by playground equipment, a shade structure, an awning, a sculpture or artwork, a community notice or a public information sign,*
- (cg) clause 6.19 (View planes), except in relation to the Martin Place View of western sky view protection plane,*
- (cga) clause 6.26 (AMP Circular Quay precinct),*
- (cgb) clause 6.29 (58–60 Martin Place, Sydney),*
- (cgc) clause 6.33 (230–238 Sussex Street, Sydney),*
- (cgd) clause 6.35 (45 Murray Street, Pyrmont), but only if the development is an alteration or addition to an existing building,*
- (cge) clause 6.36 (12–20 Rosebery Avenue, 22–40 Rosebery Avenue and 108 Dalmeny Avenue, Rosebery),*
- (cgf) clause 6.37 (296–298 Botany Road and 284 Wyndham Street, Alexandria),*
- (cgg) clause 6.41 (7–15 Randle Street, Surry Hills),*
- (cgh) clause 6.42 (102–106 Dunning Avenue, Rosebery),*
- (cgi) clause 6.40 (2–32 Junction Street, Forest Lodge),*
- (cgj) clause 6.43 (Danks Street South Precinct),*
- (cgk) clause 6.52 (1–11 Oxford Street, Paddington),*
- (cgl) clause 6.55—4–22 Wentworth Avenue, Surry Hills,*

- (cgm) clause 6.56—24–40 Wentworth Avenue, Surry Hills,*
- (cgn) clause 6.58—187–189 Thomas Street, Haymarket,*
- (ch) Division 1 of Part 7 (Car parking ancillary to other development),*
- (ci) clause 6.19A (Views of Sydney Harbour),*
- (cj) clause 6.21E(2) and (5) (Tower cluster areas),*
- (ck) clause 6.60C—2 Chifley Square, Sydney,*
- (cl) clause 6.60D—Oxford Street Cultural and Creative Precinct,*
- (cm) clause 6.60E—Flinders Street and Oxford Street,*
- (cn) clause 6.60G—15–23 Hunter Street and 103–107 Pitt Street, Sydney,*
- (co) clause 6.60H—Hunter Street Metro Station,*
- (cp) clause 6.60I—85–93 Commonwealth Street, Surry Hills.”*

Accordingly, Clause 4.6 can be used to vary (to the extent required) the 1:1 maximum FSR standard in Clause 4.4(2) of SLEP 2012 in respect of a non-compliance with the FSR limit.

3.2 Section 35B of Environmental Planning and Assessment Regulation 2021

Section 35B of the EP&A Regulation states:

“35B Additional requirements for development applications involving contravention of development standards

(1) This section applies to a development application that proposes, in accordance with a relevant EPI provision, development that contravenes a development standard imposed by any environmental planning instrument.

(2) The development application must be accompanied by a document that sets out the grounds on which the applicant seeks to 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.

(3) In this section—

relevant EPI provision means—

(a) clause 4.6 of a local environmental plan that adopts the provisions of the Standard Instrument, or

(b) an equivalent provision of another environmental planning instrument.”

This document has been prepared for this purpose.

4. COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE

4.1 Extent of non-compliance

The existing total GFA of the building is 6,060m² when measured in accordance with the gross floor area definition in SLEP 2012. The site has a total area of 2,419m² equating to an existing maximum FSR of 2.51:1. This exceeds the maximum permitted FSR for the site under SLEP 2012 of 1:1.

The proposal has a total GFA of 5,941m² equating to a maximum FSR of 2.46:1 which also exceeds the maximum permitted FSR for the site pursuant to SLEP 2012.

The proposal will result in an overall reduction of the total GFA of the development by 119m² over the existing building.

The extent of non-compliance of the proposal is shown on the existing GFA calculations (see **Attachment 1**) and the proposed GFA calculations (see **Attachment 2**).

For reasons set out in Section 4.3.3 of this Clause 4.6 variation request, no significant or unreasonable adverse impacts arise from this non-compliance noting that the existing building already significantly exceeds the maximum FSR.

4.2 Objectives of the Standard

The objectives of the maximum FSR standard are set out as follows in Clause 4.4(1) of SLEP 2012:

“4.4 Floor space ratio

(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 is consistent with these objectives notwithstanding the non-compliance with the 1:1 FSR standard in Clause 4.4 of SLEP 2012.

4.3 Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

This section sets out grounds demonstrating that compliance with the development standards is unreasonable or unnecessary in the circumstance of the case.

In *Wehbe*, Chief Justice Preston set out five non-exhaustive ways in which it may be established that compliance with the development standard is unreasonable or unnecessary in the circumstance of the case:

- “1. the objectives of the standard are achieved notwithstanding noncompliance 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 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.”*

In Initial Action, the Chief Judge clarified that an applicant does not need to establish all of the five elements above. In this regard, the Chief Judge said [paragraph 22]:

These five ways are not exhaustive of the ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary; they are merely the most commonly invoked ways. An applicant does not need to establish all of the ways. It may be sufficient to establish only one way, although if more ways are applicable, an applicant can demonstrate that compliance is unreasonable or unnecessary in more than one way.

4.3.1 The objectives of the standards are achieved notwithstanding non-compliance with the standard

The development achieves the objectives of the maximum FSR standard in Clause 4.4(1) of SLEP 2012 for the following reasons:

(a) to provide sufficient floor space to meet anticipated development needs for the foreseeable future,

- The proposed development decreases the total GFA of the building by 119m² resulting in the maximum FSR decreasing from 2.51:1 (existing) to 2.46:1 (proposed). Notwithstanding is reduction in floor space the proposed development will provide sufficient floorspace to meet the demand for high quality and accessible housing in an accessible location and an established urban area.

(b) to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic,

- There is a reduction in the density of development as measured by a floor space ratio development standard.
- The existing building is listed as a local heritage item (reference: 1773) pursuant to Schedule 5 of *Sydney Local Environmental Plan 2012* ("SLEP") and is to be retained.
- The proposal largely retains the built form and massing of the existing building, supplemented by discrete upper level additions behind the parapet line and minor envelope additions in the areas to the east/southeast of the existing third and fourth floor envelope, where they are least visible from the public domain, and setback sufficiently from the southern boundary/parapet to limit any substantial overshadowing or overlooking to/of neighbouring properties.
- The land use intensity decreases with the change of use from commercial / research to residential uses in terms of GFA, number of parking spaces, number of potential occupants and vehicle generation. There will be a significant net decrease in traffic generation particularly during the peak period commute times.
- The proposed development will have no significant adverse impacts in terms of bulk and scale. The existing scale, setbacks, form and massing of the building would largely be unchanged with alterations and additions to the building envelope being carefully located away from street frontages and behind the main building facades to the west and north. These additions have been positioned so as to have limited impact and to not be visible from the public domain at the primary street frontage. The height and massing of the proposed additions to the building envelope has been designed so as to be consistent with the primary facades and parapets of the exiting building.

(c) to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure,

- The proposal will not have any adverse impacts on the capacity of existing and planned infrastructure. The site is located in an area which is well serviced by public transport, is located in close proximity to shops and services and has connections to public open space, public schools and community facilities.

(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 proposal responds to the varying character of the area by integrating built form, articulation and façade treatments that soften the visual impact of the development and maintain a respectful relationship with adjoining properties.
- The proposed redevelopment has been sensitively designed so as to minimise any negative impacts associated with overlooking of neighbouring dwellings and a resulting loss of privacy. The northern and southern elevations of the building (where possible) have limited additional window openings, generally consistent with the original building openings.
- The proposal will not result in the loss of any significant views. The existing building is significantly larger in height and scale when compared with immediate neighbouring buildings.

4.3.2 The extent of non-compliance is acceptable and reasonable

The non-compliance with the 1:1 maximum FSR standard in Clause 4.4(2) of SLEP 2012 which applies to the site is acceptable and reasonable in the circumstances of the case for the following reasons:

- the existing building already exceeds the maximum FSR standard;
- no adverse or significant environmental impacts arise from the proposed FSR non-compliance;
- the FSR of the proposal, notwithstanding the requested variation to the FSR standard, is appropriate for the conditions of the site and its context;
- the built form, bulk and scale of the proposal are appropriate in its context;
- the proposal is consistent with the objectives of the FSR controls;
- the proposal, with the non-compliant FSR, is still consistent with the overall planning intent for the site and for the surrounding R1 General Residential area;
- the proposal, with the non-compliant FSR, is still consistent with the desired future character for the Glebe Point Road Heritage Conservation Area (C29); and
- there are no adverse amenity or other impacts as detailed in Section 4.3.3.

4.3.3 There is a lack of adverse amenity impact

4.3.3.1 Initial Action Pty Ltd v Woollahra Municipal Council

There is a lack of any adverse amenity impact associated with the non-compliance for the reasons set out above in 4.3.2 above. In this regard, in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, Preston CJ **expressly** held that “...one way of demonstrating consistency with the objectives of a development standard is to show a lack of adverse amenity impacts (see *Randwick City Council v Micaul Holdings Pty Ltd* at [34]).”

The amenity impacts of the proposal are addressed below.

4.3.3.2 View Impacts

The proposal will not result in the loss of any significant views. The existing building is significantly larger in height and scale when compared with immediate neighbouring buildings. The proposal will result in the reduction of total GFA and will not interfere with any existing views or vistas.

4.3.3.3 Privacy Impacts

The proposed redevelopment has been sensitively designed so as to minimise any negative impacts associated with overlooking of neighbouring dwellings and a resulting loss of privacy. The northern and southern elevations of the building (where possible) have limited additional window openings.

Windows on Level 1 and 2 of the southern façade have the potential to overlook adjoining properties to the south. There are currently windows on this façade which will be replaced with new windows and, in some cases, balconies within the building footprint. An existing stair well will be removed and three new windows installed. Window openings will be (as required) obscure glazing to a height of 1500mm above finished floor level. Other materials including

obscure glazing, louvres and screens will reduce the impacts of overlooking to/ from the site. Existing mature landscaping will be retained and embellished.

The eastern elevation is oriented towards Leichhardt Street and over the front of the dwelling at No 2 Leichhardt Street with no significant impact on privacy of this dwelling house.

The northern and western facades address public roads which provide separation between the development and adjacent residential properties.

At the roof levels, setbacks and a perimeter planting bed is proposed which will provide sufficient separation from the edge of the parapet to the common open space area minimising overlooking.

The fenestration of the existing building largely remains unchanged as a result of the proposed development.

4.3.3.4 Overshadowing Impacts

The bulk and scale of the building largely remains unchanged. The maximum height of the building will be increased by 2.47 metres with the higher elements well set back from the building edge. This results in some minor additional overshadowing in the afternoons. The development results in no additional overshadowing until approximately 2.00pm in the afternoon in mid-winter. At this time there is minor additional overshadowing of the roof of No. 429 Glebe Point Road and of the side wall of the existing building at No. 417 Glebe Point Road currently under renovation. At 3.00pm there will be minor additional overshadowing of the new townhouse development at No. 417 Glebe Point Road with the additional shadow falling primarily on the Level 1 balustrade and pergola to the ground floor awning. This will have no significant impact on the amenity of these future dwellings. The shadow impacts of the proposal are reasonable.

4.3.3.5 Bulk and Scale Impacts

The proposed development will not have any significant, adverse impacts in terms of bulk and scale. The existing scale, setbacks, form and massing of the building would largely be unchanged with alterations and additions to the building envelope being confined to the northeast of the site at third and fourth floor levels. These additions have been positioned so as to have limited impact and to not be visible from the public domain at the primary street frontage. The height and massing of the proposed additions to the building envelope has been designed so as to be consistent with the primary facades and parapets of the existing building. The additional levels to the rear of the building are set well back from the site boundaries and from adjoining and adjacent development, adjoin the higher elements of the building and retain the lower built form to the east away from Glebe Point Road.

5. THERE ARE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS TO JUSTIFY THE CONTRAVENTION OF THE DEVELOPMENT STANDARD

This section demonstrates that there are sufficient environmental planning grounds to justify the contravention of the development standard.

The focus is to be on the elements of the development that contravenes the development standard, in this case the FSR of the building. The FSR of the proposed development is less than the FSR of the existing building. The contravention of the FSR development standard is justified on environmental planning grounds specific to this development for the following reasons (and for the reasons outlined in 4.3 above):

- The FSR of the development is influenced by the existing FSR of the building which also exceeds the maximum FSR development standard and is reduced.
- The additional building envelope to the east of the main building behind the northern facade at levels 3 and 4 is set well back from the northern and eastern boundaries and is set back from the existing building parapet. This addition is discrete and subservient to the main building form.
- The proposed FSR has no significant impact on the heritage significance of the heritage item on the site, nearby heritage items or the conservation area within which the site is located.
- The existing building and the additional building elements provide residential accommodation and associated facilities and services including outdoor spaces and landscaping consistent with the surrounding residential land uses and the intended future character of the area.
- The additional elements of the existing building do not obstruct any existing views and have no significant impacts on the scenic quality of the building or locality or views or vistas to the area.
- The extent to which the buildings exceed the maximum FSR does not change the relationship of the development to adjoining land to any significant extent.
- There will be no significant adverse amenity impacts arising from the extent to which the buildings exceed the maximum FSR development standard in relation to overlooking, overshadowing, obstruction of light or air, obstruction of views or any other such impacts on nearby existing or future residential properties.
- The proposal will have no adverse impact on the existing streetscape character of Glebe Point Road and is highly consistent with the character of the surrounding locality. The proposed development will enhance the streetscape, repurposing the existing, dormant heritage building. The proposal will retain high value heritage fabric throughout the building and reinstate original design features including the awning and original stairwell to Glebe Point Road. Additions to the built form will be sympathetic in nature and will offer a contemporary contrast to the more traditional painted brick finish of the existing building. The additions to the building envelope have been designed to be

subservient to the existing building and will largely, not be visible from the surrounding street network.

- The proposed development will be complimented by significant landscaping which will include the removal of low value trees that are in poor condition and the re-planting of four (4) new trees. Low level shrub planting and groundcovers are proposed at ground floor level providing verdant, common open space for future residents whilst improving the presentation of the site to its street frontages. Given the significant history of the site and its previous industrial/commercial uses, there are opportunities for heritage interpretation which will create interest in the building and the surrounding locality.
- As outlined at section 4.3.1 above, the proposed alterations and additions remain consistent with the objectives of the FSR development standard under the SLEP 2012 by demonstrating a lack of adverse amenity impacts – due to its design, placement and its private residential use (see *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC 7 at [34]).

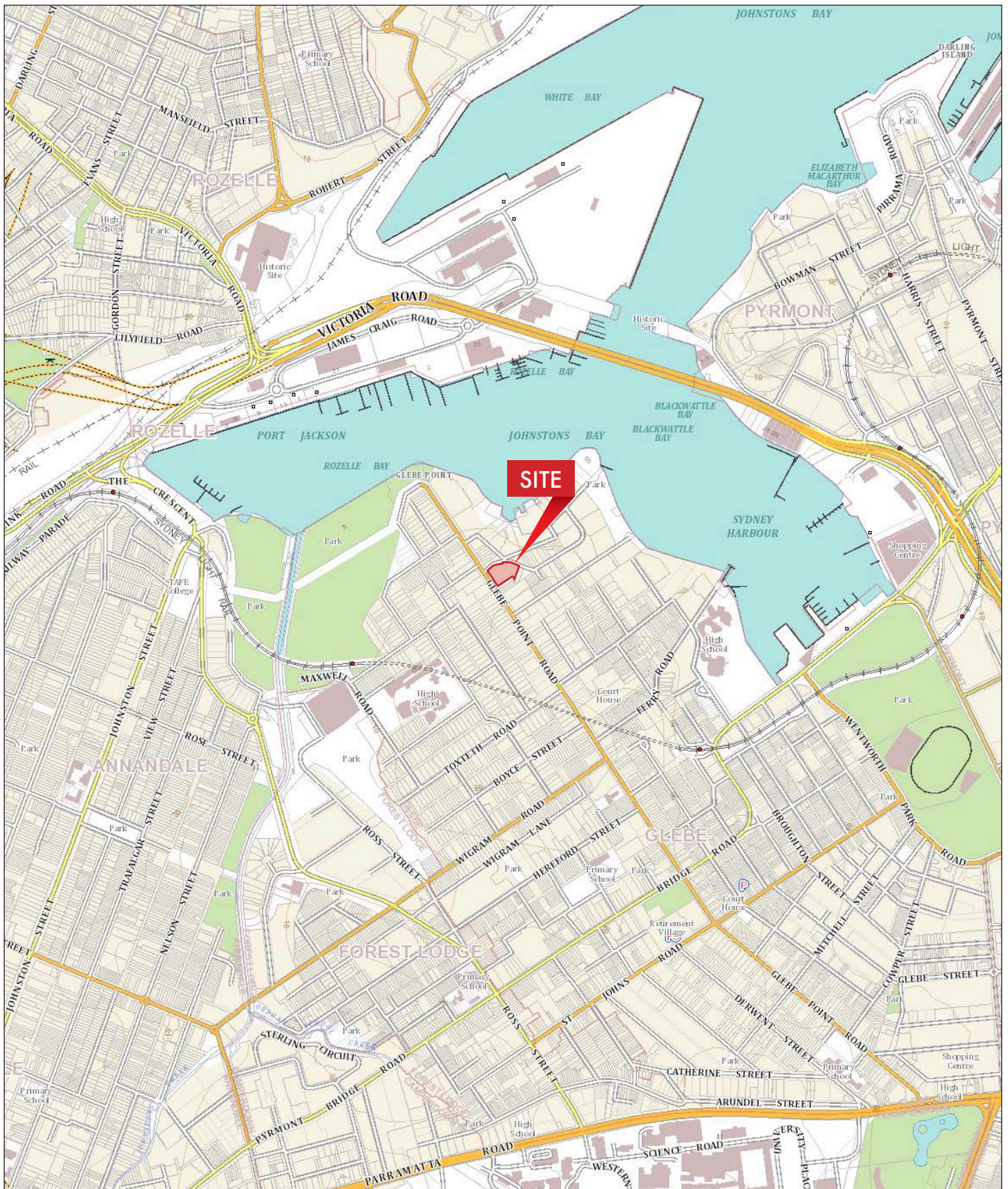
6. CONCLUSION

It can be concluded that strict compliance with the 1:1 maximum FSR standard in Clause 4.4(2) of SLEP 2012 is unreasonable and unnecessary in the circumstances of the case, that there are sufficient environmental planning grounds to justify the requested variation, and there is an absence of any significant or unreasonable environmental impact.

The proposal will result in additional residential accommodation a high-quality design outcome responsive the heritage qualities of the building and as envisaged for the site by its zoning and development controls. It will achieve the desired built form and amenity outcomes for the site and is consistent with the objectives both of the FSR standard and of the R1 General Residential zone in the SLEP 2012.

The Clause 4.6 variation request is well founded and should therefore be supported.

FIGURES



Source: <http://maps.six.nsw.gov.au/>



STATEMENT OF ENVIRONMENTAL EFFECTS 431 Glebe Point Road, Glebe

FIGURE 1
Location

Prepared For - SDHA



Source: <http://maps.six.nsw.gov.au/>

STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 2
Site

Prepared For - SDHA



Source: NearMap 28 May 2025

STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 3A
Aerial Photo – Detail

Prepared For - SDHA

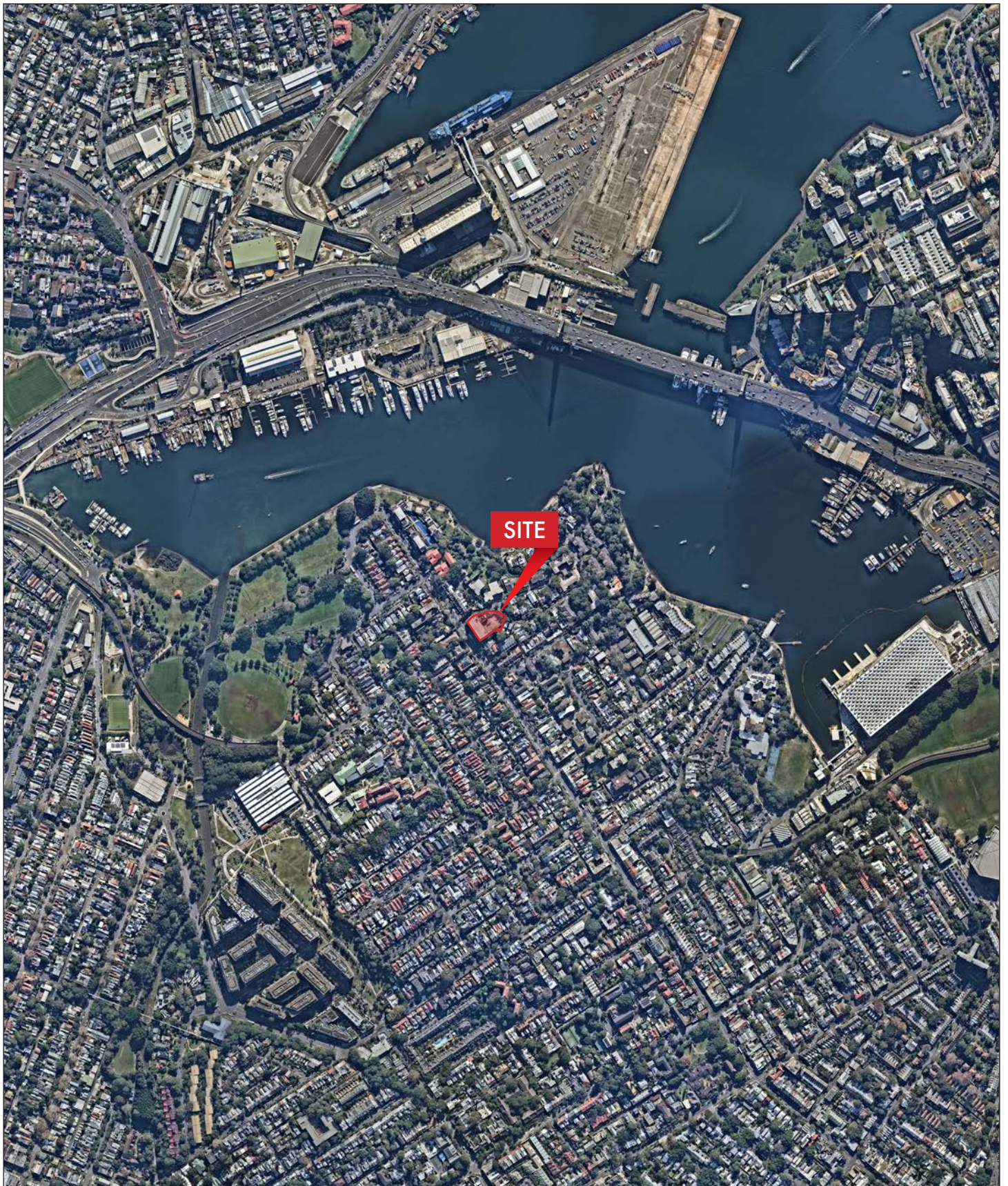


Source: NearMap 28 May 2025

STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 3B
Aerial Photo – Surrounding Context

Prepared For - SDHA

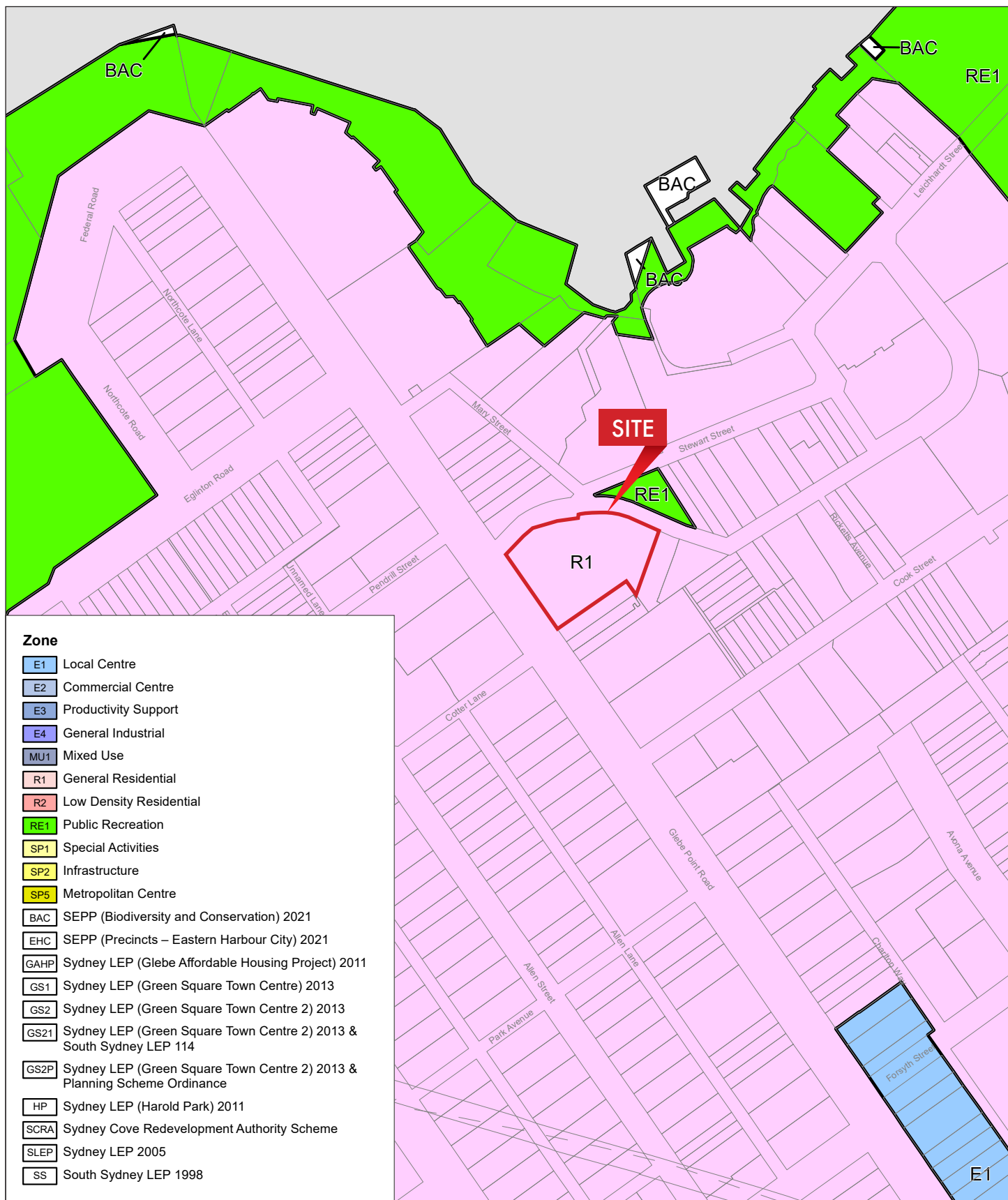


Source: NearMap 28 May 2025

STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 3C
Aerial Photo – Wider Area

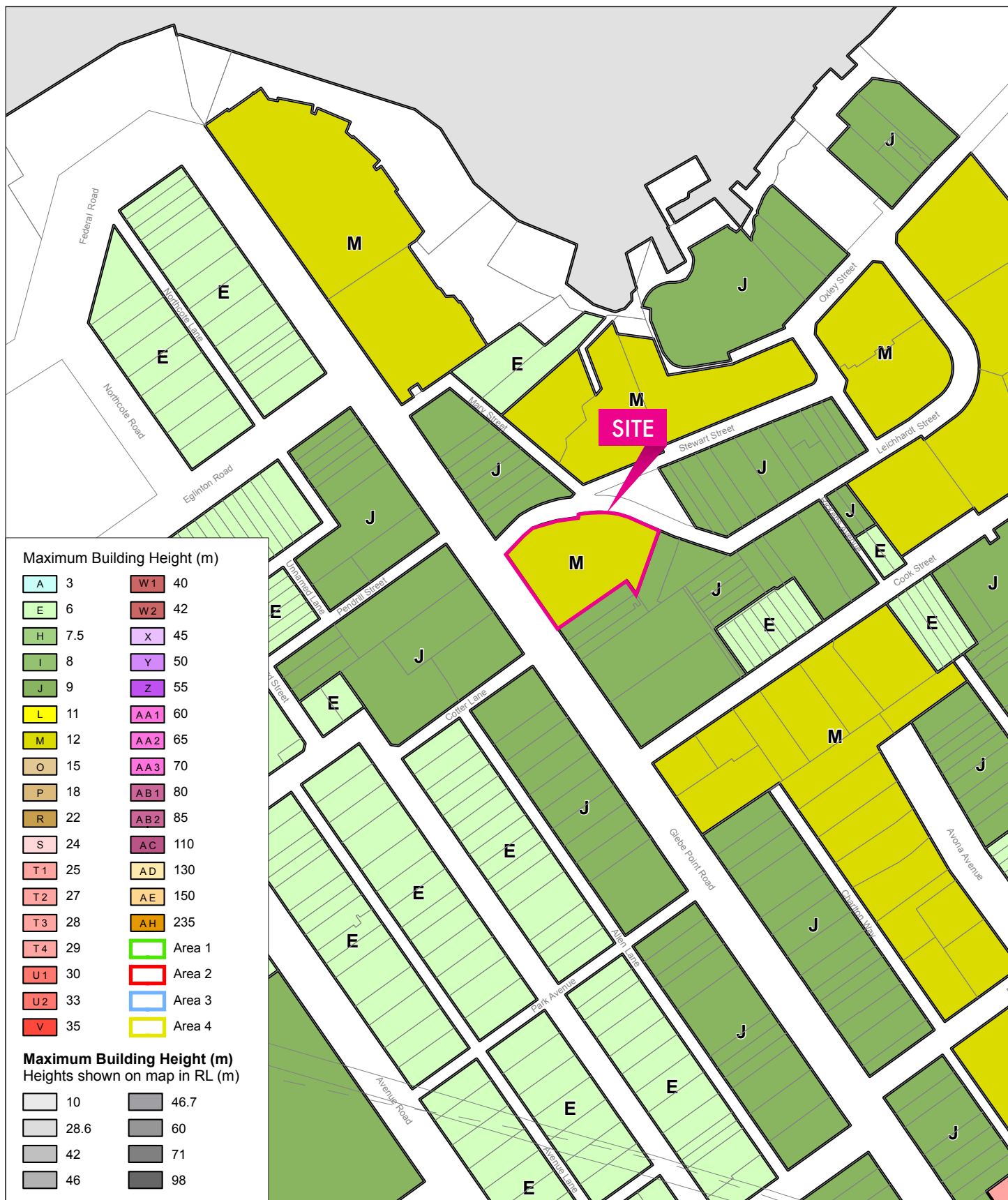
Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4A
Zoning Map – Sydney LEP 2012

Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4B
Height of Buildings Map – Sydney LEP 2012

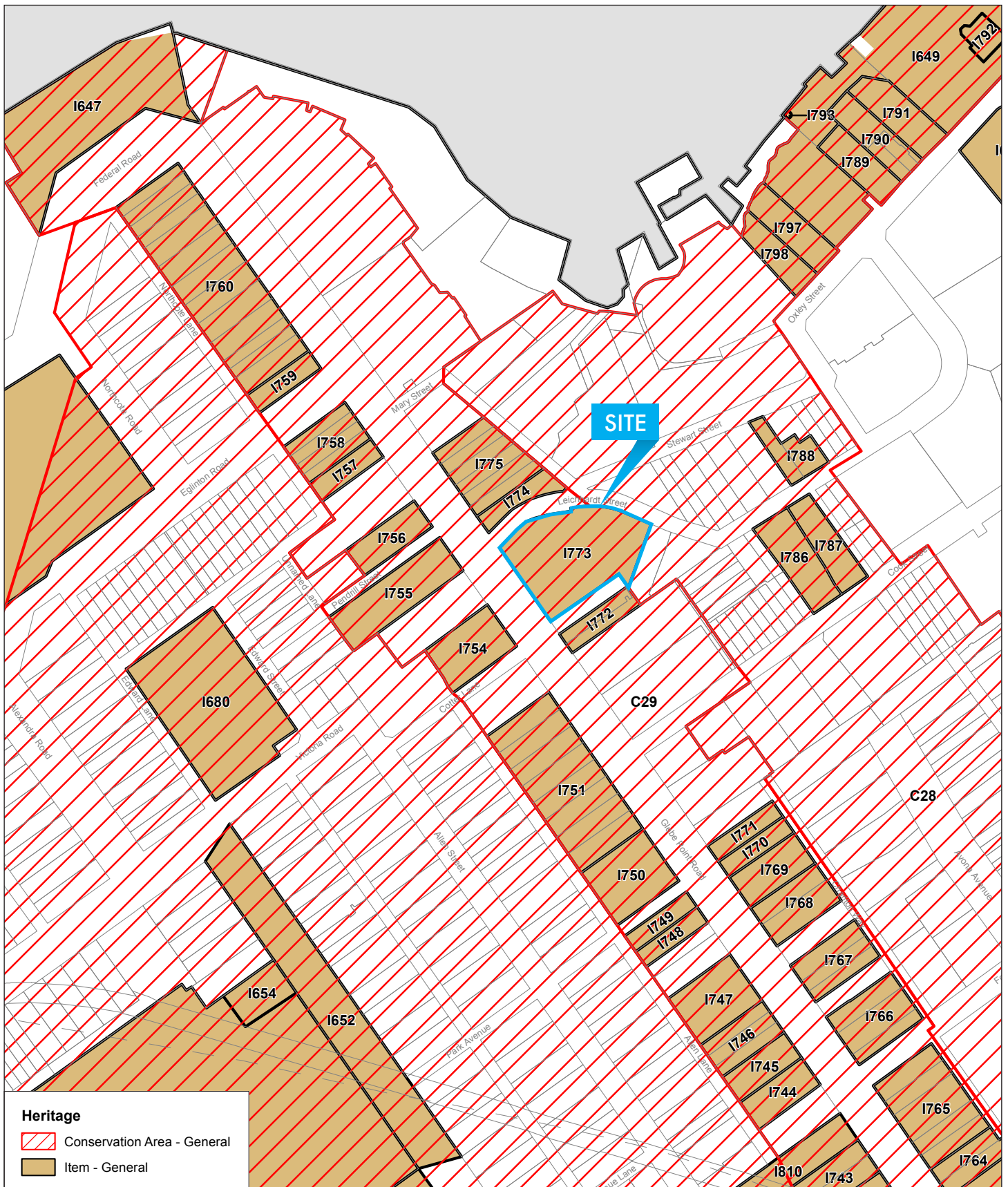
Prepared For - SDHA

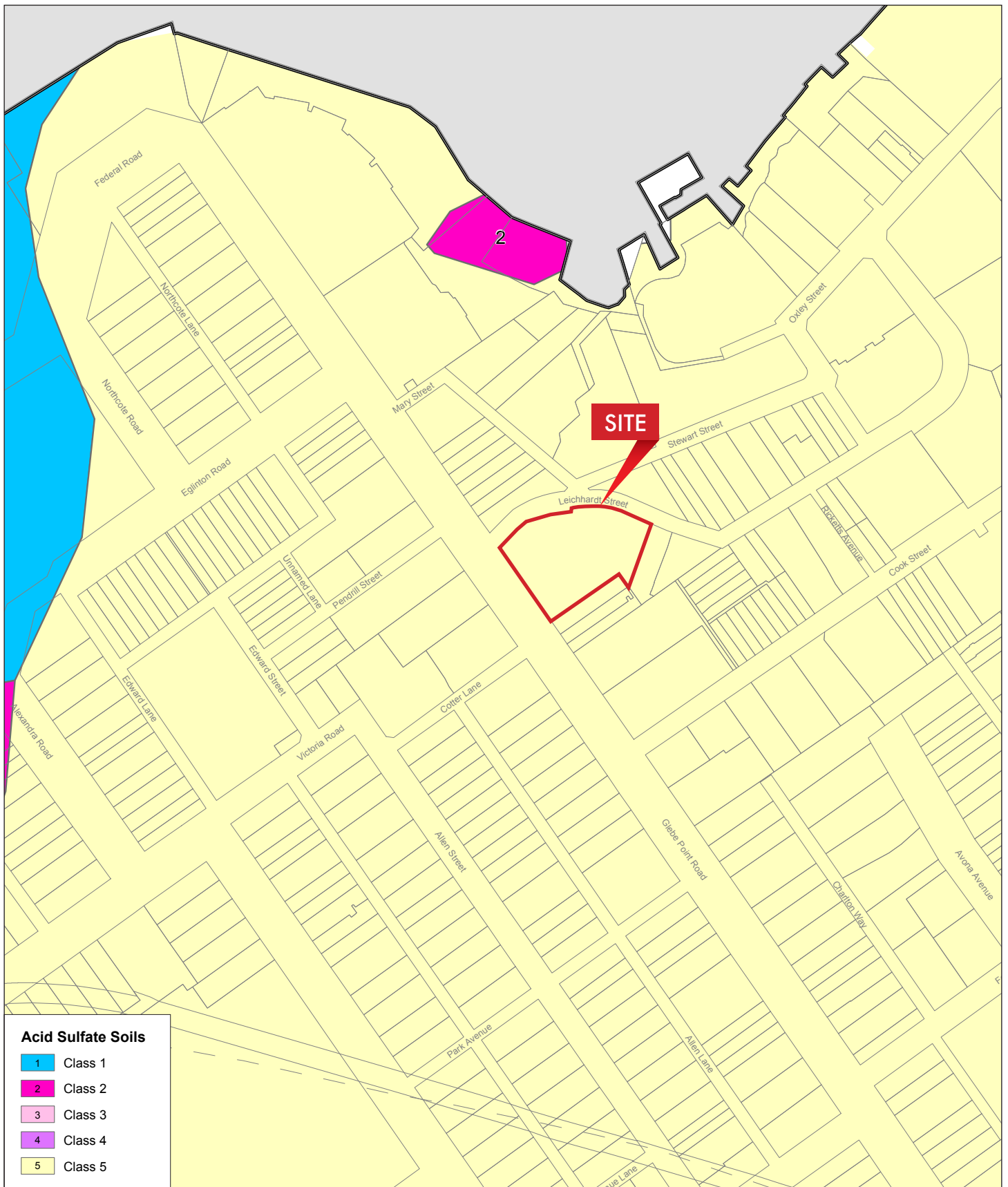


STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4C
Floor Space Ratio Map – Sydney LEP 2012

Prepared For - SDHA





STATEMENT OF ENVIRONMENTAL EFFECTS

431 Glebe Point Road, Glebe

FIGURE 4E

Acid Sulfate Soils Map – Sydney LEP 2012

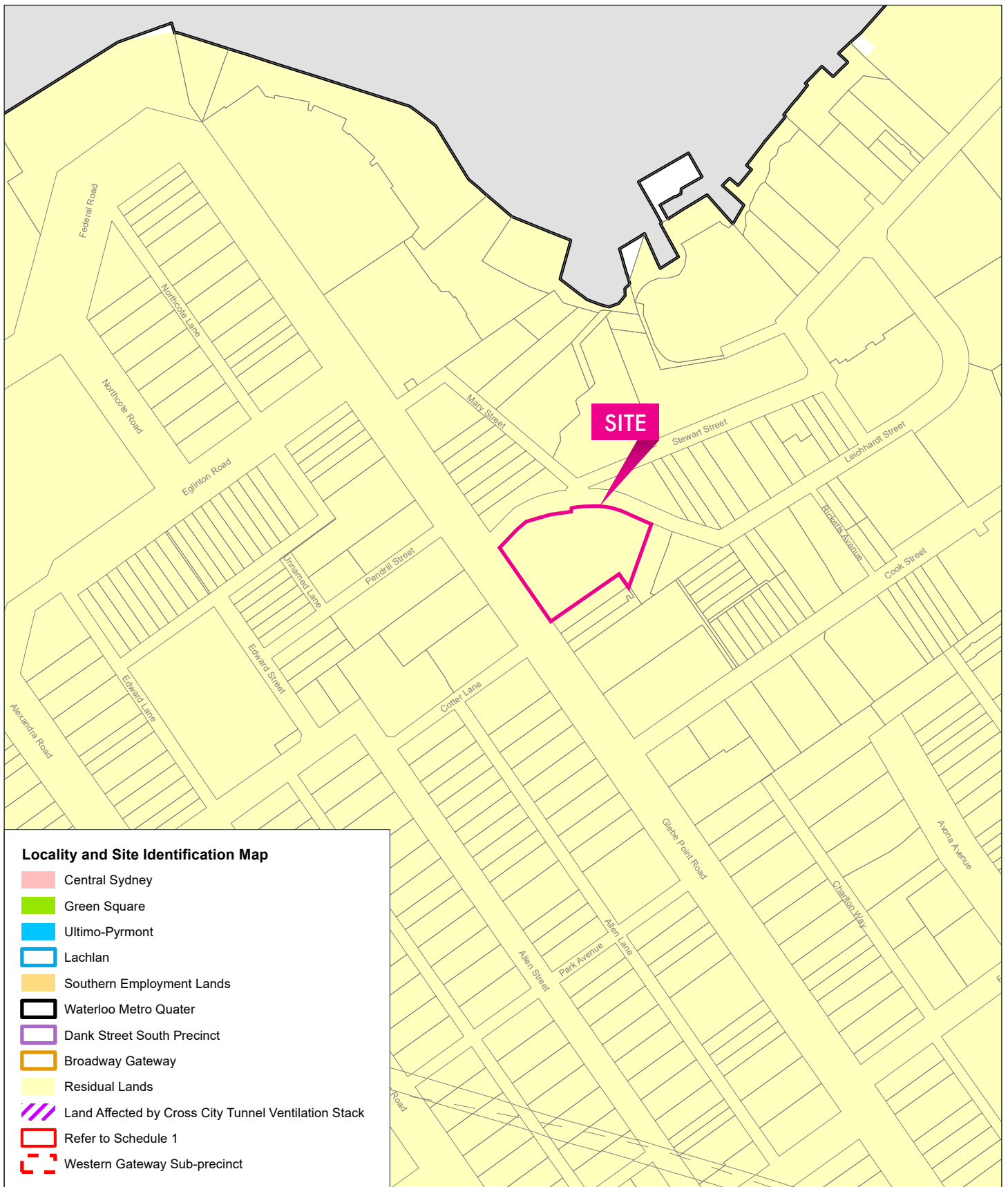
Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4F
Land Use and Transport Integration Map – Sydney LEP 2012

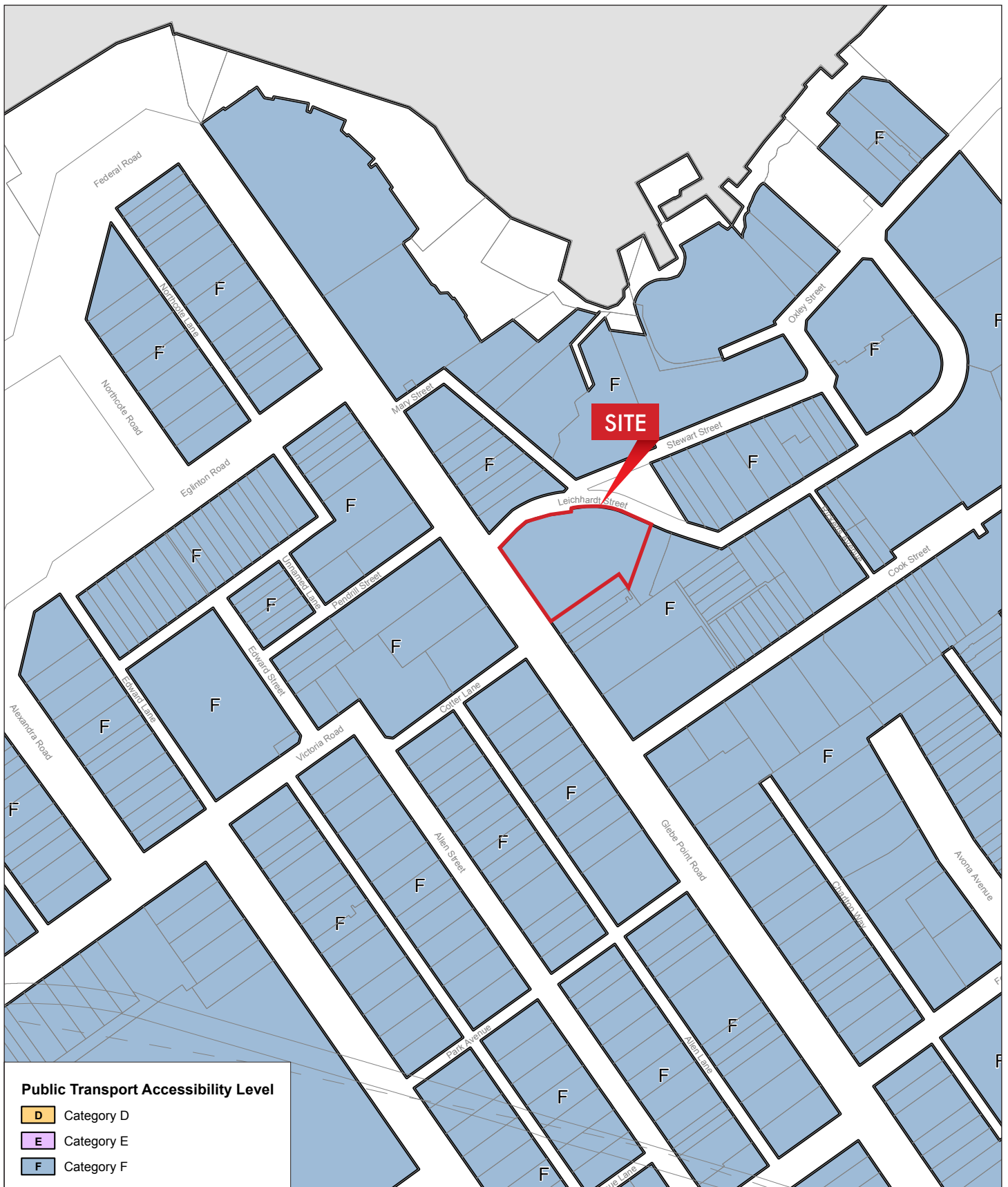
Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4G
Locality and Site Identification Map – Sydney LEP 2012

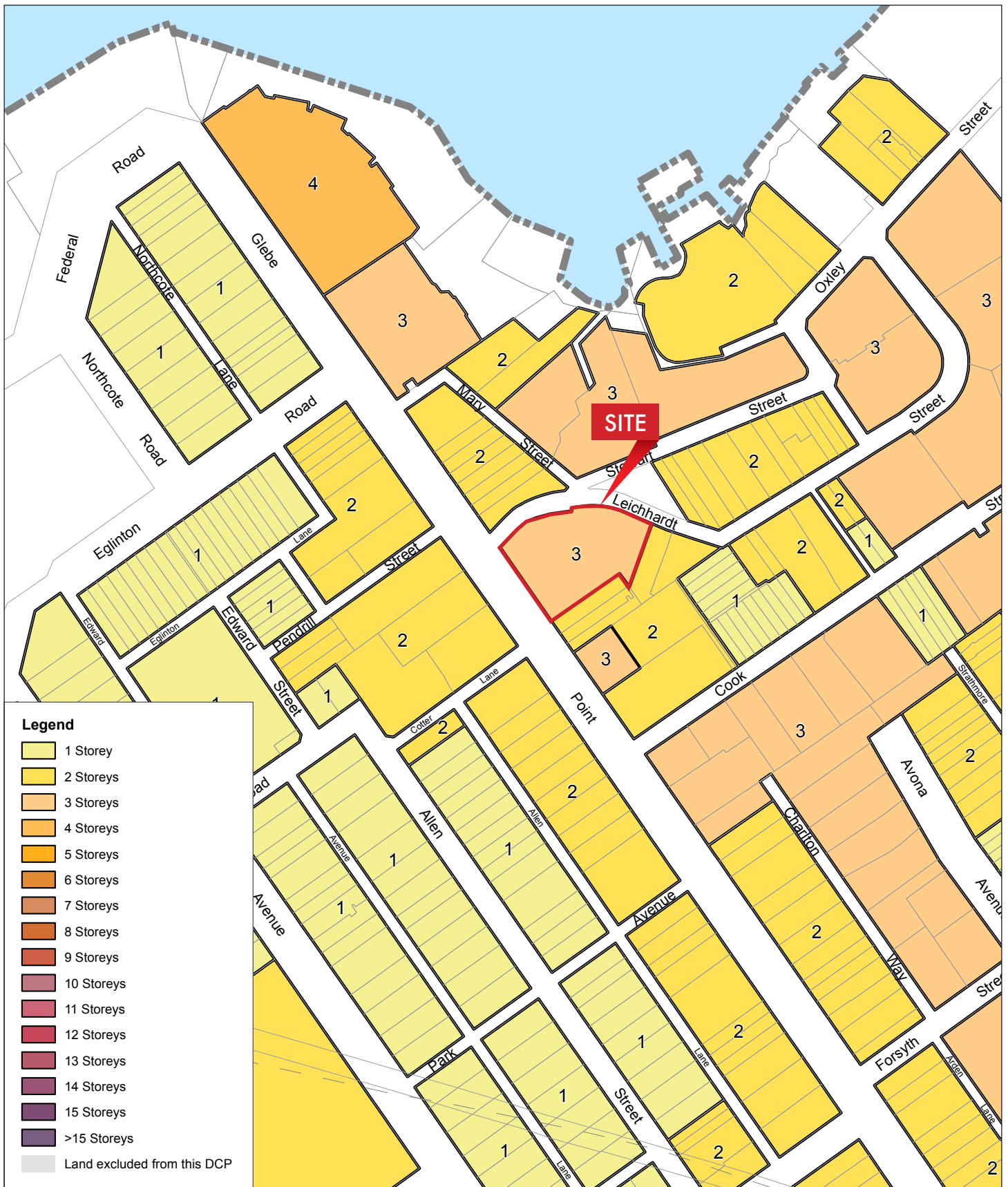
Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS
431 Glebe Point Road, Glebe

FIGURE 4H
Public Transport Accessibility Level Map – Sydney LEP 2012

Prepared For - SDHA



STATEMENT OF ENVIRONMENTAL EFFECTS

431 Glebe Point Road, Glebe

FIGURE 5A

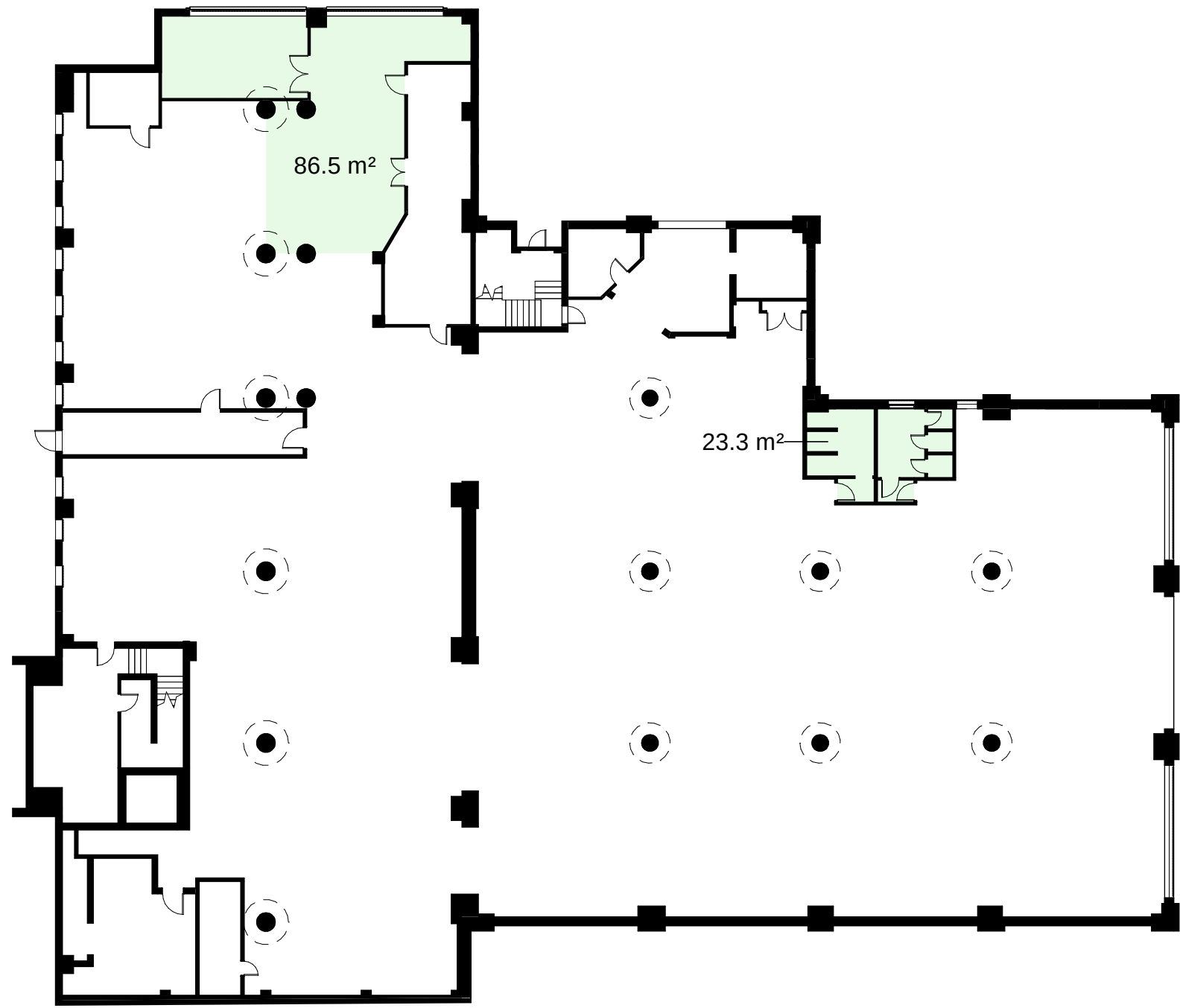
Height in Storeys Map – Sydney DCP 2012

Prepared For - SDHA

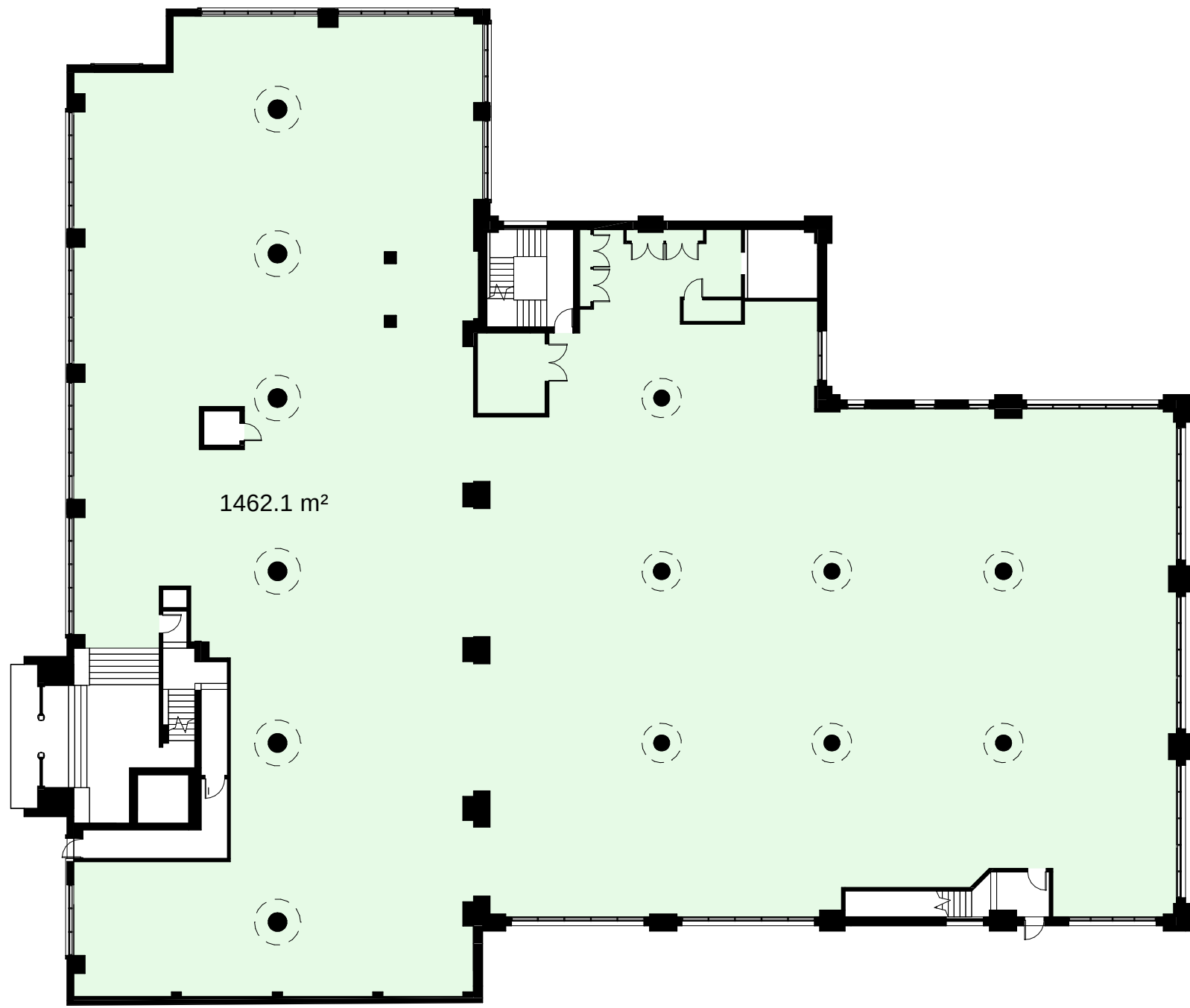
ATTACHMENTS

ATTACHMENT 1

AREA SCHEDULE - (E) GFA	
LEVEL	AREA
BASEMENT	109.9 m ²
GROUND FLOOR	1462.1 m ²
LEVEL 01	1483.8 m ²
LEVEL 02	1503.6 m ²
LEVEL 03	817.4 m ²
LEVEL 04	683.5 m ²
TOTAL	6060.2 m ²



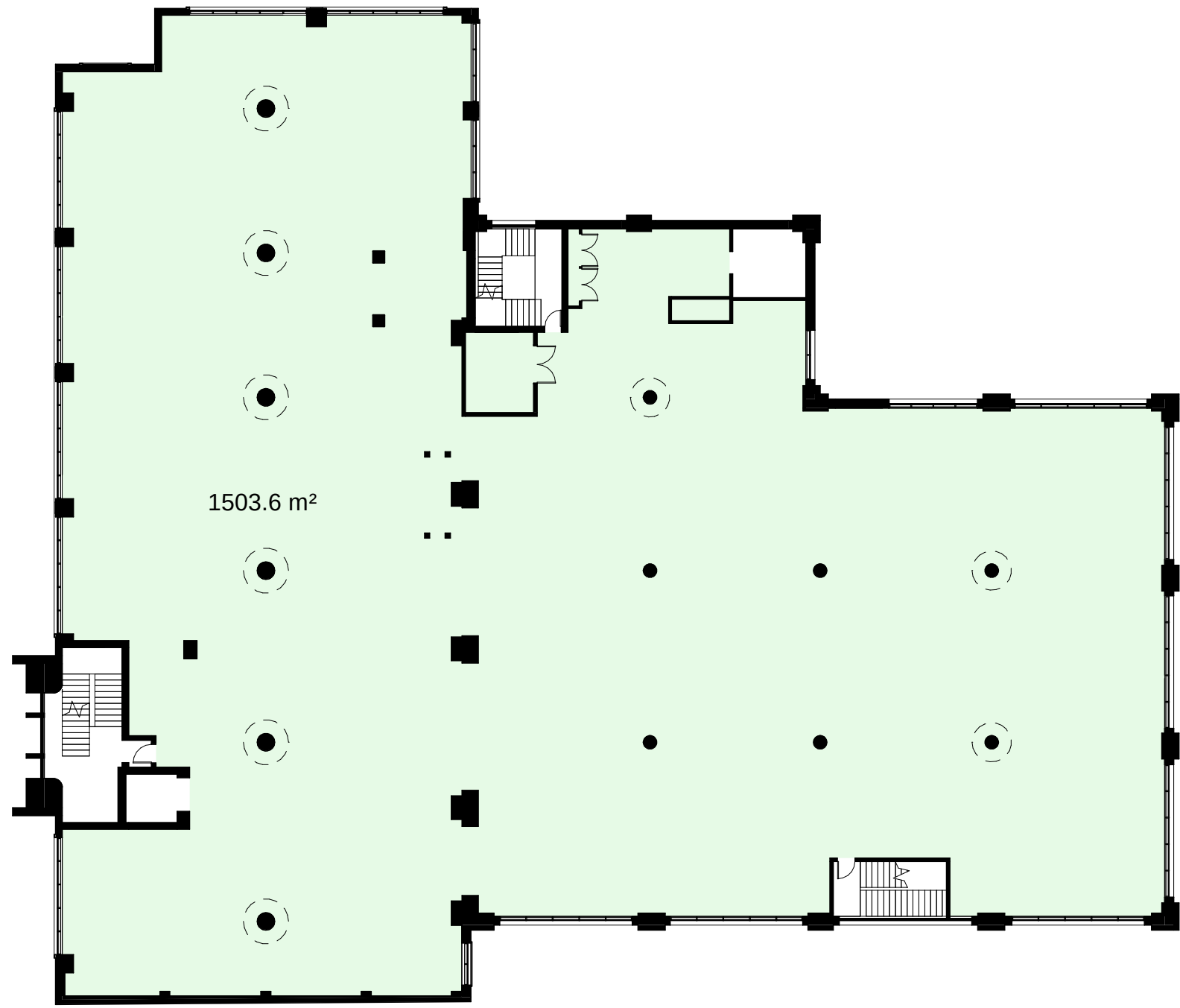
BASEMENT - (E) GFA



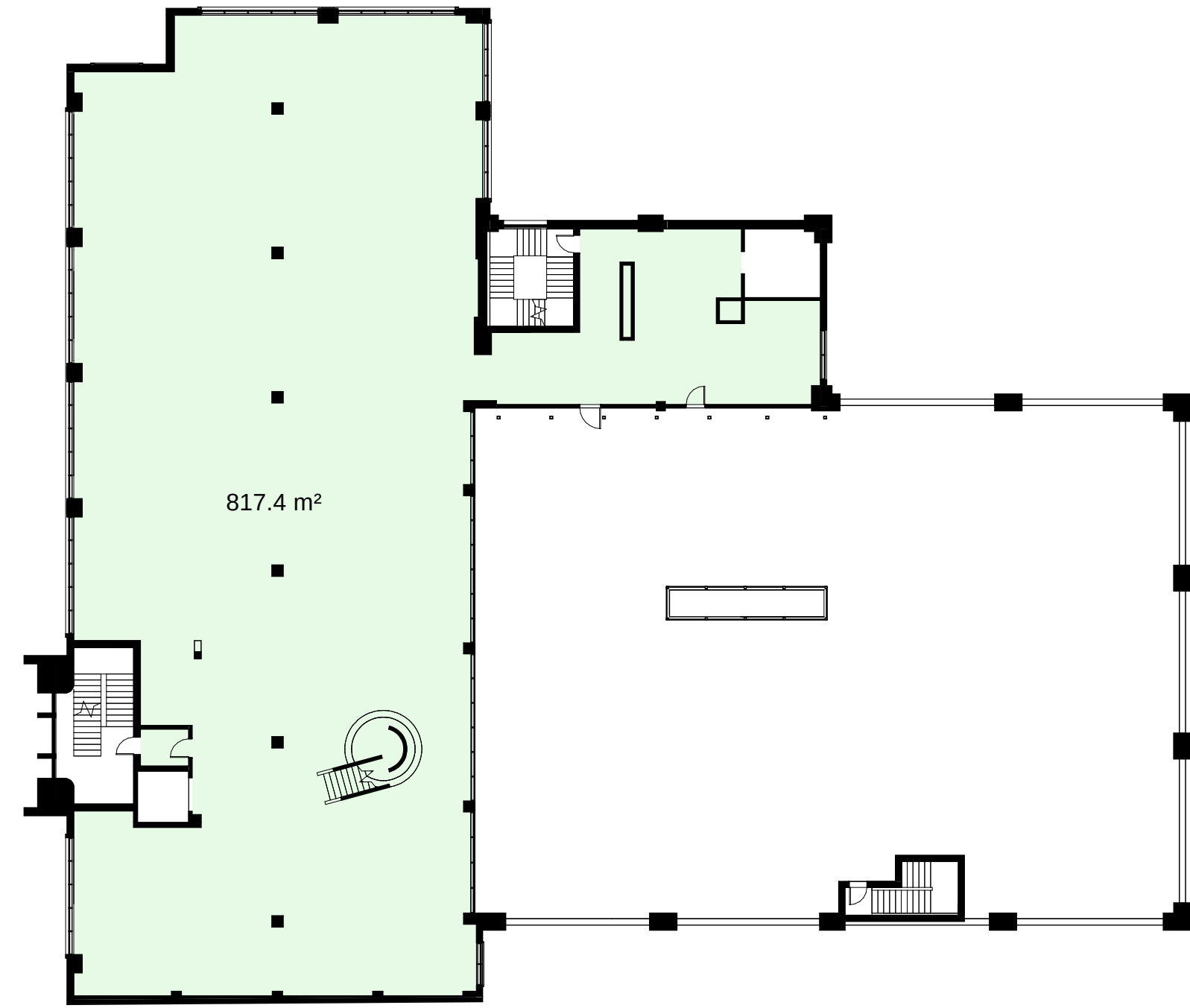
GROUND FLOOR - (E) GFA



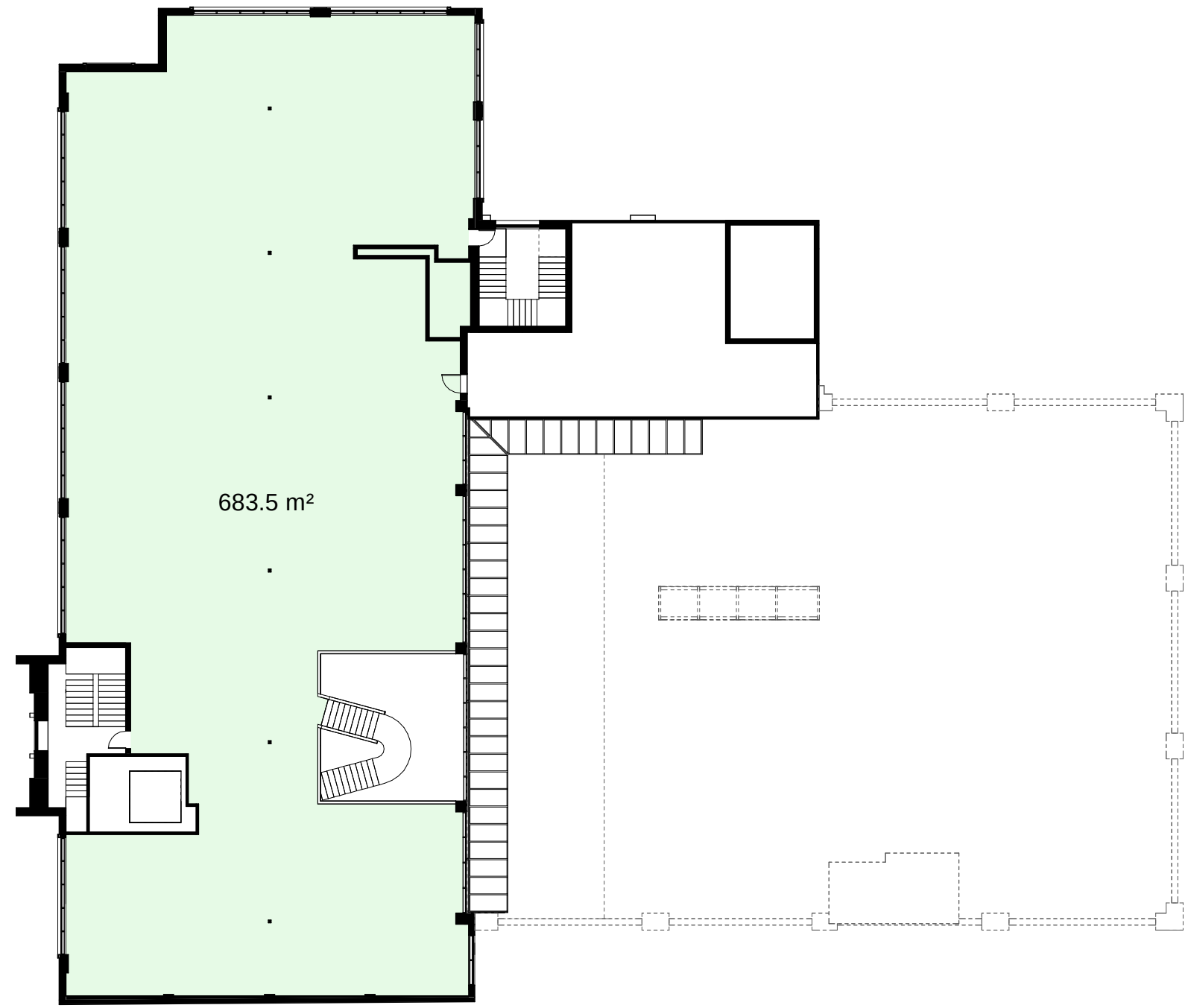
LEVEL 01 - (E) GFA



LEVEL 02 - (E) GFA



LEVEL 03 - (E) GFA



LEVEL 04 - (E) GFA

NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

NOT FOR CONSTRUCTION

Project
**431 GLEBE POINT ROAD
REDEVELOPMENT**
431 Glebe Point Road
Glebe, NSW 2037
Drawing Title
**EXISTING GROSS FLOOR AREA
PLANS**

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE	A1
Job No.	Date	Scale	
240058	Sep '25	1 : 250	

Drawing No. **AR DA 8100** Revision **A**

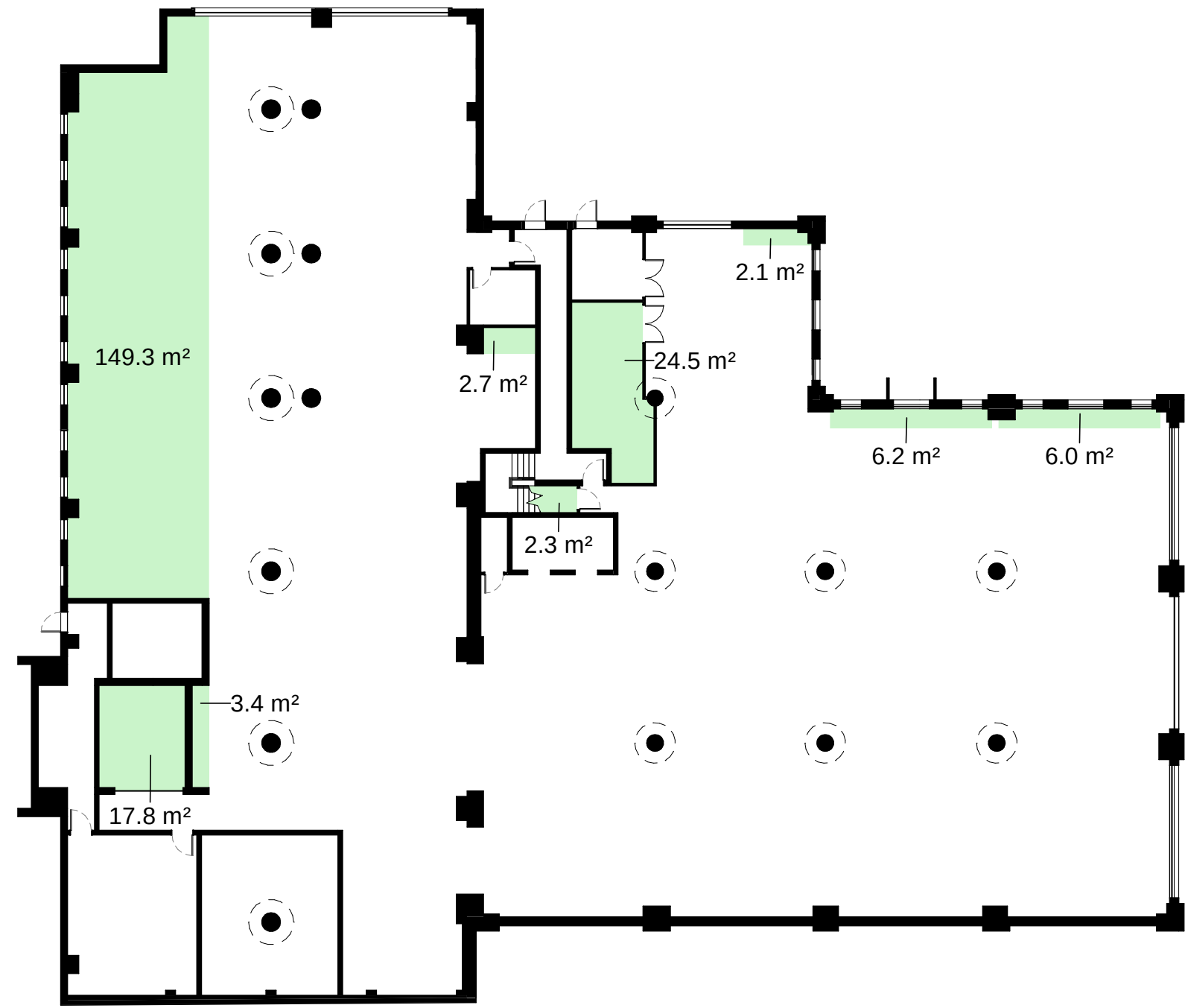
Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkda.com.au



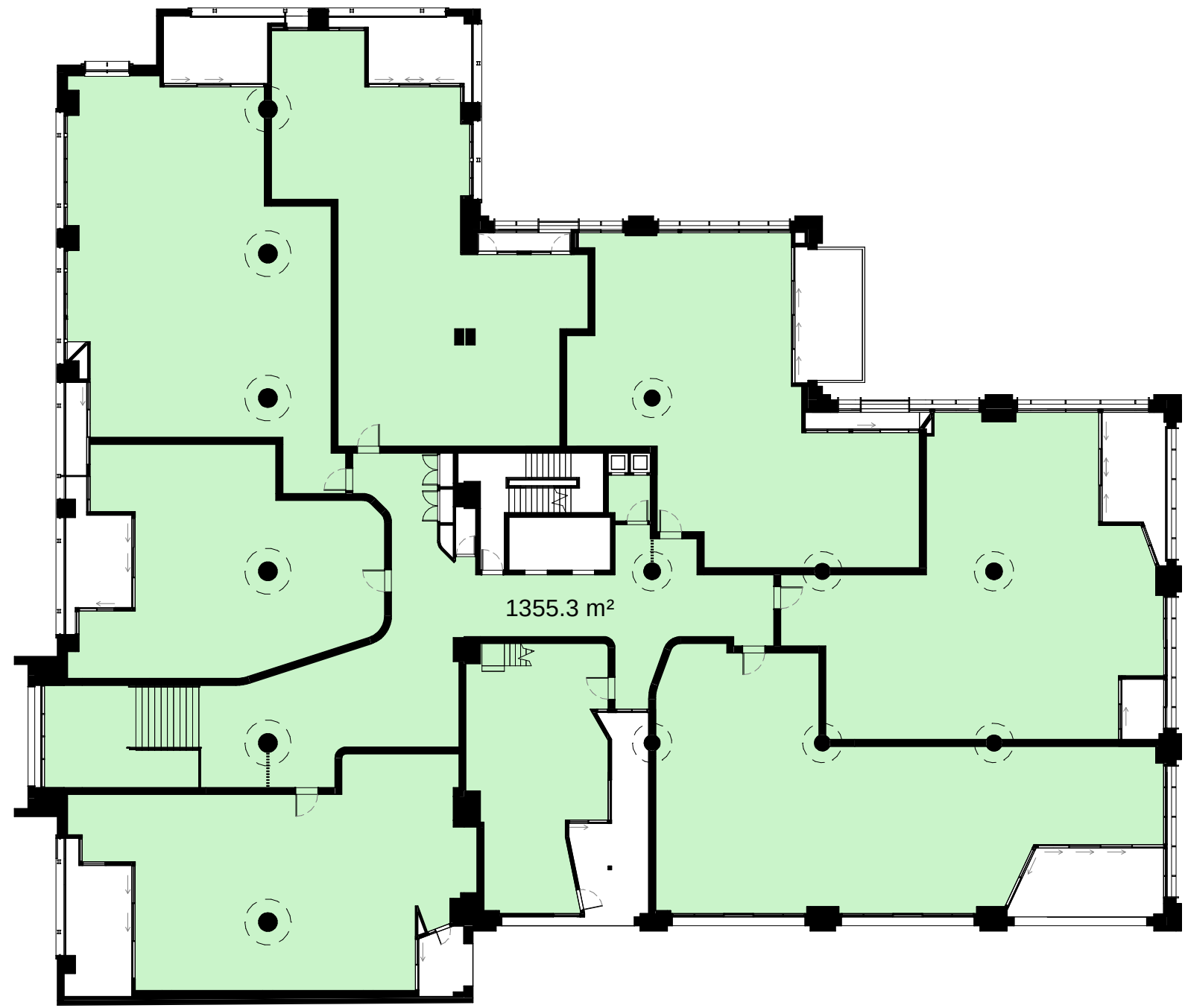
ATTACHMENT 2

AREA SCHEDULE - GFA

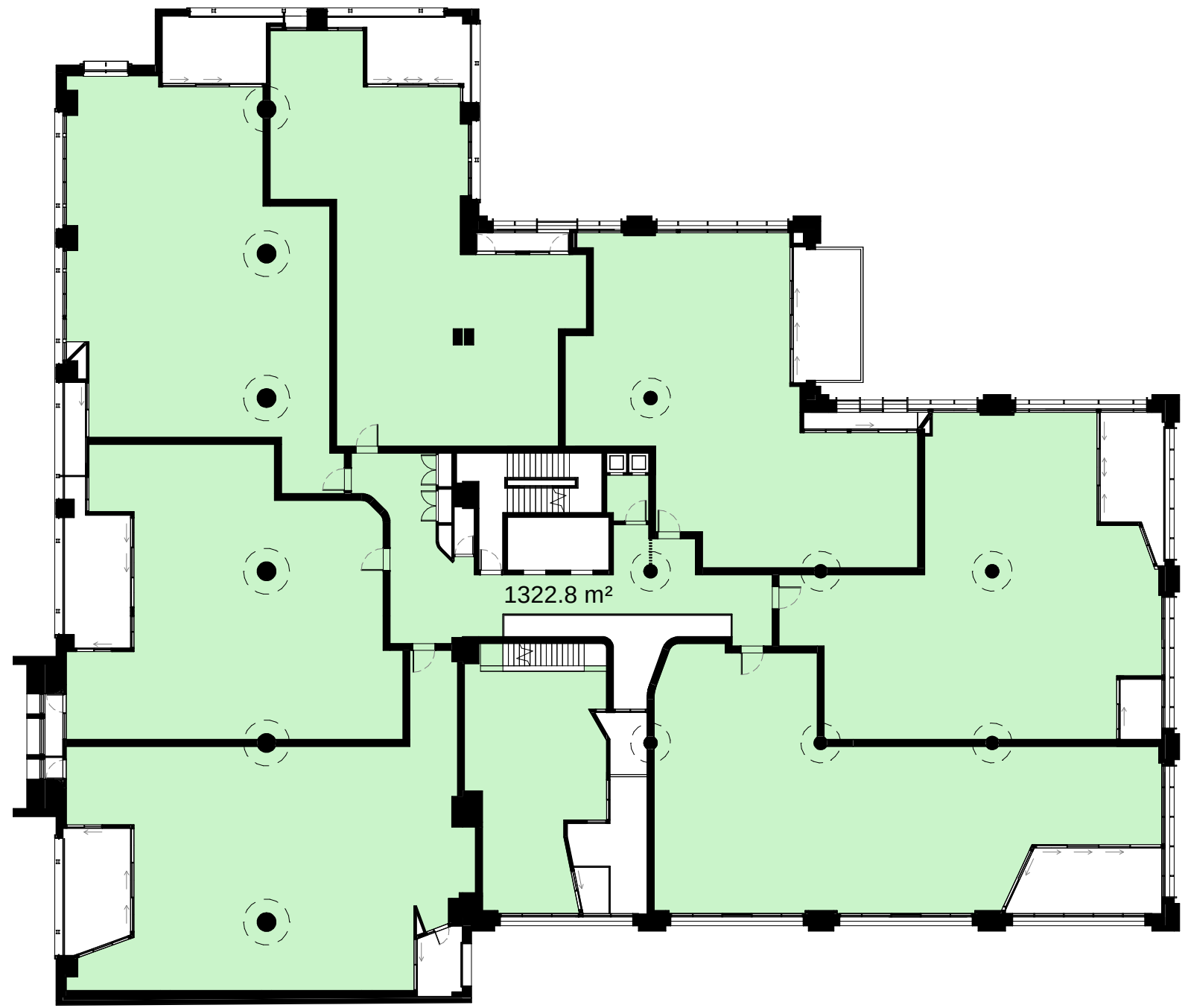
LEVEL	AREA
BASEMENT	214.3 m ²
GROUND FLOOR	1355.3 m ²
LEVEL 01	1322.8 m ²
LEVEL 02	1307.2 m ²
LEVEL 03	888.9 m ²
LEVEL 04	852.1 m ²
TOTAL	5940.6 m ²



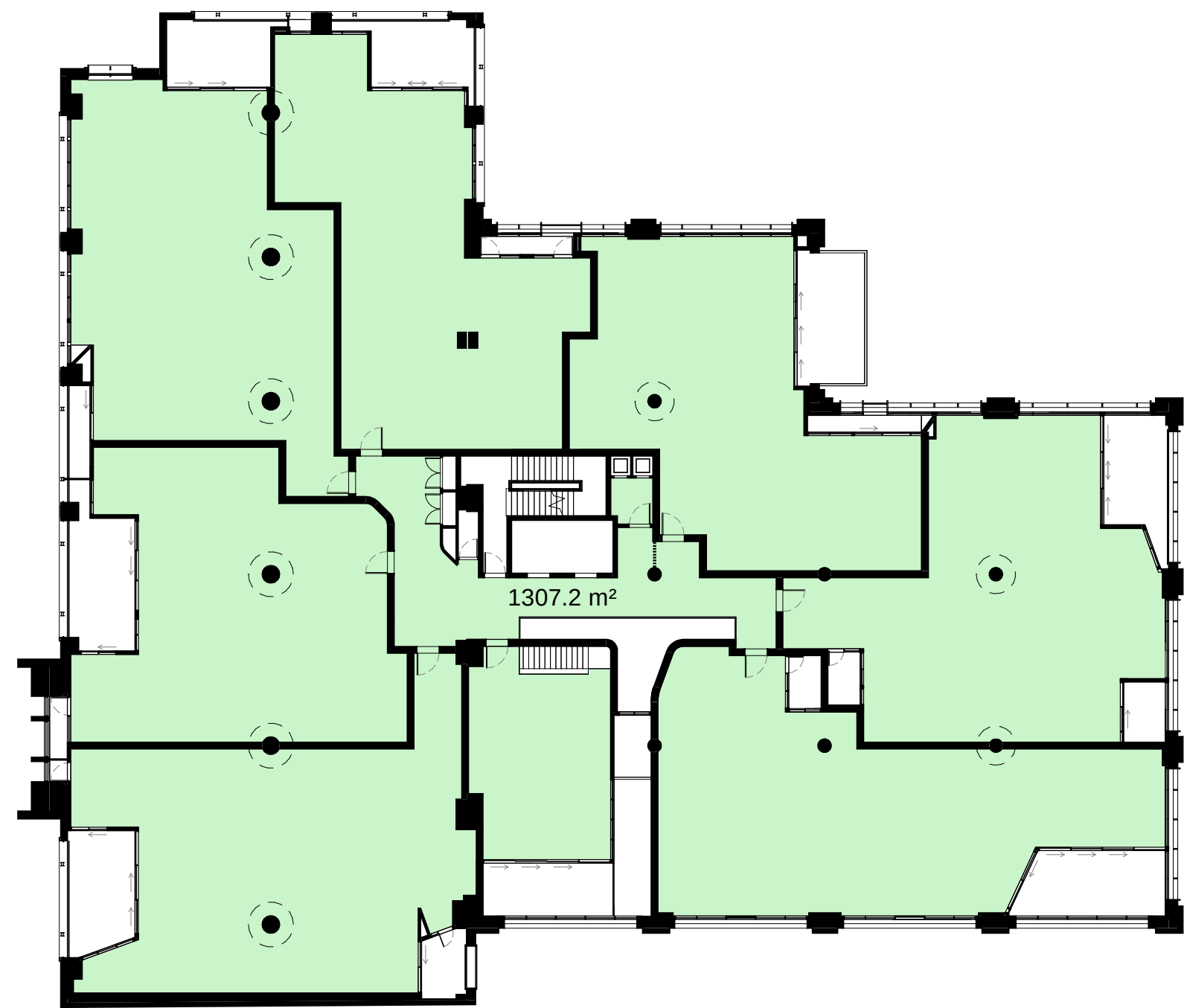
BASEMENT - GFA



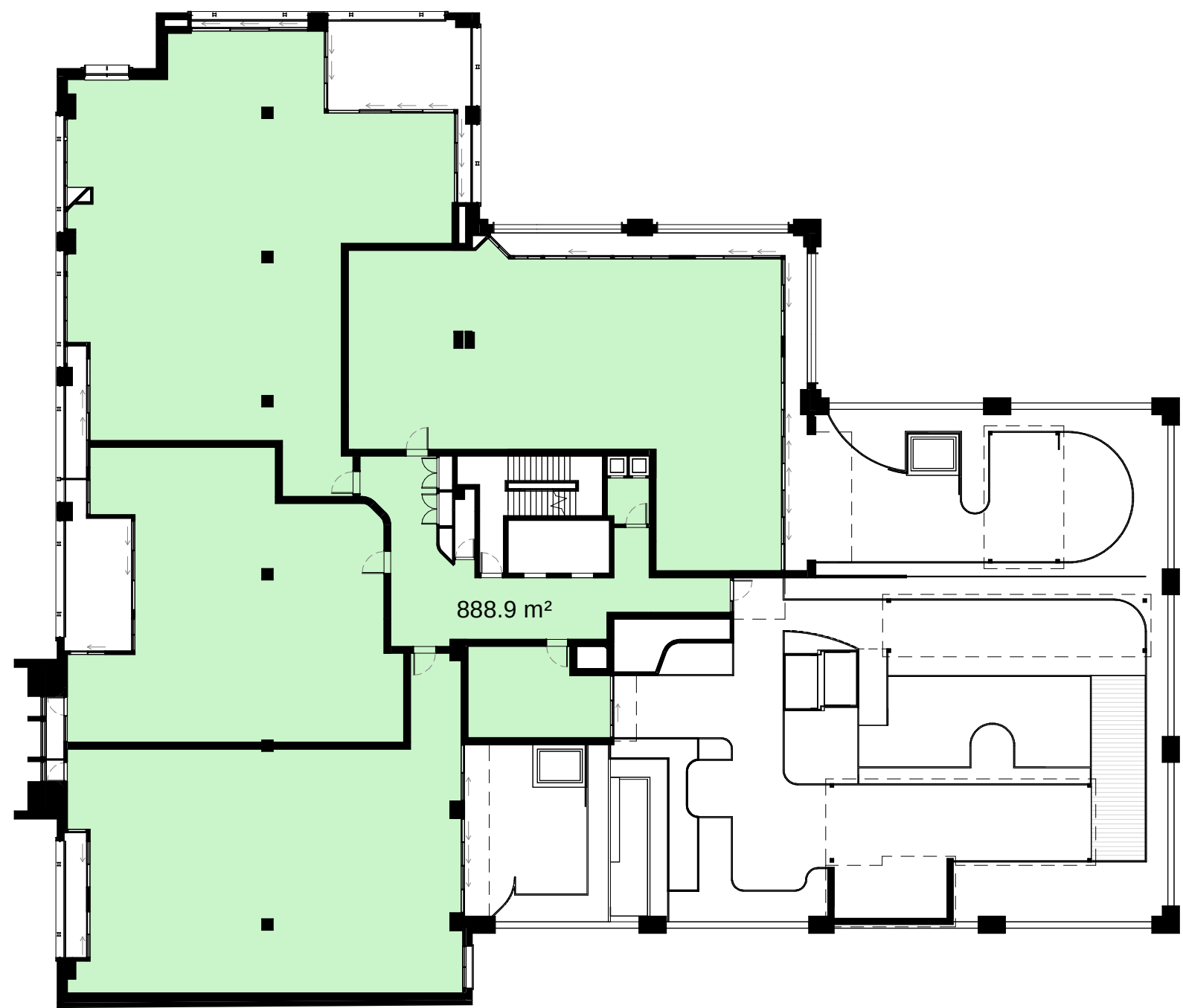
GROUND FLOOR - GFA



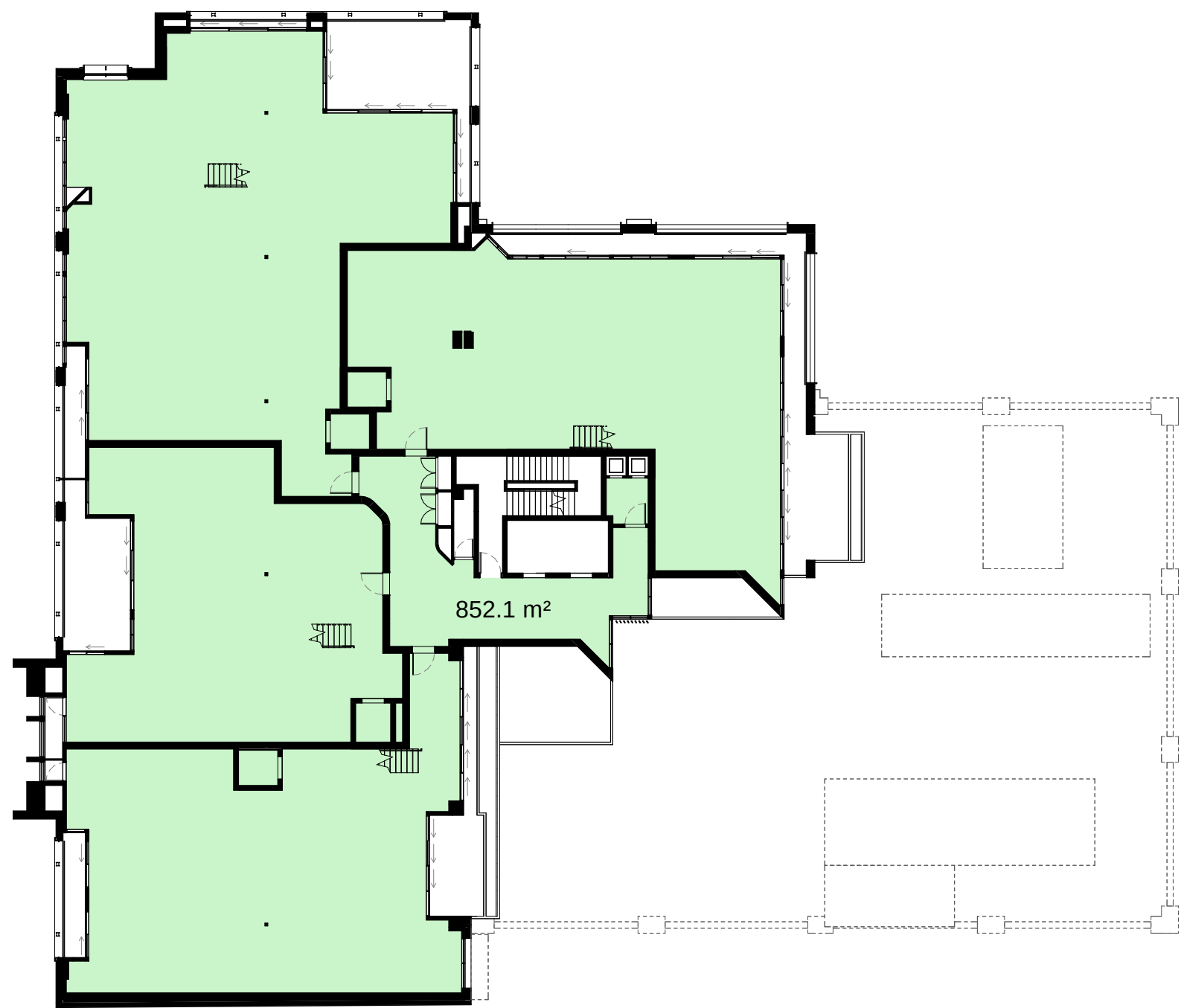
LEVEL 01 - GFA



LEVEL 02 - GFA



LEVEL 03 - GFA



LEVEL 04 - GFA

NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	23.09.25	Issue for DA	DE	DE

NOT FOR CONSTRUCTION

Project
431 GLEBE POINT ROAD
REDEVELOPMENT
431 Glebe Point Road
Glebe, NSW 2037

Drawing Title
PROPOSED GROSS FLOOR AREA
PLANS

Proj. Dir	Proj. Arch	Drawn	Sheet
AK	DE	AE/MS	A1

Job No.	Date	Scale
240058	Sep '25	1 : 250

Drawing No.	Revision
-------------	----------

AR DA 8101 A

Tanner Kibble Denton Architects Pty Ltd
Gadigal Country
Level 1, 19 Foster Street,
Surry Hills NSW 2010 Australia
T +61 2 9281 4399
www.tkda.com.au



TKD Architects
Tanner Kibble Denton

Attachment E

Submissions

From: Sophia Scarpellino <[REDACTED]> on behalf of Sophia Scarpellino
<[REDACTED]> <Sophia.Scarpellino@[REDACTED]>

Sent on: Saturday, November 15, 2025 10:33:47 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037 - Attention Shannon Rickersey

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

Dear Council,

I am writing to provide feedback on the current development application. Considering the housing pressures facing both this area and Greater Sydney, it is vital that new developments prioritise genuinely affordable housing options for both buyers and renters.

For this reason, I strongly believe the proposal should include a minimum of 50% affordable housing, without any time-limited conditions such as a 15-year sunset clause. Affordable housing should be permanent, or alternatively replaced with true social housing that remains publicly owned.

The development should also include a broader mix of one-, two-, and three-bedroom apartments rather than predominantly large or high-end dwellings. This would ensure the project caters to different types of households and helps rebuild the “missing middle” in Glebe, where many young families and middle-income workers can no longer afford to live.

I would also like to raise concerns regarding the proposal’s approach to car parking. Every apartment should include at least one car space, with the option for two. While I understand the City of Sydney’s preference for minimising parking in favour of public transport, this is not realistic for many families. Daily school and childcare drop-offs, weekend travel, family holidays, and the need for properly installed car seats make reliance on hire cars or public transport impractical. Car parking in Glebe is extremely limited during evenings and weekends, and new developments should not add further strain to the existing streets.

As a young family, we are leaving Glebe after ten years because we cannot afford to buy a home here. Increasingly, the area consists of only very wealthy residents, older long-term homeowners, and those in public housing. The middle is disappearing, and this development is a critical opportunity to help restore diversity and affordability.

I urge Council to ensure this project delivers permanently affordable, family-friendly homes, provides a realistic amount of parking, and supports a more balanced and inclusive local community.

Thank you for considering my submission.

Kind regards,

Sophia Scarpellino

From: Apryl Repole <[REDACTED]> on behalf of Apryl Repole <[REDACTED]> <Apryl Repole <[REDACTED]>
Sent on: Saturday, November 15, 2025 7:24:07 AM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: [REDACTED]
Subject: Submission - D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037 - Attention Shannon Rickersey

Caution: 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 Shannon,

I am writing to provide my comments on the referenced proposal (D/2025/1006).

I have concerns regarding the capacity of the surrounding roads, particularly in relation to Leichhardt St and Mary St, Glebe. These streets are already quite narrow and experience a high volume of traffic. I'm worried as additional vehicles associated with the proposed flats would further strain the area and create significant congestion and safety issues.

Lower-density housing options—such as villas or houses—would be far more suitable for this location and would help maintain the livability and residential amenity for the community.

Kind regards,
Apryl

From: Belle Stewart <[REDACTED]> on behalf of Belle Stewart <[REDACTED]> <Belle Stewart <[REDACTED]>

Sent on: Tuesday, November 18, 2025 11:51:33 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037 - Attention Shannon Rickersey

Caution: 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 Shannon Rickersey,

My name is Belle Stewart, and as a local resident to Stewart Street, Glebe, I would like to comment on this proposal. I have lived on Stewart for over 8 years, and grew up in Glebe and the surrounding areas. I have a young family, with my partner and I both working full time with a 2 year old.

- This project should provide **permanent** affordable housing options to young families and low-middle income earners. There has been an exodus of young families in this suburb due to being priced out by luxury developments. Being a young, working family ourselves, we have seen the cost of living in this suburb rise dramatically and the economic status of the area change from working class to wealthier, upper class residents. As we have lived in this area for a long time, and I have lived here most of my life, there is no other area for us to move our lives to if we get priced out. The community needs to embrace and foster diversity in the types of families and individuals that can afford to live in the area.
- These housing options should not have a 15 year sunset clause, that would make the affordable housing option non-permanent.
- There should be a minimum of one car space per apartment. The parking options in Glebe are already limited, and the council has done very little to combat this or improve parking options. If there is a new large housing development, there should be enough parking to accommodate each new dwelling at a minimum.
- There should be a variation of apartments, such as 1, 2 & 3 bedroom apartments, to attract different types of families to the area.
- Environmentally friendly and sustainable infrastructure should be used during the construction and within the building, to maintain and support the natural flora and fauna of the area.

Thank you for considering my comment. My contact number is [REDACTED].

Regards,
Belle Stewart

From: [REDACTED]

Sent on: Monday, November 24, 2025 6:41:37 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037 - Attention Shannon Rickersey

Caution: 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 Submissions Team,
Ref D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037

I am a resident in [REDACTED] Leichhardt Street, Glebe with 2 other family members. I request my name and address be kept private.

We have 4 areas we request the council addresses.

1. That there is enough permanent and visitor carpark space on site to accommodate the residents. This is due to the fact that the area is already very tight for street parking, and the streets are already narrow.
2. The second vehicle entrance/exit on site as you travel from Glebe Point Rd is in Leichhardt Street after it becomes one way, away from Glebe Point Rd. When the site was an office location, employees would regularly turn towards Glebe Point Rd from that driveway and we had regular near misses as their cars went the wrong way, despite the signage. How are the council and the developers going to ensure that vehicles from 431 Glebe Point Rd do not exit that second driveway in the wrong direction?
3. Further to this point, the council has made a complete mess of the signs on the road in Leichhardt St with arrows painted in both directions. While this is meant for bicycles only, every single day there are multiple cars and trucks that head in the wrong direction. Can the council please return the street to one way for all traffic, including bicycles, and return the markings on the road to that one direction. I fear a serious accident on this road and it will be the fault of the confusing markings and bi-direction for one mode of transport and single direction for another.
4. There must be a clear traffic management plan that does not impact residents and their vehicular access to properties in the Leichhardt St, Oxley St, Stewart St circle. The road is narrow, and the traffic already struggles to manage 2 ways on Leichhardt St between Glebe Point Rd and Stewart St (west end). The council must be involved in approving and monitoring the traffic management plan so there is minimal impact to the local residents. We cannot afford to be locked away from access to Glebe Point Rd for extended periods. Using Mary Street has not been a good option when it was used in the past when the road was dug up for Sydney Water works. Mary St is two-way, narrow and cars parked on it, and a tight, blind corner. If Mary Street is used as an option, traffic must also be managed properly on Mary St between Glebe Point Rd and Leichhardt/Stewart St.

Thank you
[REDACTED]

From: patricia warren <[REDACTED]> on behalf of patricia warren
<[REDACTED]> <patricia warren <[REDACTED]>
Sent on: Thursday, November 27, 2025 1:56:09 PM
To: City of Sydney <council@cityofsydney.nsw.gov.au>; Patricia warren <[REDACTED]>
Subject: D/2025/1006 431 Glebe Point Rd. Glebe - attention Bill MacKay Planning Assessment
Attachments: DA 431 Glebe Point Rod..docx (45.68 KB)

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

Please see attached response to

D/2025/1006 431 Glebe Point Rd Glebe

Patricia Warren
27.11.25

RE: D/2025/1006

431 Glebe Point Road Glebe

Lot 2 DP 181698

Proposed Development is in a R1 General Residential (Category C) zoned area.

The proposal is for alternations and additions to existing commercial building for use as a residential flat building.

EXECUTIVE SUMMARY

This is an aggressive development proposal relying on exemptions following the site's rezoning plus requests for a further exemption on height and an increase in the bulk of the building. The cumulative effect of this development proposal is not consistent with the building's local heritage listing and it is pushing the boundaries by its reliance on exemptions and requests for same.

There are numerous inconsistencies in supporting documents on figures that are critically related to the proposed configuration of the building.

The Traffic Report is poor.

Solar access to a number of units is poor.

Waste management is poor

As it stands, the illusions, discrepancies and conflicts embedded in the supporting documents would make it difficult if not impossible for City of Sydney's planning staff to produce a credible report in support of this proposal.

Additional supporting documents are needed on view lines, and a pedestrian impact statement.

There are serious issues relating to traffic and vibration that must be addressed during construction with follow up post construction investigation and remediation where required.

INTRODUCTION

Originally a pharmaceutical factory, commercial offices and then a sleeping research unit until Abacus Funds Management Ltd received development consent for the residential conversion on 30th November 2004 (D/2004/94) for 59 units. The DA lapsed. The site is zoned R1 General Residential under City of Sydney (Category C).

The site was purchased by the developer for \$39,000,000 with settlement on the 21/12/2021

The estimated cost of the project is \$25,575,059.00

TOTAL excluding capital gain on the purchase price is \$64,575.059

The proposal is for

1 x 2br

25 x 3br

4 x 4br

This equates to an overall average of \$2,152,505.97 PLUS a minimum 25% margin as per industry standards of \$16,143,765.00 bringing the total to \$80,718.824 or a minimum overall average cost/unit of \$2,690.627.00. Costs can expect to escalate prior to marketing.

This proposal is targeting the high quality end of the housing market. The relevance of this is how that targeted market is related to the planning instrument and the exemptions/concessions sought by the developer to realise that market.

SITE, AREA , HEIGHT OF THE BUILDING AND EXISTING USE RIGHTS

The Gross Area of the **Site** is approx. 2,254m² as stated in the Detailed Site Investigation. The Statement of Environmental Effects states the site is 2,413.38. The difference in the reports is 159.38m².

Depending on what document one reads, the Gross Floor **Area** is 6,060m² or 8,000m².

Again, depending on the document read, the existing Floor Space Ratio is 2.48 up to 2.51.1

The site benefits from Existing Use Rights for this FSR. However, it can only proceed if the FSR in the proposed development is less than the existing commercial FSR. Thus the developer is stating there is a reduction of 119m² from the existing FSR to 5,941sqm. To get this figure, the developer is relying on a gross floor area of 2,395.56 and floor space ratio of 2.48 or 2,365 with a floor space ratio of 2.51.1. The developer must reduce the floor area to make the project exempt from the LEPs strict FSR controls. It is imperative that staff determine on what gross floor area is the developer working and the evidence needed to determine the credibility of the that figure!

Typically, in this locality, under R1 planning instruments the FSR is 1:1 or 1.5:1 which would yield between 2,254m² and 3,381m². The developer, by using exemptions under Existing Use Rights is increasing the FSR by a maximum of 75.72% above the standard FSR in the standard residential instrument. This gives insight into the benefit of the exemptions in the buildings rezoning.

The existing height, as stated in the Statement of Environmental Effects is approx. 23.4m. However, based on property data collected from satellite/aerial imagery, the measured roof height of the existing structure is approx. 22m. Elsewhere in documents on this proposal is a stated height of 24.9m. There is a lack of consistency in the height of the building with a maximum different in height of 2.9m. **There needs to be a credible survey of the height of the building.**

Existing Use Rights make the existing height legally compliant. In contrast, the standard planning instrument would allow a maximum height of 12m. However, the proposed alterations increase the height by 1.8m. Elsewhere in the documents the proposed increase is 0.8m and 1.5m.

There needs to be clarification on what height the developer is seeking exemption on and what would be its effects on the final height of the building.. Based on the forementioned data in supporting documents and aerial imagery, this could increase the height of the building to a maximum of $24.9\text{m} + 1.8\text{m} = 26.7\text{m}$. The developer is stating the height will be 25m!

No City of Sydney planning staff can be held responsible/accountable for an assessment of the development proposal unless there is a commonality in the datum point for surveys of the existing site area, gross floor area, floor space ratio and height figures.

LOCAL HERITAGE LISTING AND CONTEMPORARY ADDITIONS ON ROOF TOP TERRACE.

“Introduction of a limited extent of contemporary additions at the existing roof terrace level to complement existing building form and provide additional space to an extent that does not significantly affect neighbouring properties or primary views from the public domain

As it is worded this is a meaningless statement. Any re-configuration of the externals of the building must abide by its LOCAL Heritage Listing, including the existing roof top terrace. As presented the roof terrace post construction diagram is close to 100% more than the existing built form. The proposed structures are clearly visible.

EXEMPTION, UNDER EXISTING USE RIGHTS PROVIDES FOR A SUBSTANTIALLY HIGHER FLOOR SPACE RATIO AND HEIGHT THAN WOULD BE PERMISSIBLE UNDER THE STANDARD RESIDENTIAL PLANNING INSTRUMENT.

THE LACK OF CONSISTENCY IN THE CRITICAL FIGURES ON WHICH THIS DEVELOPMENT RELIES MAKE IT DIFFICULT FOR A CREDIBLE REPORT ON THE PROPOSED DEVELOPMENT. DEFINITIVE LEGAL CONFIRMATION IS NEEDED WITH REFERENCE TO THE DEPOSITED PLAN (DP 181698) AND ASSOCIATED TITLE DOCUMENTS AVAILABLE THROUGH THE NSW LAND REGISTRY SERVICES FOR THE AREA OF THE SITE. DEFINITIVE LEGAL CONFIRMATION IS NEEDED FOR THE GROSS FLOOR AREA AND THE EXISTING HEIGHT OF THE BUILDING.

THE PROPOSED DEVELOPMENT VIOLATES THE LOCAL HERITAGE LISTING OF THE BUILDING.

CONSTRUCTION INTEGRITY

“Two additional floors were added to the 1947 western portion following its sale in 1985, ostensibly using the same construction, although no construction documentation of this has been sourced to date”

This statement glosses over the fundamental question of the construction integrity of the additional two floors. An independent structural engineer’s certification on the load bearing is warranted, particularly given the declining standards in building that predates the addition of these floors. At a minimum it is an insurance for future buyers of the proposed residential units.

IMPACT ON LIGHT RAIL INFRASTRUCTURE

I am unsure about this point but recommend it be clarified as part of the assessment. How, if at all, is the route of the existing light rail related to the building? Will the load of the proposed development affect the tunnel that swings around to its exit point. If so, what engineering is required on the tunnel?

WATER, SEWERAGE AND DRAINAGE

Stewart Street had major problems with water flowing down. It cost a substantial sum of public monies to rectify the drainage problem. Stewart Street is now ‘dry’

Mary Street has never had a problem with drainage flowing down it. It is imperative that continues during and post construction.

Council needs to monitor the effectiveness of proposed water, sewerage and drainage works for six months, at the developer's expense to make sure there is no repeat of the Stewart Street experience.

SOLAR ACCESS

The developer has acknowledged that the *“site/building orientation limits solar access for some areas which may necessitate alternative strategies to ensure solar access to the required minimum number of units”*. It is difficult to accept this statement given the number of units involved, particularly since I cannot find explicit reference to what ‘alternative strategies’ are proposed. Worse, there are 11 non-compliant units re solar access. This represents 36.67% of the development. Council has identified 15% of apartments receive no direct sunlight 9.00AM-3.00PM in mid winter on 21 June. The developer has challenged the 15% stating it is 7%. 70% of the units receive only a minimum of 2hrs sunlight between 9AM-3.00PM mid winter 21st June.

Building Height Plane and Solar Access

Built as a factory in 1927, there is no overall building height plane that is consistent with a residential development to allow solar access. That requirement is the only safeguard for natural light in a residential zoned area. Solar access to a dwelling is related to an occupant's physical and mental health.

(Whilst on the subject of energy, the developer is asked to **install thermal glazing throughout the entire complex**. The energy saving on this alone will be a strong marketing point.)

THE DESIGN NEEDS TO BE REFIGURED TO PROVIDE DIRECT SOLAR ACCESS TO UNITS FOR THE MAXIMUM MID WINTER INSOLATION.

OVERVIEWING AND BALCONIES

Overviewing

‘The buildings height and position allows opportunity for overlooking to nearby properties as well as the possibility of increases to overshadowing without careful considerations’

I have experienced too much of this, “careful consideration”! It is incumbent upon the developer to prohibit overlooking onto nearby properties, particularly units in 2 Mary

Street. The developer must make explicit what ‘careful consideration’ is. As it stands the statement is meaningless.

THE DEVELOPER MUST PRESENT A VIEW LINE DIAGRAM TO DEMONSTRATE THE EXTENT OF OVERVIEWING FROM ALL ASPECTS IN THE PROPOSAL .

Balconies

“The proposal also includes the extension of balconies beyond the existing envelope on three levels to the northeastern corner of the building. The proposed cantilevered 1.8m wide extensions are located in a discrete location away from the most prominent public (Glebe Point Road) face of the building, facing onto Stewart reserve away from neighbouring residences in order to limit any overlooking/privacy impacts”

The notion of external balconies detracts from the local Heritage Listing and thus opposed. They are highly conducive to overlooking and overshadowing. They increase the bulk and scale of the existing building. Removal of the proposed balconies would inhibit, to an extent the problem of overlooking. To argue that the balconies are only viewing the Stewart Street reserve has no credibility

THE DEVELOPER MUST PRODUCE A VIEW LINE FROM THE PROPOSED BALCONIES AND A VIEW LINE WITHOUT THE BALCONIES TO DETERMINE THE IMPACT OF OVERVIEWING. BALCONES ARE NOT CONSISTENT WITH THE LOCAL HERITAGE LISTING OF THE BUILDING, PARTICULARLY GIVEN THE CHANGE IN SYMMETRY THEY IMPOSE. BALCONIES INCREASE THE BULK OF THE BUILDING.

ROOF TOP POOL, SPA.

“Robust structure suggests opportunity for substantial landscape and pool for common outdoor & garden spaces at L3 roof level ‘

The pool and spar are outrightly opposed. Noise rises in a mushroom pattern then falls. Noise carries, particularly with wind the moisture in the air. This development is surrounded by numerous flat/units and terrace dwellings left to be impacted by the noise of those using these facilities.

People are egocentric when it comes to the recreational use of pools. The noise of drunken revellers is appalling at any time/place. Putting time limits on the use of the pool is a madness because (i) people now work 24/7 and (ii) lack of enforcement of time restrictions. Time restrictions are now inequitable with people working as they do now e.g. working across time zones, professional ‘shift workers’.

“Existing Height and FSR non-compliances suggest limited opportunity to expand beyond existing envelope/footprint, but expansion of L4/5 footprints into roof terrace area may be feasible if no impact to neighbouring properties, visual impact from public domain, heritage impact

Any expansion of L4/5 into the roof terrace is not in accordance with any Heritage Listing. The visual impact is blatant as shown in the draft diagram.

THE PROPOSED ROOF TOP TERRACE DEVELOPMENT IS OPPOSED BECAUSE OF THE NOISE SPILL OVER, IMPACT ON THE LOCAL HERITAGE LISTING OF THE BUILDING, AND THE VISUAL IMPACT SOUGHT WITH AN INCREASE IN HEIGHT.

TRAFFIC REPORT

The development is for

2br x 1

3br x 25

4br x 4

Total 30 + 7 tandem spaces adaptable for storage

Council’s planning instruments state the number of parking spaces required as

(c) on land in category C—

(i) for each studio dwelling—0.4 spaces, and

(ii) for each 1 bedroom dwelling—0.5 spaces, and

(iii) for each 2 bedroom dwelling—1 space, and

(iv) for each 3 or more bedroom dwelling—1.2 spaces, and

(v) for each dwelling up to 30 dwellings—0.2 spaces, and

If I am interpreting this correctly then the minimum number of required parking spaces is 42.

The developer is proposing 30 car spaces plus 7 tandem spaces that are adaptable for storage.

Clarification is required as to the maximum number of car spaces required AND can tandem spaces, adaptable for storage be considered car parking spaces under the planning instrument? If 42 spaces are required for Category C land then the development must comply.

Targeted Market and Implication for On-site Car Parking Spaces OR Generated Off-Street Parking

The developer is targeting the high end of the market. Most probably, downsizers from surrounding suburbs, dual-income professionals, wealthy 'parent purchasers' buying for adult children and high income international buyers.

High income households do not rely on an 'integrated transport system' as the Traffic Report is advocating. They do not rely on a single vehicle. At best, the Traffic Report is delusional.

Known behaviour for similar high end units indicates that a household count for

3br is 2 cars

4br is 3 cars

International buyers often 2 cars PLUS A DRIVER PICKUP ROUTINE

To accommodate this would require 63 car spaces for residents i.e. including 1 for the 2br and no space for a pick up routine. This means the proposal is 26 car parking spaces short ($63-37=26$)

These figures signal the significant increase in overflow parking should Council accept the TRAFFIC REPORT per se. That overflow parking will put pressure on Mary Street, Leichardt, and Oxley Streets. Common areas on strata complexes can be expected to be abused, cross overs abused, illegal stopping and friction with existing residents.

Given this development post-dates the neighbouring construction where vehicles/unit were at a different time, can Council charge parking contributions for on street parking?

COUNCIL MUST PREPARE A PARKING REPORT FOR ON STREET PARKING WITHIN CONTEXT OF THE EXISTING ON STREET PARKING PERMITS IN THE ADJOINING AREA. THIS SHOULD RAISE THE VEXATIOUS QUESTION AS TO HOW PARKING PERMITS ARE DISTRIBUTED AND THE DISCRIMINATION AMONGST RESIDENTS IN SO DOING.

Visitor Parking

There is no provision for visitor off street parking nor is there a car wash bay. The assumptions made to circumvent visitor car parking are bizarre and poor and deserving of dismissal.

It is reasonable to expect a high demand for on site visitor car parking spaces. Consider the need for routine pick up drivers, daily cleaning staff, aged care and medical carers,

relatives, tradies, daily deliveries, think the digital economy and Uber Eats¹ for example, and occasional sundry professional visits.

Visitors to high end market dwellings do not travel on an integrated transport system nor do they park away from the dwelling, particularly if the targeted market includes the ageing wealthy downsizers as is the case at 501 and 451 Glebe Point Road. It begs the question why at these sites and not at 431 Glebe Point Road?

THE DEVELOPER MUST PROVIDE VISITOR CAR PARKING SPACES.

Accessibility Car Parking

The developer is stating the proposal is for 'adaptable reuse' and is definitely targeting a wealthy clientele. It is reasonable to assume part of that clientele are aged/ageing. There will be anticipated mobility issues. It is a bad reflection on the developer to ignore this issue because the DA's parking plan contradicts the most likely buyer cohort.

The developer presents as being astutely aware of 'adaptable housing' conflicting with 'accessible housing' and thus has deliberately avoided the need to provide for accessibility parking.

Whilst the building is Class 2 and therefore no accessibility parking is required, this proposal for adaptable use from commercial to residential is at a scale that it would be considered a new residential development given the proposed internal reconfiguration. Accessibility parking would be required.

ACCESSIBILITY CAR PARKING SPACES ARE NEEDED

Car Washing Bay

37 cars need a washing bay! That is non-negotiable.

Traffic Generation.

I cannot accept the traffic generation argument that vehicle movement is reduced by - 88vph AM and -62.6vph PM during peak periods. Good research is based on granular data. This is not good research but has relied on a desk top calculation based in guidelines averages. As a former full time resident and now intermittent resident of Mary Street, I can attest to scant vehicular movement into and out of 431 Glebe Point

¹ Mary Street is alive with meal deliveries with scooters parked and racing into 2 Mary Street complex.

Road at any time 1976 to date. Similarly, to accept a mere 6 vehicle trip/hr AM and 5 vehicle trip PM in peak hour from 30 units of the size and 30 + 7 adaptable car spaces warrants staff's forensic review of the Traffic Report.

Perhaps it is the Abacus' lapsed DA that gives insight into how the impact of car parking spaces is better addressed given the presumption that units of 3 and 4 bedroom will have more than 1 car i.e. reconfiguring the DA to provide for 2 levels of basement car parking? This would overcome the problems of multiple cars/unit, visitor car parking, accessibility car spaces and a car wash bay?

Pedestrian Traffic

There is no pedestrian impact statement in the documents. This must be done given the density of neighbouring development and thus the pedestrian traffic generated, particularly in Leichardt Street where Mary and Stewart Street merge pedestrian traffic in Leichardt Street to flow to and from Glebe Point Road.

THE DEVELOPER MUST PRODUCE A PEDESTRIAN IMPACT STATEMENT

CONFLICT BETWEEN ADAPTABLE RE-USE AND ACCESSIBILITY

There appears to be numerous non-compliant door widths, circulation spaces needed for accessibility issues requiring substantial redesign of the proposal.

ENTRY AND EXIT TO THE COMPLEX

The proposal provides for an entry/exit for the waste vehicle as per the map provided. What restrictions is the developer providing if he will only let the mini waste vehicle to use that exit and thus prevent other vehicles from using it?

My question is why can't the exit be used by all vehicles to disperse traffic movement?

Consideration needs to be given for the proposed exit for the mini waste vehicle to be used for all vehicles.

WASTE MANAGEMENT

Waste Management raises additional concern. Is the City of Sydney Council setting a precedent by potentially approving for a mini waste contractor to collect waste from private residential property by driving onto the property for said pick up?

The mini contractor's van is exactly 6.4m long but I am uncertain how high it has to raise the collection arrangement on the vehicle to pick up the garbage bins? Perhaps the clearance would be 4m? A 2.6m clearance is proposed.

Would it not be easier for garbage bins to be wheeled in/out for a normal Council pick up? However, the disadvantage of this would be blocking the two way Leichhardt Street whilst in progress? It already occurs in Mary Street, Stewart Street and Leichhardt Streets!

Waste is to be removed from units via a chute system. This requires a daily swapping of full bins. Will this require a daily pick up of waste? This might be the justification for a daily wheel out, wheel in bin collection? The impact on vehicular movement in Leichhardt Street needs to be considered if there is to be a daily Council collection of waste.

WASTE MANAGEMENT NEEDS TO BE RE-CONSIDERED

TRAFFIC PROBLEMS DURING CONSTRUCTION

There are genuine concerns re traffic/parking during construction which Council is asked to address and notify surrounding residents of those conditions

1. Adequate parking must be made available for tradespersons during construction to avoid the use of cross overs in adjoining residential unit complexes. Tradies are deserving of parking spaces but not at the expense of blocking residents access to their own garages, parking spaces in the surrounding area e.g. Mary Street.
2. There must be a full time traffic controller during the entire construction period. The surrounding development generates a considerable amount of traffic. Mary Street, Stewart Street, Leichhardt Street intersection will be a nightmare for unfettered traffic flow if there is no traffic control. Mary Street in particular will be reduced to a rat run if there is no full time traffic controller.

TRAFFIC MANAGEMENT PLAN/MONITORING POST CONSTRUCTION

It is more than reasonable to assume that the traffic generated from this development will be far greater than in the Traffic Report. This will include both overflow on street parking and volume and density of traffic flows. Council needs to monitor this for say 6 months post construction at the developer's expense. The results need to be the base for parking restrictions and indeed traffic control measures that in all probability will be needed.

CONSTRUCTION NOISE AND OTHER ACOUSTICS

As I have recently had to endure a 2.5year apartment built on the adjoining property, I can assure you there are substantial noise issues that must be addressed as part of the conditions of consent.

1. Screening of the noise from all power tools and machinery.
2. Dust suppression
3. Daily cleaning of surrounding pavements
4. Strict adherence to standard working hours. These hours must include any warming up of machinery and no after hours deliveries.
5. Continuous vibration monitoring must be done during demolition and construction periods. It is imperative that a vibration meter is installed on/in/at 2 Mary Street so that variations in vibration are documented and directly attributable to any damage in/to the complex. This is a precautionary position to prevent any pending disputes about the impact of works.
6. Most important is to have a DILAPIDATION REPORT pre construction and post construction for 2 Mary Street at the developer's expense. Vibration meters must be installed in Mary Street given what is involved in this development.

Loud radios are prohibited on site.....it is irritating to watch tradies having those radios turned up high blast while they have head gear on working on power tools. Worse is to watch tradies leave these radios at high blast whilst they are out of sound of them...so best to prohibit at the beginning.

CONCLUSION

The proposal is an aggressive development. It is heavily reliant on exemptions and requests for exemptions. The supporting documents lack consistency on figures directly related to the reconfiguration of the internals of the existing building. The increase in the height and bulk of the building is not in sympathy with its local heritage listing. The Traffic Report is poor. There are documents that still need to be produced. There are far too many illusions embedded in the supporting documents for the proposal to have credibility.

As it stands the development is opposed.

The developer is asked to reconfigure/redesign the proposal to meet the criticisms in this submission.

Patricia Warren

27.11.25

From: Jordan D <[REDACTED]> on behalf of Jordan D <[REDACTED]> <Jordan D
<[REDACTED]>
Sent on: Friday, November 28, 2025 10:35:24 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037 - Attention Shannon Rickersey

Caution: 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 Shannon Rickersey,

I am a resident nearby the proposed project 431 Glebe Point Rd, living on adjacent Mary Street.

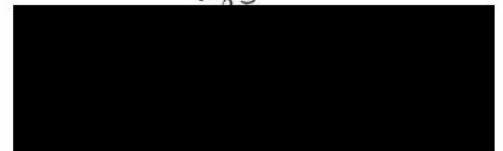
I support affordable residential redevelopment of this site. A thoughtful project focusing on low-income and social housing, with sufficient parking space for residents and guests would be highly beneficial for our area.

Please consider a large number of social and affordable housing in your development process. A residential development without sufficient affordable/social housing will be strongly opposed and protested by the community here.

Thankyou for your understanding.
Jordan Damir

Sent from my iPhone

Phone [REDACTED]



28 November 2025

Document Services

- 4 DEC 2025

City of Sydney

City of Sydney Council
GPO Box 1591
Sydney NSW 2001Attention MR Bill Mackay
MANAGER Planning Assessments

OBJECTION TO DEVELOPMENT APPLICATION - D/2025/1006
431 GLEBE POINT ROAD, GLEBE ; Lot 2 DP181698
BY OWNER LOT 7 - 2 MARY ST GLEBE - [REDACTED]

It is my firm opinion that the specification data provided by the developer in this DA, is inaccurate, incomplete and misleading. Some data is confusing and contradictory. The DA needs to be resubmitted with accurate and precise information so that the public can properly evaluate it. ERRORS and misinformation in the DA benefit the developers exploitation of the site.

My concerns arise because of my doubts about the following matters.

Whilst special exemptions apply to this DA due to the building's previous history this cannot be taken as an exemption to other council building regulations such as Height, overlooking, traffic congestion etc.

There is something seriously amiss about the developer's planned car space numbers. The DA proposes 30 car spaces plus 7 tandem spaces, suggested as being suitable storage spaces. Using Council's own planning requirements a minimum of 41.8 (i.e. 42) car spaces are required; namely 1 x 2 bedroom unit = 1 car space; 25 x 3 bed. units at 1.2 spaces each = 30 car spaces; 4 x 4 bed units at 1.2 spaces = 4.8 spaces; and for each dwelling for 30 units $30 \times 0.2 \text{ spaces} = 6 \text{ car spaces}$. Total minimum car spaces is 41.8 (42).

The developer's DA understates the minimum car spaces required by 5, being 12% less than required. This shortfall is a result of overdevelopment by too many and/or too large proposed units.

The DA states the site area as being "approximately 2,254 m²". My quick and easy phone call to the Valuer-General's Department verified 431 Blake Point Road is 2,415 m². It is hard to understand how the DA's 'Detailed Site Investigation' could be so wrong on such a simple matter.

Current data indicates the existing roof height on the heritage building is 22 metres high. The developer seeks council approval to increase this to 25 metres high. But there is confusion in the DA as to exactly what height increases the developer is seeking. Part of the DA suggests a 1.8m increase in height, elsewhere it is 1.5m and 0.8m. Furthermore, the actual existing height of the building is in dispute. The DA claims it is 24.9m, the Statement of Environment Effect states it is 23.4m. Satellite/aerial measurement puts it at 22m.

If council accepts the developer's claim of 24.9m height and approves a proposed alterations increase in height of 1.8m the new height becomes 26.7m and not the 25m as claimed in the DA. Furthermore, if the real height of the existing building is 22m and the DA is actually requesting a height increase of 0.8m, then the 'smoke and mirrors' discrepancy between two heights is significant, $26.7m - 22.8m = 3.9m$. By slight of hand the developer could potentially sneak in almost 4 metres of extra height.

Nothing stated above suggests deliberate intent by any individual. But there are too many holes in this DA for it to be taken seriously. It must be resubmitted with accurate and verifiable data so that council and the public can assess exactly what is being requested in the DA.

To further heighten my concerns is the nonsense in the DA that the proposed cantilevered balconies on three levels of the North/East corner of the Heritage building are positioned in "a discrete location".... "in order to limit any overlooking/privacy impacts. This claim demands a site inspection by a council inspector to test the veracity of this claim. Sydney is a flood with apartment balconies overlooking main streets, such as Glebe Point Road. So why would any developer claim to position the balconies "away from the most prominent public face" (ie. Glebe Point Rd.). And contrary to the developers claim this also increases the overlooking and privacy impacts on neighbours. Any external balconies, visible from any street view violates the Heritage status of this building and are opposed by this submission.

The Traffic Report supporting the DA is also questionable. This is an up market/high end unit development with 25 3 bedroom and 4 4 bedroom units. Standard regulatory calculations for minimum car space requirements fall short of real requirements for elite dwellings. Wealthier residents can be expected to have 2 cars per 3 bedroom units and 3 cars per 4 bedroom unit. On average, investors can be expected to buy 25% of the units for rental purposes, again at the top end of the market. A likely scenario is for 3 high income earners sharing a 3 bedroom apartment with 2 of the 3 owning their own vehicle. The obvious short fall in off-street parking is significant. Nor is there any mention in the DA of providing visitor car space parking - which ought to be at the minimum 2 to 3 spaces above the existing 42 minimum required for this DA.

The proposed 30 units to be built on this site is too many and this submission states this is an over development. The developer should resubmit a DA with less units or smaller units so as to make available more space for cars and less traffic congestion.

Yours Sincerely,

From: Shannon Rickersey <SRickersey@cityofsydney.nsw.gov.au> on behalf of Shannon Rickersey <SRickersey@cityofsydney.nsw.gov.au> <Shannon Rickersey <SRickersey@cityofsydney.nsw.gov.au>>
Sent on: Monday, December 8, 2025 8:16:13 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
Subject: FW: D/2025/1006 431 GPR Glebe
Attachments: 431GPR DA 2025 1006.docx (14.5 KB), 431 DA 2025 1006.pdf (732.99 KB)

From: Bill MacKay <BMACKAY@cityofsydney.nsw.gov.au>
Sent: Monday, 8 December 2025 7:57 AM
To: Shannon Rickersey <SRickersey@cityofsydney.nsw.gov.au>
Cc: Natasha Ridler <NRidler@cityofsydney.nsw.gov.au>
Subject: FW: D/2025/1006 431 GPR Glebe

Shannon

FYI

Bill Mackay
Manager
Planning Assessments



Telephone: +612 9265 9494
Mobile: +61 418 611 616
cityofsydney.nsw.gov.au



The City of Sydney acknowledges the Gadigal of the Eora nation as the Traditional Custodians of our local area.

From: Susan Cleary <[REDACTED]>
Sent: Sunday, 7 December 2025 11:16 AM
To: Bill MacKay <BMACKAY@cityofsydney.nsw.gov.au>
Subject: D/2025/1006 431 GPR Glebe

Caution: 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

Please find my comments attached in relation to the DA for 431 Glebe Point Road Glebe.

I have sent my submission to your personal email address as my computer does not recognize the email address given by Planning .

Thank you for your consideration of my submission.

Susan Cleary OAM PSM

Bill MacKay
Manager Planning Assessments
City of Sydney

2 Leichhardt Street
Glebe 2037 NSW
7 December 2025

Dear Mr Mackay

Re: D/2025/1006 431 Glebe Point Road GLEBE

I refer to the above DA for 431 GPR and wish to make the following comments.

Proposed Terraced Rooftop Recreation Area

There is a proposed rooftop recreation area which will have a noise impact on my property. Whilst I understand the need for such recreation areas given the proposed adaptive reuse of the building, from previous experience with uses made of the lower Terraced area I know only too well the noise impact from the use of the area for recreational activities.

You might recall that a DA D/2011/1624 was lodged with the City of Sydney to create a recreation area on the rear roof top. As a result of submissions made in response to this DA approval was given to the DA with conditions which included a set back from the south eastern boundary and hours of operation. I attach a copy of the approval dated 19 January 2012.

I would therefore ask that the DA be reviewed to ensure sufficient noise abatement procedures are in place to protect the amenity of adjoining properties.

Parking: Ingress to and Egress from the Building

The DA proposes that parking will be provided in the existing basement area which has been used for parking previously. However with previous uses of the building both the ingress to the building and egress from the building have been via the main parking entrance to the building in Leichhardt Street adjacent to 2 Leichhardt Street. As Leichhardt Street at this point is one way cars have been required to drive along Leichhardt Street and up Oxley and Stewart Streets to exit the area. This has acknowledged the fact that for cars to use the much smaller entrance/exit point in that part of Leichhardt Street which is two way is quite dangerous. At this point there is incoming traffic from Glebe Point Road, traffic exiting from Stewart Street and traffic exiting from Mary Street. This situation alone is quite challenging at times without having cars exiting from 431 GPR onto Leichhardt Street.

I understand why this solution has been proposed as it causes much less inconvenience to residents of 431 GPR. However it is dangerous. I don't know what the solution is but if the developer persists with this solution for exiting traffic from 431GPR then their needs to be a solution to further increasing the traffic chaos which currently exists at this point.

Thank you for consideration of my submission.

Susan Cleary OAM PSM

VI

Susan Cleary

From: "Maryann Bonett" <mbonett@cityofsydney.nsw.gov.au>
Date: Thursday, 19 January 2012 2:54 PM
To: <[REDACTED]>
Subject: S Cleary & R Armstrong - NOD Decision - D/2011/1624
 19 January 2012
 Ms S Cleary and Dr R S Armstrong
 [REDACTED] u

Site: 431 Glebe Point Road , GLEBE NSW 2037
Proposal: Works to rear roof top terrace of Level 5 to create recreation area. including landscaping works and a new canvas shade structure extending from the rear eastern wall of the existing meeting rooms on Level 5.
DA No: D/2011/1624

Dear Sir/Madam

I refer to your submission about the above application. The matters you raised were considered in assessing the application. The application was **approved** under Council delegation subject to conditions of consent. Amongst others, the following conditions have been included in the Notice of Determination regarding the use of the terrace area following completion of works:

- A setback of at least 1 metre be provided to the south-eastern boundary of the terrace to restrict persons being able to access this area. This is to be in the form of a balustrade or landscaping works.
- The hours of operation for use of the terrace is restricted to between 8.00am and 8.00pm, Monday to Friday
- The terrace area is only to be used for activities associated with the approved use of the building. It is not to be rented out for events and functions not associated with the building
- Should any complaint be received by Council from a place of different occupancy (including commercial premises) and the complaint is substantiated by a Council Officer, the use of area concerned must cease operation until "attenuation works" are carried out so as that the premises complies with the relevant noise conditions.

The final decision, including any conditions, is available online at the City's website www.cityofsydney.nsw.gov.au/DASearch. A copy of the planning report by the Council officers, which assessed the proposal and the issues raised in the submissions is also available on the website.

However if you would like to purchase a copy please visit Council at one of the following locations:

CBD/One Stop Shop Town Hall House Level 2, 456 Kent Street Sydney; Kings Cross Neighbourhood Service Centre 50-52 Darlinghurst Road Kings Cross; Glebe Customer Service Centre, 186 Glebe Point Rd, Glebe; Redfern Neighbourhood Service Centre 158 Redfern St Redfern.

If you would like to speak directly to a Council planning officer about this decision, you can contact **Kris Walsh** on ph. 9246 7892, or by email at krwalsh@cityofsydney.nsw.gov.au.

Yours faithfully

BILL MACKAY
 Manager – Planning Assessment

This email and any files transmitted with it are intended solely for the use of the

From: Matt Sheumack <[REDACTED]> on behalf of Matt Sheumack <[REDACTED]> <Matt Sheumack <[REDACTED]>
Sent on: Monday, December 8, 2025 12:50:24 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: council@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037 - Attention Shannon Rickersey
Attachments: DA 431 Glebe Point Rd_D2025_1006_Response_MS.pdf (341.29 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 Shannon,

Please find attached my submission in response to the DA lodged for the redevelopment of 431 Glebe Point Road (D/2025/1006)

If you need additional clarification, or require this in a different file format, please reach out via email.

Thanks and Regards,
Matt

Matt Sheumack
Owner: Unit 13 2 Mary Street Glebe, 2037

Ref: D/2025/1006

431 Glebe Point Road Glebe

Lot 2 DP 181698

dasubmissions@cityofsydney.nsw.gov.au

Attention: Shannon Rickersey

Overview

This document raises concerns (“objections”) to the proposed conversion of the former Woolcock Medical institute at 431 Glebe Point into Premium 3 and 4 bedroom apartments. These concerns and observations arise from 17 years owning and living at 2 Mary St: in the immediate vicinity of this proposed redevelopment, and having experienced some of the negative impacts from previous nearby construction and renovation projects.

It also raises issues with the proposed design and the disconnect between council requirements and some of the inputs and assumptions used in modelling, and the reality of the living in the area.

More general questions and concerns are also raised, where the documentation appears incomplete, self-contradictory, or unclear.

Traffic Management during Construction:

A redevelopment of this scale, in this location, with this level of street constraint, has substantial potential to replicate past failures unless strict controls, monitoring, communication, and enforcement mechanisms are imposed from the outset. Past incidents on Mary Street include:

- cars blocked in or blocked out of garages
- trades vehicles obstructing emergency access
- illegal street closures from heavy vehicles
- inappropriate behaviour from traffic management workers (including verbal abuse from traffic controllers who were not physically in the location where they expected vehicles to stop).
- elderly residents and medical workers unable to leave for appointments or shifts
- both accidental and malicious property damage during previous works
- multiple verbal disputes escalating to physical altercation
- issues with having post-development dilapidation acknowledged, accepted, and rectified.

Note that these are real historical events, not theoretical risks.

The intent is not blanket opposition to this development. It to impose a requirement on the project that is that all known historic risks be acknowledged and addressed:

- Those disruptions that are unavoidable must be managed transparently, and that the burden of coordination, communication, and impact-reduction sits with the developer, not the existing residents.
- A clear and transparent escalation path be established by which owners can report problems, violations, and unanticipated issues be handled efficiently, professionally and courteously. Contact details need to be publicly signposted and provided to nearby buildings. These must be active at any time that work is happening at the site, including before and after office hours and on weekends.

Construction traffic will cause significant disruption unless managed at an unusually high standard. Mary Street cannot safely accommodate construction vehicles stopping or staging. Past experience with much smaller scale redevelopments and renovations have demonstrated that trades and deliveries routinely block garages, double-park, or idle in the road, creating major delays for people trying to enter or exit their properties.

A project of this scale requires continuous traffic control, strict prohibition of worker parking on Mary Street, and enforced routing plans for every heavy vehicle movement. Any deviation immediately gridlocks the street. Therefore:

- Notification protocols for closures, crane lifts, and partial blockages must be mandatory with a published escalation path and fixed response times.
- A minimum of one full-time traffic controller must be stationed sufficiently nearby to Mary Street to actively manage residents, trades, deliveries and all other vehicular traffic, for the entire duration of the project.

Eliminating the risk of confrontation and violence:

I will preface this by categorically stating that employees and subcontractors on building sites are generally fantastic people who are there to do a job and get back to their families – just like everybody else. But it only takes one who isn't. It has happened before. This is wording to ensure that it does not happen again. This is not specifically targeted at this developer or any subcontractor in particular. Good site management, as noted elsewhere in this document, should mean this clause should never be required. Nevertheless:

- Any threat of wilful damage, conflict and violence must be removed completely from the equation. The developer must undertake and enforce a zero-tolerance policy to any harassment, threats or violent behaviour toward nearby residents by any employee, contractor or sub-contractor involved in their project, and will fully cooperate with the police if and when required.

Parking

The proposal's assumptions around car ownership and public transport use do not appear to engage with the real behavioural patterns of residents who will purchase apartments in this price bracket. The traffic modelling rests on the assumption that a building of thirty high-end dwellings will generate minimal car ownership and that most movements will be "active transport" or public transport usage. This is an unreasonable assumption.

Baselining the target demographic: Considering recent sales in the area, only one is anywhere near the scale of the new apartments in 431 Glebe Point road: 5/18 Oxley St –

3 bed, 2 bath, 2 car – \$2.9M. Recent sales in other parts of the Sydney City Council areas (Pyrmont, Ultimo, Green Square, Alexandria) are in the same ballpark. Looking at the published purchase price for the building (\$39M + the submitted cost estimate of construction \$25M), we are looking at an average cost-to-the-developer of \$2.2M each. With profit and cost of sale, interest, \$3M per apartment is the absolute bare minimum sale price to make this development financially viable.

Based on this sale price estimate, the large, well appointed, multi-bedroom apartments in the proposed development will sell to professionals, downsizers, and dual-income households; households who routinely own two or more vehicles. I.e: These are not starter apartments aimed at low income or first home buyers without substantial capital behind them.

Thus the model ignores modal reality: people in this demographic do not rely on buses or bicycles as a primary means of transport. This is especially true in the Glebe Point area where (as much publicised in the local media) privatised routes are unreliable, buses are cancelled without warning, or bypass stops when running late. The L1 Metro has suffered repeated shutdowns, and ferry reliability has deteriorated ahead of the new Fish Market opening. None of this appears in the transport assessment, which instead assumes a theoretical idea transport network. Bicycle riding is practical as a weekend exercise or possible commute to the city, but not a replacement for any task involving carrying of goods.

The DA proposes 30 units with a total of 93 bedrooms sized for adult occupancy (1 x 2 bed, 25 x 3 bed, 4 x 4 bed). Even if we use conservative occupancy rates (taking ABS 2021 rates across Greater Sydney), we get an estimate of 80 people (1 x 2.1 + 25 x 2.6 + 4 x 3.2). ABS and transport surveys support the assertion that high wealth households tend to own 2 or more vehicles. If we allocate 2 vehicles to each 3+ bed unit, and 1 to the 2 bed, we get 59. If each adult occupant requires a vehicle, the number increases significantly. This suggests demand for 59 - 80 residents' vehicles.

Visitor parking is non-existent in the DA. It is also unreasonable to assume visitors arrive at this block to arrive by bus, metro or bicycle.

Another reference point: Parking allocated to Pre-LEP 2012 apartments:

- 5/18 Oxley St – 3 bed, 2 bath, 2 car (Mentioned above)
- 501 Glebe Point road – Almost all 3 and 4 bedroom apartments have 2 allocated car parking spaces
- Expanding the search further in other areas of City of Sydney, including Pyrmont, Ultimo, Green Square, Alexandria, and even the CBD itself: Single car spaces for 3 bedroom apartments are the exception, with most developments allocating 2.

Based on these observations, the LEP 2012 prevents an adequate number of on-site vehicle spaces from being allocated for a development of this apartment mix. However, it does permit more parking spaces than are included in the submitted design.

Post-construction, the unaddressed shortfall in parking spaces will push resident and visitor vehicles into the immediate surrounding – onto Glebe Point Road, Mary Street, Leichhardt Street and Oxley Street. Mary Street is already overburdened – it is narrow, has a blind corner at the exit, and often blocked by vehicles stopping illegally for deliveries or services. The DA provides no mechanism on how to absorb this overflow. It appears tool Council has is to mandate that no on-street resident or visitor parking permits will be permitted for owners of this block.

To address these issues, Council should

- Require a revised independent Traffic and Parking Impact Assessment that reflects realistic data-backed occupancy rates, car-ownership, vehicle usage and visitor numbers for large, high-value, multi-bedroom dwellings based on cited current demographic usage data.
- Require that a commensurate number of resident and visitor parking spaces be included in the design based on this outcome of assessment.
If there is no way to reconcile the permitted number of parking spots and the requirements of the anticipated residents, then Council should require design modification (e.g., revised dwelling mix or reduced dwelling count) so the development aligns with households with lower car-ownership profiles.
- Impose and publish a strict condition that residents of the development are ineligible for on-street resident and visitor parking permits in perpetuity so that the final number of constructed parking spaces becomes the enforced physical maximum, preventing the silent shift of parking demand to nearby streets.
- Require that the DA explicitly and permanently pair the five adaptable residences with five (or more) compliant adaptable/accessible parking spaces; and explicitly prohibit the use of stacked parking for any adaptable or accessible allocation.

Building Monitoring & Damage Prevention

Previous work around 2 Mary Street demonstrated that “before and after” dilapidation reports are not enough to ensure that problems are not immediately and graciously rectified after the concluding report. A development of this magnitude, involving excavation, piling, and heavy machinery, so close to the existing building (<50m) requires continuous vibration monitoring placed on the boundaries of 2 Mary Street.

- Real-time logging and exceedance alerts must be mandatory to prevent contractors arguing after the fact that cracks or movement pre-dated construction. Without continuous monitoring, the risk of structural damage becomes unquantifiable and unrecoverable.
- Dilapidation reporting must be undertaken by an independent assessor, paid for by the developer, and must include photographic, dimensional, and geospatial references. As Mary St is downhill from the development, the topography of the area increases the risk any excavation misstep can redirect ground movement or water flow. The developer must present a clear plan for protecting adjoining retaining walls, garages, and the exposed roadside edges of properties. Machinery must not be staged or stored near the drop to Leichhardt Street, where there are risks of impact, a barrier system is required to prevent accidental impact with private structures.

Drainage & Water Management

Mary Street has had minor issues in the past with drainage during heavy Sydney rains. This was particularly an issue before the installation of the NBN when the water collecting along the eastern edge of the road would overflow, fill the Telstra copper pit, and cut phone services. The grates can be overwhelmed in heavy rain. The stormwater outlet at the back of 2 Mary Street has backed up and flooded before, and residents have previously had to clear blockages manually to prevent more severe damage. Construction activities that alter ground levels, divert temporary drains, or reduce gutter capacity could dramatically worsen this behaviour. The DA does not address the hydrological implications for the immediate downhill properties, particularly during excavation or in the period before permanent drainage is installed.

- The developer must demonstrate how temporary drainage will be maintained during all phases of construction, especially when pits are open or surfaces stripped.
- Post-construction, the new building must not increase runoff velocity or redirect flows toward Mary Street. Council should require a 6–12 month post-occupation

drainage assessment to catch failures not evident during construction (particularly given the intensifying and less predictable annual rainfall patterns in Sydney). If flooding or ponding increases, corrective works must be imposed at the developer's cost, not shifted to residents.

- It should also be noted that all these street drains go directly into Blackwattle Bay and therefore into Sydney Harbour, so no demolition residue or wash-out, chemicals or other contaminants should be allowed to make its way into the system.

Noise Impacts (Construction and Ongoing)

Construction noise in Mary Street amplifies due to the narrow canyon effect between buildings. 12 of the 16 units on in 2 Mary Street have Windows that directly open to this area, as do the common entry way and stairwell. Without strict controls, daily operations will be intolerable for residents. Many works will involve concrete cutting, hammering, excavation and metalwork with high acoustic intensity.

- The developer must enclose or shield high-noise activities and prohibit warm-ups of generators or excavators before allowed hours. Dust suppression and daily street cleaning are mandatory because dust accumulates rapidly on steep streets and drifts directly into neighbouring windows.

After completion, noise from rooftop terraces, balconies and plant rooms will significantly affect nearby dwellings. Sound is channelled and travels easily into open windows along Mary Street. The DA does not address how rooftop gatherings, barbecues, or night-time use will be controlled.

- Acoustic barriers, operational restrictions, and enforceable by-laws must be mandated, otherwise the building becomes a permanent noise source for the surrounding homes.

Privacy & Amenity Impacts

The proposed balcony configurations introduce direct sightlines into neighbouring properties, including bedrooms and living spaces that have previously enjoyed visual separation. The height of the building and the downhill position of Mary Street amplifies this effect: a balcony in the proposed development only a few metres above street level can look directly into apartments further down the slope. This gets worse at higher floors. The proposal does not provide privacy modelling, shadow diagrams from balcony level, or any assessment of cumulative loss of amenity for adjacent residents.

The bulk of the building and the rooftop structures increase visual intrusion into a neighbourhood of much smaller-scale dwellings. The transition in height at this location is abrupt and unrelieved. The rooftop area, in particular, risks becoming a social zone overlooking Mary Street unless strict operational controls and screening are imposed.

Accordingly, the following requirements apply:

- Sight-line analysis: A formal, independently prepared sightline and overlooking report must be submitted prior to approval of final façade materials. The report must identify every point from which a resident of the new building can overlook private living areas of adjacent properties (including balconies, living rooms, and bedrooms on the south and west sides of 2 Mary Street). Mitigation measures must be tied directly to those findings.
- Balcony treatment – no transparent glass where overlooking occurs:
Any balcony, terrace, or elevated platform from which a resident could directly overlook neighbouring private living spaces must *not* use clear or high-transmissivity glazing. Acceptable materials include:
 - Solid, opaque construction (e.g., rendered panels, metal, composite)
 - Opaque or heavily frosted glass that effectively prevents observation of individuals.
 - Dark, low-transmittance glazing with demonstrated privacy performanceUnder no circumstances should standard transparent sheet glass be used in these locations.
- Window treatment for problematic elevations:
Similarly, should any window placement result in direct views into neighbouring properties, the development must apply one or more of:
 - High-sill windows
 - Frosted/opaque glazing
 - Fixed external screening
 - Reorientation of the glazing planeThe burden is on the applicant to demonstrate that overlooking has been eliminated, not merely reduced on paper.
- Minimum privacy height:
Balustrades and balcony treatments in affected locations must achieve an opaque or non-transparent height at least equal to a typical windowsill line (approximately 1.1–1.3 metres), ensuring a standing adult cannot view downward into neighbouring windows or balconies.

- **Privacy screens:**
Where the sight-line report identifies direct lines of view into habitable rooms or balconies, fixed privacy screens must be installed. Screens must be permanent, robust, and non-perforated to the extent necessary to eliminate direct overlooking. Operable louvres may be used only if engineered to prevent opening angles that reintroduce the original sightline.
- **Light spill and night-time amenity:**
External lighting and internal orientation must be designed to avoid intrusive illumination into neighbouring bedrooms and living spaces. Shielded luminaires and downward-facing fixtures must be mandated.

Conclusion

While I do not oppose the redevelopment of 431 Glebe Point Road, I will oppose any aspect of it that externalises risk, inconvenience, cost, or ongoing loss of amenity onto neighbouring properties. If the developer wishes to proceed, they must design and manage the project in a manner that prevents those impacts, rather than transferring them to the community.

Sydney requires ongoing renewal of ageing building stock, but execution of this project requires a high level of design, planning and management as it is located within a tight, already stressed urban environment with narrow streets, minimal parking, constrained access, and existing medium-density housing on all sides. Past experience demonstrates that poorly planned and managed construction activity in this area leads directly to blocked access, damage to vehicles, obstruction of residents and medical workers, unsafe traffic conditions, drainage congestion, and (in rare but unfortunate cases) physical altercations. These are predictable and preventable outcomes, not unforeseeable anomalies.

For this development to proceed responsibly, all external impacts - construction, operational, privacy, amenity, noise, vibration, dust, traffic, and drainage - must be actively mitigated through enforceable conditions, continuous monitoring, transparent communication channels, and clear escalation paths. None of these should fall onto residents to absorb or rectify. Economic viability of the project cannot depend on shifting risk, disruption, and long-term amenity impacts onto neighbouring residents.

About the Submitter

- Owner-occupier at 2 Mary Street since 2008, with more than 17 years of firsthand experience living in the building and observing not-insignificant disruptions and impacts from multiple neighbouring developments.
- Have firsthand experience with the capacity and reliability limits of local transport, including the 431 bus route, the L1 Dulwich Hill light rail (Jubilee Park and Glebe stations), and the Blackwattle Bay Ferry Service.
- Active member of the Strata Committee for many years. This response is not representing or speaking on behalf of the committee but is bringing a clear duty of care to protect the building, common property, and residents.
- Enterprise IT Professional with 30+ years of experience in large-scale high-budget enterprise projects, familiar with assumption identification and validation, project risk management, inter-team coordination, and the consequences of poor planning. As such, carry the professional view that any project where successful completion depends on externalising impact, cost, inconvenience onto third parties carries increased risk for internal and external stakeholders that needs to be correctly and comprehensively identified, documented, costed and managed.

Matt Sheumack

Owner: Unit 13, 2 Mary Street, Glebe NSW 2037

07/12/2025

From: John Sleeman <[REDACTED]> on behalf of John Sleeman
<[REDACTED]> <John Sleeman <[REDACTED]>
Sent on: Tuesday, December 9, 2025 10:57:16 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: John Sleeman <[REDACTED]>
Subject: Submission - D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037 - Attention Shannon Rickersey
Attachments: 251207A_Sleeman_Submission_Development_431_GPR.pdf (1015.6 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 Shannon,

Please find attached our submission for D/2025/1006.

We would be pleased to provide any further supporting information if required.

--

Kind regards,
John and Elena Sleeman

mailto:[REDACTED]

3/433 Glebe Point Road,
Glebe. NSW 2037
Ph home : [REDACTED]

email : [REDACTED]

8th December 2025

Mr Stuart Greville

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2001

**Development Application: D/2025/1006
431 Glebe Point Road, Glebe NSW 2037**

We refer to your letter dated 10 November 2025, advising of the above development application. Thank you for the opportunity to comment on the development. We object to the proposed development at 431 Glebe Point Road, Glebe. The reasons for the objection follow:

Privacy

Currently the building at 431 Glebe Point Road is vacant, however has been used for commercial uses, since we have lived at 3/433 Glebe Point Road for the last 30 years. The building has generally been vacant on weekends. Additionally the current glazing is fixed and tinted. Our private courtyard is in easy view by the existing glazing facing north and north east. In addition the existing building is clearly viewed from within our upstairs bedrooms. However we do not feel our privacy is invaded, as the building use is commercial with fixed tinted windows, and when we wish to use our courtyard on weekends the building use is vacant. Additionally a large area of the existing north western façade is without windows.

There is a significant error in Section 3.1 of the Statement of Environmental Effects by BBC Consulting Planners, as it states :’ *To the north of the site, on the opposite side of Leichhardt Street, is No. 433 Glebe Point Road (a two-storey former dwelling now comprising two apartments with a detached garage) and is identified as a local heritage item (reference: 1774)*’. The ‘detached garage’ is our 2 bedroom 2 storey freestanding dwelling, being Unit 3 of 433 Glebe Point Road. 433 Glebe Point Road is Strata 17375 with 2 apartments in the main building and a freestanding dwelling on the corner of Leichhardt and Mary Streets. This significant oversight may explain why privacy to our free standing dwelling and courtyard has been completely overlooked.

The proposed changes to the building will provide a large number of bedroom windows and balconies with a clear view into our house, and of our private courtyard from levels 1 to 4 of the building. Additionally there is a private courtyard on Level 3.

However in Section 6.2.2.5 '*Privacy Impacts*' of the Statement of Environmental Effects by BBC Consulting Planners it is recognized that :

'Windows on Level 1 and 2 of the southern façade have the potential to overlook adjoining properties to the south'.

For these windows, *'Window openings will be (as required) obscure glazing to a height of 1500mm above finished floor level. Other materials including obscure glazing, louvres and screens will reduce the impacts of overlooking to/ from the site'.*

However in relation to our residential building at 3/433 Glebe Point Road, and units 1&2/433 Glebe Point Road, others at 435 Glebe Point Road and further to the north-west it is stated :

"The northern and western facades address public roads which provide separation between the development and adjacent residential properties."

The assertion from the Statement of Environmental Effects that there are no Privacy Impacts from the northern and western facades is clearly in error.

Photos showing the north/north western facades clearly visible from 441 to 433 Glebe Point Road are shown in **Attachment B**.

We strongly assert that the provision of a significant number of bedroom windows and balconies with a clear view into our bedroom windows and our private courtyard is not acceptable. Furthermore no mitigation is suggested in the Statement of Environmental Effects, nor on the Architectural Drawings. The Architectural Drawings do however provide screens such that apartments within the development are provided with screening where required (for example such there is '*Vertical Privacy Screening*' from a Terrace and Living Room of one apartment to the Bedroom of another).

Accordingly the proposal must be designed to incorporate shielding from the northern and western facades similarly to that proposed for the southern facades. i.e. *'Window openings will be (as required) obscure glazing to a height of 1500mm above finished floor level. Other materials including obscure glazing, louvres and screens will reduce the impacts of overlooking to/ from the site'.*

We strongly object to the proposal in its current form, with no mitigation to address the overlooking to our property. We particularly object to the fact that the Statement of Environmental Effects appears to have deliberately overlooked the '*Privacy Impacts*' to our property.

Building Bulk

The current building dominates Glebe Point Road, and is inconsistent with the Glebe Point Road street scape from Parramatta Road to Leichhardt Street. Never the less the proposal plans to increase the existing building height with the addition of a new rooftop level.

There is inconsistency in the documentation, the Statement of Environmental Effects states: *'The building currently has a maximum building height of 23.4 metres. The proposed maximum height of building will be 24.9 metres (increase of 1.5 metres)'*. However the Variation Request states : *'The building currently has a maximum building height of 22.57 metres. The proposed maximum height of building will be 25 metres (increase of 2.47 metres over existing) which exceeds the height control in SLEP 2012 by up to 13 metres.'*

We have viewed the building from Pyrmont, and clearly the addition of an additional floor will create a change to the massing of the building. Photographs taken from Pyrmont of the building illustrate the existing building mass, and its relationship to the surrounding lower rise buildings.

Accordingly, given the existing height already significantly exceeds the maximum of 12 m, as allowed under the SLEP 2012, any further increases should not be allowed.

Attachment B shows views of the Building from Pyrmont.

The Proposed Carpark Exit on Leichhardt Street, Between Glebe Point Road, and the Intersection of Leichhardt Street and Stuart Street.

We refer to the *TRAFFIC AND PARKING ASSESSMENT REPORT* dated 22 September 2025, by Varga Traffic Planning. The report contains erroneous information, in that it claims there is an existing carpark exit on Leichhardt Street, on the building north eastern façade. From the Report unnumbered Figure *'Site view along Leichhardt Street site frontage, facing south-east'* the insert states *'Existing exit driveway to be retained'*. Also the Report unnumbered Figure *'Site view along Leichhardt Street site frontage, facing west'* insert states *'Existing entry only driveway is to be retained.'*. Again an error in the report, as this is the existing entry AND exit location for the carpark

This existing carpark 'exit' (as erroneous stated) is located adjacent to the building lift, and has been used only for goods deliveries, with the delivery vehicle typically parked next to the building access mesh door. We live at 3/433 Glebe Point Road, and have lived here for 30 years, and during this time this building access door and associated ramp to Leichhardt Street has never been used as an exit from the building for vehicles of any type. It has on occasion been used to deliver goods, as next to the building access mesh door the goods lift is located. It would dangerous to use this as a vehicular exit, as the lift door is located immediately adjacent to where vehicles would pass to exit the building.

Never the less the Traffic and Parking Assessment Report proposes to use the existing goods delivery access door and associated ramp as a car park exit. This proposal would create traffic chaos on Leichhardt Street, as we explain.

Vehicular entry and exit to and from the building has always been from the carpark entry and exit location, on the north eastern façade of the building, located on the one-way section of Leichhardt Street, about 35 meters from the Leichhardt and Stuart Street intersection. We will elaborate on why this configuration has been used, and why it minimizes traffic problems.

- The section of Leichhardt Street between Glebe Point Road, and the Intersection of Leichhardt Street and Stuart Street is two-way, however with carparking on the north-western side it is not possible for vehicles to pass each other. There is a give way sign at Stuart Street, and vehicles at this location can see to Glebe Point Road, and if a vehicle has entered Leichardt Street from Glebe Point Road they will wait until the vehicle progresses to the one-way section of Leichhardt Street before proceeding. If they proceed before the above vehicle has passed, then one of the two vehicles will have to reverse. It is worth noting that most of the cars that use these streets understand the restriction at the two-way section of Leichhardt Street, and drive accordingly.
- A proposed exit from the building in this two way section of Leichhardt Street, where vehicles cannot pass, will create chaotic traffic. The proposed exit does not have clear view to Glebe Point Road, as the road is curved, and the building not straight. After existing the carpark, if there is a car from Glebe Point Road, they will have to reverse back in to the carpark from Leichhardt Street. If there are two simultaneous vehicles leaving at this time they will both have to reverse back into the carpark.
- Pedestrians from Glebe Point Road usually walk along the north-eastern side of Leichhardt Street, and given the road curvature and non-straight building façade would potentially not see the cars existing the proposed carpark exit.
- The existing carpark entry and exit location is in a one way section of Leichhardt Street, and accordingly vehicles can easily enter and exit. Vehicles entering can easily see and give way to vehicles existing. Vehicles existing can easily see and give way to vehicles on Leichhardt Street.

Also we note:

- From the Basement Plan when cars are exiting the building from the proposed Leichardt Street exit they would pass very close to doors to the basement waste room.
- Appendix C of the Traffic Report shows vehicles hitting the building (the vehicle path is superimposed on where the building is).

Traffic Generation.

The traffic report compares potential maximum traffic generation from a commercial property to that calculated from the proposed development.

We do not concur with this approach, the existing traffic generation when the building has been used as a commercial premises, i.e. the Woolcock Research should have been determined/measured and compared with that calculated from the proposed development.

Construction Noise

The existing building is surrounded by residences, and our house's facade is located typically only 15 metres from the building. The proposed development will require substantial changes to the existing building facade and internal and external works.

The associated Statement of Environmental Effects States: *'Construction/demolition work will occur during the hours of 7:30am and 5:30pm (Monday to Friday) and 7:30am and 3:30pm (Saturday) with no work on Sundays. All work including limited demolition, excavation and building work will comply with the City of Sydney Code of Practice for Construction Hours/ Noise and relevant Australian Standards'*.

We recommend the construction hours proposed be adopted by Council in any conditions of consent

The control of potentially offensive noise is an essential part of modern life. This is particularly important in the construction of buildings within residential areas.

We strongly assert it is necessary for full compliance with the Sydney City Council's construction noise criteria, and that a monitoring program is essential.

Construction Vibration

Immediately adjoining 431 Glebe Point Road to the north are significant heritage buildings, and in addition similar buildings are located on the opposite side of Leichhardt Street. The use of rockbreaking or similar equipment has the potential to cause damage to these buildings. The most appropriate standard DIN 4150 – 'Structural vibration in buildings' recommends maximum vibration levels for buildings. For buildings particularly sensitive to vibration, that are of great intrinsic value (eg buildings that are under a preservation order) maximum vibration levels of 3 mm/s for a frequency of less than 10 Hz are recommended. Typical measurements of rockbreaking equipment operating on sandstone produce vibration levels of 5 mm/s at 18, 6 and 1.7 meters from the rockbreaker tip for large, medium and small rockbreaking equipment respectively. Clearly there is a potential for damage of these heritage buildings if excavation of the carpark by rockbreakers or similar equipment is used.

Careful monitoring and control of excavation works will be required to eliminate the potential for damage to the adjoining heritage buildings.

Operation Noise

The Acoustic Report conducted long term ambient noise monitoring and determined Project Trigger Noise Levels of 51 dBA for the 43 dBA for the evening, and 38 dBA for the night. We concur with these levels, and they should be adopted for the setting of operational noise criteria.

We consider it is essential that the long term operation of this type of development comply with EPAs Noise Policy for Industry and Sydney City Council criteria for noise generated by the various systems and operations. These should include but not be limited to air conditioning, kitchen and toilet exhaust systems, carpark supply and exhaust air systems, automatic doors associated with the carpark, traffic noise in the car park and external traffic noise.

The control of potentially offensive noise is an essential part of modern life. We therefore strongly assert it is necessary for full compliance with both the EPAs Noise Policy for Industry and Sydney City Council long term operational noise criteria.

Summary

In summary we have been please to be given the opportunity to examine and comment on the proposal to provide apartments in the building presently located at 431 Glebe Point Road. However as neighbours we are not satisfied that the planned development represents a good outcome for the local residents, and the potential new residents. In key areas stated above, the proposal fails to satisfy criteria associated with good planning for a new residential development within an existing residential area of historical significance. Given the numerous shortcomings we conclude the proposal should be refused.

Yours sincerely,



John Sleeman



Elena Sleeman

ATTACHMENT A Before and After Views 433 to 431 Glebe Point Road



ATTACHMENT A Before and After Views 441 to 431 Glebe Point Road



ATTACHMENT B Views of 431 Glebe Point Road from Pyrmont



From: John Sleeman <[REDACTED]> on behalf of John Sleeman
<[REDACTED]> <John Sleeman <[REDACTED]>
Sent on: Tuesday, December 9, 2025 11:26:00 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: [REDACTED] John Sleeman <[REDACTED]>
Subject: Submission - D/2025/1006 - 431 Glebe Point Road GLEBE NSW 2037 - Attention Shannon Rickersey
Attachments: 251207A_SP17375_Submission_Development_431_GPR.pdf (820.07 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 Shannon,

Please find attached our submission for D/2025/1006.

We would be pleased to provide any further supporting information if required.

--

Kind regards,
Oh behalf of Strata Plan 17375
John Sleeman [mailto:\[REDACTED\]](mailto:[REDACTED])

Strata Plan 17375
433 Glebe Point Road,
Glebe. NSW 2037
Ph home : [REDACTED]

email : [REDACTED]

8th December 2025

Mr Stuart Greville

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2001

**Development Application: D/2025/1006
431 Glebe Point Road, Glebe NSW 2037**

We refer to your letter dated 10 November 2025, advising of the above development application. Thank you for the opportunity to comment on the development. The management committee of Strata Plan 17375 encompasses the 3 units of 433 Glebe point Road. The management committee objects to the proposed development at 431 Glebe Point Road, Glebe. The reasons for the objection follow:

Privacy

Currently the building at 431 Glebe Point Road is vacant, however has been used for commercial uses. The building has generally been vacant on weekends. Additionally the current glazing is fixed and tinted. Unit 3's private courtyard as well as bedroom windows for Units 1 and Unit 2 are in easy view by the existing glazing facing north and north east. Additionally a large area of the existing north western façade is without windows.

There is a significant error in Section 3.1 of the Statement of Environmental Effects by BBC Consulting Planners, as it states : ' *To the north of the site, on the opposite side of Leichhardt Street, is No. 433 Glebe Point Road (a two-storey former dwelling now comprising two apartments with a detached garage) and is identified as a local heritage item (reference: 1774)*'. The 'detached garage' is a 2 bedroom 2 storey freestanding dwelling, being Unit 3 of 433 Glebe Point Road. 433 Glebe Point Road is Strata 17375 with 2 apartments in the main building and a freestanding dwelling on the corner of Leichhardt and Mary Streets. This significant oversight may explain why privacy to the free standing dwelling and courtyard has been completely overlooked.

The proposed changes to the building will provide a large number of bedroom windows and balconies with a clear view into bedrooms of the three units of 433 Glebe Point Road from levels 1 to 4 of the building. Additionally there is a private courtyard on Level 3.

However in Section 6.2.2.5 '*Privacy Impacts*' of the Statement of Environmental Effects by BBC Consulting Planners it is recognized that :

'Windows on Level 1 and 2 of the southern façade have the potential to overlook adjoining properties to the south'.

For these windows, *'Window openings will be (as required) obscure glazing to a height of 1500mm above finished floor level. Other materials including obscure glazing, louvres and screens will reduce the impacts of overlooking to/ from the site'.*

However in relation to our residential building at 3/433 Glebe Point Road, and units 1&2/433 Glebe Point Road, others at 435 Glebe Point Road and further to the north-west it is stated :

"The northern and western facades address public roads which provide separation between the development and adjacent residential properties."

The assertion from the Statement of Environmental Effects that there are no Privacy Impacts from the northern and western facades is clearly in error.

Photos showing the north/north western facades clearly visible from 441 to 433 Glebe Point Road are shown in **Attachment B**.

We strongly assert that the provision of a significant number of bedroom windows and balconies with a clear view into the Strata bedroom windows and Strata common areas and private areas is not acceptable. Furthermore no mitigation is suggested in the Statement of Environmental Effects, nor on the Architectural Drawings. The Architectural Drawings do however provide screens such that apartments within the development are provided with screening where required (for example such there is '*Vertical Privacy Screening*' from a Terrace and Living Room of one apartment to the Bedroom of another).

Accordingly the proposal must be designed to incorporate shielding from the northern and western facades similarly to that proposed for the southern facades. i.e. *'Window openings will be (as required) obscure glazing to a height of 1500mm above finished floor level. Other materials including obscure glazing, louvres and screens will reduce the impacts of overlooking to/ from the site'.*

We strongly object to the proposal in its current form, with no mitigation to address the overlooking to our property. We particularly object to the fact that the Statement of Environmental Effects appears to have deliberately overlooked the '*Privacy Impacts*' to our property.

The Proposed Carpark Exit on Leichhardt Street, Between Glebe Point Road, and the Intersection of Leichhardt Street and Stuart Street.

We refer to the *TRAFFIC AND PARKING ASSESSMENT REPORT* dated 22 September 2025, by Varga Traffic Planning. The report contains erroneous information, in that it claims there is an existing carpark exit on Leichhardt Street, on the building north eastern façade. From the Report unnumbered Figure 'Site view along Leichhardt Street site frontage, facing south-east' the insert states 'Existing exit driveway to be retained'. Also the Report unnumbered Figure 'Site view along Leichhardt Street site frontage, facing west' insert states 'Existing entry only driveway is to be retained.'. Again an error in the report, as this is the existing entry AND exit location for the carpark

This existing carpark 'exit' (as erroneous stated) is located adjacent to the building lift, and has been used only for goods deliveries, with the delivery vehicle typically parked next to the building access mesh door. Members of the Strata Plan management committee have lived at 433 Glebe Point Road, for 30 years, and during this time this building access door and associated ramp to Leichhardt Street has never been used as an exit from the building for vehicles of any type. It has on occasion been used to deliver goods, as next to the building access mesh door the goods lift is located. It would dangerous to use this as a vehicular exit, as the lift door is located immediately adjacent to where vehicles would pass to exit the building.

Never the less the Traffic and Parking Assessment Report proposes to use the existing goods delivery access door and associated ramp as a car park exit. This proposal would create traffic chaos on Leichhardt Street, as we explain.

Vehicular entry and exit to and from the building has always been from the carpark entry and exit location, on the north eastern façade of the building, located on the one-way section of Leichhardt Street, about 35 meters from the Leichhardt and Stuart Street intersection. We will elaborate on why this configuration has been used, and why it minimizes traffic problems.

- The section of Leichhardt Street between Glebe Point Road, and the Intersection of Leichhardt Street and Stuart Street is two-way, however with carparking on the north-western side it is not possible for vehicles to pass each other. There is a give way sign at Stuart Street, and vehicles at this location can see to Glebe Point Road, and if a vehicle has entered Leichardt Street from Glebe Point Road they will wait until the vehicle progresses to the one-way section of Leichhardt Street before proceeding. If they proceed before the above vehicle has passed, then one of the two vehicles will have to reverse. It is worth noting that most of the cars that use these streets understand the restriction at the two-way section of Leichhardt Street, and drive accordingly.
- A proposed exit from the building in this two way section of Leichhardt Street, where vehicles cannot pass, will create chaotic traffic. The proposed exit does not have clear view to Glebe Point Road, as the road is curved, and the building not straight. After existing the carpark, if there is a car from Glebe

Point Road, they will have to reverse back in to the carpark from Leichhardt Street. If there are two simultaneous vehicles leaving at this time they will both have to reverse back into the carpark.

- The carpark entry to the garage serving Units 1 and 2 of 433 Glebe Point Road is located on Leichhardt Street, immediately opposite the proposed exit. As such there is potential for accidents to occur with the exit located where proposed.
- Pedestrians from Glebe Point Road usually walk along the north-eastern side of Leichhardt Street, and given the road curvature and non-straight building façade would potentially not see the cars existing the proposed carpark exit.
- The existing carpark entry and exit location is in a one way section of Leichhardt Street, and accordingly vehicles can easily enter and exit. Vehicles entering can easily see and give way to vehicles existing. Vehicles existing can easily see and give way to vehicles on Leichhardt Street.

Also we note:

- From the Basement Plan when cars are exiting the building from the proposed Leichardt Street exit they would pass very close to doors to the basement waste room.
- Appendix C of the Traffic Report shows vehicles hitting the building (the vehicle path is superimposed on where the building is).

Traffic Generation.

The traffic report compares potential maximum traffic generation from a commercial property to that calculated from the proposed development.

We do not concur with this approach, the existing traffic generation when the building has been used as a commercial premises, i.e. the Woolcock Research should have been determined/measured and compared with that calculated from the proposed development.

Construction Noise

The existing building is surrounding by residences, and our house's facade is located typically only 15 metres from the building. The proposed development will require substantial changes to the existing building façade and internal and external works.

The associated Statement of Environmental Effects States: *'Construction/demolition work will occur during the hours of 7:30am and 5:30pm (Monday to Friday) and 7:30am and 3:30pm (Saturday) with no work on Sundays. All work including limited demolition, excavation and building work will comply with the City of Sydney Code of Practice for Construction Hours/ Noise and relevant Australian Standards'*.

We recommend the construction hours proposed be adopted by Council in any conditions of consent

The control of potentially offensive noise is an essential part of modern life. This is particularly important in the construction of buildings within residential areas.

We strongly assert it is necessary for full compliance with the Sydney City Council's construction noise criteria, and that a monitoring program is essential.

Construction Vibration

Immediately adjoining 431 Glebe Point Road to the north are significant heritage buildings, and in addition similar building are located on the opposite side of Leichhardt Street. The use of rockbreaking or similar equipment has the potential to cause damage to these buildings. The most appropriate standard DIN 4150 – 'Structural vibration in buildings' recommends maximum vibration levels for buildings. For buildings particularly sensitive to vibration, that are of great intrinsic value (eg buildings that are under a preservation order) maximum vibration levels of 3 mm/s for a frequency of less than 10 Hz are recommended. Typical measurements of rockbreaking equipment operating on sandstone produce vibration levels of 5 mm/s at 18, 6 and 1.7 meters from the rockbreaker tip for large, medium and small rockbreaking equipment respectively. Clearly there is a potential for damage of these heritage buildings if excavation of the carpark by rockbreakers or similar equipment is used.

Careful monitoring and control of excavation works will be required to eliminate the potential for damage to the adjoining heritage buildings.

Operation Noise

The Acoustic Report conducted long term ambient noise monitoring and determined Project Trigger Noise Levels of 51 dBA for the day, 43 dBA for the evening, and 38 dBA for the night. We concur with these levels, and they should be adopted for the setting of operational noise criteria.

We consider it is essential that the long term operation of this type of development comply with EPAs Noise Policy for Industry and Sydney City Council criteria for noise generated by the various systems and operations. These should include but not be limited to air conditioning, kitchen and toilet exhaust systems, carpark supply and exhaust air systems, automatic doors associated with the carpark, traffic noise in the car park and external traffic noise.

The control of potentially offensive noise is an essential part of modern life. We therefore strongly assert it is necessary for full compliance with both the EPAs Noise Policy for Industry and Sydney City Council long term operational noise criteria.

Summary

In summary we have been please to be given the opportunity to examine and comment on the proposal to provide apartments in the building presently located at 431 Glebe Point Road. However as neighbours we are not satisfied that the planned

development represents a good outcome for the local residents, and the potential new residents. In key areas stated above, the proposal fails to satisfy criteria associated with good planning for a new residential development within an existing residential area of historical significance. Given the numerous shortcomings we conclude the proposal should be refused.

Yours sincerely,



John Sleeman

On behalf of the Management Committee of Strata Plan 17375

ATTACHMENT A Before and After Views 433 to 431 Glebe Point Road



ATTACHMENT A Before and After Views 441 to 431 Glebe Point Road



Item 5.**Development Application: 183-187 Harris Street, Pyrmont - D/2025/1163****File Number: D/2025/1163****Summary**

Date of Submission:	20 November 2025, Amended 9 March 2026
Applicant:	COSO Architecture
Architect/Designer:	COSO Architecture
Developer:	N/A
Owner:	Mr Woon Hong Chung
Planning Consultant:	BBF Town Planners
Heritage Consultant:	Weir Phillips Heritage
Cost of Works:	\$2,117,500
Zoning:	E1 Local Centre Zone
Proposal Summary:	Alterations and additions to change the use of an existing 2-3 storey commercial building to a 3-4 storey shop-top housing development with residential apartments on a new top floor. Works include refurbishment and alterations to the main facade on Harris Street and reconfiguration of internal commercial tenancies and lift core. The application is reported to the Local Planning Panel as the development is sensitive development which is subject to Chapter 4 of the State Environmental Planning Policy (Housing) 2021 and proposes departures from the development standards including a 45.2% variation of Clause 4.3 Height of Buildings Development Standard and a 42% variation of Clause 4.4 Floor Space Ratio Development Standard of the Sydney LEP 2012. The application was notified for 21 days between 1 December 2025 and 17 January 2026. One objection was received.

The development is recommended for refusal as Council is not satisfied the applicant has demonstrated the requirements of Clause 4.6(3) of the Sydney LEP 2012 in relation to the Height of Buildings and Floor Space Ratio development standards, the development exhibits overdevelopment through breaches of bulk and massing controls, it does not exhibit design excellence, does not meet Principles 2 or 5 of Schedule 9 in the SEPP (Housing) 2021 and includes insufficient information to demonstrate compliance with technical requirements such as transport, landscaping, accessibility and waste.

Summary Recommendation: This proposal is recommended for refusal.

Development Controls:

- (i) Sydney Local Environmental Plan 2012 (LEP)
- (ii) Sydney Development Control Plan 2012 (DCP)
- (iii) SEPP (Industry and Employment) 2021
- (iv) SEPP (Housing) 2021
- (v) SEPP (Sustainable Buildings) 2022
- (vi) SEPP (Biodiversity and Conservation) 2021

Attachments:

- A. Selected Drawings
- B. Clause 4.6 Variation Request - Height of Buildings
- C. Clause 4.6 Variation Request - Floor Space Ratio
- D. Submissions

Recommendation

It is resolved that consent be refused for Development Application Number D/2025/1163 for the following reasons:

- (A) the variation to Clause 4.3 'Height of Buildings' development standard as requested in accordance with Clause 4.6 'Exceptions to Development Standards' of the Sydney LEP 2012 is not supported;
- (B) the variation to Clause 4.4 'Floor Space Ratio' development standard as requested in accordance with Clause 4.6 'Exceptions to Development Standards' of the Sydney LEP 2012 is not supported; and
- (C) consent be refused to Development Application D/2025/1163 for the reasons outlined below.

Reasons for Recommendation

The application is recommended for refusal for the following reasons:

- (A) Council is not satisfied that the applicant has demonstrated that compliance with Clause 4.3 Height of Building development standard of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and there are insufficient environmental planning grounds to justify the contravention of the development standard in accordance with Clause 4.6(3) of the Sydney LEP 2012.
- (B) Council is not satisfied that the applicant has demonstrated that compliance with Clause 4.4 Floor Space Ratio development standard of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and there are insufficient environmental planning grounds to justify the contravention of the development standard in accordance with Clause 4.6(3) of the Sydney LEP 2012.
- (C) The development breaches the bulk and massing controls including the Clause 4.3 height of buildings and Clause 4.4 floor space ratio development standards of the Sydney LEP 2012, the height in storeys controls under Section 4.2.1.1 of the Sydney DCP 2012. The additional bulk and mass from the new third storey will be visible from the side elevations from the public domain exceeding the current roofline and the non-compliances to achieve this additional storey are an indication of overdevelopment for the site.
- (D) The apartment design does not meet Section 147(1)(a) of the SEPP (Housing) 2021 as it does not meet Design Principles 2 (Built Form and Scale) or 5 (Landscape) under Schedule 9 of the SEPP.
- (E) The apartment design does not comply with the Building Separation at zone boundaries under Design Criteria 2F, Communal Open Space under Design Criteria 3D-1, Deep Soil Zones under Design Criteria 3E-1 and Ceiling Heights under 4C-1 of the Apartment Design Guide.
- (F) The development does not exhibit design excellence as per Section 6.21C of the Sydney LEP 2012.

- (G) There is insufficient information and detail to demonstrate compliance with technical requirements including accessibility, landscaping, waste, transport, environmental impacts, surveying, sustainability and public domain requirements.
- (H) The public interest is not achieved by this development for the reasons above.

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
 - (b) Sensitive Development
2. The development application falls within the category of Departure from Development Standards as the departure from the height in buildings development standard is a variation of 45.2% and the departure from the floor space ratio development standard is 42%.
3. The development falls within the category of Sensitive Development as the development, which is 4 storeys and contains 4 apartments, is subject to Chapter 4 (Design of residential apartment) of the State Environmental Planning Policy (Housing) 2021.

The Site and Surrounding Development

4. The site has a legal description of Lot 2 DP 533563, known as 183-187 Harris Street, Pyrmont. It is rectangular in shape with area of approximately 390.4sqm. It has a primary street frontage of 16.06m to Harris Street and a secondary street frontage of 17m to Little Mount Street. The site is located north of the intersection of Harris Street and the Pyrmont Bridge Road. Levels on the site fall by 1m to the west.
5. The site contains a two-storey commercial building that is currently approved for office use with 2 tenancies at ground floor and a single commercial tenancy on the first floor. The entrance to the ground floor on Harris Street is elevated from the street level. There is a basement parking area accessible from Little Mount Street.
6. The surrounding area is characterised by a mixture of land uses, primarily being mixed use. Immediately to the south are a row of terraces that are also local heritage items including residential uses and boarding houses and business premises. Immediately to the north is a commercial premises. To the rear of the site across Little Mount Street are single storey workers cottages in the heritage conservation area. Opposite the street are a range of commercial premises including food and drinks premises, retail premises, a business premises and a gym.
7. The site is located within the C52 Pyrmont heritage conservation area. The site is identified as a detracting building.
8. The site is located within the Pyrmont locality.
9. A site visit was carried out on 9 December 2025. Photos of the site and surrounds are provided below.

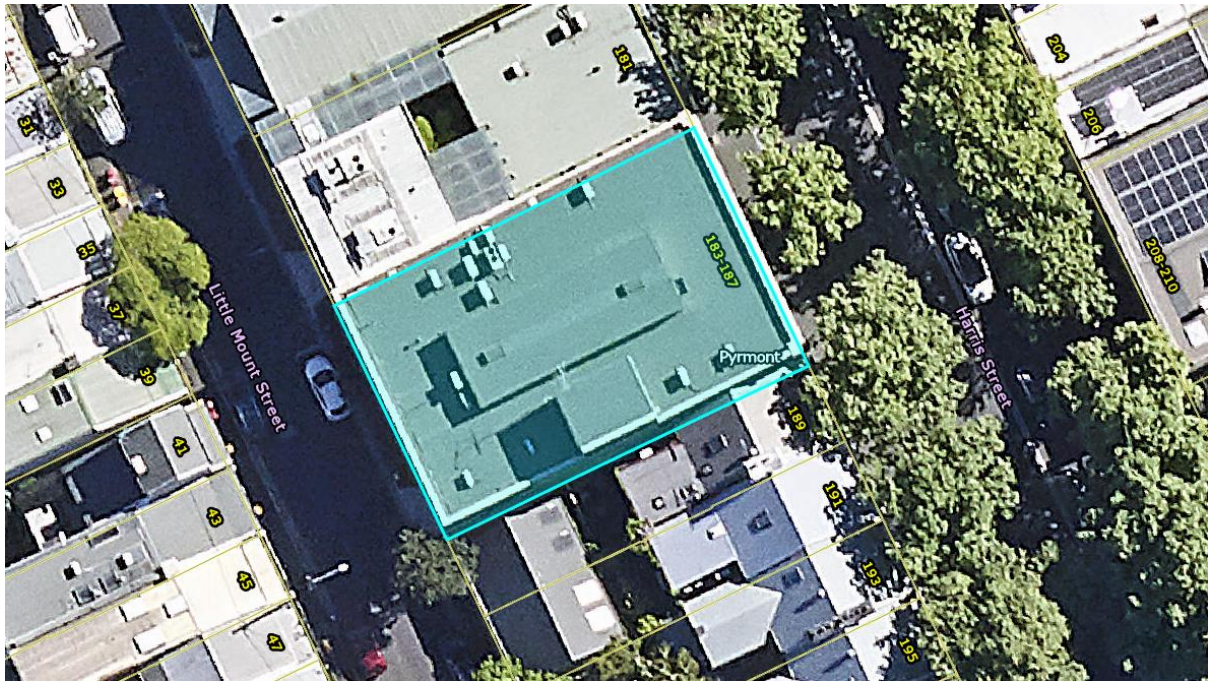


Figure 1: Aerial view of site and surrounds



Figure 2: Site viewed from Harris Street facing west (in yellow and blue)



Figure 3: Site viewed from Little Mount Street



Figure 4: Site viewed from Little Mount Street



Figure 5: View of the row of heritage items immediately south of the subject site



Figure 6: View of the row of terraces immediately north of the subject site

History Relevant to the Development Application

Development Applications

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

- **PDA/2023/99** – Pre-development advice was provided on 1 June 2023 for alterations and additions to the existing building including two additional floors comprising commercial and residential uses. It was advised that:
 - the new upper levels would breach all controls relating to bulk and scale and would not be supported as the existing building already achieves the maximum development potential available for the site
 - the increase of height along the Little Mount Street frontage from three storeys to four storeys would not be supported due to exceedances in the height of buildings development standard, floor space ratio development standard and the height in storeys control.
- **D/2024/135** – The proposal sought approval for alterations and additions to the existing commercial building for a 4 storey mixed use development comprising parking and services at basement/lower ground level, co-living and commercial uses at ground and co-living uses on first and second floors above. The application was withdrawn on 9 October 2024 following a request for amendments letter that raised concerns regarding breaches to the height, bulk and scale controls for the site.

Amendments

11. Following a preliminary assessment of the proposed development by Council officers, a request for additional information and amendments was sent to the applicant on 16 February 2026.
12. The request raised significant concerns with the exceedance of the height of buildings development standard, floor space ratio development standards, non-compliance with the building height in storeys control and design criteria non-compliances with the ADG.
13. The letter advised that the proposed form and the additional storey could not be supported. The remainder of the letter outlined inadequate and insufficient information submitted with the application to address technical matters including accessibility, landscaping, public domain, transport and waste management.
14. The applicant responded to the letter on 9 March 2026, and submitted draft amended plans that did not include changes to address the non-compliances to the height of buildings and floor space ratio development standards or comply with the building height in storeys control. The applicant's response did not include any additional information to address outstanding technical matters.
15. The assessment outlined in this report has been made against the draft plans submitted on 9 March 2026. As detailed throughout this report, the plans have not meaningfully addressed the bulk and scale concerns or provided further information to address technical requirements raised by Council officers.

Design Advisory Panel Residential Subcommittee

16. The Design Advisory Panel Residential Subcommittee (DAPRS) considered the proposal on the 3 February 2026.
17. DAPRS raised concerns with the bulk of the development and suggested that design changes were required to reduce and manage the overall bulk.
18. To address poor amenity for the proposed first floor commercial level, they suggested the top floor slab be adjusted to improve clearance for a minimum 3 metre commercial ceiling height and the springing point for the apartment sloped roof be reduced to 2.7 metres.
19. DAPRS also stated the top floor apartments have potential for good amenity due to ample access to natural light and ventilation, but the balance of apartment size and provision of balconies needed to be addressed.
20. DAPRS suggested several design solutions to improve the design at the top floor such as setting back the top floor from both side boundary walls and introducing different roof forms to further reduce bulk. Other minor changes were suggested such as relocating the lift shaft, retaining street wall heights and recessing new roof forms and adding sky lighting for the office level.
21. DAPRS also raised concerns regarding drawings containing inconsistencies and lack of coordination throughout the documentation.

Ultimo Pyrmont Planning Proposal

22. The Ultimo Pyrmont Planning Proposal was finalised and returned to the Department of Planning for assessment and drafting of the Sydney LEP 2012 on 31 October 2025. The objective of the proposal was to facilitate the renewal of Ultimo and Pyrmont and to provide additional floor space and uplift for employment and residential floor space close to the Pyrmont Metro Station.
23. Rather than taking an overarching, precinct wide approach, the proposal has focused on identifying individual sites for floor space and height uplift where development can sensitively accommodate change whilst delivering place benefits for the community.
24. The subject site was not included as one of the sites for floor space or height uplift through the proposal.

Proposed Development

25. The application seeks consent for alterations and additions to the existing commercial building to support a shop top housing use by constructing an additional storey containing 4 apartments.
26. The proposed works include:

Basement Level

- Reconfiguration works to facilitate retention of 7 carparking spaces and addition of a turntable

- Commercial and residential waste storage areas and alterations to the fenestration facing Little Mount Street

Ground Floor Level

- A new entry foyer internalising the access ramp from Harris Street with the ground level realigned to the street edge
- The reconfiguration of the two commercial ground floor tenancies and the shared bathroom facilities
- One building identification sign to Harris Street

First Floor Level

- Refurbishment of the commercial tenancy and associated bathroom amenities

Second Floor Level

- Construction of an additional storey to include 2 one-bedroom apartments and 2 studio apartments accessed via a central courtyard with landscaping

Roof Plan

- A green roof with a void in the middle of the roof over the central courtyard

Facade Works

- Replacement of the Harris Street building façade and fenestration using face brick.

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

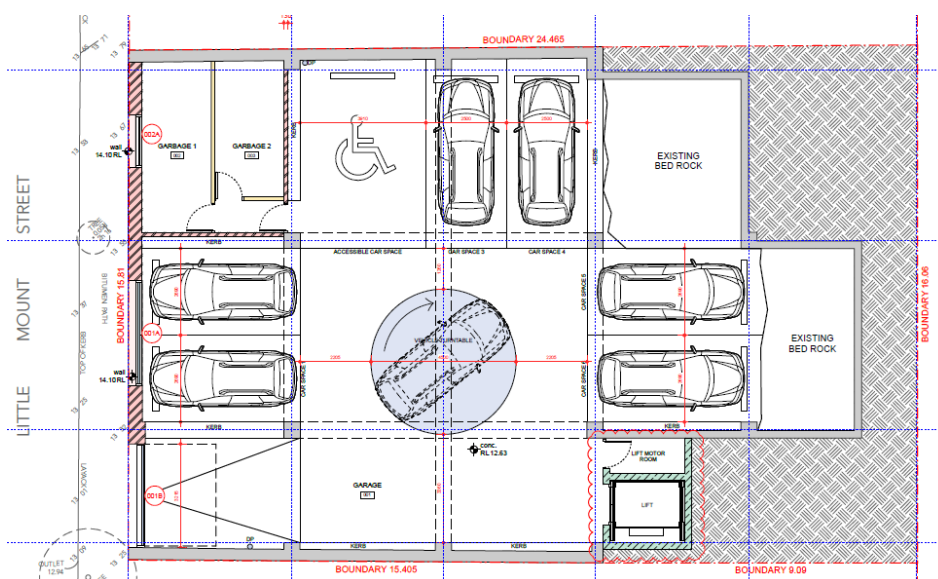


Figure 7: Proposed basement floor plan

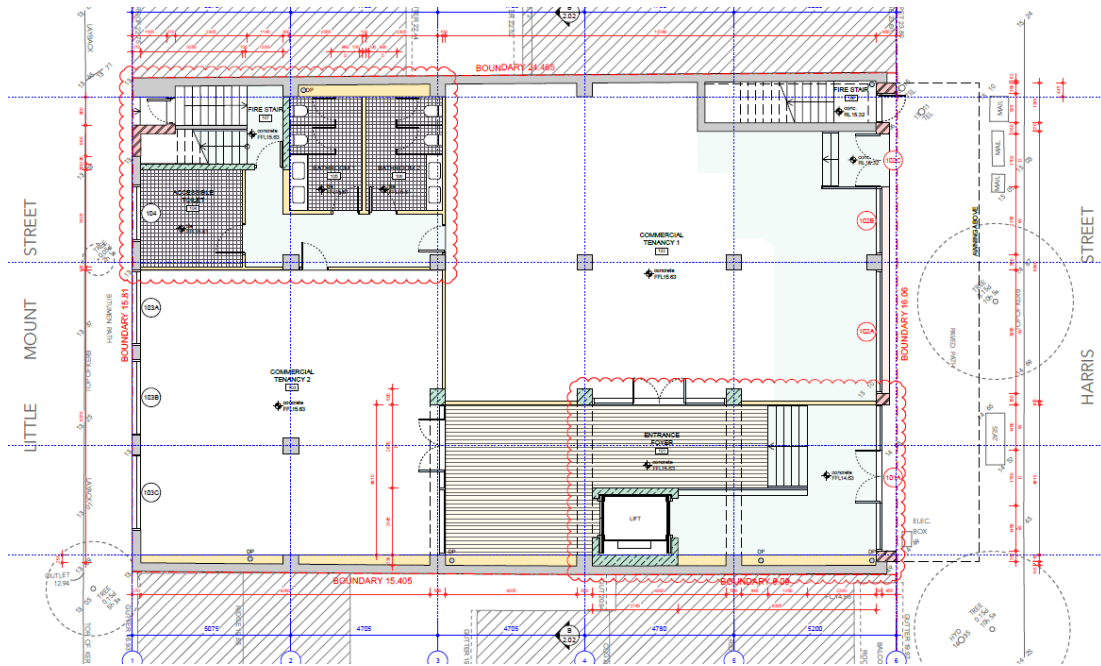


Figure 8: Proposed ground floor plan

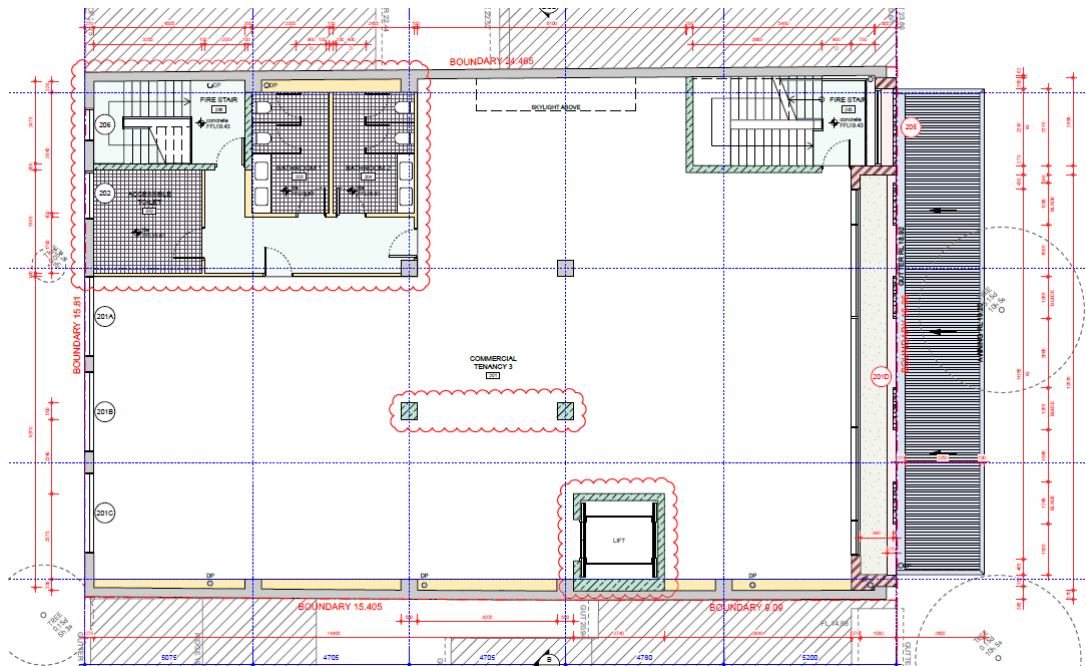


Figure 9: Proposed first floor plan

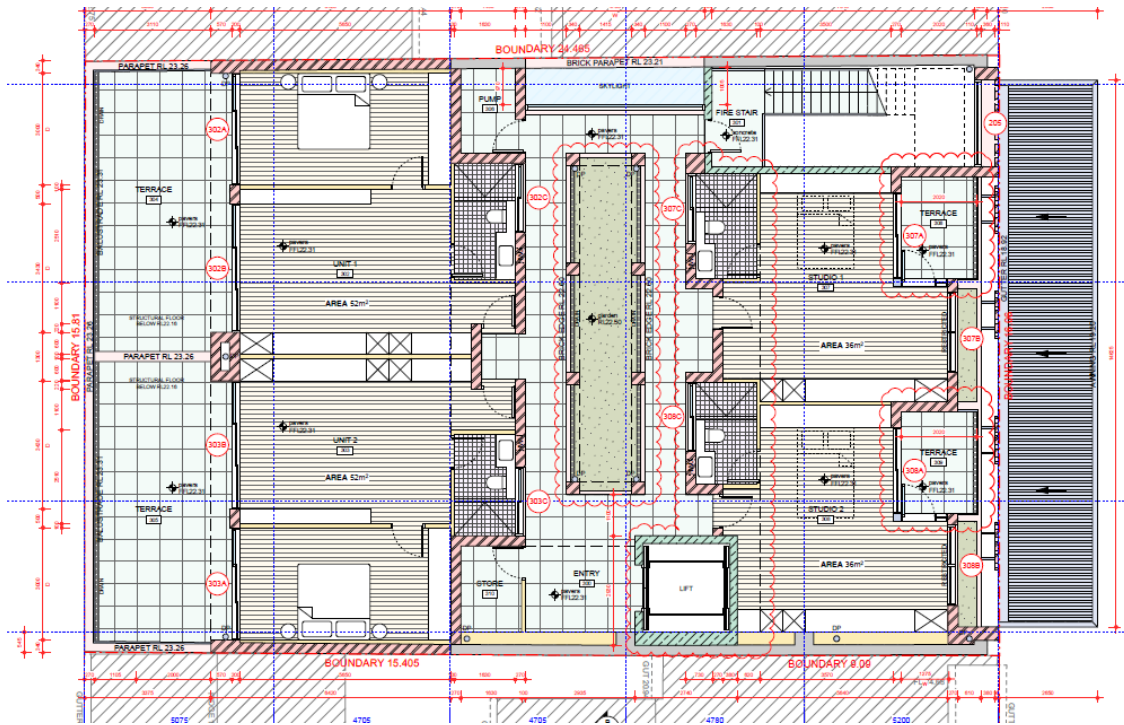


Figure 10: Proposed second floor plan

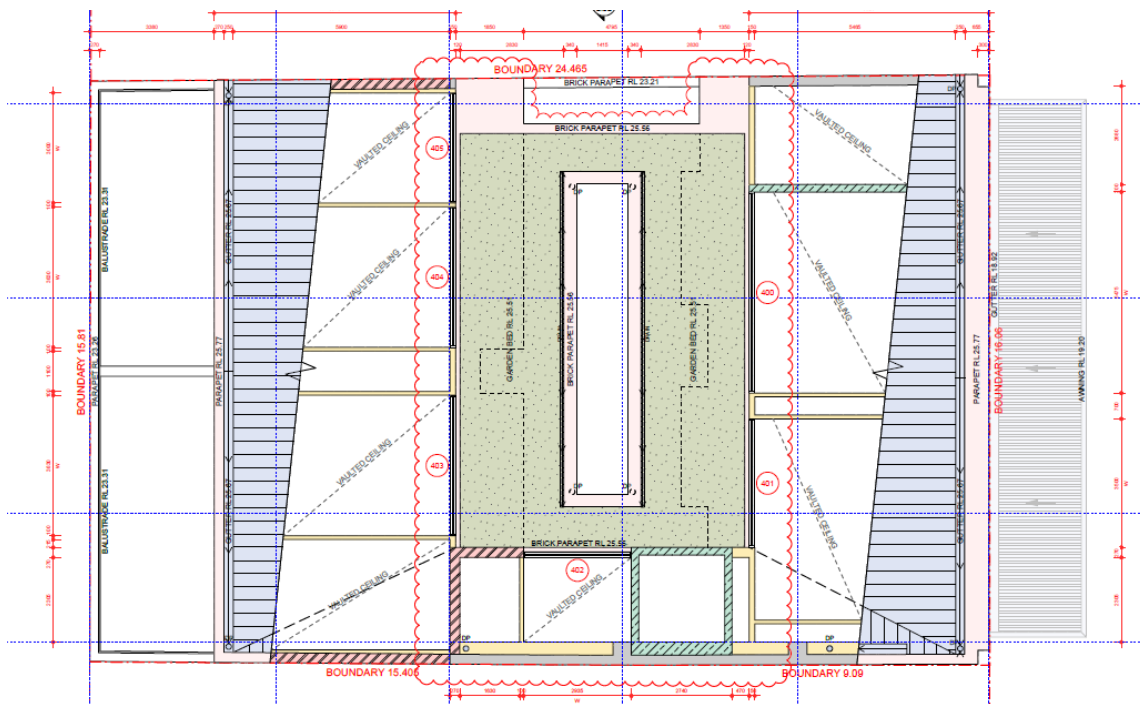


Figure 11: Proposed roof plan



Figure 12: Propose Harris Street elevation

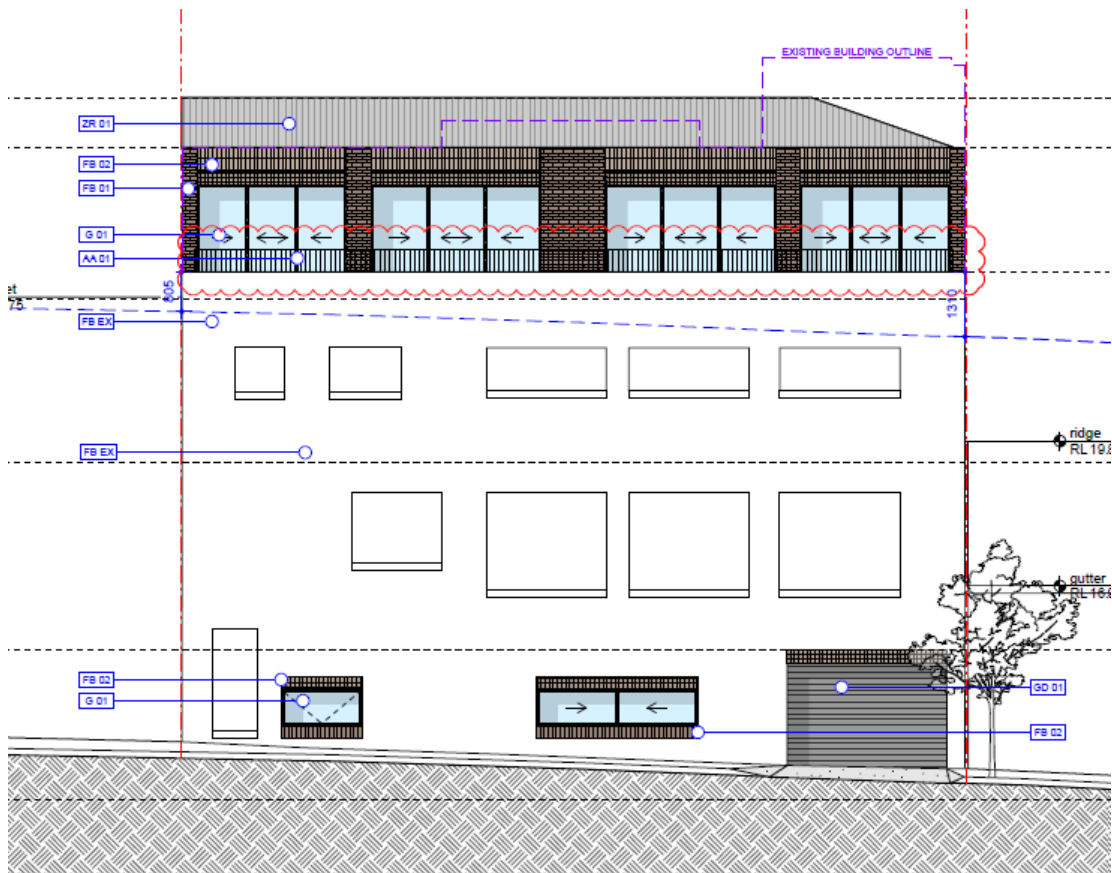


Figure 13: Proposed Little Mount Street elevation

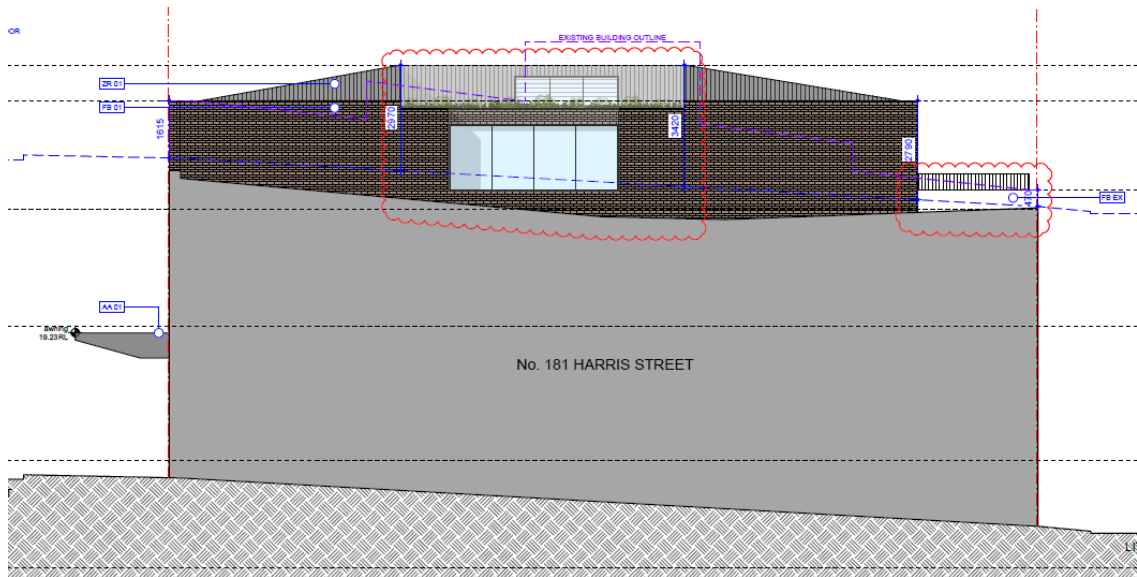


Figure 14: Proposed north elevation

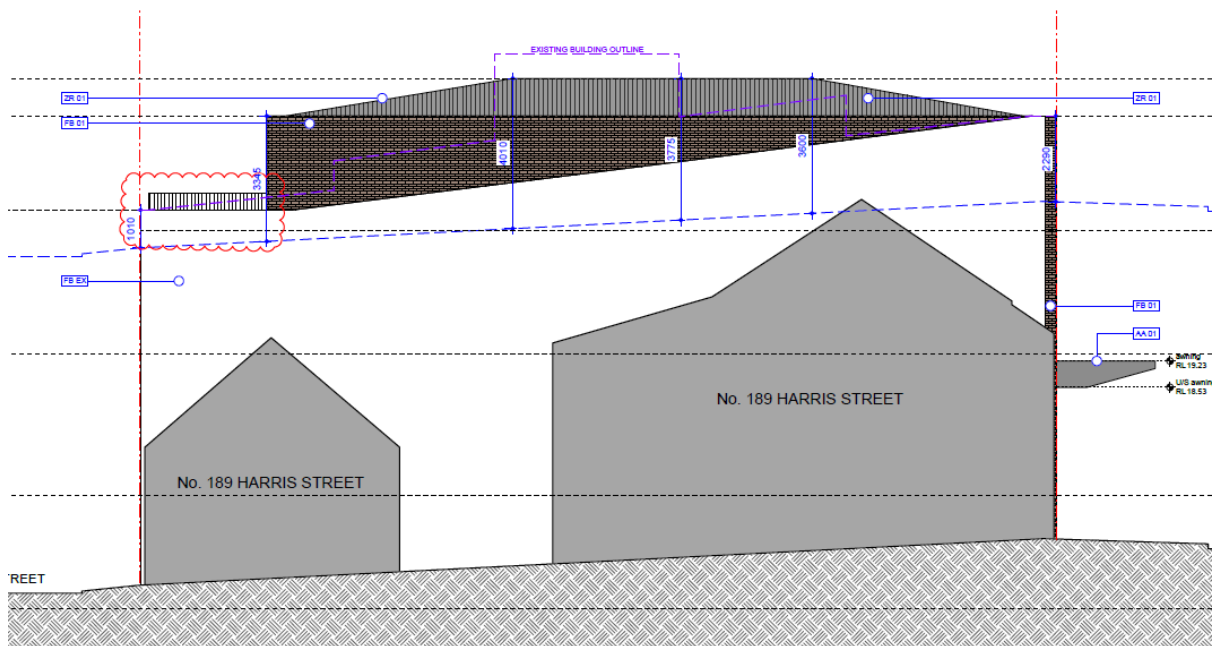


Figure 15: Proposed south elevation



Figure 16: Proposed photomontage

Assessment

28. 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

29. 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.
30. One top hamper sign signage (2.4 metres by 0.23 metres) is proposed on top of proposed the main entry. This 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 consistent with the character of the area, subject to conditions.

Provision	Compliance	Comment
2. Special areas	Yes	The proposed signage does not detract from the amenity or visual quality of the locality or the Pyrmont 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	Not applicable.
7. Illumination	Yes	Not applicable.
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

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

State Environmental Planning Policy (Housing) 2021

32. 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.
33. 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.
34. 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 Ultimo/Pyrmont

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

Chapter 4 - Design of Residential Apartment Development

36. The aim of Chapter 4 is to improve the design quality of residential apartment development in New South Wales.
37. 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.
38. The applicant has submitted a design verification statement and design report prepared by Anthony Solomon (RAIA number 5684) 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.
39. An assessment of the proposal against the design quality is provided as follows:
- (a) Principle 1: Context and Neighbourhood Character
 - (i) The development improves the streetscape by including a refurbished front facade on Harris Street which will use face brick and maintain the existing street wall height. This responds to the heritage conservation area. However the development has an inappropriate bulk and scale. Refer below.
 - (b) Principle 2: Built Form and Scale
 - (i) The bulk and scale of the development is inappropriate for the existing or desired future character of the street or the site. The development has significant departures from the bulk and scale controls for this site. The additional bulk from the new storey will also be visible from Little Mount Street as the building is the tallest in its immediate vicinity.
 - (ii) The proposal results in a four storey building overall with a three storey presentation to Harris Street and Little Mount Street with the top floor set back. The additional storey on the top of the building is disproportionate to the neighbouring buildings or the 2 storey control for the building.
 - (c) Principle 3: Density
 - (i) Each apartment achieves a reasonable level of amenity. The site is accessible with bus stops located on Harris Street.
 - (d) Principle 4: Sustainability

Whilst the apartments have cross ventilation this will not be optimal given the small nature of the windows adjacent to the central circulation space. The apartments will achieve adequate sunlight according to the solar diagrams provided and being on the top floor of the building. The BASIX certificate is not acceptable as it contains discrepancies with other documentation relating to solar panels and the hot water systems.

- (e) Principle 5: Landscape
- (i) The landscaping for the apartments and the communal open space with the landscaping at the centre does not meet the minimum requirements. There are insufficient details to demonstrate the landscaping will be able to achieve the practical establishment or long term management.
- (f) Principle 6: Amenity
- (i) The apartments each have adequate amenity provided for the users with access to sunlight, outlook, natural ventilation and private balconies.
- (g) Principle 7: Safety
- (i) The development offers passive surveillance to the hallway and over the street.
- (h) Principle 8: Housing Diversity and Social Interaction
- (i) The development provides two studios and two single bedroom apartments. The design has a small amount of communal open space in between the apartments forming the circulation space.
- (i) Principle 9: Aesthetics
- (i) The proposed development improves the front facade of the building and its presentation to the streetscape.
40. As per the assessment above, the development does not meet Principle 2 (built form and scale) and Principle 5 (Landscape). Given certain principles are not achieved, the development is not acceptable when assessed against the SEPP including the above stated principles and the associated Apartment Design Guide (ADG).
41. A detailed assessment of the proposal against the ADG is provided below. 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.

2E Building Depth	Consistency	Comment
12-18m (glass to glass)	Yes	The glass-to-glass depth complies.

2F Building Separation	Consistency	Comment
Up to 4 storeys (approximately 12 metres): 12m between habitable rooms / balconies	Yes	There is only one building on site and there are no surrounding buildings with the proposed height.

2F Building Separation	Consistency	Comment
9m between habitable and non-habitable rooms 6m between non-habitable rooms		
5 to 8 storeys (approximately 25 metres): 18m between habitable rooms / balconies 12m between habitable and non-habitable rooms 9m between non-habitable rooms	N/A	The building is less than 5 storeys.
At the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3m.	No	The zone boundary changes to R1 General Residential Zone on Little Mount Street. The balcony of the apartments facing Little Mount Street are built up to the property boundary and across the road are predominantly single storey terrace dwellings. In accordance with this control, the edge of the balcony should be setback an additional 3 metres.

3D Communal and Public Open Space	Consistency	Comment
Communal open space has a minimum area equal to 25% of the site.	No	The communal open space landscaping between the apartments amounts to 4.8% of the site.
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).	No	The communal open space is not useable for activities and is only used as landscaped area within the communal access area between the apartments. Direct sunlight can only access the space at 1pm-2pm on 21 June for 1 hour.

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	No deep soil is provided as the development proposes apartments over the existing commercial levels that are built to the boundary.

3F Visual Privacy	Consistency	Comment
Up to 4 storeys (12 metres): 6m between habitable rooms / balconies 3m between non-habitable rooms	Yes	This is compliant as the balconies face the streets.
5 to 8 storeys (25 metres): 9m between habitable rooms / balconies 4.5m between non-habitable rooms	N/A	The development is less than 5 storeys.
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	The studio apartments open to the communal open space and circulation access. The one-bedroom apartments have located their bedroom away from the circulation access.

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.	Partial	A clerestory window is provided to each apartment to assist with achieving 2 hours of direct sunlight. Internal shadow diagrams have not been provided to demonstrate the living rooms of these units will be able to comply with this control midwinter. All balconies will be able to receive 2 hours of sunlight midwinter.

4A Solar and Daylight Access	Consistency	Comment
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	Yes	All dwellings receive 2 hours of sunlight to the living rooms and open spaces midwinter.

4B Natural Ventilation	Consistency	Comment
All habitable rooms are naturally ventilated.	Yes	All habitable rooms are naturally ventilated.
Minimum 60% of apartments in the first 9 storeys of the building are naturally cross ventilated.	Yes	All apartments are naturally cross ventilated. Refer above.
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Yes	No apartment has a depth exceeding 18m.

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m	Yes	The living room and bedroom ranges between 2.7m to 3.8m for all apartments.
Non-habitable rooms: 2.4m	No	The bathroom floor to ceiling height is 2.2m
2-storey apartments: 2.7m for main living area floor, 2.4m for second floor, where it does not exceed 50% of the apartment area.	N/A	There are no 2 storey apartments.
Attic spaces – 1.8m at edge of room with a 30 degree minimum ceiling slope	N/A	There are no attic spaces.
If located in mixed use areas – 3.3m for ground and first floor	No	The first floor does not achieve a floor to ceiling height of 3.3 metres and only

4C Ceiling Heights	Consistency	Comment
to promote future flexibility of use.		provides a height of 2.98 metres. See further details under the 'Discussion' heading below.

4D Apartment Size and Layout	Consistency	Comment
Minimum unit sizes: • Studio: 35sqm • 1 bed: 50sqm • 2 bed: 70sqm • 3 bed: 90sqm The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12sqm each.	Yes	The unit sizes are met for both types.
Every habitable room is to have a window in an external wall with a minimum glass area of 10% of the floor area of the room.	Yes	The balcony windows are sufficient to meet 10% of the floor area of the room.
Habitable room depths are to be no more than 2.5 x the ceiling height.	Yes	The living rooms of each unit are not deeper than the ceiling height.
8m maximum depth for open plan layouts.	Yes	No apartment is deeper than 8 metres.
Minimum area for bedrooms (excluding wardrobes): • master bedroom: 10sqm	Yes	The bedrooms in the single bedroom apartments are larger than 10sqm.

4D Apartment Size and Layout	Consistency	Comment
all other bedrooms: 9sqm Minimum dimension of any bedroom is 3m (excluding wardrobes).		
Living and living/dining rooms minimum widths: - Studio and one-bedroom: 3.6m 2-bedroom or more: 4m	Yes	The dwelling widths of the living rooms are greater than 3.6m.

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.	Yes	All balconies are larger than the minimum size and depths.
Private open space for apartments on ground level, on a podium, or similar, must have a minimum area of 15sqm and a minimum depth of 3m.	N/A	There are no ground floor apartments.

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is 8.	Yes	Complies.
For buildings of 10 storeys and over, the maximum number of	N/A	Not applicable.

4F Common Circulation and Spaces	Consistency	Comment
apartments sharing a single lift is 40.		
Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled.	Yes	Bedroom windows and living rooms open to the street.
Daylight and natural ventilation are provided to all common circulation spaces.	Yes	There is a void in the roof enabling daylight and natural 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	Storage has been provided to each apartment.

4J Noise and Pollution	Consistency	Comment
Have noise and pollution been adequately considered and addressed through careful siting and layout of buildings?	Yes	An acoustic report has been submitted with recommendations to improve noise insulation for the residential apartments proposed.

State Environmental Planning Policy (Sustainable Buildings) 2022

42. 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

43. A BASIX Certificate has been submitted with the development application 1790049M_03
44. The BASIX certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal.
45. A review of the submitted documentation found discrepancies between the submitted Design for Environmental Performance Report (DEP) and the BASIX Certificate. These being related to the omission of solar panels in the DEP and discrepancies in hot water systems. The information submitted is not to an acceptable level to demonstrate compliance.

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

46. 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.
47. 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

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the E1 Local Centre zone. The proposed development is defined as shop top housing 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 9m is permitted. A height of 13.1m is proposed. A variation to the height of buildings development standard in accordance with Clause 4.6 has been submitted. See further details in the 'Discussion' section below.
4.4 Floor space ratio	No	A maximum floor space ratio of 1.5:1 or 585.5sqm is permitted. A floor space ratio of 2.13:1 or 831.7sqm is proposed. 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	No	The proposed development seeks to vary the development standards for height and floor space prescribed under Clauses 4.3 and 4.4. Clause 4.6 variations have 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 Pyrmont heritage conservation area C52. The site is adjacent to a local heritage item I1230, known as a terrace group including interiors at 189-203 Harris Street immediately south adjoining the site. Council's Heritage Officer has reviewed the proposed refurbishment to the street facades of the building and has no objection to the works as the use of face brickwork to the streetscape is appropriate in this context and does not impact views to the heritage items.

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		
7.5 Residential flat buildings, dual occupancies and multi dwelling housing 7.6 Office premises and business premises	Yes	A maximum of 7 car parking spaces is permitted. The proposed development maintains the existing 7 car parking spaces and does not increase the number of car parking spaces on the site.
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	The site is located in the Ultimo-Pyrmont area but is not subject to a Section 7.13 contribution for affordable housing as it does not meet any of the relevant

Provision	Compliance	Comment
		clauses under Section 7.13(1)(a) or (b). Less than 200sqm of residential gross floor area is created and there is no change of use of the existing commercial floor space on the ground and first floor.

Development Control Plans

Sydney Development Control Plan 2012

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

Section 2 – Locality Statements

50. The site is located within the 2.12.2 Pyrmont locality. The proposed development would be in keeping with the design principles of the Pyrmont locality. The development with its refurbished facade and materiality using face brick helps improve the architecture of the building and its presentation in the streetscape. However, the scale of the building and additional bulk is at odds with the character of the streetscape. This is recognised in the controls that apply to the site. The additional storey does not complement the existing scale of buildings in the heritage conservation area and is contrary to the principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain 3.2.3 Active Frontages	No	The site has been identified to provide an active frontage along Harris Street and is required to provide an active frontage of 80%. The ground floor level of the building will have 71% of the street frontage as an active frontage and does not meet this control.
3.2.4 Footpath Awnings	Partial Compliance	This site is not nominated to have a footpath awning. If this development was supported, the footpath awning would need to be reduced in depth to preserve the existing street trees and be amended to meet the provisions in this section of the DCP.
3.5 Urban Ecology	No	The proposed development does not involve the removal of any trees and will not have an adverse impact on the local urban ecology.

Provision	Compliance	Comment
		The site will not provide any canopy cover on the site, maintaining the existing situation. Insufficient details have been provided to demonstrate the viability of the proposed landscaping in terms of soil depths, drainage, species, structural requirements or maintenance access. The information provided is insufficient to comply with the control.
3.6 Ecologically Sustainable Development	No	A review of the Design for Environmental Performance Report and the BASIX certificate has identified discrepancies between the documents. The information is insufficient to comply with the control. Refer to SEPP (Sustainable Buildings) and discussion section.
3.9 Heritage	Yes	The site is located within the Pymont heritage conservation area C52. The building is identified as a detracting building. The site is adjacent to a local heritage item known as terrace group including interiors (I1230). The development would be consistent with the heritage controls as the works would protect the views of the heritage items, the refurbishment of the facade will contribute to the streetscape and respond sympathetically to the character of the conservation area by using brickwork and having an appropriate solid to void ratio.
3.11 Transport and Parking	No	Insufficient information has been provided and the development does not comply with the controls. The development does not provide bicycle parking for the commercial or residential uses, swept paths for B85 vehicles are not provided, an accessible car space has not been provided, and details of servicing vehicles have not been included.

Provision	Compliance	Comment
3.12 Accessible Design	No	There are significant accessibility non-compliances highlighted in the Accessibility Report submitted with the development application including non-compliant doorway widths, non-compliant ramp design. This has not been incorporated or addressed in the development.
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	No	The waste management plan and the plans submitted are not compliant with the Sections 3.14 Waste or Section 4.2.6 Waste and Recycling Management in the DCP 2012. These include the compliant gradient for the path of travel from the waste storage area to the collection point, the mark up of residential, commercial and bulky waste collection, waste storage areas need to demonstrate compliance with minimum spatial requirements.
3.16 Signs and Advertisements	Yes	The height of the top hamper building identification sign is 3.7 metres. The sign is not illuminated and fits with the architectural elements of the building above the entry.

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 proposed development is 3-4 storeys in height with a street frontage height of 3 storeys from Harris Street and 3 storeys from Little Mount Street and does not comply. See further details under the 'Discussion' section below.
4.2.1.2 Floor to ceiling heights and floor to floor heights	No	Section 149 of the SEPP (Housing) 2021 requires this control to be

Provision	Compliance	Comment
		superseded by the ADG equivalent control.
4.2.2 Building setbacks	Yes	The proposed development maintains the existing street setback alignment and brings the ground floor to the street edge. The street frontage heights are maintained on both Little Mount Street and Harris Street.
4.2.3 Amenity		
4.2.3.1 Solar access	Yes	Section 149 of the SEPP (Housing) 2021 requires this control to be superseded by the ADG equivalent control. Please see the ADG assessment above.
4.2.3.2 Lightwells	Yes	A lightwell has been added to allow daylight to access the first floor commercial level.
4.2.3.3 Internal common areas	Yes	The internal corridor for the apartment level has daylight due to the void in the roof and is at least 2 metres wide.
4.2.3.4 Design features to manage solar access	Yes	The brickwork screen on the façade along Harris Street will assist with providing passive shading for the multiple levels and 2 apartments.
4.2.3.5 Landscaping	No	Insufficient information has been provided to complete an assessment of the landscaping.
4.2.3.6 Deep Soil	No	There is currently no deep soil on the site. The development does not provide deep soil.
4.2.3.7 Private open space and balconies	N/A	See the ADG assessment above.
4.2.3.8 Common open space	No	The site does provide 4.8% of communal open space instead of the 25% as required by the control.

Provision	Compliance	Comment
4.2.3.9 Ventilation	N/A	See the ADG assessment above.
4.2.3.10 Outlook	Yes	The apartments look out to the street.
4.2.3.11 Acoustic privacy	Yes	An acoustic report has been submitted with recommendations to improve noise insulation for the residential apartments proposed.
4.2.3.12 Flexible housing and dwelling mix	N/A	There are less than 20 apartments in this development.
4.2.6 Waste and recycling Management	No	The drawings and the waste management plan submitted are not compliant with the Sections 3.14 Waste or Section 4.2.6 Waste and Recycling Management in the DCP.
4.2.8 Letterboxes	No	Letterboxes have not been provided.

Discussion

Contravention of a development standard pursuant to clause 4.6 - Clause 4.3 Height of Buildings

51. The site is subject to a maximum height of buildings control of 9m. The existing building has a maximum building height of 13.79m and the tallest point of the existing building is the lift overrun. The proposed development has a proposed building height of 13.1m.
52. The submitted report states the variation is an exceedance of 37.7% or 3.395m. Council officers measured the variance and noted an exceedance of 45.22% or 4.07m. The breach is caused by the additional new storey.
53. 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

54. The applicant seeks to justify the contravention of the height of buildings 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 proposed building height is consistent with the height of the existing building and appropriate for adaptive reuse.
 - (ii) The proposed building height would not be found to be offensive, jarring or unsympathetic from the streetscape or create adverse public or private views.
 - (iii) The exceedance of height will have an acceptable visual impact from Harris Street and Little Mount Street. It will not have an impact on the heritage conservation area or surrounding heritage items.
 - (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The adaptive reuse of the building is ecologically sustainable by reducing waste materials from construction and reduces resources.
 - (ii) Compliance with the standard requires the demolition of the upper portion of the existing building and associated floor space. Demolition to be left with less gross floor area is uneconomic and disorderly.
 - (iii) The proposal increases stock of housing in Sydney and is a social benefit.
 - (iv) The proposed development generally maintains the height of the building but enhances the design and visual appearance, improving the amenity of the built environment.
 - (v) The exceedance does not result in any additional environmental impacts that already exists.

Precondition to granting consent where a development standard has been contravened

55. 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.
56. The applicant has not demonstrated that compliance with the height of buildings development standard is unreasonable or unnecessary as the objectives of the standard are:
- (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,*

- (i) The development does not comply with objectives 4.3(1)(a) and (b) as it exceeds the height of the development standard and exceeds the 2-storey height in storeys control for this site. The buildings in the immediate context and adjacent to the building are limited to 2 storeys on the same street block. Opposite Little Mount Street the heritage listed dwellings are largely single storey buildings.
 - (ii) The applicant maintains that the proposed building height is consistent with the height of the existing building, however the existing exceedance is centrally located and confined to a lift overrun and non-habitable roof form. The proposal seeks to exacerbate the existing height non-compliance by locating additional habitable height and bulk closer to the site boundaries.
- 57. The applicant has not demonstrated that there are sufficient environmental planning grounds as:
 - (a) The additional storey and change to the roof form will add bulk to the top of the building that will be visible from the Little Mount Street and Harris Street. The bulk is visible from the side elevations of the building as it is taller than the other surrounding 2 storey buildings.
 - (b) The applicant argues this is an adaptive reuse of an existing commercial building, however this is not acceptable justification as it is not only the reuse of an existing building but constructing another storey above the existing building and changing the use by constructing apartments above.
 - (c) The increase in housing stock can be achieved without adding an additional storey to the building. Significant partial demolition to the existing roof and first floor is required for this development causing waste materials in construction. The new apartments can be located at the first floor instead of an additional second storey which can reduce use of additional construction materials to construct an additional storey.

Conclusion

- 58. For the reasons provided above the variation to the height of buildings development standard is not supported as the applicant has not demonstrated the matters required to be addressed by Clause 4.6(3) of the Sydney Local Environmental Plan 2012.

Contravention of a development standard pursuant to clause 4.6 - Clause 4.4 Floor Space Ratio

- 59. The site is subject to a maximum floor space ratio control of 1.5:1. The existing building has a floor space ratio of 1.69:1 or a gross floor area of 662sqm.
- 60. The proposed development has a FSR of 2.13:1 or 831.7sqm. This is a departure of 42%. The existing exceedance is exacerbated by the extension of the ground floor commercial tenancy and lobby area as well as the additional apartments on the new storey.
- 61. 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;
62. Applicant's regulation 35B document 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) The non-compliant floor space is for residential accommodation and provides additional housing in Sydney.
 - (ii) The property will not generate unmanageable vehicle or pedestrian traffic. The development has off street parking despite the departure of the floor space ratio.
 - (iii) The development will not exceed the capacity of existing and planned infrastructure.
 - (iv) The development still meets the desired character of Pyrmont and does not impact the adjoining heritage items or buildings in the heritage conservation area.
 - (v) The height, scale and density is consistent with the streetscape and floor space has been distributed across each floor of the site.
 - (vi) The adaptive reuse of the building promotes orderly and economic use of the land for housing in Sydney.
 - (vii) There will be no unacceptable amenity impacts to views, solar access or visual privacy.
 - (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The adaptive reuse of the building avoids unnecessary demolition and waste, it reduces construction materials and is ecologically sustainable.
 - (ii) It achieves provision of affordable rental housing in Sydney.
 - (iii) A development that demolished and did not replace the non-complying element of the development would be inconsistent and hinder the supply and delivery of housing.
 - (iv) The adaptive reuse and exceedance of floor space ratio will promote economic use of development of this land.
 - (v) There are no environmental impacts beyond what currently exists and improves the appearance of the building.

63. 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.
64. The applicant has not demonstrated compliance with the floor space ratio standard is unreasonable and unnecessary with reference to the objectives:
- (a) to provide sufficient floor space to meet anticipated development needs for the foreseeable future,*
- (i) The development is contrary to this objective as the additional floor space is not required to meet anticipated development needs for the foreseeable future, the new apartments can be housed on the first floor, largely within the existing FSR exceedance, without needing another storey or a significant variation of the development control.
- (b) to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic,*
- (ii) The development is contrary to this objective as the additional gross floor area is manifested in an additional storey which does not comply with the built form controls for this site.
- (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.*
- (iii) The development is contrary to this objective as the additional floor will add additional bulk in the form of a new storey and altered roofline, that will be visible from the side elevation especially on Little Mount Street. The desired character is to respond and complement the existing scale of the buildings in the heritage conservation area and a further increase in bulk will not reflect the desired character of this street.
65. The applicant has not demonstrated that there are sufficient environmental planning grounds as:
- (a) The new bulk from additional storey and exceedance of floor space ratio will be visible from the side elevations when viewed on Harris Street and Little Mount Street as this is the tallest building amongst the adjoining buildings.
- (b) The information provided relating to the servicing, parking and access requirements have not been provided. There is insufficient information to accept that the additional floor space ratio will have no environmental impact on access or servicing to the site which may impact other properties along Little Mount Street.
- (c) The "adaptive reuse" does not require the additional storey to provide dwellings. Since the development already includes significant demolition above the ground floor, it would be less costly, use less waste and use less construction materials if the apartments were limited to level 1.
- (d) There is no affordable rental housing in this development.

- (e) The development can deliver housing without breaching the floor space ratio development standard by relocating the works to level 1.

Conclusion

66. For the reasons provided above the variation to the floor space ratio development standard is not supported as the applicant's request has not adequately addressed the matters required to be addressed by Clause 4.6(3) of the Sydney Local Environmental Plan 2012.

Height in Storeys

67. Section 4.2.1.1(1) under the DCP 2012 requires the site to have a maximum height in storeys of 2 storeys.
68. The control states the maximum storeys permitted may only be achieved where it is demonstrated the development reinforces the neighbourhood character and is consistent with the scale and form of surrounding buildings in the heritage conservation area.
69. The development seeks to add an additional floor and justifies the exceedance of the 2 storey control as the additional floor is contained well within the existing building height. The existing building has a maximum building height of 13.79m, and the tallest point of the existing building is the lift overrun/stairs. The proposed development has a proposed building height of 13.1m and will be 3 storeys to 4 storeys.
70. The existing exceedance of the 9m height control is primarily formed by the centralised non-habitable roof form and the lift overrun/stairs as shown in the figures 17 and 18 below. Figure 19 clearly depicts the 2 main areas (lift overrun/stairs and central roof form) that gives rise to the main areas of the existing exceedances. Figure 20 depicts the new bulk added to the top of the building because of the new roof form and additional storey.

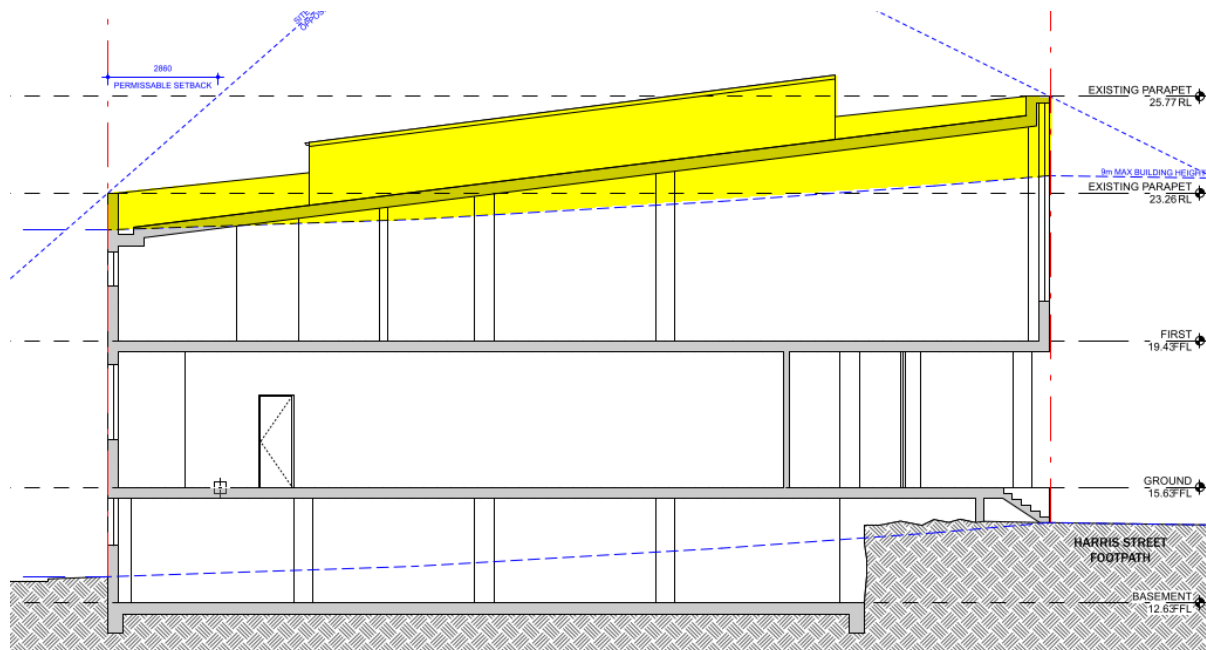


Figure 17: Existing cross section with central roof form exceedance over the 9m building height limit highlighted in yellow

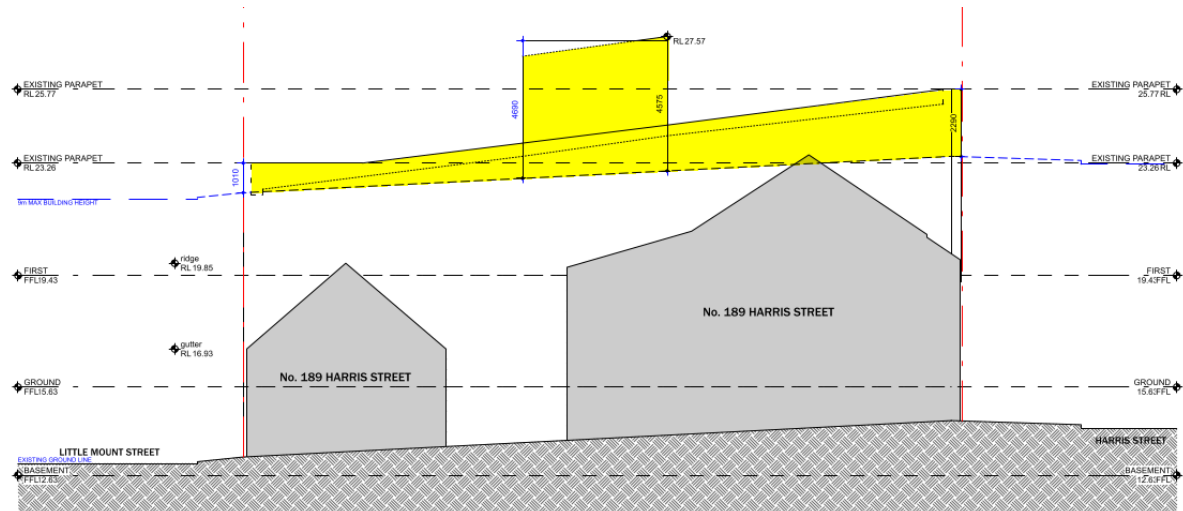


Figure 18: Existing south east elevation with existing lift overrun/stairs exceedance over the 9m building height limit highlighted in yellow

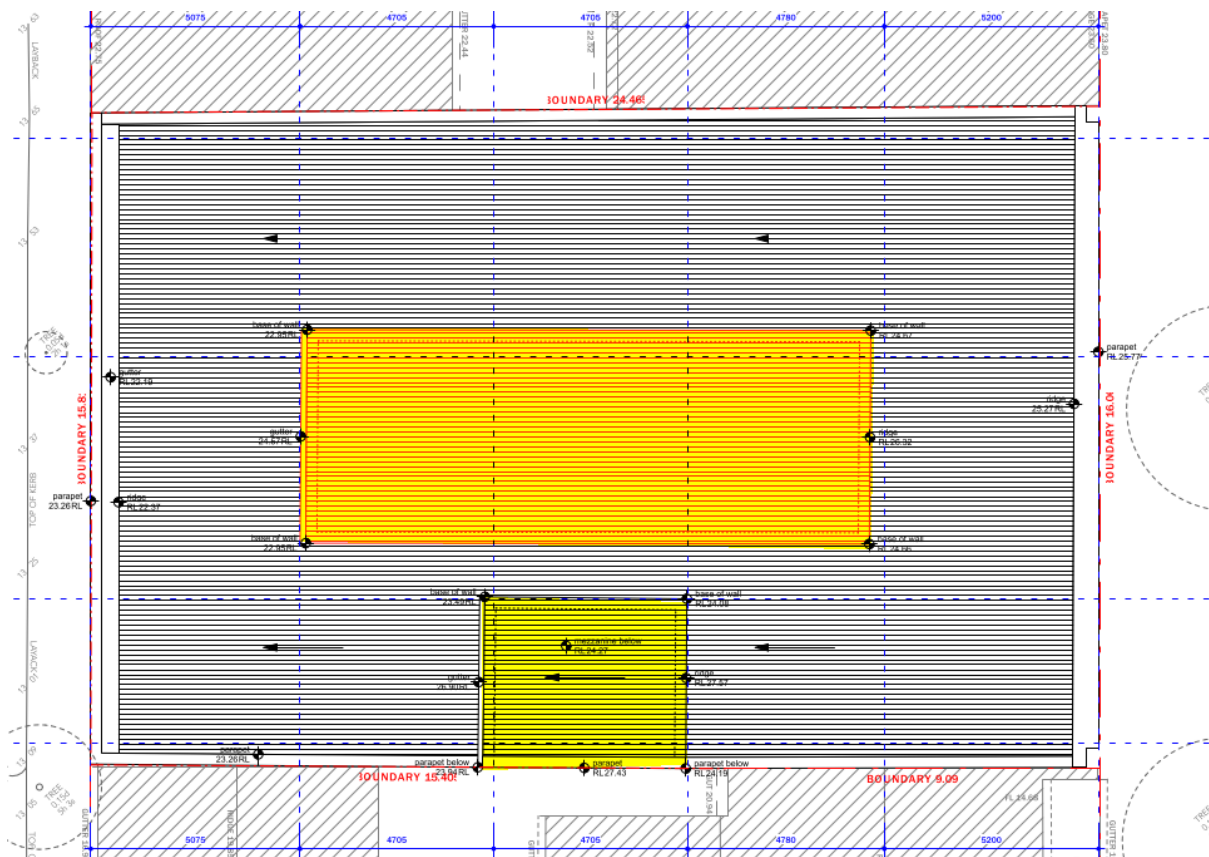


Figure 19: Existing roof plan indicating the central roof (top yellow) and lift overrun/stairs (bottom yellow) that forms the highest exceedances of the height of buildings control of the existing building



Figure 20: Photo of the existing roof looking north, showing the central non-habitable roof form (left) and lift overrun/stairs (right)



Figure 21: Proposed south east elevation with combine existing and proposed exceedance highlighted in yellow

71. The additional storey with the new roof form will generate additional bulk across the whole roof plane and have tangible bulk and massing impacts when viewed from the Little Mount Street and Harris Street. There will be visual bulk and additional massing even if the design attempts to achieve built form below the existing building height.
72. Objective 4.2.1.1(a) states:
- (a) Ensure the height in storeys and street frontage height in storeys reinforces the existing or future neighbourhood character*
73. The development is contrary to the objective as the existing and future neighbourhood character as the current controls and buildings are comprised of single and two storey buildings (as shown in figure 22) and as per the Pymont Ultimo Planning Proposal, there are no plans to allow this subject site or this streetblock to have higher densities.



Figure 22: Sydney DCP 2012 map indicating the building height in storeys control

Floor to Ceiling Heights and Floor to Floor Heights

74. The floor-to-ceiling design criteria of the Objective 4C-1 requires the ground floor and the first floor of a mixed use development to be 3.3m.
75. The existing building has floor to floor heights of 3.8 metres at the ground floor and between 2.5m to 5.6m at the first floor. See figure 23 below.

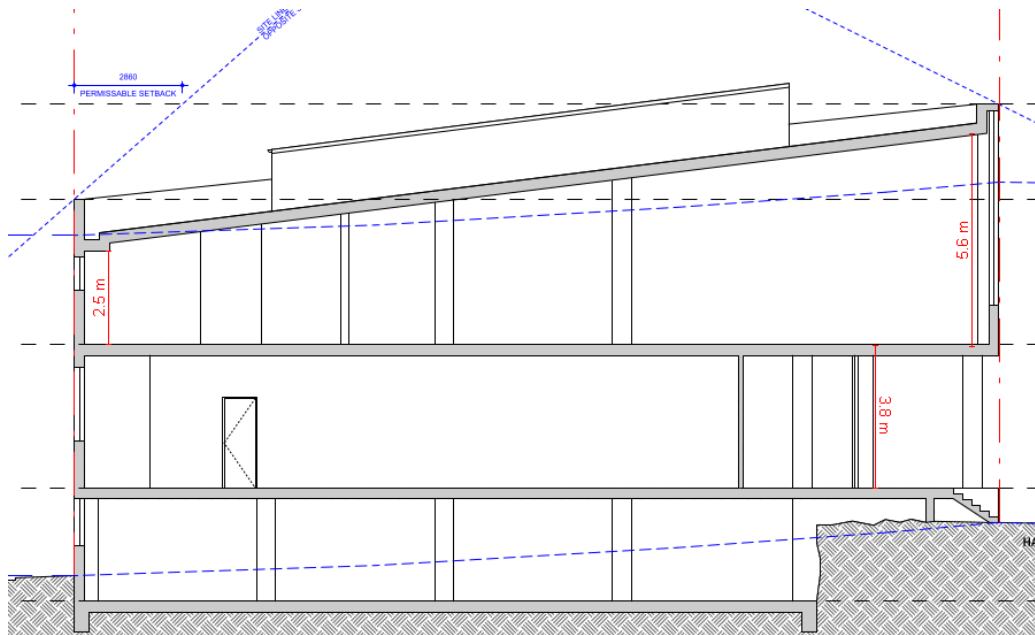


Figure 23: Existing building floor to floor ceiling heights

76. The proposed development has a floor-to-ceiling height of 2.98m at first floor. See figure 24 below.

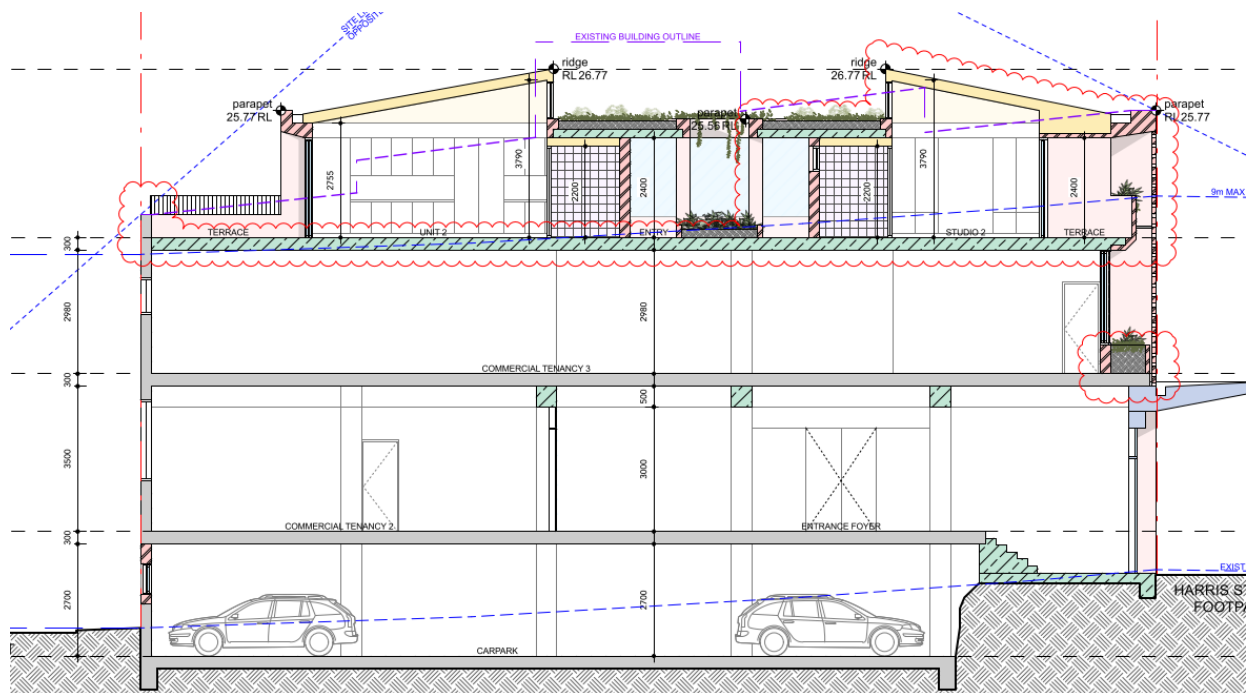


Figure 24: Proposed building floor to floor ceiling heights.

77. The proposed development retains the ground level and basement floor to floor as existing, but compresses two additional storeys above, with the commercial first floor tenancy resulting in a non-compliant floor to ceiling height of 2.98m. This demonstrates the site cannot accommodate an additional storey without breaching the controls for bulk and massing on this site.

78. The objective 4C-1 of the ADG states:

(a) Ceiling height achieves sufficient natural ventilation and daylight access.

79. The reduced first floor ceiling height does not promote future flexibility of use or a height promoting sufficient daylight.

Design Excellence

80. The development is not considered to exhibit design excellence as per Section 6.21C of the LEP 2012 for the exceedances of development standards and controls relating to bulk and scale as well as the lack of information to demonstrate compliance with other parts of the design. The development does not meet Section 6.21C for the following:

- (2)(b) - whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain and 2(d)(v) - the bulk, massing and modulation of buildings,
- (i) The bulk and massing exceedances from will be visible from the street at Harris Steet and Little Mount Street as the proposed development will create a new roof form and the side elevations will be clearly visible as the neighbouring buildings are lower in height. The additional bulk will be out of character with the streetscape and does not improve the quality of the public domain.
- (b) (2)(d)(i) - the suitability of the land for development,
 - The exceedances of the height of buildings and floor space ratio development standards, as well as the building height in storeys, floor to ceiling heights controls are indicators of overdevelopment from this proposal and the development is not suitable for this site.
- (c) (2)(d)(vii) - environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
 - The details in the shadow diagrams and lack of internal solar diagrams are inadequate to comply with the controls in the Apartment Design Guide or DCP 2012.
- (d) (2)(d)(viii) - the achievement of the principles of ecologically sustainable development,
 - The discrepancies in the information submitted including the BASIX certificate is inadequate to comply with the controls in the DCP 2012.
- (e) (2)(d)(ix) - pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,
 - The parking and access details are insufficient to comply with the controls in the DCP 2012.
- (f) (2)(d)(xii) achieving appropriate interfaces at ground level between the building and the public domain.

- A detailed stormwater concept plan and discharge volumes were not provided, the levels for the driveway sections and footpaths were not provided, the existing driveway from Little Mount Street does not meet the City's standard requirements.
- (g) (2)(d)(xiii) - excellence and integration of landscape design.
- The landscaping details are insufficient to comply with the controls in the DCP 2012.

Consultation

Internal Referrals

81. The application was discussed with Council's:

- (a) Building Services Unit;
- (b) Environmental Health Unit;
- (c) Environmental Projects Unit;
- (d) Heritage and Urban Design Unit;
- (e) Landscape Assessment Officer;
- (f) Public Domain Unit;
- (g) Surveyor;
- (h) Transport and Access Unit;
- (i) Tree Management Unit;
- (j) Urban Designer; and
- (k) Waste Management Unit.

82. There were concerns raised by almost all the relevant units including Environmental Projects Unit, Urban Designer, Landscape Assessment Officer, Public Domain Unit, Surveyor, Transport and Access Unit, Tree Management Unit and the Waste Management Unit. These issues were raised in the 'Request for Additional Information' letter and examples of which have been listed above in the report.

Advertising and Notification

83. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified for a period of 21 days between 1 December 2025 and 17 January 2026. A total of 142 properties were notified and one submission was received.

84. The submissions raised the following issues:

- (a) **Issue:** There are concerns 51 Little Mount Street will be impacted by the breach of height limits. The overshadowing will exacerbate rising damp. The existing building already exceeds the height limit and any further exceedances will worsen the overshadowing impacts.

Response: According to the shadow diagrams submitted, the impact to the front of 51 Little Mount Street will be reduced at 9am and afterwards, there are no further impacts between 9am to 3pm on 21 June.

- (b) **Issue:** The breach of the floor space ratio for this type of development should not be supported.

Response: See the assessment of the exceedance of the Floor Space Ratio development standard in the Clause 4.6 assessment above.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

85. The City of Sydney Development Contributions Plan 2015 applies to the site and the development would be subject to a section 7.11 local infrastructure contribution under this Plan if it was supported.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

86. As the development is located in the Ultimo-Pyrmont area but does not create 200sqm of total floor area for residential accommodation, maintains the existing commercial use for the remainder of the ground and first floor tenancies, the development is excluded and would not be subject to a Section 7.13 affordable housing contribution if it was supported.

Housing and Productivity Contribution

87. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.
88. 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.
89. A condition relating to the Housing and Productivity Contribution would be included in the recommended conditions of consent if it was supported.

Relevant Legislation

90. Environmental Planning and Assessment Act 1979.

Conclusion

91. The applicant has not adequately demonstrated that compliance with Clause 4.3 Height of Building and Clause 4.4 Floor Space Ratio development standards of the Sydney LEP 2012 are unreasonable or unnecessary in the circumstances and there are insufficient environmental planning grounds to justify the contravention of these development standards in accordance with Clause 4.6(3) of the Sydney LEP 2012.
92. The proposal also breaches the bulk and massing controls including the height in storeys controls under Section 4.2.1.1 of the Sydney DCP 2012. The additional bulk and mass from the new third storey will be visible from the side elevations from the public domain exceeding the current roofline and the non-compliances to achieve this additional storey are an indication of overdevelopment for the site.
93. The apartment design does not meet Section 147(1)(a) of the SEPP (Housing) 2021 as it does not meet Design Principles 2 (Built Form and Scale) or 5 (Landscape) under Schedule 9 of the SEPP.
94. The apartment design does not comply with the Building Separation at zone boundaries under Design Criteria 2F, Communal Open Space under Design Criteria 3D-1, Deep Soil Zones under Design Criteria 3E-1 and Ceiling Heights under Design Criteria 4C-1 of the Apartment Design Guide.
95. The development does not exhibit design excellence as per Section 6.21C of the Sydney LEP 2012.
96. There is insufficient information and detail to demonstrate compliance with technical requirements including accessibility, landscaping, waste, transport, environmental impacts, surveying, sustainability and public domain requirements.
97. The public interest is not achieved by this development for the reasons above.

ANDREW THOMAS

Executive Manager Planning and Development

Harry Choi, Specialist Planner

Attachment A

Selected Drawings

Development Application

Alterations and Additions to
Commercial Building
Lot 2 DP 533563

Drawing	Title	Rev
	Drawing Register / Basix Commitments	B
	Site Survey	
DA-0.01	Existing Site Plan	A
DA-0.02	Existing Basement Plan	A
DA-0.03	Existing Ground Floor Plan	A
DA-0.04	Existing First Floor Plan	A
DA-0.05	Existing Roof Plan	A
DA-0.06	Existing North East Elevation	A
DA-0.07	Existing South West Elevation	A
DA-0.08	Existing North West Elevation	A
DA-0.09	Existing South East Elevation	A
DA-0.10	Existing Section A	A
DA-1.01	Proposed Site Plan	A
DA-1.02	Proposed Basement Plan	B
DA-1.03	Proposed Ground Floor Plan	B
DA-1.04	Proposed First Floor Plan	B
DA-1.05	Proposed Second Floor Plan	B
DA-1.06	Proposed Attic Plan	B
DA-1.07	Proposed Roof Plan	B
DA-2.01	Proposed Section A	B
DA-2.02	Proposed Section B	B
DA-2.03	Proposed North East Elevation	B
DA-2.04	Proposed South West Elevation	B
DA-2.05	Proposed North West Elevation	B
DA-2.06	Proposed South East Elevation	B
DA-3.01	Site Calculations (a)	A
DA-3.02	Site Calculation (b)	A
DA-3.03	Waste Management Plan	A
DA-3.04	External Materials Schedule	A
DA-3.04a	Physcial Materials Board	A
DA-3.05	Concept Hydraulic Diagram	A
DA-3.06	Landscape Plan 1/4	A
DA-3.07	Landscape Plan 2/4	A
DA-3.08	Landscape Plan 3/4	A
DA-3.09	Landscape Plan 4/4	A

Drawing	Title	REV
DA-4.01	Studio Floor Plan	A
DA-4.02	1 Bedroom Unit Floor Plan	A
DA-4.03	Window Schedule 1	A
DA-4.04	Window Schedule 2	A
DA-4.05	Window Schedule 3	A

Amendments - Revision B - 13.02.26

1.

Lift has been re-located along grid line 4 in place of entrance ramp on the ground floor.
2.

Hallways into accessible bathrooms on both ground and first floors have been amended to allow required clearance for accessibility standards.
3.

Additional skylight along NW boundary to provide additional lighting into first floor commercial tenancy.
4.

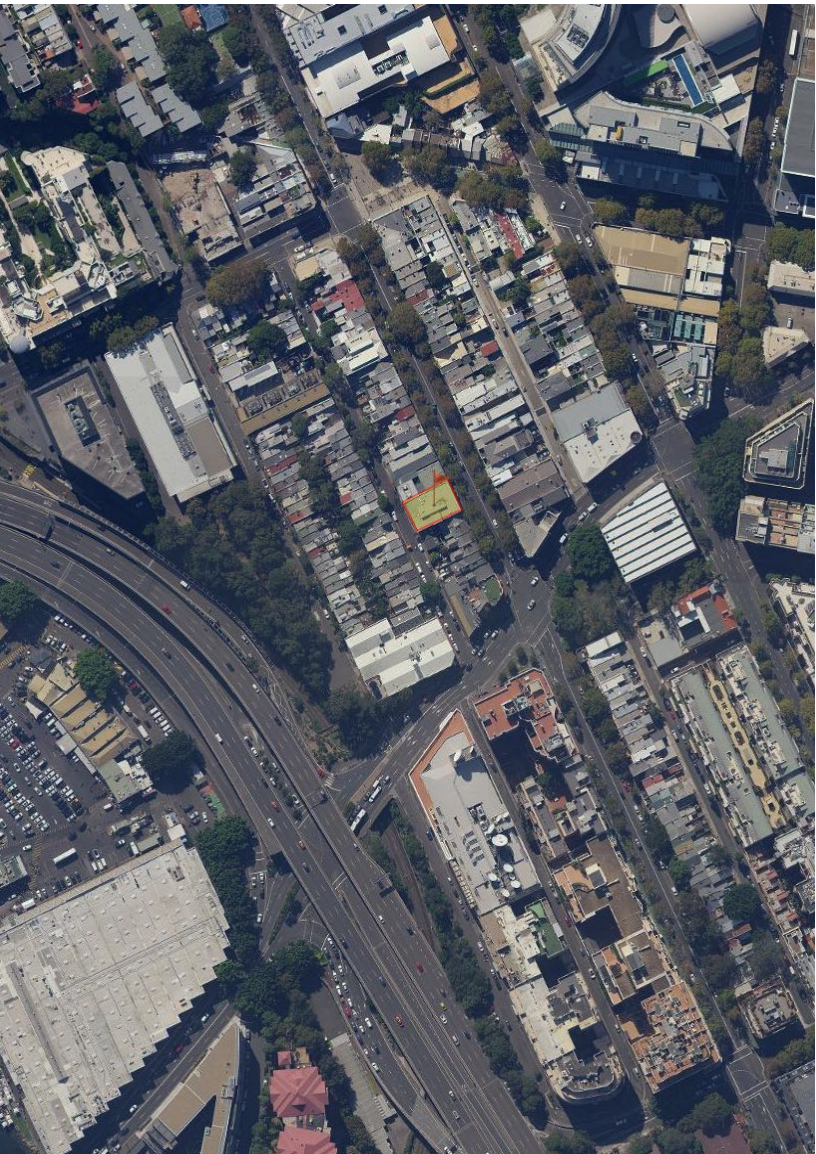
Second floor central courtyard space has been shrunk to provide more space to the adjacent studio dwellings.
5.

Balconies have been provided to eastern facing studio apartments.
6.

No works are being proposed to the rear parapet facing Little Mount Street. Rear landscaping along balcony has been removed.
7.

Second floor slab has been raised to provide additional head height to commerical tenancy on floor below.

Subject Site



Location
108, 50 Holt Street, Surry Hills, 2010

Contact

E: studio@coso.com.au

Intellectual Property

Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect

Anthony Solomon RAlA 5684

Compliance

Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend

- Existing Wall
- To be demolished
- New Const. / Timber

Elev.
- New Const. / Brickwork

Elev.
- New Const. / Concrete

Elev.
- New Const. / Metal

Elev.
- Glass
- Finished floor / relative level

FFL / RL
- Downpipe

DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project

Alterations and Additions
183-187 Harris Street, Pyrmont

Client

Woon Hong Chung

Status

Development Application (DA)
Not For Construction

North

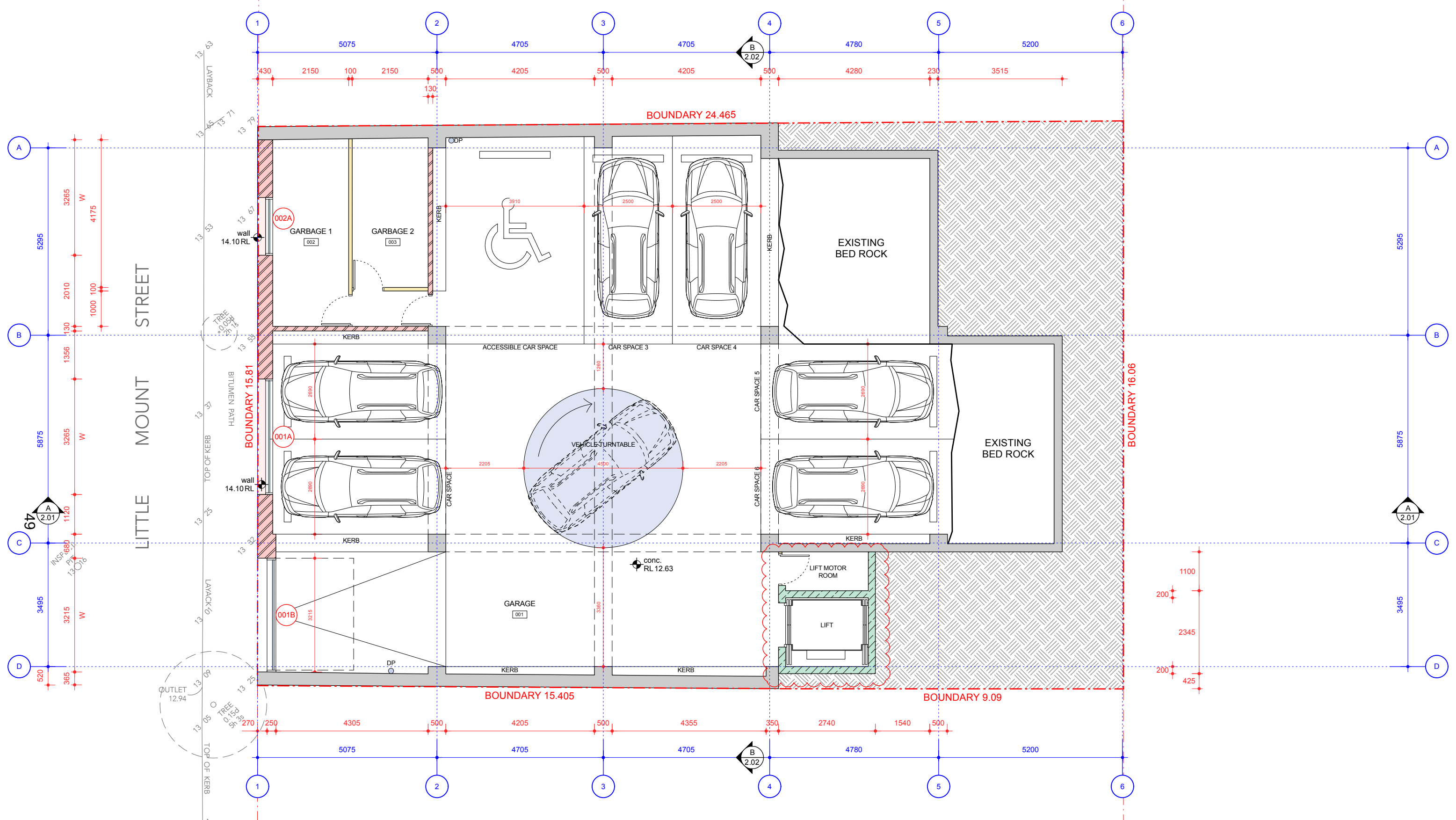


Drawing

Cover Page

Project No.

23007



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAlA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	Elev.
New Const. / Brickwork	Elev.
New Const. / Concrete	Elev.
New Const. / Metal	Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

Status
Development Application (DA)
Not For Construction

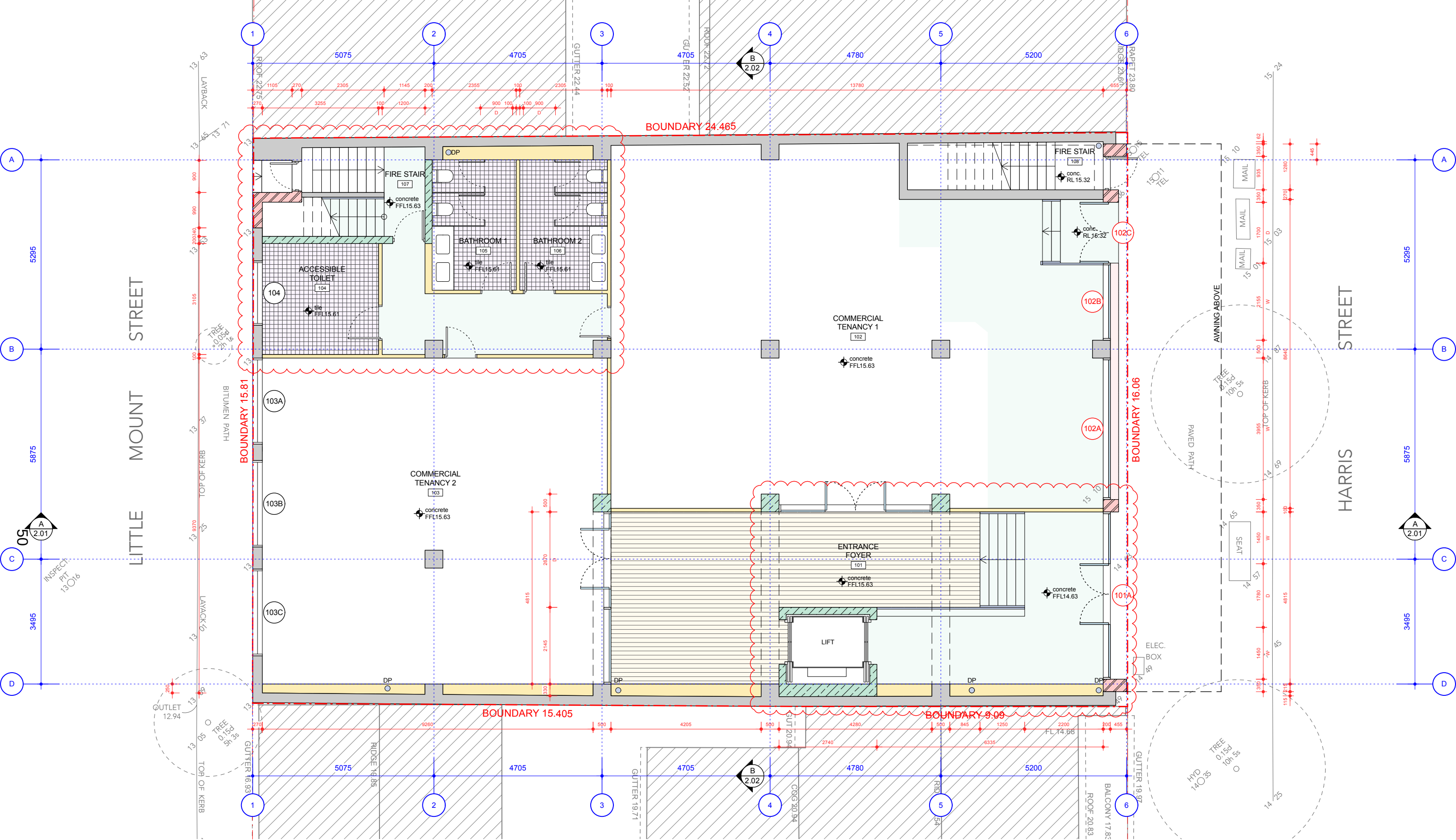
Scale
1:100

North

Drawing
Proposed Basement Plan

Project No.
23007

Sheet No.
DA 1.02



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAlA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	Elev.
New Const. / Brickwork	Elev.
New Const. / Concrete	Elev.
New Const. / Metal	Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

Status
Development Application (DA)
Not For Construction

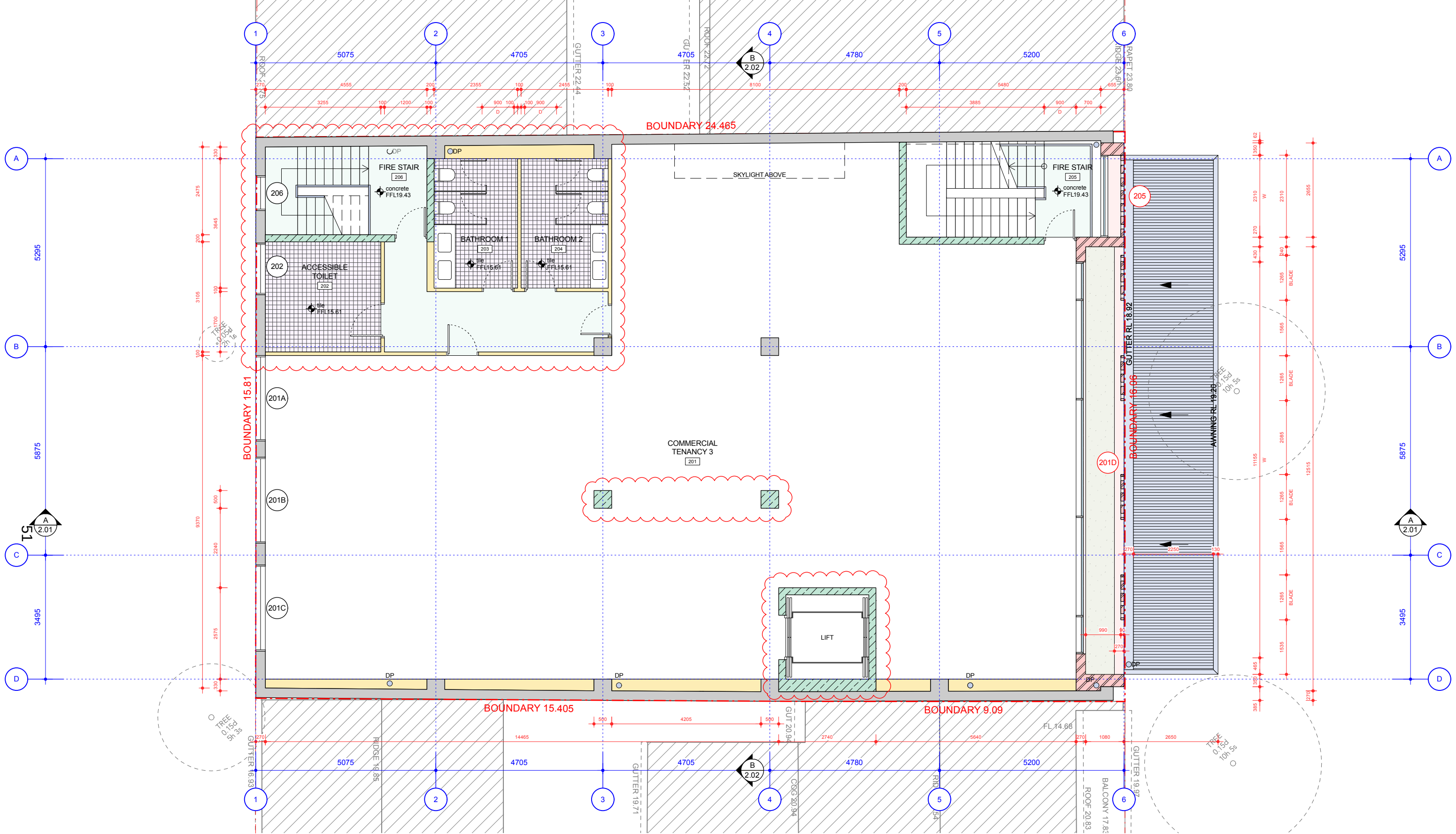
Scale
1:100



Drawing
Proposed Ground Floor Plan

Project No.
23007

Sheet No.
DA 1.03



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAlA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	Elev.
New Const. / Brickwork	Elev.
New Const. / Concrete	Elev.
New Const. / Metal	Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

Status
Development Application (DA)
Not For Construction

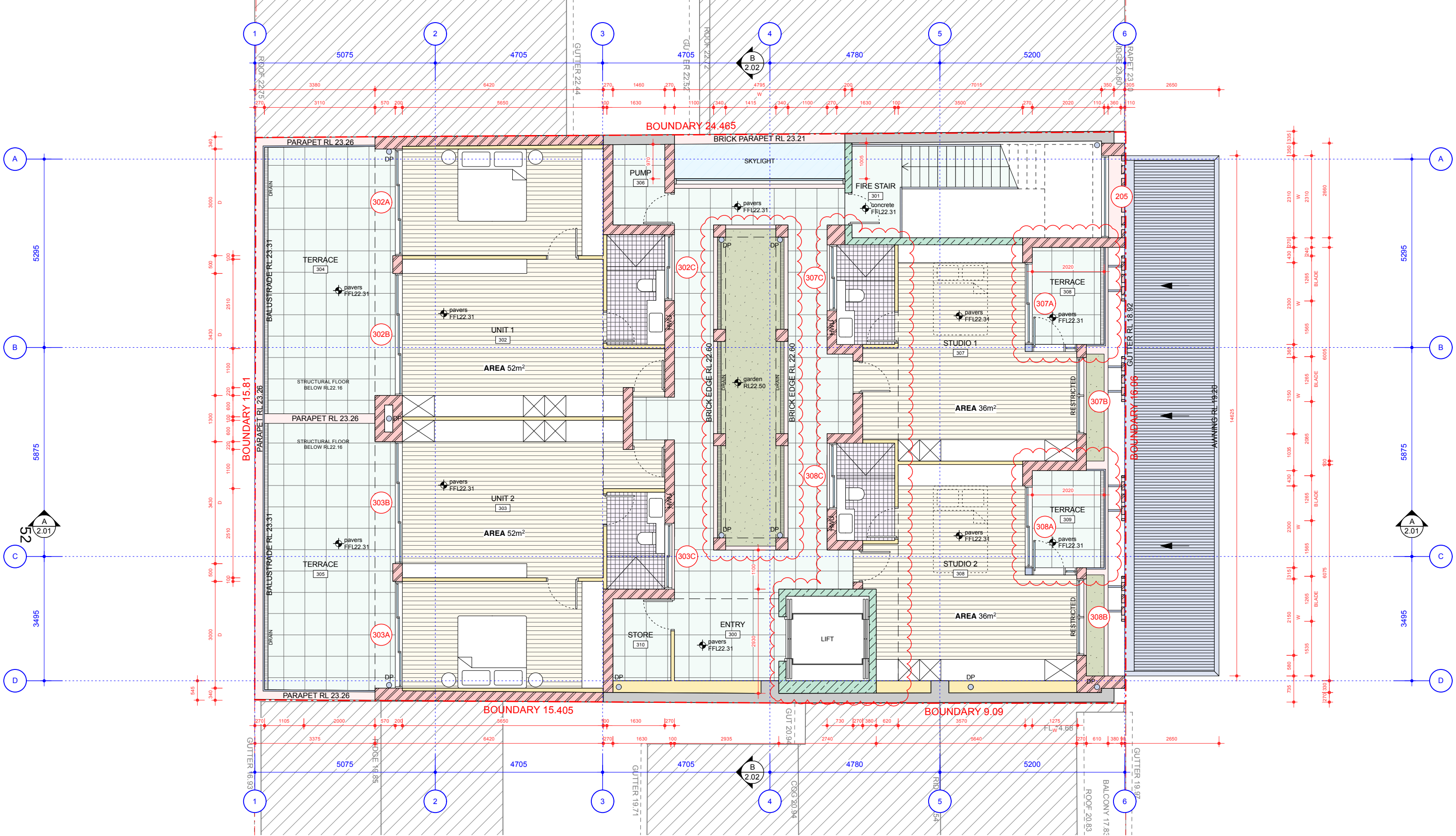
Scale
1:100

North

Drawing
Proposed First Floor Plan

Project No.
23007

Sheet No.
DA 1.04



Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAlA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	 Elev.
New Const. / Brickwork	 Elev.
New Const. / Concrete	 Elev.
New Const. / Metal	 Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

Status
Development Application (DA)
Not For Construction

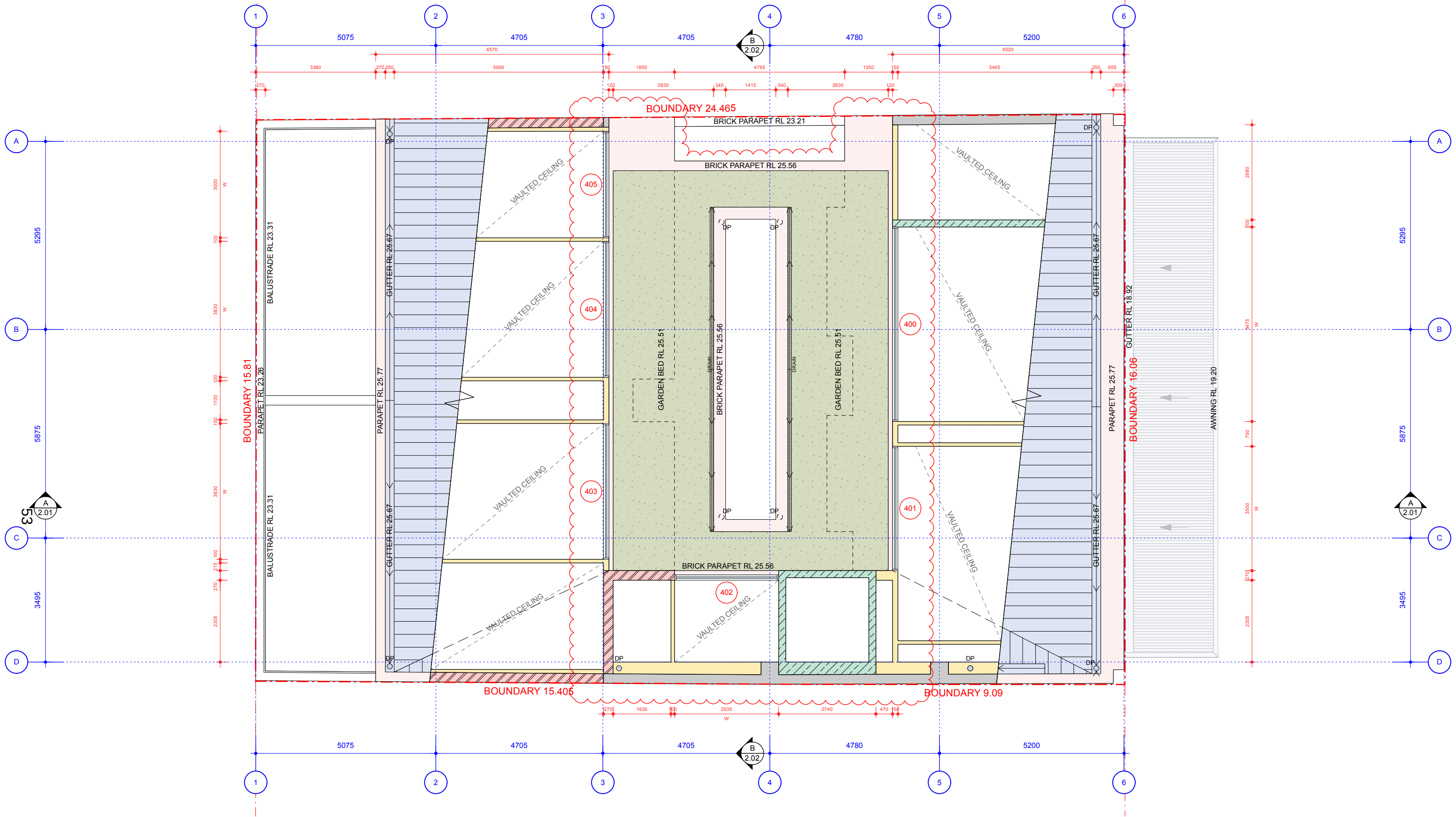
Scale
1:100

North


Drawing
Proposed Second Floor Plan

Project No.
23007

Sheet No.
DA 1.05



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAlA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	 Elev.
New Const. / Brickwork	 Elev.
New Const. / Concrete	 Elev.
New Const. / Metal	 Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

Status
Development Application (DA)
Not For Construction

Scale
1:100



Drawing
Proposed Attic Plan

Project No.
23007

Sheet No.
DA 1.06

FB 01	FACE BRICK
FB 02	FACE BRICK
FB 03	FACE BRICK (HIT+MISS)
FB EX	EXISTING FACE BRICK
G 01	GLASS
ZR 01	ZINC ROOFING
MS 01	MESH SCREEN
AA 01	ANODISED ALUMINIUM
R 01	WHITE RENDER
GD 01	ALUMINIUM GARAGE DOOR



108, 50 Holt Street, Surry Hills, 2010

E: studio@coso.com.au

Copyright COSO Architecture. Unless otherwise agreed in writing, All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Anthony Solomon RAlA 5684

Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Existing Wall		
To be demolished		
New Const. / Timber		Elev.
New Const. / Brickwork		Elev.
New Const. / Concrete		Elev.
New Const. / Metal		Elev.
Glass		
Finished floor / relative level	FFL / RL	
Downpipe	DP	

Alterations and Additions
183-187 Harris Street, Pyrmont

Woon Hong Chung

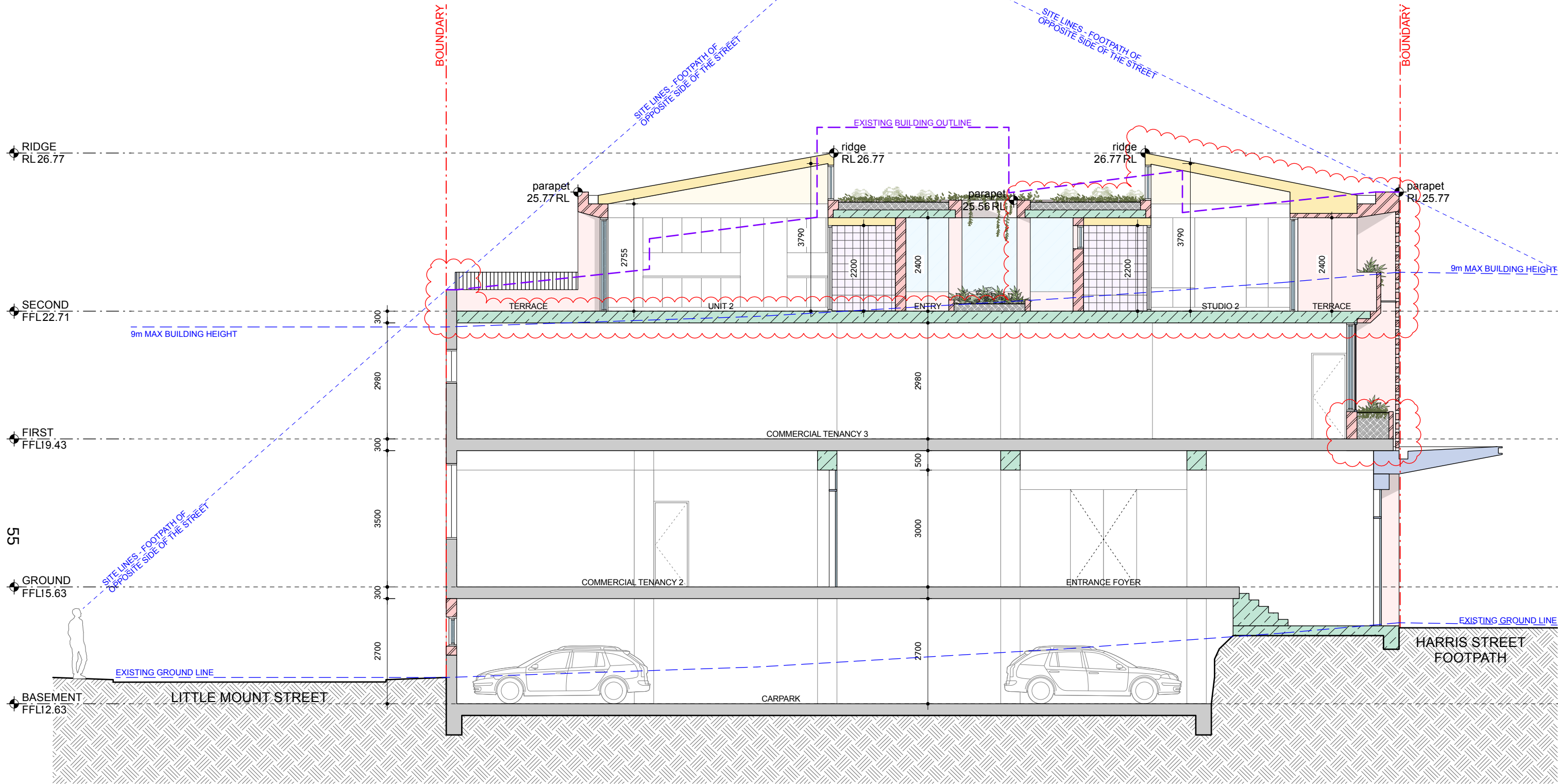
Development Application (DA)
Not For Construction

1:100

Proposed Roof Plan

23007

DA 1.07



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAIA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	 Elev.
New Const. / Brickwork	 Elev.
New Const. / Concrete	 Elev.
New Const. / Metal	 Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

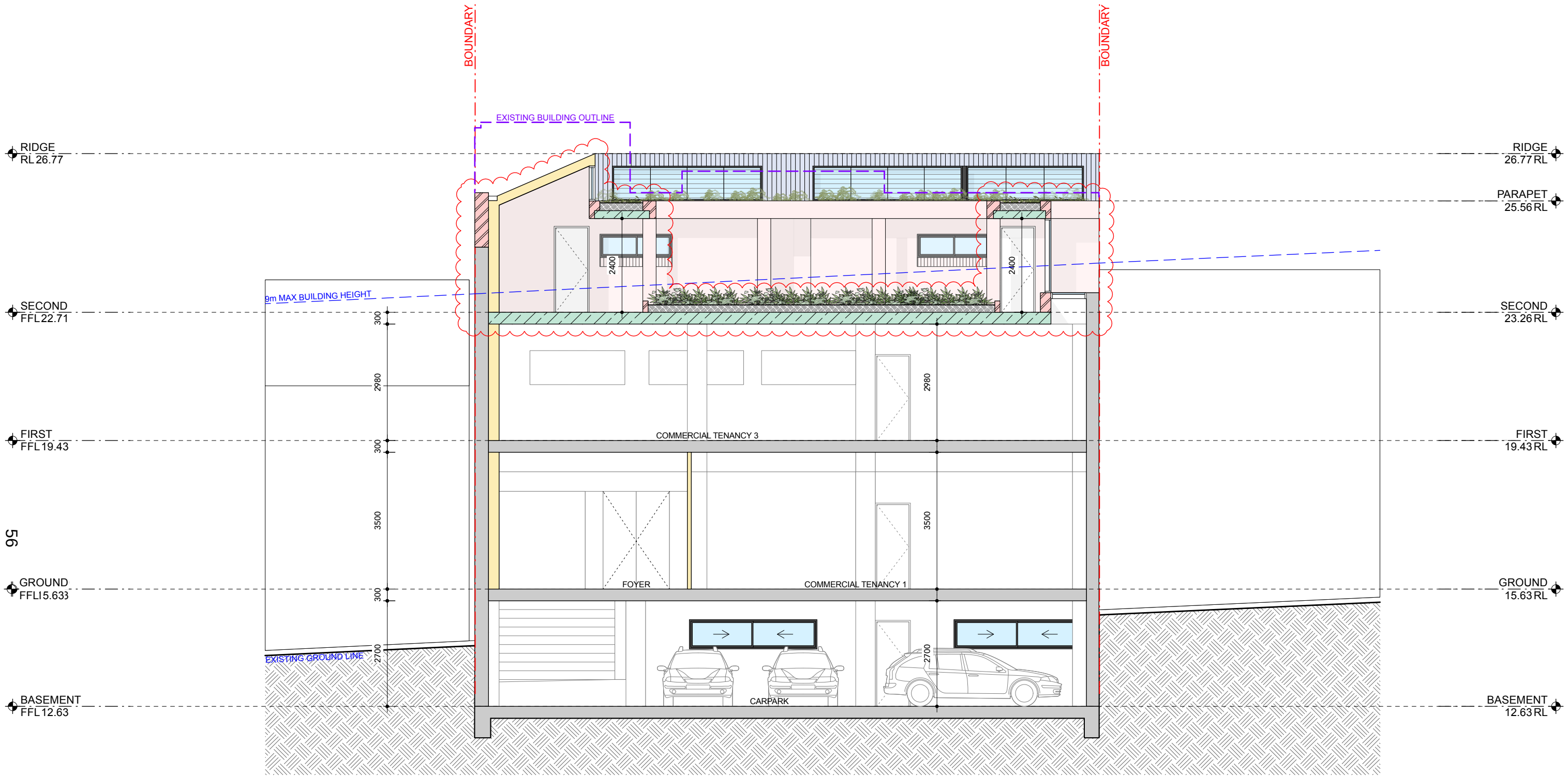
Status
Development Application (DA)
Not For Construction

Scale
1:100

Drawing
Proposed Section A

Project No.
23007

Sheet No.
DA 2.01



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAlA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	 Elev.
New Const. / Brickwork	 Elev.
New Const. / Concrete	 Elev.
New Const. / Metal	 Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

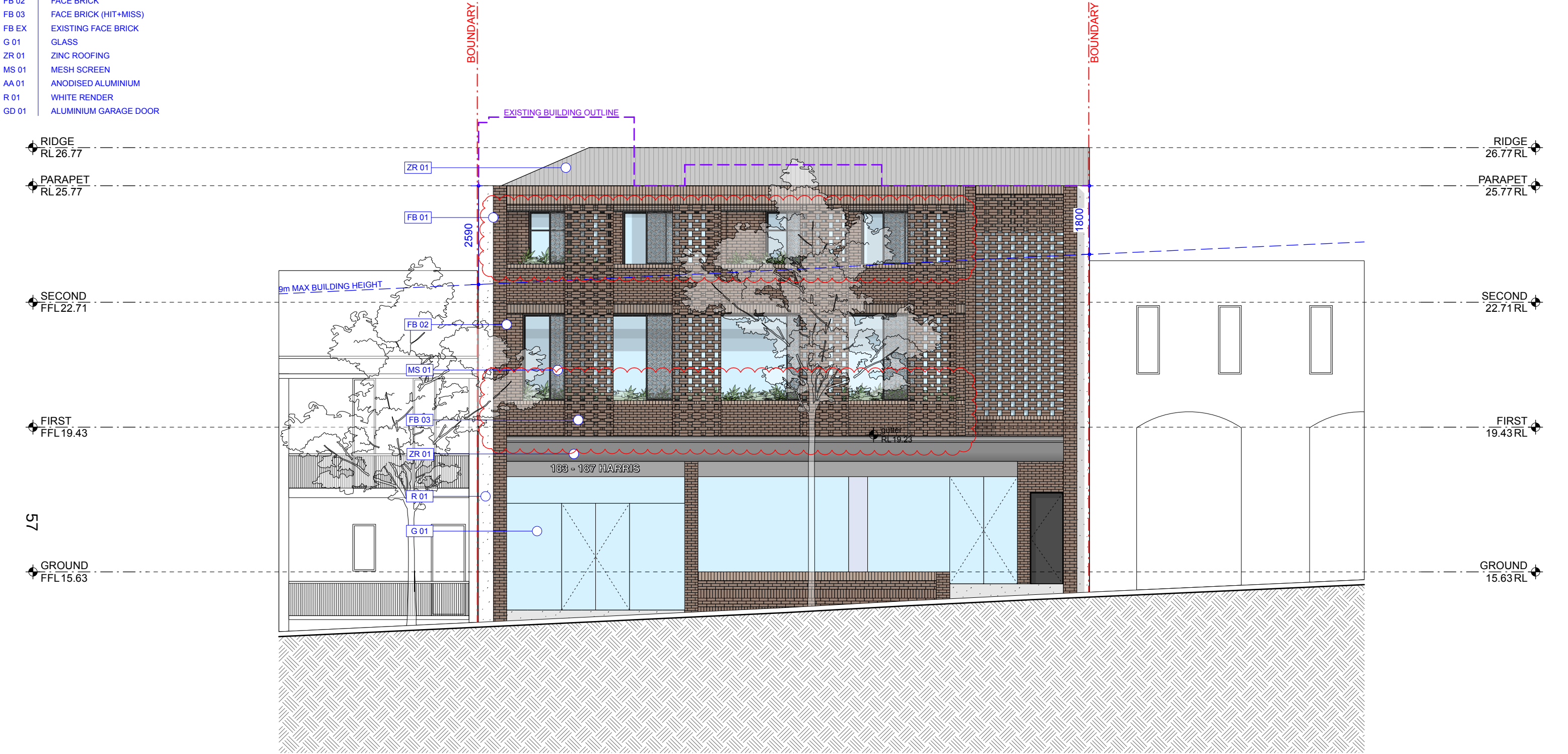
Status
Development Application (DA)
Not For Construction

Scale
1:100

Drawing
Proposed Section B

Project No. 23007	Sheet No. DA 2.02
-----------------------------	-----------------------------

MATERIALS LEGEND	
FB 01	FACE BRICK
FB 02	FACE BRICK
FB 03	FACE BRICK (HIT+MISS)
FB EX	EXISTING FACE BRICK
G 01	GLASS
ZR 01	ZINC ROOFING
MS 01	MESH SCREEN
AA 01	ANODISED ALUMINIUM
R 01	WHITE RENDER
GD 01	ALUMINIUM GARAGE DOOR



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAIA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	Elev.
New Const. / Brickwork	Elev.
New Const. / Concrete	Elev.
New Const. / Metal	Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

Status
Development Application (DA)
Not For Construction

Scale
1:100

Drawing
Proposed North-East Elevation

Project No.
23007

Sheet No.
DA 2.03

MATERIALS LEGEND	
FB 01	FACE BRICK
FB 02	FACE BRICK
FB 03	FACE BRICK (HIT+MISS)
FB EX	EXISTING FACE BRICK
G 01	GLASS
ZR 01	ZINC ROOFING
MS 01	MESH SCREEN
AA 01	ANODISED ALUMINIUM
R 01	WHITE RENDER
GD 01	ALUMINIUM GARAGE DOOR



E: studio@coso.com.au

Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Anthony Solomon RAIA 5684

Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Existing Wall		
To be demolished		
New Const. / Timber		Elev.
New Const. / Brickwork		Elev.
New Const. / Concrete		Elev.
New Const. / Metal		Elev.
Glass		
Finished floor / relative level	FFL / RL	
Downpipe	DP	

[illegible]

Alterations and Additions
183-187 Harris Street, Pyrmont

Woon Hong Chung

Development Application (DA)
Not For Construction

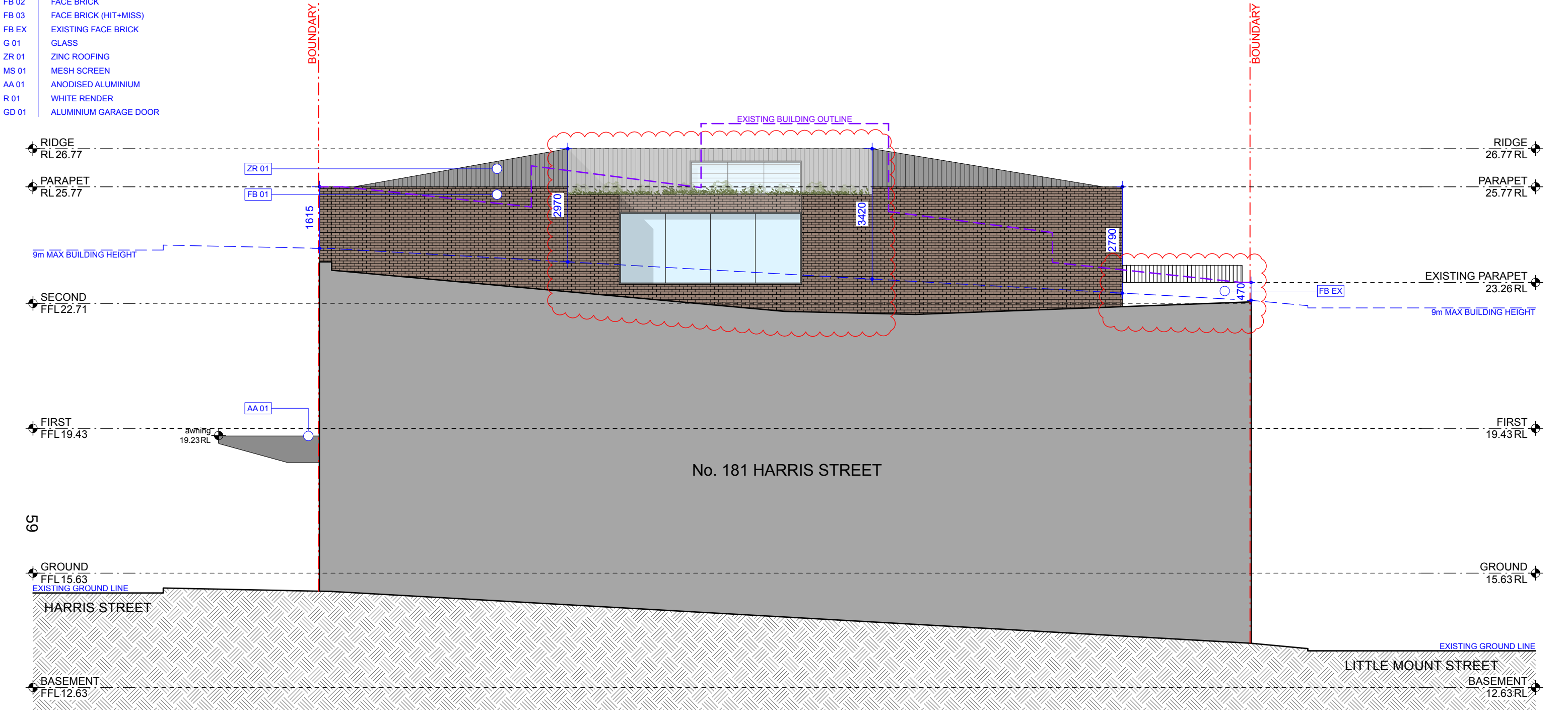
1:100

Proposed South-West Elevation

23007

DA 2.04

MATERIALS LEGEND	
FB 01	FACE BRICK
FB 02	FACE BRICK
FB 03	FACE BRICK (HIT+MISS)
FB EX	EXISTING FACE BRICK
G 01	GLASS
ZR 01	ZINC ROOFING
MS 01	MESH SCREEN
AA 01	ANODISED ALUMINIUM
R 01	WHITE RENDER
GD 01	ALUMINIUM GARAGE DOOR



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAlA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	Elev.
New Const. / Brickwork	Elev.
New Const. / Concrete	Elev.
New Const. / Metal	Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

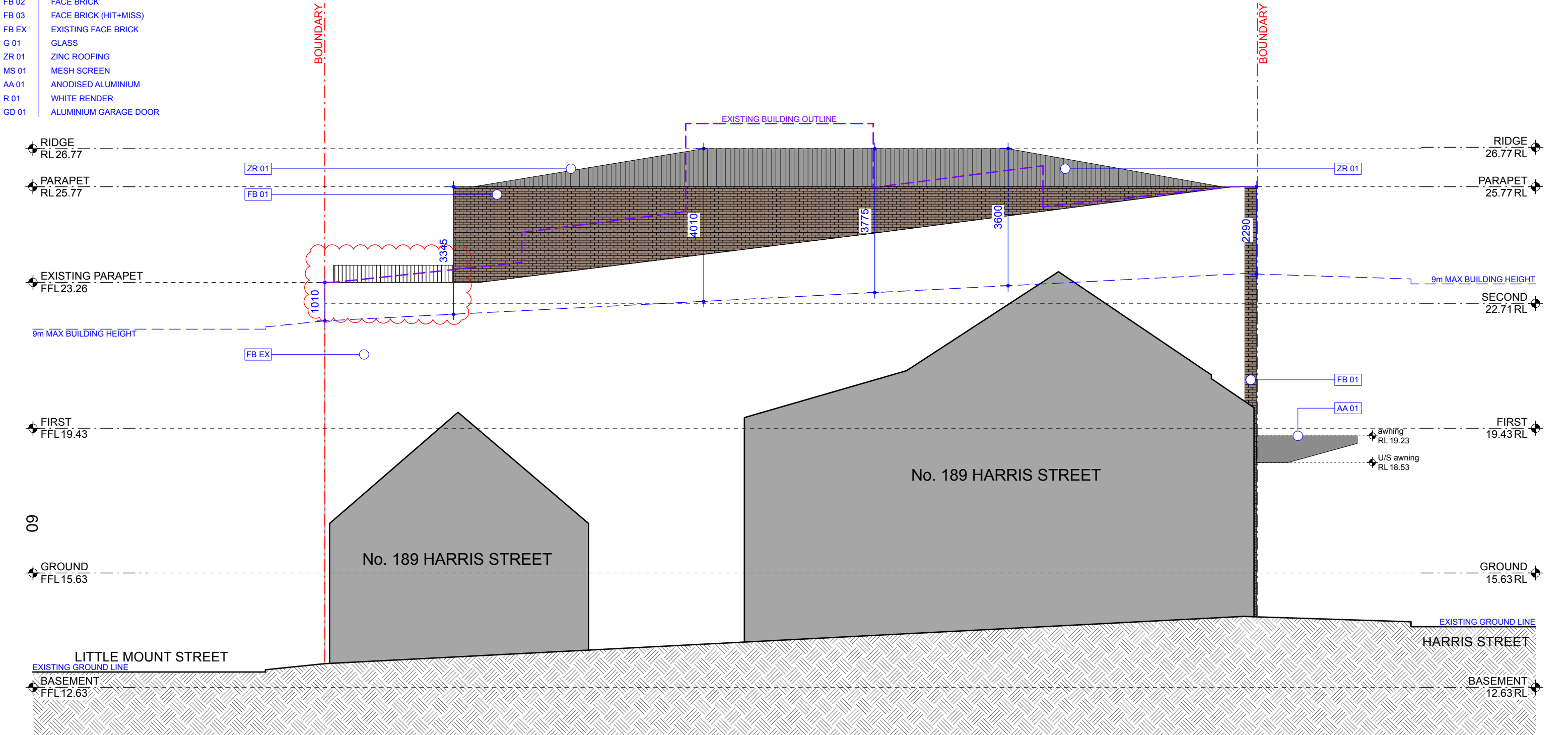
Status
Development Application (DA)
Not For Construction

Scale
1:100

Drawing
Proposed North-West Elevation

Project No. 23007
Sheet No. DA 2.05

MATERIALS LEGEND	
FB 01	FACE BRICK
FB 02	FACE BRICK
FB 03	FACE BRICK (HIT+MISS)
FB EX	EXISTING FACE BRICK
G 01	GLASS
ZR 01	ZINC ROOFING
MS 01	MESH SCREEN
AA 01	ANODISED ALUMINIUM
R 01	WHITE RENDER
GD 01	ALUMINIUM GARAGE DOOR



COSO

Location
108, 50 Holt Street, Surry Hills, 2010

Contact
E: studio@coso.com.au

Intellectual Property
Copyright COSO Architecture. Unless otherwise agreed in writing: All right to use this document are subject to payment in full of COSO Architecture charges. This document may only be used for the express purpose and project for which it has been created and delivered. This document may not be otherwise used or copied. Any unauthorised use of this document is at the users sole risk and without limiting COSO rights the user releases and indemnifies COSO from and against all loss so arising.

Nominated Architect
Anthony Solomon RAIA 5684

Compliance
Comply with all relevant authorities, NCC and Australian Standards. Dimensions in mm. Do not scale from drawings - use figured dimensions only and notify Architect if discrepancy exists.

Legend	
Existing Wall	
To be demolished	
New Const. / Timber	Elev.
New Const. / Brickwork	Elev.
New Const. / Concrete	Elev.
New Const. / Metal	Elev.
Glass	
Finished floor / relative level	FFL / RL
Downpipe	DP

Date	Rev.	Description
01.09.25	A	Issued for DA
09.03.26	B	Response to DAP

Project
Alterations and Additions
183-187 Harris Street, Pyrmont

Client
Woon Hong Chung

Status
Development Application (DA)
Not For Construction

Scale
1:100

Drawing
Proposed South-East Elevation

Project No. 23007	Sheet No. DA 2.06
-----------------------------	-----------------------------

Attachment B

Clause 4.6 Variation Request – Height of Buildings
--

Clause 4.6 variation request - Height of buildings (clause 4.3 SLEP 2012)

1.0 Introduction

This clause 4.6 variation has been prepared having regard to the Land and Environment Court judgements in the matters of *Wehbe v Pittwater Council* [2007] NSWLEC 827 (*Wehbe*) at [42] – [48], *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248, *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, *Baron Corporation Pty Limited v Council of the City of Sydney* [2019] NSWLEC 61, and *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130.

2.0 Sydney Local Environmental Plan 2012 (“SLEP”)

2.1 Clause 4.3 - Height of buildings

Pursuant to Clause 4.3 of Sydney Local Environmental Plan 2012 (SLEP) the height of a building on the subject land is not to exceed 9 metres in height. The objectives of this control 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,*
- (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.*

Building height is defined as follows:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like

Ground level existing is defined as follows:

ground level (existing) means the existing level of a site at any point.

It has been determined that the Harris Street building façade has a proposed building height of between 10.8 and 11.59 metres representing a variation of between 1.8 metres (20%) and 2.59 metres (28.7%).

The Little Mount Street facing building façade has a variable height of between 9.806 and 10.31 metres representing a variation of between 1.31 metres (14.5%) and 805mm (8.9%). The Little Mount Street upper-level building façade breaches the building height standard by between 2.795 metres (31%) and 3.350 metres (37.2%).

The clerestory window elements exceed the building height standard by between 3.17 metres (35.2%) and 3.395 metres (37.7%) with the existing lift overrun exceeding the height standard by 3.985 metres (44.2%) as depicted in the following plan extracts.



Figure 1 – Building height breaching elements as viewed from Harris Street.

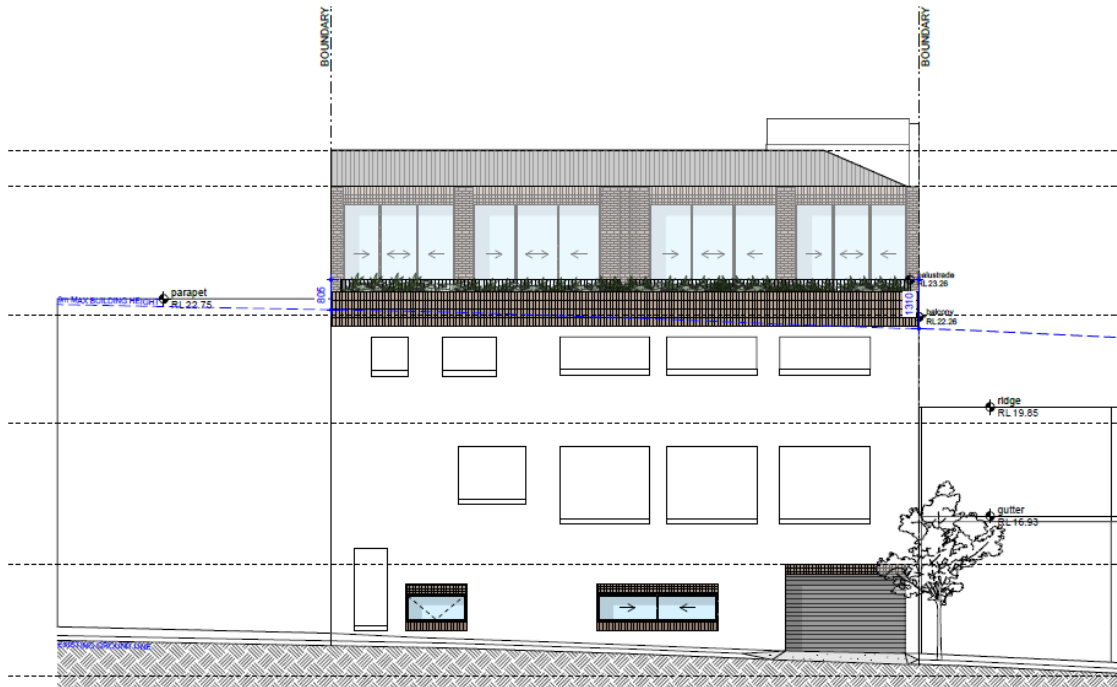


Figure 2 – Building height breaching elements as viewed from Little Mount Street.

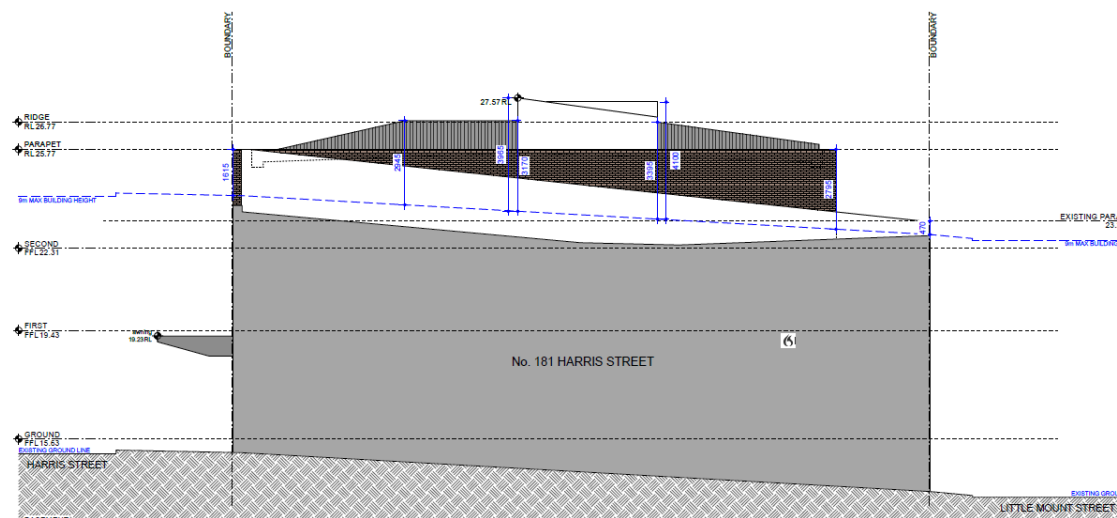


Figure 3 – Building height breaching elements as viewed from north-west.

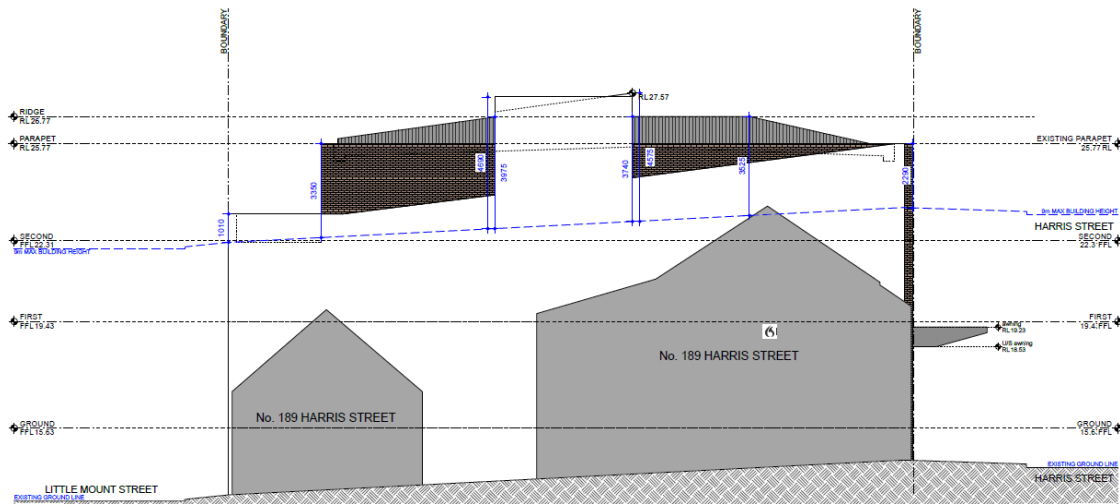


Figure 4 – Building height breaching elements as viewed from south-east.

I note that the building height as it presents to Harris Street is only slightly increased beyond that which currently exists on the site with the increase in building height facilitating the adaptive reuse of the existing building for shop top housing.

2.2 Clause 4.6 – Exceptions to Development Standards

Clause 4.6(1) of SLEP provides:

- (1) *The objectives of this clause are:*
- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
 - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

The decision of Chief Justice Preston in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 (“Initial Action”) provides guidance in respect of the operation of clause 4.6 subject to the clarification by the NSW Court of Appeal in *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130 at [1], [4] & [51] where the Court confirmed that properly construed, a consent authority has to be satisfied that an applicant’s written request has in fact demonstrated the matters required to be demonstrated by cl 4.6(3).

Initial Action involved an appeal pursuant to s56A of the Land & Environment Court Act 1979 against the decision of a Commissioner.

At [90] of *Initial Action* the Court held that:

“In any event, cl 4.6 does not give substantive effect to the objectives of the clause in cl 4.6(1)(a) or (b). There is no provision that requires compliance with the objectives of the clause. In particular, neither cl 4.6(3) nor (4) expressly or impliedly requires that development that contravenes a development standard “achieve better outcomes for and from development”.

If objective (b) was the source of the Commissioner's test that non-compliant development should achieve a better environmental planning outcome for the site relative to a compliant development, the Commissioner was mistaken. Clause 4.6 does not impose that test."

The legal consequence of the decision in *Initial Action* is that clause 4.6(1) is not an operational provision and that the remaining clauses of clause 4.6 constitute the operational provisions.

Clause 4.6(2) of SLEP provides:

- (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.*

This clause applies to the clause 4.3 Height of Buildings Development Standard.

Clause 4.6(3) of SLEP provides:

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

The proposed development does not comply with the height of buildings provision at 4.3 of SLEP which specifies a maximum building height however strict compliance is considered to be unreasonable or unnecessary in the circumstances of this case and there are considered to be sufficient environmental planning grounds to justify contravening the development standard.

The relevant arguments are set out later in this written request.

3.0 Relevant Case Law

In *Initial Action* the Court summarised the legal requirements of clause 4.6 and confirmed the continuing relevance of previous case law at [13] to [29]. In particular the Court confirmed that the five common ways of establishing that compliance with a development standard might be unreasonable and unnecessary as identified in *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827 continue to apply as follows:

17. *The first and most commonly invoked way is to establish that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard: Wehbe v Pittwater Council at [42] and [43].*

18. *A second way is to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary: Wehbe v Pittwater Council at [45].*
19. *A third way is to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable: Wehbe v Pittwater Council at [46].*
20. *A fourth way is to establish that the development standard has been virtually abandoned or destroyed by the Council's own decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable: Wehbe v Pittwater Council at [47].*
21. *A fifth way is to establish that the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary: Wehbe v Pittwater Council at [48].*

However, this fifth way of establishing that compliance with the development standard is unreasonable or unnecessary is limited, as explained in Wehbe v Pittwater Council at [49]-[51]. The power under cl 4.6 to dispense with compliance with the development standard is not a general planning power to determine the appropriateness of the development standard for the zoning or to effect general planning changes as an alternative to the strategic planning powers in Part 3 of the EPA Act.

22. *These five ways are not exhaustive of the ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary; they are merely the most commonly invoked ways. An applicant does not need to establish all of the ways. It may be sufficient to establish only one way, although if more ways are applicable, an applicant can demonstrate that compliance is unreasonable or unnecessary in more than one way.*

The relevant steps identified in *Initial Action* (and the case law referred to in *Initial Action*) can be summarised as follows:

1. Is clause 4.3 of SLEP a development standard?
2. Is the consent authority satisfied that this written request adequately addresses the matters required by clause 4.6(3) by demonstrating that:
 - (a) compliance is unreasonable or unnecessary; and
 - (b) there are sufficient environmental planning grounds to justify contravening the development standard

4.0 Request for variation

4.1 Is clause 4.3 of SLEP a development standard?

The definition of “development standard” at clause 1.4 of the EP&A Act includes:

- (c) *the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,*

Clause 4.3 SLEP prescribes a height provision that relates to certain development. Accordingly, clause 4.3 SLEP is a development standard.

4.2 Clause 4.6(3)(a) – Whether compliance with the development standard is unreasonable or unnecessary

The common approach for an applicant to demonstrate that compliance with a development standard is unreasonable or unnecessary are set out in *Wehbe v Pittwater Council* [2007] NSWLEC 827.

The first option, which has been adopted in this case, is to establish that compliance with the development standard is unreasonable and unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard.

Consistency with objectives of the height of buildings standard

An assessment as to the consistency of the proposal when assessed against the objectives of the standard is as follows:

- (a) *to ensure the height of development is appropriate to the condition of the site and its context,*

Response: The proposed building height, in particular the building height standard breaching elements are consistent with those established by the existing building and appropriate in the context that the proposal seeks the legitimate adaptive reuse of the existing building. The floor space has been appropriately distributed across the site having regard to the condition of the site and its context

Consistent with the conclusions reached by Senior Commissioner Roseth in the matter of *Project Venture Developments v Pittwater Council* (2005) NSW LEC 191 I have formed the considered opinion that most observers would not find the proposed development by virtue of its building height offensive, jarring or unsympathetic in a streetscape context having regard to the built form characteristics of development within the site’s visual catchment.

The proposal achieves this objective notwithstanding the building height breaching elements.

- (b) *to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,*

Response: After examining the heritage impact of the development on the cultural heritage of the conservation area I am satisfied that:

- The proposed works will have an acceptable impact on the way in which the subject site present to Harris Street and Little Mount Street and will have a neutral impact on the HCA and surrounding heritage items.

- The proposal will have no impact on the adjoining heritage item (191 Harris Street) because appropriate setbacks are maintained and because the existing primary view corridors to, and from, the item will not be impacted.
- The proposal will have no impact on the heritage items in the vicinity because the existing primary view corridors to, and from, the item will not be impacted.

The proposed building heights, in particular the elements located above the height standard, ensure an appropriate height transitions between new development and heritage items and buildings in heritage conservation areas.

This objective is achieved notwithstanding the building height breaching elements.

(c) to promote the sharing of views,

Response: Having walked the surrounding streets to identify potential public and private view corridors, I have formed the considered opinion that the building height breaching elements will not give rise to any adverse public or private view impacts.

This objective is achieved notwithstanding the building height breaching elements.

(d) to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,

Response: Not applicable.

(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.

Response: Not applicable.

Having regard to the above, the non-compliant component of the building will achieve the objectives of the standard to at least an equal degree as would be the case with a development that complied with the building height standard. Given the developments consistency with the objectives of the height of buildings standard strict compliance has been found to be both unreasonable and unnecessary under the circumstances.

4.3 Clause 4.6(4)(b) – Are there sufficient environmental planning grounds to justify contravening the development standard?

In Initial Action the Court found at [23]-[24] that:

23. *As to the second matter required by cl 4.6(3)(b), the grounds relied on by the applicant in the written request under cl 4.6 must be “environmental planning grounds” by their nature: see *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 at [26]. The adjectival phrase “environmental planning” is not defined, but would refer to grounds that relate to the subject matter, scope and purpose of the EPA Act, including the objects in s 1.3 of the EPA Act.*

24. *The environmental planning grounds relied on in the written request under cl 4.6 must be “sufficient”. There are two respects in which the written request needs to be “sufficient”. First, the environmental planning grounds advanced in the written request must be sufficient “to justify contravening the development standard”. The focus of cl 4.6(3)(b) is on the aspect or element of the development that contravenes the development standard, not on the development as a whole, and why that contravention is justified on environmental planning grounds.*

The environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole: see [Four2Five Pty Ltd v Ashfield Council](#) [2015] NSWCA 248 at [15]. Second, the written request must demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard so as to enable the consent authority to be satisfied under cl 4.6(4)(a)(i) that the written request has adequately addressed this matter: see [Four2Five Pty Ltd v Ashfield Council](#) [2015] NSWLEC 90 at [31].

Sufficient environmental planning grounds

The aspect or element of the development that contravenes the height of building standard is the portion of the building located above the 9m height of buildings standard as shown in Figures 1 - 4. These images also demonstrate that the existing building exceeds the 9m height of building standard with strict compliance requiring the demolition of the upper portion of the existing building or the complete demolition of the existing building and rebuild a building which is significantly lower than the existing building.

Sufficient environmental planning grounds exist to justify the variation to the height of buildings standard. Those grounds are as follows:

Ground 1

Objective 1.3(b) of the Environmental Planning and Assessment Act 1979 is:

“to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,”

Consistent with objective 1.3(b) of the EP&A Act, SLEP includes the following aim at clause 1.2(2)(c):

(c) to promote ecologically sustainable development,

The retention, expansion and adaptive reuse of the non-complying element of the building facilitates ecologically sustainable development. It reuses the structure of an existing building and avoids the environmental impacts of demolition and unnecessary waste. It reduces resource consumption and reduces waste materials. It also maintains the economic viability of the development whilst management impacts on the environment. The proposed development achieves objective 1.3(b) of the EP&A Act and the relevant aims in clause 1.2(2) of SLEP.

A development that demolished and did not replace the non-complying element of the development would be inconsistent with (and would tend to hinder the achievement of) Objective 1.3(b) of the EP&A Act and clause 1.2(2)(c) of SLEP.

Ground 2

Objective 1.3(c) of the EP& Act is:

“to promote the orderly and economic use and development of land,”

Compliance with the development standard would require demolition of the upper portion of the existing building and associated floor space. The cost of demolishing the building to be left with less usable gross floor area than that which currently exists is uneconomic and is also disorderly.

The proposal seeks to adaptively reused the existing building and to augment floor space through the provision of an additional level of accommodation which will increase the stock of housing within the City of Sydney Local Government Area and thereby provide an important social benefit. Approval of the building height variation will facilitate the adaptive reuse of the existing building for a mixed-use outcome and in doing so promote the orderly and economic use and development of land consistent with this objective.

Ground 3

Objective 1.3(g) of the EP&A Act is:

“to promote good design and amenity of the built environment,”

The proposed development generally maintains the height of the building but significantly enhances the design and appearance of the building. The retention of the non-complying element of the building through its enhanced design and visual appearance is consistent with objective 1.3(b) of the EP&A Act as it results in a building that promotes good design and amenity of the built environment.

Ground 4

The proposed adaptive re-use of the existing building which proposes element above the height limit does not result in any additional environmental impacts beyond what exists but results in an improvement in the design and visual appearance of the building.

For the above reasons there are sufficient environmental planning grounds to justify contravening the development standard.

It is noted that in *Initial Action*, the Court clarified what items a Clause 4.6 does and does not need to satisfy. Importantly, there does not need to be a "better" planning outcome:

87. *The second matter was in cl 4.6(3)(b). I find that the Commissioner applied the wrong test in considering this matter by requiring that the development, which contravened the height development standard, result in a "better environmental planning outcome for the site" relative to a development that complies with the height development standard (in [141] and [142] of the judgment). Clause 4.6 does not directly or indirectly establish this test. The requirement in cl 4.6(3)(b) is that there are sufficient environmental planning grounds to justify contravening the development standard, not that the development that contravenes the development standard have a better environmental planning outcome than a development that complies with the development standard.*

There are sufficient environmental planning grounds to justify contravening the development standard.

5.0 Conclusion

T consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3) being:

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

As such, I have formed the highly considered opinion that there is no statutory or environmental planning impediment to the granting of a height of buildings variation in this instance.

Boston Blyth Fleming Pty Limited



Greg Boston

B Urb & Reg Plan (UNE) MPIA

Director

25.6.25

Attachment C

Clause 4.6 Variation Request – Floor Space Ratio
--

Clause 4.6 variation request – Floor space ratio (clause 4.4 SLEP 2012)

1.0 Introduction

This clause 4.6 variation has been prepared having regard to the Land and Environment Court judgements in the matters of *Wehbe v Pittwater Council* [2007] NSWLEC 827 (*Wehbe*) at [42] – [48], *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248, *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, *Baron Corporation Pty Limited v Council of the City of Sydney* [2019] NSWLEC 61, and *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130.

2.0 Sydney Local Environmental Plan 2012 (“SLEP”)

2.1 Clause 4.4 – Floor space ratio

Pursuant to Clause 4.4 of Sydney Local Environmental Plan 2012 (SLEP) the maximum floor space ratio for a building on the land is not to exceed 1.5:1. The objectives of this control 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 proposal results in a total GFA of 827m² representing an FSR of 2.11:1 and a non-compliance of 241.4m² or 41.2%.

2.2 Clause 4.6 – Exceptions to Development Standards

Clause 4.6(1) of SLEP provides:

(1) *The objectives of this clause are:*

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

The decision of Chief Justice Preston in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 (“Initial Action”) provides guidance in respect of the operation of clause 4.6 subject to the clarification by the NSW Court of Appeal in *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130 at [1], [4] & [51] where the Court confirmed that properly construed, a consent authority has to be satisfied that an applicant’s written request has in fact demonstrated the matters required to be demonstrated by cl 4.6(3).

Initial Action involved an appeal pursuant to s56A of the Land & Environment Court Act 1979 against the decision of a Commissioner.

At [90] of *Initial Action* the Court held that:

“In any event, cl 4.6 does not give substantive effect to the objectives of the clause in cl 4.6(1)(a) or (b). There is no provision that requires compliance with the objectives of the clause. In particular, neither cl 4.6(3) nor (4) expressly or impliedly requires that development that contravenes a development standard “achieve better outcomes for and from development”. If objective (b) was the source of the Commissioner’s test that non-compliant development should achieve a better environmental planning outcome for the site relative to a compliant development, the Commissioner was mistaken. Clause 4.6 does not impose that test.”

The legal consequence of the decision in *Initial Action* is that clause 4.6(1) is not an operational provision and that the remaining clauses of clause 4.6 constitute the operational provisions.

Clause 4.6(2) of SLEP provides:

- (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.*

This clause applies to the clause 4.4 FSR Development Standard.

Clause 4.6(3) of SLEP provides:

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

The proposed development does not comply with the FSR provision at 4.4 of SLEP which specifies a maximum FSR however strict compliance is considered to be unreasonable or unnecessary in the circumstances of this case and there are considered to be sufficient environmental planning grounds to justify contravening the development standard.

The relevant arguments are set out later in this written request.

3.0 Relevant Case Law

In *Initial Action* the Court summarised the legal requirements of clause 4.6 and confirmed the continuing relevance of previous case law at [13] to [29]. In particular the Court confirmed that the five common ways of establishing that compliance with a development standard might be unreasonable and unnecessary as identified in *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827 continue to apply as follows:

17. *The first and most commonly invoked way is to establish that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard: Wehbe v Pittwater Council at [42] and [43].*
18. *A second way is to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary: Wehbe v Pittwater Council at [45].*
19. *A third way is to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable: Wehbe v Pittwater Council at [46].*
20. *A fourth way is to establish that the development standard has been virtually abandoned or destroyed by the Council's own decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable: Wehbe v Pittwater Council at [47].*
21. *A fifth way is to establish that the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary: Wehbe v Pittwater Council at [48]. However, this fifth way of establishing that compliance with the development standard is unreasonable or unnecessary is limited, as explained in Wehbe v Pittwater Council at [49]-[51]. The power under cl 4.6 to dispense with compliance with the development standard is not a general planning power to determine the appropriateness of the development standard for the zoning or to effect general planning changes as an alternative to the strategic planning powers in Part 3 of the EPA Act.*
22. *These five ways are not exhaustive of the ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary; they are merely the most commonly invoked ways. An applicant does not need to establish all of the ways. It may be sufficient to establish only one way, although if more ways are applicable, an applicant can demonstrate that compliance is unreasonable or unnecessary in more than one way.*

The relevant steps identified in *Initial Action* (and the case law referred to in *Initial Action*) can be summarised as follows:

1. Is clause 4.4 of SLEP a development standard?
2. Is the consent authority satisfied that this written request adequately addresses the matters required by clause 4.6(3) by demonstrating that:
 - (a) compliance is unreasonable or unnecessary; and

- (b) there are sufficient environmental planning grounds to justify contravening the development standard

4.0 Request for variation

4.1 Is clause 4.3 of SLEP a development standard?

The definition of “development standard” at clause 1.4 of the EP&A Act includes:

- (c) *the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,*

Clause 4.4 SLEP prescribes a density that relates to certain development. Accordingly, clause 4.4 SLEP is a development standard.

4.2 Clause 4.6(3)(a) – Whether compliance with the development standard is unreasonable or unnecessary

The common approach for an applicant to demonstrate that compliance with a development standard is unreasonable or unnecessary are set out in *Wehbe v Pittwater Council* [2007] NSWLEC 827.

The first option, which has been adopted in this case, is to establish that compliance with the development standard is unreasonable and unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard.

Consistency with objectives of the floor space ratio standard

An assessment as to the consistency of the proposal when assessed against the objectives of the standard is as follows:

Having regard to the above, the non-compliant component of the building will achieve the objectives of the standard to at least an equal degree as would be the case with a development that complied with the building height standard. Given the developments consistency with the objectives of the height of buildings standard strict compliance has been found to be both unreasonable and unnecessary under the circumstances.

- (a) *to provide sufficient floor space to meet anticipated development needs for the foreseeable future,*

Response: The non-compliant floor space is associated with the proposed residential accommodation. The non-compliant portion of the proposed floor space will increase the stock of housing within the City of Sydney Local Government Area. The proposal achieves this objective notwithstanding the non-compliant floor space proposed.

- (b) *to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic,*

Response: The subject property is located within accessible areas such that will not generate unmanageable vehicle or pedestrian traffic. Notwithstanding the non-compliant floor space proposed the development provides appropriately for off-street carparking.

This objective is achieved notwithstanding the non-compliant floor space proposed.

(c) to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure,

Response: The non-compliant floor space will not exceed the capacity of existing and planned infrastructure. This objective is achieved notwithstanding the non-compliant floor space proposed.

(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.

Response: As detailed within the accompanying Statement of Environmental Effects the proposed development is consistent with the principles and desired future character identified for the Pyrmont locality. The alterations and additions do not adversely impact on the Pyrmont HCA nor the adjoining heritage item and heritage items in the vicinity, as outlined. It provides for a mixed-use building while maintaining its contribution to the heritage value of the area.

The height, scale and density of the proposal are consistent within the streetscape and will maintain a complimentary and compatible streetscape. The floor space has been appropriately distributed across the site having regard to the properties immediate built form context and the height established by the existing building.

The additional floor space and associated height facilitates the adaptive reuse of the building in a manner which promotes the orderly and economic use and development of land for a purpose which will increase the stock of housing within the City of Sydney Local Government Area.

The additional floor space and associated height will not give rise to unacceptable amenity impacts in terms of views, solar access or visual privacy.

This objective is achieved notwithstanding the non-compliant FSR proposed.

Having regard to the above, the non-compliant component of the building will achieve the objectives of the standard to at least an equal degree as would be the case with a development that complied with the FSR standard. Given the developments consistency with the objectives of the FSR standard strict compliance has been found to be both unreasonable and unnecessary under the circumstances.

4.3 Clause 4.6(4)(b) – Are there sufficient environmental planning grounds to justify contravening the development standard?

In Initial Action the Court found at [23]-[24] that:

23. *As to the second matter required by cl 4.6(3)(b), the grounds relied on by the applicant in the written request under cl 4.6 must be “environmental planning grounds” by their nature: see *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 at [26]. The adjectival phrase “environmental planning” is not defined, but would refer to grounds that relate to the subject matter, scope and purpose of the EPA Act, including the objects in s 1.3 of the EPA Act.*
24. *The environmental planning grounds relied on in the written request under cl 4.6 must be “sufficient”. There are two respects in which the written request needs to be “sufficient”. First, the environmental planning grounds advanced in the written request must be sufficient “to justify contravening the development standard”. The focus of cl 4.6(3)(b) is on the aspect or element of the development that contravenes the development standard, not on the development as a whole, and why that contravention is justified on environmental planning grounds.*

*The environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole: see *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248 at [15]. Second, the written request must demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard so as to enable the consent authority to be satisfied under cl 4.6(4)(a)(i) that the written request has adequately addressed this matter: see *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90 at [31].*

Sufficient environmental planning grounds

The aspect or element of the development that contravenes the FSR standard is generally that located above the 9m height standard. Sufficient environmental planning grounds exist to justify the variation to the height of buildings standard. Those grounds are as follows:

Ground 1

Objective 1.3(b) of the Environmental Planning and Assessment Act 1979 is:

“to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,”

Consistent with objective 1.3(b) of the EP&A Act, SLEP includes the following aim at clause 1.2(2)(c):

(c) to promote ecologically sustainable development,

The retention, expansion and adaptive reuse of the non-complying element of the building facilitates ecologically sustainable development. It reuses the structure of an existing building and avoids the environmental impacts of demolition and unnecessary waste. It reduces resource consumption and reduces waste materials. It also maintains the economic viability of the development whilst management impacts on the environment.

The non-compliant floor space provides sufficient economic incentive to undertake an adaptive reuse of the existing building for the purpose of affordable rental housing with such outcome achieving the aim of SLEP at clause 1.2(2)(e) of that EPI. The proposed development achieves objective 1.3(b) of the EP&A Act and the relevant aims in clause 1.2(2) of SLEP.

A development that demolished and did not replace the non-complying element of the development would be inconsistent with (and would tend to hinder the achievement of) Objective 1.3(b) of the EP&A Act and clause 1.2(2)(c) of SLEP.

Ground 2

Objective 1.3(c) of the EP& Act is:

“to promote the orderly and economic use and development of land,”

The proposal seeks to adaptively reused the existing building and to augment floor space through the provision of an additional level of accommodation which will increase the stock of housing within the City of Sydney Local Government. Approval of the FSR variation will facilitate the adaptive reuse of the existing building in a mixed-use form and in doing so promote the orderly and economic use and development of land consistent with this objective.

Ground 3

The proposed adaptive re-use of the existing building which proposes floor space above the FSR and height standards does not result in any additional environmental impacts beyond what exists but results in an improvement in the design and visual appearance of the building.

For the above reasons there are sufficient environmental planning grounds to justify contravening the development standard.

It is noted that in *Initial Action*, the Court clarified what items a Clause 4.6 does and does not need to satisfy. Importantly, there does not need to be a "better" planning outcome:

87. *The second matter was in cl 4.6(3)(b). I find that the Commissioner applied the wrong test in considering this matter by requiring that the development, which contravened the height development standard, result in a "better environmental planning outcome for the site" relative to a development that complies with the height development standard (in [141] and [142] of the judgment). Clause 4.6 does not directly or indirectly establish this test. The requirement in cl 4.6(3)(b) is that there are sufficient environmental planning grounds to justify contravening the development standard, not that the development that contravenes the development standard have a better environmental planning outcome than a development that complies with the development standard.*

There are sufficient environmental planning grounds to justify contravening the development standard.

5.0 Conclusion

T consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3) being:

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

As such, I have formed the highly considered opinion that there is no statutory or environmental planning impediment to the granting of an FSR variation in this instance.

Boston Blyth Fleming Pty Limited

A handwritten signature in black ink, appearing to read 'Greg Boston', with a stylized flourish at the end.

Greg Boston

B Urb & Reg Plan (UNE) MPIA

Director

25.6.25

Attachment D

Submissions

From: [REDACTED]

Sent on: Monday, January 5, 2026 10:56:48 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/1163 - 183-187 Harris Street PYRMONT NSW 2009 - Attention Harry Choi

Caution: 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,
In responding to this development would like my personal details withheld from public view as I am already a silent voter as a result of my occupation.

I own [REDACTED] Little Mount street Pyrmont and will be directly impacted by this proposed development. It is not the first time this applicant has requested to breach the height limits in Pyrmont, and I would again like to strongly object to Council allowing it. Our street contains heritage buildings, that already suffer from rising damp at the front, any further shadowing -which this will cause, will only exacerbate the problems. I also feel allowing one building to breach the limits will see a further applications- forcing owners such as myself to consistently fight against shadowing of our properties. It is also not in keeping with the heritage value of Pyrmont's conservation area, which is already small and should be protected.

This building is already towering over surrounding structures, on the Little Mount side and it really would be a shame to see that worsen- as they note by up to 3.350 metres.

I also object to their attempt to breach the floor space ratio for this type of building.

Please consider my strong objection to this application in making your decision.

Thank you for your time
[REDACTED]

[REDACTED] Disclaimer This e-mail (including all attachments) is intended solely for the named addressee. If you receive it in error, please let us know by reply e-mail, delete it from your system and destroy the copies. This e-mail is also subject to copyright. No part of it should be reproduced, adapted or transmitted without the written consent of the copyright owner. E-mails may be interfered with, may contain computer viruses or other defects and may not be successfully replicated on other systems. We give no warranties in relation to these matters. If you have any doubts about the authenticity of an e-mail purportedly sent by us, please contact us immediately.