

14 May 2026

At 5.00 pm

Central Sydney Planning Committee

Agenda

- 1. Disclosures of Interest**
- 2. Confirmation of Minutes**
- 3. Matters Arising from the Minutes**
- 4. Development Application: 4-22 Wentworth Avenue, Surry Hills - D/2025/942**
- 5. Post Exhibition - Planning Proposal - Affordable Housing Contributions Review - Sydney Local Environmental Plan 2012, Sydney Local Environmental Plan (Green Square Town Centre) 2013, Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013 and Draft City of Sydney Affordable Housing Program 2024**
- 6. Summary of Applications to be Reported to the Central Sydney Planning Committee**



Disclaimer, Terms and Guidelines for Speakers at the Central Sydney Planning Committee

As part of our democratic process, the City invites members of the community to speak directly to committee members during Central Sydney Planning Committee meetings about items on the agenda.

Webcast

In accordance with the *City of Sydney Code of Meeting Practice*, Central Sydney Planning Committee meetings are recorded and webcast live on the City of Sydney website at www.cityofsydney.nsw.gov.au.

Members of the public attending a Central Sydney Planning Committee meeting may have their image, voice and personal information (including name and address) recorded, publicly broadcast and archived for up to 12 months.

Consent

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

Disclaimer

Statements made by individuals at a Central Sydney Planning Committee 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. To be clear, unless set out in a resolution of council, the City does not endorse or support such statements.

The City does not accept any liability for statements made or actions taken by individuals during a Central Sydney Planning Committee meeting 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 takes no responsibility.

Guidelines

To enable the committee to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at the Central Sydney Planning Committee 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 committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

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

Central Sydney Planning Committee reports are available at www.cityofsydney.nsw.gov.au

Item 1.

Disclosures of Interest

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

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

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

Item 2.

Confirmation of Minutes

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

Meeting of 23 April 2026

Item 3.

Matters arising from the Minutes

Matters arising from the minutes of the Central Sydney Planning Committee of 23 April 2026.

Item 4.**Development Application: 4-22 Wentworth Avenue, Surry Hills - D/2025/942****File Number: D/2025/942****Summary**

Date of Submission:	3 October 2025 Amended plans and information submitted 15 February, 6 March and 1 April 2026
Applicant:	Wentworth Avenue Surry Hills Development Pty Ltd
Architect:	DKO and Aileen Sage
Developer:	Willow Development Group
Owner:	Pongrass Properties Pty Ltd
Planning Consultant:	Planning & Co
Heritage Consultant:	Jean Rice Architect
DAP	4 December 2025
Cost of Works:	\$71,915,857.20
Zoning:	The site is zoned MU1 - Mixed Use under the Sydney Local Environmental Plan (Sydney LEP) 2012. The proposed uses are commercial office and ancillary retail premises, which are permissible with consent in this zone.

Proposal Summary:

Approval is sought for the adaptive reuse of the existing locally listed heritage buildings at 4-22 Wentworth Avenue, and substantial alterations and additions, with the construction of a 13-storey tower addition atop 4-6, and parts of 8 and 10-12 Wentworth Avenue, and a 2-storey podium addition extending above 10-12 and 16-22 Wentworth Avenue.

The mixed-use development comprises ground floor retail (food and drink) uses, commercial office space on upper levels, and a basement/lower ground level incorporating a loading dock, parking, waste areas, end-of-journey facilities and mechanical services. The proposal also includes site amalgamation of the 5 existing lots into a single lot.

This application is referred to the Central Sydney Planning Committee (CSPC) as the cost of works exceeds \$50 million and constitutes a "major development" for the purposes of the City of Sydney Act 1988.

The site is subject to site-specific provisions under the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012. The proposal complies with key development standards including maximum height, floor space ratio and land use. The proposal generally follows the maximum planning envelope, with minor encroachments due to building fenestration and a rooftop balustrade. Despite these minor exceedances, the proposal does not result in any significantly adverse impacts to surrounding development and maintains solar access to nearby residential apartment buildings.

The development has been the subject of a competitive design alternatives process, with the winning scheme a collaboration between DKO and Allen Sage. The proposal is generally consistent with the winning scheme and has adequately addressed the recommendations of the competition selection panel and the City's Design Advisory Panel.

The development achieves a high standard of architectural design with an appropriate bulk and scale that responds positively to the heritage listed warehouse row in terms of materials and detailing, and by allowing the buildings to maintain their legibility and prominence in the streetscape. Sufficient building separation is provided to neighbouring heritage and mixed-use sites. The tower results in acceptable environmental impacts and overall achieves a sufficient standard of sustainable design. The development provides sufficient landscaping on podium which will contribute to local biodiversity and visual amenity. The development therefore achieves design excellence in accordance with Clause 6.21(4) of the Sydney LEP 2012.

The application was notified for a period of 28 days between 13 October 2025 and 11 November 2025. As a result of the notification there were 29 submissions received, with 1 in support, 8 individual submissions and 20 pro-forma submissions. Concerns raised include, heritage impacts, overshadowing, privacy, construction and traffic impacts, bulk and scale, noise, light spill and community benefit.

The application has also been amended, and additional information submitted, to address issues identified by City staff and the Design Advisory Panel during assessment and raised in the submissions received. The key issues relate to:

- Introduction of vertical fins, glazed bays and angular framing to the podium additions to better relate to the warehouse buildings below.
- Retention of the podium parapet and reinstatement of the 'Swallow Building' sign.
- A structural response in relation to supporting the new additions.
- An amended carbon emissions model and NABERS benchmark of 5.5-stars.
- Updated heritage conservation schedule, landscape plans, wind modelling testing, public art plan, waste management plan, stormwater information, and facade reflectivity details.

Subject to conditions, the proposal is generally compliant with the relevant planning provisions contained in the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012. Any non-compliances have been assessed as having merit in the context of the site and are addressed in this report.

Overall, the proposal responds satisfactorily to surrounding development and its context and exhibits a high standard of architectural design, materials and detailing. It is a high-quality outcome and is an appropriate response to the collective sites' heritage value.

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

Development Controls:

- (i) Environmental Planning and Assessment Act, 1979 and Environmental Planning and Assessment Regulation 2021
- (ii) City of Sydney Act 1988 and City of Sydney Regulation 2016
- (iii) Sydney Water Act 1994
- (iv) State Environmental Planning Policy (Biodiversity and Conservation) 2021
- (v) State Environmental Planning Policy (Resilience and Hazards) 2021
- (vi) State Environmental Planning Policy (Housing) 2021
- (vii) State Environmental Planning Policy (Transport and Infrastructure) 2021
- (viii) State Environmental Planning Policy (Sustainable Buildings) 2022
- (ix) State Sydney Local Environmental Plan 2012
- (x) Sydney Development Control Plan 2012
- (xi) Central Sydney Development Contributions Plan 2020
- (xii) City of Sydney Affordable Housing Program 2023

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Design Competition Report
- D. Submissions

Recommendation

It is resolved that consent be granted to Development Application Number D/2025/942 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The proposal satisfies the objectives of the Environmental Planning and Assessment Act, 1979, in that, subject to the imposition of conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Central Sydney Planning Committee.
- (B) The applicant has undertaken a competitive design process in accordance with the City's policy, to which the proposed development is generally consistent. The applicant has adequately responded to the recommendations of the competition jury.
- (C) The development complies with the site-specific height and floor space ratio controls contained in Clause 6.55 of the Sydney Local Environmental Plan 2012 and provides commercial office and retail (food and drink) uses. The development is generally consistent with the site-specific provisions of Section 6.3.20 of the Sydney Development Control Plan 2012 and has been designed to maintain solar access to nearby residential properties.
- (D) The proposal is consistent with the objectives and provisions of the MU1 Mixed-Use zone and the City Edge Locality Area.
- (E) The development demonstrates design excellence, consistent with the provisions of Clause 6.21C of the Sydney Local Environmental Plan 2012. The tower and podium addition design and materiality read as contemporary structures, whilst being sensitive to the base heritage listed warehouse buildings. Sufficient separation is provided to maintain a good standard of amenity for adjoining properties and the public domain. The additions result in acceptable environmental impacts and achieve a good standard of environmental performance. The development provides landscaping on podiums which will contribute to local biodiversity and visual amenity. The overall adaptive re-use of the heritage buildings allows for the repair and conservation of significant fabric, and the additions are appropriately located to allow the legibility of the heritage listed group to be retained.
- (F) Subject to the recommended conditions of consent, the proposed development achieves acceptable amenity for the existing and future occupants of the subject and neighbouring sites.
- (G) The public interest is served by the approval of the proposed development subject to recommended conditions imposed relating to the appropriate management of associated potential environmental impacts.

Background

The Site and Surrounding Development

1. The site comprises five separate lots, being:
 - (a) Lots 42 and 43 DP 6534, known as 4-6 Wentworth Avenue;
 - (b) Lot 44 DP 6534, known as 8 Wentworth Avenue;
 - (c) Lots 45 and 46 DP 6534, known as 10-12 Wentworth Avenue;
 - (d) Lot 47 DP 6534, known as 14 Wentworth Avenue; and
 - (e) Lots 48, 49, 50 and 51 DP 6534, known as 16-22 Wentworth Avenue.
2. The site is collectively known as 4-22 Wentworth Avenue, Surry Hills. It has an irregular in shape with a combined area of approximately 1,222.4sqm. It has a primary street frontage of 65m to Wentworth Avenue, and secondary frontages to Wemyss Lane, being 21m to the north and 60m to the east. Levels on the site fall by approximately 4.5m from north to south, and 0.5-1m from Wentworth Avenue to Weymss Lane.
3. The collective site contains five Federation and inter-war buildings, constructed in the late 1910s. There is a 7-storey hotel at 4-6 Wentworth Avenue known as 'Hotel Stellar'. The other four buildings are generally 3 to 4 storey former warehouses that accommodate a range of uses, including educational premises, a health studio and a nightclub.
4. The subject warehouses at 4-22 Wentworth Avenue, and 24-44 Wentworth Avenue are identified as a local heritage item under the Sydney Local Environmental Plan 2012 as the 'Former warehouse group including interiors' (I2271). The site is not located within a heritage conservation area. The site also just falls outside of the designated Central Sydney area.
5. The surrounding area is characterised by a mixture of land uses, primarily being commercial office, residential and tourist and visitor accommodation. Directly north of the site (across Wemyss Lane) is the 24-storey 'Memocorp' commercial building. To the north-west, across Wentworth Avenue and at the corner of Liverpool Street, is the 30-storey Connaught building, a mixed-use residential development.
6. To the south along Wentworth Avenue are various mixed-use buildings of a similar scale that form part of the subject heritage listed group, containing commercial, retail and indoor recreation uses, and 'Hotel Harry's', a pub on the corner of Wentworth Avenue and Goulburn Street.
7. To the east and south east, across Wemyss Lane are 3 to 6 storey warehouse buildings, built to the boundary and used as commercial office premises. Directly opposite 16-22 Wentworth Avenue is a part 4, part 6-storey mixed use residential development known as 'Meta Apartments'.
8. Directly opposite the site to the west, is the 14-storey residential Wentworth Tower at 17-25 Wentworth Avenue. A tourist and visitor accommodation building, known as the 'Song Hotel' is located at 5-11 Wentworth Avenue.

9. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Subject row of warehouse buildings viewed from Wentworth Avenue, looking south-east. Site is outlined in white.



Figure 3: Subject row of warehouse buildings viewed from Wentworth Avenue, looking north-east



Figure 4: Heritage listed warehouses 24-44 Wentworth Avenue (directly south of the subject site), looking south-east



Figure 5: 40-44 Wentworth Avenue, and Wentworth Avenue streetscape, looking north



Figure 6: Wentworth Avenue development directly opposite the site, looking north-west



Figure 7: Weymss Lane looking south



Figure 8: Weymss Lane looking north, from Goulburn Street



Figure 9: 'Meta' Apartments on the corner of Weymss Lane and Goulburn Street



Figure 10: 'Belvedere' Apartments on the corner of Goulburn Street and Brisbane Street

History Relevant to the Development Application

Planning Proposal

10. In June 2018, the proponent and landowner requested site-specific amendments to the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) and the Sydney Development Control Plan 2012 (Sydney DCP 2012) for the five adjoining sites at 4-22 Wentworth Avenue, Surry Hills. The request sought to increase the height and floor space ratio for the primary use of hotel or motel accommodation only.
11. In August 2019, Council deferred the determination of the planning proposal to investigate an amended planning proposal and draft development control plan for the whole street block of 4-44 Wentworth Avenue.
12. The planning proposal for 4-22 Wentworth Avenue was endorsed by Council and the CSPP in December 2019. This included the southern half of the block at 24-44 Wentworth Avenue as part of a revised planning proposal. For 24-44 Wentworth Avenue, the proposal sought to increase the maximum height in the Sydney LEP 2012 for the purpose of commercial premises, health services facilities, educational establishments, hotel accommodation, entertainment premises, light industry or information and education facilities.
13. The proposal was granted Gateway determination on 22 June 2020. The planning proposal, draft DCP and other supporting documents were then publicly exhibited from 24 November 2020 to 29 January 2021. During public consultation, the proponent made a submission requesting a broadening of the incentivised uses for 4-22 Wentworth Avenue to match those incentivised for 24-44 Wentworth Avenue.
14. In March 2021, the amended planning proposal was approved, broadening the mix of permissible uses for the subject site to include alternative commercial uses of the upper levels.
15. The site-specific controls, with amendments to the Sydney LEP 2012 and Sydney DCP 2012, came into effect on 30 June 2021.
16. A detailed assessment of compliance against the site-specific controls is provided below in this report.

Competitive Design Alternatives Process

17. Following the Planning Proposal, the applicant commissioned a competitive design alternatives process for the site. Four architectural firms were invited to submit a design proposal in March 2025. The four selected architectural firms were:
 - (a) DKO & Aileen Sage (partnership);
 - (b) Lippmann Partnership;
 - (c) SJB; and
 - (d) Warren and Mahoney.
18. The design teams gave presentations to the Selection Panel on 2 May 2025. The Selection Panel resolved that the scheme prepared by DKO & Aileen Sage was preferred and was capable of achieving design excellence.

19. A copy of the competitive design alternatives report, including the selection panel recommendations, is provided at attachment C. A photomontage of the winning scheme presented during the competitive design process is provided below:



Figure 11: Photomontage of the winning design competition scheme by DKO & Aileen Sage, viewed from Wentworth Avenue, looking north-east

Design Amendments

20. Following an assessment of the proposed development by Council Officers, a request for additional information and amendments was sent to the applicant on 24 December 2025 and 27 February 2026. The applicant responded on 15 February, 6 March and 1 April 2026 as follows:
- Introduction of vertical fins and flat panelling at 10-12 Wentworth Avenue across the podium addition and a glazed corner box to the northern-most bay. Angular framing is proposed to the podium addition of 16-22 Wentworth Avenue.
 - Retention of the podium parapet and reinstatement of the 'Swallow Building' sign, with a reduction in height by approximately 500mm.
 - A structural response indicating the use of new steel columns adjacent to heritage columns to provide vertical support whilst limiting impact to heritage fabric.
 - Detailed drawings of the heritage shopfronts and windows at ground floor level.

- Updated landscape plans to address soil depth behind the building parapet for green roof areas.
- Confirmation from a façade engineer that the tower glazing will limit light reflectivity and solar heat gain as currently proposed.
- A heritage conservation schedule of works has been prepared, detailing high significance fabric (principal facades, masonry, structural wall, columns) are to be retained and conserved.
- An updated waste management plan detailing waste collection via a wheel-in, wheel-out method.
- Wind modelling testing.
- Updated Public Art Plan indicating a budget of 1% of the total construction cost.
- Updated stormwater information, levels and gradients.
- Updated construction management plan that relocates all temporary structures away from existing street trees.
- Amended carbon emissions model and report, a NABERS benchmark of 5.5 stars.

Proposed Development

21. Development approval is sought for the adaptive reuse of the existing heritage buildings at 4-22 Wentworth Avenue and substantial alterations and additions, with the construction of a 13-storey tower addition atop 4-6, and parts of 8 and 10-12 Wentworth Avenue, and a 2-storey podium addition extending above 10-12 and 16-22 Wentworth Avenue.
22. The mixed-use development comprises ground floor food and beverage uses, commercial office space on upper levels, and a basement/lower ground level incorporating a loading dock, parking, waste areas, end-of-journey facilities and mechanical services.
23. The proposal also includes site amalgamation of the 5 existing lots into a single lot.
24. A description of works is provided below as follows:
 - Internal and external demolition of walls, floors, stairs, windows, parapets and the roof within all existing heritage buildings, removal of existing rooftop plant. Retention of principal facades, masonry, structural walls, columns, timber/steel elements and reinstatement of original features;

Lower ground

- Excavation to provide additional basement levels at 8 and 14 Wentworth Avenue, matching the depth of existing basements in the heritage row. The basements are to contain waste, storage, plant and services, end-of-journey facilities, loading areas with turntable, lobby area, OSD tank, and car park containing 12 car spaces (including 2 loading spaces) and 1 motorcycle space. Vehicular access is proposed to Wemyss Lane;

Ground floor

- 3x food and beverage premises with associated services and kitchen exhaust;
- Substation to the rear of 10-12 Wentworth Avenue, and waste collection points to Wemyss Lane;
- Lobbies associated with upper level commercial offices;
- Internal landscaping;
- Continuous awnings to 4-6, 8, 10-12 and 14 Wentworth Avenue, with smaller awnings to the entries of 16-22 Wentworth Avenue;

Mezzanine

- Sanitary facilities and services to part of 4-6, 8, 10-12 and 14 Wentworth Avenue;
- New mezzanine floor to 16-22 Wentworth Avenue to contain office space;

Levels 1-2

- Office space;

Levels 3-4

- 2-storey podium addition to 10-12, 14 and 16-22 Wentworth Avenue, with deep soil planting at both levels;

Level 5

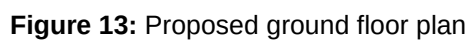
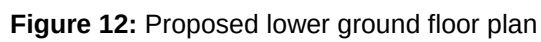
- New parapet to podium addition, with deep soil planting, rooftop terrace, photovoltaic panels;
- Office space to tower addition atop 4-6, 8 and part of 10-12 Wentworth Avenue;

Levels 6-12

- Office space, with landscaping/terrace areas on levels 7 and 12;

- Services, plant areas.

25. The development has a maximum height of RL86.20 for 4-12 Wentworth Avenue, and a maximum height of RL 50 for 14-22 Wentworth Avenue. An FSR of 5.8:1 (7,089sqm) is proposed.
26. Plans and elevations of the proposed development are provided below.



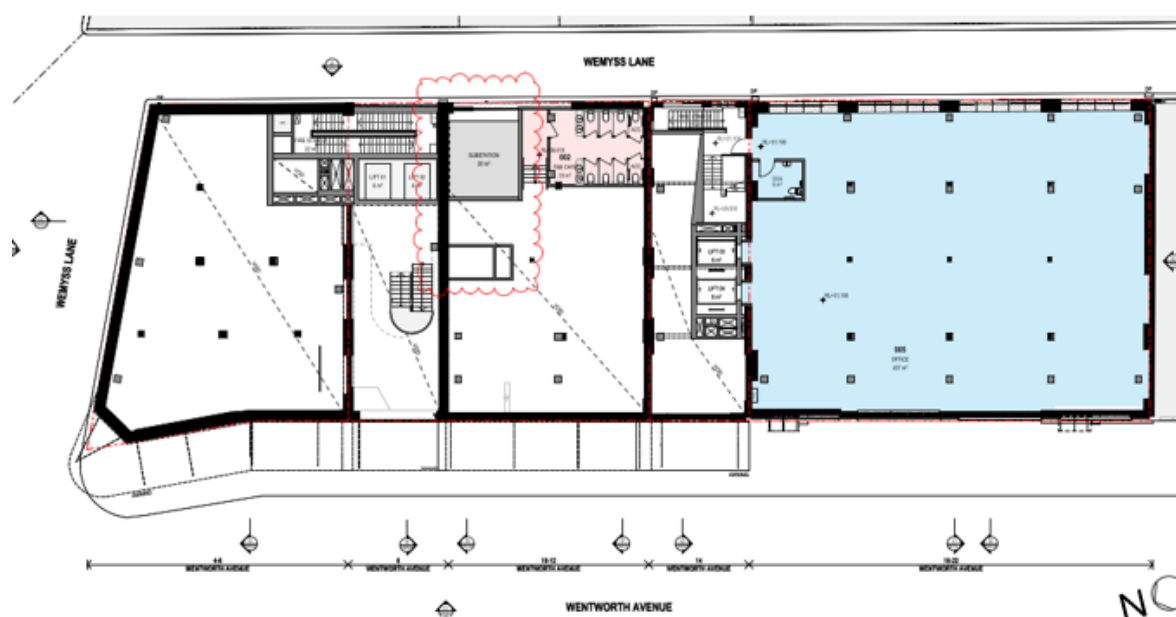


Figure 14: Proposed mezzanine floor plan

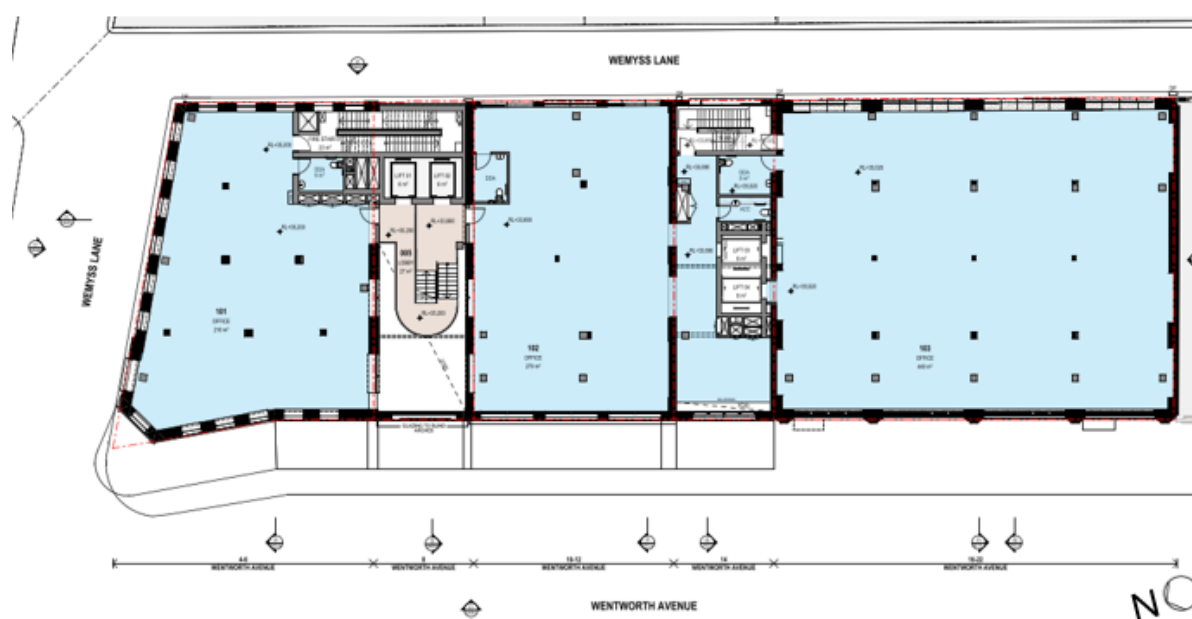


Figure 15: Typical podium floor plan

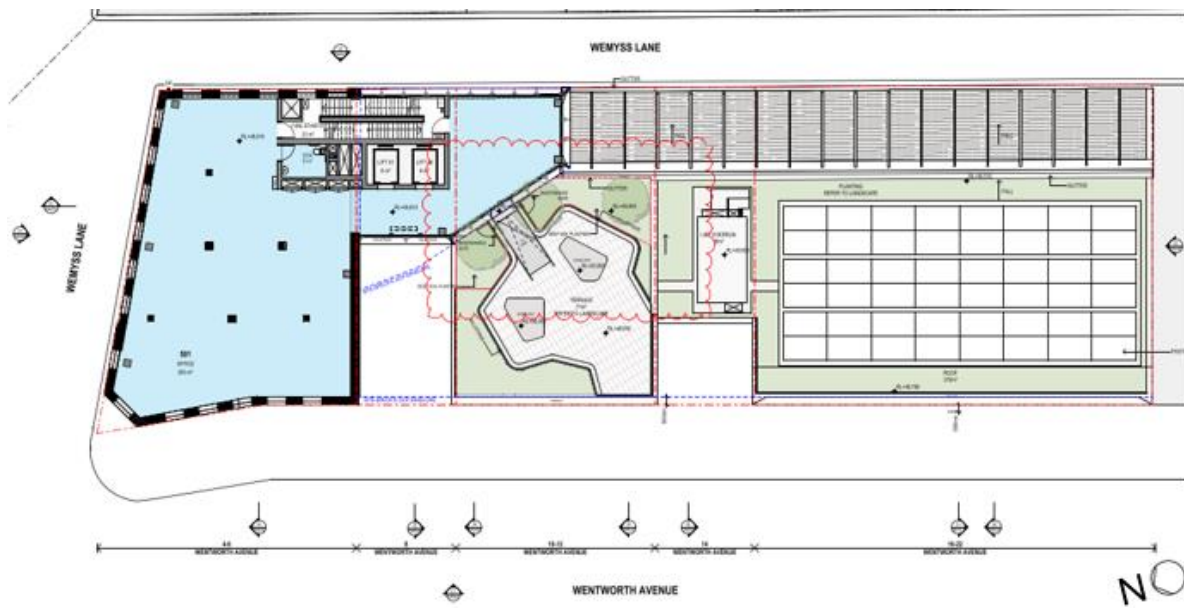


Figure 16: Proposed podium rooftop plan / level 5 of tower

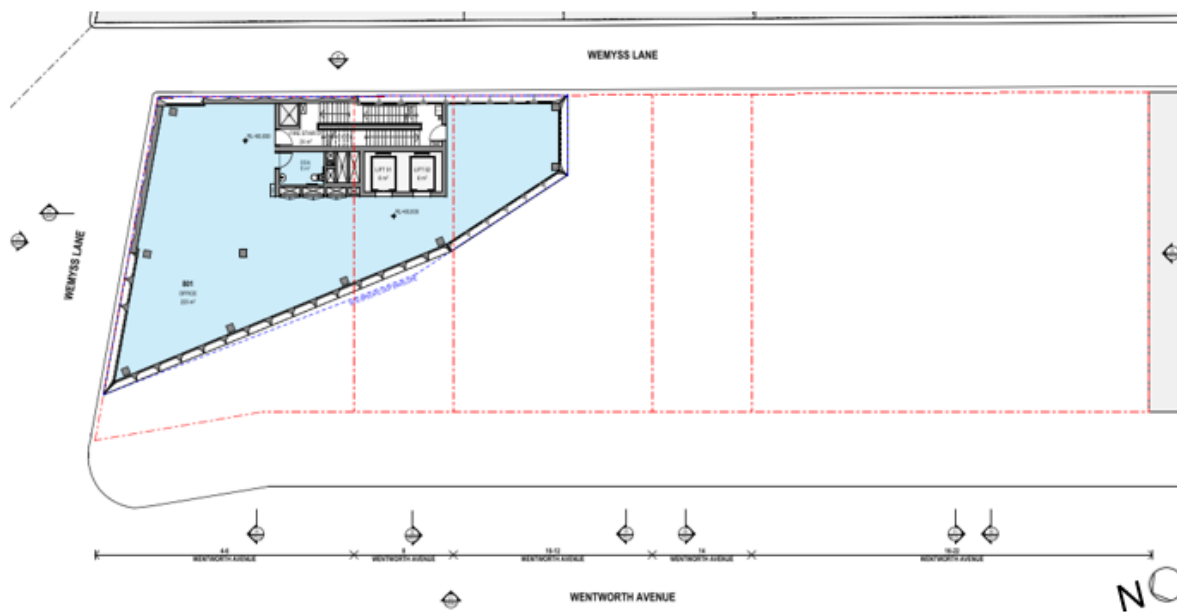


Figure 17: Typical tower floor plan

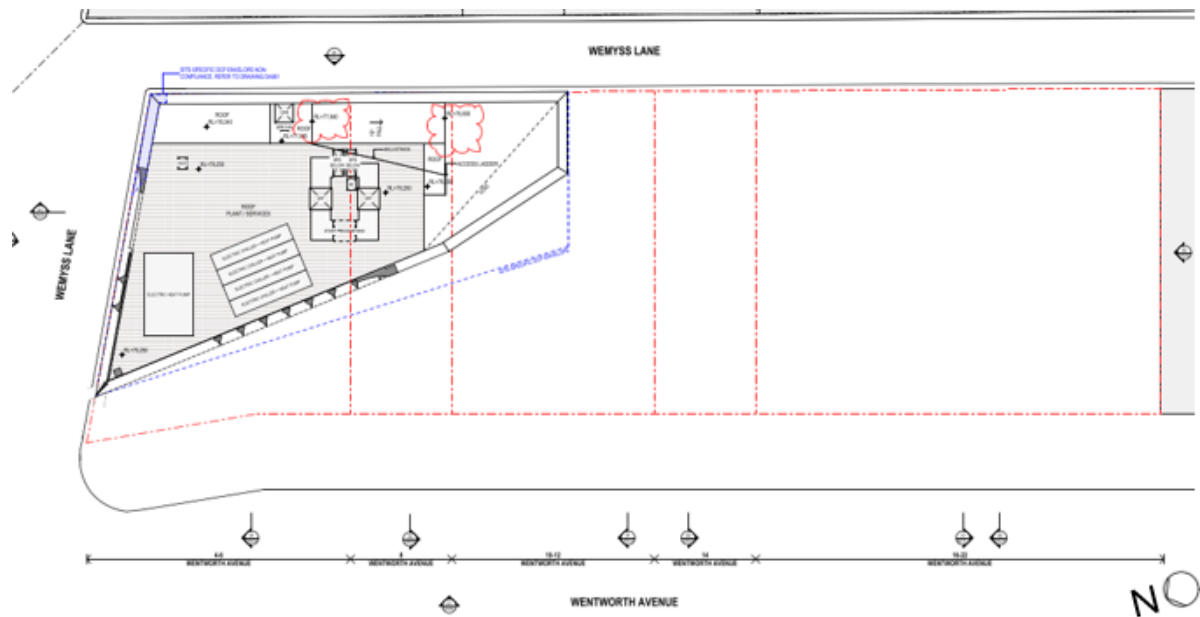


Figure 18: Proposed level 13 floor plan

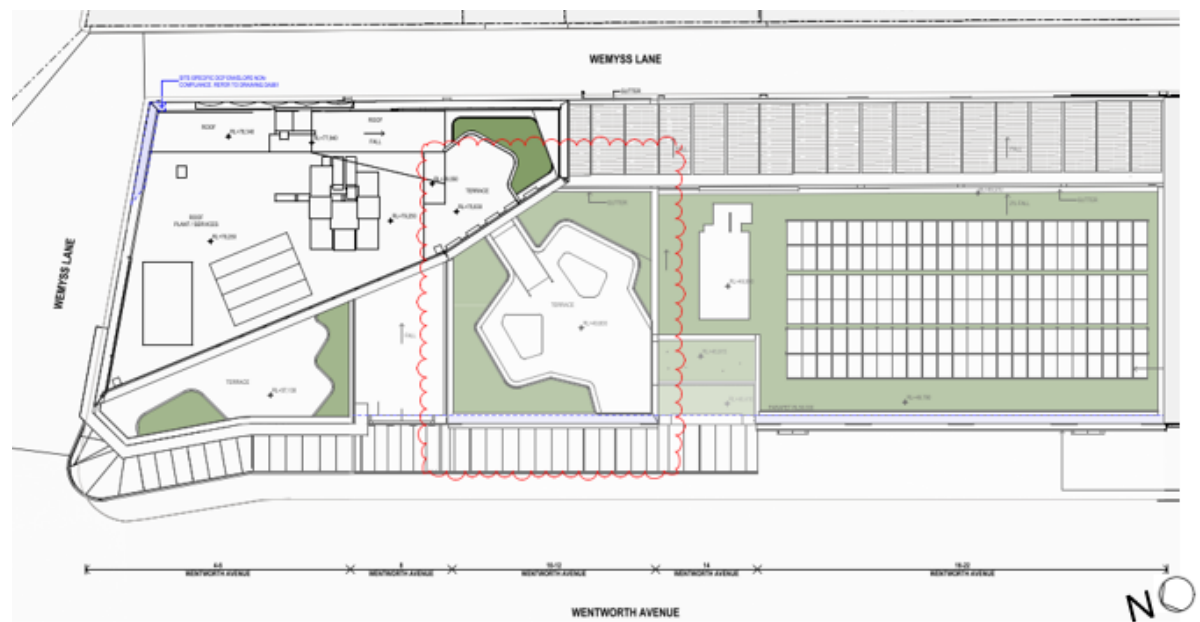


Figure 19: Proposed rooftop plan

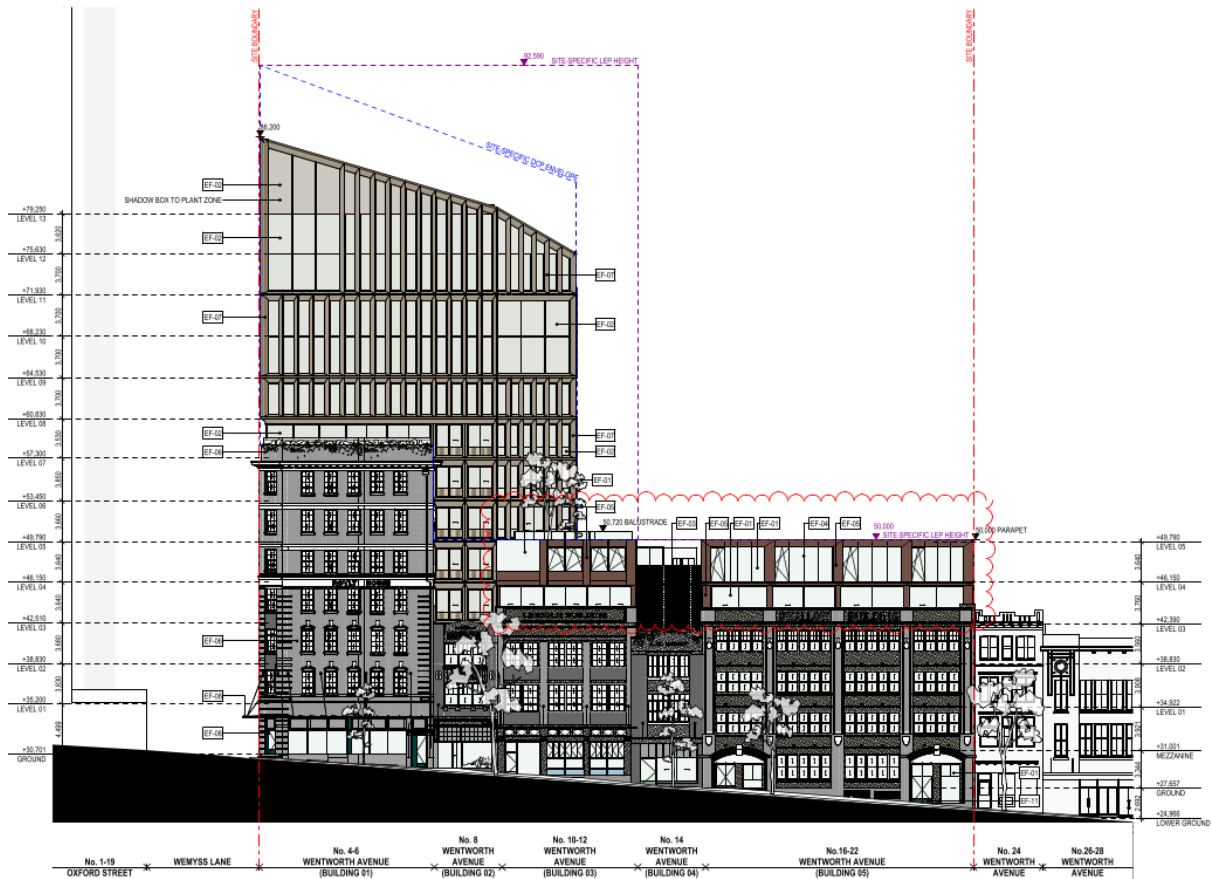


Figure 20: Proposed west (Wentworth Avenue) elevation

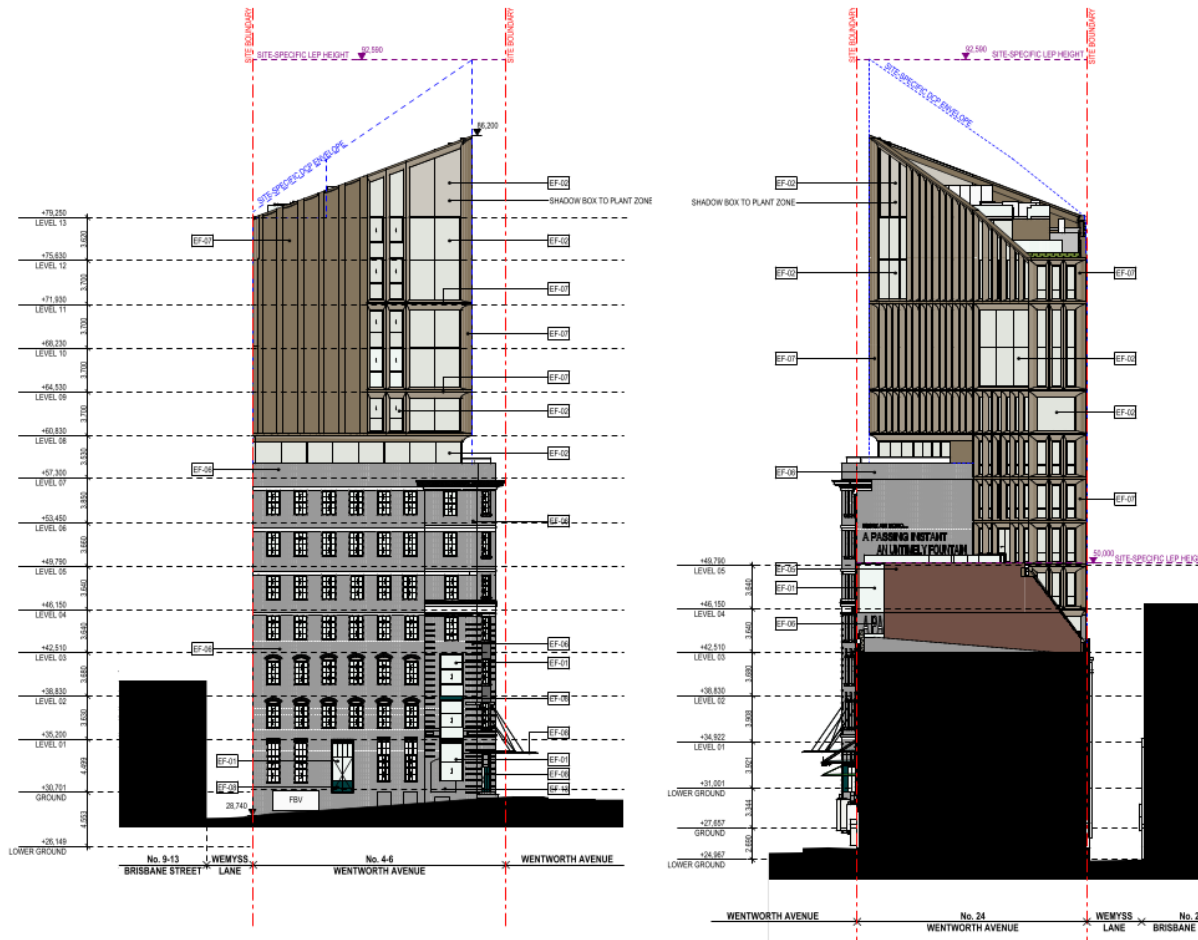


Figure 21: Proposed north (left) and south (right) elevations

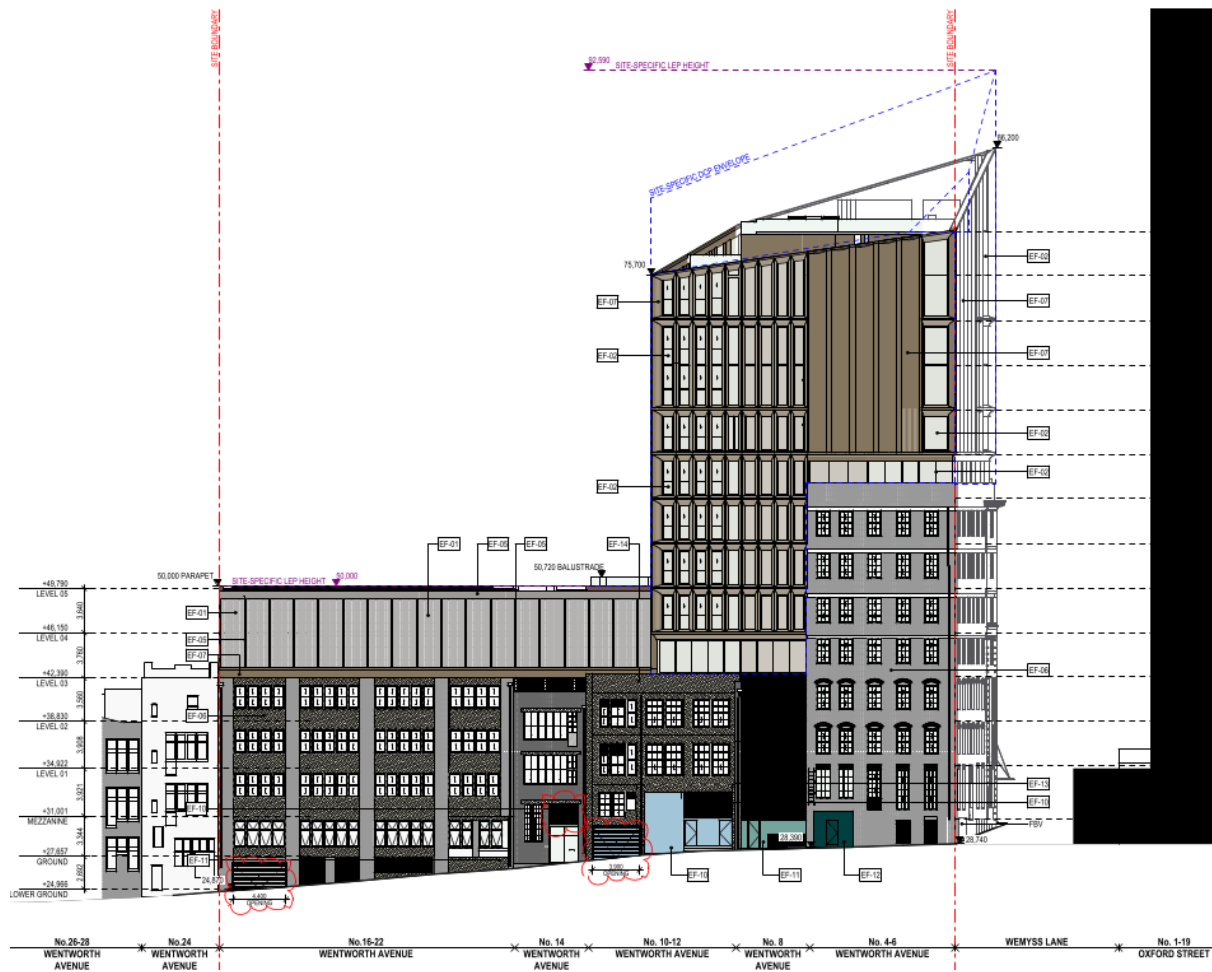


Figure 22: Proposed east (Wemyss Lane) elevation



Figure 23: Photomontage of the proposed development - Wentworth Avenue elevation, looking south-east



Figure 24: Photomontage of the proposed development - Wentworth Avenue elevation, looking north-east

Assessment

27. 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. Some excavation is to occur beneath 8 and 14 Wentworth Avenue to provide a connection between the basement levels across all 5 buildings.
33. The existing heritage buildings are used for commercial purposes, and the redevelopment of the site will not involve a change of use that results in a more sensitive land use.
34. The applicant has advised that the Statement of Heritage Impact and the Historical Archaeological Assessment for the development do not identify any former uses that are listed in Table 1 of the Managing Land Contamination Planning Guidelines (under the former SEPP 55 Remediation of Land). Further to this, the site is not identified by the Environmental Protection Authority as a contaminated site. Council records also do not indicate that there is any site contamination from previous uses.

35. In light of the above, the Council's Health Unit is satisfied that, subject to conditions, the site can be made suitable for the proposed use.

State Environmental Planning Policy (Transport and Infrastructure) 2021

36. 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

37. Pursuant to Section 2.48, the proposed development includes the installation of a substation and involves the penetration of ground within 2m of an electricity distribution pole. As such, the application was referred to Ausgrid for comment. Ausgrid responded on 31 March 2026 raising no objection, and the recommended conditions are included in Attachment A.

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

38. The site is within the Sydney Harbour Catchment but is not located in the Foreshores Waterways Area or adjacent to a waterway. The proposed development satisfies the requirements of Division 2 of the Biodiversity and Conservation SEPP as it will have negligible impacts to the water quality and quantity.

State Environmental Planning Policy (Sustainable Buildings) 2022

39. The proposed development is subject to Chapter 3 of the Sustainable Buildings SEPP as it involves the alterations of an existing commercial building with an estimated development cost of more than \$10 million and is defined as a 'large commercial development'. The development is also subject to Clause 7.33 of the Sydney LEP 2012, Section 3.6.1 and Section 6.3.20.3 of the Sydney DCP 2012 with regard to sustainability.
40. The submitted ESD Report, being a completed City of Sydney Design for Environmental Performance template, adequately address the requirements of Section 3.2(1) of the Sustainable Buildings SEPP by demonstrating that the proposed development:
- (a) Will target 90% recovery of construction and demolition waste, noting that the proposal is seeking to retain and adaptively reuse existing heritage buildings;
 - (b) Will reduce peak electricity demand through the use of energy efficient technology;
 - (c) Has been designed to reduce the reliance on artificial lighting and mechanical heating and cooling through passive design;
 - (d) Will incorporate a Building Management Control System (BMCS) to monitor and manage building services and energy use. A comprehensive metering and sub-metering strategy will be implemented to track end-use energy consumption across major loads, including HVAC, lighting, domestic hot water, and tenant areas; and

- (e) includes an on-site rainwater storage tank with a total capacity of 20 kL, intended for non-potable uses such as toilet flushing and irrigation.
41. A NABERS embodied energy form prepared by an appropriately qualified person as required by the regulations has also been submitted to adequately quantify the embodied emissions attributable to the development, satisfying Section 3.2(2) of the Sustainable Buildings SEPP.
 42. A net zero statement has been submitted to confirm that base building services will be electrically powered with on-site renewable energy generation, satisfying Section 3.3(1) of the Sustainable Buildings SEPP.
 43. In relation to water use standards, the submitted ESD Report commits to attaining a minimum 3-star NABERS Water Rating as required by Section 3.3(2) of the Sustainable Buildings SEPP.
 44. In relation to energy use standards, Section 3.3(4) of the Sustainable Buildings SEPP defers to Clause 7.33 of the Sydney LEP 2012, which requires the proposed development to be designed to optimise energy efficiency and the use of renewable energy generated on-site, while Section 3.6.1 of the Sydney DCP 2012 establishes the requirements for a 5.5-Star NABERS rating plus 25%.
 45. The site, however, is subject to more stringent NABERS criteria under the site-specific controls contained in Section 6.3.20 of the Sydney DCP 2012, with a 6-star rating prescribed for Energy and 4-star rating for Water. This is not achievable given the heritage significance of the buildings. Noting the SEPP prevails over the site-specific controls in this instance, the 3-star Water rating is acceptable. The ESD report commits to a 5.5-star NABERS energy commitment agreement, which the City accepts. See DCP table for Section 6.3.20 for further discussion regarding Energy targets.
 46. Notwithstanding, conditions of consent are recommended to ensure that the proposed development will achieve the relevant water and energy use standards.

Local Environmental Plans

Sydney Local Environmental Plan 2012

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

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the MU1 Mixed Use zone. The proposed development is defined as a commercial office premises with ancillary retail (food and drink) premises and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	The site is subject to site-specific height controls. See Clause 6.55. within the LEP table.
4.4 Floor space ratio	Yes	The site is subject to a site-specific floor space ratio (FSR) control. See Clause 6.55. within the LEP table.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site contains five Federation and inter-war buildings, constructed in the late 1910s. These warehouses, and 24-44 Wentworth Avenue, are identified as a local heritage item under the Sydney Local Environmental Plan 2012 as the 'Former warehouse group including interiors' (I2271). The application proposes the adaptive reuse of the warehouse buildings, as well as construction of tower and podium additions. The new tower is at the northern end of the site (4-6, 8 and part of 10-12 Wentworth Avenue), as the existing interior fabric is of less heritage significance. The 2-storey podium additions atop 10-12, 14 and 16-22 Wentworth Avenue, is designed with lightweight structures that respond to the heritage buildings, with the reinstatement of remnant signage found on the existing parapet. The design of the tower addition responds to, yet is appropriately distinctive from, the warehouse group and the facades that are being retained. It generally follows the site-specific building envelope, which maintains the visual prominence of the retained buildings and creates a sympathetic visual relationship between the warehouses and the commercial tower. Overall, the proposal is designed to respect the heritage significance of the

Provision	Compliance	Comment
		buildings, whilst allowing for vertical additions that will maintain the structural integrity of the existing warehouses. See Discussion section below.
5.21 Flood planning	Yes	The subject site is affected by Probable Maximum Flood (PMF) conditions along Wemyss Lane. The submitted flood report appropriately considers the impacts of climate change on flood levels, with flood planning levels recommended. The City's Public Domain Unit reviewed the submitted information and has accepted the recommended flood planning levels. The flood assessment demonstrates that the development is able to comply with the City's Interim Floodplain Management Policy and satisfies the provisions of the standard.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21C Design excellence 6.21D Competitive design process	Yes	The proposal utilises the additional 10% floor space bonus contained in Clause 6.21D(3)(b). The proposal was the winner of a competitive design alternatives process and has retained the key elements of the winning proposal while addressing recommendations made by the selection panel for improvements. These recommendations are detailed further in the Discussion section of this report. The proposal responds appropriately to the site-specific controls, and the built form is compatible with the heritage significance of the subject buildings by maintaining the structural integrity of these warehouses, whilst retaining their historic building features.

Provision	Compliance	Comment
		The upper-level setbacks of the tower provide a suitable transition in scale, and allow the heritage listed buildings to maintain their legibility in the streetscape. The proposed development is of a high standard and uses materials and detailing which are compatible with the existing development along the street and will contribute positively to the character of the area. The development achieves the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.
Division 5 Site specific provisions		
6.55 4-22 Wentworth Avenue, Surry Hills	Yes	The subject site, 4-22 Wentworth Avenue, is subject to the site-specific controls identified in this clause.
6.55(2) - The consent authority may grant development consent to alterations or additions to an existing building on the land to which this clause applies that will result in a building— (a) on Lots 42–46, DP 6534, 4–12 Wentworth Avenue—with a maximum building height of RL 92.59 metres, and (b) on Lots 47–51, DP 6534, 14–22 Wentworth Avenue—with a maximum building height of RL 50 metres, and (c) with a maximum floor space ratio of 5.7:1.	Yes	The proposed development has a maximum height of RL86.2 for 4-12 Wentworth Avenue, and a maximum height of RL 50 for 14-22 Wentworth Avenue. The proposal complies with the height development standards. As identified above, the proposed development was the subject of a competitive design excellence alternatives process and may be awarded up to an additional 10% floor space ratio if the proposal is considered design excellence, as per Clause 6.21D(3)(b) of the Sydney LEP 2012. Therefore, the site is eligible for a maximum FSR of 6.27:1. The proposal has an FSR of 5.8:1 (7,089sqm), which complies.

Provision	Compliance	Comment
6.55(3) Development consent must not be granted under this clause unless the consent authority is satisfied that the building will be used only for the following purposes— (a) commercial premises, (b) educational establishments, (c) entertainment facilities, (d) health services facilities, (e) hotel or motel accommodation, (f) information or education facilities, (g) light industries.	Yes	The proposal is for a commercial office development with ancillary retail (food and drink) premises, which complies.
6.55(4) Clause 6.21D(3)(a) does not apply to a building on the land to which this clause applies.	Yes	The proposed development does not seek to utilise any additional height as a result of the competitive design excellence alternatives process.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.6 Office premises and business premises 7.7 Retail premises	Yes	A maximum of 24 car parking spaces are permitted. The proposed development includes 12 car parking spaces and complies with the relevant development standards.
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	The site is subject to affordable housing contributions under Clause 7.13. A condition of consent has been recommended that requires the payment of affordable housing contributions prior

Provision	Compliance	Comment
		to any construction certificate. See Financial Contributions below.
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The site is located on land with class 5 Acid Sulfate Soils. The application does not propose works requiring the preparation of an Acid Sulfate Soils Management Plan.
7.20 Development requiring or authorising preparation of a development control plan	Yes	The site is subject to site-specific controls contained in Clause 6.55 of the Sydney LEP 2012 and Section 6.3.20 of the Sydney DCP 2012, addressing the requirements of Clause 7.20. The site-specific controls relate to height, floor space ratio, land use mix, overshadowing, building envelopes, heritage and sustainability. A detailed assessment of compliance against the site-specific controls is provided below.
7.33 Sustainability requirements for certain large commercial development	Yes	The development satisfies the sustainability requirements for large commercial development. Refer to SEPP (Sustainable Buildings), and the DCP table, Sections 3.6 and 6.3.20 for further discussion.

Development Control Plans

Sydney Development Control Plan 2012

48. 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

49. The site is located within the City Edge locality. The proposed development is in keeping with the unique character and the design principles of the City Edge locality.

50. The proposal retains and reinforces the development scale and bulk around Wentworth Avenue by continuing the warehousing typology along the row. The new tower addition being sited to the north, along with the lightweight design and appearance of the podium additions, allow the heritage listed buildings to maintain their legibility in the streetscape.

Section 3 – General Provisions

Provision	Compliance	Comment
3.1.5 Public Art	Yes	The proposal is accompanied by a Preliminary Public Art Plan, identifying locations for public art, including an atrium within the warehouse buildings and ghost/heritage signs across the facade. The proposed opportunities have been reviewed by the City's Public Art Unit and are supported. A condition is recommended in Attachment A, requiring a detailed public art plan to be submitted to the City for approval prior to any Construction Certificate for above ground works.
3.2. Defining the Public Domain	Yes	The proposed development will have no additional overshadowing to public open spaces between 9am and 3pm in midwinter or impacts on views to public places or heritage buildings and monuments. In particular, the proposal does not result in impacts to Harmony Park, which is located approximately 100m to the south-east of the site. The development will maintain an active frontage, with multiple ground floor entries to the street, which have been designed to comply with flood planning levels. A continuous awning will be provided along 4-6, 8, 10-12 and 14 Wentworth Avenue, with smaller awnings to the entries of 16-22 Wentworth Avenue. This is considered acceptable in light of the heritage significance of the buildings, and is discussed in further detail below. A wind assessment, confirms that the majority of the upper-level communal outdoor areas meet wind comfort standards for standing, with the public domain around the site maintaining standards for walking. A condition is recommended to ensure that the

Provision	Compliance	Comment
		communal outdoor areas do not contain lightweight furniture unless it is securely attached to the balcony floor slab. A reflectivity report has been submitted confirming that building materials used on the facade will not exceed 20%.
3.3 Design Excellence and Competitive Design Processes	Yes	A competitive design process for the site was conducted to select the project architect. The selection panel deemed the entry of DKO and Aileen Sage as the design most capable of achieving design excellence.
3.5 Urban Ecology	Yes	The proposed development does not involve the removal of any trees. Appropriate conditions are recommended to protect surrounding street trees during construction. It is noted that an amended Construction Management Plan (dated 11 February 2026) outlines that all temporary structures are to be relocated during construction to significantly reduce any requirements for pruning to street trees in front of the collective site. A condition is also recommended for amended stormwater plans to be submitted prior to any construction certificate to ensure that pipework near Tree 3 (14 Wentworth Avenue) will not have any adverse impacts on tree health and stability. Trees are proposed within the outdoor communal areas of the development. A condition is recommended in Attachment A requesting a change of species selection (as some may not reach the required dimensions of the DCP to be classified as a tree). The development otherwise provides the required 15% canopy coverage.
3.6 Ecologically Sustainable Development	Partial compliance	Table 3.5 of Section 3.6.1 requires a commercial office building to achieve a 5.5-star NABERS Energy rating, plus 25%. The site is subject to more stringent NABERS criteria under the site-specific controls contained in Section 6.3.20 of

Provision	Compliance	Comment
		the Sydney DCP 2012, with a 6-star rating prescribed. This is not achievable given the heritage significance of the buildings, and as such, the 5.5-star commitment is accepted. See DCP table for Section 6.3.20 for further discussion.
3.7 Water and Flood Management	Yes	The site is identified as being on flood prone land. See discussion under the LEP table, Clause 5.2 above.
3.8 Subdivision, Strata Subdivision and Consolidation	Yes	The proposed development involves lot consolidation of the five properties that are to be redeveloped. The application was referred to Council's Specialist Surveyor, who supported the proposal, subject to conditions, as recommended in Attachment A.
3.9 Heritage 3.10 Significant Architectural Building Types - Warehouses and industrial building older than 50 years	Yes	The subject warehouses at 4-22 Wentworth Avenue, and 24-44 Wentworth Avenue, are identified as a local heritage item under the Sydney Local Environmental Plan 2012 as the 'Former warehouse group including interiors' (I2271). The proposal is accompanied by a Statement of Heritage Impact that addresses the requirements of the endorsed Conservation Management Plan (CMP) for the collective group of warehouses, and a structural strategy, and schedule of conservation works. Overall, the proposal has been designed to respect the heritage significance of the buildings, whilst allowing for a vertical addition that will maintain the structural integrity of the existing warehouses. See Discussion section.
3.11 Transport and Parking	Yes	The development proposes vehicular access to the site via existing driveways to Weymss Lane. B85 access will be accommodated via 10-12 Wentworth

Provision	Compliance	Comment
		Avenue, and B99 vehicles will be able to access 16-22 Wentworth Avenue. The existing lower ground level provides 8 parking spaces, including 4 designated loading spaces. The proposal will provide 12 car spaces, including 2 loading spaces. One loading space for a B85 is proposed at 10–12 Wentworth Avenue with a turntable, and one loading space for a B99 is proposed at 16–22 Wentworth Avenue. The traffic report accompanying the proposal anticipates average trip generation rates of 31 in the AM and 47 in the PM, It is also expected that 10% of all vehicle trips will use Weymss Lane. Overall, the proposed development is not expected to result in a significant increase in traffic compared to current conditions. It is noted that the site is located in close proximity to public transport within a 400m catchment, including bus services (Oxford Street, Liverpool Street and Wentworth Avenue), and train services at Museum Station. Central Station is (comprising bus, light rail, train and metro services) is approximately 660m away. The existing vehicle ramp at 10-12 Wentworth Avenue is proposed to be retained in its current configuration, which does not fully comply with the relevant Australian Standard. The submitted vertical swept path analysis indicates that some vehicle scraping may occur. The traffic report notes that these localised clearance issues can be addressed once refined survey information of the ramp geometry is available. It is expected that works will involve minor feathering and tolerance adjustments, without altering ramp gradients or the functional layout of the access point. A standard condition in Attachment A is recommended to ensure these design refinements are achieved.

Provision	Compliance	Comment
		The proposed development provides appropriate end of journey facilities, including 65 bicycle parking spaces in the basement, with 50 lockers and 6 showers. The proposal will be dependent on detailed management plans for conducting loading, servicing and waste collection and is to be conditioned accordingly. Waste collection is discussed in Section 3.14 below.
3.12 Accessible Design	Yes	An accessibility report is submitted to confirm the proposed development is capable of complying with the accessibility requirements of the NCC and DDA standards.
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 waste management plan for the proposal indicates bins will be transported from waste rooms at basement/lower ground to waste awaiting collection points within the development, then wheeled out to collection points within Wemyss Lane when ready. Section 3.11.13 of the DCP deals with the design and location of waste collection points, and allows for a "less preferable option" if off street collection is unreasonable. The City's Cleansing and Waste Unit originally requested that consideration be given to a roller door at the rear of 14 Wentworth Avenue, where a waste room is proposed to be relocated. However, the City's Heritage Specialist advised that the warehouse is fairly intact, and a roller door would have an adverse impact on the heritage significance of the building. As an alternative to the above, it has been suggested that waste and

Provision	Compliance	Comment
		recycling be collected via the dedicated 2 service/loading spaces, with a collection holding point within 10-12 Wentworth Avenue, so that a waste collection vehicle is able to pull up within the laneway and move the bins up and down the driveway ramp. This option is supported given the heritage constraints of the site. Waste collection is to be carefully managed via an updated waste management plan, a loading dock management plan and imposition of waste collection times in accordance with the City's Waste Guidelines (to limit disruption to surrounding neighbours). Appropriate conditions encapsulating the above, as well as to delete the collection points within the laneway are recommended in Attachment A. Other standard waste conditions are recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.
3.16 Signage and Advertising	Yes	Section 3.16.1 of the DCP requires a signage strategy to be prepared for sites involving a heritage item. Although the proposal includes the reinstatement of the parapet sign 'Swallows Building', a formal signage strategy has not been provided. Noting there are also food and drink tenancies at ground floor that will likely require individual signage, a condition is recommended in Attachment A for a signage strategy to be prepared.

Section 4 – Development Types

4.2 Residential Flat, Commercial and Mixed-Use Developments

Provision	Compliance	Comment
4.2.1 Building height 4.2.1.2 Floor to ceiling heights and floor to floor heights	Yes	The proposed development maintains the existing floor-to-floor heights of the basement and warehouse buildings. While the ground floor does not achieve a consistent 4.5m floor-to-floor height across the warehouses, it is acceptable as the development will still allow for a high level of daylight access into the interiors with the introduction of void areas. Upper levels are provided with 3.6m floor-to-floor heights, which complies.
4.2.4 Fine grain, architectural diversity and articulation	Yes	The proposed development provides a frontage length of 65m. By adaptively reusing and extending the heritage warehouses, the proposal maintains a finely articulated presentation to Wentworth Avenue that is appropriate for the streetscape.

Section 6.3.20 – 4-44 Wentworth Avenue, Surry Hills

51. An assessment against the relevant site-specific provisions as they apply to 4-22 Wentworth Avenue, Surry Hills is provided in the table below.

Provision	Compliance	Comment
6.3.20.1 Overshadowing of neighbouring residential properties during mid-winter	Yes	The building envelope for the site prescribed by Section 6.3.20 has been determined by overshadowing requirements. The proposal is accompanied by shadow diagrams and eye of the sun diagrams between 9am and 3pm at the winter solstice, demonstrating that whilst there is some additional overshadowing, residential properties that do not currently receive the required hours of solar access will not have their solar access reduced by more than 20%. See Discussion section below.

Provision	Compliance	Comment
6.3.20.2 Heritage conservation	Yes	In accordance with the provisions, the development: • Will maintain the structural and architectural integrity of the heritage group as it pertains to 4-22 Wentworth Avenue, by strengthening existing columns to support the new additions. See Discussion for further details. • Allows for the retention of significant building fabric and spaces, both internally and externally. The majority of the intrusive works to support the tower (such as the core, services and the like) are confined to 8 Wentworth Avenue as it is of less significance (with little heritage fabric left intact). • Includes a schedule of conservation works, with a retain-and-repair approach, as well as the reinstatement of timber windows to match original, paint finishes and materials, and the original exposed brick finish of the facade of No. 14 Wentworth Avenue. • Seeks to retain and expose internal historic features. The Statement of Heritage Impact notes that there is some uncertainty regarding the survival of original internal fabric as most are concealed by suspended ceilings and partitions. Investigative works are proposed to be conducted prior to construction works being carried out, which is supported. • Has been designed so that the podium additions present as discrete, lightweight additions that respond to the individual buildings within the heritage group. The additions play into the distinctive existing streetscape presentation,

Provision	Compliance	Comment
		by continuing the vertical rhythm of the heritage buildings (expressed as the vertical fins), providing visual interest with the introduction of a glass box, whilst also providing different fenestration between the additions above 10-12, 14 and 16-22 Wentworth Avenue. However, during assessment minor refinements to the presentation of the addition above 10-12 Wentworth Avenue were required. This is detailed in the Discussion section below. • Responds to and reflects the varying heights of the buildings in the row that form part of this proposal. The tower addition is located where it is more appropriate, above the existing 7-storey hotel at 4-6; with the more intact heritage items (10-12, 14 and 16-22) supporting a 2-storey podium addition that responds the scale of the rest of the heritage row. • Maintains individual entries to each building, with internal openings to allow for connection of internal spaces within the warehouses. • Retains the opening of the original loading dock of 10-12 Wentworth Avenue to Weymss Lane. • Maintains existing floor levels within each building. • Does not include any internal walls, floors or ceilings that are built across existing windows.
6.3.20.3 Sustainability	Partial compliance	Any development for the purposes of commercial office must have a commitment agreement of 6-stars NABERS Energy for the base building, as well as 4-star NABERS for water.

Provision	Compliance	Comment
		Due to heritage constraints, the development has targeted 5.5-star NABERS Energy and 3-star NABERS Water As discussed elsewhere in this report, Section 3.3(2) of the Sustainable Buildings SEPP prescribes a 3-star NABERS Water rating, of which the development meets. Noting the SEPP prevails over the site-specific controls, the 3-star Water rating is acceptable. In relation to energy use standards, Section 3.3(4) of the Sustainable Buildings SEPP defers to Clause 7.33 of the Sydney LEP 2012, which prescribes requirements that are specified in Section 3.6.1 of the Sydney DCP 2012. In this instance, a commercial office building should meet a NABERS Energy target of 5.5-stars, plus 25%. Whilst not meeting Energy targets of the DCP, the development is considered to achieve an acceptable sustainability target given the heritage significance of the site and retention of large portions of the heritage façade. The proposal will deliver a new commercial office premises with significantly better environmental performance than the existing buildings and is therefore considered to meet the intent of controls and sustainability objectives for the site, as outlined in Section 6.3.20. The proposal has been reviewed by the City's Environmental Sustainability Advisor, who accepts the proposed Energy target. Standard conditions are recommended in Attachment A to ensure the water and energy targets are achieved through a NABERS commitment.
6.3.20.4 Public domain and site servicing	Yes	The proposal will retain existing street trees, and conditions are recommended to ensure they will be protected during construction. Building services (including the substation) and vehicular access have

Provision	Compliance	Comment
		been consolidated and located on Wemyss Lane.
6.3.20.5 Awnings	Yes	Continuous steel plate awnings are proposed along 4-6, 8, 10-12 and 14 Wentworth Avenue, and smaller entry canopies are to be installed the two entries of 16-22 Wentworth Avenue. The awnings across the adjacent warehouses do not continue across 16-22 Wentworth Avenue, to respond to the original intent of the design and to showcase the facade detailing.
6.3.20.6 Built form - 4-22 Wentworth Avenue, Surry Hills	Partial compliance	The proposal is generally designed so that it is contained within the maximum planning envelope set by Figure 6.181 and Figure 6.182 of this section. There are minor exceedances, related to fenestration/facade thickness across the tower (north-east corner) and the podium addition (west elevation), and a rooftop balustrade contained within the podium addition. These projections are largely devoid of gross floor area. These exceedances do not breach the maximum height development standard contained in Clause 6.55 of the Sydney LEP 2012 and have no impact on overshadowing, as detailed elsewhere in this report. The building design is otherwise appropriately massed within the permitted envelope and has reduced the podium setback to zero which is available as part of the competitive design process. See Discussion section.
6.3.20.7 Design excellence strategy - 4-22 Wentworth Avenue, Surry Hills	Yes	A competitive design alternatives process has been undertaken for 4-22 Wentworth Avenue as required by this clause. The proposal is seeking additional floor space in accordance with the design excellence provisions of Clause 6.21D(3)(b) of the Sydney LEP 2012.

Provision	Compliance	Comment
		The additional floor space is generally contained within the prescribed building envelope and is assessed as satisfactory. See Discussion section below.

Discussion

Compliance with the site-specific controls

52. Site-specific controls for 4-22 and 24-40 Wentworth Avenue, with amendments to the Sydney LEP 2012 and the Sydney DCP 2012, came into effect on 30 June 2021.
53. For 4-22 Wentworth Avenue, the site-specific controls enable an uplift of height and floor space ratio within a maximum planning envelope, provided the entire site is developed for commercial uses.
54. The development is consistent with the LEP site-specific controls, namely the maximum height and floor space ratio development standards.
55. The site-specific DCP controls set the maximum planning envelope, which has been governed by, amongst other things, solar access and amenity to nearby residential apartment buildings to the south-east. The development proposes minor exceedances to the maximum planning envelope, and concerns have been raised in submissions about overshadowing. The maximum planning envelope and overshadowing controls are discussed below.

Maximum planning envelope

56. Section 6.3.20.6(1) of the Sydney DCP 2012 specifies the maximum planning envelope for the redevelopment of 4-22 Wentworth Avenue, taking into consideration an appropriately massed building that would be subject to additional floor space ratio if undertaking a competitive design process.
57. Figures 6.181 and 6.182 of the DCP provide an envelope plan and axonometric view that a final building design must follow. The DCP envelope allows for additional built form subject to meeting the requirement of Section 6.3.20.6 whereby a competitive design process has been carried out.
58. The DCP prescribed plan and axonometric view, along with additional design excellence built form, are provided below.

Figure 6.181
4-22 Wentworth Avenue
– Maximum planning
envelope plan
Note: design excellence
shown in darker blue



This plan should be read in conjunction with figure 'Axonometric RL heights'.

- 4-22 Wentworth Avenue indicative existing building fabric outline
- Outline of proposed built form
- Outline of additional design excellence built form
- Kerbline
- Surrounding context, existing property outlines

RL
RL
RL
↓
low

Figure 25: Figure 6.181 maximum planning envelope plan excerpt from the Sydney DCP 2012

[illegible]

 Outline of proposed built form
 Outline of additional design excellence built form
 - - - - Outline of additional design excellence built form beyond
 • RL height

59. The proposal seeks to utilise the additional built for the podium but does not occupy the cantilevered portion of the tower (see Figure 27 below). The proposal also contains minor exceedances, related to fenestration/facade thickness across the tower (north-east corner) and the podium addition (west elevation), and a rooftop balustrade contained within the podium addition.

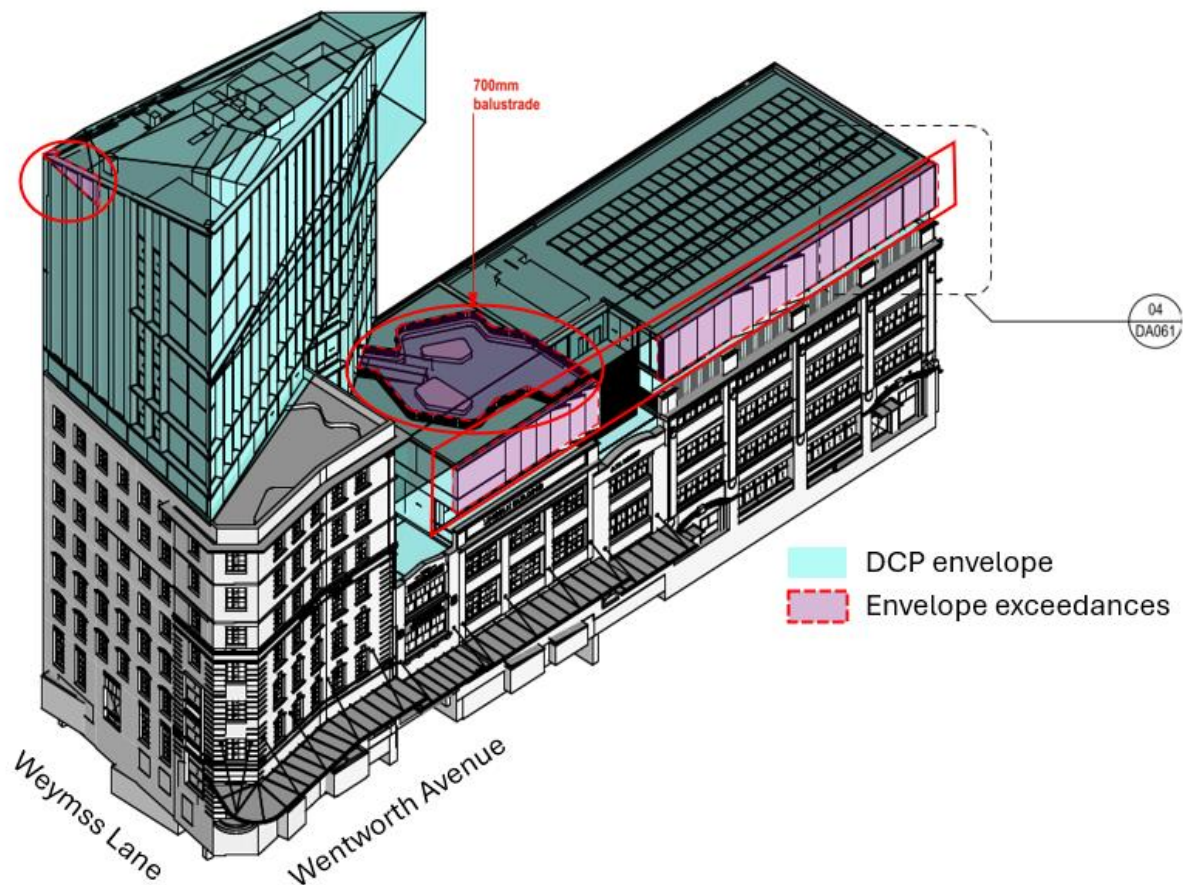


Figure 27: Axonometric view of proposal, with DCP envelope and envelope exceedances indicated

60. The exceedances range from 500mm in depth (the Wentworth Avenue facade) to the 700mm high balustrade above 10-12 Wentworth Avenue. These projections are largely devoid of gross floor area. These projections do not breach the maximum height development standard contained in Clause 6.55 of the Sydney LEP 2012, with the balustrade above 10-12 Wentworth Avenue being excluded from the measurement of building height. The minor exceedances have minimal impact on overshadowing, given their location. See overshadowing discussion below.
61. As the proposal is utilising the additional built form available for the podium, there are a number of objectives that the development is required to meet. The design of the podium, along with the minor encroachments, satisfy the objectives of Section 6.3.20.6 'Built form - 4-22 Wentworth Avenue, Surry Hills' as:
 - (a) A competitive design process occurred, and the development is considered to achieve design excellence in accordance with Clause 6.21C of the Sydney LEP 2012;
 - (b) Significant features of the heritage buildings are to be retained, with some elements, such as the building parapet sign, timber framed windows, original floors and ceilings, as well as existing brickwork being reinstated and/or exposed;

- (c) The tower and podium additions have been designed to ensure a finely articulated junction with the existing form. Both the tower and podium forms contain a band of glazing that is setback from the heritage buildings to allow for a seamless connection between contemporary and heritage features;
 - (d) The additions use high quality materials. The tower features a curtain wall system incorporating high-performance glazing, extruded aluminium fins in a light bronze powder-coated finish. The podium additions utilise recycled brick, metal and glass to acknowledge the original form, material and colour of the heritage warehouses, rather than copying or reproducing the host building form;
 - (e) The podium additions in particular reference the proportioning and detailing of the warehouses at 10-12, 14 and 16-22 Wentworth Avenue. The additions follow the banding of the heritage buildings, with each section broken down into a series of built forms that are differentiated by subtle material, textural and colour variations. In doing this, the design acknowledges the fine grain of the streetscape. The fenestration that exceeds the building envelope contributes to the sympathetic relationship between the podium additions and the heritage buildings below;
 - (f) The design clearly reads as a contemporary structure, whilst being sensitive to the base heritage buildings. The prism shaped tower reads as a separate yet complementary volume to the existing 7-storey building. The podium additions are designed as lightweight structures that are subservient to the lower scale heritage warehouses;
 - (g) The majority of intrusive works, such as floor and wall removal, core location and the like, are confined to areas of less significance such as 8 Wentworth Avenue. This is to ensure the additions do not diminish the overall quality of interior spaces within the heritage buildings; and
 - (h) The proposed solid to glazed ratio of the development is 55% to 45%, limiting the predominant use of glazing.
62. Overall, the design respects the architectural integrity and character of the heritage group and positively contributes to the site and surrounding streetscape. It delivers a high-quality built form that is of an appropriate bulk and scale for its location whilst minimising amenity impacts to surrounding properties. The proposal achieves design excellence and effectively utilises the additional built form for the podium addition. In this context, the minor exceedances to the maximum building envelope are therefore considered acceptable.

Overshadowing

63. The envisaged built form for the site prescribed by Section 6.3.20 has been largely determined by overshadowing requirements, with the tower form sloping from north-west to south-east based on the angle of the sun on 21 June (winter solstice).
64. Section 6.3.20.1 of the Sydney DCP 2012 stipulates that where a nearby residential property does not currently receive a minimum of 2 hours of solar access, the proposed development must ensure existing solar access to the neighbouring residential property is not reduced by more than 20% in time. The number of neighbouring residential properties that receive no direct sun (less than 15 minutes) must also not increase. This is in line with key solar access requirements of the Apartment Design Guide (ADG), Objectives 3B-2 and 4A-1.

65. The site is located in close proximity to residential developments, as follows:
- Meta Apartments at 148 Goulburn Street/21 Brisbane Street (on the corner of Weymss Lane, Goulburn Street and Brisbane Street, directly south-east from 16-22 Wentworth Avenue);
 - Belvedere Apartments at 156-160 Goulburn Street (on the corner of Goulburn Street and Brisbane Street and approximately 34m east of the site);



Figure 28: Aerial map of the subject site and residential apartment buildings

66. For both residential apartment buildings, less than 70% of apartments currently achieve at least 2 hours of direct sunlight between 9am and 3pm at mid-winter.
67. The solar modelling for the planning proposal envelope (which is the same as that adopted by Section 6.3.20.6) indicates five apartments at the Belvedere will lose between 1 minute and 7 minutes of sunlight to habitable spaces at mid-winter, and that seven apartments at Meta will lose between 3 minutes and 9 minutes. These figures represent between 2% and 19% of the total duration of sunlight received.
68. See Figure 29 and Table 1 for Meta and Figure 31 and Table 2 for the Belvedere.

69. The remaining apartments in both buildings either receive less than 15 minutes of sun (classified as 'no direct sun' under the ADG), between 15 minutes and 2 hours and are unaffected by this proposal, or over 2 hours.



Figure 29: Western elevation of Meta Apartments, with affected properties outlined in yellow (Source: Lippman Partnership Urban Design Report)

Apt No.	Current sun		Total	Proposed sun		Total	-mins	-%
	Starts	Finishes		Starts	Finishes			
3C	11.12am	11.35am	23"	11.15am	11.35am	20"	3"	13%
4A	11.26am	12.15pm	49"	11.29am	12.10pm	41"	8"	16%
4B	11.22am	12.09pm	47"	11.28am	12.08pm	40"	7"	15%
4C	11.12am	11.59am	47"	11.21am	11.56am	38"	9"	19%
5A	11.26am	12.15pm	49"	11.34am	12.15pm	41"	8"	16%
5B	11.22am	12.09pm	47"	11.29am	12.09pm	40"	7"	15%
6B	11.26am	12.15pm	49"	11.35am	12.15pm	40"	9"	18%

Figure 30: Table 1: Reduction in solar access to Meta Apartments (Source: Lippman Partnership Urban Design Report)



Figure 31: Western elevation of the Belvedere Apartment building, with affected properties outlined in yellow (Source: Lippman Partnership Urban Design Report)

Apt No.	Current sun		Total	Proposed sun		Total	-mins	-%
	Starts	Finishes		Starts	Finishes			
6B	12.34pm	1.02pm	28"	12.34pm	12.57pm	23"	5"	18%
6C	12.20pm	12.57pm	37"	12.20pm	12.50pm	30"	7"	19%
6D	12.07pm	12.46pm	39"	12.07pm	12.40pm	33"	6"	15%
7B	12.34pm	1.08pm	47"	12.34pm	1.07pm	33"	1"	3%
7D	12.07pm	12.50pm	43"	12.07pm	12.49pm	42"	1"	2%

Figure 32: Table 2: Reduction in solar access to the Belvedere Apartments (Source: Lippman Partnership Urban Design Report)

70. The proposal is contained within the maximum height development standards and maximum planning envelope, except for minor encroachments where identified above that do not affected these residential buildings.

71. The diagrams submitted with this development application do not depict any additional impacts to either Meta Apartments or Belvedere Apartments beyond that demonstrated by the solar modelling at planning proposal stage. The proposal therefore complies with Section 6.3.20.1 of the Sydney DCP 2012.

Design excellence

72. The applicant undertook a competitive design process in March 2025 to May 2025, with the preferred design by DKO and Aileen Sage being chosen. In the opinion of the panel, this scheme was most capable of achieving design excellence, meeting clause 6.21C of the Sydney LEP 2012 and the competition brief requirements.
73. The selection panel identified a range of matters that needed to be resolved during the design development phase in order to achieve Design Excellence while maintaining the original design intent.
74. The proposal was also considered by the City's Design Advisory Panel (DAP) as part of the assessment process on 4 December 2025.
75. The following is an outline of the recommendations of both the selection panel and DAP, and the proposed design response.

Competitive Design Process Panel Recommendations

Selection Panel Recommendation	Response
The Panel recommends that the architectural language of the two-storey podium addition is reconsidered. It currently comprises a series of disparate architectural elements and the Panel recommends that the architectural language is reconsidered to provide conceptual clarity.	The proposal has been amended to address this recommendation and the DAP's advice. The amended response is generally acceptable, subject to conditions. See DAP discussion below.
Reconsider the inclusion of the parti-wall on Level 3 between 8 Wentworth Avenue and 10-12 Wentworth Avenue. The Panel notes that whilst there will be structural columns on the party-wall line of the existing building below, the new floor can be supported without the need for a wall in this location.	The internal wall between 8 and 10-12 Wentworth Avenue has been removed.
Investigate the opportunity to remove a small portion of the 16-22 Wentworth Avenue parapet to improve the internal amenity and outlook of the commercial space. The majority of the parapet must be retained including any façade signage that is confirmed to be original fabric or proposed to be reinstated.	The parapet is retained and the 'Swallow Building' sign reinstated. The height of the parapet has been reduced in height by approximately 500mm, with capping stone/cornice being reinstated. The lower parapet height will allow more of the soffit of the addition to be seen. As such, the preference is that the soffit is the same cladding material as the

Selection Panel Recommendation	Response
	external walls; that is, dark bronze powder-coated aluminium. It is recommended that a 1:20 detailed section be provided of the cornice/capping on top of the brick parapet to ensure rainwater is shed off the facade of the building, with additional details regarding the soffit material. See Attachment A.
The locations and size of the plant and services ducts and risers needs to be resolved through design development without detracting from the clarity of the planning	Ducts and risers are co-located with the core, with plant rooms in the basement and on the roof of the tower. There are no plant areas at roof level of the podium addition across 14-22 Wentworth Avenue. A condition is recommended prohibiting any plant being located above RL50 for 14-22 Wentworth Avenue in order to ensure compliance with the maximum building height control. There is also a fire hydrant booster located on the northern part of Wemyss Lane and documentation submitted with the development application suggests that its location will be reviewed as the project develops. A condition is to be imposed specifying that the hydrant booster cannot be located along the Wentworth Avenue facade as it will disrupt the active frontages and design of the shopfronts. See Attachment A for the recommended conditions.
Investigate the opportunity to: - provide a link through the basement level that connects the basements - understand swept path implications	Additional basements are proposed to 8 and 14 Wentworth Avenue to provide a link between the basements of each building. Swept paths have been provided for the existing driveways associated with 10-12 and 16-22 Wentworth Avenue. As discussed elsewhere in this report, some minor works will likely be required to ensure the vehicle ramp for 10-12 Wentworth Avenue can comply with the relevant Australian Standard. A condition

Selection Panel Recommendation	Response
	is recommended in Attachment A to address this.
Ensure parking access and circulation is feasible.	The proposal is accompanied by swept paths and a traffic report confirming that the proposed car parking and loading access and circulation can operate efficiently.
Explore the opportunity to open the tower corner without reducing the architectural elegance of the design winning scheme.	The proposal has followed the prescribed building envelope control, rather than open the tower corner as recommended. This is considered acceptable from an urban design outcome as the development is still generally consistent with the design winning scheme.
Review the location of the wet areas as part of design development.	Toilet facilities associated with the commercial floors are generally co-located with the core.
Open the roof garden on level 4 to street views.	The roof garden on level 4 has been replaced with a smaller area of deep soil/landscaping to the west elevation. This area, however, has been opened up to Wentworth Avenue views as recommended by the Selection panel.

Design Advisory Panel (DAP) Recommendations

Panel Recommendation	Response
The large panes of glass on the western and southern facades of the tower pose sustainability and reflectivity issues. Fine detailing on the large panes, consistent with the concept, is recommended to improve solar protection and reduce reflectivity.	The proposal has not addressed the DAP's recommendation and no additional fine grained passive solar shading to the large areas of glass that faces the west and south-west facade. The proposal, rather, relies largely on the high performance of the glazing, with a reflectivity report confirming that the development will meet the 20% reflective facade requirement of the DCP.

Panel Recommendation	Response
	Noting that the building expression is very similar to that which won the design competition, it is recommended that the vertical fins across the tower facade be extended in depth to 450mm to provide solar shading, with the larger 'picture' to have their own design for external solar shading and glare control which may incorporate triple glazing. The extension of the fins will sit outside of the DCP envelope in some parts, but this is acceptable noting that these are minor architectural elements. See Figure 33 below, outlining fins to be conditioned. An appropriate condition is included in Attachment A.
Generally, the Panel recommends maximising passive energy measures to minimise energy consumption.	The application proposes the installation of solar PV cells above the podium addition and has committed to a 5.5-star NABERS Energy rating.
The Panel supports the proposition and form of the two floating podium elements. However, they appear to be excessively bland and do not have a strong relationship with the heritage buildings below. Further refinement is recommended for light and playful podium elements that respond to the rhythm of the buildings below.	The podium addition has been amended so that the vertical rhythm of the host buildings is expressed as vertical fins, aligning with the different proportions of 10-12 and 16-22 Wentworth Avenue. This, along with the bronze powder-coated framing of the additions provide more consistency across the two podium elements. Within this framework the 'playfulness' is expressed with different fenestration and the northern-most module (above 10-12) being expressed as a glass box. It is recommended that the bays above 10-12 Wentworth Avenue be redesigned to align more appropriately with the DAP's advice. See image and further discussion below.

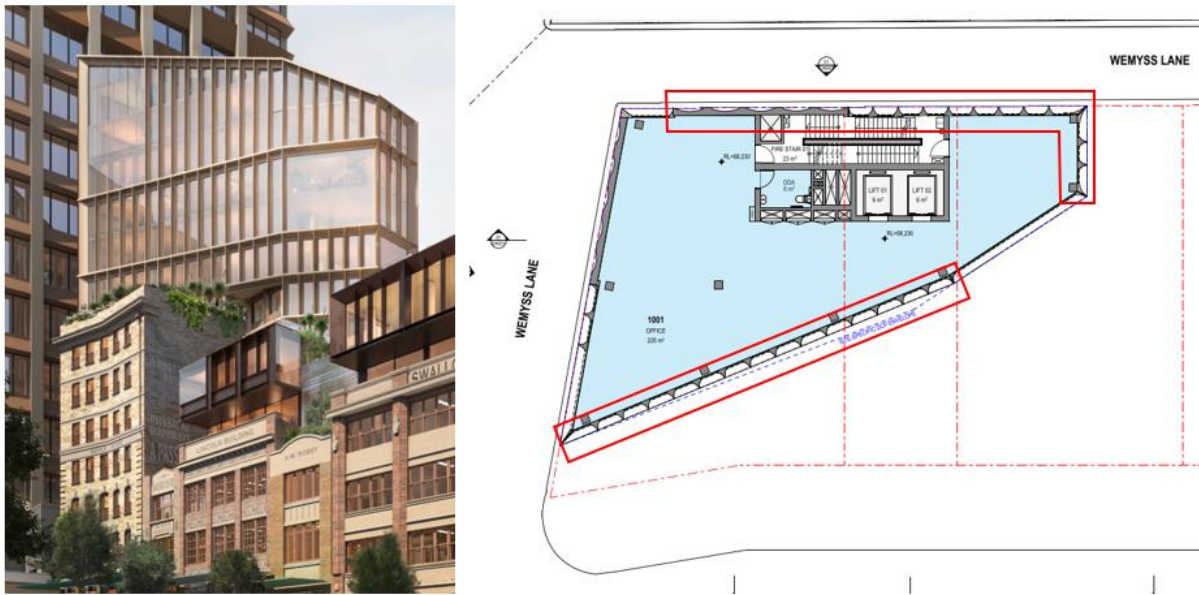


Figure 33: Proposed photomontage of the tower addition, depicting the large picture windows and vertical fins (left) and level 10 floor plan of the tower with fins outlined in red to be increased in depth to provide shading



Figure 34: Amended Development Application submission, depicting the podium additions. The addition above 10-12 Wentworth Avenue outlined in red is recommended for redesign.

76. To provide more consistency between the 3 bays above 10-12 Wentworth Avenue, whilst still achieving the light and playful expression that the DAP is seeking, it is recommended that all 3 bays have a consistent architectural expression rather than the single glass box. An appropriate condition is recommended. Refer to Attachment A.
77. The amended proposal, subject to conditions requiring minor refinement of the facades, is considered to have satisfactorily addressed comments and concerns raised by the Selection Panel and DAP as outlined above and retains to the design integrity and key aspects of the winning scheme. The proposal satisfies the provisions of clause 6.21D of the Sydney LEP 2012 and accordingly is eligible for 10% additional floor space ratio pursuant to subclause 3(b).

Heritage

78. The site contains five Federation and inter-war buildings, constructed in the late 1910s. These warehouses, and 24-44 Wentworth Avenue, are identified as a local heritage item under the Sydney Local Environmental Plan 2012 as the 'Former warehouse group including interiors' (I2271).
79. The site is also located close to local heritage items, including 'Meta Apartments, a former warehouse at 142-148 Goulburn Street / 21 Brisbane Street (I1455) and the former ANZ Bank at 21 Oxford Street (I1581).
80. The Statement of Significance for the site, describes the buildings in the group as representing "good examples of the Federation warehouse and interwar Chicago-Esque architectural styles." The Wentworth Avenue warehouses have local heritage significance in terms of their historic, aesthetic and representative value.
81. The buildings have a moderate to high degree of interior and exterior heritage significance, but some buildings and elements have been significantly modified. Notably 8 Wentworth Avenue, where internal structures have been entirely replaced. The ground floor facades of all the buildings have been considerably altered, and upper levels of the warehouses generally feature commercial fit-outs. Number 4-6 Wentworth Avenue has a historic pattern of additions, whilst the warehouse at 10-12 is a largely intact building, with most changes occurring at ground floor to the shopfront. The ground floor facade of number 14 has been considerably altered, however internally, the building retains a number of original features. Number 16-22 features a well-preserved facade, with less intervention than neighbouring warehouse buildings.
82. The planning proposal (and subsequent site-specific controls) assessed that there were suitable opportunities for intervention within the warehouse row, confined to areas where fabric is of lower significance. Upper setbacks for the tower, and provisions for a lightweight podium addition have been included in the site-specific controls to allow the heritage listed buildings to maintain their legibility and prominence in the streetscape.
83. As discussed elsewhere in this report, the proposal generally follows the maximum building envelope and complies with the maximum permitted height and FSR controls for the site. The additions have been designed to respond sympathetically to the existing heritage buildings whilst being clearly read as contemporary structures.
84. Therefore, the key heritage issues relate to the structural strategy for the site, fire engineering and schedule of conservation works.

Structural strategy for the development

85. The new 13-storey tower is to be located at the northern end of the site (4-6, 8 and part of 10-12 Wentworth Avenue). Number 8 Wentworth Avenue will contain the majority of services to support the new tower addition (the tower lift and fire stairs in particular) given it is the least intact. A secondary core is also proposed to 14 Wentworth Avenue, which similarly is considered to have the least impact as much of the fabric on the upper levels (with the exception of the steel beams) has been replaced due to a fire. This will allow much of the floors to remain in 4-6 and 10-12 Wentworth Avenue, which are original.
86. There will also be some excavation at basement/lower-ground level for the provision of connecting basements between the buildings.

87. The demolition, excavation and construction sequence has been informed by the submission of a geotechnical report and structural strategy and submitted with the development application.
88. The structural report proposes two strategies for vertical structural support to accommodate the proposed tower:
- (a) New steel columns adjacent to the existing heritage columns; and
 - (b) Strengthening of the existing columns.
89. It is not clear if both strategies will be used in the building. Nonetheless, the option of strengthening the existing columns is preferred as it allows the original columns to remain legible, as recommended by the City's Heritage Specialist. However, the report notes that more information on which columns will be strengthened is to be provided as the design develops.
90. A lightweight strengthening strategy has been proposed to address the retention of existing heritage timber floors throughout the development. The floors are to be upgraded using two layers of plywood fixed over the timber joists for the retention of timber floors. The methodology has been reviewed by the City's Heritage Specialist and is supported.
91. It is recommended that a condition be imposed requiring detailed drawings and supporting information on the structural strengthening system for existing columns. See Attachment A.

Fire engineering methodology

92. Number 14 Wentworth Avenue is to contain new floors that do not meet the existing facade, however there is no information provided on the fire engineering solution. See the affected junctions below, circled in red:

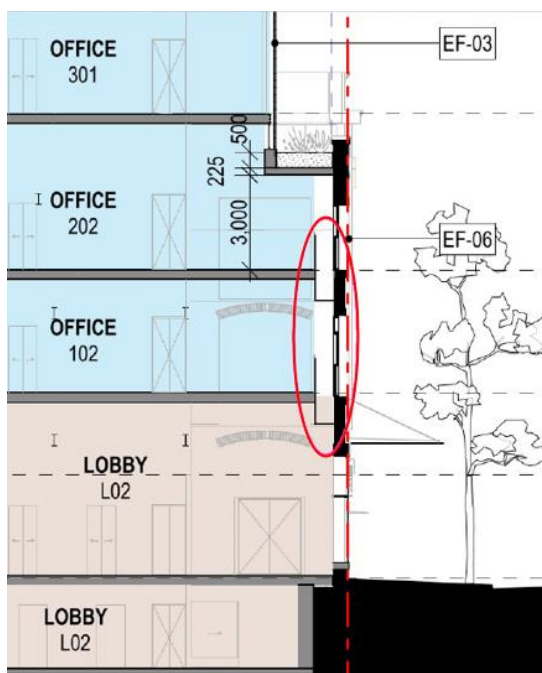


Figure 35: Proposed section through 14 Wentworth Avenue, with floors that do not meet the existing facade circled in red

93. The fire engineering solution will need to be determined prior to construction being carried out, to ensure that the impact to the ground level heritage fabric and shopfronts is minimised. A condition is recommended for any works to comply with the National Construction Code, whilst also minimising damage to existing fabric and heritage features. If any upgrading works to address the fire engineering solution are required, details are to be submitted to Council for approval prior to the issue of any Construction Certificate. An appropriate condition is recommended in Attachment A.

Schedule of Conservation Works

94. An extensive Preliminary Schedule of Conservation Works has been prepared as part of the proposal, adopting a retain-and-repair methodology, in order to enable the adaptive re-use and additions, whilst protecting heritage significance. The preliminary schedule notes:
- (a) High-significance fabric including principal facades, masonry, structural walls, columns and surviving timber/steel elements will be retained and conserved, with removal of paint and reinstatement of original finishes subject to investigation.
 - (b) Intrusive or low-significance items such as later shopfronts, services, partitions and non-original windows are generally proposed for removal or replacement with sympathetic contemporary insertions.
 - (c) Five different hues of blue and green have been chosen as part of the proposed colour scheme for new steel elements to be located along Wentworth Avenue and Weymss Lane facades, and internal feature stairs/atriums. Each colour is designated to a warehouse so that each building retains a distinct colour identity. Further investigation on site during strip out and through paint scrape analysis may reveal further information about the original colour schemes of the 4 warehouses. If found, the proposed palette would be revised to incorporate those into the colour interpretation.
 - (d) With regard to the shopfronts, the proposed works seek to remove the modern elements and replace them with high-quality, contemporary interpretations of original design intent based on drawings and evidence, consistent with advice in the Conservation Management Plan. The ground floor of 16-22 Wentworth Avenue (the most intact facade) is to be limited to the original bounds of the openings, with replacement of current doors and windows with a design more strongly related to the original.
 - (e) Pavement lights in front of 10-12 Wentworth Avenue are to be reinstated.
 - (f) A staged approach is proposed whereby demolition/strip-out will expose concealed fabric, findings will be reviewed with the heritage consultant, and any refinements to scope will be formalised during the Construction Certificate phase. The preliminary Construction Management Plan submitted with the proposal similarly includes heritage investigation works in the first stage of the program.
95. The Preliminary Schedule of Conservation Works was reviewed by the City's Heritage Specialist and is supported. Appropriate conditions are recommended, including investigative works being conducted prior to construction being carried out. See Attachment A.

Privacy

96. Submissions have raised concerns with privacy between the subject site and Meta Apartments, which is located across Weymss Lane at 148 Goulburn Street/21 Brisbane Street.
97. Whilst the Apartment Design Guide (ADG) does not apply to the subject proposal, it does state that for residential buildings next to commercial buildings, separation distances to commercial office buildings should be measured as per habitable rooms (Objective 3F-1). Number 21 Brisbane Street is approximately 6-7 storeys high to Weymss Lane. Separation should be between 6m to the warehouses and 9m to the new additions.
98. With the above separation distances in mind, the proposal will not result in any unreasonably adverse amenity impacts, as:
 - (a) No new openings are proposed nor are existing openings being enlarged to the existing warehouse buildings as they face Weymss Lane;
 - (b) Levels 3 and 4 are contained within an angled roof to the Weymss Lane elevation. The roof has a nil setback at the floor level 3, however this increases up to 9.4m at the top. The sloping of the roof limits the usability of the area behind. It is noted that in section and elevation, the roof has been designed with louvres to limit privacy impacts to the apartment building, but this has been left off the material schedule. A condition is recommended to ensure the louvres are installed and angled so that direct sightlines to the apartment building are limited. See Figure 36 below.

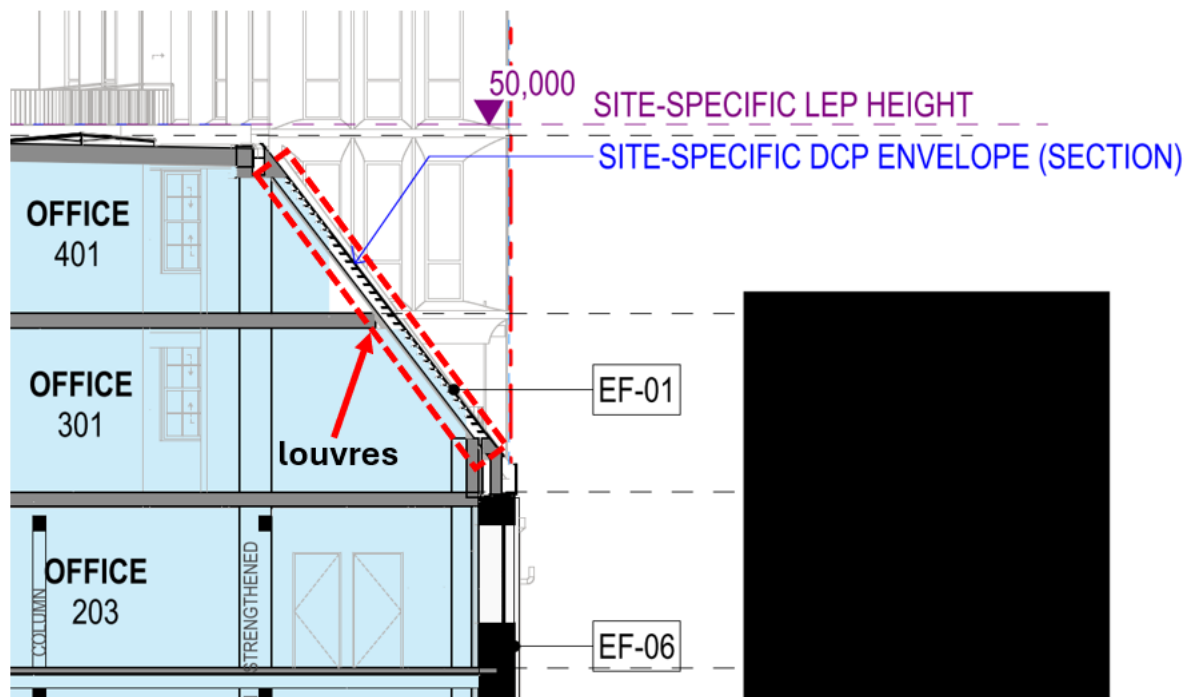


Figure 36: Proposed section through warehouse podium addition. Louvres are indicated by red dashed lines.

- (c) At rooftop level of the podium additions, the terrace area is oriented so that it faces Wentworth Avenue, with no break-out area facing the laneway.

- (d) The tower has been designed so that the faceted corner (south elevation) contains vertical fins at levels 5-7, limiting views out towards 21 Brisbane Street, which is approximately 13.7m away. Levels 8 and above sit higher than the residential apartment building, with little to no direct views. The separation distances in this location comply with the ADG. See level 5 plan below (levels 6-7 and similar for tower separation).

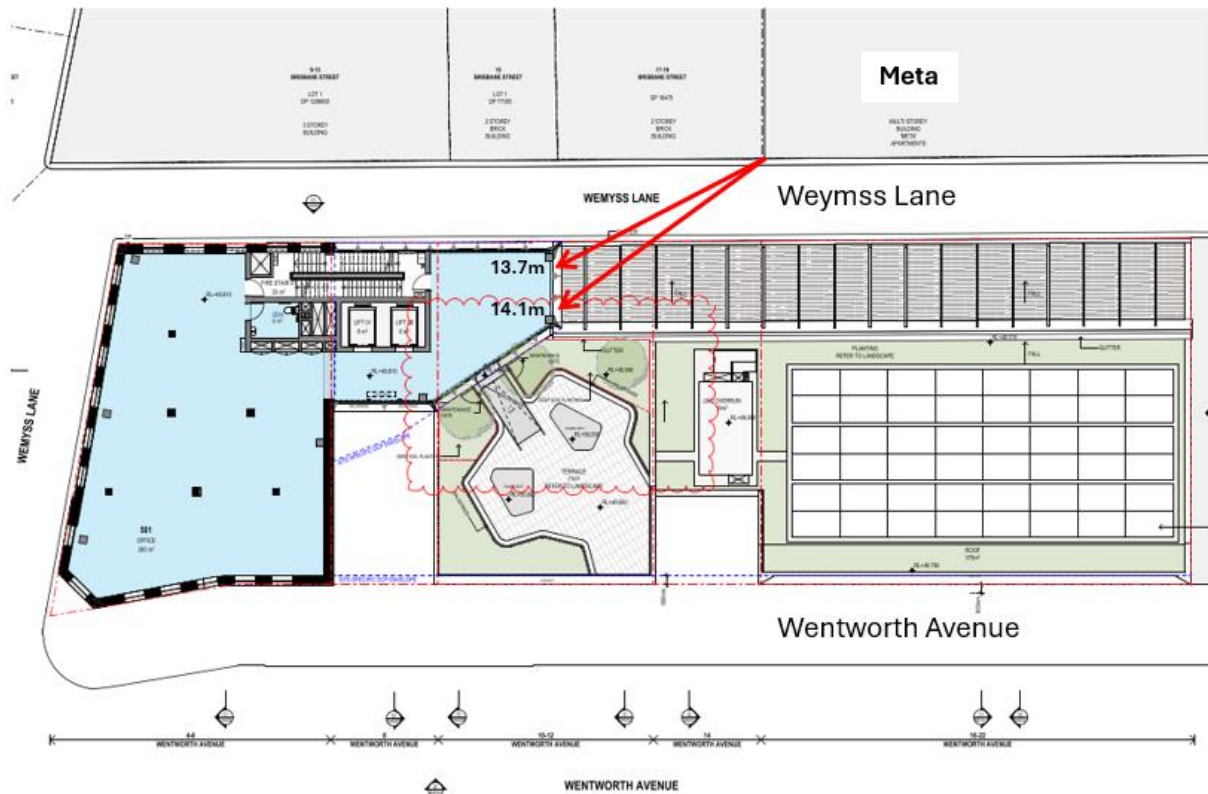


Figure 37: Proposed level 5 plan. Separation distances between Meta Apartments and the tower are indicated.

99. On balance, the proposed proximity of commercial development to the existing residential apartments is acceptable, subject to conditions.

Consultation

Internal Referrals

100. The application was discussed with Council's:

- (a) Environmental Health Unit;
- (b) Heritage and Urban Design Unit;
- (c) Public Domain Unit;
- (d) Specialist Surveyor;
- (e) Transport and Access Unit;

- (f) Tree Management Unit;
- (g) Landscape Specialist
- (h) Environmental Sustainability Advisor; and
- (i) Waste Management Unit.

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

External Referrals

Sydney Water

102. The application was referred to Sydney Water for comment. Sydney Water responded on 31 October 2025 raising no objection, and the recommended conditions are included in Attachment A.

Advertising and Notification

103. In accordance with the City of Sydney Community Engagement Strategy and Community Participation Plan 2025-2030, the proposed development was notified and advertised for a period of 28 days between 13 October 2025 and 11 November 2025. A total of 1129 properties were notified and 29 submissions were received, comprising 1 in support of the application, 8 individual submissions and 20 pro-forma submissions.

104. The submission in support of the application noted that the proposed development will enhance the amenity of the local area.

105. The submissions raised the following issues:

- (a) **Issue:** Heritage impacts to the development and surrounding heritage items.
 - (i) The proposed additions contravene the State Heritage Inventory for NSW Sheet, which states that any additions should not detrimentally impact the group's overall scale, architectural features and proportions and the group's distinctive streetscape presentation.
 - (ii) The Heritage Impact Assessment does not assess the impact on 142-148 Goulburn Street which is a heritage item, including the building's setting and visual character, or loss of heritage character in Weymss Lane
 - (iii) People assumed they would be protected from such a large development due to the heritage classification.

Response: The site-specific controls have been developed after investigative work of the heritage significance of the warehouse buildings and extensive urban design studies regarding an appropriate building form.

The majority of the additional bulk and scale is located at the northern end of the site, where other towers are located in close proximity. The building envelope steps down to provide an appropriate response to the existing surrounding mid-scale buildings to the east and south of the site.

The general presentation of the warehouse buildings remains largely unchanged to Weymss Lane, with the additions following the site-specific envelope to limit any significantly adverse amenity impacts to 142-148 Goulburn Street.

(b) **Issue:** Overshadowing

- (i) Proposal will block morning sun for the buildings on the other side of Wentworth Avenue. For east facing residential units, this is the only sun they will get all day.
- (ii) Direct sunlight is limited and we object to any further impact.
- (iii) No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments.

Response: The site-specific built form controls for the site have been largely determined by overshadowing requirements, with solar access to Meta apartment Building and the Belvedere apartment building being a priority. As discussed in this report, the proposal generally follows the site-specific building envelope and maintains solar access to both developments in accordance with the planning controls.

(c) **Issue:** Bulk and scale

- (i) The height and bulk of the proposed addition above the existing 4 Wentworth Avenue building is inconsistent with the scale and character of its surroundings.
- (ii) The addition is disruptive to the heritage skyline.
- (iii) The rooftop additions have little to no setback, which compromises the façade.

Response: There are site specific controls in place that govern the appropriate height, bulk and scale of new additions, whilst facilitating the adaptive reuse of the heritage warehouse row. The proposal has been designed to comply with the site-specific LEP and DCP controls, including height, floor space ratio and setbacks.

(d) **Issue:** Privacy

- (i) Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided.

Response: The proposal is considered to have satisfactorily addressed privacy impacts, as discussed within this report. A condition is recommended to confirm that louvres are to be installed to the Weymss Lane elevation of the podium addition.

- (e) **Issue:** Construction, traffic and waste impacts
- (i) Council should impose strict construction hours, noise monitoring, and dust suppression requirements, as well as an on-site community contact officer during active works.
 - (ii) The Wentworth Avenue / Goulburn Street intersection already experiences significant congestion, pedestrian traffic, and bus activity. The additional vehicle and delivery movements during construction and ongoing servicing will exacerbate local congestion.
 - (iii) Given the narrow street network and acoustic character of this area, these works will likely cause prolonged noise, dust, and vibration impacts on nearby residential buildings.
 - (iv) The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise.
 - (v) The CTMP does not include swept path diagrams proving trucks can enter, turn and exit, nor number of truck movements per day/week, construction hours.
 - (vi) There is no vibration impact assessment for the heritage apartment building.
 - (vii) The cumulative scale of excavation, height, and construction activity will have a substantial adverse impact on the amenity, quiet enjoyment, and visual outlook of existing residents on Goulburn Street.

Response: Conditions are recommended to address and mitigate any anticipated impacts of the proposed demolition, excavation and construction of the proposed development. Conditions include:

- preparation of a construction traffic management plan
- preparation of construction environmental management plan
- compliance with the City's hours of construction requirements, with no additional out of hours work permitted
- preparation of a construction noise and vibration management plan – which will recommend respite periods and other noise control measures
- compliance with standard noise and traffic management conditions
- preparation of a dilapidation report for surrounding sites pre and post demolition / excavation
- Construction liaison committee requirements to coordinate with affected neighbours

With regard to traffic generation, the proposal is accompanied by a traffic report demonstrating that the proposed car park and loading dock will have a similar impact to the current arrangement on site. Conditions are recommended to update the waste management plan to ensure that there will be no waste bins located within Weymss Lane to limit any disruption to laneway traffic. Waste collection and deliveries are to be addressed by the implementation of a loading dock management plan.

(f) **Issue:** Amenity impacts - noise, light spill, reflectivity

- (i) Concerns about acoustic and vibration impacts from extensive mechanical plant proposed.
- (ii) Acoustic report contains numerous mitigation measures demonstrating that it will only meet noise limits if all recommended measures are implemented perfectly.
- (iii) The introduction of a tall commercial tower in what is largely a residential and low-rise area raises concerns about light pollution.
- (iv) 20% reflectivity is still moderately reflective.

Response: The proposal is accompanied by an acoustic report that demonstrates that the operation of the commercial office use and mechanical plant is able to comply with the relevant noise criteria, subject to recommendations. These recommendations are to be complied with and have been conditioned. Additionally, noise and other management conditions are to be imposed to address any adverse amenity impacts to surrounding development.

The applicant has confirmed that the proposed facade materials comply with reflectivity requirements (i.e. not exceeding 20%) of Section 3.2.7 of the Sydney DCP 2012 as discussed within this report.

Light from the commercial use/s of the site are to comply with the relevant Australian Standard with regard to the control of light in the environment. Conditions addressing reflectivity and light spill have also been imposed.

(g) **Issue:** Community benefit

- (i) There is no tangible benefit of this proposal to the community. No substantial public benefits or contributions to offset its impacts.
- (ii) Lack of residential units when housing is desperately needed. Office vacancy rates are at high levels.

Response: The proposal will result in additional full time employment opportunities, meeting the objectives of the NSW Government's Eastern City District Plan, particularly E7 - 'Growing a stronger and more competitive Harbour CBD'. Notwithstanding, the development is required to pay local and state contributions, including Section 7.12 contributions towards local infrastructure, Clause 7.13 contributions towards affordable housing and a Housing and Productivity Contribution, as detailed under 'Financial Contributions'.

Whilst residential accommodation is permitted within the MU1 - Mixed Use zone; the site-specific controls allow for an uplift for commercial uses only to limit adverse amenity impacts to the site and surrounding development.

- (h) **Issue:** Essential information is missing from the development application.

Response: The proposal is accompanied by adequate information to undertake a detailed assessment of its potential impacts, as demonstrated by this assessment report. Where additional information was required, this was sought and provided prior to finalising assessment.

- (i) **Issue:** There was short notice of a significant development.

Response: The proposal was notified and advertised for a period of 28 days in accordance with the City's Community Participation Plan.

Financial Contributions

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

106. The Central Sydney Development Contributions Plan 2020 applies to the site. The cost of the development is over \$250,000. The development is therefore subject to a s7.12 contribution under this Plan. A condition relating to this contribution has been included in the recommended conditions. The condition requires the contribution to be paid prior to the issue of any construction certificate.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

107. The site is located within the Residual Lands affordable housing contribution area. As the proposed development includes additional floor space, a contribution is required at a rate of \$11,223.28 per square metre of total non-residential floor area (being 9,122sqm), totalling \$1,023,787.60. A condition of consent is recommended requiring payment prior to the issue of any construction certificate.
108. 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.
109. 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.
110. 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.

111. 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 any construction certificate.

Housing and Productivity Contribution

112. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.
113. The site is located within the Greater Sydney region, the development is a type of commercial development to which the Housing and Productivity Contribution applies, and the development is not of a type that is exempt from paying a contribution.
114. A condition relating to the Housing and Productivity Contribution has been included in the recommended conditions of consent.

Relevant Legislation

115. Environmental Planning and Assessment Act 1979.
116. City of Sydney Act 1988.
117. Sydney Water Act 1994.

Conclusion

118. Development approval is sought for the adaptive reuse of the existing locally listed heritage buildings at 4-22 Wentworth Avenue, and alterations and additions, including the retention and refurbishment of the existing heritage podium, construction of a new 13 storey tower and podium addition comprising commercial office and retail uses as well as excavation and site amalgamation.
119. The proposal complies with key site-specific development standards applicable to the site, including the site-specific controls pertaining to height, floor space ratio and use under Clause 6.55 of Sydney LEP 2012. The development is generally consistent with the site-specific provisions of Section 6.3.20 of the Sydney Development Control Plan 2012 and has been designed to maintain solar access to nearby residential properties.
120. The proposed development is of an appropriate bulk and scale that responds positively to the heritage listed warehouse row in terms of materials and detailing, and by allowing the buildings to maintain their legibility and prominence in the streetscape.

121. The proposal is generally consistent with other applicable planning provisions, including the relevant State Environmental Planning Policies, and the Sydney Development Control Plan 2012. Where non-compliances arise, they have either been considered as having merit in the circumstances of the site, or addressed by conditions recommended in Attachment A.
122. The proposed development is consistent with the design intent of the preferred scheme of a required competitive design process, held in accordance with the City of Sydney Competitive Design Policy.
123. The proposed development in its design, materiality, environmental performance and contribution to the public domain is consistent with the desired future character of the City Edge locality area and exhibits design excellence to satisfy Clause 6.21C of the Sydney Local Environmental Plan 2012.
124. Subject to the recommendations of this report, and the imposition of the conditions in Attachment A, the proposed development will not result in any unreasonable impacts on the existing or likely future developments on neighbouring properties or the surrounding public domain and responds appropriately to the site's constraints.
125. The proposed development is therefore in the public interest and is recommended for approval by the Central Sydney Planning Committee.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Jessica Symons, Senior Planner

Attachment A

Recommended Conditions of Consent
--

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/942 dated 3 October 2025 and the following drawings prepared by DKO and Aileen Sage:

Drawing Number	Drawing Name	Date
DA011 Rev. C	Demolition Lower Ground	13/02/2026
DA012 Rev. B	Demolition Ground	7/11/2025
DA013 Rev. B	Demolition Mezzanine	7/11/2025
DA014 Rev. B	Demolition Level 01	7/11/2025
DA015 Rev. B	Demolition Level 02	7/11/2025
DA016 Rev. B	Demolition Level 03	7/11/2025
DA017 Rev. B	Demolition Level 04	7/11/2025
DA018 Rev. B	Demolition Level 05	7/11/2025
DA019 Rev. B	Demolition Level 06	7/11/2025
DA0110 Rev. B	Demolition Level 07	7/11/2025
DA0110 Rev. B	Demolition Roof Plan	7/11/2025
DA0111 Rev. C	Demolition West Elevation	13/02/2026
DA0112 Rev. B	Demolition North and South Elevation	7/11/2025
DA0113 Rev. B	Demolition East Elevation	7/11/2025
DA021 Rev. E	Lower Ground	1/04/2026
DA022 Rev. E	Ground	1/04/2026
DA023 Rev. D	Mezzanine	6/03/2026
DA024 Rev. C	Level 01	13/02/2026
DA025 Rev. C	Level 02	13/02/2026

Drawing Number	Drawing Name	Date
DA026 Rev. D	Level 03	6/03/2026
DA027 Rev. D	Level 04	6/03/2026
DA028 Rev. D	Level 05	6/03/2026
DA029 Rev. C	Level 06	13/02/2026
DA0210 Rev. C	Level 07	13/02/2026
DA0211 Rev. C	Level 08	13/02/2026
DA0212 Rev. C	Level 09	13/02/2026
DA0213 Rev. C	Level 10	13/02/2026
DA0214 Rev. C	Level 11	13/02/2026
DA0215 Rev. C	Level 12	13/02/2026
DA0216 Rev. C	Level 13	13/02/2026
DA0217 Rev. D	Roof Plan	6/03/2026
DA031 Rev. C	Section 01	13/02/2026
DA032 Rev. C	Cross Sections 02-03	13/02/2026
DA033 Rev. D	Cross Sections 04-05	6/03/2026
DA034 Rev. C	Cross Sections 06	13/02/2026
DA035 Rev. D	Public Interface Section Details	1/04/2026
DA036 Rev. E	Public Interface Section Details	1/04/2026
DA037 Rev. E	Public Interface Section Details	1/04/2026
DA038 Rev. D	Level 3 & 4 Landscape Section	6/03/2026
DA039 Rev. C	Level 5 Landscape Section	13/02/2026
DA0391 Rev. C	Level 12 Landscape Section	13/02/2026
DA0392 Rev. C	Existing Tree Sections	13/02/2026

Drawing Number	Drawing Name	Date
DA0392 Rev. A	Level 5 Landscape Section	6/03/2026
DA041 Rev. C	West Elevation	13/02/2026
DA042 Rev. C	North and South Elevation	13/02/2026
DA043 Rev. C	East Elevation	13/02/2026
DA051 Rev. C	Façade – Material Schedule	13/02/2026
DA056 Rev. C	Shopfront Details	13/02/2026
DA057 Rev. D	Shopfront Details	6/03/2026
DA058 Rev. D	Shopfront Details	6/03/2026

And the following landscape drawings prepared by Dangar Barin Smith:

Drawing Number	Drawing Name	Date
DA01-D4625 Rev. F	Cover Page	6/03/2026
DA02-D4625 Rev. F	Site Plan	6/03/2026
DA03-D4625 Rev. F	Ground Landscape Plan	6/03/2026
DA04-D4625 Rev. F	Level 3 Landscape Plan	6/03/2026
DA05-D4625 Rev. F	Level 4 Landscape Plan	6/03/2026
DA06-D4625 Rev. F	Level 5 Terrace Landscape Plan	6/03/2026
DA07-D4625 Rev. F	Level 5 Green Roof/Landscape Plan	6/03/2026
DA08-D4625 Rev. F	Level 7 Landscape Plan	6/03/2026
DA09-D4625 Rev. F	Level 12 Landscape Plan	6/03/2026

Drawing Number	Drawing Name	Date
DA10-D4625 Rev. F	Canopy Coverage Plan	6/03/2026
DA11-D4625 Rev. F	Details	6/03/2026
DA12-D4625 Rev. F	Details 2	6/03/2026
DA13-D4625 Rev. F	Green Roof Detail	6/03/2026
DA14-D4625 Rev. F	Ground Floor Central Atrium Section	6/03/2026
DA15-D4625 Rev. F	Level 3 – Planter Section	6/03/2026
DA16-D4625 Rev. F	Level 3 – Planter Section	6/03/2026
DA17-D4625 Rev. F	Level 5 – Green Roof Section	6/03/2026
DA18-D4625 Rev. F	Level 5 – Green Roof Section	6/03/2026
DA19-D4625 Rev. F	Level 12 – Planter Section	6/03/2026

and as amended by the conditions of this consent.

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

Reason

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

(2) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) A 1:20 detailed section of the retained brick parapet of 16-22 Wentworth Avenue is to be provided, depicting the reinstatement of cornice/capping to ensure rainwater is shed off the façade of the building. The section is to also provide additional details regarding the soffit material, which is to be of high-quality. The same cladding material for the external walls, that is, dark bronze powder coated aluminium, is preferred.
- (b) The vertical fins across the tower facade are to be extended in depth to 450mm to provide solar shading. The two larger west facing 'picture' windows of the tower are to remain distinctive and have their own design for external solar shading countering thermal gain and glare and which may incorporate triple glazing.
- (c) All three bays of the podium addition above existing 10-12 Wentworth Avenue are to adopt a consistent architectural design approach.
- (d) The angled roof of the podium addition to Weymss Lane across 10-12, 14 and 16-22 Wentworth is to have louvres installed (as demonstrated in the approved section), angled so that direct sightlines into 21 Brisbane Street are avoided. The louvres are to be added to the material schedule.
- (e) The waste collection points within Weymss Lane are to be deleted.

The modifications are to be submitted to and approved by Council's Executive Director City Planning, Development and Transport prior to the issue of any Construction Certificate.

Reason

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

(3) WIND ASSESSMENT RECOMMENDATIONS

The use of loose glass-tops and light-weight sheets or covers (including loose BBQ lids) is not appropriate on the high-rise outdoor terraces and balconies. Lightweight furniture must not be installed unless it is securely attached to the balcony or terrace floor slab.

Reason

To ensure the amenity of the outdoor rooftop area.

(4) FIRE HYDRANT BOOSTER

The fire hydrant booster cannot be relocated along the Wentworth Avenue facade, and is to remain on the Weymss Lane elevation.

Reason

To ensure the location of the fire hydrant booster does not disrupt the active frontage, or design of, the Wentworth Avenue shopfronts.

(5) MATERIALS AND SAMPLES BOARD MAJOR DEVELOPMENT

A physical material sample board which specifies all proposed materials, finishes and colours, (including visible rainwater goods and services) keyed to each building elevation must be submitted to and approved by Council's Executive Director City Planning, Development and Transport prior to any Construction Certificate being issued.

The materials and samples board must not include generic material or colour descriptions or use terminology such as 'or similar'. The exterior glass samples must include technical sheets covering at a minimum, shading co-efficient, visible light transmission and reflectivity.

Reason

To require the submission of a materials and samples board following assessment of the development.

(6) DESIGN QUALITY EXCELLENCE

- (a) As the proposal has been awarded bonus floor space or height for achieving design excellence and in order to ensure the design quality excellence of the development is retained to completion:
 - (i) The design architects comprising DKO and Aileen Sage are to have direct involvement in the design documentation, contract documentation and construction stages of the project including signing off any required certifications at DA, S4.55 applications, Construction Certificate and Occupation Certificate stages;
 - (ii) The design architects are to have full access to the site and are to be authorised by the applicant to respond directly to Council where information or clarification is required in resolving design issues throughout the life of the project;
 - (iii) Evidence of the design architect's commission must be provided to the Council prior to release of the Construction Certificate.
- (b) The design architect of the project is not to be changed without prior notice and approval of the Council's Director Planning, Development and Transport.

The Registered Certifier and Principal Certifier must be satisfied that the above matters are complied with prior to the issue of a relevant Construction and Occupation Certificates, in accordance with written confirmation from Council.

Reason

To ensure the development maintains design quality excellence throughout all phases of the development.

(7) BUILDING HEIGHT

- (a) The height of the building must not exceed RL 86.20 (AHD) to the top of the tower building at 4-12 Wentworth Avenue and RL 50 (AHD) to the top of the podium building at 14-20 Wentworth Avenue.
- (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.

(8) FLOOR SPACE RATIO - ALL OTHER AREAS

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio for the commercial use must not exceed 5.8:1 calculated in accordance with the Sydney Local Environmental Plan 2012. For the purposes of the calculation of FSR, the total Gross Floor Area is 7,089sqm.
- (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 the Sydney Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved floor space ratio.

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

A monetary contribution is payable to the City of Sydney pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *Central Sydney Development Contributions Plan 2020*.

The Section 7.12 levy is determined by the development cost, as per the following table:

Development cost *	Levy
Up to and including \$250,000	NIL
More than \$250,000, up to and including \$500,000	1%
More than \$500,000, up to and including \$1,000,000	2%
More than \$1,000,000	3%

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

- (a) Prior any Construction Certificate being issued, evidence must be provided of Council's written verification of the amount of the contribution as required in (b) below, and that the levy has been paid to the Council in accordance with this condition. Payments may be made by EFTPOS (direct card only), cash (up to \$5,000 only), credit card (up to \$300,000 only) or bank cheque made payable to the City of Sydney council. Larger payments to be by direct bank transfer in consultation with the City. Direct debit, personal cheques and company cheques will not be accepted.
- (b) The contribution must not be paid to the City of Sydney until it is accompanied by separate written verification by the City of Sydney of the specific amount payable. In order to obtain such verification, one of the following must be submitted:
 - (i) **For development between \$250,000 and \$3,000,000** – the City of Sydney *Cost Summary Report* must be completed by a suitably qualified person such as the Project Architect or Project Manager and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the *Cost Summary Report* is available from the City's website at www.cityofsydney.nsw.gov.au; or
 - (ii) **For development more than \$3,000,000** – The City of Sydney *Registered Quantity Surveyor's Detailed Cost Report* must be completed by a Quantity Surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate an equivalent qualification and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the *Registered*

Quantity Surveyor's Detailed Cost Report is available from the City's website at www.cityofsydney.nsw.gov.au.

- (c) The Council will consider the documentation submitted under subclause (b) and determine the cost of the proposed development having regard to the information submitted and to such other matters as it considers appropriate and will notify the Registered Certifier accordingly.
- (d) The development cost is to be determined in accordance with Section 2.3 of the Central Sydney Development Contributions Plan 2020, located in the version in force at the date of the grant of this consent.

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

Reason

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

(10) 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 any Construction Certificate, the applicant must provide evidence that a monetary contribution towards the provision of affordable housing has been paid to the City of Sydney Council.
- (b) The contribution is \$ 1,023,787.60 (indexed at 1 March 2026). This is calculated by establishing the sum of the equivalent monetary contribution \$11,223.28 multiplied by 1% of the total floor area for non-residential development (9,122sqm).
- (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.

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.

(11) 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)	\$224,497.95
Transport project component	
Total housing and productivity contribution	\$224,497.95

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.

(12) APPROVED DESIGN ROOF - TOP PLANT

All roof-top plant and associated equipment must be located within the approved building envelope. No rooftop plant is to be installed above the podium additions.

Reason

To ensure the constructed development complies with the approved height.

(13) USE - SEPARATE DA REQUIRED

No consent is granted or implied for the fit-out or specific use of each individual tenancy.

A development consent or Complying Development Certificate (as appropriate) is required to be obtained for the fitout and use of each individual tenancy prior to that fitout or use commencing.

Reason

To require separate consent to be obtained for a use.

(14) ASSOCIATED ROADWAY COSTS

All costs associated with the construction and rectification of any road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The public domain works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification and Standard Drawings" including amendments and "Sydney Streets Design Code".

Reason

To ensure all roadway works are designed and constructed in accordance with Council requirements.

(15) COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

Reason

To ensure all associated roadway works costs are borne by the developer.

(16) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 5.2m.

Reason

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

(17) 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.

(18) MECHANICAL PARKING FACILITIES (TURNABLE)

The following details must be submitted to and approved by the Registered Certifying Authority prior to the issue of a Construction Certificate:

- (a) A comprehensive review of the proposed installation, ensuring its suitability for implementation according to the manufacturer's specifications. This includes, but is not limited to, compliance with the Preliminary Design Principles outlined in Part 2.3.1 and Part 3.5 of AS/NZS 2890.1 2004.
- (b) Implementation of mechanisms to address potential safety concerns, including but not limited to:
 - (i) Noise and vibration levels as received by occupiers of the building including references to relevant standards.
 - (ii) The trip hazard posed by platforms to pedestrians within the car parking areas.
 - (iii) The risk of vehicles traversing the platforms despite the activation of the anti-collision mechanism (e.g., cars reversing over the platforms while on the paths of travel).
- (c) Management of the use and operation of the car stacker/turntable, covering:
 - (i) During periods of vehicle queuing.
 - (ii) During any system failure.
 - (iii) Consistency with the manufacturer's specifications.
 - (iv) Manufacturer's documentation, including information on service rates.
 - (v) Any induction training required prior to use.
- (d) Any further information requested by the Registered Certifying Authority.

Reason

To ensure the efficient and safe operation of the mechanical turntable.

(19) GENERAL HERITAGE

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.
- (c) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.

- (d) New services are to be installed with minimal impact to heritage fabric and significant spaces. Where possible new services are to use existing service runs.
- (e) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.
- (f) The face brickwork/stone/tiles must not be rendered, painted or coated.
- (g) Where internal partitions meet external walls they must abut window mullions, columns or other such building elements and not glazing.

Reason

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

(20) 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.

(21) EXTERNAL LIGHTING

A separate development application is required to be lodged and approved prior to any external floodlighting or illumination of the building or site landscaping.

Reason

To clarify that consent has not been granted for the external floodlighting or illumination of the development.

(22) AIR CONDITIONERS GENERALLY

No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring must:

- (a) Not be located on awnings or attached to the face of the building
- (b) Not be located on roofs in such a way that it is visible from any street, footpath or park
- (c) Be visually screened if located 1.8 metres above ground level in other locations
- (d) Wiring must be fully concealed.

Reason

To ensure the visual impact of air conditioners is minimised.

(23) 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.

(24) PUBLIC ART

Public art must be installed to the City's satisfaction prior to the issue of any Occupation Certificate.

- (a) The public artwork must be in accordance with the Public Art & Heritage Interpretation Strategy, Revision B, dated 11 February 2026, the *Sydney DCP 2012*, the *Public Art Policy*, and the *Interim Guidelines: Public art in private developments*.
- (b) A Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Council's Executive Director City Planning, Development and Transport prior to issue of any Construction Certificate for above ground works.
- (c) Public artwork must be installed to the City's satisfaction, inspected and approved and the Final Public Art Report submitted and approved by Council's Area Planning Manager prior to the issue of any Occupation Certificate.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at <https://www.cityofsydney.nsw.gov.au/public-art> please contact the Public Art Team at publicartreferrals@cityofsydney.nsw.gov.au for further information.

Reason

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

(25) CONTROL OF LIGHT INTO THE ENVIRONMENT

Lighting installed must comply with AS1158 series-lighting for roads and public spaces. The design and placement must be so that lighting does not create a nuisance or negatively affect the amenity of the surrounding neighbourhood, for that purpose lighting must comply with AS/NZS 4282.

Reason

To ensure lighting is designed in accordance with the Australian Standards.

(26) SIGNAGE STRATEGY

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

Reason

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

(27) SIGNS - SEPARATE DA REQUIRED

A separate development application for any proposed signs additional to those approved as part of this consent (other than exempt or complying signs) must be submitted to and approved by Council prior to the erection or display of any such signs.

Reason

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

(28) SIGNS/GOODS IN THE PUBLIC WAY

No signs or goods are to be placed on the footway or roadway adjacent to the property.

Reason

To ensure the public domain is kept free from physical obstructions.

(29) 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 prominent landscape elements.

Table 1 – Tree Retention:

Tree Number	Species:	Location
1	<i>Populus simonii</i> (Simon Poplar)	Front of 4-6 Wentworth Avenue
2	<i>Platanus x acerifolia</i> (London Plane)	Front of 8 Wentworth Avenue
3	<i>Populus simonii</i> (Simon Poplar)	Front of 14 Wentworth Avenue
4	<i>Populus simonii</i> (Simon Poplar)	Front of 16-22 Wentworth Avenue
5	<i>Populus alba</i> (White Poplar)	Front of 24 Wentworth Avenue

Reason

To identify the trees that cannot be removed and must be retained and protected.

(30) 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.

(31) 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.

(32) PAVING MATERIALS

The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

Reason

To ensure appropriate and safe paving materials are used.

(33) 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.

(34) LAND SUBDIVISION

Any proposal for land subdivision, including any stratum subdivision of the building to separate the commercial components of the building, will require a separate application through the NSW Planning Portal to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a Subdivision Certificate under Section 6.15 of the Environmental Planning and Assessment Act 1979.

Reason

To ensure separate development consent is sought for land subdivision.

(35) STRATA SUBDIVISION – APPROVAL OF STRATA PLAN REQUIRED

A separate application must be made to Council or a Registered Strata Certifier to obtain approval of the Strata Plan and issue of a Strata Certificate under the Strata Schemes Development Act 2015.

Reason

To ensure separate approval is obtained for approval of the Strata Plan.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(36) PARTY WALL CONSENT

Any works or demolition of a party wall must be accompanied by the written consent of all relevant adjoining land owners of all party walls involved. This includes demolition, rebuilding or extension either horizontally or vertically to a party wall.

Reason

To ensure adjoining land owner's consent is obtained.

(37) PARTY WALL STRUCTURAL CERTIFICATION

- (a) Prior to a Construction Certificate being issued, a certificate from a qualified practising structural engineer in accordance with Clause A5.2(1)(e) of the Building Code of Australia must be submitted to the satisfaction of Council (where Council is the Accredited Certifier). The Certificate must verify the structural integrity of the existing 'Party Wall(s)' as consequence of any additional loads imposed thereon by the proposal.
- (b) Prior to any partial or total demolition of the subject building and improvements erected upon the site, the registered proprietor of the subject Lot will, at their own expense, engage a professional Structural Engineer listed with the National Engineering Register (NER) in Australia to assess the structural integrity of the adjoining building and party wall, and if necessary, carry out appropriate design work, and inspect and oversee its construction and implementation, to ensure that the structural integrity of the adjoining building and party wall erected upon any Lot is not adversely affected in any way by the proposed demolition or construction works.
- (c) The work to the building and party wall immediately after demolition must include the application of a suitable waterproof membrane, or other appropriate waterproofing system to the satisfaction of Council and the supervising structural engineer referred to above, in the event that any part of the party wall is exposed at any time during the demolition works. The said waterproof membrane must be applied as soon as possible on the day of the exposure of the Party Wall referred to in the Plan. Temporary or permanent cladding must also be fixed to the outside of the exposed Party Wall when the waterproofing is complete to ensure the security of the remaining residence.
- (d) Any removal of an entire party wall within the site will require that the notification on the titles relating to the cross easements be deleted by an appropriate Request Form 11R accompanied by suitable evidence (statutory declaration etc.) confirming the status of the wall (demolished, non-supporting, etc).

Note: Attachments or connections to party walls may require the consent of the adjoining property owner/s.

Reason

To ensure the orderly development of land and to ensure the structural integrity of the existing party wall/s is verified.

(38) PARKING DESIGN

The design, layout, signage, scraping control / vehicle ramp compliance, 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.

(39) BICYCLE PARKING AND END OF TRIP FACILITIES

- (a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Staff/employee	45	Spaces must be Class 2 bicycle facilities
Visitor	20	Spaces must be Class 3 bicycle rails
End of Trip Facility Type	Number	
Showers with change area	7	Separate male and female facilities
Personal lockers	65	

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

Notes:

- (i) If a basement storage area on title that is large enough to store a bike and is no smaller than a class 1 bike locker this can be counted as a space.
- (b) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Registered Certifier confirming prior to and form part of the Construction Certificate being issued.

Reason

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

(40) 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
Office and business parking	9
Accessible office and business parking	1
Subtotal	
Motorcycle parking	1
Service vehicle spaces (1x B85 and 1x B99)	2
Total	13

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(41) 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.

(42) DILAPIDATION REPORT – MAJOR EXCAVATION/DEMOLITION

- (a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of 24, 26-28, 30-32, 34, 36-38 and 40-44 Wentworth Avenue, 9-13, 15, 17 and 21 Brisbane Street (and any other properties identified by the qualified structural engineer engaged to undertake the report) are to be prepared by an appropriately qualified structural engineer prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Registered Certifier and the Council prior to the issue of a Construction Certificate.

UPON COMPLETION OF EXCAVATION/DEMOLITION

- (b) A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifier and the Council prior to the issue of any Occupation Certificate.

Any damage to buildings, structures, lawns, trees, sheds, gardens and the like must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner must advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information must be submitted to Council.

Reason

To ensure that dilapidation reports are prepared and to identify damage to adjoining/nearby properties resulting from building work on the development site.

(43) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- (a) Before the issue of a construction certificate, a construction environmental management plan (CEMP) must be prepared for the site by a suitably qualified environmental consultant and submitted to the Certifier and Council.
- (b) The CEMP must consider all potential environmental impacts from the approved works including but not limited to sediment and erosion control, contamination containment, stockpiles, noise and vibration, odours and dust emissions.
- (c) All works must be undertaken onsite in accordance with the approved CEMP.

Reason

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

(44) DEWATERING - APPROVAL NSW OFFICE OF WATER

If any dewatering of the site is to be undertaken, a bore licence may be required from the NSW Office of Water under the provisions of Part V of the Water Act 1912. The NSW Office of Water licences dewatering to allow excavation for construction for a temporary period, usually 12 months.

NOTE: The Department's instructions to Council are that they will not endorse the extraction of groundwater in perpetuity i.e. permanent dewatering around a development site, because it considers such development to be unsuitable. For

this reason any proposed basement or other area that requires dewatering on an on-going basis may need to be fully tanked.

Reason

To ensure dewatering is undertaken appropriately.

(45) 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. This includes the fire engineering solution to address the new floors of 14 Wentworth Avenue that do not meet the existing facade.

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.

(46) CONSERVATION OF PAVEMENT LIGHTS

A conservation plan, prepared by a suitably qualified practitioner detailing the conservation, upgrade and ongoing maintenance of the footpath lights, and vaults below, is to be submitted to and approved by Council's Urban Design and Heritage Manager prior to a Construction Certificate being issued. The Principal Certifier must ensure compliance with the approved plan and conservation upgrade works during the period of construction.

Reason

To ensure that the pavement lights are appropriately conserved.

(47) HERITAGE INTERPRETATION PLAN

- (a) An interpretation plan for 4-22 Wentworth Avenue, Surry Hills 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 buildings at 4-22 Wentworth Avenue 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.

(48) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MAJOR WORKS)

Prior to any Construction Certificate being issued, an archival photographic recording of the buildings at 4-22 Wentworth Avenue 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.

(49) SITES IN THE VICINITY OF A HERITAGE ITEM

The approved works must ensure that 24 Wentworth Avenue, Surry Hills is to be suitably protected during the construction process. The contractor or developer must conduct consultations with the stakeholders of the neighbouring heritage site, record and monitor the conditions of the heritage building and take suitable measures to control and minimize any risks to the heritage fabric during construction. The protection measures must be incorporated into the construction management plan. Details of the protection plan must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of any Construction Certificate.

Reason

To ensure the protection of adjacent/nearby heritage items.

(50) HERITAGE ITEMS - WORKS TO BE CONSISTENT WITH CMP OR HIS

- (a) An updated conservation work schedule detailing methodologies for implementation of the recommendations of the Conservation Management Plan prepared by NBRS and dated September 2025; and Schedule of Conservation Works prepared by Jean Rice Architect and dated 12 February 2026 must be submitted to and approved by Council, prior to a Construction Certificate being issued.
- (b) The conservation work schedule must be updated to detail how the following recommendations will be undertaken – strengthening of existing posts within the buildings, reinstatement of the parapet cornices to the Swallows Building, and include detailed drawings and outline specifications of works required to support any schedule of conservation works.

The work schedule must be implemented to the satisfaction of Council's Urban Design and Heritage Manager prior to the issue of any Occupation Certificate.

Reason

To ensure the works are carried out in an appropriate manner that protects the heritage of the site/building.

(51) SALVAGE, REUSE AND RECYCLING OF TRADITIONAL BUILDING MATERIALS – MAJOR DEVELOPMENT

Stone, bricks, roof tiles joinery and decorative architectural elements to be demolished, which include stairs, windows and doors, chimney pieces and ceiling roses must be salvaged and where possible reused on the project.

Salvaged building materials surplus to the project must either be stored on site for future reuse or transferred to an established second building material dealer for recycling.

Documentation of the salvage methodology must be submitted to and approved by Council's Urban Design and Heritage Manager / Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To ensure the salvaging and reuse of traditional building materials.

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

- (a) Prior to the issue of a Construction Certificate, the Schedule of Conservation Works by Jean Rice Architect, dated 12 February 2026 is to be updated to account for any changes to the design (such as parapet works) and is to be submitted to Council's Urban Design and Heritage Manager for approval.
- (b) The schedule is to detail the conservation of all fabric identified as having a heritage significance/value including but not limited to the following: stonework, brickwork, door and window joinery, glazing, hardware, pavements, tiling, roof plumbing, roofing and painting.

- (c) The schedule is to be supported by outline specifications, methodologies and detailed architectural sections, elevations and plans at 1:20 and 1:5 scales. The details should incorporate any structural and/or building services design for the building.
- (d) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building. Any departure from approved plans requiring additional demolition/chasing of significant fabric is to be discussed with City of Sydney Heritage Specialists for acceptance.
- (e) A schedule of site inspections at key points during construction (like after demolition, before covering significant fabric with new ceilings and floors and/or when design changes impacting significant fabric need to be implemented and required to be discussed with Council) is required to be submitted to City of Sydney for approval.
- (f) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013. Appropriately qualified contractors and tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.
- (g) INSPECTION AND APPROVAL: The conservation works are to be progressively inspected by Council Heritage Specialists in accordance with approved scheduled site inspections as per point (e), and be implemented to the satisfaction of Council's Urban Design and Heritage Manager prior to the issue of any Occupation Certificate or commencement of the use, whichever is the earlier.

Reason

To ensure the carrying out of appropriate heritage conservation works.

(53) LANDSCAPE OF THE SITE

- (a) The approved landscape plans are to be updated and must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of a Construction Certificate for above ground works. These documents must include:
 - (i) replace *Banksia integrifolia* and *Banksia marginata* with tree species identified as 'Somewhat Reliable' or better in the City of Sydney's Tree Species List <https://www.cityofsydney.nsw.gov.au/lists-maps-inventories/tree-species-list>. Palms, fruit trees and species recognised to have a short life span will not be accepted as suitable replacements.
 - (ii) Trees planted on levels 3 and 4 must be amended to sit centrally within the planter beds to allow improve development of symmetrical forms and canopies.
 - (iii) A landscape maintenance plan must be submitted. The plan must include any relevant safe work methodology for working at height such as access requirements; location of access gates or hatches;

location of safety equipment such as anchor points or static lines;
and routes for the transport of materials and green waste.

- (b) Prior to the issue of an Occupation Certificate, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Principal Certifying Authority.
- (c) All landscaping in the approved plan 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.

(54) MECHANICAL VENTILATION

- (a) The premises must be ventilated in accordance with the *Building Code of Australia* and *AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings*.
- (b) Details of any mechanical ventilation and/or air conditioning system complying with *AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings*, the *Building Code of Australia* and relevant Australian Standards must be prepared and certified in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.
- (c) Prior to issue of any Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, must be submitted to the Principal Certifier.

Reason

To ensure the ventilation complies with relevant standards.

(55) REFLECTIVITY

Prior to issue of the Construction Certificate the Registered Certifier must ensure that the visible light reflectivity from building materials used on the facade of the building does not exceed 20%.

Reason

To ensure the development does not result in adverse reflectivity impacts and to protect the amenity of the public domain.

(56) APPROVED ACOUSTIC REPORT

The Noise Impact Assessment prepared by E-Lab Consulting reference PO2309 dated 29 September 2025 Council reference TRIM 2025/592396 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.

(57) 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.

(58) DEMOLITION, EXCAVATION AND CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

A site-specific noise and vibration management plan must be submitted to the Council's Executive Director City Planning, Development and Transport for comment and ultimate 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.

(59) INSTALLATION OF DUAL-FLUSH TOILETS

All toilets installed within the development must be of water efficient dual-flush or other water-saving capacity with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the approval of the Registered Certifier, prior to a Construction Certificate being issued.

Reason

To ensure the provision of water efficient toilets.

(60) INSTALLATION OF WATER EFFICIENT URINALS

New urinal suites, urinals and urinal flushing control mechanisms must use waterless technology. Where it is submitted that this is not feasible, it must be demonstrated that products have been selected with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). Systems must include "smart controls" to reduce unnecessary flushing. Continuous flushing systems are not approved. Details are to be submitted to and approved by the Registered Certifier, prior to a Construction Certificate being issued.

Reason

To ensure the provision of water efficient urinals.

(61) INSTALLATION OF WATER EFFICIENT TAPS

All taps installed must be water efficient with at least a 5-star rating under the Water Efficiency and Labelling Scheme (WELS). The details are to be submitted for the approval of the Registered Certifier, prior to any Occupation Certificate being issued.

Reason

To ensure the provision of water efficient taps.

(62) INSTALLATION OF WATER EFFICIENT SHOWER HEADS

All shower heads installed must be water efficient with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details are to be submitted for the approval of the Registered Certifier, prior to any Occupation Certificate being issued.

Reason

To ensure the provision of water efficient shower heads.

(63) DESIGN FOR ENVIRONMENTAL PERFORMANCE

- (a) Prior to the issue of any Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the approved Design for Environmental Performance report prepared by Will Young dated Wednesday, September 24, 2025 (Council Ref: 2025/592436) are incorporated into the relevant construction plans and accompanying documentation:

- (i) Section 4 – Energy Efficiency and Greenhouse Gas Emissions Abatement
 - (ii) Section 5 – Passive Design for Thermal Performance – Building Envelope Design
 - (iii) Section 6 – On site Renewable Energy Generation and Storage
 - (iv) Section 7 – Design for Resilience to Climate Change
 - (v) Section 8 – Designing for mains potable water savings and water efficiency
 - (vi) Section 9 – Storm water quality
 - (vii) Section 10 – City Greening
 - (viii) Section 11 – Promoting Active Transport and Reducing Transport Emissions
 - (ix) Section 12 – Materials, Embodied Carbon and Circularity
 - (x) Section 13 – Waste Management and Resource Recovery
 - (xi) Section 14 – Third Party Certification and Design, Construction or Technology Innovations
- (b) Changes to any commitments as listed in the approved Design for Environmental Performance report must be submitted to and approved by Council's Area Planning Manager/Coordinator prior to the issue of any relevant Construction Certificate.

Reason

To ensure the environmental performance of the development.

(64) ENERGY PERFORMANCE – NABERS

The design of the building and its services must achieve a National Australian Built Environment Rating System (NABERS) Energy rating of 5.5 Star in operation for the base building. This is to be demonstrated by:

- (a) Entering into a Commitment Agreement with the NABERS National Administrator, to deliver this star rating for the base building. A copy of the signed Commitment Agreement contract is required; and
- (b) Providing a copy of the Estimator's report and Independent Design Review report to the NABERS National Administration and submitting the same reporting with the Construction Certificate application. The reporting must demonstrate the developments capacity to meet the NABERS star rating and the overperformance requirement mandated by the City.

The required documents specified above are to be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of a Construction Certificate.

Note: Definitions referred to above are as follows:

- (i) Commitment Agreement means an agreement that is set out in accordance with the NABERS National Administrator. The NABERS Commitment Agreement, which is signed between a NABERS authorised signatory and the applicant/building owner/building manager, is a commitment to design, build and commission the premises to achieve an agreed star rating.
- (ii) Star rating refers to the benchmarking system applied by the NABERS National Administrator for measuring the energy efficiency of a building.
- (iii) Base building means central services and common areas of a building, as defined under NABERS.
- (iv) Whole building refers to the base building and tenant occupied spaces, as defined under NABERS.
- (v) Estimate report refers to the report created by the Estimator which sets out a realistic estimate of the operational performance of the project determined.
 - a. In accordance with the NABERS Handbook; and
 - b. Without reference, calculation or consideration to GreenPower or other offsite renewable energy.
- (vi) Independent Design Review report is a report prepared in respect to the Independent Design Review by the Reviewer.

Reason

To ensure the building achieves the stated energy use performance rating and to reduce greenhouse gas emissions.

(65) ENERGY PERFORMANCE CERTIFICATION – NABERS

The building and its services must achieve a National Australian Built Environment Rating System (NABERS) Energy rating of 5.5 Star in operation for the base building. Within 24 months from the day on which an occupation certificate is issued, a NABERS Energy rating application for the development is to be prepared by a NABERS Accredited Assessor and lodged with the NABERS National Administrator. Once certified, a copy of the NABERS certificate and report are to be submitted to Council.

The NABERS report must demonstrate the following:

- (a) The rated annual energy use and associated emissions achieve both the NABERS star band requirement and the agreed City overperformance requirement of 5.5-star;
- (b) If the development will not achieve the energy use standards – the difference between the rated annual electricity use and the energy use standards, calculated for the first 5 years of operation.

Reason

To reduce greenhouse gas emissions and impact on the electricity grid associated with the development in operation and increase the development's resilience to disruption from extreme weather events.

(66) NABERS WATER RATING - Agreement to Rate not provided

The design of the building and its services must achieve a National Australian Built Environment Rating System (NABERS) Water rating of 3 Stars in operation. This is to be demonstrated by:

- (a) Submitting a signed NABERS Agreement to Rate for the required star rating; and
- (b) Providing a Water Use Assessment Report prepared by a suitably qualified person, demonstrating the building is capable of achieving a NABERS water rating of 3 Stars. The Water Use Assessment Report should include calculations in line with the Green Building Council of Australia's (GBCA) Water Use calculator, or other equivalent methodology.

The report and NABERS Agreement to Rate are to be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To ensure that the building complies with the 3 Star NABERS water rating required under the State Environmental Planning Policy (Sustainable Buildings) 2022.

(67) NABERS CERTIFIED WATER RATING

Within 24 months from the day on which an occupation certificate is issued, a NABERS Water rating application for the development is to be prepared by a NABERS Accredited Assessor and lodged with the NABERS National Administrator.

Once certified, a copy of the NABERS certificate and report are to be submitted to Council's Area Coordinator Planning Assessments / Area Planning Manager.

Reason

To ensure that the development meets the requirements of the State Environmental Planning Policy (Sustainable Buildings) 2022.

(68) EMBODIED EMISSIONS REPORTING

Prior to the issue of a Construction Certificate, as per requirements under the Sustainable Buildings SEPP, embodied emissions reporting is to be updated to reflect finalised material specifications and increased design detail. If the NABERS Embodied Emissions Tool is active prior to submission of construction certificate documentation, then reporting is to be provided through the tool.

Reason

To ensure quantification of embodied emissions from the development.

(69) SPECIAL CONDITION – UPDATED STORMWATER PLANS

The stormwater plans must be updated, submitted and approved by the City of Sydney Urban Forest Team prior to the issue of any Construction Certificate. The updated plans must show the location of all stormwater conduits within the footpath. They must not be located within the Structural Root Zone of any street tree. A qualified Arborist (minimum AQF Level 5) must assess the updated plans prior to being submitted to the City of Sydney.

(70) PUBLIC DOMAIN DAMAGE BOND

- (a) A Public Domain Damage Deposit calculated on the basis of 570 square metres of asphalt and concrete site frontage (including public artwork in Wemyss Lane) 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.

(71) PROTECTION OF STONE KERBS

- (a) The existing stone kerbs on the Weymss Lane frontage of the site are to be retained and properly protected during demolition, excavation and construction works.
- (b) To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled.
- (c) Note the following:
 - (i) all costs associated with the works are to be borne by the developer.
 - (ii) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.

- (iii) Where new vehicle crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
- (iv) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers.
- (v) Council approval is required before kerbs are removed.
- (vi) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.
- (vii) Stone kerbs and gutters may be bonded in accordance with the City of Sydney's adopted Schedule of Fees and Charges. If so, this will be included with the Public Domain Damage Bond.
- (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.

(72) SURVEY INFRASTRUCTURE – IDENTIFICATION AND RECOVERY

Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.

Prior to the issue of any Construction Certificate, documentary evidence must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include either:

- (a) A copy of any Surveyor-General's Approval for Survey Mark Removal granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the survey mark audit schedule, strategy plan and strategy report); or
- (b) A letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all investigations required under Surveyor-General's Direction No.11 have been made for the subject site and that no survey infrastructure will be affected by the proposal.

Council's Principal Surveyor may request further information and/or add conditions to any Surveyor-General's Approval at their discretion.

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.

(73) 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.

(74) 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 Weymss Lane and shall be designed to include the following requirements:

- Vertical and pedestrian levels P2-P3.

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.

(75) TEMPORARY DEWATERING DURING CONSTRUCTION

Prior to discharging any water collected during excavation and construction into the City's stormwater drainage system, approval must be sought from the City's Public Domain Unit. A dewatering management plan must be submitted with an *Application for Temporary Dewatering* available to download on the City's website.

Other options for dewatering include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason

To ensure dewatering is managed appropriately.

(76) 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, including the CCTV of the adjacent drainage network (per the Sydney Streets Technical Specifications 4.6.3 CCTV Footage requirements. Temporary Works Application is required to access the pits) and public artwork in Weymss Lane, 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.

(77) FOOTPATH AWNINGS

Footpath Awnings which are proposed to be constructed above the public domain (including a public footway) must have separate approval(s) obtainable through the lodgment of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to any Construction Certificate for the building.

Documentation must be submitted to the City's Construction and Building Certification Services Unit with the application demonstrating that the awning height complies with Development Control Plan 2012. Plans are to include dimensions confirming the awning width and setback from the kerb. Awning gutters are to be concealed from the public domain and plans are to confirm downpipes are located within or recessed into the ground floor frontage of the building.

Reason

To ensure approval is obtained for the construction of the awnings over the footway.

(78) FLOOD PLANNING LEVELS

The development must be constructed to comply with the recommended flood planning levels indicated in Figures No. 15 & 16 of the report titled Flood Statement/Rev No.4 (project 241601) prepared by TTW Pty Ltd, dated 29 September 2025.

Details must be submitted to the Registered Certifier prior to the issue of any Construction Certificate demonstrating that the development will comply with the recommended flood planning levels.

Reason

To ensure the development complies with the recommended flood planning levels.

(79) STORMWATER QUALITY ASSESSMENT

The development must comply with report titled Civil DA Report 4-22 Wentworth Part 4.3 and MUSIC Link report, prepared by TTW, dated 15 January 2026 approved with this development application.

Prior to issue of any Construction Certificate a design certification report prepared by a suitably qualified practitioner engineer (NER) demonstrating compliance with approved music link targets and parameters must be submitted to and approved by the City's Public Domain Unit.

The report must include a response to all stormwater quality improvement devices structural integrity, treatment train and their treatment properties demonstrating compliance with the approved MUSIC link reports.

Reason

To ensure appropriate stormwater quality on the site.

(80) STORMWATER ON-SITE DETENTION

The requirements of the City of Sydney with regard to the on-site detention (OSD) of stormwater must be ascertained and complied with. Detailed design must be submitted to Council prior to issue of any Construction Certificate other than demolition.

Reason

To ensure the requirements of Sydney Water are complied with.

(81) STORMWATER DRAINAGE DESIGN

Prior to issue of any Construction Certificate a detailed stormwater management plan prepared by suitable qualified and experienced Civil Engineer must be submitted to and approved by the City's Public Domain Unit.

The plan must be submitted with an Application for Approval of Stormwater Drainage, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges.

The submission must include;

- (a) A certified stormwater drainage design complying with:
 - (i) Council's Sydney Streets Technical Specifications, Part A4 Drainage Design;
 - (ii) Council's Sydney Streets Technical Specifications, Standard Drawings;
 - (iii) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage Construction;
 - (iv) Council's Stormwater Drainage Manual; and
 - (v) All relevant Australian Standards.

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.

(82) PUBLIC DOMAIN LEVELS AND GRADIENTS - MAJOR

Prior to the issue of any Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages must be submitted to and approved by the City's Public Domain Unit. The submission must be prepared in accordance with the City's *Public Domain Manual* and submitted with a completed Application for *Public Domain Levels and Gradients*. Information on how to complete the submission can be downloaded from the City's website at <https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works>.

Any requirements to comply with Disability Discrimination Act and the recommended Flood Planning Level/s at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

Note: Public Domain Levels and Gradient plans are to be included with the Public Domain Plan – Detailed Documentation for Construction condition submission.

Reason

To ensure public domain levels and gradients comply with Council's requirements.

(83) UTILITY SERVICES

To ensure that utility authorities are advised of the development:

- (a) Prior to the issue of a Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

Reason

To ensure that utility authorities are advised of the development and their approval is obtained in connection with the relocation and/or adjustment of services affected by the development.

(84) ELECTRICITY SUBSTATION AND TURRETS

If required by the applicable energy supplier, the owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site, but not in any landscaped area or in any area visible from the public domain, to enable an electricity substation and/or turrets to be installed. The size and location of the substation is to be submitted for approval of Council and Ausgrid, prior to a Construction Certificate being issued or the commencement of the use, whichever is earlier. Electricity turrets must be located wholly within the boundary of the site.

Reason

To ensure that the provision of a substation and turrets to service the development is appropriately incorporated into the design of the building in a manner that minimises streetscape impacts.

(85) WASTE AND RECYCLING MANAGEMENT – COMMERCIAL

The Operational Waste Management Plan accompanying this Development Application has not been approved by this consent. An Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery unit and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate. The plan must comply with Council's Development Control Plan and *Guidelines for Waste Management in New Developments*. The plan must address:

- (a) Calculations of waste and recycling generation
- (b) The location and dimensions of waste storage areas, ensuring they are ventilated, screened from the public domain, and sized to accommodate the required number of bins in accordance with Reference D of the guidelines

- (c) Path of travel: A clear, unobstructed, and level (or appropriately graded) route for moving bins from the storage area to the designated collection point. This includes the use of a pedestrian tow tug to transfer bins from the lower ground floor waste room to a waste truck on Wemyss Lane" via the existing 1:4 car park ramp. There are to be no bins stored within Weymss Lane for collection at any time.
- (d) Clearly defined roles for building managers or contractors regarding the cleaning of bins, maintenance of storage areas, and the presentation of bins for collection.

Reason

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

BEFORE BUILDING WORK COMMENCES

(86) CONSTRUCTION LIAISON

- (a) Prior to the commencement of any work, a Construction Liaison Committee or an alternative approved in writing by Council's Executive Director City Planning, Development and Transport, is to be established by the developer to ensure that demolition and construction related impacts (including construction noise and vibration, loading, issues associated with construction workers and vehicles, traffic issues and management of the construction site) can be dealt with expeditiously and cooperatively.
- (b) The Committee is to be comprised of interested parties representing potentially affected properties adjacent to and surrounding the site and any interested group. A nominated representative of the Council may be an observer from time to time.
- (c) The Committee shall meet prior to the commencement of works on the site and prior to the submission of the final Construction Management Plan to Council to address initial areas of concern, and then at monthly intervals or as considered appropriate by the Committee throughout the construction process.
- (d) Prior to the commencement of work, the Site Manager is to provide the members of the Committee and Council with 24 hour contact details (including location of site offices and a 24 hour phone number) to ensure that any matters which arise during the construction process are addressed immediately. The Site Manager shall be available during normal business hours to provide information to the public about activities on site and to bring any complaints to the attention of the Applicant.
- (e) A register of all complaints shall be kept by the Applicant throughout the duration of the project and shall be made available to Council Officers on request.
- (f) The Committee meetings are to be recorded/minuted and such records/minutes are to be provided to Council within 14 days of the meeting.
- (g) The first Committee meeting should establish Terms of Reference, including purpose, size and membership, quorum, meeting frequency and duration, procedures for meetings, recording/distribution of comments and outcomes and the like.
- (h) The initial call for resident/worker nominations to be sent to the adjacent and adjoining property owners and tenants must be submitted to and approved by the Executive Director City Planning, Development and Transport.
- (i) The Site Manager is to inform each Committee meeting about the construction program, progress reports and impending 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 a Construction Liaison Committee (or alternative) is established and operates to ensure that demolition and construction related impacts can be dealt with expeditiously and cooperatively.

(87) SURVEY

All footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report, prepared by a Registered Surveyor, must be submitted to the Principal Certifier indicating the position of external walls in relation to the boundaries of the allotment. Any encroachments by the subject building over adjoining boundaries or roads must be removed prior to continuation of building construction work.

Reason

To ensure the development does not encroach onto neighbouring properties

(88) CHECK SURVEYS DURING CONSTRUCTION

Prior to the concrete pour of the main slab at each level, a survey shall be made by a surveyor registered under the Surveying and Spatial Information Act, 2002, confirming that the formwork adjacent to existing or proposed boundaries is clear of those existing or proposed boundaries and is in accordance with approved setbacks and levels. This survey shall be provided to the Principal Certifier prior to the concrete pour. The concrete pour must not take place until the Principal Certifier receives a survey proving that the formwork has been constructed within the existing and proposed boundaries of the site, and is compliant with the setbacks and levels approved under this consent.

Reason

To ensure the development does not encroach onto neighbouring properties

(89) HAZARDOUS MATERIALS SURVEY REQUIRED

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

Reason

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

(90) OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD

If it is proposed to install a building maintenance unit or operate a hoisting device above a road (typically footways) including swinging, hoisting material/equipment and slewing any part of the device, a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council prior to the installation of such devices.

Note 1: Building maintenance unit means a power operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2025*).

Note 2: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure appropriate approvals are sought for operating hoisting devices.

(91) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

- (a) Prior to the commencement of demolition and/or excavation work, which must be consistent with the approved site-specific noise and vibration management plan approved by the Executive Director City Planning Development and Transport, 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.)
 - (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
 - (iv) A Waste and Recycling Management Plan – Demolition and Construction for the demolition and or excavation of the proposed development. The plan is to include details of materials that will be excavated and their proposed destination or reuse.
 - (v) Plans and elevations showing the location, construction and installation of temporary site fencing and any 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.

(92) EROSION AND SEDIMENT CONTROL - BETWEEN 250 AND 2,500SQM

Prior to the commencement of demolition/excavation/construction work, an Erosion and Sediment Control Plan (ESCP) must be submitted to and be approved by the Principal Certifier. The ESCP must:

- (a) Conform to the specifications and standards contained in Managing Urban Stormwater: Soils and Construction (Landcom, 2004); the Guidelines for Erosion and Sediment Control on Building Sites (City of Sydney, 2004); and the *NSW Protection of the Environment Operations Act 1997*.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

- (b) Include a drawing(s) that clearly shows:
 - (i) location of site boundaries and adjoining roads
 - (ii) approximate grades and indications of direction(s) of fall

- (iii) approximate location of trees and other vegetation, showing items for removal or retention
- (iv) location of site access, proposed roads and other impervious areas
- (v) existing and proposed drainage patterns with stormwater discharge points
- (vi) north point and scale
- (c) Specify how soil conservation measures will be conducted on site including:
 - (i) timing of works
 - (ii) locations of lands where a protective ground cover will, as far as is practicable, be maintained
 - (iii) access protection measures
 - (iv) nature and extent of earthworks, including the amount of any cut and fill
 - (v) where applicable, the diversion of runoff from upslope lands around the disturbed areas
 - (vi) location of all soil and other material stockpiles including topsoil storage, protection and reuse methodology
 - (vii) procedures by which stormwater is to be collected and treated prior to discharge including details of any proposed pollution control device(s)
 - (viii) frequency and nature of any maintenance program
 - (ix) other site-specific soil or water conservation structures.

Reason

To ensure that appropriate erosion and sediment control measures are put in place during construction to protect the environment.

(93) USE OF GEOTECHNICAL ENGINEER

- (a) A suitably qualified geotechnical engineer is to be commissioned to work with the consultant team throughout the design development, contract documentation and excavation stages of the project. The engineer is to be involved in the resolution of all matters relating to the excavation to extend the existing basement. The geotechnical engineer is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of excavation issues throughout the project.
- (b) The recommendations of the Geotechnical Site Investigation Report, Project No: SRE/1455/SH/25, Rev. 0, prepared by Soilsrock Engineering Pty Ltd and dated 17 September 2025 must be implemented.

Reason

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

(94) USE OF A STRUCTURAL ENGINEER

A suitably qualified practising structural engineer is to be commissioned to work with the consultant team throughout the design development, contract documentation and excavation stages of the project. The engineer is to be involved in the resolution of all matters relating to the excavation of the basement. The structural engineer is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of excavation issues throughout the project.

Reason

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

(95) STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

Prior to a commencement of demolition, excavation or construction work, a report or certification from a practicing structural engineer experienced in dealing with heritage buildings must be submitted to and approved by Council's Urban Design and Heritage Manager / Area Coordinator Planning Assessments / Area Planning Manager. The report must explain how the retained building elements, such as building facades, existing columns and posts, existing floors to be retained, and chimneys are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

Reason

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

(96) DISPOSAL OF SURPLUS SALVAGED MATERIALS

Salvaged traditional building materials surplus to the requirements of this project including stone, bricks, structural timber, staircases, and joinery are to be sold to an established dealer in second-hand heritage building materials. Documentation of the salvage methodology must be submitted for the approval of Council prior to the commencement of demolition.

Reason

To ensure the salvaging and reuse of traditional building materials.

(97) RODENT TREATMENT PROGRAMME – PRE DEMOLITION AND/OR EXCAVATION

- (a) Prior to the commencement of any demolition and/or excavation works, a programme of baiting and monitoring of rodent activity is to be put in place at the site.

- (b) A licensed Pest Control Operative must carry out all pest control work and prepare a report, confirming that there is no evidence of any rodent activity at the site prior to the commencement of any works on site. The report must be submitted to and be approved/endorsed by Council's Area Coordinator Planning Assessments/Area Planning Manager.

Reason

To ensure that the potential impact of rodents during the demolition, excavation and construction phase is appropriately managed.

(98) PUBLIC DOMAIN WORK – CONSTRUCTION APPROVAL UNDER SECTION 138 ROADS ACT 1993

Prior to the construction of any public domain works, including stormwater drainage 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.

(99) 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.

(100) APPLICATION FOR HOARDINGS AND SCAFFOLDING INSTALLED ON AND/OR ABOVE A PUBLIC ROAD AND OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD

- (a) Where a hoarding and/or scaffolding (temporary structures) are proposed to be installed on or above a road reservation (footway and/or roadway), a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council for such structures.

- (b) Where an approval (Permit) is granted allowing the placement of construction related temporary structures (hoardings/scaffolding) on and/or above a public road the structures must comply fully with Council's Code of Practice: Construction related Temporary Structures On and Above Roads; and the conditions of approval (Permit) granted including:
- (i) maintaining a current and valid approval for the full duration that the temporary structure/s is in place;
 - (ii) maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.8);
 - (iii) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.12.2);
 - (iv) maintaining temporary structures and the public space adjoining the worksite in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.12.2, 2.12.1(d), 3.8.17(c), and 3.10.2(g));
 - (v) maintaining a watertight deck (Type-B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.5.2(h) and 3.11.3);
 - (vi) approved site sheds and equipment on the decks of a Type-B hoarding being fully screened from the public place (Clause 3.5.2(c));
 - (vii) material and equipment not being placed or stored on the deck of Type-B hoardings, unless specifically approved by Council (Clause 3.15.5(a));
 - (viii) providing and maintaining operational artificial lighting systems under Type-B hoardings including at high-bay truck entry points (Clause 3.16); and
 - (ix) ensuring all required signage, artwork or historic images are provided and fully maintained to the City's requirements (Part 06).

If it is proposed to operate a hoisting device including a building maintenance unit above a public road which swings, hoists material/equipment and/or slews/wind vanes any part of the device over the public road, a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be made to Council to obtain approval.

Note 1: 'Building maintenance unit' means a power-operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2025*).

Note 2: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure the necessary approval is obtained for construction related temporary structures and hoisting activities over a public road.

(101) OTHER REQUIRED APPROVALS

Any structure, attachment or activity which is proposed to be undertaken in, on or above a road reserve or the public domain (including a public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to the commencement of work/activities within the road reserve/public domain. Such activities include but not limited to:

- (a) installation of construction-related temporary structures including hoardings/scaffolding which must comply with the Code of Practice: Construction related Temporary Structures On and Above Roads;
- (b) installation and/or alterations to advertising/business signs;
- (c) installation and/or alterations to street awnings;
- (d) crane operation and hoisting activities over roads and which must comply with the Code of Practice: Hoisting and Construction Activities On and Above Roads;
- (e) temporary works (e.g. barricading, road openings, mobile hoisting devices) which must comply with Code of Practice: Hoisting and Construction Activities On and Above Roads;
- (f) works zones (for loading and unloading from the roadway); and
- (g) temporary ground-anchoring and shoring to support a roadway when excavating; and
- (h) any other structure or encroachment including facade elements/architectural features.

Reason

To ensure use of a public place is managed appropriately.

(102) TREE PROTECTION ZONES (FOR STREET TREES)

- (a) Tree Protection Zone(s) (TPZs) must be established in accordance with Australian Standard 4970 'Protection of trees on development sites' before the commencement of and until completion of the development works.
- (b) The TPZ's are to be established in the locations as outlined in the following table:

Tree No.	Species	Tree Location	TPZ radius(m) from truck	SRZ radius (m) from trunk
1	<i>Populus simonii</i> (Simon Poplar)	Front of 4-6 Wentworth Avenue	2.0	1.5
2	<i>Platanus x acerifolia</i> (London Plane)	Front of 8 Wentworth Avenue	4.4	2.4
3	<i>Populus simonii</i> (Simon Poplar)	Front of 14 Wentworth Avenue	2.2	1.9
4	<i>Populus simonii</i> (Simon Poplar)	Front of 16-22 Wentworth Avenue	2.8	1.9
5	<i>Populus alba</i> (White Poplar)	Front of 24 Wentworth Avenue	2.5	1.8

- (c) Tree trunk and major branch protection must be installed prior to the issue 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.
- (d) Materials or goods, including sheds, must not be stored or placed:
- (i) around or under the tree canopy or;
 - (ii) within two (2) metres of tree trunks or branches or any street trees.

- (e) Temporary signs or any other items must not be fixed or attached to any street tree.
- (f) Where installed, hoarding support columns are to be placed a minimum of 300mm from the edge of the existing tree pits/setts, so that no sinking or damage occurs to the existing tree pits. Supporting columns must not be placed on exposed tree roots.
- (g) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the City of Sydney Tree Team.
- (h) Any 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.

DURING BUILDING WORK

(103) ASBESTOS REMOVAL WORKS

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

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

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2025* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW) December 2011* and the *City of Sydney Managing Asbestos Policy dated 21 October 2013 and associated guidelines*.
- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.
- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.
- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.
- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.

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

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

Reason

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

(104) 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.

(105) NOTIFICATION OF EXCAVATION WORKS OR USE OF HIGH NOISE EMISSION APPLIANCES/PLANT

The immediately adjoining neighbours must be given a minimum of 48 hours notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.

Reason

To protect the amenity of the surrounding area.

(106) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;
- (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;
- (d) The approved hours of work, the Principal Certifier including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, and the estimated date of completion of the project are to be displayed on the site notice;
- (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.
- (f) All notices and signs must be displayed in locations as specified in the City's Code of Practice: Construction related Temporary Structures On and Above Roads.

Reason

Prescribed condition EP&A Regulation 2021, Section 70.

(107) NOTIFICATION – NEW CONTAMINATION EVIDENCE

- (a) Council and the Certifier (AND/OR ACCREDITED SITE AUDITOR IF REQUIRED) must be notified immediately of any new information which

arising during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

- (b) Once identified, remediation, demolition or construction work must immediately cease.
- (c) A certified environmental consultant must be appointed to undertake an assessment of the potential contaminants and works required to make the site safe from potential human health and environmental harm.
- (d) If the duty to report contamination to the NSW EPA under Section 60 of the Contaminated Land Management Act 1997 is triggered, the NSW EPA and Council must be notified immediately.

Reason

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

(108) 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 receipt 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.

(109) DISCHARGE OF CONTAMINATED GROUNDWATER

- (a) Contaminated groundwater must not be discharged into the City's stormwater drainage system.
- (b) Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by an EPA NSW licensed liquid waste contractor and disposed of by transporter to an appropriate licensed waste treatment/processing facility.

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 discharge of ground water is appropriately managed.

(110) 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.

(111) 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.

(112) 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.

(113) 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.

(114) VEHICLE CLEANSING

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

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 sediment is not tracked onto the roadway.

(115) 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.

(116) COMPLIANCE WITH DEMOLITION, EXCAVATION & CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

- (a) All works conducted on site which form part of this development must be carried out in accordance with the submitted Demolition, Excavation and Construction Management Plan (once approved by Council).
- (b) Where all such control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels. (Use where respite periods not specified under the approved DEC NMP)

Such periods must be set and agreed to by Council's Health and Building Unit.

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.

(117) 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.

(118) HOLD POINTS

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.

(119) STORMWATER DRAINAGE CONNECTION

For approval of a connection into the City of Sydney's underground drainage infrastructure system, detailed stormwater construction plans must be submitted to the City's Public Domain Team with the Public Domain Plan Detailed Documentation for Construction for review and approval of stormwater drainage connection.

Reason

To ensure approval of connection into the Council's drainage system is sought.

(120) 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.

(121) 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.

(122) 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.

(123) TREE SENSITIVE EXCAVATION

- (a) Excavation within the Tree Protection Zone(s) (TPZs) as detailed in the table below must be undertaken using tree sensitive methods (i.e. hand/ air space/ hydrovac) and supervised by a qualified Arborist (minimum AQF level 5). To prevent root damage, low pressures must be used for hydrovac excavation with the bark remaining intact.

Table – Tree (Root) Protection Zone Schedule:

Tree No	Species	Tree Location	TPZ radius (m) from trunk	SRZ radius (m) from trunk
3	<i>Populus simonii</i> (Simon Poplar)	Front of 14 Wentworth Avenue	2.2	1.9

- (b) Excavation must not occur within the SRZ. If excavation is proposed within this zone, the Council's Tree Management Officer must be contacted immediately, and the excavation must be carried out in accordance with Council's direction.
- (c) Roots greater than 40mm must not be severed or damaged within the TPZ without written approval from the City of Sydney Tree Team. As required, tree sensitive construction/installation methods (i.e. directional boring, redirection of services, pier and beam footings) must be used to ensure the retention and protection of roots greater than 40mm diameter.
- (d) Footings shall be relocated / realigned if any tree root greater than 40mm in diameter is encounter during excavations. A minimum of 150mm clearance shall be provided between the tree root and footing.
- (e) Trenching must be backfilled as soon as possible, and exposed roots must be covered with mulch or a geotextile fabric and kept in a moist condition and prevented from drying out.

- (f) Any approved root pruning must be carried out by a qualified Arborist (minimum AQF Level 5) in accordance with Australian Standard 4373 'Pruning of Amenity Trees'.
- (g) Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by a qualified Arborist (minimum AQF Level 5).

Reason

To ensure that excavation works to trees are carried out in an appropriate manner.

(124) 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 bi-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;
 - (iii) Excavation and trenching within the TPZs;
 - (iv) Landscape works within the TPZs;
 - (v) Other times as specified in the Arboricultural Impact Assessment Report, Tree Protection Specifications (TPS) and Tree Protection Plan (TPP) or these conditions.
- (d) A Tree Protection Compliance Report, which includes photographic evidence and provides details on the health and structure of tree(s), must be submitted within one week following each scheduled inspection and key milestone listed above. The report is to be submitted to, and acknowledged, by the City of Sydney Urban Forest Team. The Tree Protection Compliance Report must include:
 - (i) Confirmation that the tree protection measures have been installed in accordance with these conditions;
 - (ii) Details of any additional tree protection recommendations and subsequent implementation to ensure the tree(s) remain in a healthy condition;

- (iii) Details of works undertaken on any tree to be retained or any works within the TPZs.

Reason

To ensure the protection and ongoing health of trees on the site.

(125) 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.

(126) 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.

(127) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, where possible.
- (b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

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.

(128) NO OBSTRUCTION OF PUBLIC WAY

Unless otherwise approved by Council, the public way must not be obstructed by any materials, vehicles, waste receptacles, skip-bins or the like. Non-compliance with this requirement may result in the issue of a notice by Council to stop all work on the site.

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.

(129) USE OF MOBILE CRANES

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.

- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) The use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of approved hours of construction can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure mobile cranes are used appropriately.

(130) SYDNEY WATER CERTIFICATE

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to any Occupation Certificate or subdivision/strata certificate being issued.

Reason

To ensure the requirements of Sydney Water are met.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(131) 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.

(132) 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.

(133) COMPLIANCE WITH HAZARDOUS MATERIALS SURVEY REPORT

All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report, once approved, must be complied with.

- (a) Prior to the issue of any Occupation Certificate, certification must be submitted to the Principal Certifier from a certified Occupational Hygienist (*Australia Institute of Occupational Hygienists*) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations given in the approved Hazardous Materials Survey Report and that the site is safe for future occupation in accordance with the approved use.

Reason

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

(134) 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.

(135) AMPLIFIED SOUND AND THE INSTALLATION, SETUP, TESTING AND CALIBRATION OF LIMITER/S, PRIOR TO AN OCCUPATION CERTIFICATE

Prior to the issue of an Occupation Certificate, a sound limiter must be installed to control amplified sound at the premises in accordance with Requirement 2, *AMPLIFIED SOUND AND THE INSTALLATION, SETUP, TESTING AND CALIBRATION OF LIMITER/S, PRIOR TO AN OCCUPATION CERTIFICATE*, as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025 and any relevant requirements in the approved acoustic report.

A suitably qualified acoustic consultant is to provide a sound limiter verification report to the satisfaction of the Certifier stating that the development complies with the requirements.

Reason

To protect the acoustic amenity of surrounding properties.

(136) 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.

(137) PUBLIC DOMAIN WORKS COMPLETION

The Public Domain works are to be constructed in accordance with the Public Domain Works Approval letter, stamped plans for Public Domain Levels and Gradients, Stormwater, Public Domain Lighting, the City's *Public Domain Manual*, *Stormwater Drainage Manual*, *Sydney Lights Design Code* and *Sydney Streets Technical Specification*.

The public domain work must be inspected and a Public Domain Work Letter of Completion Operational Acceptance must be issued by Council's Public Domain Officer prior to the issue of any Occupation Certificate or before the commencement of use, whichever is earlier.

Reason

To ensure the public domain works are completed in accordance with the approved documents and Council's requirements.

(138) SURVEY INFRASTRUCTURE – RESTORATION

- (a) Prior to any Occupation Certificate being issued for the development, documentary evidence of restoration must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include:
 - (i) Certification that all requirements requested under the Surveyor-General's Approval for Survey Mark Removal or by the City's Principal Surveyor under condition "Survey Infrastructure – Identification and Recovery" have been complied with;
 - (ii) Certification that all requirements requested under any Surveyor-General's Approval for Deferment of Survey Marks from condition "Survey Infrastructure – Pre Subdivision Certificate works" have been complied with and;
 - (iii) Time-stamped photographic records of all new survey infrastructure relating to the site clearly showing the mark itself and sufficient context to aid in identifying the mark on site.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure all requirements for survey mark removal are complied with.

(139) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT

Prior to the issue of any Occupation Certificate:

- (a) The Owner is required to enter into a Deed of Agreement (Stormwater Deed) with the City of Sydney and obtain registration of Title of a Positive Covenant for all proposed connections to the City's underground drainage system. The deed and positive covenant will contain terms reasonably required by the City and will be drafted by the City's Legal Services Unit at the cost of the applicant, in accordance with the City's Fees and Charges.
- (b) A Positive Covenant must be registered on the property title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection. The positive covenant will contain terms reasonably required by the City and will be drafted by the City's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges.

Reason

To protect underground drainage system.

(140) CONSTRUCTED FLOOR LEVELS

A certification report prepared by a suitably qualified practitioner engineer (NPER) must be submitted to the Principal Certifier prior to issue of any Occupation certificate stating that the development has been constructed and the required levels achieved in accordance with the recommendations of the report titled Flood Statement/Rev No.4 (project 241601) prepared by TTW Pty Ltd, dated 29 September 2025.

Reason

To ensure the development achieves the required floor levels.

(141) FLOOD RISK MANAGEMENT

Prior to the issue of any Occupation Certificate, a certification report prepared by a suitably qualified practitioner engineer (NER), for flood risk management measures including flood planning level/s demonstrating compliance with the approved construction plans must be submitted to and be approved by the Principal Certifier. A copy of the report must be provided to Council for record keeping purposes.

Reason

To ensure flood risk management measures are complied with.

(142) ADVANCE TREE PLANTING

- (a) Tree planting within the property must be to satisfaction of the City of Sydney Urban Forest Team prior to the issuing of any Occupation Certificate and in accordance with the following:
 - (i) The planting locations, container size and species selection in the approved landscape / tree planting plan prepared by Dangar Barin Smith are to be adhered to.
 - (ii) The new tree(s) must be appropriately located away from existing buildings and structures to allow maturity to be achieved without restriction.
 - (iii) The new tree(s) must be planted at the completion of all construction works.
 - (iv) The tree(s) must be grown in accordance with Australian Standard 2303 'Trees stock for landscape use'.
 - (v) 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.
 - (vi) Prior to the issue 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).

- (vii) 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.

(143) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an **Occupation Certificate**, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved at the Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

(144) WASTE AND RECYCLING COLLECTION CONTRACT - COMMERCIAL

Prior to the issue of an **Occupation Certificate** or commencement of the use, whichever is earlier, the building owner/tenant is to enter into a contract with a licensed waste service provider for the removal of all waste and recycling stream(s). A copy of the commercial waste and recycling contract and invoices are to be made available upon request by an authorised Council officer at any time.

Reason

To ensure arrangements are in place to manage commercial waste without reliance on public place or residential waste bins.

(145) SURVEY CERTIFICATE AT COMPLETION

Prior to the issue of any type of Occupation Certificate for the building, a Final Identification Survey prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act 2002 must be submitted at the completion of the building work certifying the location of the building and showing offsets in relation to the boundaries of the allotment.

Reason

To ensure that either the building does not encroach, or that any encroachments are formalised on title.

(146) LOT CONSOLIDATION & REDEFINITION

All land titles within the site must be consolidated into one lot. A plan of consolidation must be registered with NSW Land Registry Services, prior to any type of Occupation Certificate being issued.

Note: Council consent will not be required prior to registration.

Reason

To ensure land titles within the site are consolidated.

(147) POSITIVE COVENANT

A positive covenant must be created pursuant to Section 88B of the Conveyancing Act, 1919 burdening the site and benefiting the Council of the City of Sydney, in terms to the satisfaction of council, as follows:

- (a) The registered proprietors of the site or any future Owners must indemnify Council against any damage, loss or liability relating to any overhanging awning, or encroaching components of the buildings
- (b) The registered proprietors of the site or a future Owners must effect and maintain public liability insurance in respect of third party personal injury or damage to third party property where the injury arises from or is caused by the overhanging awning or encroaching components of the buildings. The policy must be in the amount of \$20,000,000 for any one occurrence and be indexed to CPI.

Reason

To ensure any future claims relating to building components beyond the site boundaries can be adequately dealt with by appropriate insurances.

(148) RESTRICTION ON USE OF CAR SPACES

The following conditions apply to car parking:

- (a) The on-site car parking spaces, exclusive of service car spaces, are not to be used other than by an occupant or tenant of the subject building.
- (b) Prior to any type of Occupation Certificate being issued or the use commencing, whichever is earlier, a Restriction on the Use of Land is to be registered on the Title of the development site pursuant to section 88E of the Conveyancing Act 1919, to the effect of (a) above. The restriction must be created benefiting Council, at no cost to, and with terms to the satisfaction of Council.
- (c) Any future strata subdivision shall provide for a Restriction on the use of Land to be registered of all lots with car spaces, pursuant to Section 88B of the Conveyancing Act 1919, to the effect of (a) above. The covenant is to be created appurtenant to Council, at no cost to and to the satisfaction of Council.

- (d) A restriction burdening common property in a future strata plan only, shall not satisfy this condition.

Reason

To ensure the on-site car parking spaces, exclusive of service car spaces are not to be used other than by an occupant or tenant of the building.

(149) STRATA SUBDIVISION – APPROVAL OF STRATA PLAN REQUIRED

A separate application must be made to Council or a Registered Strata Certifier to obtain approval of any Strata Plan and issue of a Strata Certificate under the Strata Schemes Development Act 2015.

Reason

To ensure separate approval is obtained for the approval of the Strata Plan.

(150) RESTRICTION ON THE USE OF LAND – PARKING ON COMMON PROPERTY AREAS

No part of the common property, apart from service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or boats. Future strata subdivisions of buildings are to include an appropriate documentary restriction on the use of land pursuant to Section 88B of the Conveyancing Act 1919, so burdening common property, with the Council being the authority to release, vary or modify the restriction.

Reason

To prevent obstruction of common property areas.

(151) STRATA TITLE STORAGE AREAS

All storage areas must form part of a commercial strata unit in any future strata subdivision. No storage spaces are to have their own individual strata title.

Reason

To ensure the on-site storage spaces are not to be used other than by an occupant of tenant of the building and form part of a tenancy and prevent individual sale.

(152) BUILDING / STRATA MANAGEMENT STATEMENT

A Building/Strata Management Statement should be prepared to adequately address the ongoing maintenance, upgrading, redevelopment and structural adequacy of the development to Council's satisfaction, and be submitted with any application for strata subdivision. The Building / Strata Management Statement must not prevail over any easement, restriction on the use of land, or positive covenant that benefits Council.

Reason

To ensure the orderly development of the land.

(153) USE OF COMMON AREAS

Any common areas or common facilities must be available for the use all occupants of the building and must be designated as common property on any future strata subdivision of the site, with no exclusive use rights.

Reason

To ensure designated areas within the development are maintained as common property.

OCCUPATION AND ONGOING USE

(154) 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.

(155) 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.

(156) TRANSPORT ACCESS GUIDE

A Transport Access Guide must be implemented and maintained by the operators of the premises and be made available to staff, clients, customers and visitors at all times.

The following information shall be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of an Occupation Certificate for the site/use:

- (a) A Transport Access Guide detailing sustainable transport options to access the site including public transport, cycling and walking or a combination of these modes.
- (b) Communication methods by which the Transport Access Guide will be made available to staff, clients, customers and visitors.

Reason

To ensure that sustainable transport options are considered and communicated effectively.

(157) LOADING DOCK MANAGEMENT PLAN

A Loading Dock Management Plan is to be prepared for distribution to relevant tenants outlining how the loading dock will be managed and used by all relevant tenants. The Plan must include, but is not limited to, management of deliveries to ensure vehicles are not waiting on public streets to enter the site.

The onsite service vehicle spaces are also to be available for all the users of the building for use by removal vehicles, bulky good deliveries and similar. This shall be managed either by a schedule showing the tenant when they can use the dock, or by a register managed on site to allow the users to reserve a time period for their deliveries. This information is to be made available to all users/tenants of the building.

The plan is to be prepared and submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to issue of an Occupation Certificate.

Once approved, this management plan is to be provided to all relevant tenants and external users of the loading area.

Reason

To ensure that the loading dock is appropriately managed.

(158) BICYCLE PLAN OF MANAGEMENT

Signage directing users to the bicycle parking facilities are to be installed from the street level, between the bicycle riders entry point/s at the site boundary and the entry point to the bike parking and End of Trip facilities. Signage is to be generally in accordance with signage shown in Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities. The signage plan must be submitted to and approved by the Registered Certifier prior to the Occupation Certificate for the site being granted. Signage is to be installed before the issue of any Occupation Certificate.

Reason

To ensure the responsible management of bicycles and e-bikes, and the orderly operation of the public domain.

(159) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of the proposed structure shall encroach onto the adjoining properties.

Reason

To protect neighbouring properties.

(160) 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.

(161) 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.

(162) COMMERCIAL AND INDUSTRIAL DEVELOPMENT NOISE

During ongoing use of the premises, the cumulative emission of noise from commercial and industrial activities must comply with Requirement 4 – *NOISE FROM COMMERCIAL AND INDUSTRIAL ACTIVITIES*, as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

Reason

To protect the acoustic amenity of surrounding properties.

(163) AMPLIFIED SOUND AND THE UPKEEP AND OPERATION OF LIMITER/S

Following commencement of the use, the upkeep and operation of the sound limiter, and provision of amplified sound at the premise must comply with Requirement 1 - *AMPLIFIED SOUND AND THE UPKEEP AND OPERATION OF LIMITERS/S*, as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

Reason

To protect the acoustic amenity of surrounding properties.

(164) 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.

(165) GLASS CRUSHER

All glass bottles and other glass waste must be reduced to glass shards (by way of a glass crusher located inside the premises) prior to the removal of such waste from the premises.

Reason

To safeguard the amenity of the surrounding neighbourhood.

(166) SCHEDULED COLLECTIONS – COMMERCIAL

- (a) Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for *Managing Waste in Public Places*.
- (b) In accordance with the approved waste management plan, waste and recycling stream(s) bins must not be placed on the street for collection. 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.
- (c) Unobstructed access is to be provided for waste collection vehicles to set down within 10m of the waste storage and collection area(s) during zone collection times on collection days.
- (d) The collection of waste and recycling stream(s) is to only occur during designated zone collection times outlined within the Local Approvals Policy for *Managing Waste in Public Places* to minimise impacts to residential amenity.

Reason

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

(167) ONGOING WASTE MANAGEMENT – COMMERCIAL

- (a) The ongoing use of development/tenancy must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.
- (b) All general waste and recycling materials emanating from the premises must be stored in the designated waste storage area(s), must not be stored outside the premises (including the public domain) at any time.
- (c) All waste and recycling stream(s) storage area(s) are to only be used for the purposes of storing waste and recycling from the premises in accordance with the original consent and approved Operational Waste Management Plan and not be converted to a different use.
- (d) Scheduled collections and waste management arrangements of the development/tenancy is the responsibility of the business owner or property manager and are to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan and this consent. These arrangements include:
 - (i) arranging an adequate number of bins and the servicing regime matched to the needs of the premises.

- (ii) actively managing waste streams and supporting infrastructure to ensure bins are not overflowing, damaged or leaking and lids are fully closed at all times.
- (iii) routine cleaning and maintenance of waste storage area(s) to inhibit the permeation of odour and prevent litter and pests.
- (iv) the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney.
- (e) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

Reason

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

(168) 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.

(169) PROJECTIONS OVER FOOTWAYS

The architectural embellishments attached to the building, shown as overhanging the alignment of Wentworth Avenue & Wemyss Lane, must comply with either the provisions of Schedule 4 ("Projections over or into public roads") or Section 3.2.4 ("Footpath Awnings") of the Sydney Development Control Plan 2012.

Reason

To ensure any projections over the public way are appropriately managed.

(170) ENCROACHMENTS – PUBLIC WAY

No portion of the proposed structure (excluding awnings), including downpipes, roof gutters, gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

Reason

To protect the public way.

CONDITIONS AS ADVISED BY AUSGRID

(171) AUSGRID UNDERGROUND CABLES ARE IN THE VICINITY OF THE DEVELOPMENT

- (a) Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.
- (b) It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA)
- (c) In addition to BYDA the proponent should refer to the following documents to support safety in design and construction:
 - (i) SafeWork Australia – Excavation Code of Practice.
 - (ii) Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.
- (d) The following points should also be taken into consideration.
 - (i) Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.
 - (ii) Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing.
 - (iii) Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

(172) NEW DRIVEWAYS - PROXIMITY TO EXISTING POLES

Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

(173) NEW OR MODIFIED CONNECTION

- (a) To apply to connect or modify a connection for a residential or commercial premises, Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; <https://www.ausgrid.com.au/Connections/Get-connected>
- (b) Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website:

www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

CONDITIONS AS ADVISED BY SYDNEY WATER

(174) SECTION 73 COMPLIANCE CERTIFICATE

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. The compliance certificate also identifies any applicable Infrastructure Contribution charges. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(175) BUILDING PLAN APPROVAL (INCLUDING TREE PLANTING GUIDELINES)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

(176) TREE PLANTING

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.

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



KEY - DEMOLITION

- DEMOLITION - EXISTING FLOOR
- DEMOLITION - EXISTING ELEMENTS
- DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81566706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Randerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NatHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name
Project Number
Project Address

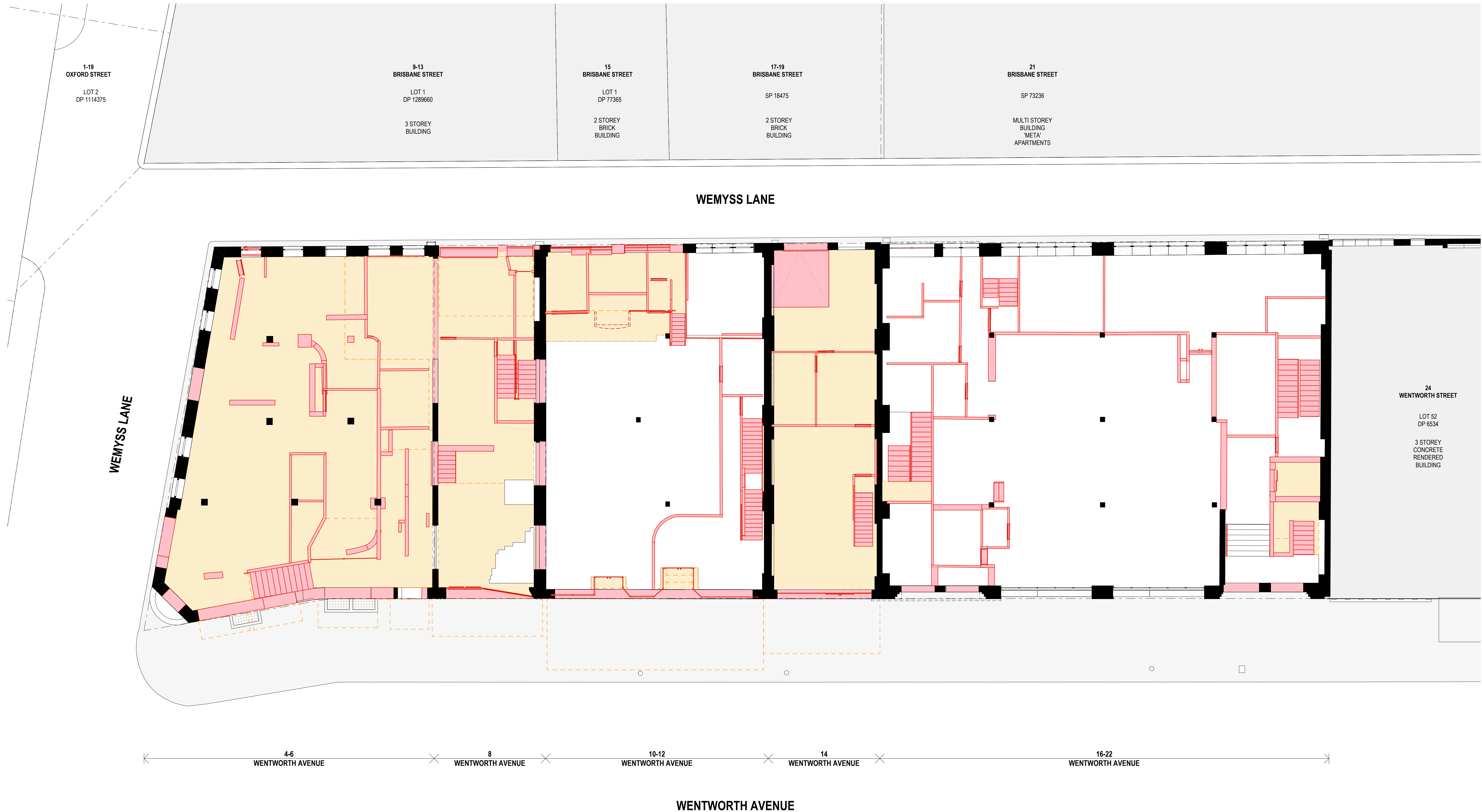
Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Lower Ground

Drawing No.
DA011

1:100 @ A1
Revision
C



KEY - DEMOLITION

DEMOLITION - EXISTING FLOOR

DEMOLITION - EXISTING ELEMENTS

DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final issue for DA

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arched Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NREIS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijser 5767 David Handerson 8542



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

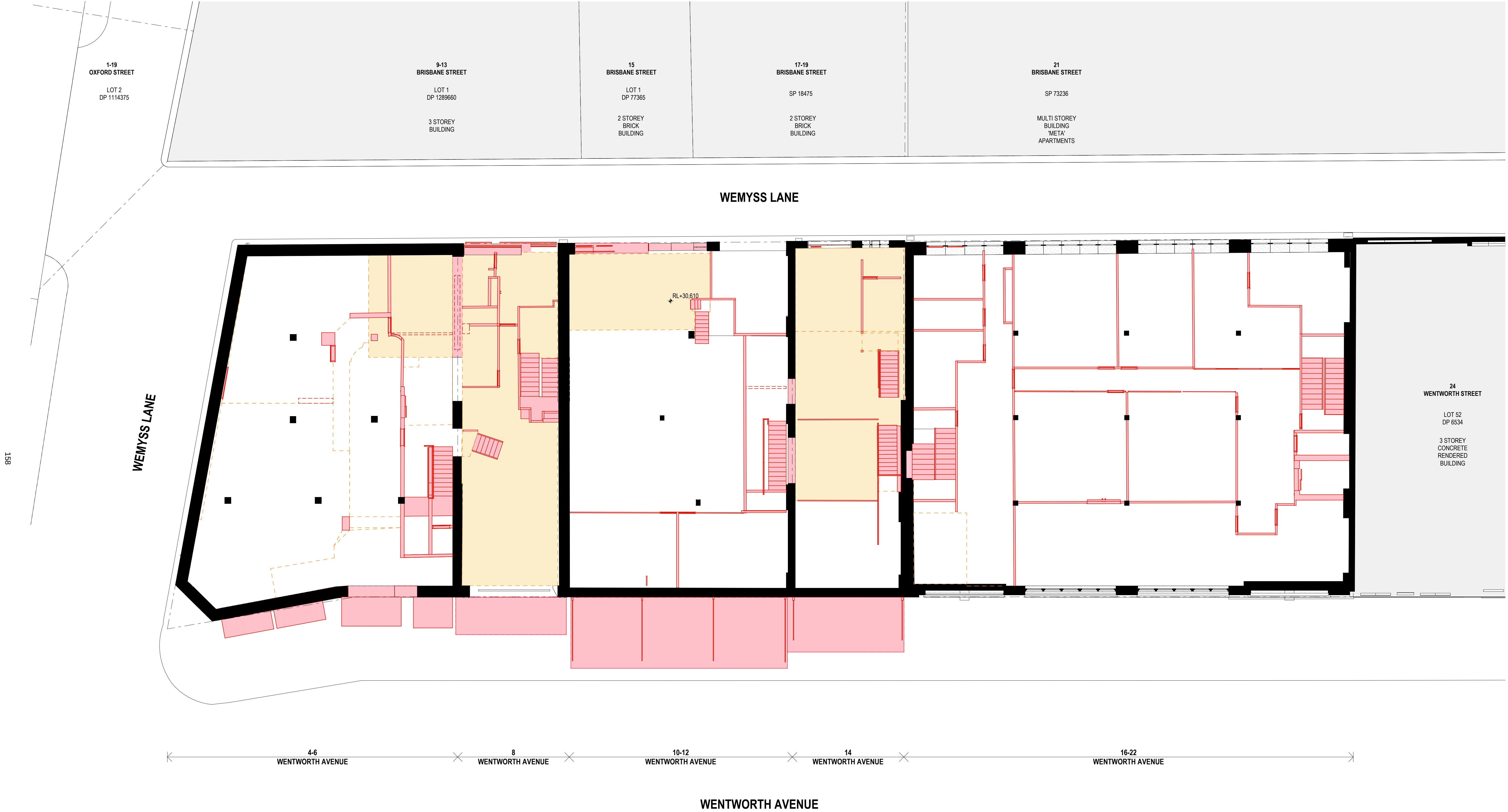
Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Ground

Drawing Scale
Drawing No.
DA012

1:100 @ A1
Revision
B



- KEY - DEMOLITION
- DEMOLITION - EXISTING FLOOR
 - DEMOLITION - EXISTING ELEMENTS
 - DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final issue for DA

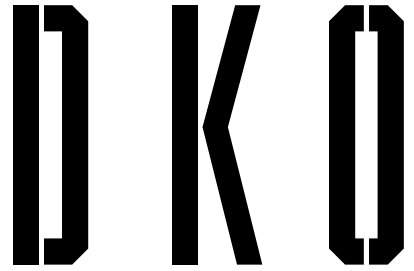
© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kéjar 5767 David Handerson 8542

- Notes
- All works to be in accordance with authority & statutory approvals.
 - Refer to site survey for all information relating to existing site conditions.
 - All Boundary information to be confirmed by registered surveyor before commencing works on site.
 - Refer to Arborist Report and Landscape Documentation for all information relating to trees and tree preservation works, and all landscape works.
 - Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERS, Section J Certificates.
 - Minor changes to building form & configuration may be required after Development Consent.
 - Do not scale from drawing, figured dimensions only to be used.
 - Building Contractor to verify all dimensions before commencing work.



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

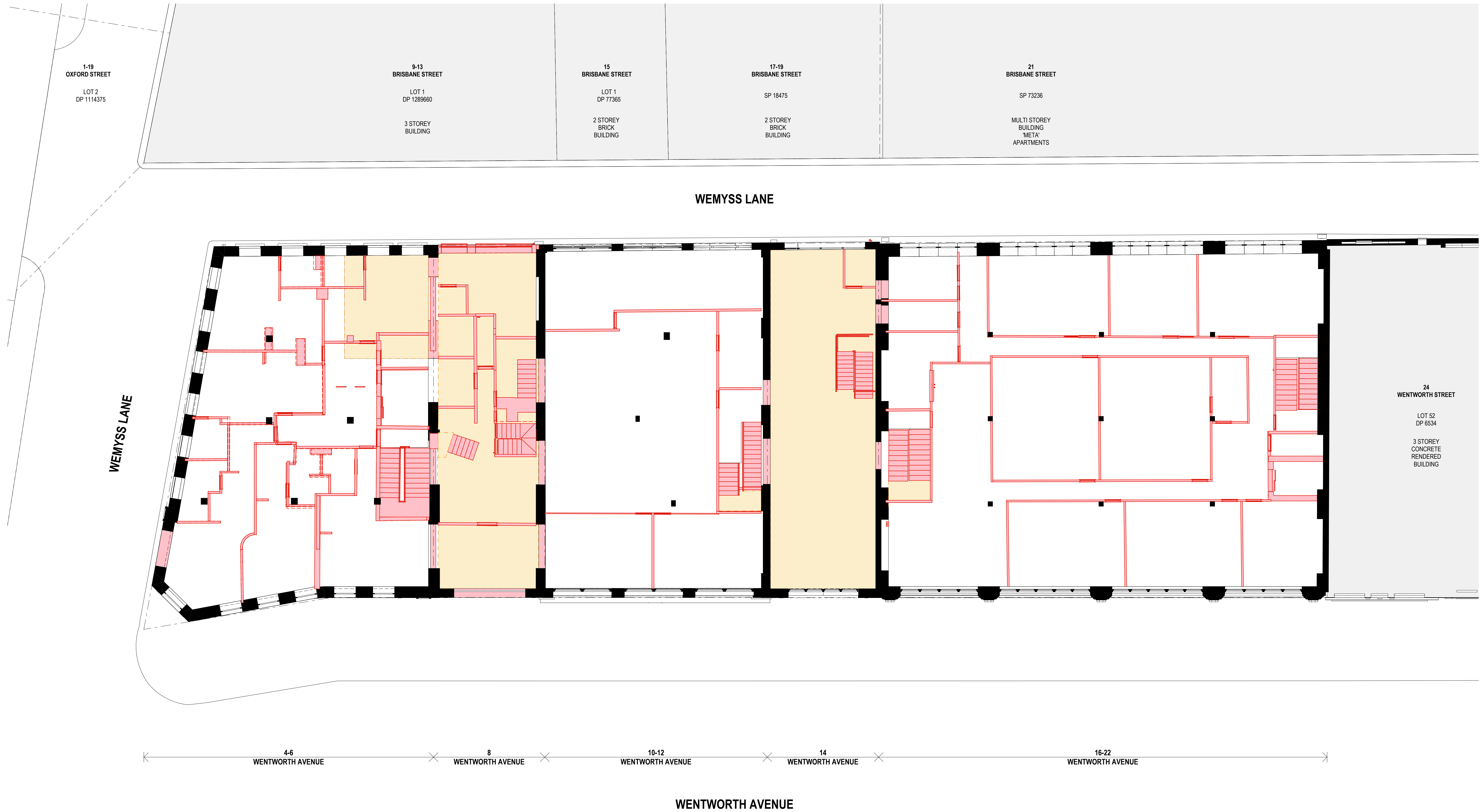
Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Mezanine

Drawing Scale
Drawing No.
DA013

1:100 @ A1
Revision
B



KEY - DEMOLITION

DEMOLITION - EXISTING FLOOR	
DEMOLITION - EXISTING ELEMENTS	
DEMOLITION - EXCAVATION	

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arborist Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijser 5767 David Handerson 8542



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

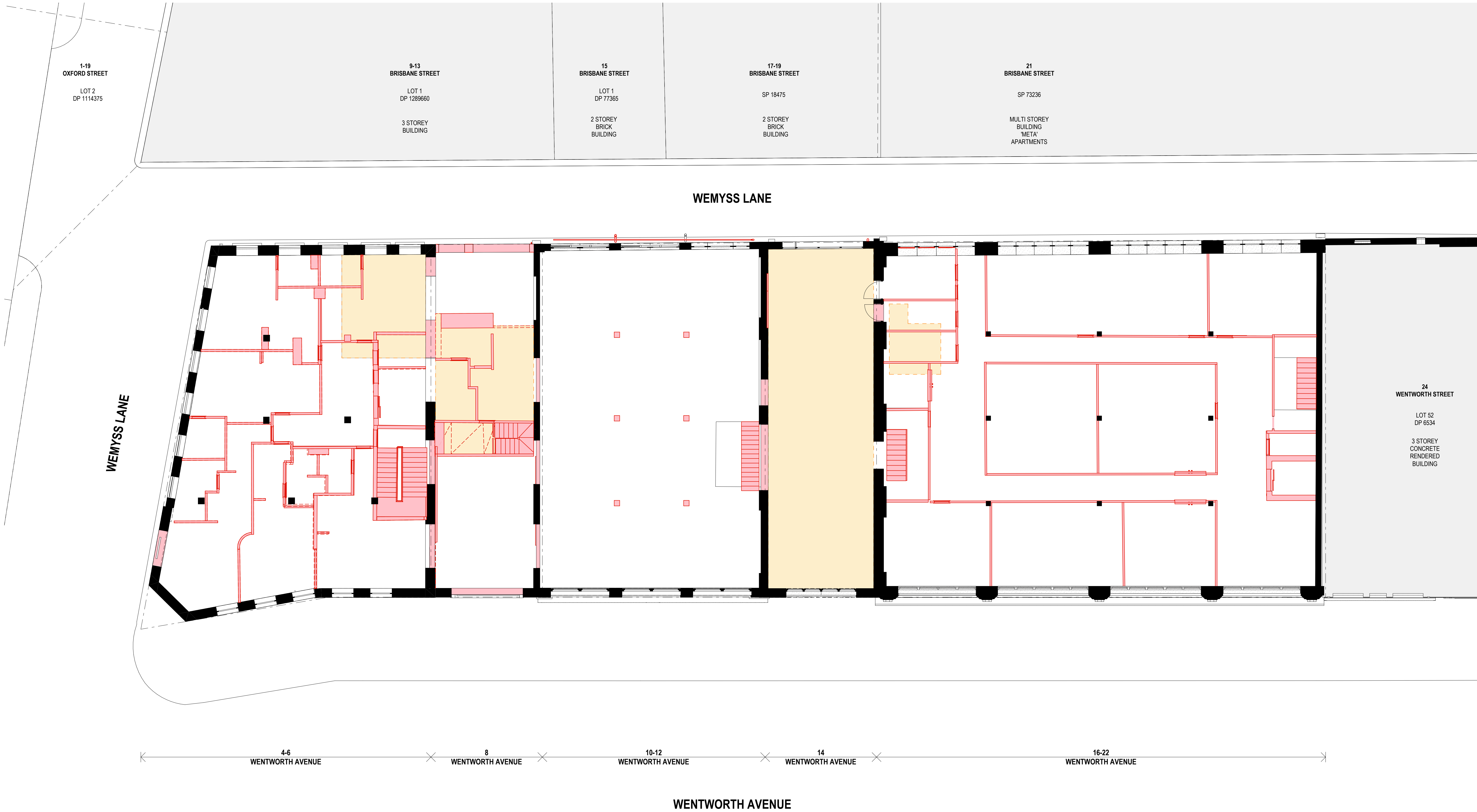
Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Level 01

Drawing No.
DA014

1:100 @ A1
Revision
B



Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final Issue for DA

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arborist Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijar 5767 David Handerson 8542



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

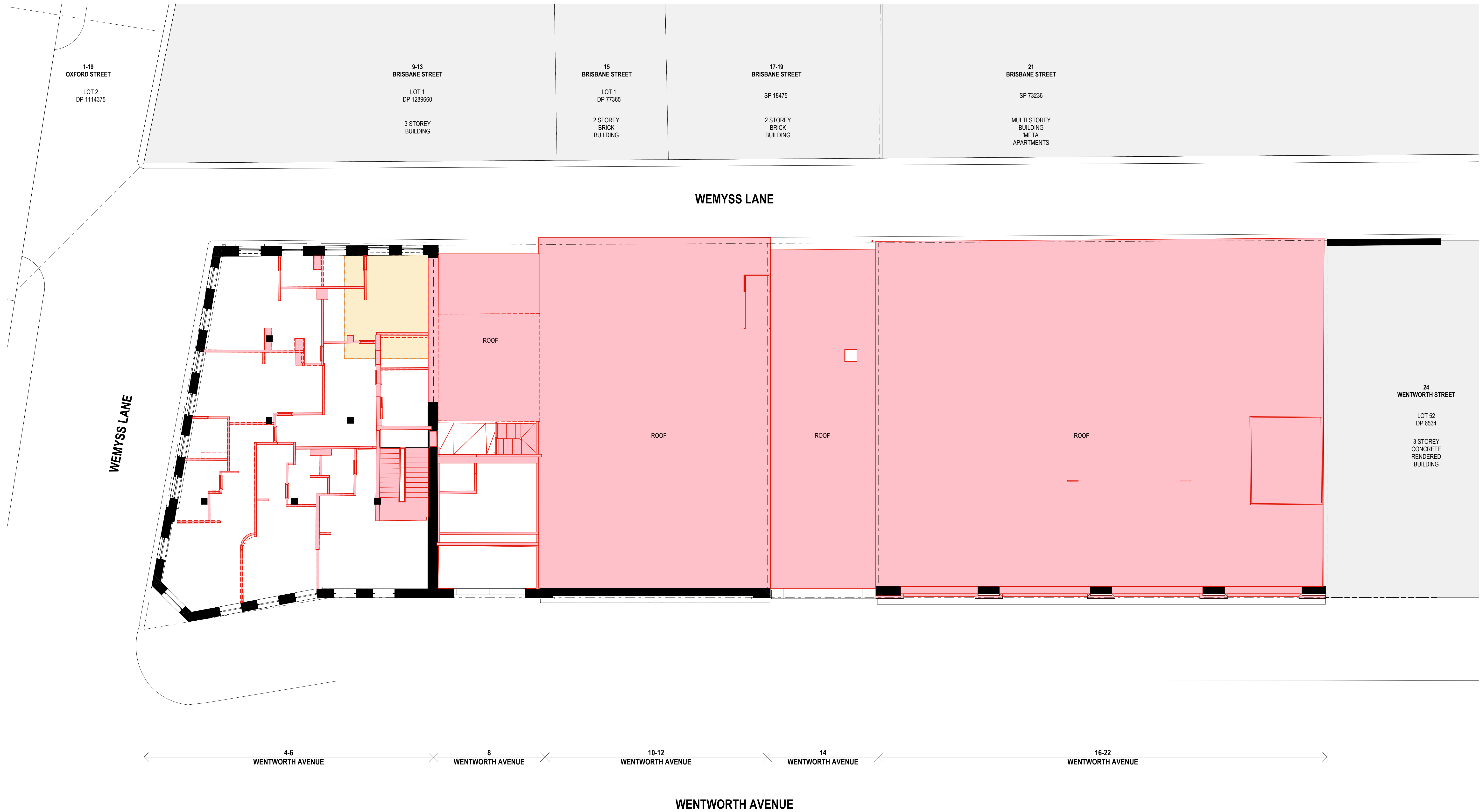
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Demolition Level 02

Drawing Scale
Drawing No.
DA015

1:100 @ A1
Revision
B



KEY - DEMOLITION

DEMOLITION - EXISTING FLOOR

DEMOLITION - EXISTING ELEMENTS

DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arborist Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERP, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijser 5767 David Handerson 8542



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

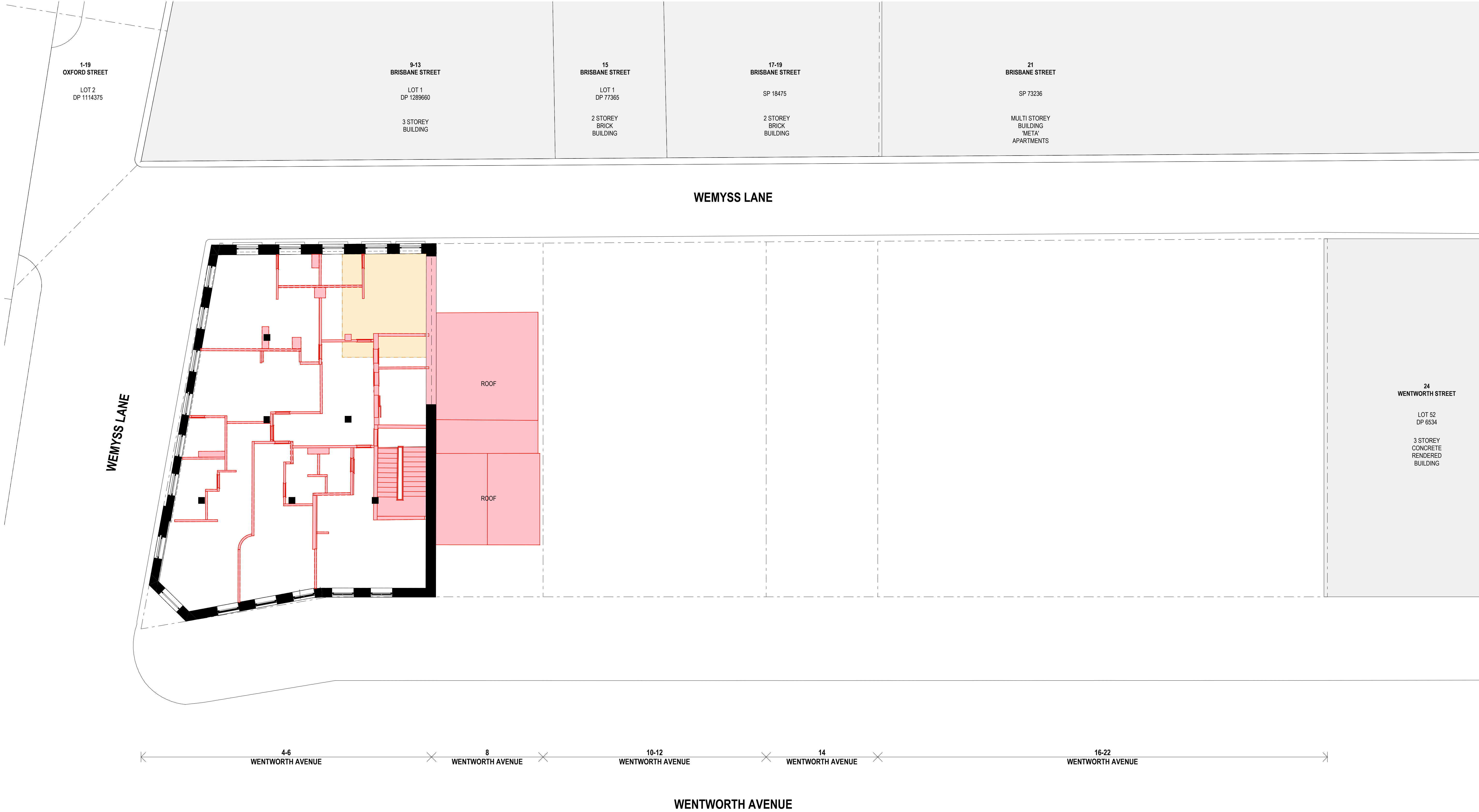
Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Level 03

Drawing Scale
Drawing No.
DA016

1:100 @ A1
Revision
B



KEY - DEMOLITION

- DEMOLITION - EXISTING FLOOR
- DEMOLITION - EXISTING ELEMENTS
- DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final issue for DA

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijser 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arched Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name
Project Number
Project Address

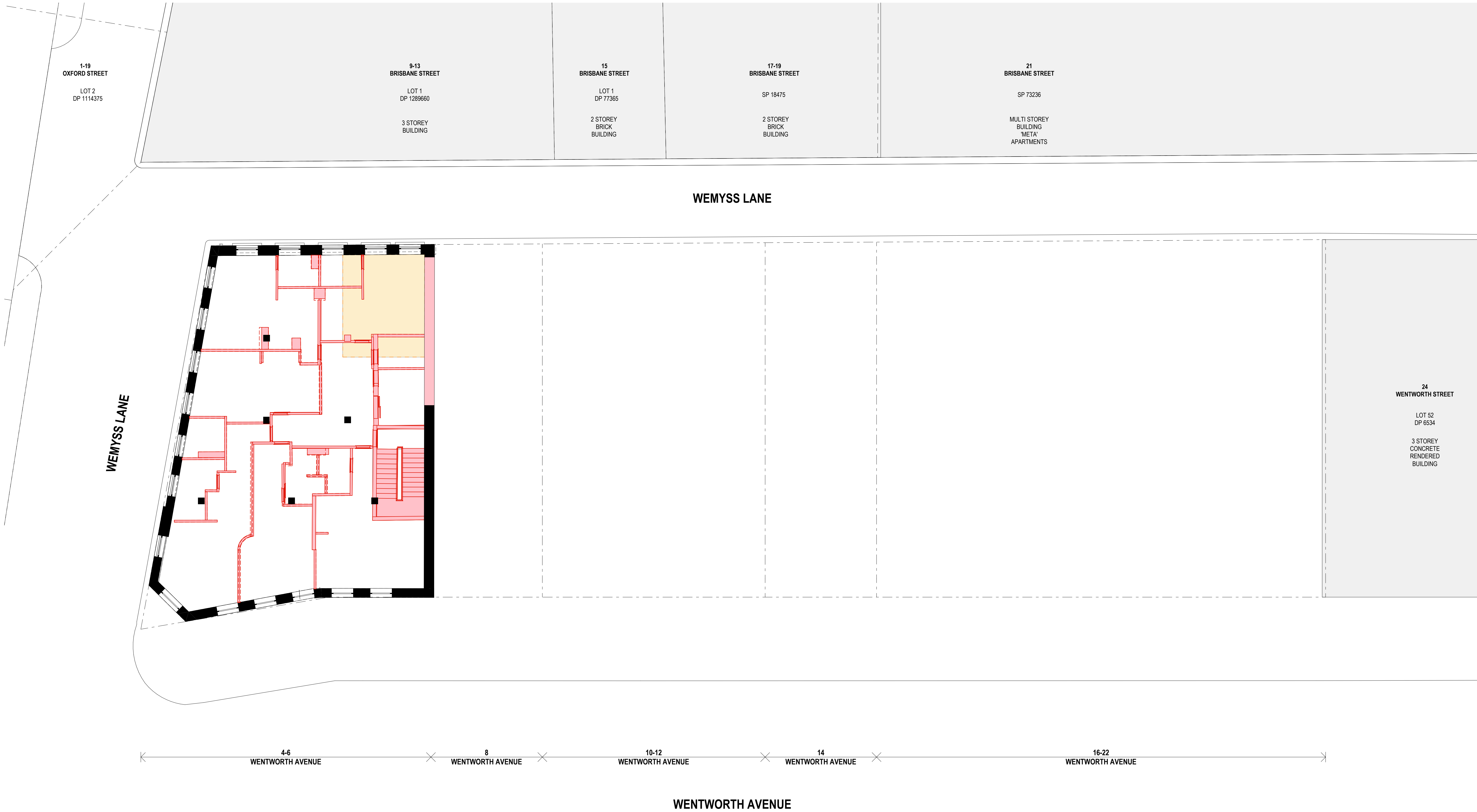
Wentworth Ave
13678
4-22 Wentworth Ave
Sunny Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Level 04

Drawing Scale
Drawing No.
DA017

1:100 @ A1
Revision
B



KEY - DEMOLITION

- DEMOLITION - EXISTING FLOOR
- DEMOLITION - EXISTING ELEMENTS
- DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final issue for DA

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Architect Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name
Project Number
Project Address

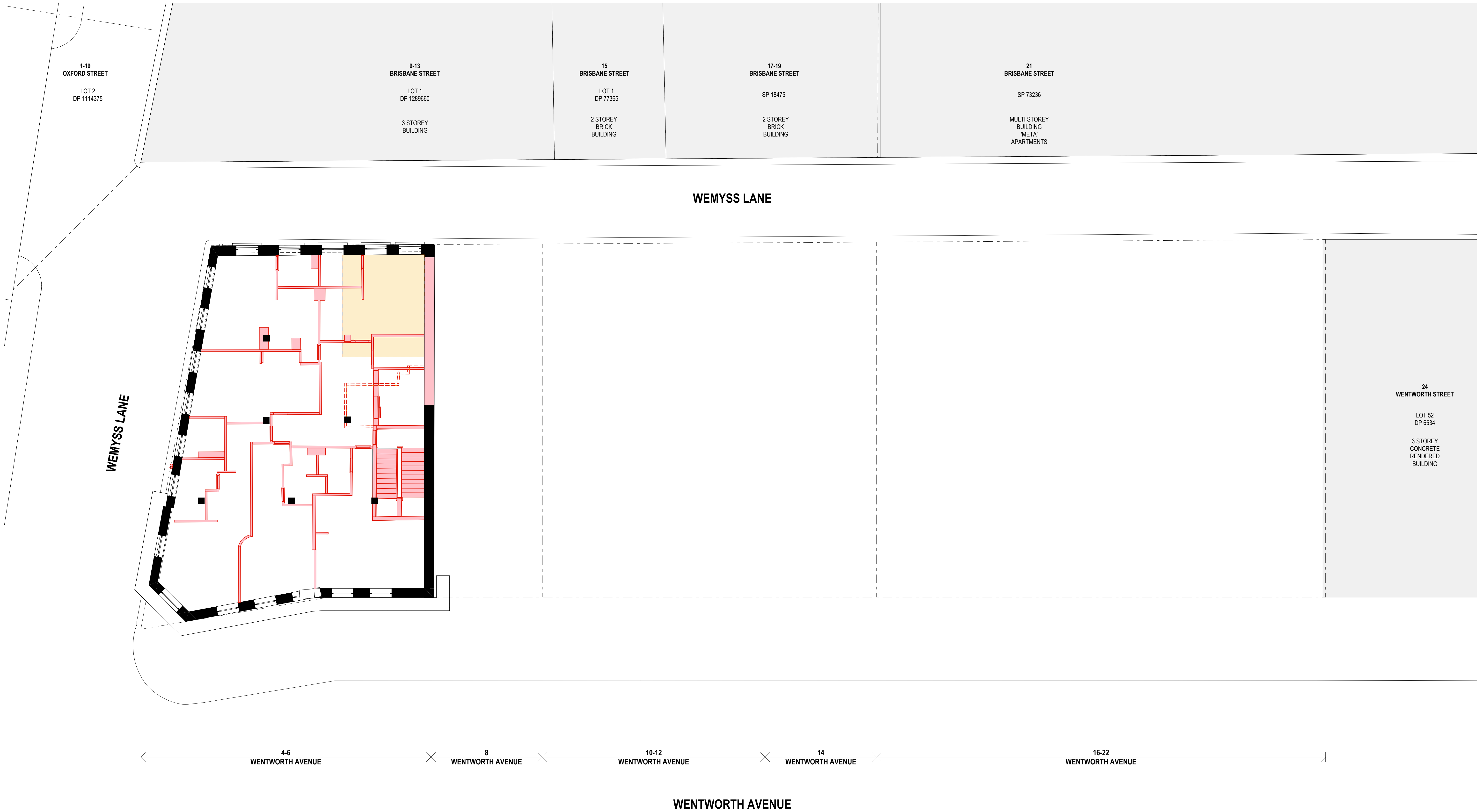
Wentworth Ave
13678
4-22 Wentworth Ave
Sunny Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Level 05

Drawing Scale
Drawing No.
DA018

1:100 @ A1
Revision
B



KEY - DEMOLITION

- DEMOLITION - EXISTING FLOOR
- DEMOLITION - EXISTING ELEMENTS
- DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijser 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arched Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name
Project Number
Project Address

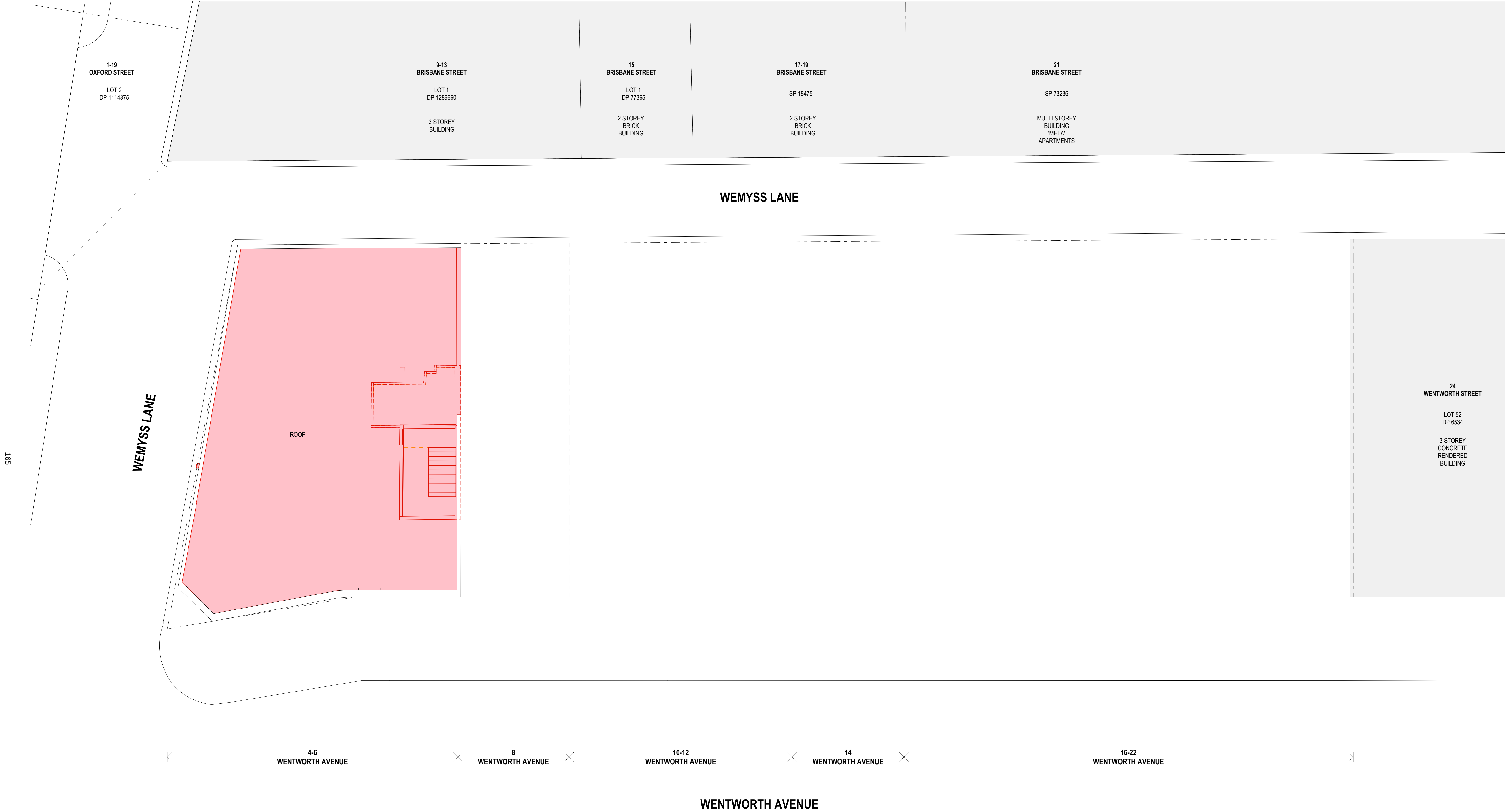
Wentworth Ave
13678
4-22 Wentworth Ave
Sunny Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Level 06

Drawing Scale
Drawing No.
DA019

1:100 @ A1
Revision
B



KEY - DEMOLITION

- DEMOLITION - EXISTING FLOOR
- DEMOLITION - EXISTING ELEMENTS
- DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final Issue for DA

© DKD Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: (BAGD, NARRR2, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name
Project Number
Project Address

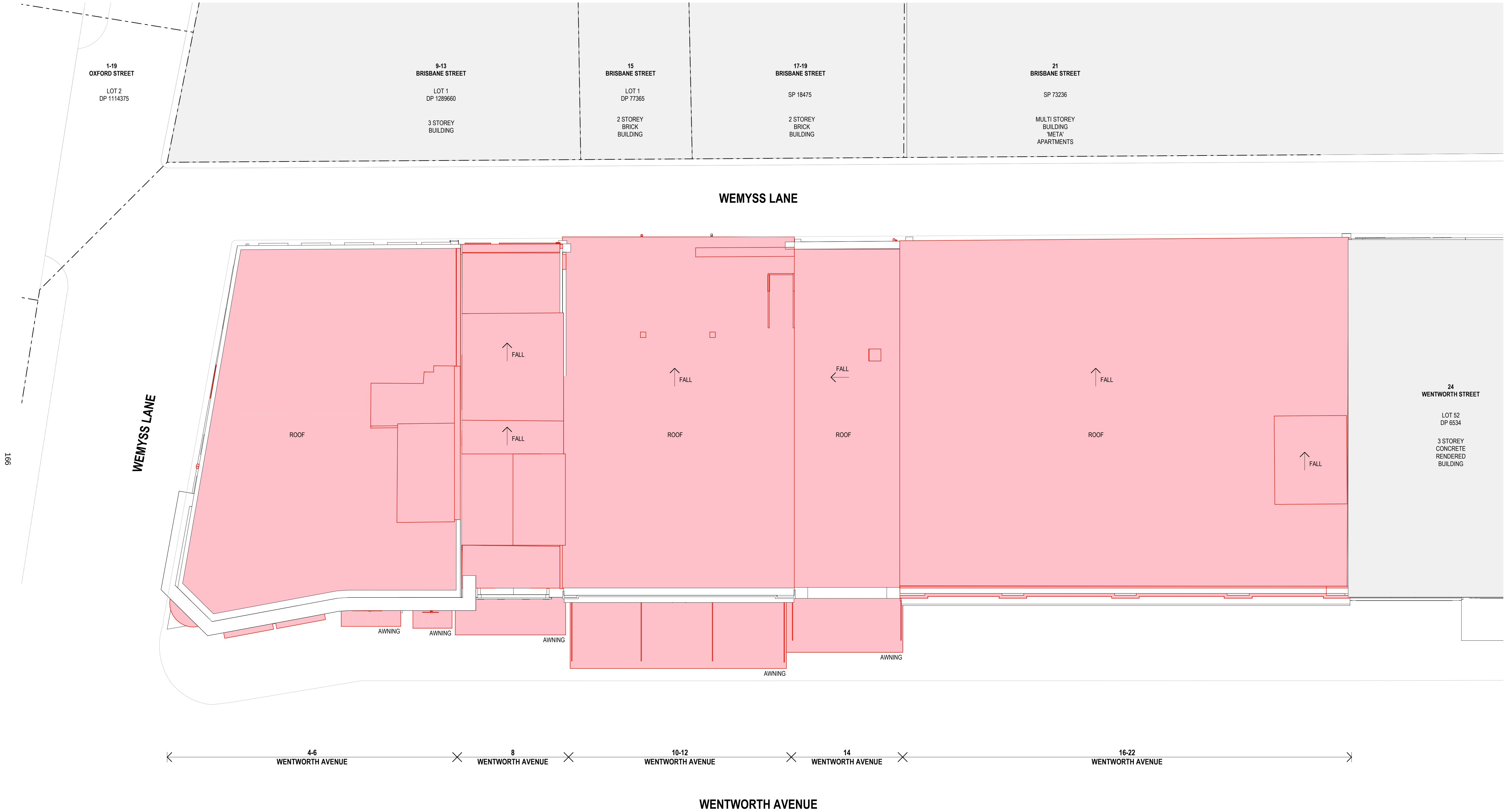
Wentworth Ave
13678
4-22 Wentworth Ave
Sunny Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Level 07

Drawing Scale
Drawing No.
DA0110

1:100 @ A1
Revision
B



- KEY - DEMOLITION**
- DEMOLITION - EXISTING FLOOR
 - DEMOLITION - EXISTING ELEMENTS
 - DEMOLITION - EXCAVATION

DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final Issue for DA

© DKD Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijser 5767 David Handerson 8542

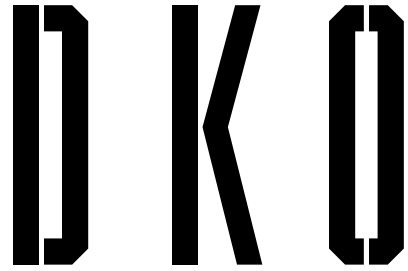
Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Demolition Roof Plan

Drawing Scale
Drawing No.
DA0110

1:100 @ A1
Revision
B

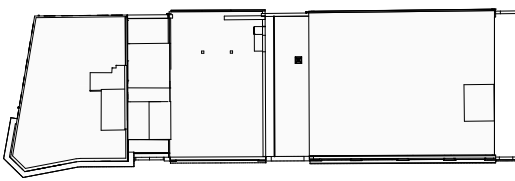


KEY - DEMOLITION

DEMOLITION - EXISTING ELEMENTS

REPLACE WINDOWS -
TO MATCH HERITAGE DETAIL

RETAIN WINDOWS -
CONSERVATION WORKS ONLY



DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arched Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all specialist consultant documentation: BASIX, NREIS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kéjar 5767 David Handerson 8542

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Demolition West Elevation

Drawing No.
DA0111

1:150 @ A1
Revision
C



01

North Elevation - Demolition

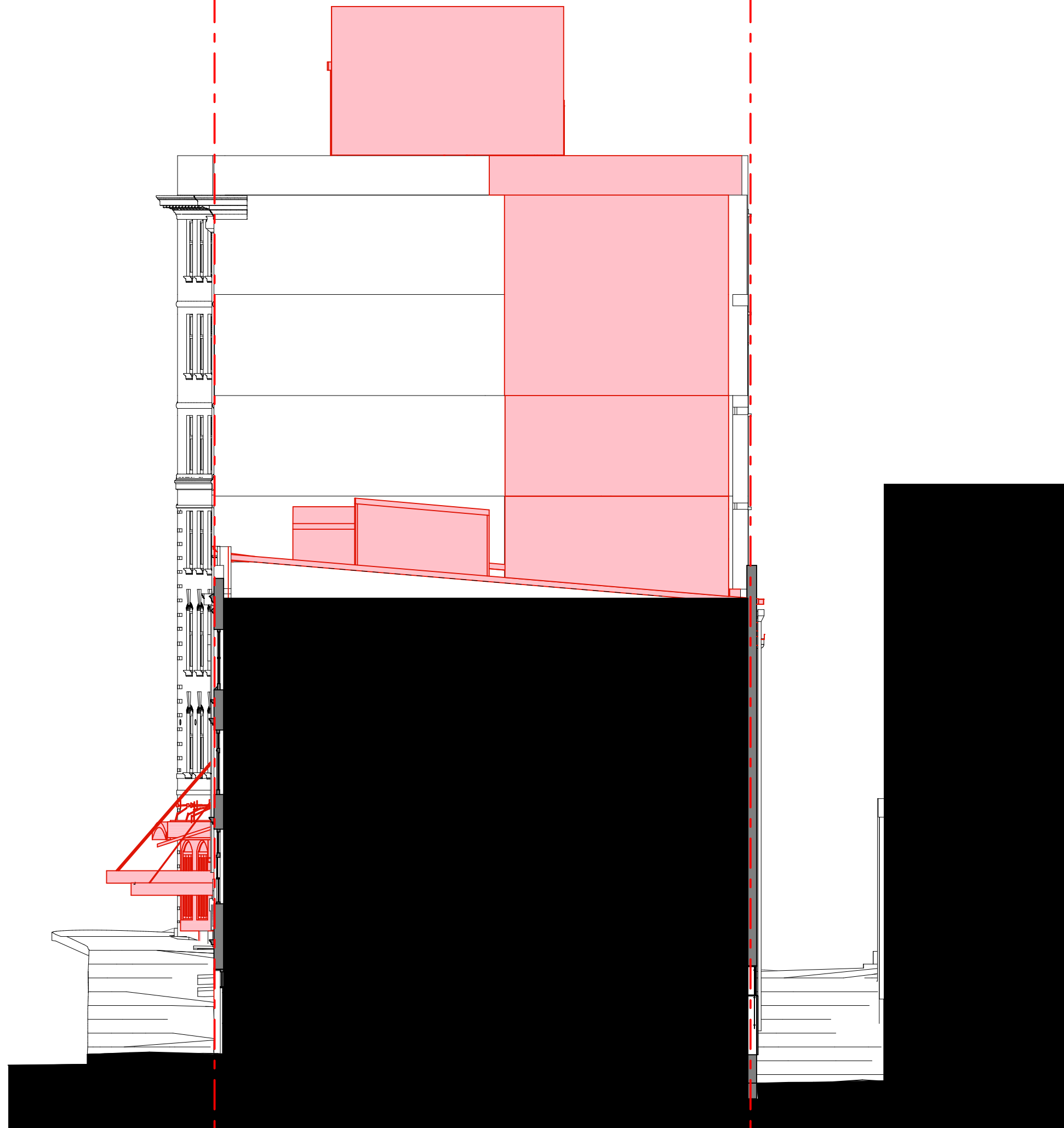
1:150

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kéjar 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arched Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



02

South Elevation - Demolition

1:150

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

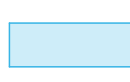
Aileen Sage

KEY - DEMOLITION

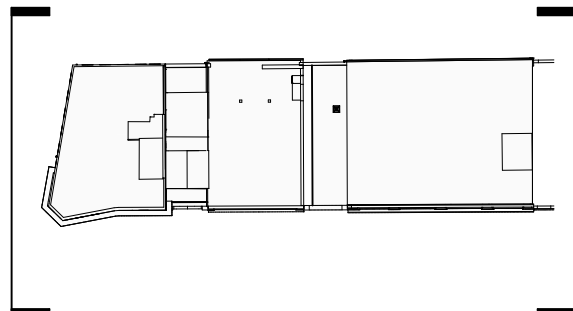
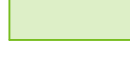
DEMOLITION - EXISTING ELEMENTS



REPLACE WINDOWS -
TO MATCH HERITAGE DETAIL



RETAIN WINDOWS -
CONSERVATION WORKS ONLY



DEVELOPMENT APPLICATION

Drawing Name
**Demolition North and South
Elevation**

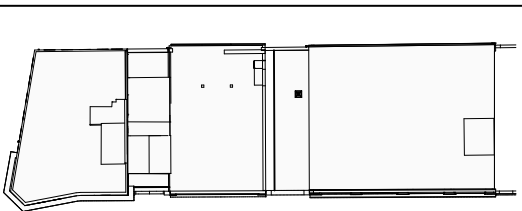
Drawing Scale
Drawing No.
DA0112

1:150 @ A1
Revision
B



KEY - DEMOLITION

- DEMOLITION - EXISTING ELEMENTS
- REPLACE WINDOWS - TO MATCH HERITAGE DETAIL
- RETAIN WINDOWS - CONSERVATION WORKS ONLY



DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final issue for DA

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kéjar 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consent documentation (BAGL, NHERS, Section 3 Certificates).
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Demolition East Elevation

Drawing Scale
Drawing No.
DA0113

1:150 @ A1
Revision
B



Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD MR	DF	Final issue for DA
C	13/02/2026	DD MR	DF	RPI Response Issue
D	6/03/2026	DF	DF	RPI Response Issue
E	10/02/2026	DF	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all structural consultant documentation; DA02, N4-ENR, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

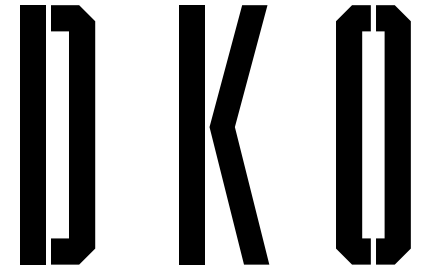
KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DOP ENVELOPE
LEP HEIGHT

END OF TRIP FACILITIES	
EMPLOYEE BIKE PARKING	40
VISITOR BIKE PARKING	25
SHOWER & CHANGE CUBICLES	07
LOCKERS	65



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dco.com.au
info@dco.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Ground

Drawing Scale
Drawing No.
DA022

1:100 @ A1
Revision
E



Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final Issue for DA
C	13/02/2026	DD MR	DF	RFI Response Issue
D	6/03/2026	DF	DF	RFI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Architect Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation (DA03, NATHERS, Section 3 Certificates).
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DOP ENVELOPE
LEP HEIGHT



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Mezzanine

Drawing Scale
Drawing No.
DA023

1:100 @ A1
Revision
D



Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	17/10/2025	DD	DF	Final Issue for DA
C	13/02/2026	DD MR	DF	RFI Response Issue

© DKD Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

- Notes
- All works to be in accordance with authority & statutory approvals.
 - Refer to site survey for all information relating to existing site conditions.
 - All Boundary information to be confirmed by registered surveyor before commencing works on site.
 - Refer to Architectural Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
 - Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: (BAGD, NARRER, Section 3) Certificates.
 - Minor changes to building form & configuration may be required after Development Consent.
 - Do not scale from drawing, figured dimensions only to be used.
 - Building Contractor to verify all dimensions before commencing work.

- ROOM KEY
- LOBBY
 - OFFICE
 - F&B CAFE
 - F&B RESTAURANT
 - RETAIL
 - SERVICES / BOH
 - END OF TRIP FACILITIES
 - WASTE

- KEY
- EXISTING ELEMENTS CUT
 - NEW ELEMENTS CUT
 - EXISTING COLUMN TO BE STRENGTHENED
 - DOP ENVELOPE
 - LEP HEIGHT



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

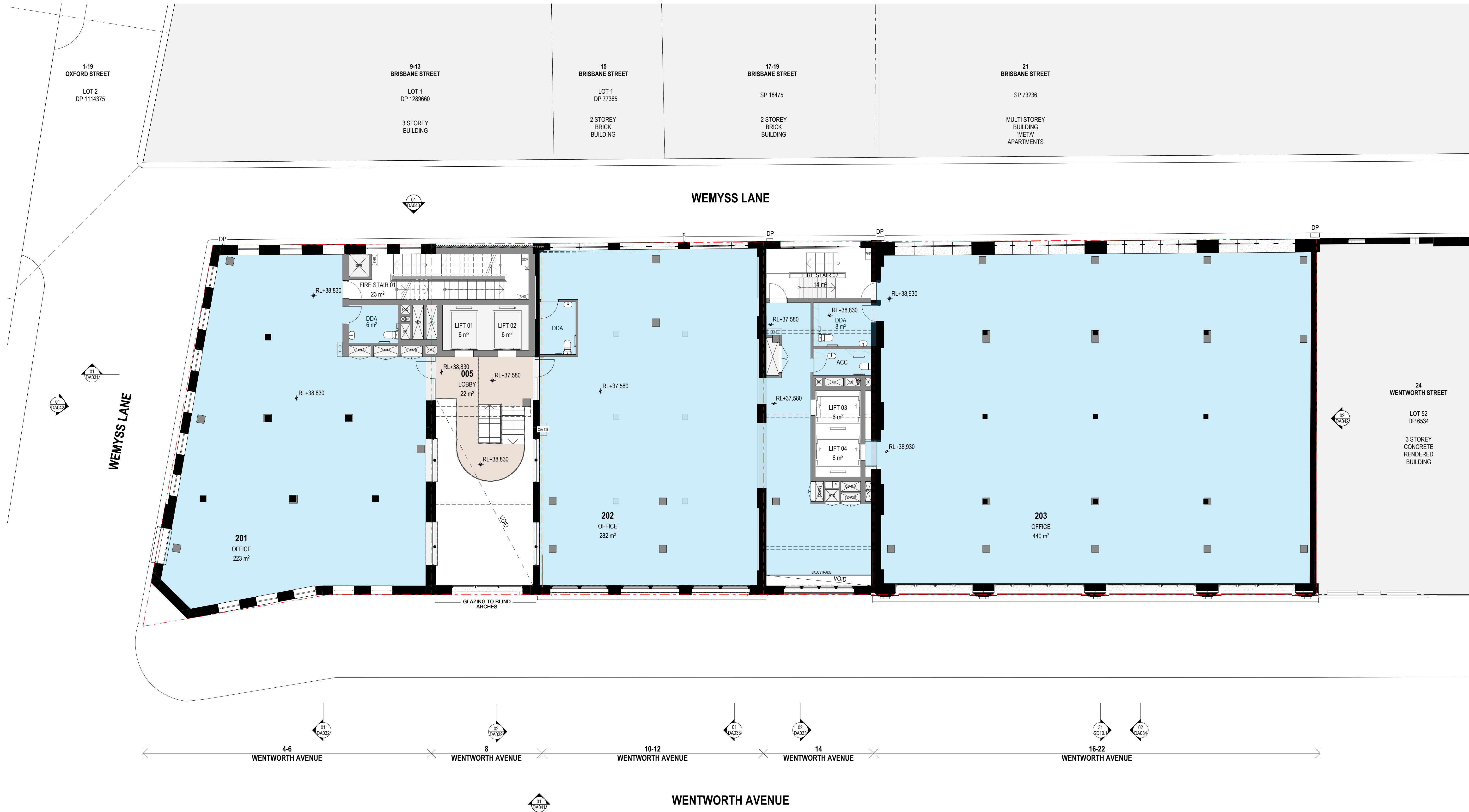
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Level 01

Drawing Scale
Drawing No.
DA024

1:100 @ A1
Revision
C



Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final Issue for DA
C	13/02/2026	DD MR	DF	RFI Response Issue

© DKD Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Randerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Architectural Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: DA02, NHERS, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY

- LOBBY
- OFFICE
- F&B CAFE
- F&B RESTAURANT
- RETAIL
- SERVICES / BOH
- END OF TRIP FACILITIES
- WASTE

KEY

- EXISTING ELEMENTS CUT
- NEW ELEMENTS CUT
- EXISTING COLUMN TO BE STRENGTHENED
- DOP ENVELOPE
- LEP HEIGHT

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dco.com.au
info@dco.com.au
T +61 2 6346 4900

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

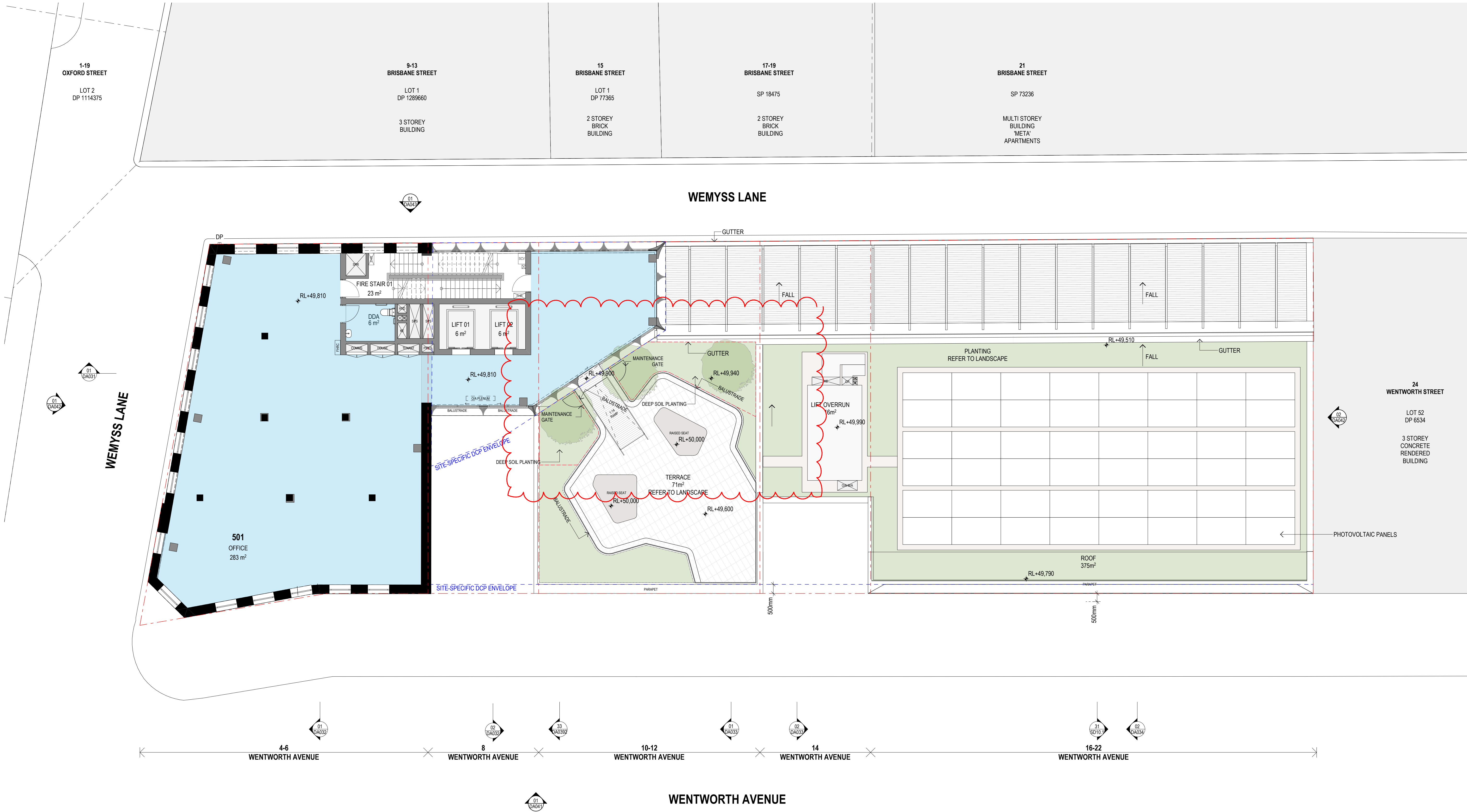
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Level 02

Drawing Scale
Drawing No.
DA025

1:100 @ A1
Revision
C



Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final issue for DA
C	13/02/2026	DD MR	DF	RPI Response Issue
D	6/03/2026	DF	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Randerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: DA02, N416R2, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DCP ENVELOPE
LEP HEIGHT



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

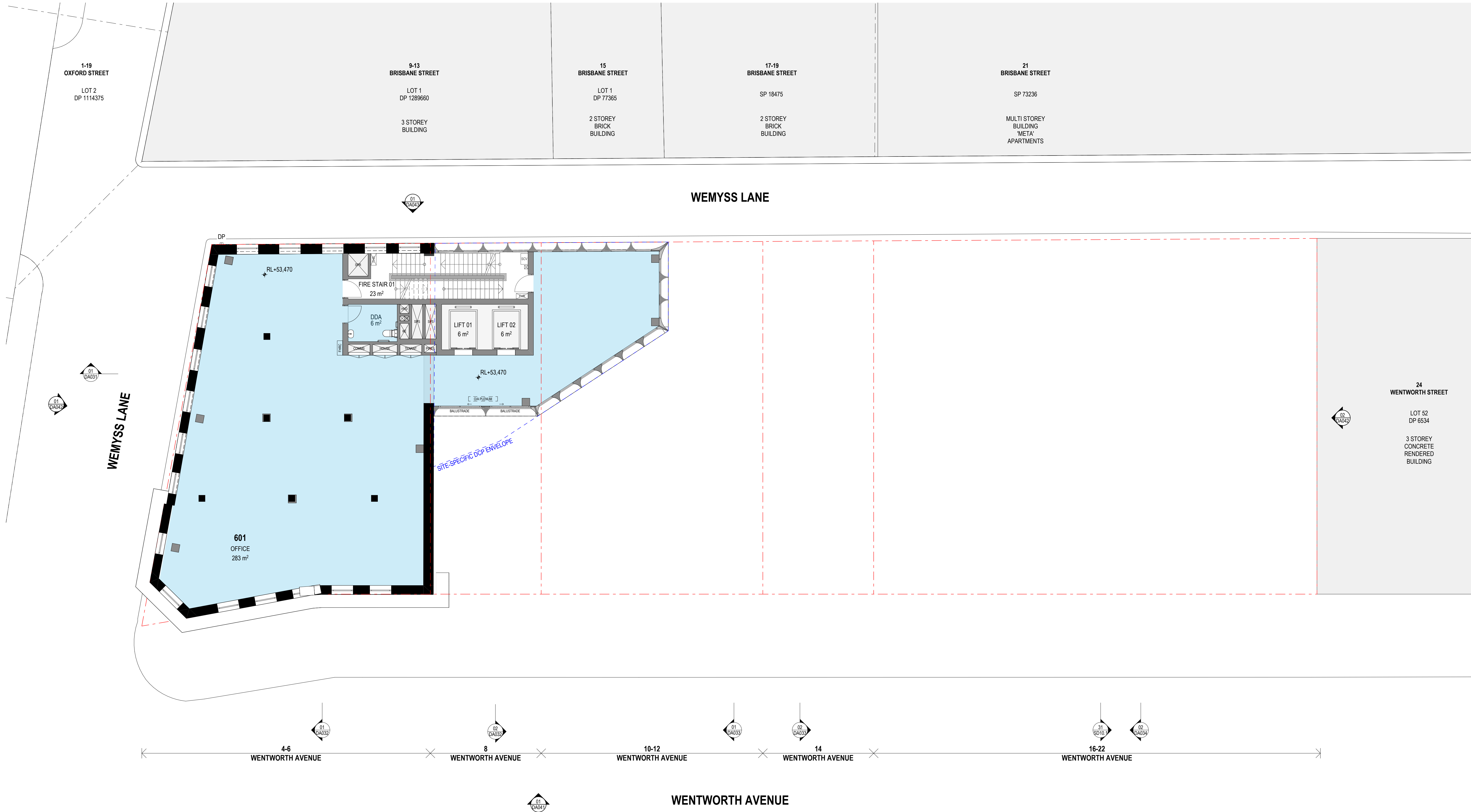
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Level 05

Drawing Scale
Drawing No.
DA028

1:100 @ A1
Revision
D



Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	17/10/2025	DD	DF	Final Issue for DA
C	13/02/2026	DD MR	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

- Notes
- All works to be in accordance with authority & statutory approvals.
 - Refer to site survey for all information relating to existing site conditions.
 - All Boundary information to be confirmed by registered surveyor before commencing works on site.
 - Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
 - Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: DA02, NHERS, Section 3 Certificates.
 - Minor changes to building form & configuration may be required after Development Consent.
 - Do not scale from drawing, figured dimensions only to be used.
 - Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

- KEY
- EXISTING ELEMENTS CUT
 - NEW ELEMENTS CUT
 - EXISTING COLUMN TO BE STRENGTHENED
 - DCP ENVELOPE
 - LEP HEIGHT



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

DEVELOPMENT APPLICATION

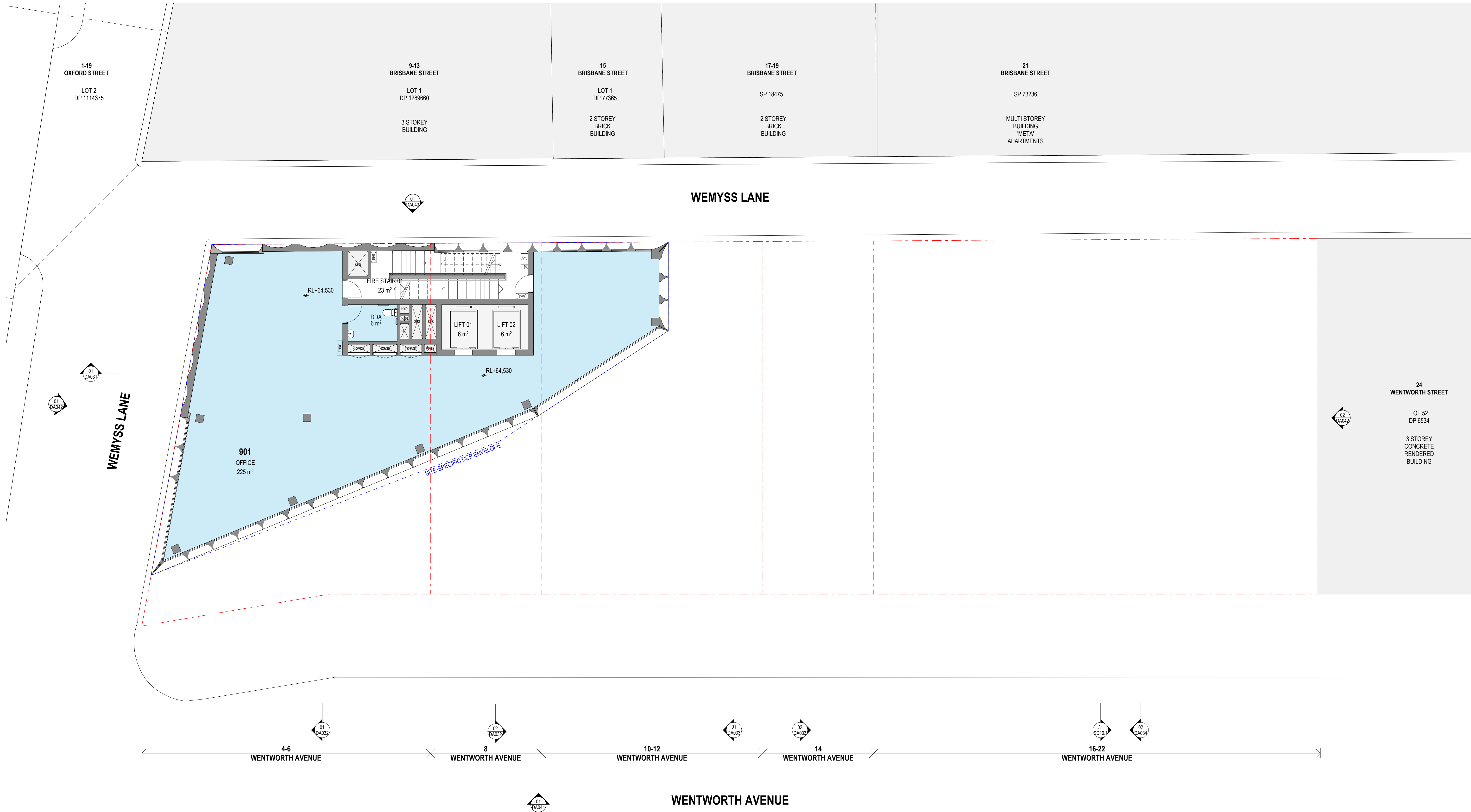
Drawing Name
Level 06

Drawing Scale
Drawing No.
DA029

1:100 @ A1
Revision
C



1:100 @ A1
Revision
C



Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	17/11/2025	OD	DF	Final Issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

- Notes
- All works to be in accordance with authority & statutory approvals.
 - Refer to site survey for all information relating to existing site conditions.
 - All Boundary information to be confirmed by registered surveyor before commencing works on site.
 - Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
 - Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: DA02, NAE02, Section J Certificates.
 - Minor changes to building form & configuration may be required after Development Consent.
 - Do not scale from drawing, figured dimensions only to be used.
 - Building Contractor to verify all dimensions before commencing work.

- ROOM KEY
- LOBBY
 - OFFICE
 - F&B CAFE
 - F&B RESTAURANT
 - RETAIL
 - SERVICES / BOH
 - END OF TRIP FACILITIES
 - WASTE

- KEY
- EXISTING ELEMENTS CUT
 - NEW ELEMENTS CUT
 - EXISTING COLUMN TO BE STRENGTHENED
 - DOP ENVELOPE
 - LEP HEIGHT



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

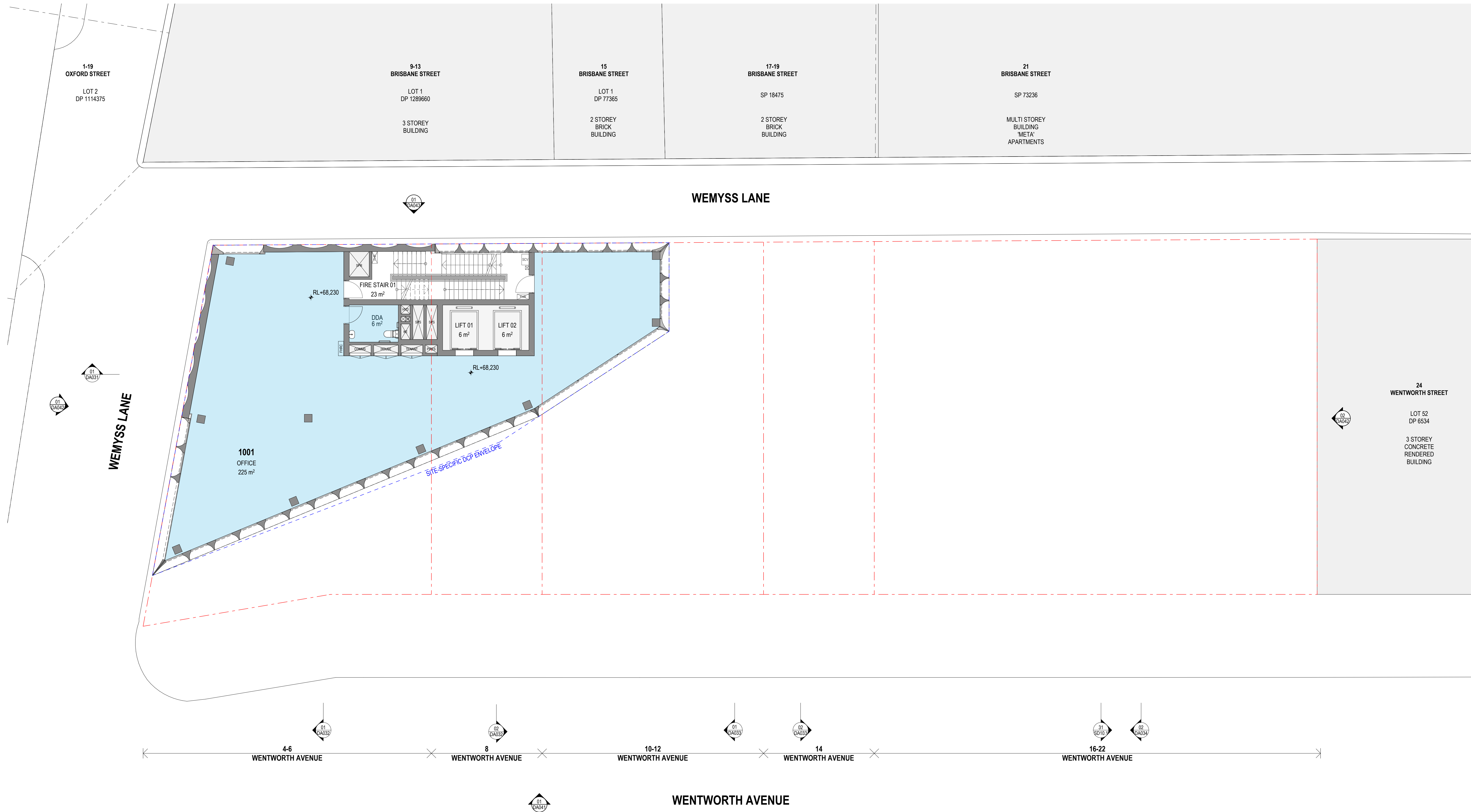
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Level 09

Drawing Scale
Drawing No.
DA0212

1:100 @ A1
Revision
C



Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA
C	13/02/2026	OD MR	DF	RFI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: DA02, NHEP2, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY

- LOBBY
- OFFICE
- F&B CAFE
- F&B RESTAURANT
- RETAIL
- SERVICES / BOH
- END OF TRIP FACILITIES
- WASTE

KEY

- EXISTING ELEMENTS CUT
- NEW ELEMENTS CUT
- EXISTING COLUMN TO BE STRENGTHENED
- DCP ENVELOPE
- LEP HEIGHT

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

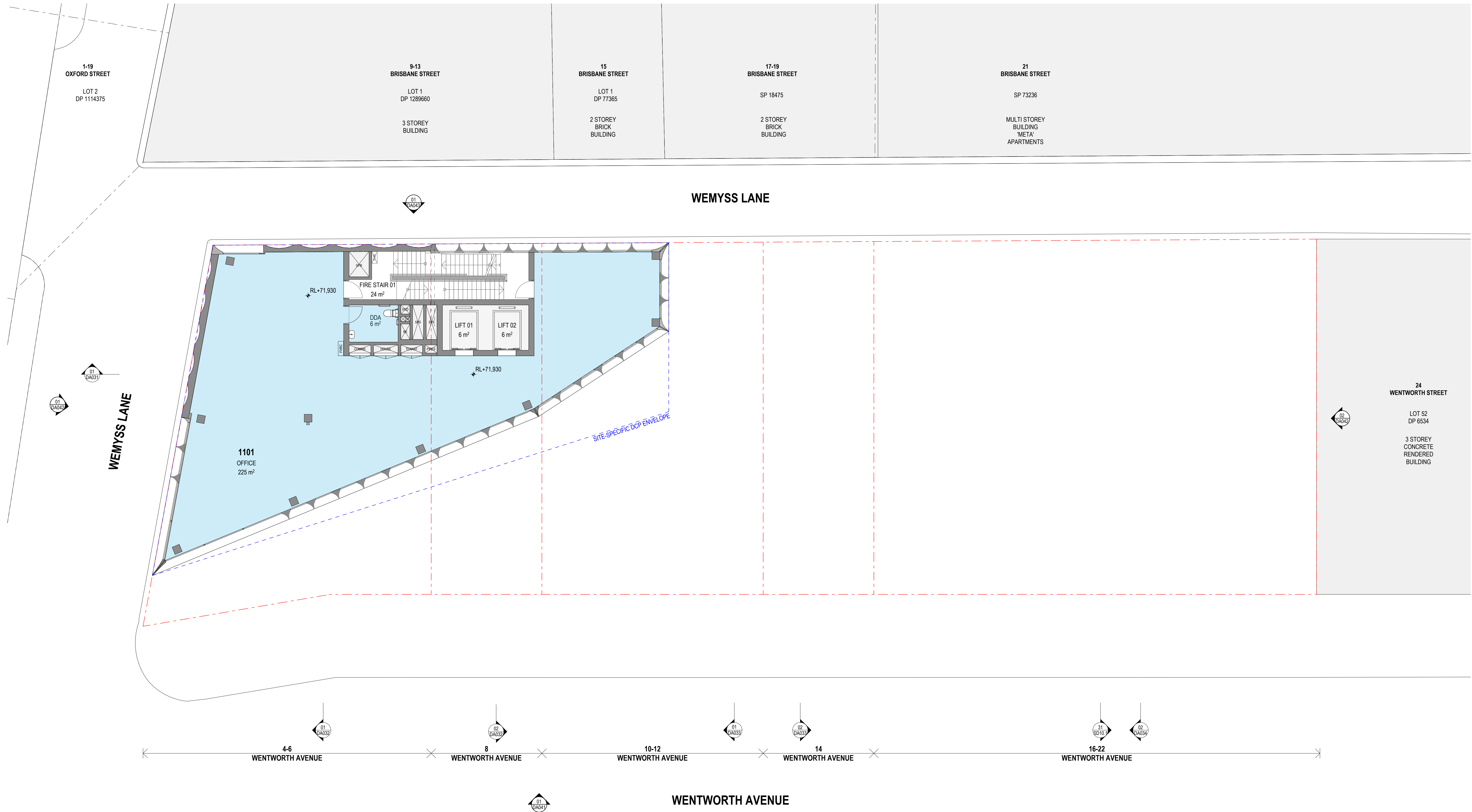
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Level 10

Drawing Scale
Drawing No.
DA0213

1:100 @ A1
Revision
C



Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	17/11/2025	OD	DF	Final Issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Randerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: DA02, NHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY

- LOBBY
- OFFICE
- F&B CAFE
- F&B RESTAURANT
- RETAIL
- SERVICES / BOH
- END OF TRIP FACILITIES
- WASTE

KEY

- EXISTING ELEMENTS CUT
- NEW ELEMENTS CUT
- EXISTING COLUMN TO BE STRENGTHENED
- DCP ENVELOPE
- LEP HEIGHT

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney
dco.com.au
info@dco.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

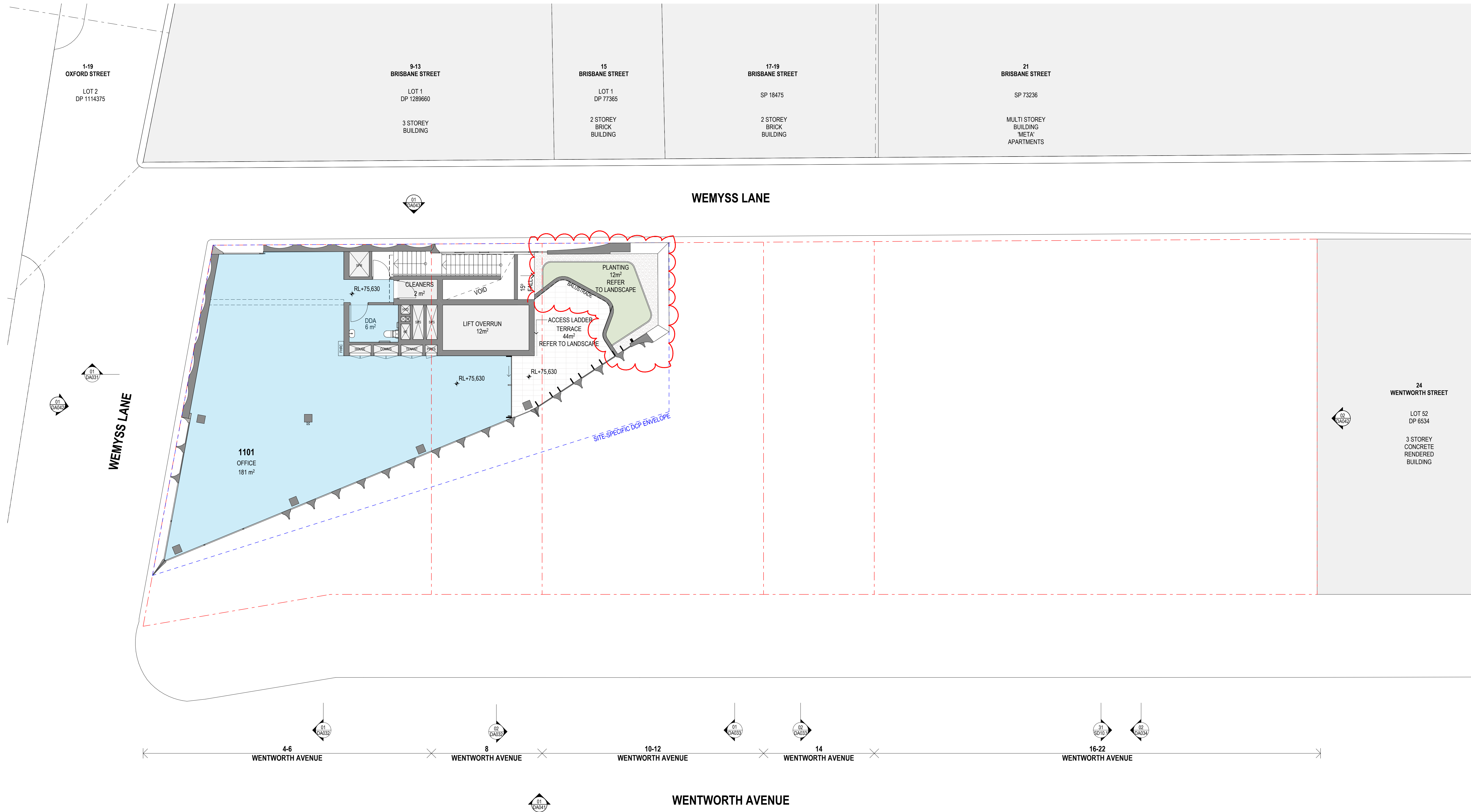
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Level 11

Drawing Scale
Drawing No.
DA0214

1:100 @ A1
Revision
C



Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: DA02, NARR, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DCP ENVELOPE
LEP HEIGHT



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dco.com.au
info@dco.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

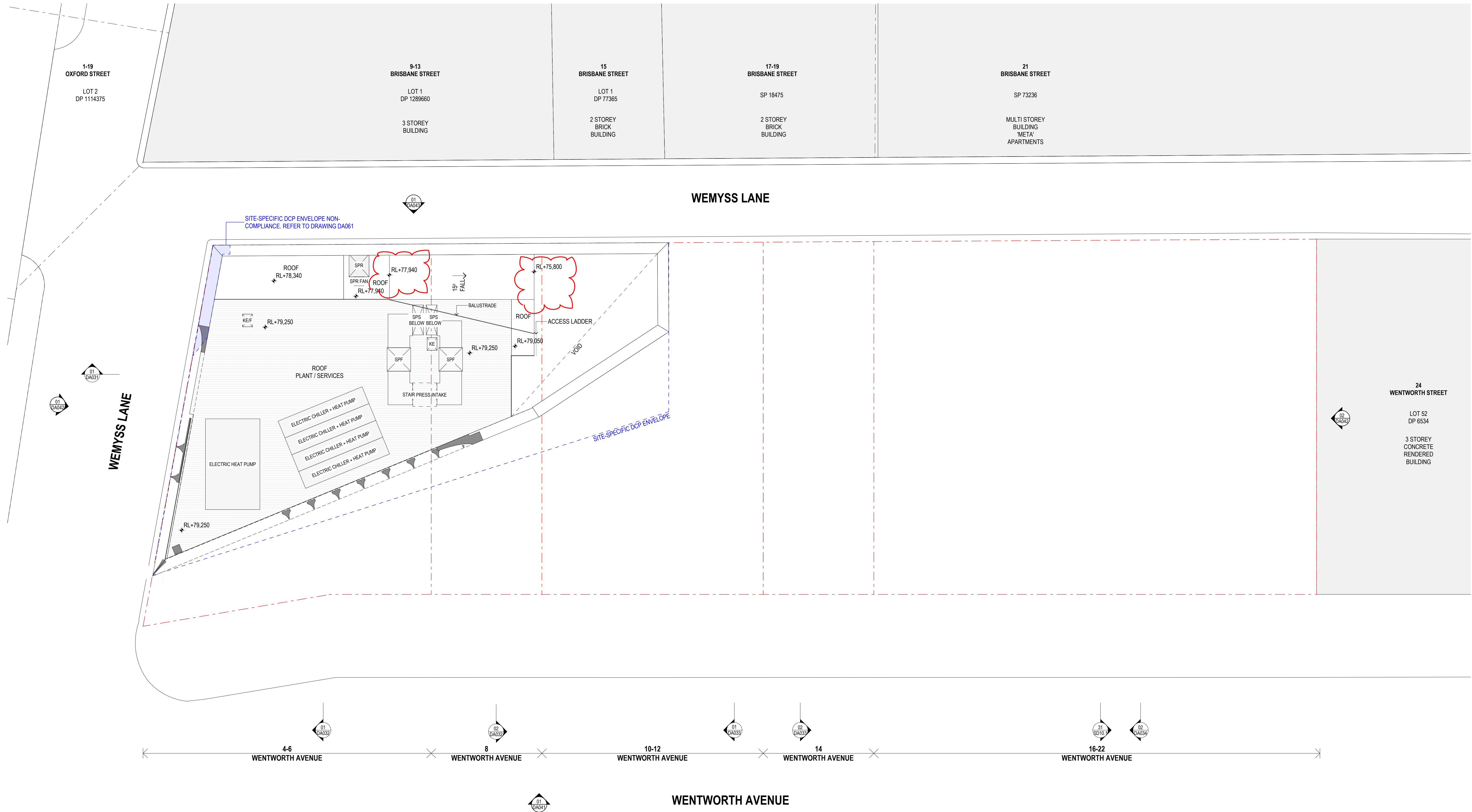
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Level 12

Drawing Scale
Drawing No.
DA0215

1:100 @ A1
Revision
C



Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA
C	13/02/2026	OD MR	DF	RFI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Architect Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: DA030, NATHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY

- LOBBY
- OFFICE
- F&B CAFE
- F&B RESTAURANT
- RETAIL
- SERVICES / BOH
- END OF TRIP FACILITIES
- WASTE

KEY

- EXISTING ELEMENTS CUT
- NEW ELEMENTS CUT
- EXISTING COLUMN TO BE STRENGTHENED
- DCP ENVELOPE
- LEP HEIGHT

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

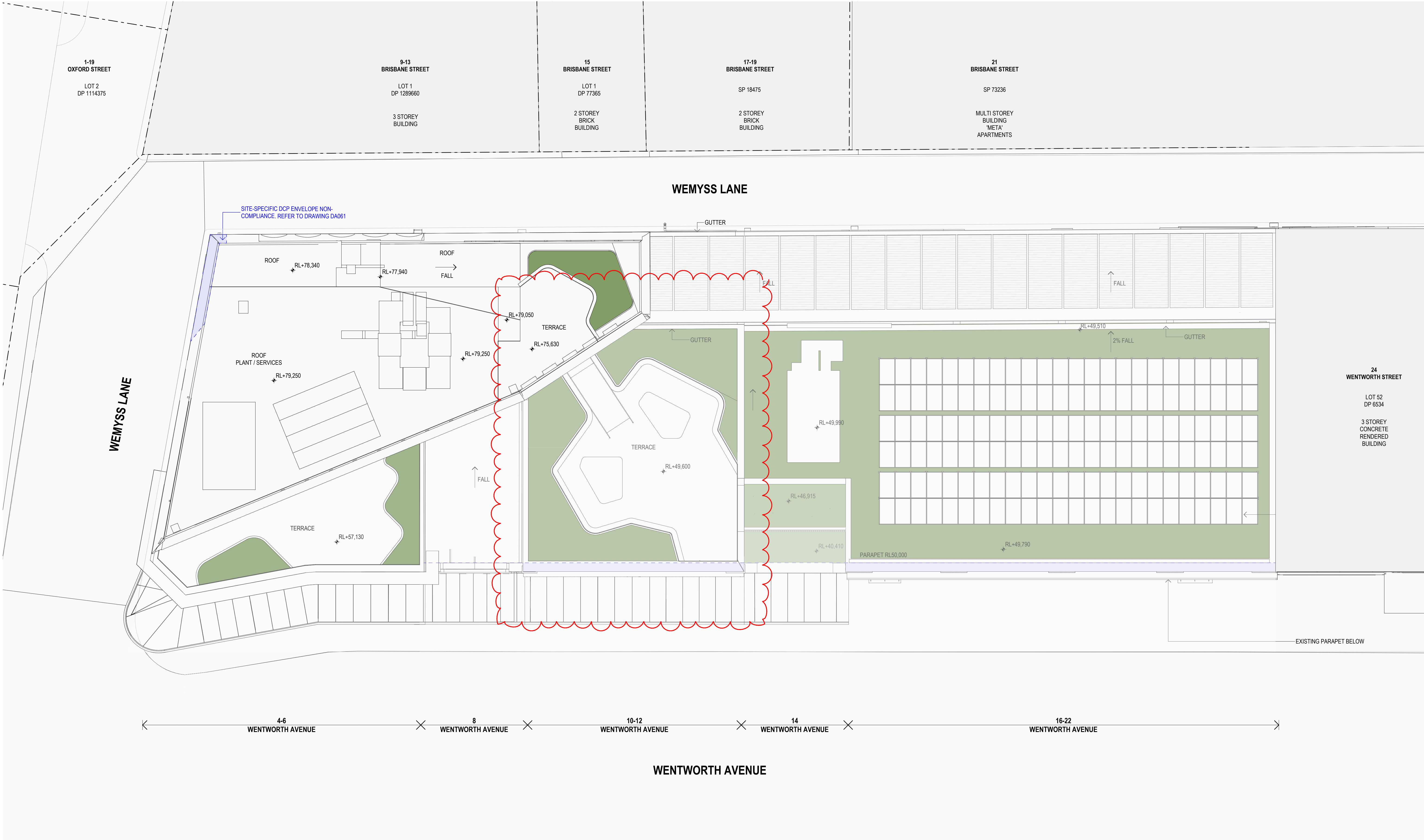
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Level 13

Drawing Scale
Drawing No.
DA0216

1:100 @ A1
Revision
C



Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final Issue for DA
C	13/02/2026	DD MR	DF	RPI Response Issue
D	6/03/2026	DF	DF	RPI Response Issue

© DKD Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijor 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NEMUR, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DCP ENVELOPE
LEP HEIGHT



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

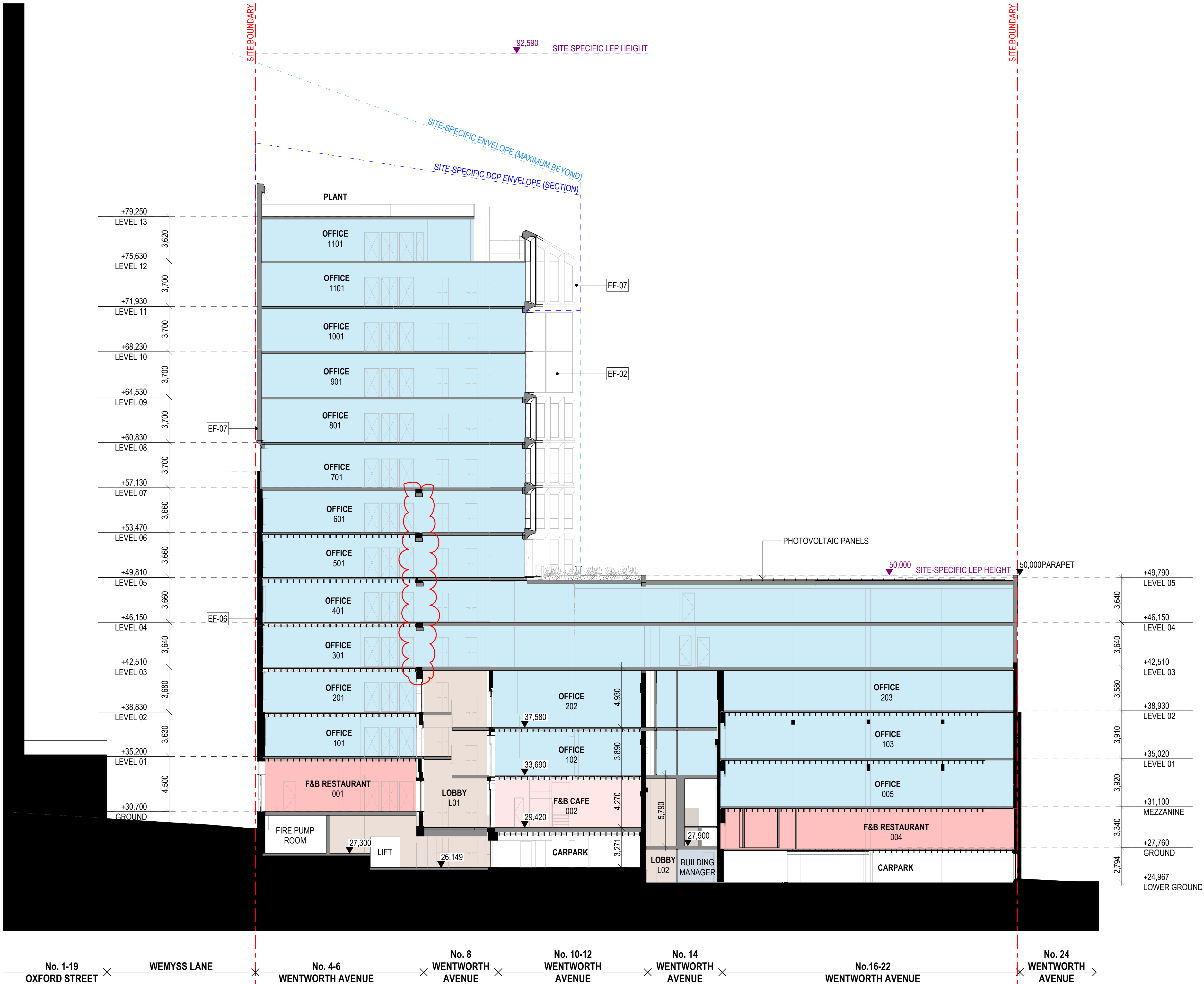
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Roof Plan

Drawing Scale
Drawing No.
DA0217

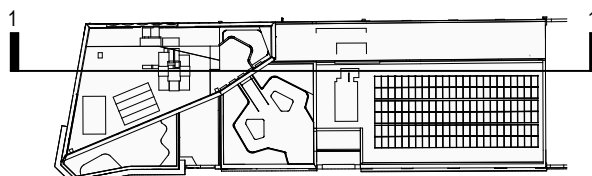
1:100 @ A1
Revision
D



LEGEND

	EF-01 FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
	EF-02 FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
	EF-03 FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
	EF-04 FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
	EF-05 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
	EF-06 FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
	EF-07 FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
	EF-08 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
	EF-09 FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
	EF-10 FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
	EF-11 FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
	EF-12 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
	EF-13 FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
	EF-14 FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
	EF-15 FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
	EF-17 FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
	EF-18 FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS
GLAZING REFLECTIVITY TO BE LESS THAN 20%



DEVELOPMENT APPLICATION

Rev	Date	By	Ck	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final Issue for DA
C	13/02/2026	DD MR	DF	RPI Response Issue

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all specialist consultant documentation; BSA20, NBN428, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DCP ENVELOPE
LEP HEIGHT

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

diko.com.au
info@diko.com.au
T +61 2 6346 4900

D K O

Project Name
Project Number
Project Address

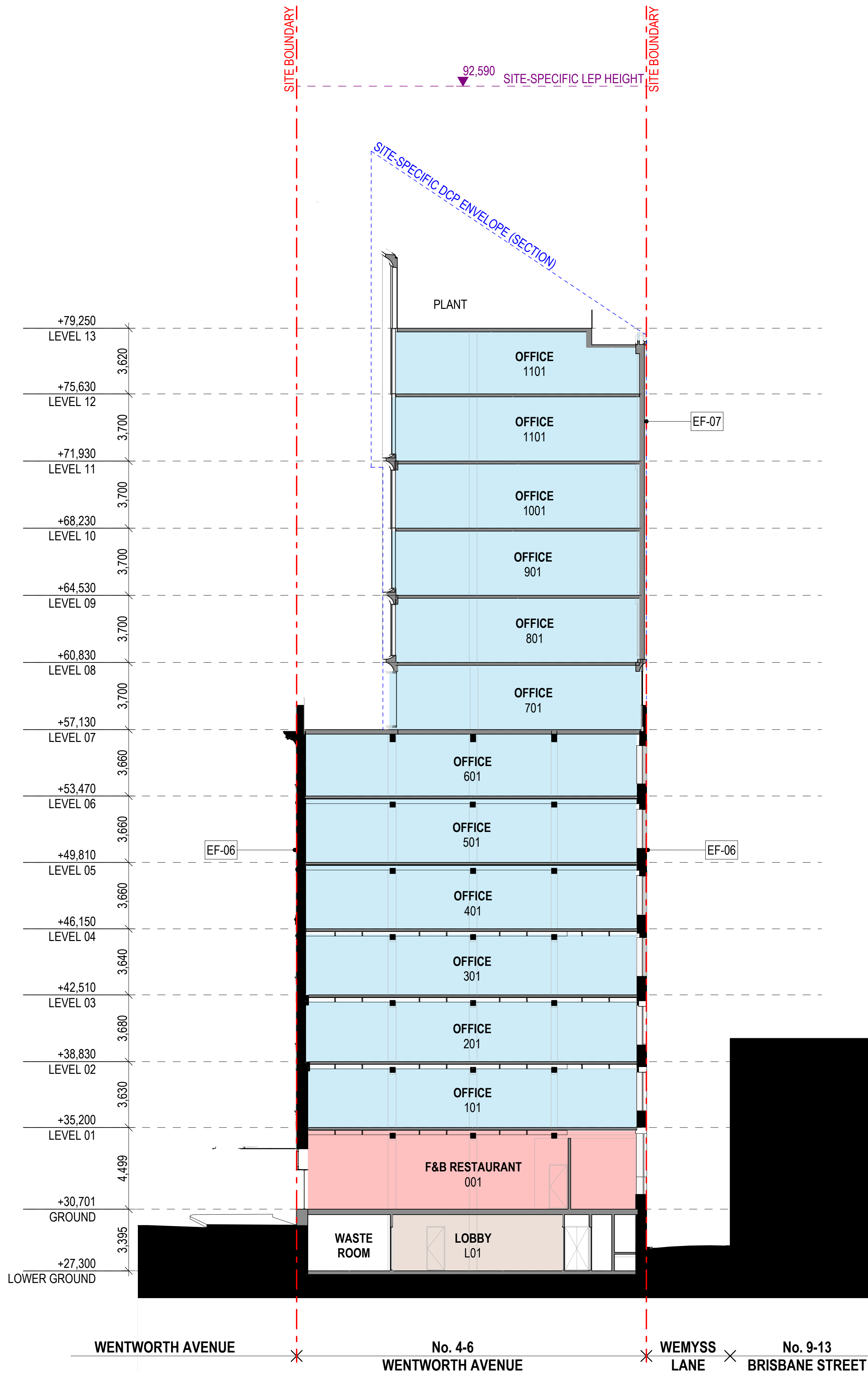
Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
Section 01

Drawing Scale
Drawing No.
DA031

1:150 @ A1
Revision
C



01 4-6 Wentworth 1:150

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	11/10/2025	OD	DF	Final Issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

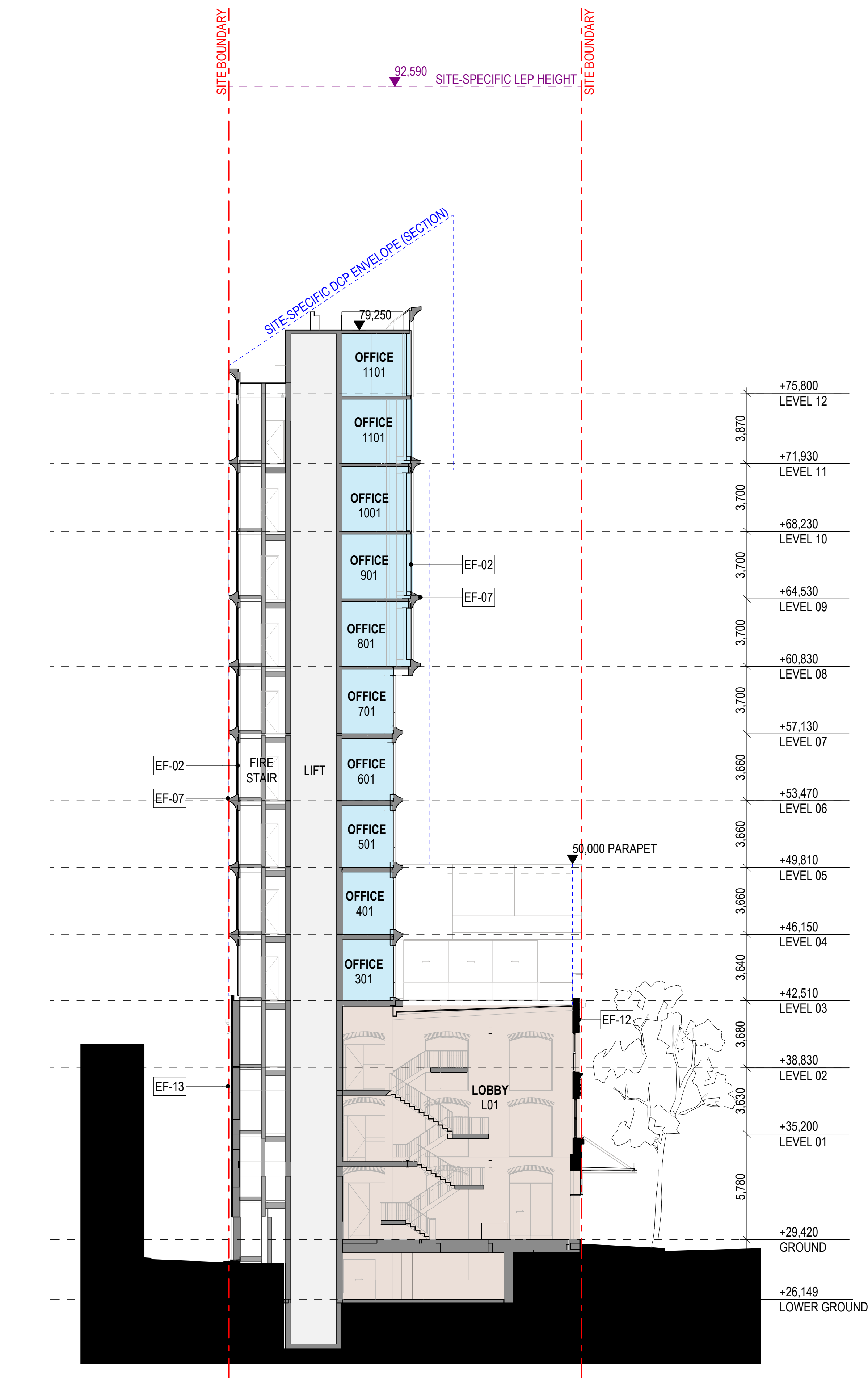
© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Koeijer 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to As-built Report and Landscape Documentation for all information relating to trees and tree preservation/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NatHERS, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

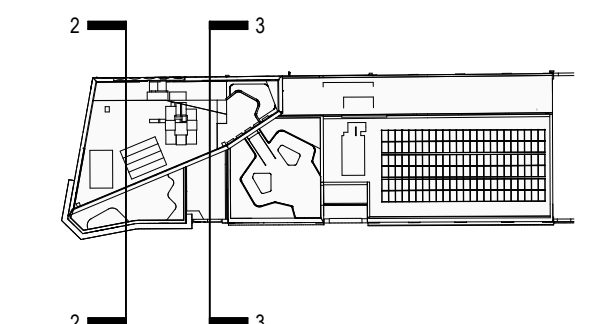
KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DCP ENVELOPE
LEP HEIGHT



02 8 Wentworth 1:150

LEGEND		
EF-01	FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
EF-02	FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
EF-03	FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
EF-04	FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
EF-05	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
EF-06	FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
EF-07	FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
EF-08	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
EF-09	FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
EF-10	FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
EF-11	FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
EF-12	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
EF-13	FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
EF-14	FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
EF-15	FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
EF-17	FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
EF-18	FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS GLAZING REFLECTIVITY TO BE LESS THAN 20%



Drawing Name Cross Sections 02-03

Drawing Scale 1:150 @ A1 Drawing No. DA032 Revision C

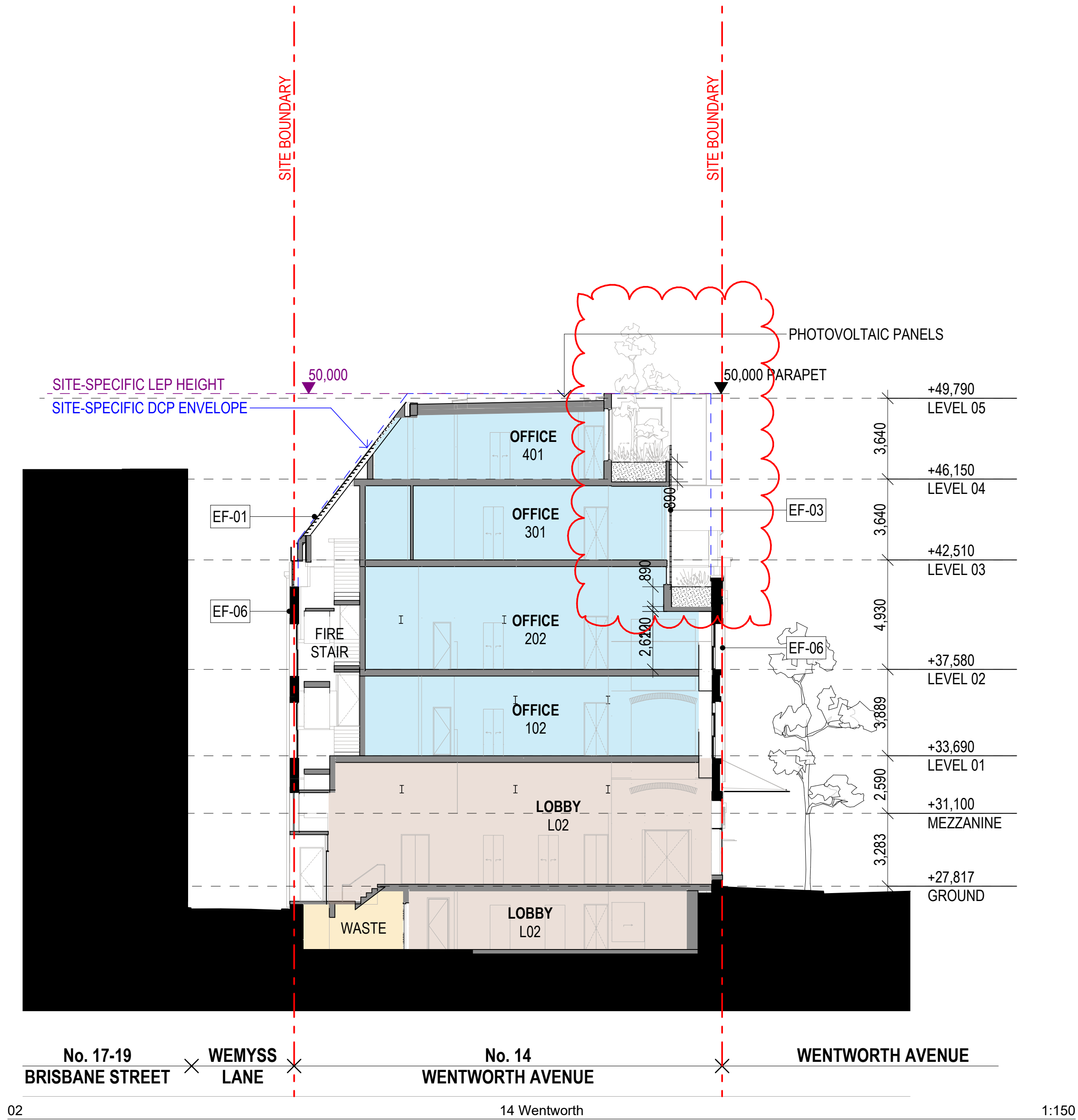
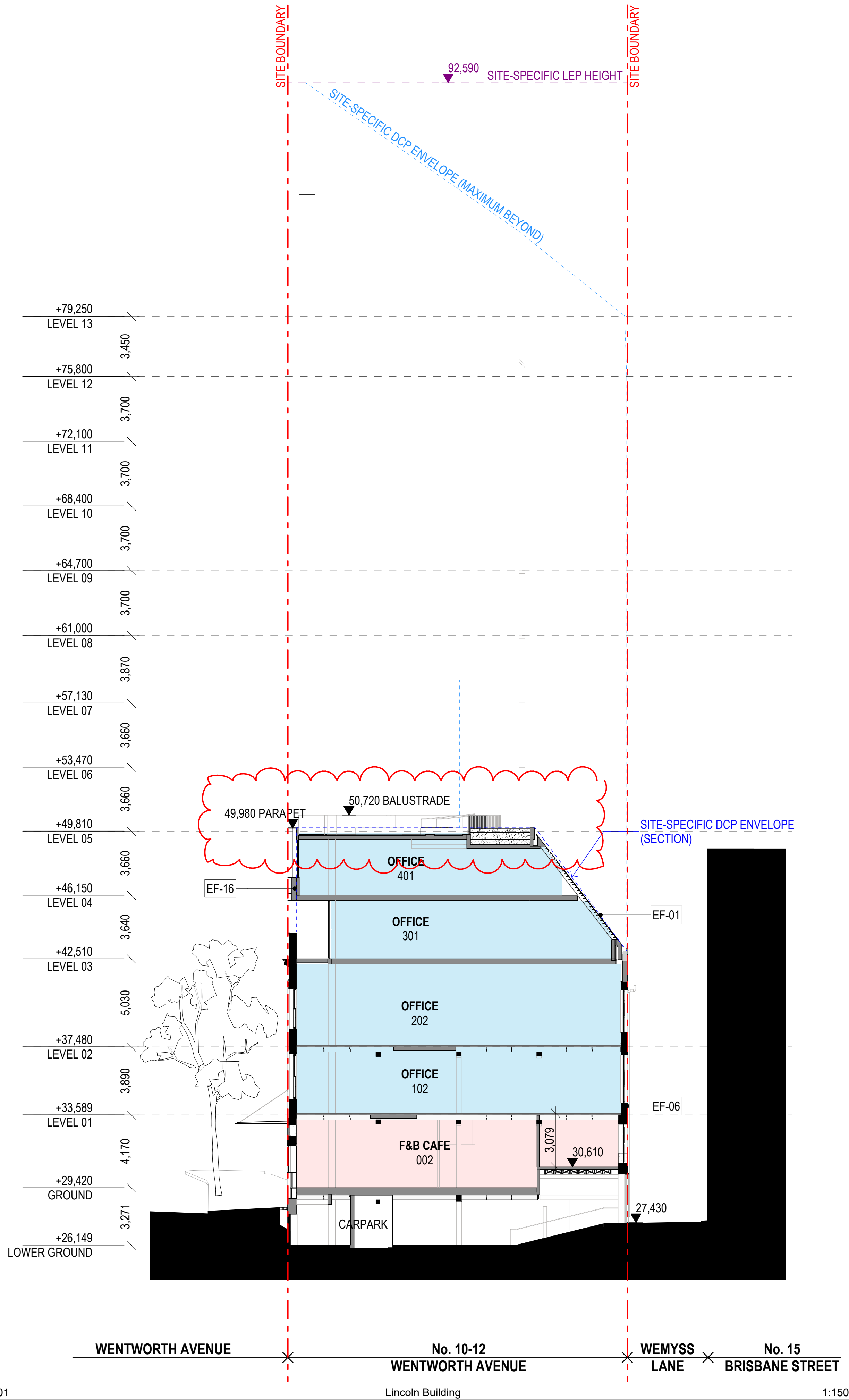
WILLOW Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name Wentworth Ave
Project Number 13678
Project Address 4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage



LEGEND

EF-01	FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
EF-02	FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
EF-03	FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
EF-04	FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
EF-05	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
EF-06	FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
EF-07	FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
EF-08	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
EF-09	FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
EF-10	FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
EF-11	FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
EF-12	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
EF-13	FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
EF-14	FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
EF-15	FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
EF-17	FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
EF-18	FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS GLAZING REFLECTIVITY TO BE LESS THAN 20%

DEVELOPMENT APPLICATION

Drawing Name: Cross Sections 04-05
Drawing No.: DA033
Revision: 1
Drawing Scale: 1:150 @ A1
Project Name: Wentworth Ave
Project Number: 13678
Project Address: 4-22 Wentworth Ave, Surry Hills NSW 2010

WILLOW Development Group
Aileen Sage

Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	7/11/2025	DD	DF	Final issue for DA
C	13/02/2026	DD MR	DF	RPI Response Issue
D	6/03/2026	DF	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijser 5767 David Henderson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree preservation/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NEMFIS, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

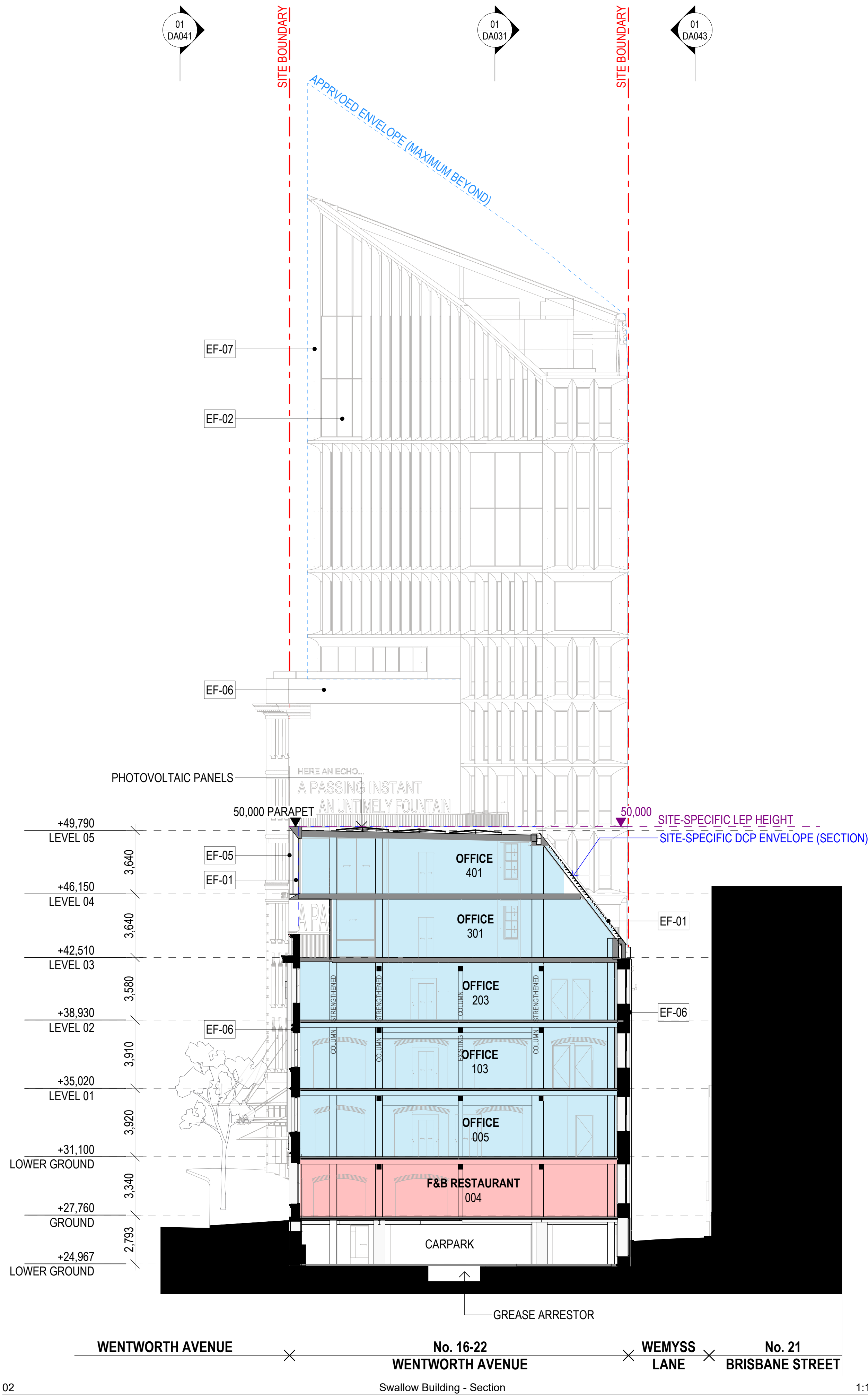
KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DCP ENVELOPE
LEP HEIGHT

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

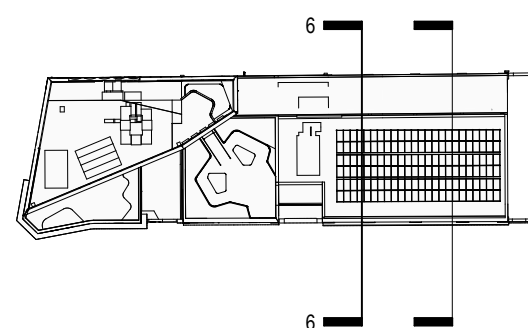
Aileen Sage



LEGEND

	EF-01 FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
	EF-02 FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
	EF-03 FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
	EF-04 FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
	EF-05 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
	EF-06 FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
	EF-07 FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
	EF-08 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
	EF-09 FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
	EF-10 FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
	EF-11 FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
	EF-12 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
	EF-13 FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
	EF-14 FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
	EF-15 FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
	EF-17 FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
	EF-18 FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS
GLAZING REFLECTIVITY TO BE LESS THAN 20%



DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 5767 David Henderson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation (BAGL, Natterer, Section 3 Certificates).
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DCP ENVELOPE
LEP HEIGHT

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

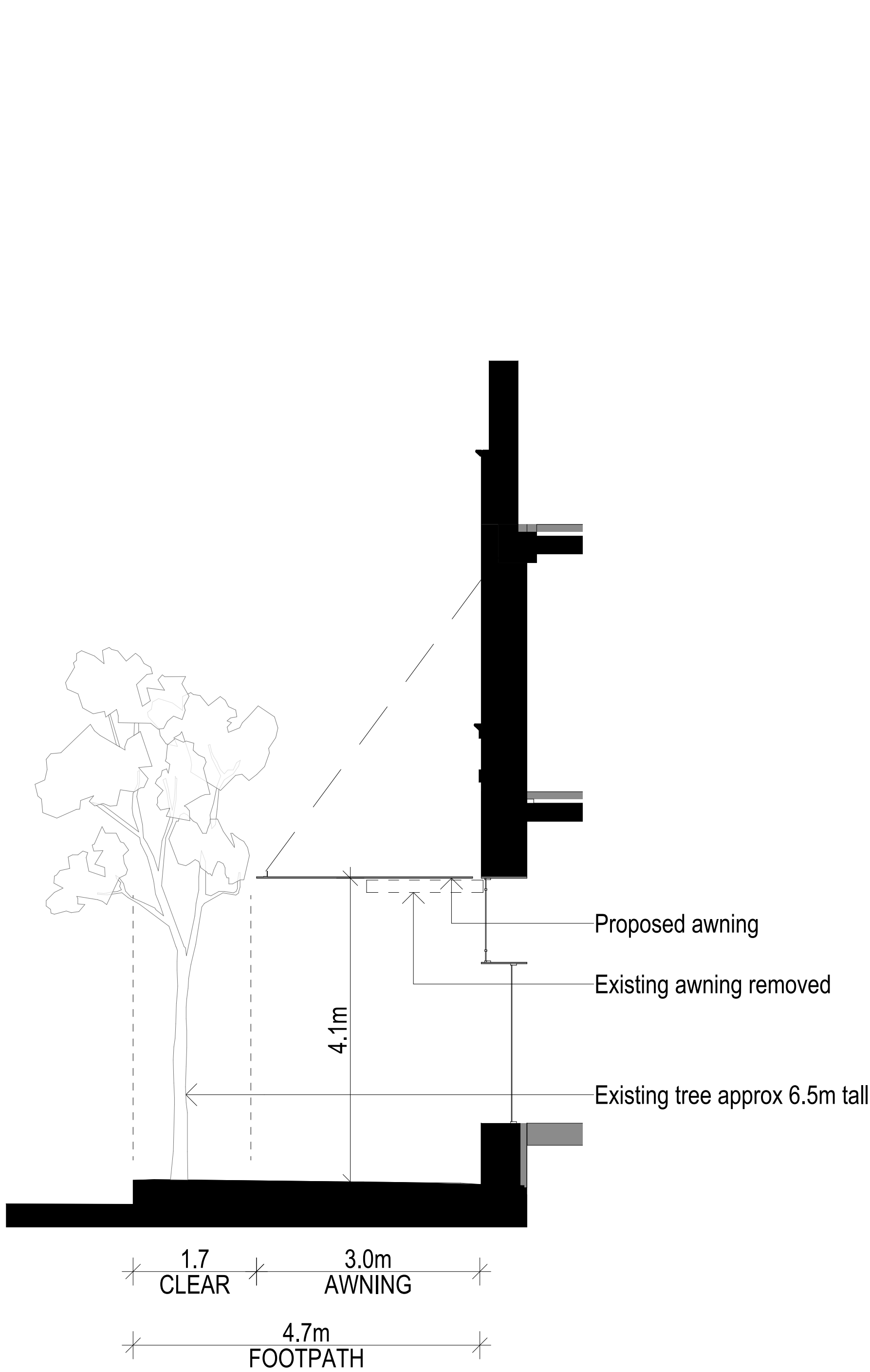
Aileen Sage

Drawing Name
Cross Sections 06

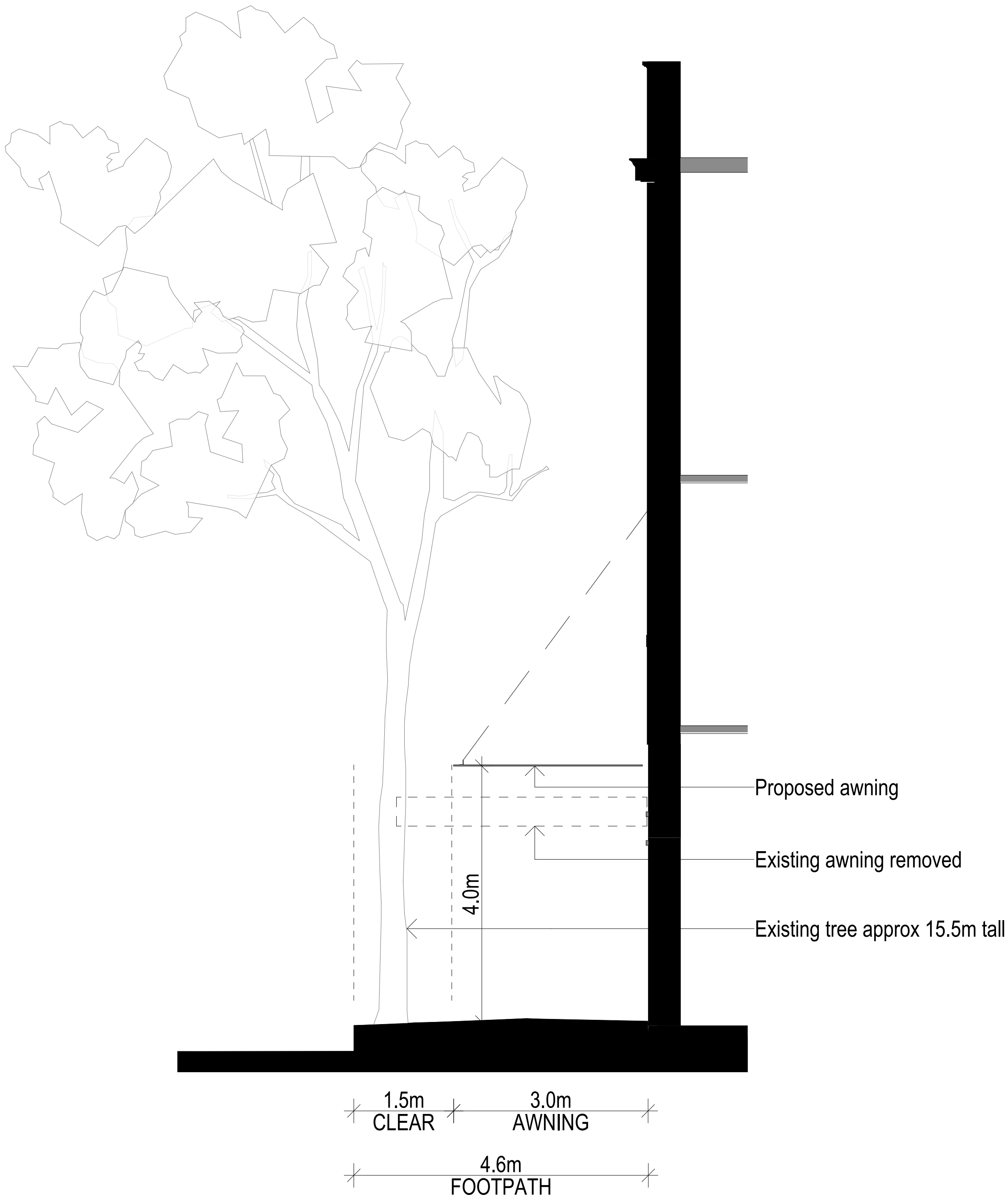
Drawing Scale
Drawing No.
DA034

1:150 @ A1
Revision
C

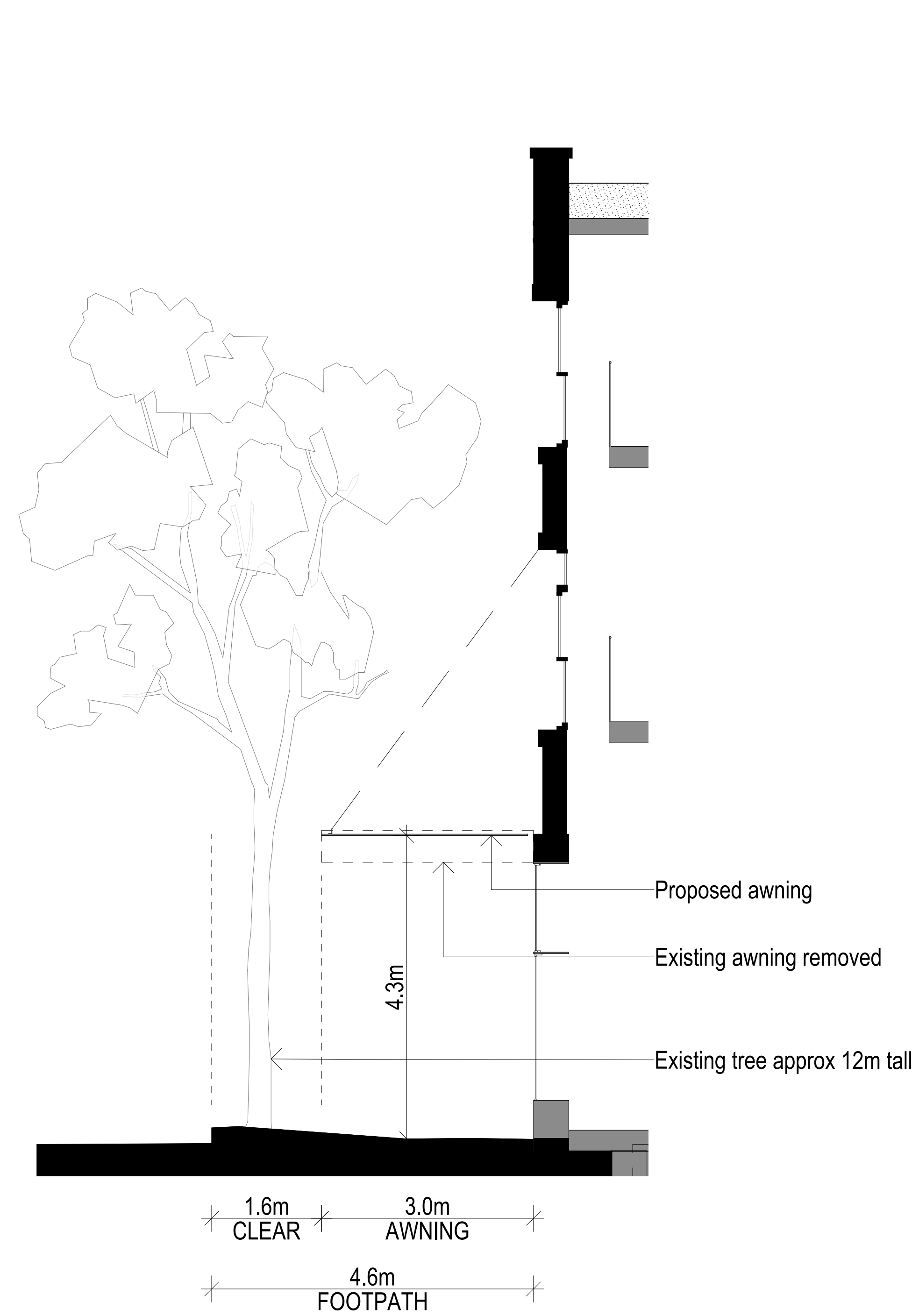
191



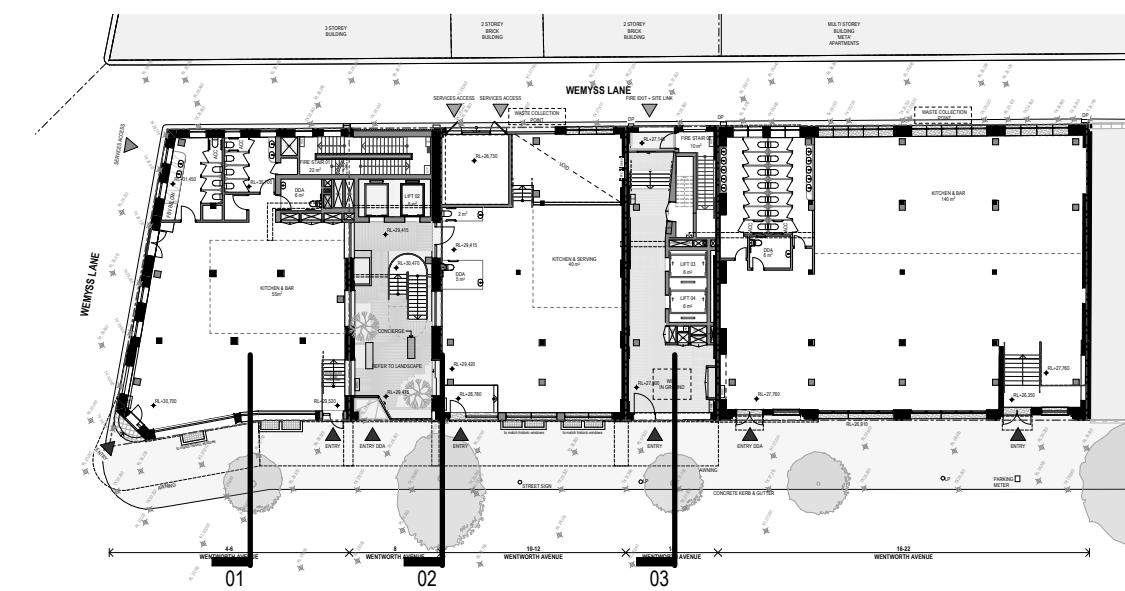
01 Existing Tree Section 01
1:50



02 Existing Tree Section 02
1:50



03 Existing Tree Section 03
1:50



Rev	Date	By	Chk	Description
C	13/02/2025	DD MR	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijar 5767 David Handerson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Architect Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NRMERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

ROOM KEY
LOBBY
OFFICE
F&B CAFE
F&B RESTAURANT
RETAIL
SERVICES / BOH
END OF TRIP FACILITIES
WASTE

KEY
EXISTING ELEMENTS CUT
NEW ELEMENTS CUT
EXISTING COLUMN TO BE STRENGTHENED
DOP ENVELOPE
LEP HEIGHT

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

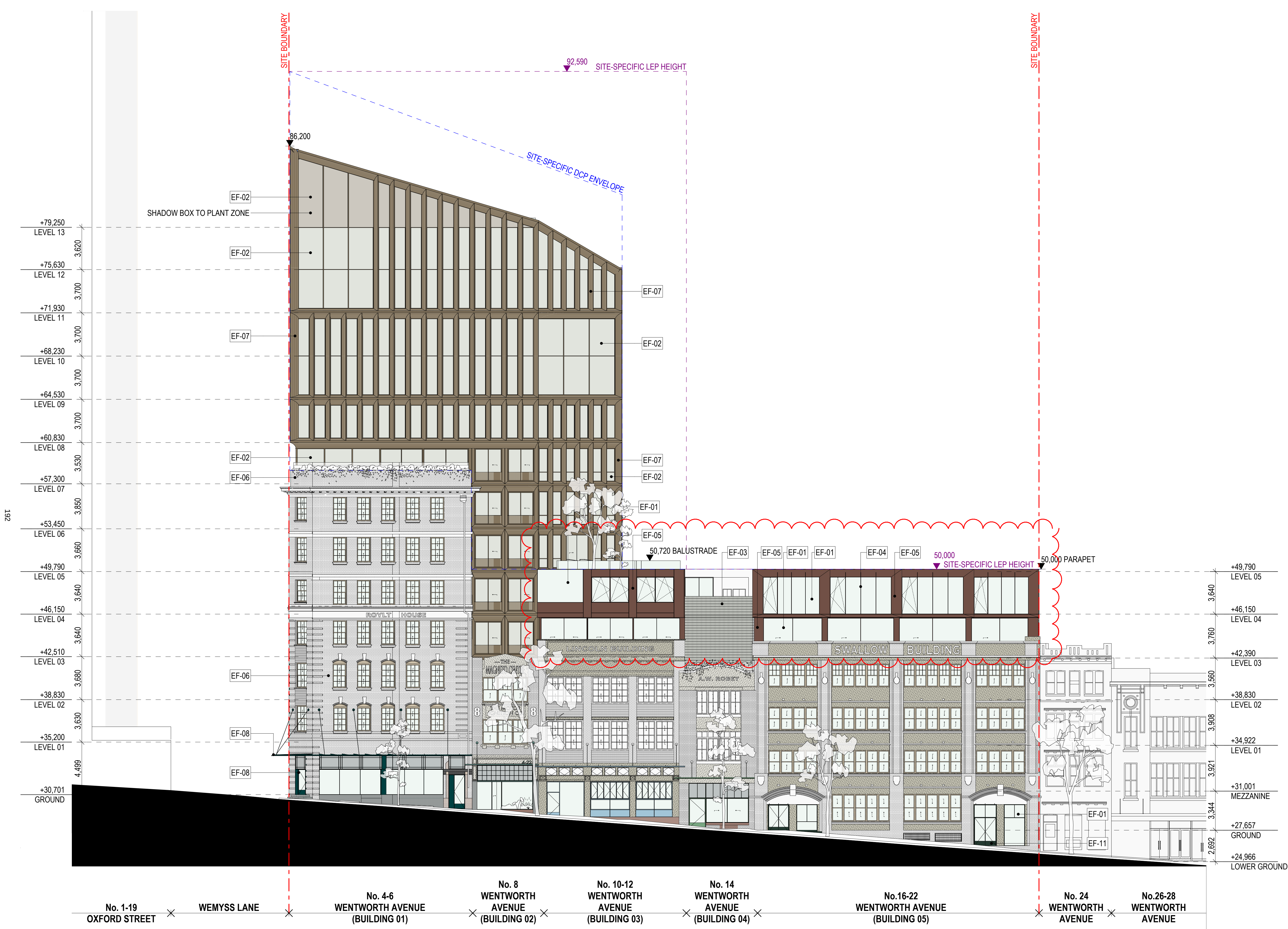
Aileen Sage

DEVELOPMENT APPLICATION

Drawing Name
Existing Tree Sections

Drawing Scale
Drawing No.
DA0392

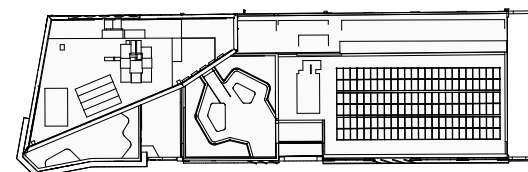
1:50 @ A1
Revision
C



LEGEND

	EF-01 FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
	EF-02 FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
	EF-03 FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
	EF-04 FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
	EF-05 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
	EF-06 FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
	EF-07 FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
	EF-08 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
	EF-09 FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
	EF-10 FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
	EF-11 FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
	EF-12 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
	EF-13 FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
	EF-14 FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
	EF-15 FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
	EF-17 FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
	EF-18 FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS
GLAZING REFLECTIVITY TO BE LESS THAN 20%



DEVELOPMENT APPLICATION

Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	17/10/2025	DD	DF	Final issue for DA
C	13/02/2026	DD MR	DF	RPI Response Issue

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their preservation, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NatHERS, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

DKO

Project Name
Project Number
Project Address

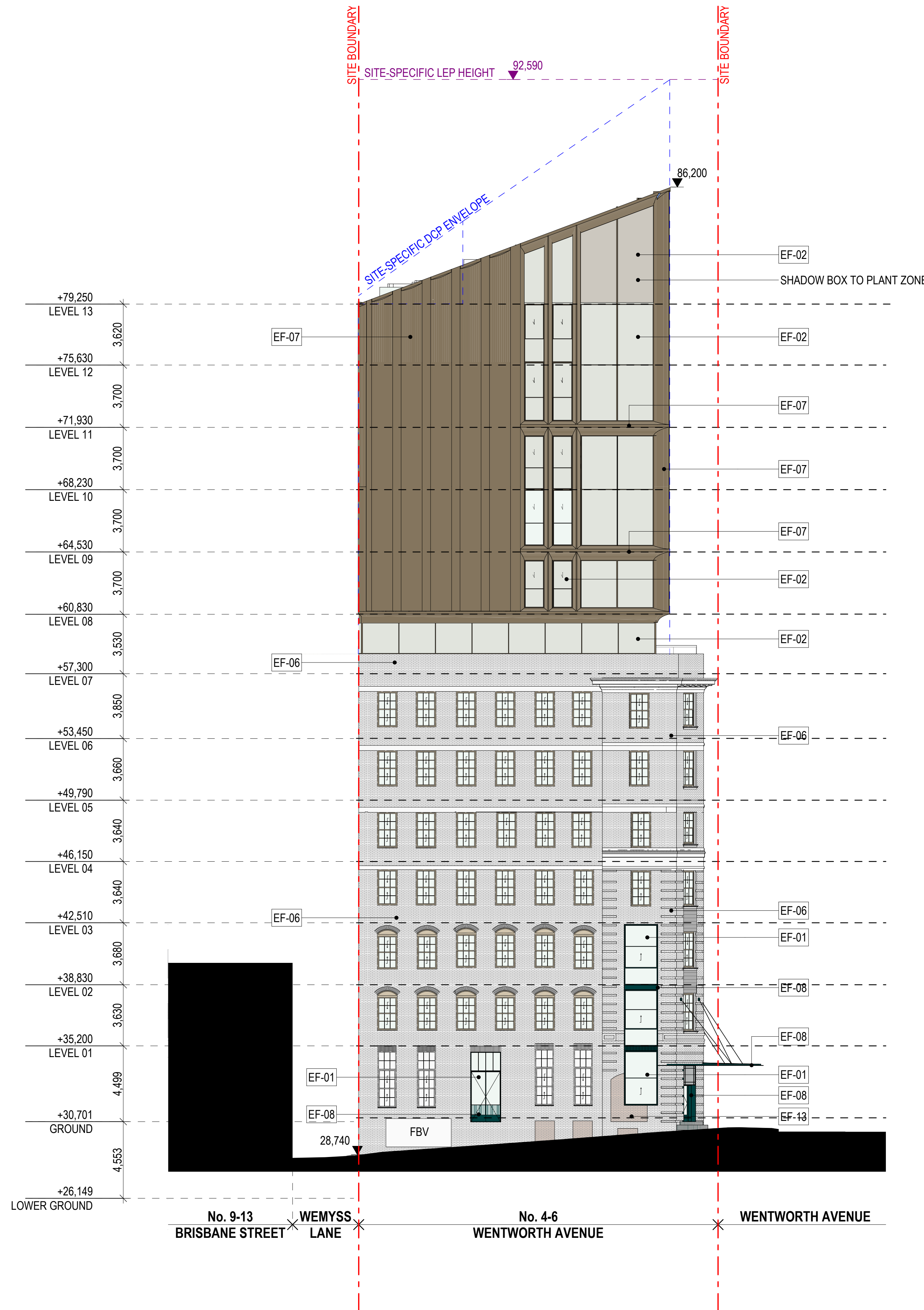
Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Drawing Name
West Elevation

Drawing Scale
Drawing No.
DA041

1:150 @ A1
Revision
C



01

Elevation - Wemyss Lane North

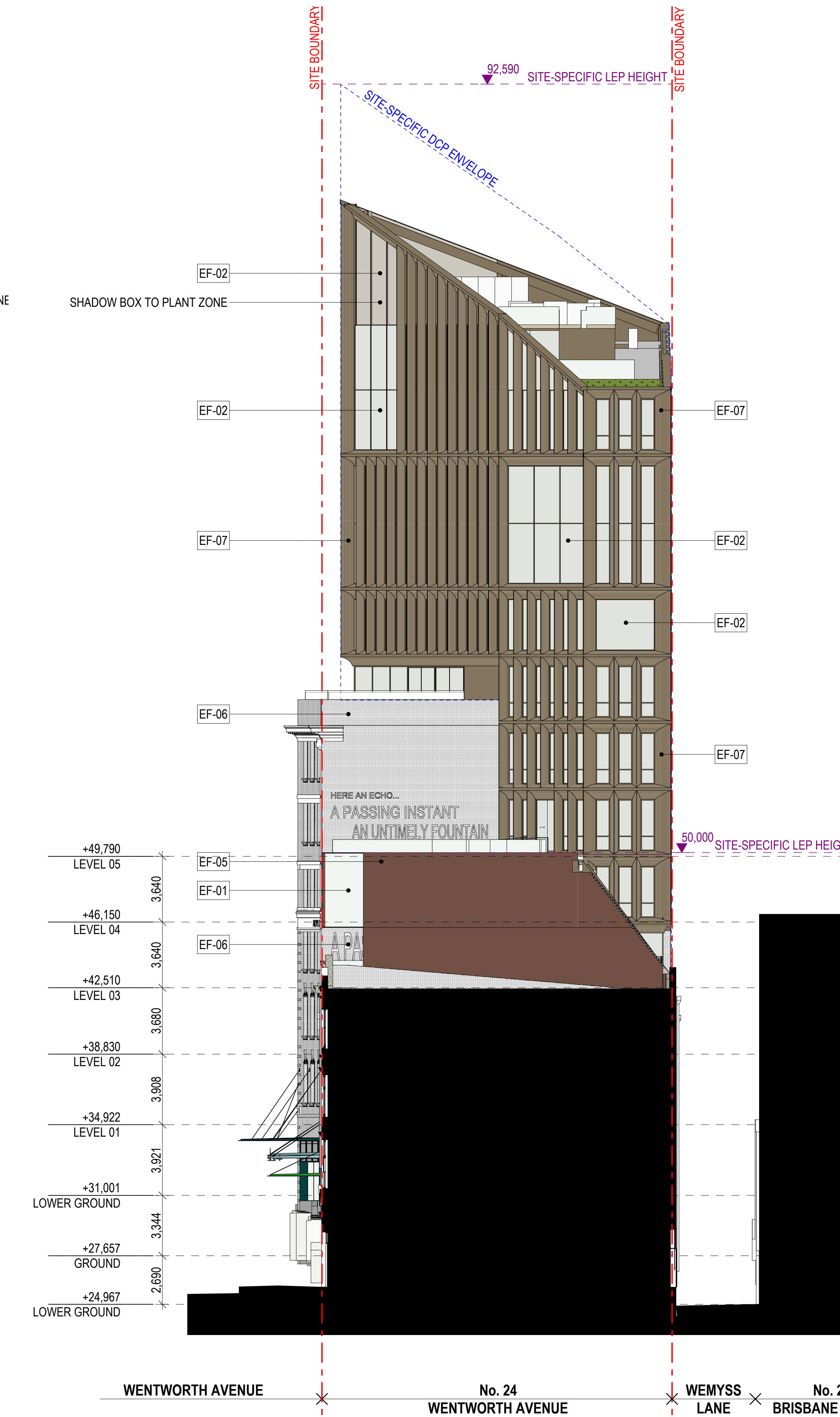
1:150

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	11/10/25	OD	DF	Final issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree preservation works, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NREIS, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kéjar 5767 David Randerson 8542



02

Elevation - South

1:150

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900

Project Name
Project Number
Project Address

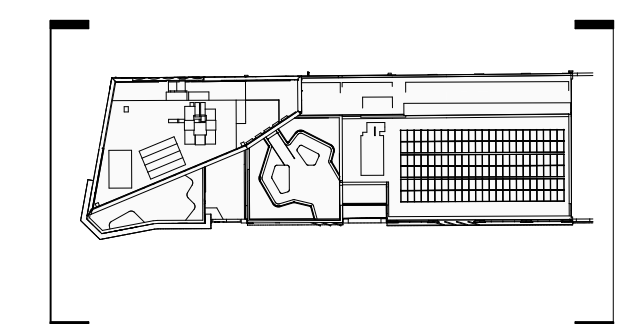
Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

LEGEND

	EF-01 FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
	EF-02 FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
	EF-03 FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
	EF-04 FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
	EF-05 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
	EF-06 FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
	EF-07 FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
	EF-08 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
	EF-09 FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
	EF-10 FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
	EF-11 FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
	EF-12 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
	EF-13 FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
	EF-14 FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
	EF-15 FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
	EF-17 FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
	EF-18 FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS
GLAZING REFLECTIVITY TO BE LESS THAN 20%

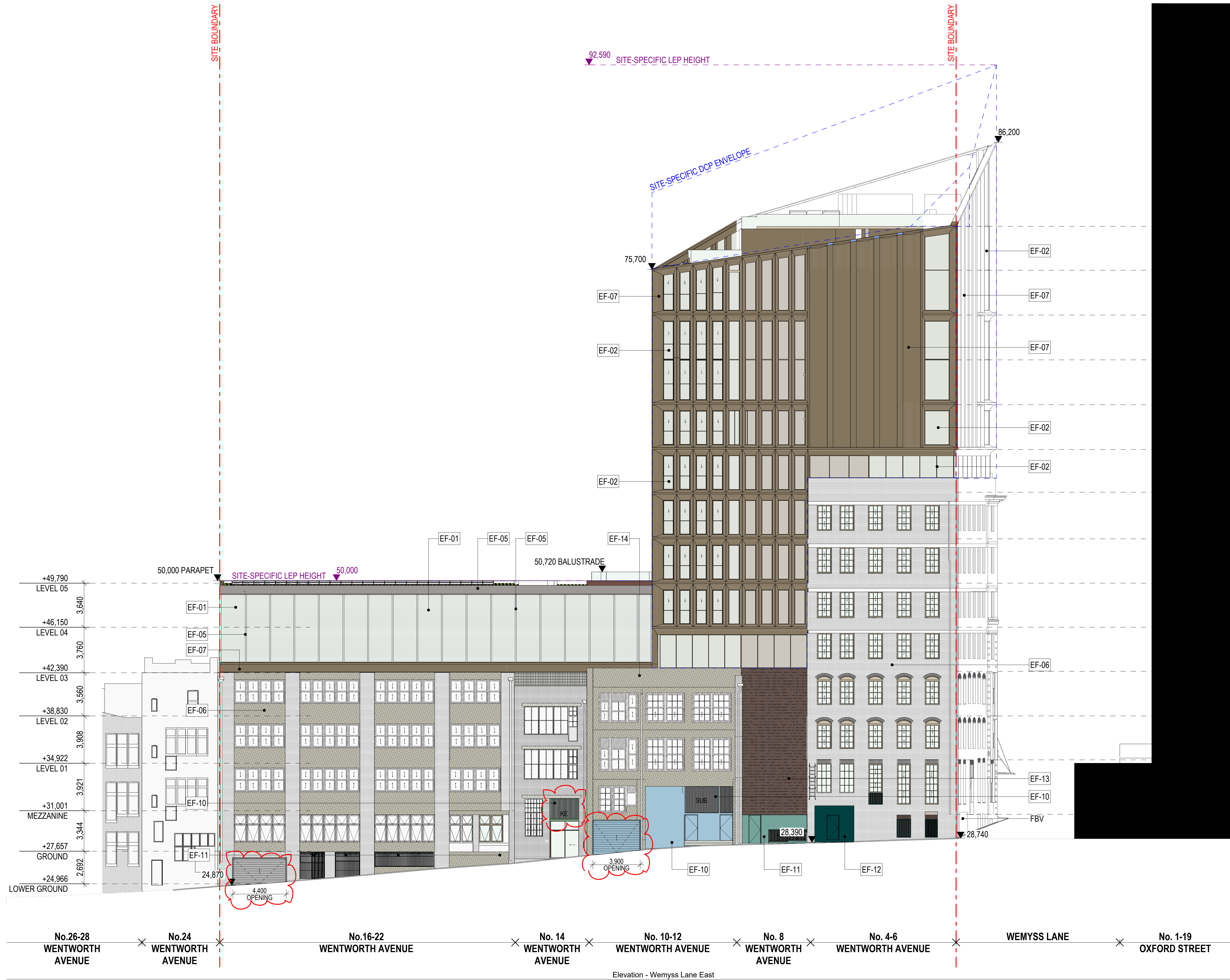


DEVELOPMENT APPLICATION

Drawing Name
North and South Elevation

Drawing Scale
Drawing No.
DA042

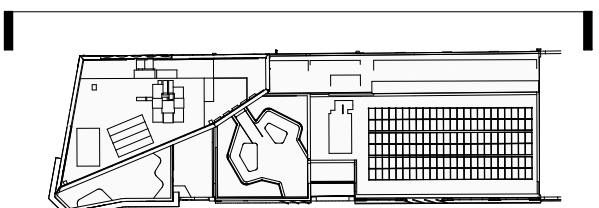
1:150 @ A1
Revision
C



LEGEND

EF-01	FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
EF-02	FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
EF-03	FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
EF-04	FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
EF-05	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
EF-06	FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
EF-07	FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
EF-08	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
EF-09	FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
EF-10	FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
EF-11	FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
EF-12	FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
EF-13	FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
EF-14	FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
EF-15	FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
EF-17	FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
EF-18	FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS
GLAZING REFLECTIVITY TO BE LESS THAN 20%



1:150

Rev	Date	By	Chk	Description
A	22/09/2025	DD MR CC	DF AS	Issue for DA
B	11/10/25	DD	DF	Final issue for DA
C	13/02/2026	DD MR	DF	RPI Response Issue

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consent documentation (BAGL, NREPS, Section 3 Certificates).
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kijar 5767 David Handerson 8542

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

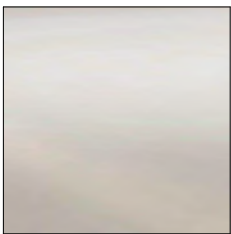
Drawing Name
East Elevation

Drawing Scale
Drawing No.
DA043

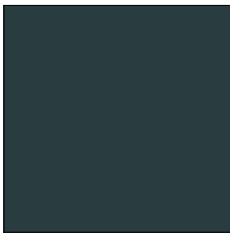
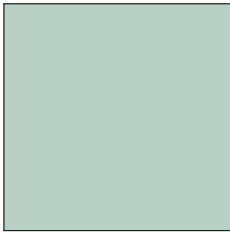
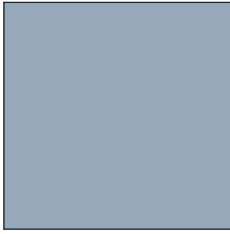
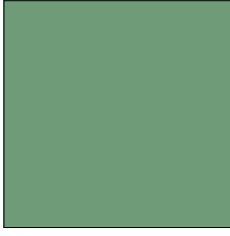
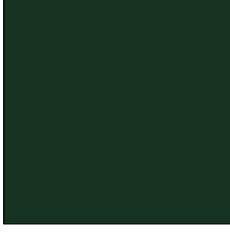
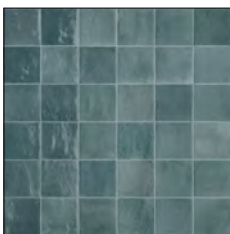
1:150 @ A1
Revision
C

DEVELOPMENT APPLICATION

TOWER BUILDING MATERIALS

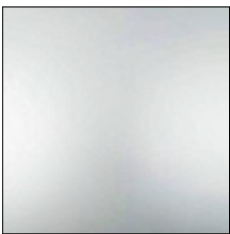
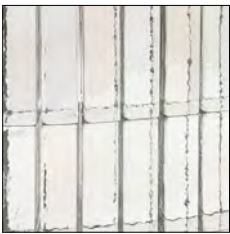
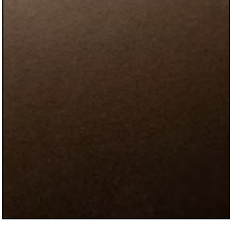
	EF-02 FINISH MATERIAL COLOUR NATURAL GLASS BRONZE
	EF-07 FINISH MATERIAL COLOUR ANODISED METAL LIGHT BRONZE

HERITAGE BUILDING MATERIALS

	EF-06 FINISH MATERIAL COLOUR NATURAL BRICK, PAINT STRIPPED AS EXISTING
	EF-08 FINISH MATERIAL COLOUR POWDERCOAT METAL DARK TEAL
	EF-09 FINISH MATERIAL COLOUR POWDERCOAT METAL LIGHT GREEN
	EF-10 FINISH MATERIAL COLOUR POWDERCOAT METAL PALE BLUE
	EF-11 FINISH MATERIAL COLOUR POWDERCOAT METAL GREEN
	EF-12 FINISH MATERIAL COLOUR POWDERCOAT METAL DARK GREEN
	EF-13 FINISH MATERIAL COLOUR NATURAL BRICK TO MATCH EXISTING
	EF-14 FINISH MATERIAL COLOUR TEXTURED RENDER TO MATCH EXISTING
	EF-15 FINISH MATERIAL COLOUR NATURAL CONCRETE TO MATCH EXISTING
	EF-17 FINISH MATERIAL COLOUR STAINED/PATTERNED GLASS VARIOUS
	EF-18 FINISH MATERIAL COLOUR GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS

PODIUM BUILDING MATERIALS

	EF-01 FINISH MATERIAL COLOUR NATURAL GLASS CLEAR
	EF-03 FINISH MATERIAL COLOUR NATURAL GLASS BRICK CLEAR
	EF-04 FINISH MATERIAL COLOUR ANODISED METAL MESH DARK BRONZE
	EF-05 FINISH MATERIAL COLOUR POWDERCOAT METAL DARK BRONZE

Rev	Date	By	Chk	Description
A	22/09/2025	OD MR CC	DF AS	Issue for DA
B	7/11/2025	OD	DF	Final Issue for DA
C	13/02/2026	OD MR	DF	RPI Response Issue

© DKO Architecture (NSW) Pty Ltd. AEN: 81956706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kogor 57/57 David Handerson 8542

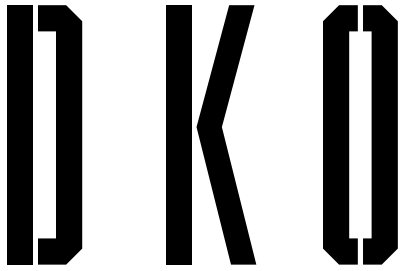
Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all specialist consultant documentation: BASIX, NatHERS, Section J Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.



Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 6346 4900



Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

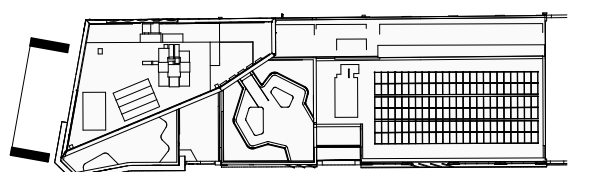
DEVELOPMENT APPLICATION	
Drawing Name Facade - Material Schedule	Drawing No. DA051
Drawing Scale 1:1 @ A1	Revision C



LEGEND

	EF-01 FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
	EF-02 FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
	EF-03 FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
	EF-04 FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
	EF-05 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
	EF-06 FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
	EF-07 FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
	EF-08 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
	EF-09 FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
	EF-10 FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
	EF-11 FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
	EF-12 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
	EF-13 FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
	EF-14 FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
	EF-15 FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
	EF-17 FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
	EF-18 FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS
GLAZING REFLECTIVITY TO BE LESS THAN 20%



DEVELOPMENT APPLICATION

Drawing Name
Shopfront Details

Drawing Scale
1:50 @ A1
Drawing No.
DA056
Revision
C

Rev	Date	By	Chk	Description
C	13/02/2026	DD MR	DF	RPI Response Issue

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Adjacent Report and Landscape Documentation for all information relating to trees and tree retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NREHER, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

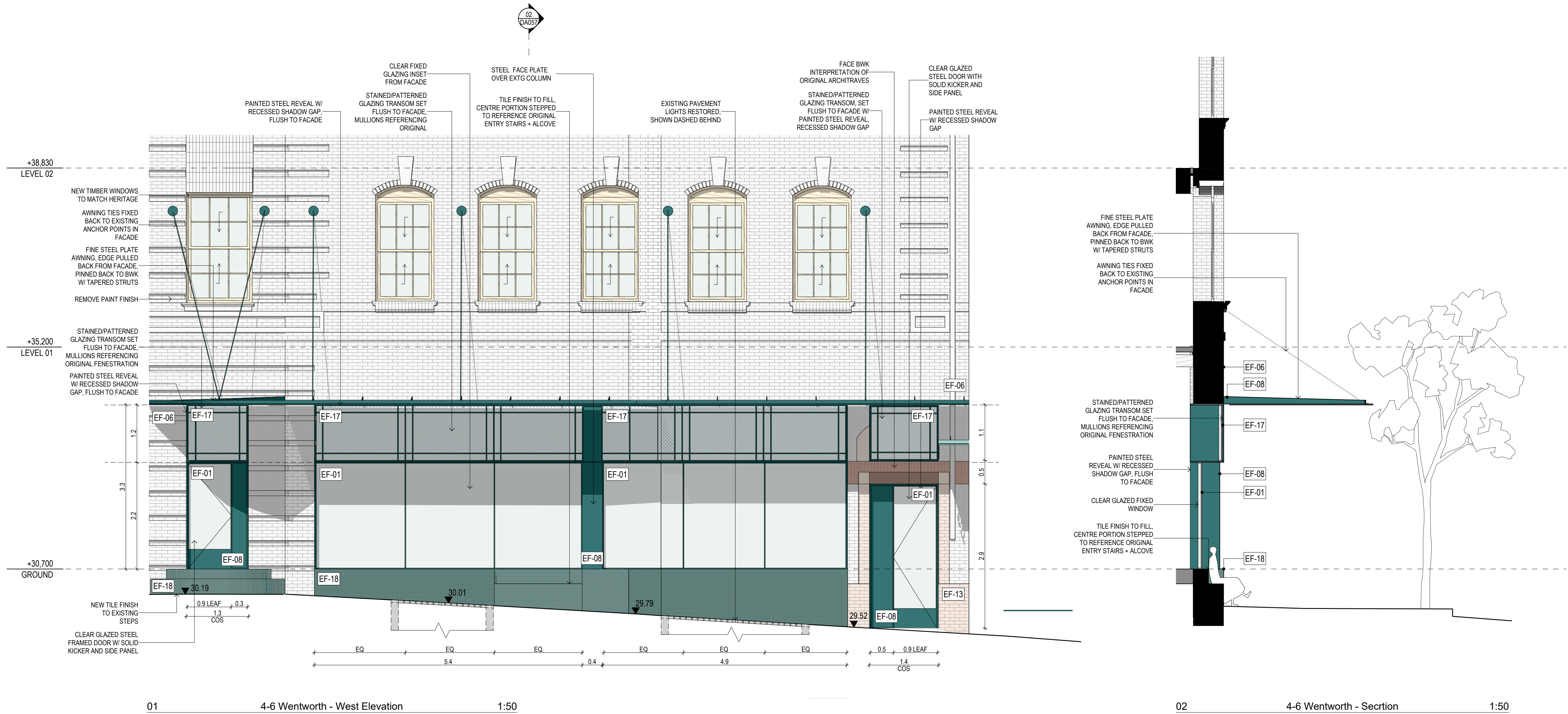
dko.com.au
info@dko.com.au
T +61 2 6346 4900

DKO

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

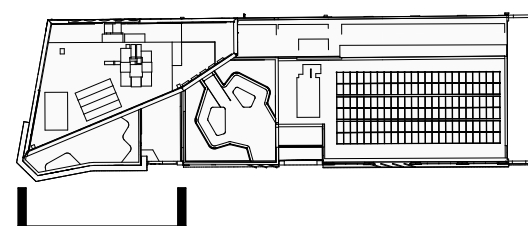
Aileen Sage



LEGEND

	EF-01 FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
	EF-02 FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
	EF-03 FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
	EF-04 FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
	EF-05 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
	EF-06 FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
	EF-07 FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
	EF-08 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
	EF-09 FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
	EF-10 FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
	EF-11 FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
	EF-12 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
	EF-13 FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
	EF-14 FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
	EF-15 FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
	EF-17 FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
	EF-18 FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS
GLAZING REFLECTIVITY TO BE LESS THAN 20%



DEVELOPMENT APPLICATION

Drawing Name	Shopfront Details
Drawing No.	DA057
Drawing Scale	1:50 @ A1
Revision	D

Rev	Date	By	Chk	Description
C	13/02/2025	DD MR	DF	RPI Response Issue
D	6/03/2025	DF	DF	RPI Response Issue

© DKD Architecture (NSW) Pty Ltd. AEN: 81956706990. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koss de Kojar 5767 David Henderson 8542

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Architect's Report and Landscape Documentation for all information relating to trees and tree preservation works, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all approved consultant documentation: BASIX, NatHERS, Section 3 Certificates.
- Minor changes to building form & configuration may be required after Development Consent.
- Do not scale from drawing, figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

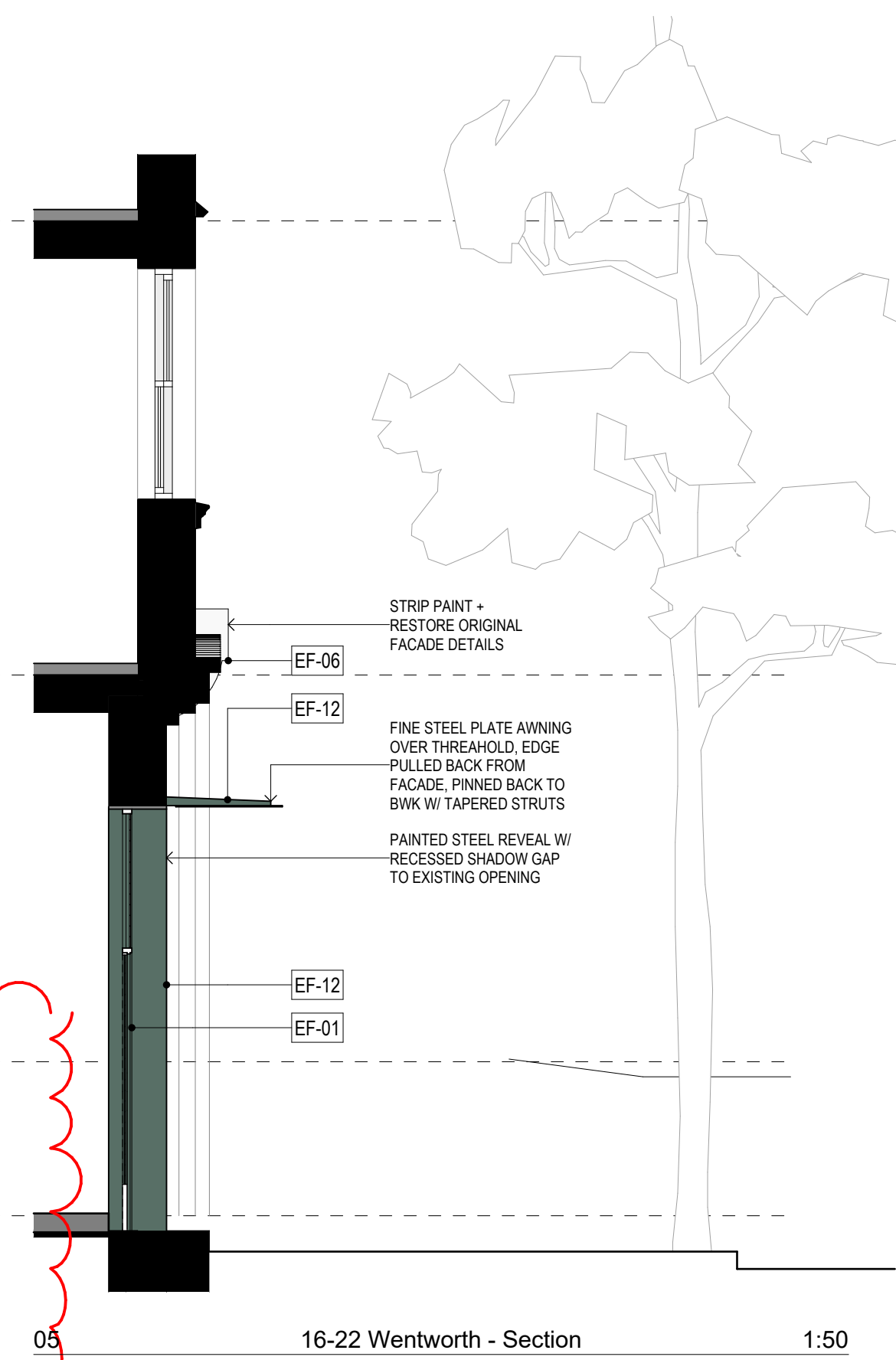
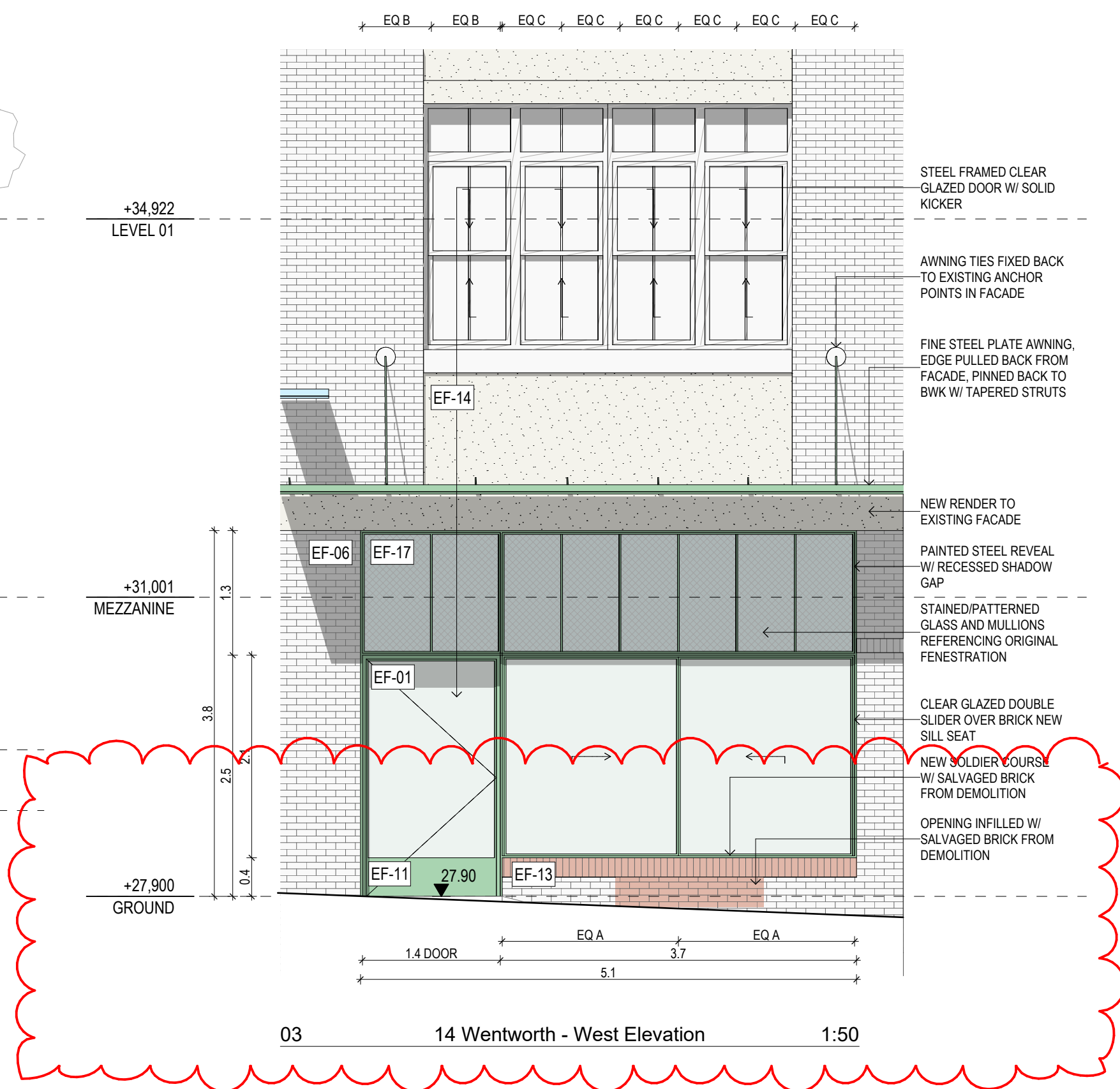
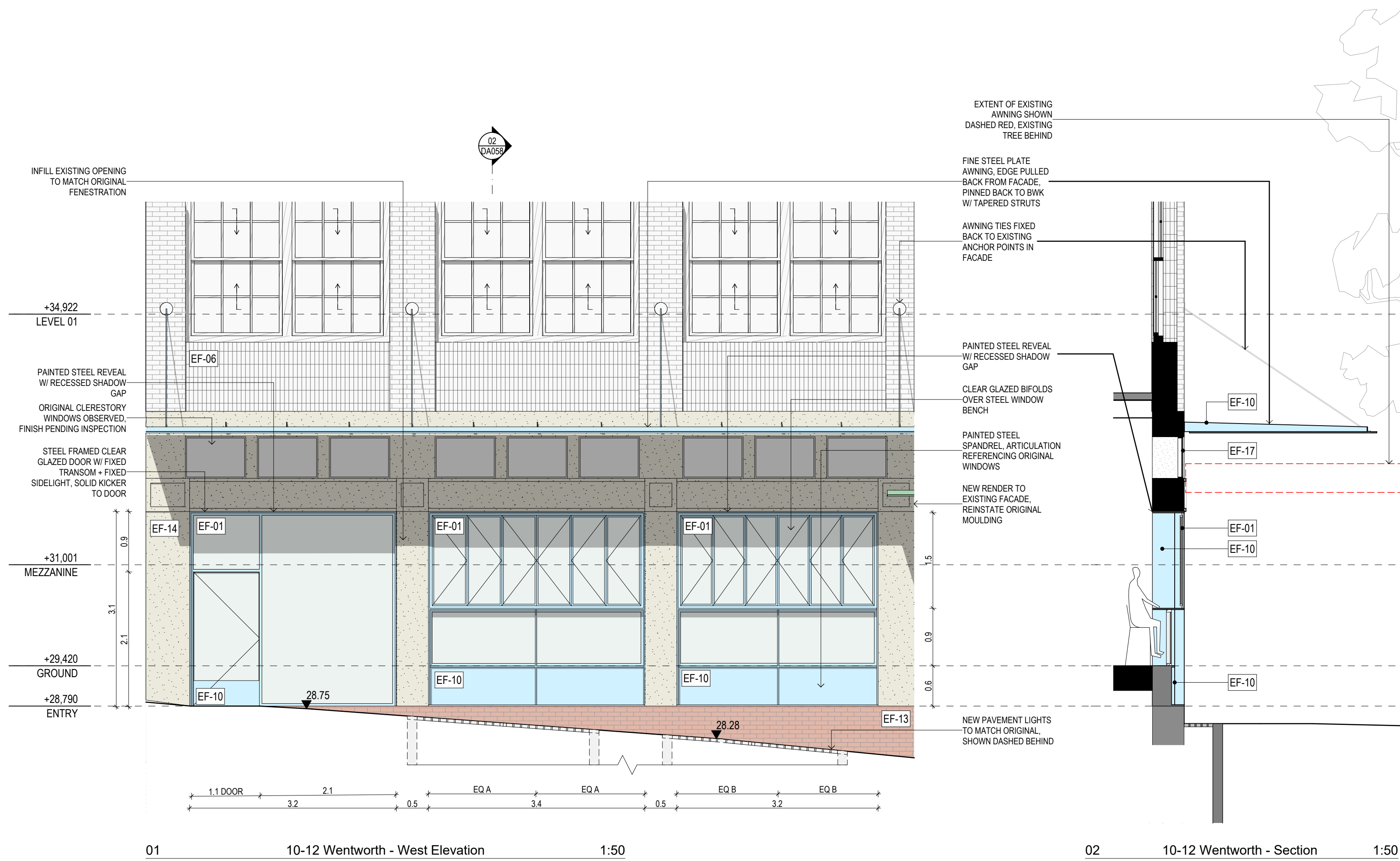
dco.com.au
info@dco.com.au
T +61 2 6346 4900

DKO

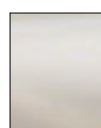
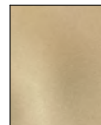
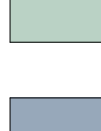
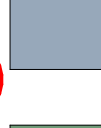
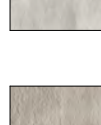
Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

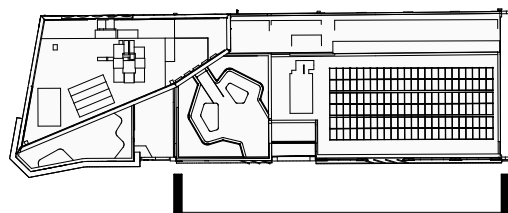
Aileen Sage



LEGEND

	EF-01 FINISH MATERIAL COLOUR	GLOSS GLASS CLEAR
	EF-02 FINISH MATERIAL COLOUR	GLOSS GLASS BRONZE
	EF-03 FINISH MATERIAL COLOUR	GLOSS GLASS BRICK CLEAR
	EF-04 FINISH MATERIAL COLOUR	ANODISED METAL MESH DARK BRONZE
	EF-05 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK BRONZE
	EF-06 FINISH MATERIAL COLOUR	NATURAL BRICK, PAINT STRIPPED AS EXISTING
	EF-07 FINISH MATERIAL COLOUR	ANODISED METAL LIGHT BRONZE
	EF-08 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK TEAL
	EF-09 FINISH MATERIAL COLOUR	POWDERCOAT METAL LIGHT GREEN
	EF-10 FINISH MATERIAL COLOUR	POWDERCOAT METAL PALE BLUE
	EF-11 FINISH MATERIAL COLOUR	POWDERCOAT METAL GREEN
	EF-12 FINISH MATERIAL COLOUR	POWDERCOAT METAL DARK GREEN
	EF-13 FINISH MATERIAL COLOUR	NATURAL BRICK TO MATCH EXISTING
	EF-14 FINISH MATERIAL COLOUR	TEXTURED RENDER TO MATCH EXISTING
	EF-15 FINISH MATERIAL COLOUR	NATURAL CONCRETE TO MATCH EXISTING
	EF-17 FINISH MATERIAL COLOUR	STAINED/PATTERNED GLASS VARIOUS
	EF-18 FINISH MATERIAL COLOUR	GLOSS CERAMIC TILE TO MATCH STEELWORK

COLOURS AND FINISHES ARE SUBJECT TO CHANGE
PENDING HERITAGE ADVICE AND SITE INVESTIGATIONS
GLAZING REFLECTIVITY TO BE LESS THAN 20%



DEVELOPMENT APPLICATION

Drawing Name
Shopfront Details

Drawing Scale 1:50 @ A
Drawing No. DA058
Revision D

1:50 @ A
Revisio
D

Notes

- All works to be in accordance with authority & statutory approvals.
- Refer to site survey for all information relating to existing site conditions.
- All Boundary information to be confirmed by registered surveyor before commencing works on site.
- Refer to Arborist Landscape Documentation for all information relating to trees and their retention/removal, and all landscape works.
- Drawings to be read in conjunction with all Specifications and Schedules; all specialist consultant documentation; BASIX, NatHERS, Section C Jettifieds.
- Most changes to Building form & Construction may be required after Development Consent.
- Do not scale from drawing; figured dimensions only to be used.
- Building Contractor to verify all dimensions before commencing work.

© DKO Architecture (NSW) Pty Ltd. ABN: 81966706590. Except as allowed under copyright act, no part of this drawing may be reproduced or otherwise dealt with without written permission. Nominated Architects: Koos de Keijzer 5767 David Randerson 8542

WILLOW
Development Group

Auckland
Brisbane
Ho Chi Minh
Melbourne
Perth
Sydney

dko.com.au
info@dko.com.au
T +61 2 8346 4500

Project Name
Project Number
Project Address

Wentworth Ave
13678
4-22 Wentworth Ave
Surry Hills NSW 2010

Aileen Sage

Attachment C

Design Competition Report

Competitive Design Alternatives Report

4-22 Wentworth Avenue, Surry Hills

Prepared on behalf of Willow Group

Selection Panel Endorsement

The Panel confirms that this report is an accurate record of the Competitive Design Alternatives Process and endorses the assessment and recommendations.

Name	Signature	Date
Richard Johnson (Panel Chair)		21 May 2025
Rachel Neeson		21 May 2025
Megan Jones		21 May 2025
Michael Skala		21 May 2025

Table of Contents

1.0	Introduction	3
1.1	Overview	3
1.2	Site Description	4
1.3	The Proponent	4
1.4	The Consent Authority	4
1.5	Assessment of the Scheme and the Winning Design.....	4
2.0	Competitive Design Alternatives Process	5
2.1	Overview	5
2.2	Invited Architectural Firms	5
2.3	Technical Advisors.....	5
2.4	City Observers	6
2.5	Selection Panel.....	6
2.6	Key Dates of Design Alternatives Process	6
2.7	DKO & Aileen Sage	7
2.8	Lippmann Partnership	9
2.9	SJB	11
2.10	Warren and Mahoney	13
3.0	Panel Recommendation	15
4.0	Conclusion	16

Appendix A – Competitive Design Process Brief

1.0 Introduction

1.1 Overview

This Competitive Design Alternatives Report (**Report**) has been prepared by Planning & Co on behalf of Willow Group (**The Proponent**) for the Competitive Design Alternatives Process undertaken for the redevelopment of 4-22 Wentworth Avenue, Surry Hills (**the Site**), and the selection of the winning architectural design.

The Proponent invited four Competitors to participate in the Competitive Design Alternatives Process and prepare design proposals for the Site. The four architectural firms that participated in the Competitive Design Alternatives Process were:

- DKO & Aileen Sage (partnership)
- Lippmann Partnership
- SJB
- Warren and Mahoney

All competitors participated in the Competitive Design Alternatives Process and produced final submissions for consideration and assessment by the Selection Panel (**the Panel**).

The competitive process was conducted in accordance with the Competitive Design Alternatives (**Brief**), which was issued to all invited competitors on 14 March 2024 (**Appendix A**), and the Sydney Local Environmental Plan 2012 (**LEP**), the Sydney Development Control Plan 2012 (**DCP**) and the City of Sydney Competitive Design Policy 2020 (**the Policy**).

Section 4.3 of the Policy sets out the requirements for a Competitive Design Alternatives Report, as follows:

- 1. When competitive design alternatives have been prepared and considered, the consent authority requires the applicant to submit a Competitive Design Alternatives Report prior to the submission of the relevant Stage 2 Development Application.*
- 2. The Competitive Design Alternatives Report shall:*
 - a. include each of the design alternatives considered;*
 - b. include an assessment of the design merits of each alternative;*
 - c. set out the rationale for the choice of preferred design and clearly demonstrate how this best exhibits design excellence in accordance with the provisions of Clause 6.21C(2) of the Sydney Local Environmental Plan 2012 and the approved Design Excellence Strategy.*
 - d. include a copy of the brief issued to the architectural firms.*
- 3. The consent authority will advise the applicant whether it endorses the process and outcome and whether it fulfils the requirements of the competitive design alternatives process in the form of pre-development application advice.*
- 4. The consent authority may need to determine whether the resulting development application or subsequent Section 96 [now s4.55] modification is equivalent to, or through design development, an improvement upon the design qualities of the endorsed outcome. If necessary, further competitive processes may be required to satisfy the design excellence provisions.*

This Competitive Design Alternatives Process Report has been prepared in accordance with the above requirements and outlines the Competitive Design Alternatives Process, the design alternatives considered, an assessment of the design merits of each alternative, the Panel's rationale for the choice of preferred design, and how that design demonstrates design excellence. The Panel has reviewed and endorsed the content contained within this Competitive Design Alternatives Process Report.

The Competitive Design Alternatives Process was undertaken in accordance with the approved Design Excellence Strategy included as Part 6.3.20.7 of the DCP, and in accordance with the Competitive Design Process Brief (**the Brief**) prepared by Planning & Co and endorsed by the City of Sydney on 7 March 2025.

1.2 Site Description

The Competitive Design Alternatives Process site is located at 4-22 Wentworth Avenue, Surry Hills and as illustrated in **Figure 1**. It is 1,222.1sqm in size and is the amalgamation of 10 lots (five street addresses):

- Lot 42 DP 6534 and Lot 43 DP 6534, known as 4-6 Wentworth Avenue
- Lot 44 DP 6534, known as 8 Wentworth Avenue
- Lot 45 DP 6534 and Lot 46 DP6534, known as 10-12 Wentworth Avenue
- Lot 47 DP 6534, known as 14 Wentworth Avenue, and
- Lot 48 DP 6534, Lot 49 DP 6534, Lot 50 6534 and Lot 51 DP 6534, known as 16-22 Wentworth Avenue, Surry Hills.

The site has three road frontages, which are Wentworth Avenue to the west and Wemyss Lane to the north and east. The Wentworth Avenue frontage is approximately 65m. The two Wemyss Lane frontages are approximately 21m and 60m respectively.

The existing development is entirely built out and no vegetation or landscaped areas exist at the site. The site slopes from north to south by approximately 4.5m.

1.3 The Proponent

Willow Group is the Proponent. The Proponent invited four (4) competitors to prepare proposals for the site.

1.4 The Consent Authority

The site is located within the City of Sydney Local Government Area (LGA). The Local Planning Panel is the consent authority that will determine any future DA for the detailed design of the building, as the estimated cost of the development is less than AUD \$50,000,000.

The Competitive Design Alternatives Process Manager liaised with City of Sydney officers throughout the competitive process. City of Sydney officers observed the Competitive Design Alternatives Process and the competitor's final presentation to ensure the integrity of the Competitive Design Alternatives Process and the outcome.

1.5 Assessment of the Scheme and the Winning Design

An assessment of the designs was undertaken by the Panel in accordance with the assessment criteria within the Brief. This included the design, planning and commercial objectives of the Brief and compliance with the relevant planning controls, including the site-specific provisions in Section 6.3.20 of the DCP.

The Competitive Design Alternatives Process has resulted in a winning design that was determined by the Panel to demonstrate a high design quality as per Clause 6.21 of the LEP and the requirements of the Brief.

The DKO & Aileen Sage design was selected as the winner of the Competitive Design Alternatives Process. Detailed within Section 4.0 of this Report are features that the Panel considers to be fundamental to the design integrity and issues that need to be resolved in design development.

Details of the Competitors' designs and the Panel's deliberations are discussed in the following sections.

2.0 Competitive Design Alternatives Process

2.1 Overview

The Proponent invited four Competitors to prepare design submissions in response to the Brief as part of the Competitive Design Alternatives Process. The Brief was prepared by Planning & Co and endorsed by the City of Sydney. The process undertaken is described in more detail as follows:

- Four architectural firms, including one partnership, were invited to participate in the Competitive Design Alternatives Process, which was held over a seven-week period.
- The Brief was issued to all competitors on 14 March 2025.
- A Competitor briefing session and site visit were held on 17 March 2025 to provide an overview of the Site, outline the planning parameters and provide an opportunity for Competitors to ask questions and seek clarification on the Brief and the Competition Procedures.
- A progress review session with the Proponent’s technical advisors and the Competitive Design Alternatives Process Manager was made available to each Competitor on 2 April 2025.
- A Selection Panel briefing session and site visit were held on 7 April 2025 to provide an overview of the Site, outline the planning parameters and provide an opportunity for the Panel to ask questions and seek clarification on the Brief and the Competition Procedures.
- A quantity surveyor session with the Proponent’s appointed quantity surveyor and the Competitive Design Alternatives Process Manager was made available to each Competitor on 11 April 2025
- All Competitors submitted a Design Report (**final submission**), articulating their proposed architectural scheme for the Site on the due date of 17 April 2025. This was followed by submission of final presentation material on 28 April 2025.
- Each competitor presented their proposed architectural designs to the Panel at the Final Presentation day on 2 May 2025. The Panel deliberations were held on 2 May 2025.
- One design was unanimously chosen as the winner of the Competitive Design Alternatives Process. This decision was made on 2 May 2025.

The Competitive Design Alternatives Process was undertaken in an open and transparent manner in full consultation and disclosure with City of Sydney officers in attendance as observers. In accordance with the Policy, the consent authority was involved in the Competitive Design Alternatives Process as follows:

- Reviewed, provided comment and endorsed the Brief.
- Participated as observers at all meetings.
- Copied into all correspondence with the Competitors.

2.2 Invited Architectural Firms

The four architectural firms that participated in the competition were:

- DKO & Aileen Sage (partnership)
- Lippmann Partnership
- SJB
- Warren and Mahoney

2.3 Technical Advisors

Technical advice was provided to Competitors throughout the Competitive Design Alternatives Process and an assessment of final submissions was undertaken for each scheme’s final submission. Technical advice and a corresponding briefing was also provided to the Panel. The technical advisors involved in the Competitive Design Alternatives Process are outlined in Table 2.

Table 1: Technical Advisors

Discipline	Firm	Primary Contact
Structure	TTW	Marco Fadda
Quantity Surveyor	WT Partnership	Andrew Tan
Planning	Planning & Co	Jim Murray

2.4 City Observers

In accordance with the Policy, the following City of Sydney staff were present at different stages to verify the Competitive Design Alternatives Process had been followed appropriately and fairly:

- Anita Morandini, Design Excellence Manager
- Marie Quattromani, Design Excellence Planner
- Daniel Stanley, Senior Planner, Planning Assessments

2.5 Selection Panel

The Selection Panel appointed by the Proponent for the Competitive Design Alternatives Process were:

- Richard Johnson AO MBE, Founding Partner Johnson Pilton Walker
- Megan Jones, Director - Intelligent Architecture
- Rachel Neeson, Director - Neeson Murcutt Neille
- Michael Skala, Managing Director - Willow Group

Two Panel members were nominated by the City of Sydney and two were nominated by the Proponent. All members of the Panel have extensive experience and expertise in the design and/or construction professions and industry. One Panel member is an appropriately qualified heritage architect.

2.6 Key Dates of Design Alternatives Process

Key dates for the competitive process are as follows:

DATE	Milestone
Friday 14 March 2025	Commencement date
Monday 17 March 2025	Competitors briefing session and site visit
Wednesday 2 & Thursday 3 April 2025	Progress sessions
Monday 7 April 2025	Selection panel briefing session & site visit
Thursday 10 & Friday 11 April	Quantity surveyor meetings
Thursday 17 April 2025	Final submission lodgement date
Tuesday 29 April 2025	Review of final submissions and technical reporting Lodgement of presentation date material
Friday 2 May 2025	Presentations and deliberations Decision Notification to Competitors

2.7 DKO & Aileen Sage

DKO & Aileen Sage's design concept was informed by five key principles: individual responses to the heritage character of the five buildings; implementing dual circulation spines to work with the heritage anomalies and quirks of the group; enhancing opportunities for diversity, flexibility and activation by utilising multiple ground floor front doors; providing a cohesive form by creating a strong visual relationship between the geometry of the tower façade and the forms below; revealing the layers of history and reframing the site for the future.

The Panel agreed that the DKO & Aileen Sage design demonstrated an exceptional understanding of the evolution of the history and heritage context of the site over time which informed the architectural proposition in its detail and overall concept.

The Panel believed that the architectural expression made an excellent contribution to the public domain at street level. It responds to the fine grain of the warehouses and provides good building addresses. The proposition to provide a triple height atrium lobby in 8 Wentworth Avenue with deep soil, landscape and connection to the tower was considered to be the appropriate location for a heritage intervention and would result in an impressive lobby and entry experience.

The design demonstrated a good understanding of the heritage opportunities, and the response had been very carefully resolved. The heritage fabric that is proposed to be retained and revealed enhances the legibility of the original warehouses and was commended as was the way the external expression reflected the internal program.

The contemporary tower addition was powerfully expressed, and the decision to bring the tower down above 8 Wentworth Avenue was commended by the Panel. The tower form provides good protection to the 4-6 Wentworth Avenue rooftop creating a genuinely usable space. The quality of the roof top garden space made a positive contribution to the scheme.

The southern core design creates flexibility in plan and the approach to universal access was well-considered. The Panel considered the designs ESD strategy, developed in consultation with Finding Infinity, was well resolved.

The planning of the podium addition was clear; however, the architectural language will benefit from further resolution to achieve conceptual clarity.

The public art proposal referencing the existing Wemyss Lane artwork was commended.

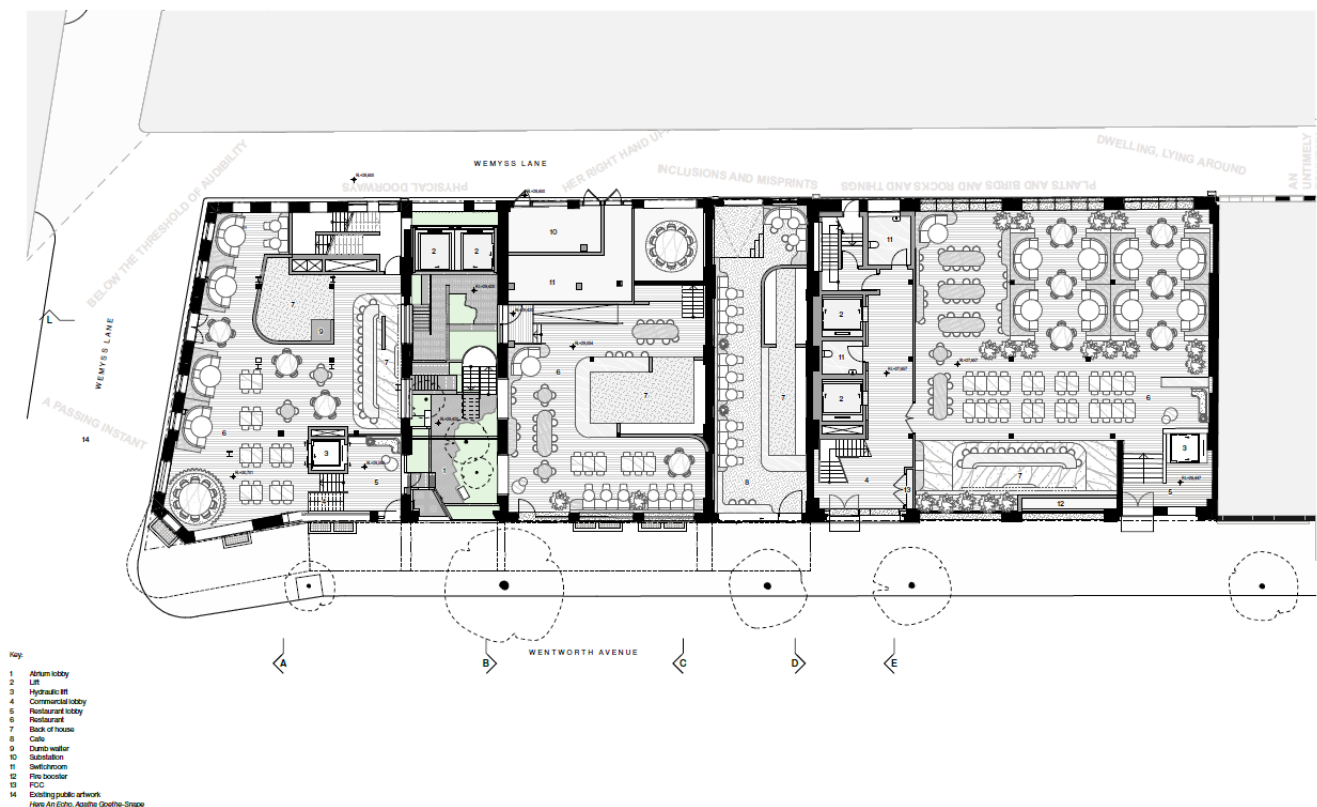


Figure 1: Ground Floor Plan
DKO & Aileen Sage



Figure 2: Photomontage
DKO & Aileen Sage

2.8 Lippmann Partnership

Lippmann Partnership design concept sought to optimise the site's potential by setting a benchmark for creative office space through establishing a unique commercial tower above an innovative adaptive reuse of the heritage fabric and an activated retail ground plane.

The Lippmann Partnership submission demonstrated a good understanding of the site context and architectural history, and the site's location between the vibrant and creative precincts of Surry Hills and Darlinghurst. This was reflected by the very clear design approach which demonstrated good understanding of the requirements for flexible office space and services. The Panel agreed that the Lippmann Partnership design had successfully and intelligently resolved structure and services, including taking cues from the existing warehouse structure.

The use of the basement pavement lights to illuminate the basement was positive, as was the intent to activate the ground plane. However, universal access was unresolved. While not required by the Brief, the proposition to connect the basements was a positive move and would improve the operational efficiency of the building.

The design proposed a new “commercial pavilion” contemporary addition to the existing buildings that recognised the importance of the corner at 4-6 Wentworth in defining the streetscape, particularly when viewed from Hyde Park. The podium and tower additions are treated as separate architectural elements, with subtle references to the existing heritage podium form. The Panel understood the approach to provide a simple architectural form above the heritage podium and supported the architectural gesture at the prominent tower corner.

The Panel supported the designs overall ESD approach, including the glass to solid ratio, the embodied carbon strategy, use of efficient, all electric services and mixed-mode ventilation.



Figure 3: Ground Floor Plan
Lippmann Partnership



Figure 4: Photomontage
Lippmann Partnership

2.9 SJB

SJB demonstrated a very good understanding of the site's context and history, explaining the site's setting through the perspectives of "Country, colony and creativity". This was reflected in the proposition's clear design approach and understanding of further steps required. The Panel agreed that the concept was exceptionally well considered in articulating and understanding the constraints of the site and how the proposal stitched into its context.

The concept proposed an activated ground floor plane with two distinct commercial lobbies, good commercial flexibility in the planning and good possibilities for through-site links.

The Panel were supportive of the overall heritage response and acknowledged the real effort to retain heritage fabric, grain and the character of all buildings. Uncovering original elements and brick facades was supported as was the proposal to minimise new openings in party walls and the retention original structure. SJB demonstrated a good understanding of the existing and significant floor levels across the heritage floors and emphasised the importance of designing in section to ensure the interconnectivity of floor levels across and between buildings.

The colour and material of the contemporary tower addition responded well to the precinct and its history and created an engaging architectural expression. The Panel agreed that the corner window in the tower would provide good views to Hyde Park and the CBD. SJB also demonstrated a strong understanding of the structural requirements of the tower addition and proposed a prefabricated structural system designed to be sustainable and increase speed of construction. The Panel believed that the commercial floor plates proposed to the podium could be further rationalised in terms of their layout and internal facade experience. The panel also supported the use of openable windows and mixed-mode ventilation.

The roof-top garden proposed to the tower, would provide high amenity and benefit not only building users, but neighbouring buildings that may overlook the garden. It was noted that resolution was required to ensure compliance with the planning height limit. The Panel were very supportive of the architectural articulation of the tower and heritage podium and the cantilevered gesture above the entry with its striking public art that extended over the footpath, playing with light and wind and connecting the street level to the tower set above the heritage podium.

The overall ESD strategy was supported, in particular the use of natural planting on the roof-top, optimised glazing and low embodied carbon.

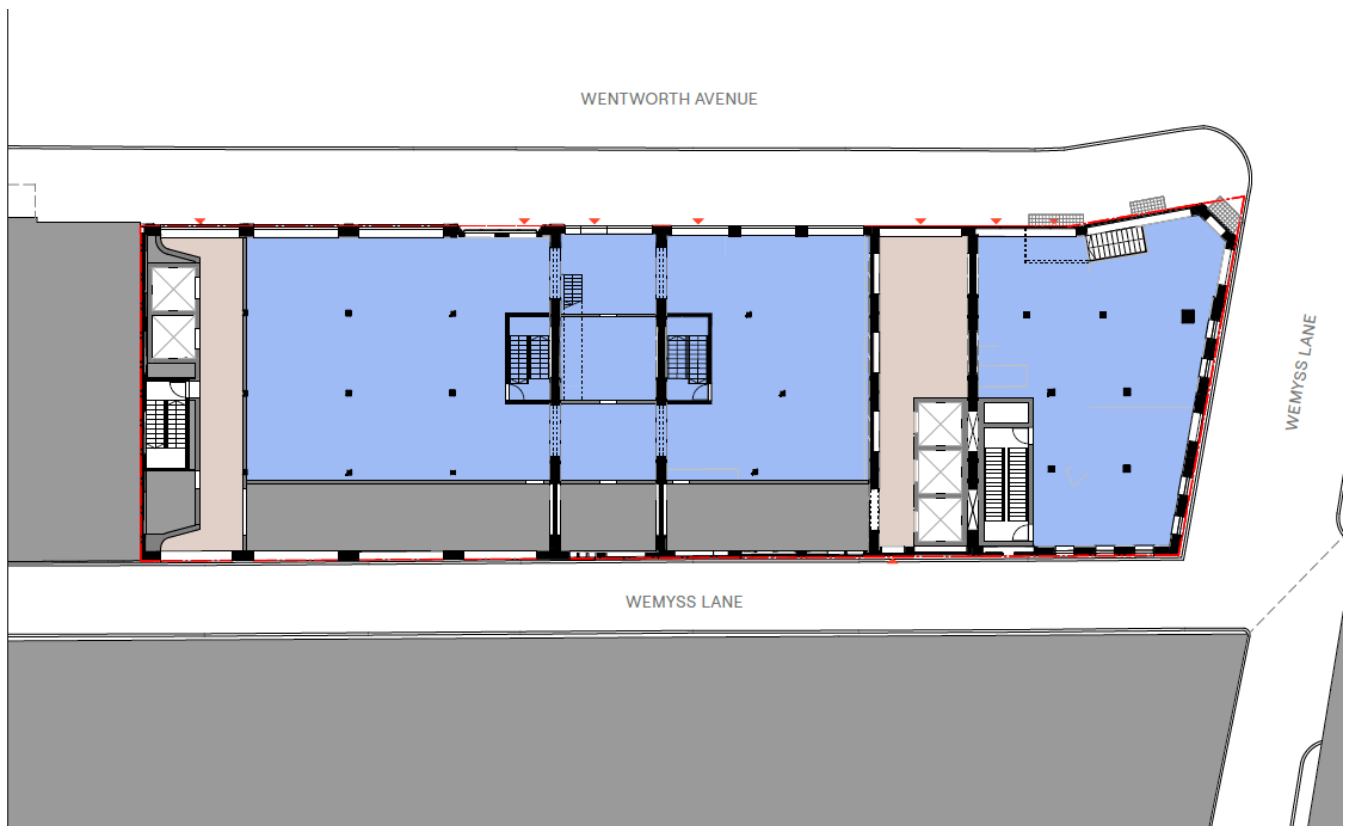


Figure 5: Ground Floor Plan
SJB



Figure 6: Photomontage
SJB

2.10 Warren and Mahoney

Warren and Mahoney (**WAM**) proposed a design and workplace concept under the unified and singular brand identity 'Wentworth Social'. The design was conceived as the 'rebirth of a heritage icon' that sought to unify the floor plates within the heritage structure; reveal and celebrate the original heritage fabric; and tailor workspaces while maintaining a consistent set of social and amenity offerings.

WAM demonstrated a very good understanding of the Surry Hills precinct and the site's layered and deep history. The Panel commended the tower design, notably the impressive tower corner expression which framed views to Hyde Park and the CBD, the interconnectability between the floors, and the integration of natural ventilation into the façade. The tower façade was considered a genuine architectural response to the heritage buildings below.

The design provided active frontages to Wentworth Avenue and Wemyss Lane. The Panel supported the design of two unique entries and arrival experiences, including the principles of a through-site link at 14 Wentworth Avenue to reinvigorate the laneway and contribute to redevelopment at a precinct level. The retail and commercial approach was compelling and the lateral connectability across all podium floors was very positive, however further resolution was required,

The Panel were generally supportive of the overall heritage strategy, in particular the retention and reinstatement of original facade elements and the tower's relationship to the heritage building. The Panel noted the entry at 14 Wentworth Avenue with its vertical internal circulation created an interesting space however at the demolition of significant heritage fabric and with negative impact on one of the best intact heritage spaces on the site.

The Panel supported the inclusion of a roof-top garden and terrace, and the identified public art opportunities were acknowledged.

The overall ESD strategy for the design was well developed, in particular the embodied carbon design response. The Panel supported the use of cross- and mixed-mode ventilation achieved through a well thought out facade. The solar response in the facade was also commended.

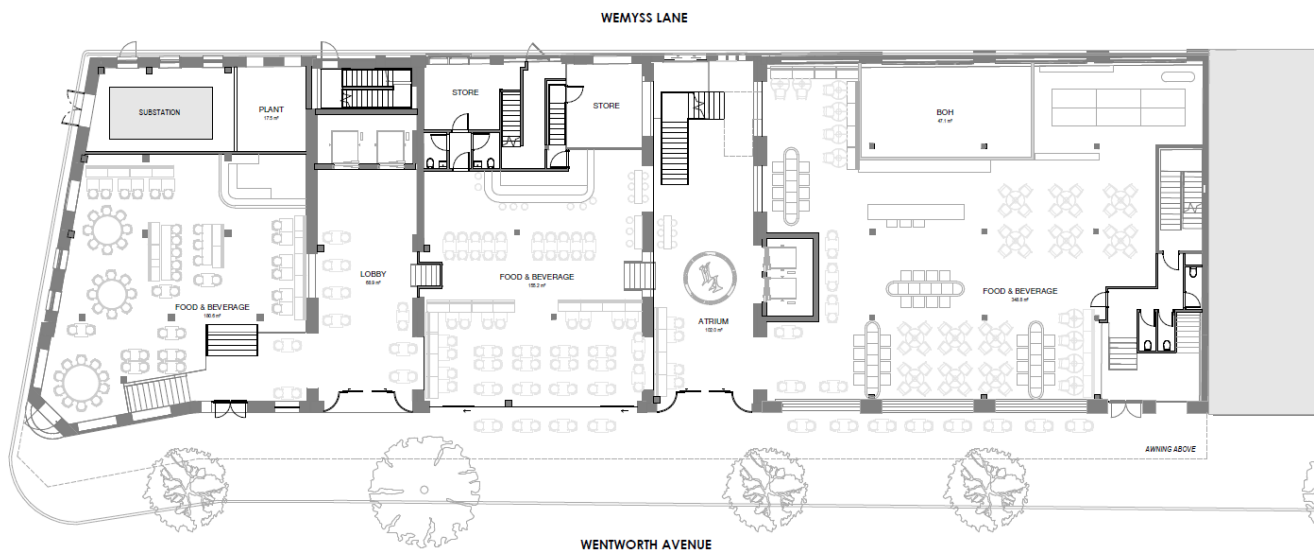


Figure 7: Ground Floor Plan
Warren and Mahoney



Figure 8: Photomontage
Warren and Mahoney

3.0 Panel Recommendation

The Panel assessed the designs for the Competitive Design Alternatives Process with reference to the key assessment criteria. Of the four designs presented, the DKO & Aileen Sage scheme was selected as the winning scheme. The Panel considered that the DKO & Aileen Sage design demonstrated a superior response to the design, commercial and planning objectives of the Brief for the following reasons which are recommended for retention in the design development of the scheme:

- The design demonstrated an exceptional understanding of the evolution of the site over time and its context, as well the primary site planning requirements of the Brief.
- The proposal to use a prefabricated tower façade and a 50/50 solid to void ratio is commended.
- The design's response to the public domain and the ground level is well considered and will result in an engaging interface with Wentworth Avenue and Wemyss Lane and make a genuinely positive contribution to the public domain. Universal access is well resolved, and the pavement basement lights are retained.
- The heritage fabric that is proposed to be retained and revealed enhances the legibility of the original warehouses and is commended as is the expressive way the external forms reflect the internal program.
- The contemporary additions are powerfully expressed and are grounded by a logical approach to the adaptive re-use of the heritage items that makes all the layers of the site's history evident.
- There is a distinct playfulness to the ground level insertions and the proposition to provide a deep soil garden atrium results in an inspired arrival sequence.
- The indicative public art proposition includes a sophisticated reference to Agatha Goethe-Snape's public artwork in Wemyss Lane linking the precinct art strategy to the building's art strategy.
- The Panel commended the simplicity of the tower form and the provision of a usable podium and roof garden. The larger façade openings are a positive feature. The way the tower is incorporated into the ground floor entry and its relationship with the existing building is very well resolved.
- The strength of the overall ESD strategy is commended and the mixed mode ventilation is supported

The Panel also notes the following matters for further resolution and refinement that is to be addressed through design development:

- The Panel recommends that the architectural language of the two-storey podium addition is reconsidered. It currently comprises a series of disparate architectural elements and the Panel recommends that the architectural language is reconsidered to provide conceptual clarity.
- Reconsider the inclusion of the parti-wall on Level 3 between 8 Wentworth Avenue and 10-12 Wentworth Avenue. The Panel notes that whilst there will be structural columns on the party-wall line of the existing building below, the new floor can be supported without the need for a wall in this location.
- Investigate the opportunity to remove a small portion of the 16-22 Wentworth Avenue parapet to improve the internal amenity and outlook of the commercial space. The majority of the parapet must be retained including any façade signage that is confirmed to be original fabric or proposed to be reinstated.
- The locations and size of the plant and services ducts and risers needs to be resolved through design development without detracting from the clarity of the planning
- Investigate the opportunity to:
 - provide a link through the basement level that connects the basements
 - understand swept path implications
- Ensure parking access and circulation is feasible.
- Explore the opportunity to open the tower corner without reducing the architectural elegance of the design winning scheme.
- Review the location of the wet areas as part of design development.
- Open the roof garden on level 4 to street views.

4.0 Conclusion

This Competitive Design Alternatives Report provides a summary of the outcomes of the Competitive Design Alternatives Process for the redevelopment of 4-22 Wentworth Avenue, Surry Hills. The Competitive Design Alternatives Process was undertaken in accordance with the approved Design Excellence Strategy for the Site, and in accordance with the Competitive Design Process Brief prepared by Planning & Co and endorsed by the City of Sydney on 7 March 2025.

This Competitive Design Alternatives Process Report outlines the Competitive Design Alternatives Process and summarises the Selection Panel's comments and recommendations for the preferred scheme as follows:

- A Competitive Design Alternatives Process was undertaken for the redevelopment of 4-22 Wentworth Avenue. The relevant provisions of the Sydney LEP 2012, Sydney DCP 2012 and the City of Sydney Competitive Design Policy have been considered throughout this Competitive Design Alternatives Process.
- The Competitive Design Alternatives Process was undertaken in accordance with Clause 6.21D of the Sydney LEP 2012. The submission of this Competitive Design Alternatives Process Report to Council also satisfies the reporting requirements of Clause 4.3 of the City of Sydney Competitive Design Policy.
- The DKO and Aileen Sage design was recommended by the Selection Panel as the winning design of the Competitive Design Alternatives Process. This design is to progress to the preparation of a detailed Development Application for lodgement to the City of Sydney. The Panel considered this design to meet the objectives of the Brief. The Panel's decision was unanimous in this regard.
- Subject to further refinement as outlined in the Panel's recommendations in Section 4.0, the winning design by DKO and Aileen Sage fulfils the design, commercial and planning objectives of the Brief, and is considered capable of achieving design excellence.

The Panel confirms that this report is an accurate record of the Competitive Design Alternatives Process and endorses the assessment and recommendations.

ACHIEVING DESIGN EXCELLENCE

The Proponent and Panel acknowledge the competitive process design proposals are concepts only and any technical resolution is preliminary. It is understood, while maintaining design integrity, the winning scheme must undergo design development and address technical items and Panel recommendations in concert with other outstanding matters to demonstrate the achievement of design excellence in any subsequent detailed Development Application.

Appendix A Competitive Design Alternatives Process Brief

Competitive Design Process Brief

4-22 Wentworth Avenue, Surry Hills

Prepared on behalf of Willow Group



Prepared by Planning & Co.

10 March 2025 | 240094

planning&co

Table of Contents

Table of Contents	2
Appendices	3
PART A - General Information	4
A1. Purpose of this competitive design alternatives process	4
A1.1 Competitive process brief	4
A2. Key Dates	5
A3. The Proponent	6
A4. The consent authority	6
A5. The competition manager – contact details	7
A6. Design excellence strategy	7
A7. Key Terms and Abbreviations	7
PART B - Site Description & Context	8
B1. Competition Site Details	8
B2. Existing Site Context	9
B2.1 Transport and Access	11
B3. Future Site Context	11
B3.1 Relevant Approvals for Adjoining and Nearby Sites	11
B4. Specialist Site Characteristics	11
B4.1 Easements	11
B4.2 Heritage Items	11
B4.3 Landscape and Public Domain	12
B4.4 Contamination	12
B4.5 Geotechnical	12
PART C - Existing Development Applications	13
PART D - Objectives for the Proposal	13
D1. Planning Objectives & Requirements	13
D2. Design Objectives	14
D2.1 Key Design Objectives	14
D2.2 Heritage	15
D2.3 Building Elements to Retain	15
D2.4 Landscape	16
D2.5 Solar Access to Adjoining Development	16
D2.6 Public Art	17
D2.7 Façade Treatment to Manage Solar Gain and Reflectivity	17
D2.8 Building Services, Vertical Transport and Plant	18
D2.9 Substation	18
D2.10 Waste Management	18
D2.11 Parking and Vehicular Access	19
D2.12 Ecologically Sustainable Design Objectives	19
D2.13 Acoustic Amenity and Natural Ventilation	20
D3. Commercial Objectives	20
D3.1 Floor Space Targets	20
D3.2 Project Budget	20
D3.3 Target Market	20
D3.4 Construction and Buildability	21
PART E - Competition Procedures	22
E1. Competitive process entry	22
E2. Competition manager	22
E3. Impartial observer(s)	22
E4. Selection panel	22
E5. Selection panel chair	23
E6. Selection Panel Obligations	23
E7. Proponent's obligations	23
E8. Technical assistance to the selection panel	24
E9. Technical assistance to competitors	24
E10. Quantity surveyor	24
E11. Technical advisors obligations	25
E12. Progress session	25
E13. Amendments to the brief	25
E14. Communications and questions	26
E15. Final submissions - restrictions	26

E16.	Lodgement of final submissions	26
E17.	Disqualification	27
E18.	Presentation date – presentation material	27
E19.	Selection panel assessment and decision	27
E20.	Appointment of the architect of the winning submission	28
E21.	Announcement	29
E22.	Competitive design alternatives process report	29
E23.	Achieving design excellence	29
E24.	Competitive process fee	29
E25.	Confidentiality	30
E26.	Copyright	30
PART F - Submission Requirements		31
F1.	Competitor's submissions	31
F2.	Documentation	31
F3.	Estimate of construction cost	33
F4.	Physical model	33
F5.	Digital animations	33
F6.	Summary pack	34

Appendices

Table 2: Supporting Documents

Reference	Document	Prepared	Date
Appendix A	Planning Controls	Planning & Co	16/10/2024
Appendix B	Detailed Survey Plans	Linker Surveying	06/02/2015
Appendix C	Digital Survey	SURV3D	21/01/2025
Appendix D	Heritage Input into Design Competition Brief	NBRS Heritage	29/11/2024
Appendix E	Specialist Engineering Brief (ESD)	E-Lab Consulting	04/12/2024
Appendix F	3D Survey Download	SURV3D	09/12/2024
Appendix G	Design Guide: Services Brief	Neuron	29/01/2025
Appendix H	Assessment Criteria	City of Sydney	
Appendix I	Yield Table	Planning & Co	17/01/2025
Appendix J	Geotechnical Brief	Soilsrock Engineering	30/12/2022
Appendix K	Structural Brief	TTW	30/01/2025
Appendix L	Civil Performance Brief	TTW	07/02/2025
Appendix M	View Point for CGI	Applicant	11/02/2025
Appendix N	Passive Sustainable Design Guide	City of Sydney	September 2023
Appendix O	Photomontage	Applicant	28/02/2025

PART A - General Information

A1. Purpose of this competitive design alternatives process

The purpose of this Competitive Design Alternatives Process (competitive process) is to select the highest quality architectural, landscape and urban design solution for the development of 4-22 Wentworth Avenue, Surry Hills, NSW 2010.

This competitive process is to be undertaken in accordance with the *City of Sydney Competitive Design Policy 2020* (the Policy) and Clause 6.21 of the *Sydney Local Environmental Plan 2012* (LEP).

Competitors are to prepare a design scheme for the development of the site in accordance with Sydney Development Control Plan 2012 Section 6.3.20 - 4-44 Wentworth Avenue, Surry Hills (Site-Specific DCP).

The scope of the Competitive Process comprises:

- Retention of the structural and architectural integrity of the heritage buildings.
- A high-quality commercial addition that is sympathetic to and compatible with the heritage buildings.
- Activated ground floor frontages to Wentworth Avenue.
- Flexible and cohesive floor plans that maintain the industrial character of the buildings and ensure the commercial objectives of the project are achieved, and which will enable the site to accommodate a range of future tenants that may include firms specialising in creative industries, innovation and tech, the cultural sector, knowledge industries and professional services. Additional ancillary uses such as business or retail premises, restaurants, entertainment facilities and health service facilities may also be accommodated.

A1.1 Competitive process brief

This brief sets out the:

- objectives of the proposal
- basis for participation
- responsibilities and obligations of the competitors, Willow Group (the Proponent), selection panel and the technical advisors
- role of the Competition Manager and City of Sydney
- competitive process procedures.

As required by the *City of Sydney Competitive Design Policy 2020*, the City of Sydney has reviewed and endorsed this brief on {TBD}

This competitive process was notified to the Australian Institute of Architects (AIA) for its information on 10 March 2025.

The outcome of this competitive process does not fetter the decision of the consent authority in the determination of any subsequent development applications for this project. The consent authority will not form part of the selection panel, however representatives from the City of Sydney will act as impartial observer(s) to the competitive process.

Note: Nothing in this brief (or appendices) approves a departure from the relevant planning controls, including any relevant State Environmental Planning Policies (SEPPs), Sydney Local Environmental Plan (LEP) or Sydney Development Control Plan (DCP). Where there is any inconsistency between this brief (or appendices) and the relevant planning controls, the relevant planning controls prevail.

A2. Key Dates

The competitive process will run over an approximate 5 week period from the commencement date to the final submissions lodgement date.

Key dates for the competitive process are as follows:

Date	Competitive process
Friday 14 March 2025	Commencement Date - Competitive process begins - Brief issued to competitors.
Monday 17 March 2025	Competitors briefing session - A briefing session for all competitors will be held via Microsoft Teams prior to the site visit Competitors site visit - A site visit for all competitors will be held (separately to selection panel site visit)
Friday 28 March 2025	Progress session lodgement date (optional) - Competitors are invited at their discretion to submit preliminary concepts in progress for technical review. - Competitors may submit progress documents to the Competition Manager by 5 pm (AEST).
Wednesday 2 April 2025	Progress session date (optional) - Competitors at their discretion may attend an informal progress session to seek clarifications limited to planning and technical compliance only. The session does not involve members of the selection panel. - All advice will be summarised and issued in writing by the Competition Manager within 1 working day following the progress session date. - City observer/s may be in attendance. - Sessions to be held online via Microsoft Teams.
Monday 7 April 2025	Selection panel briefing session & site visit - A briefing session for the selection panel will be held via Microsoft Teams prior to the site visit. - A site visit for all selection panel members will be held (separately to competitors site visit)
Friday 11 April Wednesday 9 April 2025 or earlier Date is at the discretion of the Competitors	Quantity surveyor meeting - Each competitor is to meet with the quantity surveyor (QS) prior to the lodgement of final submissions. - Competitors are to secure a meeting date via the Competition Manager - The Competition Manager will be present and City of Sydney observer invited to attend. - The Competition Manager will provide a written summary record of the meeting to the City of Sydney within 1 working day following the QS meeting. - Meetings to be held online via Microsoft Teams
Thursday 17 April 2025	Final submission lodgement date - Competitors are to submit final submissions to the Competition Manager by 5 pm (AEST). - Submissions will be audited by the Competition Manager – Refer to Section E15. Submission requirements - restrictions. Within 24 hours of the lodgement

Date	Competitive process
	deadline, the Competition Manager shall notify competitors of any exceedance and confirm the pages for deletion. The Competition Manager is to issue an electronic copy of final submissions to all selection panel members and the City of Sydney within 24 hours of the lodgement deadline.
Monday 28 April 2025	Lodgement of presentation date material Competitors are to submit a PDF presentation to the Competition Manager by 5 pm (AEST) for audit prior to the presentation date. No later than 48 hours prior to the presentation date, the Competition Manager will request competitors to delete any additional or new content. Summary Pack Lodgement Date Competitors are to submit a zip file to the Competition Manager by 5 pm (AEST). The Competition Manager will audit and request removal of any additional or new content.
Tuesday 29 April 2025	Review of final submissions and technical reporting - A high-level review will be undertaken by the Proponent's technical advisors and reports submitted to the Competition Manager for distribution to the selection panel and the City of Sydney 2 days prior to the presentation date. Cost estimate by Proponent's quantity surveyor: - Quantity surveyors reports to be issued to respective competitors, selection panel and City of Sydney a minimum of 2 days prior to the presentation date. - Note: final submissions will be reviewed by the selection panel independently prior to the final presentations.
Friday 2 May 2025 Wednesday 30 April 2025	Presentation date - Competitors present final submissions to the selection panel. - Presentations to be held in person. - The schedule of the presentations will be provided directly to the competitors.
Within 14 days of presentation date	Decision Date Date by which submissions are evaluated by the selection panel with a recommendation made for formal appointment of the successful competitor.
Within 21 days of decision date	Notification to competitors Date by which all competitors are notified in writing of the decision.
Within 21 days of decision date	Competitive Design Alternatives Report Date by which Competitive Design Alternatives Report prepared by the Proponent is submitted to the City of Sydney.

A3. The Proponent

The Willow Group is the Proponent. The Proponent has invited four (4) competitors to prepare proposals for the site.

A4. The consent authority

The site is located within the City of Sydney Local Government Area (LGA). The Local Planning Panel is the consent authority that will determine any future DA for the detailed design of the building, as the estimated cost of the development is less than AUD \$50,000,000.

The outcome of this competitive process does not fetter the decision of the consent authority in the determination of any subsequent DA applications for this project. The consent authority will not form part of the selection panel, however representatives from the City of Sydney will act as impartial observer(s) to the competitive process.

A5. The competition manager – contact details

The Proponent has appointed Jim Murray as Competition Manager.

Jim Murray

Director, Planning&Co

80 William Street

Woolloomooloo NSW 2011

Email: <mailto:jmurray@planningandco.com>

All communications with the Competition Manager are to comply with the communication protocols set out in Section E14 *Communications and questions*.

A6. Design excellence strategy

The design excellence strategy is per Section 6.3.20.7 of the DCP.

A7. Key Terms and Abbreviations

The following key terms and abbreviations will be used during the design competition and throughout this brief.

Table 1: Key Terms and Abbreviations

Key Term	Particulars
Competition Brief	Competitive Design Process Brief
Design Competition / Competitive Process	Invited Competitive Design Alternatives Process
Proponent	Willow Group
Council	The Council of the City of Sydney
Selection Panel	The selection panel comprising four members that will select a design competition winner.
Site	4-22 Wentworth Avenue, Surry Hills
Competitors	The architect firms and/or partnerships invited to participate in the design competition by the Proponent and approved by Council
LEP	Sydney Local Environmental Plan 2012
DCP	Sydney Development Control Plan 2012
Site-Specific DCP	Sydney Development Control Plan 2012 Section 6.3.20 - 4-44 Wentworth Avenue, Surry Hills
DA	Development Application
Competition Manager	The person who will manage the day-to-day coordination of the competition and who is the main point of contact for competitors.
HCA	Heritage Conservation Area
ESD	Ecologically Sustainable Development
Preliminary Submission	The preliminary submission prepared by each competitor for feedback as per the design competition schedule
Final Submission	The final submission prepared by each competitor as per the design competition schedule
Design Presentation	Design presentations prepared and presented by each competitor

PART B - Site Description & Context

B1. Competition Site Details

The competition site is located at 4-22 Wentworth Avenue, Surry Hills and as illustrated in **Figure 1**. It is 1,219sqm ~~1,219sqm~~ **1,222.1sqm** in size and forms an amalgamation five lots:

- Lot 42 DP 6534 and Lot 43 DP 6534, known as 4-6 Wentworth Avenue
- Lot 44 DP 6534, known as 8 Wentworth Avenue
- Lot 45 DP 6534 and Lot 46 DP6534, known as 10-12 Wentworth Avenue
- Lot 47 DP 6534, known as 14 Wentworth Avenue, and
- Lot 48 DP 6534, Lot 49 DP 6534, Lot 50 6534 and Lot 51 DP 6534, known as 16-22 Wentworth Avenue, Surry Hills.

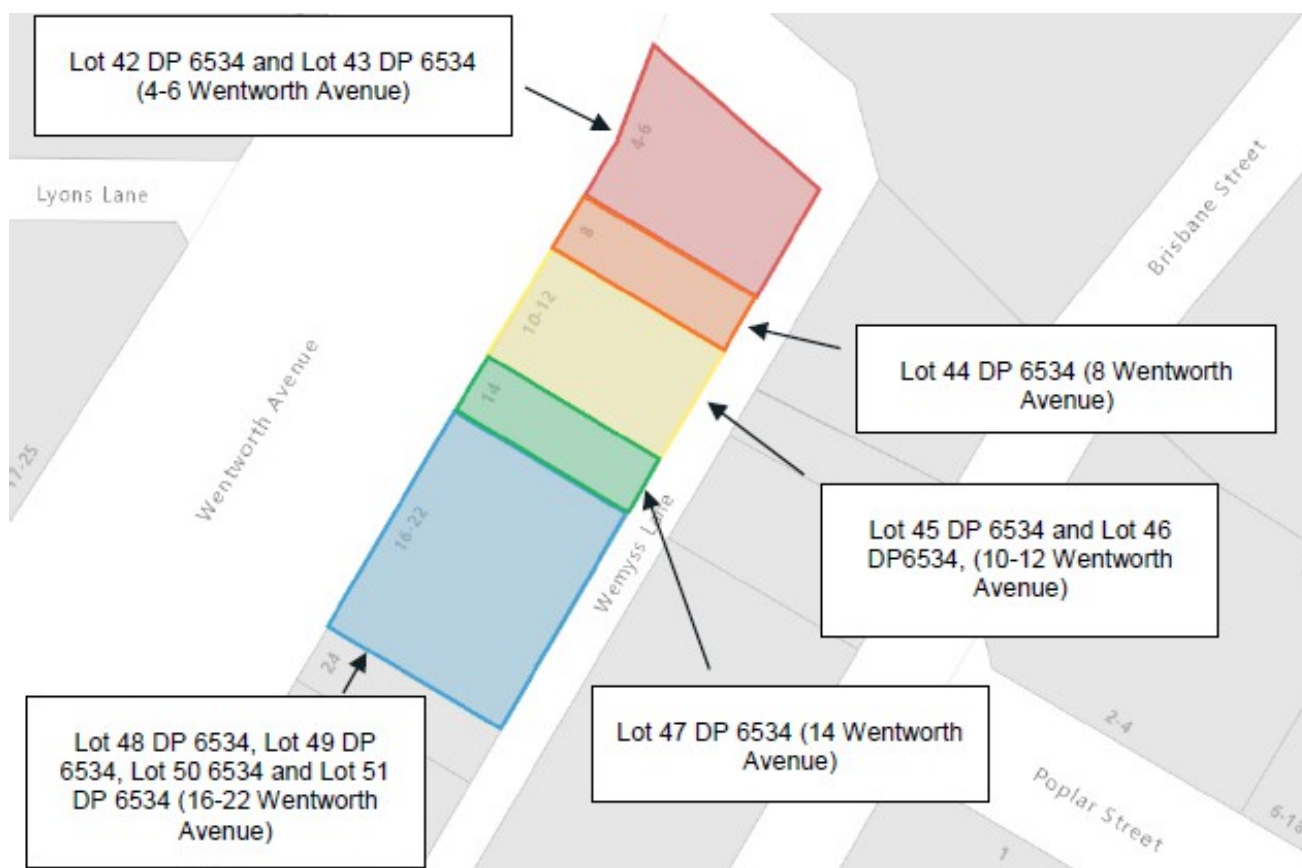


Figure 1: The Site

Source: City of Sydney, Planning Proposal 4-22 Wentworth Avenue, Surry Hills

The site has three road frontages, which are Wentworth Avenue to the west and Wemyss Lane to the north and east. The Wentworth Avenue frontage is approximately 65m. The two Wemyss Lane frontages are approximately 21m and 60m respectively.

The existing development is entirely built-out and no vegetation or landscaped areas exist at the site. The site slopes downward from north to south by approximately 4.5m. Refer to the survey plans attached as **Appendix B**.

The existing development on the site is shown in **Figure 2**.



Figure 2: Existing Development (highlighted blue)

Source: Google Maps

B2. Existing Site Context

The site is located just outside and to the east of the Central Sydney boundary, which ends at the opposite side of Wentworth Avenue shown at Figure 3 . The site comprises the northern ‘half’ of the block between 4-44 Wentworth Avenue, between Wemyss Lane and Goulburn Street as shown in **Figure 4**. Surrounding development includes commercial and business uses, hotel and tourist accommodation, food and drinks premises, pubs and clubs and residential uses. The site is also near Hyde Park and Harmony Park. Surrounding developments include:

- To the immediate north across Wemyss Lane is the 24-storey ‘Memocorp’ commercial building. To the north-west of the site, across Wentworth Avenue and at the corner of Oxford Street, is The Connaught building, a mixed use residential building.
- To the south is various mixed use buildings of a similar heritage fabric, including ‘Hotel Harry’ at the corner of Wentworth Avenue and Goulburn Street.
- To the east is various 3 to 6-storey warehouse-style buildings, built to boundary and currently used as commercial and office premises.
- To the west is the 15-storey residential Wentworth Tower and multiple hotel premises including the Song Hotel Sydney and Ibis Styles Sydney Central.



Figure 3: Extract from LEP Zoning Map
Source: LEP

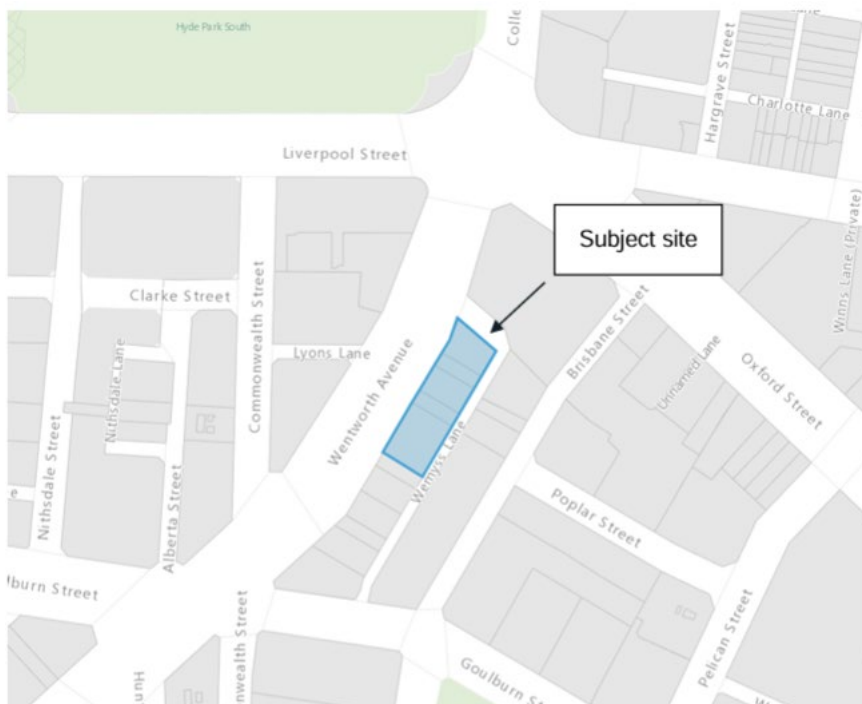


Figure 4: Site Location
Source: COS

B2.1 Transport and Access

The site fronts Wentworth Avenue, which runs south west between Oxford Street and Elizabeth Street. Wemyss Lane wraps around the site's side and rear boundaries and provides vehicle and servicing access to the site.

Museum Station is approximately 200m west of the site, and Central Station approximately 650m south-west. Frequent bus services are nearby the site along Oxford Street to the north east.

Pedestrian and Bicycle Access

Pedestrian access is currently available from Wentworth Avenue. There is no existing pedestrian access from Wemyss Lane.

A dedicated bicycle lane on College Street to the north terminates at the intersection with Wentworth Avenue.

B3. Future Site Context

The future site context will be defined by surrounding commercial activity and development. According to the Sydney Local Strategic Planning Statement 2020 *City Plan 2036* (LSPS 2020), the city fringe is expected to continue to attract demand from businesses unable to secure suitable space in Central Sydney and other areas, including Surry Hills.

The LSPS 2020 identifies the Central Sydney South Precinct, which includes the Competition Site, as a strategically important employment area that forms part of a growing knowledge and creative cluster in Chippendale, Pyrmont and Ultimo.

Central Sydney South is expected to accommodate overflow demand from the rest of Central Sydney. Future development must deliver built forms and appropriate typologies to accommodate the likely shift towards higher-order employment uses. This includes controls that will cater to the needs of both larger tenants in the financial and tech industries and knowledge-intensive small businesses and start-ups.

B3.1 Relevant Approvals for Adjoining and Nearby Sites

There are no relevant development applications under assessment, recent development approvals or planning proposals within the vicinity of the site.

B4. Specialist Site Characteristics

B4.1 Easements

There are no existing easements at the site.

B4.2 Heritage Items

This competition brief is informed by the 'Heritage Input into Design Competition Brief' report (Heritage Report) prepared by NBRS & Partners and attached as **Appendix D**.

The site comprises five Federation-era warehouse buildings and is part of a group of buildings at 4-34 Wentworth Avenue which are listed as an item of local heritage significance in Schedule 5 of the LEP as I2271 – 'Former warehouse group including interiors'. The site includes 4-22 Wentworth Avenue.

Heritage items at 24-34 Wentworth Avenue do not form part of the competition site. It is also located near a number of other listed items as outlined in the Heritage Report and illustrated in **Figure 5** below. The site is not within a HCA.

Competitors may access further information regarding the history of Surry Hills at the following link:

- [Trove: Surry Hills Search](#)

Refer also to the heritage objectives in Section D2.2



Figure 5: LEP Heritage Map (site shaded red)

Source: LEP

B4.3 Landscape and Public Domain

The existing development on the site has a very high site coverage and as a result the existing development has little public domain and/or open area. Existing street trees are to be retained/maintained.

B4.4 Contamination

Based on preliminary investigations undertaken in 2018, the Competition Site has been utilised for a range of non-residential uses from the early 1900s including motor vehicle and engine supplies, tyre sales, clothing and shoe manufacturing, sewing machine supplies, a club, restaurants and offices. A preliminary site investigation indicated the risk of significant contamination being present on the site that prevents the redevelopment of the site is considered low.

Activities with the potential to cause significant contamination were not identified in the historical information and signs of contamination were not observed during an external walkover assessment. The relatively small area of each site suggests that large scale industrial activities have not been undertaken.

B4.5 Geotechnical

A Geotechnical Site Investigation Report is provided as Appendix J, which notes:

- Three boreholes were drilled across the site to a maximum depth of 15.70m. A range of very soft and soft silty sands, soft, medium and hard clays were observed at the site. Siltstone/Laminate/Shale Class II were found at depths below 3.40m and 8.00m at two of the boreholes.
- Groundwater was observed during auger drilling to approximately 7.00m deep at one borehole.

PART C - Existing Development Applications

There are no existing development applications relating to the competition site.

PART D - Objectives for the Proposal

D1. Planning Objectives & Requirements

The key planning objective for this competitive process is to develop an appropriate design response that complies with the site-specific provisions contained at clause 6.55 of the LEP and section 6.3.20 of the DCP. In addition to the site-specific provisions, have regard to the following Environmental Planning Instruments:

- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- The general provisions of the Sydney Local Environmental Plan 2012
- The general provisions of the Sydney Development Control Plan 2012

Other relevant City of Sydney policies include:

- Sustainable Sydney 2030-2050
- City Plan 2036 – City of Sydney Local Strategic Planning Statement
- City of Sydney's Economic Development Strategy.

The design should complement and be consistent with existing City of Sydney programs and initiatives, including:

- Street improvement programme.
- Local safety strategy initiatives.
- Traffic management initiatives.
- Public domain improvements.

The above-mentioned documents can be viewed on the NSW Legislation website at <https://legislation.nsw.gov.au/> and the City of Sydney's website at <https://www.cityofsydney.nsw.gov.au/>.

A summary of the key statutory planning controls that apply to the site is provided in Appendix A. However, Competitors are responsible for ensuring that the relevant planning controls are addressed in their design submissions.

Non-compliances are discouraged by the Proponent and the Consent Authority. Any instance of non-compliance is to be clearly identified and is to be justified against the objectives of the applicable planning controls. Justification for non-compliance is to be included in the Statement of Compliance as part of the Competitor's final submission. Refer to Section F2 – Documentation for more information.

The Sydney Local Environmental Plan 2012 allows the Consent Authority to grant up to an additional 10% of floor space or height if it is satisfied that the building demonstrates design excellence i.e. the development is subject to a competitive design process and exhibits design excellence. The Proponent is seeking up to an additional 10% additional floor space in accordance with Clause 6.21D(3)(b) of the LEP.

In calculating FSR, reference should be made to the definition of GFA contained in the LEP.

Table 1: Key Planning Controls Summary

Provision	Controls
Maximum FSR	5.7:1 (this FSR does not include up to 10% design excellence) - Note LEP Clause 4.6(8) prevents the use of Clause 4.6 to grant any additional FSR.
Maximum Height	- On Lots 42–46, DP 6534, 4–12 Wentworth Avenue: RL 92.59 metres, and - On Lots 47–51, DP 6534, 14–22 Wentworth Avenue: RL 50 metres - Note LEP Clause 4.6(8) prevents the use of Clause 4.6 to grant any additional height.
Built Form	- Development is not to exceed the maximum planning envelope described in DCP: ‘Figure 6.181: 4-22 Wentworth Avenue – Maximum planning envelope plan’ and ‘Figure 6.182: 4-22 Wentworth Avenue – Maximum planning envelope – axonometric view’. - The DCP envelope is the maximum permissible extent of the built form and the final building design must be appropriately massed within the envelope.

Clause 6.55(4) of the LEP prevents a development from utilising additional height bonuses that would otherwise be made permissible for a building that demonstrates design excellence per Clause 6.21D(3).

Refer to the site-specific section at 6.3.20.6 of the Sydney Development Control Plan 2012 which illustrates the outline of the proposed built form and the additional built form that can be accommodated subject to exhibiting design excellence. Any additional floor space pursued under Clause 6.21 of the LEP must not cause an exceedance of the relevant maximum height control.

D2. Design Objectives

D2.1 Key Design Objectives

The key design objectives for this Competitive Design Alternatives Process are to:

- Deliver design proposals that demonstrate the capability to achieve design excellence as defined in Clause 6.21C of the LEP.
- Create a high-quality and contextual architectural design which complements and sensitively responds to the heritage character of the heritage group of buildings and Surry Hills.
- Create a contemporary tower and podium addition that is sufficiently articulated from the heritage buildings.
- Maintain the structural and architectural integrity of the group heritage item.
- Ensure the quality of design and setbacks respect the architectural integrity and heritage character of the group heritage item and its setting.
- Ensure the podium addition presents as a discrete light weight addition that minimises visual bulk and the visibility of any blank side walls from the public domain.
- Acknowledge the fine grain of the streetscape and deliver an activated retail ground plane.
- Protect sunlight to neighbouring residential properties during mid-winter.
- Customise a workplace design to attract the next generation of workers, with connected and flexible spaces for diverse workday needs.

The proposed development will be a sustainable, high-quality commercial building above, and incorporating, an existing heritage podium at the subject site with a built form prescribed by the site-specific DCP. The proposed development will be a modern, functional and efficient commercial building that is sympathetic to, however adaptively responds to, the items of heritage significance at the site and surrounding sites.

D2.2 Heritage

The heritage & conservation design objectives are provided in **Table 2**.

Table 2: Heritage and Conservation Design Objectives

Heritage Design Objectives	• Retain the cultural significance of the warehouse group • Retain the warehouse buildings as a podium for the additional storeys • Conserve significant fabric and carry out conservation works to repair, protect and maintain the buildings • Reinstall missing elements either to original/traditional details or appropriate contemporary interpretations • Ensure that the new additions are sensitive to the heritage podium and the other buildings included in this group heritage listing.
Conservation Objectives	• Carry out works to protect heritage fabric from decay and damage (for example from weather, damp) • Repair original/significant fabric • Reinstall shopfronts or incorporate high-quality contemporary interpretations of shopfronts • Remove detracting elements • Expose originally exposed interior elements • Enhance the external presentation of the warehouse group.
Adaptive Re-use Objectives	• Introduce uses which encourage use, appreciation and maintenance of the buildings, their architectural qualities and their interiors; • Return interiors to spaces which demonstrate or interpret their history and original / historical character • Introduce contemporary designs which enhance or in some way exhibit original features • Retain significant structure • Introduce contemporary designs which allow an understanding of the individuality of each building, its original scale and character.
Objectives for the Design of Additions	• The heritage objectives for the design of additions to this site are: • To achieve a high-quality architectural response which complements and responds to the original warehouse group below • To achieve a design for the additions which architecturally acknowledges the five warehouse buildings and their individuality • To provide an addition to the corner building (4-6 Wentworth Avenue) which retains and enhances the site's landmark presence.

D2.3 Building Elements to Retain

The Site Specific DCP requires development on this site to maintain the structural and architectural integrity of the buildings, their industrial character, the internal and external individuality of the buildings and all significant internal and external architectural features. Significant internal and external architectural features of the original buildings should be retained, including, but not limited to, original/significant façade detailing, timber framed windows, timber joinery and internal timber structure. It is noted that certain elements of the existing building may need to be replaced due to wear and tear. This will be considered as part of the detailed development application process. Any existing exposed brickwork and stonework must not be rendered or painted.

Specifically, the Site Specific DCP requires the following building elements be retained:

- The structural and architectural integrity of the group heritage item,
- The industrial character of the buildings,
- Original features including original timber windows, laneway basement windows, finishes, for heritage items, investigate and adopt alternative solutions to the Building Code of Australia performance

requirements, with the aim of retaining and exposing the existing timber beams and columns and other historic features,

- The individuality and distinction of each building, internally and externally, within the group of this heritage item, including retention of significant floors and floor levels, separate existing entries to the buildings and the party walls of the buildings,
- Significant internal and external architectural features of the original buildings should be retained, including, but not limited to, original/significant façade detailing, timber framed windows, timber joinery and internal timber structure,
- Single openings may be created within the party walls to allow connection of internal spaces provided they are located away from street frontages and are not visible from the street.
- Any existing openings to the basement on the laneway must be retained and not be amalgamated or extended,
- Any existing exposed brickwork and stonework must not be rendered or painted,
- The opening of the original loading dock of 10-12 Wentworth Avenue at the rear lane must be retained,
- Existing floor levels within each building must be maintained.

Note: Refer to section 6.3.20.1 DCP which lists heritage conservation considerations for the site, including items to be retained as well as original items that may be damaged or removed and must be reinstated.

D2.4 Landscape

There are opportunities for landscaping on podium and on the roof top of the new additions to the building. Where landscaping is included, Proposals should address Council's landscaping controls identified in the DCP and Landscape Code: Volume 2, which is available at:

<https://www.cityofsydney.nsw.gov.au/developmentguidelines-policies/landscape-code>

In particular, where landscaping is included, designs should:

- Enhance the visual interest of the development when viewed within and from the public domain
- Preference hardy local endemic species, suited to the aspect, microclimate, and available light levels
- Include appropriate rainwater harvesting for irrigation reuse, and drainage to all planters
- Provide adequate soil depth and volume to support planting
- Enable safe and direct maintenance access. The need for any specialised safety equipment or maintenance should be minimise
- retain existing street trees.

No facade green walls should be included in the design.

No works are proposed in the public domain. Existing street trees are to be maintained

D2.5 Solar Access to Adjoining Development

The Site-Specific DCP envelope has been carefully designed mindful of minimising overshadowing impacts to the following nearby residential properties: the Belvedere apartments (156-160 Goulburn Street) and the Meta apartments (148 Goulburn Street). Modelling work at the planning proposals stage indicated that for both buildings less than 70% of apartments currently receive at least 2 hours of direct sunlight between 9am and 3pm at mid-winter. The Site-Specific DCP building envelope has been extensively assessed and revised to ensure that, in accordance with Objective 3B-2 of the Apartment Design Guide, neighbouring properties that do not currently receive the required hours of solar access do not have their solar access reduced by more than 20%.

Clause 6.55 of the LEP permits a maximum building height of RL 92.59 to 4-12 Wentworth Avenue and RL 50 to 14-22 Wenworth Avenue if the sites are developed for commercial premises, health services facilities,

education establishments, hotel accommodation, entertainment premises. These RLs are based on solar impact to residential uses south and east of the site.

Designs are to comply with the Site-Specific DCP envelope for this reason.

D2.6 Public Art

The City of Sydney encourages the provision of high-quality public art in private developments which benefit public outcomes and the wider community. To enable the integration of public art with architectural and public domain design, identify opportunities and provide a preliminary rationale for the proposed location(s) of public art.

Competitors should note that the detailed planning, selection of an artist, curation, procurement and implementation of public art does not form part of this Competitive Design Alternatives Process.

The rationale for determining the location of public art should consider:

- The site's history, context and future program, and the constraints and opportunities of the site outlined in the design objectives above.
- Significant opportunities for artists to integrate public art into the architectural and public domain design
- Alignment with the City of Sydney's Public Art Policy (2016), City Art Public Art Strategy (2011), and Interim Guidelines for Public Art in Private Developments (2006)

The City's Public Art Policy and Interim Guidelines: Public Art in Private Developments can be found on the City of Sydney's website at;

<https://www.cityofsydney.nsw.gov.au/development-guidelines-policies/interim-guidelines-public-art-private-developments>

D2.7 Façade Treatment to Manage Solar Gain and Reflectivity

The use of external shading is fundamental to passive solar design in Sydney. External solar shading should be designed to provide maximum protection from the summer sun while also providing good access to winter sun. The City of Sydney's Draft Passive Sustainable Design Guide is provided at **Appendix N**.

Competitors should provide a high-performance building facade solution that effectively balances building heating and cooling loads, natural light, thermal, visual, and acoustic comfort and indoor air quality requirements. The following additional objectives are to be addressed:

- Designs should seek to achieve a very high proportion of shading in summer and minimise the proportion of shading in winter for each facade orientation.
- Fixed shading strategies and devices should be integral to the architecture. External fixed shading is to be wholly contained within the approved building envelope. Proposals must not include PE (Polyethylene) composite cladding.
- Extensive glazing that is unprotected from mid-summer sunlight is to be avoided and reliance upon high performance tinting or glazing as a midsummer sun control is not appropriate.

Reflective materials used on the exterior of buildings can result in undesirable glare for pedestrians and on occupants of other buildings and potentially hazardous glare for motorists. In relation to reflectivity (as set out in the DCP Section 3.2.7), reflective materials are to be avoided. Façade treatments for the building should be designed to achieve the following reflectivity objectives:

- Minimise the reflection of sunlight from the building to surrounding areas and buildings
- Ensure that building materials do not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings
- Minimise direct solar to façade glazing from low altitude sun with high angles of incidence

Competitors should provide the following information in their Final Submissions, proposed:

- Window to wall-ratio
- Facade performance
- Solar shading strategy

D2.8 Building Services, Vertical Transport and Plant

Appendix G – Design Guide Services Brief provides an overview of the spatial, mechanical and transportation service requirements of the future building and preliminary spatial assumptions for the purposes of this competition only and does not preclude alternative design strategies.

The Building Services Brief recommends two lift banks are provided:

- North lift bank:
 - 3 x passenger lifts - 2.7m (w) x 2.5m (d)
 - 1 x goods lift – 2.7m (w) x 2.7m (d)
- South lift bank:
 - 2 x passenger lifts -2.7m (w) x 2.5m (d)
 - 1 x goods lift – 2.7m (w) x 2.7 (d)

Minimise, locate, and screen rooftop plant out of view to reduce any potential impact on the outlook of neighbouring developments and public domain. All required street level utilities, services and fire exits must be located discreetly and designed to be integrated with the architectural treatment, and in a manner that is consistent with Part 6.3.20.2 (5) of the Site Specific DCP:

(5) Locate building services for new uses, such as loading, plant rooms, fire egress and lifts, within modern fabric, new spaces or fabric of lower significance where possible, to minimise impacts on the significant fabric of the buildings.

Competitors are not to provide detailed building services design.

D2.9 Substation

It is expected that one (1) new substation will be required within the Competition Site. The substation is not to be a freestanding kiosk style structure and is to be integrated into the fabric of the building. The location of the substation is to be on the Ground Floor, unless an alternative location can be proven as being more beneficial to the operational functionality of the development.

The location and design of substations:

- Should ensure chambers and enclosures are recessive and positively contribute to the architecture, landscape and public domain design quality.
- Enclosures and screening are to be of high material quality equal in standard to the facade treatment applied to principal buildings.
- Should not compromise activation of street frontages nor the public domain.

D2.10 Waste Management

Waste management facilities must comply with Council's requirements for waste management facilities in accordance with Section 3.14 of DCP (refer **Appendix A**) and the City's Guidelines for Waste Management in New Developments (2018) which is available here: <https://www.cityofsydney.nsw.gov.au/development-guidelines-policies/guidelines-waste-management-new-developments>

Wemyss Lane is narrow, and the site is constrained by existing heritage elements; both are likely to impact on-site waste collection. Waste storage is to be located off street, wholly within the Competition Site in a designated garbage storage area in the basement servicing area. If it is demonstrated that an SRV vehicle

cannot be accommodated on site, it is recommended the design accommodates for wheel out - wheel back collection that incorporates a designated waste storage area to enable the process to be completed efficiently. Bins are not to be stored in the street. Waste storage design must consider Part 6.3.20.2 (13) of the Site Specific DCP:

(13) Any existing openings to the basement on the laneway must be retained and not be amalgamated or extended.

The scheme should address the following requirements:

- Waste management systems and facilities that promote safe and convenient access for all users including customers, building management and waste collectors;
- Adequately sized waste storage areas, sized to accommodate predicted waste and recycling generation as per the rates within Reference A of the guidelines;
- Waste management, storage and collection is to be accommodated wholly within the site, with consideration to a wheel-out wheel-back collection
- Safe and convenient access for waste collection staff with a maximum manual handling distance by waste contractors of 10m.

The following best practice waste management measures are also to be considered by Competitors:

- Waste streams and a sorting area
- 'Back of house' waste storage areas for both the commercial and retail components of the development
- Bin washing facilities (bundled and with water supply and drainage)
- Sensitive waste storage (including e-waste, lightbulbs, batteries, cooking oil).

D2.11 Parking and Vehicular Access

Submissions must account for the reconstruction of the single basement level to include car parking, loading, storage and end-of-trip facilities. Plant may also be included on the basement level as necessary.

Vehicle access to the basement is to be from a singular consolidated vehicle entry point from Wemyss Lane. Refer also to Site-Specific DCP s 6.3.20.2 regarding heritage considerations for basement entry points.

The single level of basement should maximise car parking spaces and provide sufficient bicycle and motorcycle parking, as well as end of trip facilities. Maximum parking provided is to comply with the following requirements:

- Car Parking:
 - For office premises and business premises: LEP Part 7, Division 1, Clause 7.6 (d)
 - For retail premises, LEP Part 7, Division 1, Clause 7.7 (2) (a)
- On-site bicycle parking per DCP 3.11.3, Table 3.5 *On-site bike parking rates* for each proposed land use

Motorcycle parking per DCP Schedule 7, Part 7.8.4 Motorcycle parking spaces, which requires 1 motorcycle parking space for every 12 car parking spaces. Ensure parked motorcycles are not vulnerable to being struck by a manoeuvring vehicle.

D2.12 Ecologically Sustainable Design Objectives

Submissions are to demonstrate the following ecologically sustainable development (**ESD**) objectives as outlined in the DCP and the Specialist Engineering Report (**ESD Report**) prepared by E-Lab Consulting and attached as **Appendix E**.

- Apply principles and processes that contribute to ecologically sustainable development (ESD).
- Reduce the impacts from development on the environment.
- Reduce the use of resources in development and by development over its effective life.

- Reduce the cause and impacts of the urban heat island effect.
- Increase the resilience of development to the effects of climate change.
- Ensure that greenhouse gas emissions will be reduced.
- Increase the use of cogeneration and tri-generation systems.
- Replace intensive carbon power sources with low carbon and renewable energy.
- Reduce the use of potable water.
- Ensure that development can adapt to climate change.
- Ensure that waste will be reduced.
- Increase the use of products from recycled sources.
- Improve indoor environmental quality.
- Reduce the environmental impact from building materials through reduction, re-use and recycling of materials, resources and building components.
- Improve the biodiversity

The Site-Specific DCP requires that any development for the purposes of commercial office use must execute a Commitment Agreement of 6 stars National Australian Built Environment Rating System (NABERS) Energy for the base building with the NSW Office of Environment.

The commercial office development is to achieve 4 star NABERS water whole building rating, as evidenced by hydraulic engineer's report at detailed design stage.

Designs are to enable these requirements to be achieved at the detailed design stage.

D2.13 Acoustic Amenity and Natural Ventilation

To balance noise intrusion with natural ventilation, designs should at minimum comply with the relevant requirements of the Building Code of Australia.

Where entertainment uses are introduced, demonstrate how any likely impacts on surrounding sensitive land uses including proximate residential development can be managed and minimised.

Retail and commercial uses have no statutory requirements for acoustic amenity and natural cross ventilation, rather it is the potential noise impacts that could be caused by the possible entertainment uses.

D3. Commercial Objectives

D3.1 Floor Space Targets

Competitors are strongly encouraged to meet the following development yield targets:

- Total GFA: ~~7,358sqm~~ **7,662.57sqm (note: this total is inclusive of up to 10% design excellence)**

D3.2 Project Budget

The estimated development cost of the project is \$40,000,000 + GST.

D3.3 Target Market

The target market will be corporate firms and other businesses seeking commercial office floor space located at the city fringe. Future tenants may include firms specialising in creative industries, innovation and tech, the cultural sector, knowledge industries and professional services. Additional ancillary uses such as business or retail premises, restaurants, entertainment facilities and health service facilities may also form part of the target market.

The Proponent seeks schemes that deliver flexible and cohesive floor plans that can accommodate single or multiple tenants as required. Additional ancillary uses such as business or retail premises, restaurants, entertainment facilities and health service facilities may also form part of the target market. Ground floor retail tenancies are ideally fine grain food and drink premises run by a single operator. There is an opportunity to locate a bar on the roof.

Note that whilst hotel or motel accommodation is a permitted use at the site, it is not the Proponent's preferred use and is not part of the target market.

D3.4 Construction and Buildability

Construction and buildability will be a key factor in the assessment of the submitted schemes. Submissions must demonstrate that their designs are able to be structurally integrated with and have regard for the existing heritage fabric of the building.

Competitors should also offer practical and adaptable solutions incorporating rational commercial floor space layouts. Competitors are encouraged to explore innovative design and cost-effective construction, structural and services solutions. Selected materials should be durable, low maintenance, and fit for the purpose of their intended function.

Proposals should not include the use of any PE(Polyethylene) cladding.

PART E - Competition Procedures

E1. Competitive process entry

This competitive process is by invitation only, limited to four (4) competitors.

Each competitor must be a person, corporation or firm registered as an architect in accordance with the *NSW Architects Act 2003* or, in the case of interstate or overseas competitors, eligible for registration.

Each competitor shall prepare and submit a design proposal in accordance with the requirements this brief.

E2. Competition manager

The Proponent has appointed Jim Murray, Planning&Co as the Competition Manager. It is the Competition Manager's role to manage the organisational and administrative functions of the competitive process on behalf of the Proponent.

The role of the Competition Manager includes:

- Ensuring the competitive process is undertaken in accordance with the *City of Sydney's Competitive Design Policy* and this brief
- Acting as the first point of contact for the Proponent, the competitors, the City of Sydney and the selection panel during the competitive process
- Facilitating briefings, presentations and meetings
- Receiving competitors' questions during the competitive process and coordinating responses
- Verifying the competitive process submissions meet submission requirements
- Coordinating the drafting of the Competitive Design Alternatives Report.

All communications with the Competition Manager are to comply with the communications protocols set out in Section E14.

E3. Impartial observer(s)

This competitive process will be overseen by an impartial observer(s) appointed by the City of Sydney. The role of an observer is to verify that the competitive process has been followed appropriately and fairly.

Observer(s) must be provided with at least one weeks' notice and will be present at:

- the briefing and site visit for competitors and selection panel
- any further briefings, site visits or progress sessions
- presentations
- selection panel discussions and deliberations.

All communications and information issued to and received from competitors and the selection panel are also to be copied to the observer(s).

The observer may be present when submissions are opened.

E4. Selection panel

The selection panel is to comprise a total of four members in the following composition:

- Two members nominated by the Proponent;
- Two members nominated by the City of Sydney and who have no pecuniary interests in the development proposal or involvement in the consent process.

If any panel member has to withdraw prior to the completion of the competitive process, another panel member of equivalent professional credentials will be appointed by whoever originally appointed that panel member.

Selection panel members are to:

- Represent the public interest.
- Be appropriate to the type of development proposed.

The selection panel will:

- Include people who have expertise and experience in the design and construction professions and related industries.
- Include a majority of registered architects with urban design expertise.

E5. Selection panel chair

The selection panel is to agree on the selection of a Chair. The primary function of the Chair is to ensure that selection panel deliberations proceed in a fair and orderly manner.

In coordination with the Competition Manager, the Chair shall at the conclusion of the selection panel deliberations, supervise:

- Letters of notification to the winning and unsuccessful competitors.
- The writing of selection panel comments to be included in the competitive design alternatives process report.
- Review and endorsement of this final report as prepared by the Proponent.

E6. Selection Panel Obligations

In accepting a position on the selection panel, panel members agree to:

- Prior to accepting the appointment disclose any conflicts of interest for the record.
- Have no contact with any of the competitors or the Proponent in relation to the site and the competitive process from their time of appointment until the completion of the competitive process other than those occasions as specified in the city endorsed competitive process brief.
- Evaluate submissions promptly in accordance with competitive process timetable. Refer to section A2 key dates.
- Maintain competitors copyright and withhold from recommending the use of an unsuccessful competitors' scheme in part or wholly.
- Abide by the requirements of the brief.
- Consider planning or other technical advice provided by the City of Sydney.
- Refrain from introducing irrelevant considerations in addition to, or contrary to those described in the brief, or contrary to the statutory framework relevant to the site.
- Make every effort to arrive at a consensus in the selection of a winner
- Prepare and endorse a competitive design alternatives process report explaining their decisions.
- Sign a statement confirming they have read and understood the selection panel obligations for the duration of the competitive process.

E7. Proponent's obligations

The Proponent must ensure all competitors are paid as set out at E24. Design Competition Fee.

In relation to the site or the competitive process, and unless otherwise specified by this brief, the Proponent and nominated observers agrees to have no contact with selection panel members, competitors from their time of appointment, nor Central Sydney Planning Committee members, Local Planning Panel members and elected City of Sydney councillors until the completion of the process.

If the City of Sydney is informed by the above persons that they have been contacted by the Proponent in relation to the site or the competitive process, then the competitive process may be terminated.

E8. Technical assistance to the selection panel

The Proponent shall engage technical advisors to provide high-level review and assistance to the selection panel in assessment of final submissions.

Technical advisors are to strictly limit advice to technical and compliance matters pertaining to their professional discipline only and refrain from commenting on matters outside their remit.

Technical advisors may attend competitor’s presentations, however, are not to attend jury/selection panel deliberations unless requested by the selection panel or specified otherwise in this brief.

The selection panel may request independent technical advice, if required.

E9. Technical assistance to competitors

Competitors are encouraged to seek advice to achieve the best possible architectural outcome for their proposed scheme.

All communications between competitors and technical advisors must be submitted in writing to the Competition Manager and copied to the City of Sydney in accordance with the communication protocols detailed in section E14. Communications and questions.

The Proponent will make available the following technical advisors to each competitor and pay for these services directly over and above the competitive process fee.

Table 3: Technical Advisors

Discipline	Advisory Firm	Primary Contact
Structure	TTW	Marco Fadda marco.fadda@ttw.com.au
Quantity Surveyor	WT Partnership	Andrew Tan atan@wtpartnership.com.au
Planning	Planning&Co	Jim Murray jmurray@planningandco.com

Note: The role of a Proponent-appointed technical advisors is to review and provide clarification on each competitor’s scheme in confidence, **not** to design certain elements of the development. Technical advisors will not present or prescribe design solutions.

Competitors may elect to appoint their own technical advisors as needed. All technical advisors will keep the content and intellectual property of each competitor’s scheme confidential.

E10. Quantity surveyor

The Proponent’s appointed quantity surveyor must provide an indicative cost estimate of the competitor’s proposal based on submissions and completed area schedule/yield analysis set out in Part F and attached as Appendix I respectively. The QS report may also include a discussion on how the design is an economically feasible development option.

Prior to the lodgement of the final submissions, in order to facilitate timely assessment and advice, one virtual meeting will be held with the QS and each competitor, arranged by appointment only through the Competition Manager. The Competition Manager is to be present as observer and provide a summary record of the meeting to the City of Sydney as specified in section A2. Key Dates. City of Sydney observer(s) will be invited to attend all meetings between the QS and competitors.

The Competition Manager will issue QS estimates to the respective competitors two days prior to the final presentation date. While no additional work will be requested or required of competitors prior to the presentation date, competitors are encouraged to review the QS statement and consider if the construction budget has been met, and if there are any barriers to achieving this budget during detailed design.

The QS will respond to specific questions throughout the competitive process but will not undertake reviews of partially completed submissions. Following the lodgement of the final submissions, the QS will provide an assessment and indicative cost estimate for each scheme.

All other communications with the QS must be conducted strictly in accordance with communication protocols set out in Section E14. of this brief.

E11. Technical advisors obligations

Technical advisors as engaged by the Proponent shall undertake a high-level review of each competitor's submission and provide assistance to the selection panel and competitors.

Technical advisors are to strictly limit advice to technical and compliance matters pertaining to their professional discipline only and refrain from commenting on matters outside their remit.

All technical advisors are bound by the confidentiality requirements set out in Section E25. and will be required to sign a confidentiality agreement with the Proponent to keep the content and intellectual property of each scheme confidential.

E12. Progress session

Each competitor is invited at their discretion to attend an online progress session and encouraged to submit preliminary concepts as specified in A2. Key Dates.

Progress session submissions are to be submitted via email to the Competition Manager with copy to the City of Sydney Observers. Refer to Part E14 of the Brief regarding communication protocols.

The progress session offers competitors the opportunity to have design works in progress reviewed and receive feedback from the technical advisors in relation to high level technical and planning compliance matters only. It does not involve the selection panel and is conducted as an informal consultation. No formal presentation is required, and material may be presented at the discretion of the competitor. ~~Face-to-face~~ Meetings between competitors and technical advisors are strictly limited to the Progress Session on the date set out in A2. Key Dates unless otherwise specified in this brief.

The Competitive Manager will provide a written summary of the meeting to individual competitors following the progress session as specified in A2. Key Dates.

City observer(s) may be in attendance and must be copied into all submissions and feedback.

E13. Amendments to the brief

Once endorsed, no amendment to the brief is permitted without the written approval of the City of Sydney.

A change to the competitive process program is considered an amendment to the brief.

If the Proponent or competitor seek a change in program, the Competition Manager must in writing, notify all competitors, seek and confirm their written agreement prior to the City of Sydney granting approval. If approved, the Competition Manager will provide written notification to all competitors of the agreed change.

E14. Communications and questions

Competitors should submit to the Competition Manager in writing via email, all communications, questions and enquires relating to this competitive process, brief or the project generally. A response shall be provided by the Competition Manager within 48 hours of receipt,

The City of Sydney observers are to be copied into all correspondence.

Competitors are to include “4-22 Wentworth Avenue, Surry Hills Competitive Design Alternatives Process” and the Competitors Name in the subject of all emails

Competition Manager Contact:

Jim Murray
Director, Planning & Co
jmurray@planningandco.com

Except where otherwise specified in this brief, competitors should not communicate regarding clarification of the competitive process with:

- The Proponent
- Selection panel members
- Technical advisors(s)
- City of Sydney
- Consent authority
- Councillors
- Other competitors.

Each competitor’s privacy is protected. Competitor’s questions will be vetted by the Competition Manager and addressed publicly or privately according to their nature.

All questions and responses will be compiled and issued in writing to competitors without revealing the source of the question or specifics of the competitor’s scheme.

All communications, including questions and responses, public or private, must be copied to the City of Sydney observers.

E15. Final submissions - restrictions

Competitors final submissions must strictly adhere to page limits where specified by this brief.

The Competition Manager shall audit the final submissions and delete those pages which exceed the maximum prescribed page limit. Within 24 hours of the final submissions lodgement deadline, the Competition Manager shall notify competitors of any exceedance and confirm the pages to be deleted. Such material will not be viewed by, nor form part of the selection panel’s considerations.

E16. Lodgement of final submissions

Competitors shall lodge their final submissions electronically via email to the Competition Manager with City of Sydney Observers copied.

Files must be labelled with:

- 4-22 Wentworth Avenue, Surry Hills and Competitor’s Name.

A City of Sydney observer may be present when the submissions are opened.

Competitors should ensure:

- Submissions comply with the file format, labelling convention, page limit and any other requirements specified in this brief

- All file transmissions are completed before the lodgement deadline (including where a submission consists of multiple uploads) as set out in section A2. key dates.

E17. Disqualification

Submissions that fail to meet the competitive process requirements may be disqualified, in particular where:

- the submission is received after the final submission lodgement time and date
- the submission is contrary to the objectives of the City of Sydney planning controls and this brief
- the submission is not submitted in accordance with Part F Presentation material submission requirements
- a competitor attempts to influence the deliberations of any member of the selection panel outside of the presentation date.

The selection panel will determine any disqualifications.

E18. Presentation date – presentation material

On the presentation date (refer to Section A2. Key dates), competitors present their final submissions to the selection panel.

Competitors are to provide an electronic version (PDF file) of their presentation material to the Competition Manager via email no later than 72 hours prior to the presentation date, in accordance with the Key dates Section A2., and the maximum page limit prescribed in Section F1.

No new material is to be presented over that lodged as final submissions. Presentation material may be a reformatted version of the final submission content, but must not contain any new content, and notably must not include revisions to, or enhancements of architectural plans and renderings.

The Competition Manager will audit the presentations for any new material and exceedance of the maximum prescribed page limit. The Competition Manager, no later than 48 hours prior to presentation date, shall notify competitors of any non-conformance. Competitors will then be given the opportunity to resubmit a conforming presentation within 24 hours.

E19. Selection panel assessment and decision

A minimum of three competitive process submissions are to be considered as part of this Competitive Design Alternatives Process.

The Competition Manager is to provide an electronic copy of the final submissions to each selection panel member and the City of Sydney at least one week prior to the final presentation date.

The competitors must present their final submission to the selection panel in person on the specified presentation date. The presentation must be no longer than 30 minutes followed by a further 20 minutes of questions from the selection panel.

Each competitor's submission will be graded by the selection panel in accordance with the Assessment criteria in Appendix H to this brief.

If, in the opinion of the selection panel, key design issues require further resolution before a decision can be made, the selection panel may recommend that design amendments be made to up to two of the submissions. For these submissions, the selection panel will list the specific design issues for the first and second scheme that should be addressed and request the competitors amend their submission within a defined period of time (having regard to the extent of the requested amendments). Any request for design amendments shall be in writing.

The selection panel is expected to reach a decision on whether to request amendments to submissions within 14 days of Final Presentations.

Competitors are to re-present their entry within 21 days of the initial presentation. Upon completion of the second presentation to the selection panel, the selection panel will rank the competitive process submissions (first and second).

The selection panel decision will be via a majority vote.

The selection panel decision will not fetter the discretion of the consent authority in the determination of any subsequent development application associated with the development site that is the subject of this competitive process.

The selection panel may grade the designs in order of merit.

The selection panel may decline to declare a winner of the competitive process, if none of the submissions exhibit the potential to achieve design excellence. If the selection panel decline to declare a winner, the selection panel may recommend that none of the submissions in its opinion exhibit the potential to achieve design excellence and thus end the competitive process.

E20. Appointment of the architect of the winning submission

The Proponent shall appoint the architect (winning architect) of the winning scheme as selected by the selection panel. Full design and documentation of the winning scheme should then occur.

- to ensure that design continuity and design excellence of the winning scheme is maintained throughout the development process, the architectural commission is expected to include as a minimum the following:
- preparation of a detailed DA
- preparation of the design drawings for a construction certificate
- preparation of the design drawings for the contract documentation
- continuity during the construction phases through to the completion of the project
- documentation required by the consent authority verifying the design intent has been achieved at completion
- attending all meetings that pertain to design issues with the community, authorities and other stakeholders, as required.

The winning architect is expected to be appointed within 21 days of the decision date. Refer to Section A2. Key dates.

The winning architect may work in association with other architectural practices but must retain the leadership role over design decisions throughout the life of the project.

An indicative program for construction is as follows:

- commencement 2026
- completion 2028

In the event that the Proponent decides not to proceed with the winning architect, or the Proponent limits the architectural commission outlined above, the Proponent will:

- provide the consent authority with written reasons for this decision; and
- restart the competitive process.

E21. Announcement

The Competition Manager will in writing advise all competitors of the selection panel decision within the timeframe as per Section A2. Key dates.

Competitive design process results will be made public within 21 days of the decision date.

E22. Competitive design alternatives process report

When the competitive process submissions have been assessed, the Competition Manager is to prepare and submit to the City of Sydney a Competitive Design Alternatives Process Report prior to the submission of the detailed DA for the building.

This report shall detail:

- the competitive process and include a copy of the endorsed brief
- the selection panel's assessment of the design and merits of each submission
- the rationale of the choice of the preferred design which must clearly demonstrate how this best exhibits the potential to achieve design excellence in accordance with the provisions of Clause 6.21C of the LEP and the approved Design Excellence Strategy
- any further recommended design amendments relevant to the achievement of design excellence.
- any critical principles or qualities of the design which must be retained in design development

The report is to be endorsed and signed by all selection panel members and submitted to the City of Sydney for acknowledgement within the specified number of days of the decision, in accordance with Section A2. Key dates.

Following the selection panel's decision, the City of Sydney may require the Proponent, or choose to themselves, hold an online display of the competitive process entries.

E23. Achieving design excellence

The Proponent and selection panel acknowledge competitive process design proposals are concepts only and any technical resolution is preliminary. It is understood, while maintaining design integrity, the winning scheme must undergo design development, address technical items and selection panel recommendations in concert with other outstanding matters to demonstrate the achievement of design excellence in any subsequent detailed Development Application.

E24. Competitive process fee

A competitive design process fee of \$50,000 (excluding GST), shall be paid to each competitor for participating in this invited competitive process.

Prior to the commencement of the competitive process the competitive design process fee and guarantee of fee payment must be negotiated and agreed between the competitors and the Proponent.

No later than 7 days following receipt of final submissions and before the presentation date as per Section A2. Key dates the Competition Manager must confirm in writing to the City that competitors have been paid in full.

The City reserves the right to postpone the presentation date if confirmation has not been submitted as above.

E25. Confidentiality

Competitors shall observe complete confidentiality at all times in relation to their submission, including plans, information whether verbal or written, documentation or any advice until the decision date. The same strict rules of confidentiality are to apply to any consultants or other persons or entities from which the competitors may seek advice.

This brief and the documents comprising the competitor's submission are confidential until the decision is announced and made public. Competitors must not use them for any other purpose without the prior consent of the Proponent.

The Proponent, competitors, technical advisors and selection panel shall observe confidentiality in relation to all submissions received, prior to a decision in relation to the competitive process that is made public.

E26. Copyright

Copyright for each submission shall remain in the ownership of the original author(s) unless separately negotiated between the Proponent and the competitor.

The Proponent and the City of Sydney shall have the right to display, photograph, publish and distribute this brief, submissions, presentations and reports produced as part of this competitive process for publication, publicity or other such purposes. Any such reproductions shall acknowledge the copyright owner(s).

A competitor's lodgement of the final submission in this competitive process shall be deemed as legal permission for the Proponent and the City of Sydney to publish competitors' submissions. No compensation shall be made for such reproduction or publication.

PART F - Submission Requirements

F1. Competitor's submissions

The submission should be clear and concise, include only essential information sufficient to explain the proposed design with a preference for design information over graphic presentation.

The submission documents shall be submitted to the Competition Manager in electronic format only via email

All submission documents including presentation material are to clearly identify the competitor and be of a suitable quality for public display.

Each competitor's final submission shall include the items detailed in the following sections.

Note:

- When referencing another person's work all sources should be appropriately cited.
- For the purposes of planning coordination, the winning architect may be required to submit to the consent authority a DWG/DGN file of ground floor plan geospatially referenced with MGA (Mapping Grid of Australia) coordinates.

F2. Documentation

	SUBMISSION REQUIREMENTS	DETAILS Items B. – D.1 constitute the report body to be strictly limited to a maximum of 40 x A3 pages. All pages must be numbered.	Indicative No. of A3 pages/slides (unless a stated maximum)
A.	COVER PAGE & CONTENTS	Limited to cover page with competitor's identity and contents list only.	Not counted
B.	STATEMENT OF INTENT/DESIGN STATEMENT	Design statement addressing the proposal's approach, the response to the brief's objectives and the way design excellence is achieved. The Design Statement is to incorporate: ESD: A summary of sustainability initiatives to achieve required ESD targets together with a description of any broader sustainability initiatives associated with the design proposal. Inclusive of: • Window to wall-ratio • Facade performance • Solar shading strategy	6-10
B.1	HERITAGE STATEMENT	Heritage statement demonstrating how the design proposal addresses Appendix D Heritage Input into Design Competition and Section 6.3.20.2 <i>Heritage Conservation of the Site-Specific DCP</i> .	6-10
C.	DRAWINGS AND GRAPHICS		
C.1	Location context sketch plan (1:1000)		1
C.2	Site Analysis (1:500)		1
C.3	Concept (Site) plan (1:500)	Include existing and new streets, public domain improvements, building form and massing of site and adjacent area.	1
C.4	Ground floor plan (1:200)	Include landscape and the relationship to the public domain.	1

C.5	Typical plans, elevations and sections including basement level (1:200) Elevations (1:250)	All plans, elevations, sections and 3-D massing studies must: Include adjacent properties to clearly represent the proposed design in relation to neighbouring context Illustrate the proposed design relative to Concept DA envelopes, shown as an overlay on each drawing Include a scale bar (where a scaled drawing) Include a north point (all plans). Critical relative levels on relevant sections & elevations	6-10
C.6	Roof plan (1:200)		1
C.7	Landscape concept plan (1:200)	Include deep soil calculations.	1
C.8	3-D computer generated perspectives or photomontages	1 rendered perspectives of the proposal utilising the identified viewpoints as set out in Appendix M.	1
C.9	3D supporting graphics	The number and type of 3D perspectives or photomontages, in addition to the prescribed views in C.8 (above) 3-D computer generated perspectives or photomontages, is at the competitors' discretion, whilst observing the maximum page limit.	
C.10	Digital materials/image board	Provide indicative finishes. Samples are not required.	1
C.11	Concept DA envelope / regulatory controls overlay	<u>Overlays</u> illustrating compliance with envelope <u>must be included</u> on relevant plans, sections, elevations and 3D massing model.	-
C.12	Indicative facade system detail (1:50 or 1:20)	Typical principal facade system detail and description.	1-2
C.13	Shadow impact diagrams	Diagrams are to clearly present shadow impacts of the proposed relative to Concept DA / site-specific DCP building envelope shadow impacts.	2-4
C.14	GFA plans (Scale – 1:500)	Illustrate the accounting of GFA In coordination with the area schedule included in Appendix I.	1
D.	SCHEDULES		
D.1	AREA SCHEDULE/YIELD ANALYSIS	Competitors must complete and submit the standard schedule provided in Appendix I. The schedule must include: - Gross Floor Area (GFA), as per Sydney LEP 2012 definition - All accounting definitions are included in the standard schedule provided. - A PDF format of the completed schedule is to be included in the report body. (An Excel file format is also to be provided as an appendix and is excluded from the page count).	1
			TOTAL Maximum 40 pages

	SUBMISSION REQUIREMENTS	DETAILS Item E. is excluded from the maximum 40 x A3 page/slide limit noted above.	No. of A3 Pages/Slides
E.	STATEMENT OF PLANNING COMPLIANCE	Appendix A provides a summary of planning controls as a template for competitors to complete.	No. as per the appendix attached

F.		The statement is to be completed by a suitably qualified person indicating the proposal's compliance with the relevant planning objectives controls. Each submission must also identify and justify any non-compliance with the applicable controls for the competitive design process site. Competitors must use the standard template provided.	
	SUBMISSION REQUIREMENTS	DETAILS Item F. is either a copy or a reformatted version of the submission content A to D.1 (See section E18. Presentation Date – Presentation Material)	No. of A3 Pages/Slides
	PRESENTATION DATE MATERIAL	At time and date specified in A2. Key dates - Lodgement of presentation date material, competitors are to provide a single PDF document of their presentation material. The maximum 40 x A3 slide limit is to be strictly adhered to. No new material is to be presented over that lodged as final submissions. Refer to section E18. Presentation Date – Presentation Material.	Maximum 40 x A3 slides

F3. Estimate of construction cost

The Proponent's QS must prepare and provide an indicative cost estimate which forms part of competitor's submissions, as per E10. Quantity Surveyor. The Competition Manager will issue estimates to the respective competitors two days prior to the final presentation date.

Estimates will be based on the competitor's submissions and completed area schedule/yield analysis per Appendix I).

F4. Physical model

A physical model is not required and is not to be submitted as part of the final submission or presentation material.

F5. Digital animations

Augmented reality, virtual reality, digital animations or fly-throughs should not be submitted and will strictly not be accepted, nor form part of the selection panel's assessment.

F6. Summary pack

The following submission requirement is for the purpose of potential media and distribution. Refer to Section E26. Copyright.

The Summary Pack shall be submitted to the Competition Manager in electronic format only at the time and date specified in A2. Key Dates.

This summary pack:

- Will not be issued to or considered by the selection panel
- Does not form part of the Submission documentation per Section F2. Documentation.
- Must be a copy only of material submitted under Section F2. Documentation
- Must not contain any additional information, drawings or graphics as submitted under Section F2. Documentation

The City of Sydney does not accept responsibility for incorrect spelling or missing, names or attributions submitted by competitors.

SUBMISSION REQUIREMENTS	SUMMARY PACK DETAILS
COMPETITION SITE ADDRESS	4-22 Wentworth Avenue, Surry Hills 2010 NSW
SUBMISSION DATE	Date on which this submission is lodged - 09/04/2025
DEVELOPMENT DETAILS	Commercial Development
COMPETITORS NAME	The competitors name in full, including joint authors, partners
LIST OF ATTRIBUTIONS	Practice, consultants, photographers, other
STATEMENT OF INTENT/DESIGN STATEMENT	A summary of the statement of intent/design statement, which best describes the competition proposal. <u>Word limit:</u> Strict maximum 300 words
DRAWINGS AND GRAPHICS	All submitted drawings and graphics must be in the following format: • A4 landscape or portrait • JPG • 300dpi • The pack is to include: • ground and typical floor plans and sections (strict maximum 10 JPGs) plus • up to three (3) renders or hand sketches (strict maximum up to 3 JPGs)
SUBMISSION METHOD	All Summary Pack submissions, including details, summary statement, drawings and graphics should be compiled into a zip file and are to be submitted in accordance with E16. Lodgement of final submissions

Attachment D

Submissions

From: Paul Gallant [REDACTED]
Sent on: Thursday, October 16, 2025 9:20:15 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/942 - 4-6 Wentworth Avenue SURRY HILLS NSW 2010 - Attention Daniel Stanley

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

Whilst the overall design appears from the renditions to be accomodating to the heritage facades, the rooftop additions that extend forwards with little to no setback severely compromise the facade. These addition should be set back replacing the exposed rooftop spaces with for instance gardens, setback balconies, solar panels etc.

From:

Sent on: Monday, October 20, 2025 9:39:40 AM

To: council@cityofsydney.nsw.gov.au

Subject: Objection to Proposed Development at 4–22 Wentworth Avenue, Surry Hills D/2025/942

Caution: 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 the owner and resident of [REDACTED], Surry Hills, located immediately adjacent to and within visual proximity of the proposed development site at **4–22 Wentworth Avenue**. I wish to formally object to this Development Application D/2025/942 by **Willow Development Group** on the following planning and amenity grounds.

1. Overshadowing and Loss of Solar Access

The proposed **13-storey commercial tower (approx. 65m high)** significantly exceeds the established mid-rise scale of the Wentworth Avenue - Goulburn Street precinct (typically 5–8 storeys).

According to the applicant's **shadow analysis (SEE, September 2025)**, the building will cast **substantial additional shadow towards the south-west after 2:00 pm during winter solstice**, reaching properties along **Goulburn Street**, including mine.

This directly contradicts **Clause 3.2.1 of the Sydney DCP 2012**, which seeks to maintain adequate sunlight to habitable rooms and private open spaces of neighbouring dwellings between 9 am and 3 pm in midwinter.

The resulting overshadowing would materially diminish internal natural light and overall residential amenity.

2. Excessive Height and Visual Bulk

The proposal's overall **height, scale, and massing** are inconsistent with the surrounding heritage warehouse context.

While the retention of heritage façades is commendable, the **15-storey glass tower addition** dominates both the Wentworth Avenue streetscape and **the skyline visible from Goulburn Street**, resulting in a disproportionate and visually intrusive outcome.

This conflicts with **Clause 3.10.1 of the Sydney DCP 2012**, which requires new developments to achieve compatible bulk and scale relative to their context, particularly in heritage precincts.

3. Construction Impacts (Noise, Dust, Vibration, and Duration)

The submitted **Construction Management Plan (Rev 05, 25 September 2025)** outlines a **24–30 month** construction program, including **excavation for new basement levels**, heavy truck movements via **Wemyss Lane**, and continuous works from 7 am to 7 pm on weekdays.

Given the narrow street network and acoustic character of this area, these works will likely cause prolonged **noise, dust, and vibration impacts** on nearby residential buildings such as mine.

I request Council to impose **strict construction hours, noise monitoring, and dust suppression requirements**, as well as an on-site community contact officer during active works.

4. Traffic, Access, and Safety

The **Traffic Impact Assessment (TTW, 29 September 2025)** confirms vehicle access will be via **Wemyss Lane**, but truck staging and turning movements will still affect the **Wentworth Avenue / Goulburn Street intersection**.

This intersection already experiences significant congestion, pedestrian traffic, and bus activity. The additional vehicle and delivery movements during construction and ongoing servicing will exacerbate local congestion and

pose pedestrian safety risks.

This contravenes **Clause 3.11.1 of the DCP**, which seeks to ensure safe and efficient access and movement around development sites.

5. Cumulative Impact on Residential Amenity

While this site is zoned for mixed-use redevelopment, the cumulative scale of excavation, height, and construction activity will have a **substantial adverse impact on the amenity, quiet enjoyment, and visual outlook** of existing residents on Goulburn Street.

Given the limited setback and significant change in skyline, the proposal does not achieve a balanced transition between commercial intensity and residential liveability envisaged by the **Central Sydney Planning Strategy**.

Requested Actions

I respectfully request Council to:

1. **Refuse the current DA** on grounds of excessive height, overshadowing, and amenity impact; or
 2. Require **substantial modifications**, including:
 - Reduced overall building height and increased upper-level setbacks;
 - Detailed shadow analysis demonstrating no additional loss of sunlight to residential buildings on Goulburn Street.
 - Strict construction management conditions (noise, dust, vibration, traffic control);
 - Appointment of a community liaison officer during demolition and excavation.
-

Conclusion

While I support considered urban renewal and heritage conservation, this proposal in its current form represents **an overdevelopment of the site** with unacceptable impacts on neighbouring residential amenity, sunlight access, and construction-related disruption.

I request that the City of Sydney carefully assess this DA against the relevant LEP and DCP provisions and require amendments to ensure an equitable balance between commercial intensification and residential liveability.

Yours faithfully,

██████████
Resident Owner

██████████ Surry Hills NSW 2010

From: Paul Sherriff [REDACTED]
Sent on: Wednesday, October 22, 2025 9:01:17 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/942 - 4-6 Wentworth Avenue SURRY HILLS NSW 2010 - Attention Daniel Stanley

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

To whom it may concern

As a resident of 27-29 Commonwealth Street, I live a couple of hundred metres from this development.

I would like to support this application as I believe that it would enhance the look and amenity of the local area. I believe that my property value benefits from tasteful developments in my neighbourhood and this one, from the artist's impressions, would be a tasteful addition.

Thank you for the opportunity to express my opinion.

Yours etc
Paul Sherriff

302/29 Commonwealth Street
Sydney 2000



Paul Sherriff | Applications Specialist | ISU | CPSU

m: [REDACTED]

Member Service Centre: 1300 137 636 | cpsu.org.au

The Community and Public Sector Union (CPSU) acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the elders past and present.

This e-mail message and any accompanying attachment is intended for the use of the recipient only and may contain confidential, commercially valuable or legally privileged information. If you are not the intended recipient, or an agent responsible for delivering it to the intended recipient, you are notified that any use, review, copying or dissemination of this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete this message. Before opening any attachments, please check them for viruses and defects.

From: J Loughnane [REDACTED]
[REDACTED]

Sent on: Tuesday, October 28, 2025 7:10:07 PM

To: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Objection to Development Application D/2025/942 – 4-8 Wentworth Avenue, Surry Hills

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

Objection to Development Application D/2025/942 – 4-8 Wentworth Avenue, Surry Hills

Tuesday, 28 October 2025

To: City of Sydney Council

Address: 456 Kent Street (Town Hall House), Sydney NSW 2000

Re: Development Application D/2025/942 – Proposed 13-storey Commercial Tower over 4–8 Wentworth Ave, Surry Hills

Dear Sir/Madam,

I am writing as a long-term Surry Hills resident, to object to Development Application D/2025/942. The application proposes a 13-storey commercial tower above the existing heritage buildings at 4-8 Wentworth Avenue, Surry Hills. While I strongly support thoughtful, sustainable, and community responsive development in our area, this proposal is fundamentally inconsistent with the local character, planning intent, and community needs. My objections, detailed below, are based on serious concerns regarding heritage impacts, excessive height, lack of residential benefit, and environmental nuisances. I urge the Council to refuse the proposal in the public interest.

1. Excessive Height and Visual Dominance

The proposed tower addition to 4 Wentworth Avenue (Hotel Stellar) is grossly out of scale with the surrounding streetscape and heritage context. Surry Hills' urban fabric in this precinct is predominantly low-to-mid-rise, defined by early 20th-century warehouse buildings of a few storeys that create a human-scaled environment. In contrast, a looming glass-and-steel tower would dominate views and erode the area's intimate character. The City's planning controls and heritage guidelines explicitly seek to limit visual bulk of additions on this site. For example, site-specific DCP controls demand any rooftop addition "present as a discrete, light-weight addition" and "*minimise the visual bulk of the addition*". A steel and glass tower atop century-old warehouses cannot, by its very nature, be considered "discrete" or minimal in bulk.

Even the applicant's own Heritage Impact Statement acknowledges that "*the tower is the prominent vertical element... uniquely juxtaposed against the heritage podium*". In plain terms, the new tower will stick out like a sore thumb above the heritage buildings. While the architects claim this juxtaposition is handled "*in a sympathetic manner*", residents strongly disagree. The sheer height and mass of the addition will dwarf the historic facades, diminish their streetscape presence, and detract from the group's distinctive heritage character. From many public vantage points (especially up and down Wentworth Ave and adjacent streets), the tower will be glaringly visible and disruptive to the heritage skyline that currently prevails. No amount of setback or facade articulation can fully mitigate the fact that the proposal rises far above the established parapet line of the block.

It is also noted that the Sydney Local Environmental Plan 2012 and site-specific Clause 6.55 controls set a maximum building envelope for this site, which was crafted to respect heritage and solar access constraints. Any claims that the

proposed height “fits” within an approved envelope do not change the qualitative visual impact on the neighborhood. In fact, the Statement of Environmental Effects indicates the envelope was determined primarily by the need to protect neighbors’ sunlight – a reminder that pushing the height to these limits was an absolute maximum scenario, not an invitation to build to that extreme irrespective of context. The planning intent for Wentworth Avenue has always been a transition zone, not an extension of the high-rise CBD.

In summary, the height and bulk of the proposed addition above the existing 4 Wentworth Avenue building is inconsistent with the scale and character of its surroundings and violate the spirit (if not the letter) of Council’s heritage controls. I urge Council to uphold the principle of “height in context” and require any redevelopment on this site to remain truly subservient to the heritage buildings, not to overwhelm them.

2. Lack of Residential Contribution (and Questionable Need for More Offices)

This development conspicuously lacks any residential component, at a time when inner Sydney desperately needs housing, not more empty offices. The subject site (postcode 2010) and the neighboring CBD (2000) are experiencing an acute housing affordability and availability crisis. Rental vacancy rates in Sydney are hovering around record lows (roughly 1.5% city-wide, and ~2.0% in the inner-city [metrorealty.com.au](https://www.metrorealty.com.au)), reflecting a severe undersupply of homes. It is perplexing and disappointing that this large proposal offers zero new apartments or dwellings.

Office vacancy rates in central Sydney are at high levels and climbing. As of mid-2025, the Sydney CBD office vacancy was approximately 13.7% – the highest since the 1990s [tenants.com](https://www.tenants.com). There is abundant evidence of surplus commercial floor space in and around the city. Notably, the immediate vicinity already has significant vacant or un-leased offices:

- The large office tower at 1 Oxford Street (at Whitlam Square, a stone’s throw from this site) has multiple floors available for lease, indicating difficulty in securing tenants for existing stock (confirmed by current real estate listings).
- The newly completed Oxford & Foley redevelopment on Oxford Street just a few hundred meters away is bringing 9,200 m² of additional commercial offices to the market [cityhub.com.au](https://www.cityhub.com.au), much of which remains un-leased to date as the project struggles with delays and tenant commitment. In fact, that project has been in the news for its challenges, with portions still vacant and a legal dispute highlighting the precarious demand.
- A City of Sydney study of the Oxford Street precinct (2021) found roughly 29,924 m² of commercial floor area sitting vacant along the strip meetings.cityofsydney.nsw.gov.au. This underscores that adding more offices in this area is counter-productive, when existing buildings cannot find occupants.

In this context, approving yet another purely commercial tower is poor planning and a lost opportunity. The rationale of “edge of CBD commercial floor space” is weak given the structural shift to remote/hybrid work and numerous reports of increasing office vacancies. I question whether adding more office stock with a tower of this nature on top of the existing structure serves any public good, especially at the cost of heritage impacts and local amenity.

3. Noise and Mechanical Plant Impacts

I have serious concerns about the acoustic impacts of the extensive mechanical plant proposed (particularly on the rooftop) and the ability of the development to contain noise without harming neighbors. The plans include significant new building services and rooftop plant areas, for example, the Services Management Plan describes a central cooling plant with five large air-cooled chiller/heat pump modules on the roof. This kind of equipment, if not exceptionally well attenuated, can generate considerable noise (including low-frequency hum) and vibration that travel to nearby residential buildings. The Noise Impact Assessment provided by the applicant makes a number of assumptions and comes to the conclusion that the proposal can “*comply with the relevant noise criteria... subject to the mitigation measures outlined*”. In other words, the design as-is does not have margin to spare, it will only meet noise limits if all recommended mitigation is implemented perfectly.

Those recommended measures are extensive. The Noise Report itself lists mitigation such as “*positioning mechanical plant away from nearby noise sensitive receivers, fitting acoustic attenuators to ductwork, installing screening around plant, acoustic insulation of ducts and bends, and even possible re-selection of mechanical equipment*”. These are

strong indicators that the baseline design would be too noisy without special acoustic treatment. As a nearby resident, I find little comfort in a theoretical compliance on paper that relies on such measures and on a future “Plan of Management” to keep things in check. Experience shows that rooftop machinery (chillers, cooling towers, fans, etc.) often creates ongoing noise nuisances: tonal humming, night-time start/stop cycles, vibrations through structures, all of which can profoundly disturb the peace of residents in proximity.

The submitted Noise Plan has limitations as well. It notes that the commercial tenancies are yet to be defined and assumes typical office use noise (with mechanical plant being the main concern). However, if any tenancy were to introduce unexpected noise sources (e.g. a gym, function space, or amplified music), additional issues could arise. Moreover, the assessment’s conclusion that the development is “*supportable from an acoustic perspective*” is contingent on all mitigation working perfectly and no changes in operating conditions. In reality, mechanical plant can deteriorate over time, screens can be left open, or equipment can run outside expected hours, any such deviations could lead to exceedances of noise criteria.

I also highlight potential vibration impact: large rooftop units can transmit vibration through the structure, affecting nearby buildings (rattling windows, etc.). The documents do not elaborate on vibration mitigation in detail. For a development of this scale in a mixed residential area, stringent conditions would need to be in place (e.g. requiring spring-mounted isolation for all rooftop plant, regular acoustic compliance testing, restricted hours for certain noisy operations, etc.). Even then, enforcement is difficult once the building operates.

In summary, the acoustic amenity of surrounding residents is at serious risk. The proponent’s own reports underscore that risk by spelling out how much acoustic treatment is required to barely meet standards. I urge Council to give paramount consideration to noise impacts. If the project cannot guarantee no increase in noise levels at nearby dwellings (especially during night-time when background levels are low), it should not proceed as proposed.

4. Light Pollution and After-Hours Illumination

The introduction of a tall commercial tower in what is largely a residential and low-rise area raises concerns about light pollution. Office buildings, by nature, tend to have extensive internal and external lighting from illuminated interiors (lights often left on for cleaners or security) to façade lighting or signage. In a neighborhood that currently becomes reasonably quiet and darker at night (apart from street lighting), a brightly lit tower could be a jarring intrusion into the nocturnal environment. Nearby apartment residents may face new light spill into their windows, and the general Surry Hills community could lose some of the darkness of the night sky.

There are established standards and controls aimed at preventing light pollution. For example, Australian Standard AS 4282-1997 “*Control of the obtrusive effects of outdoor lighting*” sets guidelines to protect the amenity of surrounding areas lindsaytaylorlawyers.com.au. The City of Sydney’s own DCP also requires that “*external lighting must minimise the light spill into the night sky*” meetings.cityofsydney.nsw.gov.au. It is unclear from the DA documents how the new tower will comply with these principles. Will the large expanses of glazing be automatically dimmed after hours? Will any external facade uplighting or LED signage be proposed (now or in the future)? These factors matter greatly to residents’ quality of life.

We already experience light glow from the CBD towers in some parts of Surry Hills, but those are at a greater distance. Placing a 13-storey lit volume in the middle of our community (essentially on the residential side of the city’s edge) could have a direct impact. Even reflections from glass can cause uncomfortable glare to drivers and pedestrians. The applicant’s Reflectivity Statement promises to limit façade reflectivity to 20%, which is welcome (to reduce daytime glare). However, even with a 20% reflectivity glass, a tall building can act like a beacon when internal lights are on at night, shining outward.

I urge Council to assess the lighting impact carefully. If this project were to proceed (despite other issues), conditions should require an after-hours lighting management plan e.g. all non-essential lighting to be off by a certain hour, automated blinds to prevent light spill, no up-lighting of the exterior, etc. As a community, we value our night-time amenity, and we do not want Surry Hills to become an extension of the bright CBD skyline. The goal should be to prevent any intrusive light beyond the site boundaries. At present, the DA lacks clear assurance on this front, making it another point of objection.

5. Lack of Meaningful Community Benefit & Relevant Precedents 260

Considering the significant impacts and planning contraventions noted above, one must ask: *what is the tangible benefit of this proposal for the community?* From a resident's perspective, there is none. The scheme appears driven solely by private commercial interest (maximizing office yield) with no substantial public benefits or contributions to offset its impacts. There is no new public space, no community facility, no affordable housing, nor even a through-site link of note (the only minor "public" element mentioned is an activated laneway route through one building, which is minimal). In past developments, especially where heritage or height conflicts arose, proponents have sometimes offered public benefits (e.g. plazas, community uses, design excellence enhancements) – but here we see little beyond basic compliance gestures.

Crucially, planning precedents in Sydney show that developments which are at odds with heritage character or which offer insufficient merit can and should be refused or significantly modified. I draw attention to a recent example in the City of Sydney jurisdiction: a Planning Proposal for an over-height office building at 47–51 Riley Street, Woolloomooloo (another fringe CBD location) sought to double the permitted height and was met with strong community opposition. Objections highlighted that it *"disrespects adjacent heritage buildings and... detracts from the historical and cultural character"* [change.org](https://www.change.org/p/city-of-sydney-planning-proposal-47-51-riley-street), among other issues. In that case, community voices prevailed – the proposal was withdrawn/alterd, and the excessive height scheme did not go ahead. This shows that Council and residents can insist on better outcomes. We do not have to accept a development that does not align with the local character or needs.

Additionally, numerous proposals in Sydney have been rejected by either Council or the Land and Environment Court where the public benefits did not outweigh the impacts. For instance, developments that breached height limits or affected heritage significance have been overturned on the basis that they failed to respect the "desired future character" or did not provide sufficient justification for the breach. Here, the onus is on the applicant to demonstrate why the community should accept a tall commercial tower in a heritage streetscape with no clear public benefit. In my view, they have not made any convincing case. Simply refurbishing and reusing the heritage buildings (which is expected, since they are protected) is not a "benefit" bestowed by the developer, it is a minimum requirement. The minor conservation works and retail activation are welcome but standard; they do not compensate for the long-term skyline change, increased traffic, noise, and other externalities the project will impose on locals.

In summary, this DA lacks a public interest rationale. It conflicts with multiple planning objectives (heritage conservation, human-scaled streetscape, housing supply priorities) and *offers little to nothing in return*. Approving it would set a poor precedent that developments can sidestep local character controls as long as they meet bare-minimum technical criteria. I urge Council to consider the broader message and precedent, a refusal here will signal that community and character matter more than short-term commercial gains.

6. Reflectivity, Overshadowing and Other Environmental Effects

Finally, I wish to highlight potential unintended impacts on neighboring properties and public amenity relating to overshadowing and glare. The DA's Statement of Environmental Effects (SEE) acknowledges that maintaining sunlight to nearby residences was a key factor in formulating the planning controls for this site. Indeed, the site-specific DCP envelope was designed "primarily to protect solar access to two residential apartment buildings to the south-east" (the Meta and Belvedere apartments). The applicant asserts that their scheme stays within the envelope's shadow limits, claiming it *"will not result in additional overshadowing, beyond that anticipated... to the neighbouring apartments"*. This claim needs to be rigorously verified by Council. Even if technically within the envelope, the new tower will inevitably cast new shadows at certain times, possibly on Wentworth Avenue itself, or on other nearby lower buildings. Any *incremental* loss of sun, particularly in winter mornings or afternoons, can impact residents' comfort and the usability of public footpaths or outdoor spaces. I ask Council to carefully scrutinize the shadow studies and ensure there is no unacceptable overshadowing of public spaces or habitable rooms of adjacent buildings, especially during critical sun access hours (midwinter).

The facade reflectivity issue was touched on earlier but bears emphasis here as well. A highly glazed commercial tower, if not properly treated, can act like a mirror for the sun. Glare can affect drivers on surrounding streets, pedestrians, and occupants of other buildings. The provided Reflectivity Statement commits to a maximum 20% reflectance glass, which is in line with Council's guidelines to reduce reflective glare. However, I note that 20% reflectivity is still moderately reflective. Large panels of such glass can create bright reflections under strong sunlight. The impact on drivers along Wentworth Ave or commuters on nearby Albion Street should be considered sudden solar reflections from a new tower

could be a safety hazard. Similarly, existing residents who have sightlines toward the proposed tower might suddenly get reflected sunlight bouncing into their windows at certain times of day/year.

To manage these issues, the design of the facade (angle of glass, use of fins, etc.) is important. The SEE does not detail *how* the 20% reflectivity will be achieved or if the architects have done glare modeling for worst-case scenarios. I recommend that, if the project proceeds, Council requires a detailed reflectivity and glare analysis to ensure no adverse glare to public roadways and buildings. Mitigations (such as non-reflective coatings or sunshade devices) might be needed beyond just picking a glass type.

In summary, overshadowing and reflectivity are not trivial concerns, they directly affect urban liveability. The controls set for this site were born out of these concerns, and any deviation or oversight could result in unintended harm to neighbors' sunlight access or comfort. I trust Council will hold the proposal strictly accountable to meeting all shadow parameters and glare standards, with a conservative approach that errs on protecting existing residents' amenity.

In conclusion, in light of the above points, I respectfully submit that Development Application D/2025/942 should be refused in its current form. The proposal's excessive height at 4 Wentworth Avenue, heritage incompatibility, noise and light impacts, and absence of community benefit make it fundamentally unsuitable for approval. As a local resident who values the unique character and liveability of Surry Hills, I urge the City of Sydney to defend our planning controls and encourage a more appropriate, human-scaled, and community-friendly redevelopment of this site. Surry Hills welcomes progress, but not at the expense of its heritage and people-oriented scale. We look to Council to ensure that any development at 4–8 Wentworth Avenue truly responds to its surroundings. Perhaps a smaller commercial use project that incorporates mixed use and respects the old warehouses rather than imposing a discordant commercial glass tower.

Importantly, I do not oppose the portion of this proposal involving the commercial redevelopment of the existing buildings along Wentworth Avenue. On the contrary, I support the ground-level activation and adaptive reuse of the heritage fabric for retail and commercial uses, which I consider both appropriate and positive for the precinct. This component of the development will enliven the streetscape and is sufficient to deliver a meaningful commercial uplift to the site and broader streetscape. However, precisely because this base redevelopment already achieves those benefits, the proposed 13-storey commercial tower above those heritage buildings represents an unnecessary and excessive vertical addition. I therefore wish to clearly distinguish my support for the base commercial component from my strong objection to the over-scaled vertical addition.

Thank you for the opportunity to comment on this application. Please keep me informed of the progress of this DA and do not hesitate to contact me for further clarification of the concerns raised.

Yours faithfully,

Jason Loughnane
Resident of Surry Hills (2010)

From: pauline manley <[REDACTED]>
[REDACTED]
Sent on: Thursday, October 30, 2025 9:53:18 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/942 - 4-6 Wentworth Avenue SURRY HILLS NSW 2010 - Attention Daniel Stanley

Caution: 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 oppose this development. The tower & podium developments will block morning sunlight for 3 existing high-rise buildings & one low-rise on the other side of Wentworth Avenue. These are mainly residential homes. For some of these east facing homes, this is the only sun they get all day. This will significantly impact the quality of life for residents & visitors. While the environmental impact statement mentions wind, there is NO mention of this sun blockage, which has to be a consideration for residents & owners who invested in this area assuming they would be protected from such a large development based on the heritage classification.

There are existing building sites on Wentworth Avenue & an application has been approved for a major construction project on Commonwealth St, just behind the affected buildings. With the amount of noise residents already endure, regular night time road works, the refurbishment of Hyde Park, traffic, prime nighttime revelry, residents shouldn't have to endure two building sites. on either side of their dwelling that will go on for years.

Third, the proposed developments are not aligned with the heritage aesthetics & does not uphold the heritage value of this site.

There is a growing dissent among my neighbours.

Warm Regards
DR Pauline Manley
Long time resident of the area

From:

Sent on: Sunday, November 9, 2025 1:28:27 PM

To: council@cityofsydney.nsw.gov.au

Subject: Objection to D/2025/942

Caution: 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/2025/942
4-22 Wentworth Ave
Surry Hills

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier at SP73236 (148 Goulburn St)**, behind the proposed development site. I object to **DA D/2025/942**.

I have grave concerns regarding two matters:

Firstly this site is historically significant as comprehensively described on the State Heritage Inventory for NSW. The State Heritage Inventory endorses that any additions to the buildings on this site should not detrimentally impact on the groups overall scale, architectural features and proportions, and the group's distinctive streetscape presentation.

I am concerned that the proposed additions contravene these stipulations and will adversely affect the historical significance of this row of warehouses.

Secondly, I am concerned that works, additions and changes of use such as a large hotel will increase significantly the traffic in the area, notably the narrow lane way, Wemyss Lane, between the proposed site and my building. This narrow lane is already a busy thoroughfare for the residents, who access our buildings in this lane, and the already multiple business traffic.

Unfortunately this DA is going to have significant impact on the surrounding environment as outlined above and unless it can be proven that a more sympathetic enhancement to the buildings can be sought, I object to the current proposal.

Thank you for your consideration.

Resident
Meta 148 Goulburn St
Surry Hills

Sent from my iPhone

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

Sent on: Monday, November 17, 2025 9:05:12 PM

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

Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** [REDACTED] **Goulburn St** [REDACTED] **Brisbane St**, [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED]. The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

[REDACTED]

[REDACTED] Goulburn St)

[REDACTED] [REDACTED]

[REDACTED]

From: [REDACTED] <[REDACTED]> on behalf of [REDACTED] <[REDACTED]>
Sent on: Tuesday, November 18, 2025 6:26:12 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Objection to DA D/2025/942: 4–22 Wentworth Avenue, Surry Hills”

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

Dear General Manager and Assessment Officer,

Please redact my personal information when publishing my submission.

I am an owner/occupier at [REDACTED] ([REDACTED] Goulburn St [REDACTED] Brisbane St), [REDACTED] I object to DA D/2025/952 for the following reasons:

1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character and public art impact in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing. The apartment we live in gets direct sunlight and there is the possibility that this new structure will inhibit our

only direct sun.

6. PRIVACY

Upper-level additions will overlook our apartments. There are no privacy impact assessments, sightline diagrams, or mitigation measures. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

Owner/Occupier—(Goulburn St (Brisbane St))

From: [REDACTED] on behalf of [REDACTED] [REDACTED]

Sent on: Tuesday, November 18, 2025 5:53:27 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cityofsydney.nsw.gov.au

Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** at [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided. The noise that echoes in Wemyss Lane is substantial and this would exacerbate the issue.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow

diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

[REDACTED]

Owner / Occupier

[REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St)

[REDACTED] / [REDACTED]

From: [REDACTED] on behalf of [REDACTED]
[REDACTED] [REDACTED]

Sent on: Tuesday, November 18, 2025 6:23:12 PM

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

CC: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

I am an owner/occupier at [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED] I object to DA D/2025/952 for the following reasons

1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building [REDACTED]

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

My apartment looks directly on the Lane and the noise over the period of construction will be intolerable.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission. **Please redact my personal information when publishing my submission.**

Kind regards,

Owner/Occupier – ([REDACTED] Goulburn St / [REDACTED] Brisbane St)

From: [REDACTED] on behalf of [REDACTED]
[REDACTED]
Sent on: Tuesday, November 18, 2025 5:59:58 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: council@cityofsydney.nsw.gov.au; [REDACTED]
Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** at [REDACTED] (**Goulburn St / Brisbane St**), [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow

diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

Owner/Occupier – ([REDACTED] Goulburn St / [REDACTED] Brisbane St)

Sent from my iPhone

From: [REDACTED] on behalf of [REDACTED]
[REDACTED]

Sent on: Tuesday, November 18, 2025 7:28:21 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cityofsydney.nsw.gov.au

Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please redact my personal information when publishing my submission.

I am an owner/occupier at [REDACTED] ([REDACTED] Brisbane St), [REDACTED] I object to DA D/2025/952 for the following reasons

1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building [REDACTED]

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED]. The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

[REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED] on behalf of [REDACTED]
[REDACTED]

Sent on: Tuesday, November 18, 2025 6:27:44 PM

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

CC: City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Objection to DA D/2025/942 – 4-22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** at [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards

[REDACTED]

--

[REDACTED]

[REDACTED]

I acknowledge the Gadigal people of the Eora nation, who are the traditional owners of the land I work on. Always was, always will be Aboriginal Land.

From: [REDACTED] on behalf of [REDACTED]
[REDACTED]

Sent on: Tuesday, November 18, 2025 6:06:02 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cityofsydney.nsw.gov.au

Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** at [REDACTED] (**Goulburn St / Brisbane St**), [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to 279 apartments. DCP Section 3.2.1.1 requires shadow

diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

Owner/Occupier – (Goulburn St / Brisbane St)

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

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

Sent on: Tuesday, November 18, 2025 6:03:17 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cityofsydney.nsw.gov.au

Subject: Objection to DA D/2025/942 - 4-22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please redact my personal information when publishing my submission.

I am an owner at [REDACTED] ([REDACTED] Goulburn St), [REDACTED] I object to DA D/2025/952 for the following reasons:

Construction access

Wemyss Lane is our only vehicle access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours — this has not been demonstrated.

Ongoing traffic and servicing

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis — it has not been provided.

Heritage impacts

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

Waste Management

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning — it has not been provided.

Overshadowing

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams — they are missing.

Privacy

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis — it is missing.

Conclusion

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of

the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Best regards,

[REDACTED]

Owner – [REDACTED] ([REDACTED] Goulburn St)

From: [REDACTED] on behalf of [REDACTED]
Sent on: Wednesday, November 19, 2025 9:17:37 AM
To: DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Objection to DA D/2025/942 4 22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,
Please redact my personal information when publishing my submission.
I am an occupier at [REDACTED] Goulburn St [REDACTED] Brisbane St [REDACTED] I object to DA D/2025/952 for the following reasons

1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building [REDACTED]

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours. This has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis. It has not been provided.

3. HERITAGE IMPACTS

Our building [REDACTED] Goulburn Street) is Heritage [REDACTED]. The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning. It has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams. They are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis. It is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,
[REDACTED]
Occupier [REDACTED] Goulburn St [REDACTED] Brisbane St [REDACTED]
[REDACTED]

Kind regards

From: [REDACTED] on behalf of [REDACTED]

Sent on: Wednesday, November 19, 2025 9:32:35 AM

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

CC: City of Sydney <council@cityofsydney.nsw.gov.au>; [REDACTED]

Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am sole director of an owner at [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

1. 2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

2. 3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

3. 4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise especially after hours. DCP Section 3.14 requires proper waste planning—it has not been provided.

4. 5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to our apartments. DCP Section [3.2.1.1](#) requires shadow diagrams—they are missing.

5. 6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

6. CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development

without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

[REDACTED]

[REDACTED]

Owner of [REDACTED] [REDACTED] Brisbane st

Owner/Occupier – [REDACTED] [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St)

[REDACTED]

From: Dieu Huynh <[REDACTED]> on behalf of Dieu Huynh <[REDACTED]> <Dieu Huynh <[REDACTED]>>
Sent on: Tuesday, November 18, 2025 7:45:51 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: "Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills"

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

Dear Sir/Madam,

I have been a resident of Meta building at 148 Goulburn and 21 Brisbane street since 2007.
The proposal building of DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills" will cause 1) loss of sunlight to our building especially my located on lower floor 2) further loss of privacy 3) will cause further traffic congestion since entrance to parking is on Wemyss lane.

Your careful consideration of this matter is greatly appreciated,

Yours sincerely,

Dr Dieu Huynh
owner of Unit 110/21 Brisbane Street Surry Hills NSW 2010 at SP73236

From: [REDACTED] on behalf of [REDACTED]

Sent on: Tuesday, November 18, 2025 8:06:46 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cityofsydney.nsw.gov.au

Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner and occupier** at [REDACTED] / [REDACTED] **Brisbane St**, [REDACTED] The main windows of my apartment, my source of light and outside noise look directly out to Wemyss Lane.

I object to **DA D/2025/952** for the following reasons

1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane.

DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items.

This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts.

Daily commercial waste trucks will block residents' access and create unacceptable noise.

DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments.

DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments.

No privacy impact assessment, sightline diagrams, or mitigation measures are provided.

The NSW Apartment Design Guide requires privacy analysis—it is missing.

Essential information required by Council's planning controls is missing, incomplete or contradictory.

Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

Owner and Occupier – [REDACTED] / [REDACTED] Brisbane St

From: [REDACTED] on behalf of [REDACTED]
Sent on: Wednesday, November 19, 2025 11:07:34 AM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an owner at [REDACTED] [REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED] I object to DA D/2025/952 for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

[REDACTED]

Owner – [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St)

[REDACTED]

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

Sent on: Wednesday, November 19, 2025 12:56:38 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Please redact our personal details.

We write as an owner/occupier of [REDACTED] [REDACTED] - [REDACTED] Goulburn Street [REDACTED] Brisbane Street - [REDACTED]
[REDACTED]

We object to the development application D/2025/952.

We appreciate that the date of responses has passed. We declare that we did not appear to receive any notification despite the City of Sydney excellent track record of providing information on developments in our area. We will, of course, review our correspondence, but be assured we pay close attention to these matters.

Our objections relate to:

* Overshadowing: Direct sunlight is limited at present and object to any further deterioration

* Waste management: There is already a steady stream of disruptions from different services to different units along Weymess lane and the prospect of constant night time disruption is disturbing. Are local residents expected to accept that every one of a dozen buildings can send waste and other support vehicles non-stop through the early hours of the morning?

* Heritage impacts: Our building is an important area building. While not adjacent to Wentworth Avenue, historically it was strongly linked and integrated with a notable streetscape: the old physical connections - the corridors and boardwalks that traverse Weymess Lane - are gone but the links remain.

Again, we are surprised about apparently not receiving notification and the short notice on a significant development.

Regards

[REDACTED]
[REDACTED] Goulburn Street
Surry Hills NSW 2010
[REDACTED]

From: [REDACTED] on behalf of [REDACTED]
Sent on: Wednesday, November 19, 2025 1:41:37 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** at [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow

diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

kind regards,

[REDACTED]

From: [REDACTED] on behalf of [REDACTED]
Sent on: Thursday, November 20, 2025 3:29:12 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: council@cityofsydney.nsw.gov.au
Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** at [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

■■■■■

Owner/Occupier – ■■■■■ (■■■■■ Goulburn St / ■■■■■ Brisbane St)

From: Mai On <[REDACTED]> on behalf of Mai On <[REDACTED]> <Mai On
<[REDACTED]>>

Sent on: Thursday, November 20, 2025 10:59:07 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cbc.city.nsw.gov.au

Subject: Objection to DA D/2025/942-4-22 Wentworth Avenue , Surry Hills

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

Dear General Manager and Assessment officer,

I am owner SP 73236 Lot41 206/21 Brisbane Street Surry Hills. My building is located directly across the site .

I object to DA D/2025/952 due to the following reasons .

Inconvenient access by blocking lane way.

Pedestrian safety and blocking emergency access ..

Vibration could cause damage to our heritage building .

On going traffic with laundry truck , taxi and waste .

Waste trucks will create too much noise .

Over shading will make our heritage build unseen and unattractive.

I respectfully request that council refuse this application.

Regards

Mai and Simon On

Owner SP 73236

[REDACTED]

From: [REDACTED] on behalf of [REDACTED]
Sent on: Saturday, November 22, 2025 10:21:37 AM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: council@cityofsydney.nsw.gov.au
Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** at [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED]
[REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED]. The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

[REDACTED]

Owner/Occupier – [REDACTED] Goulburn St [REDACTED] Brisbane St)

[REDACTED]

[REDACTED]

From: [REDACTED] on behalf of [REDACTED]
Sent on: Saturday, November 22, 2025 2:51:12 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an owner at [REDACTED] [REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED] I object to DA D/2025/952 for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

Owner – (Goulburn St / Brisbane St)

From: <[REDACTED]>
Sent on: Sunday, November 23, 2025 5:54:36 PM
To: DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>
CC: City of Sydney <council@cityofsydney.nsw.gov.au>
Subject: Objection to DA D/2025/942 – 4–22 Wentworth Avenue, Surry Hills

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

Dear General Manager and Assessment Officer,

Please **redact our personal information** when publishing my submission.

We are **owner/occupiers** at [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St), [REDACTED]. We object to DA D/2025/952 for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely maneuver in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED]. The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 meters tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. Our bed and living rooms directly face Wemyss lane and as such will be impacted by the proposed. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

We respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

Owner/Occupier – (Goulburn St / Brisbane St)

From: [REDACTED] on behalf of [REDACTED] [REDACTED]
[REDACTED]

Sent on: Monday, November 24, 2025 11:38:33 AM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: council@cityofsydney.nsw.gov.au

Subject: Objection to DA D/2025/942 - 4 - 22 Wentworth Ave Surry Hills

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

Sent from my iPhone Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** at [REDACTED] (**Goulburn St / Brisbane St**), [REDACTED] I object to **DA D/2025/952** for the following reasons

• 1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED] The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to ~~303~~ apartments. DCP Section 3.2.1.1 requires shadow

diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

7. We purchased this apartment for [REDACTED]. Our apartment faces onto Wemyss Lane and the increase in noise and traffic will be incredibly distressing and not tolerable. No consideration has been given to people who actually live in these heritage apartments and the impact not only the building will have but the ongoing laneway use in the future.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

[REDACTED]
Owner/Occupier – [REDACTED] ([REDACTED] Goulburn St / [REDACTED] Brisbane St)
[REDACTED]
[REDACTED]

Sent from my iPhone

From: [REDACTED] on behalf of [REDACTED]
Sent on: Monday, November 24, 2025 4:14:02 PM
To: dasubmissions@cityofsydney.nsw.gov.au
CC: council@cityofsydney.nsw.gov.au
Subject:

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

Dear General Manager and Assessment Officer,

Please **redact my personal information** when publishing my submission.

I am an **owner/occupier** [REDACTED] **Goulburn St** [REDACTED] **Brisbane St**), [REDACTED] I object to **DA D/2025/952** for the following reasons

1. CONSTRUCTION ACCESS

Wemyss Lane is our only vehicular access. The Construction Traffic Management Plan does not include:

- Swept-path diagrams proving trucks can enter, turn and exit
- Number of truck movements per day/week or construction hours
- Pedestrian safety and emergency vehicle access analysis
- Vibration impact assessment on our heritage building ([REDACTED])

During construction, residents may be unable to access homes, emergency vehicles may be blocked, and our heritage building may be damaged. DCP Section 3.11.10 requires safe access that doesn't impact neighbours—this has not been demonstrated.

2. ONGOING TRAFFIC AND SERVICING

A 7,500m² hotel requires daily linen trucks, food deliveries, waste collection and taxi/rideshare activity. The Traffic Impact Assessment does not show where these vehicles will go, how often they'll come, or whether they can safely manoeuvre in Wemyss Lane. DCP Section 3.11 requires proper traffic analysis—it has not been provided.

3. HERITAGE IMPACTS

Our building ([REDACTED] Goulburn Street) is Heritage [REDACTED]. The Heritage Impact Statement does not assess:

- Impact on our building's setting and visual character
- Construction vibration impacts on historic fabric
- Loss of heritage character in Wemyss Lane

LEP Clause 5.10(4) requires assessment of impacts on nearby heritage items. This has not been done for our building.

4. WASTE MANAGEMENT

The Waste Management Plan does not explain collection frequency, truck sizes, turning capacity in the lane, or noise/odour impacts. Daily commercial waste trucks will block resident access and create unacceptable noise. DCP Section 3.14 requires proper waste planning—it has not been provided.

5. OVERSHADOWING

The building will be up to 62 metres tall. No compliant shadow diagrams for mid-winter (21 June) are provided, and there is no assessment of sunlight loss to apartments. DCP Section 3.2.1.1 requires shadow diagrams—they are missing.

6. PRIVACY

Upper-level additions will overlook our apartments. No privacy impact assessment, sightline diagrams, or mitigation measures are provided. The NSW Apartment Design Guide requires privacy analysis—it is missing.

CONCLUSION

Essential information required by Council's planning controls is missing, incomplete or contradictory. Under Section 4.15 of the Environmental Planning and Assessment Act 1979, Council cannot approve a development without properly understanding its impacts.

I respectfully request that Council refuse this application unless it is withdrawn and resubmitted with complete and compliant information.

Thank you for considering this submission.

Kind regards,

[REDACTED]

Owner/Occupier – [REDACTED] Goulburn St [REDACTED] Brisbane St)

[REDACTED]

Item 5.

Post Exhibition - Planning Proposal - Affordable Housing Contributions Review - Sydney Local Environmental Plan 2012, Sydney Local Environmental Plan (Green Square Town Centre) 2013, Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013 and Draft City of Sydney Affordable Housing Program 2024

File No: X099241

Summary

Sydney is Australia's second least affordable city after Perth although Sydney has the most expensive rents according to the Rental Affordability Index (RAI). The high cost of housing is an important economic and social risk, particularly within the City of Sydney local area where housing prices are amongst the highest in Australia.

Sustainable Sydney 2030-2050: Continuing the Vision maintains the target in the City's Local Housing Strategy: Housing for All, for 7.5% of all private dwellings to be affordable housing. Based on a private dwelling target of about 156,000 to 2036, an estimated 12,000 affordable dwellings are required to achieve the City's target to 2036.

In the face of the current housing affordability crisis, increasing the supply of housing is a key focus of federal, state and local governments. However, more supply is unlikely to decrease the cost of housing in the City of Sydney area, nor will new private market housing be delivered at a cost/price that is affordable for large segments of the community.

Affordable housing contribution schemes are an important planning lever available to local government to ensure that as the supply of market housing is increased, a percentage of affordable housing for lower income households is also increased. This ensures diversity in the housing supply but also ensures the diverse community can have their housing needs met.

In the City of Sydney, local environmental plans and the City of Sydney Affordable Housing Program (Program) provide a framework for 2 separate affordable housing contribution requirements that may apply to development in the local area, including:

- the low-rate broad-based affordable housing contribution (LGA-wide contribution), which is applied to all qualifying development in the local area approvals typically through a Development Application (DA); and
- the rezoning affordable housing contribution (rezoning contribution), which is applied only to new floor space that is achieved where there is a change to the planning controls creating an 'uplift'. This contribution is either secured in a planning agreement at the planning proposal stage or alternatively may be set out in a local environmental plan (LEP) and applied where there is a development application.

Affordable housing contributions (and other contributions) must be carefully calibrated to ensure they do not cause the delivery of market housing to become unviable. As it is market housing that is levied for affordable housing contributions, where that housing becomes unviable, contributions cannot be collected and affordable housing will not be built.

Since 1996, the City's affordable housing contribution schemes have resulted in about \$495 million being passed to not-for-profit community housing providers (CHPs) to deliver affordable housing in the local area. This has contributed to 1,525 affordable dwellings that have been built or are in the planning stages in the local area (as at June 2025). A high-level analysis projects the City's affordable housing contribution schemes, which now cover all of the local government area, will in time deliver a further 1,950 affordable dwellings. However, delivery of affordable housing will be strongly influenced by market conditions, the availability of other funding and subsidies from the state and federal governments and by the extent to which CHPs are able to leverage affordable housing contributions.

Following comprehensive review of the City's affordable housing contributions framework, in December 2024 the Central Sydney Planning Committee (CSPC) and Council approved Planning Proposal: City of Sydney Affordable Housing Contributions Review (planning proposal) to be submitted to the Minister for Planning and Public Spaces with a request for gateway determination and to be placed on public exhibition. The draft City of Sydney Affordable Housing Program Amendment 2024 (draft Program) was also approved for public exhibition with the planning proposal.

The effect of the publicly exhibited planning proposal and draft Program is to:

- simplify and, in most areas of the city, increase the rezoning contribution requirement, and require the contribution be satisfied by the dedication of built dwellings (in appropriate circumstances), instead of monetary contributions;
- require the LGA-wide DA contribution requirement be satisfied by making an equivalent monetary contribution, instead of dedication of built dwellings; and
- increase the equivalent monetary contribution rates (dollar rates) in the Program to reflect the actual cost of delivering housing.

On 30 July 2025, the Department of Planning, Housing and Infrastructure issued a gateway determination for the planning proposal and it, and the draft Program, were publicly exhibited from 25 August 2025 to 7 October 2025.

A total of 24 submissions were made to the public exhibition. Key matters raised include:

- the proposed increase to the rezoning contribution, with submissions from developers and peak development groups raising concern not enough forward notice has been given to the market to allow for adjustment (to land prices);
- the proposed increase to dollar rates, with submissions in support of the increase, as well as submissions in objection to, citing concerns about impacts on development feasibility; and

- the proposed requirement that, in certain circumstances, the affordable housing contribution must be satisfied by dedicating built dwellings in mixed-tenure buildings. Submissions from CHPs and peak housing bodies cited concerns about the potential for dedication of inappropriate housing, reduced opportunity to deliver purpose built affordable housing in stand-alone buildings, the impacts of high and uncontrolled strata costs, and the impact of the requirement on the overall quantum of affordable housing that would be delivered through the Program. Submissions from developers and peak development groups are concerned about extra complexity, cost and delay in the development process.

This report recommends approval of the planning proposal and draft Program, with post-exhibition amendments made in response to submissions. Key post-exhibition changes include:

- postponing the introduction of increased equivalent monetary contribution rates (dollar rates) for a further year, noting sustained high inflation in building costs, challenging market conditions and the potential for further economic headwinds arising from the war in the Middle East;
- preserving the option for a developer to satisfy the rezoning contribution as a built contribution (where it is secured in a voluntary planning agreement), but removing the mandatory requirement that, in certain circumstances, the rezoning contribution must be satisfied by dedicating built dwellings in mixed-tenure buildings due to the implementation issues outlined in this report;
- providing a framework in the Program for the consideration of any public benefit offer from a developer to provide built affordable housing in a mixed-tenure development in conjunction with a planning proposal (not a development application); and
- making additions to the types of development that are excluded from making an affordable housing contribution, to improve the feasibility of certain housing types generally accessed by low-income people or people with support needs, and to reduce the impact of the contribution requirement on low-scale residential development types.

This report also responds to the matters raised in a Resolution of Council regarding prevention of discrimination against affordable housing tenants in new housing developments (February 2026). Following consideration of the matters raised, and subsequent research and engagement with key stakeholders, an addition to the publicly exhibited "Standards for Affordable Housing Dwellings" in the draft Program is recommended, to ensure that separate entries are only to be provided to facilitate practical access needs. If separate entrances are used, they should be indistinguishable from one another, with no recognisable reduction in quality or appearance.

If approved, the planning proposal will be referred to the Department to amend the Sydney LEP and the Green Square Town Centre LEPs. The amendments will come into effect when published on the NSW Legislation website with the changes to the Program coming into effect at the same time.

Recommendation

It is resolved that:

- (A) the Central Sydney Planning Committee note the issues raised during the public exhibition of Planning Proposal - City of Sydney Affordable Housing Contributions Review as provided in the Summary of Submissions, shown at Attachment A to the subject report;
- (B) the Central Sydney Planning Committee approve the Planning Proposal - City of Sydney Affordable Housing Contributions Review, as amended following public exhibition, shown at Attachment B to the subject report, to be sent to the Department of Planning, Housing and Infrastructure to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Equity and Housing Committee on 11 May 2026, that Council approve the City of Sydney Affordable Housing Program Amendment 2024, as amended following public exhibition, shown at Attachment C to the subject report;
- (D) authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal - City of Sydney Affordable Housing Contributions Review and the City of Sydney Affordable Housing Program Amendment 2024 to correct any minor errors prior to finalisation by the Department of Planning, Housing and Infrastructure; and
- (E) the Central Sydney Planning Committee note the response to matters raised in the Resolution of Council regarding prevention of discrimination against affordable housing tenants in new housing developments, shown at Attachment H to the subject report.

Attachments

- Attachment A.** Summary of submissions
- Attachment B.** Planning Proposal - City of Sydney Affordable Housing Contributions Review
- Attachment C.** City of Sydney Affordable Housing Program Amendment 2024 - post exhibition changes
- Attachment D.** City of Sydney Affordable Housing Program Amendment 2024 - as exhibited
- Attachment E.** Resolutions of Council and the Central Sydney Planning Committee for Public Exhibition
- Attachment F.** Gateway Determination - dated 30 July 2025
- Attachment G.** Resolution of Council regarding the prevention of discrimination against low-income tenants in new housing developments
- Attachment H.** Response to the matter raised in the Resolution of Council regarding the prevention of discrimination against low-income tenants in new housing developments

Background

1. In June 2023, Council resolved to review the City's affordable housing contribution rates and consider what changes could deliver more affordable housing in the local area such as changes to policies and planning controls.
2. In February 2024, Council further resolved that the Chief Executive Officer, as a priority, report back on the findings of the City's review and advise Council of options to give the City the ability to require that affordable housing contributions be delivered on site, in appropriate developments.
3. The resolutions initiated a comprehensive review of the City's affordable housing contribution framework and recommended changes to the Sydney Local Environmental Plan 2012 (Sydney LEP), Sydney Local Environmental Plan (Green Square Town Centre) 2013 and Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013 (Green Square Town Centre LEPs), and the City of Sydney Affordable Housing Program (Program). The review and the resulting pre-exhibition planning proposal to amend the LEPs and Program are detailed in this report: <https://city.sydney/affordable-housing-pdf>
4. On 12 December and 16 December 2024, the Central Sydney Planning Committee (CSPC) and Council respectively approved for exhibition Planning Proposal: City of Sydney Affordable Housing Contributions Review (planning proposal) to be submitted to the Minister for Planning and Public Spaces with a request for gateway determination and to be placed on public exhibition. The draft City of Sydney Affordable Housing Program Amendment 2024 (draft Program) was also approved for public exhibition in conjunction with the planning proposal. The Council and CSPC resolutions are provided at Attachment E.
5. On 30 July 2025, the Department of Planning, Housing and Infrastructure (Department) issued a gateway determination for the planning proposal, provided at Attachment F. It determined the City will not be the local plan-making authority and set a timeframe for the LEP amendment to be completed by 30 July 2026. It also required a number of minor clarifications to the planning proposal prior to public exhibition, including:
 - (a) to make clear that the 'drafting instructions' in the planning proposal are only one example of how the proposed amendments could be worded, with final wording subject to drafting and agreement by Parliamentary Counsel;
 - (b) to amend the 4-year phase-in period for the new dollar rates so that it begins from when the LEP is made rather than when the Program is approved by Council;
 - (c) to explain in the planning proposal how the proposed introduction of precinct-based contributions in the draft Program would apply to land that may be identified in the future in Environmental Planning Instruments other than Sydney LEP or the Green Square Town Centre LEPs; and
 - (d) explain why only the Affordable Housing Principles of the Program need apply to clause 6.60B and 7.13A of Sydney LEP and not any other requirement of the Program.

6. These requirements were incorporated into the planning proposal and it, and the draft Program, were then placed on public exhibition from 25 August 2025 to 7 October 2025.
7. A total of 24 submissions were made to the public exhibition. A detailed summary of submissions, and the City's response, is provided at Attachment A.
8. Following consideration of submissions, some changes are proposed to the exhibited planning proposal and draft Program, which are detailed later in this report.
9. This report recommends approval of the amended planning proposal and draft Program as amended, provided at Attachment B and Attachment C respectively.

Exhibited planning proposal and draft program

10. The Sydney LEP and the Green Square Town Centre LEPs, together with the Program, provide a framework for 2 separate affordable housing contribution requirements that may apply to development in the local area, including:
 - (a) the low-rate broad-based affordable housing contribution (LGA-wide contribution), that is applied to all qualifying development in the local area approvals typically through a Development Application (DA); and
 - (b) the rezoning affordable housing contribution (rezoning contribution) that is applied only to new floor space that is achieved where there is a change to the planning controls. This contribution is either secured in a planning agreement at the planning proposal stage or alternatively may be set out in a local environmental plan (LEP) and applied where there is a development application.
11. The publicly exhibited planning proposal and draft Program proposed 3 key changes to the City's affordable housing contribution requirements, including:
 - (a) simplification of the rezoning contribution, and requiring the contribution be satisfied by the dedication of built dwellings (in appropriate circumstances), instead of monetary contributions;
 - (b) requiring the LGA-wide DA contribution be satisfied by making an equivalent monetary contribution, instead of dedication of built dwellings; and
 - (c) increase of the equivalent monetary contribution rates (dollar rates) in the Program to reflect the full cost of delivering housing.

Public exhibition

12. The planning proposal and draft Program were placed on public exhibition from 25 August 2025 to 7 October 2025. Public exhibition included
 - (a) the Sydney Your Say webpage with a copy of the planning proposal and other key information about the consultation

- (b) inclusion in the Sydney Your Say e-newsletters in August 2025 which was sent to 4,960 subscribers
 - (c) directly notifying 16 stakeholders, including 3 CHPs, 7 peak housing and development industry bodies, and 6 developers, by email
 - (d) notifying Homes NSW and the Department of Communities and Justice via the NSW planning portal and email
13. A detailed summary of submissions, and the City's response, is provided at Attachment A. A total of 24 submissions were received, including
- (a) 6 from individuals
 - (b) 3 from community groups
 - (c) 3 from organisations
 - (d) 4 from peak housing bodies
 - (e) 2 from industry peak bodies
 - (f) 3 from community housing providers (CHPs)
 - (g) 2 from developers
 - (h) 1 from a government agency

Post-exhibition changes resulting from submissions

14. Following consideration of submissions, 3 key changes are recommended to the publicly exhibited planning proposal and draft Program.

Postponing the introduction of increased dollar rates

15. A post-exhibition change is recommended to the draft Program to postpone the implementation of the increased dollar rates.
16. The exhibited draft Program proposed a phase-in of increased dollar rates as follows:
- (a) 50% implementation of new monetary contribution rate 2 years following commencement of the LEPs that implement the updated Program; and
 - (b) full implementation 4 years following commencement.
17. Assuming the amendment is finalised by the deadline of 30 July 2026, as stipulated in the Gateway Determination, 50% implementation of the increased dollar rates would be expected in mid-2028 and full implementation in mid-2030.

18. The recommended post-exhibition change is to further postpone the introduction of increased equivalent dollar rates for a further 12 months as follows:
 - (a) 50% implementation of new dollar rates from 1 July 2029; and
 - (b) full implementation from 1 July 2031.
19. The recommended post-exhibition change results from consideration of submissions from the Urban Taskforce, Property Council, Meriton and Urbis for GPT. The submissions question the basis of the "Review of Affordable Housing Contribution Rates" (economic review) that was prepared by Atlas Urban Economics in October 2024 and underpinned the proposed dollar rates in the exhibited planning proposal and draft Program. Submissions raised concern the increased dollar rates will impact on development feasibility, particularly at a time when residential feasibility is low. Key matters raised include:
 - (a) the economic review relies on market growth during the phase-in of the dollar rate increases to ensure they can be tolerated, but there is no supporting evidence to indicate a market improvement in 4 years;
 - (b) the development industry is concerned about the imposition of more costs when residential project feasibility is already low. Recent cost increases to materials and labour, increasing regulatory compliance obligations and higher infrastructure and public domain commitments squeeze margins too far to satisfy banks or investors. One submission highlights the downward trend in dwelling completions vs approvals;
 - (c) even marginal increases cannot be tolerated, especially in the South and East precincts; and
 - (d) a longer phase-in is required for projects already in-train, especially planning proposals and any subsequent development applications, so that feasibility is not impacted mid-project.
20. In considering these submissions, the City revisited the economic review that informed the dollar rates in the exhibited planning proposal and draft Program.
21. At the time the economic review was prepared (end of 2024), inflation and construction costs were trending downwards and there was an expectation there was pressure for a reduction of the cash rate. Analysis of long-run price movements indicated the following:
 - (a) residential prices (strata) average 5.0% growth in Sydney LGA (2011-2021); and
 - (b) construction cost increases average 3.2% in Greater Sydney (2011-2021)
22. This gave a net difference (positive) of 1.8% over the long term. The economic review assumed a +1% difference between revenue and cost, which was grounded in evidence.

23. However, it is acknowledged that inflation has returned since late 2025. Successive rate rises and a war in the Middle East has resulted in significant uncertainty, most likely to lead to further rate rises, flatter residential unit prices and increased construction costs. The +1% growth assumed in the economic review is less certain given these considerations.
24. As at June 2025 there were about 4,000 dwellings lodged and under development assessment and over 10,000 dwellings already approved in the City's development pipeline. These development applications would not be impacted by new dollar rates, noting that the dollar rate that applies is either the rate quoted in the condition of consent (if already approved) or the rate that was applicable in the version of the Program that was in force at the time of lodgement. There is therefore no risk of any impact from the proposed increase in dollar rates on the development pipeline.
25. Having regard to current market challenges and uncertainties, it is agreed there is a case for a delay to the implementation of the new dollar rates to allow longer notice for:
 - (a) sites already purchased to be progressed and submitted in a development application; and
 - (b) new sites to be negotiated and purchased and submitted in a development application within the National Housing Accord period (to June 2029).

Removing dedication requirements

26. The planning proposal and draft Program recommended by this report act to preserve the option for a developer to satisfy the rezoning contribution as a voluntary built contribution (where it is secured in a voluntary planning agreement) or as a monetary contribution (secured in the LEP and in the subsequent DA).
27. Currently, the Sydney LEP and the Green Square Town Centre LEPs allow for a developer to choose if they satisfy an affordable housing contribution by dedicating built affordable dwellings or by making an equivalent monetary contribution.
28. The exhibited planning proposal sought to:
 - (a) amend Clause 7.13 of the Sydney LEP and Clause 6.5 of the Green Square Town Centre LEPs (the LGA-wide contribution) to require the contribution be satisfied by making a monetary contribution. Most land in the local government area is subject to these clauses;
 - (b) amend Clause 7.13B of the Sydney LEP (the rezoning contribution) to require the mandatory contribution of dedicated built dwellings (in appropriate circumstances). The clause applies to land listed on Schedule 6C of the LEP where it has been the subject of a rezoning to increase development capacity and where the developer did not enter into a planning agreement to dedicate built affordable dwellings; and
 - (c) retain Clause 6.70 of the Sydney LEP (land at Blackwattle Bay) as is to allow the developer to opt to satisfy the contribution by dedicating built affordable dwellings or by making an equivalent monetary contribution.

29. A post-exhibition change is recommended to the planning proposal and draft Program to remove the exhibited requirement in the LEP for mandatory dedication of built affordable dwellings in a development to satisfy the rezoning contribution.
30. The recommended post-exhibition change to the planning proposal is to:
 - (a) amend Clause 7.13B of the Sydney LEP ("rezoning contribution") to require the contribution be satisfied by monetary contribution. This removes the proposed mandatory requirement to dedicate built affordable dwellings from the exhibited planning proposal; and
 - (b) amend Clause 6.70 of the Sydney LEP (Blackwattle Bay), to require the contribution be satisfied by monetary contribution.
31. The recommended post-exhibition changes are consistent with the approach the exhibited planning proposal takes to the LGA-wide DA contribution requirement (at Clause 7.13 of the Sydney LEP), that will also allow monetary contributions only.
32. The effect of the post-exhibition change is that, going forward, where there is a DA, the contribution may only be satisfied by making a monetary contribution. For clarity, there will be no pathway set out in the Program to dedicate affordable housing in the DA process.
33. Notwithstanding the above, where a future planning proposal is lodged to rezone land to increase residential development capacity, the developer may opt to:
 - (a) make a public benefit offer to enter into a planning agreement with Council to provide built affordable dwellings in accordance with the requirements set out in the Program, or
 - (b) be listed on Schedule 6C of the Sydney LEP, that will require a monetary contribution on any future development consent.
34. In the case the developer opts to provide built affordable housing, the publicly exhibited draft Program is amended to:
 - (a) clarify that only the rezoning contribution that is applied to the new floor space may be satisfied by providing built affordable dwellings, that is, any other contribution that is otherwise required by an LEP must be made as a monetary contribution. For example, where a future rezoning is proposed to increase residential floor space, if that site is already subject to a requirement under an LEP to make a 3% monetary contribution on that floor space, that requirement will remain, and the planning agreement may only relate to the agreed contribution on new residential floor space;
 - (b) require that any public benefit offer to provide built affordable dwellings must:
 - (i) be subject to a restrictive covenant requiring the affordable housing to remain affordable housing long term 'in perpetuity' and be rented for no more than 30% of household income;
 - (ii) owned and/or managed by an Eligible CHP;

- (iii) be rented to very low-, low- and moderate-income households, as defined by the Act; and
 - (iv) be subject to annual reporting.
 - (c) require a public benefit offer for affordable housing to outline:
 - (i) how the affordable housing will achieve the "standards for affordable housing dwellings" set out in the Program;
 - (ii) how CHPs will be consulted in the design and construction phase;
 - (iii) at what stage of the development the affordable housing will be provided.
 - (d) set out how Council will have regard to the public benefit offer, including consideration of:
 - (i) the nature and scale of the planning proposal;
 - (ii) the quantum of dwellings being offered;
 - (iii) the suitability of the dwellings being offered; and
 - (iv) any other public benefits offered in relation to the planning proposal.
- 35. The recommended post-exhibition changes to the planning proposal and draft Program follow consideration of submissions made during the public exhibition that stated a strong preference for monetary contributions, as opposed to dedication of built affordable dwellings, because monetary contributions:
 - (a) are a more efficient way of delivering affordable housing outcomes given the scale of this type of contribution;
 - (b) create certainty for longer-term opportunities and strategic land purchases to ensure a pipeline of development sites available for affordable housing;
 - (c) enable recipient CHPs to stack contributions and other sources of funding to deliver more housing than if dwellings were dedicated. When multiple funding sources are coupled with a number of tax concessions and exemptions (GST, land tax and rates) that CHPs receive, construction becomes cheaper and the funds collected go further still;
 - (d) enable the delivery of stand-alone self-managed affordable housing buildings, avoiding the complications, cost (known and unanticipated), and administrative challenges of managing a dwelling portfolio across multiple strata arrangements; and
 - (e) provide greater flexibility to build more appropriate housing – allowing for important differences in unit design, layout and materials compared with privately constructed dwellings – which has implications for long term rental ownership and operation.

36. Submissions from Community Housing Industry Association, City West Housing, Bridge Housing and Wayside Chapel raise concerns about a potential increase in dedicated affordable dwellings (versus monetary contributions), noting a number of policy, implementation and delivery issues, including:
- (a) housing that is delivered by developers, which typically seeks to minimise build cost to maximise returns and/or prioritise amenity for private owners and renters in the same development, is unlikely to provide the best outcomes for affordable housing residents. This also presents issues for long term rental ownership and management;
 - (b) there have unfortunately been a number poorly constructed apartment buildings in Sydney in recent years. Managing initial defects with private developers is difficult when properties are transferred via council. Any ongoing issues with structural or other defects which appear after the typical time allowance for defect identification will make recouping costs very difficult/impossible and expensive to rectify;
 - (c) dedication of built dwellings in a larger market strata scheme can lead to inefficiencies in management and operations, for example, receiving a small number of units in mixed tenure residential developments comes with associated high operating/management costs and multiple strata levies;
 - (d) requiring built dwellings "where appropriate" (as proposed in the planning proposal) entertains too much uncertainty. More clarity is needed on how "appropriateness" will be determined and by whom. There needs to be certainty on type, location and possible quantum of dwellings;
 - (e) even when strata costs are "reasonable", ongoing costs cannot be controlled. Costs can escalate unexpectedly over time, especially when the CHP is not in control of the build quality. Assessment of the likely costs will be discretionary and/or subjective, which creates uncertainty;
 - (f) time constraints for negotiation on design and legal terms will impact the suitability of dwellings being dedicated; and
 - (g) there are currently obligations preventing CHPs from recycling properties should they become financially unstable or no longer meet tenant needs.
37. A submission from Meriton raises concerns with the requirement for dedication of built affordable dwellings in the planning proposal. They say the requirement for dedication will add significant time to the development process and strain development viability. They say the time added is inconsistent with the principles of the National Housing Accord to speed housing delivery.
38. Submissions from the Urban Taskforce, Property Council and Meriton say that how the contribution is satisfied (cash or dedicated built dwellings) should remain at the developer's discretion so they may choose what works best for their development.
39. The City acknowledges the difficulties and risks that will be faced by CHPs receiving units that have been designed and constructed by third parties who have different target markets and commercial interests to them.

40. The City also acknowledges the concern raised by developers and industry peak bodies regarding the likely delays in the DA process where there is a requirement for dedication of built affordable dwellings within a development. The recommended post-exhibition changes to the planning proposal and draft Program, by requiring monetary contributions in the context of all development applications, will streamline application of conditions of consent for monetary contributions. This will ensure there are no delays in the development application process arising from the affordable housing contribution requirement and will allow timely decisions within the timeframes set out in the NSW Government's Statement of Expectations Order 2024.
41. The City further acknowledges the concern raised by developers and industry peak bodies regarding the potential impact on feasibility that could arise from any requirement for dedication of built affordable dwellings within the development. Where there is a planning proposal to increase residential capacity on land, the recommended post-exhibition changes to the planning proposal and Program will maintain a pathway for the transfer or dedication of built dwellings where the developer chooses but removes any planning requirement for dedication.
42. Support for the recommended post-exhibition changes is drawn from reconsideration of the matters raised about 'dedications' of built dwellings in initial consultation with CHPs and in the economic review by Atlas Urban Economics (both provided as attachments to the report to Council and CSPC in December 2024).
43. The recommended post-exhibition changes are also informed by internal consultation in relation to a development application lodged in 2020 on a site in Waterloo, conditions still to be satisfied, that involved one of the few examples of a developer opting to transfer or 'dedicate' built dwellings. The officers noted
 - (a) risks associated with property transfer for individual parties and the misalignment of the property transfer process with planning processes
 - (b) the additional cost and administrative burden on CHPs and proponents is substantial. They are generally required to engage specialist legal counsel to prepare non-standard contracts and manage lengthy negotiations for property transfer
 - (c) there is a substantial administrative burden on the City that may impact on costs and resourcing if dedications were to increase
 - (d) significant complexity is added to the assessment process, resulting in time delays in determination
44. It is also noted that since Council approved the planning proposal in December 2024 for public exhibition, the NSW Government announced the Housing Delivery Authority (HDA) and a new State Significant Development (SSD) pathway for residential development. The stated objective of the new HDA SSD pathway is to speed up development applications.
45. While there are over 5,400 dwellings currently in the HDA SSD pipeline in the local area (as at March 2026), none have yet been determined. It therefore remains uncertain how the requirements for affordable housing contributions in the City's LEPs will be applied, noting there is no explicit commitment from the NSW Government to apply the City's requirements to development approvals.

46. Given the above, introducing a provision in the Sydney LEP that requires additional steps and more complexity in the development approvals process makes it less likely the contribution requirement would be applied and would potentially incentivise more applications to proceed through an alternative pathway.

Additions to development that is excluded from making an affordable housing contribution

47. In addition to development that is already excluded from the requirement to make an affordable housing contribution, a post-exhibition change to the draft Program is recommended to also exclude floor area for the following development (as defined by Sydney LEP 2012) where it is provided by or on behalf of a charity or not-for-profit organisation:
- (a) hostels
 - (b) boarding houses
 - (c) group homes
 - (d) residential care facilities
 - (e) emergency services facility
 - (f) places of public worship
48. In addition, it is proposed any floor area for the development of a dwelling house, attached dwelling or dual occupancy, or which relates to alterations and additions to an existing attached dwelling, dual occupancy or dwelling house, is also excluded from the requirement for an affordable housing contribution.
49. It is also recommended that the current exclusion in the Program for development where the cost of construction is less than \$100,000 (unindexed) be amended to \$150,000, noting substantial escalations in construction costs over the last 5 years and likely future increases. It is not proposed to index this threshold at this time.
50. The recommended post-exhibition change to the Program results from consideration of submissions received from:
- (a) Grace City Church, specifically seeking an exclusion for not-for-profit organisations from the need to make an affordable housing contribution; and
 - (b) an individual undertaking renovations, who requested Council consider excluding non-developer, owner-occupier family homes from the need to make an affordable housing contribution.
51. In the interests of equity, and cognisant of Section 7.32(3)(c) of the Act that says a dedication or contribution must be “reasonable”, broader consideration of development that might be excluded was undertaken.

52. Some housing types that are recommended for exclusion, include low cost accommodation such as hostels and boarding houses; as well as group homes and residential care facilities, while not technically defined as "affordable housing" is housing that is generally accessed by people on lower incomes, people with support needs and/or people receiving income support. Development applications for these housing types are not common in the City of Sydney. Excluding them from the need to make an affordable housing contribution may assist in supporting the viability of these development types where opportunity arises.
53. Places of public worship provided by or on behalf of a charity or not-for-profit organisation are recommended for exclusion to align with the Central Sydney Development Contribution Plan 2020 and the City of Sydney Development Contributions Plan 2015.
54. Emergency services facilities are recommended for exclusion to support the delivery of critical infrastructure to support the residential population.
55. Dwelling houses (single homes) and dual occupancies are recommended for exclusion to minimise the impact of the contribution on small scale residential development. Development applications for these housing types are not common in the City of Sydney and excluding this development type is likely to have little impact on the quantum of contributions collected. The contribution requirement can add considerable and disproportionate cost to small residential projects, and impact on the feasibility of building or renovating a family home and it is considered reasonable to exclude this form of development from the contribution requirement.

Other minor post-exhibition amendments

56. In addition to the above, several minor post-exhibition changes are proposed to the planning proposal and draft Program to:
 - (a) further improve readability;
 - (b) update information that is no longer current; and
 - (c) provide updated and additional worked examples to demonstrate how elements of the program work in practice.
57. An amendment to the Community Housing Providers (Adoption of National Law) Act 2012 was passed on 15 August 2025 to provide for the registration and management of affordable housing by both a newly created category of mostly for-profit affordable housing managers in addition to largely not-for-profit CHPs. A minor change to the existing definition of "Eligible CHPs" in the Program is proposed post-exhibition to clarify that the intended recipient of affordable housing contributions under the Program and the appropriate managers of affordable rental housing are to be not-for-profit CHPs.
58. Also the way the new rezoning contribution rates are quoted in the draft Program has been updated post-exhibition.

59. The exhibited draft Program quoted the new rezoning contribution rates as:
- (a) 20% of any new residential floor area achieved via a planning proposal regardless of location in the LGA; and
 - (b) 2% of any new commercial floor area achieved via a planning proposal in Central precinct.
60. These rates included the statutory contribution requirement under Clause 7.13 of Sydney LEP which also applies to the land - being 3% of all residential floor area and 1% of all non-residential floor area - that is otherwise applied in a development application.
61. Post-exhibition, these rates are now presented exclusive of this statutory contribution requirement, as follows:
- (a) 17% of any new residential floor space achieved via a planning proposal; and
 - (b) 1% of any new commercial floor area achieved via a planning proposal in Central precinct.
62. In practice, the change does not alter the total contribution requirement, but simply more clearly differentiates between the two contribution components. This allows for the separate contribution requirements to be treated differently.

Summary of submissions

63. Other notable matters raised in submissions, that have not resulted in any recommended change to the publicly exhibited planning proposal and draft Program, are summarised below.

General support for the planning proposal and draft Program

64. Submissions from responding individuals (5), community groups (3) and organisations (3) expressed support for the proposed changes, many noting the City's trailblazing approach to delivering long-lasting and structural change and the robust evidence base which underpins the work.
65. Submissions from all responding housing peak bodies (4) and CHPs (2) and a submission from Homes NSW also support the proposed changes, expressing that:
- (a) the clearer direction around the appropriateness of monetary vs. in-kind contributions is supported and important, reflecting market realities and practical considerations for affordable housing delivery;
 - (b) the proposed increased precinct-based dollar rates recognise increasing costs of delivery and current market conditions, whilst promoting equity and precinct sensitivity; and
 - (c) capturing appropriate contributions where planning uplift occurs, as proposed, is essential to equitable long-term outcomes.

66. Many of the submissions from both the general community and the affordable housing sector recognise the current and ongoing challenge in the affordable housing space and urge for further action from all levels of government.

Response

67. The City notes the support and thanks the submitters for taking time to respond to the public exhibition. The City will continue to use all levers available to it to increase the supply of affordable housing in the local government area and to advocate for greater state and federal investment in social housing and stronger tenancy protections, making clear that levies are only one part of the solution.

Setting the equivalent monetary contribution - a difference in perspective between the development industry and the community housing sector

68. Submissions from the Urban Taskforce, Property Council, Meriton and Urbis for GPT highlight that the increased dollar rates will impact on development feasibility, with even marginal increases to the equivalent monetary contribution rate not able to be tolerated, especially in the South and East precincts.
69. An alternate view is offered by submissions from the Community Housing Industry Association, City West Housing and Bridge Housing, that raise concerns the increase in dollar rates is modest and should be higher to more accurately reflect the cost of delivering affordable housing in the various precincts, pointing to strong sales prices growth in recent times.
70. Both perspectives encourage revisiting the equivalent monetary contribution rates.

Response

71. Sydney local government area did experience sales price growth for the first half of 2025. However, this was less so for apartments and in the last 3 months, sales prices growth has stalled. Further rate rises, muted market conditions and growing uncertainty are likely to mean sales price growth will remain flat in the short term.
72. The dollar rates as proposed in the economic review remain appropriate, still being reflective of the actual cost to develop in each precinct. Each contribution precinct has a number of suburbs and areas, with varying values. The lowest end of the viable rate range is adopted to mitigate impact on low value areas within each precinct. The recommended phase-in period ensures development remains viable accounting for the proposed dollar rates. See above in this report for a broader discussion on feasibility and phase-in of the proposed rates.

Precinct-based contributions

73. A submission from the Urban Taskforce questions the approach to differentiating dollar rates by precinct and requiring contributions in Central precinct for non-residential floor space uplift.
74. The submission states differentiating dollar rates by precinct is a flawed approach because contributions collected in one precinct are not earmarked for delivery of housing in the same precinct. The precincts nominated for the highest increases already pay higher land prices, stamp duty and other contributions so that construction and compliance costs faced in these areas are higher.

75. Further, the submission feels the justification to introduce a commercial uplift contribution in Central precinct is also flawed because commercial floor space does not create need for affordable housing. The submission states that framing urban renewal in the CBD around its negative impact on housing affordability ignores the positive impact of investment and income generation in the CBD, which is the CBD's key function.

Response

76. The dollar rates are set to be 'equivalent' to the value of the affordable housing requirement at that location. If the affordable housing obligation is one dwelling, the equivalent monetary contribution is the value of that one dwelling. It could be \$1 million in the West precinct or \$2 million in the East precinct.
77. Developers in high value areas pay higher prices for land. They could also potentially pay higher construction costs (e.g. due to site constraints and/ or delivery of more premium finishes). In high value areas however, higher prices are also achieved. The cost impost of affordable housing is therefore proportionate to the cost/revenue profile of the particular development.
78. The proposed dollar rates sit at the lower range of prices within each contribution precinct. This is to ensure 'low value areas' within a precinct are not disproportionately burdened and stall development in those low value areas.
79. It is also noted that the community housing sector support differentiation of contribution rates by precinct.
80. The City acknowledges that a rezoning contribution rate has not previously been applied to non-residential development. It also recognises the importance of the CBD for generating growth and creating value in Sydney's economy. Ensuring its long-term sustainable growth is essential.
81. However, declining socio-economic diversity in the inner city, associated with inadequate social and affordable housing supply, has significant economic and social impacts and represents a risk to this growth. Evidence suggests the loss of low to middle income households from inner Sydney will result in essential sectors in the Australian economy finding it increasingly difficult to fill employment vacancies and staff shifts, hampering business productivity and economic growth.
82. A non-residential rezoning contribution is recommended in the Central precinct alone because of the substantial demand for housing for key workers created by increased employment floor space in Central Sydney.
83. The introduction of a rezoning contribution requirement for non-residential development remains consistent with the requirements set out in the Act relating to where a contribution requirement can be applied.

Flexibility in applying contribution requirements

84. Submissions from the development industry call for more flexibility around when and how contributions are required and satisfied. Key matters raised include:
- (a) the ability to reduce contributions on a case-by-case basis when viability is threatened;

- (b) the ability to satisfy a contribution by providing affordable housing that can be held by the developer and offered as affordable housing for 15 years (the Housing SEPP model), with contributions beyond the base rate being incentive driven; and
 - (c) the developer retaining the choice whether to satisfy a condition via monetary or built affordable dwellings, preferring to be able to choose the more cost-effective option based on the individual circumstances of each development.
85. The submissions say that the development industry is facing a growing number of state and local contribution requirements and/or public benefit delivery requirements at a time when it is facing significant challenges to viability.

Response

86. The basis of the City's Affordable Housing scheme is a low, broad rate which applies to all eligible development in the local area.
87. Beyond the LGA-wide DA contribution, the City's policy also allows for contributions to be applied to new development capacity which is achieved via a planning proposal. The applicable rezoning contribution is negotiated on a case-by-case basis, using the approach outlined in the Program as a guide.
88. The City's Program is established in accordance with Section 7.32 of the Act. It delivers affordable housing long term 'in perpetuity', utilising a income based rental model, ensuring real affordability for tenants and a long-term supply of affordable housing in the local area. There are pathways available via the Housing SEPP for developers to deliver alternative affordable housing offerings under a discount-to-market rent, time-limited model, which also offer an incentive.
89. In the history of the City's affordable housing schemes, developers have overwhelmingly chosen to pay a monetary contribution to satisfy their requirement, with less than a handful of examples of dedicated built dwellings. This is because it is typically significantly cheaper for a developer to make a monetary contribution, rather than building and dedicating and forgoing any profit that dwelling may bring. This is confirmed in the Urban Taskforce submission that acknowledges that "[i]n most, but not all cases, a developer will choose to make a financial contribution to council rather than dedicate units, as it is a more cost-effective way of contributing".
90. If the proposed changes to the dollar rates result in a dedication offer becoming more financially attractive to developers in some circumstances, this can be facilitated through a newly introduced planning agreement pathway to support negotiations on this matter. This is discussed in further detail elsewhere in this report.

Timing of payments

91. Submissions from the Urban Taskforce, Meriton and Property Council say payment of the contribution at construction certificate can impact viability and request it be delayed to occupation stage. The submissions consider that moving payment to the occupation certificate stage would only see a short-term impact on the delivery of affordable housing.

Response

92. The City does not support payment of monetary contributions at the occupation certificate stage of a development. If development contributions were to be paid at the occupation certificate stage, then there would be a significant lag in the delivery of the affordable housing that is required to address the housing affordability crisis and would put CHPs behind the market in which they are competing.
93. In addition, the payment of contributions at occupation certificate stage would bring the small but real risk of delinquency by development entities and certifiers, as there is no strong incentive to ensure payment at the late stage. Even if measures were put in place to partially address risks in the City's experience with infrastructure contributions is that a small number of landowner development entities and private certifiers fail to properly attend to their obligations while others may go into administration, vanish or 'phoenix'. Councils, and ultimately their communities, would lose out if contributions are not paid and essential affordable housing is not delivered.

Other matters raised in submissions

94. Other matters raised in submissions, together with the City's response, are set out in detail at Attachment A. These include submissions about:
- (a) the relationship between affordable housing provided under the City's Program and affordable housing resulting from state government approval processes;
 - (b) the ability to combine affordable housing with built-to-rent developments;
 - (c) the indexation methodology;
 - (d) the size of affordable housing dwellings;
 - (e) applying the contribution to Total Floor Area versus Gross Floor Area; and
 - (f) requests for administrative clarity on particular operational aspects of the Program.

Response to matters raised in the Resolution of Council regarding prevention of discrimination against low-income tenants in new housing developments

95. On 23 February 2026, Council resolved (Attachment G) that the Chief Executive Officer be requested to:
- (a) provide advice to Council about how Council's existing affordable housing program and policies protect against tenure-based, physical segregation, including 'poor doors' or restricted access to common areas and building services;
 - (b) seek feedback and input from Council's Housing for All Advisory Panel;
 - (c) include collated advice in the report-back to Council with the final recommendations from the Affordable Housing Contributions Review;
 - (d) if needed, provide advice about possible amendments to the Sydney LEP 2012, Affordable Housing Program and relevant documents, to ensure future affordable housing developments, facilitated by the City, are 'tenure blind' and facilitate all residents to have equitable access to areas within residential buildings; and
 - (e) refer this resolution, and any relevant later Council decisions, to Council's Design Advisory Panels and relevant Council staff who may be considering or assessing developments whose design proposes segregated entrances or services for lower income or affordable housing tenants.
96. A detailed response to the resolution, including a summary of feedback from key stakeholders, is provided at Attachment H.
97. Consultation with members of the Housing for All Advisory Panel found a range of views on the appropriateness of bans on separate entrances to access affordable housing dwellings in mixed tenure buildings. However, most members, including an experienced developer of residential and mixed-use projects, cited concerns about the potential stigma of separate differentiated entrances.
98. Research and consultation found that equality of access to services and facilities in mixed tenure buildings is not a key priority in affordable housing and would pose a significant risk to the financial viability of CHP management of this class of affordable housing, particularly in the context of income-based rents. Changes to the Program to require equal access to services and facilities are therefore not recommended.
99. To date, the City's Program has proven effective in delivering high quality, tenure-blind affordable housing through the distribution of monetary contributions. This has resulted in the delivery of purpose-built affordable housing in stand-alone buildings by CHPs. Where this occurs all tenants in the building have equal access to whatever services and facilities are available in the building.
100. It is noted this report recommends a reduced role for the dedication of built affordable dwellings than what was proposed in the exhibited planning proposal. This will reduce the extent of affordable housing in mixed-tenure buildings where the concerns raised in the Council resolution are most likely to arise.

101. Notwithstanding the above, it is recommended that a pathway for the provision of built affordable dwellings remains in the Program where there is a planning proposal to increase the residential capacity of the site and where the developer opts to make a public benefit offer to provide built affordable housing in the development. The Program sets out "Standards for Affordable Housing Dwellings" that the developer must address in making a public benefit offer.
102. Following consideration of the matters raised in the Council resolution, and subsequent research and engagement with key stakeholders, a post-exhibition addition to the publicly exhibited "Standards for Affordable Housing Dwellings" in the draft Program is recommended. The addition is to state separate entries are only to be provided to facilitate practical access needs. If separate entrances are used they should be indistinguishable from one another, with no recognisable reduction in quality or appearance.
103. In working with the developer to prepare a voluntary planning agreement, the City will look for early and meaningful consultation with a CHP in relation to strata levies and a satisfactory arrangement regarding the potential risk posed by strata levies to the viability of any affordable housing.

Strategic Alignment

Region and District Plans

104. The planning proposal and draft Program give effect to the infrastructure, liveability, productivity and sustainability priorities in the Greater Sydney Commission's Greater Sydney Region Plan and Eastern City District Plan.

Draft Sydney Plan

105. On 10 December 2025, the NSW Department of Planning Housing and Infrastructure (Department) published a "Draft Sydney Plan". The draft Sydney Plan recognises the important role of local affordable housing contributions schemes to increase the amount of affordable housing in the region.

Sustainable Sydney 2030-2050 Continuing the Vision

106. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress.

Risks

107. The planning proposal and draft Program was publicly exhibited in accordance with the Council and CSPC resolution and the Gateway Determination issued by the NSW Government.
108. The recommended post-exhibition changes to the exhibited planning proposal and draft Program have been made following consideration of submissions and in accordance with NSW Government guidelines.

109. The recommended post-exhibition changes to the planning proposal and Program will help minimise delays in the development application process and minimise risk for disruption to our regulatory functions, allowing timely decisions within the timeframes set out in the NSW Government's Statement of Expectations Order 2024.
110. Progressing the planning proposal and draft Program in their amended form, taking into account matters raised through the public consultation process, is within the City's risk tolerance and appetite.

Critical dates

111. The Gateway Determination requires the planning proposal be made by 30 July 2026.
112. If approved, the planning proposal will be referred to the Department to be made as a local environmental plan. The amendment to the Sydney Local Environmental Plan 2012 and Green Square Town Centre LEPs will come into effect when published on the NSW Legislation website. The Program will come into effect at the same time.

Relevant Legislation

113. Environmental Planning and Assessment Act 1979.
114. Environmental Planning and Assessment Regulation 2021.

GRAHAM JAHN AM

Chief Planner, Executive Director City Planning, Development and Transport

Tamara Bruckshaw, Manager Green Square and Major Projects

Samantha Bird, Specialist Planner

Sam Ngui, Program Manager - Affordable and Diverse Housing

Attachment A

Summary of Submissions

Summary of Submissions - Planning Proposal: City of Sydney Affordable Housing Contributions Review and Draft City of Sydney Affordable Housing Program 2024

Introduction

This submissions table provides a summary of the 24 submissions received during the public exhibition period of Planning Proposal: City of Sydney Affordable Housing Contributions Review and Draft City of Sydney Affordable Housing Program 2024.

Submissions were received from a range of stakeholders including residents, community groups, industry peak bodies, community housing providers and a state agency, listed below:

Individual submissions (6)

Community groups (3)

- The Paddington Society
- Friends of Ultimo
- Paddington-Darlinghurst Community Group

Organisations (3)

- Inner Sydney Voice
- Wayside Chapel
- Grace City Church

Housing peak bodies (4)

- Community Housing Industry Association (CHIA)
- Tenants Union of NSW
- South Sydney Regional Organisation of Councils (SSROC)
- Shelter NSW

Industry peak bodies (2)

- Urban Taskforce
- Property Council (NSW)

Community housing providers (CHPs) (3)

- City West Housing
- Bridge Housing
- Common Equity

Developers (2)

- Meriton
- Urbis for GPT

Government agency (1)

- Homes NSW

Summary of submission	Response
General support	
All submissions from responding individuals (5), community groups (3) and organisations (2) support the proposed changes, especially: a) the robust, evidence-based, well-considered proposals; b) the City's trailblazing approach to delivering long-lasting and structural change – positioning us as one of the fairest and most socially responsible cities of our time; c) the commitment to securing affordable housing in perpetuity and not just for a few decades; d) delivering affordable housing through CHPs with appropriate income caps on rents i.e. not discount to market rent models; e) enabling some on-site delivery where appropriate to expedite affordable housing supply and social integration; f) the proposed increases to dollar rates - which are justified, ensure developers contribute fairly, and are essential to help council meet its delivery targets.	Support is noted. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of these submissions.
Submissions from all responding housing peak bodies (4) and CHPs (2), and a submission from Homes NSW, support the proposed changes, with some of the key benefits being identified as: a) evidence-based policy, grounded in market realities and practical considerations for affordable housing delivery; b) proposed dollar rates recognise increasing costs of delivery and current market conditions;	Support is noted. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of these submissions.

Summary of submission	Response
c) precinct-based dollar rates promote better equity and precinct sensitivity; d) capturing appropriate contributions where planning uplift occurs, which is essential to equitable long-term outcomes; e) proposed dollar rate increases will promote greater delivery; f) phases proposed dollar rates in to allow for market adjustment; g) continues to allocate funds to identified Tier 1 CHPs, allowing long term planning and delivery of pipeline; h) provides greater clarity for developers and CHPs on when a cash or in-kind contribution is required, aligning decisions to context; i) CHPs were consulted in developing the changes, ensuring they reflect important practicalities for affordable housing delivery – including consultation with CHPs before dedication, removal of the option to dedicate where it would not be the optimal outcome for CHPs, and removal of the upper limit on dwelling size enabling larger dwellings where appropriate; j) improves administrative efficiency and simplicity, for example the proposed change from Total Floor Area (TFA) to Gross Floor Area (GFA), and the standardised 20% uplift capture rate; k) continues to secure housing in perpetuity, ensuring affordable housing is provided into the future; l) retains the income-based rent requirement, promoting genuinely affordable outcomes; m) creates stronger alignment with City policy and targets.	

Summary of submission	Response
General support with some suggested changes	
Alongside the general support expressed, 3 individual submissions, 3 community group submissions and a submission from Wayside Chapel considered the proposal did not go far enough or needed some changes to facilitate better outcomes. The suggested changes are that: a) council should be more ambitious to meet the growing issue, including building its own affordable housing or buying and maintaining housing rather than having to rely on third parties; b) council should protect other low-cost housing, including the purchase and maintenance of boarding houses; c) the purchase of boarding houses would assist with speed of delivery and diversity of housing, with the existing affordable housing scheme too reliant on new builds given the current rate of building; d) council should support community housing growth, resourcing CHPs so that they can manage the increased delivery pipeline and expand partnerships to include Aboriginal-led and smaller providers; e) council should use funds to support co-operative housing and other alternative rental models to support the forgotten 'missing-middle' of the community, rather than continuing to support CHPs who already benefit from tax concessions and assistance from federal government; f) council should ban Airbnb's; g) council should publish regular reporting of contributions collected, homes delivered, waiting lists and progress towards the City's social and affordable housing targets;	a) The City opts to support CHPs to deliver affordable housing in our local area for few key reasons. CHPs are uniquely placed to stack funding, contributions and finance to efficiently deliver new social and affordable housing through state and federal government programs, philanthropic sources and private investment. These can be layered with tax exemptions to further reduce the cost of delivering new affordable housing supply. CHPs also have the systems and processes in place to manage social and affordable housing programs, including assessing and re-assessing eligibility, rent setting and collection, and tenancy management including breaches and supported exit planning for tenants who no longer meet program requirements. Taken together, working with CHPs maximises the affordable housing outcomes that can be delivered with collected funds and ensure that affordable housing is allocated fairly and in accordance with the significant regulatory requirements that are in place to guide its use. b) The City has strongly advocated to the NSW Government for over a decade for the review of state planning rules intended to help retain low-cost housing, including boarding houses. The City agrees the current approach set out in the NSW Governments Housing SEPP is not delivering on its intent. The City will continue to advocate for a review of these provisions. c) The City supports more affordable and diverse housing using three main levers. These include the provision of funding through the Affordable and Diverse Housing Fund, discounted land and property sales and the distribution of affordable housing contributions. The City relies on the expertise of housing delivery partners including community housing providers to access this

Summary of submission	Response
h) council should pair housing delivery with tenancy support and neighbourhood initiatives to foster community and connection as well as shelter; i) council should advocate for greater state and federal investment in social housing and stronger tenancy protections, making clear that levies are only one part of the solution; j) council should resist any attempt to dilute the scheme by developers.	support. Partners could utilise either the fund or the contributions to purchase boarding houses. Supporting delivery partners is the most efficient and effective way to increase the supply of affordable and diverse housing. d) The City supports innovation and knowledge fostered in the community housing sector to benefit both the sector and our community. The City supports the sector both through this affordable housing program - passing on developer levies to identified CHPs - and through other mechanisms - offering council owned land and properties at a discount for affordable rental housing and providing grants to smaller scale providers from our Affordable and Diverse Housing Fund. e) As noted at (a), working with community housing providers is the most efficient approach to maximise affordable housing outcomes in our local area. f) The City acknowledges the impact of short-term rental accommodation (STRA), such as Airbnb's, on housing availability, affordability and security. The City continues to advocate to the State government to improve the monitoring of STRA, enforce the day cap and address the commercialisation of rental homes. g) The City publishes the City of Sydney Housing Audit annually that includes information about the City's housing targets and affordable housing in the City of Sydney. To increase public reporting on affordable housing outcomes, the City has also recently published a new Affordable and Diverse Housing Update on its website. Community housing providers are responsible for the ongoing management and tenancy arrangements for affordable housing. It does not monitor waitlists for affordable

Summary of submission	Response
	housing, noting these are administered by individual CHPs. h) Community housing providers (CHPs) work to sustain tenancies. Most work in partnership with specialised support services to ensure that tenants can access the support they need. These arrangements can be formalised through memorandums of understanding based on the shared goals of both partners. The City also facilitates affordable housing by means other than the Program, including offering council owned land and properties at a discount for affordable rental housing and providing grants to smaller scale providers from our Affordable and Diverse Housing Fund. There are many examples of the affordable housing resulting from these approaches that are paired with bespoke wrap around services, for example, the Youth Foyer project in Chippendale that provide supported housing for young people exiting foster care. i) The City is a strong advocate for both improved social and affordable housing outcomes in the local area and more widely across the region. It makes multiple verbal and written representations to government wherever there is opportunity. The most recent example of this is the City's submission to the NSW Government's Draft Sydney Plan, though there are many other examples. j) Noted. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of these submissions.
Preference for cash contributions (Community Housing Providers)	
Submissions from City West Housing and Bridge Housing state a strong preference for cash contributions, rather than dedication of built dwellings because:	The strong preference for cash contributions, in favour of dedicated dwellings, is noted.

Summary of submission	Response
a) cash contributions are a more efficient way of delivering affordable housing outcomes given scale of this type of contribution; b) cash contributions create certainty for longer-term opportunities and strategic land purchases to ensure a pipeline of development sites available for affordable housing; c) cash contributions maximise the capacity of recipient CHPs to layer contributions to deliver more housing than if dwellings were dedicated; d) when multiple funding sources (as above) are coupled with a number of tax concessions and exemptions (GST, land tax and rates) that CHPs also receive, construction becomes cheaper and the funds collected go further still; e) cash contributions provide greater flexibility to build more appropriate housing – with important differences in unit design, layout and materials compared with privately constructed dedicated dwellings – which has implications for long term rental ownership and operation.	Recommendation: Following consideration of matters raised in submissions, a post exhibition change to the planning proposal is recommended so that, in addition to contributions required pursuant to clause 7.13, contributions required pursuant to clause 7.13B (land listed on Schedule 6C of the Sydney LEP) and 6.70 (land at Blackwattle Bay) of the Sydney LEP are to be satisfied by making a monetary contribution. This removes any discretion in the development application process for the dedication of dwellings. Further support for this change is drawn from reconsideration of the matters raised about dedications of built dwellings in initial consultation with CHPs and in the economic review by Atlas Urban Economics that is provided in conjunction with this planning proposal (detailed above). It is also informed by internal consultation in relation to a development application lodged in 2020 on a site in Waterloo, conditions still to be satisfied, that involved one of the few examples of a developer opting to dedicate built dwellings. The officers noted: • risks associated with property transfer for individual parties and the misalignment of the property transfer process with planning processes; • the additional cost and administrative burden on CHPs and proponents can be substantial. They are generally required to engage specialist legal counsel to prepare non-standard contracts and manage lengthy negotiations for property transfer; and • there is a substantial administrative burden on the City that may impact on costs and resourcing if dedications were to increase; and • significant complexity is added to the assessment process, resulting in time delays in determination. It is also noted that since Council approved the planning proposal in December 2004 for public exhibition, the NSW Government announced the Housing Delivery Authority (HDA) and a new State Significant Development (SSD) pathway for residential development. The stated objective of the

Summary of submission	Response
	new HDA SSD pathway is to speed up development applications. While there are over 5,400 dwellings currently in the HDA SSD pipeline in the local area (as at December 2025), none have yet been determined. It therefore remains uncertain how the requirements for affordable housing contributions in the City's LEPs will be applied, noting there is no explicit commitment from the NSW Government to apply the City's requirements to development approvals. Given the above, introducing a clause in the Sydney LEP that requires additional steps and more complexity in the development approvals process makes it less likely the contribution requirement would be applied and would potentially incentivise more applications to proceed through the HDA pathway. Notwithstanding the above, where there is a planning proposal to increase the residential development capacity of land, the Program has been amended post-exhibition so that the proponent may make a public benefit offer to enter into a planning agreement with the City to provide built affordable housing in accordance with a revised Appendix B. The recommendation to maintain this pathway for delivery of housing is because, without the time pressures associated with the development application process, the planning proposal process provides more opportunity to resolve how the delivery of units can be achieved to the satisfaction of all parties.
A submission from City West Housing (CHP submission), while stating a strong preference for cash contribution, recognises some advantages to having in-kind dwellings if a CHP doesn't already have a supply of land purchased and in their pipeline.	Noted. The current <i>City of Sydney Affordable Housing Contributions Distribution Plan</i> identifies three Tier 1 CHPs all with active projects in the City of Sydney. Recommendation: Following consideration of matters raised in submissions, a post exhibition change is recommended so that affordable housing contributions required subject to LEP requirements can also only

Summary of submission	Response
	be satisfied by making a monetary contribution. See detailed response to “Preference for cash contributions (Community Housing Providers)” above.
Matters regarding dwellings dedication	
Submissions from CHIA, City West Housing, Bridge Housing and Wayside Chapel raise concerns about a potential increase in dedicated dwellings (versus monetary contributions), noting a number of policy, implementation and delivery issues, including: a) housing that is delivered by developers, typically seeks to minimise build cost to maximise returns and/or prioritise amenity for private owners and renters in the same development, is unlikely to provide the best outcomes for affordable housing residents. This also presents issues for long term rental ownership and management; b) there have been many poorly constructed market apartment buildings in the Sydney in recent years. Managing initial defects with private developers is difficult when properties are transferred via council. Any ongoing issues with structural or other defects which appear after the typical time allowance for defect identification will make recouping costs very difficult/impossible and expensive to rectify; c) dedication of dwellings can lead to inefficiencies in management and operations, for example, receiving a small number of units in mixed tenure residential developments comes with associated high operating/management costs and multiple strata levies; d) requiring built dwellings "where appropriate" (as currently proposed) introduces too much uncertainty. More clarity is needed on how "appropriateness" will be determined	The City notes the matters raised by CHPs and acknowledges the issues and risks associated with receiving dedicated dwellings, especially when they are designed and built by third parties with different target markets and commercial drivers. It also notes the significant complexities brought about by any dedication requirement, including, but not limited to, the need to manage risk, ensuring the stock is fit for purpose for affordable housing and the potential for unknown costs (including strata costs) for CHPs. It is acknowledged that addressing and resolving these significant complexities in the development application process will add time to the assessment process – potentially risking the City not meeting the Expectations for assessment timeframes published by the NSW Government Minister for Planning and Public Spaces. <u>Early consultation with CHPs</u> The City agrees that a CHP should be involved in the identification and design of appropriate dwellings to be dedicated at the earliest opportunity. However, the level of detail provided for consideration before a proposal reaches DA stage is typically too general to inform anything more than high-level decisions around dedication. Whilst the Program as exhibited built in a trigger to seek general CHP buy-in (or otherwise) at planning proposal stage, the City recognises that there is still inherent risk to the CHP as the project progresses. It will only be at DA stage (although it was agreed at the rezoning stage) that the details of the design are known, and the design process itself will not have involved the CHP.

Summary of submission	Response
and by whom. There needs to be certainty on type, location and possible quantum of dwellings; e) even when “reasonable” strata costs are deemed likely and ongoing costs cannot be controlled. Costs can escalate unexpectedly over time, especially when the CHP is not in control of the build quality. Assessment of the likely costs will be discretionary/subjective, so creating uncertainty; f) time constraints for negotiation on design and legal terms will impact the suitability of dwellings being dedicated; g) there are currently restrictions preventing CHPs from recycling properties should they become financially unstable or no longer meet tenant needs.	<u>Standardised dwelling specifications</u> The City notes the suggestions for standardised building specifications and supports the call for amenity standards achieving levels commensurate with the surrounding development. During our consultation with the three CHPs listed on the City’s Distribution Plan however, we found that each had their own preferences for build inclusions, positioning of units within a building and so on, and this could also change over time depending on the residents to be housed. While basic considerations for inclusions were agreed, and included in the publicly exhibited Appendix C, more nuanced requirements often diverged. Preferred positioning of units was also different across providers and depended on individual site circumstances and the particular needs of their tenants.
The submissions raise that if dwellings are to be dedicated, the following points must be addressed: a) consultation with CHPs on the suitability of a dwelling for dedication is essential, and must be carried out much earlier in the process than currently proposed (at concept and design stage rather than pre-DA stage); b) the requirement for a separate stratum / separate building should be applied to all dedications and not just where high strata costs are anticipated (as proposed). If a separate stratum / building is not possible, a cash contribution instead is preferred; c) the process must ensure that developer-delivered units are durable, free from defects, and have manageable ongoing strata costs; d) CHPs should be involved in critical inspections throughout construction;	In practice therefore, it is difficult to see how detailed dwelling specifications could be provided to meet all circumstances and the different needs of CHPs. <u>Difficulties gauging high strata costs</u> Whilst the ability to create a separate stratum or building is seen as the minimum requirement to avoid uncontrolled strata cost losses by CHPs, the City notes the feedback that there could still be unforeseen long term cost implications associated with build quality etc. even in a separate stratum. It also requires the physical separation of units from others in the development and potential exclusion from access to shared facilities in the building e.g. gyms. While this may be reasonable given the implications of high strata costs to CHPs, it has given rise to concern that those living in the affordable housing dwellings do not have equitable access to facilities. <u>Disposal of unsuitable units</u> In approving dwellings as affordable housing, the City would typically require a covenant be registered on the property title,

Summary of submission	Response
e) dedicated dwellings must have quality finishes and be indistinguishable from other dwellings. Appendix C of the Program (dwelling standards) should include a requirement for amenity commensurate with the broader development - e.g. cross - ventilation, solar access etc; f) the development of a standardised specification and performance schedule is recommended; g) studios are unsuitable in this area and should not be accepted / or be limited to <10% of total dwellings; h) the transfer of property title should be undertaken directly with the CHP, not via the City as a second transfer, which incurs extra time and cost; i) dedicated dwellings should not be subject to covenants that restrict sale. CHPs must have the ability to sell and consolidate scattered units into a single site.	pursuant to s88E of the <i>Conveyancing Act</i>, requiring: - the property remain affordable housing in perpetuity - the identification of the Council of the City of Sydney as the prescribed authority with the power to release, vary or modify the covenant terms. The City notes the call to allow dedicated dwellings to be sold on should they fail to be fit for purpose or become too costly to manage over time. Acknowledging this is a reasonable request, in practice this would require consideration on a case-by-case basis, a process that is likely to be administratively burdensome for both the City and the CHP. In balance, this is not an efficient approach to the long-term management of affordable housing and adds weight to the argument that monetary contributions should be favoured in the Program. <u>Contract negotiation and transfer of title</u> Involving CHPs in inspections during the construction phase and then enabling the CHP to influence construction should it not be to expectations, requires complex contract arrangements between the CHP and developer and will invariably slow the planning process. With regards to the submission asserting transfer of property title should be undertaken directly with the CHP, it is noted that <u>the Act requires the transfer of dedicated dwellings to the consent authority</u>. While there are mechanisms for the eventual transfer or peppercorn sale of property to a CHP, they are complex, challenging to enforce, require bespoke legal resolution to meet the needs and circumstances of the individual parties, and ultimately cannot entirely avoid inherent risks for both parties. Recommendation: Following consideration of matters raised in submissions, a post exhibition change is recommended so that affordable housing contributions required subject to LEP requirements can also only

Summary of submission	Response
	be satisfied by making a monetary contribution. See detailed response to “Preference for cash contributions (Community Housing Providers)” above. Notwithstanding, where there is a rezoning, the Program now allows for a public benefit offer to be made by the applicant to provide affordable housing. This option is only to be available at the planning proposal stage, and only where an applicant chooses to provide affordable housing rather than make a monetary contribution. The planning proposal process allows more time for consideration of the bespoke requirements of the development and the receiving CHP in how the affordable housing is delivered. The VPA process stepped out in the amended Program needs the applicant to have identified a CHP for the housing in question – essentially meaning that the applicant will have had to enter into discussions and agreements with potential CHP partners before a public benefit offer is made.
A submission from Meriton raises concerns with the requirement for dedication of built dwellings in the planning proposal. They say the dedication contribution requirement will add significant time to the development process and strain development feasibility. They point to the recent planning proposal for the Suttons site in Green Square and say that it was delayed because council wanted dedicated affordable housing. They say the time added is inconsistent with the principles of the Housing Accord to speed housing delivery.	Noted. The City agrees that there is potential for uncertainty, cost and delay where dwellings are being dedicated for affordable housing, especially where the developer changes their mind. Recommendation: Following consideration of matters raised in submissions, a post exhibition change is recommended so that affordable housing contributions required subject to LEP requirements can also only be satisfied by making a monetary contribution. See detailed response to “Preference for cash contributions (Community Housing Providers)” above.
A submission from Urban Taskforce comments that a financial contribution would be preferable where it is most cost-effective, providing built-to-rent as an example of “where dedication creates significant issues for the proponent”.	Noted. The City agrees that there is potential for uncertainty, cost and delay where dwellings are being dedicated for affordable housing. It notes the additional challenges that arise with build-to-rent. Recommendation: Following consideration of matters raised in submissions, a post

Summary of submission	Response
	exhibition change is recommended so that affordable housing contributions required subject to LEP requirements can also only be satisfied by making a monetary contribution See detailed response to “Preference for cash contributions (Community Housing Providers)” above.
A submission from the Property Council says that whilst dedications could be appropriate for large-scale rezonings, the criteria must be transparent and consistently applied to avoid delays and uncertainty. It requests that detailed guidance on criteria and process for dedication requirements be published.	Noted. The City agrees that there is potential for uncertainty, cost and delay without detailed guidance and consistent application around dedication requirements. Recommendation: Following consideration of matters raised in submissions, a post exhibition change is recommended so that affordable housing contributions required subject to LEP requirements can also only be satisfied by making a monetary contribution. See detailed response to “Preference for cash contributions (Community Housing Providers)” above.
Mandatory cash contributions	
Submissions from Urban Taskforce, the Property Council and Meriton say that how the contribution is satisfied (cash or dedicated built dwellings) should remain at the developer’s discretion so they may choose what works best for their development.	In the history of the City’s affordable housing schemes, developers have overwhelmingly chosen to pay a monetary contribution to satisfy their contribution requirement, with less than a handful of examples of dedicated dwellings. This is despite always having had the option to dedicate built dwellings. This is because it is typically significantly cheaper for a developer to satisfy a contribution requirement by making a monetary contribution, rather than building and dedicating a dwelling and forgoing any profit that dwelling may bring. This is confirmed in the Urban Taskforce submission that acknowledges that “[i]n most, but not all, cases a developer will choose to make a financial contribution to council rather than dedicate units, as it is a more cost-effective way of contributing”. However, given the proposed changes to the equivalent dollar rates, it is possible the

Summary of submission	Response
	dedication offer may become more financially attractive in some circumstances and increase the likelihood of dedications being made. This prompted a more detailed consideration of the relative pros and cons of dedications, and how the process might be best managed going forward if more dedications were being proposed on a more regular basis. A proposed process has been set out in the publicly exhibited Program for CHP, industry and peak body feedback. Recommendation: Following consideration of matters raised in submissions, a post exhibition change is recommended to the publicly exhibited planning proposal and Program. The change is to require that affordable housing contributions required subject to LEP requirements can also only be satisfied by making a monetary contribution. See detailed response to “Preference for cash contributions (Community Housing Providers)” above.
A submission from Meriton says a broader stakeholder group should have been consulted before proposing the change to arrangements for when cash or dedication is required and objects to the fact only CHPs were consulted with.	As the recipients and long-term owners of any affordable housing to be dedicated under the City’s program, it was appropriate to gauge the interests and concerns of the City’s three recommended CHPs early in this process. Feedback from the development industry has been sought as part of the public exhibition and is being considered in finalising proposed changes to the planning controls and Program. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Affordable housing in build to rent	
A submission from the Property Council says build-to-rent developments need to incorporate 10% affordable housing in the same building to qualify for a 15% managed investment trust withholding tax rate. The	It is noted that following consideration of matters raised in submissions, a post exhibition change is recommended to the publicly exhibited planning proposal and Program. The change is to require that

Summary of submission	Response
Property Council consider that the build-to-rent and affordable housing could be managed under a consistent framework, thereby avoiding the many challenges of a fragmented strata arrangement.	affordable housing contributions required subject to LEP requirements can also only be satisfied by making a monetary contribution. See detailed response to “Preference for cash contributions (Community Housing Providers)” above. However, where there is a rezoning, and where a public benefit offer is made by the applicant to provide affordable housing (instead of paying a monetary contribution), there is scope for consideration of the bespoke requirements of the development in how the affordable housing is delivered. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Feasibility testing approach	
Submissions from the Property Council, Urban Taskforce, Meriton and Urbis for GPT question the basis of the economic review. Key matters raised include: a) the feasibility testing is flawed – costings do not seem realistic and doesn’t represent the true cost of development; b) it is unclear if the economic review factors in the numerous other contributions payable under the City’s framework, including Design Excellence Competition process, Heritage Floor Space, public art, standard development contributions in addition to the Housing and Productivity Contribution; c) the feasibility assessment should be peer reviewed, with industry bodies allowed time to review and scrutinise the report.	While testing is carried out on sample sites, which are selected based on their representative quality, it is noted feasibility ultimately depends on site-specific circumstances. a) Construction cost rates assumed were per publicly available construction cost publications. b) All costs associated with developing in the City are factored into the testing, including costs associated with design excellence, Housing and Productivity contributions, Heritage floor space (which only applies in Central Sydney), public art (where appropriate) and local contributions. c) The economic review has been made publicly available for review and scrutiny during the 6 week public exhibition process. Comments and concerns raised in response to the economic review are addressed in this submissions table. Recommendation: There are no proposed changes to the publicly exhibited planning

Summary of submission	Response
	proposal and Program because of this submission.
Increase to equivalent monetary contribution rates (dollar rates) and the phase-in period	
Submissions from the Property Council, Urban Taskforce, Meriton and Urbis for GPT question the basis of the economic review, highlighting that the increased contribution dollar rates will impact on development feasibility, particularly at a time when residential feasibility is low. Key matters raised include: a) the review relies on market growth during the phase-in of the rate increases to ensure they can be tolerated, but there is no supporting evidence to indicate a market improvement in 4 years. b) the development industry is concerned about the imposition of new charges when residential project feasibility is already low. Recent cost increases to materials and labour, increasing regulatory compliance obligations and higher infrastructure and public domain commitments squeeze margins too far to satisfy banks or investors. A submission highlights the downward trend in dwelling completions vs approvals; c) even marginal increases cannot be tolerated, especially in the South and East precincts; d) a longer phase-in is required for projects already in-train, especially planning proposals and any subsequent DAs, so that feasibility is not impacted mid-project.	At the time of preparing the economic review at the end of 2024, inflation and construction costs were trending downwards and there was an expectation that there was pressure relief on the cash rate. Analysis of long-term price movements indicated the following: • residential prices (strata) average 5.0% growth in Sydney LGA (2011-2021); and • construction cost increases average 3.2% in Greater Sydney (2011-2021) This gave a net difference (positive) of 1.8% over the long term. The economic review assumed a +1% difference between revenue and cost, which was grounded in evidence. However, it is acknowledged that inflation has returned in late 2025. Successive rate rises and significant uncertainty, most likely to lead to further rate rises, flatten residential unit prices and increase construction costs further. The +1% growth assumed in the economic review is less certain given these considerations. As at June 2025 there were about 4,000 dwellings lodged and under development assessment and over 10,000 dwellings already approved in the City's development pipeline. These development applications would not be impacted by new dollar rates, noting that the dollar rate that applies is either the rate quoted in the condition of consent (if already approved) or the rate that was applicable in the version of the Program that was in force at the time of lodgement. There is therefore no risk of any impact from the proposed increase in dollar rates on the development pipeline. Having regard to current market challenges and uncertainties, it is agreed there is a case to delay the implementation of the new dollar rates to allow longer for:

Summary of submission	Response
	• sites already purchased to be progressed and submitted for DA; and • new sites to be negotiated and purchased, and submitted in a DA within the National Housing Accord period (to 30 June 2029). Recommendation: Following consideration of matters raised in these submissions, a post exhibition change is recommended to the Program to delay the implementation of the increased dollar rates to: • a 50% introduction from 1 July 2029; and • 100% from 1 July 2031. This would put full implementation of the new dollar rates outside the Housing Accord period.
A submission from CHIA and submissions from City West Housing and Bridge Housing raise concerns that the increase in dollar rates is modest and should be higher to more accurately reflect the cost of delivering affordable housing in the various precincts. Submissions encourage revisiting the dollar rates. Specific matters raised include: a) given the value of projects and land in the City, the rate increases are modest and submissions question why the City has adopted the lower end of the viable rate range for the various precincts; b) there is sentiment that Sydney LGA has had strong sales prices growth in recent times and that construction costs growth has slowed. This should mean there is scope to revisit the proposed dollar rates without making housing projects unviable; c) given that the Program already states dollar rates will be adjusted to ensure they keep pace with delivery costs, the 4-year phase-in should be unnecessary – a warning to the market of potential increases is already provided. Market improvements (as above) give further reason that the phase-in is unnecessarily long.	a) Each contribution precinct has a number of suburbs and areas, with varying values. The lowest end of the scale was adopted to mitigate impact on low value areas within each precinct. b) This was true for the first half of 2025. In the last 3 months, sales prices growth has stalled and is likely to remain flat with further rate rises, muted market conditions and growing uncertainty. c) Dollar rates are subject to indexation in order that they keep pace with delivery costs in the LGA. However, these movements in rate are typically incremental and able to be tracked, if informally, by following the indexation mechanism that is quoted in the Program. The proposed change to the contribution rate represents a more marked increase to bring contributions back in line with the cost of housing delivery, which has diverged across the LGA over time. The objective of phased implementation is to allow proponents to purchase land at an appropriate price factoring-in the dollar rates. There would therefore be

Summary of submission	Response
	no imperative to recoup the rate increases in higher sale prices. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of these submissions.
Precinct based contribution (dollar) rates	
A submission from Urban Taskforce says differentiating dollar rates by precinct is flawed because contributions collected in one precinct are not earmarked for delivery of housing in the same precinct. The precincts nominated for the highest increases already pay higher land prices, stamp duty and other contributions so that construction and compliance costs faced in these areas are higher.	Dollar rates are set to be 'equivalent' to the value of the affordable housing requirement. If the affordable housing obligation is one dwelling, the equivalent monetary contribution is the value of that one dwelling. It could be \$1 million in the West precinct or \$2 million in the East precinct. Developers in high value areas pay higher prices for land. They could pay higher construction costs (e.g. due to site constraints and/ or delivery of more premium finishes). In high value areas, higher prices are also achieved. The cost impost of affordable housing is therefore proportionate to the cost/ revenue profile of the particular development. The proposed equivalent dollar contribution rates sit at the lower range of prices within each contribution precinct. This is to ensure 'low value areas' within a precinct are not disproportionately burdened and stall development in those low value areas. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Impact on housing affordability	
A submission from the Property Council raised concern that the new dollar rates could impact housing affordability, when a third of the cost of a new home is currently taxes and charges.	The intention of the phasing-in period is to allow for planning obligations, including the cost of the contributions, to be factored in so that a lower price is paid by the developer for the land, rather than passed forward to end purchasers. Recommendation: There are no proposed changes to the publicly exhibited planning

Summary of submission	Response
	proposal and Program because of this submission.
Affordable housing should be incentivised	
Submissions from the Property Council, Urban Taskforce and Meriton do not support affordable housing contribution requirements believing there to already be a range of options in the planning system which deliver affordable housing (referring to State planning pathways). Similarly to those state pathways, Urban Taskforce considers that council should be offering incentives for affordable housing delivery, not taxing it.	The long-standing objection to developer contributions generally, and affordable housing contributions specifically is noted. However, the characterisation of the contribution as a “tax” on development is not agreed. Notwithstanding the above, in most parts of the local area, the contribution was introduced at a time of significant rezoning where land values were increased to the benefit of landowners. In other areas (residual lands), the contribution applies only to new floor space. The contribution is applied in accordance with the Act and has successfully delivered a significant stock of long-term affordable housing in the local area. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Additional contribution on uplift in planning proposals	
Submissions from Meriton and Urbis for GPT raise concerns with the proposed increase to the additional contribution that will be applied to uplift in planning proposals. Key matters raised, which echo much of the sentiment relating to the general increase in dollar rates, include: a) the proposed phase-in periods for the dollar rates protect development applications already in train, but, due to the lengthy timeframe of a planning proposal and time taken to reach development stage (when a contribution is to be made), phasing-in will have no effect for planning proposals. The proposed savings provisions do not protect current planning proposals or their subsequent development applications;	a) The concern that some planning proposals may be impacted by the increased rezoning rates because of the longer timeframes that apply from planning proposal lodgement, through to DA and completion, is noted. The underlying assumption in the submission is that there are sites that have been purchased prior to the City’s intention to adjust the rezoning rate and monetary contribution rates (December 2024) that have not been factored into the price paid for the land and that these sites were purchased on the expectation that a rezoning would be approved. To test the impacts of the proposed rezoning contribution requirement on development viability, the economic review tested a worst-case scenario,

Summary of submission	Response
b) applying rates [to planning uplift] of this magnitude rigidly will erode feasibility and place projects at risk. The uplift increase should be reduced to 5% (in line with 5-10% range in Region Plan); and c) the rezoning uplift is framed as a 'soft' contribution rate but is rarely applied that way, even where there are significant other contributions to be made on a site.	where land is purchased at a price not reflecting the increase contribution requirement. The review found that in most circumstances development remains viable under the proposed rezoning contribution requirements, providing that the dollar rate is phased in (as recommended), and that the redevelopment of the site was feasible at the time of purchase. For clarity, this assumes that the price paid for the site reflected what could be developed on the site under the current planning controls, assuming a +1% market growth factor, and the proponent did not speculatively overpay for the site, assuming a higher development yield could be achieved via a planning proposal. Planning proposals/rezonings carry inherent planning risk which proponents should be aware of, and there has already been two years of notice to the market of the City's intentions to review this rate. b) The economic review demonstrates the proposed rezoning rates are viable. c) The City's policy allows for the contribution on floor space to be negotiated on a case-by-case basis, using the approach outlined in the Program as a guide. In agreeing an appropriate contribution rate the City can consider if any other significant public benefits are being provided, such as the delivery of public infrastructure that is not offset against infrastructure contributions. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
A submission from City West Housing says that the rezoning proposals should not need a phase-in at all, given that they benefit as a result of the rezoning with a land value uplift.	The rezoning rate will come into effect upon the approval of the Program. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.

Summary of submission	Response
A submission from Urban Taskforce says the justification to introduce a commercial uplift contribution in Central Sydney is flawed because commercial floor space does not create need for affordable housing. The submission states that framing urban renewal in the CBD around its negative impact on housing affordability overlooks the positive impact of investment and income generation in the CBD, which is the CBD's key function.	It is noted that a planning proposal uplift rate has not previously been applied to non-residential development. The importance of the CBD for generating growth and creating value in Sydney's economy is also recognised and ensuring its long-term sustainable growth is essential. However, declining socio-economic diversity in the inner city associated with inadequate social and affordable housing supply has significant economic and social impacts which represent a risk to this growth. Based on 2021 data, the lowest equivalised household income group would need to pay 147% of their income to afford a 2-bedroom dwelling. The medium lowest group would need to pay 81% of income and the medium highest group would need to pay half of their income in rent for a 2- bedroom dwelling. In April 2026 there were two private rentals which were affordable for low and medium equivalised income households in the City of Sydney and both were for rooms in a share house. Given the above, low and moderate income workers are forced to seek long distances from their places of work. Evidence suggests the loss of low to middle income households from inner Sydney will result in essential sectors in the Australian economy finding it increasingly difficult to fill employment vacancies and staff shifts, hampering business productivity and economic growth. A non-residential uplift rate is recommended in the Central precinct alone because of the substantial demand for housing for key workers created by increased employment floor space in Central Sydney. The introduction of a contribution requirement for non-residential

Summary of submission	Response
	development remains consistent with the requirements set out in the Act relating to where a contribution requirement can be applied. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Administrative clarity	
A submission from the Property Council seeks some clarification and makes suggestions to improve administrative clarity. It says: a) the Central precinct should coincide with "Central Sydney" precinct for less complexity; b) exclusions previously embedded in TFA definition should also be replicated for GFA calculations; c) there should be clarity in the wording of requirements in the Program on the timing of contribution requirements where there are both 7.13 and 7.13B requirements on a site and both are to be made as monetary contributions. The submission recommends the flowchart in Appendix D also be updated to show this circumstance; and d) there should be stronger reporting requirements for use of contributions to speed delivery.	a) Whilst the boundaries of the Central precinct in the draft Program don't match exactly with those of "Central Sydney" as defined in the Central Sydney Planning Strategy, they have been set to coincide with all four precincts in the City's other contributions plans (7.11 and 7.12) for consistency and ease of application. b) These exclusion are set out in the draft Program, as exhibited. This is explained in the drafting instruction appended to the exhibited planning proposal. c) It is noted that following consideration of matters raised in submissions, a post exhibition change is recommended so that affordable housing contributions required subject to LEP requirements can also only be satisfied by making a monetary contribution. All monetary contributions are to be satisfied prior to a Construction Certificate being issued. This is clearly stated in the Program; d) The City publishes the City of Sydney Housing Audit annually that includes information about the City's housing targets and affordable housing in the City of Sydney. To increase public reporting on affordable housing outcomes, the City has also recently published a new Affordable and Diverse Housing Update on its website.

Summary of submission	Response
	Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Flexibility in applying contribution requirements	
Submissions from Meriton and the Urban Taskforce say more flexibility should be adopted when and where contributions are required. Key matters raised include: a) there should be the ability to reduce contributions on a case-by-case basis when feasibility is threatened; b) dollar rates should be low and broad, applying to whole growth areas or across an LGA; c) contributions beyond the base rate should be incentive driven; d) dollar rates should be clear and easy to calculate upfront and not subject to change over time; e) the cost of public benefits should be accounted for when calculating a contribution; f) the contribution should be able to be satisfied by providing affordable housing that can be held by developer and provided as affordable housing for 15 years (the Housing SEPP model).	The City notes the sentiment in the submissions that the development industry is facing a growing number of state and local contribution requirements and/or public benefit delivery requirements. The basis of the City's Affordable Housing scheme <i>is</i> a low, broad rate which applies to all eligible development in the local area. The Program clearly establishes what type and intensity of development will trigger a contribution and how that contribution will be calculated. The City has consistently indexed and reviewed the applicable contribution rate to ensure it keeps pace with the cost of development. This has always been clearly sign-posted in the City's policy. The proposed dollar rate increase, if adopted, will be phased-in to allow for market adjustment and ensure projects already in the development pipeline are not inappropriately impacted. Beyond the base rate contribution, the City's policy also allows for contributions to be applied to floor space uplift which is achieved via a planning proposal. The applicable contribution <i>is</i> negotiated on a case-by-case basis, using the approach outlined in the Program as a guide. In agreeing an appropriate rezoning contribution rate the City can take into account if any other significant public benefits are being provided, such as the delivery of public infrastructure not otherwise offset by infrastructure contributions. The City's Program is established in accordance with Section 7.32 of the Act. It delivers affordable housing in-perpetuity, utilising the income rental model, ensuring real affordability for tenants and a long-term

Summary of submission	Response
	supply of affordable housing in the local area. There are pathways available via the Housing SEPP for developers to deliver alternative affordable housing offerings under a discount-to-market rent, time-limited model. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Removal of the 90sqm cap	
A submission from Urban Taskforce says removing the 90sqm cap suggests council will ask for larger dwellings and the change is therefore not supported.	A contribution requirement is phrased as a total amount of affordable housing floor space to be dedicated (or the equivalent cash contribution). This will not change with the proposed removal of the 90sqm cap on dwelling size. It simply means that there is no longer a limit on the size of dwellings that can be dedicated to or built by the City's recommended CHPs. If a developer is to provide built floor space, this may be in the form of fewer, larger apartments or more, smaller apartments, depending on the preference of the CHP. It will not alter the total contribution of floor space made by the developer. Notwithstanding the above, it is noted that changes are recommended to the publicly exhibited planning proposal to remove any pathway for dedications in the development application process. Where there is a public benefit offer for affordable housing, there is flexibility in that process for reaching agreement about appropriate dwelling sizes. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Demand for larger apartments	
A submission from Shelter NSW says there is demand for 3+ bedroom dwellings in the LGA and that the City should establish an	The Program as exhibited proposes to remove the upper limit on affordable housing dwelling size (previously 90 square

Summary of submission	Response
evidence-based target for the provision of larger apartments to be informed by consideration of cultural need, family suitability and severe overcrowding.	metres). This would enable dwellings with 3+ bedrooms and is progressed to address those points raised by Shelter NSW. The identified CHPs that own, manage and often build the City's affordable housing keep their own lists of tenant need and are best placed to establish the demand for bedrooms in Sydney over time. Notwithstanding the above, it is noted that changes are recommended to the publicly exhibited planning proposal to remove any pathway for dedications in the development application process. Where there is a public benefit offer for affordable housing, there is flexibility in that process for reaching agreement about appropriate dwelling sizes. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Affordable housing delivered under the Housing SEPP	
A submission from Shelter NSW says the City should be advocating to NSW Government that the 80% discount-to-market rent model is not affordable housing and that a 30% limit based on household income should be used for their rent setting framework in the Ministerial Guidelines. The submission says the City should explore how the time-limited affordable housing bonus in the Housing SEPP should be provided with cash to the City for distribution to genuine CHPs and managed with appropriate rent setting and in perpetuity.	The City shares the view that the discount-to-market rent model does not deliver genuinely affordable housing in the LGA. The City will continue to advocate to the NSW Government on the most appropriate mechanisms to achieve genuinely affordable, in perpetuity housing, including the suggestion from Shelter NSW for housing delivered in the City under Housing SEPP pathways to be aligned with the City's policies for affordable housing contributions. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
One community group (Friends of Ultimo) was unclear whether the policy could apply to NSW Government pathway projects, which it views to be "undemocratic emergency laws".	There are now a number of state planning pathways that seek to fast-track development opportunities and facilitate planning uplift outside of Council's statutory planning processes. In the City, these include infill bonuses for developments that

Summary of submission	Response
	include affordable housing and new rezoning processes via the Housing Delivery Authority (HDA). Often the affordable housing offered via these pathways is time-limited and offered at unaffordable rents, out of reach of very low- and low-income tenants. Whilst the City cannot directly determine the outcome of either pathway, we continue to advocate strongly for the State to follow our established policies for affordable housing contributions. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Timing of payments	
Submissions from Urban Taskforce, Meriton and the Property Council say payment of the contribution at construction certificate can impact feasibility and that by moving payment to the occupation certificate stage it would only see a short-term impact on the delivery of affordable housing.	If development contributions were to be paid at the occupation certificate stage, then there would be a significant lag in the delivery of the affordable housing that is critically required to address the housing affordability crisis. In addition, the payment of contributions at occupation certificate stage would bring with it a risk of delinquency by development entities and certifiers, as there is no strong incentive for them to ensure payment at this stage. Even if measures were put in place to address this risk, in the City's experience with infrastructure contributions, a small number of developers and private certifiers will fail to properly attend to their obligations. Councils, and ultimately their communities, would lose out if contributions are not paid and subsequent essential affordable housing is not delivered. Given the above, the City does not support payment of contributions at the occupation certificate stage of a development. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.

Summary of submission	Response
Income bands	
A submission from Bridge Housing (CHP submission) supports the Program's cap on household income at 30%, but notes that key workers essential to the City may fall outside of our Program's strict income bands. Bridge suggests the City may wish to consider provisions that allow for flexibility in assessing household income in such cases, to enable access to affordable housing for those who fall outside strict eligibility but remain priced out of the expensive inner-city market.	The City shares Bridge's concern that key workers are being priced out of the local area and has recently introduced a change to the Sydney LEP to ensure the retention of "naturally" occurring affordable housing (the dwelling retention clause). However, "affordable housing" is defined by the Act as housing for very low-income households, low-income households or moderate-income households, the defined income ranges for which are set out in the Housing SEPP. Affordable housing resulting from the contribution requirement in an LEP, must be allocated to eligible households in accordance with the Act. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Exclusions from making an affordable housing contribution	
A submission from Grace City Church strongly supports the provision of affordable housing but asks that Council consider exempting not-for-profit organisations from the need to make affordable housing contributions, consistent with the exemptions provided to not-for-profits under Council's other development contributions.	The City agrees it is reasonable that some not-for-profit organisations should be exempt from making an affordable housing contribution. Recommendation: Following consideration of this submission, a broader review of the current exclusions from making an affordable housing contribution in the draft Program was undertaken. The review was cognisant of Section 7.32(3)(c) of the Act that says a dedication or contribution must be "reasonable". In addition to development that is already excluded from the requirement to make an affordable housing contribution, a post-exhibition change to the Program is recommended to also exclude any floor area for the following development (as defined by Sydney LEP 2012) that are provided by or on behalf of a charity or not-for-profit organisation: • places of public worship; • hostels; • boarding houses; • residential care facilities;

Summary of submission	Response
	• group homes; and • emergency services facility. Any floor area for the development of a dwelling house, attached dwelling or dual occupancy or which relates to alterations and additions to an existing attached dwelling, dual occupancy or dwelling house, is also excluded from the requirement to make an affordable housing contribution. In addition to the above, it is recommended the current exclusion in the Program for development where the cost of construction is less than \$100,000 be amended to \$150,000, noting significant recent escalations in construction costs and likely future increases resulting from recent shocks to oil supply that are expected to significantly impact prices in the short to medium term.
A submission whilst supporting the goal of increasing affordable housing, requested that Council consider excluding non-developer, owner-occupier family homes from the need to make an affordable housing contribution. The submission feels that at a time of escalating construction costs, labour shortages and a broader housing crisis, the required contribution makes development increasingly feasible only for well-capitalised developers, not ordinary owner-occupiers. A more targeted approach to applying a contribution requirement could preserve the policy objective without placing disproportionate pressure on working families.	The request to revisit the exclusions in the Program is noted. The City acknowledges that sometimes the scale of contribution can be disproportionately high for simple, single dwelling projects or for alterations and additions to existing dwellings. Recommendation: Following consideration of this submission, a broader review of the current exclusions from making an affordable housing contribution in the draft Program was undertaken. The review was cognisant of Section 7.32(3)(c) of the Act that says a dedication or contribution must be “reasonable”. As a result of this, additional forms of development are added to the list of exclusions in the draft Program post-exhibition, as follows as defined by Sydney LEP 2012 and provided for or by a not-for-profit organisation or charity): • places of public worship; • hostels; • boarding houses; • residential care facilities; • group homes; and • emergency services facility;

Summary of submission	Response
	Any floor area for the development of a dwelling house, attached dwelling or dual occupancy or which relates to alterations and additions to an existing attached dwelling, dual occupancy or dwelling house, is also excluded from the requirement to make an affordable housing contribution.
Submissions from the Property Council and the Urban Taskforce are concerned contributions will be applied to any 'infill housing' component under the Housing SEPP. They do not support an additional affordable housing contribution on this floor space when already delivering affordable housing under the Housing SEPP.	The City does not support the introduction of an exemption from making an affordable housing contribution for affordable housing that is not provided in accordance with the affordable housing principles set out in the Program. This includes affordable housing provided pursuant to Chapter 2, Part 2, Division 1 or Chapter 3, Part 4 of the Housing SEPP (infill affordable housing) where the affordable housing: • is not provided in perpetuity; and • is not restricted to charging rents that do not exceed 30% of gross household income. It is noted the NSW Government's practice note for in-fill affordable housing says that any local requirements for affordable housing do not count towards the minimum required affordable housing component under the Housing SEPP in-fill affordable housing provisions. That is, the minimum affordable housing component under the Housing SEPP needs to be met in addition to any requirement specified under a local policy or any planning agreement with a public authority. The draft Program, as exhibited, allows for consideration of requests for exemption from the affordable housing contribution for infill affordable housing provided under the Housing SEPP where it is provided in perpetuity and where it is restricted to charging rents that do not exceed 30% of gross household income. Recommendation: Minor wording changes are proposed to the Program to clarify and strengthen the City's approach to exemptions of this nature.

Summary of submission	Response
Move from measuring contribution on Total Floor Area (TFA) to Gross Floor Area (GFA)	
A submission from City West Housing is concerned that the conversion rate from TFA to GFA is too conservative and should be a minimum 15% rather than the 10% used in the proposals.	The City acknowledges the assumed 10% conversion of TFA to GFA is a conservative measure, noting in some circumstances the difference may be more substantial. However, a conversion rate at the lower end of the range has been applied to ensure that development in the pipeline is not inadvertently impacted by the change. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
A submission from Meriton supports the change from TFA to GFA.	Support is noted. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.
Allocation of contribution funds	
A submission from Common Equity, a Tier 2 CHP with 4 co-operatively managed rental properties in the City, supports the proposed changes and asks to be considered as a future recipient of contribution funds, noting co-operative housing supports housing diversity and choice.	Support is noted. The City of Sydney Affordable Housing Contributions Distribution Plan sets out a process for the review of the Plan every 5 years. Changes to recipients of contributions will be considered as part of that review. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program as a result of this submission.
Indexation	
A submission from City West Housing requests that the method of indexing of the dollar rates going forward be re-considered to ensure they track appropriately with the cost of delivering new housing. As the current indexation method is based on median sales price, City West considers that over time indexing will fall short of the true costs of procuring new housing, pointing to the feasibility testing which	A review of median versus third quartile price growth indicates some difference in rate. However, this difference is not always greater than the median price growth. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.

Summary of submission	Response
acknowledges new apartment prices as 30% more than existing dwellings. City West states that even if median priced dwellings are procured, they will have additional costs associated with higher maintenance. City West Housing points to the risk that if the settings aren't right, contributions will fail to cover the real cost of constructing or procuring even after this update. It suggests changes in the 75th percentile be compared with changes in the median sales prices to see if this would be a more appropriate indexation marker.	
Exemptions for Build-to-Rent and Co-living housing	
A submission from City West Housing is concerned there is little justification for the exemption for build-to-rent and co-living development.	The 5-year exemption for built-to-rent and co-living development seeks to encourage greater housing diversity and boost housing supply, recognising the current challenges of poor rental availability and dwindling stock of naturally cheaper residential housing product in the City. The exemption was intended to be a short-term measure focused only in Central Sydney to coincide with floor space incentive controls for these housing types that were being progressed at the same time in a separate planning proposal. These incentives were approved and published in the Sydney LEP in December 2024 and are also subject to a 5-year time limit. Recommendation: There are no proposed changes to the publicly exhibited planning proposal and Program because of this submission.

Attachment B

**Planning Proposal – City of Sydney
Affordable Housing Contributions Review**

Planning Proposal: Affordable Housing Contributions Review 2024



Contents

1. Background	3
2. Existing planning controls	6
3. Objectives and intended outcomes	9
4. Explanation of provisions	10
5. Justification of merit	15
6. Mapping	53
7. Community consultation	54
8. Project timeline	55
 Appendix – Drafting instruction	 57

1. Background

1.1. Introduction

This Planning Proposal: Affordable Housing Contributions Review (this planning proposal) is to amend the affordable housing provisions in the *Sydney Local Environmental Plan 2012* (Sydney LEP 2012), the *Sydney Local Environmental Plan (Green Square Town Centre) 2013*, and *Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013* (the Green Square Town Centre LEPs).

The Sydney LEP 2012 and the Green Square Town Centre LEPs, together with the City of Sydney Affordable Housing Program (Program), provide a framework for the affordable housing contribution requirements that may apply to development in the local area, including those pursuant to:

- Clause 6.70 of Sydney LEP 2012, that sets out affordable housing contribution requirements at Blackwattle Bay;
- Clause 7.13 of Sydney LEP 2012 and Clause 6.5 of the Green Square Town Centre LEPs, that set out a broad-based affordable housing contribution requirement on all eligible development in the local area; and
- Clause 7.13B of Sydney LEP 2012, that sets out affordable housing contribution requirements on “planning proposal land” identified on Schedule 6C. Planning proposal land is identified on the schedule where new floor area is created following a rezoning.

Specifically, this planning proposal will amend the Sydney LEP 2012 and the Green Square Town Centre LEPs to:

- include provisions that will allow the consent authority to require a monetary contribution (instead of a dedication of built dwellings) where a site is subject to Clause 7.13 or Clause 7.13B or 6.70 of Sydney LEP 2012 or Clause 6.5 of the Green Square Town centre LEPs;
- ~~• include provisions that will allow the consent authority to require the dedication of built dwellings (instead of a monetary contribution) where a site is subject to Clause 7.13B of Sydney LEP 2012;~~
- update provisions so that affordable housing contributions are to be calculated on Gross Floor Area (GFA), rather than Total Floor Area (TFA);
- update provisions so that the floor area required to be dedicated as dwellings is calculated as GFA, rather than TFA;
- remove the requirement that dedicated affordable housing dwellings must be no larger than 90 square metres (Clauses 6.70 and 7.13B of the Sydney LEP);
- include clarification about how the affordable housing principles set out in the Program apply to resulting affordable housing; and
- update provisions to make reference to an updated Program (all affected clauses). The Program will:
 - update equivalent monetary contribution rates (dollar rates) that will apply where a developer is to satisfy an affordable housing contribution by making a monetary contribution. Where currently only a single dollar rate is set out in the Program, the draft Program includes bespoke rates for various sub-precincts in the local government area

(LGA), specific to their individual market conditions. All rates are updated from the current rates. New (dollar) rates are to be phased-in over a period of four years;

- delay the increased dollar rates for build-to-rent and co-living housing in Central Sydney;
- ~~simplify the contribution requirements for where a rezoning results in increased development capacity;~~
- ~~set out where the dedication of built affordable housing dwellings is required;~~ and
- make various housekeeping amendments to clarify current processes or simplify readability.

A draft City of Sydney Affordable Housing Program (draft Program) is proposed in conjunction with this planning proposal. The draft Program is to replace the current Program that was adopted by the Council on 26 June 2023. The draft Program sets out the amendments described above.

This planning proposal has been prepared in accordance with the *Local Environmental Plan Making Guideline*, published by the Department of Planning and Environment in August 2023.

1.2. Affordable housing in the City of Sydney

Sustainable Sydney 2030-2050: Continuing the Vision and the City's Local Housing Strategy: Housing for All, includes a target that 7.5 percent of all private dwellings be affordable housing. Based on a private dwelling target of about 156,000 to 2036, an estimated 12,000 affordable dwellings are required to achieve the City's target to 2036.

As at 30 June 2024 2025, the City has 4,447 1,525 built affordable housing units in the local area, 556 527 dwellings in the development pipeline and a further 4,385 2,131 in the pre-application stage. Over Almost 60% of built dwellings have resulted from the contributions made pursuant to Clause 7.13 of the Sydney LEP and Clause 6.5. These contribution requirements are projected to deliver a further 1,950 additional affordable dwellings to 2036. However, this estimate will be heavily impacted by other matters outside of the City's control, including, but not limited to:

- the property market, that is, the amount of development that occurs. This is highly influenced by the market conditions of the day;
- the way land develops, for example if more land is developed for commercial premises, rather than housing, there will be less contribution funds;
- the ability of community housing providers (CHPs) to successfully leverage contribution funds and existing property portfolios, and their ability to attract funding under the Housing Australia Future Fund (HAFF) or other funding sources; and
- NSW Government policy directions.

The known built, pipeline, expected and projected affordable housing dwellings equal around 5,338 affordable rental dwellings and affordable diverse dwellings to 2036. This is less than half of the 12,000 affordable housing dwellings needed to achieve the City's target for 7.5% of all housing in be affordable housing.

In addition, the City continues to seek innovative ways to use our planning controls to increase the amount of affordable housing, for example, the preferential zoning scheme that applies in the City south in areas such as E3 Productivity Support zone, North Alexandria.

1.3. Planning proposal process

This planning proposal is to amend the affordable housing provisions in the Sydney LEP 2012 and the Green Square LEPs in the manner set out in Section 4 of this planning proposal.

This planning proposal ~~will be~~ **has been** publicly exhibited together with the draft Program, provided in conjunction with this planning proposal, that is proposed to replace the current Program.

The justification for the proposed amendments to the Sydney LEP 2012, the Green Square LEPs and the current Program is set out in Part 5 of this planning proposal.

~~Following public exhibition, submissions received from the public, and from government or government authorities, will be considered by the Council and the Central Sydney Planning Committee. Before finalising the Sydney LEP 2012, the Green Square Town Centre LEPs and the draft Program, further changes may be made because of matters raised in submissions~~

Submissions received from the public and from government authorities have been considered.

2. Existing planning controls

2.1. Affordable housing contribution requirements in the LGA

The Sydney LEP 2012 and the Green Square Town Centre LEPs, together with the City of Sydney Affordable Housing Program (Program), provide a framework for the affordable housing contribution requirements that may apply to development in the local area, including those pursuant to:

- Clause 6.70 of Sydney LEP 2012, that sets out affordable housing contribution requirements on Blackwattle Bay;
- Clause 7.13 of Sydney LEP 2012 and Clause 6.5 of the Green Square Town Centre LEPs, that set out a broad-based affordable housing contribution requirement on all eligible development in the local area; and
- Clause 7.13B of Sydney LEP 2012, that sets out affordable housing contribution requirements on “planning proposal land” identified on Schedule 6C. Planning proposal land is identified on the schedule where new floor area is created because of a rezoning.

Green Square, Central Sydney, Ultimo-Pyrmont, Southern Employment Lands and residual lands

Clause 7.13 of Sydney LEP 2012 and Clause 6.5 of the Green Square Town Centre LEPs, that set out a broad-based affordable housing contribution requirement on all eligible development in the local area. The LEPs:

- set out the different contribution areas (geographies) in the LGA, dividing the LGA into Green Square, Central Sydney, Ultimo-Pyrmont, Southern Employment Lands or residual land;
- set out the contribution requirement, being:
 - in Green Square, the Southern Employment Lands and Ultimo/Pyrmont, 1% of non-residential floor area and 3% of residential floor area.
 - in Central Sydney and on residual land, 0.5% of non-residential floor area for development applications lodged prior to 1 July 2022, and 1% thereafter, and 1.5% of residential floor area for development applications lodged prior to 1 July 2022 and 3% thereafter.
- allow for an equivalent monetary contribution to be made, instead of a dedication requirement, in accordance with the Program.

The purpose of the Program is to provide the operational and management requirements for the administration of the scheme, including:

- the principles by which affordable rental housing is to be provided and managed;
- an equivalent monetary contribution rate (dollar rate) a developer may contribute, in lieu of dedicating floor area;
- examples of how a monetary contribution is to be calculated in different contribution areas;
- the approach to indexing the dollar rate and a contribution requirement over time; and
- who receives contribution funds and how they must be used.

The equivalent monetary contribution rate (dollar rate) is \$11,176.22/sqm of Total Floor Area (TFA) (up until 28 February 2025 when the rate will be indexed). The calculation of TFA is set out in the LEP clause.

Funds are distributed between three CHPs, being City West Housing, St George Community Housing and Bridge Housing, in accordance with the City of Sydney Affordable Housing Contributions Distribution Plan, adopted by Council on 11 March 2024.

This planning proposal is to make amendments to the above requirements, as described in Section 4 and 5.

Planning proposal land

Clause 7.13B of Sydney LEP 2012 sets out affordable housing contribution requirements on 'planning proposal land' identified on Schedule 6C. The contribution requirement varies on different land.

Planning proposal land is identified on the schedule where new floor area is created because of a rezoning. This planning proposal does not add any land to the schedule, nor does it make any change to the current contribution requirements in the schedule.

The Program provides in its appendices a standardised approach to establishing the contribution requirement that will be applied to new residential floor area. The contribution requirement is differentiated by precinct, recognising the different market characteristics and price hierarchy that exists between precincts. The rates are not currently established in any planning instrument, rather they are set out in the Program to act as a guide for negotiating an appropriate rate in the context of a planning proposal to increase development capacity.

The current contribution requirement is set out at Table 1.

Table 1: Current contribution requirement applied where a rezoning creates additional development capacity (applied to the new floor area)

Precinct*	Contribution requirement**
Central Sydney	13% subject to site specific viability testing
West precinct	12%***
South precinct	12%***
East precinct	21%***

* The precinct boundaries align with those shown in the City's Development Contribution Plans.

** The contribution applies to new residential floor area achieved on land zoned for residential purposes.

*** incorporates any requirement in an LEP for a 3% levy contribution to affordable housing. For example, the 21% requirement in the East precinct includes 18% for new residential floor area on planning proposal land, plus the 3% broad-based levy requirement. Where no other contribution requirement applies, the full 21% may be applied.

Blackwattle Bay

Clause 6.70 of Sydney LEP 2012 sets out the affordable housing contribution requirement on land at Blackwattle Bay. The LEP requires 7.5% of the Total Floor Area (TFA) of development be dedicated as affordable housing. It allows for an equivalent monetary contribution to be made, instead of a dedication requirement, in accordance with the City of Sydney Affordable Housing Program (Program).

Redfern Waterloo Authority lands

A contribution requirement applies to sites in the Redfern Waterloo Authority lands, pursuant to State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021.

The Redfern Waterloo Authority Affordable Housing Contributions Plan 2006 sets out the affordable housing contribution requirements for any State Significant Development in the Redfern Waterloo Authority operational area.

The contribution equivalent to the estimated cost of the provision of affordable housing comprising 1.25% of the total gross floor area of the development.

The equivalent monetary contribution rate is established at the point of development application based on current property data.

Funds are remitted to Infrastructure NSW.

This planning proposal has no effect on this requirement.

Other requirements in Sydney LEP

Clause 7.13A of the Sydney LEP 2012 includes a clause facilitating the development of affordable housing in parts of its E3 – Productivity Support zone, that do not otherwise permit residential development.

This planning proposal has no practical effect on these requirements, other than referring to an updated Program and making a minor clarification about the application of the affordable housing principles in the Program.

3. Objectives and intended outcomes

3.1. Objectives

The objectives of this planning proposal are to amend the Sydney LEP 2012, the Green Square Town Centre LEPs and the City of Sydney Affordable Housing Program (Program), that is referred to by the LEPs, to:

- increase the amount of affordable housing provided in the local area;
 - ensure that contribution requirements are equitable across different parts of the City;
 - ensure equivalent monetary contribution rates (dollar rates) are equivalent to the true cost of building and dedicating affordable housing; and
 - improve the efficacy and efficiency of the City's affordable housing requirements.
-

3.2. Intended outcomes

The intended outcomes of this planning proposal are to amend the Sydney LEP 2012, the Green Square Town Centre LEPs and the Program, that is referred to by the LEPs, to:

- ensure that where a monetary contribution is made to satisfy an affordable housing contribution requirement, that it is generally equivalent in value to any contribution that might otherwise be satisfied by dedicating built affordable housing dwellings;
- enable the consent authority to require a contribution requirement be satisfied in a particular way, ~~depending on the nature of the contribution requirement~~;
- provide a clearer and more efficient approach for the calculation of floor area to which the contribution requirement applies; and
- remove any barrier to the delivery of affordable housing for families or for cultural groups that may require larger homes.

4. Explanation of provisions

4.1. Proposed amendment to Sydney LEP 2012 and Green Square Town Centre LEPs

This planning proposal is to amend Sydney LEP 2012 and the Green Square Town Centre LEPs to achieve the objectives and intended outcomes described in Section 3 of this planning proposal.

4.2. Drafting instructions

To achieve the objectives and the intended outcomes, this planning proposal is to amend the Sydney LEP 2012 and Green Square Town Centre LEPs as provided at Table 2.

Table 2: Drafting instructions

Ref	Drafting instruction	Explanation of provision
Sydney LEP 2012 and the Green Square Town Centre LEPs		
1.	In the Sydney LEP 2012 and Green Square Town Centre LEPs, change all references to the “City of Sydney Affordable Housing Program adopted by the Council on 26 June, 2023”, to instead refer to “City of Sydney Affordable Housing Program adopted by the Council on XX XX XX” [date of adoption of Program to be inserted]. Current clauses requiring amendment include: - Sydney LEP 2012 – clauses 6.60B, 6.70, 7.13, 7.13A, 7.13B - Green Square Town Centre LEP 2013 – clause 6.5 - Green Square Town Centre LEP 2013 (Stage 2) – clause 6.5	The amendment is to update references in the Sydney LEP 2012 and Green Square Town Centre LEPs to the “City of Sydney Affordable Housing Program adopted by the Council on 26 June 2023”, to “City of Sydney Affordable Housing Program adopted by the Council on XX XX XX”, with the date of adoption of Program to be inserted when known. The City’s Program is proposed to be amended to: - update equivalent monetary contribution rates that will apply where a developer is to satisfy an affordable housing contribution by making a monetary contribution; set out where the dedication of built affordable housing dwellings is required; - update the contribution rates for planning proposal land; and - make various housekeeping amendments to clarify current processes or simplify readability.
2.	In the Sydney LEP 2012 and Green Square Town Centre LEPs, amend Clause 1.8A to ensure the amended planning controls are only to apply to development applications that are lodged after the amended planning controls come into effect.	Ensure the amended planning controls are only to apply to development applications that are lodged after the amended planning controls come into effect.

Ref	Drafting instruction	Explanation of provision
Sydney LEP 2012		
3.	In the Sydney LEP 2012, amend the current clause 6.60B(7)(b) to require that any affordable housing provided pursuant to clause 6.60B will be provided in accordance with the affordable housing principles set out in the <i>City of Sydney Affordable Housing Program</i> , dated XX XX XXX.	The affordable housing principles in the Program provide guidance around how built affordable housing dwellings in the City are to be managed – including tenant mix and income levels – and secures those dwellings in perpetuity. The remainder of the Program details the mechanics of the City's affordable housing contribution schemes – notably how contributions are to be applied and calculated. Clause 6.60B operates outside of the City's affordable housing contributions scheme, instead linking the provision and quantum of affordable housing to specific floor space incentives detailed at 6.60B(7)(b). As such, only the principles of the City's Affordable Housing Program, around the management, quality and retention of built dwellings, are relevant to the affordable housing to be delivered under 6.60B. This amendment is therefore to clarify affordable housing provided pursuant to this clause need only be provided in accordance with the affordable housing principles in the City of Sydney Affordable Housing Program, and not any other requirement of the Program.
4.	In the Sydney LEP 2012, amend the current clause 6.70(4) to require the affordable housing levy contribution be satisfied by monetary contribution only.	The amendment will: - require the affordable housing levy contribution be satisfied by monetary contribution; and - remove the current ability for an affordable housing levy contribution to be satisfied by dedicating built dwellings.
5.	In the Sydney LEP 2012, amend the current clause 7.13A(1)(c) to require that any affordable housing provided pursuant to clause 7.13A will be provided in accordance with the affordable housing principles set out in the <i>City of Sydney Affordable Housing Program</i> , dated XX XX XXX.	As above, Clause 7.13A operates outside of the City's affordable housing contributions scheme. Clause 7.13A allows for a residential use in a Business Zone provided that residential use is for the purposes of affordable housing. It does not rely on the Program to qualify or quantify an affordable housing contribution. As such, only the principles of the City's Affordable Housing Program, around the management, quality and retention of built dwellings, are relevant to the affordable housing to be delivered under 6.60B. This amendment is therefore to clarify affordable housing provided pursuant to this clause need only be provided in accordance with the affordable housing principles in the City of Sydney Affordable Housing Program, and not any other

Ref	Drafting instruction	Explanation of provision
		requirement of the Program.
6.	In the Sydney LEP 2012, amend the current clause 6.70 to change all references to 'total floor area' to 'gross floor area'.	This amendment will update Sydney LEP clause 6.70 so that: the calculation of the contribution is based on the amount of GFA in a building, rather than TFA; and the dedication of any built floor area is to be provided as GFA, rather than TFA. This amendment will update Sydney LEP clause 6.70 so that the calculation of the contribution is based on the amount of GFA in a building, rather than TFA.
7.	In the Sydney LEP 2012, amend the current clause 7.13 to: - remove the term / definition for 'total floor area'; and - change all references to 'total floor area' to 'gross floor area'	This amendment will update clause 7.13 of the Sydney LEP so that the calculation of the contribution is based on the amount of GFA in a building, rather than TFA. It is noted the definition of 'total floor area' currently excludes from its calculation any floor area related to affordable housing, public housing, community facilities and development in the E4 – General Industrial zone. It is proposed to detail these exclusions in the Program, rather than in the LEP.
8.	In the Sydney LEP 2012, amend the current Schedule 6C to change all references to 'total floor area' to 'gross floor area'.	This amendment will update Schedule 6C of the Sydney LEP so that the calculation of the contribution is based on the amount of GFA in a building, rather than TFA.
9.	In the Sydney LEP 2012, amend the current clause 7.13(3) to require the affordable housing levy contribution be satisfied by monetary contribution only.	The amendment will: - require the affordable housing levy contribution be satisfied by monetary contribution; and - remove the current ability for an affordable housing levy contribution to be satisfied by dedicating built dwellings.
10.	In the Sydney LEP 2012, amend the current clause 7.13B(4) to require the affordable housing levy contribution be satisfied by monetary contribution only. In the Sydney LEP 2012, amend the current clause 7.13B(4) to allow the consent authority to require the dedication, in favour of the Council, of land comprising dwelling/s, in accordance with the requirements of the City of Sydney Affordable Housing Program, with any remainder being paid as a monetary	The amendment will: - require the affordable housing levy contribution be satisfied by monetary contribution; and - remove the current ability for an affordable housing levy contribution to be satisfied by dedicating built dwellings. The amendment is to include a requirement in Clause 7.13B(4) of the Sydney LEP to allow the consent authority to require the affordable

Ref	Drafting instruction	Explanation of provision
	contribution. Where the Consent Authority does not require the dedication of dwellings, the landowner must satisfy the contribution requirement by making an equivalent monetary contribution (in accordance with the City of Sydney Affordable Housing Program). In making the above change, reference to 'one or more dwellings' should be removed in favour of a more generic reference to 'dwelling/s'. This is to remove any potential conflict with the Program, that may require dedication of built dwellings only where multiple dwellings are being provided.	housing levy requirement be satisfied by dedication of built affordable housing dwellings (in favour of a monetary contribution). Where dedication is not required, the requirement must be satisfied by making a monetary contribution. The City's Program is proposed to set out where the consent authority will require the dedication of built dwellings (see further explanation later in this planning proposal). It is also proposed to remove from the clause reference to 'one or more dwellings' in favour of a more generic reference to 'dwelling/s'. This is to remove any potential conflict with the Program, that may require dedication of built dwellings only where multiple dwellings are being provided
	In the Sydney LEP 2012, remove the maximum size of affordable housing of 90 square meters that is currently imposed by: • clause 6.70(4)(a) • clause 7.13B(4)(a)	The amendment is to remove the requirement in Clause 7.13B and 6.70 of the Sydney LEP that dedicated affordable housing dwellings must be no larger than 90 square metres. By removing the upper size limit, dedicated dwellings are only required to be no smaller than 35 square metres in size, with no limit on how large they are.
Green Square Town Centre LEP and Green Square Town Centre LEP – Stage 2		
11.	In the Green Square Town Centre LEP and the Green Square Town Centre LEP – Stage 2, amend the current clause 6.5 to require the affordable housing levy contribution be satisfied by monetary contribution only.	The amendment will: - require the affordable housing levy contribution be satisfied by monetary contribution; and - remove the current ability for an affordable housing levy contribution to be satisfied by my dedicating built dwellings.
12.	In the Green Square Town Centre LEP and the Green Square Town Centre LEP – Stage 2, amend the current clause 6.5 to: - remove the term / definition for 'total floor area'; and - change all references to 'total floor area' to 'gross floor area'	This amendment will update the Green Square Town Centre LEPs so that: - the calculation of the contribution is based on the amount of GFA in a building, rather than TFA; and - the dedication of any built floor area is to be provided as GFA, rather than TFA. It is noted the definition of 'total floor area' currently excludes from its calculation any floor area related to affordable housing, public housing, community facilities and development

Ref	Drafting instruction	Explanation of provision
		in the E4 – General Industrial zone. It is proposed to detail these exclusions in the Program, rather than in the LEP.

The recommended detailed changes to the Sydney LEP and Green Square Town Centre LEPs clauses for the above drafting instructions are appended to this planning proposal. The recommended changes are only one example of how the proposed amendments could be worded, with the final wording subject to drafting and agreement by the Parliamentary Counsel's Office.

The justification for the above amendments is provided at Section 5 of this planning proposal.

4.3. Draft City of Sydney Affordable Housing Program

To achieve the objectives and the intended outcomes of this planning proposal, the Program, that has legal relevance by virtue of being referenced in the Sydney LEP 2012 and Green Square Town Centre LEPs, is proposed to be amended in the manner set out in the draft Program provided in conjunction with this planning proposal. Key amendments to the Program are set out, explained and justified in Section 5.

The Program applies to:

- land to which the Sydney LEP 2012, Sydney LEP (Green Square Town Centre) 2013 and Sydney LEP (Green Square Town Centre – Stage 2) 2013 applies; and
- planning proposal land identified in the above LEPs or any other Environmental Planning Instrument (EPI).

It will also apply to:

- development under the Redfern-Waterloo Authority Affordable Housing Contribution Plan 2006 in the event that that Plan is repealed; and
- other land in the City of Sydney where another EPI identifies the Program as applying.

The applicable contribution requirement is generally set out in the LEP, although may also be set out in another EPI. That requirement must be satisfied in accordance with the requirements of that plan.

If the EPI (or supplementary note / guideline) does not include the method for calculation, the contribution is to be calculated in accordance with the Program, that is –

- a) the method for calculating the contribution requirement in different parts of the LGA; and
- b) the relevant equivalent monetary contribution amount, based on the affordable housing contribution precinct that the development is located in, being South, East, West or Central (see Figure 1 and Section 5 for further detail).

5. Justification of merit

5.1. Proposed amendment to LEPs

This section includes justification for the proposed amendments to the Sydney LEP 2012 and the Green Square Town Centre LEPs.

It is noted that since public exhibition of this planning proposal, a rezoning proposal has been lodged via the Housing Delivery Authority pathway for all land subject to the Sydney Local Environmental Plan (Green Square Town Centre) 2013. The proposal seeks to remove the affordable housing requirement that applies to these sites from the LEP. The rezoning has not been finalised at the time of reporting this planning proposal back to Council for consideration. This may impact on the proposed amendments outlined in this Section and the suggested drafting instructions in Section 4.2 and the Appendix in so far as they relate to Clause 6.5 of the LEP.

Amendments to reference an updated Program

This planning proposal will amend all references in the Sydney LEP 2012 and Green Square Town Centre LEPs to the “City of Sydney Affordable Housing Program adopted by the Council on 26 June 2023”, to “City of Sydney Affordable Housing Program adopted by the Council on XX XX XX”, with the date of adoption of the Program to be inserted when known.

Effect

The proposed amendment will refer to an updated Program, that will:

- update equivalent monetary contribution rates (dollar rates) that will apply where a developer is to satisfy an affordable housing contribution by making a monetary contribution;
- update the contribution requirement for planning proposal land; and
- ~~set out where the dedication of built affordable housing dwellings is required; and~~
- make various housekeeping amendments to clarify current processes or simplify readability.

The proposed amendments to the Program are discussed in detail at Section 5.2.

Justification

This amendment to the Sydney LEP 2012 and the Green Square Town Centre LEPs is required to ensure contributions will be made in accordance with updated requirements in the City’s Program, as proposed in the draft Program that is provided in conjunction with this planning proposal, and the justification for which is provided at Section 5.2.

Amendments to require a contribution be satisfied by making a monetary contribution (Clause 7.13 and 7.13B and 6.70 of Sydney LEP 2012 and Clause 6.5 in the Green Square Town Centre LEPs)

This planning proposal is to amend Clause 7.13 and 7.13B and 6.70 of the Sydney LEP 2012 and Clause 6.5 of the Green Square Town Centre LEPs to require the affordable housing contribution requirement be satisfied by making a monetary contribution.

Effect

The current provisions in these clauses of Sydney LEP and the Green Square Town Centre LEPs allow a developer to choose whether they satisfy their affordable housing contribution requirement by making an equivalent monetary contribution, or by dedicating built affordable housing dwellings to council. Where the dedication of dwellings only partially satisfies a contribution requirement, any remainder must be paid as a monetary contribution to the Council.

The effect of this planning proposal is to ensure that the affordable housing contribution requirement that is required pursuant to Clause 7.13 or 7.13B or 6.70 of the Sydney LEP 2012 and Clause 6.5 of the Green Square Town Centre LEPs can only be satisfied by making a monetary contribution.

Justification

The City undertook targeted consultation with the Recommended community housing providers (CHPs) identified on the City of Sydney Affordable Housing Contributions Distribution Plan (Distribution Plan), adopted by Council on 11 March 2024. The purpose of the consultation was to understand the best approach for the receipt of contributions for the future – i.e. should dedicated dwellings be required, or are monetary contributions a better approach – and, to understand any issues associated with receiving dedicated dwellings. A summary of the City's consultation with CHPs to better understand where the dedication of dwellings is an appropriate outcome is provided in conjunction with this planning proposal.

The consultation revealed key considerations for, and challenges relating to, the receipt of affordable dwellings delivered by developers.

To maximise affordable housing outcomes, CHPs have advised that where contribution funds are well leveraged, they can be stretched much further to deliver more affordable housing. Moreover, the resulting affordable housing is typically more suitable for their needs. In the long term more, and more appropriate, affordable housing will result from CHPs developing their own sites. This is because where housing is developed by a CHP:

- there are a range of tax incentives available to CHPs, for example they are not subject to the Goods and Services Tax (GST), making delivery of housing cheaper;
- they can access low-cost finance from Housing Australia;
- they can apply for funding under the Australian Government's Housing Australia Future Fund Facility (HAFFF);
- when available, they can pair contribution funds with other grants that may be available from the federal or state government or from local government (such as subsidised land sales); and
- they are not subject to the same profit requirements that are generally needed by for-profit providers to achieve project viability.

To achieve positive affordable housing outcomes, including financial sustainability, CHPs raised the following key matters:

- management efficiencies – CHPs advised that the costs and inefficiencies of managing multiple properties scattered throughout various developments, can be considerable. These relate to the additional costs and resourcing associated with the administrative burden of managing multiple strata arrangements and requirements, the practical challenges of physically maintaining properties with different needs across a wide geographic area, and the reduction in community support facilities and services that can be feasibly provided to tenants. Concentrating efforts where more than a handful of dwellings can be delivered is more efficient.
- strata costs – it is not unusual for new development in the local area to incorporate on-site facilities for future residents, such as gyms, pools, high end lifts (sometimes multiple) and rooftop amenities, resulting in high strata fees that can absorb rental returns. This can increase where special levies are payable for significant works to the building and/or common property.
- where a CHP owns and manages the whole of the building, strata fees are not payable, leaving rental income available to maintain the property, service any debt on the dwellings and potentially for additional affordable housing. However, should CHPs be required to pay strata or management fees on dedicated apartments, this could absorb almost all rental income, particularly as the Program limits rents to no more than 30% of household income. If dedicated dwellings are received, CHPs indicated a preference for extracting the dedicated dwellings from future strata costs or to limit costs in some way.

Key issues were also raised by CHPs around the ability to influence the design and construction quality of dwellings they are to receive and ensure their long-term suitability, noting key decisions

are often made by the developer before a CHP can be involved in the project. A CHP's considerations for design and construction include:

- geographic location – affordable housing should be well located so that tenants can access high frequency public transport, access to services, such as a reasonably priced grocery store, health services and so on, without needing to rely on a private vehicle. While this is a City-wide aspiration for all residential development, it is particularly important for affordable housing, whose tenants are less likely than the general population to have the financial capacity to maintain ownership of a private vehicle. It is also noted that affordable housing developments may also have a higher proportion of tenants who have a disability, increasing the importance of accessible access to public transport options and services;
- on-site access arrangements – it is common that affordable housing developments have a higher-than-average proportion of tenants who are living with a disability. It is therefore important that affordable housing dwellings are cognisant of access requirements, with particular attention paid to accessibility in situations where lifts are out of service;
- fit-out – durability and cost of maintenance is the main concern raised by CHPs with regards to the long-term management of dedicated affordable housing dwellings. For example, the durability and cost of the materials used in kitchens and bathrooms, with good quality materials with greater longevity being preferred, but also materials that are not very expensive to replace. For example, good quality laminate benches may be preferred to stone benches;
- flexibility and universal accessibility – CHPs note the importance of maximising flexibility so that a range of different tenants, including those who live with a disability, may live in the dwelling;
- dwelling size and mix - where possible a mix of one, 2 and 3 bedroom dwellings enables the provider to house a range of households and positions them to be able to meet future housing needs;
- servicing – while extensive parking may not be a requirement for affordable housing that is well located to transport and services, some parking and servicing is generally required for service vehicles, shared vehicles and for vehicle access for tenants living with a disability;
- design for reduced living cost – ensuring affordable dwellings are designed to minimise costs to future tenants is critical. For example, the installation of fans and maximising opportunities for cross ventilation will reduce the need for tenants to utilise expensive air-conditioning. CHPs also noted avoiding embedded networks and such is important to manage costs to tenants; and
- external appearance – whilst internal fit out needs to be specific to the needs of CHPs and their tenants, the quality of the external appearance of affordable housing dwellings, and the inclusion of visible external spaces such as balconies or courtyards, are generally required to match that of other dwellings in the development. This is to ensure that affordable housing cannot be visually differentiated as such.

The consultation with CHPs has directly informed proposed amendments about how a contribution requirement must be satisfied, and in what circumstance. The reason and rationale for requiring monetary contributions to satisfy affordable housing contributions required under [Clause 7.13](#), [Clause 7.13B](#) and [Clause 6.70](#) of the Sydney LEP 2012 and [Clause 6.5](#) of the Green Square Town Centre LEPs, and removing the ability for proponents to instead dedication of built dwellings, is as follows:

- ~~the size of the contribution (only 3% and 1% of residential and non-residential floor area respectively) is relatively small compared to a contribution required where new floor area has been created because of a rezoning, generally resulting in only modest amounts of floor area. Small numbers of affordable rental units spread across disparate development sites will create financially unsustainable outcomes for CHPs and present significant management challenges.~~

~~Viable affordable rental tenancies will be threatened by the financial cost of multiple strata schemes, which are notoriously difficult to predict, and exposure to future increases in strata costs;~~

- a monetary contribution can be better leveraged by CHPs to generate a greater number of affordable dwellings. The range of tax incentives, low-cost finance and complementary funding sources available to CHPs can stretch the City's contribution funds further when affordable housing is built by CHPs themselves;
- housing delivered by CHPs is generally better suited to the needs of their tenants, being designed specifically to minimise ongoing living costs. For example, the electrification of building and passive design are priorities for CHPs to reduce the living costs of their tenants. The design priorities of a build-to-sell developer may differ from that of a CHP;
- housing delivered by another party presents potential long-term financial and practical risks for a CHP, particularly where defects are identified post-handover. It also increases risk to developers should dwellings not be accepted at the end of the design and build process, potentially causing delays and adding costs;
- a condition of consent that requires a monetary contribution is significantly less complex than arranging dedicating dwellings. This is because a monetary contribution requirement is a straight-forward calculation that is simply inserted on the condition as payable before construction, however, a dedication requirement requires significantly more involvement, including:
 - further negotiations with the proponent and CHP to refine the design of the development to ensure the resulting housing is appropriate to be used as affordable housing; and
 - the need for extensive legal expertise and resources to draft appropriate and enforceable conditions of consent, as well as to draft, review and execute the necessary legal instruments needed to secure the affordable housing, for example, deeds of agreement, contracts of sale and/or voluntary planning agreements;
- the constrained assessment timeframes for a development application required of the City by the state government provides significantly reduced opportunity for a robust process which can deliver optimal affordable housing outcomes that meet the needs of CHPs. As benchmark assessment timeframes are further reduced by the state government, the complexities of requiring developers to dedicate affordable housing will mean assessment timeframes cannot be reasonably met; and
- an unintended consequence of requiring wide-scale dedication of dwellings could be to inhibit some forms of development in the City. This may be exacerbated by the potential impact on obtaining necessary financing when developments include affordable housing. Given the current economic climate and housing crisis in NSW, this would not be a desirable outcome.

Post-exhibition change

Following consideration of matters raised in submissions, a post-exhibition change has been made to this planning proposal to require contributions required pursuant to clause 7.13B (land listed on Schedule 6C of the Sydney LEP) and 6.70 (land at Blackwattle Bay) of the Sydney LEP can only be satisfied by making a monetary contribution.

Justification for post-exhibition amendment

The publicly exhibited planning proposal proposed:

- a change to the Sydney LEP to require that contributions made pursuant to Clause 7.13B be satisfied by dedicating built dwellings, unless the City otherwise requires a monetary contribution; and

- retention of the ability for contributions made pursuant to Clause 6.70 to be satisfied either as a monetary contribution or by dedicating built dwellings.

Significant concern was raised in public submissions regarding the requirement in some instances to dedicate built dwellings, including:

- from CHPs and peak housing bodies who say:
 - cash contributions are a more efficient way of delivering affordable housing, they create certainty for longer-term opportunities and strategic land purchases to ensure a pipeline of development sites, they maximise the capacity of recipient CHPs to layer contributions to deliver more housing than if dwellings were dedicated;
 - cash contributions enable the delivery of stand-alone self-managed affordable housing buildings, avoiding the complications, cost (known and unanticipated), and administrative challenges of managing a dwelling portfolio across multiple strata arrangements;
 - cash contributions provide greater flexibility to build more appropriate housing – allowing for important differences in unit design, layout and materials compared with privately constructed dwellings – which has implications for long term rental ownership and operation;
 - housing that is delivered by developers, which typically seeks to minimise build cost to maximise returns and/or prioritise amenity for private owners and renters in the same development, is unlikely to provide the best outcomes for affordable housing residents. This also presents issues for long term rental ownership and management;
 - there have unfortunately been many poorly privately constructed apartment buildings in the Sydney Metropolitan area in recent years. Managing initial defects with private developers is difficult when properties are transferred via council. Any ongoing issues with structural or other defects which appear after the typical time allowance for defect identification will make recouping costs very difficult/impossible and expensive to rectify;
 - dedication of dwellings can lead to inefficiencies in management and operations, for example, receiving a small number of units in mixed tenure residential developments comes with associated high operating/management costs and multiple strata levies;
 - requiring built dwellings "where appropriate" (as proposed in the planning proposal) introduces too much uncertainty. More clarity is needed on how "appropriateness" will be determined and by whom. There needs to be certainty on type, location and possible quantum of dwellings;
 - even when "reasonable" strata costs, ongoing costs cannot be controlled. Costs can escalate unexpectedly over time, especially when the CHP is not in control of the build quality. Assessment of the likely costs will be discretionary and/or subjective, so creating uncertainty;
 - time constraints for negotiation on design and legal terms will impact the suitability of dwellings being dedicated; and
 - there are currently restrictions preventing CHPs from recycling properties should they become financially unstable or no longer meet tenant needs.
- from a developer (Meriton), who raises concerns with the requirement for dedication of built affordable dwellings in the planning proposal. They say the dedication contribution requirement will add significant time to the development process and strain development feasibility. They point to the recent planning proposal in Green Square and say that it was delayed because council wanted dedicated affordable housing. They say the time added is inconsistent with the principles of the National Housing Accord to speed housing delivery

Notwithstanding the above, submissions from Urban Taskforce, the Property Council and Meriton say that how a contribution is satisfied (cash or dedicated built dwellings) should remain at the developer's discretion so they may choose what works best for their development.

It is noted that the matters raised in these submissions ultimately influence the success of the City's affordable housing scheme. Inefficient use of funds risk the delivery of fewer affordable housing units whilst inappropriate build standards will drive poor outcomes for the City's affordable housing residents.

The City acknowledges the difficulties and risks that will be faced by CHPs receiving units that have been designed and constructed by third parties who have different target markets and commercial interests to them. The recommended post-exhibition changes to the planning proposal and draft Program will minimise the dedication of built affordable housing dwellings in a mixed-tenure development in favour of monetary contribution.

The City acknowledges the concern raised by developers and industry peak bodies regarding the likely delays in the development application process where there is a requirement for dedication of built affordable dwellings within the development.

The recommended post-exhibition changes to the planning proposal and draft Program, by requiring monetary contribution in the context of all development applications, will enable simple application of conditions of consent for monetary contributions. This will ensure there are no delays in the development application process arising from the affordable housing contribution requirement and will allow timely decisions within the timeframes set out in the NSW Government's Statement of Expectations Order 2024.

The City acknowledges the concern raised by developers and industry peak bodies regarding the potential impact on feasibility that could arise from any requirement for dedication of built affordable dwellings within the development. Where there is a planning proposal to increase residential capacity on land, the recommended post-exhibition changes to the planning proposal and Program will maintain a pathway for the dedication of built dwellings where the developer chooses but removes any requirement for dedication.

Further support for the post-exhibition change is drawn from reconsideration of the matters raised about dedications of built dwellings in initial consultation with CHPs in the economic review by Atlas Urban Economics that is provided in conjunction with this planning proposal (detailed above).

It is also noted that since Council approved the planning proposal in December 2004 for public exhibition, the NSW Government announced the Housing Delivery Authority (HDA) and a new State Significant Development (SSD) pathway for residential development. The stated objective of the new HDA SSD pathway is to speed up development applications.

While there are over 5,400 dwellings currently in the HDA SSD pipeline in the local area (as at December 2025), none have yet been determined. It therefore remains uncertain how the requirements for affordable housing contributions in the City's LEPs will be applied, noting there is no explicit commitment from the NSW Government to apply the City's requirements to development approvals.

Given the above, introducing a clause in the Sydney LEP that requires additional steps and more complexity in the development approvals process makes it less likely the contribution requirement would be applied. Specifically, the proposed referral system to CHPs and the decision-making role of the City's Executive staff which are intended to determine the appropriateness of dedicated dwellings (as set out in the publicly exhibited planning proposal), combined with the need to prepare complex and non-standard planning agreements (to which the City may or may not be party) will add new, and potentially delaying steps to the process.

~~Amendments to allow the consent authority to direct how a contribution requirement must be satisfied (Clause 7.13B of Sydney LEP 2012)~~

~~This planning proposal is to amend Clause 7.13B of the Sydney LEP 2012 to allow the consent~~

~~authority to require the dedication of built dwellings, where it is in accordance with the requirements of the Program.~~

~~Where the consent authority does not require the dedication of built dwellings, it may require the contribution be satisfied by making a monetary contribution.~~

~~The City's Program is to be amended to include detailed criteria about where the consent authority will require the dedication of dwellings. Where the dedication of dwellings is not required, a monetary contribution will be required, that is the proponent cannot opt in to the dedication of dwellings.~~

~~The proposed amendment to the Program is discussed in further detail at Section 5.2.~~

Effect

~~The current requirement in Clause 7.13B of the Sydney LEP 2012 allows a developer to choose whether they satisfy their affordable housing contribution requirement by making an equivalent monetary contribution, or by dedicating built affordable housing dwellings to council. Where the dedication of dwellings only partially satisfies a contribution requirement, any remainder must be paid as a monetary contribution to the Council.~~

~~The effect of this planning proposal is to give the consent authority the ability to require that a developer must dedicate built dwellings to Council, but only where the circumstances of the development meet the criteria set out in the Program. The dwellings must be dedicated to Council to be used for affordable housing. The dwellings are then passed to a CHP in accordance with the City of Sydney Affordable Housing Contributions Distribution Plan, adopted by Council on 11 March 2024.~~

~~If the consent authority does not require the dedication of built affordable housing dwellings, because they do not align with the criteria in the Program, then the consent authority will require that a proponent must satisfy their contribution requirement by making an equivalent monetary contribution.~~

Justification

~~Sites that are subject to the requirements of Clause 7.13B in the Sydney LEP 2012 are listed on Schedule 6C of the LEP. The sites are referred to as "planning proposal land" and have been included on Schedule 6C because they have benefited from a rezoning that has created additional development capacity on the site.~~

~~Informed by consultation with CHPs, the reason and rationale for requiring dedication of built dwellings for planning proposal land (instead of monetary contributions), in appropriate circumstances, is as follows:~~

- ~~• rezoning proposals are more likely to be of sufficient scale to deliver meaningful and financially sustainable numbers of affordable dwellings that can be more easily and viably managed by CHPs over the longer term;~~
- ~~• the typical, longer timeframe of a planning proposal / rezoning process and higher level nature of the development proposal at planning proposal stage provide the best opportunity to work through the detailed considerations of an on-site affordable housing offering;~~
- ~~• rezoning proposals are typically supported by voluntary planning agreements, which is the preferred approach to delivering on-site affordable housing. These allow opportunity to resolve and secure specific agreements around deliverables, timings and expectations for any subsequent development, providing improved certainty for both the developer and receiving CHP on the final delivered outcome; and~~
- ~~• requiring the dedication of built dwellings in defined circumstances can circumvent the need for CHPs to purchase land for the development of affordable housing. This can be challenging in the City of Sydney, where competition for land is very high.~~

~~Notwithstanding the above, it is important that built dwellings proposed for dedication are appropriate for affordable housing, in terms of location, built form, fit-out and sustainability of long-term management costs (in particular strata costs). The proposed parameters for where dedication~~

~~of dwellings will be required are to be included in the draft Program and are discussed in further detail at Section 5.2.~~

Amendments to remove references to 'Total Floor Area' in favour of 'Gross Floor Area'

This planning proposal is to replace references in the Sydney LEP and the Green Square Town Centre LEPs to 'total floor area' (TFA) with 'gross floor area' (GFA).

Effect

The common metric used to quantify floor area in an LEP is GFA. The method to calculate GFA, that establishes the elements of a building that are included and not included in the count, is set out in NSW Government's Standard Instrument – Principle Local Environmental Plan (2006 EPI 155a), and as such is a statewide standard applied consistently across all compliant planning instruments.

Currently, the contribution requirement in the Sydney LEP 2012 and the Green Square Town Centre LEPs is calculated based on a proportion of TFA. Total floor area is a bespoke definition that applies only in these LEPs to affordable housing requirements. TFA is defined differently to GFA, with the key difference being that balconies and internal circulation spaces are included in the calculation of TFA.

While it varies significantly across different developments, generally, the calculation of TFA in a residential development is at least 10 per cent more than GFA. That is, where a development application is lodged for a residential development with 10,000 square metres of GFA, the TFA in the same development will be at least 11,000 square metres. The contribution requirement would be 3% of 11,000 square metres, being 330 square metres of TFA that must be dedicated for affordable housing.

If a contribution is to be satisfied via a monetary contribution instead of a dedication of built floor area, an equivalent monetary contribution rate is applied to the total floor area requirement. The equivalent monetary contribution rate in the current Program is set at a dollar amount which would deliver an equivalent amount of TFA (rather than GFA) for affordable housing, that is, it would deliver an affordable housing unit with balcony and associated circulation space.

The effect of this planning proposal is to instead calculate the contribution requirement using GFA. Using the same example, the contribution requirement would be 3% of 10,000 square metres, being 300 square metres of GFA that must be dedicated for affordable housing.

In practice, the change from using TFA to GFA does not have a material impact on expected contributions, because ~~where an equivalent monetary contribution is made to satisfy an affordable housing contribution requirement, the proposed contribution rate (discussed elsewhere in this planning proposal) reflects the cost of delivering a square metre of GFA, rather than TFA.~~

- ~~• where dedication of a built dwelling is made to satisfy a contribution requirement, the same amount of internal living space is generally required, that is, in the example described above, 300 square metres of internal living space (GFA) is being provided; and~~
- ~~• where an equivalent monetary contribution is made to satisfy an affordable housing contribution requirement, the proposed contribution rate (discussed elsewhere in this planning proposal) reflects the cost of delivering a square metre of GFA, rather than TFA.~~

It is noted that as a consequence of removing the definition for TFA from clauses in the Sydney LEP 2012 and the Green Square Town Centre, that any floor area for affordable housing, public housing, community facilities and development in the E4 – General Industrial zone would no longer be excluded from needing to make an affordable housing contribution.

It is proposed to amend the Program to clarify these types of floor area will continue to be excluded from having to make an affordable housing contribution, taking the opportunity in the Program to more clearly define the meaning of each type of development. The draft Program is discussed in further detail at Section 5.2.

Justification

This amendment to the Sydney LEP 2012 and the Green Square Town Centre LEPs is proposed to:

- simplify and streamline the development application process, allowing for a single measurement of floor area that is applied consistently across all LEP planning requirements

i.e. a development application will only require one set of plans that calculate GFA, and not a second set of plans calculating TFA;

- make the requirement easier for proponents to understand and calculate;
- allow for consistency of understanding, application and benchmarking across other affordable housing provisions in the NSW planning framework, such as the infill provisions in the State Environmental Planning Policy (Housing) 2021.

~~Amendments to remove the maximum floor area for dedicated dwellings (Clause 6.70 and 7.13B of Sydney LEP 2012)~~

~~This planning proposal is to remove the requirement in the Sydney LEP that dedicated affordable housing dwellings must be no larger than 90 square metres.~~

Effect

~~Clause 6.70 and 7.13B of Sydney LEP 2012 currently require that where a dwelling is to be dedicated to council that it must be between 35 square metres and 90 square metres in size.~~

~~By removing the upper size limit, dedicated dwellings are only required to be no smaller than 35 square metres in size, with no limit on how large they are.~~

~~The size of the dwellings to be dedicated is agreed in the development application process. The size, together with their location in the development, and other minimum requirements, such as minimum fit-out requirements, are set out in a condition of consent and/or associated documents required by the condition.~~

Justification

~~This amendment to the Sydney LEP 2012 is proposed to allow for a diversity of dwelling sizes to be provided for affordable housing. The current limitation imposed on the size of dwellings means that larger dwellings that accommodate families, or that are needed to accommodate cultural groups that may need more space, cannot be provided under these requirements.~~

~~Therefore, the proposed amendment facilitates the delivery of affordable housing that is appropriate to diverse needs.~~

~~It is unlikely that the proposed amendment would have any significant negative impact on the overall quantum of affordable housing in the local area.~~

5.2. Proposed amendment to the Program

This section includes justification for the proposed amendments to the Program.

A draft City of Sydney Affordable Housing Program (draft Program) is provided in conjunction with this planning proposal. The draft Program is proposed for adoption by the Council and will replace the City of Sydney Affordable Housing Program, adopted by the Council on 26 June 2023.

Proposed amendments are explained below.

Updating the equivalent monetary contribution rate (dollar rate)

The Program establishes a monetary contribution rate (dollar rate) per square metre of total floor area (TFA) at which a monetary contribution is taken to be equivalent to a floor area dedication requirement.

The current dollar rate is based on the median strata dwelling price in the LGA and assumes that if a CHP is unable to purchase land in the LGA to develop affordable housing that a suitable dwelling could be purchased on the private housing market. The current dollar rate is \$11,176.22 per square metre of 'Total Floor Area', and it applies consistently to all areas of the LGA.

However, this rate does not reflect the actual cost to a developer / landowner of delivering a square metre of built housing in the LGA. This has resulted in developers in key areas of the LGA not contributing equitably to the delivery of affordable housing.

Proposed change to the Program

The draft Program sets out the following proposed dollar rates as shown in Table 3 within the affordable housing contribution precincts which are shown in Figure 1.

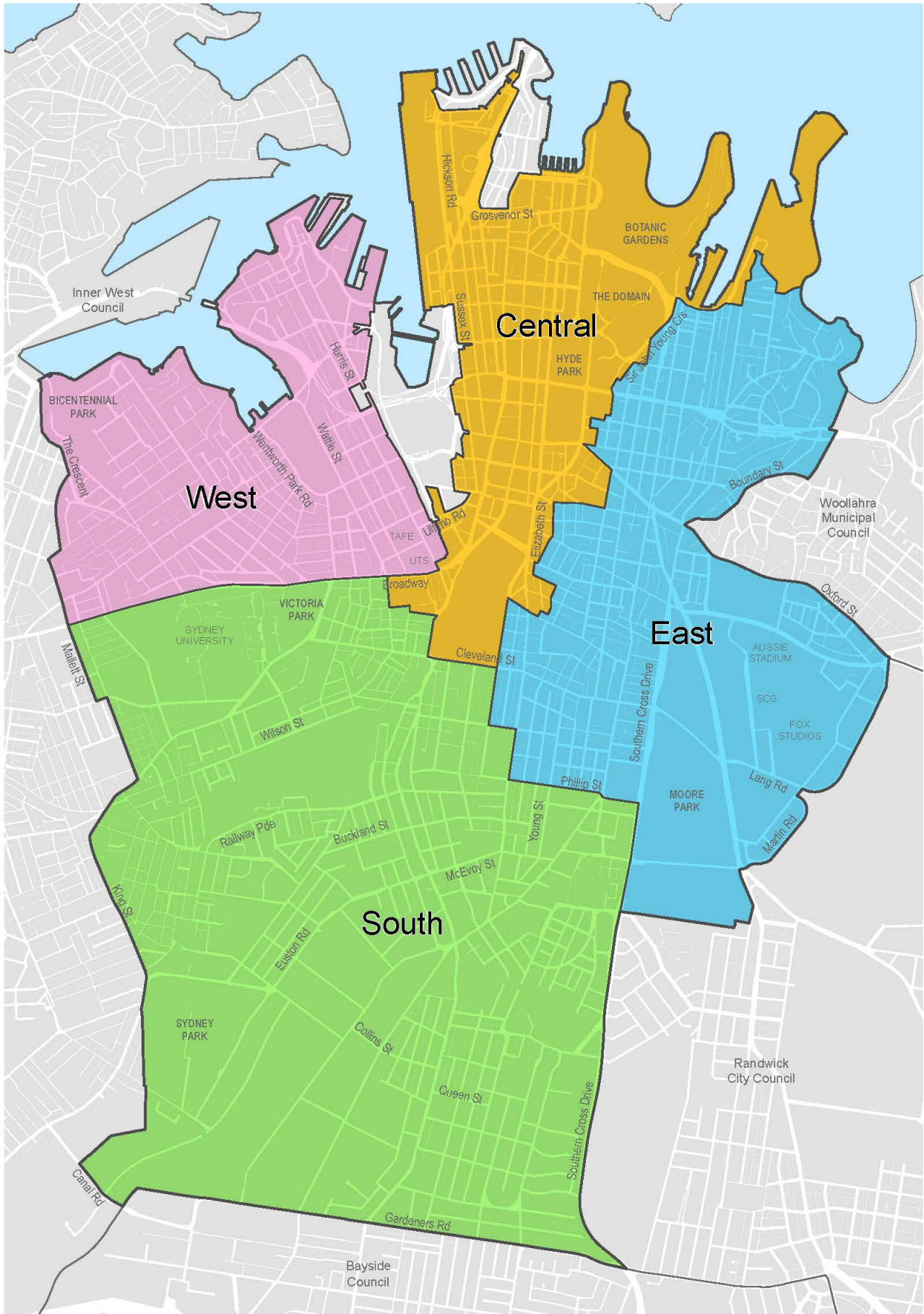
Table 3: Proposed equivalent monetary contribution amounts (dollar rates)

Affordable housing contribution precinct	To 30 June 2028 From immediate commencement of LEPs¹	From 1 July 2029 2-years from commencement of LEPs	From 1 July 2031 4-years from commencement of LEPs
South	\$12,293.84	\$12,396.92	\$12,500.00
East	\$12,293.84	\$16,146.92	\$20,000.00
West	\$12,293.84	\$13,646.92	\$15,000.00
Central	\$12,293.84	\$14,896.92	\$17,500.00

Note:

1. It is noted the current rate in the Program of \$11,176.22 per square metre of 'Total Floor Area' is equivalent to the 'From date LEP is first made' rate, which is expressed [here](#) as a per square metre of 'Gross Floor Area' rate. It is noted that development applications lodged prior to the commencement of the LEPs that implement this planning proposal will be subject to the current affordable housing provisions in the Sydney LEP 2012 and the Green Square Town Centre LEPs. This means, until that time the contribution requirement will continue to be based on the amount of 'Total Floor Area' in the development and the associated equivalent monetary contribution amount, as published on the City's website.

Figure 1: Affordable housing contribution precincts



The equivalent monetary contribution rates in Table 3 will be indexed annually to ensure they keep pace with the cost of providing housing. The method of indexing is set out in the Program and remains unchanged in the draft Program.

~~Allowing for standard planning proposal timeframes, approval of the Program and commencement of the LEPs is unlikely before early 2026, which would result in 50% implementation of the rate in early 2028 and full implementation in early 2030.~~

To allow the market to adjust to the new rates, 50% implementation of the rate is proposed on 1 July 2029 and full implementation on 1 July 2031. The current contribution rate would continue to apply, as indexed, prior to these phase-in dates.

Notwithstanding the dollar rates set out in Table 3, for development in Central precinct, that is entirely for the purpose of build-to-rent housing* or co-living housing**, the equivalent monetary contribution amount will remain at \$12,293.84 per square metre (today's dollar rate adjusted to GFA), as indexed, until the date of the full implementation of the rates as set out in Table 3. From that time the concession rate for these housing types will end.

* Provided in accordance with the Housing SEPP.

** As defined in the Standard Instrument – Principle Local Environmental Plan.

Requirement in practice

The affordable housing contribution requirement is established in the development application process. It is at this stage that the amount of gross floor area in the development is known.

The equivalent monetary contribution will be calculated in accordance with the dollar rates (Table 3), requirements and examples set out in the Program. The proposed dollar rates will result in an overall increase in the payable contributions in all precincts. Some examples of how the proposed rates will increase the payable monetary contribution are provided below.

Example 1 – West precinct Today A 10,000sqm residential development in the West precinct of about 133 apartments will make an affordable housing contribution of \$3.69m OR 300sqm built dwellings (4 dwellings). From full implementation The same development will make an affordable housing contribution of \$4.5m (in today's dollars). Example 2 – South precinct Today A 50,000sqm mixed use development (5,000sqm non-residential floor space / 45,000sqm of residential floor space) in the South precinct of about 600 apartments will make an affordable housing contribution of \$17.2m OR 1,400sqm built dwellings (19 dwellings). From full implementation The same development will make an affordable housing contribution of \$17.5m (in today's dollars). Example 3 – Central precinct Today A 75,000sqm commercial development in Central precinct will make an affordable housing contribution of \$9.2m. From full implementation The same development will make an affordable housing contribution of \$13.13m (in today's dollars). Example 4 – East precinct Today A 1,000sqm residential development of about 13 apartments will make an affordable housing contribution of \$369k OR 30sqm built dwellings (that must be satisfied by paying a contribution because that resulting apartment would not meet the minimum dwelling size). From full implementation The same development will make an affordable housing contribution of \$600k (in today's dollars).
--

Example 1 – West precinct

Today

A 10,000sqm residential development in the West precinct of about 133 apartments will make an affordable housing contribution of \$3.69m.

From full implementation

The same development will make an affordable housing contribution of \$4.5m (in today's dollars).

Example 2 – South precinct

Today

A 50,000sqm mixed use development (5,000sqm non-residential floor space / 45,000sqm of residential floor space) in the South precinct of about 600 apartments will make an affordable housing contribution of \$17.2m.

From full implementation

The same development will make an affordable housing contribution of \$17.5m (in today's dollars).

Example 3 – Central precinct

Today

A 75,000sqm commercial development in Central precinct will make an affordable housing contribution of \$9.2m.

From full implementation

The same development will make an affordable housing contribution of \$13.13m (in today's dollars).

Example 4 – East precinct

Today

A 1,000sqm residential development of about 13 apartments will make an affordable housing contribution of \$369k.

From full implementation

The same development will make an affordable housing contribution of \$600k (in today's dollars).

The value of the contribution requirement will be applied as a condition of consent and must be paid to the City prior to a construction certificate being issued.

Monetary contributions are then distributed to CHPs in accordance with the City of Sydney Affordable Housing Contributions Distribution Plan, adopted by Council on 11 March 2024, to build, own and manage affordable housing in the LGA.

Justification

The review of the dollar rates has been initiated to ensure they are genuinely equivalent to the actual cost to a developer of building and dedicating to Council a square metre of floor area for affordable housing.

To achieve this outcome, and to ensure any changes to the dollar rates do not impact on

development viability, the City commissioned Atlas Urban Economics to undertake an economic analysis. The economic analysis is provided in conjunction with this planning proposal.

The City of Sydney LGA is made up of several distinct sub-markets, generally being the Central Sydney, East, West and South 'affordable housing precincts' shown in Figure 1. Each precinct is subject to its own planning opportunities, market drivers and underlying land values, all of which influence the highest and best use of a development site, the cost of delivering development, how much development will sell for, and what type of development will occur. For example, the East precinct lends itself to a premium housing product being delivered.

These sub-markets have implications for the current approach to rate-setting, notably:

- the current dollar rate, based on the Sydney local area median strata unit price, only enables the purchase of median priced (older) residential stock in the local area and not new residential units. This difficulty is greatest in the East and Central precincts where the current rate would be equivalent to only a fraction of new residential prices;
- the current dollar rate is not genuinely equivalent to the cost of delivering a square metre of floor area and has been too low in many areas of the City for some time, limiting the funds collected by the City's affordable housing scheme and the ability of CHPs to deliver dwellings; and
- applying a uniform rate across the local area places a disproportionate burden on development in different precincts. 'Lower value' areas in the West and South precincts contribute a significantly greater proportion of revenue compared with 'higher value' areas in the Central and East precincts, with these luxury markets having 'underpaid' proportionally for some time.

To address this, it recommends the uniform dollar rate be replaced with dollar rates for each precinct to better align it with the actual cost of delivering housing in the different precincts. The recommended proposed rates are shown in Table 3.

Detailed testing of development scenarios found that where development is already feasible, the recommended dollar rates are tolerated in all precincts when phased-in over three to four years. The testing examines the 'worst case', where land has already been purchased for development and the price paid would not have taken into account the new contributions in preparing their development feasibilities. It shows that a 50% introduction of the new precinct rates results in a relatively minor impact on feasibility, and in subsequent years natural market growth helps to offset any impact.

The Rates Review notes that if higher contributions were to be introduced without a phase in period that it would have significant impact on development feasibility and generally would not be tolerated by many developments today. This is because of a number of headwinds that currently make it very challenging for development to be feasible. This is a result of the cumulative influence of high existing-use values (and therefore the cost to consolidate a development site), elevated construction costs, and relatively soft end sale values of completed product. As the economic environment stabilises, the phased introduction of increased dollar rates would give development markets the opportunity to adjust.

The phase-in period is important so as not to undermine the delivery of the City's housing pipeline and future housing supply – both market and affordable housing.

The proposed dollar rates in Table 3 are cognisant of other changes made by this planning proposal, specifically the proposal to replace references in the Sydney LEP and the Green Square Town Centre LEPs to 'total floor area' with 'gross floor area'. The rationale and justification for these changes are made elsewhere in this planning proposal, however, it is relevant to note here the proposed dollar rates in Table 3 are equivalent to the actual cost of delivering a square metre of gross floor area, rather than total floor area.

The delayed introduction of the proposed dollar rates for build-to-rent housing and co-living housing in Central Sydney is cognisant of the City's efforts (in a separate planning proposal) to incentivise and support the delivery of these specific housing types in Central Sydney for a period of five years, to address the post-pandemic rental housing shortage.

Post-exhibition change

Following consideration of matters raised in submissions, a post-exhibition change has been made to the phase-in schedule of the proposed new dollar rates in the draft Program. The dollar rates are to be phased-in more slowly than originally envisaged, so that 50% implementation is proposed in mid-2029 and full implementation in mid-2031. The proposed dollar rates in Table 1 remain unchanged.

Justification for post-exhibition amendment

Concern was raised in submissions from developers and the development industry that the economic review which supports the proposed rates assumes year-on-year improvements in market conditions to absorb the rate increases and that, in their view, current market indicators do not support this approach.

Given that the original economic review to support the proposed new rates was undertaken in October 2024, the City asked Atlas Economics (the consultant that prepared the study) to consider the submissions and provide further insight.

The proposed precinct-based dollar rates are still reflective of values in each precinct (in fact already being at the lower end of those values), however, it is acknowledged there has been a shift in market sentiment since 2024 and this has implications for the length of time needed for the market to adjust to the new rates.

At the time of preparing the economic review at the end of 2024, inflation and construction costs were trending downwards and there was an expectation that there was pressure relief on the cash rate. Analysis of long-term price movements indicated the following:

- residential prices (strata) average 5.0% growth in Sydney LGA (2011-2021); and
- construction cost increases average 3.2% in Greater Sydney (2011-2021).

This gave a net difference (positive) of 1.8% over the long term. The economic review assumed a +1% difference between revenue and cost, which was grounded in evidence.

However, it is acknowledged that inflation has returned at the end of 2025. Successive rate rises and a war in Iran has resulted in significant uncertainty, most likely to lead to further rate rises, flattened residential unit prices and further increased construction costs. The +1% growth assumed in the economic review is less certain given these considerations.

As at June 2025 there are about 4,000 dwellings lodged and under development assessment and over 10,000 dwellings already approved in the City's development pipeline. These development applications would not be impacted by new contribution rates, noting that the contribution rate that applies is the rate that is applicable when a DA is lodged. There is therefore no risk of any impact from the proposed increase in contribution rates on the development pipeline.

Notwithstanding the above, having regard to current market challenges and uncertainties, it is agreed there is a case to delay the implementation of the new dollar rates to allow longer for:

- sites already purchased to be progressed and submitted for DA; and
- new sites to be negotiated and purchased, and submitted in a DA.

As a result, a post-exhibition change is recommended to the Program to delay the implementation of the increased monetary contribution rates (dollar rates) to:

- a 50% introduction from 1 July 2029; and
- 100% from 1 July 2031.

This puts the full implementation of the dollar rates outside of the Housing Accord period.

Updating the contribution requirement on land where a rezoning has resulted in additional development capacity

The **current** Program (**adopted June 2023**) sets out an approach at Appendix B for how an “additional” affordable housing contribution may be applied where land has secured additional development capacity via a rezoning process. **The rezoning contribution requirement is in addition to any other contribution that may apply, for example, under Clause 7.13 of the Sydney LEP.**

The **current** Program provides a standardised contribution requirement for each precinct (Figure 1), stated as a percentage of new floor area, that will be applied to the new development capacity.

The additional affordable housing contribution requirement **will be** secured in the process of rezoning the land. The requirement may be set out in:

- an LEP, for example, the land may be identified as “planning proposal land” on Schedule 6C of the Sydney LEP 2012, with the additional contribution requirement being set out in the schedule; or
- a voluntary planning agreement, for example, the landowner may offer to enter into a voluntary planning agreement with the City to build and dedicate affordable housing; or
- some other environmental planning instrument.

~~Where the proposed development meets the criteria in the Program for where housing must be dedicated, Council will generally require the additional contribution be satisfied by the dedication of built dwellings.~~

~~Where the development does not meet the criteria, Council will require the additional contribution be satisfied by making a monetary contribution in accordance with Section 2 of the Program.~~

~~It is proposed to adjust the contribution requirement in the Program in the manner set out below.~~

Proposed change to the Program

~~This planning proposal does not identify any planning proposal land and does not require an affordable housing contribution on any planning proposal land. Rather, the Program is to be amended to include updated contribution requirements and to set out how the contribution will generally be required to be satisfied.~~

The Program is to be amended to update the rezoning contribution requirement in the manner set out in Table 4.

~~The proposed rates are shown in italics in Table 4, with the current rates struck through for comparison.~~ Explanatory notes follow the table. For comparison with existing rates see Table 1 of this planning proposal, noting the rezoning rates in Table 4 (proposed) are exclusive of other statutory affordable housing contribution requirements, while the rezoning rates in Table 1 (current) are inclusive.

Table 4: Proposed **rezoning** contribution requirement

Affordable housing contributions precinct	Contribution requirement – Planning Proposals lodged from 1 July 2029
Central precinct	17% residential gross floor area 1% non-residential gross floor area
West precinct	17% residential gross floor area
South precinct	17% residential gross floor area
East precinct	17% residential gross floor area

Explanatory notes: The rezoning contribution requirement shown at Table 4 is exclusive of any other statutory affordable housing contribution requirement that applies to the land. For example, the 17 per cent rezoning contribution requirement that will apply to all new residential floor area does not include the 3 per cent that applies under Clause 7.13 of Sydney LEP 2012, that is otherwise applied in the development application.

In the west, south and east precincts, the rezoning contribution requirement applies to new floor area that has the potential to be used for a residential purpose, that is, the residential contribution requirement will be applied to any additional floor area achieved on land where residential uses are permitted, unless the whole of that site is restricted in a planning instrument to a non-residential purpose only.

In Central precinct, because a rezoning contribution requirement also applies to new non-residential floor space, the rezoning contribution requirement will be applied using a proportional approach. That is, where there is a requirement in a planning instrument that restricts a proportion of the floor area to a non-residential purpose, then the non-residential rezoning contribution requirement will be applied to that same proportion of any new development capacity, and the residential rezoning contribution requirement to the remainder. For example, where a site is required by a planning instrument to provide 50% of the floor area in the building as non-residential development, then the non-residential rezoning contribution requirement of 1% would apply to 50% of the new floor area and residential rezoning contribution requirement of 17% would apply to the other 50% of new floor area.

Precinct ¹	Contribution requirement ²
West precinct ²	12%*** 20% residential floor space
South precinct ²	12%*** 20% residential floor space
East precinct ²	21%*** 20% residential floor space
Central precinct ³	13% subject to site specific viability testing 20% residential floor space 2% non-residential floor space

1. Affordable housing contribution precincts are shown at Figure 1 of this planning proposal.

2. In the West, South and East precincts, the contribution applies to new floor area that may be used for a residential purpose, that is, the contribution requirement will be applied to any additional floor area achieved on land zoned residential purposes, unless the whole of that site is restricted in a planning instrument to a non-residential purpose only.

3. In Central precinct, the contribution requirement will be applied using a proportional approach. That is, where there is a requirement in a planning instrument that restricts a proportion of the floor area to a non-residential purpose, then the non-residential contribution requirement will be applied to that same proportion of any new development capacity, and the residential contribution requirement to the remainder. For example, where if site is required by a planning instrument to provide 50% of the floor area in the building as non-residential development, then the non-residential contribution requirement of 2% would apply to 50% of the new development capacity and residential contribution requirement of 20% would apply to the other 50% of new development capacity.

It is noted the above contribution requirements are inclusive of any other contribution requirement

~~that is applied in an LEP. For example, the 20 per cent rate that applies to all residential floor area includes 17 per cent for new residential floor area on planning proposal land, plus 3 per cent that applies under Clause 7.13 of Sydney LEP 2012. Where no other contribution requirement applies, the full 20 percent may be applied.~~

Requirement in practice

The contribution requirement is a 'soft' requirement, that is, it is not set out in a local environmental plan, rather it is a requirement that is negotiated as part of the rezoning process, allowing for adjustment on a case-by-case basis depending on the context of the proposed rezoning. If, for example, that site is also required to dedicate land for a park, then the contribution requirement might be adjusted down in recognition of the additional costs to the developer.

Notwithstanding the above, by expressing the contribution requirement in an adopted Council Program, it provides notice to the market of the City's expectations. This allows developers to adjust what they will pay for land in the full understanding of what affordable housing contribution requirements are payable.

Noting also that significant rezonings are proposed in all parts of the local area pursuant to the NSW Governments Housing Delivery Authority (HDA) State Significant Development (SSD) pathway, the rezoning contribution rates as proposed enable the City to continue to advocate for an appropriate additional affordable housing contribution requirement to be applied to new residential floor space where land is rezoned.

~~Where a contribution requirement is to be satisfied by an equivalent cash contribution t~~The dollar rates at Table 3 will be applied to the floor area requirement ~~to establish the equivalent cash contribution requirement.~~

A uniform contribution requirement, differentiated by a precinct-based dollar rate to reflect the pricing hierarchy across the City, achieves an equitable outcome across the LGA. That is, regardless of location, a contribution requirement would make the same proportion (%) of affordable housing contributions per additional GFA enabled by the rezoning.

The contribution requirement will be in effect from the date the LEPs are made, noting that the accompanying cash-equivalent dollar rates in Table 3 are to be phased in over four years.

To date, only residential uplift has been identified as planning proposal land and required to make an additional contribution to the delivery of affordable housing. However, non-residential uplift secured via a planning proposal in Central precinct only will ~~now also~~ attract a 2% rezoning contribution requirement ~~in future~~.

The Central precinct will be most impacted by changes to the contribution requirement because most planning proposals that rezone a site for more floor area are located in Central Sydney. Rezoning for more floor area is very uncommon outside of Central Sydney, with only a couple of examples over the past 10 years, none of which have significantly increased residential floor area development capacity. An example of how the proposed changes will impact planning proposals in the Central precinct is provided below.

Example

Today

A site in Central precinct is currently subject to planning controls that allow 70,000sqm of non-residential floor space.

A rezoning is proposed to allow an additional 40,000sqm of non-residential floor space. No residential development proposed.

Based on current approach, only the LGA wide contribution would be applied to all GFA when the development application is lodged. No rezoning contribution requirement would be applied because the new floor space is for non-residential purposes only.

The current requirement is therefore \$13.5M (in today's dollars), calculated as $(110,000\text{sqm} \times 1\% \times \$12,293)$

From full implementation of dollar rates

The proposed change will apply the LGA wide contribution to the existing floor space and a rezoning contribution of 2% to the new floor space.

The same rezoning will therefore be required to make an affordable housing contribution of \$26.3m (in today's dollars).

Justification

The economic analysis, prepared by Atlas Urban Economics, and provided in conjunction with this planning proposal, tested a series of development scenarios, applying assumed development margins and project Internal Rates of Return, to determine the tolerance of development in the different precincts to increased contribution requirements.

The review tested a worst-case scenario, that is where land has been purchased at a price that does not reflect the proposed uplift contribution requirements. It found that in most circumstances development will remain viable under the proposed requirements, provided that the accompanying equivalent dollar rates are phased in over three to four years (as provided in Table 3).

With notice to the market that the City will be seeking increased contributions to affordable housing where there is a planning proposal to create new floor area, developers have the opportunity to pay a price for land that reflects the various fees and charges that are payable, noting adjustment can be made to the contribution rate if justified.

A gradual implementation, achieved by phasing-in the equivalent monetary contribution dollar rates, will ensure that land values (and landowner expectations) adjust gradually. This is important to allow for planning decisions to be made by both government and proponents in a full understanding of what may be required where development uplift is facilitated through a planning proposal process.

It is noted that a contribution rate for planning proposal uplift has not previously been applied to non-residential development. It is now recommended in the Central precinct alone because of the substantial demand for housing for key workers created by increased employment floor space in Central Sydney.

The economic analysis found that in the commercial office sector, structural trends continue to change how users perceive and demand space. In a post-COVID environment, businesses and employees have much higher expectations of their workplaces, generally seeking high-amenity and high-quality spaces. This underpins demand for the development of contemporary space and an opportunity for commercial space in Central Sydney enabled by a planning proposal to contribute to affordable housing.

Post-exhibition changes

A post-exhibition change has been made to framing of the rezoning contribution rates in the draft Program so that it is exclusive of any other statutory affordable housing contribution that may also apply, noting that the rezoning rate previously expressed in the Program was inclusive of a 3% contribution requirement under cl.7.13 of Sydney LEP or cl.6.5 of the GSTC LEPs. As a result, the rezoning rate is presented as 17% instead of 20%.

Justification for post-exhibition amendment

Other changes recommended to the Planning Proposal post-exhibition (discussed earlier in this planning proposal) which ensure affordable housing contributions subject to LEP requirements can only be satisfied by monetary contributions necessitate a change to the framing of the rezoning contribution requirement so that it is exclusive rather than inclusive of any other statutory contribution requirement. This means that the rezoning contribution rate is now presented as 17% rather than 20%.

In practice, the change does not alter the total contribution requirement, but simply more clearly differentiates between the two contribution components. This allows for the separate contribution requirements to be treated differently.

Requirement for dedication of built dwellings for affordable housing

~~This planning proposal is to amend Clause 7.13B of the Sydney LEP 2012 to allow the consent authority to require the dedication of built dwellings where the requirements of the Program are met.~~

~~The Program is to set out the criteria for where the consent authority may require the dedication of built dwellings. Because the provisions in the LEPs are to make direct reference to the criteria in the Program, the consent authority cannot require the dedication of dwellings where the dwellings do not meet the criteria set out in the Program. In that instance, the consent authority must require the contribution be satisfied by monetary contribution.~~

~~Proposed change to the Program~~

~~The draft Program includes criteria for where an affordable housing contribution will be required by the consent authority to be satisfied by dedicating built dwellings, including where:~~

- ~~• the development is predominantly for a residential purpose;~~
- ~~• the development will (or in the case of a Stage 1 development application, may) result in a contribution requirement for more than 600 square metres of gross floor area that can be provided as eight or more dwellings;~~
- ~~• the development is located in Category A or B area of the Sydney LEP 2012 Land Use and Transport Integration Map (if the development is subject to the Sydney LEP 2012);~~
- ~~• in the opinion of the consent authority, affordable housing dwellings may reasonably be provided where they could avoid participation in a future strata scheme, if the quarterly costs of the scheme would likely be high* and render the management of the property for affordable housing as unsustainable**. This could reasonably be achieved where the dwellings to be dedicated could be provided:~~
 - ~~○ in a separate stratum in a building in the development, preferably with its own entry; or~~
 - ~~○ in a separate building in the development; and~~
- ~~• in the opinion of the consent authority, the standards for dedicated affordable housing dwellings, provided at Appendix C, can be reasonably satisfied.~~

* Where the development incorporates amenities that are likely to result in high management costs, for example, a significant number of lifts, pool(s), gym(s), concierge facilities etc.

** Affordable housing may be 'unsustainable' where rents will not meet the costs of strata and other cyclical management costs of the dwelling over a 40 year ownership period.

~~In determining if it will require the dedication of built dwellings, the consent authority must consult with any Recommended CHPs, identified in any distribution plan adopted by Council as being the recipients of dedicated dwellings.~~

~~The consent authority may not require the dedication of built dwellings where any Recommended CHPs, identified in any distribution plan adopted by Council as being the recipients of dedicated dwellings, provides evidence that the proposed dwellings are unsuitable for use as affordable housing.~~

~~The City of Sydney Director of Planning, Development and Transport must provide written advice confirming the suitability of dwellings proposed for dedication prior to a condition of consent for dedication being applied to a development consent.~~

~~The standards that dedicated dwellings must achieve, set out at Appendix C of the Program, include:~~

- ~~• long-term management requirements;~~
- ~~• strata requirements;~~
- ~~• dwelling mix requirements;~~
- ~~• parking and servicing requirements;~~
- ~~• access requirements; and~~
- ~~• design requirements, including external design, design for reduced living costs and design for reduced cyclical management costs.~~

Requirement in practice

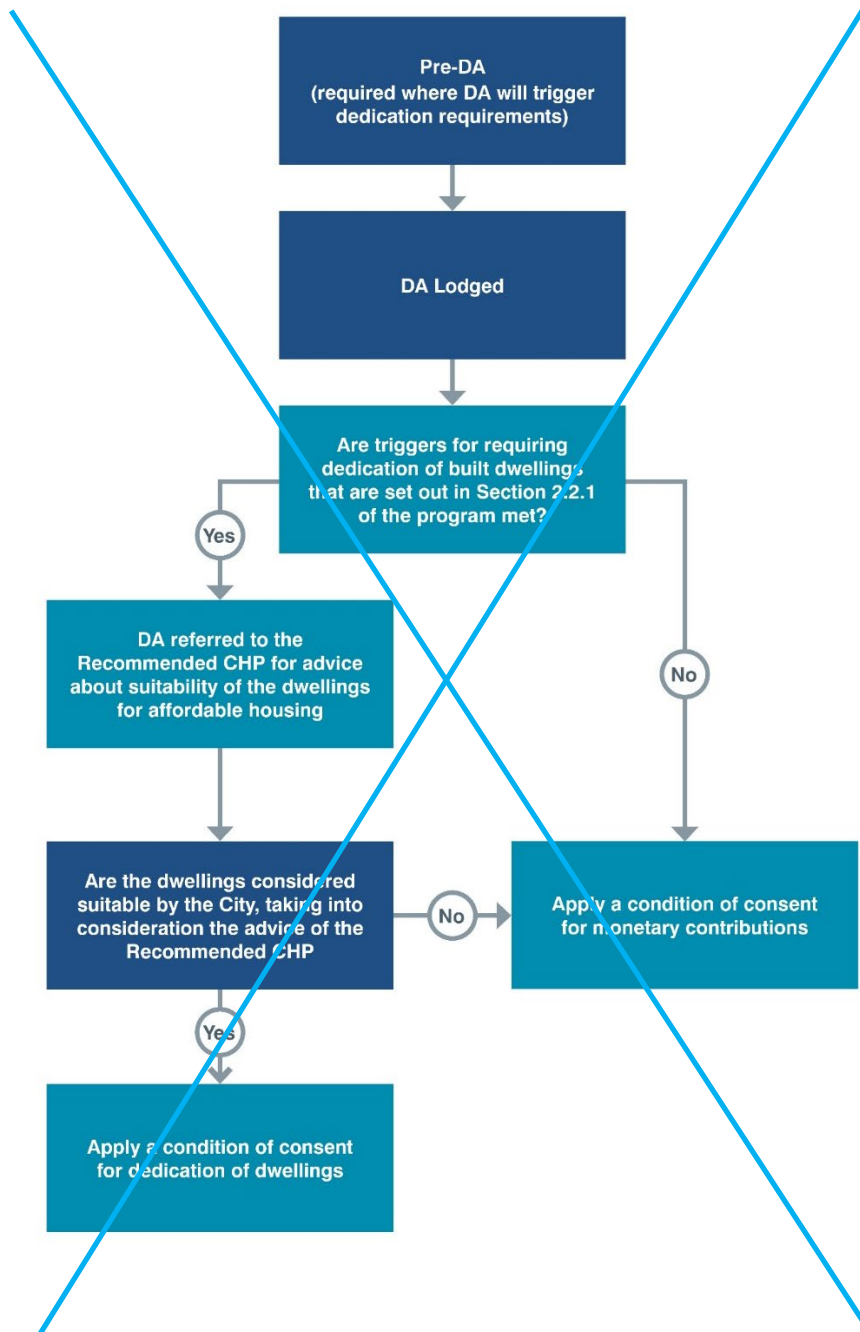
~~The consent authority's decision about whether a developer / landowner will be required to dedicate dwellings to satisfy an affordable housing contribution requirement will be made in the context of a lodged development application. Ultimately the requirement will be applied as a condition of consent.~~

~~Where the development application meets the requirements for dedication of dwellings, the application will be referred to the Recommended CHPs on the City's distribution plan for any comment about the suitability of the proposed dwellings for dedication for affordable housing.~~

~~The City's Chief Planner, Executive Director of Planning, Development and Transport will consider the advice of the Recommended CHPs and, where the proposed dwellings are considered suitable, confirm with the proponent they will be required to satisfy their monetary contribution by dedicating dwellings.~~

~~A simplified development application process is shown at Figure 2.~~

Figure 2: Development application process



Justification

The above criteria for dwelling dedication in the Program are informed by consultation with the CHPs that are identified on the City of Sydney Affordable Housing Contributions Distribution Plan, adopted by Council on 11 March 2024 (outlined earlier in this planning proposal). These CHPs will ultimately be in receipt of any dedicated dwellings. A summary of advice provided by CHPs is provided in conjunction with this planning proposal.

Post-exhibition change

The publicly exhibited planning proposal sought to amend Clause 7.13B of the Sydney LEP 2012 to allow the consent authority to require the dedication of built dwellings where the requirements of the Program are met.

The publicly exhibited Program set out the criteria for where the consent authority may require the dedication of built dwellings.

Following consideration of matters raised in submissions, some post-exhibition changes have been made to this planning proposal and the draft Program to:

- require Clause 7.13B and Clause 6.70 of Sydney LEP affordable housing contributions to be satisfied as a monetary contribution;
- remove from the draft Program the detailed criteria which had been introduced to guide processes and decisions about the suitability of dwellings proposed to be dedicated; and
- provide guidance in the draft Program to proponents wishing to make a public benefit offer for affordable housing under Clause 7.13B, including matters to be addressed in any offer, matters to be considered by Council, and a streamlined version of criteria to guide the delivery of affordable housing units resulting from a VPA.

The recommended post-exhibition changes are consistent with the approach that the exhibited planning proposal takes to the LGA-wide contribution requirement (at Clause 7.13 of Sydney LEP) that will also allow monetary contributions only.

Requirement in practice

The effect of the post-exhibition change is that, going forward, where there is a development application, the contribution may only be satisfied by making a monetary contribution – i.e. there is no pathway set out in the Program to dedicate affordable housing in the development application process.

Notwithstanding the above, where a future planning proposal is lodged to rezone land to increase development capacity, the developer may opt to:

- make a public benefit offer to enter in a planning agreement with Council to provide build affordable dwellings in accordance with the requirements set out in the Program, or
- be listed on Schedule 6C of Sydney LEP that will require a monetary contribution on any future development consent.

In the case that the developer opts to provide built affordable housing, the publicly exhibited draft Program is amended to:

- clarify that only the “rezoning contribution requirement” that is applied to the new floor space may be satisfied by providing built affordable dwellings; and
- require that any public benefit offer to provide built affordable dwellings must:
 - be subject to a restrictive covenant requiring the housing to remain affordable housing in perpetuity and be rented for no more than 30% of household income;
 - be owned and/or managed by an Eligible community housing provider;
 - be rented to very low-, low- and moderate-income households, as defined by the Act; and
 - be subject to annual reporting.
- require that any public benefit offer to provide built affordable dwellings to outline:
 - how the affordable housing will achieve stated built standards;
 - how an Eligible CHP will be consulted in the design and construction phase; and
 - at what stage of the development the affordable housing will be provided.
- set out how Council will have regard to the public benefit offer, including consideration of:
 - the nature and scale of the planning proposal;

- the quantum of dwellings being offered;
- the suitability of the dwellings being offered (with reference to the built standards); and
- any other public benefits offered in relation to the planning proposal.

Justification for post-exhibition amendment

As discussed earlier in this planning proposal (at Section 5.1), submissions received during the public exhibition - from community housing providers, housing peak bodies, development industry peak bodies and developers - expressed concerns around the proposed approach to mandate the dedication of affordable housing dwellings, citing:

- a strong preference for cash contributions by CHPs;
- a strong preference for flexibility in contribution type from the development industry;
- difficulties standardising dwelling specifications, with resulting uncertainty for all parties; and
- the likely additional delays to development associated with negotiating appropriate outcomes across all development stages.

This prompted a more detailed consideration of the relative pros and cons of dedications, and how the process might be best managed going forward, given that:

- dedications could become more financially attractive in some circumstances given the proposed increases to the equivalent monetary contribution rates; and
- there is an overarching desire to speed up development applications, noting that since Council approved the planning proposal in December 2024 for public exhibition, the NSW Government announced the Housing Delivery Authority and a new SSD pathway for residential development .

As a result, a post-exhibition change is proposed (also discussed at Section 5.1) that will mean affordable housing contributions required subject to LEP requirements can only be satisfied by making a monetary contribution.

The Program is also amended post-exhibition to allow for a public benefit offer to be made by a proponent to provide affordable housing where there is a rezoning. This option is only to be available at the planning proposal stage, and only where an applicant chooses to provide affordable housing rather than make a monetary contribution, noting that the planning proposal process allows more time for consideration of the bespoke requirements of the development and the receiving CHP in how the affordable housing can be delivered.

The amended Program (post-exhibition) steps out the VPA process. It requires the proponent to have identified a CHP for the housing in question – essentially meaning that the applicant will have had to enter into discussions and agreements with potential CHP partners before a public benefit offer is made. The criteria included in the exhibited draft Program, which were intended to guide processes and decisions about the suitability of dwellings proposed to be dedicated, have been streamlined and reproduced in a new version of Appendix C: Standards for affordable housing dwellings, covering:

- size requirements;
- accessibility of the site;
- strata requirements;
- dwelling mix requirements;
- parking and servicing requirements; and

- design requirements, including external design, design for reduced living costs and design for reduced cyclical management costs.

Exclusions to contributions

(previously included at Table 5: Housekeeping amendments to the Program)

The Program currently outlines circumstances where development may be exempt from having to make a contribution towards affordable housing. These include where development has a construction cost of less than \$100,000 or represents a change of use from one industrial use to another.

Certain uses are also currently excluded from needing to make a contribution in LEP clauses which define TFA in Sydney LEP 2012 and the Green Square Town Centre LEPs.

As a consequence of moving from TFA to GFA and removing the definition of TFA from those LEPs (discussed earlier in this planning proposal), the exhibited Program also included those specifically excluded uses in the list of exemptions:

- affordable or public housing;
- community facilities; and
- any development in the E4 General Industrial zone.

The meaning of each term was clarified in the exhibited Program to assist in the development assessment process, taking an approach generally consistent with the City's Section 7.11 and 7.12 contribution plans and clarifying any relationship with similar housing types under the Housing SEPP. The exhibited Program clarified that any affordable housing delivered under the Housing SEPP and which does not comply with the principles of the Program, is not exempted from the need to make an affordable housing contribution under the City's scheme.

Proposed change to the Program (post-exhibition)

A post-exhibition change is recommended to exclude additional types of development from the requirement to make an affordable housing contribution, where they are provided by or on behalf of a charity or not-for-profit organisation, as follows:

- places of public worship;
- hostels;
- boarding houses;
- residential care facilities;
- group homes; and
- an emergency services facility.

In addition, any floor area for the development of a dwelling house, attached dwelling or dual occupancy or which relates to alterations and additions to an existing attached dwelling, dual occupancy or dwelling house, is also excluded.

Land use terms are defined by Sydney LEP 2012 and the Housing Act 2001.

The current exclusion for development with an agreed cost of construction of less than \$100,000 is also increased to \$150,000.

Requirement in practice

If the requirement for an affordable housing contribution is triggered by Sydney LEP 2012 or the Green Square Town Centre LEPs, the consent authority may still exempt a development from the need to make a contribution, or reduce the applicable contribution, if it is satisfied that any of the circumstances listed in the Program apply.

Applicants must outline how their development is consistent with the relevant exclusion / reduction in their development application. If Council is satisfied that the development is consistent with the relevant exclusion / reduction, it will exclude / reduce the contribution as

appropriate.

Post-exhibition:

- additional forms of development are added to those already identified in the Program; and
- the cost of construction which would trigger the need for a contribution is increased.

Justification

Submissions received during public exhibition sought clarity around exclusions to contributions. A submission from Grace City Church specifically sought an exclusion for not-for-profit (NFP) organisations and a submission from a responding individual requested that non-developer, owner-occupier family homes be excluded from the need to make an affordable housing contribution.

As a result of submissions, a broader review of the current exclusions in the draft Program was undertaken and additional specific forms of development are excluded post-exhibition. The review was cognisant of the need for equity and Section 7.32(3)(c) of the Act that requires a dedication or contribution be “reasonable”.

Some of the additional housing types that are recommended for exclusion, including hostels, boarding houses, and group homes and residential care facilities, while not technically defined as “affordable housing”, are housing that is generally accessed by people on low incomes and/or receiving income support. Development applications for these housing types are not common in the City of Sydney. Excluding them from the need to make an affordable housing contribution is likely to have little impact on the quantum of contributions collected but may assist in supporting the feasibility of these development types where opportunity arises.

Places of public worship provided by or on behalf of a charity or not-for-profit organisation are recommended for exclusion to align with the Central Sydney Development Contribution Plan 2020 and the City of Sydney Development Contributions Plan 2015.

Emergency services facilities are recommended for exclusion to support the delivery of critical infrastructure to support the residential population.

Dwelling houses and attached dwellings (single homes) and dual occupancies are recommended for exclusion to minimise the impact of the contribution on small scale residential development. Development applications for these housing types are not common in the City of Sydney and excluding this development type is likely to have little impact on the quantum of contributions collected. However, given the contribution requirement can add considerable and disproportionate cost to small residential projects, and impact on the feasibility of building or renovating a family home, it is considered reasonable to exclude this form of development from the contribution requirement.

Increasing the construction cost trigger from \$100,000 to \$150,000 acknowledges significant recent escalations in construction costs and likely future increases that are expected to significantly impact prices in the short to medium term.

Housekeeping amendments

The draft Program includes various housekeeping amendments to clarify its operation or generally improve the readability of the Program, set out in Table 5.

Table 5: Housekeeping amendments to the Program

Proposed change	Reason / justification
Updating Affordable Housing Principles, including information about how the Principles are satisfied in practice	All affordable housing generated as part of the City's affordable housing contribution scheme is governed by the Affordable Housing Principles detailed in the Program.

Proposed change	Reason / justification
	Requirements have been consolidated for ease of reference, with further detail provided for each contribution type to improve clarity of understanding.
Updating references to 'total floor area' (TFA) to 'gross floor area' (GFA) throughout	The planning proposal looks to move from TFA to GFA as the accepted measure for both calculating an affordable housing contribution and for satisfying a contribution if physical dwellings are to be dedicated. To reflect this change, all references to TFA are updated to GFA throughout the Program.
Incorporating additional forms of development in the existing list of exclusions from a contribution requirement the exclusion of developments for affordable housing, public housing, community facilities and in the E4 zone from a contribution requirement	The existing definition of TFA at Clause 7.13 of Sydney LEP 2012, which details the floor space to which a contribution requirement is to be calculated, currently excludes from its calculation any floor area related to affordable housing, public housing, community facilities and development in the E4 – General Industrial zone. With the deletion of the definition of TFA (and proposed move to GFA as the applicable measure for floor space), these exclusions are now detailed in the Program. The meaning of each term has been made more fulsome to ensure clarity in the assessment process, taking an approach generally consistent with the City's Section 7.11 and 7.12 contribution plans. To avoid doubt, any relationship with similar housing types under the Housing SEPP is also clarified. Post-exhibition, additional uses have been incorporated in the list of exclusions to ensure the requirement for a contribution remains reasonable under the Act. This is discussed in more detail earlier in this planning proposal.
Updating examples in the Program	The Program contains simplified worked examples to demonstrate how a contribution requirement may be applied and satisfied in different circumstances. Examples are inserted / updated where necessary to reflect: • The change from TFA to GFA; • The updated monetary contribution rates, as they apply over time and across differentiated precincts; and • How the rezoning contribution requirement is determined. The considerations for satisfying a contribution requirement via the dedication

Proposed change	Reason / justification
	of physical dwellings.
Providing clarification on how a contribution requirement is applied in the Central Sydney and residual land levy areas	The contribution levy is applied to 'new' and 'more intensely' used floor area in Central Sydney and residual lands. Following requests from the City's development assessment planners, clarification is provided on what these terms are taken to mean for the purposes of the City's affordable housing scheme.
Re-wording the considerations for refunding a development contribution payment	An existing facility in the Program to refund a development contribution payment has been re-worded to improve clarity.
Clarifying that contributions are to be used in accordance with any distribution plan adopted by council, and removing superfluous information otherwise covered by this arrangement	In March 2024 a distribution plan was adopted by Council which outlined the three CHPs that would receive affordable housing contributions arising from the City's affordable housing scheme over the next five years. It also made provision for the split of cash and in-kind contributions that would be distributed. The three CHPs identified in the Distribution Plan have entered into funding agreements in order to receive contributions from the City. The Program now makes clear that all contributions are to be used in accordance with the Distribution Plan, including any dedicated dwellings. Any information that is captured by the funding agreements signed by the three CHPs is superfluous to the Program and is removed.
Simplifying the requirements for affordable housing that is provided on employment land (and moving the information into a separate appendix - see Appendix D, below)	These requirements are generally covered by the Affordable Housing Principles included elsewhere in the Program.
A general re-ordering and streamlining of content, especially for clarity around the two different routes for satisfying a contribution requirement in the City especially to underline the City's preference for monetary contributions to satisfy contribution requirements in the LGA	The planning proposal seeks to enable the consent authority to require the dedication of affordable rental dwellings where a site benefits from upzoning, with a monetary contribution being required in all other circumstances to satisfy a contribution requirement. Previously there has been a choice between dedication of affordable rental dwellings or a cash contribution. The amended Program re-focuses existing content to make clear the City's requirement for monetary contributions. this differentiation in approach clear. Some other minor restructuring has also enabled ease of reading and understanding.

Proposed change	Reason / justification
	Section numbers and headings are updated as appropriate.
Improving the clarity of content in Appendix B – Contributions where land is rezoned	Explanatory detail around the mechanisms which secure a contribution requirement where land is upzoned is incorporated in Appendix B. Information on how to make a public benefit offer to provide affordable housing and how an offer may be considered by Council is included. A cross-reference to the criteria which guide a requirement to dedicate built dwellings and Updated worked examples are also provided.
Removing the existing Appendix C – Process for dedicating dwellings	Appendix C currently sets out the process for the dedication of dwellings. Going forward, the process will instead be published on the City's website. Going forward, this process will be via voluntary planning agreement and more detail is provided in the revised Appendix B (as detailed above).
Providing a new Appendix C – Standards for dedicated affordable housing dwellings	A new Appendix C is provided to establish the standards for dedicated affordable housing dwellings that may be offered as part of a VPA where land is rezoned. The standards include: • size requirements; • accessibility requirements; • long-term management requirements; • dwelling mix requirements; • parking and servicing requirements; and • access requirements; and • design requirements, including external design, design for reduced living costs and design for reduced cyclical management costs. The Standards also incorporate a requirement to ensure that separate entries in a development are only to be provided to facilitate practical access needs, and not an explicit aim to segregate affordable housing tenants from market housing tenants/owners. If they are to be provided, the Standards require that they be of similar design quality. This post-exhibition addition responds to matters raised in a Resolution of Council issued in February 2026 regarding the prevention of discrimination against low-income tenants in new housing developments and reflects subsequent research and engagement with key stakeholders (provided to accompany the post-exhibition report

Proposed change	Reason / justification
	to Council).
Providing an Appendix D – Development application process flowchart Providing an Appendix D – Affordable housing on suitable employment land	A new Appendix is included to provide an overview of the decision-making process which will establish the requirement to dedication affordable rental dwellings. A new Appendix is included to contain details relating to the provision of affordable housing on suitable employment land. The information has been moved out of the body of the Program, which now focuses on monetary contributions, not built dwellings, to satisfy contribution requirements in the City.
Clarifying the existing definition for ‘Eligible Community Housing Provider’	An amendment to the Community Housing Providers (Adoption of National Law) Act 2012 was passed on 15 August 2025 to provide for the registration and management of affordable housing by a newly created category of for-profit affordable housing managers in addition to not-for-profit community housing providers. A minor change to the existing definition of Eligible CHPs is proposed to clarify that the intended recipient of affordable housing contributions under the Program and the appropriate managers of affordable rental housing in the City are to be not-for-profit CHPs.

5.3. Matters for consideration

This section provides a response to the ‘matters for consideration’ described in Table 3 of the Local Environmental Plan Making Guideline, published by the Department in August 2023, that are to be taken into account when describing, evaluating and justifying a planning proposal.

Section A - Need for the planning proposal

Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

This planning proposal is informed by Sustainable Sydney 2050: Continuing the Vision, and the City of Sydney Local Strategic Planning Statement: City Plan 2036 and Local Housing Strategy: Housing for All, that set out targets for affordable housing.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal is the only way to amend the affordable housing provisions in the Sydney LEP 2012 and the Green Square Town Centre LEPs.

Section B - Relationship to the strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

[Draft Region Plan](#)

On 10 December 2025, the NSW Department of Planning Housing and Infrastructure (Department) published a “Draft Sydney Plan”, a new regional plan for the 33 Local Government Areas (LGAs) that make up the Greater Sydney Region. It has a 20-year horizon (to 2045) and once finalised will replace the current Greater Sydney Region Plan.

The draft Sydney Plan recognises the important role of local affordable housing contributions schemes to increase the amount of affordable housing in the region.

This planning proposal does not conflict with the objectives and actions set out in the draft Sydney Plan.

A Metropolis of Three Cities – the Greater Sydney Region Plan

A Metropolis of Three Cities – the Greater Sydney Region Plan is the NSW Government’s overarching strategic document for growth and change in Sydney. The 20 year plan with a 40 year vision seeks to transform Sydney into a metropolis of three cities being the Western Parkland City, the Central River City and the Eastern Harbour City. The City of Sydney LGA is positioned within the Eastern Harbour City.

The plan identifies key challenges facing Sydney including a population increase to eight million by 2056, 817,000 new jobs by 2036 and a requirement for 725,000 new homes.

The plan aspires to deliver the following outcomes:

- liveability – enhancing cultural and housing diversity and designing places for people;
- productivity – developing a more accessible and walkable city and creating conditions for a stronger economy;
- sustainability – valuing green spaces and landscape, improving efficiency of resources and creating a resilient City; and
- infrastructure – ensuring infrastructure supports new developments and governments, community and businesses collaborate to realise the benefits of growth.

To achieve the vision, the plan proposes 10 directions, 40 objectives and associated strategies. Objectives of particular relevance to this Planning Proposal include: 10 - Greater housing supply and 11 - Housing is more diverse and affordable.

This planning proposal is consistent with several relevant directions, objectives and strategies of the plan. Specifically, it will increase the supply of affordable housing and improve housing diversity and choice.

Eastern City District Plan

The Greater Sydney Commission released the District Plans for the Greater Sydney Metropolitan Region in March 2018. The City of Sydney is in the Eastern City District. The District Plans set out how A Metropolis of Three Cities – the Greater Sydney Region Plan applies to local areas.

The district plan has set a 20-year strategic target for housing and employment growth within the district, including a 2036 target of 157,500 dwellings and a short-term (5 years) housing target of 46,550 new dwellings. In the City of Sydney LGA, 18,300 dwellings are to be delivered.

The district plan requires councils to develop local housing strategies and actions to address the range of housing needs in their LGAs, including affordable housing.

The district plan nominates an affordable rental housing target of five to 10 per cent, subject to viability, in urban renewal and land release areas, noting that the application of the target should not prejudice other approaches to secure affordable housing in areas outside of urban renewal and land release areas. A critical focus of the plan is that any mechanism that is introduced to secure affordable housing should be cognisant of the impact on development viability.

This planning proposal supports the district plan’s priority of ‘Housing Diversity and Affordability’ by facilitating the delivery of affordable rental housing in the city through the planning framework.

Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Sustainable Sydney 2050

In April 2022 Council adopted for exhibition the draft Sustainable Sydney 2030-2050. This continues the vision of Sustainable Sydney 2030.

Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress.

Sustainable Sydney 2030 establishes an ambitious target that in 2030, 7.5 per cent of housing will be social housing and 7.5 per cent of housing will be affordable housing. To achieve the City's target approximately 12,000 affordable housing dwellings, out of a total projected 148,000 dwellings, are required in the LGA.

The planning proposal aligns with the following strategic directions and objectives:

- Direction 6 - Resilient and inclusive local communities - the planning proposal and proposed amendment to the Program, will continue to support the provision of affordable housing in the local area, which is essential for a resilient and inclusive local community.
- Direction 8 - Housing for a Diverse Population - the planning proposal and proposed amendment to the Program will promote the delivery of affordable housing in the City of Sydney.

City Plan 2036 - Local Strategic Planning Statement

The City of Sydney Local Strategic Planning Statement (planning statement), adopted by Council in February 2020, sets out the land use planning context, 20-year vision and planning priorities to positively guide change towards the City's vision for a green, global and connected city. The planning statement explains how the planning system will manage that change to achieve the desired outcomes and guides future changes to controls.

In giving effect to the planning statement, this planning proposal and the draft Program delivers on the following priorities and actions by:

- contributing to housing supply, choice and affordability in the City of Sydney;
- providing housing that is close to employment and services, contributing to the aspiration for a '30-minute city'; and
- enabling vibrant and diverse communities and economies.

Housing for All – City of Sydney Local Housing Strategy

The City of Sydney Local Housing Strategy: Housing for All provides the City's objectives and actions for the delivery of diverse housing in the local government area.

In giving effect to Housing for All, this planning proposal and the draft Program delivers on the following priorities and actions by:

- contributing to the City's housing targets, in particular the delivery of affordable housing; and
- increasing diversity and choice in housing in the City of Sydney, providing more affordable housing for people on very low to moderate incomes.

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

No other state and regional studies or strategies are applicable.

Q6. Is the planning proposal consistent with the applicable State Environmental Planning Policies?

This planning proposal is consistent with all applicable State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs), as summarised at Table 6.

Table 6: Consistency with State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy	Comment
SEPP (Biodiversity and Conservation) 2021	Consistent
SEPP (Exempt and Complying Development Codes) 2008	Consistent
SEPP (Housing) 2021	Consistent. This planning proposal does not hinder the application of the SEPP and is consistent with the requirements set out for affordable housing provided under Section 7.32 of the Act.
SEPP (Industry and Employment) 2021	Consistent
SEPP (Planning Systems) 2021	Consistent
SEPP (Precincts–Central River City) 2021	Not applicable
SEPP (Precincts–Eastern Harbour City) 2021	Consistent. This planning proposal does not impact on Redfern Waterloo Authority sites that remain excluded from the Sydney LEP 2012.
SEPP (Precincts–Regional) 2021	Not applicable
SEPP (Precincts–Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	Consistent
SEPP (Resources and Energy) 2021	Consistent
SEPP (Sustainable Buildings) 2022	Consistent
SEPP (Transport and Infrastructure) 2021	Consistent

Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Direction) or key government priority?

This planning proposal is consistent with all applicable Ministerial Directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979, as summarised in Table 7.

Table 7: Consistency with Ministerial Directions

Ministerial Direction	Comment
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	Consistent

Ministerial Direction	Comment
1.2 Development of Aboriginal Land Council land	Not applicable
1.3 Approval and Referral Requirements	Consistent. No amendment includes concurrence, consultation or referral provisions or identifies any designated development.
1.4 Site Specific Provisions	Consistent. This planning proposal does not include any site-specific provisions.
1.4A Exclusion of Development Standards from Variation	Consistent. This planning proposal does not propose to exclude a development standard from variation under clause 4.6.
Focus area 1: Planning Systems – Place-based	
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.14 Implementation of Greater Macarthur 2040	Not applicable

Ministerial Direction	Comment
1.15 Implementation of the Pymont Peninsula Place Strategy	Consistent. This Planning proposal does not hinder the application of the Pymont Peninsula Place Strategy.
1.16 North West Rail Link Corridor Strategy	Not applicable
1.17 Implementation of the Bays West Place Strategy	Not applicable
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable
1.19 Implementation of the Westmead Place Strategy	Not applicable
1.20 Implementation of the Camelia-Rosehill Place Strategy	Not applicable
1.21 Implementation of the South-West Growth Structure Plan	Not applicable
1.22 Implementation of the Cherrybrook Station Place Strategy	Not applicable
Focus area 2: Design and Place	
No directions in place.	
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	Consistent. The planning proposal will not adversely impact the conservation of environmentally sensitive areas.
3.2 Heritage Conservation	Consistent. The planning proposal will not adversely impact the ongoing conservation of heritage items.
3.3 Sydney Drinking Water Catchments	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5 Recreation Vehicle Areas	Not applicable

Ministerial Direction	Comment
3.6 Strategic Conservation Planning	Not applicable
3.7 Public Bushland	Consistent. The planning proposal does not adversely impact the protection of bushland in urban areas.
3.8 Willandra Lakes Region	Not applicable
3.9 Sydney Harbour Foreshores and Waterways Area	Not applicable
3.10 Water Catchment Protection	Not applicable
Focus area 4: Resilience and Hazards	
4.1 Flooding	Consistent
4.2 Coastal Management	Consistent. The planning proposal is consistent with the objects of the Coastal Management Act 2016 to support the cultural and economic well-being of the area, through the provision of affordable housing which will support social cohesion and provide accommodation for key workers who are essential to the efficient functioning of the economy in the LGA. The planning proposal will have no impact on the coastal environment - it supports a levy scheme on development already permitted under the City of Sydney's planning controls and does not introduce or intensify development in itself.
4.3 Planning for Bushfire Protection	Not applicable
4.4 Remediation of Contaminated Land	Consistent. The planning proposal will not adversely impact the remediation of contaminated land. It supports a levy scheme on development already permitted under the City of Sydney's planning controls and does not introduce or intensify development in itself.
4.5 Acid Sulfate Soils	Consistent. Whilst some areas of the LGA are impacted by acid sulfate soils the planning proposal supports a levy scheme on development already permitted under the City of Sydney's planning controls and does not introduce or intensify development in itself.

Ministerial Direction	Comment
4.6 Mine Subsidence and Unstable Land	Not applicable
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Consistent. The planning proposal supports a levy scheme on development already permitted under the City of Sydney's planning controls and does not propose new or more intense development in itself. It will support the delivery of affordable housing across the City of Sydney that is well served by public infrastructure and services.
5.2 Reserving Land for Public Purposes	Consistent. The planning proposal does not relate to the reservation of land for public purposes.
5.3 Development Near Regulated Airports and Defence Airfields	Not applicable
5.4 Shooting Ranges	Not applicable
Focus area 6: Housing	
6.1 Residential Zones	Consistent. This planning proposal will: • broaden the choice of housing by facilitating more affordable housing; and • increase the amount of affordable housing in the City of Sydney, that is well serviced by public infrastructure and services.
6.2 Caravan Parks and Manufactured Home Estates	Consistent. The planning proposal does not relate to development for caravan parks or manufactured home estates.
Focus area 7: Industry and Employment	
7.1 Employment Zones	Consistent. The planning proposal does not propose any changes of zoning.
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable

Ministerial Direction	Comment
Focus area 8: Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable
Focus area 9: Primary Production	
9.1 Rural Zones	Not applicable
9.2 Rural Lands	Not applicable
9.3 Oyster Aquaculture	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

Section C - Environmental, social and economic impact

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

No.

Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

No.

Q9. Has the planning proposal adequately addressed any social and economic effects?

An important outcome of this planning proposal is to increase the amount of affordable housing in the local area. The social benefits of providing affordable housing are well documented and generally understood by government and the community to be overwhelmingly positive.

The economic impacts of this planning proposal have been discussed in Part 5.

Section D - Infrastructure (Local, State and Commonwealth)

Q11. Is there adequate public infrastructure for the planning proposal?

This planning proposal does not propose an increase in density and is not expected to result in any additional burden on existing public infrastructure.

Section E - State and Commonwealth interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No consultation has been undertaken with federal public authorities and government agencies prior to preparing this planning proposal.

6. Mapping

There are no proposed changes to maps in the Sydney LEP 2012 or the Green Square Town Centre LEPs.

7. Community consultation

This planning proposal ~~is to be~~ has been exhibited in accordance with the gateway determination ~~once~~ issued by the Department of Planning, Housing and Infrastructure on 30 July 2025 and with the City's Community Participation Plan and the principles in the City's Community Engagement Strategy.

Some changes to this planning proposal have been made in response to consideration of submissions and are explained above.

~~It is anticipated the gateway determination will require public exhibition for a period of not less than 28 days.~~

~~The public consultation will be undertaken in accordance with the City's Community Participation Plan and the principles in the City's Community Engagement Strategy.~~

~~Notification of the public exhibition will be via the City of Sydney website.~~

~~Exhibition material will be made available on the City of Sydney website and at Town Hall House at 456 Kent Street, Sydney.~~

~~Consultation with relevant NSW agencies, authorities and other relevant organisations will be undertaken in accordance with the gateway determination.~~

8. Project timeline

The anticipated timeline for completion of this planning proposal is as shown in Table 8.

Table 8: Anticipated timeline

Stage	Timeframe
Council / CSPC decision	December 2024
Gateway determination	August July 2025
Pre-exhibition	August 2025
Commencement and completion of public exhibition period	August 2025 – October 2025
Consideration of submissions	October 2025 – December 2025 April 2026
Post-exhibition review (consideration by Council and CSPC)	February May 2026
Submission to the Department for finalisation (where applicable)	February May 2026
Gazettal of LEP amendment	February – March July 2026



Appendix - Drafting Instruction

These drafting instructions are provided as an example of how the proposed amendments in this Planning Proposal may be achieved and are subject to drafting and agreement by the Parliamentary Counsel's Office.

Note: Post-exhibition changes to this instruction are not shown in blue for ease of reading (they are also detailed elsewhere in this planning proposal).

Proposed	Comment
Sydney Local Environmental Plan 2012 – 1.8A Savings provisions relating to development applications	
(9) The amendments made to clause 6.60B, 6.70, 7.13, 7.13A, 7.13B by Sydney Local Environmental Plan Amendment (XXXX) 20XX do not apply to a development applications that are made but not finally determined before the commencement of the amendments.	This amendment is to ensure the amended planning controls are only to apply to development applications that are lodged after the amended planning controls come into effect.
Sydney Local Environmental Plan 2012 – 6.60B Botany Road Precinct Opportunity Land	
...	
(7) Subclauses (3) and (4) do not apply to development involving the provision of affordable housing unless the consent authority is satisfied— (a) the affordable housing will be owned and managed by a registered community housing provider, and (b) the affordable housing will be provided in accordance with the Affordable Housing Principles of the City of Sydney Affordable Housing Program, adopted by the Council on 26 June 2023 XX XX 202X, and (c) the development will not reduce the capacity of adjoining sites used or intended to be used for non-residential purposes, and (d) the development is compatible with the existing and approved uses of land near the development, having regard to the following— (i) the impact the development, including its bulk, scale and traffic generation, is likely to have on the existing and approved uses, (ii) the services and infrastructure that are or will be available to meet the demands resulting from the development, (iii) the impact the uses are likely to have on the health, well-being and amenity of residents of buildings resulting from the development, and	This amendment is to: - clarify affordable housing provided pursuant to this clause need only be provided in accordance with the affordable housing principles in the City of Sydney Affordable Housing Program, and not any other requirement of the Program; and - update the adoption date of <i>City of Sydney Affordable Housing Program</i> so it refers to the new Program.

(e) the following part of the building will be used only for non-residential purposes— (i) for a building on Lot 11, DP 219505 and Lot 2, DP 136012, 74–88 Botany Road, Alexandria—the ground floor, (ii) for a building on other land—the ground floor and the first floor.	
...	
Sydney Local Environmental Plan 2012 – 6.70 Division 7 – Blackwattle Bay Precinct – Affordable Housing	
(1) This clause applies to the erection of a new building with a gross floor area of more than 200m² on the following land at Pyrmont in the Blackwattle Bay Precinct— (a) Lots 7–11, DP 803160, 21–29 Bank Street, (b) Lots 20–22, DP 811844, 31–35 Bank Street, (c) Lots 24 and 25, DP 815847, 37–39 Bank Street, (d) Lot 100, DP 836204, 41–45 Bank Street, (e) Lot 2, DP 827434, Lot 1, DP 836351, Lot 1, 734622, Lot 1, DP 74155, Lots 1 and 2, DP 125720 and Lot 17, DP 1027254, 56–60 Pyrmont Bridge Road.	Retain as existing.
(2) Subclause (1) applies— (a) whether the floor area was in existence before, or is created after, the commencement of this clause, and (b) whether or not the floor area replaces an existing area.	Retain as existing.
(3) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring an affordable housing levy contribution equivalent to 7.5% of the total gross floor area of the building.	The definition of <i>total floor area</i> (TFA) is deleted, noting future contributions are to be calculated on Gross Floor Area.
(4) A condition imposed under this clause must only require the payment of a monetary contribution to the Council. permit a person to satisfy the contribution by way of one or both of the following— (a) a dedication, in favour of the Council, of land comprising 1 or more dwellings, each having a gross floor area of at least 35m² but no more than 90m², (b) a monetary contribution paid to the Council.	This amendment seeks to remove the current ability for a developer to choose to satisfy an affordable housing contribution by dedicating built dwellings OR making monetary contribution and instead require a monetary contribution only. 115
(5) A monetary contribution must be calculated	This amendment is to update the reference to

in accordance with the <i>City of Sydney Affordable Housing Program</i> adopted by the Council on 26 June 2023 XX XX 202X .	the City of Sydney Affordable Housing Program to reflect the newly amended Program.
(6) The demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of a contribution.	Retain as existing.
(7) Clause 7.13 does not apply to development to which this clause applies.	Retain as existing.
Sydney Local Environmental Plan 2012 – 7.13 Contribution for purpose of affordable housing	
(1) This clause applies to the following development— (a) development on land at Green Square or Ultimo-Pyrmont, or on southern employment land or residual land that involves— (i) the erection of a new building the gross floor area of which is more than 200 square metres, or (ii) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area that is intended to be used for the purpose of residential accommodation, or (iii) alterations to an existing building that will result in the creation of more than 60 square metres of gross floor area that is intended to be used for a purpose other than residential accommodation, or (iv) the demolition of existing floor area and the subsequent creation, whether for the same or a different purpose, of more than 200 square metres of gross floor area, (b) development on land at Green Square or Ultimo-Pyrmont, or on southern employment land, that involves a change of use of more than 60 square metres of existing floor area of a building, (c) development on residual land that involves a change of use of existing floor area from other than residential accommodation to residential accommodation or tourist and visitor accommodation, (d) development on land at Central Sydney that involves— (i) the creation of more than 100 square metres of gross floor area, or (ii) the demolition of existing floor area and the subsequent creation, whether for the same or a different purpose, of	Retain as existing. 116

more than 100 square metres of gross floor area, or (iii) a change of use of existing floor area from other than residential accommodation to residential accommodation or tourist and visitor accommodation.	
(2) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution not exceeding the applicable affordable housing levy contribution, for the development provided for in subclause (2A) or (2C).	This amendment facilitates the change from total floor area to gross floor area as the basis for floor area calculations, to provide consistency with all other floor area measures in the City and across the City's affordable housing provisions.
(2A) The affordable housing levy contribution for development on land at Green Square or Ultimo-Pyrmont or on southern employment land is— (a) 3% of the total gross floor area of the development that is intended to be used for residential purposes, and (b) 1% of the total gross floor area of the development that is not intended to be used for residential purposes.	This amendment facilitates a change from total floor area to gross floor area as the basis for floor area calculations, to provide consistency with all other floor area measures in the City and across the City's affordable housing provisions.
(2B) (Repealed)	
(2C) The affordable housing levy contribution for development on land at Central Sydney or on residual land is as follows— (a) for development applications lodged before 1 July 2022— (i) 1.5% of the total gross floor area of the development that is intended to be used for residential purposes, and (ii) 0.5% of the total gross floor area of the development that is not intended to be used for residential purposes, (b) for development applications lodged on or after 1 July 2022— (i) 3% of the total gross floor area of the development that is intended to be used for residential purposes, and (ii) 1% of the total gross floor area of the development that is not intended to be used for residential purposes.	This amendment facilitates the change from total floor area to gross floor area as the basis for floor area calculations, to provide consistency with all other floor area measures in the City and across the City's affordable housing provisions.
(3) A condition imposed under this clause must only require the payment permit a person to satisfy the affordable housing levy contribution— (a) by way of a dedication in favour of the	This amendment seeks to remove the current ability for a developer to choose to satisfy an affordable housing contribution by dedicating built dwellings OR making monetary contribution and instead require a monetary contribution only.

Council of land comprising one or more dwellings/s (each having a total floor area of not less than 35 square metres, and not more than 90 square metres) with any remainder being paid as a monetary contribution to the Council; (b) if the person so chooses, by way of a monetary contribution to the Council.	
(4) The rate at which a monetary contribution is to be taken to be equivalent to floor area for the purposes of this clause is to be calculated in accordance with the City of Sydney Affordable Housing Program adopted by the Council on 26 June 2023 XX XX 202X.	This amendment is to update the adoption date of <i>City of Sydney Affordable Housing Program</i> so it refers to the new Program.
(4A) (Repealed)	
(5) To avoid doubt— (a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether or not the floor area concerned replaces a previously existing area, and (b) the demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of any contribution.	Retain as existing.
(6) In this clause— residual land means the land identified as “Residual Land” on the <i>Locality and Site Identification Map</i>. total floor area means the total of the areas of each floor of a building within the outer face of the external enclosing walls and including balconies, but excluding the following— (a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls, (b) that part of a balcony that exceeds the minimum area required by the consent authority in respect of the balcony, (c) ancillary car parking permitted by the consent authority and associated internal vehicular and pedestrian access to that car parking, (d) space for the loading and unloading of goods, (e) the floor area of a building, including balconies, that is— (i) on land in Zone E4 General Industrial, or	The definition of <i>total floor area</i> (TFA) is deleted, noting future contributions are to be calculated on Gross Floor Area. The current exclusions from TFA of development on land in Zone E4 or floor area used to provide affordable housing, public housing or community facilities are instead to be incorporated in the City’s Program.

(ii) used to provide affordable housing or public housing, or (iii) used for the purpose of community facilities.	
Sydney Local Environmental Plan 2012 – 7.13A Affordable housing in Business Area	
(1) Despite any other provision of this Plan, development for the purposes of a residential flat building or a mixed use development that contains shop top housing may be carried out with development consent on land identified as “Business Area” on the <i>Locality and Site Identification Map</i> if the consent authority is satisfied that— (a) the residential flat building or shop top housing to which the development application relates will be used for the purposes of affordable housing, and (b) the affordable housing will be provided by or on behalf of a public authority or social housing provider, and (c) the affordable housing will be provided in accordance with the Affordable Housing Principles of the City of Sydney Affordable Housing Program adopted by the Council on 26 June 2023 XX XX 202X, and (d) the development is compatible with the existing uses and approved uses of land in the vicinity of the development having regard to the following matters— (i) the impact that the development (including its bulk, scale and traffic generation) is likely to have on the existing uses and approved uses of that land, and (ii) the services and infrastructure that are or will be available to meet the demands arising from the development, and (iii) the impact that those uses are likely to have on the health, wellbeing and amenity of residents of the development by reason of noise, dust, lighting, truck movements, operating hours or otherwise, and (e) no part of the ground floor of the residential flat building or mixed use development that fronts a street will be used for residential purposes, and (f) the development is not likely to have an adverse effect on the environment and does not cause any unacceptable environmental risks to the land concerned.	This amendment is to: - clarify affordable housing provided pursuant to this clause need only be provided in accordance with the affordable housing principles in the City of Sydney Affordable Housing Program, and not any other requirement of the Program; - update the adoption date of <i>City of Sydney Affordable Housing Program</i> so it refers to the new Program. 119

(2) In this clause— street includes an area of land that is identified in a development control plan made by the Council as land that is proposed to be used for the purposes of a street.	Retain as existing.
Note— Development for the purpose of shop top housing may be carried out with development consent on certain land identified as “Business Area” on the Locality and Site Identification Map, without the shop top housing being used for the purpose of affordable housing, because of clause 1AA of Schedule 1.	Retain as existing.
Sydney Local Environmental Plan 2012 – 7.13B Additional affordable housing contribution for certain development on Planning Proposal Land	
(1) This clause applies to development on Planning Proposal Land involving one or more of the following— (a) the erection of a new building with a gross floor area of more than 200m², (b) alterations to an existing building resulting in the creation of more than 200m² of gross floor area intended to be used for residential accommodation, (c) alterations to an existing building resulting in the creation of more than 60m² of gross floor area intended to be used for a purpose other than residential accommodation, (d) a change of use of an existing building to residential accommodation.	Retain as existing.
(2) Subclause (1) applies— (a) whether the floor area was in existence before, or is created after, the commencement of this clause, and (b) whether or not the floor area replaces an existing area.	Retain as existing.
(3) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring an affordable housing levy contribution equivalent to the contribution specified for the land in Schedule 6C (the contribution).	Note earlier commentary on need for definition of <i>affordable housing levy contribution</i>.
(4) A condition imposed under this clause must only require the payment of a monetary contribution to the Council. permit a person to satisfy the contribution by way of one or both of the following—	This amendment seeks to remove the current ability for a developer to choose to satisfy an affordable housing contribution by dedicating built dwellings OR making monetary contribution and instead require a monetary

(a) a dedication, in favour of the Council, of land comprising dwellings, each having a gross floor area of at least 35m² but no more than 90m²; (b) a monetary contribution paid to the Council.	contribution only.
(5) A monetary contribution must be calculated in accordance with the City of Sydney Affordable Housing Program adopted by the Council on 26 June 2023.	Removal of date of <i>City of Sydney Affordable Housing Program</i> , noting a definition is to be included in 7.13B(8).
(6) The demolition of a building, or a change in the use of land, does not give rise to a claim for a refund of a contribution.	Retain as existing.
(7) A word or expression used in Schedule 6C has the same meaning as in clause 7.13. Repealed	This sub-clause may be repealed. There are no longer any shared definitions between clause 7.13 and clause 7.13B.
(8) City of Sydney Affordable Housing Program means the City of Sydney Affordable Housing Program adopted by the Council on XX XX 202X.	The addition of a definition for <i>City of Sydney Affordable Housing Program</i> is now necessary given that the document is to be quoted in several clauses to save repeating the date it is adopted each time and ease reading of those clauses.

**Sydney Local Environmental Plan 2012 –
Schedule 6C - Contribution requirement for certain development on Planning
Proposal Land**

Planning Proposal Land	Contribution requirement	These amendments reflect the change proposed to Sydney LEP 2012 7.13 which removes reference to total floor area (with associated definition) as the basis for contribution calculations in favour of gross floor area as the basis for calculations moving forward. 121
Land identified as “Area 1” on the <i>Affordable Housing Map</i>	The total amount of— (a) the contribution applying to the development under clause 7.13, and (b) if the part of a building intended to be used for a purpose other than residential accommodation has a floor space ratio of less than 1.5:1—9% of the gross floor area equivalent to the amount by which the floor space ratio of the building exceeds 1.5:1	
Lot 15, DP 10721, 111 Cooper Street, Waterloo	The total amount of— (a) for 87.5% of the total gross floor area of all buildings—the contribution applying to the development under clause 7.13, and (b) for 12.5% of the total gross floor area of all buildings—9% of that total floor area.	

Lots 6, 7 and 9, DP 10721 and Lot 8, DP 1147179, 221–223 Cope Street, Waterloo	The total amount of— (a) for 67% of the total gross floor area of all buildings—the contribution applying to the development under clause 7.13, and (b) for 33% of the total gross floor area of all buildings—9% of that total floor area.	
Lots 1–41, SP 79210, 233 Cope Street, Waterloo	The total amount of— (a) for 73% of the total gross floor area of all buildings—the contribution applying to the development under clause 7.13, and (b) for 27% of the total gross floor area of all buildings—9% of that total floor area.	
Lots 1–58, SP 69476, 110 Wellington Street, Waterloo	The total amount of— (a) for 68% of the total gross floor area of all buildings—the contribution applying to the development under clause 7.13, and (b) for 32% of the total gross floor area of all buildings—9% of that total floor area.	
Lots 10 and 11, DP 10721, 116 Wellington Street, Waterloo	The total amount of— (a) for 66% of the total gross floor area of all buildings—the contribution applying to the development under clause 7.13, and (b) for 34% of the total gross floor area of all buildings—9% of that total floor area	
Sydney Local Environmental Plan (Green Square Town Centre) 2013 – 1.8A Savings provisions relating to development applications		
(8) The amendments made to clause 6.5 by Sydney Local Environmental Plan (Green Square Town Centre) Amendment (XXXX) 20XX do not apply to development applications that are made but not finally determined before the commencement of the amendments.	This amendment is to ensure the amended planning controls are only to apply to development applications that are lodged after the amended planning controls come into effect.	
Sydney Local Environmental Plan (Green Square Town Centre) 2013 – 6.5 Affordable housing		
(1) This clause applies to development that involves— (a) the erection of a new building the gross floor area of which is more than 200 square metres, or (b) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area that is intended to be used for the purpose of residential accommodation, or	Retain as existing. <	

(c) alterations to an existing building that will result in the creation of more than 60 square metres of gross floor area that is intended to be used for a purpose other than residential accommodation, or (d) the demolition of existing floor area and the subsequent creation, whether for the same or a different purpose, of more than 200 square metres of gross floor area, or (e) a change of use of more than 60 square metres of existing floor area of a building.	
(2) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution not exceeding the applicable affordable housing levy contribution, being— (a) 3% of the total gross floor area of the development that is intended to be used for residential purposes, and (b) 1% of the total gross floor area of the development that is not intended to be used for residential purposes.	This amendment facilitates the change from total floor area to gross floor area as the basis for floor area calculations, to provide consistency with all other floor area measures in the City and across the City's affordable housing provisions.
(3) A condition imposed under this clause must only require the payment permit a person to satisfy the affordable housing levy contribution— (a) by way of a dedication in favour of the Council of land comprising one or more dwellings (each having a total floor area of not less than 35 square metres) with any remainder being paid as a monetary contribution to the Council; (b) if the person so chooses, by way of a monetary contribution to the Council.	This amendment seeks to remove the current ability for a developer to choose to satisfy an affordable housing contribution by dedicating built dwellings OR making monetary contribution, and instead require a monetary contribution only.
(4) The rate at which monetary contribution is taken to be equivalent to floor area for the purposes of this clause is to be calculated in accordance with the City of Sydney Affordable Housing Program adopted by the Council on 26 June 2023 XX XX 202X.	This amendment is to update the reference to the City of Sydney Affordable Housing Program to reflect the newly amended Program.
Note— The program is made available by the Council on its website (www.cityofsydney.nsw.gov.au)	Retain as existing.
(5) To avoid doubt— (a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether or not the floor area concerned replaces a previously existing area, and (b) the demolition of a building, or a change	Retain as existing. 123

in the use of the land, does not give rise to a claim for a refund of any contribution.	
(6) In this clause — total floor area means the total of the areas of each floor of a building within the outer face of the external enclosing walls and including balconies, but excluding the following — (a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls, (b) that part of a balcony that exceeds the minimum area required by the consent authority for the balcony, (c) ancillary car parking permitted by the consent authority and associated internal vehicular and pedestrian access to that car parking, (d) space for the loading and unloading of goods, (e) the floor area of a building, including balconies, that is — (i) on land in Zone IN1 General Industrial, or (ii) used to provide affordable housing or public housing, or (iii) used for the purpose of community facilities. Repealed	This amendment is to remove any reference to “Total Floor Area”, noting that the contribution requirement will be calculated on Gross Floor Area going forward. The current exclusions from TFA of development on land in Zone E4 or floor area used to provide affordable housing, public housing or community facilities are instead to be incorporated in the City’s Program.
Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013 – 1.8A Savings provisions relating to development applications	
(8) The amendments made to clause 6.5 by Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) Amendment (XXXX) 20XX do not apply to a development applications that are made but not finally determined before the commencement of the amendments.	This amendment is to ensure the amended planning controls are only to apply to development applications that are lodged after the amended planning controls come into effect.
Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013 – 6.5 Affordable housing	
(1) This clause applies to development that involves— (a) the erection of a new building the gross floor area of which is more than 200 square metres, or (b) alterations to an existing building that will result in the creation of more than 200 square metres of gross floor area that is intended to be used for the purpose of residential accommodation, or (c) alterations to an existing building that will result in the creation of more than 60	Retain as existing. 124

square metres of gross floor area that is intended to be used for a purpose other than residential accommodation, or (d) the demolition of existing floor area and the subsequent creation, whether for the same or a different purpose, of more than 200 square metres of gross floor area, or (e) a change of use of more than 60 square metres of existing floor area of a building.	
(2) The consent authority may, when granting development consent to development to which this clause applies, impose a condition requiring a contribution not exceeding the applicable affordable housing levy contribution, being— (a) 3% of the total gross floor area of the development that is intended to be used for residential purposes, and (b) 1% of the total gross floor area of the development that is not intended to be used for residential purposes.	This amendment facilitates the change from total floor area to gross floor area as the basis for floor area calculations, to provide consistency with all other floor area measures in the City and across the City's affordable housing provisions.
(3) A condition imposed under this clause must only require the payment permit a person to satisfy the affordable housing levy contribution— (a) by way of a dedication in favour of the Council of land comprising one or more dwellings (each having a total floor area of not less than 35 square metres) with any remainder being paid as a monetary contribution to the Council; (b) if the person so chooses, by way of a monetary contribution to the Council.	This amendment seeks to remove the current ability for a developer to choose to satisfy and affordable housing contribution by dedicating built dwellings OR making monetary contribution, and instead require a monetary contribution.
(4) The rate at which monetary contribution is taken to be equivalent to floor area for the purposes of this clause is to be calculated in accordance with the City of Sydney Affordable Housing Program adopted by the Council on 26 June 2023 XX XX 202X.	This amendment is to update the reference to the City of Sydney Affordable Housing Program to reflect the newly amended Program.
Note— The program is made available by the Council on its website (www.cityofsydney.nsw.gov.au)	Retain as existing.
(5) To avoid doubt— (a) it does not matter whether the floor area, to which a condition under this clause relates, was in existence before, or is created after, the commencement of this clause, or whether or not the floor area concerned replaces a previously existing area, and (b) the demolition of a building, or a change in the use of the land, does not give rise	Retain as existing.

to a claim for a refund of any contribution.	
(6) In this clause — total floor area means the total of the areas of each floor of a building within the outer face of the external enclosing walls and including balconies, but excluding the following — (a) columns, fins, sun control devices, awnings and other elements, projections or works outside the general lines of the outer face of the external walls, (b) that part of a balcony that exceeds the minimum area required by the consent authority for the balcony, (c) ancillary car parking permitted by the consent authority and associated internal vehicular and pedestrian access to that car parking, (d) space for the loading and unloading of goods, (e) the floor area of a building, including balconies, that is — (i) on land in Zone IN1 General Industrial, or (ii) used to provide affordable housing or public housing, or (iii) used for the purpose of community facilities. Repealed	This amendment is to remove any reference to “Total Floor Area”, noting that the contribution requirement will be calculated on Gross Floor Area going forward. The current exclusions from TFA of development on land in Zone E4 or floor area used to provide affordable housing, public housing or community facilities are instead to be incorporated in the City’s Program.

Attachment C

**City of Sydney Affordable Housing Program
Amendment 2024 – post exhibition changes**

Draft City of Sydney Affordable Housing Program

Adopted **XX XXX XXXX**



CONTENTS

1. About the Program.....	4
1.1 Program Objectives	4
1.2 Relationship to other Programs	4
1.3 Where does this Program apply?	4
1.4 Legislative basis for affordable housing contributions.....	5
1.5 Affordable Housing Principles	5
1.6 Amending this Program.....	6
1.7 Terms used in this Program	6
2 Affordable housing contributions.....	8
2.1 Contribution requirement.....	8
2.2 Satisfying a contribution requirement by making an equivalent monetary contribution	9
2.2.1 Calculating the contribution in Ultimo-Pyrmont, Green Square, the Southern Employment Lands and on Planning Proposal lands	11
2.2.2 Calculating the contribution in Central Sydney and on residual land	12
2.2.3 Conditions of consent for making monetary contributions	14
2.2.4 How to make a payment.....	14
2.3 Satisfying a contribution requirement by dedicating built dwellings.....	14
2.3.1 Where a dedication of built dwellings may be required by the consent authority	14
2.3.2 Conditions of consent for dedicating dwellings.....	15
2.3.3 Floor area to be dedicated for affordable housing dwellings.....	15
2.3.4 How dedicated dwellings are to be used	15
2.3 Development that may be excluded exempt from making a contribution, or may have a reduced contribution requirement.....	16
2.4 Where a contribution has been previously paid	20
2.5 Refunds.....	20
2.5.1 For demolition or changes of use	20
2.5.2 Surrendered consents	20
2.6 Adjustment of equivalent monetary contribution amounts	21
2.7 Adjustment of a monetary contribution amount on a development consent.....	21
2.8 How monetary contributions are to be used	22
3 Affordable housing on suitable employment land	23
3.1 Requirements for affordable housing on suitable employment land.....	23

3.2 Development applications	23
Appendix A - Background information and affordable housing needs analysis	24
1. Introduction.....	24
2. What is affordable housing?	25
3. NSW Government and City of Sydney affordable housing objectives and targets	25
3.1 NSW Government	25
3.2 City of Sydney Council	25
4. Affordable housing need analysis	26
4.1 Why do we need affordable housing?.....	26
4.2 Satisfying the requirements of the Act	26
5. Outcomes	34
Appendix B – Contribution where land is rezoned.....	35
1. How is the additional contribution requirement secured?	35
1.1 Schedule 6C.....	35
1.2 Other requirement in an environmental planning instrument	35
1.3 Voluntary planning agreement	35
2. How is the additional contribution requirement to be satisfied?	36
2. Contribution Additional contribution requirement	37
3. Where other public benefits are offered.....	39
4. How contributions are to be used	39
Appendix C - Standards for dedicated affordable housing dwellings	40
Appendix D – Simplified development application process	42
Appendix D – Affordable housing on suitable employment land.....	43
3.1 Requirements for affordable housing on suitable employment land	43
3.2 Development applications.....	43
Proponents should seek pre-development application advice from the City on any proposal to develop affordable housing on employment land.....	43

1. About the Program

The City of Sydney Affordable Housing Program (this Program) is to provide the background, requirements and operational detail for various affordable contribution provisions in local environmental plans (LEPs) that operate in the City of Sydney.

This Program was adopted by Council on XX XX XXX and came into effect on XX XX XXX.

1.1 Program Objectives

The objectives of this Program are to:

- recognise affordable rental housing as critical infrastructure necessary to support; sustainable and diverse communities and long-term economic growth in the City of Sydney local government area (city);
- ensure that, as the cost of housing increases in the city, affordable rental housing is provided for ~~very low to moderate income~~ very low-, low- and moderate-income households;
- ensure there are opportunities for ~~very low to moderate income~~ very low-, low- and moderate-income, who have an historical connection with the city, to live in the city;
- ensure there are opportunities for very-low to moderate-income ~~earners~~ people who work in the city to live in the community in which they are employed; and
- facilitate opportunities for government and community housing providers (CHP) to supply affordable housing within the city.

1.2 Relationship to other Programs

This Program, on the day it came into effect, repeals and replaces the City of Sydney Affordable Housing Program, adopted by Council 26 June 2023.

Any development applications determined prior to the commencement of this Program are not altered by the commencement of this Program.

1.3 Where does this Program apply?

This Program applies to land to which the *Sydney Local Environmental Plan 2012*, the *Sydney Local Environmental Plan (Green Square Town Centre) 2013* and *Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013* applies.

This Program also applies to 'Planning Proposal land' where it is identified in the abovementioned local environmental plans (LEPs) or any other Environmental Planning Instrument (EPI).

The Program may not apply to:

- development to which the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 applies, where the plan is still in effect; and
- other land in the City of Sydney, unless otherwise identified as applying in another EPI, where *Sydney Local Environmental Plan 2012*, *Sydney Local Environmental Plan (Green Square Town Centre) 2013* or *Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013* do not apply.

1.4 Legislative basis for affordable housing contributions

This Program applies in accordance with the requirements in the *Act Environmental Planning and Assessment Act 1979 (the Act)*.

The State Environmental Planning Policy (Housing) 2021 recognises that all local government areas within NSW are areas where there is a need for affordable housing.

Local environmental plans contain controls for the calculation, levying and management of affordable housing contributions in the City of Sydney.

1.5 Affordable Housing Principles

The City of Sydney affordable rental housing principles are informed by the Housing SEPP. The affordable rental housing principles are:

- affordable rental housing is to be provided and managed in the City of Sydney LGA so that a socially diverse residential population, representative of all income groups, is maintained;
- affordable rental housing that is provided is to be made available to a mix of households on *very low-, low- and moderate-incomes* ~~very low to moderate incomes~~;
- affordable rental housing that is provided is to be rented to *very low-, low- and moderate-income* ~~very low to moderate income~~ households at no more than 30% of gross household income;
- dwellings provided for affordable rental housing are to be managed so as to maintain their continued use for affordable rental housing; and
- affordable rental housing is to consist of dwellings constructed to a standard which, in the opinion of the City, is consistent with other dwellings in the LGA.

The affordable housing principles are generally satisfied where:

- an affordable housing contribution ~~(monetary or in-kind contribution)~~ is distributed in accordance with any distribution plan adopted by Council;
- resulting affordable rental dwellings are subject to ongoing monitoring of compliance with the requirements of this Program;
- the continued use of resulting affordable rental dwellings, as affordable rental dwellings, is legally secured. This is generally by way of a restrictive covenant on the title of the property, though other approaches may be considered;

- resulting affordable rental dwellings are rented to very low-, low- and moderate-income households for an absolute maximum of 30 per cent of gross household income;
- any CHP that is to own and/or manage resulting affordable rental dwellings, must have a mix of very low-, low- and moderate-income tenants across their portfolio;
- all rent received after deduction of management and maintenance costs will be used only for the purpose of improving, replacing, maintaining or providing additional affordable rental housing in the LGA. This includes the investment of monies to meet cyclical maintenance costs and all rates and taxes payable in connection with the dwelling; and
- resulting affordable rental dwellings are designed and constructed to a standard which, in the opinion of Council, is generally consistent with other dwellings in the LGA, that is, they are of a similar design quality so as to not be externally differentiated as affordable housing compared with the design quality of other housing.

While the affordable housing principles apply to affordable housing contributions received pursuant to 7.32 of the Act, where the City has made a substantial contribution to other affordable housing, the affordable housing principles may still apply.

1.6 Amending this Program

Amendment to this Program will generally require amendment to LEPs, or other EPIs, that directly refer to this Program as dated.

Amendment and/or update to the information provided at the appendices may occur from time to time and does not require an amendment to LEPs or EPIs.

1.7 Terms used in this Program

Act

A reference to the **Act** is a reference to the *Environmental Planning and Assessment Act 1979*.

Affordable housing

Affordable housing is defined by the *Act Environmental Planning and Assessment Act 1979* as:

“housing for very low-income households, low-income households or moderate-income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument”.

Affordable rental housing

Under this Program, **Affordable rental housing** or **Affordable rental dwelling** is **affordable housing** that is owned and managed by government, a **Recommended Community Housing Provider**, or an **Eligible Community Housing Provider** and rented to **very low to moderate income households**.

City of Sydney Local Government Area

The **City of Sydney Local Government Area (LGA)** refers to the area within the “LGA Boundary” shown in the *Sydney Local Environmental Plan 2012* Land Application Map, as published in the NSW Government Gazette on 14 December 2012, as updated from time to time.

Council / City / city / consent authority

References to **City** are references to the City of Sydney organisation.

References to the **Council** are references to the Council of the City of Sydney, that is, the elected representatives and their delegates.

References to the **city** are references to the City of Sydney local government area.

References to the **consent authority** are references to the authority responsible for the approval of a development application.

Developer

References to the **developer** in this Program are references to the proponent of any development application that requires an affordable housing contribution.

Development application

References to **development applications** in this Program refer to both development applications and any application for the modification of a development consent.

Distribution Plan

Distribution Plan refers to any plan adopted by the City of Sydney Council for the distribution of affordable housing contributions arising from this Program.

Eligible Community Housing Provider

Eligible Community Housing Providers are **not-for-profit** community housing providers that are classified as a Tier 1 or Tier 2 providers under the National Regulatory Code.

Environmental Planning Instrument (EPI)

An Environmental Planning Instrument (EPI) is a reference to a state or regional environmental planning policy or a local environmental plan.

Local Environmental Plan (LEP)

Reference to various **LEPs** in this Program apply to any LEP that replaces it, so long as the affordable housing provisions remain substantially unamended.

Planning Proposal Land

Planning Proposal land refers to land that is defined in Schedule 6C of Sydney Local Environmental Plan 2012.

Recommended CHPs

Recommended CHPs are those providers identified in a distribution plan as Recommended CHPs.

Housing SEPP

References to the **Housing SEPP** are references to State Environmental Planning Policy (Housing) 2021, or any replacement of that policy.

Very low-, low- and ~~to~~ moderate-income households

Very low-, low- and ~~to~~ moderate-income households are those households whose gross incomes fall within the following ranges of percentages of the median household income for Greater Sydney—Greater Capital City Statistical Area or the Rest of NSW—Greater Capital City Statistical Area according to the Australian Bureau of Statistics:

- Very low-income household - less than 50%
- Low-income household – 50% or more but less than 80%
- Moderate-income household – 80% to 120%

2 Affordable housing contributions

This Section describes how an affordable housing contribution may be satisfied, the equivalent monetary contribution amounts, how the contribution will be applied in the development application process and how it will be managed for the provision of affordable housing.

2.1 Contribution requirement

Local environmental plans (LEPs), or another EPI¹, will establish the affordable housing contribution requirements that apply to land in the LGA and the type of development to which a contribution requirement might apply.

Contribution requirements are generally set out in a local environmental plan, although may also be set out in another environmental planning instrument.

The contribution requirement must be satisfied in accordance with the requirements of the LEP or EPI.

¹ On land identified in an EPI (other than an LEP) where this Program is applied, where the method for calculation is not otherwise set out in the EPI or in a supplementary note / guideline, the contribution will be calculated in accordance with this Program, that is, in accordance with:

- the relevant equivalent monetary contribution amounts; and
- the method for calculating the contribution requirement in the different parts of the LGA.

2.2 Satisfying a contribution requirement by making an equivalent monetary contribution

An affordable housing contribution must be satisfied by making an equivalent monetary contribution to Council.

The equivalent monetary contribution amount differs depending on the affordable housing contribution precinct the development is located in. The affordable housing contribution precincts are shown in Figure 1.

The equivalent monetary contribution amounts as at 1 March 2024 to 28 February 2025 are set out in Table 1.

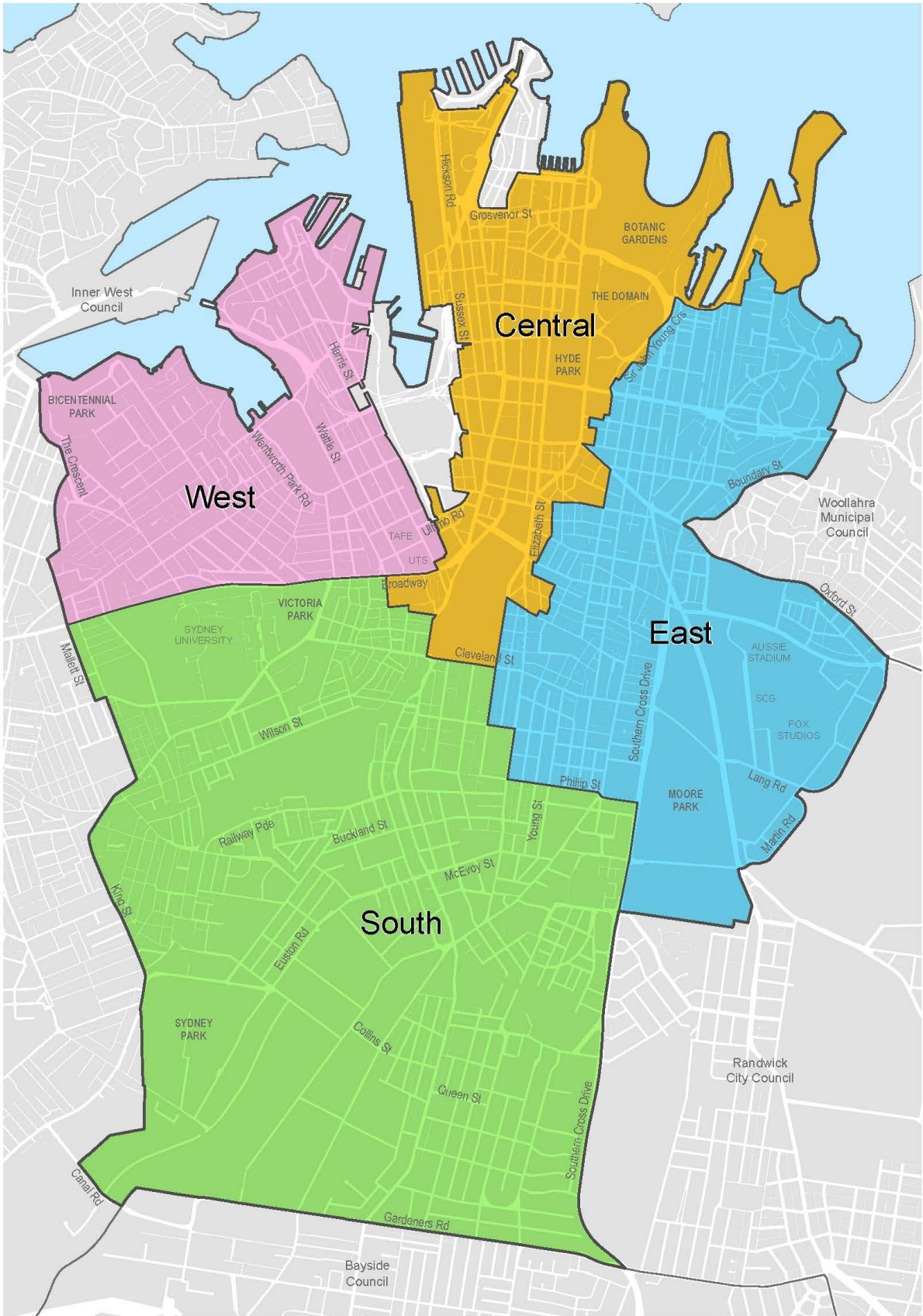
Adjustments are made to the equivalent monetary contribution amounts on an annual basis in accordance with this Program. Monetary contribution amounts, as indexed, are published on the City of Sydney website.

Table 1: Equivalent monetary contribution amounts

Affordable housing contribution precinct*	To XX-XX-XXXX 30 June 2028 [Rate A]	From XX-XX-XXXX 1 July 2029 [Rate B] (50% implementation)	From XX-XX-XXXX 1 July 2031 [Rate C] (Full implementation)
South precinct	\$12,293.84	\$12,396.92	\$12,500.00
East precinct	\$12,293.84	\$16,146.92	\$20,000.00
West precinct	\$12,293.84	\$13,646.92	\$15,000.00
Central precinct	\$12,293.84	\$14,896.92	\$17,500.00

Notwithstanding the equivalent monetary contribution amounts set out in Table 1, for development in Central precinct, that is entirely for the purpose of build-to-rent housing (provided in accordance with the Housing SEPP) or co-living housing (as defined in the Standard Instrument – Principle Local Environmental Plan), the equivalent monetary contribution amount will remain at \$12,293.84 per square metre, as indexed, until the date of the full implementation of the rates as set out in Table 1. From that time the concession rate for these housing types will end.

Figure 1: Affordable housing contribution precincts



2.2.1 Calculating the contribution in Ultimo-Pyrmont, Green Square, the Southern Employment Lands and on Planning Proposal lands

In Ultimo/Pyrmont, Green Square (including the Green Square Town Centre), the Southern Employment Lands and on planning proposal lands, the contribution requirement applies because the areas were rezoned. Over time, all floor area in these locations will make a contribution to affordable housing, because all floor area has benefited from the rezoning.

The contribution is therefore calculated on all of the gross floor area in the building to which the development application applies.

Example

A development application in Green Square (south precinct) for a new 10,000sqm development, comprises 1,000 square metres of non-residential gross floor area and 9,000sqm of residential gross floor area. The affordable housing contribution is calculated as:

$(1\% \times 1,000\text{sqm} \times \$12,293.84) + (3\% \times 9,000\text{sqm} \times \$12,293.84) = \$3,442,275$ equivalent monetary contribution

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Example

A development application for a warehouse conversion in the Southern Employment Lands (south precinct) includes a new mezzanine level comprising 1000sqm of non-residential gross floor area. The existing gross floor area in the warehouse is 2000sqm. The affordable housing contribution is calculated as:

$(1\% \times 3,000\text{sqm} \times \$12,293.84) = \$368,815$ equivalent monetary contribution

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

~~Note: In-kind contribution will not be suitable in a non-residential development.~~

Example

A development application in Blackwattle Bay, Pyrmont (west precinct) for a new 20,000sqm development is lodged. The affordable housing contribution is calculated as:

$(7.5\% \times 20,000\text{sqm} \times \$12,293.84) = \$18.4\text{m}$ equivalent monetary contribution

Note: This is a simplified example based on the contribution requirement set out at Clause 6.70 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Example

A development application on Planning Proposal land in Waterloo (south precinct) for a new residential development is lodged (there is no non-residential floor area proposed).

The site was previously rezoned to increase the development capacity from 10,000sqm to 15,500sqm, an increase of 5,500sqm. When the site was rezoned, an additional affordable housing contribution requirement for the “new” floor space was put into effect. The clause required:

- a 3% contribution requirement on the residential floor space that was available before the rezoning (~~65% of the development capacity 10,000sqm~~) and on the “new” residential floor space (5,500sqm); and
- a ~~20%~~ 17% contribution requirement on the “new” residential floor space (~~35% of the development capacity 5,500sqm~~).

The affordable housing contribution is calculated as:

$((3\% \times \cancel{65\% \times 15,500\text{sqm}}) + (\cancel{20\%} 17\% \times \cancel{35\% \times 15,500\text{sqm}} 5,500\text{sqm})) \times \$12,293.84$
 $= \$17.4\text{m}$ equivalent monetary contribution

Note: This is a simplified example based on a fictional contribution requirement set out at Clause 7.13B and Schedule 6C of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

See Appendix B for more information about how a Planning Proposal land contribution requirement may be established.

2.2.2 Calculating the contribution in Central Sydney and on residual land

In Central Sydney and on residual land (where it is not identified as Planning Proposal land), the contribution requirement applies to new or more intensely used floor area only, because the areas were not rezoned at the time when the contribution was introduced.

The contribution is therefore calculated only on the floor area to which the development application directly relates.

For the purposes of this Program:

- demolition and replacement of the same floor area is considered to be new floor area;
- the extent of improvement works to a building as a whole will be considered to determine whether the nature of works proposed will result in an essentially new building; and
- more intensely used floor area is required to make an affordable housing contribution due to the overall gentrifying effect that is observed as sites change use over time. More intensely used floor area is therefore considered to be triggered with a change from industrial floor area to commercial floor area and from commercial floor area to residential floor area.

Example

A development application on residual land in Newtown (west precinct) for the demolition of an existing building and a new building comprising a gross floor area of 10,000sqm of residential gross floor area will be calculated as:

$3\% \times 10,000\text{sqm} \times \$12,293.84 = \$3,688,152$ equivalent monetary contribution

Note: Existing gross floor area that is demolished and replaced is not 'credited' against the contribution requirement.

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Example

A development application in Darlinghurst (east precinct) for a new mezzanine level comprising 200sqm of non-residential gross floor area, is made for an existing commercial building. The existing gross floor area in the warehouse is 2,000sqm. The affordable housing contribution is calculated as:

$(1\% \times 200\text{sqm} \times \$12,293.84) = \$24,588$

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Example

A development application for one new residential storey on top of an existing building is made in Central Sydney (Central precinct). The new development comprises a gross floor area of 800sqm. The affordable housing contribution is calculated as:

$3\% \times 800\text{sqm} \times \$12,293.84 = \$295,052$ equivalent monetary contribution

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

2.2.3 Conditions of consent for making monetary contributions

A contribution requirement will be set out in a condition of development consent. Evidence ~~that~~ the condition of consent has been satisfied is required prior to the issue of a construction certificate.

In circumstances where no construction certificate is required, evidence the condition of consent has been met will be required before commencement of use / occupation.

2.2.4 How to make a payment

Payment will be by unendorsed bank cheque or other approved means to the City of Sydney Council prior to issue of any construction certificate. In circumstances where no construction certificate is required, payment is required prior to commencement of use/occupation. The procedure for making payment is provided in the condition of consent.

If a development requires multiple construction certificates, the City will require payment prior to the release of the first construction certificate relating to the development consent on which the contributions were levied.

~~2.3 Satisfying a contribution requirement by dedicating built dwellings~~

~~This Section sets out where an affordable housing contribution must be, or is proposed to be satisfied, in part or in full, by the dedication of built dwellings.~~

~~2.3.1 Where a dedication of built dwellings may be required by the consent authority~~

~~This Section sets out the criteria to determine where an affordable housing contribution will be required by the consent authority to be satisfied by dedicating built dwellings (only where an LEP, or other EPI, empowers the consent authority to make such a requirement).~~

~~An affordable housing contribution will be required by the consent authority to be satisfied by dedicating built dwellings where:~~

- ~~• the development is predominantly for a residential purpose;~~
- ~~• the development will (or in the case of a Stage 1 development application, may) result in a contribution requirement for more than 600 square metres of gross floor area that can be provided as eight or more dwellings;~~
- ~~• the development is located in Category A or B area of the Sydney LEP 2012 Land Use and Transport Integration Map (if the development is subject to the Sydney LEP 2012);~~
- ~~• in the opinion of the consent authority, affordable housing dwellings may reasonably be provided where they could avoid participation in a future strata scheme, if the quarterly costs of the scheme would likely be high* and render the management of the property for~~

~~affordable housing as unsustainable**.~~ This could reasonably be achieved where the dwellings to be dedicated could be provided:

- ~~• in a separate stratum in a building in the development, preferably with its own entry; or~~
- ~~• in a separate building in the development; and~~
- ~~• in the opinion of the consent authority, the standards for dedicated affordable housing dwellings, provided at Appendix C, can be reasonably satisfied.~~

~~* Where the development incorporates amenities that are likely to result in high management costs, for example, a significant number of lifts, pool(s), gym(s), concierge facilities etc.~~

~~** Affordable housing may be 'unsustainable' where rents will not meet the costs of strata and other cyclical management costs of the dwelling over a 40-year ownership period.~~

~~In determining if it will require the dedication of built dwellings, the consent authority must consult with the Recommended CHP, identified in any distribution plan adopted by Council as being the recipient of dedicated dwellings.~~

~~The consent authority may not require the dedication of built dwellings where the Recommended CHP, identified in any distribution plan adopted by Council as being the recipient of dedicated dwellings, provides evidence that the proposed dwellings are unsuitable for use as affordable housing.~~

~~The City of Sydney Executive Director City Planning, responsible for development applications, must provide written advice confirming the suitability of dwellings proposed for dedication prior to a condition of consent for dedication being applied to a development consent.~~

~~The development application process for development that may be required to dedicate built dwellings is provided at Appendix D.~~

~~Where the above criteria cannot be met, the consent authority will require the affordable housing contribution be satisfied by making a monetary contribution in accordance with Section 2.2 of this Program.~~

2.3.2 Conditions of consent for dedicating dwellings

~~An affordable housing contribution requirement for the dedication of dwellings will be set out in a condition of development consent. Evidence that a condition of consent has been satisfied is required prior to the issue of any occupation certificate in the development.~~

2.3.3 Floor area to be dedicated for affordable housing dwellings

~~The floor area to be dedicated to Council is to include:~~

- ~~• dedicated dwellings (including any associated private spaces, such as balconies and courtyards); and~~
- ~~• any required horizontal circulation spaces that form part of a stratum that allow access to the dwelling/s.~~

2.3.4 How dedicated dwellings are to be used

~~Affordable rental housing resulting from a dedication requirement is to be allocated in accordance with any requirements set out in any distribution plan adopted by Council.~~

2.3 Development that may be excluded ~~exempt~~ from making a contribution, or may have a reduced contribution requirement

This section sets out development that is excluded from making an affordable housing contribution or may have a reduced contribution requirement.

Applicants should outline how their development is consistent with the relevant exclusion / reduction in their development application. If Council is satisfied the development is consistent with the relevant exclusion / reduction, it will exclude / reduce the contribution requirement. In the case of complying development, Council must first verify any exclusions / reductions in writing.

The following development is excluded from making an affordable housing contribution:

- any floor area for the following development¹ that is provided by or on behalf of government, a charity or not-for-profit organisation²:
 - social housing³;
 - places of public worship;
 - hostels;
 - boarding houses;
 - residential care facilities;
 - group homes; and
 - emergency services facility.
- any floor area for the development of affordable housing⁴ provided in accordance with the Affordable Housing Principles⁵.
- any floor area for infill affordable housing provided under Chapter 2, Part 2, Division 1 of the Housing SEPP, but only where it is provided in perpetuity and rented to very low- to moderate-income households at no more than 30% of gross household income in accordance with the Affordable Housing Principles of this Program;
- any floor area for the development of a dwelling house, attached dwelling or a dual occupancy within the meaning of the Sydney Local Environmental Plan
- alterations and additions to an existing dwelling house, attached dwelling or dual occupancy;
- any new floor area or alterations and additions to floor area on land in Zone E4 General Industrial;
- City of Sydney development – development undertaken by or on behalf of the City of Sydney⁶
- where the cost of construction is less than \$150,000; and
- where development is for a change of use from:
 - a commercial use or light industrial use to a general industrial use or heavy industrial use; or
 - a general or heavy industrial use to another general industrial use or heavy industrial use.

Where a building is predominantly affordable housing (generally no more than 10 per cent of floor area dedicated to ancillary uses that are not affordable housing), provided in accordance with the Principles of this Program, and does not include any market housing, a contribution requirement will not be applied to the entirety of the floor area in that building.

Where the development would result in the equivalent monetary contribution amounting to more than 15 per cent of the agreed cost of construction, then the affordable housing contribution requirement will not exceed 15 per cent of the agreed cost of construction.

¹ All land use terms used in this Program have the same meaning as in Sydney Local Environmental Plan 2012, if defined, at the time this Program is adopted

² As registered with the Australian Charities and Not-for-profits Commission.

³ As defined by the *Housing Act 2001*.

⁴ Where a building is predominantly affordable housing (with a small proportion of floor area dedicated to ancillary non-residential uses), provided in accordance with the Principles of this Program, and does not include any market housing, a contribution requirement will not be applied to the entirety of the floor area in that building.

⁵ For the avoidance of doubt, development to which Chapter 2, Part 2, Division 1 or Chapter 3, Part 4 of the Housing SEPP applies is not development excluded from the need to make a contribution

⁶ This includes development being undertaken for a public purpose, but excludes development being undertaken for a sole commercial purpose.

~~The following development is exempt from making an affordable housing contribution:~~

- ~~• any building on land in Zone E4 General Industrial, or~~
- ~~• any floor area used to provide affordable housing or public housing (for the avoidance of doubt, development to which Chapter 2, Part 2, Division 1 or Chapter 3, Part 4 of the Housing SEPP applies is not development excluded from the need to make a contribution), or~~
- ~~• City of Sydney development—development undertaken by or on behalf of the City of Sydney. This include development being undertaken for a public purpose, but excludes development being undertaken for a sole commercial purpose.~~

~~Where affordable housing provided under Chapter 2, Part 2, Division 1 of the Housing SEPP is provided in perpetuity and rented to very low to moderate income households at no more than 30% of gross household income in accordance with the Affordable Housing Principles of this Program, the consent authority may consider a case for exempting that development from the requirement for an affordable housing contribution.~~

~~Where a building is predominantly affordable housing (with a small proportion of floor area dedicated to ancillary non-residential uses), provided in accordance with the Principles of this Program, and does not include any market housing, a contribution requirement will not be applied to the entirety of the floor area in that building.~~

~~The consent authority may consider a case for exempting development from the requirement for an affordable housing contribution if the development application is for one or more of the following (and no other development):~~

- ~~• where the cost of construction is less than \$100,000; or~~

- where the change of use is from:
 - a commercial use or light industrial use to a general industrial use or heavy industrial use; or
 - a general or heavy industrial use to another general industrial use or heavy industrial use.

Where the development would result in the equivalent monetary contribution amounting to more than 15 per cent of the agreed cost of construction, then the affordable housing contribution requirement will not exceed 15 per cent of the agreed cost of construction.

The following are some examples of when the LEP clause may or may not apply to specific types of development.

For example

The City receives a development application for a new 50sqm mezzanine in an office building in Central Sydney. The application will not give rise to an affordable housing contribution because the contribution requirement does not apply to development that only results in the creation of less than 60sqm of non-residential gross floor area, and no other development.

For example

The City receives a development application in the Southern Employment Lands for a new 50sqm (non-residential) mezzanine and a change of use for the 100sqm of existing gross floor area from a warehouse (general industrial) to a retail use, and no other development.

The contribution requirement will apply because more than 60sqm of existing gross floor area is changing use.

For example

The City receives a development application in the residual lands for a change of use of 5,000sqm of existing commercial gross floor area to serviced apartments, and no other development.

The contribution requirement will apply because on residual land (and in Central Sydney) the contribution requirement applies where there is a change of use of existing gross floor area from a non-residential purpose to a residential purpose or tourist or visitor accommodation purpose, and serviced apartments are 'tourist and visitor accommodation'.

For example

The City receives a development application in Green Square for a change of use of 2,000sqm of existing retail gross floor area to office gross floor area, and no other development.

The contribution requirement will apply to the entire development because in Green Square, any change of use will trigger the requirement for a contribution.

For example

The City receives a development application in Central Sydney for a change of use of 200sqm of existing retail gross floor area to office gross floor area, and no other development.

A contribution requirement will not apply because in Central Sydney, only where there is a change of use from a non-residential purpose to a residential purpose or tourist or visitor accommodation purpose will a contribution be applied.

For example

The City receives a development application in the residual lands which proposes a full internal remodel of an existing 7,500sqm commercial building. The external walls of the building will be retained, although will need reinforcing and some sections may require re-building. The building will continue to be used for commercial purposes.

A contribution requirement will apply to the entire 7,500sqm because the extent of the building works in their entirety are considered to represent a new development and the requirement for a contribution applies to new floor area in the residual lands.

For example

The City receives a development application for the redevelopment of a large site in Green Square. The development will involve:

- the construction of seven 8-storey mixed use buildings for market housing and various non-residential uses; and
- one 6-storey mixed use building to be provided for affordable housing, with ground level retail.

A contribution requirement will not be applied to floor area in the entirety of the building to be provided for affordable housing, including the ground floor retail component. The contribution requirement will apply to the floor area in the remainder of the development.

For example

The City receives a development application for the demolition of an existing dwelling and construction of a replacement dwelling house in the residual lands.

A contribution requirement will not be applied to the development as the development falls within the list of developments excluded from making a contribution by the Program.

2.4 Where a contribution has been previously paid

If an affordable housing contribution has already been made on existing gross floor area, then a subsequent contribution is generally not required unless:

- it is being demolished and being replaced with floor area of the same or a different use. In this case, a contribution will be applied to all of the gross floor area, including the replacement floor area;
- for existing floor area, the previous contribution was for a non-residential purpose and the new gross floor area is for a residential purpose. In this case the difference in the contribution rates will apply.

2.5 Refunds

2.5.1 For demolition or changes of use

Local environmental plans require that the consent authority must not refund an affordable housing contribution to the applicant where there is a change in use or demolition of gross floor area.

The same applies where affordable housing dwellings are provided on site, in that the dwellings (as replaced) are to remain the property of a CHP.

2.5.2 Surrendered consents

Council is not obligated under legislation to refund an affordable housing contribution payment.

Nevertheless, Council may consider refunding a development contribution payment to the original payee where:

- the development has not commenced and the consent has lapsed; or
- the development has not commenced and the consent will not proceed, as directed in writing by the payee. In this case, the applicant will need to surrender the consent in accordance with the requirements of the [Environmental Planning and Assessment Act 1979 Act](#).

Council will only consider refunding the contribution when it holds adequate contribution funds i.e. funds that have not yet been transferred to a Recommended CHP.

The applicant must apply for the refund in writing to Council.

Other than in exceptional circumstances, requests for refunds must be made within 12 months of paying the contribution for which the refund is sought.

2.6 Adjustment of equivalent monetary contribution amounts

Monetary contribution amounts are adjusted on an annual basis, being the first day of March, with reference to movements in the median strata dwelling price in the City of Sydney LGA as detailed in NSW Government Rent and Sales Report, Table: Sales Price – Greater Metropolitan Region – Strata.

The Rent and Sales Report is available on the NSW Government, Department of Communities and Justice website.

The formula for adjustment of the equivalent monetary contribution amount is:

$$\text{New Contribution Rate} = \text{Current Contribution Rate} \times (\text{MDP2}/\text{MDP1})$$

Where:

- **MDP1** is the median strata dwelling price used to establish the current contribution rate
- **MDP2** is the median strata dwelling price for the CURRENT period, being established by averaging the four most recently published Rent and Sales Report.

The City of Sydney's website contains the current monetary contribution amounts.

2.7 Adjustment of a monetary contribution amount on a development consent

Where a condition requiring a monetary contribution has been imposed, the contribution amount must be adjusted over time. That is, if a consent is issued in June 2021 2023 and the applicant does not wish to pay the contribution and develop the site until August 2024 2026, the contribution amount will need to be adjusted to the period in which it is paid, being 1 March 2024 2026 to 28 February 2025 2027.

Monetary contributions are adjusted by the City and confirmed with the applicant prior to payment being made.

The formula for adjusting a contribution amount in a condition if consent is:

$$\text{Monetary Contribution} = \text{Base Contribution Amount} \times (\text{R2}/\text{R1})$$

Where:

- **R1** is the contribution rate that applied at the time of consent.
- **R2** is the contribution rate that applies at the time of payment.

The Base Contribution Amount is the amount obtained from the Notice of Determination of the development application.

2.8 How monetary contributions are to be used

Monetary contributions paid to Council are to be allocated in accordance with any requirements set out in any distribution plan adopted by Council.

Affordable housing resulting from an affordable housing contribution requirement must be owned and managed in accordance with the affordable housing principles set out in this Program.

3 Affordable housing on suitable employment land

In the City of Sydney, the proximity of some lands generally zoned for employment to amenities and services may make them suitable for affordable housing, provided that the development does not undermine the broader employment focused objectives of the zone. Sydney LEP 2012 identifies these areas in which affordable housing is permitted.

3.1 Requirements for affordable housing on suitable employment land

Affordable rental housing developed on suitable employment land is to be provided in accordance with the affordable housing principles set out in this Program.

3.2 Development applications

The Sydney LEP 2012 requires that any development for affordable housing is compatible with the existing and approved uses of land in the vicinity.

Proponents should seek pre-development application advice from the City on any proposal to develop affordable housing on employment land.

Appendix A - Background information and affordable housing needs analysis

1. Introduction

Sydney remains Australia's least affordable city. The high cost of housing is an important economic and social issue in Sydney, particularly within the city where housing prices are amongst the highest in Australia.

For a global city, a sustainable and diverse housing supply is fundamental to the cultural and social vitality, economic growth, and liveability of the city. For a city to maintain its global status it needs to maintain the delivery of essential social and physical infrastructure. Housing is a critical piece of that infrastructure; where it is located, its proximity to employment, its diversity in price and type and its quality, are things that require careful management.

A range of factors are placing upward pressure on housing costs, making it increasingly difficult for very low to moderate income households to afford to rent or buy in the local area.

It is expected that without intervention the market will continue to produce housing aimed at households on relatively high incomes. Lower income households will need to move out of the inner-city, away from their communities and their employment in the inner-city.

Housing affordability may affect a city's ability to attract and retain global businesses and a highly skilled workforce. Where relatively low paid key workers, who underpin and enable growth in high value sectors, and contribute to the efficient functioning of a city, cannot access appropriate and affordable housing, there is direct risk to metropolitan Sydney's global city status and by extension the Australian economy. These low paid key workers are employed across a range of sectors and include, amongst others, our health care technicians, cleaners, bus drivers, childcare workers, administrators, hospitality staff, tour guides, musicians and artists.

Encouraging and providing affordable housing is a complex issue requiring a range of planning and policy solutions. The community housing sector is central to delivering affordable rental housing, but so too is the development sector that creates opportunities for new affordable housing to be delivered.

This Program provides the framework for affordable housing to be provided in conjunction with the development that creates the demand for it.

2. What is affordable housing?

Affordable housing is defined by the ~~Act~~ *Environmental Planning and Assessment Act 1979* as “housing for very low-income households, low-income households or moderate-income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.”

In the City of Sydney, the private housing market is unlikely to deliver housing, for purchase or for rental, which does not put a very low to moderate incomes household in housing stress or crisis, which is, they are spending more than 30 per cent of their gross income on rental or mortgage costs. Where low-cost housing can be found, the demand for it is so high that it is not necessarily target income groups who absorb it.

Therefore, in the context of the city, the term ‘affordable housing’ is taken to mean ‘affordable rental housing’ that is managed by a registered CHP and rented specifically to target income households.

3. NSW Government and City of Sydney affordable housing objectives and targets

3.1 NSW Government

The NSW Government has long recognised the importance of providing affordable housing through the planning framework.

The NSW Government’s Region and District Plans include targets and actions for the provision of affordable housing through the planning framework. The plan requires councils to develop local housing strategies to address the range of housing needs in their local areas, including affordable housing.

3.2 City of Sydney Council

The City of Sydney has a target that 7.5 per cent of private housing will be social housing and 7.5 per cent of private housing will be affordable housing.

4. Affordable housing need analysis

4.1 Why do we need affordable housing?

Socio-economic impacts

Rising housing prices, driven by a range of factors including increased demand for inner-city living, population growth, foreign investment, federal and state government fiscal and taxation policies, and constrained land supply, all result in declining housing affordability across Australia, particularly in major cities.

In the city, climbing housing costs are expected to have an increasingly detrimental impact on its socio-economic diversity as low-income households are pushed from the LGA because they cannot access affordable housing. The majority of households on low to moderate incomes who remain in the private housing market are increasingly in housing stress or crisis and will eventually be forced to move out as housing costs continue to escalate ahead of wage growth.

The loss of low-income households is contrary to the aims of the District Plan and *the Sustainable Sydney 2030-2050*, both of which promote the diverse and liveable socio-economic communities.

The relative inequality among those who can and cannot afford housing in the city has widened. There is a growing disconnect between affluent households able to afford private market housing and socio-economically disadvantaged households living in inner city social housing estates. This 'hollowing out of the middle' impacts on community sustainability.

The issue also has a dimension of generational inequality, as younger people (typically first home buyers) are increasingly priced out of the market.

Economic impacts

Declining socio-economic diversity in the inner city associated with inadequate social and affordable housing supply has significant economic impacts.

The ongoing loss of very low- to moderate-income households from inner Sydney, as they are forced to the outer suburbs of Sydney, makes it increasingly difficult for essential employment sectors to fill employment vacancies and staff shifts. On the city scale, this hampers business productivity and by extension the wider economic growth of Sydney.

4.2 Satisfying the requirements of the Act

This Program has been prepared in accordance with the requirements of the *Act Environmental Planning and Assessment Act 1979 (the Act)*, that is, those matters that are required by the Act to be considered when applying a condition of consent, have been considered. Where a condition of consent is applied in accordance with this Program, it is consistent with the Act.

Section 7.32 of the ~~Act Environmental Planning and Assessment Act 1979 (the Act)~~ allows for the collection of contributions for affordable housing where a need for affordable housing is identified in a planning instrument and where:

- (a) the consent authority is satisfied that the proposed development will or is likely to reduce the availability of affordable housing within the area, or
- (b) the consent authority is satisfied that the proposed development will create a need for affordable housing within the area, or
- (c) the proposed development is allowed only because of the initial zoning of a site, or the rezoning of a site, or
- (d) the regulations so provide².

The City of Sydney is identified in a state environmental planning policy (SEPP) as an area where there is a need for affordable housing.

Provided below is the rational and justification for applying a contribution requirement in various land in the city.

Central Sydney

Central Sydney is identified on the Locality and site identification map and zoned SP5 Metropolitan Centre (formerly B8) in the City's planning controls. All development in Central Sydney, that is not minor development, is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

All new development in Central Sydney will reduce the availability of affordable housing within the area.

As jobs growth occurs in Central Sydney, a proportion of the new working population will form part of a very low- to moderate-income household. As competition for affordable housing options increases, the overall availability of affordable housing will decrease. Given the substantial shortfall of affordable housing options within the City, any decrease in the availability of affordable housing gives rise to an increased need for affordable housing.

All new development in Central Sydney will create a need for affordable housing within the area.

Ensuring the long-term sustainable growth of Central Sydney is essential for a strong NSW and national economy. Declining socio-economic diversity in the inner city associated with inadequate social and affordable housing supply has significant economic and social impacts which represent a risk to this growth.

As demonstrated above, rising land and property prices, driven by a range of factors including population growth, constrained land supply and Commonwealth fiscal policy, have resulted in declining housing affordability in Australian cities, in particular Sydney. This trend is coupled with inadequate new supply of social and affordable housing in the inner city, both

² Development must only satisfy one of these conditions for Council to be able to require a contribution.

of which are necessary to mitigate market affordability impacts in maintaining accessibility of inner-city housing to socio-economically diverse communities.

In the City, there is a growing disconnect between affluent households able to afford private market housing and highly socio-economically disadvantaged households living in inner-city public housing estates. Gentrification of inner-city neighbourhoods has exacerbated relative inequality among those who can and cannot afford housing. The purchase and rental housing market is becoming virtually inaccessible to those on very low- to moderate-incomes. This issue also has a dimension of generational inequality, as younger people are increasingly priced out of the market.

There are also substantial economic impacts where affordable housing cannot be accessed close to employment.

As residential growth occurs in Central Sydney, demand for services in which low-income workers are employed will increase. These services include childcare, medical services, retail, cleaning, and hospitality and so on. There is a need to ensure some affordable housing is available to accommodate people on low-incomes working in these services.

Evidence suggests the loss of low- to middle-income households from inner Sydney will result in essential sectors in the Australian economy finding it increasingly difficult to fill employment vacancies and staff shifts, hampering business productivity and economic growth.

As the relative economic importance of Central Sydney to the national economy continues to increase, cumulatively all new development will continue to create an economic and social need for affordable housing.

Ultimo-Pyrmont

To promote a socially diverse and sustainable community, it is crucial that affordable rental housing be provided so that very low to moderate income households can live in the area.

All development in Ultimo-Pyrmont is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in Ultimo-Pyrmont will reduce the availability of affordable housing within the area.

The City West region of inner-Sydney, comprising the suburbs of Pyrmont and Ultimo, was formally an industrial and port precinct that traditionally provided low-cost accommodation for people working in an around the area.

However, significant gentrification has occurred due to the urban renewal of the area, an accompanying investment in public infrastructure and a wider cultural shift towards inner-city living. As higher-income households are attracted to the area, housing prices and rental costs are driven upwards, resulting in the reduction of rental stock availability for very low- to moderate-income households.

Development in Ultimo-Pyrmont will create a need for affordable housing

The planning controls in Ultimo-Pyrmont permit a range of commercial development to provide a variety of employment opportunities, including for lower paid occupations. The affordable housing provisions in Ultimo-Pyrmont reflect an expectation that people should be able to live and work within the same area.

New residents and workers in the area also generate a demand for services typically staffed by lower income earners, increasing the need for key workers such as cleaners, retail assistants, childcare workers and hospitality staff.

If affordable housing options are not provided in the area, the housing market will serve an increasingly smaller proportion of the population, narrowing the socio-economic diversity of Ultimo-Pyrmont and necessitating unsustainable travel behaviours for lower income workers.

Development in Ultimo-Pyrmont is allowed only because the land was rezoned

In the early 1990's a process of intense urban renewal was instigated with the rezoning of the area for high density residential development. The need to retain a proportion of affordable housing in the area was recognised at this time to ensure a socially diverse and sustainable community representative of all income groups.

The new planning provisions substantially affected and increased the development potential and land value of Ultimo-Pyrmont. This has been further impacted by the significant investment in infrastructure by the New South Wales and Commonwealth Governments to revitalise/redevelop the area. All landowners have and will continue to benefit from this increase in land value.

The increased land value has an impact on the affordability of housing in Ultimo-Pyrmont, particularly for the traditional low- and moderate-income residents of the inner-city, as higher value uses are found for the land.

Green Square

The Green Square urban renewal area will provide housing for around 63,000 residents to 2036. The District plan and *A Metropolis of Three Cities – the Greater Sydney Region Plan* highlight the importance of creating communities that are mixed and cohesive, where there is a greater mix of social and private housing.

To promote a socially diverse and sustainable community, it is crucial that affordable rental housing be provided so that very low- to moderate-income households can live in the area.

All development in Green Square is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in Green Square will reduce the availability of affordable housing within the area.

Green Square and its immediate surrounds have historically provided relatively cheap housing for inner-city residents.

However, the urban renewal of the area, the investment in public infrastructure and the wider cultural shift towards a preference for inner-city has resulted in the gentrification of Green

Square. This has placed, and will continue to place, pressure on housing prices and rental costs as high-income households are attracted to the area, pushing up house values and reducing the rental stock available for very low- to moderate-income households.

The jobs growth associated with the urban renewal of Green Square is also reducing the availability of affordable housing in the area. While there has been a significant change in the nature of employment in the area since its rezoning in 1999, with a general trend towards higher value jobs, a number of lower paid jobs still locate in the area.

It is desirable that people employed in the area are able to find housing close to their place of employment. This will increase competition for the affordable housing options, decreasing the overall availability of affordable housing and increasing the cost of renting in these areas.

Given the shortfall of affordable housing options currently available in the city, any further decrease in the availability of affordable housing gives rise to an increased need for affordable housing.

Development in Green Square will create a need for affordable housing

More specifically for Green Square, the ongoing urban renewal of the area, and its wider gentrification, will continue to produce upward pressures on property values and place further pressure on purchase and private rental accommodation costs beyond the means of low- to moderate-income groups.

Without provision of more affordable forms of housing, the market can be expected to continue to produce more expensive housing in the area, so that housing will only be affordable to households on relatively high incomes. Without the supply of more affordable rental dwellings, existing lower income households will continue to be forced out of the area, and new lower income households may be prevented from finding housing in Green Square close to new employment opportunities.

The employment generated by the urban renewal of Green Square will also create a need for affordable housing. On completion, some of which will be for very low- to moderate-income earners who will seek affordable housing in the area.

Moreover, new residents and workers in the area will generate demand for services typically staffed by lower income earners, increasing the need for key workers such as cleaners, retail assistants, childcare workers and hospitality staff.

Development in Green Square is allowed only because the land was rezoned

In 1999 the majority of the Green Square urban renewal area was rezoned from industrial to mixed use. Substantial value was created on land at the time it was rezoned.

The affordable housing contribution requirement in Green Square was introduced when the land was rezoned. Therefore, any negative impact the contribution requirement might have had on the value of the land was more than mitigated by the increase in land value arising from the rezoning.

Over time land values have continued to increase in Green Square as the area has gentrified and has benefited from substantial investment in public infrastructure. This will continue to place upward pressure on the cost of housing and increase demand for affordable housing.

Southern Employment Lands

The Southern Employment Lands will undergo substantial change over the next 20 years as it transitions from an area characterised by traditional manufacturing industries and low-density employment to more diverse employment. The changes will result in an increase in the number of workers in the area, placing an increase in the demand for affordable housing.

All development in the Southern Employment Lands is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in the Southern Employment Lands will reduce the availability of affordable housing within the area

The Southern Employment Lands are Sydney's oldest industrial areas. The 2015 rezoning of the area will result in more jobs that are typically higher in value than those that have traditionally located in the area.

This will place pressure on housing prices and rental costs in adjoining area as high income households are attracted to the area to live near where they work, pushing up underlying land values and reducing the rental stock available for very low- to moderate-income households.

It is desirable that people employed in the area are able to find affordable housing close to their place of employment. This will increase competition for the affordable housing in the area, decreasing the overall availability of affordable housing and increasing the cost of rents.

Given the shortfall of affordable housing options currently available in the city, any further decrease in the availability of affordable housing gives rise to an increased need for affordable housing.

Development in the Southern Employment Lands will create a need for affordable housing within the area

Redevelopment in and around the Southern Employment Lands will continue to place upward pressure on property values and on purchase and private rental accommodation costs in the area beyond the means of very low-, low- and moderate-income households.

Without the provision of more affordable forms of housing, the market can be expected to continue to produce more expensive housing products in the area, so that housing will only be affordable to households on relatively high incomes. Without the supply of more affordable rental dwellings, existing lower income households will continue to be forced out of the area, and new lower income households may be prevented from finding housing in close to new employment opportunities.

Development in the Southern Employment Lands is allowed only because the land was rezoned

In 2015, much of the land in the Southern Employment Lands was rezoned. Previously the Southern Employment Lands were zoned for industrial purposes, generally permitting only uses that are industrial in nature, the new zones enabled a more flexible approach to employment generating uses by permitting a wider range of activities, such as commercial offices, retail and so on.

The affordable housing contribution requirement in the Southern Employment Lands was introduced when the land was rezoned. Any negative impact the contribution requirement might have had on the value of the land was therefore mitigated by the increase in land value arising from the rezoning.

Over time land values will continue to increase in the Southern Employment Lands, placing upward pressure on the cost of housing and increasing demand for affordable housing in the surrounding area.

Residual land

As the popularity of inner city living continues grow and with increasing employment opportunities across the city, the cost of housing will continue to climb, making it increasingly difficult for low-income households to live in these areas.

On residual land, development for new floor area, or for a more intense use of existing floor area, is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in the residual lands will reduce the availability of affordable housing within the area

Investment in public infrastructure, increased amenity and the wider cultural shift towards a preference for inner-city has resulted in the gentrification in the LGA. This has placed, and will continue to place, pressure on housing prices and rents. Likewise, the increase in the number of jobs in the LGA, many offering relatively high salaries, increases the demand for housing and pushes up housing costs.

As the desirability of living and working in the local area increases, the demand for an ever-shrinking supply of lower cost housing increases, in turn decreasing the overall availability of lower cost housing and pushing lower income households out to more affordable areas.

Given the shortfall of affordable housing options currently available in the city, any further decrease in the availability of affordable housing gives rise to an increased need for affordable housing.

Development in the residual lands will create a need for affordable housing within the area

The projected housing growth in the residual lands is shown at Figure 6. As at 2017, it was anticipated that approximately 35% of projected dwellings growth in the city will be in the residual lands.

Employment is also projected to grow in the LGA. The draft district plan projects 817,000 additional jobs across Greater Sydney, a large portion of which will be in the City's strategic

centres of the CBD and Green Square and Mascot where a respective 235,000 and 25,500 jobs are projected to 2036.

Job growth in the LGA and new development in the city's residual areas will continue to place upward pressure on housing prices and rents beyond the means of very low-, low- and moderate-income households.

Without provision of more affordable forms of housing, the market can be expected to continue to produce more expensive housing in the area, so that it will only be affordable to households on relatively high incomes. Without the supply of more affordable rental dwellings, existing lower income households will continue to be forced out of the area, and new lower income households may be prevented from finding housing in the LGA close to new employment opportunities.

Planning Proposal land

Planning Proposal land is land that has been the subject of a planning proposal to change the planning controls that apply to the site to increase development capacity. Planning Proposal land is identified in LEPs.

On Planning Proposal land, all new residential floor area is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in Planning Proposal land will reduce the availability of affordable housing within the area

The cost of land and fragmentation of ownership patterns are key impediments to development and renewal in existing urban areas. Current buildings that are functional and provide good economic utility can in many cases be too valuable to consolidate for redevelopment. Therefore, developers tend to target buildings that are aging and nearing the end of their economic lifecycle. As such, planning proposals in the City, that generally seek increased height or floor area, are associated with former industrial or commercial sites and older, lower quality houses that are then replaced by higher density residential uses.

Where redevelopment of a site replaces older residential stock with a new residential flat building, there is typically a direct loss of lower cost housing that is more likely to be within the means of lower income households.

Where renewal of a site replaces non-residential buildings at the end of their economic life, amenity increases, attracting more investment and higher income households to move into the area. This pushes up house values, placing further demand for rental properties and reduces the available stock of low-cost housing.

Planning proposals seeking increased height or floor area associated with the renewal of commercial sites in Central Sydney are underpinned by a post-Covid demand for high-quality, high-amenity, contemporary office space. They attract investment and contribute to urban renewal in the LGA, placing continued upward pressure on housing prices and rents beyond the means of very low-, low- and moderate-income households.

Development on Planning Proposal land will create a need for affordable housing within the area

Changes to planning controls which permit higher order land uses and increased densities will place further pressure on purchase and private rental accommodation costs beyond the means of very low to moderate income households. Without provision of more affordable housing in the area housing will only be affordable to households on relatively high incomes. This will force existing low-income households to move out of the area.

Furthermore, the overall growth in jobs generally across the LGA, coupled with increased employment opportunities created by planning proposals – both as a result of commercial (re)development in Central Sydney and mixed use development throughout the LGA that includes retail tenancies on the street level – will increase the demand for unskilled and semi-skilled workers employed in essential services of retail, hospitality and cleaning and who are difficult to recruit due to increasing pressure on housing costs in the area.

Development is allowed only because the land was rezoned

Planning Proposal land is land that has been the subject of a planning proposal to change the planning controls that apply to the site to increase development capacity. The contribution requirement will only be applied to the new development capacity that would not have been allowed without the changes to the planning controls.

This gives effect to the intent of the District Plan to provide affordable housing where there is an increase in development capacity on land, where need for affordable housing is identified and where development viability can be maintained.

The affordable housing contribution requirement will be introduced when the land is identified as Planning Proposal land in LEPs. Therefore, any negative impact the contribution requirement might have on the value of the land will be mitigated by the increase development potential brought about by the change to the planning controls.

5. Outcomes

As at June 2024 2025, the City's affordable housing contribution requirements have delivered 873 affordable dwellings. The projected outcomes of this Program are estimated to exceed 2,000 further affordable dwellings to 2036 (from June 2024 2025). Notwithstanding this estimate, the outcomes of this Program will be heavily impacted by other matters outside of the City's control, including, but not limited to:

- the property market i.e. the amount of development that occurs. This is highly influenced by the market conditions of the day;
- the ability of community housing providers to leverage contribution funds and existing property portfolios;
- state government policy directions; and
- Federal and NSW Government investment in affordable housing (which may accelerate outcomes under this scheme when available funds are combined with levy funds).

Appendix B – Contribution where land is rezoned

Where land is the subject of a planning proposal to increase its development capacity, an additional contribution for affordable housing will be applied to the new floor area.

This appendix is to provide guidance on how the affordable housing contribution requirement is established and applied.

1. How is the additional contribution requirement secured?

The additional affordable housing contribution requirement will be established when the land is rezoned. The requirement may be set out in:

- Schedule 6C of the Sydney LEP;
- some other requirement in an environmental planning instrument; or
- a voluntary planning agreement.

1.1 Schedule 6C

As part of the planning proposal process, land may be identified as “planning proposal land” on Schedule 6C of the Sydney LEP and required to make an additional contribution requirement.

Pursuant to Clause 7.13B, the contribution requirement must be satisfied by making an equivalent monetary contribution in accordance with this Program.

1.2 Other requirement in an environmental planning instrument

As part of the planning proposal process, a clause may be inserted in an environmental planning instrument requiring an additional affordable housing contribution.

1.3 Voluntary planning agreement

As part of the planning proposal process, the landowner may make a public benefit offer to enter into a voluntary planning agreement with the City to make a monetary contribution and/or to provide affordable housing.

The voluntary planning agreement will only apply to the additional contribution requirement. Any other affordable housing contribution requirement set out in an environmental planning instrument will continue to be applied. For example, if land is subject to Clause 7.13 of the Sydney LEP, that clause will still apply to applicable development on the land.

The resulting affordable housing must:

- be subject to a restrictive covenant requiring the affordable housing to remain affordable housing in perpetuity and be rented for no more than 30% of household income;
- owned and/or managed by an Eligible CHP;
- be rented to very low-, low- and moderate-income households, as defined by the Act; and
- be subject to annual reporting.

Any public benefit offer to provide affordable housing must outline:

- how the affordable housing will achieve the standards for affordable housing dwellings, set out at Appendix C of this Program;
- how an Eligible CHP will be consulted in the design and construction phase;
- at what stage of the development the affordable housing will be provided.

In considering the public benefit offer Council will have regard to:

- the nature and scale of the planning proposal;
- the quantum of dwellings being offered;
- the suitability of the dwellings being offered (with reference to the standards for affordable housing dwellings, set out at Appendix C); and
- any other public benefits offered in relation to the planning proposal.

Acceptance of the public benefit offer is at the discretion of the Council. Where it is not acceptable to Council, the land may be identified as “planning proposal land” on Schedule 6C of the Sydney LEP, or in some other environmental planning instrument, as being required to make an additional monetary affordable housing contribution.

~~The additional affordable housing contribution requirement will be secured in the process of rezoning the land. The requirement may be set out in:~~

- ~~• an LEP, for example, the land may be identified as “planning proposal land” on Schedule 6C of the Sydney LEP, with the additional contribution requirement being set out in the schedule; or~~
- ~~• a voluntary planning agreement, for example, the landowner may offer to enter into a voluntary planning agreement with the City to build and dedicate affordable housing; or~~
- ~~• some other environmental planning instrument.~~

~~2. How is the additional contribution requirement to be satisfied?~~

~~Where the proposed development meets the criteria set out at Section 2.3.1 of this Program, Council will generally require the additional contribution be satisfied by the dedication of built dwellings.~~

~~Where the development does not meet the criteria set out at Section 2.3.1 of this Program, Council will require the additional contribution be satisfied by making a monetary contribution in accordance with Section 2 of this Program.~~

2. Contribution Additional contribution requirement

Where land is rezoned to increase its development capacity, an **additional** affordable housing contribution requirement will be payable on the new **residential** gross floor area (and non-residential floor area in Central precinct), as shown below:

Table A1: Additional contribution requirement **on new floor area**

Affordable housing contributions precinct	Contribution requirement
Central precinct	20% residential gross floor area 2% non-residential gross floor area
West precinct	20% residential gross floor area
South precinct	20% residential gross floor area
East precinct	20% residential gross floor area

Affordable housing contributions precinct	Additional contribution requirement
Central precinct	17% residential gross floor area 1% non-residential gross floor area
West precinct	17% residential gross floor area
South precinct	17% residential gross floor area
East precinct	17% residential gross floor area

Note: Affordable housing contribution precincts are shown at Figure 1 of this Program.

~~The contribution requirement shown at Table A1 is inclusive of any other affordable housing contribution requirement that applies to the land. For example, the 20 per cent rate that applies to all new residential floor area includes 17 per cent for new residential floor area on planning proposal land, plus 3 per cent that applies under Clause 7.13 of Sydney LEP 2012. Where no other contribution requirement applies, the full 20 percent is applied.~~

The contribution requirement shown at Table A1 is exclusive of any other affordable housing contribution requirement that applies to the land. For example, the 17 per cent rate that applies to all new residential floor area does not include the 3 per cent that applies under Clause 7.13 of Sydney LEP 2012, that is otherwise applied in the development application.

In the west, south and east precincts, the contribution requirement applies to new floor area that has the potential to be used for a residential purpose, that is, the residential contribution requirement will be applied to any additional floor area achieved on land where residential uses are permitted, unless the whole of that site is restricted in a planning instrument to a non-residential purpose only.

In Central precinct, the contribution requirement will be applied using a proportional approach. That is, where there is a requirement in a planning instrument that restricts a proportion of the floor area to a non-residential purpose, then the non-residential contribution requirement will be applied to that same proportion of any new development capacity, and the residential contribution requirement to the remainder. For example, where a site is required by a planning instrument to provide 50% of the floor area in the building as non-residential development, then the non-residential contribution requirement of ~~1%~~ **2%** would apply to 50% of the new floor area and residential contribution requirement of ~~17~~ **20%** would apply to the other 50% of new floor area.

Example

A site in Central precinct is currently subject to planning controls that allow 70,000sqm of non-residential floor area. This is subject to the requirements of Clause 7.13 of the Sydney LEP that requires an affordable housing contribution of 1% of non-residential GFA.

A rezoning of the site facilitates an additional 40,000sqm of non-residential floor area. No residential development is permitted on the site.

The additional affordable housing contribution requirement is inserted on Schedule 6C of the Sydney LEP at the time of rezoning.

~~The additional affordable housing contribution requirement is established in the Sydney LEP.~~

Assuming the site is developed utilising the whole of the available gross floor area, the following affordable housing contribution is required:

$(1\% \times 70,000 \text{ } **110,000**\text{sqm}) + (1\% \text{ } **2\%** \times 40,000\text{sqm}) = 1,500\text{sqm} \text{ } ~~\times~~ \$12,293.84 = \$18.4\text{m}$ equivalent monetary contribution.

The contribution requirement must be satisfied by making a monetary contribution because the site is a commercial site.

Note: ~~for the purpose of this example,~~ the starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Example

A site in Central precinct is currently subject to planning controls that allow 25,000sqm residential gross floor area and 25,000sqm non-residential gross floor area. This is subject to the requirements of Clause 7.13 of the Sydney LEP that requires an affordable housing contribution of 1% of non-residential GFA and 3% of residential GFA.

A rezoning of the site facilitates an additional 30,000sqm gross floor area.

The additional affordable housing contribution requirement is inserted on Schedule 6C of the Sydney LEP at the time of rezoning. The rezoning will also include a requirement in the Sydney LEP that no more than 50% of the GFA on the site can be used for a residential purpose.

~~The additional affordable housing contribution requirement is established in the Sydney LEP, that also maintains a requirement that no more than 50% of the GFA on the site can be used for a residential purpose~~

Assuming the site is developed utilising the whole of the available gross floor area and that 50% is residential and 50% is non-residential, the following affordable housing contribution is required:

$(1\% \times 25,000 \text{ 40,000sqm}) + (3\% \times 25,000 \text{ 40,000sqm}) + (1\% \text{ 2\%} \times 15,000\text{sqm}) + (17\% \text{ 20\%} \times 15,000\text{sqm}) = 4,300\text{sqm} \times \$12,000 \text{ \$12,293.84} = \52.9m equivalent monetary contribution. ~~of dedicated affordable housing provided on site (or \$52.9m equivalent monetary contribution).~~

Note: ~~for the purpose of this example,~~ the starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

3. Where other public benefits are offered

At Council's sole discretion, ~~t~~The additional contribution requirement may be waived or reduced ~~by Council's sole discretion,~~ where a developer has made an offer to enter into a planning agreement to provide other agreed public benefits of a commensurate scale and value.

4. How contributions are to be used

Monetary contributions are to be used in accordance with Section 2 of this Program.

~~and d~~ Dedicated dwellings are to be ~~allocated in accordance with any requirements set out in any distribution plan adopted by Council.~~ used in accordance with the requirements set out in the voluntary planning agreement.

Appendix C - Standards for dedicated affordable housing dwellings

Where an additional affordable housing contribution requirement is to be satisfied by providing the dedication of built dwellings, the dwellings must be suitable to be used for affordable housing in perpetuity the long term.

This Appendix sets out guiding standards for dedicated the affordable housing dwellings.

Size requirements

Generally, a public offer to provide affordable housing will only be accepted where more than 600 square metres of gross floor area is provided as eight or more dwellings.

Accessibility

The land is located in Category A or B area of the Sydney LEP 2012 Land Use and Transport Integration Map (if the development is subject to the Sydney LEP 2012).

Long-term management requirements

Required affordable rental dwellings are to be owned and managed in accordance with the Affordable Housing Principles of this Program.

Strata requirements

Where the strata or management costs of development would likely be high and render the management of the property for affordable housing unsustainable, the affordable housing dwellings to be dedicated are to be subject to alternate cost arrangements to assist in the management of strata or management costs to the receiving CHP.

Where the CHP will be the owner of the dwellings, anticipated strata costs must allow for the sustainable ongoing management* of the affordable housing dwellings by the CHP. This may be achieved by limiting participation in a future strata scheme by providing dwellings:

- in a separate stratum in a building in the development**; or
- in a separate building in the development.

* Affordable housing may be 'unsustainable' where rents will not meet the costs of strata and other cyclical management costs of the dwelling over the life of the dwelling. This could be expected where the development incorporates amenities that are likely to result in high management costs, for example, a significant number of lifts, pool(s), gym(s), concierge facilities etc.

** In pursuing a separate stratum, separate entries are only to be provided to facilitate practical access needs. If separate entrances are used they should be indistinguishable from one another, with no recognisable reduction in quality or appearance.

Dwelling size mix requirements

The mix of the proposed sizes of affordable housing dwellings provided (i.e. the number of bedrooms) is to be appropriate to the needs of the receiving CHP.

Parking and servicing

Parking and general servicing requirements are to be appropriate for the needs of the receiving CHP.

External design

The external design of the proposed affordable housing dwellings is to be equivalent in design quality to other dwellings in the development. It must include external elements, such as balconies or courtyards, that are generally consistent with those provided for other dwellings on the site.

Design for reduced living costs

~~Proposed a~~Affordable housing dwellings are to:

- where possible, maximise passive ventilation and cooling methods to avoid air-conditioning costs;
- where possible, incorporate solar energy connections and rainwater tanks;
- be excluded from embedded power networks if the embedded network does not allow tenants to freely choose the service provider;
- include ceiling fans and window blinds for thermal comfort; and
- include appliances with high efficiency standards.

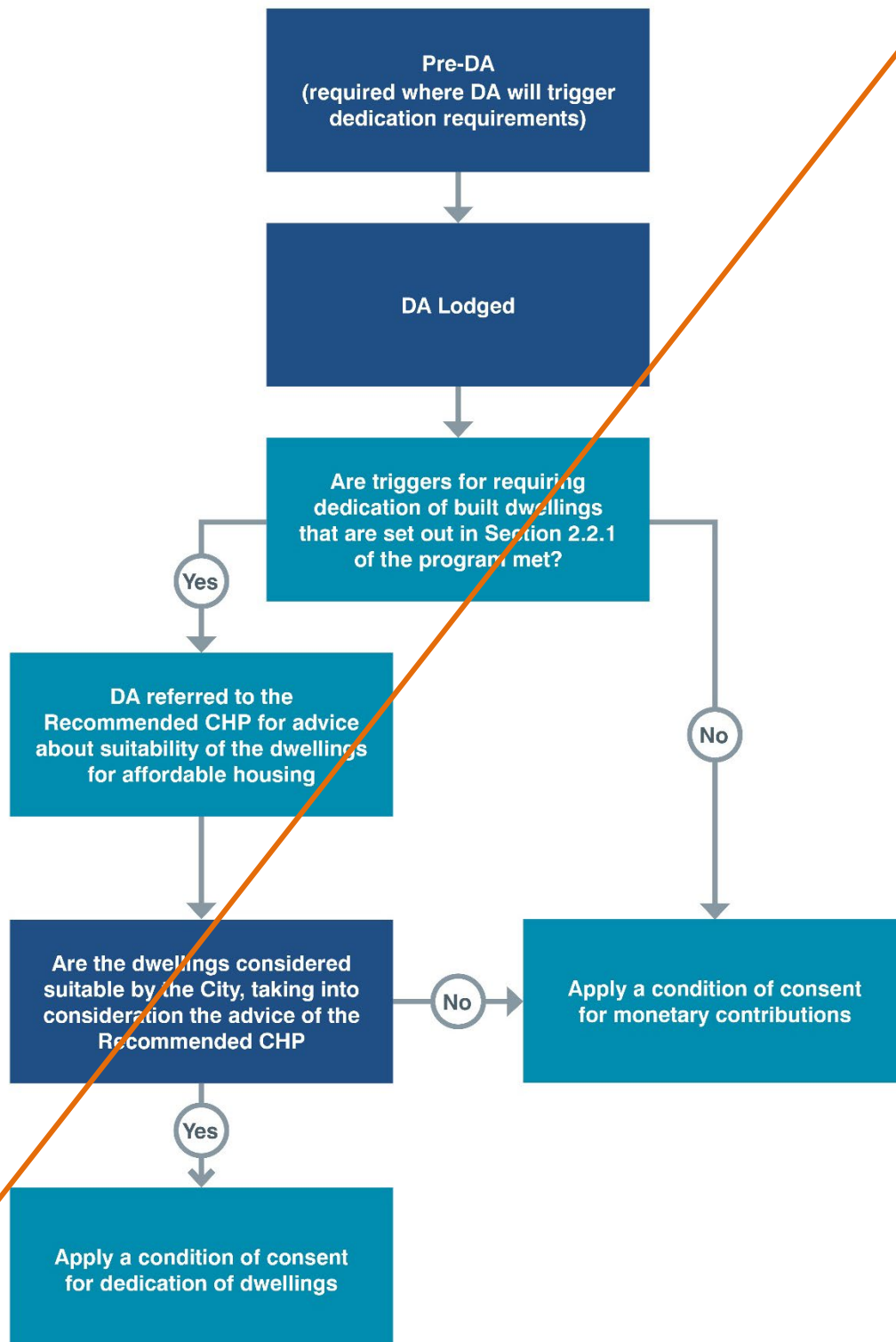
Design for reduced cyclical management costs

Construction design and material choices are to be agreed with the ~~receiving~~ CHP at the design stage to address the longer-term management and maintenance costs of the ~~proposed~~ affordable housing dwellings, including:

- inclusion of robust, durable internal and external finishes; and
- use of low maintenance and easily replaceable materials.

~~Note: While it is noted the above guiding standards have been prepared to inform the standards of dedicated affordable housing dwellings required by the City under Section 7.32 of the Act, the standards may also be relevant in the delivery of affordable housing achieved under different mechanisms.~~

Appendix D – Simplified development application process



Appendix D – Affordable housing on suitable employment land

In the City of Sydney, the proximity of some lands generally zoned for employment to amenities and services may make them suitable for affordable housing, provided that the development does not undermine the broader employment focused objectives of the zone. Sydney LEP 2012 identifies these areas in which affordable housing is permitted.

3.1 Requirements for affordable housing on suitable employment land

Affordable rental housing developed on suitable employment land is to be provided in accordance with the affordable housing principles set out in this Program.

3.2 Development applications

The Sydney LEP 2012 requires that any development for affordable housing is compatible with the existing and approved uses of land in the vicinity.

Proponents should seek pre-development application advice from the City on any proposal to develop affordable housing on employment land.

Attachment D

**City of Sydney Affordable Housing Program
Amendment 2024 –
as exhibited**

Draft City of Sydney Affordable Housing Program

Adopted **XX XXX XXXX**



Contents

1. About the Program	4
1.1 Program Objectives	4
1.2 Relationship to other Programs	4
1.3 Where does this Program apply?	4
1.4 Legislative basis for affordable housing contributions	5
1.5 Affordable Housing Principles	5
1.6 Amending this Program	6
1.7 Terms used in this Program	6
2 Affordable housing contributions	8
2.1 Contribution requirement	8
2.2 Satisfying a contribution requirement by making an equivalent monetary contribution	11
2.2.1 Calculating the contribution in Ultimo-Pyrmont, Green Square, the Southern Employment Lands and on Planning Proposal lands	14
2.2.2 Calculating the contribution in Central Sydney and on residual land	15
2.2.3 Conditions of consent for making monetary contributions	17
2.2.4 How to make a payment	17
2.3 Satisfying a contribution requirement by dedicating built dwellings	18
2.3.1 Where a dedication of built dwellings may be required by the consent authority	18
2.3.2 Conditions of consent for dedicating dwellings	19
2.3.3 Floor area to be dedicated for affordable housing dwellings	19
2.3.4 How dedicated dwellings are to be used	19
2.4 Development that may be exempt from making a contribution, or may have a reduced contribution requirement	19
2.5 Where a contribution has been previously paid	22
2.6 Refunds	22
2.6.1 For demolition or changes of use	22
2.6.2 Surrendered consents	23
2.7 Adjustment of equivalent monetary contribution amounts	24
2.8 Adjustment of a monetary contribution amount on a development consent	24
2.9 How monetary contributions are to be used	24
3 Affordable housing on suitable employment land	26

3.1	Requirements for affordable housing on suitable employment land	26
3.2	Development applications	26
 Appendix A – Background information and affordable housing needs analysis.....		27
Appendix B – Contribution where land is rezoned		39
Appendix C – Standards for dedicated affordable housing dwellings		44
Appendix D – Simplified development application process		47

1. About the Program

The City of Sydney Affordable Housing Program (this Program) is to provide the background, requirements and operational detail for various affordable contribution provisions in local environmental plans (LEPs) that operate in the City of Sydney.

This Program was adopted by Council on [XX XX XXX](#) and came into effect on [XX XX XXX](#).

Public exhibition note - Implementation

The above dates can only be finalised if and when this Program is adopted by Council and changes to the Sydney Local Environmental Plan 2012, the Sydney Local Environmental Plan (Green Square Town Centre) 2013, and the Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013 are made.

This Program has no effect until that time.

1.1 Program Objectives

The objectives of this Program are to:

- recognise affordable rental housing as critical infrastructure necessary to support; sustainable and diverse communities and long term economic growth in the City of Sydney local government area (city);
- ensure that, as the cost of housing increases in the city, affordable rental housing is provided for very low to moderate income households;
- ensure there are opportunities for very low to moderate income households, who have an historical connection with the city, to live in the city;
- ensure there are opportunities for very low to moderate income earners who work in the city to live in the community in which they are employed; and
- facilitate opportunities for government and community housing providers (CHP) to supply affordable housing within the city.

1.2 Relationship to other Programs

This Program, on the day it came into effect, repeals and replaces the City of Sydney Affordable Housing Program, adopted by Council [24 August 2020](#) [26 June 2023](#).

Any development applications determined prior to the commencement of this Program are not altered by the commencement of this Program.

1.3 Where does this Program apply?

This Program applies to land to which the *Sydney Local Environmental Plan 2012*, the *Sydney Local Environmental Plan (Green Square Town Centre) 2013* and *Sydney Local Environmental Plan (Green Square Town Centre – Stage 2)* [2013](#) applies.

This Program also applies to 'Planning Proposal land' where it is identified in the abovementioned local environmental plans (LEPs) or any other Environmental Planning Instrument (EPI).

The Program may not apply to:

- development to which the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 applies, where the plan is still in effect; and
- other land in the City of Sydney, unless otherwise identified as applying in another EPI, where *Sydney Local Environmental Plan 2012*, *Sydney Local Environmental Plan (Green Square Town Centre) 2013* or *Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013* do not apply.

1.4 Legislative basis for affordable housing contributions

This Program applies in accordance with the requirements in the *Environmental Planning and Assessment Act 1979* (the Act).

The State Environmental Planning Policy (Housing) 2021 recognises that all local government areas within NSW are areas where there is a need for affordable housing.

Local environmental plans contain controls for the calculation, levying and management of affordable housing contributions in the City of Sydney.

1.5 Affordable Housing Principles

The City of Sydney affordable rental housing principles are [informed by the Housing SEPP](#). The affordable rental housing principles are:

- affordable rental housing is to be provided and managed in the City of Sydney LGA so that a socially diverse residential population, representative of all income groups, is maintained;
- affordable rental housing that is provided is to be made available to a mix of households on very low to moderate incomes;
- affordable rental housing that is provided is to be rented to very low to moderate income households at no more than 30% of gross household income;
- dwellings provided for affordable rental housing are to be managed so as to maintain their continued use for affordable rental housing; and
- affordable rental housing is to consist of dwellings constructed to a standard which, in the opinion of the City, is consistent with other dwellings in the LGA.

The affordable housing principles are generally satisfied where:

- [an affordable housing contribution \(monetary or in-kind contribution\) is distributed in accordance with any distribution plan adopted by Council;](#)

- resulting affordable rental dwellings are subject to ongoing monitoring of compliance with the requirements of this Program;
- the continued use of resulting affordable rental dwellings, as affordable rental dwellings, is legally secured. This is generally by way of a restrictive covenant on the title of the property, though other approaches may be considered;
- resulting affordable rental dwellings are rented to very low, low and moderate income households for an absolute maximum of 30 per cent of gross household income;
- any CHP that is to own and/or manage resulting affordable rental dwellings, must have a mix of very low, low and moderate income tenants across their portfolio;
- all rent received after deduction of management and maintenance costs will be used only for the purpose of improving, replacing, maintaining or providing additional affordable rental housing in the LGA. This includes the investment of monies to meet cyclical maintenance costs and all rates and taxes payable in connection with the dwelling; and
- resulting affordable rental dwellings are designed and constructed to a standard which, in the opinion of Council, is generally consistent with other dwellings in the LGA, that is, they are of a similar design quality so as to not be externally differentiated as affordable housing compared with the design quality of other housing.

While the affordable housing principles apply to affordable housing contributions received pursuant to 7.32 of the Act, where the City has made a substantial contribution to other affordable housing, the affordable housing principles may still apply.

1.6 Amending this Program

Amendment to this Program will generally require amendment to LEPs, or other EPIs, that directly refer to this Program as dated.

Amendment and/or update to the information provided at the appendices may occur from time to time and does not require an amendment to LEPs or EPIs.

1.7 Terms used in this Program

Affordable housing

Affordable housing is defined by the *Environmental Planning and Assessment Act 1979* as:

“housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument”.

Affordable rental housing

Under this Program, **Affordable rental housing** or **Affordable rental dwelling** is **affordable housing** that is owned and managed by government, a **Recommended Community Housing Provider**, or an **Eligible Community Housing Provider** and rented to **very low to moderate income households**.

City of Sydney Local Government Area

The **City of Sydney Local Government Area (LGA)** refers to the area within the “LGA Boundary” shown in the *Sydney Local Environmental Plan 2012* Land Application Map, as published in the NSW Government Gazette on 14 December 2012, as updated from time to time.

Council / City / city / consent authority

References to **City** are references to the City of Sydney organisation.

References to the **Council** are references to the Council of the City of Sydney, that is, the elected representatives and their delegates.

References to the **city** are references to the City of Sydney local government area.

References to the **consent authority** are references to the authority responsible for the approval of a development application.

Developer

References to the **developer** in this Program are references to the proponent of any development application that requires an affordable housing contribution.

Development application

References to **development applications** in this Program refer to both development applications and any application for the modification of a development consent.

Distribution Plan

Distribution Plan refers to any plan adopted by the City of Sydney Council for the distribution of affordable housing contributions ~~funds~~ arising from this Program.

Eligible Community Housing Provider

Eligible Community Housing Providers are community housing providers that are classified as a Tier 1 or Tier 2 providers under the National Regulatory Code.

Environmental Planning Instrument (EPI)

An Environmental Planning Instrument (EPI) is a reference to a state or regional environmental planning policy or a local environmental plan.

Local Environmental Plan (LEP)

Reference to various **LEPs** in this Program apply to any LEP that replaces it, so long as the affordable housing provisions remain substantially unamended.

Planning Proposal Land

Planning Proposal land refers to land that is defined in Schedule 6C of *Sydney Local Environmental Plan 2012*.

Recommended CHPs

Recommended CHPs are those providers identified in a [Distribution Plan](#) as Recommended CHPs.

Housing SEPP

References to the **Housing SEPP** are references to State Environmental Planning Policy (Housing) 2021, or any replacement of that policy.

Very low to moderate income households

Very low to moderate income households are those households whose gross incomes fall within the following ranges of percentages of the median household income for Greater Sydney—Greater Capital City Statistical Area or the Rest of NSW—Greater Capital City Statistical Area according to the Australian Bureau of Statistics:

- Very low income household - less than 50%
- Low income household – 50% or more but less than 80%
- Moderate income household – 80% to 120%

2 Affordable housing contributions

This Section describes how an affordable housing contribution may be satisfied, the equivalent monetary contribution amounts [for the rates in the LEPs](#), how the contribution will be applied in the development application process and how it will be managed for the provision of affordable housing.

2.1 Contribution ~~rates~~ requirement

Local environmental plans (LEPs), or another EPI¹, will establish the affordable housing contribution ~~rate requirements that apply to land in the LGA and the type of development to which a contribution requirement might apply. as it applies to the development. The rate varies across different areas and types of land.~~

Contribution requirements are generally set out in a local environmental plan, although may also be set out in another environmental planning instrument.

The contribution requirement must be satisfied in accordance with the requirements of the LEP or EPI.

¹ On land identified in an EPI (other than an LEP) where this Program is applied, where the method for calculation is not otherwise set out in the EPI or in a supplementary note / guideline, the contribution will be calculated in accordance with this Program, that is, in accordance with:

- the relevant equivalent monetary contribution amounts; and
- the method for calculating the contribution requirement in the different parts of the LGA.

~~(2.1.1) — Green Square, Southern Employment Lands and Ultimo-Pyrmont~~

~~On land in Green Square, the Southern Employment Lands, Ultimo-Pyrmont the contribution rate is:~~

- ~~• 1 per cent of the total floor area that is to be used for non-residential uses; and~~
- ~~• 3 per cent of the total floor area that is to be used for residential uses.~~

~~The contribution may be satisfied by dedication of dwellings or by making an equivalent monetary contribution in accordance with this Program.~~

~~2.1.2 — Central Sydney and residual lands~~

~~In Central Sydney and on residual land, on all development applications lodged after 1 July 2022, the contribution rate is:~~

- ~~• 1 per cent of the total floor area that is to be used for non-residential uses; and~~
- ~~• 3 per cent of the total floor area that is to be used for residential uses.~~

~~The contribution must may be satisfied by dedication of dwellings or by making an equivalent monetary contribution in accordance with this Program.~~

~~2.1.3 — Other land identified in an EPI where this Program is applied~~

~~On land identified in an EPI, where this Program is applied, the relevant affordable housing contribution rate will be set out in the EPI.~~

~~The contribution may be satisfied by dedication of dwellings or by making an equivalent monetary contribution in accordance with this Program.~~

~~2.1.4 — Planning Proposal lands~~

~~On Planning Proposal land the contribution requirement varies from site to site. The contribution rate, once determined through the planning proposal process, is specified in an LEP or other EPI.~~

~~The contribution may be satisfied by dedication of dwellings or by making an equivalent monetary contribution in accordance with this Program. The LEP, or other EPI, may specify how the contribution requirement must be satisfied.~~

~~The approach used to establish the appropriate contribution rate for Planning Proposal land is described at Appendix B.~~

~~2.1.5 — Satisfying a contribution requirement by dedicating dwellings~~

~~An affordable housing contribution requirement may be satisfied by dedication, free of cost, of affordable housing dwellings. Affordable rental dwellings resulting from a contribution are to be provided in the development in accordance with the following requirements:~~

- ~~• affordable rental dwellings are to align with the Affordable Housing Principles at Section 1 of this Program~~
- ~~• affordable rental dwellings are owned by government or a nominated or Recommended and Eligible CHP or as otherwise provided for in any distribution plan adopted by Council~~
- ~~• affordable rental dwellings are provided in the city in perpetuity~~
- ~~• affordable rental dwellings are rented to very low, low and moderate income households for an absolute maximum of 30 per cent of gross household income~~
- ~~• where more than 10 affordable rental dwellings are being provided in the development, at least 25 per cent of dwellings are to be allocated to very low income households and 25 per cent of dwellings to low income households*~~
- ~~• all rent received from the affordable rental dwellings after deduction of management and maintenance costs will only be used for the purpose of improving, replacing, maintaining or providing additional affordable rental housing. This includes the investment of monies to meet cyclical maintenance costs and all rates and taxes payable in connection with the dwelling~~
- ~~• affordable rental dwellings are designed and constructed to a standard which, in the opinion of the City, is generally consistent with other dwellings in the city, that is, they are not differentiated as affordable housing compared with the design of other housing~~
- ~~• each affordable rental dwelling is to have a total floor area of not less than 35 square metres, with any remainder being paid as a monetary contribution to the City, and~~
- ~~• where multiple affordable rental dwellings are provided in the development, the amenity benchmarks established by the Apartment Design Guideline (or any subsequent Guideline that may apply from time to time) are to be generally achieved.~~

~~* This tenure mix applies at first occupation of the dedicated dwellings. Recognising that the income of residents can vary over time, the tenure mix need only be reviewed at change-over of tenants to ensure the mix remains as close as possible to the required mix. In the interim, a CHPs portfolio can be managed to meet the required tenure mix of very low, and moderate income households across the City of Sydney LGA.~~

~~The location, size and quality of affordable housing dwellings are to be to the satisfaction of the City and the receiving CHP. If they are not to satisfaction of both parties, the City may require changes to the development application, or that the contribution be made by way of an equivalent monetary contribution.~~

~~Where part of a contribution is satisfied by dedicating dwellings, any remaining floor area must be paid as a monetary contribution.~~

~~All floor area to be dedicated for affordable housing is to be allocated as dwellings, that is, common circulation areas are not considered part of the contribution requirement. An exception to this is where all the affordable housing floor area is provided as a full floor of a development or as a stand-alone building.~~

~~Appendix C details the process for dedicating dwellings for affordable housing unless otherwise provided for in any distribution plan adopted by Council.~~

2.2 ~~(2.1.5)~~ Satisfying a contribution requirement by making an equivalent monetary contribution

The Section sets out how an affordable housing contribution can be satisfied by making an equivalent monetary contribution to Council.

~~An affordable housing contribution requirement may be satisfied by making an equivalent monetary contribution to the City. This requirement may be satisfied by the payment of money.~~

~~The equivalent monetary contribution amount for the period of 1 March 2023 to 28 February 2024 is \$10,611.53 per square metre.~~

The equivalent monetary contribution amount differs depending on the affordable housing contribution precinct the development is located in. The affordable housing contribution precincts are shown in Figure 1.

The equivalent monetary contribution amounts as at 1 March 2024 to 28 February 2025 are set out in Table 1. Adjustments are made to the equivalent monetary contribution amounts on an annual basis in accordance with this Program. ~~The City of Sydney's website lists the current monetary contribution amounts as indexed.~~ Monetary contribution amounts, as indexed, are published on the City of Sydney website.

Table 1: Equivalent monetary contribution amounts

Affordable housing contribution precinct*	To XX XX XXXX [Rate A]	From XX XX XXXX [Rate B] (50% implementation)	From XX XX XXXX [Rate C] (Full implementation)
South precinct	\$12,293.84	\$12,396.92	\$12,500.00
East precinct	\$12,293.84	\$16,146.92	\$20,000.00
West precinct	\$12,293.84	\$13,646.92	\$15,000.00
Central precinct	\$12,293.84	\$14,896.92	\$17,500.00

Notwithstanding the equivalent monetary contribution amounts set out in Table 1, for development in Central precinct, that is entirely for the purpose of build-to-rent housing (provided in accordance with the Housing SEPP) or co-living housing (as defined in the Standard Instrument – Principle Local Environmental Plan), the equivalent monetary contribution amount will remain at \$12,293.84 per square metre, as indexed, until the date of the full implementation of the rates as set out in Table 1. From that time the concession rate for these housing types will end.

Public exhibition note – Phasing-in new contribution requirements

Table 1 shows proposed changes to the current ‘one size fits all’ equivalent monetary contribution rate to allow for a bespoke rate for each precinct. The rates are to be phased in over a period of four years. from the adoption of this draft Program by Council. The dates in Table 1, denoted by ‘XX XX XXX’, are to be inserted at the time the LEPs are made. They will reflect the following:

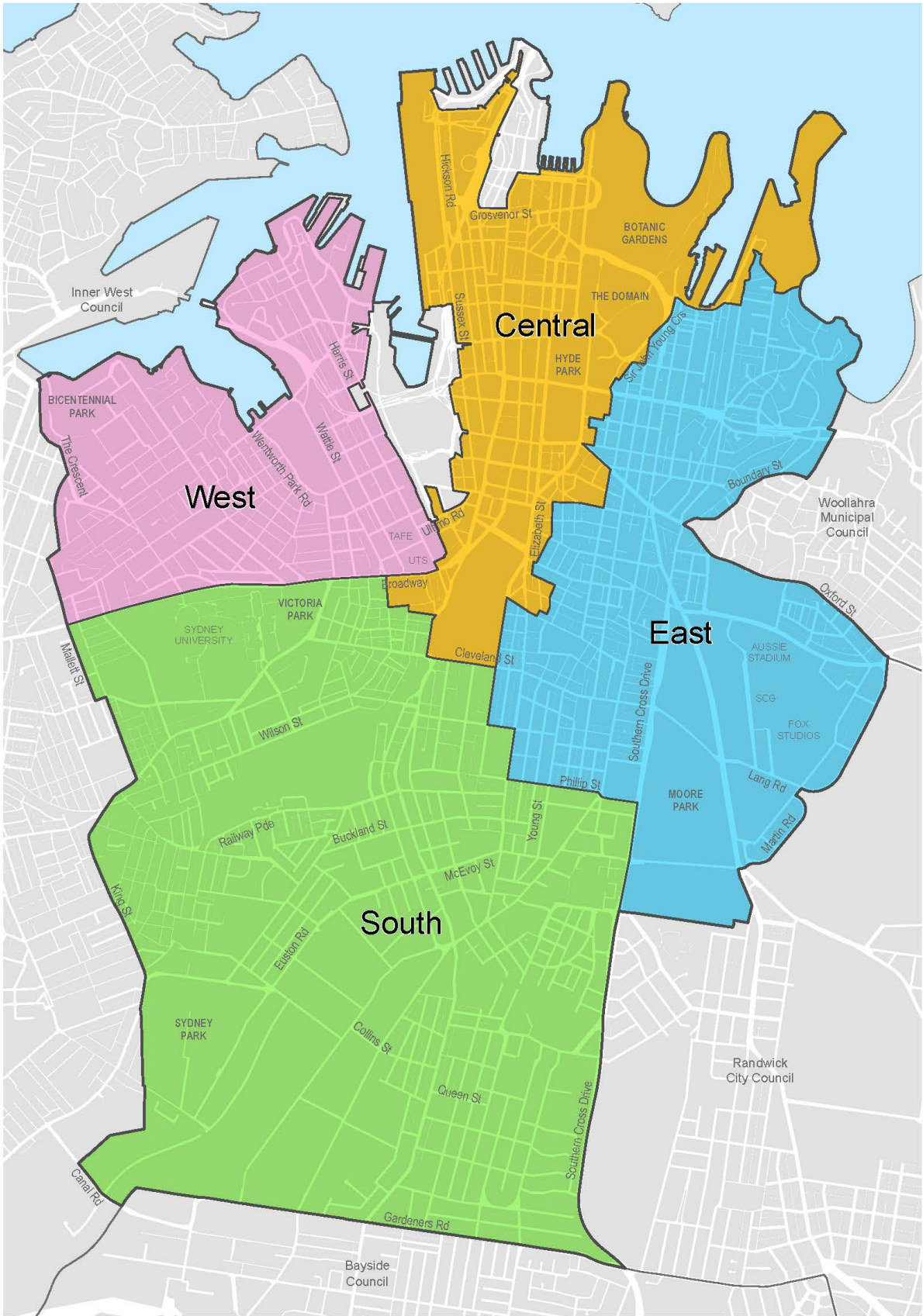
- * Rate A – to apply immediately after commencement and for 2 years from that date
- * Rate B – to apply from 2 years after commencement
- * Rate C – to apply from 4 years after commencement

Public exhibition note – TFA to GFA

It is noted the current (2024-25) rate in the Program of \$11,176.22 per square metre of ‘Total Floor Area’ is equivalent to the ‘To XX XX XXXX’ rate in the first column (Rate A), which is expressed as a per square metre of ‘Gross Floor Area’ rate.

Development applications lodged prior to the commencement of the LEPs that implement this draft Program will be subject to the current affordable housing provisions in the Sydney LEP 2012 and the Green Square Town Centre LEPs. This means the contribution requirement will continue to be based on the amount of ‘Total Floor Area’ in the development and the associated equivalent monetary contribution amount, as published on the City’s website.

Figure 1: Affordable housing contribution precincts



2.2.1 (2.1.5) Calculating the contribution in Ultimo-Pyrmont, Green Square, and the Southern Employment Lands and on Planning Proposal lands

In Ultimo/Pyrmont, Green Square (including the Green Square Town Centre), and the Southern Employment Lands and on planning proposal lands, the contribution requirement applies because the areas were rezoned. Over time, ~~it is envisaged that~~ all floor area in these ~~areas~~ locations will make a contribution to affordable housing, because all floor area has benefited from the rezoning.

The contribution is therefore calculated on all of the ~~total gross~~ floor area in the building to which the development application applies.

Example

A development application in Green Square (~~south precinct~~) for a new 10,000sqm development, comprises 1,000 square metres of non-residential ~~total gross~~ floor area and 9,000sqm of residential ~~total gross~~ floor area. The affordable housing contribution is calculated as:

$$(1\% \times 1,000\text{sqm}) + (3\% \times 9,000\text{sqm}) = 280\text{sqm of dedicated floor area}$$

or

$$(1\% \times 1,000\text{sqm} \times \$10,611 \$12,293.84) + (3\% \times 9,000\text{sqm} \times \$10,611 \$12,293.84) = \$2,971,080 \$3,442,275 \text{ equivalent monetary contribution}$$

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Example

A development application for a warehouse conversion in the Southern Employment Lands (~~south precinct~~) includes a new mezzanine level comprising 1000sqm of non-residential ~~total gross~~ floor area. The existing ~~total gross~~ floor area in the warehouse is 2000sqm. The affordable housing contribution is calculated as:

$$(1\% \times 3,000\text{sqm} \times \$10,611 \$12,293.84) = \$318,330 \$368,815 \text{ equivalent monetary contribution}$$

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Note: In-kind contribution will not be suitable in a non-residential development.

Example

A development application in Blackwattle Bay, Pyrmont (west precinct) for a new 20,000sqm development is lodged. The affordable housing contribution is calculated as:

$(7.5\% \times 20,000\text{sqm} \times \$12,293.84) = \$18.4\text{m}$ equivalent monetary contribution

Note: This is a simplified example based on the contribution requirement set out at Clause 6.70 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Example

A development application on Planning Proposal land in Waterloo (south precinct) for a new residential development is lodged (there is no non-residential floor area proposed).

The site was previously rezoned to increase the development capacity from 10,000sqm to 15,500sqm, an increase of 5,500sqm. When the site was rezoned, an additional affordable housing contribution requirement for the “new” floor space was put into effect. The clause required:

- a 3% contribution requirement on the residential floor space that was available before the rezoning (65% of the development capacity); and
- a 20% contribution requirement on the “new” residential floor space (35% of the development capacity).

The affordable housing contribution is calculated as:

$((3\% \times (65\% \times 15,500\text{sqm})) + ((20\% \times (35\% \times 15,500\text{sqm})))) \times \$12,293.84 = \$17.1\text{m}$ equivalent monetary contribution

Note: This is a simplified example based on a fictional contribution requirement set out at Clause 7.13B and Schedule 6C of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

See Appendix B for more information about how a Planning Proposal land contribution requirement may be established.

2.2.2 ~~(2.1.6)~~ Calculating the contribution in Central Sydney and on residual land

In Central Sydney and on residual land (where it is not identified as Planning Proposal land), the contribution requirement applies to new or more intensely used floor area only, because the areas were not rezoned at the time when the contribution was introduced.

The contribution is therefore calculated only on the floor area space to which the development application directly relates.

For the purposes of this Program:

- demolition and replacement of the same floor area is considered to be new floor area;
- the extent of improvement works to a building as a whole will be considered to determine whether the nature of works proposed will result in an essentially new building; and
- more intensely used floor area is required to make an affordable housing contribution due to the overall gentrifying effect that is observed as sites change use over time. More intensely used floor area is therefore considered to be triggered with a change from industrial floor area to commercial floor area and from commercial floor area to residential floor area.

Example

A development application on residual land in Newtown (west precinct) for the demolition of an existing building and a new building comprising a ~~total gross~~ floor area of 10,000sqm of residential gross floor area will be calculated as:

~~3% x 10,000sqm = 300sqm of dedicated floor area~~

or

3% x 10,000sqm x ~~\$10,611~~ \$12,293.84 = ~~\$3,183,300~~ \$3,688,152 equivalent monetary contribution

Note: Existing gross floor area that is demolished and replaced is not 'credited' against the contribution requirement.

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

Example

A development application in Darlinghurst (east precinct) for a new mezzanine level comprising 200sqm of non-residential ~~total gross~~ floor area, is made for an existing commercial building. The existing ~~total gross~~ floor area in the warehouse is 2,000sqm. The affordable housing contribution is calculated as:

(1% x 200sqm x ~~\$10,611~~ \$12,293.84) = ~~\$21,222~~ \$24,588

Note: This is a simplified example based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012. No exemptions have been applied. The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.

~~Note: In-kind contribution will not be suitable in a non-residential development.~~

Example

A development application for ~~two~~ **one** new residential storeys on top of an existing building is made in Central Sydney (**Central precinct**). The new development comprises a **total gross** floor area of 800sqm. The affordable housing contribution is calculated as:

3% x 800sqm x ~~\$10,611~~ **\$12,293.84** = ~~\$254,664~~ **\$295,052** equivalent monetary contribution

Note: This is a simplified example **based on the contribution requirement set out at Clause 7.13 of Sydney LEP 2012**. No exemptions have been applied. **The starting monetary contribution rate, Rate A, has been assumed for the purpose of this example.**

~~Note: An in-kind contribution will not be suitable in this situation because the contribution requirement is for less than 35sqm of floor area.~~

~~(2.1.7) Calculating the contribution on Planning Proposal land~~

~~On Planning Proposal land, the method for calculating the amount is set out in the relevant LEP, or other EPI.~~

~~(2.1.8) Calculating the contribution on land identified in an EPI where this Program is applied~~

~~On other land identified in an EPI where this Program is applied, the method for calculating the amount is set out in the EPI or, where it is not set out in the EPI, then will be set out in a supplementary note / guideline to this Program, adopted by the Minister for Planning or their delegate.~~

2.2.3 Conditions of consent for making monetary contributions

A contribution requirement will be set out in a condition of development consent. Evidence the condition of consent has been satisfied is required prior to the issue of a construction certificate.

In circumstances where no construction certificate is required, evidence the condition of consent has been met will be required before commencement of use / occupation.

2.2.4 How to make a payment

Payment will be by unendorsed bank cheque or other approved means to the City of Sydney Council prior to issue of any construction certificate. In circumstances where no construction certificate is required, payment is required prior to commencement of use/occupation. The procedure for making payment is provided in the condition of consent.

If a development requires multiple construction certificates, the City will require payment prior to the release of the first construction certificate relating to the development consent on which the contributions were levied.

2.3 Satisfying a contribution requirement by dedicating built dwellings

This Section sets out where an affordable housing contribution must be, or is proposed to be satisfied, in part or in full, by the dedication of built dwellings.

2.3.1 Where a dedication of built dwellings may be required by the consent authority

This Section sets out the criteria to determine where an affordable housing contribution will be required by the consent authority to be satisfied by dedicating built dwellings (only where an LEP, or other EPI, empowers the consent authority to make such a requirement).

An affordable housing contribution will be required by the consent authority to be satisfied by dedicating built dwellings where:

- the development is predominantly for a residential purpose;
- the development will (or in the case of a Stage 1 development application, may) result in a contribution requirement for more than 600 square metres of gross floor area that can be provided as eight or more dwellings;
- the development is located in Category A or B area of the Sydney LEP 2012 Land Use and Transport Integration Map (if the development is subject to the Sydney LEP 2012);
- in the opinion of the consent authority, affordable housing dwellings may reasonably be provided where they could avoid participation in a future strata scheme, if the quarterly costs of the scheme would likely be high* and render the management of the property for affordable housing as unsustainable**. This could reasonably be achieved where the dwellings to be dedicated could be provided:
 - in a separate stratum in a building in the development, preferably with its own entry; or
 - in a separate building in the development; and
- in the opinion of the consent authority, the standards for dedicated affordable housing dwellings, provided at Appendix C, can be reasonably satisfied.

* Where the development incorporates amenities that are likely to result in high management costs, for example, a significant number of lifts, pool(s), gym(s), concierge facilities etc.

** Affordable housing may be 'unsustainable' where rents will not meet the costs of strata and other cyclical management costs of the dwelling over a 40-year ownership period.

In determining if it will require the dedication of built dwellings, the consent authority must consult with the Recommended CHP, identified in any distribution plan adopted by Council as being the recipient of dedicated dwellings.

The consent authority may not require the dedication of built dwellings where the Recommended CHP, identified in any distribution plan adopted by Council as being the recipient of dedicated dwellings, provides evidence that the proposed dwellings are unsuitable for use as affordable housing.

The City of Sydney Executive Director City Planning, responsible for development applications, must provide written advice confirming the suitability of dwellings proposed for

dedication prior to a condition of consent for dedication being applied to a development consent.

The development application process for development that may be required to dedicate built dwellings is provided at Appendix D.

Where the above criteria cannot be met, the consent authority will require the affordable housing contribution be satisfied by making a monetary contribution in accordance with Section 2.2 of this Program.

2.3.2 Conditions of consent for dedicating dwellings

An affordable housing contribution requirement for the dedication of dwellings will be set out in a condition of development consent. Evidence that a condition of consent has been satisfied is required prior to the issue of any occupation certificate in the development.

2.3.3 Floor area to be dedicated for affordable housing dwellings

The floor area to be dedicated to Council is to include:

- dedicated dwellings (including any associated private spaces, such as balconies and courtyards); and
- any required horizontal circulation spaces that form part of a stratum that allow access to the dwelling/s.

2.3.4 How dedicated dwellings are to be used

Affordable rental housing resulting from a dedication requirement is to be allocated in accordance with any requirements set out in any distribution plan adopted by Council.

2.4 ~~(2.2)~~ Development that may be exempt from making a contribution, or may have a reduced contribution requirement

The following development is exempt from making an affordable housing contribution:

- any building on land in Zone E4 General Industrial, or
- any floor area used to provide affordable housing or public housing (for the avoidance of doubt, development to which Chapter 2, Part 2, Division 1 or Chapter 3, Part 4 of the Housing SEPP applies is not development excluded from the need to make a contribution), or
- City of Sydney development – development undertaken by or on behalf of the City of Sydney. This include development being undertaken for a public purpose, but excludes development being undertaken for a sole commercial purpose.

Where affordable housing provided under Chapter 2, Part 2, Division 1 of the Housing SEPP is provided in perpetuity and rented to very low to moderate income households at no more

than 30% of gross household income in accordance with the Affordable Housing Principles of this Program, the consent authority may consider a case for exempting that development from the requirement for an affordable housing contribution.

Where a building is predominantly affordable housing (with a small proportion of floor area dedicated to ancillary non-residential uses), provided in accordance with the Principles of this Program, and does not include any market housing, a contribution requirement will not be applied to the entirety of the floor area in that building.

The consent authority may consider a case for exempting development from the requirement for an affordable housing contribution if the development application is for one or more of the following (and no other development):

- where the cost of construction is less than \$100,000; or
- where the change of use is from:
 - a commercial use or light industrial use to a general industrial use or heavy industrial use; or
 - a general or heavy industrial use to another general industrial use or heavy industrial use.

Where the development would result in the ~~equivalent monetary contribution affordable housing contribution monetary rate~~ amounting to more than 15 per cent of the agreed cost of construction, then the affordable housing contribution requirement will not exceed 15 per cent of the agreed cost of construction.

~~Where social/affordable housing floor space is being provided, in accordance with the Principles of this Program, a contribution requirement will not be applied to that floor space.~~

~~Where a building is predominantly affordable housing (with a small proportion of floorspace dedicated to ancillary non-residential uses), provided in accordance with the Principles of this Program, and does not include any market housing, a contribution requirement will not be applied to the entirety of the floor space in that building.~~

The following are some examples of when the LEP clause may or may not apply to specific types of development.

For example

The City receives a development application for a new 50sqm mezzanine in an office building in Central Sydney. The application will not give rise to an affordable housing contribution because the ~~LEP clause contribution requirement~~ does not apply to development that only results in the creation of less than 60sqm of non-residential gross floor area, and no other development.

For example

The City receives a development application in the Southern Employment Lands for a new 50sqm (non-residential) mezzanine and a change of use for the 100sqm of existing **gross** floor area from a warehouse (general industrial) to a retail use, and no other development.

The contribution requirement will apply because more than 60sqm of existing **gross** floor area is changing use.

For example

The City receives a development application in the residual lands for a change of use of 5,000sqm of existing commercial **gross** floor area to serviced apartments, and no other development.

The contribution requirement will apply because **on residual land (and in Central Sydney) (and on residual land)** the contribution requirement applies where there is a change of use of existing **gross** floor area from a non-residential purpose to a residential purpose or tourist or visitor accommodation purpose, and serviced apartments are 'tourist and visitor accommodation'.

For example

The City receives a development application in Green Square for a change of use of 2,000sqm of existing retail **gross** floor area to office **gross** floor area, and no other development.

The contribution requirement will apply to the entire development because in Green Square, any change of use will trigger the requirement for a contribution.

For example

The City receives a development application in Central Sydney for a change of use of 200sqm of existing retail **gross** floor area to office **gross** floor area, and no other development.

A contribution requirement will not apply because in Central Sydney, only where there is a change of use from a non-residential purpose to a residential purpose or tourist or visitor accommodation purpose, will a contribution be applied.

For example

The City receives a development application in the residual lands which proposes a full internal remodel of an existing 7,500sqm commercial building. The external walls of the building will be retained, although will need reinforcing and some sections may require re-building. The building will continue to be used for commercial purposes.

A contribution requirement will apply to the entire 7,500sqm because the extent of the building works in their entirety are considered to represent a new development and the requirement for a contribution applies to new floor area in the residual lands.

For example

The City receives a development application for the redevelopment of a large site in Green Square. The development will involve:

- the construction of seven 8-storey mixed use buildings for market housing and various non-residential uses; and
- one 6-storey mixed use building to be provided for affordable housing, with ground level retail.

A contribution requirement will not be applied to floor **area space** in the entirety of the building to be provided for affordable housing, including the ground floor retail component. The contribution requirement will apply to the floor **area space** in the remainder of the development.

2.5 ~~(2.3)~~ Where a contribution has been previously paid

If an affordable housing contribution has already been made on existing **total gross** floor area, then a subsequent contribution is generally not required unless:

- it is being demolished and being replaced with floor **area space** of the same or a different use. In this case, a contribution will be applied to all of the **total gross** floor area, including the replacement floor area;
- for existing floor **area space**, the previous contribution was for a non-residential purpose and the new **total gross** floor area is for a residential purpose. In this case the difference in the contribution rates will apply.

2.6 ~~(2.4)~~ Refunds

2.6.1 ~~(2.4.1)~~ For demolition or changes of use

Local environmental plans require that the consent authority must not refund an affordable housing contribution to the applicant where there is a change in use or demolition of **gross** floor area.

The same applies where affordable housing dwellings are provided on site, in that the dwellings (as replaced) are to remain the property of a CHP.

2.6.2 ~~(2.4.2)~~ Surrendered consents

~~The City Council~~ is not obligated under legislation to refund an affordable housing contribution payment.

Nevertheless, ~~the City Council~~ may consider refunding a development contribution payment to the original payee where:

- ~~the development has not commenced and~~ the consent has lapsed; or
- the development has not commenced and the consent will not proceed, as directed in writing by the payee. In this case ~~of former~~, the applicant will need to surrender the consent in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

~~The City Council~~ will only consider refunding the contribution when ~~it the City~~ holds adequate contribution funds i.e., funds that have not yet been transferred to a Recommended CHP.

The applicant must apply for the refund in writing to ~~the City Council~~.

Other than in exceptional circumstances, requests for refunds must be made within 12 months of paying the contribution for which the refund is sought.

~~(2.5) Conditions of consent~~

~~A contribution requirement forms part of a development consent. In all instances the City will require evidence that the condition of development consent relating to affordable housing has been satisfied prior to the granting of any construction certificate.~~

~~In circumstances where no construction certificate is required, evidence that the condition of development consent relating to affordable housing will be or has been met will be required by the City before commencement of use/occupation.~~

~~(2.6) How to make a payment~~

~~Payment will be by unendorsed bank cheque to the City of Sydney Council prior to issue of any construction certificate. In circumstances where no construction certificate is required, payment is required prior to commencement of use/occupation. The procedure for making payment is provided in the condition of consent.~~

~~If a development requires multiple construction certificates, Council will require payment prior to the release of the first construction certificate relating to the development consent on which the contributions were levied.~~

2.7 Adjustment of equivalent monetary contribution amounts

Monetary contribution amounts are adjusted on an annual basis, being the first day of March, with reference to movements in the median strata dwelling price in the City of Sydney LGA as detailed in NSW Government Rent and Sales Report, Table: Sales Price – Greater Metropolitan Region – Strata.

The Rent and Sales Report is available on the NSW Government, Department of Communities and Justice website.

The formula for adjustment of the equivalent monetary contribution amounts is:

$$\text{New Contribution Rate} = \text{Current Contribution Rate} \times (\text{MDP2}/\text{MDP1})$$

Where:

- **MDP1** is the median strata dwelling price used to establish the current contribution rate
- **MDP2** is the median strata dwelling price for the CURRENT period, being established by averaging the four most recently published Rent and Sales Report.

The City of Sydney's website contains the current monetary contribution amounts.

2.8 Adjustment of a monetary contribution amount on a development consent

Where a condition requiring a monetary contribution has been imposed, the contribution amount must be adjusted over time. That is, if a consent is issued in June 2021 and the applicant does not wish to pay the contribution and develop the site until August 2024, the contribution amount will need to be adjusted to the period in which it is paid, being 1 March 2024 to 28 February 2025.

Monetary contributions are adjusted by the City and confirmed with the applicant prior to payment being made.

The formula for adjusting a contribution amount in a condition if consent is:

$$\text{Monetary Contribution} = \text{Base Contribution Amount} \times (\text{R2}/\text{R1})$$

Where:

- **R1** is the contribution rate that applied at the time of consent.
- **R2** is the contribution rate that applies at the time of payment.

The Base Contribution Amount is the amount obtained from the Notice of Determination of the development application.

2.9 ~~Use of contributions~~ How monetary contributions are to be used

~~(2.9.2) — How in-kind contributions are to be used~~

~~In-kind contributions of affordable housing dwellings are to be given/dedicated, free of cost, to a Recommended CHP, or as otherwise provided for in any distribution plan adopted by Council.~~

~~Where dedication is in accordance with this Program, in the circumstances that no Recommended CHP is willing to accept the in-kind contribution, then it may instead be given/dedicated by the developer to another Eligible CHP according to the terms of any planning agreement.~~

~~In-kind contributions are to remain affordable housing in perpetuity and to be owned and managed in accordance with this Program.~~

~~(2.9.2) — How monetary contributions are to be used~~

~~Monetary contributions are to be given to Recommended CHPs in accordance with an adopted Distribution Plan.~~

~~Monetary contributions paid to Council are to be allocated in accordance with any requirements set out in any distribution plan adopted by Council.~~

~~Affordable housing resulting from an affordable housing contribution requirement must be owned and managed in accordance with the affordable housing principles set out in this Program.~~

3 Affordable housing on suitable employment land

In the eCity of Sydney, the proximity of some lands generally zoned for employment to amenities and services may make them suitable for affordable housing, provided that the development does not undermine the broader employment focused objectives of the zone. Sydney LEP 2012 identifies these areas in which affordable housing is permitted.

3.1 Requirements for affordable housing on suitable employment land

~~Monetary contributions are to be used for the sole purpose of providing and managing affordable housing in accordance with this Program.~~

Affordable rental housing developed on suitable employment land is to be provided in accordance with the affordable housing principles set out in this Program. ~~The Principles are satisfied where all the following conditions are met:~~

- ~~• affordable rental dwellings are owned by government or an eligible CHP~~
- ~~• affordable rental dwellings are provided in the LGA in perpetuity~~
- ~~• affordable rental dwellings are rented to very low, low and moderate income households for an absolute maximum of 30 per cent of gross household income~~
- ~~• up to 70 per cent of dwellings are to be allocated to income eligible employed households~~
- ~~• all rent received after deduction of management and maintenance costs will be used only for the purpose of improving, replacing, maintaining or providing additional affordable rental housing. This includes the investment of monies to meet cyclical maintenance costs and all rates and taxes payable in connection with the dwelling~~
- ~~• affordable rental dwellings are designed and constructed to a standard which, in the opinion of Council, is generally consistent with other dwellings in the LGA, that is, they are not differentiated as affordable housing compared with the design of other housing.~~

3.2 Development applications

The Sydney LEP 2012 requires that any development for affordable housing is compatible with the existing ~~uses~~ and approved uses of land in the vicinity.

Proponents should seek pre-development application advice from the City on any proposal to develop affordable housing on employment land.

Appendix A - Background information and affordable housing needs analysis

1. Introduction

Sydney remains Australia's least affordable city. The high cost of housing is an important economic and social issue in Sydney, particularly within the city where housing prices are amongst the highest in Australia.

For a global city, a sustainable and diverse housing supply is fundamental to the cultural and social vitality, economic growth, and liveability of the city. For a city to maintain its global status it needs to maintain the delivery of essential social and physical infrastructure. Housing is a critical piece of that infrastructure; where it is located, its proximity to employment, its diversity in price and type and its quality, are things that require careful management.

A range of factors are placing upward pressure on housing costs, making it increasingly difficult for very low to moderate income households to afford to rent or buy in the local area.

It is expected that without intervention the market will continue to produce housing aimed at households on relatively high incomes. Lower income households will need to move out of the inner-city, away from their communities and their employment in the inner-city.

Housing affordability may affect a city's ability to attract and retain global businesses and a highly skilled workforce. Where relatively low paid key workers, who underpin and enable growth in high value sectors, and contribute to the efficient functioning of a city, cannot access appropriate and affordable housing, there is direct risk to metropolitan Sydney's global city status and by extension the Australian economy. These low paid key workers are employed across a range of sectors and include, amongst others, our health care technicians, cleaners, bus drivers, childcare workers, administrators, hospitality staff, tour guides, musicians and artists.

Encouraging and providing affordable housing is a complex issue requiring a range of planning and policy solutions. The community housing sector is central to delivering affordable rental housing, but so too is the development sector that creates opportunities for new affordable housing to be delivered.

This Program provides the framework for affordable housing to be provided in conjunction with the development that creates the demand for it.

2. What is affordable housing?

Affordable housing is defined by the *Environmental Planning and Assessment Act 1979* (Act) as “housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.”

In the City of Sydney, the private housing market is unlikely to deliver housing, for purchase or for rental, which does not put a very low to moderate incomes household in housing stress or crisis, which is, they are spending more than 30 per cent of their gross income on rental or mortgage costs. Where low cost housing can be found, the demand for it is so high that it is not necessarily target income groups who absorb it.

Therefore, in the context of the city, the term ‘affordable housing’ is taken to mean ‘affordable rental housing’ that is managed by a registered CHP and rented specifically to target income households.

3. NSW Government and City of Sydney affordable housing objectives and targets

3.1 NSW Government

The NSW Government has long recognised the importance of providing affordable housing through the planning framework.

The ~~Greater Cities Commission's~~ [NSW Government's](#) Region and District Plans include targets and actions for the provision of affordable housing through the planning framework. The plan requires councils to develop local housing strategies to address the range of housing needs in their local areas, including affordable housing.

3.2 City of Sydney Council

The City of Sydney has a target that 7.5 per cent of private housing will be social housing and 7.5 per cent of private housing will be affordable housing.

4. Affordable housing need analysis

4.1 Why do we need affordable housing?

Socio-economic impacts

Rising housing prices, driven by a range of factors including increased demand for inner-city living, population growth, foreign investment, federal and state government fiscal and taxation policies, and constrained land supply, all result in declining housing affordability across Australia, particularly in major cities.

In the city, climbing housing costs are expected to have an increasingly detrimental impact on its socio-economic diversity as low income households are pushed from the LGA because they cannot access affordable housing. The majority of households on low to moderate incomes who remain in the private housing market are increasingly in housing stress or crisis and will eventually be forced to move out as housing costs continue to escalate ahead of wage growth.

The loss of low income households is contrary to the aims of the District Plan and the *Sustainable Sydney 2030-2050*, both of which promote the diverse and liveable socio-economic communities.

The relative inequality among those who can and cannot afford housing in the city has widened. There is a growing disconnect between affluent households able to afford private market housing and socio-economically disadvantaged households living in inner city social housing estates. This 'hollowing out of the middle' impacts on community sustainability.

The issue also has a dimension of generational inequality, as younger people (typically first home buyers) are increasingly priced out of the market.

Economic impacts

Declining socio-economic diversity in the inner city associated with inadequate social and affordable housing supply has significant economic impacts.

The ongoing loss of very low to moderate income households from inner Sydney, as they are forced to the outer suburbs of Sydney, makes it increasingly difficult for essential employment sectors to fill employment vacancies and staff shifts. On the city scale, this hampers business productivity and by extension the wider economic growth of Sydney.

4.2 Satisfying the requirements of the Act

This Program has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* (the Act), that is, those matters that are required by the Act to be considered when applying a condition of consent, have been considered. Where a condition of consent is applied in accordance with this Program, it is consistent with the Act.

Section 7.32 of the *Environmental Planning and Assessment Act 1979* (the Act) allows for the collection of contributions for affordable housing where a need for affordable housing is identified in a planning instrument and where:

- (a) the consent authority is satisfied that the proposed development will or is likely to reduce the availability of affordable housing within the area, or
- (b) the consent authority is satisfied that the proposed development will create a need for affordable housing within the area, or
- (c) the proposed development is allowed only because of the initial zoning of a site, or the rezoning of a site, or
- (d) the regulations so provide².

The City of Sydney is identified in a state environmental planning policy (SEPP) as an area where there is a need for affordable housing.

Provided below is the rational and justification for applying a contribution requirement in various land in the city.

Central Sydney

Central Sydney is identified on the Locality and site identification map and zoned SP5 Metropolitan Centre (formerly B8) in the City's planning controls. All development in Central Sydney, that is not minor development, is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

All new development in Central Sydney will reduce the availability of affordable housing within the area.

As jobs growth occurs in Central Sydney, a proportion of the new working population will form part of a very low to moderate income household. As competition for affordable housing options increases, the overall availability of affordable housing will decrease. Given the substantial shortfall of affordable housing options within the City, any decrease in the availability of affordable housing gives rise to an increased need for affordable housing.

All new development in Central Sydney will create a need for affordable housing within the area.

Ensuring the long term sustainable growth of Central Sydney is essential for a strong NSW and national economy. Declining socio-economic diversity in the inner city associated with inadequate social and affordable housing supply has significant economic and social impacts which represent a risk to this growth.

As demonstrated above, rising land and property prices, driven by a range of factors including population growth, constrained land supply and Commonwealth fiscal policy, have resulted in declining housing affordability in Australian cities, in particular Sydney. This trend is coupled with inadequate new supply of social and affordable housing in the inner city, both

² Development must only satisfy one of these conditions for Council to be able to require a contribution.

of which are necessary to mitigate market affordability impacts in maintaining accessibility of inner city housing to socio-economically diverse communities.

In the City, there is a growing disconnect between affluent households able to afford private market housing and highly socio-economically disadvantaged households living in inner city public housing estates. Gentrification of inner city neighbourhoods has exacerbated relative inequality among those who can and cannot afford housing. The purchase and rental housing market is becoming virtually inaccessible to those on very low to moderate incomes. This issue also has a dimension of generational inequality, as younger people are increasingly priced out of the market.

There are also substantial economic impacts where affordable housing cannot be accessed close to employment.

As residential growth occurs in Central Sydney, demand for services in which low income workers are employed will increase. These services include childcare, medical services, retail, cleaning, and hospitality and so on. There is a need to ensure some affordable housing is available to accommodate people on low incomes working in these services.

Evidence suggests the loss of low to middle income households from inner Sydney will result in essential sectors in the Australian economy finding it increasingly difficult to fill employment vacancies and staff shifts, hampering business productivity and economic growth.

As the relative economic importance of Central Sydney to the national economy continues to increase, cumulatively all new development will continue to create an economic and social need for affordable housing.

Ultimo-Pyrmont

To promote a socially diverse and sustainable community, it is crucial that affordable rental housing be provided so that very low to moderate income households can live in the area.

All development in Ultimo-Pyrmont is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in Ultimo-Pyrmont will reduce the availability of affordable housing within the area.

The City West region of inner Sydney, comprising the suburbs of Pyrmont and Ultimo, was formally an industrial and port precinct that traditionally provided low-cost accommodation for people working in an around the area.

However, significant gentrification has occurred due to the urban renewal of the area, an accompanying investment in public infrastructure and a wider cultural shift towards inner-city living. As higher income households are attracted to the area, housing prices and rental costs are driven upwards, resulting in the reduction of rental stock availability for very low to moderate income households.

Development in Ultimo-Pyrmont will create a need for affordable housing

The planning controls in Ultimo-Pyrmont permit a range of commercial development to provide a variety of employment opportunities, including for lower paid occupations. The affordable housing provisions in Ultimo-Pyrmont reflect an expectation that people should be able to live and work within the same area.

New residents and workers in the area also generate a demand for services typically staffed by lower income earners, increasing the need for key workers such as cleaners, retail assistants, childcare workers and hospitality staff.

If affordable housing options are not provided in the area, the housing market will serve an increasingly smaller proportion of the population, narrowing the socio-economic diversity of Ultimo-Pyrmont and necessitating unsustainable travel behaviours for lower income workers.

Development in Ultimo-Pyrmont is allowed only because the land was rezoned

In the early 1990's a process of intense urban renewal was instigated with the rezoning of the area for high density residential development. The need to retain a proportion of affordable housing in the area was recognised at this time to ensure a socially diverse and sustainable community representative of all income groups.

The new planning provisions substantially affected and increased the development potential and land value of Ultimo-Pyrmont. This has been further impacted by the significant investment in infrastructure by the New South Wales and Commonwealth Governments to revitalise and redevelop the area. All landowners have and will continue to benefit from this increase in land value.

The increased land value has an impact on the affordability of housing in Ultimo-Pyrmont, particularly for the traditional low and moderate income residents of the inner city, as higher value uses are found for the land.

Green Square

The Green Square urban renewal area will provide housing for around 63,000 residents to 2036. The District plan and *A Metropolis of Three Cities – the Greater Sydney Region Plan* highlight the importance of creating communities that are mixed and cohesive, where there is a greater mix of social and private housing.

To promote a socially diverse and sustainable community, it is crucial that affordable rental housing be provided so that very low to moderate income households can live in the area.

All development in Green Square is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in Green Square will reduce the availability of affordable housing within the area.

Green Square and its immediate surrounds have historically provided relatively cheap housing for inner-city residents.

However, the urban renewal of the area, the investment in public infrastructure and the wider cultural shift towards a preference for inner-city has resulted in the gentrification of Green

Square. This has placed, and will continue to place, pressure on housing prices and rental costs as high income households are attracted to the area, pushing up house values and reducing the rental stock available for very low to moderate income households.

The jobs growth associated with the urban renewal of Green Square is also reducing the availability of affordable housing in the area. While there has been a significant change in the nature of employment in the area since it's rezoning in 1999, with a general trend towards higher value jobs, a number of lower paid jobs still locate in the area.

It is desirable that people employed in the area are able to find housing close to their place of employment. This will increase competition for the affordable housing options, decreasing the overall availability of affordable housing and increasing the cost of renting in these areas.

Given the shortfall of affordable housing options currently available in the city, any further decrease in the availability of affordable housing gives rise to an increased need for affordable housing.

Development in Green Square will create a need for affordable housing

More specifically for Green Square, the ongoing urban renewal of the area, and its wider gentrification, will continue to produce upward pressures on property values and place further pressure on purchase and private rental accommodation costs beyond the means of low to moderate income groups.

Without provision of more affordable forms of housing, the market can be expected to continue to produce more expensive housing in the area, so that housing will only be affordable to households on relatively high incomes. Without the supply of more affordable rental dwellings, existing lower income households will continue to be forced out of the area, and new lower income households may be prevented from finding housing in Green Square close to new employment opportunities.

The employment generated by the urban renewal of Green Square will also create a need for affordable housing. On completion, some of which will be for very low to moderate income earners who will seek affordable housing in the area.

Moreover, new residents and workers in the area will generate demand for services typically staffed by lower income earners, increasing the need for key workers such as cleaners, retail assistants, childcare workers and hospitality staff.

Development in Green Square is allowed only because the land was rezoned

In 1999 the majority of the Green Square urban renewal area was rezoned from industrial to mixed use. Substantial value was created on land at the time it was rezoned.

The affordable housing contribution requirement in Green Square was introduced when the land was rezoned. Therefore, any negative impact the contribution requirement might have had on the value of the land was more than mitigated by the increase in land value arising from the rezoning.

Over time land values have continued to increase in Green Square as the area has gentrified and has benefited from substantial investment in public infrastructure. This will continue to place upward pressure on the cost of housing and increase demand for affordable housing.

Southern Employment Lands

The Southern Employment Lands will undergo substantial change over the next 20 years as it transitions from an area characterised by traditional manufacturing industries and low density employment to more diverse employment. The changes will result in an increase in the number of workers in the area, placing an increase in the demand for affordable housing.

All development in the Southern Employment Lands is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in the Southern Employment Lands will reduce the availability of affordable housing within the area

The Southern Employment Lands are Sydney's oldest industrial areas. The 2015 rezoning of the area will result in more jobs that are typically higher in value than those that have traditionally located in the area.

This will place pressure on housing prices and rental costs in adjoining area as high income households are attracted to the area to live near where they work, pushing up underlying land values and reducing the rental stock available for very low to moderate income households.

It is desirable that people employed in the area are able to find affordable housing close to their place of employment. This will increase competition for the affordable housing in the area, decreasing the overall availability of affordable housing and increasing the cost of rents.

Given the shortfall of affordable housing options currently available in the city, any further decrease in the availability of affordable housing gives rise to an increased need for affordable housing.

Development in the Southern Employment Lands will create a need for affordable housing within the area

Redevelopment in and around the Southern Employment Lands will continue to place upward pressure on property values and on purchase and private rental accommodation costs in the area beyond the means of very low and moderate income households.

Without the provision of more affordable forms of housing, the market can be expected to continue to produce more expensive housing products in the area, so that housing will only be affordable to households on relatively high incomes. Without the supply of more affordable rental dwellings, existing lower income households will continue to be forced out of the area, and new lower income households may be prevented from finding housing in close to new employment opportunities.

Development in the Southern Employment Lands is allowed only because the land was rezoned

In 2015, much of the land in the Southern Employment Lands was rezoned. Previously the Southern Employment Lands were zoned for industrial purposes, generally permitting only uses that are industrial in nature, the new zones enabled a more flexible approach to employment generating uses by permitting a wider range of activities, such as commercial offices, retail and so on.

The affordable housing contribution requirement in the Southern Employment Lands was introduced when the land was rezoned. Any negative impact the contribution requirement might have had on the value of the land was therefore mitigated by the increase in land value arising from the rezoning.

Over time land values will continue to increase in the Southern Employment Lands, placing upward pressure on the cost of housing and increasing demand for affordable housing in the surrounding area.

Residual land

As the popularity of inner city living continues grow and with increasing employment opportunities across the city, the cost of housing will continue to climb, making it increasingly difficult for low income households to live in these areas.

On residual land, development for new floor area, or for a more intense use of existing floor area, is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in the residual lands will reduce the availability of affordable housing within the area

Investment in public infrastructure, increased amenity and the wider cultural shift towards a preference for inner-city has resulted in the gentrification in the LGA. This has placed, and will continue to place, pressure on housing prices and rents. Likewise, the increase in the number of jobs in the LGA, many offering relatively high salaries, increases the demand for housing and pushes up housing costs.

As the desirability of living and working in the local area increases, the demand for an ever-shrinking supply of lower cost housing increases, in-turn decreasing the overall availability of lower cost housing and pushing lower income households out to more affordable areas.

Given the shortfall of affordable housing options currently available in the city, any further decrease in the availability of affordable housing gives rise to an increased need for affordable housing.

Development in the residual lands will create a need for affordable housing within the area

The projected housing growth in the residual lands is shown at Figure 6. As at 2017, it was anticipated that approximately 35% of projected dwellings growth in the city will be in the residual lands.

Employment is also projected to grow in the LGA. The draft district plan projects 817,000 additional jobs across Greater Sydney, a large portion of which will be in the City's strategic

centres of the CBD and Green Square and Mascot where a respective 235,000 and 25,500 jobs are projected to 2036.

Job growth in the LGA and new development in the city's residual areas will continue to place upward pressure on housing prices and rents beyond the means of very low and moderate income households.

Without provision of more affordable forms of housing, the market can be expected to continue to produce more expensive housing in the area, so that it will only be affordable to households on relatively high incomes. Without the supply of more affordable rental dwellings, existing lower income households will continue to be forced out of the area, and new lower income households may be prevented from finding housing in the LGA close to new employment opportunities.

Planning Proposal land

Planning Proposal land is land that has been the subject of a planning proposal to change the planning controls that apply to the site to increase development capacity. Planning Proposal land is identified in LEPs.

On Planning Proposal land, all new residential floor area is subject to the requirement to contribute to affordable housing under Section 7.32 of the Act because:

Development in Planning Proposal land will reduce the availability of affordable housing within the area

The cost of land and fragmentation of ownership patterns are key impediments to development and renewal in existing urban areas. Current buildings that are functional and provide good economic utility can in many cases be too valuable to consolidate for redevelopment. Therefore, developers tend to target buildings that are aging and nearing the end of their economic lifecycle. As such, planning proposals in the City, that generally seek increased height or floor area, are associated with former industrial or commercial sites and older, lower quality houses that are then replaced by higher density residential uses.

Where redevelopment of a site replaces older residential stock with a new residential flat building, there is typically a direct loss of lower cost housing that is more likely to be within the means of lower income households.

Where renewal of a site replaces non-residential buildings at the end of their economic life, amenity increases, attracting more investment and higher income households to move into the area. This pushes up house values, placing further demand for rental properties and reduces the available stock of low cost housing.

Planning proposals seeking increased height or floor area associated with the renewal of commercial sites in Central Sydney are underpinned by a post-Covid demand for high-quality, high-amenity, contemporary office space. They attract investment and contribute to urban renewal in the LGA, placing continued upward pressure on housing prices and rents beyond the means of very low, low and moderate income households.

Development on Planning Proposal land will create a need for affordable housing within the area

Changes to planning controls which permit higher order land uses and increased densities will place further pressure on purchase and private rental accommodation costs beyond the means of very low to moderate income households. Without provision of more affordable housing in the area housing will only be affordable to households on relatively high incomes. This will force existing low income households to move out of the area.

Furthermore, the overall growth in jobs generally across the LGA, coupled with ~~the~~ increased employment opportunities created by planning proposals – ~~both as a result of commercial (re)development in Central Sydney and that include~~ mixed use development ~~throughout the LGA that includes with~~ retail tenancies on the street level; – will increase the demand for unskilled and semi-skilled workers ~~employed in essential services of retail, hospitality and cleaning and who are difficult to recruit due to increasing pressure on housing costs in the area.~~

Development is allowed only because the land was rezoned

Planning Proposal land is land that has been the subject of a planning proposal to change the planning controls that apply to the site to increase development capacity. The contribution requirement will only be applied to the new development capacity that would not have been allowed without the changes to the planning controls.

This gives effect to the intent of the District Plan to provide affordable housing where there is an increase in development capacity on land, where need for affordable housing is identified and where development viability can be maintained.

The affordable housing contribution requirement will be introduced when the land is identified as Planning Proposal land in LEPs. Therefore, any negative impact the contribution requirement might have on the value of the land will be mitigated by the increase development potential brought about by the change to the planning controls.

5. Outcomes

~~The City's planning controls are estimated to deliver up to 1,950 additional affordable dwellings between 2016 to 2036. However, this estimate~~ As at June 2024, the City's affordable housing contribution requirements have delivered 873 affordable dwellings. The projected outcomes of this Program are estimated to exceed 2,000 further affordable dwellings to 2036 (from June 2024). Notwithstanding this estimate, the outcomes of this Program will be heavily impacted by other matters outside of the City's control, including, but not limited to:

- the property market i.e. the amount of development that occurs. This is highly influenced by the market conditions of the day;
- the ability of community housing providers to ~~successfully~~ leverage contribution funds and existing property portfolios;
- state government policy directions; and

- Federal and NSW Government investment in affordable housing (which may accelerate outcomes under this scheme when available funds are combined with levy funds).

Appendix B – Contribution where land is rezoned

Where land is the subject of a planning proposal to increase its development capacity, an additional contribution for affordable housing will be applied to the new floor area.

This appendix is to provide guidance on how the affordable housing contribution requirement is established and applied.

1. How is the additional contribution requirement secured?

The additional affordable housing contribution requirement will be secured in the process of rezoning the land. The requirement may be set out in:

- an LEP, for example, the land may be identified as “planning proposal land” on Schedule 6C of the Sydney LEP, with the additional contribution requirement being set out in the schedule; or
- a voluntary planning agreement, for example, the landowner may offer to enter into a voluntary planning agreement with the City to build and dedicate affordable housing; or
- some other environmental planning instrument.

2. How is the additional contribution requirement to be satisfied?

Where the proposed development meets the criteria set out at Section 2.3.1 of this Program, Council will generally require the additional contribution be satisfied by the dedication of built dwellings.

Where the development does not meet the criteria set out at Section 2.3.1 of this Program, Council will require the additional contribution be satisfied by making a monetary contribution in accordance with Section 2 of this Program.

3. Contribution requirement

Where land is rezoned to increase its development capacity, an affordable housing contribution requirement will be payable on the new gross floor area, as shown below:

Table A1: Additional contribution requirement on new floor area

Affordable housing contributions precinct	Contribution requirement
Central precinct	20% residential gross floor area 2% non-residential gross floor area
West precinct	20% residential gross floor area
South precinct	20% residential gross floor area
East precinct	20% residential gross floor area

Note: Affordable housing contribution precincts are shown at Figure 1 of this Program.

The contribution requirement shown at Table A1 is inclusive of any other affordable housing contribution requirement that applies to the land. For example, the 20 per cent rate that applies to all new residential floor area includes 17 per cent for new residential floor area on planning proposal land, plus 3 per cent that applies under Clause 7.13 of Sydney LEP 2012. Where no other contribution requirement applies, the full 20 percent is applied.

In the west, south and east precincts, the contribution requirement applies to new floor area that has the potential to be used for a residential purpose, that is, the residential contribution requirement will be applied to any additional floor area achieved on land where residential uses are permitted, unless the whole of that site is restricted in a planning instrument to a non-residential purpose only.

In Central precinct, the contribution requirement will be applied using a proportional approach. That is, where there is a requirement in a planning instrument that restricts a proportion of the floor area to a non-residential purpose, then the non-residential contribution requirement will be applied to that same proportion of any new development capacity, and the residential contribution requirement to the remainder. For example, where a site is required by a planning instrument to provide 50% of the floor area in the building as non-residential development, then the non-residential contribution requirement of 2% would apply to 50% of the new floor area and residential contribution requirement of 20% would apply to the other 50% of new floor area.

Example

A site in Central precinct is currently subject to planning controls that allow 70,000sqm of non-residential floor area. This is subject to the requirements of Clause 7.13 of the Sydney LEP that requires an affordable housing contribution of 1% of non-residential GFA.

A rezoning of the site facilitates an additional 40,000sqm of non-residential floor area. No residential development is permitted on the site. The additional affordable housing contribution requirement is established in the Sydney LEP.

Assuming the site is developed utilising the whole of the available gross floor area, the following affordable housing contribution is required:

$(1\% \times 70,000\text{sqm}) + (2\% \times 40,000\text{sqm}) = 1,500\text{sqm} \times \$12,293.84 = \$18.4\text{m}$ equivalent monetary contribution.

The contribution requirement must be satisfied by making a monetary contribution because the site is a commercial site.

Note: for the purpose of this example, the starting monetary contribution rate, Rate A, has been assumed for the purpose of this example

Example

A site in Central precinct is currently subject to planning controls that allow 25,000sqm residential gross floor area and 25,000sqm non-residential gross floor area. This is subject to the requirements of Clause 7.13 of the Sydney LEP that requires an affordable housing contribution of 1% of non-residential GFA and 3% of residential GFA.

A rezoning of the site facilitates an additional 30,000sqm gross floor area. The additional affordable housing contribution requirement is established in the Sydney LEP, that also maintains a requirement that no more than 50% of the GFA on the site can be used for a residential purpose.

Assuming the site is developed utilising the whole of the available gross floor area and that 50% is residential and 50% is non-residential, the following affordable housing contribution is required:

$(1\% \times 25,000\text{sqm}) + (3\% \times 25,000\text{sqm}) + (2\% \times 15,000\text{sqm}) + (20\% \times 15,000\text{sqm}) = 4,300\text{sqm}$ of dedicated affordable housing provided on site (or \$52.9m equivalent monetary contribution).

Note: for the purpose of this example, the starting monetary contribution rate, Rate A, has been assumed for the purpose of this example

4. Where other public benefits are offered

The additional contribution requirement may be waived or reduced by Council's sole discretion, where a developer has made an offer to enter into a planning agreement to provide other agreed public benefits of a commensurate scale.

5. How contributions are to be used

Monetary contributions and dedicated dwellings are to be allocated in accordance with any requirements set out in any distribution plan adopted by Council.

Appendix B – Planning Proposal land

Where land is the subject of a planning proposal to change the planning controls that apply to the site, it may be identified on a schedule in an LEP, or another EPI, as being required to make an additional contribution for affordable housing.

This appendix is to provide guidance on how the contribution rate is established.

6. Where a planning proposal has increased Floor Space Ratio

Where there is a planning proposal to increase the Floor Space Ratio (FSR) of a site or sites, an affordable housing contribution requirement will be payable on the new floor area.

The affordable housing contribution rate that applies to the land will be identified on a schedule in an LEP or other EPI.

The 'listing' of Planning Proposal land on the LEP schedule, or in another EPI, occurs at the same time that the changes to the planning controls are 'made', that is, the LEP schedule / EPI will be amended when the amendment to the LEP / EPI to increase the FSR comes into effect.

On Planning Proposal land the contribution rate applied to new floor area achieved in the planning proposal to increase FSR is:

Precinct ^a	Contribution rate ^{a,b}
Central Sydney precinct	13% subject to site specific viability testing
West precinct	12% ***
South precinct	12% ***
East precinct	21% ***

* Note: The West, South and East precincts align with those shown in the City's development contribution plan 2015. The Central Sydney precinct aligns with those shown in Central Sydney Development Contributions Plan 2020. A map of precinct boundaries is available on the City's website

** The contribution applies to new floor area that may be used for a residential purpose, that is, the contribution requirement will be applied to any additional floor area achieved on land zoned residential purposes, unless the whole of that site is restricted to a non-residential purpose.

*** Rates incorporate any requirement in an LEP for a 3 per cent contribution. For example, the 12 per cent rate includes 9 per cent for new residential floor area on planning proposal land, plus 3 percent. Where no other contribution requirement applies, the full 12 percent may be applied.

~~The above rates will be reviewed on an as needs basis and any changes will be published on the City's website.~~

~~The equivalent monetary contribution amount is provided in Section 2 of this Program.~~

Explanatory note

Planning Proposal land contribution rates

~~Planning Proposal land contribution rates have been tested by appropriately qualified land economics experts to ensure development viability is not negatively impacted. Testing takes into consideration all of the contribution requirements that already apply to the land, including Section 7.11 contributions, Community Infrastructure floor area, and affordable housing contributions payable under LEPs.~~

~~Contribution rates to be applied to new floor area on Planning Proposal land will be reviewed and updated as needed~~

~~While the contribution rates apply to proposals for new residential floor area, this does not preclude the City from working with proponents to identify an appropriate contribution rate that may be applied where a planning proposal results in an increase in non-residential floor area.~~

7. Where other public benefits are offered

~~Where it is a superior outcome, and where a developer has made an offer to enter into a planning agreement to provide affordable housing or other public benefit, a Planning Proposal land contribution may not be applied.~~

Appendix C - Standards for dedicated affordable housing dwellings

Where an affordable housing contribution requirement is to be satisfied by the dedication of built dwellings, the dwellings must be suitable to be used for affordable housing in the long term.

This Appendix sets out guiding standards for dedicated dwellings.

Long-term management requirements

Required affordable rental dwellings are to be owned and managed in accordance with the Affordable Housing Principles of this Program.

Strata requirements

Where the strata or management costs of development would likely be high and render the management of the property for affordable housing unsustainable, the affordable housing dwellings to be dedicated are to be subject to alternate cost arrangements to assist in the management of strata or management costs to the receiving CHP.

Where possible, provide a separate entrance to a separate stratum of affordable housing dwellings.

Dwelling mix requirements

The mix of the proposed affordable housing dwellings (i.e. the number of bedrooms) is to be appropriate to the needs of the receiving CHP.

Parking and servicing

Parking and general servicing requirements are to be appropriate for the needs of the receiving CHP.

External design

The external design of the proposed affordable housing dwellings is to be equivalent in design quality to other dwellings in the development. It must include external elements, such as balconies or courtyards, that are generally consistent with those provided for other dwellings on the site.

Design for reduced living costs

Proposed affordable housing dwellings are to:

- where possible, maximise passive ventilation and cooling methods to avoid air-conditioning costs;
- where possible, incorporate solar energy connections and rainwater tanks;
- be excluded from embedded power networks, if the embedded network does not allow tenants to freely choose the service provider;
- include ceiling fans and window blinds for thermal comfort; and

- include appliances with high efficiency standards.

Design for reduced cyclical management costs

Construction design and material choices are to be agreed at the design stage to address the longer-term management and maintenance costs of the proposed affordable housing dwellings, including:

- inclusion of robust, durable internal and external finishes; and
- use of low maintenance and easily replaceable materials.

Note: While it is noted the above guiding standards have been prepared to inform the standards of dedicated affordable housing dwellings required by the City under Section 7.32 of the Act, the standards may also be relevant in the delivery of affordable housing achieved under different mechanisms.

Appendix C — Process for dedicating dwellings

This appendix provides guidance on the process for satisfying an affordable housing contribution requirement by dedicating affordable housing dwellings.

Section 2 of this Program provides that where the dedication of affordable housing dwellings is proposed, then the location, size and quality of dwellings must be to the satisfaction of the City and the receiving CHP.

1. Consult with Recommended and Eligible providers

Where a developer intends to provide an in-kind affordable housing contribution by dedicating finished dwellings to a Recommended CHP, the developer must first consult with the provider to establish if they are willing to receive the dedicated dwellings.

In circumstances where no Recommended CHP agrees to accept the dedication, and confirmation of that position is provided in writing, the developer may consult with other eligible providers (Tier 1 or Tier 2) to establish an agreement for a community housing provider to accept the dedication of finished affordable housing dwellings.

The purpose of the consultation is to canvass potential issues and reach in-principle agreement about how the affordable housing dwelling/s are to be provided by the developer to the CHP. Key issues for discussion include, but are not limited to:

- the requirements of the community housing provider in regard to the finished dwelling, for example fit out requirements, preferred layouts, location of the dwelling in the development, and so on;
- the community housing provider is to have a full understanding of the likely strata requirements that will be in place once the development is complete;
- contractual arrangements with regards to the dedication of the dwellings, including discussion about what might be cause for terminating the agreement.

2. Development application

The development application to the City must:

- state the amount (the quantum of total floor area) of affordable housing to be dedicated, and any residual amount for which a monetary contribution is required to be paid;
- clearly identify on the plans the affordable rental dwellings proposed to be dedicated, noting the City must be satisfied that dwellings receive adequate amenity relative to the rest of the development i.e. it is not acceptable that all of the affordable housing in the development have the lowest amenity;
- demonstrate the appropriateness of the dwellings proposed for dedication, with reference to Section 2 of this Program;
- provide details of the agreement that has been reached between the developer and the community housing provider about the dedication of the dwellings or alternative arrangements in a relevant planning agreement.
- if it is not a Recommended CHP that will receive the contribution, evidence that all Recommended CHPs have declined to accept the dedication of the dwellings is required; and
- evidence that the receiving CHP has agreed to accept the dwellings, the terms of the agreement, and the requirements of the Program are understood, including the requirement for in perpetuity management of the dwellings for affordable housing to be rented to very low to moderate income households for no more than 30% of their income.

3. Assessment

The City will:

- undertake assessment of the appropriateness of the dwellings proposed for dedication, with reference to Section 2 of this Program and any comment provided by the Recommended CHP, and
- if necessary, where the proposed dwellings are not appropriate for the purpose of affordable housing, discuss with the developer amendments to improve the dwellings, or identify preferable dwellings, or instead require a monetary contribution.

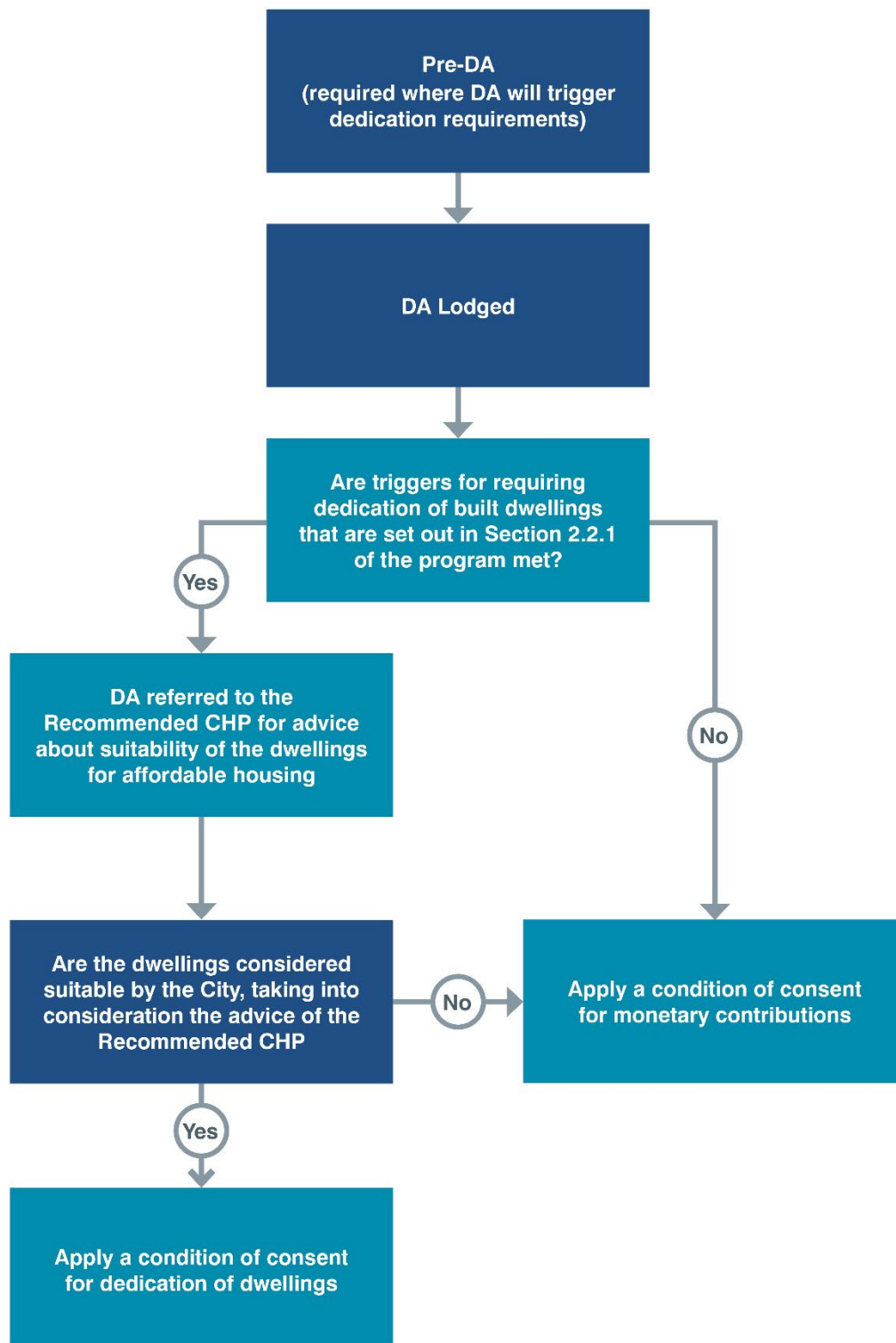
4. Securing the dwellings

Where the dwellings proposed for dedication are supported, a condition of consent requiring dedication of the affordable housing dwelling(s) will be imposed by the consent authority.

Prior to transferring the affordable housing dwelling(s) to a Recommended CHP, the City will register on the title a covenant ensuring the affordable housing dwellings are:

- owned and managed by a CHP in accordance with the Program, and
- rented to very low to moderate income earners for no more than 30% of gross household income.

Appendix D – Simplified development application process



Attachment E

Resolutions of Council and the Central Sydney Planning Committee for Public Exhibition
--

Resolution of Council

16 December 2024

Item 9.3

Public Exhibition - Planning Proposal - Affordable Housing Contributions Review - Sydney Local Environmental Plan 2012, Sydney Local Environmental Plan (Green Square Town Centre) 2013, Sydney Local Environmental Plan (Green Square Town Centre - Stage

It is resolved that:

- (A) Council approve Planning Proposal - City of Sydney Affordable Housing Contributions Review, shown at Attachment A to the subject report, for submission to the Department of Planning, Housing and Infrastructure with a request for a gateway determination;
- (B) Council approve Planning Proposal - City of Sydney Affordable Housing Contributions Review, for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) Council approve the draft City of Sydney Affordable Housing Program Amendment 2024, shown at Attachment B to the subject report, for public exhibition concurrently with the planning proposal;
- (D) Council seek authority from the Department of Planning, Housing and Infrastructure to exercise its delegation under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the amending Local Environmental Plan; and
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - City of Sydney Affordable Housing Contributions Review and the draft City of Sydney Affordable Housing Program Amendment 2024, to correct any minor errors or inconsistencies, or to ensure consistency with any condition of the gateway determination.

Carried unanimously.

X099241

Resolution of Central Sydney Planning Committee

12 December 2024

Item 7

Public Exhibition - Planning Proposal - Affordable Housing Contributions Review - Sydney Local Environmental Plan 2012, Sydney Local Environmental Plan (Green Square Town Centre) 2013, Sydney Local Environmental Plan (Green Square Town Centre - Stage

Moved by the Chair (the Lord Mayor), seconded by Councillor Miller -

It is resolved that:

- (A) the Central Sydney Planning Committee approve Planning Proposal - City of Sydney Affordable Housing Contributions Review, shown at Attachment A to the subject report, for submission to the Department of Planning, Housing and Infrastructure with a request for a gateway determination;
- (B) the Central Sydney Planning Committee approve Planning Proposal - City of Sydney Affordable Housing Contributions Review, for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Equity and Housing Committee on 9 December 2024, that Council approve the draft City of Sydney Affordable Housing Program Amendment 2024, shown at Attachment B to the subject report, for public exhibition concurrently with the planning proposal;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Equity and Housing Committee on 9 December 2024, that Council seek authority from the Department of Planning, Housing and Infrastructure to exercise its delegation under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the amending Local Environmental Plan; and
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - City of Sydney Affordable Housing Contributions Review and the draft City of Sydney Affordable Housing Program Amendment 2024, to correct any minor errors or inconsistencies, or to ensure consistency with any condition of the gateway determination.

Carried unanimously.

X099241

Attachment F

Gateway Determination - dated 30 July 2025

Department of Planning, Housing and Infrastructure

Our ref: PP-2024-2747/IRF25/517

Ms Monica Barone
Chief Executive Officer
City of Sydney Council
GPO Box 1591
SYDNEY NSW 2001

30 July 2025

Subject: PP-2024-2747 – City of Sydney Affordable Housing Contributions Review

Dear Ms Barone

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the Environmental Planning and Assessment Act 1979 to amend the *Sydney Local Environmental Plan 2012*, *Sydney Local Environmental Plan (Green Square Town Centre) 2013*, *Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013* and the City of Sydney Affordable Housing Program as part of a review of the affordable housing contributions.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

Considering the nature of the proposal I have determined not to authorise Council to be the local plan-making authority given the relationship with State government policy.

The proposed local environmental plan (LEP) is to be finalised on or before 30th July 2026. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made twelve weeks in advance of the date the LEP is projected to be made.

Should you have any enquiries about this matter, Eva Stanbury can assist you. Eva can be contacted on 02 8289 6557.

Yours sincerely



Daniel Thompson
Executive Director
Local Planning and Council Support

Gateway Determination

Planning proposal (Department Ref: PP-2024-2747): to amend the *Sydney Local Environmental Plan 2012*, *Sydney Local Environmental Plan (Green Square Town Centre) 2013* and *Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013* to reflect updates to the City of Sydney Affordable Housing Program.

I, the Executive Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Sydney Local Environmental Plan 2012*, *Sydney Local Environmental Plan (Green Square Town Centre) 2013* and *Sydney Local Environmental Plan (Green Square Town Centre – Stage 2) 2013* to reflect a review of the City of Sydney Affordable Housing Program should proceed subject to the following.

The LEP should be completed on or before 30 July 2026.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to:
 - (a) clarify that the 'drafting instructions' referred to in Section 4 of the planning proposal report and in Appendix A are only one example of how the proposed amendments could be worded, with the final wording subject to drafting and agreement by the Parliamentary Counsel's Office,
 - (b) amend the draft Affordable Housing Program Amendment so that the 4 year phase in period begin from when the LEP is made rather than when the Affordable Housing Program is approved by Council,
 - (c) explain the intended approach to future integration areas with respect to application of the program including the contribution precincts as mapped in the planning proposal, and
 - (d) explain the basis of the proposed amendment to the Sydney Local Environmental Plan 2012 that will clarify that affordable housing only needs to be provided in accordance with the principles in the Affordable Housing Program, and not any other requirement of the Program.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (e) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working days;
 - (f) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023); and

- (g) the Affordable Housing Program is to be exhibited at the same time and in the same way as the planning proposal.
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
- NSW Department of Communities and Justice
 - Homes NSW.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 30 July 2025



Daniel Thompson
Executive Director
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces

Attachment G

**Resolution of Council regarding the
prevention of discrimination against low-
income tenants in new housing
developments**

Resolution of Council

23 February 2026

Item 12.12

Preventing ‘Poor Doors’ and Discrimination Against Low Income Tenants in New Housing Developments

Moved by Councillor Ellsmore, seconded by Councillor Thompson –

It is resolved that:

(A) Council note:

- (i) the term “poor door” refers to a separate entrance made for a residential building that segregates social, affordable or lower income housing tenants from the private or higher income tenants in a housing development;
- (ii) in cities like London and New York, ‘poor doors’ became more common in response to rules offering density bonuses, tax concessions or other incentives to developers in return for setting aside some units for affordable housing in their buildings;
- (iii) when social or affordable housing was required to be included in a building, some developers began segregating tenants on lower incomes from other tenants, by restricting their access to the common entrance, lobby, general tenant spaces and/ or services in the building;
- (iv) in NSW, developers are increasingly offered planning, zoning and tax benefits in return for the inclusion of some social or affordable housing in new developments. The current NSW Government’s approach to planning and development is estimated to lead to a significant increase in mixed-tenure apartment developments in Sydney;
- (v) recent reporting from Guardian Australia highlighted an example of a poor door in the Watermanns Residence at Barangaroo, where affordable housing tenants are required to use a separate entrance from other residents, who pass through a grand glass foyer with a concierge desk;

- (vi) other examples have also been reported, in some cases imposed by developers or landlords, and in some cases negotiated by Community Housing Providers to facilitate those providers to reduce their costs (for example by avoiding high strata fees);
- (vii) locally and internationally, 'poor doors' have been recognised as harmful to lower income communities and to social cohesion; and
- (viii) strong public opposition to 'poor doors' led to rule changes by London and New York councils, aimed at ensuring tenants with different incomes were treated equitably. Both cities introducing planning requirements in favour of 'tenure-blind' design in developments, and restrictions on the physical segregation of tenants, including restricting or banning 'poor doors';

(B) Council further note:

- (i) the City of Sydney's current policy requires that affordable rental dwellings are designed and constructed to a standard which, in the opinion of the City, is generally consistent with other dwellings the same building. That is, affordable social housing is not differentiated as affordable housing compared with the design of the other housing;
- (ii) current Council requirements do not ban separate entrances or physical segregation for lower income tenants;
- (iii) the City recently exhibited the Affordable Housing Contributions Review 2024 and related documents, which seek changes to the Sydney LEP 2012, Affordable Housing Program and other documents, to improve the way affordable housing is delivered within the Local Government Area;
- (iv) changes being considered by Council include that the City will have more powers to require affordable housing to be built as part of private developments; and
- (v) the review creates an opportunity to consider updates to the council's requirements around separate entrances and equitable access to common spaces and services in a building for people on low incomes;

(C) Council in principle agree:

- (i) that low income tenants should not be physically segregated from other tenants in building developments; and
- (ii) that Council planning and affordable housing rules should encourage equitable access to spaces and services, and encourage social connection between different kinds of tenants, especially those living in the same building or local community; and

(D) the Chief Executive Officer be requested to:

- (i) provide advice to Council about how Council's existing affordable housing program and policies protect against tenure-based, physical segregation, including 'poor doors' or restricted access to common areas and building services;
- (ii) seek feedback and input from Council's Housing for All Advisory Panel;

- (iii) include collated advice in the report-back to Council with the final recommendations from the Affordable Housing Contributions Review;
- (iv) if needed, provide advice about possible amendments to the Sydney LEP 2012, Affordable Housing Program and relevant documents, to ensure future affordable housing developments, facilitated by the City, are 'tenure blind' and facilitate all residents to have equitable access to areas within residential buildings; and
- (v) refer this resolution, and any relevant later Council decisions, to Council's Design Advisory Panels and relevant Council staff who may be considering or assessing developments whose design proposes segregated entrances or services for lower income or affordable housing tenants.

Carried unanimously.

X113765

Attachment H

**Response to the matter raised in the
Resolution of Council regarding the
prevention of discrimination against low-
income tenants in new housing developments**

Response to the Resolution of Council on Discrimination Against Low Income Tenants in New Housing Developments

Background

In the resolution at [Item 12.12](#) on 23 February 2026, Council requested the CEO:

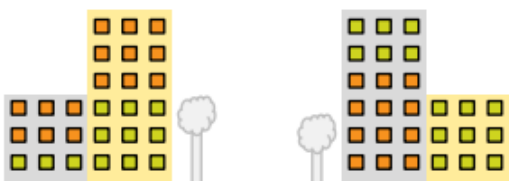
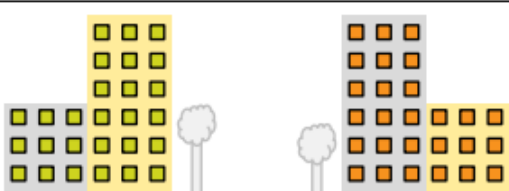
- provide advice to Council about how Council's existing affordable housing program and policies protect against tenure-based, physical segregation, including 'poor doors' or restricted access to common areas and building services;
- seek feedback and input from Council's Housing for All Advisory Panel;
- include collated advice in the report-back to Council with the final recommendations from the Affordable Housing Contributions Review;
- if needed, provide advice about possible amendments to the Sydney LEP 2012, Affordable Housing Program and relevant documents, to ensure future affordable housing developments, facilitated by the City, are 'tenure blind' and facilitate all residents to have equitable access to areas within residential buildings; and
- refer this resolution, and any relevant later Council decisions, to Council's Design Advisory Panels and relevant Council staff who may be considering or assessing developments whose design proposes segregated entrances or services for lower income or affordable housing tenants.

Affordable housing dwellings can be delivered in mixed tenure developments (with private market housing) in four main ways:

- On a separate residential block;
- In a separate building adjacent to the private market housing;
- On separate floors within a building that also houses private market housing (with or without a dedicated entrance); or
- Scattered randomly throughout the building (unit by unit allocation).

As shown below¹:

¹ Van den Nouwelant, RM; Randolph, B, 2016, Mixed-tenure development: Literature review on the impact of differing degrees on integration, <https://doi.org/10.26190/unsworks/26416>

	Unit by unit <i>Each tenure is distributed uniformly across an entire development</i> Also called 'salt and pepper' or 'pepper potting'
	Floor by floor <i>Each tenure is clustered in distinct parts of a building</i> A relevant distinction in the context of large apartment developments
	Building by building <i>Each tenure is provided in separate buildings, but distributed across a development</i> Potential to integrate design and construction
	Block by block <i>Each tenure is separated as much as possible within a development site</i> Still more integrated than fully segregated suburbs

Local pathways for affordable housing

The City of Sydney requires contributions for affordable housing. To date these have mostly been fulfilled through monetary contributions which go to community housing providers (CHPs) who use them to build stand alone affordable housing buildings. It is also possible for affordable housing dwellings to be provided instead. The provision of affordable housing dwellings may also be negotiated through a voluntary planning agreement when a site is rezoned.

The physical requirements for the dwellings include:

- *affordable rental dwellings are designed and constructed to a standard which, in the opinion of the City, is generally consistent with other dwellings in the city, that is, they are not differentiated as affordable housing compared with the design of other housing;*
- *each affordable rental dwelling is to have a total floor area of not less than 35 square metres, with any remainder being paid as a monetary contribution to the City, and*
- *where multiple affordable rental dwellings are provided in the development, the amenity benchmarks established by the Apartment Design Guideline (or any subsequent Guideline that may apply from time to time) are to be generally achieved.*

The current City of Sydney Affordable Housing Program is otherwise silent on the arrangement of affordable housing in mixed tenure developments. Affordable housing dedicated to CHPs is not required to have a common entry or for shared access to all services and facilities in the building for affordable housing tenants.

State pathways for affordable housing

The NSW Government provides incentives for infill affordable housing under the Housing SEPP. A developer can get up to 30% additional height and floor space if 15% of the floor space is used for affordable housing for at least 15 years. State led rezonings may also require provision of affordable housing with various arrangements.

The state government requirements for infill affordable housing refer mostly to amenity but are also silent on the issues²:

Residential amenity is one of the design quality principles under Chapter 4 of the Housing SEPP that must be considered in the assessment of residential apartment development. Good residential amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility. It is important that amenity is maximised across a development, and that affordable dwellings are not subject to a lower standard. For example, if 70% of dwellings across a development achieve the ADG criteria for solar access (minimum 2 hours to living areas), then a similar percentage of the affordable dwellings should meet that standard.

Case Study

The small number of instances in the City of Sydney where affordable housing has been delivered via dedicated dwellings include the state government approved Watermans Residences in Barangaroo. Lendlease completed the development in 2025. It includes 50 affordable housing dwellings in a residential tower that also includes private market housing. The affordable housing is accessed via a dedicated entrance and lift core with a separate communal outdoor dining area from the remainder of the building.

St George Community Housing own and manage the affordable housing and are required to deliver the affordable housing using specific eligibility criteria and guided by the NSW Affordable Housing Ministerial Guidelines.

The affordable housing dwellings are part of a larger complex consisting of three towers:

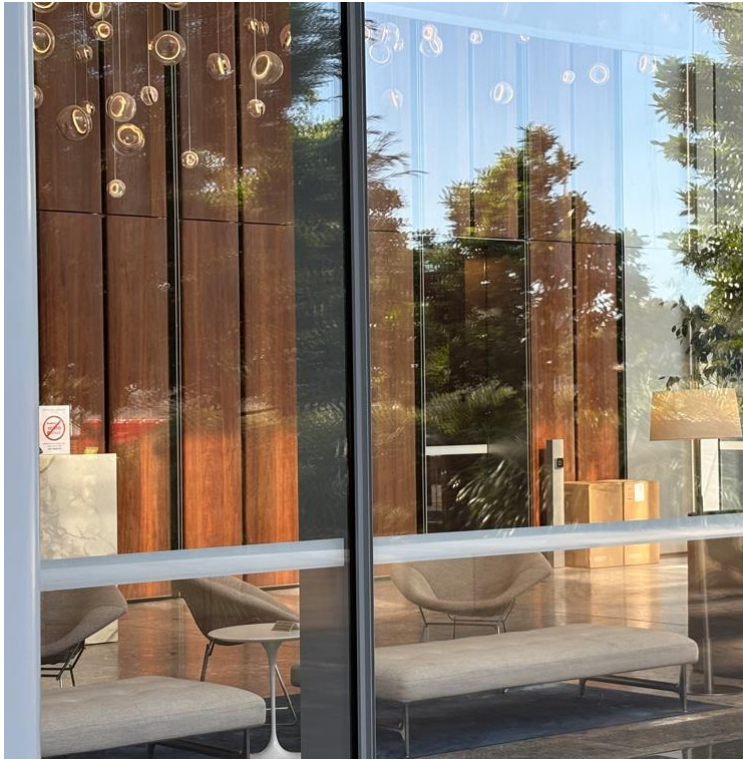
² <https://www.planning.nsw.gov.au/sites/default/files/2023-12/in-fill-affordable-housing-practice-note.pdf>



Both towers have multiple entrances. None of the building entrances are on the same side of the buildings. The entrances to the private market dwellings have similar designs to the one shown here:



And have furniture, artworks and a concierge desk:



The entrance to the affordable housing dwellings is largely unfurnished and shown here:



The complex featured in a media article in November 2025 referring to the use of “poor doors” at the site.

On 23rd February 2026 Council resolved through a Resolution of Council for consideration to be given to whether the City’s planning rules or affordable housing program should be

changed to: *“protect against tenure-based, physical segregation, including ‘poor doors’ or restricted access to common areas and building services”*.

Consultation with the Housing for All Advisory Panel

The Resolution also required consultation with members of the Housing for All Advisory Panel. Current membership includes a diverse cross section of the housing sector.

Representatives for the Tenants Union, TOGA, Shelter NSW and Professor Jessie Hohmann all supported a ban on separate entrances for affordable housing citing principles of equity and inclusion and concerns about the stigma of separate entrances and differentiated access to facilities and services. The impact on tenants from separate entrances was reported to include potential feelings of shame, anxiety and embarrassment which was linked to a loss of opportunity, lower social participation and negative impacts on health and wellbeing.

There was less consensus in relation to equal access to services and facilities in a mixed tenure building for affordable housing tenants. Several members cited concerns about the costs for CHPs as a reason for not requiring equal access. Suggested funding sources to meet the costs associated with unit by unit integration of affordable housing in mixed tenure buildings and the associated strata levies included the creation of a trust that could be drawn on by CHPs. Developers, government, CHPs and other owner occupiers are suggested as contributors to the trust. Shelter NSW noted the findings of their study which found that the market value of density bonuses was far greater than the cost of current state government requirements for affordable housing which would, in their assessment, make it feasible for developers to contribute to a trust³.

Representatives for the Community Housing Industry Association NSW and Architect Dr Michael Zanardo supported the separation of affordable housing in adjacent buildings to private market housing. Examples were provided of high quality buildings enabling different tenures in separate but adjacent buildings at Bowman Street Pyrmont:

³ <https://shelternsw.org.au/wp-content/uploads/2025/10/DensityDealsFINAL.pdf>



And Rowley Street Eveleigh:



Affordable housing buildings were viewed by several panel members as preferable to affordable housing units in mixed tenure buildings.

Housing for All Advisory panel members were also asked to rank the importance of different aspects⁴ of affordable housing. Affordability and security of tenure consistently ranked the highest. Access to shared services and facilities was the lowest ranked feature along with quality fixtures and fittings. One respondent chose not to complete the task preferring

⁴ Location, security of tenure, affordability, quality fixtures and fittings, apartment amenity (sunlight/fresh air/outlook), the neighbourhood, access to transport, access to education and employment, access to shared facilities in the building.

instead to note the right to housing involving: security of tenure, affordability, location, cultural adequacy, accessibility (for disadvantaged groups); availability of services, facilities, materials and infrastructure, and habitability (safety and adequate standards).

It was noted that the preference of affordable housing applicants and tenants had not been canvassed and would be integral to understanding the relative importance of the issue of shared entrances and equal access to services and facilities in mixed tenure settings. However, anecdotal evidence from CHPs consulted as part of this research, indicated that affordable housing applicants often prioritise affordability and access to transport over access to facilities like gyms and pools.

The Northsea development in Wollongong (pictured) was raised by two advisory panel members as an example of a floor by floor allocation of affordable housing in a mixed tenure development.



While there is a common entrance to the building, the social housing is on the ground floor, affordable housing on the middle floors and private market housing is on the top floors⁵. The unequal distribution of higher amenity levels by tenure type means social and affordable housing tenants live in units that are more exposed to noise, less natural light, have no views and less cross ventilation.

Strata Levies

A common practice in the CHP sector, if consulted on their preference when taking receipt of dwellings to be used as affordable housing, is to locate them in a separate building in the first instance or part of a building within a broader complex as a last resort. The main

⁵ <https://www.theurbandeveloper.com/articles/mixed-tenure-vertical-villages-the-future-of-urban-housing>

rationale for this practice is to enable the CHP to avoid high strata levies linked to the provision of luxury services and facilities.

Under strata legislation, each member of an owners corporation must pay levies. In turn they or their tenants share access to common areas, services and any on site facilities. It is difficult to predict what strata levies will be charged before a building is completed. The level of services provided will impact the levies. Levies will be charged based on each property's unit entitlement which is linked to the market value and in turn the size of their unit. A special levy may also be introduced if emergency or unplanned capital works are required and there are insufficient funds to cover these costs.

The owners corporation approves its budget by majority vote at the annual general meeting. The strata scheme divides the total approved budget among each member of the owners corporation based on their unit entitlement which sets the strata levies.

Using the industry accepted approach, strata levies which are commonly 1.2% of the market value of a property, would, in the City of Sydney, average \$13,248 per annum⁶. While features like a lift and cleaning are common in most medium to high density strata buildings, there are significant variations in the levels of services and facilities in buildings and therefore in strata levies.

The Watermans Residences in Barangaroo provides one of the highest levels of luxury service provision and facilities. The private market housing includes access to: 24 hour concierge, lifestyle services, delivery service, a private service kitchen, wine gallery, billiards rooms, indoor pool, steam room, spa, gym, wellness rooms, multi-purpose studio, outdoor pool, sky terrace, garden terrace and pool deck (pictured):

⁶ Based on average sale price of \$1,104,000 for strata dwellings in the latest rent and sales report https://public.tableau.com/app/profile/dcj.statistics/viz/Rentandsales_16849924917120/Rent?publish=yes and 1.2% estimated proportion of market value for strata levies: <https://www.lookupstrata.com.au/strata-fees/#:~:text=The%20size%20of%20the%20property,0.5%25%20of%20the%20property%20value.>



These amenities inform the high strata levies⁷:

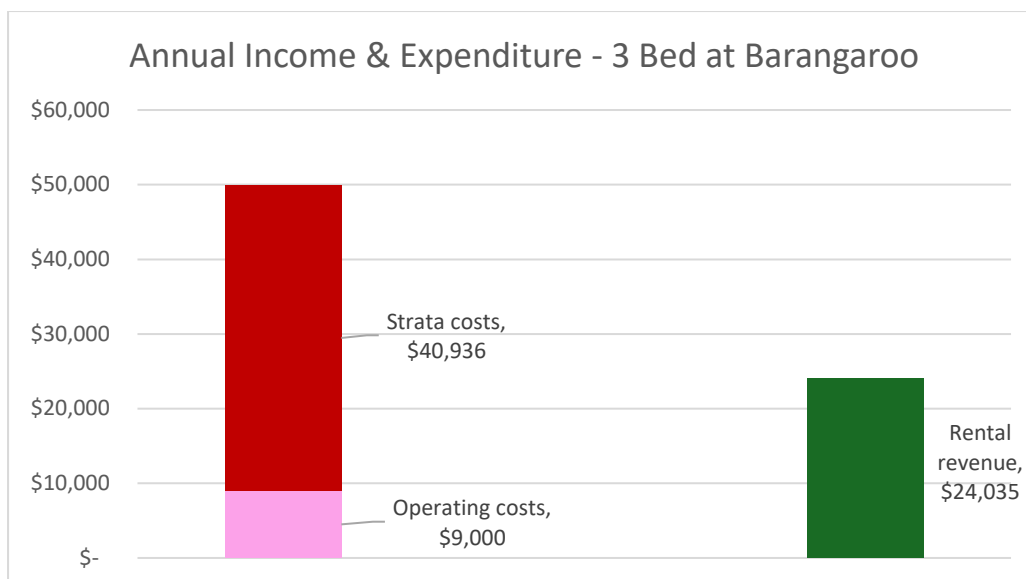
Number of bedrooms	Reported strata levies (per annum)
1	\$11,660
2	\$19,200
3	\$40,936

If affordable housing tenants had access to these facilities and services, this would come at a significant cost to the CHP.

Operating costs (tenancy and asset management) for CHPs are estimated at \$9k per annum per dwelling⁸. Coupled with the strata levies and then compared to the average rental income in affordable housing (using an income based rent capped at 30 of gross household income in affordable housing) is shown for a three bedroom unit at Barangaroo:

⁷ From sale property listings

⁸ https://www.unsw.edu.au/content/dam/pdfs/ada/city-futures/CHIA_phase_2_report_1.4.pdf



This graph shows a deficit of \$25,901 per annum for the CHP at Barangaroo if the CHP paid strata levies needed to provide equal access to services and facilities for affordable housing tenants. While the deficit is not as acute for one and two bedroom units (\$4,819 and \$7,800 respectively), it is still significant.

At present local and state governments do not provide funding that could be used for this purpose. Given rental revenue in affordable housing is insufficient to cover these costs, a CHP would need to cross subsidise the expense. It is unlikely there will be internal funding sources for this cost.

Housing Australia offer operating subsidies through the Housing Australia Future Fund (HAFF). However, it is unclear if there will be any future funding rounds of HAFF. Further, a bid involving subsidising access to luxury facilities and services may not be competitive with other bids for funding. And lastly, the funding is limited to 25 years and cannot be increased over time in line with potential increases in strata levies.

To enact the suggestion from some of the Housing for All Advisory Panel members to create a trust that CHPs could use to cover strata levies needed to provide equal access to services and facilities is a private property law issue and would require amendments to strata legislation in NSW. It is outside the remit of planning rules and the City of Sydney Affordable Housing Program.

Strata fee increases are reportedly significant and driven by increases in the cost of insurance, electricity, water, building and maintenance work⁹. Although there is no official publicly accessible data source on strata levies, anecdotal evidence quoted in an article

⁹ <https://www.abc.net.au/news/2023-07-03/strata-fee-rise-apartment-townhouse-owners/102547868>

published in 2024 suggests fees increased 15 to 20 per cent on average over the previous year, but by 40 per cent in some cases¹⁰.

Strata levies will escalate over time at a higher rate than revenue in affordable housing (statutory incomes, wages, Commonwealth Rent Assistance payments) which all increase incrementally. They can also increase unpredictably and sharply due to special levies for capital works and repairs.

CHPs are required to be financially viable at all times to comply with the national regulatory code which is needed to maintain their status as a registered CHP. Minimising exposure to high strata levies is consistent with financially responsible management given genuinely affordable rental charges (capped at 30 per cent of gross household income) are insufficient to fund high strata levies.

This conclusion is consistent with research from the City Futures Research Centre which found that: *“a separate lift core/entry aligned to a clear strata structure can be a fit-for-purpose governance and cost-control mechanism, ensuring affordable housing remains financially sustainable over the long term, without requiring low-income households to subsidise luxury building services and fees”*¹¹.

Consultation with Community Housing Providers

The CHPs on the distribution plan in the City of Sydney (City West Housing, St George Community Housing and Bridge Housing) were consulted. They indicate that they are experienced tenancy and asset managers with a strong track record of delivering high quality dwellings that are indistinguishable as affordable housing from the outside.

CHPs often build to a higher standard than private market housing because they retain the asset and therefore select higher quality materials that are robust and cost effective to maintain. This contrasts with most private market developers who build to sell.

The existing requirements for affordable housing in the City of Sydney Affordable Housing Program have been sufficient to guide the delivery of stand alone affordable housing to a high standard, indistinguishable from private market housing. The most recent example is shown here:

¹⁰ <https://www.realestate.com.au/news/strata-warning-for-unit-owners-as-hidden-fees-push-couple-out-of-home/>

¹¹ http://hdl.handle.net/1959.4/unsworks_48059



Another example is here:



A review of the affordable housing portfolio in stand alone buildings in the area indicates that some buildings have communal outdoor spaces, playground equipment and community rooms. None of the buildings contain pools, gyms or other high cost facilities or services. If the requirements for the provision of services and facilities between the different delivery modes of affordable housing were different, this would lack consistency and equity for tenants.

There is a CHP sector wide preference for monetary contributions to build stand alone affordable housing buildings over receiving affordable housing dwellings. When taking

receipt of affordable housing in mixed tenure buildings, there are significant concerns about the financial risk posed by paying high strata levies.

Conclusion

The City's existing planning rules and the Affordable Housing program have proven effective in delivering high quality tenure blind affordable housing through the distribution of monetary contributions.

Consultation with members of the Housing for All Advisory Panel has shown there are a range of views on the appropriateness of bans on separate entrances to access affordable housing dwellings in mixed tenure buildings. However, most members, including an experienced developer of residential and mixed use projects, cited concerns about the potential stigma of separate entrances and consider it appropriate to prohibit them. Changes to the City of Sydney Affordable Housing Program are recommended in response. This will be achieved through an addition to the publicly exhibited "Standards for Affordable Housing Dwellings" in the Program to ensure that separate entries are only to be provided to facilitate practical access needs. If separate entrances are used, they should be indistinguishable from one another, with no recognisable reduction in quality or appearance.

Research and consultation found that equality of access to services and facilities in mixed tenure buildings is not a key priority in affordable housing and would pose a significant risk to the financial viability of CHP management of this class of affordable housing, particularly in the context of income-based rents. Changes to planning rules and the Affordable Housing Program to require equal access to services and facilities are therefore not recommended. When a developer is delivering affordable housing under a voluntary planning agreement, the City expects the developer to consult with a CHP on the issue and satisfactory arrangements regarding the potential risk posed by strata levies to the viability of any affordable housing.

Item 6.

Summary of Applications to be Reported to the Central Sydney Planning Committee

File No: S042755-02

Summary

The purpose of this report is to inform members of the Central Sydney Planning Committee of development applications currently under assessment that are to be determined by the Central Sydney Planning Committee.

Recommendation

It is resolved that the subject report be received and noted.

Attachments

Attachment A. Applications to be Reported to the Central Sydney Planning Committee

Attachment B. Statistical Information about Applications to be Reported to the Central Sydney Planning Committee

Background

1. There are 326 development related applications, including 143 development applications under assessment. Other applications include applications to modify or review a determination, subdivision certificates, heritage works and footways applications.
2. The total value of all developments under assessment is \$618 million as of 28 April 2026.
3. There are 138 development applications that are to be determined under delegation or referred to the Local Planning Panel.
4. There are currently 5 development applications to be considered by the Central Sydney Planning Committee (CSPC) with a combined value of \$328 million.
5. The applications to be reported to the CSPC are detailed in Attachment A to the subject report.
6. Trend graphs showing application numbers and value of development proposed, as well as the average number of outstanding days of development applications to be considered by the CSPC at end of each quarter, are provided in Attachment B to the subject report. The graphs represent the period from fourth quarter of 2023/24 to the end of third quarter 2025/26.

Relevant Legislation

7. City of Sydney Act 1988

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

James Farrar, Information and Systems Officer

Attachment A

**Applications to be Reported to the Central
Sydney Planning Committee**

Development Applications to be considered by the Central Sydney Planning Committee

DA Number	Address	Lodged	Proposal	Cost \$m	Target meeting date
D/2025/942	4-6 Wentworth Avenue SURRY HILLS NSW 2010	03/10/2025	Substantial alterations and additions to existing heritage buildings at 4-22 Wentworth Avenue to deliver a mixed-use commercial development comprising active ground floor food and beverage uses, commercial office space on upper levels, rooftop plant and PV cells, and a basement/lower ground level incorporating a loading dock, parking, waste areas, end-of-journey facilities, and mechanical services. Proposed scope of works include construction of a tower addition atop 4-6, 8 and 10-12 Wentworth Avenue, a 2-storey podium addition extending atop 10-12, 14 and 16-22 Wentworth Avenue, and refurbishment of internal areas and podium levels. The application includes site amalgamation of the 5 existing lots into a single lot.	\$71.9M	14/05/2026
D/2025/920	216-220 Wyndham Street ALEXANDRIA NSW 2015	01/10/2025	Stage 2 application for demolition of existing structures, tree removal and construction of a 11-storey mixed-use building for the purpose of affordable housing and ground floor commercial uses, and associated land subdivision.	\$76.4M	25/06/2026
D/2025/944	224-228 Young Street WATERLOO NSW 2017	01/10/2025	Demolition of existing structures and construction of a 7 storey mixed-use co-living development and ground floor retail space. The proposal includes land dedication and public domain works.	\$71.6M	25/06/2026
D/2026/162	290-294 Botany Road ALEXANDRIA NSW 2015	26/02/2026	Concept development application for the demolition of existing structures and a concept envelope for a mixed-use development up to a height of RL 42.90 (8 storeys), indicative future retail and co-living land uses, vehicular access from Wyndham Street and 1 indicative basement level. The application is Integrated Development requiring the approval of WaterNSW under the Water Management Act 2000.	\$53.1M	20/08/2026

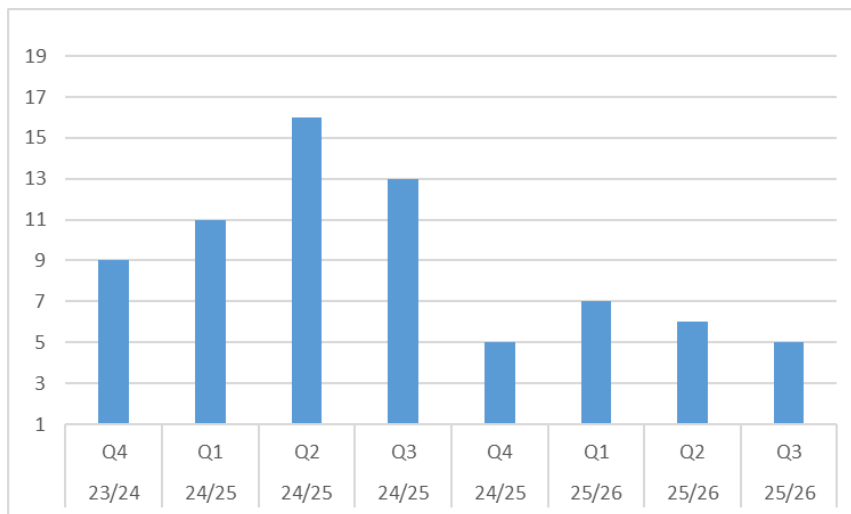
DA Number	Address	Lodged	Proposal	Cost \$m	Target meeting date
D/2026/304	420 Kent Street SYDNEY NSW 2000	08/04/2026	Demolition of all structures and site features, excluding the Genesian Theatre building with associated excavation works. Adaptive re-use of the Genesian Theatre building, and the construction of a sixteen-storey mixed-use building including 25 residential apartments, a food and drink tenancy, indoor recreation tenancy, basement car parking and a pedestrian through-site link between Kent Street and Clarence Street. The application is Integrated Development requiring approval of NSW Water under the Water Management Act 2000.	\$110.6M	22/10/2026

List as at 28 April 2026

Attachment B

**Statistical Information about Applications
to be Reported to the Central Sydney
Planning Committee**

Number of applications to be reported to the CSPC



Value of DAs under assessment to be reported to the CSPC (\$ billion)



Average age of DAs under assessment to be reported to the CSPC (total days)

