

Attachment A

Council assessment report

Development Application Assessment

Application Number:	D/2026/264
Site Address:	21-25 Codrington Street, Darlington
Proposal:	Alterations and additions to existing student housing accommodation building
Date of Lodgement:	3 April 2026
Cost of Works:	\$5,628,758.00
Notification:	7 April 2026 to 22 April 2026
Submission(s) (total):	0
Recommendation:	Approval subject to conditions
Officer:	Mia Music

Site and Surrounds

1. The subject site has a legal description of Lot 101 DP 1212817, Lot 103 DP 844695 and Lot 102 DP 1212817, commonly known as 21-25 Codrington Street, Darlington. It is rectangular in shape with an area of approximately 19,200sqm. It has a primary street frontage to Abercrombie Street and secondary street frontages to Codrington Street and Darlington Lane.
2. The site forms part of the University of Sydney's Darlington Campus. The subject DA relates to a 6-storey student accommodation building on site known as the Abercrombie Student Accommodation which includes a stepped podium to Abercrombie Street with three individual tower elements.
3. Specifically, the DA relates to a portion of the ground floor level of this building including an internal common area and adjoining eastern courtyard. This area is internal facing to the site and is not directly visible from Abercrombie Street.
4. The site is not a heritage item. It is adjacent to Golden Grove heritage conservation area (C18).
5. The surrounding area is characterised by a mix of land uses. Directly to the north and east is the H70 Belinda Hutchinson Building (formerly the Abercrombie Business School), to the west is Darlington Public School, and adjacent to the site across Abercrombie Street is a row of residential terraces.
6. A site inspection was carried out on 14 April 2026, and photos of the site and surrounds are provided below:



Figure 1: Aerial view of site and surrounds. Subject Abercrombie student accommodation building outlined in red.



Figure 2: View of site from Abercrombie Street facing east



Figure 3: View of site from Abercrombie Street facing west



Figure 4: View of front facade of Abercrombie Student Accommodation



Figure 5: Internal view of existing common room

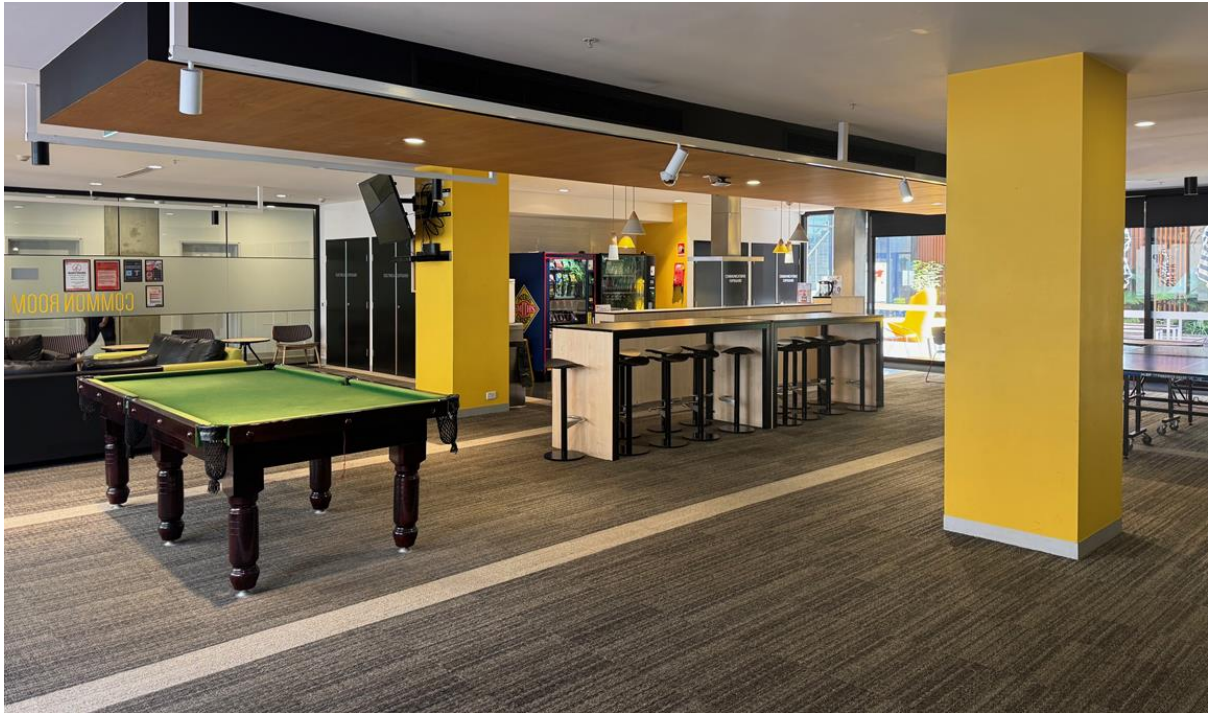


Figure 6: Internal view of existing common room

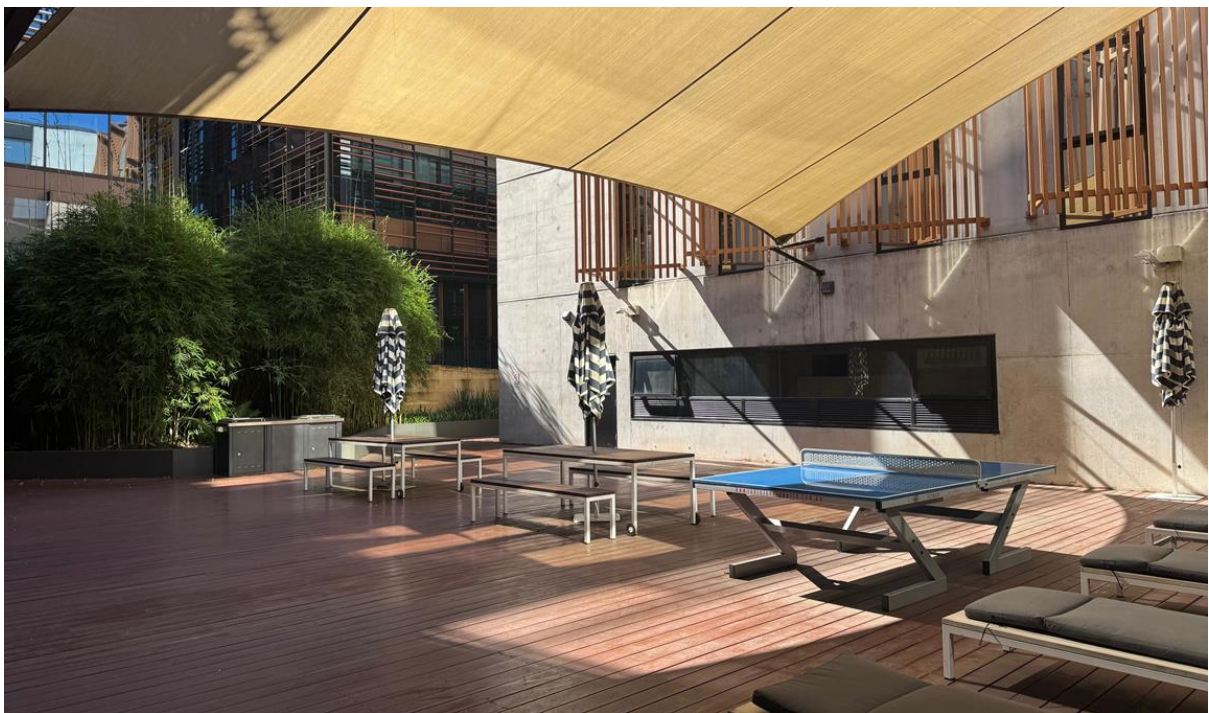


Figure 7: View of existing courtyard facing north



Figure 8: View of existing courtyard facing south

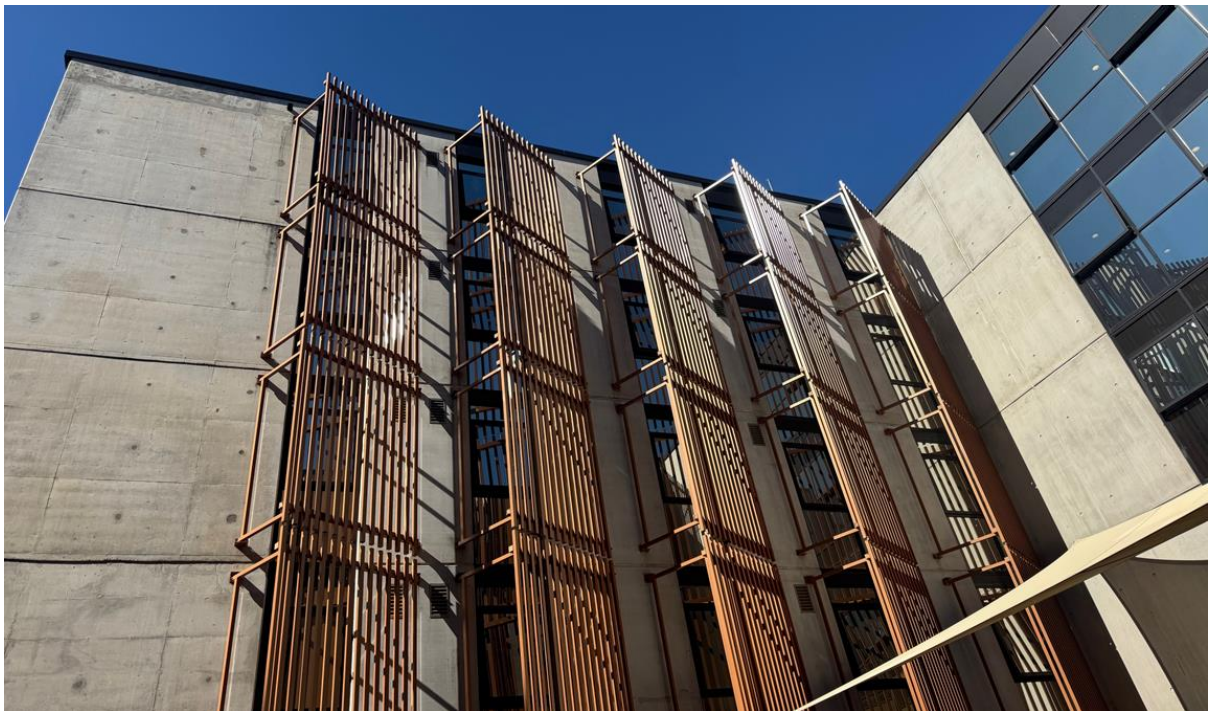


Figure 9: View towards roof



Figure 10: View of existing plant on roof

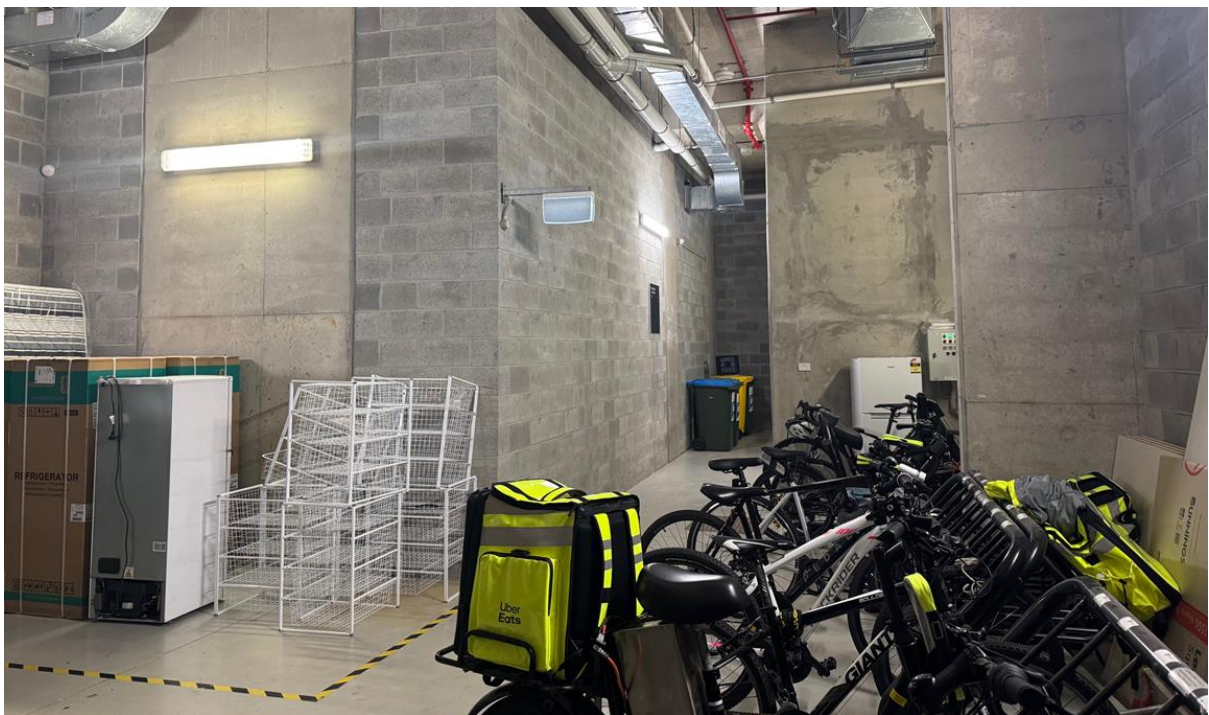


Figure 11: Existing basement including bike parking and garbage room

Relevant Background

Development Applications

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

- **MP07_0158** – Development consent was granted on 16 November 2012 by the Planning Assessment Commission under Part 3A of the EP&A Act for the broader Abercrombie Precinct. This approval included the construction of a student accommodation building comprising 188 beds.

The consent has since been modified on several occasions. Notably, Modification 3 approved a range of design changes to the student accommodation building, including an increase in capacity from 188 to 200 beds.

- **PDA/2025/272** – Pre-lodgement advice was issued on 21 January 2026 for proposed internal and external alterations to the student accommodation building including the construction of a new commercial kitchen and enclosed dining room of existing level 1 eastern courtyard. The advice identified the documentation required to be submitted with any future development application.

Amendments

8. Following a preliminary assessment of the proposed development by Council Officers, a request for additional information and amendments was sent to the applicant on 12 May 2026. Council requested the following:

- Additional information to demonstrate compliance with the Transport & Infrastructure SEPP and Sydney DCP, including confirming that students will retain adequate access to communal open space following the conversion of the courtyard to an internal dining hall
- An updated Statement of Environmental Effects (SEE) which addresses relevant design quality principles.
- Further details and plans relating to materials and finishes and waste management arrangements
- Floor area calculations to enable assessment of affordable housing contributions.

9. The applicant responded to the request on 2 June 2026 and 2 July 2026, with the submission of additional information including:

- An updated SEE which addresses the relevant SEPP design quality principles and Sydney DCP requirements, confirming that the existing western courtyard will remain available to all residents with no reduction in communal open space.

- Revised architectural drawings and an amended Waste Management Plan addressing Council's requests, including lighter cladding materials, retention of the dual waste chute system, replacement of the 1100L organics bin with 3 x 240L bins, and the retention of the bulky waste room.
- A letter setting out the University of Sydney's objection to the imposition of an affordable housing contribution under clause 7.13 of the Sydney LEP 2012, stating that the proposed development is a minor ancillary upgrade that does not increase student numbers or generate additional demand for housing.

Proposed Development

10. The application seeks consent for alterations and additions to the existing student accommodation building. The proposed works include the demolition of the existing ground floor common room, café, and courtyard, and the construction of a new commercial kitchen and enclosed dining room.
11. The commercial kitchen will be operated by an external provider, and the dining room will serve the existing student population only. Meals will be provided in two sittings, with a maximum of 120 students per sitting. The kitchen is expected to employ a total of 10 staff and will operate daily between 8:00am and 11:00pm.
12. The southern portion of the existing common room is proposed to be reconfigured with new furniture and kitchen joinery to enable students to continue preparing their own meals, ancillary to the commercial kitchen.
13. Associated works include modifications to the existing basement to accommodate revised bicycle and waste storage areas, as well as upgrades to building plant and services, including the installation of new rooftop plant equipment.

Assessment

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

Crown Development Applications

15. The subject application is assessed as a Crown development application as it is made by or on behalf of an Australian university within the meaning of the Higher Education Act 2001. Draft conditions of consent were provided to the applicant on 14 July 2026 to satisfy Section 4.33(1) of the EP&A Act.
16. On 27 July 2026, the applicant requested amendments to the draft conditions, including the removal of the affordable housing contribution condition and the food and drink premises conditions, and revisions to the conditions relating to mechanical ventilation and waste management.

17. On 31 July 2026, amended draft conditions were provided to the applicant. These incorporated all of the applicant's requested changes, except for the deletion of the affordable housing contribution condition (which is addressed in the Contributions section below).
18. Pursuant to section 4.33(1)(b) of the EP&A Act, a consent authority must not impose a condition of consent objected to by the applicant unless the condition is approved by either the applicant or the Minister. Section 4.33(2A) further provides that a Crown development application must not be referred to the Minister unless it is first referred to the applicable planning panel. Accordingly, the application must be referred to the Local Planning Panel (LPP). While Council does not support the removal of the affordable housing contribution condition, it is a matter for the LPP, as the consent authority, to determine the appropriate course of action under section 4.33 of the EP&A Act.

State Environmental Planning Policies

SEPP	Applicable	Compliance	Concurrence
Biodiversity and Conservation 2021	Yes	Yes	N/A
Housing 2021	Yes	Yes	N/A
Industry and Employment 2021	No	N/A	N/A
Planning Systems 2021	No	N/A	N/A
Resilience and Hazards 2021	No	N/A	N/A
Sustainable Buildings 2022 – Chapter 2	No	N/A	N/A
Sustainable Buildings 2022 – Chapter 3	No	N/A	N/A
Transport and Infrastructure 2021 – Chapter 2	No	N/A	N/A
Transport and Infrastructure 2021 - Chapter 3	Yes	Yes, refer to below for detail	Yes

State Environmental Planning Policy (Transport and infrastructure) 2021 – Chapter 3 Educational Establishments and Child Care Facilities

Part 3.52 – Campus student accommodation

19. The proposed alterations and additions to the campus student accommodation is permissible with consent in the zone pursuant to Section 3.52(1) of the SEPP.
20. The proposed development is acceptable when assessed against the design quality principles set out in Schedule 8, satisfying Section 3.52(3) of the SEPP, as discussed below.

Provision	Compliance	Comment
Principle 1 - context, built form and landscape	Yes	The proposed new dining room is located towards the rear of the site and will not be visible from the public domain.
Principle 2 - sustainable, efficient, and durable	Yes	The proposal involves an internal fitout and enclosure of an existing courtyard within the building, with design elements aligned to the building's orientation, incorporating solar panels and lightweight materials to support sustainability outcomes.
Principle 3 - accessible and inclusive	Yes	The proposed development will facilitate the provision of on-site catering to support the existing student accommodation population on site and is accessible.
Principle 4 - health and safety	Yes	The proposal delivers a new food offering to support student health. The retention of the western courtyard ensures that the provision of amenable outdoor space is maintained for students.
Principle 5 - amenity	Yes	The application is supported by a Noise Impact Assessment, which concludes that the operation of the proposed dining room and associated mechanical plant will not adversely affect the amenity of the on-site student accommodation or neighbouring properties. To ensure compliance, a condition of consent has been imposed requiring that both the construction (including appropriate sound insulation and specified glazing for the façade and roof) and ongoing operation of the development align with the recommendations and requirements outlined in the acoustic report.
Principle 6 - whole of life, flexible and adaptive	Yes	The proposed dining room may also be used for informal gatherings or meetings for the student residents.

Provision	Compliance	Comment
Principle 7 - Aesthetics	Yes	The proposed development will not be visible from the public domain and has been designed to respond to and integrate with the existing building.

Local Environmental Plans

Sydney Local Environmental Plan 2012

21. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 (the LEP) is provided below.
22. The site is zoned SP2, identified on the Land Zoning Map for the specific purpose of an educational establishment. The proposed development comprises alterations and additions to an existing campus student accommodation building, which is ancillary to the educational establishment use. Accordingly, the proposed development is permissible with development consent in the SP2 zone and is consistent with the objectives of the zone.

Provision	Compliance	Comment
4.3 Height of buildings	Yes	There is no prescribed maximum building height for the site. The proposed development maintains the height of the existing development, with the proposed plant being at the same height of the existing plant.
4.4 Floor space ratio (FSR)	Yes	There is no prescribed maximum floor space ratio for the site. The proposed development includes an additional 238sqm of gross floor area (GFA). This increase in floor area is considered acceptable given the additional floor area is confined entirely to the ground floor, is internally oriented within the site, and will not contribute to the building's perceived bulk or scale when viewed from the public domain.
5.10 Heritage conservation	Yes	The proposed development will not have unacceptable impacts on the significance of the adjacent heritage conservation area.
6.21C Design excellence	Yes	The proposed development exhibits design excellence.

Development Control Plans

Sydney Development Control Plan 2012

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

Provision	Satisfactory
2.3.5 University of Sydney and Royal Prince Alfred Hospital	Yes
3.11 Transport and Parking	Refer to discussion below.
3.12 Accessible Design	Yes
3.13 Social and Environmental Responsibilities	Yes
3.14 Waste	Yes
4.4.1 Boarding houses and Student Accommodation	Yes

Discussion

Bike Parking

24. The proposal includes a reduction in bike parking from 50 to 42 spaces. The draft amendments proposed for Section 4.4.1 of the DCP that are currently on exhibition prescribes bicycle parking rates for student accommodation as 1 per 5 rooms and 1 per 50 for visitors. The provision of 42 spaces is in accordance with this requirement and can be supported.
25. The existing bike parking is proposed to be replaced from horizontal rails to 2-tier dynamic racks to allow for other changes in the basement associated with the proposed development. The proposed bike parking design complies with the relevant Australian Standards (AS 2890.3), is located close to the lift access and is supported.

Notification

26. The proposed development was notified in accordance with the City of Sydney Community Engagement Strategy and Participation Plan. No submissions were received.

Financial Contributions

Contribution	Comment
Section 7.11 Development Contribution	The City of Sydney Development Contributions Plan 2015 does not apply as the proposal does not result in a net increase in population, as defined by the Contributions Plan. Under this Plan, the population yield for student accommodation is calculated based on the number of rooms (or keys). The proposed development does not increase the total number of rooms.
Section 7.12 Central Sydney Contribution	Not applicable.
Affordable Housing Contribution	Contribution payable, refer to below.
Housing and Productivity Contribution	Not applicable.

Affordable Housing Contribution

27. An affordable housing contribution is payable as:

- Section 14 of the Housing SEPP - there is a need for affordable housing
- Section 7.32(2) of the EP&A Act - discretion has been exercised to impose an affordable housing contribution condition
- Section 7.32(3)(a) of the EP&A Act - the affordable housing condition complies with all relevant requirements of Section 15 of the Housing SEPP
- Section 7.32(3)(b) of the EP&A Act - the condition is authorised to be imposed under Clause 7.13(1)(a)(ii) of the Sydney LEP 2012 and is in accordance with Council's Affordable Housing Program:
 - The proposal introduces an additional 238sqm of GFA to serve the existing student population.
 - 3% contribution at a rate of \$11,223.28 per square metre of total floor area (239sqm) = \$80,470.92 contribution payable.
- Section 7.32(3)(c) of the EP&A Act – the contribution imposed is reasonable.

Recommendation

28. The proposed development has been assessed under section 4.15 of the EP&A Act and is recommended for approval subject to the conditions of consent.

29. As the application is Crown development and the applicant has objected to a condition, the matter is required to be referred to the Local Planning Panel for consideration under section 4.33 of the EP&A Act. If the Panel determines that the condition should be imposed, the disputed condition must be referred to the Minister for determination and the development application deferred pending that decision. Alternatively, if the Panel determines that the condition should not be imposed, it may exercise the functions of the consent authority and determine the application in accordance with section 4.33(3) of the Act.
30. The undersigned declare, to the best of their knowledge that they have no interest, pecuniary or otherwise, in this development application or persons associated with it and have provided an impartial assessment.

Prepared by:



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Reviewed by:



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