

Attachment A

Summary of Submissions

Summary of submissions – Planning proposal – Policy and housekeeping amendments



Activities to support the consultation

On 7 and 11 December 2023, the Central Sydney Planning Committee and Council respectively, approved Planning Proposal – Policy and housekeeping amendments for public authority consultation and public exhibition.

The consultation period ran from 17 December 2024 to 14 March 2025. The following activities were undertaken to support the consultation:

- A webpage and survey were created for people to review the planning proposal and supporting documentation and provide their feedback. The webpage can be accessed at <https://www.cityofsydney.nsw.gov.au/policy-planning-changes/your-say-updates-planning-controls-related-greening-amenity-parking-design-excellence>.

The survey was open for feedback from 17 December to 14 March 2025. There were 2,500 unique page views during this period.

- The project was included in the December edition of the Sydney Your Say eNews sent to subscribers. This provided a link to the webpage and survey. An image of the post can be found at Appendix A.
- Notification letters were sent to affected property owners. In total, 5,011 letters were sent, examples are shown at Appendix A. Letters were sent to property owners who were subject to changes included in the following amendments:
 - Amendment 4 – Protection of sun access to Gunyama and Cook and Phillip Parks
 - Amendment 11 – Removal of Opportunity floor space
 - Amendment 12 – Heritage floor space
 - Amendment 15 – 257 Sussex Street, Sydney
 - Amendment 18 – Integration Areas

A notification letter was sent to property owners and occupiers, informing them of the proposed changes to some late night trading precincts, proposed in the following amendment:

- Amendment 13 – Late night trading
- Social media posts were featured on the City's Facebook and Linked In profile, dated 6 February 2025 linking to the consultation page. An example can be found at Appendix C.
- The Planning Proposal was referred to the following agencies for consultation and comment:
 - NSW Department of Creative Industries, Tourism, Hospitality and Sport;
 - NSW Environment Protection Authority;
 - Placemaking NSW;
 - Transport for NSW;
 - Government Architect NSW;
 - NSW Land and Housing Corporation;
 - Heritage NSW;
 - Sydney Airport Corporation; Department of Infrastructure, Transport, Regional Development, Communications and the Arts; and
 - Civil Aviation Safety Authority
- Community groups and other key stakeholders, including community housing providers and Asthma Australia were directly advised of the public consultation by email.

What the community told us

We received a total of 85 responses. 16 responses via the online survey and 69 by email, and 7 government agency responses.

Of the responses, 14 submissions were received from the development industry and related groups; 16 submissions were provided from not-for profit and stakeholder organisations, as well as local resident groups; and 55 submissions were received from individuals, including responses to the online survey, email and by proforma email.

The majority of submissions provided comment and feedback on the proposed amendments, highlighting particular issues. Of the submissions received, the issue that received the most responses was that for DCP Amendment 8A – Indoor air quality, which received 35 proforma submissions and 10 responses from individuals and stakeholder organisations.

Issues raised in submissions have been summarised in this report to which the City has prepared a response to address it. Submissions have been categorised differently depending on who it was received from and whether it was raised several times.

The submissions have been categorised as follows:

- Issues raised by public authorities and government agencies;
- issues raised by more than one submitter, grouped by the issue.

Where an issue has been raised by more than one submitter, it is discussed in Table 2, grouped by the issue. Whereas if an issue has only been raised by one submitter, it is included in Table 3, where it has been raised by an individual member of the public, a stakeholder organisation, or a community group. Table 4 details submissions received from industry groups and organisations.

Issues raised in submissions are summarised into the following tables:

Table 1 – Issues raised in submissions

Table 2 – Individual, stakeholder and community group submissions

Table 3 – Responses from industry groups and organisations.

Table 4 – Responses from government agencies

Table 1: Main themes raised in submissions

Submitter	Submission	Response
<u>Indoor air quality – DCP Amendment – 8A</u>		
Healthy Futures	The amendment for electric indoor appliances is supported. However, hot water systems must be included– the most gas-intensive appliance, that contributes to air pollution and health problems.	Broad support for the draft controls is acknowledged. Submissions emphasise the importance of improving indoor air quality by removing pollution sources like gas cooktops, ovens, and heaters.
	By excluding hot water systems, the chance to make new homes healthy and safe is missed. Fully electric homes are cheaper; help reduce emissions; make the City a climate change leader.	It is noted that the submissions generally request the City go further, including to ban outdoor gas heaters, and extend to require existing dwellings to electrify. The draft controls form the first part of the City's broader investigation into electrification. They are supported by established research and community consensus on the health impacts of gas use for cooking and space heating.
Asthma Australia	We strongly support the proposal. Electrification contributes to a healthy home by removing an air pollution source. We also recommend: – prohibit wood heaters in all new dwellings – expand scope to include existing dwellings	The NSW Productivity and Equality Commission's March 2025 paper "Decarbonising buildings, industry and waste" found that eliminating most gas use in buildings is essential to achieving net zero. It supports the use of local planning tools, such as development control plans, to limit new gas connections. The Commission highlights the private and public benefits of electrification, including lower energy bills, better health, and improved equity outcomes for low-income households. It also notes the high cost of future retrofits and the long-term burden of allowing new gas connections.
	Support gas ban in new buildings given health and cost saving benefits. This should extend to assist existing buildings transition to electric through the City's Smart Green Apartments program. Many renters would benefit from this switch.	<u>Discussion paper – All Electric New Development</u> As part of the broader investigation, the City sought feedback on a discussion paper from 31 March 2025 – 5 May 2025, which explored extending the controls to gas-free hot water systems and other types of development. That Discussion Paper is the subject of a concurrent report to Council, along with additional draft DCP controls for public exhibition which extend to gas-free hot water systems in residential development and all systems in certain non-residential buildings.
350org; Better renting; CAHA; Doctors for the Environment; Glebe society; Rewiring Australia	Pleased to see leadership to ensure new builds will reduce greenhouse emissions. The changes must be extended to gas hot water systems.	<u>Existing buildings</u> The Discussion Paper considers electrification in existing buildings. The City cannot mandate changes to existing buildings, as the planning framework regulates new development and alterations only. Once a building is established, appliances fall outside of the scope of our planning controls.
	Energy bills would be cut, important given recent cost of living and the proportion of vulnerable households in the LGA. Given the evidence supporting all-electric homes, it is not clear why hot water appliances were excluded.	The City continues to develop and enhance locally focused programs, grants and initiatives to assist residents, businesses and strata bodies in electrifying, such as our Smart Green Apartments Program and CitySwitch.
Newtown Climate	Developer choices' impacts residents– exposure to gas, financial stress and climate impacts. Many renters prefer electric appliances over gas. Other LGAs have banned gas appliances in new buildings, the City should do the same. We look forward to controls that ensure electric appliances for new builds and renovations.	<u>Wood heaters</u> The Discussion Paper focuses on gas use. Wood heaters present different challenges and are not part of this investigation.
	We support the amendment, with environmental and health benefits. We note hot water heating is excluded, which will result in reduced energy affordability and increased emissions. Climate change is already having widespread impacts on the health of individuals and communities across.	<u>Impacts on development plans</u> Stakeholders, including the Property Council of Australia, acknowledged the importance of
NSW & ACT Royal Aust. College of General Practitioners	Support the provisions which ensure appropriate power supply and appliances are installed at construction.	
	Not extending the provisions to communal and external gas appliances and permitting households to install their own new gas appliances in future is a missed opportunity.	
Green Building Council	The Green Building Council encourages the City of Sydney to develop policies for full electrification of new and existing homes and buildings.	

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Urban Taskforce	The disallowance of gas ovens and heating has significant ramifications to development feasibility and may require additional substation requirements with a corresponding loss of frontage and yield. This is not supported.	electrification for achieving net zero emissions but emphasised the need for transitional arrangements. <u>Recommended amendments</u> To enable projects to plan and deliver suitable energy systems upfront the City is proposing a delayed commencement of 1 January 2027 to the indoor air quality controls for new residential development. This is consistent with the outcomes of the Discussion Paper consultation and the draft DCP controls which are part of the concurrent report to Council.
Meriton	The amendments are essentially a blanket ban on gas for all new residential development in the City. We strongly object to the tightening of planning controls beyond State and National standards without incentives or compensation, as well as the removal of flexibility. We request that the City not proceed with amendments which will make it more difficult and costly to deliver housing in the LGA.	A revision to the objectives of the draft controls is proposed to focus on improving health outcomes by reducing exposure to these pollutants.
<u>Heritage floor space scheme – LEP Amendment 12</u>		
Memocorp	This amendment is supported, as it provides flexibility for upgrades to services, while ensuring vital heritage values are preserved. Important for the upkeep and heritage value of Railway House.	The HFS Scheme has operated since the 1970s to incentivise conservation of heritage buildings in Central Sydney. One requirement to benefit from this scheme is for a covenant on title to prevent increase to the existing GFA and height of the building.
Arcadia	<u>Gross floor area flexibility</u> Support for the changes, particularly the proposed Gross Floor Area flexibility. The building's Heritage Floor Space deed limits its ability to improve its commercial viability. As part of planned building upgrades a new end of journey facility is proposed, supporting the City's sustainability and active transport goals. To serve the reasonable needs of the building occupants it will exceed the 200m ² limit of the amendments. The submission notes that in many circumstances 200m ² will not be enough flexibility to allow adaptive re-use while encouraging conservation. Request that the proposal is amended to allow for a maximum of 5 percent, or 300m ² , whichever is the lesser.	<u>Gross floor area flexibility</u> The exhibited amendment proposed to allow an additional 5 percent or 200m ² of GFA, whichever is the lesser, for buildings with HFS awards to enable minor works to support adaptive re-use, as long as this does not adversely impact the building's heritage significance or increase building height. The requested change to a maximum of 5 percent or 300m ² , whichever is the lesser, is supported. Research shows commercial tenants are demanding quality office spaces with better facilities, known as 'flight to quality'. The change will help larger heritage buildings meet tenant's needs and maintain Central Sydney's competitive advantage, while protecting the heritage significance of our buildings.
Heritage building owner	<u>Heritage floor space award before conservation works</u> The changes fail to address promotion of conservation works where the owner does not have funds available. This should be changed where it can be shown that funds are required to preserve the heritage site. Our building needs substantial conservation work and there is no large commercial owner. Council can only grant transferable floor space for heritage sites after works have been completed. We submit the solution to allow Heritage Floor Space to be awarded prior to conservation works have been undertaken to fund the necessary works.	For larger heritage buildings, 200m ² is a very small proportion of a building's GFA, as shown in the following examples: – Qantas House – 200m ² equals 1.6 per cent of 12,124m ² gross floor area – 44 Martin Place – 200m ² equals 1.7 per cent of 11,771m ² gross floor area. 300m ² is more likely to be a meaningful quantum of additional gross floor area to support adaptive re-use of larger heritage buildings. It still remains a small proportion of a larger buildings gross floor area - around 2.5 per cent in the examples above. Any increase in building height to accommodate the additional GFA is not permitted and any proposal eligible for this increase must consider the heritage impact and be consistent with an approved conservation management plan. For smaller buildings the 5% limit will still apply.
Christ Church St Laurence	<u>HFS calculation formula</u> The changes are generally supported as they allow some realisation of the value of the site. The ability to add a small amount of floor space addresses a fundamental obstacle with the current scheme. There appears to be significant discrepancies between what the current policy sets out and how the	<u>Heritage floor space award before conservation works</u> The scheme has always required conservation works be completed before an HFS award is registered and sold. Changes to this requirement are not supported.

Submitter	Submission	Response
	City applies the policy. Greater clarity over this and calculation of HFS is needed. The amendment and LEP definition sets out that 'gross floor area' is the aggregated floor area of all floors. This differs to how the City currently applies the scheme as floor space is taken to be the 'site coverage' of heritage listed buildings, divided by 2, which excludes other levels.	Staged HFS awards are an option and allow for a percentage of conservation works to be completed, allowing for a similar percentage of the HFS award to be registered and sold. This then helps fund the remaining conservation works, which when completed, allows the remaining percentage of HFS award to be registered and sold. No change. <u>HFS calculation formula</u> This amendment does not include changes to the HFS award calculation formula. A recent amendment in March 2023 changed the formula for calculating HFS for non-rateable properties, such as churches, to be the same as rateable buildings. The formula for calculating HFS is half the site coverage of the heritage building multiplied by the mapped Floor Space Ratio for the site. No change is proposed. <u>Recommended amendments:</u> The draft provisions have been updated to amend the additional allowable GFA to 300m².
Parking – LEP Amendment 3 / DCP Amendment 4		
Property Council of Australia	<u>Residential</u> The proposed controls do not recognise the parking needs of unique development types. The current rates provide sufficient flexibility. The changes are not supported by sufficient evidence. Reductions for 2-bed units and studios will impact customer choice and therefore feasibility for new apartments. <u>Hotels and serviced apartments</u> For hotels, there is 50 percent and 33 percent reduction in parking for Central Sydney and LGA, respectively. Key concerns: – demand patterns for different hotel types; – increased competition for off-site parking; – conventions, and business travel; and – disruptions to local streets and traffic flow as other parking alternatives are sought.	<u>Residential</u> The revised residential parking rates are informed by analysis of car ownership patterns in the 2016 Census and mapped Land Use and Transport Integration (LUTI) category. This ensures harmonisation of parking with actual demand, minimising overprovision and associated impacts. The objectives of the maximum parking controls and this update extend beyond peak hour traffic generation. Higher levels of car ownership and use have many negative externalities. Only where the current parking rates are higher than average car ownership, have the new rates been revised. This ensures rates meet demand for car ownership and parking.
	<u>Residential</u> The reduced parking rates are not supported, as the City already has one of the lowest rates in NSW. Low rates may be appropriate where transport is good, however onsite parking must cater to resident's needs and some destinations require car use. <u>Hotels and serviced apartments</u> Reductions to hotel/serviced apartment parking rates will have adverse economic impacts as many guests to the area require parking. <u>Child-care centres</u> Existing provisions for childcare centres permits pick up and set down spaces on top of other spaces which are for staff. The additional pick up and set down spaces are essential to minimise adverse amenity impacts and should not be changed.	<u>Hotel and Serviced apartments</u> The existing parking rates for hotels and serviced apartments are the same for the entire local government area. Unlike other parking rates, they do not change depending on accessibility. The revised rates introduce location based criteria, using the PTAL maps to determine public transport accessibility. The revised rates are slightly more restrictive for the medium and high tier of accessibility, and slightly less restrictive for the lowest tier of accessibility, compared to the current rates. The revised rates were informed by a review into recent approvals of hotels and serviced apartments in the City. This review found that hotels in the Central Sydney area typically do not provide any on-site parking. Therefore, the revised rates introduced a new Central Sydney category with a more restrictive rate.
Urban Taskforce	<u>Residential</u> The parking reductions are not supported. Applying them to peripheral suburbs with low transport access does not meet residents' needs. Parking does not	However, this review did not distinguish between hotels and serviced apartments. On further review, serviced apartments in Central Sydney typically do

Submitter	Submission	Response
	influence commuting choices or increase peak-hour traffic, as many shift-based roles require a vehicle. Limiting parking forces entire cohorts of residents from the LGA. Developers would avoid providing parking if they could, yet demand remains strong. <u>Hotels and serviced apartments</u> Reducing hotel and serviced apartment rates is economically damaging and may affect tourism, making Sydney less competitive. Parking drives higher occupancy and room rates and provides an additional revenue stream for hotels and serviced apartments. It supports the feasibility of these projects. A balanced approach should be adopted to help meet the needs of residents and economic realities of the accommodation sector.	provide some level of parking. This aligns with the different offering, as serviced apartments offer longer term stays to a different market segment than typical hotels. Therefore, a post-exhibition amendment is to apply the Central Sydney specific rate only to hotels and motels, while serviced apartments would be subject to the highest accessibility PTAL rate. <u>Childcare Centres</u> The current parking controls for childcare centres are separated between staff parking in the LEP, and pick up and drop off parking in the DCP. The amendment as exhibited would have removed the extra pick up and drop off parking available under the DCP. This was not intended and would result in an unjustifiable reduction in parking at childcare centres. Therefore, the amendment has been removed and the existing parking controls in the LEP and DCP will remain as they are currently in force.
City West Housing	The parking rate reduction is supported, aligns with sustainable urban planning principles and supports affordability. <u>Visitor parking and accessible spaces</u> Clarification is needed on the changes to visitor parking and the minimum ratio for accessible parking spaces. The changes could be read as requiring all visitor spaces to be accessible. <u>Bicycle parking</u> We request a merit-based approach to bike parking. Our observations indicate these areas are under-utilised and do not suit other forms of wheeled transport. Bike parking clashes with locations that could support more active uses if a merits-based approach was applied.	<u>Visitor Parking and accessible spaces</u> The amendment to visitor parking does not require all visitor spaces to be accessible parking. No change to accessible parking provisions is proposed, however the ambiguous wording is noted and has been amended. <u>Bicycle parking</u> The proposed amendment supports flexible spaces for various active transport and mobility devices. It also allows a more efficient distribution of bike parking spaces with less space requirement for the same number of spaces. No change to the draft provisions is proposed.
Design excellence – LEP Amendment 8 / DCP Amendment 11 / draft Competitive Design Policy		
Property Council of Australia	Support the simplified and clarified competitive design process. Extending the bonuses to height and FSR incentivises innovation and provides flexibility. We recommend that the juror's obligation to consider internal functionality or development feasibility is included. <u>Less onerous competitive design processes</u> Opportunities for bespoke processes should be explored, including single competitions for larger projects and design review panels.	Support for simplification, raising of the competition trigger to 35 metres outside Central Sydney, and increased flexibility for height and FSR is noted. <u>Less onerous competitive design processes</u> These amendments do make the process less onerous. They streamline the approval process, reducing the number of competitive design processes and concept applications; and applies the bonus to both additional floor space and building height. This offers flexibility for a greater range of design solutions and offsets design competition costs. As part of this review, the City has included a bespoke process for Community Housing Providers.
Meriton	Support for the raising of the trigger for a competitive process and for the flexibility to be awarded 10 percent additional height and FSR. <u>Less onerous competitive design processes</u> Removing the design alternatives process requires all qualifying developments do a full competition and will increase costs and delays. Reforms should focus on streamlining approvals to improve certainty. However the City's multi-stage planning process makes the delivery of housing inefficient and uncertain and should be scaled back We recommend:	<u>Remove or reduce competitive design requirements</u> Design competitions allow for the exploration and testing of multiple opportunities to improve design outcomes. Supported by experts, they can provide solutions efficiently and effectively. They are accompanied by a 10 per cent increase in floor space and height. Removing requirements for design competitions would remove the opportunity for the 10 percent additional floor space and height and reduce overall floor space for housing development.

Submitter	Submission	Response
	– design competitions should be removed per Productivity Commission's advice– or a trial period without competitions to drive housing; – no design competitions for Tier 1 developers using qualified and experienced architects; – the competitive design process should be further relaxed; – allow developers to change architects should they not meet requested timeframes; – raise height trigger outside of Central Sydney to 45m and include rooftop elements; – do not extend competitive design processes to existing building refurbishments; and – remove expert requirements for sustainability and landscaping on design competition juries.	<u>Other recommendations:</u> <u>Competition juries and internal functionality of projects</u> The Competitive Design Policy requires all jurors have expertise and experience in design and construction, as well as urban design and architecture credentials, to expertly assess proposals against planning, design and commercial criteria set in the competition brief. Proponents can nominate jurors with experience in construction and design feasibility as part of that skillset. <u>Removing the design competition architect</u> The winning architect is required to be retained to ensure the design integrity of a winning scheme is protected through to the completion of the project. Development consents include a mechanism to allow changing of a competition architect in situations of underperformance. No change to this requirement is proposed.
Urban Taskforce	<u>Make competitive design processes less onerous</u> The process should be less onerous. Making all qualifying developments do a full competition by removing the design alternatives process will increase costs and delays. <u>Remove or reduce competitive design requirements</u> Reforms should focus on streamlining approvals to improve certainty. We recommend the following: – restructure competitions to be a less onerous; – remove competitions for Tier 1 developers and experienced architects (i.e. TOD sites); – provisions to flag architects delaying housing supply through a swift mechanism; and – do not extend processes to redevelopment of existing buildings.	<u>Raising competition height threshold further</u> The competition height threshold outside of Central Sydney is being increased from 25m to 35m– measured at the top-most point of the building in accordance with the definition of height in Sydney LEP 2012, inclusive of communal rooftop elements proposed in this proposal. Raising to 45 meters outside of Central Sydney has not been explored by this proposal and is not supported at this time. No further change proposed. <u>Building refurbishments</u> Refurbishment of large buildings can have significant impacts, of the same scale as new buildings. The competitive design process offers a process to explore and test multiple opportunities to improve design outcomes. This only applies to buildings which also meet the other height, floor space, site size and CIV triggers in Sydney LEP.
City West Housing	The amendments will help fast track the planning process. The alternative design process for CHPs is supported, ensuring design quality and helping the efficient delivery of affordable housing. <u>Affordable housing alternative process - in perpetuity</u> We request clause 17.1 of the City's draft Competitive Design Policy is amended to remove 'in perpetuity' as it further restricts an already highly legislated organisation. It creates complications when revaluating asset portfolio.	<u>Affordable housing alternatives process – in perpetuity</u> Updates to the Competitive Design Policy include an optional alternative design review process, in lieu of a design competition for eligible social and affordable housing. To be eligible for the alternative process projects need to be by a Community Housing Provider and be genuine long-term affordable housing, rather than for a limited period before reverting to market housing. For this reason the draft Competitive Design Policy included the qualifier that the affordable housing had to be provided 'in perpetuity'.
Memocorp	These amendments are supported. Many of our buildings undergo refurbishments, and allowing for design excellence as an option will encourage design which benefits both the public and tenants.	On consideration the City agrees that 'in perpetuity' is not required in this circumstance. To achieve a similar effect, the requirement will be amended to require an eligible Community Housing Provider to be a not-for-profit organisation. <u>Recommended change</u> – replace the requirement for the affordable housing to be provided 'in perpetuity', with a requirement that it is developed by a not-for-profit Community Housing Provider.

Submitter	Submission	Response
<u>Flexible and adaptable dwellings – Livable Housing guidelines – DCP Amendment 2</u>		
Property Council of Australia	The additional regulatory burden will have a negative impact on housing supply. We recommend further consultation to develop policy to incentivise liveable housing. Floor space incentives could be used to encourage livable housing.	<u>Additional cost of construction</u> The Discussion Paper prepared by the NSW Building Commissioner in support of its review of Livable Housing requirements found that requiring apartments to be designed to Livable Housing Design Silver Standard would increase the cost of delivery by 0.8 percent. This is considerably short of the estimate of 10 to 15 per cent quoted by the Urban Taskforce in their submission.
Meriton	Meriton consistently delivers 20% of apartments at the Silver Level design under the Livable Housing Design Guidelines, exceeding current DCP and NCC requirements. The proposed increased requirements to 100% Silver Level and up 15% Platinum Level will see significant increased cost and reduced yield in apartment developments. It is recommended any additional controls are delayed allowing NSW to review its overall requirements for LHD Guidelines under the NCC	The Urban Taskforce cite increased costs of parking provision to accommodate accessible parking spaces as a major factor, however the draft DCP does not propose additional parking requirements for Silver and Platinum standard apartments, either in number of spaces per apartment, or the design of those spaces. <u>Yield reductions due to increased space requirements</u> The internal space requirements of Silver standard apartments is capable of being adequately accommodated within an ADG-compliant apartment through good design.
Urban Taskforce	This is a dramatic and excessive change and is not warranted to meet future aging demographics. There appears to be no demographic or cost-benefit analysis to support the amendment. We note that while apartment conversions are rare, many members deliver stock at the Silver or Gold Levels, in line with the NCC and ADG. This change will increase apartment construction cost by 10-15 per cent (or \$65,000 to \$97,000). The main cause of this will be increased car park space requirements, fitting only two spots between structural columns instead of three, and requirements for additional parking basements. It will significantly reduce yield due to design specifications, consultation, documentation and compliance requirements. Other states may have adopted these controls however they do not have the same number of apartments for new dwelling supply as Sydney. Such standards should be limited or left to market demand to inform these decisions. But mandating such prescriptions is cost prohibitive. We recommend the Livable Housing Design guidelines are removed from the DCP, or at least no change pending the outcome of the NSW Building Commission's Discussion Paper.	The space requirements for Platinum standard are lower than those for 'Australian Standard (Adaptable Housing)', with a lesser clearance required around bathroom doors. There is no gold standard requirement as part of this proposal. <u>Supporting research and data</u> It is widely accepted that Australia's population is aging. The NSW Building Commissioner's discussion paper on livable housing standards notes that by 2061, 25 per cent of the population of NSW will be over 60, and that to future-proof NSW housing stock this cohort will require housing that meets the silver standard. The City's Inclusion Disability Action Plan and Housing For all Strategy note that more than 80% of the local area's population live in apartments, the population is aging, and that 20 per cent of the Australian population lives with disability. In its submission to the NSW Building Commissioner consultation on Livable Housing Standards, the NSW Ministerial Advisory Council on Aging provides strong support for adoption of silver standard for all dwellings.
Planning Studio	Gold and platinum have increased spatial requirements which in general require an increase in apartment sizes and work against affordability.	<u>ABCB Livable Housing Design Standard</u> City West Housing recommend referencing the ABCB Livable Housing Design Standard as a more appropriate standard for accessible dwellings. Upon review, the City agrees with this recommendation and the draft DCP has been updated to reference the ABCB Standard.
City West Housing	We support measures to improve accessibility and aging in place. Our design guides require all dwellings meet the Australian Building Codes Board Livable Housing Design Standard (ABCB). We are concerned about referencing the LHD over ABCB standards. It is our opinion 'silver level' benchmarking is not included in the DCP. The NSW	<u>Platinum or adaptable standard.</u> As exhibited, the draft DCP introduced the LHA Platinum Standard requirements to replace the existing requirement for adaptable dwellings. In their submission, City West Housing suggest this is more onerous to deliver than the Australian Standard adaptable dwellings.

Submitter	Submission	Response
	Government will likely adopt the ABCB standards, hence the LHD standards will lead to confusion. The Platinum LHD requirements to replace adaptable dwelling provisions are excessive and will result in the delivery of less housing due to significant additional space requirements. Our experience suggests 'Silver Level' is suitable in most circumstances and implore Council to reconsider the appropriateness of the standard.	Since this draft DCP was put forward, Livable Housing Australia have decided to wind-up operations and will no longer exist as an organisation after June 30 2025. As a result, the Livable Housing Guidelines will not be updated or maintained. Given the uncertainty this brings for the currency of the guidelines into the future, the proposal to adopt the Platinum Standard instead of the Australian Standard for Adaptable Housing will not proceed. The practice of requiring 15% of all apartments as adaptable apartments consistent with Australian Standard (Adaptable Housing AS 4299) in larger developments will remain.
Flexible and adaptable dwellings – Dwelling mix – DCP Amendment 2		
Property Council of Australia	We advocate for sensible housing delivery policy that ensures a diversity of dwelling types and are concerned this will impact feasibility and stifle design. The current controls work as intended without being overly prescriptive. We recommend Council focuses on flexibility given changed market conditions, noting it is in the interest of developers to respond to changing demographics and community needs.	Increasing the delivery of 3 bedroom apartments is important in ensuring families with children are provided with sufficient options to choose apartment living and remain in apartments as the children age. Currently, families in our local area tend to move from apartments as their children grow older, with some needing to move further away from jobs and other services. More family-friendly 3 bedroom apartments will encourage more families to choose apartment living in the area and allow them to stay there longer.
Meriton	The draft controls will lead to increased costs and reduce yields. The current approach is a range, which is more flexible. Removal of this flexibility is not supported. There appears to be no underlying demographic analysis to justify this substantial change. Determination of the appropriate unit mix is better left to the developers, than prescriptive controls. Delivering the right mix to meet demand is a key part of ensuring a successful feasible project. It is recommended dwelling mix controls be deleted from the DCP entirely. The controls should be relaxed, not made more rigid.	The increased minimum of 3 bedroom apartment mix of 20 per cent is not inconsistent with development outcomes, where typically 15 per cent of apartments are 3 bedrooms. These controls seek to ensure a diverse range of dwellings are delivered to support families with children in living close to centres, including Central Sydney. As such, different ranges for different areas are not proposed. No change to the revised dwelling mix is proposed. <u>Flexible range is preferred</u> While expressed in the draft DCP as a maximum for 3-bed dwellings and a minimum of 3-beds and 1-beds/studios, in effect they operate as ranges. For a minimum of 20 per cent 3-beds is actually a range of 20-100 per cent.
Urban Taskforce	Our preference is for greater flexibility in dwelling mix to allow developers to meet market demands, which allows developers to accommodate market demand without conflicting with any provisions. While it is true that families seek appropriate housing for their children's needs, the cost of additional GFA is the key factor in prohibiting most moves to a larger dwelling. That is why families typically move to an area with larger homes which are within their financial means. The City should relax the apartment mix controls to allow new stock on a site-specific, merit basis.	The draft DCP has been updated to express the dwelling mix as a range. <u>Community Housing Providers are exempt</u> The submission from City West Housing is noted. Community Housing Providers are exempt from this provision in the DCP and as such, it does not apply to new CHP developments.
Planning Studio	While dwelling diversity is supported, a minimum 15 percent requirement (down from 20 percent) for three bedroom dwellings seems more appropriate for a Central Sydney site.	
City West Housing	The draft provisions substantially increase the proportion of 2/3 bed apartments at the expense of studio and 1 bed apartments. Our resident cohort is mostly smaller households	

Submitter	Submission	Response
	While we note affordable rental housing is not subject to proposed provisions, however we wish to express our concerns and would like to ensure that the exceptions remain in place.	
Flexible and adaptable dwellings – Dwellings suitable for families with children– DCP Amendment 2		
Meriton	Requirements for dwellings on communal open space floors to have 3 or more bedrooms, two of which to be 12m² in size conflicts with the ADG. This will increase costs, reduce yields and will force the delivery of uniform apartment types instead of supporting a variety that meet resident needs.	<u>Larger bedroom size</u> The size of the larger bedroom should be 10 square metres excluding wardrobe consistent with the NSW Apartment Design Guide, not 12 square metres as stated in draft DCP. This will be amended.
Urban Taskforce	The increase in the quantum and size of bedrooms further limits already difficult ground floor layouts. Apartment requirements should be on a site-by-site basis based on the characteristics of the streetscape. These controls are not consistent with the ADG, as follows: – imposing a one-size-fits-all requirement rather than flexible and contextual responses; and – the Housing SEPP identifies non-discretionary standards that prevent more onerous controls Residential development in NSW, is constrained by FSR, when additional square metres are mandated, yield is reduced, impacting affordability. The last thing needed in a housing supply crisis.	The larger additional bedroom requirements does not necessarily translate into a larger overall dwelling size. The change constitutes a modest increase and can be accommodated with good design of the internal apartment spaces. The Housing SEPP establishes that a DCP cannot be inconsistent with standards or controls in the Apartment Design Guide. The minimum bedroom sizes are design criteria towards an objective in the ADG, and are not standards or controls. It is acceptable to provide larger bedrooms in meeting the objectives in the ADG.
Planning Studio – 700 George St Haymarket	It is often better to co-locate smaller apartments onto communal spaces in high-density CBD developments so they can benefit from the adjacent amenity. This should be revised to ensure flexibility to locate apartments in locations to suit ADG compliance like solar and cross ventilation. Increased spatial requirements requires larger apartment sizes which works against affordability.	<u>Location of apartments for families with children</u> On review of submissions, the City agrees requirements for all ground-floor apartments, or those on the same level as communal open space, to be 3 bedroom apartments may result in difficulties for building layouts and efficiencies. The draft DCP will be amended to require 50 per cent of apartments on the ground floor, and the same floor as communal open space shall be 3 bedrooms. In tandem with the overall number of 3 bedroom apartments, this change will maintain flexibility to locate a greater variety of apartment types at these locations, while encouraging a greater number of apartments suitable for families with children. <u>Recommended amendments:</u> The controls will be amended to require 50 per cent of apartments on the ground floor and same floor as communal open space have 3 or more bedrooms. The size of the additional larger bedroom will be corrected from 12m² to 10m² excluding wardrobe, consistent with the NSW Apartment Design Guide.
Flexible and adaptable dwellings – Play space – DCP Amendment 2		
Property Council of Australia	Mandating play spaces within new developments is highly prescriptive and needs to be informed by the type of development being delivered. Clarification is sought that these provisions will not apply to– build-to-rent housing, boarding houses, co-living, seniors housing, and purpose-built student accommodation.	Play space for children is an important element in attracting families to apartment living. Play space can be designed within the requirement for communal open space, and can be managed and maintained in much the same way as other common facilities in apartment buildings. It is unlikely the provisions will impose additional cost and risk burden to buildings greater than the current provision of communal facilities.
Meriton	Introduction of requirement for play space in communal open space areas is not supported. Communal open space needs to be designed for a broad range of users. Furthermore, the maintenance	<u>Recommended amendments:</u> The draft DCP has been amended to only apply to larger developments, with more than 21 dwellings,

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	and protection of children's play areas imposes a cost and risk burden on strata owners and should not proceed.	which are likely to include apartments and other communal facilities that cater for families with children.
City West Housing	These provisions do not reflect the needs of our residents which is mostly single occupants. The mandatory inclusion of play equipment and internal common spaces will likely result in spaces that don't meet resident's needs and less dwellings due to additional cost and maintenance. Noting, our communal rooms are rarely used at present	The DCP provisions for play space will not apply to co-living and boarding houses, build-to-rent, seniors housing and student housing.
Environmental noise – DCP Amendment 7		
Meriton	The additional controls for noise-sensitive land uses goes well beyond the scope of the Transport and Infrastructure SEPP that does not apply to serviced apartments and does not preclude ground or first floor residential and serviced apartment uses fronting busy roads. Prescriptive controls do not support flexibility and limits the capacity for developers to respond to market demands. The imposition of development controls beyond the SEPP is not appropriate.	Environmental noise controls are currently listed in Section 4 of Sydney DCP 2012, which deals specifically with residential development. The draft DCP moves these controls to Section 3 for clarity and to be considered in all development. <u>Noise-sensitive uses</u> Sydney DCP Section 4.2.3.5 already includes restrictions on residential development fronting busy roads. This is not a new provision, it is simply being relocated to Section 3 of the DCP. The updates to the controls include an expanded list of noise-sensitive and noise-generating land uses to ensure appropriate consideration of noise-related issues. This includes serviced apartments, which are capable of being used in the future as residential dwellings.
City West Housing	<u>Acoustic and ventilation design requirements</u> The proposed acoustic and ventilation design solutions may impose significant costs that may impede affordable housing development. We recommend consultation to identify a performance-based approach that is practical, affordable and sustainable design solutions that balance acoustic performance with feasibility. <u>Noise criteria</u> Specifically, we note the NCC covers noise criteria and query the need for the additional provision, which would appear to exceed the amenity requirements required under the NCC.	<u>Acoustic and ventilation design requirements</u> The ventilation and acoustic design solutions are offered to help guide development in meeting the performance requirements in the DCP. In practice there are an increasing number of dwellings using plenums for ventilation, and so these have been added to the DCP guidance. <u>Noise criteria</u> The NCC includes sound insulation requirements between dwellings (and between land uses inside a mixed use development), but it does not cover noise from infrastructure and other external sources. For this reason, the existing DCP requirement dealing with sound between dwellings is proposed to be removed, while the requirements for external sound have been strengthened. The sound criteria in the DCP have been updated to reflect current understandings about the health impacts of noise and to reflect building methods available to reduce noise. The criteria are similar to those used in the Transport and Infrastructure SEPP.
Urban Design – DCP Amendment 6		
Meriton	Development yield and feasibility will be impacted by more onerous design requirements above and beyond ADG and NCC.	This amendment brings several DCP sections together into one new section for ease of use. <u>Floor-to-floor heights</u>
Urban Taskforce	The inclusion of floor-to-floor requirements for apartment buildings is excessive. These heights are	The apartment building floor-to-floor height has been increased from 3.1 metre to 3.2 metre, accounting for

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	stipulated by the ADG and as such should be removed from the DCP.	waterproofing, structure and services to facilitate an ADG compliant floor-to-ceiling height.
City West Housing	<u>Inclusion of other metrics</u> Concern with the stricter building setbacks, heights and interface guidelines. The controls are prescriptive rather than merit-based as evidenced by: – specific metric restrictions on blank walls; – riser and going metrics for common and public stairs and ramps; and – metric requirements for floor-to-floor heights	<u>Recommended amendment</u> A minor amendment to the objectives has been included to ensure ADG compliant ceiling height is achieved. The revised Urban Design controls provide guidance for developing a high quality outcome with good amenity. These sections include strong objectives that clearly communicate the intent of the proposed controls and provide sufficient flexibility. <u>Inclusion of other metrics</u> The metric for stair risers and goings already exists in the DCP and is not a new provision. The draft DCP does not include specific metrics for blank walls.
Water and flood management – DCP Amendment 9		
Meriton	Increased testing and modelling requirements for potential sea level rises will impact on feasibility and yield of projects and are not supported.	<u>Modelling for sea-level rise</u> The proposed amendments are consistent with the City's Interim Floodplain Management Policy, which already requires climate change impacts be considered, as does other NSW Government policies.
City West Housing	The definition of basement under these changes may impact flood planning levels. We seek confirmation the controls consider internal drainage patterns, and partially covered areas not classed as basement if water can self-drain to the street from the lowest point.	<u>Basement definition</u> The basement definition is based on that in the City's Interim Floodplain Management Policy and is not intended to change the areas to which basement flood planning levels apply.
Ecologically Sustainable Development – DCP Amendment 10		
Meriton	The DCP controls for embodied emissions reporting is not consistent with the SEPP and is not supported. ESD targets should not be included in a design excellence strategy.	<u>Embodied carbon reporting</u> The draft controls complement the Sustainable Buildings SEPP. Reporting of carbon emissions associated with building materials is required by the SEPP. The draft controls provide the detail on what type of information is to be provided to be consistent with those SEPP requirements.
Urban Taskforce	Sustainability targets in design excellence strategies are inappropriate as it is covered by the Sustainable Buildings SEPP. The SEPP sets clear expectations, many panels lack the expertise to assess effectively. We recommend these measures remain aligned with the SEPP.	<u>External shading</u> The draft controls seek to reduce adverse impacts from direct sunlight on unprotected glazing to manage comfort and protect from heatwaves. The external shading metrics are provided as a guide to achieving the comfort and safety objectives in the draft DCP. Proponents can chose to demonstrate comfort and safety to satisfy the objective where they cannot meet the guidance.
City West Housing	The proposed amendments do not support a merits-based assessment of a development. The external shading and reflectivity provisions include very specific metric-based measures. We request the opportunity to demonstrate comfort rather than a prescribed external solution.	<u>ESD targets for design excellence strategies</u> New development is already subject to ESD requirements in the Sustainable Buildings SEPP and Sydney LEP and DCP. The City agrees it is unnecessary to add ESD targets to Design Excellence Strategies.
Green Building Council	The updated provisions are supported. The City should introduce performance standards for non-residential developments (1000m ² +) to measure, disclose and reduce their emissions. We have partnered with NABERS to develop an Embodied Carbon rating tool. We encourage the City to refine the policy's performance standards.	<u>Recommended amendment</u> The requirement for ESD targets will be removed the draft Competitive Design policy.

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Protection of sun access to Gunyama and Cook and Phillip Parks – LEP Amendment 8		
Meriton	This control is not needed as building heights for this area are approved, maintaining sun access to the Park. These provisions must also consider approved changes by the planning proposal for adjoining sites.	The sun access planes do not affect Meriton's Epsom Park site with the site-specific planning proposal. The sun access plane does not impact upon the development potential for land fronting the Park.
Urban Taskforce	A Gunyama Park solar plane is unnecessary as solar access has been carefully planned into approved developments. It fails to consider adjacent site-specific Planning Proposal. Any future adjustments to solar access controls must ensure that current and approved building heights are accurately reflected.	The tall building proposed closest to the Park has an approved building height of RL 73m, below the sun access plane– about RL 100m at this location. The proposed sun access controls will not impact future development on these sites.
Changes to Haymarket / Chinatown special character area – DCP Amendment 12		
Chinatown Action Committee	We suggest further review of street wall heights. On main streets, it can be increased to 45 metres, there is capacity to increase built form without detrimental public domain effects or amenity.	The special character area provisions seek to maintain the unique character of parts of Central Sydney, including Haymarket/Chinatown.
	Street wall heights to narrow streets and lanes can be separately addressed to provide better amenity to adjoining public domain. Street wall heights to Dixon Street could be reviewed.	For Central Sydney in general, the default street wall height control is 20-35 metres to ensure good public domain amenity including daylight to streets. A 45 metre street wall height for Chinatown would not be consistent with this approach. Higher street frontage heights would be incongruous with the area's fine grain and built form character, which is predominantly below 20 metres. No change to the street wall heights is supported. Other changes to the Height of Building and FSR controls have not been considered as part of this amendment and cannot be made at this time.
	<u>Consider development incentives</u> We also recommend further studies of the special character area, exploring incentives to encourage development such as increased building height and FSR, including reintroducing the 1.5:1 floor space bonus for new residential projects.	
	<u>Heritage buildings</u> We support contemporary activation of heritage buildings rather than leaving them in a time warp, isolated in the modern context. Council should take urgent steps to resolve the delays with the dilapidated Kwong War Chong building so it may again be an active part of Chinatown.	<u>Heritage buildings/Kwong War Chong building</u> Specific heritage considerations were not exhibited as part of this amendment and are beyond scope. The City will continue working with applicants to allow flexible adaptation of heritage listed buildings, while maintaining significance. The Kwong War Chong building has a development consent that would allow activation of the building while conserving its heritage. It is the responsibility of the building owner to activate that consent.
Soul of Chinatown	<u>Locality statement</u> The proposed changes to the locality statement are supported.	<u>Drop-off and pick-up zones</u> Drop-off/pick-up zones are not a land-use planning matter and are beyond this amendment's scope. It has however been considered as part of the Haymarket and Chinatown Public Domain Plan.
Planning Lab	We support a street wall height increase to 35 metres. Dixon Street should remain at 15 metres. Additional drop off locations must be introduced and maintained to cater for accessibility. Not everyone is able to take advantage of pedestrianisation and public transport.	<u>Variable setback to Hay Street</u> Street wall heights and setbacks are maintained for Dixon Street frontages because of the significance of the streetscape and the need to allow daylight to the street. However, due to broad nature of Hay Street and its open built form context, and to encourage investment in buildings in Haymarket, a different setback could be considered. 90-94 Hay Street was designed and constructed alongside 96-100 as part of a pair of symmetrical buildings across Kimber Lane. They have been proposed together as a local heritage item. The heritage assessment recommends that the façade form and detailing should remain symmetrical so

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		that the 90-94 and 96-100 Hay Street continue to be read as one building with a shared history. The same setback should apply to 90-94 and 96-100. The change is supported. <u>Recommended amendments:</u> Figure 5.9 has been amended to include a variable setback to 90-100 Hay Street southern frontage.
<u>Signage – DCP Amendment 14</u>		
Meriton	Controls on signage further restricts the ability to name buildings or continue commercial agreements for top of building signs	Amendments to the top of building signage controls further clarify existing provisions, ensuring signage is only allocated to the building owner or significant tenant. This is to limit the potential for these signs to be used as advertising space. The intent of the provision has not changed.
Chinatown Action Committee	It is recommended neon is not promoted over other forms of signage but building and business owners are encouraged to erect creative and quality signs of their choice. Absence of English on signage may reinforce Chinatown as a foreign enclave, work against promoting understanding in a multicultural society and deter visitations other than from tourists. We strongly recommend signage include English. We recommend a further review of the new signage policy through refining the existing policy to align with a community vision for Chinatown.	The proposed controls seek to encourage neon vertical wall signs in Chinatown following extensive community engagement. However, other forms of signage are allowed. Minor changes are proposed to emphasise quality and culturally appropriate signage. In particular, where LED neon signs are proposed, it is to have the same visual qualities as neon. Requirements for English translation on signage does not exist anywhere else in the local area. The language displayed on their signage is up to the business itself, and the DCP will not be requiring signage to be in English.
Soul of Chinatown	While LED neon signage can bring vibrancy to an area it can have a different, tackier look than traditional neon. This should be considered by the DCP. It is recommended the controls say “encourage” rather than “predominance” of neon signs, as well as encouraging traditional script and cultural symbols like dragons, etc. Daytime illumination should be considered. As well as an incentive to protect or restore traditional-style neon. We recommend incorporating the community’s history and heritage through bilingual signage utilising local calligraphers using traditional styles, like Chinese seal script, Thai decorative elements. We would like to see a signage advisory panel to guide culturally appropriate signage policies.	While the City encourages the use of local artists and calligraphers, we are unable to mandate it. However, incentives do apply to help businesses provide culturally appropriate and well-designed signs, including restoring existing neon signs. Concerns regarding the quality, form and visual appearance of signs in Chinatown are noted. The City will monitor the delivery of the controls and may take action where required. <u>Recommended amendments:</u> Minor revisions to DCP clause 3.16.12.9 – Chinatown and Thai Town signage precinct to address signage quality and materials

Table 2: Individual, stakeholder and community group submissions

Submitter	Submission	Response
Christ Church St Laurence 2 submissions	<u>Special character area boundary DCP Amendment 12</u> The boundary should be changed. It runs through the block, excising buildings at the northern and southern ends. If not seen as an entity, the block will be weakened and heritage impacted. The two buildings on this block excised from the special character area are heritage items. The area should be redefined to include them. <u>Special character area statement DCP Amendment 5</u> The parish of Christ Church St Laurence (CCSL) raises concern about the Haymarket/Chinatown special character area and how development can be managed without impacting heritage buildings. The exhibition documents misspell 'St Laurence' and not all buildings are included. The character statement supports development and focuses on Chinatown at the expense of Haymarket. It does not show enough detailed understanding of the area and does not accurately reflect current or future character. Detailed statements that consider individual streetscapes and how valued built form can be protected should be included. The submission makes a number of detailed observations on the character area statement to suggest how it could be amended to more accurately reflect historical, social, economic and other influences and context of the area, and to provide much more specific detail about the character of the area. The Christ Church St. Laurence buildings should be shown as key heritage items, giving the street a largely intact form. The character statement should reflect this and how it can be maintained. It is important the controls for surrounding sites protect the Church's heritage values. This may include controls to protect views, increased setbacks, lower street wall and building heights. Unless the controls are specific, it will be assumed there is no obligation to moderate development.	<u>Special Character area boundary</u> The inclusion of the Christ Church St Laurence group of buildings in the Haymarket/Chinatown special character area is primarily due to the George Street frontage and its strong relationship to Haymarket and surrounding streetscape. Daiken House and the former Lottery Office have frontages to Pitt Street with a stronger relationship to Central Station, which is why they are both part of the Railway Square and Central Station Special Character Area. <u>Special character area statement</u> Comments about detail are noted. The Locality statement is not intended as a detailed description of the area. It provides a broad description of the key points, development history, current and future character to provide context for consideration at the development application stage. The Locality statement has been refined to better describe the development history and context of Haymarket as distinct from that of Chinatown. Amendments to the Statement correct the spelling and better recognise the heritage significance of Christ Church St Laurence, distinctive in this area.. While change to the maximum building heights of sites is beyond the scope of this amendment, the City notes the strong desire to protect the visual setting of the Church from George Street, which is why street wall height of 15m and an 8m setback was exhibited for the adjoining sites to the north. A post-exhibition change is proposed for a 15 metre street frontage height for 806-808 George Street, which will help provide an appropriate visual setting for the Church when viewed from George Street. <u>Recommended amendments:</u> Update Haymarket Chinatown Locality statement to provide greater context, differentiate Haymarket and correct Christ Church St Laurence spelling. Amendments to Figure 5.9 for a 15m street wall height to 806-808 George Street to improve the Church's visual setting.
GoGet	<u>Parking – DCP Amendment 4</u> The reliance on the number of parking spaces in a new development to determine the provision of carshare spaces is of concern. GoGet proposes: – amendments to Section 3.11.2 to require a substantial increase in carshare spaces in residential development – an amendment to ensure that the pedestrian route to car share spaces is included in DA information – a requirement that where car share is required, an occupation certificate is not provided unless an agreement is in place with a car share operator	The DCP enables car share parking appropriate to the site's context, independent of other parking. The request to substantially increase the number of car share spaces is not supported. The request to condition occupation of a building on an agreement with a car share operator is also not supported. <u>Recommended amendments:</u> Draft DCP clause – 3.11.2 Car share scheme spaces has been updated to ensure the pedestrian route to car share spaces is included in a DA.

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The Glebe Society	<u>Urban ecology – DCP Amendment 3</u> We seek to increase the abundance of native fauna and flora; promote wildlife corridors; and involve the local community in habitat creation. The Society is concerned that much of the Glebe area has been excluded from the biodiversity corridor maps and would like this to be amended. Glebe and Forest Lodge should be considered suburb-wide biodiversity corridor. Their unique location on the harbour foreshore surrounded by parks gives ample justification for consideration. Further, some parks, reserves and other locations should be identified on the biodiversity corridor maps, or as key habitat areas.	Glebe and Forest Lodge's attributes and aspirations of the Glebe Society are noted. Private land, such as dwellings with backyards have been found to already comprise most of the existing habitat connections. The draft DCP proposes new provisions to identify habitat areas and affected sites to help improve connections between the habitat areas. The habitat areas are generally the City's larger parks. It is not the intention to capture all parks and open spaces as key habitat areas. The biodiversity corridor controls apply to private development only and not to parks and open spaces. They require landscaping and habitat features, as part of development. Greening of city parks, streets and lanes is undertaken under the City's Greening Sydney strategy.
REDWatch	<u>Integration areas – LEP Amendment 18</u> <u>Rachel Forster hospital site</u> The former Rachel Forster Hospital site is not a proposed as a heritage item in the Sydney LEP. We realise redevelopment impacted heritage fabric however the distinct front wall should be noted, as well as the site's strong social significance– the community bought bricks to fund its construction. <u>Eveleigh railyards</u> The City must ensure all important heritage items in the former Eveleigh Railyards are included into Sydney LEP. Heritage here has been overridden before, so due diligence is needed. We propose the Railyards are made a conservation area, as elements are on various heritage lists. Past issues with the Conservation Management Plan provide a basis for considering the site as a precinct to ensure it won't fragment any further. We are concerned about items not proposed for inclusion in Sydney LEP and State listed movable items, it's unclear what mechanism or body monitors their protection. A conservation area designation on the Railyards may assist in ensuring protection, heritage interpretation and tourism in the precinct.	<u>Rachel Forster hospital site</u> Redevelopment of the former Rachel Forster site involved demolition of most buildings on site. The site's heritage significance and integrity was too impacted to be included as a heritage item. Its inclusion in the heritage conservation area reflects its social significance and relationship to the area. <u>Eveleigh railyards</u> This planning proposal relates to the inclusion of three buildings in South Eveleigh into Sydney LEP 2012, namely– Locomotive Workshop, Works Manager's Office and New Locomotive Workshop. These were identified as separate heritage items in the SEPP (Precincts – Eastern Harbour City) 2021 The broader Eveleigh Railyards precinct is listed on the State Heritage Register and is protected under Heritage Act 1977, which provides a higher level of protection than a local heritage listing and includes the precinct's movable heritage collection. The heritage conservation area designation for the railyards under Sydney LEP 2012 would not provide greater protection to the complex than is already afforded under the current State listing.
	<u>Integration areas – excluded sites</u> REDWatch supports amalgamation of sites into the LEP and are concerned about the South Sydney LEP sites (Waterloo North and Central, and Redfern Estate) being excluded. The submission suggests integrating and retiring South Sydney LEP. Concerned that only part of Gibbons Street Reserve is to be bought into LEP. The whole park was excluded from earlier plans due to community opposition. The whole park should be bought into the LEP and zoned RE1 Public Recreation.	This submission is noted. Simplifying the City's planning framework remains an ongoing action as noted in City Plan 2036: Local strategic planning statement. The amendment however focused on precincts where development is largely complete. The sites noted in the submission have not yet been developed and it was not possible to integrate the controls for these sites at this time. The northern part of the Gibbons Street reserve is owned by Transport for NSW who consider it part of the broader 'railway lands' at Redfern/Eveleigh and did not support its inclusion in the LEP at this time. Notwithstanding, the City regularly engages with State government agencies advocating for positive community outcomes with any proposed redevelopment of these sites.

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REDWatch	<u>Integration areas – contributions plans</u> Public accounting of funds collected by the contribution plans for Redfern Waterloo should be released. They received significant large contributions from the CUB site.	Development contributions collected under the Redfern Waterloo Authority contribution plans, including affordable housing contributions from the CUB site, are managed by the NSW Department of Planning, Housing and Infrastructure. They are best-placed to answer questions on accounting for the funds.
	<u>Integration areas – late night trading areas</u> Concern about the Redfern (west) Late Night Trading area bordered by Abercrombie, Cleveland and Vine Streets and the railway corridor in the Late Night Trading Premises DCP 2007. REDWatch notes that this area was marked for commercial development which has yet to occur. This area should be reassessed and removed due to recent residential development. While late night trading along Regent Street is appropriate, REDWatch feels that marking the whole area as a continuation of the Chippendale precinct into Redfern is not sensible.	This amendment consolidated controls for the integration areas to Sydney DCP 2012. It should also have included the current Late Night Trading area noted in the submission but did not. This area is contained within the 'legacy' Late Night Trading DCP 2007. This was an unintended omission. As an interim measure, the draft Sydney DCP 2012 maps have been updated to include this area. This will allow the legacy DCP to be rescinded. The concerns raised in this submission are noted. This precinct retains a largely residential character, although is subject to a current State Significant Development application for a mixed use development of commercial, residential and retail uses. Any new premises must ensure how residential amenity is not adversely impacted. There is an ongoing review of the City's nightlife controls which will look to review the suitability of this late night trading area further. <u>Recommended amendments:</u> The DCP Late Night Trading maps updated to include the omitted area bound by Abercrombie, Cleveland and Vine Streets as a Local Centre Area.
	<u>Structures associated with green roofs</u> Will proposals adjacent to heritage conservation areas that are visible from a public area be notified for public feedback?	All proposals utilising these provisions will be subject to public exhibition in accordance with our Community Participation Plan.
Chippendale Residents Interest Group	<u>Parking in new developments</u> Parking controls for parts of Chippendale should be amended to better reflect the distance to public transport for key transport routes. Further, parking rates should be increased for smaller developments targeted towards families to attract a diverse residential population base.	The parking changes apply to new developments, reflecting public transport changes and additional capacity. No change is proposed for other areas or existing buildings. Parking for larger apartments maintains a minimum of at least 1 space per 3-bed apartment to help accommodate families.
	<u>Design Excellence</u> Further consultation on development applications is requested given future development that is likely in Chippendale, including the Central SSP.	No change is proposed to the City's engagement processes. All exhibitions will continue as per our Community Participation Plan.
	<u>Development near zone boundaries</u> Given this may impact sensitive land uses, we suggest six metres is necessary unless the application is subject to public exhibition.	This amendment aims to improve the application of the clause from its current wording. Proposals must ensure adverse amenity impacts are minimised consistent with existing LEP and DCP controls. Proposals utilising these provisions will be subject to public exhibition in accordance with our Community Participation Plan

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Chippendale Residents Interest Group	<u>Exempt development – Solar energy systems</u> In Chippendale, solar panels on rear roofs in heritage conservation areas will likely be seen from some public spaces. The provisions should be extended to address such scenarios.	While the solar energy system exempt provisions have been expanded, panels may be visible from the rear. Further restrictions would be contrary to the City's work to supporting renewable energy use.
	<u>Integration areas – Building heights</u> Obstacle Limitation Surface provisions may be impacted to accommodate flight path changes for the future Western Sydney Airport	No building heights in this Proposal encroach on any Obstacle Limitation Surface. Referrals were sent to CASA and Sydney Airport, who declined to comment.
	<u>Integration areas – Central Park</u> It is recommended the integrated controls reflect the final Concept Plan. Given the number of modifications, we call for this information to be made publicly available to ensure its accuracy.	The mapped FSR and building heights include all modifications as detailed in Table 8 & 9 in Planning Proposal Appendix A. The controls accurately reflect the area's completed built form, minimising additional development capacity and protecting amenity.
	<u>Public space</u> Recent projects have seen the use of publicly accessible space (Brewery Yard) as exempt development, despite being shown as public space in the Concept Plan. Stronger controls are needed to prevent other public space being modified post approval.	<u>Public space</u> The Brewery Yard is publicly accessible private land. The new controls identify publicly owned space as zoned RE1. Sydney LEP 2012 provides additional exempt development standards for the temporary use of council land, limited to 52 days in any twelve month period, less than is permitted by the SEPP.
	<u>Central Sydney zoning</u> Documents indicate the Central Park area will be incorporated into Central Sydney zoning, as well as other areas including the Central railyard and SSP site. Further clarification is requested as parts of Chippendale is better zoned MU1 Mixed use rather than SP5 Metropolitan centre.	<u>Central Sydney zoning</u> No change to zoning in Chippendale is proposed. No documents identify Central Park or other parts of Chippendale being incorporated into the Central Sydney zoning. The planning proposal transfers the Mixed Use zoning of Central Park from the Concept Plan into Sydney LEP 2012. Nor will the area be designated as part of Central Sydney.
	Affordable student housing comprises a large portion of Central Park, much with poor amenity. Consequently, once the existing arrangements expire, this may need to be addressed through specific provisions to ensure good outcomes.	The integration of Central Park into Sydney LEP cannot trigger review of any existing development consent. Any new development will be assessed under Sydney LEP and DCP requirements and as such acceptable amenity is to be demonstrated.
	<u>Locality statements – Objectives</u> The Locality statements should emphasise improving residential amenity and liveability, particularly due to Chippendale's high density. Many residents live in small spaces with poor amenity, liveability and acoustic treatments. There should be further consideration to improve liveability and residential amenity. This could also include greater tree canopy cover and social impact assessments for new buildings.	The new Statements contain a broad consideration of the 'character' of a place, with a different structure and more content, enabling details specific to smaller geographies to be captured. Chippendale is in the Redfern Street Village, and the primary principles seek to improve liveability, residential amenity and tree canopy cover. More guidance on how amenity can be improved is in detailed building controls elsewhere in the DCP.
	<u>Locality statements – Heritage</u> Chippendale has many key heritage buildings and a large heritage conservation area which should be recognised in the Locality statements. A unique combination of Gothic, Victorian, Federation and pre and post war buildings which was largely protected by default, as a result of a proposed freeway that did not eventuate. Building 23/Brewery Yard should be included as part of these changes, heritage buildings should be retained and streetscapes strengthened.	The Redfern Street Village Statement highlights the heritage significance of the area, referencing the State items and heritage conservation areas (HCA) within it. Each conservation area is given weight without repeating content to limit implied preference for some heritage elements over others. The HCA principles provides guidance for the reuse of 'contributory' and 'neutral' buildings, which are classified in the Building contributions map. The

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	Conservation areas should show 'contributory', 'neutral' and 'detracting' properties.	former Irving Street Brewery Chimney Stack is to be reinstated as a heritage item. The Building 23 complex is not included in this amendment but will be subject to a heritage review for consideration as a heritage item in future.
Chippendale Residents Interest Group	<u>Locality statements – Mixed use</u> Chippendale is classified as Mixed use despite a large proportion being residential streets. New precincts like Central Park presents a challenge in terms of liveability on low rise heritage homes, worsening poor amenity and lack of open space. Consequently, references to employment zones and industry need to better consider the needs of residents who live in Mixed use zones	Chippendale's Statement recognises the area as being residential and mixed use, reflecting area's history, continuing residential character, adaptive reuse and newer mixed use developments. To reflect the impact new development can have on established, small scale homes, the Statement references the need for a sympathetic scale and appropriate height transitions, consistent with other built form controls in the Sydney LEP and DCP.
	<u>Locality statements – Site-specific provisions</u> Chippendale is a mixture of different cubic forms: smaller terrace and warehouse homes next to larger warehouses with little separation. When reviewing the provisions for the 2012 LEP, Council decided to make site-specific controls to preserve the streetscapes and current cubic form that is quite distinct in Chippendale. To this end, the LEP provisions should continue to remain the same, and Locality Statement reflect this.	The neighbourhood statement recognises the distinctive mixed character of the area, adding that new development is to maintain the scale and heritage character of the area. Neighbourhood principles protect the fine grain subdivision pattern and require infill development to reflect the height, massing, horizontal and vertical proportions of the existing buildings and historic streetscapes. LEP provisions for Chippendale are not being changed.
	<u>Late night trading</u> The current map indicates late-night trading stop at Wellington Street reflects previous discussions with the City and State government. However, this has been extended, notably all of Central Park is now included in the late-night management area. Please clarify as this has implications for residential amenity and conflicts with the LEP objectives– minimising the conflict between different land uses.	This amendment consolidates the integration areas to Sydney DCP 2012, streamlining the controls and improving resident's certainty. Central Park is already identified as a 'local area centre' in the Late Night Trading provisions of Sydney DCP 2012. There are no changes to late night trading areas in any part of Chippendale. The concerns in this submission are noted. Inclusion in Sydney DCP 2012 will ensure any new premises will not result in adverse impacts to residential amenity.
Potts Point Preservation Group	The Macleay Street and Woolloomooloo Village concept is flawed as they are unrelated, separated by a cliff, making the designation untenable. Link Woolloomooloo with Darlinghurst, with which it has closer architectural and demographic ties. We propose the following changes, supported by Alex Greenwich, Allegra Spender and National Trust – William Street, Darlinghurst, Woolloomooloo village; and – Potts Point, Kings Cross, Elizabeth Bay and Rushcutters Bay village. We agree with some of the descriptions of the included areas but note that, as it stands, the heritage and contemporary values of the village around Macleay Street cannot be truly evaluated and recognised until Woolloomooloo is excised. The City has indicated unwillingness to review, but we continue to highlight this flawed 'Village'. It is	The City has moved to much broader appreciation of a locality's character in our Statements, moving away from a built form focus to include social, environmental and economic character as well. Historic references have also been broadened to recognise our important indigenous heritage. In doing this we recognised replicating information for the 100+ localities in the DCP would be long and repetitive. We also recognised that many areas had distinct similarities alongside their nuanced, smaller scale differences. There could be many ways to combine localities, such as by high street, or topography. We have combined smaller neighbourhoods into 9 Villages whose geographies are informed by the boundaries used for long term demographic analysis and infrastructure planning undertaken at the City. This is not an arbitrary, process-led decision, given that there are indeed many current and strategic

Submitter	Submission	Response
	wrong in its makeup and impedes assessment and appreciation of the Macleay Street village. We will keep pressing for a proper independent social history and architectural review of the area and I remain convinced this would support an area bounded by Potts Point/Kings Cross/Elizabeth Bay and Rushcutters Bay as a legitimate and important historical and contemporary 'village'.	similarities between neighbourhoods within each Village boundary. It also has the advantage that there will be direct correspondence between locality statements and future planning, population tracking and forecasting, employment and floor space surveys, capacity studies and community wellbeing indicators monitored over time by the City.
	<u>Structures associated with green roofs</u> This change will support activating roof spaces to benefit our residents, without additional cost of gaining approval for non-conformance.	Submission is noted.
	<u>Superseded sustainability targets</u> Removing outdated BASIX Energy targets is supported. This change will improve consistency in sustainability standards across NSW.	Submission is noted.
City West Housing	<u>Urban ecology – DCP amendment 1</u> City West Housing support these consolidated provisions. <u>Landscape plans</u> The landscape plan requirements are overly prescriptive and more than usually needed at application stage. Additional costs impacts our ability to maximise delivery of affordable housing. We encourage Council to consider replicating the current DCP requirements for landscape plans and to clarify that the amendments are to assist in species selection only. <u>Deep soil and canopy</u> Controls that prescribe tree numbers and doubling the minimum deep soil zone will impact dwelling numbers. This is a departure from a performance or qualitative assessment of tree canopy and does not address the primary concern, heat island effect. <u>Ecological assessments</u> The ecological assessment requirements are excessive and unwarranted. We recommend refining these provisions, including a waiver to ensure regulatory requirements are proportionate and do not impose unnecessary financial burdens on affordable housing developments.	<u>Landscape plans</u> The changes to landscape plan only apply to larger developments of over \$1 million. They seek upfront detail to demonstrate capacity to comply with the landscaping requirements as the development proceeds and to allow a more accurate assessment. The revised controls are appropriate as they ensure high quality landscaped areas can be delivered improving greening and liveability of the city. <u>Deep soil and canopy</u> The proposal amends existing tree canopy controls to express the requirements in a more certain and easily quantifiable manner, ensuring they can contribute to the City's Urban Forest Strategy and tree canopy cover target. Deep soil requirements have been established to support achieving the canopy target. Although increased, the City's review has shown that they can be accommodated with careful upfront planning. Where this cannot be accommodated, the provisions permit an appropriate performance-based substitution. <u>Ecological assessments</u> The proposed controls seek to ensure impacts to biodiversity and habitats are identified and mitigated. They are only required in limited circumstances, for buildings have been vacant for an extended period or where large buildings are being demolished.
	<u>Private open space and balconies</u> We express concern with requirements for full height adjustable screens or shutters to private open space. As with other measures, while well meaning, will come with a cost burden. We therefore request consideration be given to alternative measures that achieve the intent of the measure, improved privacy, via alternative more cost-effective means.	Previous balcony requirements in Sydney DCP that duplicate the Apartment Design Guide have been removed and replaced with controls that let residents control the usability of their private open space by adjusting privacy and shade. The exhibited DCP contains objectives to clearly detail the intent of these controls, and there is an option to demonstrate equivalent performance. This allows development the ability to address how design alternatives are capable of achieving the intent of the controls.

Submitter	Submission	Response
Support 1 submission	Strongly support controls that gets action on: – changes to maximum parking rates – making our City less personal car-centric – all vehicle queuing to be located on-site – planting everywhere possible, public/private – greater canopy coverage – improved landscape and planting requirements – habitat protection and biodiversity corridors – bird strike prevention – wildlife friendly fencing for small fauna – expand reflective facades and glare provisions – protection of sunlight access to open spaces – Powerhouse rezoning – encourage outdoor/rooftop space for active uses	This submission is noted.
Beyond scope 12 submissions	Submissions raised the following issues which are beyond the scope of this planning proposal: – continue pedestrianising Sydney – better active transport and walkable links – improvements to streets and local parks – more frequent maintenance of trees – concern regarding removal of heritage laws – lower speed limits for cars – improve public transport to major retailers – reduce street parking to highest extent – prevent registration without off street parking – parking permits for tradespeople – allocate parking to residents in terraces as upkeep is expensive for these houses – Riley Street Woolloomooloo planning proposal – amenity/ventilation provisions for upper floors – prevent approvals for outdoor artificial grass – new, but fool-proof green waste solutions – increase transport service frequency to cater to additional population – redevelopments should provide public art – reward revitalising heritage buildings – all projects must have internal space for bins – evening programs for over 55s – fewer private vehicles in Central Sydney – activate lanes without impacting residents – principles for improved health determinants – reinstate Wentworth Park as public land – improve short term rental accommodation database to improve enforcement	The matters raised in these submissions are noted. They are however beyond the scope and remit of this planning proposal. This proposal comprises a series of smaller changes to the planning controls that seek to implement some of the actions contained in City Plan 2036, the City's local strategic planning statement and housekeeping changes to improve the operation of the controls. It is noted that many of these issues are included in the City's vision Sustainable Sydney 2030-2050 Continuing the Vision. This planning proposal does not include specific projects, such as improving a particular park, or improving the road, public transport or pedestrian networks. It does include controls that are intended to improve canopy coverage in new developments, or to help reduce reliance on private vehicles. The City's other strategies and policies also details actions to deliver on many of the issues raised in these submissions, such as our Public Art Strategy, or Urban Forest Strategy that includes an updated list of species better equipped to mitigate adverse impacts from climate change.
Urban ecology 2 submissions	Submissions suggested the following changes to the urban ecology provisions: – monetary contribution in lieu of tree canopy – small sites exclusion – increased greening of urban environments to enhance biodiversity – increase canopy cover to improve environment and wellbeing outcomes – public consultation and mapping to identify sites to bridge biodiversity corridor gaps – default protection of large canopy trees – provisions for fresh water and nests for wildlife	The draft DCP provisions for Urban Ecology seek to contribute to the City's tree canopy target, which requires increased planting on private land. A monetary contribution would not achieve the same effect. The City already makes substantial investment in greening City parks, streets and lanes. The provisions include exemptions for tree plantings for sites up to 150 square metres with a substitution option to deliver similar greening, biodiversity and urban cooling effects where tree plantings are not practical. These controls help improve air quality, water runoff and liveability of the city.

Summary of submissions – Planning proposal – Policy and housekeeping amendments

Submitter	Submission	Response
	– avoid excessive lighting of trees to prevent wildlife impacts – mandate material choice to protected species – increase deep soil for more trees and green space	New maps identify habitats and biodiversity corridors typically close to small parks, schools, backyards and other open space. Improving these connections and providing new habitat features on private land will help support the viability of species. Overall, the new controls promote urban greening and biodiversity.
Basement agriculture 1 submission	A submission queried the basement agriculture provisions, regarding electricity supply to support plants and removal of vapour from the basement to prevent water damage.	This amendment removes a planning barrier for intensive basement agriculture. Considerations such as sufficient electricity and building alterations are detailed in a development application. Generally sufficient electricity is available in the City.
Ecologically sustainable development 1 submission	The following comments were raised regarding ESD considerations: – planning incentives for proposals that demolish less and reuse materials more – specify wind comfort levels for new buildings – improve solar access amenity for housing and public spaces not covered by state controls	The planning proposal and draft DCP include ESD objectives and provisions, including a requirement to report on embodied carbon, improve water efficiency, and encourage solar panels in heritage areas. Provisions in Sydney LEP and DCP address wind comfort and solar amenity.
Water & flood management 1 submission	The following comments were provided for water and flood management: – include criteria for active flood control systems – provisions encouraging rainwater harvesting and reuse – increase permeable surfaces to capture and reduce runoff and pollutant loads – concept applications to include an assessment of land and groundwater contamination	The draft DCP amendments include provisions for active flood control systems and requirements for reducing stormwater runoff and encouraging rainwater capture and reuse. They include controls for deep soil as a permeable surface in new projects. The proposed controls are not prescriptive so they may be applied to a wide range of development types and help support other DCP requirements. Developments are already required to consider contamination where previous use of the land indicates a contamination risk.
Environmental noise 1 submission	The following comments were provided for environmental noise matters: – minimise acoustic reverberant material choices – map noise-generating development, classified roads and rail corridors – extensive sound mapping across the City – new environmental noise assessment controls clearly stating requirements up front. – noise levels for all habitable rooms besides bedrooms to be 5dB less than the existing. – noise measurement methodology to use a repeatable maximum internal sound level for LAeq (1 hour) for bedrooms, and LAeq (24 hour) for all other spaces.	The draft DCP provisions include an expanded list of noise-sensitive and noise-generating land uses to ensure a wider range of noise-related issues are sufficiently considered in development assessment. These changes include a map of classified roads and railway corridors, identified as noise sources, for new development within 50 metres to undertake a detail assessment identifying design responses and mitigation measures. The provisions sets the expectations and requirements upfront to minimise uncertainty and additional delays. The provisions were not amended to recommend an extended measurement methodology. The draft DCP changes have reduced the maximum noise level measured inside dwellings by 5dB to reflect current understanding about the impacts of noise on resident's health and encourage the use of building methods to appropriately manage noise.
Locality statements 1 submission	The following comments were raised regarding the locality statements for Pyrmont: – challenge balancing development adjacent to terraces, retaining amenity and comfort – change is expected, anticipate the following from new development:	The proposed Harris Street Village and Pyrmont statements and principles in the draft DCP address these points. The need to respond to and complement the built form and scale of existing lower scale buildings is highlighted, as is excellent urban design outcomes, cohesiveness and heritage

Submitter	Submission	Response
	– to contribute to local character – protect heritage and neighbourhood history – provide a smooth transition with existing buildings and the foreshore – footpath awnings to be compatible with scale, features and heritage of building and area.	conservation. The locality statement also touches on the need for improved pedestrian amenity, connectivity and more open public space. The awning detail reads: “Provide footpath awnings to active frontages, where appropriate and sympathetic to the building, to enhance pedestrian amenity and provide weather protection.”
Late night trading 1 submission	The following comments were provided addressing late night trading considerations: – Council convened working groups in priority zones – roof tops for zero alcohol activities and families – increased CCTV and external noise monitoring for entertainment venues – residents to directly contact venue owners – ‘anticlustering’ legislation to prevent side-by-side large venues, room for smaller fine-grain options – improve the complaint process for residents – design excellence requirements to include acoustic materials – external noise masking systems in hot spot locations near sensitive receivers to increase the background noise level at low frequencies. – design to consider and moderate behaviour – precinct ambassadors providing a visible and welcoming support presence – Entertainment Sound Management DCP, must include gaming machine noise – recognise and address impacts to residential amenity, including noise and safety – policies to ensure new buildings are designed with sufficient sound regulation. – Council sound recording used to forecast sound modelling and plan for sound inside a dwelling	The updates to the Late night trading controls in this amendment comprise minor changes to clarify existing policies and update references. Updates to the Late night trading maps will correct some errors and include areas not previously included. These amendments do not change the intentions of the current late night trading controls. Recently, the City adopted updates to Sydney DCP for Entertainment Sound Management, which set sound management requirements for new residential developments affected by entertainment sound; sound management requirements for new and significantly altered entertainment venues; and later trading with changes to trial periods. Submissions raised concerns regarding impacts of the night-time economy on residential amenity and the application of these provisions on existing venues. It was noted that the late-night economy is a strategic objective of the City, who remain committed to managing impacts including public domain improvements, improved night-time transport and continued engagement through liquor accords. These DCP changes were approved by Council and came in force in March 2025. The regulation of noise from licensed venues is now the responsibility of NSW Liquor and Gaming and council planning controls and conditions have no effect.
Signage 1 submission	The following considerations were raised regarding the signage provisions: – avoid bright signage causing invasive light spill – top of building signs should be for building identification and not business identification – allow painting of blank walls – increase grants to support wall art.	The draft DCP changes clarify that top of building signs must not be used for advertising and must relate to a building occupant. New illuminated signs must demonstrate they will not result in excessive glare as per current requirements and standards. The City actively supports and engages with high quality street art through a variety of approaches. Changes to signage provisions remove references to public art to prevent instances where public art and advertising signage have been conflated.

Table 3: Submissions from industry bodies and organisations
(Main themes are included in Table 1)

Submitter	Submission	Response
Memocorp	Removing the Opportunity floor space controls from the LEP adversely impact 259 George Street, Sydney as follows: - discourages urban interface improvements, including where publicly accessible open space integrates with the public domain; - future upgrades to the ground floor, food court and outside square may be impacted; - the site's unique setback podium structure demands a well-considered approach to how it integrates with the public domain and contributes to revitalisation of the urban streetscape; and - future changes to the basement carpark ramps should not be disincentivised if they improve the urban interface.	These provisions were introduced in Sydney LEP 1996 and to date, 9 of the 33 sites have been refurbished. The remaining identified sites provide publicly accessible space that would contribute to Central Sydney's street life. The City's planning controls, including Sydney DCP 2012 and Central Sydney Planning Strategy provide guidance on improved outcomes for active frontages, public space and prioritising space for pedestrians. The landowner's future upgrade plans are noted; this amendment does not prevent those plans from taking place, subject to development application. A review of previous approvals for the site suggest sufficient available FSR to accommodate any building upgrades/additions. It is recommended the landowner engage with the City to discuss their refurbishment plans and urban design considerations. This will ensure that building access can be improved while retaining the large areas of publicly accessible space.
BBC Consulting Planners on behalf of Merivale	Merivale is concerned with crossover between the Entertainment Sound DCP changes and in the Policy and Housekeeping DCP amendments. Noting parallel public exhibition of noise-related matters without explicitly cross-referencing or dealing with them together is confusing. There is a need for concurrent consideration of controls relating to residential acoustic amenity and noise-generating land uses.	Recent DCP changes came into effect 1 April 2025, establishing sound management requirements for new and altered entertainment venues, and new residential development on mapped sites which may be affected by entertainment sound. The existing environmental noise DCP controls have been updated by this Policy and Housekeeping update. The two amendments have been considered together by the same staff members and have been checked to ensure there is no crossover or incompatibility. The environmental noise and entertainment sound DCP provisions will be together in the same section of the updated DCP, to allow easier understanding of when they apply.
Willowtree on behalf of ISPT, owners of Oxford Village	Oxford Village retail centre owner supports late-night management area inclusion, as follows: - supports a broad mix of activities fostering an inclusive nighttime economy; - extended trading hours align with area's current activity levels, which will benefit retail tenants; - adjoins several late night trading premises and would not adversely adverse impact amenity; - future uses would require management plans; and - holds strong public transport connections.	This submission is noted. The subject site has potential to add to the diversity of land night uses to complement the surrounding precinct, subject to development consent. Individual premises seeking to extend trading hours are to lodge a development application and demonstrate acceptable impacts on surrounding amenity.
GYDE Consulting	The proposed DCP amendments introduce amenity standards for co-living and boarding houses for areas where the Housing SEPP does not apply. Despite this intention, it does not expressly state where it applies.	The draft DCP provisions apply the standards in the housing SEPP to boarding house and co-living development in parts of the City of Sydney where the Housing SEPP does not apply. These are noted at Clause 1.9 of Sydney LEP. It also provides minimum standards that apply throughout the City. Additional detail has been inserted in the draft DCP clarifying the intent and application of these provisions.

Submitter	Submission	Response
Willowtree on behalf of Corio Projects	Express support for amendments to remove superseded BASIX Energy standards as they relate to a site in Forest Lodge. The Sustainable Buildings SEPP establishes stricter BASIX standards which has left these site-specific provisions redundant. In light of this, we commend the City of Sydney's approach to fostering sustainable development while ensuring this project's viability. The change will help facilitate seniors housing that aligns with the latest sustainability standards.	This submission is noted. Removal of the BASIX standards from these clauses prevents added complexity for future development, while still delivering improved sustainability outcomes.
Planning Studio – 700 George St Haymarket	The amendments to the Special Character Area, are generally supported. However, there may be ambiguity about what constitutes 'variation may apply in limited circumstances on merit'. Then submission proposes a number of amendments that would apply to development parameters for 700 George Street, including specific changes to setbacks above street frontage height.	The Central Sydney section of the draft DCP was restructured to improve clarity, including relocating tower setback guidance that was previously in Schedule 12. The draft DCP provides sufficient flexibility and guidance for variations to tower setbacks including demonstrating compliance with the objectives. The amendments proposed in this submission are very specific to a desired development outcome for a particular site. This planning proposal focusses on a number of smaller policy and housekeeping amendments. Changes to site setbacks cannot be introduced without a comprehensive investigation into a development proposal.
Mecone on behalf of UOL Group	Existing older residential buildings in Central Sydney can place significant constraints on the development of new employment generating floor space. These older buildings were approved before the ADG solar access guidelines, and it is very difficult for these buildings to then subsequently achieve the solar access requirements of the ADG and Sydney DCP. They often were not designed to receive the solar access required by the ADG and DCP. The submission asks that the Central Sydney DCP is amended to avoid old residential development unduly restricting new employment-generating development in Central Sydney. The submission suggests that new employment-generating development close to existing residential apartments need only consider the relevant solar access controls at that time the residential building was approved. The amended provision would be consistent with the Central Sydney Planning Strategy, that seeks to ensure residential development does not unduly restrict new commercial development in Central Sydney, maintaining Sydney's status as a global city with a dynamic economy.	The Central Sydney Planning Strategy and Framework was adopted by Council in December 2020. It seeks to prioritise employment-generating uses in Australia's most productive and strategically important employment centre. An aim of the Strategy and an objective of Sydney DCP 2012 is ensuring the development of new employment-generating uses is not unreasonably impeded by existing residential buildings. This is the intention of provision 5.1.2(6) of Sydney DCP and the associated objective 5.1.2(e), however unclear drafting of the provision hinders that intent. The drafting makes reference to compliance with other parts of the DCP before considering amenity impacts. This is unnecessary and confusing as compliance with other parts of the DCP is required in any case. To clarify the provision and allow it to operate as intended, consistent with the objectives of the DCP, it is proposed to amend 5.1.2 (6) by removing the unnecessary references to other provisions of the DCP. The effect will be to make the operation of the clause clearer, that for new employment-generating developments in Central Sydney, amenity impacts on existing residential development will be considered reasonable. Compliance with Sydney LEP and other parts of Sydney DCP in relation to the development's form continue to be assessed as standard practice. New residential development will continue to be assessed under the ADG provisions as required by the Housing SEPP (2021), to minimise loss of solar access for existing residential development.

Table 4: Responses from government agencies

Agency	Submission	Response
NSW Environment Protection Authority	<u>Development near zone boundaries</u> There is potential for land use conflicts between incompatible land uses, increasing the regulatory burden and impacting human health. Amendments to this clause should ensure that appropriate distances are maintained between premises scheduled under the Protection of the Environment Operations Act.	This clause provides flexibility by giving affected land access to permissible uses in the adjoining zone. It is a clause from the NSW Standard Instrument LEP. It alleviates land use restrictions on SP2 Infrastructure zoned sites until future road-widening is confirmed. In order to gain approval, the consent authority must be satisfied the land use is not inconsistent with the objectives for both zones, and development is desirable, constituting a compatible land use. The current wording of the clause includes sufficient provision to protect against conflicts between incompatible land uses.
	<u>Cross-City Tunnel Ventilation Stack</u> Buildings may interfere with emission dispersal, adversely impacting sensitive receivers and can't be fully understood and mitigated without an air quality assessment. The EPA recommends the clause is maintained to ensure proximal development considers the impact on emission dispersion. By removing this clause Council is to be satisfied that new development will not impact sensitive receivers or interfere with emission dispersal.	Noted. This Amendment will be deferred from the Planning Proposal to allow time for the City to work with stakeholders on identifying a path forward to continue appropriate monitoring of air quality related to development near the Cross City Tunnel ventilation stack. <u>Recommended amendments:</u> Amendment 17 has been removed from the Planning Proposal, pending further work with the EPA and other relevant government agencies.
	<u>Cross-City Tunnel Ventilation Stack</u> It is considered necessary that new development in the vicinity of the Cross-City ventilation stack continues to monitor air quality and plume distribution.	
	<u>Urban Ecology</u> The City's approach to enhancing biodiversity and preserving urban ecology is commended. Significant portions of Placemaking NSW's area are shown as a 'future biodiversity link', which is proposed to bisect Darling Harbour.	The intent of the future biodiversity corridors is to connect with the foreshore, however as Tumbalong Park regularly supports large events and has limited tree planting, it would not be effective as a corridor. The map detailing future corridors will be updated to not cover Tumbalong Park.
Placemaking NSW	<u>Haymarket & Chinatown Revitalisation Strategy</u> The intent of the Strategy is supported and its focus on encouraging fine grain renewal. Redevelopment must not impact solar access to public space and heritage items, including Paddys Market the Chinese Garden of Friendship.	The amendments do not impact any solar planes or encroach key heritage items. Benchmarking was undertaken to ensure good amenity is maintained. No change to street wall height for Dixon Street is proposed to maintain the narrow street, significance of the streetscape and tree canopy.
	<u>Cycling Strategy</u> Continued collaboration with the City to enhance the cycle network, new infrastructure and public domain considerations is encouraged. It is recommended Placemaking NSW's Darling Harbour/Tumbalong Cycling Strategy 2025 is considered for new proposals in Darling Harbour.	The City will continue to engage Placemaking NSW on future planning projects, as we have done for this planning proposal and the Haymarket and Chinatown Revitalisation Strategy.

Agency	Submission	Response
Transport for NSW	<u>Signage</u> For information, Placemaking NSW is reviewing our signage provisions for The Rocks and will engage with the City to ensure alignment.	Submission is noted.
	It is noted the DCP amendment refers to a Travel Access Guide instead of a Green Travel Plan. It is recommended: - Green Travel Plan requirements are retained, consistent with TfNSW advice; and - Transport Access Guide wording is consistent with TfNSW advice and renamed to Travel Access Guide.	The City's low parking rates encourage the use of sustainable transport and as such preparation and implementation of a Green Travel Plan is often not required. However, the City may still require Green Travel Plan for large developments with complex travel needs, such as schools or hospitals. These would be prepared in accordance with Transport for NSW requirements.
	The proposed amendments infer a Loading Dock Management Plans is broader than a Delivery Service Plan, which is incorrect. This should be clarified to avoid any confusion.	Submission is noted. <u>Recommended amendments:</u> Section 7.9 Delivery Service Plan requirements has been amended to remove the incorrect statement.
	TfNSW supports the LEP amendments to the maximum parking rates for new developments in well serviced areas. Noting the revised parking rates better reflects recent investment in public transport infrastructure. The changes will help reduce the provision of car parking spaces in new developments, assisting in increased public transport mode share, reducing traffic congestion, inefficiency and safety impacts.	Submission is noted.
Homes NSW	Homes NSW declined to comment on the proposed amendments to the LEP and DCP, broadly.	Submission is noted.
Homes NSW	<u>Waterloo Estate (South)</u> Homes NSW and Stockland, development partners for Waterloo Estate (South) noted the following issues, to ensure redevelopment is not impacted. Contracts to redevelop the Waterloo Estate have been entered into on the basis of designs prepared to the site-specific LEP and Design Guide. <u>Car parking rates</u> The proposed reduction to the maximum parking rates impacts the Waterloo Estate (South) project, with the lowest LEP rates due to high accessibility. Traffic impact has already been assessed, there is no imperative to reduce rates further. It is requested that a savings provision be added to ensure that the LEP parking rates as of December 2023 will apply to Waterloo Estate (South) when application/s are lodged. <u>Floor-to-floor heights</u> The proposed increased apartment floor-to-floor height to a minimum 3.2m differs to the Waterloo Estate (South) project's assumption of 3.15m. It is requested DCP Section 3.4.2 does not apply to Waterloo Estate (South) to remove discrepancies	Development standards for the Waterloo Estate (South), including building height, floor space ratio and car parking rates are included in Sydney LEP 2012, with more detailed planning guidance in the Waterloo Estate (South) Design Guide– which holds statutory weight being referenced by Sydney LEP. <u>Car parking rates</u> The Waterloo Estate (South) planning proposal was approved prior to the reduced parking rates in the planning proposal. The project was supported by a transport study that found acceptable road network impacts based on proposed parking provision. It is appropriate that these rates continue to apply. This is consistent with the City's requirements for a savings provision in the LEP. The drafting has been updated to introduce a savings provision. The Waterloo Estate (South) Design Guide prevails over Sydney DCP 2012 as they relate to the redevelopment of Homes NSW land. The Design Guide provides guidance on building envelopes, public space and built form layout, including floor to floor heights. For guidance on certain aspects of the project, the Design Guide defers to the controls in Sydney DCP 2012. These sections include controls

Agency	Submission	Response
Homes NSW	with the reference scheme and Design Guide. Any change likely requires significant redesign to achieve compliance that may result in reduced social and affordable units being delivered. <u>Flexible and adaptable dwellings</u> Homes NSW is committed to providing a range of dwelling typologies to support various needs, including evolving family structures and culturally appropriate housing. The revised dwelling mix, design requirements and typologies are inconsistent with the reference scheme for the Waterloo Estate (South) and would negatively impact upon feasibility and the amount of social and affordable dwellings delivered. Waterloo Estate demand will likely be driven by singles and young couples with lower demand expected from families. It is requested that Waterloo Estate (South) be excluded so that the current mix as proposed can be delivered. <u>Loading docks and waste collection points</u> Current loading docks designs are consistent with the Waterloo Estate (South) Design Guide. These heights will not meet the new provisions and likely require significant redesign to achieve compliance resulting in reduced social and affordable units To avoid inconsistencies, it is requested this section not apply to Waterloo Estate (South). Appropriate planning of loading docks and waste collection would be comprehensively addressed within the future development application.	relating to dwelling mix, adaptable design, managing wind impacts and transport and parking. As the design process for the Waterloo Estate (South) redevelopment has substantially commenced based in part on existing DCP provisions, it is considered appropriate that this project is exempted from the draft DCP changes. To reflect this the site-specific guidance in Section 5 of the DCP will be updated to advise that when the Design Guide references Sydney DCP 2012, it will be to the version that is current before these draft DCP amendments are made. A water-marked version of that version of the DCP will be hosted on the City's website, clearly stating it applies only to the Waterloo Estate (South) project. For all other development that is subject to Sydney DCP 2012, the up-to-date version will be applicable. <u>Recommended amendments:</u> Section 5.12 Waterloo Estate (South) site-specific provisions updated to include updated guidance. A savings provision in Sydney LEP will preserve the parking rates for Waterloo South
Civil Aviation Safety Authority	CASA declined to comment. Advising their primary concern is impacts to Controlled Activities under the (federal) Airports (Protection of Airspace) Regulations 1996.	Submission is noted.
Heritage NSW	The proposed changes do not disable Heritage Act 1977 requirements, which prevail over the LEP and DCP. Where a site includes a State Heritage item, any future development application for State Heritage items may trigger the Integrated Development process and require concurrence. Heritage NSW can provide pre-lodgement advice as required.	Submission is noted. No change proposed in this planning proposal impacts the State Heritage listing for any site.

Agency	Submission	Response
Government Architect NSW	GANSW support the following amendments: – streamline approvals and reduce the number of competitive design processes; – raising the threshold outside of Central Sydney to 35 metres; – allow design excellence bonus of floor space and building height; – new design review process for social and affordable housing by CHPs; and – permit Council to certify a competitive design process is unreasonable or unnecessary, when determined by Council, LPP or CSPC. <u>Note:</u> for SSD, GANSW maintain the current delegation from the Minister to review and endorse competition exemptions.	Submission is noted. This intended provisions for this amendment clarifies that nothing contained in these changes seeks to curtail State government agencies ability to determine LEP matters where the City is not the consent authority. Should this planning proposal be endorsed by Council, the City will work with Parliamentary Counsels Office and the Department of Planning, Housing and Infrastructure (the Department) in drafting suitable provisions.
	<u>City of Sydney Competitive Design Policy</u> The proposed changes to the City's Competitive Design Policy for SSDs are not supported. Replacing 'consent authority' with 'the City' impacts the governance and administration of SSD design competitions. We understand this is not the intention of the City and suggest some changes. The City and GANSW have agreed the following items are carried out in accordance with the NSW Design Competition Guidelines 2023 for SSDs: 1. in accordance with a Design Excellence Strategy reviewed and endorsed by GANSW; 2. competitive design process brief is reviewed and endorsed by GANSW prior to distribution; 3. the jury will be endorsed by GANSW, with three or five member composition; and 4. all post competition design integrity processes must be in accordance with DCG. We recommend the competitive design policy be updated to provide improved clarity on GANSW's role and function for SSD processes.	The City's Competitive Design Policy has been amended to clarify that the Department and GANSW continue to be responsible for the governance and administration of competition processes for State significant development where the City is not the consent authority. For competitions of state significance where the City is not the consent authority, the City supports the adoption of the jury composition and design integrity process outlined in the GANSW Guidelines and will continue to provide feedback to DPHI/GANSW on competitions within the City of Sydney area. <u>Recommended amendments:</u> Amendments to the Competitive Design Policy to clarify responsibilities for administering the competition.
	<u>Design review process – social/affordable housing</u> The City's policy should provide additional clarity for State Significant Development. These include: 1. Design Excellence Strategy, addressing the City's policy is endorsed by GANSW; 2. the independent review panel is established by GANSW; 3. panel composition is endorsed by GANSW, with either three or panel members; 4. all panel costs are met by the Proponent; 5. secretariat services undertaken by the proponent's consultant, assisted by GANSW. The City's competitive design policy should be updated to provide improved clarity on the role and function of GANSW and the DCG for SSD undertaking the optional design review process for social and affordable housing.	The alternative pathway encourages the delivery of social and affordable housing, with administrative and advisory support being provided by the City. The pathway is currently subject to a pilot process and is supported by the community housing provider. It applies to development that is not State Significant Development. As the draft Policy changes are intended to support the alternative pathway that will be operated and administered by the City, the suggested amendments are not supported in this instance. The City's alternative pathway may be adapted by other jurisdictions into their own policies where they could include different preferences or practices.

Appendix A

Separate notification letters were issued for the amendments in this Planning Proposal and DCP updates that may impact the planning controls that would apply to a property.

Notification letters were sent to property owner, strata headers and other affected stakeholders for the following amendments:

- Amendment 4 – Protection of sun access to Gunyama and Cook and Phillip Parks
- Amendment 11 – Removal of Opportunity floor space
- Amendment 12 – Heritage floor space
- Amendment 15 – 257 Sussex Street, Sydney
- Amendment 18 - Integration Areas

A notification letter was sent to property owners, strata headers and occupiers for the proposed changes to some late night trading precincts proposed in DCP Amendment 13 – Late night trading. Examples of the notification letters are included below.



Figure 1 – Notification letter sent for Amendment 4 – Sun access protection



Figure 2 – Notification letter sent for Amendment 11 – Opportunity sites

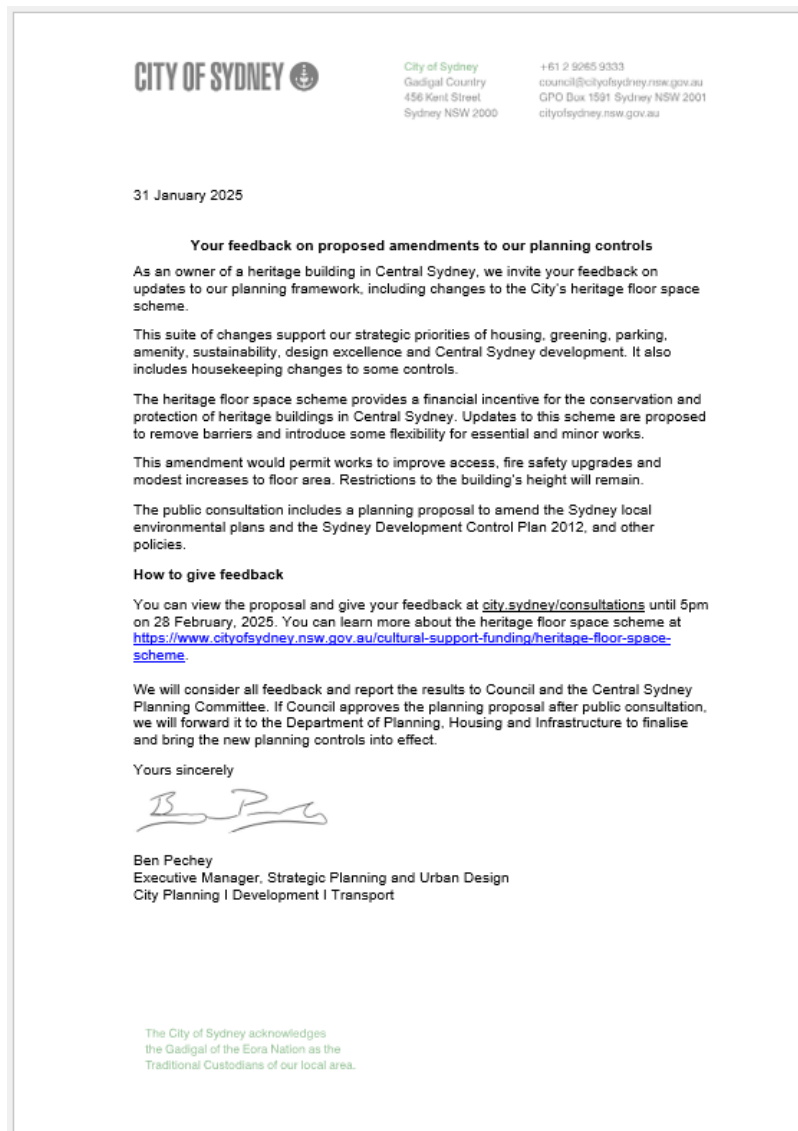


Figure 3 – Notification letter sent for Amendment 12 – Heritage floor space



Figure 4 – Notification letter sent for Amendment 15 – 257 Sussex Street



Figure 5 – Notification letter sent for Amendment 18 – Integration areas



Figure 6 – Notification letter sent for DCP Amendment – Late night trading



Photo: Abril Felman/City of Sydney

Your say on updates to planning controls related to greening, amenity, parking and design excellence

We're prepared changes to our land use planning framework which will ensure our planning controls are up to date and reflect planning strategies.

Have your say by Friday 28 February.

[Read more](#)

Figure 7 – Sydney Your Say eNews newsletter for consultation

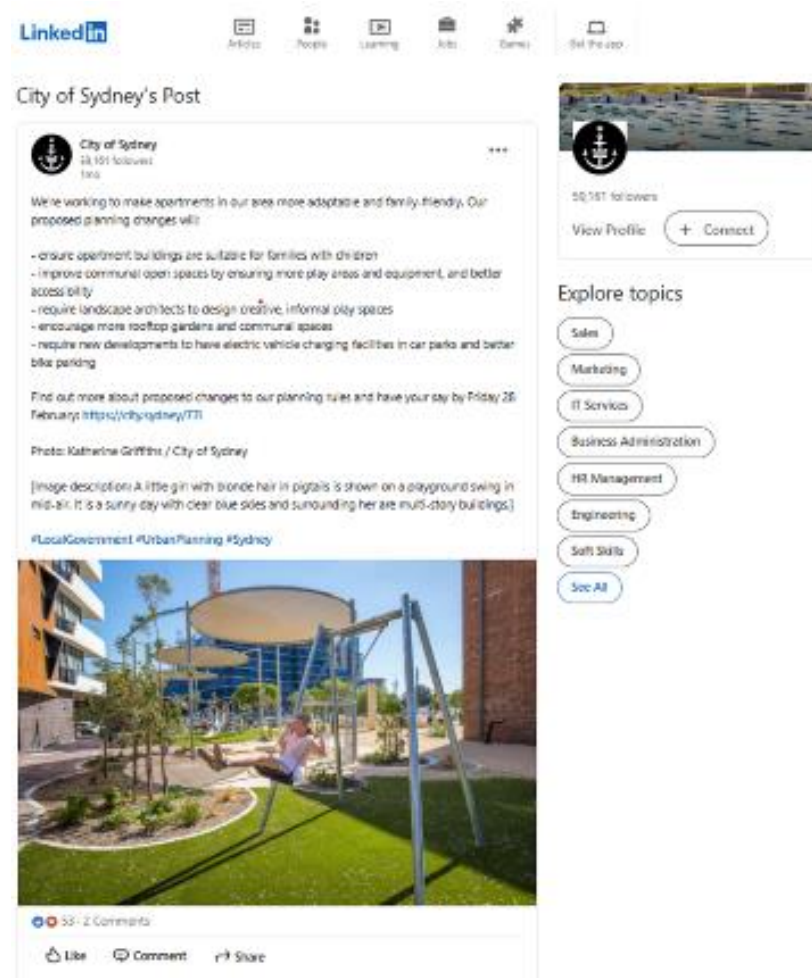


Figure 8 – Social media post inviting comment for LEP and DCP amendments

