

4 March 2026

NSW Department of Planning, Housing and Infrastructure
 Locked Bag 5022
 Parramatta NSW 2124

Architecture
 Urban Design
 Planning
 Interior Architecture

*Attention: Anna Nowland,
 Principal Planning Officer*

**Bank Street Park Mod 2 (SSD-53386706-Mod-2)
 Response to Submissions**

Dear Anna,

This letter has been prepared by Architectus Australia Pty Ltd (Architectus) on behalf of Infrastructure NSW (INSW) in response to matters raised by the NSW Department of Planning Housing and Infrastructure (DPHI) in the letter dated 18 December 2026 for the proposed modification to Bank Street Park (SSD-53386706-Mod-2).

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This letter provides a response to matters raised in submissions from DPHI, City of Sydney (Council), Place Management NSW (PMNSW) and the community during exhibition of the proposed modification, and should be read in conjunction with the following supporting documentation:

Adelaide
 Auckland
 Brisbane
 Christchurch
 Melbourne
 Perth
 Sydney

- Response to 'substantially the same', prepared by Architectus (**Attachment A**).
- Architectural Plans (Amenities Building) prepared by Oculus (**Attachment B**)
- Architectural Plans (Marina Building), prepared by Oculus (**Attachment C**).
- Amended Landscape Plans, prepared by Oculus (**Attachment D**).
- Landscape Design Report Addendum, prepared by Oculus (**Attachment E**).
- Updated Security Review, prepared by Core42 (**Attachment F**).
- BCA Advice, prepared by Philip Chun (**Attachment G**).
- Tree Assessment, prepared by Tree IQ (**Attachment H**).
- Gas Handling Procedures, prepared by All Occasion Cruises (**Attachment I**).
- Traffic and Line Marking plan, prepared by Enspire (**Attachment J**).

1. Analysis of Submissions

The proposed modification was exhibited during the period 28 November 2025 to 11 December 2025. During this period, a total of thirteen (13) submissions were received, including:

- DPHI.
- Council.
- Transport for NSW (TfNSW).
- Department of Primary Industries and Regional Development (DPIRD), Fisheries Division (Fisheries).
- Nine (9) public submissions, including by the Sloths Dragon Boating Club, Pyrmont Action Group and seven (7) individual public submissions.

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Nominated Architect
 CEO
 Ray Brown
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It is noted that TfNSW and Fisheries responded in support of the proposed modification, subject to existing conditions of consent and without requesting any design changes. However, DPHI, Council and the public submissions sought clarification to select matters as well as requesting design amendments.

In their letter, DPHI requested additional plans for the proposed marina and amenities buildings, clarification regarding amenities provision, as well as further discussion that the development remains substantially the same as originally approved.

In their response, Council sought further clarification and justification to aspects of the proposed modification, including, however not limited to removal of the new community building, retention of marina facilities, removal of the over water boardwalk, and further discussion on the substantially the same matter.

Two (2) of the public submissions were in support of the modification, however others raised concern with aspects of the proposed modification, including adequate amenities provision, retention of marina facilities, removal of the over water boardwalk, provision for food trucks (in lieu of a permanent kiosk) and removal of landscaping.

PMNSW also made a submission outside of the above exhibition period relating to amenities provision at the site.

Refer to further detail on key issues raised in the submissions and a response to matters below.

2. Changes Since Exhibition

2.1 Changes In Response to Submissions

Following exhibition of the modification and in response to matters raised in the submissions, the following design amendments have been made to the proposed modification:

- Reconfiguration of the proposed amenities building, to provide additional amenities/toilets and baby change facilities; and
- Removal of fencing surrounding the marina building.

These amendments are detailed in the architectural plans for the amenities building and marina building at **Attachments B and C** respectively, with further rationale to these design changes provided below.

2.2 Ongoing Park Management

In addition to the above, following ongoing discussions with TfNSW and PMNSW, it has been confirmed that PMNSW will not be responsible for ongoing park management, however will continue to play a key role as the park is delivered as a precinct partner, including matters such as wayfinding.

In this regard, it is proposed that conditions currently referencing PMNSW be amended to instead refer to the 'future park operator'. This approach will provide ongoing flexibility until the future park operator is confirmed.

There are nine planning conditions which currently reference PMNSW, with eight of these proposed to be amended as detailed at **Table 1** below.

Table 1. Proposed amendments to conditions

Condition	Proposed Amended Wording
B9 (Detailed Landscaping Plans)	<p>Prior to the issue of the first Crown Building Works certificate, the Applicant must prepare construction drawings for review by PMNSW addressing ...</p> <p>The plans and specifications must include a response schedule which details how PMNSW's the TfNSW Future Operator.comments have been addressed.</p>
B27 (Illumination)	<p>Prior to the issue of the first Crown Building Works certificate for public domain works, a detailed lighting strategy must be endorsed by PMNSW TfNSW Future Operator..</p>
B29 (Heritage Interpretation)	<p>Prior to the issue of the first Crown Building Works certificate for external finishes or public domain works, a Heritage Interpretation Plan must be endorsed by PMNSW TfNSW Future Operator.</p>
E1 (Plan of Management)	<p>Prior to the occupation or commencement of the use (whichever occurs first) of any building or public domain area, the Applicant must prepare a Plan of Management that details the goals and objectives for the land and the overall direction for planning, resource management and maintenance of the land. The Plan of Management must include, but is not restricted to, the following: ...</p> <p>(l) a sub-plan detailing the behavioural expectations and safe navigation practices for users of the proposed dragon boat and kayak/passive craft launching facilities, referencing the Blackwattle Bay Waterway User Group Agreement if available, that must be prepared in consultation with the Harbour Master and endorsed by PMNSW TfNSW Future Operator.and TfNSW. ...</p> <p>The Plan of Management must be endorsed by PMNSW TfNSW Future Operator.prior to the occupation or commencement of the use (whichever occurs first) of any building or public domain area. A copy of the final plan and evidence of endorsement must be submitted to the Planning Secretary for information.</p>
E4 (Public Art/Heritage Interpretation)	<p>Prior to the occupation or commencement of the use (whichever occurs first) of the last building, the approved Heritage Interpretation Plan (Condition B29) must be implemented to the satisfaction of PMNSW TfNSW Future Operator..</p>
E14 (Operational Waste Management Plan)	<p>Prior to the occupation or commencement of use, the Applicant must prepare an Operational Waste Management Plan for the development and submit it to the Certifier. The Operational Waste Management Plan must: ...</p> <p>(f) be prepared in consultation with PMNSW TfNSW Future Operator., and Council if utilising Council's waste contractors/services</p>

For clarity, given PMNSW ongoing involvement in the precinct, no amendments are proposed to Condition B25 (Wayfinding) which requires PMNSW endorsement of the wayfinding plan prior to issue of a Crown Certificate.

2.3 Amendments to Reflect Removal of Community Building

The following amendments to conditions are also proposed to reflect removal of the new community building, including deletion of condition B10 which is no longer required.

Table 2. Proposed amendments to conditions

Condition	Proposed Amended Wording																
B10 (Detail Landscaping Plans)	<i>Prior to the issue of a Crown Building Works certificate for the community building, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Certifier.</i>																
F1 (Operational Hours)	<i>The hours of operation are those specified in the table below:</i>																
	<table border="1"> <thead> <tr> <th>Component</th> <th>Hours of operation</th> </tr> </thead> <tbody> <tr> <td>Public park and foreshore areas</td> <td>24/7</td> </tr> <tr> <td>Multipurpose court</td> <td>Must not be illuminated between 10pm and 7am, daily</td> </tr> <tr> <td><i>Dragon boat storage building and amenities in the community building (Building A)</i></td> <td>Monday to Friday: between 5am and 9pm Saturday to Sunday: between 6am and 3pm</td> </tr> <tr> <td><i>Amenities in Building D</i></td> <td>Daylight hours</td> </tr> <tr> <td><i>Community facilities and café in the community building (Building A)</i></td> <td>7am to 6pm, daily</td> </tr> <tr> <td><i>Charter and tourism boating facilities office in the community building (Building A)</i></td> <td>7am to 1am, daily</td> </tr> <tr> <td>Loading bay and deliveries</td> <td>Monday to Friday: between 7am and 6pm Saturday to Sunday: between 8am and 1pm</td> </tr> </tbody> </table>	Component	Hours of operation	Public park and foreshore areas	24/7	Multipurpose court	Must not be illuminated between 10pm and 7am, daily	<i>Dragon boat storage building and amenities in the community building (Building A)</i>	Monday to Friday: between 5am and 9pm Saturday to Sunday: between 6am and 3pm	<i>Amenities in Building D</i>	Daylight hours	<i>Community facilities and café in the community building (Building A)</i>	7am to 6pm, daily	<i>Charter and tourism boating facilities office in the community building (Building A)</i>	7am to 1am, daily	Loading bay and deliveries	Monday to Friday: between 7am and 6pm Saturday to Sunday: between 8am and 1pm
	Component	Hours of operation															
	Public park and foreshore areas	24/7															
	Multipurpose court	Must not be illuminated between 10pm and 7am, daily															
	<i>Dragon boat storage building and amenities in the community building (Building A)</i>	Monday to Friday: between 5am and 9pm Saturday to Sunday: between 6am and 3pm															
	<i>Amenities in Building D</i>	Daylight hours															
	<i>Community facilities and café in the community building (Building A)</i>	7am to 6pm, daily															
	<i>Charter and tourism boating facilities office in the community building (Building A)</i>	7am to 1am, daily															
Loading bay and deliveries	Monday to Friday: between 7am and 6pm Saturday to Sunday: between 8am and 1pm																

Should any other conditions indirectly reference scope items to be removed as a result of this modification (for instance, references to approved reports), it is anticipated this can be resolved as the conditions are addressed during project delivery."

3. Response to Submissions

3.1 Overview of Key Issues

Key issues raised by DPHI, Council and the public submissions include:

- Removal of the new community building.
- Retention of commercial marina facilities within the public park.
- Removal of the approved kiosk and proposed food truck provision.
- Removal of the over water boardwalk.
- Concern over adequate amenities provision with the park.
- Concern relating to fencing surrounding the proposed marina building.
- Request for further design details of proposed marina and amenities buildings.
- Request for further information on gas handling and storage procedures for the proposed marina building.
- Clarification of landscaping and tree removal.
- Further discussion that the development remains substantially the same as originally approved.

A response to these key issues is provided below.

3.2 Removal of Community Building

A number of submissions (including Council) raised concern regarding removal of the new community building, including the community space, amenities and the café/kiosk.

In particular, Council also queried consistency with community floorspace requirements within the Blackwattle Bay Design Guides, and objected to any shortfall that would result in a reliance on Council owned and funded facilities.

A response to removal of the new community building is provided below, with a response to amenities provision, retention of marina facilities and the kiosk provided further within this letter.

Response (Redistribution of Functions)

The approved new community building included a range of functions, including the community space, marina offices, a café/kiosk, amenities and a ranger's respite room.

Following further detailed design development and consideration of how these functions are best integrated within the park, the previously proposed new building (under the SSDA and Modification 1) is proposed to be removed, with key functions redistributed across the site to achieve improved outcomes for park users."

- Toilets, change facilities, showers and the ranger's room will now be provided in a new, standalone amenities building, located approximately 30m to the east. This new standalone building is centrally located within the park and will enable more equitable access to all users, including Dragon Boat users and those using the nearby playground.
- Existing marina administration functions are to continue at the site under the approved development. These functions will be accommodated within the existing marina administration building, which is to be relocated closer to and immediately south of Building D. Where the marina office was previously located within the new community building, the proposed arrangement will effectively collocate whilst clearly demarcating

these necessary marina functions from other areas of the park, being located to the northernmost extent of the park and away from key recreation areas.

The proposed modification will preserve essential services and ensure that facilities are evenly distributed and readily accessible to park users, while simplifying ongoing maintenance requirements and ensuring construction efficiency. Further, removal of the new community building will enhance park circulation and increase available public open space for communal use and recreation.

Response (Community Space)

Following a review of program and resources, the community space has now been removed from the project which will also reduce ongoing management and maintenance requirements.

Section 6.4 of the Blackwattle Bay Design Guidelines provides that

1. *“Development is to include floorspace that is suitable for community facilities as follows:*
 - a) *approximately 1,200 square metres (GFA) of space for cultural and creative uses which may include meeting rooms, indoor recreation facilities/amenities and the like.*
 - b) *a community centre space of a minimum of 400 square metres (GFA) in a location that enables its use as a boat house/club house, such as Bank Street Park. The facility should accommodate existing dragon boat, kayak and canoe paddlers as well as be available for use as general multipurpose community meeting and activity space.*
2. *Future community and/or cultural facilities may be located in 1-3 Bank Street and/or Building 1, based on the outcomes of more detailed investigations and stakeholder engagement.*
3. *Place Management NSW is to be consulted on the design and development of cultural and creative spaces.*
4. *The location and siting of community and cultural uses must not result in the location of sensitive land uses in areas that can not effectively evacuate in the event of flooding.”*

The proposed modification retains the approved dragon boat building with a GFA of 477m², servicing various user groups including the storage of dragon boats, kayaks and canoe paddlers. This is consistent with the quantum and user groups nominated within Clause 6.4(b) of the Design Guidelines.

Further, whilst the Design Guidelines suggest that the dragon boat facility be available for use as general multipurpose community meeting and activity space, given the specialist requirements of the dragon boat facility this is not practical to achieve. Although it is sought to remove the new community building, the park will benefit from increased communal spaces through the provision of larger lawns and new outdoor dining areas. Bank Street Park will continue to act as a community activation space and meeting point for surrounding residents and visitors as the Blackwattle Bay Precinct continues to undergo redevelopment and expansion.

It is noted that Bank Street Park is not a population or demand generating use and the Social Infrastructure Assessment (SIA) prepared for the Blackwattle Bay Precinct Plan (Precinct Plan) provides (at p114) there is sufficient community space currently available or forecast within the locality, including within existing library, community, or recreation facilities across Pyrmont and Ultimo, as well as a significant quantum of cultural and creative uses being delivered as part of the redevelopment of the existing Sydney Fish Market site (of which INSW is also the proponent). This was reiterated in the SIA addendum prepared for the Sydney Fish Market (Area 17) rezoning approved in May 2025.

3.3 Amenities Provision

A number of submissions raised concern regarding adequate amenities provision associated with removal of the new community building.

The proposed modification seeks to deliver public park amenities in a new standalone building, as well as dedicated facilities within the proposed marina building to service staff as detailed at **Table 3**.

Table 3. Overview of amenities provision

	Existing Approval (per SSD-53386706-Mod-1)	Mod 2 (Proposed)
Toilets (WC)	10 (6 x Ambulant and 4 DDA WC)	6 in total, comprising: <ul style="list-style-type: none"> • 5 within amenities building,(4 x Ambulant and 1 x DDA WC); • 1 within marina building
Showers	3 (no accessible)	3 in total, comprising: <ul style="list-style-type: none"> • 2 within amenities building (incl. 1 accessible); and • 1 within marina building
Baby Change Facilities	1 (within parents room)	1 (within DDA WC)

The above is considered adequate to meet park demand, noting provision has been proportionately reduced given removal of the community space, and complies with relevant provisions of the BCA as detailed in the review letter prepared by Philip Chun at **Attachment F**.

3.4 Retention of Marina Facilities

A number of submissions (including Council) raised concern regarding retention of marina facilities within the public park.

The site presently accommodates landside marina administration facilities, which are necessary to service the nearby Blackwattle Bay Marina (approved under MP11_0001, as amended). This facility has an important role in providing public and commercial access to the harbour.

Existing landside marina administration functions will continue under the approved development. These functions will be accommodated within the existing marina administration building, which is to be relocated closer to and immediately south of Building D. Waterside operations are unaffected by the future Bank Street Park.

Where the marina office was previously integrated within the new community building, the proposed arrangement will effectively collocate marina storage and administrative functions at the northernmost extent of the park, clearly separating this facility from the broader public park.

This approach will improve operational efficiency while clearly locating and delineating marina functions away from key public recreation areas, thereby reducing the visibility of operations within public spaces.

3.5 Removal of Kiosk Facilities

A number of submissions raised concern regarding removal of the approved kiosk, as it was to be located within the new community building which is being removed. To ensure food offerings are available within the park, the proposed modification now incorporates a designated area

opposite the Interpretation Garden for an outdoor food truck and/or stalls, accompanied by several dining shelters

The provision of a dedicated food truck area and outdoor dining space reflects ongoing design development and market demand analysis, and with consideration to nearby developments including the new fish market, redevelopment of the former fish market site, as well as other nearby cafes within Pyrmont.

The proposed modification is an appropriate design response to provide maximum flexibility, enabling a variety of operators and food offerings, whilst reducing ongoing maintenance requirements.

More broadly, the modification will help support site activation, establishing Bank Street Park as a welcoming public destination. As the Blackwattle Bay Precinct continues to undergo redevelopment, particularly with the opening of the new Sydney Fish Market and expanding residential development, the provision of a food and drink service within the park will complement surrounding uses and contribute to a cohesive precinct experience.

3.6 Removal of Overwater Boardwalk

A number of submissions (including Council) raised concern regarding removal of the over water board walk, which was to be constructed along the northern portion of the site, connecting the new community building across to an existing pathway surrounding the Anzac Bridge pylon.

Although located partly over water, due to site topography this approved arrangement does not provide at grade access to either the new community building nor to Bank Street. Although Glebe Island Bridge is not currently accessible, given site levels and steep embankments on the waters edge, the approved arrangement would not enable future connection to the bridge.

Following further design development, it is considered that this approved arrangement does not provide optimal amenity, being located partly under the Anzac Bridge, within close proximity to adjacent marina operations and would enable future connections to Glebe Island Bridge or surrounds. Due to site levels, the approved arrangement also results in increased travel distances for pedestrians traveling towards Bank Street, due to the required stairs and return at the bridge interface.

The proposed modification includes removal of this overwater element, with a revised foreshore pathway arrangement enabling a continuous accessible path of travel against the waters edge and shorter travel distances to Bank Street (refer **Attachment D**). The proposed modification will maintain this foreshore activation, ensuring visual engagement with the waterfront whilst enhancing connectivity and usability of the park.

3.7 Marina Building Fencing

DPHI raised concern regarding fencing surrounding the new community building, including that this would unreasonably segregate marina functions and reduce integration given the open nature of the public park.

In response, fencing has been removed from the proposal as detailed in the marina building plans at **Attachment C**.

3.8 Design Detail of Amenities and Marina Buildings

In their submissions, DPHI and Council requested further design details of the proposed amenities and marina buildings.

Refer additional architectural plans for the amenities building at **Attachment B**, and plans for the marina building at **Attachment C**.

3.9 Gas Handling

It is proposed to store up to eight (8) x 22kg bottles storing post-mix (non flammable) gas within the approved marina storage building. All bottles will be managed in accordance with standard has handling procedures as outlined at **Attachment H**.

3.10 Landscaping and Tree Removal

In their submission, Council raised concerns regarding loss of landscaping and tree canopy. DPHI also sought clarification on the number of trees to be removed, noting the amended plans submitted with this RTS include removal of one additional tree (refer Section 2).

Response (Tree Canopy)

The proposed modification (Modification 2) includes a minor reduction in tree canopy from the approved Modification 1, however will maintain same overall tree canopy cover (+11m²) at maturity as approved under the original SSDA approval (SSD-5338670).

This minor reduction over Modification 1 is attributed to trees adjacent the ANZAC bridge pylon that were added within Modification 1, however are now proposed to be removed under Modification 2. Refer **Table 4**.

Table 4. Overview of canopy cover

	SSD-5338670 (Approved)	Modification 1 (Approved)	Modification 2 (Proposed)
Site Area	11,456m ² (total site area) 9,902m ² (excluding buildings, pylon and court footprints)		
Existing canopy cover	760m ² (7%)		
Proposed Tree Canopy Cover	4,716m ² (47.6%)	4,864m ² (49.1%)	4,727m ² (47.7%)
<i>Note. Canopy cover calculated in accordance with Council's definition, excluding buildings, pylon and court footprints. Site area for the purpose of calculating canopy cover (i.e. excluding buildings) varies between applications due to differing building footprints, with percentages above calculated using proposed building footprints under Modification 2.</i>			

Response (Tree Removal)

DPHI also requested clarification regarding tree removal and provision at the site. **Table 5** below provides details of trees to be retained, removed and planted as part of this modification.

As detailed in the arborist advice at **Attachment G**, there is both one additional existing tree on site which is to be retained, and one additional tree proposed to be removed by the proposed modification.

The additional existing tree on site, whilst not numbered, is a self-seeded juvenile eucalyptus tree from nearby mature trees and was too small to have been included in previous tree surveys on the site. This juvenile eucalyptus tree appears to be approximately 3-4 years old, having grown since SSD-53386706 was approved and is now identified as an existing tree on site and will be retained by this modification.

The subject modification also includes removal of one additional tree (Tree 22), a *Eucalyptus Saligna* (Sydney Glue Gum). Although previously identified as being in good health and proposed for retention, unrelated to the Bank Street Park development, this tree has been used to demonstrate traditional bark removal techniques (scarring), resulting trunk wounds that have reduced its Useful Life Expectancy (ULE) and is therefore proposed for removal.

Table 5. Overview of tree removal

	SSD-5338670 (Approved)	Modification 1 (Approved)	Modification 2 (Proposed)
No. of existing trees	29 (excluding juvenile eucalyptus)	29 (excluding juvenile eucalyptus)	30 (including juvenile eucalyptus)
No. of trees to be removed	20	20	20
No. of trees to be retained	9 (excluding juvenile eucalyptus)	9 (excluding juvenile eucalyptus)	10 (including juvenile eucalyptus)
No. of trees to be planted	133	169	159
No. total of trees post development	142	178	169

In addition to the above, it is noted there is an additional dead tree located to the north of the site near 1-3 Bank Street that is shown for removal on the plans. This tree is unnumbered, as dead trees are not ordinarily included in tree removal calculations. This tree was not included in previous calculations, however if included, would increase the number of trees to be removed in **Table 5** by one.

3.11 Substantially the Same

In their submissions, DPHI and Council requested further justification that the proposed modification is substantially the same as the development as originally approved. A response to this matter is provided at **Attachment A**.

3.12 Bank Street Pedestrian Crossing

Following approval of Modification 1, the design team have continued to review the crossing location in Bank Street to address condition B47 (Road Works).

On submission of Modification 2, Council contacted INSW to advise the pedestrian crossing details had been omitted from the civil plans.

To address this response, the traffic and line marking plan has been updated (**Attachment J**) re-incorporating the pedestrian crossing, noting the final design and layout of works within Bank Street is subject to further review and endorsement by Council and TfNSW in accordance with Condition B47.

4. Conclusion

We trust that the above addresses matters raised and enables DPHI to finalise assessment of the proposed modification. Should you require anything further, please do not hesitate to contact me at jonathan.archibald@architectus.com.au.

Regards,



Jonathan Archibald
Senior Associate, Planning
Architectus Australia Pty Ltd