URBIS

# Amended Clause 4.6 Variation Request

*11-23 Rangers Avenue, Mosman*

May 2026

**Prepared for:** Grand Noble Project 1 Pty Ltd

**Urbis staff responsible for this report were:**

| | |
|---|---|
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| Project Code | P0058845 |
| Report Number | Final |

# *Acknowledgment of Country*

Urbis acknowledges the Traditional Custodians of the lands we operate on.
We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years.
We pay our respects to First Nations Elders, past and present.

Urbis is committed to incorporating our respect for First Nations cultures, peoples and storytelling in our work across the Country. We are proud to have partnered with Darug Nation artist, **Hayley Pigram**, and to profile her artwork - **Sacred River Dreaming**.

*The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.*



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# Request to vary the Maximum Building Height Development Standard Under Section 16(3) of the Housing SEPP

**Address:** 11-23 Rangers Avenue, Mosman

This Clause 4.6 Variation Request has been prepared in relation to a State Significant Development Application (**SSDA**) SSD-96272465 for an in-fill affordable housing development and should be reviewed in conjunction with the Response to Submissions report, Environmental Impact Statement (dated November 2025) and accompanying architectural plans.

## 1. Site Description

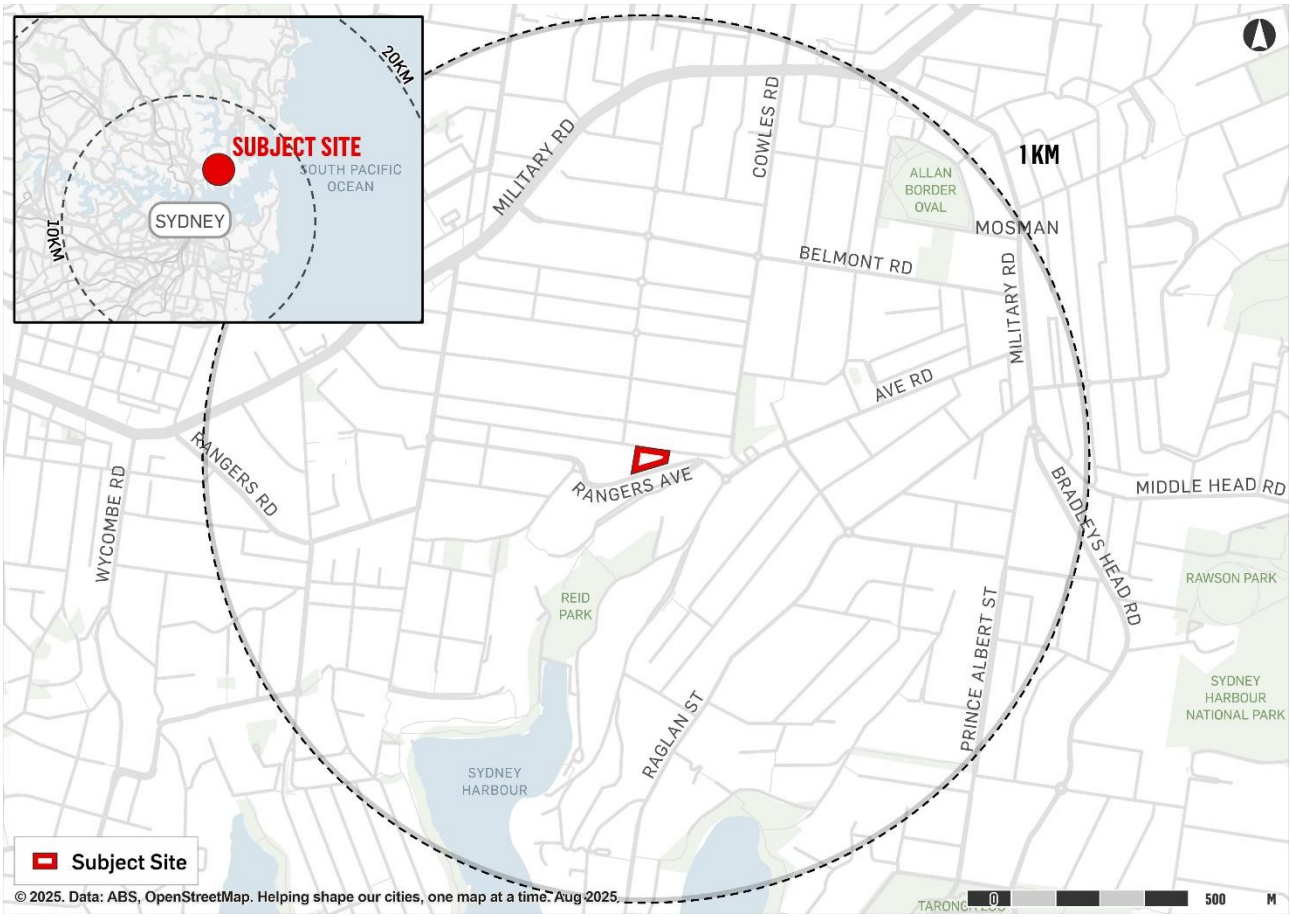
The table below summarises the key features of the site and the land to which the subject SSDA relates.

*Figure 1 Site Description*

| Characteristic | Description |
|---|---|
| **Street Address** | 11-23 Rangers Avenue, Mosman |
| **Legal Description** | • Lot 42/DP2509 (11 Rangers Avenue)<br>• Lot 41/DP2509 (13 Rangers Avenue)<br>• Lot 2/DP748842 (15 Rangers Avenue)<br>• Lot 1/DP748842 (17 Rangers Avenue)<br>• Lot 39/DP2509 (19 Rangers Avenue)<br>• Lot 38/DP2509 (21 Rangers Avenue)<br>• Lot 37/DP2509 (23 Rangers Avenue) |
| **Site Area** | 3,594m2 |
| **Land Configuration** | The approximate dimensions of the site are as follows: 64m x 78m x 28m x 85m.<br>The highest point is located at the north-western corner (RL 54) and the lowest point at the south-east corner (RL 45), with a diagonal cross fall of approximately 10 metres across the site. |
| **Land Ownership** | Each of the lots are individual ownerships, with Grand Noble Project 1 Pty Ltd being the applicant for the development. |
| **Existing Development** | The site currently consists of a mix of single, two, three and four-storey detached dwellings fronting Rangers Avenue, except for 15–17 Rangers Avenue which contains semi-detached dwellings. |
| **Local Context** | The surrounding locality is described below:<br>• **North**: The northern boundary adjoins Bloxsome Lane, with the Holt Estate Conservation Area located to the north. This land is zoned C4 Environmental Conservation Area.<br>• **East**: The R3 zone continues along Rangers Avenue toward the Avenue Road and beyond. The Avenue Road shopping village zoned E1 Local centre sits as a midpoint to the commercial strip further east on Military Road. |

| | |
|---|---|
| | • **South**: Land adjacent to the site and on the lower side of Rangers Avenue is also zoned R3 medium density residential. The land falls steeply into a gully and biodiversity corridor zoned C2 Environmental Conservations into Reid Park zoned RE1 below.<br>• **West**: A mix of R2 and R3 residential zones extend to the surrounding suburbs. These zones predominately meet the harbour, often featuring C2 Environmental Conservations and RE1 public recreation zones for public access to the foreshore of Sydney Harbour. |
| **Regional Context** | The site is in the Mosman LGA and is less than 800m walking distance to Cremorne Town Centre. The site also has convenient access to the Sydney CBD with only approximately 4km from Circular Quay. |
| **Infrastructure** | The site is well serviced by public transport with Military Road providing a key transport corridor to the north, Avenue Road linking local centres to the east, and Spofforth Street to the west. Public transport is readily available, including frequent bus services along Avenue Road, Spofforth and Military Road and ferry services from Mosman Bay. |
| **Site Access** | The site is accessed from both Rangers Avenue and Bloxsome Lane. |
| **Services** | Water connection points, sewer, gas and electricity are located within the vicinity of the proposed development. |
| **Stormwater and Flooding** | The site is mapped close to a draft Flood Planning Area. An integrated Water Management Plan has been prepared by BG&E to assess stormwater management requirements for the site and the draft flood planning area (see RtS Appendix I). The proposal will also install a pit and pipe network along Rangers Avenue to cater for the proposed development and the Council pit and pipe network and divert stormwater from the road. An On-site Detention (OSD) tank will also be constructed, and the stormwater for the whole development will be drained into the OSD tank. |
| **European Heritage** | The site is adjacent to the Holt Estate heritage conservation area to the north.<br>On the southern Rangers Avenue boundary, the divided road and sandstone wall are listed local heritage item No. 438.<br>A modern concrete and brick residential flat building located opposite No. 13 Rangers Avenue at 36A Park Avenue is a listed Heritage Item in the Mosman LEP Item No. 201.<br>The steps at Bloxsome Lane road reserve (adjacent to 9 - 9A Rangers Avenue) are a listed heritage item No. 331 in the Mosman LEP. |

*Figure 2 Location Plan of Regional Site Context*




*Source: Urbis (2025)*

*Figure 3 Site Location Plan*


*Source: Nearmap 2025 (edited by Urbis)*

*Figure 4 Site and Locality Photographs*

*Picture 1 View west of the existing staircase towards Rangers Avenue*

*Picture 2 Corner Bardwell Lane and Bloxsome Lane, looking east toward the site.*

*Picture 3 View West along Rangers Avenue with 11 Rangers in the foreground, right*

*Picture 4 View East along Rangers Avenue*

*Source: Urbis*

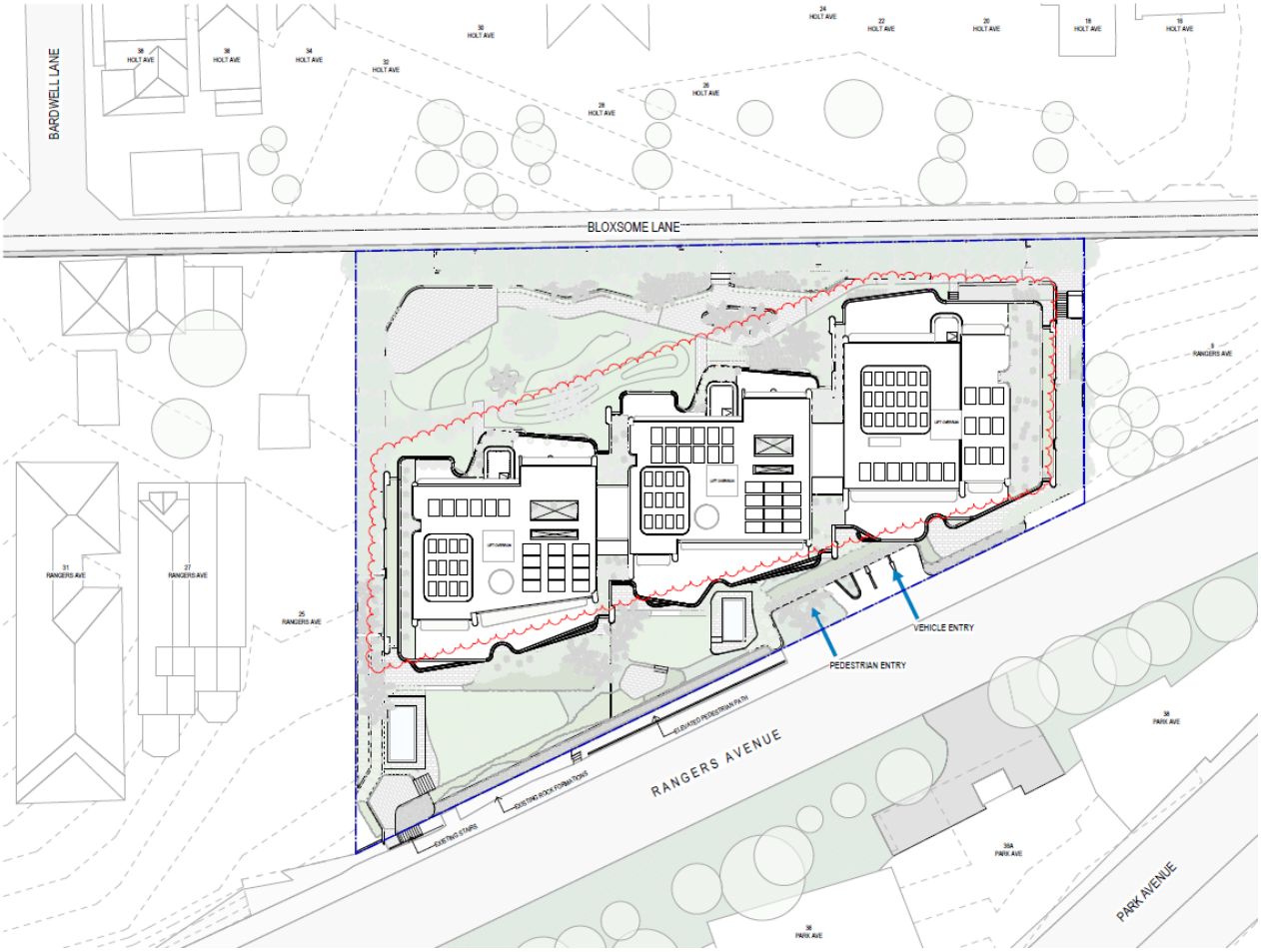
## 2. Proposed Development

The SSDA seeks development consent for the following:

- Demolition of the existing structures on the sites at 11 -23 Rangers Avenue and removal of the vehicular crossovers an Bloxsome Lane
- Removal of 21 trees
- Excavation to a depth of approximately 10m
- Construction of part 6, part 7-storey residential flat building comprising:
  - 44 Residential apartments.
  - 10 affordable housing apartments to be managed by community housing provider *Homeground* for a 15-year period. (equivalent to 15% of proposed residential GFA proposed).
  - Communal open space and associated site landscaping
  - Two and a half levels of basement for 80 residential parking spaces and 11 visitor parking spaces as well as 11 bicycle parking spaces and 4 motorbike parking spaces with access from Rangers Avenue
  - Storage, plant and essential services.
  - Level parking with car, bicycle and motorbike parking spaces; with waste storage areas and plant
- Vehicular access from Rangers Avenue, in the location of the current access (current vehicle access from Bloxsome Lane, including eight existing crossovers, will be removed)
- Rebuilding the existing sandstone retaining wall on the Rangers Avenue

The proposed site plan of the development is shown in **Figure 5.**

*Figure 5 Proposed Building Layout*




*Source: Woods Bagot (2026)*

# Planning Instrument, Development Standard, And Variation

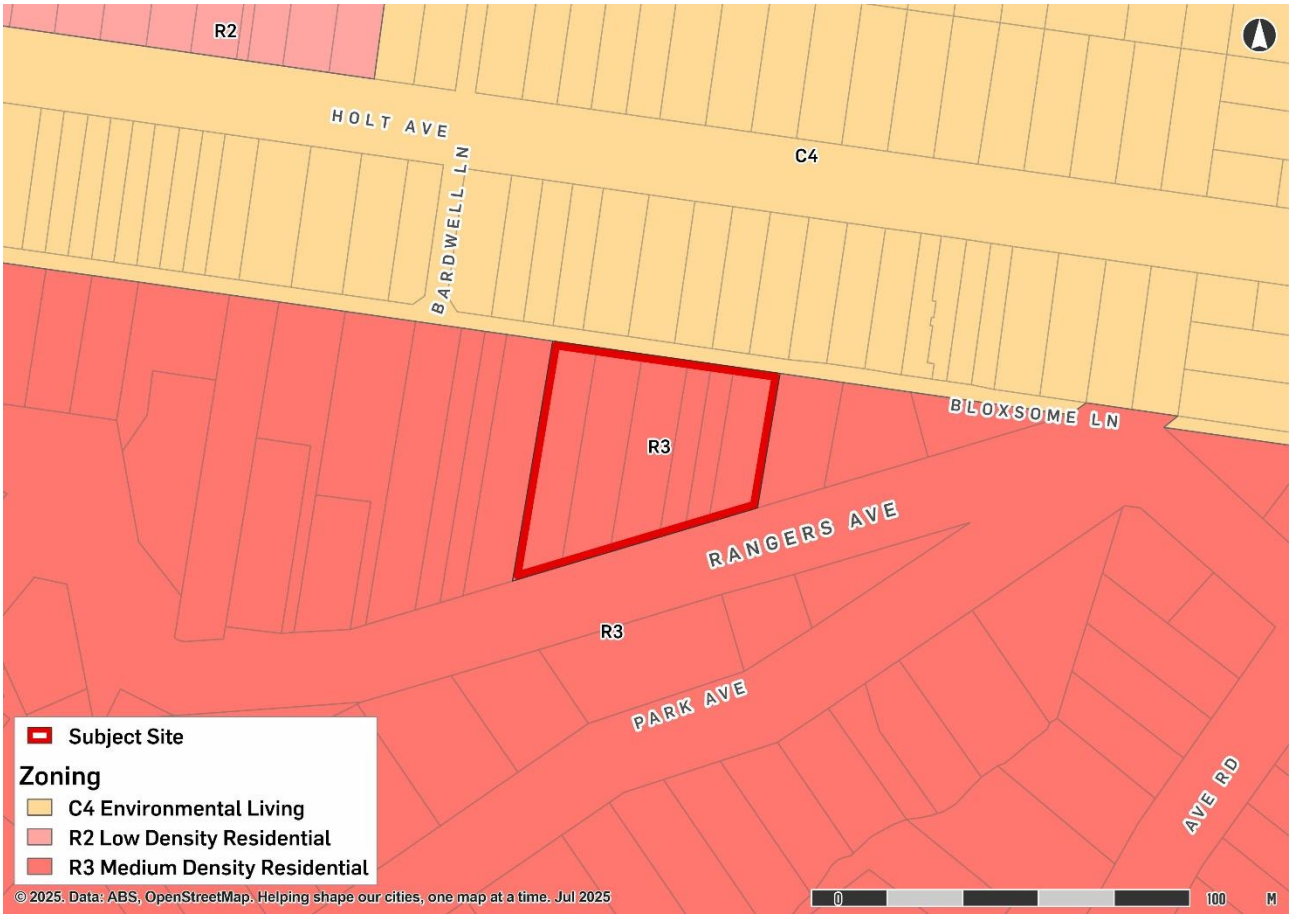
## 3. Environmental planning instrument sought to be varied

This request seeks to vary the *State Environmental Planning Policy (Housing) 2021* (**Housing SEPP**).

## 4. Zoning of the site

The site is zoned R3 Medium Density Residential under the Mosman LEP 2012 (MLEP).

*Figure 6 Land Use Zoning*




*Source: Urbis*

## 5. What is the development standard to be varied

The standard proposed to be varied is the maximum height of the building development standard under Part 2, Division 1, Clause 16(3) of the Housing SEPP. Part 2, Division 1, Section 16(3) of the SEPP states:

> ***16 Affordable housing requirements for additional floor space ratio***
>
> *(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).*
>
> *(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—*
>
> *Affordable housing component = additional floor space ratio (as a percentage) ÷ 2*

*(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).*

*(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.*

The site is located within 800m walking distance to the Cremorne Town Centre. The building height is therefore established under Section 176 and 180 of the Housing SEPP, which permits a maximum building height of 17.5m.

Pursuant to clause 4.3 of the MLEP 2012, the site has a maximum building height for the site of 8.5m. However, as the Housing SEPP establishes a building height control for applicable land within the LMR area, the SEPP states that where *"there is an inconsistency between this Policy and another environmental planning instrument ….. this Policy prevails to the extent of the inconsistency."*

Therefore, the maximum building height of 17.5m as established under the section 176 of the Housing SEPP, prevails.

The proposal provides 15% of the Gross Floor Area as affordable housing and is therefore eligible to utilise the full 30% uplift in building height available under Section 16(3) of the Housing SEPP. This results in a maximum height of building development standard of **22.75 metres.**

The height of buildings development standard is not excluded from the operation of Clause 4.6 of the LEP.

The objective of the in-fill affordable housing provisions of the Housing SEPP is as follows:

*15A Objective of division*

*The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.*

The objectives of the height of building development standard in the **LEP** are as follows:

*(a) for development on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone C4 Environmental Living—*

*(i) to share public and private views, and*

*(ii) to minimise the visual impact of buildings particularly when viewed from the harbour and surrounding foreshores, and*

*(iii) to ensure that buildings are compatible with the desired future character of the area in terms of building height and roof form, and*

*(iv) to minimise the adverse effects of bulk and scale of buildings,*

## 7 Type of development standard

The request seeks to vary the numerical height of building control.

## 8 What is the numeric value of the development standard in the environmental planning instrument?

Under the Housing SEPP, the maximum height of buildings is 17.5m. With the in-fill affordable housing incentive provisions, the maximum building height development standard is **22.75m.**

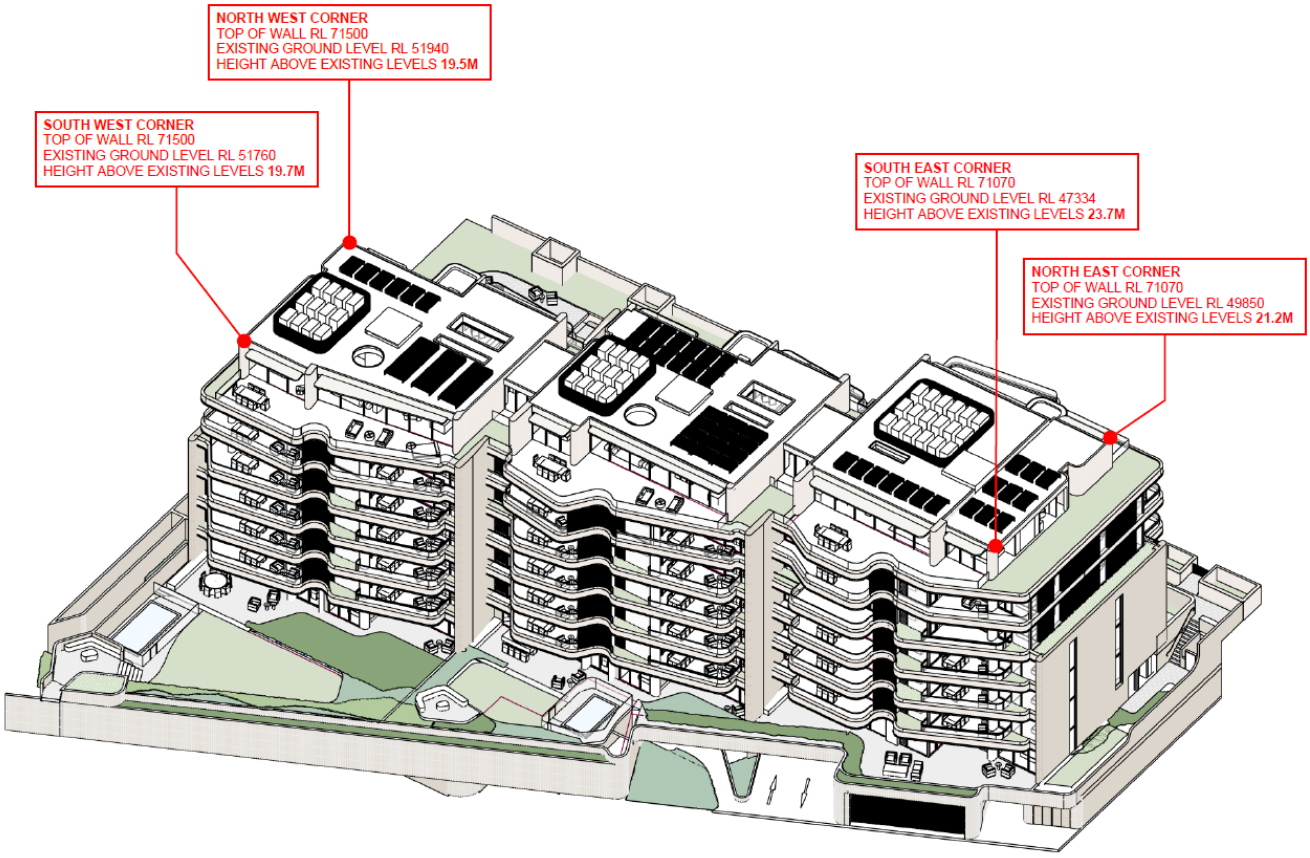
## 9 What is the difference between the existing and proposed numeric values? What is the percentage variation?

The maximum permissible building height is 22.75m. As the site is a sloping site, which varies from south west to the south east, the height variation follows the natural topography of the land.

In this regard, the building height is as follows at the relevant points:

- North western corner: 19.5m
- South western corner: 19.7m
- North eastern corner: 21.2m
- South eastern corner: 23.7m

*Figure 7 Diagram showing height of building at each corner*




*Source: Woods Bagot (2026)*

The variation is set out in **Figure 8.**

*Figure 8 Maximum Extent of Variation*

| Control | LMR Control | Building Height Standard (inc. +30%) | Maximum Height Proposed | Extent of Variation |
|---|---|---|---|---|
| **Building height** | 17.5 metres | 22.75m | 24.39m (RL71.80) | 1.64m (7.21%) |

## 10 Visual representation of the proposed variation

Woods Bagot have utilised the available site survey data prepared by LTS Surveys to identify the existing ground levels on the site. As evident by the survey plan, this includes multiple spot levels at available locations across the site, including along Bloxsome Lane and in the north facing year yards, along the existing boundaries of the individual properties, within the south facing front yards along Rangers Avenue and the footpath levels within Rangers Avenue.

LTS Surveys have issued Woods Bagot a DWG of those existing surveyed levels for the site. The existing ground level is illustrated by the yellow underlay within the below diagrams.

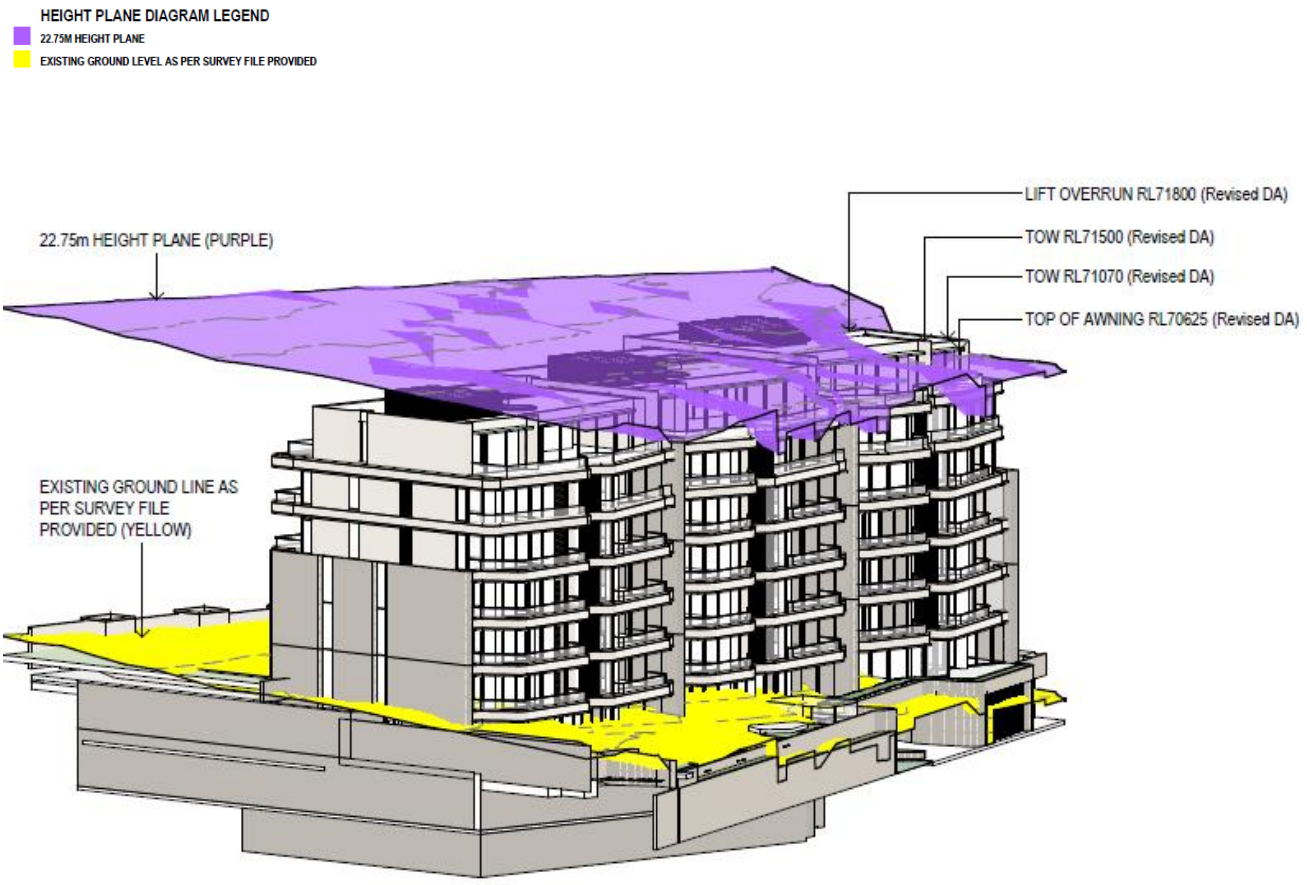
The height plane has then been extrapolated across the site as shown in purple, based on 22.75m above the existing ground level. Collectively, this forms the 3D height model.

The proposed development in relation to the 3D height plane model, is illustrated in Figure 9 below.

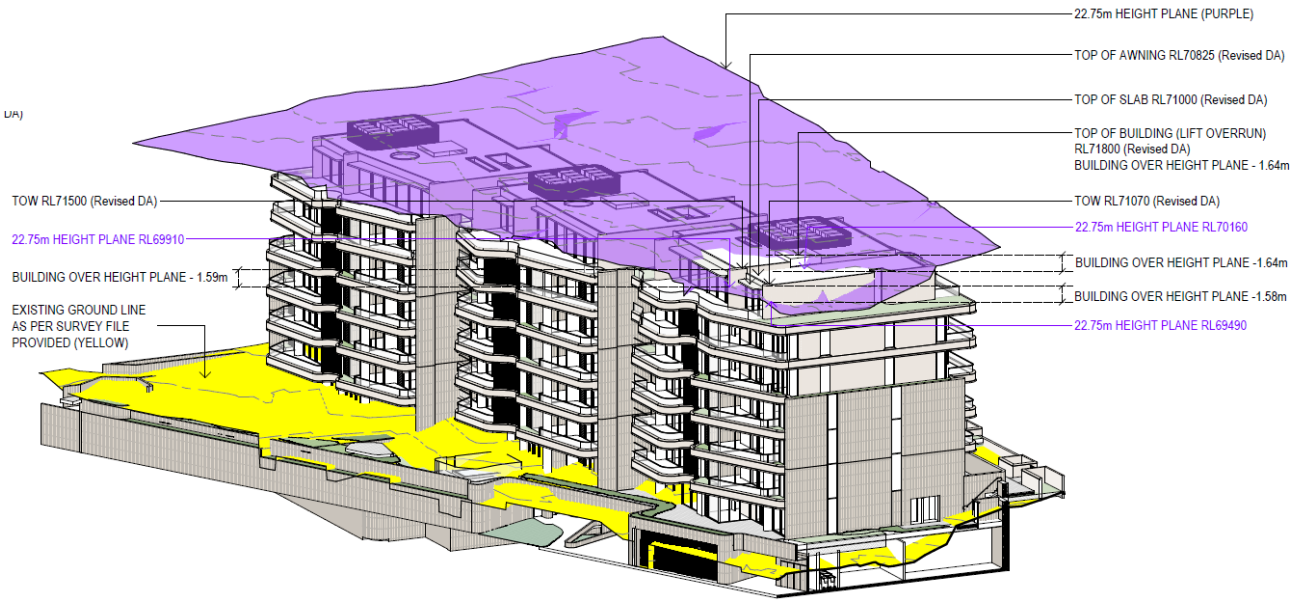
This demonstrates, when viewed from neighbouring properties along Bloxsome Lane, the building height remains well below the height plane from the north-west, north-east and south-west directions, with only a very minor protrusion in the south-east corner, where the land has fallen away.

Further to the 3D height plane, Figure 10 provides for the roof in plan, indicating the portion of the whole site which is beyond the height plane. This demonstrates the very localised nature of the height exceedance, equating to 5.7% of the total building footprint.

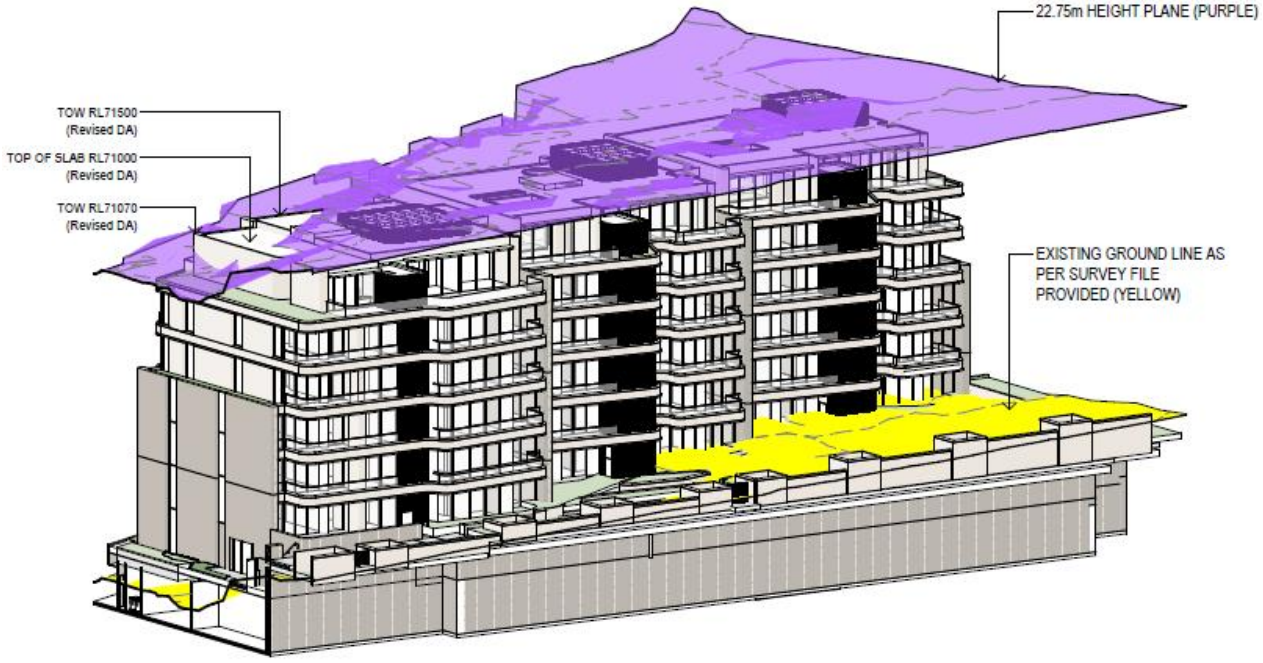
*Figure 9 Height Plane Diagrams, as viewed from the from all four corners of the site, showing the localised extent of the variation, where the topography falls away.*



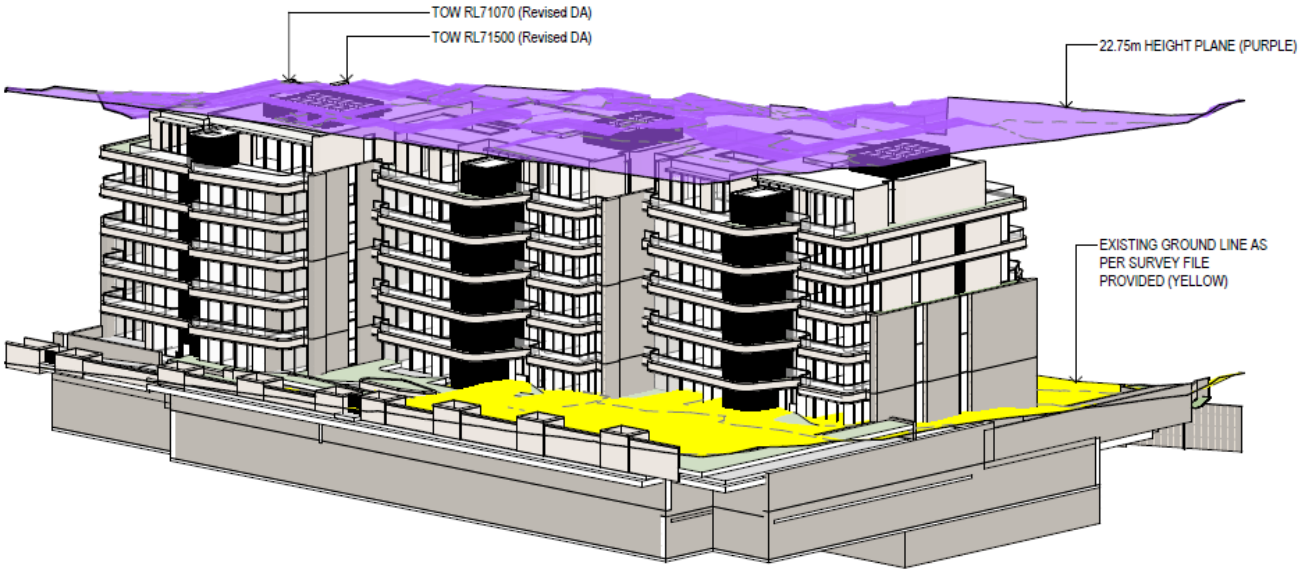

***South Western corner***




***South eastern corner***




***North eastern corner***

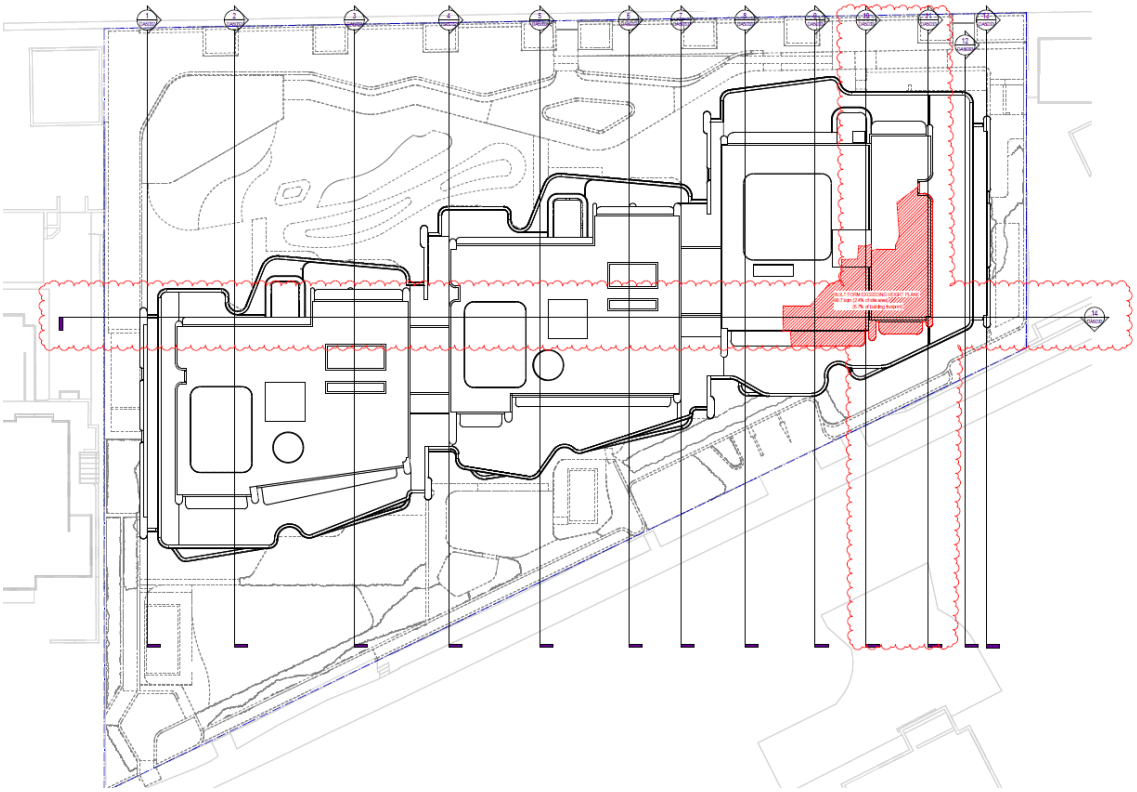



***North western corner***

*Source: Woods Bagot (2026)*

The diagram below illustrates the extent of built form that exceeds the height plane (hashed in red). The area exceeding the height plane represents 2.4 per cent of the total site area and 5.7 per cent of the total building footprint.

*Figure 10 Diagram showing area of non- compliance*



*Source: Woods Bagot (2026)*

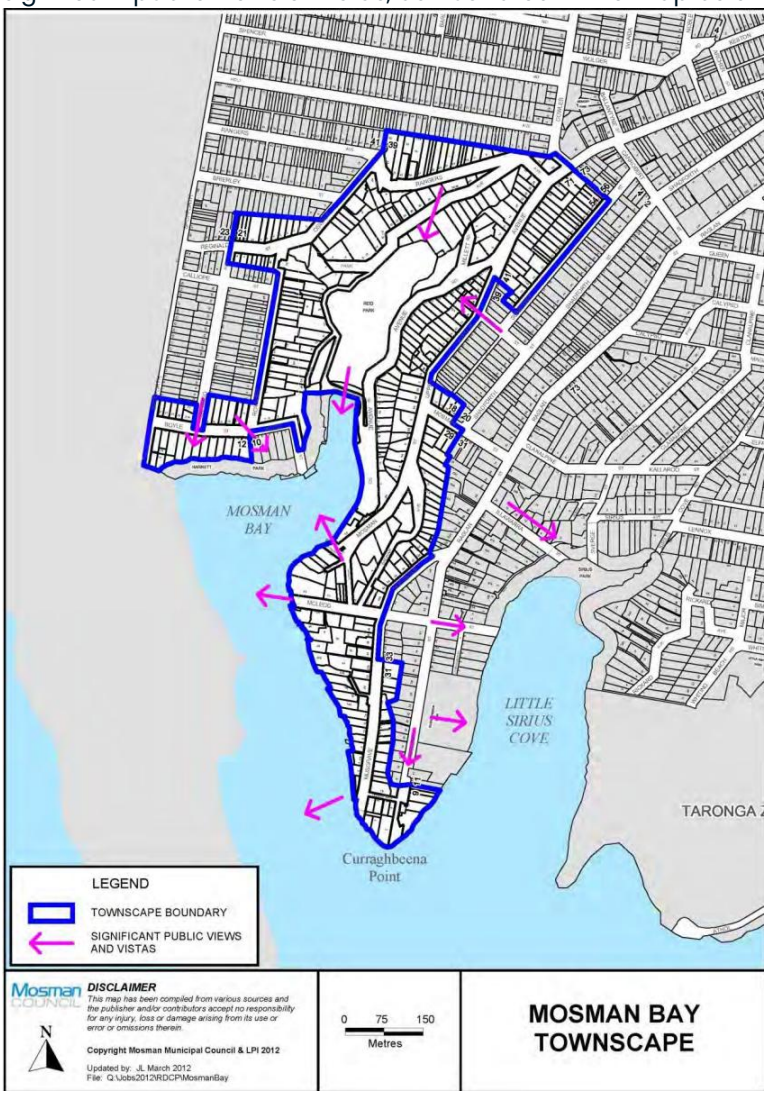
# Justification for the Proposed Variation

## 11 How is compliance with the development standard unreasonable or unnecessary in the circumstances

*Figure 11 Justification of proposed variation*

| Key Questions | Response |
|---|---|
| a) Are the objectives of the development standard achieved notwithstanding the non-compliance? | This assessment considers the objectives of Part 2, Division 1 of the State Environmental Planning Policy No 1 (Housing) 2021 (Housing SEPP), together with the objectives of the height of buildings development standard under Clause 4.3 of the Mosman LEP 2012.<br>**Objective of Part 2, Division 1 - Housing SEPP**<br>***15A The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.***<br>The proposal achieves this objective by delivering 10 affordable housing dwellings, comprising 15% of the total GFA, to be managed by HomeGround, a Tier 1 Community Housing Provider. The affordable housing is fully integrated within the development, achieves high levels of internal amenity, consistent with the Affordable Housing SEPP requirements.<br>The site is within walking distance of Cremorne Town Centre and is well served by public transport, services, open space and employment opportunities. This location aligns with the strategic intent of the Housing SEPP to concentrate additional housing, including affordable housing, in accessible and well-serviced urban areas. The proposed height variation enables this outcome to be achieved without giving rise to any material additional amenity or environmental impacts beyond those contemplated by the Housing SEPP.<br>**Objectives of Clause 4.3 – Height of Building under the MLEP**<br>***(i) to share public and private views***<br>A Visual Impact Analysis has been prepared to accompany this application and supports the proposed SSDA. (refer to **Appendix CC**).<br>The site is identified as being within the Mosman Bay Townscape Area. While the Mosman DCP identifies significant public views and vistas to be retained, a review of the DCP indicates that the proposal does not affect any identified |

significant public views or vistas, as illustrated in the map below.




The site is located at the northern extent of the Mosman Bay Townscape Area and sits mid-way on the ridge line. Public domain views identified for retention occur from the Rangers Avenue reserve however, the proposed development does not affect these views. To the north, the site adjoins the Holt Estate Heritage Conservation Area. A review of the Mosman DCP confirms that no identified public views or vistas are affected by the proposal. In relation to private views, the northern interface is separated from the site by Bloxsome Lane and adjoins the Holt Estate Heritage Conservation Area. Along this interface, the proposed built form remains below the relevant height plane and is consistent with the outcomes anticipated by a fully compliant development envelope. The height exceedance is confined to the south-eastern corner of the site and does not result in any additional private view loss beyond that which would occur under a fully compliant scheme.

***(ii) to minimise the visual impact of buildings particularly when viewed from the harbour and surrounding foreshores***

Public views from Mosman Bay and surrounding foreshore locations have been assessed. The Visual Impact Assessment indicates that the development would be largely screened by intervening topography, vegetation and existing built form.

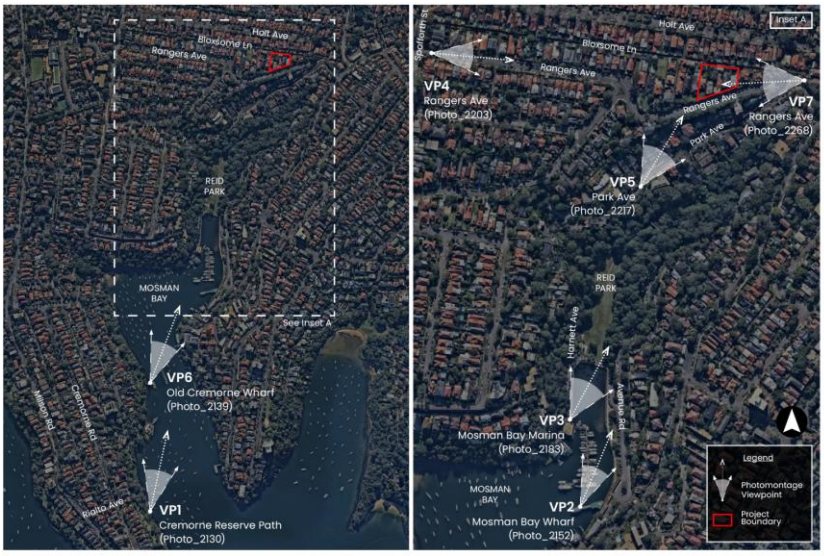
In longer range views where the development is visible, it would read as part of the broader ridgeline form along Rangers Avenue, with the localised height exceedance not giving rise to any discernible increase in visual bulk or prominence compared to a compliant outcome.

As illustrated in the submitted VIA, various public view locations were analysed from the harbour and foreshore area.

Viewpoints from the harbour and foreshore include:

- PM01 – Cremorne Reserve Path
- PM02 – Mosman Bay Wharf
- PM03 – Mosman Bay Marina
- PM06 – Old Cremorne Wharf

The location of those viewpoints are illustrated in the aerial image below:




The VIA analysis confirms that:

- PM01 – the south-eastern part of the proposed building would not be visible from this location and the residential flat buildings within the foreground obscure this view.
- PM02 – the proposed development as a whole would not be visible from this location as it is obscured by vegetation and built form.
- PM03 – the south-eastern part of the building would not be visible from this location as it sits below the canopy line. Only the northern eastern façade is visible, in a similar manner to other upper level building forms within the harbour foreshore area.
- PM06 – the proposed built form would be visible from this angle, as the building sits on the upper part of the ridge line. Most of the existing dwellings along this ridgeline are visible from the foreshore, with the vegetation canopy line, matching the topography of Rangers Avenue. As the scale and form of the upper level is consistent, the height variation would not be discernible from a public perspective and would read as a single element, as illustrated below.


The urban context as experienced from this location is anticipated to evolve in response to the recently introduced planning controls, which establish the desired future character for this part of Rangers Avenue as a low to mid rise residential streetscape.

Within this emerging context, the proposed development would be consistent with the intended height, bulk and scale. Existing residential flat buildings of comparable form and scale are already present in the immediate foreground and wider landscape, and the proposal would read as part of the established and evolving desired future character rather than as an isolated or visually dominant element.

***(iii) to ensure that buildings are compatible with the desired future character of the area in terms of building height and roof form, and***

Mosman exhibits an established residential character comprising single and two-storey detached dwellings, 3–4 storey walk-up residential flat buildings, and a smaller number of larger, taller residential flat buildings. The site is located within the Mosman Bay Townscape Area, which occupies a ridgeline descending toward Mosman Bay and includes detached dwellings of varying scale alongside residential flat buildings of differing form and height, many dating from the 1960s and 1970s.While the site adjoins a lower-scale heritage context, it is also located within a Low to Mid Rise Housing area identified for increased residential flat building scale and intensity, reflecting its broader strategic planning context and proximity to the Cremorne Town Centre. The site is subject to recently introduced planning controls that anticipate this transition. The proposed development aligns with the intended height range and built-form outcomes of this desired future character, with a flat roof form and recessed upper levels reflecting contemporary development typologies envisaged under these controls.

The proposed height variation is confined to a highly localised portion of the south-eastern edge of the building and, within the context of the emerging Low and Mid-Rise Housing environment, would not be discernible in the future urban context.

| | |
|---|---|
| | ***(iv) to minimise the adverse effects of bulk and scale of buildings,***<br><br>The proposed development manages bulk and scale through articulation, setbacks and landscape integration. Along the Rangers Avenue frontage, the retention and enhancement of the existing sandstone rock wall, together with the use of the existing access, maintains the established streetscape condition and limits additional built form at this level.<br><br>The building steps along the frontage in response to the varied setback pattern on Rangers Avenue and allows for substantial deep-soil landscaping, consistent with the landscape character of Mosman.<br><br>At the northern interface, the building is set back from the Heritage Conservation Area by Bloxsome Lane and separated by a low-scale masonry fence, providing physical separation between the two distinct character areas. Tree planting of up to 15 metres along this boundary further assists in managing the perceived scale of the development when viewed from the north. Due to the north-to-south fall of the site, lower levels are accommodated within the landscaped setting, with upper levels more visible above ground. In this location, the built form remains entirely below the applicable height plane, and the proposed height exceedance does not contribute to additional bulk or scale when viewed from the north.<br><br>The site's position at the eastern junction of Rangers Avenue results in visibility from the intersection with Park Avenue along the surrounding road network. From this viewpoint, the localised height exceedance is apparent; however, it remains integrated within the overall building form and does not give rise to an increase in perceived bulk or scale when compared with a compliant development. Given the confined extent of the variation, the overall visual impact is limited and, within the urban and visual context, would be assessed as low to moderate, with no adverse impacts beyond those anticipated for a compliant outcome.<br><br>Other environmental impacts of the non-compliance are discussed further below. |
| b) Are the underlying objectives or purpose of the development standard not relevant to the development? (Give details if applicable) | N/A |
| c) Would the underlying objective or purpose be defeated or thwarted if compliance was required? (Give details if applicable) | N/A |
| (d) Has the development standard been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard? | N/A |

| | |
|---|---|
| e) Is the zoning of the land unreasonable or inappropriate so that the development standard is also unreasonable or unnecessary? | N/A |

As demonstrated above, the objectives of the infill affordable housing provisions of the Housing SEPP and the MLEP height of buildings development standard are achieved notwithstanding the proposed contravention.

## 12 Are there sufficient environmental planning grounds

This section identifies the environmental planning grounds that justify variation to the height development standard. The assessment demonstrates that the non-compliance is minor and highly localised, arises from the site's topography and does not result in material adverse amenity, visual or environmental impacts that would warrant refusal of the application.

The environmental planning grounds supporting the proposed variation are set out below.

**Topography**

The site is a large site that extends for a length of approximately 85m. The site falls from RL54 in the north-western corner to RL45 in the south-eastern corner.

In the direct location where the built form exceeds the building height plane, the site falls from RL51 at the north along Bloxsome Lane, to RL46-RL47 in south, along Rangers Avenue. This results in an approximate 5m fall within the eastern portion of the site.

The majority of the building sits well below the height plane, being:

- 19.5m – 21.2m along the northern façade.
- 19.7m – 24.3m along the southern façade

This results in a maximum exceedance of 1.64m as demonstrated in the architectural sections prepared by Woods Bagot. (See upper purple line in Figure 12 below).

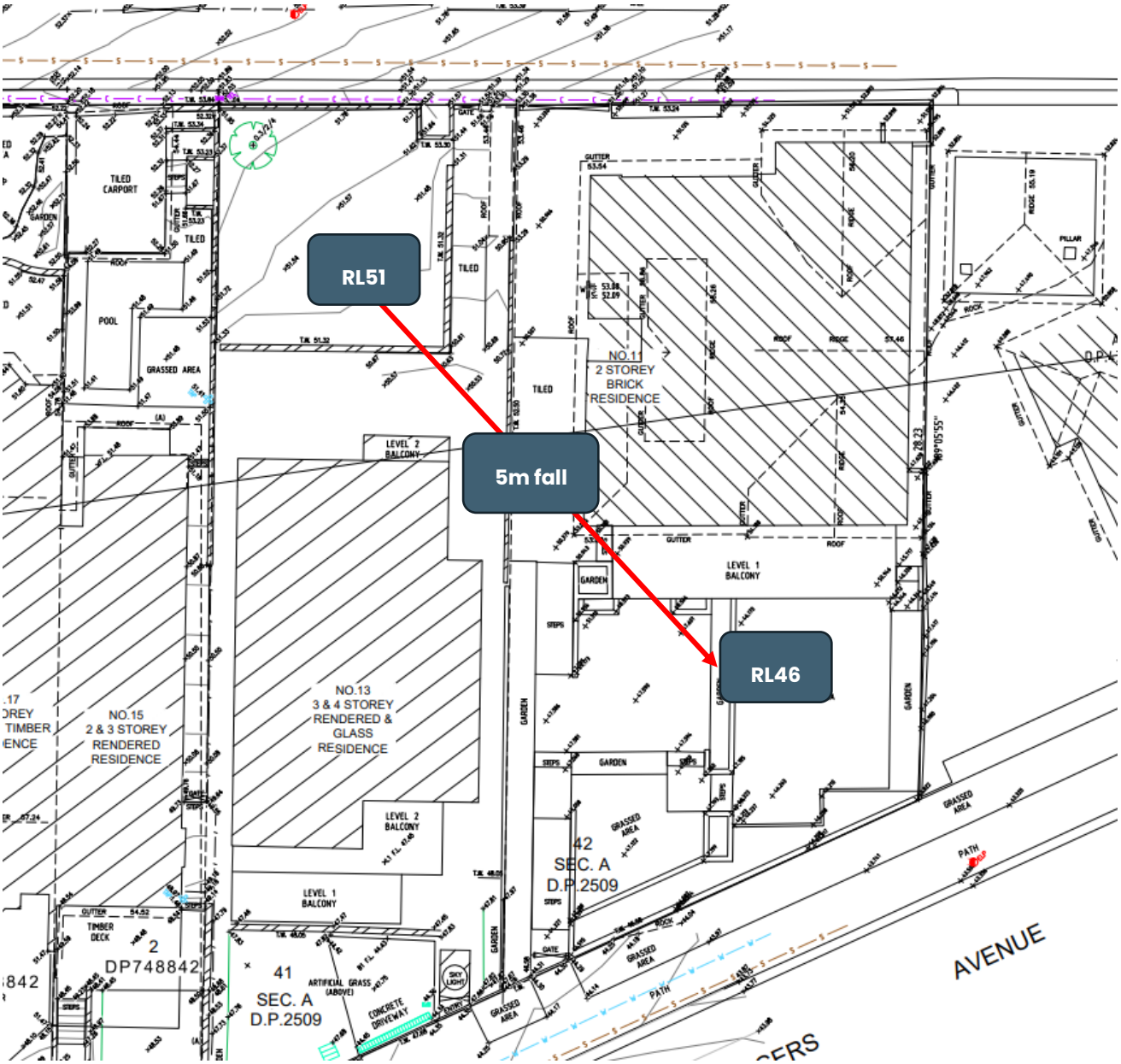
*Figure 12 Long section showing height exceedance above the 22.75m height plane*


*Source: Woods Bagot (2026)*

The non-compliance is confined to a highly localised area at the south-eastern corner of the site, where the topography falls away. Given that the majority of the building is fully compliant, it is unreasonable to expect a building to be modulated with the height plane, in order to achieve full compliance.

The long section below illustrates a cut through the proposed building in relation to existing ground levels and the applicable height plane. The section clearly demonstrates that the height variation is highly localised, while the majority of the building sits comfortably below the maximum permissible height. (Refer to Section Line 14 as illustrated in Figure 8.)

*Figure 13: Site survey illustrating a cross fall in the approximate location of the non-compliant building height*




Source: LTS Surveyors

### Built Form and Massing

The building has been designed to step with the natural topography of the site. As demonstrated in the architectural plans prepared by Woods Bagot, the majority of the building sits within the permitted height plane and presents as a lower form when viewed from the north. The built form responds to the land falling away to the south, toward Rangers Avenue, with any height exceedance confined to the small portion of building at the southern end of the site.

The height variation is minor and highly localised and does not increase the perceived bulk or scale of the development when viewed from adjoining properties or the public domain.

Upper levels are recessed and articulated, reducing the apparent bulk and visual prominence of the building within its surrounding context.

*Figure 14 Artist's impression of the proposal, viewed from Rangers Avenue.*

*Source: Grand Noble 1*

The non-compliant north-east corner is shown on the upper right of the photomontage (Figure 14) above.

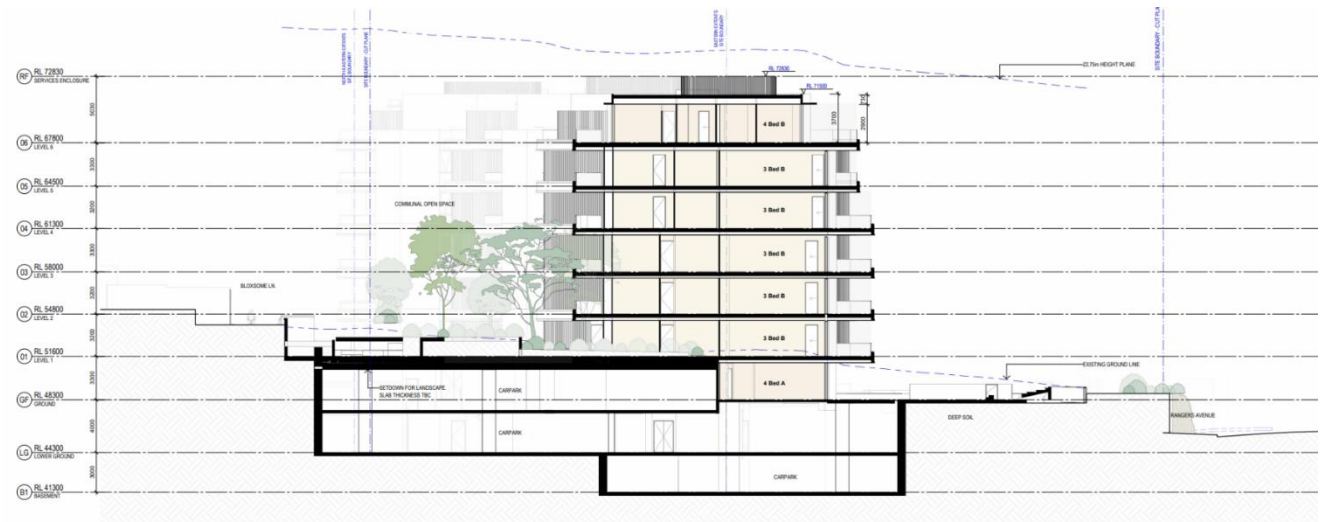
*Figure 15 The proposed development from Cremorne Point walk*


*Source: Urbis VIA (2026)*

In substantive terms, the proposal achieves compliance with the intent and objectives of the height control. The localised height exceedance does not give rise to additional amenity impacts, including overshadowing, privacy or view loss, beyond those anticipated under a compliant development scenario.

Overall, the built form responds appropriately to the site's topography, surrounding context and the future character anticipated under the Low and Mid-Rise Housing framework. For these reasons, the proposed variation to the height development standard is well founded and supported by sufficient environmental planning grounds.

*Figure 16 Section through the Site showing the level change from Bloxsome Lane in the north to Rangers Avenue in the south*



**Overshadowing**:

Shadow diagrams prepared by Woods Bagot show that the additional building height results in a minor and highly localised increase in overshadowing compared with compliant building height.

This increase is confined to a small area at the south-eastern corner of the site, where the ground level falls away steeply.

At the winter solstice (June 21), the additional shadow primarily falls within the Rangers Avenue road reserve, across vegetation, or onto roof areas of dwellings to the south. Due to the steep fall in topography toward Park Avenue, these properties sit at a lower elevation and are separated from Rangers Avenue by steep topography which is established with landscaping (with the exception of the residential flat building at 36A Park Avenue).

The non-compliant portion of the building results in a marginal slither of additional overshadowing to three different properties (30-36 Park Avenue), at separate times, between 9am and 11am. No further impacts to residential properties are experienced by the non-compliant component of the building height.

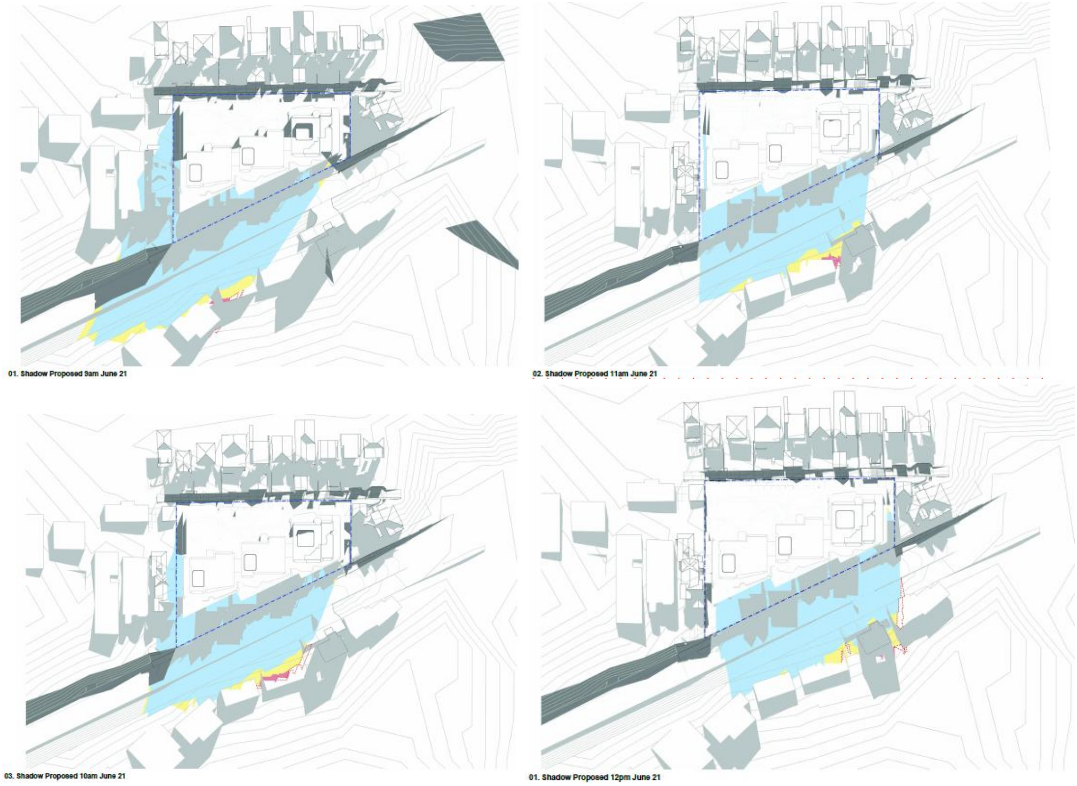
Whilst the overshadowing diagrams illustrate the portion of overshadowing beyond the LEP height plane, it should be acknowledged that the south-western portion of the building sits well below the height plane and inevitably, there would be a reduction in the overshadowing compared to a fully compliant, unarticulated building envelope.

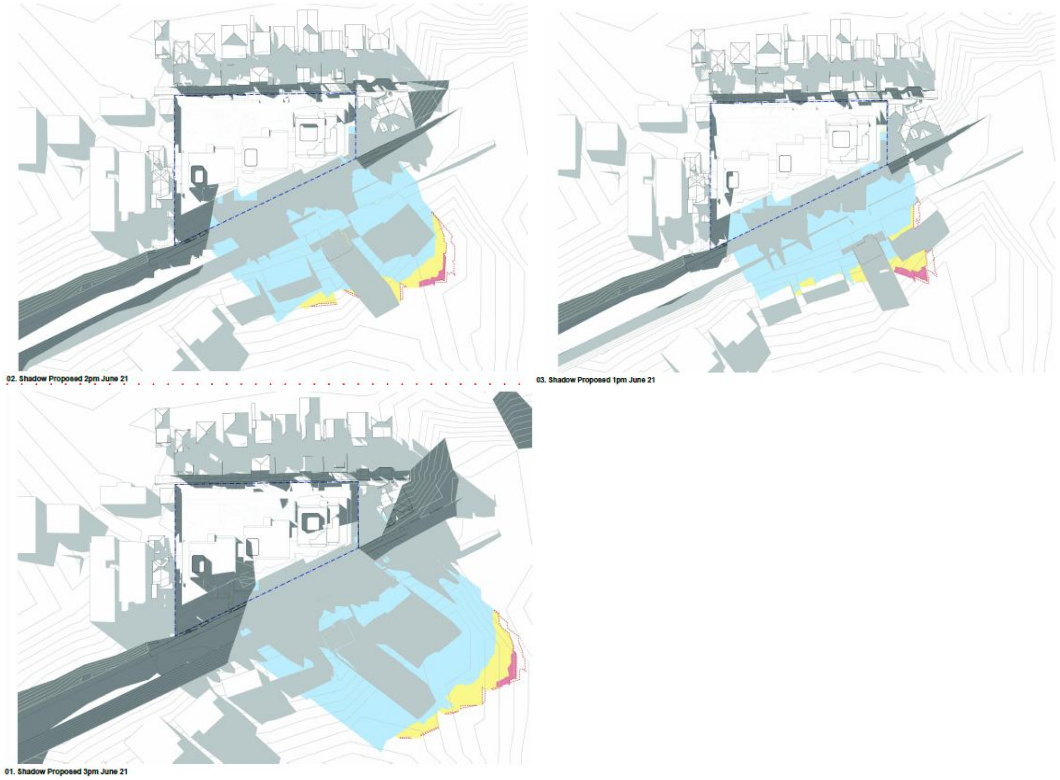
On this basis, the overshadowing outcomes compared to a fully compliant building envelope results in a neutral outcome.

In any instance, the non-complying portion of the building does not result in any material additional loss of solar access beyond that associated with a compliant development envelope. The limited additional overshadowing is acceptable in planning terms.

*Figure 17: Shadow Diagrams (Winter Solstice)*

The orange section below depicts the additional overshadowing, beyond the LEP height plane.






*Source: Woods Bagot (2026)*

**View Impacts and Visual Amenity:**

From a visual amenity perspective, the proposal has been designed to respond to the site context through articulation of the built form, upper-level setbacks and landscaping. These measures assist in reducing the visual prominence of the upper portions of the building and limit visual impacts when viewed from surrounding properties and the public domain.

View impacts associated with the proposal have been assessed in the Visual Impact Assessment, including a Tenacity-based assessment of four neighbouring properties on Holt Avenue. The assessment confirms that view loss experienced by neighbouring dwellings arises from the siting of built form that is permissible under the Housing SEPP and consistent with the applicable development standards.

The assessment, as illustrated in Figure 18 and 19, demonstrates that the localised height exceedance does not result in any additional or unreasonable view impacts when compared to a development that strictly complies with the height standard in the north-east corner of the site. The extent and severity of view impacts are primarily influenced by the site's location, topography and the relative height and orientation of surrounding development, rather than the minor exceedance at this corner of the site.

Accordingly, the Visual Impact Assessment confirms that the localised variation to the height standard does not materially alter the extent or severity of view or visual impacts when compared with a development that complies with the height control.

*Figure 18 Proposed View from 16 Holt Avenue*


*Source: Urbis VIA (2026)*

*Figure 19 Proposed View from 18 Holt Avenue*


*Source: Urbis VIA (2026)*

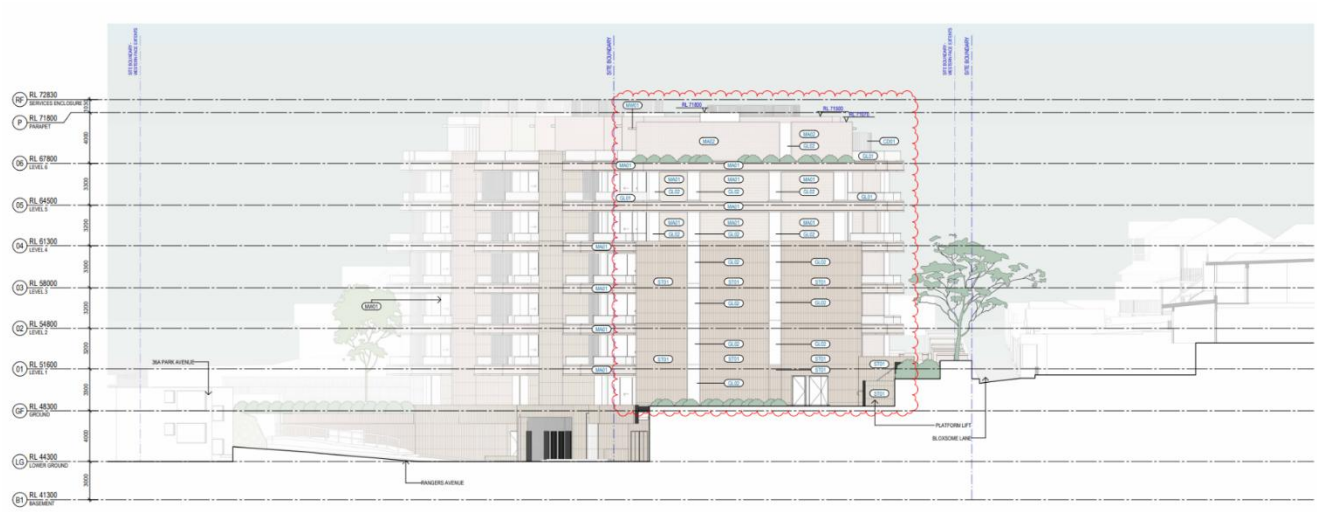
**Interface with Adjoining Properties**

To the north, setbacks, low-scale boundary treatments and deep soil zones for new canopy planting provide separation from the Holt Estate Heritage Conservation Area. At this interface, the building remains below the applicable height plane.

To the south, properties are located at a lower elevation due to the steep fall toward Park Avenue. From this direction, the non-complying portion of the building does not result in material amenity impacts beyond those of a compliant development.

The proposal therefore achieves appropriate interface outcomes with adjoining properties.

*Figure 20 Section through the site with Bloxsome Lane and Holt Avenue properties on the right.*



*Source: Woods Bagot (2026)*

**Streetscape and Public Domain Outcomes**

The proposal retains and enhances the existing sandstone retaining wall along Rangers Avenue and incorporates stepping of the built form and deep landscaping, as demonstrated in the architectural plans prepared by Woods Bagot. These elements reinforce the established streetscape character and respond positively to the site's topography and landscape setting.

From the public domain, the localised height exceedance is not readily perceptible and does not materially alter the streetscape outcome. The upper level has been designed to be recessed from the eastern boundary and southern boundaries, ensuring this portion of the building is visually recessive when viewed from Rangers Avenue and surrounding public areas. As a result, the proposal maintains an appropriate streetscape presentation and achieves an acceptable public domain outcome.

*Figure 21 Proposed development viewed from Cremorne Point Walk*


*Source: Urbis VIA (2026)*

**Consistency with Desired Future Character and Strategic Planning Intent**

The site is within the Low and Mid-Rise Housing area, where planning controls anticipate increased residential flat building scale and intensity. The proposal is consistent with the intended height range and built form outcomes of this desired future character.

The localised height variation does not undermine the strategic intent of the Housing SEPP.

*Figure 22 Diagram showing Potential Future Development Outcomes*


*Source: Woods Bagot (2026)*

**Planning Balance and Public Benefit**

When weighed against the limited and localised impacts identified above, the proposal delivers a clear public benefit through the provision of additional housing, including affordable housing, in a well-serviced and accessible location. The site is located within the Low and Mid-Rise Housing area, where NSW Government planning framework is intended to increase housing supply and diversity by facilitating medium-density housing in proximity to nominated centres and public transport, including the delivery of housing that addresses the identified 'missing middle' between detached dwellings and higher-density apartment development.

For the most part, the proposed development is situated well below the height limit, with the height ranging from 19.5m – 21.2m along the northern boundary interface, where there is greater level of sensitivity. That is, the building sits up to 3.25m below the maximum building height at this interface, which balances out the exceedance of 1.64m in the south-eastern corner.

It is evident the extent of variation relates to the steeply sloping topography and for the most part, the building is otherwise well within a compliant enveloped.

Since lodgement, the development has been amended to further reduce the extent of non-compliance from 2.84m to 1.64m in the southeast corner. This has been achieved through further recessing to the upper level setback.

In this context, the public benefits of the proposal outweigh the minor non-compliance, and there are sufficient environmental planning grounds to justify contravention of the height development standard.

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