

6 February 2026

Our Ref: R/2025/16/A
File No: 2026/041860
Your Ref: SSD-75493483

Najeeb Kobeissi
Senior Planning Officer, Social and Diverse Housing Assessments
Department of Planning, Housing and Infrastructure

Via Major Projects Portal

Dear Najeeb

Advice on RTS – Forest Lodge Integrated Seniors Living – SSD-75493483

Thank you for your correspondence dated 28 January 2026 inviting the City of Sydney Council (the City) to comment on the Response to Submissions (RTS) package for the above proposed development.

The City has reviewed the documentation, including the updated public benefit offer. The City is working with the applicant to prepare a draft Voluntary Planning Agreement (VPA) and maintains that the draft VPA must be exhibited prior to the determination of the SSDA.

Despite the submitted amendments and additional information, several matters raised in the City's previous submission remain unresolved. The following comments are provided for your consideration:

1 Public Benefit Offer

The updated public benefits offered remain generally aligned with the Sydney LEP and DCP in terms of provision of publicly accessible open spaces and through-site links, including their necessary embellishment.

The City's Planning Agreements team is working with the applicant to ensure cost estimates are prepared and submitted to inform the drafting a Voluntary Planning Agreement.

The City requests that a draft VPA be exhibited prior to the determination of the SSDA, and that any subsequent issue of a development consent includes a deferred commencement condition requiring the Voluntary Planning Agreement to be executed and registered on the title of the land first.

It is also requested that the description of the approved development include 'subdivision' to ensure the City to be the principal certifier for works on land to be dedicated.

2 Flooding

The City maintains that the site is highly affected by flooding, with potential flood risks associated with both minor and major storm events. Larkin Street, in particular, is a sag point acting as a detention basin, with flood depths exceeding 2m in more frequent 20% AEP events and up to 8m in the PMF. The 'response to submissions' dated 11 December 2025 and signed by Ivan Varga of BG&E demonstrates that the 1% AEP flood level under AR&R 2019 v4.2 would be higher than that under AR&R1987. But the application continues to rely on the 1% AEP flood level under AR&R 1987 to justify compliance with City's requirements.

The statement demonstrates that the finished floor level of the undercroft car park does not achieve the City's recommended Flood Planning Level of 5% AEP level, and that the finished floor level of the habitable floors fails to achieve the City's recommended Flood Planning Level of 1% AEP level + 0.5m, or PMF, whichever is greater.

The Department in their assessment must be satisfied that appropriate flood modelling and reporting has been provided to demonstrate that the proposed development:

- is compatible with the flood function and behaviour on the land
- will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties
- will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood and
- incorporates appropriate measures to manage risk to life in the event of a flood.

3 Stormwater Management

The submitted Water Management Plan remains inadequate to provide a comprehensive assessment of the site's drainage requirements and demonstrate compliance with Section 3.7.2 of Sydney DCP 2012. The following critical information remains missing:

- identification of catchment areas, impervious/pervious areas, and overland flow paths on the plans
- invert levels and grades for the proposed and existing drainage systems
- flow calculations for minor and major drainage design events and
- an assessment of the downstream system capacity to verify that the proposed OSD discharge can be accommodated.

The submitted Water Management Plan also relies on the proposed OSD tank to justify compliance. However, it does not include the necessary analysis to confirm compliance on hydrology, AEP flow management, downstream pipe capacity, safety of major flow paths, or stormwater source control measures.

There are also concerns with the location and position of the OSD tank, including whether it will be inundated during types of flood events and whether it can effectively function or reduce downstream flows if located below the relevant flood planning level. A certificate and/or report generated from MUSIC link, together with

an electronic copy of the MUSIC Model, must also be submitted to support the stormwater quality assessment in demonstrating compliance with the City's adopted MUSIC link modelling parameters.

4 Public Domain Levels and Gradients

It is maintained that preliminary levels and gradients, as outlined below, are required to demonstrate that the proposed development can appropriately respond to the public domain constraints:

- preliminary public domain levels along all site frontages
- levels and gradients at all interfaces with the existing park, existing public domain, and proposed dedication areas
- preliminary design and indicative grades for the through-site link, demonstrating DDA-compliant access can be achieved
- indicative finished floor levels, flood planning levels and threshold arrangements and
- confirmation that all level transitions and access requirements can be fully managed within the site boundary.

5 Building and Landscape Design

The proposed sewer location along the southern boundary (Area B) has not been amended. The request to relocate the sewer location is maintained to avoid encroachment more than 10% into the structural root zone of Trees 2, 3, 6 and 7, with priority must be given to retaining and protecting Trees 6 and 7.

The request to amend the design of the perimeter planters are maintained. The requested modification is to ensure manageable ongoing maintenance of those planters, by allowing maintenance personnel safe access to those areas by standing in the balconies and better connect the balcony users with the landscape works. The applicant's response that increasing the height will have amenity impact is unfounded. This is because a 1m solid wall is already provided to the internal edge of those planters as internal balustrade. Raising the external edge of those planters will have no adverse internal amenity impacts.

The provision of 8 visitor bicycle parking spaces, being 4 hoops, should be provided on site, without relying on land to be dedicated to the City.

6 Heritage

Due to the extent of excavation proposed for the new additions adjoining the former hat factory, the City previously requested that a structural engineering report be provided to outline measures necessary to ensure the structural integrity of the retained heritage building. The applicant has not provided any response to this request. A structural engineering report must be provided.

As requested by the application, a condition of consent should be imposed to require a Schedule of Conservation Works for the former hat factory be prepared prior to the issue of any Construction Certificate, and that all required conservation works be completed prior to the issue of any Occupation Certificate. The schedule must be prepared by a suitably qualified heritage consultant, with the conservation works keyed to drawings.

A condition of consent should also be imposed to require the recommendations of the heritage impact statement in relation to the former hat factory be implemented, including:

- Where windows are blocked or infilled, insets are to be provided that signal the location of the windows.
- Where possible the ground floor timber columns, headstocks, beams and floor structure are to remain exposed in common areas.
- On the first and second floors retained timber columns, headstocks and beams are, where possible, to remain exposed. The timber floors and ripple iron ceilings at the first floor are to be retained even if covered.
- Archival Photographic Recording of site, requiring the site and heritage elements be the subject of photographic archival recording in accordance with the Heritage NSW Guidelines for the Recording of Heritage Sites, Buildings and Structures for digital capture.
- Engagement of a heritage consultant experienced in heritage restoration and renovation works is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. Evidence and details of the above commission on the above terms are to be provided to the Consent Authority prior to the commencement of work on site. The heritage consultant must sign off the completed project and submit a final report to Consent Authority prior to occupation or commencement of the use, whichever is earlier.

7 Public Art

The updated Public Art Strategy has not been updated to clearly identify potential locations of public art. This is despite the written public art strategy response stating that the locations are only with land owned and maintained by the proposed development and exclude all land to be dedicated to the City.

8 Sustainability

Prior to determination, the submitted architectural drawings must be affixed with the NatHERS stamps.

The City requests the opportunity to provide further advice and review the draft conditions of consent should the Department recommend the application for approval. Should you wish to speak with a Council officer about the above, please contact Bryan Li, Senior Planner, on 9265 9893 or at bli@cityofsydney.nsw.gov.au.

Yours sincerely,



Graham Jahn AM LFRAIA Hon FPIA
Chief Planner / Executive Director
 City Planning | Development | Transport