

25 June 2026

Our Ref: R/2025/6/B
File No: 2026/364040
Your Ref: SSD-80211463

Michelle Niles
Principal Planning Officer
Affordable Housing Assessments
Department of Planning, Housing and Infrastructure

Via Major Projects Portal

Dear Michelle,

Advice on RTS – Mixed use development with in-fill affordable housing – 164-194 William Street, Woolloomooloo – SSD-80211463

Thank you for your correspondence, dated 12 June 2026, inviting the City of Sydney Council (the City) to comment on the response to submissions stage of SSD-80211463.

It is understood that this application is for the demolition of existing buildings, construction of 4 buildings, accommodating 235 dwellings including 58 affordable housing dwellings (time-limited for a 15 year period), ground floor retail tenancies and 4 levels of basement parking and storage, a publicly accessible park, through-site links, and other public domain works.

While the City remains committed to supporting applications for residential dwellings to contribute to housing stock, it is noted that **many of the City's concerns raised in our previous submission, dated 11 November 2025, remain unresolved.**

The City is particularly concerned with the significant departures from the Floor Space Ratio and Height of Buildings development standards, as well as the environmental planning grounds to justify those variations.

The City notes that many of the technical reports submitted to substantiate those environmental planning grounds are inadequate, and oftentimes misleading.

The City, therefore, **maintains its objection to the application as currently proposed**, and raises the following concerns for your consideration:

1 Building Mass and Clause 4.6 Variations

The proposed massing and the necessary Clause 4.6 variation requests cannot not be supported as they significantly depart from the Floor Space Ratio and Height of Buildings development standards and rely on environmental planning grounds that are established based on misleading information and inadequate assessments. It is unacceptable to seek a Clause 4.6 modification of the underlying development standard to then apply 30% increase to the modified standard.

View Loss

The View Loss Report does not accurately reflect the proposed scheme, as the report fails to include all rooftop landscaping, shade structure, and structures necessary to improve wind conditions to areas, including any glass balustrade which are not equivalent to an open view due to reflection. As such, the proposal will have a greater impact than demonstrated.

The View Loss Report also fails to consider the relevant view loss locations, particularly locations where the additional height to the eastern building may have a greater view loss impact to additional homes.

Furthermore, the View Loss Report relies on misleading and irrelevant information to justify the proposed impacts. For instance:

- The 'future context diagram' in the design report extrapolates building heights which are inconsistent with the controls of those sites.
- The 'blanket' 30% uplift envelope methodology is hypothetical in nature, can not be relied upon to justify a clause 4.6 variation, and does not form a comparative analysis to justify any proposed impacts.

Solar Access

The submitted solar assessment is inadequate. The assessment does not include views from the sun analysis that compare the existing and proposed scenarios. Given the density of the area, such analysis at 15-minute intervals would be reasonable.

The selected views from the sun, that are included in the solar access, are not adequately detailed. They do not separately identify private open spaces and living room windows, and do not clearly label the affected apartments. Together with the concerns that rooftop elements are not holistically considered, the views from the sun do not allow an accurate assessment of the proposed overshadowing impact, and do not allow the applicant's tabulated impacts to be verified.

The impacts of the proposal are not adequately demonstrated and does not establish environmental planning grounds to justify the two Clause 4.6 variation requests. Therefore, cannot not been assessed by the consent authority.

2 Affordable Housing

The City does not support time limited affordable housing or not rented according to household income. The affordable housing should in perpetuity as required by the City's Affordable Housing Program. Further, the proposed limiting of physical access of the affordable housing units from the communal rooftop open space, is discriminatory, inequitable, does not comply with the Apartment Design Guide and is unacceptable. Full access is proposed for home owners, renters and short term renters/visitors. It must be acknowledged that tenants and rental managers do not pay strata levies in NSW. This cost is borne by the owner of the dwelling. All units should have equitable access to all areas of communal open space.

Given the significant departures to the development standards, the City reiterates that the Affordable Housing component should at least meet the minimum requirements as set out in the City of Sydney Affordable Housing Program and referenced in the Sydney LEP. This specifies a DA contribution and a Rezoning (uplift) contribution.

3 Outstanding issues not resolved from City's previous submission

The following issues raised in the City's previous submission, dated 11 November 2026, remain unresolved:

- Some apartments remain incorrectly identified as naturally cross-ventilated. As defined by the Apartment Design Guide, openings must be provided on both the windward and leeward sides of the building. Single aspect apartments cannot be considered naturally cross-ventilated.
- Solar access analysis remains inadequate, as discussed above.
- The Wind Report does not demonstrate an acceptable wind outcome. Locations 19, 20, 22, 23, rooftop communal open space and private open space should achieve sitting criteria, and locations 13 and 16 should achieve standing criteria. Any mitigation measures required to create safe and comfortable spaces must be included in the relevant drawings. It is unacceptable to delay the delivery of these measures to the future residents.
- The updated BASIX Certificate no longer demonstrates the proposed development can achieve BASIX energy+5. A condition must be imposed to require an improvement to achieve BASIX Energy minimum score +5, while securing the achievement of BASIX Water minimum score +10 and full electrification.
- Waste management strategies remain inconsistent with the City's Guidelines for Waste Management in New Developments. Waste Management issues raised in the City's EIS submission remain unresolved and must be resolved prior to any approval.
- Shade structures and canopy planting is required to be correctly shown on all architectural plans. This will provide shade and wind protection to and ensure the rooftop offers residents a high amenity space.
- Design of the nominated deep soil area remains unchanged, and it is still significantly encumbered by structures. The provided arborist's report is inadequate and does not meet the required standard.
- Flooding issues raised in the City's EIS submission remain unresolved and must be resolved prior to any approval.
- An updated Integrated Water Management Plan must be submitted for assessment.
- The City reaffirms its position that the number of car parking spaces should at a minimum comply with the parking rates of Sydney LEP 2012 and recommends the development be conditioned as such. Should the Department disregards the City's recommendation to adopt the parking rates of the Sydney LEP 2012, it is strongly recommended that car parking provision be capped at the minimum value specified by the SEPP provisions.
- Description of DA must include the word **Subdivision** for the City to be the Principal Certifier for the works on land to be dedicated.

- The proposed stairs within the VPA laneway must be widened to match the full width of Judge Lane to ensure unrestricted access and a seamless connection.
- Council reiterates its position that the entirety of Judge Lane is to be a shared zone and this includes both the North-South and East-West street sections. Landscape works are to be extended to include the transformation of Judge Lane into a shared zone, with detailed design of interfaces between Walumay Neighbourhood Park and Judge Lane, particularly regarding level changes and accessibility.

The City objects to the application as currently proposed and holds significant concerns with its impact to neighbouring properties and the public domain.

Notwithstanding, it is acknowledged that the Department has requested recommended conditions of consent, the City will provide recommended conditions of consent under separate cover within the next 7 days.

Should you wish to speak with a Council officer about the above, please contact Kaitlin McCaffery, Specialist Planner, on 9246 7240 or at kmccaffery@cityofsydney.nsw.gov.au

Yours sincerely,



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