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File No: 2025/668629
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 EIS – Mixed use development with in-fill affordable housing –
164-194 William Street, Woolloomooloo – SSD-80211463**

Thank you for your correspondence dated 29 October 2025 inviting the City of Sydney Council (the City) to comment on SSD-80211463 for the demolition of existing buildings, construction of 4 buildings, accommodating 227 dwellings including some time-limited affordable housing, 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 is committed to supporting approvals of residential dwellings to contribute to housing stock, the City has significant concerns with the environmental planning grounds to justify the requested variation to the

- height of building and floor space ratio development standards
- quantum and period of affordable housing component
- deep soil provided
- amenity of the proposed apartments, and
- how the proposed development addresses flooding and contamination.

As such, the City **objects** to the application as currently proposed, which is a significant departure from the Concept DA approved by the City. The short exhibition period of only two weeks should be extended it is not enough time for the community to respond to such a significant proposal.

The City raises the following concerns for your consideration:

1 Building Mass & Clause 4.6 Variations

The proposed development relies on 2 clause 4.6 variations, varying both the maximum building height and FSR. While it is acknowledged that the Design

Integrity Panel supports the massing of Option 6, which the proposed development adopts, the Department must be satisfied that there are sufficient environmental planning grounds to justify the 2 variation requests.

The City is concerned that because the proposed variations directly cause view-sharing and outlook impacts to neighbouring properties and adversely affect the wind comfort around the site and in the proposed publicly accessible park.

The City also questions the extent of additional floor space and building height that should be allocated to the proposed development, and the City considers that the quantum of affordable housing floor space provided is less than 15% of GFA.

2 Affordable Housing

At a minimum, the Affordable Housing component should at least meet the minimum requirements set out in the City of Sydney Affordable Housing Program, referenced in the Sydney LEP, which specifies a DA contribution and a Rezoning (uplift) contribution.

We are concerned that the proposed apartments allocated as 15-year time-limited affordable housing are burdened with the poorest amenities of the proposed development, with the majority of those apartments being noise-affected, without natural cross ventilation, and have no access to direct sunlight. The City reinforces the Design Integrity Panel's recommendation that at least 70% of the affordable housing units are to achieve the level of solar access expected by Objective 4A-1, and requests that amenities be equitably distributed across market and time-limited affordable housing units.

The City also objects to the applicant's method of calculating affordable housing floor space. 'Affordable housing component,' as defined by section 15B of the Housing SEPP, refers to the percentage of the GFA used for affordable housing.

The component should only include GFA that is used **exclusively** for affordable housing. The applicant currently attributes 50% of the circulation space in the William Street West building on the mezzanine level - level 04 as affordable housing floor space. These corridors are not used exclusively for affordable housing but shared with other market housing units. As such, those shared corridors must be excluded.

We are also concerned that the Affordable Housing will be rented out at a discount to the market rate, rather than as a percentage of household income. In an inner-city suburb like Woolloomooloo, a discount to market rent, is unlikely to equal affordable rental housing.

3 Natural cross ventilation

Several apartments have been incorrectly identified as naturally cross-ventilated. These include the William Street East apartments 105E-705E; William Street West apartments 101W-301W; and Dowling Street apartments 201, 202, 301, and 302. This prevents the proposed development from achieving at least 60% of the apartments being naturally cross-ventilated, excluding any that are noise-affected.

Natural cross ventilation is clearly defined in the glossary of the ADG. At a minimum, openings must be provided on both the windward and leeward sides of the building to achieve the air pressure differential necessary for natural cross ventilation.

The proposed development must be amended to be consistent with Objective 4B-3 of the ADG.

4 Solar Access

The analysis provided in the Urban Design report does not correlate with the submitted sun eye views. The number of apartments receiving 2 hours of sun is overstated, while the number of apartments receiving no sun is understated. The City considers that the proposed development would not achieve 70% of apartments receiving at least 2 hours of sun, and the number of apartments receiving no sun would be greater than that identified by the Urban Design report and therefore be inconsistent with Objective 4A-1 of the ADG.

It is noted that the sun eye views demonstrate that 19 apartments do not achieve any direct sunlight. These apartments include the William Street West apartments M09W, 111W-311W, 410W, 106W-306W, 405W-705W and William Street East apartments 105E-705E. Furthermore, 7 apartments, being the William Street East apartments M03E-603E, do not achieve 2 hours of direct sunlight, despite some sun access between 9am and approximately 10.30am.

The proposed development must be amended to be consistent with Objective 4A-1 of the ADG.

5 Design Excellence

The Competitive Design Alternatives Report in Appendix A of the Bridging Design Excellence Strategy is missing. A copy of the Competitive Design Alternatives Report must be submitted to allow the Department to be satisfied that the key principles identified in Section 5.1 of the report are retained and the areas for refinement in Section 5.2 have been adequately addressed.

The City advises that the following areas still require further refinements:

Internal Layout

The internal layout of Dowling Street apartments 102, 203 and 303 should be reconsidered to maximise their spatial efficiency.

The internal layout of Dowling Street apartments G02 and 102 should also be reconsidered to improve the internal acoustic amenity given the interface with the proposed lift at the NE corner of the building.

Several apartments include study nooks that do not have direct access to natural light and air. Further optimisation is required.

Floor to floor heights

The submitted sections do not accurately identify the proposed finished floor levels. Updated sections are required to clearly and accurately identify the proposed FFLs, and to demonstrate that all residential levels are provided with a minimum floor-to-floor height of 3.2m to ensure compliance with the relevant standards of the NCC. It is noted that the Urban Design Report includes several sections that demonstrate floor-to-floor heights of 3.2m.

6 Other Design Considerations

Liveable Apartment

In accordance with the Housekeeping Amendments to Section 4.2.3.12 of the Sydney DCP 2012, which have been exhibited and are currently awaiting gazettal, all (100%) apartments are to meet the silver level of the Liveable Housing Design (LHD) Guidelines, and at least 15% of the apartments are to meet the platinum level with circulation at all internal doorways in accordance with Australian Standard 1428.1:2021 Section 10.3.

Private Open Space

William Street West apartments 108W, 208W, 308W, and 408W do not have any private open space. A compliant quantum of private open space must be provided while preserving the currently proposed facade articulation.

Alternative source of natural ventilation

Many of the Forbes Street apartments have bi-fold doors as their only source of ventilation. The use of bi-fold doors should be reconsidered as they do not provide secure ventilation at nighttime.

Documentation

The materials and finishes details, which are currently in the urban design report, should be included on the architectural drawings and keyed to the elevations.

7 Sustainability

The Design Excellence Strategy endorsed under the Concept Consent (D/2022/139) requires the following key ESD targets to be carried through the competitive process, design development and construction stages to completion of the project:

- Improving upon the minimum legislated BASIX benchmarks as below:
 - BASIX Energy minimum score + 5
 - BASIX Water minimum score +10; and
- electrification of all building components, including in all dwellings, centralised services and commercial/retail premises.

The submitted BASIX certificate confirms the proposed development can achieve BASIX Energy +5 and BASIX Water +10. The ESD Report, however, does not include a clear commitment for the proposed development to achieve full electrification.

These commitments should be clearly demonstrated in the ESD report and secured by conditions of consent.

8 Communal Open Space and communal facilities

Publicly accessible open spaces

The proposed provision of publicly accessible open spaces is supported. The applicant needs to confirm how public access will be secured. Easement for public access benefiting the City, and with terms agreed by the City, is preferred. It must be noted, however, that the proposed provision of publicly accessible open spaces

must not be relied upon to offset/reduce the required amount of section 7.11 development contribution.

It is noted that the design of the public park is strongly founded upon the Design with Country framework. The sandstone 'escarpment,' the 7 'Peace Keeper' trees and the form of the seating areas are important elements to be retained. However, the extent of the 'escarpment' must not encroach into the land to be dedicated to the City.

There is also concern that the tree planting within the 'escarpment' may have access to very limited soil volume. The design of tree pits in the 'escarpment' and other raised planters should be provided to demonstrate that the soil volume is consistent with the City's Landscape Code, and that root access to the surrounding soils have been maximised.

Communal Open Space

The requirement for communal open space should be 25% of the post-dedication site area, inclusive of the proposed publicly accessible central park. The applicant must confirm that the proposed development complies with that requirement and demonstrate how residents will be informed and provided with clear and secure access to the communal open spaces and facilities across the 4 buildings. This may include a signage strategy.

The design of the level 8 roof terrace requires further development. The northern edge is currently unprogrammed, while the 5 defined areas appear to cater to very similar purposes. The extent of the curvilinear canopy is also unclear, given the inconsistencies between the architectural and landscape drawings.

Communal Facilities

The communal facilities in the William Street East and Dowling Street buildings are located in the basement, poorly connected to other communal areas, and not easily identifiable resulting in with poor passive surveillance. The location of, and access to, the indoor communal facilities needs to be reconsidered to ensure that they are perceived as safe spaces to be used by residents.

The programming of the communal space in the William Street East building, on the Dowling Street level, should also be considered. The indicative communal Wine Cellar Store is considered to have limited utility.

9 Landscape Design

Deep Soil

The proposed deep soil zone is significantly encumbered by pavement and structures such as stairs, walls, ramps, private terraces, and the sandstone 'escarpment' of the central park. Thus, the actual deep soil area provided by the development is significantly less than that currently stated by the applicant.

Clause 19(2)(c) of the Housing SEPP imposes a non-discretionary development standard requiring a deep soil zone of at least 15% of the site area. The proposed development must be amended to comply with this requirement while ensuring that the proposed deep soil areas are at least 3m wide and **unimpeded both above and below ground.**

Any shortfall must not be justified against the previous concept consent (D/2022/139). This is because the proposed development is subject to a different

set of planning controls and relies on the building height and FSR uplifts of the Housing SEPP.

Landscape Strategy

The landscape and planning strategy also require further development to address the following comments:

- The extent of green roofs should be maximised, including perimeter planting around penthouse terraces. The landscape report only lists 4 species for green roofs. Further opportunities to maximise biodiversity on green roofs should be explored;
- The species selection for building facade planting should reflect analysis of the different microclimates, especially aspect, of the different areas of planting;
- Confirm if the facade planting is proposed to be irrigated, and if the stormwater design allows for the capture and reuse of stormwater for irrigation;
- The architectural drawings show a landscaped area on level 7 of the William Street West building, facing William Street. This area, however, is not captured by any of the submitted landscape documentation. A landscape strategy is needed for this area; and
- Canopy trees should be accommodated on the roof terraces, with soil volume consistent with the Sydney Landscape Code.

Tree Canopy

The analysis of the landscape report currently relies on canopy proposed on the land to be dedicated to the City to comply with the 15% requirement. An updated analysis is required to demonstrate that the proposed development will achieve 15% of the post-dedication site area as canopy cover, without relying on any trees located within the land to be dedicated to the City.

10 VPA and Public Domain Works

VPA Works

The proposed development must be amended to clearly include subdivision, at a minimum to allow the subdivision of the land to be dedicated to the City. This is critical to allow the City to be the Principal Certifier for the works to be carried out on the land to be dedicated.

The proposed landscape design must provide a clear delineation between private property and the boundary of the land to be dedicated. This includes paving, ramps, garden beds, stairs etc. Any planter connected with the 'escarpment' must include a clear edge indicating the extent of land to be dedicated.

While the indicative design for the VPA laneway is supported in-principle, detailed levels, cross sections and long sections are to be provided to clarify proposal and the landscape details must be further development in accordance with the City's Parks Code. A lighting proposal for the laneway is also required and the applicant should obtain detailed lighting requirements from the City's Public Domain team.

Judge Lane

The City has requested, prior to the subject SSD being lodged, that the entirety of Judge Lane be converted into a shared zone, 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.

Public Domain Works Diagram

A diagram must be submitted indicating the expected extent of works to be undertaken within the public domain. This is to correlate with the area of expected levels and gradient and interfaces to the surrounding public domain.

Public Domain on William Street, Forbes Street and Dowling Street

The proposed public domain upgrade, including additional street trees, furniture, and new paving along William Street, Forbes Street and Dowling Street, is supported in-principle. While further refinements are required to address the following matters, they can be resolved when detailed public domain plans are required prior to the issue of any construction certificate:

- Tree locations must be fully coordinated with existing and proposed services, as well as existing and proposed trees.
- Tree planting adjacent to the proposed driveway on Forbes Street must be reviewed against vehicle sightlines for safe ingress and egress; and confirmed by a traffic study.
- Other street tree planting opportunities should be explored if the nominated tree locations are not viable.
- Proposed street furniture arrangement must comply with City of Sydney standards, and be avoided within the structural root zones of any trees.

11 Wind Comfort

The submitted wind analysis demonstrates that the proposed development will result in poorer wind comfort within and around the site compared to the 'Initial scheme,' which is assumed to be the concept envelope approved under D/2022/139 with a uniform 30% height increase. The wind analysis also fails to provide any assessment on the wind conditions of the proposed rooftop communal and private open spaces.

An updated wind assessment must be provided to demonstrate the following and recommends appropriate mitigation measures where necessary:

- the central park and its edges being locations 19, 20, 22 and 23, must achieve the sitting comfort criteria to provide the publicly accessible open spaces an acceptable level of amenity and to support the retail activities at its edges;
- the rooftop communal and private open spaces must achieve the sitting comfort criteria to support their recreational uses;

- locations 13 and 16 must achieve the standing criteria to ensure an acceptable level of amenity to the primary access point of the North-South through-site link and to support the retail tenancies.

12 Water Management

The MUSIC-link report contained within the submitted Integrated Water Management Plan is incomplete and contains failing parameters. A complete MUSIC-link report must be provided and include justification for any failing parameters to enable further review.

The Integrated Water Management Plan also suggests that the storage volume of the required onsite detention can be reduced. The onsite detention requirement should be clarified with Sydney Water, and an updated Integrated Water Management Plan must be provided to confirm compliance with Sydney Water's requirements.

13 Flooding

The submitted Flood Impact and Risk Assessment must be updated to confirm compliance with the City's Interim Floodplain Management Policy. In particular, the report identifies that several of the proposed entries to the basement, including the vehicular entry on Forbes Street and those through the residential lobbies on William Street, are affected by PMF depths greater than 150mm. As such, the proposed finishes floor levels of those entry points must comply with either 1% AEP + 500mm freeboard or the PMF, whichever is greater. The finished floor levels for the retail tenancies on William Street and Bridge Street must also comply with 1% AEP CC2030 levels.

14 Contamination

The submitted Remediation Action Plan has not been peer reviewed by a NSW EPA Accredited Site Auditor.

To satisfy clause 4.6(1) of the Resilience and Hazards SEPP, a statement by a NSW EPA Accredited Site Auditor certifying that the RAP is practical and the site will be suitable after being remediated in accordance with the requirements of the RAP is required. Alternatively, a letter of Interim Advice from an NSW EPA Accredited Site Auditor may be provided to advise that the site is capable of being made suitable for the proposed use following remediation.

The City also requests that the Remediation Action Plan explicitly confirm that any land to be dedicated to the City will not be subjected to a long-term management plan in accordance with the VPA.

15 Parking and Traffic

The proposed car parking provision is excessive given the location and accessibility of the site. The City recommends that the number of car parking spaces be minimised by adopting the parking rates of Sydney LEP 2012, which would include the provision of residential visitor parking spaces into the overall number of parking spaces. The provision of accessible, car share, and motorcycle parking spaces would also reduce proportionally. This is to achieve the aim of Sydney LEP 2012 to encourage active and alternative transport modes and to encourage sustainable development.

While the number of bicycle parking spaces is consistent with Sydney DCP 2012, their locations do not satisfy the criteria of Section 3.11.3(4) and (7). In particular,

visitor bicycle parking spaces must be provided within the development site, not on any public footpaths.

The width of the 2 proposed driveways on Forbes Street must be minimised to be no greater than 6m as per City of Sydney Technical Specifications Part C, see Standard Drawing 2.6.8. This is to support the designation of Forbes Street as a liveable green network with pedestrian priority by maximising pedestrian safety and amenity.

16 Waste Management

An updated waste management plan must be provided to demonstrate compliance with the provisions of Section 3.11.13, 3.14, and 4.2.6 of Sydney DCP 2012 and the City's Guidelines for Waste Management in New Developments.

The residential and commercial waste storage areas must be designed to manage the required number of bins as per the predicted waste generation of the site and without relying on waste compaction. The size of the residential waste storage area, in particular, must reflect the twice-weekly collection frequency. The architectural drawings must clearly show the number of bins required, with bins drawn to scale to demonstrate that the proposed layout is functional with acceptable manoeuvrability and access.

The residential bin holding room adjacent to the loading dock must be adequately sized to allow all residential bins to be presented in a single location for collection. The maximum manual handling distance for residential bins and bulky waste is 10m. This would require the entrance door to the bulky waste storage room to be adjusted.

The waste management plan must demonstrate that the movement of bins to the loading dock is via the goods lift, not the vehicle ramp or the public domain. It must also identify an enclosed and designated space with three phase power to store the ride on bin tug and trailer designed for the transfer of 4 x 1,100L bins. Adequate clearance for the use of this trailer must also be demonstrated.

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
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 City Planning | Development | Transport