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134 William St,  
Woolloomooloo

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SEARs Request



November 2024

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# 1. Overview

This reference document prepared by SJB Planning supports a request for the Secretary's Environmental Assessment Requirements (SEARs) under section 173 of the Environmental Planning and Assessment (EP&A) Regulation 2021 in support of a mixed use development containing an in-fill affordable housing component at 134 William Street, Woollahooloo.

The Proponent for the development is Investments & Loans Pty Ltd.

Schedule 1, section 26A of State Environmental Planning Policy (Planning Systems) 2021 ('Planning Systems SEPP') declares development involving in-fill affordable housing to be State Significant Development (SSD) under the following circumstances:

- The part of the development that is residential development has an estimated development cost (EDC) of more than \$75 million for land within the Six Cities Region; and
- The development does not involve development prohibited under an environmental planning instrument applying to the land.

The proposal is permitted with consent under the Sydney Local Environmental Plan 2012 (SLEP).

Development for this purpose, that is permitted with consent on land that is in an accessible area within the Six Cities Region and has an estimated extended development cost of in excess of \$75 million is State Significant Development as specified in Schedule 1 section 26A of the Planning Systems SEPP.

The proposal involves development involving in-fill affordable housing within the meaning of Chapter 2, Part 2, Division 1 of State Environmental Planning Policy (Housing) 2021 ('Housing SEPP'). This document demonstrates that the proposal:

- Is permitted with development consent
- Will include an affordable housing component of at least 10%
- Is on land within the Six Cities Region that is an accessible area
- Will provide the affordable housing for at least 15 years

The proposal will utilise and comply with the 30% affordable housing uplifts to height and floor space ratio (FSR) available under the Housing SEPP.

This document provides an overview of the site, the applicable planning framework and an outline of the application of the provisions of Part 2, Division 1 of the Housing SEPP.

The request is supported by Site Context Plans prepared by TKD Architects and Carter Williamson Architects.

## 2. Site Description

The site is known as 134 William Street Woolloomooloo, with a legal description of Lot 2 in DP 807634.

The site has an area of 578.2m<sup>2</sup> and is located on the north-eastern corner of the intersection of William and Bourke Streets. The site enjoys a third public road access to William Lane which forms the northern boundary of the site.

The site is currently occupied by a part-eight (8), part-nine (9) storey commercial building with two levels of basement parking and rooftop plant.

An aerial map of the site is provided in Figure 1.



Figure 1: Aerial view of the site (Source: SIX Maps)

The site is located within the City of Sydney local government area, which sits in the Eastern City District of the Six Cities Region.

The site is in an accessible area by virtue of being within 400m walking distance of a bus stop used by a regular bus service. The bus stops are as follows:

- Bus Stop ID: 201113 is located 115m to the west; and
- Bus Stop ID:201114 is located 140m to the east.

These stops are serviced by routes 324 and 325. These services operate on a frequency greater than hourly between 6:00am and 9:00pm Monday to Friday, and between 8:00am and 6:00pm Saturday and Sunday.

The site is also approximately 450m walking distance from the public entrance of Kings Cross Station on Victoria Street, which is accessed via public footpaths and pedestrian crossings to the east of the site along William Street.

As defined, the location of the site relative to those public bus service stops and Kings Cross Station confirm that the site is in an “*accessible area*” within the meaning of the Housing SEPP.

### 3. The Proposal

The proposal is detailed in the Preliminary Architectural Plans prepared by TKD Architects and Carter Williamson Architects and comprises the following scope of works:

- Retention and re-use of the existing building
- Substantial alterations and additions for the purpose of a part-twelve (12), part-fourteen (14) storey mixed use building, including:
  - 39 residential apartments, comprising 2 one-bedroom units, 7 two-bedroom units, 19 two-bedroom and study units, 2 three-bedroom units, 8 three-bedroom and study units and 1 four-bedroom unit. 10 dwellings have been allocated for the purpose of affordable housing
  - 155m<sup>2</sup> of retail floor space

The site is zoned B4 Mixed Use under the SLEP. Residential flat buildings, shop top housing and commercial premises are permitted with consent in the zone.

The total gross floor area (GFA) of the proposal is approximately 4,278.5m<sup>2</sup>. The affordable housing component, being the percentage of the GFA used for affordable housing, is 16.5% (706.2m<sup>2</sup>). This component would deliver ten (10) affordable housing dwellings.

The proposal seeks to utilise the affordable housing uplifts to height and FSR to a maximum of 30% above the maximum permissible height and FSR which available under section 16 of the Housing SEPP.

A conceptual massing of the proposal is provided in Figure 2.



Figure 2: Conceptual Model Massing (Source: Carter Williamson and TKD Architects)

Tables 1 and 2 detail the non-compliances of the existing building and demonstrate the compliance of the proposal with the additional uplifts for height and FSR available under the Housing SEPP.

	<b>SLEP Development Standard</b>	<b>Existing</b>	<b>Proposed</b>
<i>Building Height - Clause 4.3</i>	40m	32.02m to 41.56m	<b>52m</b>
<i>Floor Space Ratio - Clause 4.4</i>	6:1	6.81:1	<b>Up to 7.8:1</b>

Table 1: Height and FSR development standards applicable under the SLEP

	<b>SLEP Development Standard</b>	<b>Housing SEPP Bonus</b>	<b>Maximum Permissible Standard</b>	<b>Proposed</b>
<i>Building Height</i>	40m	12m  <i>(NB: Proposal is eligible for 30% additional height to match additional FSR - see below)</i>	52m	<b>52m</b>
<i>Floor Space Ratio</i>	6:1	1.8:1  <i>Affordable housing = 16.5%</i>  <i>(NB: Affordable housing component is &gt;15%, therefore proposal is eligible for 30% additional FSR)</i>	7.8:1	<b>Up to 7.8:1</b>

Table 2: Summary of Height and FSR development standards resulting from Housing SEPP affordable housing provisions

## 4. Design Excellence

An alternate design excellence strategy and exemption to a design competition is proposed for the redevelopment of 134 William Street, Woolloomooloo.

Given the significance of this corner site located opposite vacant land owned by TfNSW (114-132 William Street) and physical constraints including the existing building, it is considered that redevelopment of the site will be a key component in the revitalisation of William Street and wider Kings Cross / Woolloomooloo locality.

Within this context, this strategy outlines an alternate design excellence process to provide a considered and consistent framework that will facilitate the following:

1. Architectural diversity and collaboration - The collaboration of two architectural practices (Carter Williamson and TKD Architects) who are well renowned for Design Excellence.
2. Establishment of a Design Review Panel - The role of the DRP is to review, guide and endorse the Design Development and outcomes.

This strategy forms the basis of our request to grant an exemption to the requirement of a design competition.

### The Architects / Collaboration

The approach to design excellence is founded on a true collaboration of two architectural practices - Carter Williamson and TKD Architects to generate ideas that challenge and test the opportunities for transformation and reuse of the existing building. This approach has been developed so that the project opportunities are examined thoroughly and challenged / tested outside each practice prior to submission, whilst allowing a process that produces design alternatives as a fundamental driver.

The approach seeks to develop a responsive brief and mix of uses that responds to community need, the physical constraints of the building and the location in parallel with the development of design opportunities.

The proposed strategy allows two collaborating practices to explore in a more nuanced and in-depth way and proposed ideas which are tested and challenged externally with the guidance of a Design Review Panel.

### Design Review Panel

We envisage that a project specific Design Review Panel will be established with input from the NSW State Design Review Panel and City of Sydney as required.

Consistent with the NSW State Design Review Panel terms of reference, we envisage the panel would comprise up to four panel members and a chair.

The panel would provide independent advice at major design milestones prior to lodgement and then subsequently during the post lodgement / assessment phase.

In lieu of a Design Competition Brief, we envisage a Design Excellence Brief would be presented to the DRP to seek input and feedback as illustrate in Figure 3 below.

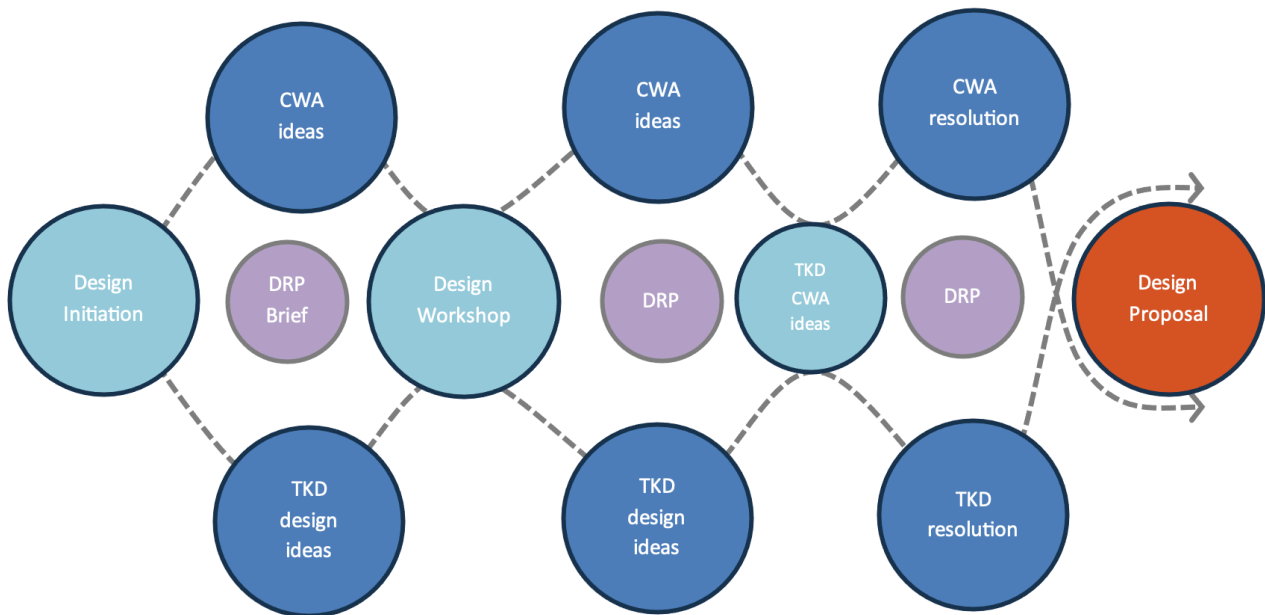


Figure 3: Design Review Panel Approach (Source: Carter Williamson and TKD Architects)

It is anticipated that the two architectural practices – Carter Williamson and TKD Architects will be required to meet with the Design Review Panel in the following stages:

1. Approval of design approach to enable SSDA lodgement and exemption to a design competition (Up to 4 meetings / workshops).
2. Post SSDA lodgement (Up to 2 meetings).

It is considered that the Alternate Design Excellence Strategy will provide an appropriate level of competitive tension and independent / external testing of ideas for the project in an environment that supports responsive design evolution.

# 5. Planning Framework

## 5.1 Overview

The relevant legislation and statutory controls applicable to the project are as follows:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- State Environmental Planning Policy (Planning Systems) 2021;
- State Environmental Planning Policy (Housing) 2021;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- Sydney Local Environmental Plan 2012;
- Sydney Development Control Plan 2012;
- Greater Sydney Region Plan; and
- Eastern City District Plan.

The above will be addressed as part of the assessment of the application and within the Environmental Impact Statement (EIS).

*Note: Under section 2.10 of the Planning Systems SEPP, development control plans do not apply to State significant development. The provisions of the Sydney Development Control Plan 2012 will be considered as a guide when preparing the EIS.*

## 5.2 Sydney Local Environmental Plan 2012

This site is subject to the provisions of SLEP. As set out in the SLEP map extracts in Figures 4 to 6, the site is:

- Zoned MU1 - Mixed Use;
- Subject to a maximum building height of 40m under clause 4.3; and
- Subject to a maximum FSR of 6:1 under clause 4.4.

Discussion of the above development standards with respect to development relevant to the in-fill affordable housing component was discussed in **Section 3** of this document.

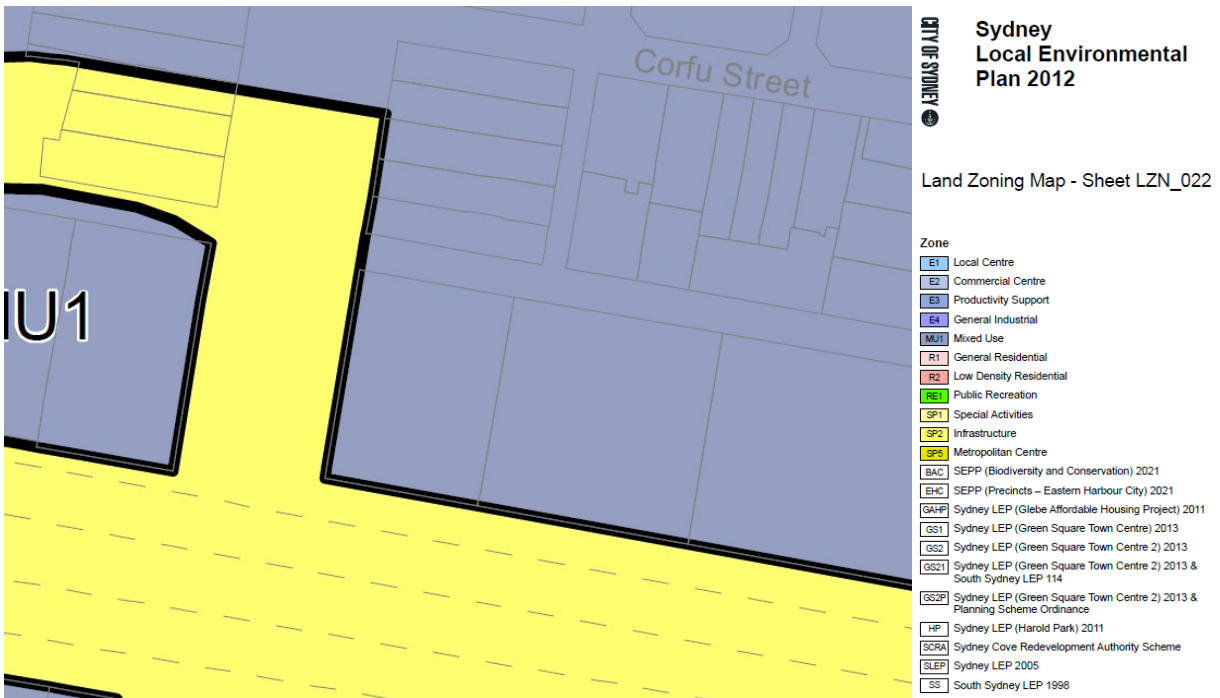


Figure 4: Extract of SLEP 2012 Zoning Map

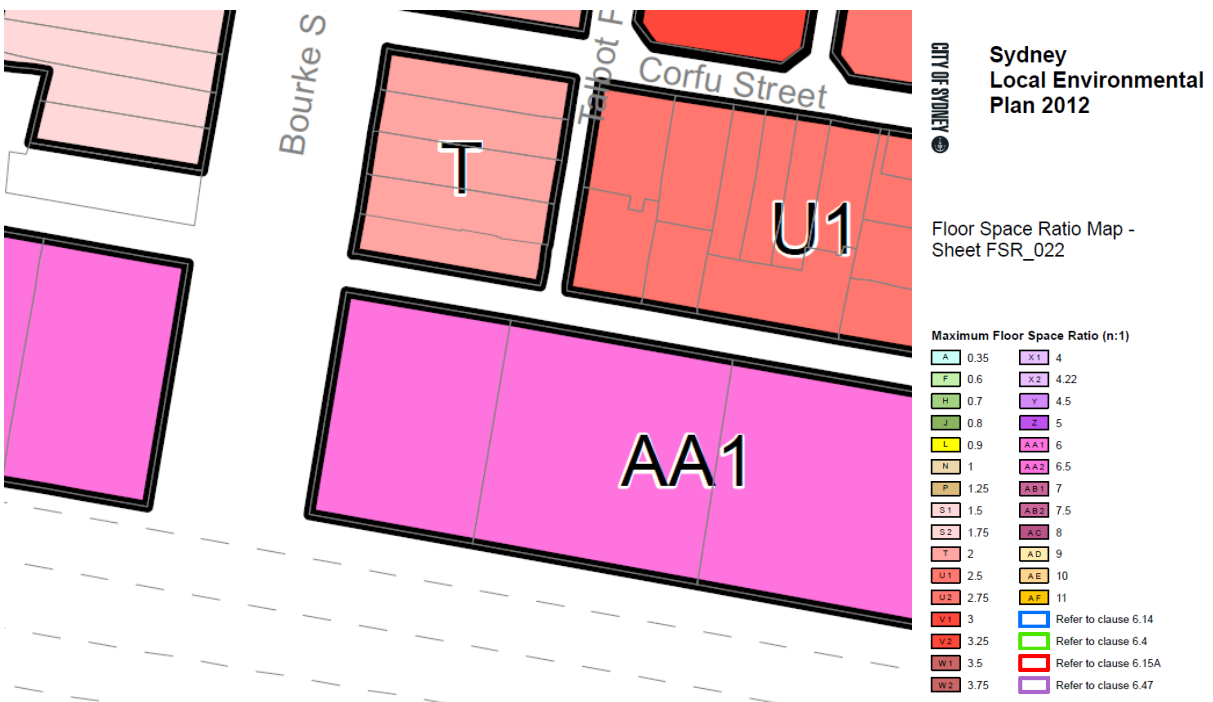


Figure 5: Extract of SLEP 2012 Floor Space Ratio Map

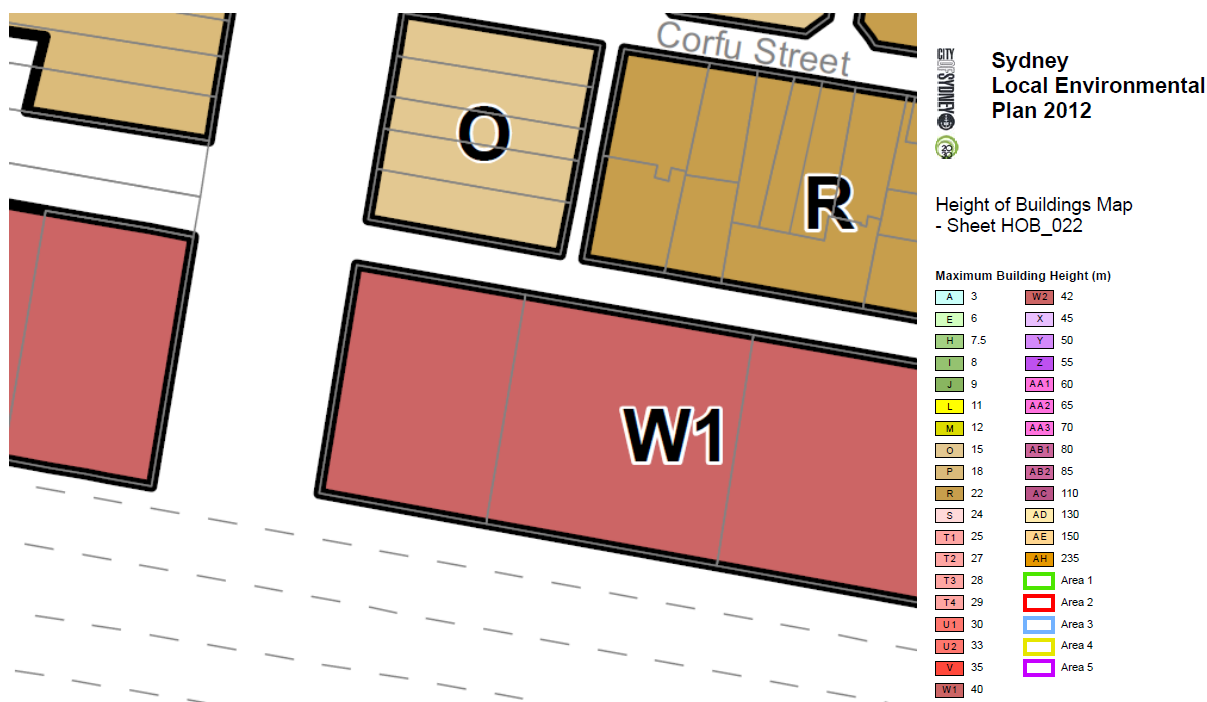


Figure 6: Extract of SLEP 2012 Height of Buildings Map

The site is not a heritage item or located in a Heritage Conservation area. The site is located in between two heritage conservation areas and multiple heritage items, including:

- 132 William Street - ‘Commercial building including interior’ (I2200);
- 121-129 William Street - ‘Commercial building “Telopea, Merrool & Baringa” including interior’ (I498);
- Heritage Conservation Area - ‘William Street South’ (C16);
- Heritage Conservation Area - ‘Woolloomooloo’ (C71); and
- Heritage Conservation Area - ‘East Sydney’ (C13).

Land uses permitted with development consent in the MU1 Mixed Use zone include residential flat buildings, shop top housing and commercial premises. The land uses proposed would be defined as a residential flat building and commercial premises.

In addition to the building height and FSR development standards under the SLEP, relevant provisions of the SLEP that will need to be addressed in any application include:

- Clause 5.10(4) - Development in the vicinity of heritage items or heritage conservation areas.
- Clause 6.21C - Design excellence (refer to discussion in Section 4 of this document).
- Division 1 - Car parking ancillary to other development.
- Clause 7.13 - Contribution for the purpose of affordable housing.
- Clause 7.14 - Acid sulfate soils.

In regard to acid sulfate soils, the site is located on land mapped as Class 5 Acid Sulfate Soils.

The existing basement has an existing RL of 13.89m. Due to the proximity of the site to the Cross City Tunnel and the Eastern Distributor, it is not intended to alter the depth of the existing basement. The existing basement will be retained and re-used.

As the existing basement is above RL 5.0m, the preparation of an Acid Sulfate Soils Management Plan under clause 7.14(3) is not required.

## 6. Industry-Specific SEARs Requirements

Table 3 comments on the relevance of each issue and key assessment requirement identified under the industry-specific SEARs for In-Fill Affordable Housing as relevant to the site and proposal.

Issue and Key Assessment Requirements	Comment
1. Statutory Context	Noted.
2. Estimated Cost of Development and Employment	Noted.
3. Design Quality	Refer to the discussion in <b>Section 4</b> of this document regarding design excellence and our request to grant an exemption to the requirement of a design competition.
4. Built Form and Urban Design	Noted.
5. Environmental Amenity	Noted.
6. Visual Impact	Noted.
7. Public Space	Noted.
8. Trees and Landscaping	The site is occupied by an existing commercial building with nil setbacks to all boundaries. No trees exist on-site.
9. Ecologically Sustainable Development	Noted.
10. Traffic, Transport and Accessibility	Noted.
11. Biodiversity	The site is located in a highly urbanised area. In this regard the proposal will not have a significant impact on biodiversity values.  A request shall be made that the requirement of a Biodiversity Development Assessment Report be waived.
12. Noise and Vibration	Noted.
13. Ground and Water Conditions	Noted.
14. Water Management	Noted.
15. Flood Risk	Noted.
16. Contamination and Remediation	Noted.

<b>17. Waste Management</b>	Noted.
<b>18. Aboriginal Cultural Heritage</b>	An AHIMS Basic Search was conducted on 22 November 2024. No Aboriginal sites or Aboriginal places were recorded or declared within 200m of the site. Accordingly, an Aboriginal Cultural Heritage Assessment is not deemed required.
<b>19. Environmental Heritage</b>	Noted.
<b>20. Social Impact</b>	Noted.
<b>21. Infrastructure Requirements and Utilities</b>	Noted.
<b>22. Bush Fire Risk</b>	The site is not located on bush fire prone land.
<b>23. Aviation</b>	The site does not currently contain or is adjacent to a helicopter landing site (HLS). In addition, the proposal does not involve a HLS.
<b>24. Construction, Operation and Staging</b>	Noted.
<b>25. Contributions and Public Benefit</b>	Noted.
<b>26. Engagement</b>	Noted.

*Table 3: Comment on key issues and documentation identified in the industry-specific SEARs for In-Fill Affordable Housing*

# 7. Conclusion

This reference document provides information to assist in the preparation of SEARs for a mixed use development containing an in-fill affordable housing component at 134 William Street, Woolloomooloo.

The matters discussed in this report set out the proposal, considerations for design excellence and the relevant planning framework applicable to the site.

It has been demonstrated that:

- The development would be declared to be SSD under section 2.6 of the Planning Systems SEPP.
- The development involves in-fill affordable housing within the meaning of Chapter 2, Part 2, Division 1 of the Housing SEPP.
- The development is able to utilise and comply with the 30% affordable housing uplifts to height and FSR available under the Housing SEPP.

Commentary has been provided to the industry-specific SEARs for In-Fill Affordable Housing. It is sought that the request be accepted and that SEARs be issued to allow for the preparation and submission of the EIS for the assessment and consideration of the proposal.