

21 July 2026

Peter McManus
 Team Leader, Social and Diverse Housing Assessments
 Department of Planning, Housing and Industry
 6 Parramatta Square, 10 Darcy Street,
 Parramatta NSW 2150

Sylvania Affordable Housing (SSD-83258708) Response to Request for Additional Information

Dear Peter,

Thank you for the request for additional information in relation to the assessment of the Sylvania Affordable Housing project (SSD-83258708) at 29 Florida Street, Sylvania.

This response provides a consolidated response to the matters raised by DPHI by email dated 15 July 2026, which are addressed in Table 1, and the matters raised by Sutherland Shire Council on 9 July 2026, which are addressed in Table 2. The response is supported by the following attachments:

- Attachment A: Revised Architectural Plans, prepared by BVN Architects
- Attachment B: Updated Statutory Compliance Table, prepared by FPD Planning

Further, it is noted that Homes NSW met with Sutherland Shire Council on 26 June 2026 to further discuss the proposal, the Response to Submissions and previous RFI response.

At this meeting, Council staff requested further refinements to the waste servicing arrangements for the social housing building to improve manoeuvring for Council's waste collection vehicle. These minor refinements have been incorporated into the revised Architectural Plans at Attachment A (refer to Drawing ref: GA - Overall - Level 04).

Table 1: Response to matters raised by DPHI

RFI Item	Response
1. Cut and Fill	
The cut and fill plan provided in response to RFI1 has not resulted in an update to civil plans, and neither the architectural or landscape plans or an update of the flood report. Please clarify if these plans/reports are needing updating.	Mott MacDonald has advised that the cut and fill plan submitted as part of the previous RFI was prepared to provide additional clarification regarding proposed earthworks across the site. Mott MacDonald has reviewed the cut and fill plan against the current architectural, landscape, civil and flood documentation, and confirmed that the proposed earthworks do not materially alter the development layout, finished floor levels, overland flow paths, stormwater drainage strategy, or flood mitigation measures previously assessed. As such, updates to the architectural plans, landscape plans and civil plans are not considered necessary.

The cut and fill plan does not appear to have been considered by the engineer in their flooding and stormwater response (i.e. their letter refers upfront that it relies on civil plans from an earlier date). Can this please be reviewed accordingly.	Mott MacDonald has confirmed that the proposed cut and fill plan does not result in any material change to the adopted stormwater drainage strategy, flood behaviour, overland flow paths, flood storage, flood conveyance or flood impact outcomes previously reported in the FIRA. Accordingly, the conclusions and recommendations of the FIRA remain valid.
Please review and update the LEP statutory compliance table where necessary based on responses to the above, particularly sections 6.2 and 6.4 of SSLEP.	Table 10 of the Statutory Compliance Table has been updated to address Clause 6.2 and 6.4 of the Sutherland LEP. Refer to Attachment B.

Table 2: Response to matters raised by Sutherland Council

RFI Item	Response
1. Housing Delivery Authority (HDA)	
The HDA has recently declared a proposed redevelopment of Southgate Shopping Centre, located at 114 and 124 Princes Highway and 1–17 Port Hacking Road, Sylvania, as SSD. The proposal includes approximately 900 new dwellings and represents development of a substantial scale. It also proposes a significant departure from the current Height of Buildings development standard, seeking building heights of up to 100 metres above the maximum height permitted under the Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015). Given that a development of this scale has not previously been considered by the DPHI for this site, it is essential that all supporting technical studies and assessment reports are updated to adequately address the needs of the future community. In particular, further analysis is required to demonstrate that pedestrian connectivity, active transport links, access to services and facilities, and broader community infrastructure needs have been appropriately assessed and planned for.	The EIS and supporting documentation for this SSDA provide an appropriate assessment of the proposal, including potential environmental impacts, infrastructure requirements and connectivity considerations. Any future development of adjacent or nearby sites, including the Southgate Shopping Centre, would be subject to separate planning assessment processes and would be required to assess environmental impacts, servicing requirements and infrastructure needs relevant to that proposal.
2. Traffic	
<u>Signalised pedestrian crossing via Port Hacking Rd/Princes Hwy</u> The signalised pedestrian crossing via Port Hacking Road/Princes Highway is considered an improvement from the previous iteration in providing pedestrian access across Port Hacking Road. However, it is noted that there is insufficient detail within the concept plan, particularly to the left turn slip signals design and TCS design. It is considered that the pedestrian access across Port Hacking Road is critical to the development, hence, Council request for a deferred commencement condition for the TCS design to be completed with principal approval from	The proposed signalised crossing at the intersection of Princes Highway and Port Hacking Road is supported as it will improve pedestrian connectivity between the site and the Southgate Shopping Centre. A deferred commencement condition is not considered necessary or warranted in this instance. Transport for NSW has provided advisory notes and recommended conditions of consent confirming that a pedestrian signal phase and marked foot crossing are to be provided on the southern approach of the Princes

TfNSW. Council notes that the existing left slip lane at the Princes Highway may require design changes of the existing island due to the approach speeds to the proposed signalised crossing by the development. Design changes should have consideration to the slowing of vehicular approach speeds and pedestrian safety. In addition, Council notes pedestrian safety concerns with unsafe pedestrian movements across Port Hacking Road due to desire lines. Council seeks that TfNSW should provide a clear position on pedestrian fencing and recommend pedestrian fencing along Port Hacking Road to improve pedestrian safety and deter unsafe pedestrian movements from the development to the adjacent south gate shopping centre and bus stops. As raised in our letter dated 22 January 2026, an alternative location could be further investigated to improve pedestrian safety, and in our recent meeting with the Applicant and Homes NSW, we advised that the intersection at Pembroke Street and Port Hacking Road should be further investigated.	Highway/Port Hacking Road intersection, crossing Port Hacking Road to facilitate safe and efficient pedestrian movements between the development site and the Southgate Shopping Centre. The recommended conditions establish the detailed design requirements to be addressed through the consent. The proposed signalised crossing at the corner of Port Hacking Road and Princes Highway does not preclude the consideration of future additional pedestrian crossing points across Port Hacking Road.
<u>Pedestrian and Accessible Access</u> Council requests a Pedestrian and Accessibility Report to be submitted due to the location of the new signalised pedestrian crossing access. The report should have considerations to: • The internal arrangement of the site and its interface with Princes Highway, Port Hacking Road, and Florida Street • CPTED analysis • Level differences between the internal site, accessways, and access to the signalised pedestrian crossings • Accessibility and mobility user groups, and their access to and from the site & destinations (ie, nearby bus stops, pedestrian crossings) • Pedestrian access and unsafe pedestrians' movements due to desire lines due to western pedestrian site access on Port Hacking Road • Permeability of the site	As outlined above, Transport for NSW have provided recommended conditions of consent which address matters relating to the design of the signalised pedestrian crossing. Accordingly, the matters raised regarding the detailed design of the signalised pedestrian crossing can be appropriately addressed through the recommended Transport for NSW conditions of consent.
<u>Upgrades to bus stop facilities</u> Council requests for upgrades to the nearby bus stops as a condition of consent to improve the existing bus facilities and promote active transport. 1. Princes Highway/Florida Street – new bus stop hardstand and seating. 2. Port Hacking Road/Melrose Avenue – new bus shelter & seating.	Homes NSW will work with Transport for NSW to further consider the need for upgrades to bus stops on Princes Highway. This matter can be addressed through a condition of consent. Homes NSW requests that any such condition be required to be satisfied within 12 months from the issue of the first Occupation Certificate.
3. Impact of future built form on 27 Florida Street and 92 Princes Highway	
Indicative building forms have been shown in the revised design report prepared by BVN (dated 11 June 2026). The revised information demonstrates	As outlined in the previous RFI, the proposed development will not result in lot isolation and

that the adjoining sites (27 Florida Street and 92 Princes Highway) can achieve a maximum permissible height of 28.6m (8 storeys) and a maximum FSR of 2.86:1 when utilising Housing SEPP bonuses (LMR and Affordable). Diagrams show building forms below the maximum permissible height (between 4 and 7 storeys). No justification has been provided to demonstrate if the reduced height still achieves the permissible FSR for the site. It is acknowledged that some stepping of the built form height can likely be accommodated whilst still realising the maximum permissible FSR for the site, but it is unclear if the current diagram achieves this goal.

Page 22 of the analysis acknowledges the impact upon the solar access of market building 2, demonstrating that 6 units will be impacted, reducing the solar access of the building to from 75% compliant (2 hours of solar access midwinter) to 64% compliant. Market building 2 no longer meets ADG design objectives for solar access.

Sun eye view diagrams also demonstrate that market building 1B and 1C will be impacted by the adjoining buildings. However, the impact appears to be upon units that are not currently claiming ADG compliant solar access.

When reviewing the solar study provided, we agree with the findings of BVN that the adjoining buildings will impact solar access to market building 2, but the development as a whole will remain capable of achieving ADG solar access objectives.

does not preclude the future development of adjoining lots.

As set out in the Response to Submissions and previous RFI, the adjoining sites can redevelop under an amalgamated scenario to achieve development ranging from 4-6 storeys. BVN Architects considered the existing site dimensions and compliant ADG and DCP envelopes to inform a potential massing for the site.

The maximum permissible FSR under the low and mid-rise housing provisions at 2.2:1 is a maximum FSR control and may not be achieved on all sites due to site constraints and site planning requirements. It is noted that the subject SSDA is significantly below the permitted FSR for the site.

The analysis by BVN Architects demonstrates that a reasonable development outcome can be achieved on the adjoining sites. The proposal does not isolate adjoining sites and does not represent a barrier to their future redevelopment.

The potential solar impacts of future residential development on the site have been considered to demonstrate that overall, the proposal will continue to achieve 2hrs solar access to 70% of all apartments in mid-winter. Any potential solar impacts from adjacent development will need to be appropriately assessed and considered as part of the DA process for future development.

4. Overshadowing impacts to southern adjoining properties

A review of the revised design report prepared by BVN (dated 11 June 2026) and the following comments are provided in relation to solar access impacts:

See below:

Windows to habitable rooms

The diagrams provided acknowledge that all north facing windows to the habitable rooms of 12 to 26 Pembroke Street currently enjoy in excess of 5 hours of solar access between 9am and 3pm midwinter. The current proposal reduces solar access to habitable windows of 16-20 and 26 Pembroke Street below 2 hours (between 9am and 3pm mid-winter). The applicant also provides a solar study showing the impact of a height compliant building. This study demonstrates that 16-20 and 26 Pembroke Street would receive in excess of 2 hours solar access, but 26 Pembroke Street would still receive less than 2 hours solar access.

As detailed in the updated overshadowing plans prepared by BVN Architects and updated Clause 4.6 Variation Request provided as part of the previous RFI, the proposed development will maintain a minimum of two hours solar access to most properties along Pembroke Street between 9am and 3pm in mid-winter.

As demonstrated in the analysis by BVN, all living room windows and private open space areas to the properties at 12, 22-24, and 26 Pembroke Street will achieve a minimum of two hours solar access in mid-winter. It is noted the lower parts of these buildings are also screened with fencing and landscaping further reducing any overshadowing impacts from the proposed development, and the buildings are typically

in excess of 5 hours a day to less than two hours a day (between 9am and 3pm mid-winter). Solar access in excess of 2 hours would be achieved with a height compliant design. Furthermore, height controls provide a maximum height, good design practice should seek to redistribute the height across the site to minimize overshadowing of the southern neighbour. Note: sun eye view diagrams do not show positions of window or clearly defined built forms to allow the findings of this report to cross referenced and verified.	orientated east-west for solar access minimising solar impacts. The proposed development results in a minor reduction in solar access to one of the nine townhouses at 16-20 Pembroke Street when compared to a height-compliant envelope. This impact is limited to the living room windows of one townhouse and represents a reduction from approximately 2-3 hours to 1-2 hours in mid-winter. On this basis, the impact is not considered significant.
<u>Private open space</u> The documents acknowledge both private and communal open space currently receive good solar access, predominantly in excess of 5 hours (between 9am and 3pm mid-winter). The current proposal reduces solar access to a portion of the COS of 16 to 20 Pembroke Street to less than 2 hours. A height compliant building would overshadow the adjoining properties slightly less. However, the COS of 16 to 20 Pembroke Street would still not receive a minimum of 2 hours solar access (between 9am and 3pm mid-winter).	Noted. As previously confirmed by BVN Architects, the proposal results in minor additional overshadowing to the front portion of the private open space of the townhouse at 16-20 Pembroke Street. While the proposal results in some additional minor overshadowing to this private open space, this is influenced by the location of the private open space within the front setback and directly south of the proposed development. It is also noted that this area would be affected under a height-compliant scheme. This is the only townhouse affected and the proposed development does not result in any significant additional overshadowing to the private open space of the other townhouses in this development. Solar access to the private open space areas is maintained at a similar level to a height compliant scheme. Further, the communal open space located at the rear of the development will continue to receive sunlight in mid-winter.
<u>Summary</u> The diagrams provided demonstrate that the noncompliant height will reduce solar access to the habitable windows of 16 to 20 Pembroke Street to less than 2 hours, whereas a height compliant would maintain 2 hours of solar access to the habitable windows. The impact of the noncompliant height upon POS and COS is negligible. Furthermore, height controls provide a maximum height, and good design practice should seek to redistribute the height across the site to minimise overshadowing of the southern neighbours. As previously recommended, the solar study should be used as a tool to further refine the distribution of building form across the site.	As confirmed in the solar analysis by BVN (submitted as part of the previous RFI), the minor overshadowing impact is limited to one of nine townhouses, with the remaining eight townhouses at 16-20 Pembroke Street all continuing to achieve a minimum of two hours solar access to the primary living areas and private open space areas between 9am and 3pm in mid-winter. Accordingly, almost 90% of the townhouses at 16-20 Pembroke Street continue to achieve compliant solar access. Further, if this site were to redevelop under the low and mid-rise controls, there would be no solar impact from the proposed development. Overall, one townhouse would experience a minor reduction in solar access as a result of the proposed development when compared with a

	height-compliant scheme. Having regard to the site orientation and topography, required flood planning levels, delivery of social and affordable housing, and the design measures adopted to minimise overshadowing, the limited impact is considered acceptable.
5. Engineering	
Regarding all stormwater matters raised in Council's previous letter and correspondence, the DPHI must come to a design agreement with Council before the issue of a Construction Certificate. Any relocation/realignment of Council's stormwater drainage infrastructure and associated easement, must follow the procedural process within Council with regards to design, construction, sign off and formalising the required resultant easement. If the works are done outside this process, this asset/liability may stay in the ownership of the developer/landowner.	This matter can be addressed through conditions of consent. Homes NSW requests that any such condition be required to be satisfied as part of the relevant Construction Certificate for Stage 2 works to ensure the timing of compliance aligns with the staging and delivery of the project. Ongoing consultation will be undertaken with Council and authorities to confirm requirements prior to detailed design and construction.

We trust this response addresses the matters raised in the request for additional information and assists the Department in its assessment and determination of SSD-83258708.

Should you have any queries in relation to the above matters, please do not hesitate to contact me or Gerald Walker at Gerald.Walker@homes.nsw.gov.au

Yours sincerely,



Katrina Burley

Associate Planner

Phone: 0403 418 187

Email: katrina.burley@fpdplanning.com