



28 May 2026

Nathan Stringer  
Principal Planning Officer  
DPHI  
Sent via Portal

Dear Nathan,

## Response to Request for Information | SSD-87245208

This letter is prepared on behalf of 17 Oxford St Pty Ltd (the Applicant) in respect of SSD-87245208, a State Significant Development Application for a mixed-use development incorporating in-fill affordable housing at 13-15 and 17 Oxford Street and 2 Verona Street, Paddington.

By way of background, the following key milestones have been reached:

- SSDA Lodgement – 26 November 2025.
- Public Exhibition – 2 December 2025 to 19 January 2026.
- Response to Submissions – submitted 16 April 2026.

This correspondence responds to the Department of Planning, Housing and Infrastructure's Request for Information dated 7 May 2026, together with agency comments received from the City of Sydney Council, the Office of the 24-Hour Economy Commissioner, Heritage NSW and Sydney Water.

Having regard to the information requested and agency feedback received, the following amendments have been made to the scheme:

### General Changes

- Inclusion of a Public Art Plan (submitted with this letter).

### Architectural Changes

- Introduction of a fourth basement level (Basement 4) to accommodate additional cultural and creative floorspace.
- Level 1 floor plate redesigned to replicate Level 2 floor plate as closely as possible, to increase amenity to the affordable housing dwellings on Level 1.
- Apartments 1.01 and 1.02 consolidated into a single larger dual aspect apartment (now numbered 1.01), such that it receives cross ventilation. This reduces the apartment count by one dwelling.
- Courtyard facing balconies to dual aspect apartments absorbed into apartment interiors on Level 1.



- Wintergardens removed from courtyard facing apartments that are not noise affected, replaced with open balconies. Wintergardens retained for noise affected apartments.
- Balcony and party wall of apartments 1.11, 2.10, 3.10 and 4.10 set back away from Terrace C across all levels.
- Opaque perforated screen added at windows up to balustrade height to mitigate visibility from Verona Street at Terrace D.
- Visitor bicycle spaces relocated from public domain to Basement Level 2 consolidated bicycle storage area (61 spaces on Basement 2: 51 resident, 14 visitor and 2 staff).
- 16 resident spaces accommodated within residential storage cages and numbered on General Arrangement plans (clear internal dimension 1,840mm x 800mm).
- Easement for Support (T207907): Existing wall adjacent Rose Terraces confirmed as not proposed to be demolished. Retaining wall shown at boundary to maintain lateral support in accordance with easement obligations.
- Service lift overrun reduced, such that Level 1 apartments 1.04 and 1.05 replicate 2.04 and 2.05 above.

#### Civil / Stormwater Engineering Changes

- Stormwater Pit 3 removed and associated pipe infrastructure redirected around the deep soil area, providing an unobstructed deep soil area.
- Drainage design revised so that emergency overflow from both OSDs is directed (via additional pipe infrastructure) to drain to a pit rather than freely discharging from the Level 1 elevation to the footpath.

A qualitative comparison between the RtS and refined proposal is provided overleaf, along with a detailed response to each submission.

We trust this response addresses the Department's requirements and provides sufficient information to progress the application to a positive determination. Please do not hesitate to contact me should you have any questions.

Kind regards,

*Edward Green*

Edward Green  
Associate Director  
(02) 8424 5153  
egreen@urbis.com.au



Enclosed:

- A. Revised Architectural Drawings prepared by TZG
- B. Design Response Report prepared by TZG
- C. Acoustic Response Letter prepared by E-Lab
- D. Revised Acoustic Report prepared by E-Lab
- E. Civil Engineering Response Letter prepared by Telford
- F. Revised Civil Engineering Drawings prepared by Telford
- G. Revised Stormwater Management Drawings prepared by Telford
- H. Revised Integrated Water Management Plan prepared by Telford
- I. Traffic Response Letter prepared by JMT Consulting
- J. Revised Statutory Compliance Table prepared by Urbis
- K. Revised Mitigation Measures Table prepared by Urbis
- L. Revised Clause 4.6 Variation Request prepared by Urbis
- M. Public Art Plan prepared by TZG

Submitted Under Separate Cover:

- DRAINS Model prepared by Telford
- MUSIC Model prepared by Telford
- Section 37 Letter prepared by Urbis

## Quantitative Comparison

The following table provides a comparative analysis of the RtS Scheme and modified proposals based on the key development numeric components.

Table 1 Numeric Overview

Element	RtS Scheme		Refined Proposal	Change
GFA per use	Market Residential:	6,581sqm	6,520sqm	-61qm
	Affordable Housing:	1,481sqm	1,478sqm	-3sqm
	Cultural and Creative:	1,666sqm	1,687sqm	+21sqm
	Retail:	430sqm	505sqm	+75sqm
	Ancillary Cultural Creative:	-	310sqm	+310sqm
	Total GFA:	10,158sqm	10,500sqm	+342sqm
FSR	10,158sqm / 2,533sqm site area = 4.0:1		10,500sqm / 2,533sqm site area = 4.15:1	4.01 → 4.15:1
Height of Buildings	25m height plane portion	24.95m	No change	N/A
	15m height plane portion	12.95m		

Element	RTS Scheme	Refined Proposal	Change
Overall Dwellings and Mix	65 dwellings <ul style="list-style-type: none"> <li>• 3 x studio</li> <li>• 14 x 1 bed</li> <li>• 29 x 2 bed</li> <li>• 15 x 3 bed</li> <li>• 4 x terraces (3 bed)</li> </ul> (14 affordable; 51 market)	64 dwellings <ul style="list-style-type: none"> <li>• 3 x studio</li> <li>• 13 x 1 bed</li> <li>• 29 x 2 bed</li> <li>• 15 x 3 bed</li> <li>• 4 x terraces (3 bed)</li> </ul> (14 affordable; 50 market)	-1 market dwelling (1 bed)
Deep Soil	177sqm (7%) complies	No change	N/A
Solar Access	52/65 (80%) <i>complies with 70% control</i>	48/64 dwellings (75%) <i>complies with 70% control</i>	- 5%
Cross Ventilation	41/65 (63%) <i>complies with 60% control</i>	41/64 (64%) <i>complies with 60% control</i>	+1%
Communal Open Space	672sqm (26%) <i>complies with 25% control</i> <ul style="list-style-type: none"> <li>• Ground Floor – 311sqm</li> <li>• Level 7 (Rooftop) – 361sqm</li> </ul>	No change	N/A
Parking Spaces	58 car spaces, comprising: <ul style="list-style-type: none"> <li>• 48 standard car spaces</li> <li>• 10 accessible car spaces</li> <li>• 6 motorbike spaces</li> </ul>	56 car spaces, comprising: <ul style="list-style-type: none"> <li>• 46 standard car spaces</li> <li>• 6 motorbike spaces</li> <li>• 10 accessible spaces</li> </ul>	-2 standard car spaces
Visitor Bicycle Parking	7 rings accommodating 14 bicycles, provided on Oxford Street	14 spaces provided at Basement 2	Visitor parking relocated from Oxford Street to Basement 2

Element	RtS Scheme	Refined Proposal	Change
Resident and Staff Bicycle Parking	65 spaces at Basement 2. Residents are provided with individual storage areas that are of sufficient size to accommodate a bicycle.	<ul style="list-style-type: none"> <li>49 within bike storage area, 16 within storage cages = 65 spaces in total</li> <li>2 dedicated staff bicycle spaces</li> </ul>	<p>65 spaces provided in basement 2 in both schemes.</p> <p>Staff bicycle parking now in separate area.</p>
EoT Facilities	EOT Facilities on Basement 3	No change	N/A
Servicing and Loading	Via loading dock on Ground Floor. Allowance for Council's 10.6m truck.	No change	N/A
Basement Levels	<p>3 basement levels</p> <p>Basement Excavation Level – RL 36.56m</p>	<p>4 basement levels</p> <p>Basement Excavation Level – RL 32.25m</p>	One extra basement level / 4.31m of excavation (Basement 4 for cultural & creative floorspace)

## Detailed Response to Submissions

RFI	Applicant Response
<b>NSW Department of Planning, Housing and Infrastructure</b>	
<p>1. Architectural plans demonstrate that the wintergarden for Apartment 1.13 (studio) is impeded by a nib wall. Clarify whether this is a drawing error. If not, provide an assessment to demonstrate that the nib wall would not adversely affect the internal and external amenity of the unit.</p>	<p>TZG confirm that the nib wall shown within the wintergarden of Apartment 1.13 is not a drafting error.</p> <p>The nib wall forms part of a larger structural concrete wall system required to eliminate transfer beams above the loading dock at the ground floor level. This structural arrangement has been necessitated by the City of Sydney's requirements to provide a loading dock capable of accommodating their 10.6 metre long HRV Council waste collection vehicle. The wall configuration is therefore a non-negotiable structural response to Council's operational requirements.</p> <p>Notwithstanding the presence of the nib wall, we confirm that the amenity of Apartment 1.13 is not adversely affected, for the following reasons:</p> <ul style="list-style-type: none"> <li>• <b>Minimum Balcony Compliance:</b> The larger portion of the wintergarden, as delineated by the blade wall, remains compliant with the minimum balcony area requirements for a studio, achieving 6sqm. The functional outdoor amenity of the apartment is therefore maintained in full.</li> <li>• <b>Residual Space:</b> The remaining area of the wintergarden created on the other side of the nib wall, while not forming part of the primary balcony area, is not rendered unusable. This space presents an opportunity for a garden or built-in joinery, which would contribute positively to the overall amenity and liveability of the apartment. We believe it is better to provide this space to the tenant rather than not.</li> <li>• <b>No Reduction in Internal Amenity:</b> The nib wall has no negative impact on the internal layout, or floor area of the apartment itself.</li> </ul> <p>In summary, the nib wall is a required structural element driven by a Council's loading dock requirement, and its presence does not result in any reduction to the internal or external amenity of Apartment 1.13.</p>

RFI	Applicant Response
<p>2. Existing GFA plans limit the calculation of cultural and creative floorspace to the auditoriums of the previous cinema, excluding circulation spaces, box office and cinema lobby. Proposed GFA plans include the cinema box office and lobby, circulation and bar areas as part of the cultural and creative GFA calculations. To confirm whether the proposed development would satisfy the requirements of cl. 6.60D(4)(c) of the Sydney Local Environmental Plan 2012 (SLEP) and in order to trigger alternative maximum FSR and building height controls, a consistent approach must be taken when calculating existing and proposed cultural and creative floorspace.</p> <p>a. Demonstrate a consistent approach for the calculation of cultural and creative GFA</p> <p>b. Should the provided amount of proposed cultural and creative GFA not trigger alternative FSR and building height controls under cl. 6.60D, clarify the pathway sought for the proposed uplift beyond the maximum controls set out under cl. 4.4 and 4.5.</p>	<p>GFA has been recalculated based on the methodology approved in the previously approved DA. DA/D/2022/1169 (previous commercial office approval) applied the following calculation methodology, which has been adopted in this instance: only areas directly relating to the provision of cultural and creative space (such as the cinema auditoria themselves) are counted toward the cultural and creative GFA total. Ancillary spaces associated with the cultural and creative use, such as bathrooms and the ground floor lobby, are excluded from the calculation.</p> <p>Updated GFA Diagrams and General Arrangement plans are provided with this submission, with totals revised to reflect this methodology. As ancillary spaces were previously being included in the cultural and creative GFA total, the application of the consistent methodology resulted in a decrease in the calculated cultural and creative area.</p> <p>To ensure the development meets the required quantum of cultural and creative floor space necessary to access the alternative FSR and height controls under cl. 6.60D of the Sydney LEP 2012, additional cultural and creative floor space has been incorporated within the basement level of the building, through the introduction of a fourth basement level. Existing cultural and creative area, as per the previously approved DA, is 624sqm. 10% of the total GFA figure is 1,050sqm, requiring a minimum cultural and creative area of 1,674sqm. The proposed development provides 1,687sqm of creative use GFA, satisfying the required threshold.</p> <p>The required amount of cultural and creative floorspace is provided in the amended scheme and the alternative FSR and building height controls are therefore triggered.</p>
<p>3. The Department remains concerned that the amenity of affordable housing is disproportionate to market units. Affordable units are generally subject to lower cross ventilation (approximately 42% cross ventilated) and many have constrained solar access to living room windows via wintergardens, while also being more noise affected. You must further explore and demonstrate opportunities to ensure</p>	<p>A review of the Level 1 affordable housing floor plate has been undertaken, resulting in a series of design amendments that substantially improve the amenity of the affordable apartments and bring the Level 1 floor plate into closer alignment with the build to sell product on the levels above.</p> <p><i>Statutory Context:</i> There is no statutory requirement that the amenity of affordable housing within a mixed development be equivalent to that of market apartments. Notwithstanding this, the amended design delivers a standard of amenity that is generous in absolute terms. The affordable apartments feature floor to ceiling glazing, oversized private open spaces in many instances, apartment sizes that</p>



**RFI**

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equitable amenity to residents, including options to reallocate the affordable housing units.

meet or exceed the market product on comparable levels, additional bathrooms in two bedroom and larger apartments, and walk in pantries or laundries in a number of dwellings. The affordable offering spans studios, one bedroom, two bedroom and three bedroom apartments, ensuring a diverse range of household types is accommodated. Two adaptable dwellings are retained within the affordable housing component, supporting accessibility and long-term housing flexibility.

*Changes to Level 1:* The Level 1 floor plate has been redesigned to replicate the Level 2 floor plate as closely as possible, reflecting an equivalent standard of amenity to the build to sell product immediately above. Courtyard facing balconies to dual aspect apartments have been absorbed into the apartment interiors, increasing effective internal floor area. Apartments 1.01 and 1.02 have been consolidated into a single larger dual aspect, naturally cross ventilated apartment (now numbered 1.01), replicating the floor plan of the market apartments on the levels above. As a result of these amendments, the cross ventilation and solar access performance of the Level 1 floor plate is only marginally different from Level 2.

Where possible, the same planning and amenity has been provided, resulting in the affordable housing product being closely comparable to the build to sell product. Apartments 1.01 to 1.08 are identical in planning and performance to those on the levels above. Apartments 1.09 and 1.10 differ from the level above due to the location of the OSD tank on Level 1. The configuration of apartments 1.11 and 1.12 also differs from the level above due to the head height requirements and ramp location of the loading dock below.

The affordable apartments are located on Levels 1 and 2. Most apartments have oversized balconies as well as walk in laundries and storage surplus to ADG requirements.

*Wintergardens and Open Balconies:* Wintergardens are retained for apartments 1.01, 1.02, 1.04 and 1.05, which front Oxford Street and are noise affected. Wintergardens are also retained for apartments located behind the existing Verona Street facade, where the heritage fabric is to be preserved, and for the studio apartment above the loading dock, where the wintergarden provides additional separation from the loading dock below. Courtyard facing apartments that are not noise affected are provided with open balconies consistent with the market apartments on the levels above.

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*Solar Access:* Design amendments have been made to the facade of noise-affected units to ensure solar penetration on the winter solstice is achieved within the living room. Apartments 1.01, 1.02, 1.04 and 1.05 retain wintergardens due to noise affectation from Oxford Street; solar access to living room windows for these apartments is assessed through the wintergarden glazing. The solar access assessment has been reviewed accordingly and updated diagrams are included in the amended drawing package. Level 1 apartments located behind the existing Verona Street facade are retained in their current configuration to preserve the existing facade fabric, and the solar access outcomes for these apartments are addressed in the context of the heritage constraint.

*Cross Ventilation:* Updated cross ventilation diagrams have been prepared reflecting the amended floor plate, including the consolidation of apartments 1.01 and 1.02 into a single larger dual aspect dwelling. The diagrams demonstrate compliance with the ADG definition of natural cross ventilation, that the primary living space and n-1 bedrooms are on a ventilation path. The ADG does not require affordable dwellings to be separately assessed to independently achieve cross-ventilation compliance. Objective 4B-3 requires at least 60% of dwellings across the whole development to be naturally cross ventilated. The development achieves 64% (41 of 64 dwellings), meeting this threshold. The design amendments to the Level 1 floor plate improve the affordable housing cross ventilation outcome and reduce the disparity with the market apartments.

*Communal Facilities:* All affordable dwellings have full and equal access to all communal facilities within the development, including the rooftop pool, rooftop communal open space, and the ground floor residents-only communal courtyard and garden. There is no planning or management basis under which access to communal facilities is differentiated by housing tenure.

4. Amend the proposal to ensure that wintergardens are only provided where required for noise affected apartments.

Wintergardens in the proposed scheme have been redesigned and reallocated in response to feedback from DPHI and the City of Sydney.

Wintergardens are retained where required by noise affectation. Apartments 1.01, 1.02, 1.04 and 1.05 front Oxford Street and are noise affected; wintergardens are therefore retained for these apartments. Wintergardens are also retained where private open space sits within the existing Verona Street building facade, in order to preserve the existing building fabric and character, this applies to

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	apartments 1.06, 1.07 and 1.08. Wintergardens are also provided to apartments 1.09 and 1.10 due to their adjacency to Verona Street and the building's loading dock. Courtyard-facing apartments 1.03, 1.11 and 1.12 are provided with open balconies, as they are not noise affected.
5. Outlook from Terrace C remains constrained. You must explore opportunities to improve outlook, including but not limited a reconfiguration of the adjacent balconies to apartments 2.10-4.10 to align with the upper levels of the building (Floors 5 and 6).	Further design amendments have been made to improve outlook from Terrace C. The balcony and party wall of apartments 1.11, 2.10, 3.10 and 4.10 have been set back away from Terrace C, increasing the separation between Terrace C and the adjacent apartments across all levels. This amendment widens the view opening to the courtyard from within Terrace C and its private 27sqm rooftop outdoor area, improving both the sense of enclosure and the quality of outlook available to residents of Terrace C. The distance between the terrace C outdoor area and the party wall of unit 3.10 is approximately 3.5m.
6. Provide a table showing the proposed apartment mix, broken down into affordable and market apartments.	A schedule of accommodation is provided within the amended architectural drawing package. The schedule sets out the proposed apartment mix broken down by dwelling type and housing category (affordable and market).
7. Table 4 of the Response to Submissions report notes that staff EOT facilities are provided "at the new mezzanine level between Basement 3 and Basement 4". Amend to correct.	This reference is incorrect and should be disregarded, as it arose from a drafting oversight. The proposal includes EOT facilities on Basement Level 3 for use by retail staff, provided as part of the base building works.
8. Confirm how retail staff access to Basement 3 EOT facilities will be managed and assured, noting that users would need to traverse the cinema for access.	<p>Access to the Basement 3 end of trip facilities is via either the service lift adjacent to the loading dock, or via the cultural and creative lift. Staff take either of these lifts to Basement 3 to access the end of trip facilities. Bicycle storage is located on Basement Level 2. Security access will be provided to staff to access the bicycle storage within the basement.</p> <p>There is no need for retail staff to traverse the cinema. The space between the service lift and the EOT facilities is an open access area with no impediments. Within the end of trip, an accessible toilet and shower is provided, an ambulant unisex toilet, and three unisex bathrooms each with basin, shower and toilet in one compartment. The EOT facilities are provided in addition to male and female WCs located adjacent.</p>

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<p>9. Provide survey levels of existing natural ground on plans.</p>	<p>Survey levels of existing natural ground have been provided on the ground floor plan within the amended architectural drawing package. Existing survey levels are denoted with an "X" prefix before the relative level notation, such as "XRL". Additional survey levels have been provided on the ground floor plan for clarity.</p> <p>Survey levels are those provided by Boxall Surveyors, as issued on 16 December 2025. Proposed levels are denoted on the plans as "RL" followed by the numeric value.</p>
<p><b>City of Sydney Council</b></p> <p><i>Clause 6.60D of the Sydney LEP</i></p> <p>10. The City reiterates that the 'alternative' height and floor space ratio incentives under clause 6.60D of the Sydney LEP only apply if the proposed building will deliver new cultural and creative uses and be used wholly for those identified non-residential uses listed in subclause 6.60D(4)(a) (i)-(vii).</p> <p>These controls incentivise strategic land use outcomes for Oxford Street and its potential as a 24-hour cultural and creative hub and Special Entertainment Precinct.</p> <p>An amendment to clause 6.60D of the Sydney LEP was made on 12 December 2025 to clarify the intention of this clause. The amendment makes clear that buildings which will only be used for non-residential uses the service the creative business precinct are able to access the uplift. While the City notes that savings provisions apply, the amendment simply clarifies the original intent of clause 6.60D and does not change its original intended purpose.</p>	<p>Legal advice has been obtained, including a supporting opinion from Senior Counsel, which has been provided to both DPPI and Council. This advice confirms that the project is eligible for the 'alternative' height and floor space ratio controls under Clause 6.60D of the Sydney LEP 2012.</p> <p>In addition, the project benefits from a savings provision introduced by Sydney Local Environmental Plan 2012 (Amendment No. 113), gazetted on 12 December 2025. Clause 1.8A(10) provides that a development application lodged, but not finally determined, prior to the commencement of the amendment is to be determined as if the amendment had not commenced.</p> <p>As the application was lodged on 26 November 2026 and remains undetermined, it is to be assessed under the planning controls in force at the time of lodgement. Accordingly, the amendments introduced by Amendment No. 113 do not apply to the determination of this application.</p>

It is noted that the City met with the landowner on 3 separate occasions (19 December 2024, 3 March 2025, 21 August 2025) to discuss their proposal, prior to the lodgement of the SSD application on 26 November 2025. At these meetings, the landowner sought clarification as to whether residential uses have access to the Oxford Street Cultural and Creative Precinct incentive provisions under clause 6.60D of the Sydney LEP 2012. On each occasion the City made it clear that it does not.

The City reiterates that the current proposal, which still predominantly includes residential uses is therefore not eligible for the uplift outlined in the 'alternative' height and floor space ratio controls. The proposal continues to significantly exceed the floor space ratio and height controls for the Oxford Street site to which the 30% infill bonus is applied. No clause 4.6 has been submitted to justify this breach.

*Cultural and creative purpose*

- 11. Notwithstanding the defect above, the City raises continued concern with the inadequate quantum of floorspace proposed for cultural and creative purposes within the development. The proposal only retains existing creative floorspace, without delivering meaningful additional space.

The applicant's calculation of the 'existing' 624sqm of cultural and creative floor space (four basement cinemas) to be retained, excludes the ground level cinema entrance, level 1 and level 2 cinema lobbies, box office and bar areas, circulation space and cinema amenities (see Figure 1 below).

The area of cultural and creative floorspace has been recalculated in accordance with the methodology utilised in the previously approved DA/D/2022/1169. Clause 6.60D(11) of the Sydney LEP 2012 defines cultural or creative purpose by reference to the nature of the activity – film exhibition, performing arts, live entertainment and the like.

Consistent with this definition, and consistent with the methodology applied in DA/D/2022/1169, only areas directly relating to the provision of cultural and creative activity, such as the cinema auditoria themselves, are counted toward the cultural and creative GFA total. Ancillary spaces associated with the cultural and creative use, including lobbies, circulation, box office, bar areas and bathrooms, are excluded from the calculation.

In applying this methodology, the ground floor cultural and creative lobby and box office area has been excluded from the GFA calculation and the ground floor is now identified as a retail tenancy on the amended plans. The patron entry experience is unchanged; visitors will continue to enter via the entry

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<p>However, the 'proposed' cultural and creative floor space contains a ground level lobby, ticket area, circulation space, box office/ bar, WCs and break out spaces. These areas do not constitute cultural and creative purposes as defined in clause 6.60D (11) of the Sydney LEP.</p> <p>The same parameters used to determine 'existing' cultural and creative floorspace should be used to determine 'proposed' cultural and creative floorspace.</p> <p>The City reiterates that a further allocation of purposeful cultural and creative floor space within the development is required to justify any uplift under clause 6.60D. The current proposal does not achieve the stated quantum of floor space used for a cultural and creative purpose and does not meet the threshold for the floor space bonus.</p>	<p>adjacent to the 25Hours Hotel, passing through the retail lobby space to access the cultural and creative lift and stair to the basement cinema levels.</p> <p>Updated GFA Diagrams and General Arrangement plans are provided with this submission reflecting the revised methodology. As ancillary spaces were previously included in the cultural and creative GFA total, the consistent application of this methodology resulted in a decrease in the calculated cultural and creative area. To ensure the development meets the required quantum of cultural and creative floorspace necessary to access the alternative FSR / height controls under cl. 6.60D of the SLEP 2012, additional cultural and creative floorspace has been incorporated through the introduction of a fourth basement level.</p> <p>The existing cultural and creative area, as per the previously approved DA, is 624sqm. 10% of the total GFA is 1,050sqm, requiring a minimum cultural and creative area of 1,674sqm. The proposed development not only continues the existing cinema use but meaningfully expands it.</p> <p>The reference design included in this submission shows six distinct performance spaces with a total cultural and creative area of 1,687sqm across the basement levels - representing a significant increase on the existing 624sqm of auditorium area.</p> <p>The required amount of cultural and creative floorspace is provided in the amended scheme and the alternative FSR and building height controls are therefore triggered. This basement cultural and creative offer is supported by a redesigned ground floor retail tenancy that activates the Oxford Street frontage.</p>
<p><i>Affordable Housing</i></p> <p>12. The City reiterates concern that the affordable housing apartments would have the poorest amenity of the proposed development. Most of these apartments continue to be noise-affected, without access to open balconies and 60% of the proposed affordable apartments are still not naturally cross ventilated in accordance with the ADG. The solar access diagrams demonstrate that the affordable housing apartments on level 1 receive solar access to the wintergarden</p>	<p>Refer to RFI #3 above.</p>

windows, but not to living room windows, as required by the ADG. The submitted assessment includes these apartments as solar compliant, which they are not. In addition, 35% have no or limited access to direct sunlight at midwinter.

Furthermore, it is unclear why apartments 1.13 and 1.12 have wintergardens when the market apartments above all have open balconies. The noise report confirms these apartments are not noise affected, so the City is of the view that these private open spaces should not be enclosed and should be excluded from the Affordable Housing gross floor area calculation.

Notwithstanding the above, an Affordable Housing Contribution Levy condition is recommended in line with clause 7.13 of the Sydney LEP and the City's Affordable Housing Program.

*Natural Ventilation and Noise Amenity*

13. The requirement for all noise affected living spaces and bedrooms to have a passive means of natural ventilation in accordance with ADG Objective 4B-1 has not been addressed by the amended design.

The amended acoustic report confirms that many apartments will exceed internal noise limits in windows open scenarios. Air conditioning is still proposed to address ventilation which is not sufficient to provide adequate amenity, including natural ventilation and cross ventilation for residents. The financial implication of such an approach will also disproportionately impact the affordable housing residents.

The provision of mechanical ventilation as an alternative to open windows is consistent with the DPHI mandatory guideline for development adjacent to major roads (Development near Busy Roads and Rail Corridors, Section 3.6.1), which provides that where internal noise levels with windows open exceed the criteria by more than 10dB(A), the design should allow occupants to leave windows closed whilst still meeting NCC ventilation requirements.

Facade plenums have not been included. They are not required under the ADG or NCC to demonstrate compliance and their omission is preferred on grounds of occupant control and long term reliability.

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<p>The design should be amended to provide a passive means of providing natural ventilation to living rooms and bedrooms while at the same time addressing noise. It is considered that there is further scope to reduce single aspect apartments to Oxford Street and incorporate plenums to primary noise affected elevations.</p>	
<p><i>Amended Noise and Vibration Impact Assessment report</i></p> <p>14. It is noted that the detailed façade performance matrix that previously linked façade noise levels and glazing areas to specific acoustic requirements has been deleted from Section 9.3 (traffic noise intrusion) of the amended Noise and Vibration Impact Assessment report.</p> <p>The revised approach reduces clarity on how internal noise criteria will be achieved and shifts the detailed design to later stages. It also represents a reduction in the nominated acoustic façade performance compared to the previous report. These details should be reinstated within any approved Noise and Vibration Impact Assessment to demonstrate that the proposed façade treatments will achieve the relevant internal noise criteria under worst-case traffic noise conditions.</p> <p>A condition requiring a Demolition, Excavation and Construction Noise and Vibration Management Plan to be submitted prior to Construction Certificate has been recommended within Annexure B given predicted construction impact exceedances.</p>	<p>A detailed mark up of façade glazing to all habitable spaces has been provided in Appendix C of the revised Acoustic Report, applicable to the current design. The façade performance matrix was removed from the report as it did not provide any additional information relative to the current scheme. The current approach suitably demonstrates a compliant strategy for glazing to all habitable spaces within the development.</p> <p>Any changes in glazing area from the current design shall be reviewed during detailed design stages of the development.</p> <p>The reduction in the nominated acoustic façade performance was made as a correction (previous increased values were a typographical error) and now correctly correspond to the equivalent glazing build-ups (which have not changed since the last revision of the NVIA).</p>

**15. Natural Cross Ventilation**

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| <p>a) The City raises continued concern that the proposed development does not achieve adequate natural cross ventilation in accordance with Objective 4B-3 of the ADG.</p> <p>b) The supplied plans and elevations of terraces A, B, C and D do not clearly demonstrate the operable windows which are relied upon to provide cross ventilation. The supplied cross ventilation diagrams do not demonstrate that compliance is achieved. To be considered naturally cross ventilated "the majority of the primary living space and n1 Bedrooms (where n is the number of bedrooms) should be on a ventilation path" (ADG Glossary: Natural cross ventilation).</p> <p>c) In addition, 17 apartments within the development still exceed the maximum cross through depth of 18m from glass line to glass line. This prevents the development from achieving at least 60% of the apartments being naturally cross-ventilated. It is recommended that the depth of the building fronting Oxford Street is reduced to achieve the maximum 18m glass line to glass line depth. This would also improve the poor amenity outcome of bedrooms facing walls in the western corner of the development for apartments 1.13, 2.11, 3.11, 4.11, 5.09, and 6.06.</p> <p>d) There is also further scope to increase the number of dual aspect apartments fronting Oxford Street.</p> | <p>a) Updated cross ventilation diagrams demonstrating compliance are included in the revised drawing package. The cross ventilation path is shown with a blue arrow, and apartments that are cross ventilated are shown in blue, where apartments that are not cross ventilated are shown in red. The percentage of dwellings across the development that are cross ventilated is compliant, as shown in the ADG compliance table.</p> <p>b) The cross ventilation performance of Terraces A B and C is best demonstrated in section rather than plan. See 3D sections provided within the TZG Design Report Addendum. Fresh air enters each terrace from the north east courtyard elevation through floor to ceiling operable windows measuring 2,420 x 3,100mm (inlet area 7.50sqm). Air passes through a void within the dwelling before exhausting via operable windows of 1,000 x 1,265mm (outlet area 1.27sqm) positioned above the entry door on the south west street elevation. The two openings are on opposing aspects of the building, satisfying the directional requirement of ADG Objective 4B-3. An operable skylight located within the void space allows air within the void space to ventilate via the stack effect. The north east courtyard elevation receives the prevailing north easterly to easterly sea breeze during summer afternoons, the period of greatest thermal stress and greatest benefit to occupant comfort.</p> <p>The aggregate opening area of 8.77sqm is assessed against the ADG minimum of 5% of the floor area of the habitable space served. The terrace floor area is approximately 49sqm, giving a minimum required opening area of 2.45sqm. The provided aggregate opening area of 8.77sqm represents 17.9% of floor area, exceeding the ADG requirement by a considerable margin.</p> <p>For Terrace D, fresh air enters from the north east elevation through floor to ceiling operable windows of equal dimension to Terraces A-C across Ground, Level 1 and Level 2. A window is provided on the Verona Street façade at each of these levels for cross ventilation, as illustrated in the cross ventilation plan diagrams. Terrace D's cross ventilation path is also included on the diagram in the TZG Design Report.</p> |
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RFI	Applicant Response
	<p>c) 17 apartments within the main tower exceed the depth threshold of 18m. Three on Levels 1-5 and 2 on Level 6. These are all dual aspect apartments with frontage to both Oxford Street the internal courtyard. Floor to ceiling glazing and operable doors are provided on both facades, ensuring that the air pressure differential necessary for natural cross ventilation can be achieved across the full depth of the apartment. Given that all affected apartments have operable openings on both the windward and leeward sides and achieve genuine cross ventilation, the departure from the 18m guideline is considered acceptable and consistent with the intent of Objective 4B-3.</p> <p>d) The number of dual-aspect apartments fronting Oxford Street has been increased by amalgamating unit 1.01 and 1.02.</p>
<p><i>Verona Terraces</i></p> <p>16. Limited changes to the configuration of the proposed terraces have been made. Continued concern is raised regarding the following setback and design issues:</p> <ul style="list-style-type: none"> <li>i. The 1.7m (at its minimum) setback from the south-western boundary should be increased to 3m so as not to fetter future development on 4 Verona Street and provide adequate privacy in accordance with Objective 2F and 3F-1 of the ADG.</li> <li>ii. Limited outlook is provided from Terrace C which looks directly to the raised access corridor and the blank wall of the proposed apartments to the north-east.</li> <li>iii. Proposed ground level landscape areas to Terraces A – D will receive very little sun and will likely fail.</li> </ul>	<ul style="list-style-type: none"> <li>i. The proposed setback to the western boundary represents a significant improvement on the existing condition and achieves an acceptable outcome in the context of this constrained inner city site.</li> </ul> <p>The ADG building separation objectives are directed at achieving visual and acoustic privacy, access to natural light and outlook for residents of both the subject development and adjoining properties. In this instance, the proposed setback delivers a materially better outcome against each of these measures than the existing condition. The adjoining Rose Terrace properties have limited or no existing separation from the current Oxford Street buildings and the proposed development improves this relationship.</p> <ul style="list-style-type: none"> <li>ii. Further design amendments have been made to improve outlook from Terrace C. The balcony and party wall of apartments 1.11, 2.10, 3.10 and 4.10 have been set back away from Terrace C, increasing the separation between Terrace C and the adjacent apartments across all levels. This amendment widens the view opening to the courtyard from within Terrace C and its private 27sqm rooftop outdoor area, improving both the sense of enclosure and the quality of outlook available to residents of Terrace C. The distance between the terrace C outdoor area and the party wall of unit 3.10 is approximately 3.5m</li> </ul>

RFI	Applicant Response
<p>iv. There are continued privacy impacts from Verona Street to the floor to ceiling windows and glass louvres in Terrace D.</p>	<p>iii. Landscape architects Wyer and Co have reviewed the landscape design in accordance with City of Sydney’s concern around the landscape areas for terraces A to D receiving little sun. A planting palette has been carefully selected comprised of shade tolerant, native species considered suitable for the anticipated site conditions.</p> <p>Wyer and Co consider the nominated species to be appropriate for low light environments. Species such as <i>Dicksonia antarctica</i>, <i>Doodia aspera</i> and <i>Viola hederacea</i> are all known to perform well in shaded and protected conditions with minimal direct sunlight. While growth rates may be slower due to the reduced solar access, the selected species are resilient to these conditions and are considered fit for purpose for the proposed landscape areas. With appropriate establishment and ongoing maintenance, Wyer and Co do not anticipate the planting will fail.</p> <p>iv. Visibility into Terrace D from Verona Street has been reviewed and design amendments made to increase privacy. Terrace D has a walled landscaped courtyard of 20sqm. 15sqm of this area has no basement or footing area below it and is therefore deep soil, meaning that a substantial tree can be grown in this area. Planting within this courtyard includes a <i>Gymea Lily</i> and Cabbage Tree Palm, which will also provide privacy from the street. The landscape wall itself is between 1900mm and 2300mm high (variance due to the slope of the street). This wall is higher than eye level from the side of the street that the terrace is located on, so privacy measures are targeted at mitigating visibility from the opposite side of the street. An opaque perforated screen up to balustrade height has been added at each of these windows to allow fully operable windows with large open area (due to fall protection requirements being mitigated by the balustrade). This allows a large open area for ventilation, and the opaque screen mitigates visibility from the street into the terrace. A new window at ground level has also been added to the Terrace D Verona façade for cross ventilation purposes. This window has been located at a high level so as to mitigate privacy concerns.</p>

RFI	Applicant Response
<p><i>Overshadowing</i></p> <p>17. The submitted views from the sun demonstrate that impacts to apartment 2E at 4 Verona Street have not been improved by the amended proposal. Amendments to the proposed rooftop could improve the impacts to this apartment and a design modification condition to this effect is recommended within Annexure B.</p>	<p>Apartment 2E at 4 Verona Street did not receive 15 minutes of solar access to its primary private open space prior to the proposed development. The shadow analysis prepared for the previous submission confirms that Apartment 2E currently receives only 1.02sqm of sunlight at 9:00am, diminishing to less than 0.72sqm by 9:15am.</p> <p>The proposed development reduces the marginal impact at 9:00am, with no material change to solar access from 9:15am onwards.</p> <p>As Apartment 2E does not currently receive 15 minutes of direct sunlight to its primary private open space at midwinter, this objective is not engaged. The proposed development does not worsen the existing non compliant solar access condition in any material respect, and the proposed rooftop design is considered acceptable in this context.</p>
<p><i>Solar access</i></p> <p>18. As discussed above, the solar access diagrams demonstrate that the affordable housing apartments on level 1 receive solar access to the wintergarden windows, but not to living room windows, as required by the ADG. The submitted assessment incorrectly includes these apartments as solar compliant. When excluded from the calculations, 41 of the 65 dwellings receive 2 hours solar in mid-winter, which equates to 63% compliance.</p>	<p>A review of solar access to Level 1 apartments has been conducted and design adjustments made to improve amenity. Apartments 1.01, 1.02, 1.04 and 1.05 front Oxford Street and are noise affected; wintergardens are therefore retained for these apartments.</p> <p>Solar access to living room windows for these apartments is assessed through the wintergarden glazing. The solar access assessment has been reviewed accordingly and updated diagrams are included in the amended drawing package.</p>
<p><i>Materiality</i></p> <p>19. A condition requiring a detailed materials and finishes board prior to Construction Certificate is recommended within Annexure B.</p>	<p>Noted. A detailed materials and finishes board will be submitted to and approved prior to the issue of a Construction Certificate.</p>

RFI	Applicant Response
<p><i>Building separation to 14 – 20 Rose Terrace</i></p> <p>20. The City reiterates that increasing the setback of the Oxford Street building to the western boundary (adjoining Rose Terraces) would achieve the building separation objectives of the ADG. This would also assist in ensuring apartments achieve maximum depths for cross ventilation in accordance with Objective 4B-3 as raised above.</p>	<p>The proposed development complies with the applicable ADG building separation requirement at the western boundary. The required setback is 9m, derived from the standard 6m ADG setback with an additional 3m to account for the adjoining R1 (General Residential) zone. The proposed setback of 11.2m exceeds this requirement. No variation is sought for this interface.</p> <p>A minimum 12m separation between habitable room glazing is provided between the main building and Terraces A, B, C and D, consistent with ADG requirements for habitable to habitable interfaces within the same site.</p>
<p><i>Easement for support</i></p> <p>21. No further information regarding easement T207907 (at the boundary of Rose Terrace) which is noted on the common property title with SP22113 has been supplied. The Department must be satisfied that the proposed design of the development complies with the terms of easement.</p>	<p>The easement for support has been reviewed. The proposed development complies with the terms of the easement. The existing wall along the boundary with Rose Terraces is not proposed to be demolished. A retaining wall is shown at this boundary on the amended architectural drawings to maintain the lateral support required in accordance with the easement obligations. The proposed development therefore does not breach or extinguish the easement and the structural relationship between the two properties is preserved.</p>
<p><i>Building height</i></p> <p>22. Survey levels have not been provided on the amended plans in support of the proposed natural ground level measurement. While the Bettar methodology may be the suitable method for calculating the existing ground level, the levels from which the height has been extrapolated are required to be provided. The Department must be satisfied that the ground level and therefore height level is accurate.</p>	<p>A new diagram is provided to illustrate the existing ground levels from which the natural ground level is determined. The natural ground level has been determined using the <i>Bettar</i> method, a standard surveying technique used to establish pre-development ground levels where the original topography has been disturbed by previous construction.</p> <p>The method interpolates the natural ground surface from survey points taken at the site boundaries and surrounding undisturbed ground, providing a reliable baseline for measuring building height and basement protrusion above natural ground.</p> <p>Survey points have been taken from the survey prepared by Boxall Surveyors (issued 16 December 2025). Existing relative levels are shown on the amended ground floor plan, denoted with an "XRL" prefix.</p>

RFI	Applicant Response
<p>23. <i>Communal Open Space</i></p> <ul style="list-style-type: none"> <li>a) The amended proposal continues to prioritise a private roof terrace and does not provide direct and equitable access to the rooftop communal open space area in accordance with Objective 3D-1 of the ADG.</li> <li>b) Apartments which are serviced by Lift 2 and Lift 3 on the southeastern side of the development cannot easily access the rooftop communal open space. Further, the proposed use of a platform lift to the communal rooftop does not provide dignified equitable access for all residents and platform lifts are prone to maintenance issues.</li> <li>c) The City reiterates its position that the proposal should be amended to provide passenger lift access to the rooftop communal open space from all lifts to ensure direct and equitable access is achieved.</li> <li>d) The pool area will service a population over 100 people as there are 127 bedrooms proposed within the development.</li> </ul>	<ul style="list-style-type: none"> <li>a) The provision of private rooftop terraces at Level 7 does not detract from the communal rooftop open space provided. Communal open space is provided at both rooftop level and within the ground floor courtyard and is available equally to all residents including affordable housing dwellings, all apartments within the main building, and Terraces A, B, C and D.</li> <li>b) Residents of apartments serviced by Resident Lift 2 or Resident Lift 3 access the rooftop by travelling to the ground floor and moving through the residents only lobby to Resident Lift 1. Residents of Terraces A–D access the rooftop via a covered walkway into the residents only lobby to Resident Lift 1. While the rooftop is accessed via a single lift core, the communal open space is fully accessible and available to all residents without exception.</li> <li>c) The enclosed platform lift serving the rooftop pool area complies with BCA E3D7 and AS1735.7. The use of a platform lift at this location is the only viable solution. The platform lift provides compliant and dignified access to the pool area for all residents including those with mobility requirements. Amending the proposal to provide passenger lift access from all lift cores is not achievable within the constraints of the site.</li> <li>d) The City's assertion that the pool area will service a population of over 100 people is not accepted. In accordance with the NCC, the occupant load of a swimming pool area is calculated at 1 person per 1.5m<sup>2</sup>. Based on a total pool and spa area of 56.21m<sup>2</sup>, this yields an occupant load of 38 people.</li> </ul> <p>It is not reasonable to assume that all residents would occupy the pool area simultaneously. In practice, a rooftop pool serving a residential development of this scale will experience staggered and varied usage patterns, with the occupant load at any given time being a small fraction of the total residential population.</p>

RFI	Applicant Response
<p><i>Deep soil</i></p> <p>24. While the amended proposal has partially addressed Council's previous concerns regarding structures within the deep soil area, the revised scheme is still does not achieve the stated 7% deep soil. Due to the size of the site and scale of the development, further opportunities should be investigated to increase consolidated, unimpeded deep soil in accordance with ADG requirements.</p> <p>A design modification condition is recommended in Annexure B to address the deep soil shortfall and require demonstration that at least 7% is achieved in accordance with Objective 3E-1 of the ADG. This will include redirecting stormwater pipes and Pits 3 and 4 to the edge of the deep soil area to avoid conflicts with the proposed tree planting and root zones.</p>	<p>Stormwater pits and pipes have been relocated, in coordination with the Civil Engineer, outside of the deep soil area. 177sqm of unimpeded deep soil area is provided at the ground floor. Please refer to updated Civil Engineering documentation.</p>
<p><i>Landscaping maintenance</i></p> <p>25. Conditions are recommended within Annexure B regarding the design and maintenance access for areas of landscaping on structure, spatial allowance for irrigation controllers, pumps, and tanks and appropriate species planting.</p>	<p>Noted. The Applicant will review draft condition once consolidated by DPHI.</p>
<p><i>Tree Canopy Cover</i></p> <p>26. The plans have been amended to accurately reflect the tree canopy projections and show a provision of 15.9% canopy coverage, which is acceptable.</p>	<p>Noted. The Applicant will review draft condition once consolidated by DPHI.</p>

RFI	Applicant Response
<p data-bbox="152 454 952 486"><i>Arboricultural Impact Assessment (AIA) Report</i></p> <p data-bbox="152 502 952 630">27. The submitted Tree Protection Plan (TPP) and Tree Protection Strategy (TPS) within the amended AIA report are inadequate as they do not address the impact to trees from the development or outline sufficient tree protection measures.</p> <p data-bbox="152 662 952 694">The following issues are highlighted:</p> <ul data-bbox="224 726 952 1149" style="list-style-type: none"><li data-bbox="224 726 952 790">i. Photographic evidence of trees to be removed has not been provided to demonstrate low retention value;</li><li data-bbox="224 821 952 949">ii. The report incorrectly assumes that street trees 1-5, which have high retention value, will have minor encroachments from the development and no impact mitigation measures are proposed</li><li data-bbox="224 981 952 1045">iii. No scaled drawings of Tree Protection Zones (TPZ's) and Structural Root Zones (SRZ's) have been provided.</li><li data-bbox="224 1077 952 1141">iv. No amended pruning specification report has been supplied.</li></ul> <p data-bbox="152 1173 952 1300">Conditions are therefore recommended within Annexure B to require an amended Tree Protection Specifications (TPS) and Tree Protection Plan (TPP) to ensure works do not significant impact the existing street trees.</p>	<p data-bbox="952 454 2083 486">Noted. The Applicant will review draft condition once consolidated by DPHI.</p>

RFI	Applicant Response
<p><i>Heritage – Busby’s Bore</i></p> <p>28. To ensure that no damage occurs to Busby’s Bore (State Heritage Register 00568), conditions are recommended within Annexure B to ensure recommendations in the Historical Archaeological Assessment (HAA) Report, prepared by Urbis, dated 19 November 2025 and addendum letter are implemented. Further recommended heritage conditions are located within Annexure B.</p>	<p>Noted.</p>
<p><i>Stormwater drainage</i></p> <p>29. The emergency overflow grate of OSD No. 1 and No. 2 is proposed to be located at level 1, which is not acceptable. The drainage arrangement must be revisited so that overflow is directed in a controlled manner from both OSDs, rather than freely discharging from the Level 1 elevation to the footpath. Connections to the kerb &amp; gutter must be via RHS per the City’s specifications and standard drawing Kerb Stormwater Outlets 1.1.14.</p>	<p>The drainage design is revised to ensure that emergency overflow from both OSDs is directed in a controlled manner to a lawful point of discharge. Alternative arrangements are incorporated so that overflow is managed hydraulically and complies with Council requirements, rather than discharging freely from the Level 1 elevation.</p> <p>The connections to the kerb and gutter are revised to comply with the City’s specifications. All outlets are detailed as RHS connections in accordance with Standard Drawing Kerb Stormwater Outlets 1.1.14.</p> <p>Please refer to the updated stormwater plans prepared by Telford Consulting, dated 22/05/2026, for full details of the amended design.</p>
<p><i>Stormwater quality</i></p> <p>30. The proposed Music Link report is required to be updated to provide the following:</p> <ul style="list-style-type: none"> <li>i. Soil type</li> <li>ii. The SF Chamber(s) is required to have failing parameters for all pollutants (i.e. Nitrogen, Phosphorus, etc) and should not be contributing to the removal of the pollutant load.</li> </ul>	<p>The MUSIC Link report is updated to incorporate the required soil type information. In addition, the SF Chamber(s) are amended to reflect failing parameters for all pollutants, ensuring that the chamber is not contributing to pollutant load reduction.</p> <p>Please refer to the appendix D in the Integrated Water management plan TEL25080.SW.IWMP – 13–15 &amp; 17 Oxford St &amp; 2 Verona St, Paddington prepared by Telford Consulting, dated 22/05/2026.</p>

RFI	Applicant Response
<i>Levels</i>	
<p>31. The following outstanding level information is required to be provided prior to determination:</p>	
<p>i. The updated architectural plans should be incorporated into the revised civil works layout plan, with the proposed driveway width clearly indicated.</p>	<p>i. The architectural plans are incorporated into the revised civil plans showing clearly the driveway width. Please refer to TEL25080.CIV.DA - 13-15 &amp; 17 Oxford Street &amp; 2 Verona Street, Paddington [C] sheet C101.</p>
<p>ii. Longitudinal sections through the driveway crossing are required to indicate adequate headroom clearance (4m) for the largest vehicle permitted to access the site (10.6m waste vehicle), in accordance with AS/NZS 2890.2.</p>	<p>ii. Waste trucks will not access the basement as all waste collection will be done at the ground floor in the loading dock. Accordingly, no need for the ramps to have 4m headroom clearance.</p>
<p>iii. Longitudinal sections must also include sections through the centreline of each entry at the boundaries and must demonstrate compliance with the required footpath crossfall (minimum 1% and maximum 2.5%), as specified in the City's Public Domain Manual.</p>	<p>iii. Sections through the centreline of each entry have been included on the longitudinal section. Please refer to TEL25080.CIV.DA - 13-15 &amp; 17 Oxford Street &amp; 2 Verona Street, Paddington [C] sheets C301 and C302. The footpath crossfall already complies with the required grading. Entrance sections are extended internally to ensure compliant grading. Please refer to TEL25080.CIV.DA - 13-15 &amp; 17 Oxford Street &amp; 2 Verona Street, Paddington [C] - DRAFT sheets C401, C402 and C403.</p>
<p>iv. The proposed boundary levels within the area indicated below must be reviewed to demonstrate that the achieved longitudinal grade does not exceed 3%.</p>	<p>iv. The longitudinal grade along the boundary follows the existing invert grade. The existing invert within this area has a grade of 7.65%. Reducing this grade to 3% would significantly alter the proposed boundary levels along the full frontage, resulting in levels that are no longer close to the existing levels (approximately 300mm fill). It would also create steeper grades (steeper than 2.5%) in other sections of the boundary. Therefore, the design retains this area as currently proposed.</p>
<p>v. Vertical grades along the proposed boundary are required. The revised civil design must demonstrate compliance with the City's requirements, as the full frontage reconstruction along all boundaries is applicable to this development.</p>	<p>v. Vertical grades along the proposed boundary are provided. Please refer to TEL25080.CIV.DA - 13-15 &amp; 17 Oxford Street &amp; 2 Verona Street, Paddington [C] sheets C301 and C302.</p>

RFI	Applicant Response
<p><i>Car parking</i></p> <p>32. The proposed 58 residential parking spaces for the development still exceeds the maximum 50 residential car parking spaces permitted under clause 7.5(1)(b) of the Sydney LEP 2012 and is contrary to clause 7.3 of the Sydney LEP 2012.</p> <p>It is reiterated that in this instance, the Sydney LEP 2012 parking rates are not more onerous than those set out in clause 19 of the Housing SEPP and therefore prevail.</p> <p>The development must be amended to comply with the car parking maximums set out in the Sydney LEP 2012.</p> <p>Further, it is noted that the revised plans show 2 small parking bays that do not comply with AS2890.1 series and are required to be removed.</p> <p>A condition requiring a car share bay has been recommended within Annexure B.</p>	<p>The car parking provision has been reduced to 56 (from 58) spaces compared to the RTS submission. This level of car parking is considered suitable to accommodate resident demands and provides an appropriate balance between meeting the parking needs of future residents and managing the impacts of traffic generation.</p> <p>Although the total car parking of 56 spaces is slightly below the minimum requirement of 61 spaces under the Housing SEPP, it remains below the maximum number of spaces permissible under the Sydney LEP. In this context the proposed level of car parking is considered acceptable.</p> <p>The small parking bays identified by Council have been removed from the updated architectural plans, bringing the total number of parking spaces down to 56.</p> <p>In relation to car share there is no requirement under the Housing SEPP 2021 to provide for this on the subject site. There are numerous existing GoGet car share pods in close walking distance of the site as illustrated in the figure below. Therefore, no dedicated on-site car share space is considered warranted for the subject site.</p>
<p><i>Vehicle access and car park design</i></p> <p>33. The following outstanding information and amendments are required regarding the proposed vehicle access and car park design:</p> <ul style="list-style-type: none"> <li>i. Updated swept paths of the revised 6.5m driveway design.</li> <li>ii. The revised plans show the gradient along the vehicle ramp to/from Verona Street varies from 5% to 10% (previous</li> </ul>	<ul style="list-style-type: none"> <li>i. Swept paths for the driveway, including for passenger vehicles and a 10.6m City of Sydney waste truck, are provided as Appendix A of the Traffic Report.</li> <li>ii. AS2890.1 requires a maximum gradient of no more than 5% so as to allow exiting drivers to adequately view pedestrians and vehicles on the adjoining roadway. Therefore, this requirement applies to exiting vehicles.</li> </ul>

RFI	Applicant Response
<p>documentation stated 5% grade). This does not comply with AS2890 series and introduces an unacceptable crossfall for heavy vehicles.</p> <p>Gradients must not exceed 5% for 6m prior to the building line and the maximum rate of change of grade is 6.25%. The driveway ramp must be updated to provide a compliant ramp grade, grade transitions and crossfall for heavy vehicles.</p>	<p>The proposed design complies with this requirement by providing for a gradient of 5% on the path of the exiting vehicle, noting the entering vehicle (on the southern side of the driveway) will be positioned on an internal waiting bay. This is indicated in the swept paths provided as Appendix A of the Traffic Report. All internal ramp gradients and transitions as submitted in the architectural plans comply with the relevant requirements of AS2890.1.</p> <p>The comment around the crossfall of the ramp is noted, however Council must recognise that Verona Street falls sharply from south to north resulting in different starting levels at either end of the ramp. In this context a crossfall on the internal ramp is unavoidable. The vehicle entry arrangements including swept paths and ramp crossfalls will be the subject of further design resolution during the detailed design phase of the project, with sign off from a suitably qualified engineer required to confirm the layout conforms with the requirements of AS2890.1 prior to the issue of a Construction Certificate.</p>
<p><i>Resident / staff bicycle parking</i></p> <p>34. Due to the proposed yield increase, an addition of 2 staff bicycle parking spaces are required to be located in a separate bicycle parking area. A condition of consent is recommended in Annexure B requiring 67 spaces comprising 65 resident spaces and 2 staff spaces).</p>	<p>As per Council's feedback two additional staff bicycle parking spaces have been provided within the dedicated bicycle parking area on Basement Level 2.</p>
<p><i>Visitor bicycle parking</i></p> <p>35. It is reiterated that visitor bicycle parking is to be accommodated on site and is not to be located in the public domain. The proposed approach to conditioning a Roads Act (section 138) approval is not supported.</p>	<p>The Applicant acknowledges the City's position that all 14 visitor bicycle spaces must be located on site and not within the public domain. The amended design relocates the 14 visitor bicycle parks to Basement level 2 consolidated bicycle storage area.</p> <p>In order to facilitate the accommodation of 14 visitor bicycle parking spaces at Basement level 2, amendments have been made to resident bicycle storage. Of the 65 bicycle storage spaces within the consolidated storage area on Basement 2, 49 are allocated to residents, 2 to staff, and 14 to visitors. The shortfall of 16 resident spaces is accommodated within the residential storage cages as numbered on</p>

RFI	Applicant Response
<p>The proposed 14 visitor bicycle spaces are required to be located on the site. Given site constraints, locating visitor bicycle parking within the basement is acceptable to the City in this instance.</p>	<p>the plans, each providing a clear internal dimension of 1,840mm × 800mm as confirmed by JMT Consulting.</p>
<p><i>Loading dock</i></p> <p>36. The City notes that no sections have been provided along the driveway between the loading dock and the adjacent road. As stated above, longitudinal sections through the driveway crossing are required to indicate adequate headroom clearance (4m) for the largest vehicle permitted to access the site (10.6m waste vehicle), in accordance with AS/NZS 2890.2.</p>	<p>Longitudinal sections through the driveway crossing from Verona Street to the loading dock have previously been provided. The sections demonstrate that a minimum headroom clearance of 4m is achieved throughout the path of travel for a 10.6m waste vehicle in accordance with AS/NZS 2890.2. Structural blade walls have been incorporated into the Level 1 structural design in order to allow column less, clear span structure for the loading dock on the Ground Floor. Refer to A205 and A208 as previously issued. Additional dimensions have been added to these drawings for clarity.</p>
<p><i>Waste collection</i></p> <p>37. Where relevant, waste conditions have been recommended within Annexure B.</p>	<p>Noted.</p>

RFI	Applicant Response
<b>Office of the 24-Hour Economy Commissioner</b>	
<p>38. The Office of the 24-Hour Economy Commissioner’s submission can be summarised thematically as follows:</p> <ul style="list-style-type: none"> <li>Amend the acoustic strategy to specifically address external entertainment noise from surrounding late night and licensed venues, not just traffic and on site operational noise.</li> <li>Clarify and strengthen the Noise and Vibration Impact Assessment to demonstrate appropriate acoustic attenuation for future residents within the evolving Special Entertainment Precinct (SEP) environment.</li> </ul>	<p>The Acoustic Report has been updated to include an assessment of existing and future entertainment noise in line with the guidelines and framework identified by the O24HEC. In summary:</p> <ul style="list-style-type: none"> <li>Section 6.2.3 identifies the assessment framework and internal noise objectives in line with NSW 24HEC guidelines and the City of Sydney Draft SEP PMP, for both existing and future noise emitters.</li> <li>Section 7.7 provides a quantitative assessment of all existing entertainment venues with the potential to impact the project site. It is also established that there are no known planned or approved entertainment venues in the vicinity of the project site.</li> <li>Section 9.6 and Appendix C provide façade mitigation measures to achieve the project noise limits identified in Section 6.2.3.</li> </ul>
<b>Heritage NSW</b>	
<p>39. The response provided by the applicant to item 1 discusses works proposed within the existing basement underlying 17 Oxford Street. The request for information relating to piling and excavation depths from Heritage NSW relates to the areas outside of existing basements at 2 Verona Street and the rear of 13-15 Oxford Street, which surround the mapped location of Busby’s Bore. We recommend that the Department request the proponent to confirm if piling will be required in this area as well as the depth of excavation required to enable the proposal in this area. As noted in the previous response from Heritage NSW, there are conflicting statements in the EIS documentation relating to this matter.</p>	<ul style="list-style-type: none"> <li>There are piling works proposed to the northern boundary of 2 Verona Street however crucially, this piling is proposed on the inside face of an existing shoring wall that exists between 17 Oxford Street and 2 Verona Street, which ensures the structural integrity of the existing basement at 17 Oxford Street. Piling on the inside wall of the existing shoring design ensures that there are no further impacts or risks proposed to Busby’s Bore by virtue of a ‘containment’ approach. For clarity, the proposed BEL is RL 32.25.</li> <li>With regard to 13-15 Oxford St and the bore facing boundaries of the property, a significant deep soil zone has been proposed to ensure that new piling proposed is significantly buffered by the deep soil area. This is further demonstrated through architectural drawings DA 050 and DA 051. For clarity, the proposed BEL is RL 32.25.</li> </ul>

