



Environmental Impact Statement

SSD-97528708 - Mixed Use Residential Development

142-148, 160 Oxford Street, 13 Gipps Street and 6 Shadforth Street,
Paddington

Submitted to Department of Planning, Housing and Infrastructure
on behalf of The Trustee for TM No. 8 Development Unit Trust

Prepared by Colliers Urban Planning

9 February 2026 | 2250501



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Colliers Urban Planning acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past and present.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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F. Architectural Drawings (including Shadow Diagrams)	Smart Design Studio
G. Architectural Design Report	Smart Design Studio
H. Design Verification Statement	Smart Design Studio
I. Landscape Design Report	Wyer & Co
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K. Statement of Heritage Impact	GBA Heritage
L. Aboriginal Heritage Due Diligence Assessment	Extent Heritage
M. Archaeological Assessment	Extent Heritage
N. Arboricultural Impact Assessment	Tree Management Services
O. Biodiversity Development Assessment Report Waiver Request and Waiver	Eco Planning
P. Building Code of Australia Compliance Report	Credwell
Q. Accessibility Report	Credwell
R. Transport and Accessibility Impact Assessment	Varga Traffic Planning
S. Preliminary Construction Traffic Management Plan	Varga Traffic Planning
T. Engagement Report	Colliers Urban Planning
U. Visual Impact Assessment	Colliers Urban Planning
V. Geotechnical Assessment	Morrow
W. Preliminary Site Investigation	Land Risk Environmental
X. Clause 4.6 Variation Request – Height	Colliers Urban Planning
Y. Noise and Vibration Impact Assessment	Koikas Acoustics
Z. Ecologically Sustainable Development Report	ELAB
AA. BASIX Report	ELAB
BB. BASIX Certificate and Stamped Plans	ELAB
CC. NatHERS Certificate	ELAB
DD. Integrated Water Management Plan (includes Civil Drawings)	Mance Arraj
EE. Operational Waste Management Plan	MRA
FF. Construction Waste Management Plan	MRA
GG. Letter of Support from Community Housing Provider	Evolve Housing
HH. Estimated Development Cost Summary	WT Partnership
II. EPBC Self-Assessment	GBA Heritage

Signed Declaration

Project Details		
Project Name	Mixed Use Residential Development	
Application Number	SSD-97528708	
Land to be Developed	142-148, 160 Oxford Street, 13 Gipps Street and 6 Shadforth Street, Paddington	
Applicant Details		
Applicant Name	The Trustee for TM No. 8 Development Unit Trust	
Applicant Address	Suite 2, Level 5, 19 Harris Street, Pyrmont	
Prepared By		
Name	Jethro Yuen	Clare Swan
Qualifications	LLB BCP (Hons) (UNSW)	BA MEnvPlan (Macquarie University)
Address	Level 4, 180 George Street, Sydney NSW 2000	
Declaration		
Name	Clare Swan	
Qualifications	BA MEnvPlan (Macquarie University)	
Registration Number	9763	
Organisation Registered With	PIA	
The undersigned declares that this EIS: • has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021; • contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates; • does not contain information that is false or misleading; • addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project; • identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments; • has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement; • contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development; • contains a consolidated description of the project in a single chapter of the EIS; • contains an accurate summary of the findings of any community engagement; and • contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.		
Signature		
Date	9 February 2026	

Executive Summary

Overview

This Environmental Impact Statement (EIS) has been prepared on behalf of The Trustee for TM No. 8 Development Unit Trust (Applicant) in support of a State Significant Development Application (SSDA) identified as SSD-97528708. The EIS is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a mixed-use development comprising ground floor retail premises with residential accommodation above (including an infill affordable housing component), on land at 142-148, 160 Oxford Street, 13 Gipps Street and 6 Shadforth Street, Paddington (the Site).

Development for the purposes of 'in-fill affordable housing' where the residential component has an estimated development cost (EDC) of more than \$75 million (for development on land in the Eastern Harbour City, Central River City or Western Parkland City) is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP). Therefore, the development is declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The proposed development is for the purposes of a mixed-use residential development, including an affordable housing component, meeting the criteria in Schedule 1, clause 26A(1)(a)(ii) in the Planning Systems SEPP. As the proposed development is classified as SSD, it will be assessed by DPHI and determined by the Minister for Planning (or delegate).

DPHI issued industry-specific Secretary's Environmental Assessment Requirements (SEARs) for the proposal on 28 November 2025. This EIS is prepared in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the EP&A Act, and addresses the issues raised in the SEARs. It provides an analysis of the project site, the strategic context (including consistency with the relevant planning guidelines and strategies), the relevant statutory context, as well as anticipated environmental impacts and mitigation measures, as well as the community and stakeholder engagement undertaken to date.

In doing so, this EIS confirms that the proposed development will not give rise to unacceptable environmental impacts that cannot be managed through mitigation measures, and is supportable from a planning perspective. It finds that the proposed development:

- is consistent with the relevant strategic planning framework and guidelines;
- is consistent with the relevant statutory legislation and requirements including the flexibility permitted under Clause 4.6 of *Woollahra Local Environmental Plan 2014* (WLEP 2014);
- will not generate unreasonable environmental impacts;
- any impacts can be managed through proposed mitigation measures; and
- is suitable for the site, and in the public interest.

The Proposal

Specifically, this SSDA seeks consent for the construction of an eight (8) storey mixed use residential flat building and shop development with a component of infill affordable housing, including:

- Demolition of structures on the site except for the dwelling on 13 Gipps Street.
- Removal of vegetation on the site except for 13 Gipps Street.
- Site works comprising excavation and ground works including bulk excavation and in ground services works.
- A four (4) storey basement, with vehicular access from Shadforth Street, comprising:
 - 83 car parking spaces;
 - 8 Motorcycle spaces;
 - 51 Bicycle spaces;
 - Garbage storage for both the residential and non-residential components of the proposed development;
 - Loading space;
 - Plant rooms; and

- Apartment storage.
- Ground floor shops amounting to 159m² of GFA.
- A total of 40 dwellings, comprised of:
 - 10 affordable housing dwellings to be managed by a community housing provider for a period of at least 15 years; and
 - 30 market build-to-sell dwellings.
- Provision of 737m² communal open space.
- Landscaping works, including landscaping works on 13 Gipps Street.
- Extension and augmentation of services and infrastructure as required.

The proposal will be undertaken in accordance with the Architectural Drawings prepared by Smart Design Studio at **Appendix F**. A rendered image of the proposal is provided in **Figure 1** below.



Figure 1 *Photomontage of proposed development (view from corner of Oxford Street and Shadforth Street)*

Source: Smart Design Studio

Engagement

Engagement activities undertaken prior to submitting the SSDA focussed on the following groups:

- Department of Planning, Housing and Infrastructure (DPHI);
- Woollahra Council and their Planning Staff and Executive (General Manager);
- Transport for NSW;
- Environment Protection Authority;

- Sydney Water;
- Ausgrid;
- NBN;
- Elected Federal Government Officials:
 - The Hon. Rose Jackson, MLC (ALP) - Minister for Housing Mayor: Cr Sarah Dixon;
 - The Hon. Tanya Plibersek, MP (ALP);
- Elected State Government Officials:
 - The Hon. Alex Greenwich, MP (ALP) - State Member for Sydney;
 - The Hon. Paul Scully MP (ALP) - Minister for Planning and Public Spaces;
- Elected Woollahra Council Officials:
 - Mayor: Cr Sarah Dixon;
 - Paddington Ward Councillors:
 - Cr Alexander Andruska;
 - Cr Harriet Price;
 - Cr Matthew Robertson;
- Woollahra Council Staff:
 - General Manager, Craig Swift;
 - Director, Planning & Place, Scott Pedder;
- Immediate neighbours and residents;
- Surrounding businesses and groups
- Local news outlet: Wentworth Courier
- Metropolitan media: Sydney Morning Herald, The Daily Telegraph, The Australian

Community and stakeholder engagement included the following activities: a community webinar, community survey, frontline engagement and a scoping meeting with DPHI.

The community and stakeholder engagement has helped informed the proposed development and are discussed in further detail in **Section 5.0**.

This EIS will be subject to formal public exhibition of the Major Projects NSW Website prior to determination.

Analysis of Alternatives

During the design process of the proposed development, feasible alternative options for the site were explored. This included the following:

- Option 1: do nothing;
- Option 2: redevelop the site under the existing planning controls; or
- Option 3: redevelop the site under the LMR housing controls only without the infill affordable housing bonus.
- Option 4: the proposed development.

As such, it was determined that the feasible alternative options for the site do not represent the highest and best use nor the best overall outcome when compared against the proposed development which provides a greater supply of housing, and includes affordable housing to be managed by a Community Housing Provider (CHP). The proposal represents the most appropriate option to respond to the NSW Housing Reforms and the amenity afforded for new dwellings by the Apartment Design Guide (ADG).

Environmental Impacts and Mitigation Measures

This EIS provides an assessment of the environmental impacts of the proposal in accordance with the issued Secretary's Environmental Assessment Requirements (SEARs) (refer to **Appendix A**) and sets out the undertakings made by the Applicant to manage and minimise potential impacts arising from the development. Key potential environmental impacts of the proposal include (but are not limited to):

- Built form and urban design;
- Residential amenity;
- Heritage impact;
- Privacy impacts;
- Overshadowing
- Visual impacts; and
- Traffic, parking and access.

The proposed development has been assessed in each of these instances by technical experts across a range of disciplines as guided by the SEARs and industry best practice. These assessments confirm that while there may be potential impacts resulting from the change of the existing site conditions, the impacts can be appropriately managed and mitigated.

On balance, the proposed development is in the public interest and will not result in any unacceptable or unreasonable social, economic, or environmental impacts that cannot be appropriately managed by implementing the recommended mitigation measures and appropriate conditions of consent.

A complete assessment of each issue identified within the issued SEARs is provided in **Section 6.0**. A consolidation of mitigation measures proposed is provided at **Appendix C**.

Conclusion and Justification

Having regard to environmental, economic, and social considerations, the carrying out of the proposal is justified for the following reasons:

- The proposed development is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) and the *State Environmental Planning Policy (Precincts – Regional) 2021* (Regional Precincts SEPP) and meets the flexibility afforded under Clause 4.6 of the *Woollahra Local Environmental Plan 2014* (WLEP 2014);
- The proposed development is a direct response to the need for affordable housing in NSW, delivering 10 affordable housing dwellings that directly contribute to NSW's affordable housing targets under the National Housing Accord 2022;
- The proposed development will provide a diverse supply of residential dwellings (both build-to-sell and affordable housing) to meet the needs of the market for both prospective affordable housing and market housing residents, in a higher amenity offer than the current studios on the site.
- The proposed development exhibits a high standard of architectural, urban and landscape design, and provides a recognition and high-quality contribution to the built form of Paddington through a high-quality and heritage-responsive design that sits comfortably within the urban morphology of Oxford Street and Paddington;
- The proposed development is consistent with the objectives of the Apartment Design Guide to ensure positive residential amenity outcomes;
- The proposed development will not result in significant adverse environmental impacts, including overshadowing, visual privacy, heritage, visual impact, traffic, noise and vibration impacts, with appropriate mitigation measures implemented where necessary to will minimise any potential impacts;
- The proposal is anticipated to generate a total of 97 construction jobs and 132 ongoing full-time employment (FTE) jobs which will have broader social and economic benefits to the region;
- The proposal is consistent with the principles of ecological sustainable development as defined by section 190 of the *Environmental Planning and Assessment Regulation 2021*; and
- The proposed development is suitable for the site and in the public interest.

1.0 Introduction

This Environmental Impact Statement (EIS) has been prepared by Colliers Urban Planning on behalf of The Trustee for TM No. 8 Development Unit Trust (the Applicant) in support of a State Significant Development Application (SSDA). The EIS is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a proposed for a mixed-use development comprising retail premises with residential accommodation (including a component of in-fill affordable housing) on land at 142-148, 160 Oxford Street, 13 Gipps Street and 6 Shadforth Street, Paddington (the site).

Development for the purposes of ‘in-fill affordable housing’ where the residential component has an estimated development cost (EDC) of more than \$75 million (for development on land in the Eastern Harbour City, Central River City or Western Parkland City) is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP). Therefore, the development is declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The proposed development is for the purposes of a mixed-use development, including an affordable housing component, meeting the criteria in Schedule 1, clause 26A(1)(a)(ii) in the Planning Systems SEPP. As the proposed development is classified as SSD, it will be assessed by DPHI and determined by the Minister for Planning.

Industry Specific Secretary’s Environmental Assessment Requirements (SEARs) (Housing) was issued on 28 November 2025, following a meeting on 15 September 2025 with DPHI officers.

This EIS is based on the Architectural Drawings prepared by Smart Design Studio (see **Appendix F**) and other supporting technical information appended to the report (see **Table of Contents**).

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, clause 175 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation), and the issued SEARs. A SEARs Compliance Table provided at **Appendix A** that identifies where the SEARs have been addressed in this EIS. This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report. The EIS intends to inform the community and stakeholders about the Proposal, including its social, economic and environmental impacts, mitigation measures and benefits, as well as providing an environmental assessment of the proposal.

1.1 The Applicant

The Applicant’s details are presented in **Table 1** below.

Table 1 *Applicants Details*

Applicant	The Trustee for TM NO. 8 DEVELOPMENT UNIT TRUST
Address	Suite 2, Level 5, 19 Harris Street, Pyrmont
ABN	74265663293

1.2 Overview of Proposed Development

Specifically, this SSDA seeks consent for the construction of an eight (8) storey mixed use residential flat building and shop development with a component of infill affordable housing, including:

- Demolition of all structures on the site except for the dwelling on 13 Gipps Street.
- Removal of vegetation on the site except for 13 Gipps Street.
- Site works comprising excavation and ground works including bulk excavation and in ground services works.
- A four (4) storey basement, with vehicular access from Shadforth Street, comprising:
 - 83 car parking spaces;
 - 8 Motorcycle spaces;
 - 51 Bicycle spaces;
 - Garbage storage for both the residential and non-residential components of the proposed development;
 - Loading space;
 - Plant rooms; and

- Apartment storage.
- Ground floor shops amounting to approximately 159m² of GFA.
- A total of 40 dwellings, comprised of:
 - 10 affordable housing dwellings to be managed by a community housing provider for a period of at least 15 years; and
 - 30 market build-to-sell dwellings.
- Provision of 737m² communal open space.
- Landscaping works
- Extension and augmentation of services and infrastructure as required.

This EIS provides further description of the proposal in **Section 3.0**. The proposal will be undertaken in accordance with the Architectural Drawings prepared by Smart Design Studio (**Appendix F**).

1.3 Objectives of the Development

The proposal seeks to improve the provision of diverse housing options within Woollahra, enhancing the Oxford Street precinct by delivering high quality residential development, whilst concurrently providing a diverse range of housing choices through the provision of affordable housing, which is in growing need within the Woollahra area. The objectives of the proposed development are to:

- Facilitate the renewal of underutilised land and demolition of detracting buildings in a highly accessible strategic location along Oxford Street.
- Provide high quality residential dwellings and a mix of housing choices, including affordable housing, to meet Paddington's changing demographics and housing needs, including the provision of affordable housing for key workers in nearby health and education facilities.
- Incorporate a high-quality architectural design that makes a positive contribution to Paddington, adds visual interest, replaces detracting items with a sympathetic design outcome, and consciously connects with Country through architectural and landscape design.
- Contribute to the amenity of the surrounding neighbourhood by delivering a high quality, contemporary, activated mixed-use development that supports housing, employment and retail, particularly providing ground floor retail activation to connect a missing link along the retail strip on the northern side of Oxford Street.
- Provide a built form outcome that sensitively responds to adjoining neighbours in relation to interface considerations such as overshadowing and visual privacy.
- Ensure a high level of residential amenity by providing a large quantum of high quality residential communal open space and facilities within the development.
- Provide a compatible and complimentary mix of retail and residential floorspace on the site, at a scale that will be fully supported by the current and future residents and visitors to the site, and which reinforces the retail primacy of Oxford Street.
- Integrate ecologically sustainable development (ESD) principles into the proposal's future design to achieve best practice sustainable building principles and improve the site's environmental and social performance.

1.4 Background

1.4.1 Low and Mid Rise Housing Controls

NSW is currently amidst a Housing Crisis. In response, the NSW Government has been introducing planning reforms to boost the supply of well-located housing over the past two years.

In February 2025, the NSW Government introduced the Low and Mid Rise (LMR) Housing reforms which aim to encourage well-designed and sustainable homes in well-located areas within walking distance of shops, services and frequent public transport. Sites zoned R3 Medium Density Residential within 400m of nominated town centres and transport hubs (known as the low and mid-rise housing inner area) were immediately eligible, to have a maximum height of 22m and floor space ratio (FSR) of 2.2:1 for the purposes of residential flat buildings and greater (24m) for shop top housing.

As the site is located within 400m walking distance of the Darlinghurst and Paddington Town Centre, medium-rise housing is now the envisaged scale and density of development on the R3 Medium Density Residential zoned part of the site, which forms the majority of the site, and other R3-zoned sites in Paddington. These new statutory planning controls thus set the desired future character of the site and Paddington locality and reflect a broader changing desired future character across Greater Sydney for increased medium-rise housing.

1.4.2 Affordable Housing

Affordable Housing in NSW aims to provide housing diversity and quality for those most in need of housing security. Affordable housing is available to very low to moderate income households which is priced at no more than 85% of the market rent, so that these households are also able to meet other basic living costs. Housing affordability is generally measured if the cost of living is equal to or less than 30% of gross household income. Affordable housing as defined by *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) is required to be managed by a registered Community Housing Provider (CHP), that is responsible for assessing and granting applications for affordable housing to ensure transparency and equity in housing provision, and managing the affordable housing units, ensuring that they are well-maintained and in safe, habitable condition.

A key aspect of NSW's current housing crisis is a shortage of affordable housing. In response, the NSW Government introduced new provisions in the Housing SEPP which incentivised the provision of affordable housing within residential development. For the purposes of this proposal, the development will provide affordable housing under those provisions, specifically, Chapter 2 Part 2 of the SEPP, relating to infill affordable housing.

At least 15% of the proposed gross floor area (GFA) is proposed to be provided as affordable housing managed by a registered Community Housing Provider (CHP) for a period of at least 15 years. Therefore, under section 16 of the Housing SEPP, the proposed development is eligible for additional height and floor space that is 30% greater than the maximum height and floorspace stipulated by the LMR controls outlined in **Section 1.4.1**. The intent of this policy is to incentivise provision of affordable housing by maintaining the feasibility of redevelopment while ensuring that the additional height and floorspace results in built form and environmental amenity outcomes that reflect the scale of development envisaged for the site. In this case, the infill affordable housing incentives allow for two additional storeys, which continues to result in a medium-rise development that is the desired future character established by the LMR controls (i.e. 6-8 storeys).

1.4.3 Scoping Meeting

A scoping meeting was held with DPHI staff on 15 September 2025. The purpose of the scoping meeting is to enable early identification of key assessment matters, so they can be addressed at an early stage in the design process, which the Applicant has embraced and committed to responding to. During and following the meeting, DPHI issued feedback which is summarised below in **Table 2**, along with responses demonstrating that feedback has been incorporated into the proposal.

Table 2 Scoping Meeting Feedback and Responses

DPHI Feedback	Proposal Response
DPHI required the proposal to have a compliant FSR	The proposal has a compliant FSR.
DPHI acknowledged the rationale for a minor height variation as a result of the sloping topography of the site from east to west, and advised that it would be assessed on its merits	A clause 4.6 variation request accompanies this SSDA and justifies the minor height variation, demonstrating that the applicable objectives of the infill-affordable housing controls, LMR controls and infill affordable housing height controls are still met, and that the areas subject to the height variation do not result in unacceptable environmental impacts, such as overshadowing, visual and heritage impacts.
DPHI noted that the development is to be sympathetic to the character of the locality, and supported: • Orientation of the buildings to address Oxford Street • Avoidance of overshadowing of the low density developments surrounding the site	This is noted. These elements of the proposal are retained, which contribute to the proposal being sympathetic to the character of the locality. In addition, a detailed Heritage Impact Statement is provided at Appendix K that demonstrates how the proposal is sympathetic to Paddington Heritage Conservation Area (Paddington HCA).

DPHI Feedback	Proposal Response
• Retention of the street trees on Oxford Street • The proposed 9m setback to the northern side providing an appropriate transition • Location of the deep soil zone and communal open space areas.	
DPHI noted that car parking is to be provided in accordance with clause 19 of the Housing SEPP.	The proposed development provides car parking in accordance with the minimum car parking rates set out in clause 19 of the Housing SEPP.

1.5 Restrictions or Covenants

There is an existing easement for access across 142-148 Oxford Street which benefits 13 Gipps Street, as the garage for the owners of 13 Gipps Street is located on 142 Oxford Street and accessed from the driveway that currently services 142-148 Oxford Street.

1.6 Secretary's Requirements

In accordance with section 4.39 of the EP&A Act, the Secretary of DPHI issued requirements for the preparation of the EIS on 28 November 2025. **Appendix A** provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

2.0 Strategic Context

This section identifies key strategic matters relevant to the assessment of the proposal, including the site's features, context, strategic context and other development in the surrounding area. This section also provides an analysis of feasible alternatives that were considered in light of the proposal's objectives.

2.1 Site Location and Context

The site is located at 142-148, 160 Oxford Street, 13 Gipps Street and 6 Shadforth Street, Paddington within the Woollahra Local Government Area (LGA). It is situated approximately 11km to the southeast of the Sydney CBD.

It is located on a strategic site, being along the Oxford Street ridgeline and on a prominent corner with a bus station directly adjoining the site on Oxford Street which provides services to Bondi Junction, Rozelle and Marrickville Metro Station and less than 600m away further east of Oxford Street, bus services are provided to the Sydney CBD.

A locational context map is shown at **Figure 2**.

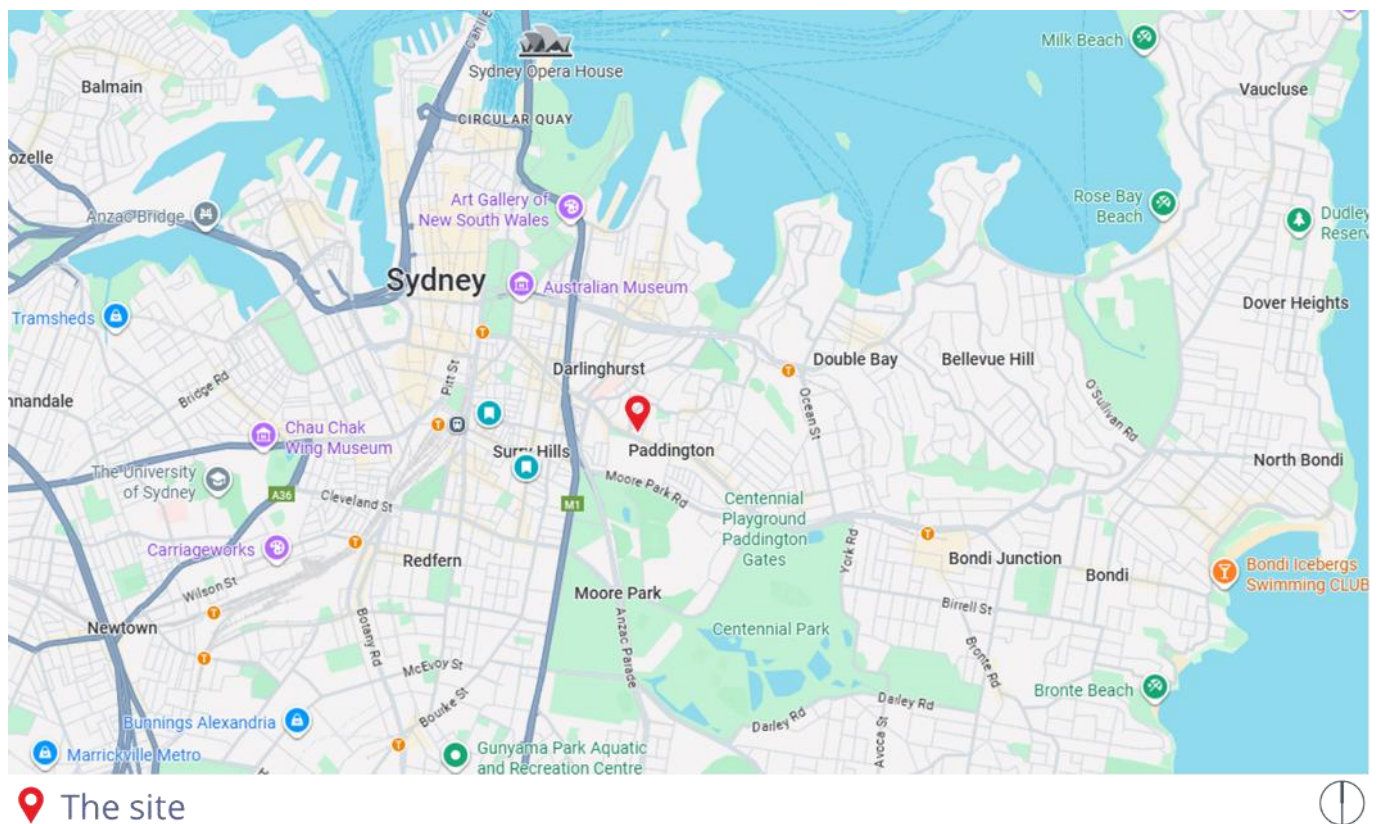


Figure 2 Locational context map

Source: Google Maps and Colliers Urban Planning

The site is advantaged by its walking distance proximity to high frequency bus services to Eastern Suburbs (50m level walking distance) and CBD. Metro services from the CBS provide connections beyond, shops, services and other high quality infrastructure along Oxford Street, including Paddington Reservoir Gardens, and Spring Street Playground. It is approximately 300m east of the UNSW Art Campus, 50m north of the Victoria Barracks, 800m southeast of St Vincents Hospital and multiple schools including Crown Street Public School (1.2km) and Bourke Street Public School (1.5km). Accordingly, there is high demand for affordable housing in the area that is suitable for essential workers with families such as for nurses and teachers.

The broader context includes a mix of uses of various heights, form and age. The axonometric context aerial photograph at **Figure 3** demonstrates that development between eight (8) to twelve (12) storeys is part of the existing character of the area, and that affordable housing is suitable for the location as:

- Street corners along Oxford Street are often marked by taller buildings and prominent civic buildings such as the Paddington Town Hall (containing a 32m tall clock tower), Australian Post Office and historic hotels and pubs (see **Figure 5**).
- The site is near health and educational institutional developments including St Vincents Hospital, UNSW Art and Design Campus, infrastructure and public transport, which together generate demand for affordable housing and as buildings themselves contribute to the variety of built form scales in the locality.
- There are many eight (8) to twelve (12) storey developments which punctuate the skyline in the broader area, ranging from residential flat buildings to institutional developments.

An axonometric context aerial photograph is provided in **Figure 3** which demonstrates developments of a medium-rise scale interspersed along Oxford Street and throughout Paddington, including the number of storeys. Photographs of some of those developments are provided at **Figure 4**.

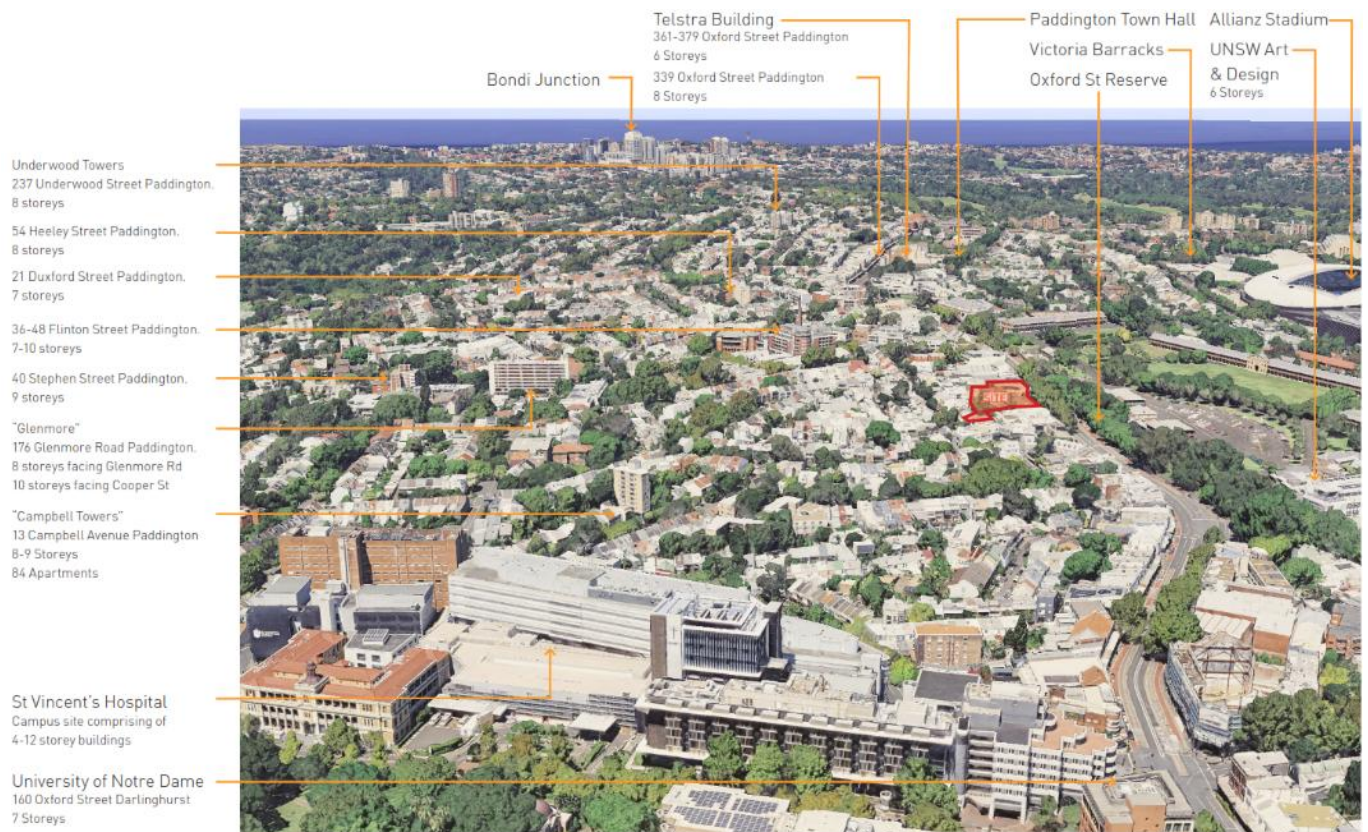


Figure 3 Axonometric context aerial photograph (site outlined)

Source: Smart Design Studio



Figure 4 Photographs of surrounding development that have heights of up to 12 storeys

Source: Smart Design Studio

- 1 Corner of Oxford & Ormond Street - Australia Post Office Building
- 2 Corner of Oxford Street & Oatley Road - Paddington Town Hall
- 3 Corner of Oxford & Brodie Street - Former Greenwood Tree Hotel
- 4 Corner of Oxford & Underwood Street - Imperial Hotel Paddington
- 5 Corner of Oxford Street & Jersey Road - The Light Brigade
- 6 Corner of Oxford Street & Gordon Street - St Francis of Assisi Church



Figure 5 Photographs of prominent and tall buildings on street corners along the Oxford Street ridgeline

Source: Smart Design Studio

2.2 Key Features of Site and Surrounds

2.2.1 Site Description

The site is legally described in **Table 3**. The land is wholly owned by The Trustee for TM No. 8 Development Unit Trust. The site is irregular in shape and has an area of approximately 2,172.4m². The site comprises of four (4) street frontages, including a northern frontage to Gipps Street, northwestern frontage to Bethel Lane, eastern frontage to Shadforth Street and southern frontage to Oxford Street as shown in **Figure 6**.

Table 3 Legal Description of Site Lots

Map Reference	Address	Lot/DP	Area (m ²)	Zone
1	13 Gipps Street, Paddington	Lot 5 DP26385	149.8	R2 Low Density Residential
2	142 Oxford Street, Paddington	Lot 4 DP26385	247.8	R3 Medium Density Residential
3	144 Oxford Street, Paddington	Lot 3 DP26385	232.5	R3 Medium Density Residential
4	146 Oxford Street, Paddington	Lot 2 DP26385	248.6	R3 Medium Density Residential
5	148 Oxford Street, Paddington	Lot 1 DP26385	266.5	R3 Medium Density Residential
6	160 Oxford Street, Paddington	SP13018	889.1	R3 Medium Density Residential
7	6 Shadforth Street, Paddington	Lot 1 DP70235	138.1	R3 Medium Density Residential
Total			2,172.4m ²	



Figure 6 Site Aerial Map

Source: Nearmap and Colliers Urban Planning

2.2.2 Existing Development

Existing development on the site currently comprises of a detached two (2) storey rendered residential dwelling at 13 Gipps Street, a three (3) storey brick and rendered residential flat building at 160 Oxford Street with 27 studio dwellings, a row of two (2) storey terrace houses between 142-148 Oxford Street and a two (2) storey brick cottage at 6 Shadforth Street. A driveway is provided from Gipps Street which provides access to a rear garages for 142-148 Oxford Street, and also a garage for 13 Gipps Street located on 142 Oxford Street. Contextually, the site is located in the oldest part of Paddington, known as 'Paddington Village', which was developed from 1841. The site is, however, located in a contemporary part of Oxford Street, with buildings built after WWII on both sides.

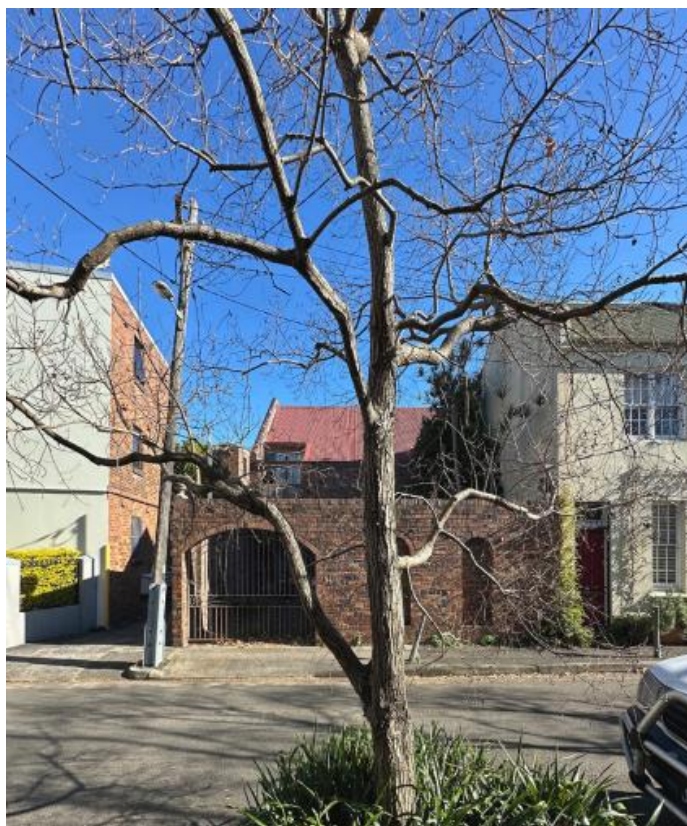
Photographs of the existing development on the site is illustrated in **Figure 7**. Refer to the Architectural Design Report for additional information and photographs of the existing development on the site.



160 Oxford Street viewed from Oxford Street



142-148 Oxford Street viewed from Oxford Street



6 Shadforth Street viewed from Shadforth Street



Gipps Street (Vehicular Access) viewed from Gipps Street



13 Gipps Street viewed from Bethel Lane



Hardstand area at the rear of 142-148 Oxford Street, and view of the 13 Gipps Street garage at the end of the hardstand area

Figure 7 *Existing Development on Site*

Source: Smart Design Studio

2.2.2.1 Topography

The sites' topography is gently undulating with its highest point at the northeast corner of the site (RL 55.38m). It slopes downward in a westward direction towards the site's western boundary, by approximately 5m, with the lowest point being on the northwest corner of the site along Gipps Street (RL 49.54m). Along Oxford Street, the highest point is at the south-eastern corner of the site (RL 54.30m), sloping downwards in a westward direction by approximately 3m to the southwestern corner of the site along Oxford Street (RL 50.99m). A surveyed elevation of the Oxford Street frontage is shown at **Figure 8**, while an axonometric diagram showing the surveyed height of points along the site boundary is shown at **Figure 9**.

Consequently, the application of the height controls to the site results in a sloping maximum height plane that is extrapolated from the surveyed heights along the site boundary.



Figure 8 Surveyed elevation of the Oxford Street frontage of the site

Source: LTS

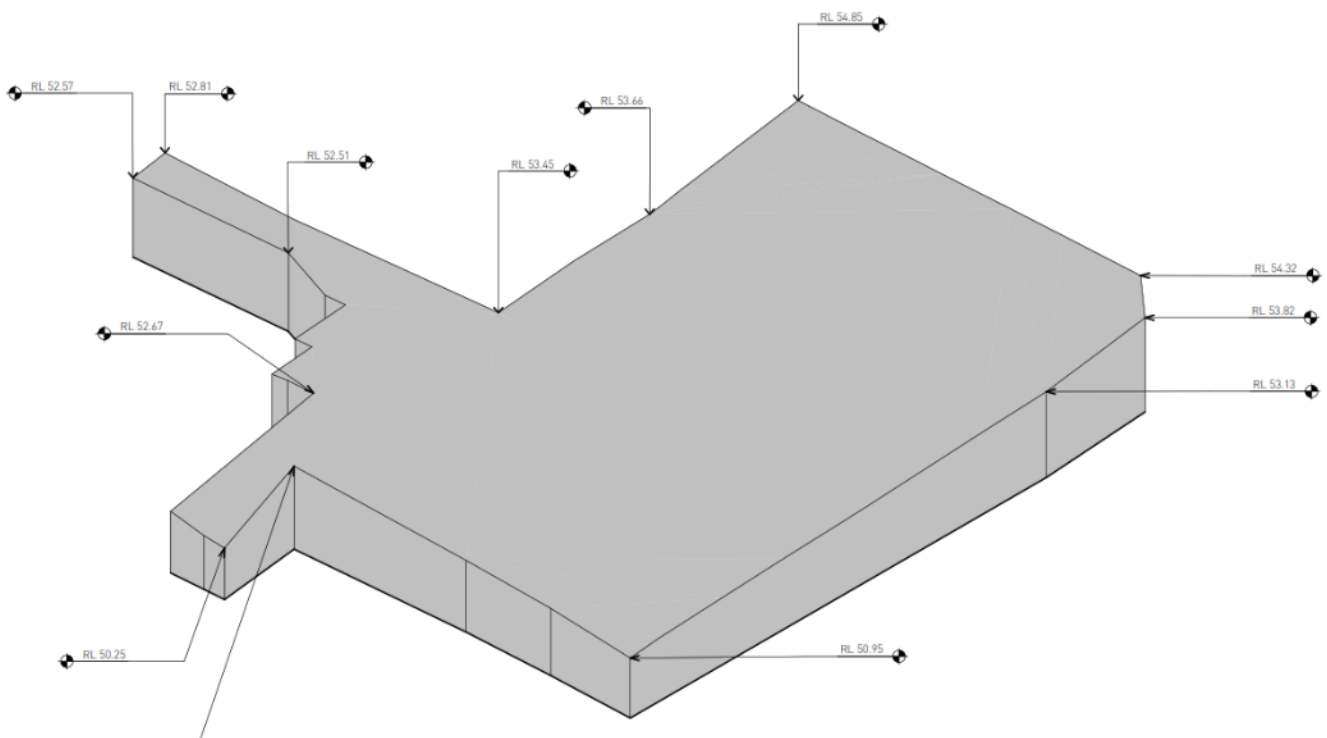


Figure 9 Axonometric diagram showing the surveyed height of points along the site boundary

Source: Smart Design Studio

2.2.2.2 Landscaping and Vegetation

There are 43 trees on and within the vicinity of the site. There are 10 trees located on the site.

There is limited large vegetation on the site, as most unbuilt upon areas contain hardstand. Of note, there are four (4) large London Plane trees on Oxford Street along the southern frontage, which are approximately five (5) storeys tall.

Refer to the Arboricultural Impact Assessment (**Appendix N**) for further information regarding trees on and near the site.

2.2.2.3 Vehicular and Pedestrian Access

Existing site access arrangements are shown in **Figure 10**.

Vehicular Access

Vehicular access to the site is provided from multiple points. Vehicular access to 6 Oxford and 160 Oxford Street is provided from Shadforth Street. Vehicular access to 142-148 Oxford Street is provided via a driveway from Gipps Street that is located between 21 and 23 Gipps Street. The garage for 13 Gipps Street is located at the rear of the 142 Oxford Street property and is accessed from that same driveway for 142-148 Oxford Street by way of an easement that benefits 13 Gipps Street.

Pedestrian Access

Current pedestrian access to 160 Oxford Street and 6 Shadforth street is provided from Shadforth Street. Primary pedestrian access to 142-148 Oxford Street is provided from Oxford Street, while secondary pedestrian access is also provided from Gipps Street. Pedestrian access to 13 Gipps Street is provided from Bethel Lane (see **Figure 10**).

Public Transport

As aforementioned, the site is well located with a bus stop directly in front of the site on Oxford Street which provides services to Bondi Junction, Rozelle and Marrickville Metro Station and less than 600m away further east of Oxford Street, bus services are provided to the Sydney CBD (333, 352, and 440 bus services).

The site is therefore considered highly accessible to essential services and public transport options and is ideally located to reduce reliance on private car usage and to encourage increased usage of public transport services.



Figure 10 Existing access arrangements for the site

Source: Smart Design Studio

2.2.2.4 Heritage

The site is not identified as containing a local heritage item, however, it is situated on the perimeter of the Paddington Heritage Conservation Area (HCA). The site is in close proximity to the following heritage items:

- Local heritage items listed under the WLEP 2014:
 - Rose and Crown Hotel and interiors at 9 Glenmore Road (I256).
 - Royal Hospital for Women Group at 188 Oxford Street, 1–3 Brodie Street, 1–53 Flinton Street, 62–74 Gipps Street and 16–22 Young Street (I244).
- Commonwealth heritage items listed under the Australian Heritage Database:
 - Victoria Barracks Perimeter Wall and Gates (Place ID 105281) (see **Figures 11 and 12**).
 - Victoria Barracks Precinct (Place ID 105277).
 - VB2 Guard House (Place ID 105282).

An aerial photograph of the nearest buildings in the Victoria Barracks is provided in **Figure 13**. It is noted that the nearest buildings within Victoria Barracks are Buildings 95 (Brigade Office) and 96 (Australian Field Artillery Building) may not be included in the Commonwealth heritage listing of the Victoria Barracks Precinct (Place ID 105277) according to GBA Heritage.



Figure 11 Victoria Barracks Perimeter Wall

Source: Smart Design Studio



Figure 12 Victoria Barracks Queen Victoria Gate

Source: Smart Design Studio



Figure 13 Aerial photograph of nearest buildings within the Victoria Barracks (site of proposal outlined)

Source: GBA Heritage

A map of the heritage listed items in proximity to the site and those within the surrounding context is shown in **Figure 14**.

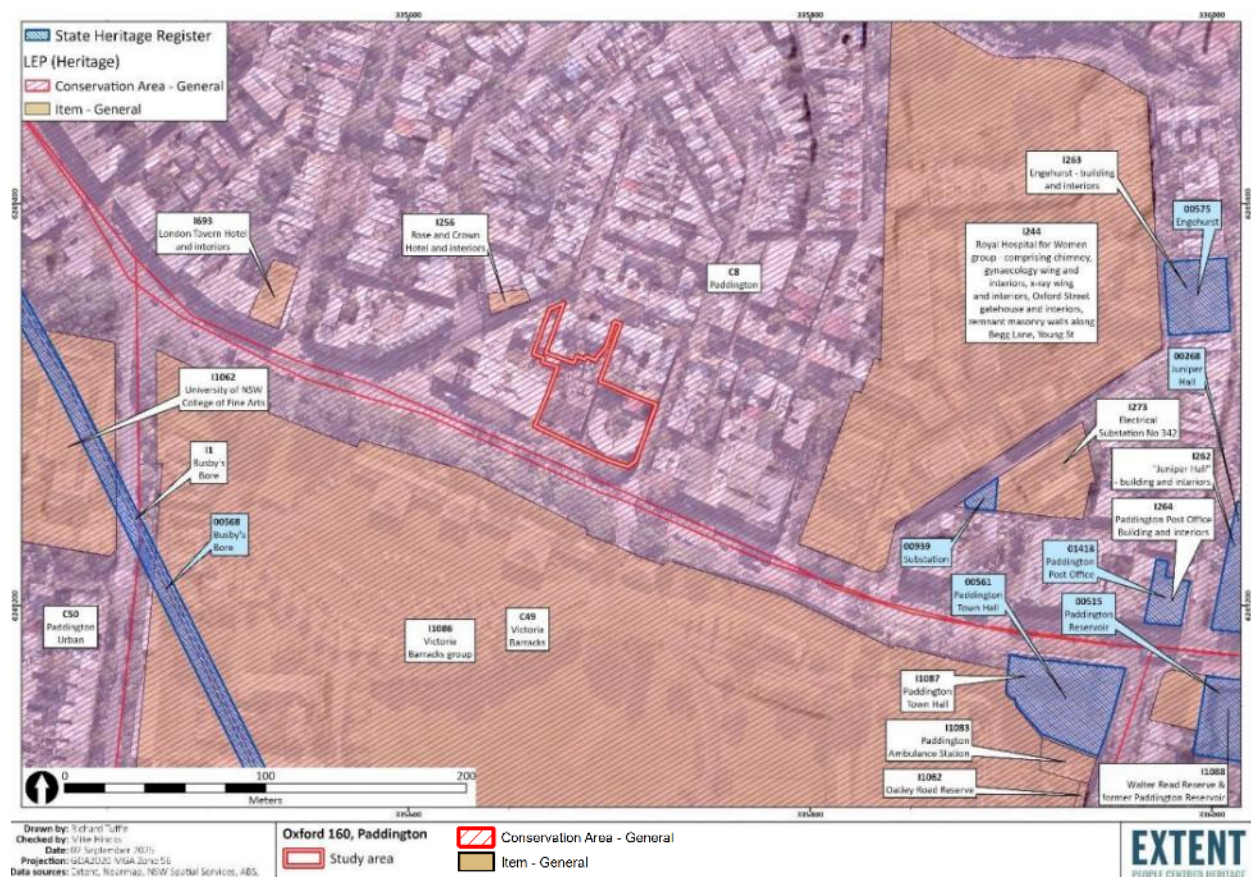


Figure 14 Location of Heritage Items (site outlined in red)

Source: WLEP 2014 and Extent

Table 4 Surrounding Heritage Items

Item	Significance	Item No.
Victoria Barracks Group	Local	I1086
Rose and Crown Hotel and Interiors	Local	I256
London Tavern Hotel and Interiors	Local	I693
Royal Hospital for Women Group	Local	I244
Electrical Substation No 342	Local	I273
'Juniper Hall' – Building and interiors	Local	I262
University of NSW College of Fine Arts	Local	I1062
Busby's Bore	State	00568
Engehurst	State	00575
Juniper Hall	State	00268
Paddington Post Office	State	01418
Paddington Reservoir	State	00515
Paddington Town Hall	State	00561
Substation	State	00939

2.2.3 Surrounding Development

The development surrounding the site is characterised by predominantly medium and high-density residential uses and includes the following:

- **North:** Parts of the site are bound to the north by residential terrace developments varying in height from one (1) to two (2) storeys. The site adjoins the backyards of those terraces which have a depth of approximately six (6) to eight (8) metres. 146-148 Oxford Street and 13 Gipps Street are immediately adjoining Gipps Street. 13 Gipps Street is adjacent to Bethel Lane. Further north of the site is a variety of low-density residential development including terrace housing and one storey miner cottages. Land to the north of the site is located within the Paddington HCA.
- **East:** Immediately east of the site is Shadforth Street. Adjacent to this is a diverse mix of heritage terrace style commercial development ranging in height from two (2) to four (4) storeys with ground floor retail fronting Oxford Street. Further east of the site is mixed use developments ranging in height from four (4) to eight (8) storeys.
- **South:** The site adjoins Oxford Street to the south. Further to the south is a heritage item of local and Commonwealth significance being the Victoria Barracks Group at 75 Oxford Street, Paddington and surrounding Paddington Heritage Conservation Area. Notably, the Barracks is currently still being utilised as an active army barrack that comprises of tall walls that essentially frame Oxford Street and large trees that cast substantial overshadowing to the Barracks. As well, Queens Gate is the nearest entry to the Barracks along Oxford Street. Further south of the site is the Moore Park Stadium.
- **West:** To the west of the site is a series of two (2) storey shop top terraces comprising boutique retail tenancies that contain heritage significant facades. Rows of terraces continue further west of the site in conjunction with low density residential dwellings including old miner cottages. However, it should be noted that the dwellings fronting Oxford Street are zoned MU1 Mixed Use. Accordingly, shop top housing is permissible and future development of up to 9.5m and an FSR of 1:1 is permitted under WLEP 2014.

Images of the surrounding development are included at **Figure 15**.



Oxford Street, between Glenmore Road and Shadforth Street



8-14 Shadforth Street, 2 storey residences



Oxford Street Reserve and Victoria Barracks



Bethel Lane

Figure 15 Surrounding Development

Source: Smart Design Studio

2.3 Strategic Planning Context

Sydney is currently experiencing an acute housing crisis, driven by sustained population growth, declining household occupancy rates, constrained housing supply, and a prolonged period of under-delivery across many inner-metropolitan LGAs. In response, the NSW Government has introduced a comprehensive suite of strategic policies and statutory planning reforms aimed at significantly increasing housing supply in well-located, infrastructure-rich areas.

These State-led directions including the Housing Accord; the Low and Mid-Rise Housing planning controls and the Infill Affordable Housing incentives, set clear expectations for uplift, density and housing diversity, and supersede older, LGA-scale planning documents (including those prepared in the mid-2010s, such as Woollahra's LSPS and Housing Strategy) where inconsistencies arise.

Accordingly, the overarching objective is to ensure that high-amenity, transit-accessible inner-city locations like Oxford Street contribute meaningfully to Sydney's mandated housing supply targets and deliver a more diverse and affordable range of dwellings.

The proposal is consistent with the relevant Government plans, policies and guidelines applying to the site as outlined in **Table 5** below. A summary of the strategic planning context with which the proposal is consistent includes:

- National Housing Accord 2022;
- NSW State and Premier's Priorities;
- NSW Housing Strategy: Housing 2041;
- NSW Housing Targets;
- NSW Future Transport Strategy 2056;
- Connecting with Country Framework; and
- Woollahra Local Strategic Planning Statement.

Table 5 *Summary of Strategic Context*

Strategic Plan	Strategic Context
National Housing Accord 2022	• The Federal Government announced the National Housing Accord in October 2022, which committed to delivering 1 million houses in well-located areas in the five years starting from the year 2024. Further, the Commonwealth is supporting an additional 10,000 affordable dwellings over five years from 2024. • Specifically, NSW has committed to delivering 3,100 affordable homes between 2024-2029, facilitated by a new SSD pathway for residential developments (with an EDC of \$75 million or \$30 million, depending on the site's location) and which deliver up to 15% of affordable housing, which the proposed development is consistent with and utilises. The proposed development is consistent with the NSW Government's commitment to provide these affordable homes in well-located areas, in that the site is located near a large number of jobs, public transport connections, social infrastructure such as St Vincents Hospital, UNSW Art and Design Campus, infrastructure and public transport, services and open space. Overall, the proposed development is aligned with the National Housing Accord as it seeks to deliver new high amenity housing including affordable housing in a strategic location.
Housing 2041 – NSW Housing Strategy	Housing 2041 is the NSW Government's 20-year vision for the delivery of housing across the State. Released in 2021, Housing 2041 sets out the framework for delivering more housing in the right locations, more diverse housing options that suit diverse demographics, as well as high amenity housing. Housing 2041 establishes four pillars to underpin the future of housing. The proposed development will closely align with each of these pillars in the following manner: • Supply: The proposal will deliver a total of 40 high amenity (ADG responsive) dwellings with 10 of these being affordable housing. • Diversity: A range of two and three bedroom apartments are proposed to appeal to a broad residential market and ensure that all types of households have a place in the development. • Affordability: The proposed development provides 10 affordable housing dwellings, comprising a range of two and three bedroom dwellings, thereby providing family friendly affordable housing stock

Strategic Plan	Strategic Context
	• Resilience: ESD principles are embedded into the buildings design and future operation. Further discussion of this is provided at Appendix Z and Section 7.3.2.
NSW Future Transport Strategy 2056	The Future Transport Strategy sets out a 40-year vision, directions and outcomes framework for moving people in NSW and will guide transport investment over the longer term. The Future Transport Strategy was refreshed in 2022 to take into account the COVID-19 Pandemic, drought, bush fires, floods, alongside population growth and global megatrends. The proposal is consistent with the Strategy by delivering high amenity ADG responsive residential dwellings and affordable housing within a highly accessible location along Oxford Street with excellent access to transport, jobs and education.
Connecting with Country Framework	The Government Architect's Connecting with Country will be incorporated throughout the lifecycle of the project. Refer to the Architectural Design Report (Appendix G) for further detail on how the Connecting Country Framework is embedded within the design of the proposed development.
Greater Sydney Region Plan – A Metropolis of Three Cities	The Greater Sydney Region Plan – A Metropolis of Three Cities (Region Plan) prepared by the then Greater Sydney Commission (GSC) is the overarching strategic plan to manage change and growth in the Greater Sydney Region. It sets a 40-year vision where most residents live within 30-minutes of their jobs, education and health facilities, services and great places. Key themes and directions applicable to the proposal include: • Accelerating housing supply across Sydney. • Improving housing choices to suit affordability and diversity. • Design great places that bring people together. • Integration of land use and transport planning to foster a '30-minute city'. • Creating healthy built environment and encouraging the adaption to the impacts of urban and natural hazards and climate change. The site is located within the Eastern City District, in which an additional 92,000 dwellings are required between 2016-2036. The proposed development will support and facilitate the direction of the Greater Sydney Region Plan, including, but not limited to the following objectives: • Objective 7: Communities are healthy, resilient and socially connected. • Objective 10: Greater housing supply. • Objective 11: Housing is more diverse and affordable. • Objective 12: Great places that bring people together. • Objective 18: Harbour CBD is stronger and more competitive. • Objective 22 – Investment and business activity in centres. • Objective 31: Public open space is accessible, protected and enhanced. Specifically, the development will facilitate the above priorities by virtue of the following: • The proposal will contribute to an upcoming residential and commercial neighbourhood within Woollahra, and more specifically the Oxford Street. This improves the opportunity to walk to commercial uses and services, which has benefits including healthier people, and reducing traffic congestion. • The proposal is recognised to be of State significance, through the provision of 40 high amenity (ADG compliant) dwellings, including an affordable housing contribution of 15% of GFA, which equates to 10 apartments being 25% of the total number of proposed apartments. There is a direct delivery of housing supply through the proposal. • The proposal responds to the critical need for additional dwellings to be provided within the Eastern City District by 2036. • The proposal provides for high quality housing and amenities including access to public open space within walking distance of nearby services and public transport. • The proposal will grow the vibrancy of the Eastern broader Harbour CBD (being on its periphery) by providing residential development in proximity to these centres without compromising commercial development. Small scale retail uses will activate the Oxford Street frontage, further enhancing its vibrancy.

Strategic Plan	Strategic Context
Eastern City District Plan	• The proposal will support the delivery of walkable and socially connected places, through predominantly residential uses (with some mix of retail uses), including accessible ground plane. The Eastern City District Plan (District Plan) supports the Greater Sydney Region Plan and is a 20-year plan to manage growth. The location and size of the site support the proposal and assists in giving effect to the strategic objectives of the District Plan. The proposal responds to the applicable priorities, strategies and actions of the District Plan as: • It responds to the need for high amenity and affordable dwelling housing supply within the Eastern District by 2036. • It leverages the site's walking distance to public transport options with bus services less than 50m of the site. • It will provide a well-designed development that will contribute positively to its setting, which includes contributions to street activation, land use mix, enhancements/upgrades to the public domain. Specifically, the following planning priorities will be achieved through the proposed development: • Planning Priority E1: Planning for city support by infrastructure. • Planning Priority E3: Providing services and social infrastructure to meet people's changing needs. • Planning Priority E4: Fostering healthy, creative, culturally rich and socially connected communities. • Planning Priority E5: Providing housing supply, choice and affordability, with access to jobs, services and public transport. • Planning Priority E6: Creating and renewing great places and local centres and respecting the District's heritage. • Planning Priority E11: Growing investment, business opportunities and jobs in strategic centres. (This Priority also provides principles for local centres); and • Planning Priority E17: Protecting and enhancing scenic and cultural landscapes.
Draft Sydney Plan	The Draft Sydney Plan is the NSW Government's 20-year strategic land use plan to direct future growth in the Sydney region. The Draft Sydney Plan is currently under exhibition from 10 December 2025 to 27 February 2026. The Plan guides: • State and local strategic planning and assessments; • Infrastructure planning and prioritisation; and • Public and private investment decisions. In particular, the Draft Sydney Plan aims to support Sydney's growing and changing population by rebalancing housing growth and delivering accessibility to a choice of housing, jobs and services throughout the Sydney region. Specifically, it reinforces the important role that the LMR housing areas play in increasing housing supply and affordability. The proposed development is consistent with and directly contributes to achieving the following aims of the Draft Sydney Plan: • <i>More housing is needed in areas that offer capacity for greater density. Focusing new housing in areas near jobs and public transport makes it easier for people to access work, transport, and goods and services.</i> • <i>Increased housing diversity will offer more housing choices at different price points, helping to address changing needs in terms of housing tenure, size and preferences.</i> • <i>Urban renewal – or infill development – makes the best use of the existing and planned transport network and other infrastructure for housing development and density. This is already occurring around Metro stations and through the NSW Government's Transport Oriented Development Program and Low and Mid-Rise Housing Policy.</i> • <i>Increasing the supply of social and affordable housing in places where people want to live.</i>

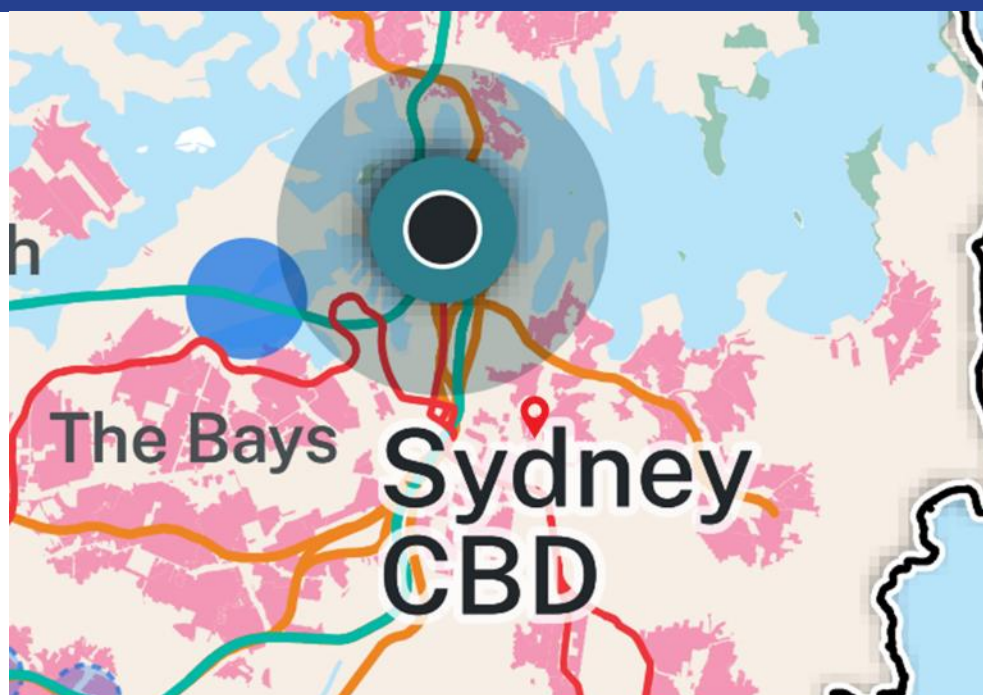


Figure 13: Planned housing growth



*Refer to the Transport Oriented Development Program and Low and Mid-Rise Housing Policy

Figure 16 Excerpt of the Draft Sydney Plan planned housing growth areas (with site annotated)

Source: NSW Government, the Draft Sydney Plan 2025

Woollahra Local Strategic Planning Statement

The Greater Sydney Commission (GSC) endorsed the Woollahra Local Strategic Planning Statement (LSPS) on 31 March 2020. The LSPS sets out Council's vision for how the LGA will respond to significant residential growth, including new housing and jobs to be delivered. The proposal is generally consistent with the relevant planning priorities as outlined below:

- Planning Priority 4: Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes.
- Planning priority 7: Supporting access to a range of employment opportunities and partnerships.

The development directly delivers on Planning Priority 4 by providing 40 high amenity ADG responsive dwellings, including 10 affordable housing dwellings to be managed by a community housing provider for at least 15 years, thus expanding diverse and affordable housing options in an accessible, serviced location. This directly aligns with Woollahra LSPS Planning Priority 4 for sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes. It identifies Oxford St, Paddington as a *"suitable area for increased apartments as it is highly walkable and has high-frequency public transport."*

The inclusion of ground-floor retail space supports local employment opportunities in accordance with Planning Priority 7.

The proposal also satisfies the directive for development to contribute to *"upgrades and improvements that enhance the liveability, infrastructure and amenity of our area"* through the provision of four levels of basement parking (83 car spaces, motorcycle and bicycle spaces), new in-ground services, communal open space, and landscaping and infrastructure works, including improvements on 13 Gipps Street. These combined works ensure the development is well-integrated, enhances local amenity and supports broader Council objectives.

Strategic Plan	Strategic Context
Woollahra Local Housing Strategy	The proposal is consistent with the Local Housing Strategy's framework for 'uplift' as it responds to the local heritage character, the site has no heritage items, removes detracting items, is located within 400m walk of an existing local centre and frequent public transport, increases provision of affordable housing, and supports the business and employment role of the Oxford St precinct through ground floor activation, facilitating the LSPS's goal of local productivity and supporting Oxford St in being a key local and visitor destination. The Woollahra housing target is 1,900 new completed homes by 2029. Subject to development consent, development completion is targeted by approximately 2028, demonstrating that the proposal can make a contribution to realising the LGA's housing target.

2.4 Cumulative Impacts

A desktop search has been conducted and has identified that there has been no recently approved or proposed developments within the area that have the potential to result in cumulative impacts.

The site is one of two sites in Paddington that could realistically be redeveloped for increased housing density under the Low and Mid Rise Housing reforms. As shown in **Figure 17**, there are only three sites in Paddington that are located within the R3 Medium Density Residential zone and located within the Low and Mid Rise Housing inner area, however only one of those sites could realistically be redeveloped into a higher density development:

- 126-140 Oxford Street – this site could realistically be redeveloped for increased housing density.
- R3 zoned lots fronting Hopewell Street – these lots contain many units held under strata title, therefore it is unlikely that sufficient agreement from owners could be obtained to enable a redevelopment of the site.
- The Royal Hospital for Women site is unlikely to be redeveloped for increased housing density as it has been recently redeveloped and is also heritage listed.

The lots zoned R3 Medium Density Residential along Glenmore Road and Cooper Street are not located in the Low and Mid Rise Housing inner area. Rather they are located in the Low and Mid Rise outer area which restricts residential flat building developments to a height of 17.5m and FSR of 1.5:1 which would be a similar scale of development to the residential flat buildings currently on those lots.

The remainder of residential-zoned lots within the Low and Mid Rise Housing inner area in Paddington are located within the R2 Low Density Residential zone and subject to a height limit of 9.5m and FSR of 0.8:1.

Therefore, the Low and Mid Rise Housing reforms will not have a major cumulative impact on Paddington.

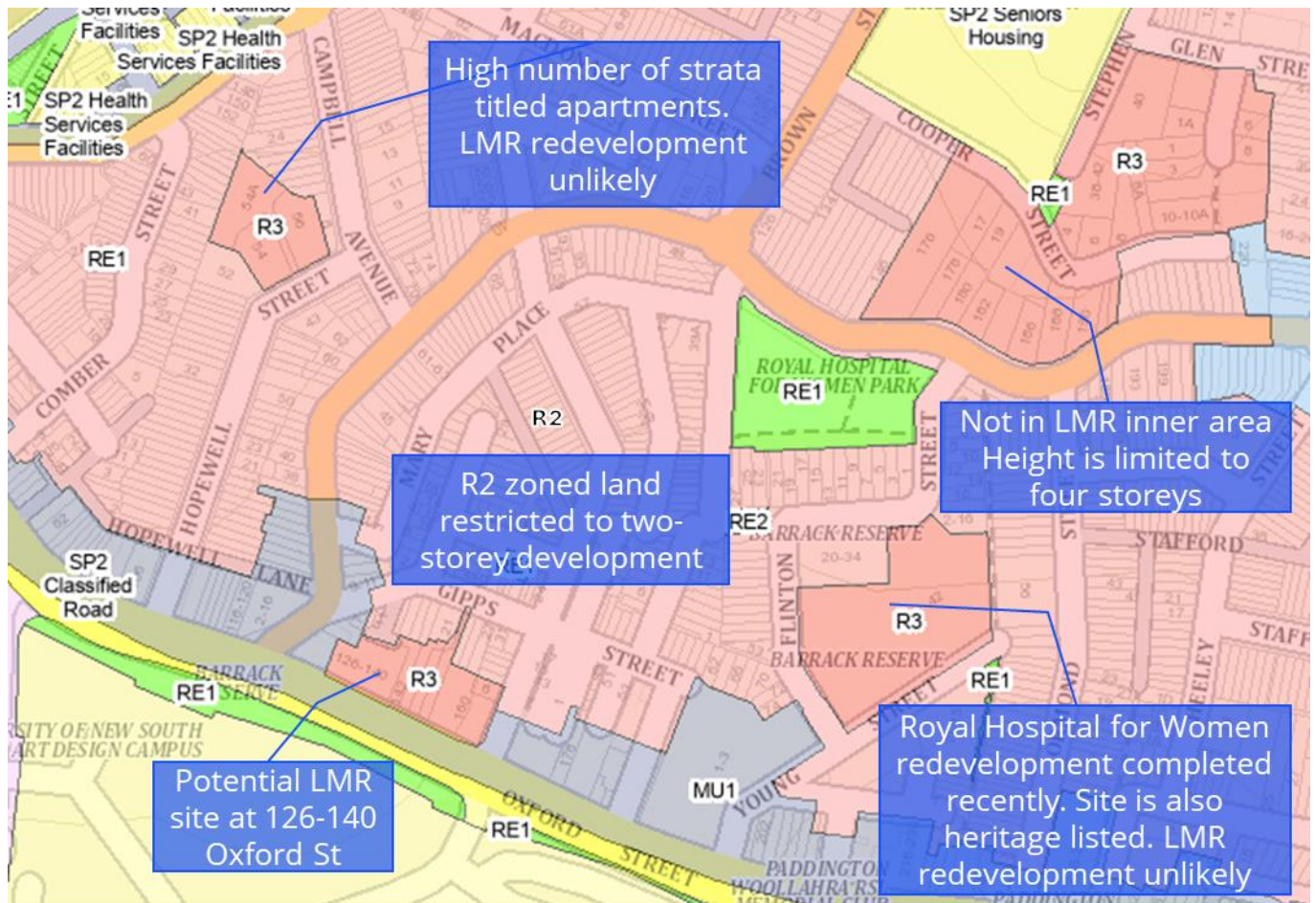


Figure 17 Potential Redevelopment of LMR Sites

Source: Espatial Planning Viewer and Colliers Urban Planning

2.5 Analysis of Alternatives

Redevelopment of the site under SSD-97528708 represents the most orderly and economic development of the site including the delivery of a greater quantum of housing in highly accessible locations.

In preparing this report, four (4) options were considered to facilitate the intended outcomes. These are listed and discussed below:

- Option 1: do nothing;
- Option 2: redevelop the site under the existing WLEP 2014 planning controls; or
- Option 3: redevelop the site under the LMR housing controls only without the infill affordable housing bonus.
- Option 4: the proposed development, inclusive of the infill affordable housing bonus.

2.5.1 Option 1 – Do Nothing

Under the 'do nothing' scenario, the subject site would continue to be underutilised and is not considered as an appropriate outcome given the site's strategic location within Oxford Street, Paddington and its capacity to provide high amenity and affordable housing supply as identified by the NSW Government given that the LMR inner area controls apply to the site. Retaining the site in its current underutilised state would fail to address housing supply and affordability needs, deliver public benefits, or respond to the site-specific merit of the site. In particular, it would not facilitate management of high quality affordable housing suitable for families that is managed by a registered CHP that can transparently and independently assess applications for affordable housing to ensure that housing is provided to those most in need, which is not currently the case on the site. In addition, under the do nothing approach, a sub-standard apartment building at 160 Oxford Street would be retained, which is a poor outcome for the amenity of residents and also is an intrusive building in the Paddington Heritage Conservation Area.

On this basis, the 'do nothing' scenario is not considered to be an orderly and economic approach to the site.

2.5.2 Option 2 – Redevelop the site under the existing planning controls

Redevelopment under the existing WLEP 2014 planning controls would deliver a modest mixed-use development; however, it would not fully realise the site's strategic potential. The current controls would result in a development outcome that would underutilise the development capacity of the site given its highly accessible location or support the proposed ground-level retail floor space, or the quantum of housing, in particular the inclusion of affordable housing that is now proposed.

Redevelopment under the existing planning controls could also result in less development than is currently on the site, at least on 160 Oxford Street which has a building that is higher than 10.5m.

As well, delivering community housing provider (CHP) managed affordable housing on this site represents a significantly better planning outcome. It ensures that families and individuals in genuine housing need have access to secure, well-located accommodation within an established centre close to services, transport, and employment. This outcome could not be achieved under the current controls that would not facilitate a feasible development that includes affordable housing..

2.5.3 Option 3 – Redevelop the site under LMR housing controls only without the infill affordable housing bonus

Redevelopment of the site under the LMR housing controls would result in a development that would not be feasible for including affordable housing managed by a registered CHP. This would take away one of the key benefits of the proposed development.

Delivering CHP managed affordable housing on this site represents a significantly better planning outcome. It ensures that families and individuals in genuine housing need have access to secure, well-located accommodation within an established centre close to services, transport, and employment. This outcome could not be achieved under the LMR housing controls that would not facilitate a feasible development that includes affordable housing and directly supports government priorities for diverse, accessible and affordable housing in areas with existing infrastructure capacity. Even if it was feasible, developing the site under the LMR housing controls would result in less affordable housing provision.

2.5.4 Option 4 - The Proposed Development

Pursuing a State Significant Development (SSD) application offers the most efficient and strategically aligned pathway to achieve redevelopment of the site. The LMR and infill affordable housing planning controls enable a mixed-use development comprising ground-floor retail uses with 40 new apartments above, within eight (8) storeys. The proposal provides 10 affordable housing dwellings (representing a quarter of the dwellings proposed).

This approach maximises the development capability of an unconstrained and consolidated landholding, supports the objectives of the NSW Government housing targets, and delivers a high-value, design-led renewal outcome for the Paddington area and Woollahra LGA.

This option can also be achieved while preserving surrounding residential amenity as it will not result in acceptable visual privacy outcomes and will not result in any overshadowing impacts to neighbouring residential properties.

3.0 Project Description

3.1 Project Overview

The SSD seeks development consent under '*Division 4.7 – Stage Significant Development*' of the EP&A Act for a proposed contemporary eight (8) storey mixed-use development, with ground floor retail and affordable housing component, comprising a total of 40 apartments (including 10 affordable apartments) at 142-148, 160 Oxford Street, 13 Gipps Street and 6 Shadforth Street, Paddington (the site).

Specifically, this SSDA seeks approval for:

- Demolition of structures on the site except for the dwelling on 13 Gipps Street.
- Removal of vegetation on the site except for 13 Gipps Street.
- Site works comprising excavation and ground works including bulk excavation and in ground services works.
- A four (4) storey basement, with vehicular access from Shadforth Street, comprising:
 - 83 car parking spaces;
 - 8 Motorcycle spaces;
 - 51 Bicycle spaces;
 - Garbage storage for both the residential and non-residential components of the proposed development;
 - Loading space;
 - Plant rooms; and
 - Apartment storage.
- Ground floor shops amounting to 159m² of GFA.
- A total of 40 dwellings, comprised of:
 - 10 affordable housing dwellings to be managed by a community housing provider for a period of at least 15 years; and
 - 30 market build-to-sell dwellings.
- Provision of 737m² communal open space.
- Landscaping works, including landscaping works on 13 Gipps Street.
- Extension and augmentation of services and infrastructure as required.

The proposed development is discussed further in the following subsections and detailed on the Architectural Drawings prepared by Smart Design Studio and included at **Appendix F** as well as the Landscape Drawings prepared by Wyer and Co and included at **Appendix J**.

It is intended that the proposed redevelopment is constructed in a single stage. The typical sequence of demolition, excavation and basement construction will take place initially, followed by construction of the mixed-use development activities. Individual fit out for the retail use is proposed to be subject to a future detailed fit out and DA.

Photomontages of the proposed development are provided in **Figure 18** and **Figure 19** below.



Figure 18 *Artistic render of proposed development (view from corner of Oxford Street and Shadforth Street)*

Source: Smart Design Studio



Figure 19 *Artistic render of proposed development (view from Oxford Street looking east)*

Source: Smart Design Studio

3.2 Project Details

The key project details are summarised in **Table 6**.

Table 6 Key Development Information

Component	Proposal																
Proposed Land Use	Mixed Use development, comprised of Residential Flat Building and Shops																
Legal Description	<table> <tr> <th>Address</th><th>Lot and DP Number Lot/DP</th></tr> <tr> <td>13 Gipps Street, Paddington</td><td>Lot 5 DP26385</td></tr> <tr> <td>142 Oxford Street, Paddington</td><td>Lot 4 DP26385</td></tr> <tr> <td>144 Oxford Street, Paddington</td><td>Lot 3 DP26385</td></tr> <tr> <td>146 Oxford Street, Paddington</td><td>Lot 2 DP26385</td></tr> <tr> <td>148 Oxford Street, Paddington</td><td>Lot 1 DP26385</td></tr> <tr> <td>160 Oxford Street, Paddington</td><td>SP13018</td></tr> <tr> <td>6 Shadforth Street, Paddington</td><td>Lot 1 DP70235</td></tr> </table>	Address	Lot and DP Number Lot/DP	13 Gipps Street, Paddington	Lot 5 DP26385	142 Oxford Street, Paddington	Lot 4 DP26385	144 Oxford Street, Paddington	Lot 3 DP26385	146 Oxford Street, Paddington	Lot 2 DP26385	148 Oxford Street, Paddington	Lot 1 DP26385	160 Oxford Street, Paddington	SP13018	6 Shadforth Street, Paddington	Lot 1 DP70235
Address	Lot and DP Number Lot/DP																
13 Gipps Street, Paddington	Lot 5 DP26385																
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148 Oxford Street, Paddington	Lot 1 DP26385																
160 Oxford Street, Paddington	SP13018																
6 Shadforth Street, Paddington	Lot 1 DP70235																
Site Area	Entire site: 2,172.4m² Site area excluding 13 Gipps Street: 2,022.6m²																
Site consolidation	It is noted that site consolidation is not development as defined by the <i>Environmental Planning & Assessment Act 1979</i> . Notwithstanding, it is noted that the intention is to consolidate all lots on the site except for Lot 5 DP26385, which is intended to remain as a separate lot.																
GFA (excluding 13 Gipps Street) - Residential - Retail - Total	There is no change to GFA on 13 Gipps Street. Residential GFA: 5,626m² (inclusive of 868m² of affordable housing GFA) Retail GFA: 159m² Total GFA: 5,785m²																
FSR (excluding 13 Gipps Street)	2.86:1																
Maximum Height	30.8 to 32.6m																
Boundary Setbacks	- North: 8.5m-9.9m - South: 0m - East: 0m-0.8m - West 5.4m-6.1m																
Total Number of Apartments	40 (inclusive of 10 affordable housing dwellings)																
Apartment Mix	13 x 2-bedroom apartments (inclusive of 6 affordable dwellings) 27 x 3-bedroom apartments (inclusive of 4 affordable dwellings)																
Car Parking	Total of 83 car parking spaces (including 6 accessible car spaces), including: 68 residential car parking spaces for affordable and non-affordable residents 1 car parking space for the residents of 13 Gipps Street 8 visitor car parking spaces 6 car parking spaces for shops																
Bicycle Parking	51 spaces																
Motorcycle Parking	8 spaces																
Landscaped Area	660m ² (30% of site area)																
Deep Soil Area	442.4m ² (20% of site area)																
Tree Canopy Coverage	530.3m ² (24% of site area)																

Component	Proposal
Communal Open Space	737m ² (34% of site area)
Construction Hours	7am to 6pm on weekdays and 8am-1pm on Saturdays
Construction Jobs	97 FTE jobs
Operational Jobs	132 FTE jobs state-wide during the operational phase, 112 of which will be directly provided on-site
Estimated Development Cost	\$84,073,955 (excluding GST)

3.3 Design Principles

The following design principles have been adopted to ensure the overall vision and objectives of the development are achieved:

- Context and Neighbourhood Character:
 - Provide a contemporary design that is consistent with the urban morphology of Oxford Street and Paddington which is characterised by a mix of uses and buildings including buildings of eight (8) to twelve (12) storeys.
 - Activate the ground floor by providing ground floor retail to enhance the retail 'high street' offering along Oxford Street and fill in a gap along the retail strip of Oxford Street's retail strip.
 - Ensure each side of the building has a unique design response to its context.
 - Imbue Country-centred design through design guidelines created to guide this project through Country Sensing Design, Sketch Exchange, and a Two-Eyed Seeing approach.
- Built form and Scale:
 - Design a high quality building that utilises the new LMR housing and infill affordable housing planning controls that apply to the site.
 - Celebrate and retain the mature street trees on Oxford Street.
 - Articulate the built form through divisions in the massing, shaping of the form and an upper-level setback to Oxford Street.
 - Ensure a contextual and sensitive response to the heritage context of the site.
 - Sculpt the form to ensure good amenity for residents and to surrounding properties.
- Sustainability:
 - Include renewable energy generation.
 - Include energy efficient appliances.
 - Maximise harvesting and reuse of rainwater.
- Landscape:
 - Plant selection based on a Country-centred design approach, with 100% indigenous planting.
 - Increase habitat values.
 - Reduce water consumption.
 - Reinstating a precolonial era landscape.

3.4 Connecting with Country

Connecting with Country Principles have been prepared by Smart Design Studio, in consultation with Bernadette (B) Hardy of hardyhardy, a Dharug and Gamilaraay Custodian of Place, whose ancestral connection to this Country extends over 60,000 years (refer to **Appendix G** for further detail). Design principles, informed by cultural values, have formed the basis of design discussions and concept stages and will continue to inform design development.

Eight design guidelines were created to guide this project through Country Sensing Design, Sketch Exchange, and a Two-Eyed Seeing approach:

1. Connection to Broader Landscape

2. Country as Teacher
3. Relational Protocols of Place
4. Living Systems: Topography & Water
5. Regenerating Ecologies of Place
6. Threshold Inbetween Spaces
7. Sensory Connection to Place
8. Material & Light from Place

Refer to the Architectural Design Report at **Appendix G** for further detail on how these design guidelines influenced the proposed design.

3.5 Site Preparation Works

Site preparation works are proposed in order to faceplate preparation for the proposed built form. This includes demolition of all existing on-site structures and earthworks as in the following sections below.

3.5.1 Demolition

Demolition of all existing structures on site will be undertaken as part of this proposal this includes:

- Three (3) storey brick and rendered residential flat building at 160 Oxford Street with 27 studio dwellings.
- Row of four x two (2) storey terrace houses between 142-148 Oxford Street.
- A two (2) storey brick cottage at 6 Shadforth Street.
- Garage at the read of 142 Oxford Street which services 13 Gipps Street.
- Associated hardstand areas, ancillary structures, and site vegetation.

The proposed demolition plan is shown at **Figure 20**.



Figure 20 Demolition plan (demolished structures hatched outline)

Source: Smart Design Studio

3.5.2 Excavation

Excavation is proposed to be undertaken to enable the construction of four (4) basement levels, approximately 15m in depth.

3.5.3 Tree Removal

The site and surrounding area contain 43 trees. 10 trees on the site are proposed to be removed (T19-24, T28 and T30-32) as shown in **Figure 21**. These are all low retention value trees. A Tree Impact Plan is provided at **Figure 21** which shows the location of the proposed tree removal.

17 replacement trees and 29 replacement palms are proposed which will achieve a tree canopy area of 530.3m² (24% of site area).



Figure 21 Tree Removal Plan

Source: Tree Management Services

The four London Plane trees on Oxford Street, with an approximate height of five storeys, will be retained. They will partially obscure/screen the first five storeys of the development when viewed from Oxford Street.

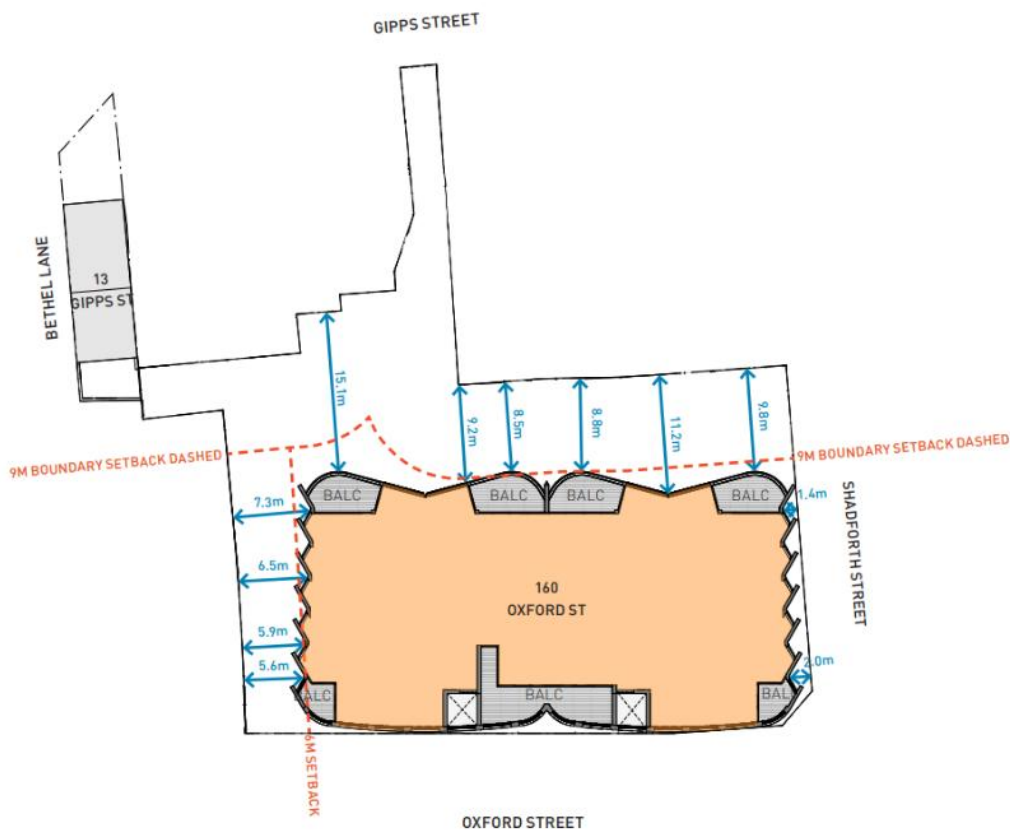


Figure 23 Proposed Building Setbacks

Source: Smart Design Studio

3.6.1 Basement

The development proposed to provide a four (4) storey basement below ground with entry via Shadforth Street, which is configured to provide the following building services and storage:

- 83 car parking spaces;
- 8 Motorcycle spaces;
- 51 Bicycle spaces;
- Garbage storage for both the residential and non-residential components of the proposed development;
- Loading space;
- Plant rooms; and
- Apartment storage.

Basement access for vehicles and loading dock access is provided from Shadforth Street.

3.6.2 Form, Height and Setbacks

The proposed built form is characterised by an eight (8) storey mixed-use development, with a maximum height of 32.6m and a total GFA of 5785m² (excluding 13 Gipps Street, on which there is no change to GFA). The proposed development incorporates the following setbacks:

- North: 8.5m-9.9m
- South: 0m
- East: 0m-0.8m
- West 5.4m-6.1m

The overall built form and scale of the proposed development has been determined by the uplift in development potential from the Low and Mid-rise (LMR) Housing Policy, including height and FSR in combination with the affordable housing bonus provision within the Housing SEPP.

The form of the primary southern facade facing Oxford is divided vertically into two distinct parts with curved corner expressions, reinforcing the central building entry. It has a five storey street wall built to the southern boundary, aligning with the top of the existing street trees along Oxford Street. The top three storeys are set back by approximately 1.5m, with a continuous terrace and planters to level 5.

The side elevations comprise a vertical expression of angled, solid blades or 'gills' with glazed openings between the blades.

The northern elevation has an approximate 9m setback consistently up the façade. It has four distinct curved elements to the façade and is characterised by predominantly by balconies with solid balustrades. Terraces are proposed on the rooftop, which are setback behind planters from the building parapet.

Additionally, Mechanical plant, solar panels, private roof terraces and planters is also provided on the roof level.

3.6.3 Dwelling Mix

The proposed development will provide a mix of market and affordable housing residential accommodation across Ground floor to Level 7. The residential component will comprise 40 new apartments including 13 x 2-bedroom apartments (inclusive of 6 affordable dwellings) and 27 x 3-bedroom apartments (inclusive of 4 affordable dwellings).

The affordable dwellings are located on the following levels:

- Ground floor: 1 x 3-bedroom apartment
- Level 1: 2 x 2-bedroom apartments, 1 x 3-bedroom apartment
- Level 2: 2 x 2-bedroom apartments, 1 x 3-bedroom apartment
- Level 3: 2 x 2-bedroom apartments, 1 x 3-bedroom apartment

The proposed residential accommodation includes a mix of unit sizes aimed at responding to the unique housing needs of the local Woollahra community and provides family friendly apartments. The apartments have been arranged to address Oxford Street, supported by terraces and balconies respectively. The residential lobby for the proposed development is accessed via Oxford Street.

3.6.4 Uses by Level

The uses by level of the proposed development are summarised in **Table 7** below.

Table 7 *Proposed Uses by Level*

Level	Use
Lower Ground and Ground	• Lobby • Internal and external communal space and landscaping • Outdoor pool area • Affordable and Market housing • 2 x Shops
Levels 1-7	• Affordable housing dwellings (Level 1 to Level 3) • Market Dwellings
Roof	• Terrace style private open spaces • Mechanical Plant • Solar Panels.

Communal Spaces

Communal spaces for the proposed development are provided on the ground level (refer to **Figure 24**). The proposed development has three (3) different access points including from 13 Gipps Street, Shadforth Street and Oxford Street. It is noted that these access points will be gated with lighting and CCTV, and accessible by residents at all times by swipe card.

Internal communal spaces include the foyer, communal pool area and communal toilet/change area. The communal pool area includes a pool deck and outdoor shower areas whereas the foyer includes lounge seating areas for small gatherings, and a concierge area.

Landscaping design includes perimeter planting for privacy to and from neighbours, canopy trees for shade, a water feature and open lawn and seating areas, creating opportunities for social interaction.

All communal spaces will be accessible by all residents, being equally shared between the affordable and market apartments, creating a sense of belonging, collective stewardship and community.



Figure 24 Proposed Ground Floor Communal Areas

Source: Smart Design Studio

Shop Floorspace

The proposed development will provide two (2) shop units at ground level comprising 159m² GFA which can be accessed via two (2) separate entrances along Oxford Street. A separate lift is provided to the ground floor adjacent to Shop 2, for loading for both shops from the basement loading dock.

3.7 Façade and Materiality

The proposed development's external materials and finishes are detailed in the Architectural Drawings provided by Smart Design Studio at **Appendix F**. The proposed materials and finishes include sandstone, concrete, ribbed concrete, glass and dark bronze powdercoated finishes are detailed in **Figure 25** below.

Proposed Materiality

- 1 PCO/ Powdercoat Finish Dark Bronze
- 2 ST/ Sandstone
- 3 CONC/ Concrete
- 4 CONC-R/ Concrete Ribbed
- 5 G/ Glass Clear
- 6 G-O/ Glass Translucent

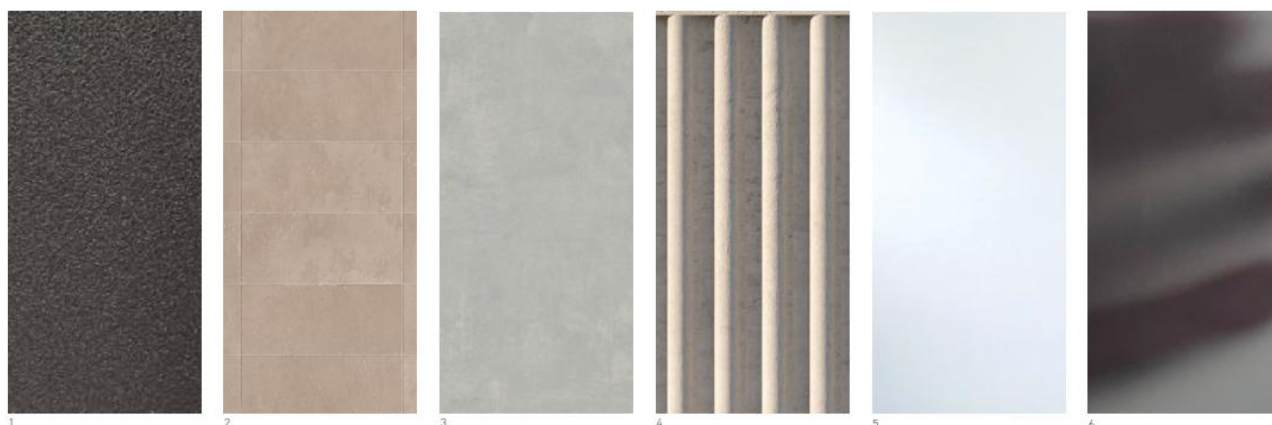


Figure 25 Materials and Finishes Schedule

Source: Smart Design Studio

3.8 Landscape Design

Landscape Plans and a Landscape Design Report has been prepared by Wyer and Co and are provided at **Appendix I** and **Appendix J**.

The Landscape Plans propose appropriate native plant species reflecting the urban nature of the development (Refer to planting schedule within the Landscape Plans at **Appendix I**). Significant landscaping is located across the northern extent on the ground level of the site, specifically along the rear of the site where the development proposes adjoining dwellings and will feature a matrix of native trees and plants. Planting of 17 trees and 29 palms is proposed, providing 530m² (24%) of tree canopy cover.

The site provides for 442.4m² of deep soil area and 660m² of landscaped area.

The key elements of the landscape design are:

1. Private gated access via Bethel Lane and Gipps Street to provide pedestrian connections to Paddington village.
2. Lush greens along the north-western boundary of a new native canopy to provide privacy and separation.
3. Communal garden lawn.
4. Blend of native Groundcovers and local stone around the communal garden lawn.

5. Informal hedge of Banksia to provide screening and separation adjacent to the driveway.
6. Rooftop gardens along the northern edge of the rooftop, containing native flowering plants and providing new destinations for pollinators.
7. Water element adjacent to the communal garden lawn.
8. Planting of soft ornamental grasses beneath the existing London Plane trees on Oxford Street.

Landscaping is also proposed in the front yard of 13 Gipps Street.

The proposed landscaping plan that corresponds to the description above is illustrated in **Figure 26**.



Figure 26 Proposed landscape plan (annotated numbers match text description in Section 3.8 of this EIS)

Source: Wyer and Co

3.9 Access and Parking

3.9.1.1 Vehicular Access

The existing battle-axe driveway along the Gipps Street site frontage and an entry/exit driveway located off the Shadforth Street will be removed and replaced with one (1) driveway from Shadforth Street, which provides direct access to the four (4) level basement car park. The driveway will provide a controlled two-way ramped entrance to the basement.

3.9.1.2 Pedestrian Access

As noted above, pedestrian access is provided to the proposed development from three (3) different access points including from 13 Gipps Street, Shadforth Street and Oxford Street. It is noted that these access points will be open to residents 24 hours, however, gated and locked to ensure safety and security for the residents. The primary pedestrian entry is from Oxford Street and provides direct and immediate access to the residential foyer area.

The ground floor shops can be accessed by pedestrian from Oxford Street.

3.9.2 Car Parking

A total of 83 car parking spaces (including 6 accessible car spaces) are proposed, including:

- 68 residential car parking spaces for affordable and non-affordable residents
- 1 car parking space for the residents of 13 Gipps Street
- 8 visitor car parking spaces
- 6 car parking spaces for shops

3.9.2.1 Motorcycle and Bicycle Parking

There are 8 motorcycle and 51 bicycle parking spaces provided for the proposed development within the basement levels.

3.9.2.2 Loading and Servicing Vehicles

A dedicated loading dock is provided basement level 1, adjacent to the bin holding room for the residential component of the development. Comparatively, retail waste collection for the shops will be completed by a 6.4m long SRV truck. As well, waste collection for the proposed development is to be undertaken by a private waste contractor and mini 6.4m long garbage trucks, which is similar in size to a standard SRV truck, albeit with a reduced overhead clearance of 2.2m.

3.10 Site Servicing and Utilities

The site is located within an urbanised location that is currently serviced by civil, sewer, communications, electricity infrastructure and public transport options. The available civil infrastructure will be able augmented as necessary to support the proposal. Refer to the Integrated Water Management Plan at **Appendix DD** for further detail.

3.11 Residential and Retail Waste

Residential waste will be privately collected and stored in eight (8) general and recycling on-site bin areas, four (4) FOGO bins and five (5) servicing bins. Whereas retail waste including two (2) general waste and one (1) recycling and paper/cupboard bin and one (1) food waste bin, will be managed privately with separate storage and regular collection schedules. Waste collection vehicles will access the site safely in forward motion via Shadforth Street, park in the designated Basement 1 loading bay and service the site via Shadforth Street due to the constraints of the site.

A residential bin storage room will be provided on Basement 1, with an area of approximately 40m². This room will function as the central storage area for all general waste and recycling bins awaiting weekly collection. It will also store the spare bins required to service the chute cores. Access to this room will be restricted to building management. A separate 15m² room for FOGO bins and bulky waste will be located adjacent to the main bin room. This room will be accessible to residents for the disposal of organics and bulky items.

3.12 ESD Initiatives

A key driver in the detailed design, construction and operation of the proposed development is the achievement of best practice ecologically sustainable development (ESD) principles to minimise the consumption of resources and guide sustainable operation in the future. The ESD Report is provided at **Appendix Z**. The proposed development is targeted to achieve BASIX 60% energy and 40% water benchmarks, and a 7-star NatHERS average rating.

Sustainability and ESD initiatives for the proposed development include:

- Achieving the BASIX benchmarks in line with State Environmental Planning Policy - Sustainable Buildings (SEPP) 2022 requirements for mid/high-rise residential building:
 - BASIX Energy 60%;
 - BASIX Water 40%;
- Exceeding compliance requirements for NCC/BCA Section J 2022 (or NCC 2025 as appropriate), including a performance façade and shading devices;
- On-site renewable energy generation through spatial provision for rooftop solar photovoltaics (PV); and

- A range of sustainability initiatives across the site spanning energy efficiency, water efficiency, indoor environment quality, waste management and comfort.

4.0 Statutory Context

This section of the Report provides an assessment of the proposal against the relevant sections of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Environmental Planning Instruments (EPIs). It has been set out in accordance with the *DPE's State significant development guidelines – preparing an environmental impact statement* (July 2022), which identifies the categories to be used to identify the statutory requirements of a project, being that of the following:

- Power to grant approval (**Section 4.1**);
- Permissibility (**Section 4.2**);
- Other approvals (**Section 4.3**);
- Pre-conditions to exercising the power to grant approval (**Section 4.4**); and
- Mandatory matters for consideration (**Section 4.5**).

This section is complemented by a Statutory Compliance Table included at **Appendix B** that identifies all statutory requirements and where those requirements have been addressed in the Report.

4.1 Power to Grant Approval

Division 4.7 of the EP&A Act establishes a specific system to consider projects classed as SSD. SSD is development deemed to be of State significance and includes projects of a certain value and type that are being completed on sites regarded as important to the NSW Government.

Development consent will be sought under 'Division 4.7 - Stage Significant Development' of the EP&A Act. Section 4.36(2) of the EP&A Act states that:

A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.

Schedule 1 of State Environmental Planning Policy (Planning Systems) 2021 lists development that is declared State significant development. Section 26A of Schedule 1 states:

26A In-fill affordable housing

(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—

(a) the part of the development that is residential development has an estimated development cost of—

(i) for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—more than \$75 million, or

Note—

The Act, Schedule 9 sets out the local government areas in each city in the Six Cities Region.

(ii) for development on other land—more than \$30 million, and

(b) the development does not involve development prohibited under an environmental planning instrument applying to the land.

As the proposed development is for the purposes of in-fill affordable housing that has an estimated development cost greater than \$75 million, it is declared State significant development. Before a State significant development can be determined, it is subject to a comprehensive assessment under the EP&A Act.

The proposal's non-SSD components (build to sell housing) are also considered sufficiently related to the infill affordable housing SSD component of the development in accordance with Clause 2.6(2) of the Planning Systems SEPP, given their logical synergies within the same site from a basement, services, landscape, communal space and buildability perspective.

4.2 Permissibility

The permissibility of the proposed development considering the proposed land use/s and land zoning is outlined in **Table 8** below.

Table 8 Permissibility

Matter	Consideration
Land Use	The proposed development seeks consent for the purposes of residential flat building, with ground floor retail and residential uses above.
Land Zoning	R2 Low Density zone and R3 Medium Density zone under the WLEP 2014.
Permissibility	Use of site for <i>shops</i> and <i>residential flat buildings</i> are permitted with consent under the R2 Low Density zone and R3 Medium Density Zone.

4.3 Other Approvals

The other legislative approvals required for the Proposal in addition to a development consent under Division 4.7 of the EP&A Act are outlined in **Table 9** below.

Table 9 Other Approvals

Matter	Consideration														
Approvals not required for SSD	Section 4.41 of the EP&A Act stipulates that certain authorisations are not required for State significant development. The following legislative approvals would otherwise be required if the Project was not State significant. <table> <tr> <th>Legislation</th><th>Approval Otherwise Required</th></tr> <tr> <td colspan="2">Legislation that does not apply to State Significant Development</td></tr> <tr> <td>Fisheries Management Act 1994</td><td>No</td></tr> <tr> <td>Heritage Act 1977</td><td>No</td></tr> <tr> <td>National Parks and Wildlife Act 1974</td><td>Aboriginal Heritage Impact Permit (AHIP) will be obtained to allow for the impacts to six identified sites (AHIMS #52-2-4992 to #52-2-4997), in accordance with Section 90.</td></tr> <tr> <td>Rural Fires Act 1997</td><td>No</td></tr> <tr> <td>Water Management Act 2000</td><td>No</td></tr> </table>	Legislation	Approval Otherwise Required	Legislation that does not apply to State Significant Development		Fisheries Management Act 1994	No	Heritage Act 1977	No	National Parks and Wildlife Act 1974	Aboriginal Heritage Impact Permit (AHIP) will be obtained to allow for the impacts to six identified sites (AHIMS #52-2-4992 to #52-2-4997), in accordance with Section 90.	Rural Fires Act 1997	No	Water Management Act 2000	No
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Rural Fires Act 1997	No														
Water Management Act 2000	No														
Consistent Approvals	Section 4.42 of the EP&A Act stipulates that certain authorisations cannot be refused if they are necessary for carrying out State significant development. The following table lists legislative approvals that are required for the Project and cannot be refused if the Project is approved. <table> <tr> <th>Legislation</th><th>Approval Required</th></tr> <tr> <td colspan="2">Legislation that must be applied consistently</td></tr> <tr> <td>Fisheries Management Act 1994</td><td>No</td></tr> <tr> <td>Coal Mine Subsidence Compensation Act 2017</td><td>No</td></tr> </table>	Legislation	Approval Required	Legislation that must be applied consistently		Fisheries Management Act 1994	No	Coal Mine Subsidence Compensation Act 2017	No						
Legislation	Approval Required														
Legislation that must be applied consistently															
Fisheries Management Act 1994	No														
Coal Mine Subsidence Compensation Act 2017	No														

Mining Act 1992	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Pipelines Act 1967	No

EPBC Approval

The *Environmental Protection and Biodiversity Act 1999 Act* (EPBC Act) provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities, and heritage places. These are known as matters of National Environmental Significance. If the proposed development will, or is likely, to impact a matter of National Environmental Significance, then it is required to be referred to the Federal Department of the Environment for assessment to determine if it constitutes a 'controlled action' requiring EPBC approval. Presently, a bilateral agreement allows the Commonwealth Minister for the Environment to rely on the NSW environmental assessment process when assessing a controlled action under the EPBC Act.

Specifically, the Statement of Heritage Impact prepared by GBA Heritage (**Appendix K**) has concluded that the proposal will not have a significant impact on the Commonwealth heritage values of Building VB2 Guard House, Victoria Barracks Perimeter Wall and Gates, and the Victoria Barracks Precinct.

There are currently no places within the study area included on the National, Commonwealth or World lists under the EPBC Act for Aboriginal Heritage and there are no known Declarations under the ATSIHPA in relation to the study area.

The proposed development is not likely to impact a matter of National Environmental Significance. Therefore, the proposed development is not required to be referred to the Federal Department of the Environment to determine if it constitutes a controlled action and the bilateral agreement applies.

4.4 Pre-Conditions to Exercising the Power to Grant Consent

The pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent are identified and considered in **Table 10** below.

Table 10 *Pre-Conditions to Exercising the Power to Grant Consent*

Matter	Consideration
Biodiversity Conservation Act 2016	In accordance with this Act, an assessment of any State Significant proposal's biodiversity impacts must be undertaken as part of the provision of any SSDA, including the provision of a Biodiversity Development Assessment Report (BDAR) in instances where it is required. Section 7.14 requires the consent authority to take into consideration the likely impact of the proposed development on biodiversity values as assessed in the BDAR. Given the site's location within an urban context and the absence of vegetation on the site, the proposed development is not considered to result in any adverse impacts to biodiversity on the site or within the surrounding area. As such, a BDAR Waiver was prepared, and a BDAR Waiver was issued by DPHI on 20 November 2025, which is provided at Appendix O.
State Environmental Planning Policy (Resilience and Hazards) 2021	The <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (R&H SEPP) aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless: • It has considered whether the land is contaminated, and • If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and • If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is suitable that the land will be remediated before the land is used for that purpose. A Preliminary Site Investigation has been prepared by Land Risk Environmental (Appendix W) and concludes that site presents a low risk of contamination and is suitable for the proposed residential development, subject to implementation of standard contamination-related mitigation measures such as preparation of a Construction and Environmental Management Plan, waste classification and disposal in accordance with relevant NSW EPA guidelines, and completion of a pre-demolition hazardous materials survey, which are set out in Appendix C.

4.5 Mandatory Matters for Consideration

The matters that the consent authority is required to consider in deciding whether to grant consent to any development application are identified and considered in the following Sections.

4.5.1 Environmental Planning & Assessment Act 1979

Table 11 EP&A Act Compliance

Act / Regulation	Comments
Environmental Planning and Assessment Act 1979 (EP&A Act)	The proposed development is consistent with the objects of Section 1.3 of the EP&A Act for the following reasons: • It will enable the delivery of 30 market apartments plus 10 affordable housing dwellings to support the growing population of Woollahra LGA and more broadly Greater Sydney, and will positively contributing to housing amenity (through upgraded housing stock) and affordability; • In consideration of the above, the proposed development will promote additional supply of affordable housing within the Paddington area, with the delivery of market dwellings; • It allows for additional employment opportunities throughout both the construction and operational phases and through the small scale retail uses proposed generating additional productivity within the Woollahra LGA; and • It will facilitate the principles of ESD through a range of design and operation initiatives. The proposed development is consistent with Division 4.7 of the EP&A Act, particularly for the following reasons: • It has been declared to have State significance; • It is not prohibited by an environmental planning instrument; and • It has been evaluated and assessed against the relevant heads of consideration under Section 4.15(1).
Environmental Planning and Assessment Regulation 2021	Part 8, Divisions 2 and 5 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) sets out procedures which relate to the preparation and submission of an EIS. This Report has been prepared in accordance with Sections 190 and 192 of Division 5, which relate to the form and content of the EIS. Similarly, this EIS addresses the principles of ecologically sustainable development through the precautionary principle (and other considerations), which assesses the threats of any serious and irreversible environmental damage (refer to Section Z). In addition, and of particular note to this SSDA, is Section 26 of the EP&A Regulations, which requires the following: 26 <i>Information about affordable housing development</i> (1) <i>A development application for development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1, 2 or 5 applies must specify the name of the registered community housing provider who will manage—</i> <i>(a) for development to which Division 1 applies—the affordable housing component</i> To this end, the application includes letter of support from a registered community housing provider (CHP), provided at Appendix GG.

4.5.2 State Environmental Planning Policies

The relevant State environmental planning policies are assessed in **Table 12** below.

Table 12 Summary of consistency with State Environmental Planning Policies

Policy	Assessment
State Environmental Planning Policy (Housing) 2021	The following parts of the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) applies to this development: • Chapter 2, in relation to infill affordable housing. • Chapter 4, for the purposes of residential apartment development. • Chapter 6, in relation to LMR housing. An assessment of the proposed developments consistency with the relevant provisions and controls of the Housing SEPP is provided in Section 4.5.3 below and supported by assessment of consistency with the ADG at Appendix G and at Section 6.2.2.
State Environmental Planning Policy (Sustainability) 2022	The Sustainable Buildings SEPP encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials. The following parts of the Sustainable Buildings SEPP apply to this development: • Chapter 2, Standards for residential development – BASIX; and • Chapter 3, Standards for non-residential development. The relevant standards for BASIX buildings relate to energy and water use and thermal performance. An assessment of the proposed development's consistency with the relevant provisions and controls of the Sustainable Buildings SEPP is provided in the ESD Report provided at Appendix Z. A BASIX Certificate and associated stamped plans are provided at Appendix BB.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 of the Biodiversity and Conservation State Environmental Planning Policy 2021 (Biodiversity and Conservation SEPP) aims to protect the biodiversity value of trees and other vegetation in non-rural areas. Given the site's location within an urban context and the absence of any significant vegetation on the site, the proposed development is not considered to result in any adverse impacts to biodiversity on the site or within the surrounding area. The proposal also includes replacement tree planting and achieves 24% canopy cover. As such, this SSDA is accompanied by a BDAR Waiver Request and a BDAR Waiver issued by DPHI, which is provided at Appendix O. The Biodiversity and Conservation SEPP implements a series of general controls on development situated within regulated water catchments. The site is located within the Sydney Harbour Catchment; therefore, the following parts of the Biodiversity Conservation SEPP will apply to subsequent detailed applications following approval of the concept masterplan: • Part 6.2, Development in regulated catchments - Division 2, Controls on development generally. No unacceptable adverse impact on the Sydney Harbour Catchment is anticipated. Further detail pertaining to stormwater run-off, sediment and erosion control, and water quality is discussed in greater detail at Section 6.8.
State Environmental Planning Policy (Hazards and Remediation) 2021	Chapter 4 of the Resilience and Hazards SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless: • It has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out • If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is suitable that the land will be remediated before the land is used for that purpose. A Preliminary Site Investigation (Appendix W) has been prepared by LRE, which confirms that the site is suitable for the Project, subject to implementation of its recommendations which are included as mitigation measures in this EIS.

4.5.3 State Environmental Planning Policy (Housing) 2021

4.5.3.1 Chapter 4: Design of residential apartment development

Chapter 4 of the Housing SEPP contains the standards for the design of residential apartment development in NSW. The proposed development seeks consent for a mixed use residential development, to which Chapter 4 applies.

The key provisions of the Housing SEPP have been considered in the preparation of the SSD application and are addressed in **Table 13** below.

Table 13 Summary of consistency with State Environmental Planning Policy (Housing) 2021

Section	Controls	Comment
Chapter 2 Affordable Housing		
15C Development to which division applies		
	(1) This division applies to development that includes residential development if— (a) the development is permitted with consent under Chapter 3, Part 4, Chapter 5 or another environmental planning instrument	The site is zoned R2 Low Density Residential and R3 Medium Density Residential. The residential flat building and shop component of the development is located within the R3 Medium Density zone, within which residential flat buildings and shops are permissible with consent under the WLEP 2014. 13 Gipps is proposed to remain as a dwelling house which is permissible with consent in the R2 Low Density Residential zone.
	(b) the affordable housing component is at least 10%	Complies. The proposal has a total GFA of 5,785m ² . The affordable housing component must be at least 868m ² . 868m ² of GFA is proposed as affordable housing under the Housing SEPP, which equates to 15% of the total GFA of the proposed development.
	(c) all or part of the development is carried out— (i) for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area, or (ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone	Complies. The site is located on land within the Six Cities region in an accessible area as it is adjoining a bus station that provides access to the Sydney CBD.
	(2) Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division	Complies The total percentage of affordable housing on the site (considering Housing SEPP) is 15% of the total proposed GFA and 25% of the total number of proposed apartments.
16 Affordable housing requirements for additional floor space ratio		
	(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).	Complies. As the proposed development provides an affordable housing component of at least 15% of total GFA, it is eligible for an additional floor space ratio of up to 30%. The applicable FSR under the LMR provisions is 2:1. Applying the 30% additional FSR, the maximum FSR under section 16(1) is 2.86:1 (equivalent to 5,785m ² of GFA). The proposed development has a total GFA of 5,785m ² and therefore complies with the maximum FSR for the site under the Housing SEPP.
	(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows— $\text{affordable housing component} = \frac{\text{additional floor space ratio}}{(\text{as a percentage})} \div 2$	Complies. 30% (additional FSR) divided by 2 = 15% affordable housing. At least 15% of affordable housing is provided in the proposed development.
	(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum	Complies. The proposed development is for residential flat buildings. The proposed development is eligible for an additional 30%

Section	Controls	Comment
	permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).	above the maximum building height of 22m under the LMR controls. Applying the 30% additional height results in a maximum height of 28.6m. The maximum building height proposed is 32.6m, though the variation is a result of the sloping topography of the site and primarily relates to trafficable rooftop elements and plant which are well-setback from the building parapet. A clause 4.6 variation is provided at Appendix X . Further assessment is also provided at Section 6.1.4 .
	(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.	Not applicable as an FSR control applies to the site.
19 Non-discretionary development standards – the Act, s 4.15		
	(1) The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.	Noted.
	(2) The following are non-discretionary development standards in relation to the residential development to which this division applies— (a) a minimum site area of 450m ² ,	Complies. The area of the subject site is 2,172.4m ² , well above the minimum 450m ² .
	(b) a minimum landscaped area that is the lesser of— (i) 35m ² per dwelling, or (ii) 30% of the site area,	Complies 30% of the site area equates to 620m ² . 660m ² of landscaped area is proposed.
	(c) a deep soil zone on at least 15% of the site area, where— (i) each deep soil zone has minimum dimensions of 3m, and (ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,	Not applicable. Refer to subsection 19(3). Notwithstanding, 19% of the site area is provided as a deep soil zone.
	(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,	Not applicable. Refer to subsection 19(3).
	(e) the following number of parking spaces for dwellings used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms—at least 1 parking space,	Complies. The proposed development includes car parking for the affordable housing dwellings in accordance with the minimum rates set out in this section. Refer to Section 6.5 and the Transport and Accessibility Impact Assessment at Appendix R for a detailed assessment.
	(f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,	Complies. The proposed development includes car parking for the non-affordable housing dwellings in accordance with the minimum rates set out in this section. Refer to Section 6.5 and the Transport and Accessibility Impact Assessment at Appendix R for a detailed assessment.
	(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,	Complies The proposed development meets the minimum internal areas stipulated in the Apartment Design Guide (ADG). An assessment against the ADG has been provided within the Design Report provided at Appendix H . This is further discussed and summarised in Section 6.2.2 .
	(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.	Chapter 4 applies to this development. Accordingly, subsection (2)(c) and (2)(d) do not apply.

Section	Controls	Comment
20 Design requirements		
	(1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.	Not applicable to the site. Refer to subsection 20(2) which identifies that subsection (1) does not apply to development to which Chapter 4 applies.
	(2) Subsection (1) does not apply to development to which Chapter 4 applies.	Not applicable to the site. Refer to subsection 20(2) which identifies that subsection (1) does not apply to development to which Chapter 4 applies.
	(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with— (a) the desirable elements of the character of the local area, (b) for precincts undergoing transition—the desired future character of the precinct.	Relevant matters for the consent authority are suitably addressed by the proposal. The proposed development is compatible with the following desirable elements of the character of the local area: • Use of sandstone materiality to respond to the area's heritage context. • It allows retention of large street trees along Oxford Street. • Provision of an active retail ground floor frontage to Oxford Street to complete a missing link in the retail strip along the northern side of Oxford Street. The Woollahra LGA, including the Paddington area is a precinct undergoing transition. This is primarily due to the application of the LMR housing provisions for both the inner and outer areas and for R3 Medium Density Residential and R2 Low Density Residential zones. By virtue of the application of the LMR controls to the area, new residential development with increased height and density is not only encouraged due to its high amenity, accessible and inner-urban location, but is the desired future character expressed through the planning controls. In conjunction with the infill affordable housing provision., The suite of recently introduced planning policies represent planned uplift in the development capacity of Paddington. Therefore, this has set a new desired future character for the precinct. The proposed development is compatible with this new desired future character by utilising the LMR housing provisions and infill affordable housing provisions to increase housing supply in the area. Specifically, the LMR 22m controls also apply to the adjacent property to the west, which demonstrate that there are multiple sites along Oxford Street that have been identified for increased height and density. Moreover, the broader Woollahra LGA precinct is also undergoing transition, as the NSW Government has announced a State-led rezoning for land within an approximate 400 metre radius from Edgecliff station and an 800 metre radius from the new Woollahra station, allowing the delivery of homes close to jobs, public transport, green space and essential services. This signals an intent for the Woollahra LGA to contribute to a rebalancing of new housing delivery to inner-eastern Sydney areas to support the NSW Government's housing targets. While the site is not within the immediate vicinity of either Edgecliff station or the future Woollahra station, the expected and actual urban context will evolve substantially in the next ten years, seeing increased medium to high density development in the area. The areas to be rezoned with the highest density are expected to include land in accessible areas and along main roads. The proposed development is consistent with this approach, as it will increase housing provision in a highly accessible area and along a main road.

Section	Controls	Comment
21 Must be used for affordable housing for at least 15 years		
	(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development— (a) the development will include the affordable housing component required for the development under section 16, 17 or 18	Complies. As above, 15% of the GFA of the proposed development will be provided as affordable housing.
	(b) the affordable housing component will be managed by a registered community housing provider.	The affordable housing component will be managed by a registered community housing provider (CHP) for at least 15 years commencing on the day an occupation certificate is issued for the development, as confirmed in the Letter of Support from Evolve Housing (Appendix GG)
	(2) This section does not apply to development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation.	Not applicable to the development.
Chapter 4 Design of Residential Apartment Development		
Section 142 Aims of chapter	(1) <i>The aim of this chapter is to improve the design of residential apartment development in New South Wales for the following purposes—</i> (a) <i>to ensure residential apartment development contributes to the sustainable development of New South Wales by—</i> (i) <i>providing socially and environmentally sustainable housing, and</i> (ii) <i>being a long-term asset to the neighbourhood, and</i> (iii) <i>achieving the urban planning policies for local and regional areas,</i>	Aim satisfied. The proposed development contributes to the sustainable development of the State as it: • Demonstrates ESD principles identified in the ESD Report at Appendix Z. • Includes 15% affordable housing (10 units). • Appropriately responds to the urban planning policies for Woollahra and its wider strategic policies, as discussed in this Report.
	(b) <i>to achieve better built form and aesthetics of buildings, streetscapes and public spaces,</i>	Aim satisfied. The proposal achieves a high standard of built form and aesthetics through its articulated design, integration of quality materials, active street frontages, and provision of generously landscaped boundaries, contributing positively to the surrounding streetscape and public domain.
	(c) <i>to maximise the amenity, safety and security of the residents of residential apartment development and the community,</i>	Aim satisfied. The proposal maximises amenity, safety and security through well-designed communal spaces, clear sightlines, passive surveillance, multiple activated entry points, and secure residential access, ensuring a safe and comfortable environment for both residents and the broader community.
	(d) <i>to better satisfy the increasing demand for residential apartment development, considering—</i> (i) <i>the changing social and demographic profile of the community, and</i> (ii) <i>the needs of a wide range of people, including persons with disability, children and seniors,</i>	Aim satisfied. The proposal responds to growing housing demand by delivering a diverse mix of apartment types, including affordable housing, and has been designed to accommodate a broad demographic - supporting accessibility for people with disability, children, and seniors, and reflecting the evolving social and demographic profile of the community.
	(e) <i>to contribute to the provision of a variety of dwelling types to meet population growth,</i>	Aim satisfied. The proposal contributes to housing diversity by delivering a mix of dwelling types and sizes, including affordable housing, which supports broader population growth and caters to varied household needs.

Section	Controls	Comment
	(f) to support housing affordability,	Aim satisfied. The proposed development includes 15% of GFA as affordable housing (10 units) alongside 30 market dwellings, the supply of which will ease affordability pressures in Paddington.
	(g) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions,	Aim satisfied. Refer to the ESD report at Appendix Z .
	(h) to facilitate the timely and efficient assessment of development applications to which this chapter applies.	Noted.
	(2) This chapter recognises that the design of residential apartment development is significant because of the economic, environmental, cultural and social benefits of high quality design.	Noted.
Section 143 Land to which chapter applies	<i>This chapter applies to the whole of the State, other than land to which State Environmental Planning Policy (Precincts—Regional) 2021, Chapter 4 applies.</i>	Applies.
Section 144 Application of chapter	(1) <i>In this policy, development to which this chapter applies is referred to as residential apartment development.</i>	Noted.
	(2) <i>This chapter applies to the following—</i> (a) <i>development for the purposes of residential flat buildings,</i> (b) <i>development for the purposes of shop top housing,</i> (c) <i>mixed use development with a residential accommodation component that does not include boarding houses or co-living housing, unless a local environmental plan provides that mixed use development including boarding houses or co-living housing is residential apartment development for this chapter.</i>	This chapter applies as the proposal is for development for the purposes of a residential flat building
	(3) <i>This chapter applies to development only if—</i> (a) <i>the development consists of—</i> (i) <i>the erection of a new building, or</i> (ii) <i>the substantial redevelopment or substantial refurbishment of an existing building, or</i> (iii) <i>the conversion of an existing building, and</i> (b) <i>the building is at least 3 storeys, not including underground car parking storeys, and</i> (c) <i>the building contains at least 4 dwellings.</i>	The proposed development consists of the erection of new buildings greater than two storeys and comprising greater than three dwellings.
	(4) <i>If particular development comprises development for the purposes specified in subsection (2) and development for other purposes, this chapter applies only to the part</i>	Applies.

Section	Controls	Comment
	<i>of the development for the purposes specified in subsection (2).</i>	
	(5) <i>This chapter does not apply to development that involves only a class 1a or 1b building within the meaning of the Building Code of Australia.</i>	Not applicable.
	(6) <i>To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 or Chapter 5 applies may also be residential apartment development under this chapter.</i>	Chapter 2, Part 2, Division 1 (In-fill affordable housing) does apply to this development.
	(7) <i>In this section— underground car parking storey means a storey used for car parking that is— (a) below ground level (existing), or (b) less than 1.2m above ground level (existing).</i>	Noted.
Section 145 Referral to design review panel for development applications	(1) <i>This section applies to a development application for residential apartment development, other than State significant development.</i>	This section does not apply as it is classified as SSD.
Section 146 Referral to design review panel for modification applications	(1) <i>This section applies to a modification application for residential apartment development, other than State significant development.</i>	Not applicable.
Section 147 Determination of development applications and modification applications for residential apartment development	(1) <i>Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following— (a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9, (b) the Apartment Design Guide, (c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.</i>	Smart Design Studio has addressed the design principles and consistency with the ADG in the Architectural Design Report included at Appendix G . It confirms that the proposal appropriately addresses each of the design principles for residential development set out in Schedule 9, as well as the ADG.
	(2) <i>The 14-day period referred to in subsection (1)(c) does not increase or otherwise affect the period in which a development application or modification application must be determined by the consent authority.</i>	Not applicable.
	(3) <i>To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide.</i>	Noted.

Section	Controls	Comment
	(4) <i>Subsection (1)(c) does not apply to State significant development.</i>	Noted.
Section 148 Non-discretionary development standards for residential apartment development—the Act, s 4.15	(1) <i>The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i>	Noted. Refer to the below.
	(2) <i>The following are non-discretionary development standards—</i> (a) <i>the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,</i>	Satisfied.
	(b) <i>the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,</i>	Satisfied. As confirmed in the Design Report at Appendix G , the internal apartment areas specified for residential apartment development in the ADG have been met.
	(c) <i>the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.</i>	Satisfied. As confirmed in the Design Report at Appendix G the minimum ceiling heights specified for residential apartment development in the ADG have been met.
Section 149 Apartment Design Guide prevails over development control plans	(1) <i>A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter—</i> (a) <i>visual privacy,</i> (b) <i>solar and daylight access,</i> (c) <i>common circulation and spaces,</i> (d) <i>apartment size and layout,</i> (e) <i>ceiling heights,</i> (f) <i>private open space and balconies,</i> (g) <i>natural ventilation,</i> (h) <i>storage.</i>	This is noted. It is also noted that Development Control Plans are not a matter for consideration in the assessment of SSDAs by virtue of Section 2.10 of the Planning Systems SEPP, which states that 'Development Control Plans... do not apply to... State significant development'.
	(2) <i>This section applies regardless of when the development control plan was made.</i>	Noted.

Section	Controls	Comment
Chapter 6 – Low and mid rise housing		
Section 163 – Definitions	low and mid rise housing inner area means land within 400m walking distance of— (a) land identified as “Town Centre” on the <i>Town Centres Map</i> , or	This site is located within a LMR housing inner area in Zone R3 Medium Density Residential as it is a 281m walk from Darlinghurst Paddington Town Centre (Oxford Street).
Section 177 – Landscaping – residential flat buildings or shop top housing	(2) Development consent must not be granted for development for the purposes of residential flat buildings or shop top housing unless the consent authority has considered the <i>Tree Canopy Guide for Low and Mid Rise Housing</i> , published by the Department in February 2025.	LMR Tree Canopy Targets are met – as the proposal provides at least 15% of the site as deep soil, and 530.3m ² (24% of site area) (which is above the 20% canopy cover percentage required for sites larger than 1,500m ²).
Section 178 – Minimum lot size for residential flat buildings or shop top housing	(2) A requirement specified in another environmental planning instrument or development control plan in relation to the following does not apply to development that meets the standards in section 180(2) or (3)— (a) minimum lot size, (b) minimum lot width.	Noted.
Section 180 – Non-discretionary development standards – residential flat buildings and shop top housing in Zone R3 or R4	(2) The following non-discretionary development standards apply in relation to development on land in a low and mid rise housing inner area— (a) a maximum floor space ratio of 2.2:1, (b) for residential flat buildings—a maximum building height of 22m, (c) for a building containing shop top housing—a maximum building height of 24m.	- The Proposal has an FSR of 2.86:1 (maximum GFA with LMR and affordable housing bonus). - The infill affordable housing bonus is proposed to be added to the 22m building non-discretionary development standard. A height variation is proposed, and addressed further at Section 6.1.4 and in the clause 4.6 variation at Appendix X.

4.5.4 Woollahra Local Environmental Plan 2014

The *Woollahra Local Environmental Plan 2014* (WLEP 2014) is the local EPI relevant to the site. The proposal's consistency with the relevant clauses of the WLEP 2014 is assessed below in **Table 14**.

Table 14 Assessment against *Woollahra Local Environmental Plan 2014*

Clause	Proposal
Clause 2.3 Zone Objectives and Land Use Table	The site is zoned R2 Low Density Residential and R3 Medium Density Residential, whereby the proposed uses are permissible with consent under the WLEP 2014.
Clause 2.7 Demolition requires development consent	Demolition of all existing structures on site will be undertaken as part of this proposal. This will be carried out in accordance with the demolition plan provided as part of the Architectural Plans (Appendix F).
Clause 4.3 Height of buildings	The base maximum height of building for the site is part 10.5m (R3 zoned land) and 9.5m (R2 zoned land – 13 Gipps Street). As noted above, the height of the Proposal has been informed by the LMR provisions of the Housing SEPP. Building height is discussed further in Section 6.1.4 and a Clause 4.6 Variation Request is submitted with the SSDA (Appendix X)
Clause 4.4 Floor Space Ratio	The base maximum floor space ratio (FSR) for the site is 0.75:1 for R3 zoned land. As noted above, the FSR of the Proposal has been informed by the affordable housing bonus and LMR provisions of the Housing SEPP. The Proposal is fully compliant with the 2.86:1 control.

Clause	Proposal
Clause 4.6 Exceptions to development standards	As discussed further below in Appendix X (Clause 4.6 variation request), the Proposal seeks to vary the Housing SEPP 28.6 maximum building height.
Clause 5.10 Heritage Conservation	As aforementioned, the proposed development is not a heritage item of local significance. However, it is located within the Paddington HCA and in proximity to multiple heritage items of Commonwealth and local significance. A Statement of Heritage Impact has been prepared by GBA Heritage (Appendix K) and demonstrates that the proposed development have an acceptable impact to the HCA and surrounding heritage items, and that will contribute to the Oxford Street streetscape for the following reasons: • The seven buildings proposed for demolition are intrusive elements within the Paddington HCA. • The subject part of Oxford Street was built after the close of WWII and has low heritage sensitivity. • The proposal is for a high-quality architecturally designed structure with superior materials of sandstone cladding and ribbed concrete that will contribute positively to the architectural character of Oxford Street. • The proposal will have an acceptable impact on views and to the HCA, and upon its setting. Due to the built in character of Paddington, the development will have limited visibility from the suburb to the north of Oxford Street. • The proposed building will appear as a background element in views of contributory buildings along Gipps Street and Glenmore Road. • The trees in the Oxford Street footpath rise to around five stories in height and will largely obscure views of the proposed building from that street. Further discussion is provided in Section 6.4.
Clause 6.1 Acid Sulfate Soils	The site is identified as containing Class 5 Acid Sulfate Soils. The Geotechnical Report prepared by Morrow confirms that acid sulfate soils are not typically found in class 5 zones or in residual soil over sandstone bedrock, and therefore further assessment of Acid Sulfate Soils nor an Acid Sulfate Soils Management Plan are required.
Clause 6.10 Earthworks	Earthworks will be ancillary to the development in order to accommodate for the proposed basement excavation. Excavation is proposed to be undertaken to enable the construction of four (4) basement levels, approximately 15m in depth. A Geotechnical Investigation Report has been prepared by Morrow (Appendix V), which provides recommendations to ensure that the proposed excavation of approximately 15m below existing ground level is safely carried out.

4.5.5 Woollahra Development Control Plan 2015

Development Control Plans are not a matter for consideration in the assessment of SSDAs by virtue of Section 2.10 of the Planning Systems SEPP, which states that '*Development Control Plans... do not apply to... State significant development*'.

Nevertheless, where relevant, such as in relation to parking rates for non-residential development, the Woollahra Development Control Plan 2015 (WDCP 2015) has been considered.

5.0 Stakeholder Engagement

This section describes consultation undertaken and feedback received prior to the lodgement of the EIS for the proposal and engagement to be carried out following lodgement of the EIS. It is supported by an Engagement Report that has been prepared by Colliers Urban Planning and is included at **Appendix T**.

5.1 Engagement Carried Out

5.1.1 Identified Stakeholders

A comprehensive list of community members and stakeholders to consult throughout during the preparation of the EIS process was developed through:

- The identification of neighbours who would be impacted by the proposal unless mitigation measures were implemented,
- The identification of stakeholders who would have a particular interest in the proposal.
- The identification of stakeholders who would have information of value to the proposal, for example, Aboriginal groups with cultural knowledge relating to the site.
- Consultation with the DPHI. This included the community members and stakeholders listed in the proposals SEARs that the applicant was required to consult with.

As a result of the above process, a number of stakeholders were identified for consultation, including:

- Department of Planning, Housing and Infrastructure (DPHI);
- Woollahra Council and their Planning Staff and Executive (General Manager);
- Transport for NSW;
- Environment Protection Authority;
- Sydney Water;
- Ausgrid;
- NBN;
- Elected Federal Government Officials:
 - The Hon. Rose Jackson, MLC (ALP) - Minister for Housing Mayor: Cr Sarah Dixon;
 - The Hon. Tanya Plibersek, MP (ALP);
- Elected State Government Officials:
 - The Hon. Alex Greenwich, MP (ALP) - State Member for Sydney;
 - The Hon. Paul Scully MP (ALP) - Minister for Planning and Public Spaces;
- Elected Woollahra Council Officials:
 - Mayor: Cr Sarah Dixon;
 - Paddington Ward Councillors:
 - Cr Alexander Andruska;
 - Cr Harriet Price;
 - Cr Matthew Robertson;
- Woollahra Council Staff:
 - General Manager, Craig Swift;
 - Director, Planning & Place, Scott Pedder;
- Immediate neighbours and residents;
- Surrounding businesses and groups
- Local news outlet: Wentworth Courier
- Metropolitan media: Sydney Morning Herald, The Daily Telegraph, The Australian

5.1.2 Consultation Methods

As detailed in the Engagement Report (**Appendix T**) a range of consultation methods were used to engage stakeholders. This included activities completed prior to lodgement, through the preparation of the EIS and associated technical studies. The consultation methods are detailed in **Table 15**.

Table 15 Consultation Methods

Activity	Targeted Stakeholder	Purpose
Notification letter – via letterbox drop	Local residents and businesses	Notifying local residents and businesses about the project and opportunities to learn more and provide feedback.
Stakeholder outreach – via email	Elected representatives and Council staff	Notifying elected representatives and Council staff about the proposal so they are informed if community or constituents asked them any questions.
Website and FAQs	Community and stakeholders	Provides additional information to help inform community and stakeholders about the proposal and opportunities to provide feedback, as well as answering commonly asked questions.
Project overview presentation (used for webinar and stakeholder briefings)	Community and stakeholders	Provides visual aids to be used during the community webinar and stakeholder briefings to help describe the proposal.
Webinar	Community and stakeholders	Provides an opportunity for community to hear directly from the project team about the proposal, ask questions and provide feedback.
Community Survey	Community and stakeholders	Ensure the community has an opportunity to provide structured feedback in their own time via an accessible platform.
Frontline Engagement (1800 Number and email address)	Community and stakeholders	Provide community with a direct point of contact for any enquiries about the proposal.
Government Stakeholder Meetings	DPHI	Create an open dialogue between key government stakeholders to ask questions and provide feedback to inform the EIS. This included a scoping meeting with DPHI and ongoing email and phone correspondence.
Email to Woollahra Council	Woollahra Council elected representatives and staff	To notify Woollahra Council elected representatives and staff about the proposal and community engagement, with an attached copy of the notification letter.

This approach follows the *Undertaking Engagement Guidelines for State Significant Projects* (2021) by:

- Engaging with relevant NSW Government agencies, service providers, Council, close neighbours and targeted members of the community who are most likely impacted or interested in the proposal;
- Informing the surrounding community to the site about the proposal and providing opportunities to engage directly with the project team;
- Explaining how community feedback will be considered and documented;
- Providing relevant information in plain English so that potential impacts and implications can be readily understood; and
- Providing channels of communication to gather feedback.

5.2 Community Views

The key issues and matters raised by the community and stakeholders during the preparation of the Scoping Report, SEARs and EIS are outlined in **Table 16** below. For a comprehensive summary and analysis of community views and detailed project response, refer to **Appendix T**.

Table 16 Summary of community feedback

Feedback	Project Team Response
Height, bulk and scale	
Feedback that eight storeys is seen as out of context for Paddington's character, with height and bulk seen as incompatible with its low-mid rise heritage setting.	Noted. The proposed eight (8) storey mixed-use building has been developed to respond to Oxford Street's vertical rhythm and to meet State planning provisions for infill affordable housing while carefully managing its relationship to the surrounding Paddington Heritage Conservation Area. The design balances upper-level massing and articulation with a ground-floor shopfront and landscaping to better integrate with the existing high street character. Façade modulation, materials and setbacks have been considered to reduce bulk from key vantage points along Oxford Street and adjoining lanes.
Queries about planning controls that permit the proposed height and number of storeys on the site, including justification for the height uplift.	Refer to Section 4.0 for a detailed assessment against the applicable planning controls. Refer to Section 6.1.5 for further justification and assessment of the proposed building height.
Affordable housing	
The community acknowledged a moderate to high need for affordable housing in Woollahra LGA. Feedback focused on concerns about the limited 15-year timeframe for affordability, ownership and management arrangements, and whether equal access to services would be provided for affordable housing residents.	Under the NSW Government's planning framework, developers are incentivised to deliver affordable housing for a minimum of 15 years through permanent height and floor space bonuses. In line with this policy, 10 affordable apartments (representing 15% of the total Gross Floor Area and 25% of apartments provided) will be delivered as part of the development. These dwellings will be fully integrated within the building, with shared entries, lifts, and services to ensure inclusion and equal access for all residents. Following the 15-year period, Toohey Miller will retain ownership of these dwellings, which will revert to market-rate housing, consistent with State Environmental Planning Policy (Housing) 2021.
Pricing	
Questions about the target market for apartments and pricing.	The development will include a mix of 2–3 bedroom apartments to suit different life stages, including affordable homes for key workers such as health professionals, teachers, and emergency service personnel. Affordable housing will be rent-restricted, while market-rate pricing will be set based on market conditions. A registered Community Housing Provider (CHP) will manage the affordable apartments.
Noise impacts	
Requests for design mitigation to minimise noise impacts to neighbours.	The design incorporates acoustic treatments (e.g., glazing specification, façade detailing, plant acoustic enclosures, and internal layout planning) to minimise noise to adjoining properties and the public domain. Refer to the Design Report and Acoustic Report in the Environmental Impact Statement (EIS) for further information.

Feedback	Project Team Response
Privacy and view impacts	
Concerns were raised about privacy and view impacts for adjoining properties. Questions were also asked about how setbacks were determined, with confirmation sought that the proposal meets the Apartment Design Guidelines' minimum 9-metre setback	The design has been refined to manage privacy through window placement, screening, balcony orientation, and upper-level stepping. Setbacks have been determined with respect adjoining properties, lane conditions and heritage curtilage, and to respond to the relevant planning controls and consideration of the Apartment Design Guidelines. The design also incorporates upper-level stepping and façade articulation to mitigate perceived height and bulk. Refer to the Design Report and Visual Impact Assessment (VIA) in the EIS for further information.
Solar access and overshadowing	
Concerns expressed about overshadowing to neighbouring residences and to Barracks Reserve. Requests for detailed shadow analysis demonstrating how the proposal affects solar access to neighbouring residences.	Comprehensive shadow studies have been undertaken. The proposed development will not overshadow any neighbouring residential properties. There will be minor acceptable overshadowing to Victoria Barracks. Refer to the Architectural Drawings in the EIS, which include Shadow Diagrams, for more information.
Traffic and Parking	
Comments sought clarification on the justification for proposed parking provisions and the basis for parking ratios.	The proposal includes a below-ground car park to meet resident and retail storage needs on-site, reduce kerbside congestion, and prevent parking overflow into surrounding streets. Car parking requirements for residential components are set by the Housing SEPP. For other uses, such as visitor parking or non-residential spaces, where the SEPP does not specify rates, the Council's Development Control Plan (DCP) is used as a guide. While the DCP is not a statutory consideration for State Significant Development Applications (SSDAs), it provides useful benchmarks in the absence of specific requirements.
Concerns were raised about safety and structural risks of excavating underground, including impacts on surrounding buildings and trees.	The proposed basement depth is driven by requirements under the Housing SEPP for parking and associated services and storage. The Geotechnical Report and Site Hydrogeology Report includes further detail regarding detailed structural solutions to retain and support neighbouring properties. More details on management of potential impacts on surrounding trees can be found in the Arboricultural Impact Assessment.
Some participants raised concerns about traffic and parking congestion as a result of increased density.	A Transport and Accessibility Impact Assessment has been prepared to understand how the proposal may interact with the surrounding road network and this has shown minimal impact. The design includes basement parking for residents and visitors, which is intended to reduce pressure on on-street parking and manage traffic flow in the area. Refer to the Transport and Accessibility Impact Assessment for further details.
Heritage impacts	
Strong emphasis on respecting local character and protecting existing resident amenity, with calls for heritage integration through design and materiality and adherence to heritage controls.	The design response seeks to reinforce Oxford Street's heritage high-street character through vertical modulation, carefully selected materials including Sydney sandstone, and a ground floor shopfront that complements the existing character of Oxford Street. Refer to the Statement of Heritage Impact in the EIS for further information.

Feedback	Project Team Response
Landscaping	
Support for improved footpaths and more trees/shade, with native planting and seating also valued by local residents.	The project team welcome support for landscaping improvements with the design seeking to enable a high-quality public realm. For further details, refer to the Landscape Plan in the EIS.
Ground floor retail	
Books and stationery stores, along with homewares, are the most desired retail options, while many respondents favour food outlets or believe no additional retail is needed in the area.	The project team welcomes suggestions for retail tenancy. The proposal includes approximately three ground-floor retail tenancies to activate the Oxford Street frontage, contribute to street life, and enhance safety and amenity. Tenancy allocation will occur later, following assessment and approval of the proposal.
Airspace considerations	
Requests were made for confirmation on whether an Aviation Impact Assessment will be undertaken, including consideration of helicopter flight paths and maximum allowable building height. Concerns were raised that the proposed height could affect safe helicopter operations, particularly in relation to St Vincent's Hospital helipad and associated risks to critical health services.	Helicopter operations for St Vincent's Hospital occur at landing altitudes well above the proposed building height. The project is significantly below the Obstacle Limitation Surfaces for Sydney Airport, and an aviation report is not required for our application.
Waste management	
Requests for details on waste management plans, including truck movement timing, collection methods for narrow rear lanes, and compliance with council requirements.	These matters have been carefully considered as part of the planning process, and the Waste Management Plan included in the EIS provides comprehensive details on these aspects. The plan outlines strategies to ensure efficient collection, minimise disruption, and maintain compliance with all relevant council standards.
Construction	
Concerns were raised about potential construction impacts, including traffic congestion, noise, vibration, dust, and possible structural damage to nearby heritage homes.	Toohey Miller is committed to being a good neighbour throughout the construction phase, subject to approval. The Preliminary Construction Traffic Management Plan outlines details of the works and strategies to manage potential impacts, including mitigation measures for noise, vibration and dust. Further information is available in the Preliminary Construction Traffic Management Plan.
Questions about construction timeline and staging, particularly the timing of demolition.	Construction phases are subject to assessment and approvals, including works and procurement. Detailed information will be confirmed and communicated prior to commencement via construction notifications. Further interim details are available in the Preliminary Construction Traffic Management Plan.
Engagement process	
Concerns were raised that the online webinar format reduced transparency regarding community feedback and questions. Some participants felt that the project notification letter did not reach a broad enough catchment area.	Multiple channels were provided for community feedback, including the webinar, an online survey, email, and phone, to ensure people could provide input in the format that best suited them. The webinar was designed to accommodate a large audience and the Q&A was moderated to manage questions effectively. The letterbox drop was undertaken to surrounding properties within approximately 200 metres of the site, consistent with the State's guidelines <i>Undertaking Engagement Guidelines for State Significant Projects</i> for engaging those most directly impacted by the proposal.

Feedback	Project Team Response
Requests for more detailed information about the proposal and questions about why details of the proposal were updated on the website.	The proposal was evolving during the pre-lodgement engagement phase, as the purpose of this engagement was to gather community and stakeholder input to help shape the final plans. For this reason, full documentation was not available at that stage as details were being refined. Updates were shared as refinements were made to ensure transparency and keep the community informed throughout the process.
Questions about lodgement timing and requests for an extension beyond the 14-day exhibition period if exhibition occurs near the holiday season.	The exhibition period and the setting of the 14-day timeframe are managed by DPHI. The project team acknowledges concerns about the anticipated holiday-season timing and requests for an extension; however, exhibition periods are determined by the State and are outside the project team's control. Final lodgement of the application has occurred after the holiday season.
Residents sought guidance on how pre-lodgement feedback would be considered by the project team and options for submitting detailed feedback beyond the community survey.	Pre-lodgement feedback has been passed onto the project team to be considered as the design evolves. Further information about how the design responds to feedback is included in the Design Report in the Environmental Impact Statement.
Project need and cost	
Request for Estimated Development Cost (EDC) report.	The EDC report will be submitted as part of the State Significant Development Application (SSDA) and will be available during the upcoming public exhibition.

5.3 Engagement to be Carried Out

The project team are committed to ongoing community consultation following the submission of the EIS. This includes during the exhibition and assessment of the project and following a determination.

Following its submission, the DPHI will exhibit the EIS on the Major Projects NSW Website and invite submissions from government agencies and the public. Once the exhibition period is complete, the DPHI may require the applicant to prepare a Submissions Report in response to issues raised. The project team will continue to liaise with the DPHI and stakeholders during the proposal's assessment to address queries that may arise.

6.0 Assessment of Impacts

This section of the report assesses and responds to the environmental impacts of the proposed SSD. It addresses the matters for consideration set out in the SEARs dated (see **Appendix A**). The Mitigation Measures proposed to mitigate any environmental impacts are provided at **Appendix C** and complement the findings of this section.

6.1 Context, Built Form and Urban Design

6.1.1 Relationship with the surrounding urban context

The surrounding urban context and character of this section of Oxford Street, generally the portion between St Vincents Hospital and the National Art School to the west, and Centennial Park to the east is distinctive in its character and form, and exhibits the following urban qualities that have been used to inform the proposed development:

- The Oxford Street alignment follows the ridge line and watershed between Sydney Harbour and Botany Bay in a geometry made up of segmented straight sections, linking the city core with the coast. It was likely laid out by European colonists following earlier indigenous walking trails from east to west
- With European settlement, Oxford Street - occupying the elevated land - was an obvious place for early colonial infrastructure - the gaol, reservoir, military barracks, town hall, post office, hospital, schools, churches and later, the establishment of Centennial Park. These include the landmark Paddington Town Hall (c1891) whose 32m clock tower remains a dominant tall structure and demonstrates that buildings along the Oxford Street ridgeline are capable of holding taller buildings.
- The many corner pubs, shops and traditional inter-war apartment buildings also reinforce this pattern. 361- 379 Oxford Street Paddington (6 storeys) and 339 Oxford Street Paddington (8 storeys) are examples of similar-scale developments that punctuate the Oxford Street ridgeline at regular intervals.
- There are also many examples of more contemporary taller buildings pockmarking the greater Paddington area ranging from 8-12 storeys including: St Vincents Hospital (12 storeys), 339 Oxford Street Paddington (8 storeys); 36-42 Flinton Street Paddington (10 storeys); 176 Glenmore Road Paddington (10 storeys); 40 Stephen Street Paddington (9 storeys); and 13 Campbell Avenue Paddington (9 storeys).
- Thus, as a broad urban high street, Oxford Street has always been a place accommodating greater development intensity, height and density - and naturally has greater carrying capacity than the nearby narrow, winding Victorian streets often associated with the character of Paddington.
- Oxford Street achieves a distinctive, cohesive character despite a wide variety of different building scales and architectural styles - from Victorian to Inter-War and Art Deco.
- The northern side of Oxford Street is characterised by a much more continuous run of ground floor shops (interrupted by the site, which breaks this general pattern). In contrast, the southern side of Oxford Street tends to accommodate the public buildings and civic institutions - the University of NSW's College of Fine Arts, Victoria Barracks, Paddington Town Hall, the former reservoir, various schools, markets, churches and Centennial Park.
- The site is on the busier, weather-protected, pedestrian-friendly and more mercantile side of the street which lends itself to a higher intensity of development, including the need for some ground floor retail development.

The surrounding urban form and taller buildings both along the Oxford Street high street and ridgeline, and around the periphery of the Paddington HCA like the site, is shown in **Figure 27**. Additional photographs are provided in **Figures 3-4**.

In response to the surrounding urban context, the proposed development represents a contextually sensitive, responsive and high quality renewal of the site and the broader urban landscape by:

- Contributing to the renewal of this part of Oxford Street as a distinctive higher density urban high street and a defining element of greater Sydney's urban character, thereby enhancing the vitality and liveability of this important street.
- Making the expected contribution to the provision of infill affordable housing in a high amenity, accessible, inner-urban location as anticipated by Chapter 2 of SEPP Housing. The LMR and infill affordable housing reforms envisage a built form of 6-8 storeys in these highly accessible locations. The proposed height variation still presents with a six (6) storey base and a total of eight (8) storeys when viewed from the public domain and Oxford Street and is readily

capable of being absorbed into the surrounding context which includes buildings and heights of this scale in the locality.

- Marking a prominent corner location along Oxford Street, reinforcing the observable pattern of similar corner sites accommodating buildings of greater scale and with increased built form presence.
- Providing a strong, positive building address to the Oxford Street frontage and infilling the current gap/break in the ground floor activation of the street, by providing new ground floor retail premises.



Figure 27 Axonometric context aerial photograph (site outlined)

Source: Smart Design Studio

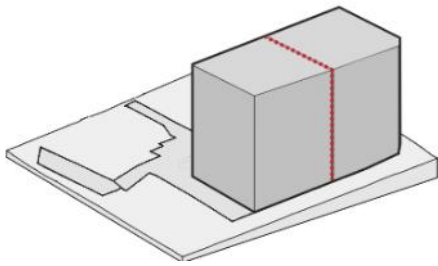
The analysis above demonstrates that the site can functionally and physically support the proposed development uplift in a manner that is consistent with the evolving built form character of the Paddington and Darlinghurst Town Centre. It appropriately balances the scale of existing surrounding development with the anticipated future urban form, ensuring that the proposal sits comfortably within the locality.

Overall, the proposed development seeks to deliver a built form outcome that provides a unique, high-quality contribution to Paddington, and one that is responsive to the site's unique opportunities and constraints. The design and layout of the proposed mixed-use development and public domain is a response to the features of the site and its evolving surroundings, as well as anticipates the future character of the Woollahra LGA which has the opportunity to undergo housing transformation with the introduction of the Low and Mid-rise and Infill Affordable housing provisions.

6.1.2 Bulk, scale and massing

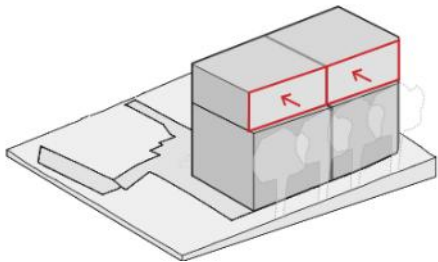
Smart Design Studio has undertaken extensive design testing, modelling and iterative analysis to fully understand the site's opportunities and constraints. This process has informed the final built form and urban design response, as detailed in the Architectural Design Report at **Appendix G**. The key design moves that ensure a strong, positive 'fit' within the locality to create a coherent and positive streetscape despite the increased scale and density of the proposal, are set out below. In particular, the northern and southern sides of the building have different design treatments as they have significantly different interfaces.

Key design moves for the southern façade facing Oxford Street



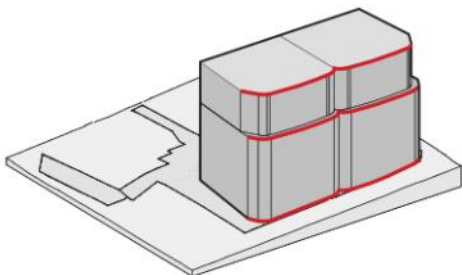
Dividing the form

The southern façade addressing Oxford Street is articulated as two distinct vertical elements that reinforce the central building entry and reduce the perceived bulk of the development.



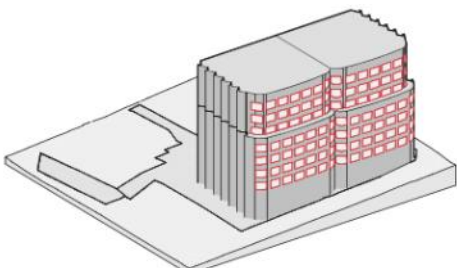
Upper storey setback

A five-storey street wall is built to the southern boundary and aligns with the height of the existing street trees along Oxford Street which will obscure views to the lower five storeys and thus mitigate perceived visual bulk. The upper three storeys are set back and incorporate a continuous terrace with integrated planters at Level 5, further diminishing the visual prominence of the upper levels.



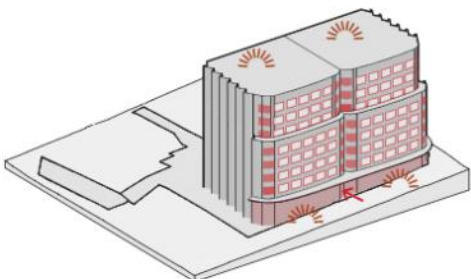
Shaping the form

The gently curved forms of the two façade elements soften the building's corner condition, particularly at Shadforth Street, and contribute to a refined streetscape presence.



Punched window openings

A punched window expression along this façade reflects the established heritage character of the Oxford Street streetscape and also introduces a highly articulated grid-like design that mitigates the perceived visual bulk.

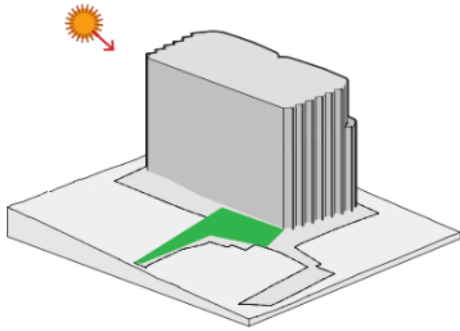


Building activation

Ground floor retail uses enhance the high-street retail precinct and provide activation to the public domain.

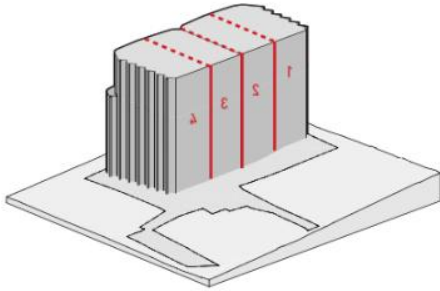
The rooftops facing Oxford Street are reserved for plant which is to be located furthest away from the surrounding residential receivers to the north.

Key design moves for the northern façade facing low density residential properties



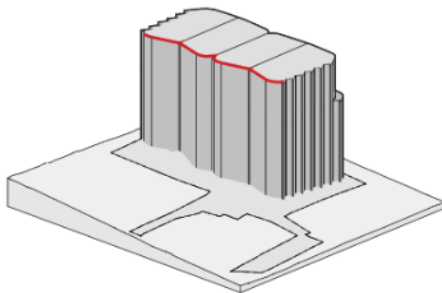
Northern setback, private and communal open space

The building envelope was set back generally in accordance with ADG building separation performance criteria, to provide landscaped open space with deep soil and enhance building separation and privacy. This is ideal to ensure solar access to communal open space areas. Living rooms and balconies are also oriented to the north, where possible, to maximise solar access. Deep soil areas allow planting of tall trees to soften the northern façade, facilitate transitions in scale, and manage visual privacy.



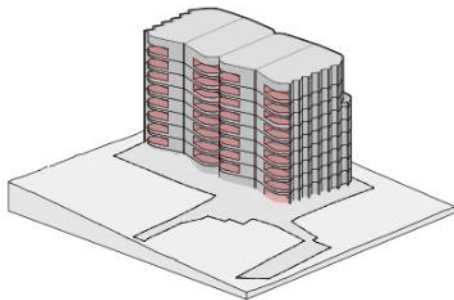
Divide the form

The northern façade is divided into four distinct vertical components that express the internal apartment configuration and further break down the scale of the building.



Sculpting the form

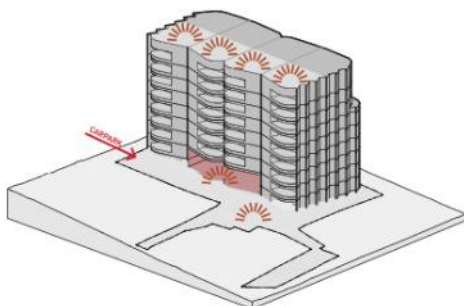
Each component of the divided form incorporates sculptural curved balconies that intersect with angled walls and are mirrored across the façade, creating a cohesive and dynamic architectural language.



Recessed balconies

Recessed balconies, together with solid balustrades and spandrel panels, provide effective privacy screening to neighbouring properties while balancing access to views and outlook.

The articulation of balconies generates depth, shade and a strong horizontal rhythm, contributing to a visually rich and well-modulated façade.



Building activation

Communal open spaces on the ground floor facing the north are proposed to be activated with a pool area and landscaped spaces to improve amenity.

Provision of trafficable rooftops facing the north takes advantage of opportunities for solar access to private open space.

The rooftop terraces that are appropriately set back from the roof edge to minimise visual impact.

Design approach for the side elevations

The east and west side facades comprise a vertical expression of angled, solid blades or 'gills' with glazed openings between the blades. These blades reinforce an oblique view from the apartments out towards the northeast and northwest, away from adjacent sites that have unfulfilled development potential. In particular, this mitigates visual privacy impacts to the west, and ensures that future development west of the site is not compromised. These blades also promote improved residential amenity by controlling solar access. They block the hot summer morning and afternoon sun, whilst encouraging winter sun into the apartments. The blades also add visual interest and verticality to reduce the visual bulk of the building.

Conclusion

The analysis above demonstrates that the proposed development represents a contextually sensitive, responsive and high quality renewal of the site and the broader urban landscape. The proposed design responds sensitively to its urban context, which differs between the high street quality of Oxford Street and the northern elevation which takes advantage of northern sunlight while ensuring sufficient building separation is required.

6.1.3 Building Setbacks

Building setbacks have been carefully designed to respond to the established streetscape and character of the area. The development generally provides a setback of approximately nine metres to the northern boundary and six metres to the western boundary, with nil to minimal setbacks to the eastern boundary along Shadforth Street and the southern boundary along Oxford Street, reinforcing the urban street edge and activating the Oxford Street frontage. An upper level setback of 1.65m from Level 5 is proposed, aligning with the height of existing street trees and reducing the perceived bulk and scale when viewed from the public domain. Building separation matters that are related to building setbacks are discussed in **Section 6.2.3**.

6.1.4 Building Height

The maximum building height under the Housing SEPP is 28.6m, derived from adding the 30% infill affordable housing bonus to the LMR inner area height of 22m under section 180 the Housing SEPP. The height plane has been established by extrapolating the heights at various points along the site boundary. The maximum building height proposed is 30.8m-32.6m, owing primarily to rooftop plant, rooftop amenity structures and stairway overruns that cannot be seen from Oxford Street adjacent to the site, though the highest point of the building parapet is 30.8m which exceeds the limit by 2.2m. The extent of the proposed height variation is shown in **Figure 28**.

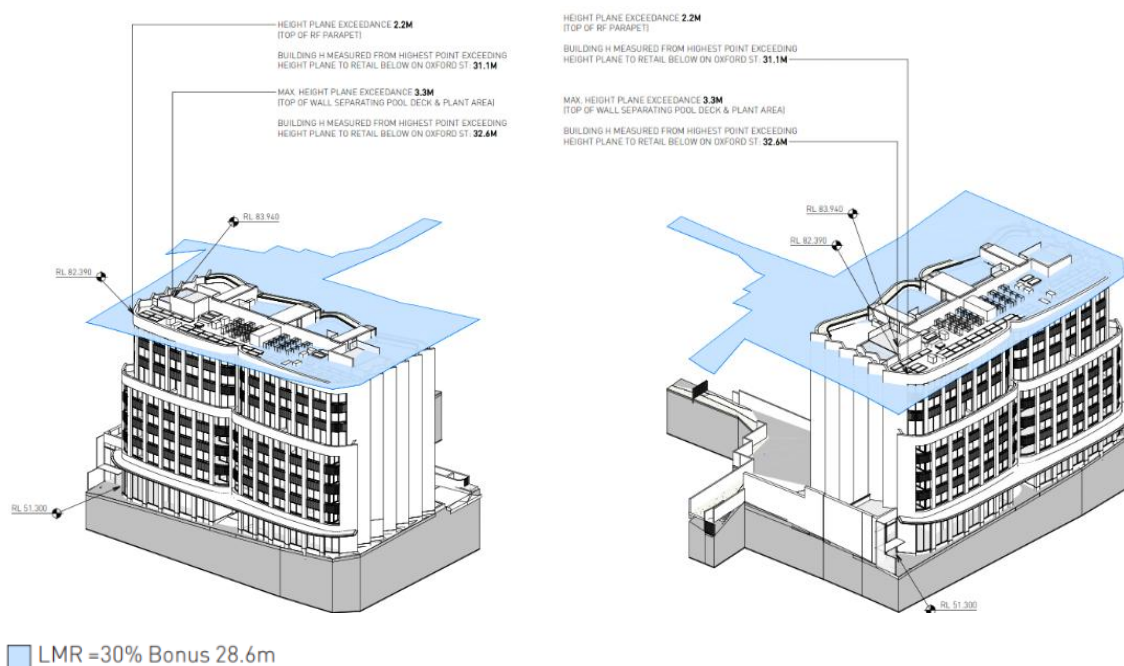


Figure 28 3D axonometric of the maximum 22m (LMR) + Affordable Housing bonus (blue) and height exceedance (view from south east – right, view from south west – right)

Source: Smart Design Studio

A Clause 4.6 Variation Request (**Appendix X**) has been prepared, which demonstrates that, notwithstanding variation to each of the above-mentioned height-related development standards,;

- The proposal meets the objectives of the Housing SEPP, including the LMR and Affordable Housing chapters, by enabling the delivery of 10 affordable dwellings and allowing the site to achieve the density envisaged under the combined affordable housing bonus and LMR provisions (being eight storeys when including infill affordable housing bonuses).
- Strict compliance with the height standard would result in reduced affordable housing provision and reduced provision of housing supply with vastly improved amenity than existing dwellings on the site, thereby thwarting the underlying objective of section 16(3) to facilitate provision of affordable housing.
- The development exceeds a variety of ADG amenity criteria notwithstanding the proposed variation, delivering generous landscaped area, deep soil zones, high-quality communal open space, and strong solar access and ventilation outcomes and therefore continues to provide high amenity outcomes notwithstanding the variation from the height controls.
- The height variation does not result in a building height that is incompatible with the existing and the desired future character of the surrounding area, noting the planning controls that now apply to the site, and the existing 8+ storey built forms that punctuate Greater Paddington, especially along the Oxford Street ridgeline. The proposal (and height variation) has also been sympathetically designed to respond to the surrounding heritage context through use of sandstone materiality and articulation of the built form.
- The height variation does not compromise the Proposal's alignment with the expected environmental capacity of the site established by the LMR and infill affordable planning controls that now apply to the site, as the proposal complies with the maximum 2.86:1 FSR for the site established by the LMR and infill affordable.
- The proposed development is consistent with Section 3 (Principals of the Policy) in the Housing SEPP and the objectives of Chapter 6 Low and Mid Rise Housing, notwithstanding the proposed variation.
- The development (inclusive of height variation) provides an appropriate transition in scale, particular to the R2 Low Density Residential zone to the north, through setbacks and built form/façade articulation.
- Local amenity is protected, with acceptable overshadowing outcomes, no loss of views, no unreasonable visual intrusion from the height variation. Privacy impacts from the height variation are mitigated through setbacks, solid balustrades, considered window placement and landscaping.
- The site is one of two potential realistic LMR housing inner area and infill affordable housing development sites in Paddington. Therefore, this proposed development meaningfully contributes to the desired density targets and reducing the proposed height would undermine the objectives of housing supply in this area and hence undermine the objectives of the LMR and infill affordable housing height controls.

There are sufficient environmental planning grounds to justify the height variation, including:

- Strict compliance with the height control would result in an inferior streetscape presentation, due the placement of mass and the site's topography in a fully compliant scheme. The proposed height variation facilitates a superior urban design outcome, avoiding the visually discordant "stepping" that would occur under strict compliance with the height control. Instead, the height variation facilitates a cohesive street wall that aligns with the established and desired future character of Oxford Street.
- The proposed height variation facilitates improved residential amenity in relation to rooftop amenity and landscaping compared to a compliant scheme.
- The LMR and infill affordable housing reforms envisage a built form of 6-8 storeys in these highly accessible locations. The proposed height variation still presents with a six (6) storey base and a total of eight (8) storeys when viewed from the public domain and Oxford Street and is readily capable of being absorbed into the surrounding context which includes buildings and heights of this scale in the locality.
- Strict compliance with the height control to respond to sloped topography from the ground level would reduce retail activation, amenity of communal spaces and efficiency of construction (which is an important consideration in terms of speed to market of housing facilitated under the NSW planning reforms).
- The proposed height variation has partially arisen as ground floor retail is provided, without the benefit of the infill affordable housing bonus being added to the LMR inner area maximum height of 24m for shop top housing development (as the proposal is technically not categorised as shop top housing). This is because non-residential development on the entire ground floor of the development is an inappropriate response to the site context which

benefits from residential areas at the ground floor facing north to take advantage of the ground floor communal open space. Full compliance with the height would undermine the delivery of this ground plane activation outcome.

- The proposed height variation does not result in any unacceptable additional amenity impacts compared to a compliant scheme, including impacts in relation to overshadowing, views, privacy, heritage interface and visual impacts.
- The proposed height variation does not result in any additional visual impact or urban design impacts compared to a compliant scheme.
- The proposed height variation does not result in any additional heritage impacts compared to a compliant scheme.
- The proposed height variation will support a more coherent built form, enhance residential amenity, supporting housing supply, and delivering a high-quality long-term contribution to the streetscape.
- The proposed height variation results in a level rooftop, which promotes the most efficient layout of mechanical plant and solar panels, which contributes to maximising the ESD outcomes of the proposed development.
- The proposed development, inclusive of the variation, will promote the orderly and efficient use of land, good design and the social welfare of the community in accordance with the objects of the EP&A Act as assessed and demonstrated in this Clause 4.6 variation.
- The degree of the technical non-compliance is not, in isolation, a material consideration as to whether the variation request should be upheld. Notwithstanding, the degree of the proposed height variation is comparable, if not less than the wide range of commonplace numerical variation to development standards under clause 4.6.

In light of the above, the consent authority can be satisfied that there is sufficient justification for the variation to the height development standard under the Housing SEPP, as proposed in accordance with the flexibility allowed under Clause 4.6 of the WLEP 2014.

6.1.5 Density and FSR

The proposed development envisages a well-considered floor space configuration to accommodate a range of land uses and appropriately address the context of the site and surrounds. The maximum permitted FSR on the site is 2.86:1 (by adding the 30% infill affordable housing bonus to the LMR housing inner area FSR of 2.2:1) which equates to a maximum GFA of 5,785m². The proposed FSR is equivalent to the maximum GFA of 5,785m².

This GFA is considered appropriate to accommodate the proposed mix of uses on the site. It is consistent with the density envisioned for the site in accordance with the strategic planning framework (**Section 3.1**), particularly the State governments affordable housing delivery objectives. The density is responsive to the site's environmental constraints and the evolving Woollahra locality as discussed throughout the EIS. As well, the floor space allocation ensures optimal use of available land to deliver a vibrant mixed-use development high quality residential accommodation that will meet the growing demand for housing in Woollahra and introduce new and improved amenity housing supply to the area.

6.2 Environmental Amenity

6.2.1 Overshadowing

Overshadowing to residential properties

There are no residential properties that are impacted by overshadowing by the proposed development. Any incremental overshadowing to properties occurs only on the roof of 170-174 Oxford Street and 178 Oxford Street which are commercial/retail developments along Oxford Street, and the Victoria Barracks.

Overshadowing to the Oxford Street Reserve

The acceptability of the proposal's overshadowing of the Oxford Reserve open space has been determined by reference to Control 3.1.4(3) of the Sydney Development Control Plan 2012, which specifies more than 50% of public open space areas to receive sunlight for at least 4 hours between 9am-3pm on the winter solstice. Whilst it is noted that DCPs do not apply to SSDs and this DCP applies to the adjoining City of Sydney LGA, the control has been chosen as guidance to assess the proposed development and as the affected receiver property is within the City of Sydney LGA.

Noting that the total area of Oxford Reserve adjacent to the site is 4,106m², **Figure 29** shows that between 9am and 3pm, at least 3,381m² (79%) of Oxford Reserve receives sunlight each hour (that is the worst case). Therefore, even though overshadowing generated by the infill affordable housing bonus results in some shadows falling onto Oxford Reserve, the majority of Oxford Reserve continues to receive sunlight in exceed of the City of Sydney DCP control.





SHADOW LEGEND

- EXISTING SHADOWS
- ADDITIONAL SHADOWS BY THE PROPOSED MASSING (FOR THE LMR HEIGHT - MAX HEIGHT 22M)
- ADDITIONAL SHADOWS BY THE PROPOSED MASSING (FOR THE LMR + 30% AFFORDABLE HOUSING BONUS HEIGHT - MAX HEIGHT 28.6M)
- ADDITIONAL SHADOWS BY THE PROPOSED MASSING (EXCEEDING 28.6M LMR + 30% AFFORDABLE HOUSING BONUS HEIGHT)

Figure 29 Proposed overshadowing to Oxford Reserve

Source: Smart Design Studio

Overshadowing to the Victoria Barracks

The shadow diagrams show that the façade of the buildings within the Victoria Barracks would be overshadowed between 9am and 10am by a development under the LMR 22m height controls. Overshadowing generated by the infill affordable housing height bonus is limited to up an hour from 10am, and it is likely that those shadows would already fall within the shadows cast by the trees along the southern side of Oxford Street. Based on an understanding that the buildings overshadowed are not used for residential purposes, this is considered to be an acceptable outcome.

There is no overshadowing of the Queens Gate or the adjacent VB2 Gate House which have higher heritage significance.

6.2.2 Residential Amenity

The proposed development has been designed to provide all dwellings with a high quality of internal amenity and outlook. As outlined in the Design Verification Statement prepared by Smart Design Studio (**Appendix A**), the proposal has been designed in accordance with the nine principles outlined in Chapter 4 of the Housing SEPP. Smart Design Studio has also prepared a table assessing the proposal against the design guidance of the ADG (**Appendix F**).

The ADG accompanies Chapter 4 of the Housing SEPP and the underlying purpose of the ADG is to provide guidance for the development of new apartment buildings, specifically in relation to achieving the design principles set out in the Housing SEPP. Of particular relevance to the assessment of development applications is Parts 3 and 4 of the ADG. Within these parts are a number of objectives, containing a range of Design Criteria and Design Guidance principles.

Where provided, Design Criteria are the first step in ensuring consistency with an objective. Essentially, if a proposal numerically complies with the criteria, it automatically achieves the objective. There is an acknowledgment in the ADG that rigid numerical controls (the criteria) are not always able to be achieved. As such, a set of Design Guidance principles are provided as a starting point for an alternative solution to achieve the objective. The guidance principles are assessed on merit and importantly are not intended to be an exhaustive list of alternative solutions of achieving consistency with the objective.

The ADG reinforces the validity in this method of implementation by stating:

“The design criteria set a clear measurable benchmark for how the objective can be practically achieved. If it is not possible to satisfy the design criteria, applications must demonstrate what other design responses are used to achieve the objective and the design guidance be used to assist in this.”

The Department of Planning and Environment’s publication ‘Better Apartment Design Frequently Asked Questions’ (June 2015) also reinforces this method of implementation:

“It may not be possible in all instances to satisfy the design criteria in the Guide, so it gives designers the flexibility to innovate and demonstrate they will achieve the same result with a different approach.”

Of particular note for residential amenity, the proposal achieves the minimum recommended 70% of apartments receiving solar access for a minimum of 2 hours at the June solstice (85% achieved), as recommended by Objective 4A-1, and also achieves 78% of all apartments receiving natural cross ventilation (ADG recommendation: 60%), as recommended by Objective 4B-3. Additionally, as has been discussed throughout this EIS, building setbacks have been informed by the ADG and the proposal has aligned with the minimum visual privacy requirements recommended by Objective 3F-1. As such, it is clear that the proposal achieves alignment with the objectives of the ADG which ensures a high level of residential amenity.

Notwithstanding the above, an alternative solution is proposed for a minor number of objectives where strict numerical compliance with the performance criteria is unable to be achieved due to the constraints of the site. An assessment of the proposal’s consistency with the Design Criteria of the ADG is provided in **Table 17** below **Appendix F**, and elements that warrant further consideration in respect of amenity are discussed in relevant sections of this EIS.

Table 17 Consistency with the NSW ADG Design Criteria

Objectives and Design Criteria	Consistency
Part 3 Siting the Development	
3D Communal and Public Open Space	
<i>Objective</i> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	✓
<i>Design Criteria</i> Communal open space has a minimum area equal to 25% of the site	✓

Objectives and Design Criteria			Consistency
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter)			✓ The principal usable part of the communal open space receives solar access from 9am – 12.30pm.
3E Deep Soil Zones			
Objective			✓
Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.			
Design Criteria			✓
Deep soil zones are to meet the following minimum requirements:			The proposed development provides for approximately 440m ² (19%) of deep soil area.
Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)	
Less than 650m ²	-	7%	
650m ² – 1,500m ²	3m		
Greater than 1,500m ²	6m		
Greater than 1,500m ² with significant existing tree cover	6m		
3F Visual Privacy			
Objective			✓
Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.			
Design Criteria			Alternate solution proposed to some side boundary interfaces. See discussion in Section 6.2.3.
Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:			
Building Height	Habitable rooms and balconies	Non-habitable rooms	
Up to 12m (4 storeys)	6m	3m	
Up to 25m (5-8 storeys)	9m	4.5m	
Over 25m (9+ storeys)	12m	6m	
3K Bicycle and Car Parking			
Objective			✓
Car Parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas			
Design Criteria			✓
For development in the following locations:			The proposed car parking is provision is consistent with the
• on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or			

Objectives and Design Criteria		Consistency
on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street.		minimum car parking rates for affordable and non-affordable dwellings under section 19 of the Housing SEPP. Visitor parking is provided in accordance with the Guide to Traffic Generating Developments, as the Housing SEPP does not stipulate visitor car parking rates.
Part 4 Designing the Buildings		
4A Solar and Daylight access		
<i>Objective</i> To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space		✓
<i>Design Criteria</i> Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.		✓
A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.		85% (34/40 Apartments)
A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.		✓
4B Natural Ventilation		
<i>Objective</i> The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents		✓
<i>Design Criteria</i> At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.		✓
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.		78% (31/40 Apartments)
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.		✓
4C Ceiling Height		
<i>Objective</i> Ceiling height achieves sufficient natural ventilation and daylight access		✓
<i>Design Criteria</i> Measured from finished floor level to finished ceiling level, minimum ceiling heights are:		✓
Minimum ceiling height		3.2m floor to ceiling height has been provided thereby able to achieve 2.7 floor to ceiling heights for habitable rooms.
Habitable rooms	2.7m	
Non-habitable	2.4m	
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	

Objectives and Design Criteria		Consistency
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	
If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use	
These minimums do not preclude higher ceilings if desired.		
4D Apartment Size and Layout		
<i>Objective</i>		✓
The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity		
<i>Design Criteria</i>		✓
Apartments are required to have the following minimum internal areas:		
Apartment Type	Minimum internal area	
Studio	35m ²	
1 bedroom	50m ²	
2 bedroom	70m ²	
3 bedroom	90m ²	
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m ² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m ² each.		
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.		✓
<i>Objective</i>		✓
Environmental performance of the apartment is maximised		
<i>Design Criteria</i>		✓
Habitable room depths are limited to a maximum of 2.5 x the ceiling height.		
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.		✓
<i>Objective</i>		✓
Apartment layouts are designed to accommodate a variety of household activities and needs		
<i>Design Criteria</i>		✓
Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).		
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).		✓
Living rooms or combined living/dining rooms have a minimum width of:		✓
- 3.6m for studio and 1 bedroom apartments - 4m for 2 and 3 bedroom apartments		
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.		✓
4E Private Open Space and Balconies		
<i>Objectives</i>		✓
Apartments provide appropriately sized private open space and balconies to enhance residential amenity		
<i>Design Criteria</i>		

Objectives and Design Criteria			Consistency
All apartments are required to have primary balconies as follows:			
Dwelling Type	Minimum Area	Minimum depth	✓
Studio apartment	4m ²	-	
1 bedroom apartment	8m ²	2m	
2 bedroom apartment	10m ²	2m	
3+ bedroom apartment	12m ²	2.4m	
The minimum balcony depth to be counted as contributing to the balcony area is 1m.			
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m.			✓
4F Common Circulation and Spaces			
Objective			✓
Common circulation spaces achieve good amenity and properly service the number of apartments			
Design Criteria			✓
The maximum number of apartments off a circulation core on a single level is eight.			
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.			✓
4G Storage			
Objective			✓
Adequate, well designed storage is provided in each apartment			
Design Criteria			✓
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:			
Dwelling Type	Minimum Area		
Studio apartment	4m ²		
1 bedroom apartment	6m ²		
2 bedroom apartment	8m ²		
3+ bedroom apartment	10m ²		
At least 50% of the required storage is to be located within the apartment.			

6.2.3 Visual privacy

Part 3F of the ADG outlines minimum separation distances to be shared equally between neighbouring sites, in order to achieve reasonable levels of external and internal visual privacy. The proposed boundary setback distances are shown in **Figure 30** and the proposed building separation distances are shown in **Figure 31**. They are assessed below, with proposed visual privacy mitigation strategies where the ADG design guidance is not met.

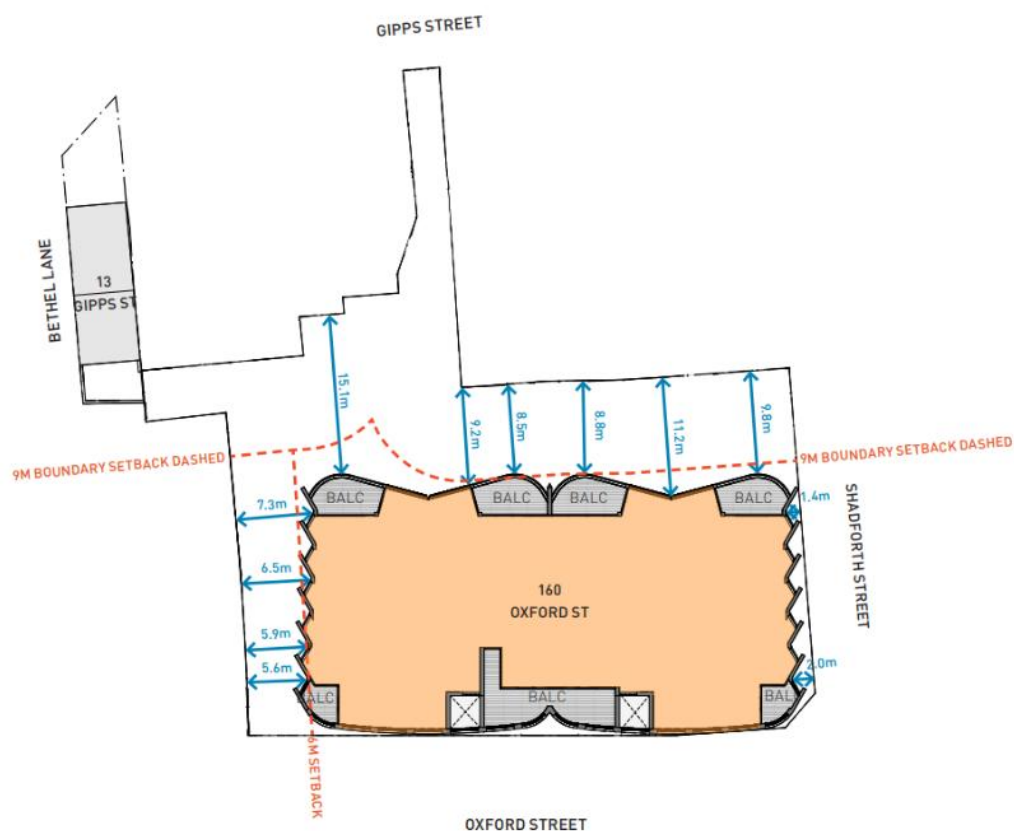


Figure 30 Proposed building setback distances to the site boundary

Source: Smart Design Studio

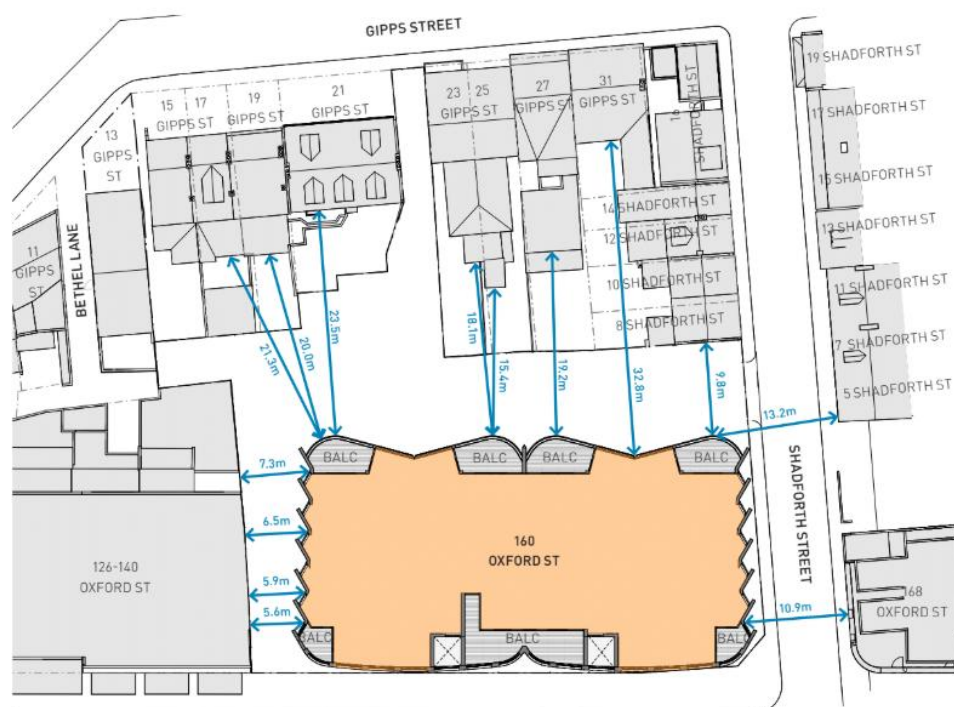


Figure 31 Proposed building separation distances to adjacent residential buildings

Source: Smart Design Studio

Interface with residential dwellings to the north

As the proposed development is eight storeys high, 9m of building separation is recommended from the site boundary to the north from Levels 4-7. The proposed separation ranges from 8.5m to 15.2m, largely owing to the curved façade expression. A stepped façade is not proposed to avoid a ziggurat appearance. This specifically improves visual privacy outcomes on the first four storeys which have the highest potential to generate direct overlooking impacts. In reality, some, if not all of the building separation shortfall is accounted for by the depth of the solid balcony balustrades which are not accessible. Thus, the minor inconsistencies will not result in materially different visual privacy outcomes from a scheme that achieves strict consistency with the ADG recommended building separation.

Notwithstanding, the following additional design measures further mitigate potential visual privacy impacts to the north:

- Balcony balustrades have been designed with solid upstands, providing an effective visual screen to limit downward and outward overlooking. This solid lower balustrade treatment enhances privacy for both residents and neighbours by obstructing direct lines of sight between elevated balconies.
- Upper-level living rooms are situated behind balconies to further restrict the potential for overlooking onto the properties to the north, noting solid balustrades are proposed.
- Visual privacy between the lower-level residents' living rooms and balconies and the neighbouring properties is achieved through a combination of existing mature trees on adjoining sites and supplementary landscaping and trees within the site. The substantial green buffer reduces direct lines of sight. Together the existing landscape context and the new vegetation ensure a softened interface, improving privacy for both residents and neighbours without relying on built screening elements or boundary walls.
- Rooftop terraces have solid balustrades and are setback from the building parapet by planters to prevent overlooking onto neighbouring properties to the north

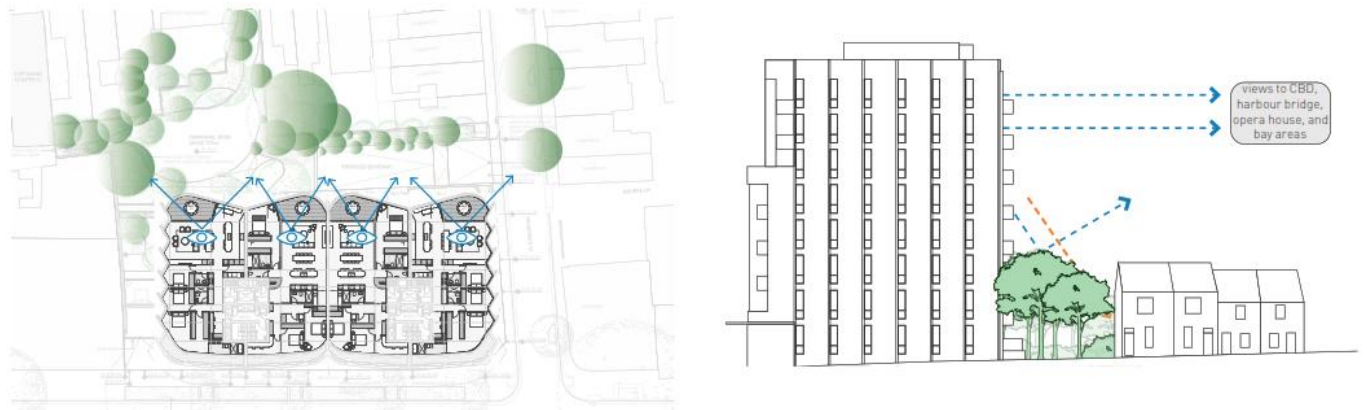


Figure 32 Diagram showing design measures for the lower levels to promote visual privacy to the north

Source: Smart Design Studio



Figure 33 Diagram showing design measures for the upper levels to promote visual privacy to the north

Source: Smart Design Studio

Interface with property to the west

126-140 Oxford Street can be redeveloped under the LMR housing inner area 22m height controls. As such, the proposed development has sought to ensure that future development on the adjacent site is not compromised, while balancing residential amenity outcomes for the proposed development, that is to avoid a blank wall treatment to the west.

As the proposed development is eight storeys high, 6m of building separation is recommended by the ADG from the site boundary to the west on the first four storeys, and 9m is required on the top four storeys. The proposed separation ranges from 5.4m to 6.1m, which is generally consistent with the ADG's minimum building separation for the first four storeys. The ADG discourages buildings with a ziggurat form. Therefore, angled facades using gills are proposed as an alternative means of achieving the Objective 3F of the ADG to achieve reasonable levels of external and internal visual privacy. As shown in **Figure 34**, the angled facades direct views to the north-west, away from the adjacent site. This would mitigate the potential for overlooking impacts to the adjacent site if it were to be redeveloped to a similar height.



Figure 34 Diagram showing design measures for the eastern and western elevations (2 bedroom apartments shaded in orange, 3 bedroom apartments shaded in blue)

Source: Smart Design Studio

6.2.4 Affordable Housing

The amenity of the affordable housing dwellings is maximised as follows, noting that the amenity of affordable housing dwellings is a merit consideration that is not based on any statutory metrics:

- There is no separation between entries, lifts or communal open space areas between the affordable and market apartments. This facilitates an equitable experience for all residents and promotes social cohesion.
- 70% of affordable apartments are naturally cross ventilated.
- 70% of affordable apartments achieve two hours of direct sunlight during mid-winter, when including the hours of 7:30am-9:30am. This is a superior outcome to the traditional metric of solar access between 9am-3pm, because residents of affordable housing in this area are likely to be health workers or teachers, who would often be working away from home during the hours of 9am to 3pm. Provision of early morning sun facilitates amenity when more workers are likely to still be at home. It is noted that maximising provision of solar access to the apartments during 9am-3pm is constrained due to the north-west orientation of the building and resulting long southern façade, on which single-aspect south-facing apartments ordinary cannot be avoided.

6.2.5 Amenity of Bethel Lane

This section is in response to the SEARs cover letter, which requests the following:

- Demonstrate that any proposed pedestrian access from the site to Bethel Lane would have minimal amenity impact (visual and acoustic privacy, private open space area etc) on the existing dwellings at 13 Gipps Street or that resultant impacts would be suitably mitigated

Bethel Lane is proposed to be a secondary residential pedestrian access point. Therefore, it will be less frequented than the access off Oxford Street.

13 Gipps Street is accessed from Bethel Lane. Its private open space is located in a courtyard at the northern end of the lot alongside Gipps Street. Provision of secondary pedestrian access to the site will only require demolition of the existing garage of 13 Gipps Street (area to be demolished shown in red outline in **Figure 35**). It will not change or affect any of the private open space area of 13 Gipps Street. **Figure 35** also shows that the windows at the rear of 13 Gipps Street are reasonably high and opaque and therefore are not highly sensitive to visual privacy issues.

Regarding acoustic privacy, Koikas Acoustics has considered the potential impacts to acoustic privacy within the Noise and Vibration Impact Assessment (**Appendix Y**). Based on a conservative estimate of up to 20 pedestrians using the Bethel Lane entrance in the most affected 15-minute period, assuming that 50% of the pedestrians are talking with normal vocal effort, Koikas Acoustics has found that the noise levels at the most affected residential receiver, 13 Gipps Street, would be 36 dB(A), which is below the project noise trigger level for 13 Gipps Street. The project noise trigger level sets a maximum dB(A) of short term noise that is considered to be acceptable.

Safety will be maintained at the Bethel Lane entrance through the provision of a locked access gate accessible only by swipecard access, lighting, and CCTV.

Therefore, there are no anticipated amenity impacts relating to the Bethel Lane secondary access point that require any further specific mitigation measures.



Figure 35 Photograph of the rear of 13 Gipps Street, location of new secondary pedestrian access it outlined in red

Source: Toohey Miller edited by Colliers Urban Planning

6.2.6 Amenity relating to use of pedestrian access to Gipps Street

This section is in response to the SEARs cover letter, which requests the following:

- Provide details of the proposed uses/activities within the battle-axe handle between 21 and 23 Gipps Street and address any resultant amenity impacts on the neighbouring low-density residential zoned properties due to the proposed intensification of activities at this location.

The Gipps Street pedestrian access is proposed to be a secondary residential pedestrian access point. Therefore, it will be less frequented than the access off Oxford Street. As vehicles will no longer be able to use an access driveway in this location, the proposal does not intensify the use in this location, noting that cars are generally louder than pedestrians and can generate vehicle-pedestrian conflict.

The landscaped design of this pedestrian access path is comprised of a narrow stone path and shrubs. There is no seating or meeting areas along this path. This mitigates potential for amenity impacts such as noise.

Regarding acoustic privacy, Koikas Acoustics has considered the potential impacts to acoustic privacy. Based on a conservative estimate of up to 20 pedestrians using the Gipps Street entrance in the most affected 15-minute period, assuming that 50% of the pedestrians are talking with normal vocal effort, Koikas Acoustics has found that the noise levels at the most affected residential receiver, being the upper level windows of 21 and 23 Gipps Street, would be 36 dB(A), which is below the project noise trigger level for 21 and 23 Gipps Street. The project noise trigger level sets a maximum dB(A) of short term noise that is considered to be acceptable. Moreover, it is unlikely that pedestrians using the Gipps Street access point would be louder than cars that currently use the Gipps Street driveway.

Safety will be maintained at the Bethel Lane entrance through the provision of a locked access gate accessible only by swipecard access, lighting, and CCTV.

Therefore, there are no anticipated amenity impacts relating to the Gipps Street secondary access point that require specific mitigation measures.

6.3 Visual Impact Assessment

A comprehensive Visual Impact Assessment (VIA) (**Appendix U**) has been prepared by Colliers Urban Planning. Based on the planning framework, the key issues to be considered by the VIA are:

- **Context and urban form:** responsiveness to context, and compatibility with urban form.
- **Character:** responsiveness to existing valued visual characteristics and consistency with desired future visual character.
- **View corridors:** impact on important public view corridors.
- **Scale:** height and bulk of buildings.
- **Amenity:** impact on visual amenity, in particular public domain visual amenity.

The VIA has been undertaken generally in accordance with the principles of the 'Guidelines for Landscape and Visual Impact Assessment – Third Edition' (GLVIA3) (Landscape Institute; I.E.M.A., 2013), as adjusted to better align with the NSW planning system under the Environmental Planning and Assessment Act 1979 (EP&A Act). To inform the VIA, photos showing the existing visual environment and survey aligned photomontages showing the likely future visual environment prepared in accordance with the Land and Environment Court of NSW 'Use of Photomontages and Visualisation Tools' (17 May 2024) were prepared for five key viewpoints representing key aspects of the pattern of viewing in the surrounding primary visual catchment.

As noted by the Land and Environment Court of New South Wales in *Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013] NSWLEC 1046* (Rose Bay), the key to addressing this challenge is to adopt a rigorous methodology. With reference to its purpose, the method used by the VIA prepared by Colliers Urban Planning involves the following key steps:

- Identifying the projects likely visual impacts
 - **Visual analysis:** undertaking visual analysis.
 - **Survey aligned photomontages:** preparing an evidence base of survey aligned photomontages.
 - **Significance of visual impact:** assessing the significance of the project's likely visual impact.
- Determining the acceptability of the projects likely visual impacts
 - **Consistency with the planning framework:** assessing the consistency of the project's likely visual impact against relevant parts of the planning framework.

6.3.1 Visual catchment and viewpoints assessed

The primary visual catchment includes Oxford Street, abutting local roads, and adjoining residential areas.

The general pattern of viewing in the primary visual catchment can be considered to be travellers and pedestrians on Oxford Street in the close to medium range to the east and west of the site, local residents in the surrounding area in the close and medium range to the north of the site, and visitors to the Victoria Barracks in the close and medium range to the south of the site.

In addition, the WDCP 2015 identifies a range of significant views and view corridors within proximity of the subject site, specially along Shadforth Street and Glenmore Road, looking south toward the Victoria Barracks.

On this basis, locations were selected that represent relevant viewing locations from the specific locations likely to be affected. Seven (7) public domain views were selected from key locations (see **Figure 36**), and the assessed significance of visual impact is summarised below.



Figure 36 Key Public Viewpoints (view cone shown)

Source: Virtual Ideas

6.3.2 Likely visual impacts

The likely visual impacts are summarised in **Table 18**.

Table 18 Summary of photomontages and likely visual impacts

Photo of existing view		Photomontage of proposed view	
Viewpoint 1 – Oxford Street (southern footpath at Glenmore Road intersection)			
			
Description of proposed view: • Visible behind the existing Oxford Street street trees the proposed built form is visually comparable with the existing canopy line in this view. Mostly visually screened by the existing street trees, the visible upper levels visual prominence is further reduced by the proposed upper-level setback. • The architectural detailing and muted sandstone material palette is visually consistent with the surrounding built environment including the Victoria Barracks.			
Sensitivity of viewpoint: High		Magnitude of change: Considerable	
		Significance of change: High	

Photo of existing view

Photomontage of proposed view

Viewpoint 2 – Oxford Street (southern footpath near Victoria Barracks main entrance gate)



Description of proposed view:

- The proposed built form is generally visually consistent with the existing urban setting of this view.
- The lower levels of the proposed development are visually screened by the existing street trees within the Oxford Street public realm. In addition, the proposed upper-level setback of the southern façade responds to the existing canopy line of the street trees, further minimising the visual prominence of the built form.
- The architectural detailing and muted sandstone material palette is visually consistent with the surrounding built environment including the Victoria Barracks to the south (not visible in this view).

Sensitivity of viewpoint: High

Magnitude of change: Considerable

Significance of change: High

Viewpoint 3 – Shadforth Street (eastern footpath near corner of Gipps Street)



Description of proposed view:

- The lower levels of the proposed development are screened by existing development along Shadforth Street.
- The upper portion of the proposed southern façade is visible in the background above existing built form and is partially visually screened by streetscape vegetation.
- The modulated approach to the proposed development including strong horizontal elements, in addition to the proposed architectural detailing and muted sandstone material palette is visually consistent with the surrounding built environment.

Sensitivity of viewpoint: Medium

Magnitude of change: Considerable

Significance of change: Moderate

Photo of existing view

Photomontage of proposed view

Viewpoint 4 – Glenmore Road (north-west footpath near corner of Hopewell Lane)



Description of proposed view:

- The lower levels of the proposed development are screened by existing development along Glenmore Road.
- The upper portion of the narrow western façade is visible in the background above existing built form and is generally visually consistent with the existing urban context of this view.
- The use of architectural detailing and a muted sandstone materials palette is consistent with the surrounding built context minimising visual prominence.

Sensitivity of viewpoint: Medium

Magnitude of change: Considerable

Significance of change: Moderate

Viewpoint 5 – Shadforth Street (eastern footpath near Bourke Lane)



Description of proposed view:

- The lower levels of the proposed development are visible in the immediate streetscape and are built to boundary, forming an urban edge to the key corner site.
- Partially screened by existing streetscape vegetation, the proposals eastern interfaces' architectural detailing and muted sandstone material palette is visually consistent with the Victoria Barracks heritage site visible in the background of this view. The proposed planter boxes along the street edge soften the public realm interface.
- The Victoria Barracks sandstone perimeter wall and internal buildings remain visible in the background along Oxford Street.

Sensitivity of viewpoint: Medium

Magnitude of change: Dominant

Significance of change: High

Photo of existing view

Photomontage of proposed view

Viewpoint 6 – Mary Place (western footpath)



Description of proposed view:

- The lower and middle levels and the eastern portion of the proposed development are visually screened by existing development along the eastern side of Mary Place.
- A portion of the upper levels of the western and northern facades are visible in the background above existing roof forms and is generally visually consistent with the existing urban setting of this view.
- The architectural detailing including horizontal forms and use of a muted sandstone materials palette is consistent with the existing built context along Mary Place, minimising visual prominence

Sensitivity of viewpoint: Medium

Magnitude of change: Considerable

Significance of change: Moderate

Viewpoint 7: Liverpool Street (corner of Walker Lane)



Description of proposed view:

- The lower levels of the proposed development are screened by existing development along Liverpool Street.
- A portion of the upper levels of the proposed northern façade is visible in the background above existing built form and is partially visually screened by streetscape vegetation.
- The modulated approach to the proposed development including strong horizontal elements, in addition to the proposed architectural detailing and muted sandstone material palette is visually consistent with the surrounding built environment, minimising visual prominence from this view.

Sensitivity of viewpoint: Medium

Magnitude of change: Considerable

Significance of change: Moderate

6.3.3 Consideration of key issues and consistency with the planning framework

Context and urban form

The proposal is consistent with development expectations of the Low and Mid-Rise Housing Policy and Infill Affordable Housing provisions, given the proximity of the site to goods and services. The building height of up to eight storeys allows the site to accommodate housing density close to a Town Centre and reinforces the objectives of the LMR and Infill Affordable Housing Policy of encouraging a diversity of housing options available to the community.

The interface with Victoria Barracks to the south of Oxford Street is carefully managed through podium design, upper-level front setback along Oxford Street, architectural articulation and a considered materials and colour palette.

When considered in context of the broader Paddington Heritage Conversation Area the proposal reinforces the legibility of urban form at the street level and strengthens urban structure along the Oxford Street interface.

Visual character

Given the location within close proximity to the Darlinghurst Paddington Town Centre and the identification of the site as being appropriate to accommodate a Low and Mid-Rise housing outcome, the visual character of the site and its immediate interfaces are evolving. Noting this changing future character, the proposed development is also consistent with more fine grain visual character aspects of the area.

View corridors

The WDCP 2015 identifies a range of significant views and view corridors within proximity of the subject site, specially along Shadforth Street and Glenmore Road, looking south toward the Victoria Barracks. The proposed development does not obstruct views along north-south local streets to the Victoria Barracks.

Scale

It is acknowledged that the building height (in part) is greater than the 28.6m height allowance under the LMR Housing SEPP and Infill Affordable Housing height bonus. An upper-level front setback above the fifth storey along the southern interface, responds to the canopy line of the existing street trees on the northern side of Oxford Street. The scale of the proposed development contributes to the physical definition of Oxford Street as a key road corridor and the proposed height variation does not undermine this aim.

Visual amenity

The proposed development has been designed to mitigate visual impacts through architectural articulation, colours and materials palette, boundary setbacks (western and northern boundary) and upper-level front setback and inclusion of planting at upper levels.

6.3.4 Conclusion

The VIA has found that primary design measures related to siting, scale, form and massing, and design adequately mitigate the visual impact of the proposed development, while acknowledging that the proposal will have a visual impact. However, overall on the balance of relevant considerations including the expected built form on this site under the gazetted planning controls, the visual impact is considered acceptable, the proposal has incorporated appropriate design features and distribution of bulk and scale to manage visual impacts, and no additional primary mitigation measures are required.

6.4 Environmental Heritage

6.4.1 Heritage Impact

A Statement of Heritage Impact has been prepared by GBA Heritage (**Appendix K**) that evaluates the proposed development's impact on the following heritage items and heritage conservation areas:

- Paddington HCA.
- Rose and Crown Hotel (local heritage item).
- Victoria Barracks, including the following Commonwealth heritage items:
 - Building VB2 Guard House,
 - Victoria Barracks Perimeter Wall and Gates, and
 - The Victoria Barracks Precinct.

A summary of the heritage impact on each of the above is provided in the following sections.

Heritage impacts on Paddington HCA

The locality statement of a neighbourhood also informs the desired future character of the neighbourhood. As discussed in earlier sections, the Paddington Heritage Conservation Area (HCA) locality statement in the WDCP 2015, states that:

Paddington retains many significant types of buildings that represent all phases of the suburb's historical development. These building types range from modest, small-scale, single storey timber and masonry cottages, to remnant examples of former gentry mansions, boom style middle-class terrace houses, apartment blocks and contemporary infill development, all of which are set in a varied network of streets, lanes and pedestrian accessways which reflect the phases of subdivision and development.

Given that the existing character of the Paddington HCA contains contemporary infill development and apartment blocks and the statement that Paddington retains those types of developments, the proposed residential flat building that reflects those building types would be consistent with the retention of those types of developments.

The proposed development is located in a section of the Paddington HCA that has low heritage sensitivity along Oxford Street. This is because all buildings between 122 - 168 Oxford Street were constructed after WWII and are non-significant elements in the HCA.

All existing structures on the site are intrusive buildings in the HCA. The existing buildings on the site are intrusive because they are built outside the key periods of development, set-back from the front boundary line in contrast to typical contributory development, use contemporary materials that do not reflect the prevailing materiality in the HCA, and in addition for 160 Oxford Street, do not align with the subdivision pattern and built form of the street.

Therefore, the proposal will replace seven intrusive buildings along Oxford Street with a high-quality, architecturally designed building that will have a positive impact on the architectural character of this high street. The proposed building has a well-balanced massing to Oxford Street including an upper-level setback that aligns with the height of the large trees on Oxford Street. The proposed sandstone materiality will have a soft visual character that responds to the prevailing sandstone materiality in the HCA. The sides of the building include blades and gills which introduce verticality into those facades to reduce visual bulk and scale.

The rear of the development also responds to the lower density part of the HCA to the north through an approximate setback of 9m, which is more than required by the ADG for the first four storeys, breaking up of the façade into four vertical and angled elements. Setback of roof terraces, and generous landscaping including tall trees that will soften the presentation of the proposed building and create privacy to the north. Specifically, GBA Heritage have concluded that the proposed landscape design has been carefully designed to have an acceptable heritage impact.

GBA heritage have undertaken an assessment of the visual impacts of the proposal on the HCA. They note that while there may be changes in some views, there are degrees of visual impacts depending on how much a view is changed, and this assessment also considers the significance of the view and heritage setting.

In summary, GBA Heritage have concluded that the proposal will have an overall acceptable impact on views to and from, and the setting of the HCA along Oxford Street and will have an acceptable heritage impact for the following reasons:

- No significant views to the north side of Oxford Street will be obstructed or adversely altered, as the majority of the built form will be obscured by the large mature trees adjacent to the site on Oxford Street (see **Figures 37-38**).
- The subject site is neighboured by post-WWII structures on either side along Oxford Street. The development will not visually overwhelm any significant neighbouring structures.
- The nearest significant and contributory building along Oxford Street is 3/168 Oxford Street, which is approximately 21.5 metres to the east, including Shadforth Street. The visual impact of the development to this structure will be limited.
- The urban character of Paddington to the north of Oxford Street is one of a network of narrow streets with development to or near the front boundary line. This allows for only a narrow skyline in most places, with broader views available at intersections. The proposed development will have a moderate and acceptable impact on the setting of the HCA as the web of streets north of Oxford Street and dense development will obscure views of the development from most locations.
- Views from the edge of the HCA are generally to the south, away from the proposed development. The proposed development will not be visible in these views, and the degree of change can be assumed to be little, resulting in a Negligible impact.
- The Statement of Significance for the HCA makes no reference to its setting. Given that conservation areas have significance as a group of buildings, the setting is considered to make a Moderate contribution to significance. Combined with a Moderate degree of change, the impact will be Minor.



Figure 37 Surveyed photomontage of the site
(arrow shows location of the proposed development)



Figure 38 Surveyed photomontage of the proposed development shown to be largely obscured by existing mature trees

Source: GBA Heritage

Heritage impacts on the Rose and Crown Hotel

The potential heritage impacts on the Rose and Crown Hotel are limited to views to and from the Hotel. The proposed development will not obstruct or adversely alter any significant views to the Rose and Crown Hotel.

GBA Heritage note that the proposed development will be visible from the Rose and Crown Hotel, particularly from the first floor balcony. However, views from the Rose and Crown Hotel are not mentioned in the heritage listing and thus GBA Heritage consider those views to have low significance. The proposed development will appear as a background element when viewed from the Rose and Crown Hotel. As the heritage listing for the Rose and Crown Hotel does not mention its setting, GBA Heritage have concluded that the visual impact on the Rose and Crown Hotel from a heritage perspective is negligible, and therefore acceptable.

Heritage impacts on the Victoria Barracks

GBA Heritage have concluded that the proposed development will have an acceptable heritage impact on the Victoria Barracks, for the following reasons:

- GBA Heritage has reviewed all previous heritage assessments of the subject listed Barrack's structures in the vicinity. None of those previous heritage assessments identify the clear, undeveloped views from within the Barracks as significant. Surrounding tall buildings, such as the six (6) storey Block F of the University of NSW Art and Design School is already visible from within the Barracks, and thus the proposal will not disrupt any existing sense of

isolation. While the visual engagement between the Victoria Barracks and Paddington township has significance, GBA Heritage has determined that the proposal will have an acceptable impact.

- No views to the subject listed parts of the Victoria Barracks will be negatively impacted by the proposed development.
- While the proposed development will overshadow the perimeter wall and Buildings 95 and 96 during the morning of the winter months, they are already overshadowed by the adjacent trees in the Oxford Street Reserve. As the buildings have little visibility from within the Barracks and from the public domain, GBA Heritage have concluded that the minor overshadowing will have an acceptable heritage impact. Moreover, GBA Heritage note that Buildings 95 and 96 may not be included in any Commonwealth heritage listing of the Barracks and its elements and thus are less sensitive to impacts than other parts of the Victoria Barracks.

In addition, GBA Heritage has undertaken an EPBC Self-Assessment (**Appendix II**) and concluded that the proposed development will not have a significant impact on the Commonwealth Heritage Listed items within the Victoria Barracks and therefore should not be a controlled action under the EPBC Act, for the following reasons:

- No items listed in the Commonwealth heritage list will be physically affected by the proposed action.
- Overshadowing from the proposed action is limited to a minor part of the Victoria Barracks for a few hours for a short period over the winter. Much of the impacted area is already overshadowed by tall mature trees inside and adjacent the Barracks site. The impact of the proposal on the perimeter wall and Buildings 95 and 96 will be Minor in scope.
- A visual analysis within the EPBC Self-Assessment demonstrates that the proposed action will have limited visibility from within the Victoria Barracks site. Views of the proposed action will be largely obscured by existing tall, mature trees within and outside the Barracks site. The proposed action does not negatively impact the significance of the setting as set out in the established summary statements of significance for the Commonwealth heritage items in the vicinity. The impact on the setting of the relevant heritage items will be Minor in scope.
- Strategies to avoid the minor heritage impacts are not economically reasonable or warranted.
- The proposed building will not have a significant impact on any Commonwealth Heritage Items in the vicinity.

Conclusion

Overall, the proposal has incorporated a sensitive and responsive architectural design that enables it to sit comfortably within the surrounding heritage context. GBA Heritage have concluded that the proposal is acceptable from a heritage perspective, and that no additional mitigation measures are required.

6.4.2 Archaeology

An Archaeology Assessment has been undertaken by Extent and is included in **Appendix M**.

The Archaeological Assessment (**Appendix M**) confirms that the site was historically part of an 8-acre grant to the Australian Subscription Library and subsequently subdivided. Since then, the site has undergone several phases of demolition and reconstruction across all lots. The existing structures on the site as well as associated landscaping and surfacing were all constructed between 1961 and 1986. Importantly, the construction and demolition techniques, modern machinery, and methods of off-site disposal employed during this period typically have a destructive effect on any archaeological remains that have otherwise survived.

Extent have found that the archaeological potential of the site primarily relates to residential features associated with the increasing working-class population of Paddington across the late nineteenth and early twentieth centuries.

Extent have determined that there are four (4) predominant phases that are relevant to the assessment of the archaeological significance of the site including:

- Phase 1: Early subdivision and the establishment of Paddington village (1840-1860);
- Phase 2: Municipality of Paddington and intensification (1860-1900);
- Phase 3: Commercial and industrial use (1900-1960); and
- Phase 4: Late twentieth century residences (1960-present).

The key findings relating to Phases 1-3 are discussed below:

- Phase 1 - Early subdivision and the establishment of Paddington village (1840-1860): Extent have identified that there is low and low-moderate archaeological potential from Phase 1. While archaeological features and structural material of local significance may survive in pockets where existing impacts are minimal, archaeological material from this phase may not meet the threshold for significance if it is heavily decontextualised and lacks intra-site coherence.
- Phase 2 - Municipality of Paddington and intensification (1860-1900): Extent have identified that there is low and low-moderate archaeological potential from Phase 2. There is low and moderate potential for archaeology of local significance to survive from this phase which may survive in small areas where historical impacts have been minimal. Typically, the complexity of the archaeology from this period in high density urban environments can elevate its research potential despite some disturbance and decontextualization. However, archaeological material from this phase may not meet the threshold for significance if it is heavily decontextualised and lacks intra-site coherence.
- Phase 3 - Commercial and industrial use (1900-1960): Extent have identified that there is moderate-high potential for remains from this phase to survive in the lane off Gipps Street because of the robust nature of the structures from this period. Elsewhere, the archaeological potential for this phase is Low-Moderate. However, standardisation of construction methods and improvements in sanitation during this period typically negatively select against the creation of archaeology with research potential. Extent have concluded that archaeological material from this period is unlikely to meet the threshold for significance despite its high chance of survival.

Based on the above, Extent have recommended that an archaeological impact statement should be prepared for the site prior to construction. If the archaeological impact statement concludes that impacts to potential archaeology cannot be avoided, Extent have recommended that an archaeological research design (ARD) should be prepared that maximises the research potential of the archaeological resource, which is likely fragmented and lacks unifying stratigraphic relationships across the site. These recommendations are included as mitigation measures in **Appendix C**.

6.4.3 Aboriginal Heritage

An Aboriginal Heritage Due Diligence Assessment has been prepared by Extent and is attached at **Appendix L**. The Woollahra LGA was traditionally occupied by the Birrabirragal People.

A search of the Aboriginal Heritage Information Management System (AHIMS) was conducted on the 6 August 2025 and found that there are fifty-one (51) registered Aboriginal sites within the 6 km x 4 km search area centred on the study area. There are no registered Aboriginal sites within the study area. Accordingly, the most common site feature recorded for the fifty-one (51) sites are Potential Archaeological Deposits (PAD) at 61%, followed by Artefact sites at 22%.

In addition, a desktop review of geological mapping was conducted and identified that the underlying geology through which the study area runs has been mapped as the Wianamatta Group, comprising shale, carbonaceous claystone, claystone, laminate, fine to medium grained lithic sandstone, rare coal and tuff, specifically, the older Middle Triassic (247 to 242 million years ago) Hawkesbury Sandstone which underlies the Wianamatta Group.

Importantly, no Aboriginal objects or places as defined by the *National Parks and Wildlife Act 1974* are located within the study area. Therefore, an Aboriginal Heritage Impact approval is not currently required for the proposed works. As well, there are currently no places within the study area included on the National, Commonwealth or World lists under the EPBC Act and there are no known Declarations under the ATSIHPA in relation to the study area.

Prior to any construction works, an Aboriginal Heritage Impact Permit (AHIP) will be obtained to allow for the impacts to six identified sites (AHIMS #52-2-4992 to #52-2-4997), in accordance with Section 90 of the *NSW National Parks and Wildlife Act 1974*. Further, in order to mitigate any additional harm, the artefacts recovered from these sites should be reburied in an area within the study boundary that will not be subject to future disturbance. Additionally, ongoing engagement will continue to inform the Aboriginal stakeholders regarding the management of Aboriginal cultural heritage within the study area throughout the completion of the residential and shop development.

6.5 Traffic and Transport Impacts

A Traffic Impact and Parking Assessment has been prepared by Verga Traffic (**Appendix R**) and details the proposed development's access, parking and servicing arrangements as well as providing an assessment of the proposal's traffic impacts.

6.5.1 Traffic Impacts

Varga Traffic have assessed the traffic impacts by determining the difference between existing and proposed traffic generation based on rates within the Guide to Transport Impact Assessment (TfNSW, 2024) and assessing the difference within the context of the existing traffic conditions, and through intersection modelling.

Existing Traffic Conditions

The existing vehicle movements along Oxford Street, Shadforth and Gipps Street are as follows:

- 1,480-1,670 vehicles per hour during the AM and PM peak hours along the two-way traffic flows in Oxford Street;
- 35-70 vehicle trips per hour during the AM and PM peak hours along the two-way traffic flows in Shadforth Street; and
- 10-25 vehicle trips per hour during the AM and PM peak hours along the two-way traffic flows in Gipps Street.

Existing Traffic Generation

It should be noted that for the existing development on site, the Guide to Transport Impact Assessment (2024) provides average weekday peak hour traffic generation rates for low-density residential dwellings in Sydney areas, as follows:

- 0.68 vehicle trips per hour per unit during the AM peak hour; and
- 0.77 vehicle trips per hour per unit during the PM peak hour.

Proposed Traffic Generation

The Guide to Transport Impact Assessment (2024) provides average weekday peak hour traffic generation rates for high-density residential dwellings in Sydney areas, as follows:

- 0.19 vehicle trips per hour per dwelling during the AM peak hour; and
- 0.15 vehicle trips per hour per dwelling during the PM peak hour.

Varga Traffic have noted that the TfNSW Guide does not nominate a traffic generation rate for small, local shops, referring only to major regional shopping centres incorporating supermarkets and department stores. Accordingly, Verga's assessment has nominated the traffic generation in the TfNSW Guide for offices, adopted in respect of the shop component of the development proposal:

Based on the above, the trip generation of the proposed development is:

- Residential Component (40 apartments):
 - 7.6 vehicle trips per hour per unit during the AM peak hour; and
 - 6.0 vehicle trips per hour per unit during the PM peak hour.
- Shop Component:
 - 2.7 vehicle trips per hour per unit during the AM peak hour; and
 - 1.9 vehicle trips per hour per unit during the PM peak hour.

Accordingly, Varga Traffic have determined that the total traffic generation in the AM peak period would be 10.3 vehicle trips per hour in the AM peak hour and 7.9 vehicle trips per hour in the PM peak hour.

Traffic impacts

In comparison to the existing development traffic generation this results in a net increase of 1.6 vehicle trips per hour in the AM peak hour and 0.1 vehicle trips per hour in the PM peak hour. Varga Traffic conclude that these differences in traffic generation are not considered to have a significant impact on the road network and will not cause undue strain on the existing local road network.

This is supported by SIDRA intersection modelling. Varga Traffic have assessed the impact of any additional traffic flows on the operational performance of the nearby road network, by modelling the performance of the two most impacted intersections, being Oxford Street and Shadforth Street, and Shadforth Street and Gipps Street.

Varga Traffic have found that all intersections will continue to operate at the same *Levels of Service "A"* as the existing scenarios, with negligible (less than 1 second), if any, increases in average vehicle and pedestrian movement delays as a consequence of the development proposal.

Therefore, the surrounding road network will continue to operate at satisfactory *Levels of Service "A"*, and that the proposed development will not result in any unacceptable traffic implications in terms of road network capacity.

6.5.2 Vehicle Access and Servicing

The existing battle-axe driveway along the Gipps Street site frontage and an entry/exit driveway located off the Shadforth Street will be removed and replaced with one (1) vehicular access via one (1) driveway entry from Shadforth Street, which provides direct access to the four (4) level basement car park for Building A and B. As aforementioned, the driveway will provide a controlled two-way ramped entrance to the shared four (4) level carpark spanned across the entirety of the site.

A dedicated loading dock is provided in basement level 1, adjacent to the bin holding room. Varga Traffic have prepared swept path analyses, and confirm that the basement design, clearance heights and loading dock can accommodate the following vehicles:

- B99 vans used for loading and servicing of the shops.
- A SRV mini rear loader vehicle (2.08m in height, 6.4m in length and 1.7m in width) for waste servicing directly from the loading dock. A letter from Waste Clear is appended to the TIA confirming that the SRV mini rear loader vehicle is suitable and available for waste servicing on the site.

Varga Traffic have confirmed that the proposed access and internal design arrangements comply with the relevant requirements specified in the Standards Australia AS2890, and all vehicles expected to used on the site (up to 6.4m SRV) can enter and exit the site safely in a forward direction. As shown in the swept path analysis in **Appendix R**, vehicles can adequately circulate within the basement levels of the car park, including simultaneous entry and exit from the circulation ramps for a B85 vehicle passing a B99 vehicle.

6.5.3 Car Parking

As the development provides in-fill affordable housing in accordance with the Housing SEPP, the off-street parking rates applicable to the development proposal for affordable and non-affordable apartments are specified in section 19 of the Housing SEPP.

The Housing does not specify off-street parking rates for visitors, therefore, to ensure adequate off-street parking is available for visitors to the development, the TfNSW Guide to Transport Impact Assessment (TfNSW Guide) rate of 1 visitor space per 5 dwellings for residential flat buildings has been adopted.

It should be noted that the Housing SEPP takes precedence over the WDCP 2015. Moreover, Development Control Plans are not a matter for consideration in the assessment of SSDAs by virtue of Section 2.10 of the Planning Systems SEPP.

Notwithstanding, the Council's DCP 2015 document is considered for guidance for non-residential, bicycle and motorcycle off-street parking requirements which are not specifically addressed in the Housing SEPP.

Finally, as the existing garage associated with the residential dwelling at 13 Gipps Street is proposed to be demolished as outlined in the development proposal, off-street car parking provision for the existing residential dwelling at 13 Gipps Street is proposed to be maintained via a new car space in the proposed basement parking area. 13 Gipps Street will have a right of access into the basement.

In summary, the proposed car parking provision for the scheme is set out below in **Table 19** demonstrating that car parking provision is in accordance with the applicable Housing SEPP and TfNSW Guide rates for infill affordable housing SSDAs, is therefore adequate and acceptable.

Table 19 Minimum car parking requirements

Use	Rate	Quantum	Minimum Required Parking Provision	Proposed Parking Provision
Affordable dwellings (Housing SEPP)	2-bedroom dwellings	6 dwellings	3 spaces	
	0.5 spaces / dwelling			
	3-bedroom dwellings	4 dwellings	4 spaces	
	1 space / dwelling			
Non-affordable dwellings (Housing SEPP)	2-bedroom dwellings	7 dwellings	7 spaces	
	1 space / dwelling			
	3-bedroom dwellings	23 dwellings	34.5 spaces	
	1.5 spaces / dwelling			
Sub-total – residential apartment parking			48.5 spaces	68 spaces
Existing dwelling at 13 Gipps Street	Maintain status quo of 1 space	1 dwelling	1 space	1 space
Visitor parking (TfNSW Guide)	1 space / 5 dwellings	40 dwellings	8 spaces	8 spaces
Shops (DCP)	3.3 spaces / 100m ²	159m ²	5.3 spaces	6 spaces
Total			62.8 spaces	83 spaces

6.5.4 Motorcycle and Bicycle Parking

Based on the development metrics, the WDCP 2015 would specify the proposal to provide 47 bicycle parking spaces and eight motorcycle parking spaces. The Proposed development provides 51 bicycle parking spaces and eight motorcycle parking spaces, which complies with the WDCP 2015. Refer to the TIA for detailed calculations.

6.5.5 Construction Traffic Management

A Preliminary Construction Traffic Management Plan (CTMP) has been prepared by Varga Traffic and sets out the proposed construction traffic management measures based on standard construction hours and an indicative timeline of development comprised of three months for demolition, five months for excavation, and 18 months for construction. A mitigation measure requiring preparation of a detailed CTMP based on this Preliminary CTMP is included in the consolidated mitigation measures at **Appendix C**.

Construction traffic impacts

Key measures related to loading and construction vehicle travel paths include:

- During the demolition and bulk excavation phases, all loading and unloading associated with construction activity will be accommodated on site where possible and would travel to the site using Oxford Street, Glenmore Road, Liverpool Street and Shadforth Street, noting this phase is limited to approximately eight months. Vehicles would leave the site using Shadforth Street to turn onto Oxford Street.
- During the final excavation, concrete pour and construction stages, as the future basement/building footprint will largely be built to the front and side boundaries, loading take place from a proposed 37m works zone on the Oxford Street kerbside area (subject to approval by the Local Traffic Committee). Use of the proposed work zone on weekdays will be limited to 7am to 4pm, to avoid conflicts with the PM bus lane. Heavy construction vehicles will enter and leave the works zone via Oxford Street. Medium Rigid Vehicles may enter the site from Shadforth Street, via Glenmore Road and Liverpool Street.

Key measures to minimise impacts on neighbours include:

- All neighbouring properties are to have their access maintained at all times. All nearby residents, businesses and construction sites will be updated at key construction stages with respect to the construction process, particularly in relation to construction vehicles movements, and be provided with a phone number to contact the site manager.

- The developer/builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority.

A B-Class hoarding is proposed to be erected over the public footpath on Oxford Street, allowing the Oxford Street footpath to remain accessible.

Construction parking

In relation to construction parking, staff will be encouraged to carpool and utilise public transport which will minimise traffic and parking impacts as a consequence of the construction process. It is noted that there are frequent bus services that run along Oxford Street.

Should construction workers need to drive to the site, the site manager will ensure that there is adequate on-site parking available for employee, tradesperson and construction vehicles, where practical, though street parking may be required at various stages of construction. Parking will also be provided in the basement car parking area as soon as is practicable.

6.6 Noise and Vibration Impacts

A Noise and Vibration Impact Assessment (NVIA) has been prepared by Koikas Acoustics (**Appendix Y**) and assesses a wide range of acoustic considerations including construction noise and vibration, noise emissions from mechanical plant, noise intrusion from traffic noise, acoustic performance of inter-tenancy partitions, and noise impacts from traffic generated by the proposed development.

6.6.1 Noise Emissions

The NVIA has identified the following nearest sensitive receivers listed below in **Table 20** and illustrated in **Figure 39**, at which cumulative noise emissions from mechanical plant and people talking in communal open spaces (assumed to be 10 people on the ground floor and 50% talking during daytime and evening) acoustic impacts have been assessed.

Table 20 *Surrounding Sensitive Noise Receivers*

Number	Location	Assessment Location
Residential Receiver 1:	13 Gipps Street, Paddington	Level 1 window
Residential Receiver 2:	17 Gipps Street, Paddington	Level 1 window
Residential Receiver 3:	27 Gipps Street, Paddington	Level 1 window
Residential Receiver 4:	8 Shadforth Steet, Paddington	Level 1 window
Residential Receiver 5:	5 Shadforth Street, Paddington	Level 1 window
Commercial Receiver 1:	168 Oxford Street, Paddington	Ground level
Commercial Receiver 2:	138 Oxford Street, Paddington	Ground level



Figure 39 *Surrounding Sensitive Noise Receivers*

Source: Koikas Acoustics

Based on a worst case analysis of all residential air conditioning condensers which is unlikely, Koikas Acoustics has determined that the estimated noise emissions will be below established project noise criteria at all the sensitive receivers, subject to the following mitigation measures which are set out in **Appendix C**:

- All mechanical plant supply and exhaust points are located on the southern edge of the roof.
- Loud fans, such as the car park exhaust and supply fans, are located in the basement and have appropriate duct lining for a minimum of five metres.

6.6.2 Traffic Noise Intrusion

As Oxford Street is a busy main road, Koikas Acoustics have calculated the maximum external noise levels at the new building façade facing Oxford Street, factoring in a 2% per annum increase in traffic volumes over the next ten (10) years. Based on these noise levels, Koikas Acoustics have determined that the following noise reductions would be required to achieve consistency with the target indoor noise levels set by the Transport and Infrastructure SEPP and the NSW Department of Planning – Development Near Rail Corridor and Busy Roads, Interim Guidelines (DNRCBR):

- Up to 35 dB noise reduction required for bedrooms facing Oxford Street.
- Up to 32 dB noise reduction required for living areas facing Oxford Street.
- Up to 18 dB noise reduction required for the ground level shops.

Consequently, the NVIA contains recommended minimum acoustic ratings for window/glazed door systems, framing and seals to achieve those indoor target noise levels, which is a requirement reflected in the proposed mitigation measures at **Appendix C**.

In addition, Koikas Acoustics have concluded that bedrooms and living areas along the Oxford Street façade will need to have windows and doors closed to achieve the indoor target noise levels. Therefore, the natural ventilation for those rooms has been designed with an alternative natural ventilation system, being a fresh air ventilation system designed by Goldfish & Bray (see diagram at **Figure 40**). Koikas Acoustics has concluded that this system will provide alternative natural ventilation to the bedrooms and living areas along the Oxford Street façade while allowing the internal noise level targets to be met. This is included in the mitigation measures at **Appendix C**.

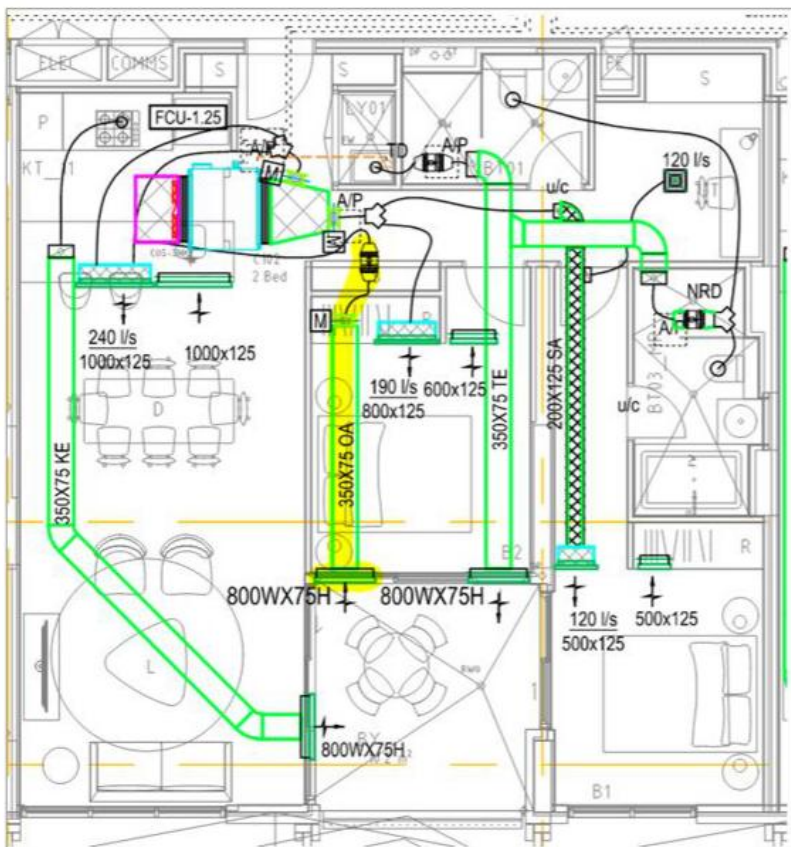


Figure 40 Diagram of proposed ventilation design

Source: Koikas Acoustics, Goldfish & Bray

6.6.3 Intertenancy Partitions

The NVIA includes recommended intertenancy partition specifications, and specifications of soil, waste and water supply pipes, to ensure that the applicable acoustic performance requirements are achieved. These are included in the mitigation measures at **Appendix C**.

6.6.4 Noise impacts from on-road vehicle noise

Koikas Acoustics has determined that the established net increase of 1.6 vehicles per hour during the peak periods is statistically insignificant and does not warrant further detailed acoustic assessment.

6.6.5 Construction Noise

Koikas Acoustics has identified and modelled the expected construction noise levels at the nearest affected receivers from construction noise (properties sharing a boundary with the site along Oxford Street, the southern side of Gipps Street and the western side of Shadforth Street, as well as properties on the eastern side of Shadforth Street). The calculated worst-case construction noise levels are summarised in **Table 21** (refer to **Appendix Y** for detailed calculations), noting that the calculation do not consider screening from existing boundary fences or hoardings erected during construction, and that these levels would be intermittent depending on the type of equipment used. Hoardings up to 1.8m high may reduce noise impacts by up to 5 dB.

Table 21 *Estimated construction noise levels*

Project Phase	Noise Management Level for adjoining receivers with shared boundary	Highest Construction Noise Level for adjoining receivers with shared boundary	Noise Management Level for nearby receivers across Shadforth Street	Highest Construction Noise Level for nearby receivers across Shadforth Street
Demolition	68 dB	83 dB	54 dB	81 dB
Excavation		80 dB		78 dB
Construction		83 dB		81 dB

As a result, the NVIA contains general construction noise control measures that will be incorporated into a detailed Construction Noise Management Plan prior to commencement of works. In summary these include:

- Neighbour notifications.
- Standard construction hours as defined in the Interim Construction Noise Guidelines:
 - 7am to 6pm Mondays to Fridays
 - 8am to 1pm Saturdays
 - No work on Sundays and public holidays.
- Avoiding extended period of continuous vibration-generating work.
- Implementation of a site-specific complaints handling procedure, with response to a complaint preferably within the first hour and no later than 24 hours after receiving the complaint.

In addition, as some works will result in surrounding receivers being highly noise-affected (that is experiencing a noise level over 75 dB), these additional controls are proposed in the mitigation measures:

- Provision of respite periods that are agreed upon through consultation with site management and the community.
- Consideration of exhaust silencers for motorised excavation-type plants and equipment where practically applicable.

6.6.6 Vibration impacts

Koikas Acoustics have noted that ground vibration impacts may be experienced during excavation and earthworks. In response, Koikas Acoustics have recommended that continuous vibration monitoring should be conducted during piling/excavation. This would include monitoring preferably at the nearest neighbouring structures during excavation of bedrock or other medium to high-density material requiring breaking, sawing or ripping along share site boundaries. If vibration levels are found to exceed safe working limits at the monitory locations, alternative excavation methodologies will need to be implemented. The NVIA contains recommended safe work distances for typical vibration-generating construction works.

6.7 Waste Management

MRA Consulting Group have prepared a Construction and Demolition Waste Management (**Appendix FF**) which outlines efficient construction and demolition waste arrangements for the proposed mixed-use development. Their report confirms that the following mitigation measures are recommended and are also provided at **Appendix C**:

- The excavation and construction contractor is to minimise waste generation and maximise reuse of materials where practicable.
- Opportunities to reduce surplus soil from excavation ("cut") are to be considered to minimise off-site disposal.
- A procurement policy is to be developed that incorporates waste-avoidance measures, including:
 - Ordering site-specific or prefabricated items to minimise surplus materials;
 - Reusing or recycling salvaged and excess construction materials, where possible;
 - Minimising packaging from suppliers or opting for returnable packaging;
 - Selecting materials with recycled content.
- Waste stream estimates are to be refined to ensure adequate on-site storage and segregation.
- Estimated material quantities are to be reviewed and refined to avoid over-ordering

An Operational Waste Management Plan has also been prepared by MRA Consulting Group (**Appendix EE**) and outlines efficient operational waste arrangements for the proposed mixed-use development, with separate systems for residential and commercial waste.

Residential waste will be privately collected and stored in eight (8) general and recycling on-site bin areas, four (4) FOGO bins and five (5) servicing bins. Whereas, retail waste including two (2) general waste and one (1) recycling and paper/cupboard bin and one (1) food waste bin, will be managed privately with separate storage and regular collection schedules. Waste collection vehicles will access the site safely in forward motion via Shadforth Street, park in the designated Basement 1 loading bay and service the site via Shadforth Street due to the constraints of the site.

A residential bin storage room will be provided on Basement 1, with an area of approximately 40m². This room will function as the central storage area for all general waste and recycling bins awaiting weekly collection. It will also store the spare bins required to service the chute cores. Access to this room will be restricted to building management. A separate 15m² room for FOGO bins and bulky waste will be located adjacent to the main bin room. This room will be accessible to residents for the disposal of organics and bulky items.

Waste generated from the residential component of the building is proposed to be collected weekly by a nominated private waste service provider (WSP) collection. Building management will coordinate a suitable bulky waste collection schedule with the contractor and ensure collections occur promptly to prevent overfilling of the bulky waste room.

Collection of waste by a private contractor is considered to be the most appropriate solution because:

- A private waste contractor has been selected in order to avoid Council's waste truck having to idle for over five minutes on Shadforth Street to load all the bins, which would block traffic due to the narrow width of the street.
- Council's standard waste truck cannot be accommodated on the site without increasing clearance heights to the basement. This would be a poor urban design outcome as increase in clearance heights would require thicker transfer slabs and result in a taller building.
- There is no difference to the frequency of waste collection for the residential component, which will still be weekly. Accordingly, should private waste collection ever not be available or procured in the future, the waste rooms are still appropriately sized to accommodate Council's weekly waste collection.

It is noted that there are numerous examples of residential private waste collection for new developments in the Woollahra LGA.

Mitigation measures in relation to construction waste management have been considered and detailed in **Appendix C**.

6.8 Assessment of Other Impacts

An assessment of the other impacts of the development has been undertaken by the relevant specialist consultants and are appended to this Report and are summarised in **Table 22** below.

Table 22 Summary of other technical assessments

Consideration	Summary	Reference
Arboricultural Impact	An Arborist Report has been prepared by TMS Tree Management Strategies and notes that a total of 43 trees were assessed as part of the proposed development. Of these, all 10 trees currently on the site are proposed to be removed to facilitate the proposed works (T19-24, T28 and T30-32). They all have low retention value. 21 trees near the site will be unaffected by the development and will remain healthy and viable with standard tree protection measures adhered to. The key arboricultural impacts relate to the notional root zones (NRZ) of Trees 2-5, which are the four London Plane trees on Oxford Street adjacent to the southern boundary of the site that are proposed to be retained. Tree 4 has been assessed to have a minor incursion of below 10% into its NRZ. Therefore, it will remain healthy and viable with the standard tree protection measures. Trees 2, 3 and 5 have been assessed to have moderate incursions into their NRZ's due to the proposed basement. The incursions are considered to be acceptable, subject to the following specific tree protection measures which are included within the consolidated mitigation measures at Appendix C: • A project arborist should supervise the excavation around Trees 2, 3 and 5. • Temporary irrigation and addition of mulch should be placed within the tree protection zone of Trees 2, 3 and 5. Pruning of Trees 2-5 is also required to facilitate a 1500mm wide work zone adjacent to the trees for construction access and would accommodate a medium to heavy scaffold platform. Any hoarding required will be located beneath the overhanging branches of the trees with careful management to minimise unnecessary canopy disturbance. With this controlled work area and adherence to the recommended arboricultural supervision and protection measures, TMS Tree Management Strategies has concluded that the proposed pruning is minor and that there will be no adverse impacts on tree health or structure are considered by the proposed pruning. Tree removal impacts will be mitigated by the proposed 17 replacement trees and 29 replacement palms are proposed which will achieve a tree canopy of 530.3m² (24% of site area).	Appendix N
Biodiversity	The site does not contain any significant vegetation. Accordingly, the proposal will not cause any significant impacts on biodiversity or the natural environment as recognised by the Department's Environment Heritage Group in granting a waiver for the preparation of a Biodiversity Development Assessment Report (BDAR) on 20 November 2025 (refer to Appendix O).	Appendix O
Stormwater	An Integrated Water Management Plan has been prepared by Mance Arraj and is provided, along with Civil Engineering Drawings at Appendix DD. Stormwater runoff will be connected into the proposed basement stormwater system via a pipe network system to collect minor storm runoff from surface areas which will minimise nuisance flooding. The development will provide rainwater tanks with a combined capacity of 61 kL. The rainwater tanks will collect from the roof areas only and water harvested will be used for all external non-potable uses including landscaping in lieu of an on-site detention (OSD) tank. Its benefits compared to an OSD tank are that stormwater run-off can be reused on site, and water quality discharge would be improved from the site. Stormwater quality treatment measures are proposed, which will achieve the stormwater quality reduction targets outlined in the WDCP 2015.	Appendix DD
Contamination	A Preliminary Site Investigation has been prepared by LRE which has concluded that the site has low risk of contamination and that it is suitable for the proposed development.	Appendix W

Consideration	Summary	Reference
Geotechnical	A Geotechnical Investigation Report has been prepared by Morrow, which provides recommendations to ensure that the proposed excavation of approximately 15m below existing ground level is safely carried out. To facilitate the basement excavation, temporary batters may be used for interim retention, with typical batter slopes of 2H:1V adopted where suitable. Additional geotechnical mitigation measures, including detailed recommendations for excavation support and construction controls, are provided in Appendix V. In addition, the Geotechnical Report confirms that based on laboratory aggressivity testing, the site soil is non-saline and non-aggressive to buried steel and concrete. Groundwater impacts are addressed in the Site Hydrogeology Report at Appendix JJ.	Appendix V Appendix JJ
Social Impact	A Social Impact Scoping Study was undertaken to determine whether the proposed development would likely result in any significant social impacts. This was undertaken using the following methodology: • Site analysis to understand any sensitive receivers and the local context. • High level demographic analysis • High level policy review • Identification of impacted communities • Assessment of likely social impacts, potential project responses and overall residual impact. The proposed development will result in positive social impacts in relation to adding to the housing supply in a well-located area, including the provision of affordable housing to serve key workers. Provision of ground floor retail will also result in a positive social impact by activating Oxford St frontage, adding to the vibrancy and activation of the street along the established Oxford Street retail strip. The most significant social benefits of the proposal are as follows: • The key benefit of the project relates to the addition of 40 high amenity ADG compliant apartments over a diverse mix of sizes in a time of great need. Likelihood is almost certain, while magnitude of impact is moderate, resulting high (positive) social impact. • The development will see future residents of the development have greater accessibility to a range of services, transport options, jobs, and social infrastructure. This will provide better access, with some potentially needing to travel less, while also providing opportunities for community building and connection. Likelihood is almost certain, while magnitude of impact is moderate, resulting high (positive) social impact. • Provision of housing availability and choice through providing access to high-quality, high-density accommodation of a range of sizes, to meet the needs of a growing population. Likelihood is almost certain, while magnitude of impact is low, resulting low (positive) social impact Potential negative social impacts include: • Changes to the sense of place and local character. The project response is through a heritage-responsive design approach and curtilage management explained in this EIS, including detailed overshadowing and visual impact analysis. Likelihood of impact is possible, while magnitude of impact is moderate, resulting in medium (negative) social impact. • Increased pressure on local infrastructure. This mainly relates to community survey feedback noting that State investment in bus services is insufficient. Likelihood of impact is likely, while magnitude of impact is minor, resulting in medium (negative) social impact. • Temporary amenity impacts during construction including, noise, dust and vibration and traffic disruptions. The project response is through a mitigation measure requiring development of a comprehensive Construction Environmental Management Plan that will include clear noise and vibration monitoring and reporting protocols, procedures to communicate staging, work hours, and mitigation measures proactively, and offer of dilapidation surveys for heritage properties. These potential negative social impacts are considered to be medium-low and can be managed with implementation of the proposed mitigation measures. As such, a separate Social Impact Assessment is not required.	N/A

Consideration	Summary	Reference
	In particular, the heritage-responsive design and lack of unacceptable amenity impacts, such as overshadowing or privacy impacts, will mitigate potential social impacts relating to changes to sense of place. Amenity impacts associated with construction, including, noise, dust and vibration and traffic disruptions can be appropriately managed through the preparation of a detailed Construction Environmental Management Plan which will include clear noise and vibration monitoring and reporting protocols, communicate staging, work hours, and mitigation measures proactively and offer a dilapidation survey for surrounding properties. Overall, the development during the construction phase will have temporary and short-term negative impacts and can be mitigated through appropriate mitigation measures (Appendix D).	
Ecologically Sustainable Development	An ESD Report prepared by E-Lab Consulting confirms that the proposed mixed-use development addresses all General Sustainability Provisions under the Sustainable Buildings SEPP 2022. The design incorporates measures to minimise construction waste, reduce peak electricity demand, enhance passive thermal performance, and integrate renewable energy through a rooftop PV system. Sub-metering will enable detailed energy monitoring, and water-efficient fixtures and stormwater reuse are included to reduce potable water use. These measures demonstrate a comprehensive and site-specific environmentally sustainable design approach.	Appendix Z
BCA	A BCA Statement is provided. The design is capable of complying with the requirements of the relevant sections of the of the Act and EPAR (DCFS) 2021, EPAR 2021 and the BCA 2022 subject to resolution of the identified areas of non-compliance and compliance with the recommendations provided within the report. Further detailed regulatory reviews will need to be progressively undertaken as designs advance and become more resolved to ensure compliance is achieved.	Appendix P
Accessibility	An Accessibility Report has been prepared by Credwell which concludes that the proposed development is capable of complying with the applicable access provisions, subject to its recommendations.	Appendix Q
Hazards and Risk	A Dial Before Your Dig Australia search of in ground services surrounding the project site has been undertaken which confirmed that there are no high pressure gas pipelines that would be directly impacted by underground high pressure dangerous goods pipelines as they sit outside the site boundary. The development is not affected by above ground dangerous goods storage.	N/A
Flooding	A Section 10.7 Certificate was obtained for the site which confirmed that the site is not located within a flood planning area and is not subject to flood related development controls. In addition, the site is shown to not be affected by flooding during a 1 in 100 ARI flood event in accordance with the Rushcutters Bay Catchment Floodplain Risk Management Plan. As such, a flood impact and risk assessment is not required.	N/A
Bushfire	The site is not identified as bushfire prone land. As such, a bush fire assessment is not required.	N/A

6.9 Contributions and Public Benefit

6.9.1 Woollahra Development Contributions Plan

The proposed development does not propose any alternative public benefits or a departure from an existing contributions framework. Contributions will be provided in accordance with the Section 7.11 Contributions set out in the Woollahra Development Contributions Plan, which involves varying contributions for different types of dwellings and retail uses.

6.9.2 Housing and Productivity Contribution (HPC)

The proposal will also be subject to the Housing and Productivity Contribution.

6.9.3 Public Benefit

The proposal represents a public benefit given that it includes the following:

- Delivers a diverse mix of housing including 40 high amenity ADG responsive apartments, including 10 affordable dwellings, within a highly accessible location that can utilise this transit-orientated location, proximity to services and existing networks with direct connections to major employment hubs.
- It will provide a meaningful contribution to the delivery of high amenity housing supply.
- Delivering activation to the ground floor through the provision of ground floor retail use, which will drive footfall into the area and provide services to benefit the local community.
- It will support the provision of over 97 FTE jobs on site during the construction stage.
- It will support over 112 FTE jobs on the site once fully occupied and operational, with the inclusion of retail floorspace at the ground level, to meet the day-to-day needs of a growing population, and activate the Oxford Street frontage.
- Contributes to the growth of Paddington by revitalising a parcel of underutilised land with detracting buildings within the Woollahra LGA, with a development demonstrating high quality architectural design in both design and ecologically sustainable development initiatives.

7.0 Project Justification

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be quantified or not.

The proposed development involves consent for a residential development comprising ground floor shop uses as outlined in **Section 3.0**. The assessment must, therefore, focus on the identification and appraisal of the effects of the proposed change over the site's existing condition.

In considering the justification of the proposed development and in reference to Section 4.15 of the EP&A Act which specifies matters for consideration a consent authority must consider in determining a development application, the following matters have considered:

- Design of the proposed development, including actions taken to avoid or minimise the impact of the proposed development while still achieving the objectives of the project;
- Consistency with the strategic context;
- Consistency with the statutory requirements;
- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development; and
- The public interest.

7.1 Design of the Proposed Development

The alternatives considered and actions taken to avoid or minimise the impacts of the proposed development have been set out in the preceding sections of this EIS. The proposed mitigation measures are set out in **Appendix C** of this EIS. Subject to the implementation of these mitigation measures, in addition to the considered and thoughtful design response, it is considered that any potential impacts of the proposal will be managed effectively and/or are minimal and acceptable.

7.2 Consistency with Strategic Context

The strategic context for the proposal has been discussed at **Section 2.0** of this EIS, and the proposed development is considered to be consistent with the relevant strategic context.

7.3 Consistency with the Statutory Requirements

The relevant statutory requirements have been discussed in **Section 4.0** and assessed in **Appendix C**.

Specifically, this EIS has addressed all of the matters specified in the issued SEARs dated [Insert] (refer to **Appendix A**) and Section 190 and 192 of the EP&A Regulation (refer to **Appendix C**).

7.3.1 Consistency with the Objects of the Act

The Proposal is consistent with the relevant Objects of the Act as listed under Section 1.3 of the EP&A Act and will not result in any unjust or significant environmental impact. Specifically, the Proposal is consistent with the Objects of the Act as it will:

- It promotes the delivery of 10 affordable housing apartments as well as 30 Build-to-Sell dwellings in high amenity ADG compliant dwellings..
- It promotes the orderly and economic use of land by redeveloping a site that is currently below its development potential and provides high amenity housing in a highly accessible location.
- ESD principles are embedded through a range of design and operation initiatives.

- The proposed development will not result in any adverse impacts to threatened species or ecological communities and this has been demonstrated through the obtainment of a BDAR Waiver.
- The proposed development will not have a significant impact on the Commonwealth Heritage Listed items within the Victoria Barracks
- It will generate employment opportunities during the construction and operational phases.
- It incorporates good design and amenity of the built environment, as demonstrated in **Sections 6.1 and 6.2** of this EIS.
- The proposal is not likely to adversely impact Aboriginal cultural heritage. Designing with Country has informed the proposal to ensure it is built into and celebrated within the proposal
- The project team has undertaken consultation and feedback with all relevant stakeholders (**refer to Section 6.0**).
- The site is suitable for the development (refer to **Section 7.5**).
- The proposed development is in the public interest (refer to **Section 7.6**).

7.3.2 Principles of Ecologically Sustainable Development

Section 193 of the EP&A Regulation outlines four (4) principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle;
- Intergenerational equity;
- Conservation of biological diversity and ecological integrity; and
- Improved valuation, pricing and incentive mechanisms.

An analysis of these principles is provided in the following sections and discussed further in the ESD Report at **Appendix Z**.

7.3.2.1 Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

The proposed development will employ relevant environmental protection measures and risk assessments to ensure no irreversible environmental harm is acted as a result of the construction or operation of the development. During construction, it is intended the main contractor will implement an independently certified Environmental Management System (EMS) that will demonstrate a formalised systematic and methodical approach to planning, implementing and auditing for environmental management.

This EIS and its supporting reports and studies has not identified any serious threat of irreversible damage to the environment and therefore, the precautionary principle is not relevant to the proposal.

7.3.2.2 Intergenerational Equity

Intergenerational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposal has been designed to benefit both the existing and future generations by:

- Implementing passive and active design measures that reduce operational energy and water use from the proposed development.
- Energy consumption will be designed to achieve compliance beyond the National Construction Code NCC 2022 Section J requirements.
- A reduction in water use will be established through high rated water fixtures and fittings and the provision of a rainwater capture and reuse system.
- Waste separation to enable recycling and reuse with a reduction in the amount of waste sent to landfill.

- Reduce energy, water and waste ensures that the health, diversity and productivity of the environment is maintained for the benefit of future generations.
- Implementing safeguards and management measures to protect environmental values during construction and operation, including reduced waste to landfill and reduced portable water consumption.
- Facilitating housing supply for a diversity of residents, renters and affordable housing tenants, thereby contributing and assisting current future generations access high amenity, high accessibility housing.
- Facilitating high amenity homes in close proximity to jobs and public transport, allowing varied residents to access their places of work conveniently.
- The proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

7.3.2.3 Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration.

The site can be considered to have low-ecological value and biodiversity significance as it is already developed and within an urban area. This has been also reinforced by DPHI's issuing of a BDAR Waiver on 20 November 2025. In response to this, the proposed development is committed to planting a high proportion of native vegetation to improve site ecology and biological diversity, while also improving stormwater runoff from the site to minimise onset impacts. The proposal will not have any significant effect on the biological diversity and ecological integrity of the study area. The proposed landscaping strategy will also include various Indigenous plant species as well as drought tolerate species. The landscaping strategy will increase ecological value.

7.3.2.4 Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources require consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation will be implemented to ensure resources are used responsibly in the first instance.

The proposed development is committed to achieving a high construction waste diversion target of 90% from landfill as well as developed specific project waste management strategies. The design of the proposal has ensured that the full life cycle impacts of goods and services employed throughout the project have been considered. Further, it will be designed to minimise operational energy and water consumption.

The valuation of the project's assets and services consider environmental factors through the implementation of various ESD initiatives.

7.4 Likely Impacts of Development

Having regard to the natural environment, built environment and economic and social impacts of the proposed development, the likely impacts of development are considered acceptable as outlined in the following sections.

Additionally, the proposed mitigation measures detailed within **Appendix C** outline mitigation and management measures that will minimise the impact of the proposed development.

7.4.1 Natural and Built Environment

The EIS for the proposed development has demonstrated that the proposal adopts appropriate management strategies and will generate acceptable environmental impacts, due to the proposed mitigation measures and the design of the development.

All relevant environmental impacts are addressed within **Section 6.0**, and determined to be acceptable subject to implementation of the proposed mitigation measures set out at **Appendix C**.

7.4.2 Social and Economic

The proposed development will result in positive social impacts in relation to high amenity and affordable housing supply in a well-located area, including the provision of affordable housing to serve key workers. Provision of ground floor retail will also result in a positive social impact by activating Oxford St frontage, adding to the vibrancy and activation of the street along the established Oxford Street retail strip.

The most significant social benefits of the proposal are as follows:

- The key benefit of the project relates to the addition of 40 high amenity ADG compliant apartments over a diverse mix of sizes in a time of great need.
- The development will see residents of the development have greater accessibility to a range of services, transport options, jobs, and social infrastructure. This will provide better access, with some potentially needing to travel less, while also providing opportunities for community building and connection.
- Provision of housing choice through providing access to high-quality, high-density accommodation of a range of sizes, to meet the needs of a growing population.

Potential negative social impacts include changes to the sense of place and local character, increased pressure on local infrastructure and temporary amenity impacts during construction. These potential negative impacts are considered to be medium-low, and can be managed with implementation of the proposed mitigation measures. As such, a Social Impact Assessment is not required.

In particular, the heritage-responsive design and lack of unacceptable amenity impacts, such as overshadowing or privacy impacts, will mitigate potential social impacts relating to changes to sense of place. Amenity impacts associated with construction, including, noise, dust and vibration and traffic disruptions can be appropriately managed through the preparation of a detailed Construction Environmental Management Plan which will include clear noise and vibration monitoring and reporting protocols, communicate staging, work hours, and mitigation measures proactively and offer a dilapidation survey and compensation process for surrounding properties. Overall, the development during the construction phase will have temporary and short-term negative impacts and can be mitigated through appropriate mitigation measures (**Appendix D**). Suitability of the Site

In accordance with Section 4.15(1)(c) of the EP&A Act, the site is considered to be suitable for the proposed development for the following reasons:

- The part of the site on which the proposed building is located is within the R3 Medium Density Residential Zone and the proposal is permissible with consent.
- The site is well-located to essential services and public transport, which is evidenced in the application of the LMR housing controls to the site, which indicate that the site is suitable for the scale of development proposed, which envisages development of 6-8 storeys (eight where infill affordable housing is proposed).
- The site is located south of any residential properties, and thus the proposed built form will not result in any overshadowing impacts to surrounding residential properties.
- The site is located along a retail strip on the northern side of Oxford Street but does not contain retail ground floor development. It is therefore suitable to accommodate ground floor retail uses to complete this missing link in the retail strip.
- The site is located in an area that is pockmarked by buildings with a height of 8-12 storeys in the Great Paddington Area. Moreover, Oxford Street is a high street on a ridgeline that is capable of greater carrying capacity than the nearby narrow, winding Victorian streets often associated with the character of Paddington. This is evidenced by the number of taller buildings that punctuate the Oxford Street corridor at regular intervals, particularly at street corners. Therefore, the site is suitable for the proposed scale of development as Oxford Street, being a broad urban high street, has always been a place accommodating greater development intensity, height and density.
- All necessary utility services are readily accessible to the proposal, and are capable of accommodating any additional demand that may be associated with the redevelopment of the site.
- The size and dimensions of the site are suitable for the scale of the proposed development, evidenced in achievement of the ADG privacy objectives and ability to provide amounts of deep soil areas and tree canopy percentage that are over the minimum requirements.
- The proposal is sympathetic to surrounding heritage items and compliments the broader historic context of the Paddington HCA.

7.5 Public Interest

In accordance with Section 4.15(1)(e) of the EP&A Act, the proposed development is considered to be in the public interest for the following reasons:

- It will provide high quality ADG compliant apartments (including affordable apartments) in a highly accessible location, particularly apartments that are suitable for families, in accordance with the aims of the LMR housing controls to encourage the development of mid rise housing in areas that are well located with regard to goods, services and public transport..
- The proposed development will provide a diverse range of dwellings that includes market apartments and affordable housing to increase the supply and choice of housing in the Woollahra LGA in accordance with the recent NSW State Planning interventions to incentive that land use and co-locate that land use with market housing to create diverse and vibrant communities
- The proposal will provide much-needed affordable housing that is high quality and managed by a registered CHP to ensure affordable housing is provided to those most in-need and is well maintained and managed. There is strong demand for affordable housing for key workers in nearby hospitals and educational establishments.
- Direct employment opportunities will be created during the construction and operational phase of the proposal.
- Ground floor activation is proposed through two new shops which will contribute to filling in the missing retail link along the northern side of Oxford Street.
- The proposed development preserves surrounding residential amenity as it will not result in acceptable visual privacy outcomes and will not result in any overshadowing impacts to neighbouring residential properties.
- The delivery of affordable housing will ensure that residents can access housing that is affordable and in close proximity to jobs, services and education.

8.0 Conclusion

The Environmental Impact Statement (EIS) has been prepared to consider the natural environment, built environment and social and economic impacts of the proposed mixed use residential flat building and shop development at 142-148, 160 Oxford Street, 13 Gipps Street and 6 Shadforth Street, Paddington. The EIS has addressed the issues outlined in the SEARs (**Appendix A**) and accords with section 190 and 192 of the EP&A Regulation.

Having regard to environmental and economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposed development is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) and the *State Environmental Planning Policy (Precincts – Regional) 2021* (Regional Precincts SEPP) as well as Clause 4.6 of *Woollahra Local Environmental Plan 2014*;
- The proposed development is a direct response to the need for affordable housing in NSW, delivering high amenity high quality designed 10 affordable housing dwellings that directly contribute to NSW's affordable housing targets under the National Housing Accord 2022;
- The proposed development will provide a diverse supply of residential dwellings (both build-to-sell and affordable housing) to meet the needs of the market for both prospective affordable housing and market housing residents.
- The proposed development exhibits a high standard of architectural, urban and landscape design, and provides a recognition and high-quality contribution to the built form of Paddington through a high-quality and heritage-responsive design that sits comfortably within the urban morphology of Oxford Street and Paddington;
- The proposed development is consistent with the objectives of the Apartment Design Guide to ensure positive residential amenity outcomes;
- The proposed development will not result in significant adverse environmental impacts, including overshadowing, visual privacy, heritage, visual impact, traffic, noise and vibration impacts, with appropriate mitigation measures implemented where necessary to will minimise any potential impacts;
- The proposal is anticipated to generate a total of 97 construction jobs and 132 ongoing full-time employment (FTE) jobs which will have broader social and economic benefits to the region;
- The proposal is consistent with the principles of ecological sustainable development as defined by section 190 of the *Environmental Planning and Assessment Regulation 2021*; and
- The proposed development is suitable for the site and in the public interest.

Given the merits described above, and the significant benefits associated with the proposed development, it is requested that the application be approved.



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