

10 August 2026

Julia Moiso
Senior Planning Officer
Key Sites and TOD Assessments
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street, Parramatta

Dear Julia,

SSD-86270706 - 5 Blue Street, North Sydney – Submission

This submission has been prepared on behalf of the Trustees of the Roman Catholic Church for the Archdiocese of Sydney (**CAS**) in relation to the proposed Housing Delivery Authority (**HDA**) State Significant Development (**SSD**) application at 5 Blue Street, North Sydney (SSD-86270706).

The proposed development relates to the adaptive reuse of the existing building known as the Zurich Building.

The Trustees of the Roman Catholic Church for the Archdiocese of Sydney is the legal owner of the land beneficially owned by the Parish of Our Lady of the Way, North Sydney (**Parish**), which includes St Francis Xavier Catholic Church at 1-19 Mackenzie Street, Lavender Bay, which adjoins the proposed development.

St Vincent de Paul Society Housing Australia (**SVdPSHA**) is preparing to lodge an SSDA on behalf of the Parish for the St Francis Xavier Church (**SFX**) site at 1-19 Mackenzie Street and 211 Blue Points Road, Lavender Bay (SSD-88702457) per HDA Expression of Interest (**EOI**) no. 233796.

CAS has been engaging with Zurich since 2017 on behalf of the Parish regarding the renewal of their respective sites, and more closely during the HDA precinct coordination approach through the DPHI on behalf of the Parish and SVdPSHA over the last 12 months. CAS was supportive of Zurich's concept as proposed in the original HDA with additional building height and subsequently based the SFX concept and the precinct approach on it, and anticipates in future it may revisit its decision to reduce height. CAS remains supportive of Zurich's redevelopment of the precinct to renew and update the existing building stock and provide a diversity of uses and housing types in this accessible and well-connected location.

This submission considers all documentation lodged with the Zurich SSDA. In summary, the submission finds that:

- CAS remains supportive of the overall renewal of the North Sydney Station Precinct (Precinct).
- The results of the adjoining owner collaboration and engagement undertaken for all proposals in the Precinct including the Zurich site, the SFX site and the Aqualand site (at 15 Blue Street) have not been reflected in the proposed development. This requirement was specifically requested in item 23 of the Secretary's Environmental Assessment Requirements (**SEARs**), by the DPHI in pre-lodgment discussion, in the HDA declarations for each proposal and in the agency feedback provided by North Sydney Council. Specifically, the consultation regarding the agreement on public domain works and location of the through site link stairs and lift connecting to the SFX site to the south has not been demonstrated.
- Given the precinct-wide planning approach adopted by SFX and required by DPHI, a targeted overshadowing analysis addressing impacts on the Church, its immediate setting and the amenity of future SFX open space is required.
- The non-compliance with the Apartment Design Guide (**ADG**) separation distances to the south and consideration of visual privacy to the future development at the SFX site have not been addressed. The proposal results in direct overlooking of the SFX site and future residential uses.

- The proposal is at odds with the SSD declaration and HDA EOI as it results in a change in land use, built form and overall yield. As a result, the SFX proposal has considered and modelled the scheme lodged as part of the SEARs request and the amended scheme. It is noted the Zurich proposal has not considered the redevelopment of the SFX site despite the collaborative consultation and design coordination undertaken.
- The extent of pedestrian wind impact and impacts on safety have not been adequately addressed holistically as the proposal has not modelled surrounding development including SVdPSHA's proposed development to the south.
- The proposal does not provide parking for the co-living component of the development nor is there equitable provision of car parking for affordable dwellings. A merit assessment has not been undertaken to determine whether this approach is adequate from a traffic and transport perspective particularly with regard to surrounding uses including the Church and its community outreach services.
- The Environmental Impact Statement (EIS) expressly acknowledges that views within the precinct are shared and emphasises the evolving character of the area. It notes that, as the concurrent rezoning seeks to amend existing planning controls, those controls carry reduced relevance and weight. The SFX development adopts the same strategic and view sharing principles.

The following sections outline the above comments in further detail. We request that the applicant consider these comments in an amended design and the Department of Planning, Housing and Infrastructure (DPHI) take these comments into consideration in their assessment of SSD-86270706.

1.0 Collaborative Approach to North Sydney Station Precinct

There has been extensive engagement and collaboration undertaken throughout the design stage between the proponents and design teams of the developments at 5 Blue Street, 15 Blue Street and 1-19 Mackenzie Street and 211 Blue Points Road, Lavender Bay (together North Sydney Station Precinct). Notably, item 23 of the SEARs issued for 5 Blue Street states the following:

Demonstrate collaboration and a consistent approach for the public domain and proposed Blue St Square with the landowners at 15 Blue St and the Catholic Church at 17 Mackenzie St.

Additionally, the declaration of the proposed development at 5 Blue Street by the HDA states the following:

'Noted that the proponent should work in collaboration with the proponent noted at EOI 233796 to ensure public benefit realisation including, through site links and integration with the broader precinct.'

No engagement with the applicant for 15 Blue Street has been documented nor addressed in the EIS and supporting Engagement Report.

A record of engagement between the landowners is provided in **Table 1** below.

Table 1 Engagement between North Sydney Station Precinct proponents

Date	Attendees	Meeting notes
4 September 2025	• DPHI Staff, including GANSW • North Sydney Council • TfNSW	• Focus on Site planning and design principles of each Site, including interface outcomes • Opportunities and constraints
North Sydney Stations SSDs Coordination Meeting	• 5 Blue Street project team • 15 Blue Street project team • Mackenzie St Lavender Bay project team	• Update from TfNSW on status of USP and plans for the station • Precinct principles • Agreed parameters on public domain, through Site links, massing, solar, vehicle access, views, overshadowing, heritage
17 October 2025	• DPHI Staff • 5 Blue Street project team • 15 Blue Street project team	• General recommendations provided regarding the interaction between the site and adjoining sites.
17 November 2025	• DPHI Staff, including GANSW • North Sydney Council	• Project team updated on deliverables • Discussion on building designs

	• TfNSW • 5 Blue Street project team • 15 Blue Street project team • Mackenzie St Lavender Bay project team	• Public domain plans to be presented in following meetings • Through Site link connections including an east-west connection
23 April 2026	• DPHI staff • 5 Blue Street project team • Mackenzie St Lavender Bay project team	• Discussion regarding through Site link • Interface between 5 Blue Street and the Site

While engagement has been undertaken, there is no demonstration of ‘*collaboration and a consistent approach for the public domain and proposed Blue St Square*’ in the EIS, Architectural Plans, Community Engagement Report, Architectural Design Report, Landscape Plans or Landscape Report submitted with SSD-86270706.

From the extensive engagement undertaken between the proponents, an alignment for the proposed through site link to the SFX site was agreed upon, with the objectives of improving pedestrian permeability in the precinct. This alignment was shown on plans provided to the proponent of 5 Blue Street and the alignment was agreed on 23 April 2026.

As required by the SEARs, the EIS fails to demonstrate the collaboration between the proponents and the integrated public domain works proposed as part of the precinct.

Importantly, the through site link between Blue Street Plaza and the SFX site represents a positive planning outcome and significant public benefit which will improve the vibrancy and permeability of the North Sydney Station Precinct, delivering a connected approach to open space.

Two of the design principles identified by FJC in the design report are ‘activated edge and public domain’ and ‘green connections’, as follows:

- **Activated edge and public domain:** *deliver an activated ground floor interface comprising retail uses and publicly accessible landscaped plaza that enhances pedestrian activity and amenity along Blue Street. The ground plane should also strengthen connectivity to the broader North Sydney CBD by improving pedestrian permeability and contributing to the evolving network of active public spaces within the precinct;*
- **Green connections:** *incorporate a landscaped public plaza and viewing deck oriented toward harbour views, contributing to the network of green links and public domain spaces emerging across the North Sydney Centre;*

(emphasis added)

CAS acknowledge the design principles established by FJC, noting enhanced pedestrian activity, improved pedestrian permeability, a network of active public spaces and green links all lead to positive planning and urban design across the precinct. Through proposing the through site link from the SFX Church Square to the Blue Street Plaza, the SFX development seeks to realise these urban design outcomes, having regard to the wider precinct. However, the current FJC scheme is at odds with the public domain principles identified in the design report and does not recognise the collaborative approach to precinct design as required by the DPHI or Council.

The lodged scheme for SSD-86270706 should be amended to identify the stair connection between the plaza and the through-site link proposed under SSD-88702457, as agreed during pre-lodgement consultation and coordinated in terms of access and location between both parties.

2.0 Heritage

The Heritage Impact Statement and associated justification within the EIS are limited to assessing impacts on the fabric of the SFX Church itself and do not address the Church’s broader heritage setting within the Lavender Bay Heritage Conservation Area.

Given the SFX proposal seeks to repurpose the existing at-grade car park surrounding the Church into public open space and a through-site link - in recognition of the site’s heritage significance - it is reasonable and expected that

the Zurich proposal would assess potential impacts on the Church and school buildings' setting in particular the amenity impacts as discussed in **Section 3.0**.

As discussed through ongoing consultation with Zurich, the applicant has been aware of the proposed open space and through-site link in this location, as these elements were clearly identified in the SFX site plan and discussed in relation to the stair alignment.

It would be expected that the Heritage Impact Statement and EIS be updated to assess the impacts of the proposal on the heritage setting of the Church.

3.0 Building Separation and Visual Privacy

The scheme lodged under SSD-86270706 proposes non-compliant building separation distances to the south which does not achieve the visual privacy objectives of the Part 2F – Building Separation of the ADG. **Figure 1** below indicates the setbacks proposed and the existing development at 211 Blues Point Road and **Figure 2** identifies the indicative built form of the SFX site.

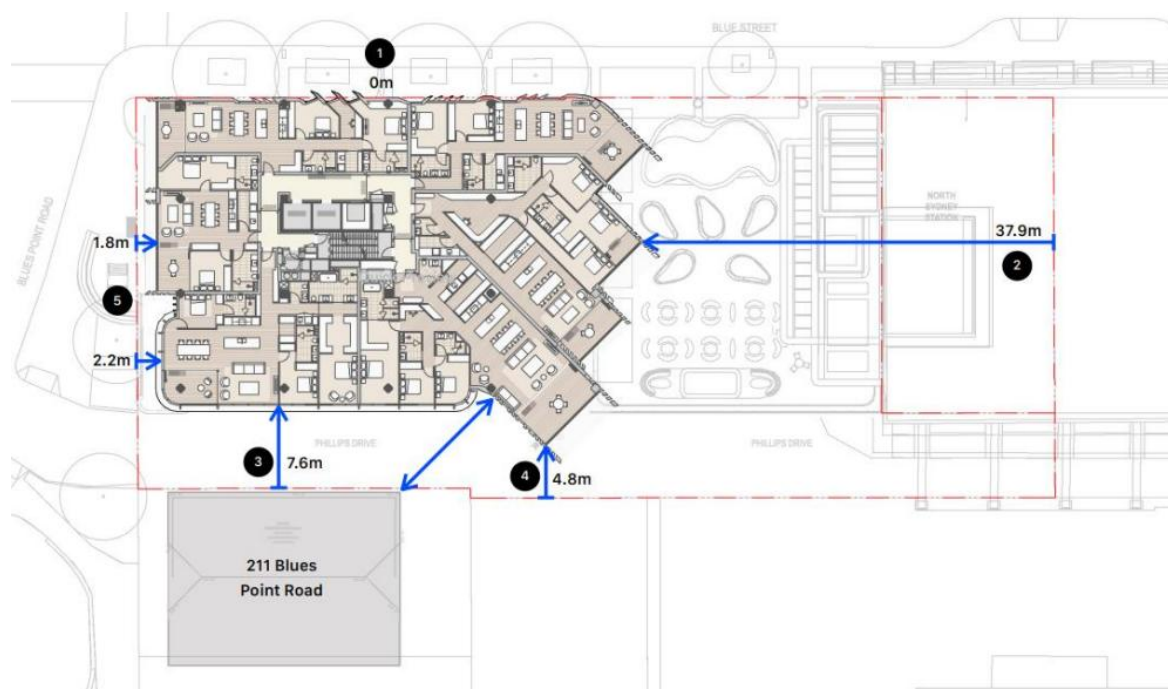


Figure 1 Boundary setback plan – existing development to the south
Source: Appendix F Architectural Design Report, fjc Studio

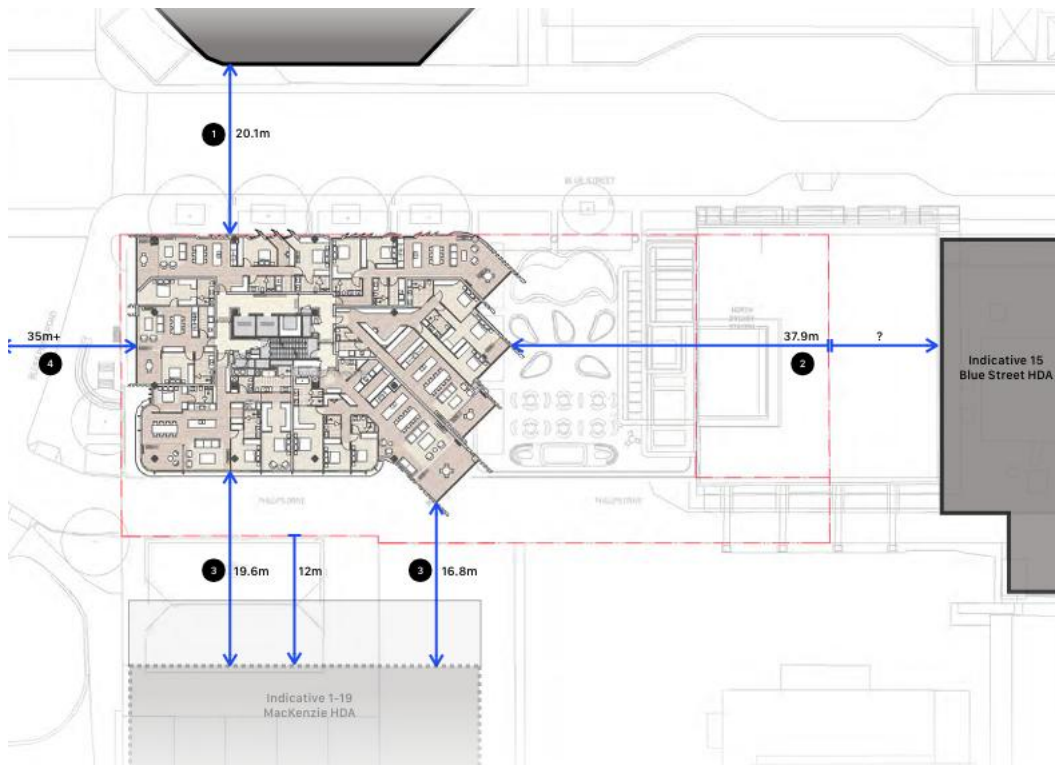


Figure 2 Boundary setback plan – proposed building envelope to the south

Source: Appendix F Architectural Design Report, fjc Studio

These setbacks do not change across the upper levels of the building, where the proposal maintains a habitable setback of 7.6m and 4.8m to the boundary at the interface with the SFX site.

The EIS uses the following justification of the ADG Design Criteria non-compliant setback to the south:

“However, 211 Blues Point Road is proposed to be demolished under SSD-88702457, being a SSDA for adaptive reuse of existing built form and construction of three mixed-use buildings up to 20 storeys. As such, this non-compliance is considered to be inconsequential to the assessment of environmental impacts of the proposed development in relation to residential amenity.”

And the Architectural Design Report states:

“The envelope of 1–19 MacKenzie Street to the south is similarly unknown. The scale and height suggested in their SEARs would produce an outcome inconsistent with the Lavender Bay character zone and would require a redesign of the southern elevation of this proposal to maintain compliant privacy and view access.”

Whilst conflicting in approach, neither rationale addresses the core issue in that the proposal’s setbacks remain non-compliant regardless of any future redevelopment of the SFX site – which is acknowledged in the EIS.

If the future southern context is genuinely ‘unknown’ (despite this massing being provided as part of pre-lodgement consultation), an appropriate design response would be to adopt conservative, ADG-compliant setbacks or otherwise compliance with the objectives of the Part, without relying on hypothetical redevelopment scenarios to justify reduced separation. The demolition of the existing building at 211 Blues Point Road is similarly irrelevant to the application of ADG building separation requirements and does not provide a basis for dismissing privacy, amenity or view-sharing impacts. Importantly, the SFX scheme has been designed to achieve ADG compliant setbacks from the shared boundary as follows:

- 6m up to 4 storeys
- 9m for 5-8 storeys
- 12m above 9 storeys

The SFX design also orients apartments east-west to avoid direct overlooking to the north, ensuring compliant building separation and to mitigate any privacy concerns. In contrast, the Zurich proposal:

- does not achieve the minimum ADG building separation,

- orients living rooms and balconies directly toward the SFX site, and
- provides no architectural or other justification in the EIS for these departures.

The reliance on the future demolition of 211 Blues Point Road does not resolve or explain the proposal's non-compliant setbacks, nor does it demonstrate how residential amenity impacts have been appropriately mitigated. As a result, the EIS does not provide appropriate justification for the non-compliance with Part 2F of the ADG.

4.0 Overshadowing

The overshadowing analysis provided in the Architectural Design Report and assessed in the EIS does not adequately address potential shadow impacts on the heritage-listed Church and the future Church Square proposed as part of the SFX SSD. The existing Church is identified both as a heritage item and within the Lavendar Bay Heritage Conservation Area, yet no regard has been given to the Church's curtilage or its setting. Through ongoing consultation with Zurich, the applicant has been aware of the proposed open space and through-site link in this location, as these elements were clearly identified in SFX site plans and discussed in detail in relation to the through-site link and stair alignment in all previous combined workshops chaired by the Department.

The eastward extension of the Zurich proposal upper storeys generates additional overshadowing that directly affects the Church, Church Square and the surrounding curtilage. The extent of overshadowing is not addressed adequately in a manner commensurate with the scale of change proposed, and the proposal fails to demonstrate any meaningful regard for these impacts.

Given the precinct wide planning approach adopted by SFX and required by DPHI, a targeted overshadowing analysis addressing impacts on the Church, its immediate setting and the amenity of future open space is a reasonable expectation.

5.0 Consistency with HDA EOI 233741

The ministerial declaration (State Significant Development Declaration Order (No 4) 2025 dated 2 April 2025) which grants the proposal at 5 Blue Street its SSD status states:

(1) The following development is declared to be State significant development:

...

(q) development specified in EOI application 233741 dated 22 January 2025 including development for the purpose of residential flat building with provision of affordable housing at 5 Blue Street, North Sydney being Lot 4/DP1134234

HDA EOI 233741 was considered by the HDA at their record of briefing on 24 March 2025. The 'applicant's summary of proposal' reads the following:

'Concurrent rezoning and redevelopment for shop top housing including 335 dwellings, 170 of which would be affordable housing'

The submitted development under SSD-86270706 identifies the following project details in the EIS:

- Dwelling mix: 148 dwellings (comprising 62 residential dwellings and 86 (affordable) co-living dwellings)
- Land use: Residential flat building, co-living housing and commercial premises (retail)

The submitted scheme represents a change in proposed land use (from residential units and affordable housing to incorporating co-living housing), a reduction in total proposed dwellings from 335 to 148, and a reduction in affordable housing dwellings from 170 to 86. The built form of the proposal has also been significantly amended.

As noted above, CAS has worked closely with Zurich since 2017 on the precinct and more closely over the precinct-wide redevelopment under the HDA process. CAS has based its own development concepts, public domain and inter/intra site connections on the precinct-wide workshops and schemes previously provided by Zurich – however this has not been recognised in any of the supporting documentation. Despite this, CAS remains supportive of the intent and outcomes of the originally submitted HDA EOI.

6.0 Co-living / Affordable Housing Car Parking

There is an inconsistency between the EIS and Transport Impact Assessment (TIA) regarding the allocation of parking spaces to co-living housing. The parking schedule provided at Table 4 of the EIS identifies that 73 car spaces are to be allocated to the residential dwellings and 0 car parking spaces are to be allocated the co-living dwellings.

Table 21 of the EIS, which replicates Table 3 of the TIA, identifies that 56 parking spaces are to be allocated to the residential dwellings (in line with the Guide to Transport Impact Assessment) and 17 parking spaces are to be allocated to the co-living dwellings (in line with the SEPP rates).

Clarification is sought regarding the allocation of parking spaces.

In the case where 0 car parking spaces are provided for the co-living component, this does not comply with the non-discretionary development standard for co-living housing under Section 68 of the Housing SEPP and a merit assessment has not been provided in the EIS. Given the proposal includes 86 co-living units and no car parking, it is expected the proposal will result in an impact on the surrounding on street parking. Any dispensation in parking provision will directly affect neighbouring land uses, including the existing and future community uses on the SFX site, and must be assessed as part of the SSD. This issue was also consistently raised during pre-lodgement community engagement.

In addition, the submitted documentation does not identify any car parking for the affordable housing component, resulting in an inequitable and unjustified disparity when compared to the market residential component.

7.0 Pedestrian Wind Impact

A pedestrian wind assessment was prepared for SSD-86270706 by CPP Wind Engineering Consultants. The wind assessment found that *‘The building corners at Locations 3, 5, 8 are windier with Lawson comfort ratings of Pedestrian Walking to Business Walking and all with safety exceedances of Able-Bodied’ and ‘all locations except 3, 5, and 8 pass the safety/distress criterion.’*

The wind assessment does not consider the future built form of the SFX site. As part of the SFX application, the proposal considered the existing site conditions, and the adaptive reuse of the Zurich building and SEARs massing of the Aqualand site at 15 Blue Street. As such, it would be expected the wind assessment for Zurich consider the surrounding future context and potential wind impacts to the site perimeter, including the Church Square and through site link. In line with the *‘State significant development guidelines – preparing an environmental impact statement’* (DPHI, March 2026), the proposal has failed to adequately address the cumulative impacts of the precinct. We refer to the Department’s Cumulative Impact Assessment Guidelines for State Significant Projects¹.

The wind assessment identifies an awning which extends to the north-west corner of the building as a mitigation measure. However, it is not identified if this measure has been included in the design of the proposal, nor is it listed in the mitigation measures table provided as Appendix D to the EIS.

The EIS makes the following assessment of the wind impacts:

“Conditions around the site perimeter are generally suitable for Pedestrian Standing or Pedestrian Walking. No significant adverse wind conditions as a result of the proposed development are foreseen, and all public domain areas satisfied the safety criterion.”

This assessment is incorrect. The proposed development results in an increase in wind impact in three locations.

8.0 View sharing

The EIS expressly acknowledges that views within the precinct are shared and emphasises the evolving character of the area. It notes that, as the concurrent rezoning seeks to amend existing planning controls, those controls carry reduced relevance and weight. In this context, *“merit assessment should be guided primarily by the strategic*

¹ <https://www.planning.nsw.gov.au/sites/default/files/2023-03/cumulative-impact-assessment-guidelines-for-ssp.pdf>

planning framework, with appropriate regard to the aims and objectives of the North Sydney LSPS, LEP, DCP and associated planning guidance". The EIS further states that "view sharing becomes increasingly difficult within an area of existing or anticipated high density."

The SFX development adopts this same strategic and view sharing principles. The tower envelope has been aligned with the existing built edge of 1-13 MacKenzie Street, ensuring that key southeast facing views toward the Sydney CBD, Sydney Harbour Bridge and Sydney Opera House remain available to development to the north, including the Zurich site, and to important public vantage points such as Greenwood Plaza. This demonstrates a clear understanding of view sharing principles and the need to moderate upper-level massing in constrained urban environment.

The approach taken specifically recognises the key view corridor and visual curtilage associated with State heritage listed items and the surrounds, including:

- Sydney Harbour Bridge (approaches and viaducts), SHR #00781
- Sydney Opera House, SHR #01685
- Walsh Bay Wharves Precinct, SHR #00559

Within this context, while the proposal results in partial obstruction of some foreground residential development, to the most valued features including Sydney Harbour, the Sydney Harbour Bridge and the broader context, views remain available, and the intrinsic heritage and harbour character of the view is retained.

Overall, the assessment confirms that views are shared rather than owned and the SFX scheme was deliberately mindful of aligning the built form to maintain equitable view sharing. The key southeast view toward the CBD is preserved, consistent with established view sharing principles and the strategic intent for a high-density centre, as acknowledged in the EIS.

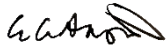
9.0 Summary and Conclusion

CAS supports the renewal of the North Sydney Station Precinct and the delivery of housing, including affordable housing, on the Zurich site. This submission does not object to the adaptive reuse of the building at 5 Blue Street in principle. It does, however, identify a number of matters which require resolution before SSD-86270706 can be properly assessed. In summary:

- Collaboration and public domain – the EIS does not demonstrate the collaborative and consistent approach to the public domain and Blue Street Plaza required by the SEARs and the HDA declaration, and the agreed through site link alignment and stair connection to the SFX site are not identified in the lodged documentation.
- Building separation and visual privacy – the setbacks to the south do not comply with Part 2F of the ADG, and the reliance on the future demolition of 211 Blues Point Road does not justify the non-compliance or resolve the direct overlooking of the SFX site.
- Overshadowing – no targeted analysis has been provided of shadow impacts on the heritage listed Church, its curtilage or the future Church Square.
- Heritage - the Heritage Impact Statement and EIS overlook the broader heritage setting of the SFX Church within the Lavender Bay HCA and should be updated to assess the Zurich proposal's impact on that setting, including an assessment of the open space and through site link.
- Pedestrian wind – the wind assessment does not model the future built form of the SFX site, and the cumulative wind and safety impacts across the precinct have not been addressed.
- Car parking – the EIS and the TIA are inconsistent as to the allocation of spaces, no parking is proposed for the co-living component and no merit assessment has been provided under Section 68 of the Housing SEPP, and there is no equitable provision of parking for the affordable housing component. CAS remain concerned of the impacts to the Church's operations.
- View sharing – the SFX scheme has been designed consistently with the view sharing principles acknowledged in the EIS, retaining the key southeast views to the CBD, Sydney Harbour Bridge and Opera House.

CAS requests that the applicant amend the scheme to address the matters raised in this submission, and that DPHI take these comments into consideration in its assessment of SSD-86270706. CAS and the SVdPSHA project team remain willing to continue working with the applicant and the DPHI to deliver a coordinated precinct outcome.

Yours sincerely,



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