Attachment A

Applicant's Letter to Council dated 31 October 2025

SJB Planning

To: Sydney Local Planning Panel

CC: Costa Dantos – City of Sydney Council

From: Simon Smith – Associate Director, SJB Planning

Date: 31 October 2025

Subject: D/2025/410 – 378 and 380 Cleveland St, Surry Hills (SJB0047)

Attention: Panel Chair

I am writing with regard to the assessment report identified as Item 4 – Development Application: 378 and 380 Cleveland Street, Surry Hills, D/2025/410.

On behalf of the project team, I am writing to confirm that we are supportive of the Council Officer's recommendation but are seeking minor amendments and clarifications to the recommended conditions of consent.

Details as per below.

1. Condition 3 – Housing and Productivity Contribution

Condition 3 specifies a housing and productivity contribution of $11,566.49 (rate of $32.44 per sqm).

We understand that the contribution applies to non-commercial floor areas and additional floor space.

On this basis, we note the following:

Existing Floor Space (i.e. credits)

- 378 Cleveland St – Ground floor incorporating hairdresser and ancillary office (i.e. entire ground floor) = 81m^2

- 380 Cleveland St – Ground floor pharmacy and offices (i.e. entire ground floor) = 111m^2

Proposed Floor Space (i.e. change of use and new areas)

- First floor change of use – 185m^2
- Additional floor space – Ground & First – 40m^2
- Total – 225m^2

On this basis we are of the view that the applicable contribution is $7,299.00 (i.e. 225 x $32.44 = $7,299.00).

2. Condition 12 – Bicycle Parking and End of Trip Facilities

The proposed plans identify the provision of 2 onsite bicycle parking spaces. This has been reflected in the requirements of Condition 12.

The condition also identifies that 2 showers and associated change areas are provided.

Part 3.11(8) of the SDCP identifies that 1 shower is to be provided for every 10 bike spaces. On this basis, the requirement of 2 shower change areas for 2 bicycle spaces would be inconsistent with Part 3.11(8) of the SDCP.

However, we are of the view that showers and change areas are not deemed required on merit as noted below:

- The site is located in close proximity to a variety of public transport modes including:

  - Buses servicing Cleveland Steet
  - Light rail serving Devonshire Street
  - Central station

- The site is physically constrained due existing heritage fabric and significance.

- It is not considered reasonable to provide showers onsite given the minimal number of required bicycle spaces.

As such, it is requested the condition is modified as per below:

Bicycle Parking Type	**Number**	**Requirements**
Staff / Employee	2	Spaces must be Class 2 bicycle facilities
End of trip	**Number**	
~~Showers with change area~~	~~2~~	
Personal lockers	3	

3. Condition 48 – Noise from Entertainment Activities

We note that Condition 48 is a standard condition regarding noise from entertainment activities.

Whilst the proposed use relates to a restaurant, no consent is sought for live music or performances.

Accordingly, we request that the Condition 48 is deleted as it relates to the ongoing use of the premises for entertainment purposes.